

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

Thursday, December 17, 2015

At 9:04 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
Larry Otterback
Mike Riley
Robert Houchens

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

Board Member Riley called and read the Docket.

Docket OC-15-024 – An application has been filed requesting a Conditional Use Permit for a Second Accessory Structure at 6520 Highway 329, Crestwood.

Prior to presentation by staff, Board Member Davis reported that he has a professional relationship with the applicant's wife by means of dentistry and Oldham County Hazmat. He does not believe that it will be a conflict of interest for him to participate but wanted to make it known. Board Member Allen made a motion acknowledging that there would be no conflict of interest for Member Davis to participate. Motion was seconded by Board Member Houchens. Motion passed unanimously.

(1) Presentation by Staff:

Senior Planner Amy Alvey presented the following:

- Summary of the application
- Case History (see Staff Report dated November 19, 2015 Exhibit A)
- Ariel Photos of the site
- Photos of property
- Notes

Ms. Alvey responded to questions from the Board:

- There is a large farm adjacent to the property.

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

Tim Feeley, 6520 Highway 329, Crestwood, was present and sworn prior to speaking in behalf of this application.

- The barn on the adjacent property was previously part of his property.
- The adjoining property owner's home is not visible from his home.
- He would like to add a three car garage.
- There is an existing cottage on the property that would not be usable as a garage due to its structure and location on the property.
- There was previously a garage with carport on the property and he wants to use the foundation which is still in place for the new garage.

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

- He believes only the rooftop would be visible to the neighbors.
- The new structure will be used for a garage and storage with electricity but no plumbing.

Roger Hack, 322 Mount Mercy Drive, Pewee Valley, builder for the applicant, was present and sworn in prior to speaking.

- The general character of the proposed structure will be in keeping with existing structures on the property.
- Materials will look like the house.

(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:

**Findings and Decisions
Docket OC-15-022**

Motion was made by Board Member Houchens and seconded by Board Member Allen to approve Docket OC-15-024 a request for a conditional use permit for 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:

The proposed use is compatible with surrounding land uses and the general character of the area.

Conditions of Approval:

1. No commercial activity shall be permitted.
2. The structure shall not be occupied as a living space.
3. The Conditional Use Permit shall only apply to the application considered at the December 17, 2015 Oldham County Board of Adjustments and Appeals meeting.

The vote was as follows:

Yes: Board Members Allen, Davis, Houchens, Riley and Otterback

No: None

Abstain: None.

Absent: None
Motion carried on a vote of 5 – 0

Other Business

Election of Officers

Board Member Houchens nominated Board Member Otterback as Chair, seconded by Board Member Davis. Motion pass unanimously.

Board Member Houchens moved to approve Board Member Otterback as Chair, motion seconded by Board Member Davis. Motion pass unanimously.

Board Member Riley nominated Board Member Houchens as Vice-Chair, seconded by Board Member Davis.

Board Member Allen moved to close nominations, motion seconded by Board Member Riley. Motion passed unanimously.

Board Member Riley moved to approve Board Member Houchens as Vice-Chair, motion seconded by Board Member Davis. Motion pass unanimously.

Board Member Davis nominated Board Member Riley as Secretary, motion seconded by Board Member Houchens.

Board Member Allen moved to close nominations, motion seconded by Board Member Davis. Motion passed unanimously.

Board Member Allen moved to approve Board Member Riley as Secretary, motion seconded by Board Member Davis. Motion pass unanimously.

Approval of Minutes

Motion was made by Board Member Riley and seconded by Board Member Houchens to approve the minutes for the November 19, 2015 Oldham County Board of Adjustments & Appeals meeting as submitted.

The vote was as follows:

Yes: Board Members Allen, Davis, Houchens, Riley and Otterback

No: None.

Abstain: None.

Absent: None

Motion carried on a vote of 5 – 0.

Motion was made by Board Member Houchens and seconded by Board Member Allen to adjourn the meeting at 9:29 a.m. Motion carried by unanimous voice vote.

The next Regular Meeting is scheduled for Thursday, January 21, 2016 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