

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

**April 6, 2020**

A meeting of the Louisville Metro Board of Zoning Adjustment was held on April 6, 2020 at 1:00 p.m. online via Cisco Webex Video Teleconferencing.

**Members Present:**

Lula Howard, Chair  
Kimberly Leanhart, Vice Chair  
LiAndrea Goatley  
Lindsey Jagoe  
Michael Seale

**Members Absent:**

Lester Turner, Jr.  
Richard Buttorff, Secretary

**Staff Members Present:**

Emily Liu, Planning & Design Director  
Joe Reverman, Planning & Design Assistant Director  
Brian Davis, Planning & Design Manager  
Joe Haberman, Planning & Design Manager  
Chris French, Planning & Design Supervisor  
Laura Ferguson, Legal Counsel

**Minutes prepared by:** Sue Reid, Management Assistant

On the recommendation of the Louisville Metro Department of Public Health & Wellness regarding congregate events and social distancing, and as permitted by Commonwealth of Kentucky Senate Bill 150, the regularly scheduled April 6, 2020 Board of Zoning Adjustment meeting was held online.

The following cases were heard:

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

**MARCH 2, 2020 BOARD OF ZONING ADJUSTMENT MEETING MINUTES**

**00:00:45** On a motion by Member Goatley, seconded by Vice Chair Leanhart, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of the March 2, 2020 Board of Zoning Adjustment meeting.

**The vote was as follows:**

**Yes: Members Goatley, Jagoe, Vice Chair Leanhart, and Chair Howard**

**Abstain: Member Seale**

**Absent: Members Buttorff, and Turner**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

**BUSINESS SESSION**

**CASE NUMBER 20-VARIANCE-0020**

Request: Variance to allow a principle structure to encroach into the side yard setback  
Project Name: Rosewood Variance  
Location: 1623 Rosewood Avenue  
Owner(s): Douglas Meisel & Jessica Kingsley  
Applicant: Charlie Williams  
Jurisdiction: Louisville Metro  
Council District: 8 – Brandon Coan  
Case Manager: Nia Holt, Planner I

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was 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, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency testimony:**

**00:02:12** Chris French presented the case on behalf of the Case Manager. Mr. French stated that staff does not believe the variance meets Standards A and C as listed in the Staff Report, therefore, staff does not recommend approval. Mr. French stated because of this, staff is recommending the case be moved to the April 20, 2020 Public Hearing to allow testimony from the applicant/representative (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

No one spoke.

**The following spoke in opposition of the request:**

No one spoke.

**00:04:05 Board Members' deliberation**

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**BUSINESS SESSION**

**CASE NUMBER 20-VARIANCE-0020**

**00:04:29** On a motion by Vice Chair Leanhart, seconded by Member Goatley, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 20-VARIANCE-0020 to the April 20, 2020 Board of Zoning Adjustment meeting.

**The vote was as follows:**

**Yes: Members Goatley, Jagoe, Seale, Vice Chair Leanhart, and Chair Howard**

**Absent: Members Buttorff, and Turner**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
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**BUSINESS SESSION**

**CASE NUMBER 19-MCUP-0008**

Request: Modified Conditional Use Permit to allow a replacement of the plant's main kiln stack with a new kiln stack

Project Name: Kosmos Cement

Location: 15301 Dixie Highway

Owner/Applicant: Kosmos Cement Company, Inc.  
by Aaron Garcia, Plant Manager

Attorney: Jake K. Michul, Bingham, Greenebaum, Doll LLP

Jurisdiction: Louisville Metro

Council District: 14 – Cindi Fowler

Case Manager: Steve Hendrix, Planning and Design Coordinator

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was 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, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency testimony:**

**00:06:10** Chris French presented the case on behalf of the Case Manager. Mr. French stated there is an additional Condition of Approval, which he read into the record (see recording for detailed presentation).

**The following spoke in favor of the request:**

No one spoke.

**The following Spoke in opposition of the request:**

No one spoke.

