

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

The following members were present:

David Grey
Amanda Ross
Laura Tapp

Board Member Mark Allen was absent.

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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Board Member Laura Tapp called and read Docket OC-25-049:

An application has been filed requesting a Conditional Use Permit for a Short-Term Rental Property located at 6000 S. Hwy 53, Smithfield. **(Tabled from November 20th meeting)**

Motion was made by Board Member Grey and seconded by Board Member Tapp to remove Docket OC-25-049 from the table. Motion carried by unanimous voice vote.

1. Presentation by Staff:

Planner John Hine presented the following:

- Summary of the application. (see Exhibit A, Staff Report dated December 18, 2025)
- Case and site history.
- Aerial photos of the site.
- Photos of property.
- One letter of support.

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

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

- The applicant has changed the deed from his LLC to his name, which was why we were tabled.
- The applicant is asking for a Conditional Use Permit for a short-term rental, and the applicant has shown proof that he does live in the home.

- This short-term rental will help supplement income to support the 145-acre property.

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

Chairman Ferko asked, does staff have a copy of the quick claim deed?

Planner Hine replied, yes.

Board Member Ross asked, has the applicant made attempts to talk with the neighbors to try and make this a comfortable situation?

Tim Bowman, 6000 S. Hwy 53, Smithfield, was present and sworn in prior to replying, we have not spoken since the last hearing.

4. Testimony of the Opposition:

Jeremiah Morgan, 6004 S. Hwy 53, Smithfield, was present and sworn in prior to presenting.

- Mr. Bowman has not reached out to us to discuss this short-term rental.
- We are not comfortable with this being a short-term rental because we share a driveway and we don't like not knowing who the people are driving in and out of our shared driveway.

Joe Farmer, 6606 Timothy Circle, Crestwood, was present and sworn in prior to presenting.

- I am not in favor of this conditional use permit.
- The owner does not live in the house, like he says he does.

5. Questioning of the Opposition by the Board: None

6. Rebuttal Statement by the Applicant:

Mike Swansburg's rebuttal statement.

- The applicant will only be renting on occasions.
- We have shown more than the required proof that the applicant does live in this home.
- There are two residential homes on this one parcel which will be parceled off.

Board Member Ross asked, is this his primary residence?

Attorney Swansburg replied, yes, and by law you only must live in the home for 6 months and 1 day for it to be your primary residence, however he lives there year-round.

Chairman Ferko asked, do all the documents match this address?

Planner Hine replied, yes.

Director Fischer explained how the regulations were established for short-term rentals.

7. Rebuttal Statement by the Opposition:

Mr. Farmer's rebuttal statement.

- The applicant has owned the property for less than a year, and the regulations say that only five addresses off a driveway. If he splits the parcel, then that would be six addresses off a shared driveway.

Director Fischer replied, for splitting of the parcels, you can create two new parcels off a track every five years, this parcel was essentially two tracks that were consolidated into one parcel previously. But this is not creating a new parcel, this is just putting it back to the way it was, which is in compliance with our regulations.

8. Final Statement by the Opposition: None

9. Final Statement by the Applicant:

Attorney Swansburg's final statement.

- Applicant is asking for approval of a conditional use permit for a short-term rental for his primary residence.
- It does qualify because it is owner-occupied and it is essential and desirable to the applicant, his family and the community.

10. Board Discussion and Final Decision:

Board Member Grey stated, I am in favor of approving this.

**Findings and Decisions
Docket OC-25-049
Conditional Use Permit
Owner-Occupied Short-Term Rental
6000 S. Hwy 53, Smithfield**

Motion was made by Board Member Grey and seconded by Board Member Tapp to approve the conditional use permit for the owner-occupied short-term rental at 6000 S. Hwy 53, Smithfield, because 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 if there are specific restrictions on location, size, extent and character of performance and there are adequate public facilities available, such as, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation. 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 December 18, 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.
5. The owner shall submit a Minor Plat application separating the second structure to an independent parcel prior to the issuance of the Short-Term Rental Property permit.

