

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT
JULY 20, 2026**

A regular meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, July 20, 2026, at the Old Jail Building, located at 514 West Liberty Street, Louisville, KY 40202.

Board Members Present:

Sharon Bond, Chair
Marilyn Lewis, Vice Chair
Jan Horton
Brandt Ford
Yani Vozos (arrived at 1:12 p.m.)
Keon Scott

Board Members Absent:

Miguel Rodriguez

Staff Members Present:

Julia Williams, Assistant Planning Director
Laura Ferguson, Assistant County Attorney
Anne Scholtz, Assistant County Attorney
Joseph Haberman, Planning Manager
Rachel Casey, Planning Supervisor
Mark Pinto, Planner II
Kaitlin Dever, Planner II
Tyler Pobiedzinski, Planner I
Sydney Fawcett, Planner I
Catherine Gomez, Planner I
Abby Bills, Planner I
Haritha Gurivindapalli, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

JUNE 29, 2026, BOARD OF ZONING ADJUSTMENT MEETING MINUTES

00:04:00 On a motion by Member Horton, seconded by Member Ford, the following resolution was adopted:

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of June 29, 2026, Board of Zoning Adjustment meeting.

The vote was as follows:

YES: Members, Horton, Scott, Lewis, Ford and Bond

ABSENT: Members Vozos and Rodriguez

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0085

Request:	Variance from Land Development Code Section 5.5.1.A.2 to allow a proposed building to exceed the maximum Front Yard and Street Side Yard setback of 5 feet. (Proposed Front Yard Setback of 25 feet and Street Side Yard Setback of 72 feet, for a Variance of 20 feet and 67 feet, respectively)
Project Name:	Camp Ground Road Storage
Location:	3304 Camp Ground Road
Applicant:	Acosta Realty LLC
Representative:	Ed Revers
Jurisdiction:	Louisville Metro
Council District:	1 – Tammy Hawkins
Case Manager:	Abby Bills, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:04:50 Abby Bills provided an overview of the request and presented a PowerPoint Presentation. Bills responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Reinaldo Acosta & Elianis Acosta, 3304 Camp Ground Road, Louisville, KY 40211

Summary of testimony of those in support of the request:

00:08:40 Reinaldo Acosta & Elianis Acosta spoke in support of the request. Acosta explained that the proposed storage building is being placed in a safer location on the property. Acosta explained that large semi-trucks frequently swing onto the property when turning at the corner, partly due to limited space and a nearby utility pole. Acosta stated that the chosen location avoids these truck traffic conflicts and reduces safety risks. Acosta responded to questions from Board Members (see recording for details)

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The following spoke in opposition to the request:

None

Deliberation:

00:13:40 Board deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Variance from Land Development Code Section 5.5.1.A.2 to allow the proposed building to exceed the maximum Front Yard and Street Side Yard Setback of 5 feet. (26-VARIANCE-0085)
(Proposed Front Yard Setback of 25 feet and Street Side Yard Setback of 72 feet, for a Variance of 20 feet and 67 feet, respectively)

00:14:30 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, because the request to exceed the required setbacks does not impede the safe movement of vehicles or pedestrians along any right-of-way. Additionally, the structure will be required to comply with all applicable building code regulations, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as the proposed structure will match the setbacks of other nearby structures in the area, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property, as the shape of the subject parcel is unique to the general area. Due to the acute angle of the street corner, the building cannot reasonably be located less than 5 feet away from both rights-of-way, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the

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unique shape of the parcel prohibits the applicant from constructing the building in compliance with the regulation, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has not yet constructed the proposed building; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.5.1.A.2 to allow the proposed building to exceed the maximum Front Yard and Street Side Yard Setback of 5 feet. **(26-VARIANCE-0085)** (Proposed Front Yard Setback of 25 feet and Street Side Yard Setback of 72 feet, for a Variance of 20 feet and 67 feet, respectively).

