



Louisville Metro Government

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

Agenda - Final Board of Zoning Adjustment

Monday, July 20, 2026

1:00 PM

OldJail Auditorium

The Board of Zoning Adjustment meeting will be conducted in-person at the Old Jail Building Auditorium, 514 West Liberty Street, Louisville, KY 40202.

Anyone wishing to join the meeting virtually using a computer, laptop, or mobile device, as well as anyone wishing to sign up to speak in support, in opposition, or as other for any case, should visit the following link:

<https://louisvilleky.gov/government/upcoming-public-meetings>

You can access case materials (staff reports, proposed plans, etc.) by clicking on the link below and selecting this meeting in the Calendar tab:

<https://louisville.legistar.com/Calendar.aspx>

If you have any questions, please contact the case manager, or call the Office of Planning at 502-574-6230.

Call To Order

Approval Of Minutes

1. [06.29.2026 BOZA Minutes](#)

Attachments: [06.29.2026 BOZA Minutes.pdf](#)

Public Hearing

2. [26-VARIANCE-0085](#)

Request: Variance from Land Development Code Section 5.5.1.A.2 to allow a proposed building to exceed the maximum Front Yard and Street Side Yard setback of 5 feet. (Proposed Front Yard Setback of 25 feet and Street Side Yard Setback of 72 feet, for a Variance of 20 feet and 67 feet, respectively)

Project Name: Camp Ground Road Storage

Location: 3304 Camp Ground Road

Applicant: Acosta Realty LLC

Representative: Ed Revers

Jurisdiction: Louisville Metro

Council District: 1 - Tammy Hawkins

Case Manager: Abby Bills, Planner I

Attachments: [26-VARIANCE-0085_BOZASTaffReport_072026.pdf](#)
[26-VARIANCE-0085_Plan.pdf](#)
[26-VARIANCE-0085_Justification.pdf](#)

3. [26-MCUP-0007](#)

Request: Modified Conditional Use Permit with an associated Variance

Project Name: Fern Creek Pet Resort

Location: 5221 & 5225 Bardstown Road

Applicant: Kentucky Humane Society Animal Rescue

Representative: Sabak, Wilson & Lingo Inc.

Jurisdiction: Louisville Metro

Council District: 26 - Brent Ackerson

Case Manager: Sydney Fawcett, AICP, Planner I

Attachments: [26-MCUP-0007_BOZASTaffReport.pdf](#)
[26-MCUP-0007_plan_052826.pdf](#)
[26-MCUP-0007_ApplicantPresentation.pdf](#)
[26-MCUP-0007_LetterOfExplanation.pdf](#)
[26-VARIANCE-0061_Justification.pdf](#)

4. [26-VARIANCE-0067](#)

Request: Variance of the Land Development Code Section 5.3.1 to permit the height of the proposed structures to exceed the maximum height of 35 feet.

Project Name: Wesley Manor Senior Independent Living

Location: 5400 E Manslick Road

Applicant: Wesley Manor Retirement Community

Representative: Qk4

Jurisdiction: Louisville Metro

Council District: 24 - Ginny Mulvey-Woolridge

Case Manager: Catherine Gomez, Planner I

Attachments: [26-VARIANCE-0067_BOZASTaffReport_072026.pdf](#)
[26-VARIANCE-0067_InterestedPartyComment.pdf](#)
[26-VARIANCE-0067_Justification.pdf](#)

5. [26-VARIANCE-0074](#)

Request: Variance of the Land Development Code Section 5.4.2.C.3.a to permit an accessory structure to encroach into the rear yard setback.

Project Name: Garage Addition Variance

Location: 8202 Delido Road

Applicant: William Stopinski

Representative: Killian Contracting

Jurisdiction: Louisville Metro

Council District: 23 - Jeff Hudson

Case Manager: Catherine Gomez, Planner I

Attachments: [26-VARIANCE-0074_BOZASTaffReport_072026.pdf](#)
[26-VARIANCE-0074_Plan.pdf](#)
[26-VARIANCE-0074_Justification.pdf](#)

6. [26-MCUP-0003](#)

Request: Modified Conditional Use Permit for a private institutional use in a residential (R-4) zoning district (LDC 4.2.65)

Project Name: Christian Academy of Louisville

Location: 700, 700R, 702 S. English Station Road

Owner: Christian Academy of Louisville, Inc.

Applicant: Christian Academy of Louisville, Inc.

Representative: Land Design & Development, Inc.

Jurisdiction: Louisville Metro

Council District: 11 - Kevin Kramer; 19 - Anthony Piagentini

Case Manager: Kaitlin Dever, AICP, Planner II

Attachments: [26-MCUP-0003_StaffReport.pdf](#)
[26-MCUP-0003_Plan_060826.pdf](#)
[26-MCUP-0003_Renderings_060826.pdf](#)
[26-MCUP-0003_LetterofExplanation_020926.pdf](#)

7. [26-CUP-0101](#)

Request: Conditional Use Permit for an Off-Street Parking Area in the OR-3 zoning district (Development Code Article 15.15)

Project Name: Trinity High School Tennis Center Parking

Location: 150 Sears Avenue

Owner: Trinity High School Foundation

Applicant: Trinity High School Foundation

Representative: Land Design & Development, Inc.

Jurisdiction: St. Matthews

Council District: 9 - Andrew Owen

Case Manager: Mark Pinto, Planner II

Attachments: [26-CUP-0101_StaffReport_072026.pdf](#)
[26-CUP-0101_Plan_061726 \(1\).pdf](#)
[26-CUP-0101_LetterofExplanation.pdf](#)

8. [26-CUP-0092](#)

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

Project Name: Ellison Avenue Short Term Rental

Location: 1301 Ellison Avenue

Applicant: Fatima Elmakkaouy

Representative: Joe Bouab

Jurisdiction: Louisville Metro

Council District: 6 - JP Lyninger

Case Manager: Zach Schwager, Planner I

Attachments: [26-CUP-0092_BOZASTaffReport_072026.pdf](#)
[26-CUP-0092_BedroomPhotos.pdf](#)
[26-CUP-0092_ApplicantJustification.pdf](#)
[26-CUP-0092_LetterofExplanation.pdf](#)
[26-CUP-0092_NeighborhoodMeetingInfo.pdf](#)

9. [26-CUP-0102](#)

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)

Project Name: Short Term Rental

Location: 817 French Ave

Applicant: Sherry & Casey Westenhofer

Representative: Sherry & Casey Westenhofer

Jurisdiction: Louisville Metro

Council District: 10 - Josie Raymond

Case Manager: Abby Bills, Planner I

Attachments: [26-CUP-0102_BOZASTaffReport_072026.pdf](#)
[26-CUP-0102_BedroomPhotos.pdf](#)
[26-CUP-0102_Justification.pdf](#)
[26-CUP-0102_NeighborhoodMeetingInfo.pdf](#)

10. [26-CUP-0105](#)

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)

Project Name: Short Term Rental

Location: 4519 S 6th St

Applicant: David Tang

Representative: Melanie Tang

Jurisdiction: Louisville Metro

Council District: 21 - Betsy Ruhe

Case Manager: Tyler Pobiedzinski, Planner I

Attachments: [26-CUP-0105_StaffReport_072026.pdf](#)
[26-CUP-0105_SitePlan.pdf](#)
[26-CUP-0105_Bedroom_Photos.pdf](#)
[26-CUP-0105_LetterofExplanation&Justification.pdf](#)
[Interested Party Comments.pdf](#)
[NeighborhoodMeetingInfo.pdf](#)

Adjournment

This meeting will begin at 1:00 PM Eastern/12:00 PM Central



Louisville Metro Government

Text File

File Number: 06.29.2026 BOZA Minutes

Agenda Date: 7/20/2026

Version: 1

Status: Minutes to be Approved

In Control: Board of Zoning Adjustment

File Type: Minutes

Agenda Number: 1.

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT
JUNE 29, 2026**

A regular meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, June 29, 2026, at the Old Jail Building, located at 514 West Liberty Street, Louisville, KY 40202.

Board Members Present:

Marilyn Lewis, Vice Chair
Jan Horton
Brandt Ford
Yani Vozos
Keon Scott

Board Members Absent:

Sharon Bond, Chair
Miguel Rodriguez

Staff Members Present:

Julia Williams, Assistant Planning Director
Travis Fiechter, Assistant County Attorney (left at 1:59 p.m.)
Laura Ferguson, Assistant County Attorney (arrived at 1:59 p.m.)
Joseph Haberman, Planning Manager
Rachel Casey, Planning Supervisor
Mark Pinto, Planner II
Kaitlin Dever, Planner II
Jude Mattingly, Planner II
Zack Schwager, Planner I
Abby Bills, Planner I
Tyler Pobiedzinski, Planner I
Haritha Gurivindapalli, Management Assistant

The following matters were considered:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

APPROVAL OF MINUTES

JUNE 15, 2026, BOARD OF ZONING ADJUSTMENT MEETING MINUTES

00:05:15 On a motion by Member Horton, seconded by Member Lewis, the following resolution was adopted:

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of June 15, 2026, Board of Zoning Adjustment meeting.

The vote was as follows:

YES: Members Vozos, Horton, Scott and Lewis

ABSTAIN: Member Ford

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

BUSINESS SESSION

CASE NO. 26-VARIANCE-0047

Request:	Variance from Indian Hills Land Development Code Section 4.4.C.2 to allow an encroachment into the required side yard setback
Project Name:	Variance Application
Location:	57 Indian Hills Trail
Owner:	Jeffrey Michael Emonz
Applicant:	Jeffrey Michael Emonz
Representative:	Bailey Remodeling & Construction
Jurisdiction:	Indian Hills
Council District:	District 16 – Scott Reed
Case Manager:	Tyler Pobiedzinski, Planner I

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

Deliberation:

00:06:20 Board deliberation

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

00:06:45 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**Variance from Indian Hills Development Code Section 4.4.C.2 to allow an encroachment into the required side yard setback
Side Yard Setback (Requirement 10', Request 4', Variance 6').**

WHEREAS, the Board of Zoning Adjustment finds the requested variance arises from special circumstances that do not generally apply to residential properties. The combination of the site's steep terrain, existing driveway location, and property line configuration limits reasonable locations for a replacement garage while utilizing the established access point, and

**BOARD OF ZONING ADJUSTMENT
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BUSINESS SESSION

CASE NO. 26-VARIANCE-0047

WHEREAS, the Board of Zoning Adjustment finds the requested variance strict application of the regulation would create unnecessary hardship by limiting the applicant's ability to replace the existing deteriorated garage with a functional accessory structure. The proposed garage utilizes the existing driveway and does not require expansion of the driveway area, leaving limited alternatives for relocation on the property, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations. The proposed garage has not been constructed, and the need for the variance results from existing site conditions and property configuration, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect public health, safety, or welfare, as the proposed garage is a customary residential accessory structure that will remain compatible with surrounding development and will not create a hazard, nuisance, or alter the character of the neighborhood; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Indian Hills Development Code Section 4.4.C.2 to allow an encroachment into the required side yard setback (**26-VARIANCE-0047**). Side Yard Setback (**Requirement 10', Request 4', Variance 6'**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-CUP-0079

Request:	Conditional Use Permit to allow an Accessory Dwelling Unit in a residential (R-4) zoning district
Project Name:	Accessory Dwelling Unit
Location:	11811 Mahogany Drive
Owner:	Lanita Grimes
Applicant:	Lanita Grimes
Representative:	Ballart Remodeling
Jurisdiction:	Louisville Metro
Council District:	14 – Crystal Bast
Case Manager:	Kaitlin Dever, AICP, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

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

Agency Testimony:

00:08:30 Kaitlin Dever provided an overview of the request and presented a PowerPoint Presentation. Dever responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Lanita Grimes, 11811 Mahogany Drive, Louisville, KY 40272

Summary of testimony of those in support of the request:

00:14:10 Lanita Grimes explained that the new addition will provide living space for her adult son and the construction is anticipated to be completed within two to three months. Grimes responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-CUP-0079

00:16:50 Board deliberation

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

Conditional Use Permit to allow an Accessory Dwelling Unit in a residential (R-4) zoning district with relief from Items B and E.2 (LDC 4.2.3).

00:17:30 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested proposal does not conflict with the applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is generally compatible with surrounding land uses and the general character of the area including factors such as bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance since no changes to the exterior of the property are being proposed which reduce compatibility with the existing neighborhood pattern. The height of the proposed second-story addition above the garage is not consistent with the pattern of development in the immediate area, but still appears to meet the zoning and form district requirements in the Land Development Code relating to building height, and

WHEREAS, the Board of Zoning Adjustment finds the subject property is served by existing public utilities and facilities, and

WHEREAS, the Board of Zoning Adjustment finds the applicant is requesting a conditional use permit (CUP) to allow the construction of a second floor, 832 square foot accessory dwelling unit (ADU) above the existing detached garage that does not otherwise meet the special standards of LDC 4.3.27. Five (5) off-street parking spaces are available behind the principal structure and within the accessory garage to serve both units in accordance with LDC Table 9.1.3B. The property owner will reside in the principal structure unit. The accessory structure is not proposed or permitted to operate a short-term rental in the ADU.

The proposed 832 square foot ADU exceeds the 800 square foot maximum permitted gross floor area by 32 square feet and will require relief from Item B. The 1,152 square

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-CUP-0079

foot accessory garage is greater in size than the 1,050 square foot principal structure, which is an existing site condition. The proposed use and addition will maintain the residential character of the surrounding neighborhood and will conform to the residential site design standards of LDC Chapter 5. The proposed ADU is appropriately located behind the principal structure and meets the required setbacks for accessory structures. The unit is proposed to be accessed via exterior stairs facing the side yard leading to the second floor. Furthermore, the proposed addition remains within the existing accessory garage footprint and therefore does not increase its nonconformity, nor will it result in the loss of green space on site.

The applicant also seeks relief from Item E.2 of the conditional use permit to allow the ADU to exceed the height of the principal structure. The proposed height of the second-floor accessory structure addition will be 24' 2", which is greater than the 14' 3" height of the principal structure. Notably, accessory structure height is not regulated for suburban form districts in LDC Chapter 5. New residential construction is merely limited to 35' in height, meaning that homes generally up to 2 and 3 stories in height are appropriate in the Neighborhood Form District, but the special standards for ADUs anticipate for the additional unit to be subordinate in size to the principal structure. The surrounding neighborhood is largely contextualized with single-story homes with several 1.5 to 2-story homes to the south of the subject property. In the alternative, the site has very limited available space behind the principal structure for a single-story attached or detached ADU because it is constrained by existing conditions, including the significant size of the garage and the width of the driveway to both access the garage and provide vehicular maneuverability on a 9,286 square foot lot. This alternative would functionally eliminate any substantial remaining green space on site, thereby necessitating the request for relief. The applicant will be required to provide compliance with each of the lettered standards of the conditional use permit, except where relief may be necessary; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow an Accessory Dwelling Unit in a residential (R-4) zoning district with relief from Items B and E.2 (LDC 4.2.3) **SUBJECT** to the following Conditions of Approval:

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-CUP-0079

exercised, the site shall not be used for an accessory dwelling unit without further review and approval by the Board.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

Request:	Variance to allow a fence to exceed the maximum permitted height along the front yard and for an accessory structure to encroach into the front yard setback
Project Name:	Variance
Location:	4904 Hyde Park Dr
Applicant:	Maisy Avila
Representative:	Maisy Avila
Jurisdiction:	Louisville Metro
Council District:	District 12 – Jonathan Joseph
Case Manager:	Catherine Gomez, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

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

Agency Testimony:

00:18:40 Rachel Casey presented the case on behalf of Catherine Gomez. Casey provided an overview of the request and presented a PowerPoint Presentation. Casey responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Maisy Avila, 4904 Hyde Park Dr, Louisville, KY 40216

Summary of testimony of those in support of the request:

00:24:30 Maisy Avila spoke in support of the proposal, stating that the fence and accessory structure were already in place when they purchased the property six years ago. Avila explained that he wanted to bring the property into compliance. Avila responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

00:26:30 Board deliberation

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

Variances:

00:27:10 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

1. Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a 6' fence to exceed the maximum permitted height of 4' in the required front yard setback.
Front Yard Height (Requirement 4', Request 6', Variance 2').

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, or cause a hazard or nuisance to the public because the proposed fence must be constructed to comply with all building codes and the Land Development Code except for the requested relief. The distance between the nearest edge of the pavement and the proposed fence is sufficient to not impede vision clearance or adversely impact the safe movement of vehicles, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity and will not allow unreasonable circumvention of the requirements of the zoning regulations as there are other corner lots within the neighborhood with fences that exceed the maximum height in the required street side yard, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity as the subject property is similar in size and shape to other properties in the area, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant as adherence to the setback standards would not permit the applicant to maintain the already constructed fence, and

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

WHEREAS, the Board of Zoning Adjustment finds the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought, as the applicant has requested the Variance after installing the fence; now, therefore be it.

2. Variance from Land Development Code (LDC) Section 5.1.12.B.2.a to allow an accessory structure to encroach into the required front yard setback. Infill Setback (Requirement 38', Request 20', Variance 18').

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, or cause a hazard or nuisance to the public because the accessory structure must be constructed to comply with all building codes and the Land Development Code except for the requested relief, and

WHEREAS, the Board of Zoning Adjustment finds 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 as the applicant is simply requesting a small storage shed adjacent to the principal structure, which is not an uncommon request for residential land use, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does arise from circumstances which do not generally apply to land in the general vicinity as the subject property is an abnormal shape on a corner lot that is constrained in size. The principal structure is facing Hyde Park Drive, which is considered a street side yard, and the technical front yard faces Elmore Street. Because of this configuration, the only reasonable space to have the storage shed would be in the front infill setback established by the Land Development Code, and

WHEREAS, the Board of Zoning Adjustment finds that the strict application of the provisions of the regulation would create unnecessary hardship on the applicant as adherence to the setback standards would not permit the applicant to maintain the already constructed storage shed, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought, as the applicant has requested the Variance after installing the fence; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance **(1)** from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a 6' fence to exceed the maximum permitted height of 4' in the required front yard setback; Front Yard Height (**Requirement 4', Request 6', Variance 2'**), and Variance **(2)** from Land Development Code (LDC) Section 5.1.12.B.2.a to allow an accessory structure to encroach into the required front yard setback; Infill Setback (**Requirement 38', Request 20', Variance 18'**)

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0063

Request:	Variance to allow a structure to encroach into the required infill front yard setback
Project Name:	Victoria Drive Variance
Location:	7208 Victoria Drive
Applicant:	Lou Developments, LLC
Representative:	James Judd
Jurisdiction:	Louisville Metro
Council District:	24 – Ginny Mulvey-Woolridge
Case Manager:	Zach Schwager, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

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

Agency Testimony:

00:30:00 Zach Schwager provided an overview of the request and presented a PowerPoint Presentation. Schwager responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

James Judd, P.O. Box 20731, Louisville, KY 40250

Summary of testimony of those spoke in favor of the request:

00:37:10 James Judd spoke in support of the request, explaining that the minor subdivision would create two new single-family homes for sale to the public. Judd stated that the variance for a shorter driveway would improve the layout and aesthetics of the development while maintaining adequate parking space. The proposed homes will be similar but not identical and Construction is expected to take six to nine months. Judd responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0063

Deliberation:

00:40:55 Board deliberation

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

Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback.

Infill Front Yard (Requirement 53'-57', Request 5', Variance 48').

00:41:15 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect public health, safety, or welfare, because the proposed structure would not impact vision clearance or any other public health or safety issue, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as there are other similarly used structures in the area with a variety of lot sizes and setbacks, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is smaller in area and depth than the surrounding properties, therefore requiring further encroachment toward the front property line, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land because the property is not as deep as surrounding properties and the applicant would not be able to construct a residence with the same setback as the surrounding properties, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as work has not begun on the proposed alterations for which the variance is being requested; now, therefore be it.

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0063

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback (**26-VARIANCE-0063**). Infill Front Yard (**Requirement 53'-57', Request 5', Variance 48'**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0072

Request:	Variance to allow a structure to encroach into the required infill front yard setback
Project Name:	Victoria Drive Variance
Location:	7210 Victoria Drive
Applicant:	Lou Developments, LLC
Representative:	James Judd
Jurisdiction:	Louisville Metro
Council District:	24 – Ginny Mulvey-Woolridge
Case Manager:	Zach Schwager, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

00:33:40 Zach Schwager provided an overview of the request and presented a PowerPoint Presentation. Schwager responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

James Judd, P.O. Box 20731, Louisville, KY 40250

Summary of testimony of those spoke in favor of the request:

00:37:10 James Judd spoke in support of the request, explaining that the minor subdivision would create two new single-family homes for sale to the public. Judd stated that the variance for a shorter driveway would improve the layout and aesthetics of the development while maintaining adequate parking space. The proposed homes will be similar but not identical, and the Construction is expected to take six to nine months. Judd responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0072

Deliberation:

00:40:55 Committee deliberation

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

Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback. (26-VARIANCE-0072)
Infill Front Yard (Requirement 53-57', Request 5', Variance 48').

00:42:15 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect public health, safety, or welfare, because the proposed structure would not impact vision clearance or any other public health or safety issue, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as there are other similarly used structures in the area with a variety of lot sizes and setbacks, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is smaller in area and depth than the surrounding properties, therefore requiring further encroachment toward the front property line, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land because the property is not as deep as surrounding properties and the applicant would not be able to construct a residence with the same setback as the surrounding properties, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as work has not begun on the proposed alterations for which the variance is being requested; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0072

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback. **(26-VARIANCE-0072)** Infill Front Yard (**Requirement 53-57', Request 5', Variance 48'**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0064

Request:	Variance to allow a fence to exceed the maximum permitted height along the street side yard
Project Name:	1469 Bland Street Privacy Fence Variance
Location:	1469 Bland Street
Applicant:	Latosha Mathis
Representative:	Latosha Mathis
Jurisdiction:	Louisville Metro
Council District:	District 6 – JP Lyninger
Case Manager:	Sydney Fawcett, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

00:43:20 Rachel Casey presented the case on behalf of Sydney Fawcett. Casey provided an overview of the request and presented a PowerPoint Presentation. Casey responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Latosha Mathis, 16071 Winding Ridge Trail, Louisville, KY 40299

Summary of testimony of those in favor:

00:48:00 Latosha Mathis spoke in support of the request, explaining that it was submitted primarily for the safety of her child. Mathis noted that ongoing construction and increased traffic near the neighborhood have created additional safety concerns. Mathis stated that the fence was installed approximately five years ago while she owned the property, as an added precaution to protect her child and other children in the household. Mathis responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0064

Deliberation:

00:49:50 Committee deliberation

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

Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a fence to exceed the maximum permitted height along the street side yard.
Street Side Yard Setback (Requirement 3.5', Request 6', Variance 2.5').

00:50:05 On a motion by Member Horton, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect public health, safety, or welfare as the existing fence does not exceed the maximum permitted height in front of the existing home. The fence along the front yard is 3 ft. allowing for visibility at the intersection of E Burnett Avenue and Bland Street, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as properties along E Burnett Avenue have fences that exceed the maximum permitted height along their front yards. Additionally, residential properties along Bland Street have varying fence heights along their front and street side yards, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity or in the same zone since the property is similar in shape, size, and scale to properties in the general vicinity, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would create unnecessary hardship for the applicant as the layout of the site limits where the fence could have been installed. Requiring the entirety of the fence along E Burnett Avenue would significantly limit the effectiveness of the fence for privacy and screening purposes, and

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0064

WHEREAS, the Board of Zoning Adjustment finds the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has indicated that the fence was installed for safety purposes; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a fence to exceed the maximum permitted height along the street side yard. (**26-variance-0064**) Street Side Yard Setback (**Requirement 3.5', Request 6', Variance 2.5'**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

Request:	Variance from Land Development Code Section 5.4.1.E.1. to allow the accessory use area to exceed a depth of 60' (26-VARIANCE-0065) and a Waiver of Land Development Code Section 5.4.1.E.4. to allow an accessory structure to exceed the footprint of the principal structure. (26-WAIVER-0066)
Project Name:	Merhoff St Storage & ADU
Location:	2635 Merhoff St
Applicant:	Frank Vaxter Living Trust
Representative:	Frank Vaxter
Jurisdiction:	Louisville Metro
Council District:	District 15 – Jennifer Chappell
Case Manager:	Abby Bills, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

00:51:20 Abby Bills provided an overview of the request and presented a PowerPoint Presentation. Bills responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Frank Vaxter, 2635 Merhott Street, Louisville, KY 40217

Summary of testimony of those in favor:

00:57:00 Frank Vaxter spoke in support of the request, explaining that the proposed accessory dwelling unit is intended to provide housing for his elderly father so he can live closer to family. Vaxter also noted that the accessory structure will be used for vehicle storage and recreational purposes. Vaxter emphasized that the proposed metal building will be designed to blend with the neighborhood and maintain compatibility with the surrounding area. Vaxter responded to questions from Board Members (see recording for details).

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

The following spoke in opposition to the request:

None

Deliberation:

01:01:10 Committee deliberation

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

Variance from Land Development Code Section 5.4.1.E.1. to allow the accessory use area to exceed the maximum depth of 60'. (26-VARIANCE-0065)
Accessory Use Area (Requirement 60', Request 126', Variance 66').

01:01:50 On a motion by Member Scott, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety or welfare and will not cause a hazard or nuisance to the public, as the accessory use area is located entirely behind the principal structure and screened from view by existing fencing. Additionally, the rear of the property is abutting a cemetery and is not visible to any adjoining properties, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will alter the essential character of the general vicinity, as there are no residential accessory structures of a similar scale that would require the accessory use area to exceed the required depth. However, there won't be a large impact on the general vicinity as the accessory use area is adequately screened from view, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance arises from special circumstances which do not generally apply to the land in the general vicinity, or in the same zone. The subject site is deeper than most lots in the general vicinity, while still maintaining the same small width as many of the neighboring properties. Because of the lot's unique size and shape, the applicant will still be able to provide all the required areas of Traditional Neighborhood site design (public realm, principal structure, and private yard) with the requested variance, and

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant. Limiting the applicant to only 60 feet in depth would deprive the applicant of developing a large portion of their backyard. This portion would be a significant deprivation compared to the neighboring properties due to the unique length, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has not yet constructed the proposed structure; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.4.1.E.1. to allow the accessory use area to exceed the maximum depth of 60'. **(26-VARIANCE-0065)** Accessory Use Area (**Requirement 60', Request 126', Variance 66'**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

Waiver of Land Development Code Section 5.4.1.E.4. to allow an accessory structure to exceed the footprint of the principal structure. (26-WAIVER-0066)

01:02:40 On a motion by Member Scott, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners. The proposed structure will be completely screened from view and will not be visible to any adjoining property owners or to the public street, and

WHEREAS, the Board of Zoning Adjustment finds the Community Form Goal 1, Policy 9 seeks to “ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.”

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

The proposed structure will be substantially larger in scale than any other accessory structure in the general vicinity, however, the existing conditions of the site do create the appropriate transition between the neighboring residential properties with accessory structures of smaller scales/intensities. The rear yard of the subject property is screened on all sides by existing trees, vegetation, and a fence. The proposed accessory structure will additionally be in compliance with all design, height, and setback requirements of the form district, with the exception of the requested variance and waiver, and

WHEREAS, the Board of Zoning Adjustment finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as the applicant has the necessary space on the lot to construct a structure of this size, and the applicant will be able to provide all other requirements of the Traditional Neighborhood form district with the exception of the waiver, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land because the proposed structure will be screened from view, and strict application of the provisions of the regulation would deprive the applicant of developing a large portion of their property; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Waiver of Land Development Code Section 5.4.1.E.4. to allow an accessory structure to exceed the footprint of the principal structure. **(26-WAIVER-0066)**

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-MCUP-0002

Request:	Modified Conditional Use Permit for a Private Institutional Use with an associated Variance and Waivers.
Project Name:	First Baptist Church of Fairdale
Location:	413 Fairdale Rd
Owner:	First Baptist Church of Fairdale
Applicant:	First Baptist Church of Fairdale
Representative:	Mindel Scott
Jurisdiction:	Louisville Metro
Council District:	13 – Dan Seum Jr.
Case Manager:	Mark Pinto, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

01:03:50 Mark Pinto provided an overview of the request and presented a PowerPoint Presentation. Pinto responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Mason Glin, 5151 Jefferson Blvd, Louisville, KY 40219

Summary of testimony of those in favor:

01:12:10 Mason Glin provided an overview of the request and presented a PowerPoint Presentation. Glin responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

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PUBLIC HEARING

CASE NO. 26-MCUP-0002

01:14:50 Committee deliberation

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

Modified Conditional Use Permit (MCUP) for a Private Institutional Use in the R-4 Single-Family Residential zoning district with relief from standard A (LDC 4.2.65).

01:15:25 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan, Plan 2040, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance. The site is located within the Village Center, which contains a variety of zoning districts and land uses including a mix of residential densities, commercial, and institutional uses, and

WHEREAS, the Board of Zoning Adjustment finds that all necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use are available or will be provided. MSD and Transportation Planning have reviewed the proposal and given preliminary approval, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated or will be required to provide compliance with each of the lettered standards of the conditional use permit, except where relief is required. The proposed building is located approximately 25 ft. from the side property line that abuts an adjacent R-4 Single-Family Residential property. Therefore, the Board shall consider granting relief from standard A. The building is meeting the required 5 ft. side yard setback per LDC Table 5.2.2. The proposed building is not directly adjacent to the existing home on the abutting R-4 lot and is directly adjacent to the rear yard; now, therefore be it.

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PUBLIC HEARING

CASE NO. 26-MCUP-0002

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit (MCUP) for a Private Institutional Use in the R-4 Single-Family Residential Zoning district with relief from standard A (LDC 4.2.65) **SUBJECT** to the following Conditions of Approval:

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for Private Institutional Use until further review and approval by the Board.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

Variance from Land Development Code (LDC) Section 5.2.2.C, Table 5.2.2 to allow the proposed building to exceed the maximum 25 ft. front yard setback (26-VARIANCE-0031).

Front Yard Setback (Requirement 25', Request 174', Variance 149').

01:16:30 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety or welfare and will not cause a hazard or nuisance to the public because the proposal will be required to comply with all applicable building and fire code regulations. The proposed building, parking, and landscaping are within the subject property and do not encroach into the right-of-way or adjacent residential properties. Considering the proposed building setback, there is not a sight-distance issue for vehicles and pedestrians travelling along Fairdale Road. Lastly, the proposed building will be required to comply with all applicable building and fire code regulations, and

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WHEREAS, the Board of Zoning Adjustment finds 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. Buildings located in the area along Fairdale Road observe a greater setback than the maximum 25 ft. The existing religious building on site is setback approximately 45 ft. from the front property line. The playground will be located in front of the proposed building which will provide visual interest between the building and front property line, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or the in the same zone. The site is zoned R-4 residential and within the Village Center form district, as are properties in the area, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would create an unnecessary hardship on the applicant. The building would be required to be located within the required setback, which could effect existing site conditions including vehicular circulation, mature tree canopy, and proposed playground relocation, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has requested the Variance, and construction has not yet begun; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 5.2.2.C, Table 5.2.2 to allow the proposed building to exceed the maximum 25 ft. front yard setback (**26-VARIANCE-0031**) Front Yard Setback (**Requirement 25', Request 174', Variance 149'**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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PUBLIC HEARING

CASE NO. 26-MCUP-0002

Waivers:

01:12:00 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

1. Waiver of LDC Section 10.2.4 to reduce the required 20 ft. landscape buffer area (LBA) to 5 ft. and screening requirement from 6 ft. to 3 ft. along the northern property line (26-WAIVER-0031).

WHEREAS, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners since there are no proposed buildings located within required setbacks or landscape buffer areas. The proposed drive lane encroaches into the landscape buffer area, which will be screened with a five-foot area with plantings and screening to shield headlights. Also, there is extensive mature tree canopy that is proposed to be preserved, and

WHEREAS, the Board of Zoning Adjustment finds the waiver will not violate specific guidelines of the Comprehensive Plan. Community Form Goal 1, Policy 6 calls to ensure appropriate transitions from non-residential to residential uses. The transitions should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential. There is extensive mature tree canopy on site that shall provide an appropriate transition between the existing private institutional use and adjacent residential use. Also, a five-foot landscape buffer area with screening will be provided to adequately shield the access drive from adjacent residential property, and

WHEREAS, the Board of Zoning Adjustment finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the proposed five-foot LBA is the greatest width possible to provide considering the location of the access drive, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has incorporated other design measures that exceed the minimums. The existing mature tree canopy that is proposed to be preserved exceeds the required tree canopy for the site; now, therefore be it.