The vote was as follows:

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

No: Board Member Ross.

Abstain: None.

Absent: Board Member Allen

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

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Board Member Laura Tapp called and read Docket OC-25-050:

An application has been filed requesting a Rear Yard Setback Variance for property located at 3604 & 3608 W. Highway 146, La Grange.

1. Presentation by Staff:

Senior Planner Anna Barge presented the following:

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

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

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

- The applicant is requesting a 21-foot rear yard setback variance for a 7,500 sq. ft. apartment complex building with five units.
- The 25-foot rear standard setback would deprive the applicant of reasonable use of the land.
- The setback variance is along the railroad tracks and does not encroach into the railroad easement.

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

Board Member Grey asked, when did Key Homes purchase the property?

Billy Doelker, 4751 Fox Run Road, Buckner, was present and sworn in prior to replying, earlier in 2025 we bought 3604 property first and then bought 3608. Board Member Tapp asked, do you intend to manage the apartments?

Mr. Doelker replied, that is correct.

Board Member Grey asked, did you need a variance for the apartments that you constructed across the street?

Mr. Doelker replied, I don't really remember.

Chairman Ferko asked, what does the county consider Highway 146 in terms of type of road?

Senior Planner Barge replied, this is a question for our engineer, but I believe it is a state highway.

Board Member Grey asked, is there any other variance requests like this for apartments in the county that are this close to railroad tracks?

Senior Planner Barge replied, I have not had any along railroad tracks, but there are buildings along the railroad tracks.

Board Member Tapp asked, would planning and zoning be the ones to make sure the 6-foot fence is in place during construction?

County Attorney Baxter replied, it is one of the conditions of approval and it will be on the construction plans.

Chairman Ferko asked, do they need a variance for the parking lot?

Senior Planner Barge replied, no, not in this zoning.

Mr. Doelker stated, we will install the six-foot temporary construction fence. CSX just wanted a barrier to keep construction traffic from wandering onto their easement.

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:

Mr. Swansburg's final statement:

- The applicant is asking for a variance of 21 feet from the rear yard setback for R-4 zoned property because the strict application of the 25-foot standard setback would deprive the applicant of reasonable use of the land.

10. Board Discussion and Final Decision:

Board Member Grey stated, is this really reasonable for the property given the size of it and is this too big of a deviation from the standard setback.

Chairman Ferko stated, in my mind the setback rules are probably for public health and safety, but this is unique because it backs up to the railroad tracks and not another building. I also think this will improve the neighborhood compared to what the property was.

Board Member Tapp stated, I have no concerns.

Findings and Decisions
Docket OC-25-050
Variance
Rear Yard Setback
3604 & 3608 W. Hwy 146, LaGrange

Rear Yard Setback Variance:

Required Rear Yard Setback: 25 Feet

Requested Rear Yard Setback: 4 Feet

Requested Variance: 21 Feet

Motion was made by Board Member Tapp and seconded by Board Member Grey to approve the variance for a rear yard setback located at 3604 & 3608 W. Highway 146, 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 request does not impede the public safety and welfare in this area and it will maintain the residential character of the area. 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 December 18, 2025, Oldham County Board of Adjustments public hearing.
2. The applicant shall abide by the request made by CSX for construction to occur.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: Board Member Allen.

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

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Board Member Laura Tapp called and read Docket OC-25-051:

An application has been filed requesting a Conditional Use Permit for an Event Venue for property located at 1222 Cliffwood Drive in Goshen.

1. Presentation by Staff:

Planner Sandie Rugroden presented the following:

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

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

Beth McBride, 13615 Rutland Road, Goshen, was present and sworn in prior to presenting.

