

# Development Review Committee

## Staff Report

November 14, 2018



<b>Case No:</b>	18WAIVER1042
<b>Project Name:</b>	New Hopewell Rd access
<b>Location:</b>	13801 New Hopewell Rd
<b>Owner(s):</b>	Evans, Ann & Mark
<b>Applicant:</b>	Dan Smith, Stonelake Homes
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	20 – Stuart Benson
<b>Case Manager:</b>	Lacey Gabbard, Planner I

### **REQUEST(S)**

- **Waiver** of Land Development Code Section 7.8.60.B.4 to allow direct single family access to a collector level roadway.

### **CASE SUMMARY/BACKGROUND**

The applicant is proposing to construct a new single family home on an approximately 5 acre site. New Hopewell Road is classified as a Secondary Collector. The property has been traditionally served by a driveway connecting to a larger private drive/easement on the site's southern border which serves several nearby properties and connects to New Hopewell Road. There are many vacant or undeveloped R-4 zoned properties on this portion of New Hopewell Road. The majority of the developed properties have direct access to New Hopewell Road.

### **STAFF FINDING**

The request is adequately justified and meets the standard of review.

### **TECHNICAL REVIEW**

Transportation Planning Staff field checked sight lines on 10/26/18 and determined that the driveway location provides adequate sight distance and provided their approval. MSD made the comment that no sewers will require BOH approval, but also provided their approval.

### **INTERESTED PARTY COMMENTS**

Staff has received no comments from any interested parties concerning this request.

### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LDC SECTION 7.8.60.B.4**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners as this portion of New Hopewell Road consists of large residential lots, many of which already have access to New Hopewell Road. The proposed access point is in keeping with the general character of the area.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 8, Policy 9 stresses the avoidance of access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. Guideline 8, Policy 10 encourages road designs that should provide sight distances consistent with probable traffic speed, terrain, alignments and climatic extremes. The proposed development is for a low-density lot in a rural area where individual single-family driveway access will not cause a nuisance to surrounding residents.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the proposed driveway off New Hopewell Road is similar to other nearby properties.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would not deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant, as the site has historically used the existing drive/easement.

#### **REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waiver**

#### **NOTIFICATION**

Date	Purpose of Notice	Recipients
11-14-18	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 20

#### **ATTACHMENTS**

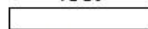
1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



18WAIVER1042

feet



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## 2. Aerial Photograph



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feet



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