

**Development Review Committee**  
**Staff Report**  
March 29, 2023



<b>Case No:</b>	22-FBH-0008
<b>Project Name:</b>	4918 Burkhead Avenue
<b>Location:</b>	4918 Burkhead Avenue
<b>Owner(s):</b>	Maykel Cruz
<b>Applicant:</b>	Richeal Mabis
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	14 – Cindi Fowler
<b>Case Manager:</b>	Amy Brooks, Planner I

**REQUEST(S)**

- Approval of Factory Built Housing Request That Does Not Conform with One or More of the Standards Listed in Sub-Section 4.1.2.B of the Land Development Code

**CASE SUMMARY/BACKGROUND**

The applicant proposes to place a factory-built home on 0.34 acres. The subject site is zoned R-4 in the Neighborhood Form District. The subject site qualifies as infill because more than 50% of the block face is built out.

The proposed house:



Section 4.1.2.B.5 of the Land Development Code requires that the minimum width of the first story shall be equal to the average of the 2 nearest residential buildings in the same block face. The 2 neighboring residential buildings are roughly 29.6 feet wide. The applicant is requesting a width of 26.4 feet.

All other requirements are met.

### **STAFF FINDING**

Staff finds the request is adequately justified and meets the Standard of Review.

### **TECHNICAL REVIEW**

None required.

### **INTERESTED PARTY COMMENTS**

Staff has not received any formal comments.

### **STANDARD OF REVIEW AND STAFF ANALYSIS (Factory Built Housing Placed on Infill Lots)**

1. Roofed front porches must be included on each structure if more than 50% of the structures in the same block face or within 200 feet of the subject site, whichever is less, include them. Porches shall, equal the average size and must resemble the architectural style, roof pitch, foundation and façade material of porches existing within the block face. The Planning Director shall determine if the proposed porch design is sufficiently similar to those of adjacent residences. **The Planning Director has determined that the proposed porch design is similar to those of adjacent properties.**
2. Façade materials shall match in appearance those of one of the adjacent residences (residential buildings on either side of the infill lot, or two nearest residences, if the adjacent structures are non-residential). The Planning Director may approve alternative materials, if the Director finds that the proposed design and façade materials are substantially in keeping with the existing character of the block face. **This standard has been met; the façade material is in keeping with adjacent properties that also have vinyl siding.**
3. Front facing windows must have consistent size, spacing, and proportion to that of the adjacent residences (residential buildings on either side of the infill lot, or two nearest residences, if the adjacent structures are non-residential). The Planning Director may approve alternative window sizes and patterns, that the Director determines are in keeping with the existing character of the block face. **The proposed structure has windows that face the street.**
4. The first floor elevation of the proposed dwelling shall be no lower than the average floor elevations of the existing adjacent residential buildings (residential buildings on either side of the infill lot, or two nearest residences, if the adjacent structures are non- residential). **The first-floor elevation of the proposed dwelling-unit is lower than the average floor elevation of the adjacent residential buildings.**
5. Minimum width of each unit's first story shall be at least equal to the average of the two nearest residential buildings in the same block face (residential buildings on either side of the infill lot, or two nearest residences, if the adjacent structures are non- residential). **The two neighboring residential buildings are roughly 29.6 feet wide. The applicant is requesting a width of 26.4 ft. The Planning**

**Commission may approve factory-built housing that does not conform with one of more of the standards listed in sub-section 4.1.2.B if the Commission finds that the proposed housing:**

- (a) Is compatible with existing housing located within a one-eighth mile radius:

**Staff: A one-eighth mile buffer was applied to the subject site. There are a variety of housing type with varying widths within this area close to Burkhead Ave., some of which are similar in aesthetic to the proposed structure. See Attachment 4 for examples of adjacent properties.**

- (b) Complies with applicable standards of the form district in which it is located; and conforms to applicable provisions of the Comprehensive Plan.

**STAFF: Section 4.6 of Plan 2040 sets the goal to expand and ensure a diverse range of housing choices and ensure long-term affordability and livable options in all neighborhoods. Some objectives in the plan to meet these goals include flexible zoning/design regulations encourage diverse housing options, varieties of housing types and densities are promoted, infill development and adaptive re-use are promoted, redevelopment of vacant and underused properties for residential uses is encouraged, and housing types are integrated into the surrounding neighborhood through complementary design. The proposed home will not violate specific guidelines of Plan 2040 as the proposal will allow for the residential use of the site in a manner that is appropriate for the form district and surrounding area. The structure will not allow an unreasonable circumvention of the regulations or cause a hazard to the public. The structure complies with the Comprehensive Plan.**

