

**MINUTES FOR REGULAR MEETING
OLDHAM COUNTY
BOARD OF ADJUSTMENTS AND APPEALS**

Thursday, September 17, 2015

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 Chairperson Larry Otterback.

The following members were present:

Mike Allen
Stephen Davis
Robert Houchens
Larry Otterback

Director Jim Urban and Planner Brooke Radcliffe of Oldham County Planning and Development Services were present and sworn in. Senior Planner Amy Alvey, Planner Belinda Dimas and Attorney Travis Combs were also present.

Board Member Houchens called and read Docket.

Docket OC-15-019 – An application has been filed requesting a Conditional Use Permit for a second accessory structure located at 2622 Dawson Ridge Road, LaGrange.

(1) Presentation by Staff:

Planner Brooke Radcliffe presented the following:

- Summary of the application.
- Case History (see Staff Report dated September 17, 2015 Exhibit A).
- Notes.
- Ariel Photos of the site
- Photos of property.

Ms. Radcliffe responded to questions from the Board:

- The aerial image/site plan shows the septic lateral lines on the left corner of the property and the proposed storage building on the rear right corner of the property.

(2) Presentation by the Applicant in support of the application:

Charles W. Ward III, 2622 Dawson Ridge Road, LaGrange, the applicant, was present and sworn in prior to speaking.

- Current property owner
- Is requesting a Conditional Use Permit to construct a storage building for cars, lawn tractor and mower, utility trailer, and like items to get out of the weather and into storage.
- Building will be virtually unseen from the road. There is one neighbor to the right who may be able to see a portion of the building from their lot.

- The building will look similar to the existing house with the same roofing material used and siding that mimics the siding on his house.
- It will be self-built and all metal.
- There will be no utilities.

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

Mr. Ward responded to questions from the Board:

- The building will be 14 feet high at its peak.
- The roof will be burnished slate and the sides will be beige.
- There will be no utilities – no electric or water.
- There will not be a driveway to the building or improvements to the road.

(4) Testimony of the Opposition: None

(5) Questioning of the Opposition by the Board: None

(6) Rebuttal and Final Statement by the Applicant: None

(7) Rebuttal and Final Statement by the Opposition: None

(8) Board Discussion and Final Decision

Discussion:

Board Member Davis asked staff to clarify that there have been no Board actions taken on this property previously. He questioned if Board action should have been necessary for the placement of the existing garage which is located in front of the house. Mr. Urban responded that perhaps at the time the structure was built action should have been action required, but the file indicates that no action was taken and building permits were issued.

Mr. Urban added that Planning & Development Services is in the process of updating accessory structure regulations based on the size of the lot and the square footage of the accessory structures. The new regulations are not yet in place, but he does believe that if they were in place as they are currently being designed, this structure would be allowed without the requirement of a Conditional Use Permit.

**Findings and Decisions
Docket OC-15-019**

Motion was made by Board Member Houchens and seconded by Board Member Allen to approve Docket OC-15-019, a request to have a second accessory structure because the proposed use is essential or desirable to the community and is not in conflict with the elements, objectives and policies of the Comprehensive Plan because:

1. Based on the testimony that there be no utilities to the structure, it will be virtually unseen by neighbors, and it will make the property more slightly by storing items that have previously been outdoors;
2. It is not in conflict with goals and objectives of the Comprehensive Plan;
3. The character and objectives of the proposed use and there are potential benefits to the community.

Conditions of Approval:

1. The Conditional Use Permit shall only apply to the application considered at the September 17, 2015 Oldham County Board of Adjustments and Appeals meeting.

The vote was as follows:

Yes: Board Members Allen, Davis, Houchens and Otterback
No: None
Abstain: None.
Absent: Riley
Motion carried on a vote of 4 - 0.

Approval of Minutes

Motion was made by Board Member Davis and seconded by Board Member Houchens to approve the minutes of August 20, 2015 Oldham County Board of Adjustments & Appeals meeting as submitted.

The vote was as follows:

Yes: Board Members Allen, Davis, Houchens and Otterback
No: None.
Abstain: None.
Absent: Riley
Motion carried on a vote of 4 – 0.

Motion is made by Board Member Davis and seconded by Board Member Houchens to adjourn the meeting at 9:23 a.m. Motion carried by unanimous voice vote.

The next Regular Meeting is scheduled for Thursday, October 15, 2015, at 9:00 a.m., in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Respectfully Submitted,

Belinda Dimas
Planner

Approved:

Larry Otterback, Chairperson