

**MINUTES FOR REGULAR MEETING
OLDHAM COUNTY
BOARD OF ADJUSTMENTS AND APPEALS
Thursday, September 18, 2025**

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 Bill Ferko.

The following members were present:

Mark Allen
David Grey
Laura Tapp

Others present and sworn in were Planning and Development Services Director Ryan Fischer, Senior Planner Anna Barge, Planner John Hine, and Planner Sandie Rugroden. 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-25-036:

An application has been filed requesting a Rear Yard Setback Variance for property located at 1800 block of Victory Ln., Prospect.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated September 18, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- Received one letter of opposition.

County Attorney Baxter asked, if the variance is approved and the zoning is already okay, so the applicant does not need to go to any other hearings, is this correct?

Planner Hine replied, no, they would not need any other board hearings.

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

Dayton Blair, Commonwealth Counsel Group, PLLC, 10343 Linn Station Road, Louisville, was present and representing the applicant.

- Introduced Camille Heslen with Heritage Engineering.

Camille Hesen, Heritage Engineering, 603 North Shore Drive, Jeffersonville, IN, was present and sworn in prior to presenting.

- The existing condition and tapering of the lot lines creates a pinch onsite therefore establishing setbacks that make development difficult unless encroached upon.
- The proposed reduction of the rear yard setback does not affect the proposed buffering of the site.
- The 25-foot front yard setback is being maintained to create a cohesive building alignment with the existing building.
- Maintaining front yard setbacks allow for adequate right-of-way along roadway, if in the future the roadway is dedicated to the county.

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

Board Member Grey asked, is there a front setback on private roads?

Ms. Hesen replied, a private road is smaller than a public road for setbacks, however, if the road is dedicated to being a public road, then you would need to have a greater right way.

Board Member Grey asked, what is the distance for the setback on a private road.

Ms. Hesen replied, I believe the private roadway's right-of-way is 40 feet.

Board Member Grey asked, has the detention pond been engineered and calculated?

Ms. Hesen replied, we have done preliminary calculations on it but it has not been engineered yet.

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:

Ms. Hesen's Final Statement.

- We will provide landscape buffers between us and the neighbors which will be three times the required plantings.
- The setback request for the variance is consistent with the landscape buffer.

Board Member Grey asked, are you okay with a condition that basically asking for adequate infrastructure in place for water retention?

Ms. Hesen replied, yes, because that must be done when we submit our construction plans.

Director Fischer stated, anything over an acre of disturbance is required to go through the county engineer and this is over an acre of disturbance so they will ensure that with the other development that the storm water detention meets the calculations.

Board Member Allen asked, is there any zoning requirements for access behind the units?

Ms. Hesen replied, no.

10. Board Discussion and Final Decision:

Board Member Allen stated, I am not in favor of this because there is not enough green space, and I feel they can redesign the construction plans to make it fit without a variance.

Board Member Grey stated, if we don't go with this route then I feel like it will deprive them of the potential use of the land, the county does need more housing inventory, and I think if they go with the plan as proposed today in evidence it would maintain a more cohesive look.

Vice-Chairman Ferko stated, there is three alternatives; one being build only one unit, which would be in compliance, the second is for all the other units to be smaller so they can squeeze them in to be compliant and the third would be just not do the project. If they stagger them then it would encroach upon the front yard setback.

Board Member Tapp asked, can staff speak to the front yard setback?

Senior Planner Barge stated, just because it is a private road doesn't mean they don't have to follow our setback requirements.

Board Member Tapp stated, the lot size and shape have not changed since they bought the property, and they knew going into this what the requirements were, and I am not sure I would be in favor.

Motion was made by Board Member Tapp and seconded by Board Member Allen to reopen the floor. Motion carried by unanimous voice vote.

Board Member Tapp asked, is there a way to redraw the plans?

Ms. Heslen replied, it would make it tricky to redraw the footprint and it would not be consistent with what's existing.

Chad Sprigler, 214 E. Elm Street, New Albany, IN, was present and sworn in prior to replying, if you look at the streetscape, just the consistency of it and we are tight already because they're single car garages and so we are trying to keep that consistency throughout. I believe what we have done now is comparable to the nice street coming back from the yacht club.

Board Member Tapp asked, with the approval of the landscape plans, will it adequately buffer the neighbors who maybe didn't account for this when they built their homes?

Ms. Heslen replied, we are maintaining 15 feet, and our landscape plan more than three times satisfies the requirement. We will be providing evergreen trees.

**Findings and Decisions
Docket OC-25-036
Rear Yard Setback Variance
1800 Block of Victory Lane**

Rear Yard Setback Variance:

Required Rear Yard Setback: 25 square feet

Requested Rear Yard Setback: 14 square feet

Requested Variance: 11 square feet

Motion was made by Board Member Grey and seconded by Board Member Tapp to approve the rear yard setback variance at 1800 Block of Victory Lane, Prospect, 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 evidence seen today and presented by the applicant because it maintains a consistent and cohesive look for the neighborhood and because of the unique shape of the lot it creates a problem for the construction and the final front yard setback that's being enabled by this change will allow proper integration of this road in the future potentially. 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 September 18, 2025, Oldham County Board of Adjustments public hearing.
2. The previously granted CUP for a boat storage and repair facility shall be revoked.

