

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT  
April 21, 2025**

A meeting of the Louisville Metro Board of Zoning Adjustment was held on Monday, April 21, 2025, at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky 40202.

**Board Members Present:**

Sharon Bond, Chair  
Marilyn Lewis, Vice Chair  
Anthony Bieda, Secretary (arrived at 1:05PM)  
Brandt Ford  
Jan Horton

**Board Members Not Present:**

Yani Vozos  
Miguel Rodriguez

**Staff Members Present:**

Brian Davis, Planning Director  
Joe Haberman, Planning Manager  
Rachel Casey, Planning Supervisor  
Laura Ferguson, Assistant County Attorney  
Molly Clark, Planner II  
Mark Pinto, Planner II  
Catherine Gomez, Planner I  
Heather Pollock, Planner I  
Zach Schwager, Planner I  
Mary Willis, Management Assistant

The following matters were considered:

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**APPROVAL OF MINUTES**

**APRIL 7, 2025, BOARD OF ZONING ADJUSTMENT MEETING MINUTES**

00:03:31      On a motion by Member Ford, seconded by Member Horton, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of the April 7, 2025, Board of Zoning Adjustment meeting.

**The vote was as follows:**

**YES: Members Ford, Horton, and Bond**

**ABSENT: Members Rodriguez, Bieda and Vozos**

**ABSTAINED: Member Lewis**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 24-VARIANCE-0169**

Request:	Variance to exceed the 5-foot maximum setback from the corner and a waiver to permit parking and circulation in front of the building
Project Name:	Corner Retail Addition
Location:	5389 New Cut Road
Applicant:	Gajmukh, LLC
Representative:	David Marcum
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Heather Pollock, 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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency testimony:**

00:04:29 Heather Pollock provided an overview of the request and presented a PowerPoint presentation. Pollock responded to questions from Board Members (see recording for details).

**The following spoke in favor of the request:**

David Marcum, 2703 Stonefield Ln., LaGrange, KY 40031

**Summary of testimony of those in support:**

00:10:45 David Marcum spoke in support of the proposal and stated that he was available for questions. Marcum stated that the owners do not have a problem with not providing parking on the Woodmore side of the building. Marcum responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

Betsy Ruhe, 4902 Southern Pkwy, Louisville, Ky 40214

Ann Ramser, P.O. Box 14243, Louisville, KY

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 24-VARIANCE-0169**

Carl Koppel, 142 Woodmore Ave, Louisville, KY 40214

**Summary of testimony of those in opposition:**

00:15:17 Besty Ruhe spoke in opposition to the proposal. Ruhe stated that her concerns focused on the awning and the proximity of the business next to the apartment complex. Ruhe stated that by approving this plan, traffic would become a major issue (see recording for details).

00:16:45 Ann Ramser spoke in opposition to the proposal and presented a PowerPoint Presentation. Ramser provided an overview of the previous issues that were associated with the property. Ramser voiced her concern pertaining to the dimensions for the variance. Ramser responded to questions from Board Members (see recording for details).

00:36:19 Carl Koppel spoke in opposition to the proposal. Koppel stated that by approving this project, the lights and noise from vehicles would become a nuisance for his residents. Koppel responded to questions from Board Members (see recording for details).

**Rebuttal:**

00:38:52 David Marcum spoke in rebuttal. Marcum stated that the owner did not have any problem with providing a landscape buffer. Marcum stated that he was able to reuse the existing parking structure. Marcum responded to questions from Board Members (see recording for details).

00:41:24 Rachel Casey responded to questions from Board Members pertaining to landscape buffering and the review of a landscape plan (see recording for details).

