

MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT

NOVEMBER 30, 2015

A meeting of the Louisville Metro Board of Zoning Adjustment was held at 8:30 A.M. on Monday, November 30, 2015, 514 West Liberty Street, Old Jail Building, Old Jail Court Room, Louisville, Kentucky.

Members present:

David Proffitt, Chairperson

Members Excused:

Mike Allendorf, Vice Chairperson
Rosalind Fishman, Secretary
Betty Jarboe
Lester Turner
Dean Tharp
Paul Bergmann

Staff members present:

Will Ford, Planning Information Specialist
Steve Hendrix, Planning Supervisor
Brian Mabry, Planning & Design Coordinator
Jon Crumble, Planner II
Ross Allen, Planner I
Beth Stevenson, Management Assistant

The following cases were heard:

**MINUTES OF THE SPECIAL MEETING
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NOVEMBER 30, 2015

CASE NO. 15APPEAL1008

Request: An Appeal of a written interpretation which states that operating hour restrictions in the Land Development Code, Section 4.1.5, only applies to portions of the subject property located within 100 feet of a residential use or zoning district.

Project Name: Swift Noise Standards Appeal

Location: 151 & 201 Cabel Street; 139-143 Cabel Street & 1331 Quincy Street

Appellant: Butchertown Neighborhood Association, Inc.
Andrew S. Cornelius
806 E. Washington Street
Louisville, KY 40206

Attorney: Tachau Meek PLC
Jon Salomon. Esq.
101 S. 5th Street, Ste. 3600
Louisville, KY 40202

Jurisdiction: Louisville Metro

COUNCIL DISTRICT 4—David Tandy

Staff Case Manager: Brian Mabry, AICP, Planning Coordinator

A legal ad was published in the Courier Journal on November 20, 2015. The staff report prepared for this case was incorporated into the record and available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices located at 444 S. 5th Street).

An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available in the Planning and Design Services offices. Please contact Customer Service staff to view the recording or to obtain a copy. The recording of this hearing will be found on the CD of the November 30, 2015 public hearing proceedings.

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NOVEMBER 30, 2015

CASE NO. 15APPEAL1008

DISCUSSION:

Chair Proffitt said this case will be continued due to a legal notice that was not sent; and suggested January 11, 2016. John Salomon, the appellant's attorney, and Glenn Price attorney for JBS USA, agreed to this date. Mr. Salomon asked if Mr. Price would be submitting more new information. Mr. Price said possibly information related to the new bicycle route in the area. Chair Proffitt said this would be acceptable, but said the Board does not want large amounts of information, technical or otherwise, submitted at the last minute. Chair Proffitt said each side shall receive one hour of testimony with 15 minutes for rebuttal.

This case will be **CONTINUED** to **JANUARY 11, 2016** at **8:30 a.m.** and the Board will allow one hour of testimony for each side with 15 minutes rebuttal.

**MINUTES OF THE SPECIAL MEETING
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NOVEMBER 30, 2015

CASE NO. 14CUP1003

Request: An application for a Conditional Use Permit to allow a potentially hazardous or nuisance use (staging lot for trucks and trailers) in an M-3 zoning district.

Project Name: Cabel Street Lot

Location: 151 & 201 Cabel Street

Owners: Swift Pork Company
1770 Promontory Circle
Greeley, CO 80634

Louisville Gas & Electric Company
S. L. Cockerill, Director Operating Services
220 West Main Street
Louisville, KY 40202

Metropolitan Sewer District
c/o Chief Engineer
700 West Liberty Street
Louisville, KY 40203

Appellant: JBS USA, LLC & Swift Pork Company
John Cliff
1200 Story Avenue
Louisville, KY 40206

Representatives: Glenn Price, Esq.
Frost Brown Todd, LLC
400 West Market Street, Suite 3200
Louisville, KY 40202

QK4
Todd Springer, V.P.
1046 East Chestnut Street
Louisville, KY 40204

Jurisdiction: Louisville Metro
COUNCIL DISTRICT 4—David Tandy
Staff Case Manager: Steve Hendrix, Planning Supervisor

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CASE NO. 14CUP1003

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An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available in the Planning and Design Services offices. Please contact Customer Service staff to view the recording or to obtain a copy. The recording of this hearing will be found on the CD of the November 30, 2015 public hearing proceedings.

DISCUSSION:

Chair Proffitt said this case will be continued due to a legal notice that was not sent for the related appeal, Case No. 15APPEAL1008; and suggested January 11, 2016. John Salomon, the appellant's attorney, and Glenn Price, the applicant's attorney, agreed to this date. Mr. Salomon asked if Mr. Price would be submitting more new information. Mr. Price said possibly information relating to the new bicycle route in the area. Chair Proffitt said this would be acceptable, but said the Board does not want large amounts of information, technical or otherwise, submitted at the last minute. Chair Proffitt said each side shall receive one hour of testimony with 15 minutes for rebuttal.

This case will be **CONTINUED** to **JANUARY 11, 2016** at **8:30 a.m.** and allow one hour of testimony for each side with 15 minutes rebuttal.

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The meeting adjourned at 8:52 a.m.

CHAIRPERSON

SECRETARY