The vote was as follows:

YES: Members Horton, Ford, Scott, Lewis and Bond

ABSTAINED: Member Vozos

ABSENT: Member Rodriguez

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CASE NO. 26-MCUP-0007

Request:	Modified Conditional Use Permit with an associated Variance
Project Name:	Fern Creek Pet Resort
Location:	5221 & 5225 Bardstown Road
Applicant:	Kentucky Humane Society Animal Rescue
Representative:	Sabak, Wilson & Lingo Inc.
Jurisdiction:	Louisville Metro
Council District:	26 – Brent Ackerson
Case Manager:	Sydney Fawcett, AICP, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:15:45 Sydney Fawcett provided an overview of the request and presented a PowerPoint Presentation. Fawcett responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Kelli Jones, 608 E Main Street, Ste 201, Louisville, KY 40202

Damian Hegl, 6314 Northern Lights Drive, Charlestown, IN 47111

Summary of testimony of those in support of the request:

00:19:25 Kelli Jones provided an overview of the request and presented a PowerPoint Presentation. Jones responded to questions from Board Members (see recording for details)

00:27:10 Damian Hegl explained that the facility is operated by the Kentucky Humane Society, a nonprofit organization governed by a board of directors. The site functions as a dog daycare, grooming facility, and overnight boarding operation, with proceeds supporting the Humane Society's programs. Hegl stated that the proposal will not significantly change current operations or services but will provide additional space for

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existing activities. The only immediate construction is an approximately 896-square-foot grooming building connected to the existing facility. Future additions, including a larger building, canopy, and parking improvements, are not being built at this time. Hegl responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

00:32:20 Board deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Variance from Land Development Code Table 5.3.2 to allow the proposed buildings to exceed the maximum front yard setback of 80 feet (26-VARIANCE-0061)
(Proposed Front Yard Setback of 367 feet, for a Variance of 287 feet)

00:32:40 On a motion by Member Horton, seconded by Member Lewis, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public as developments along Bardstown Road have varying front yard setbacks with several exceeding the maximum setback of 80 feet, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations as properties in the surrounding area are developed well beyond the maximum setback. Additionally, most of the structures on site are an existing condition of the site and the proposed accessory structure and addition will be in line with the existing structures, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone. The commercial kennel is located within the R-4 Single-Family Residential portion

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of the site. Typically, the Neighborhood form district does not have a maximum setback for development within the R-4 Single-Family zoning district. However, since the property is developed for non-residential use, the maximum setback applies, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would create an unnecessary hardship on the applicant as it would require the applicant to reconfigure the entire site to be within the maximum 80-foot front yard setback. The southern portion of the site is being used for tree preservation, roughly 34,000 square feet. Requiring the applicant to construct within the front yard setback would eliminate a significant portion of the existing tree canopy. The applicant wants to preserve the existing tree canopy to provide screening for the adjacent properties as well as screen the commercial kennel from Bardstown Road, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as work has not begun on the proposed development; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Table 5.3.2 to allow the proposed buildings to exceed the maximum front yard setback of 80 feet (**26-VARIANCE-0061**) (Proposed Front Yard Setback of 367 feet, for a Variance of 287 feet).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

Modified Conditional Use Permit for a commercial kennel in a residential (R-4) zoning district (LDC 4.2.17)

00:33:30 On a motion by Member Horton, seconded by Member Scott, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan. Community Form Goal 1 Policy 4 suggests ensuring new development and redevelopment is compatible with the scale and site design of nearby existing development and with the desired pattern of development

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within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1 Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. Community Form Goal 1 Policy 11 promotes setbacks, lot dimensions and building heights to be compatible with those of nearby developments. Community Form Goal 1 Policy 12 suggests designing parking, loading, and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Parking areas shall be screened and buffered and should use landscaping, trees, walls, or other design features. The proposal is compatible with the scale and site design of nearby developments as there are a range of commercial and residential uses in the general vicinity. The applicant will be utilizing the existing tree canopy and fencing to provide a transition from the commercial kennel to the surrounding single-family uses to mitigate potential impacts from the kennel operations and parking lot, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is 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, and

