



La Grange Board of Adjustments

April 20, 2025

Summary of Application:

Docket:	LG-26-003	
Request:	Variance of Sec. 250-100, Fuel Sales Setbacks	
Applicant:	TJ and Sons Investment INC.	
Location:	201 S. First Ave.	
Existing Land Use:	Commercial	
Existing Zoning:	C-3	
Total Site Size:	0.37-acres	
Tax Parcel:	46-L.4-16-5,6&7	

Surrounding Zoning:

North – Land Use: Commercial
Zoning: C-2, C-3

East – Land Use: Residential
Zoning: CN

South – Land Use: Commercial
Zoning: C-3

West – Land Use: Commercial
Zoning: C-3

Board Action:

Docket LG-26-003 – An application has been filed requesting a Variance of Section 250-100, Fuel Sales and Vehicle Repair located at 201 S. First Ave., La Grange.

Case History:

Posted to Website: 3/27/2026

Adjoining Property Owner Notices Mailed: 3/31/2026

Public Notice Appeared in Oldham Era: 4/9/2026

Site History:

None

Notes:

1. The applicant is requesting a Variance of the Building Setback from right of way requirements for fuel stations listed in Section 250-100.
2. The property is zoned C-3, General Business District.
3. The applicant proposes installing two (2) fuel pumps with (4) hoses at their business location.
4. According to the Oldham County Comprehensive Zoning Ordinance Sec. 250-100 (1), all fuel pumps including liquified petroleum retail sales, storage tanks, and necessary dispensing apparatus shall be located at least fifteen (15) feet from the right-of-way line.
5. The proposed storage tank setback from the Walnut St. right-of-way line is seven (7) feet.
6. The applicant is therefore asking for a setback variance of 8 feet from the Walnut St. right-of-way for the storage tanks.
7. The proposed storage tank setback from the S. First Ave. right-of-way line is 5.4 feet.
8. The applicant is therefore asking for a setback variance of 9.6 feet from the S. First Ave. right-of-way for the storage tanks.
9. KYTC is requiring the applicant to close the North entrance/exit to S. First Ave. as a traffic mitigation measure. This requires the installation of sidewalk, curb and gutter in conformance with City/ County/State Engineer's requirements.

Motions and Findings:

Every motion to approve a variance or conditional use must state the finding(s) required by statute or regulation and must also state the reasons for the motion. Every motion to deny must state the reasons for the motion.

Suggested motions to approve or deny are set out below.

Variance:

The applicant is requesting Right of Way Setback Variances for a proposed fuel sales structure and associated storage tanks to be constructed at 201 S. First Ave., La Grange.

Proposed Storage Tank Walnut St. Right of Way Setback Variance:

Required Right of Way Line Setback: 15 feet

Requested Right of Way Line Setback: 7 feet

Requested Variance: 8 feet

Proposed Storage Tank S. First Ave. Right of Way Setback Variance:

Required Right of Way Line Setback: 15 feet

Requested Right of Way Line Setback: 5.4 feet

Requested Variance: 9.6 feet

Motions:

Move to **approve** the variance because it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations because _____.

Motion to **deny** the variance because (any one or all of the following):

- a. It will adversely affect the public health, safety or welfare because _____;
- b. It will alter the essential character of the general vicinity because _____;
- c. It will cause a hazard or nuisance to the public because _____;
- d. It will allow an unreasonable circumvention of the requirements of the zoning regulations because _____.

In deciding on a variance, you may consider whether:

- a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone;
- b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
- c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

You cannot approve a variance which is the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Potential Conditions of Approval:

- 1. The variances shall only apply to the plan reviewed at the April 20, 2026, La Grange Board of Adjustments public hearing.
- 2. The applicant shall obtain all necessary permits and inspections from the appropriate agencies.
- 3. The applicant shall comply with all relevant state and federal laws regarding underground fuel storage.
- 4. As directed by KYTC, the applicant must close the north ingress/egress to S. First Ave. and install sidewalks, curb and gutter.

* *The Board of Adjustments may amend, delete or add additional conditions of approval at the public hearing.*

Considerations:

* Refer to the applicant's justification statement and other evidence in the record.

-or-

Move to **deny** the conditional use because the proposed use is **not** essential or desirable to the community, or is in conflict with the elements and objectives of the Comprehensive Plan, or is not in compliance with the zoning regulations, based on the following factual determinations and conclusions _____.

Oldham County Comprehensive Zoning Ordinance
Division 170 C-3 General Business District

**Sec. 170-030 C-3 General Business District:
Permitted Uses**

Agricultural Uses

Agricultural Uses
Farmers Market
Riding Academies and Stables

Commercial

Adult Entertainment Establishments
Building Material Sales
Firework Sales (Permanent, Ancillary, and Seasonal)
Funeral Homes and Mortuaries
Hotels and Motels
Nursing Homes
Printing and Lithograph Shops
Retail and Personal Services Establishments with a gross floor area < 100,000 square feet

Vehicle Repair including service stations

Vehicle Sales and Display
Vehicle Wash
Vocational Schools

Community Facilities

Adult Day Centers
Colleges and Schools, not for profit (CF)
Nursery Schools and Childcare Centers
Parks, Playgrounds, Community Centers, and Similar Uses
Public and Government Buildings and Facilities

Eating Establishments

Eating Establishments of any kind

Light Industrial

Boat and Marine Supplies
Building and Related Trades Shops
Lumber Storage, Millwork, and Sales
Storage Facilities for Frozen Products

Office

Business and Professional Offices including Clinics and Immediate Care Facilities

Public Parks and Recreation

Boat Docks and Launching Areas, Recreational Camps, Resorts Public Parks and Forest Preserves

**Sec. 170-040 General Business District:
Conditional Uses**

Commercial

Auto Auctions
Veterinary Hospitals and Kennels

Community Facilities and Services

Marinas or Boat Rental

Health Services

Hospitals and Institutions

Light Industrial

Contractor's Equipment Storage
Grain and Feed Storage and Sales
Mini-Warehouses/Self Storage Facilities

Natural Resource

Borrow Pits, Quarry, Gravel Pit, or Stone Mill
Extraction and Development of Natural Resources,

Recreation

Aviaries and Zoos
Indoor Sports Facilities

Residential

Community Residences

Special

Airports, Heliports, and other Airship or Flying Machine Take-off or Landing Facilities
Cemeteries, Mausoleums and Crematories
Commercial Lakes

Utilities

Private Utility Buildings and Facilities
Sewage Treatment Plants

Sec. 250-100 Fuel Sales and Vehicle-Repair

1. **Fuel Pumps:** All fuel pumps including liquefied petroleum retail sales storage tanks and necessary dispensing apparatus shall be located at least fifteen feet (15') from the rights-of-way line.
2. **Groundwater Contamination:** Federal and State groundwater contamination standards shall be deemed a part of this Section.
3. **Driveway Width Requirements:** Fuel sales and vehicle sales service stations require wider driveways than other uses; however, proper traffic control requires that such driveway widths not be excessive. Driveway widths for these uses shall therefore conform to the following requirements:
 - Maximum Width – thirty six (36') feet
 - Minimum Width – twenty four (24') feet