

# Board of Zoning Adjustment

## Staff Report

April 20, 2026



<b>Case No:</b>	26-CUP-0029
<b>Project Name:</b>	Transitional Home
<b>Location:</b>	6014 Robinhood Lane
<b>Applicant:</b>	John Flynn
<b>Representative:</b>	John Flynn
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	2 –Barbara Shanklin
<b>Case Manager:</b>	Mark Pinto, Planner II

### REQUEST

- **Conditional Use Permit** to allow a transitional home in the R-4 Single-Family Residential zoning district with relief from lettered standard 'F' (LDC 4.2.55).

### CASE SUMMARY

The applicant has requested a conditional use permit (CUP) for transitional housing in the R-4 Single-Family Residential zoning district and Neighborhood form district. The site is currently developed with a one-story home. The application states there are three (3) bedrooms, which will be required to meet LMCO standards regarding the required square feet per occupant. The conditional use permit is required since Land Development Code section 4.3.14 sets a maximum occupancy for transitional housing allowed with special standards to three (3) occupants. The request is for six (6) residents.

The CUP standards require that each room meet the minimum dimensional and occupancy limitations established by LMCO, Chapter 156. Each sleeping room shall meet the minimum occupancy limitations of 70 sq. ft. for each room and 50 sq. ft. for each occupant. The existing home is located closer than 30 feet to the property side lines. As such, the request will require the Board of Zoning Adjustment to consider relief from standard "F" of the CUP standards.

### STAFF FINDING

The proposal is adequately justified based on staff's analysis and the standard of review. There are no approved conditional use permits for group housing within 1000 ft. of the subject property at the time of this staff report. The applicant will be required to demonstrate compliance with each of the lettered standards listed for the conditional use permit per LDC 4.2.55.

### TECHNICAL REVIEW

Transitional Housing - A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help them achieve personal independence. Staff is available as needed. Transitional Housing is not a Boarding House, Family Care Home, Homeless Shelter, Rehabilitation Home, Residential Care Facility, or any other use more specifically defined in this Land Development Code. These facilities are not subject to the Uniform Residential Landlord and Tenant Act as set forth in KRS Chapter 383.

## **INTERESTED PARTY COMMENTS**

All comments staff receives shall be incorporated into the record and made available to the Board in advance of the public hearing. At the time of this report, staff has not received any interested party comments.

## **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 land use and development policies of Plan 2040. The proposed use advances the equitable distribution of community services and promotes neighborhoods that have access to the resources necessary to maintain health and well-being, including access to recovery and supportive services.

### 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 the surrounding land uses and the general character of the area. The applicant has not proposed any exterior changes that would reduce its compatibility with the residential character of the surrounding area. The existing home is to remain and no construction is proposed.

### 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: 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 are available or will be provided.

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

A. All bedrooms and sleeping areas shall meet the current occupancy limitations required in LMCO and any applicable building, fire, or life safety code.

B. Transitional Housing shall be a temporary housing arrangement for its residents, with stays generally being less than two (2) years. Such housing is intended to serve residents as they transition into permanent housing.

C. Transitional Housing shall have supervision of its residents, as well as structure and support services for its residents. Nonresidential uses and services that are not accessory to the Transitional Housing use shall not be carried out unless otherwise permitted and approved as a separate use. Transitional housing that serves as recovery housing should follow best practice industry standards and operational rules such as the National Alliance for Recovery Residences (NARR) standards.

D. When reviewing a conditional use permit application for Transitional Housing, the BOZA shall, to the best of its abilities, find that the establishment of the use will not result in harm to the health, safety, or general welfare of the surrounding neighborhood. The property on which a Transitional Housing is situated shall not be located closer than 1,000 feet (measured in a straight line from

nearest property line to nearest property line) to any property on which another Commercial Boarding House, Rehabilitation Home, or Transitional Housing use that has been approved by a conditional use permit is situated.

E. Transitional Housing shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and local laws.

F. No building shall be closer than 30 feet to a property line unless required to by a form district maximum setback or build-to-line.