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2. Waiver of LDC Section 5.6.1.D of the LDC is requested to not provide roofline variation for a building that exceeds 100 ft in length (26-WAIVER-0055).

WHEREAS, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners since there are no proposed buildings located within required setbacks or landscape buffer areas. The proposed building will be required to meet all applicable building and fire code regulations, and

WHEREAS, the Board of Zoning Adjustment finds Community Form Goal 1, Policy 4 calls to ensure that new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the form district. The proposal is consistent with the pattern of the Village Center form district, as the property is developed with established private institutional use. The existing primary religious building has architectural interest including steeple and roofline variation, and

WHEREAS, the Board of Zoning Adjustment finds the extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant. The proposed building could be redesigned to meet the roofline variation requirement, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has incorporated other design measures that exceed the minimums of the district and compensate for noncompliance with the requirement to be waived. There is approximately 113,574 sq ft. of existing tree canopy on site that is proposed to be preserved; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Waiver **(1)** of LDC Section 10.2.4 to reduce the required 20 ft. landscape buffer area (LBA) to 5 ft. and screening requirement from 6 ft. to 3 ft. along the northern property line **(26-WAIVER-0031)** and Waiver **(2)** of LDC Section 5.6.1.D to not provide roofline variation for a building that exceeds 100 ft in length **(26-WAIVER-0055)**.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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PUBLIC HEARING

CASE NO. 26-MCUP-0010

Request:	Modified Conditional Use Permit for a Private Proprietary Club with an associated Variance.
Project Name:	Rockdale Private Proprietary Club
Location:	12111 Taylorsville Rd
Owner:	Donald Wenzel Jr.
Applicant:	Donald Wenzel Jr.
Representative:	Donald Wenzel Jr.
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Mark Pinto, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

01:18:15 Mark Pinto provided an overview of the request and presented a PowerPoint Presentation. Pinto responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Donald Wenzel Jr., 12109 Taylorsville Rd, Louisville, KY 40299

Summary of testimony of those in favor:

01:26:25 Donald Wenzel provided an overview of the request and presented a PowerPoint Presentation. Wenzel responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

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PUBLIC HEARING

CASE NO. 26-MCUP-0010

01:34:00 Committee deliberation

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

Modified Conditional Use Permit (MCUP) for a Private Proprietary Club in the R-4 Single-Family Residential Zoning district with relief from Standard A (LDC 4.2.44).

01:34:25 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal consistent with the land use and development policies of Plan 2040. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between land uses that are different in scale and intensity. The barn structure is exceeding the side yard setback requirements for the neighboring residential properties. Parking spaces are also meeting the required side yard setback. The property is densely populated with trees and natural landscaping, which is to remain. The barn structure and parking are located a substantial distance from Taylorsville Road and screened with natural vegetation on site, thereby softening the visual impact of the proposal, and

WHEREAS, the Board of Zoning Adjustment finds the proposal compatible with surrounding development and land uses. The proposed barn structure is similar in height, materials, and square footage to the residential structures in the immediate area. The property is densely populated with trees and natural landscaping, which are to remain, which is consistent with neighboring properties. The proposed barn structure and parking are naturally buffered and screened from adjacent residential uses due to existing vegetation and location of the off-street parking area and structure, and

WHEREAS, the Board of Zoning Adjustment finds that all necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use are available or will be provided. MSD and Transportation Planning have reviewed the proposal and given preliminary approval, and

WHEREAS, the Board of Zoning Adjustment finds the applicant shall demonstrate compliance with each of the lettered standards, except where relief is necessary and

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CASE NO. 26-MCUP-0010

granted. The previous approval of the conditional use permit also included requested relief from lettered Standard C. The Board granted relief to standard C and accepted the preservation of existing landscaping and installation of the four-board horse fence as justification for relief, as shown on the site plan. Since the variance is requested for the structure to be located roughly 3 ft. from the side property line, the Board shall consider granting relief to standard A that requires all new buildings to be at least 30 ft. from the property line; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit (MCUP) for a Private Proprietary Club in the R-4 Single-Family Residential Zoning district with relief from Standard A (LDC 4.2.44) **SUBJECT** to the following Conditions of Approval:

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a private proprietary club until further review and approval by the Board.
3. A 4-board horizontal fence of at least 48 inches in height shall be maintained along the eastern property line beginning roughly 10 ft. into the property beyond the culvert, extending back to the parking lot area of a distance at least 150 ft, separating the parking area and adjacent residential property as shown on the development plan.
4. The property owner shall maintain the existing trees along the eastern property line within the conditional use permit boundary area. In the event a tree is damaged or removed out of necessity, the applicant shall replace the tree with a similar tree in approximately the same location.
5. The maximum occupancy shall not exceed 80 individuals at any given time. The applicant may request a change to the maximum occupancy through a modified conditional use permit application.

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6. There shall be no outdoor amplified music or voice after 10 PM on Sunday evenings through Thursday evenings and 11 PM on Friday and Saturday evenings. All event contracts or agreements shall include this prohibition.
7. All event contracts or agreements shall include a provision prohibiting vehicular parking on any streets within the Carrington Greene development or any other neighboring property.
8. All exterior lighting, whether freestanding or attached to any structure, including driveway lights and lighting for any signage, shall be shielded from adjacent properties, shall utilize flat or hidden lenses, and shall be pointed directly to the ground. The following are exceptions to this requirement:
 - i. A partly shielded or unshielded decorative wall sconce(s) shall be allowed at the front entry if the total output in lumens does not exceed 2000 lumens,
 - ii. Open flame gas lamps,
 - iii. Low voltage landscape lighting aimed away from adjacent properties and not exceeding 2000 lumens in output.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

Variance from Land Development Code (LDC) Section 5.3.1.C, Table 5.3.2 to allow the proposed building to encroach into the 15 ft. non-residential to residential building setback (26-VARIANCE-0066).
Nonresidential to Residential (Side) (Requirement 15', Request 2.7', Variance 12.3').

01:12:00 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety or welfare and will not cause a hazard or nuisance to the public because the proposal will be required to comply with all applicable building and fire code regulations. The single-family residence on the neighboring property is located approximately 125 ft. from the side property line, and

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WHEREAS, the Board of Zoning Adjustment finds 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. The residential lots along Taylorsville Road adjacent to the site are large lots with accessory structures, residences that have significant open space and tree canopy, and

WHEREAS, the Board of Zoning Adjustment finds that requested variance does arise from circumstances which do not generally apply to land in the general vicinity, or the in the same zone. The adjoining property that shares the side property line where the variance is being requested is owned by the applicant and operator and is the primary residence of the applicant. The residential properties in the area are comprised of large lots with single-family homes that were constructed a measurable distance from the property lines, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would create an unnecessary hardship on the applicant since the location of the building could require associated parking and construction to be altered. Redesigning the site could adversely impact existing mature tree canopy and landscaping on the site that is proposed to be preserved, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has requested the Variance, and construction has not yet begun; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 5.3.1.C, Table 5.3.2 to allow the proposed building to encroach into the 15 ft. non-residential to residential building setback **(26-VARIANCE-0066)**. Nonresidential to Residential (Side) **(Requirement 15', Request 2.7', Variance 12.3')**.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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PUBLIC HEARING

CASE NO. 26-CUP-0083

Request:	Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in R-5 zoning
Project Name:	Accessory Dwelling Unit
Location:	4561 S. 3 rd St
Applicant:	Zachariah Saleh
Representative:	Zachariah Saleh
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Jude Mattingly, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

01:45:40 Jude Mattingly provided an overview of the request and presented a PowerPoint Presentation. Mattingly responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Zachariah Saleh, 16071 Winding Ridge Trail, Louisville, KY 40299

Summary of testimony of those in favor:

01:52:30 Zachariah Saleh spoke in support of the proposal. Saleh stated that they decided to rent the main house and studio apartment as separate units to provide additional long-term rental housing. Saleh stated there have been no issues with the studio apartment and confirmed both units would be rented to long-term tenants (more than 30 days). Saleh responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-CUP-0083

Deliberation:

01:59:10 Committee deliberation

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

Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in R-5 zoning that does not meet the provisions of Section 4.3.27 of the Land Development Code (LDC 4.2.3)

02:00:20 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan. The subject site is located within a Traditional Neighborhood form district which encourages a significant range of housing opportunities. Housing Goal 1, Policy 1 reiterates the encouragement of housing types including accessory residential structures. Housing Goal 1, Policy 3 calls for the development of a variety of housing types to meet the needs of all residents by offering a supply of affordable and physically accessible housing. Housing Goal 3, Policy 3 encourages accessory apartments to increase the production of fair and affordable housing, and

WHEREAS, the Board of Zoning Adjustment finds the proposal compatible with surrounding land uses and the general character of the area. The detached garage where the ADU is located is compliant with the height and setback requirements of the LDC and as a result no variances or waivers are associated with this request. The property owner has provided off-street parking and there is on-street parking available in the immediate area. There are a mix of higher density residential zoning (R-6 and R-7) in the general vicinity, and

WHEREAS, the Board of Zoning Adjustment finds that all necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation are adequate to serve the proposed use. Agency comments have been received and resolved prior to a public hearing, and

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WHEREAS, the Board of Zoning Adjustment finds the relief from item J will be required. The owner occupied requirement was included by Metro Council during the LDC amendments concerning ADUs in 2021, with the ability to waive the provision through a CUP review. The subject property has not been the subject of any enforcement violations or reports at the time of publishing this staff report. The ADU provides a different form of housing that is of quality in an area more than capable of integrating the use; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in R-5 zoning that does not meet the provisions of Section 4.3.27 of the Land Development Code (LDC 4.2.3) with relief from item "J" **SUBJECT** to the following Conditions of Approval:

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for an Accessory Dwelling Unit (ADU) without further review and approval by the Board.
3. Within 60 days, the property owner shall contact Louisville Metro Emergency Services to have a unique address assigned to the accessory dwelling unit.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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PUBLIC HEARING

CASE NO. 26-CUP-0075

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)
Project Name:	Short Term Rental
Location:	1601 Newburg Rd
Applicant:	Peachtree Manor LLC
Representative:	Farooq Shaheen
Jurisdiction:	Louisville Metro
Council District:	8 – Ben Reno-Weber
Case Manager:	Abby Bills, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

02:02:15 Abby Bills provided an overview of the request and presented a PowerPoint Presentation. Bills responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Farooq Shaheen, 1601 Newburg Rd, Louisville, KY 40205

Summary of testimony of those in favor:

02:04:35 Farooq Shaheen spoke in support of the proposal. Shaheen stated that the property meets the required 600-foot spacing standard and that no neighbors had expressed opposition to the request. Shaheen also noted that he owns and operates other short-term rental properties in Louisville and actively manages them remotely, with the assistance of a local property manager who is available to respond to and address any property-related concerns. Shaheen responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

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PUBLIC HEARING

CASE NO. 26-CUP-0075

None

Deliberation:

02:06:50 Committee deliberation

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

Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).

02:09:00 On a motion by Member Ford, seconded by Member Scott, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with the applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained, and

WHEREAS, the Board of Zoning Adjustment finds that adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains four (4) bedrooms, allowing a maximum occupancy of ten (10) guests. Off-street parking will be provided via an existing driveway; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
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PUBLIC HEARING

CASE NO. 26-CUP-0075

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63) **SUBJECT** to the following Conditions of Approval:

1. The conditional use permit for this short term rental approval shall allow up to four (4) bedrooms (with a maximum of ten (10) 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.
2. Prior to commencement of any short term rental on the subject property, the owner 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 vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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PUBLIC HEARING

CASE NO. 26-CUP-0088

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)
Project Name:	Short Term Rental
Location:	1535 S 32 nd St
Applicant:	Elmore George III
Representative:	Elmore George III
Jurisdiction:	Louisville Metro
Council District:	1 – Tammy Hawkins
Case Manager:	Catherine Gomez, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

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

Agency Testimony:

02:10:20 Rachel Casey presented the case on behalf of Catherine Gomez. Casey provided an overview of the request and presented a PowerPoint Presentation. Casey responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Elmore George, 1535 S 32nd St, Louisville, KY 40211

Summary of testimony of those in favor:

02:13:10 Elmore George spoke in support of the proposal. George stated that stated that the property has been fully renovated and explained that the duplex consists of separate upper and lower units and that he restored the property's duplex configuration after purchasing it. George stated that he will personally manage the property, live nearby, and have cleaning services in place to assist with operations. George responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-CUP-0088

Deliberation:

02:17:10 Committee deliberation

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

Conditional Use Permit to allow the short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).

02:17:20 On a motion by Member Horton, seconded by Member Ford, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with the applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained, and

WHEREAS, the Board of Zoning Adjustment finds that adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. Each unit will have two (2) bedrooms, allowing for a maximum of six (6) guests in each. Off-street parking will be provided via an existing rear alley and the detached garage on the property; now, therefore be it.

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PUBLIC HEARING

CASE NO. 26-CUP-0088

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63) **SUBJECT** to the following Conditions of Approval:

1. The conditional use permit for this short term rental approval shall allow up to two (2) bedrooms (with a maximum of six (6) guests at any one time) in one unit, and two (2) bedrooms (with a maximum of six (6) guests at any one time) in the second unit. 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.
2. Prior to commencement of any short term rental on the subject property, the owner shall register each short term rental pursuant to the Louisville Metro Code of Ordinances. If each 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 vote was as follows:

YES: Members Vozos, Horton, Ford, Scott and Lewis

ABSENT: Members Bond and Rodriguez

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ADJOURNMENT

The meeting adjourned at approximately 3:26 p.m.

Chair

Planning Director



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0085

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 2.



26-VARIANCE-0085

Board of Zoning Adjustment
Staff Report
July 20, 2026

Camp Ground Road Storage

Location: 3304 Camp Ground Road
Applicant: Acosta Realty LLC
Representative: Ed Revers
Jurisdiction: Louisville Metro
Council District: 1 – Tammy Hawkins
Case Manager: Abby Bills, Planner I

REQUEST & RECOMMENDED ACTION

1. **26-VARIANCE-0085:** Variance from Land Development Code Section 5.5.1.A.2 to allow the proposed building to exceed the maximum Front Yard and Street Side Yard Setback of 5 feet. (Proposed Front Yard Setback of 25 feet and Street Side Yard Setback of 72 feet, for a Variance of 20 feet and 67 feet, respectively)
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance

CASE SUMMARY

The subject site is currently zoned M-2 Industrial within the Traditional Workplace Form District on 0.86 acres, located at the intersection of Cane Run Road and Camp Ground Road. The parcel is currently developed as a heavy truck and vehicle sales business. The applicant is proposing to construct a 2,960 square foot storage building on the parcel, adjacent to Cane Run Rd. Buildings on corner lots in Traditional Form Districts must be constructed no more than 5 feet away from the right-of-way line on both streets, therefore a variance is being requested.

TECHNICAL REVIEW

Transportation Planning has provided preliminary approval of the submitted site plan.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0085

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 the request to exceed the required setbacks does not impede the safe movement

of vehicles or pedestrians along any right-of-way. Additionally, the structure will be required to comply with all applicable building code regulations.

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 the proposed structure will match the setbacks of other nearby structures in the 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 arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property, as the shape of the subject parcel is unique to the general area. Due to the acute angle of the street corner, the building cannot reasonably be located less than 5 feet away from both rights-of-way.

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 the reasonable use of the land as the unique shape of the parcel prohibits the applicant from constructing the building in compliance with the regulation.

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 not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has not yet constructed the proposed building.

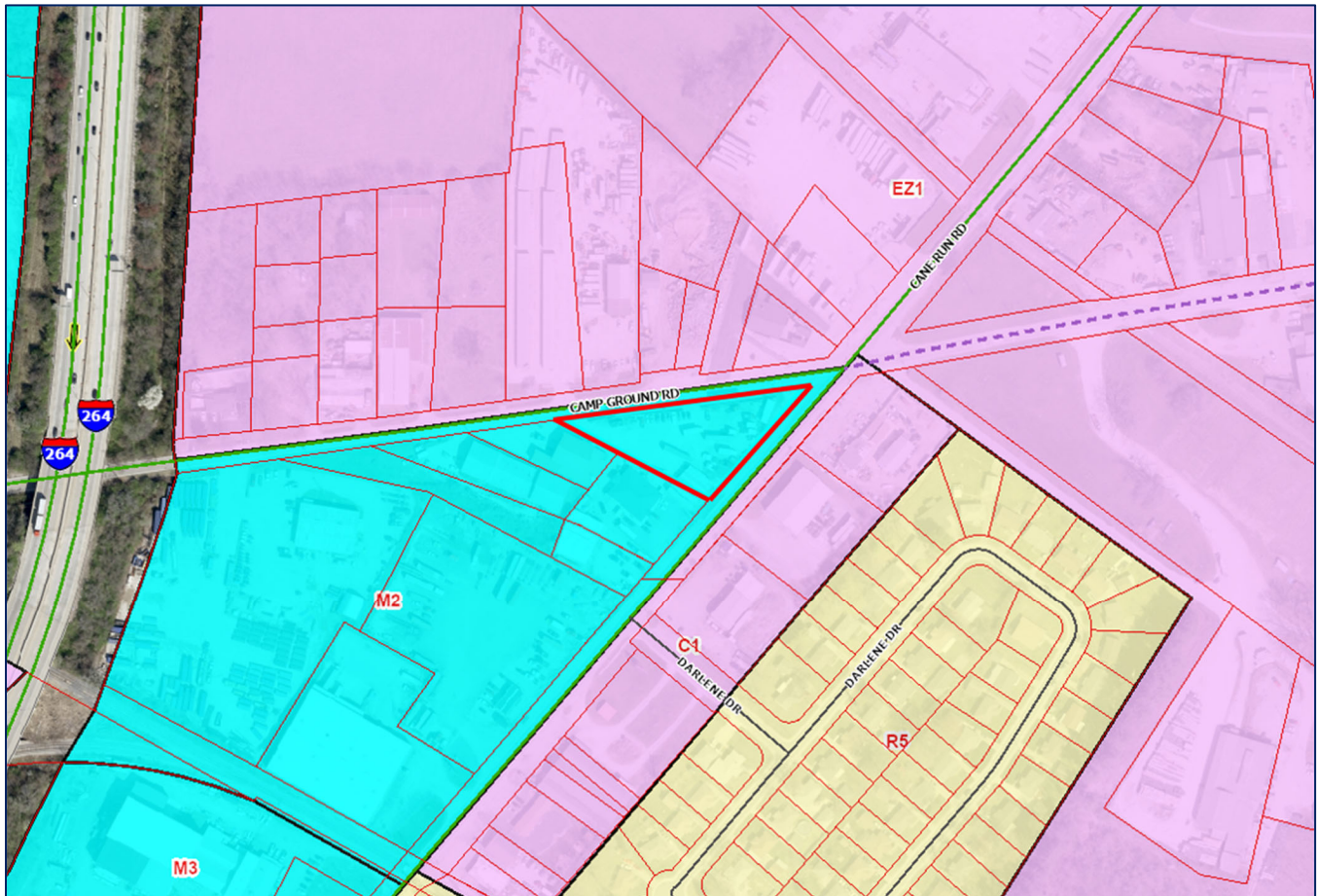
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/2/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 1
7/10/2026	Board of Zoning Adjustment Public Hearing	Sign Posting on Property

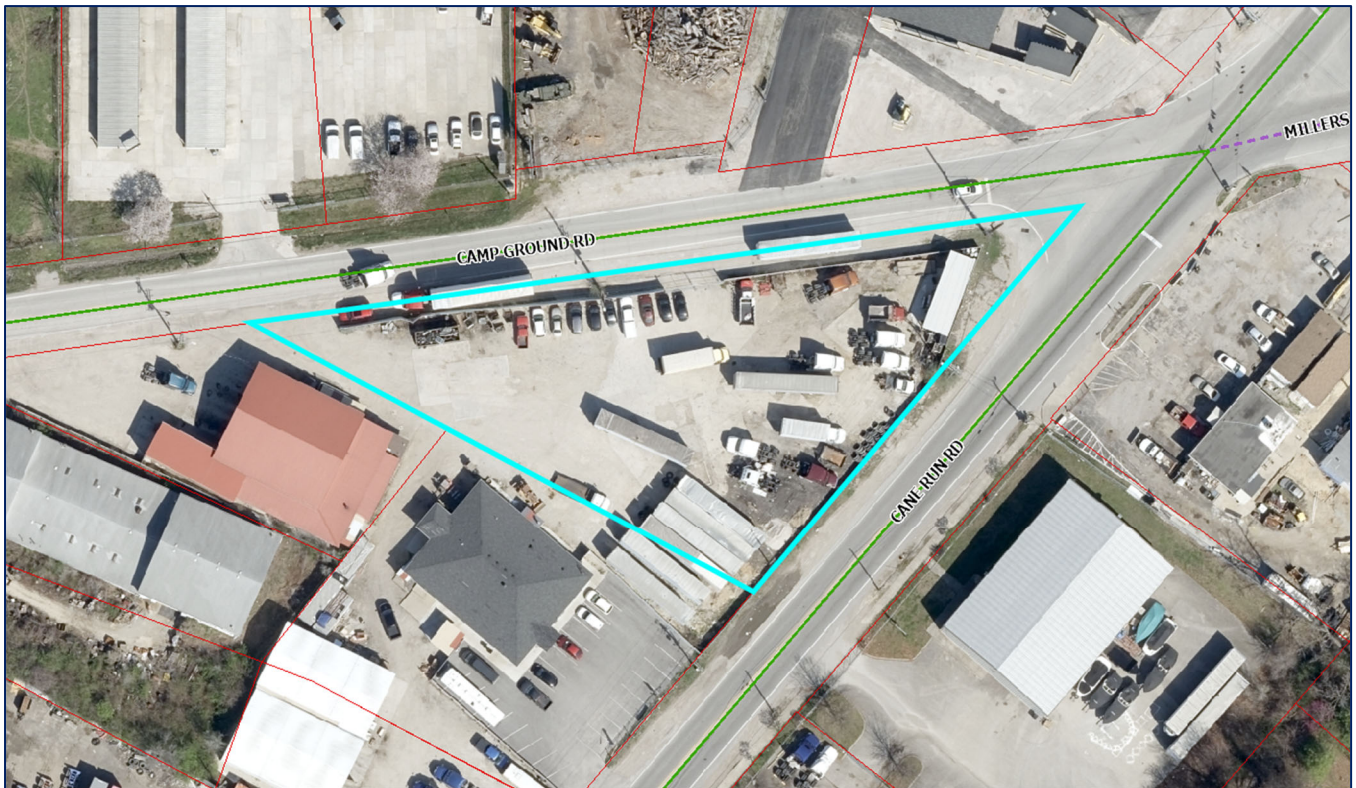
ATTACHMENTS

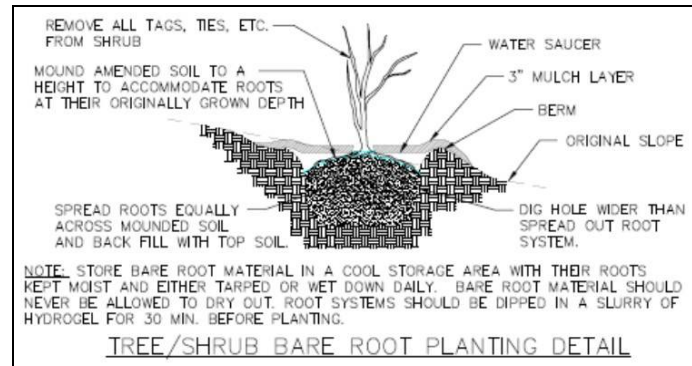
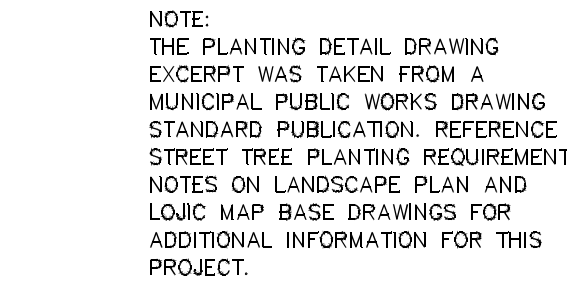
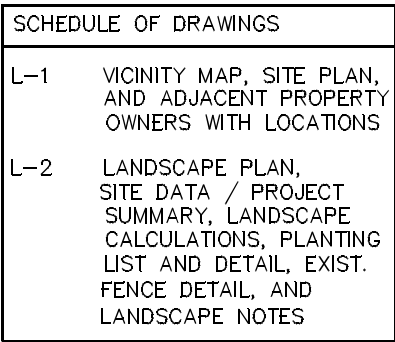
1. Zoning Map
2. Aerial Photograph

1. Zoning Map

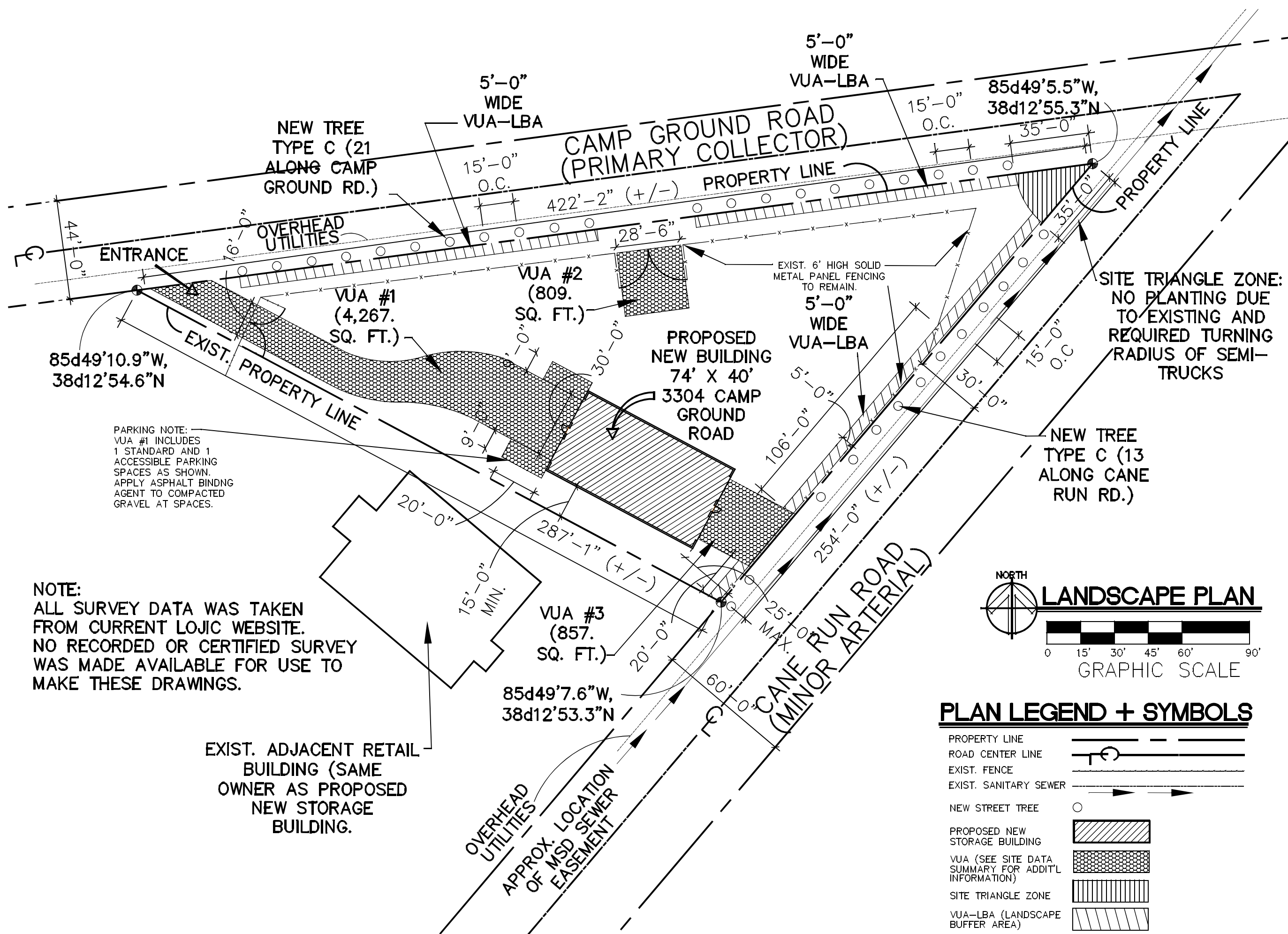


2. Aerial Photograph





- ### GENERAL LANDSCAPE NOTES
1. GRASS OR GROUNDCOVER SHALL BE PLANTED ON ALL PORTIONS OF THE LANDSCAPE BUFFER AREA (LBA) NOT OCCUPIED BY OTHER LANDSCAPE MATERIAL.
 2. THE GROUND PLANT OF ALL INTERIOR LANDSCAPE AREAS (ILA) SHALL BE PLANTED USING EITHER SHRUBS, GROUNDCOVER, OR TURF.
 3. EXISTING TREES AND PLANT MATERIAL ARE NOT BEING USED TO MEET LANDSCAPE COE REQUIREMENTS. IF ANY REQUIRED TREES OR COMBING VEGETATION DIE OR ARE REMOVED THEY WILL BE REPLACED AS PER THE LANDSCAPE COE REQUIREMENTS. (IF APPLICABLE)
 4. IT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO PERPETUALLY MAINTAIN ALL LANDSCAPE AREAS AND ASSOCIATED PLANT MATERIAL REQUIRED UNDER LAND DEVELOPMENT COE REGULATIONS. THE PROPERTY OWNER SHALL ALSO BE RESPONSIBLE FOR MAINTAINING THE VERGE AND ASSOCIATED TREES WITHIN THE VERGE UNLESS THE AGENCY WAIVES JURISDICTION OVER THAT VERGE ASSUMES THAT RESPONSIBILITY.
 5. ALL UNHEALTHY OR DEAD NEW PLANT MATERIAL SHALL BE REPLACED WITHIN ONE YEAR, OR BY THE NEXT PLANTING PERIOD, WHICHEVER FIRST, WHILE OTHER DEFECTIVE PLANT MATERIAL SHALL BE REPLACED OR REPAIRED WITHIN THREE (3) MONTHS.
 6. ALL PLANT MATERIAL LOCATED WITHIN A UTILITY EASEMENT THAT IS DAMAGED OR REMOVED DUE TO WORK PERFORMED BY THE UTILITY COMPANY SHALL BE IMMEDIATELY REPLACED BY THE OWNER IN ACCORDANCE WITH LAND DEVELOPMENT COE CHAPTER 10 REQUIREMENTS.
 7. STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SIGHT DISTANCES.
 8. ALL SERVICE STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH LAND DEVELOPMENT COE CHAPTER 10, SECTION 10.2.6 AND 10.4.9. SERVICE STRUCTURES INCLUDE BUT ARE NOT LIMITED TO: PROPANE TANKS, DUMPSTERS, HVAC UNITS, ELECTRIC TRANSFORMERS, TELECOM BOXES, ETC.
 9. LIGHT POLES, SIDEWALKS, BENCHES, ETC. SHALL NOT OCCUPY MORE THAN 25% OF ANY INTERIOR LANDSCAPE AREA (ILA) OR REDUCE THE WIDTH OF ANY PLANTED AREA TO LESS THAN 4 FEET. CONTRACTOR SHALL COORDINATE LIGHT POLE LOCATIONS WITH LANDSCAPE PLAN PROPOSED TREE PLANTING TO AVOID CONFLICT.
 10. IRRIGATION WILL BE PROVIDED AS REQUIRED WHERE BERMS OR EARTHEN MOUNDS ARE PROPOSED. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE ADEQUATE WATERING OF THE PROPOSED PLANT MATERIAL WITHIN THE UTILITY CORRIDOR. IT SHALL CONSIST OF SEVERAL WATERING ZONES CONTROLLED BY A CENTRAL TIER WITH EITHER POP-UP AND ROTATING IRRIGATION HEADS OR A DRIP LINE SYSTEM. THE PROPOSED SYSTEM SHALL BE INSTALLED PRIOR TO PLANTING. (IF APPLICABLE)
 11. CONCRETE WHEEL STOPS OR CURBING AT LEAST 6" HIGH X 6" WIDE SHALL BE PROVIDED TO PREVENT VEHICLES FROM OVERHANGING ABUTTING SIDEWALKS, PROPERTIES OR PUBLIC RIGHTS-OF-WAY, TO PROTECT LANDSCAPED AREAS AND TO PROTECT ADJACENT PROPERTIES. SUCH WHEEL STOPS OR CURBING SHALL BE LOCATED AT LEAST 10' FROM ADJACENT WALL, FENCE, PROPERTY LINE, WOODY VEGETATION, WALKWAY, OR STRUCTURE (PER DKS 9.112.C).
 12. ALL NEW ACCESSIBLE PARKING SPOTS SHALL BE LOCATED ADJACENT TO FLUSH / LEVEL COMPACT GRADE, AND SHALL RECEIVE A KYDOT APPROVED ACCESSIBLE PARKING SIGN MOUNTED TO A WEATHER RESISTANT POST, MOUNTED AT 5'-0" ABOVE FINISHED GRADE MEASURED TO THE BOTTOM OF THE SIGN.



