



PEWEE VALLEY BOARD OF ADJUSTMENTS AND APPEALS

September 18, 2025

Summary of Application:

Docket:	PV-25-003	
Request:	Maximum Square Footage Variance- Accessory Structure	
Applicant:	Dennis Maroudas	
Location:	404 Cherry Lane	
Existing Land Use:	Residential	
Existing Zoning:	R-1A	
Total Site Size:	0.62-acres	
Tax Parcel:	25-PV.09-01-20	

Surrounding Zoning:

North – Land Use: Residential
Zoning: R-1A

East – Land Use: Residential
Zoning: R-1A

South – Land Use: Residential
Zoning: R-1A

West – Land Use: Residential
Zoning: R-1A

Board of Adjustments Action:

An application has been filed requesting a Maximum Square Footage Variance for a proposed Accessory Structure on a property located at 404 Cherry Lane, Pewee Valley.

Site History:

No Site History

Case History:

Posted to Website: 9/03/2025

Adjoining Property Owner Notices Mailed: 9/03/2025

Public Notice Appeared in Oldham Era: 9/11/2025

Notes:

1. The applicant is requesting a Maximum Square Footage Variance to allow for the construction of a proposed 30-foot by 50-foot (1,500 square feet) detached accessory structure (garage) to be constructed at the back of the property.
2. The applicant states they plan to construct the new detached accessory structure as storage.
3. Section 250-030 (B) of the Comprehensive Zoning Ordinance states that the maximum square footage for all accessory structures over 120 square feet, on a lot sized between 20,000 square feet and .99-acres, is 1,200 square feet.
4. The proposed Accessory Structure is 1,500 square feet therefore the applicant is requesting a 300 square foot Maximum Square Footage Variance.
5. The proposed accessory structure appears to meet the remaining standards of Section 250-030 Accessory Uses and Structures (with and without dwelling units) and Section 260-030 Conditional Use Standards for Accessory Structures.

Motions and Findings:

Every motion to approve a variance or conditional use must state the finding(s) required by statute or regulation and must also state the reasons for the motion. Every motion to deny must state the reasons for the motion.

Suggested motions to approve or deny are set out below.

Variance:

The applicant is requesting a Maximum Floor Area Variance to allow the Accessory Structure to be larger than 1,200 square feet.

Proposed Maximum Floor Area Variance:

Maximum Allowable Floor Area: 1,200 square feet

Proposed Floor Area: 1,500 square feet

Requested Variance: 300 square feet

Motions:

Move to approve the variance 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 _____.

Motion to deny the variance because (any one or all of the following):

- a. It will adversely affect the public health, safety or welfare because _____;
- b. It will alter the essential character of the general vicinity because _____;
- c. It will cause a hazard or nuisance to the public because _____;
- d. It will allow an unreasonable circumvention of the requirements of the zoning regulations because _____.

In deciding on a variance, you may consider whether:

- a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone;
- b. 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
- c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

You cannot approve a variance which is the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

The specific conditions or restrictions which must be met in order for the proposed use to be permitted for any of the above reasons are as follows:

Potential Conditions of Approval:

1. The variance shall only apply to the application and plans considered at the September 18, 2025 Pewee Valley Board of Adjustments public hearing.
2. The structure shall not be used for commercial purposes or as living space.

Accessory Structure Regulations

B. Number of Accessory Structures

1. The number of allowed accessory structures over 120 square feet and the total maximum floor area shall be as follows:

Size of Parcel	Total Maximum Floor Area of Accessory Structures Allowed	Maximum Number of Accessory Structures Allowed
Equal to or Less than 20,000 sq. ft.	800 sq. ft.	2
20,001 sq. ft. to 0.99 acres	1,200 sq. ft.	2
1.0 acre to 2.99 acres	1,800 sq. ft.	2
3.0 acres to 5.0 acres	2,700 sq. ft.	2
5.01 acres or larger	No restriction on size	2, 3 allowed with Conditional Use Permit

2. Conditional use permits for additional accessory structures over two (2) shall not be allowed on parcels less than 5.0 acres.

C. Shall Follow Principle Use

No accessory use or structure may be developed until after the start of the construction of the principal use on the building site, and no accessory use or structure may be used unless the principal use or structure has been developed except after review and approval as a Conditional Use. Accessory units shall comply with the applicable density standards of the zoning district in which it is located.

D. Same Parcel

Except as otherwise specifically permitted elsewhere in the Zoning Ordinance, accessory uses and structures shall be located on the same parcel as the associated principal use.

E. Relationships to Street Setbacks

No accessory use or structure shall be located in between the principal building and the front yard property line. Accessory structures shall adhere to street-side yard setbacks.

F. Breezeway

When an accessory structure is attached to a principal building by a breezeway, roofed passage or similar structure, it shall be deemed to be part of the principal building and shall maintain the yard requirements of the principal building.

G. Minimum Distance Between Buildings

The minimum distance between buildings shall be five feet (5').

H. Rear Yard Rules for Accessory Structures

1. All accessory structures shall be set back from the rear and side property lines a minimum of five feet (5').
2. Accessory structures shall not occupy more than thirty-five percent (35%) of the area between the rear property line and the principal structure.