

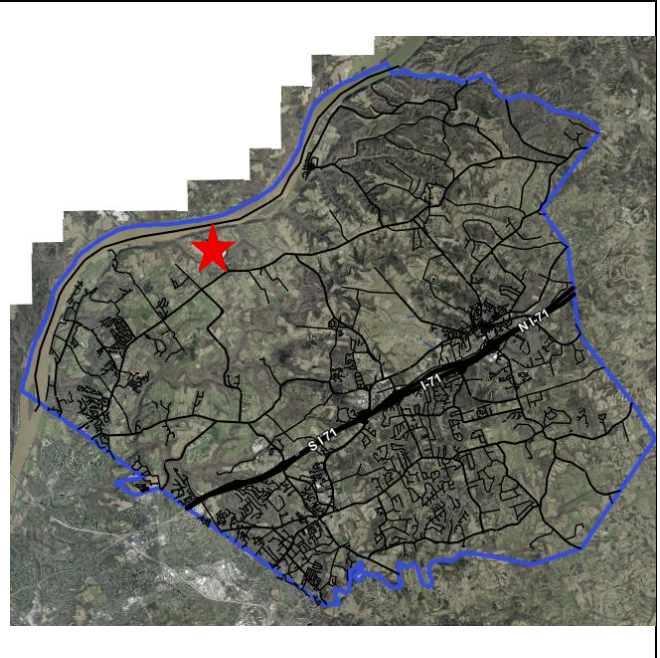


OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

April 16, 2026

Summary of Application:

Docket:	OC-26-017
Request:	Location Variance
Applicant:	Michael & Traci Stith
Location:	3501 Axton Lane, Skylight
Existing Land Use:	Agricultural
Existing Zoning:	R-2, Residential AG-1, Agricultural
Total Site Size:	5.036 acres
Tax Parcel:	12-00-00-3P



Surrounding Zoning:

North – Land Use: Undeveloped
Zoning: R-2 Residential

East – Land Use: Residential
Zoning: AG-1, Agricultural

South – Land Use: Undeveloped
Zoning: R-2 Residential

West – Land Use: Residential
Zoning: AG-1, Agricultural

Board of Adjustments Action:

An application has been filed requesting a Location Variance for an Accessory Structure for property located at 3501 Axton Ln., Skylight.

Site History:

In September 2008, a Minor Plat was approved to split a parcel into two tracts.
 In October 2025, a Minor Plat was approved creating a third track from the original two tracts.
 (Tract 1 and 2)
 In November 2025, a Consolidated Plat was approved consolidating Tract 1 & 2.

Case History:

Agenda Posted to Planning Website: 3/27/2026

Adjoining Property Owner Notices Mailed: 3/30/2026

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

Notes:

1. The applicant is requesting a to construct a primary residence behind existing accessory structures.
2. The existing structures include a 19' x 22' (418 square feet) shed and a 30 x 41 (1,230 square feet) barn.
3. The applicant states that the location of the primary structure is necessary due to the shape of the property.
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.

Variance:

The applicant is requesting a Location Variance to allow the placement of a primary structure behind existing accessory structures.

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 April 16, 2026, 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.