



OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

August 6, 2025

Summary of Application

Docket:	OC-25-031	
Request:	Variance – Road Frontage	
Applicant:	Jason Black	
Location:	1309 S. Buckeye Ln	
Existing Land Use:	Residential	
Existing Zoning:	CO-1, AG-1	
Total Site Size:	8.08-acres	
Tax Parcel:	09-00-00-4D	

Surrounding Zoning:

North – Land Use: Residential/ Agricultural
Zoning: AG-1, CO-1

East – Land Use: Residential/ Agricultural
Zoning: AG-1, CO-1

South – Land Use: Residential/ Agricultural
Zoning: AG-1, CO-1

West – Land Use: Residential/ Agricultural
Zoning: AG-1, CO-1

Board of Adjustments Action:

An application has been filed requesting a Road Frontage Variance for property located at 1309 S. Buckeye Ln., Goshen.

Site History:

A Minor Plat was approved in 1978 to create the 8.08-acre tract.

Case History:

Agenda Posted to Planning Website: 7/24/2025

Adjoining Property Owner Notices Mailed: 7/24/2025

Public Notice Appeared in Oldham Era: 7/31/2025

Notes:

1. The applicant is proposing to divide the lot into two lots.
2. Lot #1 will be 4.617-acres, and the residual Lot #2 will be 3.5-acres.
3. The lot currently has no road frontage and is considered a legal non-conforming existing lot.
4. Both lots will require road frontage variances as the division will cause the residual lot to lose its legal non-conforming status.
5. Sections 020-020 and 030-020 of the Oldham County Comprehensive Zoning Ordinances state that the required road frontage for property zoned AG-1 or CO-1, that is 2.5 acres or more, is 300 feet.
6. The newly proposed lot will have 40 feet of road frontage, therefore requiring a 260-foot Road Frontage Variance.
7. The residual lot will have no road frontage, therefore requiring a 300-foot Road Frontage Variance.

VARIANCE Lot 1:

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.

Variances:

The applicant is requesting a Road Frontage Variance for the newly proposed Lot 1

Required Road Frontage: 300 feet

Requested Road Frontage: 40 feet

Variance Requested: 260 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.

Conditions of Approval:

1. The road frontage variance shall only apply to the application considered at the August 6, 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.

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 _____.

VARIANCE Lot 2:

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.

Variances:

The applicant is requesting a Road Frontage Variance for the residual Lot 2

Required Road Frontage: 300 feet

Requested Road Frontage: 0 feet

Variance Requested: 300 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:

- d. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone;
- e. 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
- f. 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.

Conditions of Approval:

1. The road frontage variance shall only apply to the application considered at the August 6, 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.

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_____.

DIVISION 020 AG-1 AGRICULTURAL/RESIDENTIAL DISTRICT

Sec. 020-010 AG-1 Agricultural/Residential District: Intent

The AG-1 Agricultural/Residential District is intended to: (1) support and encourage agriculture for the purpose of recognizing the cultural heritage of the community and the agricultural contribution to the economic base; and (2) minimize urban-type development in rural areas until urban-type services and utilities can be efficiently provided.

Sec. 020-020 AG-1 Agricultural/Residential District: Development Regulations

Minimum Lot Area:

43,560 square feet

Minimum Road Frontage:

150 feet for lots 2.5 acres or less

300 feet for lots 2.5 acres or more

Minimum Lot Width:

150 feet for lots under 2.5 acres

300 feet for lots 2.5 acres or more

Minimum Lot Depth:

200 feet

Maximum Structure Height:

35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

50 feet

Minimum Side Yard Setback:

15 feet

Minimum Street Side Yard Setback:

50 feet; or

75 feet when adjacent to an arterial roadway

Minimum Rear Yard Setback:

40 feet

Maximum Lot Coverage for Structures:

20 percent of the lot area

DIVISION 030 CO-1 CONSERVATION/RESIDENTIAL DISTRICT

Sec. 030-010 CO-1 Conservation/Residential District: Intent

The Conservation/Residential District is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreational and conservation resources, wildlife habitat, present and future water supplies, and to minimize erosion of soil and the siltation and pollution of streams and lakes.

Sec. 030-020 CO-1 Agricultural/Residential District: Development Regulations

Minimum Lot Area:

43,560 square feet

Minimum Road Frontage:

150 feet for lots under 2.5 acres

300 feet for lots 2.5 acres or more

Minimum Lot Width:

150 feet for lots under 2.5 acres

300 feet for lots 2.5 acres or more

Minimum Lot Depth:

200 feet

Maximum Structure Height:

35 feet (agriculture structures are exempt)

Minimum Front Yard Setback:

50 feet; or

75 feet when adjacent to an arterial roadway

Minimum Side Yard Setback:

15 feet

Minimum Street Side Yard Setback:

50 feet; or

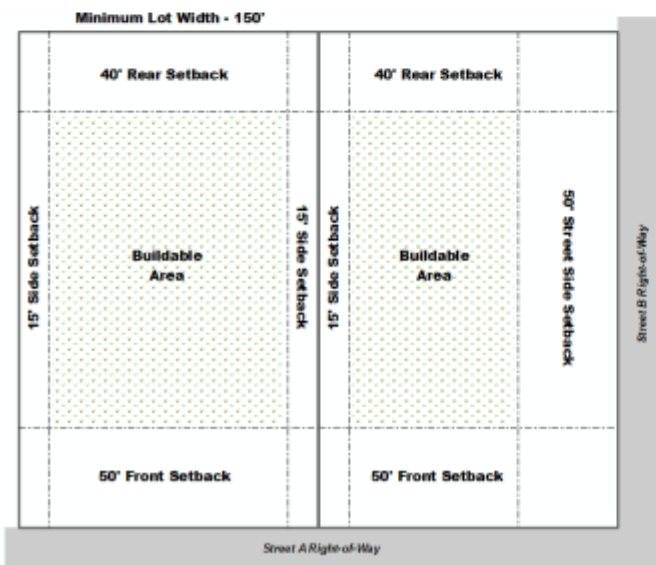
75 feet when adjacent to an arterial roadway

Minimum Rear Yard Setback:

40 feet

Maximum Lot Coverage for Structures:

20 percent of the lot area



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.	Division 245
Historic Preservation.....	Division 240
Landscaping.....	Division 300
Lighting.....	Division 310
Parking.....	Division 280
Signs.....	Division 290