



Oldham County

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Planning &
Development

Board of Adjustments and Appeals
Oldham County Planning and Development Services
Application for Variance

Date: 7/23/2015 For Staff Use Only: Docket No: 0625-031 Staff: JH Fee: 30 CK# 3201

This application must be submitted in person at the Planning and Zoning Office.

General Information: (A separate application must be submitted for each Board of Adjustments request.)

Name of Applicant(s): JASON BLACK

Project Name: _____

Project Address: 1309 SOUTH BUCKEYE LANE

City: GOSHEN Is the project within the incorporated city limits? NO

Subdivision Name: N/A Current Land Use: RESIDENTIAL

Parcel ID: 09-00-00-4D Current Zoning: AG-1 AND CO-1 Lot Size: 8.1 ACRES

Please explain/describe the requested Variance:

REQUEST IS FOR A ROAD FRONTAGE VARIANCE FOR TWO LOTS (ONE TRACT NON-CONFORMING) IN THE AG-1 AND CO-1 ZONING DISTRICT.

Are there any past or present related Planning and Zoning cases on this property? If yes, please list the cases:

MINOR SUBDIVISION PLATS RECORDED IN D.B. 168, PG. 184 AND D.B. 179, PG. 403

Signatures:

Owner(s): JASON BLACK Signature: [Signature]

Name: JASON BLACK Address: 506 JARVIS LANE

Phone: 502 551-3004 Email Address: djasonblack@me.com

Applicant(s): (if other than owner)

Name: SAME AS OWNER Signature: _____

Address: _____

Phone: _____ Email Address: _____

Contact:

Name: SAME AS OWNER Signature: _____

Address: _____

Phone: _____ Email Address: _____

100 West Jefferson Street ~ LaGrange, Kentucky

Ph: 502-222-1476 Fax: 502-222-3213

Last Updated 8/30/2015

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Justification:

SEE ATTACHED SHEETS FOR JUSTIFICATION

The Board of Adjustments and Appeals requires that each applicant respond to the following four questions (Please refer to the attached checklist for further explanation):

1. What are the specific conditions related to this request that are unique only to the applicant's land and do not exist on other land in the same general vicinity, or in the same zoning district?

2. If this variance were not granted, how would this deprive the applicant of reasonable use of the land in a manner equivalent to uses permitted to other landowners in the same zoning district?

3. Are the unique conditions and circumstances a result of actions of the applicant taken after the adoption of the zoning regulations from which relief is sought?

4. How will the variance preserve, and not harm, the public safety and welfare of the public and maintain the essential character of the neighborhood?

Application for Road Frontage Variance

Response for Sheet 2 of the Application

JUSTIFICATION

- 1. What are the specific conditions related to this request that are unique only to the applicant's land and do not exist on other land in the same general vicinity, or in the same zoning district?**

This is an eight acre tract of land with an existing residence. This residence, along with two other residences have access via an existing 60 foot wide roadway, created in 1977, which is located at the end of South Buckeye Lane. The owner of the eight acre tract (see attached exhibit) would like to subdivide the eight acre tract, creating a new 4.6 acre tract with the existing house on the residual three 3.5 acres. The proposed 4.6 acre tract is for a single family home. The proposed 4.6 acre tract has frontage of 296 feet on the private roadway and 496 feet on an unimproved section of S. Buckeye Lane. There are three existing entrances off of the existing access roadway. An additional entrance would require a subdivision waiver.

Apparently, no variance was ever granted for the 8 acre tract. While this is non-conforming, the creation of the new 4.6 acre tract would require a variance request for both tracts. The division of this 8 acre tract will require a road frontage variance for both tracts since neither tract would have the required road frontage required in the AG-1 and CO-1 zoning districts.

- 2. If this variance were not granted, how would this deprive the applicant of reasonable use of the land in a manner equivalent to uses permitted to other landowners in the same zoning district?**

The original owner apparently never requested, or was granted, a variance for the 8 acre tract. The existing house on this tract was built about 40 years ago. The new owners of this house became aware of this only after purchasing the property.

