



Louisville Metro Government

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

Agenda - Final Board of Zoning Adjustment

Monday, August 17, 2026

1:00 PM

Old Jail Auditorium

The Board of Zoning Adjustment meeting will be conducted in-person at the Old Jail Building Auditorium, 514 West Liberty Street, Louisville, KY 40202.

Anyone wishing to join the meeting virtually using a computer, laptop, or mobile device, as well as anyone wishing to sign up to speak in support, in opposition, or as other for any case, should visit the following link:

<https://louisvilleky.gov/government/upcoming-public-meetings>

You can access case materials (staff reports, proposed plans, etc.) by clicking on the link below and selecting this meeting in the Calendar tab:

<https://louisville.legistar.com/Calendar.aspx>

If you have any questions, please contact the case manager, or call the Office of Planning at 502-574-6230.

Call To Order

Approval Of Minutes

1. [08.03.2026 BOZA Minutes](#)

Business Session

2. 26-VARIANCE-0090

Request:	Variance to allow the principal structure to encroach into the side yard setback
Project Name:	Natchez Addition
Location:	3307 Natchez Lane
Applicant:	Laura Means
Representative:	Beverly Baker
Jurisdiction:	Louisville Metro
Council District:	9 - Andrew Owen
Case Manager:	Sydney Fawcett, AICP, Planner I

3. 26-VARIANCE-0089

Request: Variance to allow a structure to encroach into the required side yard setback

Project Name: Emily Road Variance

Location: 643 Emily Road

Applicant: Laura Ryan & Tina Ward-Pugh

Representative: Beverly Baker

Jurisdiction: Louisville Metro

Council District: 4 - Ken Herndon

Case Manager: Zach Schwager, Planner I

Public Hearing**4. [26-CUP-0126](#)**

Request: **TO BE CONTINUED TO AUGUST 31: Conditional Use Permit to allow a short term rental of a dwelling unit that is not the primary residence of the owner**

Project Name: Pigeon Pass Road Short Term Rental

Location: 1305 Pigeon Pass Road

Applicant: Selma Luttrell

Representative: Selma Luttrell

Jurisdiction: Louisville Metro

Council District: 21 - Betsy Ruhe

Case Manager: Zach Schwager, Planner I

5. [26-VARIANCE-0077](#)

Request: Variance to allow a fence to exceed the maximum permitted height within the street side yard setback

Project Name: Goddard Avenue Variance

Location: 1536 Goddard Avenue

Applicant: 22 Level, LLC

Representative: 22 Level, LLC

Jurisdiction: Louisville Metro

Council District: 8 - Ben Reno-Weber

Case Manager: Zach Schwager, Planner I

6. [26-VARIANCE-0092](#)

Request: Variance to allow the proposed building to exceed the maximum front yard setback

Project Name: Flying Horse C-Store

Location: 6311 Commerce Park Court

Applicant: Upton Quick Stop Inc.

Representative: DSA Engineering Solutions, PLLC

Jurisdiction: Louisville Metro

Council District: 13 - Dan Seum, Jr.

Case Manager: Sydney Fawcett, AICP, Planner I

7. [26-VARIANCE-0093/26-WAIVE-0091](#)

Request: Variance to allow a proposed structure to encroach into the Street Side Yard Setback of 25 feet (Proposed Street Side Yard Setback of 20 feet, for a Variance of 5 feet). Waiver of the requirement to construct a sidewalk along both Camp Ground Road and Ralph Avenue

Project Name: Camp Ground Road Pole Barn & Sidewalk

Location: 4118 camp Ground Road

Applicant: Innovative Scale LLC

Representative: Cyrus G. Dutton IV

Jurisdiction: Louisville Metro

Council District: 1 - Tammy Hawkins

Case Manager: Abby Bills, Planner I

8. [26-VARIANCE-0095](#)

Request: Variance from Land Development Code Section 5.4.2.C.2 to allow a proposed accessory structure to encroach into the Street Side Yard Setback of 15 feet. (Proposed Street Side Yard Setback of 5 feet, for a Variance of 10 feet.)

Project Name: Tennis Boulevard Garage

Location: 13512 Tennis Boulevard

Applicant: Estate of Charles McCandless Sr.

Representative: Christopher McCandless

Jurisdiction: Louisville Metro

Council District: 14 - Crystal Bast

Case Manager: Abby Bills, Planner I

9. [26-CUP-0098](#)

Request: Conditional Use Permit for a Rehabilitation Home (LDC 4.2.31) in R-6 zoning with associated Waiver(s)

Project Name: 502 Sobriety Soldiers

Location: 1626 West Chestnut Street

Owner: Aileen Wales

Applicant: Darryl Wales

Representative: 502 Sobriety Soldiers LLC

Jurisdiction: Louisville Metro

Council District: 4 - Ken Herndon

Case Manager: Jude Mattingly, Planner II

Adjournment

This meeting will begin at 1:00 PM Eastern / 12:00 PM Central.



Louisville Metro Government

Text File

File Number: 08.03.2026 BOZA Minutes

Agenda Date: 8/17/2026

Version: 1

Status: Minutes to be Approved

In Control: Board of Zoning Adjustment

File Type: Minutes

Agenda Number: 1.

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT
AUGUST 3, 2026**

A regular meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, August 3, 2026, at the Old Jail Building, located at 514 West Liberty Street, Louisville, KY 40202.

Board Members Present:

Marilyn Lewis, Vice Chair
Jan Horton
Brandt Ford
Yani Vozos (arrived at 1:14 p.m.)

Board Members Absent:

Sharon Bond, Chair
Miguel Rodriguez
Keon Scott

Staff Members Present:

Laura Ferguson, Assistant County Attorney
Jay Lockett, Planning Supervisor
Rachel Casey, Planning Supervisor
Mollie Share, Planner I
Zack Jones, Planner II
Catherine Gomez, Planner I
Tori Nugent, Associate Planner
Haritha Gurivindapalli, Management Assistant

The following matters were considered:

**BOARD OF ZONING ADJUSTMENT
MINUTES
AUGUST 3, 2026**

APPROVAL OF MINUTES

JULY 20, 2026, BOARD OF ZONING ADJUSTMENT MEETING MINUTES

00:03:50 On a motion by Member Vozos, seconded by Member Ford, the following resolution was adopted:

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of July 20, 2026, Board of Zoning Adjustment meeting.

The vote was as follows:

YES: Members Horton, Ford, Vozos and Lewis

ABSENT: Members Rodriguez, Scott and Bond

**BOARD OF ZONING ADJUSTMENT
MINUTES
AUGUST 3, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0058

Request:	Variance from Land Development Code Section 5.1.12.A.2.a to allow a principal structure to exceed the required front yard infill setback (Proposed Front Yard Setback of 50 feet, for a Variance of 29 feet.)
Project Name:	Front Yard Variance
Location:	1865 Brownsboro Rd
Applicant:	Seba Bawah
Representative:	Seba Bawah
Jurisdiction:	Louisville Metro
Council District:	4 – Ken Herndon
Case Manager:	Mollie Share, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:05:00 Mollie Share provided an overview of the request and presented a PowerPoint Presentation. Share responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Seba Bawah, 1865 Brownsboro Rd, Louisville, KY 40206

Summary of testimony of those in support of the request:

00:09:20 Seba Bawah spoke in support of the request. Bawah explained that the building was originally proposed on the side of the lot but was moved to the center and set farther back based on recommendations related to the lot size. This change allows continued access from the front while maintaining space for a two-car driveway. Bawah stated that they plan to install fencing on both sides of the property to improve safety. Bawah responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0058

None

Deliberation:

00:11:00 Board deliberation

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

Variance from Land Development Code Section 5.1.12.A.2.a to allow a principal structure to exceed the required front yard infill setback (Proposed Setback of 50 feet, for a Variance of 29 feet) (26-VARIANCE-0058)

00:11:30 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare because the proposed building would not impact vision clearance or any other public health or safety issue. Additionally, the structure will be required to comply with all applicable building code regulations, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as there are a variety of principal structure placements along Brownsboro Road, including across the street from the subject property where the parcels are subject to a large change in grade. Additionally, the four areas of Traditional residential site design will be met, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity or in the same zoning district as the subject property is similar in shape and size to other properties in the area, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would create an unnecessary hardship on the applicant because it poses potentially dangerous situations for their children without relief from this regulation. One of the applicant's children has a high elopement risk, and placing their house close to a major arterial road would create a potentially dangerous situation and cause unnecessary hardship on the applicant, and

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0058

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought as the work has not begun on the proposed structure for which the variance is being requested; now, therefore be it.

RESOLVED, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.1.12.A.2.a to allow a principal structure to exceed the required front yard infill setback (Proposed Setback of 50 feet, for a Variance of 29 feet) (**26-VARIANCE-0058**).

The vote was as follows:

YES: Members Horton, Ford, Vozos and Lewis

ABSENT: Members Rodriguez, Scott and Bond

**BOARD OF ZONING ADJUSTMENT
MINUTES
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0069

Request: Variance from Land Development Code Section 5.4.1.B.1.b to allow an unenclosed porch to encroach more than 33% of the public realm (Proposed Encroachment of 352 square feet, for a Variance of 180 square feet).

Project Name: Public Realm Variance

Location: 1033 Highland Ave

Applicant: Marlana Robles

Representative: Marlana Robles

Jurisdiction: Louisville Metro

Council District: 6 – J.P. Lyninger

Case Manager: Mollie Share, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:13:00 Mollie Share provided an overview of the request and presented a PowerPoint Presentation. Share responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Marlana Robles, 1033 Highland Ave, Louisville, KY 40204

Terri Pruitt, 831 Melford Avenue, Louisville, KY 40217

Lahna Pruitt, 648 Lynn Station Road, Louisville, KY 40217

Austin “Hunter” Guthrie, 1030 Highland Avenue, Louisville, KY 40204

Noel Heath, 1609 Logan drive, Webb City, MO 64870

Summary of testimony of those in support of the request:

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CASE NO. 26-VARIANCE-0069

00:18:30 Marlana Robles spoke in support of the request for a front deck, explaining that the project would improve safety and accessibility by replacing steep, uneven steps with a safer design. Robles noted strong neighborhood support and stated that there are examples of similar decks nearby and argued that the proposed deck would not create visibility or safety issues. Robles also explained that reducing the deck size would require significant redesigning and excavation due to the property's slope, while maintaining the current design would better meet her needs as she ages. Robles responded to questions from Board Members (see recording for details)

00:33:55 Terri Pruitt spoke in support of the request and explained that the steep terrain and difficult-to-maintain grassy area make the location challenging, particularly for older residents, and argued that the proposed improvement would enhance both the appearance and safety of the neighborhood. Pruitt responded to questions from Board Members (see recording for details)

00:35:40 Lahna Pruitt spoke in support of the request and stated that it would be a significant improvement to the neighborhood and that the design is well planned and attractive. Pruitt noted that neighbors in the area view the project favorably and emphasized that it would help the applicant avoid the difficulty of maintaining the steep hillside. Pruitt responded to questions from Board Members (see recording for details)

00:36:30 Austin "Hunter" Guthrie spoke in support of the request and stated that the house is already set back significantly from the sidewalk and that the deck would not create visibility or safety concerns for pedestrians or drivers. Guthrie testified that the project would not negatively affect neighboring properties, would replace deteriorating and unsafe stairs, and would help address maintenance and accessibility challenges for the homeowner. Guthrie responded to questions from Board Members (see recording for details)

00:39:40 Noel Heath spoke in support of the request and stated that the existing stairs are dangerous, inconsistent, and difficult to navigate, particularly for individuals with disabilities. Heath testified from personal experience that improved, code-compliant stairs and handrails would greatly enhance accessibility and safety without harming the neighborhood's character. Heath stated that the proposed project would maintain the traditional appearance of the area while providing a meaningful safety upgrade for current and future residents. Heath responded to questions from Board Members (see recording for details)

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0069

The following spoke in opposition to the request:

None

Deliberation:

00:45:00 Board deliberation

00:46:00 Board members expressed concerns about how far the proposed deck extends toward the front of the property. Members discussed the possibility of modifying the proposal by moving the deck back several feet and requested additional information regarding similar structures in the surrounding area.

00:52:00 Board members favored a continuance to allow staff to investigate similar properties in the area and work with the applicant on possible design modifications that could reduce the variance while addressing the homeowner's safety and accessibility concerns.

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

Variance from Land Development Code Section 5.4.1.B.1.b to allow an unenclosed porch to encroach more than 33% of the public realm (Proposed Encroachment of 352 square feet, for a Variance of 180 square feet) (26-VARIANCE-0069)

00:55:40 On a motion by Member Horton, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** the case to September 28, 2026, Board of Zoning Adjustment public hearing to allow staff to investigate comparable neighborhood examples and to work with the applicant on potential design modifications that could address the homeowner's safety and accessibility concerns.

The vote was as follows:

YES: Members Horton, Ford, Vozos and Lewis

ABSENT: Members Rodriguez, Scott and Bond

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0078

Request:	Variance from Land Development Code Section 4.4.3.A.1.a.ii to allow an 8-foot fence to exceed the maximum permitted height of 6 feet in the required side yard setback.
Project Name:	Fence Height Variance
Location:	3740 Bardstown Road
Applicant:	Transcend Credit Union
Representative:	Transcend Credit Union
Jurisdiction:	Louisville Metro
Council District:	10 – Josie Raymond
Case Manager:	Catherine Gomez, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:58:00 Catherine Gomez provided an overview of the request and presented a PowerPoint Presentation. Gomez responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Branden Bledsoe, 1108 Garden Creek Circle, Louisville, KY 40223

Summary of testimony of those in support of the request:

01:01:20 Branden Bledsoe explained that the proposed security gate is intended to protect employees and members following recent incidents of vandalism and theft in the parking lot, including fuel theft and stolen catalytic converters. An existing 8-foot chain-link fence was installed years ago along the property perimeter, and the gate would complete the security enclosure originally planned but delayed due to cost. Bledsoe responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0078

Deliberation:

01:05:30 Board deliberation

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

Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.ii to allow an 8-foot fence to exceed the maximum permitted height of 6 feet in the required side yard setback (26-VARIANCE-0078)

01:05:35 On a motion by Member Horton, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, because each structure will be required to comply with all applicable building code regulations and promote public safety, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as the site has an existing 8-foot fence surrounding the property and the portion that is not in compliance with the Land Development Code is very minimal and internal to the site, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity or in the same zone as the subject property is similar in size as most of the properties on the same block face. Other properties on the block face have similar split zoning as the subject site, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of reasonable use of the land as the applicant is only requesting relief from a minimal portion of the site. The site has an existing 8-foot fence along the property perimeter, which the applicant wants to extend into the property for security reasons, and

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0078

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has requested the Variance prior to constructing the addition; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.ii to allow an 8-foot fence to exceed the maximum permitted height of 6 feet in the required side yard setback (**26-VARIANCE-0078**).

The vote was as follows:

YES: Members Horton, Ford, Vozos and Lewis

ABSENT: Members Rodriguez, Scott and Bond

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PUBLIC HEARING

CASE NO. 26-CUP-0033

Request:	Conditional Use Permit to allow a Nursing Home and Home for the Infirm or Aged in the R-4 zoning district (LDC 4.2.38)
Project Name:	Cedar Lake Intermediate Care Facility
Location:	8913 Pennsylvania Run Road
Applicant:	Cedar Lake Inc.
Representative:	Bardenwerper, Talbott, & Roberts
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Zack Jones, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the public hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street).

Agency Testimony:

01:06:30 Zack Jones provided an overview of the request and presented a PowerPoint Presentation. Jones responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Nick Pregliasco, 1000 n Hurstbourne Pkwy, Louisville, KY 40223

Rick Davis, 11102 Little Spring Blvd, Louisville, KY 40291.

Summary of testimony of those spoke in favor of the request:

01:10:40 Nick Pregliasco provided an overview of the request and presented a PowerPoint Presentation. Pregliasco outlined proposed development plans, floor plans, building elevations, access, parking and landscaping. Pregliasco stated that the project would preserve the existing church building, add a new residential wing, relocate the entrance to improve traffic safety, and maintain much of the site's existing tree canopy. Pregliasco responded to questions from Board Members (see recording for details).

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01:21:40 Rick Davis, President and CEO of Cedar Lake, testified that the organization is a nonprofit and that the proposed facility will continue to operate as a nonprofit residential community. Davis explained that Cedar Lake consists of multiple facilities overseen by a central board under the Cedar Lake umbrella organization, with established locations throughout the region. Davis responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

01:23:10 Committee deliberation

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

Variance from Land Development Code Table 5.3.2 to allow the proposed building to exceed the maximum front yard setback of 80 feet (Proposed Setback of 216.83 feet, for a Variance of 176.83 feet) (26-VARIANCE-0073)

01:23:35 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, because the request to exceed the allowable maximum front yard setback does not cause adverse or unsafe impact to the public. Additionally, the structure will be required to comply with all applicable building code regulations, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as the request is in general conformance to the character of existing structures in the general area, particularly this general vicinity of Pennsylvania Run Road, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the

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PUBLIC HEARING

CASE NO. 26-CUP-0033

same zone as the subject property is significantly larger in size and width to most properties along Pennsylvania Run Road with smaller setbacks, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as proposal allows the property to preserve the existing tree line along Pennsylvania Run Road, and complying with the maximum setback might lead to an unnecessary degradation of natural space for the site, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as no action has been taken by the applicant prior to approval of this development plan; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Table 5.3.2 to allow the proposed building to exceed the maximum front yard setback of 80 feet (Proposed Setback of 216.83 feet, for a Variance of 176.83 feet) (**26-VARIANCE-0073**).

The vote was as follows:

YES: Members Horton, Ford, Vozos and Lewis

ABSENT: Members Rodriguez, Scott and Bond

Conditional Use Permit to allow a Nursing Home and Home for the Infirm or Aged in the R-4 zoning district (LDC 4.2.38).

01:24:45 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposed use is consistent with the land use and development policies and housing policies of Plan 2040. The proposed use advances the equitable distribution of community services and promotes access to the resources necessary to maintain health and well-being, including aging in place and other supportive services, and

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CASE NO. 26-CUP-0033

WHEREAS, the Board of Zoning Adjustment finds the proposal could be considered compatible with the surrounding land uses and the general character of the area. The proposal does not propose a structure that will significantly adversely impact the general character of the area in relation to scale, intensity, traffic, appearance, and other primary criteria, and

WHEREAS, the Board of Zoning Adjustment finds that all necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation should be provided for the proposed development. MSD and Transportation have preliminarily approved the proposal. The proposal is not served by public sanitary sewer but has been preliminarily approved by the Health Department to this point in the planning process, and

WHEREAS, the Board of Zoning Adjustment finds the proposal clearly demonstrates that all building(s) are located at least 30 feet from any property line. Signage is not provided with the proposal at this level and therefore relief is not being requested. The Board should consider what additional restrictions, if any, are necessary to mitigate nuisance or adverse effects on the site. Staff notes that the variance allows for significant tree preservation at the front of the site, and the applicants have avoided steep slope disturbance in this site plan, providing for a mitigation of nuisances and adverse effects on the property. The site plan has been preliminarily approved by MSD, Transportation, and all other applicable utilities and governing bodies at this stage. Staff finds the proposal meets these standards; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow a Nursing Home and Home for the Infirm or Aged in the R-4 zoning district (LDC 4.2.38) **SUBJECT** to the following Conditions of Approval:

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a Nursing Home and Home for the Infirm or Aged area until further review and approval by the Board.

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-CUP-0033

3. An active license for a Nursing Home by the Commonwealth of Kentucky shall be maintained.
4. All necessary permits and approvals will be obtained by the Department of Public Health & Wellness and/or the Board of Health prior to approval of building permits.

The vote was as follows:

YES: Members Horton, Ford, Vozos and Lewis

ABSENT: Members Rodriguez, Scott and Bond

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ADJOURNMENT

The meeting adjourned at approximately 2:37 p.m.

Chair

Planning Director



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0090

Agenda Date: 8/17/2026

Version: 1

Status: Business Session

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 2.



26-VARIANCE-0090

Board of Zoning Adjustment
Staff Report
August 17, 2026

Natchez Addition

Location: 3307 Natchez Lane
Applicant: Laura Means
Representative: Beverly Baker
Jurisdiction: Louisville Metro
Council District: 9 – Andrew Owen
Case Manager: Sydney Fawcett, AICP, Planner I

REQUEST & RECOMMENDED ACTION

- 1. 26-VARIANCE-0090:** Variance from Land Development Code Table 5.3.1 to allow the principal structure to encroach into the required 5-foot side yard setback (Proposed Setback of 0.5 feet, for a Variance of 4.5 feet)
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance

CASE SUMMARY

The subject site is approximately 0.24 acres zoned R-5 Single-Family Residential in the Neighborhood form district. The site is located on Natchez Lane near the intersection of Lexington Road and Cannons Lane. The site is currently developed with a single-family home with an attached garage. The applicant is proposing to construct an addition to the existing garage to allow for additional storage. The garage is currently 5 feet from the eastern property line. However, the addition will be encroaching in the required side yard setback. Therefore, a variance is required.

Staff has received signatures from all adjoining property owners approving of the proposed construction. Therefore, a public hearing is not required.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0090

- The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect public health, safety, or welfare, because the request to encroach into the required setback does not impede the safe movement of

vehicles or pedestrians along any right-of-way. Additionally, the addition will be required to comply with all applicable building code regulations.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as residential properties in the general vicinity have varying side yard setbacks.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is similar in size and width to most of the properties on the block face.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the width of the lot and position of the existing home limits where the applicant can construct the garage addition.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as

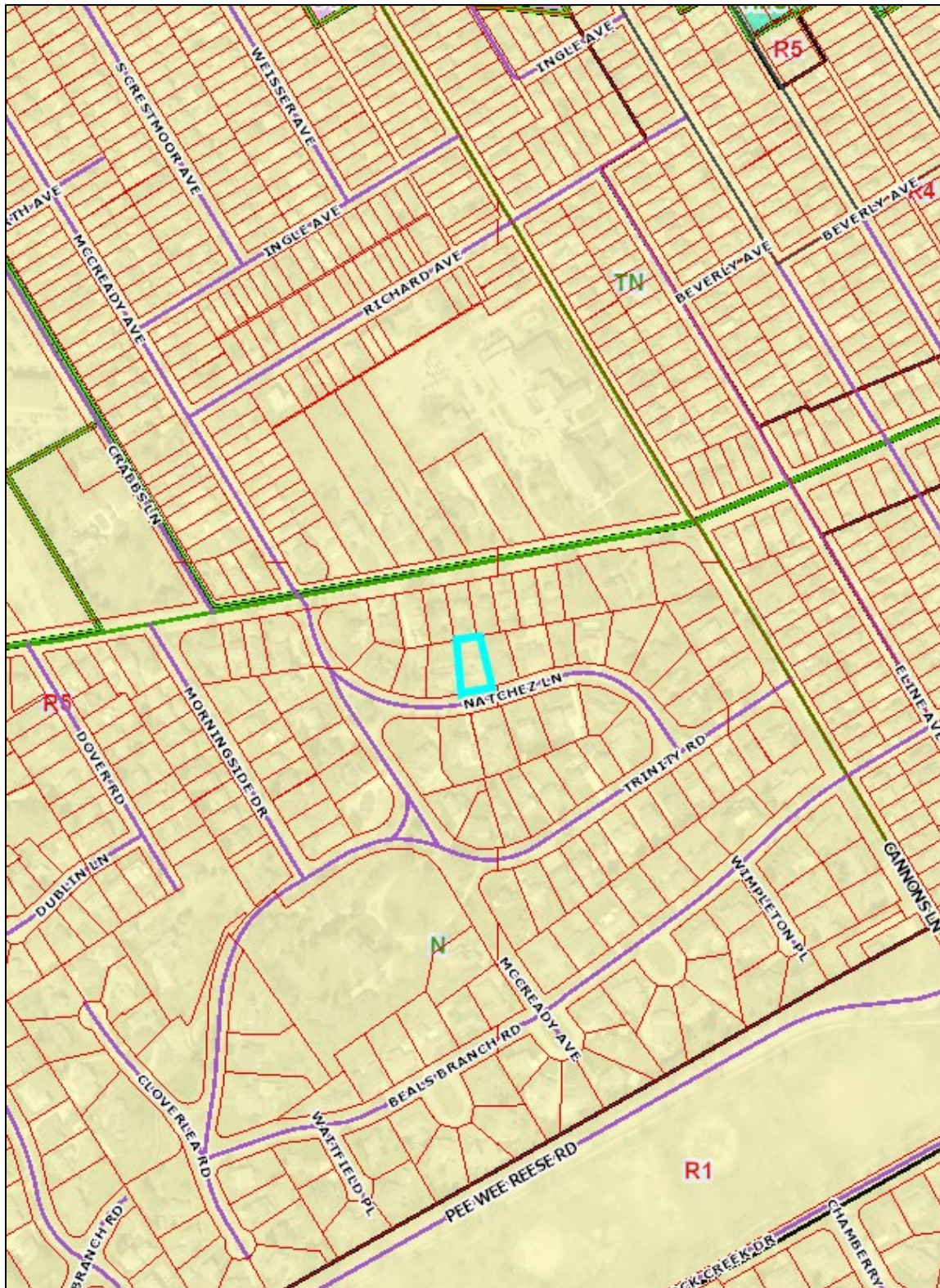
NOTIFICATION

The applicant has collected signatures for all adjoining property owners, allowing this case to be heard in Business Session, so no additional notice was required.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

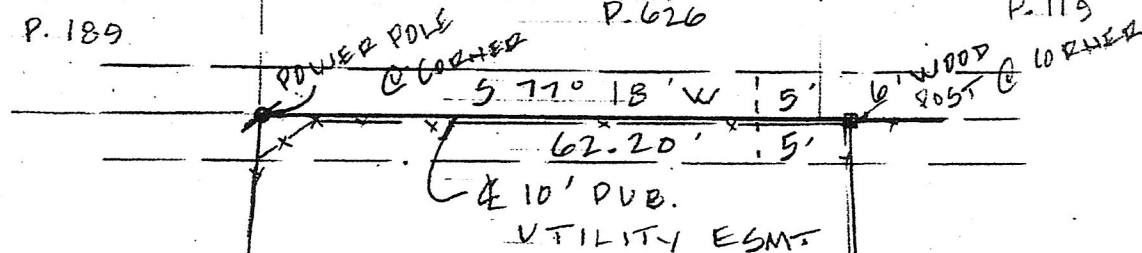
1. ZONING MAP



2. AERIAL PHOTOGRAPH



BRAUN
D.B. 12050
P. 119



* 0.24 ΔL.

