

OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

August 6, 2025

Summary of Application:

Docket:	OC-25-034
Request:	Accessory Structure Location Variance
Applicant:	Tony Karimi
Location:	2804 Valley View Ct., La Grange
Existing Land Use:	Residential
Existing Zoning:	R-2 & CO-1
Total Site Size:	5.5 acres
Tax Parcel:	37-06-00-20



Surrounding Zoning:

North – Land Use: Residential

Zoning: R-2 Residential

East – Land Use: Residential

Zoning: R-2 Residential/CO-1 Conservation

South – Land Use: Residential

Zoning: CO-1, Conservation & AG-1, Agricultural **Zoning:** R-2, Residential & CO-1, Conservation

West – Land Use: Residential

Zoning: R-2, Residential & CO-1, Conservation

Board of Adjustments Action:

An application has been filed requesting a Location Variance for an Accessory Structure in front of a Primary Structure for a property located at 2804 Valley View Ct., La Grange.

Site History:

No site history.

Case History:

Agenda Posted to Planning Website: 7/24/2025

Adjoining Property Owner Notices Mailed: 7/24/2025

Public Notice Appeared in Oldham Era: 7/31/2025

Notes:

1. The applicant is requesting a 40-feet x 40-feet (1,600 square feet) detached garage to be placed in the front and to the side of the primary structure.
2. The applicant states that the accessory structure will not be accessible as a garage if it is located somewhere other than where they are proposing.
3. Topographic issues also limit locations on the parcel.
4. The proposed accessory structure meets the standards of Section 250-030 Accessory Uses and Structures (with and without dwelling units), except for Item E.
 - a. Section 250-030 (E) Relationships to Street Setbacks states:
 - No accessory use or structure shall be located in between the principal building and the front yard property line. Accessory structures shall adhere to street-side yard setbacks.
5. The proposed accessory structure will be approximately 37 feet from the front yard property line.

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.

No. 1 - Variance:

1. The applicant is requesting a Location Variance to allow the placement of an accessory structure in front of the primary structure.

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 Variance shall only apply to the application considered at the August 6, 2025, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

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 250 Special Provisions

structure has been developed except after review and approval as a Conditional Use. Accessory units shall comply with the applicable density standards of the zoning district in which it is located.

D. Same Parcel

Except as otherwise specifically permitted elsewhere in the Zoning Ordinance, accessory uses and structures shall be located on the same parcel as the associated principal use.

E. Relationships to Street Setbacks

No accessory use or structure shall be located in between the principal building and the front yard property line. Accessory structures shall adhere to street-side yard setbacks.

F. Breezeway

When an accessory structure is attached to a principal building by a breezeway, roofed passage or similar structure, it shall be deemed to be part of the principal building and shall maintain the yard requirements of the principal building.

G. Minimum Distance Between Buildings

The minimum distance between buildings shall be five feet (5').

H. Rear Yard Rules for Accessory Structures

1. All accessory structures shall be set back from the rear and side property lines a minimum of five feet (5').
2. Accessory structures shall not occupy more than thirty-five percent (35%) of the area between the rear property line and the principal structure.

DIVISION 060 R-2 RESIDENTIAL DISTRICT

Sec. 060-010 R-2 Residential District: Intent

The purpose of the R-2 Residential District is to allow, preserve and protect the character of low density detached single-family areas and neighborhoods at densities up to 3.63 dwelling units per acre.

Sec. 060-020 R-2 Residential District: Development Regulations

Minimum Lot Area:

- 12,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 80 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 3.63 dwelling units per acre
- 0.35 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

- 35 feet

Minimum Side Yard Setback:

- 7 feet
- 25 feet total for both sides

Minimum Street Side Yard Setback:

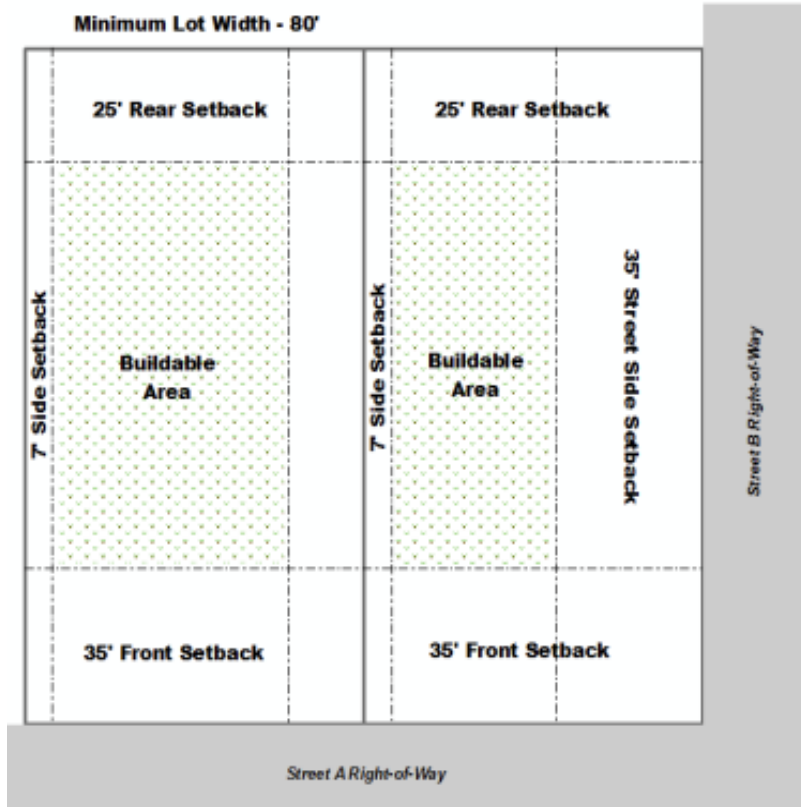
- 35 feet

Minimum Rear Yard Setback:

- 25 feet

Maximum Lot Coverage for Structures:

- 30 percent of the lot area



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division 245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290