LOU-METRO CASE I.D.

LANDSCAPE PLAN FOR NEW STORAGE BUILDING

R & P TRUCK SERVICE LLC
3306 CAMP GROUND RD.
LOUISVILLE, KY 40211

RELANDO AND RICARDO ACOSTA: OWNERS
ph. (502) 767-3961 c/o ELIANIS ACOSTA


Revers Architecture and Design
 Registered Architect
 NCARB Certified
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Registered Architect
NCARB Certified

DATE REVISED JUNE 15, 2026 PROJECT NO. RAD: 0325-1050

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of **Yes**, **No**, or **N/A** will **NOT** be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

It will not affect the public health, safety or welfare because there is no resident living in the area.

2. Explain how the variance will not alter the essential character of the general vicinity.

it will not alter the essential character of the general vicinity because there are already storage/industrial buildings around it.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

it will not cause a hazard or a nuisance to the public because everything will be inside the building.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

the request is reasonable because there is buildings everywhere like storage buildings.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The corner lot is so skinny/narrow that it does not allow the building to be there.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

it would deprive reasonable use of the land because there no where on the lot where the building can go.

7. Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

The building has not been built yet.



Louisville Metro Government

Text File

File Number: 26-MCUP-0007

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 3.



26-MCUP-0007

Board of Zoning Adjustment
Staff Report
July 20, 2026

Fern Creek Pet Resort

Location: 5221 & 5225 Bardstown Road
Applicant: Kentucky Humane Society Animal Rescue
Representative: Sabak, Wilson & Lingo, Inc.
Jurisdiction: Louisville Metro
Council District: 26 – Brent Ackerson
Case Manager: Sydney Fawcett, AICP, Planner I

REQUESTS & RECOMMENDED ACTIONS

1. **26-VARIANCE-0061:** Variance from Land Development Code Table 5.3.2 to allow the proposed buildings to exceed the maximum front yard setback of 80 feet (Proposed Front Yard Setback of 367 feet, for a Variance of 287 feet)
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance
2. **Modified Conditional Use Permit** for a commercial kennel in a residential (R-4) zoning district (LDC 4.2.17)
 - Staff finds the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Modified Conditional Use Permit

CASE SUMMARY

The subject site is approximately 4.88 acres zoned R-4 Single-Family Residential and OR Office/Residential in the Neighborhood form district. The subject site is located near the intersection of Bardstown Road and S Hurstbourne Parkway. The site is currently developed with a 4,037 square foot commercial kennel with several accessory structures and associated parking.

The applicant is requesting to modify the existing conditional use permit to construct an 896 square foot accessory structure to house their grooming services, a 400 square foot canopy, and a 1,750 square foot addition on an existing building. The applicant will also be providing 14 additional parking spaces to serve the development. With the proposed modifications, the development exceeds the maximum front yard setback. Therefore, a variance is being requested as well.

Case History

- **09-50-00:** Change in Zoning from R-4 Single-Family Residential to R-4 Single-Family Residential and OR Office/Residential with a Detailed District Development Plan; a Conditional Use Permit for a commercial kennel and a Conditional Use Permit for off-street parking within the R-4 Single-Family Residential zoning district

TECHNICAL REVIEW

- Land Development Code (Louisville Metro 2025)
- Plan 2040
- MSD has provided preliminary approval.
- Transportation Planning has provided preliminary approval.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0061

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 public health, safety, or welfare, and will not cause a hazard or nuisance to the public as developments along Bardstown Road have varying front yard setbacks with several exceeding the maximum setback of 80 feet.

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 and will not allow an unreasonable circumvention of the requirements of the zoning regulations as properties in the surrounding area are developed well beyond the maximum setback. Additionally, most of the structures on site are an existing condition of the site and the proposed accessory structure and addition will be in line with the existing structures.

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 arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone. The commercial kennel is located within the R-4 Single-Family Residential portion of the site. Typically, the Neighborhood form district does not have a maximum setback for development within the R-4 Single-Family zoning district. However, since the property is developed for non-residential use, the maximum setback applies.

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 create an unnecessary hardship on the applicant as it would require the applicant to reconfigure the entire site to be within the maximum 80-foot front yard setback. The southern portion of the site is being used for tree preservation, roughly 34,000 square feet. Requiring the applicant to construct within the front yard setback would eliminate a significant portion of the existing tree canopy. The applicant wants to preserve the existing tree canopy to provide screening for the adjacent properties as well as screen the commercial kennel from Bardstown Road.

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 not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as work has not begun on the proposed development.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR MODIFIED CONDITIONAL USE PERMIT

a. *Is the proposal consistent with applicable policies of the Comprehensive Plan?*

STAFF FINDING: The proposal is consistent with applicable policies of the Comprehensive Plan. Community Form Goal 1 Policy 4 suggests ensuring new development and redevelopment is compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1 Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. Community Form Goal 1 Policy 11 promotes setbacks, lot dimensions and building heights to be compatible with those of nearby developments. Community Form Goal 1 Policy 12 suggests designing parking, loading, and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Parking areas shall be screened and buffered and should use landscaping, trees, walls, or other design features. The proposal is compatible with the scale and site design of nearby developments as there are a range of commercial and residential uses in the general vicinity. The applicant will be utilizing the existing tree canopy and fencing to provide a transition from the commercial kennel to the surrounding single-family uses to mitigate potential impacts from the kennel operations and parking lot.

b. *Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?*

STAFF FINDING: The proposal is compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance.

- c. *Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?*

STAFF FINDING: All necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use are available or will be provided. MSD and Transportation Planning have preliminarily approved the proposal.

- d. *Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?*

4.2.17 Commercial Kennels. *Commercial Kennels may be located in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, C-1, C-2, C- M, M-1, M-2, and M-3 Zoning Districts where such use is compatible with surrounding land uses upon the granting of a Conditional Use Permit when developed in compliance with the listed requirements.*

A. Facilities Enclosed - All facilities, except parking, shall be within a totally enclosed building except where it can be demonstrated that a nuisance is not created thereby.

B. Signs - Except in districts where signs are allowed, there shall be no more than one non-illuminated sign not to exceed 12 square feet in area and not to exceed 6 feet in height.

C. Fences - A continuous fence at least 6 feet high shall be erected around the portion of the site used for the kennel operation.

D. Screening – Any outdoor animal facilities shall be screened from view.

E. Noise - The design of the structures shall include features that acoustically shield any animal noises from surrounding property.

F. The applicant shall demonstrate adequate provisions to prevent surface water quality impacts due to animal waste.

STAFF FINDING: The applicant is requesting to modify the existing conditional use permit to construct an 896 square foot accessory structure to house their grooming services, a 400 square foot canopy, and a 1,750 square foot addition on an existing building. The applicant will be preserving existing tree canopy along Bardstown Road and the north property as well as the existing fencing to

further screen the adjacent properties from kennel operations. The applicant will be required to comply with each of the lettered standards of the conditional use permit.

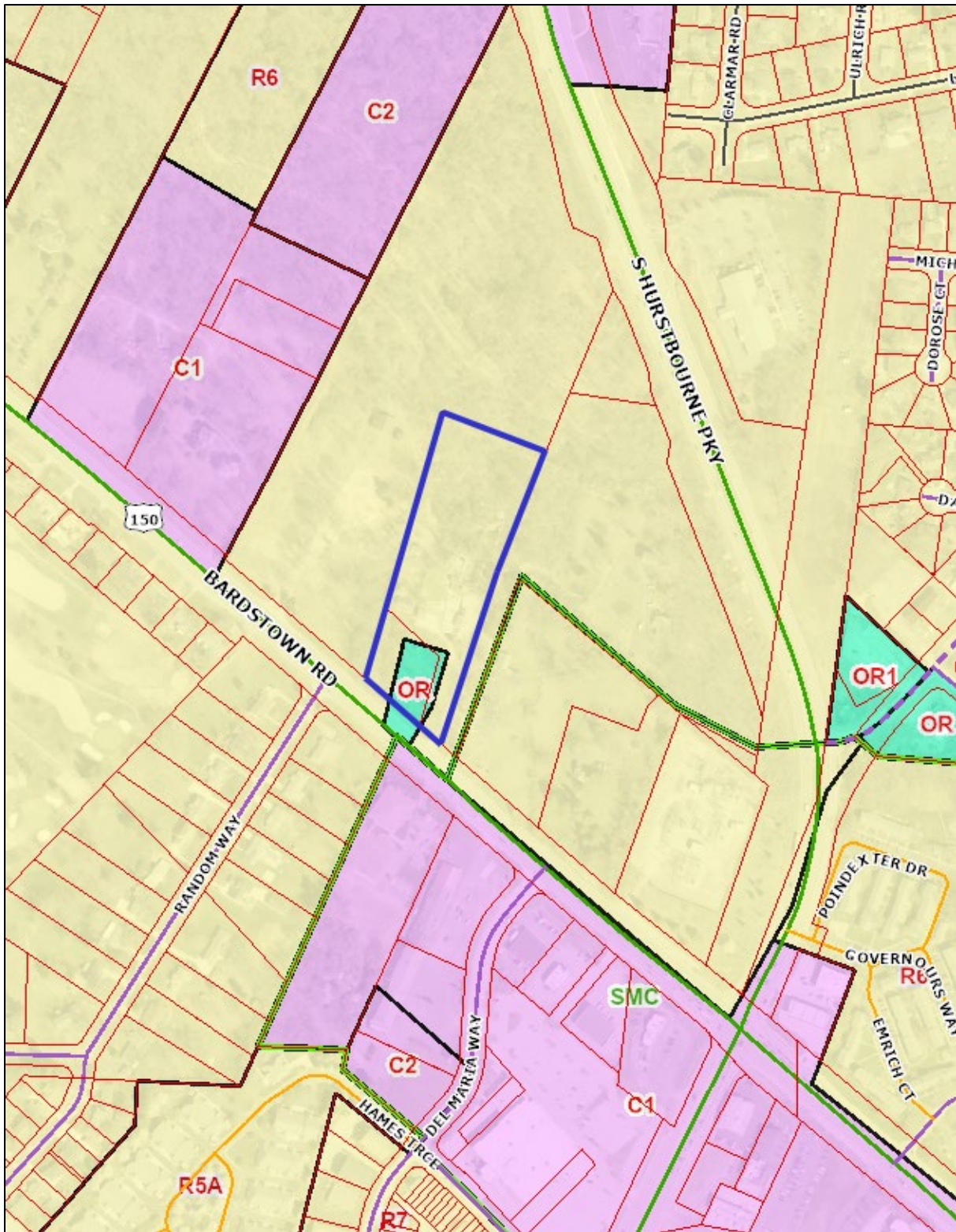
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/1/2026	Board of Zoning Adjustment Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 26
7/10/2026	Board of Zoning Adjustment Public Hearing	Sign Posting on Property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval with Proposed Amendments
4. Proposed Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Existing Conditions of Approval with Proposed Amendments

- ~~1. The development plan shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission except for land uses permitted in the established zoning district.~~
- 2. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.**
- ~~3. The development shall not exceed 37,247 square feet of gross floor area.~~
- ~~4. The only permitted freestanding sign shall be a monument style sign, located as shown on the approved development plan. No portion of the sign, including the leading edge of the sign frame, shall be closer than 12 feet to front property line. The sign shall not exceed 6 square feet in area per side and 6 feet in height. No sign shall have more than two sides.~~
- ~~5. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants, balloons, or banners shall be permitted on the site.~~
- ~~6. There shall be no outdoor storage on the site.~~
- ~~7. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90-degree cutoff so that no light source is visible off-site. Lighting levels attributable to the fixtures located on the subject site shall not exceed two foot candles at the property line.~~
- ~~8. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - ~~a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).~~
 - ~~b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.~~
 - ~~c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Supplemental plantings may be required by Planning Commission staff to fill in gaps located within existing vegetation. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter. The applicant shall hold a meeting with Mr. Charles Bischoff (or subsequent owner of 5215 Bardstown Road) to assist in determining~~~~

- ~~optimal tree planting locations to filter sight line views from the residence at 5215 Bardstown Road to structures to be erected on the subject site. However, all final decisions regarding the detailed plan for screening shall be made by Planning Commission staff.~~
- ~~9. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~
- ~~10. A certificate of occupancy must be received from the appropriate code enforcement officer prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.~~
- ~~11. Except for four days per year (Fridays and Saturdays only), there shall be no outdoor music (live, piped, radio or amplified), outdoor entertainment, or outdoor PA system permitted on the site.~~
- ~~12. The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.~~
- ~~13. A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District and the USDA Natural Resources Conservation Service recommendations. Documentation of the MSD's approval of the plan shall be submitted to the Planning Commission prior to grading and construction activities.~~
- ~~14. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.~~
- ~~15. The development shall comply with the requirements set out in Section 15.D.9 (Conditional Use: Commercial Kennels) of the Development Code.~~
- ~~16. Construction fencing shall be erected when off site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire site area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.~~
- ~~17. The site shall be developed in accordance with the tree preservation areas delineated on the site plan and related notes. Any modification of the tree preservation plan requested by the applicant~~

~~may be approved by the designated DPDS staff if the changes are in keeping with the intent of the approved tree preservation plan.~~

~~All plans setting out tree preservation areas must contain the following notes:~~

- ~~a. Tree preservation area (TPAs) identified on this plan represent portions of the site the developer has designated to be left undisturbed during the development of roadways, utilities and similar infrastructure. These are not permanent preservation areas. Tree in these areas may be removed during construction of homes or buildings on individual lots.~~
- ~~b. Dimension lines have been used on this plan to establish the general location of TPAs and represent minimum distances. The final boundary for each TPA shall be established in the field by the applicant, developer, or property owner to include canopy area of all trees at or within the dimension line.~~
- ~~c. Tree protection fencing shall be erected around all TPAs prior to site disturbance (except as provided in these notes) to protect the existing tree stands and their root systems. The fencing shall be located at least 3 feet beyond the edge of the tree canopy and shall remain in place until all construction is completed. When trees must be removed in a TPA, the fence shall be relocated to protect all remaining trees within that TPA. When a tree mass contains both WPAs and TPAs, fencing shall only be required at the outermost perimeter of that tree mass.~~
- ~~d. No parking, material storage, or construction activities are permitted within the TPAs beyond that allowed for preliminary site investigation work.~~
- ~~e. Clearing necessary to provide access for survey work, rock soundings or other usual and customary site investigations shall be permitted prior to Site Disturbance Approval. Preliminary site investigations shall be carefully planned to minimize the amount of clearing required. Clearing should follow proposed roadway centerlines and should not result in a clear access way of more than twenty (20) feet in width. Cleared access ways beyond proposed roadways to assess individual lots shall not exceed 12 feet in width or encroach into any proposed open space lots. No trees exceeding eight (8) inches in diameter measured at a height of four and one half feet above ground level shall be removed without prior approval by DPDS.~~

18. A Landscape and Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.

~~19. Sewers shall be provided by connection to the proposed Fern Creek/Nottingham Interceptor #6 and Fern Hill Interceptor #8 projects when completed. The Lateral Field and Associated tanks shall be removed and a connection to the interceptors made within 60 days after completion of the above mentioned projects.~~

~~20. A soil erosion and sedimentation control plan meeting the design requirements of the recently adopted Erosion and Sediment Control Ordinance shall be developed and implemented in~~

~~accordance with the Metropolitan Sewer District and the USDA Natural Resources Conservation recommendations. Documentation of the MSD's approval of the plan shall be submitted to the Planning Commission prior to commencement of any clearing, grading, or construction activities.~~

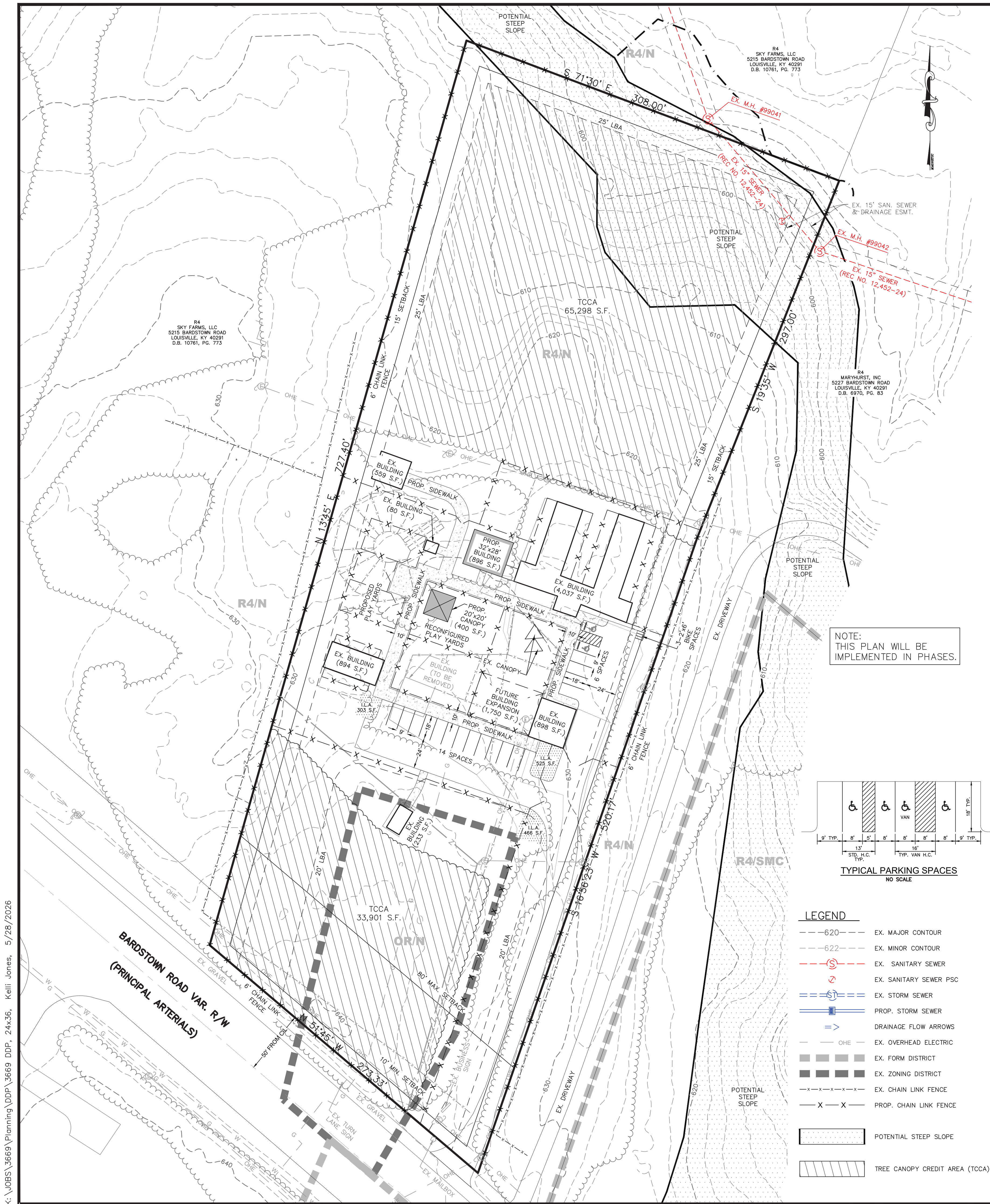
~~21. A six foot tall chain link fence shall be placed along the west property line, continuing along the north (rear) property line, and along the east property line — all where shown on the approved development plan. A six foot vinyl chain link fence shall be located along the Bardstown Road frontage within the LBA and shall be set back a variable distance to blend with the existing tree line and additional trees and/or plantings to be installed. The proposed soil wood fence shown on the development plan shall not be installed.~~

~~22. Dumpster loading and unloading hours shall be limited to 7 A.M. to 7 P.M.~~

23. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a commercial kennel without further review and approval by the Board.

4. Proposed Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. A Landscape and Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
3. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a commercial kennel without further review and approval by the Board.



MSD NOTES

1. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
2. EROSION & SILT CONTROL: A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND APPROVED IN A ACCORDANCE WITH MSD DESIGN MANUAL STANDARDS SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.
3. SANITARY SEWER SERVICE PROVIDED BY CONNECTION, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.
4. THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA. (FEMA MAP 21111C0079F)
5. THIS PROJECT IS SUBJECT TO MS4 WATER QUALITY REGULATIONS ONCE THE INCREMENTAL AREA OF DISTURBANCE SUMS EQUAL TO OR GREATER THAN 1 ACRE OF DISTURBANCE. PER THIS PRELIMINARY DEVELOPMENT PLAN, THE AREA OF DISTURBANCE IS 42,448 S.F.

GENERAL NOTES

1. ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ACCEPTABLE "A.D.A." REQUIREMENTS FOR HANDICAP ACCESSIBILITY.
2. CONSTRUCTION PLANS, BOND & PERMIT REQUIRED FOR ALL WORK DONE WITHIN THE RIGHT-OF-WAY.
3. MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
4. THE DEVELOPMENT LIES IN THE FERN CREEK FIRE DISTRICT.
5. ALL SERVICE STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH CHAPTER 10 OF THE LAND DEVELOPMENT CODE. SERVICE STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO: PROPANE TANKS, DUMPSTERS, HVAC UNITS, ELECTRIC TRANSFORMERS AND TELECOM BOXES.
6. ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH & WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
7. COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
8. ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
9. ALL PROPOSED SIGNS SHALL BE IN COMPLIANCE WITH CHAPTER 8 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE AND APPLICABLE ORDINANCES.
10. STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH LDC CHAPTER 10 REQUIREMENTS.

FIRE DEPARTMENT NOTES

1. THE SUBJECT PROPERTY IS LOCATED WITHIN THE FERN CREEK FIRE DISTRICT.
2. LOCAL FIRE AUTHORITY HAVING JURISDICTION (AHJ) CONTACT INFORMATION: JOE ELSTONE (JELSTONE@FERNCREEKFIRE.COM)
3. HYDRANTS: PRIOR TO THE COMBUSTIBLE PHASE OF CONSTRUCTION AN ADEQUATE WATER SUPPLY INCLUDING ACCESSIBLE HYDRANTS FOR FIREFIGHTING PURPOSES MUST BE MADE AVAILABLE, AND NO UTILITIES SHALL BE CONNECTED TO THE STRUCTURE UNTIL ADEQUATE SUPPLY IS PROVIDED (LMCO 94.81)
4. GATES: NO GATES SHALL BE INSTALLED WHICH LIMIT OR RESTRICT ACCESS TO A RESIDENTIAL AREA, EXCEPT AS APPROVED BY THE AHJ OF THE REFERENCED FIRE DISTRICT.
5. EMERGENCY RESPONDER RADIO COVERAGE: EMERGENCY RADIO SYSTEMS ARE REQUIRED TO MEET MINIMUM SIGNAL STRENGTH CRITERIA, TO BE CONFIRMED VIA THIRD PARTY TESTING, PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY IN SOME BUILDINGS.
6. REQUIREMENTS FOR SPECIFICATIONS OF FIRE DEPARTMENT CONNECTIONS (FDC), THREADS, SIZE, LOCATION, PLACEMENT OF THE KNOX BOX, OR FIREFIGHTER SAFETY BUILDING MARKING SIGNAGE MUST BE OBTAINED FROM THE AHJ OF THE REFERENCED FIRE DISTRICT.
7. PERMITTED PROJECTS SHALL COMPLY WITH NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 241, STANDARD FOR SAFEGUARDING CONSTRUCTION, ALTERATION, AND DEMOLITION OPERATIONS.

UTILITY NOTE

ALL UTILITIES ON THESE PLANS ARE APPROXIMATE. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER "B.U.D." (TOLL FREE PHONE NO. 1-800-382-5544) 48 HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS AND WATER LINES). THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, NATURE, AND STATUS OF ALL EXISTING UTILITIES WITHIN THE CONSTRUCTION AREA WHETHER SHOWN ON THE PLANS OR NOT, AND SHALL EXTEND, ADJUST OR RECONSTRUCT TO THE SIZE AND LOCATION AS SHOWN ON THE ARCHITECTS PLANS.

EPSC NOTES

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY M.S.D.'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMPs SHALL BE INSTALLED PER THE PLAN AND M.S.D. STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDED AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCING.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER M.S.D. STANDARD DRAWING ER-02.

WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING, OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.

EPSC PHASING

1. INSTALL TEMP. CONSTRUCTION ENTRANCE, INLET PROTECTION & SILT FENCE.
2. BEGIN CONSTRUCTION.
3. REMOVE SILT FENCES AND INLET PROTECTION ONCE SITE IS STABILIZED & VEGETATION IS ESTABLISHED.



LOCATION MAP
NO SCALE

SITE DATA

SITE AREA:	4.88 ACS (212,370 SF)
EXISTING USE:	BOARDING & GROOMING
PROPOSED USE:	BOARDING & GROOMING
BUILDING FOOTPRINT:	9,347 SF
EX. BUILDINGS: 6,701 SF	
PROP. BUILDINGS: 896 SF	
FUTURE BUILDING: 1,750 SF	
BUILDING HEIGHT:	25'
FAR:	0.04

IMPERVIOUS AREA CALCULATIONS

SITE AREA:	4.88 ACS
EXISTING IMPERVIOUS (OVERALL):	0.72 ACS
EXISTING IMPERVIOUS (TO REMAIN):	0.15 ACS
EXISTING IMPERVIOUS (TO BE REMOVED):	0.57 ACS
PROPOSED IMPERVIOUS:	0.58 ACS
DIFFERENCE:	+0.01 ACS

LOT REQUIREMENTS

EXISTING ZONING DISTRICT:	R4	OR
EXISTING FORM DISTRICT:	NEIGHBORHOOD	NEIGHBORHOOD
MAX. PERMITTED HEIGHT:	25'	25'
MAX. FAR	1.0	5.0
REQUIRED FRONT/STREET SIDE YARD:	10'	10'
MAX. FRONT SETBACK:	80'	80'
RES. SETBACK (NO LOADING):	15'	15'
RES. SETBACK (LOADING):	25'	25'

TREE CANOPY REQUIREMENTS

SITE AREA:	212,370 SF
EXISTING TREE CANOPY:	99,199 SF (46.7%)
TOTAL REQUIRED CANOPY (35%):	74,330 SF

ILA CALCULATIONS

VJA:	15,453 SF
ILA REQUIRED (7.5%):	1,159 SF
ILA PROVIDED:	1,294 SF

PARKING CALCULATIONS

OFFICE & GROOMING SPACE (OFFICE):	3,000 SF
KENNEL & STORAGE SPACE (STORAGE):	6,347 SF

PARKING REQUIRED:	9 SPACES
OFFICE 1/400 SF = 8 SPACES	
STORAGE 1/10,000 SF = 1 SPACES	

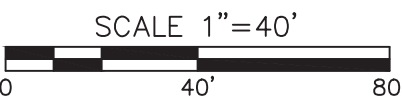
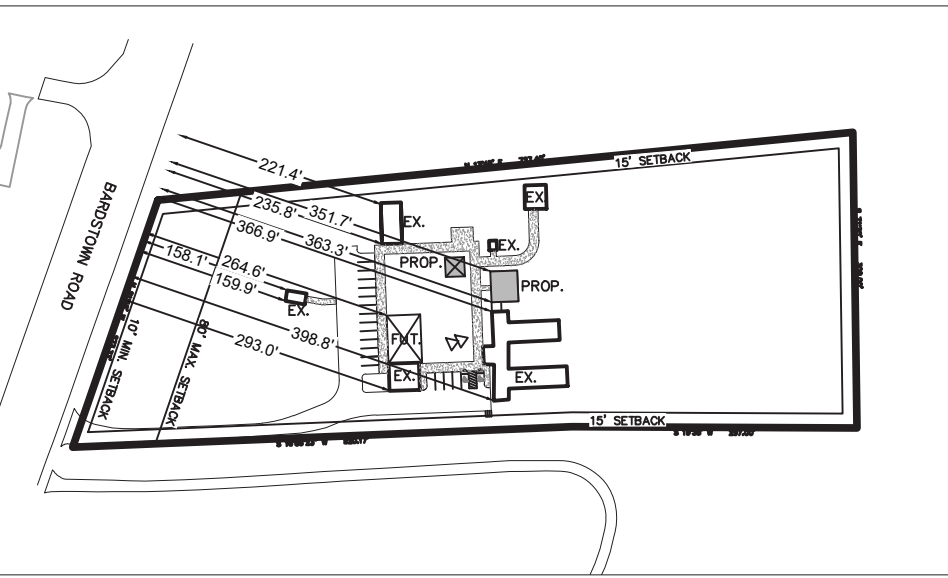
PARKING ALLOWED:	21 SPACES
OFFICE 1/150 SF = 20 SPACES	
STORAGE 1/500 SF = 1 SPACES	

PARKING PROVIDED	20 SPACES
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BIKE PARKING	
BIKE PARKING REQUIRED	3 SPACES OR 10% OF REQUIRED PARKING
BIKE PARKING PROVIDED	3 SPACES

ADDITIONAL REQUESTS

1. VARIANCE FROM LDC TABLE 5.3.2 TO ALLOW THE BUILDINGS TO BE SET BACK BEYOND THE MAXIMUM SETBACK. SEE SETBACK EXHIBIT BELOW FOR DIMENSIONS.



