

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Volunteer Builders, LLC Appeal Case 2023-050
407, 411, & 415 31ST AVE S
Map Parcel: 10406029800, 10406029900, 10406034400
Zoning Classification: RS7.5/OV-UZO/OV-IMP Council District: 18

ORDER

This matter came to be heard in public hearing on 8/17/2023, before the Metropolitan Board of Zoning Appeals, upon a petition for rehearing of an Order entered June 20, 2023 granting variances from street and rear setback requirements, as follows: reduction of 40’ street setback to 10’ for 415 31st Ave. S.; reduction of street setback to 15’ for 411 31st Ave. S.; and reduction of street setback to 20’ for 407 31st Ave. S.; and reduction of rear setback to 5’ from Alley 606 for all three parcels in order to construct single-family homes on each parcel.

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 on the irregular shape of each of the lots.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the applicant’s request shall be GRANTED, subject to the following conditions: no more than 3,800 square feet to be interior, conditioned space; and structures shall not exceed two stories.

UPON MOTION BY: Ms. Karpynech

Seconded By: Mr. Lawless

Result: (4-0)

Ayes: Members Karpynech, Lawless, Pepper, and Ransom

Nays:

Abstaining:

Absent: Members Bradford, Cole, and Davis

ENTERED THIS 21st DAY OF AUGUST, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Klaus Thieme Appeal Case 2023-052
512 BARRYWOOD DR
Map Parcel: 14612010700
Zoning Classification: RS20 Council District: 26

ORDER

This matter came to be heard in public hearing on 8/17/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance to reduce the westerly side setback from 10’ to 6’ to expand an existing patio.

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. Lawless Seconded By: Ms. Karpy nec

Result: (4-0)
Ayes: Members Karpy nec, Lawless, Pepper, and Ransom
Nays:
Abstaining:
Absent: Members Bradford, Cole, and Davis

ENTERED THIS 21st DAY OF AUGUST, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Stephen & Amanda Jerkins Appeal Case 2023-067
8118 CLOVERLAND DR
Map Parcel: 17206003700
Zoning Classification: R20/OV-AIR Council District: 4

ORDER

This matter came to be heard in public hearing on 7/20/2023, before the Metropolitan Board of Zoning Appeals, upon application to reduce the street setback from 74’ to 70’ to construct an addition to the existing 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 on the slope of the lot.

This matter came back before the Metropolitan Zoning Appeals Board on this 17th day of August pursuant to Metropolitan Code Section 17.40.240, for Board Members Pepper and Ransom to cast their votes, having been absent at the prior meeting. Members Pepper and Ransom indicated they had both reviewed the record of this matter, as well as the public hearing, and cast their votes as follows: “Ayes” (2): Pepper and Ransom.

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

UPON MOTION BY: Mr. Bradford on July 20, 2023

Result: (5-2)
Ayes: Members Bradford, Karpyneec, Lawless, Pepper, and Ransom
Nays: Members Cole and Davis
Abstaining:
Absent:

ENTERED THIS 21st DAY OF AUGUST, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Louis & Mary Kaye Jordan Appeal Case 2023-084
5429 HILL ROAD CIR
Map Parcel: 16008008100
Zoning Classification: RS15 Council District: 4

ORDER

This matter came to be heard in public hearing on 8/17/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from street setback requirement from 43’ to 38’ to construct an addition to the existing 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.

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: Ms. Karpynec

Result: (4-0)

Ayes: Members Karpynec, Lawless, Pepper, and Ransom

Nays:

Abstaining:

Absent: Members Bradford, Cole, and Davis

ENTERED THIS 21st DAY OF AUGUST, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Ascension St. Thomas Appeal Case 2023-087
2000 CHURCH ST
Map Parcel: 09211036800
Zoning Classification: MUI-A/OV-UZO Council District: 21

ORDER

This matter came to be heard in public hearing on 8/17/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from street setback requirements. The appellant is seeking to add an additional sign for the hospital.

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. Lawless Seconded By: Ms. Karpynec

Result: (4-0)
Ayes: Members Karpynec, Lawless, Pepper, and Ransom
Nays:
Abstaining:
Absent: Members Bradford, Cole, and Davis

ENTERED THIS 21st DAY OF AUGUST, 2023.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Tim & Ginger Holmes Appeal Case 2023-088
1718 WARFIELD DR
Map Parcel: 13103016400
Zoning Classification: RS10 Council District: 25

ORDER

This matter came to be heard in public hearing on 8/17/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from height requirements to construct a detached accessory structure with maximum 24.4’ height.

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 on the drainage hardship shown.

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

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

Result: (4-0)
Ayes: Members Karpynec, Lawless, Pepper, and Ransom
Nays:
Abstaining:
Absent: Members Bradford, Cole, and Davis

ENTERED THIS 21st DAY OF AUGUST, 2023.

