

**MINUTES OF REGULAR MEETING
OLDHAM COUNTY
PLANNING AND ZONING COMMISSION
Monday, January 24, 2023**

At 9:00a.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 Greg King.

Other Commission members present were:

Iva Davis
William Douglas
Thomas Elder
Joe Ender

John Falvey
Sam Finney
Berry Hampton
Bob Klingenfus

Tom Marsh
Katie Nasser
Ben Winters

Commissioners Ed Hafling, Sue Ann Jones and Suzy Walser we absent.

Others present and sworn in were Planning and Development Services Director Jim Urban, Assistant Director Brian Fogle, and Senior Planner Ryan Fischer. Attorney Berry Baxter was present for the meeting and Administrative Assistant Christy Edgar was the Secretary for the meeting.

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Introduction of New Board Members and Staff

Chairman King welcomed new Commissioner Ben Winters, County Attorney Berry Baxter and Oldham County Planning and Development Assistant Director Brian Fogle.

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Approval of Minutes

Motion was made by Commissioner Elder and seconded by Commissioner Davis to approve the December 19, 2022; minutes as submitted with the following corrections. Motion carried by unanimous voice vote.

Corrections

- Page 4: Second sentence, change set to seat.

Secretary Christy Edgar called and read Docket:

PZ-23-001 - Application has been filed by RL Home Services, Inc. for the approval of a Zoning Map Amendment and Development Plan approval on approximately 1.5 acres. The property is located at 305 S. Cedar Street, LaGrange. The proposed change is from R-2A Residential District to R-4 Residential District.

1. Introduction of the new information by staff and questions by the Commission:

Senior Planner, Ryan Fischer, presented the following:

- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, January 24, 2023).
- Site history.
- Aerial Photos of the site.
- Photos of property.

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

Attorney Chelsey Brammell, Brammell Law Office, 401 W. Jefferson Street, LaGrange, was present and representing RL Home Services.

- 1.5 Acres
- Multi-family duplex.
- Current zoning is R-2A. Request to change zoning to R-4.
- Approx. 800 square feet on the first floor and approx. 500 square feet on the second floor. Each unit with a total of 1300 square feet.

3. Questioning of the applicant or representative and others in support of the application by the Commission:

Commissioner Hampton asked, is there a second floor?

Attorney Brammell replied, it is two-stories and we made the mistake on the application and did not account for the second floor.

RL Lanham, 5402 Hillock Lane, Crestwood, was present and sworn in prior to replying, yes, the first floor will have 800 square feet and the second floor will have 500 square feet with a total of 1300 square feet for each unit.

Commissioner Marsh asked, what are the exact measurements of the lot and the shape of the lot?

RL Lanham explained the survey map.

Director Urban explained that the GIS map in the staff report is not accurate for boundary lines, but the surveyed map is accurate.

Commissioner Douglas asked, on the survey it shows 8 ½ feet setback and zoning regulations are 7 ½ feet setback for the side.

Director Urban explained that the minimum is 7 ½ feet.

RL Lanham replied, inside the fence by a foot or two.

Commissioner Douglas asked, is there a two or one-car garage?

RL Lanham replied, no garage. The parking area will be out front?

Commissioner Douglas asked, is there a front yard?

RL Lanham replied, yes.

Commissioner Douglas asked, will these units be for sale or rental property?

RL Lanham replied, they will be a rental property.

There was discussion of the survey but person who prepared it has passed away so it was not possible to clarify.

4. Testimony and questions by those opposing the application: None

5. Questioning of the applicant and those opposed to the application by the Commission: None

6. Rebuttal evidence and Cross Examination by the Applicant: None

7. Rebuttal evidence and Cross Examination by the Opposition: None

8. Final statement of the Opposition: None

9. Final statement of the Applicant:

Attorney Brammell stated the following in final statement:

- Good development for the area.
- Asking for the Commissioners to approve the zone change for this development.

END OF PUBLIC HEARING

Director Urban summarized the first motion for the application.

FINDINGS AND DECISIONS

Docket PZ-23-001

Zoning Map Amendment R-2A to R-4

305 S. Cedar Street

Motion was made by Commissioner Falvey and seconded by Commissioner Marsh to recommend approval of a Zoning Map Amendment to the City of LaGrange at 305 South Cedar Street, LaGrange, based on testimony and evidence presented that the proposal is consistent with the goals and objectives of the Comprehensive Plan and the proposed plan is standard and in the Oldham County Ordinance.

The vote was as follows:

YES: Commissioners Davis, Douglas, Elder, Ender, Falvey, Finney, Hampton, Klingenfus, Marsh, Nasser and Winters.

NO: None.

ABSTAIN: None.

ABSENT: Commissioners Hafling, Jones and Walser.
Motion passed on a vote of 11-0.

Director Urban summarized the second motion for the application.

FINDINGS AND DECISIONS
Docket PZ-23-001
Development Plan (2 Units)
305 S. Cedar Street

Motion was made by Commissioner Falvey and seconded by Commissioner Hampton to approve the development plan for Docket PZ-23-001 at 305 South Cedar Street, LaGrange, based on testimony and evidence presented which complies with multiple goals and objectives of the Comprehensive Plan and Zoning Ordinance.

Binding Elements

1. The approval applies only to the plan presented at the January 24, 2023 Oldham County Planning Commission public hearing.
2. There shall be no changes to the plan without review by the Oldham County Planning Commission and Engineer's Office.
3. The plan must comply with all established federal, state and county ordinances and requirements and comply with all necessary easement restrictions at the time of construction plan approval.
4. Need to correct the error in the side yard setback labeling on the development plan survey.

The vote was as follows:

YES: Commissioners Davis, Douglas, Elder, Ender, Falvey, Finney, Hampton, Klingenfus, Marsh, Nasser and Winters.

NO: None.

ABSTAIN: None.

ABSENT: Commissioners Hafling, Jones and Walser.

Motion passed on a vote of 11-0.

Other Business

Russ Rose with Oldham County Water District did a presentation/training for the Planning Commission Board Members.

Director Urban stated that the commission needs to vote on the two-year extension of the Expiration Policy. This policy gives staff the ability to approve an extension to subdivisions without coming to the commission board. Asking the commission to grant another two years of the same policy.

Motion was made by Commissioner Douglas and seconded by Commissioner Finney to approve a two-year extension of the Expiration Policy. Motion carried by unanimous voice vote.

There being no further business, the Planning Commission meeting adjourned at 10:45 a.m.

The next regular meeting will be Tuesday, February 28, 2023, at 9:00 a.m. and will be held in the Oldham County Fiscal Court courtroom at 100 W Jefferson Street, La Grange, 40031.

Approved:

Respectfully Submitted:

Greg King, Chairman

Christy Edgar, Secretary