

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

**September 26, 2022**

A meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, September 26, 2022 at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky, and also via Webex.

**Members Present:**

Lula Howard, Chair  
Richard Buttorff, Vice Chair  
Sharon Bond, Secretary  
Yani Vozos  
Brandt Ford  
Kimberly Leanhart

**Members Absent:**

Jan Horton

**Staff Members Present:**

Joe Haberman, Planning & Design Manager  
Chris French, Planning & Design Supervisor  
Julia Williams, Planning Supervisor  
Laura Ferguson, Legal Counsel  
Heather Pollock, Planner I  
Molly Clark, Planner II  
Chris Cestaro, Management Assistant

The following cases were heard:

**BOARD OF ZONING ADJUSTMENT  
MEETING MINUTES  
September 26, 2022**

**SEPTEMBER 12, 2022 BOARD OF ZONING ADJUSTMENT MEETING MINUTES**

**00:03:19** On a motion by Member Vozos, seconded by Member Bond, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Minutes of the August 29, 2022 Board of Zoning Adjustment meeting.

**The vote was as follows:**

**YES: Members Bond, Buttorff, Vozos, and Chair Howard.**

**ABSTAIN: Members Ford and Leanhart.**

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

**Case No. 22-VARIANCE-0064**

00:05:24

**NOTE: THIS CASE WAS WITHDRAWN PRIOR TO  
TODAY'S HEARING**

<b>Project Name:</b>	Mike's Carwash Fence Variance
<b>Location:</b>	2962 Breckenridge Lane
<b>Owner/Applicant:</b>	Mike's No 58, LLC
<b>Representative:</b>	Eddie Krieger, Mike's Carwash
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	26 – Brent Ackerson
<b>Case Manager:</b>	<b>Heather Pollock, Planner I</b>

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

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

**NO ACTION WAS TAKEN.**

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**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0063**

Request: CONTINUE TO A DATE UNCERTAIN – Conditional Use  
Permit for a private institutional use in an R-5 zoning district  
Project Name: Kenwood Church of Christ  
Location: 6424 Bruce Avenue  
Owner: Kenwood Church of Christ  
Applicant: Joel T. Gano  
Jurisdiction: Louisville Metro  
Council District: 25 – Amy Holton Stewart  
**Case Manager: Chris French, Planning & Design Supervisor**

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

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

**Agency testimony:**

00:06:27 Chris French said the applicant has requested a continuance because they had an issue with their development plan in association with MSD requirements. It may be several months before those issues are resolved. New notices will be required when a new hearing date is set.

00:08:13 On a motion by Member Leanhart, seconded by Member Bond, the following resolution, based on testimony heard today, was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 22-CUP-0063 does hereby **CONTINUE** this case to a date uncertain.

**The vote was as follows:**

**YES: Members Bond, Ford, Vozos, Leanhart, Vice Chair Buttorff, and Chair Howard.**

**ABSENT: Member Horton.**

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**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0142**

Project Name: Forwith Short Term Rental  
Location: 613 Briar Hill Road  
Owner(s)/ Applicant: Sue Forwith  
Jurisdiction: Louisville Metro  
Council District: 9 – Bill Hollander  
**Case Manager: Heather Pollock, Planner I**

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

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

**Agency testimony:**

00:08:57 Before Heather Pollock presented the case, Laura Ferguson, legal counsel for the Board, explained why this case was continued and effective time limits. Joe Haberman, Planning & Design Manager, explained that the opposition had submitted two exhibits after the deadline right before the hearing today (see recording for detailed discussions.)

00:16:53 On a motion by Member Bond, seconded by Member Buttorff, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby agree to only hear a summary of previous discussions related to this case; and new information that has not yet been presented.

**The vote was as follows:**

**YES: Members Bond, Ford, Vozos, Leanheart, Vice Chair Buttorff, and Chair Howard.**

**ABSENT: Member Horton.**

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

Sue Forwith (applicant), 613 Briar Hill Road, Louisville, KY 40206

**Summary of testimony of those in favor:**

00:22:25 Sue Forwith, the applicant, summarized testimony from previous hearings and presented the case (see recording for detailed presentation.)