**00:08:07 Board Members' deliberation**

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**BUSINESS SESSION**

**CASE NUMBER 19-MCUP-0008**

**00:09:54** On a motion by Member Seale, seconded by Member Goatley, the following resolution, based upon the Standard of Review and Staff Analysis, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal is consistent with the applicable policies of the Comprehensive Plan, since it will be a replacement and will provide a reduction in air pollution, and

**WHEREAS**, the Board further finds that the proposal replaces an existing stack and although up to 170 feet tall will decrease air pollution as per the Air Pollution Control District, and

**WHEREAS**, the Board further finds that the site is adequately served by all required public facilities, and

**WHEREAS**, the Board further finds that:

The following uses (manufacture, processing, treatment, or storage unless otherwise specified), having accompanying hazards such as fire, explosion, noise, vibration, dust, or the emission of smoke, odor, or toxic gases may, if not in conflict with other laws or ordinances, be located in industrial zones as indicated below by Conditional Use Permit after the location and nature of such use shall have been approved by the Board of Zoning Adjustment. In reviewing an application for a CUP, the Board of Zoning Adjustment shall review the plan and statements of the applicant and the following:

- A. The Comprehensive Plan;  
The modification replaces an existing kiln stack on property zoned M-3 and within a Suburban Workplace Form District.
- B. Environmental and health related concerns raised by the operation and the applicant's proposal to mitigate any adverse effects to the public's health, safety and general welfare;  
The new higher stack is in cooperation with the Air Pollution Control District Board in reducing air pollution.
- C. The applicant's site design, buffering, and security measures and their adequacy to mitigate any adverse effects to the public's health, safety and general welfare;  
Reduction in air pollution.

# BOARD OF ZONING ADJUSTMENT MINUTES

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## BUSINESS SESSION

### CASE NUMBER 19-MCUP-0008

D. Any other evidence submitted by the applicant and any other party addressing the issues.

A Conditional Use Permit under this section shall be issued only if the evidence shows the applicant's operation and associated nuisances will be properly managed and the public's health, safety and general welfare will be protected. The Board of Zoning Adjustment may impose additional conditions to protect surrounding properties. All Conditional Use Permits under this section shall be issued subject to the applicant also receiving all necessary permits from local, state and federal regulatory agencies.

EZ-1 and M-3 Aluminum powder

Brick, fireback, tile, clay products, including refractories: manufacturing, processing or treatment but not including storage

Cement, gypsum, lime, and plaster of paris (but not storage)

Charcoal, lampblack, carbon black, bone black, and fuel briquettes, including pulverizing Chemicals, including acetylene, acids and derivatives, alcohol (industrial), ammonia, aniline dyes, carbide, caustic soda, cellulose and cellulose storage, chlorine, cleaning and polishing preparation

(non-soap), dressings and blackings, creosote, dyestuffs, exterminating agents and poisons, hydrogen and oxygen, plastic materials, and synthetic resins, potash, pyroxylin, tar products, turpentine and resin, and solvent- extracting

Coal, coke, or tar products including fuel gas, and coke-oven products

Distillation, manufacture, or refinement of coal, tar, asphalt, or asphalt products

Metal and metal ores, reduction, refining, smelting, alloying, including blast furnaces, cupolas, and blooming mills (but not storage of metal products)

Minerals and earths (including sand-lime products), grinding, crushing, processing or storage Paint manufacture, processing, or treatment (but not storage)

Petroleum or petroleum products, refining, bulk storage, including gasoline or other petroleum products Plastic, manufacture, processing, treatment, or bulk storage

Radioactive materials

Steel works and rolling mills (ferrous) for steel, structural iron and steel fabrication, and structural products, including bars, cables, girders, rails, wire rope, or similar products

Waste paper and rag operations

Wood pulp or fiber, reduction or processing (including paper mill operations)

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**CASE NUMBER 19-MCUP-0008**

STAFF: Yes, evidence has been taken to show the operation and associated nuisances will be properly managed and the public's health, safety and general welfare will be protected; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19-MCUP-0008 does hereby **APPROVE** Modified Conditional use Permit to allow replacement of the plant's existing main kiln stack with a new main kiln stack in a M-3 Zoning District/Suburban Workplace (LDC 4.2.43), **SUBJECT** to the following Conditions of Approval:

Conditions of Approval:

1. The site shall be used and developed in strict compliance with the approved development plan and the conditions of the conditional Use permit. No further development shall occur without prior review and approval of an amendment to the conditional use permit and or the development plan by the Planning Commission.
2. Modification of the conditional use permit shall not be necessary for the following activities:
  - a. replacing or upgrading equipment not requiring expansion of existing buildings or new buildings and not increasing overall emissions from the plant;
  - b. increasing production not requiring expansion of existing buildings or new buildings and not increasing overall emissions from the plant;
  - c. changing raw materials or types of fuels (except for tire derived, refuse derived or hazardous waste derived fuels which shall require modification of the conditional use permit); and
  - d. construction of additional internal roadways on the southeast side of Dixie Highway (the side where the plant is located).
3. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
4. Outdoor lighting shall be directed down and away from surrounding residential properties.
5. Prior to any tree clearing or removal in the landscape buffer areas, within 150 feet of the Ohio River, or elsewhere on the conditional use permit site (if more than 112 acre), review and approval of the Planning Commission staff



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**CASE NUMBER 19-MCUP-0008**

landscape architect shall be required. Any such tree clearing or removal shall be reviewed for consistency with the Ohio River Corridor Master Plan.

6. The owner/developer shall obtain approval of the Planning Commission staff landscape architect of a detailed screening/buffering/ landscaping plan as described in Chapter 10 of the zoning regulations for the landscape buffer areas shown on the approved development plan. The screening/buffering landscaping plan shall be submitted within 120 days after final approval of the zoning changes by the Louisville Metro Council. The screening, buffering and landscaping shall be constructed in accordance with the schedules to be shown on the plan and maintained thereafter.
7. The general purposes of the River Corridor Connection (the Connection) as shown on the development plan are to create permanent open spaces along Pond Creek and to provide a land area for a portion of the Ohio River Corridor Trail envisioned by the Ohio River Corridor Master Plan. The location of the scenic easements (the Easements) shown on the Connection plan are conceptual. The final location of the easements will be established by subsequent agreement of the owner/developer, the Planning Commission, River Fields, Inc. and Jefferson County. The Owner/developer will then dedicate the Easements in accordance with applicable Kentucky statutes. Other details to accomplish the purposes of the Connection, including without limitation the types, character and location of facilities, construction costs, maintenance and insurance, will also be established by subsequent agreement of the same parties.
8. The developer shall at all times maintain valid and current air emission permits from the Louisville Metro Air Pollution Control District and operate in accordance with such permits, and shall maintain all required pollution control and emissions monitoring equipment in proper working order.
9. Any lease to an outside party of property owned by the developer on the southeast side of Dixie Highway for mining of sand, gravel, clay or other minerals, whether such property is within or without the area of the conditional use permit, shall require modification of the conditional use permit or a new conditional use permit depending on where the property is located.
10. The developer will maintain a program to assure prompt and effective reporting of and response to any reportable releases from the facility; including timely notification and filing of release reports consistent with applicable federal, state and local rules and regulations. Copies of all such reports shall be filed at the Southwest Regional Library.

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11. The landscaping plan included in the approved plan is conceptual. The developer will prepare a separate detailed landscaping plan which incorporates these concepts and any provisions required by MSD with respect to Alternative #1 coordinate same with River Fields, Inc., the Concerned Citizens Coalition and for Alternative #1 with MSD, and file same with the Planning Commission no later than August 1, 1999. Alternative #1 as shown on the plan will require approval by MSD. If the plan with Alternative #1 is approved by MSD and the Planning Commission staff landscape architect before the end of the season as determined by the Planning Commission staff landscape architect, the developer will implement Alternative #1 in the fall of 1999. If that time frame cannot be met but Alternative #1 is approved later, it will be implemented in the spring of 2000. If Alternative #1 is not approved, Alternative #2 will be implemented in the spring of 2000. The remaining landscaping to the south and west of the new cement storage dome shall be installed in the spring of 2000.
12. The Woodland Protection Areas (WPAs) shown on the approved plan are conceptual. The developer will prepare dimensional plans (with all necessary bearings and distances) establishing the WPAs in the field and submit that plan no later than August 15, 1999 to the Planning Commission, River Fields, Inc., and the Kentucky Resources Council, Inc., for review. The developer and the Planning Commission, River Fields, Inc., and the Kentucky Resources Council, Inc, will then coordinate the final terms of the WPAs and the deeds of restriction in accordance with existing Planning Commission policy.
13. The WPA line will be 50 feet north of the new belt conveyor and gallery and the intersection of that line with the north-south WPA line may change. Any modification of the WPAs shall require six weeks advance written notice to River Fields, Inc., the Kentucky Resources Council and the Concerned Citizens Coalition and LD&T action. (The applicant has advised these groups and the Planning Commission staff that it may soon file a revised plan and modification of the WPAs for installation of a new fly ash system on the River with a pneumatic tube from the River to the plant.)
14. A minor subdivision plat shall be recorded creating the lot as shown on the District Development Plan. A copy of the recorded instrument must be provided to Planning Commission staff prior to transmittal to the building department.
15. Kosmos or its successor-in-interest shall assume responsibility for assuring that any contractor, subcontractor, or other entity constructing or operating

