



Louisville Metro Government

Legislation Details (With Text)

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File created: 4/24/2015 **In control:** Metro Council

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Title: A RESOLUTION DIRECTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A HEARING AMENDING THE TEXT OF LOUISVILLE DEVELOPMENT CODE SECTION 4.2.2 REGARDING THE BOARD OF ZONING ADJUSTMENT. (Action Required By: November 2015)

Sponsors: Rick Blackwell (D-12), Cheri Bryant Hamilton (D-5)

Indexes:

Code sections:

Attachments: 1. RES 055 2015

Date	Ver.	Action By	Action	Result
5/28/2015	1	Metro Council	adopted	Pass
5/26/2015	1	Ad Hoc Committee on Land Development Code	recommended for approval	Pass
5/19/2015	1	Planning/Zoning, Land Design and Development Committee	recommended for approval	
5/19/2015	1	Planning/Zoning, Land Design and Development Committee	tabled	Pass

RESOLUTION NO. _____, SERIES 2015

A RESOLUTION DIRECTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A HEARING AMENDING THE TEXT OF LOUISVILLE DEVELOPMENT CODE SECTION 4.2.2 REGARDING THE BOARD OF ZONING ADJUSTMENT.

**SPONSORED BY: COUNCILMEMBERS
RICK BLACKWELL, CHERI BRYANT HAMILTON**

WHEREAS, various land uses designated as “conditional uses” have operated without first receiving the required approval of the Board of Zoning Adjustment; and

WHEREAS, violators of the Land Development Code are often given approval to operate after the fact which discourages proper compliance and encourages violators who are rewarded with zoning entitlements despite having defied or ignored the law; and

WHEREAS, the Board of Zoning Adjustment needs specific authority to discourage such activity.

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY

METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: Pursuant to KRS 100 the Louisville/Jefferson County Metro Government Council requests the Louisville Metro Planning Commission to hold a public hearing to amend the text of Section 4.2.2. of the Louisville Metro Land Development Code as follows:

K. The Board of Zoning Adjustment may deny any application for a conditional use permit if the applicant has been found to have willfully violated the Land Development Code by operating a land use that requires a conditional use permit without first having received such permit from the Board of Zoning Adjustment.

L. Any operation of a land use requiring a conditional use permit shall cease operation until a conditional use permit is granted by the Board of Zoning Adjustment.

SECTION II: This Resolution shall take effect upon its passage and approval.

Stephen Ott Metro Council Clerk

H. _____ David
W. Tandy President of the Council

Greg Fischer Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____