

Board of Zoning Adjustment

Staff Report

June 29, 2026



Case No:	26-CUP-0079
Project Name:	Accessory Dwelling Unit
Location:	11811 Mahogany Drive
Applicant:	Lanita Grimes
Representative:	Ballart Remodeling
Jurisdiction:	Louisville Metro
Council District:	14 – Crystal Bast
Case Manager:	Kaitlin Dever, AICP, Planner II

REQUEST

- **Conditional Use Permit** to allow an Accessory Dwelling Unit in a residential (R-4) zoning district with relief from Items B and E.2 (LDC 4.2.3).

CASE SUMMARY

The subject site is approximately 0.2132 acres zoned R-4 Single-Family Residential in the Neighborhood form district generally located south of the Greenbelt Highway and east of Dixie Highway in the Leemont Acres subdivision. The site is currently developed with a 1-story, 1,050 square-foot residential structure and 1-story, 1,152 square-foot accessory garage with driveway access to Mahogany Drive.

The applicant is requesting a conditional use permit (CUP) to allow the construction of a second floor, 832 square foot accessory dwelling unit (ADU) above the existing detached garage that does not otherwise meet the special standards of LDC 4.3.27. The unit is proposed to be accessed via exterior stairs facing the side yard leading to the second floor. Five (5) off-street parking spaces are available behind the principal structure and within the accessory garage to serve both units in accordance with LDC Table 9.1.3B. The property owner will reside in the principal structure unit.

STAFF FINDING

The requested relief from Items B and E.2 of the conditional use permit standards under LDC 4.2.3 are adequately justified for approval based on staff's analysis contained in the standard of review.

The proposal is adequately justified for approval based on staff's analysis contained in the standard of review and appears to meet all standards of the conditional use permit for accessory dwelling units, with the exception of the request relief from Items B and E.2.

TECHNICAL REVIEW

Louisville Metro Land Development Code (2025); South Dixie Highway Master Plan (2018)

This site is subject to the South Dixie Highway Master Plan (2018), which makes the following recommendations:

- The Natural Assets map identifies potential wetlands in this area (p. 27).

Transportation Planning and MSD have preliminarily approved the proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposal does not conflict with the applicable policies of the Comprehensive Plan.

2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: The proposal is generally compatible with surrounding land uses and the general character of the area including factors such as bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance since no changes to the exterior of the property are being proposed which reduce compatibility with the existing neighborhood pattern. The height of the proposed second-story addition above the garage is not consistent with the pattern of development in the immediate area, but still appears to meet the zoning and form district requirements in the Land Development Code relating to building height.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: The subject property is served by existing public utilities and facilities.

4.2.3 Accessory Dwelling Unit (ADU). Accessory dwelling units that do not meet the provisions of Section 4.3.27 may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N districts upon the granting of a conditional use permit and compliance with the listed requirements.

A. One ADU, either attached or detached is permitted per single family dwelling per lot.

B. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.

C. Location Requirements:

1. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or behind the principal structure.
2. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or behind the principal structure.

D. ADU Access:

1. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.

2. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.

E. Maximum Height:

1. For an attached ADU, the maximum height shall not exceed the height of the principal structure.

2. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with Chapter 5 of the LDC. The maximum height shall not exceed the height of the principal structure.

F. ADUs approved under this provision shall not be used as a short term rental.

G. Any property that has been subject to a zoning, property maintenance, or building code violation(s) in the 12 months prior to application shall be reviewed and approved by the directors of Planning & Design Services and Codes & Regulations, or their designees. Any violations shall be resolved prior to approval.

H. Off-street parking shall meet the requirements of Chapter 9 of the LDC.

I. ADUs that include new construction that results in habitable floor area (for example, additions to principal structures or new accessory structures) shall not be allowed on any areas of lots that contain environmental constraints (LDC Section 4.6.2.A).

J. The owner of the property shall reside within either the principal or the accessory dwelling unit.

K. To avoid any confusion, since there is no language to the contrary, this section does not override any deed restriction or homeowners' association declarations restricting accessory dwelling units.

STAFF: The applicant is requesting a conditional use permit (CUP) to allow the construction of a second floor, 832 square foot accessory dwelling unit (ADU) above the existing detached garage that does not otherwise meet the special standards of LDC 4.3.27. Five (5) off-street parking spaces are available behind the principal structure and within the accessory garage to serve both units in accordance with LDC Table 9.1.3B. The property owner will reside in the principal structure unit. The accessory structure is not proposed or permitted to operate a short-term rental in the ADU.

The proposed 832 square foot ADU exceeds the 800 square foot maximum permitted gross floor area by 32 square feet and will require relief from Item B. The 1,152 square foot accessory garage is greater in size than the 1,050 square foot principal structure, which is an existing site condition. The proposed use and addition will maintain the residential character of the surrounding neighborhood and will conform to the residential site design standards of LDC Chapter 5. The proposed ADU is appropriately located behind the principal structure and meets the required setbacks for accessory structures. The unit is proposed to be accessed via exterior stairs facing the side yard leading to the second floor. Furthermore, the proposed addition remains within the existing accessory garage footprint and therefore does not increase its nonconformity, nor will it result in the loss of green space on site.

