



Action Summary Board of Zoning Adjustment

Monday, August 30, 2021

1:00 PM

Online Via Webex

Call To Order

Present: 6 - Board Member Richard Buttorff, Board Member Kim Leanhart, Board Member Yani Vozos, Board Member Sharon Bond, Board Member Michael Seale, and Board Member Lula Howard

Approval Of Minutes

1. [BOZA Minutes 08.16.21](#)

Approval of the Minutes from the August 16, 2021 Board of Zoning Adjustment meeting

A motion was made by Board Member Seale, seconded by Board Member Buttorff, that the Minutes from the August 16, 2021 Board of Zoning Adjustment meeting be APPROVED. The motion carried by the following vote:

Yes: 5 - Buttorff, Leanhart, Vozos, Bond, and Seale

Abstain: 1 - Howard

Business Session

2. [21-MVARIANCE-0004](#)

Request:	Modified variance to allow a private yard area to be less than the required 30% of the area of the lot
Project Name:	Hill Road Modified Variance
Location:	58 Hill Road
Owner/Applicant:	Tisha Davis
Jurisdiction:	Louisville Metro
Council District:	8 - Cassie Chambers Armstrong
Case Manager:	Zach Schwager, Planner I

NOTE: Board Member Leanhart lost connectivity and was unable to rejoin today's meeting.

A motion was made by Board Member Seale, seconded by Board Member Vozos, that Case Number 21-MVARIANCE-0004, Modified 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 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

3. [21-VARIANCE-0110](#)

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

Project Name: Alton Road Variance

Location: 4029 Alton Road

Owner/Applicant: Jo Dee Wiggins & Denis Wiggins Jr/ Jonathan Davis

Jurisdiction: St. Matthews

Council District: 26 - Brent Ackerson

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Bond, seconded by Board Member Vozos, that Case Number 21-VARIANCE-0110, Variance from St. Matthews Development Code section 4.7.C.2.b to allow a principal structure to encroach into the side yard setback, be APPROVED. The motion carried by the following vote:

Yes: 5 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

Public Hearing**4. [21-VARIANCE-0071](#)**

Request: Variance to allow an addition to a principal structure to encroach into the street side yard setback

Project Name: Hancock Street Variance

Location: 913 Hancock Street

Owner/Applicant: Aimee Overly

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Vozos, seconded by Board Member Buttorff, that Case Number 21-VARIANCE-0071, Variance from Land Development Code table 5.2.2 to allow a principal structure to encroach into the street side yard setback, be APPROVED, SUBJECT to a Condition of Approval. The motion carried by the following vote:

Yes: 5 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

5. [21-VARIANCE-0094](#)

Request: Variance to allow a fence to exceed 48 inches in height in the street side yard setback

Project Name: Buechel Bank Road Variance

Location: 1924 Buechel Bank Road

Owner/Applicant: Christopher Zimmerer

Jurisdiction: Louisville Metro

Council District: 2 - Barbara Shanklin

Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Seale, seconded by Board Member Buttorff, that Case Number 21-VARIANCE-0094, 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 DENIED. The motion carried by the following vote:

Yes: 3 - Buttorff, Bond, and Seale

No: 2 - Vozos, and Howard

Absent: 1 - Leanhart

6. [21-VARIANCE-0103](#)

Request: Variance to allow an existing detached garage to encroach into the required side yard setback

Project Name: Wingate Road Variance

Location: 4317 Wingate Road

Owner/Applicant: Laura Fowler

Jurisdiction: Woodlawn Park

Council District: 7 - Paula McCraney

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

A motion was made by Board Member Vozos, seconded by Board Member Buttorff, that Case Number 21-VARIANCE-0103, Variance from Land Development Code section 5.4.2.C.3.a. to allow an existing detached garage to encroach into the required side yard setback, be APPROVED. The motion carried by the following vote:

Yes: 5 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

7. [21-VARIANCE-0104](#)

Request: Variance to allow a proposed detached garage to encroach into the required private yard area

Project Name: Goddard Avenue Variance

Location: 1522 Goddard Avenue

Owner/Applicant: Beth Stuber

Jurisdiction: Louisville Metro

Council District: 8 - Cassie Chambers Armstrong

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

A motion was made by Board Member Bond, seconded by Board Member Vozos, that Case Number 21-VARIANCE-0104, 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 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

8. [21-VARIANCE-0107](#)

Request: Variance to allow an addition to a principal structure to encroach into the side yard setback

Project Name: E. Oak Variance

Location: 926 East Oak Street

Owner/Applicant: John Jeffries

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Buttorff, seconded by Board Member Seale, that Case Number 21-VARIANCE-0107, 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 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

9. [21-VARIANCE-0109](#)

Request: Variance to permit a free standing multi-tenant sign to exceed the total area permitted

Project Name: Sign Variance

Location: 5801 Preston Highway

Owner/Applicant: Signarama Downtown

Jurisdiction: Louisville Metro

Council District: 2 - Barbara Shanklin

Case Manager: Beth Jones, AICP, Planner II

A motion was made by Board Member Seale, seconded by Board Member Vozos, that Case Number 21-VARIANCE-0109 be CONTINUED to a date uncertain. The motion carried by the following vote:

Yes: 5 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

10. [21-CUP-0104](#)

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: Transylvania Beach Road Short Term Rental

Location: 6312 Transylvania Beach Road

Owner/Applicant: Kari Guy

Jurisdiction: Louisville Metro

Council District: 16 - Scott Reed

Case Manager: Zach Schwager, Planner I

A motion was made by Board Member Bond, seconded by Board Member Vozos, that Case Number 21-CUP-0104, Conditional Use Permit to allow short term rental of a dwelling unit, be APPROVED, SUBJECT to a Condition of Approval. The motion carried by the following vote:

Yes: 5 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

11. [21-CUP-0107](#)

Request: Conditional Use permit to allow outdoor alcohol sales and consumption for a restaurant in the C-1 zoning district

Project Name: First Watch

Location: 4948 U.S, Highway 42

Owner: Frankfort Depot 2, LLC

Applicant: HSH Holland, Inc.

Jurisdiction: Northfield

Council District: 7 - Paula McCraney

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

A motion was made by Board Member Seale, seconded by Board Member Bond, that Case Number 21-CUP-0107, Conditional Use Permit to allow outdoor alcohol sales and consumption, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

Yes: 5 - Buttorff, Vozos, Bond, Seale, and Howard

Absent: 1 - Leanhart

12. [21-CUP-0108](#)

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

Project Name: East Burnett Short Term Rental

Location: 736 E. Burnett Avenue

OwnerApplicant: Down Under Enterprises 1, LLC

Representative: Michael Marks

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

Case Manager: Chris French, AICP, Planning and Design Supervisor

NOTE: Board Member Vozos left the meeting at approximately 5:20 p.m.

A motion was made by Board Member Seale, seconded by Board Member Bond, that Case Number 21-CUP-0108, Conditional Use Permit to allow short term rental of dwelling unit that is not the primary residence of the host in an R-6 zoning district and Traditional Neighborhood Form District, be APPROVED, SUBJECT to a Condition of Approval. The motion carried by the following vote:

Yes: 4 - Buttorff, Bond, Seale, and Howard

Absent: 2 - Leanhart, and Vozos

Adjournment