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**CASE NUMBER 19-MCUP-0008**

the manufactured gypsum facility to be located on the Kosmos property shall at all times comply with federal, state and local environmental, public health and public safety and zoning ordinances, including all previous conditions imposed on this property through the development plan and conditional use permit.

16. Final completion and execution of a Conservation Easement to River Fields, Inc., in a form mutually acceptable to all parties to the agreement, of an area of approximately 46.8 acres (the exact acreage is to be determined in accordance with a survey of the easement area), which includes two access strips, an area which may be used in the future for parking, and land along Pond Creek (similar to the conceptual "River Corridor Connection Plan" by DEI revised 7/19/99), shall occur within eighteen months of the date of this approval and as further specified in the Letter of Agreement referenced and attached herein.
17. Future development within the conservation easement area will be limited to a parking lot, access road to the parking area, fence between the easement and the rest of the Kosmos property, public access walking and hiking trails, pedestrian bridges, small signs, and other facilities for pedestrian enjoyment similar to those envisioned by the 1998 Kosmos Greenway Conceptual Master Plan. Construction cost obligations for these facilities are set forth in the attached Letter of Agreement.
18. Written notice of any request for an amendment to these conditions, the conditional use permit, and/or the development plan shall be given to River Fields, Inc., the Concerned Citizens Coalition, the Southwest Community Neighborhood Association, and the Kentucky Resources Council, Inc., at least six weeks before the request is filed with the Planning Commission. Any such amendments shall be submitted to the Planning Commission, not the Board of Zoning Adjustment. (This item replaces Condition #2 in the Planning Commission minutes of January 2, 1997).
19. Kosmos Cement Company (owner of residual tract) shall provide vehicular and pedestrian access to and from Tract I by perpetual easement over and across the residual tract for as long as Tract 1 remains a separate tract.
20. The applicant shall provide minor plat approval from Public Works, MSD and Pleasure Ridge Park Fire Department.

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21. The Modification of the Conditional Use Permit shall be “exercised” as described in KRS 100.237 within three years of the Board’s vote on this case. If the modification is not so exercised, the proposal shall not be allowed without further review and approval by the Board.

**The vote was as follows:**

**Yes: Members Goatley, Jagoe, Seale, Vice Chair Leanhart, and Chair Howard**

**Absent: Members Buttorff, and Turner**

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**BUSINESS SESSION**

**CASE NUMBER 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 – request to remove Condition of Approval

Project Name: South Brook 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

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was 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, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency testimony:**

**00:11:55** Chris French presented the case on behalf of the Case Manager. Mr. French stated the Board of Zoning Adjustment did approve this Conditional Use Permit on October 21, 2019. Mr. French stated the Board added the following Condition, which was not accepted by the applicant: “The host of record for the short term rental shall maintain his or her primary residence in the second floor unit on the subject property. In the event that the host establishes primary residence on another property he or she must immediately cease conducting short term rental in the first floor unit. A new Conditional Use Permit shall be required to allow for short term rental of any unit on the property that is not the primary residence of the host”. Mr. French stated the applicant did notify staff prior to the meeting that they did not agree to the Condition, but staff never relayed that to the Board, and neither did the applicant at the time of the public hearing. As part of the public hearing, this particular Condition was not discussed in detail. However, during the motion for approval the Board did state in general to include all Conditions of Approval in the staff report. The applicant made this issue known to staff and staff decided to bring forward this request to

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**CASE NUMBER 19-CUP-0103**

modify the Conditional Use Permit to delete this Condition of Approval. Mr. French stated this case did have the 600 foot issue, therefore, Standard 4D in the Staff Report was an issue. Mr. French stated the Board's reasoning for granting relief from Standard 4D were that the distance between the existing CUP on South Brook Street and the proposed CUP is far and is separated by a street; also that the existing CUP on South Brook Street had its own buffer in that there's an on/off ramp to I-65 separating that property from the proposed location. Mr. French responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

No one spoke.

