

**MINUTES OF REGULAR MEETING
OLDHAM COUNTY
PLANNING AND ZONING COMMISSION**

Tuesday, October 27, 2015

At 9:00 a.m., local time on the above date, this meeting of the Oldham County Planning and Zoning Commission, hereinafter called the Commission, was called to order in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky, by Chairman Kevin Jeffries.

Other Commission members present were:

Joyce Albertsen	Bob Arvin	John Falvey
Sam Finney	Mary Ann Smith	Bob Klingenfus
Kevin Mesker	Jan Horton	Denia Crosby
William Douglas	Joe McWilliams	Laura Bohne

Others present and sworn in were Planning and Development Services Director Jim Urban, and Community Planner Brooke Radcliffe. County Attorney John Carter was present. Senior Planner Amy Alvey was the Secretary for the meeting.

Prior to the approval of the Minutes, Chairman Jeffries announced that William Croley, applicant for the case to be presented today, has done legal work for him and his family in the past year. He asked the Commission to take action as to whether or not he should participate in the proceedings. Commissioner Horton made a motion to allow him to continue in his position as Chair throughout the proceedings. The motion was seconded by Commissioner McWilliams and passed unanimously.

Approval of Minutes – September 22, 2015

The minutes need to be corrected to show that Commissioner Zimlich was not absent from the previous meeting as he was no longer a member of the commission at the time of the meeting.

Motion was made by Commissioner McWilliams and seconded by Commissioner Smith to approve the September 22, 2015 minutes as corrected.

Motion carried by unanimous voice vote.

Secretary Alvey called and read Docket PZ-15-019:

DOCKET PZ-15-019 - Application has been filed by William and Joan Croley, and Barry and Jennifer Moore for the approval of a Zoning Map Amendment on approximately 11.97 acres. The property is located at 2810 East Highway 42, LaGrange. The proposed change is from C-4 Commercial and AG-1 Agricultural/Residential to R-2 Residential.

(1) Introduction of the application by staff and questions by the Commission:

Ms. Radcliffe presented the following:

- Summary of application
- Notes and Issues (Exhibit A: Staff Report dated October 27, 2015)
- Site history
- Aerials and photos of site

(2) Presentation by the applicant or representative and others in support of the application:

William Croley, P.O. Box 583, Pewee Valley, was present and sworn prior to speaking on behalf of this application:

- Is speaking as an owner and an applicant, not as an attorney.
- There is a permanent access easement for use by the fire department and the residents who live behind the firehouse and is located on the subject property.
- Clarified that Virginia Snell is no longer an owner or applicant related to this property.
- Gave history of the prior zoning changes on the property.
- The current zoning does not fit the actual uses along US 42 nor is it marketable and request it to be changed for future potential use.
- The property never needed to be commercial and the new zoning would better meet the intentions of the Comprehensive Plan.

(3) Testimony and questions by those opposing the application:

L D Varner and Virginia Varner, 5670 Tobacco Road, LaGrange, were sworn in prior to speaking.

- Mr. Varner clarified that the property lines shown in the photos are not correct and that their barn is on their property.

Mr. Croley agreed that the barn is on the Varner's property and would not be affected by this zoning change request.

Mr. Urban reminded everyone that GIS lines are not survey quality and are used for planning purposes only.

(4) Questioning of the applicant and those opposing the application by the Commission:

Mr. Croley responded to questions by the Commission:

- There will still be one residence on each tract and believe large tract residential is what is appropriate.
- There is currently a rental property on one tract by conditional use permit approved in the 1990's. The renters are long term and the applicant is happy to have them there.
- The line between two tracts will be shifted but lot sizes will still meet regulations.

Mr. Urban responded to a question from the Commissioner:

- Under the current zoning, the applicants could not build a house on the property.

(5) Rebuttal evidence and Cross Examination by the Applicant: None.

(6) Rebuttal evidence and Cross Examination by the Opposition: None.

(7) Final statement of the Opposition: None.

(8) Final statement of the Applicant: None.

END OF PUBLIC HEARING

FINDINGS AND DECISIONS

PZ-15-019

Zoning Map Amendment

Motion was made by Commissioner Horton and seconded by Commissioner McWilliams to recommend approval to Oldham County Fiscal Court of Docket PZ-15-019, application for a Zoning Map Amendment on approximately 11.97 acres, from C-4 Commercial and AG-1 Agricultural/Residential to R-2 Residential because:

- It complies with the objectives of the Comprehensive Plan as outlined in the application and testimony including LU-3-2, T-3-1, and E-2-2.
- The existing zoning of the property is inappropriate and the proposed zoning is more appropriate based on the uses of nearby properties.
- It will contribute to the maintenance of the dedicated US 42 Scenic Byway.

Binding Elements: None

The vote was as follows:

YES: Commissioners Smith, Douglas, Falvey, Crosby, Horton, Klingenfus, Mesker, McWilliams, Albertsen, Arvin, Finney and Bohne.

NO: NONE

ABSTAIN: NONE

ABSENT: Commissioner King

Motion passed on a vote of 13-0.

At 9:35 a.m. Chairman Jeffries called a brief recess to set up for the next docket item.

Session resumed at 9:42 a.m.

OTHER BUSINESS:

Mr. Urban gave a brief review of the status of the Comprehensive Zoning Ordinance update which is a major overhaul. The next public meeting will be Thursday, October 29th at 6:30 at the South Oldham Fire District. The final public meeting will be Thursday, November 5th at 6:30 at the North Oldham Fire District. All comments received will be taken back to the Study Review Committee for review and then a final update will be taken before the Planning Commission for review and recommendation to the legislative bodies.

Mr. Urban thanked Brian Davis, Amy Alvey and Brooke Radcliffe for their research and work on the update.

Commissioner Klingenfus suggested that his fellow Commissioners become very familiar with the changes to the auxiliary dwelling unit section.

There being no further business, the meeting adjourned at 9:50 a.m. The next regular meeting is scheduled for Tuesday, November 24, 2015, at 9:00 a.m. in the courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Respectfully Submitted:

Amy Alvey

Approved:

Kevin Jeffries, Chairman