

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT
JUNE 29, 2026**

A regular meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, June 29, 2026, at the Old Jail Building, located at 514 West Liberty Street, Louisville, KY 40202.

Board Members Present:

Marilyn Lewis, Vice Chair
Jan Horton
Brandt Ford
Yani Vozos
Keon Scott

Board Members Absent:

Sharon Bond, Chair
Miguel Rodriguez

Staff Members Present:

Julia Williams, Assistant Planning Director
Travis Fiechter, Assistant County Attorney (left at 1:59 p.m.)
Laura Ferguson, Assistant County Attorney (arrived at 1:59 p.m.)
Joseph Haberman, Planning Manager
Rachel Casey, Planning Supervisor
Mark Pinto, Planner II
Kaitlin Dever, Planner II
Jude Mattingly, Planner II
Zack Schwager, Planner I
Abby Bills, Planner I
Tyler Pobiedzinski, Planner I
Haritha Gurivindapalli, Management Assistant

The following matters were considered:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

APPROVAL OF MINUTES

JUNE 15, 2026, BOARD OF ZONING ADJUSTMENT MEETING MINUTES

00:05:15 On a motion by Member Horton, seconded by Member Lewis, the following resolution was adopted:

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of June 15, 2026, Board of Zoning Adjustment meeting.

The vote was as follows:

YES: Members Vozos, Horton, Scott and Lewis

ABSTAIN: Member Ford

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

BUSINESS SESSION

CASE NO. 26-VARIANCE-0047

Request:	Variance from Indian Hills Land Development Code Section 4.4.C.2 to allow an encroachment into the required side yard setback
Project Name:	Variance Application
Location:	57 Indian Hills Trail
Owner:	Jeffrey Michael Emonz
Applicant:	Jeffrey Michael Emonz
Representative:	Bailey Remodeling & Construction
Jurisdiction:	Indian Hills
Council District:	District 16 – Scott Reed
Case Manager:	Tyler Pobiedzinski, Planner I

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.)

Deliberation:

00:06:20 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.

00:06:45 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:

**Variance from Indian Hills Development Code Section 4.4.C.2 to allow an encroachment into the required side yard setback
Side Yard Setback (Requirement 10', Request 4', Variance 6').**

WHEREAS, the Board of Zoning Adjustment finds the requested variance arises from special circumstances that do not generally apply to residential properties. The combination of the site's steep terrain, existing driveway location, and property line configuration limits reasonable locations for a replacement garage while utilizing the established access point, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

BUSINESS SESSION

CASE NO. 26-VARIANCE-0047

WHEREAS, the Board of Zoning Adjustment finds the requested variance strict application of the regulation would create unnecessary hardship by limiting the applicant's ability to replace the existing deteriorated garage with a functional accessory structure. The proposed garage utilizes the existing driveway and does not require expansion of the driveway area, leaving limited alternatives for relocation on the property, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations. The proposed garage has not been constructed, and the need for the variance results from existing site conditions and property configuration, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect public health, safety, or welfare, as the proposed garage is a customary residential accessory structure that will remain compatible with surrounding development and will not create a hazard, nuisance, or alter the character of the neighborhood; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Indian Hills Development Code Section 4.4.C.2 to allow an encroachment into the required side yard setback (**26-VARIANCE-0047**). Side Yard Setback (**Requirement 10', Request 4', Variance 6'**).

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0079

Request:	Conditional Use Permit to allow an Accessory Dwelling Unit in a residential (R-4) zoning district
Project Name:	Accessory Dwelling Unit
Location:	11811 Mahogany Drive
Owner:	Lanita Grimes
Applicant:	Lanita Grimes
Representative:	Ballart Remodeling
Jurisdiction:	Louisville Metro
Council District:	14 – Crystal Bast
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 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:

00:08:30 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:

Lanita Grimes, 11811 Mahogany Drive, Louisville, KY 40272

Summary of testimony of those in support of the request:

00:14:10 Lanita Grimes explained that the new addition will provide living space for her adult son and the construction is anticipated to be completed within two to three months. Grimes responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0079

00:16:50 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.

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).

00:17:30 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 proposal does not conflict with the applicable policies of the Comprehensive Plan, and

WHEREAS, the Board of Zoning Adjustment finds 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, and

WHEREAS, the Board of Zoning Adjustment finds the subject property is served by existing public utilities and facilities, and

WHEREAS, the Board of Zoning Adjustment finds 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

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0079

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; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** 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) **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. 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

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0079

exercised, the site shall not be used for an accessory dwelling unit without further review and approval by the Board.