The applicant also seeks relief from Item E.2 of the conditional use permit to allow the ADU to exceed the height of the principal structure. The proposed height of the second-floor accessory structure addition will be 24' 2", which is greater than the 14' 3" height of the principal structure. Notably, accessory structure height is not regulated for suburban form districts in LDC Chapter 5. New residential construction is merely limited to 35' in height, meaning that homes generally up to 2 and 3 stories in height are appropriate in the Neighborhood form district, but the special standards for ADUs anticipate for the additional unit to be subordinate in size to the principal structure. The surrounding neighborhood is largely contextualized with single-story homes with several 1.5 to 2-story homes to the south of the subject property. In the alternative, the site has very limited available space behind the principal structure for a single-story attached or detached ADU because it is constrained by existing conditions, including the significant size of the garage and the width of the driveway to both access the garage and provide vehicular maneuverability on a 9,286 square foot lot. This alternative would functionally eliminate any substantial remaining green space on site, thereby necessitating the request for relief. The applicant will be required to provide compliance with each of the lettered standards of the conditional use permit, except where relief may be necessary.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Conditional Use Permit** to allow an Accessory Dwelling Unit in a residential (R-4) zoning district with relief from Items B and E.2 (LDC 4.2.3).

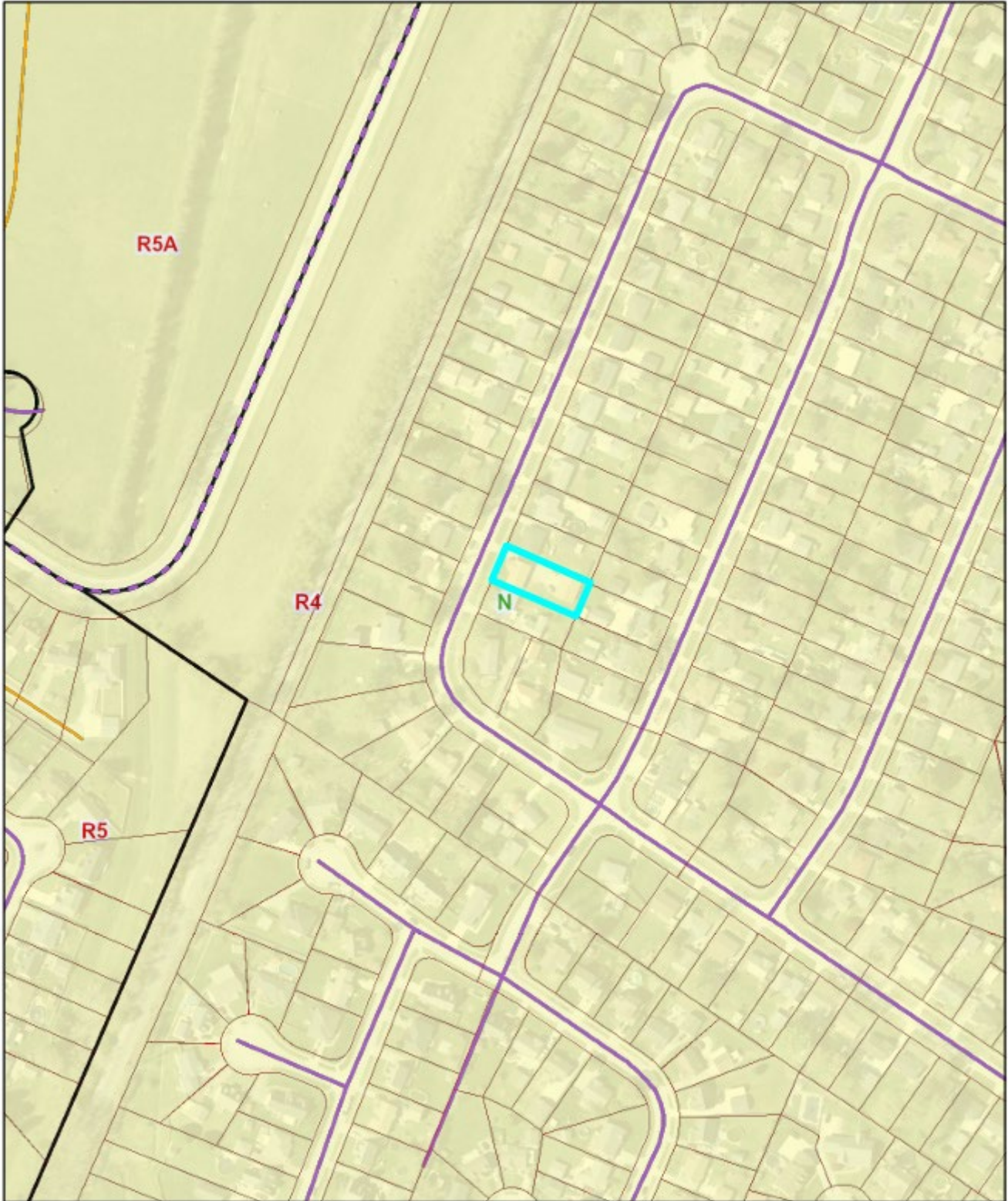
NOTIFICATION

Date	Purpose of Notice	Recipients
6/11/2026	Hearing before BOZA	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 14
6/12/2026	Hearing before BOZA	Sign posting on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Proposed Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for an accessory dwelling unit without further review and approval by the Board.