

Study Review Committee

Meeting Summary

April 23, 2015

The meeting was called to order in the Fiscal Court Conference Room at 5:10 p.m.

Attendance:

Voting Members: Kevin Jeffries, Mary Ann Smith, Jan Horton and Bob Klingenfus

Non-Voting Members: Mayor Dennis Deibel

Staff: Jim Urban and Amy Alvey

Others: Jeremy Esposito, Rocky Pusateri, Larry Otterback, Rob Houchens, Mike Riley, Stephen Davis and Michael Tigie

Approval of Minutes:

The Meeting Summary of the December 18, 2014 meeting was reviewed and approved.

Building Trends:

Jim Urban informed the Committee that staff has been meeting with the local building industry regarding the change in building trends throughout the state and country and invited them to the meeting to give an overview of what the building industry sees as the future needs of their clients.

Jeremy Esposito, Esposito Construction, and Rocky Pusateri, Elite Homes, were present to discuss changing demographics in our community and around the country. Both are local builders and members of the Building Industry Association of Greater Louisville.

Mr. Esposito explained the different categories of population such as baby boomers (ages 48-66), Gen X (ages 35-47) and millennials (ages 18-34). Most baby boomers are looking to downsize from their large homes (4,000 sq. ft.) to smaller homes (1,900 sq. ft.) with expensive amenities like hardwood floors and granite countertops. Gen Xers are buying the large baby boomer's homes while millennials are looking into patio homes or garden homes that are maintenance free.

Demographic changes also affect the building industry where the typical family is not the same as it was 25-30 years ago. More families are staying together where the children and parents and even grandparents all live together in the same house or on the same property but in an accessory dwelling unit such as mother-in-law suite or carriage house. Discussion followed.

Michael Tigie stated that accessory dwelling units (ADU) are a national trend and requests are being made weekly to staff. Oldham County needs to decide how to answer the question if ADUs are allowed, which should be in his opinion, and put guidelines or parameters to help the Board of Adjustments in making the decision of granting approval or denial of the request. Discussion followed.

Mr. Pusateri stated that 10,000 people turn the age of 65 every day and will continue to occur until 2016. The aging population is looking for smaller, low or no maintenance homes with expensive amenities to retire in. Setback and density requirement changes would allow builders more flexibility to provide a wider range of types and cost of homes. Discussion followed.

Chairman Jeffries thanked Mr. Esposito and Mr. Pusateri for speaking to the Committee regarding the changes in building trends and invited them to future meetings for additional input.

Land Development Code Revisions:

- a. **Detached Accessory Dwelling Units** – Jim Urban explained to Committee due to the numerous inquiries and requests that the Planning & Development office receives on a weekly basis he felt that the issue of detached accessory dwelling units (ADUs) needed to be brought back for further discussion. Currently all requests go before the appropriate Board of Adjustments as a Conditional Use Permit request and the Oldham County Board of Adjustments is present at the meeting today to explain the issues that come before them when determining approval or denial of an ADU request.

Amy Alvey outlined the history of the ADU discussion that occurred at prior SRC meetings. Discussion followed.

Larry Otterback, Chairman of Oldham County Board of Adjustments, stated that his board struggles with determining when they are appropriate, where are they appropriate and what size is appropriate.

Rob Houchens, Vice-Chairman of Oldham County Board of Adjustments, stated that ADUs are becoming a trend and are not a unique request as in prior years and asked for some type of guidance.

Discussion followed regarding general provisions, rental income, deed restrictions and size.

A motion was made and seconded to accept the changes regarding the general provisions for accessory dwelling units, regulations for detached accessory dwelling units and to adopt the following:

Definition:

Detached Accessory Dwelling Unit – An accessory dwelling unit that is separate from the primary dwelling unit.

General Provisions:

1. Only one accessory dwelling unit is allowed per parcel.
2. Interior Accessory Dwelling Units and Attached Accessory Dwelling Units shall not be included in the maximum density calculations for residential lots. Detached Accessory Dwelling Units shall be included in the maximum density calculations for residential lots (for example, a parcel requesting a Detached Accessory Dwelling Unit would need to be at least twice the minimum lot area of the zoning district in order to apply).

3. The property owners must reside in either the primary structure or the accessory dwelling unit.
4. Off-street parking must be provided for the accessory dwelling unit.
5. Accessory dwelling units must be designed to maintain the architectural design, style, appearance and character of the primary structure.
6. Accessory dwelling units shall not have separate utility services from that of the primary structure unless necessary to meet building or electrical codes; or required by service provider.
- ~~7. Accessory dwelling units shall not be allowed on non-conforming parcels or structures.~~
- ~~8. Accessory dwelling units shall not violate any deed restrictions or covenants, conditions and restrictions associated with the property. (strike and add to permit applications)~~
9. Accessory dwelling units shall comply with all applicable building codes, health department regulations and all other necessary permitting.
10. Accessory dwelling units shall not be utilized to produce rental income.

Detached Accessory Dwelling Units:

1. Detached Accessory Dwelling Units shall be allowed only after approval of a Conditional Use Permit.
2. Detached Accessory Dwelling Units shall be allowed in the AG-1, CO-1, R-1, R1-A, R-2, and R-2A zoning districts only upon granting of a Conditional Use Permit.
3. Detached Accessory Dwelling Units shall meet the minimum setbacks for primary structures.
4. Detached Accessory Dwelling Units shall not exceed 35 percent of the primary structure's finished square footage.
5. Detached Accessory Dwelling Units must be at least five (5) feet from the primary structure.
6. Detached Accessory Dwelling Units shall not exceed the height of the primary structure.
7. Detached Accessory Dwelling Units shall not be located in front of the primary structure.

Variances:

1. Upon application, the Board of Adjustments may grant variances from these regulations.

Motion carried with members Jeffries, Horton, and Smith voting yes. Member Klingenfus voted no.

Amy Alvey stated that staff will revise the regulations to include language that was previously deleted because it didn't make sense when the committee took no action regarding detached ADUs. Ms. Alvey will provide a comprehensive copy of the ADU regulations at the next meeting.

Due to time constraints the discussion of Planned Residential Developments will be moved to the May meeting for review and discussion.

The Study Review Committee will plan to meet again on May 28, 2015 at 5:00 p.m.

The meeting was adjourned at 7:15 p.m.