LOT 52 & PT.
OF 53/54

WOODLAND
SUB. SEC. 3
(8x85)

new l. storm

BRICK
-RAT-

LARROQUE
D.B. 5726
P. 161

666 SCHRANGE
D.B. 8146
P. 599

add on 1 story

Remove
SHED 7" WEST
- 3 (4.5' x 14.5')

5.04

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JUL 14 2026

OFFICE OF
PLANNING

2016

SD. 76

addon to garage
expand 1 story

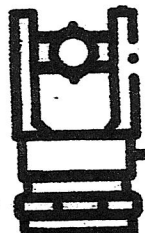
ASPH
DR
EXIST -
NEW CONC.
6-26-26
3307 Natheez Ln.
EX.
1" PIPE 1" 20'0"

Additions added
by Beverly D. Baker, Arch

60' R/W)

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY DEPICTED HEREON WAS PERFORMED UNDER MY DIRECT SUPERVISION AND WAS CONDUCTED WITH THE STANDARDS FOR A SURVEY DEFINED UNDER KAR 18:150. IT IS AN "URBAN SURVEY", WITH AN UNADJUSTED CLOSURE OF 1 PART IN 10,000 AND IS WITNESSED BY MONUMENTS AS SHOWN. THE SURVEY METHOD USED WAS THAT OF RANDOM TRAVERSE AND THE BEARINGS HAVE BEEN ROTATED AND ADJUSTED FOR CLOSURE USING THE BEARING



GARY DUKES PLS

Land Surveying Services
13510 Riggs Lake Lane
Louisville, Kentucky 40299
502-553-4912

garydukespls@gmail.com

Survey 3.16.26 - (40206) 27

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of **Yes**, **No**, or **N/A** will **NOT** be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

The enlarged garage is approx. 50' back from street edge and will not change the driveway entrance substantially or hinder any traffic visibility. It will not adversely affect the public health, safety or welfare.

2. Explain how the variance will not alter the essential character of the general vicinity.

Our intentions are to enhance the character of the house and neighborhood with this garage expansion and believe it will not alter the essential character of the general vicinity.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The expanded garage will not cause a hazard or nuisance to the public but will provide a usable garage for the owners. The current garage has only 10' of width on the interior and you can't completely open the car doors once you are inside and the vehicle takes up almost the entire length not allowing any walk around space to get to the entry door into the house. The width of the current garage door is difficult to maneuver as well and the new wider door will be much more workable to pull in/out.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

We are trying to provide a usable garage with a small amount of storage space and believe this is a reasonable ask to allow as much more space as possible on the property.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The existing garage is currently on the side setback line, so an encroachment into the side setback is the best option for a larger attached garage on this property.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Because the current attached garage is not usable as a garage to park a car in, we hope to enlarge the garage to make it usable for today's moderate size cars to be stored and provide covered access to the house.

7. Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

No, this appears to be the original attached garage built in approx. 1941.

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PLANNING



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0089

Agenda Date: 8/17/2026

Version: 1

Status: Business Session

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 3.



26-VARIANCE-0089

Board of Zoning Adjustment
Staff Report
August 17, 2026

Emily Road Variance

Location: 643 Emily Road
Applicant: Laura Ryan & Tina Ward-Pugh
Representative: Beverly Baker
Jurisdiction: Louisville Metro
Council District: 4 – Ken Herndon
Case Manager: Zach Schwager, Planner I

REQUEST & RECOMMENDED ACTION

1. **Variance** from Land Development Code (LDC) Table 5.3.1 to allow a structure to encroach into the required side yard setback.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Variance. This case has qualified for a non-public hearing Variance, the applicant provided signatures from all adjacent property owners indicating consent for the request, so a public hearing is not required.

Location	Requirement	Request	Variance
Side Yard	5 feet	1 foot 3 inches	3 feet 9 inches

CASE SUMMARY

The site is zoned R-5 Single Family Residential within the Neighborhood Form District and situated on 0.17 acres. The property is on the east side of Emily Road south of Mellwood Avenue. The applicant is proposing to construct a carport on the north side of the existing structure that would encroach into the required side yard setback; therefore a variance is required.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR VARIANCE

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect the public health, safety, or welfare, because each structure will be required to comply with all applicable building code regulations and promote public safety.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as there are other similar carports in the immediate area.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity or in the same zone as the subject property is similar in size as most of the properties on the same block face. Other properties in the vicinity have similar carports.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of reasonable use of the land as there is no other reasonable place to put the carport and there are similar encroachments in the subdivision.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has requested the Variance prior to constructing the addition.

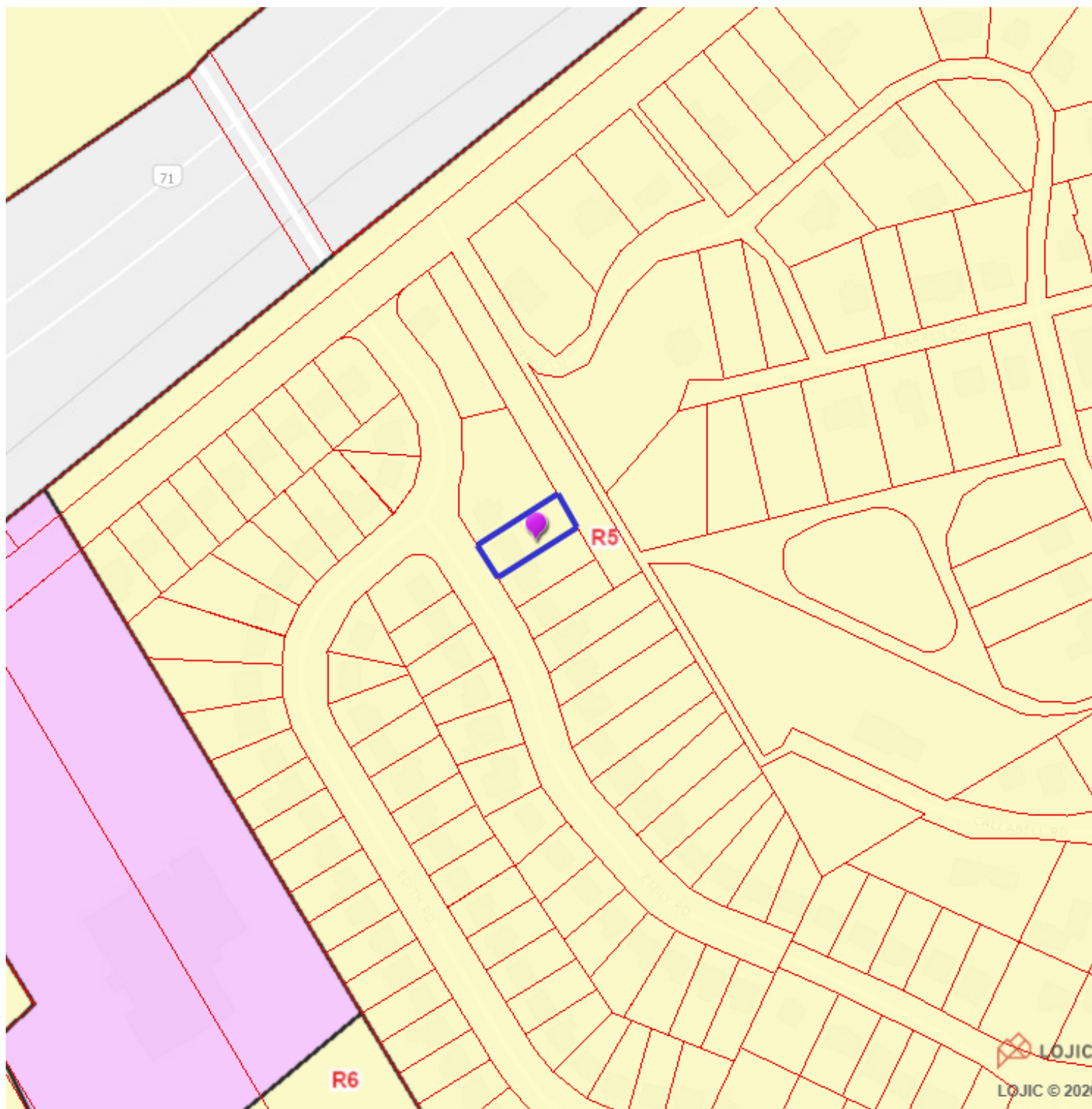
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
NA	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 4

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph



BOUNDARY SURVEY

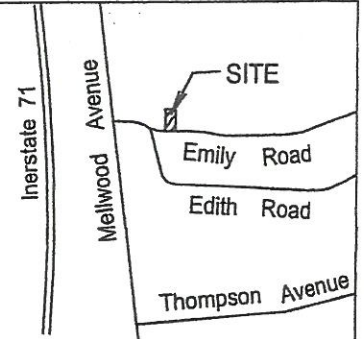
NOTES:

1. The unadjusted closure error was 1 in 18,102, no adjustments were made for closure.
2. A Title Examination may reveal roads and easements not shown hereon. No report was supplied for this survey.
3. Reference of meridian was taken from the record plat.

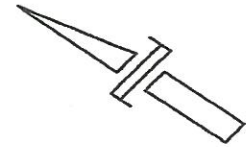
Biljana N. Monsky DB. 5929, PG. 185

Scott A. & Rebecca Davison DB. 12582, PG. 507

Ronald R. Jandt DB. 12811, PG. 557



LOCATION MAP
No Scale



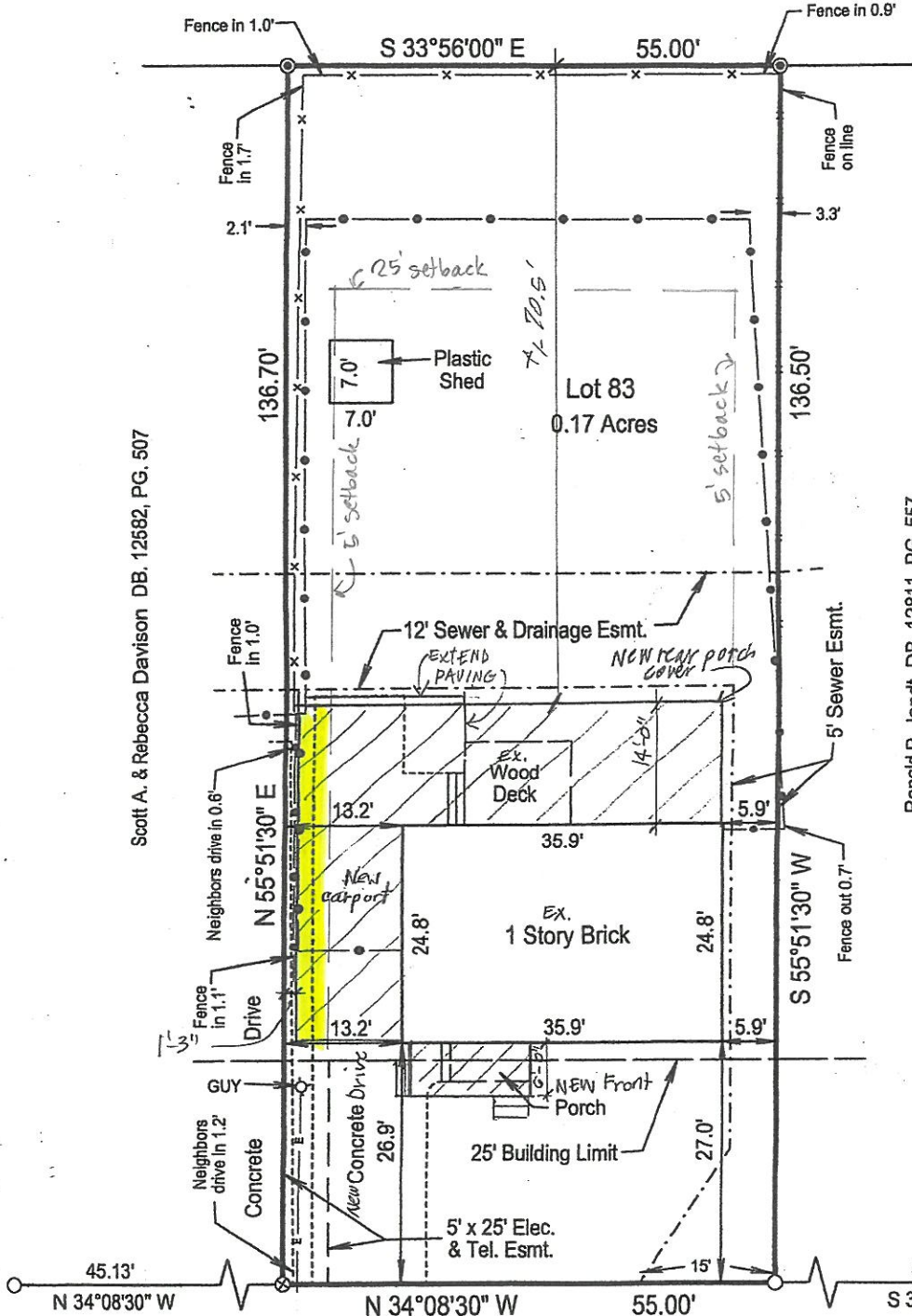
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LEGEND

- ⊙ = Existing 3/4" iron pipe.
- = Existing 1" iron pipe.
- ⊗ = Set a 1/2" rebar with a cap #3444 Willett.
- ⊗ = Set a magnetic nail with a washer #3444 Willett.
- = Wood fence lines.
- x— = Wavy wire woven fence lines.



EMILY ROAD 60' RW
PB. 15, PG. 38



Additions added to
Survey dated 12.18.25
by Beverly D. Baker, Archt.

Being Lot 83,
MELLWOOD HEIGHTS SUBDIVISION
Plat Book 15, Page 38



26-VARIANCE 34A

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer ALL of the following items. Use additional sheets if needed. Responses of Yes, No, or N/A will **NOT** be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

The Variance will not adversely affect the public health, safety, or welfare. It does not create siteline issues, as it is over 30' back from the street. It stays within the existing privacy fence which is already a minimum of 1' away from property line.

2. Explain how the variance will not alter the essential character of the general vicinity.

There are several other attached side carports and some attached side garages in the neighborhood. We are proposing an attached carport that has a garage door on it but is still open on 2 sides. The garage door is for security for the family to store their cars and enter the house.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The driveway would remain in current location and is adjacent to 645 Emily's driveway. The carport would be about 9.5' away from this neighbor's house so not crowding in. The carport will not be a hazard or nuisance to the neighbors or general public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Several other homes in the neighborhood have built very close to their property lines with attached garages/carports.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

This is the only reasonable and efficient location to place an attached carport to the house.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The owners would like to age in place in their home. The carport will give them a more secure and covered entry into the house.

7. Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

No.

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OFFICE OF
PLANNING

Variance Application – Office of Planning – July 2025

26-VARIANCE-359

1.26.26

Letter of Explanation

To: Metro Louisville BOZA

Variance Application for 643 Emily Road side setback

We are proposing an attached side carport, rear porch cover, and new front porch.

To allow space for the single car carport we need to encroach into the 5' side setback approx. 3'9". With the privacy fence on one side and the house on the other, we need this space to comfortably open car doors.

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PLANNING

26-VARIANCE-3679



Louisville Metro Government

Text File

File Number: 26-CUP-0126

Agenda Date: 8/17/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 4.



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0077

Agenda Date: 8/17/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 5.



26-VARIANCE-0077

Board of Zoning Adjustment
Staff Report
August 17, 2026

Goddard Avenue Variance

Location: 1536 Goddard Avenue
Applicant: 22 Level, LLC
Representative: 22 Level, LLC
Jurisdiction: Louisville Metro
Council District: 8 – Ben Reno-Weber
Case Manager: Zach Schwager, Planner I

REQUEST & RECOMMENDED ACTION

1. **Variance** from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a 72-inch fence to exceed the maximum permitted height of 72 inches in the required street side yard setback.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Variance.

Location	Requirement	Request	Variance
Street Side Yard Height	42 inches	72 inches	30 inches

CASE SUMMARY

The site is zoned R-5 Single Family Residential within the Traditional Neighborhood Form District and situated on 0.16 acres. The property is on the southwest corner of the intersection of Goddard Avenue and Baxter Avenue. The applicant has constructed a 72-inch wooden privacy fence along the street side yard on Baxter Avenue; therefore, a Variance is required.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR VARIANCE

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect the public health, safety, or welfare, because each structure will be required to comply with all applicable building code regulations and promote public safety.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as there are other similar fences in the immediate area.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity or in the same zone as the subject property is similar in size as most of the properties on the same block face. Other properties in the vicinity have similar fences.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of reasonable use of the land as the property is located along a minor arterial roadway and similar fences exist nearby because of the traffic and noise impact of the area.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the fence is already completed.

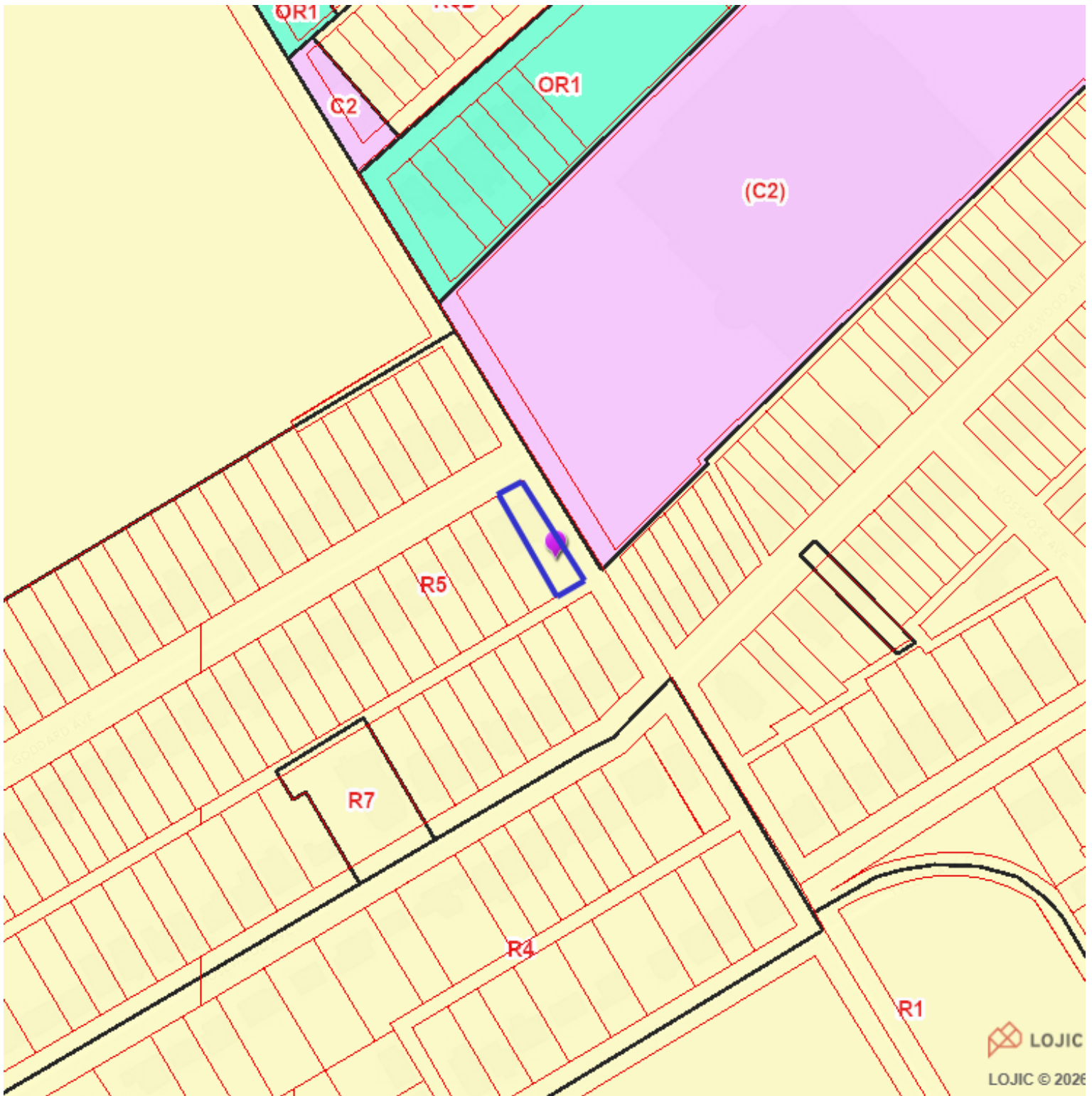
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/29/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 8

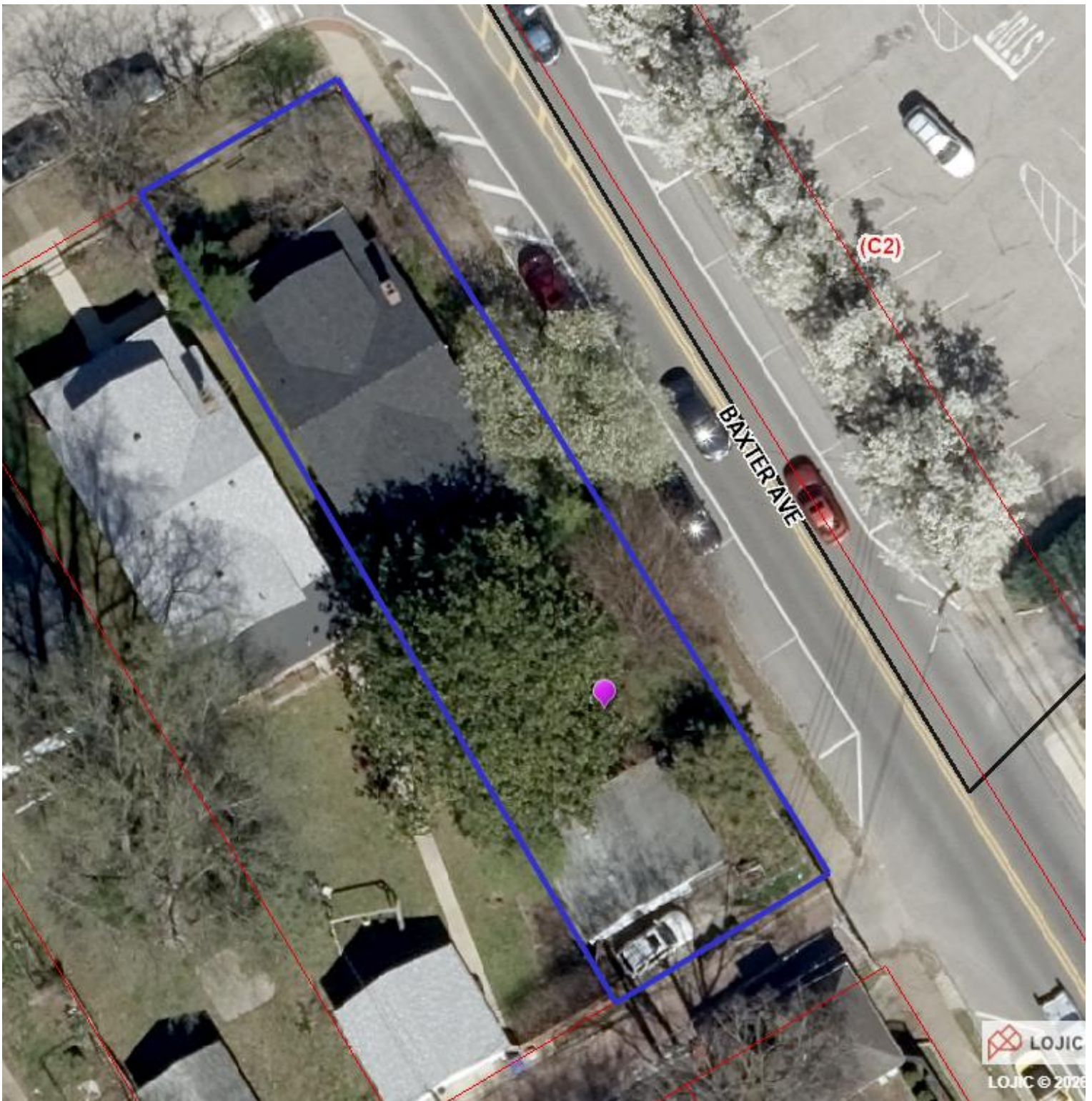
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph





New wood fence is 72 inches high and has 24 inch setback from the sidewalk

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JUN 23 2026

OFFICE OF PLANNING

No VARIANCE to 437



End of the fence is 48 inches away from the service road sidewalk. Trash containers to be staged behind the wood fence.



1537 Rosewood Avenue Fence on Baxter Avenue - 32 inch set back

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JUN 23 2026

OFFICE OF PLANNING

NO VARIANCE 44

Letter of Explanation

June 22, 2026

Louisville Metro Government
Department of Codes & Regulations
Zoning Enforcement Division

**Re: Notice of Violation – Case No. ENF-ZON-25-000862-1 | 1536 Goddard Avenue |
Appeal of Violation ZV_032**

To whom it may concern,

We are writing in response to the Notice of Violation dated June 10, 2025, issued to 22 Level LLC regarding the property at 1536 Goddard Avenue, Louisville, KY 40204. The Notice of Violation was received after the fence had already been completed. Construction had concluded by the time any concern was communicated to us. We respectfully appeal the cited violation (ZV_032 – Unlawful or Noncompliant Fence) and request a review of the following grounds.

