

**MINUTES FOR REGULAR MEETING
OLDHAM COUNTY
BOARD OF ADJUSTMENTS AND APPEALS
Thursday, October 16, 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, 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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Election of Officers:

Director Fischer stated, a board member needs to nominate a Chairman, Vice-Chairman and Secretary.

Board Member Allen nominated Bill Ferko as Chairman.

Motion was made by Board Member Allen and seconded by Board Member Grey to elect Bill Ferko as Chairman. Motion carried by unanimous voice vote.

Chairman Ferko asked for nominations for Vice-Chairman.

Board Member Allen nominated David Grey for Vice-Chairman.

Motion was made by Board Member Allen and seconded by Board Member Tapp to elect David Grey as Vice-Chairman. Motion carried by unanimous voice vote.

Chairman Ferko asked for nominations for Secretary.

Vice-Chairman Grey nominated Mark Allen as Secretary.

Motion was made by Vice-Chairman Grey and seconded by Board Member Tapp to elect Mark Allen as Secretary. Motion carried by unanimous voice vote.

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Secretary Mark Allen called and read Docket OC-25-037:

An application has been filed requesting a Road Frontage Variance for property located at 1900 Liberty Ln., Goshen.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated October 16, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.

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

Jennifer Turpen, 9101 Judge Carden Blvd, Crestwood, was present and sworn in prior to presenting.

- We want to build our daughter a house next to our home.
- Our daughter will be our caretaker once we get to that age and would like to have her established next door to us.
- The entrance will only access one other property.

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

Board Member Grey asked, is there a shared road maintenance agreement?

Ms. Turpen replied, no.

Board Member Grey asked, would you be ok for that to be a condition of approval for this docket?

Ms. Turpen replied, yes.

Board Member Tapp asked, up to this point, who has been maintaining the road?

Ms. Turpen replied, up until they split that road off, the county took care of the road and no maintenance was needed.

Chairman Ferko asked, is that a gravel road?

Mrs. Turpen replied, no it is asphalt.

Irv Turpen, 1900 Liberty Ln., Goshen, was present and sworn in prior to replying, I talked to our neighbor, Ben, and this is his hunting property, and he does not reside there, and he is ok with our daughter building a home.

Director Fischer stated, the share road maintenance agreement is part of the conditions of approval and will be part of the plat.

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-25-037
Road Frontage Variance
1900 Liberty Lane**

Motion was made by Board Member Allen and seconded by Board Member Grey to approve zero a (0) feet of road frontage variance at 1900 Liberty Lane, Goshen, because of the design innovations of this case which is the justification statement will achieve the basic objectives of the regulations and strict compliance with the regulations would create an undue hardship because of the exceptional unique topographic or natural or man-made physical conditions of the property. 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 October 16, 2025, 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.
3. A shared road maintenance agreement shall be prepared and agreed upon by all parties affected and recorded with the minor plat.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: None.

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

.....
Secretary Mark Allen called and read Docket OC-25-043:

An application has been filed requesting a Street Side Yard Setback Variance for property located at the 2700 block of S. Hwy. 393, Buckner.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, October 16, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.

Chairman Ferko asked, what is the side yard setback for commercial?

Director Fischer replied, no setbacks unless it abuts a residentially zoned district. Board Member Grey asked, do you know if future construction on Hwy 393 will shift where the road is currently in relation to the project.

Planner Rugroden replied, I do not think so.

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

Tanner Nichols, Attorney, 400 West Market, Louisville, was present and representing the applicant.

- The reason for the variance is because there is an easement going through the property that allows access to the neighboring property.
- The entrance to the bank must line up with the entrance to Wawa's entrance which is across the street.
- There will be no interference with a right turn coming from Hwy 393 because of the elevation of the property.

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

Board Member Grey asked, is there any planned hardscaping or vegetation to prevent illumination of oncoming drivers between the back of the bank and Hwy 393?

Attorney Nichols replied, because of the elevation, I do not think that will be a problem, but we will abide by all the landscaping requirements.

Board Member Allen asked, is it possible to move the easement back on the property?

Attorney Nichols replied, the easement is a recorded easement, and the neighbor has a legal right to have access through this property to his property.

Board Member Allen asked, could the easement be moved back 15 to 30 feet?

