



Board of Adjustments and Appeals
Oldham County Planning and Development Services
Application for a Conditional Use

Oldham County

Aug 20 20

Planning & Development

Date: _____ Docket No: _____ Staff: A6 Fee: \$880

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

Check # 1138

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

Note: All conditional use applicants must attend a pre-application conference prior to submitting this application.

Name of Applicant(s): Ashbourne Farms, LLC

Project Name: Conditional Use Permits for Agritourism and Bed & Breakfast Usage

Project Address: 3810 Old Westport Road

City: La Grange Is the project within the incorporated city limits? No

Subdivision Name: N/A Current Land Use: Agriculture; Commercial (Events)

Parcel ID: 28-00-00-16&19 Current Zoning: AG-1; CO-1 Lot Size: 466 acres

*PreApplication Conference Date: January 16, 2026

For what purpose are you requesting a Conditional Use?:

See attached.

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

OC-14-613

Signatures:

Owner(s):

Name: Ashbourne Farms, LLC Signature: _____

Address: 3810 Old Westport Road, La Grange, Kentucky, 40031

Phone: _____ Email Address: _____

Applicant(s): (if other than owner)
Name: Melissa Miller Signature: Melissa Miller (Chief of Staff)

Address: 3801 Old Westport Rd LaGrange KY 40031

Phone: _____ Email Address: _____

Contact:
Name: Michael G. Swansburg, Jr., Esq. Signature: MGS

Address: c/o Swansburg & Smith, PLLC, 117 W. Main Street, La Grange, Kentucky, 40031

Phone: _____ Email Address: _____

100 West Jefferson Street ~ LaGrange, Kentucky

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Last Updated 8/30/2015

CONDITIONAL-USE PERMIT SUPPORT STATEMENT
ASHBOURNE FARMS, LLC
3810 Old Westport Road
La Grange, Kentucky 40031

Applicant Ashbourne Farms, LLC (hereinafter, “**Ashbourne Farms**” or the “**Applicant**”) respectfully seeks the approval of a conditional-use permit to expand the scope of the services and benefits they provide to the public via its 446-acre parcel located on Old Westport Road just north of the city of La Grange (hereinafter, the “**Property**”), being Oldham County PVA Parcel No. 28-00-00-16&19, and which presently is zoned as both “AG-1” and “CO-1.” The underlying purpose of this request is to permit the Applicant (1) to use the Property for agritourism purposes; (2) to use two (2) of the houses on the Property bed & breakfast destinations; and (3) to allow exterior amplified music to be played for events up to 11:00 PM.

1. The proposed conditional uses for the Property are both essential to, and desirable within, the community.

Section 350-040 of the Oldham Co. Comprehensive Zoning Ordinance provides that the Board of Adjustments and Appeals shall have the authority “[t]o hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations but which may be suitable only in specific locations in the zone and only if certain conditions are met.”

Furthermore, as part of its consideration, the Board of Adjustments and Appeals “shall find the proposed use to be essential or desirable to the community[.]” Oldham Co. Comprehensive Plan § 260-010. As part of its proposal, an applicant should demonstrate the request’s “compatibility . . . with surrounding land uses and the general character of the area[.]” *Id.* § 260-020. And an applicant should show “[w]hether necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. will be adequate to serve the proposed use.” In this case, the Applicant can do both without hesitation.

By way of background, Ashbourne Farms is the fulfilled legacy of W.L. Lyons Brown, former Chairman of the Board at Brown-Forman, and Sally Shallenberger Brown, a diplomat and internationally recognized conservationist, who built the Property from inauspicious beginnings into hundreds of acres of pristine Kentucky forest and farmland. Although cattle, particularly Scottish Shorthorn cattle, created the first agricultural endeavor for the Browns, over time the Property has evolved in its

commercial efforts to promote the beauty of natural land in the heart of the Louisville suburbs.

Today, Ashbourne Farms promotes itself as a high-end event space open to the public. In addition to corporate events and weddings, the Property hosts the intimate Showbarn Sessions musical events and, of course, an active farm, lending its strength to the important farm-to-table feeding concept that is taking root across the United States. What the Applicant hopes to do by virtue of a conditional-use permit, is to expand the types of opportunities and events it can make available to the public.

First, the Applicant wants to promote agritourism, which is a permitted “conditional use” for properties zoned “AG-1” and “CO-1,” by utilizing the existing buildings on that part of the parcel located on the north side of Old Westport Road for tours, a “Farmer for a Day” program, a summer camp, and adult educational workshops. What Ashbourne Farms hopes, and expects, to accomplish is to use their unique resources to educate young children, many, if not most, of whom have no concept of where their food comes from or what it’s like to roam around a large, undeveloped tract of land. Likewise, many of them have never seen live farm animals, such as goats, sheep, cows, and donkeys, the importance of which will be incorporated into Ashbourne Farms’s long-term plan. If approved, Ashbourne Farms hopes to partner with local school districts, including the Oldham Co. Public School District, in furtherance of this effort.