**The Neighborhood Form District regulations state that the form district is intended to promote new development that is consistent with a neighborhood pattern and form of development including compatible infill development and inclusive housing opportunities. The structure will be located in such a way to meet setbacks and other requirements of the form district. No variances from the form district standards are required.**

6. The roof of each infill unit shall have pitch at least as steep as the average of the roof pitch of the two nearest residential buildings in the same block face. The Planning Director may approve a lower roof pitch if the Director finds that the adjacent roof pitches are not representative of the block face in which the factory built home is to be located. **This standard has been met.**
7. Infill structures shall be consistent in number of stories with the pattern established by surrounding residences; if more than 50% of existing residences within the block face (TNFD) or 200 feet distance (NFD) are more than one story in height, the infill structure shall be a two-story structure. Where the established pattern is story and a half (e.g., “camelback structures”), infill housing may have a full or partial second story. **The infill height requirement has been met. The existing residences are one-story structures as is the proposed unit.**
8. HVAC units shall not be located between the front façade and the street. **The HVAC unit will be located on the rear or side of the home.**
9. In Landmarks Districts, design review and approval by the Landmarks Commission shall substitute for the requirements established in paragraphs B.1 through 8, above. **This standard does not apply.**
10. The Planning Director may approve proposed developments of five or more infill units that vary from the standards listed in this 4.1.3.B, if the Director finds that the units are compatible with the neighborhood in which they will be located. **This standard does not apply.**

## **REQUIRED ACTIONS**

- **APPROVE** or **DENY** the Factory Built Housing Application.

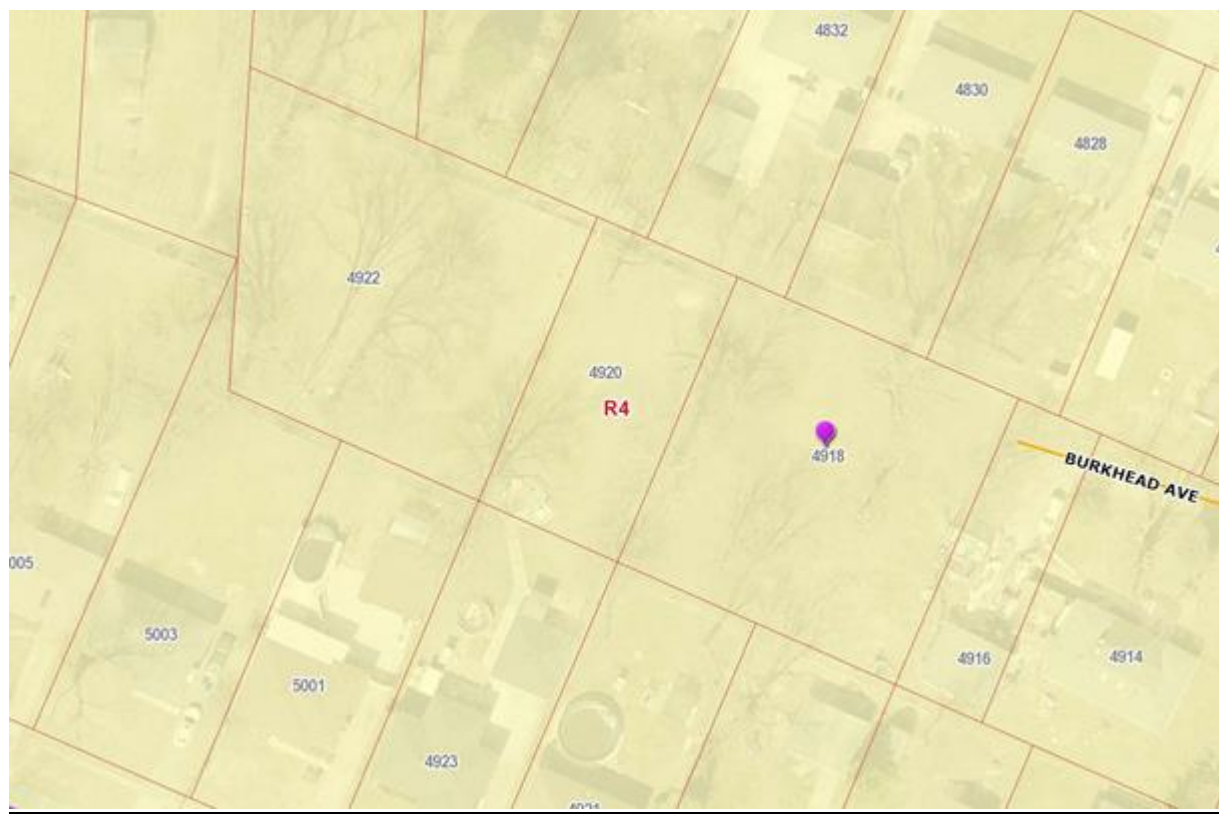
## **NOTIFICATION**

Date	Purpose of Notice	Recipients
3/14/2023	Hearing Before DRC	1 <sup>st</sup> Tier Adjoining Property Owners Registered Neighborhood Groups in Council District 14
3/17/2023	Hearing Before DRC	Notice Posted on Property

## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Examples of Adjacent Properties

1. **Zoning Map**

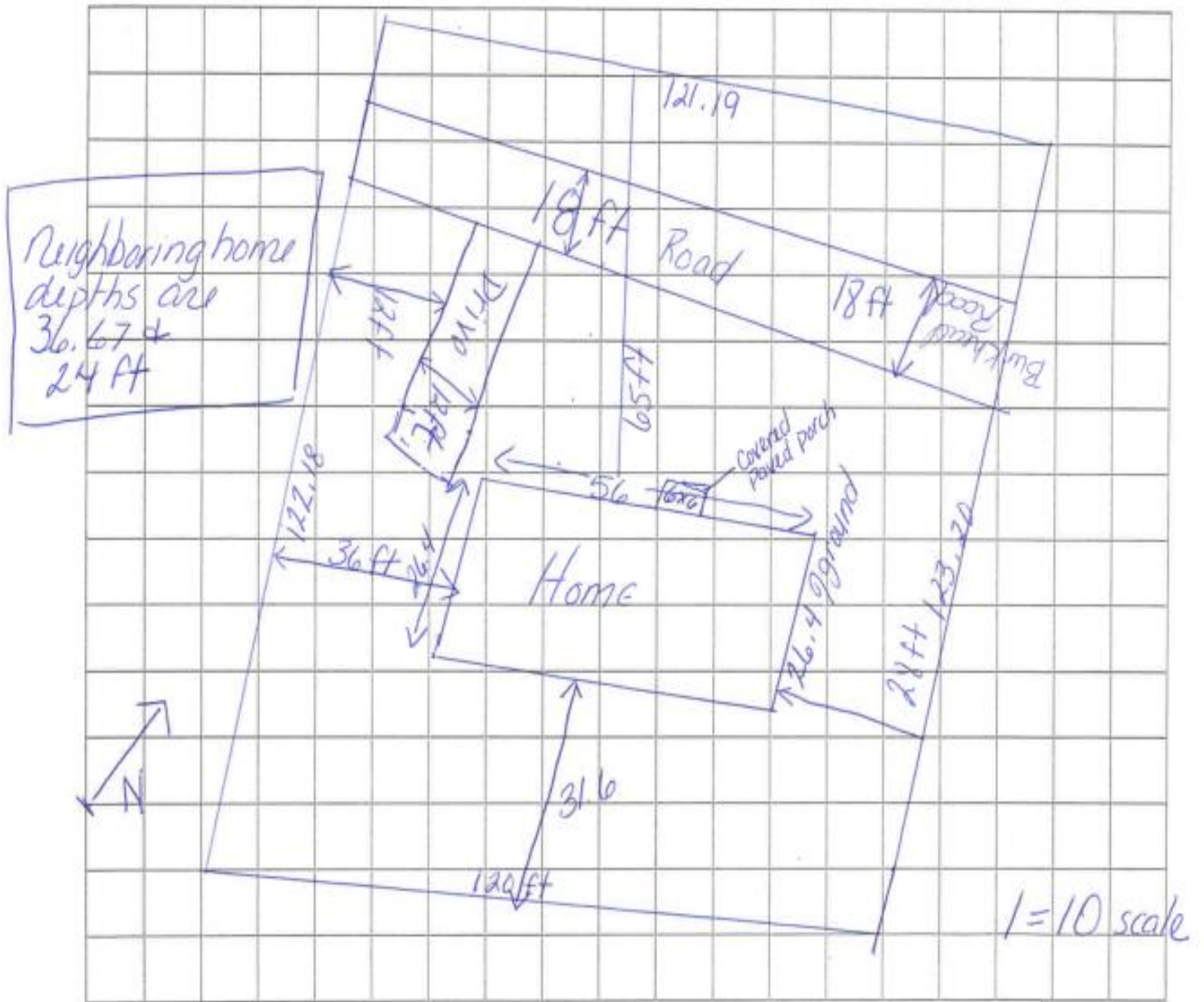


## 2. Aerial Map





### 3. Site Plan



#### 4. Examples of Adjacent Properties



4814 Burkhead Avenue; Approximately 25 Feet Wide, Measured with Lojic.org



4812 Burkhead Avenue; Approximately 26 Feet Wide; Measured with Lojic.org





4912 Burkhead Avenue; Approximately 26 Feet Wide