WHEREAS, the Board of Zoning Adjustment finds that all 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 are available or will be provided. MSD and Transportation Planning have preliminarily approved the proposal, and

WHEREAS, the Board of Zoning Adjustment finds the applicant is requesting to modify the existing conditional use permit to construct an 896 square foot accessory structure to house their grooming services, a 400 square foot canopy, and a 1,750 square foot addition on an existing building. The applicant will be preserving existing tree canopy along Bardstown Road and the north property as well as the existing fencing to further screen the adjacent properties from kennel operations. The applicant will be required to comply with each of the lettered standards of the conditional use permit; now, therefore be it.

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RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit for a commercial kennel in a residential (R-4) zoning district (LDC 4.2.17) **SUBJECT** to the following 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. A Landscape and Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
3. 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 a commercial kennel without further review and approval by the Board.

The vote was as follows:

YES: Members, Vozos, Horton, Ford, Scott, Lewis, and Bond

ABSENT: Member Rodriguez

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0067

Request:	Variance of the Land Development Code Section 5.3.1 to permit the height of the proposed structures to exceed the maximum height of 35 feet.
Project Name:	Wesley Manor Senior Independent Living
Location:	5400 E Manslick Road
Applicant:	Wesley Manor Retirement Community
Representative:	Qk4
Jurisdiction:	Louisville Metro
Council District:	24 – Ginny Mulvey-Woolridge
Case Manager:	Catherine Gomez, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:34:50 Catherine Gomez provided an overview of the request and presented a PowerPoint Presentation. Gomez responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Ashley Bartley, 9920 Corporate Campus Drive, Louisville, KY 40223

Andrew Alden, 1414 Underwood Avenue, Wauwatosa, WI 53213

Summary of testimony of those in support of the request:

00:38:00 Ashley Bartley provided an overview of the request and presented a PowerPoint Presentation. Bartley outlined the development plan, elevations, landscaping, and access. Bartley responded to questions from Board Members (see recording for details)

00:41:30 Andrew Alden described the proposed senior living development as a “hybrid home,” combining features of a larger building, such as indoor parking and an

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elevator, with the feel of a smaller residential building. The design includes parking on the first floor and residential units on the upper floors, with one- and two-bedroom apartments featuring full kitchens, patios, and access to outdoor space. Alden stated that the building is designed to blend into the surrounding neighborhood through residential-style architecture and quality materials, including brick, stone, and fiber cement siding. Alden answered questions from Committee Members. (See recording for details)

The following spoke in opposition to the request:

Bill Wells, 9120 Copley Lane, Louisville, KY 40219

Summary of testimony of those in opposition to the request:

00:44:30 Bill Wells expressed both support and concerns about the proposal. Wells encouraged the board to examine cumulative, ecological, and community impacts rather than evaluating projects in isolation. Wells comments focused on issues such as tree removal, stormwater management, accessibility, aging populations, and public participation in planning decisions. Wells responded to questions from Committee Members. (See recording for details)

Rebuttal:

00:51:20 Ashley Bartley stated that the requested height variance supports a more environmentally sensitive design. By constructing a three-story building with internal parking, the project reduces impervious surface area, preserves more tree canopy, and minimizes disturbance to a nearby sinkhole area. Bartley also highlighted planned sidewalks and recreational amenities for residents. Bartley mentioned that the apartments will have 9-foot ceilings and explained that the additional building height is needed to accommodate those ceiling heights and a residential-style roof design that fits the neighborhood context. Bartley answered questions from Committee Members. (See recording for details)

Deliberation:

00:53:10 Board deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0067

Variance from the Land Development Code (LDC) Table 5.3.1 to permit the height of the proposed structures to exceed the maximum height of 35 feet to 39 feet, for a variance of 4 feet. (26-VARIANCE-0067)