Response to Alleyway Sight-Triangle Concern

The Notice references an alleyway sight-triangle issue at the rear corner of the fence where the service road meets Baxter Avenue. We respectfully submit that this concern does not apply in the present circumstances for the following reasons.

The service road in question is used by residents and by utility vehicles, it does not constitute a standard traffic intersection requiring a sight-triangle clearance. Vehicle traffic visibility from the fence line is not a concern. Baxter Avenue features a dedicated parking lane that provides approximately 5 additional feet of clearance between moving traffic and the curbside. This parking lane is normally unoccupied, further enhancing sightlines for drivers, except during occasional neighborhood special events. In addition, the end of the wood fence is 4 feet (48 inches) away from the sidewalk of the service road which provides sufficient visibility of pedestrians walking on Baxter Avenue.

We believe that the Department of Codes and Regulations has approved a variance or waiver for the setback requirement in the past since the residence at 1537 Rosewood Avenue (behind 1536 Goddard Avenue) has a wooden fence that is at least 6 feet high and has a set back of 32 inches from the sidewalk.

Notwithstanding the above, and as a good-faith gesture toward resolution, we are willing to modify the length or height of the last section of fence towards the service road to the dimension that the Department determines reasonable. A targeted limited adjustment would address any residual pedestrian visibility concern while preserving the integrity and purpose of the remainder of the fence.

Reasons for the Appeal to the height and setback limits

1. **Fence Placement Follows the previous fence line.** The new wooden fence was constructed along the exact same line as the previous chain-link fence that it replaced. The prior chain-link fence maintained a 24-inch setback from the sidewalk and had existed in that location for years without any recorded violation. The new fence follows that same established boundary.

2. Standard Residential Fence Height. The new fence stands at 72 inches (6 feet), which is the standard height for new residential privacy fences in the

JUN 23 2026

OFFICE OF PLANNING

26-VARIANCE-00745

Louisville metro area. This height is widely accepted and permitted in residential zones where privacy and security are primary concerns.

3. **Privacy, Safety, and Security Necessity.** The property at 1536 Goddard Avenue is situated adjacent to Baxter Avenue, a high-traffic corridor with significant vehicle and pedestrian activity. The fence was constructed specifically to provide privacy, safety, and security for the back yard, which is directly exposed to this busy street. This need is further heightened by the scheduled demolition and redevelopment of Mid City Mall, located directly across the street. The resulting increase in construction crew activity and foot traffic in the area makes it particularly important to maintain the full 72-inch fence height in order to protect the privacy and security of the property and the goods stored within.
4. **Documented History of Trespassing.** The previous chain-link fence repeatedly failed to prevent unauthorized access. Homeless individuals trespassed onto the property and were found sleeping in the backyard on multiple occasions, generating complaints from neighboring residents. A more secure and solid fence is a reasonable and necessary response to this documented safety concern.
5. **Prior Fence Was Damaged Beyond Repair.** The old chain-link fence sustained repeated structural damage from vehicle accidents and falling tree limbs, rendering it inadequate and unsafe. Replacing it with a sturdier, solid-panel fence was necessary to restore security and protect the property.
6. **Screening of Trash Receptacles.** The fence also serves the practical purpose of screening trash and refuse containers from public view along Baxter Avenue, which is consistent with the intent of the Land Development Code to maintain neighborhood aesthetics.
7. **Positive Community Reception.** Since the completion of the new wood fence, neighboring residents have expressed positive feedback regarding its design and the improvement it brings to the overall curb appeal of the property and the surrounding neighborhood. Far from being a detriment, the fence has been welcomed as an aesthetic enhancement to the community.

We believe the fence as constructed serves legitimate safety, security, and aesthetic purposes and respectfully request that this violation be reconsidered in light of the above. We are fully willing to cooperate with your office, provide any additional documentation, or arrange an on-site meeting to discuss a mutually agreeable resolution.

Thank you for your time and consideration.

Sincerely,


Jorge L Zenil
Owner/General Manager
22 Level LLC
(502) 276-5498
22levelllc@gmail.com

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JUN 23 2026

OFFICE OF PLANNING

26-VARIANCE-00+7 46

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer ALL of the following items. Use additional sheets if needed. Responses of Yes, No, or N/A will NOT be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

This variance submission is to allow the privacy wood fence to be 72 inches high maintaining the current 24 inch setback. The height of the fence provides better protection and privacy to future users of the premise and also for adjacent neighbors. Additional explanation and reasoning to justify approval of the variance is provided in the attached letter of explanation.

2. Explain how the variance will not alter the essential character of the general vicinity.

The new wood fence replaced an old chain link fence which was damaged on multiple sections by car accidents and fallen branches. The fence allows for storage of trash containers so they are no visible to the public and traffic from Baxter Avenue. The design is clean and simple and is an improvement to the the property value and neighborhood cleanliness.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

We frequently encountered homeless people sleeping in the backyard before the fence was built. The previous fence was too short and easily jumped over. Neighbors have provided positive feedback on the improvement and the design of the new fence.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

We are not requesting a zone adjustment just acceptance of the 72 inch height and 24 inch setback. Adjacent property on Baxter avenue has an existing fence higher than 72 inches and 32 inches setback

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

We are not aware of when or why the 42 inch fence height limit was established. We do not know what purpose or safety concern it addresses at our specific location. It is likely a legacy code that has not been reviewed or updated recently.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

We need to be able to provide privacy in the backyard from pedestrian traffic, safety at night from unsheltered people, reduce noise from fast moving traffic, and more robust protection from potential car accidents driving on Baxter avenue. We are trying to provide tranquility and peace of mind to future residents and adjacent neighbors.

7. Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

We don't know when the height and setback regulation was adopted. Fence was built on the same line where the old fence was. Generally, a 72 inch high fence in a backyard is acceptable for residential applications.

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JUN 23 2026

OFFICE OF PLANNING

26-VARIANCE-00747



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0092

Agenda Date: 8/17/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 6.



26-VARIANCE-0092

Board of Zoning Adjustment
Staff Report
August 17, 2026

Flying Horse C-Store

Location: 6311 Commerce Park Court
Applicant: Upton Quick Stop Inc.
Representative: DSA Engineering Solutions, PLLC
Jurisdiction: Louisville Metro
Council District: 13 – Dan Seum, Jr.
Case Manager: Sydney Fawcett, AICP, Planner I

REQUEST & RECOMMENDED ACTION

1. **26-VARIANCE-0092:** Variance from Land Development Code Table 5.3.2 to allow the proposed building to exceed the maximum front yard setback of 80 feet (Proposed Setback of 141 feet, for a Variance of 61 feet)
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance

CASE SUMMARY

The subject site is approximately 1.49 acres and zoned C-M Commercial Manufacturing in the Neighborhood form district. The site is located along New Cut Road south of Highway 841. The site is currently undeveloped, and the applicant is proposing to construct a 3,828 square foot convenience store with associated gas canopy and 15 parking spaces. Non-residential developments within the Neighborhood form district are required to maintain a maximum front yard setback. Due to the size of the proposed building, the development is held to a maximum setback of 80 feet. However, the gas canopy is proposed to be in front of the convenience store which limits where the building can be constructed. The requested variance is associated with a Revised Detailed District Development Plan (26-DDP-0022) which is docketed for the Wednesday, August 19th, 2026, Development Review Committee meeting.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0092

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public as the proposed development does not impede the safe movement of vehicles or pedestrians along the public rights of way. The proposed structure

will not encroach into any neighboring properties and meets all other setback requirements in the Land Development Code.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as the surrounding non-residential and residential developments have varying front yard setbacks.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does arise from circumstances which do not generally apply to land in the same zone. Commercially zoned properties typically have minimal setbacks. However, non-residentially developed properties in the Neighborhood form district and required to be constructed within the maximum setback. Due to the size of the proposed structure, the maximum setback for the site is 80 feet.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the proposed development maintains a similar site design found with most convenience stores and gas stations. Without the variance, the applicant would be required to redesign the site to allow the proposed structure to be closer to the front property line with parking and vehicular circulation in the rear.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as

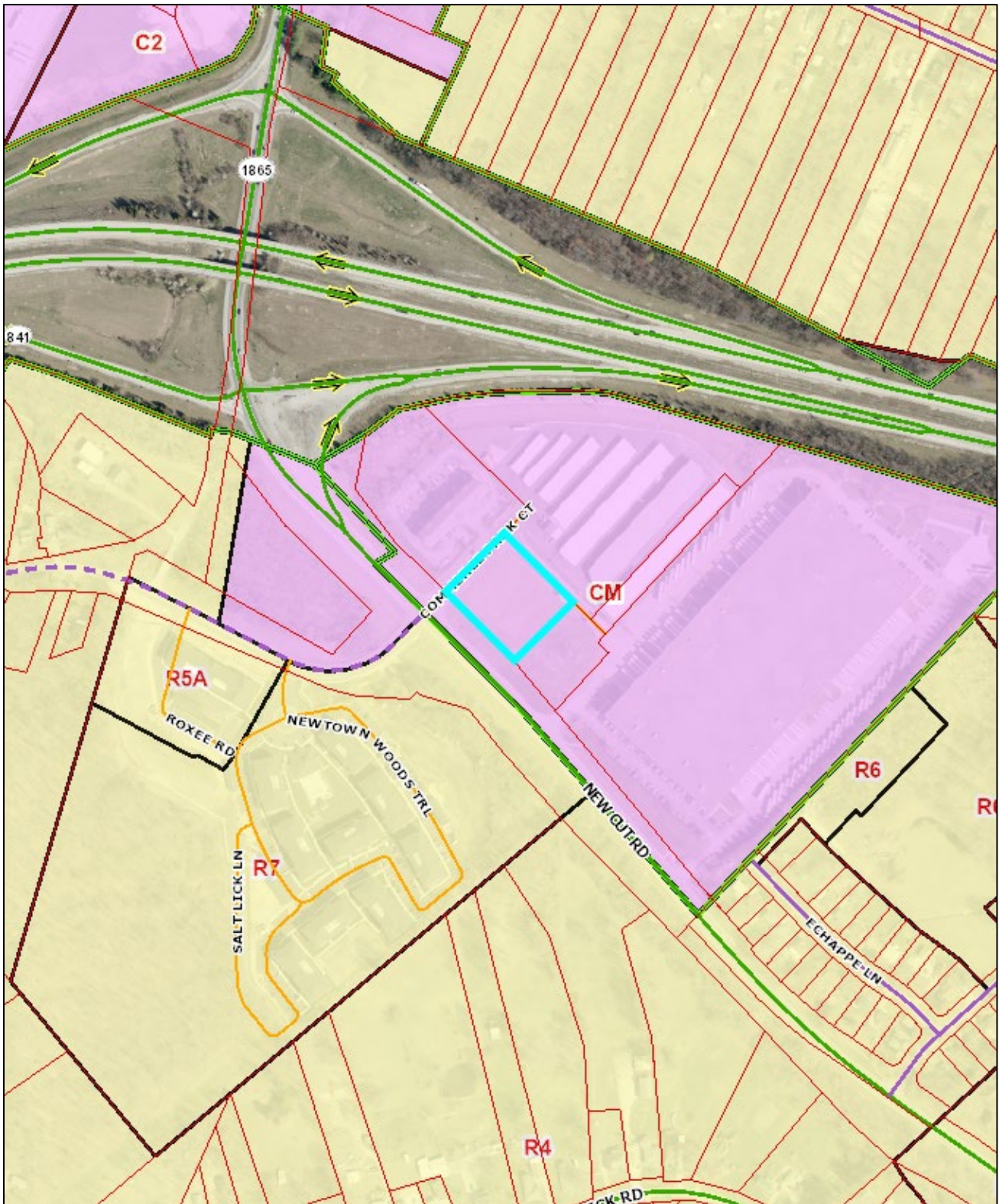
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/30/2026	Board of Zoning Adjustment Public Hearing	1 st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 13
7/31/2026	Board of Zoning Adjustment Public Hearing	Sign Posting on Property

ATTACHMENTS

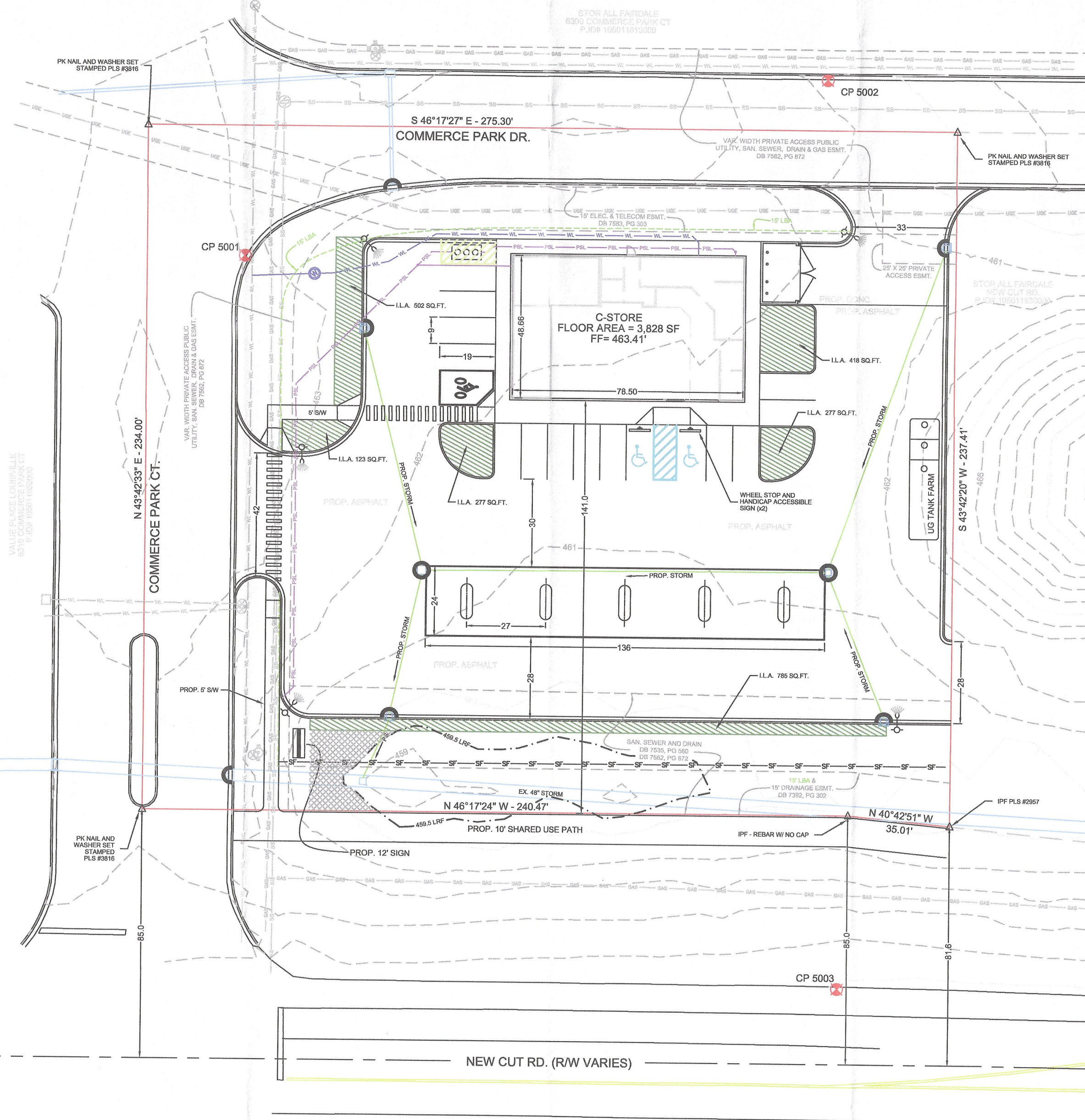
1. Zoning Map
2. Aerial Photograph

1. ZONING MAP



2. AERIAL PHOTOGRAPH





SPECIAL UTILITY NOTE

COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY THE APPROPRIATE AGENCIES.

FIRE AND EMERGENCY RESPONSE NOTE

1. THE SUBJECT PROPERTY IS LOCATED WITHIN THE FAIRDALE FIRE DISTRICT.
2. LOCAL FIRE AUTHORITY HAVING JURISDICTION (AHJ) CONTACT INFORMATION; O. LONG (OLONG@FAIRDALEFIRE.ORG)
3. HYDRANTS: PRIOR TO THE COMBUSTIBLE PHASE OF CONSTRUCTION AN ADEQUATE WATER SUPPLY INCLUDING ACCESSIBLE HYDRANTS FOR FIREFIGHTING PURPOSES MUST BE AVAILABLE, AND NO UTILITIES SHALL BE CONNECTED TO THE STRUCTURE UNTIL ADEQUATE SUPPLY IS PROVIDED (LMCO 94.81)
4. GATES: NO GATES SHALL BE INSTALLED WHICH LIMIT OR RESTRICT ACCESS TO A RESIDENTIAL AREA, EXCEPT AS APPROVED BY THE AHJ OF THE REFERENCED FIRE DISTRICT.
5. EMERGENCY RESPONDER RADIO COVERAGE: EMERGENCY RADIO SYSTEMS ARE REQUIRED TO MEET MINIMUM SIGNAL STRENGTH CRITERIA, TO BE CONFIRMED VIA THIRD PARTY TESTING, PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY IN SOME BUILDINGS.
6. REQUIREMENTS FOR SPECIFICATIONS OF FIRE DEPARTMENT CONNECTIONS (FDC), THREADS, SIZE, LOCATION, PLACEMENT OF THE KNOX BOX, OR FIREFIGHTER SAFETY BUILDING MARKING SIGNAGE MUST BE OBTAINED FROM THE AHJ OF THE REFERENCED FIRE DEPARTMENT.
7. PERMITTED PROJECTS SHALL COMPLY WITH NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 241, STANDARD FOR SAFEGUARDING CONSTRUCTION, ALTERATION, AND DEMOLITION OPERATIONS.

OWNER INFORMATION

OWNER: UPTON QUICK STOP, INC.
ADDRESS: 2539 CHATSWORTH DRIVE
ELIZABETHTOWN, KY 42701

PARCEL STATISTICS & NOTES

OWNER: UPTON QUICK STOP, INC.
RECORD: DB 13180 PG 710
SITE ACREAGE: 1.49 ACRES
EXISTING SITE USE: UNDEVELOPED / GRASS
P.ID#: 105011820000
ZONING: C-M
FORM DISTRICT: NEIGHBORHOOD
PROPOSED USE: CONVENIENT STORE / FUEL STATION
MAP / PANEL NUM.: 21111C0108
FLOOD ZONE: X
LOCAL REG. BASE FLOOD ELE.: 459.5'
SOIL TYPE: NEWARK SILT LOAM (Ne) & TYLER SILT LOAM (Ty)
HYDROLOGIC SOIL GROUP: C

V.U.A. / I.L.A. REQUIREMENTS

VEHICULAR USE AREA = 30, 952 SQ.FT.
I.L.A. REQUIRED: 7.5% OF V.U.A.
(30,952 SQ.FT. * 0.075) = 2,321 SQ.FT.
I.L.A. PROVIDED: 2,451 SQ.FT. (7.9%)

TREE CANOPY CALCULATIONS

TOTAL SITE AREA: 1.48 ACRES (64,481 SQ.FT.)
EXISTING TREE CANOPY = 0 SQ.FT.
TOTAL TREE CANOPY REQUIRED = 22,568 SQ.FT. (35%)
PROPOSED TREE CANOPY: 15,600 SQ.FT. (24.2%)
NOTE: FEE IN LIEU NECESSARY FOR NOT MEETING REQUIRED CANOPY REQUIREMENTS.

PERVIOUS / IMPERVIOUS NOTES

LOT AREA: 1.48 ACRES (64,481 SQ.FT.)
TOTAL DISTURBED AREA: 0.88 ACRES (38,272 SQ.FT.)
PRE-CONSTRUCTION IMPERVIOUS AREA: 0.29 ACRES (12,615 SQ.FT.)
POST CONSTRUCTION IMPERVIOUS AREA: 1.13 ACRES (49,237 SQ.FT.)
NET INCREASE IMPERVIOUS AREA: 290%

CONSTRUCTION RUNOFF NOTES

LOT AREA: 1.48 ACRES (64,481 SQ.FT.)
PRE-CONSTRUCTION C FACTOR = 0.36 (1.19 AC. C=0.22, 0.29 AC. C=0.95)
POST CONSTRUCTION C FACTOR = 0.78 (0.35 AC. C=0.22, 1.13AC, C=0.95)
 $\Delta C = 0.42$
 $A = 1.48$ ACRES
 $R = 2.9$ IN
 $\text{INCREASED RUNOFF (AC-FT)} = \Delta C * R * (A/12)$
 $= (0.42) * (2.9) * (1.48 / 12)$
 $= 0.15$ AC-FT
* INCREASED RUNOFF ACCOUNTED FOR AS PART OF PAST FLOODPLAIN MITIGATION PLANNING FOR COMMERCE PARK DEVELOPMENT.

C-STORE BUILDING NOTES

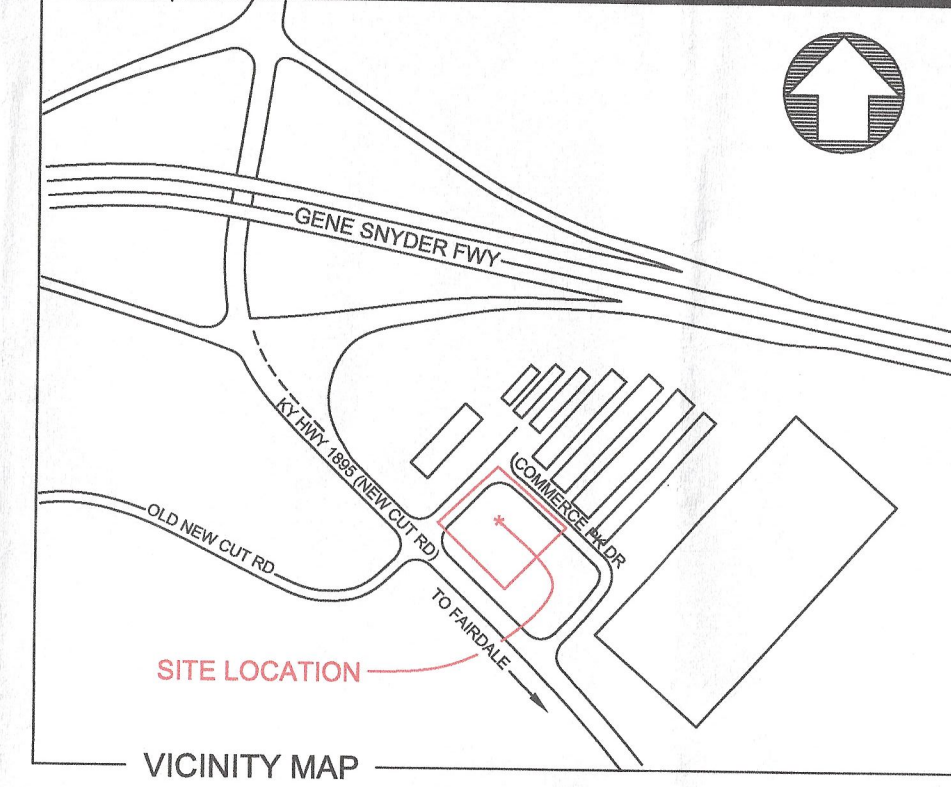
PROPOSED USE: CONVENIENT STORE / FUEL STATION
INTERIOR FLOOR SPACE: 3,828 SQ.FT.
BUILDING HEIGHT: 16'- 1"
TOP OF BUILDING FACADE: 27'- 2.5"
FUEL CANOPY HEIGHT: 20'- 6"

LANDSCAPE / TREE PLANTING NOTE

1. LANDSCAPE PLAN WILL NEED TO BE APPROVED PRIOR TO RECEIVING A BUILDING PERMIT.
2. STREET TREES ARE REQUIRED FOR ALL LAND USE ALONG PUBLIC RIGHTS-OF-WAY.
3. LBAs ENCROACH ONTO UTILITY EASEMENTS ALONG COMMERCE PARK DRIVE AND COMMERCE PARK COURT MORE THAN THE ALLOWABLE 50%. A WAIVER FOR LBAs IN THESE AREAS IS NEEDED.

DIMENSIONAL VARIANCE NOTE

THE PROPOSED BUILDING EXCEEDS THE 80' MAXIMUM SETBACK FOR THE NEIGHBORHOOD FORM. A VARIANCE IS NEEDED.



PARKING REQUIREMENTS (LDC CH. 9)

MAXIMUM REQUIREMENT - 1 SPACE PER 250 SQ.FT.
3,828 SQ.FT. / 250 = 15.3 SPACES
1 HANDICAP ACCESSIBLE REQ. (MUST BE VAN ACCESSIBLE)
MINIMUM REQUIREMENT - 1 SPACE PER 500 SQ.FT.
3,828 SQ.FT. / 500 = 7.7 SPACES
SPACES PROVIDED
15 SPACES SHOWN (INCLUDING 2 ADA HANDICAP ACCESSIBLE)
BICYCLE PARKING
DESIGNATED BICYCLE PARKING AREA PROVIDED - 3 SPACES REQUIRED

MSD NOTES

1. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICTS DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
2. THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT THE DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MGMT. PRACTICES.
3. ALL RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTIONS PER MSD'S FATS, OIL AND GREASE POLICY.
4. ANY REQUIRED FILL IN THE LOCAL REGULATORY FLOODPLAIN SHALL BE COMPENSATED ONSITE AT 1.5 TO 1. INCREASED RUN OFF VOLUME PROVIDED IN THE PREVIOUS DOWNSTREAM MITIGATION PROJECT.
5. MSD SITE DISTURBANCE PERMIT REQUIRED PRIOR TO ISSUE OF BUILDING PERMITS.
6. SANITARY SEWER SERVICE PROVIDED BY PSC, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.
7. LOWEST FINISHED FLOOR TO BE AT OR ABOVE 458.2 AND LOWEST MACHINERY TO BE AT OR ABOVE 459.2.
8. AN EPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.

