



Action Summary
Board of Zoning Adjustment

Monday, November 15, 2021

1:00 PM

Online Via Webex

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Call To Order

Present: 5 - Board Member Kim Leanhart, Board Member Yani Vozos, Board Member Sharon Bond, Board Member Brandt Ford, and Board Member Lula Howard

Absent: 1 - Board Member Richard Buttorff

Approval Of Minutes

1. [BOZA Minutes 11.01.21](#)

Approval of the Minutes from the November 1, 2021 Board of Zoning Adjustment meeting

A motion was made by Board Member Leanhart, seconded by Board Member Bond, that the Minutes from the November 1, 2021 Board of Zoning Adjustment meeting be APPROVED. The motion carried by the following vote:

Yes: 3 - Leanhart, Bond, and Howard

Absent: 2 - Buttorff, and Vozos

Abstain: 1 - Ford

Business Session

2. [21-MCUP-0003](#)

Request: Modified Conditional Use Permit to increase the proposed building square footage of a private institutional use (church) from 8,962 square feet to 9,824 square feet, in the R-4 single-family zoning district.

Project Name: Lakewood Baptist Church
 Location: 13803 Shelbyville Road
 Owner: Lakewood Baptist Church, Inc
 Applicant: Richard Moore, P.E.
 Representative: John Shaw, Chairman of Trustees
 Jurisdiction: Louisville Metro
 Council District: 19 - Anthony Piagentini
 Case Manager: Priscilla Bowman, Associate Planner

A motion was made by Board Member Bond, seconded by Board Member Leanhart, that Case Number 21-MCUP-0003, Modified Conditional Use Permit to increase the proposed building square footage of a private institutional use (church) from 8,962 square feet to 9,824 square feet, in the R-4 single-family zoning district, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

NOTE: Board Member Vozos joined the meeting at approximately 1:13 p.m.

Yes: 4 - Leanhart, Bond, Ford, and Howard

Absent: 1 - Buttorff

Abstain: 1 - Vozos

3. [21-MCUP-0005](#)

Request: Modification of a Conditional Use Permit to allow parking in an R-4 single family zoning district

Project Name: Fern Valley Rd Off Street Parking
 Location: 3609R Fern Valley Road
 Owner/Applicant: Baptist Healthcare System INC.
 Representative: Mike Hill, LD&D, INC
 Jurisdiction: Louisville Metro
 Council District: 2 - Barbara Shanklin
 Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Vozos, that Case Number 21-MCUP-0005, Modification of a Conditional Use Permit to allow parking in an R-4 single family zoning district (LDC 4.2.39), be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

Public Hearing

4. [21-VARIANCE-0134](#)

Request: Variance to allow a porch to encroach into the front yard setback
 Project Name: Hoertz Avenue Variance
 Location: 1314 Hoertz Avenue
 Owner/Applicant: Katrina Miller
 Representative: Cliff Ashburner
 Jurisdiction: Louisville Metro
 Council District: 10 - Pat Mulvihill
 Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Vozos, seconded by Board Member Bond, that Case Number 21-VARIANCE-0134 be CONTINUED to the December 6, 2021 Board of Zoning Adjustment meeting at the applicant's request. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

5. [20-VARIANCE-0173](#)

Request: Variance to allow a proposed garage to encroach into the required 5 ft rear setback
 Project Name: Lynn Street Variance
 Location: 719 Lynn Street
 Owner: Swiss Village, LLC
 Applicant: John Walters
 Jurisdiction: Louisville Metro
 Council District: 15 - Kevin Triplett
 Case Manager: Molly Clark, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Bond, that Case Number 20-VARIANCE-0173, Variance from Land Development Code Table 5.2.2 to allow a proposed garage to encroach into the required 5 ft. rear yard setback, be APPROVED, SUBJECT to a Condition of Approval. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

6. [21-VARIANCE-0125](#)

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

Project Name: Warren Electric Variance

Location: 930 South Preston Street

Owner/Applicant: Scouis, LLC

Representative: Greg Zimmerer, Milestone Design

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Vozos, seconded by Board Member Leanhart, that Case Number 21-VARIANCE-0125, Variance from Land Development Code Table 5.2.2 to allow a principal structure to encroach into the side yard setback, be APPROVED. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

7. [21-VARIANCE-0138](#)

Request: Variance to allow a fence to exceed maximum height in the street side yard

Project Name: Carmil Drive Fence Variance

Location: 8401 Carmil Drive

Owner/Applicant: Yenny Lamazares

Jurisdiction: Louisville Metro

Council District: 22 - Robin Engel

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Vozos, that Case Number 21-VARIANCE-0138, Variance from Land Development Code Section 4.4.3.A.1.a.i to allow a fence to exceed 48 inches in height in the street side yard setback, be APPROVED. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

8. [21-VARIANCE-0145](#)

Request: **THIS CASE HAS BEEN WITHDRAWN** - Variance to allow a private yard area to be less than the required 20% of the area of the lot

Project Name: Grasmere Drive Variance

Location: 2016 Grasmere Drive

Owner: TAMMY LYNN GILDER TRUST

Applicant: Roy Mills - Mills Painting & Restoration

Jurisdiction: Louisville Metro

Council District: 8 - Cassie Chambers Armstrong

Case Manager: Zach Schwager, Planner I

Case Number 21-VARIANCE-0145 was WITHDRAWN. Therefore, no action was taken.

9. [21-VARIANCE-0147](#)

Request: Variance to allow a private yard area to be less than the required 30% of the area of the lot

Project Name: Galt Avenue Variance

Location: 200 S. Galt Avenue

Owner: Catherine H. Walters

Applicant: John Walters

Jurisdiction: Louisville Metro

Council District: 9 - Bill Hollander

Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Bond, seconded by Board Member Leanhart, that Case Number 21-VARIANCE-0147, Variance from Land Development Code Section 5.4.1.D.2 to allow a private yard area to be less than the required 30% of the area of the lot, be APPROVED. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

10. [21-CUP-0135](#)

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

Project Name: Genesis Short Term Rental

Location: 2041 Bashford Manor Lane

Owner/Applicant: Pavel Perez Carreno

Representative: Yisel Pupo

Jurisdiction: Louisville Metro

Council District: 10 - Pat Mulvihill

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Bond, seconded by Board Member Vozos, that Case Number 21-CUP-0135 be CONTINUED to the December 20, 2021 Board of Zoning Adjustment meeting due to improper noticing. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

11. [21-CUP-0167](#)

Request: Conditional Use Permit to allow a private institutional use
Project Name: Cloverleaf Baptist Church garage addition
Location: 4401 Manslick Road
Owner/Applicant: Cloverleaf Baptist Church
Jurisdiction: Louisville Metro
Council District: 15 - Kevin Triplett
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

A motion was made by Board Member Vozos, seconded by Board Member Bond, that Case Number 21-CUP-0167, Conditional Use Permit to allow a private institutional use, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

12. [21-CUP-0168](#)

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is the primary residence of the host
Project Name: Reid Short Term Rental
Location: 1303 South Floyd Street
Owner/Applicant: James Reid
Jurisdiction: Louisville Metro
Council District: 6 - David James
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

A motion was made by Board Member Leanhart, seconded by Board Member Vozos, that Case Number 21-CUP-0168, Conditional Use Permit to allow short term rental of a dwelling unit that is the primary residence of the host in a TNZD and Traditional Neighborhood Form District, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

Yes: 4 - Leanhart, Vozos, Ford, and Howard

No: 1 - Bond

Absent: 1 - Buttorff

13. [21-CUP-0169](#)

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

Project Name: Abbott Short Term Rental

Location: 548 Brentwood Avenue

Owner/Applicant: Lisa Abbott & Diego Hernandez Lopez

Jurisdiction: Louisville Metro

Council District: 15 - Kevin Triplett

Case Manager: Jon E. Crumbie, Planning & Design Coordinator

A motion was made by Board Member Leanhart, seconded by Board Member Vozos, that Case Number 21-CUP-0169, Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host in an R-5 zoning district and Traditional Neighborhood Form District, be APPROVED, SUBJECT to a Condition of Approval. The motion carried by the following vote:

Yes: 5 - Leanhart, Vozos, Bond, Ford, and Howard

Absent: 1 - Buttorff

Adjournment