

# Board of Zoning Adjustment

## Staff Report

May 18, 2026



<b>Case No:</b>	26-CUPPA-0015
<b>Project Name:</b>	Breckenridge Lane Rehabilitation Home
<b>Location:</b>	3116 Breckenridge Lane
<b>Applicant:</b>	J Bauer Properties LLC
<b>Representative:</b>	Candace Durham, Reclaim Recovery Louisville
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	26 – Brent T. Ackerson
<b>Case Manager:</b>	Zack Jones, Planner II

### REQUEST(S)

- **Conditional Use Permit** to allow a rehabilitation home in the R-4 & R-7 zoning districts (LDC 4.2.31).

### CASE SUMMARY

The subject site is approximately 5.76 acres zoned R-4 Single Family Residential & R-7 Multi-Family Residential in the Neighborhood form district. The property is located along Breckenridge Lane between Beargrass Run Place and Sudbury Lane. The site is currently developed with a 1-2 story commercial-residential building, previously the location of a nursing home. The proposal is repurposing the existing nursing home structure with no new exterior construction or site work proposed. The nursing home was approved on this site by a CUP in 1968 (B-22-68), but staff notes the building is not presently occupied by a nursing home and has been vacant. The applicant is requesting a Conditional Use Permit (CUP) to allow a Rehabilitation Home with 217 residents/beds and 115 employees, with roughly 50 employees at peak shift. The applicant is proposing an interior alteration to allow a total of 111 rooms each with an estimated size ranging from 200 to 300 square feet to house residents. This facility will be utilized for 28-day inpatient treatment of substance abuse disorder and mental health conditions.

CUP standards require that the use must meet all health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and local laws. A Rehabilitation Home shall not operate without a license issued pursuant to LMCO Chapter 115 and, if required, any registration or license from the Commonwealth of Kentucky.

### STAFF FINDING

The number of residents and current building form will require relief from standards F.1 & F.2. While the existing structure(s) are not explicitly of a residential design, the building containing the Rehabilitation appears generally compatible with residential structures in the surrounding area. Further, the building is already constructed and no exterior alterations or changes to site design are proposed. The property was developed as a nursing home legally with a CUP, which staff sees as a comparable land use to a rehabilitation home. If the Rehabilitation Home use were to propose alterations in the future, they would need to comply with the standards outlined in Requirement F.2. The nursing home approval in 1968 did not specify a maximum number of residents, though staff notes the interior layout of the property is generally consistent with the nursing home approved in 1968.

## **TECHNICAL REVIEW**

- Land Development Code (2025) and Comprehensive Plan 2040
  - *1.2.2 Rehabilitation Home*: A building or group of buildings providing residence for persons receiving supervised medical or professional care for drug or alcohol abuse, or 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 this 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.
  - *4.2.31 Rehabilitation Home CUP*: Rehabilitation Homes may be allowed in any zoning district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

## **INTERESTED PARTY COMMENTS**

- A neighborhood meeting was need held prior to formal filing of the conditional use permit. Information from that meeting as well as other comments received by staff are included in the record.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT**

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

STAFF: The proposal as presented would 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: The proposal 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 being that no changes are proposed to the exterior of the property, and therefore would not 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: The subject property is served by existing public utilities and facilities and is not proposed to substantially alter, if at all, from its current configuration.

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

**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, and 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 six (6) months from the date of the change, the conditional use permit shall become null and void. In order to recommence any Rehabilitation Home use, a new conditional use permit must be granted if required.

STAFF: There are no properties within 1,000 ft. of the subject site with an approved conditional use permit to operate group housing at the time of this pre-application staff report. There are no non-residential activities proposed outside the scope of the rehabilitation home on site. The proposal calls for 24-7 supervision on site. All of the materials related to requirement H have been provided by the applicants. The proposal will not comply with requirements F.1 & F.2 regarding residential compatibility and maximum number of residents, and would require relief from those standards. However, staff does not have any concerns with relief from those standards as this is repurposing a similar use that has been operating on the property and is not proposing exterior expansion or alteration, and work on site is proposed to be interior only. After approval, the applicants will be required to obtain and/or maintain compliance with requirements I and J.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Conditional Use Permit** to allow a Rehabilitation Home (LDC 4.2.31).