**The following spoke in opposition of the request:**

No one spoke.

**00:16:07 Board Members' deliberation**

**00:31:07** On a motion by Member Goatley, seconded by Member Seale, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 19-CUP-0103 to a **DATE UNCERTAIN** to hear additional testimony from the applicant.

**The vote was as follows:**

**Yes: Members Goatley, Jagoe, Seale, Vice Chair Leanhart, and Chair Howard**

**Absent: Members Buttorff, and Turner**

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**PUBLIC HEARING**

**00:32:42** Prior to Public Hearing, Chris French stated that staff recommends the Board CONTINUE the following cases to April 20, 2020 Public Hearing:

20-VARIANCE-0012  
20-VARIANCE-0007  
20-VARIANCE-0015  
20-VARIANCE-0021

**00:33:58** On a motion by Member Goatley, seconded by Member Seale, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 20-VARIANCE-0012, Case Number 20-VARIANCE-0007, Case Number 20-VARIANCE-0015, and Case Number 20-VARIANCE-0021 to the April 20, 2020 Board of Zoning Adjustment meeting.

**The vote was as follows:**

**Yes: Members Goatley, Jagoe, Seale, Vice Chair Leanhart, and Chair Howard**

**Absent: Members Buttorff, and Turner**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
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**PUBLIC HEARING**

00:34:51 Chris French stated that staff recommends the Board CONTINUE the following cases to a DATE UNCERTAIN:

19-CUP-0286  
19-VARIANCE-0039  
20-CUP-0012  
20-CUP-0013  
20-CUP-0018  
20-CUP-0019  
20-CUP-0020  
20-CUP-0021  
20-CUP-0030  
20-CUP-0038

**00:35:41** On a motion by Vice Chair Leanhart, seconded by Member Goatley, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 19-CUP-0286, Case Number 19-VARIANCE-0039, Case Number 20-CUP-0012, Case Number 20-CUP-0013, Case Number 20-CUP-0018, Case Number 20-CUP-0019, Case Number 20-CUP-0020, Case Number 20-CUP-0021, Case Number 20-CUP-0030, and Case Number 20-CUP-0038 to a **DATE UNCERTAIN**.

**The vote was as follows:**

**Yes: Members Goatley, Jagoe, Seale, Vice Chair Leanhart, and Chair Howard**

**Absent: Members Buttorff, and Turner**



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**PUBLIC HEARING**

**CASE NUMBER 19-CUP-0286**

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host  
Project Name: Bass short term rental  
Location: 1213 Central Avenue  
Owner/Applicant: Soul Proprietorship, LLC  
Jurisdiction: Louisville Metro  
Council District: 6 – David James  
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**PLEASE SEE PAGE 16 OF THESE MINUTES FOR MOTION/VOTE INFORMATION.**

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**PUBLIC HEARING**

**CASE NUMBER 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

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

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**PUBLIC HEARING**

**CASE NUMBER 20-VARIANCE-0012**

Request: Sign variance and landscape buffer waivers  
Project Name: Southwest Town Center Outlot  
Location: 9050 Dixie Highway  
Owner: William Wagner, Blanding Partners, LLC  
Applicant: William Wagner, Blanding Partners, LLC  
Jurisdiction: Louisville Metro  
Council District: 14 – Cindi Fowler  
Case Manager: Lacey Gabbard, AICP, Planner I

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

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**PUBLIC HEARING**

**CASE NUMBER 20-VARIANCE-0007**

Request: Variance to allow an existing structure to encroach into a proposed side yard setback. The applicant has submitted a minor plat to shift a side property line that will create a nonconforming side yard setback for the existing principal structure

Project Name: Warren Road Variance  
Location: 48 Warren Road  
Owner: Katrina Graves  
Applicant: Richard Matheny – Cardinal Surveying  
Jurisdiction: Louisville Metro  
Council District: 9 – Bill Hollander  
Case Manager: Zach Schwager, Planner I

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**PUBLIC HEARING**

**CASE NUMBER 20-VARIANCE-0015**

Request: Variance to allow an addition and an accessory structure to encroach into the infill front yard setback and waivers to allow an accessory structure to not be set back 20 ft. from the front of the principal structure and to allow parking in the public realm

