



Pewee Valley BOARD OF ADJUSTMENTS AND APPEALS

March 30, 2026

Summary of Application:

Docket:	PV-26-001	
Request:	Conditional Use Permit: Detached ADU & Rear Yard Setback Variance	
Applicant:	Troy & Melissa Crews	
Location:	8719 Ash Ave.	
Existing Land Use:	Residential	
Existing Zoning:	R-1	
Total Site Size:	2.153-acres	
Tax Parcel:	25-00-00-63D	

Surrounding Zoning:

North – Land Use: Residential/ Agricultural Zoning: R-1 Residential	East – Land Use: Residential/ Agricultural Zoning: R-1 Residential
South – Land Use: Residential Zoning: R-2 Residential	West – Land Use: Residential Zoning: R-1 Residential

Board of Adjustments Action:

An application has been filed requesting a Conditional Use Permit for a detached Accessory Dwelling Unit on property located at 8719 Ash Ave., Pewee Valley.

Site History:

On January 18th, 2023, the Pewee Valley Board of Adjustments approved a Maximum Square Footage Variance for an accessory structure (without dwelling space).

Case History:

Posted to Website: 3/12/2026
 Adjoining Property Owner Notices Mailed: 3/12/2026
 Public Notice Appeared in Oldham Era: 3/19/2026

Notes:

1. The applicant is requesting a Conditional Use Permit to finish 615 Sq. Ft. of the partially constructed accessory structure as an Accessory Dwelling Unit for his mother-in-law.
2. The property is zoned R-1, Residential District.
3. According to Oldham County Comprehensive Zoning Ordinance Section 050-040 Accessory Dwelling Units are a Conditional Use.
4. Section 250-040, E (1), states that Detached Accessory Dwelling Units may be allowed only after approval of a Conditional Use Permit by the appropriate Board of Adjustments.
5. According to Oldham County Comprehensive Zoning Ordinance Section 050-020, the minimum rear yard setback in the R-1 Zoning District is 30 ft.
6. Section 250-040 E (4), states that Detached Accessory Dwelling Units shall meet the minimum setbacks for primary structures.
7. The proposed ADU is 21.4-feet from the rear property line as confirmed by the survey provided by the applicant.
8. The applicant is therefore asking for a Rear Yard Setback Variance of 9.6-feet.

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.

(1) Conditional Use Permit:

The applicant is requesting a Conditional Use Permit for a detached Accessory Dwelling Unit located at 8719 Ash Ave., Pewee Valley.

Motions:

Move to **approve** the conditional use 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 based on one or more of the following factors:

granting the conditional use permit will allow the **proper integration** into the community of a use specifically named in the zoning regulation.

the **character and objectives** of the proposed use and the **potential impacts** on the community and its surroundings are appropriate.

the **community or neighborhood has a need** for the proposed use and there are **potential benefits** to the community or neighborhood.

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.

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.

there are adequate **public facilities** available, such as, including transportation, sanitation, water, sewer, drainage, emergency services, education, and recreation.

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 conditional use permit shall only apply to the application considered at the March 30, 2026, Pewee Valley Board of Adjustments public hearing.
2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

Considerations:

* Refer to the applicant’s justification statement and other evidence in the record.

-or-

Move to **deny** the variance because the proposed use is **not** essential or desirable to the community, or is in conflict with the elements and objectives of the Comprehensive Plan, or is not in compliance with the zoning regulations, based on the following factual determinations and conclusions _____.

(1) Rear Yard Setback Variance:

The applicant is requesting a Front Yard Setback Variance for property located at 8719 Ash Ave., Pewee Valley.

Proposed Rear Yard Setback Variance:

Required Rear Yard Setback: 30 feet

Requested Front Yard Setback: 20.6 feet

Requested Variance: 9.4 feet

(1) 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.

Potential Conditions of Approval:

- 1. The variance shall only apply to the application considered at the March 30, 2026, Pewee Valley Board of Adjustments public hearing.
- 2. The applicant shall obtain all necessary building permits and inspections from the appropriate agencies.

Considerations:

* Refer to the applicant's justification statement and other evidence in the record.

-or-

Move to **deny** the variance because the proposed use is **not** essential or desirable to the community, or is in conflict with the elements and objectives of the Comprehensive Plan, or is not in compliance with the zoning regulations, based on the following factual determinations and conclusions _____.

Considerations:

* Refer to the applicant's justification statement and other evidence in the record.

-or-

Move to **deny** the variance because the proposed use is **not** essential or desirable to the community, or is in conflict with the elements and objectives of the Comprehensive Plan, or is not in compliance with the zoning regulations, based on the following factual determinations and conclusions _____.