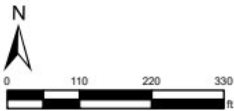
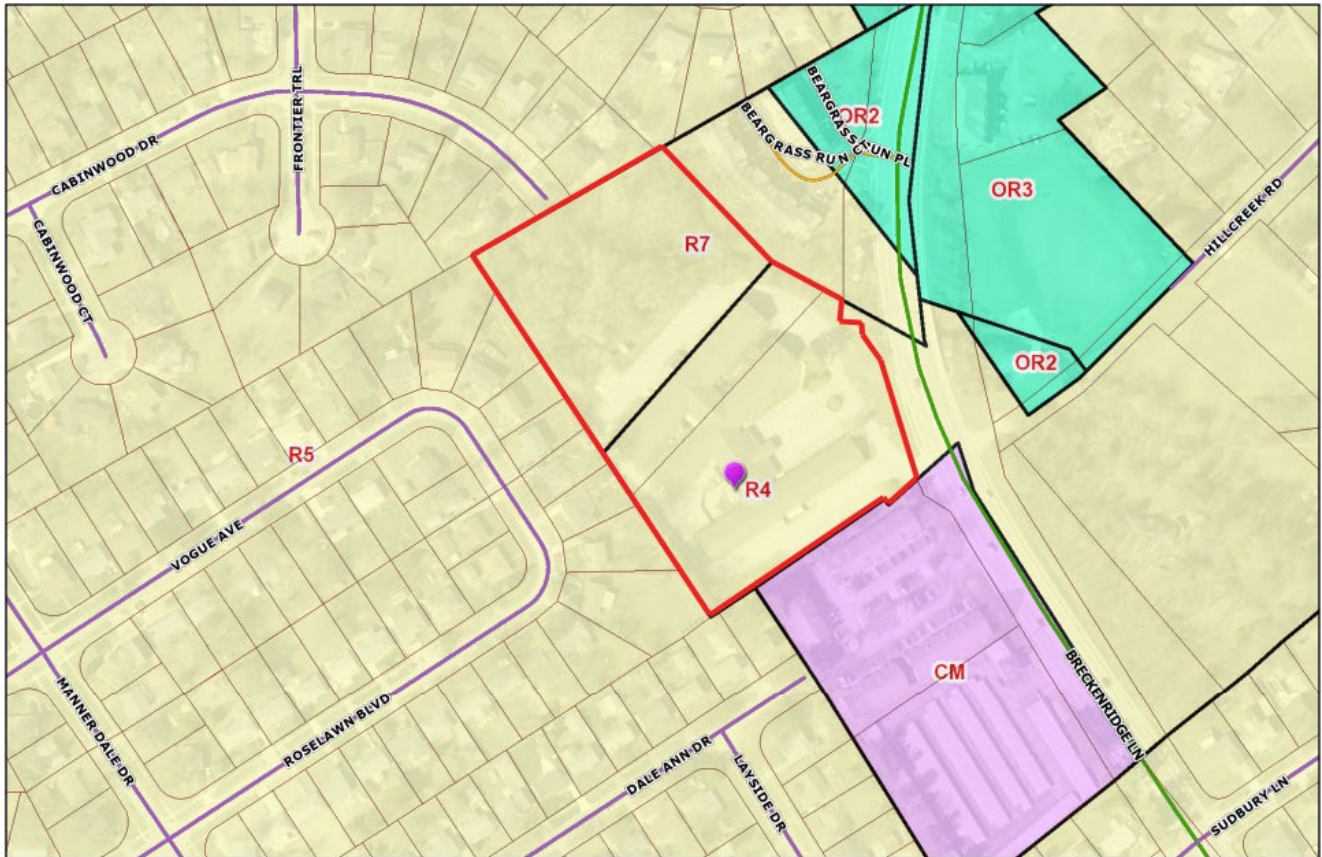
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5/4/2026	Hearing before BOZA	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 4
5/6/2026	Hearing before BOZA	Sign Posting on property

**ATTACHMENTS**

- A. Zoning Map
- B. Aerial Photograph
- C. Proximity Map
- D. Proposed Conditions of Approval