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

Alex and Mary Hamilton, 612 Briar Hill Road, Louisville, KY 40206

Steve Porter, 2704 Tucker Station Road, Louisville, KY 40219

Larry Latimer (signed in but did not speak)

**Summary of testimony of those in opposition:**

00:34:04 Alex Hamilton showed a map showing Tier One and Tier Two households which oppose this project, and summarized the evidence submitted. He presented a slideshow presentation which he said introduced new evidence regarding density, scale, intensity, safety, noise, nuisances, and the differences between the nearby Whitehall and this site (see recording for his detailed presentation.)

00:45:17 Steve Porter, the oppositions' representative, rebutted some statements made by Ms. Forwith, and pointed out aspects of the proposal which he says violates the Land Development Code (see recording for his detailed presentation.)

00:50:56 Mary Hamilton discussed the character of the neighborhood.

**Rebuttal:**

00:52:41 Ms. Forwith delivered rebuttal (see recording for detailed presentation.)

00:54:05 In response to questions from Chair Howard, Ms. Forwith confirmed that there are eight off--street parking spaces on-site. There is also a side, dead-end street stub (Beals Branch) that is next to their property (the length of the side of their property) that could allow for additional parking without impacting the street at all.

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00:55:14 In response to questions from Chair Howard, Ms. Forwith discussed why they chose the maximum number of guests (fourteen.)

00:55:46 In response to questions from Member Bond, Ms. Forwith said the “quiet hours” would be the same as those for Whitehall. This will be enforced by the “Noise Aware” monitoring system. She added that she would be willing to drop the maximum number of guests to 12, if that would address some of the neighbors’ concerns.

00:59:11 In response to questions from Member Bond, Ms. Forwith discussed the plan in place if neighbors have issues with noise after 10:00 p.m.. Ms. Forwith said the neighbors all have her cell phone number, and that if she turns this property over to a management company, the neighbors will have that phone number as well. She noted that the “Noise Aware” monitoring system records decibel levels, and protects the owners as well as the nearby neighbors.

01:00:10 In response to questions from Member Leanhart, Ms. Forwith said she will install outdoor cameras as long as there is no legal violation of privacy. She said the Ring doorbells are used by other rentals (see recording for detailed discussion.)

01:01:55 In response to questions from Member Vozos, Mr. Haberman and Ms. Ferguson discussed how Conditional Use Permits run with the property, unless the property owner agrees to suspend or terminate that right upon sale of the property (see recording for detailed discussion.) Ms.,. Forwith said she would agree to terminate the CUP upon sale.

**01:05:33 Board Members’ deliberation**

01:08:09 Ms. Ferguson read a proposed Condition of Approval into the record, to read as follows:

The Conditional Use Permit approval for this short-term rental shall terminate upon the sale of the subject property.

01:16:07 In response to questions from the Board Members, Mr. Haberman discussed “preferred neighborhood character” as it related to the Comprehensive Plan (see recording for detailed discussion.)

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**CASE NUMBER 22-CUP-0142**

01:19:49 On a motion by Vice Chair Buttorff, seconded by Member Ford, the following resolution, based on evidence and testimony heard at the first hearing and evidence and testimony heard today, to **DENY** the request as proposed.

**The vote was as follows:**

**YES: Members Ford, Vozos, and Vice Chair Buttorff.**

**NO: Members Bond, Leanhart, and Chair Howard.**

**ABSENT: Member Horton.**

01:21:18 additional Board Members' deliberation

01:23:08 Because the vote to approve the motion to deny was tied, the request for the Conditional Use Permit is hereby **DENIED**.



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**CASE NUMBER 22-VARIANCE-0112**

Project Name:	Mike's Car Wash
Location:	10501/10511 Preston Highway
Owner(s):	291 Harbison LLC
Applicant:	Mike's Car Wash
Jurisdiction:	Louisville Metro
Council District:	23-James Peden
<b>Case Manager:</b>	<b>Julia Williams, AICP, Planning Supervisor</b>

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

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

**Agency testimony:**

01:23:30 Julia Williams presented the case, showed a slideshow presentation, and responded to questions from the Board Members (see staff report and recording for detailed presentation).

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

Cliff Ashburner, 101 South 5<sup>th</sup> Street Suite 2500, Louisville, KY 40202

**Summary of testimony of those in favor:**

01:28:54 Cliff Ashburner, the applicant's representative, presented the applicant's case, showed a Power Point presentation, and answered questions from the Board Members (see recording for detailed presentation.)

01:32:55 In response to questions from Vice Chair Buttorff, Mr, Ashburner used a slide to clarify road and traffic patterns, and access to the business (see recording for detailed discussion.)

