



26-CUP-0098

Board of Zoning Adjustment
Staff Report
August 17, 2026

502 Sobriety Soldiers LLC

Location: 1626 West Chestnut Street
Applicant: Darryl Wales
Representative: 502 Sobriety Soldiers
Jurisdiction: Louisville Metro
Council District: 4 – Ken Herndon
Case Manager: Jude Mattingly, Planner II

REQUESTS & RECOMMENDED ACTIONS

1. Conditional Use Permit to allow for a Rehabilitation Home in a R-6 zoning district with relief from Items C. and F.2 (LDC 4.2.31)
 - Staff finds the justification for the requests are adequate and recommends the Board of Zoning Adjustment **APPROVE** the Conditional Use Permit with relief from Items C. and F2.
2. **26-WAIVER-0078:** Waiver of Land Development Code Section 10.2.4A to omit the required property perimeter landscape buffer area (LBA) along the south, east and west property lines
 - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Waiver

CASE SUMMARY

The applicant has requested a Conditional Use Permit (CUP) to allow a Rehabilitation Home in a R-6 zoning district and Traditional Neighborhood form district on 0.16 acres. The subject site is developed with a 3-story non-residential structure that is recognized as a local Individual Landmark (20-LANDMARK-0002) and is known as the "*Plymouth Settlement House*". The applicant is proposing to offer Rehabilitation Housing for up to (32) individuals with (14) total staff members spread out among (3) shifts. The floor plan that was submitted by the applicant shows (8) total bedrooms. The applicant plans to offer services to adult men and women who are seeking recovery from alcohol and substance abuse. The applicant has acknowledged that they will comply with any applicable building code improvements and licensing requirements prior to operating.

The CUP will need relief from Items C. and F2. contained within the standard of review as there is a property with an approved CUP for group housing within 1,000 feet and the structure is not residential in appearance.

TECHNICAL REVIEW

- **Comprehensive Plan 2040**
- **Russell Vision Plan (2019)**
No recommendations for this site, however, the plan calls to “improve health and safety” with an objective to have residents experience a strong sense of well-being and have resources needed to support their health with “provide expanded supports to people in recovery and/or the formerly incarcerated” specifically listed.
- **Land Development Code (Louisville Metro 2025)**
 - 1.2.2 Definitions; *Rehabilitation Home* – A building or group of buildings providing residence for persons receiving supervised medical or professional care for drug or alcohol abuse, psychiatric disorders and/or required to stay at the subject facility as a condition of their parole for a past conviction. Such homes may provide counseling in educational, vocational, or other areas by a paid or volunteer staff and have 24-hour-a-day supervision. A Rehabilitation Home is not a Boarding House, Family Care Home, Homeless Shelter, Residential Care Facility, Transitional Housing, or any other use more specifically defined in the Land Development Code. In addition, this term does not include uses that provide medical care that are more specifically defined in this Land Development Code, such as a Hospital, Medical Clinic, or Nursing Home.
- **MSD has provided preliminary approval.**
- **Transportation Planning has provided preliminary approval.**

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. *Is the proposal consistent with applicable policies of the Comprehensive Plan?*

STAFF FINDING: The proposal does not conflict 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 FINDING: When appropriately managed the proposed use 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 would reduce compatibility with the existing

neighborhood pattern.

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 FINDING: The subject property is served by existing public utilities and facilities. The proposal has been reviewed by MSD, who have provided preliminary approval.

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

4.2.31 Rehabilitation Home:

Rehabilitation Homes may be allowed in any zoning district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. All bedrooms and sleeping areas shall meet the current occupancy limitations required in LMCO and any applicable building, fire, or life safety code.
- B. Nonresidential uses and services, excluding those that are accessory to the Rehabilitation Home use, shall not be carried out unless otherwise permitted and approved as a separate use.
- C. When reviewing a conditional use permit application for a Rehabilitation Home, the BOZA shall, to the best of its abilities, find that the establishment of the use will not result in harm to the health, safety, or general welfare of the surrounding neighborhood. The property on which a Rehabilitation Home is situated shall not be located closer than 1,000 feet (measured in a straight line from nearest property line to nearest property line) to any property on which another Commercial Boarding House, Rehabilitation Home, or Transitional Housing use that has been approved by a conditional use permit is situated.
- D. A Rehabilitation Home shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, or local laws.
- E. A Rehabilitation Home shall provide appropriate 24-hour supervision of its residents and adequate support services for its residents.
- F. Additional Residential Zoning District Standards:
 - 1. A Rehabilitation Home in a single-family residential zoning district (R-R, R-E, R-1, R-2, R-3, R-4, R-5, or U-N) shall have a maximum of four (4) residents. The maximum number of residents of a Rehabilitation Home in a multi-residential zoning district (R-5A, R-5B, R-6, R-7, or R-8A) shall be determined by the BOZA.