LEGEND

	FOUND PROPERTY MONUMENT
	PROJECT CONTROL MONUMENT
	PROPERTY LINES PER DEED / PLAT
	EXISTING SANITARY SEWER
	EXISTING GAS MAIN
	EXISTING WATER MAIN
	EXISTING FIRE HYDRANT AND VALVE
	EXISTING UNDERGROUND ELECTRIC
	PROPOSED SILT FENCE
	PROPOSED PRIVATE SANITARY LATERAL
	PROPOSED SILT FENCE
	PROPOSED PARKING LOT LIGHTING
	PROPOSED STORM INLET PROTECTION
	PROPOSED INTERIOR LANDSCAPING AREA
	AREA ALLOCATED FOR REG. FLOODPLAIN VOLUME COMPENSATION

DRAWN BY: NTD
CHECKED BY: NTD
JOB NO. 25003
DATE: 05-26-26

REVISION

BY

DATE

REVISED DISTRICT DEVELOPMENT PLAN
UPTON QUICK STOP LLC.
6311 NEW CUT ROAD
FAIRDALE, JEFFERSON COUNTY, KENTUCKY

OFFICE ADDRESS
LOUISVILLE ROAD
DAVENVILLE, KY 40322
CONTACT US
KUPH (859) 858-4482
nick_dum@dsasolutions.com

ENGINEERING SOLUTIONS, PLLC.

SHEET

WM# 7828

26-VARIANCE-0092

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JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer ALL of the following items. Use additional sheets if needed. Responses of Yes, No, or N/A will NOT be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

MOVING THE C-STORE BACK ALLOWS FOR THE FUEL CANOPY TO BE MORE CONVENIENTLY LOCATED FOR CUSTOMER / PUBLIC ACCESS.

2. Explain how the variance will not alter the essential character of the general vicinity.

THE FUEL CANOPY BEING LOCATED WITHIN THE ORIGINAL 80 FT SETBACK WILL CREATE THE "LOOK" OF CONFORMITY IN THE GENERAL VICINITY.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

THE PROPOSED LOCATION OF THE C-STORE AND FUEL CANOPY RELATIVE TO ADJACENT STREETS IS CONSISTENT WITH OTHER SIMILAR BUSINESSES IN THE COMMUNITY.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

IF THE SETBACKS INTENT IS TO ESTABLISH A COMMON LOOK FOR GENERAL AREA, THE FUEL CANOPY WILL ITSELF CREATE THIS LOOK.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

TO ALLOW FOR VEHICULAR MOVEMENT TO, FROM AND AROUND THE PUMPS, ALL WHILE BEING IN FRONT OF THE STORE, A 141 FT SETBACK IS REQUIRED.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

FUEL SERVICES AND CONVENIENT STORES ARE ARRANGED SUCH THAT THE STORE IS LOCATED BEHIND THE FUEL CANOPY FOR THE CONVENIENCE OF THE CUSTOMERS AND MANAGEMENT OF THE OWNERSHIP.

7. Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

THE REGULATIONS WERE IN PLACE PRIOR TO THE APPLICANT OWNING THE PROPERTY OR FILING FOR ANY PERMIT.

RECEIVED
JUL 16 2026
OFFICE OF PLANNING



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0093/26-WAIVE-0091

Agenda Date: 8/17/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 7.



26-VARIANCE-0093/ 26-WAIVER-0091

Board of Zoning Adjustment
Staff Report
August 17, 2026

Camp Ground Road Storage & Sidewalk

Location: 4118 Camp Ground Road
Applicant: Innovative Scale LLC
Representative: Cyrus G. Dutton IV
Jurisdiction: Louisville Metro
Council District: 1 – Tammy Hawkins
Case Manager: Abby Bills, Planner I

REQUESTS & RECOMMENDED ACTIONS

1. **26-VARIANCE-0093:** Variance from Land Development Code Section 5.3.4.D.3.a to allow a proposed structure to encroach into the required Street Side Yard Setback of 25 feet. (Proposed Street Side Yard Setback of 20 feet, for a Variance of 5 feet)
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance.
2. **WAIVER #1 (26-WAIVER-0091):** Waiver of Land Development Code Section 5.8.1.B to waive the requirement to construct a sidewalk in the abutting right-of-way serving the development site along Camp Ground Road.
 - Staff finds the justification for the request is not adequate and recommends the Board of Zoning Adjustment **DENY** the Waiver.
3. **WAIVER #2 (26-WAIVER-0091):** Waiver of Land Development Code Section 5.8.1.B to waive the requirement to construct a sidewalk in the abutting right-of-way serving the development site along Ralph Avenue.
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Waiver.

CASE SUMMARY

The subject site is currently zoned EZ-1 Enterprise Zone within the Suburban Workplace Form District on 0.97 acres, located at the intersection of Camp Ground Road and Ralph Avenue. The parcel is currently developed as a commercial business. The applicant is proposing to construct a 4,320 square

foot storage building on the parcel that will encroach 5 feet into the required street side yard setback, therefore a Variance is being requested.

Additionally, sidewalks are required along the frontage of both Camp Ground Road and Ralph Avenue in accordance with Section 5.8.1 of the Land Development Code (LDC).

TECHNICAL REVIEW

- Section 6.2.6.C of the Land Development Code lists the methods of compliance when a sidewalk is required by Chapter 5. These methods of compliance are:
 1. Construct sidewalks in accordance with the applicable sections of the LDC; or
 2. Be allowed a reduced sidewalk requirement where less than 50% of street frontage is being developed; or
 3. Be allowed to construct a sidewalk at an alternative location within Metro Council District 1; or
 4. If one of the above methods of compliance cannot be met, the applicant may be allowed to pay a fee in lieu of sidewalk construction.
- In accordance with LDC 6.2.6.C.4, Transportation Planning and the Office of Planning have jointly determined that the applicant may pay a fee-in-lieu of construction of the sidewalk along Ralph Avenue totaling \$16,250.
- In accordance with LDC 6.2.6.C, Transportation Planning and the Office of Planning have jointly determined that the applicant will not be offered a fee-in-lieu of construction along Camp Ground Road.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0093

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect public health, safety, or welfare, because the request to encroach into the required setback does not impede the safe movement of vehicles or pedestrians along any right-of-way. Additionally, the structure will be required to comply with all applicable building code regulations.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as the proposed structure will match the setbacks of other nearby structures in the general vicinity, specifically along Ralph Avenue.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone, as the subject property is uniquely shaped compared to the surrounding area. While most parcels in the nearby area are rectangular, the subject parcel is concave on the northeast side, which restricts the amount of constructable area behind the existing structure when compared to the neighboring lots.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would create an unnecessary hardship on the applicant. There is an existing fence and treed area in the rear of the property that reduces the amount of viable space to construct the proposed structure. Moving the structure 5 feet north and out of the 25 foot street side yard setback would require taking down the existing fence and removing existing trees, creating an unnecessary hardship on the applicant.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has not yet constructed the proposed building.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #1 (Camp Ground Road Sidewalk)

- (a) *The waiver will not adversely affect adjacent property owners; and*

STAFF FINDING: The requested Waiver will adversely affect adjoining property owners along Camp Ground Road, as the granting of the Waiver will restrict pedestrian movement in the applicable right-of-way. Sidewalks are built incrementally as required by the LDC and occur with new development along the corridor. There are other existing sidewalks close to the subject site that would benefit from future pedestrian connection. Granting of the Waiver will interrupt the incremental sidewalk construction along the corridor and adversely affect pedestrian connectivity of the adjacent areas in the future.

- (b) *Granting of the Waiver will result in a development in compliance with the Comprehensive Plan and the overall intent of this Land Development Code; and*

STAFF FINDING: Granting of the Waiver will not result in a development consistent with the Comprehensive Plan or the overall intent of the Land Development Code. Mobility Goal 1, Policy 1.4

of Plan 2040 calls for new development to provide for the movement of pedestrians where appropriate, by including sidewalks along the streets of all developments. Granting of the Waiver would not be consistent with this guideline as Camp Ground Road is an appropriate corridor to provide this pedestrian movement. Camp Ground Road has already begun the process of incremental sidewalk construction with the development of sidewalks to the east of the subject property, and granting of the Waiver would postpone or prevent this existing sidewalk network from being connected.

The Louisville Loop is proposed to be constructed across from the subject property on Camp Ground Road, which increases the need for safe pedestrian access in the general area.

- (c) *The applicant cannot reasonably comply with one of the listed methods of compliance (section 6.2.6.C); and*

STAFF FINDING: The applicant has not provided adequate justification as to why they cannot reasonably comply with one or more of the listed methods of compliance. There are no apparent drainage facilities or other utilities along the frontage of Camp Ground Road that would prevent the construction of a sidewalk. While there is a slight change in elevation on the north side of the property, Transportation Planning advised that the slope is not excessive and would not create an unreasonable hardship on the applicant.

- (d) *Strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*

STAFF FINDING: Strict application of the provision of the regulation would not create an unnecessary hardship on the applicant as there are no site constraints that would inhibit construction of the sidewalk. Construction of the sidewalk along Ralph Avenue would additionally pose an unnecessary hardship on the applicant as construction of the sidewalk on Ralph Avenue would be done in addition to construction of the sidewalk on Camp Ground Road.

- (e) *There are site constraints that make sidewalk construction impracticable or sidewalks do not exist in the area and there is not a likelihood for sidewalks to be constructed in the future, except for areas where sidewalks are recommended within a Planning Commission or legislatively adopted plan recommending sidewalk construction.*

STAFF FINDING: There are no site constraints on or adjacent to the subject property or within the right-of-way of Camp Ground Road that would make sidewalk construction impractical. Transportation Planning has confirmed that the sidewalk may be constructed. There is additionally a likelihood for sidewalks to be constructed in the future along Camp Ground Road as there are multiple vacant and single-family residential lots that could be purchased and developed industrially, as the larger area is zoned to allow nearly all intensities of commercial and industrial use.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2 (Ralph Avenue Sidewalk)

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The requested Waiver will not adversely impact adjacent property owners along Ralph Avenue, as there are no existing sidewalks along Ralph Avenue close to the subject site and much of the surrounding area is built out with existing commercial or industrial uses. Granting of the Waiver will not result in any change from the existing conditions.

(b) Granting of the Waiver will result in a development in compliance with the Comprehensive Plan and the overall intent of this Land Development Code; and

STAFF FINDING: Granting of the Waiver will result in a development consistent with the Comprehensive Plan and the overall intent of the Land Development Code. Mobility Goal 1, Policy 1.4 of Plan 2040 calls for new development to provide for the movement of pedestrians where appropriate, by including sidewalks along the streets of all developments. Granting of the Waiver and alleviating the sidewalk requirement along Ralph Avenue would be consistent with the applicable goals as the applicant would still be required to provide pedestrian connectivity in the form of a sidewalk along Camp Ground Road to the north. This would provide pedestrian movement in an appropriate area as there are already existing sidewalks along Camp Ground Road and there are plans for the Louisville Loop to be constructed along Camp Ground Road as well.

While payment of the fee-in-lieu offered for the Ralph Avenue frontage would contribute to the sidewalk fund and allow Louisville Metro more opportunity to construct sidewalks in nearby areas, granting of the Waiver instead of the fee-in-lieu would still be consistent with the Comprehensive Plan due to the sidewalk requirements of the Land Development Code on the other frontage of the subject site.

(c) The applicant cannot reasonably comply with one of the listed methods of compliance (section 6.2.6.C); and

STAFF FINDING: The applicant has provided adequate justification as to why they cannot reasonably comply with one or more of the listed methods of compliance. The applicant cites a drainage ditch that runs along the right-of-way along Ralph Avenue, which prevents reasonable construction of the sidewalk, as elevation and runoff issues may affect the feasibility of construction. The offered fee-in-lieu of \$16,250 would additionally not be a reasonable method of compliance as the proposed structure is a prefabricated pole barn, and based on average costs of construction for structures of the proposed size and type (approximately \$10,000-\$20,000), the requested fee is not proportional to the cost of construction.

(d) Strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

STAFF FINDING: Strict application of the provision of the regulation would create an unnecessary hardship on the applicant. Construction of the sidewalk along Ralph Avenue would not be justifiable due to existing site constraints, and the applicant has not been offered a reasonable alternative, as the offered fee-in-lieu would not be proportional to the average cost of construction of the structure.

(e) There are site constraints that make sidewalk construction impracticable, or sidewalks do not exist in the area and there is not a likelihood for sidewalks to be constructed in the future, except for areas where sidewalks are recommended within a Planning Commission or legislatively adopted plan recommending sidewalk construction.

STAFF FINDING: There are site constraints that make sidewalk construction impractical, as there is an existing drainage ditch running along the entirety of the property's frontage along Ralph Avenue. The drainage ditch would require additional grading and could create potential issues with runoff in the area. There are additionally no existing sidewalks along Ralph Avenue, and there is not a likelihood for sidewalks to be constructed in the future as the general vicinity has largely been developed with existing commercial and industrial uses.

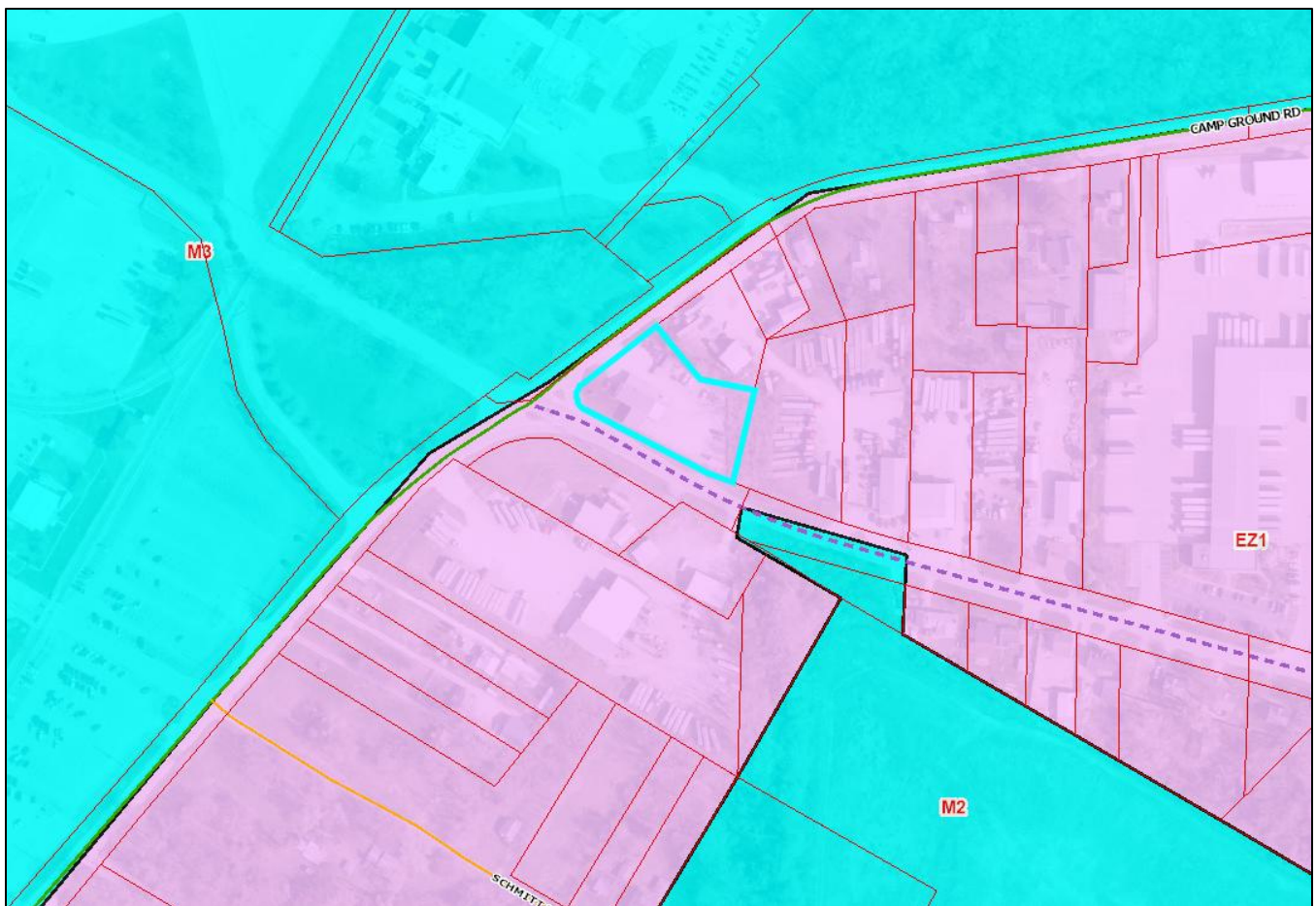
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/30/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 1
7/31/2026	Board of Zoning Adjustment Public Hearing	Sign Posting on Property

ATTACHMENTS

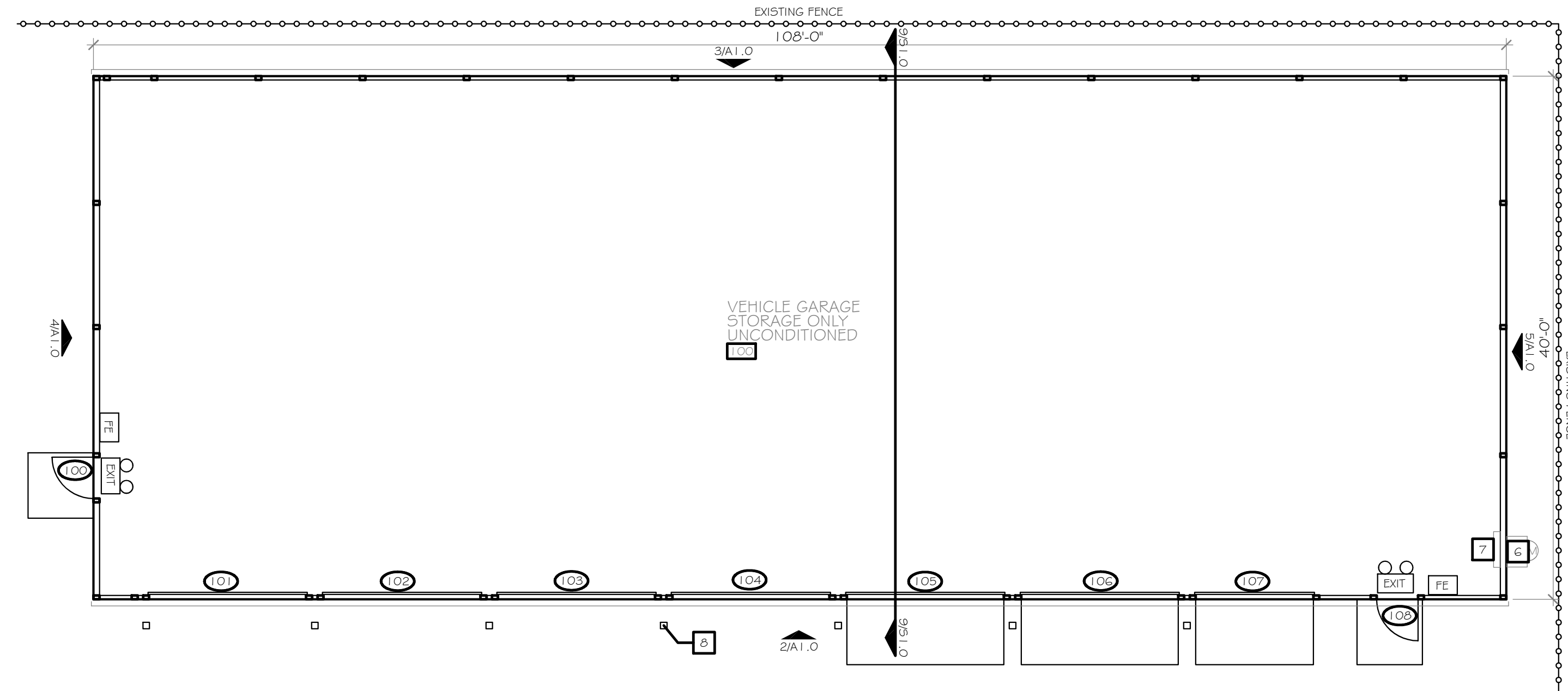
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

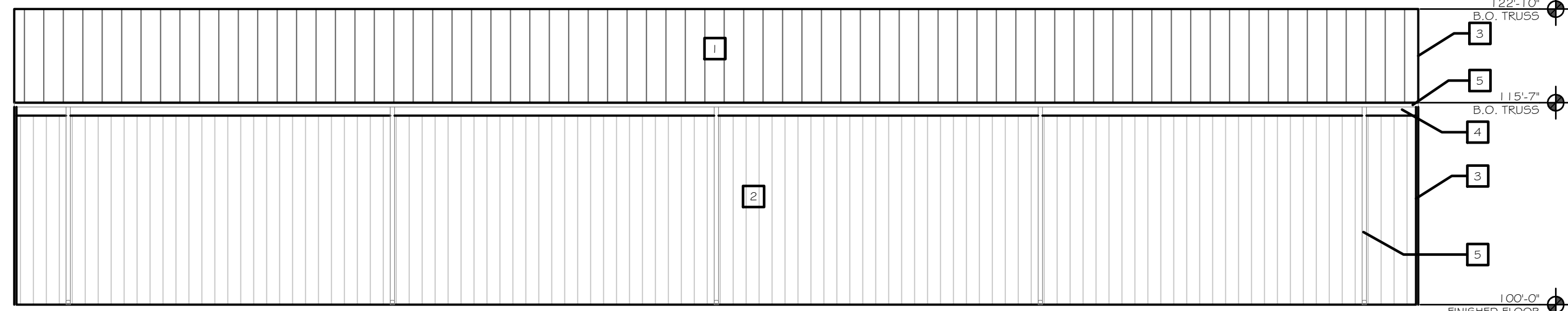




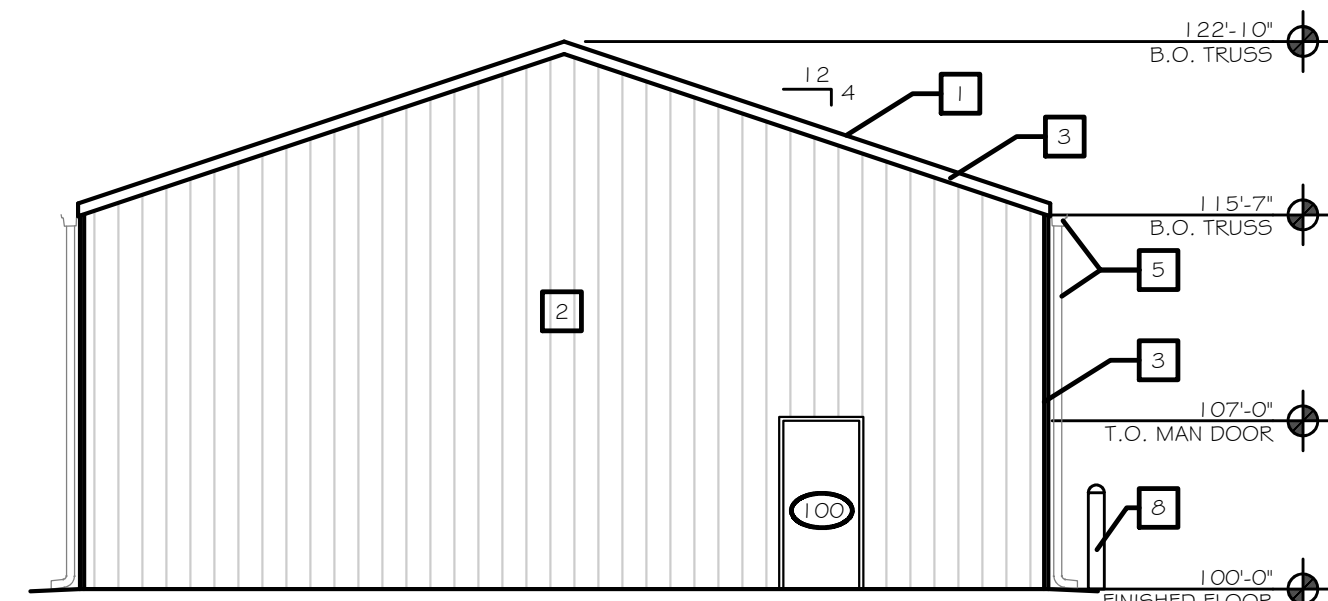
FLOOR PLAN
SCALE: 1/8" = 1'-0"
PLAN NORTH