**Deliberation:**

00:46:19 Board deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 exceed the 5-foot maximum setback from the corner.**

**BOARD OF ZONING ADJUSTMENT**  
**MINUTES**  
**April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 24-VARIANCE-0169**

00:50:30 On a motion by Member Bieda, seconded by Member Lewis, the following resolution based on the staff analysis contained in the standard of review in the staff report, 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 existing building is already setback from the corner and adequate screening and landscape buffers will be provided as the adjacent property to the rear is residential, and

**WHEREAS**, the Board of Zoning Adjustment finds the variance would not alter the essential character of the general vicinity and would not allow an unreasonable circumvention of the zoning regulations as the existing building exceeds the corner setback requirements and the proposed addition is consistent with similar developments in the area. The addition will comply with all other requirements of the applicable zoning and form district standards, and

**WHEREAS**, the Board of Zoning Adjustment finds the requested variance does not arise from special circumstances which generally apply to the land in the general vicinity or the same zone as there are other non-residential structures in the area that do not meet the corner setback requirement, 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 the existing structure exceeds the 5 ft. setback requirement along both streets, 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 begun construction on the structure for which this variance is being requested; now, therefore be it.

**RESOLVED**, The Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Variance from Land Development Code section 5.5.1.A.2 to exceed the 5-foot maximum setback from the corner (**Corner Lot Setback New Cut Rd: Requirement 5ft, Request 61ft, Variance 56ft.**) and (**Corner Lot Setback Woodmore Ave: Requirement 5ft, Request 29.5ft, Variance 24.5ft**) **SUBJECT** to the following Condition of Approval:

1. Before submitting a building permit application, a revised plan must be submitted to the Office of Planning showing removal of drive through window, vehicular circulation behind the building, and removal of the 4 parking spaces along Woodmore Avenue.

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 24-VARIANCE-0169**

**The vote was as follows:**

**YES: Members Ford, Bieda, Lewis, and Bond**

**NO: Member Horton**

**ABSENT: Members Rodriguez and Vozos**

**Waiver from Land Development Code sections 5.5.1.A.3 and 5.9.2.C.4 to permit parking and circulation in front of the building (25-WAIVER-0029)**

00:52:28 On a motion by Member Bieda, seconded by Member Lewis, the following resolution based on the staff analysis contained in the standard of review in the staff report, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners as the development shall comply with all buffering and screening required by the Land Development Code, and

**WHEREAS**, the Board of Zoning Adjustment finds the waiver will not violate the Comprehensive Plan. The development will be compatible with and is similar to other developments in the area and the form district. The waiver will not result in a nuisance or hazard to the public as adequate screening and pedestrian access shall be provided per requirements of the Land Development Code.

There is insufficient space to accommodate any vehicular use or circulation behind the proposed addition, 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 parking and vehicular use area is existing and there is not sufficient space to locate it elsewhere. The rear property line abuts residential use and thus will require a setback and landscape buffer, 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 there is not significant space behind the existing building to accommodate the parking and vehicular circulation; now, therefore be it.

**RESOLVED**, The Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Waiver from Land Development Code sections 5.5.1.A.3 and 5.9.2.C.4 to permit and circulation in front of the building.

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 24-VARIANCE-0169**

**The vote was as follows:**

**YES: Members Ford, Bieda, Lewis, and Bond**

**NO: Member Horton**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-VARIANCE-0021**

Request:	A variance to exceed front setback with a category 3 development plan and waivers
Project Name:	Kentucky Humane Society- New Campus
Location:	1110 Meadow Avenue
Applicant:	Kentucky Humane Society Animal Rescue
Representative:	Sabak, Wilson, and Lingo, INC
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Heather Pollock, 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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency testimony:**

00:53:47 Heather Pollock provided an overview of the request and presented a PowerPoint presentation. Pollock responded to questions from Board Members (see recording for details).

**The following spoke in favor of the request:**

Kelli Jones, Sabak, Wilson, and Lingo, 608 S 3<sup>rd</sup> St., Louisville, KY 40202

Betsy Ruhe, 4902 Southern Pkwy, Louisville, KY 40214

**Summary of testimony of those in support:**

01:04:31 Kelli Jones spoke in support of the proposal and presented a PowerPoint presentation. Jones provided an overview of the zoning district and the proposed plan. Jones provided details on the type of turf that would be used throughout the facility and how the drainage system would work. Jones responded to questions from Board Members (see recording for details).