Oldham County Comprehensive Zoning Ordinance
Division 050 R-1 Residential District

**Sec. 050-030 R-1 Residential District:
Permitted Uses**

Agricultural Uses

Agricultural Uses

Community Facilities and Services

Colleges and Schools, Not for Profit
Community Centers, Not for Profit
Public and Government Buildings and Facilities
Public Utility Buildings & Facilities

Public Parks and Recreation

Boat Docks and Launching Areas
Recreational Camps/Resorts
Public Parks and Forest Preserves
Public Picnic Grounds, Beaches, Bridle and
Bicycle Paths

Religious Institutions

Churches and Other Religious Institutions

Residential

Accessory Dwelling Units (ADUs) – Attached
Accessory Dwelling Units (ADUs) - Interior
Dwellings – Single Family Detached
Residential Care Facility

Special

Lakes (man-made) non commercial

**Sec. 050-040 R-1 Residential District:
Conditional Uses**

Agricultural Uses

Riding Academies and Stables Less than 5 Acres

Commercial

Day Care Facilities for Four or More Children
(Up to 12 Children)
Veterinary Hospitals and Kennels

Community Facilities and Services

Private Utility Building and Facilities

Recreation

Marinas and Boat Rental
Private Clubs, Country Clubs and Golf Courses except
Miniature Courses and Commercial Driving Ranges
Swimming Pools, Tennis Courts and Similar Enterprises

Residential

Accessory Dwelling Units (ADUs) - Detached
Manufactured Homes – Single Family Detached
Nursing Homes

Special

Agritourism Buildings
Borrow Pits, Quarry, Gravel Pit or Stone Mill
Cemeteries, Mausoleums and Crematories
Commercial Lakes
Extraction and Development of Natural Resources

E. Detached Accessory Dwelling Units

1. Detached Accessory Dwelling Units may be allowed only after approval of a Conditional Use

Oldham County Comprehensive Zoning Ordinance
Division 250 Special Provisions

Permit.

2. Detached Accessory Dwelling Units shall be allowed in the AG-1, CO-1, R-1, R-1A, R-2, and R-2A zoning districts only upon granting of a Conditional Use Permit.
3. Detached Accessory Dwelling Units will count as a whole unit (1.0) toward density calculations.
4. Detached Accessory Dwelling Units shall meet the minimum setbacks for primary structures.
5. Detached Accessory Dwelling Units shall not exceed 25 percent of the primary structure's square footage.
6. Detached Accessory Dwelling Units must be at least five (5) feet from the primary structure.
7. Detached Accessory Dwelling Units shall not exceed the height of the primary structure.
8. Detached Accessory Dwelling Units shall not be located in front of the primary structure.

F. Variances

1. Upon application, the Board of Adjustments may grant variances from these regulations.

DIVISION 050 R-1 RESIDENTIAL DISTRICT

Sec. 050-010 R-1 Residential District: Intent

The purpose of the R-1 Residential District is to allow, preserve and protect the character of low density detached single-family areas and neighborhoods at densities ranging from one (1) dwelling unit per acre up to 2.17 dwelling units per acre.

Sec. 050-020 R-1 Residential District: Development Regulations

Minimum Lot Area:

- 20,000 square feet with sanitary sewers
- 43,560 square feet without sanitary sewers
- 43,560 square feet within the city of Pewee Valley

Minimum Lot Width:

- 100 feet; or
- 150 feet for lots without sanitary sewers

Maximum Density/Intensity:

- 2.17 dwelling units per acre
- 0.25 Floor Area Ratio

Maximum Structure Height:

- 35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

35 feet

Minimum Side Yard Setback:

- 15 feet
- 30 feet total for both sides

Minimum Street Side Yard Setback:

35 feet

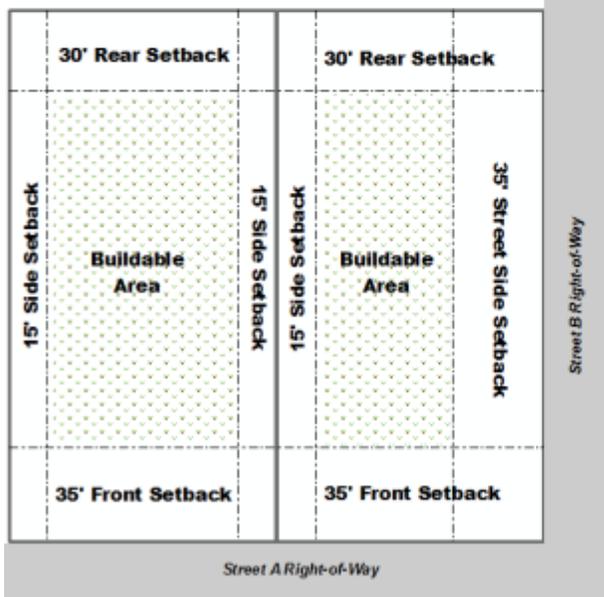
Minimum Rear Yard Setback:

30 feet

Maximum Lot Coverage for Structures:

30 percent of the lot area

Minimum Lot Width - 100'



Additional Standards that may Apply:

- Accessory Dwelling Units.....Sec 250-040
- Accessory Uses & Struc.....Sec 250-030
- Agritourism Buildings.....Sec 260-035
- Barrel Warehouses.....Sec 250-320
- Brew pubs.....Sec 250-310
- Distillery & Brewery.....Sec 250-300
- Height.....Sec 330-010
- Home Occupation.....Sec 260-230
- Fences & Walls.....Sec 250-090
- Capacity of Infrastructure...Division 270
- Highway 53 Overlay Dist.Division245
- Historic Preservation.....Division 240
- Landscaping.....Division 300
- Lighting.....Division 310
- Parking.....Division 280
- Signs.....Division 290