CASE # 26-MCUP-0007
MSD PLAN REVIEW # PRELIM-26-1046

WM# 7115



SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
301 EAST MAIN STREET, SUITE 201
LOUISVILLE, KENTUCKY 40202
(502) 984 - 6271

NO.	REVISION	DATE
1	REVISED PER AGENCY COMMENTS	05/15/26
2	REVISED PER AGENCY COMMENTS	05/28/26

SHEET TITLE: CONDITIONAL USE PERMIT PLAN
PROJECT TITLE: FERN CREEK PET RESORT
1521 & 5225 BARDSTOWN ROAD, LOUISVILLE, KY 40291
1521 BLOCK 35, LOTS 37 & 247
KENTUCKY HUMANE SOCIETY - ANIMAL RESCUE LEAGUE
1000 LINDON LANE, SUITE B, LOUISVILLE, KY 40222
DEVELOPER:
DEED BOOK 7150, PAGE 151 & DEED BOOK 7150, PAGE 345

JOB NO.	3669
SCALE:	1"=40'
DATE:	04/27/26

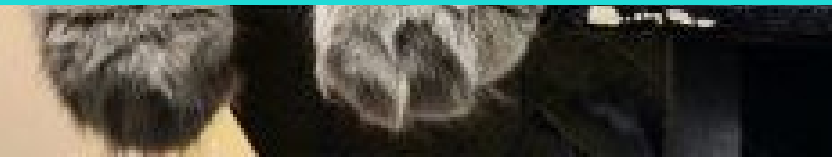
DRAWING NO:

CUP

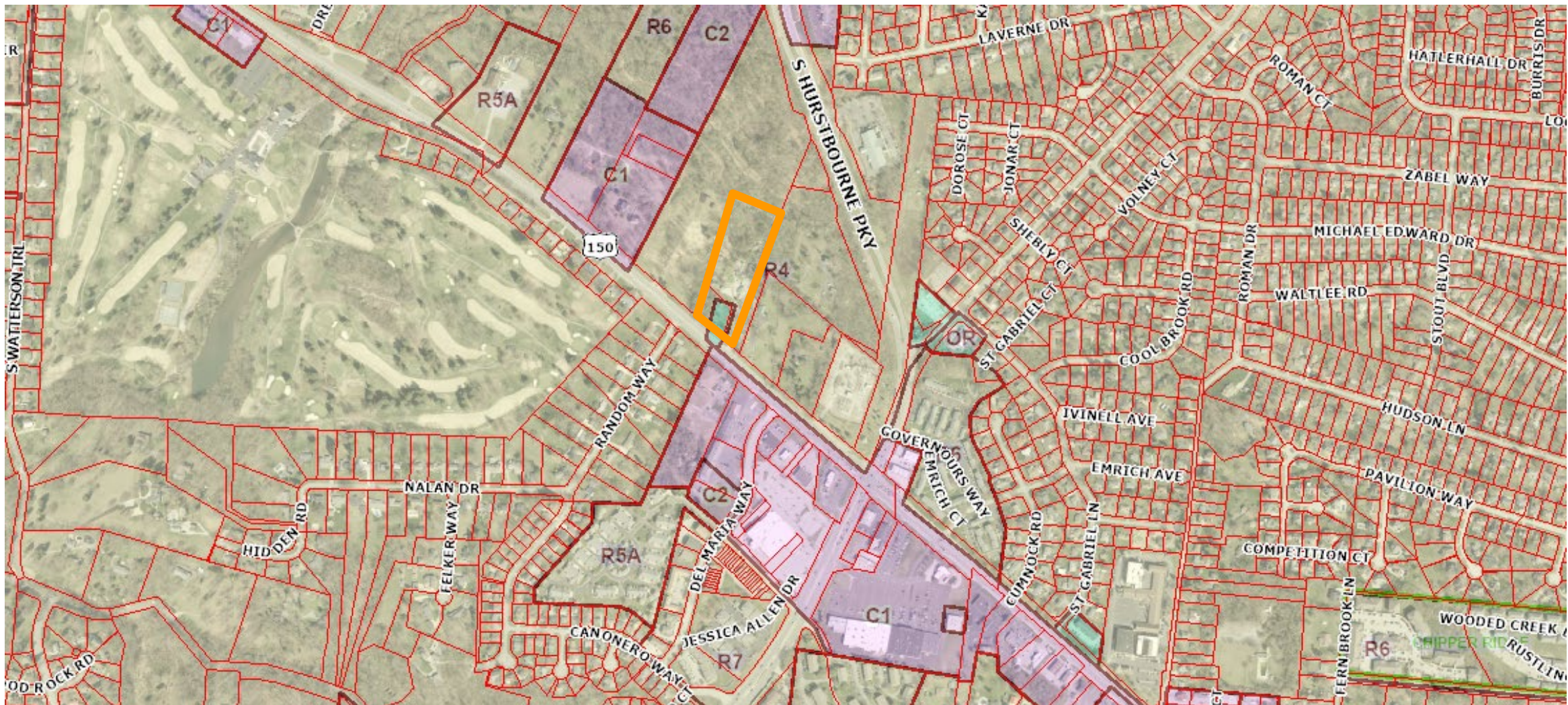


FERN CREEK PET RESORT

MODIFIED CONDITIONAL USE PERMIT



ZONING MAP



AERIAL MAP

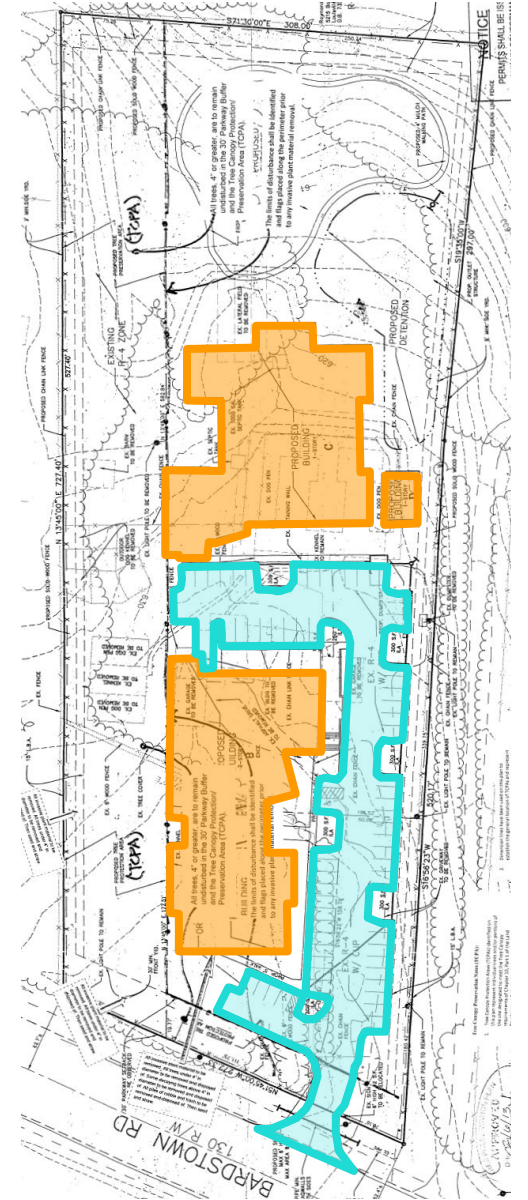


SITE HISTORY

This site has been operating as a Commercial Kennel for over 60 years.

- **1963** – Case 9-47-63 – Special Use Permit for a Commercial Kennel granted for 4-year period.
- **1965** – Case 9-147-65 – Change in Zoning rejected but Special Use Permit extended for 25 years.
- **1998** – Kentucky Humane Society purchased the property.
- **2001** – Case 9-50-00 – Conditional Use Permit Approved but full plan never implemented. (See adjacent plan.)

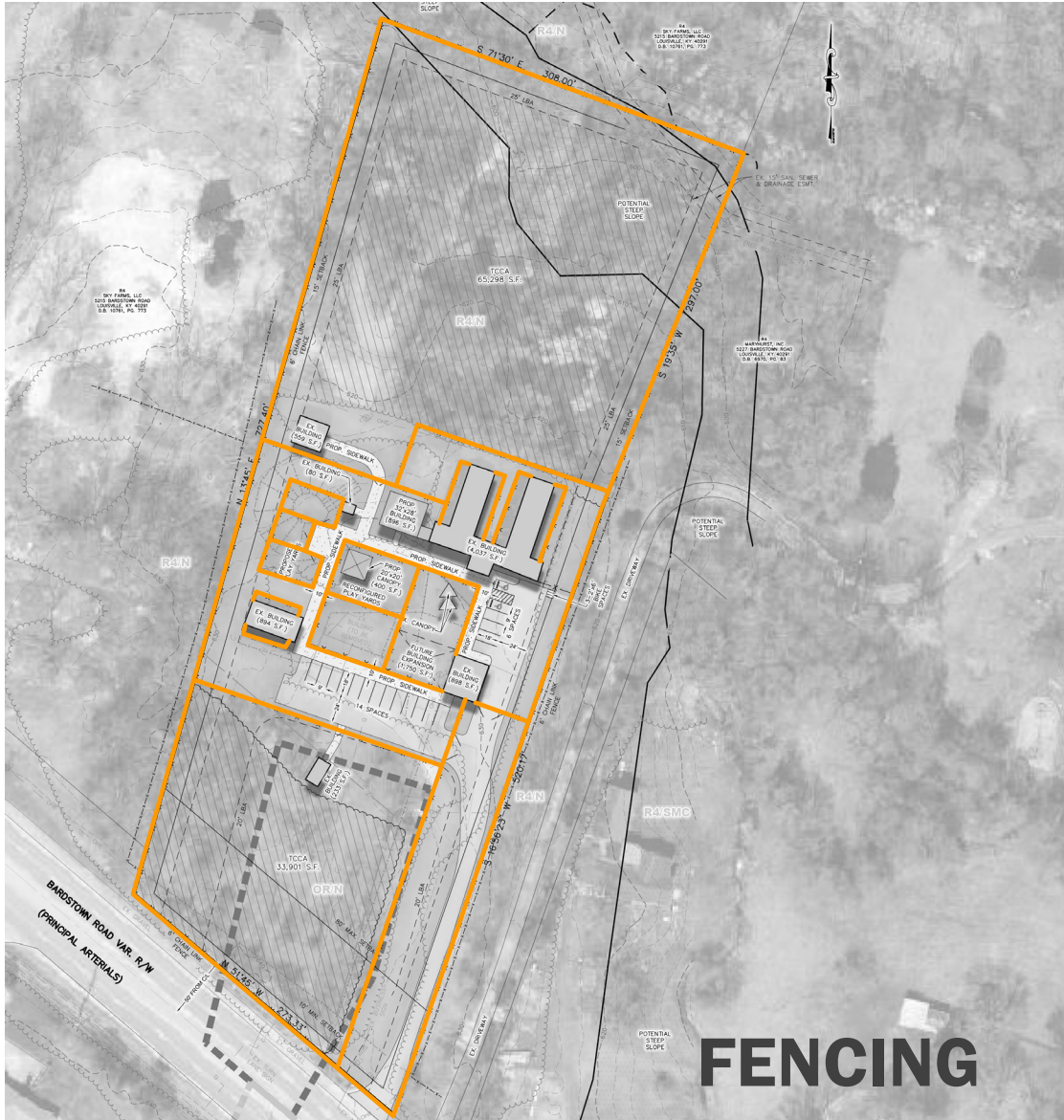
PREVIOUSLY APPROVED CONDITIONAL USE PERMIT PLAN ⇨





PROPOSED SITE PLAN





PHASE I



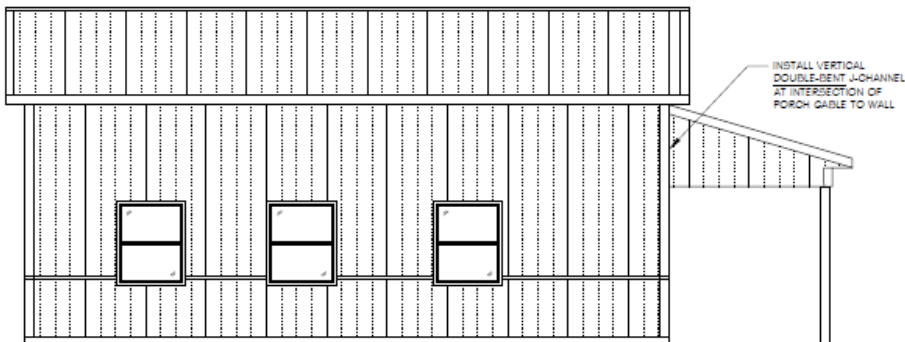
SIDE-BY-SIDE COMPARISON



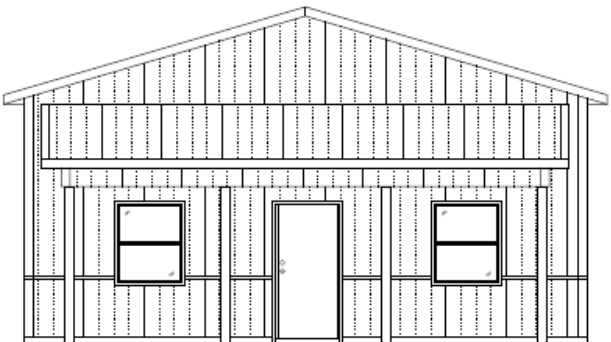
SIDE-BY-SIDE COMPARISON



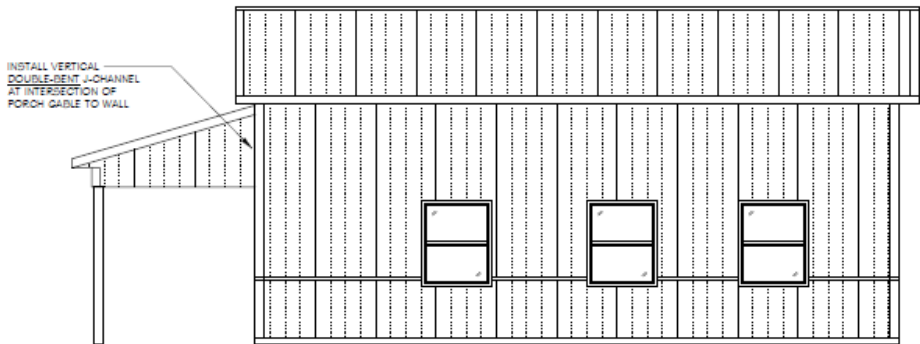
PHASE I BUILDING ELEVATIONS



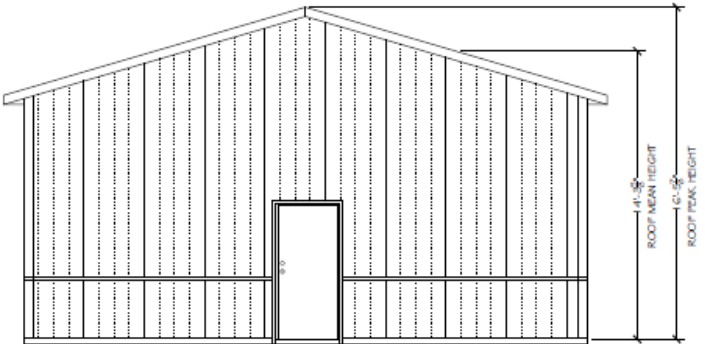
WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

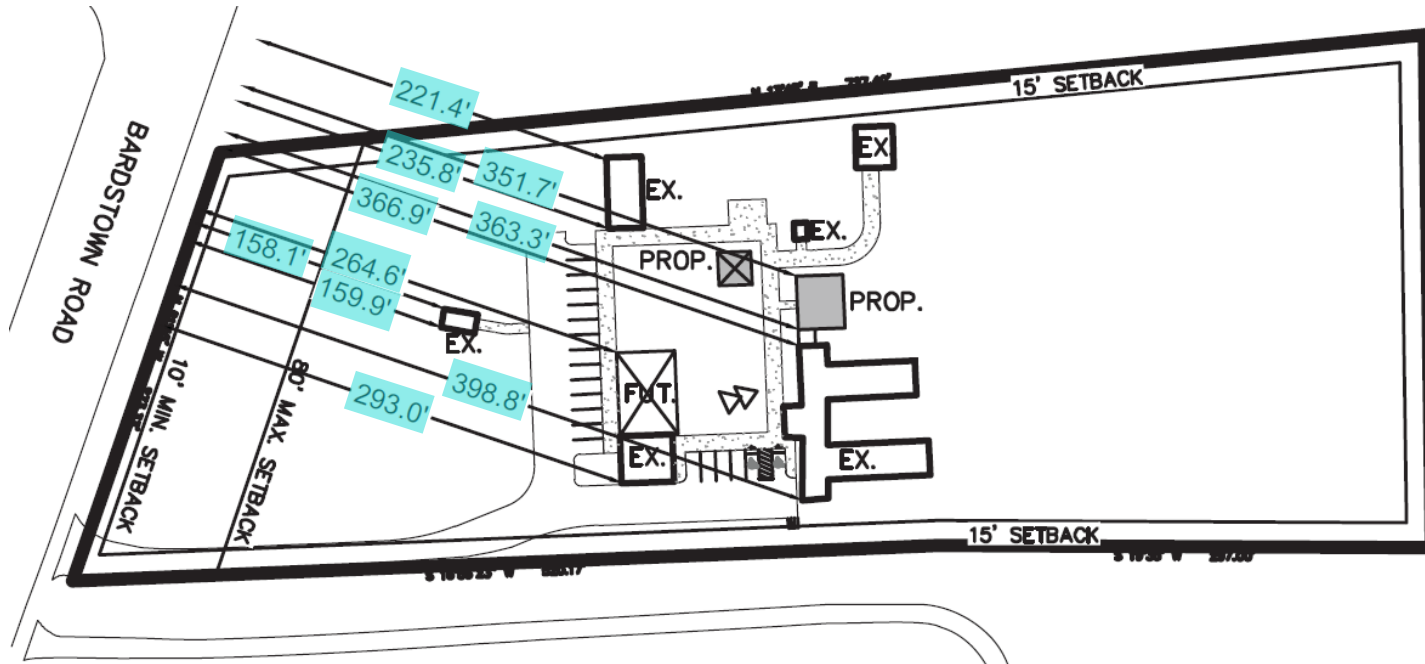


FINISH GRADE ELEVATION AT BUILDING PERIMETER
TO BE BELOW STEEL SIDING DRIP GAP AND ABOVE
THE BOTTOM OF THE PRIMARY GRADE BOARD.

NORTH ELEVATION
SCALE: 1/4" = 1'-0"

SUMMARY OF REQUESTS

- Variance from LDC Table 5.3.2 to allow the building to be set back beyond the maximum setback from Bardstown Road.



- **Modified Conditional Use Permit for a Commercial Kennel.**



SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & SURVEYORS
301 E. MAIN STREET, SUITE 201 • LOUISVILLE, KY 40202
(502) 584-6271 • www.swlinc.com

April 27, 2026

Mr. Brian Davis, Director
Louisville Metro Department of Planning
444 S. 5th Street, 3rd Floor
Louisville, KY 40202

RE: Fern Creek Pet Resort
Modified Conditional Use Permit

Mr. Davis,

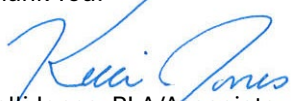
Enclosed please find an application for a modified conditional use permit for the Kentucky Humane Society's Fern Creek Pet Resort located at 5225 Bardstown Road. The enclosed plan represents a future goal for improvements to this property. Please note, these improvements will be made in phases, as noted on the plan, as funds become available. The initial phase that is currently being designed will include construction of the proposed 896 SF building to house their grooming facilities because their current facilities are very small and no longer meet their needs.

This case was previously approved in 2001 under case number 9-50-00 (CVLW). The history of this site is quite interesting. This property has been operated as a commercial kennel for over 60 years. According to old planning records, in 1963 the Jefferson Fiscal Court granted a special use permit for a commercial kennel for a 4-year period (Docket No. 9-47-63). In 1965 the former owner applied for a zone change to C-2 (Docket No. 9-147-65) which was rejected; however, the Fiscal Court chose to extend the Special Use Permit for an additional 25 years. In 1998 the Kentucky Humane Society purchased the property and have been offering grooming and boarding on site since that time.

It is important to note that the 2001 plan showed the relocation of the Kentucky Humane Society's offices from the Steedly Drive location to this site, but that portion of the project was never completed. Now that the new Community Care Campus is under construction on Preston Highway, we know that the long-term goals for this site no longer include KHS offices.

Please schedule this matter for the next available BOZA meeting. Please let me know if you have any questions or need any additional information.

Thank You.


Kelli Jones, PLA/Associate
Sabak, Wilson & Lingo, Inc.



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**Fern Creek Pet Resort
Variance Justification**

Enclosed please find an application for a variance from LDC table 5.3.2 to exceed the maximum 80' setback on the property at 5225 Bardstown Road. This variance is associated with a modified conditional use permit for the Kentucky Humane Society's Fern Creek Pet Resort under case number 26-MCUP-0007. The associated plan represents a future goal for improvements to this property. Please note, these improvements will be made in phases, as noted on the plan, as funds become available. The initial phase that is currently being designed will include construction of the proposed 896 SF building to house their grooming facilities because their current facilities are very small and no longer meet their needs.

This property has been operated as a commercial kennel for over 60 years. May of the buildings on the plan already exist with setbacks ranging from 158' to 399'. The proposed buildings fall within that range of setbacks. The first building to be constructed (as described in the letter of explanation accompanying the modified CUP request) will be set back 352' to 367'. An exhibit is included on the proposed plan with dimensions showing the various setbacks. With regard to the specific variance justification, please note the following:

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

There will be no adverse effect on the public health, safety or welfare because proposed buildings will fall within the setbacks of existing buildings and are interior to the property.

2. Explain how the variance will not alter the essential character of the general vicinity.

There will be no effect on the essential character of the general vicinity because this is an existing condition and all proposed buildings will fall within the setbacks of the existing buildings on site.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

This variance is internal to the property and will have no effect on the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

This condition has existed on this site for over 60 years. This variance brings this existing condition into zoning compliance so it does not allow an unreasonable circumvention of the zoning regulations.

5. Explain how the variance arises from special circumstances which do not generally apply to land in the general vicinity.

This variance arises from an existing condition that has existed since before the current regulations were in place.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The strict application of the regulations would require the applicant to build a building much closer to Bardstown Road than the current facilities. This would have much more of an impact on the public and the character of the general vicinity. Furthermore, it would put the animals closer to a busy road, making it less safe for them as well. Therefore, this would create an unnecessary hardship.

7. Are the circumstances the result of actions of the applicant taken after the adoption of the regulation from which relief is sought?

No. This is an existing condition that existed prior to the implementation of the current zoning regulations.



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0067

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 4.



26-VARIANCE-0067

Board of Zoning Adjustment
Staff Report
July 20, 2026

Wesley Manor Senior Independent Living

Location: 5400 E Manslick Road
Applicant: Wesley Manor Retirement Community
Representative: Qk4
Jurisdiction: Louisville Metro
Council District: 24 – Ginny Mulvey-Woolridge
Case Manager: Catherine Gomez, Planner I

REQUEST & RECOMMENDED ACTION

1. **Variance** from the Land Development Code (LDC) Table 5.3.1 to permit the height of the proposed structures to exceed the maximum height of 35 feet to 38 feet 7 inches, for a variance of 3 feet 7 inches.
 - Staff finds the request is in keeping with Plan 2040 and recommends the Board of Zoning Adjustment **APPROVE** the Variance.

CASE SUMMARY

The subject site is currently zoned R-5A multi-family residential within the Neighborhood Form District and contains 5.69 acres. The applicant is proposing four 3-story multi-family buildings with 68 units, a 5,000 square foot resident amenity building and 37,000 square feet of proposed recreation area on the existing nursing home campus of Wesley Manor. There is an existing 1-story community center serving the adjacent nursing facility that will be demolished if this development plan is approved. This development proposes to expand the Wesley Manor Retirement Community adjacent to the subject site and provide 17 new shared parking spaces and 85 interior garage spaces.

STANDARD OF 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.

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 residential properties in the general vicinity maintain building heights. The design of each building will be compatible with the rest of the existing nursing homes in Wesly Manor. The plan will provide the required landscape buffers and plantings adjacent to the single-family residential properties.

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 and width to most of the properties on the block face.

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 applicant would not be able to provide 28 units, which is permitted by the density of the zoning district, if the height of the building is restricted to 35 feet. Each building will be 3-stories, which permits the construction of 28 units and garage spaces for each unit.

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 not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as

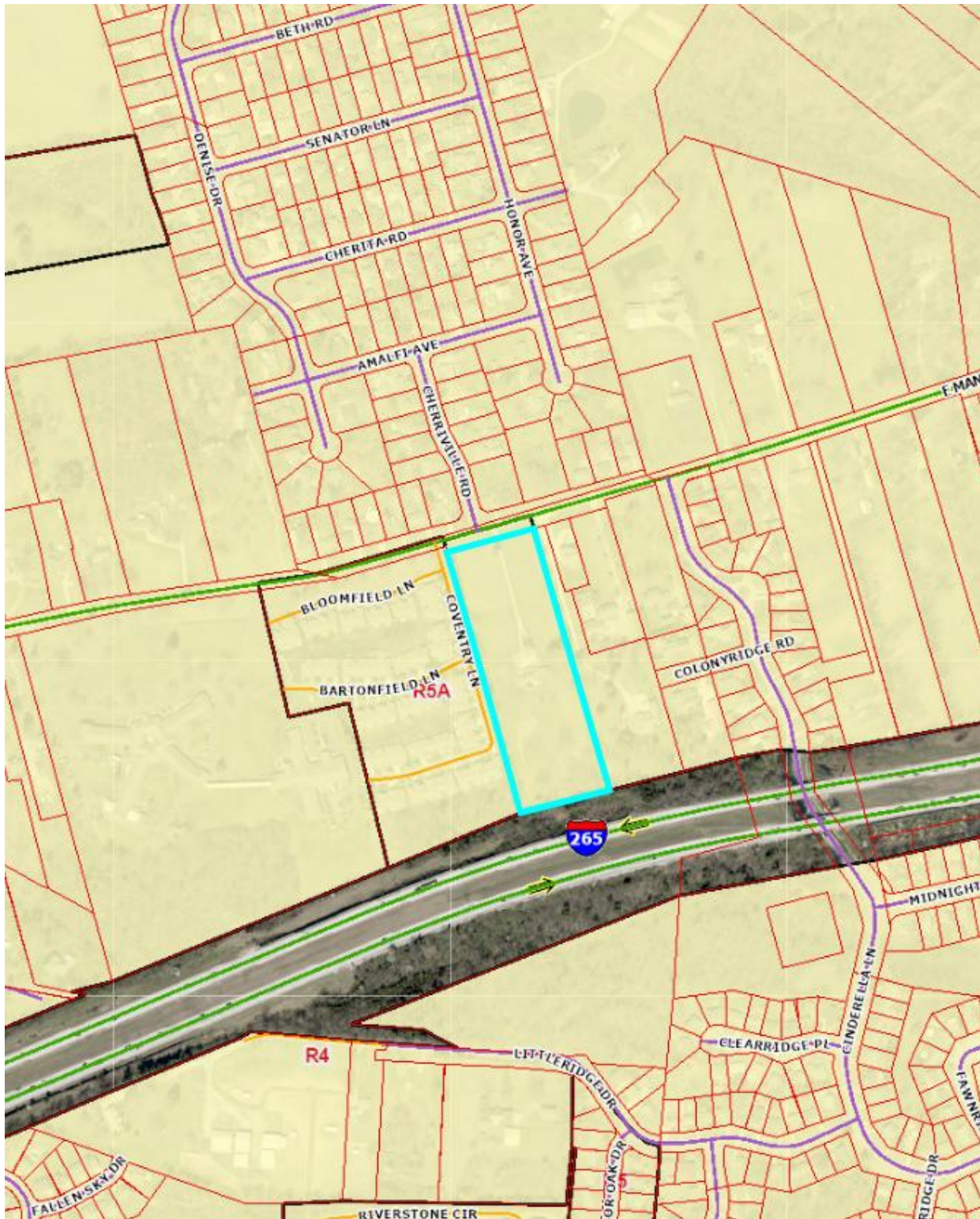
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
6/30/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 24
7/10/2026	Board of Zoning Adjustment Public Hearing	Sign posted on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph



FW: New Constituent Contact from Kathy Jones

From Blazis, Heather <heather.blazis@louisvilleky.gov>

Date Tue 6/30/2026 4:26 PM

To Gomez, Catherine <Catherine.Gomez@louisvilleky.gov>; katjo53@gmail.com <katjo53@gmail.com>

Cc Woolridge, Ginny <Ginny.MulveyWoolridge@louisvilleky.gov>

Good afternoon, Ms. Jones. We are forwarding your concern to Catherine Gomez (copied on this email) who is the case manager for this case. She can add your concern to the official record. [@Gomez, Catherine](#) do you share the concern with the developer and/or applicant? Thank you,
Heather



Heather Blazis

Legislative Assistant to Councilwoman Ginny Mulvey-Woolridge

[Louisville Metro Council](#)

502-574-1124

heather.blazis@louisvilleky.gov

[Louisville Metro Council District 24](#)

[601 W Jefferson St • Louisville, KY 40202](#)

From: Smartsheet Automation <automation@app.smartsheet.com>

Sent: Tuesday, June 30, 2026 4:17 PM

To: Blazis, Heather <heather.blazis@louisvilleky.gov>

Subject: New Constituent Contact from Kathy Jones

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.



New Constituent Contact from Kathy Jones

Kathy Jones used the online Smartsheet form to contact District 24. Please see more information below & use the link to visit Smartsheet.

Details

Changes since 6/30/26, 4:14 PM

1 row added

1 row added or updated (shown in yellow)

[Row 865](#)

First Name	Kathy
-------------------	-------

Last Name	Jones
------------------	-------

Phone Number	5027413298
---------------------	------------

Email Address	GO
----------------------	--------------------

Street Address	5000 E Manslick Rd
-----------------------	--------------------

ZIP Code	40219
-----------------	-------

Issue	Building Concern
--------------	------------------

Address of Issue	
-----------------------------	--

Issue Description	I would like to know what the development at 5400 E Manslick Rd intend to do about drainage and/or retention of water. Our house is downhill from Wesley Manor and this is currently an issue I am unable to attend the meeting on July 20th. Will you attend or can you pass on my concerns?
------------------------------	---

Changes made by web-form@smartsheet.com

You are receiving this email because you are subscribed to a workflow "New Smartsheet Record" (ID# 827343175477124) on sheet [Constituent Issue Tracker](#)

[Exclude your changes from all notifications](#) | [Unsubscribe](#)

Powered by Smartsheet Inc. | [Privacy Policy](#) | [Report Abuse/Spam](#)

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of **Yes**, **No**, or **N/A** will **NOT** be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

The proposed building will be designed and constructed in full compliance with all applicable building codes, fire safety regulations, and structural requirements. The modest increase in height (4 feet) does not introduce any additional safety risks related to fire access, emergency response, structural integrity, or occupancy.

2. Explain how the variance will not alter the essential character of the general vicinity.

The additional 4 feet is minimal in visual terms and will not materially change sight-lines or neighborhood character as compared to the 35 feet permitted by the Land Development Code. The buildings requiring the variance will be 3 stories tall, which is the intent of the 35 foot height permitted by the Code.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The slight increase in height will not generate additional noise, traffic, glare, vibration, or other impacts typically associated with hazard or nuisance conditions.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The deviation is minimal and narrowly tailored—only 4 feet above the permitted height—and is requested to accommodate additional independent living units while still remaining in compliance with all other applicable zoning requirements, including setbacks, use restrictions, and parking. The buildings requiring the variance will be 3 stories tall, which is the intent of the 35 foot height permitted by the Code.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The special circumstance is the need for additional independent living options in our community. The minor increase in building height allows for the construction of an additional 28 housing units at the site.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Strict application of the 35-foot height limit would prevent 28 independent living units from being available to the community in this area.

7. Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

The circumstances necessitating the variance are not the result of actions taken by the applicant after adoption of the zoning regulation. Rather, they arise from inherent site conditions, modern building requirements, reasonable design considerations, and the demand for independent living options in our community. The applicant has made good-faith efforts to comply with the zoning ordinance and is requesting only the minimum variance necessary to achieve a functional and code-compliant structure.



Louisville Metro Government

Text File

File Number: 26-VARIANCE-0074

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 5.



26-VARIANCE-0074

Board of Zoning Adjustment
Staff Report
July 20, 2026

Garage Addition Variance

Location: 8202 Delido Road
Applicant: William Stopinski
Representative: Killian Contracting
Jurisdiction: Louisville Metro
Council District: 23 – Jeff Hudson
Case Manager: Catherine Gomez, Planner I

REQUEST & RECOMMENDED ACTION

1. **Variance** from Land Development Code (LDC) Section 5.4.2.C.3.a to permit an accessory structure to encroach into the required 5 foot rear yard setback.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Variance.

CASE SUMMARY

The subject site is currently zoned R-4 Single Family Residential within the Neighborhood Form District and on 0.22 acres. The applicant is proposing a 132 square foot addition to an existing detached garage on the property. The required rear yard setback for accessory structures is 5 feet from the property line. The proposed addition is encroaching about 5 inches into the rear yard setback, creating the need for a variance. The applicant proposes using the additional space for storage.

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.

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 residential properties in the general vicinity maintain similar rear yard setbacks. The addition will follow the site design standards set by the Neighborhood Form District.

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 and width to most of the properties on the block face.

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 applicant has limited space on site to construct additional storage. The existing site conditions limit expansion options without minor encroachment.

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 not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has requested the Variance prior to constructing the addition.

