

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Brian Vaughn Appeal Case 2023-119
4329 BRICK CHURCH PIKE
Map Parcel: 03200016300
Zoning Classification: R20/OV-FLD Council District: 3

ORDER

This matter came to be heard in public hearing on 10/19/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance in street setback requirements. The appellant is seeking to construct a detached garage.

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 due to the hardships associated with the property including the floodplain, FEMA stream buffer, topography, and creek which reduce the buildable area of the lot.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant’s request shall be GRANTED, subject to the condition that a landscape buffer shall at all times be maintained between the structure and Brick Church Pike.

UPON MOTION BY: Mr. Ransom Seconded By: Ms. Davis

Result: 6-0
Ayes: Members Bradford, Cole, Davis, Karpynek, Lawless, and Ransom
Nays:
Abstaining:
Absent: Mr. Pepper

ENTERED THIS 23rd DAY OF OCTOBER, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: JoAnn Luksza Appeal Case 2023-120
2317 12TH AVE S
Map Parcel: 10513009900
Zoning Classification: CS/OV-UZO Council District: 18

ORDER

This matter came to be heard in public hearing on 10/19/2023, before the Metropolitan Board of Zoning Appeals, upon application for an Item D Appeal. The appellant is seeking to remodel the existing patio and exterior facade.

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 D 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. Lawless Seconded By: Mr. Cole

Result: 6-0
Ayes: Members Bradford, Cole, Davis, Karpynec, Lawless, and Ransom
Nays:
Abstaining:
Absent: Mr. Pepper

ENTERED THIS 23RD DAY OF OCTOBER, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Build Group LLC Appeal Case 2023-122
2456 FAIRBROOK DR
Map Parcel: 07307000500
Zoning Classification: RS15 Council District: 15

ORDER

This matter came to be heard in public hearing on 10/19/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance in street setback requirements. The appellant is seeking to add to an existing single family home.

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 based upon the showing of a hardship caused by the irregular orientation of the existing principal structure.

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

UPON MOTION BY: Ms. Davis

Seconded By: Mr. Bradford

Result: 5-1

Ayes: Members Bradford, Davis, Karpynek, Lawless, and Ransom

Nays: Mr. Cole

Abstaining:

Absent: Mr. Pepper

ENTERED THIS 23RD DAY OF OCTOBER, 2023.