- The pool is in extremely bad shape, and the bank will not loan the money for the repairs. We are having to come up with the funds ourselves, so we would like to make this an event venue to generate money to eventually put a new pool in.
- Our goal is to fill in the old pool and to put a new pool on the side of the clubhouse because there is more room in the side yard.

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

- With the first plan there was concern with parking from the neighbors, with this new plan she has doubled the amount of parking spaces by removing the pickle ball and basketball courts.
- Before Mrs. McBride purchased this, the property had several code violations on it, and people were breaking into the building and destroying it. Mrs. McBride has started to clean the property and is trying to get it back to a positive beneficial manner.

Ralph Mathison, 11804 Spring Meadow Lane, Goshen, was present and sworn in prior to presenting.

- This pool has been in the community for 40 years and people in this area would like for her to succeed in opening the pool and clubhouse.
- Traffic will be a problem, but I think she could address that issue by hiring the county police when there is an event.

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

Chairman Ferko asked, what will you do with the old pool?

Mrs. McBride replied, fill it in.

Chairman Ferko asked, will that cause environmental issues?

Senior Planner Barge replied, we are not the agency that regulates that.

Board Member Tapp asked, do you live in the neighborhood that surrounds this property?

Mrs. McBride replied, I live on the other side of Hwy 1793 on Rutland Road. It is close by.

Board Member Grey asked, how many more people will this revised plan allow on site?

Mrs. McBride replied, I don't think it will change that number.

Board Member Grey asked, there was a concern about late night traffic, and these new hours go much later, have you talked to surrounding properties about this?

Mrs. McBride replied, the hours are shorter from the last conditional use permit. It allowed the property to be open until 11:30 p.m. I have changed that to make sure their music is off by 10:30 p.m.

Board Member Grey asked, was alcohol part of the previous application?

Mrs. McBride replied, I have no plans on serving alcohol.

4. Testimony of the Opposition:

Glen Gish, 12008 Cloverdale Ct., Goshen, was present and sworn in prior to presenting.

- The property is extremely rundown and the cost of parking and renovating the property is going to be tens of thousands of dollars.
- This is Plan B for this owner and in another year will she come back with Plan C.
- If she fills in the pool, then that will restrict the property for future owners.
- Will this property pass all the fire codes?

5. Questioning of the Opposition by the Board: None

6. Rebuttal Statement by the Applicant:

Mrs. McBride's rebuttal statement.

- The parking lot is not new, there is a good gravel base there underneath all the overgrowth.
- And we will abide by Oldham County's regulations and ordinances to make sure we are good neighbors.

7. Rebuttal Statement by the Opposition:

Mr. Gish's rebuttal statement.

- I am not against having something there, I just don't believe this will happen.

8. Final Statement by the Opposition: None

9. Final Statement by the Applicant: None

10. Board Discussion and Final Decision:

Board Member Tapp stated, according to those pictures, this property is an eyesore, and I commend the owner for purchasing this property and trying to turn it into something useful and it might help beautify the neighborhood.

**Findings and Decisions
Docket OC-25-051
Conditional Use Permit
Event Venue
1222 Cliffwood Drive, Goshen**

Motion was made by Board Member Tapp and seconded by Board Member Grey to approve the conditional use permit for an event venue at 1222 Cliffwood Drive, Goshen 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 December 18, 2025, Oldham County Board of Adjustments public hearing.

The vote was as follows:

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

No: None.

Abstain: None.

Absent: Board Member Allen

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 Ferko and seconded by Board Member Ross to approve the minutes of Thursday, November 20, 2025, as submitted. Motion carried by unanimous voice vote.

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Other Business


None

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Motion was made by Board Member Grey and seconded by Board Member Tapp to adjourn the meeting at 11:00 a.m. Motion carried by unanimous voice vote.

The next meeting scheduled is on Thursday, January 15, 2026, at 9:00 a.m., in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Approved by:

Respectfully Submitted by:



Bill Ferko, Chairman

David Grey - Vice Chairman



Christy Edgar, Secretary