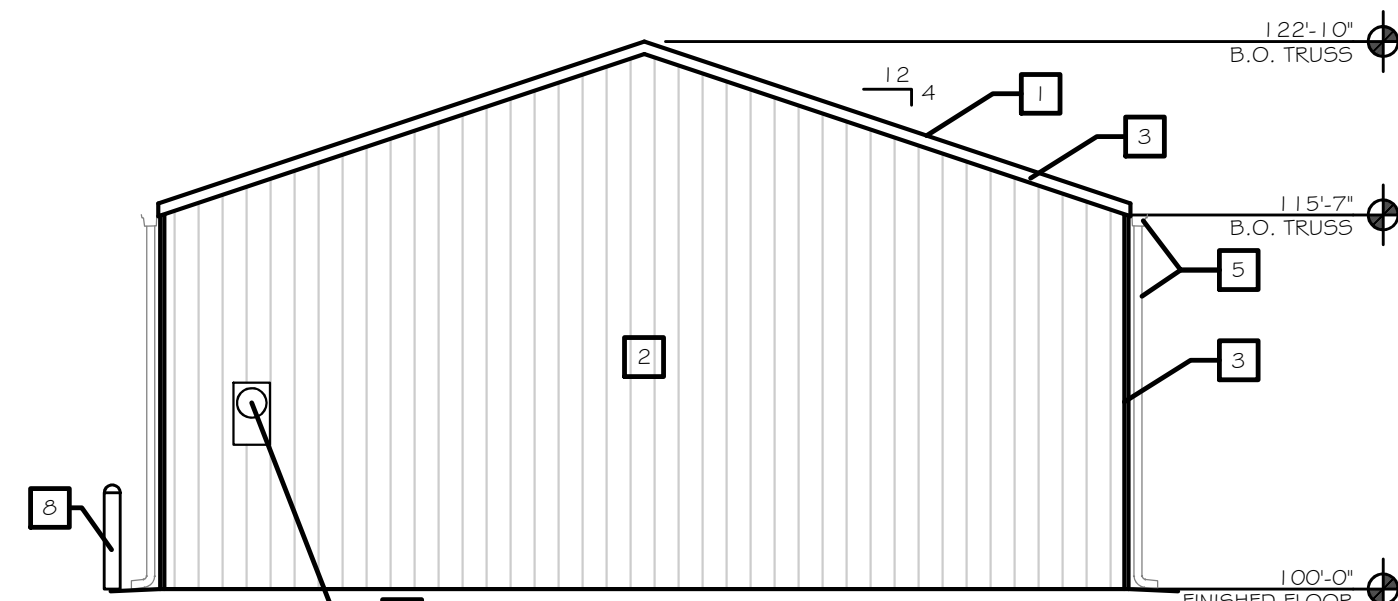
FRONT VIEW ELEVATION
SCALE: 1/8" = 1'-0"



REAR VIEW ELEVATION
SCALE: 1/8" = 1'-0"

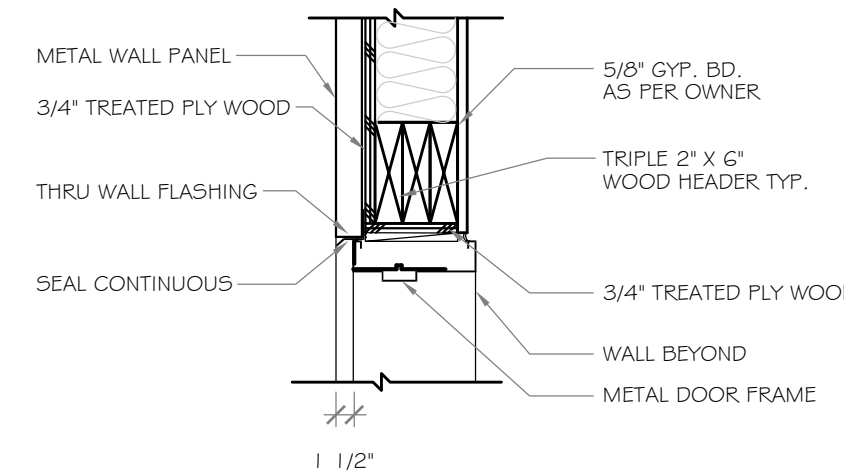


LEFT SIDE VIEW ELEVATION
SCALE: 1/8" = 1'-0"

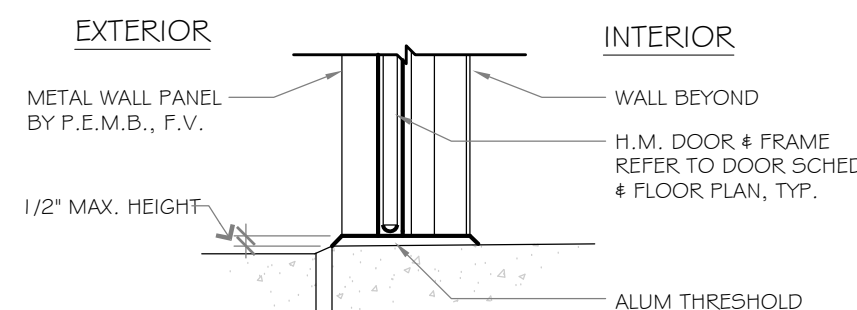


RIGHT SIDE VIEW ELEVATION
SCALE: 1/8" = 1'-0"

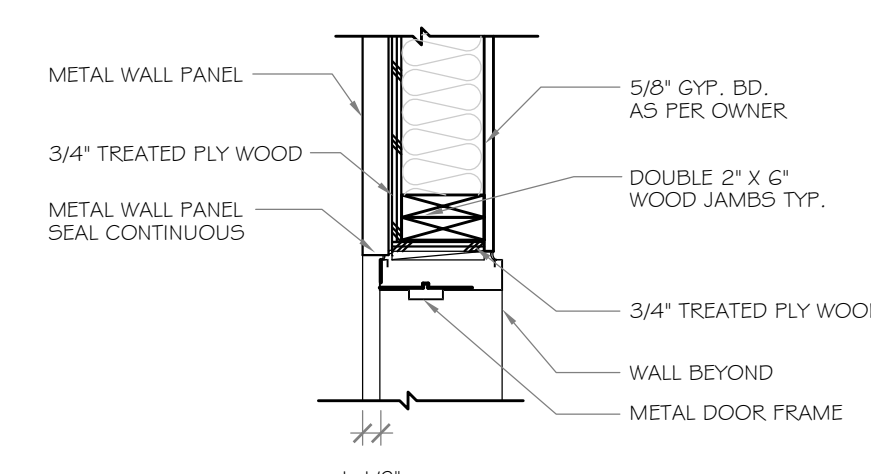
DOOR SCHEDULE													
DOOR NO.	DOOR					FRAME					HARDWARE	FIRE RATING	REMARKS
	WIDTH	HEIGHT	THICKNESS	MATL.	STYLE	MATL.	STYLE	DETAILS					
								HEAD	JAMB	SILL			
100	3'-0"	7'-0"	1 3/4"	S.C. WD.	I	WD	1	6/A1.0	7/A1.0	8/A1.0	I	-	MAN DOOR ON LEFT SIDE OF BUILDING
101	12'-0"	14'-0"	2"	STEEL O.H.	II	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
102	12'-0"	14'-0"	2"	STEEL O.H.	III	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
103	12'-0"	14'-0"	2"	STEEL O.H.	III	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
104	12'-0"	14'-0"	2"	STEEL O.H.	III	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
105	12'-0"	14'-0"	2"	STEEL O.H.	III	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
106	12'-0"	14'-0"	2"	STEEL O.H.	III	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
107	9'-0"	10'-0"	2"	STEEL O.H.	III	H.M.	2	-	-	9/A1.0	-	-	DOOR SUPPLIER SHALL CONFIRM MOUNTING AND ATTACHMENT TO EXISTING STRUCTURE. SUPPLIER SHALL PROVIDE HARDWARE AS INDICATED.
108	3'-0"	7'-0"	1 3/4"	S.C. WD	III	WD	1	6/A1.0	7/A1.0	8/A1.0	I	-	MAN DOOR ON LEFT SIDE OF BUILDING



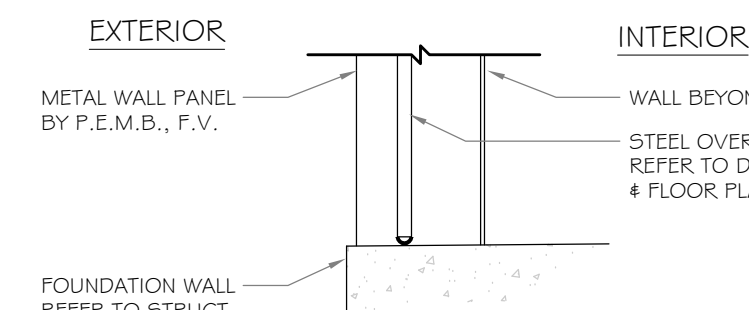
DOOR HEAD DETAIL
SCALE: 1" = 1'-0"



DOOR SILL DETAIL
SCALE: 1" = 1'-0"



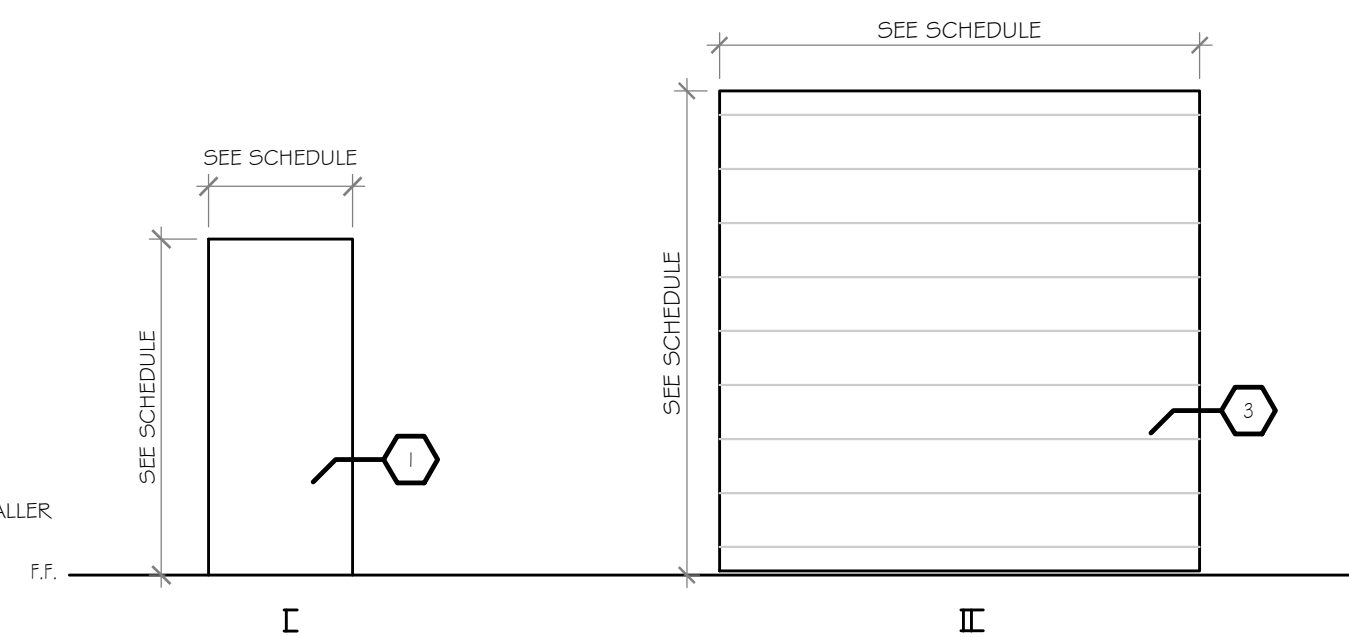
DOOR JAMB DETAIL
SCALE: 1" = 1'-0"



OVERHEAD DOOR SILL DETAIL
SCALE: 1" = 1'-0"

DETAIL NOTES

- WOOD DOOR @ EXTERIOR. REFER TO DOOR SCHEDULE
- WOOD FRAME WITH 2" HEAD
- STEEL O.H. DOOR BY SUPPLIER
- METAL WRAPPED FRAME @ O. H. DOORS OPENING WALL PANEL BY INSTALLER



DOOR & DOOR FRAMING ELEVATIONS
SCALE: 1" = 1'-0"

HARDWARE/DOOR GENERAL NOTES:

PROVIDE FINISH HARDWARE AS FOLLOWS:

- PROVIDE TWO KEYS FOR EACH DOOR.
- ALL HARDWARE CAN BE SUBSTITUTED WITH LIKE EQUAL - PROVIDED IT MATCHES THE EXISTING BUILDING #15 IS SUBMITTED TO THE OWNER FOR REVIEW PRIOR TO ORDERING / INSTALLING.

HARDWARE SCHEDULE:

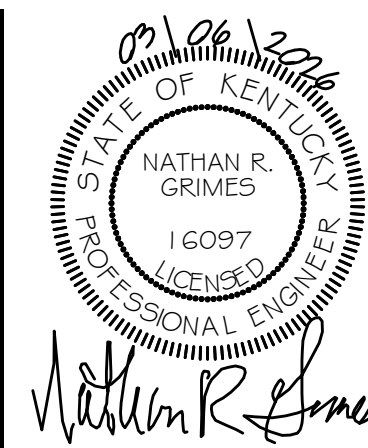
HARDWARE SET 1

- (B) PAIR OF BUTT HINGES
- CLOSER
- PANIC HARDWARE
- KEY OPERATED LOCK - DEAD BOLT
- PUSH PLATES /PULLS HANDLES
- DOOR SILENCERS
- WALL STOPS

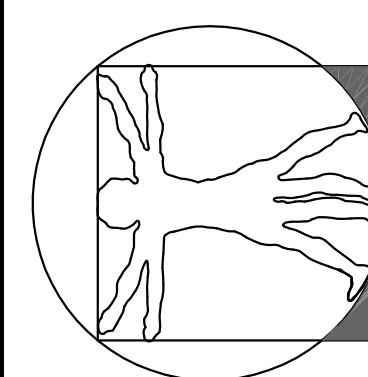
GENERAL NOTES

- THE GC SHALL IMMEDIATELY NOTIFY THE OWNER OF ANY WALLS THAT DO NOT MEET THE DIMENSIONS INDICATED ON THE PLAN.
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO THE FACE OF THE STUD.
- UNLESS OTHERWISE NOTED, ALL DOOR FRAMES WITH METAL JAMBS ARE INSTALLED 4" FROM THE NEAREST PERPENDICULAR WALL TO THE SWING OF THE JAMB AND ALL DOOR FRAMES WITH WOOD JAMBS ARE INSTALLED 6" FROM THE NEAREST PERPENDICULAR WALL TO THE SWING OF THE JAMB.
- MAINTAIN ALL "CLEAR" AND "HOLD" DIMENSIONS NOTED ON THE PLANS AND IMMEDIATELY REPORT ANY AREAS THAT CANNOT BE ACHIEVED TO THE OWNER/ENGINEER.
- ALL NEW WALLS ABUTTING EXISTING WALLS WILL BE CONSTRUCTED SO THAT THE FINISHED FACE OF THE NEW DRYWALL IS IN THE SAME PLANE AS THE EXISTING DRYWALL'S FINISHED FACE. TAPE, MUD & FEATHER ALL NEW DRYWALL TO THE EXISTING TO ACHIEVE A SMOOTH FINISH AND PROVIDE A BLEMISH FREE PAINTING SURFACE.
- REFER TO THE LEGENDS ON THIS SHEET FOR THE LOCATION OF INSULATED WALLS.
- ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED WOOD.
- PROVIDE BLOCKING FOR ALL ITEMS THAT REQUIRE BLOCKING INCLUDING BUT NOT LIMITED TO CABINETS (UPPER & LOWER), SHELVING, TOILET PARTITIONS, TOILET SPECIALTIES, CHAIR RAILS, DOOR STOPS IN WALLS AND FIRE EXTINGUISHERS. REFER TO SHEET A1.0 FOR LOCATIONS OF THESE ITEMS.
- IF APPLICABLE, PROVIDE BLOCKING FOR TELEVISIONS SET LOCATIONS. COORDINATE SPECIFIC HEIGHT REQUIREMENTS WITH THE PROJECT MANAGER AND COORDINATE THE EXACT LOCATION WITH THE ELECTRICAL AND DATA OUTLETS.
- ALL BLOCKING SHALL BE FIRE RATED WOOD.
- REFER TO THE WALL SECTION TAGS ON THE "FLOOR" PLANS FOR THE EXTERIOR WALL COMPOSITION (IF APPLICABLE).
- ALL LINES SHOWN LIGHTLY REPRESENT EXISTING CONSTRUCTION. REFER TO THE EXISTING/DEMOLITION PLAN FOR FURTHER CLARIFICATION OF EXISTING CONSTRUCTION.
- PROVIDE GREEN BOARD WITHIN 4" OF ALL TOILETS, SINKS, LAVATORIES AND SHOWERS.

NOTICE:
The Architect/Engineer does not define the scope of individual trades, subcontractors, material suppliers, or vendors. Any sheet numbering system used which identifies disciplines is solely for the Architect/Engineer's convenience, and is not intended to define a subcontractor's scope of work. Information regarding individual trades, subcontractors, material suppliers, and vendors may be detailed, described and indicated at different locations throughout these documents. No consideration will be given to requests for change orders for failure to obtain and review the complete set of drawings and specifications. When reviewing bids,



RENAISSANCE DESIGN BUILD, INC.
1012 S. Fourth Street
Louisville, KY 40203
Tel: 502-424-8373
www.rdb-inc.com



FLOOR PLAN, ELEVATIONS & SCHEDULES
INNOVATIVE SCALE BUILDING PLANS
4118 CAMPGROUND ROAD
LOUISVILLE, KY. 40211

DATE: MAR 06, 2026
DRAWN BY: J. DURALL
CHECKED BY: R. RILEY
APPROVED BY: N. GRIMES

REVISIONS:

SCALE: AS INDICATED
JOB NO.: 2026-047

SHEET NUMBER:

A1.0

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400 West Market Street
Suite 1800
Louisville, KY 40202-3352
(502) 587-3400
(502) 587-6391 FAX

Cyrus G. Dutton IV
(502) 681-0374
cdutton@stites.com

July 16, 2026

RE: Exhibit 1 – Variance Application Justification

Dear BOZA Members,

Pursuant to the Office of Planning and the Louisville Metro Zoning Authority's Land Development Code ("LDC"), please find below the justification for the Owner's application for a 5-foot variance from LDC § 5.3.4(D)(3)(a):

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

The requested variance will not adversely affect public health, safety, or welfare. First, an existing fence separates the rear-improved surface lot of the business, within which the accessory structure is to be constructed, from the drainage line between the roadway and the property. As such, the request to exceed the required setback is confined to an area that is restricted to the public. Therefore, the accessory structure will not impede the safe movement of vehicles or pedestrians along the right-of-way. Second, the accessory structure will comply with all applicable building code regulations.

2. Explain how the variance will not alter the essential character of the general vicinity.

The accessory structure will not alter the essential character of the general vicinity. To the East and North-East of the Owner's property and nearest to the site of the proposed accessory structure sit two automotive shops: Dynamic Diesel Works and Lohden's Truck and Trailer Repair. Both automotive shops service tractor-trailers and currently have over two dozen tractor-trailers on their lots. To the South of the Owner's property sits Lewis Transportation, a company that transports flammable and hazardous liquids. To the West and North-West of the Owner's lot sit two major manufacturing companies: ECKART America and Dow Chemical. Both companies manufacture hazardous chemical products. The aforementioned uses are consistent along the stretch of road upon which the Owner's property sits. In essence, it is highly unlikely that the area will be utilized for residential or pedestrian purposes at any time in the future, and the proposed accessory structure is consistent with the surrounding properties.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance will not cause a hazard or nuisance to the public. The purpose of the accessory structure is for the storage of vehicles and equipment associated with the existing business. Presently, the vehicles and equipment associated with the existing business sit in the same location on the property as the proposed accessory structure. However, to prevent theft and prolonged

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July 16, 2026

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exposure, the Owner is seeking to store those vehicles and equipment in a locked building. The incidental result of this accessory structure is the removal of those vehicles and equipment from the pedestrian line of sight.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The variance will not constitute an unreasonable circumvention of the existing zoning regulations. The requested variance is limited to only a five-foot encroachment into the required twenty-five-foot setback. Further, and as previously noted, the encroachment is confined within the business's existing rear-improved surface lot, in an area restricted from public access via a fence. Additionally, and due to the unique shape of the property, if this variance were to be denied, the Owner would be deprived of the reasonable use of the land, and he would be forced to continue to park his vehicles and equipment within the line of sight of pedestrians, exposed to the elements and nefarious actors.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity.

This variance arises from special circumstances that do not generally apply to land in the general vicinity. As previously noted, as it is a corner lot located at an intersection, the shape of the property is unique. The East boundary line of the property is 5 feet shorter than the West boundary line of the property. To properly place the accessory structure, lateral to the East boundary, 5 feet of the South-West corner of the accessory structure extends over the 25-foot setback line. It is important to note that the entire South wall of the accessory structure does not extend over the 25-foot setback; rather, only a small portion of the South-West corner.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Strict application of the LDC provisions would deprive the Owner of the reasonable use of his property. As previously noted, only a small portion, the South-West corner, of the Owner's proposed accessory structure extends over the 25-foot setback line. The Owner is attempting to make productive the entirety of his property, but the shape of the property creates design restrictions. Therefore, if this variance were to be denied, the Owner would be deprived of the reasonable use of the land, and he would be forced to continue to park his vehicles and equipment within the line of sight of pedestrians, exposed to the elements and nefarious actors.

7. Are the circumstances the result of actions of the applicant taken after the adoption of the regulation from which relief is sought?

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The Owner concedes that framing began prior to receiving notification that the proposed accessory structure was subject to LDC provisions. However, these actions were not taken to circumvent the LDC; rather, the Owner pleads good-faith ignorance. As soon as the Owner became aware that he may be in violation of the LDC, he paused all construction pending the submission and approval of this application.

Sincerely,

STITES & HARBISON PLLC



Cyrus G. Dutton IV
Attorney at Law

CGD

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cdutton@stites.com

July 16, 2026

RE: *Exhibit 2 – Sidewalk Waiver Justification*

Dear BOZA Members,

Pursuant to the Office of Planning and the Louisville Metro Zoning Authority's Land Development Code ("LDC"), please find below the justification for the owner's application for a sidewalk waiver pursuant to § 6.2.6(D), submitted in conjunction with a variance application as required by § 6.2.6(D)(2)(b).

1. Explain how the proposed waiver conforms to the Comprehensive Plan and the intent of the Land Development Code.

The waiver conforms with the Comprehensive Plan and the LDC. Pursuant to § 5.3.4(A) of the LDC:

The Suburban Workplace Form District is designed to reserve land for large-scale industrial and employment uses in suburban locations. District standards are designed to ensure compatibility with adjacent form districts, to buffer heavy industrial uses from potentially incompatible uses, to ensure adequate access for employees, freight, and products, to provide services and amenities for employees, and to improve transit service.

LDC § 5.3.4(A). Unlike other Form Districts, it is apparent that it was not the intent of the comprehensive plan to increase the walkability of industrial zones such as the Suburban Workplace District. It seems more likely that the comprehensive plan intended to enhance walkability in residential and marketplace zones, while deterring pedestrian foot traffic in areas where heavy machinery and hazardous materials are present. When looking at the surrounding properties, to the East and North-East of the Owner's property sit two automotive shops: Dynamic Diesel Works and Lohden's Truck and Trailer Repair. Both automotive shops service tractor-trailers and currently have over two dozen tractor-trailers on their lots. To the South of the Owner's property sits Lewis Transportation, a company that transports flammable and hazardous liquids. To the West and North-West of the Owner's lot sit two major manufacturing companies: ECKART America and Dow Chemical. Both companies manufacture hazardous chemical products. The aforementioned uses are consistent along the stretch of road upon which the Owner's property sits.

It would not be in the best interest of the Metro government to enhance foot traffic in areas teeming with hazards. Therefore, this waiver would be consistent with the intent of the Comprehensive Plan and the LDC.

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2. Explain how the waiver will not adversely affect adjacent property owners.

The waiver would not affect adjacent property owners. As previously noted, the adjacent properties are operating either light or heavy industrial businesses. It would not be in the best interest of the adjacent property owners to increase foot traffic in the area, as they could be subject to increased nefarious activities. Further, only one brief stretch of sidewalk exists, in front of AA Fire Sprinkler Company, for several miles along the subject stretch of Camp Ground Rd., and the same goes for the intersecting roadway, Ralph Ave.

3. Explain how you are unable to reasonably comply with one of the listed methods of compliance in LDC Section 6.2.6(C).

It would be unreasonable for the Owner to comply with § 6.2.6(C). Construction of a sidewalk along the subject frontage is impracticable due to the existing drainage ditch. Although possible, the construction of the sidewalk would require the Owner to level the drainage ditch along the property, confirm that the construction of the sidewalk has not enhanced the risk of flooding the sidewalk or roadway, and potentially require the construction of a retaining wall along Ralph Ave. Although he now seeks a waiver, Louisville Metro Public Works approved the Owner for a payment in lieu of construction, due to the lack of pedestrian activity generated by the construction of the accessory structure. The accessory structure's sole purpose is the storage of the vehicles and equipment already stored in the same location, but exposed to the elements.

4. Explain how strict application of the provision of the regulations deprives you of reasonable use of the land or creates an unnecessary hardship.

Strict application of § 6.2.6(C) would deprive the Owner of the reasonable use of land and create an unnecessary hardship. As noted above, the construction of the sidewalk would require substantial changes to the existing drainage ditch along Ralph Ave. Even with the reduction in cost pursuant to the Louisville Metro Public Works' approval of the payment in lieu of construction, the cost remains excessive, totaling \$16,250. As the proposed accessory structure only supports the existing business and does not increase the business's usage of the adjacent roadways, strict application would only result in an unnecessary hardship.

5. What site constraints make sidewalk construction impracticable? Or are there no existing sidewalks in the area and no likelihood for sidewalks to be constructed in the future?

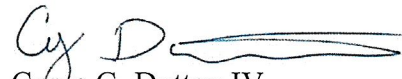
As noted previously, there is only one brief stretch of sidewalk for several miles along the subject portion of Camp Ground Rd. and Ralph Ave. As such, if a sidewalk were constructed, it would be isolated for miles. Further, it is highly unlikely and likely discouraged for sidewalks to be built in the area due to the numerous light and heavy industrial businesses that operate in the area.

July 16, 2026
Page 3

Additional pedestrian traffic would only increase the chances of harm coming to the traveling public and the assumption of enhanced liability on neighboring businesses.

Sincerely,

STITES & HARBISON PLLC



Cyrus G. Dutton IV
Attorney at Law

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Louisville Metro Government

Text File

File Number: 26-VARIANCE-0095

Agenda Date: 8/17/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 8.



