



OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

June 18, 2026

Summary of Application:

Docket:	OC-26-023	
Request:	Conditional Use Permit-ADU, Variance- Maximum Square Footage	
Applicant:	John & Jerry Price	
Location:	8003 Shadow Creek Rd.	
Existing Land Use:	Residential	
Existing Zoning:	R-2	
Total Site Size:	1.36-acres	
Tax Parcel:	16-22G-00-14	

Surrounding Zoning:

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

East – Land Use: Residential
Zoning: R-2
West – Land Use: Residential
Zoning: R-2

Board of Adjustments Action:

An application has been filed requesting a Conditional Use Permit for an Accessory Dwelling Unit, and a Maximum Square Footage Variance for property located at 8003 Shadow Creek Rd., Crestwood.

Site History:

No site history.

Case History:

Posted to Website: 5/29/2026
 Adjoining Property Owner Notices Mailed: 6/3/2026
 Public Notice Appeared in Oldham Era: 6/11/2026

Notes:

1. The applicant is requesting a Conditional Use Permit to construct an 864 Sq. Ft. Accessory Dwelling Unit on top of a proposed garage space.
2. According to Section 250-040.E.1, detached Accessory Dwelling Units (ADU) may be allowed only after the approval of a Conditional Use Permit.
3. The applicant has stated that the detached ADU will be used for a family member to live on site and care for aging parents.
4. According to Section 250-040.E.5, Detached Accessory Dwelling Units shall not exceed 25% of the Primary Structure's square footage.
5. The primary structure is 2,576 square feet according to PVA documentation.
6. Based on the Primary Structure's square footage, the maximum allowable size of a detached Accessory Dwelling Unit would be 644 square feet.
7. The proposed accessory dwelling unit is 864 square feet.
8. The applicant is therefore requesting a variance of 220 square 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.

1. Conditional Use Permit:

An application has been filed requesting a Conditional Use Permit for an Accessory Dwelling Unit, and a Maximum Square Footage Variance for property located at 8003 Shadow Creek Rd., Crestwood.

Motions:

Move to **approve** the conditional use because the proposed use is **essential or desirable to the community** and **not in conflict with the elements, objectives and policies** of the Comprehensive Plan based on one or more of the following factors:

granting the conditional use permit will allow the **proper integration** into the community of a use specifically named in the zoning regulation.

the **character and objectives** of the proposed use and the **potential impacts** on the community and its surroundings are appropriate.

the **community or neighborhood has a need** for the proposed use and there are **potential benefits** to the community or neighborhood.

the proposed use is **compatible with surrounding land uses and the general character of the area**, including such factors as: height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lightning, or appearance.

the proposed use will not impair the **integrity and character** of the zone if there are specific restrictions on location, size, extent and character of performance.

there are adequate **public facilities** available, such as, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation.

The specific conditions or restrictions which must be met in order for the proposed use to be permitted for any of the above reasons are as follows:

Potential Conditions of Approval:

1. The conditional use permit shall only apply to the application considered at the June 18, 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 Permit 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 _____.

2.Variance:

An application has been filed requesting a Conditional Use Permit for an Accessory Dwelling Unit, and a Maximum Square Footage Variance for property located at 8003 Shadow Creek Rd., Crestwood.

Proposed Maximum Floor Area Variance:

Primary Structure Floor Area: 2,576 square feet

Maximum Allowable Floor Area of ADU: 644 square feet

Proposed Floor Area of ADU: 864 square feet

Requested Variance: 220 square 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 June 18, 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 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 _____.

Oldham County Comprehensive Zoning Ordinance
Division 060 R-2 Residential District

**Sec. 060-030 R-2 Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit
Community Centers, Not for Profit
Public and Government Buildings and Facilities
Public Utility Buildings & Facilities

Public Parks and Recreation

Boat Docks and Launching Areas
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and
Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Accessory Dwelling Units (ADUs) – Attached
Accessory Dwelling Units (ADUs) - Interior
Dwellings – Single Family Detached
Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 060-040 R-2 Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children
(Up to 12 Children)

Community Facilities and Services

Hospitals and Institutions
Private Utility Building and Facilities

Recreation

Marinas and Boat Rental
Private Clubs, Country Clubs and Golf Courses except
Miniature Courses and Commercial Driving Ranges
Recreational Camps/Resorts
Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Accessory Dwelling Units (ADUs) - Detached
Manufactured Homes – Single Family Detached
Nursing Homes

Special

Agritourism Buildings
Borrow Pits, Quarry, Gravel Pit or Stone Mill
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources

E. Detached Accessory Dwelling Units

1. Detached Accessory Dwelling Units may be allowed only after approval of a Conditional Use

Oldham County Comprehensive Zoning Ordinance
Division 250 Special Provisions

Permit.

2. Detached Accessory Dwelling Units shall be allowed in the AG-1, CO-1, R-1, R-1A, R-2, and R-2A zoning districts only upon granting of a Conditional Use Permit.
3. Detached Accessory Dwelling Units will count as a whole unit (1.0) toward density calculations.
4. Detached Accessory Dwelling Units shall meet the minimum setbacks for primary structures.
5. Detached Accessory Dwelling Units shall not exceed 25 percent of the primary structure's square footage.
6. Detached Accessory Dwelling Units must be at least five (5) feet from the primary structure.
7. Detached Accessory Dwelling Units shall not exceed the height of the primary structure.
8. Detached Accessory Dwelling Units shall not be located in front of the primary structure.