If this Variance for road frontage is not granted, the owner would not be allowed to subdivide this property, even though it has 296 feet of frontage on a private access easement and 496 feet on the S. Buckeye Lane which has a dedicated 70' right of way but is unimproved. The proposed tract is a very nice, large, building site. This site is located at the very Southern end of Buckeye Lane so traffic is not an issue.

Numerous other properties in the AG-1 and CO-1 in this area have been granted road frontage variances which have not changed the character of the area.

- 3. Are the unique conditions and circumstances a result of actions of the applicant taken after the adoption of the zoning regulations from which relief is sought?**

The new owners of the 8 acre tract were unaware that a road frontage variance was never requested or granted for this property. This came to light only after the owner wanted to divide the property.

- 4. How will the variance preserve, and not harm, the public safety and welfare of the public and maintain the essential character of the neighborhood?**

Creating one additional entrance on the private roadway will not be a detriment to public safety since the private road is located at the very end of South Buckeye Lane. Traffic is not an issue.

The owners / applicant are agreeable to constructing, at their expense, a short extension of S. Buckeye Lane for the driveway entrance to the proposed 4.6 acre tract. This section of roadway will be built to the County's specifications. In addition, the owners / applicant will replace the existing undersized culvert under the existing roadway, at their expense, to improve drainage (see attached drawing). These improvements were discussed with and are in accordance with the County Engineer, Jim Silliman's recommendations and will improve public safety.

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Submittal Checklist:

- ☒ 1. Complete Oldham County Planning and Zoning Variance Application. (Owner's signature is required.)
Justification Section:
 1. Examples of specific conditions include size of property, location of existing structure, topography, etc.
 2. What will happen if the Variance is not granted?
 3. Did the applicant create the need for the Variance? If not, please explain why this is not the case.
 4. Will the Variance harm the surrounding properties? Are there similar situations in other parts of the community?
- ☒ 2. Required Variance Fee as listed below:
a.) Residential-Detached \$200.00 b.) Non-Residential: \$400.00 c.) Industrial: \$600.00
Residential-Attached \$300.00
- ☒ 3. Notice fees equal to \$5.00 per adjoining property owner.
- ☒ 4. Mailing Labels for all adjoining property owners, including name and address of all 1st tier adjoining parcels. 1st tier adjoining parcels include all those that border the property, including those across streets. (*See note below for PVA directions)
- ☒ 5. Property information for the project location as listed by the Property Valuation Administration (PVA). (*See note below for PVA directions)
- ☒ 6. A copy of the current recorded deed along with any applicable easement deeds or maintenance agreements. Include any surveys of the property, if available.
- ☒ 7. Eight copies of a plan showing existing conditions and including:
 - ☒ Property Boundaries and easements with dimensions.
 - ☒ Location and exterior dimensions of existing structures.
 - ☒ Location and dimensions of any proposed structures.
 - ☒ N/A Location and dimensions of any existing or proposed signs.
 - ☒ N/A Location of any parking areas and/or driveways.
 - ☒ Distances between any existing and proposed structures to the property boundaries.
 - ☒ Current property zoning and neighboring property zoning.
 - ☒ Name and address of project property owner and all adjoining property owners.
 - ☒ Adjoining Streets with labels.
 - ☒ Vicinity Map showing location of property in relation to nearest major intersection.
 - ☒ North Arrow.
 - ☒ Highlight, in yellow, the location of the requested Variance.
 - ☒ Label the dimensions of the requested Variance.
- ☐ 8. Photos and other supporting documents.

** Accessing PVA information: Property information may be accessed on the internet at www.oldhampva.com. In order to search for a property, users must select "Tax Payer Info" from the left column then select "Property Search". Once located, users may print the information using the print command on their internet browser. For adjoining property owners or further assistance contact PVA at 110 W. Jefferson Street in LaGrange or at (502)222-9320.*

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