26-VARIANCE-0095

Board of Zoning Adjustment
Staff Report
August 17, 2026

Tennis Boulevard Garage

Location: 13512 Tennis Boulevard
Applicant: Estate of Charles McCandless Sr.
Representative: Christopher McCandless
Jurisdiction: Louisville Metro
Council District: 14 – Crystal Bast
Case Manager: Abby Bills, Planner I

REQUEST & RECOMMENDED ACTION

1. **26-VARIANCE-0095:** Variance from Land Development Code Section 5.4.2.C.2 to allow a proposed accessory structure to encroach into the Street Side Yard Setback of 15 feet. (Proposed Street Side Yard Setback of 5 feet, for a Variance of 10 feet).
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance.

CASE SUMMARY

The subject site is currently zoned R-4 Single-Family Residential within the Neighborhood Form District on 0.3 acres, located at the intersection of Tennis Boulevard and Nathan Hale Way. The parcel is currently developed as a single-family residence with an existing accessory structure adjacent to the home. The applicant is proposing to demolish the existing accessory structure and construct a 1,200 square foot garage in its place. The proposed garage will be encroaching into the street side yard setback along Nathan Hale Way, therefore a Variance is being requested.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect the public health, safety, or welfare because the garage is located adjacent to a dead-end street and will not impede the safe movement of vehicular or pedestrian traffic along Nathan Hale Way. The structure will additionally have to comply with building code regulations.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as the proposed structure will match the setbacks of multiple other accessory structures on corner lots in the general area.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property, as nearly every corner lot in the general area is a similar size and has a similar orientation of the principal structure on the lot. However, many of the nearby corner lots feature accessory structures projecting past the principal structure and into the front and street side yards, similar to the applicant's proposal.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the orientation of the principal structure on the corner lot significantly reduces space for accessory structures in the side and rear yards, depriving the applicant of compliant space to construct a garage.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has not yet constructed the proposed building.

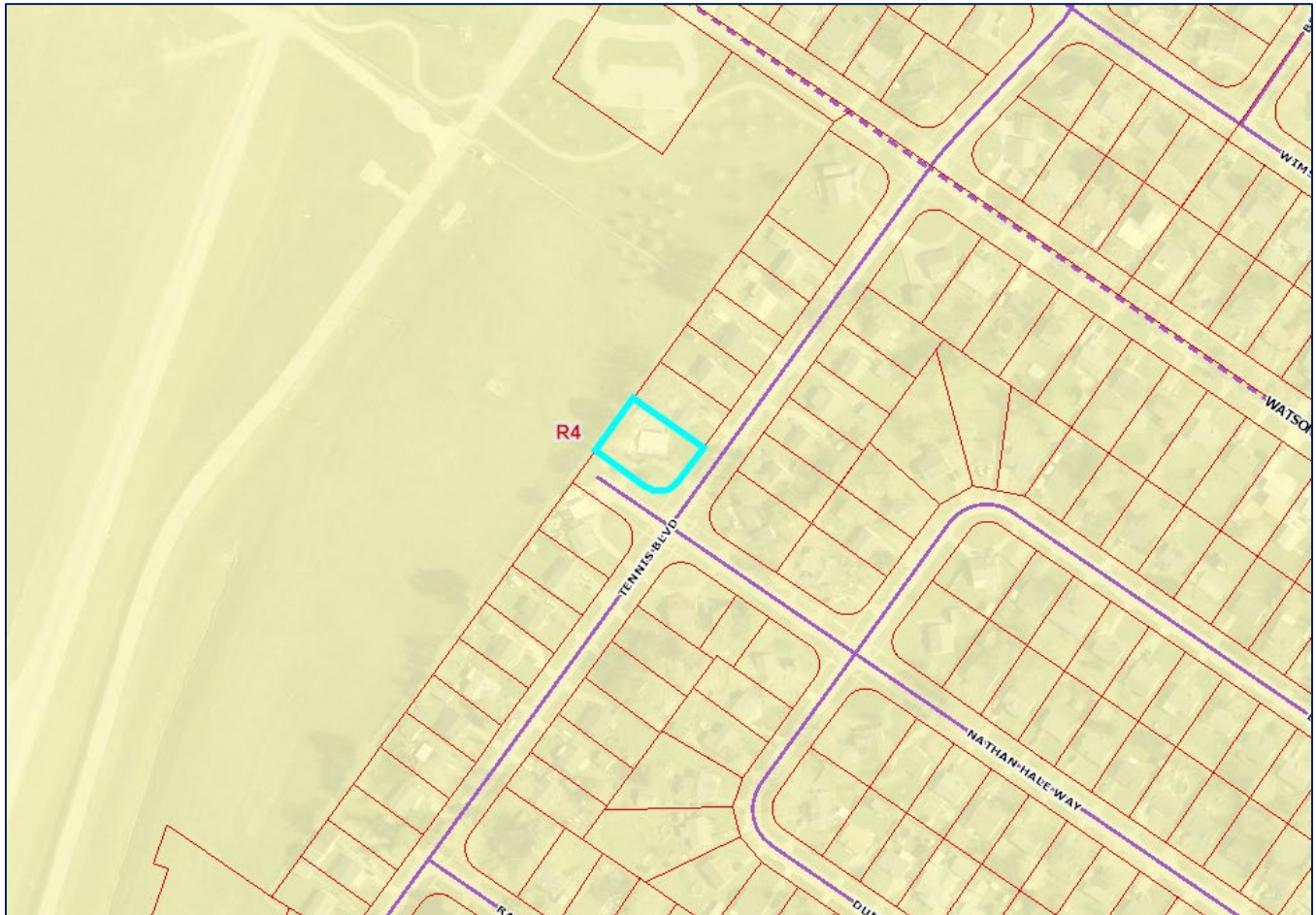
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/29/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 14
7/31/2026	Board of Zoning Adjustment Public Hearing	Sign Posting on Property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

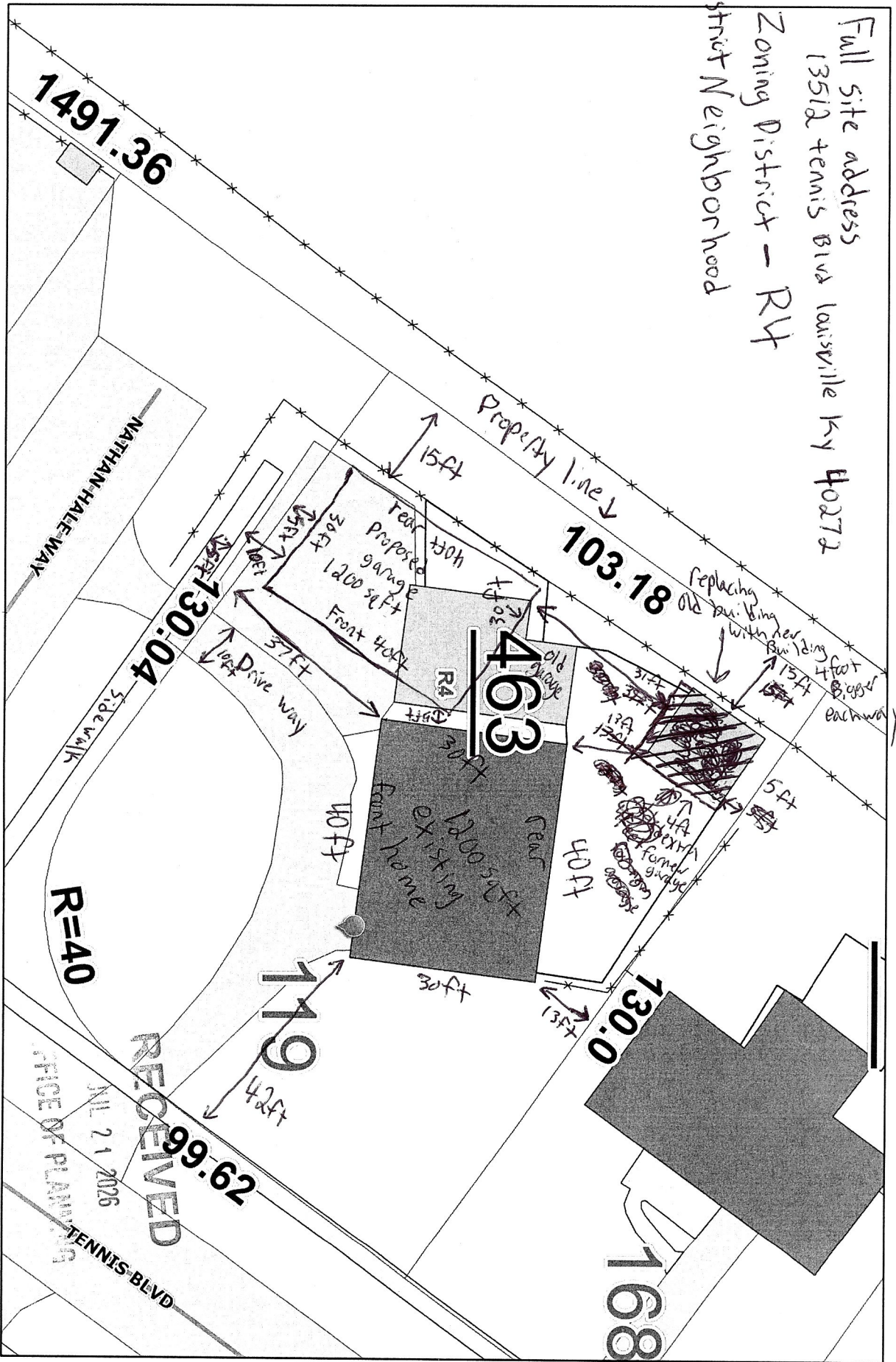
1. **Zoning Map**



2. Aerial Photograph



Full site address
 13512 tennis Blvd Louisville Ky 40272
 Zoning District - R4
 Firm District Neighborhood



13512 TENNIS BLVD

Tuesday, July 14, 2026 | 3:00 PM



LOJIC © 2026
 This map is not a legal document and should only be used for general reference and identification.

21-VARIATION-0095

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JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of Yes, No, or N/A will **NOT** be accepted.

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1. Explain how the variance will not adversely affect the public health, safety, or welfare.

The variance will not affect the public health, safety, or welfare of anyone because I'm just building my garage 5ft away from property line on a deadend street and no one lives on that side of my house. It's just a empty field. And for the rear structure I'm pretty much replacing it with a building around the same size and just new instead of old.

2. Explain how the variance will not alter the essential character of the general vicinity.

It will not alter the essential character of the general vicinity because a neighbor already has a garage almost in the same location as where I want to put mine.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

It will not cause a hazard or nuisance to the public because it will be located on a deadend street where no one drives and isn't blocking the view of anyone/anything.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

It won't be an unreasonable circumvention of the requirements of the zoning and regulations because I really don't have any back yard and it's not going to be bigger than my house.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The variance arises from special circumstances that generally apply to the land because I'm going 5ft from the property line which they state usually isn't allowed and not going over the 50% of the rear yard which both buildings would.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

It would deprive me from having a bigger usable garage which I have really nowhere else to put it since I'm on a corner lot and have a tiny back yard.

7. Are the circumstances the result of actions of the applicant taken after the adoption of the regulation from which relief is sought?

I'm wanting to get a new garage because my current garage needs to be fixed and I want a larger one so this is the best location.



Louisville Metro Government

Text File

File Number: 26-CUP-0098

Agenda Date: 8/17/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 9.



26-CUP-0098

Board of Zoning Adjustment
Staff Report
August 17, 2026

502 Sobriety Soldiers LLC

Location: 1626 West Chestnut Street
Applicant: Darryl Wales
Representative: 502 Sobriety Soldiers
Jurisdiction: Louisville Metro
Council District: 4 – Ken Herndon
Case Manager: Jude Mattingly, Planner II

REQUESTS & RECOMMENDED ACTIONS

1. Conditional Use Permit to allow for a Rehabilitation Home in a R-6 zoning district with relief from Items C. and F.2 (LDC 4.2.31)
 - Staff finds the justification for the requests are adequate and recommends the Board of Zoning Adjustment **APPROVE** the Conditional Use Permit with relief from Items C. and F2.
2. **26-WAIVER-0078:** Wavier of Land Development Code Section 10.2.4A to omit the required property perimeter landscape buffer area (LBA) along the south, east and west property lines
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Waiver

CASE SUMMARY

The applicant has requested a Conditional Use Permit (CUP) to allow a Rehabilitation Home in a R-6 zoning district and Traditional Neighborhood form district on 0.16 acres. The subject site is developed with a 3-story non-residential structure that is recognized as a local Individual Landmark (20-LANDMARK-0002) and is known as the "*Plymouth Settlement House*". The applicant is proposing to offer Rehabilitation Housing for up to (32) individuals with (14) total staff members spread out among (3) shifts. The floor plan that was submitted by the applicant shows (8) total bedrooms. The applicant plans to offer services to adult men and women who are seeking recovery from alcohol and substance abuse. The applicant has acknowledged that they will comply with any applicable building code improvements and licensing requirements prior to operating.

The CUP will need relief from Items C. and F2. contained within the standard of review as there is a property with an approved CUP for group housing within 1,000 feet and the structure is not residential in appearance.

TECHNICAL REVIEW

- **Comprehensive Plan 2040**
- **Russell Vision Plan (2019)**
No recommendations for this site, however, the plan calls to “improve health and safety” with an objective to have residents experience a strong sense of well-being and have resources needed to support their health with “provide expanded supports to people in recovery and/or the formerly incarcerated” specifically listed.
- **Land Development Code (Louisville Metro 2025)**
 - 1.2.2 Definitions; *Rehabilitation Home* – A building or group of buildings providing residence for persons receiving supervised medical or professional care for drug or alcohol abuse, psychiatric disorders and/or required to stay at the subject facility as a condition of their parole for a past conviction. Such homes may provide counseling in educational, vocational, or other areas by a paid or volunteer staff and have 24-hour-a-day supervision. A Rehabilitation Home is not a Boarding House, Family Care Home, Homeless Shelter, Residential Care Facility, Transitional Housing, or any other use more specifically defined in the Land Development Code. In addition, this term does not include uses that provide medical care that are more specifically defined in this Land Development Code, such as a Hospital, Medical Clinic, or Nursing Home.
- **MSD has provided preliminary approval.**
- **Transportation Planning has provided preliminary approval.**

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. *Is the proposal consistent with applicable policies of the Comprehensive Plan?*

STAFF FINDING: The proposal does not conflict with the applicable policies of the Comprehensive Plan.

2. *Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?*

STAFF FINDING: When appropriately managed the proposed use is compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance since no changes to the exterior of the property are being proposed which would reduce compatibility with the existing

neighborhood pattern.

3. *Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?*

STAFF FINDING: The subject property is served by existing public utilities and facilities. The proposal has been reviewed by MSD, who have provided preliminary approval.

4. *Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?*

4.2.31 Rehabilitation Home:

Rehabilitation Homes may be allowed in any zoning district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. All bedrooms and sleeping areas shall meet the current occupancy limitations required in LMCO and any applicable building, fire, or life safety code.
- B. Nonresidential uses and services, excluding those that are accessory to the Rehabilitation Home use, shall not be carried out unless otherwise permitted and approved as a separate use.
- C. When reviewing a conditional use permit application for a Rehabilitation Home, the BOZA shall, to the best of its abilities, find that the establishment of the use will not result in harm to the health, safety, or general welfare of the surrounding neighborhood. The property on which a Rehabilitation Home is situated shall not be located closer than 1,000 feet (measured in a straight line from nearest property line to nearest property line) to any property on which another Commercial Boarding House, Rehabilitation Home, or Transitional Housing use that has been approved by a conditional use permit is situated.
- D. A Rehabilitation Home shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, or local laws.
- E. A Rehabilitation Home shall provide appropriate 24-hour supervision of its residents and adequate support services for its residents.
- F. Additional Residential Zoning District Standards:
 - 1. A Rehabilitation Home in a single-family residential zoning district (R-R, R-E, R-1, R-2, R-3, R-4, R-5, or U-N) shall have a maximum of four (4) residents. The maximum number of residents of a Rehabilitation Home in a multi-residential zoning district (R-5A, R-5B, R-6, R-7, or R-8A) shall be determined by the BOZA.

2. Any building in which the Rehabilitation Home use is situated shall be residential in design and appearance.
3. New construction within an area having an established front building setback shall be constructed at the average setback line or the minimum front yard of the form district, whichever is less. Structures adjacent to established residential uses shall increase side yards by 10 feet for each story over two (2).
4. The required parking for the use is set forth in Chapter 9 of this Land Development Code. The BOZA may require additional parking if warranted.
5. Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code. The BOZA may further restrict signage if warranted.

G. Additional Nonresidential Zoning District Standards:

1. The maximum number of residents of a Rehabilitation Home in a nonresidential zoning district shall be determined by the BOZA.
2. The parking requirements for the use are set forth in Chapter 9 of this Land Development Code. The BOZA may require additional or restrict parking if warranted.
3. Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code. The BOZA may further restrict signage if warranted.

H. For a complete application submittal for any Rehabilitation Home conditional use permit, in addition to the documentation required of all conditional use permit applications, the following additional information shall be provided:

1. Type of resident population to be served, if any;
2. The maximum number of residents/beds and maximum number of employees;
3. Floor plans of any building subject to the use (showing the location and dimensions of all bedrooms and sleeping areas);
4. A written statement, plans, and/or permits indicating how any building subject to the application meets or will be adapted to meet all applicable building codes for the use if approved; and
5. Rules of conduct and management plan.

In the event a conditional use permit for a Rehabilitation Home is approved, any change to the foregoing information must be approved by the BOZA as a modification pursuant to Section 11.5A.1 of this Land Development Code.

- I. If a Rehabilitation Home with an approved conditional use permit is subject to two (2) or more substantiated civil and/or criminal complaints within a 12 month period, the Planning Director may request that the BOZA revoke the conditional use permit in accordance with Section 11.5A.6 of this Land Development Code. Civil complaints include, but are not limited to, reported violations of building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal complaints include, but are not limited to, reported drug activity, theft and criminal mischief.
- J. An active license of the Rehabilitation Home, as required by LMCO Chapter 115, shall be maintained. No such housing may take place unless the license is active and in the name of the current operator and property owner. If the license is not renewed and lapses for six (6) months, or in the event of a change in ownership and/or operator, a new license is not issued within (6) months from the date of the change, the conditional use permit shall become null & void. In order to recommence any Rehabilitation Home use, a new conditional use permit must be granted if required.

STAFF FINDING: Relief from Item C. will be required as staff have observed (1) other property within 1,000 feet that has been issued a conditional use permit for Group Housing. Originally approved under case no. B-26-01 and later modified under case no. B-16823-11 the property known as 1700 West Chestnut Street was approved for a conditional use permit for a Rehabilitation Home. Relief from Item F.2 will be required as the building, while historically containing a residential element resembles the appearance of a school or community center. The Board will be tasked with determining if relief from Items C. and F.2. are appropriate. The standard of review does not provide criteria for determining when relief is appropriate, in this case it should be based on testimony presented at the public hearing, the applicant's justification statement, and the organization's overall health and management plan. The Russell Vision Plan does specifically address the need to "*provide expanded supports to people in recovery and/or the formerly incarcerated*". The site is a recognized Individual Landmark known as "*Plymouth Settlement House*" that historically operated as a career training, with after-school programs, and community space designed to be a resource to individuals within the community.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0078

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The requested waiver will not adversely affect adjacent property owners, as the site conditions are not changing with this conditional use permit request. There is an existing fence

adjacent to a residential R-6 zoned property along the eastern property line and is a fair distance from the structure along the southern property line.

(b) The waiver will not violate specific guidelines of Plan 2040;

STAFF FINDING: Community Form Goal 1, Policy 4 calls to ensure that redevelopment is compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Community Form Goal 4, Policy 1 calls to preserve buildings, sites, districts, and or landscapes that are recognized as having historic or architectural value.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the space to provide the property perimeter landscape buffer area in full is unavailable unless the Historic Structure was significantly redesigned.

(d) Either: (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

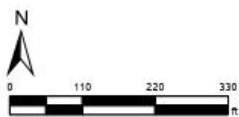
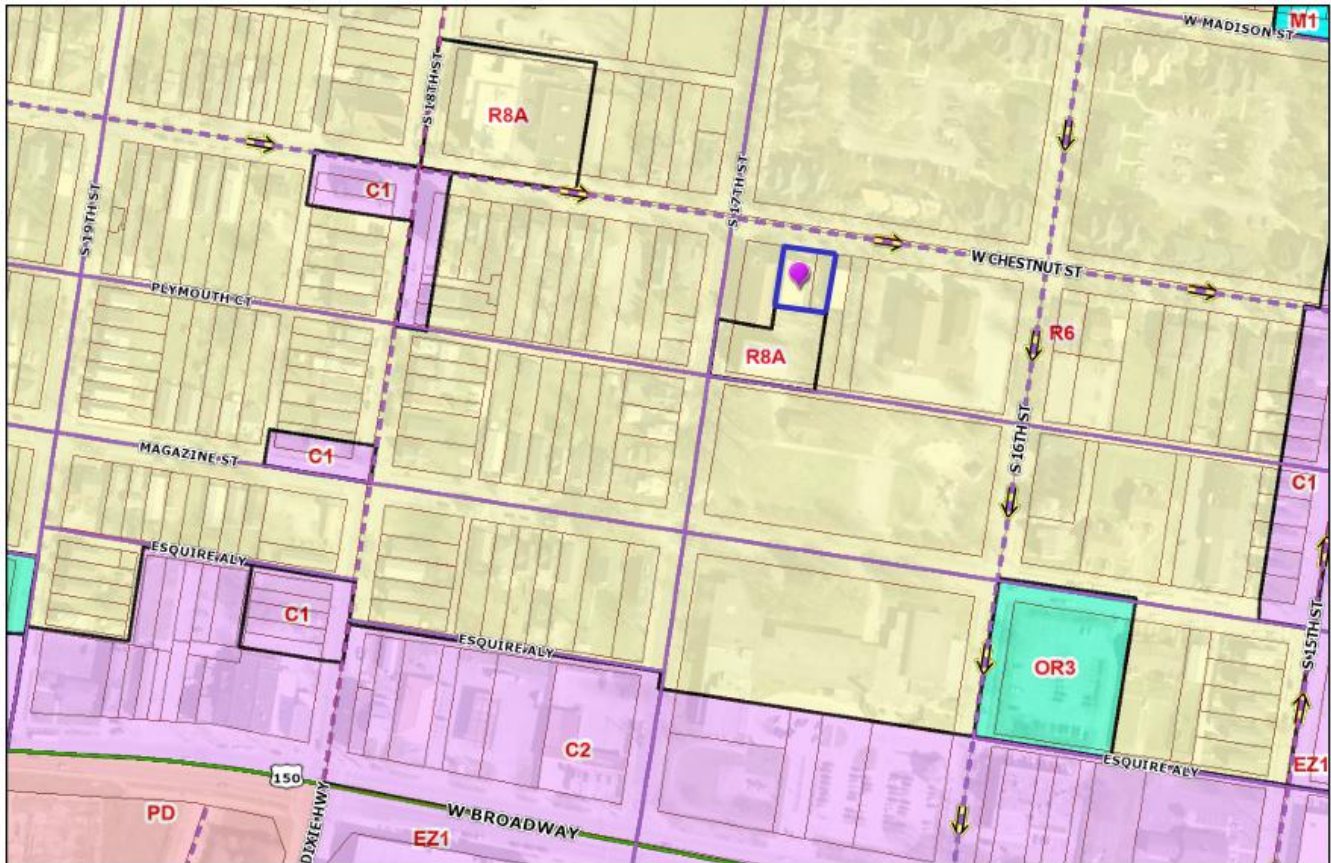
STAFF FINDING: Strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land, as requiring the property perimeter landscape buffer area in full is not possible without significant redesign of the property.

NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/31/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 4
7/31/2026	Planning Commission Public Hearing	Sign Posting on Property

ATTACHMENTS

1. Zoning Map



Zoning Map

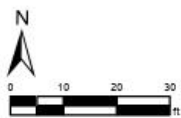
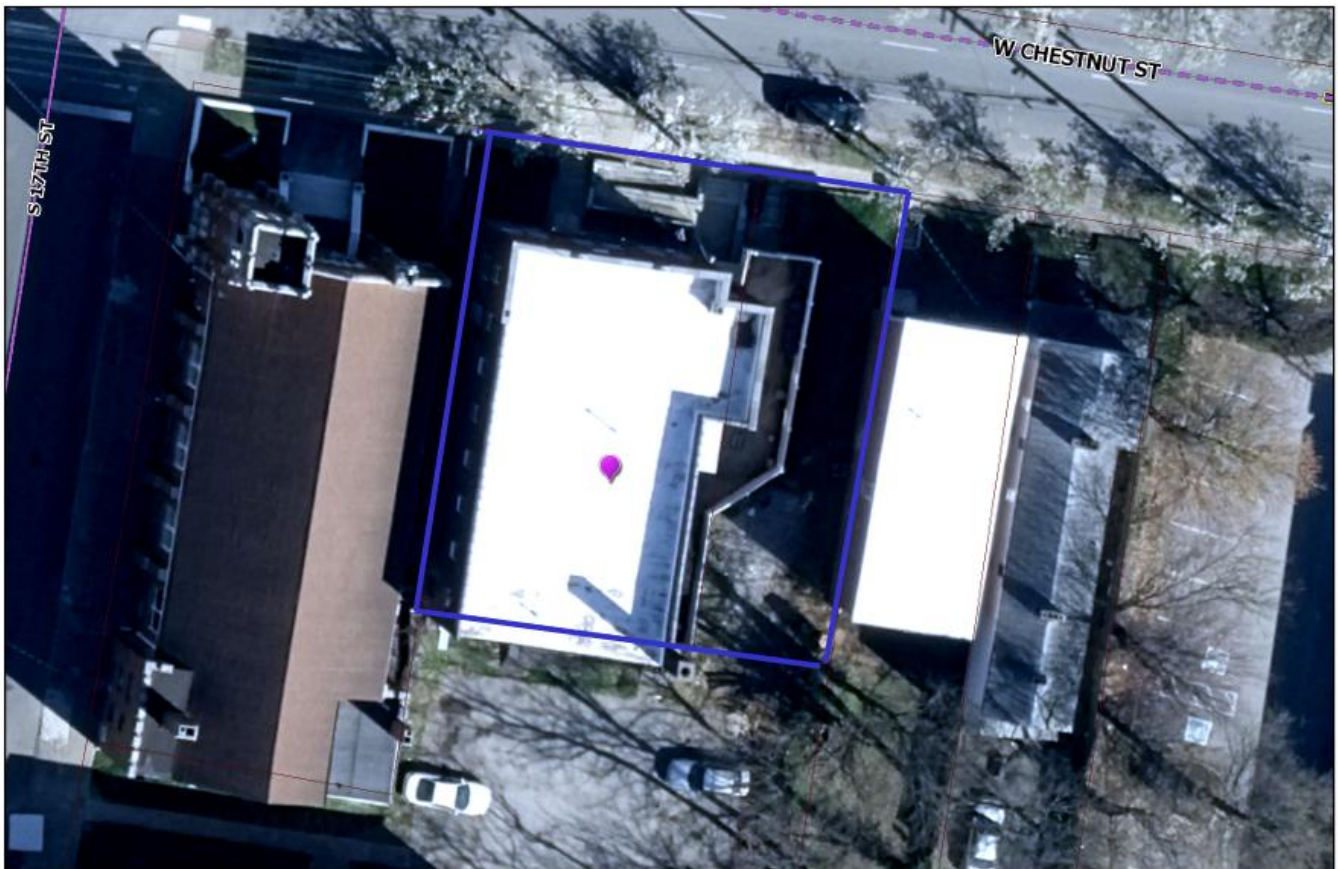
Monday, August 3, 2026 | 2:19 PM



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This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



Aerial Photograph

Monday, August 3, 2026 | 2:20 PM



LOJIC © 2026

This map is not a legal document and should only be used for general reference and identification.