The vote was as follows:

Yes: Board Members Grey, Tapp, and Vice-Chairman Ferko.

No: Board Member Allen.

Abstain: None.

Absent: None.

Motion was approved for a Variance on a vote of 3-1.

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Secretary Mark Allen called and read Docket OC-25-038:

An application has been filed requesting a Conditional Use Permit, Location Variance, and Maximum Square Footage Variance for property located 5950 Old La Grange Rd., Crestwood.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, September 18, 2025)
- Case and site history.

- Aerial photos of the site.
- Photos of property.
- No letters of opposition or in favor.

Board Member Grey asked, why is it split into tract A and track 1?

Senior Planner Barge replied, they own all three tracks.

Vice-Chairman Ferko asked, is this a 2nd home?

Senior Planner Barge replied, yes, this home is for her mother.

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

Ann Howard, 5950 Old LaGrange Road, Crestwood, was present and sworn in prior to presenting.

- My mother and I purchased this property together so I can take care of my mother as she ages.
- We want to make the home ADA accessible which created the square footage to be 681 square foot which is over the 25% allowable of the existing house with 1453 square feet.
- The placement of the ADU on the property is to be tied into the new septic tank.

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-25-038
Conditional Use Permit
Detached ADU
5950 Old LaGrange Road**

Motion was made by Board Member Allen and seconded by Board Member Grey to approve the conditional use permit for a detached ADU at 5950 Old LaGrange 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 granting the conditional use permit will allow the proper integration into the community of a use specifically named in the zoning regulations and the character and objectives of the proposed use and the potential impacts on the community and its surroundings are appropriate. The 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 September 18, 2025, Oldham County Board of Adjustments public hearing.
2. The detached ADU will not be used as a Short-Term Rental Property.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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

**Findings and Decisions
Docket OC-25-038
Square Footage Variance
For ADU
5950 Old LaGrange Road**

Square Footage Variance

Required Square Footage Allowed: 363.25 feet

Requested Square Footage: 684 feet

Requested Variance: 320.75 feet

Motion was made by Board Member Grey and seconded by Board Member Grey to approve the square footage variance at 5950 Old LaGrange 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 based upon the testimony of the applicant concerning the inability to make the ADU handicap accessible. 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 September 18, 2025, Oldham County Board of Adjustments public hearing.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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

**Findings and Decisions
Docket OC-25-038
Location Variance
5950 Old LaGrange Road**

Motion was made by Board Member Allen and seconded by Board Member Tapp to approve the location variance for an ADU at 5950 Old LaGrange 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 because the restrictive application of the provisions and regulations would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant for the main reason that they can't be able to use their property for their family care. The conditions of approval are included in this motion.

Conditions of Approval:

1. The variance shall only apply to the application considered at the September 18, 2025, Oldham County Board of Adjustments public hearing.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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-25-039:

An application has been filed requesting a Front Yard Building Line Variance for property located at 1818 Zachary Dr., La Grange.

1. Presentation by Staff:

Senior Planner Anna Barge presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, September 18, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters of support or opposition.

Vice-Chairman Ferko asked, are there other properties in the subdivision that have a similar setback?

Senior Planner Barge replied, I am not aware of that, however they did get an approval letter from the HOA.

Board Member Grey asked, would the developer need to request this variance?

Senior Planner Barge replied, the developer does not own the property.

Director Fischer stated, we have done one of these before in Brentwood Subdivision and this just makes it cleaner to come to the board to get approval.

Board Member Allen asked, are there houses on each side of this lot?
Senior Planner Barge replied, yes on one side.

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

Louis Welle, 12218 Ridgeview Dr., Goshen, was present and sworn in prior to presenting.

- Our current subdivision does not allow for RV's to be parked in our driveway, and we decided to purchase this lot and build a house so we can park our RV when we are not traveling.
- The RV garage will need to be 45 feet deep.
- The requested setback will still meet the county's 35-foot requirement. The house portion of the structure will remain behind the original 50-foot setback with the side facing garage being the only portion of the structure that would be forward of the 50-foot setback.
- We cannot move the house back because of the septic.

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

Board Member Allen asked, what part of the house is in the setback?

Mr. Welle replied, that is the side facing two-car garage.

Board Member Tapp asked, are there other houses in the neighborhood that have encroached into the 50-foot setback?

Mr. Welle replied, I do not have any information regarding that, and it is difficult to tell driving around citing a 15-foot variance on a house.

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, I do not like the idea if this home being in front of others in the neighborhood.

Board Member Grey stated, I feel like this is the responsibility of the homeowner association to enforce that. I don't see any problems with it because it does meet the county regulations.

