

**MINUTES FOR REGULAR MEETING
OLDHAM COUNTY
BOARD OF ADJUSTMENTS AND APPEALS
Thursday, April 16, 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 Chairman Bill Ferko

The following members were present:

Mark Allen
David Grey
Amanda Ross
Laura Tapp

Others present and sworn in were Planning and Development Services Director Ryan Fischer, Assistant Director Anna Barge, Planner John Hine, Planner Sandie Rugroden and County Code Enforcement Officer Adam Bayer. County Attorney Berry Baxter was present at the meeting. Christy Edgar was the Secretary for the meeting.

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Secretary Mark Allen called and read Docket OC-26-011:

An application has been filed requesting a Conditional Use Permit for Cemeteries, Mausoleums, and Crematories (pet crematory) and Variance of Section 260-080, Building Setback Requirements for property located at 1060 D.W. Griffith Ln., LaGrange.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

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

Neil Salyer, Brammell Law, 401 W. Jefferson Street, LaGrange was present and representing the applicant.

- The applicant wants to open a crematory for pets.
- The property is zoned IPD and the building is a newly constructed commercial building off Commerce Parkway.
- Requesting a Conditional Use Permit and a 15-foot setback variance.
- The company is a national pet aftercare franchise providing cremation and memorial services for companion animals.
- The company will work with local veterinary clinics and pet hospitals.

- The company will create three to five jobs.
- The operation is fully enclosed except for a smokestack on the roof.
- The only sign will be above the front door of the building.
- There will be no exterior noise, no off-site odor, and minimum traffic.
- No storage outside the building.

Board Member Grey asked, would you be willing to add a Condition of Approval that states no exterior noise beyond the typical building operations, no offensive odor impacts on neighboring properties and the operations to be limited to small animals?

Roland Lathrop, 6903 Floyds Ridge Ct., Crestwood, was present and sworn in prior to replying, yes, we can agree that except for the small animals, we will have large dogs, however, the largest our equipment can handle would be an alpaca but no equine farm animals.

Motion was made by Board Member Grey and seconded by Board Member Tapp to extend the clock an additional two minutes. Motion carried by unanimous voice vote.

Attorney Salyers continued presentation.

- The 30-foot setback requirement is normally for outdoor activities and visibility situations, but this company is all enclosed.
- The facility is located within an area designated for industrial and commercial uses and operates entirely within an enclosed building. Its low-impact operational profile is consistent with surrounding uses.
- The business will introduce a new service not currently available in Oldham County.

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

Board Member Allen asked, is there refrigerator storage inside the building?

Mr. Lathrop replied, yes, we will have inside coolers, that will store the animals briefly before we prepare them for cremation. We do not freeze animals.

Board Member Allen asked, what is the time on turnaround?

Mr. Lathrop replied, we try to get the pet back to the family member within two to three days.

Board Member Allen asked, how many would be at the facility at a time?

Mr. Lathrop replied, no more the four to ten animals at a time.

Board Member Allen asked, how many animals in month do you expect?

Mr. Lathrop replied, probably around 60-80 animals once we start operating. Hopefully as we grow it will be more.

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:

Board Member Allen stated, sounds like it is something that the county needs.

**Findings and Decisions
Docket OC-26-011
Conditional Use Permit
Pet Crematory
1060 D.W. Griffith Lane**

Motion was made by Board Member Grey and seconded by Board Member Allen to approve the conditional use permit for a pet crematory located at 1060 D.W. Griffith Lane, 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 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, lighting, or appearance based on the testimony heard 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. No exterior noise beyond typical building operation will be present, no off-site odor impacts will be present, and it will be limited to small animals, and the operations will be conducted within the building where there is no outdoor processing, storage or activity.

The vote was as follows:

Yes: Board Members Allen, Grey, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: None.

Motion was approved for a Conditional Use Permit on a vote of 5-0.