01:22:06 Betsy Ruhe spoke in support of the proposal and stated that she is excited to see the project be developed. Ruhe responded to questions from Board Members (see recording for details).



**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-VARIANCE-0021**

**The following spoke in opposition to the request:  
None**

**Deliberation:**

01:23:21      Board deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 5.3.2.C.2.a to exceed the maximum front setback.**

01:26:07      On a motion by Member Lewis, seconded by Member Bieda, the following resolution based on the staff analysis contained in the standard of review in the staff report, and 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 pedestrian and vehicular access to the structure from Preston Highway will be provided, and

**WHEREAS**, the Board of Zoning Adjustment finds the variance would not alter the essential character of the general vicinity and would not allow an unreasonable circumvention of the zoning regulations as only a portion of the property has frontage along Preston Highway. The proposed structure will be behind the other properties in this block face which have existing structures closer to the street, and

**WHEREAS**, the Board of Zoning Adjustment finds the requested variance does arise from special circumstances which generally apply to the land in the general vicinity or the same zone as the property is larger than most of the lots that have frontage along Preston Highway. Additionally, the proposed structure is significantly bigger than the property frontage and setting it back from the main corridor matches the development pattern 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 most of the property does not have frontage along Preston Highway, 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

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-VARIANCE-0021**

which relief is sought. The applicant has not begun construction on the structure for which this variance is being requested; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Variance from Land Development Code section 5.3.2.C.2.a to exceed the maximum front setback (**Requirement 275ft, Request 345ft, Variance 70ft**).

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**Waiver from Land Development Code section 10.2 to not provide the landscape buffer along the internal zoning district boundary.**

**Waiver from Land Development Code section 5.8.1.B to not provide sidewalks along Dearing Avenue, most of Orchard Avenue, and a small portion of Meadow Avenue.**

01:27:19 On a motion by Member Lewis, seconded by Member Ford, the following resolution based on the staff report, and evidence and testimony heard today, was adopted:

**(WAIVER 1) WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners as the location of the zoning boundary is in the interior of the subject property and adequate property parameter screening will be provided, and

**WHEREAS**, the Board of Zoning Adjustment finds the waiver will not violate the Comprehensive Plan. The proposed use is compatible with adjacent uses and not substantially different in scale and intensity from other developments in the area, 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 zoning boundary bisects the subject property and the proposed development, and

**WHEREAS**, the Board of Zoning Adjustment finds the strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land as the zoning boundary bisects the subject property and development is planned across the boundary. This buffer is generally intended to apply along the perimeter of development sites, and

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-VARIANCE-0021**

**(WAIVER 2) WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners. The subject area occupies the entire block except for lots along Preston Highway, which have existing sidewalks. The rest of the area is undeveloped, and

**WHEREAS**, the Board of Zoning Adjustment finds that in its entirety, the waiver request violates the Comprehensive Plan. Sidewalks are necessary along Meadow Avenue to ensure safe pedestrian access to Preston Hwy, which is inconsistent with Mobility Goal 1 and its underlying Objective B and Policy 1.4. The waiver of sidewalks along Dearing and Orchard does not violate the intent of these Comprehensive Plan provisions as sidewalks in these locations would not provide any meaningful access to the site or others in the area, 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 request to not provide sidewalks is justified along Dearing Avenue and Orchard Avenue as there is not pedestrian access planned to the site along these frontages. However, at a minimum to ensure some pedestrian connectivity, a sidewalk connection along Meadow Avenue to Preston Highway needs to be provided at a minimum as there is access planned on Meadow Avenue, and

**WHEREAS**, the Board of Zoning Adjustment finds the strict application of the provision of the regulation would not create an unnecessary hardship on the applicant as a sidewalk fee in lieu could be requested for the portions of sidewalk along Dearing Avenue and Orchard Avenue. Providing the sidewalk along Meadow Avenue would not deprive the applicant of a reasonable use of the land as it would connect to a planned access point to the subject site; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Waiver **(1)** from Land Development Code section 10.2 to not provide the landscape buffer along the internal zoning district boundary and Waiver **(2)** from Land Development Code section 5.8.1.B to not provide sidewalks along Dearing Avenue, most of Orchard Avenue, and a small portion of Meadow Avenue.

