



# Louisville Metro Government

Old Jail Auditorium  
514 W Liberty Street  
Louisville, KY 40202

## Agenda

### Board of Zoning Adjustment

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Monday, October 21, 2019

1:00 PM

Old Jail Auditorium

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#### Call To Order

#### Approval Of Minutes

1. [BOZA Minutes 10.07.19](#)

Approval of the Minutes from the October 7, 2019 Board of Zoning Adjustment meeting.

**Attachments:** [BOZA Minutes 10.07.19.pdf](#)

#### Public Hearing

2. [19-CUP-0052](#)

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: 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

**Attachments:** [19-CUP-0052\\_Opposition Letters.pdf](#)  
[19-CUP-0052\\_Power Point\\_092319.ppt](#)  
[19-CUP-0052\\_Staff Report\\_102119.pdf](#)  
[19-CUP-0052\\_Justification Statement.pdf](#)  
[10-CUP-0052\\_Petition in Support.pdf](#)  
[19-CUP-0052\\_Letters of Support\\_101719.pdf](#)

**3. [19-CUP-0060](#)**

Request: 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

**Attachments:** [19-CUP-0060\\_NeighborhoodMeetingMinutes.pdf](#)  
[19-CUP-0060\\_OppositionEmails.pdf](#)  
[19-CUP-0060\\_Staff Pres.ppt](#)  
[19-CUP-0060\\_Staff Report\\_BOZA 102119.pdf](#)  
[19-CUP-0060\\_LetterofExplanation\\_BedroomPhotos.pdf](#)

**4. [19VARIANCE1059](#)**

Request: Variances to allow an existing deck to encroach into the required side yard setback and to allow an existing fence to exceed 8 ft. in height in a side yard setback

Project Name: John Paul Lane Variance

Location: 6906 John Paul Lane

Owner/Applicant: Nina Njezic & Adnan Skenderovic

Jurisdiction: Louisville Metro

Council District: 23 - James Peden

Case Manager: Zach Schwager, Planner I

**Attachments:** [19VARIANCE1059\\_Photo.pdf](#)  
[19VARIANCE1059\\_Plan.pdf](#)  
[19VARIANCE1059\\_Staff Pres.ppt](#)  
[19VARIANCE1059\\_Staff Report\\_BOZA 102119.pdf](#)  
[19VARIANCE1059\\_SupportLetter.pdf](#)  
[6909 front fence.JPG](#)  
[19VARIANCE1059\\_ApplicantJustification.pdf](#)  
[19VARIANCE1059\\_OppositionLetter.pdf](#)  
[19VARIANCE1059\\_OppositionPhotos.pdf](#)

**5. [19-VARIANCE-0018](#)**

Request: Variances to allow a private yard area to be less than the required 30% of the area of a lot and to allow the accessory structure/use area to exceed 60 feet in depth

Project Name: S. 3rd Street Variance

Location: 4704 S. 3rd Street

Owner: Vicky Saling

Applicant: Charles Podgursky

Jurisdiction: Louisville Metro

Council District: 21 - Nicole George

Case Manager: Zach Schwager, Planner I

**Attachments:** [19-VARIANCE-0018\\_Staff Pres.ppt](#)  
[19-VARIANCE-0018\\_Staff Report\\_BOZA 102119.pdf](#)  
[19-VARIANCE-0018\\_ApplicantJustification.pdf](#)  
[19-VARIANCE-0018\\_Plan.pdf](#)

**6. [19-VARIANCE-0035](#)**

Request: Variance for dumpster enclosure to encroach into setback

Project Name: First Watch Middletown

Location: 12913 Shelbyville Road

Owner/Applicant: John Paselsky, OHP Middletown KY LLC

Representative: Petey Cunningham, Holland Development LLC

Jurisdiction: Middletown

Council District: 19 - Anthony Piagentini

Case Manager: Lacey Gabbard, AICP, Planner I

**Attachments:** [19-DDP-0043\\_Plan\\_8-29-19.pdf](#)  
[19-VARIANCE-0035\\_BOZA Staff Report\\_100719.pdf](#)  
[19-VARIANCE-0035\\_Staff Pres.ppt](#)  
[18DEVPLAN1200\\_APPROVED RDDDP.PDF](#)