G. The parking requirements for the use are set forth in Chapter 9 of this Land Development Code. The BOZA may require additional or restrict parking if warranted.

H. Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code. The BOZA may further restrict signage if warranted.

I. Additional Single-Family Residential Zoning District Standards (R-R, R-E, R-1, R-2, R-3, R-4, R-5, or U-N):

1. Any building shall remain or shall be constructed so that the exterior design and ornamentation is residential in character and compatible with other residential architecture in the immediate neighborhood, so that there is no evidence from the street that the use is other than residential.

2. Where such a use is permitted in a structure which has been used as a residence, the permittee shall make no substantial alterations or improvements to the structure which would impair the structure's use as a residence at a later time.

3. Off-street parking not located within a drive-way shall be located to the side or rear of the building(s).

J. For a complete application submittal for any Transitional Housing conditional use permit, in addition to the documentation required of all conditional use permit applications, the following additional information shall be provided:

1. Type of resident population to be served, if any;

2. The proposed maximum number of residents/beds and maximum number of employees;

3. Floor plans of any building subject to the use (showing the location and dimensions of all bedrooms and sleeping areas);

4. A written statement, plans, and/or permits indicating how any building subject to the application meets or will be adapted to meet all applicable building codes for the use if approved; and

5. Rules of conduct and management plan.

In the event a conditional use permit for a Transitional Housing is approved, any change to the foregoing information must be approved by the BOZA as a modification pursuant to Section 11.5A.1 of this Land Development Code.

K. If Transitional Housing with an approved conditional use permit is subject to two (2) or more substantiated civil and/or criminal complaints within a 12 month period, the Planning Director may request that the BOZA revoke the conditional use permit in accordance with Section 11.5A.6 of this

Land Development Code. Civil complaints include, but are not limited to, reported violations of building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal complaints include, but are not limited to, reported drug activity, theft and criminal mischief.

L. An active license of the Transitional Housing, as required by LMCO Chapter 115, shall be maintained. No transitional housing may take place unless the license is active and in the name of the current operator and property owner. If the license is not renewed and lapses for six (6) months, or in the event of a change of ownership and/or operator, a new license is not issued within six (6) months from the date of the change, the conditional use permit shall become null and void. In order to recommence any Transitional Housing use, a new conditional use permit must be granted if required.

STAFF: 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 requested from standard “F.” The existing home is located closer than 30 feet to the side property lines. This is an existing site condition, and the applicant is not proposing any new construction. Therefore, relief is adequately justified from standard “F” given the location of the existing home. A management care plan and rules of conduct have been submitted describing how the site and program are to be managed.

**REQUIRED ACTION**

- **APPROVE** or **DENY** the **CONDITIONAL USE PERMIT** to allow a transitional home in the R-4 Single-Family Residential zoning district with relief from lettered standard ‘F’ (LDC 4.2.55).