00:54:00 On a motion by Member Lewis, seconded by Member Scott, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, because each structure will be required to comply with all applicable building code regulations, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as residential properties in the general vicinity maintain building heights. The design of each building will be compatible with the rest of the existing nursing homes in Wesley Manor. The plan will provide the required landscape buffers and plantings adjacent to the single-family residential properties, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is similar in size and width to most of the properties on the block face, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of reasonable use of the land as the applicant would not be able to provide 68 units, which is permitted by the density of the zoning district, if the height of the building is restricted to 35 feet. Each building will be 3-stories, which permits the construction of 68 units and garage spaces for each unit, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from the Land Development Code (LDC) Table 5.3.1 to permit the height of the proposed structures to exceed the maximum height of 35 feet to 39 feet, for a variance of 4 feet. **(26-VARIANCE-0067)**.

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The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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CASE NO. 26-VARIANCE-0074

Request:	Variance of the Land Development Code Section 5.4.2.C.3.a to permit an accessory structure to encroach into the rear yard setback.
Project Name:	Garage Addition Variance
Location:	8202 Delido Road
Applicant:	William Stopinski
Representative:	Killian Contracting
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Catherine Gomez, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.).

Agency Testimony:

00:55:00 Catherine Gomez provided an overview of the request and presented a PowerPoint Presentation. Gomez responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Anthony Killian, 6211 Outer Loop, Louisville, KY 40219

Summary of testimony of those spoke in favor of the request:

00:57:10 Anthony Killian spoke in support of the request, explaining that the neighborhood fencing is located along the property line, and the proposed garage extension would extend approximately 6 feet toward that setback area. Killian also stated that the addition would only be accessible from inside the garage and would not have an exterior entrance. Anthony Killian responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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PUBLIC HEARING

CASE NO. 26-VARIANCE-0074

Deliberation:

00:58:50 Board deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Variance from Land Development Code (LDC) Section 5.4.2.C.3.a to permit an accessory structure to encroach into the required 5 foot rear yard setback (26-VARIANCE-0074)

00:59:30 On a motion by Member Scott, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, because each structure will be required to comply with all applicable building code regulations, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as residential properties in the general vicinity maintain similar rear yard setbacks. The addition will follow the site design standards set by the Neighborhood Form District, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is similar in size and width to most of the properties on the block face, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would deprive the applicant of reasonable use of the land as the applicant has limited space on site to construct additional storage. The existing site conditions limit expansion options without minor encroachment, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from

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which relief is sought as the applicant has requested the Variance prior to constructing the addition; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 5.4.2.C.3.a to permit an accessory structure to encroach into the required 5 foot rear yard setback (**26-VARIANCE-0074**).

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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CASE NO. 26-MCUP-0003

Request:	Modified Conditional Use Permit for a private institutional use in a residential (R-4) zoning district (LDC 4.2.65)
Project Name:	Christian Academy of Louisville
Location:	700, 700R, 702 S. English Station Road
Owner:	Christian Academy of Louisville, Inc.
Applicant:	Christian Academy of Louisville, Inc.
Representative:	Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer; 19 – Anthony Piagentini
Case Manager:	Kaitlin Dever, AICP, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the public hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street).

Agency Testimony:

01:00:30 Kaitlin Dever provided an overview of the request and presented a PowerPoint Presentation. Dever responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Mike Hill, 503 Washburn Avenue, Louisville, KY 40222

Summary of testimony of those spoke in favor of the request:

01:04:10 Mike Hill provided an overview of the request and presented a PowerPoint Presentation. Hill responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

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01:12:25 Committee deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Modified Conditional Use Permit for a private institutional use in a single-family residential (R-4) zoning district (LDC 4.2.65) with Conditions of Approval.