3. 1000-Foot Proximity Map

Group Housing Proximity Map



Legend

-  Subject Site
-  Buffer
-  Rehabilitation Home

Case # 26-CUP-0098
1626 W Chestnut St
Map Created: 8/3/2026

610

Feet



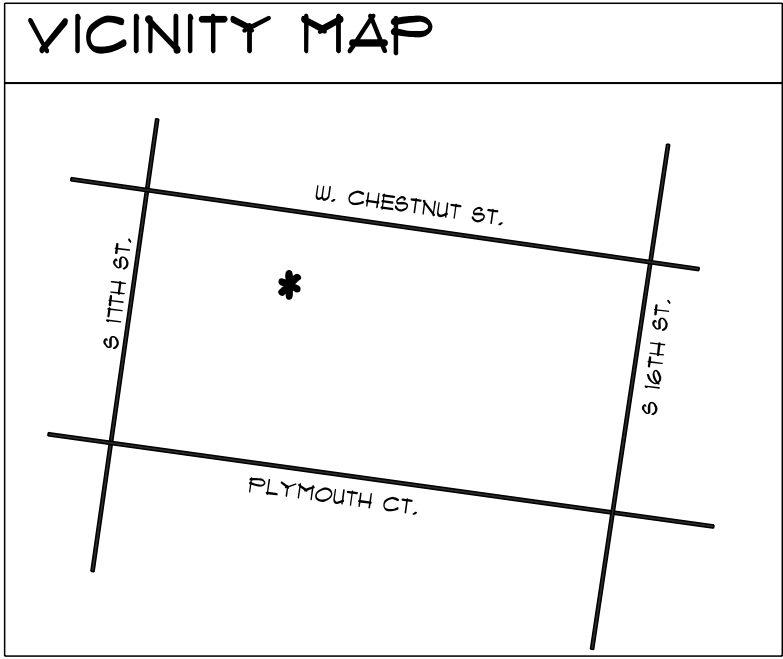
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COUNTY METROPOLITAN SEWER DISTRICT (MSD),
LOUISVILLE WATER COMPANY (LWC),
LOUISVILLE METRO GOVERNMENT and
JEFFERSON COUNTY PROPERTY VALUATION
ADMINISTRATOR (PVA). All Rights Reserved.

This map is subject to change upon the Board of Zoning Adjustment
granting approvals to other Group Housing Conditional Use Permits.



4. Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a Rehabilitation Home until further review and approval by the Board.
3. The maximum number of occupants shall not exceed 32 on the entire subject site, unless prior approval is received by the Board of Zoning Adjustment.
4. An active license for a Rehabilitation Home as required by LMCO Chapter 115, as well as any necessary license required by the Commonwealth of Kentucky, shall be maintained. No such housing may take place unless the license is active and in the name of the current operator and property owner. If the license is not renewed and lapses for six (6) months, or in the event of a change in ownership and/or operator, a new license is not issued within (6) months from the date of the change, the conditional use permit shall become null & void. In order to recommence any Rehabilitation Home use, a new conditional use permit must be granted if required.
5. Prior to any exterior alterations on the subject site, a Certificate of Appropriateness must be approved per the Individual Landmark guidelines.



LEGEND
PROPERTY LINE
EXISTING STRUCTURE

WAIVER REQUESTED

A CONDITIONAL USE PERMIT TO ALLOW FOR REHABILITATION HOME IN R6 (LDC4.2.31)

A WAIVER FROM LDC 10.2.4 TO OMIT THE 15' PROPERTY PERIMETER LANDSCAPE BUFFER AREA ALONG THE WESTERN AND EASTERN PROPERTY LINE AND TO OMIT THE 10' PROPERTY PERIMETER LANDSCAPE BUFFER AREA ALONG THE SOUTHERN PROPERTY

RELATED CASES

20-LANDMAR-0002: INDIVIDUAL LANDMARK DESIGNATION FOR SETTLEMENT HOUSE

STANDARD DEVELOPMENT PLAN NOTES (FIRE)

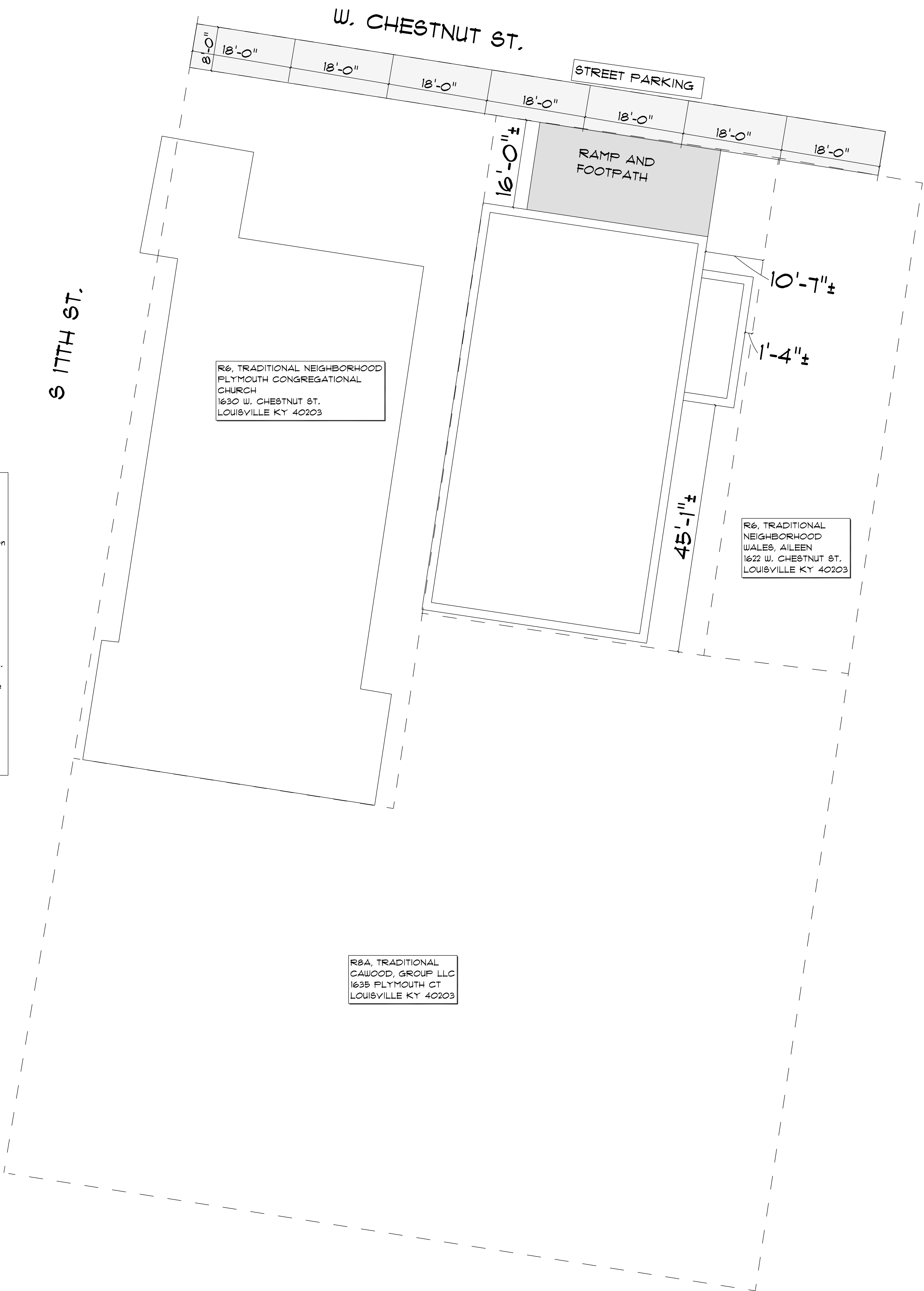
1. The subject property is located within the LOUISVILLE #1 FIRE PROTECTION DISTRICT.
2. Local Fire Authority Having Jurisdiction (AHJ) contact information: Jim Martin / Jim.Martin@louisvilleky.gov
3. Hydrants: Prior to the combustible phase of construction an adequate water supply including accessible hydrants for firefighting purposes must be made available, and no utilities shall be connected to the structure until adequate supply is provided (LMCO 94.81)
4. Gates: No gates shall be installed which limit or restrict access to a residential area, except as approved by the AHJ of the referenced Fire District.
5. Emergency Responder Radio Coverage: Emergency Radio Systems are required to meet minimum signal strength criteria, to be confirmed via third party testing, prior to issuance of the Certificate of Occupancy in some buildings.
6. Requirements for specifications of Fire Department Connections (FDC), threads, size, location, placement of the Knox Box, or Firefighter Safety Building Marking Signage must be obtained from the AHJ of the referenced Fire District.
7. Permitted projects shall comply with national Fire Protection Association (NFPA) 241, Standard for Safeguarding Construction, Alteration, and Demolition Operations

PROJECT DATA:

SITE AREA: 0.10830 +/- ACRES
EXISTING ZONING: R6
PROPOSED ZONING: R6
EXISTING DISTRICT: TRADITIONAL NEIGHBORHOOD
PROPOSED DISTRICT: TRADITIONAL NEIGHBORHOOD
EXISTING USE: APARTMENTS/ NO CURRENT USE
PROPOSED DISTRICT: REHABILITATION FACILITY

SITE ADDRESS: 1626 W. CHESTNUT ST
OWNER: WALES, AILEEN
PARCEL ID: 013F01630000
ASSESSED VALUE: \$382,080.00
ACRES: 0.10830
NEIGHBORHOOD: 10
ZONING AND FORM DISTRICT: R6 - TN

COUNCIL DISTRICT - 4
FIRE PROTECTION DISTRICT - LOUISVILLE #1
MUNICIPALITY - LOUISVILLE

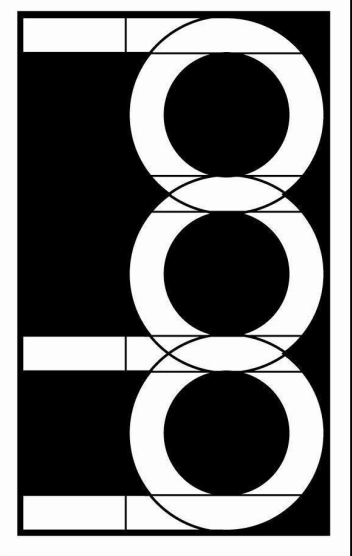


R6, TRADITIONAL NEIGHBORHOOD
PLYMOUTH CONGREGATIONAL
CHURCH
1630 W. CHESTNUT ST.
LOUISVILLE KY 40203

R6, TRADITIONAL
NEIGHBORHOOD
WALES, AILEEN
1622 W. CHESTNUT ST.
LOUISVILLE KY 40203

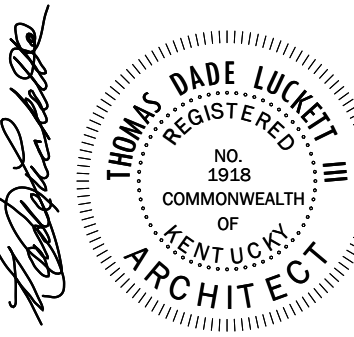
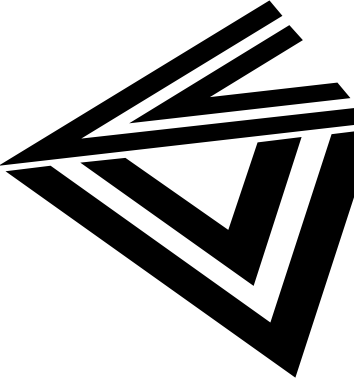
R6A, TRADITIONAL
CAWOOD, GROUP LLC
1635 PLYMOUTH CT
LOUISVILLE KY 40203

DESIGN: * 1626 W Chestnut St
REVISED: 7/14/2026
DESIGNER: J.S.
BETTER BY DESIGN
NEW ALBANY, IN
(502)741-2748
WWW.BBD-PLANS.COM
email: SALES@BBD-PLANS.COM



BETTER
by DESIGN LLC

PROJECT:
1626 W Chestnut St



DRAWN BY / CHECKED BY
DB / JLR

DATE
10/17/2025

PROJECT NUMBER
25006

REVISED

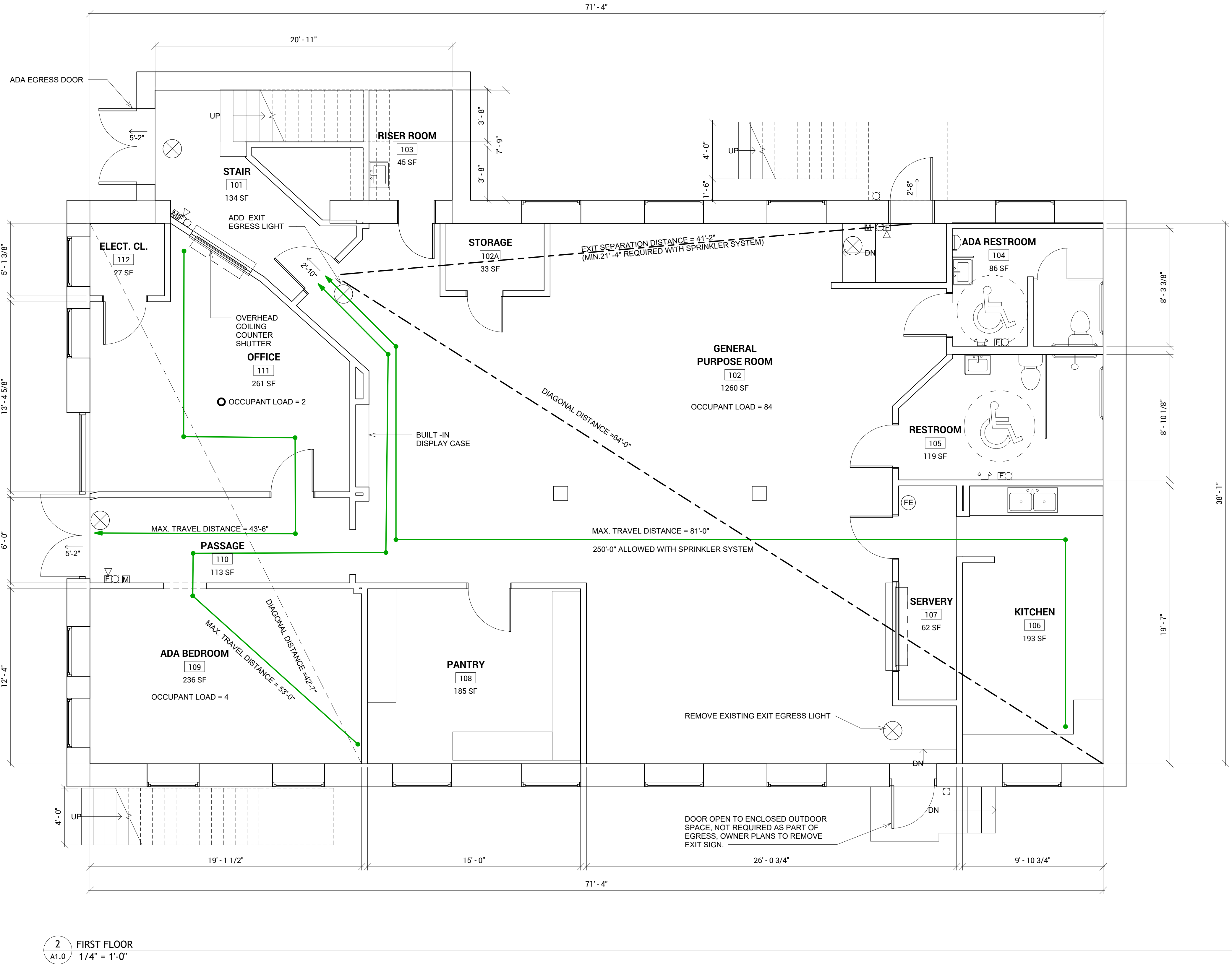
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PLAN

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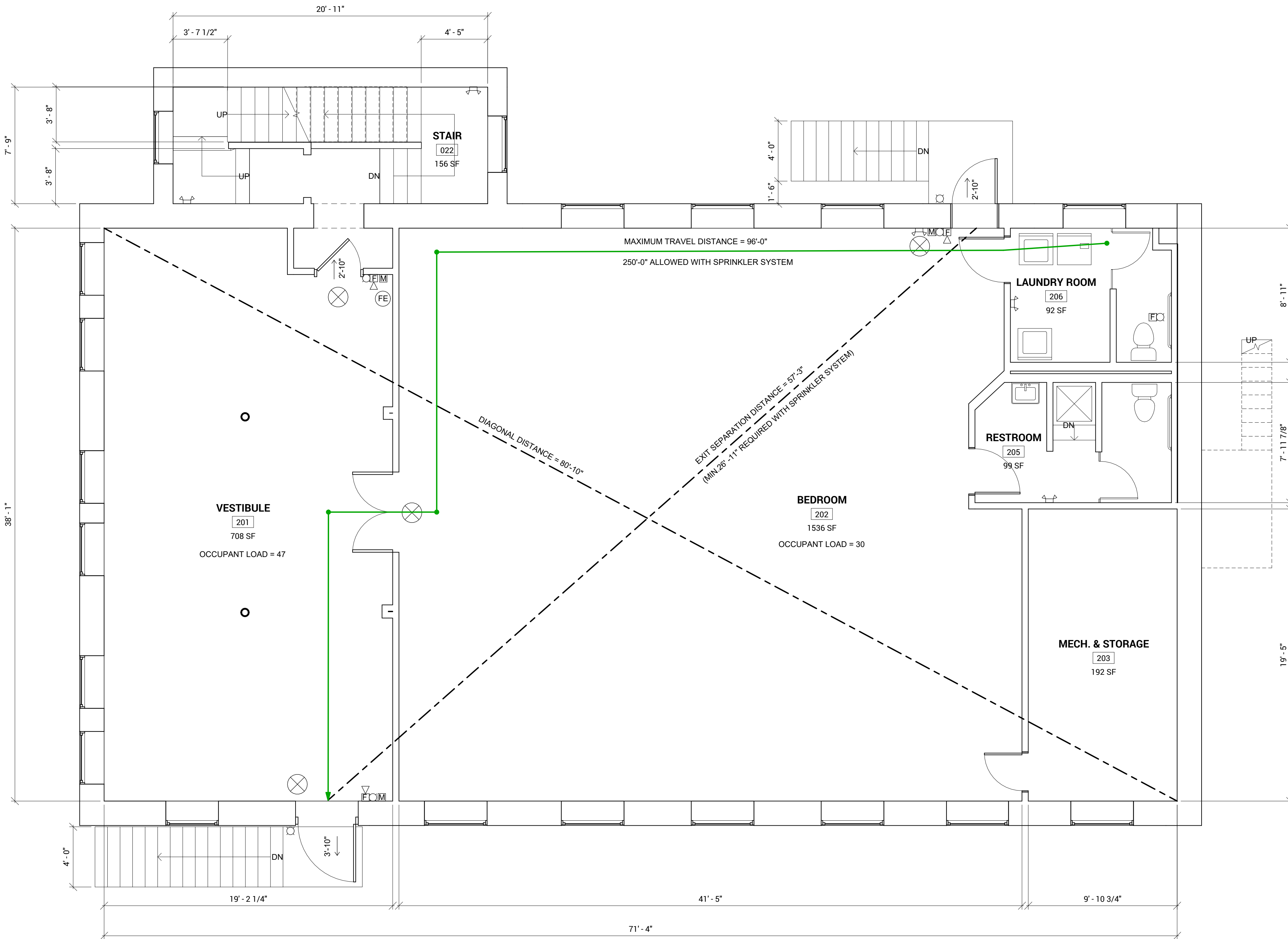
BUILDING CODE ANALYSIS - 2018 KENTUCKY BUILDING CODE - FOURTH EDITION			
SITE		1626 W Chestnut St. Louisville, KY 40203	
BUILDING		Existing 3-story Masonry exterior, Wood-framed interior, fully Sprinklered (NFPA13)	
USE AND OCCUPANCY CLASSIFICATION		R-1	
	- Assembly	- Office	- Bedroom
- First Floor	1260 sqft.	261 sqft.	236 sqft.
- Second Floor	708 sqft.	-	1536 sqft.
- Third Floor	466 sqft.	383 sqft.	944 sqft.
TYPE OF CONSTRUCTION		Type IIIB	
FIRE RESISTANCE RATING OF BUILDING ELEMENTS			
Primary Structural Frame - Table 601		0 Hours	
Bearing Wall (Exterior) - Table 601		2 Hours	
Bearing Wall (Interior) - Table 601		0 Hours	
Nonbearing Walls and Partitions (Exterior) - Table 601		0 Hours	
Nonbearing Walls and Partitions (Interior) - Table 601		0 Hours	
Fire Separation Distance - Table 602		30'-0"	
Floor Construction & Associated Secondary Members - Table 601		0 Hours	
Roof Construction & Associated Secondary Members - Table 601		0 Hours	
Fire Separation Distance - Table 602		≥ 30'; 0 Hours	
Shaft Enclosures (Section 713.4)		2 Hours	
Exit Access Travel Distance - with Sprinkler System - Table 1017.1		250'	
General Building Heights and Areas - Chapter 5			
- Allowable Height (Table 504.3)		55'	
- First Floor		3,295 SQFT	
- Second Floor		3,295 SQFT	
- Third Floor		3,295 SQFT	
Allowable Building Area (Table 506.2)		48,000 sqft. per story	
Means of Egress - Chapter 10			
Occupant Load (Table 1004.1.2)			
	- Assembly	- Office	- Bedroom
First Floor	84 Allowed	2 Allowed	4 Allowed, 3 Provided
Second Floor	47 Allowed	-	30 Allowed, 12 Provided
Third Floor	13 Allowed	3 Allowed	17 Allowed, 13 Provided
Egress Width w Sprinkler System			
Stairways (Section 1005.3.1)		0.3" per Occupant (Minimum 44" Width)	
- Second Floor		44" required, 96" provided	
- Third Floor		44" required, 68" provided	
Other Egress Components (Section 1005.3.2)		0.2" per Occupant	
- First Floor		32" required, 94" provided	
- Second Floor		32" required, 80" provided	
- Third Floor		32" required, 68" provided	
Emergency Escape & Rescue Openings		Not Required. Building is fully sprinklered.	
Common Path of Egress Travel (Table 1006.2.1)		100' Allowed	
Exit and Exit Access Doorway Configuration - Section 1007			
- 1/3 of Maximum Overall Diagonal of Area Served		Min. 26'-11" required, 57'-8" Measured	
Exit Access Travel Distance (Table 1017.2)		250' Allowed, 96' Measured	
Number of Exits and Exits Access Doorways - Table 1006.3.3		< 500 Occupants = 2 Exits per Story Required	
- First Floor		Required 2, Provided 3	
- Second Floor		Required 2, Provided 3	
- Third Floor		Required 2, Provided 2	

SYMBOL LEGEND

- ⊗ EXTERIOR LIGHT SOURCE
- Ⓜ FIRE ALARM MANUAL PULL STATION
- Ⓢ FIRE ALARM STROBE
- Ⓢ FIRE ALARM ANNUNCIATOR / STORE
- Ⓢ FIRE ALARM ANNUNCIATOR
- Ⓢ EMERGENCY LIGHTS
- ⊗ EXIT EGRESS LIGHT
- Ⓢ FIRE EXTINGUISHER (WALL BRACKET MOUNTED)
- Ⓢ SMOKE DETECTOR



2 FIRST FLOOR
A1.0 1/4" = 1'-0"

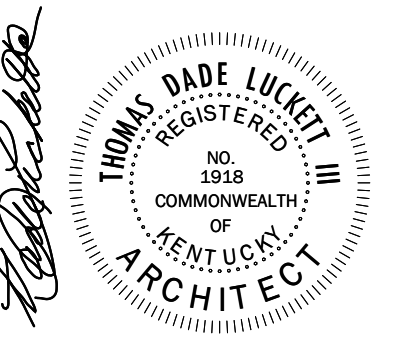
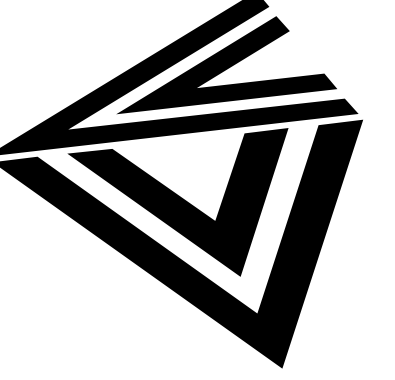