01:35:03 Mr. Ashburner continued and concluded his presentation.

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01:38:00 Mr. Ashburner explained that this case has been before the Development Review Committee, in addition to today's BOZA meeting (see recording for discussion.)

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

No one spoke.

**01:40:30 Board Members' deliberation**

01:40:56 On a motion by Member Bond, seconded by Member Vozos, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the requested variance will not adversely affect the public health, safety or welfare since the building will be located to allow for maneuvering out to the frontage road; and

**WHEREAS**, the Board further finds that the requested variance will not alter the essential character of the general vicinity since the building will be located to allow for maneuvering out to the frontage road and is located between the setbacks of the proposed structures to the north and south; and

**WHEREAS**, the Board further finds that the requested variance will not cause a hazard or nuisance to the public since the building will be located to allow for maneuvering out to the frontage road; and

**WHEREAS**, the Board further finds that the requested variance will not allow an unreasonable circumvention of the zoning regulations welfare since the building will be located to allow for maneuvering out to the frontage road and the building will be located to allow for maneuvering out to the frontage road and is located between the setbacks of the proposed structures to the north and south; and

**WHEREAS**, the Board further finds that the special circumstance is that the proposal has a frontage road along Preston Highway that is causing the need for the variance; and

**WHEREAS**, the Board further finds that the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant since the frontage road is necessary to funnel

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traffic for the development off of Preston Highway. The frontage road along Preston Highway and the proposed land use are causing the need for the variance; and

**WHEREAS**, the Board further finds that the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Variance to permit the building to be setback 105.71' from Preston Highway instead of the required maximum 80' (Variance of 25.71').

**The vote was as follows:**

**YES: Members Bond, Ford, Vozos, Leanhart, Vice Chair Buttorff, and Chair Howard.**

**ABSENT: Member Horton.**

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**CASE NUMBER 22-CUP-0179**

Project Name: River Short Term Rental  
Location: 5505 River Road  
Owner(s): Resonate Rentals LLC  
Applicant: Dennis & Courtney Cooper  
Jurisdiction: Louisville Metro  
Council District: 16 – Scott Reed  
**Case Manager: Molly Clark, Planner II**

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

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

**Agency testimony:**

01:41:55 Molly Clark presented the case, showed a slideshow presentation, and responded to questions from the Board Members (see staff report and recording for detailed presentation).

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

Miley Corona, 12111 Rosewood Lane, Goshen, KY 40026

**Summary of testimony of those in favor:**

01:45:02 Miley Corona, the applicant’s representative, presented the case and responded to questions from the Board Members (see recording for detailed presentation and discussion.) She discussed what areas of the property will be used for storage.

01:49:41 In response to questions from Joe Haberman, Planning & Design Manager, Ms. Corona described the equipment that will be stored on-site (see recording.) Mr. Haberman and Laura Ferguson, legal counsel for the Board, both noted on the record that the Board is making any decision on the short-term rental request only, the Board is not making any decision related to whether or not the storage of non-

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residential items at a residentially-owned property is all right or not. That aspect is not related to the short-term rental request.

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

No one spoke.

**Summary of testimony of those in opposition:**

**01:52:02 Board Members' deliberation**

01:52:30 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the Standard of Review and Staff Analysis, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal does not conflict with Comprehensive Plan policies; and

**WHEREAS**, the Board further finds that, when appropriately managed, the proposed use is compatible with surrounding development and land uses; and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposal will not create substantial additional requirements for the site; and

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

**4.2.63** Short Term Rental of a dwelling unit that is not the primary residence of the host or the Short Term Rental of a condominium unit that is the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented

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to the same occupant 30 consecutive days or more is not considered a short term rental. ***The applicant has been informed of this requirement.***

- B. The dwelling unit shall be limited to a single short term rental contract at a time. ***The applicant has been informed of this requirement.***
  
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus two individuals, except where the licensed property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. ***The applicant states that the residence has 2 bedrooms per unit, that will allow a maximum number of 6 guests.***
  
- D. The property on which the short term rental(s) is situated shall not be located closer than 600 feet (measured in a straight line from nearest property line to the nearest property line) to any property on which another approved short term rental that required a conditional use permit is situated. The provision shall not apply to a property in the TNZD district which required a conditional use permit even though it is the primary residence of the host. ***As of the date of this report, within 600' of the subject property, there are no properties with an approved conditional use permit allowing short term rentals that is not the primary residence of the host.***
  
