

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: JDG Investments LLC Appeal Case 2022-143
1042 B & B2 SCOVEL ST
Map Parcel: 081162E00200CO
Zoning Classification: R6A Council District: 19

ORDER

This matter came to be heard before the Metropolitan Board of Zoning Appeals in public hearing on 11/17/2022 and was deferred to 1/19/2023 for further testimony, upon an application for a variance from the side setback requirements to allow the legal use of previously constructed duplex dwellings and their respective detached accessory garages.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 B of the Metropolitan Code.
- (3) Credible proof was submitted that the application is and, if granted, would remain injurious to the abutting parcel. Therefore, the appellant has NOT satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED. Furthermore, pursuant to Rule 17B of the Rules of Procedure of the Metropolitan Board of Zoning Appeals, the Board hereby waives the six (6) month prohibition against requesting the same or similar relief, otherwise set forth in Board Rule 5A, provided that said Rule waiver shall only apply in the event new evidence is submitted with the new application.

UPON MOTION BY: Ms. Davis

Seconded By: Mr. Cole

Result: 4-1

Ayes: Cole, Davis, Lawless, & Newton

Nays: Karpyne

Abstaining:

Absent: Bradford & Pepper

ENTERED THIS 20th DAY OF JANUARY, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Dominic Rota Appeal Case 2023-007
1134 SUNNYMEADE DR
Map Parcel: 06115018000
Zoning Classification: RS7.5/OV-UZO Council District: 7

ORDER

This matter came to be heard in public hearing on 1/19/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from side setback requirements. The appellant is seeking to obtain a permit for a home addition.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 B of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED.

UPON MOTION BY: Mr. Newton

Seconded By: Mr. Cole

Result: 4-0

Ayes: Cole, Davis, Karpyneec, & Newton

Nays:

Abstaining:

Absent: Bradford, Lawless, & Pepper

ENTERED THIS 20th DAY OF JANUARY, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: East End UMC Appeal Case 2023-010
1212 HOLLY ST
Map Parcel: 08309025400
Zoning Classification: R6/OV-NHC/OV-UZO Council District: 6

ORDER

This matter came to be heard in public hearing on 1/19/2023, before the Metropolitan Board of Zoning Appeals, upon application for a special exception to construct a religious institution.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 C of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the conditions for a special exception under Section 17.16.150.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant’s request shall be GRANTED.

UPON MOTION BY: Mr. Newton

Seconded By: Mr. Cole

Result: 4-0
Ayes: Cole, Davis, Karpynec, & Newton
Nays:
Abstaining:
Absent: Bradford, Lawless, & Pepper

ENTERED THIS 20th DAY OF JANUARY, 2023.