



Louisville Metro Government

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

Action Summary Board of Zoning Adjustment

Monday, August 15, 2022

1:00 PM

Old Jail Auditorium

Approval Of Minutes

1. [BOZA Minutes 07.25.22](#)

Approval of the Minutes from the July 25, 2022 Board of Zoning Adjustment meeting

A motion was made by Member Buttorff, seconded by Member Ford that the July 25, 2022 BOZA minutes be approved. The vote was as follows:

YES: Members Buttorff, Ford and Leanhart

ABSTAIN: Member Howard

ABSENT: Members Bond and Vozos

2. [August 1, 2022 BOZA Minutes](#)

A motion was made by Member Bufforff, seconded by Member Ford that the August 1, 2022 BOZA minutes be approved. The vote was as follows:

YES: Members Bufforff, Ford, Leanhart and Howard

ABSENT: Members Bond and Vozos

Business Session

3. [22-VARIANCE-0089](#)

Request:	Variance to reduce private yard area
Project Name:	Logsdon Residence
Location:	3015 Taylor Blvd
Owner:	William Logsdon
Applicant:	Joel T. Gano
Jurisdiction:	Louisville Metro
Council District:	3 - Keisha Dorsey
Case Manager:	Joel Dock, AICP, Planning Coordinator

A motion was made by Member Ford, seconded by Member Leanhart that the Variance from Land Development Code, Section 5.4.1.D to reduce required private yard area be approved. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard

ABSENT: Members Bond and Vozos

4. [22-VARIANCE-0094](#)

Request: Variance to exceed maximum setback
Project Name: Parkside at Mt. Washington
Location: 8410 - 8422 Gateway Run Road
Owner: Ball Homes, LLC
Applicant: Ball Homes, LLC
Jurisdiction: Louisville Metro
Council District: 23 - James Peden
Case Manager: Joel Dock, AICP, Planning Coordinator

A motion was made by Member Leanhart, seconded by Member Buttorff that the Variance from Land Development Code, Section 7.11.10.C to exceed the maximum front setback of 25' be approved. The vote was as follows:

**YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos**

5. [21-VARIANCE-0134](#)

Request: Variance to allow a deck to encroach into the side yard and front yard setbacks
Project Name: Hoertz Avenue Variance
Location: 1314 Hoertz Avenue
Owner/Applicant: Katrina Miller
Representative: Cliff Ashburner, Dinsmore & Shohl, LLP
Jurisdiction: Louisville Metro
Council District: 15 - Kevin Triplett
Case Manager: Heather Pollock, Planner I

A motion was made by Member Ford, seconded by Member Buttorff that this case be continued to the September 12, 2022 BOZA meeting. The vote was as follows:

**YES: Members Buttorff, Ford and Leanhart
ABSTAIN: Member Howard
ABSENT: Members Bond and Vozos**

6. [22-VARIANCE-0082](#)

Request: Variance to allow a side landing and stairs to encroach into the side yard setback

Project Name: S. Hancock Street Variance

Location: 1039 S. Hancock Street

Owner/Applicant: River City Housing INC

Representative: Kimberly Goode, River City Housing INC

Jurisdiction: Louisville Metro

Council District: 6 - David James

Case Manager: Heather Pollock, Planner I

A motion was made by Member Buttorff, seconded by Member Ford that the Variance from the Land Development Code Section 5.1.10.F to allow a landing and stairs to encroach into the side yard setback be approved. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

7. [22-CUP-0083](#)

Request: Conditional Use Permit to allow a short-term rental of a dwelling unit that is not the primary residence of the host

Project Name: Henry Firpo Short Term Rental

Location: 721 & 723 Henry Firpo Street

Owner: ParsII On Firpo, LLC

Applicant: Conner Parsons

Jurisdiction: Louisville Metro

Council District: 4- Jecorey Arthur

Case Manager: Heather Pollock, Planner I

A motion was made by Member Buttorff, seconded by Member Ford that the Conditional Use Permit to allow short term rental of dwelling unit that is not the primary residence of the host in UN Residential zoning district and Traditional Neighborhood Form District be denied. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

Public Hearing

8. [22-VARIANCE-0085](#)

Request: Variance to allow for an addition to encroach into the street side yard setback. And a Variance to allow a private yard area to be less than the required 20% of the area of the lot.

Project Name: 216 N. 22nd Street Variance

Location: 216 N. 22nd Street

Owner/Applicant: Elite Home Investments, LLC

Representative: Garron Board

Jurisdiction: Louisville Metro

Council District: 5 - Donna Purvis

Case Manager: Heather Pollock, Planner I

A motion was made by Member Buttorff, seconded by Member Leanhart that the Variance from the Land Development Code Table 5.2.2 to allow an addition to the primary structure to encroach into the street side yard setback and a Variance from Land Development Code section 5.4.1.D.2 to allow a private yard area to be less than the required 20% of the area of the lot be approved ON CONDITION that a survey of the south property line shall be completed prior to the commencement of construction activity and shall be staked in the field. No projections from the façade or building foundation shall cross the property line; any such projections shall be accommodated by stepping back the proposed structure from the property line. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

9. [22-VARIANCE-0087](#)

Request: Variance to allow for an addition to encroach into the side yard setback.

Project Name: 220 N. 22nd Street Variance

Location: 220 N. 22nd Street

Owner/Applicant: Elite Home Investments, LLC

Representative: Garron Board

Jurisdiction: Louisville Metro

Council District: 5 - Donna Purvis

Case Manager: Heather Pollock, Planner I

A motion was made by Member Leanhart that the Variance from the Land Development Code Table 5.2.2 to allow an addition to the primary structure to encroach into the side yard setback be approved ON CONDITION that a survey of the north property line shall be completed prior to the commencement of construction activity and shall be staked in the field. No projections from the façade or building foundation shall cross the property line; any such projections shall be accommodated by stepping back the proposed structure from the property line. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

10. [22-VARIANCE-0071](#)

Request: Variance to exceed the maximum building height and allow an encroachment into the front yard setback

Project Name: Jacob Street Multi-Family

Location: 232 E. Jacob Street

Owner: LDG Land Holdings LLC

Applicant: LDG Land Holdings LLC

Representative: LDG Land Holdings LLC

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

Case Manager: Julia Williams, AICP, Planning Supervisor

A motion was made by Member Leanhart, seconded by Member Buttorff that Variance 1 from Chapter 5.2.2 to exceed the maximum 45' building height and permit 55' for a 10' variance (22-VARIANCE-0071) and Variance 2 from Chapter 5.2.2 to permit the proposed building to be setback approximately 0.96' from the front property line instead of the required 15' for a 14.04' variance (22-VARIANCE-0072)be approved. The vote was as follows:

YES: Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

A motion was made by Member Leanhart, seconded by Member Buttorff that the Category 3 Development Plan be approved. The vote was as follows:

YES: Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

11. [22-VARIANCE-0096](#)

Request: A Variance for the front yard setback

Project Name: Proposed 5 story Hotel

Location: 10300 Brookridge Village Blvd

Owner: Brookridge Village Condominium Association

Applicant: Junior Patel

Representative: Mindel Scott and Associates

Jurisdiction: Louisville Metro

Council District: 22 - Robin Engel

Case Manager: Molly Clark, Planner I

A motion was made by Member Leanhart, seconded by Member Ford that the Variance from Land Development Code section 5.2.4.C.3.a to allow a proposed hotel to exceed the 15 ft maximum front yard setback as shown on the development plan be approved ON CONDITION that the detailed district development plan with proposed binding elements and waivers, are approved under case number 22-DDP-0058, which is docketed for August 17th, 2022 Development Review Committee meeting. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

12. [22-VARIANCE-0081](#)

Request: Variance to allow an accessory structure to encroach into the rear yard setback.

Project Name: Michael Edward Drive Variance

Location: 9300 Michael Edward Drive

Owner/Applicant: Kevin Reid

Jurisdiction: Louisville Metro

Council District: 22 - Robin Engel

Case Manager: Heather Pollock, Planner I

A motion was made by Member Buttorff, seconded by Member Ford that this case be continued to the August 29, 2022 BOZA meeting. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

13. [22-CUP-0140](#)

Request: Conditional Use Permit to allow a short-term rental of a dwelling unit that is not the primary residence of the host

Project Name: S. 3rd Street Short Term Rental

Location: 4332 S. 3rd Street

Owner: Tran LE, LLC

Applicant: Victoria Quibell, Vicky Q Agency

Jurisdiction: Louisville Metro

Council District: 21- Nicole George

Case Manager: Heather Pollock, Planner I

A motion was made by Member Buttorff, seconded by Member Ford that the 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 Zoning District and Traditional Neighborhood Form District be approved ON CONDITION that the conditional use permit approval for this short term rental shall be allowed up to 3 bedrooms (with a maximum of 8 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 Buttorff, Ford, Leanhart and Howard
ABSENT: Members Bond and Vozos

14. [22-CUP-0142](#)

Request: Conditional Use Permit to allow a short-term rental of a dwelling unit that is not the primary residence of the host

Project Name: Briar Hill Road Short Term Rental

Location: 613 Briar Hill Road

Owner: Forwith Family Living Trust

Applicant: Sus Forwith

Jurisdiction: Louisville Metro

Council District: 9- Bill Hollander

Case Manager: Heather Pollock, Planner I

A motion was made by Member Leanhart, seconded by Member Howard that the Conditional Use Permit be approved. The vote was as follows:

YES: Members Leanhart and Howard

NO: Members Ford and Buttorff

The motion failed because of the tie vote.

A motion was made by Member Leanhart, seconded by Member Buttorff that this case be continued to the business session on August 29, 2022 BOZA meeting to allow other board members to view the video. The vote was as follows:

YES: Members Ford, Buttorff, Leanhart, and Howard

ABSENT: Members Bond and Vozos

15. [22-CUP-0150](#)

Request: Conditional Use Permit to allow a short-term rental of a dwelling unit that is not the primary residence of the host

Project Name: Shelby Street Short Term Rental

Location: 914 South Shelby Street

Owner: 914 South Shelby Street, LLC

Applicant: Douglas Sharp

Jurisdiction: Louisville Metro

Council District: 4- Jecorey Arthur

Case Manager: Chris French, Planning & Design Supervisor

A motion was made by Member , seconded by Member that the Conditional Use Permit to allow short term rental of dwelling unit that is not the primary residence of the host in a UN zoning district and Traditional Neighborhood form district be denied. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard

ABSENT: Members Bond and Vozos

16. [22-VARIANCE-0086](#)

Request: Variance to allow for an addition to encroach into the side yard setback.

Project Name: 218 N. 22nd Street Variance

Location: 218 N. 22nd Street

Owner/Applicant: Elite Home Investments, LLC

Representative: Garron Board

Jurisdiction: Louisville Metro

Council District: 5 - Donna Purvis

Case Manager: Heather Pollock, Planner I

A motion was made by Member Buttorff, seconded by Commissioner Ford that the Variance from the Land Development Code Table 5.2.2 to allow an addition to the primary structure to encroach into the side yard setback be approved ON CONDITION that a survey of the north property line shall be completed prior to the commencement of construction activity and shall be staked in the field. No projections from the façade or building foundation shall cross the property line; any such projections shall be accommodated by stepping back the proposed structure from the property line. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard

17. [22-VARIANCE-0064](#)

Request: Variance to allow a fence along the rear property line to exceed the maximum height in the rear yard and side yard setbacks

Project Name: Mike’s Carwash Fence Variance

Location: 2962 Breckenridge Lane

Owner/Applicant: Mike’s No 58, LLC

Representative: Eddie Krieger, Mike’s Carwash

Jurisdiction: Louisville Metro

Council District: 26 - Brent Ackerson

Case Manager: Heather Pollock, Planner I

A motion was made by Member Howard, seconded by Member Buttorff to continue this case to the September 26, 2022 BOZA on condition the applicant submits the materials to staff by September 12, 2022. The vote was as follows:

YES: Members Buttorff, Ford, Leanhart and Howard

ABSENT: Members Bond and Vozos

Standing Committee Reports

CHAIRMAN OR COMMISSION DIRECTOR’S REPORT

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

DEVELOPMENT REVIEW COMMITTEE

PLANNING COMMITTEE

POLICY AND PROCEDURES COMMITTEE

SITE INSPECTION COMMITTEE

Adjournment