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-VARIANCE-0021**

**Waiver from Land Development Code section 5.8.1.B to not provide sidewalks along Meadow Avenue between the proposed vehicle entrance on Meadow Avenue and Preston Highway.**

01:29:59 On a motion by Member Lewis, seconded by Member Horton, the following resolution based on the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds that the waiver request violates the Comprehensive Plan. Sidewalks are necessary along Meadow Avenue to ensure safe pedestrian access to Preston Hwy, and the waiver request is inconsistent with Mobility Goal 1 and its underlying Objective B and Policy 1.4. The waiver of sidewalks along Dearing and Orchard does not violate the intent of these Comprehensive Plan provisions as sidewalks in these locations would not provide any meaningful access to the site or others in the area, 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 request to not provide sidewalks is justified along Dearing Avenue and Orchard Avenue as there is not pedestrian access planned to the site along these frontages. However, at a minimum to ensure some pedestrian connectivity, a sidewalk connection along Meadow Avenue to Preston Highway needs to be provided at a minimum as there is access planned on Meadow Avenue; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **DENY** the requested Waiver from Land Development Code section 5.8.1.B to not provide sidewalks along Meadow Avenue between the proposed vehicle entrance on Meadow Avenue and Preston Highway.

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**Category 3 Development Plan to construct a 47,750 square foot facility.**

01:32:08 On a motion by Member Lewis, seconded by Member Bieda, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-VARIANCE-0021**

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Category 3 Development Plan on condition that the applicant submit a plan that shows the required sidewalk portion along Meadow Avenue between the vehicle entrance on Meadow Avenue and Preston Highway.

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0030**

Request:	Conditional Use Permit to allow a private propriety club, a Conditional Use Permit to allow a short term rental of a dwelling unit that is not the primary residence of the owner, a Floyds Fork Special Zoning Overlay District Review with a waiver
Project Name:	Proposed Event Space and Short-Term Rental
Location:	2612 S English Station Road
Applicant:	2nds in Building Materials
Representative:	Bardenwerper, Talbott & Roberts, PLLC.
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Molly Clark, 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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency testimony:**

01:33:51 Molly Clark provided an overview of the request and presented a PowerPoint presentation. Clark responded to questions from Board Members (see recording for details).

01:38:46 Joe Haberman responded to questions from Laura Ferguson pertaining to the votes for the Conditional Use Permits (see recording for details).

**The following spoke in favor of the request:**

Nick Pregliasco, Bardenwerper, Talbott & Roberts, 1000 N Hurstbourne Pkwy, Louisville, KY 40223

Kelli Jones, Sabak, Wilson, and Lingo, 608 S 3<sup>rd</sup> St., Louisville, KY 40202

Lucas Frazier, 15700 Piercy Mill Rd, Louisville, KY 40245

**Summary of testimony of those in support:**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0030**

01:40:14 Nick Pregliasco spoke in support of the proposal and presented a PowerPoint presentation. Pregliasco provided details of previous projects that were associated with the property and discussed the location of the site. Pregliasco stated that the existing buildings would remain, and additional parking would be provided. Pregliasco responded to questions from Board Members (see recording for details).

01:55:29 Rachel Casey responded to questions from Board Members pertaining to future parking areas where grass pavers are used (see recording for details).

01:58:13 Kelli Jones responded to questions from Board Members pertaining to paving the future parking (see recording for details).

02:00:39 Lucas Fraizer spoke in support of the proposal. Fraizer stated that he is in full support of the CUP and what the applicant is proposing. Fraizer mentioned his appreciation for the realignment away from the Louisville Loop and for keeping the sidewalks in place (see recording for details).