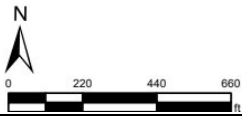
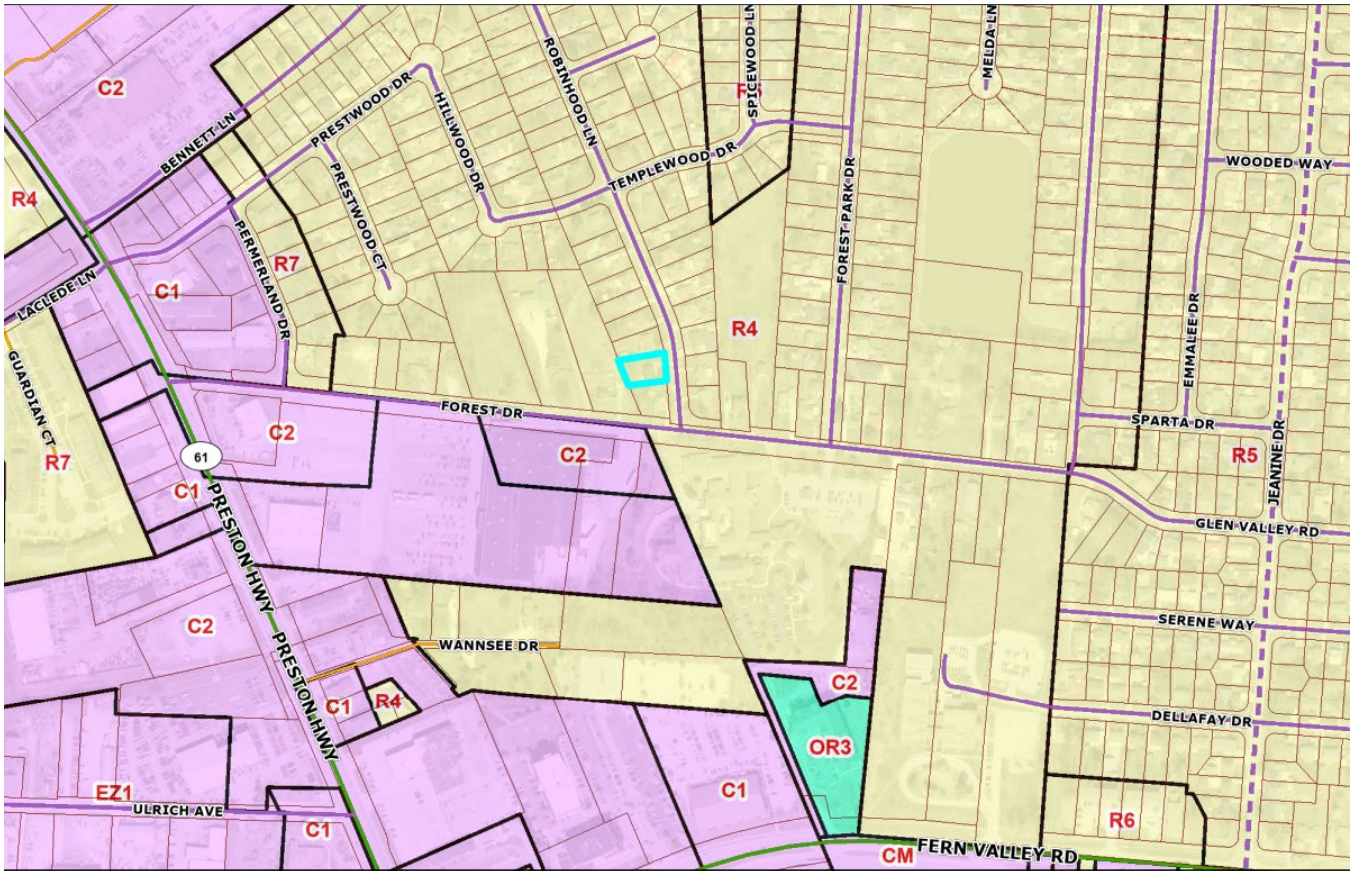
**NOTIFICATION**

Date	Purpose of Notice	Recipients
4/3/2026	Hearing before BOZA	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and residents Registered Neighborhood Groups in Council District 2
4/3/2026	Hearing before BOZA	Sign Posting

