

**MINUTES FOR REGULAR MEETING
OLDHAM COUNTY
BOARD OF ADJUSTMENTS AND APPEALS
Thursday, February 19, 2026**

At 9:00 a.m. local time on the above date, this meeting of the Oldham County Board of Adjustments and Appeals, hereinafter called the Board, was called to order in the Courtroom of the Oldham County Fiscal Court, LaGrange, Kentucky, by Vice Chairman David Grey.

The following members were present:

Amanda Ross
Laura Tapp

Chairman Bill Ferko and Board Member Mark Allen were absent.

Others present and sworn in were Planning and Development Services Director Ryan Fischer, Assistant Director Anna Barge, Planner John Hine and Planner Sandie Rugroden. Assistant County Attorney Matt Hudson was present at the meeting. Christy Edgar was the Secretary for the meeting.

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Motion was made by Board Member Tapp and seconded by Board Member Ross to remove Docket OC-26-004 from the table. Motion carried by unanimous voice vote.

Board Member Laura Tapp called and read Docket OC-26-004:

An application has been filed requesting a Location Variance and Front Yard Setback Variance for an Accessory Structure on property located at 2310 Ridge Rd., Pendleton.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated February 19, 2026.)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters of support or opposition received.

2. Presentation by the Applicant in support of the application:

Madeline Grinnell, 2310 Ridge Rd., Pendleton, was present and sworn in prior to presenting.

- If we moved the shed back towards the front of the home, it would require a lot more soil removal and I did not want to disturb the drainage.
- The lateral lines are in the backyard, and we cannot place a shed on the lateral lines.
- I am an artist and I use the shed for painting and drawing.

3. Questioning of the Applicant or representative and others in support of the application by the Board:

Board Member Tapp asked, is the shed visible to the neighbors?

Cheri Grinnell, 2310 Ridge Road, Pendleton, was present and sworn in prior to replying, yes, to the people across the street from us and we know they are ok with it because we contacted them to put the electricity in the shed, and they had to apply for a variance for their shed as well.

4. Testimony of the Opposition: None

5. Questioning of the Opposition by the Board: None

6. Rebuttal Statement by the Applicant: None

7. Rebuttal Statement by the Opposition: None

8. Final Statement by the Opposition: None

9. Final Statement by the Applicant: None

10. Board Discussion and Final Decision: None

**Findings and Decisions
Docket OC-26-004
Location Variance
Accessory Structure
2310 Ridge Rd., Pendleton**

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the location variance for a shed to be placed in front of the home located at 2310 Ridge Road, Pendleton, 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 the requested variances arises from special circumstances in the general vicinity. The following Conditions of Approval are included in this motion.

Conditions of Approval:

1. The variance shall only apply to the application considered at the February 19, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.
3. The applicant shall obtain an Administrative Home Occupation Permit from Oldham County Planning and Development staff.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Board Member Allen and Chairman Ferko.

Motion was approved for a variance on a vote of 3-0.

**Findings and Decisions
Docket OC-26-004
Front Yard Setback
Variance
2310 Ridge Rd., Pendleton**

Front Yard Setback Variance:

Required Front Yard Setback: 50 feet

Requested Front Yard Setback: 30 feet

Requested Variance: 20 feet

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the front yard setback variance for a shed located at 2310 Ridge Road, Pendleton, 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. The following Conditions of Approval are included in this motion.

Conditions of Approval:

1. The variance shall only apply to the application considered at the February 19, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.
3. The applicant shall obtain an Administrative Home Occupation permit from Oldham County Planning and Development staff.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Board Member Allen and Chairman Ferko.

Motion was approved for a variance on a vote of 3-0.

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Board Member Laura Tapp called and read Docket OC-26-006:

An application has been filed requesting a Conditional Use Permit for Agritourism and Bed and Breakfast Usage, and update a previously issued Conditional Use Permit for property located at 3810 Old Westport Rd., La Grange.

1. Presentation by Staff:

Assistant Director Anna Barge presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, February 19, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.

- No letters in support or opposition received.

2. Presentation by the Applicant in support of the application:

Mike Swansburg, Swansburg & Smith, PLLC, 117 W. Main Street, LaGrange, was present and representing the applicant.

