



Action Summary
Board of Zoning Adjustment

Monday, September 9, 2019

9:00 AM

Old Jail Auditorium

SPECIAL MEETING

Call To Order

- Present:** 5 - Board Member Richard Buttorff, Board Member Lula Howard, Board Member Lester Turner Jr., Board Member Kim Leanhart, and Board Member LiAndrea Goatley
- Absent:** 1 - Board Member Lindsey Jagoe

1. [BOZA Elect Chair](#)

Board of Zoning Adjustment election of Chairperson

A motion was made by Board Member Buttorff, seconded by Board Member Turner, that Lula Howard be NOMINATED as Chairperson for the Board of Zoning Adjustment. There being no other nominations, the election was closed and Ms. Howard was APPOINTED Chairperson for the Board of Zoning Adjustment. The motion carried by the following vote:

Yes: 3 - Buttorff, Turner, and Leanhart

Absent: 1 - Jagoe

Abstain: 1 - Howard

Not Voting: 1 - Goatley

2. [BOZA Elect Vice Chair](#)

Board of Zoning Adjustment election of Vice Chairperson

A motion was made by Board Member Howard, seconded by Board Member Buttorff, that Kimberly Leanhart be NOMINATED as Vice Chairperson for the Board of Zoning Adjustment. There being no other nominations, the election was closed and Ms. Leanhart was APPOINTED as Vice Chairperson for the Board of Zoning Adjustment. The motion carried by the following vote:

Yes: 4 - Buttorff, Howard, Turner, and Leanhart

Absent: 1 - Jagoe

Not Voting: 1 - Goatley

A motion was made by Board Member Leanhart, seconded by Board Member Howard, that Richard Buttorff be NOMINATED as Secretary for the Board of Zoning Adjustment. There being no other nominations, the election was closed and Mr. Buttorff was APPOINTED Secretary for the Board of Zoning Adjustment. The motion carried by the following vote:

Yes: 3 - Howard, Turner, and Leanhart

Absent: 1 - Jagoe

Abstain: 1 - Buttorff

Not Voting: 1 - Goatley

3. [Board Member Appt](#)

Swearing in of LiAndrea Goatley to serve on the Louisville Metro Board of Zoning Adjustment

LiAndrea Goatley took the Oath of Office, and was sworn in by John Carroll, Legal Counsel and a notary public, as a new Board Member for the Louisville Metro Board of Zoning Adjustment.

Public Hearing

4. [19CUP1018](#)

Request: **THIS CASE IS BEING CONTINUED TO 9/23/19**
 Conditional use permit to allow a short term rental of a dwelling unit that is not the primary residence of the host

Project Name: Franklin Street Short Term Rental

Location: 813 Franklin Street

Owner/Applicant: Colin Clark - Double C Realty, LLC

Jurisdiction: Louisville Metro

Council District: 4 - Barbara Sexton Smith

Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Turner, seconded by Board Member Buttorff, that Case Number 19CUP1018 be CONTINUED to the September 23, 2019 Board of Zoning Adjustment meeting. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

5. [19CUP1028](#)

Request: **THIS CASE IS BEING CONTINUED TO 9/23/19**
 Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the owner/ host

Project Name: Thomas Short Term Rental

Location: 934 East Oak Street

Owner: Uncle Karl Dyson, LLC

Applicant: David Orange

Jurisdiction: Louisville Metro

Council District: 4 - Barbara Sexton Smith

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

A motion was made by Board Member Turner, seconded by Board Member Buttorff, that Case Number 19CUP1028 be CONTINUED to the September 23, 2019 Board of Zoning Adjustment meeting. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

6. [19CUP1038](#)

Request: Reconsideration of a Conditional Use Permit for a short-term rental of dwelling units that are not the primary residence of the owner/ host

Project Name: Bowman Short Term Rental

Location: 1427 and 1429 Rufer Avenue

Owner: JSB, LLC

Applicant: David Orange

Jurisdiction: Louisville Metro

Council District: 8 - Brandon Coan

Case Manager: Jon E. Crumby, Planning and Design Coordinator

A motion was made by Board Member Leanhart, seconded by Board Member Turner, that reconsideration of the earlier denial of Case Number 19CUP1038, Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner/host in an R-6 Zoning District and Traditional Neighborhood Form District, be DENIED. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

7. [19CUP1071](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit not the primary residence of the host

Project Name: S Brook Short Term Rental

Location: 1414 S Brook Street

Owner/Applicant/Host: Ashley Hall

Jurisdiction: Louisville Metro

Council District: 6 - David James

Case Manager: Beth Jones, AICP, Planner II

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, that Case Number 19CUP1071, Conditional Use Permit to allow short term rental of a dwelling unit located within the TNZD (LDC 4.2.63), be APPROVED, with RELIEF from Standard 4D because the owner occupies the first and second floors of the property, and SUBJECT to the following Condition of Approval:

Condition of Approval:

- 1. The dwelling unit approved for short-term rental use, located on the third floor of the residence, may be used for that purpose only if the dwelling unit located on the first and second floor is occupied by the owner of the property.**

The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

8. [19CUP1078](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit not the primary residence of the host

Project Name: Longfield Short Term Rental

Location: 828 Longfield Avenue

Owner/Applicant/Host: Susan Sexton

Jurisdiction: Louisville Metro

Council District: 15 - Kevin Triplett

Case Manager: Beth Jones, AICP, Planner II

A motion was made by Board Member Turner, seconded by Board Member Buttorff, that Case Number 19CUP1078, Conditional Use Permit to allow short term rental of a dwelling unit not the primary residence of the host (LDC 4.2.63), be APPROVED, SUBJECT to the following Condition of Approval:

Condition of Approval:

- 1) Before use of the property for short-term rentals, the applicant must:
 - A. Repair/replace the existing garage door in order to make the garage usable by guests; or
 - B. Create a parking space adjacent to the alley with a minimum size of 10 ft. x 20 ft., using a hard and durable surface.
 - C. Obtain approval of the work completed from Planning & Design staff.

The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

9. [19CUP1083](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit not the primary residence of the host

Project Name: S 5th Street Short Term Rental

Location: 4143 S. 5th Street

Owner/Applicant/Host: Sydney Waddell

Jurisdiction: Louisville Metro

Council District: 15 - Kevin Triplett

Case Manager: Beth Jones, AICP, Planner II

A motion was made by Board Member Buttorff, seconded by Board Member Leanhart, that Case Number 19CUP1083, Conditional Use Permit to allow short term rental of a dwelling unit not the primary residence of the host (LDC 4.2.63), be APPROVED. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

10. [19-CUP-0017](#)

Request: Conditional Use Permit for a short term rental of a dwelling unit that is not the primary residence of the owner/host
Project Name: Robinson Short Term Rental
Location: 105 Harlan Ave
Owner: Freddie Robinson
Representative: Freddie Robinson
Jurisdiction: Louisville Metro
Council District: 15 - Kevin Triplett
Case Manager: Lacey Gabbard, AICP, Planner I

A motion was made by Board Member Turner, seconded by Board Member Buttorff, that Case Number 19-CUP-0017, Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner in an R-5 Zoning District and Traditional Neighborhood Form District (LDC 4.2.63), be APPROVED, with RELIEF from Standard 4D based on the applicant's justification. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

11. [19-CUP-0018](#)

Request: Conditional Use Permit for a short term rental of a dwelling unit that is not the primary residence of the owner/host
Project Name: Robinson Short Term Rental
Location: 1207 Lillian Ave
Owner: Freddie Robinson
Representative: Freddie Robinson
Jurisdiction: Louisville Metro
Council District: 6 - David James
Case Manager: Jay Lockett, AICP, Planner I

A motion was made by Board Member Turner, seconded by Board Member Leanhart, that Case Number 19-CUP-0018, Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner in an R-5 Zoning District and Traditional Neighborhood Form District, be APPROVED. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

12. [19-CUP-0035](#)

Request: Conditional Use Permit for short-term rental of a dwelling unit not the primary residence of the host

Project Name: Deer Park Short Term Rental

Location: 1610 Deer Park Avenue

Owner/Applicant: Jack and Donna Heil

Host: Ellen Duane

Jurisdiction: Louisville Metro

Council District: 8 - Brandon Coan

Case Manager: Beth Jones, AICP, Planner II

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, that Case Number 19-CUP-0035, Conditional Use Permit to allow short term rental of a dwelling unit not the primary residence of the host (LDC 4.2.63), be APPROVED. The motion carried by the following vote:

Yes: 5 - Buttorff, Howard, Turner, Leanhart, and Goatley

Absent: 1 - Jagoe

13. [19-CUP-0030](#)

Request: Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the owner/host

Project Name: Brainard Short Term Rental

Location: 1466 St. James Court

Owner/Applicant: Benjamin Brainard

Jurisdiction: Louisville Metro

Council District: 6 - David James

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

THIS CASE WAS CONTINUED TO THE 9/9/19 REGULAR BOARD OF ZONING ADJUSTMENT MEETING BEGINNING AT 1:00 P.M. (TO BE HEARD AS THE FIRST PUBLIC HEARING ITEM).

14. [19-CUP-0038](#)

Request: Conditional Use Permit for a short term rental of a dwelling unit that is not the primary residence of the owner/host

Project Name: Greene Short Term Rental

Location: 940 Ash St

Owner: Catherine Greene

Representative: Catherine Greene

Jurisdiction: Louisville Metro

Council District: 10 - Pat Mulvihill

Case Manager: Jay Lockett, AICP, Planner I

THIS CASE WAS CONTINUED TO THE 9/9/19 REGULAR BOARD OF ZONING ADJUSTMENT MEETING BEGINNING AT 1:00 P.M. (TO BE HEARD AS THE SECOND PUBLIC HEARING ITEM).

Adjournment