**7. [19-VARIANCE-0036](#)**

Request: Variance for street side and side yard setbacks for an addition on the rear of an existing structure

Project Name: Mulberry Street Variance

Location: 842 Mulberry Street

Owner: Kimberly Curran

Applicant: Anne Del Prince - Del Prince Designs, LLC

Jurisdiction: Louisville Metro

Council District: 4 - Barbara Sexton Smith

Case Manager: Zach Schwager, Planner I

**Attachments:** [19-VARIANCE-0036\\_Staff Pres.ppt](#)  
[19-VARIANCE-0036\\_Staff Report\\_BOZA 102119.pdf](#)  
[19-VARIANCE-0036\\_ApplicantJustification.pdf](#)  
[19-VARIANCE-0036\\_Elevations.pdf](#)  
[19-VARIANCE-0036\\_Plan.pdf](#)

**8. [19-VARIANCE-0037](#)**

Request: Variance from the Land Development Code to allow a fence greater than 4 ft. to be located in the street side yard.

Project Name: Dominion Variance

Location: 6000 Hunting Road

Owner/Applicant/Host: Dominion Louisville, LLC

Jurisdiction: Louisville Metro

Council District: 16 - Scott Reed

Case Manager: Jon Crumbie, Planning & Design Coordinator

**Attachments:** [19-VARIANCE-0037\\_Staff Pres.ppt](#)  
[VarianceJustification.pdf](#)  
[19-VARIANCE-0037\\_Staff Report.pdf](#)  
[19-VARIANCE-0037\\_Plan\\_8-12-19.jpg](#)

**9.**     [19-VARIANCE-0038](#)

Request:                                 Variance for a deck to encroach into the street side yard setback

Project Name:                         Colonial Drive Variance

Location:                               201 Colonial Drive

Owner/Applicant:                     Dale Dueffert

Jurisdiction:                         City of St. Matthews

Council District:                     9 - Bill Hollander

Case Manager:                        Zach Schwager, Planner I

**Attachments:**     [Old DeckGIF.JPG](#)  
                          [OldDeck2.JPG](#)  
                          [OldDeck3.JPG](#)  
                          [19-VARIANCE-0038\\_ApplicantJustification.pdf](#)  
                          [19-VARIANCE-0038\\_Plan.pdf](#)  
                          [19-VARIANCE-0038\\_Staff Pres.ppt](#)  
                          [19-VARIANCE-0038\\_Staff Report\\_BOZA 102119.pdf](#)  
                          [Capture.JPG](#)

**10.**     [19-VARIANCE-0039](#)

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

Project Name:                         E. Manslick Road Variance

Location:                               6510 E. Manslick Road

Owner/Applicant:                     Yenny Estrada

Jurisdiction:                         Louisville Metro

Council District:                     23 - James Peden

Case Manager:                        Zach Schwager, Planner I

**Attachments:**     [6510 E Manslick JMullarkey 7-15-19 \(2\).jpg](#)  
                          [6510 E Manslick JMullarkey 7-15-19 \(3\).jpg](#)  
                          [New fence location picture.jpg](#)  
                          [19-VARIANCE-0039\\_ApplicantJustification.pdf](#)  
                          [19-VARIANCE-0039\\_Plan.pdf](#)  
                          [19-VARIANCE-0039\\_Staff Pres.ppt](#)  
                          [19-VARIANCE-0039\\_Staff Report\\_BOZA 102119.pdf](#)  
                          [6510 E Manslick JMullarkey 7-15-19 \(1\).jpg](#)

**11.** [19-VARIANCE-0040](#)

Request: Variance to allow a detached garage to encroach into the front yard setback on a double frontage lot

Project Name: Wickfield Drive Variance

Location: 702 Wickfield Drive

Owner/Applicant: Mary & David Barker

Jurisdiction: Louisville Metro

Council District: 20 - Stuart Benson

Case Manager: Zach Schwager, Planner I

**Attachments:** [19-VARIANCE-0040\\_Staff Report\\_BOZA 102119.pdf](#)  
[Screening from S. Beckley Station.JPG](#)  
[19-VARIANCE-0040\\_ApplicantJustification.pdf](#)  
[19-VARIANCE-0040\\_Elevations.pdf](#)  
[19-VARIANCE-0040\\_Plan.pdf](#)  
[19-VARIANCE-0040\\_Staff Pres.ppt](#)

**12.** [19CUP1036](#)

Request: Conditional Use Permit for a private proprietary club with waivers in a (RR) zoning district.