**A. Zoning Map**



Monday, February 23, 2026 | 4:15 PM



**LOJIC**

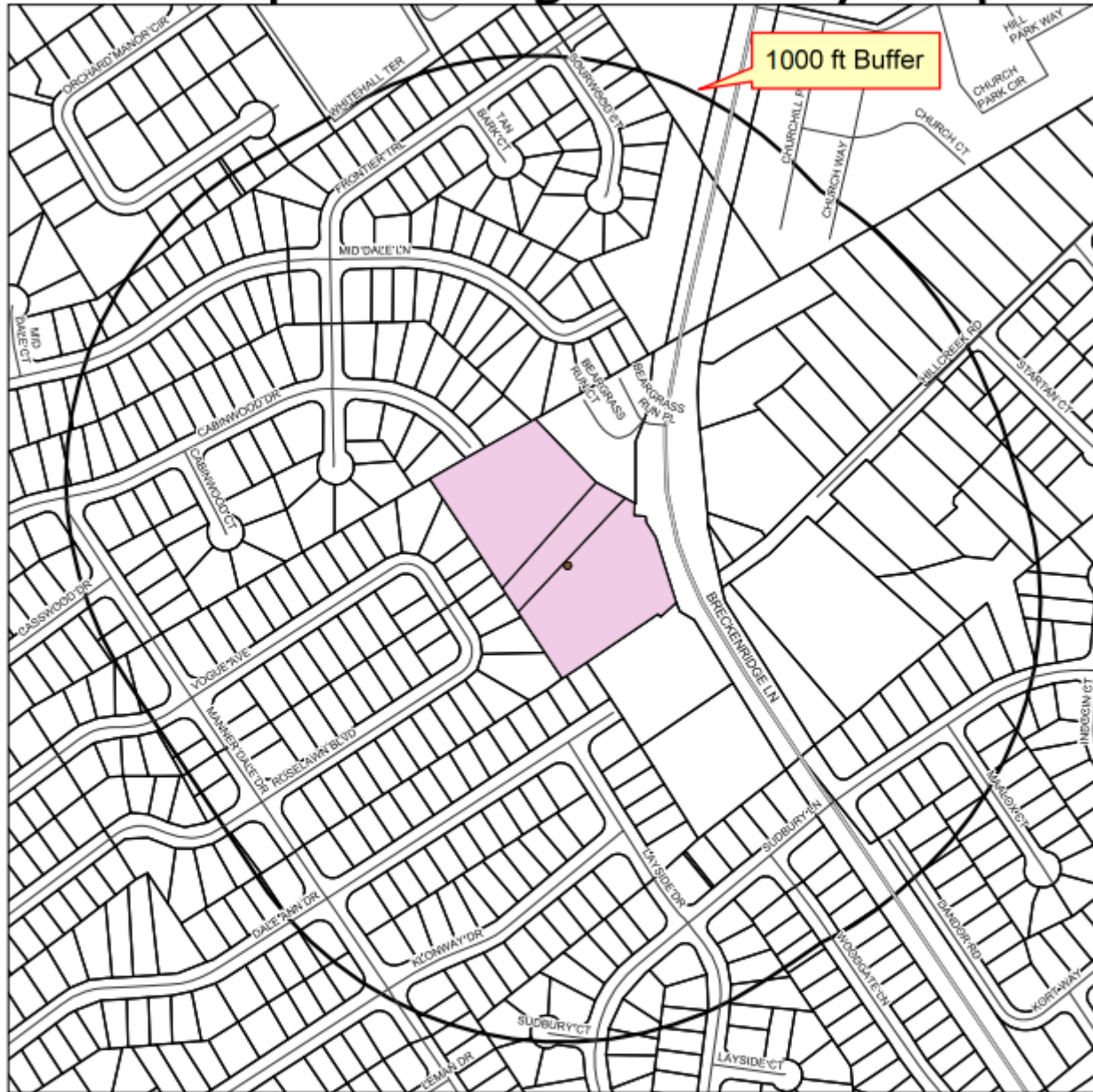
LOJIC © 2026

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



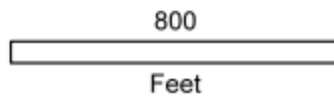
C. 1,000-Foot Proximity Map

# Group Housing Proximity Map



**Case # 26-CUPPA-0015**  
**3116 Breckenridge Ln**  
**Map Created: 2/24/2026**

- Legend**
-  Subject Site
  -  Buffer



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



**D. Proposed 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 217 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.