



Louisville Metro Government

Old Jail Auditorium
514 W. Liberty Street
Louisville, KY 40202

Action Summary Board of Zoning Adjustment

Monday, June 26, 2023

1:00 PM

Old Jail Courtroom

Call To Order

Approval Of Minutes

1.

Approval of the minutes of the June 5, 2023 Board of Zoning Adjustment meeting.

On a motion by Member Vozos, seconded by Member Horton, the minutes from the June 5, 2023 BOZA meeting were approved. The motion carried by the following vote:

Business Session

2.

Request: Waiver of BOZA Policy 3.02.04 to allow a new application for Board action within one year of Board action on the same tract of property.

Project Name: Ridgeview Avenue Short Term Rental

Location: 2418 Ridgeview Avenue

Owner: Farooq Shaheen

Applicant: Slava Furs

Jurisdiction: Louisville Metro

Council District: 18- Marilyn Parker

Case Manager: Amy Brook, Planner I

A motion was made by Member Buttorff, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

Public Hearing

3.

Request: **CONTINUED FROM JUNE 5, 2023 BOZA MEETING** - Conditional Use Permit for an accessory dwelling unit in R-5 single family zoning district with an associated variance

Project Name: N. Crestmoor Accessory Dwelling Unit

Location: 100 N. Crestmoor Avenue

Owner: Lauren Riney & Michael Frank

Applicant: Michael Frank

Jurisdiction: Louisville Metro

Council District: 9 -Andrew Owen

Case Manager: Heather Pollock, Planner I

A motion was made by Member Vozos, seconded by Member Buttorff, that the requested Variance to allow an accessory structure to encroach into the street side yard setback be approved. The motion carried by the following vote:

A motion was made by Member Vozos, seconded by Member Buttorff, that the requested Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in the R-5 Single Family zoning district and the Traditional Neighborhood form district. (LDC 4.2.3) be approved. The motion carried by the following vote:

4.

Request: A variance to allow an accessory structure to encroach into the required side yard setback.

Project Name: Plane Tree Drive Variance

Location: 4606 Plane Tree Dr.

Owner: Michael Schubert

Applicant: Michael Schubert

Jurisdiction: Louisville Metro

Council District: 2- Barbara Shanklin

Case Manager: Amy Brooks, Planner I

A motion was made by Vice Chair Buttorff, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

5.

Request: A variance to allow a structure to encroach into the required side yard and rear yard setbacks.

Project Name: Big Bar Variance

Location: 1202 Bardstown Rd

Owner: Kevin Bryan, Bigger is Better LLC

Applicant: Nathan Grimes

Jurisdiction: Louisville Metro

Council District: 8- Benjamin Reno-Weber

Case Manager: Amy Brooks, Planner I

A motion was made by Member Vozos, seconded by Vice Chair Buttorff, that the case be continued to July 24th, 2023 BOZA meeting. The motion carried by the following vote:

6.

Request: A variance to allow a structure to encroach into the required side yard and rear yard setbacks.

Project Name: Wallace Avenue Variance

Location: 611 Wallace Avenue

Owner: Jessica Farquhar

Applicant: Mark Campbell

Jurisdiction: City of St. Matthews

Council District: 9-Andrew Owen

Case Manager: Amy Brooks, Planner I

A motion was made by Vice Chair Buttorff, seconded by Member Horton, that the case be recommend for approval to the City of St. Matthews. The motion carried by the following vote:

7.

Request: A variance to allow a proposed addition to exceed the max setback on a corner lot and encroach into the rear yard setback

Project Name: Burnett Avenue Variance

Location: 511-537 Burnett Ave

Owner: Burwether, LLC

Applicant: Burwether, LLC.

Jurisdiction: Louisville Metro

Council District: 6 - Phillip Baker

Case Manager: Molly Clark, Planner II

A motion was made by Member Horton, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

8.

Request: Variance to allow a principal structure to encroach into the street side yard setback.

