

OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

September 18, 2025

Summary of Application:

Docket:	OC-25-036
Request:	Rear Yard Setback Variance
Applicant:	Chad Sprigler
Location:	1800 Block of Victory Lane
Existing Land Use:	Residential / Undeveloped
Existing Zoning:	R-4
Total Site Size:	1.046
Tax Parcel:	01-00-00-5B



Surrounding Zoning:

North – Land Use: Residential
Zoning: R-4

South – Land Use: Residential
Zoning: R-4

East – Land Use: Residential
Zoning: R-4

West – Land Use: Residential
Zoning: R-4

Board of Adjustments Action:

An application has been filed requesting a Rear Yard Setback Variance located at the 1800 block of Victory Lane, Prospect.

Site History:

On August 19, 2004, Oldham County Board of Adjustments approved a Conditional Use Permit, front, side, and rear yard setbacks for a building on the property to be used as a boat storage and service facility.

On October 19, 2022, plans for Oldham County Townhomes Phase I were heard at the Technical Review Committee. Since the lot was zoned appropriately, the project was only required to go through the Site Plan Review process prior to being issued a building permit. In July 2024, Landscape and Site Plans for Phase I were approved at staff level.

On August 26, 2025, Oldham County Planning Commission approved a Waiver of the Perimeter Landscape Buffer Regulations to allow for one-foot less than the required buffer distance.

Case History:

Posted to Website: 08/29/2025

Adjoining Property Owner Notices Mailed: 09/02/2025

Public Notice Appeared in Oldham Era: 09/11/2025

Notes:

1. The applicant is requesting a Rear Yard Setback Variance for the second phase of a multifamily townhome-style building with eight (8) units.
2. According to Section 090-020 of the Oldham County Comprehensive Zoning Ordinance, the required rear yard setback in R-4 is 25 feet.
3. The applicant is requesting 14 feet for the rear yard setback.
4. The applicant is therefore requesting an eleven (11) foot Rear Yard Setback Variance

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 a Rear Yard Setback Variance for a proposed eight (8) unit multi-family townhome complex in the 1800 block of Victory Ln., Prospect.

Proposed Rear Yard Setback Variance:

Required Rear Yard Setback: 25 feet

Requested Rear Yard Setback: 14 feet

Requested Variance: 11 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 variance shall only apply to the application considered at the September 18, 2025 Oldham County Board of Adjustments public hearing.
2. The previously granted CUP for a boat storage and repair facility shall be revoked.

Considerations:

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

-or-

Move to **deny** the variance 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 _____.

Sec. 090-020 R-4 Residential District: Development Regulations

Minimum Lot Area:

6,000 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:

50 feet; or
150 feet for lots without sanitary sewers

Maximum Density/Intensity:

16 dwelling units per acre
4 dwelling units per acre without sanitary sewers
0.50 Floor Area Ratio

Maximum Structure Height:

45 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

25 feet

Minimum Side Yard Setback:

7.5 feet plus 3 feet for each story over three
15 feet plus 6 feet for each story over three total

Minimum Street Side Yard Setback:

25 feet

Minimum Rear Yard Setback:

25 feet

Maximum Lot Coverage for Structures:

50 percent of the lot area

Minimum Common Open Space:

250 square feet per dwelling unit