- E. The building in which the dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit, the condominium unit must be the primary residence of the host. All conditional use permit applications for the short term rental of a condominium unit shall include evidence showing the applicable condominium association has taken action to approve the short term rental of the subject condominium. The evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board where in all condominium would be discussed and a majority of the board members voted in favor of permitting/allowing the short term rental of the subject condominium. In addition to notification required by Chapter 11 Part 5A, an applicant for a short term rental within a condominium shall provide notice of the Conditional Use Permit public hearing to all condominium owners within the association. Proof of notification shall be by way of affidavit. This provision shall not be waived or adjusted. ***The applicant has been informed of this requirement.***
  
- F. Food and alcoholic beverages shall not be served by the host to any guest. ***The applicant has been informed of this requirement.***

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G Outdoor signage which identifies the short term rental is prohibited in residential zoning districts.

***The applicant has been informed of this requirement.***

H. There shall be a sufficient amount of parking available for guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. ***Street parking is not available on River Road but there are 5 off street parking spots***

I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances. ***The applicant has been informed of this requirement.***

J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the Planning Director may revoke the approval. When the Planning Director revokes an approval under this section, the owner and host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the revocation shall become final on the thirty-first (31) day after the initial action by the Director. 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. ***The applicant has been informed of this requirement.***

K. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void. ***The applicant has been informed of this requirement***

L. An active registration for the short term rental, as required by the Louisville Metro Code of Ordinances, shall be maintained. No short term rentals may take place unless the registration is active and in the name of the current host and property owner. If the registration is not renewed and lapses for six months, or in the event of a change of ownership and/or host, a new registration is not issued within six months from the date of the change, the conditional use permit shall become null and void. In order to recommence short term rentals, a new conditional use permit must be granted if required by this Land Development Code. ***The applicant has been informed of this requirement.***

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Now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow short term rental of dwelling unit that is not the primary residence of the host in the R-4 Single Family Zoning District and Neighborhood Form District; **SUBJECT** to the following Condition of Approval:

**Condition of Approval**

1. The conditional use permit for this short term rental approval shall allow up to 2 bedrooms (with a maximum of 6 guests at any time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.

**The vote was as follows:**

**YES: Members Vozos, Ford, Bond, Vice Chair Buttorff, and Chair Howard.**

**NO: Member Leanhart.**

**ABSENT: Member Horton.**



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**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0183**

Project Name: Lentz Ave Short Term Rental  
Location: 3753 Lentz Ave  
Owner(s): Monica Ann Edmonds  
Applicant: Monica Ann Edmonds  
Jurisdiction: Louisville Metro  
Council District: 15 – Kevin Triplett  
**Case Manager: Molly Clark, Planner II**

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

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

**Agency testimony:**

01:54:06 Molly Clark presented the case, showed a slideshow presentation, and responded to questions from the Board Members (see staff report and recording for detailed presentation).

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

Monica Ann Edmonds, 3715 Villa Springs Drive, Louisville, KY 40291

**Summary of testimony of those in favor:**

01:55:55 Monica Ann Edmonds, the applicant, presented the case and responded to questions from the Board Members (see recording for detailed discussions.)

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

Detryck Moore and Linda Moore, 3753 ½ Lentz Avenue, Louisville, KY 40215

Donna Datillo, 3755 Lentz Avenue, Louisville, KY 40215

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**CASE NUMBER 22-CUP-0183**

**Summary of testimony of those in opposition:**

02:04:01 Detryck Moore listed multiple problems with the AirBNB that was at this site prior to Ms. Edmonds' purchase. He said this site is about 1 ½ miles from Churchill Downs and expressed concern that renters will not be corporate renters, but partiers coming from the track. He discussed safety issues (drunkenness, fights, etc.) that had happened under the previous owner. He said AirBNB's have priced out many residents. He responded to questions from Board Members (see recording for detailed discussions.)

02:10:48 Donna Datillo said she received two different invitations to the neighborhood meeting, with two different dates. She reiterated Mr. Moore's statements about the multiple issues with partiers, fighting, and parking.

02:13:27 Linda Moore reiterated Mr. Moore's statements. She said she had about 25 names of senior citizens in the neighborhood who could not get out to come to the meeting today, who are opposed. She emphasized the parking problems, noise, litter, odor, and parties (see recording for detailed statement.) She submitted her list of 25 opposed residents to Ms. Clark (on file.)

