



Louisville Metro Government

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

Agenda

Board of Zoning Adjustment

Monday, October 3, 2016

8:30 AM

Old Jail Courtroom

Call To Order

*NOTE: The Board will break for lunch from approximately 12:00 p.m. to 1:00 p.m.
Appeal cases will begin after lunch.*

Approval Of Minutes

1. [BOZA Minutes 09.12.16](#)

Business Session

2. [BOZA Bylaws Update](#)

Project Name: BOZA Bylaws Update
Case Manager: Jon Crumbie, Planning & Design Coordinator

3. [16PRESENT1000](#)

Request: Presentation on Short Term Rentals
Project Name: Short Term Rentals LDC Text Amendment
Location: Multiple
Owner: Multiple
Applicant: Louisville Metro
Representative: Louisville Metro
Jurisdiction: Louisville Metro
Council District: Multiple
Case Manager: Joe Haberman, Planning and Design Manager

Public Hearing

4. [B-17987-12](#)

Request: Seismographic Analysis Summary Report as per the BOZA minutes of B-17987-12, condition #1.

Project Name: Seismographic Analysis

Location: 7331 Global Drive

Owner: Yamamoto FB Engineering

Applicant: Yamamoto FB Engineering

Representative: Darryl Keels

Jurisdiction: Louisville Metro

Council District: 12-Rick Blackwell

Case Manager: Steve Hendrix, Planning and Design Supervisor

5. [16VARIANCE1035](#)

Request: Proposed Vehicle Use Area to encroach into streamside buffer - Continued from September 12th hearing

Project Name: Algood Manufacturing

Location: 10611 Freeport Drive

Owner: Cecil C Barnette Family LLC

Applicant: Cecil C Barnette Family LLC

Representative: Ashley Bartley, Qk4

Jurisdiction: Louisville Metro

Council District: 12 - Rick Blackwell

Case Manager: Laura Mattingly, Planner I

6. [16VARIANCE1053](#)

Request: Variance for Parking in Front Setback

Project Name: Residence Inn by Marriott

Location: 401 Bullitt Lane

Owner: Tim Boden, The Estate of Alice A. Boden

Applicant: Chester Musselman, Musselman Hotels, LLC

Representative: John Addington, BTM Engineering, Inc

Jurisdiction: Louisville Metro

Council District: 18 - Marilyn Parker

Case Manager: Laura Mattingly, Planner I

7. [16VARIANCE1062](#)

Request: Variance from the Land Development Code sections 5.5.1.A.2 to allow a new proposed rear addition to be greater than five feet from the right of way line, AND nine waivers from the Land Development Code sections 5.6.1.A.1, 5.6.1.C.1, 5.8.1.B, 10.2.2, 10.2.4, 10.2.10, 10.2.11, 10.2.12, and 10.2.13.

Project Name: 3917 Bardstown Road Variance
Location: 3917 Bardstown Road
Owner: Tony Zagata - Zagata Properties
Applicant: John White - WPC Company Inc.
Representative: John White - WPC Company Inc..
Jurisdiction: Louisville Metro
Council District: 10 - Pat Mulvihill
Case Manager: Ross Allen, Planner I

8. [16VARIANCE1065](#)

Request: Variance from the Land Development Code section 5.4.1.E.5 to allow an accessory structure (garage) to encroach into the side yard setback along the western property line.

Project Name: 815 East Washington Street
Location: 815 East Washington Street
Owner: Jan DeBevoise
Applicant: Jan DeBevoise
Representative: Jan DeBevoise
Jurisdiction: Louisville Metro
Council District: 4 - David Tandy
Case Manager: Ross Allen, Planner I

9. [16VARIANCE1068](#)

Request: Variance from the Land Development Code section 5.3.1.C, table 5.3.1 for an R-5 zoned property to encroach into the Minimum Street Side Yard setback.

Project Name: 1704 Speed Avenue
Location: 1704 Speed Avenue
Owner: Don Petty - Danagirl Investments LLC.
Applicant: Jeremy Pearman - JB Pearman Construction Co.
Representative: Jeremy Pearman - JB Pearman Construction Co.
Jurisdiction: Louisville Metro
Council District: 8 - Tom Owen
Case Manager: Ross Allen, Planner I

10. [16CUP1027](#)

Request: Conditional Use Permit to allow proposed off-street parking in an OR-3 zoning district

Project Name: None

Location: 5050 Norton Healthcare Boulevard

Owner: McMahan Holdings, LLC

Applicant: McMahan Holdings, LLC

Representative: Glenn Price

Jurisdiction: Louisville Metro

Council District: 16 - Kelly Downard

Case Manager: Jon E. Crumbie, Planning and Design Coordinator

11. [16CUP1028](#)

Request: Conditional Use Permit to allow proposed a proposed medical facility in a C-1 zoning district

Project Name: Norton Healthcare Cancer Center

Location: 4955 Norton Healthcare Boulevard

Owner: McMahan Holdings, LLC

Applicant: McMahan Holdings, LLC

Representative: Glenn Price

Jurisdiction: Louisville Metro

Council District: 16 - Kelly Downard

Case Manager: Jon E. Crumbie, Planning and Design Coordinator

12. [16APPEAL1008](#)

Request: Appeal of a refusal issued by staff, concerning the establishment of a nonconforming use with a change to another nonconforming use

Project Name: Nonconformance

Location: 2747 South Seventh Street Road

Owner: Gary S. Ruark & Mary Birkhead Ruark

Applicant: Gary S. Ruark & Mary Birkhead Ruark

Representative: William B. Bardenwerper

Jurisdiction: Louisville Metro

Council District: 6-David James

Case Manager: Steve Hendrix, Planning and Design Supervisor

13. [16APPEAL1009](#)

Request: Appeal of a Notice of Violation issued by the Department of Codes and Regulations concerning the consumption of alcohol (indoor & outdoor) at a retail package store location within a C-1 zoning district

Project Name: Nonconformance
Location: 14009 Dixie Highway
Owner: Kenneth L. Hagan
Applicant: Steelhorse Package Liquor & Saloon
Representative: Kenneth L. Hagan
Jurisdiction: Louisville Metro
Council District: 14-Cindi Fowler
Case Manager: Steve Hendrix, Planning and Design Supervisor

14. [16APPEAL1004](#)

Request: Appeal of a Refusal issued by Planning & Design Services concerning the indoor consumption of alcohol at a retail package store within a C-1 zoning district

Project Name: Nonconformance
Location: 6908 Southside Drive
Owner: Bivin Property, LLC
Applicant: J. Buckley Enterprise, Inc. d/b/a Kenwood Liquors, c/o Shane Keith
Representative: Nick Pregliasco
Jurisdiction: Louisville Metro
Council District: 21 - Dan Johnson
Case Manager: Steve Hendrix, Planning and Design Supervisor

15. [16APPEAL1007](#)

Request: Appeal of a decision by Planning & Design Services concerning nonconforming rights

Project Name: Nonconformance
Location: 613 Country Club Road
Owner: Erwin G. & Teresa S. Davis
Applicant: Davis Electronics Co, Inc.
Representative: Cliff Ashburner
Jurisdiction: Louisville Metro
Council District: 9 - Bill Hollander
Case Manager: Steve Hendrix, Planning and Design Supervisor

Adjournment