1 SECOND FLOOR
A1.1 1/4" = 1'-0"

SYMBOL LEGEND

- EXTERIOR LIGHT SOURCE
- M FIRE ALARM MANUAL PULL STATION
- S FIRE ALARM STROBE
- A FIRE ALARM ANNUNCIATOR / STORE
- E FIRE ALARM ANNUNCIATOR
- E EMERGENCY LIGHTS
- X EXIT EGRESS LIGHT
- FE FIRE EXTINGUISHER (WALL BRACKET MOUNTED)
- S SMOKE DETECTOR

LUCKETT & ASSOCIATES
ARCHITECTS AND ENGINEERS
1048 EAST CHESTNUT STREET
LOUISVILLE, KENTUCKY 40204-1019
502-584-6048
architect@lucnett.us



PLYMOUTH CONGREGATIONAL UNITED CHURCH
OF CHRIST
OWNER: AILEEN WALES
1626 W CHESTNUT ST LOUISVILLE, KY 40203

DRAWN BY DB / CHECKED BY JLR

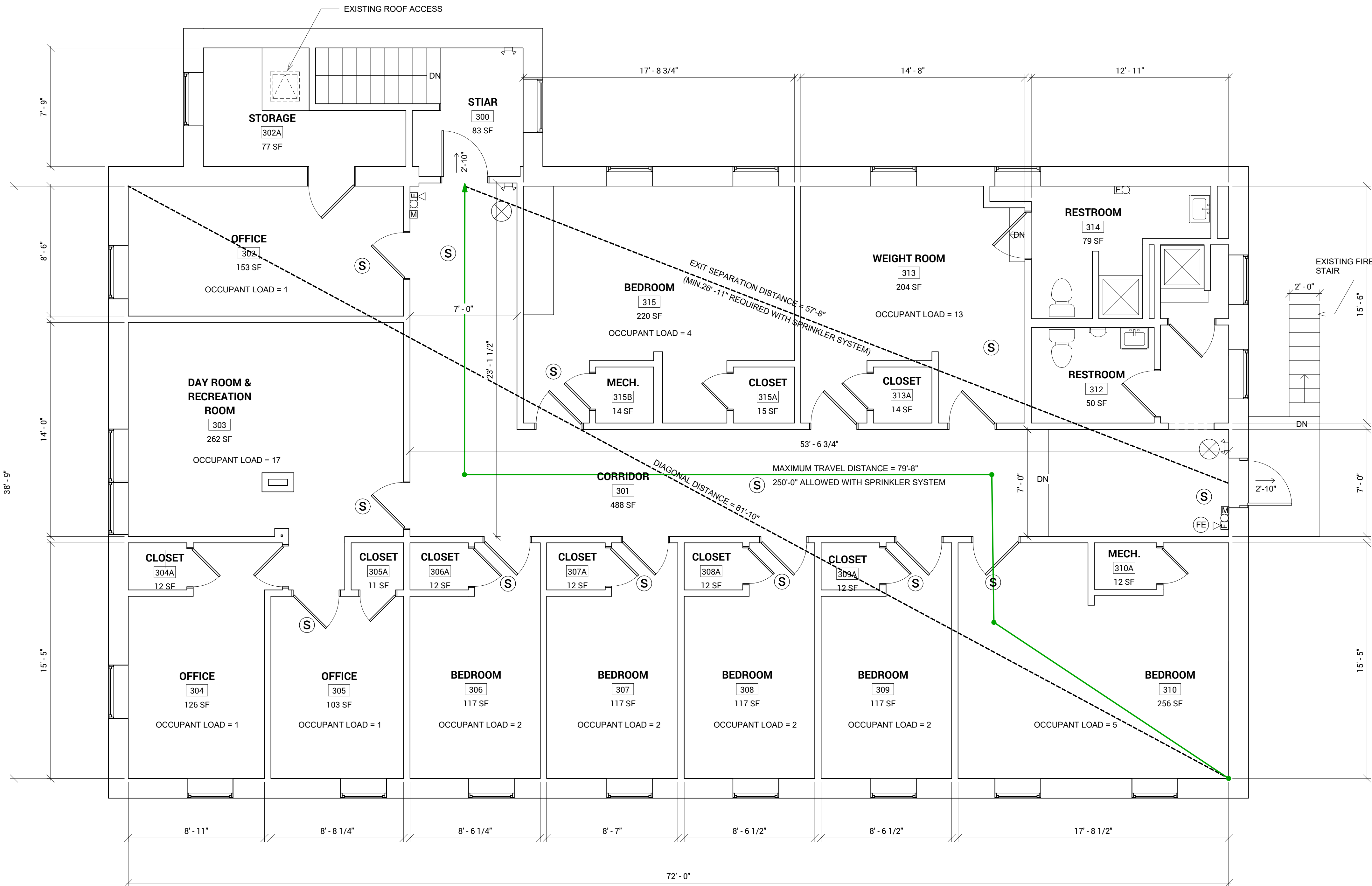
DATE 10/17/2025

PROJECT NUMBER 25006

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SHEET TITLE
ARCHITECTURAL
PLAN

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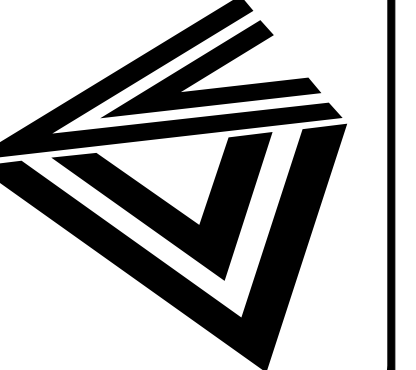


1 THIRD FLOOR
A1.2 1/4" = 1'-0"

SYMBOL LEGEND

- ⊗ EXTERIOR LIGHT SOURCE
- M FIRE ALARM MANUAL PULL STATION
- ⊞ FIRE ALARM STROBE
- ⊞ FIRE ALARM ANNUNCIATOR / STORE
- ⊞ FIRE ALARM ANNUNCIATOR
- ⊞ EMERGENCY LIGHTS
- ⊗ EXIT EGRESS LIGHT
- ⊞ FIRE EXTINGUISHER (WALL BRACKET MOUNTED)
- S SMOKE DETECTOR

LUCKETT & ASSOCIATES
ARCHITECTS AND ENGINEERS
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502-584-6048
architect@lucett.us



PLYMOUTH CONGREGATIONAL UNITED CHURCH
OF CHRIST
OWNER: AILEEN WALES
1626 W CHESTNUT ST LOUISVILLE, KY 40203

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DATE 10/17/2025

PROJECT NUMBER 25006

REVISED

SHEET TITLE
ARCHITECTURAL
PLAN

DRAWING NUMBER
A1.2

502 SOBRIETY SOLDIERS

Residential AODE Program Managed Care Plan

1626 West Chestnut Street
Louisville, Kentucky 40203

1. Program Overview & Mission

502 Sobriety Soldiers is a community-based residential Alcohol and Other Drug Education (AODE) treatment program located within the heart of Louisville, Kentucky — the community most impacted by substance use disorders. Our mission: We provide clear, concise evidence-based treatment method that create a path way to spiritual wholeness and ensure sobriety.

We believe that treatment must meet individuals where they are — physically, emotionally, and socially. By embedding our program within the community most affected by addiction, 502 Sobriety Soldiers removes barriers to care and increases the likelihood that individuals will seek, engage, and remain committed to recovery.

2. Target Population

502 Sobriety Soldiers serves adult individuals who are experiencing or have experienced:

- Alcohol and/or substance use disorders
- Co-occurring mental health challenges including trauma, depression, and anxiety
- Homelessness or unstable housing
- Unemployment and financial hardship
- Involvement with the criminal justice system
- Limited family and community support

Priority is given to individuals residing in the 40203-zip code and surrounding neighborhoods with high rates of overdose, addiction, and related public health concerns.

3. Scope of Services

3.1 Residential Treatment Services

Clients receive structured 24-hour residential care in a safe, supervised environment. Services include:

- Comprehensive intake assessment and individualized treatment planning
- Individual and group counseling sessions
- Alcohol and Other Drug Education (AODE) curriculum
- Medication-Assisted Treatment (MAT) coordination and referrals
- Relapse prevention planning and skill-building
- Initial Psychiatric evaluation

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- Trauma-informed care and mental health support

3.2 Life Skills & Vocational Development

To support sustainable recovery and reintegration, 502 Sobriety Soldiers provides:

- Vocational training and workforce readiness workshops
- Financial literacy and budgeting education
- Housing navigation and transitional housing support
- Healthy relationships and communication skills
- Parenting and family reunification support where applicable

3.3 Community Reintegration & Peer Support

- Connection to peer support specialists with lived recovery experience
- Community service opportunities and civic engagement
- Alumni network and ongoing recovery coaching
- Spiritual and faith-based support (voluntary)

4. Care Coordination & Collaborative Partners

502 Sobriety Soldiers actively collaborates with community partners to ensure holistic, wraparound care for all clients. Key partnerships include:

- Hospitals and emergency medical services
- Probation and parole offices
- Social service and public benefit agencies
- Housing providers and shelters
- Workforce development programs
- Education programs
- Peer support networks and faith communities

Our location within the impacted community allows for direct, real-time collaboration with these partners, reducing delays in care, and improving client outcomes.

5. Individualized Treatment Planning

Every client admitted to 502 Sobriety Soldiers receives an initial psychiatric evaluation, Medical Assessment within 24 hours. Comprehensive Bio-psychosocial, within 48 hours, individualized treatment plan developed within 72 hours of admission. Plans are reviewed and updated regularly and include:

- Client-identified goals and strengths
- Clinical assessment findings and diagnosis
- Identified barriers to recovery
- Specific measurable objectives and timelines
- Assigned primary counselor and care team

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26-UP-09896

- Discharge and aftercare planning beginning at admission

6. Managed Care & Utilization Management

6.1 Authorization & Length of Stay

502 Sobriety Soldiers works with Medicaid managed care organizations, private insurers, and self-pay arrangements to ensure access to care. Length of stay is determined by clinical necessity and reviewed at regular intervals using evidence-based criteria.

- Initial authorization: 30-day residential placement
- Continued stay reviews: conducted every 30 days by the clinical team
- Step-down planning: transition to outpatient or sober living upon clinical readiness

6.2 Documentation & Compliance

- All services are documented in accordance with state and federal guidelines
- Medical records maintained securely with full HIPAA compliance
- Regular quality assurance audits conducted internally and by licensing bodies
- Staff trained in mandatory reporting, ethics, and cultural competency

7. Staffing & Qualifications

502 Sobriety Soldiers maintains a fully licensed and credentialed clinical team including:

- Licensed Clinical Social Workers (LCSW) and Licensed Professional Clinical Counselors (LPCC)
- Certified Alcohol and Drug Counselors (CADC)
- Targeted Case managers and peer support specialists
- Nursing and medical staff for health monitoring and MAT coordination
- Program Director with oversight of all clinical and operational functions

All staff participate in ongoing training in trauma-informed care, cultural competency, harm reduction, and evidence-based treatment practices.

8. Neighborhood Stabilization & Public Safety

502 Sobriety Soldiers is committed to being a responsible, positive presence in the Louisville community. Research and experience demonstrate that professionally operated residential AODE programs contribute to — rather than detract from — neighborhood safety and stability.

Our program helps:

- Reduce overdose deaths and emergency room utilization
- Lower incarceration rates through treatment-based intervention
- Decrease community crime and disorder through structured accountability
- Strengthen families, schools, and businesses in the surrounding area

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PLANNING

26-04-0098

-
- Create pathways to recovery that benefit the individual and community as a whole

9. Commitment to Equity & Accessibility

Substance use disorder is a public health crisis that disproportionately impacts underserved communities. 502 Sobriety Soldiers is committed to equity, accessibility, and meaningful recovery outcomes for all individuals regardless of race, income, gender, or background.

Treatment should not be hidden from the communities that need it most. It must be integrated into the very areas where healing, restoration, and transformation are urgently needed. 502 Sobriety Soldiers stands as a beacon of hope and recovery in the heart of Louisville.

10. Program Contact & Administration

Organization: 502 Sobriety Soldiers LLC

Program Type: Residential AODE Treatment Program, Behavioral Health Services Organization.

Location: Louisville, Kentucky 40203

Plan Effective Date: 2026

The establishment of 502 Sobriety Soldiers within the heart of the impacted community is both justified and necessary.

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26-CP-0088

502 SOBRIETY SOLDIERS

Community Meeting — Meeting Minutes

1626 West Chestnut Street
Louisville, Kentucky 40203

Meeting Information

Date: May 26, 2026

Start Time: 6:00 pm

End Time: 6:47pm

Location: 502 Sobriety Soldiers Facility — Louisville, Kentucky 40203

Facilitator: Darryl Wales, Owner — 502 Sobriety Soldiers

Attendees: Darryl Wales (Owner), Jackie Floyd, Ms. Elaine , Adreana Lowery (Assistant)

Call to Order

The meeting was called to order at 6:00 PM. Darryl Wales, Owner of 502 Sobriety Soldiers, opened the meeting and welcomed those in attendance. Mr. Wales took time to introduce himself and provide an overview of 502 Sobriety Soldiers, including the mission of the program, the services offered, and the vision for serving the Louisville community.

Program Overview — Presented by Darryl Wales

Mr. Wales explained that 502 Sobriety Soldiers is a residential Alcohol and Other Drug Education (AODE) treatment program located in the heart of the Louisville community. The program is designed to provide accessible, compassionate, and structured care for individuals struggling with substance use disorders. Mr. Wales outlined the full continuum of care — from the moment a client walks through the door, through their treatment process, and up to discharge and aftercare planning.

Questions & Answers

The following questions were raised by community members in attendance. Responses were provided by Mr. Darryl Wales.

Questions from Jackie Floyd:

Q: *Will clients be court ordered?*

A: Yes. 502 Sobriety Soldiers will accept court-ordered clients. The program will also serve clients on HIP (Home Incarcerate Placement)

Q: *Will there be volunteers?*

A: Yes. The program will utilize volunteers as part of its service model to support residents and programming.

Q: *Will background checks be conducted?*

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A: Yes. Background checks will be performed as part of the program's intake and staffing processes.

Q: *How long do clients stay in the program?*

A: The standard length of stay is 30 days. Mr. Wales walked attendees through the full client process — from initial intake and assessment upon arrival through treatment, daily programming, and ultimately discharge planning and aftercare.

Q: *Is treatment available for both men and women?*

A: Yes. 502 Sobriety Soldiers serves both male and female clients.

Q: *What made you decide to open a facility here?*

A: Mr. Wales shared that the decision was rooted in a desire to provide care for people in the community who are actively struggling with drugs and alcohol. The goal was to bring treatment directly into the neighborhoods most impacted by addiction — where people live, and where help is most needed.

Q: *Does the program assist clients who have active CPS (Child Protective Services) cases?*

A: Yes. 502 Sobriety Soldiers is equipped to work with and support clients who have active CPS cases as part of their overall recovery and family reunification process.

Questions from Ms. Elaine:

Q: *What is the difference between the Hub program and 502 Sobriety Soldiers?*

A: Mr. Wales clarified that the Hub program is a re-entry program designed specifically for individuals returning from incarceration. 502 Sobriety Soldiers is a residential substance use treatment program — the two serve different, though sometimes overlapping, populations.

Q: *What is the age range of clients served?*

A: Mr. Wales stated that 502 Sobriety Soldiers serves adults ages 18 and older.

Q: *Is there anything currently happening inside the facility?*

A: No. There is currently no active programming or residents in the facility at this time.

Facility Tour

Following the question and answer session, Mr. Wales conducted a tour of the 502 Sobriety Soldiers facility for the attendees. The following items were addressed during the tour:

- **Fire Extinguishers:** Ms. Floyd asked whether fire extinguishers were present in the facility. Mr. Wales walked both visitors through the facility and showed them the locations of all fire extinguishers on the premises.
- **Fire Alarms & Emergency Exits:** Ms. Floyd asked whether alarms were present on the back door. Mr. Wales showed attendees the location of the fire alarms throughout the building and also pointed out the designated fire escape route.
- **Special Activities:** Ms. Floyd asked whether any special activities would be offered for residents. Mr. Wales confirmed that yes, 502 Sobriety Soldiers has special activities built into the treatment programming that involve a wide variety of therapeutic and engagement-based activities designed to support recovery.

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Ms. Jackie Floyd expressed her support for the work being done by 502 Sobriety Soldiers, stating that she is supportive of what is happening in the neighborhood and appreciates the commitment to bringing treatment resources directly into the community.

Adjournment

There being no further questions or discussion, the meeting was adjourned. Mr. Wales thanked attendees for their time, questions, and community support.

Minutes Prepared By: _____

Date: _____

Approved By: Barry D. Wales

Date: _____

502 Sobriety Soldiers — Louisville, Kentucky 40203 | Residential AODE Program

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Goals of a AODE Residential Treatment Facility

1. Provide Accessible and Effective Treatment Services

The first goal is to ensure individuals suffering from substance use disorders have immediate access to safe, structured, and evidence-based treatment services within their own community. Many individuals affected by addiction face barriers such as transportation issues, homelessness, poverty, mental health challenges, and lack of support systems. A residential AODE program offers stabilization, clinical treatment, relapse prevention, education, and recovery support in an environment designed to promote long-term sobriety and healing.

2. Reduce Community Harm and Improve Public Safety

A major objective of an AODE residential program is to reduce the harmful effects addiction has on the surrounding community. Substance use disorders often contribute to overdose deaths, crime, incarceration, homelessness, unemployment, family disruption, and emergency healthcare utilization. By providing treatment and recovery services, the program helps reduce active substance use, lowers recidivism rates, decreases overdose incidents, and supports healthier, safer neighborhoods.

3. Restore Individuals and Strengthen the Community

The third goal is to help individuals rebuild productive, stable, and meaningful lives while contributing positively to the community. Residential treatment programs focus on life skills, employment readiness, mental health stabilization, family reunification, peer support, and community reintegration. Recovery not only transforms the individual but also strengthens families, improves workforce participation, reduces generational trauma, and fosters long-term community wellness and resilience.

Together, these goals create a foundation for sustainable recovery, public health improvement, and community restoration in areas most affected by substance addiction.

Sincerely,

Darryl D Wales CADC

President

502-718-1495 (e-mail) ddwales917@gmail.com

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502 Sobriety Soldiers LLC

Residential Program Rules of Conduct

Purpose

The purpose of these Rules of Conduct is to promote a safe, respectful, therapeutic, and recovery-oriented environment for all residents, staff, visitors, and community members. All residents are expected to comply with these rules while participating in treatment services.

Resident Expectations

Residents shall:

Participate actively in treatment services, including individual counseling, group counseling, educational sessions, recovery activities, and case management appointments.

Treat fellow residents, staff, visitors, and community members with dignity and respect.

Maintain personal hygiene and appropriate dress.

Follow staff directions that are related to safety, treatment, and program operations.

Respect the rights, privacy, and confidentiality of others.

Maintain a recovery-focused environment free from alcohol, illicit drugs, violence, intimidation, and disruptive behavior.

Comply with all medication policies and procedures.

Keep assigned living areas clean and orderly.

Attend scheduled activities on time unless excused by staff.

Prohibited Conduct

The following behaviors are prohibited and may result in clinical review, corrective action, increased supervision, restriction of privileges, or discharge when clinically appropriate:

Safety Violations

Possession, use, manufacture, sale, distribution, or trafficking of:

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Alcohol

Illegal drugs

Unauthorized controlled substances

Drug paraphernalia

Possession of weapons, including:

Firearms

Ammunition

Knives not approved by the program

Explosives or other dangerous items

Threatening, intimidating, harassing, or assaultive behavior.

Physical fighting or inciting violence.

Deliberate destruction of property.

Tampering with safety equipment, alarms, locks, or surveillance systems.

Bringing unauthorized persons onto program property.

Treatment Interference

Refusal to comply with reasonable treatment expectations.

Repeated disruption of groups or therapeutic activities.

Providing false information to staff regarding treatment participation or safety concerns.

Encouraging other residents to violate program rules.

Leaving the facility or approved grounds without authorization when restrictions apply.

Resident Rights Violations

Bullying, discrimination, harassment, or retaliation.

Sexual harassment or unwanted sexual conduct.

Violating another resident's privacy or confidentiality.

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CABINET FOR HEALTH AND FAMILY SERVICES

Andy Beshear
GOVERNOR

275 East Main Street, 6-EA
Frankfort, KY 40621

Steven Stack, MD
SECRETARY

Jennifer Dudinskie
DIRECTOR

@chfsky | CHFS.KY.GOV

Lisa D. Lee
COMMISSIONER

06/09/2026

NPI #: 1912764754

Kentucky Medicaid Provider Number: 7101148620

502 SOBRIETY SOLDIERS, LLC
1626 W Chestnut St
Louisville, KY 40203 - 1608

Dear Provider:

This is to acknowledge your application for Enrollment with the Kentucky Department for Medicaid Services as a 03 - Behavioral Health Service Organization (BHSO). Your KY Medicaid provider number is 7101148620.

Non Narcotic Treatment Program, is effective from 4/29/2026 through 5/31/2027.
Behav Health Svc Org - Tier III, is effective from 4/29/2026 through 5/31/2027.

This number is for identification purposes only. Please reference your NPI on all transactions and correspondence to KY Medicaid. If you were not required to obtain an NPI, reference your KY Medicaid provider number on all transactions and correspondence. This effective date does not imply you will be paid for MCO claims prior to this date.

To remain an eligible provider beyond the date referenced above, you must perform maintenance through Partner Portal to keep your enrollment information current. The provider is responsible for notifying KY Medicaid of any changes including but not limited to license (if applicable), address, name, tax structure, or ownership immediately by performing Maintenance through KY Medicaid Partner Portal Application (MPPA).
(<https://medicaidsystems.ky.gov/Partnerportal/home.aspx>)

If you have questions regarding your enrollment, please call KY Medicaid toll free at 1 (877) 838-5085. A provider enrollment specialist will be available to help you between the hours of 8:00 am and 4:30 pm, Eastern Time, Monday through Friday.

For Fee-for-Service questions about billing and/or claims processing, please call KY Medicaid at 1 (800) 807-1232. For Managed Care Organization (MCO) questions, please call the appropriate contracted MCO as listed in <https://chfs.ky.gov/agencies/dms/dpi/pe/Pages/apply.aspx>.

Sincerely,

Division of Program Integrity

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Commonwealth of Kentucky

Cabinet for Health and Family Services

Certifies that	502 Sobriety Soldiers, Llc
is authorized to operate	502 Sobriety Soldiers
located at	1626 West Chestnut Street Louisville KY 40211
License Number	812140

Pursuant to KRS 222.231 and the regulations promulgated thereunder, this license is effective **June 01, 2026** and valid until **May 31, 2027** unless action is taken by the Cabinet to deny, suspend or revoke the license for failure to meet applicable standards and requirements. This license is not transferable and is limited to the above entity and for the services indicated below.

Alcohol and Other Drug Entity

Residential Treatment
Residential Transitional Living
Residential Transitional Living Bed Count = 16
Residential Services Bed Count = 16
Total Number of Beds = 32

Note: Residential Services Bed Count indicates sum of beds for Residential Treatment, Family Residential Treatment, Residential Withdrawal Management Services, Adolescent Residential.

Katherine R. Marks, Ph.D.
Commissioner

Steven J. Stack, MD, MBA
Secretary

TEAM
KENTUCKY.

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To Whom It May Concern,

RE: Justification for Locating a Residential AODE Program Within the Community Most Impacted by Substance Use Disorders

The placement of a Residential Alcohol and Other Drug Education (AODE) treatment program within the heart of a community heavily impacted by substance use is not only appropriate, but essential to effective recovery, community restoration, and public health improvement. Communities experiencing high rates of addiction, overdose, homelessness, unemployment, trauma, and mental health challenges require direct and immediate access to comprehensive treatment services. Locating residential treatment services in these areas removes barriers to care and increases the likelihood that individuals will seek and remain engaged in treatment.

Many individuals suffering from substance use disorders face significant transportation limitations, financial hardship, unstable housing, and limited family support. When treatment facilities are located far from the communities where addiction is most prevalent, individuals are less likely to access services consistently. Establishing a residential AODE program in the center of the affected community allows treatment providers to meet individuals where they are physically, emotionally, and socially. This proximity creates a stronger connection between the treatment program and the population it serves.

Additionally, recovery is strengthened when treatment occurs within the environment where individuals must ultimately learn to maintain sobriety. A community-based residential program provides opportunities for clients to develop healthy coping mechanisms, relapse prevention strategies, vocational skills, and community reintegration supports while still connected to real-life surroundings and resources. Programs located in impacted neighborhoods can more effectively collaborate with hospitals, probation and parole offices, social service agencies, housing providers, workforce development programs, and peer support networks.

The presence of a professionally operated residential AODE facility also contributes positively to neighborhood stabilization. Rather than increasing crime or disorder, properly licensed and regulated treatment programs help reduce overdose deaths, decrease emergency room utilization, lower incarceration rates, and improve public safety by providing individuals with structured treatment, accountability, and support. These programs create pathways to recovery that benefit not only the individual, but also families, businesses, schools, and the community as a whole.

Substance use disorder is a public health crisis that requires visible, accessible, and compassionate treatment solutions. Locating a residential AODE program within the communities most affected by addiction demonstrates a commitment to equity, accessibility, and meaningful recovery outcomes. Treatment should not be hidden away from the communities that need it most; it should be integrated into the very areas where healing, restoration, and transformation are urgently needed.

For these reasons, the establishment of a residential AODE treatment program within the heart of an impacted community is both justified and necessary.

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Sincerely,


Darryl D. Wales CADC

President

502-718-1495 (email) ddwales917@gmail.com

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