Attorney Nichols replied, if we negotiated with the neighbor then we could, however we must keep the same curb cuts because of the Wawa Entrance.

Madison Tucker, Bayer Becker Engineer, 1404 Race St., Cincinnati, Ohio, was present and sworn in prior to replying, one of the conditions at the Technical Review Committee was for us to have our entrance align with the Wawa. So, we had to shift everything to the east.

County Attorney Baxter stated, Hwy 393 is realigned now and where the easement is located is where Hwy 393 used to be. When they moved Hwy 393 to the east, to accommodate going underneath the train tracks, is when they made the easement because that was the only way to access the neighbor's property.

Board Member Allen asked, I don't understand why the easement cannot be moved back about 30 feet.

Attorney Nichols replied, I don't have an answer for that, besides we must have our entrance aligned with Wawa's entrance which is also the easement entrance.

Director Fischer stated, I don't understand why we would want to move the easement back because then that takes away the alignment from Wawa. We encourage when we do planning with developments, to ensure that we have cross-sections going across as opposed to offset intersections, which then cause more accidents and more difficulty. So, moving the easement only makes things more difficult for everybody including the Wawa development. It would change everything in that area to move an easement. They are asking for a variance for this because they have undue hardship of having the easement to align with Wawa's entrance.

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 in favor of this docket.

Chairman Ferko stated, In favor.

Board Member Allen stated, I am not in favor because I don't understand why they cannot move the easement.

Findings and Decisions
Docket OC-25-043
Street Side Yard Setback Variance
2700 Block of S. Hwy 393

Required Street Side Yard Setback:	50 Feet
Requested Street Side Yard Setback:	25 Feet
Variance Requested:	25 Feet

Motion was made by Board Member Grey and seconded by Board Member Tapp to approve the side yard setback variance at the 2700 Block of S. Hwy 393 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 unique site conditions including the size and shape of the lot and the exiting access agreements that will optimize for safety in the community as presented in today's hearing and testimony. The conditions of approval are included in this motion.

Conditions of Approval:

1. The street side yard setback variance shall only apply to the application considered at the October 16, 2025, 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 Grey, Tapp, and Chairman Ferko.

No: Board Member Allen.

Abstain: None.

Absent: None.

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

Secretary Mark Allen called and read Docket OC-25-044:

An application has been filed requesting a Variance of Division 335 Solar Energy Systems Regulations (Setback Variance) for property located at 2901 N. Buckeye Ln., Goshen.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated, October 16, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.

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

Charles Paradis, Attorney, 520 Fairfield Dr., Louisville, was present and representing the applicant.

- The house has too many slopes to install a roof mounted solar system.
- The applicant also owns the land surrounding this property, therefore 100 feet within the property line shouldn't apply for the ground mount solar system.
- The location of the ground mount has the least amount of shade cover.

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-25-044
Setback Variance
Solar Energy Systems Regulations
2901 N. Buckeye Lane

Required Side Yard Setback:	100 Feet
Requested Side Yard Setback:	43 Feet 11 Inches
Requested Variance:	56 Feet 1 Inch

Motion was made by Board Member Grey and seconded by Board Member Allen to approve the side yard setback variance at 2901 N. Buckeye 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 because of the unique land ownership conditions and unique conditions of the solar panel placement and the efficiency surrounding that and as presented in testimony during 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 October 16, 2025, Oldham County Board of Adjustments public hearing.

The vote was as follows:

Yes: Board Members Allen, Grey, Tapp, and 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-25-045:

An application has been filed requesting a Conditional Use Permit for Swimming Pools, Tennis Courts, and Similar Enterprises (Indoor Basketball Training Facility), and a Maximum Square Footage Variance for property located at 1112 Evondale Way, Goshen.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated October 16, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- Received one letter in support.

Board Member Tapp asked, is this enclosed or opened?

Planner Rugroden replied, it is an enclosed basketball court.

Board Member Allen asked, are there restrictions for sanitation or changing areas?

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

Chairman Ferko asked, is there a HOA?

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

Director Fischer summarized a CUP.

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

Kilder Gonzalez, 1112 Evondale Way, Goshen, was present and sworn in prior to presenting.