Second, the Applicant wants to use two (2) of the residential structures located on the Property, including the original home on the Property purchased by W.L. Lyons Brown and Sally Brown, as bed & breakfast destinations. Although this concept, which is a permitted “conditional use” for properties zoned “AG-1” and CO-1,” can, and will, be used to address the market demand from Ashbourne Farms’s successful wedding-venue and corporate-event businesses, the Applicant also plans to invite the public to use those facilities outside of the event calendar, enabling members of the public to enjoy a wonderful morning meal in a peaceful, undeveloped setting located less than thirty (30) minutes from downtown Louisville and just ten (10) minutes north of the downtown La Grange commercial district.

Lastly, the Applicant is asking the Board of Adjustments and Appeals to allow it to play amplified music on its exterior event space up to 11:00 PM. In 2014, the Board of Adjustments and Appeals voted unanimously to allow the Applicant to play “exterior amplified music” to 10:00 PM. *See* Docket OC-14-013. Since that time, however, the market demand has caused Ashbourne Farms to consider extending exterior amplified (*e.g.*, music for wedding parties using amplifying speakers) back to 11:00 PM. To be sure, the Applicant is well-aware of the considerations of noise and traffic that could be

impacted by this request. But given that the distance between the showbarn on the Property, where the Applicant holds such events, and the nearest residence is more than two thousand feet (2000'), or between a quarter (1/4) and half (1/2) a mile, the Applicant believes the concerns about extending the music by one (1) hour to be *de minimus*. Likewise, because Old Westport Road is bordered by open farmland from Ashbourne Farms's main entrance all the way to U.S. Highway 42 to the west, the Applicant believes any concerns about excess traffic also are attenuated.

Consistent with the Oldham Co. Comprehensive Zoning Ordinance, Ashbourne Farms has all the facilities necessary, including sanitation, water, sewer, and drainage, to ensure that these proposed uses are done in a manner that protects the health, safety, and welfare not only of its own property but also those surrounding it.

2. The proposed conditional uses adhere to the newly revised Oldham County Comprehensive Plan.

In addition to the points outlined above, before a conditional-use permit is granted, the Board of Adjustments and Appeals shall find that the proposed use(s) is/are “not in conflict with the elements and objectives of the Comprehensive Plan.” On this front, the Applicant also succeeds.

A. Land Use Objective LU-1-3(2): “Encourage the support of agricultural businesses and tourism to create jobs, revenue, and preserve agricultural land within Oldham County.”

The Applicant’s request meets all of these elements. Upon approval of the proposed conditional-use permits, the Applicant expects to promote agricultural business through heightened awareness of agricultural resources and practices, including to children in and around Oldham County. Likewise, this proposal will continue to elevate the farm-to-table concept, which empowers local farmers, in particular, to share their crops and products with a hungry public.

B. Land Use Objective LU-3-1(3): “Create incentives that encourage businesses to partner with public, private and civic organizations to cultivate a positive public image, enhance networking opportunities, and foster unity through shared goals.”

Through the agritourism component of the Applicant’s request, it anticipates partnering with local school districts, including the Oldham Co. Public School District, to promote agricultural awareness, conservation, and healthy eating.

C. Community Facilities Goal CF-3-1: “Encourage commercial developments and businesses to create partnerships with our community to create and enhance educational opportunities through direct involvement with local schools or through scholarship and investment programs in the youth and young adults of Oldham County.”

As noted above, the Applicant hopes to utilize its existing agricultural structures to partner with local school districts, including the Oldham County Public Schools, to promote agricultural awareness, conservation, and healthy eating.

C. Tourism Objective TO-2-2(2): “Encourage day-trippers to extend their stay with overnight lodging by promoting curated countywide themed itineraries, outdoor events, and lush greenspaces such as trials, parks, and farm tours.”

As stated above, the proposed conditional uses advocated here by the Applicant, particularly via its request for approval of two (2) bed & breakfast destinations, do exactly this: Encouraging visitors to stay in Oldham County overnight through the promotion of lush greenspaces and a true-farm surrounding.

In short, the proposed conditional uses for agritourism and as a bed & breakfast destination made by the Applicant in this case fall squarely within the boundaries of the Oldham Co. Comprehensive Plan and will solidify Oldham County’s place as a destination where people from all over the world can come, eat, sleep, and enjoy life in the country.