**ATTACHMENTS**

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

# 1. Zoning Map

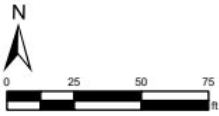
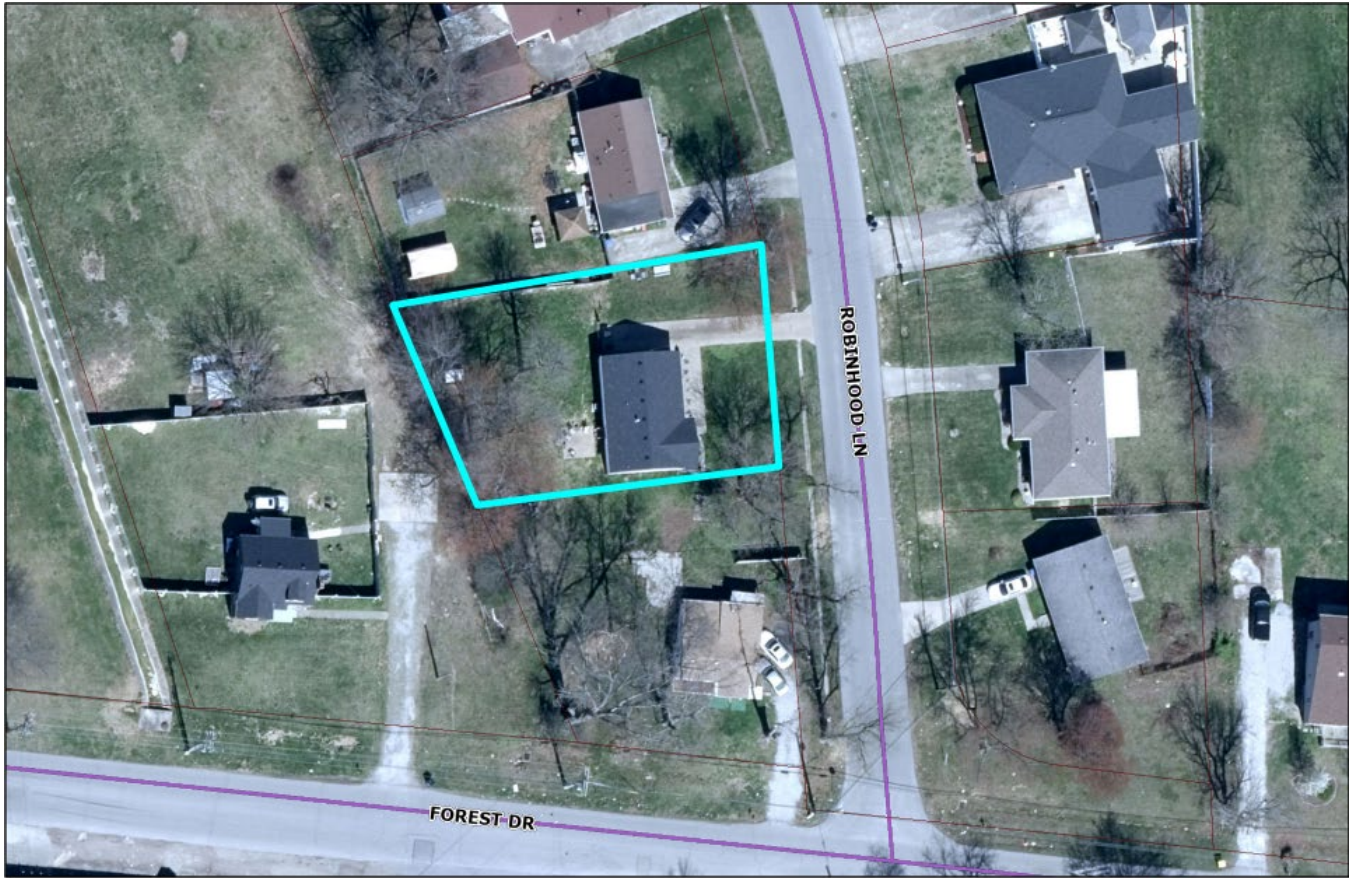


Thursday, April 9, 2026 | 8:18 AM



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

2. Aerial Photograph



Thursday, April 9, 2026 | 8:19 AM



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**3. 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 transitional home until further review and approval by the Board.
3. The maximum number of occupants shall not exceed 6 on the entire subject site, unless prior approval is received by the Board of Zoning Adjustment
4. The applicant shall initiate the licensing process as required by LMCO Chapter 115 and submit the required application(s) with the Department of Codes and Regulations within thirty (30) days of approval from the Board of Zoning Adjustment.
5. An active license for the Transitional Home, as required by LMCO Chapter 115, shall be maintained. No transitional housing may take place unless the license is active and in the name of the current operator and property owner. If the license is not renewed and lapses for six (6) months, or in the event of a change of ownership and/or operator, a new license is not issued within six (6) months from the date of the change, the conditional use permit shall become null and void. In order to recommence any Transitional Housing use, a new conditional use permit must be granted if required.