**Rebuttal:**

02:21:52 Ms. Edmonds delivered rebuttal (see recording for detailed discussion.)

**02:26:00 Board Members' deliberation.**

02:26:29 Member Ford, seconded by Member Bond, made a motion to approve the request based upon the Standard of Review and Staff Analysis and the testimony heard today. The vote was as follows:

**The vote was as follows:**

**YES: Members Bond, Ford, and Chair Howard.**

**NO: Members Vozos, Leanhart, and Vice Chair Buttorff.**

**ABSENT: Member Horton.**

**02:27:44 Additional Board Member deliberation.**

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**CASE NUMBER 22-CUP-0183**

02:38:53 On a motion by Member Ford, seconded by Member Bond, the following resolution, based on the Standard of Review and Staff Analysis, evidence and testimony heard today, and the discussion among the Board Members following the first vote, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal does not conflict with Comprehensive Plan policies; and

**WHEREAS**, the Board further finds that, when appropriately managed, the proposed use is compatible with the surrounding development and land uses; and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposal will not create substantial additional requirements for the site; and

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

**4.2.63** Short Term Rental of a dwelling unit that is not the primary residence of the host or the Short Term Rental of a condominium unit that is the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental. ***The applicant has been informed of this requirement.***
- B. The dwelling unit shall be limited to a single short term rental contract at a time. ***The applicant has been informed of this requirement.***
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus two individuals, except where the licensed property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals.  
***The applicant states that the residence has 2 bedrooms that will allow a***

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*maximum number of 6 guests.*

- D. The property on which the short term rental(s) is situated shall not be located closer than 600 feet (measured in a straight line from nearest property line to the nearest property line) to any property on which another approved short term rental that required a conditional use permit is situated. The provision shall not apply to a property in the TNZD district which required a conditional use permit even though it is the primary residence of the host. ***As of the date of this report, within 600' of the subject property, there are no properties with an approved conditional use permit allowing short term rentals that is not the primary residence of the host.***
- E. The building in which the dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit, the condominium unit must be the primary residence of the host. All conditional use permit applications for the short term rental of a condominium unit shall include evidence showing the applicable condominium association has taken action to approve the short term rental of the subject condominium. The evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board where in all condominium would be discussed and a majority of the board members voted in favor of permitting/allowing the short term rental of the subject condominium. In addition to notification required by Chapter 11 Part 5A, an applicant for a short term rental within a condominium shall provide notice of the Conditional Use Permit public hearing to all condominium owners within the association. Proof of notification shall be by way of affidavit. This provision shall not be waived or adjusted. ***The applicant has been informed of this requirement.***
- F. Food and alcoholic beverages shall not be served by the host to any guest. ***The applicant has been informed of this requirement.***
- G. Outdoor signage which identifies the short term rental is prohibited in residential zoning districts. ***The applicant has been informed of this requirement.***
- H. There shall be a sufficient amount of parking available for guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. ***The applicant states the property has 2 off street parking spaces and the LDC credits the site with 1 on-street parking space.***

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**September 26, 2022**

**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0183**

- I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances. ***The applicant has been informed of this requirement.***
  
- J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the Planning Director may revoke the approval. When the Planning Director revokes an approval under this section, the owner and host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the revocation shall become final on the thirty-first (31) day after the initial action by the Director. 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. ***The applicant has been informed of this requirement.***
  
- K. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void. ***The applicant has been informed of this requirement***
  
- L. An active registration for the short term rental, as required by the Louisville Metro Code of Ordinances, shall be maintained. No short term rentals may take place unless the registration is active and in the name of the current host and property owner. If the registration is not renewed and lapses for six months, or in the event of a change of ownership and/or host, a new registration is not issued within six months from the date of the change, the conditional use permit shall become null and void. In order to recommence short term rentals, a new conditional use permit must be granted if required by this Land Development Code. ***The applicant has been informed of this requirement.***

Now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow short term rental of dwelling unit that is not the primary residence of the host in the R-5 Single Family Residential Zoning District and Traditional Neighborhood Form District; **SUBJECT** to the following Condition of Approval:

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September 26, 2022**

**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0183**

**Condition of Approval**

The conditional use permit approval for this short term rental shall be allowed up to 2 bedrooms (with a maximum of 6 guests at any time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.