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

Request:	Variance to allow a fence to exceed the maximum permitted height along the front yard and for an accessory structure to encroach into the front yard setback
Project Name:	Variance
Location:	4904 Hyde Park Dr
Applicant:	Maisy Avila
Representative:	Maisy Avila
Jurisdiction:	Louisville Metro
Council District:	District 12 – Jonathan Joseph
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:

00:18:40 Rachel Casey presented the case on behalf of Catherine Gomez. Casey provided an overview of the request and presented a PowerPoint Presentation. Casey responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Maisy Avila, 4904 Hyde Park Dr, Louisville, KY 40216

Summary of testimony of those in support of the request:

00:24:30 Maisy Avila spoke in support of the proposal, stating that the fence and accessory structure were already in place when they purchased the property six years ago. Avila explained that he wanted to bring the property into compliance. Avila responded to questions from Board Members (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

00:26:30 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.

Variances:

00:27:10 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:

1. Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a 6' fence to exceed the maximum permitted height of 4' in the required front yard setback.
Front Yard Height (Requirement 4', Request 6', Variance 2').

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, or cause a hazard or nuisance to the public because the proposed fence must be constructed to comply with all building codes and the Land Development Code except for the requested relief. The distance between the nearest edge of the pavement and the proposed fence is sufficient to not impede vision clearance or adversely impact the safe movement of vehicles, 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 unreasonable circumvention of the requirements of the zoning regulations as there are other corner lots within the neighborhood with fences that exceed the maximum height in the required street side yard, 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 as the subject property is similar in size and shape to other properties in the area, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant as adherence to the setback standards would not permit the applicant to maintain the already constructed fence, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

WHEREAS, the Board of Zoning Adjustment finds the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought, as the applicant has requested the Variance after installing the fence; now, therefore be it.

2. Variance from Land Development Code (LDC) Section 5.1.12.B.2.a to allow an accessory structure to encroach into the required front yard setback. Infill Setback (Requirement 38', Request 20', Variance 18').

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not adversely affect the public health, safety, or welfare, or cause a hazard or nuisance to the public because the accessory structure must be constructed to comply with all building codes and the Land Development Code except for the requested relief, 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 the applicant is simply requesting a small storage shed adjacent to the principal structure, which is not an uncommon request for residential land use, 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 as the subject property is an abnormal shape on a corner lot that is constrained in size. The principal structure is facing Hyde Park Drive, which is considered a street side yard, and the technical front yard faces Elmore Street. Because of this configuration, the only reasonable space to have the storage shed would be in the front infill setback established by the Land Development Code, and

WHEREAS, the Board of Zoning Adjustment finds that the strict application of the provisions of the regulation would create unnecessary hardship on the applicant as adherence to the setback standards would not permit the applicant to maintain the already constructed storage shed, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought, as the applicant has requested the Variance after installing the fence; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0062

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance **(1)** from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a 6' fence to exceed the maximum permitted height of 4' in the required front yard setback; Front Yard Height (**Requirement 4', Request 6', Variance 2'**), and Variance **(2)** from Land Development Code (LDC) Section 5.1.12.B.2.a to allow an accessory structure to encroach into the required front yard setback; Infill Setback (**Requirement 38', Request 20', Variance 18'**)

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0063

Request:	Variance to allow a structure to encroach into the required infill front yard setback
Project Name:	Victoria Drive Variance
Location:	7208 Victoria Drive
Applicant:	Lou Developments, LLC
Representative:	James Judd
Jurisdiction:	Louisville Metro
Council District:	24 – Ginny Mulvey-Woolridge
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 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:

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

The following spoke in favor of the request:

James Judd, P.O. Box 20731, Louisville, KY 40250

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

00:37:10 James Judd spoke in support of the request, explaining that the minor subdivision would create two new single-family homes for sale to the public. Judd stated that the variance for a shorter driveway would improve the layout and aesthetics of the development while maintaining adequate parking space. The proposed homes will be similar but not identical and Construction is expected to take six to nine months. Judd responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0063

Deliberation:

00:40:55 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 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback.

Infill Front Yard (Requirement 53'-57', Request 5', Variance 48').

