



# Louisville Metro Government

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

## Agenda - Final Board of Zoning Adjustment

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Monday, June 15, 2026

1:00 PM

oldJail

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*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. [6.1.2026 BOZA Minutes](#)

**Attachments:**     [06.01.2026 BOZA Minutes.pdf](#)

### Public Hearing

**2.** [26-VARIANCE-0043](#)

Request: Variance from Land Development Code Section 5.1.12.B.2.e.i.1 to allow two (2) accessory structures to encroach in the front and street side yard infill setbacks. Variance from Land Development Code Section 4.4.3.A.1.a.i to allow a fence to exceed 48 inches in the front and street side yard infill setbacks.

Project Name: Terudon Dr Fence & Accessory Structures  
Location: 1201 Terudon Dr  
Applicant: Michel Acosta  
Representative: Michel Acosta  
Jurisdiction: Louisville Metro Government  
Council District: District 12 - Jonathan Joseph  
Case Manager: Abby Bills, Planner I

**Attachments:** [26-VARIANCE-0043\\_BOZASTaffReport.pdf](#)  
[26-VARIANCE-0043\\_Plan\\_052026.pdf](#)  
[26-VARIANCE-0043\\_Justification.pdf](#)

**3.** [26-VARIANCE-0051](#)

Request: Variances from Land Development Code (LDC) Section 5.3.1, Table 5.3.2 (Associated with 26-CAT2-0012).

Project Name: LeafSpring at Whipps Mill  
Location: Whipps Mill Road (Parcel ID: #002105890000)  
Applicant: LeafSpring Daycare  
Representative: Dinsmore; Clifford Ashburner  
Jurisdiction: Louisville Metro  
Council District: District 18 - Marilyn Parker  
Case Manager: Mark Pinto, Planner II

**Attachments:** [26-VARIANCE-0051\\_BOZASTaffReport\\_061526.pdf](#)  
[26-CAT2-0012\\_Plan\\_050426.pdf](#)  
[26-CAT2-0012\\_Elevations.pdf](#)  
[26-CAT2-0012\\_ApplicantustificationStatement\\_051226.pdf](#)

**4. [26-VARIANCE-0053](#)**

Request: Variance to allow a structure to encroach into the required street side yard setback

Project Name: Hycliffe Avenue Variance

Location: 3800 Hycliffe Avenue

Applicant: Blake Buck & Kaitlin Cary

Representative: SNDBX Design Collaborative

Jurisdiction: St. Matthews

Council District: District 9 - Andrew Owen

Case Manager: Zach Schwager, Planner I

**Attachments:** [26-VARIANCE-0053\\_BOZA\\_Staff\\_Report\\_061526.pdf](#)  
[26-VARIANCE-0053\\_Plan.pdf](#)  
[26-VARIANCE-0053\\_Renderings.pdf](#)  
[26-VARIANCE-0053\\_ApplicantJustification.pdf](#)

**5. [26-VARIANCE-0060](#)**

Request: Variance from Land Development Code Section 5.3.2.C.2.b. to allow parking, a drive-thru lane, and dumpsters to encroach in the side yard setback. (26-VARIANCE-0060) Waiver of Land Development Code Section 10.2.10. to omit the VUA LBA along Belmont Rd and reduce the VUA LBA along Bardstown Rd. (26-WAIVER-0064)

Project Name: McDonalds Bardstown Rd

Location: 3340 Bardstown Rd

Applicant: Frank Metts Trust

Representative: STV Group, Inc.

Jurisdiction: Louisville Metro Government

Council District: District 10 - Josie Raymond

Case Manager: Abby Bills, Planner I

**Attachments:** [26-VARIANCE-0060\\_26-WAIVER-0064\\_BOZASTaffReport.pdf](#)  
[26-VARIANCE-0060\\_Plan.pdf](#)  
[26-VARIANCE-0060\\_Justification.pdf](#)  
[26-WAIVER-0064\\_Justification.pdf](#)

**6. [26-CUP-0082](#)**

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

Project Name: Short Term Rental

Location: 16071 Winding Ridge Trail

Applicant: Rebecca Eisenback

Representative: Rebecca Eisenback

Jurisdiction: Louisville Metro

Council District: District 20 - Stuart Benson

Case Manager: Catherine Gomez, Planner I

**Attachments:** [26-CUP-0082\\_StaffReport\\_061526.pdf](#)  
[26-CUP-0082\\_BedroomPhotos.pdf](#)  
[26-CUP-0082\\_Bedroom1.pdf](#)  
[26-CUP-0082\\_Bedroom2.pdf](#)  
[26-CUP-0082\\_Bedroom3.pdf](#)  
[26-CUP-0082\\_Justification.pdf](#)  
[26-CUP-0082\\_LetterofExplanation.pdf](#)  
[26-CUP-0082\\_NeighborhoodMeeting.pdf](#)

**7. [26-APPEAL-0001](#)**

Request: Appeal of a Citation related to a Short-Term Rental

Project Name: 3004 Cleveland Blvd Citation Appeal

Location: 3004 Cleveland Blvd

Applicant: Osman Sufi

Representative: Osman Sufi

Jurisdiction: Louisville Metro

Council District: 9 - Andrew Owen

Case Manager: Jay Luckett, AICP, Planning Supervisor

**Attachments:** [26-APPEAL-0001\\_BOZA\\_Staff\\_Report\\_061526.pdf](#)  
[26-APPEAL-0001\\_Appellant\\_Basis\\_for\\_Relief.pdf](#)  
[ENF-ZON-26-000142\\_Citation\\_Evidence\\_Reviews.pdf](#)  
[ENF-ZON-26-000142\\_Citation\\_020426.pdf](#)

**8. [26-APPEAL-0003](#)**

Request: Appeal of a Citation related to a Short-Term Rental  
Project Name: 3004 Cleveland Blvd Citation Appeal  
Location: 3004 Cleveland Blvd  
Applicant: Osman Sufi  
Representative: Osman Sufi  
Jurisdiction: Louisville Metro  
Council District: 9 - Andrew Owen  
Case Manager: Jay Lockett, AICP, Planning Supervisor

**Attachments:** [26-APPEAL-0003\\_BOZA Staff Report\\_061526.pdf](#)  
[26-APPEAL-0003 Appellant Basis for Relief.pdf](#)  
[26-APPEAL-0003 Citations.pdf](#)  
[26-APPEAL-0003 Revocation Letter.pdf](#)

**Adjournment**

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



# Louisville Metro Government

## Text File

File Number: 6.1.2026 BOZA Minutes

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**Agenda Date:** 6/15/2026

**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 1, 2026**

A regular meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, June 1, 2026, at the Old Jail Building, located at 514 West Liberty Street, Louisville, KY 40202.

**Board Members Present:**

Sharon Bond, Chair  
Marilyn Lewis, Vice Chair  
Brandt Ford  
Jan Horton  
Yani Vozos

**Board Members Absent:**

Miguel Rodriguez

**Staff Members Present:**

Julia Williams, Assistant Planning Director  
Laura Ferguson, Assistant County Attorney  
Joseph Haberman, Planning Manager  
Rachel Casey, Planning Supervisor  
Kaitlin Dever, Planner II  
Mark Pinto, Planner II  
Zack Jones, Planner II  
Abby Bills, Planner I  
Catherine Gomez, Planner I  
Mollie Share, Planner I  
Sydney Fawcett, Planner I  
Mary Willis, Management Assistant

The following matters were considered:

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**APPROVAL OF MINUTES**

**MAY 18, 2026, BOARD OF ZONING ADJUSTMENT MEETING MINUTES**

00:03:37 On a motion by Member Horton, seconded by Member Ford, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of the May 18, 2026, Board of Zoning Adjustment meeting.

**The vote was as follows:**

**YES: Members Vozos, Horton, Ford, and Bond**

**ABSTAIN: Member Lewis**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**BUSINESS SESSION**

**CASE NO. BOZA BYLAWS & POLICIES UPDATE**

Request: Amendment to BOZA Bylaws Article VII-Change in Meeting Day  
Jurisdiction: Louisville Metro  
Case Manager: Julia Williams, AICP, Assistant Director

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 5<sup>th</sup> Street.)

**Agency Testimony:**

00:04:33 Julia Williams provided an overview of Article VII pertaining to the change of the meeting date and responded to questions from Board Members (see recording for details)

00:06:34 Laura Ferguson responded to questions from Board Members (see recording for details).

**Deliberation:**

00:06:52 Committee deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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.**

00:07:04 On a motion by Member Ford, seconded by Member Lewis, the following resolution, was adopted:

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Amendment to BOZA Bylaws Article VII.

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**  
**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-CUP-0029**

Request: Conditional Use Permit to allow a transitional home in the R-4 Residential Single-Family zoning district (LDC 4.2.55)  
Project Name: Transitional Home  
Location: 6014 Robinhood Ln  
Applicant: John Flynn  
Representative: John Flynn  
Jurisdiction: Louisville Metro  
Council District: 2 – Barbara Shanklin  
Case Manager: Mark Pinto, Planner II

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 5<sup>th</sup> Street.)

**Agency Testimony:**

00:08:12 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:**

John Flynn, 4218 River Rd, Louisville, Ky 40207

Lawrance Massaquoi, 135 Shadow Rock Ct, Shepherdsville, KY 40615

Jeff Angel, 10803 Sparrow Circle, Louisville, KY 40118

**Summary of testimony of those in support of the request:**

00:13:37 John Flynn spoke in support of the proposal. Flynn explained the reason for the continuance and noted that he was the owner of the subject property. Flynn responded to questions from Board Members (see recording for details).

00:14:40 Lawrance Massaquoi spoke in support of the proposal. Massaquoi provided a detailed explanation of how House of Favor offers support to individuals requiring rehabilitation and outlined the criteria for eligibility. Massaquoi responded to questions from Board Members (see recording for details).

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**PUBLIC HEARING**

**CASE NO. 26-CUP-0029**

00:26:02 Jeff Angel expressed his support for the proposal. Angel emphasized on the benefits House of Favor provides to the community and to individuals seeking recovery support. Angel indicated that parking would not present a concern, as only a limited number of residents are expected to have vehicles on the property. Angel responded to questions from Board Members (see recording for details).

00:29:28 Rachel Casey responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

Ann Ramser, P.O. Box 14243, Louisville, KY 40214

**Summary of testimony of those in opposition of the request:**

00:33:12 Ann Ramser spoke in opposition to the proposal, expressing concerns about code violations affecting both the home and the property (see recording for details).

**Rebuttal:**

00:36:39 John Flynn spoke in rebuttal and stated that no additional information needed to be provided. Mr. Flynn stated that violations had been issued and that the associated fines have been paid (see recording for details).

**Deliberation:**

00:37:24 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 a transitional home in the R-4 Single-Family Residential zoning district with relief from lettered standard 'F' (LDC 4.2.55).**

00:55:08 On a motion by Member Ford, seconded by Member Lewis, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

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**PUBLIC HEARING**

**CASE NO. 26-CUP-0029**

**WHEREAS**, the Board of Zoning Adjustment finds 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, and

**WHEREAS**, the Board of Zoning Adjustment finds 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, and

**WHEREAS**, the Board of Zoning Adjustment finds 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, 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 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; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow a transitional home in the R-4 Single-Family Residential zoning district with relief from lettered standard 'F' and testimony from April 20, 2026, meeting (LDC 4.2.55) **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 transitional home until further review and approval by the Board.

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**PUBLIC HEARING**

**CASE NO. 26-CUP-0029**

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.

**The vote was as follows:**

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

**NO: Member Bond**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0049**

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

Project Name: 737 S 17<sup>th</sup> St-Duplex

Location: 737 & 739 S 17<sup>th</sup> St

Applicant: Shannon Bright

Representative: Min Max Construction & Consulting, LLC

Jurisdiction: Louisville Metro

Council District: 4 – Ken Herndon

Case Manager: Mollie Share, 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 5<sup>th</sup> Street.)

**Agency Testimony:**

00:57:03 Mollie Share provided an overview of the request and presented a PowerPoint Presentation. Share responded to questions from Board Members (see recording for details)

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

Donald Taylor, 6618 Orchard Club Place, Louisville, KY 40291

**Summary of testimony of those in support of the request:**

01:00:52 Donald Taylor spoke in support of the proposal and noted that the setback meets the requirements of the Land Development Code and that the request does not disrupt the local character but rather enhances the area (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-0049**

01:02:32 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 (LDC) Table 5.2.2 to allow principal structures to encroach into the side yard setbacks.**

01:02:58 On a motion by Member Vozos, 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, 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,

**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 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, 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 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, and

**WHEREAS**, the Board of Zoning Adjustment finds 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, and

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0049**

**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 regulations from which relief is sought, as the applicant has requested the variance before obtaining building permits; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Table 5.2.2 to allow principal structures to encroach into the side yard setbacks (**SY Internal Requirement 10ft, Request 0ft, Variance 10ft**), (**SY 737 External Requirement 10ft, Request 7.5ft, Variance 3.5ft**), (**SY 739 External Requirement 10ft, Request 9.67ft, Variance .33ft**)

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0055**

Request: Variance from Land Development Code Section 5.1.12.A.2.a to allow a parking lot to encroach in the front yard infill setback.

Project Name: Swig Parking Lot  
Location: 6402 Bardstown Rd  
Applicant: Noperl Indy LLC  
Representative: Land Design & Development, Inc  
Jurisdiction: Louisville Metro  
Council District: 22 – Kevin Bratcher  
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 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 5<sup>th</sup> Street.).

**Agency Testimony:**

01:04:18 Abby Bills provided an overview of the request and presented a PowerPoint Presentation (see recording for details)

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

Ted Bernstein, Land Design & Development, 503 Washburn Ave, Louisville, KY

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

01:06:08 Ted Bernstein spoke in support of the proposal and presented a PowerPoint presentation. Bernstein provided an overview of the development plan and elaborated on the existing conditions. Bernstein 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-0055**

01:09:23 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.A.2.a to allow a parking lot to encroach in the front yard infill setback.**

01:09:47 On a motion by Member Lewis, 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 since the proposed parking lot is contained within the subject property and is not directly adjacent to any residential property. The proposed structure and parking lot will additionally be buffered from Bardstown Rd and will be required to comply with all applicable landscaping and screening requirements, 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 because the location of the parking lot falls in line with the existing parking lots of the adjoining properties, including the properties that determine the infill setback. Therefore, the applicant is meeting the intent of the infill regulation despite the parking lot encroachment, 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 subject to infill context that did not apply to the surrounding properties on the same block face, as these properties were developed before the block face reached the 50% occupation requirement in LDC 5.1.12.A.1., 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 and would create an unnecessary hardship on the applicant. Upholding the infill setback for the parking lot would be unnecessary as the proposal meets the intent of the infill standards, and compliance with the infill setback would deprive the applicant of developing a large portion of the site, and

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0055**

**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 requested Variance from Land Development Code Section 5.1.12.A.2.a to allow a parking lot to encroach in the front yard infill setback (**Requirement 51ft, Request 16ft, Variance 35ft**).

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0057**

Request: Variance from Land Development Code Table 5.2.2 to allow a principal structure to encroach into the required side yard setback.

Project Name: Bowman Warehouse  
Location: 2421 Bowman Ave  
Applicant: Charles Allen  
Representative: Architectural Investments  
Jurisdiction: Louisville Metro  
Council District: 15 – Jennifer Chappell  
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 5<sup>th</sup> Street.).

**Agency Testimony:**

01:10:34 Catherine Gomez provided an overview of the request and presented a PowerPoint presentation. Gomez responded to questions from Board Members (see recording for details).

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

David Kuo, 222 S First St, Louisville, KY 40202

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

01:17:42 David Kuo spoke in support of the proposal. Kuo stated that the owner is seeking a variance to allow for the construction of a warehouse, with the intent that the property would subsequently be leased. Kuo noted that the existing structure on the property maintains the same setback from the property line as that proposed for the new structure. Kuo responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0057**

**Deliberation:**

01:25:18 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 (LDC) Table 5.2.2 to allow a principal structure to encroach into the required side yard setback.**

01:26:06 On a motion by Member Lewis, 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, or cause a hazard or nuisance to the public as the proposed structure will be constructed in accordance with applicable building codes to ensure safety and structural integrity, 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 general area follows the Traditional Neighborhood form district pattern of development. The Traditional Neighborhood Form District intends to promote development and redevelopment consistent and compatible with the distinct site and community design elements of a traditional neighborhood according to the Land Development Code. The proposed principal structure follows the same setbacks as similar industrial uses in the general vicinity, 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, because this lot is similar in size and shape to other lots in the surrounding area, which also feature similar setbacks, 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 construct a permit use on a vacant

**BOARD OF ZONING ADJUSTMENT  
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**PUBLIC HEARING**

**CASE NO. 26-VARIANCE-0057**

lot. The applicant states that the lot is constrained in size and a smaller size warehouse to meet the setbacks would not be economically viable, 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 regulations from which relief is sought as the applicant has requested the Variance prior to beginning construction; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Table 5.2.2 to allow a principal structure to encroach into the required side yard setback (**SS Requirement 10ft, Request 4ft 4in, Variance 5ft 8in**) & (**NS Requirement 10ft, Request 5ft, Variance 5ft**)

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

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**CASE NO. 25-MCUP-0004**

Request: Modified Conditional Use Permit for RU-2 Residential Housing in the Broadway sub-area of the SoBro Planned Development District (PDD).  
Location: 200 W Broadway  
Applicant: Student Success Housing  
Representative: Sabak, Wilson, & Lingo  
Jurisdiction: Louisville Metro  
Council District: 4 – Ken Herndon  
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 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 5<sup>th</sup> Street.)

**Agency Testimony:**

01:27:02 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:**

Doug Sellers, Sabak, Wilson, & Lingo, 301 E Main St, Louisville, KY 40202

Julia Oderda, AIA VCBO Architecture, 524 S 600 E, Salt Lake City, UT 84102

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

01:35:40 Doug Sellers spoke in support of the proposal and presented a PowerPoint presentation. Sellers provided an overview of the development plans and provided visuals of the proposed elevation (see recording for details).

01:39:32 Julia Oderda spoke in support of the proposal. Oderda elaborated on the development plan and discussed the changes to the Conditional Use Permit. Oderda noted that a market study had been completed and found that students preferred a more dorm-style living arrangement (see recording for details).

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**The following spoke in opposition to the request:  
None**

**Deliberation:**

01:42:16 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.**

**Modified Conditional Use Permit (MCUP) for RU-2 Residential Housing in the Broadway sub-area of the SoBro Planned Development District (PDD).**

01:43:00 On a motion by Member Horton, seconded by Member Lewis, 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 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 primary portion of the building at the corner of S 2nd Street and W. Broadway is to remain. The building addition is compliant with the building design standards of the SoBro PDD and conforms to the Downtown form district standards. The proposal would permit the adaptive reuse of the site to provide student housing and contribute to the diversity of housing types in the area, and

**WHEREAS**, the Board of Zoning Adjustment finds 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; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit (MCUP) for RU-2 Residential Housing in

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the Broadway sub-area of the SoBro Planned Development District (PDD) **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 RU-2 Residential Housing until further review and approval by the Board.

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

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**CASE NO. 26-MCUP-0004**

Request: Modified Conditional Use Permit for an Off-Street Parking Area in the R-5 Single Family Residential Zoning District (LDC 4.2.39)  
Location: 1971 Richmond Drive  
Applicant: Sanctuary on Bardstown LLLP  
Representative: Nick Pregliasco, Attorney  
Jurisdiction: Louisville Metro  
Council District: 8 – Ben Reno-Weber  
Case Manager: Zack Jones, 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 5<sup>th</sup> Street.).

**Agency Testimony:**

01:55:07 Zack Jones provided an overview of the request and presented a PowerPoint presentation (see recording for details).

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

Nick Pregliasco, Bardenwerper, Talbott, & Roberts, 1000 N Hurstbourne Pkwy, Louisville, KY 40223

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

01:57:52 Nick Pregliasco spoke in support of the proposal and presented a PowerPoint presentation. Pregliasco noted that the applicant is requesting to modify a conditional use permit pertaining to parking and would like to reduce parking spaces from 25 to 11. Pregliasco stated that once the parking area is reduced, the remaining space would allow for the creation of a buildable lot (see recording for details).

**The following spoke in opposition to the request:**

Herbet DeLeGal, 1958 Roanoke Ave, Louisville, KY 40205

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**Summary of testimony of those in opposition:**

02:02:12 Herbert DeLeGal spoke in opposition of the proposal and voiced his concerns pertaining to parking within the area (see recording for details).

**Rebuttal:**

02:05:55 Nick Pregliasco spoke in rebuttal and reiterated the proposed changes to the number of parking spaces (see recording for details).

**Deliberation:**

02:07:15 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.**

**Modified Conditional Use Permit (MCUP) for an Off-Street Parking Area in the R-5 Single Family Residential zoning district (Land Development Code 4.2.39).**

02:08:38 On a motion by Member Lewis, 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 in an area that is in close proximity to the existing mixed-use building it serves on Bardstown Road. While there are residential properties within the vicinity, the impacts proposed are no greater than the last approval provided in 16CUP1045, and

**WHEREAS**, the Board of Zoning Adjustment finds 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, and

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**WHEREAS**, the Board of Zoning Adjustment finds the proposal complies with the standards and policies of the Comprehensive Plan and of the LDC 4.2.39 where this CUP is requested from. The subject property is within 200 feet of the site it serves. The proposed walls, fences, and plantings are complementary to the residential character of the area and complies with all setbacks. MSD and Public Works have preliminarily approved the proposal. Heavy truck storage and parking have not been proposed for the site. This proposal needs no relief from any of the subject policies; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit (MCUP) for an Off-Street Parking Area in the R-5 Single Family Residential zoning district (Land Development Code 4.2.39) **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 Off-Street Parking Area until further review and approval by the Board.
3. A minor subdivision plat shall be recorded creating the lots as shown on the approved development plan. A note shall be placed on the face of plat indicating that Lot 1 shall not be further subdivided or developed for any other use and shall remain an Off-Street Parking Area or vacant land, unless there is a time the proposed Lot 1 is no longer substandard, or an allowable use is otherwise allowed by the zoning regulations.
4. Lot 1 shall not be developed for any other use without review and approval by this Board.

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

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**CASE NO. 26-CUP-0061**

Request: Conditional Use Permit to allow a licensed health care provider office in a residential (R-5) zoning district with Waivers

Project Name: Healthcare Provider

Location: 1203 Larue Avenue

Applicant: The Bettys, LLC & The Zen Den, LLC

Representative: The Bettys, LLC & The Zen Den, LLC

Jurisdiction: Louisville Metro

Council District: 21 – Betsy Ruhe

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 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 5<sup>th</sup> Street).

**Agency Testimony:**

02:09:43 Kaitlin Dever provided an overview of the request and presented a PowerPoint presentation (see recording for details).

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

Kathryn Fischer, 2724 Lamont Rd, Louisville, KY 40205

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

02:13:13 Kathryn Fischer spoke in support of the proposal. Fischer stated that the structure will be designed to maintain the appearance of a single family home while offering a therapeutic interior environment. Fischer indicated that no signage is proposed for the property and that operations would occur during normal business hours. Fischer responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

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02:20:54      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 a licensed health care provider office in a residential (R-5) zoning district with relief from Items A and B (LDC 4.2.20).**

02:21:18      On a motion by Member Lewis, 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 does not conflict 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 factors such as height, 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, 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 a licensed health care provider office within the existing structure on the property for a professional mental health therapy practice staffed by four (4) employees. The existing 1,671 square foot structure exceeds the maximum permitted floor area and will require relief from Item A. No exterior site construction is proposed at this time. The size of the structure is an existing condition; therefore, the proposal will maintain the residential character of the nearby neighborhood in accordance with Item D while still being an appropriately located professional office use on the Preston Highway major arterial and commercial corridor. Five (5) off-street parking spaces are available behind the principal structure to serve the proposal in accordance with LDC Table 9.1.3B. The applicant also seeks relief from Item B of the conditional use permit to not provide a 5' wall or screen around the rearing parking area due to an existing 10' sewer easement on the eastern property line. Any existing or future plantings or structures

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within the easement area are subject to removal by the applicable agency if utility work is required. Furthermore, the applicant's proposed hours of operation Monday through Friday from 9am to 6pm sufficiently mitigate the need to significantly screen vehicle headlights in the rear parking area as the business will be closed before dusk. In lieu of the 5' screening provision, the applicant will meet the standard 3' evergreen screening requirement in the 5' VUA LBA at the perimeter of the rear parking pad to the existing garage per Chapter 10 of the LDC with the exception of the easement area. The applicant has demonstrated or will be required to provide compliance with each of the lettered standards of the conditional use permit, including where relief is necessary; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow a licensed health care provider office in a residential (R-5) zoning district with relief from Items A and B (LDC 4.2.20) **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 licensed health care provider office without further review and approval by the Board.

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

**Waiver from Land Development Code (LDC) Section 10.2.4 to eliminate the required 35' property perimeter landscape buffer area (LBA) at the eastern property line (Waiver #1, 26-WAIVER-0050).**

**Waiver from LDC Section 10.2.8 to reduce the required street trees from 11 to 5 Type C trees on the Preston Hwy frontage (Waiver #2, 26-WAIVER-0050).**

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**Waiver from LDC Section 10.2.10 to eliminate the required 5' vehicle use area (VUA) LBA at the eastern property line (Waiver #3, 26-WAIVER-0050).**

02:22:18 On a motion by Member Lewis, seconded by Member Horton, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

**(WAIVER 1) WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners as the applicant is not proposing any new exterior site construction at this time. The existing residential character of the subject site is to remain in the interest of compatibility with the surrounding neighborhood. The existing 10' sewer easement provides a natural green space buffer between the subject site and the adjacent residential property to the east because any potential structures or plants would otherwise be subject to removal at the expense of the property owner if utility work were required, and

**WHEREAS**, the Board of Zoning Adjustment finds that Plan 2040 Community Form Goal 1, Policy 3.1.3 characterizes the neighborhood form district as predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. The neighborhood form may contain, at appropriate locations, neighborhood centers with a mixture of uses such as offices, retail shops, restaurants, and serves. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. Community Form Goal 1, Policy 4 calls to ensure 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. Community Form Goal 1, Policy 7 seeks to locate higher intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned. Community Form Goal 1, Policy 9 advocates for 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 states that setbacks, lot dimensions, and building heights must be compatible with those of nearby developments that meet Form District guidelines. Community Form Goal 2, Policy 2 encourages development of non-residential uses in designated activity centers provided that proposed uses, density, and design are compatible with adjacent uses and meets Form District guidelines. The applicant is seeking to reuse an existing residential structure as a professional office appropriately located on the Preston Highway major arterial and commercial corridor.

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Seeing as no new exterior site construction is proposed at this time, the request demonstrates and will maintain compatibility with the residential character of the surrounding neighborhood while providing services within an existing activity center. The existing 10' sewer easement provides a natural green space buffer between the subject site and the adjacent residential property to the east because any potential structures or plants would otherwise be subject to removal at the expense of the property owner if utility work were required, 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. The existing home, accessory structure, and parking pad comprise nearly the full required 35' property perimeter LBA. Due to the existing 10' sewer easement, a reduction in the LBA would be ineffective as plantings within easement areas are subject to removal at the expense of the property owner if utility work were required, 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. The existing home, accessory structure, and parking pad comprise nearly the full required 35' property perimeter LBA. Due to the existing 10' sewer easement, a reduction in the LBA would be ineffective as plantings within easement areas are subject to removal at the expense of the property owner if utility work were required, and

**(WAIVER 2) WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners as it is internal to the site, and

**WHEREAS**, the Board of Zoning Adjustment finds that Plan 2040 Community Form Goal 1, Policy 3.1.3 characterizes the neighborhood form district as predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. The neighborhood form may contain, at appropriate locations, neighborhood centers with a mixture of uses such as offices, retail shops, restaurants, and serves. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. Community Form Goal 1, Policy 4 calls to ensure 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. Community Form Goal 1, Policy 7 seeks to locate higher intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned. Community Form Goal 1, Policy 9 advocates for an appropriate transition between uses that are substantially different in scale and intensity or density of development. The

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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 states that setbacks, lot dimensions, and building heights must be compatible with those of nearby developments that meet Form District guidelines. Community Form Goal 1, Policy 20 calls to mitigate adverse visual intrusions when there are impacts to residential areas roadway corridors, and public spaces. Community Form Goal 2, Policy 2 encourages development of non-residential uses in designated activity centers provided that proposed uses, density, and design are compatible with adjacent uses and meets Form District guidelines. The applicant is seeking to reuse an existing residential structure as a professional office appropriately located on the Preston Highway major arterial and commercial corridor. Seeing as no new exterior site construction is proposed at this time, the request demonstrates and will maintain compatibility with the residential character of the surrounding neighborhood while providing services within an existing activity center. To the extent possible as a result of existing utility constraints on the subject site, the applicant has committed to providing 5 small Type C Street trees that will not interfere with the overhead utilities, which will still provide a net benefit to the community compared to existing conditions on Preston Highway, 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 due to the presence of overhead utilities, utility anchors on site, as well as the distance between the public sidewalk and existing driveway which severely limit the available space on site to provide the full street tree requirement, 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. The presence of overhead utilities, utility anchors on site, as well as the distance between the public sidewalk and existing driveway which severely limit the available space on site to provide the full street tree requirement. If the applicant were to reduce the width of the existing driveway, it would impede vehicular circulation to and from the rear parking pad and cause financial hardship disproportionate to the impact of the proposal. To the extent possible as a result of these constraints, the applicant has committed to providing 5 small Type C Street trees that will not interfere with the overhead utilities, which will still provide a net benefit to the community compared to existing conditions on Preston Highway, and

**(WAIVER 3) WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners as the applicant is not proposing any new exterior site construction at this time. The existing residential character of the subject site

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is to remain in the interest of compatibility with the surrounding neighborhood. The existing 10' sewer easement provides a natural green space buffer between the subject site and the adjacent residential property to the east because any potential structures or plants would otherwise be subject to removal at the expense of the property owner if utility work were required. The applicant's proposed hours of operation Monday through Friday from 9am to 6pm sufficiently mitigate the need to significantly screen vehicle headlights in the rear parking area as the business will be closed before dusk. The applicant will otherwise provide the required 3' evergreen screening around the remainder of the 5' VUA LBA at the perimeter of the rear parking pad in accordance with LDC Chapter 10, and

**WHEREAS**, the Board of Zoning Adjustment finds that Plan 2040 Community Form Goal 1, Policy 3.1.3 characterizes the neighborhood form district as predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. The neighborhood form may contain, at appropriate locations, neighborhood centers with a mixture of uses such as offices, retail shops, restaurants, and serves. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. Community Form Goal 1, Policy 4 calls to ensure 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. Community Form Goal 1, Policy 7 seeks to locate higher intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned. Community Form Goal 1, Policy 9 advocates for 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 states that setbacks, lot dimensions, and building heights must be compatible with those of nearby developments that meet Form District guidelines. Community Form Goal 2, Policy 2 encourages development of non-residential uses in designated activity centers provided that proposed uses, density, and design are compatible with adjacent uses and meets Form District guidelines. The applicant is seeking to reuse an existing residential structure as a professional office appropriately located on the Preston Highway major arterial and commercial corridor. Seeing as no new exterior site construction is proposed at this time, the request demonstrates and will maintain compatibility with the residential character of the surrounding neighborhood while providing services within an existing activity center. The existing 10' sewer easement provides a natural green space buffer between the subject site and the adjacent residential property to the east because any potential structures or

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plants would otherwise be subject to removal at the expense of the property owner if utility work were required, 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. Due to the existing 10' sewer easement overlapping with the required 5' VUA LBA, even a reduction in the LBA would be ineffective as plantings within easement areas are subject to removal at the expense of the property owner if utility work were required, 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. Due to the existing 10' sewer easement overlapping with the required 5' VUA LBA, even a reduction in the LBA would be ineffective as plantings within easement areas are subject to removal at the expense of the property owner if utility work were required; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested **(1)** Waiver from Land Development Code (LDC) Section 10.2.4 to eliminate the required 35' property perimeter landscape buffer area (LBA) at the eastern property line, **(2)** Waiver from LDC Section 10.2.8 to reduce the required street trees from 11 to 5 Type C trees on the Preston Hwy frontage, and **(3)** Waiver from LDC Section 10.2.10 to eliminate the required 5' vehicle use area (VUA) LBA at the eastern property line.

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

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**PUBLIC HEARING**

**CASE NO. 26-CUP-0055**

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner.  
Project Name: Short Term Rental  
Location: 3184 S 3<sup>rd</sup> Street  
Applicant: Daniel Bowling  
Representative: Daniel Bowling  
Jurisdiction: Louisville Metro  
Council District: 15 – Jennifer Chappell  
Case Manager: Rachel Casey, AICP, Planning Supervisor

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 5<sup>th</sup> Street.)

**Agency Testimony:**

02:23:21 Rachel 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:**

Daniel Bowling, 3608 Graham Rd, Louisville, KY 40207

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

02:29:08 Daniel Bowling spoke in support of the proposal and mentioned he was available for questions. Bowling responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

02:32:07 Committee deliberation

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**An audio/visual recording of the Board of Zoning Adjustment hearing 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).**

02:32:32 On a motion by Member Ford, seconded by Member Lewis, 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 the 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 five (5) bedrooms, limiting maximum occupancy to twelve (12) guests; now, therefore be it.

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

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0055**

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. 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, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0056**

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner.  
Project Name: Short Term Rental  
Location: 3173 S 3<sup>rd</sup> Street  
Applicant: David Tang  
Representative: David Tang  
Jurisdiction: Louisville Metro  
Council District: 15 – Jennifer Chappell  
Case Manager: Rachel Casey, AICP, Planning Supervisor

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 5<sup>th</sup> Street.)

**Agency Testimony:**

02:33:30 Rachel 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:**

David Tang, 4811 S 6<sup>th</sup> St, Louisville, KY 40214

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

02:39:48 David Tang spoke in support of the proposal. Tang noted that there are valid grounds for granting relief for the rental based on the unique characteristics of the property and the surrounding area. Tang noted that the subject property is directly adjacent to properties with commercial and other non-residential uses. Tang stated that an arterial roadway serves as a buffer between his property and a short term rental with the same vicinity. Tang responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0056**

Ann Ramser, P.O. Box 14243, Louisville, KY 40214

**Summary of testimony of those in opposition:**

02:47:52 Ann Ramser spoke in opposition of the proposal and voiced her concern pertaining to affordable housing within the area (see recording for details).

**Rebuttal:**

02:49:02 David Tang spoke in rebuttal and reiterated that the short term rental would not affect affordable housing within the area of the subject property (see recording for details).

**Deliberation:**

02:55:57 Committee deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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).**

02:56:42 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 that because the 600 ft separation requirement is not met, the proposal is not consistent with policies of the Comprehensive Plan. Housing Goal 3 seeks to ensure long-term affordability and livable options in neighborhoods, with expanded opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro. The 600-foot separation requirement is in place to support these Housing Goals and to prevent an overabundance of short term rentals in an area, which can lead to scarcity in the housing supply and increased rent or purchase prices for existing homes, and

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0056**

**WHEREAS**, the Board of Zoning Adjustment finds that because the 600 ft separation requirement is not met, the request does not comply with Land Development Code Section 4.2.63(D) and will require relief. Based on the number of short term rentals in the general area, the Board does not believe that relief is justified because it would result in an overconcentration of short term rentals; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **DENY** the Conditional Use Permit to allow a short term rental of a swelling unit that is not the primary residence of the owner.

**The vote was as follows:**

**YES: Members Ford, Horton, and Bond**

**NO: Member Vozos**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0073**

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner  
Project Name: Short Term Rental  
Location: 5710 Southern Pkwy  
Applicant: Marytodd Gagel  
Representative: Marytodd Gagel  
Jurisdiction: Louisville Metro  
Council District: 21 – Besty Ruhe  
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 5<sup>th</sup> Street.)

**Agency Testimony:**

02:58:18 Catherine Gomez provided an overview of the request and presented a PowerPoint presentation. Gomez responded to questions from Board Members (see recording for details).

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

Mary Gagel, 4516 Southcrest Dr, Louisville, KY 40215

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

03:00:43 Mary Gagel spoke in support of the proposal. Gagel noted that the short term rental would be available up to four guests due to the home being two bedrooms and one bath. Gagel noted that the parking area would be large enough to provide space up to six vehicles and that no vehicles are allowed to park along the bridle path located in front of the property. Gagel responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0073**

**Deliberation:**

03:06:42      Committee deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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).**

03:06:56      On a motion by Member Vozos, seconded by Member Lewis, 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 two (2) bedrooms, allowing a maximum occupancy of six (6) guests. Off-street parking will be provided via an existing rear alley and the detached garage on the property; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0073**

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested 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). 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, Lewis, Horton, Ford, and Bond**

**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0078**

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner  
Project Name: Short Term Rental  
Location: 2014 S Preston Street  
Applicant: Kelly Rawalt  
Representative: Kelly Rawalt  
Jurisdiction: Louisville Metro  
Council District: 15 – Jennifer Chappell  
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 5<sup>th</sup> Street.)