**The vote was as follows:**

**YES: Members Bond, Ford, Leanhart, and Chair Howard.**

**NO: Member Vozos and Vice Chair Buttorff,**

**ABSENT: Member Horton.**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**September 26, 2022**

**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0187**

Project Name: Cheak Street Short Term Rental  
Location: 1697 Cheak Street  
Owner(s): Andrea Dewey  
Applicant: Andrea Dewey  
Jurisdiction: Louisville Metro  
Council District: 10 – Pat Mulvihill  
**Case Manager: Chris French, Planning & Design Supervisor**

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

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

**Agency testimony:**

02:40:53 Chris French presented the case and showed a slideshow presentation (see staff report and recording for detailed presentation).

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

Andrea Dewey, 1697 Cheak Street, Louisville, KY 40213

**Summary of testimony of those in favor:**

02:43:31 Andrea Dewey presented the case and responded to questions from the Board Members (see recording for detailed presentation and discussion.)

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

Cathy and Mark Kaiser, 1699 Cheak Street, Louisville, KY 40213

Marvin Murr, 1693 Cheak Street, Louisville, KY 40213

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**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0187**

**Summary of testimony of those in opposition:**

03:01:08 Cathy Kaiser said the owner only stays in the property about twice a week. She said none of the Holy Family priests attended the neighborhood meetings. She said other parties have been held there and left reviews on the AirBnB website (bachelorette parties, etc.) She said the neighborhood is predominantly older people and a few families with children. She said renters seem to be tourists going to the track, Bourbon and Beyond, Louder Than Life, etc. and the bourbon tourists arrive at the house in vans. She said there is "no communication" or responses from the homeowner regarding parties, drunkenness, noise, or other concerns. (See recording for detailed presentation and discussion.)

03:09:54 Mark Kaiser said there is "a party every weekend" next door. He said the driveway is right next to his bedroom window and he hears guests all night in the driveway and the back yard (see recording for detailed discussion.)

03:15:30 Marvin Murr said his primary issue is noise, especially people hanging out in the backyard by the firepit and porch sitting areas. He said conversations/parties can last up to 4:00 a.m.

**Rebuttal:**

03:22:01 Ms. Dewey delivered rebuttal (see recording for detailed presentation.) In response to questions from Board Member Howard, Ms. Dewey said a booklet of house rules are given to renters, and also house rules are listed on the property guidelines posted on the app used to book her property.

**03:25:42 Board Members' deliberation**

03:28:27 On a motion by Member Leanhart, seconded by Member Ford, the following resolution, based on the evidence and testimony heard today, and the discussion among the Board Members, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment does not agree with the Standard of Review and Staff Analysis as listed in the staff report. Based on evidence and testimony heard today, the Board finds that conditional use permit standard of review 2 has not been met because the testimony presented today from neighbors that the current short term rental use of the property as a primary residence short term rental has been mismanaged by the applicant because of issues related to noise and trash on the property which has adversely impacted neighboring properties; now, therefore be it



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

**CASE NUMBER 22-CUP-0187**

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **DENY** the requested Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host in an R-5 zoning district and Neighborhood Form District.

**The vote was as follows:**

**YES: Members Bond, Ford, Vice Chair Buttorff, Vozos, Leanhart, and Chair Howard.**

**ABSENT: Member Horton.**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**September 26, 2022**

**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0188**

Project Name: Redbud Short Term Rental  
Location: 3115 Redbud Lane  
Owner(s): Robert Bergeron  
Applicant: Robert Bergeron  
Jurisdiction: Louisville Metro  
Council District: 26 – Brent Ackerson  
**Case Manager: Chris French, Planning & Design Supervisor**

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

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

**Agency testimony:**

03:31:14 Chris French presented the case, showed a Power Point presentation, and answered questions from the Board Members (see staff report and recording for detailed presentation.)

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

Rob Bergeron, 7115 Redbud Lane, Louisville, KY 40220

**Summary of testimony of those in favor:**

03:33:07 Rob Bergeron presented the case and responded to questions from the Board Members (see recording for detailed presentation.)

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

No one spoke.