2. Any building in which the Rehabilitation Home use is situated shall be residential in design and appearance.
3. New construction within an area having an established front building setback shall be constructed at the average setback line or the minimum front yard of the form district, whichever is less. Structures adjacent to established residential uses shall increase side yards by 10 feet for each story over two (2).
4. The required parking for the use is set forth in Chapter 9 of this Land Development Code. The BOZA may require additional parking if warranted.
5. Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code. The BOZA may further restrict signage if warranted.

G. Additional Nonresidential Zoning District Standards:

1. The maximum number of residents of a Rehabilitation Home in a nonresidential zoning district shall be determined by the BOZA.
2. The parking requirements for the use are set forth in Chapter 9 of this Land Development Code. The BOZA may require additional or restrict parking if warranted.
3. Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code. The BOZA may further restrict signage if warranted.

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

1. Type of resident population to be served, if any;
2. The maximum number of residents/beds and maximum number of employees;
3. Floor plans of any building subject to the use (showing the location and dimensions of all bedrooms and sleeping areas);
4. A written statement, plans, and/or permits indicating how any building subject to the application meets or will be adapted to meet all applicable building codes for the use if approved; and
5. Rules of conduct and management plan.

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

- I. If a Rehabilitation Home with an approved conditional use permit is subject to two (2) or more substantiated civil and/or criminal complaints within a 12 month period, the Planning Director may request that the BOZA revoke the conditional use permit in accordance with Section 11.5A.6 of this Land Development Code. Civil complaints include, but are not limited to, reported violations of building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal complaints include, but are not limited to, reported drug activity, theft and criminal mischief.
- J. An active license of the Rehabilitation Home, as required by LMCO Chapter 115, shall be maintained. No such 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 in ownership and/or operator, a new license is not issued within (6) months from the date of the change, the conditional use permit shall become null & void. In order to recommence any Rehabilitation Home use, a new conditional use permit must be granted if required.

STAFF FINDING: Relief from Item C. will be required as staff have observed (1) other property within 1,000 feet that has been issued a conditional use permit for Group Housing. Originally approved under case no. B-26-01 and later modified under case no. B-16823-11 the property known as 1700 West Chestnut Street was approved for a conditional use permit for a Rehabilitation Home. Relief from Item F.2 will be required as the building, while historically containing a residential element resembles the appearance of a school or community center. The Board will be tasked with determining if relief from Items C. and F.2. are appropriate. The standard of review does not provide criteria for determining when relief is appropriate, in this case it should be based on testimony presented at the public hearing, the applicant's justification statement, and the organization's overall health and management plan. The Russell Vision Plan does specifically address the need to "*provide expanded supports to people in recovery and/or the formerly incarcerated*". The site is a recognized Individual Landmark known as "*Plymouth Settlement House*" that historically operated as a career training, with after-school programs, and community space designed to be a resource to individuals within the community.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0078

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

STAFF FINDING: The requested waiver will not adversely affect adjacent property owners, as the site conditions are not changing with this conditional use permit request. There is an existing fence

adjacent to a residential R-6 zoned property along the eastern property line and is a fair distance from the structure along the southern property line.

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

STAFF FINDING: Community Form Goal 1, Policy 4 calls to ensure that redevelopment is 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 4, Policy 1 calls to preserve buildings, sites, districts, and or landscapes that are recognized as having historic or architectural value.

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

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the space to provide the property perimeter landscape buffer area in full is unavailable unless the Historic Structure was significantly redesigned.

(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.