Project Name: Ransdell Avenue Variance and Waivers  
Location: 2530 Ransdell Avenue  
Owner: 2019 Ransdell Avenue Trust  
Applicant: Lindsey Stoughton – LMS Design  
Jurisdiction: Louisville Metro  
Council District: 8 – Brandon Coan  
Case Manager: Zach Schwager, Planner I

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**PUBLIC HEARING**

**CASE NUMBER 20-VARIANCE-0021**

Request: Variance to allow a structure to encroach into the infill front yard setback  
Project Name: Cane Run Road Variance  
Location: 4231 Cane Run Road  
Owner: JMAN LLC  
Applicant: Derek Triplett – Land Design and Development, Inc.  
Jurisdiction: Louisville Metro  
Council District: 1 – Jessica Green  
Case Manager: Zach Schwager, Planner I

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

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**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0012**

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: Elmer Short Term Rental  
Location: 5720 Elmer Lane  
Owner(s): Dana & Thomas Doherty  
Applicant: William T. Vessels  
Jurisdiction: Louisville Metro  
Council District: 13 – Mark Fox  
Case Manager: Nia Holt, Planner I

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

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**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0013**

Request: Conditional Use Permit for a short term rental of a dwelling unit that is not the primary residence of the host in a UN Zoning District  
Project Name: Port 2---Short Term Rental  
Location: 606 N. 24th Street  
Owner/Applicant: Community RES, LLC by Wesley Vaughn  
Jurisdiction: Louisville Metro  
Council District: 5 – Donna Purvis  
Case Manager: Steve Hendrix, Planning and Design Coordinator

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**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0018**

Request: Conditional Use Permit for a short term rental of a dwelling unit that is the primary residence of the host in a Traditional Neighborhood Zoning District

Project Name: Short Term Rental

Location: 1233 South Sixth Street

Owner/Applicant: Barney A. Sutton

Jurisdiction: Louisville Metro

Council District: 6—David James

Case Manager: Steve Hendrix, Planning and Design Coordinator

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**PLEASE SEE PAGE 16 OF THESE MINUTES FOR MOTION/VOTE INFORMATION.**

**BOARD OF ZONING ADJUSTMENT MINUTES  
April 6, 2020**

**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0019**

Request: Conditional Use Permit for an accessory apartment  
Project Name: W. Collins Court Accessory Apartment  
Location: 113 W. Collins Court  
Owner: Anthony & Katie Smith  
Applicant: Anthony & Katie Smith  
Jurisdiction: Louisville Metro  
Council District: 15 – Kevin Triplett  
Case Manager: Zach Schwager, Planner I

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**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0020**

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: W. Collins Court Short Term Rental  
Location: 113 W. Collins Court  
Owner: Anthony & Katie Smith  
Applicant: Anthony & Katie Smith  
Jurisdiction: Louisville Metro  
Council District: 15 – Kevin Triplett  
Case Manager: Zach Schwager, Planner I

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**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0021**

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host  
Project Name: Cain short term rental  
Location: 1908 Bonnycastle Avenue  
Owner/Applicant: Bryan Cain  
Jurisdiction: Louisville Metro  
Council District: 8 – Brandon Coan  
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

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**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0030**

Request: Conditional Use Permit to allow an accessory  
apartment in the R-5 zoning district  
Project Name: Casselberry Accessory Apartment  
Location: 1714 Casselberry Road  
Owner/Applicant: Ashley Quinlan  
Jurisdiction: Louisville Metro  
Council District: 8 - Brandon Coan  
Case Manager: Nia Holt, Planner I

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**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

**PUBLIC HEARING**

**CASE NUMBER 20-CUP-0038**

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: Rawlings Short Term Rental  
Location: 546 Rawlings Street  
Owner/Applicant: Sally Miller  
Jurisdiction: Louisville Metro  
Council District: 15 - Kevin Triplett  
Case Manager: Nia Holt, Planner I

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

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**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 6, 2020**

00:37:22 Prior to adjournment, Emily Liu asked Mr. Haberman if anyone had asked any questions in the chat, and Mr. Haberman said no. Ms. Liu stated the next Board of Zoning Adjustment meeting would be April 20, 2020 and would also be an online meeting via Webex. Board Members and staff discussed the process for the Webex meetings.

The meeting adjourned at approximately 2:00 p.m.

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**Chair**

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**Secretary**