

Development Review Committee

Staff Report

July 14th, 2021



Case No:	21-WAIVER-0023
Project Name:	1126 Cecil Ave Waiver
Location:	1126 Cecil Ave
Owner(s):	Amanda Peer
Applicant:	Amanda Peer
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green
Case Manager:	Molly Clark, Planner I

REQUEST(S)

- **Waiver** of 5.4.1.C.2 of the Land Development Code to allow a proposed driveway to access a local road instead of an alley.

CASE SUMMARY

The applicant is proposing to build a driveway that will connect to Cecil Avenue, which is a local road, and run along the side of the property past the existing single-family house to the rear. The applicant currently has alley access in the rear of the property but does not want to connect. The site is zoned R-5 in the Traditional Neighborhood.

STAFF FINDING

The request is not adequately justified and does not meet the standard of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

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

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

- a. The waiver will adversely affect adjacent property owners; and,

STAFF: The will adversely affect adjacent property owners since the other properties along the alley way had to connect where as this property is proposing not to connect. The driveway will be 10 foot wide and up against the single family house next door.

- b. The waiver will not violate the Comprehensive Plan; and,

STAFF: The waiver will violate Plan 2040 because according to Guideline 1, Policy 4 redevelopment should be compatible with site design of nearby existing pattern of development on Cecil Ave. What is being proposed is not compatible with the other single-family homes that have access to the alley in the rear.

- c. The extent of 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 not the minimum necessary to afford relief to the applicant. The applicant has enough area in the rear of the property to create access from the alley.

- d. Either: 1. 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 2. 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 create an unnecessary hardship on the applicant since the applicant has enough area in the rear of the property to connect to the existing alley.

REQUIRED ACTIONS:

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

NOTIFICATION

Date	Purpose of Notice	Recipients
6/28/21	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 1

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

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2. Aerial Photograph