



Louisville Metro Government

Old Jail Auditorium
514 W Liberty Street
Louisville, KY 40202

Action Summary Board of Zoning Adjustment

Monday, February 3, 2020

1:00 PM

Old Jail Auditorium

Annual Meeting

Call To Order

Rollcall

Present: 6 - Board Member Richard Buttorff, Board Member Lester Turner Jr., Board Member LiAndrea Goatley, Board Member Lindsey Jagoe, Board Member Kim Leanhart, and Board Member Lula Howard

1. [BOZA Election Officers](#)

BOZA Annual Election of Officers

A motion was made by Chair Howard, seconded by Board Member Buttorff that John Carroll serve as the presiding officer for election of the officers. The motion carried unanimously.

A motion was made by Board Member Jagoe, seconded by Board Member Goatley that Lula Howard be elected as the Chairperson. The motion carried unanimously.

A motion was made by Board Member Turner, seconded by Chair Howard that Board Member Leanhart be elected as the Vice Chair. The motion carried unanimously.

A motion was made by Chair Howard, seconded by Board Member Goatley that Board Member Buttorff be elected as the Secretary. The motion carried unanimously.

2. [BOZA Annual Report](#)

Request: BOZA Annual Report

Case Manager: Joe Haberman, Planning & Design Manager

Joe Haberman and Chris French presented an annual report for 2019.

Adjournment

Regular Meeting

Call To Order

Rollcall

Present: 6 - Board Member Richard Buttorff, Board Member Lester Turner Jr., Board Member LiAndrea Goatley, Board Member Lindsey Jagoe, Board Member Kim Leanhart, and Board Member Lula Howard

Approval Of Minutes

1. [BOZA Minutes 01.27.20](#)

Approval of the Minutes from the January 27, 2020 Board of Zoning Adjustment meeting.

A motion was made by Board Member Turner, seconded by Board Member Buttorff, that the January 27, 2020 BOZA minutes be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

Public Hearing

2. [19-VARIANCE-0081](#)

Request: **CONTINUED FROM 1/27/20**
Variance to allow an addition to encroach into the side yard setbacks and a fence in the street side yard in the traditional neighborhood form district to exceed 42 inches in height

Project Name: Rogers Variance
Location: 1201 Rogers St
Owner: FlipLou, LLC
Applicant: Ariel Kattan
Jurisdiction: Louisville Metro
Council District: 4 - Barbara Sexton Smith
Case Manager: Nia Holt, Planner I

A motion was made by Board Member Buttorff, seconded by Board Member Turner, that a variance from the Land Development Code table 5.2.2 to allow a principal structure to encroach into the required side yard setbacks be denied because it was not adequately justified. The motion carried by the following vote:

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

No: 1 - Howard

A motion was made by Board Member Goatley, seconded by Board Member Leanhart, that the variance from the Land Development Code (LDC) section 4.4.3.A.1.a.i to allow a fence in the street side yard in the Traditional Neighborhood Form District to exceed 42 inches in height. be approved. The motion carried by the following vote:

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

No: 1 - Buttorff

3. [19-VARIANCE-0063](#)

Request: Setback and Sign Variances
 Project Name: 7931 Bardstown Road
 Location: 7931 Bardstown Road
 Owner/Applicant: Patrick W. Madden, Bardstown Road Development LLC
 Representative: Mike Hill, Land Design & Development, Inc
 Jurisdiction: Louisville Metro
 Council District: 22 - Robin Engel
 Case Manager: Lacey Gabbard, AICP, Planner I

A motion was made by Board Member Jagoe, seconded by Board Member Goatley, that the variance from the Land Development Code table 5.3.2 to reduce the required street setback from 10 feet to 4 feet for the drive-thru lane to encroach be approved. The motion carried by the following vote:

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

No: 1 - Leanhart

4. [19-VARIANCE-0082](#)

Request: Variance to allow a fence in the street side yard in the neighborhood form district to exceed 48 inches in height
 Project Name: Applewood Variance
 Location: 1724 Applewood Street
 Owner: Estate of Henry Kaelin Jr.
 Applicant: Monica Lynn Willing
 Jurisdiction: City of Graymoore-Devondale
 Council District: 7 - Paula McCraney
 Case Manager: Nia Holt, Planner I

A motion was made by Board Member Turner, seconded by Board Member Goatley, that a variance from the Land Development Code section 4.4.3.A.1.a.i to allow a fence in the street side yard in the Neighborhood Form District to exceed 48 inches in height. The location is the street side yard and the fence will not exceed 72 inches in height (a variance of 24 inches) be approved. The motion carried by the following vote:

Yes: 4 - Turner, Goatley, Jagoe, and Howard

No: 2 - Buttorff, and Leanhart

5. [20-VARIANCE-0001](#)

Request: Variance to allow a principle structure to encroach into the side yard setbacks
Project Name: Ash Variance
Location: 910 Ash St
Owner: Humphrey Properties, LLC
Applicant: Ryan Brown
Jurisdiction: Louisville Metro
Council District: 10 - Pat Mulvihill
Case Manager: Nia Holt, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, that a variance from the Land Development Code table 5.2.2 to allow a principle structure to encroach into the required side yard setbacks be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

6. [20-VARIANCE-0004](#)

Request: Variance to allow multi-family structures to exceed the maximum height (35 ft.) by three feet (38 ft.)
Project Name: Bristol Bluffs Circle Variance
Location: 6015 Bristol Bluffs Circle
Owner: Bristol Bluffs LP
Applicant: Cliff Ashburner - Dinsmore & Shohl, LLP
Jurisdiction: Louisville Metro
Council District: 20 - Stuart Benson
Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, that a variance from the Land Development Code table 5.3.1 to allow multi-family structures to exceed the maximum height of 35 feet, by 3 feet, to 38 feet be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

7. [19-CUP-0263](#)

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

Project Name: Woodruff Avenue Short Term Rental

Location: 3527 Woodruff Avenue

Owner: Mark & Virginia Meredith

Applicant: Ginnie Meredith

Jurisdiction: Louisville Metro

Council District: 15 - Kevin Triplett

Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Jagoe, seconded by Board Member Buttorff, that a conditional use permit to allow a short term rental of a dwelling unit that is not the primary residence of the host (Land Development Code 4.2.63) be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

8. [19-CUP-0265](#)

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

Project Name: Cobb short term rental

Location: 922 Blankenbaker Lane

Owner/Applicant: Paul Cobb

Jurisdiction: Louisville Metro

Council District: 7 - Paula McCraney

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

A motion was made by Board Member Goatley, seconded by Board Member Buttorff, that a conditional use permit to allow a short term rental of a dwelling unit that is not the primary residence of the host in a R-5 zoning district and Neighborhood Form District be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

9. [19-CUP-0268](#)

Request: Conditional Use Permit to allow a short term rental of a dwelling unit that is not the primary residence of the host
Project Name: Cleveland Boulevard Short Term Rental
Location: 2847 Cleveland Boulevard
Owner: Albert Lee Gutterman III
Applicant: A. Lee Gutterman III
Jurisdiction: Louisville Metro
Council District: 9 - Bill Hollander
Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Buttorff, seconded by Board Member Goatley, that a conditional use permit to allow a short term rental of a dwelling unit that is not the primary residence of the host (Land Development Code 4.2.63) be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

10. [19-CUP-0269](#)

Request: Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host
Project Name: King short term rental
Location: 2125 Baringer Avenue
Owner/Applicant: Amanda King
Jurisdiction: Louisville Metro
Council District: 8 - Brandon Coan
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

A motion was made by Board Member Buttorff, seconded by Board Member Goatley, that a conditional use permit to allow short term rental of a dwelling unit that is not the primary residence of the host in an R-5B zoning district and Traditional Neighborhood Form District.be approved. The motion carried by the following vote:

Yes: 4 - Buttorff, Turner, Goatley, and Jagoe

No: 2 - Leanhart, and Howard

11. [19-CUP-0270](#)

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

Project Name: Noonan short term rental

Location: 332 Kenilworth Road

Owner/Applicant: Mary Luke Noonan

Jurisdiction: Louisville Metro

Council District: 9 - Bill Hollander

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

A motion was made by Board Member Goatley, seconded by Board Member Buttorff, that a conditional use permit to allow short term rental of a dwelling unit that is not the primary residence of the host in an R-6 zoning district and Neighborhood Form District. be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

12. [20-CUP-0005](#)

Request: Conditional Use Permit to allow a short term rental of a dwelling unit in the Traditional Neighborhood Zoning District.

Project Name: S. Brook Short Term Rental

Location: 1414 S. Brook Street

Owner/Applicant Ashley Hall

Jurisdiction: Louisville Metro

Council District: 6 - David James

Case Manager: Nia Holt, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, a conditional use permit to allow short term rental of a dwelling unit located within the TNZD (LDC 4.2.63) be approved. The motion carried by the following vote:

Yes: 6 - Buttorff, Turner, Goatley, Jagoe, Leanhart, and Howard

Adjournment