- Ashbourne Farms wants to use the property for agritourism purposes with two bed and breakfast homes for rental.
- Ashbourne Farms wants to promote agricultural business through heightened awareness of agricultural resources and practices, including children in and around Oldham County.
- This proposal will continue to elevate the farm-to-table concept, which empowers local farmers to share their crops and products with the public.
- The bed and breakfast guest will be served meals which will be prepared right on the farm.

Motion was made by Vice-Chairman Grey and seconded by Board Member Ross to extend the clock an additional five (5) minutes. Motion carried by unanimous voice vote.

- Ashbourne Farms wants to modify a previous CUP that allowed them to have external amplified music until 10:00 p.m. and now wants to extend that to 11:00 p.m.
- The closest residence to the show barn where the music would be played is 2000 feet.

3. Questioning of the Applicant or representative and others in support of the application by the Board:

Vice Chairman Grey asked, how much parking is available?

Annie Cabetto, 3112 Boxhill Lane, Louisville, was present and sworn in prior to replying, there is a gravel lot as well as grass that people can park on and it could fit about 30-40 vehicles.

4. Testimony of the Opposition:

Rebecca Spitler, 4000 Hawthorne Road, LaGrange, was present and sworn in prior to presenting.

- My property adjoins this farm.
- Would the change affect the conservancy of Ashbourne Farms?
- I am a fan of Ashbourne Farms; however, my only objection is the extension of the exterior music going from 10:00 p.m. to 11:00 p.m. because it will be disruptive because we can hear the music now.

5. Questioning of the Opposition by the Board: None

6. Rebuttal Statement by the Applicant:

Attorney Swansburg's rebuttal:

- This will not impact the conservancy at all.
- To the best of Ashbourne Farm's knowledge, they have only received one complaint about noise and it was not related to an event, but related to an employee who lived on the eastern side of the property having a karaoke party and that was addressed.

Board Member Tapp asked, how many student groups do you currently have that come and visit?

Toni Myers, 1186 Curry Pike, Harrodsburg, was present and sworn in prior to replying, we would like to host a classroom size like 25 to 30 at a time. We would open four days of the week and could do a 60-minute or 90-minute tour.

Board Member Tapp asked, have you had groups in the past?

Mrs. Myers replied, we have had some small groups come in the past.

Board Member Tapp asked, do you currently host any of those educational opportunities for adults or is that something new that you are looking into?

Mrs. Myers replied, we are looking at launching them this year.

Board Member Tapp asked, are events often hosted at the venue with music?

Mrs. Cabetto replied, about 20 events a year and we have had about two a year that have interest in having music outside. Most of our clients do the bands and dance inside the venue.

7. Rebuttal Statement by the Opposition:

Mrs. Spitler's rebuttal:

- We have raised objections in the past.

Vice-Chairman Grey asked, was that directly with Ashbourne Farms?

Mrs. Spitler replied, yes.

Board Member Tapp asked, was there any effort made by Ashbourne Farms to correct that for future?

Mrs. Spitler replied, I really don't know. I called and talked to the lady in the office to let her know it was a problem.

Board Member Tapp asked, is it only the events from the outside or is it from the inside?

Mrs. Spitler replied, I assume it is from outside speakers.

8. Final Statement by the Opposition: None

9. Final Statement by the Applicant:

Attorney Swansburg's final statement:

- We are asking that this board approve the three requests which are to use the property for agritourism purposes, to use two of the houses on the property as bed & breakfast destinations and to allow amplified exterior music to be played at events on the property up to 11:00 p.m.
- This is a very successful business that wants to expand its opportunities for all individuals in the community.

- This is not in conflict with the elements and objectives of the comprehensive plan.

10. Board Discussion and Final Decision:

Board Member Grey asked, are there other venues of similar nature in the county that have time frames in which music is allowed to be played externally?

Assistant Director Barge replied, yes and most of them are until 10:00 p.m.

Board Member Tapp stated, I am ok with everything except for the extended time for the external music and there are other neighbors to this property.

Vice-Chairman Grey stated, yes, however the neighbors were notified and they have not voiced their opinion by sending a letter, but one neighbor did oppose. I agree with Board Member Tapp.

**Findings and Decisions
Docket OC-26-006
Conditional Use Permit
Agritourism
3810 Old Westport Rd., LaGrange**

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the conditional use permit for agritourism located at 3810 Old Westport Road, LaGrange, 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 because the community or neighborhood has a need for the proposed use and there are potential benefits to the community or neighborhood and based on evidence and testimony that was given today. The following conditions of approval are included in this motion.

Conditions of Approval:

1. The conditional use permit shall only apply to the application considered at the February 19, 2026, Oldham County Board of Adjustments public hearing.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Chairman Ferko and Board Member Allen.

Motion was approved for a conditional use permit on a vote of 3-0.

Findings and Decisions
Docket OC-26-006
Conditional Use Permit
Bed and Breakfast-Farmhouse & Lodge
3810 Old Westport Rd., LaGrange

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the conditional use permit for a bed and breakfast-farmhouse and lodge located at 3810 Old Westport Road, LaGrange, 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 because the character and objectives of the proposed use and the potential impacts on the community and its surroundings are appropriate and the community or neighborhood has a need for the proposed use and there are potential benefits to the community or neighborhood. The following conditions of approval are included in this motion.

Conditions of Approval:

1. The conditional use permit shall only apply to the application considered at the February 19, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant must follow all state regulations regarding Bed and Breakfast facilities.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Chairman Ferko and Board Member Allen.

Motion was approved for a conditional use permit on a vote of 3-0.

Findings and Decisions
Docket OC-26-006
Update to Previously Issued
Conditional Use Permit
3810 Old Westport Rd., LaGrange

Motion was made by Board Member Tapp and seconded by Board Member Ross to deny the update to the previously issued conditional use permit to allow exterior music amplified past 10:00 p.m. located at 3810 Old Westport Road, LaGrange, because the proposed use is not essential or desirable to the community and it is in conflict with the elements and objectives of the Comprehensive Plan and is not in compliance with the zoning regulations base on the factual information that we heard today that the neighbors can hear this and it would be a violation of the ordinance.

Mr. Swansburg asked, can you clarify the factual basis for which provisions of the comprehensive plan it violates and which ordinance it violates?

Board Member Tapp replied, it's the planning and zoning conditional use that says it's only available until 10:00 p.m. from the previous approval. I can reword the motion if you like.

Mr. Swansburg stated, for record purposes there needs to be a factual basis for either approval or denial of a motion. And for the applicant's benefit, what testimony or factual basis was there to support that finding.

Assistant County Attorney Hudson stated, it may be a little bit clearer to move to vacate those findings and go back and entertain a new motion that is more narrowly focused on the evidence that was presented here.

Motion was made by Vice-Chairman Grey and seconded by Board Member Tapp to vacate the first motion made by Board Member Tapp. Motion passed by unanimous voice vote.

Motion was made by Board Member Tapp and seconded by Board Member Ross to deny the update to a previously issued conditional use permit to allow amplified exterior music amplified past 10:00 p.m. located at 3810 Old Westport Road, LaGrange, because the proposed use is not essential or desirable to the community based on the testimony given today, the character and objectives of the proposed use and potential impacts on the community and it's surroundings are not appropriate.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Chairman Ferko and Board Member Allen.

Motion was denied for a conditional use permit on a vote of 3-0.

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Board Member Laura Tapp called and read Docket OC-26-007:

An application has been filed requesting a Street Side Yard Setback Variance for property located at 4217 W. Hwy. 146, Buckner.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated February 19, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters in support or opposition received.

Vice-Chairman Grey asked, what is the distance of the current structure from the road?

Planner Rugroden replied, you will need to ask the applicant.

Vice-Chairman Grey asked, are there any planned projects involving Hwy 146 in the future?

Planner Rugroden replied, not that I'm aware of.

Director Fischer replied, so, as far as any other projects in that general area, no, the state is in the process of beginning a study for the entire Hwy 146 corridor that'll run from Hwy 329 all the way to Hwy 393. And I believe the public meeting for that will be early March.

2. Presentation by the Applicant in support of the application:

Mike Swansburg, Swansburg & Smith, PLLC, 117 W. Main Street, LaGrange, was present and representing the applicant.

- The applicant wants to demo the existing building and build a bigger building further away from Hwy 146 and a nicer paved parking lot.
- The existing building's porch is within the right-of-way.
- The property is zoned C-1 and abuts R-2 district which is the reason for the 23-foot street side yard variance from Old Cedar Point Road.
- The new building would be 2,376 square feet with 17 paved parking spots.

3. Questioning of the Applicant or representative and others in support of the application by the Board:

Vice-Chairman Grey asked, will the existing building be removed first and then the construction of the new building?

Morris Talbott, 319 Tucker Station Road, Louisville, was present and sworn in prior to replying, the applicant does not want a disruption in the classes. The proposed building would be constructed and functional prior to demolition of the existing structure.

Vice-Chairman Grey asked, why is there not a minimum rear yard setback?

Attorney Swansburg replied, it meets the standard for rear yard setback. The applicant did have a conversation with the neighbor that the new building will be closer to, and the neighbor is excited about this because there will be a landscape buffer and it will give the neighbor more privacy on his property.

Board Member Tapp asked, will the parking lot be paved or gravel?

Mr. Talbott replied, it will be paved. Once the existing building is demolished, that gives a clean area for the parking lot construction.

Aaron Burgin, Owner of Oldham County Martial Arts Academy, 4613 Northridge Drive, Crestwood, was present and sworn in prior to presenting.

- Having this extra space will allow for more students.
- The new building will get my business further away from Hwy 146 and get my business out of a 100-year-old building.

Tom Stewart, 4990 Bennett Lane, LaGrange, was present and sworn in prior to presenting.

- The new building will have male and female restrooms, shower area, laundry area and a men's and women's dressing room.
- The exterior will be two tone metal.

4. Testimony of the Opposition: None

5. **Questioning of the Opposition by the Board: None**

6. **Rebuttal Statement by the Applicant: None**

7. **Rebuttal Statement by the Opposition: None**

8. **Final Statement by the Opposition: None**

9. **Final Statement by the Applicant:**

Attorney Swansburg's final statement:

- We believe this is a great project to be approved.
- The applicant asks that you find the strict application of this 35-foot setback standard would deprive the applicant of the reasonable use of the land.
- Granting this variance will promote the health, safety, and welfare of the citizens in that area and will do nothing to alter the character of that area in a negative sense.

Vice-Chairman Grey asked, so you accept a condition that the applicant will obtain all necessary permits and approvals for the project?

Attorney Swansburg replied, yes.

10. Board Discussion and Final Decision:

Vice-Chairman Grey stated, I support the project as it has been presented. I think it is a reasonable request considering the site layout, proximity to the road, and everything.

Board Member Tapp stated, I agree.

**Findings and Decisions
Docket OC-26-007
Side Yard Setback
Variance
4217 W. Hwy 146, Buckner**

Street Side Yard Setback Variance:

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|-------------------------------------|---------|
| Required Street Side Yard Setback: | 35 feet |
| Requested Street Side Yard Setback: | 12 feet |
| Requested Variance: | 23 feet |

Motion was made by Board Member Tapp and seconded by Vice-Chairman Grey to approve the street side yard setback variance located at 4217 W. Hwy 146, Buckner, 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 based on the testimony given today. The following conditions of approval are included in this motion.

Conditions of Approval:

1. The variance shall only apply to the application considered at the February 19, 2026, Oldham County Board of Adjustments public hearing.
2. All necessary permits will need to be acquired.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Board Member Allen and Chairman Ferko.

Motion was tabled on a vote of 3-0.

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Board Member Laura Tapp called and read Docket OC-26-008:

An application has been filed requesting a Road Frontage Variance for property located at 2300 Block of Dogwood Cross Rd., La Grange.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated February 19, 2026.)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters in support or opposition received.

2. Presentation by the Applicant in support of the application:

Chelsey Brammell, Brammell Law Office, PSC, 401 W. Jefferson Street, LaGrange, was present and represented the applicant.

- The parcel is a very odd shape and the overall objective is to make this parcel useful.
- Parent Parcel is 44.193 acres, and the proposal is to sever an 8.193 Tract (Tract 2) to eventually sell.
- This parcel is surrounded by single family residential homes..
- The applicant has had issues with trespassers camping and dumping on this property so to fix this issue would be to parcel it off and sell it for someone to build a home.
- We do not envision a traffic impact or a nuisance to the public.

3. Questioning of the Applicant or representative and others in support of the application by the Board:

Board Member Tapp asked, are there already plans to build a home on this property?

Attorney Brammell replied, it is my understanding that they want to sell it.

4. Testimony of the Opposition:

William Pentorn, 2320 Willow Reed Road, LaGrange, was present and sworn in prior to presenting.

- I want to know what they intend to do with the property.
- I have also been taking care of a portion of that property for 20 years and would like to be able to purchase that section.

5. Questioning of the Opposition by the Board: None

6. Rebuttal Statement by the Applicant:

Garrett Ackles, Semonin Realtors, 4008 Oakridge Drive, Crestwood, was present and sworn in prior to his rebuttal statement.

- Realtor for the applicant.
- No specific plans for this parcel, just trying to section this parcel off because the lot is irregular and trying to make this property useful.
- The property is currently active on the market for sale subject to this approval.
- We have had interest in this property and those individuals have interest in building a single-family home.
- We are not aware of any ongoing maintenance that has been conducted on this property, nor has my client been approached about the maintenance.

Director Fischer stated, the applicant is asking for a road frontage variance and keep in mind this property is mostly zoned conservation. So, anything that would be developed in apartments and subdivisions would require planning commission approval. I don't want to get caught up in the future development of the lot because right now, they're simply asking for a road frontage variance to split off and create attractive land, which is what's before you today.

Planner Rugroden stated, whatever development happens on the land then drainage will be addressed at that time.

7. Rebuttal Statement by the Opposition:

8. Final Statement by the Opposition: None

9. Final Statement by the Applicant:

Attorney Brammell's final statement:

- The sole purpose here is to be able to create a parcel from the larger parcel of land, so it can be a useful piece of land and sold.

10. Board Discussion and Final Decision:

Board Member Tapp stated, I am fine with this. Because the property is basically inaccessible if we don't grant this.

Vice-Chairman Grey stated, I agree.

Board Member Ross stated, I agree.

**Findings and Decisions
Docket OC-26-008
Road Frontage
Variance
2300 Block of Dogwood Cross Rd., LaGrange**

Required Road Frontage: 300 feet
Requested Road Frontage: 67.53 feet
Variance Requested: 232.47 feet

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the road frontage setback variance located at 2300 Block of Dogwood Cross Road, LaGrange, 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 based on the testimony given today. The following conditions of approval are included in this motion.

Conditions of Approval:

1. The road frontage variance shall only apply to the application considered at the February 19, 2026, Oldham County Board of Adjustments public hearing.
2. A minor plat application and survey must be submitted to staff for review and approval prior to the issuance of any building permits.

The vote was as follows:

Yes: Board Members Ross, Tapp, and Vice Chairman Grey.

No: None.

Abstain: None.

Absent: Board Member Allen and Chairman Ferko.

Motion was approved for a variance on a vote of 3-0.

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Approval of Minutes

Motion was made by Board Member Ross and seconded by Vice-Chairman Grey to approve the minutes of Thursday, January 15, 2026, as submitted. Motion carried by unanimous voice vote.

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Other Business

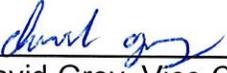
None
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Motion was made by Board Member Tapp and seconded by Board Member Grey to adjourn the meeting at 11:05 a.m. Motion carried by unanimous voice vote.

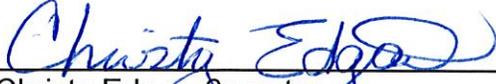
The next meeting scheduled is on Thursday, March 19, 2026, at 9:00 a.m., in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Approved by:

Respectfully Submitted by:



David Grey, Vice Chairman



Christy Edgar, Secretary