

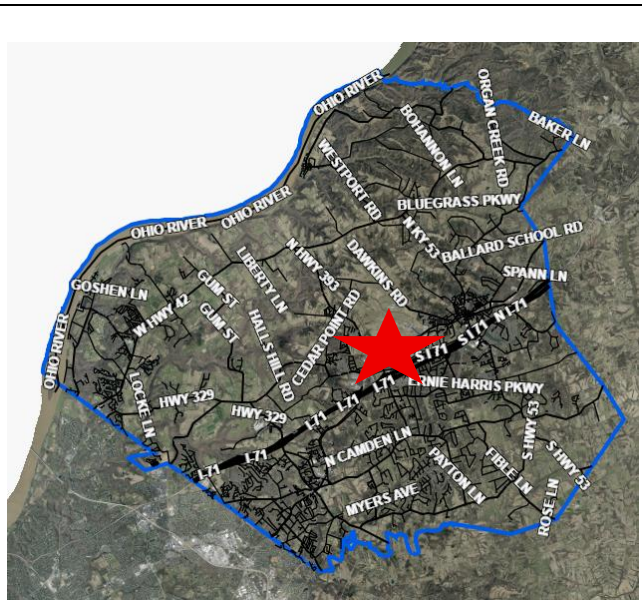


OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

December 18, 2025

Summary of Application:

Docket:	OC-25-050
Request:	Rear Yard Setback Variance
Applicant:	Key Homes, LLC
Location:	3604 & 3608 W Highway 146, La Grange
Existing Land Use:	Undeveloped
Existing Zoning:	R-2, Residential, C-1, Commercial
Total Site Size:	0.36 acres
Tax Parcel:	30-30A-05-10A&10B; 30-30A- 05-11



Surrounding Zoning:

North – Land Use: Residential
Zoning: R-4, C-3

West – Land Use: Residential & Commercial
Zoning: R-2

South – Land Use: Undeveloped
Zoning: PUD

East – Land Use: Commercial & Industrial
Zoning: I-1

Board of Adjustments Action:

An application has been filed requesting a Rear Yard Setback Variance for property located at 3604 & 3608 W. Highway 146, La Grange.

Site History:

In May 2025, a demolition permit was filed for the property located at 3608 W. Highway 146.

In June 2025, a demolition permit was filed for the property located at 3604 W. Highway 146.

The buildings on both properties have been demolished.

On December 9, 2025, the Planning Commission recommended approval of a Zoning Map Amendment from R-2, Residential District and C-1, Local Business District. Additionally, the Planning Commission approved a Development Plan for a 5- unit apartment complex.

Case History:

Posted to Website: 11/25/2025

Adjoining Property Owner Notices Mailed: 12/01/2025

Public Notice Appeared in Oldham Era: 12/11/2025

Planning Commission Action: 12/09/2025

Notes:

1. The applicant is requesting a Rear Yard Setback Variance for a 0.36-acre tract to build a five-unit apartment complex.
2. The Applicant is going through a rezoning process to rezone both 3604 & 3608 to R-4, Residential District. The Planning Commission considered their Zoning Map Amendment and Development Plan request at their December 9th meeting.
3. According to Oldham County Zoning Ordinance 090-020, the Rear Yard Setback requirement is 25 feet.
4. The proposed rear yard setback ranges from 4 feet to 11 feet.
5. The applicant is requesting a variance of 21 feet for the Rear Yard Setback to allow for a Rear Yard Setback of 4 feet.

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 property located at 3604 & 3608 W. Highway 146.

Proposed Rear Yard Setback Variance:

Required Rear Yard Setback: 25 feet

Requested Rear Yard Setback: 4 feet

Requested Variance: 21 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 December 18, 2025 Oldham County Board of Adjustments public hearing.

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_____.

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_____.

DIVISION 090 R-4 RESIDENTIAL DISTRICT

Sec. 090-010 R-4 Residential District: Intent

The purpose of the R-4 Residential District is to allow higher density residential uses and low intensity non-residential uses which are served by adequate infrastructure, while maintaining the unique character of neighborhoods at densities up to 16 units per acre. This district is used to encourage a variety of residential opportunities.

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

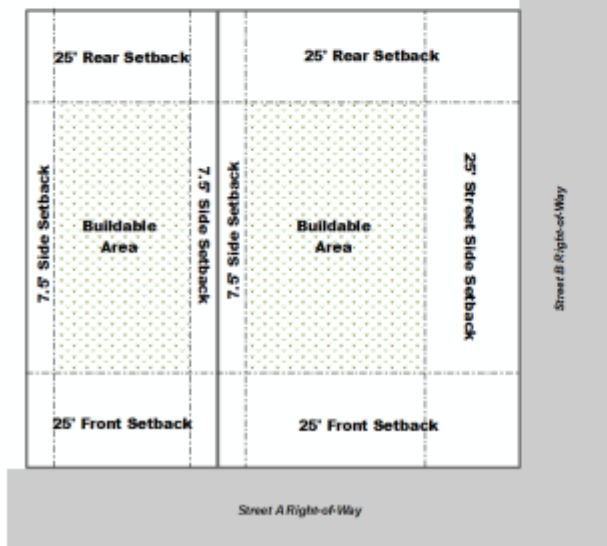
Maximum Lot Coverage for Structures:

- 50 percent of the lot area

Minimum Common Open Space:

- 250 square feet per dwelling unit

Minimum Lot Width - 50'



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