Project Name: The Stables at Floyds Fork

Location: 10503 ½ Bardstown Bluff Road

Owner: Stephanie L. Perri

Applicants: Stephanie Perri & Carin Veech

Jurisdiction: Louisville Metro

Council District: 20-Stuart Benson

Case Manager: Steve Hendrix, Planning and Design Coordinator

**Attachments:** [IMG\\_0565.JPG](#)  
[IMG\\_0566.JPG](#)  
[Scanned from Affinity Group Michaels \(003\).pdf](#)  
[StillIMG\\_0596\\_Moment.jpg](#)  
[Event.jpg](#)  
[IMG\\_0557.JPG](#)  
[19CUP1036.ppt](#)  
[19CUP1036\\_BOZA Staff Rpt.pdf](#)  
[Waiver \(Applicant's\).pdf](#)

**13.** [19-CUP-0050](#)

Request: Conditional Use Permit for a Private Non-Profit Club  
Project Name: Hale Avenue Private Non-Profit Club  
Location: 3835 Hale Avenue  
Owner/Applicant: Elmer Lucille Allen  
Jurisdiction: Louisville Metro  
Council District: 1 - Jessica Green  
Case Manager: Beth Jones, AICP, Planner II

**Attachments:** [19-CUP-0050\\_3825 Hale\\_Site Plan 10.16.19.pdf](#)  
[19-CUP-0050\\_3825 Hale\\_Staff Rpt.pdf](#)  
[19-CUP-0050\\_3825 Hale\\_WLWC.pdf](#)  
[19-CUP-0050-3825 Hale\\_Interior Pics.pdf](#)  
[19-CUP-0050\\_3825 Hale\\_APO Mtg.pdf](#)  
[19-CUP-0050\\_3825 Hale\\_PP.ppt](#)

**14.** [19-CUP-0066](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit  
not the primary residence of the host  
Project Name: Barbee Short Term Rental  
Location: 711 N. Barbee Way  
Owner/Applicant/Host: DB Rentals LLC  
Jurisdiction: Louisville Metro  
Council District: 15 - Kevin Triplett  
Case Manager: Beth Jones, AICP, Planner II

**Attachments:** [19-CUP-0066\\_711 N Barbee\\_BOZA PP.pptx](#)  
[19-CUP-0066\\_711 N Barbee\\_BOZA Staff Rpt.pdf](#)  
[19-CUP-0066\\_711 N Barbee\\_Interior Pics.pdf](#)  
[19-CUP-0066\\_Formal600ft\\_10-14-19.pdf](#)  
[19-CUP-0066\\_711 N Barbee\\_APO Mtg.pdf](#)  
[19-CUP-0066\\_711 N Barbee\\_Appl Justif.pdf](#)

**15. [19-CUP-0067](#)**

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

Project Name: Beckman Short Term Rental

Location: 618 E. Brandeis Ave.

Owner/Applicant/Host: ABK Properties, LLC

Jurisdiction: Louisville Metro

Council District: 15 - Kevin Triplett

Case Manager: Jon Crumbie, Planning & Design Coordinator

**Attachments:** [19-CUP-0067 Power Point 102119.ppt](#)  
[19-CUP-0067 Staff Report 102119.pdf](#)  
[19CUP0067 Formal600ft 10-14-19.pdf](#)

**16. [19-CUP-0078](#)**

Request: Conditional Use Permit for an accessory apartment in a R-5 zoning district.

Project Name: Accessory Apartment

Location: 510 Auburndale Avenue

Owners: Andrew & Rachel Perkins

Applicant: Andrew Perkins

Jurisdiction: Louisville Metro

Council District: 21- Nicole George

Case Manager: Steve Hendrix, Planning and Design Coordinator

**Attachments:** [19-CUP-0078.ppt](#)  
[19-CUP-0078 Staff Report 10.21.19.pdf](#)

**17. [19-CUP-0082](#)**

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

Project Name: Skeen Short Term Rental

Location: 4559 South 3rd Street

Owner/Applicant/Host: Luke and Katie Skeen

Jurisdiction: Louisville Metro

Council District: 21 - Nicole George

Case Manager: Jon Crumbie, Planning & Design Coordinator

**Attachments:** [19-CUP-0082 Power Point 102119.ppt](#)  
[19-CUP-0082 Staff Report 102119.pdf](#)  
[19CUP0082 Formal600ft 10-14-19.pdf](#)



**18.** [19-CUP-0103](#)

Request: Conditional Use Permit for a short term rental of one dwelling unit of a duplex that is not the primary residence of the host

Project Name: Short Term Rental

Location: 1104 South Brook Street

Owner/Applicant: Matthew Kustes

Jurisdiction: Louisville Metro

Council District: 6-- David James

Case Manager: Steve Hendrix, Planning and Design Coordinator

**Attachments:** [19-CUP\\_0103 .ppt](#)  
[19-CUP-0103.staff report .pdf](#)

**19.** [19-CUP-0104](#)

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

Project Name: Payne Short Term Rental

Location: 1222 Payne Street

Owner/Applicant: 360 Properties LLC

Host: Key Source Properties LLC

Jurisdiction: Louisville Metro

Council District: 4 - Barbara Sexton Smith

Case Manager: Beth Jones, AICP, Planner II

**Attachments:** [19-CUP-0104\\_1222\\_Payne\\_BOZA\\_Staff\\_Rpt.pdf](#)  
[19-CUP-0104\\_1222\\_Payne\\_Interior\\_Pics.pdf](#)  
[19-CUP-0104\\_1222\\_Payne\\_PP.pptx](#)  
[19-CUP-0104\\_1222\\_Payne\\_APO\\_Mtg.pdf](#)

**20.** [19-CUP-0106](#)

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: 546 Rawlings Street

Owners: Sally & Christopher Miller

Applicant: Christopher Miller

Jurisdiction: Louisville Metro

Council District: 15- Kevin Triplett

Case Manager: Steve Hendrix, Planning and Design Coordinator

**Attachments:** [19-CUP-0106.ppt](#)  
[19-CUP-0106.staff report .pdf](#)

**21. [19-CUP-0107](#)**

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: 1010 East St. Catherine Street

Owner/Applicant: Christina Clinton

Jurisdiction: Louisville Metro

Council District: 4- Barbara Sexton Smith

Case Manager: Steve Hendrix, Planning and Design Coordinator

**Attachments:** [19-CUP-0107.ppt](#)  
[19-CUP-0107staff report .pdf](#)

**22. [19-CUP-0108](#)**

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: 716 Clark Station Road

Owner/Applicant: Blue Heaven Inc by Sonya Gugliotta

Jurisdiction: Louisville Metro

Council District: 19 - Anthony Piagentini

Case Manager: Steve Hendrix, Planning and Design Coordinator

**Attachments:** [19-CUP-0108.ppt](#)  
[19-CUP-0108.staff report .pdf](#)

**23. [19-CUP-0115](#)**

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

Project Name: Estes Short Term Rental

Location: 4212 Roosevelt Avenue

Owner/Applicant/Host: Andrew C. Estes/Jonathan Klunk

Jurisdiction: Louisville Metro

Council District: 10 - Pat Mulvihill

Case Manager: Jon Crumbie, Planning & Design Coordinator

**Attachments:** [19-CUP-0115 Power Point 102119.ppt](#)  
[19-CUP-0115 Staff Report 102119.pdf](#)  
[19CUP0115 Formal600ft 10-14-19.pdf](#)

**Adjournment**