**Findings and Decisions
Docket OC-26-011
Side Yard Setback
Variance
1060 D.W. Griffith Lane**

Building Setback Variance:

Required Setback	30 Feet
Requested Setback	15 Feet
Requested Variance	15 Feet

Motion was made by Board Member Grey and seconded by Board Member Allen to approve the building setback variance at 1060 D.W. Griffith Lane, 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 because the crematory usage will be confined within the building and this strict application of provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.

The vote was as follows:

Yes: Board Members Allen, Grey, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: None.

Motion was approved for a variance on a vote of 5-0.

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Secretary Mark Allen called and read Docket OC-26-012:

An application has been filed requesting an Update of a Previously issued Location Variance for property located at 1106 E. Hwy 22, Crestwood.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

County Attorney Baxter asked, is there a definition for retail?

Planner Hine replied, yes.

County Attorney Baxter stated, the definition of retail limits even the home-based occupation, it limits it severely, does it not?

Planner Hine replied, I am sure.

Assistant Director Barge replied, there is not a definition for just retail but there is one for retail and personal service establishments.

Assistant Director Barge read the definition of retail and personal service establishments.

County Attorney Baxter asked, screen printing is not listed in R-2 as permitted or conditional use permit for operating a screen-printing business. There will need to be

a home-based occupation permit or somebody's going to have to come back and explain to this board how it would be conditional use in R-2, to be allowed to do that on this property?

Planner Hine replied, correct.

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

Sean Fawbush, 1106 E. Hwy 22, Crestwood, was present and sworn in prior to presenting.

- In 2019, my original plan was to have a retail store, however that was not approved.
- I bought screen printing equipment and need the extra space in the garage to set up the screen-printing equipment.
- I do a lot of art, and I want to put my art on t-shirts and sell it online.
- I do have an approved Home Occupation Permit for screen-printing.
- I decided to add an addition to the garage to set up the equipment, I thought with the Home Occupation Permit it was good to go with the addition since I also have a building permit on file.
- I received a stop work order in August 2025.
- The septic and plumbing have had inspections and they have both passed.

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

Board Member Grey asked, when were the septic plans submitted and approved?

Mr. Fawbush replied, November 18, 2024.

Board Member Grey asked, is the septic tank installed?

Mr. Fawbush replied, the septic tank is set. I have not run any of the lines, because I am paying for this as I go.

Board Member Grey asked, is this septic system separate from the house?

Mr. Fawbush replied, yes.

Chairman Ferko asked, is there a second floor?

Mr. Fawbush replied, yes.

Chairman Ferko asked, what is in the existing portion of the building?

Mr. Fawbush replied, storage, cars, bicycles, woodworking shop, and lawn equipment.

Chairman Ferko asked, is there any screen-printing equipment in there?

Mr. Fawbush replied, yes, in boxes and packed up. No room to assemble the equipment.

County Attorney Baxter asked, do you have the home occupational permit?

Mr. Fawbush replied, yes.

County Attorney Baxter asked Code Enforcement Officer Bayer to explain the stop work order.

Code Enforcement Officer Bayer explained, in 2022 I received a call on how long it was taking to complete the construction of the project. Mr. Fawbush explained to me that he was doing the construction by himself and paying for it as he goes. In 2023, one of the neighbors came to me concerned about the project and that a septic tank was sitting there. I did talk with him about the septic, and I did let him

know that on the Conditions of Approval there was supposed to be no plumbing and it was supposed to be a composting toilet. However, putting a septic tank in does not constitute that there is plumbing in the building. So, there was no violation. I also talked to him about needing to come in to renew his building permit and he did do that. And then he was adding an addition which the building permit was not updated for so I did put a stop work order on his project and told him he had to come back in and revise his conditional use permit along with updating his building permit.

Board Member Allen asked, was the original Conditional Use Permit approved in 2019 with no plumbing?

Code Enforcement Officer Bayer replied, yes.

Board Member Allen asked, did this have conditions that stated no plumbing and septic?

Code Enforcement Officer Bayer replied, it stated no plumbing and it was not to be used for commercial use or for living space.

Board Member Allen asked, is the Oldham County Health Department aware of the conditions on the Conditional Use Permit?