**Agency Testimony:**

03:07:51 Sydney Fawcett provided an overview of the request and presented a PowerPoint presentation (see recording for details).

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

Kelly Rawalt, 2014 S Preston St, Louisville, KY 40217

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

03:10:23 Kelly Rawalt spoke in support of the proposal. Rawalt noted that the short term rental would be separate from her primary residence and would have its own dedicated entrance. Rawalt indicated that she would be responsible for managing the short rental, including cleaning the property following each renters stay. Rawalt responded to questions from Board Members (see recording for details).

03:12:17 Rachel Casey responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**PUBLIC HEARING**

**CASE NO. 26-CUP-0078**

Ann Ramser, P.O. Box 14243, Louisville, KY 40214

**Summary of testimony of those in opposition:**

03:13:24 Ann Ramser spoke in opposition of the proposal and voiced her concern pertaining to the size of the bedrooms (see recording for details).

03:16:43 Rachel Casey and Joe Haberman responded to questions from Board Members (see recording for details).

**Rebuttal:**

03:22:05 Kelly Rawalt spoke in rebuttal. Rawalt stated that most of the windows in the home have been replaced and confirmed that all rooms meet adequate spacing requirements. Rawalt responded to questions from Board Members (see recording for details).

**Deliberation:**

03:23:34 Committee deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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).**

03:24:01 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 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 factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and appearance

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
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**PUBLIC HEARING**

**CASE NO. 26-CUP-0078**

since no changes to the exterior of the property are being proposed which reduce compatibility with the area, and

**WHEREAS**, the Board of Zoning Adjustment finds that 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, 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; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested 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 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/guests.
2. Prior to the 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.
3. The owner shall act as host and maintain their primary residency within a dwelling unit on the subject property. If the owner does not maintain their primary residency within a dwelling unit on the subject property, the short term rental must cease.

**The vote was as follows:**

**YES: Members Vozos, Lewis, Horton, Ford, and Bond**  
**ABSENT: Member Rodriguez**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
JUNE 1, 2026**

**ADJOURNMENT**

The meeting adjourned at approximately 4:25 p.m.

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**Chair**

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**Planning Director**



# Louisville Metro Government

## Text File

File Number: 26-VARIANCE-0043

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**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 2.

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-VARIANCE-0043
<b>Project Name:</b>	Terudon Dr Fence & Accessory Structures
<b>Location:</b>	1201 Terudon Dr
<b>Applicant:</b>	Michel Acosta
<b>Representative:</b>	Michel Acosta
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	12 – Jonathan Joseph
<b>Case Manager:</b>	Abby Bills, Planner I

**REQUEST**

- **Variance** from Land Development Code Section 5.1.12.B.2.e.i.1 to allow two (2) accessory structures to encroach in the front and street side yard infill setbacks.
- **Variance** from Land Development Code Section 4.4.3.A.1.a.i to allow a fence to exceed 48 inches in the front and street side yard infill setbacks.

<b>Accessory Structure Location</b>	<b>Requirement</b>	<b>Request</b>	<b>Variance</b>
Front Yard Infill Setback	30 ft. - 40 ft.	3 ft.	27 ft.
Street Side Yard Infill Setback	40 ft.	21 ft.	19 ft.

<b>Fence Location</b>	<b>Requirement</b>	<b>Request</b>	<b>Variance</b>
Front & Street Side Yard Infill Setback	48 in.	72 in.	24 in.

**CASE SUMMARY**

The subject site is approximately 0.22 acres in the R-4 Single Family Residential zoning district and Neighborhood form district. The site is located at the intersection of Terudon Dr and Manslick Rd. The applicant has constructed two (2) accessory structures on the subject property, directly adjacent to one another. Both structures are encroaching in the front yard infill setback along Manslick Rd, and the eastmost structure is encroaching in the street side yard infill setback along Terudon Dr as well.

Additionally, in both the front and street side yard infill setbacks, the applicant has constructed a 72 inch fence. The maximum fence height allowed in the front and street side yard setbacks is 48 inches in suburban forms. Therefore, a variance is required for both existing accessory structures and the existing fence height.

**STAFF FINDING**

Staff finds that the requested variances are adequately justified for approval based on the analysis contained in the standard of review.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE #1**

1. The requested variance will not adversely affect the 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 and will not cause a hazard or nuisance to the public, as the accessory structures are screened from view partially by the existing fence, and partially by existing landscaping adjacent to Manslick Rd.

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 alter the essential character of the general vicinity, as there are no other residential properties along Manslick Rd and Terudon Dr with accessory structures encroaching in infill setbacks. However, the request will not allow an unreasonable circumvention of the requirements, as the subject lot is oriented in a unique way that justifies the location of the accessory 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: 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 a corner lot with the front property line facing the minor arterial Manslick Rd, rather than the local Terudon Dr where all other front property lines are facing. For this reason, the applicant has significantly less space to place structures in the side and rear yards compared to the neighboring properties.

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 the reasonable use of the land and would create an unnecessary hardship on the applicant, as the applicant has already constructed the buildings that the variance is being requested for. Additionally, as the orientation of the lot is unique to the vicinity and the applicant has reduced space in the side and rear yards, there is little to no area for the structures to be moved into a complaint location.

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 the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has constructed both accessory structures.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE #2**

2. The requested variance will not adversely affect the 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 and will not cause a hazard or nuisance to the public, as the existing fence is internal to the site and does not impede the safe movement of vehicles along either street.

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 because the fence is largely screened from view along Manslick Rd and Terudon Dr by existing landscaping.

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 arises from special circumstances which do not generally apply to the land in the general vicinity, or in the same zone. Because the subject site is a corner lot and has a street side yard, it is unlike most properties in the vicinity. Most properties along Terudon Dr would be permitted to construct a 72 inch fence on the side of their house.

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 the reasonable use of the land and would create an unnecessary hardship on the applicant, as the fence has already been constructed. Additionally, due to the unique orientation of the applicant's lot and house, strict application of the provisions would deprive the applicant of having a 6' fence on nearly the entire parcel, which would not be the case for a typical lot on this street.

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 the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought, as the fence is existing on site.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Variance** from Land Development Code Section 5.1.12.B.2.e.i.1 to allow two (2) accessory structures to encroach in the front and street side yard infill setbacks.
- **APPROVE** or **DENY** the **Variance** from Land Development Code Section 4.4.3.A.1.a.i to allow a fence to exceed 48 inches in the front and street side yard infill setbacks.

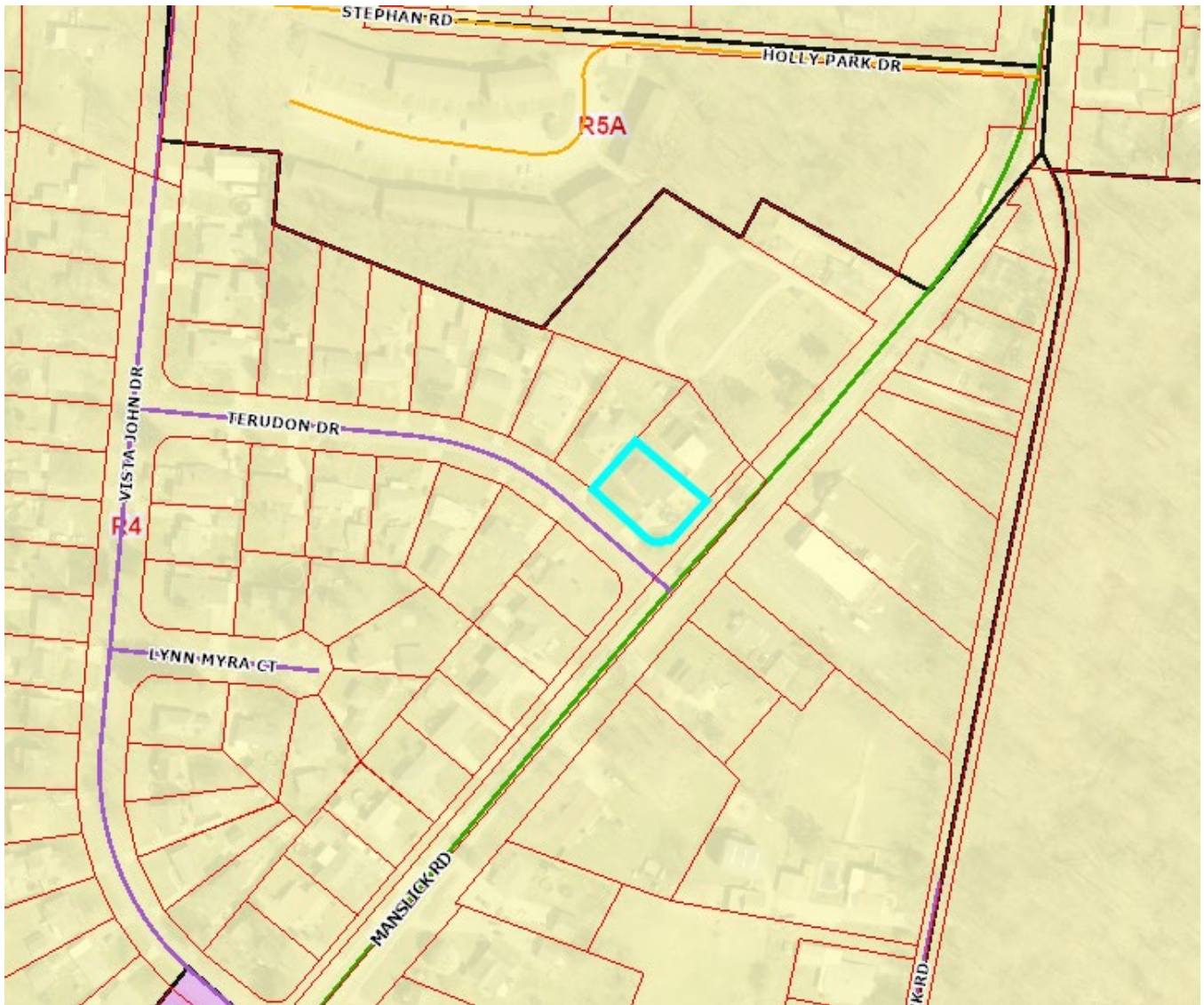
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5/22/2026	Hearing before BOZA	1 <sup>st</sup> tier adjoining property owners and current residents
5/20/2026		Registered Neighborhood Groups in Council District 12

## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

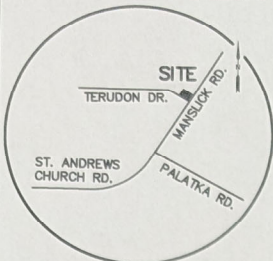
1. Zoning Map



2. Aerial Photograph



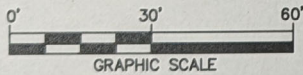
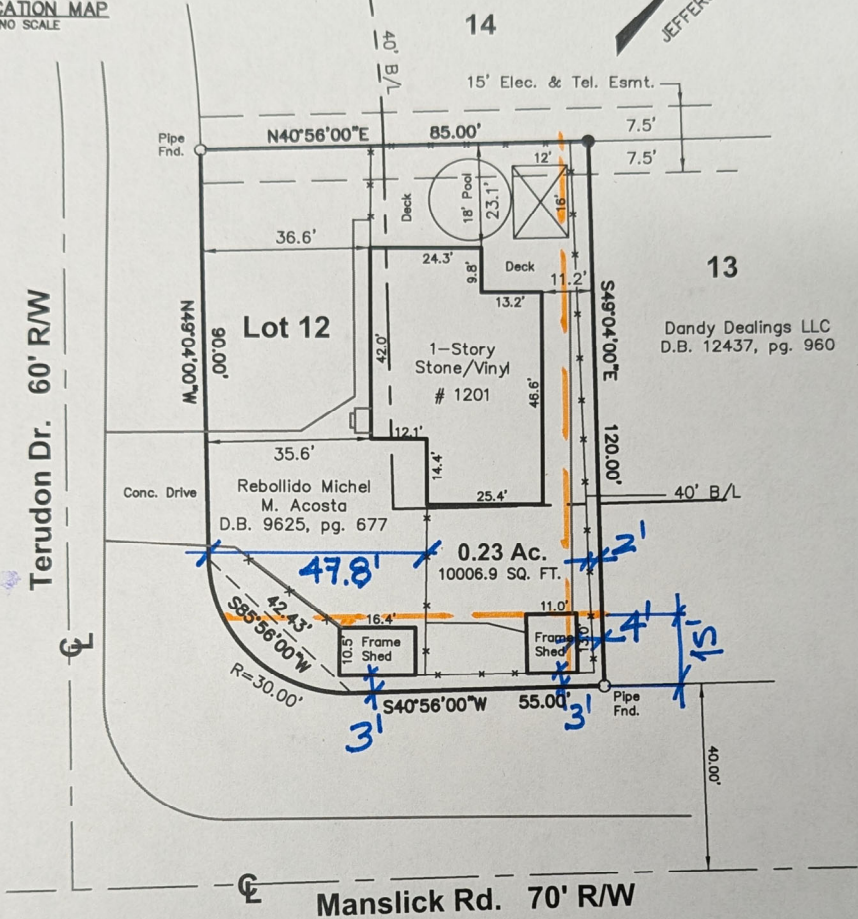
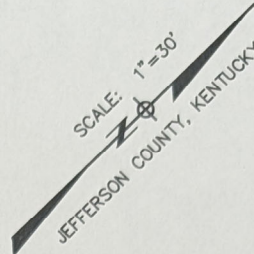
2634



LOCATION MAP  
NO SCALE

### Manslick Heights Subd. P.B. 11, pg. 36

Mindy Alvey Sherman  
D.B. 12444, pg. 592



- DENOTES FOUND MONUMENT
- DENOTES PIN AND CAP SET

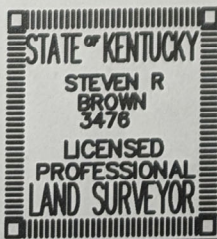
THIS SURVEY IS SUBJECT TO ALL LEGAL ROADWAYS, EASEMENTS AND RIGHTS-OF-WAY IF ANY, WHETHER SHOWN HEREON OR NOT.

I HEREBY CERTIFY THAT THIS PLAT AND SURVEY WERE MADE UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR MEASUREMENTS AS WITNESSED BY MONUMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY AND PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.

THE BASIS OF THE REFERENCE MERIDIAN USED ON THIS PLAT TO DETERMINE THE DIRECTIONS OF SURVEY LINES WAS TAKEN FROM PLAT BOOK 11, PG. 36 AND SHOWN S49°04'00"E.

FLOOD PLAIN CERTIFICATION IS RESTRICTED TO A REVIEW OF THE FLOOD INSURANCE RATE MAPS (F.I.R.M.) LATEST REVISION AND SHALL NOT BE CONSTRUED AS A CONFORMATION OR DENIAL OF FLOODING POTENTIAL. THE PROPERTY SHOWN HEREON (IS   ) IS NOT (X) IN A 100 YEAR FLOOD AREA PER F.E.M.A. MAP NO. 21111 C0073F, 2/26/21.

*Steven R. Brown*  
 STEVEN R. BROWN  
 Licensed Professional Land Surveyor #3476  
 5-14-26  
 DATE



**S.R. BROWN**  
 LAND SURVEYS  
 570 S. ROBBS LN.  
 PEKIN, IN 47165  
 502 523-2154

BOUNDARY SURVEY			
CLIENT: Denis Rabell			
ADDRESS: 1201 Terudon Dr. Louisville, KY 40214			
REC'D SOURCE: D.B. 9625, pg. 677			
DRAWN BY	DATE	REV.	SCALE
S.R.B.	5.13.26		1"=30"

Michel M. Acosta Rebolledo  
1201 Terudon Dr  
Louisville, Kentucky 40214  
765-363-0181  
Michelacosta79@outlook.com

April 27, 2026

Code Compliance Department / Zoning  
Jefferson County

Subject: Request for an exception to maintain the structure of the fence on my property

Dear Sirs:

I hereby address you with the greatest respect to request an exception or reconsideration regarding the possible restructuring of the fence on the right side of my property and adjacent to Manslick Rd Street. Since this would cause great economic prejudice and would not benefit the development of the area.

I want to explain that the fence not only delimits my property, but also fulfills an important safety function, since it adjoins a highly traveled and potentially dangerous street. Its presence helps prevent accidents, especially for pedestrians, children or pets. Regrettable events have already occurred such as vandalism and penetration of my property by individuals outside it. This fence has a white metal structure that makes a harmonious and visually pleasing atmosphere.

For these reasons, I respectfully request that I be allowed to preserve these structures so that it does not compromise the safety or well-being of my environment.

Thank you in advance for your time and consideration. I look forward to your reply.

Sincerely,

Michel M Acosta Rebolledo

Michel M. Acosta Rebolledo  
1201 Terudon Dr  
Louisville, Kentucky 40214  
765-363-0181  
Michelacosta79@outlook.com

April 27, 2026

Code Compliance Department / Zoning  
Jefferson County

Subject: Request for exception to maintain three sheds on my property

Dear Sirs:

I hereby respectfully address you to request an exception or reconsideration regarding the request to remove three small sheds located on my property, at the address indicated above.

I want to explain that I do not have another space available within my property where I can relocate these structures. In addition, it is important to note that two of these sheds were already in place since before I acquired the property, so they have been part of it for a considerable time.

These sheds fulfill an essential storage function and are kept in good condition, without representing danger, obstruction or negative affectation for the community or neighboring properties. The removal of them would cause great economic prejudice and would not benefit the development of the area.

For the above, I respectfully request that I be allowed to keep them in their current location or that they be considered a reasonable alternative that takes into account the limitations of space on my property.

I am willing to collaborate with any inspection or recommendation that the department deems necessary to comply with current regulations.

Thank you in advance for your attention and consideration. I look forward to your reply.

Sincerely,

Michel M Acosta Rebolledo



# Louisville Metro Government

## Text File

File Number: 26-VARIANCE-0051

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**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 3.

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-VARIANCE-0051
<b>Project Name:</b>	LeafSpring at Whipps Mill
<b>Location:</b>	Whipps Mill Road; Parcel ID: #002105890000
<b>Applicant:</b>	LeafSpring Daycare
<b>Representative:</b>	Dinsmore; Clifford Ashburner
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	18 – Marilyn Parker
<b>Case Manager:</b>	Mark Pinto, Planner II

**REQUEST**

- **Variance** from Land Development Code (LDC) Section 5.3.1, Table 5.3.2 to allow the proposed building to exceed the 80 ft. maximum front yard setback by 494 ft.
- **Variance** from LDC Section 5.3.1, Table 5.3.2 to allow the proposed building to exceed the 30 ft. maximum building height by 3 ft.

Location	Requirement/Maximum	Request	Variance
Front Yard Setback	80 ft.	574 ft.	494 ft.
Building Height	30 ft.	33 ft.	3 ft.

**CASE SUMMARY**

The development site is an approximately 2.03 acres portion of an 18-acre property located in the R-4 Single-Family Residential zoning district, Neighborhood form district, and along Whipps Mill Road. The development site is within Louisville Metro zoning jurisdiction. The applicant has proposed to construct a 17,924 sq ft. Child Care Center, pursuant to LDC Section 4.3.28 for Child Care Centers in Residential Zones, permitted with special standards. The variances are associated with a Category 2B Development plan case #26-CAT2-0012.

**STAFF FINDING**

Staff finds that the requested variances are adequately justified for approval based on the analysis contained in the standard of review.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR FRONT YARD SETBACK VARIANCE**

1. The requested variance will not adversely affect the 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 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 buildings, parking, and landscaping are within the subject property and do not encroach into the right-of-way or adjacent, residential properties. Given the proposed building setback, there is not a sight distance issue for vehicles and pedestrians travelling along Old Whipps Mill and Whipps Mill Road.

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. Residential properties are located across the street along Whipps Mill and Old Whipps Mill Road. The requested variance to exceed the maximum setback would permit the proposed building to be located a greater distance away from adjacent residential property, thereby reducing the visible impact of the proposal on adjacent, lower-intensity 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: 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 not developed residentially and is significantly larger than other R-4, Neighborhood form district properties that are adjacent. Also, the site has environmental concerns such as the floodplain, floodway, existing mature tree canopy, and a protected waterway.

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 the reasonable use of the land and would create an unnecessary hardship on the applicant, as the front yard setback would require the proposed building to be located closer to adjacent R-4, single-family residences. This area of the site is located primarily within the City of Lyndon zoning jurisdiction, which would not permit the request as currently proposed. This portion of the site is green space which could be preserved as open space with the requested variance for the building to be constructed elsewhere on the site. Environmental constraints are present on the property consisting of the floodplain, floodway, mature tree canopy, and a protected waterway. The strict application of the setback requirement could disrupt existing environmental features on site.

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 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.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR HEIGHT VARIANCE**

2. The requested variance will not adversely affect the 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 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 building is located a significant distance from property lines that are adjacent to existing single-family residential properties that are mostly one-story. The existing zoning district is R-4, which does not permit land uses that are potentially hazardous, as potentially hazardous and nuisance uses generally require industrial zoning or additionally a conditional use permit.

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. The requested variance is to exceed the maximum permitted height by 3 ft, which appears to be primarily due to the gable roof style, which adds architectural value to the proposed building. The increased setback from adjacent properties and Old Whipps Mill Road should reduce the visual impact of the proposed building on nearby residential properties. The site across Old Whipps Mill is developed with the University of Louisville Shelby Campus, within the Campus Form District, and comprised of office buildings that exceed three stories. The Campus form district has a maximum permitted height of 150 ft.

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 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 not developed residentially and is significantly larger than other R-4, Neighborhood form district properties that are adjacent.

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 provision of the regulation would not deprive the applicant of the reasonable use of the land or create an unnecessary hardship since the proposed building height could be reduced by 3 ft. to meet the maximum permitted building height. However, this could reduce the architectural interest of the building.

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 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.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Variance** from LDC Section 5.3.1, Table 5.3.2 to allow the proposed building to exceed the 80 ft. maximum front yard setback by 494 ft.
- **APPROVE** or **DENY** the **Variance** from LDC Section 5.3.1, Table 5.3.2 to allow the proposed building to exceed the 30 ft. maximum building height by 3 ft.

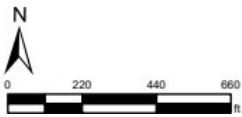
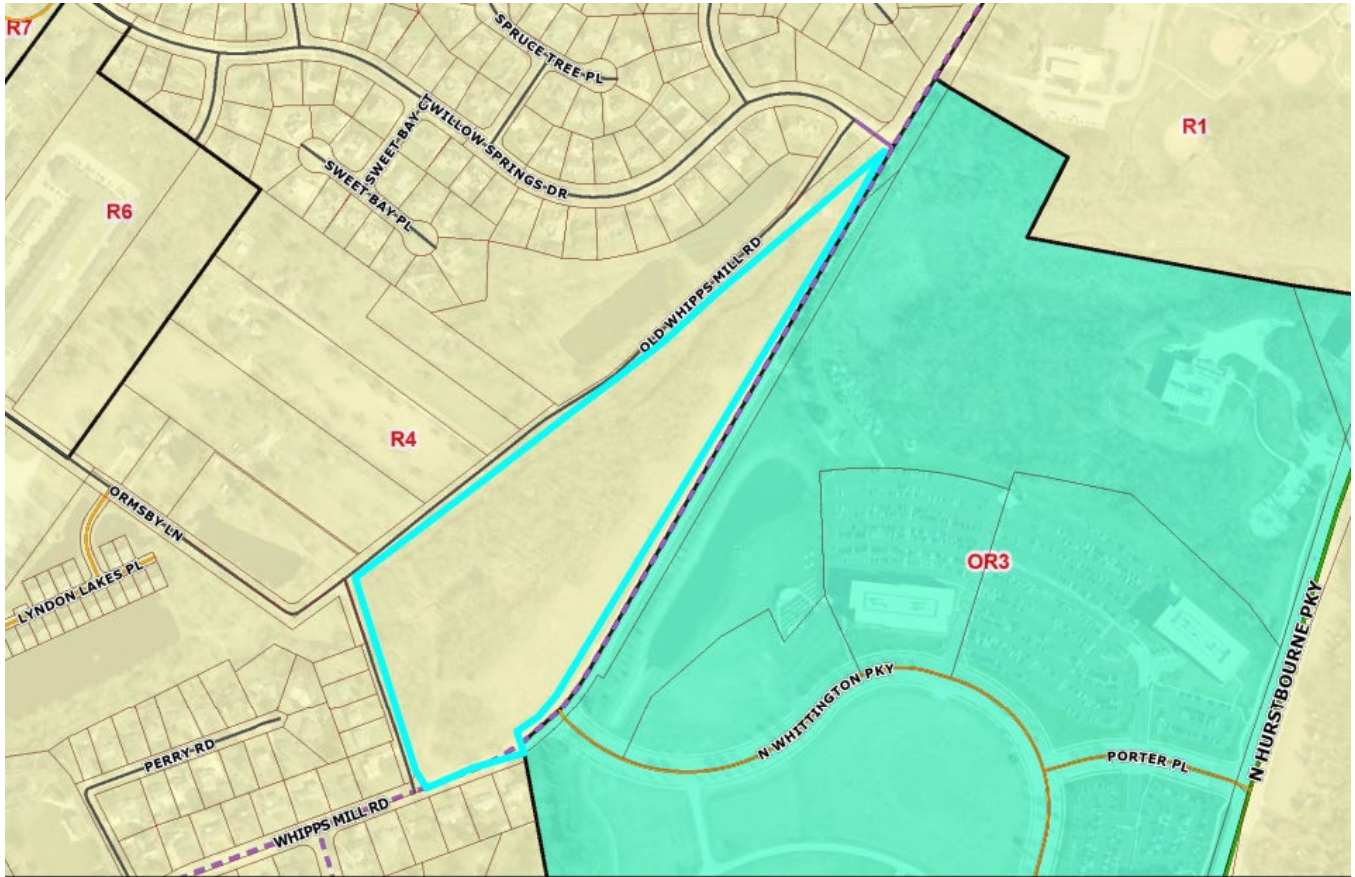
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5/27/2026 6/1/2026	Hearing before BOZA	1 <sup>st</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 18
6/3/2026	Hearing before BOZA	Sign posting on property

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

# 1. Zoning Map

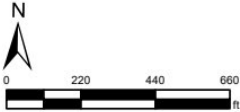


Wednesday, June 3, 2026 | 10:38 AM



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

2. Aerial Photograph



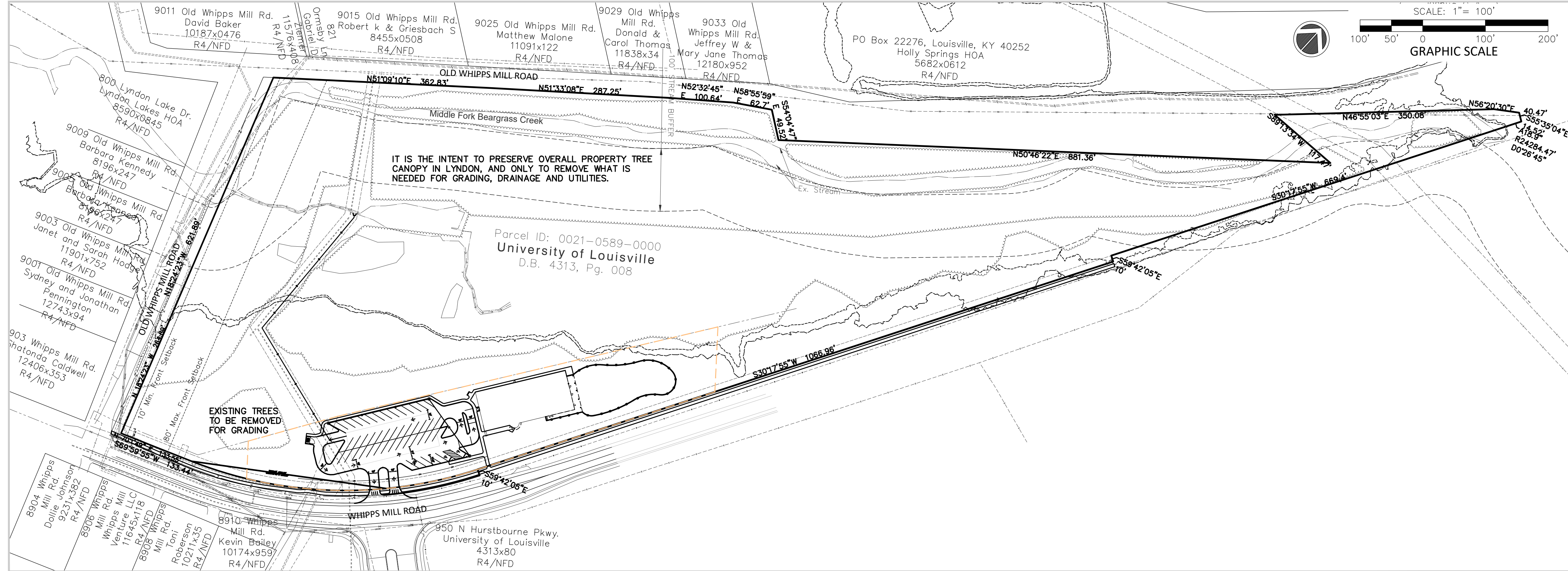
Wednesday, June 3, 2026 | 10:37 AM



LOJIC © 2026

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

OVERALL PROPERTY PLAN



SITE DATA

LAND USE	WHIPPS MILL ROAD 40223
SITE ADDRESS	T.B. 21; T.L. 589
TAX BLOCK & LOT:	NEIGHBORHOOD
EXISTING ZONING DISTRICT:	R-4
EXISTING ZONING FORM DISTRICT:	R-4
PROPOSED ZONING DISTRICT:	VACANT
PROPOSED USE:	DAY CARE/EARLY CHILDHOOD EDUCATION
EXISTING PARCEL AREA:	18.19 ACRES
PROPOSED PARCEL AREA:	APPROXIMATELY 16.95 ACRES
DEED BOOK & PAGE:	4313X80
BUILDING DATA/OPEN SPACE	32'-10"
BUILDING HEIGHT:	9,589 S.F.
GROSS FLOOR AREA:	17,924 S.F.
FLOOR TO AREA RATIO:	0.024
PARKING CALCULATIONS	35 SPACES
MINIMUM PARKING REQUIRED (1 SPACE/EMPLOYEE):	70 SPACES
MAXIMUM PARKING PERMITTED (2 SPACES/EMPLOYEE):	50 SPACES
PARKING PROVIDED:	2 SPACES
ACCESSIBLE PARKING PROVIDED:	2 SHORT TERM, 2 LONG TERM INDOORS
BIKE PARKING:	
TREE CANOPY CALCULATIONS	88,701 S.F.
DEVELOPMENT AREA:	3.17% (2,808 S.F.)
EXISTING TREE COVERAGE:	0% (0 S.F.)
PRESERVED TREE CANOPY:	35% (31,045 S.F.)
REQUIRED TREE CANOPY:	
ILAVIA CALCULATIONS	22,304 S.F.
VEHICULAR USE AREA:	1,673 S.F.
INTERIOR LANDSCAPE AREA REQUIRED (7.5%):	1,867 S.F.
INTERIOR LANDSCAPE AREA PROVIDED:	7 TREES
ILA TREES (1/4000 S.F. + 25%) REQUIRED/PROVIDED:	
EPSC DATA (IN DISTURBED AREA)	0 S.F.
EXISTING IMPERVIOUS AREA:	53,984 S.F.
PROPOSED IMPERVIOUS AREA:	FLOODPLAIN
SENSITIVE FEATURES:	UghC, Umc
SOIL TYPE:	ASSUMED C
HYDROLOGIC SOIL GROUP:	
PRELIMINARY DETENTION CALCULATION	$\Delta CRA/12 = 0.046 \times 2.8 \times 16.95 / 12 = 0.18$ ACRE- FEET
	$0.18 \text{ ACRE- FEET} \times 43,560 = 7,925 \text{ CF} \times 1.5 = 11,887 \text{ CF PROVIDED}$
BUILDING SETBACKS	10' MINIMUM, 80' MAXIMUM
FRONT:	

VARIANCE REQUESTED

5.3.2 TO ALLOW THE PROPOSED BUILDING TO EXCEED THE 80' MAXIMUM FRONT YARD SETBACK BY 494'

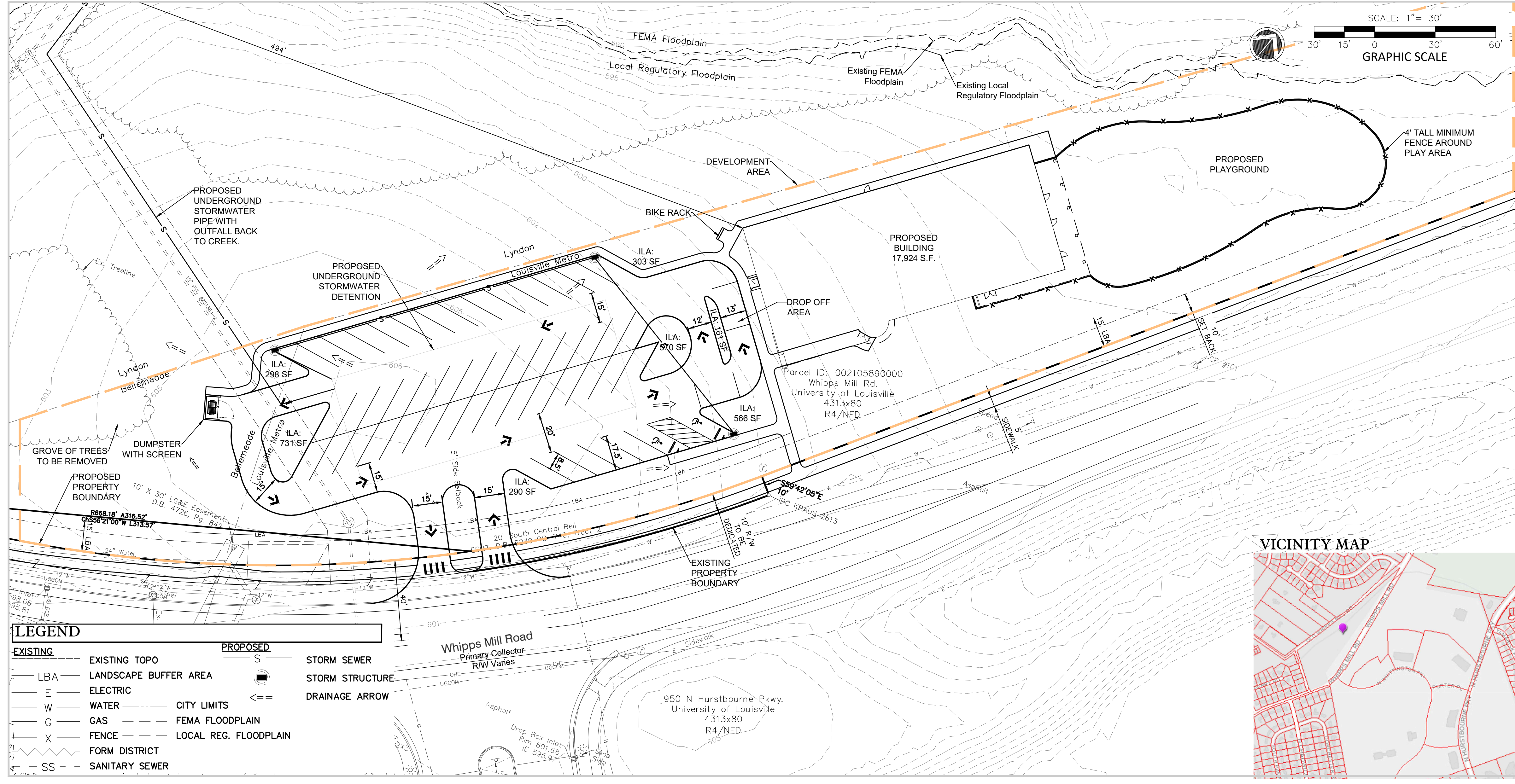
5.3.2 TO ALLOW THE PROPOSED BUILDING TO EXCEED THE 30' MAXIMUM BUILDING HEIGHT BY 2'-10".