Project Name: Basswood Lane Variance

Location: 3606 Basswood Lane

Owner: Courtney and Robert Hunter

Applicant: Courtney and Robert Hunter

Representative: Jack Stewart, AIA, Stewart Architecture, PLLC

Jurisdiction: Louisville Metro

Council District: 16- Scott Reed

Case Manager: Jeremy Chesler, Planner I

A motion was made by Vice Chair Buttorff, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

9.

Request: A variance to allow a structure to encroach into the required side yard setback.

Project Name: South Shelby Street Variance

Location: 1039 S. Shelby St

Owner: Salena Hernandez

Applicant: Brian Holder, Holder Realty LLC

Jurisdiction: Louisville Metro

Council District: 6- Phillip Baker

Case Manager: Amy Brooks, Planner I

A motion was made by Member Vozos, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

10.

Request: A variance to allow an accessory structure to encroach into the required street side yard setback. (**CONTINUED TO A DATE UNCERTAIN**)

Project Name: Tyler Lane Variance

Location: 2038 Tyler Lane

Owner: Tyler 2038 LLC

Applicant: Kevin Sullivan

Jurisdiction: Louisville Metro

Council District: 8- Benjamin Reno-Weber

Case Manager: Amy Brooks, Planner I

A motion was made by Member Vozos, seconded by Member Buttorff, that the case be continued to the July 24th, 2023 BOZA meeting. The motion carried by the following vote:

11.

Request: Variances for Maximum Building Height, Setbacks, and a Waiver from Residential Site Design Standards

Project Name: Monarch Station

Location: 1413 Bland St

Owner: Volunteers of America Mid-States

Applicant: Jake Belwood, Gresham Smith

Jurisdiction: Louisville Metro

Council District: 6 - Philip Baker

Case Manager: Ethan Lett, Planner I

A motion was made by Member Horton, seconded by Vice Chair Buttorff, that the Variance from the Land Development Code Section 5.7.1.B.1 to allow the building to exceed the Transition Zone maximum building height be approved. The motion carried by the following vote:

A motion was made by Member Horton, seconded by Vice Chair Buttorff, that the Variance from the Land Development Code Section 5.1.12.A.2.a. to allow the building to encroach into the infill front yard setback a be approved. The motion carried by the following votes:

A motion was made by Member Horton, seconded by Vice Chair Buttorff, that the Variance from the Land Development Code Section 5.2.2 to allow the building to encroach into the rear yard setback. The motion carried by the following votes:

A motion was made by Member Vozos, seconded by Vice Chair Buttorff, that the Waiver from the Land Development Code Section 5.4.1. to allow the development to not conform to the Traditional Residential Site Design standards. The motion carried by the following votes:

12.

Request: Nonconforming Rights for heavy truck repair.

Project Name: Nonconforming rights

Location: 10510 National Turnpike
Owner: James Gerkins
Applicant: James Gerkins
Jurisdiction: Louisville Metro
Council District: Dan Seum Jr. - District 13
Presenter: Christopher French, AICP, Planning Supervisor
Case Manager: Mark Pinto, Associate Planner

A motion was made by Vice Chair Buttorff, seconded by Member Horton, that the case be approved. The motion carried by the following vote:

13.

Request: Modified Conditional Use Permit for Camping Areas and Recreational Vehicle Parks
Project Name: Progress Park
Location: 4501 Progress Blvd
Owner: Progress Park, LLC
Applicant: Mike Pifer
Jurisdiction: Louisville Metro
Council District: 2 -Barbara Shanklin
Case Manager: Ethan Lett, Planner I

A motion was made by Vice Chair Buttorff, seconded by Member Horton, that the case be approved. The motion carried by the following vote:

14.

Request: Conditional Use Permit for Boarding House (LDC 4.2.11) with relief from item 'A'
Project Name: 1814 Date Street
Location: 1814 Date Street
Owner: Hoang Nguyen
Representative: Wyatt, Tarrant, & Combs, LLP - Jon Baker
Jurisdiction: Louisville Metro
Council District: 4 - Jecorey Arthur
Case Manager: Joel Dock, AICP, Planning Supervisor

A motion was made by Vice Chair Buttorff, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

15.

Request: Conditional Use Permit for Short Term Rental of a Dwelling Unit That is Not the Primary Residence of the Host
Project Name: Sunbury Lane Short Term Rental
Location: 7901 Sunbury Lane
Owner: Sunny Family Revocable Trust
Applicant: Barrett Goff
Jurisdiction: Louisville Metro
Council District: 11 -Kevin Kramer

Case Manager: Heather Pollock, Planner I

A motion was made by Member Vozos, seconded by Member Horton, that the case be approved. The motion carried by the following vote:

16.

Request: Conditional Use Permit for Short Term Rental of a Dwelling Unit That is Not the Primary Residence of the Host

Project Name: Emery Ave Short Term Rental

Location: 5125 Emery Avenue

Owner/Applicant: Johnathan Lun

Jurisdiction: Louisville Metro

Council District: 21- Betsy Ruhe

Case Manager: Chris French, AICP, Planning Supervisor

A motion was made by Member Vozos, seconded by Member Buttorff, that the case continued to July 10th, 2023 BOZA meeting. The motion carried by the following vote:

17.

Request: Conditional Use Permit for Short Term Rental of a Dwelling Unit That is Not the Primary Residence of the Host

Project Name: River Road Short Term Rental

Location: 4515 River Road

Owner: Gaffney Historic River, LLC

Applicant: Galen Weiss & Ellen Archer

Representative: Cliff Ashburner, Dinsmore & Shohl, LLP

Jurisdiction: Louisville Metro

Council District: 16 - Scott Reed

Case Manager: Heather Pollock, Planner I

A motion was made by Member Vozos, seconded by Member Buttorff, that the case be continued July 10th, 2023 BOZA meeting. The motion carried by the following vote:

18.

Request: Conditional Use Permit for Short Term Rental of a Dwelling Unit That is Not the Primary Residence of the Host

Project Name: 326 Northwestern Parkway Short Term Rental

Location: 326 Northwestern Parkway

Owner: Lotus Property Group LLC

Applicant: Angela Hite

Jurisdiction: Louisville Metro

Council District: 5- Donna Purvis

Case Manager: Amy Brooks, Planner I

A motion was made by Member Vozos, seconded by Vice Chair Buttorff, that the case be continued to July 24th, 2023 BOZA meeting. The motion carried by the following vote:

19.

Request: Conditional Use Permit for Short Term Rental of a Dwelling Unit That is Not the Primary Residence of the Host
 Project Name: 125 Northwestern Parkway Short Term Rental
 Location: 125 Northwestern Parkway
 Owner: Lotus Property Group LLC
 Applicant: Angela Hite
 Jurisdiction: Louisville Metro
 Council District: 5- Donna Purvis
 Case Manager: Amy Brooks, Planner I

A motion was made by Member Vozos, seconded by Vice Chair Buttorff, that the case be continued to July 24th, 2023 BOZA meeting. The motion carried by the following vote:

20.

Request: Conditional Use Permit for Short Term Rental of a Dwelling Unit That is Not the Primary Residence of the Host
 Project Name: Strathmoor Boulevard Short Term Rental
 Location: 2201 Strathmoor Boulevard
 Owner/Applicant: Karla Kinderman Ceccoli
 Jurisdiction: Louisville Metro
 Council District: 8 - Ben Reno-Weber
 Case Manager: Heather Pollock, Planner I

A motion was made by Vice Chair Buttorff, seconded by Member Vozos, that the case be approved. The motion carried by the following vote:

21.

Request: Appeal of an administrative decision regarding nonconforming rights.
 Project Name: Atterberry Court Appeal
 Location: 4607 Atterberry Court
 Owner: Prospect Construction, LLC
 Appellant: Tom Sanders
 Representative: Bardenwerper, Talbot & Roberts, PLLC
 Jurisdiction: City of Shively
 Council District: 3 - Kumar Rashad
 Case Manager: Chris French, AICP, Planning Supervisor

A motion was made by Member Vozos, seconded by Member Horton, that the case be continued to August 7th, 2023 BOZA meeting. The motion carried by the following vote:

Adjournment