Code Enforcement Officer Bayer replied, the Conditions of Approval are through our office, Planning and Zoning. I have talked to Charlie Ward with the Health Department, and he is aware that there is to be no plumbing in the structure but putting in a septic tank is not putting in plumbing.

Board Member Allen asked, isn't it obvious when a septic tank is being put in? You must use a little common sense.

Code Enforcement Officer Bayer replied, that would be an assumption on my part to assume that just because he had a septic tank that he was going to put in plumbing.

Board Member Allen replied, you don't just put in a septic tank just for fun.

Code Enforcement Officer Bayer replied, it is not a violation until he does it. Even though I might think that he's going to do that, it's not a violation until he has the plumbing inside.

Board Member Tapp asked, are the plans for a washing station only or will there be a bathroom as well?

Mr. Fawbush replied, I would like to not have to walk to the house to use the bathroom, but right now it is just a washing station.

Board Member Gray asked, do you have a drawing of the layout of the building?

Mr. Fawbush replied, I can draw one, if you would like.

Board Member Allen asked, is there a reason why you did not come to the board to get the Conditional Use Permit changed?

Mr. Fawbush replied, I came to see what I needed to do for the addition, and the Home Occupation Permit is what they handed to me, which has a drawing attached to it and I thought that was all I needed.

Chairman Ferko asked, have you done screen-printing before?

Mr. Fawbush replied, yes, and I plan on selling it on Etsy which is online.

Board Member Grey asked, is the Home Occupation Permit sufficient for this type of business?

Director Fischer replied, there are two different issues that are at hand here. Board Member Allen was asking a lot of questions about a Conditional Use Permit, they had a location variance approved with that original case to construct an accessory structure in front of his primary structure. In that, they made conditions of approval within that variance. On that Variance there could not be any commercial use and no plumbing. The answer to the question of why he did not come back to ask for that is what he is doing today. He is asking for the conditions to be changed to include the ability to have plumbing and the ability to use it commercially. As for the Home Occupation Permit, the screen-printing is no different than others that have a Cricut Machine and people making items and placing them on their front porch for pick up. We would have to hire five more code enforcement officers to keep up with all the people in this county that sells items on Facebook Marketplace for porch pickup. We look at retail as someone going into a store and picking an item off a shelf and making the purchase. We did approve a Home Occupation Permit to him and those are permits that the home will not look like a business and it will not generate traffic or foot traffic.

Chairman Ferko asked, is it possible to limit the scope of the Conditional Use Permit, as in the size of the screen-printing operation?

Director Fischer replied, this board can put whatever conditions of approval you want on this, he is asking for the original variance to be amended to include plumbing and commercial use. And then this board can put any stipulations you want, and the applicant can say I don't agree with that. And then this board does not have to approve if the applicant does not agree to them.

County Attorney Baxter stated, under the conditional uses under R-2 zone this is not one of the uses. Does the applicant quality to continue the home-based occupation, I think the question for today is whether he can update the original permit to get the plumbing and to change the position to indicate that he would like to operate a home-based business.

Mr. Fawbush stated, there will be no signs, and I really don't want people to come to my property. I just really want to finish this accessory structure that has taken almost seven years.

4. Testimony of the Opposition:

William Vaughn, 1203 Hill View, Crestwood, was present and sworn in prior to presenting.

- Was Mr. Fawbush required to get a permit before he started and if he did not can you all stop him?
 - County Attorney Baxter replied, if he does not get approval, then he will have to remove the structure.
- Did he have a permit for this?
 - Planner Hine replied, no, which is why he had a stop work order placed on him.

5. Questioning of the Opposition by the Board: None

6. Rebuttal Statement by the Applicant:

Mr. Fawbush's rebuttal statement:

- I have been in planning and zoning office asking what I need to do and following their advice.
- And once they put the stop work order on the project, I went in and asked what I needed to do to get back to work.

7. Rebuttal Statement by the Opposition: None

8. Final Statement by the Opposition: None

9. Final Statement by the Applicant:

Chairman Ferko asked, are you good with limiting one screen printing unit?

Mr. Fawbush replied, yes.

10. Board Discussion and Final Decision: None

**Findings and Decisions
Docket OC-26-012
Update to Previously Issued
Variance for Accessory Structure
1106 E. Hwy 22**

Motion was made by Board Member Grey and seconded by Board Member Allen to approve the update to a previously issued Variance for an accessory structure located at 1106 E. Hwy 22, Crestwood 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 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 this is based on the evident and testimony seen in today's hearing. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary permits and inspections from the appropriate agencies.
3. There shall be no residential use of the accessory structure without review by Planning and Development Services staff and the appropriate Board of Adjustments if necessary.
4. The usage from a commercial perspective will be limited to home-based businesses if they meet those criteria for a home-based business.

The vote was as follows:

Yes: Board Members Allen, Grey, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: None.

Motion was approved for a variance on a vote of 5-0.

Motion was made by Board Member Grey and seconded by Board Member Tapp to take a five-minute recess at 10:30 a.m. Motion carried by unanimous voice vote.

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County Attorney Baxter stated, my dog goes to this doggy daycare and I know the owners. This will not jeopardize being able to give legal advice to this board.

Secretary Mark Allen called and read Docket OC-26-013:

An application has been filed requesting an Update of a Previously issued Conditional Use Permit for property located at 5998 Pleasant Colony Ct., Suite 17, Crestwood.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

Chairman Ferko asked, do the properties in the back fall off?

Planner Rugroden replied, I do not know the answer to that question, the applicant might be more familiar with the area.

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

Neil Salyer, Brammell Law, 401 W. Jefferson Street, LaGrange, was present and representing the applicant.

- The property is zoned C-3.
- My client would like to update the Conditional Use Permit to allow for a 10' x 30' outdoor space for animals.
- The outdoor space will be completely enclosed, and the dogs will be supervised during the outside time.
- The enclosure will have one single exterior access door which will come from the building and will have a turf surface.
- Outdoor usage will be from 7:00 a.m. – 7:00 p.m.
- No overnight outdoor usage.

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

Board Member Grey asked, how many dogs will be using this space?

Shelley Beggs, 12451 Plantside Dr., Louisville, was present and sworn in prior to replying, if we were at capacity, I would say about 70 dogs but only 5 – 7 at a time.

Board Member Grey asked, will there be a person out there to supervise the dogs?

Mrs. Beggs replied, yes, there will be a person, and we also will have cameras.

Chairman Ferko asked, what is immediately behind this property?

Mrs. Beggs replied, there is a retaining wall and then it drops off into a creek.

Board Member Tapp asked, what type of material will be used for the enclosure?

Mrs. Beggs replied, it will have a 6' vinyl fence with a shadow fence on the top, which is a device that keeps jumper dogs from being able to escape the fencing.

Board Member Tapp asked, will there be any type of odor problems in the area?

Mrs. Beggs replied, not at all.

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:**

Board Member Grey stated, I am still a little concerned about the noise, the potential for noise, especially in the wintertime. I am a little hesitant because of the residential properties nearby.

Chairman Ferko stated, yeah, I was a little concerned, but it doesn't look like the lot directly behind is buildable.

Board Member Grey asked, is there an application for a variance? Because in the regulations it states that it needs to be 100' from the property line.

Planner Rugroden replied, there is no application for a variance.

Board Member Grey asked, should there be?

Planner Rugroden replied, I don't believe so.

Assistant Director Barge stated, that it is about 40' from the Kennel to the property line. This board could do a conditions of approval that they need to get a setback variance since they are changing the existing conditions.

Findings and Decisions
Docket OC-26-013
Update to Previously Issued
Conditional Use Permit
5998 Pleasant Colony Ct. Suite 17

Motion was made by Board Member Tapp and seconded by Board Member Grey to approve the Conditional Use Permit for an outdoor kennel pin located at 5998 Pleasant Colony Ct., Suite 17, Crestwood, 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 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. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. Outdoor activities will be limited to 7:00 a.m. – 7:00 p.m.
3. The kennel business must comply with all established federal, state, and county ordinances and requirements.
4. This is contingent on the approval of any setback variance that may be required at a later hearing.
5. The maximum number of dogs in the outdoor space is seven.