GENERAL NOTE

AGENCY NOTES

- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE, FEDERAL ORDINANCES AND ANY APPLICABLE CHARGES. SEWAGE WILL BE TREATED AT THE MORRIS FARM WWT.
  - ON SITE DETENTION TO BE PROVIDED. POST-DEVELOPED PEAK FLOWS SHALL BE LIMITED TO THE PRE-DEVELOPED PEAK FLOWS FOR THE 2, 10, 25 AND 50% OF THE 100-YEAR OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE.
  - AN EPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.
  - ALL RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTIONS PER MSD'S FATS, OIL, AND GREASE POLICY.
  - THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT THE DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MGMT. PRACTICES.
  - NO INCREASE IN VELOCITY AT THE POINT OF DISCHARGE AT THE PROPERTY LINE.
  - LOWEST FINISHED FLOOR TO BE AT OR ABOVE 593' AND LOWEST MACHINERY TO BE AT OR ABOVE 594'.
  - ANY REQUIRED FILL IN THE FLOODPLAIN SHALL BE COMPENSATED ON SITE AT 1.5 TO 1.
  - NO PERMANENT PLAY GROUND EQUIPMENT TO BE LOCATED WITH IN THE PROPOSED SEWER AND DRAINAGE EASEMENT.
  - UNDERGROUND DETENTION BASINS MUST MEET THE REQUIREMENTS OF SECTION 10.3.8.4 OF MSD'S DESIGN MANUAL.
- APCD
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULAR EMISSION FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- HEALTH DEPARTMENT
- ALL CONSTRUCTION & SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH & WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
  - MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- PDS
- DUMPSTERS TO BE SCREENED COMPLIANT WITH THE LDC.
  - ALL SIGNAGE SHALL COMPLY WITH CHAPTER 8 OF THE LDC.
  - STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SIGHT DISTANCE PER LDC 10.2.8.
  - AN APPROVED LANDSCAPE PLAN SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
  - KARST SURVEY COMPLETED BY ASHLEY BARTLEY, RLA ON APRIL 14, 2025 BY REVIEW MAPPED KARST GROUNDWATER BASIN IN THE LOUISVILLE MAP BY THE KY GEOLOGIC SURVEY. WHILE THERE ARE KARST FEATURES IN THE AREA, THE PORTION OF THE PROPERTY BEING DEVELOPED DOES NOT APPEAR TO HAVE ANY ACTIVE KARST FEATURES. TOPOGRAPHIC MAPPING DOES NOT INDICATE ANY SINKS OR DEPRESSION.
- MPW
- ALL DRIVING AND PARKING SURFACES TO BE HARD DURABLE MATERIAL.
  - ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
  - CONSTRUCTION PLANS, BOND, AND PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL.
  - COMPATIBLE UTILITY LINES SHALL BE PLACED IN COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
  - UPON DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT SITES AS DETERMINED APPROPRIATE BY THE DEPARTMENT OF PUBLIC WORKS.
  - WHEEL STOPS AND PROTECTIVE CURBING, CONCRETE WHEEL STOPS OR CURBING AT LEAST SIX (6) INCHES HIGH AND SIX (6) INCHES 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 THREE (3) FEET FROM ANY ADJACENT WALL, FENCE, PROPERTY LINE, WOODY VEGETATION, WALKWAY OR STRUCTURE. (9.1.12.C).
  - SIDEWALK FEE-IN-LIEU FOR SIDEWALK ON OLD WHIPPS MILL SHALL BE PAID PRIOR TO CONSTRUCTION PLAN APPROVAL. THE FEE-IN-LIEU SHALL BE PAID TO PROPERTY'S METRO COUNCIL DISTRICT AND USED FOR SIDEWALK CONSTRUCTION WITHIN THE SAME METRO COUNCIL DISTRICT.
  - RIGHT-OF-WAY DEDICATION SHALL OCCUR PRIOR TO CONSTRUCTION PLAN APPROVAL.

SITE PLAN



Engineering Planning

LeafSpring at Whipps Mill  
Resoning Pre-Application Plan  
Whipps Mill Road  
Lyndon, Kentucky 40222  
Owner: University of Louisville  
Grawemeyer Hall, Room 208  
Louisville, Kentucky 40292

REV #	DATE	DESCRIPTION
1	04/20/2026	Agency Comments
2	05/04/2026	Agency Comments

Cat 2B Plan

Job No: 25312.000  
Date: March 24, 2025  
Scale: VARIES  
Drawn By: CM  
Checked By: AWB

Drawing Title: LeafSpring at Whipps Mill Cat 2B Plan

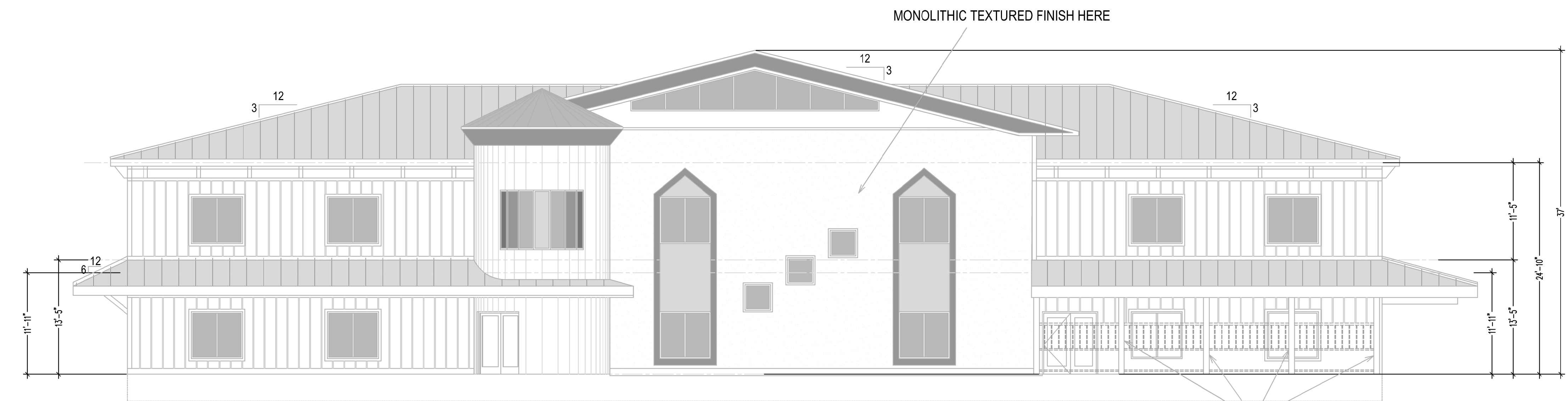
Drawing No: 1 of 1

26-CAT2-0012, WM# 12877

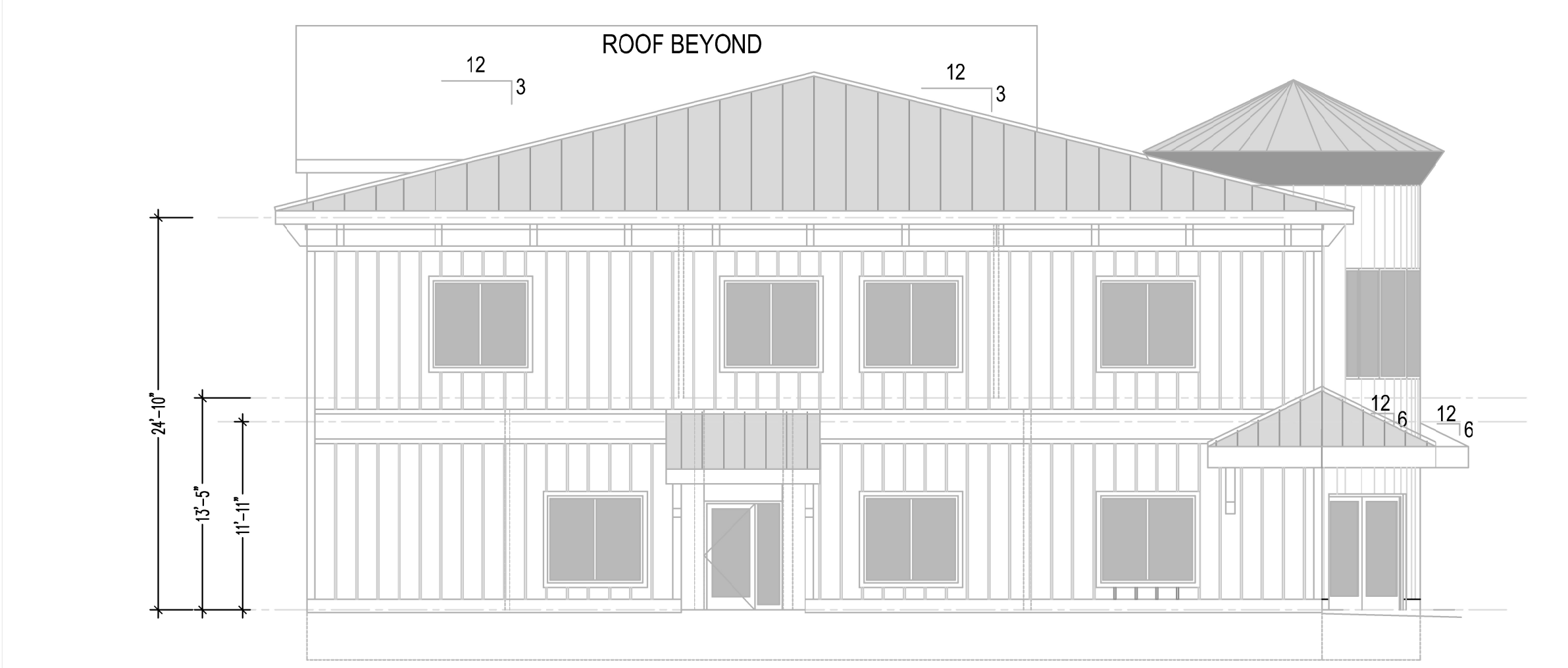
User: abartley Plot Date: May 4, 2026 1:46 PM  
File Name: U:\25312.000 - LeafSpring at Whipps Mill\Civil\_Sites\Drawings\Development\_Plan\_25312-Cat\_2B\_2026-04-20.dwg



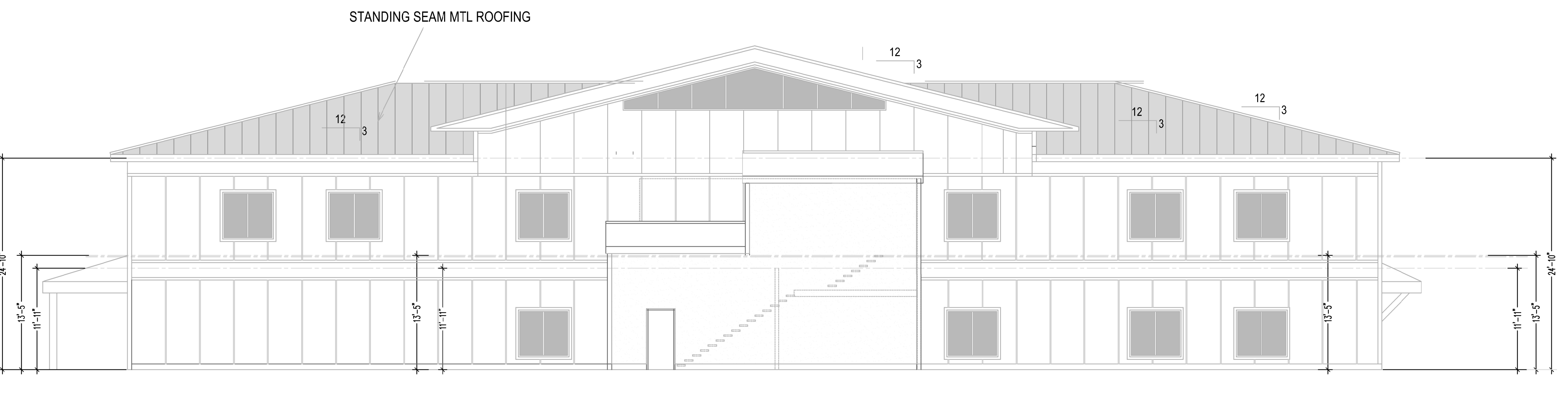
PLAYGROUND SIDE ELEVATION



FRONT ELEVATION



PARKING SIDE ELEVATION



REAR ELEVATION

SITE  
 WHIPPS MILL RD & OLD WHIPPS MILL RD  
 LOUISVILLE, KY 40222

SCALE  
 1:96

DATE  
 04/20/26

DRAWN BY  
 MR

TITLE  
 LEAFSPRING SCHOOL ELEVATIONS  
 Recieved 4/20/26

PROJECT NO.  
 26.001

DRAWING NO.  
 0004532  
 Planning & Design

SHEET NO.  
 A01



www.boltdesigngroup.com  
 26-CAF-2-0012

**RECEIVED**

Variance Justification Statement

MAY 12 2026

The requested variances to exceed the 80 ft. maximum front yard setback and 30 ft. maximum building height will not adversely affect public health, safety, or welfare. The proposed building has been intentionally positioned to minimize impacts on nearby residential properties. The front yard setback and building height variances do not create concerns related to traffic circulation or environmental conditions, as the proposed development is not located within a flood zone and the on-site parking and access on Whipps Mill Road are aligned with N. Whittington Parkway. The site design is compatible with the surrounding development and creates an appropriate transition between the Shelby Campus and adjacent residential properties while ensuring safe access and circulation.

Granting the requested variances will not alter the essential character of the surrounding area. The proposed building's location, scale, and appearance are consistent with nearby development and the proposed building is smaller in scale than the developments in Shelby Campus. The proposed development offers an appropriate transition between the Shelby Campus and adjacent residential properties and will not negatively impact the neighboring properties. Approval of the variances will maintain the existing character of the area.

The existing building does not create a hazard or nuisance to the public. The building is oriented away from Old Whipps Mill Road to minimize visual, noise, and operational impacts on nearby residents. Traffic circulation and access points are designed to avoid congestion and maintain safe movement on adjacent roadways. The minor increase in building height will not adversely affect light, air, or visibility for neighboring properties. Noise, lighting, and activity levels will comply with applicable regulations and will be oriented internally toward the site.

Approval of the variances will not constitute an unreasonable circumvention of zoning regulations because the Applicant has redesigned the proposed building to minimize its footprint and impact on the open space surrounding it. All other applicable zoning and Land Development Code requirements will be met. The variances are the minimum relief necessary to allow reasonable development of the site while adhering to the intent of the regulations.

The variances arise from special circumstances unique to this property, including its location within two different zoning jurisdictions, which creates dimensional and setback limitations. These constraints limit where the building can be placed in ways that don't apply to most nearby properties. Additionally, the building has been intentionally placed away from existing homes along Old Whipps Mill Road, which further narrows placement options without the requested variances.

Strict enforcement of the front yard and building height requirements would create an unnecessary hardship by preventing the Applicant from designing a building that reduces site disturbance and responds to area stakeholder concerns about the location of the proposed child care center. Without the requested variance, the applicant would be deprived of the reasonable use

of the property for a permitted use. The variances allow the development to proceed in a manner that is compatible and respectful of neighboring residents while avoiding unnecessary hardship.

The circumstances are not the result of actions taken by the applicant after adoption of the regulation. The need for the variances arises from the property's existing configuration, jurisdictional boundaries, and surrounding development patterns, and are not the result of actions taken by the applicant after adoption of the applicable regulations.



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.: \_\_\_\_\_ Intake Staff: \_\_\_\_\_
Date: \_\_\_\_\_ Fee: \_\_\_\_\_

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

Variance from Section: 5.3.2 of the Land Development Code to Allow to exceed the 80 ft. maximum setback and 30' maximum building height.

Project Name: LeafSpring School

Primary Project Address / Parcel ID: Whipps Mill Road / 002105890000

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

Deed Book(s) / Page Number(s): 4313 x 80

Acreage of Subject Property: 18.19 Number of Adjoining Properties: 21

Current Zoning District: R4 Current Form District: NFD

Current Use: Vacant Proposed Use: Childcare Center

Please list previous Docket / Case Number(s): 26-CAT2-0012

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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MAY 12 2026

OFFICE OF PLANNING





# Louisville Metro Government

## Text File

File Number: 26-VARIANCE-0053

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**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 4.

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-VARIANCE-0053
<b>Project Name:</b>	Hycliffe Avenue Variance
<b>Location:</b>	3800 Hycliffe Avenue
<b>Applicant:</b>	Blake Buck & Katlin Cary
<b>Representative:</b>	SNDBX Design Collaborative
<b>Jurisdiction:</b>	St. Matthews
<b>Council District:</b>	9 – Andrew Owen
<b>Case Manager:</b>	Zach Schwager, Planner I

**REQUEST**

- **Variance** from St. Matthews Development Code Section 4.6.C.2.c to allow a structure to encroach into the required street side yard setback.

Location	Requirement	Request	Variance
Street Side Yard	30 ft.	15 ft.	15 ft.

**CASE SUMMARY**

The site is approximately 0.2 acres and is in the R-4 Single-Family Residential zoning district. It is located on the southeastern corner of Hycliffe Avenue and Wallace Avenue. The applicant is proposing to construct an addition onto the side of the existing principal structure that would encroach into the required street side yard setback.

**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, because the proposed structure would not impact vision clearance or any other public health or safety issue.

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 as there are other structures in the area that encroach into street side yard setbacks.

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 generally apply to land in the general vicinity, or in the same zone as the subject property is similar to the neighboring properties.

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 provision of the regulation would deprive the applicant of the reasonable use of the land because the structure is proposed to have a similar setback to structures on adjacent properties.

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 regulation from which relief is sought as work has not begun on the proposed alterations for which the variance is being requested.

### **REQUIRED ACTION**

- **APPROVE** or **DENY** the **Variance** from St. Matthews Development Code Section 4.6.C.2.c to allow a structure to encroach into the required street side yard setback.

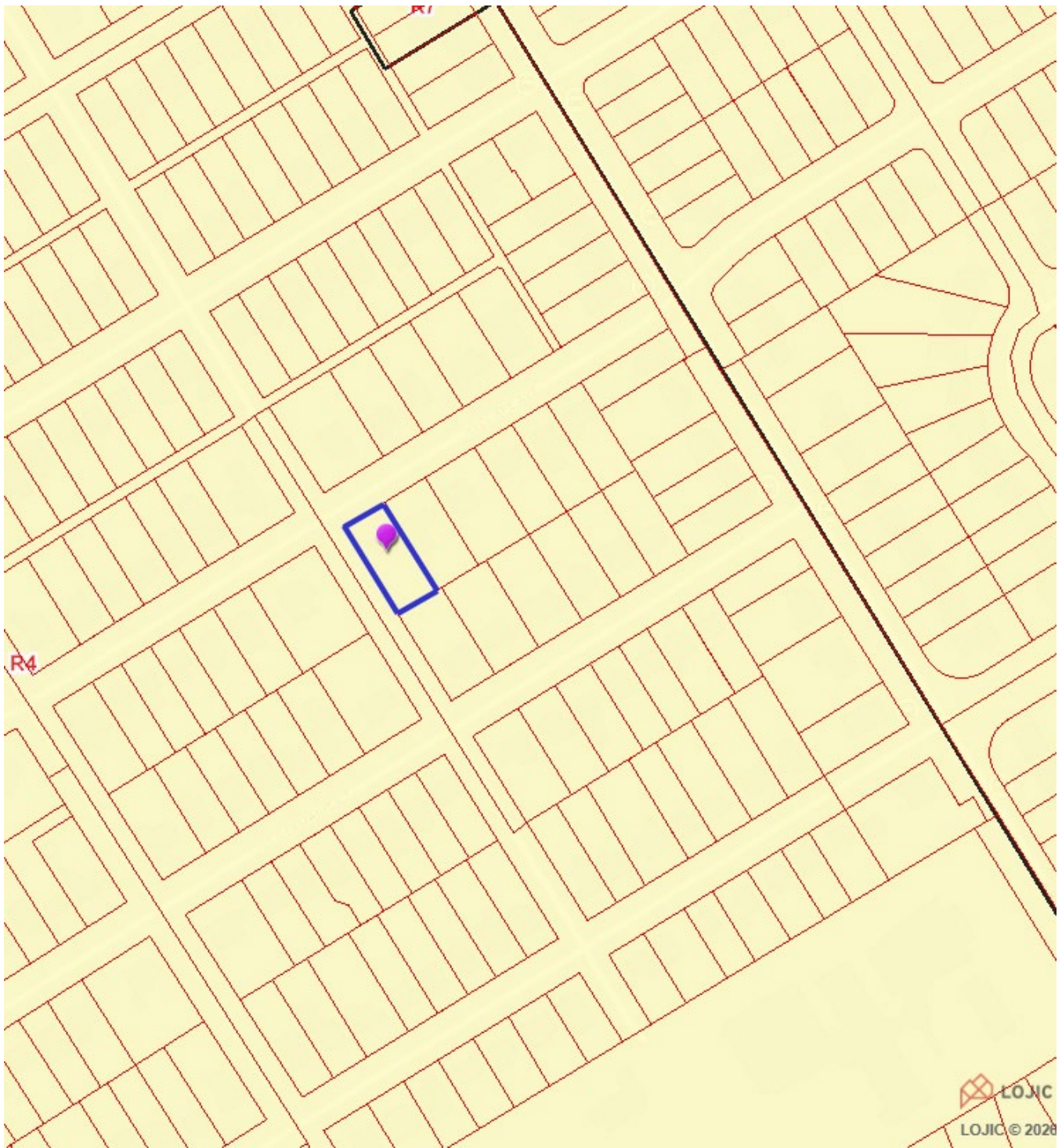
### **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>5/29/2026</b> <b>5/27/2026</b>	Hearing before Board of Zoning Adjustment	1 <sup>st</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 9

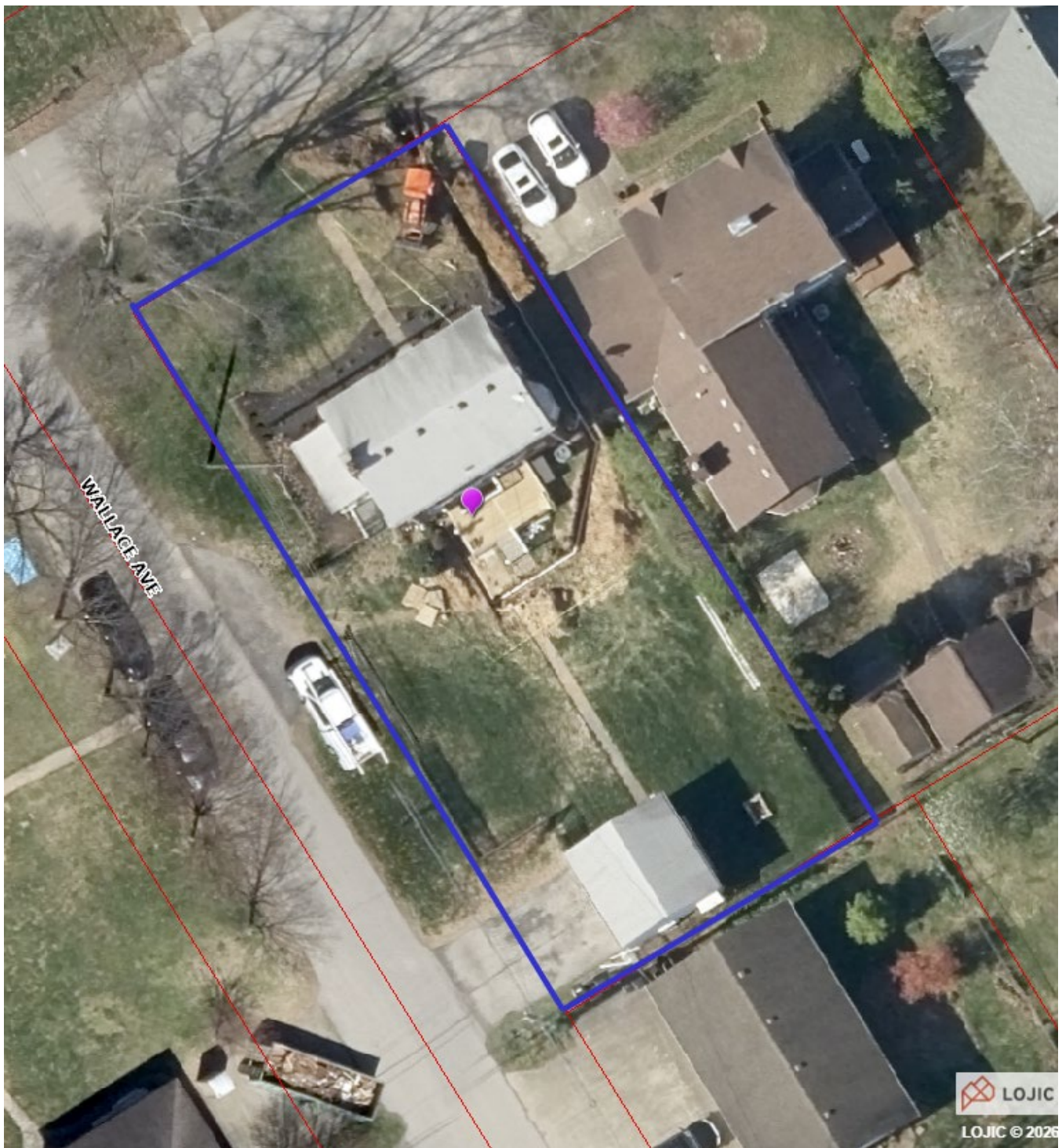
### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map

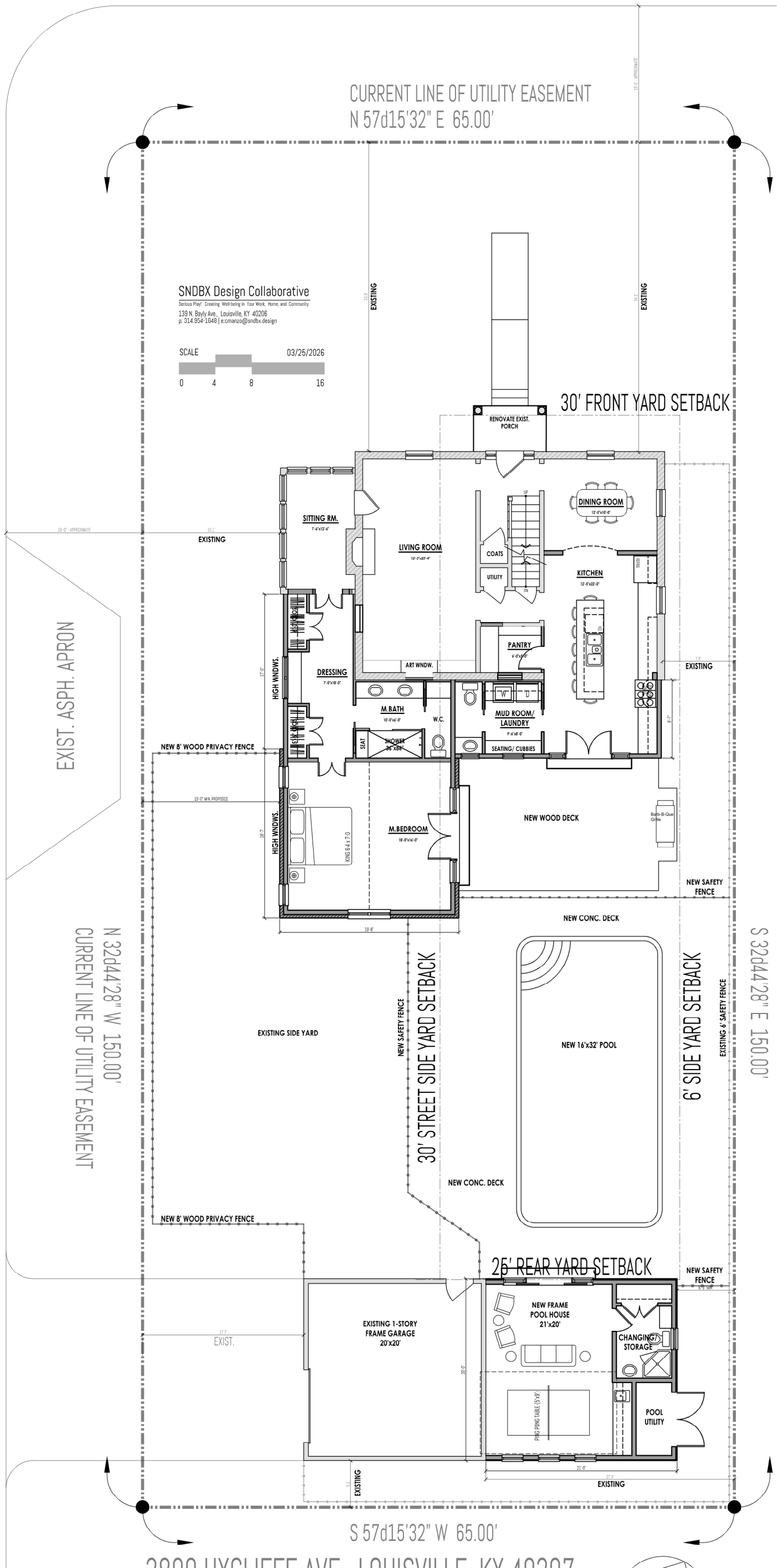


2. Aerial Photograph



# MSD SEWER ON NORTH SIDE OF HYCLIFFE AVE. HYCLIFFE AVENUE (60' W.)

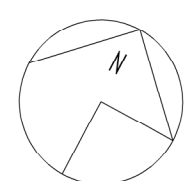
WALLACE AVENUE (50' W.)



**SNDBX Design Collaborative**  
 Service First • Creating Well-being in Your Work, Home, and Community  
 139 N. Bayly Ave., Louisville, KY 40206  
 p. 514.954-1040 | ercmancini@sndbx.design

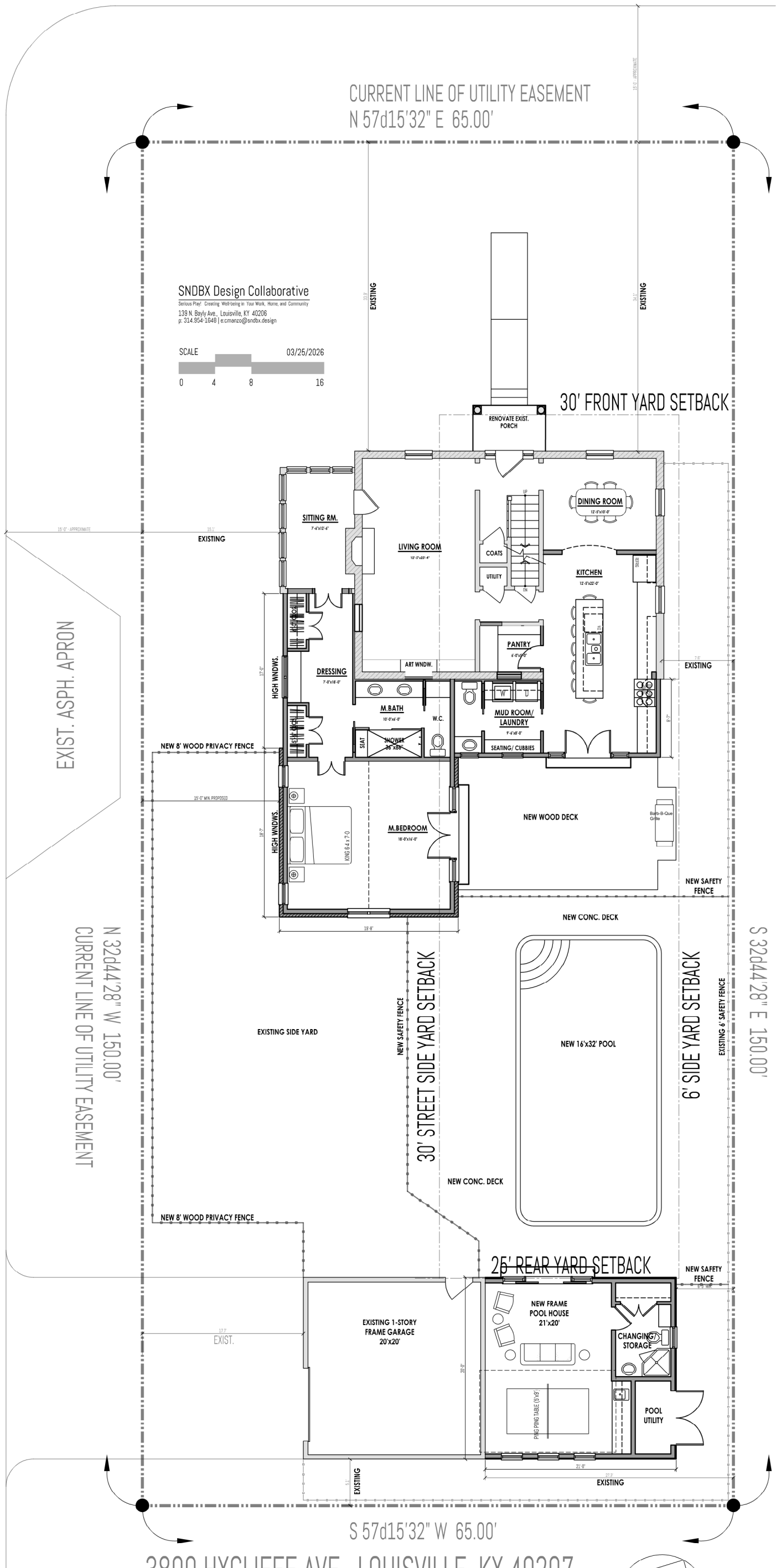
SCALE 0 4 8 16  
 03/25/2026

3800 HYCLIFFE AVE. LOUISVILLE, KY 40207  
 LOT AREA: 9,750 S.F.: 0.223 ACRES  
 AS PER BENTLY LAND SURVEYING, PLLC  
 SURVEY OF OCTOBER 5TH, 2023.



