



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.

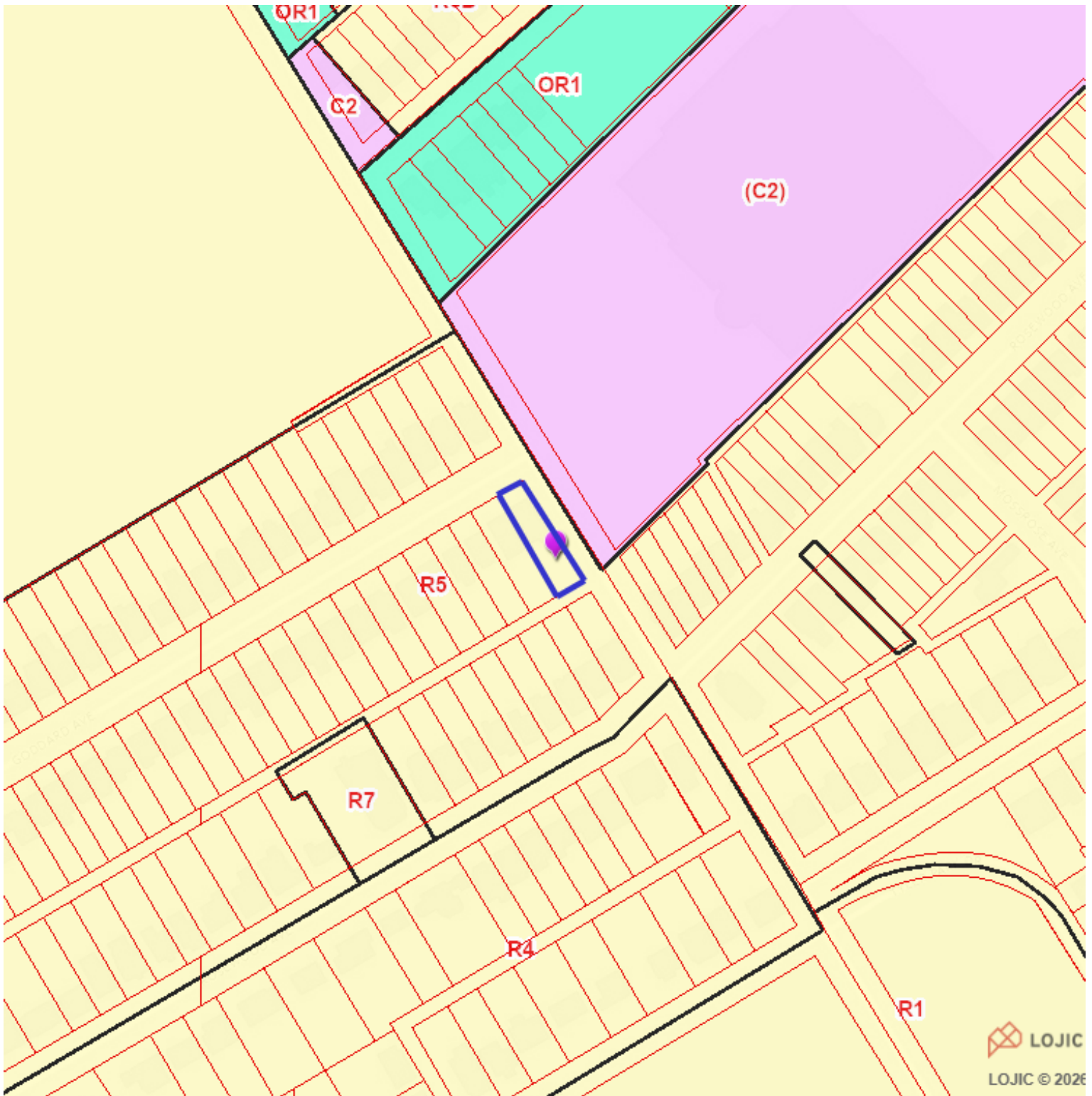
NOTIFICATION

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