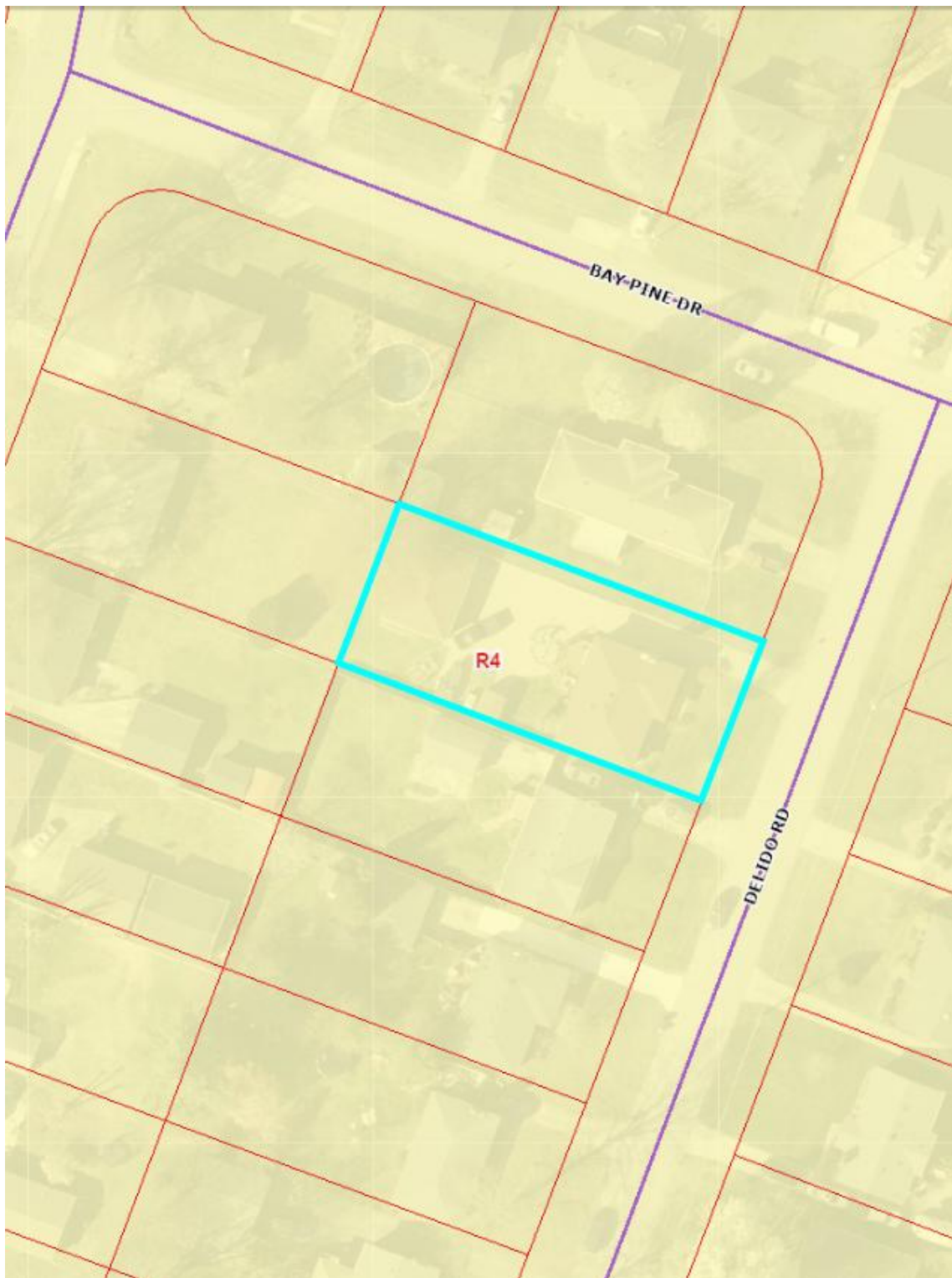
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
6/30/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 23

ATTACHMENTS

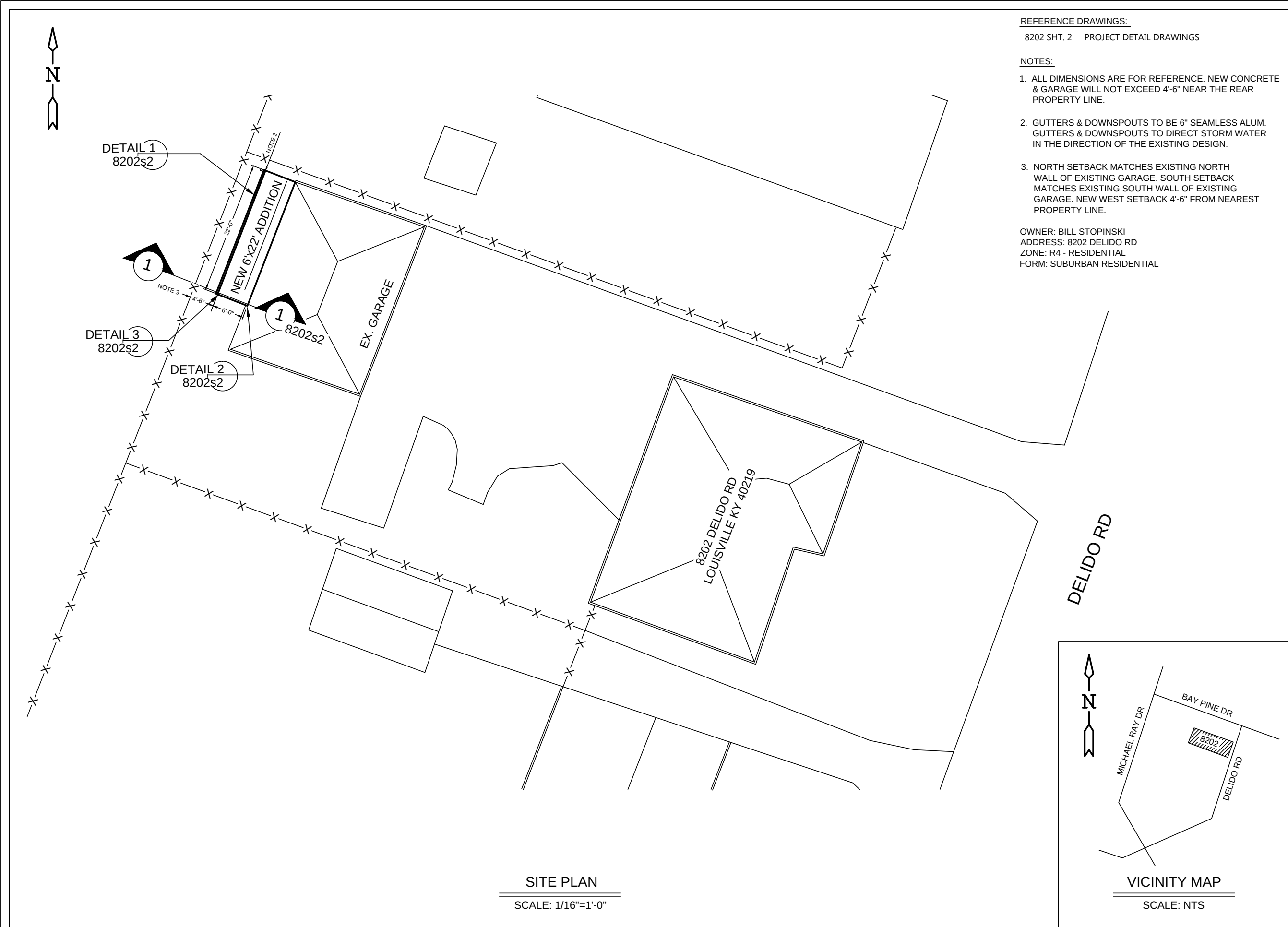
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph





REFERENCE DRAWINGS:
8202 SHT. 2 PROJECT DETAIL DRAWINGS

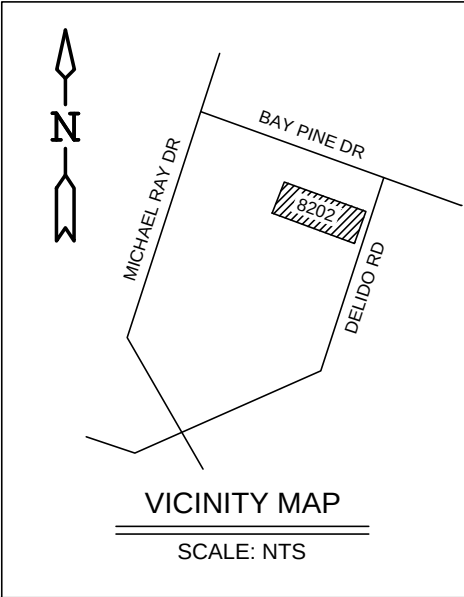
NOTES:

1. ALL DIMENSIONS ARE FOR REFERENCE. NEW CONCRETE & GARAGE WILL NOT EXCEED 4'-6" NEAR THE REAR PROPERTY LINE.

2. GUTTERS & DOWNSPOUTS TO BE 6" SEAMLESS ALUM. GUTTERS & DOWNSPOUTS TO DIRECT STORM WATER IN THE DIRECTION OF THE EXISTING DESIGN.

3. NORTH SETBACK MATCHES EXISTING NORTH WALL OF EXISTING GARAGE. SOUTH SETBACK MATCHES EXISTING SOUTH WALL OF EXISTING GARAGE. NEW WEST SETBACK 4'-6" FROM NEAREST PROPERTY LINE.

OWNER: BILL STOPINSKI
ADDRESS: 8202 DELIDO RD
ZONE: R4 - RESIDENTIAL
FORM: SUBURBAN RESIDENTIAL



SITE PLAN

BILL STOPINSKI - GARAGE ADDITION

8202 DELIDO RD

LOUISVILLE, KY 40219

KCGI

KILLIAN'S CONTRACTING GROUP INC.

502-644-1282

6211 OUTER LOOP

LOUISVILLE, KY 40219



ISSUE FOR PERMIT

04/27/26 - TK

08202 SHT. 1 OF 2



Letter of Explanation – Variance Request

Property Address: 8202 Delido Rd Louisville, KY 40219

Owner: Bill Stopinski

Date: April 15, 2026

To Whom it May Concern,

This letter is submitted in support of a variance request for a proposed extension of an existing garage at the above-referenced single-family residential property.

The project consists of extending the existing garage by approximately [insert dimensions], resulting in a [insert total square footage] structure. Due to the placement of the garage and lot configuration, the extension will encroach approximately 0.5 feet into the required [5-foot] side yard setback, requiring a variance.

The extension is intended to provide adequate enclosed space to meet the property's storage needs. Strict application of the setback requirement would limit reasonable expansion and restrict functional use. Without sufficient enclosed storage, items may need to be stored outdoors, creating visual clutter and exposure to the elements.

The proposed variance is minimal and will not adversely affect public health, safety, or welfare. The project maintains the existing residential use and will comply with applicable building codes. The minor encroachment will not impact access, drainage, or visibility, nor create hazardous conditions.

The extension is consistent with the character of the surrounding residential area and will not alter the essential nature of the neighborhood. The variance does not permit any use or intensity beyond what is allowed under zoning regulations and does not represent a substantial deviation.

The need for the variance arises from existing site conditions, including placement of the garage and lot layout, which limit expansion options without minor encroachment. These conditions are specific to this property and not the result of actions taken by the applicant.

Based on the above, the requested variance is reasonable, minimal, and consistent with the intent of the Land Development Code.



Respectfully submitted,

Tony Killian

KCGI | Killian's Contracting Group, Inc.
6211 Outer Loop Louisville, KY 40219
info@killianscontracting.com
www.KilliansContracting.com
(502) 644-1282



Louisville Metro Government

Text File

File Number: 26-MCUP-0003

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 6.



26-MCUP-0003

Board of Zoning Adjustment
Staff Report
July 20, 2026

Christian Academy of Louisville

Location: 700, 700R, & 702 S. English Station Road
Applicant: Christian Academy of Louisville, Inc.
Representative: Land, Design, & Development, Inc.
Jurisdiction: Louisville Metro
Council District: 11 – Kevin Kramer; 19 – Anthony Piagentini
Case Manager: Kaitlin Dever, AICP, Planner II

REQUEST & RECOMMENDED ACTION

1. **Modified Conditional Use Permit** for a private institutional use in a residential (R-4) zoning district (LDC 4.2.65) with Conditions of Approval.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Modified Conditional Use Permit.

CASE SUMMARY

The subject site is approximately 64.2 acres zoned R-4 Single-Family Residential in the Neighborhood form district at the intersection of S. English Station Road and English Station Way, generally located east of I-265. The site is currently developed with an existing 236,108 square foot private institutional use with associated parking, numerous accessory structures, a playground, and several athletic fields. The development is accessed from both S. English Station Road and English Station Way.

The applicant is requesting to modify the existing conditional use permit to allow a two-story, 12,904 square foot building expansion to the private institutional use for a lobby and additional classrooms, a new, one-story, 36,770 square foot athletic field house in place of the existing soccer/hammer throw field, and a new, two-story, 23,250 square foot athletic field house between the softball field and football field at the rear of the property. The total building footprint increase across the site is 60,279 square feet (33.7%) and the gross building floor area increase is 72,924 square feet (29%). The proposal will be served by existing parking on site.

Case History:

- **22-MCUP-0014:** A Modified Conditional Use Permit for a private institutional use in a residential (R-4) zoning district to construct a 15,000 square foot Junior Academy building with 20 additional off-street parking spaces.

- **18CUP1122:** A Conditional Use Permit to allow a private institutional use in a residential (R-4) zoning district to construct a 9,250 square foot addition to the main campus building, an 11,000 square foot pre-school building, and a playground with 58 additional parking spaces.
- **B-13189-09:** A Conditional Use Permit to permit a Minor Earth Fill Plan.

TECHNICAL REVIEW

- Louisville Metro Land Development Code (2025)
- Comprehensive Plan 2040
- South Floyds Fork Vision Plan (2019)

This site is subject to the South Floyds Fork Vision Plan (2019), which makes the following recommendations:

- Figure 8: South Floyds Fork Vision Map recommends mixed density residential at this location (p. 30).
- Figures 9.A, 9.B, and 9.C: Conceptual Form District Map recommends Neighborhood form district at this location (pp. 37-39).
- Roadway improvements in the South Floyds Fork study area should always consider complete street guidelines, but context sensitive design should take precedence (p. 51).
- Pedestrian design strategies include: ...giving priority to connecting schools to neighborhoods, neighborhood commercial to residential areas, and transit facilities to all adjacent land uses (p. 52).
- Maintaining and protecting a minimum of 50% tree canopy within the planning area protects the numerous benefits that tree provide (p. 103).

The proposal is appropriately located in the Neighborhood form district. The extent of the development does not necessitate roadway improvements to alleviate the impact of any potential increase in traffic per Public Works. Sidewalks are currently present at the frontage of both S. English Station Road and English Station Way to serve the development. The required pedestrian connectivity to the private institutional use has been provided. The proposal will meet tree canopy requirements in accordance with LDC Chapter 10.1.

- Transportation Planning and MSD have preliminarily approved the proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR MODIFIED CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF FINDING: The proposal is consistent with applicable policies of the Comprehensive Plan.

2. *Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?*

STAFF FINDING: The proposal is compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance.

3. *Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?*

STAFF FINDING: All necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use are available or will be provided. MSD and Transportation Planning have preliminarily approved the proposal.

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

4.2.65 Private Institutional Use in a Single-Family Zoning District. Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:

1. *Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.*

2. *The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.*

3. *Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.*

4. *All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).*

5. *The Board of Zoning Adjustment may set hours of operation for institutional use in order to minimize potential negative impacts on surrounding residential properties.*

STAFF FINDING: The applicant is requesting to modify the existing conditional use permit to allow a two-story, 12,904 square foot building expansion to the private institutional use for a lobby and additional classrooms, a new, one-story, 36,770 square foot athletic field house in place of the existing soccer/hammer throw field, and a new, two-story, 23,250 square foot athletic field house between the softball field and football field at the rear of the property. All proposed structures are located more than 30' from property lines. Minimal impact on traffic is anticipated by the proposal, seeing as the extent of the proposed development did not require a traffic impact study by Public Works. Furthermore, the applicant has indicated that the private institutional use has recently completed significant improvements to their drop-off/pick-up protocol to alleviate vehicular circulation and stacking of cars. No alterations are proposed to the existing parking areas. The applicant has demonstrated or will be required to provide compliance with each of the lettered standards of the conditional use permit as necessary.

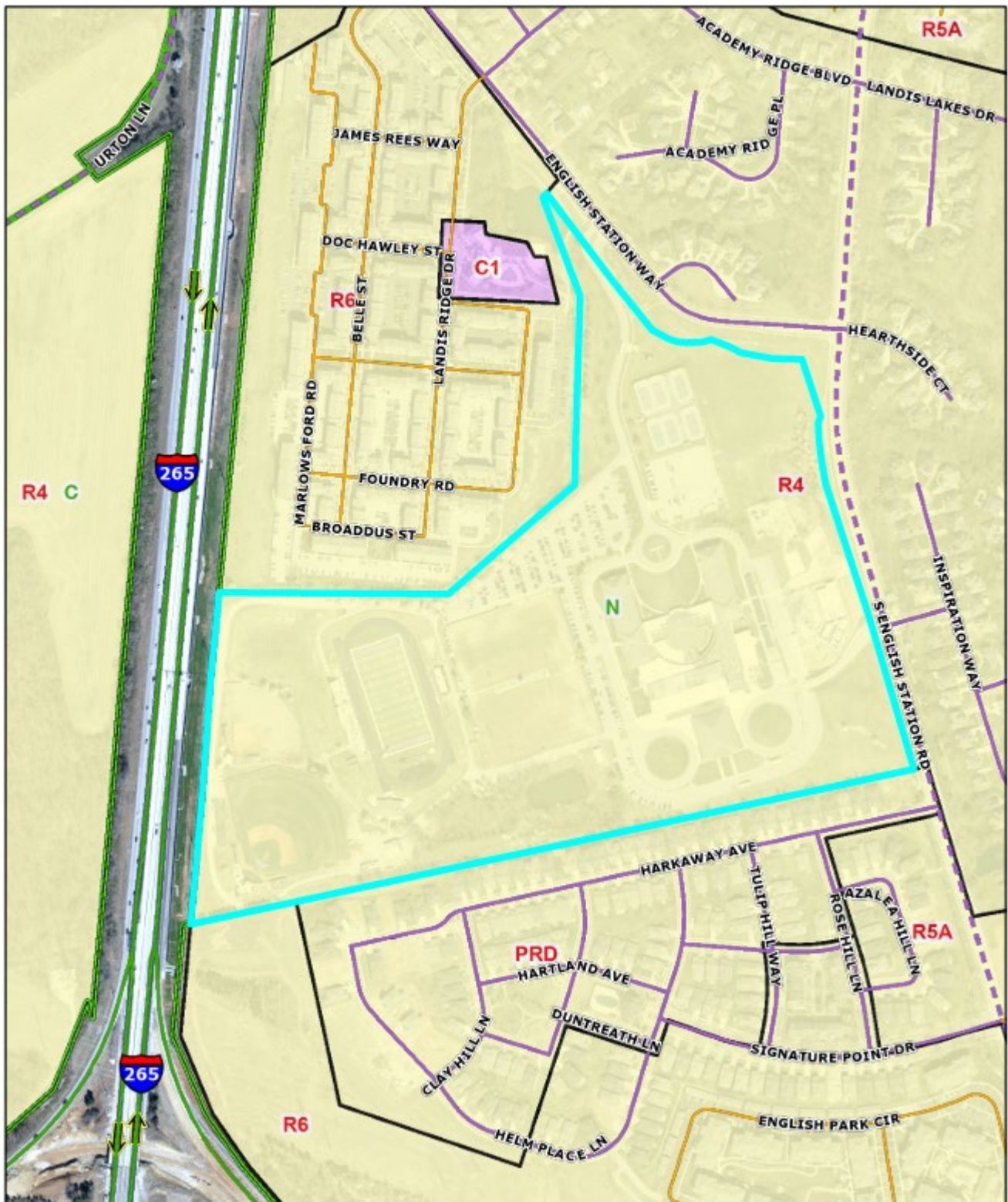
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/2/2026	Board of Zoning Adjustment Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council Districts 11 & 19
7/10/2026	Board of Zoning Adjustment Public Hearing	Sign Posting on Property

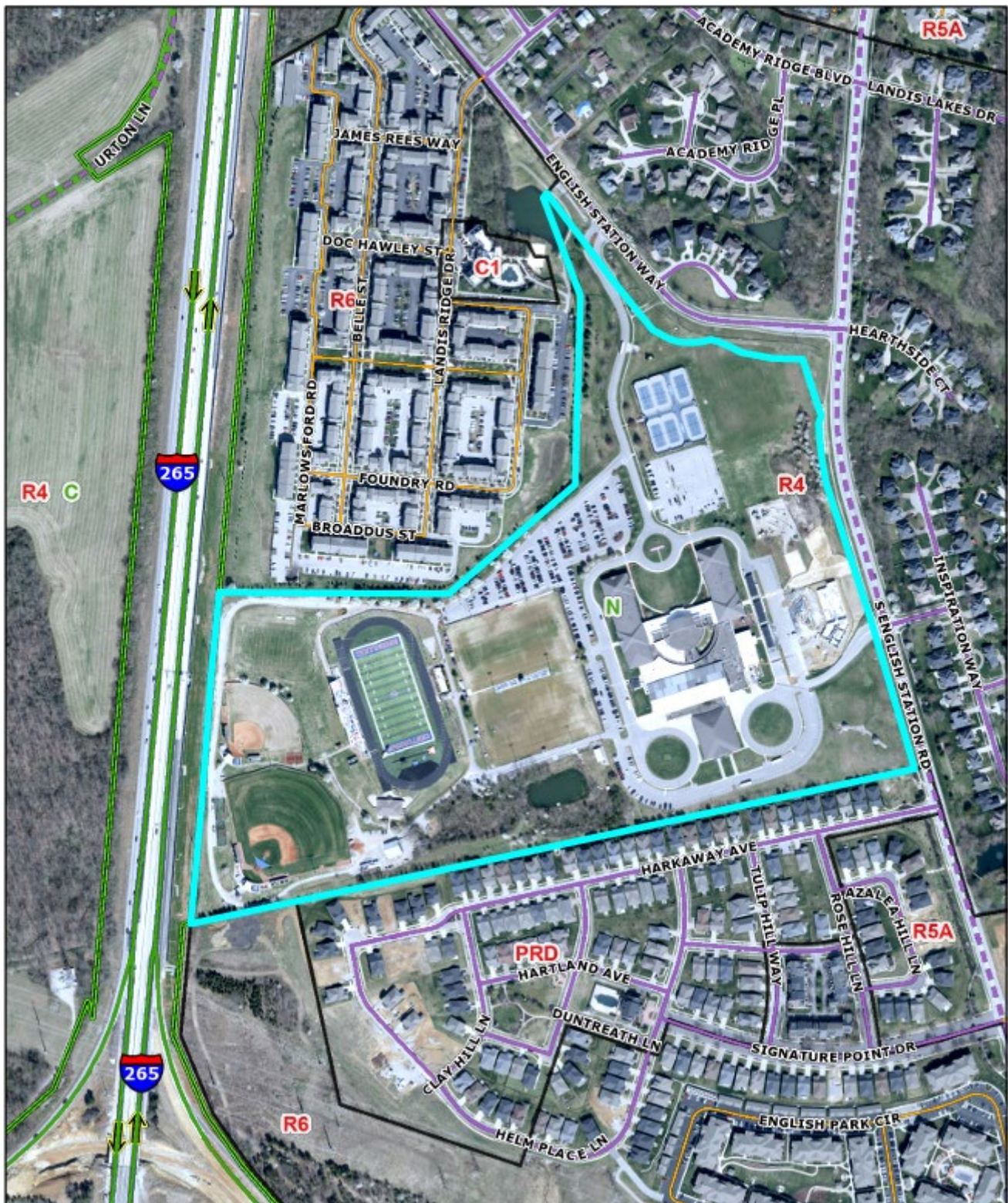
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Existing Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be “exercised” as described in KRS 100.237 within two years of the Board’s vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a private institutional use until further review and approval by the Board.





HIGHSCHOOL ADDITION CAL



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Planning and Design

02-25-2026

THE DESIGN CONCEPT DEPICTED HERE-IN IS THE PROPERTY OF BAYUS DESIGN WORKS. USE OF THE CONCEPT SHALL ONLY BE FOR THE PROJECT FOR WHICH IT WAS DESIGNED. PERMISSION FROM BAYUS DESIGN WORKS IS REQUIRED FOR ANY OTHER USE.



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26-MCUP-0003



ATHLETIC FIELDHOUSE **CHRISTIAN ACADEMY LOUISVILLE (CAL)**



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ATHLETIC FIELDHOUSE **CHRISTIAN ACADEMY LOUISVILLE (CAL)**



ATHLETIC FIELDHOUSE CHRISTIAN ACADEMY LOUISVILLE (CAL)



ATHLETIC FIELDHOUSE CHRISTIAN ACADEMY LOUISVILLE (CAL)

LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
(502) 426-9374

**Letter of Explanation
Conditional Use Permit
Christian Academy of Louisville
700 S. English Station Rd
Louisville, KY
(02/09/26)**

The Applicant is requesting a Modified Conditional Use Permit from section 4.2.65 of the Louisville Metro Land Development Code to allow 1) the construction of a 35,885 SF athletic fieldhouse, and 2) a 12,904 SF addition to the main school building on the campus. The property is currently zoned R-4, located in the Neighborhood Form District and is within Louisville Metro. There are no waivers or variances requested.

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FFR 09 2026

**OFFICE OF
PLANNING**

26-MCUP-0003



Louisville Metro Government

Text File

File Number: 26-CUP-0101

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 7.



26-CUP-0101

Board of Zoning Adjustment
Staff Report
July 20, 2026

Trinity High School Tennis Center Parking

Location: 150 Sears Avenue
Applicant: Trinity High School Foundation
Representative: Land Design & Development Inc.
Jurisdiction: St Matthews
Council District: 9 – Andrew Owen
Case Manager: Mark Pinto, Planner II

REQUESTS & RECOMMENDED ACTIONS

1. Conditional Use Permit to allow an Off-Street Parking Area in the OR-3 zoning district (Development Code Article 15.15).
 - Staff finds the request is in keeping with Plan 2040 and recommends the Board of Zoning Adjustment **APPROVE** the requested Conditional Use Permit.

CASE SUMMARY

The subject site is zoned OR-3 Office Residential, approximately 2.59 acres, and within St. Matthews. The property is developed with an existing 2,285 square foot building, outdoor athletic facilities, and associated parking. The current development and existing site conditions were approved under a previous conditional use permit for a Private Proprietary Club under 23-CUP-0010. The applicant is requesting the conditional use permit for an off-street parking area for the existing parking lot associated with the athletic facilities on site, as students may park in the lot and walk to school nearby or to other locations that are not the athletic facility on site. There is no new construction proposed.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- St. Matthews Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. *Is the proposal consistent with applicable policies of the Comprehensive Plan?*

STAFF FINDING: The proposal is consistent with the applicable policies of the Comprehensive Plan.

2. *Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?*

STAFF FINDING: The proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. There is no proposed construction on site, the existing athletic facilities and associated parking are to remain. Therefore, there will be no effect on compatibility with the area.

3. *Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?*

STAFF FINDING: Adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use. There is no proposed construction and the previous plan received all applicable permits and approvals.

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

Article 15.15 Off-Street parking (St. Matthews Development Code)

- a. The area shall be located within 200 feet of the property on which the building to be served is located.
- b. Walls, fences, or plantings shall be provided in a manner to provide protection for and be in harmony with surrounding residential property.
- c. The minimum front, street side, and side yards required in the district shall be maintained free of parking.
- d. All driveways and the area used for parking of vehicles shall be surfaced with a hard and durable material and be properly drained.
- e. The area shall be used exclusively for transient parking of motor vehicles belonging to invitees of the owner or lessee of said lot.
- f. The approval of all plans and specifications for the improvement, surfacing, and drainage for said parking area will be obtained from the Director of Works for the City of Louisville or the County Engineer for Jefferson County prior to use of the parking lot.
- g. The approval of all plans and specifications for all entrances, exits, and lights shall be obtained from the department responsible for traffic engineering prior to the public hearing on the conditional use permit.

STAFF FINDING: The applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for the conditional use permit.

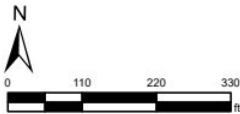
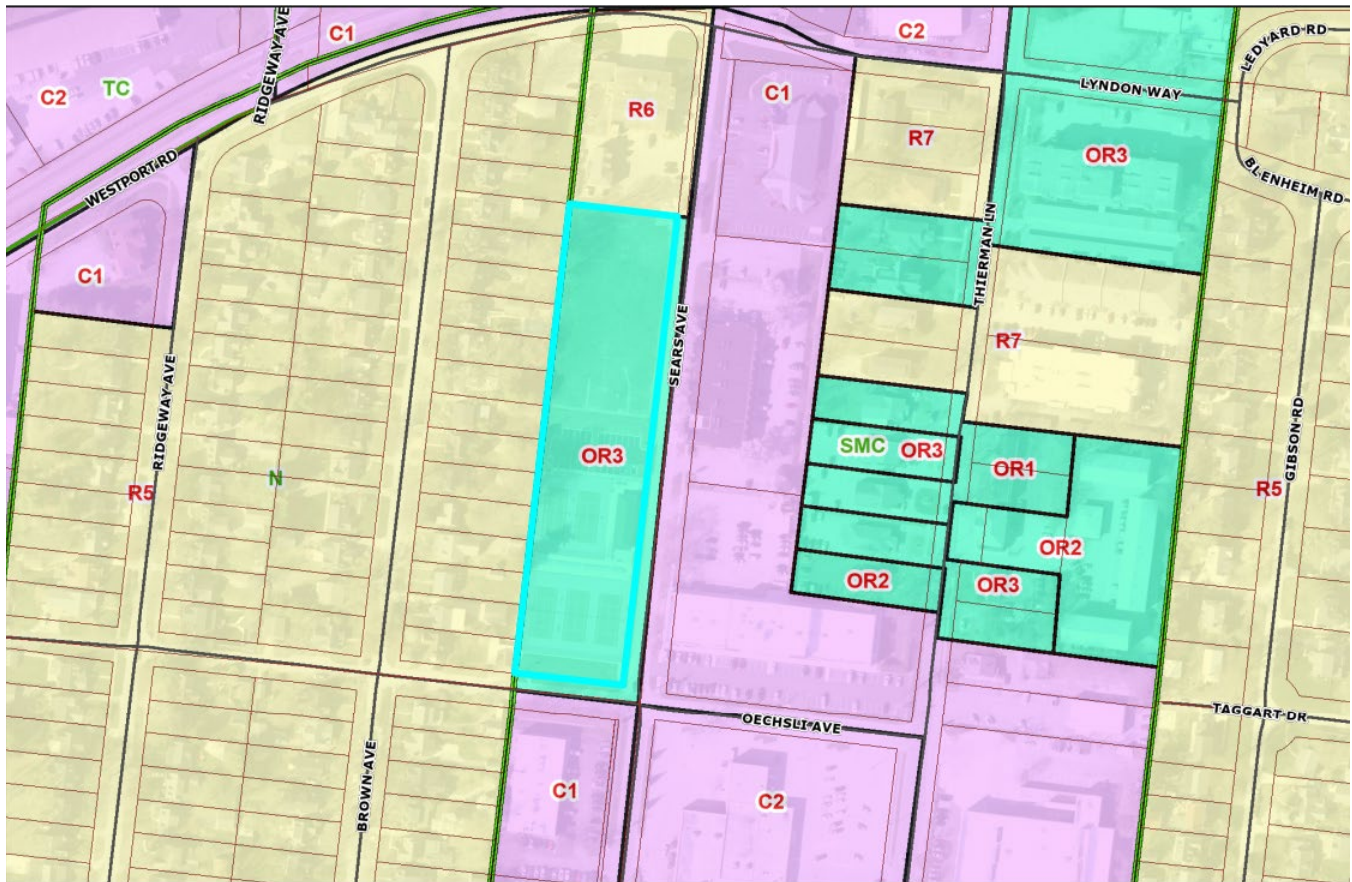
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/2/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 9
7/10/2026	Planning Commission Public Hearing	Sign Posting on Property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

1. Zoning Map



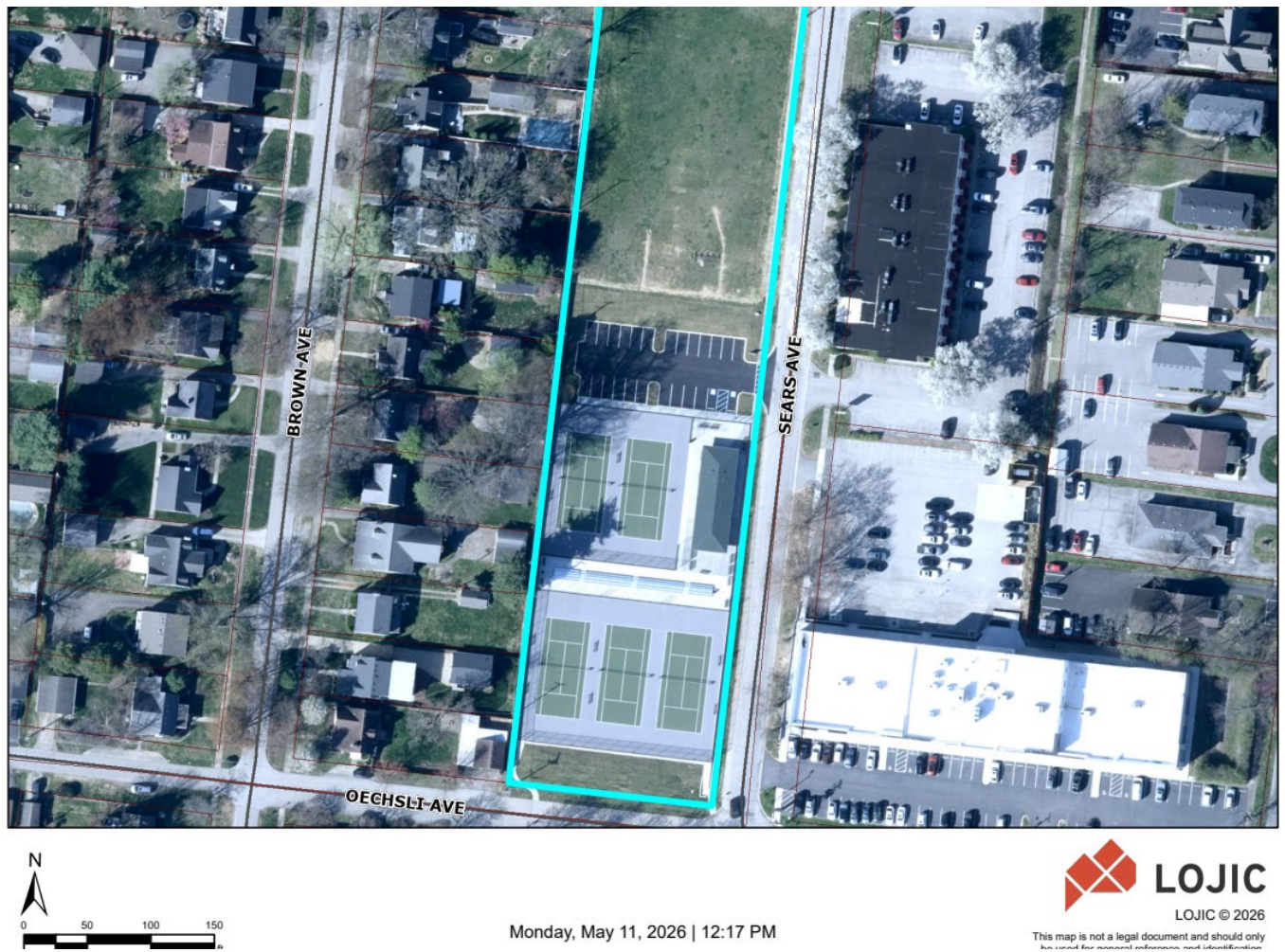
Monday, May 11, 2026 | 12:15 PM



LOJIC © 2026

This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



3. Proposed Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for an Off-Street Parking area until further review and approval by the Board.

THIS SITE IS LOCATED IN THE CITY OF ST. MATTHEWS AND SUBJECT TO DEVELOPMENT CODE AS IN EFFECT APRIL, 2001

THERE IS NO NEW CONSTRUCTION ASSOCIATED WITH THIS APPLICATION

CONDITIONAL USE PERMIT GRANTED:

1. A Conditional Use Permit was Granted from Section 5.4.B of St. Matthews Development Code (April 1, 2001) to allow a private proprietary club to operate in the OR-3 zoning district. Additionally relief was granted from the required 30' Conditional Use Permit setback.

VARIANCE GRANTED:

1. A Variance was Granted from Section 9.1.B.1.a of St. Matthews Development Code (April 1, 2001) to allow a 6' privacy fence to exceed the maximum 4' height within the Front Yard Setback.
2. A Variance was Granted from Section 9.1.B.1.a of St. Matthews Development Code (April 1, 2001) to allow a 10' chain link fence to exceed the maximum 4' height within the Street Side Yard Setback.

WAIVER GRANTED:

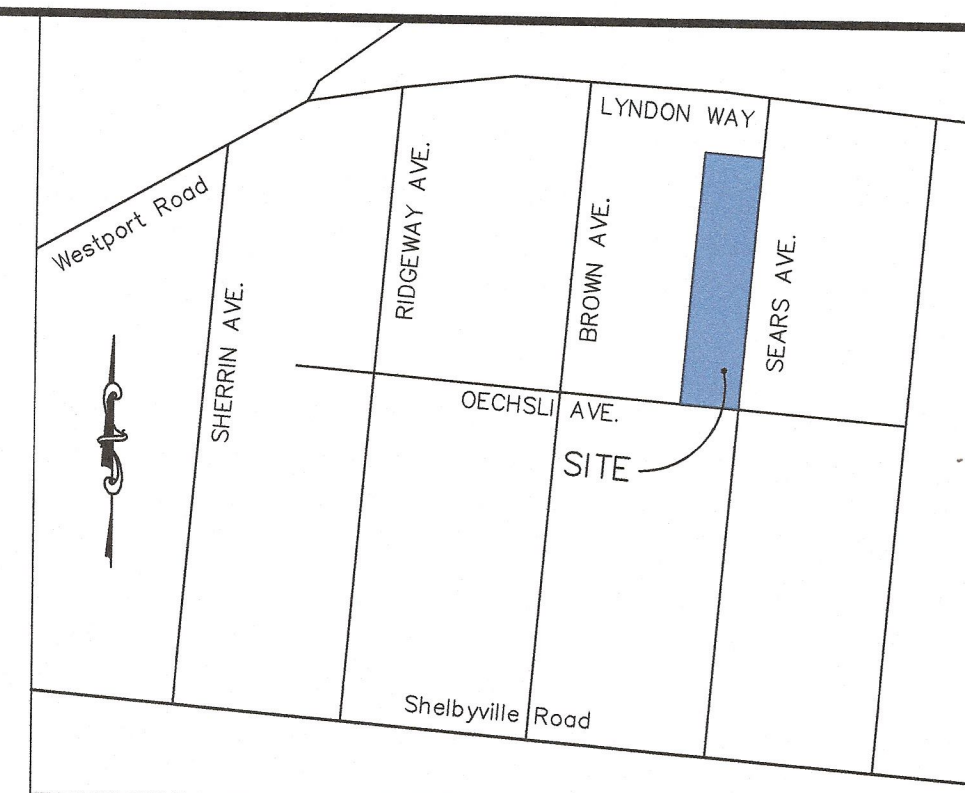
1. A Waiver was Granted from Section 12.C.3 part D.1.(a).1 of St. Matthews Development Code (April 1, 2001) to not provide the required 15' Landscape Buffer and associated plantings along a portion of the west property line and along the north property line currently used by St. Matthews Fire Department.
2. A Waiver was Granted from Section 12.C.3 part D.1.(a).7 of St. Matthews Development Code (April 1, 2001) to not provide the required 4' Landscape Buffer and associated plantings along Sears Avenue and Oechsl Avenue.

CONDITIONAL USE PERMIT REQUESTED:

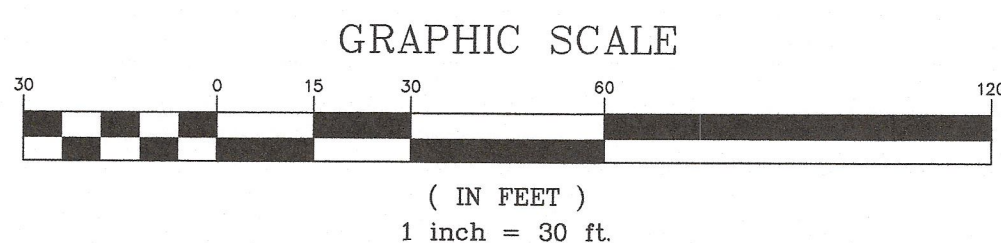
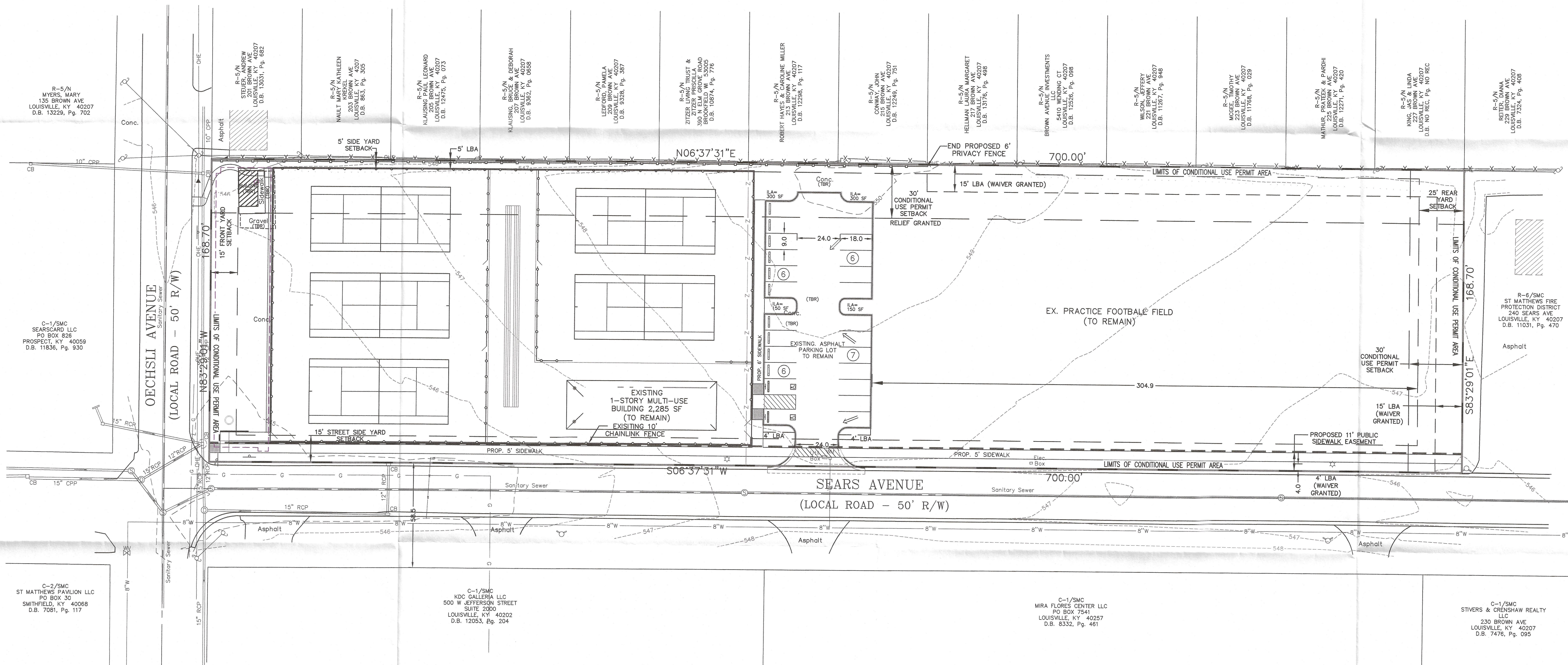
1. A Conditional Use Permit is requested from Section 5.4.B of St. Matthews Development Code (April 1, 2001) to allow Off-Street Parking within the OR-3 zoning district.

PROJECT DATA

TOTAL SITE AREA = 2.59± Ac. (112,610 SF)
EXISTING ZONING = OR-3
FORM DISTRICT = SUBURBAN MARKETPLACE CORRIDOR
EXISTING USE = TENNIS COURTS / SPORTS PRACTICE FIELDS
PROPOSED USE = TENNIS COURTS / SPORTS PRACTICE FIELDS / OFF STREET PARKING

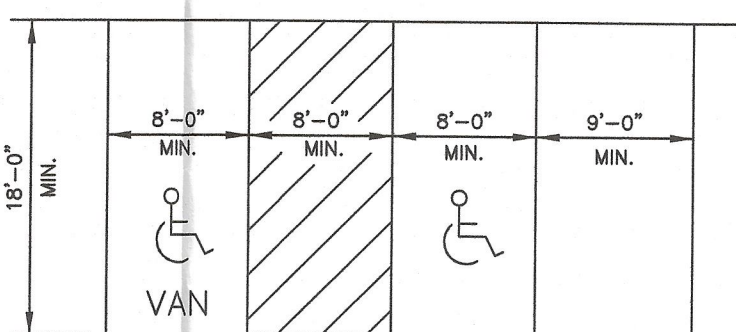


LOCATION MAP
NOT TO SCALE



LEGEND

- EX. FENCE
- EXISTING STORM SEWER, CATCH BASIN W/ INLET PROTECTION AND HEADWALL
- EXISTING SEWER AND MANHOLE
- EX. CONTOUR
- PROPOSED DITCH/SWALE
- CONDITIONAL USE PERMIT LIMITS



TYPICAL PARKING SPACE LAYOUT
NO SCALE

SITE ADDRESSES: 150 SEARS AVE
LOUISVILLE, KY 40207
PARCEL ID 025400630000
D.B. 12490, PG. 428

OWNERS: TRINITY HIGH SCHOOL FOUNDATION
4011 SHELBYVILLE ROAD
LOUISVILLE, KY, 40207-3122

RELATED CASES: 9-83-80 / 23-CUP-0010



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OFFICE OF PLANNING

UTILITY NOTE: ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. THE INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER, "KENTUCKY 811" (TOLL FREE PHONE NO. 1-800-732-6007 OR LOCAL NO. 502-256-5123) FORTY EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS, AND WATERLINES). WHEN CONTACTING THE "KENTUCKY 811" CALL CENTER, PLEASE STATE THAT THE WORK TO BE DONE IS FOR A PROPOSED MSD SEWER OR DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

WM #12527

NO.	DATE	DESCRIPTION	BY

PROJECT DATA	ENGINEER'S SEAL	SURVEYOR'S SEAL
FILE NAME: 21097-2 CUP Plan		
DATE: 4-17-26		
CHECKED BY: TB		
DRAWN BY: TB		

SCALE: 1" = 30'-0"	

LD&D
LAND DESIGN & DEVELOPMENT, INC.
ENGINEERS • LANDSCAPE ARCHITECTS
505 WESTERN AVENUE, SUITE 400
LOUISVILLE, KY 40202
TEL: 502-444-0276 FAX: 502-444-0274
WEB SITE: WWW.LD-D.COM

CONDITIONAL USE PERMIT PLAN
**TRINITY HIGH SCHOOL
TENNIS CENTER PARKING**
OWNER/DEVELOPER
TRINITY HIGH SCHOOL FOUNDATION
4011 SHELBYVILLE ROAD
LOUISVILLE, KY 40207

JOB NO. 21097
SHEET 1.0



OFFICE OF PLANNING

CONDITIONAL USE PERMIT APPLICATION

Would you rather apply electronically? Go to the address below to learn more about submitting applications online:
<https://louisvilleky.gov/office-planning/document/pdssubmitting-applications-online>

Staff Use Only in This Box

Case No.: 26-CUP-0101

Intake Staff: TN

Date: 6/17/2026

Fee: \$1310

Applications are due on Mondays at 2:00 pm to be processed that week. Once complete, please bring the application and supporting documentation to: Office of Planning, 444 S. Fifth Street #300. For more information, call (502) 574-6230 or visit <https://louisvilleky.gov/government/office-planning>.

PROJECT INFORMATION

This is a Conditional Use permit (CUP) for: Off Street Parking in OR 3 Zoning District
(e.g., child care, accessory dwelling unit, etc.)

Project Name: Trinity Tennis Center Off Street Parking

Primary Project Address / Parcel ID: 156 240 Sears Ave / 025400630000

Additional Address(es) / Parcel ID(s): _____

Deed Book(s) / Page Number(s): DB 12490 PG 428

Acreage of Subject Property: 2.58 Ac Number of Adjoining Properties: 134

Current Zoning District: OR 3 Current Form District: SMC

Current Use: Tennis Center / Practice Fields Proposed Use: Parking @ Ex. Tennis Center

Has the property been the subject of a previous development proposal or open enforcement action?

If yes, please list the Docket / Case / Citation Number(s): 23 CUP 0010

Much of the property information above can be found on the Land Development Report via the LOJIC Online Map Tool:

<https://www.lojic.org/lojic-online>. After searching the address in LOJIC, click the Parcel Report button  or

Land Development Report button  to view the respective report.

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Conditional Use Permit Application - Office of Planning - July 2025

**OFFICE OF
PLANNING**

CHECKLIST

Please submit the completed application along with the following documents. Applications **WILL NOT** be accepted without the following items:

- X **Deed:** Provide a copy of the current recorded deed (must show "End of Document" stamp on last page). Deeds are available online at: <https://search.jeffersondeeds.com>
- X **Legal description:** Copy the legal description from the deed and put on a separate 8.5 x 11" sheet of paper.
- X **Conditional Use Permit Justification Statement:** Write a justification statement detailing how the proposed development complies with the Conditional Use Permit standards of review and lettered requirements in Chapter 4, Part 2 of the Land Development Code.
- X **Site Plan:** Provide a copy of the site plan, 24in x 36in or other appropriate size to convey site plan requirements. ALL PLANS MUST BE FOLDED – fold no larger than 9in x 9in with the bottom right corner as the front.
- X **Mailing Labels:** You are required to notify the OWNERS and RESIDENTS of neighboring properties of this application. If the owner does not occupy the property, you must also send notice addressed to the "current resident" at the property address. You must create mailing labels of 1st and 2nd tier residents and owners (ask customer service for a "HOW-TO: USER GUIDE" for step-by-step instructions), along with the Mayor and City Clerk of 5th and 6th class cities (if applicable). You must also provide mailing labels of any individuals who provided oral or written testimony in support or opposition of a previous rezoning of the site. These labels will be used for the public meeting notice.
- X **Copy of Mailing Labels:** Make a copy of the mailing label sheet(s) mentioned above.
- X **Documentation of the Neighborhood Meeting:**
 - ✓ Copy of neighborhood meeting notice
 - ✓ List of APOs and neighborhood group representatives who received the meeting notice
 - ✓ Neighborhood meeting attendance sheet
 - ✓ Summary of the meeting detailing specific items of concern and proposed resolutions
- X **Fee:** (Cash, charge or check made payable to: "Louisville Metro Government")
 - Application Fee: **\$550** - for Accessory Dwelling Units, Child and Adult Care Facilities, Private Institutional Uses, Home Occupations, Duplex Dwelling Units, Bed & Breakfast Inns, and Owner-Occupied Short-Term Rentals
 - \$1250** - for All other uses, except that a child care center providing care for 12 or fewer children shall have no fee
 - Clerk's Fee: + **\$60**

Note: If two or more applications are submitted simultaneously for the same site, only one Clerk's Fee is required.

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WRITTEN DESCRIPTION
TRINITY SEARS AVENUE, LOUISVILLE, KY 40207

BEGINNING at an existing iron pin with cap stamped "KRAUS 2613", said iron pin being the southeastern corner of a property conveyed to St. Matthews Fire Protection District, of record in Deed Book 11031, Page 470 in the Office of the Clerk of Jefferson County, Kentucky, and said iron pin lying in the western right of way line of Sears Avenue; thence running with said western right of way line **S06°37'31"W, 700.00'** to an existing ½" iron pipe, said iron pipe lying in the northern right of way line of Oechsli Avenue; thence running with said northern right of way line **N83°29'01"W, 168.70'** to an existing ½" iron pipe, said iron pipe being the southeastern corner of lot 105 of Excella Place Subdivision, of record in Plat and Subdivision Book 6, Page 67 in the Clerk's Office aforesaid; thence running with the eastern lines of lots 92 through 105 of said subdivision **N06°37'31"E, 700.00'** to a set 1/2" by 18" iron pin with cap stamped "WINK 3492", said iron pin being the southwestern corner of said St. Matthews Fire Protection District; thence running with the southern line of said St. Matthews Fire Protection District **S83°29'01"E, 168.70'** to the point of **BEGINNING**, containing 2.71 acres.

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26-CVP-0101

LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
(502) 426-9374 FAX (502)426-9375

Justification Statment
Conditional Use Permit
Trinity High School Sears Ave Tennis & Sports Training Facility
156 – 240 Sears Avenue Louisville, KY 40207
Previous Case #: 9-83-80, 23-CUP-0010
(June 17, 2026)

Trinity High School is requesting to provide student parking (assigned) at their existing tennis facility located on Sears Ave. The existing tennis center parking lot has been designed and constructed in compliance with all St. Matthews Land Development Code requirements and was fully approved in 2023. No additional parking spaces are proposed with this application. Relief is requested from 15.15.a which requires the parking to be within 200' of the buildings or property to be served. Due to the additional use of the parking lot for student parking, St. Matthews Planning and Zoning has requested that this application be an additional Conditional Use Permit for this property and not a modification of the original CUP.

Due to the availability of parking within a developed area such as St. Matthews, parking located off school grounds, on land owned by the school, and within easy walking distance justifies the request.

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**OFFICE OF
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26-CUP-0101

LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
(502) 426-9374

RE: Neighborhood meeting for a Conditional Use Permit to allow off-street parking for Trinity students at the existing Tennis Center. This proposal would be for the **existing tennis center spaces only** and would be used by students during the school year, from approximately 7 AM to 4 PM, weekdays only. No new parking lot construction or any on-street parking are proposed in this application.

Dear Neighbor: We are writing to invite you to a meeting we have scheduled to present neighbors with our proposed Conditional Use Permit to allow Trinity to assign student parking in the existing tennis center parking lot in the OR-3 zoning district.

Accordingly, we filed a plan for pre-application review with the Louisville Metro Office of Planning. The applicant is proposing to use the existing 23 parking spaces (not including handicap spaces), located at the Sears Avenue tennis center as assigned parking spaces for students throughout the school year. The previous conditional use permit for the tennis center will remain intact and this application will be an addition to the approved uses for the site. We would like to show and explain this plan to neighbors so that we might hear what thoughts, issues and concerns you may have.

In that regard, a meeting will be held on **Tuesday May 5, 2026 beginning at 6:00 p.m. at Trinity High School Alumni Hall Cafeteria Building located at 4011 Shelbyville Road, Louisville, Kentucky 40207.**

Enclosed for your review are the following:

1. The development plan sheet
2. LOJIC site location zoning map sheet showing the location of the site
3. Detailed summary sheet of the project
4. Contact information sheet and Information on how to obtain case information online from Office of Planning's online customer service portal
5. Office of Planning's "After the Neighborhood Meeting" sheet

If you are unable to attend the meeting, or have any questions or comments, please feel free to email or call me at the number listed above.

We look forward to our opportunity to visit with you.

Theodore W. Bernstein, R.L.A.
Landscape Architect
Land Design & Development, Inc.
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
Phone: (502) 426-9374
Email: bernstein@ldd-inc.com
www.ldd-inc.com

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JUN 17 2026

**OFFICE OF
PLANNING**

26-CUP-0101

CONTACT INFORMATION SHEET

1. PLANNING & ENGINEERING FIRM Land Design & Development, Inc. 503 Washburn Ave., Suite 101 Louisville, KY 40222 Attn: Theodore W. Bernstein, RLA – (502) 426-9374
Bernstein@ldd-inc.com

2. APPLICANT Trinity High School c/o James Torra, President Trinity High School,
Torra@TrinityRocks.com

3. Case Manager: (Unassigned as of this mailing), Office of Planning 444 South Fifth Street, Suite 300 Louisville, KY 40202 (502) 574-6230

OFFICE OF PLANNING ONLINE CUSTOMER SERVICE PORTAL INFORMATION SHEET

To view details of the Conditional Use Permit online, use the link at:

[Office of Planning | LouisvilleKY.gov](http://OfficeofPlanning|LouisvilleKY.gov)

Click on the "Search Case Information" Icon

Enter 156 in the "Street No" text box

Enter Sears in "Street Name" text box

Select AVE in the "Street Type" pull down menu

Press the "Search" icon

This will find all associated cases with this property address including the proposed Conditional Use Permit.

Clicking on a Record Number will bring up details about that case.

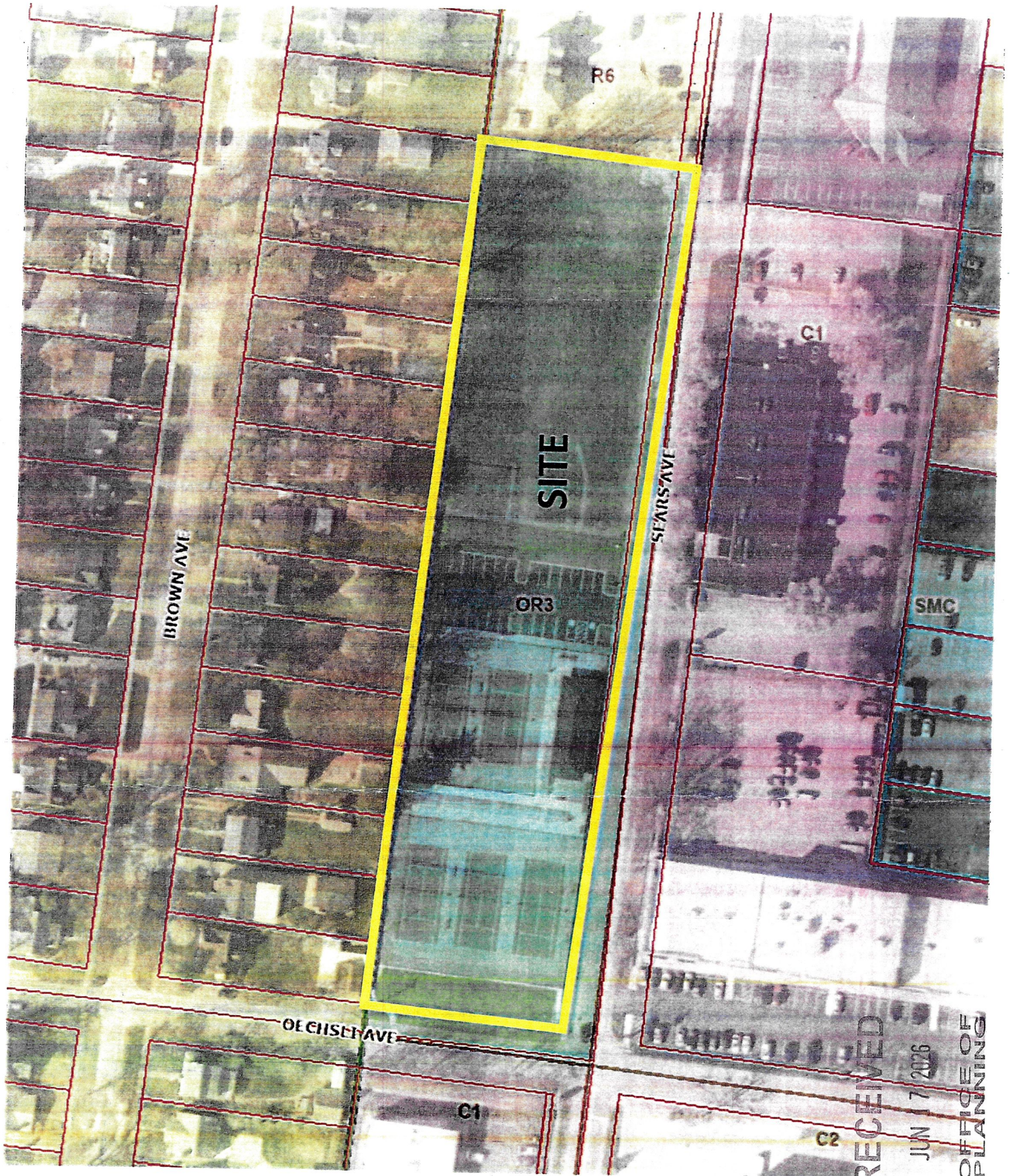
Select the Record Info tab and pick attachments to see all plans and documentation about this case.

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PLANNING

26-CUP-0101



26-CWP-0101

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ENGINEERING • LAND SURVEYING • LANDSCAPE ARCHITECTURE
5023 WASHBURN AVENUE • SUITE 101 • LOUISVILLE, KENTUCKY 40222
PHONE: 502.426.9374 • FAX: 502.426.9375

Date: 5/5/26

NAME	ADDRESS	EMAIL
Theresa B. L.	503 WASHBURN AVE 40222	

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LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
(502) 426-9374 FAX (502)426-9375

Summary of Neighborhood Meeting
Conditional Use Permit
Trinity High School Sears Ave Tennis & Sports Training Facility
156 – 240 Sears Avenue Louisville, KY 40207
Previous Case #: 9-83-80, 23-CUP-0010
(May 5, 2026)

A neighborhood meeting was held on May 5, 2026 at Trinity High School at 6:00 PM. There were no attendees. The applicant and Land Design & Development were available until 6:30, at which time the meeting was adjourned.

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Theodore Bernstein
Land Design & Development Inc
503 Washburn Avenue
Louisville, KY 40222

Councilman Andrew Owen
District 9
601 W. Jefferson Street
Louisville, KY 40202

City of St Matthews
C/O Jack Ruf
3940 Grandview Ave
St Matthews, KY 40207

Planning & Design Services
C/O Mark Pinto
444 S 5th Street
Louisville, KY 40202

St Matthews Pavilion LLC
PO Box 30
Smithfield, KY 40068

SEARSCARD LLC
PO BOX 826
PROSPECT, KY 40059

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205 SEARS AVE
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241 Sears Ave
Louisville, KY 40207

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CURRENT RESIDENT
205 SEARS AVE
LOUISVILLE, KY 40207



Louisville Metro Government

Text File

File Number: 26-CUP-0092

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 8.



26-CUP-0092

Board of Zoning Adjustment
Staff Report
July 20, 2026

Ellison Avenue Short Term Rental

Location: 1301 Ellison Avenue
Applicant: Fatima Elmakkaouy
Representative: Fatima Elmakkaouy
Jurisdiction: Louisville Metro
Council District: 6 – JP Lyninger
Case Manager: Zach Schwager, Planner I

REQUEST & RECOMMENDED ACTION

1. **Conditional Use Permit** to allow short term rental of a dwelling unit that is not the primary residence of the owner (Land Development Code 4.2.63)
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Conditional Use Permit

CASE SUMMARY

The applicant is requesting approval to operate a short-term rental within a dwelling unit that is not the owner's primary residence. The subject property is zoned R-6 Multi-Family Residential and is located within the Traditional Neighborhood Form District. The subject site is developed with a single-family dwelling unit. The applicant has stated that the principal structure contains four (4) bedrooms, allowing a maximum occupancy of 10 guests. Off-street parking is provided via the existing driveway. At the time of this report, there are no short-term rentals approved by Conditional Use Permit within 600 feet of the subject property.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

- (1.) *Is the proposal consistent with applicable policies of the Comprehensive Plan?*

STAFF FINDING: The proposal is consistent with the applicable policies of the Comprehensive Plan.

- (2.) *Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?*

STAFF FINDING: The proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained.

- (3.) *Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?*

STAFF FINDING: Adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use.

- (4.) *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 owner or the short term rental of a condominium unit that is the primary residence of the owner 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; Short Term Rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in a OR, OR-1, or OR-2 district and a TN form district; and Short Term Rental of any dwelling unit in a TNZD district:*

A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant for 30 consecutive days, or more is not considered a short term rental.

B. The dwelling unit shall be limited to a single short term rental contract at a time.

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 registered property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. If the aforementioned occupancy allows for more than 12 individuals, there shall be a maximum of 12 persons over the age of 16. The Board may further restrict the number of individuals. Relief to this provision may be provided by the Board on a case-by-case basis if the applicant can demonstrate that a greater occupancy will be in compliance with life safety and occupancy standards and the short term rental is of a sufficient distance to not adversely impact neighboring property.

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 nearest property line) to any property (i) on which another approved short term rental that required a conditional use permit is situated or (ii) located in an OR, OR-1 or OR-2 district and a TN form district which has an active registration and has maintained

an active registration prior to the effective date of this provision and it has not been conclusively proven to the Board that the holder of the registration is the owner of the property, and the property is the owner's primary residence. Relief to this provision may be provided by the Board on case-by-case basis for the following reasons; however relief may be denied upon consideration of other factors and the burden is on the applicant to demonstrate that the subject short term rental would not contribute to an overconcentration of short term rentals in the immediate area and/or adversely affect the affordable housing stock in the immediate area.

(1) Reasons for Potential Relief:

- (a) The Property is adjacent to nonresidential zoning districts that allow short term rentals by right*
- (b) There is a significant environmental feature or primary collector or higher classification road that separates the proposed short term rental from other short term rentals within the buffer area*
- (c) A short term rental property within the buffer area is located on the perimeter of the buffer area, with part of the property being located outside of the buffer area*
- (d) A neighborhood plan encourages and supports short term rentals in the subject area*

In applications where the entire area encapsulated by the 600 foot buffer is residentially zoned (including TNZD areas mapped Neighborhood General), under no circumstance shall the Board provide relief to this provision in cases in which two or more short term rentals with conditional use permits are already in existence within 600 feet.

(2) The following exceptions to this separation requirement apply:

- (a) The separation requirement shall not apply to a property on which the conditional use permit is conditioned that the owner acts as host and maintains their primary residency within another dwelling unit in the same building or on the same parcel of land.*
- (b) The separation requirement shall not apply between two or more short term rentals on a single property being reviewed under the same conditional use permit application. However, if the property is subdivided after the conditional use permit is granted, a new conditional use permit shall be required in order for any new lot(s) to have a short term rental, with the separation requirements applying to that subsequent application.*
- (c) The separation requirement shall not apply to a property in the TNZD district on which the conditional use permit is conditioned that the host shall maintain their primary residency within the dwelling unit.*

E. The building in which dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit in a multi-family building, the condominium unit must be the primary residence of the owner. 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. This evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board wherein all condominium owners were notified that short term rental of the subject 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 1 1 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.

F. Food and alcoholic beverages shall not be served by the host to any guest.

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

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.

I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.

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 registration pursuant to section 4.3.23. When the Planning Director revokes an approved registration, staff shall schedule a public hearing for the Board to consider revoking the associated conditional use permit. The Board may also revoke the conditional use permit for other reasons pursuant to section 11.5A.6.

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. In order to commence short term rentals, a new conditional use permit must be granted if required by this Land Development Code

L. An active registration of 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 thirty (30) days, or in the event of a changer of ownership and/or host, a new registration is not issued within thirty (30) days 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 and such conditional permit must satisfy the applicable requirements for a conditional use permit in effect at the time the new application for a conditional use permit is filed.

STAFF FINDING: The applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains four (4) bedrooms,

allowing a maximum occupancy of 10 guests. Off-street parking will be provided via an existing driveway.

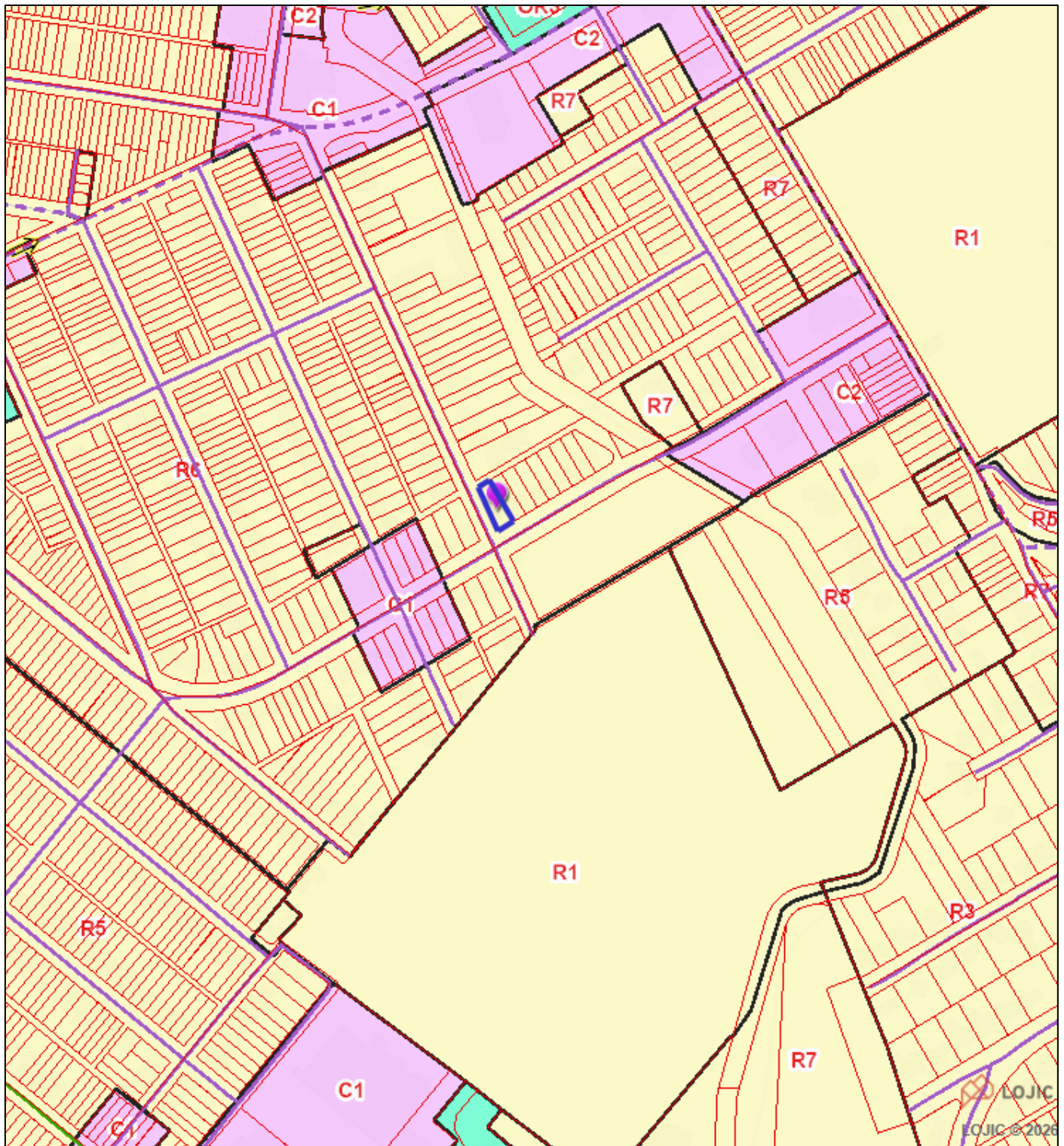
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/2/2026	Development Review Committee Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 6

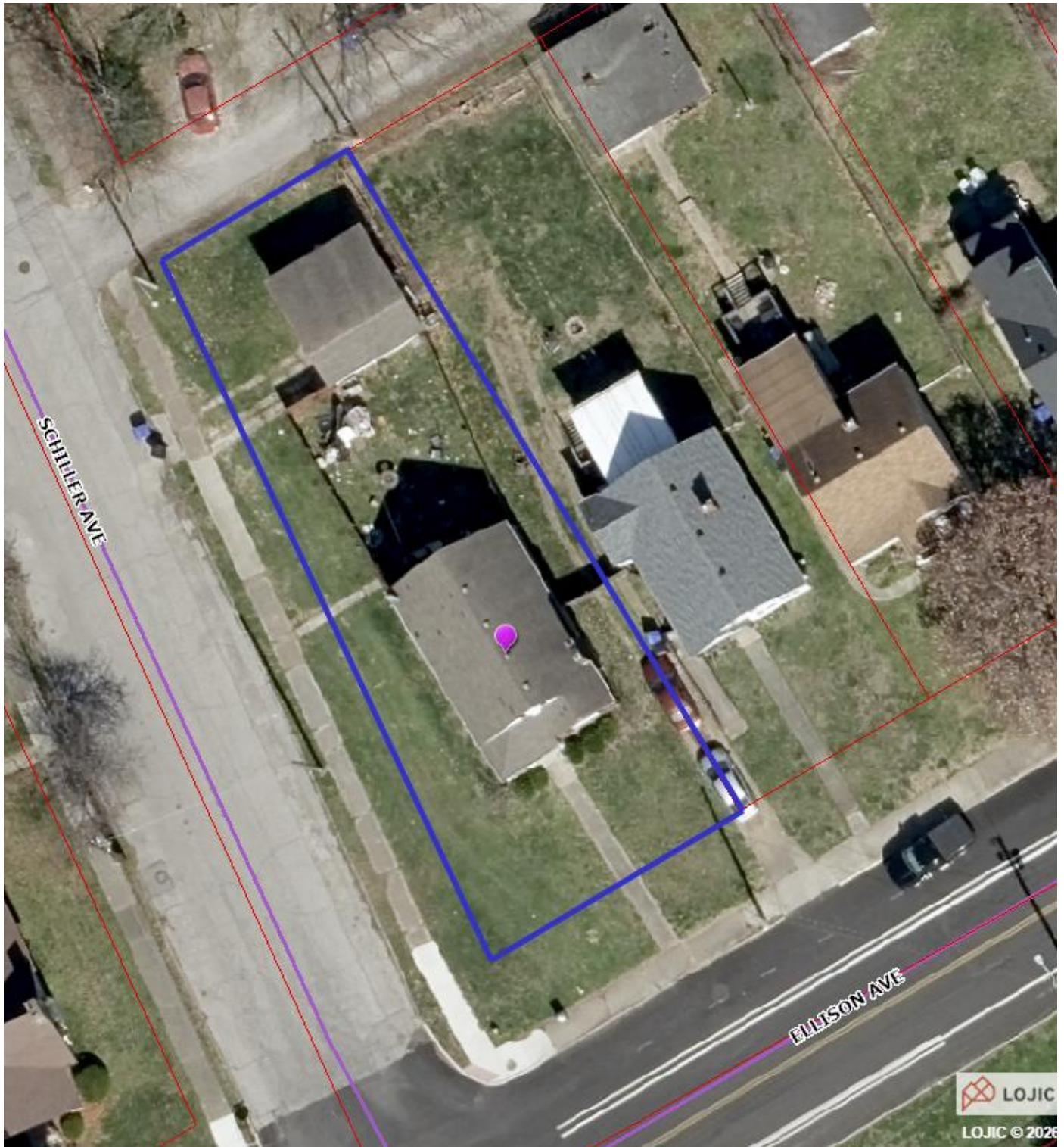
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

1. ZONING MAP



2. AERIAL PHOTOGRAPH



3. PROPOSED CONDITIONS OF APPROVAL

1. The conditional use permit for this short term rental approval shall allow up to four (4) bedrooms (with a maximum of 10 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.
2. Prior to commencement of any short term rental on the subject property, the owner 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.















CONDITIONAL USE PERMIT JUSTIFICATION STATEMENT

Short-Term Rental Conditional Use Permit

Property Address: 1303 Ellison Avenue, Louisville, KY 40204

Applicant: Youssef Elbouab

Justification Statement

This statement is submitted in support of an application for a Conditional Use Permit (CUP) to operate a Short-Term Rental (STR) at 1303 Ellison Avenue, Louisville, Kentucky 40204.

The subject property is an existing single-family residence containing four bedrooms. The proposed use will allow the property to operate as a professionally managed short-term rental while maintaining its residential character and compatibility with the surrounding neighborhood. No structural additions, expansions, or significant exterior modifications are proposed.

Compatibility with the Comprehensive Plan

The proposed use is consistent with the goals and objectives of the Louisville Metro Comprehensive Plan by promoting the efficient use of existing residential housing while preserving neighborhood character and stability. The property will continue to function as a residential dwelling, and the proposed short-term rental use will not alter the appearance or residential nature of the property.

Because the dwelling is an existing residence, the proposed use represents an adaptive use of existing housing stock without requiring redevelopment or changes that would negatively impact the surrounding community.

Impact on Adjacent Properties

The proposed short-term rental is not expected to adversely affect neighboring properties. The residential appearance of the home will remain unchanged, and the property will be maintained in compliance with all applicable Louisville Metro ordinances, zoning regulations, and property maintenance standards.

The applicant is committed to operating the property responsibly and maintaining positive relationships with neighboring residents. Guests will be required to follow established house rules designed to minimize potential impacts on the neighborhood and ensure respectful occupancy.

Traffic and Parking

The property provides approximately seven (8) off-street parking spaces, which are sufficient to accommodate guest vehicles and minimize the need for on-street parking.

The proposed use is not expected to generate traffic volumes substantially different from those associated with a typical residential use. Adequate off-street parking and professional management oversight will help ensure that traffic and parking impacts remain minimal.

Property Management and Operational Controls

The property will be professionally managed by a property management company responsible for:

- Reservation management

- Guest communications
- Property inspections
- Maintenance coordination
- Compliance monitoring
- Emergency response and issue resolution

All guests will receive written house rules addressing:

- Noise control
- Occupancy limits
- Parking requirements
- Trash and recycling procedures
- Respect for neighboring properties
- Compliance with all local ordinances and regulations

Management personnel will be available to respond promptly to concerns or issues that may arise during guest occupancy.

Public Health, Safety, and Welfare

The property will comply with all applicable requirements of Louisville Metro Government, including zoning, building, fire safety, and short-term rental regulations. The dwelling will be maintained in a safe, clean, and sanitary condition for guests and neighboring residents.

The proposed use will not create hazards, excessive noise, traffic congestion, or other conditions that would be detrimental to the public health, safety, or welfare of the surrounding community. The combination of professional management, established operational controls, and adequate parking will help ensure responsible operation of the short-term rental.

Conclusion

The proposed Short-Term Rental at 1303 Ellison Avenue is compatible with the surrounding residential neighborhood, provides adequate off-street parking, and incorporates professional management oversight to ensure responsible operation.

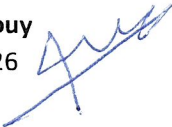
The property will continue to maintain its residential character while contributing to local lodging opportunities for visitors to Louisville. The operational measures described above are intended to protect neighborhood quality of life and ensure compliance with all applicable regulations.

For these reasons, the applicant respectfully requests approval of the Conditional Use Permit.

Respectfully submitted,

Fatima Elmakkaouy

Date: June 3, 2026



Letter of Explanation

Property Address: 1303 Ellison Avenue, Louisville, KY 40204

To Whom It May Concern:

I respectfully request approval of a Conditional Use Permit (CUP) to operate a Short-Term Rental (STR) at the property located at 1303 Ellison Avenue, Louisville, Kentucky 40204.

The property is a single-family residence consisting of four bedrooms. The entire home will be utilized as a short-term rental and marketed through Airbnb and similar lodging platforms. The maximum occupancy will be limited to ten (10) guests at any given time.

I am the owner of the property and am employed as a contractor. While I do not reside at this address, the property will be professionally managed by a licensed property management company. The management company will oversee guest communications, reservations, property maintenance, housekeeping coordination, and compliance with all applicable local ordinances and regulations.

To minimize impacts on neighboring properties, the residence provides eight (8) off-street parking spaces, which will adequately accommodate guests and reduce the need for on-street parking. Guests will be required to comply with clearly established house rules addressing parking, noise levels, occupancy limits, trash disposal, and respect for neighboring residents and properties.

The property will be maintained in a safe, clean, and orderly condition at all times. Management personnel will be available to promptly address any concerns or issues that may arise during guest stays, ensuring responsible operation of the short-term rental and preserving the character of the surrounding neighborhood.

I appreciate your consideration of this application and respectfully request approval of the Conditional Use Permit.

Sincerely,

Fatima Elmakkaouy

Date: June 3, 2026

727-470-8464

joebouab@gmail.com



NOTICE OF CONDITIONAL USE PERMIT APPLICATION FILED WITH OFFICE OF PLANNING

A Conditional Use Permit application for short-term rental was filed with the Louisville Metro Office of Planning on May 28, 2026.

ADDRESS: 1303 Ellison Avenue, Louisville, 40204

CASE #: 26-CUPPA-0067

CASE MANAGER: Zach Schwager

EMAIL: Zach.Schwager@louisvilleky.gov

PHONE: (502)574-8938

To view documents related to this proposal, please visit <https://aca-prod.accela.com/LJCMG/Cap/CapHome.aspx?module=Planning&TabName=Planning> and search by **CASE #** or **ADDRESS**.

This application requires a neighborhood meeting, which will be held at the following date, time and location. You are invited to attend.

DATE: May 28, 2026

TIME: 6:00 PM

LOCATION: 1301 Ellison Avenue, Louisville, KY 40204

Joe Bouab

Phone: 727-470-8464

Email: joebouab@gmail.com

If this application requires a public meeting, another notice will be sent notifying you of the date, time and location of the meeting.

If you have questions about this proposal, or would like to view the case file, please contact Louisville Metro Office of Planning at:

Metro Development Center

444 S. 5th St., Suite 300

Louisville, KY 40202

(502) 574-6230

May 28, 2026
9:00am

[illegible]



Louisville Metro Government

Text File

File Number: 26-CUP-0102

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 9.

Board of Zoning Adjustment

Staff Report

July 20, 2026



Case No:	26-CUP-0102
Project Name:	Short Term Rental
Location:	817 French Ave
Applicant:	Sherry & Casey Westenhofer
Representative:	Sherry & Casey Westenhofer
Jurisdiction:	Louisville Metro
Council District:	10 – Josie Raymond
Case Manager:	Abby Bills, Planner I

REQUEST

- **Conditional Use Permit** to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).

CASE SUMMARY

The applicant is requesting approval to operate a short-term rental within a dwelling unit that is not the owner's primary residence. The subject property is zoned R-5 Single-Family Residential and is located within the Neighborhood Form District. The subject site is developed with a single-family dwelling unit. The applicant has stated that the principal structure contains three (3) bedrooms, allowing a maximum occupancy of eight (8) guests. Off-street parking is provided via the existing driveway. At the time of this report, there are no short-term rentals approved by Conditional Use Permit within 600 feet of the subject property.

STAFF FINDING

The proposal is adequately justified for approval based on staff's analysis contained in the standard of review, and it meets all standards of the conditional use permit for short-term rentals.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposal is consistent with the applicable policies of the Comprehensive Plan.

2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: The proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: Adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use.

4. 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 owner or the short term rental of a condominium unit that is the primary residence of the owner 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; Short Term Rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in a OR, OR-1, or OR-2 district and a TN form district; and Short Term Rental of any dwelling unit in a TNZD district:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant for 30 consecutive days, or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- 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 registered property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. If the aforementioned occupancy allows for more than 12 individuals, there shall be a maximum of 12 persons over the age of 16. The Board may further restrict the number of individuals. Relief to this provision may be provided by the Board on a case-by-case basis if the applicant can demonstrate that a greater occupancy will be in compliance with life safety and occupancy standards and the short term rental is of a sufficient distance to not adversely impact neighboring property.
- 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 nearest property line) to any property (i) on which another approved short term rental that required a conditional use permit is situated or (ii) located in an OR, OR-1 or OR-2 district and a TN form district which has an active registration and has maintained an active registration prior to the effective date of this provision and it has not been conclusively proven to the Board that the holder of the registration is the owner of the property, and the property is the owner's primary residence. Relief to this provision may be provided by the Board on case-by-case basis for the following reasons; however relief may be denied upon consideration of other factors and the burden is on the applicant to demonstrate that the subject short term rental would not contribute to an overconcentration of short term rentals in the immediate area and/or adversely affect the affordable housing stock in the immediate area.

(1) Reasons for Potential Relief:

(a) The Property is adjacent to nonresidential zoning districts that allow short term rentals by right

(b) There is a significant environmental feature or primary collector or higher classification road that separates the proposed short term rental from other short term rentals within the buffer area

(c) A short term rental property within the buffer area is located on the perimeter of the buffer area, with part of the property being located outside of the buffer area

(d) A neighborhood plan encourages and supports short term rentals in the subject area

In applications where the entire area encapsulated by the 600 foot buffer is residentially zoned (including TNZD areas mapped Neighborhood General), under no circumstance shall the Board provide relief to this provision in cases in which two or more short term rentals with conditional use permits are already in existence within 600 feet.

(2) The following exceptions to this separation requirement apply:

(a) The separation requirement shall not apply to a property on which the conditional use permit is conditioned that the owner acts as host and maintains their primary residency within another dwelling unit in the same building or on the same parcel of land.

(b) The separation requirement shall not apply between two or more short term rentals on a single property being reviewed under the same conditional use permit application. However, if the property is subdivided after the conditional use permit is granted, a new conditional use permit shall be required in order for any new lot(s) to have a short term rental, with the separation requirements applying to that subsequent application.

(c) The separation requirement shall not apply to a property in the TNZD district on which the conditional use permit is conditioned that the host shall maintain their primary residency within the dwelling unit.

- E. The building in which dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit in a multi-family building, the condominium unit must be the primary residence of the owner. 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. This evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board wherein all condominium owners were notified that short term rental of the subject 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 1 1 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.
- F. Food and alcoholic beverages shall not be served by the host to any guest.
- G Outdoor signage which identifies the short term rental is prohibited in residential zoning districts.
- 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.
- I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.

- 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 registration pursuant to section 4.3.23. When the Planning Director revokes an approved registration, staff shall schedule a public hearing for the Board to consider revoking the associated conditional use permit. The Board may also revoke the conditional use permit for other reasons pursuant to section 11.5A.6.
- 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. In order to commence short term rentals, a new conditional use permit must be granted if required by this Land Development Code
- L. An active registration of 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 thirty (30) days, or in the event of a changer of ownership and/or host, a new registration is not issued within thirty (30) days 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 and such conditional permit must satisfy the applicable requirements for a conditional use permit in effect at the time the new application for a conditional use permit is filed.

STAFF: The applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains three (3) bedrooms, allowing a maximum occupancy of eight (8) guests. Off-street parking will be provided via an existing driveway.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the **CONDITIONAL USE PERMIT** to allow a short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)

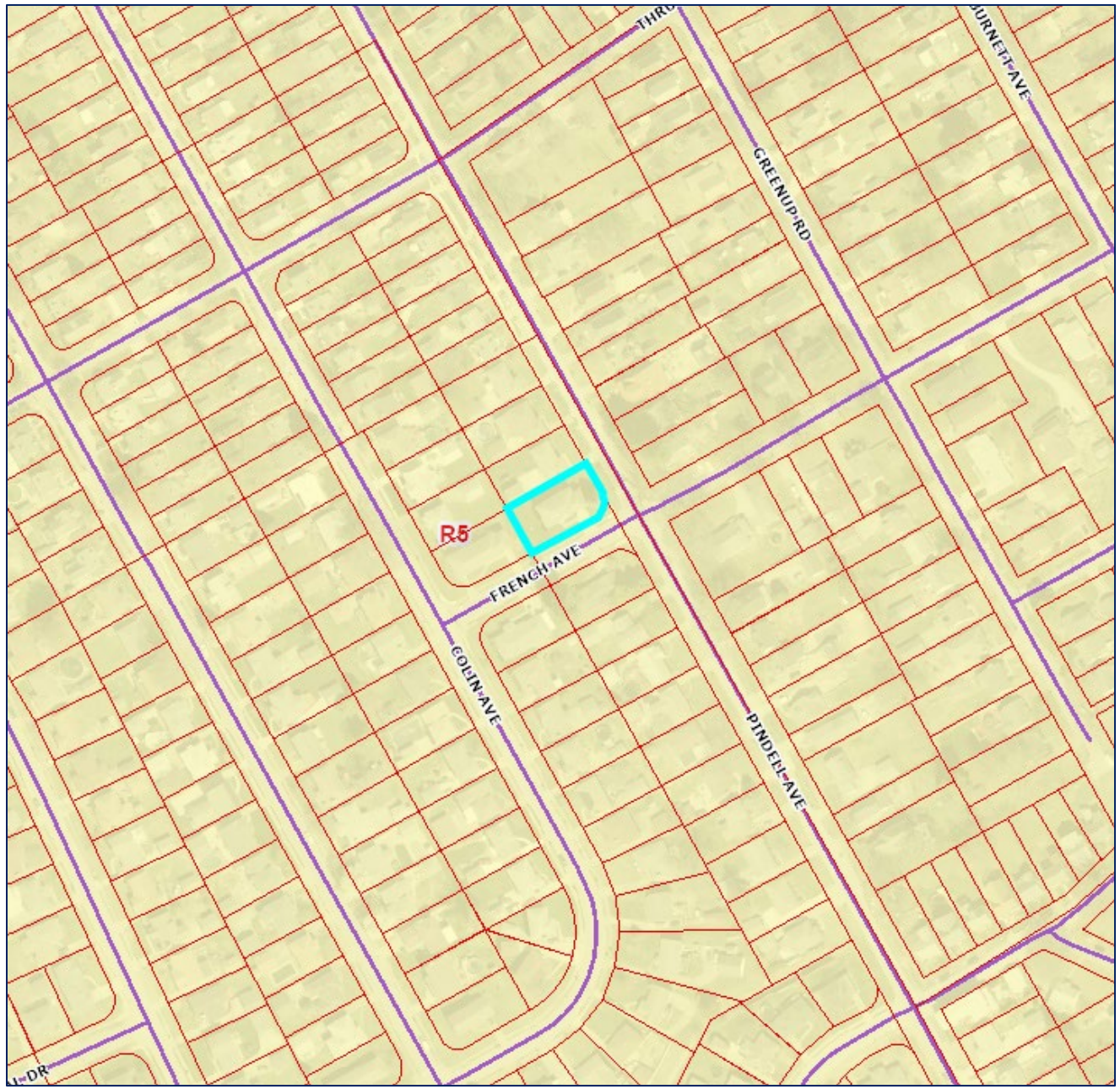
NOTIFICATION

Date	Purpose of Notice	Recipients
6/25/2026 6/22/2026	Hearing before BOZA	1 st and 2 nd tier adjoining properties Registered Neighborhood Groups in Council District 8
TBD	Hearing before BOZA	Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
4. Proposed Conditions of Approval

1. **Zoning Map**



2. Aerial Photograph



3. Proposed Conditions of Approval

1. The conditional use permit for this short term rental approval shall allow up to three (3) bedrooms (with a maximum of eight (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.
2. Prior to commencement of any short term rental on the subject property, the owner 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.













Condition Use Permit Justification Statement

The property (817 French Avenue, Louisville, KY, 40217) will be a **Non-Primary Residence**: A standalone dwelling unit that is **not** the primary residence of the owner or a short-term rental of a condominium unit that is the primary residence of the owner in an 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. The property will also be a short-term rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in an OR, OR-1, or OR-2 district and a TN form district; and a short-term rental of any dwelling unit in a TNZD district. The owner of the property's primary residence is 2808 Pindell Avenue, Louisville, KY. The owner of the property lives in proximity to the property above to better manage it as a short-term rental. The property is also not located within 600 feet of any property approved for short-term rental per Louisville CUP map research.

June 17, 2026

To Whom It May Concern,

I am writing to respectfully request approval for a short-term conditional use permit for the property located at 817 French Avenue, Louisville, KY 40217.

My goal is to use this property as a short-term rental to help build long-term financial stability and create generational wealth for my family. This investment is important to us, and we are committed to operating the property responsibly and in ways that benefit the neighborhood.

One of the main reasons we chose this property is its close proximity to our primary residence at 2808 Pindell Avenue, Louisville, KY. Because we live in the same neighborhood, we will be able to manage and monitor the property regularly and actively. This allows us to respond quickly to any concerns, maintain the home to a high standard, and ensure that guests respect both the property and the surrounding community.

As nearby residents ourselves, we care deeply about preserving the character, safety, and integrity of the neighborhood. We are committed to maintaining the property in excellent condition, screening guests carefully, enforcing quiet hours and house rules, preventing parties or disruptive behavior, and being readily available to address any issues that may arise.

We intend to operate this short-term rental in a way that reflects pride of ownership and respect for our neighbors. We believe this use will be an asset to the area while allowing us to responsibly invest in our family's future.

Thank you for your time and consideration. We appreciate the opportunity to be considered for this permit.

Sincerely,

Sherry and Casey Westenhofer
502-333-4964
stolentino02@gmail.com

Meeting Details for 817 French Ave, June 2, 2026

Meeting details:

People had concerns about screening, parties, and living outside of state ownership. Told the attendees we would screen Airbnb guests using tools such as photos and messaging to the Airbnb guest. Told attendees that we live 4 houses down and would be as upset about parties having a 2-year-old. I told them I wanted the same thing they want as a neighbor. I told them I wanted the AIRBB guest to experience the neighborhood we live in and showcase what we have. Everyone had positive feedback and was happy after the meeting, knowing I was close to the AIRBB. I also gave them my number if they had any other questions or concerns.

MEETING ATTENDANCE (817 FRENCH AVE)

Name	Street Address	Zip	Phone	Email
Dublin Clark	2714 Colin Ave	40217	7109097	
Brian Sear	2810 Colin Ave	40217	693-7198	
Cindy Vissing	2806 Colin Ave	40217	810-4651	
Danell Beyer	2802 Colin Ave	40217	502-298-8288	
Ray + Nancy Mattinoly	814 French Ave	40217	5025995244	
Roney James	815 French	40217	5	
Laura Valentine	2717 Pindell Avenue	40217	502-472- 8303	

NOTICE OF DEVELOPMENT APPLICATION FILED WITH
OFFICE OF PLANNING
NEIGHBORHOOD MEETING NOTIFICATION

May 3, 2026

To the Adjoining Property Owners, Neighborhood Group Representatives expressing interest in this area and Metro Councilperson for the 10th District

A Conditional Use Permit application to provide a non- owner-occupied short-term rental at the address below was filed with the department of Louisville Metro Office of Planning on April 9, 2026.

ADDRESS: 817 French Avenue
CASE NO: 26-CUPPA-0065
CASE MANAGER: Abby Bills
CASE MANAGER EMAIL: abby.bills@louisvilleky.gov
COUNCIL DISTRICT: 10
APPLICANT: Casey & Sherry Westenhofer

In accordance with the procedures of Louisville Metro Office of Planning, we have been directed to invite you to discuss this proposal before a formal application can be filed. This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with the applicant or its representative. We encourage you to attend this meeting and to share your thoughts. This meeting will be held in addition to the established public meeting procedures of the Planning Commission and/or the Board of Zoning Adjustment.

The meeting to discuss this application will be held on:

DATE: JUNE 2, 2026 @ 6PM-8PM

LOCATION: MONNIK 1036 E BURNETT AVE, LOUISVILLE, KY 40217

How to get to meeting: Once at entrance at Monnick please ask hostess for event space or go straight ahead to the stairs that will take you right to the event space and is only room upstairs. Nothing is required to get access to the event. We will have some appetizers at the event also. If you have any questions, please contact me if you have trouble finding the event.

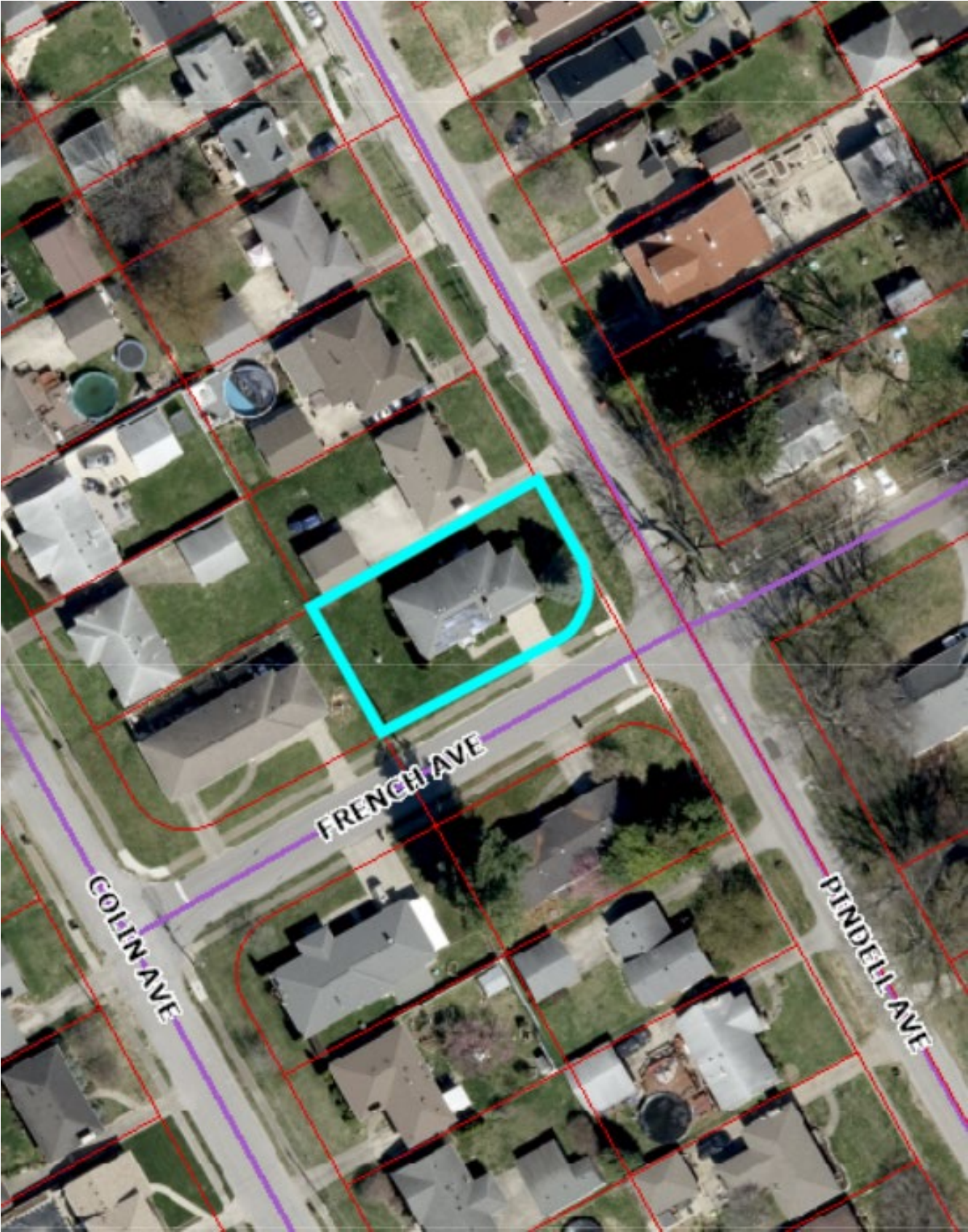
Casey Westenhofer is the primary point of contact for any questions or comments. Any questions or comments received will be incorporated into the meeting record. The contact information is below:

Name: Casey Westenhofer
Email: wcase445@gmail.com

If you have questions about this application, or would like to view the case file, please visit <http://louisvilleky.gov/government/planning-design> or contact Louisville Metro Planning & Design Services at:

Metro Development Center
444 S 5th St, 3rd Floor
Louisville, KY 40202
(502) 574-6230

Subject Site:





Louisville Metro Government

Text File

File Number: 26-CUP-0105

Agenda Date: 7/20/2026

Version: 1

Status: Public Hearing

In Control: Board of Zoning Adjustment

File Type: Planning Case

Agenda Number: 10.