00:41:15 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 requested variance will not adversely affect public health, safety, or welfare, because the proposed structure would not impact vision clearance or any other public health or safety issue, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as there are other similarly used structures in the area with a variety of lot sizes and setbacks, 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 as the subject property is smaller in area and depth than the surrounding properties, therefore requiring further encroachment toward the front property line, 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 because the property is not as deep as surrounding properties and the applicant would not be able to construct a residence with the same setback as the surrounding properties, 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 alterations for which the variance is being requested; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0063

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback (**26-VARIANCE-0063**). Infill Front Yard (**Requirement 53'-57', Request 5', Variance 48'**).

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0072

Request:	Variance to allow a structure to encroach into the required infill front yard setback
Project Name:	Victoria Drive Variance
Location:	7210 Victoria Drive
Applicant:	Lou Developments, LLC
Representative:	James Judd
Jurisdiction:	Louisville Metro
Council District:	24 – Ginny Mulvey-Woolridge
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:

00:33:40 Zach Schwager provided an overview of the request and presented a PowerPoint Presentation. Schwager responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

James Judd, P.O. Box 20731, Louisville, KY 40250

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

00:37:10 James Judd spoke in support of the request, explaining that the minor subdivision would create two new single-family homes for sale to the public. Judd stated that the variance for a shorter driveway would improve the layout and aesthetics of the development while maintaining adequate parking space. The proposed homes will be similar but not identical, and the Construction is expected to take six to nine months. Judd responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0072

Deliberation:

00:40:55 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.

Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback. (26-VARIANCE-0072)
Infill Front Yard (Requirement 53-57', Request 5', Variance 48').

00:42:15 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 requested variance will not adversely affect public health, safety, or welfare, because the proposed structure would not impact vision clearance or any other public health or safety issue, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as there are other similarly used structures in the area with a variety of lot sizes and setbacks, 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 as the subject property is smaller in area and depth than the surrounding properties, therefore requiring further encroachment toward the front property line, 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 because the property is not as deep as surrounding properties and the applicant would not be able to construct a residence with the same setback as the surrounding properties, 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 alterations for which the variance is being requested; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0072

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.1.12.B.2.a to allow a structure to encroach into the required infill front yard setback. **(26-VARIANCE-0072)** Infill Front Yard (**Requirement 53-57', Request 5', Variance 48'**).

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0064

Request:	Variance to allow a fence to exceed the maximum permitted height along the street side yard
Project Name:	1469 Bland Street Privacy Fence Variance
Location:	1469 Bland Street
Applicant:	Latosha Mathis
Representative:	Latosha Mathis
Jurisdiction:	Louisville Metro
Council District:	District 6 – JP Lyninger
Case Manager:	Sydney Fawcett, 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:

00:43:20 Rachel Casey presented the case on behalf of Sydney Fawcett. Casey provided an overview of the request and presented a PowerPoint Presentation. Casey responded to questions from Board Members (see recording for details)

The following spoke in favor of the request:

Latosha Mathis, 16071 Winding Ridge Trail, Louisville, KY 40299

Summary of testimony of those in favor:

00:48:00 Latosha Mathis spoke in support of the request, explaining that it was submitted primarily for the safety of her child. Mathis noted that ongoing construction and increased traffic near the neighborhood have created additional safety concerns. Mathis stated that the fence was installed approximately five years ago while she owned the property, as an added precaution to protect her child and other children in the household. Mathis responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0064

Deliberation:

00:49:50 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.

Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a fence to exceed the maximum permitted height along the street side yard.
Street Side Yard Setback (Requirement 3.5', Request 6', Variance 2.5').

00:50:05 On a motion by Member Horton, 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 public health, safety, or welfare as the existing fence does not exceed the maximum permitted height in front of the existing home. The fence along the front yard is 3 ft. allowing for visibility at the intersection of E Burnett Avenue and Bland Street, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will not alter the essential character of the general vicinity as properties along E Burnett Avenue have fences that exceed the maximum permitted height along their front yards. Additionally, residential properties along Bland Street have varying fence heights along their front and street side yards, 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 since the property is similar in shape, size, and scale to properties in the general vicinity, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would create unnecessary hardship for the applicant as the layout of the site limits where the fence could have been installed. Requiring the entirety of the fence along E Burnett Avenue would significantly limit the effectiveness of the fence for privacy and screening purposes, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0064

WHEREAS, the Board of Zoning Adjustment finds the circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has indicated that the fence was installed for safety purposes; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 4.4.3.A.1.a.i to allow a fence to exceed the maximum permitted height along the street side yard. **(26-variance-0064)** Street Side Yard Setback (**Requirement 3.5', Request 6', Variance 2.5'**).