# MSD SEWER ON NORTH SIDE OF HYCLIFFE AVE. HYCLIFFE AVENUE (60' W.)

## WALLACE AVENUE (50' W.)



**SNDBX Design Collaborative**  
 Services Provided: Creating Well-being in Your Work, Home, and Community  
 139 N. Bayly Ave., Louisville, KY 40206  
 p. 514.954-1646 | ercmancini@sndbx.design

SCALE 0 4 8 16  
 03/25/2026

3800 HYCLIFFE AVE. LOUISVILLE, KY 40207  
 LOT AREA: 9,750 S.F.: 0.223 ACRES  
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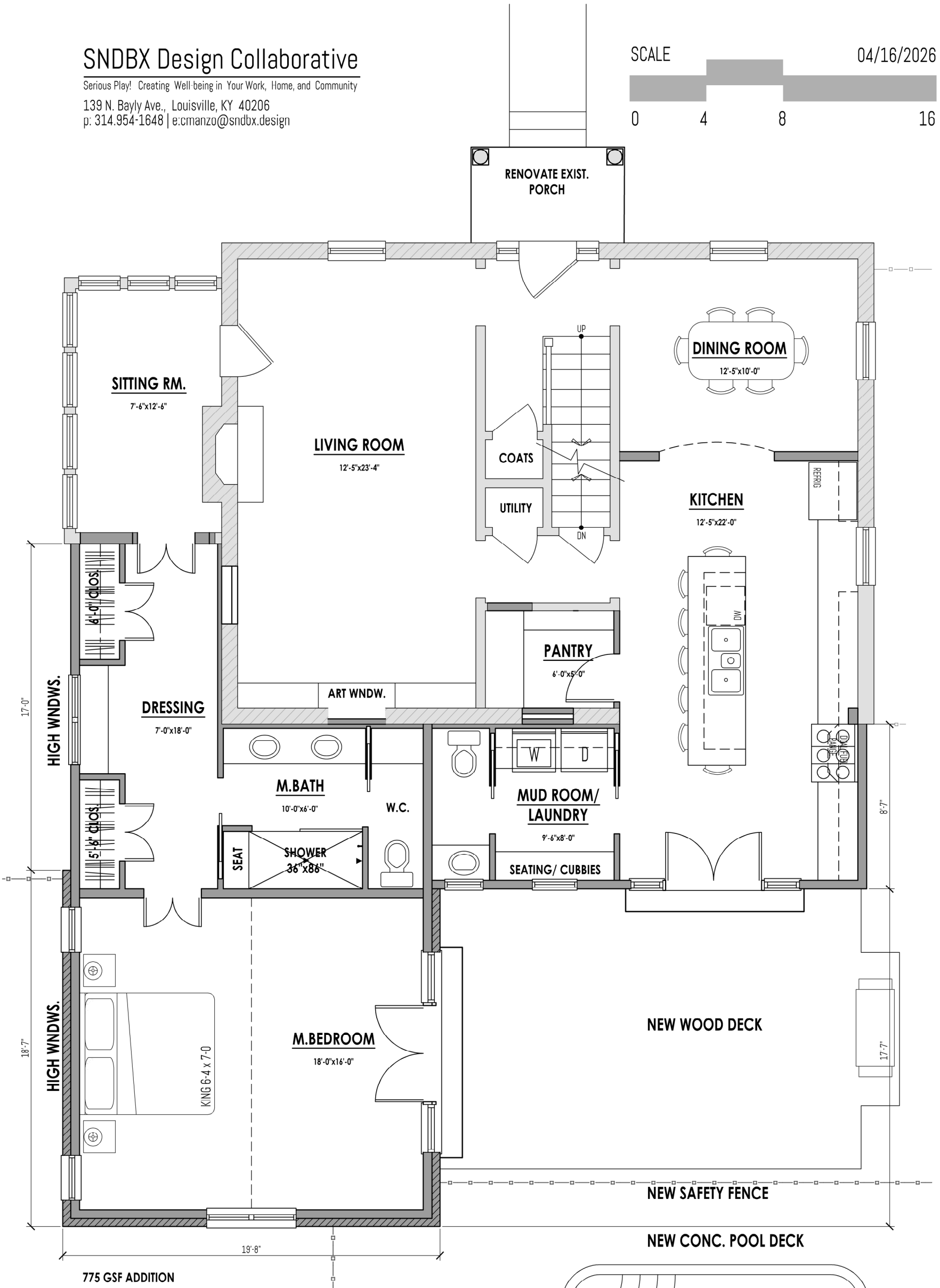
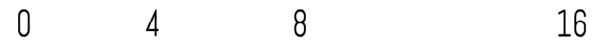
**SNDBX Design Collaborative**

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 p: 314.954-1648 | e:cmanzo@sndbx.design

SCALE

04/16/2026



775 GSF ADDITION

**FIRST FLOOR PLAN  
 BUCK RESIDENCE**

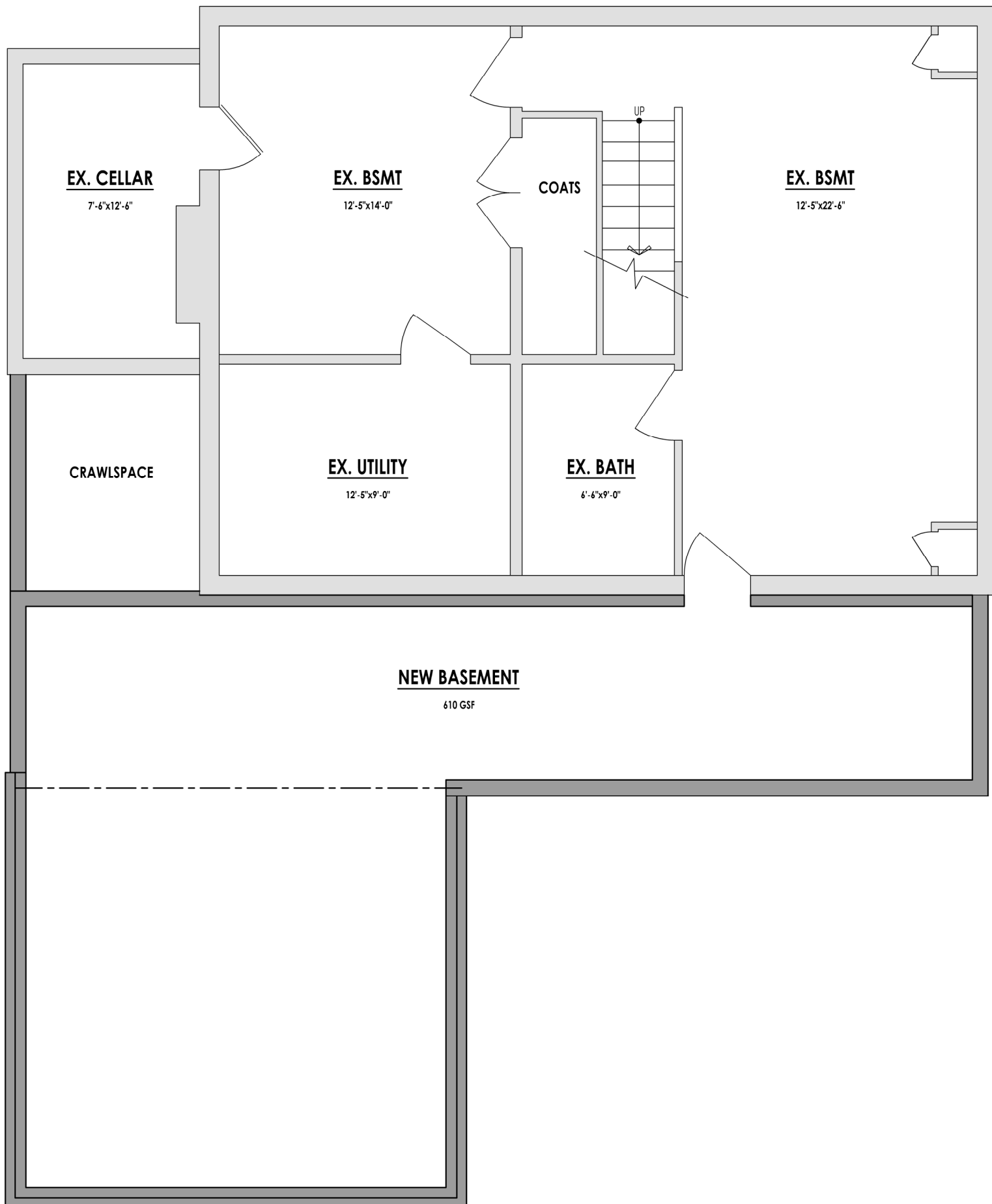
3800 HYCLIFFE AVE. LOUISVILLE, KY 40207

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SCALE

04/16/2026



## BASEMENT FLOOR PLAN BUCK RESIDENCE

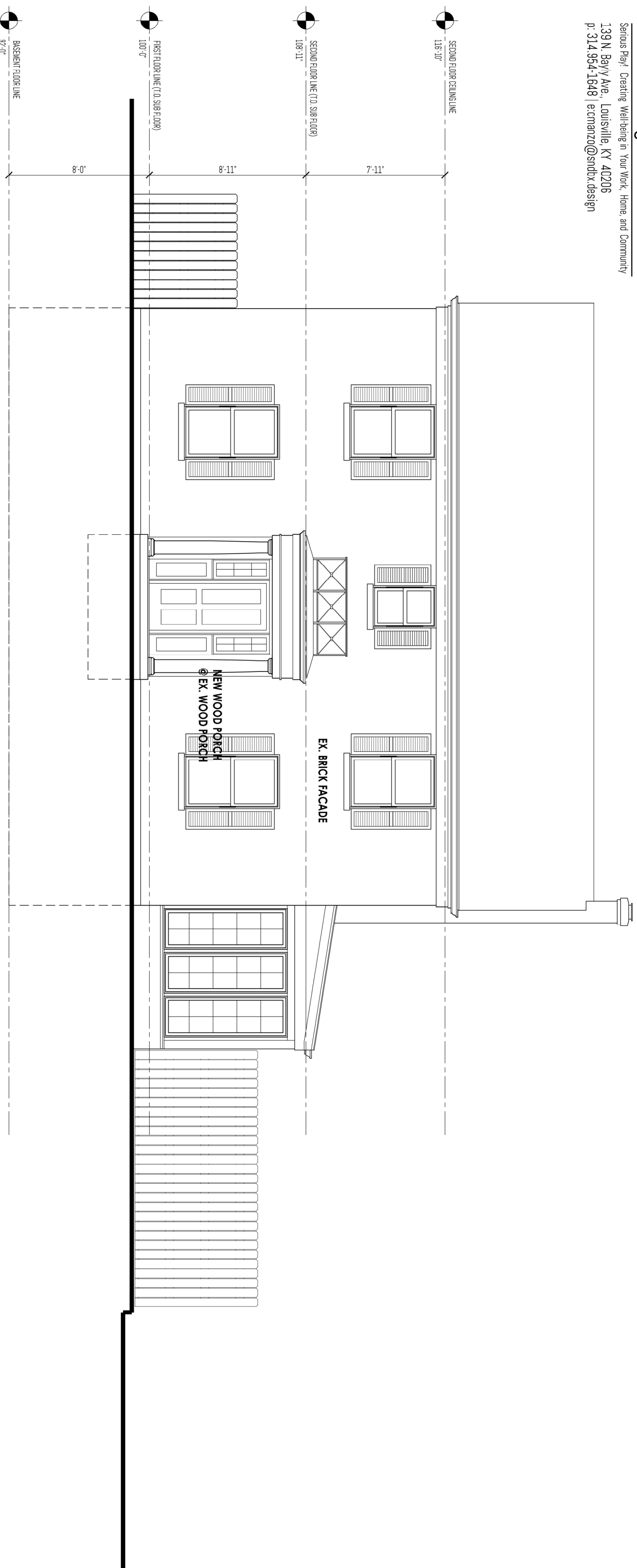
3800 HYCLIFFE AVE. LOUISVILLE, KY 40207

# SNDBX Design Collaborative

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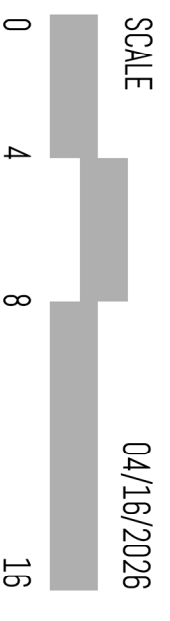
139 N. Bayly Ave., Louisville, KY 40206

p: 314.954-1648 | e: cmanzo@sndbx.design



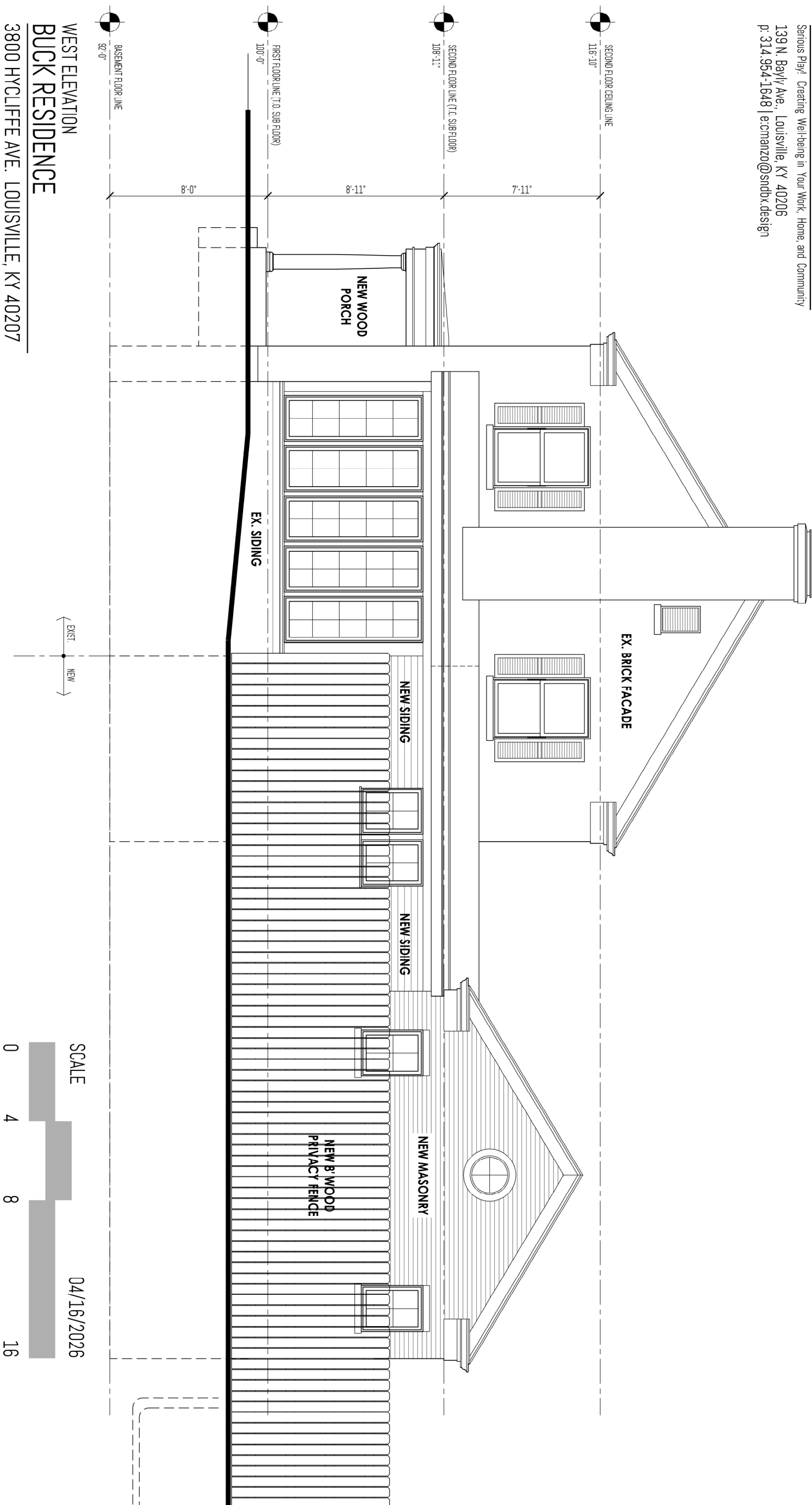
## NORTH ELEVATION BUCK RESIDENCE

3800 HYCLIFFE AVE. LOUISVILLE, KY 40207



# SNDBX Design Collaborative

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139 N. Bayly Ave., Louisville, KY 40206  
p: 314.954-1648 | e: manzo@sndbx.design



WEST ELEVATION  
**BUCK RESIDENCE**

3800 HYCLIFFE AVE. LOUISVILLE, KY 40207

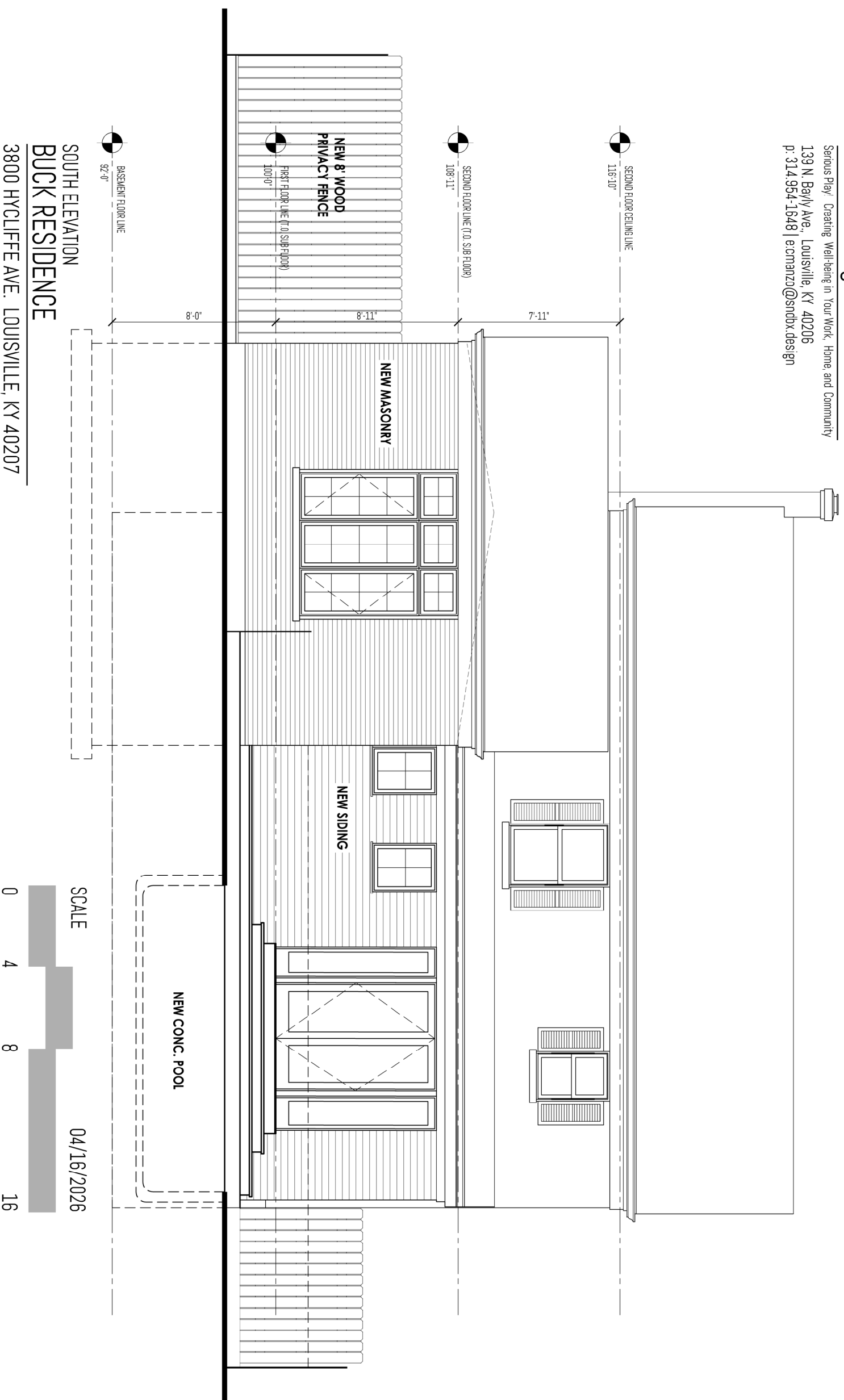
SCALE 04/16/2026



# SND BX Design Collaborative

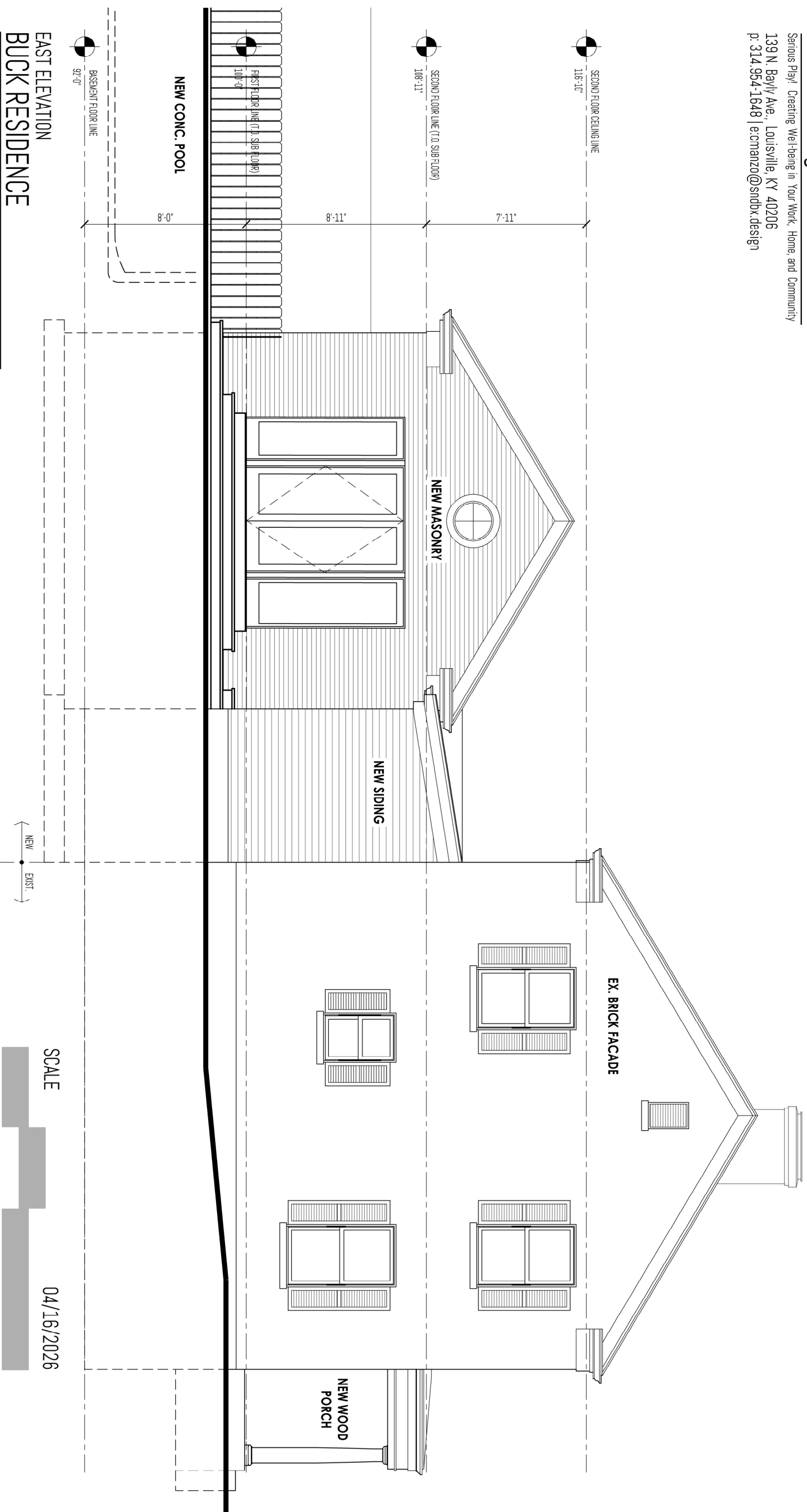
Serious Play / Creating Well-being in Your Work, Home, and Community

139 N Bayly Ave., Louisville, KY 40206  
p: 314.954-1648 | e:cmanzo@sndbx.design

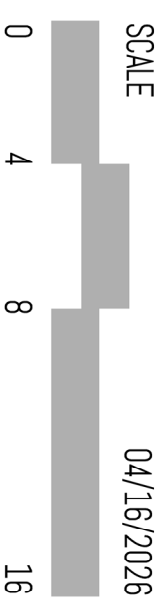


# SNDBX Design Collaborative

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139 N. Bayly Ave., Louisville, KY 40206  
p. 314.954.1648 | e.cmanzo@sndbx.design



EAST ELEVATION  
**BUCK RESIDENCE**  
3800 HYCLIFFE AVE. LOUISVILLE, KY 40207



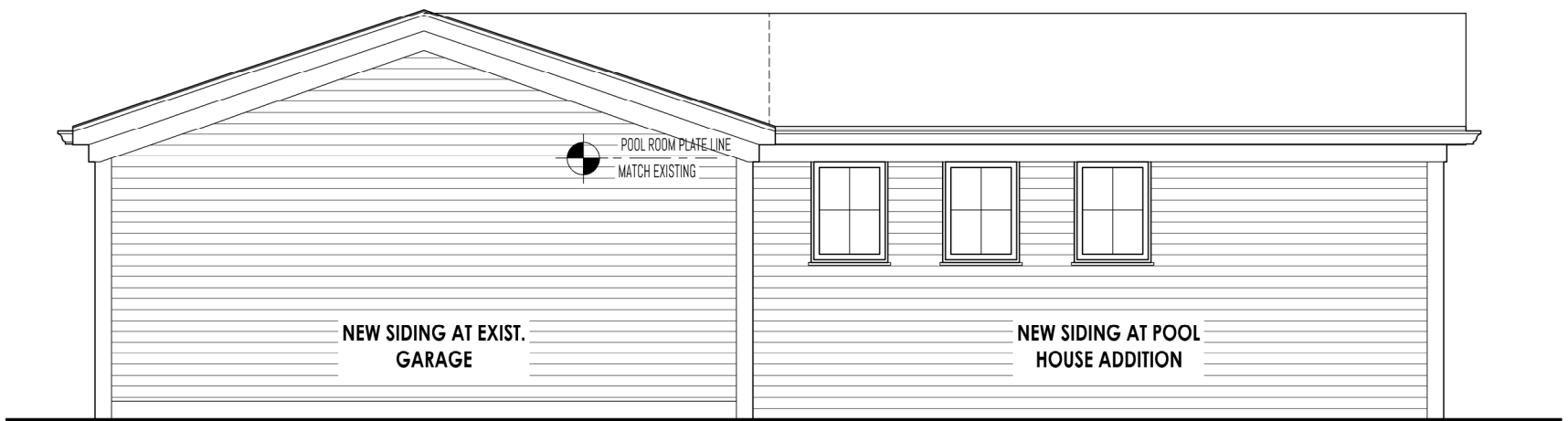
# SNDBX Design Collaborative

Serious Play! Creating Well-being in Your Work, Home, and Community

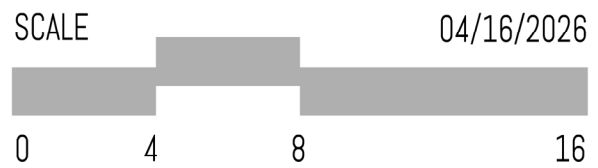
139 N. Bayly Ave., Louisville, KY 40206  
p: 314.954-1648 | e:cmanzo@sndbx.design

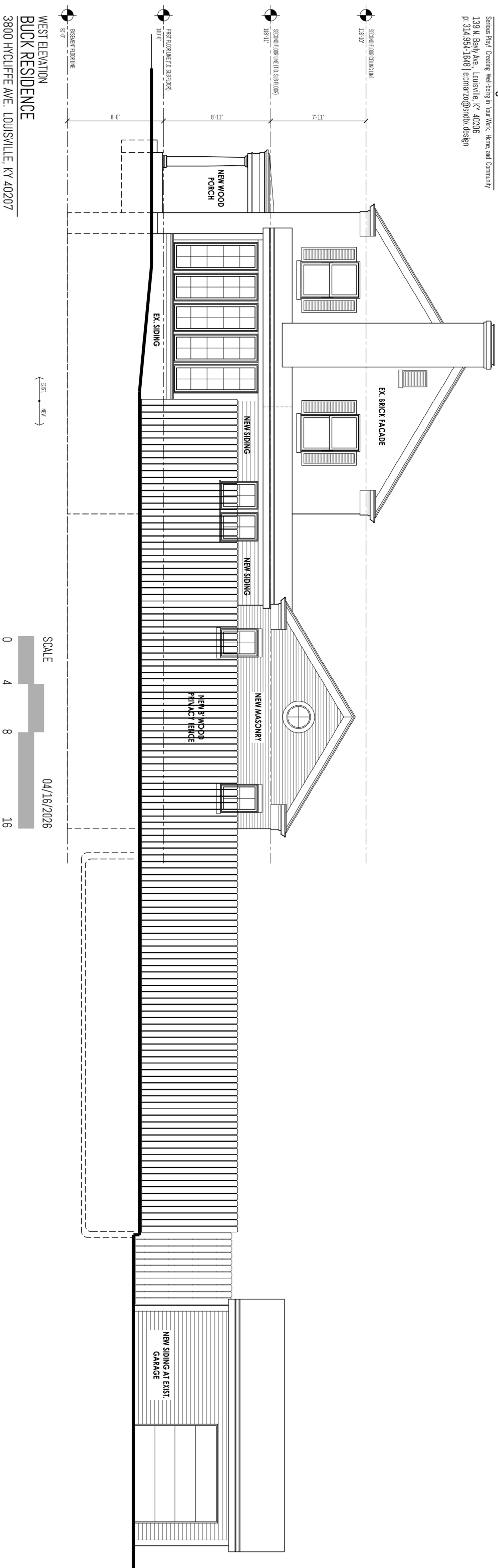


NORTH ELEVATION AT POOLHOUSE  
**BUCK RESIDENCE**  
3800 HYCLIFFE AVE. LOUISVILLE, KY 40207



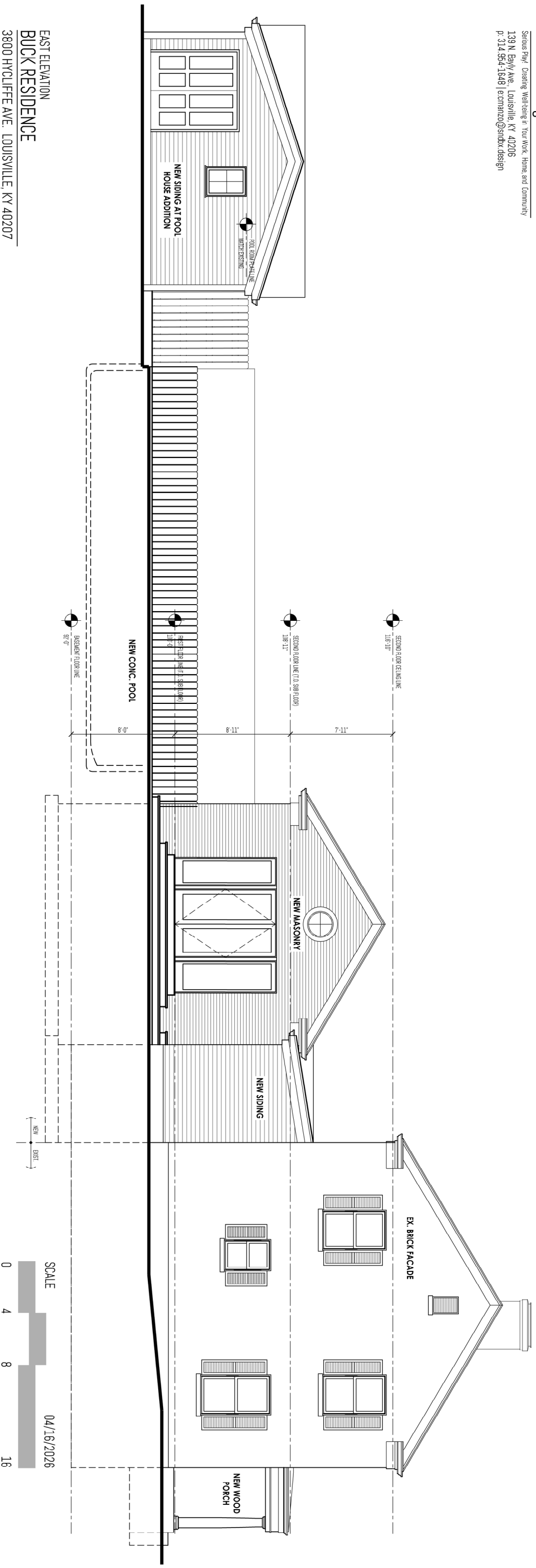
SOUTH ELEVATION AT POOLHOUSE  
**BUCK RESIDENCE**  
3800 HYCLIFFE AVE. LOUISVILLE, KY 40207





**WEST ELEVATION**  
**BUCK RESIDENCE**  
 3800 HYCLIFFE AVE., LOUISVILLE, KY 40207

SCALE  
 0 4 8 16  
 04/16/2026



SCALE  
 0 4 8 16  
 04/16/2026

EAST ELEVATION  
**BUCK RESIDENCE**  
 3800 HYCLIFFE AVE. LOUISVILLE, KY 40207



# Variance Application

Louisville Office of Planning

Case No: \_\_\_\_\_


Intake Staff: \_\_\_\_\_

Date: \_\_\_\_\_

Fee: \_\_\_\_\_

**STAFF USE ONLY ABOVE THIS LINE**

Applications are due on Mondays at 2:00 p.m. to be processed that week. Once complete, please bring the application and supporting documentation to: Office of Planning, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/government/Planning-Design>.

Much of the property information below 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  to view the Land Development Report.

## PROJECT INFORMATION

This is a variance from Section \_\_\_\_\_ of the Land Development Code, *The Land Development Code can be found at: <https://louisvilleky.gov/government/planning-design/land-development-code>*

to allow \_\_\_\_\_

Primary Project Address / Parcel ID: \_\_\_\_\_

Additional Address(es) / Parcel ID(s): \_\_\_\_\_

Proposed Use: \_\_\_\_\_ Current Use: \_\_\_\_\_

Current Zoning District: \_\_\_\_\_ Current Form District: \_\_\_\_\_

Deed Book(s) / Page Numbers: \_\_\_\_\_

*Deeds are available online at: <https://search.jeffersondeeds.com>*

Acreage of subject property: \_\_\_\_\_ Number of Adjoining Properties: \_\_\_\_\_

*Use the LOJIC Online Map tool: <https://www.lojic.org/lojic-online> . Search the subject site's address and count the number of adjoining properties.*

*Adjoining properties - properties that are next to and across the street from the subject site.*

Has the property been the subject of a previous development proposal?  Yes  No

*Note: This information can be found on the Land Development Report (Related Cases)*

If yes, please list the Docket / Case Number(s): \_\_\_\_\_

## Contact Information

Print and use a second copy of this page if additional contacts are needed.

### Owner:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Applicant / Contact:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Owner Signature (required):** \_\_\_\_\_

### Certification Statement

A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_, hereby  
*representative/authorized agent/other*

certify \_\_\_\_\_ is (are) the owner(s) of the property which  
*name of LLC / corporation / partnership / association / etc.*

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a materially false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

## JUSTIFICATION

To justify approval of any variance, the Planning Commission considers the following criteria. Please answer **all** the following items. Use additional sheets if needed. Responses of **yes, no, or n/a** will **not** be accepted.

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

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

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

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

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

**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.**

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

## CHECKLIST

Please submit the completed application along with the following documents

 Applications **will not** be accepted without the following items:

- 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>
- Elevations:** Provide an elevation drawing for new construction (including home additions, garage additions, and fences)
- Site Plan:** Provide a site plan or building rendering (whichever is applicable), including the following elements. LOJIC maps are not acceptable. **Note:** ask customer service for a SITE PLAN GUIDE for reference.
  - ✓ Plan drawn to a reasonable scale [engineer’s scale (1” = 20’) or architect’s scale (1/8” = 1’)]
  - ✓ Vicinity map that shows the distance from the property to the nearest intersecting street
  - ✓ North arrow
  - ✓ Street name(s) abutting the site
  - ✓ Property address, parcel ID, and dimensions
  - ✓ Building limit lines
  - ✓ Electric, telephone, drainage easements with dimensions
  - ✓ Existing and proposed structures with dimensions and distance from property lines
  - ✓ Highlight (in yellow) the location of the variances
- 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 1<sup>st</sup> tier adjoining property RESIDENTS and OWNERS, and to your Case Manager (ask customer service for the “HOW-TO: USER GUIDE” for instructions). Applicant is responsible for mailing.
- Copy of Mailing Labels:** Make a copy of the mailing label sheet(s) mentioned above.
- Fee: *Application Fee:*** **\$150** - Single-Family, Two Family, and Multi-Family with 9 units or fewer  
**\$350** - Churches, parish halls, temples, schools, and institutions of learning (except colleges, universities, trade, business, or industrial schools), not-for-profit uses, and clubs, private non-profit  
**\$850** - for All Other Uses (including multiple single-family lots within a subdivision)  
**Clerk’s Fee: + \$60** - Note: If two or more applications are submitted simultaneously for the same site, only one clerk’s fee is required. *\*Note: Please make checks payable to "Louisville Metro Government"*
- Refusal Letter (if applicable):** Required if a STOP WORK ORDER or CITATION has been received - provide a copy of the refusal letter from citing official.
- Utility Approval (if applicable):** Required if the proposed structure encroaches into an easement (MSD, LG&E, or Bell South) - submit written documentation from the utility company indicating approval for the encroachment

**REQUIREMENTS FOR NON-PUBLIC HEARING APPLICATIONS ONLY** – (Eligible cases are heard in the Business Session of Board of Zoning Adjustments (BOZA) meetings. All APOs must sign the attached non-hearing affidavit indicating consent for the variance, as comments from the public are not taken during this process)

- Non-Hearing Affidavit form** (see pages 8-9)
- Photographs:** Take photos of the subject area from all angles

**NON-PUBLIC HEARING VARIANCE AFFIDAVIT FOR THE SUBJECT PROPERTY OWNER(S): PART 1**

**Qualifications for a Non-Public Hearing include:**

1. The Board of Zoning Adjustment may approve the following variances without a public hearing:
  - a. Side yard and rear yard variances to permit a detached garage which is accessory to a single-family residential use or any addition to a principal single-family structure;
  - b. Variances to permit a garage or building addition to cover more than 30% of the rear yard on property used for detached single-family residential use; (note, this provision applies to principle structures in the Neighborhood Form District (NFD) only. Accessory structures in the NFD can encroach up to 50% and cumulative encroachment of accessory and principal structures shall not exceed 50%. TNFD does not permit any encroachment into a rear yard.)
  - c. Variances to permit any building to be closer than the required minimum distance to another building on the same lot;
  - d. Variances to allow a reduction in the private yard area in the Traditional Neighborhood Form District;
  - e. Variances to allow the accessory structure/use area to exceed the maximum depth in the Traditional Neighborhood Form District.
  - f. A departure from a dimensional requirement of the Land Development Code of 10% or less.
2. All adjoining property owners must sign this affidavit. This includes all owners listed on the deed.
3. For each adjoining property that is held by a company, corporation, trust, etc. there must be a Certification Statement included with the affidavit.
4. All supporting documentation listed in the checklist must be included with the application.

Date: \_\_\_\_\_

I (We), \_\_\_\_\_, owner(s) of the subject property under Case Number \_\_\_\_\_ states as follows: It is hereby requested that the application for variance under Case Number \_\_\_\_\_ be considered by the Board in open executive session without holding a public hearing on the proposal.

