

# Board of Zoning Adjustment

## Staff Report

June 29, 2026



<b>Case No:</b>	26-VARIANCE-0064
<b>Project Name:</b>	1469 Bland Street Privacy Fence Variance
<b>Location:</b>	1469 Bland Street
<b>Applicant:</b>	Latosha Mathis
<b>Representative:</b>	Latosha Mathis
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	6 – JP Lyninger
<b>Case Manager:</b>	Sydney Fawcett, Planner I

**REQUEST:**

- **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.

Location	Requirement	Request	Variance
Street Side Yard Setback	3.5 ft.	6 ft.	2.5 ft.

**CASE SUMMARY**

The subject property is approximately 0.09 acres zoned R-6 Multi-Family Residential in the Traditional Neighborhood form district. The site is located at the intersection of Bland Street and E Burnett Avenue east of I-65. A portion of the fence along the street side yard exceeds the maximum permitted height. The applicant is requesting a variance to bring the existing 6 ft. privacy fence into compliance with the Land Development Code.

**STAFF FINDING**

The requested variance is adequately justified for approval based on the analysis contained in the standard of review.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE**

1. The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not adversely affect the 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.

2. 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.

STAFF: 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.

3. The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.

STAFF: 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.

4. The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: 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.

5. The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: 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.

**REQUIRED ACTION**

- **APPROVE** or **DENY** 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.

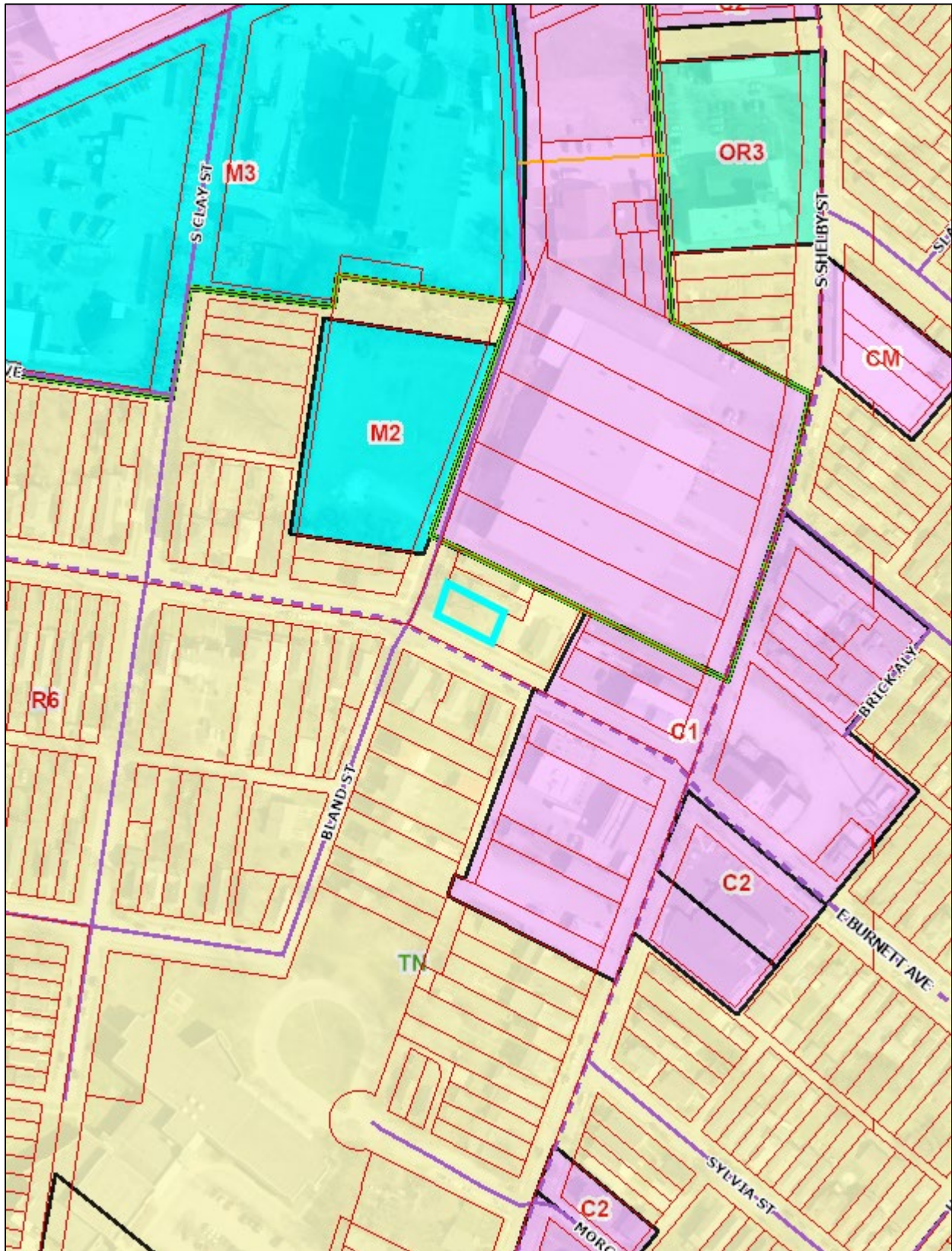
**NOTIFICATION**

Date	Purpose of Notice	Recipients
6/14/2026	Hearing before BOZA	1 <sup>st</sup> tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 6
6/12/2026	Hearing before BOZA	Sign posted on property

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