01:12:55 On a motion by Member Vozos, seconded by Member Ford, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is 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, and

WHEREAS, the Board of Zoning Adjustment finds that all 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 are available or will be provided. MSD and Transportation Planning have preliminarily approved the proposal, and

WHEREAS, the Board of Zoning Adjustment finds the applicant is requesting to modify the existing conditional use permit to allow a two-story, 12,904 square foot building expansion to the private institutional use for a lobby and additional classrooms, a new, one-story, 36,770 square foot athletic field house in place of the existing soccer/hammer throw field, and a new, two-story, 23,250 square foot athletic field house between the softball field and football field at the rear of the property. All proposed structures are located more than 30' from property lines. Minimal impact on traffic is anticipated by the proposal, seeing as the extent of the proposed development did not require a traffic impact study by Public Works. Furthermore, the applicant has indicated that the private institutional use has recently completed significant improvements to their drop-off/pick-up protocol to alleviate vehicular circulation and stacking of cars. No alterations are proposed to the existing parking areas. The applicant has demonstrated or will be required to

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provide compliance with each of the lettered standards of the conditional use permit as necessary; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit for a private institutional use in a single-family residential (R-4) zoning district (LDC 4.2.65) **SUBJECT** to the following modified 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 a private institutional use until further review and approval by the Board.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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PUBLIC HEARING

CASE NO. 26-CUP-0101

Request:	Conditional Use Permit for an Off-Street Parking Area in the OR-3 zoning district (Development Code Article 15.15
Project Name:	Trinity High School Tennis Center Parking
Location:	150 Sears Avenue
Owner:	Trinity High School Foundation
Applicant:	Trinity High School Foundation
Representative:	Land Design & Development, Inc.
Jurisdiction:	St. Matthews
Council District:	9 – Andrew Owen
Case Manager:	Mark Pinto, Planner II

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the public hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street).

Agency Testimony:

01:14:15 Mark Pinto provided an overview of the request and presented a PowerPoint Presentation. Pinto responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Ted Bernstein, 503 Washburn Avenue, Louisville, KY 40222

Summary of testimony of those spoke in favor of the request:

01:23:15 Ted Bernstein provided an overview of the request and presented a PowerPoint Presentation. Bernstein responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

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PUBLIC HEARING

CASE NO. 26-CUP-0101

01:31:25 Committee deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Conditional Use Permit to allow an Off-Street Parking Area in the OR-3 zoning district (Development Code Article 15.15) with relief from standard “A”.

01:31:45 On a motion by Member Ford, seconded by Member Horton, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. There is no proposed construction on site, the existing athletic facilities and associated parking are to remain. Therefore, there will be no effect on compatibility with the area, and

WHEREAS, the Board of Zoning Adjustment finds that adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use. There is no proposed construction, and the previous plan received all applicable permits and approvals, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated, or will be required to demonstrate compliance with each of the lettered standards for the conditional use permit; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow an Off-Street Parking Area in the OR-3 zoning district (Development Code Article 15.15) with relief from standard “A” **SUBJECT** to the following Conditions of Approval:

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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 Off-Street Parking area until further review and approval by the Board.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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JULY 20, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0092

Request:	Conditional Use Permit to allow a short term rental of a dwelling unit that is not the primary residence of the owner
Project Name:	Ellison Avenue Short Term Rental
Location:	1301 Ellison Avenue
Applicant:	Fatima Elmakkaouy
Representative:	Joe Bouab
Jurisdiction:	Louisville Metro
Council District:	6 – JP Lyninger
Case Manager:	Zach Schwager, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the public hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street).