Vice-President Ferko stated, I agree, and since no one has came forward opposing this from the community or the neighborhood then I am ok with it.

**Findings and Decisions
Docket OC-25-039
Front Yard Setback
Variance
1818 Zachary Drive**

Front Yard Setback Variance

Record Plat Required Front Setback:	50 feet
Requested Side Yard Setback:	35 feet
Requested Variance:	15 feet

Motion was made by Board Member Grey and seconded by Board Member Tapp to approve the front yard setback variance at 1818 Zachary Drive, 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 it fits within the general character of the neighborhood and there has been no objections and based on evidence we have seen here today and it fits with the county's comprehensive plan. 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 September 18, 2025, Oldham County Board of Adjustments public hearing.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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

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Secretary Mark Allen called and read Docket OC-25-040:

An application has been filed requesting a Maximum Lot Coverage Variance for property located at 3620 Old Sligo Rd., LaGrange.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated September 18, 2025)
- 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:

Kyle Kaminski, 148 Walnut Drive, Pendleton, was present and sworn in prior to presenting.

- Want to build a house, however the porch exceeds the square footage allowed for the lot size.
- We would not be able to fully utilize the outdoor space without a porch.
- The covered porch would allow for a pristine home.

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

Board Member Grey asked, how would this create a hardship?

Mr. Kaminski replied, the house would not look right without the porch.

Board Member Grey asked, would you be okay with a condition of approval stating the covered porch would not be allowed for living space.

Mr. Kaminski replied, yes, it is not going to be used for living space.

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-25-040

Variance

Maximum Lot Coverage for Structure

3620 Old Sligo Road, LaGrange

Maximum Lot Coverage for Structures Variance:

Required Maximum Lot Coverage:	20%
Lot Size:	27,442.82 square feet
Maximum Lot Coverage Permitted:	5,488.56 square feet
Home, Porch, Garage Total Coverage:	6,200 square feet
Total Lot Coverage:	23%
Variance:	3% (711.44 square feet)

Motion was made by Board Member Allen and seconded by Board Member Grey to approve the variance for a maximum lot coverage for a structure at 3620 Old Sligo 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 because 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 based on the fact that he cannot build a family home and based on evidence as seen 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 September 18, 2025, Oldham County Board of Adjustments public hearing.
2. The exterior porch space cannot be used for living space.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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-25-041:

An application has been filed requesting a Front Yard Building Line Variance for property located at 1532 Kamer Dr., La Grange.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated September 18, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters received for support or opposition.

Board Member Grey asked, is there site history?

Planner Rugroden replied, no.

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

Lance Meadows, 1532 Kamer Drive, LaGrange, was present and representing the applicant.

- The lot is on the inside corner of a long roadway curve, which makes this lot different from lots that are typically rectangular in shape.
- The proposed addition protrudes slightly beyond the building limit of 7 feet.
- The proposed addition is needed to meet our family needs.
- The small encroachment will not have a negative impact on the neighborhood.
- The proposed addition will not have any impact on road distance.

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

Board Member Grey asked, is the home on septic or sewer?

Mr. Meadows replied, the home is currently on septic, but the tank is too small, which is why we will tap into the sewage lines that are existing in the development.

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 believe this aligns with the comprehensive plan.

Board Member Allen stated, I see no problem.

**Findings and Decisions
Docket OC-25-041
Variance
Building Line Limit
1532 Kamer Drive, LaGrange**

Front Yard Building Line Variance:

Required Front Yard Setback: 50 feet

Requested Front Yard Setback: 43 feet

Variance Requested: 7 feet

Motion was made by Board Member Tapp and seconded by Board Member Grey to approve the front yard setback variance at 1532 Kamer Drive, 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 requirement of the zoning regulations based on the shape of the lot, the requested variance arises from special circumstances which do not generally apply to the 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 September 18, 2025, Oldham County Board of Adjustments public hearing.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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

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Approval of Minutes

Motion was made by Board Member Allen and seconded by Board Member Grey to approve the minutes of Thursday, August 6, 2025, as submitted. Motion carried by unanimous voice vote.

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Other Business

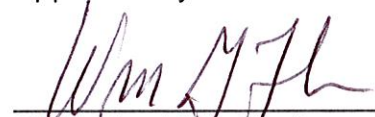
Director Fischer stated:

- On October 16 we will vote for new officers.
- Each Board Member received the new KRS 100, please update your binder with the new one.

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Motion was made by Board Member Allen and seconded by Board Member Grey to adjourn the meeting at 10:35 a.m. Motion carried by unanimous voice vote.

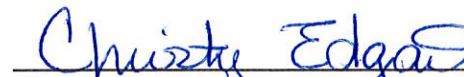
The next scheduled meeting is on Thursday, October 16, 2025, at 9:00 a.m., in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Approved by:



Bill Ferko, Vice-Chairman

Respectfully Submitted by:



Christy Edgar, Secretary