The vote was as follows:

Yes: Board Members Allen, Grey, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: None.

Motion was approved for a Conditional Use Permit on a vote of 5-0.

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Secretary Mark Allen called and read Docket OC-26-014:

An application has been filed requesting a Location Variance for an Accessory Structure for property located at 5601 W. Hwy 42, Goshen.

1. Presentation by Staff:

Assistant Director Anna Barge presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received of support or opposition.

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

Joseph Lee, 5601 W. Hwy 42, Goshen, was present and sworn in prior to presenting.

- We are requesting a location variance for an accessory structure in front of our primary home.
- The building will be 1500 square feet with a concrete pad out front.
- The building will be roughly 110 feet from the road and 20 feet from neighboring property.
- The building will be for personal use and additional storage.
- The building will not obstruct the view of the home from the road or vice versa.
- There is a very steep slope behind the house, and we could not build the building there.

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

Board Member Grey asked, will the building have a bathroom?

Mr. Lee replied, yes.

Board Member Grey asked, will it be separated from the septic tank of the house?

Mr. Lee replied, yes.

Board Member Grey asked, do you plan to rent this out?

Mr. Lee replied, no. It is for personal use.

Board Member Grey asked, are you ok with a condition of approval limiting that?

Mr. Lee replied, yes.

County Attorney Baxter asked, did you purchase this house or build it?

Mr. Lee replied, we purchased the house in October 2024.

County Attorney Baxter asked, the house was built prior to you being the owner?

Mr. Lee replied, yes.

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:

Findings and Decisions

Docket OC-26-014

Location Variance

Accessory Structure

5601 W. Hwy 42

Motion was made by Board Member Allen and seconded by Board Member Ross to approve the location variance for an accessory structure located at 5601 W. Hwy 42, Goshen, 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 of the contour of the applicants property and because the requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone and because 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. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.
3. No commercial use shall be allowed.

The vote was as follows:

Yes: Board Members Allen, Grey, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: None.

Motion was approved for a variance on a vote of 5-0.

Board Member Grey left the hearing at 11:20 a.m.

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Secretary Mark Allen called and read Docket OC-26-015:

An application has been filed requesting a Conditional Use Permit for a Home Occupation for property located at 4740 Bennett Ln., La Grange.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.

**Findings and Decisions
Docket OC-26-015
Conditional Use Permit
Home Occupation (Pet Grooming)
4740 Bennet Lane**

Motion was made by Board Member Tapp and seconded by Board Member Ross to table docket OC-26-015 Conditional Use Permit for a home occupation permit for pet grooming at 4740 Bennet Lane, LaGrange, because the applicant was not present.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was tabled on a vote of 4-0.

Secretary Mark Allen called and read Docket OC-26-016:

An application has been filed requesting a Front Yard, Side Yard, and Front Parking Setback Variance for property located at 428 E. Main St., La Grange.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

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

Zoe Sermersheim, Land Design and Development, 503 Washburn Ave, Louisville, was present and representing the applicant.

- The applicant wants to put in an indoor baseball practice facility for youth.
- The existing building is 1200 square feet and will be adding a 1000 square foot expansion.
- There will be 11 parking spaces with four parking spaces dedicated to employees.
- The parking spaces are two feet from the property line and about 15 – 18 feet from the road.
- Due to the lot shape and the slope of the lot is why we are requesting the setback variance.
- The lot was created before the zoning and since the lot is so small it does not fit the I-1 zoning regulations.

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

Board Member Tapp asked, what type of training will take place?

Thomas Finch, 401 E. Main Street, LaGrange, was present and sworn in prior to replying, it will have retractable batting cages, the floor will be turf, and it will be younger sports training.

Board Member Tapp asked, will this be by appointment only?

Mr. Finch replied, yes.

Board Member Allen asked, how many at a time?

Mr. Finch replied, small group size as in two – five.

Board Member Tapp asked, what are the hours of operation?