**The following spoke in opposition to the request:  
None**

**Deliberation:**

02:03:46 Board deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 a private proprietary club in the R-R Single-Family zoning district (Land Development Code 4.2.44) with relief from item D to allow a 6' tall 60 SF free-standing sign.**

**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).**

02:11:09 On a motion by Member Bieda, seconded by Member Lewis, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**(CUP 1) WHEREAS**, the Board of Zoning Adjustment finds the proposal is consistent with the land use and development policies of Plan 2040. Community Form Goal 1, Policy 9

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0030**

calls to ensure an appropriate transition between land uses that are different in scale and intensity. The proposed parking areas are meeting the required setbacks. The property is densely populated with trees and natural landscaping, which is to remain, 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 property is densely populated with trees and natural landscaping, which are to remain, which is consistent with neighboring properties, and

**WHEREAS**, the Board of Zoning Adjustment finds the necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services are adequate to serve the proposed use are available, and

**WHEREAS**, the Board of Zoning Adjustment finds the proposed proprietary club will be located at least 30 feet from all property lines. There are no outdoor swimming pools proposed and there are no recreation areas or play fields on the proposed plan. The applicant has requested relief from item D to allow a 60 SF freestanding sign. The proposed sign meets the form district standards per Chapter 8 of the Land Development Code, and

**(CUP 2) WHEREAS**, the Board of Zoning Adjustment finds the proposal does not conflict 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 the necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services are adequate to serve the proposed use are available, and

**WHEREAS**, the Board of Zoning Adjustment finds the proposed short-term rental will be located in the proposed 1 story 2,800 square foot structure with three bedrooms. The maximum number of guests permitted in the short-term rental is 8 guests. There are no other short term rental conditional use permits within 600 feet of the subject site; now, therefore be it.



**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0030**

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow a private proprietary club in the R-R Single-Family zoning district (Land Development Code 4.2.44) with relief from item D to allow a 6' tall 60 SF free-standing sign **AND** the requested Conditional Use Permit to allow a 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 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 and short-term rental without further review and approval by the Board.
3. 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.
4. 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 certificate of occupancy or within two (2) years of the approval of this Conditional Use Permit, whichever is sooner, the permit shall become null and void.
5. Impervious surface data and associated detention calculations shall be shown on the plan that incorporates the future parking areas, as shown at the public hearing.
6. Onsite detention will be provided. Post developed peak flows will be limited to predeveloped peak flows for the 2, 10, 25 & 100 year storms or to the capacity of the downstream system, whichever is more restrictive.
7. The 133 future parking spaces on the site plan shall be atop a permeable grass paver system. The Interior Landscape Areas (ILAs) shall be installed prior to any future parking space being used.

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0030**

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**Waiver from section 5.9.2.A.1.b.ii to not provide a vehicular connection to the site to the south (25-WAIVER-0031)**

02:13:59 On a motion by Member Bieda, seconded by Member Ford, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the waiver will not adversely affect adjacent property owners since the proposed use on the subject site is for a private proprietary club and would not be a use that is open to the public. The proposed waiver will not affect vehicular and pedestrian circulation on the subject site, and

**WHEREAS**, the Board of Zoning Adjustment finds the Community Form Goal 1, Policy 12 calls to ensure that parking, loading, and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Mobility Goal 1, Policy 6 calls for developments meeting established thresholds, provide facilities that support an efficient public transportation system such as convenient access to and across pedestrian, bicycle and roadway facilities. Mobility Goal 2, Policy 6 calls to ensure that the internal circulation pattern for streets within a development be designed with an appropriate functional hierarchy of streets and appropriate linkages with existing and future development. Livability Goal 1 Policy 35 Ensure critical connections are built and maintained in the pedestrian and bicycle networks including the development of sidewalks, bike lanes, shared use paths and walkways to promote the use of multi-modal transportation options. The subject site is proposed to be a private proprietary club and not open to the public. There is still adequate vehicular and pedestrian circulation within the site. The site is also located along the Louisville Loop where an easement and the multi-use path for the loop are being provided on the site, 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 use is a private proprietary club with a short-term rental that are not open to the public. The subject site still has adequate vehicular and pedestrian circulation, and

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0030**

**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 the proposed uses are not open to the public. Users are unlikely to visit both sites in a single trip; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Waiver from section 5.9.2.A.1.b.ii to not provide a vehicular connection to the site to the south (25-WAIVER-0031).