The signatures of all adjoining property owners required by the Board of Zoning Adjustment’s bylaws have been submitted to the Board so that the variance may be acted upon without a public hearing.

Print Name: \_\_\_\_\_ Signature of Owner: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature of Owner: \_\_\_\_\_

**NON-PUBLIC HEARING VARIANCE AFFIDAVIT FOR THE SUBJECT PROPERTY OWNER(S): PART 2**

Date: \_\_\_\_\_

We have seen a drawing of the proposed (e.g. garage, addition) \_\_\_\_\_ to be constructed at (address) \_\_\_\_\_

As owners of the property adjacent to the above address, we give our consent and do not object to the planned construction or to the variance that will be required.

*Note: If the property is in joint ownership, all owners must sign, or an authorized person must sign (authorized persons must also complete the certification statement). If there is a POA, the property owner is deceased or there are extenuating circumstances, please indicate on the signature line. For additional signatures, use additional copies of the affidavit form.*

1. Address: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

2. Address: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

3. Address: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

4. Address: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

**Certification Statement**

A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_  
*representative/authorized agent/other*

certify that \_\_\_\_\_ is (are) the owner(s) of the property which  
*name of LLC / corporation / partnership / association / etc.*

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a materially false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.



# Louisville Metro Government

## Text File

File Number: 26-VARIANCE-0060

---

**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 5.

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-VARIANCE-0060 & 26-WAIVER-0064
<b>Project Name:</b>	McDonalds Bardstown Rd
<b>Location:</b>	3340 Bardstown Rd
<b>Applicant:</b>	Frank Metts Trust
<b>Representative:</b>	STV Group, Inc.
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	10 – Josie Raymond
<b>Case Manager:</b>	Abby Bills, Planner I

**REQUEST**

- **Variance** from Land Development Code Section 5.3.2.C.2.b. to allow parking, a drive-thru lane, and dumpsters to encroach in the side yard setback. (26-VARIANCE-0060)
- **Waiver** of Land Development Code Section 10.2.10. to omit the VUA LBA along Belmont Rd and reduce the VUA LBA along Bardstown Rd. (26-WAIVER-0064)

<b>Location</b>	<b>Requirement</b>	<b>Request</b>	<b>Variance</b>
Side Yard Setback	25 ft.	5 ft.	20 ft.

**CASE SUMMARY**

The subject site is approximately 0.8 acres in the C-2 Commercial zoning district and Suburban Marketplace Corridor Form District, located at the intersection of Bardstown Rd and Belmont Rd. There is an existing McDonalds restaurant on the subject property that is proposed to be demolished for fire damage. The applicant is proposing to construct a new McDonalds restaurant on site.

The adjacent property along the side yard is developed with first floor residential units, meaning a 25' setback is required along the side yard. The applicant is proposing that 2 parking spaces, 2 dumpsters, and a portion of the drive-thru lane will encroach in the 25' setback, therefore a variance is needed to reduce the setback to a proposed 5'.

Additionally, there is a required 10' VUA LBA along both the front and street side property lines. Along the front property line adjacent to Belmont Rd, the applicant is requesting to omit the required VUA LBA, and along the street side property line adjacent to Bardstown Rd, the applicant is requesting to reduce the required VUA LBA from 10' to 4.9'.

**STAFF FINDING**

Staff finds that the requested variance and waiver are adequately justified for approval based on the analysis contained in the standard of review.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE (26-VARIANCE-0060)**

1. The requested variance will not adversely affect the 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 and will not cause a hazard or nuisance to the public because the building itself will not be encroaching in the setback, and the applicant will provide a 5' Landscape Buffer Area with appropriate screening between the parking lot and the residentially used property.

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. Most properties fronting the Bardstown Rd corridor are developed with high intensity commercial uses adjacent to residential properties in the rear. The majority of these commercial properties are not currently providing the required setback between their parking lots and the residential properties, similar to the subject site.

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 special circumstances which do not generally apply to the land in the general vicinity, or in the same zone, as there is a prevailing pattern of residential uses located behind the commercial corridor on either side of Bardstown Rd, similar to the subject site. However, this pattern of development generally does not include the required setbacks between commercial and residential uses.

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 the reasonable use of the land and would create an unnecessary hardship on the applicant, as the proposal is not substantially different from the existing McDonalds property on site. Strict application of the provision would deprive the applicant of a large portion of the land that has previously been used for the same purpose.

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 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.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER (26-WAIVER-0064)**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as there are no residential properties adjacent to the subject site along Belmont Rd or Bardstown Rd. Additionally, the applicant will be required to provide street trees along both Belmont Rd and Bardstown Rd in accordance with Chapter 10 of the LDC, which will provide screening for the adjacent commercial properties, meeting the intent of the regulation.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: The waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1, Policy 4 seeks to “Ensure 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 majority of the adjacent commercial properties along Bardstown Rd do feature Landscape Buffer Areas where required. While the applicant is requesting to omit the LBA along Belmont and reduce the LBA along Bardstown, there will still be trees and sizeable buffers provided in the right of way along both frontages. Therefore, the proposal will be compatible with existing development despite the waivers to reduce buffers within the parcel. Additionally, the desired pattern of development within the Suburban Marketplace Corridor features buildings set back from the roadway with parking lots in front. The proposed development falls in line with this pattern and will not violate the intent of the form district or comprehensive plan.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as the applicant is still providing nearly 40’ of greenspace in the right of way adjacent to Belmont Rd, and approximately 11’ of greenspace adjacent to Bardstown Rd, when combining the proposed 4.9’ buffer with about 6’ of greenspace in the right of way.

(d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions 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 applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived, as the proposed plan provides additional greenspace in the right of way that exceeds the 10’ requirement. The 6’ street tree area along Bardstown Rd, paired with the proposed 4.9’ VUA LBA on the parcel, provides a buffer that exceeds the 10’ requirement on that frontage as well. The applicant will additionally be required to provide a detailed landscape plan to demonstrate compliance with all other landscape requirements of the Land Development Code.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Variance** from Land Development Code Section 5.3.2.C.2.b. to allow parking, a drive-thru lane, and dumpsters to encroach in the side yard setback. (26-VARIANCE-0060)
- **APPROVE** or **DENY** the **Waiver** of Land Development Code Section 10.2.10. to omit the VUA LBA along Belmont Rd and reduce the VUA LBA along Bardstown Rd. (26-WAIVER-0064)

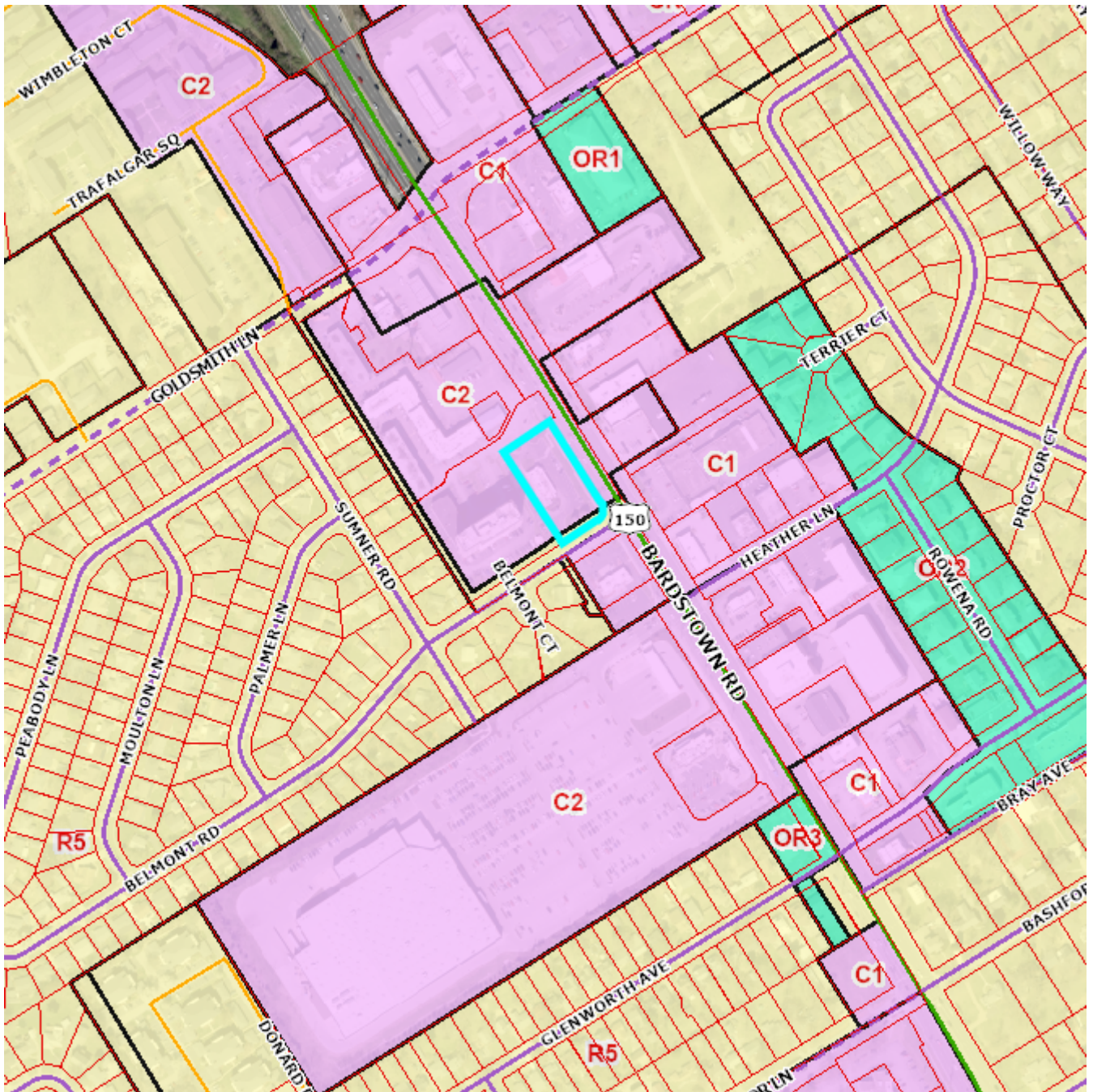
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5/28/2026	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners and current residents
5/26/2026		Registered Neighborhood Groups in Council District 10

**ATTACHMENTS**

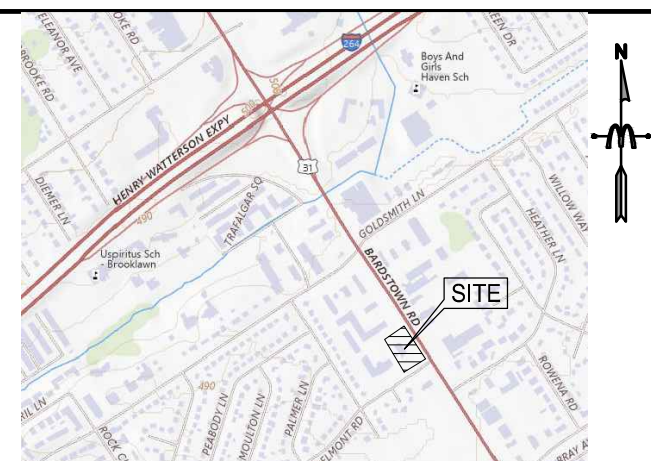
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph





LOCATION MAP NOT TO SCALE

LEGEND

SYMBOLS THAT MAY APPEAR ON DRAWING

Table with 2 columns: Symbol and Description. Includes symbols for property lines, found monuments, control points, street lights, power poles, water lines, fire hydrants, water valves, water meters, irrigation control valves, gas meters, gas valves, electric meters, light poles, post indicator valves, clean outs, storm manholes, sanitary manholes, signs, downspouts, reinforced concrete pipe, corrugated metal pipe, plastic pipe, and corrugated plastic pipe.

KARST FEATURES NOTES

A GEOTECHNICAL REPORT WAS COMPLETED BY STV ON DECEMBER 12, 2025. THE INVESTIGATION INCLUDED THIRTEEN SOIL TEST BORINGS INCLUDING BORINGS PERFORMED AT THE FOUR CORNERS OF THE PROPOSED BUILDING FOOTPRINT AND EXTENDED TO AUGER REFUSAL. EVIDENCE OF KARST FEATURES WERE NOT ENCOUNTERED IN THE BORINGS. HOWEVER, THERE IS ALWAYS AN INHERENT RISK OF FUTURE GROUND SUBSIDENCE WHEN BUILDINGS IN ANY REGION WHERE KARST ACTIVITY IS KNOWN TO HISTORICALLY EXIST.

UTILITY NOTE

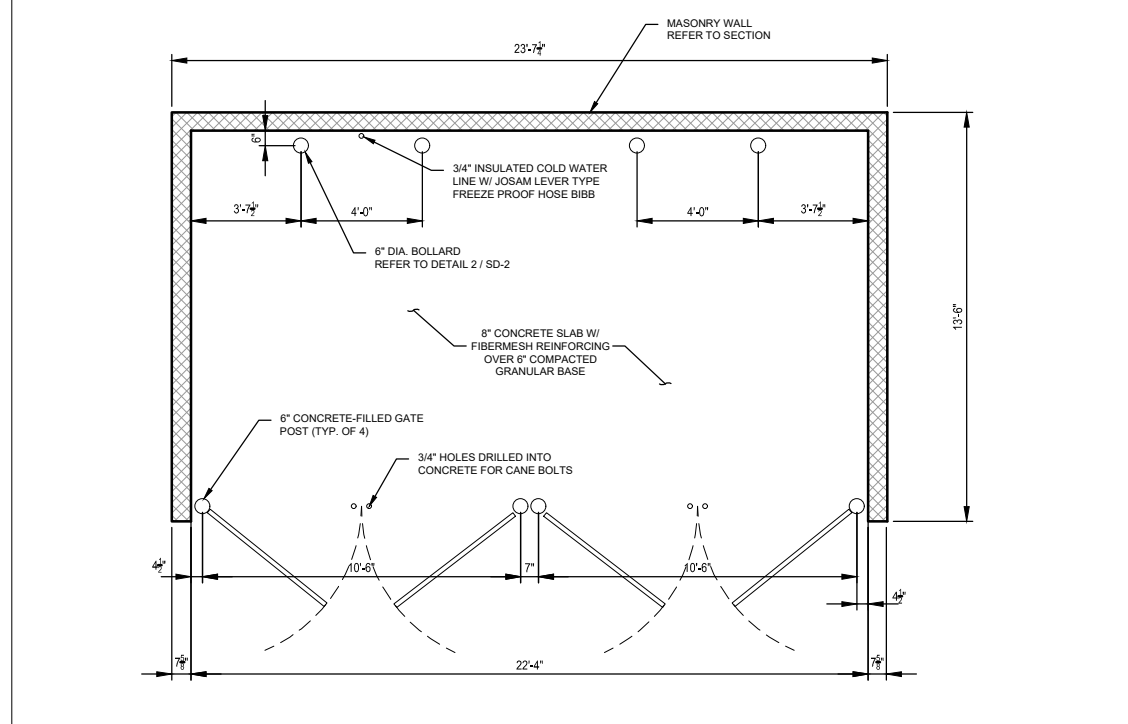
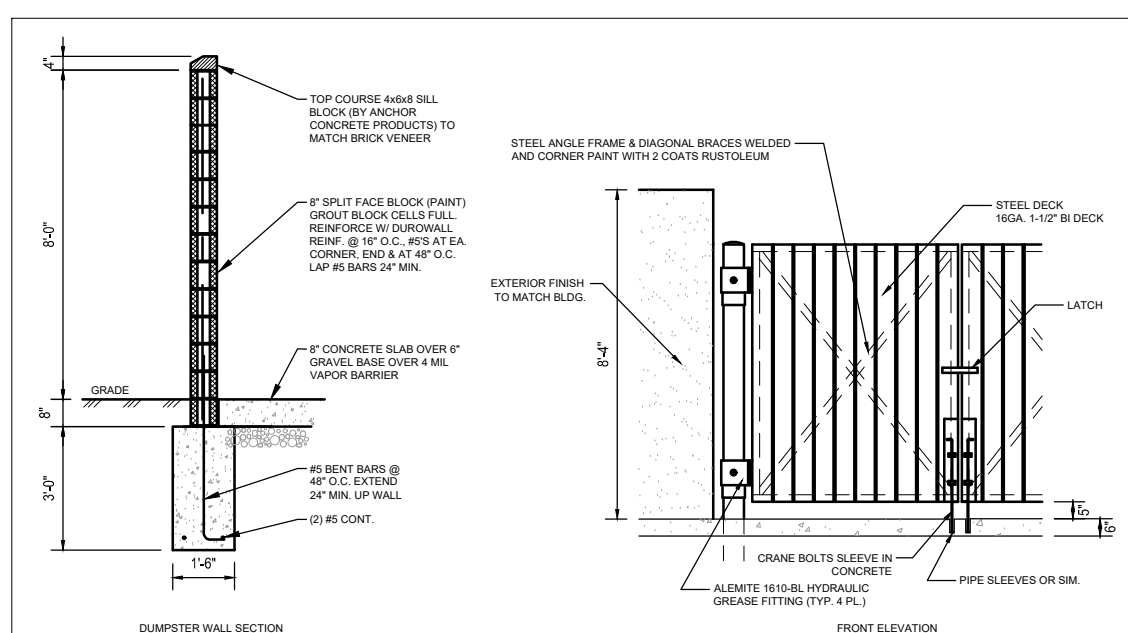
COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.

FIRE NOTES

- 1. THE SUBJECT PROPERTY IS LOCATED WITHIN THE FERN CREEK FIRE PROTECTION 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.

EPSC NOTES

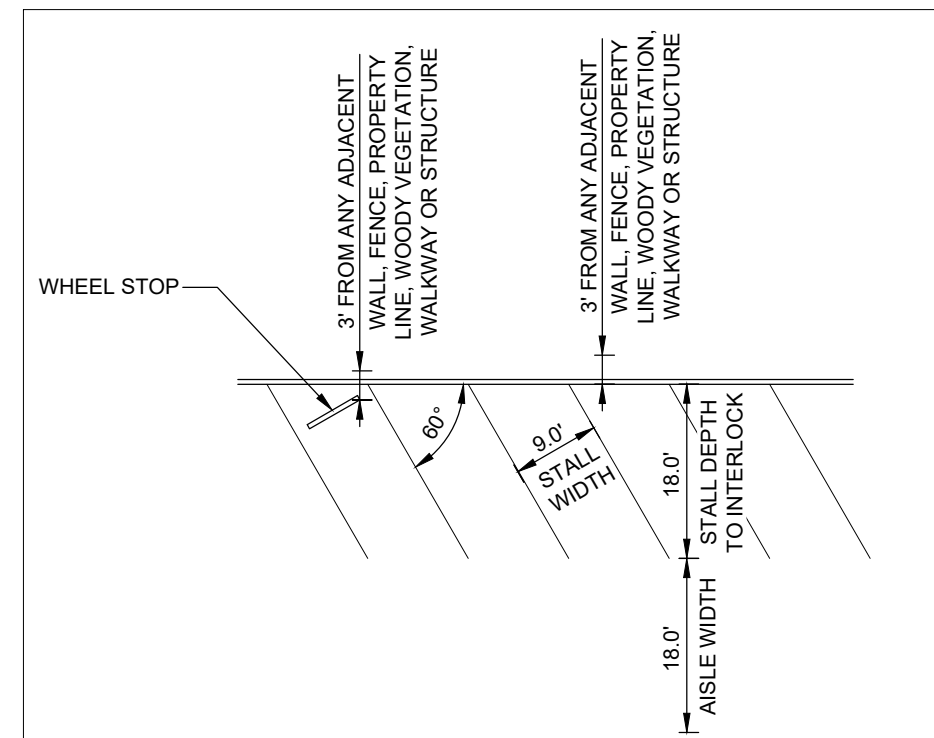
- 1. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
2. ALL RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTIONS PER MSD'S FATS, OIL AND GREASE POLICY.
3. MSD SITE DISTURBANCE PERMIT REQUIRED PRIOR TO ISSUE OF BUILDING PERMITS.
4. SANITARY SEWER SERVICE PROVIDED BY PSC, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.
5. LIST THE TOTAL SITE DISTURBANCE, EXISTING IMPERVIOUS, PROPOSED IMPERVIOUS AND THE NET INCREASE/DECREASE OF IMPERVIOUS AREA ON THE PLAN.
6. AN EPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL. TONY KELLY, TONY.KELLY@LOUISVILLEMSD.ORG (502)540-6266



GENERAL SITE NOTES

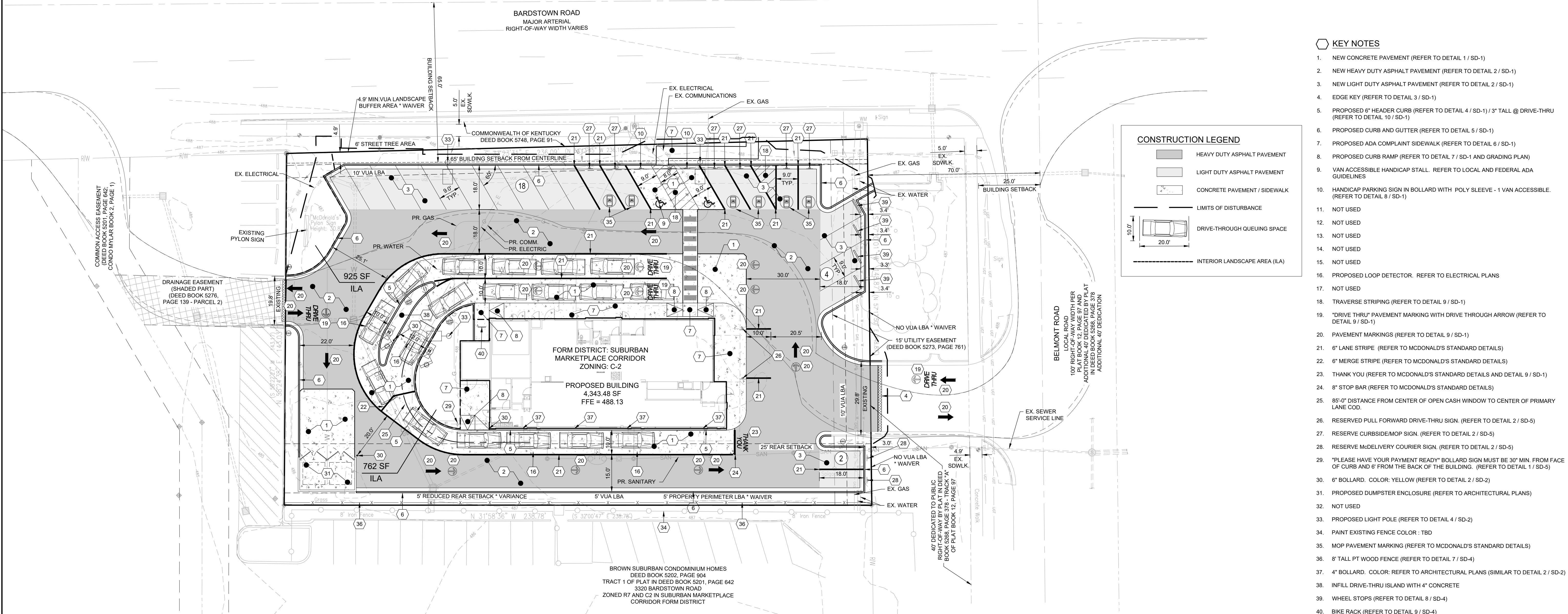
- 1. OWNER - NAME - McDONALDS USA, LLC ADDRESS - 110 N. CARPENTER ST., CHICAGO, IL 60607
2. DEVELOPER: NAME - McDONALDS USA, LLC ADDRESS - 110 N. CARPENTER ST., CHICAGO, IL 60607
3. FEMA FLOOD ZONE : ZONE X - OTHER FLOOD AREAS OUTSIDE OF THE 0.2 % ANNUAL CHANCE OF FLOODPLAIN PER PANEL 21111C0060E.
4. TAX BLOCK : 0610
5. LOT NUMBER : 0133

Table with 2 columns: Category and Value. IMPERVIOUS INFORMATION: EXISTING IMPERVIOUS : 26,028 SF; PROPOSED IMPERVIOUS : 29,160 SF; INCREASED IMPERVIOUS : 3,132 OR 12.0%.



SITE DATA INFORMATION table with 2 columns: Category and Value. Includes SITE AREA (0.80 ACRES), ZONING (C-2 - COMMERCIAL), FORM DISTRICT (SUBURBAN MARKETPLACE CORRIDOR), OVERLAY DISTRICT (NONE), HISTORICAL DISTRICT (NONE), EXISTING BUILDING SIZE (3,562 SF), PROPOSED BUILDING SIZE (4,343.48 SF), EXISTING USE (QUICK SERVICE RESTAURANT), PROPOSED USE (QUICK SERVICE RESTAURANT), FLOOR AREA RATIO (0.12), DINING ROOM CAPACITY (70), MAX. NUMBER OF EMPLOYEES PER SHIFT (15), REQUIRED PARKING (MIN. 1 / 500 SQ FT GROSS FLOOR AREA = 8.36 SPACES OR 9 SPACES), EXISTING PARKING (29 SPACES (2 ACCESSIBLE STALLS)), PROPOSED PARKING (29 SPACES (2 ACCESSIBLE STALLS)), REQUIRED BIKE PARKING (TRADE ACTIVITY = 3 BIKE PARKING SPACES), PROPOSED PARKING (3 BIKE SPACES), REQUIRED QUEUING SPACES (MIN. 6 PER LANE FROM PICK-UP WINDOW = 12 SPACES), PROPOSED QUEUING SPACES (19 QUEUING SPACES), BUILDING SETBACKS (FRONT (BELMONT) = 25 FT FROM ST CENTERLINE STREET SIDE (BARDSTOWN) = 65 FT FROM ST CENTERLINE, SIDE = 25 FT ADJACENT TO RESIDENTIAL ON FIRST FLOOR, REAR = 0 FT), BUILDING HEIGHT (18'-0").

LANDSCAPE INFORMATION table with 2 columns: Category and Value. Includes TREE CANOPY REQUIREMENTS (TOTAL SITE AREA: 34,653 SF (0.80 AC), EXISTING TREE CANOPY: 0 SF (0%), EXISTING TREE CANOPY PRESERVED: 0 SF (0%), TOTAL TREE CANOPY REQUIRED: 12,139 SF (35%), PROPOSED TREE CANOPY: 13,000 SF (35%) OR 13 - 1 1/2" CALIPER TREES), STREET TREES (PLANTED ALONG RIGHT OF WAY), PROPERTY PERIMETER LANDSCAPE BUFFER AREAS (LBA) (N/A), VEHICULAR USE AREA (VUA) LANDSCAPE BUFFER AREAS (LBA) (\* WAIVER TO REDUCE 10' TO 4.9' MIN. ADJACENT TO BARDSTOWN ROAD, \* WAIVER TO ELIMINATE ADJACENT TO BELMONT RD.), INTERIOR LANDSCAPE AREA (ILA) (EXISTING VUA 21,050 SF), 7.5% OF VUA (VEHICULAR USE AREA (VUA) : 22,495 SF, REQUIRED INTERIOR LANDSCAPE AREA (ILA) : 1,687 SF, PROVIDED INTERIOR LANDSCAPE AREA (ILA) : 1,687 SF), \* WAIVER.



CONSTRUCTION LEGEND table with 2 columns: Symbol and Description. Includes HEAVY DUTY ASPHALT PAVEMENT, LIGHT DUTY ASPHALT PAVEMENT, CONCRETE PAVEMENT / SIDEWALK, LIMITS OF DISTURBANCE, DRIVE-THROUGH QUEUING SPACE, and INTERIOR LANDSCAPE AREA (ILA).

KEY NOTES

- 1. NEW CONCRETE PAVEMENT (REFER TO DETAIL 1 / SD-1)
2. NEW HEAVY DUTY ASPHALT PAVEMENT (REFER TO DETAIL 2 / SD-1)
3. NEW LIGHT DUTY ASPHALT PAVEMENT (REFER TO DETAIL 2 / SD-1)
4. EDGE KEY (REFER TO DETAIL 3 / SD-1) (REFER TO DETAIL 10 / SD-1)
5. PROPOSED 6" HEADER CURB (REFER TO DETAIL 4 / SD-1) / 3" TALL @ DRIVE-THRU (REFER TO DETAIL 10 / SD-1)
6. PROPOSED CURB AND GUTTER (REFER TO DETAIL 5 / SD-1)
7. PROPOSED ADA COMPLAINT SIDEWALK (REFER TO DETAIL 6 / SD-1)
8. PROPOSED CURB RAMP (REFER TO DETAIL 7 / SD-1 AND GRADING PLAN)
9. VAN ACCESSIBLE HANDICAP STALL. REFER TO LOCAL AND FEDERAL ADA GUIDELINES
10. HANDICAP PARKING SIGN IN BOLLARD WITH POLY SLEEVE - 1 VAN ACCESSIBLE. (REFER TO DETAIL 9 / SD-1)
11. NOT USED
12. NOT USED
13. NOT USED
14. NOT USED
15. NOT USED
16. PROPOSED LOOP DETECTOR. REFER TO ELECTRICAL PLANS
17. NOT USED
18. TRAVERSE STRIPING (REFER TO DETAIL 9 / SD-1)
19. "DRIVE THRU" PAVEMENT MARKING WITH DRIVE THROUGH ARROW (REFER TO DETAIL 9 / SD-1)
20. PAVEMENT MARKINGS (REFER TO DETAIL 9 / SD-1)
21. 6" LANE STRIPE (REFER TO MCDONALD'S STANDARD DETAILS)
22. 6" MERGE STRIPE (REFER TO MCDONALD'S STANDARD DETAILS)
23. THANK YOU (REFER TO MCDONALD'S STANDARD DETAILS AND DETAIL 9 / SD-1)
24. 8" STOP BAR (REFER TO MCDONALD'S STANDARD DETAILS)
25. 85'-0" DISTANCE FROM CENTER OF OPEN CASH WINDOW TO CENTER OF PRIMARY LANE COO.
26. RESERVED PULL FORWARD DRIVE-THRU SIGN. (REFER TO DETAIL 2 / SD-5)
27. RESERVE CURBSIDE/MOP SIGN. (REFER TO DETAIL 2 / SD-5)
28. RESERVE MCDelivery COURIER SIGN. (REFER TO DETAIL 2 / SD-5)
29. "PLEASE HAVE YOUR PAYMENT READY" BOLLARD SIGN MUST BE 30" MIN. FROM FACE OF CURB AND 6" FROM THE BACK OF THE BUILDING. (REFER TO DETAIL 1 / SD-5)
30. 6" BOLLARD. COLOR: YELLOW (REFER TO DETAIL 2 / SD-2)
31. PROPOSED DUMPSTER ENCLOSURE (REFER TO ARCHITECTURAL PLANS)
32. NOT USED
33. PROPOSED LIGHT POLE (REFER TO DETAIL 4 / SD-2)
34. PAINT EXISTING FENCE COLOR : TBD
35. MOP PAVEMENT MARKING (REFER TO MCDONALD'S STANDARD DETAILS)
36. 8" TALL PT WOOD FENCE (REFER TO DETAIL 7 / SD-4)
37. 4" BOLLARD. COLOR: REFER TO ARCHITECTURAL PLANS (SIMILAR TO DETAIL 2 / SD-2)
38. INFILL DRIVE-THRU ISLAND WITH 4" CONCRETE
39. WHEEL STOPS (REFER TO DETAIL 8 / SD-4)
40. BIKE RACK (REFER TO DETAIL 9 / SD-4)

24-HOUR CONTACT ACM: NANCY MALONE PHONE: (412) 965-4698



SDP-26-1078 WM11537

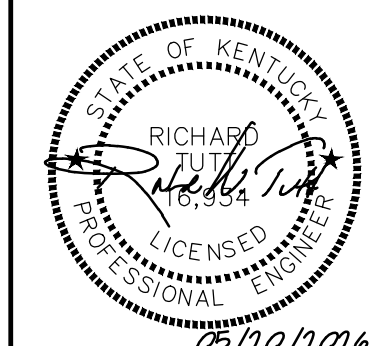


Table with 4 columns: No., Description, Date, Rev. Includes entries for SITE LAYOUT, FIRE REBUILD, and FIRE REBUILD.

McDonald's USA, LLC logo and address: 110 N. CARPENTER STREET CHICAGO, IL 60607

McDonald's USA, LLC logo and address: 110 N. CARPENTER STREET CHICAGO, IL 60607

Prepared for: McDonald's USA, LLC. Scale: 1" = 20'. Date Issued: 05-20-26. Drawn by: M. Bidwell. Reviewed by: R. Tutt. Site Address: 3340 BARDSTOWN RD, LOUISVILLE, KY 40218. Title: FIRE REBUILD. AEI Project No. 225-202. Sheet No. 16-0110.

## 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 requested setback variance will not adversely affect public health, safety, or welfare. The use and its intensity will remain unchanged, as the building is being reconstructed following a fire and the same business will continue to operate on the site. The rebuilt structure will follow the previous layout, and the established traffic circulation patterns will be maintained.

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

The variance will not alter the essential character of the general vicinity because it is located in the suburban marketplace corridor defined by highway-oriented commercial uses and large areas of surface parking. The proposed reconstruction is consistent with this established development pattern and will not introduce any change to the corridor's character.

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

The variance will not create a hazard or nuisance to the public because the use, circulation, and overall site layout will be reconstructed in a manner consistent with the previous configuration. The updated design incorporates modern operational features—such as mobile order pickup and dual drive-thru lanes—while maintaining safe and efficient traffic flow on the property.

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

The variance will not result in an unreasonable circumvention of the zoning regulations. The surrounding corridor along Bardstown Road is characterized by commercial development built to the property lines with extensive pavement, establishing an urbanized development pattern. The required 35-foot setback is for a 12-story building, an intensity greater than what is permitted in the underlying zoning district that the setback is intended for. The existing site has historically operated without such a setback. Maintaining the established layout will not create adverse impacts or undermine the intent of the zoning requirements.

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

The variance arises from a fire that damaged the building and necessitated its reconstruction. The structure was originally built under older regulations, today's development standards did not exist at that time, creating conditions not imposed by the applicant.

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 provisions of the regulation would deprive the applicant of the reasonable use of the land and would create unnecessary hardship because the requirement reduces the usable area of the property that had historically been permitted. The decrease of 24% would significantly limit the site's function and would not provide sufficient area to accommodate the reconstruction of the building and its operations.

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 are not the result of actions of the applicant after the adoption of the regulation. The property is being reconstructed as the result of a fire.

## JUSTIFICATION

To justify approval of any waiver, 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. Will the waiver adversely affect adjacent property owners?

The waiver will not adversely affect adjacent property owners. The proposed reconstruction is for an existing McDonald's Restaurant that will be replaced because of a fire. The new construction will closely match the prior development in scale and use.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive Plan. Along Belmont Road, the parking is separated from the road by about 40' of lawn, buffering the parking from the road. Along Bardstown Road, the buffer to the proposed parking is typical of the area. Dedication of right-of-way has set the property line further from the road and reduced the buffer. There will be a minimum of 4.9' from the property line and 10' to the adjacent sidewalk.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. The layout of parking, drive aisles, sidewalks and drive-thru lanes is designed at the minimum dimensions for vehicles and pedestrians to safely move through the site without risk.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The strict application of the provisions of the regulation would deprive the applicant the reasonable use of the land on the applicant. The owner and use of the property had been in place prior to the adoption of the Land Development Code. Strict application would prohibit the owner from reconstructing the long-standing business on the property. The updated layout has been designed using the safest minimum dimensions for traffic and pedestrians, thereby ensuring that the property can continue to be used in a safe and functional manner.



# Louisville Metro Government

## Text File

File Number: 26-CUP-0082

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**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 6.

**Board of Zoning Adjustment**  
**Staff Report**  
June 15, 2026



<b>Case No:</b>	26-CUP-0082
<b>Project Name:</b>	Short Term Rental
<b>Location:</b>	16071 Winding Ridge Trail
<b>Owner:</b>	Rebecca Eisenback
<b>Applicant:</b>	Rebecca Eisenback
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	20 – Stuart Benson
<b>Case Manager:</b>	Catherine Gomez, 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-4 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 twelve (12) guests. Off-street parking is provided via the existing driveway and attached garage. 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 twelve (12) guests. Off-street parking will be provided via an existing rear alley and the detached garage on the property.

