

Development Review Committee

Staff Report

September 6, 2023



Case No:	23-MPLAT-0085
Project Name:	Minor Subdivision Plat
Location:	968 Samuel Street
Owner(s):	Janchase Charifa and April Kouth Charifa
Applicant:	Janchase Charifa and April Kouth Charifa
Jurisdiction:	Louisville Metro
Council District:	6 – Phillip Baker
Case Manager:	Kaitlin Dever, Associate Planner

REQUEST(S)

- **Waiver** from LDC Section 5.2.2 to allow two lots to be less than the minimum required lot width of 35' and to allow one lot to be less than the minimum required area of 4,500 sq.ft.

CASE SUMMARY

The applicant is proposing a minor subdivision to create two lots from one lot in the R-6 zoning district and Traditional Neighborhood form district. The current lot is 8,100 sq.ft. and will be divided into one 4,700 sq.ft. lot (Lot #B) and one 3,400 sq.ft. lot (Lot #A). The new lots would be 32' and 27' wide, respectively.

STAFF FINDING

The requested waivers are adequately justified for approval based on staff's analysis contained in the standard of review.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners as the majority of existing nearby lots are below the minimum required lot width. It will match the current neighborhood pattern.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Community Form Goal 1 describes the Traditional Neighborhood form district as consisting of predominantly narrow and deep lots. Policy 4 calls for proposals to ensure compatibility with the scale and site design of nearby existing development and with the desired pattern of development within the form district. The majority of the lots in the immediate area are 25-30' in lot width. Despite being below the minimum required lot area, Lot #A meets the other required residential site design standards.

- (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. The proposed lot configuration adheres to the required residential site design standards.

- (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 deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. Since the proposed subdivision is improving the compatibility of the current space with the character and pattern of development in the surrounding neighborhood, the strict application of the provisions would be unreasonable.

REQUIRED ACTIONS:

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

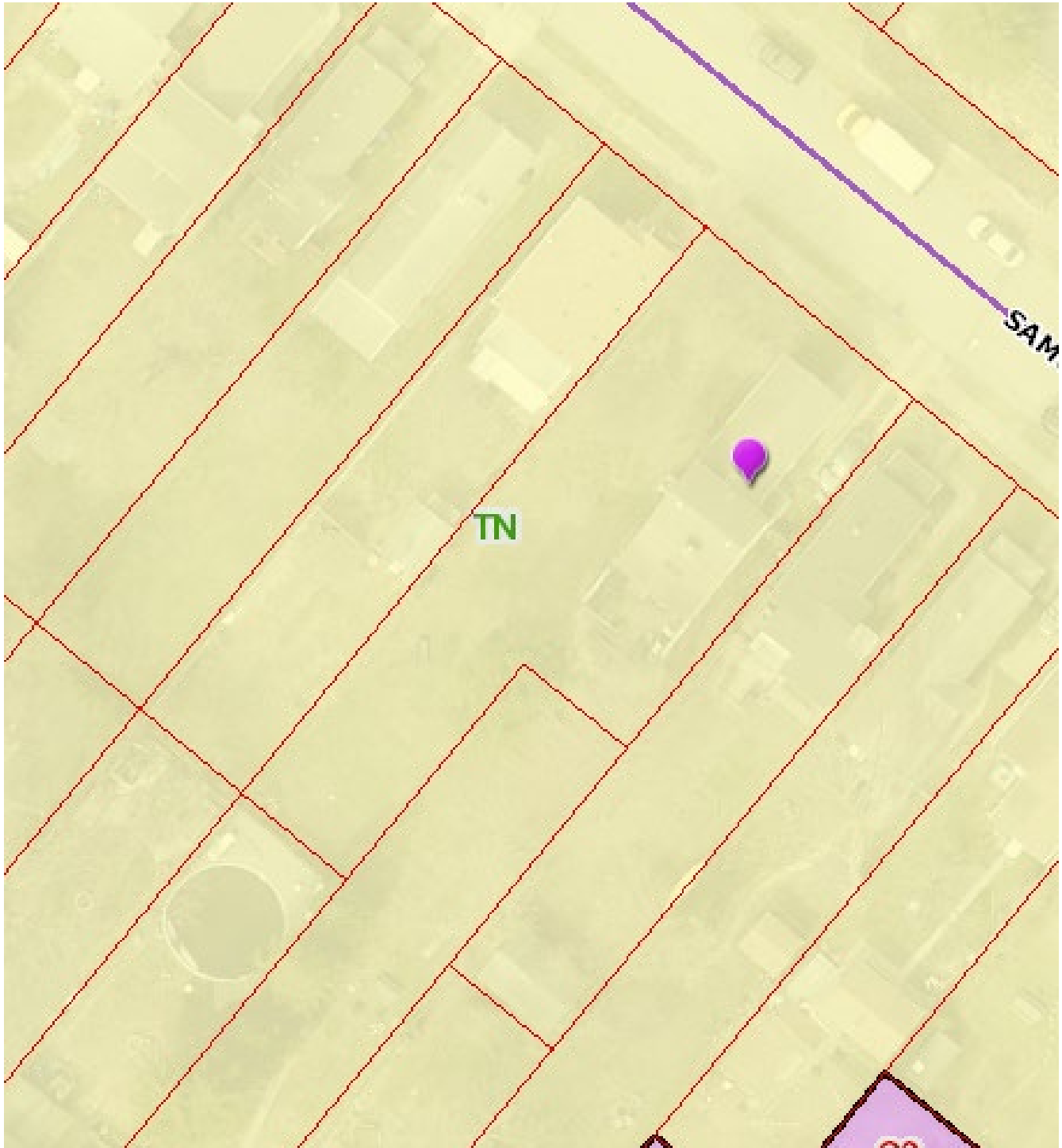
NOTIFICATION

Date	Purpose of Notice	Recipients
8/21/2023	Hearing before DRC	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 6

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