- The structure and basketball court will be built on an already level surface so no extra drainage issues.
- The structure will be built behind the home and will not affect the original layout of the neighborhood.
- I have talked to both of my neighbors, and they approve.
- I will only have groups of 2 to 4 older kids (middle & high school) and max of 6 kids in the younger age (elementary school).
- The goal is to have a couple of days a week for after school training.
- My driveway can hold four cars and then additional one or two cars can be parked around the back of the house.
- No tournaments.
- One on one training.
- Weekdays would be 4:00 p.m. to 7:00 p.m. and Saturdays 9:00 a.m. to 12:00 p.m.

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

Board Member Allen asked, what do you plan on doing for the noise?

Mr. Gonzalez replied, I plan on insulating the building to help reduce the noise and the training session will be during the daytime.

Board Member Grey asked, how tall will the structure be?

Mr. Gonzalez replied, about 16 feet, barely under the house height. You will not be able to see it from the front of the home except the garage door at the end of the driveway.

Board Member Tapp asked, can you tell me a little bit about your interactions with the HOA?

Mr. Gonzalez replied, HOA's president said they are ok with the plans if I have the permits.

Board Member Tapp asked, are there any other home businesses in the neighborhood?

Mr. Gonzalez replied, I do not know.

Board Member Grey asked, would a max of five vehicles be good for you?

Mr. Gonzalez replied, I can fit a total of six vehicles in my driveway.

Chairman Ferko asked staff, if there is anything we need to add or be concerned about?

Director Fischer replied, if you choose to pass this you need to be very particular about what the conditions are, as in hours per day, number of people, and no on-street parking.

County Attorney Baxter stated, sometimes there is a belief that because staff stand up and present something that staff are advocating for the docket. Their obligation here is when someone files an application to present the application and to give you all the information about the application. This board is in a position to ask questions not only of staff but of the applicant in order to construct something to be that would meet the conditions that Director Fischer just outlines for you.

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:**

Chairman Ferko stated, I am good with this if we put conditions on this.

Board Member Tapp stated, I am not in favor of this. I do not think it fits with the residential character of the neighborhood. I think if we start allowing people to open up these types of businesses in neighborhoods, what is going to stop the next person from doing it. How do you allow one and not the next. And a neighborhood suddenly becomes high traffic, and it loses its residential character. I am not going to be in favor no matter what the restrictions are.

Board Member Allen stated, I am in favor, the applicant has a good argument about being able to be with the kids, if he keeps his daylight hours only, and he mentioned 4 to 6 during the week, but 9 to 7 would be fine.

Findings and Decisions
Docket OC-25-045
Conditional Use Permit
Indoor Basketball Training Facility
1112 Evondale Way, Goshen

Motion was made by Board Member Grey and seconded by Board Member Allen to approve the conditional use permit for an indoor basketball training facility located at 1112 Evondale Way, Goshen, 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 October 16, 2025, Oldham County Board of Adjustments public hearing.
2. Applicant must install sound deadening material before having classes.
3. The hours should be 9:00 a.m. through 7:00 p.m. and no more than four hours of class per day.
4. No more than six vehicles not including the residents' vehicles at any time and no street parking.
5. The conditional use permit will require all the details that are outlined in section 260-230 which details home occupation requirements.

The vote was as follows:

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

No: Board Member Tapp.

Abstain: None.

Absent: None.

Motion was approved for a Conditional Use Permit on a vote of 3-1.

Findings and Decisions**Docket OC-25-045****Maximum Square Footage Variance****1112 Evondale Way, Goshen**

Maximum Square Foot Accessory Structure Variance: 800 Square Feet

Requested Square Foot Accessory Structure Variance: 1,428 Square Feet

Requested Variance: 628 Square Feet

Motion was made by Board Member Grey and seconded by Board Member Allen to approve the maximum square footage variance for an accessory structure at 1112 Evondale Way, Goshen, 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 as we have seen in the testimony provided 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 October 16, 2025, Oldham County Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies before occupying the accessory structure.

The vote was as follows:

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

No: Board Member Tapp.

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-25-046:

An application has been filed requesting a Conditional Use Permit for a Short-term Rental Permit for property located at 14215 Harbour Place., Prospect.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated October 16, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.

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

Valerie Shannon, Brammell Law, 401 W. Jefferson St., LaGrange, was present and representing the applicant.

