

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**November 7, 2016**

**PUBLIC HEARING**

**CASE NUMBER 16APPEAL1010**

Project Name:	Commercial Leasing/Storage
Location:	4105 Bishop Lane
Appellant:	Jeff Issis
Representative:	Jason T. Hardin, Esq.
Size:	1.17 acres
Existing Zoning District:	M-3
Existing Form District:	Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Steve Hendrix, Planning Supervisor

A legal ad was published in the Courier-Journal on October 28, 2016.

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the BOZA meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

**An audio/visual recording of the Board of Zoning Adjustment meeting 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:**

**03:55:50** Jon Crumbie presented the case (see Staff Report and recording for detailed presentation).

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

Jason Hardin, 1303 Clear Springs Trace, Suite 100, Louisville, KY 40223  
Jeff Issis, 4105 Bishop Lane, Louisville, KY 40218

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

**04:04:55** Jason Hardin spoke on behalf of the appellant and stated that the client purchased the property in 2009. It is used as a commercial warehouse and storage facility. The tractor trailers predate the appellant's purchase of the property, but the appellant does use them for storage. The property is zoned M3 (see recording for detailed presentation).

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**04:25:52** Appellant, Jeff Issis, stated that some of the metal that is stored on this property comes from other business he owns and some of the items have been on the property since before he purchased it in 2009. He is storing these materials in order to use them again, if possible.

**04:36:51** Deliberation

**Staff Conclusions – Item 1**

**04:40:31** On a motion by Vice Chair Jarboe, seconded by Board Member Tharp, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment, in Case Number 16APPEAL1010, does hereby **DENY** the appeal of a Notice of Violation concerning the use of an alleged junk yard in an M-3 zoning district without a Conditional Use Permit based on the Staff Report, the photographs provided by Staff, and the definition of a junkyard on page 6 of the Staff Report.

**The vote was as follows:**

**Yes: Jarboe, Fishman, Howard, Tharp, and Turner**

**Absent: Bergmann**

**Abstain: None**

**No: Allendorf**

**Staff Conclusions – Item 2**

**04:43:09** On a motion by Vice Chair Jarboe, seconded by Board Member Tharp, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment, in Case Number 16APPEAL1010, does hereby agree to grant the appellant three months to remove the items stated in the Staff Report and for Staff to provide a status report to the Board during Business Session on February 6, 2017.

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**The vote was as follows:**

**Yes: Jarboe, Fishman, Howard, Tharp, and Turner**

**Absent: Bergmann**

**Abstain: None**

**No: Allendorf**

**Staff Conclusions – Item 3**

**04:45:26** On a motion by Vice Chair Jarboe, seconded by Board Member Tharp, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby acknowledge that the Notice of Violation issued by Planning and Design Services was **PROPER**.

**The vote was as follows:**

**Yes: Jarboe, Fishman, Howard, Tharp, Turner, and Allendorf**

**Absent: Bergmann**

**Abstain: None**

**No: None**