26-CUP-0105

Board of Zoning Adjustment
Staff Report
July 20, 2026

Short Term Rental

Location: 4519 S 6th St
Applicant: David Tang
Representative: Melanie Tang
Jurisdiction: Louisville Metro
Council District: 21 – Betsy Ruhe
Case Manager: Tyler Pobiedzinski, Planner I

REQUESTS & RECOMMENDED ACTIONS

1. Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).
 - Staff finds the request is in keeping with Plan 2040 and recommends the Board of Zoning Adjustment **APPROVE** the requested Conditional Use Permit.

CASE SUMMARY

The applicant is seeking approval to operate a short-term rental within a dwelling unit that is not the owner's primary residence. The subject property is zoned R-5 Single-Family Residential and is located within the Traditional Neighborhood Form District. The site is developed with a single-family residence and is situated in the Beechmont neighborhood near the intersection of South 6th Street and Kathleen Avenue.

The applicant has indicated that the dwelling contains five (5) bedrooms, resulting in a maximum permitted occupancy of twelve (12) guests. Off-street parking is provided via the existing driveway. At the time of this report, there are no short-term rentals approved by Conditional Use Permit located within 600 feet of the subject property.

INTERESTED PARTY COMMENTS

Staff has received interested party comments submitted via email, which have been provided to the Board Members

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. *Is the proposal consistent with applicable policies of the Comprehensive Plan?*

STAFF FINDING: The proposal is consistent with the applicable policies of the Comprehensive Plan.

2. *Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?*

STAFF FINDING: The proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained.

3. *Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?*

STAFF FINDING: Adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use.

4. *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 owner or the short term rental of a condominium unit that is the primary residence of the owner 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; Short Term Rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in a OR, OR-1, or OR-2 district and a TN form district; and Short Term Rental of any dwelling unit in a TNZD district:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant for 30 consecutive days, or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- 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 registered property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. If the aforementioned occupancy allows for more than 12 individuals, there shall be a maximum of 12 persons over the age of 16. The Board may further restrict the number of individuals. Relief to this provision may be provided by the Board on a case-by-case basis if the applicant can demonstrate that a greater occupancy will be in compliance with life safety and occupancy standards and the short term rental is of a sufficient distance to not adversely impact neighboring property.
- 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 nearest property line) to any property (i) on which another approved short term rental that required a conditional use permit is situated or (ii) located in an OR, OR-1 or OR-2 district and a TN form district which has an active registration and has maintained an active registration prior to the effective date of this provision and it has not been conclusively proven to the Board that the holder of the registration is the owner of the property, and

the property is the owner's primary residence. Relief to this provision may be provided by the Board on case-by-case basis for the following reasons; however relief may be denied upon consideration of other factors and the burden is on the applicant to demonstrate that the subject short term rental would not contribute to an overconcentration of short term rentals in the immediate area and/or adversely affect the affordable housing stock in the immediate area.

(1) Reasons for Potential Relief:

- (a) The Property is adjacent to nonresidential zoning districts that allow short term rentals by right
- (b) There is a significant environmental feature or primary collector or higher classification road that separates the proposed short term rental from other short term rentals within the buffer area
- (c) A short term rental property within the buffer area is located on the perimeter of the buffer area, with part of the property being located outside of the buffer area
- (d) A neighborhood plan encourages and supports short term rentals in the subject area

In applications where the entire area encapsulated by the 600 foot buffer is residentially zoned (including TNZD areas mapped Neighborhood General), under no circumstance shall the Board provide relief to this provision in cases in which two or more short term rentals with conditional use permits are already in existence within 600 feet.

(2) The following exceptions to this separation requirement apply:

- (a) The separation requirement shall not apply to a property on which the conditional use permit is conditioned that the owner acts as host and maintains their primary residency within another dwelling unit in the same building or on the same parcel of land.
- (b) The separation requirement shall not apply between two or more short term rentals on a single property being reviewed under the same conditional use permit application. However, if the property is subdivided after the conditional use permit is granted, a new conditional use permit shall be required in order for any new lot(s) to have a short term rental, with the separation requirements applying to that subsequent application.
- (c) The separation requirement shall not apply to a property in the TNZD district on which the conditional use permit is conditioned that the host shall maintain their primary residency within the dwelling unit.

- E. The building in which dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit in a multi-family building, the condominium unit must be the primary residence of the owner. 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. This evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board wherein all condominium owners were notified that short term rental of the subject 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 1 1 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.

- F. Food and alcoholic beverages shall not be served by the host to any guest.
- G Outdoor signage which identifies the short term rental is prohibited in residential zoning districts.
- 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.
- I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- 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 registration pursuant to section 4.3.23. When the Planning Director revokes an approved registration, staff shall schedule a public hearing for the Board to consider revoking the associated conditional use permit. The Board may also revoke the conditional use permit for other reasons pursuant to section 11.5A.6.
- 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. In order to commence short term rentals, a new conditional use permit must be granted if required by this Land Development Code
- L. An active registration of 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 thirty (30) days, or in the event of a changer of ownership and/or host, a new registration is not issued within thirty (30) days 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 and such conditional permit must satisfy the applicable requirements for a conditional use permit in effect at the time the new application for a conditional use permit is filed.

STAFF FINDING: The applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains five (5) bedrooms, allowing a maximum occupancy of twelve (12) guests. Off-street parking will be provided via an existing driveway.

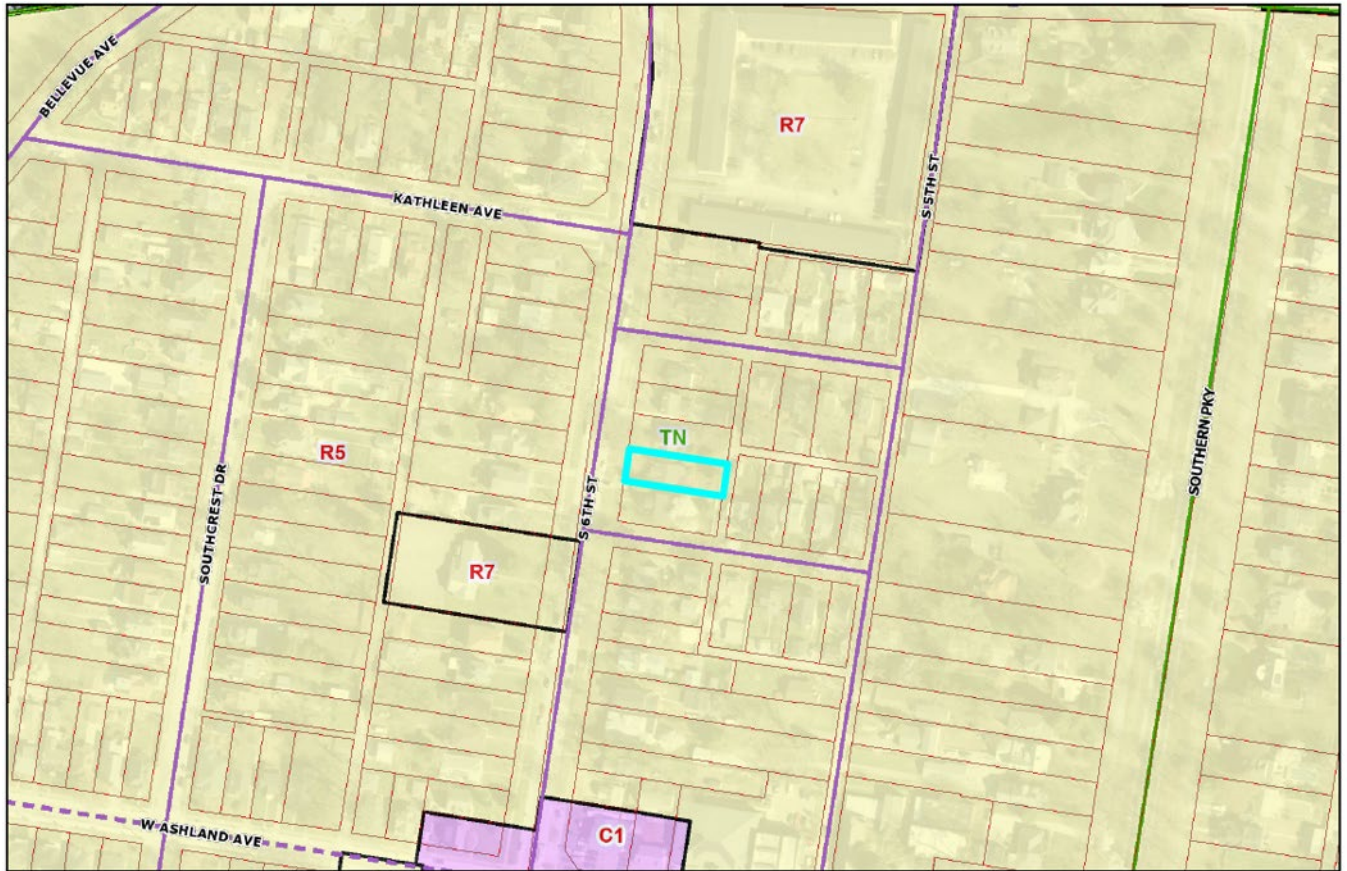
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/6/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 21
7/10/2026	Planning Commission Public Hearing	Sign Posting on Property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proximity Map
4. Proposed Conditions of Approval

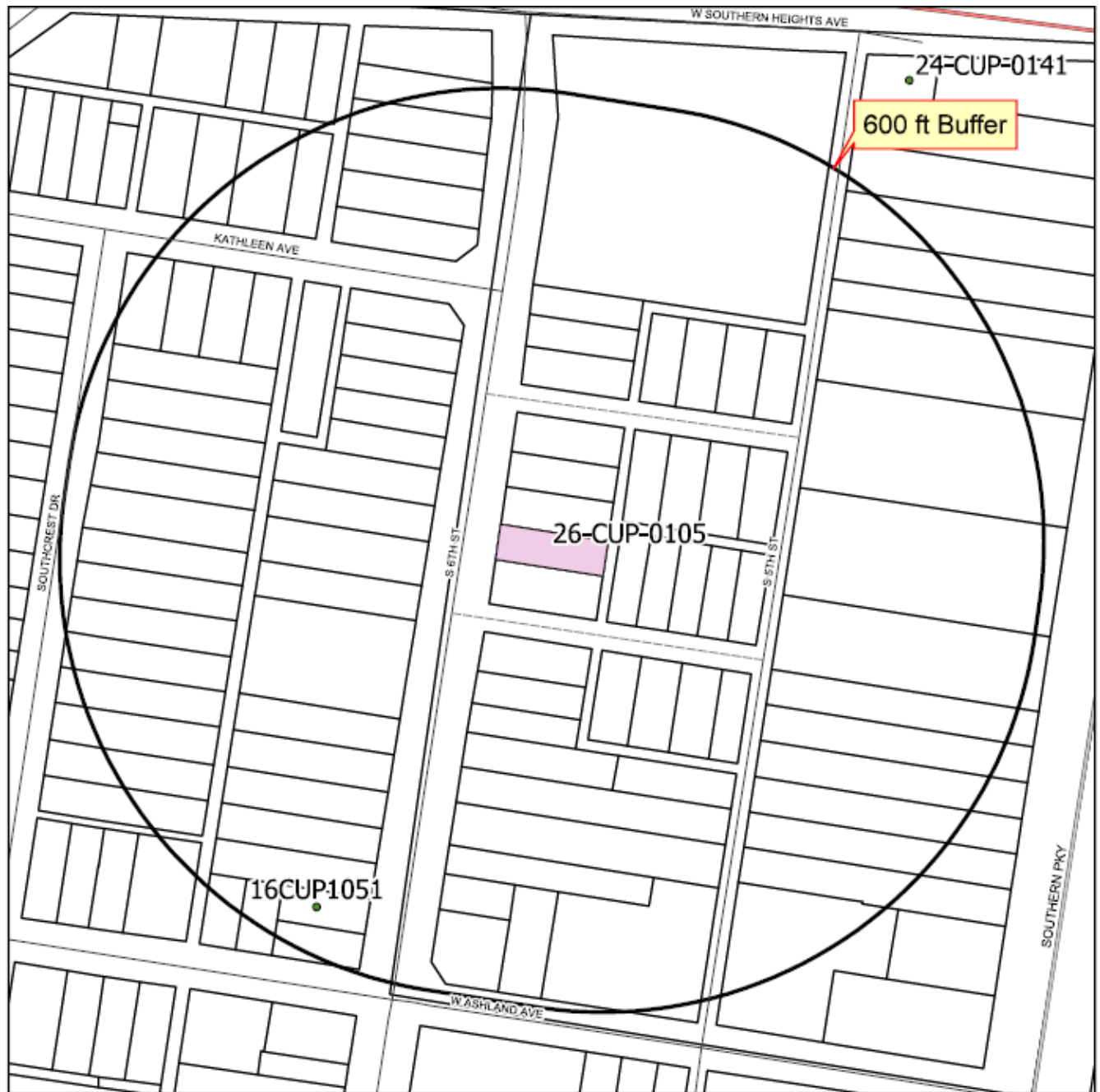
1. Zoning Map



2. Aerial Photograph

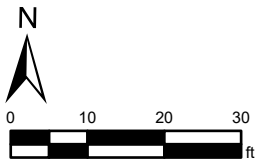


3. Proximity Map



4. Proposed Conditions of Approval

1. The conditional use permit for this short term rental approval shall allow up to five (5) bedrooms (with a maximum of twelve (12) 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.
2. Prior to commencement of any short term rental on the subject property, the owner 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.



4519 S 6TH ST

Wednesday, May 27, 2026 | 10:57 AM



LOJIC © 2026

This map is not a legal document and should only be used for general reference and identification.



















Re: Conditional Use Permit Request – South Louisville Professional Housing

Property Address: 4519 S 6th St, Louisville, KY 40214

To whom it may concern,

I am respectfully requesting approval for a conditional use permit to operate as a professionally managed short-term, mid-term, and long-term residential property.

The intent of this property is not to operate as a vacation or party rental, but rather safe, quiet, and professionally managed accommodation for travel nurses, healthcare professionals, corporate travelers, or other temporary workforce residents.

Many traveling professionals relocate from other cities & states without established local support systems. This property is intended on providing a stable residential environment where professionals can feel welcome while they contribute to Louisville's healthcare system, workforce, local economy & communities.

In respect to the concerns, we will keep the neighborhood characteristics & safety by:

- Vetting all guests
- Design designated parking
- Limit occupancy
- Ensure ongoing efforts to maintain residential appearance & character

Although we focus on long-term stays, we would like to provide flexibility to offer short-term stays, if possible.

The property will be maintained & supported by us, local & experienced management companies for a comfortable stay to reduce disruption and to hear out concerns of our neighbors.

Thank you for considering this request.

Sincerely,

Melanie Tang

Re: Conditional Use Permit Justification Statement – South Louisville Professional Housing

Property Address: 4519 S 6th St, Louisville, KY 40214

Request:

I am requesting approval of a Conditional Use Permit to allow a Non-Owner-Occupied Short-Term Rental at the subject property.

PROJECT DESCRIPTION

The subject property is an existing single-family residence located at 4519 S 6th St. The proposed use will allow the property to operate as a professionally managed furnished accommodation serving temporary residents, including traveling healthcare professionals, travel nurses, corporate travelers, and relocating families.

The proposed use will maintain the residential appearance and character of the property while providing a needed housing option for individuals temporarily residing in the Louisville area.

COMPLIANCE WITH CONDITIONAL USE PERMIT STANDARDS OF REVIEW

The proposed Conditional Use Permit complies within the Land Develop Code for the following reasons:

1. Compatibility with surrounding properties
 - a. The proposed use will remain residential in appearance and operation. No exterior modifications are proposed that would alter the residential character of the neighborhood. The property will continue to function as a dwelling and will be maintained in a manner consistent with surrounding residential properties.
 - b. We understand the concerns expressed regarding neighborhood stability and are committed to operating the property in a manner that minimizes impact on adjacent residents.
2. Impact on public facilities and services
 - a. The proposed use is not to create demands on public facilities or services beyond those typically associated with residential occupancy. Guests will utilize existing public infrastructure, utilities, and services already available to the property.
3. Traffic and parking
 - a. The property contains off street parking accommodations to serve guests and reduce reliance on street parking. Part of this project includes renovation to the driveway to allow parking spaces. Parking requirements are going to be

communicated and have limits that prohibit parking practices that interfere with neighboring properties or public rights-of-ways.

4. Preservation of neighborhood character

- a. The applicant intends to operate the property as professionally managed furnished housing with an emphasis on responsible occupancy and longer stays whenever possible. The operations are not intended to function as an event venue or party destination.
- b. The preserve neighborhood character, the property will operate under the following standard:
 - i. No parties or events permitted
 - ii. Enforcing quiet hours
 - iii. Maintain occupancy limits
 - iv. Guests will be verified with background and booking platforms
 - v. A local contact will be responsible for responding to concerns
 - vi. Property will be regularly maintained and monitored.

5. Community benefit:

- a. The proposed use will provide temporary housing for individuals who contribute to the Louisville Community including healthcare professionals, traveling nurses, contractors, and other workforce residents. Many of these individuals relocate from outside the area and require housing that is not readily available through traditional long-term rental options. We hope this property will address a need for professionally managed housing while supporting local employers, healthcare facilities, and workforce development.

6. Conclusion

- a. The proposed Conditional Use Permit satisfies the applicable standards of review by maintaining the residential character of the property, minimizing impacts on neighboring properties, providing adequate parking, and implementing operational standards designed to ensure responsible management. For these reasons, the applicant respectfully requests approval of the Conditional Use Permit.

Pobiedzinski, Tyler

From: Casey Crowdis <casey@bfdedent.com>
Sent: Monday, June 22, 2026 2:05 PM
To: Pobiedzinski, Tyler
Subject: Fw: Opposition to Conditional Use Permit Application – Case No. 26-CUPA-0085

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Tyler,

Please note for the record that the reply below changes nothing for our concerns and we still firmly oppose the short term rental.

Thank you!

Get [Outlook for iOS](#)

From: Melanie Tang <tangmelanie35@gmail.com>
Sent: Monday, June 22, 2026 2:02 PM
To: Casey Crowdis <casey@bfdedent.com>
Subject: Re: Opposition to Conditional Use Permit Application – Case No. 26-CUPA-0085

Hello Mr. & Mrs. Crowdis,

Thank you for taking the time to share your concerns. We appreciate your input and understand the desire to preserve the safety, stability, and family-oriented character of the neighborhood.

Our intent for 4519 S 6th Street is to provide professionally managed furnished housing primarily for traveling healthcare professionals, traveling nurses, and other temporary professionals working in the Louisville area.

In my role as a property manager for several local Louisville property owners, one of the most common housing requests I receive comes from professionals whose work assignments have been extended and who need temporary accommodations because their current housing is no longer available. Many of these individuals are healthcare workers, contractors, and professionals who are relocating temporarily for employment and are looking for a quiet, residential place to stay.

We understand concerns regarding traffic and unfamiliar guests. To address those concerns, we intend to implement guest screening, occupancy limits, quiet hours, and strict no-party policies. Our goal is to provide housing for responsible professionals while maintaining the residential character of the neighborhood and being responsive to any concerns that may arise.

We value the neighborhood and want to be a respectful and responsible operator. Thank you again for sharing your perspective and allowing us the opportunity to address your concerns.

Best,
Melanie

On Mon, Jun 8, 2026 at 8:23 AM Casey Crowdis <casey@bfddent.com> wrote:

Dear Ms. Tang and Members of the Louisville Metro Planning Commission,

We are writing to respectfully oppose the Conditional Use Permit application for a non-owner-occupied short-term rental at 4519 S. 6th Street (Case No. 26-CUPA-0085).

Our family lives directly across the street from this property, and while we are unable to attend the neighborhood meeting, we ask that these comments be included in the official record and considered during the review process.

As parents of two young children, we are particularly concerned about the impact a non-owner-occupied short-term rental could have on the safety, stability, and character of our neighborhood. One of the reasons we chose to live in this area was the presence of long-term neighbors who know one another, look out for each other's families, and contribute to a strong sense of community. A property that experiences a constant turnover of short-term guests undermines that stability.

We are concerned about:

- Increased traffic and parking issues on our residential street.
- Noise and disturbances from transient guests who have no long-term connection to the neighborhood.
- The safety implications of having a revolving door of unknown visitors directly across from our home and children.
- The conversion of residential housing into a commercial lodging operation.
- The difficulty of enforcing rules and addressing problems when issues arise.

While responsible property owners certainly have rights regarding the use of their property, the impacts of a non-owner-occupied short-term rental are borne by the surrounding residents who live here every day. In our view, the potential negative effects on the neighborhood outweigh the benefits of granting this permit.

For these reasons, we respectfully request that the Planning Commission **deny** the application for a Conditional Use Permit for a non-owner-occupied short-term rental at 4519 S. 6th Street.

Thank you for your time and consideration. Please include this letter in the official record for Case No. 26-CUPA-0085.

Sincerely,

Wes & Casey Crowdis
4512 S 6th St
Louisville, KY

casey@bfd Dent.com

502-387-0023

Casey Crowdis, DMD

Beechmont Family Dental

4825 S 3rd Street

Louisville, KY 40214

502-366-6362

Pobiedzinski, Tyler

From: gealr@iglou.com
Sent: Monday, June 8, 2026 4:51 PM
To: Pobiedzinski, Tyler
Subject: Fwd: Invitation to Neighborhood Informational Meeting: Rescheduled

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Tyler,

I am a member of the Friends of Iroquois Park and thought they already had the library, 601 West Woodlawn reserved for June 22 at 6 p.m. I know the Friends' meeting last at least 1 1/2 hours. I contacted Mary Beth Meece, Iroquois Library general manager to see who had the room reserved. Her response below indicates that no one has the library reserved for a meeting regarding 26-cuppa-0085 on June 22 at 6:30 p.m.

Please clarify. The original notice for 26-cuppa-0085 had the meeting scheduled for June 15. Ann Ramser

Hi Ann,

I've checked with the other staff partnered with me in maintaining our meeting room calendar and we only show Friends of Iroquois Park here at 6:00 on June 22nd.

Thank you,

Mary Beth Meece | Branch Manager
[Louisville Free Public Library | Iroquois Branch](#)
601 West Woodlawn Avenue, Louisville, KY 40215
(502) 574-1646
marybeth.meece@lfpl.org

----- Original Message -----

Subject: Invitation to Neighborhood Informational Meeting: Rescheduled

Date:2026-06-05 10:20

From:Council District 21 Notification of Development Proposals <development-notifications@public.govdelivery.com>

To:gearl@iglou.com

Invitation to Neighborhood Informational Meeting: Rescheduled

The previously announced neighborhood meeting (originally June 15) has been **rescheduled**.

The meeting to discuss this application will be held on:

DATE: Monday, June 22, 2026 @ 6:30pm

LOCATION: 601 W Woodlawn Ave, Louisville, KY 40215.

The attached invitation is being forwarded to you on behalf of the applicant for the development proposal described. This is for an informational meeting the applicant is required to conduct before a formal application can be made with Louisville Metro Office of Planning for this development proposal.

- [26-CUPPA-0085_STR CUP Neighborhood Meeting Letter .pdf](#)

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Pobiedzinski, Tyler

From: Pobiedzinski, Tyler
Sent: Tuesday, June 23, 2026 2:42 PM
To: 'Remington Smith'
Subject: RE: 26-CUPPA-0085

Good afternoon

Thank you for your patience. The primary distinction between the previous application at 4513 S. 6th Street and the proposed application at 4519 S. 6th Street relates to the separation requirements contained in the Land Development Code. The previous Conditional Use Permit application was located within 600 feet of another nonowner-occupied short-term rental and, from LDC Chapter 4.2.63, the applicant was required to demonstrate that approval would not result in an overconcentration of short-term rentals in the area.

Based on our preliminary review, the proposed application at 4519 S. 6th Street does not appear to be located within 600 feet of another nonowner-occupied short-term rental. As a result, the overconcentration analysis required for the previous application may not apply in the same manner to this request.

The Comprehensive Plan, including the applicable Goals, Objectives, and Policies referenced in staff reports, can be found on Louisville Metro's website at the following link:

<https://louisvilleky.gov/government/office-planning/comprehensive-plan>

You are welcome to review the Comprehensive Plan and reference any applicable policies when preparing comments or opposition to the application. Any correspondence, comments, or opposition submitted to our office will be included in the case file and made available to the Board of Zoning Adjustment prior to the public hearing.

At this time, a formal Conditional Use Permit application has not yet been filed. If and when an application is submitted, a public hearing will be scheduled, and notice of the hearing will be provided in accordance with the Land Development Code.

Please let me know if you have any additional questions.

Thank you,

Tyler Pobiedzinski
Planner I
O: 502-574-5177
Office of Planning
Louisville Metro Government
444 S. Fifth St. #300, Louisville, KY 40202

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From: Remington Smith <realrsds@gmail.com>
Sent: Thursday, June 18, 2026 3:32 PM

To: Pobiedzinski, Tyler <Tyler.Pobiedzinski@louisvilleky.gov>

Subject: Fwd: 26-CUPPA-0085

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Hey Tyler,

I live at 4508 S 6th St, Louisville, KY 40214 and some of my neighbors were asking me about the proposed CUP at **4519 S 6th St**. We just had another CUP at 4513 S 6th St rejected after community responses & the Planning Office report.

After looking at the report Hannah sent me (forwarded below), could you share more about how this application **conflicts with the Comprehensive Plan Policies**? I'm not familiar with where this doc might be located and the parts you might be referring to.

One of the bigger things we brought up during the haring about 4513 S 6th St was the limited supply of housing in the area & the proximity to Churchill Downs, which would make our neighborhood a prime target for becoming quickly saturated with non-owner occupied STRs if we start approving these.

Thanks!
Remington

----- Forwarded message -----

From: **Schreck, Hannah** <Hannah.Schreck@louisvilleky.gov>

Date: Thu, Jun 18, 2026 at 2:28 PM

Subject: 26-CUPPA-0085

To: realrsds@gmail.com <realrsds@gmail.com>

Good afternoon!

Here is that staff report we discussed on the phone. After having a chance to further look at the map and more thoroughly read the staff report. It looks like there are currently no non-owner-occupied short-term rentals within 600 feet of the property, only owner occupied. They will still need board approval, however.

Please let me know if there is anything else I can help you with!

Hannah Schreck

Associate Planner

Office of Planning

Louisville Metro Government

444 S 5th Street, #300 Louisville, KY 40202

Office: (502)574-4255

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Re: Conditional Use Permit Request – South Louisville Professional Housing Meeting Minutes

Property Address: 4519 S 6th St, Louisville, KY 40214

Meeting location: 601 W Woodlawn Ave, Louisville, KY 40215

Meeting attendance: See Attached.

Start time June 22nd, 2026 at 6:30pm

End time: June 22nd, 2026 at 8pm

1. Call to Order / Introduction

- a. The neighborhood meeting for the proposed Conditional Use Permit request for 4519 S. 6th Street, Louisville, Kentucky, was called to order at 6:30 PM on June 22, 2026. The purpose of the meeting was to present the proposed use of the property and provide nearby residents and interested parties and asking questions and share comments regarding their stay

2. Project Overview

- a. Attendees expressed interest in the proposed project and requested additional information regarding the intended use of the property. The applicant explained that the property will be renovated and updated with newer materials while preserving the existing character and charm of the home. The applicant stated that the intent is to operate the property as professional housing for traveling professionals, including healthcare workers.

3. Guest Screening and Occupancy Procedures

- a. Attendees asked about the process for screening individuals who would stay at the property. In response, the applicant stated that the property is intended to accommodate traveling professionals and not local guests. The applicant explained that prospective guests will be screened prior to booking through questionnaires regarding the purpose of their stay, length of occupancy, and limit of maximum allowed number of guests. In addition, screening and verification tools available through booking platforms such as Airbnb, Furnished Finder, and Zillow will be utilized as part of the reservation review process. The applicant aims to preserve the local community for traveling professionals and offering the same level of hospitality away from home.

4. Property Management and Oversight

- a. Attendees inquired about the number of properties currently managed by the applicant. The applicant explained that the subject property is a privately owned home and that there is a long-term goal of future owner occupancy. The applicant further stated that they do not manage a large portfolio of properties and intend to remain personally involved in oversight of the property. A local property

management company may also be engaged, as needed, to assist with marketing and day-to-day management.

5. Safety and Security Measures

- a. Questions were raised regarding neighborhood safety and how activity at the property would be monitored. The applicant stated that exterior security measures are planned, including the installation of exterior cameras, CCTV, Ring doorbells, and noise monitoring devices. These measures are intended to monitor activity at the property, discourage unauthorized gatherings, and support the safety and quiet enjoyment of neighboring properties.

6. Noise, Quiet Hours, and Gatherings

- a. Attendees expressed concerns regarding noise, quiet hours, and the potential for parties or large gatherings. The applicant stated that parties and similar events will not be permitted at the property. The applicant further stated that quiet hours will be enforced from 10:00 PM to 7:00 AM to minimize disruption to the surrounding neighborhood

7. Closing

- a. The applicant thanked attendees for their questions and feedback. The applicant provided their personal number to reach out to in case of additional questions and concerns after the fact. No further comments were offered, and the meeting was adjourned at 8:00 PM.

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[illegible]

NOTICE OF DEVELOPMENT APPLICATION FILED WITH
OFFICE OF PLANNING
NEIGHBORHOOD MEETING NOTIFICATION

Today's Date: May 30th, 2026

To the Adjoining Property Owners, Neighborhood Group Representatives expressing interest in this area and Metro Councilperson for the 21st District

A Conditional Use Permit application to provide a non- owner-occupied short term rental at the address below was filed with the department of Louisville Metro Office of Planning on 5/22/26

ADDRESS: 4519 S 6th St
CASE NO: 26-CUPPA-0085
CASE MANAGER: Tyler Pobiedzinski
CASE MANAGER EMAIL: tyler.pobiedzinski@louisvilleky.gov
COUNCIL DISTRICT: 21
APPLICANT: Melanie Tang

In accordance with the procedures of Louisville Metro Office of Planning, we have been directed to invite you to discuss this proposal before a formal application can be filed. This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with the applicant or its representative. We encourage you to attend this meeting and to share your thoughts. This meeting will be held in addition to the established public meeting procedures of the Planning Commission and/or the Board of Zoning Adjustment.

The meeting to discuss this application will be held on:
DATE: Monday @ June 22th, 2026 @ 6:30pm _____
LOCATION: 601 W Woodlawn Ave Louisville, KY 40215

Melanie Tang is the primary point of contact for any questions or comments. Any questions or comments received will be incorporated into the meeting record. The contact information is below:

Name: Melanie Tang
Email: Tangmelanie35@gmail.com

If you have questions about this application, or would like to view the case file, please visit <http://louisvilleky.gov/government/planning-design> or contact Louisville Metro Office of Planning at:

Metro Development Center
444 S 5th St, 3rd Floor
Louisville, KY 40202
(502) 574-6230

Subject Site:

