



Action Summary Board of Zoning Adjustment

Monday, October 4, 2021

1:00 PM

Online Via Webex

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Call To Order

Present: 4 - Board Member Richard Buttorff, Board Member Kim Leanhart, Board Member Sharon Bond, and Board Member Lula Howard

Absent: 1 - Board Member Yani Vozos

Approval Of Minutes

1. [BOZA Minutes 09.27.21](#)

Approval of the Minutes from the September 27, 2021 Board of Zoning Adjustment meeting

A motion was made by Board Member Bond, seconded by Board Member Buttorff, that the Minutes from the September 27, 2021 Board of Zoning Adjustment meeting be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

Public Hearing

2. [21-VARIANCE-0112](#)

Request: Variance to allow a proposed structure to exceed the maximum setbacks, waiver to allow vehicle maneuvering in front of a structure in a traditional form, waiver relating to orientation of entrances towards streets

Project Name: 1500 Crums Ln Project

Location: 1500 Crums Ln

Owner/Applicant: AL CAT, LLC

Jurisdiction: Louisville Metro

Council District: 3 - Keisha Dorsey

Case Manager: Jay Luckett, AICP, Planner I

A motion was made by Board Member Buttorff, seconded by Board Member Leanhart, that Case Number 21-VARIANCE-0112, Variance from Land Development Code Section 5.5.1.A.2 to exceed the maximum 5-foot corner lot setback by up to approximately 540 ft. from the Crums Ln. right-of-way and by up to approximately 65 ft. from the Manslick Rd. right-of-way as shown on the development plan, be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

A motion was made by Board Member Bond, seconded by Board Member Leanhart, that Case Number 21-WAIVER-0107, Waiver from Land Development Code Section 5.9.2.C.4 to allow vehicular maneuvering in front of a structure within the Traditional Workplace Form District, and Case Number 21-WAIVER-0117, Waiver from Land Development Code Section 5.5.1.A.2 to not orient building entrances towards the adjacent streets, be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

3. [21-VARIANCE-0109](#)

Request: Variance to allow a freestanding multi-tenant sign to exceed the maximum permitted area
Project Name: Sign Variance
Location: 5801 Preston Hwy
Owner: DaVita
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 Leanhart, seconded by Board Member Buttorff, that Case Number 21-VARIANCE-0109, Variance to permit a freestanding multi-tenant sign to exceed the total area permitted (LDC Table 8.3.2 Suburban Marketplace Corridor), be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

4. [21-VARIANCE-0127](#)

Request: Variance to allow a freestanding sign to encroach on the required front yard
Project Name: Sign Variance
Location: 112 S. Sherrin Avenue
Owner: KCCM LLC
Applicant: Derby City Sign
Jurisdiction: St. Matthews
Council District: 9 - Bill Hollander
Case Manager: Beth Jones, AICP, Planner II

A motion was made by Board Member Leanhart, seconded by Board Member Bond, that Case Number 21-VARIANCE-0127, Variance from City of St. Matthews Development Code Section 5.4.C.2.a to allow a sign to encroach into the required minimum front yard, be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

5. [21-VARIANCE-0120](#)

Request: Variance to allow a principal structure to encroach in the private yard area

Project Name: Ashland Avenue Variance

Location: 622 W. Ashland Avenue

Owner/Applicant: Kenneth Goodman

Jurisdiction: Louisville Metro

Council District: 21 - Nicole George

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Bond, seconded by Board Member Buttorff, that Case Number 21-VARIANCE-0120, 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: 4 - Buttorff, Leanhart, Bond, and Howard

Absent: 1 - Vozos

6. [21-VARIANCE-0121](#)

Request: Variance to allow a principal structure to exceed the maximum setback

Project Name: Saint Andrews Church Road Variance

Location: 7332 Saint Andrews Church Road

Owner/Applicant: Cristina Gomez

Representative: Helder Avendano Gomez

Jurisdiction: Louisville Metro

Council District: 12 - Rick Blackwell

Case Manager: Heather Pollock, Planner I

A motion was made by Board Member Leanhart, seconded by Board Member Bond, that Case Number 21-VARIANCE-0121, Variance from Land Development Code Section 5.1.12.B.2.a to allow a principal structure to exceed the maximum front yard setback, be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

7. [21-CUP-0041](#)

Request: Conditional Use Permit to allow a private institutional use
Project Name: DHKG Ethiopian Church addition
Location: 2216 Goldsmith Lane
Owner/Applicant: Debre Haile Kidus Gabriel ET
Jurisdiction: Louisville Metro
Council District: 26 - Brent Ackerson
Case Manager: Jon E. Crumby, Planning & Design Coordinator

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, that Case Number 21-CUP-0041, Conditional Use Permit to allow a private institutional use, be APPROVED, with RELIEF from Standard 4A, and SUBJECT to Conditions of Approval. The motion carried by the following vote:

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

Absent: 1 - Vozos

8. [21-VARIANCE-0114](#)

Request: Variance to allow a proposed structure to exceed the maximum setback
Project Name: DHKG Ethiopian Church addition
Location: 2216 Goldsmith Lane
Owner/Applicant: Debre Haile Kidus Gabriel ET
Jurisdiction: Louisville Metro
Council District: 26 - Brent Ackerson
Case Manager: Jon E. Crumby, Planning & Design Coordinator

A motion was made by Board Member Leanhart, seconded by Board Member Bond, that Case Number 21-VARIANCE-0114, Variance from Land Development Code Section 5.3.2.C.2.a to allow the placement of a proposed structure to exceed the maximum front yard setback, be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Vozos

9. [21-CUP-0117](#)

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: Breckinridge Short Term Rental

Location: 725 E Breckinridge St

Owner/Applicant: Tyler J Gaebler

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

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

A motion was made by Board Member Buttorff, seconded by Board Member Bond, that Case Number 21-CUP-0117, Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host in a UN Zoning District and Traditional Neighborhood Form District, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

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

Absent: 1 - Vozos

10. [21-CUP-0121](#)

Request: Conditional Use Permit to allow outdoor alcohol sales and consumption

Project Name: El Nopal

Location: 3935 Taylorsville Rd

Owner/Applicant: McMahan Plaza

Jurisdiction: Louisville Metro

Council District: 26 - Brent Ackerson

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

A motion was made by Board Member Buttorff, seconded by Board Member Bond, that Case Number 21-CUP-0121, Conditional Use Permit to allow the construction of a patio with outdoor alcohol sales and consumption, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

Yes: 3 - Buttorff, Bond, and Howard

No: 1 - Leanhart

Absent: 1 - Vozos

11. [21-CUP-0140](#)

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

Project Name: Scales Short Term Rental

Location: 195 Crescent Avenue

Owner/Applicant: Douglas and Karen Scales

Jurisdiction: Louisville Metro

Council District: 9 - Bill Hollander

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

A motion was made by Board Member Leanhart, seconded by Board Member Buttorff, that Case Number 21-CUP-0140, Conditional Use Permit to allow short term rental of dwelling units that are not the primary residence of the host in an R-6 Zoning District and Traditional Neighborhood Form District, be APPROVED, SUBJECT to Conditions of Approval. The motion carried by the following vote:

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

Absent: 1 - Vozos

Adjournment