**03:38:47 Board Members' deliberation**

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**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0188**

**03:39:23** On a motion by Member Bozos, seconded by Vice Chair Buttorff, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal does not conflict with Comprehensive Plan policies; and

**WHEREAS** the Board further finds that, when appropriately managed, the proposed use is compatible with surrounding development and land uses; and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposal will not create substantial additional requirements for the site; and

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

**4.2.63** Short Term Rental Term Rental of a dwelling unit that is not the primary residence of the host or the Short Term Rental of a condominium unit that is the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental. ***The applicant has been informed of this requirement.***
- B. The dwelling unit shall be limited to a single short term rental contract at a time. ***The applicant has been informed of this requirement.***
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus two individuals, except where the licensed property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. ***The subject property is smaller than two acres. The applicant states that the***

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***residence has 3 bedrooms that will allow a maximum number of 8 guests.***

- D. The property on which the short term rental(s) is situated shall not be located closer than 600 feet (measured in a straight line from nearest property line to the nearest property line) to any property on which another approved short term rental that required a conditional use permit is situated. The provision shall not apply to a property in the TNZD district which required a conditional use permit even though it is the primary residence of the host. ***As of the date of this report, within 600' of the subject property, there are no properties with an approved conditional use permit allowing short term rentals that is not the primary residence of the host.***
- E. The building in which the dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit, the condominium unit must be the primary residence of the host. All conditional use permit applications for the short term rental of a condominium unit shall include evidence showing the applicable condominium association has taken action to approve the short term rental of the subject condominium. The evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board where in all condominium would be discussed and a majority of the board members voted in favor of permitting/allowing the short term rental of the subject condominium. In addition to notification required by Chapter 11 Part 5A, an applicant for a short term rental within a condominium shall provide notice of the Conditional Use Permit public hearing to all condominium owners within the association. Proof of notification shall be by way of affidavit. This provision shall not be waived or adjusted. ***The applicant has been informed of this requirement.***
- F. Food and alcoholic beverages shall not be served by the host to any guest. ***The applicant has been informed of this requirement.***
- G. Outdoor signage which identifies the short term rental is prohibited in residential zoning districts. ***The applicant has been informed of this requirement.***
- H. There shall be a sufficient amount of parking available for guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. ***The applicant***

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***states that the driveway can accommodate up to 5 vehicles. Also, the applicant has stated that the detached garage cannot be used by short term rental guests.***

- I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances. ***The applicant has been informed of this requirement.***
  
- J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the Planning Director may revoke the approval. When the Planning Director revokes an approval under this section, the owner and host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the revocation shall become final on the thirty-first (31) day after the initial action by the Director. 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. ***The applicant has been informed of this requirement.***
  
- K. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void. ***The applicant has been informed of this requirement***
  
- L. An active registration for the short term rental, as required by the Louisville Metro Code of Ordinances, shall be maintained. No short term rentals may take place unless the registration is active and in the name of the current host and property owner. If the registration is not renewed and lapses for six months, or in the event of a change of ownership and/or host, a new registration is not issued within six months from the date of the change, the conditional use permit shall become null and void. In order to recommence short term rentals, a new conditional use permit must be granted if required by this Land Development Code. ***The applicant has been informed of this requirement.***

now, therefore be it

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

**CASE NUMBER 22-CUP-0188**

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 22-CUP-0188 does hereby **APPROVE** the requested Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host in an R-5 zoning district and Neighborhood Form District; **SUBJECT** to the following Condition of Approval:

**Condition of Approval**

The conditional use permit for this short term rental approval shall allow up to 3 bedrooms (with a maximum of 8 guests at any one time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.

**The vote was as follows:**

**YES: Members Bond, Ford, Vice Chair Buttorff, Vozos, Leanhart, and Chair Howard.**

**ABSENT: Member Horton.**

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**PUBLIC HEARING**

**CASE NUMBER 22-CUP-0206**

Project Name: Algonquin Short Term Rental  
Location: 1800 Algonquin Parkway  
Owner(s): Ray Corne  
Applicant: Rosa Macklin  
Jurisdiction: Louisville Metro  
Council District: 3 – Cassie Chambers Armstrong  
**Case Manager: Molly Clark, Planner II**

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

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

**Agency testimony:**

03:40:31 Molly Clark presented the case, showed a Power Point presentation, and responded to questions from the Board Members (see staff report and recording for detailed presentation). She noted some corrections to the staff report: first, there are **four** bedrooms total, that will allow a maximum of **ten** guests; and there are three spaces of off-street parking, which is the maximum allowed in a traditional neighborhood form district.

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

Rosa Macklin, 4101 Ronald Court, Louisville, KY 40216

**Summary of testimony of those in favor:**

03:45:58 Rosa Macklin, the applicant, presented the case and responded to questions from the Board Members (see recording for detailed presentation.)

