



**Board of Adjustments and Appeals**  
**Oldham County Planning and Development Services**  
**Application for Variance**

*For Staff Use Only:*

Date: \_\_\_\_\_ Docket No: \_\_\_\_\_ Staff: \_\_\_\_\_ Fee: \_\_\_\_\_

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

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

Name of Applicant(s): Legacy Pet Services, LLC

Project Name: Pet Passages - Variance Request

Project Address: 1060 D.W. Griffith Lane

City: LaGrange Is the project within the incorporated city limits? No

Subdivision Name: \_\_\_\_\_ Current Land Use: Commercial

Parcel ID: 39-00-00-M Current Zoning: IPD Lot Size: 1.0 acre

Please explain/describe the requested Variance:  
§ 260-080(1) requires a setback of at least thirty (30) feet from any property line. Current building sits within 30 feet of property line

Are there any past or present related Planning and Zoning cases on this property? If yes, please list the cases:  
Pet Passages - Conditional Use Permit - OC-26-011

**Signatures:**

**Owner(s):**  
 Name: Randy Hayes Signature: \_\_\_\_\_  
 Address: 2912 Darby Creek Dr Crestwood, Ky 40014  
 Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Applicant(s):** (if other than owner)  
 Name: Roland Scott Lathrop Signature: \_\_\_\_\_  
 Address: 6903 Floyds ridge Ct Crestwood Ky 40014  
 Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Contact:**  
 Name: Neil Salyer, attorney Signature: \_\_\_\_\_  
 Address: 401 W. Jefferson Street, LaGrange, KY 40031  
 Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

***Board of Adjustments and Appeals***  
***Application for Variance***  
***(Page 2)***

***Justification:***

The Board of Adjustments and Appeals requires that each applicant respond to the following four questions (Please refer to the attached checklist for further explanation):

1. What are the specific conditions related to this request that are unique only to the applicant's land and do not exist on other land in the same general vicinity, or in the same zoning district?

The requested variance arises from the application of the setback requirement for crematorium uses under Section 260-080(1) of the zoning regulations. A portion of the existing building that will be utilized for the pet crematorium does not meet the thirty-foot setback from the rear property line required for that use.

The building was constructed prior to the Applicant's tenancy and cannot be reasonably relocated or modified without significant reconstruction. The rear property line adjoins similarly developed commercial/industrial property rather than residential or agricultural land. The variance therefore relates to the existing configuration of the property and the specific setback requirement applicable to the proposed use.

2. If this variance were not granted, how would this deprive the applicant of reasonable use of the land in a manner equivalent to uses permitted to other landowners in the same zoning district?

If the variance were not granted, the 30-foot setback requirement would prevent the Applicant from utilizing the existing building for the proposed conditional use. Because the structure already exists and cannot be reasonably relocated, strict application of this requirement would prevent reasonable use of the property for a permitted conditional use within the zoning district. Granting the variance allows the property to be used in a manner consistent with other industrial properties while maintaining the building and site conditions.

3. Are the unique conditions and circumstances a result of actions of the applicant taken after the adoption of the zoning regulations from which relief is sought?

No. The conditions giving rise to the variance were not created by the Applicant. The existing building and its setback configuration were established prior to the Applicant's tenancy. The Applicant is leasing the existing structure and is not proposing any expansion or modification to the building that would further affect the setback.

4. How will the variance preserve, and not harm, the public safety and welfare of the public and maintain the essential character of the neighborhood?

Granting the variance will not harm public safety or welfare because the request does not involve expansion or alteration of the existing building. The proposed use will operate entirely within the existing structure and will maintain the current site conditions. The property is located within an Industrial Park District and adjoins similarly developed commercial and industrial properties. As a result, the variance will not alter the character of the area or negatively affect surrounding properties.

**Board of Adjustments and Appeals**  
**Application for Variance**  
**(Page 3)**

**Submittal Checklist:**

- \_\_\_\_\_ 1. Complete Oldham County Planning and Zoning Variance Application. (Owner's signature is required.)  
    Justification Section:
- \_\_\_\_\_ 1. Examples of specific conditions include size of property, location of existing structure, topography, etc.
  - \_\_\_\_\_ 2. What will happen if the Variance is not granted?
  - \_\_\_\_\_ 3. Did the applicant create the need for the Variance? If not, please explain why this is not the case.
  - \_\_\_\_\_ 4. Will the Variance harm the surrounding properties? Are there similar situations in other parts of the community?
- \_\_\_\_\_ 2. Required Variance Fee as listed below:  
    a.) Residential-Detached \$200.00    b.) Non-Residential: \$400.00    c.) Industrial: \$600.00  
    Residential-Attached \$300.00
- \_\_\_\_\_ 3. Notice fees equal to \$5.00 per adjoining property owner.
- \_\_\_\_\_ 4. Mailing Labels for all adjoining property owners, including name and address of all 1<sup>st</sup> tier adjoining parcels. 1<sup>st</sup> tier adjoining parcels include all those that border the property, including those across streets. (\*See note below for PVA directions)
- \_\_\_\_\_ 5. Property information for the project location as listed by the Property Valuation Administration (PVA). (\*See note below for PVA directions)
- \_\_\_\_\_ 6. A copy of the current recorded deed along with any applicable easement deeds or maintenance agreements. Include any surveys of the property, if available.
- \_\_\_\_\_ 7. Eight copies of a plan showing existing conditions and including:
- \_\_\_\_\_ Property Boundaries and easements with dimensions.
  - \_\_\_\_\_ Location and exterior dimensions of existing structures.
  - \_\_\_\_\_ Location and dimensions of any proposed structures.
  - \_\_\_\_\_ Location and dimensions of any existing or proposed signs.
  - \_\_\_\_\_ Location of any parking areas and/or driveways.
  - \_\_\_\_\_ Distances between any existing and proposed structures to the property boundaries.
  - \_\_\_\_\_ Current property zoning and neighboring property zoning.
  - \_\_\_\_\_ Name and address of project property owner and all adjoining property owners.
  - \_\_\_\_\_ Adjoining Streets with labels.
  - \_\_\_\_\_ Vicinity Map showing location of property in relation to nearest major intersection.
  - \_\_\_\_\_ North Arrow.
  - \_\_\_\_\_ Highlight, in yellow, the location of the requested Variance.
  - \_\_\_\_\_ Label the dimensions of the requested Variance.
- \_\_\_\_\_ 8. Photos and other supporting documents.

*\* Accessing PVA information: Property information may be accessed on the internet at [www.oldhampva.com](http://www.oldhampva.com). In order to search for a property, users must select "Tax Payer Info" from the left column then select "Property Search". Once located, users may print the information using the print command on their internet browser. For adjoining property owners or further assistance contact PVA at 110 W. Jefferson Street in LaGrange or at (502)222-9320. last updated 8/30/2015*