- The unit is in Cardinal Harbour which is situated right on the river and is in a residential area with long-term rentals.
- Since there is not a lot of lodging in this area a short-term rental is in demand for this area, which the county has spent thousands of dollars on to bring tourism to this area.
- The owner lives next door to this unit, so he will be onsite for any issues that might arise from the renters.
- Without this permit the homeowner will rent this unit long-term.

Danny Barhorst, 14217 Harbour Place, Prospect, was present and sworn in prior to presenting.

- The units share a three slips dock.
- I am also on the HOA, and it is my job to make sure everyone keeps the property maintained.

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:

Attorney Shannon's final statement:

- Tourism is a very important part of our county and keeping with the Comprehensive Plan, this will allow tourists to have a place to stay.

10. Board Discussion and Final Decision:

Board Member Tapp stated, I think it is important to have short-term rentals for the county and especially since we want tourism. And I think short-term rentals are better maintained.

Chairman Ferko stated, the important thing is it does comply with our regulations.

**Findings and Decisions
Docket OC-25-046
Conditional Use Permit
Short-Term Rental
14215 Harbour Place, Prospect**

Motion was made by Board Member Tapp and seconded by Board Member Grey to approve the conditional use permit for a short-term rental at 14215 Harbour Place, Prospect, 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 and 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 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 October 16, 2025, Oldham County Board of Adjustments public hearing.
2. The applicant shall comply with all regulations concerning Short Term Rental Properties outlined in Oldham County Zoning Regulations Section 250-050.
3. Conditional Use Permit shall be automatically revoked upon transfer / sale of the property.
4. The applicant shall apply for and be issued a Short-Term Rental Property Permit / License before renting the property.

The vote was as follows:

Yes: Board Members Allen, Grey, Tapp, and 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-25-047:

An application has been filed requesting a Conditional Use Permit for an Accessory Dwelling Unit for property located at 6612 Mint Springs Branch Rd., Prospect.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated October 16, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- No letters of support or opposition received.

Board Member Grey asked, are there other cases where the property was split between two counties with ADU's in the other county?

Director Fischer replied, I cannot think of one where a ADU is split between two counties, but we do have a lot of places that are split by the county line.

Board Member Tapp asked, so if she was to ever sell the property, she would sell two houses on one parcel?

Director Fischer replied, that is correct, according to Mint Springs' requirements they cannot split the parcel.

Board Member Tapp asked, can the ADU be rented?

Director Fischer replied, not for short-term rental unless they come back for a conditional use permit, however they can rent the ADU for long-term rental because we do not monitor long-term rentals.

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

Amanda Sweet, 6612 Mint Springs Branch Road, Prospect was present and sworn in prior to presenting.

- The proposed guest house will be located directly behind Norton Commons, Hamlet Section, within the agricultural/rural designated zone of Oldham County.
- The primary home is in Jefferson County.
- The guest house will provide a peaceful space, free from the distractions of the main household for accommodation for our family and friends that want to visit.
- The guest house's design incorporates flexibility for future offering of aging family members.
- No intent to use for a short-term rental.
- I have three letters in support.

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

Board Member Tapp asked, how will they access the ADU?

Mrs. Sweet replied, there is already a driveway that goes back there but we do intend to pave it, and the primary structure will share the same driveway.

- 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 have no problems with this.

**Findings and Decisions
Docket OC-25-047
Conditional Use Permit
Accessory Dwelling Unit
6612 Mint Springs Branch Rd., Prospect**

Motion was made by Board Member Grey and seconded by Board Member Tapp to approve the conditional use permit for a accessory dwelling unit at 6612 Mint Springs Branch Rd., Prospect, because the granting the conditional use permit will allow the proper integration into the community of a use specifically named in the zoning regulation and 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, lightning, or appearance and 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 October 16, 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 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, September 18, 2025, as submitted. Motion carried by unanimous voice vote.

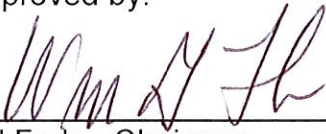
.....
Other Business

None

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Motion was made by Board Member Allen and seconded by Board Member Grey to adjourn the meeting at 11:15 a.m. Motion carried by unanimous voice vote.

The next regular scheduled meeting is on Thursday, November 20, 2025, 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