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

Carl and Johnnie Jennings, 1801 Algonquin Parkway, Louisville, KY 40210

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**CASE NUMBER 22-CUP-0206**

**Summary of testimony of those in opposition:**

03:55:13 Carl Jennings said the property was not well-kept when it was being rented to long-term renters. He said it looks much better now, but he felt uncomfortable with Ms. Macklin's track record. He said it was "the worst house on the block for years."

04:00:00 In response to questions from Mr. Jennings, Chair Howard directed staff to explain the difference between a bed & breakfast, a short-term rental, and a boarding house (see recording for detailed discussion.)

**Rebuttal:**

04:06:50 Ms. Macklin said she had nothing further to add to staff's explanations.

**04:07:29 Board Members' deliberation**

**04:08:11** On a motion by Member Ford, seconded by Vice Chair Buttorff, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal does not conflict with Comprehensive Plan policies; and

**WHEREAS**, the Board further finds that, when appropriately managed, the proposed use is compatible with surrounding development and land uses; and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposal will not create substantial additional requirements for the site; and

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

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

**4.2.63** Short Term Rental Term Rental of a dwelling unit that is not the primary residence of the host or the Short Term Rental of a condominium unit that is



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the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental. ***The applicant has been informed of this requirement.***
- B. The dwelling unit shall be limited to a single short term rental contract at a time. ***The applicant has been informed of this requirement.***
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus two individuals, except where the licensed property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. ***The applicant states that the residence has 2 bedrooms that will allow a maximum number of 6 guests.***
- D. The property on which the short term rental(s) is situated shall not be located closer than 600 feet (measured in a straight line from nearest property line to the nearest property line) to any property on which another approved short term rental that required a conditional use permit is situated. The provision shall not apply to a property in the TNZD district which required a conditional use permit even though it is the primary residence of the host. ***As of the date of this report, within 600' of the subject property, there are no properties with an approved conditional use permit allowing short term rentals that is not the primary residence of the host.***
- E. The building in which the dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit, the condominium unit must be the primary residence of the host. All conditional use permit applications for the short term rental of a condominium unit shall include evidence showing the applicable condominium association has taken action to approve the short term rental of the subject condominium. The evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board where in all condominium would be discussed and a majority of the board members voted in favor of permitting/allowing the short term rental of the subject condominium. In addition

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to notification required by Chapter 11 Part 5A, an applicant for a short term rental within a condominium shall provide notice of the Conditional Use Permit public hearing to all condominium owners within the association. Proof of notification shall be by way of affidavit. This provision shall not be waived or adjusted. ***The applicant has been informed of this requirement.***

- F. Food and alcoholic beverages shall not be served by the host to any guest. ***The applicant has been informed of this requirement.***
  
- G. Outdoor signage which identifies the short term rental is prohibited in residential zoning districts. ***The applicant has been informed of this requirement.***
  
- H. There shall be a sufficient amount of parking available for guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. ***The applicant states the property has 1 off street parking space and the LDC credits the site with 1 on-street parking space.***
  
- I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances. ***The applicant has been informed of this requirement.***
  
- J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the Planning Director may revoke the approval. When the Planning Director revokes an approval under this section, the owner and host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the revocation shall become final on the thirty-first (31) day after the initial action by the Director. 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. ***The applicant has been informed of this requirement.***
  
- K. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void. ***The applicant has been informed of this requirement***

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- L. An active registration for the short term rental, as required by the Louisville Metro Code of Ordinances, shall be maintained. No short term rentals may take place unless the registration is active and in the name of the current host and property owner. If the registration is not renewed and lapses for six months, or in the event of a change of ownership and/or host, a new registration is not issued within six months from the date of the change, the conditional use permit shall become null and void. In order to recommence short term rentals, a new conditional use permit must be granted if required by this Land Development Code. ***The applicant has been informed of this requirement.***

now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow short term rental of dwelling unit that is not the primary residence of the host in the R-6 Multi-Family Residential Zoning District and Traditional Neighborhood Form District; **SUBJECT** to the following Condition of Approval:

**Condition of Approval**

The conditional use permit approval for this short term rental shall be allowed up to 4 bedrooms (with a maximum of 10 guests at any time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.

**The vote was as follows:**


**YES: Members Ford, Bond, Buttorff, Vozos, and Howard.**

**NO: Member Leanhart.**

**ABSENT: Member Horton.**

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The meeting adjourned at approximately 5:30 p.m.

  
\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary