



Louisville Metro Government

Old Jail Auditorium
514 W Liberty Street
Louisville, KY 40202

Agenda

Board of Zoning Adjustment

Monday, September 23, 2019

1:00 PM

Old Jail Auditorium

Call To Order

Approval Of Minutes

1. [BOZA Minutes 09.09.19 Special](#)

Approval of the Minutes from the September 9, 2019 Board of Zoning Adjustment Special meeting.

Attachments: [BOZA Minutes 09.09.19 Special.pdf](#)

2. [BOZA Minutes 09.09.19 Regular](#)

Approval of the Minutes from the September 9, 2019 Board of Zoning Adjustment Regular meeting.

Attachments: [BOZA Minutes 09.09.19 Regular.pdf](#)

Business Session

3. [19-CUP-0030](#)

Request:

RECONSIDERATION REQUEST

Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the owner/host

Project Name:

Brainard Short Term Rental

Location:

1466 St. James Court

Owner/Applicant:

Benjamin Brainard

Jurisdiction:

Louisville Metro

Council District:

6 - David James

Case Manager:

Jon E. Crumby, Planning & Design Coordinator

Attachments: [1466 St James Ct CUP Application Reconsideration.pdf](#)

Public Hearing

4. [19CUP1018](#)

Request: Reconsideration of a Conditional use permit to allow a short term rental of a dwelling unit that is not the primary residence of the host

Project Name: Franklin Street Short Term Rental

Location: 813 Franklin Street

Owner/Applicant: Colin Clark - Double C Realty, LLC

Jurisdiction: Louisville Metro

Council District: 4 - Barbara Sexton Smith

Case Manager: Zach Schwager, Planner I

Attachments: [19CUP1018_Staff Report_BOZA 092319.pdf](#)
[813 franklin st rehearing.pptx](#)
[SupportLetter.msg](#)
[19CUP1018_ApplicantJustification_600FT.pdf](#)
[19CUP1018_Bedroom_Photos.pdf](#)
[19CUP1018_FORMAL_600FT_2019-09-12.pdf](#)
[19CUP1018_Plan.pdf](#)
[19CUP1018_Staff Pres.ppt](#)

5. [19CUP1028](#)

Request: Reconsideration of a Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the owner/ host

Project Name: Thomas Short Term Rental

Location: 934 East Oak Street

Owner: Uncle Karl Dyson, LLC

Applicant: David Orange

Jurisdiction: Louisville Metro

Council District: 4 - Barbara Sexton Smith

Case Manager: Jon E. Crumbie, Planning and Design Coordinator

Attachments: [19CUP1028 Power Point 092319.ppt](#)
[19CUP1028_Staff Report_092319.pdf](#)
[934 E Oak BedroomPhotos 19CUP1028.pdf](#)

6. [19-CUP-0052](#)

Request: **THIS CASE IS BEING CONTINUED TO 10/21/19**
Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the owner/host

Project Name: Higgins Short Term Rental
Location: 1036 Lampton Street
Owner/Applicant: Shannon Higgins, LLC
Jurisdiction: Louisville Metro
Council District: 4 - Barbara Sexton Smith
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

7. [19-CUP-0060](#)

Request: **THIS CASE IS BEING CONTINUED TO 10/21/19**
Conditional use permit to allow a short term rental of a dwelling unit that is not the primary residence of the host

Project Name: Cannonside Drive Short Term Rental
Location: 804 Cannonside Drive
Owner: Anthony Clemons
Applicant: Michael Eisenberg - Furnished Habitat LLC
Jurisdiction: Louisville Metro
Council District: 9 - Bill Hollander
Case Manager: Zach Schwager, Planner I

8. [19-VARIANCE-0026](#)

Request: Variance to allow a principal structure to encroach into the required side yard setbacks.

Project Name: Klemenz Caldwell Variance
Location: 1023 E. Caldwell St.
Owner: David Klemenz, C & D Construction, LLC
Applicant: David Klemenz, C & D Construction, LLC
Jurisdiction: Louisville Metro
Council District: 4 - Barbara Sexton Smith
Case Manager: Zach Schwager, Planner I

Attachments: [19-Variance-0026_Staff Pres.ppt](#)
[19-VARIANCE-0026 Staff Report.pdf](#)
[19-VARIANCE-0026 Application 7-23-19.pdf](#)
[19-VARIANCE-0026 Elevations 7-24-19.pdf](#)
[19-VARIANCE-0026 Plan 7-23-19.pdf](#)

9. [19VARIANCE1050](#)

Request: Variance to allow a proposed warehouse to encroach into a protected waterway buffer

Project Name: Meineke

Location: 4170 Bardstown Rd

Owner: Bryan Brown, Bycar Investments LLC

Representative: Bryan Brown, Bycar Investments LLC

Jurisdiction: Louisville Metro

Council District: 2 - Barbara Shanklin

Case Manager: Lacey Gabbard, AICP, Planner I

Attachments: [19VARIANCE1050_applicant_justification.pdf](#)
[19VARIANCE1050_BOZA_Staff_Report_090919.pdf](#)
[19VARIANCE1050_Staff_Pres.ppt](#)
[19DEVPLAN1099_19VARIANCE1050_PLAN_5-13-19.PDF](#)

10. [19-VARIANCE-0021](#)

Request: Variance to allow a fence in the street side yard to exceed 48 inches in height

Project Name: Six Mile Lane Variance

Location: 5917 Six Mile Lane

Owner: The Majka Living Trust

Applicant: Bob Taylor

Jurisdiction: Louisville Metro

Council District: 10 - Pat Mulvihill

Case Manager: Zach Schwager, Planner I

Attachments: [19-VARIANCE-0021_Staff_Pres.ppt](#)
[19-VARIANCE-0021_Staff_Report_BOZA_092319.pdf](#)
[19-VARIANCE-0021_ApplicantJustification.pdf](#)
[19-VARIANCE-0021_Plan.pdf](#)

11. [19-VARIANCE-0023](#)

Request: Variance to allow a parking area to encroach into the required side yard setback adjacent to a residential zoning district and waivers to allow pavement and proposed detention basin to encroach into the required Landscape Buffer Area and an Interior Landscape Area to overlap the Landscape Buffer Area

Project Name: New Cut Road Variance and Waivers
Location: 5868 New Cut Road
Owner: ACT Development Inc.
Applicant: Derek Triplett - Land Design & Development, Inc.
Jurisdiction: Louisville Metro
Council District: 13 - Mark Fox
Case Manager: Zach Schwager, Planner I

Attachments: [19-VARIANCE-0023_19-WAIVER-0029_Staff Pres.ppt](#)
[19-VARIANCE-0023_19-WAIVER-0029_Staff Report_BOZA 092319.pdf](#)
[19-VARIANCE-0023_19-WAIVER_0029_ApplicantJustification.pdf](#)
[19-VARIANCE-0023_19-WAIVER-0029_OppositionLetter.pdf](#)
[19-VARIANCE-0023_19-WAIVER-0029_OppositionMaps.pdf](#)
[19-VARIANCE-0023_19-WAIVER-0029_Plan.pdf](#)

12. [19-VARIANCE-0027](#)

Request: Variance to allow a principal structure to encroach into the required side yard setbacks.

Project Name: 1015 E. Caldwell Variance
Location: 1015 E. Caldwell Street
Owner: James Ryan Brown
Applicant: James Ryan Brown
Jurisdiction: Louisville Metro
Council District: 4 - Barbara Sexton Smith
Case Manager: Zach Schwager, Planner I

Attachments: [19-Variance-0027_Staff Pres.ppt](#)
[19-VARIANCE-0027_Staff Report.pdf](#)
[19-Variance-0027_Applicant Justification.pdf](#)
[19-VARIANCE-0027_Plan.pdf](#)

13. [19-VARIANCE-0007](#)

Request: Variance to allow a fence in the street side yard to exceed 48 inches in height
Project Name: Arroyo Trail Variance
Location: 4710 Arroyo Trail
Owner: Terry L. Henderson
Applicant: Terry L. Henderson
Jurisdiction: Louisville Metro
Council District: 13 - Mark Fox
Case Manager: Zach Schwager, Planner I

Attachments: [19-VARIANCE-0007_Staff Pres.ppt](#)
[19-VARIANCE-0007_Staff Report_BOZA 092319.pdf](#)
[Capture.JPG](#)
[19-VARIANCE-0007_ApplicantJustification.pdf](#)
[19-VARIANCE-0007_Plan.pdf](#)

14. [19-NONCONFORM-0007](#)

Request: Change in nonconforming use from doctor's office to Office, Professional and Business.
Project Name: Preston Hwy. Change in Nonconformance
Location: 3803 Preston Hwy.
Owner: Steven Smith
Applicant: Steven Smith
Jurisdiction: Louisville Metro
Council District: 10 - Patrick Mulvihill
Case Manager: Zach Schwager, Planner I

Attachments: [19-NONCONFORM-007_Application_7-1-19.pdf](#)
[19NONCONFORM1017_APPROVAL LETTR_6-20-19.pdf](#)
[19-NONCONFORM-0007_Staff Report.pdf](#)

15. [19-CUP-0029](#)

Request: Conditional Use Permit for a short term rental of a single family dwelling that is not the primary residence of the host

Project Name: Short Term Rental

Location: 1028 S 5th Street

Owner/Applicant: Greg and Cassi Luka

Jurisdiction: Louisville Metro

Council District: 6 - David James

Case Manager: Lacey Gabbard, AICP, Planner I

Attachments: [19-CUP-0029 Formal 600FT 2019-09-13.pdf](#)
[19-CUP-0029 Photos.pdf](#)
[19-CUP-0029 Staff Pres.ppt](#)
[19-CUP-0029 applicant justification.pdf](#)
[19-CUP-0029 BOZA Staff Report 091919.pdf](#)

16. [19-CUP-0064](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit located in the TNZD

Project Name: S. Floyd Short Term Rental

Location: 1144 S. Floyd

Owner/Applicant/Host: Julia Pave

Jurisdiction: Louisville Metro

Council District: 6 - David James

Case Manager: Beth Jones, AICP, Planner II

Attachments: [19CUP0064_1144 S Floyd Interior Pics.pdf](#)
[19-CUP-0064 1144 S Floyd PP.pptx](#)
[19-CUP-0064_1144 S Floyd Proximity Statement.pdf](#)
[19-CUP-0064 1144 S Floyd APO Mtg.pdf](#)
[19-CUP-0064 1144 S Floyd BOZA Staff Rpt.pdf](#)
[19-CUP-0064 1144 S Floyd Comment.pdf](#)

17. [19-CUP-0058](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit not the primary residence of the host

Project Name: Glenmary Short Term Rental

Location: 2409 Glenmary Avenue, Unit 1

Owner/Applicant: Michael Storm

Host: Luann Davis

Jurisdiction: Louisville Metro

Council District: 8 - Brandon Coan

Case Manager: Beth Jones, AICP, Planner II

Attachments: [19-CUP-0058_2409 Glenmary_BOZA PP.pptx](#)
[19-CUP-0058_2409 Glenmary_BOZA Staff Rpt.pdf](#)
[19-CUP-0058_2409 Glenmary_Interior.pdf](#)
[19-CUP-0058_2409 Glenmary_APO Mtg.pdf](#)

18. [19-CUP-0059](#)

Request: Conditional Use Permit for a short term rental of a single family dwelling that is not the primary residence of the host

Project Name: Short Term Rental

Location: 122 West Garrett Street

Owner/Applicant: Jonathan B. Cayot

Jurisdiction: Louisville Metro

Council District: 15 -Kevin Triplett

Case Manager: Steve Hendrix, Planning and Design Coordinator

Attachments: [19-CUP-0059 staff report.pdf](#)
[19-CUP-0059.ppt](#)

19. [18CUP1120](#)

Request: Conditional Use Permit for a private institutional use

Project Name: Chabad of Prospect

Location: 6900 Transylvania Avenue

Owner: Chabad of Prospect, Inc.

Representative: Boruch Susman

Jurisdiction: Louisville Metro

Council District: 16 - Scott Reed

Case Manager: Jon E. Crumbie, Planning and Design Coordinator

Attachments: [18CUP1120_Site Plan.pdf](#)
[18CUP1120_Staff Report_092319.pdf](#)
[18CUP1120_Applicant Information.pdf](#)
[18CUP1120_District 16 letter\(Scott Reed\).pdf](#)
[18CUP1120_Opposition Information.pdf](#)
[18CUP1120_Power Point_092319.ppt](#)

20. [18CUP1116](#)

Request:

THIS CASE WILL NOT BE HEARD BEFORE 4:00 P.M.

Conditional use permit for private institutional use with variance and landscape waivers

Project Name:

Indian Trail Prayer Hall

Location:

4804 E. Indian Trail

Owner:

LAICC, Inc.

Applicant:

LAICC, Inc.

Jurisdiction:

Louisville Metro

Council District:

2 - Barbara Shanklin

Case Manager:

Joel Dock, AICP, Planner II

Attachments:[18CUP1116_Rendering.pdf](#)[18CUP1116_Staff Report.pdf](#)[18CUP1116_Applicant Variance Justification.pdf](#)[18CUP1116_PLAN_091919.pdf](#)[18CUP1116_Power Point_092319.ppt](#)**Other Business****21.** [BOZA By-laws](#)

Review of proposed revisions to BOZA By-laws

Attachments:[BOZA Bylaws Policies_Rev_DRAFT_9-18-19.pdf](#)**Adjournment**