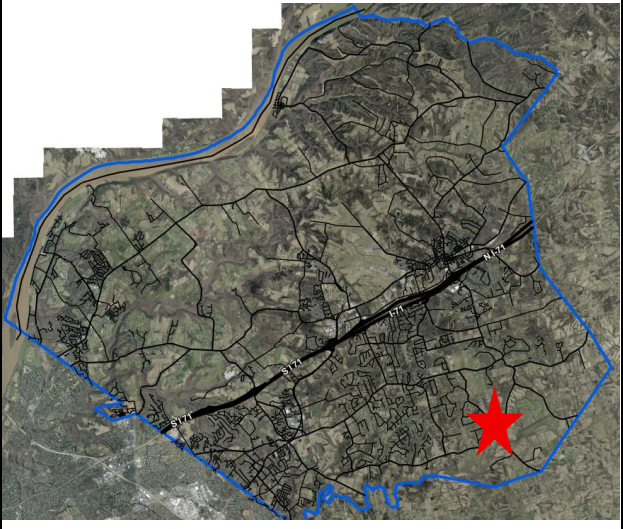




OLDHAM COUNTY BOARD OF ADJUSTMENTS AND APPEALS

September 17, 2026

Summary of Application

Docket:	OC-26-026	
Request:	Variance – Road Frontage	
Applicant:	Terry & Kristen Butler	
Location:	2000 Block of East Mount Zion Road	
Existing Land Use:	Undeveloped	
Existing Zoning:	AG-1	
Total Site Size:	12.5-acres / 2.49-acres	
Tax Parcel:	57-00-00-7N	

Surrounding Zoning:

North – Land Use: Residential
Zoning: AG-1

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

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

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

Board of Adjustments Action:

An application has been filed requesting a Road Frontage Variance for property located at the 2000 block of E. Mount Zion Rd., Crestwood.

Site History:

On February 19, 1998, the Oldham County Board of Adjustments and Appeals approved a road frontage variance for the then 20-acre parcel, allowing 30 feet of road frontage and granting a 270-foot variance (Docket No. 2809). The motion carried.

Case History:

Agenda Posted to Planning Website: 8/31/2026
Adjoining Property Owner Notices Mailed: 9/4/2026
Public Notice Appeared in Oldham Era: 9/10/2026

Notes:

1. The applicant is proposing to divide a 12.5-acre parcel into two tracts.
2. Tract 1 will contain approximately 2.49-acres, while the residual, second tract will contain approximately 10.01 acres.
3. The applicant is proposing to construct a single-family residence on the 2.49-acre Tract 1.
4. Section 020-020 of the Oldham County Comprehensive Zoning Ordinance requires 150 feet of road frontage for properties zoned AG-1 that are less than 2.5 acres.
5. Tract 1 will have 0 feet of public road frontage. Therefore, the applicant is requesting a 150-foot road frontage variance for Tract 1.
6. The applicant is offering a variable-width access and utility easement connecting the tract to East Mount Zion Road.

VARIANCE

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 Tract 1 and Residual.

Tract 1

Required Road Frontage: 150 feet

Requested Road Frontage: 0 feet

Variance Requested: 150 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 September 17, 2026, 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 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

Minimum Side Yard Setback:

15 feet

Minimum Street Side Yard Setback:

50 feet; or

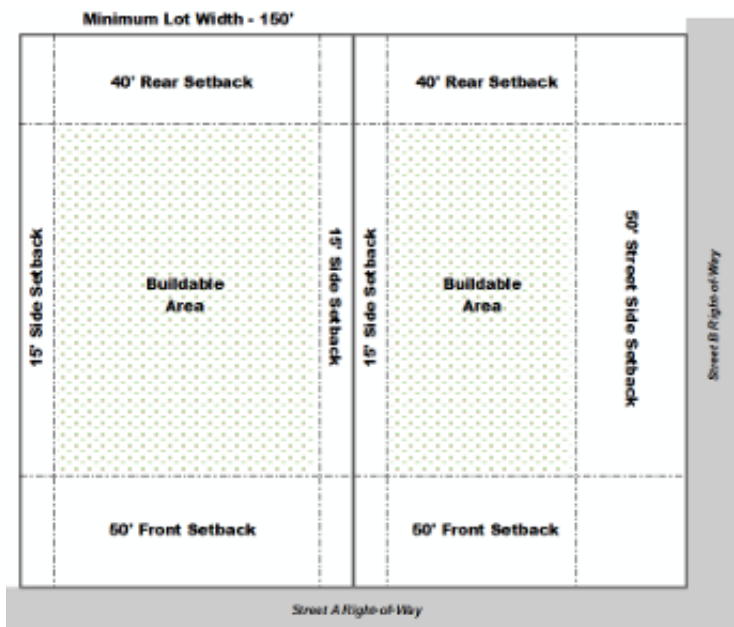
75 feet when adjacent to an arterial roadway

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.Division245
Historic Preservation.....Division 240
Landscaping.....Division 300
Lighting.....Division 310
Parking.....Division 280
Signs.....Division 290