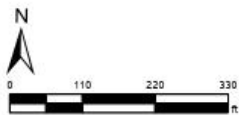
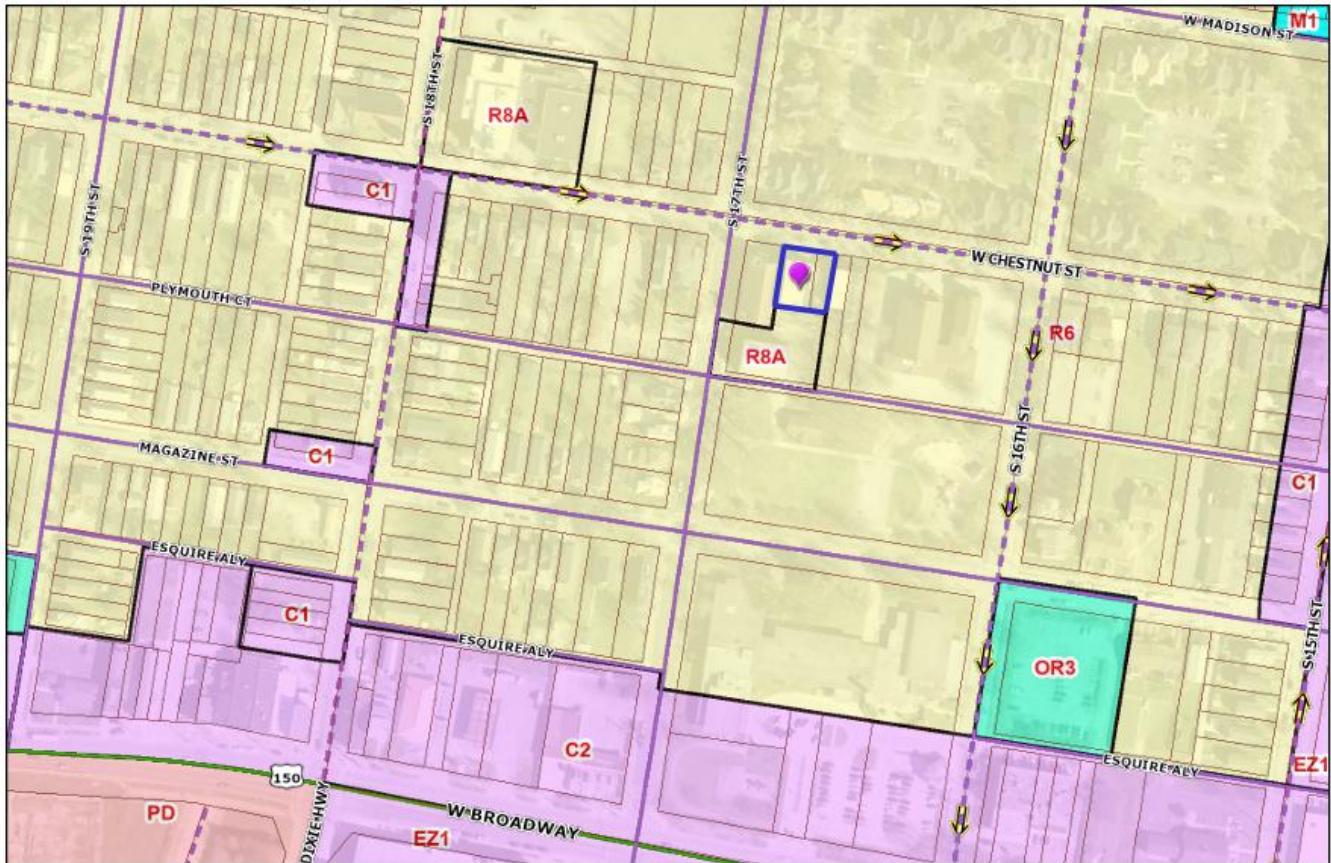
STAFF FINDING: Strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land, as requiring the property perimeter landscape buffer area in full is not possible without significant redesign of the property.

NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/31/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 4
7/31/2026	Planning Commission Public Hearing	Sign Posting on Property