Agency Testimony:

01:46:20 Joe Haberman presented the case on behalf of Zach Schwager. Haberman provided an overview of the request and presented a PowerPoint Presentation. Haberman responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Eman Alsatari, 1301 Ellison Avenue, Louisville, KY 40204

Summary of testimony of those in favor:

01:49:50 Eman Alsatari spoke in support of the request, stated that the property would be maintained to high standards, with house rules addressing noise, parking, occupancy, and trash. Alsatari stated that a management company would assist with guest communications and reservations, and they live less than 15 minutes away, would remain available for emergencies and property maintenance. Alsatari responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

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CASE NO. 26-CUP-0092

Deliberation:

01:54:50 Committee deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (Land Development Code 4.2.63)

01:55:40 On a motion by Member Vozos, seconded by Member Scott, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained, and

WHEREAS, the Board of Zoning Adjustment finds that adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains four (4) bedrooms, allowing a maximum occupancy of 10 guests. Off-street parking will be provided via an existing driveway; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow short term rental of a dwelling unit that is

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not the primary residence of the owner (Land Development Code 4.2.63) **SUBJECT** to the following Conditions of Approval:

1. The conditional use permit for this short term rental approval shall allow up to four (4) bedrooms (with a maximum of 10 guests at any one time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.
2. Prior to commencement of any short term rental on the subject property, the owner shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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PUBLIC HEARING

CASE NO. 26-CUP-0102

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)
Project Name:	Short Term Rental
Location:	817 French Ave
Applicant:	Sherry & Casey Westenhofer
Representative:	Sherry & Casey Westenhofer
Jurisdiction:	Louisville Metro
Council District:	10 – Josie Raymond
Case Manager:	Abby Bills, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the public hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street).

Agency Testimony:

01:57:00 Abby Bills provided an overview of the request and presented a PowerPoint Presentation. Bills responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Casey Westenhofer & Sherry Westenhofer, 2808 Pindell Avenue, Louisville, KY 40217

Summary of testimony of those in favor:

01:58:50 Casey Westenhofer & Sherry Westenhofer spoke in favor of the request. Westenhofer explained that they live just four houses away and will manage the property themselves. They plan to use Airbnb initially, enforce strict guest screening, require a minimum two-day stay, and prohibit parties. The property includes a two-car garage for guest parking, security cameras, updated interiors, and a new privacy fence. Westenhofer stated they would be highly responsive, provide neighbors with their contact information, and maintain safety measures, including first-aid supplies, to ensure the rental operates responsibly within the family-oriented neighborhood. Westenhofer responded to questions from Board Members (see recording for details).

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CASE NO. 26-CUP-0102

The following spoke in opposition to the request:

Bryan Hayes, 3100 Rome Road, Louisville, KY 40216

Summary of testimony of those in opposition to the request:

02:06:00 Bryan Hayes appearing on behalf of a friend who lives across the street, stated that they were not supporting the short-term rental application because their friend wishes to preserve the residential character of the neighborhood. Hayes responded to questions from Board Members (see recording for details).

Rebuttal:

02:08:10 Casey Westenhofer & Sherry Westenhofer responded to concerns about preserving the residential character of the neighborhood by emphasizing that they live only four houses away and share the same interest in maintaining a safe and peaceful community. They stated that they will enforce strict guest rules, install exterior security cameras, and closely monitor the property. Because they live nearby, they said they would be able to quickly address any noise, disturbances, or other issues involving guests to minimize impacts on neighbors. Westenhofer responded to questions from Board Members (see recording for details).

Deliberation:

02:09:00 Committee deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).

02:09:55 On a motion by Member Scott, seconded by Member Horton, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

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WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained, and

WHEREAS, the Board of Zoning Adjustment finds that adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains three (3) bedrooms, allowing a maximum occupancy of eight (8) guests. Off-street parking will be provided via an existing driveway; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63) **SUBJECT** to the following Conditions of Approval:

1. The conditional use permit for this short term rental approval shall allow up to three (3) bedrooms (with a maximum of eight (8) guests at any one time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.
2. Prior to commencement of any short term rental on the subject property, the owner shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void.

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The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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PUBLIC HEARING

CASE NO. 26-CUP-0105

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63)
Project Name:	Short Term Rental
Location:	4519 S 6th St
Applicant:	David Tang
Representative:	Melanie Tang
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Tyler Pobiedzinski, Planner I

A notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by applicants.