**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)

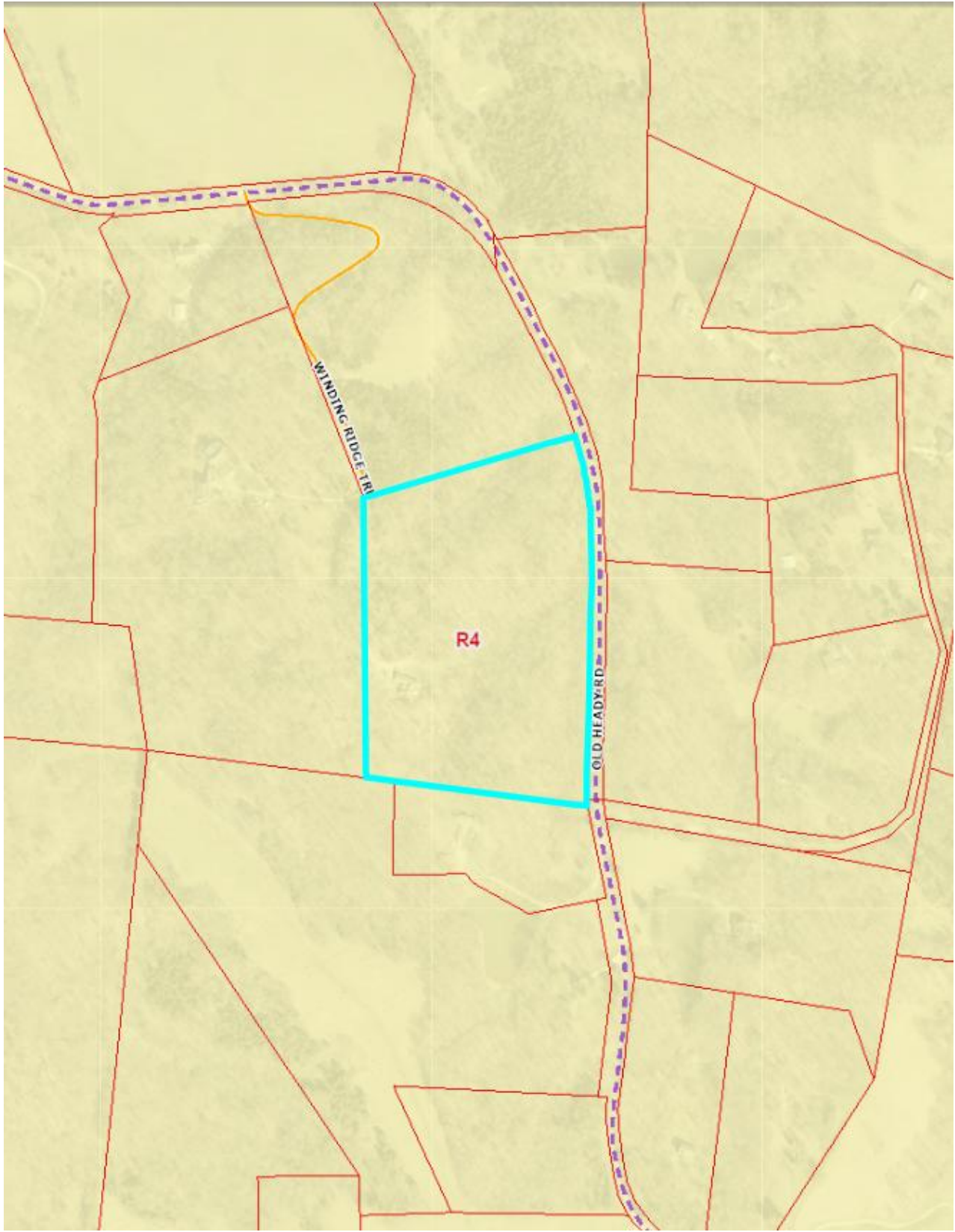
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5/29/26	Hearing before BOZA	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining properties Registered Neighborhood Groups in Council District 20
6/3/26	Hearing before BOZA	Sign Posting

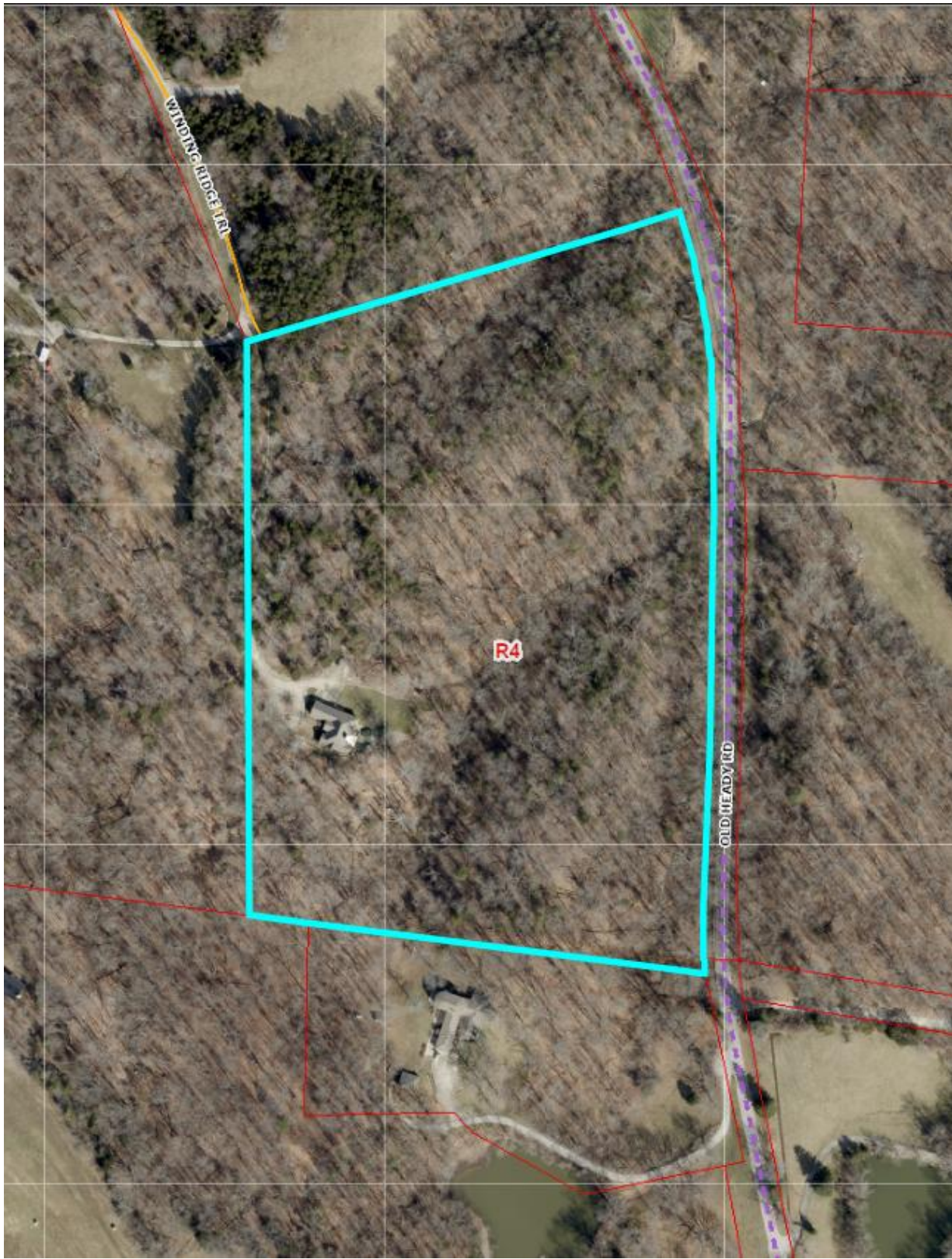
**ATTACHMENTS**

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

1. **Zoning Map**

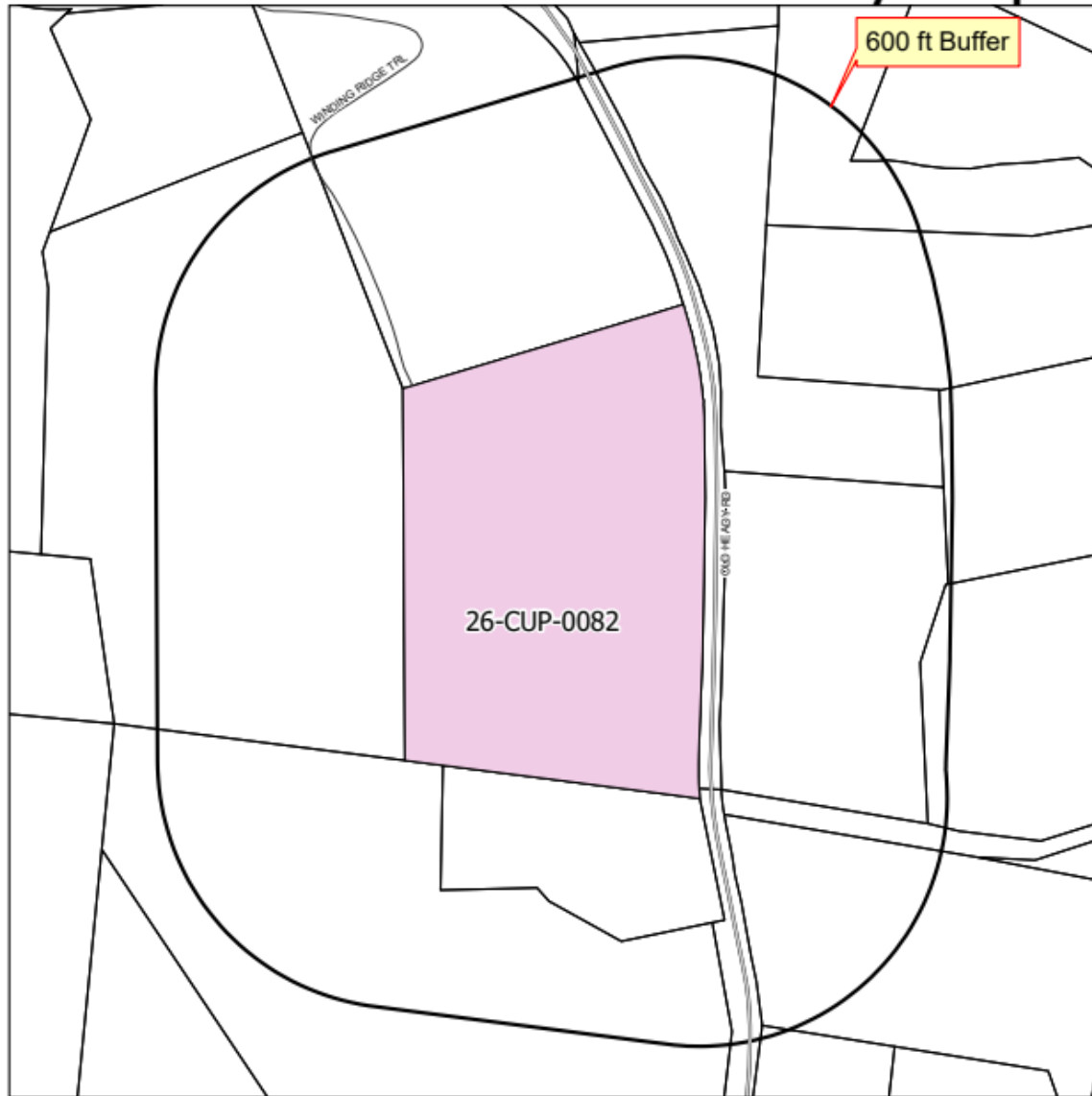


2. Aerial Photograph



3. Proximity Map

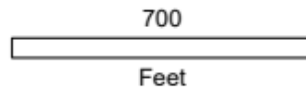
# Short-term Rental Proximity Map



**Legend**

- Subject Site
- Buffer

**Case # 26-CUP-0082**  
**16071 Winding Ridge Trl**  
**Map Created: 6/4/2026**



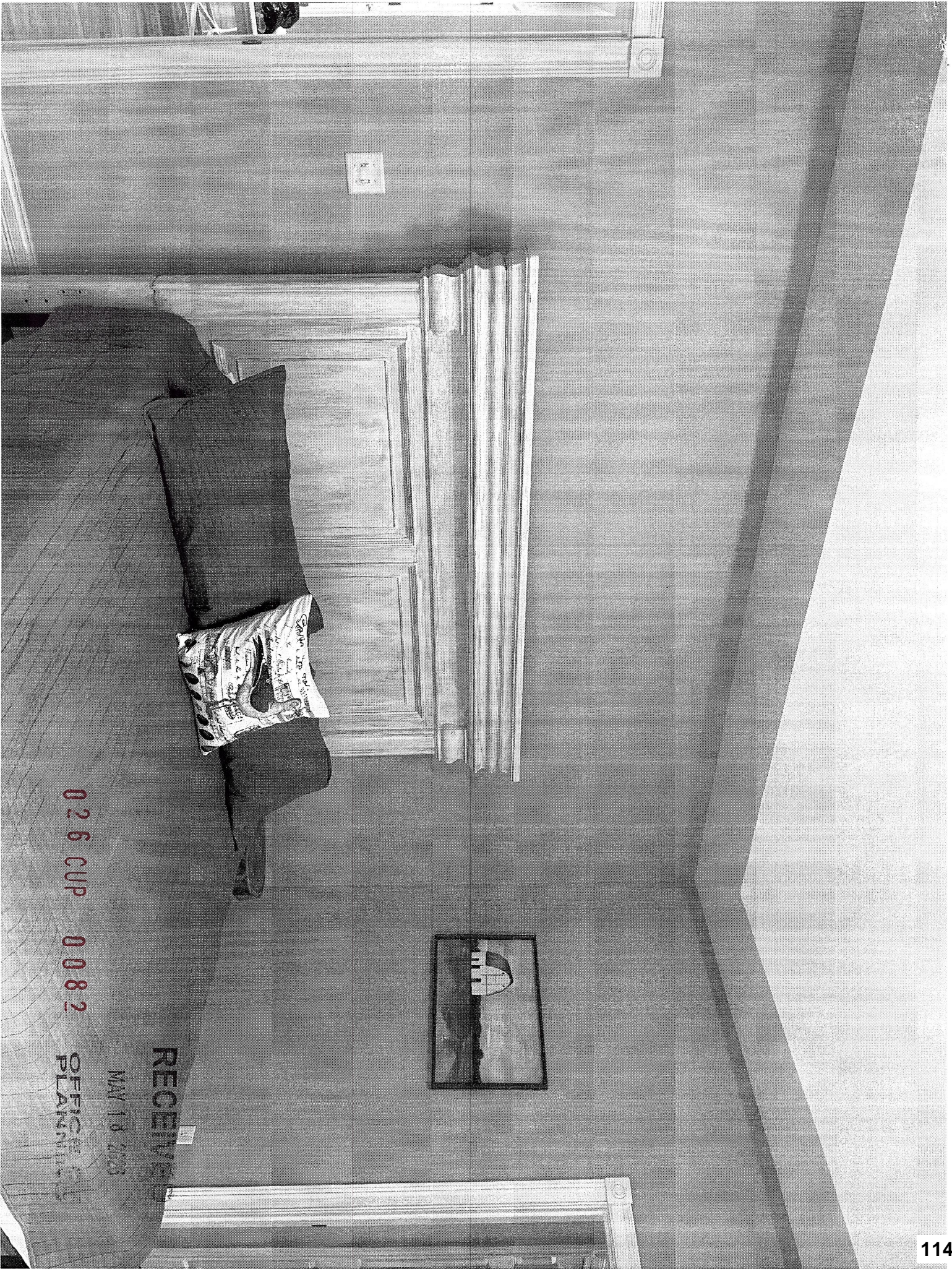
Copyright (c) 2025, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

This map is subject to change upon the Board of Zoning Adjustment granting approvals to other Short-term Rental Conditional Use Permits.



**4. 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 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.

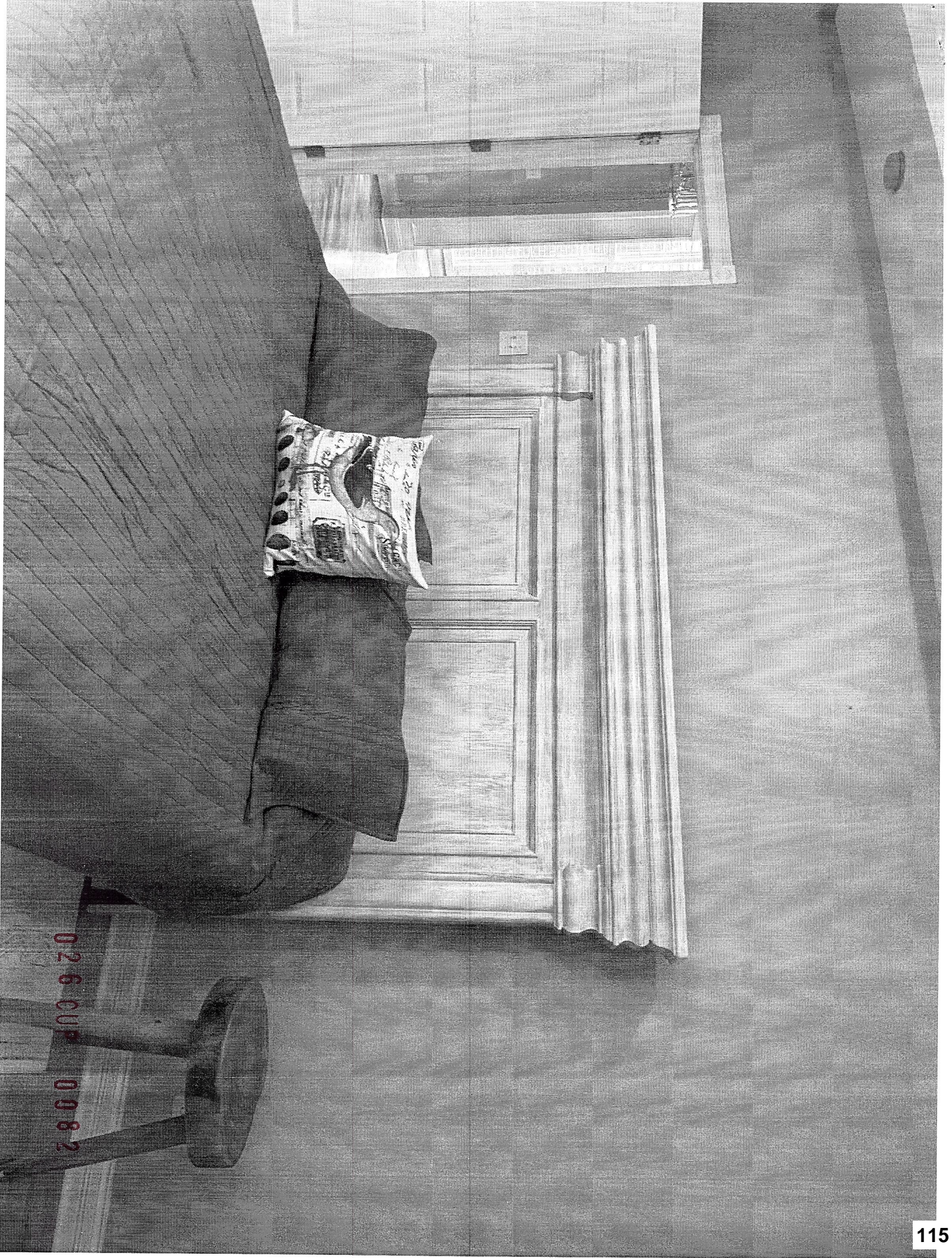


026 CUP 0082

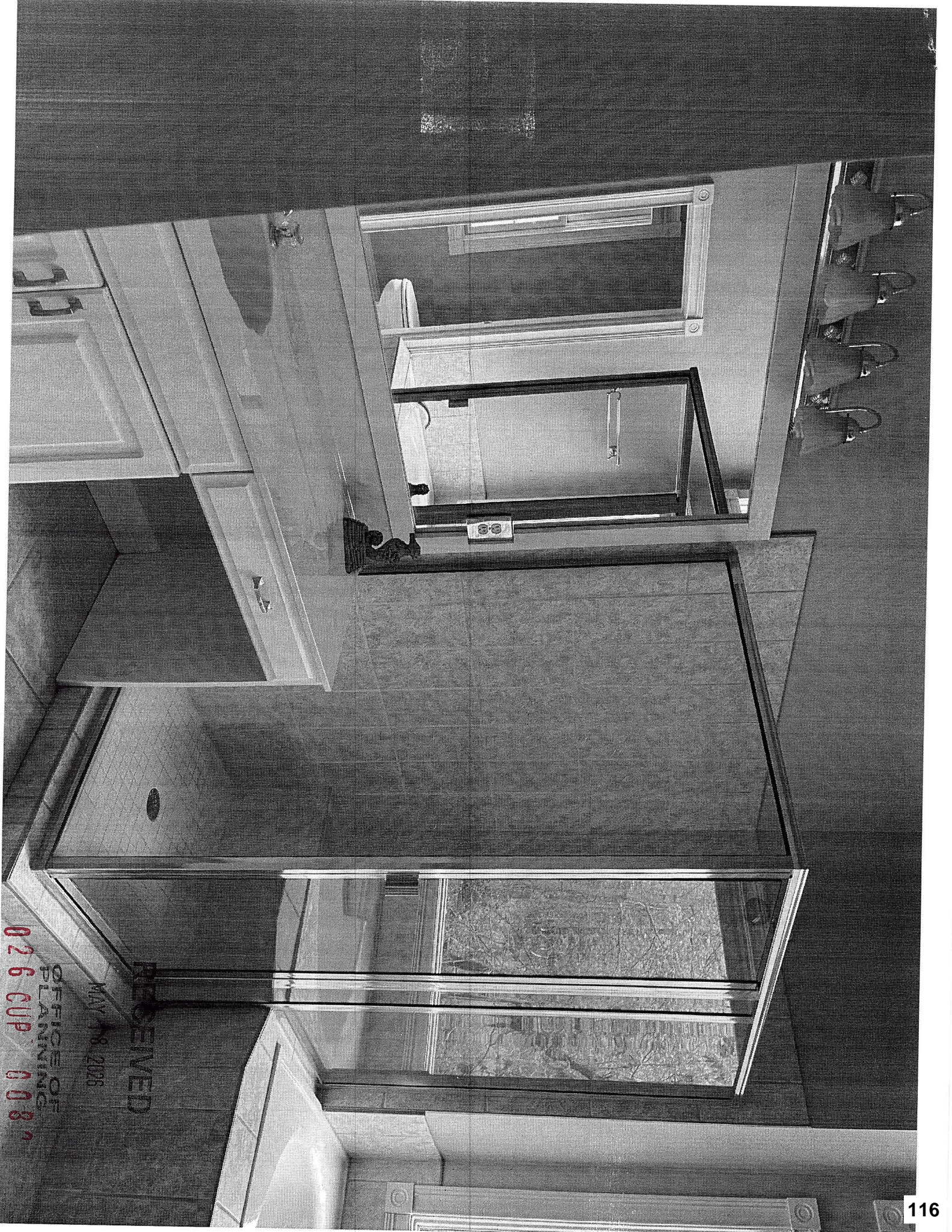
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MAY 18 2003

OFFICE OF  
PLANNING



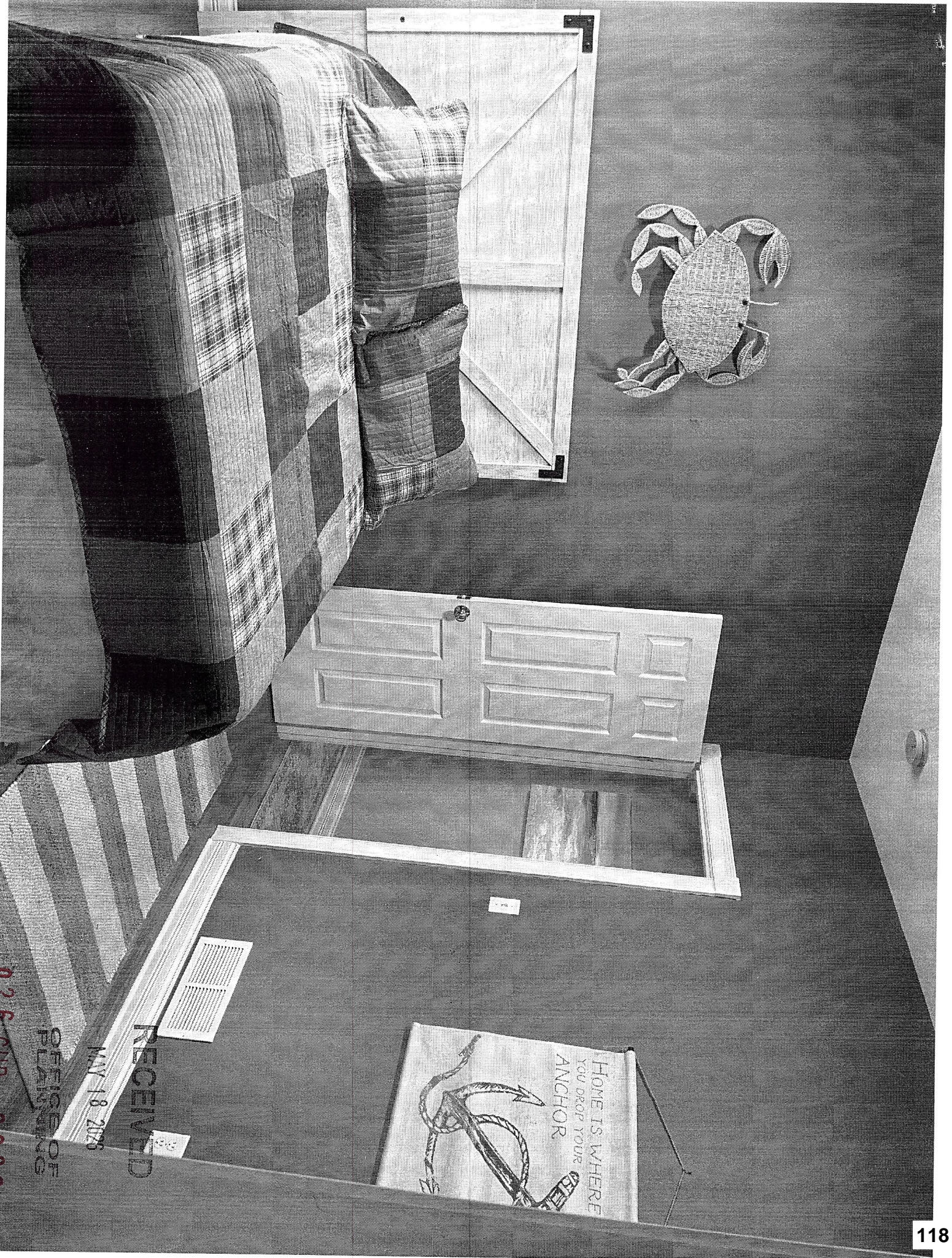
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PLANNING  
026 CUP 0082



026 CUP AMR 9

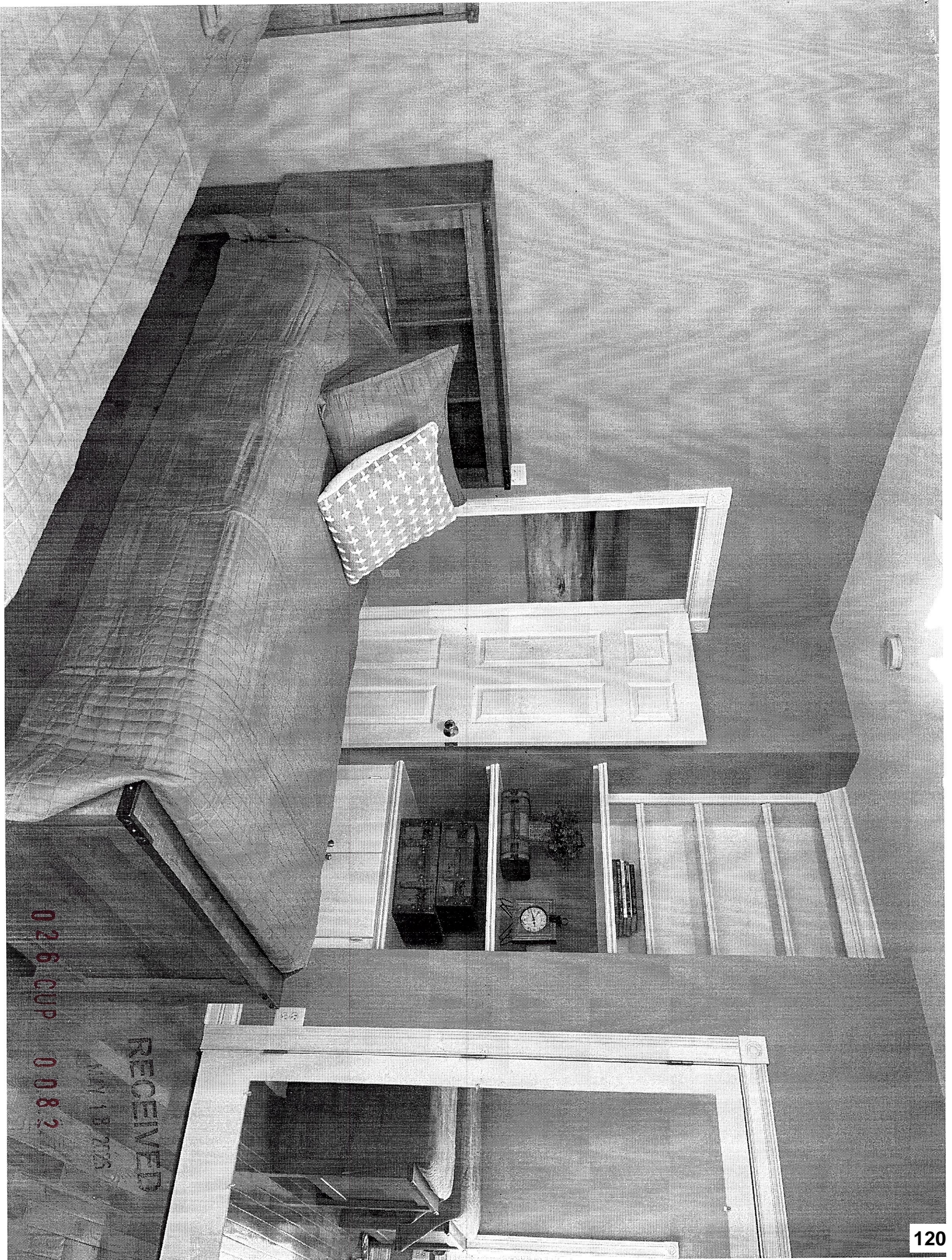
PLEASE OF

MAY 18 2025

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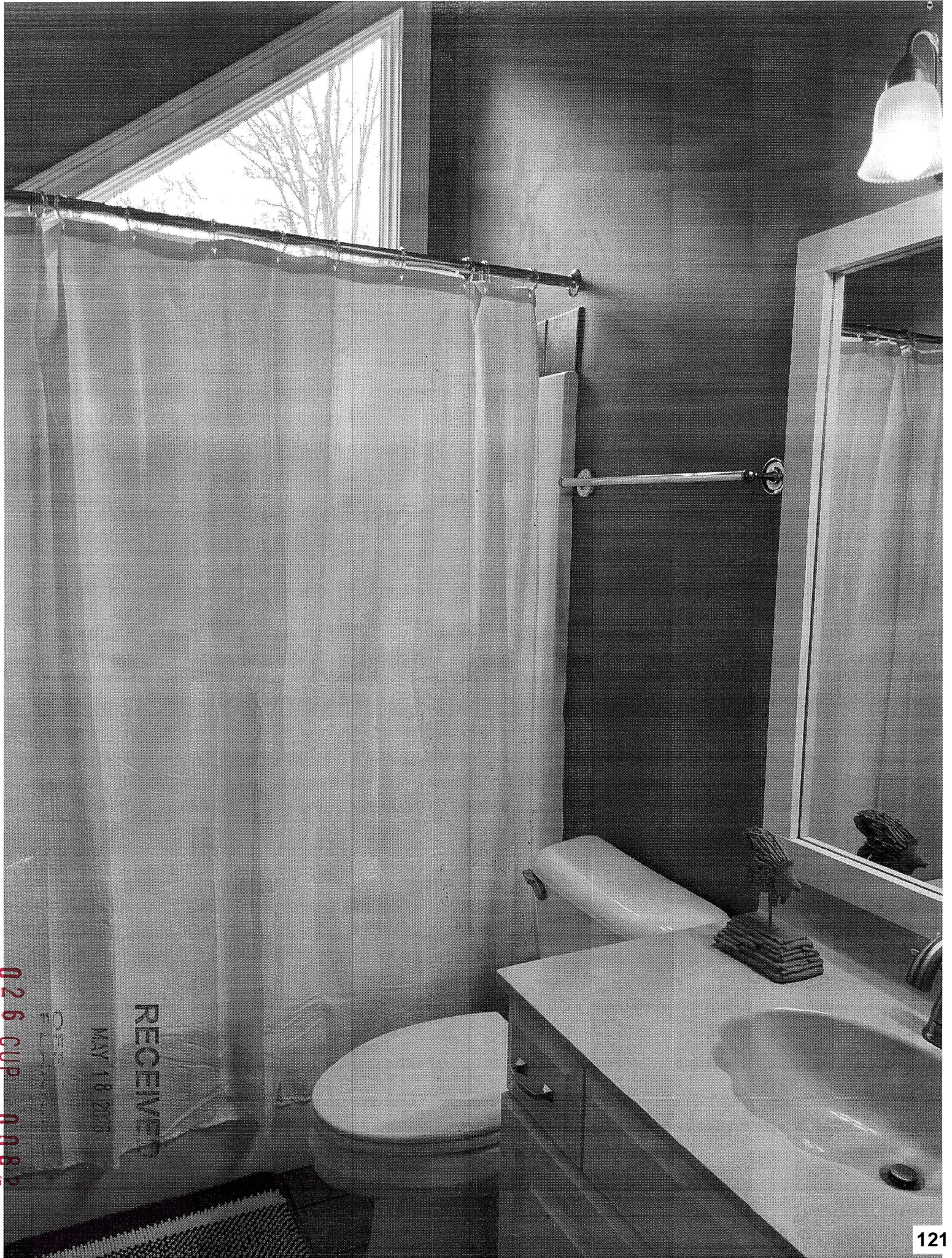
HOME IS WHERE  
YOU DROP YOUR  
ANCHOR





026 CUP 0082

RECEIVED  
APR 18 2005



RECEIVED

MAY 18 2013

026 CUP

0082



026 CUP 0082

RECEIVED  
MAY 18 2025  
OFFICE OF  
PLANNING







## Conditional Use Permit Justification Statement

This home complies with Chapter 4 part 2 of the conditional use standards based on section D: the driveway is made of concrete and the sidewalk to the home is also concrete, section E: all standards with Land Development Code are in tact, Section F: the home is not on a public street so no off street parking applies to this situation, section G: no other home can be seen from this dwelling so the outdoor lighting requirements do not apply to this home, but if they could be seen it would comply because there are not outside lighting that would effect any neighboring properties, Section H: there are not buildings that effect the setbacks and required yards.

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MAY 18 2026

OFFICE OF  
PLANNING

026 CUP 0087

# Letter of Explanation

This letter is to inform you of how we propose to development of property at 16071 Winding Ridge Trail Louisville, Ky. 40299. The home is situated on approximately 17 acres in eastern Jefferson Co, Ky. The dwelling itself is one unit, that has three bedrooms. The whole home will be rented excluding the unfinished basement. The dwelling itself will not be changed and the structure will not be changed. Occupants would be those who need a place to short term rent for any local events like Derby, PGA events only, or any other local events that rise up. Not looking to short term rent year around only for special events like those listed. The rest of the year it would be a 30 day or more rental for long term rentals like those who need a place to live while working as a physician or in a familiar work.

**RECEIVED**

MAY 18 2026

**OFFICE OF  
PLANNING**

026 CUP 0087



## summary of neighborhood meeting

We have every neighbor (except one) that was notified attend the neighborhood meeting that was held on March 30, 2026. We discussed our plan for 16071 Winding Ridge Trail Louisville, Ky 40299. We discussed that we would like to have a short term permit for local events like Derby, PGA events if there are any and any other local events as such. We explained that we do not want to have a short term rental year around and focus on a 30 day or more rental home that would primary used for long term physicians or other traveling professions in need of a furnished home for an extended periods of time. All neighbors seemed to be on board with this proposed plan. We asked for questions, they just asked about what kind of short term rental which we told them above events and they agreed it would be good for that. None of the neighbors can see the house so they seemed happy about this and for us. No real concerns so no proposed resolutions were taken place.

**RECEIVED**

MAY 18 2026

**OFFICE OF  
PLANNING**

026 CUP 008?



# Louisville Metro Government

## Text File

File Number: 26-APPEAL-0001.