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**Floyds Fork Special Zoning Overlay District Review**

02:14:59 On a motion by Member Bieda, seconded by Member Ford, the following resolution based on the staff report, and evidence and testimony heard today that the Board has found the plan is in compliance with the Floyds Fork regulations, was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Floyds Fork Special Zoning Overlay District Review.

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0061**

Request:	Conditional Use Permit to allow an Accessory Dwelling Unit
Project Name:	Accessory Dwelling Unit
Location:	1634 Edenside Avenue
Applicant:	Eileen Kearney
Representative:	Eileen Kearney
Jurisdiction:	Louisville Metro
Council District:	8 – Ben Reno-Weber
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 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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency testimony:**

02:16:35 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:**

Eileen Kearney, 1525 Tyler Park Dr, Louisville, KY 40204

**Summary of testimony of those in support:**

02:21:44 Eileen Kearney spoke in support of the proposal. Kearney provided details as to why she was needing the CUP and mentioned that her husband would store his belongings within the unit. Kearney responded to questions from Board Member (see recording for details).

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

02:23:41 Board deliberation

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0061**

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 (LDC 4.2.3).**

02:24:21 On a motion by Member Ford, seconded by Member Bieda, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the proposal is consistent with the land use and development policies of Plan 2040. Housing Goal 1, Policy 1 calls to encourage a variety of housing types including accessory residential structures. The conditional use permit would allow an ADU to be located on a traditional neighborhood, R-5 single-family property that otherwise would not permit a second dwelling unit, and

**WHEREAS**, the Board of Zoning Adjustment finds the proposed use is compatible with surrounding development and land uses. Residential properties within the immediate vicinity along the alley network have accessory structures that are similar in size, scale, and location within the required rear yard. The proposed ADU will be located in the existing two-story accessory structure, which is meeting all applicable requirements of residential site design for accessory structures within the traditional neighborhood form district such as height, size, location, and setbacks, and

**WHEREAS**, the Board of Zoning Adjustment finds the necessary on-site and off-site public facilities shall be adequate to serve accessory dwelling unit. MSD and Transportation have reviewed the proposal and all outstanding agency comments have been addressed. Existing transportation networks, emergency services, and civic amenities exist within the context of the traditional neighborhood to serve the proposal, and

**WHEREAS**, the Board of Zoning Adjustment finds the existing accessory structure is 936 sq ft. Standard B states the maximum ADU size is 800 sq ft. or 30% gross floor area of the main home, whichever is greater. Since the ADU will exceed 800 sq ft. the conditional use permit has been requested. The accessory structure and ADU are meeting all other standards outlined in LDC 4.3.27; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow an Accessory Dwelling Unit (LDC 4.2.3) **SUBJECT** to the following Conditions of Approval:

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0061**

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. Prior to the occupancy, the property owner shall contact Louisville Metro Emergency Services to have a unique address assigned to the accessory dwelling unit.
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 an accessory dwelling unit until further review and approval by the Board.

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0057**

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner
Project Name:	Carol Jean Court Short Term Rental
Location:	1314 Carol Jean Court
Applicant:	Brandon & Alyssa Wood
Representative:	Brandon & Alyssa Wood
Jurisdiction:	Louisville Metro
Council District:	15 – Jennifer Chappell
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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency testimony:**

02:25:59 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:**

Brandon Wood, 2425 Newburg Rd, Louisville, KY 40205

**Summary of testimony of those in support:**

02:28:14 Brandon Wood spoke in support of the proposal. Wood stated that the house was purchased in January and that his primary residence is approximately 15 minutes away from the short term rental. Wood stated that this is not his first short term rental and has short term rental on Shelby St. Wood 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  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0057**

02:31:36 Board Deliberation.