ATTACHMENTS

1. Zoning Map



Zoning Map

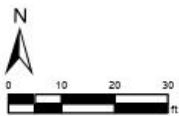
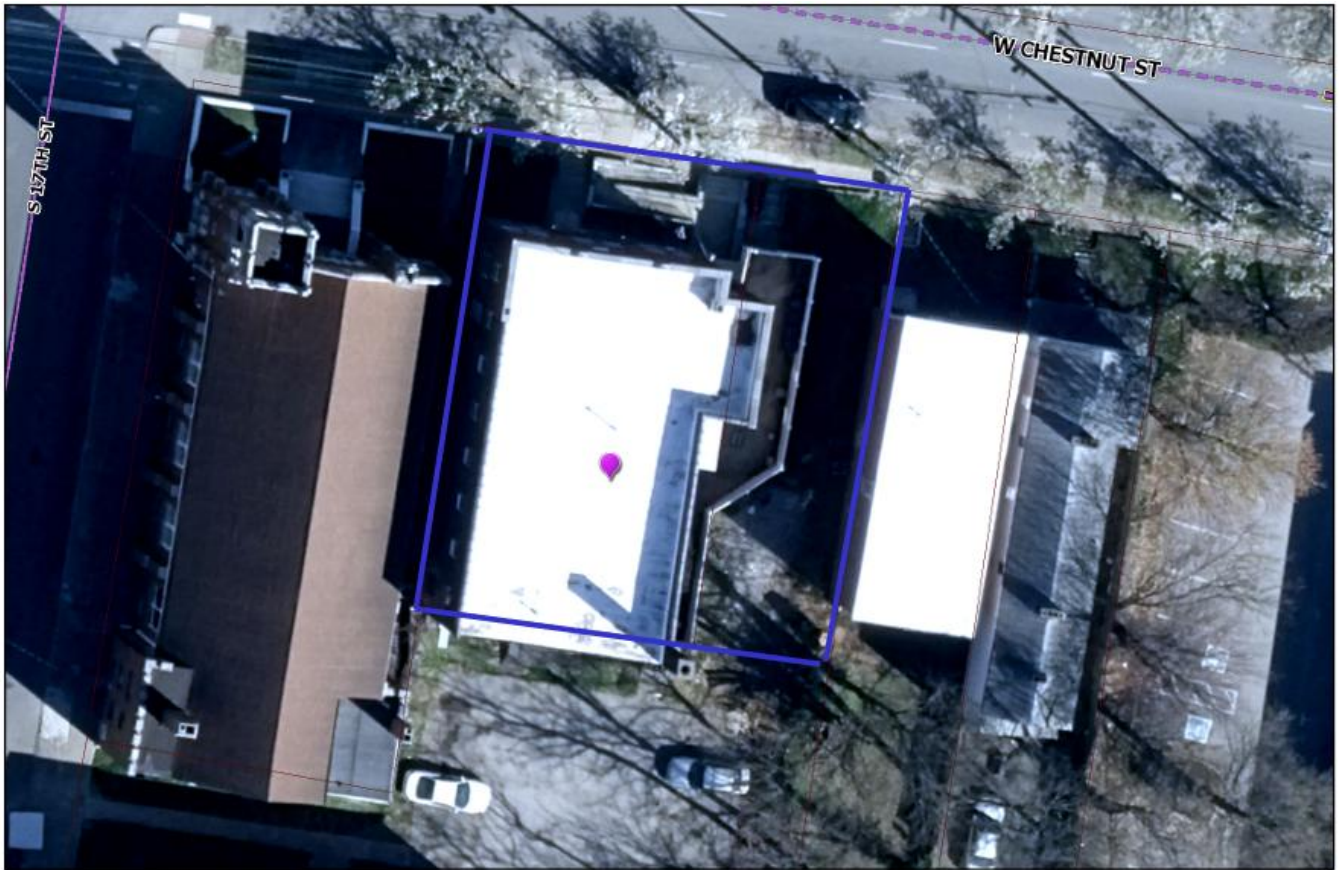
Monday, August 3, 2026 | 2:19 PM



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2. Aerial Photograph



Aerial Photograph

Monday, August 3, 2026 | 2:20 PM



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3. 1000-Foot Proximity Map

Group Housing Proximity Map



Legend

- Subject Site
- Buffer
- Rehabilitation Home

Case # 26-CUP-0098
1626 W Chestnut St
Map Created: 8/3/2026

610

Feet



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This map is subject to change upon the Board of Zoning Adjustment
granting approvals to other Group Housing Conditional Use Permits.

4. 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 Rehabilitation Home until further review and approval by the Board.
3. The maximum number of occupants shall not exceed 32 on the entire subject site, unless prior approval is received by the Board of Zoning Adjustment.
4. An active license for a Rehabilitation Home as required by LMCO Chapter 115, as well as any necessary license required by the Commonwealth of Kentucky, shall be maintained. No such 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 in ownership and/or operator, a new license is not issued within (6) months from the date of the change, the conditional use permit shall become null & void. In order to recommence any Rehabilitation Home use, a new conditional use permit must be granted if required.
5. Prior to any exterior alterations on the subject site, a Certificate of Appropriateness must be approved per the Individual Landmark guidelines.