

Board of Zoning Adjustment

Staff Report

June 1, 2026



Case No:	26-VARIANCE-0049
Project Name:	737 S 17 th St – Duplex
Location:	737 & 739 S 17 th St
Applicant:	Shannon Bright
Representative:	Min Max Construction & Consulting, LLC
Jurisdiction:	Louisville Metro
Council District:	4 – Ken Herndon
Case Manager:	Mollie Share, Planner I

REQUEST:

- **Variance** from Land Development Code (LDC) Table 5.2.2 to allow principal structures to encroach into the side yard setbacks.

Location	Requirement	Request	Variance
Side Yards (internal)	10 ft.	0 ft.	10 ft.
Side Yard (737 external)	10 ft.	7.5 ft.	3.5 ft.
Side Yard (739 external)	10 ft.	9.67 ft.	0.33 ft.

CASE SUMMARY

The subject properties are a little more than 2,800 square feet each, and in the EZ-1 Enterprise Zone zoning district and Traditional Workplace form district. The subject site is southeast from the Broadway and Dixie Highway intersection, across S 17th St from the Republic Bank Foundation YMCA and Dr William H Perry Elementary School. Both lots are undeveloped. The applicant is proposing to construct two dwelling units that are attached, but on separate parcels. Table 5.2.2 requires a 10-foot side yard setback in the EZ-1 zoning district, therefore, a variance is required.

STAFF FINDING

The requested variance is adequately justified for approval based on the analysis contained in the standard of review.

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: 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 structure must be constructed to comply with all building codes and the Land Development Code except for the requested relief.

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: 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 proposed dwelling units will follow the Traditional Neighborhood form district site design standards. Additionally, there are other multi-family homes in the general vicinity that have similar setbacks to what is being proposed.

3. The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.

STAFF: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity or in the same zoning district as the subject properties are similar in size and shape to other properties in the area. However, given the fact that the lots in the area are so narrow, new development is extremely difficult without relief.

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: The strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land and create unnecessary hardship. Adherence to the setback standards would not permit the applicant to build any residential structure, given the fact that the lot widths are 24 feet and the setback requirement is 10 feet on each side. The applicant is left with 4 feet they are permitted to build on, which is not feasible for any development.

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: The circumstances are not 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 before obtaining building permits.

REQUIRED ACTION

- **APPROVE** or **DENY** the **Variance** from Land Development Code (LDC) Table 5.2.2 to allow principal structures to encroach into the side yard setbacks.

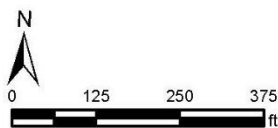
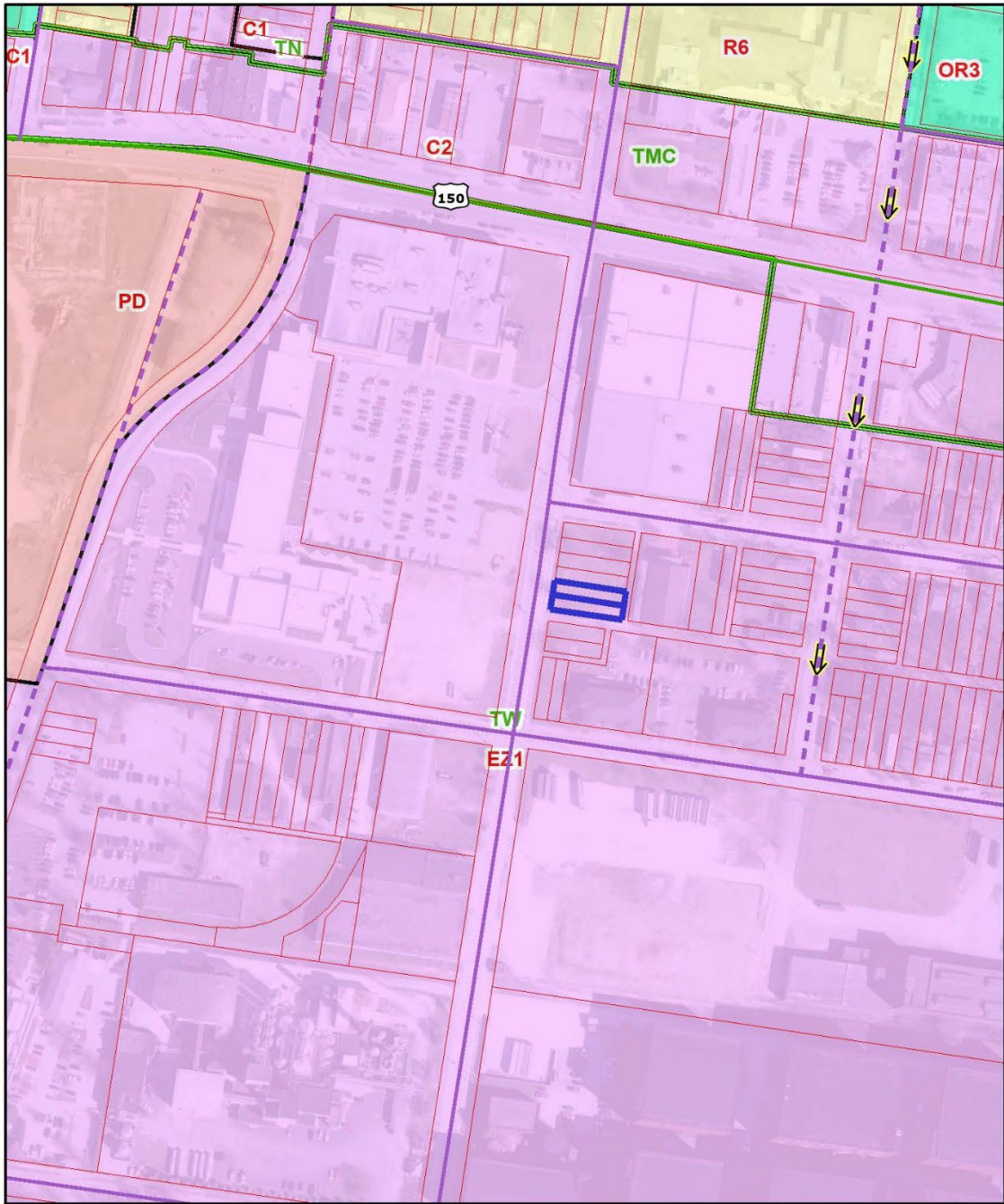
NOTIFICATION

Date	Purpose of Notice	Recipients
05/13/2026	Hearing before Board of Zoning Adjustment	1 st tier adjoining property owners and current residents
05/13/2026		Registered Neighborhood Groups in Council District 4
05/20/2026		Sign Posting on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



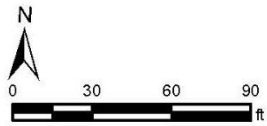
Friday, May 15, 2026 | 9:45 AM



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2. Aerial Photograph



Friday, May 15, 2026 | 9:44 AM

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