**An audio/visual recording of the Board of Zoning Adjustment hearing 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).**

02:32:01 On a motion by Member Horton, seconded by Member Ford, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the proposal does not conflict with Comprehensive Plan policies, 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 since no changes to the exterior of the property are being proposed which reduce compatibility with the area, and

**WHEREAS**, the Board of Zoning Adjustment finds that the 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, 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; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested 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) **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. Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville



**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0057**

Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms/guests.

2. Prior to the 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 Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0062**

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner
Project Name:	Short Term Rental
Location:	1208 Oleanda Ave
Applicant:	Angelique Fearen
Representative:	Angelique Fearen
Jurisdiction:	Louisville Metro
Council District:	15 – Jennifer Chappell
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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency testimony:**

02:33:44 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:**

Angelique Fearen, 4517 Stone Wynde Dr, Louisville, KY 40272

**Summary of testimony of those in support:**

02:36:03 Angelique Fearen spoke in support of the proposal and gave a brief overview of the updates that have been done to the property. Fearen mentioned that she would be the host of the short term rental and manage the property. Fearen responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:  
None**

**Deliberation:**

02:41:18 Board deliberation

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0062**

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 a short term rental of a dwelling unit that is not the primary residence of the property owner in a single-family residential zoning district (Land Development Code 4.2.63)**

02:41:41 On a motion by Member Horton, seconded by Member Ford, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the proposal does not conflict with Comprehensive Plan policies, 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 since no changes to the exterior of the property are being proposed which reduce compatibility with the area, and

**WHEREAS**, the Board of Zoning Adjustment finds 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, 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; now, therefore be it.

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow a short-term rental of a dwelling unit that is not the primary residence of the property owner in a single-family residential zoning district (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 ten (10) guests at any one time. Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0062**

Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms/guests.

2. Prior to the 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 Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0066**

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner
Project Name:	E. Indian Trail Short Term Rental
Location:	4122 E. Indian Trail
Applicant:	Christopher & LaTina Hill
Representative:	Krystian Coatley
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

02:43:19 Zach Schwager provided an overview of the request and presented a PowerPoint presentation (see recording for details).

**The following spoke in favor of the request:**

Chris Hill, 6610 Colville Place, Indianapolis, IN 46236

**Summary of testimony of those in support:**

02:45:14 Chris Hill spoke in support of the proposal. Hill mentioned that the home is set up for a long-term renter but would like to switch to short-term. Hill provided details on the renovations that have been completed throughout the home. Hill responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

02:48:33 Board deliberation

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0066**

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 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)**

02:48:58 On a motion by Member Bieda, seconded by Member Ford, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the proposal does not conflict with Comprehensive Plan policies., 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 since no changes to the exterior of the property are being proposed which reduce compatibility with the area, and

**WHEREAS**, the Board of Zoning Adjustment finds 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, 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.; now, therefore be it.

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

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0066**

2. Prior to the 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 Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0071**

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner
Project Name:	Gheens Avenue Short Term Rental
Location:	227 Gheens Avenue
Applicant:	ES Property Group, LLC
Representative:	Slava Furs
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

02:50:12 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:**

Slava Furs, 227 Gheens Ave, Louisville, KY 40214

**Summary of testimony of those in support:**

02:52:04 Slava Furs spoke in support of the proposal. Furs stated he has managed multiple short term rentals over the last four years and no complaints have been filed from the renters. Furs responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

02:56:18 Board deliberation



**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0071**

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 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)**

02:56:42 On a motion by Member Ford, seconded by Member Bieda, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the proposal does not conflict with Comprehensive Plan policies., 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 since no changes to the exterior of the property are being proposed which reduce compatibility with the area, and

**WHEREAS**, the Board of Zoning Adjustment finds the 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, 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; now, therefore be it.