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

Request:	Variance from Land Development Code Section 5.4.1.E.1. to allow the accessory use area to exceed a depth of 60' (26-VARIANCE-0065) and a Waiver of Land Development Code Section 5.4.1.E.4. to allow an accessory structure to exceed the footprint of the principal structure. (26-WAIVER-0066)
Project Name:	Merhoff St Storage & ADU
Location:	2635 Merhoff St
Applicant:	Frank Vaxter Living Trust
Representative:	Frank Vaxter
Jurisdiction:	Louisville Metro
Council District:	District 15 – Jennifer Chappell
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:

00:51:20 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:

Frank Vaxter, 2635 Merhott Street, Louisville, KY 40217

Summary of testimony of those in favor:

00:57:00 Frank Vaxter spoke in support of the request, explaining that the proposed accessory dwelling unit is intended to provide housing for his elderly father so he can live closer to family. Vaxter also noted that the accessory structure will be used for vehicle storage and recreational purposes. Vaxter emphasized that the proposed metal building will be designed to blend with the neighborhood and maintain compatibility with the surrounding area. Vaxter responded to questions from Board Members (see recording for details).

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

The following spoke in opposition to the request:

None

Deliberation:

01:01:10 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.

Variance from Land Development Code Section 5.4.1.E.1. to allow the accessory use area to exceed the maximum depth of 60'. (26-VARIANCE-0065)
Accessory Use Area (Requirement 60', Request 126', Variance 66').

01:01:50 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 and will not cause a hazard or nuisance to the public, as the accessory use area is located entirely behind the principal structure and screened from view by existing fencing. Additionally, the rear of the property is abutting a cemetery and is not visible to any adjoining properties, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance will alter the essential character of the general vicinity, as there are no residential accessory structures of a similar scale that would require the accessory use area to exceed the required depth. However, there won't be a large impact on the general vicinity as the accessory use area is adequately screened from view, and

WHEREAS, the Board of Zoning Adjustment finds the requested variance arises from special circumstances which do not generally apply to the land in the general vicinity, or in the same zone. The subject site is deeper than most lots in the general vicinity, while still maintaining the same small width as many of the neighboring properties. Because of the lot's unique size and shape, the applicant will still be able to provide all the required areas of Traditional Neighborhood site design (public realm, principal structure, and private yard) with the requested variance, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant. Limiting the applicant to only 60 feet in depth would deprive the applicant of developing a large portion of their backyard. This portion would be a significant deprivation compared to the neighboring properties due to the unique length, and

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

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code Section 5.4.1.E.1. to allow the accessory use area to exceed the maximum depth of 60'. **(26-VARIANCE-0065)** Accessory Use Area (**Requirement 60', Request 126', Variance 66'**).

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

Waiver of Land Development Code Section 5.4.1.E.4. to allow an accessory structure to exceed the footprint of the principal structure. (26-WAIVER-0066)

01:02:40 On a motion by Member Scott, 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 waiver will not adversely affect adjacent property owners. The proposed structure will be completely screened from view and will not be visible to any adjoining property owners or to the public street, and

WHEREAS, the Board of Zoning Adjustment finds the Community Form Goal 1, Policy 9 seeks 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.”

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-VARIANCE-0065 / 26-WAIVER-0066

The proposed structure will be substantially larger in scale than any other accessory structure in the general vicinity, however, the existing conditions of the site do create the appropriate transition between the neighboring residential properties with accessory structures of smaller scales/intensities. The rear yard of the subject property is screened on all sides by existing trees, vegetation, and a fence. The proposed accessory structure will additionally be in compliance with all design, height, and setback requirements of the form district, with the exception of the requested variance and waiver, and

WHEREAS, the Board of Zoning Adjustment finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as the applicant has the necessary space on the lot to construct a structure of this size, and the applicant will be able to provide all other requirements of the Traditional Neighborhood form district with the exception of the waiver, and

WHEREAS, the Board of Zoning Adjustment finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land because the proposed structure will be screened from view, and strict application of the provisions of the regulation would deprive the applicant of developing a large portion of their property; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Waiver of Land Development Code Section 5.4.1.E.4. to allow an accessory structure to exceed the footprint of the principal structure. **(26-WAIVER-0066)**

