

# Case # 16Appeal 1013



## Louisville Metro Board of Zoning Adjustment Public Hearing

Steve Hendrix, Planning Supervisor  
December 19, 2016

# Request

Appeal of Planning & Design Services concerning nonconforming rights for a convenience store with malt beverage sales.

# Zoning/Form Districts

- Subject Property:

Existing: R-7

Traditional Neighborhood

Proposed: Same with malt  
beverage sales

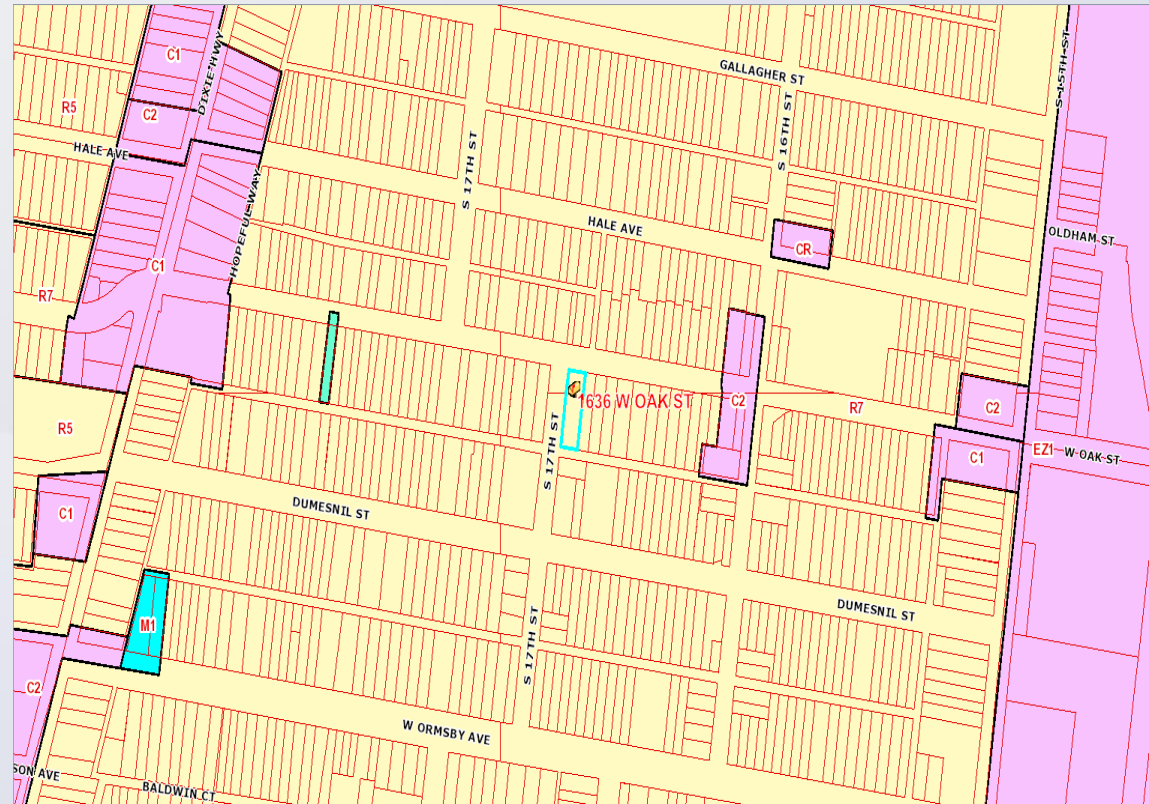
- Adjacent Properties:

North: R-7, TN

South: R-7, TN

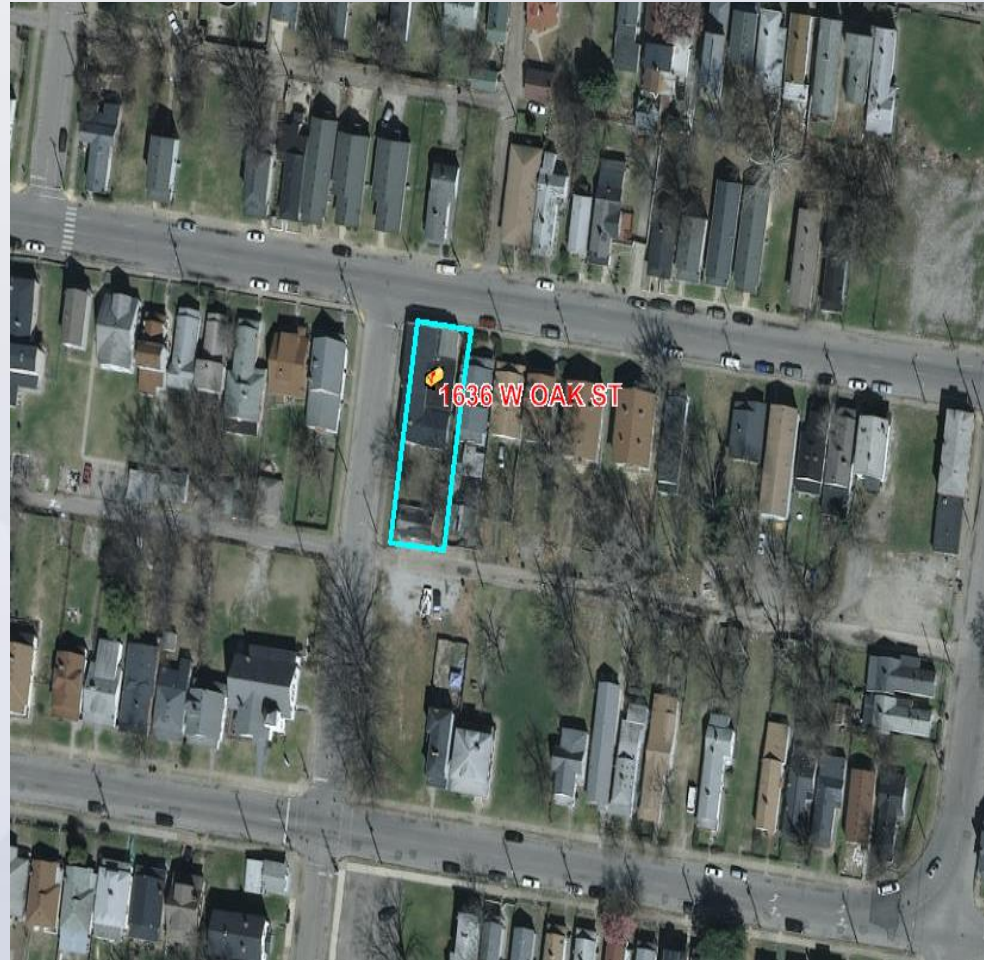
East: R-7, TN

West: R-7, TN



# Land Use

- **Subject Property:**
  - Existing: Convenience Store
  - Proposed: Same with malt beverage sales
  -
- **Adjacent Properties:**
  - North: S F Residence  
Vacant Lot
  - South: Vacant Lot
  - East: S F Residences
  - West: S F Residences



# MOE'S

**GRAND  
OPENING**

**ATM  
FEE ONLY .99¢**

**OPEN**

**\$40**

**Wickerson**

PREMIER QUALITY  
**3.39**

PREMIER QUALITY  
**3.39**

**Home City Ice**

**Wickerson**

**PLAY  
KENO  
HERE**

11/04/2016 22:38

# Properties across the street



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# 17<sup>th</sup> Street Side



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# Rear of the site





# House across 17<sup>th</sup> Street



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# House to the East



11/04/2016 22:43

# Land Use History/Timeline

## LAND USE HISTORY/TIMELINE

- 1971 ---1986-----Oak Lounge Restaurant
- 1987--- 1990-----Les Sherie's Cocktail Lounge
- 1991-----Heavy T's Oak Lounge Bar & Grill
- 1992-----No Directory
- 1993 ---1997-----Twelve Hustlers Social Club (cocktail lounge)
- 1998-----Address Not Listed
- 1999-----Walter Malone
- 2000 --- 2002-----Address Not Listed
- 2003-----Young Styles Barber Shop
- 2004-----Address Not Listed
- 2005-----Young Styles Barber Shop
- 2006 --- 2008-----Address Not Listed
- 2009-----J&J Food Mart with ABC License,  
-----Dump Truck Accident
- 2014-----Property purchased by appellant.
- 2010 --- 2016-----Address Not Listed
- January 2016 -----Permit issued for roof (Mercantile use group to a Mercantile use group).
- July 2016-----Store opens

# Required Actions

- 1. If the Board validates the 2009 decision by Codes and Regulations and ABC to allow a convenience store with malt beverage sales, then the Board will need to determine if abandonment has taken place.
  - (If abandonment has not taken place, then the convenience store with malt beverage sales has nonconforming rights).
- 2. The Board will need to determine if the October 5, 2016 decision by Planning & Design Services concerning
  - nonconforming rights for a convenience store with malt beverage sales was proper at the time.