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

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0071**

2. Prior to the 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 Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0075**

Request:	Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner
Project Name:	Short Term Rental
Location:	3239 Taylor Blvd
Applicant:	Richard Gardner
Representative:	Richard Gardner
Jurisdiction:	Louisville Metro
Council District:	15 – Jennifer Chappell
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 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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

02:58:12 Mark Pinto provided an overview of the request and presented a PowerPoint presentation (see recording for details).

**The following spoke in favor of the request:**

Richard Gardner, 2518 Windsor Forest Dr, Louisville, KY 40272

**Summary of testimony of those in support:**

03:00:52 Richard Gardner spoke in support of the proposal. Gardner mentioned that his father is having a hard time finding long-term rentals and would like to seek short term renters. Gardner stated that he would be the one to managing and host the property. Gardner responded to questions from Board Members (see recording for details).

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

03:05:21 Board deliberation

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0075**

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 obtain a copy.**

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

03:05:42 On a motion by Member Ford, seconded by Member Horton, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**WHEREAS**, the Board of Zoning Adjustment finds the proposal does not conflict with Comprehensive Plan policies, 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 since no changes to the exterior of the property are being proposed which could reduce compatibility with the area, and

**WHEREAS**, the Board of Zoning Adjustment finds the 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, 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. At this time, there are no approved conditional use permits for short term rental within 600' of the subject property; now, therefore be it.

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the requested Conditional Use Permit to allow a short-term rental of a dwelling unit that is not the primary residence of the property 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. 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.

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. 25-CUP-0075**

2. Prior to the 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 Ford, Bieda, Horton, Lewis, and Bond**

**ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. LIC-STA-24-01353**

Request:	A Waiver of Louisville Metro Code of Ordinances (LMCO) Section 115.516 (D) (1) to allow the registration a short term rental within 12 months of a Citation
Project Name:	Short Term Rental Registration
Location:	1436 South Brook Street
Applicant:	Erick Sanchez
Representative:	Erick Sanchez
Jurisdiction:	Louisville Metro
Council District:	6 – JP Lyninger
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 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 in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

03:07:12 Joe Haberman presented the case. 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:**

Erick Sanchez, 1436 S Brook St., Louisville, 40208

**Summary of testimony of those in support:**

03:18:00 Erick Sanchez requested relief to the requirement that he wait one year from the date of the last citation to receive a registration. Sanchez provided his perspective as to why he received the citations. Sanchez claimed that the property was added to Airbnb and rented out as a long-term rental instead of a short term. Sanchez responded to questions from Board Members (see recording for details).

03:21:32 Rachel Casey responded to questions from Laura Ferguson pertaining to who was renting the property at the time when the second citation was given (see recording for details).

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**PUBLIC HEARING**

**CASE NO. LIC-STA-24-01353**

**The following spoke in opposition to the request:  
None**

**Deliberation:**

03:30:37      Board deliberation

**An audio/visual recording of the Board of Zoning Adjustment hearing 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 obtain a copy.**

**A Waiver of Louisville Metro Code of Ordinances (LMCO) Section 115.516 (D) (1) to allow the registration of two short term rentals (strs) within 12 months of a Citation).**

03:37:22      On a motion by Member Bieda, seconded by Member Horton, the following resolution based on the staff analysis contained in the standard of review in the staff report, and evidence and testimony heard today, was adopted:

**RESOLVED**, that the Louisville Metro Board of Zoning Adjustment does hereby **DENY** the requested Waiver of Louisville Metro Code of Ordinances (LMCO) Section 115.516 (D).

**The vote was as follows:**

**YES: Members Ford, Bieda, Horton, Lewis, and Bond  
ABSENT: Members Rodriguez and Vozos**

**BOARD OF ZONING ADJUSTMENT  
MINUTES  
April 21, 2025**

**ADJOURNMENT**

The meeting adjourned at approximately 4:50 p.m.

---

**Chair**

---

**Planning Director**