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0002

Request:	Modified Conditional Use Permit for a Private Institutional Use with an associated Variance and Waivers.
Project Name:	First Baptist Church of Fairdale
Location:	413 Fairdale Rd
Owner:	First Baptist Church of Fairdale
Applicant:	First Baptist Church of Fairdale
Representative:	Mindel Scott
Jurisdiction:	Louisville Metro
Council District:	13 – Dan Seum Jr.
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:

01:03:50 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:

Mason Glin, 5151 Jefferson Blvd, Louisville, KY 40219

Summary of testimony of those in favor:

01:12:10 Mason Glin provided an overview of the request and presented a PowerPoint Presentation. Glin responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0002

01:14:50 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.

Modified Conditional Use Permit (MCUP) for a Private Institutional Use in the R-4 Single-Family Residential zoning district with relief from standard A (LDC 4.2.65).

01:15:25 On a motion by Member Vozos, seconded by Member Ford, 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, Plan 2040, 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. The site is located within the Village Center, which contains a variety of zoning districts and land uses including a mix of residential densities, commercial, and institutional uses, 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 reviewed the proposal and given preliminary approval, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has demonstrated or will be required to provide compliance with each of the lettered standards of the conditional use permit, except where relief is required. The proposed building is located approximately 25 ft. from the side property line that abuts an adjacent R-4 Single-Family Residential property. Therefore, the Board shall consider granting relief from standard A. The building is meeting the required 5 ft. side yard setback per LDC Table 5.2.2. The proposed building is not directly adjacent to the existing home on the abutting R-4 lot and is directly adjacent to the rear yard; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0002

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit (MCUP) for a Private Institutional Use in the R-4 Single-Family Residential Zoning district with relief from standard A (LDC 4.2.65) **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. 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 Private Institutional Use until further review and approval by the Board.

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

Variance from Land Development Code (LDC) Section 5.2.2.C, Table 5.2.2 to allow the proposed building to exceed the maximum 25 ft. front yard setback (26-VARIANCE-0031).

Front Yard Setback (Requirement 25', Request 174', Variance 149').

01:16:30 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 requested variance will not adversely affect the public health, safety or welfare and will not cause a hazard or nuisance to the public because the proposal will be required to comply with all applicable building and fire code regulations. The proposed building, parking, and landscaping are within the subject property and do not encroach into the right-of-way or adjacent residential properties. Considering the proposed building setback, there is not a sight-distance issue for vehicles and pedestrians travelling along Fairdale Road. Lastly, the proposed building will be required to comply with all applicable building and fire code regulations, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0002

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. Buildings located in the area along Fairdale Road observe a greater setback than the maximum 25 ft. The existing religious building on site is setback approximately 45 ft. from the front property line. The playground will be located in front of the proposed building which will provide visual interest between the building and front property line, 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 the in the same zone. The site is zoned R-4 residential and within the Village Center form district, as are properties in the area, 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. The building would be required to be located within the required setback, which could effect existing site conditions including vehicular circulation, mature tree canopy, and proposed playground relocation, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has requested the Variance, and construction has not yet begun; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 5.2.2.C, Table 5.2.2 to allow the proposed building to exceed the maximum 25 ft. front yard setback (**26-VARIANCE-0031**) Front Yard Setback (**Requirement 25', Request 174', Variance 149'**).

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0002

Waivers:

01:12:00 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:

1. Waiver of LDC Section 10.2.4 to reduce the required 20 ft. landscape buffer area (LBA) to 5 ft. and screening requirement from 6 ft. to 3 ft. along the northern property line (26-WAIVER-0031).

WHEREAS, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners since there are no proposed buildings located within required setbacks or landscape buffer areas. The proposed drive lane encroaches into the landscape buffer area, which will be screened with a five-foot area with plantings and screening to shield headlights. Also, there is extensive mature tree canopy that is proposed to be preserved, and

WHEREAS, the Board of Zoning Adjustment finds the waiver will not violate specific guidelines of the Comprehensive Plan. Community Form Goal 1, Policy 6 calls to ensure appropriate transitions from non-residential to residential uses. The transitions should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential. There is extensive mature tree canopy on site that shall provide an appropriate transition between the existing private institutional use and adjacent residential use. Also, a five-foot landscape buffer area with screening will be provided to adequately shield the access drive from adjacent residential property, and

WHEREAS, the Board of Zoning Adjustment finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the proposed five-foot LBA is the greatest width possible to provide considering the location of the access drive, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has incorporated other design measures that exceed the minimums. The existing mature tree canopy that is proposed to be preserved exceeds the required tree canopy for the site; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0002

2. Waiver of LDC Section 5.6.1.D of the LDC is requested to not provide roofline variation for a building that exceeds 100 ft in length (26-WAIVER-0055).