The staff report prepared for this case was incorporated into the record. The Board received this report in advance of the public hearing, and this report was available to any interested party prior to the public hearing (staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street).

Agency Testimony:

02:10:50 Tyler Pobiedzinski provided an overview of the request and presented a PowerPoint Presentation. Pobiedzinski responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Melanie Tang, 4811 S 6th Street, Louisville, KY 40214

Summary of testimony of those in favor:

02:13:00 Melanie Tang stated that property will be managed by her and a local property management company, and this will be their first short-term rental. Tang mentioned that she plans to renovate and update the home's interior before operation and eventually move into the property within one to two years. Tang discussed plans for house rules, guest screening, exterior security cameras, and maintaining the neighborhood's character. Tang also stated that they have shared their contact information with neighbors and that the property has ample driveway and street parking available. Tang responded to questions from Board Members (see recording for details).

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PUBLIC HEARING

CASE NO. 26-CUP-0105

The following spoke in opposition to the request:

Councilwoman Betsy Ruhe, 4902 Southern Parkway, Louisville, KY 40214

Summary of testimony of those in opposition to the request:

02:18:00 Councilwoman Betsy Ruhe expressed concerns about homes being converted to short-term rentals when long-term housing is needed. Ruhe also raised questions about reports that the approximately 1,200-square-foot house could be expanded from five bedrooms to as many as eight bedrooms and sought clarification on occupancy limits. Ruhe responded to questions from Board Members (see recording for details).

02:19:00 Joe Haberman explained that even if the home contains more bedrooms than initially identified, the property would still be subject to a maximum occupancy cap of 12 guests under the applicable regulations. Haberman noted that additional review or inspection may be needed to verify whether all sleeping areas qualify as legal bedrooms under Metro Code requirements, but regardless of bedroom count, the occupancy limit would remain capped at 12 guests. Haberman responded to questions from Board Members (see recording for details).

Rebuttal:

02:20:20 Melanie Tang clarified that the property is still being renovated and will not be occupied or rented until the work is completed and all requirements are met. Tang stated that the short-term rental would include a maximum of five bedrooms and that renovations may even reduce the bedroom count. Tang explained that the rental is intended to provide temporary housing for professionals such as travel nurses and others needing short-term accommodation. Tang responded to questions from Board Members (see recording for details).

Deliberation:

02:25:35 Committee deliberation

An audio/visual recording of the Board of Zoning Adjustment meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

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PUBLIC HEARING

CASE NO. 26-CUP-0105

Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).

02:26:00 On a motion by Member Ford, seconded by Member Vozos, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Board of Zoning Adjustment finds the proposal is consistent with applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds the proposal is compatible with surrounding land uses and the general character of the area, including considerations such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, and overall appearance. As no exterior modifications to the property are proposed, the existing compatibility with the neighborhood will be maintained, and

WHEREAS, the Board of Zoning Adjustment finds that adequate on-site and off-site public facilities, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation, are available to support the proposed use, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated, or will be required to demonstrate, compliance with each of the lettered standards for a Conditional Use Permit. The proposed short-term rental will not be located within 600 feet of another short-term rental with an approved Conditional Use Permit, nor within 600 feet of any OR, OR-1, or OR-2 zoned property operating as a non-conforming short-term rental without the required owner occupancy. The principal structure contains five (5) bedrooms, allowing a maximum occupancy of twelve (12) guests. Off-street parking will be provided via an existing driveway; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63) **SUBJECT** to the following Conditions of Approval:

1. The conditional use permit for this short term rental approval shall allow up to five (5) bedrooms (with a maximum of twelve (12) guests at any one time). Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms.

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2. Prior to commencement of any short term rental on the subject property, the owner shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void.

The vote was as follows:

YES: Members Vozos, Horton, Ford, Scott, Lewis and Bond

ABSENT: Member Rodriguez

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ADJOURNMENT

The meeting adjourned at approximately 3:29 p.m.

Chair

Planning Director