---

**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 7.

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-APPEAL-0001
<b>Project Name:</b>	Appeal of Citation
<b>Location:</b>	3004 Cleveland Blvd
<b>Owner(s):</b>	Osman Sufi
<b>Representative:</b>	Osman Sufi
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	9 – Andrew Owen
<b>Case Manager:</b>	Jay Lockett, AICP, Planning Supervisor

### REQUEST(S)

- **Appeal** of a citation for permitting multiple simultaneous contracts for a single short term rental unit

### CASE SUMMARY

A citation was issued on February 4, 2026, upon a finding that the subject property was being rented to more than one guest contract at a time. The citation in part relies on the method in which the property is listed/advertised on Airbnb and an analysis of multiple customer reviews on AirBNB.com which indicate that guests were staying in a private room with other unrelated guests in separate private rooms and sharing facilities such as kitchen and bathrooms. (ENF-ZON-26-000142)

The property is zoned R-5 in the Neighborhood form district and is registered as an owner-occupied short-term rental, with an active license issued on 8-11-25. (LIC-STL-25-00834).

The Appellant filed an appeal of the citation issued on February 4, 2026. The appeal was filed within 30 days of issuance of the citation therefore, it is a timely appeal.

### STAFF ANALYSIS/FINDINGS

#### LDC 4.3.23 Short Term Rentals

Short Term Rentals may be permitted in a dwelling that is the primary residence of the owner in accordance with this section. LDC 4.3.23.B states the dwelling unit shall be limited to a single short term rental contract at a time.

#### Inspection Results:

A review of customer reviews on AirBNB.com revealed multiple references from 2023 through 2025 indicate that the space was being rented to multiple contracts at once. Example guest review comments:

“...was a bit unexpected how many people would be sharing the bathroom.” Allie, September 2023

“Private room with a lively shared kitchen and bathroom.” Abigail, September 2023

“The place...felt private despite the potential for housemates. Individual key locks on the bedroom doors.” Hannah, December 2023

“Even though other guest share the space, everyone stays to themselves.” Kj, July 2024

“The other occupants were super respectful and kept to themselves” Michael, October 2024

“I felt awkward using the kitchen because there are long term renters there it seems.” Bastian, July 2025

“if you’re OK with staying with multiple other parties, this is the perfect spot for you.” Bethany, September 2025

“Parking was a little confusing...because of one of the other guests.” Meredith, September 2025

#### Appellant’s Basis of Appeal:

The Appellant’s appeal includes the following statements in support of overturning the citation:

I applied for and operate under an owner-occupied STR registration. By definition this means the owner resides in the dwelling. Guests sometimes rent a private room while I am present in the home, which naturally results in shared common areas such as a kitchen or living space. The listing occasionally offers the entire home when permissible, but the majority of bookings involve a room rental while I occupy the residence. Therefore, guest reviews referencing shared spaces are not evidence of a violation - they are consistent with and confirm owner occupancy, which is specifically allowed under the owner occupied STR registration category.

*Staff Response:* The reviews refer to “other guests,” “long-term renters,” and “other occupants” while separately indicating communicating with “The host” or “Osman” about a variety of other issues while staying in the home.

#### **STANDARD OF REVIEW**

Pursuant to LDC 11.7.3 and KRS 100.257, the BOZA shall have the power to hear and decide cases where it is alleged by the applicant that there is error in any order, requirement, decision, grant, or refusal made by an administrative official in the enforcement of the zoning regulation.

The Board must determine if an error was made in the issuance of the Citation dated February 4, 2026.

#### **STAFF CONCLUSIONS**

It is unknown how often the dwelling unit is simultaneously rented to multiple contracts in violation of LDC 4.23.B and LMCO 115.520.B. The violation depends in part on opportunity. On Airbnb.com, separate listings allow rental of each bedroom independently or the entire dwelling. A violation occurs when separate parties rent each bedroom independently at the same or overlapping timeframes. Customer reviews indicate that it is a regular occurrence for multiple years leading up to the issuance of the citation. The way the host is referred to consistently separately from “other guests” etc. indicate to staff that the violation has occurred multiple times, leading to issuance of the citation.

The property is also required to be the primary residence of the owner. It is unknown how often the owner resides in the residence and whether or not he in fact shares the dwelling with guests. The owner also serves as the host. While the owner may contend that he was the other party staying in the dwelling, the comments refer to other “guest” or “guests” and not the host. It is not typical or common to refer a host as another guest. Airbnb rental records, which could confirm or dispute the violation, have not been provided.

If the decision is upheld, the property owner is subject to the fine as indicated in the citation. In addition, the property would be subject to an additional penalty in the LMCO that prohibits the STR from being reregistered for one year after the date of the citation.

In review of the appellant's basis of appeal and other information with the record, no error was made in determining that the property has been regularly rented to multiple contracts. Staff recommends that the Board deny the appeal.

**NOTIFICATION**

Date	Purpose of Notice	Recipients
5-7-26	Hearing before BOZA	Legal Advertisement
5-29-26	Hearing before BOZA	Appellant Registered Neighborhood Groups in Council District 9

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph



Explanation of grounds for appeal for STR registration at:  
3004 Cleveland Blvd, 40206, Louisville KY

## Introduction

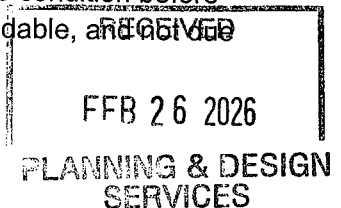
I respectfully submit this statement in support of my appeal of the revocation of the Short-Term Rental (STR) registration for the above-referenced property. The revocation is based upon four cited violations. For the reasons outlined below, I believe three of the four citations were either improperly issued or relied upon without affording me adequate notice or opportunity to respond, and therefore should not form the basis for revocation.

This appeal primarily concerns (1) lack of proper notice, (2) extraordinary weather-related circumstances beyond my control, and (3) a misunderstanding regarding the nature of my owner-occupied STR registration.

## I. April 2025 Property Maintenance Citations (Tall Grass)

In April 2025, I received two separate citations for tall grass. These citations were issued during a period of severe flooding in Louisville. During that time, Zorn Avenue — the primary access route to the property — was flooded for an extended period and was impassable. Because access to the property was obstructed, I was unable to have the grass cut despite reasonable efforts to do so.

Additionally, the citations were issued by two separate zoning officers within approximately ten days of one another for the same condition. Given the weather-related emergency and the access restrictions, this did not allow a reasonable opportunity to correct the condition before the second citation was issued. The circumstances were temporary, unavoidable, and ~~not~~ due to neglect or disregard of property maintenance obligations.



## II. Improper Notice and Mailing Error

I did not initially appeal these citations because I did not receive timely notice of them. The Office mailed the citations to **5811 Hillwood Dr**, which is not my residence or my registered owner-occupied address.

I reside at the property located at **3004 Cleveland Blvd**, which is also the address listed for ownership and occupancy in the Jefferson County PVA records and the STR registration. Because the notices were mailed to an incorrect address, I was deprived of a meaningful opportunity to respond within the standard appeal period.

26-APPEAL-00136

After explaining the mailing error, I was granted an exception to appeal. Prior to the scheduled appeal date, I was informed that the citations had been dismissed. I later learned they had only been conditionally discharged and would still be used as a basis for revocation. I was never clearly informed that these citations remained active for revocation purposes. Had I known this, I would have pursued the appeal differently and provided additional documentation.

These two citations therefore should not be relied upon because:

1. Proper notice was not provided, and
2. I was informed they were dismissed, which reasonably led me to believe they would not be used against my registration.

### III. Airbnb “Shared Areas” Citation

The most recent citation appears to be based on references within Airbnb reviews mentioning shared areas of the home.

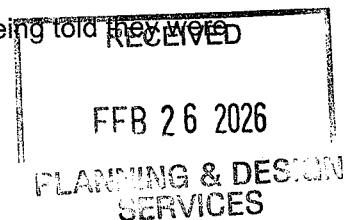
I applied for and operate under an **owner-occupied STR registration**. By definition, this means the owner resides in the dwelling. Guests sometimes rent a private room while I am present in the home, which naturally results in shared common areas such as a kitchen or living space. The listing occasionally offers the entire home when permissible, but the majority of bookings involve a room rental while I occupy the residence.

Therefore, guest reviews referencing shared spaces are not evidence of a violation — they are consistent with and confirm owner occupancy, which is specifically allowed under the owner-occupied STR registration category.

### IV. Due Process Concerns

The first three of the four citations were materially affected by incorrect mailing and notice. Because the notices were sent to the wrong address, I was restricted in my ability to timely appeal or correct the record. Due process requires proper notice and an opportunity to be heard before significant property rights — such as the ability to operate a permitted STR — are revoked.

The reliance on citations that I could not properly contest, combined with being told they were dismissed, created substantial prejudice.



26-APPEAL 137

## V. Requested Relief

For the reasons stated above, I respectfully request that the Office:

1. Disregard the April 2025 citations due to improper notice and extraordinary flooding circumstances.
2. Reconsider the Airbnb review citation as consistent with lawful owner-occupied STR use.
3. Reinstate the STR registration for 3004 Cleveland Blvd.

I have made good-faith efforts to comply with all regulations and to maintain the property responsibly. Any issues cited were either outside my control or based on a misunderstanding of owner-occupied STR operations.

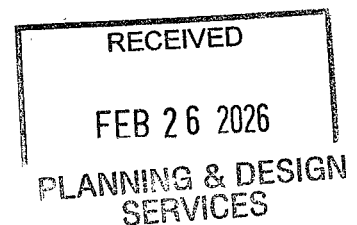
## Conclusion

I respectfully ask that the revocation be overturned. The citations relied upon do not accurately reflect noncompliance, and procedural deficiencies prevented me from fully addressing them at the appropriate time. I remain committed to complying with all Louisville Metro ordinances and operating the property responsibly as an owner-occupied residence.

Thank you for your time and consideration.

**Respectfully submitted,**

Osman Sufi  
(502)705-3788  
ozzyqumane@outlook.com




26-APPEAL-00138

Photos Amenities Reviews Location


\$306

Reserve

 Elizabeth  
Nashville, Tennessee


★★★★★ · September 2025 · Stayed a few nights  
Osman was very flexible and responsive. The bathroom and kitchen were fairly clean given that they were shared spaces. The bed frame needs some tightening, but I communicated that with the host, and getting out of the driveway can be tricky but you just have to be careful.

Show more >

 Sasha  
New Albany, Indiana

★★★★★ · December 2025 · Stayed one night  
First place had a furnace in the property immediately. Was very understanding and helpful.


Show all 130 reviews

 Mereaitn  
Niceville, Florida

★★★★★ · September 2025 · Stayed a few nights  
good place. if you get cold easily there was a space heater, if you're warmer by nature then you'll feel great. parking was a little confusing but that's only because of one of the other guests. everything was clean and neat and i felt so safe with the keycode locks on both the front door and room door.

 Mart-Marie  
Stellenbosch, South Africa

★★★★★ · October 2025 · Stayed one night  
This place reminded me of the backpacker lodges I stayed in when I was much younger. It was nice and clean - exactly what I needed for a quick layover. Osman was really kind and helpful with his communication.

 Elizabeth  
Nashville, Tennessee


★★★★★ · September 2025 · Stayed a few nights  
Osman was very flexible and responsive. The bathroom and kitchen were fairly clean given that they were shared spaces. The bed frame needs some tightening, but I communicated that with the host, and getting out of the driveway can be tricky but you just have to be careful.

Where you'll be

 **Elizabeth**  
Nashville, Tennessee  
★★★★★ · September 2025 · Stayed a few nights  
Osman was very flexible and responsive. The bathroom and kitchen were fairly clean given that they were shared spaces. The bed frame needs some tightening, but I communicated that with the host, and getting out of the driveway can be tricky but you just have to be careful. Would stay here again.  
[Show more >](#)

 **Sasha**  
New Albany, Indiana  
★★★★ · December 2025 · Stayed a few nights  
First place had a furnace issue and was put into a different property immediately. Was helpful and understanding.

Show all 130 reviews

 **Elizabeth**  
Nashville, Tennessee

★★★★★ · September 2025 · Stayed a few nights

Osman was very flexible and responsive. The bathroom and kitchen were fairly clean given that they were shared spaces. The bed frame needs some tightening, but I communicated that with the host, and getting out of the driveway can be tricky but you just have to be careful. Would stay here again.

 **Jody**  
9 years on Airbnb

★★★★★ · August 2025 · Stayed a few nights

My stay was wonderful! The room was spotless and incredibly comfortable, with thoughtful touches that made me feel right at home. The host was friendly and welcoming, and their hospitality made my trip even better. I highly recommend this spot for anyone visiting the area!

 **Sasha**  
New Albany, Indiana

★★★★★ · December 2025 · Stayed a few nights


First place had a furnace issue and was put into a different property immediately. Was helpful.

Where you'll be

Photos Amenities Reviews Location


\$306 for 5 nights

Reserve

 Elizabeth  
Nashville, Tennessee

★★★★★ · September 2025 · Stayed 1 night  
Osman was very flexible and the kitchen were fairly clean and comfortable. The bed frame needs some work.

[Show more](#) >

 Sasha  
New Albany, Indiana

★★★★☆ · December 2025 · Stayed 1 night  
First place had a furnace issue and the property immediately. Was very understanding.


Show all 130 reviews

Where you'll be

 Bethany  
Big Sandy, Tennessee

★★★★★ · September 2025 · Stayed a few nights

This was a great place to stay if you aren't looking for a lot of privacy. The home was very nice and the host was friendly, helpful, and even offered rides to the music festival that was going on that weekend. The only negative was (and I take full responsibility for not 100% reading the listing all the way through before booking) I thought I was booking the whole home because the title said "Home in Louisville". In the description it did clearly state you are booking a "room" but I was in a hurry to book and didn't read that part. So if you're ok with staying with multiple other parties, this is the perfect spot for you. It's a great location in a nice community, close to all the things.

 Bastian  
Roanoke, Virginia


★★★☆☆ · July 2025 · Stayed one night

Overall the stay was fine for one night. the bedroom was clean and taken care of the bathroom had hair in the sink and shower and because it was shared wasn't as clean as I expected. I felt awkward using the kitchen because there are long term renters there it seems. overall it was peaceful for one night for sleep.

Photos Amenities Reviews Location


\$306

Reserve

 **Elizabeth**  
Nashville, Tennessee

★★★★★ · September 2025 · Stayed 1 night  
Osman was very flexible and the kitchen were fairly clean and comfortable. The bed frame needs some work.

[Show more >](#)

 **Sasha**  
New Albany, Indiana

★★★★ · December 2025 · Stayed 1 night  
First place had a furnace in the property immediately. Was very understanding.

Show all 130 reviews



**Michael**  
Houston, Texas

★★★★★ · October 2024 · Stayed a few nights

First and foremost, I would like to state that Osman is such a great host. He responded to all my inquiries on time and his check-in instructions were well detailed. The place was clean, the neighborhood is quiet and accessible, as well as the other occupants were super respectful and kept to themselves. As a frequent Louisville visitor, I will definitely be booking with Osman on all my other trips in the future.



**Anna**  
San Antonio, Texas

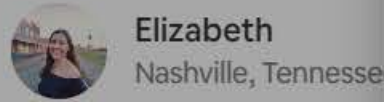
★★★★★ · July 2024 · Stayed one night

Osman was great and very responsive! I accidentally locked myself out of the room when I went to the bathroom with my keys and phone in the room (I forgot the code he had given me). He very calmly and patiently helped me get back in when I called him via his ring doorbell even though I know he was busy at the time. I really appreciate him!



**Martha**

Where you'll be



**Elizabeth**  
Nashville, Tennessee

★★★★★ · September 2025 · Stayed a few nights  
Osman was very flexible and the kitchen were fairly clean and comfortable. The bed frame needs some work.

[Show more >](#)



**Sasha**  
New Albany, Indiana

★★★★ · December 2025 · Stayed one night  
First place had a furnace issue and the host replaced the property immediately. Was very understanding.

Show all 130 reviews

Where you'll be



**Kj**  
New York, New York

★★★★★ · July 2024 · Stayed a few nights  
Osman's place was a great find! Even though other guest share the space, everyone stays to themselves. If I'm ever in Kentucky again, I'll definitely be coming back!



**David**  
Calhoun, Georgia

★★★★★ · May 2024 · Stayed one night  
Nice and clean place. Great communication and help when I needed it.



**Darrell**  
Gainesville, Georgia

★★★★★ · December 2024 · Stayed a few nights  
I've traveled the world staying in Airbnb facilities and this one is one of the cleanest



**Caleb**  
Navarre, Florida


★★★★★ · February 2024 · Stayed a few nights

**Elizabeth**  
Nashville, Tennessee  
★★★★★ · September 2025 · Stayed a few nights  
Osman was very flexible and the kitchen were fairly clean and comfortable. The bed frame needs some work.  
[Show more >](#)

**Sasha**  
New Albany, Indiana  
★★★★★ · December 2025 · Stayed one night  
First place had a furnace issue and the property immediately. Was very understanding.

Show all 130 reviews


Where you'll be



**Abigail**  
New Orleans, Louisiana


★★★★★ · September 2023 · Stayed a few nights  
Private room with a lively shared kitchen and bathroom. No living space or dining space, but the bedroom was safe and secure with a very easy to use and safe lock. Very comfortable bedding and well appointed rooms. The host was responsive and the linens were wonderful. He was even kind enough to send me a link so I can get the same pillows for my bed. Thank you so much!

---



**Corrina**  
Oslo, Norway

★★★★★ · April 2023 · Stayed one night  
Osman was a nice and responsive host that was clear about communication. The place was easy to find and right off the interstate. Cleanliness left something to be desired, and is a point of attention. Some of the spaces are shared, but were quite dirty; the room was better, but someone's dirty socks were still in the room and the floor seems dirty. Other than that, it's a great place to stay, especially when just passing through.




Response from Osman  
April 2023

Hello Corinna, Dirty socks were not there during my inspection of the cleaning that was done. Dirty floors might be referring to a paint spill that seeped into the crevices of the floor.

Photos Amenities Reviews Location


\$306

Reserve

 Elizabeth  
Nashville, Tennessee

★★★★★ · September 2025 · Stayed one night  
Osman was very flexible and the kitchen were fairly clean. The bed frame needs some work.

Show more >

 Sasha  
New Albany, Indiana

★★★★ · December 2025 · Stayed one night  
First place had a furnace issue and property immediately. We had a great understanding.

Show all 130 reviews

 Osman, Norway

★★★★★ · April 2023 · Stayed one night

Osman was a nice and responsive host that was clear about communication. The place was easy to find and right off the interstate. Cleanliness left something to be desired, and is a point of attention. Some of the spaces are shared, but were quite dirty; the room was better, but someone's dirty socks were still in the room and the floor seems dirty. Other than that, it's a great place to stay, especially when just passing through.

 Response from Osman  
April 2023


Hello Corinna, Dirty socks were not there during my inspection of the cleaning that was done. Dirty floors might be referring to a paint spill that seeped into the crevices of the floor. We've had the floors professionally cleaned but we have found there's still minor residue left behind. We assure that it is barely visible and not a issue of cleanliness. We clean the common areas after each turnover. We wish to highlight our check out for previous guest was 11am and Corinna and guest checked in late allowing time for other guests use of the common areas that may have contributed to these areas to more traffic and use. We also were not notified of any cleanliness issue and answer these issues with utmost urgency. We would have sent in cleaners. We would have compensated for the socks if it was brought up upon check in and would have address any of these issues quick and very easily. To close we are exceedingly polite and are in service to our guests as seen in all our other reviews.

Where you'll be

Photos Amenities Reviews Location


\$306 for 5 nights

Reserve

 Elizabeth  
Nashville, Tennessee

★★★★★ · September 2025 · Stayed one night  
Osman was very flexible and the kitchen were fairly clean and tidy. The bed frame needs some work.

Show more >

 Sasha  
New Albany, Indiana

★★★★ · December 2025 · Stayed one night  
First place had a furnace issue and property immediately. Was very understanding.

Show all 130 reviews

 Allie  
Atlanta, Georgia

★★★★ · September 2023 · Stayed one night

The room was as advertised, a comfortable and well-furnished single room in a house with a shared bathroom. What was perhaps a bit unexpected was how many people would be sharing the bathroom. Though the bathroom appliances were functional, there was not enough hot water to last for all of the guests to shower comfortably, which was unfortunate. Overall this was a great spot for a short stay, although the price felt high compared to other offerings at both hotels and Airbnbs.

 Response from Osman  
October 2023

We have 2 bathrooms in this home. There is a full second bathroom in the back of the home. It is pictured in the listing and mentioned in the check in instructions. We apologize this wasn't conveyed well enough.

 Nan  
14 years on Airbnb

★★★★★ · August 2023 · Stayed one night

Osman's place is clean, quiet and convenient. He's super helpful with my questions and replies

Where you'll be

 **Elizabeth**  
Nashville, Tennessee  
★★★★★ · September 2025 · Stayed one night  
Osman was very flexible and the kitchen were fairly clean and  
The bed frame needs some  
[Show more >](#)

 **Sasha**  
New Albany, Indiana  
★★★★ · December 2025 · Stayed one night  
First place had a furnace in  
property immediately. Was  
understanding

Show all 130 reviews

Where you'll be

 **Hannah**  
Oklahoma City, Oklahoma

★★★★★ · December 2023 · Stayed one night  
We only stayed a brief night, but the place was nice, clean, and felt private despite the potential for housemates. Individual key locks on the bedroom doors.

 **Timi**  
Fort McMurray, Canada

★★★★★ · November 2023 · Stayed a few nights  
The host was very cordial and responsive. The room was clean and the environment safe. Will recommend it any day.

 **Ashley**  
5 years on Airbnb

★★★★★ · November 2023 · Stayed a few nights  
Great location! The room and bed were very comfortable. The host responded quickly whenever I had a question.

 **Victoria**

### **About this space**

Step into The Sapphire Gem, your sunlit Louisville hideaway with bold blue accents & thoughtful artistic details. Cozy up on a full-size bed with crisp white bedding & blue accents while you enjoy fast fiber WiFi and a 50" Alexa TV. Shared spaces include a modern bathroom with a walk in shower, kitchen, & coffee nook. Whether you're visiting for events, work, or exploring Louisville, this room is full of charm at an affordable price. Book today to make your Louisville stay unforgettable.

### **The space**

Step into a professionally designed space with bold, artistic touches that make The Sapphire Gem a charming retreat. Your private room features vibrant blue accents with complimentary, modern details, a full-size bed with crisp bedding, and a smart lock with your own individual code for easy, secure entry. Enjoy fast fiber internet, a 50" Alexa-enabled TV, and plenty of natural light from two sunny windows.

Guests have access to shared spaces including a modern bathroom with a walk-in shower, a fully equipped kitchen and a cozy coffee nook. For added convenience, there is also an additional kitchenette and bathroom available in the back of the home.

Located in historic Clifton, the home is close to the waterfront, downtown, and many of Louisville's most charming and historic spots, offering unbeatable value for comfort and convenience.

### **Guest access**

You will have full access to your private room and shared areas.

The back of the home has a kitchenette and second bathroom available if the front bathroom and kitchen are already in use.

### **During your stay**

The host respects your privacy and lets guests decide how much interaction they'd like. You can reach out anytime via text for questions, recommendations, or assistance-whether it's before or during your stay.

### **Other things to note**

Located in the historic Clifton neighborhood, you're just minutes from Louisville's best:

- 5 min to Waterfront Park
- 7 min to the KFC Yum! Center
- 10 min to the Expo Center

- Close to downtown, local eateries, and breweries

Registration Details

101277-9013



**Louisville-Jefferson County Metro Government**

**DEPARTMENT OF CODES AND REGULATIONS**

**PROPERTY MAINTENANCE DIVISION**

444 S. 5TH STREET, SUITE 200  
LOUISVILLE, KENTUCKY 40202

Phone: (502)574-2508 Website: <https://louisvilleky.gov/government/codes-regulations/zoning-enforcement>

**Case:** ENF-ZON-26-000142-1-937117849

**Date of Report:** 2/4/2026

**Page 1 of 4**

**Property Owner**

OSMAN SUFI  
3004 CLEVELAND BLVD  
LOUISVILLE, KY 40206-1310

**CITATION - LOUISVILLE METRO CODE OF ORDINANCES**

**Case Number:** ENF-ZON-26-000142-1  
**Fine Amount:** \$125.00  
**Subject Property:** 3004 CLEVELAND BLVD  
**Inspection Date/Time:** 2/4/2026 4:00:00PM

Following receipt of a complaint, your property was inspected by a Louisville Metro Code Enforcement Officer . As observed during the inspection and/or discovered through subsequent investigation, a violation(s) exists that requires your immediate attention.

You must immediately stop using this property in violation of the Louisville Metro Code of Ordinances . You may contact the Department of Codes and Regulations to determine what steps must be taken to remedy the violation(s) noted below. Failure to comply with this Citation may result in additional Citations or referral to District Court. Any person or entity that violates a provision of the Louisville Metro Code of Ordinances described in this letter can be fined for each violation. Each day of violation constitutes a separate offense .

Your property will be re-inspected at a later date to determine compliance.

Alicia Pedreira  
Inspector  
502-424-2342  
[Alicia.Pedreira@louisvilleky.gov](mailto:Alicia.Pedreira@louisvilleky.gov)

**Violations:**  
\_\_\_\_\_



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#### ST\_002 Short Term Rental: Non-Compliance With Registration

**Inspector Violation Comments:** Short Term Rental properties must fulfill all the requirements of their Short Term Rental Registration. Evidence has been obtained which confirms that this property is in violation of its Short Term Rental Registration, specifically Requirement #1: "The dwelling shall be limited to a single short term rental contract at a time of less than 30 days."

If you have questions about this requirement, please contact the Office of Planning (502-574-6230).

The terms of an approved Short Term Rental Registration are not being met. (Louisville Metro Code of Ordinances, Sections 115.515 through 115.521)?

Subject violation(s) must be brought into compliance to avoid fines and enforcement action.



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#### If you do not fix your property and pay your fine...

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**You may be summoned to court.**

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If you do not appeal this notice within seven (7) days, it will be considered a final order and you waive any right to a hearing before the code enforcement board or hearing officer to contest the citation and the determination that a violation was committed shall be final, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.



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**COMPLIANCE DOES NOT WAIVE THE PENALTY**

2/4/2026

Address of Property: 3004 CLEVELAND BLVD

Violation to be Appealed: \_\_\_\_\_

REASON FOR APPEAL: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**All Requests for Appeal must be submitted within 7 days of the Citation Notice.**

**Mail your request for appeal to:**

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

<http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board>

**OFFICE USE ONLY - PostMarked Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_ **Mail Code:**Citation **Inspection #:** 1  
**Insp. Date:** **Penalty Amount \$:** 125.00 **CEO:** APEDREIRA **Initials:**\_\_\_\_\_ **Appeal - Pending/Denied**



# Louisville Metro Government

## Text File

File Number: 26-APPEAL-0003\_

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**Agenda Date:** 6/15/2026

**Version:** 1

**Status:** Public Hearing

**In Control:** Board of Zoning Adjustment

**File Type:** Planning Case

**Agenda Number:** 8.

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-APPEAL-0003
<b>Project Name:</b>	Appeal of Registration Revocation
<b>Location:</b>	3004 Cleveland Blvd
<b>Owner(s):</b>	Osman Sufi
<b>Representative:</b>	Osman Sufi
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	9 – Andrew Owen
<b>Case Manager:</b>	Jay Lockett, AICP, Planning Supervisor

**REQUEST(S)**

- **Appeal** of administrative action to revoke a registration for an owner-occupied Short-Term Rental

**CASE SUMMARY**

The Planning Director issued a letter on February 5, 2026 formally revoking the Short Term Rental registration for the property at 3004 Cleveland Blvd. The letter found that the property was subject to the following substantiated complaints/violations between February 5, 2025 and February 5, 2026:

2-5-25	Citation	ENF-PMNT-25-001269-1	High weeds/grass, illegal parking, damaged siding/paint, pooling/stagnant water, loose hand rails on porch
4-14-25	Citation	ENF-PMNT-25-001269-3	High weeds/grass, illegal parking, damaged siding/paint, pooling/stagnant water, loose hand rails on porch
4-24-25	Citation	ENF-PMNT-25-001269-4	High weeds/grass, damaged siding/paint, pooling/stagnant water, loose hand rails on porch
2-4-26	Citation	ENF-ZON-26-000142-1	Renting Short-Term rental to more than one contract at a time

The property is zoned R-5 in the Neighborhood form district and was registered as an owner-occupied short-term rental, with an active license issued on 8-11-25. (LIC-STL-25-00834).

The Appellant filed an appeal of the citation issued on February 4, 2026. The appeal was filed within 30 days of issuance of the citation therefore, it is a timely appeal.

Only complaints that had been substantiated within the 12 month period (between February 6, 2025 and February 5, 2026) were cited in the revocation letter. Other violations may have occurred prior to or after this date range. In addition to the citations issued by Louisville Metro Government that are described in this report, several complaints and incident detail reports are on file with the Louisville Metro Police

Department. Some of the incident detail reports detail incidents or complaints that have not been substantiated or were apparently filed by the owner in response to the alleged behavior of a neighbor. While not fully substantiated as of the date of the letter, one complaint on November 27, 2025 involved an alleged unlawful party or gathering on the property. Notes indicate that the stay was revoked by the owner and the occupants left without issues.

## **STAFF ANALYSIS/FINDINGS**

### **LDC 4.3.23 Short Term Rentals**

Short Term Rentals may be permitted in a dwelling that is the primary residence of the owner in accordance with this section. LDC 4.3.23.I states:

If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period related to the short-term rental or condition of the property or building on which it is located, the Planning Director shall revoke the registration. When the Planning Director revokes a registration under this section, the owner and host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the revocation shall become final on the thirty-first (31st) day after the initial action by the Director. 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.

### **Appellant's Basis of Appeal:**

The Appellant's appeal includes the following statements in support of overturning the citation:

#### I. April 2025 Property Maintenance Citations (Tall Grass)

In April 2025, I received two separate citations for tall grass. These citations were issued during a period of severe flooding in Louisville. During that time, Zorn Avenue - the primary access route to the property - was flooded for an extended period and was impassable. Because access to the property was obstructed, I was unable to have the grass cut despite reasonable efforts to do so.

Additionally, the citations were issued by two separate zoning officers within approximately ten days of one another for the same condition. Given the weather-related emergency and the access restrictions, this did not allow a reasonable opportunity to correct the condition before the second citation was issued. The circumstances were temporary, unavoidable, and not due to neglect or disregard of property maintenance obligations.

*Staff Response:* The citation was for several property maintenance issues beyond just the grass issues.

#### II. Improper Notice and Mailing Error

I did not initially appeal these citations because I did not receive timely notice of them. The Office mailed the citations to 5811 Hillwood Dr, which is not my residence or my registered owner-occupied address.

I reside at the property located at 3004 Cleveland Blvd, which is also the address listed for ownership and occupancy in the Jefferson County PVA records and the STR registration. Because the notices were mailed to an incorrect address, I was deprived of a meaningful opportunity to respond within the standard appeal period.

After explaining the mailing error, I was granted an exception to appeal. Prior to the scheduled appeal date, I was informed that the citations had been dismissed. I later learned they had only been conditionally discharged and would still be used as a basis for revocation. I was never clearly informed that these citations remained active for revocation purposes. Had I known this, I would have pursued the appeal differently and provided additional documentation.

These two citations therefore should not be relied upon because:

1. Proper notice was not provided, and
2. I was informed they were dismissed, which reasonably led me to believe they would not be used against my registration.

*Staff Response:* The property owner did successfully submit an appeal for the property maintenance violations. They ultimately accepted a conditional discharge of fines, admitting guilt and agreeing to remedy the issues.

### III. Airbnb "Shared Areas" Citation

The most recent citation appears to be based on references within Airbnb reviews mentioning shared areas of the home.

I applied for and operate under an owner-occupied STR registration. By definition, this means the owner resides in the dwelling. Guests sometimes rent a private room while I am present in the home, which naturally results in shared common areas such as a kitchen or living space.

The listing occasionally offers the entire home when permissible, but the majority of bookings involve a room rental while I occupy the residence.

Therefore, guest reviews referencing shared spaces are not evidence of a violation - they are consistent with and confirm owner occupancy, which is specifically allowed under the owner-occupied STR registration category.

*Staff Response:* This citation has been appealed, under 26-APPEAL-0001 which was to be heard immediately before this case. The outcome of that appeal could be considered for this request.

### IV. Due Process Concerns

The first three of the four citations were materially affected by incorrect mailing and notice. Because the notices were sent to the wrong address, I was restricted in my ability to timely appeal or correct the record: Due process requires proper notice and an opportunity to be heard before significant property rights - such as the ability to operate a permitted STR – are revoked.

The reliance on citations that I could not properly contest, combined with being told they were dismissed, created substantial prejudice.

*Staff Response:* The property owner did successfully submit appeals for the property maintenance violations as well as the latest citation for multiple contracts. Fines were conditionally discharged for the property maintenance issues, but the citations were held valid.

**STANDARD OF REVIEW**

Pursuant to LDC 11.7.3 and KRS 100.257, the BOZA shall have the power to hear and decide cases where it is alleged by the applicant that there is error in any order, requirement, decision, grant, or refusal made by an administrative official in the enforcement of the zoning regulation.

The Board must determine if an error was made in the issuance of the revocation dated February 5, 2026.

**STAFF CONCLUSIONS**

LMCO and the LDC do not provide the Planning Director with any discretion in respect to revocation short term rental registrations. Per the ordinance “If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period related to the short-term rental or condition of the property or building on which it is located, **the Planning Director shall revoke the registration.**”

As the property has been the subject of more than 2 substantiated civil complaints in the 12 month period from February 4, 2025 to February 4, 2026, the Planning Director was required by ordinance to revoke the registration.

**NOTIFICATION**

Date	Purpose of Notice	Recipients
5-7-26	Hearing before BOZA	Legal Advertisement
5-29-26	Hearing before BOZA	Appellant Registered Neighborhood Groups in Council District 9

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

# 1. Zoning Map



## 2. Aerial Photograph



Explanation of grounds for appeal for STR registration at:  
3004 Cleveland Blvd, 40206, Louisville KY

## Introduction

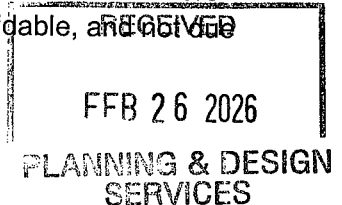
I respectfully submit this statement in support of my appeal of the revocation of the Short-Term Rental (STR) registration for the above-referenced property. The revocation is based upon four cited violations. For the reasons outlined below, I believe three of the four citations were either improperly issued or relied upon without affording me adequate notice or opportunity to respond, and therefore should not form the basis for revocation.

This appeal primarily concerns (1) lack of proper notice, (2) extraordinary weather-related circumstances beyond my control, and (3) a misunderstanding regarding the nature of my owner-occupied STR registration.

### I. April 2025 Property Maintenance Citations (Tall Grass)

In April 2025, I received two separate citations for tall grass. These citations were issued during a period of severe flooding in Louisville. During that time, Zorn Avenue — the primary access route to the property — was flooded for an extended period and was impassable. Because access to the property was obstructed, I was unable to have the grass cut despite reasonable efforts to do so.

Additionally, the citations were issued by two separate zoning officers within approximately ten days of one another for the same condition. Given the weather-related emergency and the access restrictions, this did not allow a reasonable opportunity to correct the condition before the second citation was issued. The circumstances were temporary, unavoidable, and ~~not~~ due to neglect or disregard of property maintenance obligations.



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I did not initially appeal these citations because I did not receive timely notice of them. The Office mailed the citations to **5811 Hillwood Dr**, which is not my residence or my registered owner-occupied address.

I reside at the property located at **3004 Cleveland Blvd**, which is also the address listed for ownership and occupancy in the Jefferson County PVA records and the STR registration. Because the notices were mailed to an incorrect address, I was deprived of a meaningful opportunity to respond within the standard appeal period.

26-APPEAL-00161

After explaining the mailing error, I was granted an exception to appeal. Prior to the scheduled appeal date, I was informed that the citations had been dismissed. I later learned they had only been conditionally discharged and would still be used as a basis for revocation. I was never clearly informed that these citations remained active for revocation purposes. Had I known this, I would have pursued the appeal differently and provided additional documentation.

These two citations therefore should not be relied upon because:

1. Proper notice was not provided, and
2. I was informed they were dismissed, which reasonably led me to believe they would not be used against my registration.

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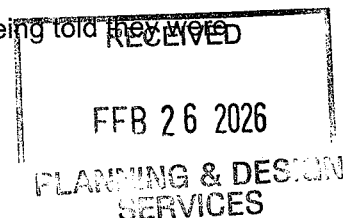
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Therefore, guest reviews referencing shared spaces are not evidence of a violation — they are consistent with and confirm owner occupancy, which is specifically allowed under the owner-occupied STR registration category.