WHEREAS, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners since there are no proposed buildings located within required setbacks or landscape buffer areas. The proposed building will be required to meet all applicable building and fire code regulations, and

WHEREAS, the Board of Zoning Adjustment finds Community Form Goal 1, Policy 4 calls to ensure that new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the form district. The proposal is consistent with the pattern of the Village Center form district, as the property is developed with established private institutional use. The existing primary religious building has architectural interest including steeple and roofline variation, and

WHEREAS, the Board of Zoning Adjustment finds the extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant. The proposed building could be redesigned to meet the roofline variation requirement, and

WHEREAS, the Board of Zoning Adjustment finds the applicant has incorporated other design measures that exceed the minimums of the district and compensate for noncompliance with the requirement to be waived. There is approximately 113,574 sq ft. of existing tree canopy on site that is proposed to be preserved; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Waiver **(1)** of LDC Section 10.2.4 to reduce the required 20 ft. landscape buffer area (LBA) to 5 ft. and screening requirement from 6 ft. to 3 ft. along the northern property line **(26-WAIVER-0031)** and Waiver **(2)** of LDC Section 5.6.1.D to not provide roofline variation for a building that exceeds 100 ft in length **(26-WAIVER-0055)**.

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0010

Request:	Modified Conditional Use Permit for a Private Proprietary Club with an associated Variance.
Project Name:	Rockdale Private Proprietary Club
Location:	12111 Taylorsville Rd
Owner:	Donald Wenzel Jr.
Applicant:	Donald Wenzel Jr.
Representative:	Donald Wenzel Jr.
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
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:

01:18:15 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:

Donald Wenzel Jr., 12109 Taylorsville Rd, Louisville, KY 40299

Summary of testimony of those in favor:

01:26:25 Donald Wenzel provided an overview of the request and presented a PowerPoint Presentation. Wenzel responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

Deliberation:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0010

01:34:00 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.

Modified Conditional Use Permit (MCUP) for a Private Proprietary Club in the R-4 Single-Family Residential Zoning district with relief from Standard A (LDC 4.2.44).

01:34:25 On a motion by Member Ford, seconded by Member Horton, 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 consistent with the land use and development policies of Plan 2040. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between land uses that are different in scale and intensity. The barn structure is exceeding the side yard setback requirements for the neighboring residential properties. Parking spaces are also meeting the required side yard setback. The property is densely populated with trees and natural landscaping, which is to remain. The barn structure and parking are located a substantial distance from Taylorsville Road and screened with natural vegetation on site, thereby softening the visual impact of the proposal, and

WHEREAS, the Board of Zoning Adjustment finds the proposal compatible with surrounding development and land uses. The proposed barn structure is similar in height, materials, and square footage to the residential structures in the immediate area. The property is densely populated with trees and natural landscaping, which are to remain, which is consistent with neighboring properties. The proposed barn structure and parking are naturally buffered and screened from adjacent residential uses due to existing vegetation and location of the off-street parking area and structure, 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 reviewed the proposal and given preliminary approval, and

WHEREAS, the Board of Zoning Adjustment finds the applicant shall demonstrate compliance with each of the lettered standards, except where relief is necessary and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0010

granted. The previous approval of the conditional use permit also included requested relief from lettered Standard C. The Board granted relief to standard C and accepted the preservation of existing landscaping and installation of the four-board horse fence as justification for relief, as shown on the site plan. Since the variance is requested for the structure to be located roughly 3 ft. from the side property line, the Board shall consider granting relief to standard A that requires all new buildings to be at least 30 ft. from the property line; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Modified Conditional Use Permit (MCUP) for a Private Proprietary Club in the R-4 Single-Family Residential Zoning district with relief from Standard A (LDC 4.2.44) **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. 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 proprietary club until further review and approval by the Board.
3. A 4-board horizontal fence of at least 48 inches in height shall be maintained along the eastern property line beginning roughly 10 ft. into the property beyond the culvert, extending back to the parking lot area of a distance at least 150 ft, separating the parking area and adjacent residential property as shown on the development plan.
4. The property owner shall maintain the existing trees along the eastern property line within the conditional use permit boundary area. In the event a tree is damaged or removed out of necessity, the applicant shall replace the tree with a similar tree in approximately the same location.
5. The maximum occupancy shall not exceed 80 individuals at any given time. The applicant may request a change to the maximum occupancy through a modified conditional use permit application.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0010

6. There shall be no outdoor amplified music or voice after 10 PM on Sunday evenings through Thursday evenings and 11 PM on Friday and Saturday evenings. All event contracts or agreements shall include this prohibition.
7. All event contracts or agreements shall include a provision prohibiting vehicular parking on any streets within the Carrington Greene development or any other neighboring property.
8. All exterior lighting, whether freestanding or attached to any structure, including driveway lights and lighting for any signage, shall be shielded from adjacent properties, shall utilize flat or hidden lenses, and shall be pointed directly to the ground. The following are exceptions to this requirement:
 - i. A partly shielded or unshielded decorative wall sconce(s) shall be allowed at the front entry if the total output in lumens does not exceed 2000 lumens,
 - ii. Open flame gas lamps,
 - iii. Low voltage landscape lighting aimed away from adjacent properties and not exceeding 2000 lumens in output.

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

Variance from Land Development Code (LDC) Section 5.3.1.C, Table 5.3.2 to allow the proposed building to encroach into the 15 ft. non-residential to residential building setback (26-VARIANCE-0066).
Nonresidential to Residential (Side) (Requirement 15', Request 2.7', Variance 12.3').

01:12:00 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 and will not cause a hazard or nuisance to the public because the proposal will be required to comply with all applicable building and fire code regulations. The single-family residence on the neighboring property is located approximately 125 ft. from the side property line, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-MCUP-0010

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. The residential lots along Taylorsville Road adjacent to the site are large lots with accessory structures, residences that have significant open space and tree canopy, and

WHEREAS, the Board of Zoning Adjustment finds that requested variance does arise from circumstances which do not generally apply to land in the general vicinity, or the in the same zone. The adjoining property that shares the side property line where the variance is being requested is owned by the applicant and operator and is the primary residence of the applicant. The residential properties in the area are comprised of large lots with single-family homes that were constructed a measurable distance from the property lines, 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 since the location of the building could require associated parking and construction to be altered. Redesigning the site could adversely impact existing mature tree canopy and landscaping on the site that is proposed to be preserved, and

WHEREAS, the Board of Zoning Adjustment finds the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has requested the Variance, and construction has not yet begun; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Variance from Land Development Code (LDC) Section 5.3.1.C, Table 5.3.2 to allow the proposed building to encroach into the 15 ft. non-residential to residential building setback **(26-VARIANCE-0066)**. Nonresidential to Residential (Side) **(Requirement 15', Request 2.7', Variance 12.3')**.

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0083

Request:	Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in R-5 zoning
Project Name:	Accessory Dwelling Unit
Location:	4561 S. 3 rd St
Applicant:	Zachariah Saleh
Representative:	Zachariah Saleh
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Jude Mattingly, 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:

01:45:40 Jude Mattingly provided an overview of the request and presented a PowerPoint Presentation. Mattingly responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Zachariah Saleh, 16071 Winding Ridge Trail, Louisville, KY 40299

Summary of testimony of those in favor:

01:52:30 Zachariah Saleh spoke in support of the proposal. Saleh stated that they decided to rent the main house and studio apartment as separate units to provide additional long-term rental housing. Saleh stated there have been no issues with the studio apartment and confirmed both units would be rented to long-term tenants (more than 30 days). Saleh responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0083

Deliberation:

01:59:10 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 Accessory Dwelling Unit (ADU) in R-5 zoning that does not meet the provisions of Section 4.3.27 of the Land Development Code (LDC 4.2.3)

02:00:20 On a motion by Member Vozos, seconded by Member Ford, 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. The subject site is located within a Traditional Neighborhood form district which encourages a significant range of housing opportunities. Housing Goal 1, Policy 1 reiterates the encouragement of housing types including accessory residential structures. Housing Goal 1, Policy 3 calls for the development of a variety of housing types to meet the needs of all residents by offering a supply of affordable and physically accessible housing. Housing Goal 3, Policy 3 encourages accessory apartments to increase the production of fair and affordable housing, and

WHEREAS, the Board of Zoning Adjustment finds the proposal compatible with surrounding land uses and the general character of the area. The detached garage where the ADU is located is compliant with the height and setback requirements of the LDC and as a result no variances or waivers are associated with this request. The property owner has provided off-street parking and there is on-street parking available in the immediate area. There are a mix of higher density residential zoning (R-6 and R-7) in the general vicinity, 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 are adequate to serve the proposed use. Agency comments have been received and resolved prior to a public hearing, and

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0083

WHEREAS, the Board of Zoning Adjustment finds the relief from item J will be required. The owner occupied requirement was included by Metro Council during the LDC amendments concerning ADUs in 2021, with the ability to waive the provision through a CUP review. The subject property has not been the subject of any enforcement violations or reports at the time of publishing this staff report. The ADU provides a different form of housing that is of quality in an area more than capable of integrating the use; now, therefore be it.

RESOLVED, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in R-5 zoning that does not meet the provisions of Section 4.3.27 of the Land Development Code (LDC 4.2.3) with relief from item "J" **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. 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 (ADU) without further review and approval by the Board.
3. Within 60 days, the property owner shall contact Louisville Metro Emergency Services to have a unique address assigned to the accessory dwelling unit.

The vote was as follows:

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

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0075

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:	1601 Newburg Rd
Applicant:	Peachtree Manor LLC
Representative:	Farooq Shaheen
Jurisdiction:	Louisville Metro
Council District:	8 – Ben Reno-Weber
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:

02:02:15 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:

Farooq Shaheen, 1601 Newburg Rd, Louisville, KY 40205

Summary of testimony of those in favor:

02:04:35 Farooq Shaheen spoke in support of the proposal. Shaheen stated that the property meets the required 600-foot spacing standard and that no neighbors had expressed opposition to the request. Shaheen also noted that he owns and operates other short-term rental properties in Louisville and actively manages them remotely, with the assistance of a local property manager who is available to respond to and address any property-related concerns. Shaheen responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0075

None

Deliberation:

02:06:50 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 (LDC 4.2.63).

02:09:00 On a motion by Member Ford, seconded by Member Scott, 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 the 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 ten (10) guests. Off-street parking will be provided via an existing driveway; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0075

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 four (4) bedrooms (with a maximum of ten (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 and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0088

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:	1535 S 32 nd St
Applicant:	Elmore George III
Representative:	Elmore George III
Jurisdiction:	Louisville Metro
Council District:	1 – Tammy Hawkins
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 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:

02:10:20 Rachel Casey presented the case on behalf of Catherine Gomez. Casey provided an overview of the request and presented a PowerPoint Presentation. Casey responded to questions from Board Members (see recording for details).

The following spoke in favor of the request:

Elmore George, 1535 S 32nd St, Louisville, KY 40211

Summary of testimony of those in favor:

02:13:10 Elmore George spoke in support of the proposal. George stated that stated that the property has been fully renovated and explained that the duplex consists of separate upper and lower units and that he restored the property's duplex configuration after purchasing it. George stated that he will personally manage the property, live nearby, and have cleaning services in place to assist with operations. George responded to questions from Board Members (see recording for details).

The following spoke in opposition to the request:

None

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0088

Deliberation:

02:17:10 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 the short term rental of a dwelling unit that is not the primary residence of the owner (LDC 4.2.63).

02:17:20 On a motion by Member Horton, seconded by Member Ford, 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 the 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. Each unit will have two (2) bedrooms, allowing for a maximum of six (6) guests in each. Off-street parking will be provided via an existing rear alley and the detached garage on the property; now, therefore be it.

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

PUBLIC HEARING

CASE NO. 26-CUP-0088

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 two (2) bedrooms (with a maximum of six (6) guests at any one time) in one unit, and two (2) bedrooms (with a maximum of six (6) guests at any one time) in the second unit. 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 each short term rental pursuant to the Louisville Metro Code of Ordinances. If each 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 and Lewis

ABSENT: Members Bond and Rodriguez

**BOARD OF ZONING ADJUSTMENT
MINUTES
JUNE 29, 2026**

ADJOURNMENT

The meeting adjourned at approximately 3:26 p.m.

Chair

Planning Director