Dean Kiekhefer, 403 E. Main Street, LaGrange, was present and sworn in prior to replying, the hours would be from 2:00 p.m. – 5:00 p.m. during the week and the weekend hours would be 10:00 a.m. – 9:00 p.m. with Monday and Tuesdays being closed.

County Attorney Baxter asked, the first variance of 12 feet, has an existing structure that is encroaching into the setback at this time, and are you just trying to clean that up?

Ms. Sermersheim replied, yes.

County Attorney Baxter asked, the second variance of 76 feet, this property presents a sort of a challenge to design anything on it, because of the triangular nature and with the industrial zoning the set back is 100 feet and no one would be able to build anything on this parcel with the property being zoned industrial and shape in a triangle, is that correct?

Ms. Sermersheim replied, that is correct.

County Attorney Baxter asked, the third variance is for the parking setbacks, and it already encroaches into that setback, is that correct?

Ms. Sermersheim replied, yes.

Chairman Ferko asked, can you explain the parking setback, it just seems to be very close to the road and I am concerned for safety and sight line.

Ms. Sermersheim replied, the proposed curb cut will be where the existing curb cut is now, as it already exists, I am unaware of any issues with sight line. There is five to seven feet from the road.

Board Member Ross asked, how many total parking spots?

Ms. Sermersheim replied, there will be 11, seven for customer use and four for employees.

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-26-016
Side Yard Setback
Variance
428 E. Main Street**

Side Yard Setback Variance:

Required Side Yard Setback:	35 feet
Requested Side Yard Setback:	23 feet
Requested Variance:	12 feet

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the side yard setback variance located at 428 E. Main Street, 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 and the request variance arises from special circumstances which do not generally apply to land

in the general vicinity or in the same zone. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
- 2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a variance on a vote of 4-0.

**Findings and Decisions
Docket OC-26-016
Front Yard Setback
Variance
428 E. Main Street**

Front Yard Setback Variance:

Required Front Yard Setback:	100 feet
Requested Front Yard Setback:	24 feet
Requested Variance:	76 feet

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the front yard setback variance located at 428 E. Main Street, 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 and because 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 because the figuration of the lot the lot is basically unusable. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
- 2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a variance on a vote of 4-0.

**Findings and Decisions
Docket OC-26-016
Front Yard Parking Setback
Variance
428 E. Main Street**

Front Yard Parking Setback Variance:

Required Front Yard Parking Setback: 35 feet

Requested Front Yard Parking Setback: 2 feet

Requested Variance: 33 feet

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the front yard setback variance located at 428 E. Main Street, 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 and because 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. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a variance on a vote of 4-0.

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Secretary Mark Allen called and read Docket OC-26-017:

An application has been filed requesting a Location Variance for an Accessory Structure for property located at 3501 Axton Ln., Skylight.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

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

Drew Butler, MB Services, 119 S. Sherrin Ave, Louisville, was present and sworn in prior to representing the applicant.

- The property is a total of five acres, and the front two acres have easements, one easement is an access easement and the other is a utility easement.
- Limited to the back 2.5 acres for this property.
- There are only two places to build a house, and one would be at the back of the property which would require a variance and the other be where the barns are located, which would consist of removing the barns.
- There are others on this road that have barns in front of their home.

3. Questioning of the Applicant or representative and others in support of the application by the Board: None

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:

**Findings and Decisions
Docket OC-26-017
Location Variance
Primary Structure
3501 Axton Lane**

Motion was made by Board Member Tapp and seconded by Board Member Allen to approve the location variance for a primary structure located at 3501 Axton Lane, Goshen, 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 and because the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a variance on a vote of 4-0.

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Secretary Mark Allen called and read Docket OC-26-018:

An application has been filed requesting a Conditional Use Permit for an Accessory Structure without a Primary Structure for property located at 3300 E. Hwy 22, Smithfield.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

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

Brandon Berry, 2640 Sheffield Ct., LaGrange, was present and sworn in prior to presenting.

- The farm is used as a hobby farm for our family and wants to build a barn for agricultural and personal recreation use and have no intentions to live on the property.
- There is only one small shed on the property that was there when we purchased the property.
- The barn will be 71' x 130' metal building with a bathroom and minimal exterior lighting.
- Will not change any grades so the drainage will remain unchanged.
- The barn will set approximately 900' from the road and will not be visible from the road or neighbors.

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

Board Member Tapp asked, do you foresee having family parties?

Mr. Berry replied, I have no doubt that people will want to, but that is not what our intention is because we don't want to put a lot out there.

Board Member Tapp asked, will parking be in the grass?

Mr. Berry replied, I will probably put rock down around the barn.

Board Member Tapp asked, would you agree to put a condition that it will not be used for commercial use?

Mr. Berry replied, yes.

Board Member Tapp asked, will you use the property for agriculture?

Mr. Berry replied, I do lease it to a neighbor that pulls hay off the property, my daughter wants to plant a garden, and we might put a pond in one day.

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-26-018
Conditional Use Permit
Accessory Structure
3300 E. Hwy 22, Smithfield**

Motion was made by Board Member Allen and seconded by Board Member Ross to approve the Conditional Use Permit for an accessory structure without a primary structure located at 3300 E. Hwy 22, Smithfield, 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 proposed use is compatible with surrounding land uses and the general character of the area and 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. 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 April 16, 2025, Oldham County Board of Adjustments public hearing.
2. There will be no commercial or short-term use.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a Conditional Use Permit on a vote of 4-0.

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Secretary Mark Allen called and read Docket OC-26-019:

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 4210 Dana Rd., Crestwood.

1. Presentation by Staff:

Assistant Director Anna Barge presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, April 16, 2026)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

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

Chris Fitzner, 4210 Dana Road, Crestwood, was present and sworn in prior to presenting.

- We have six children and my mom lives with us, and we cannot add and addition to our home because of the walkout basement.
- We need to move my mother-in-law in with us to help take care of her and would like to build an ADU for her to live in.
- We also have an autistic daughter that in the future may want to live in the ADU and we can still care for her.
- The ADU will match the primary home.
- We did talk to our neighbors, and all approved of our plan.

3. Questioning of the Applicant or representative and others in support of the application by the Board. None

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-26-019
Conditional Use Permit
Accessory Dwelling Unit
4210 Dana Road, Crestwood**

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the Conditional Use Permit for an accessory dwelling unit located at 4210 Dana Road, Crestwood, 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 proposed use will not impair the integrity and character of the zone. 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. The Accessory Dwelling Unit shall not be used as a short-term rental.
3. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a Conditional Use Permit on a vote of 4-0.

**Findings and Decisions
Docket OC-26-019
Maximum Square Footage
Variance
4210 Dana Road, Crestwood**

Maximum Floor Area Variance:

Primary Structure Floor Area:	3,529 square feet
Maximum Allowable Floor Area of ADU:	882.25 square feet
Proposed Floor Area of ADU:	936 square feet
Requested Variance:	53.75 square feet

Motion was made by Board Member Tapp and seconded by Board Member Ross to approve the maximum square footage variance located at 4210 Dana Road, Crestwood, 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 April 16, 2026, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

The vote was as follows:

Yes: Board Members Allen, Ross, Tapp and Chairman Ferko.

No: None.

Abstain: None.

Absent: Board Member Grey.

Motion was approved for a variance on a vote of 4-0.

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Approval of Minutes

Motion was made by Board Member Tapp and seconded by Board Member Allen to approve the minutes next hearing date because the board did not have a quorum. 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 Ross to adjourn the meeting at 12:37 p.m. Motion carried by unanimous voice vote.

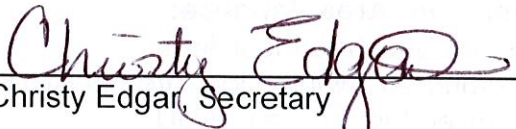
The next Regular Meeting is scheduled for Thursday, May 21, 2026, at 9:00 a.m., in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Approved by:



Bill Ferko, Chairman

Respectfully Submitted by:



Christy Edgar, Secretary