



Oldham County
Planning & Development
Services

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

ONE #1 Stop

Date: 3/11/20 For Staff Use Only: Docket No: 0026-06 Staff: _____ Fee: \$410.00

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): Thomas Finch

Project Name: Indoor Baseball Practice Facility

Project Address: 428 E. Main St

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

Subdivision Name: N/A Current Land Use: Industrial Shop/Office

Parcel ID: 46-00-00-35 Current Zoning: I-1 Lot Size: +/- 0.55 Ac.

Please explain/describe the requested Variance:

A variance is requested for building encroachment into the required 100' front yard setback and the required 35' side yard setback.
A variance is also requested for the encroachment of the proposed parking into the 35' front yard parking setback.

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

A 75' setback variance was approved back in July 19th, 1976.

Signatures:

Owner(s):

Name: David Marcus / Brightfield Properties Signature: _____

Address: _____

Phone: _____ Email Address: _____

Applicant(s): (if other than owner)

Name: Thomas Finch Signature: _____

Address: _____

Phone: _____ Email Address: _____

Contact:

Name: Zoe Sermersheim Signature: _____

Address: _____

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?

Due to the lot being created before the I-1 zoning regulations, the existing building and proposed addition on-site cannot meet the required 100' front yard setback nor the 35' side yard setback. The site is only half an acre, about 20%-30% the size of the adjoining properties, therefore the I-1 zoning setbacks engulf the entirety of the site. The existing grades on-site are too steep to develop, limiting the amount of developable area as well. The irregular shape of the site also creates a hardship to meet these setback requirements.

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 this variance is not granted, it would deprive the applicant of reasonable use of the land as there would not be any developable area left to develop on. Comparing this site to the adjacent industrial uses, it is noticeable that the larger sites (about 1.5 Acres to 3.5 Acres) have room accommodate the Zoning Ordinance.

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?

The lot was established before the adoption of the current zoning ordinance and has previously received a setback variance in 1976. The existing building, that is remaining on-site, does not meet the current setback requirements nor can the proposed building addition and parking. The unique conditions and circumstances are not a result of actions taken by the applicant after the adoption of the zoning regulations from which relief is sought.

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?

The variance will allow for the construction of a Recreational use located directly across the street from a existing residential subdivision. This will also create a visual buffer between the road and the existing industrial use located north of the proposed development. This variance will preserve the public safety and welfare of the public and maintain character of the neighborhood.

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 1st tier adjoining parcels. 1st 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. 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.*