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The first three of the four citations were materially affected by incorrect mailing and notice. Because the notices were sent to the wrong address, I was restricted in my ability to timely appeal or correct the record. Due process requires proper notice and an opportunity to be heard before significant property rights — such as the ability to operate a permitted STR — are revoked.

The reliance on citations that I could not properly contest, combined with being told they were dismissed, created substantial prejudice.



26-APPEAL 162

## V. Requested Relief

For the reasons stated above, I respectfully request that the Office:

1. Disregard the April 2025 citations due to improper notice and extraordinary flooding circumstances.
2. Reconsider the Airbnb review citation as consistent with lawful owner-occupied STR use.
3. Reinstate the STR registration for 3004 Cleveland Blvd.

I have made good-faith efforts to comply with all regulations and to maintain the property responsibly. Any issues cited were either outside my control or based on a misunderstanding of owner-occupied STR operations.

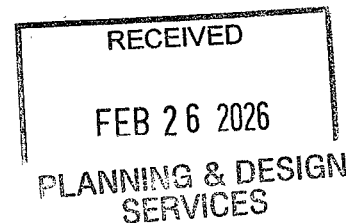
## Conclusion

I respectfully ask that the revocation be overturned. The citations relied upon do not accurately reflect noncompliance, and procedural deficiencies prevented me from fully addressing them at the appropriate time. I remain committed to complying with all Louisville Metro ordinances and operating the property responsibly as an owner-occupied residence.

Thank you for your time and consideration.

**Respectfully submitted,**

Osman Sufi  
(502)705-3788  
ozzyqumane@outlook.com



26-APPEAL-00163



**Louisville-Jefferson County Metro Government**

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**PROPERTY MAINTENANCE DIVISION**

444 S. 5TH STREET, SUITE 200  
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Phone: (502)574-2508 Website: <https://louisvilleky.gov/government/codes-regulations/zoning-enforcement>

**Case:** ENF-ZON-26-000142-1-937117849

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Inspector  
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**Violations:**

---



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Subject violation(s) must be brought into compliance to avoid fines and enforcement action.



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**COMPLIANCE DOES NOT WAIVE THE PENALTY**

2/4/2026

Address of Property: 3004 CLEVELAND BLVD

Violation to be Appealed: \_\_\_\_\_

REASON FOR APPEAL: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**All Requests for Appeal must be submitted within 7 days of the Citation Notice.**

**Mail your request for appeal to:**

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

<http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board>

**OFFICE USE ONLY - PostMarked Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_ **Mail Code:**Citation **Inspection #:** 1  
**Insp. Date:** **Penalty Amount \$:** 125.00 **CEO:** APEDREIRA **Initials:**\_\_\_\_\_ **Appeal - Pending/Denied**



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 1 of 7

4/14/2025

**Property Owner:**

SUFI, OSMAN  
3004 CLEVELAND BLVD  
LOUISVILLE, KY 40206-1310

Location: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

Parcel: 088E01830000

**CIVIL PENALTY CITATION**

**PLEASE FIX YOUR PROPERTY AND PAY YOUR FINE**

Dear Property Owner,

I inspected your property at 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206 and issued this Civil Penalty Citation on April 14, 2025 at 10:32 am after finding the property to be in violation of Chapter 156 of Louisville Metro's Property Maintenance Code.

You must now do two things:

- (1) **pay your fine** by Wednesday, May 14, 2025 and
- (2) **correct your violation(s)** by the due date(s) indicated on the following pages to prevent additional fines.

**Fine:** \$700.00

**To pay with your credit or debit card:** call (502) 574-3430 right now

You can also mail a check or money order payable to "Louisville Metro Government" to:

Accounts Receivable  
 Attention: Citation Letter Case # ENF-PMNT-25-001269-3  
 611 W Jefferson Street, 1st Floor  
 Louisville, KY 40202

Credit or Debit payments by mail must complete information below and submit with payment.



Louisville-Jefferson County Metro Government

Department of Codes & Regulations

Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 2 of 7

CASE NUMBER: ENF-PMNT-25-001269-3

OWNER:Osman Sufi

Amount Due : \$700.00

LOCATION: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW

Card Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Case Number: ENF-PMNT-25-001269-3
Print Name that appears on card				
Signature		Amount	\$700.00	
Card Number				
Exp Date		3 digit security code (back of card)		

To pay in person, please visit our office at the address listed above (cash is accepted). You have the right to appeal your citation. Please see the following page for more information.

To discuss your violations, please call me at: (502)297-2994

Michele Benzing

Inspector

(502)297-2994

Michele.Benzing@louisvilleky.gov

A citation in the amount listed above has been assessed against the owner of the above mentioned property for the existence of violation(s) of the codified ordinances in Chapter 155 and/or Chapter 156 and/or Chapter 32 of the Louisville Metro Code of Ordinances. The facts constituting the offense are listed on the attached page(s).

If you are not the owner of this property, you have been sent a copy of this notice as an interested party.



## Louisville-Jefferson County Metro Government

### Department of Codes & Regulations

#### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 3 of 7

**Your property will be re-inspected following the due date(s) of your violation(s).**

**If you do not fix your property and pay your fine...**

- **You will be limited in what you can do with your property:** Louisville Metro will file a lien. The lien gives the creditor - Louisville Metro - certain rights in your property until the debt is paid. You may not be able to sell the property, adjust your mortgage, or take out a home-equity loan with an unpaid lien. Additionally, Louisville Metro would be able to foreclose on your property to enforce its lien.
- **You will pay \$358.46 more:** If you do not pay within a year, you will owe \$1,058.46: \$700.00 from your original fine + \$358.46 in interest (at 18% annually), lien filing charges, and administrative fees. Finally, if you do not fix your violations on time, you may be fined up to \$1,000 a day per violation.
- **You may be summoned to court.**

**If you disagree with the violation(s)...**

You have the right to appeal this matter to the Code Enforcement Board by submitting the enclosed Appeal Hearing Request form within seven (7) days of your receipt of this notice. This appeal form must be sent to: Department of Codes and Regulations, 444 S. 5th Street, Suite 200, Louisville, KY 40202.

If you do not appeal this notice within seven (7) days, it will be considered a final order and you waive any right to a hearing before the code enforcement board or hearing officer to contest the citation and the determination that a violation was committed shall be final, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.



# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 4 of 7

## Violations

### 02A - CLEANING [156.052-D/156.055-A/156.052-K]

Citation

Inspector Comments: Cut all grass/weeds/non-cultivated overgrowth and maintain at or below 10 inches, including fence lines

Responsible: Owner

Subject violation needs to be in compliance on or before April 21, 2025 to avoid additional fines and court action.

#### Current Examples:



### 05A - ILLEGALLY PARKED/ABANDONED VEH [156.052-I, J]

No Compliance

Inspector Comments: All vehicles on the property must be licensed, readily operable, and parked on a continuous hard durable surface at all times. Significant rutting in the front yard, indicates vehicles continue to drive and park on the grass

Responsible: Owner

Subject violation needs to be in compliance on or before April 28, 2025 to avoid additional fines and court action.

#### Current Examples:



### X19 - EXTERIOR SURFACE(S)/SUPPORT MEMBERS/ FOUNDATION WALLS [156.053-B, D, E, F, K, L] No Compliance

Inspector Comments: Scrape all chipping peeling paint from all exterior surfaces, repair/replace damaged siding.

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.



# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 5 of 7

#### Current Examples:



#### **X40 - PORCH/BALCONY [156.053-B,K, 156.053-M]**

**No Compliance**

**Inspector Comments:** Scrape all chipping peeling paint from Front porch ceiling and ensure all exposed wood is properly protected from the elements (paint or wrapping). Be cognizant of the potential presence of lead paint

**Responsible:** Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

#### Current Examples:



#### **X47 - PROPERTY WATER DRAINAGE/ STAGNANT WATER [156.052-B]**

**No Compliance**

**Inspector Comments:** Grade and level yard and easement to eliminate ruts and pooling of water as a result of driving and parking on these surfaces

**Responsible:** Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

#### Current Examples:





# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 6 of 7

X57 - STAIR/FIRE ESCAPE [156.053-K,M]? {K}

No Compliance

Inspector Comments: Repair the loose hand railings, each side, leading to the front door

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

#### Current Examples:





**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-936576452

Page 7 of 7

**Appeal Hearing Request**

By submitting this form, you are requesting a hearing before the Code Enforcement Board. You may only represent yourself at a hearing before the Board. You may not appear on behalf of any person other than yourself without an attorney. In addition, it will be mandatory that you or your attorney attend the hearing for the appeal to be heard. Failure to attend the hearing will result in the Code Official's action being upheld by the board.

**For properties owned by an entity such as an LLC, corporation, trust, etc., the entity must be represented by an attorney licensed in Kentucky.** This prohibition includes appointed executors, trustees, beneficiaries, powers of attorney, guardians and estate administrators. In addition, nothing stated within this Appeal Hearing Request will be considered by the Board without the endorsement of your attorney prior to any hearing.

**COMPLIANCE DOES NOT WAIVE THE PENALTY**

4/14/2025

**Address of Property:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**Violation to be Appealed:** \_\_\_\_\_

**REASON FOR APPEAL:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**All Requests for Appeal must be submitted within 7 days of the Citation Notice.**

**Mail your request for appeal to:**

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

<http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board>

**OFFICE USE ONLY - PostMarked Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_ **Mail Code:** Citation **Inspection #:** 3  
**Insp. Date:** 04/14/2025 **Penalty Amount \$:** 700.00 **CEO:** MBENZING **Initials:** \_\_\_\_\_ **Appeal - Pending/Denied**



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 1 of 7

4/14/2025

**Property Owner:**  
OSMAN SUFI  
5811 HILLWOOD DR  
LOUISVILLE, KY 40119

**Owner:**  
SUFU OSMAN  
3004 CLEVELAND BLVD  
LOUISVILLE, KY 40206-1310

**Location:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**Parcel:** 088E01830000

**CIVIL PENALTY CITATION**

**PLEASE FIX YOUR PROPERTY AND PAY YOUR FINE**

Dear Property Owner,

I inspected your property at 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206 and issued this Civil Penalty Citation on April 14, 2025 at 10:32 am after finding the property to be in violation of Chapter 156 of Louisville Metro's Property Maintenance Code.

You must now do two things:

- (1) **pay your fine** by Wednesday, May 14, 2025 and
- (2) **correct your violation(s)** by the due date(s) indicated on the following pages to prevent additional fines.

**Fine:** \$700.00

**To pay with your credit or debit card:** call (502) 574-3430 right now

You can also mail a check or money order payable to "Louisville Metro Government" to:

Accounts Receivable  
Attention: Citation Letter Case # ENF-PMNT-25-001269-3  
611 W Jefferson Street, 1st Floor  
Louisville, KY 40202

Credit or Debit payments by mail must complete information below and submit with payment.



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 2 of 7

CASE NUMBER: ENF-PMNT-25-001269-3 OWNER:Osman Sufi

Amount Due : \$700.00

LOCATION: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW**

Card Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Case Number: ENF-PMNT-25-001269-3
Print Name that appears on card				
Signature		Amount	\$700.00	
Card Number				
Exp Date		3 digit security code (back of card)		

To pay in person, please visit our office at the address listed above (cash is accepted). You have the right to appeal your citation. Please see the following page for more information.

To discuss your violations, please call me at: (502)297-2994

Michele Benzing

Inspector

(502)297-2994

Michele.Benzing@louisvilleky.gov

*A citation in the amount listed above has been assessed against the owner of the above mentioned property for the existence of violation(s) of the codified ordinances in Chapter 155 and/or Chapter 156 and/or Chapter 32 of the Louisville Metro Code of Ordinances. The facts constituting the offense are listed on the attached page(s).*

*If you are not the owner of this property, you have been sent a copy of this notice as an interested party.*



## Louisville-Jefferson County Metro Government

### Department of Codes & Regulations

#### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 3 of 7

**Your property will be re-inspected following the due date(s) of your violation(s).**

**If you do not fix your property and pay your fine...**

- **You will be limited in what you can do with your property:** Louisville Metro will file a lien. The lien gives the creditor - Louisville Metro - certain rights in your property until the debt is paid. You may not be able to sell the property, adjust your mortgage, or take out a home-equity loan with an unpaid lien. Additionally, Louisville Metro would be able to foreclose on your property to enforce its lien.
- **You will pay \$358.46 more:** If you do not pay within a year, you will owe \$1,058.46: \$700.00 from your original fine + \$358.46 in interest (at 18% annually), lien filing charges, and administrative fees. Finally, if you do not fix your violations on time, you may be fined up to \$1,000 a day per violation.
- **You may be summoned to court.**

**If you disagree with the violation(s)...**

You have the right to appeal this matter to the Code Enforcement Board by submitting the enclosed Appeal Hearing Request form within seven (7) days of your receipt of this notice. This appeal form must be sent to: Department of Codes and Regulations, 444 S. 5th Street, Suite 200, Louisville, KY 40202.

If you do not appeal this notice within seven (7) days, it will be considered a final order and you waive any right to a hearing before the code enforcement board or hearing officer to contest the citation and the determination that a violation was committed shall be final, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 4 of 7

**Violations**

**02A - CLEANING [156.052-D/156.055-A/156.052-K]**

Citation

Inspector Comments: Cut all grass/weeds/non-cultivated overgrowth and maintain at or below 10 inches, including fence lines

Responsible: Owner

Subject violation needs to be in compliance on or before April 21, 2025 to avoid additional fines and court action.

Current Examples:



**05A - ILLEGALLY PARKED/ABANDONED VEH [156.052-I, J]**

No Compliance

Inspector Comments: All vehicles on the property must be licensed, readily operable, and parked on a continuous hard durable surface at all times. Significant rutting in the front yard, indicates vehicles continue to drive and park on the grass

Responsible: Owner

Subject violation needs to be in compliance on or before April 28, 2025 to avoid additional fines and court action.

Current Examples:



**X19 - EXTERIOR SURFACE(S)/SUPPORT MEMBERS/ FOUNDATION WALLS [156.053-B, D, E, F, K, L] No Compliance**

Inspector Comments: Scrape all chipping peeling paint from all exterior surfaces, repair/replace damaged siding.

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 5 of 7

Current Examples:



**X40 - PORCH/BALCONY [156.053-B,K, 156.053-M]**

**No Compliance**

Inspector Comments: Scrape all chipping peeling paint from Front porch ceiling and ensure all exposed wood is properly protected from the elements (paint or wrapping). Be cognizant of the potential presence of lead paint

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

Current Examples:



**X47 - PROPERTY WATER DRAINAGE/ STAGNANT WATER [156.052-B]**

**No Compliance**

Inspector Comments: Grade and level yard and easement to eliminate ruts and pooling of water as a result of driving and parking on these surfaces

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

Current Examples:





# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 6 of 7

X57 - STAIR/FIRE ESCAPE [156.053-K,M]? {K}

No Compliance

Inspector Comments: Repair the loose hand railings, each side, leading to the front door

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

#### Current Examples:





**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-3-8005061711

Page 7 of 7

**Appeal Hearing Request**

By submitting this form, you are requesting a hearing before the Code Enforcement Board. You may only represent yourself at a hearing before the Board. You may not appear on behalf of any person other than yourself without an attorney. In addition, it will be mandatory that you or your attorney attend the hearing for the appeal to be heard. Failure to attend the hearing will result in the Code Official's action being upheld by the board.

**For properties owned by an entity such as an LLC, corporation, trust, etc., the entity must be represented by an attorney licensed in Kentucky.** This prohibition includes appointed executors, trustees, beneficiaries, powers of attorney, guardians and estate administrators. In addition, nothing stated within this Appeal Hearing Request will be considered by the Board without the endorsement of your attorney prior to any hearing.

**COMPLIANCE DOES NOT WAIVE THE PENALTY**

4/14/2025

**Address of Property:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**Violation to be Appealed:** \_\_\_\_\_

**REASON FOR APPEAL:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone Number:** \_\_\_\_\_

*All Requests for Appeal must be submitted within 7 days of the Citation Notice.*

*Mail your request for appeal to:*

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

<http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board>

**OFFICE USE ONLY - PostMarked Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_ **Mail Code:** Citation **Inspection #:** 3  
**Insp. Date:** 04/14/2025 **Penalty Amount \$:** 700.00 **CEO:** MBENZING **Initials:** \_\_\_\_\_ **Appeal - Pending/Denied**



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-1-936540081

Page 1 of 7

2/5/2025

**Property Owner:**

SUFI, OSMAN  
3004 CLEVELAND BLVD  
LOUISVILLE, KY 40206-1310

**Location:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**Parcel:** 088E01830000

**CIVIL PENALTY CITATION**

**PLEASE FIX YOUR PROPERTY AND PAY YOUR FINE**

Dear Property Owner,

I inspected your property at 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206 and issued this Civil Penalty Citation on February 5, 2025 at 2:51 pm after finding the property to be in violation of Chapter 156 of Louisville Metro's Property Maintenance Code.

You must now do two things:

- (1) **pay your fine** by Friday, March 7, 2025 and
- (2) **correct your violation(s)** by the due date(s) indicated on the following pages to prevent additional fines.

**Fine:** \$200.00

**To pay with your credit or debit card:** call (502) 574-3430 right now

You can also mail a check or money order payable to "Louisville Metro Government" to:

Accounts Receivable  
 Attention: Citation Letter Case # ENF-PMNT-25-001269-1  
 611 W Jefferson Street, 1st Floor  
 Louisville, KY 40202

Credit or Debit payments by mail must complete information below and submit with payment.



Louisville-Jefferson County Metro Government

Department of Codes & Regulations

Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-1-936540081

Page 2 of 7

CASE NUMBER: ENF-PMNT-25-001269-1 OWNER:Osman Sufi

Amount Due : \$200.00

LOCATION: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW

Card Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Case Number: ENF-PMNT-25-001269-1
Print Name that appears on card				
Signature		Amount	\$200.00	
Card Number				
Exp Date		3 digit security code (back of card)		

To pay in person, please visit our office at the address listed above (cash is accepted). You have the right to appeal your citation. Please see the following page for more information.

To discuss your violations, please call me at: (502)297-2994

Michele Benzing

Inspector

(502)297-2994

Michele.Benzing@louisvilleky.gov

A citation in the amount listed above has been assessed against the owner of the above mentioned property for the existence of violation(s) of the codified ordinances in Chapter 155 and/or Chapter 156 and/or Chapter 32 of the Louisville Metro Code of Ordinances. The facts constituting the offense are listed on the attached page(s).

If you are not the owner of this property, you have been sent a copy of this notice as an interested party.



## Louisville-Jefferson County Metro Government

### Department of Codes & Regulations

#### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-1-936540081

Page 3 of 7

**Your property will be re-inspected following the due date(s) of your violation(s).**

**If you do not fix your property and pay your fine...**

- **You will be limited in what you can do with your property:** Louisville Metro will file a lien. The lien gives the creditor - Louisville Metro - certain rights in your property until the debt is paid. You may not be able to sell the property, adjust your mortgage, or take out a home-equity loan with an unpaid lien. Additionally, Louisville Metro would be able to foreclose on your property to enforce its lien.
- **You will pay \$179.96 more:** If you do not pay within a year, you will owe \$379.96: \$200.00 from your original fine + \$179.96 in interest (at 18% annually), lien filing charges, and administrative fees. Finally, if you do not fix your violations on time, you may be fined up to \$1,000 a day per violation.
- **You may be summoned to court.**

**If you disagree with the violation(s)...**

You have the right to appeal this matter to the Code Enforcement Board by submitting the enclosed Appeal Hearing Request form within seven (7) days of your receipt of this notice. This appeal form must be sent to: Department of Codes and Regulations, 444 S. 5th Street, Suite 200, Louisville, KY 40202.

If you do not appeal this notice within seven (7) days, it will be considered a final order and you waive any right to a hearing before the code enforcement board or hearing officer to contest the citation and the determination that a violation was committed shall be final, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.



# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-1-936540081

Page 4 of 7

## Violations

### 02A - CLEANING [156.052-D/156.055-A/156.052-K]

### Citation

Inspector Comments: Cut all grass/weeds/non-cultivated overgrowth and maintain at or below 10 inches, including fence lines. Remove and properly dispose of scattered trash and debris

Responsible: Owner

Subject violation needs to be in compliance on or before February 19, 2025 to avoid additional fines and court action.

### Current Examples:



### 05A - ILLEGALLY PARKED/ABANDONED VEH [156.052-I, J]

### Citation

Inspector Comments: All vehicles on the property must be licensed, readily operable, and parked on a continuous hard durable surface at all times.

Responsible: Owner

Subject violation needs to be in compliance on or before February 19, 2025 to avoid additional fines and court action.

### Current Examples:



### X19 - EXTERIOR SURFACE(S)/SUPPORT MEMBERS/ FOUNDATION WALLS [156.053-B, D, E, F, K, L] New Violation

Inspector Comments: Scrape all chipping peeling paint from all exterior surfaces, repair/replace damaged siding. Secure the opening in the foundation on the right side

Responsible: Owner

Subject violation needs to be in compliance on or before April 06, 2025 to avoid additional fines and court action.



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)297-2994 Email: Michele.Benzing@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-1-936540081

Page 5 of 7

**Current Examples:**



**X40 - PORCH/BALCONY [156.053-B,K, 156.053-M]**

**New Violation**

**Inspector Comments:** Scrape all chipping peeling paint from Front porch ceiling and ensure all exposed wood is properly protected from the elements (paint or wrapping). Be cognizant of the potential presence of lead paint

**Responsible:** Owner

Subject violation needs to be in compliance on or before April 06, 2025 to avoid additional fines and court action.

**Current Examples:**



**X47 - PROPERTY WATER DRAINAGE/ STAGNANT WATER [156.052-B]**

**New Violation**

**Inspector Comments:** Grade and level yard and easement to eliminate ruts and pooling of water as a result of driving and parking on these surfaces

**Responsible:** Owner

Subject violation needs to be in compliance on or before April 06, 2025 to avoid additional fines and court action.

**Current Examples:**





# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



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Page 6 of 7

#### X57 - STAIR/FIRE ESCAPE [156.053-K,M]? {K}

New Violation

Inspector Comments: Repair the loose hand railings, each side, leading to the front door

Responsible: Owner

Subject violation needs to be in compliance on or before April 06, 2025 to avoid additional fines and court action.

#### Current Examples:





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Page 7 of 7

**Appeal Hearing Request**

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**For properties owned by an entity such as an LLC, corporation, trust, etc., the entity must be represented by an attorney licensed in Kentucky.** This prohibition includes appointed executors, trustees, beneficiaries, powers of attorney, guardians and estate administrators. In addition, nothing stated within this Appeal Hearing Request will be considered by the Board without the endorsement of your attorney prior to any hearing.

**COMPLIANCE DOES NOT WAIVE THE PENALTY**

2/5/2025

**Address of Property:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**Violation to be Appealed:** \_\_\_\_\_

**REASON FOR APPEAL:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone Number:** \_\_\_\_\_

*All Requests for Appeal must be submitted within 7 days of the Citation Notice.*

*Mail your request for appeal to:*

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

<http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board>

**OFFICE USE ONLY - PostMarked Date:** \_\_\_/\_\_\_/\_\_\_ **Mail Code:** Citation **Inspection #:** 1  
**Insp. Date:** 02/05/2025 **Penalty Amount \$:** 200.00 **CEO:** MBENZING **Initials:** \_\_\_\_\_ **Appeal - Pending/Denied**



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)773-8031 Email: Donald.Gentry@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-4-936647746

Page 1 of 6

4/24/2025

**Property Owner:**

SUFI, OSMAN  
3004 CLEVELAND BLVD  
LOUISVILLE, KY 40206-1310

**Location:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

**Parcel:** 088E01830000

**CIVIL PENALTY CITATION**

**PLEASE FIX YOUR PROPERTY AND PAY YOUR FINE**

Dear Property Owner,

I inspected your property at 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206 and issued this Civil Penalty Citation on April 24, 2025 at 11:14 am after finding the property to be in violation of Chapter 156 of Louisville Metro's Property Maintenance Code.

You must now do two things:

- (1) **pay your fine** by Monday, May 26, 2025 and
- (2) **correct your violation(s)** by the due date(s) indicated on the following pages to prevent additional fines.

**Fine:** \$400.00

**To pay with your credit or debit card:** call (502) 574-3430 right now

You can also mail a check or money order payable to "Louisville Metro Government" to:

Accounts Receivable  
 Attention: Citation Letter Case # ENF-PMNT-25-001269-4  
 611 W Jefferson Street, 1st Floor  
 Louisville, KY 40202

Credit or Debit payments by mail must complete information below and submit with payment.



Louisville-Jefferson County Metro Government

Department of Codes & Regulations

Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)773-8031 Email: Donald.Gentry@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-4-936647746

Page 2 of 6

CASE NUMBER: ENF-PMNT-25-001269-4 OWNER:Osman Sufi

Amount Due : \$400.00

LOCATION: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW

Card Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Case Number: ENF-PMNT-25-001269-4
Print Name that appears on card				
Signature		Amount	\$400.00	
Card Number				
Exp Date		3 digit security code (back of card)		

To pay in person, please visit our office at the address listed above (cash is accepted). You have the right to appeal your citation. Please see the following page for more information.

To discuss your violations, please call me at: (502)773-8031

Donald Gentry

Inspector

(502)773-8031

Donald.Gentry@louisvilleky.gov

A citation in the amount listed above has been assessed against the owner of the above mentioned property for the existence of violation(s) of the codified ordinances in Chapter 155 and/or Chapter 156 and/or Chapter 32 of the Louisville Metro Code of Ordinances. The facts constituting the offense are listed on the attached page(s).

If you are not the owner of this property, you have been sent a copy of this notice as an interested party.



## Louisville-Jefferson County Metro Government

### Department of Codes & Regulations

#### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)773-8031 Email: Donald.Gentry@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-4-936647746

Page 3 of 6

**Your property will be re-inspected following the due date(s) of your violation(s).**

**If you do not fix your property and pay your fine...**

- **You will be limited in what you can do with your property:** Louisville Metro will file a lien. The lien gives the creditor - Louisville Metro - certain rights in your property until the debt is paid. You may not be able to sell the property, adjust your mortgage, or take out a home-equity loan with an unpaid lien. Additionally, Louisville Metro would be able to foreclose on your property to enforce its lien.
- **You will pay \$251.36 more:** If you do not pay within a year, you will owe \$651.36: \$400.00 from your original fine + \$251.36 in interest (at 18% annually), lien filing charges, and administrative fees. Finally, if you do not fix your violations on time, you may be fined up to \$1,000 a day per violation.
- **You may be summoned to court.**

**If you disagree with the violation(s)...**

You have the right to appeal this matter to the Code Enforcement Board by submitting the enclosed Appeal Hearing Request form within seven (7) days of your receipt of this notice. This appeal form must be sent to: Department of Codes and Regulations, 444 S. 5th Street, Suite 200, Louisville, KY 40202.

If you do not appeal this notice within seven (7) days, it will be considered a final order and you waive any right to a hearing before the code enforcement board or hearing officer to contest the citation and the determination that a violation was committed shall be final, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

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444 S. 5th Street, Suite 200 - Louisville, KY 40202



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Case Number: ENF-PMNT-25-001269-4-936647746

Page 4 of 6

**Violations**

**02A - CLEANING [156.052-D/156.055-A/156.052-K]**

**No Compliance**

**Inspector Comments:** Cut all grass/weeds/non-cultivated overgrowth and maintain at or below 10 inches, including fence lines

**Responsible:** Owner

Subject violation needs to be in compliance on or before May 01, 2025 to avoid additional fines and court action.

**Current Examples:**



**X19 - EXTERIOR SURFACE(S)/SUPPORT MEMBERS/ FOUNDATION WALLS [156.053-B, D, E, F, K, L] Not Due**

**Inspector Comments:** Scrape all chipping peeling paint from all exterior surfaces, repair/replace damaged siding.

**Responsible:** Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

**X40 - PORCH/BALCONY [156.053-B,K, 156.053-M]**

**Not Due**

**Inspector Comments:** Scrape all chipping peeling paint from Front porch ceiling and ensure all exposed wood is properly protected from the elements (paint or wrapping). Be cognizant of the potential presence of lead paint

**Responsible:** Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

**X47 - PROPERTY WATER DRAINAGE/ STAGNANT WATER [156.052-B]**

**No Compliance**

**Inspector Comments:** Grade and level yard and easement to eliminate ruts and pooling of water as a result of driving and parking on these surfaces

**Responsible:** Owner

Subject violation needs to be in compliance on or before May 08, 2025 to avoid additional fines and court action.



# Louisville-Jefferson County Metro Government

## Department of Codes & Regulations

### Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)773-8031 Email: Donald.Gentry@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-4-936647746

Page 5 of 6

#### Current Examples:



#### **X57 - STAIR/FIRE ESCAPE [156.053-K,M]? {K}**

**Not Due**

**Inspector Comments:** Repair the loose hand railings, each side, leading to the front door

**Responsible:** Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.



Louisville-Jefferson County Metro Government

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Page 6 of 6

Appeal Hearing Request

By submitting this form, you are requesting a hearing before the Code Enforcement Board. You may only represent yourself at a hearing before the Board. You may not appear on behalf of any person other than yourself without an attorney. In addition, it will be mandatory that you or your attorney attend the hearing for the appeal to be heard. Failure to attend the hearing will result in the Code Official's action being upheld by the board.

For properties owned by an entity such as an LLC, corporation, trust, etc., the entity must be represented by an attorney licensed in Kentucky. This prohibition includes appointed executors, trustees, beneficiaries, powers of attorney, guardians and estate administrators. In addition, nothing stated within this Appeal Hearing Request will be considered by the Board without the endorsement of your attorney prior to any hearing.

COMPLIANCE DOES NOT WAIVE THE PENALTY

4/24/2025

Address of Property: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

Violation to be Appealed: \_\_\_\_\_

REASON FOR APPEAL: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

All Requests for Appeal must be submitted within 7 days of the Citation Notice.

Mail your request for appeal to:

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board

OFFICE USE ONLY - PostMarked Date: \_\_\_/\_\_\_/\_\_\_ Mail Code: Citation Inspection #: 4  
Insp. Date: 04/24/2025 Penalty Amount \$: 400.00 CEO: DGENCY Initials: \_\_\_\_\_ Appeal - Pending/Denied



**Louisville-Jefferson County Metro Government**

**Department of Codes & Regulations**

**Property Maintenance Division**

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)773-8031 Email: Donald.Gentry@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-4-8005061794

Page 1 of 6

4/24/2025

**Property Owner:**  
OSMAN SUFI  
5811 HILLWOOD DR  
LOUISVILLE, KY 40119

**Owner:**  
SUFİ OSMAN  
3004 CLEVELAND BLVD  
LOUISVILLE, KY 40206-1310

**Location:** 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206  
**Parcel:** 088E01830000

**CIVIL PENALTY CITATION**

**PLEASE FIX YOUR PROPERTY AND PAY YOUR FINE**

Dear Property Owner,

I inspected your property at 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206 and issued this Civil Penalty Citation on April 24, 2025 at 11:14 am after finding the property to be in violation of Chapter 156 of Louisville Metro’s Property Maintenance Code.

You must now do two things:

- (1) **pay your fine** by Monday, May 26, 2025 and
- (2) **correct your violation(s)** by the due date(s) indicated on the following pages to prevent additional fines.

**Fine:** \$400.00

**To pay with your credit or debit card:** call (502) 574-3430 right now

You can also mail a check or money order payable to “Louisville Metro Government” to:

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Credit or Debit payments by mail must complete information below and submit with payment.



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Case Number: ENF-PMNT-25-001269-4-8005061794

Page 2 of 6

CASE NUMBER: ENF-PMNT-25-001269-4 OWNER:Osman Sufi

Amount Due : \$400.00

LOCATION: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW

Card Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Case Number: ENF-PMNT-25-001269-4
Print Name that appears on card				
Signature		Amount	\$400.00	
Card Number				
Exp Date		3 digit security code (back of card)		

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Donald Gentry

Inspector

(502)773-8031

Donald.Gentry@louisvilleky.gov

A citation in the amount listed above has been assessed against the owner of the above mentioned property for the existence of violation(s) of the codified ordinances in Chapter 155 and/or Chapter 156 and/or Chapter 32 of the Louisville Metro Code of Ordinances. The facts constituting the offense are listed on the attached page(s).

If you are not the owner of this property, you have been sent a copy of this notice as an interested party.



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**Violations**

**02A - CLEANING [156.052-D/156.055-A/156.052-K]**

**No Compliance**

**Inspector Comments:** Cut all grass/weeds/non-cultivated overgrowth and maintain at or below 10 inches, including fence lines

**Responsible:** Owner

Subject violation needs to be in compliance on or before May 01, 2025 to avoid additional fines and court action.

**Current Examples:**



**X19 - EXTERIOR SURFACE(S)/SUPPORT MEMBERS/ FOUNDATION WALLS [156.053-B, D, E, F, K, L] Not Due**

**Inspector Comments:** Scrape all chipping peeling paint from all exterior surfaces, repair/replace damaged siding.

**Responsible:** Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.

**X40 - PORCH/BALCONY [156.053-B,K, 156.053-M]**

**Not Due**

**Inspector Comments:** Scrape all chipping peeling paint from Front porch ceiling and ensure all exposed wood is properly protected from the elements (paint or wrapping). Be cognizant of the potential presence of lead paint

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**X47 - PROPERTY WATER DRAINAGE/ STAGNANT WATER [156.052-B]**

**No Compliance**

**Inspector Comments:** Grade and level yard and easement to eliminate ruts and pooling of water as a result of driving and parking on these surfaces

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Subject violation needs to be in compliance on or before May 08, 2025 to avoid additional fines and court action.



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Case Number: ENF-PMNT-25-001269-4-8005061794

Page 5 of 6

Current Examples:



**X57 - STAIR/FIRE ESCAPE [156.053-K,M]? {K}**

Not Due

Inspector Comments: Repair the loose hand railings, each side, leading to the front door

Responsible: Owner

Subject violation needs to be in compliance on or before June 13, 2025 to avoid additional fines and court action.



Louisville-Jefferson County Metro Government

Department of Codes & Regulations

Property Maintenance Division

444 S. 5th Street, Suite 200 - Louisville, KY 40202



Phone: (502)773-8031 Email: Donald.Gentry@louisvilleky.gov Web Site: www.louisvilleky.gov/government/codes-regulations

Case Number: ENF-PMNT-25-001269-4-8005061794

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Appeal Hearing Request

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COMPLIANCE DOES NOT WAIVE THE PENALTY

4/24/2025

Address of Property: 3004 CLEVELAND BLVD, LOUISVILLE, KY 40206

Violation to be Appealed: \_\_\_\_\_

REASON FOR APPEAL: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

All Requests for Appeal must be submitted within 7 days of the Citation Notice.

Mail your request for appeal to:

Director, Department of Codes and Regulations

Attention: Property Maintenance Division

444 S. 5th St., Suite 200

Louisville, Kentucky 40202

Phone: (502) 574-8164

http://www.louisvilleky.gov/government/codes-regulations/code-enforcement-board

OFFICE USE ONLY - PostMarked Date: \_\_\_/\_\_\_/\_\_\_ Mail Code: Citation Inspection #: 4  
Insp. Date: 04/24/2025 Penalty Amount \$: 400.00 CEO: DGENTRY Initials: \_\_\_\_\_ Appeal - Pending/Denied



OFFICE OF PLANNING  
LOUISVILLE, KENTUCKY

CRAIG GREENBERG  
MAYOR

BRIAN DAVIS, AICP  
DIRECTOR

February 5, 2026

Osman Ahmed Sufi  
3004 Cleveland Blvd  
Louisville, KY 40206

RECEIVED  
FEB 26 2026  
PLANNING & DESIGN  
SERVICES

Re: Short Term Rental – Registration # LIC-STL-25-00834  
3004 Cleveland Blvd  
Louisville KY, 40206

Mr. Sufi,

You are listed as the property owner of 3004 Cleveland Blvd, which was issued an annual short term rental registration on August, 11 2025.

This letter will serve notice that the short term rental registration (LIC-STL-25-00834) at the subject property is hereby revoked in accordance with Louisville Metro Land Development Code Section 4.3.23 I. which states:

If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period related to the short term rental or condition of the property or building on which it is located, the Planning Director shall revoke the registration. When the Planning Director revokes a registration under this section, the owner and host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the revocation shall become final on the thirty-first (31st) day after the initial action by the Director. 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.

The following substantiated complaints/violations have been found between February 5, 2025 & February 5, 2026:

02/05/2025	Citation	ENF-PMNT-25-001269-1
04/14/2025	Citation	ENF-PMNT-25-001269-3
04/24/2025	Citation	ENF-PMNT-25-001269-4
02/04/2026	Citation	ENF-ZON-26-000142-1

This decision can be appealed to the Louisville Metro Board of Zoning Adjustment within 30 days of the date of this letter.

Sincerely,

Brian Davis, AICP  
Planning Director