

TAYLORSVILLE-SPENCER COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, January 27, 2022, at 4:00 pm in the Fiscal Court meeting room at 28 East Main St., Taylorsville, Kentucky.

Chairman Greg Murphy called the meeting to order. Present were Annelle Hoene, Charlie Ethington, Greg Murphy, Doug Goodlett, Admin. Assistant Angie Helton and Administrator Julie Sweazy. Jan Kehne was absent.

Administrator Sweazy: This is our first meeting of the year, so we will need to do election of officers. We need a Chairman, Vice Chairman and Secretary.

Mrs. Hoene: I nominate Greg to be Chairman.

Mr. Goodlett: Second.

Mrs. Hoene: Do you accept?

Chairman Murphy: Yes.

Chairman Murphy: Motion been made by Mrs. Hoene, second by Mr. Goodlett, all in favor, opposed, motion carries.

Chairman Murphy: Vice Chairman.

Mr. Goodlett: I nominate Annelle for Vice Chairman.

Mr. Ethington: Second.

Chairman Murphy: Motion been made by Mr. Goodlett, second by Mr. Ethington, all in favor, opposed, motion carries.

Chairman Murphy: Secretary.

Chairman Murphy: I nominate Doug Goodlett.

Mr. Goodlett: I don't want to be Secretary. I nominate Jan Kehne.

Mr. Ethington: Second.

Chairman Murphy: Motion been made by Mr. Goodlett, second by Mr. Ethington, all in favor, opposed, motion carries.

Approval of the Docket: Motion to approve by Mrs. Hoene, second Mr. Goodlett, all in favor, opposed, motion carries.

Approval of the minutes: Motion to approve by Mrs. Hoene, second Mr. Goodlett, all in favor, opposed, motion carries.

Chairman Murphy: Any Committee Reports.

Administrator Sweazy: None.

Chairman Murphy: Unfinished business.

Administrator Sweazy: None.

Chairman Murphy: New Business.

Administrator Sweazy: We have two applications so why don't we do their swearing in and get everyone at once instead of doing that on each application.

Chairman Murphy: Swearing in of applicants wishing to speak.

Administrator Sweazy: We have the application of **Joshlyn Hoops** requesting a Conditional Use Permit to operate a Home Occupation for Electrical Contracting at 4052 Kings Church Road. Mr. Hoops is an electrical contractor. He is making the request to allow him to park his work vans at his home. He operates Monday thru Friday, 7:30am to 5:30pm. There will be approximately 15 vans parked on site. He is present. Here is a diagram he provided that shows where his home is. If you want to go ahead and step up, the garage is not there now, right. You're looking at building the garage.

Mr. Hoops: Yes.

Administrator Sweazy: I know I didn't catch this until after the fact, that it's a new garage. In general, in our regulations, it states that you can't put an accessory structure in front of your house, it has to be behind it or to the side of it. I don't know if that would make a difference in your request. The only other thing would be is when it comes time you want to build that garage, you would have to come in and ask for a variance to put that garage in front of your house. I don't know if that would make a difference in your plans today, you could build it behind the house, if not that would be something for future purposes you might want to come back in and ask.

Mr. Hoops: I guess I'll have to come back in because I actually have... My plans were to get the permit and build in the next 34 months.

Administrator Sweazy: And that might be something they can do today, if their willing to do that today since its part of this application is to consider allowing that to be forward of the house.

Mr. Goodlett: Do you have an arial view of this?

Administrator Sweazy: Yes, the star is his property, and you own the property to the right of it as well.

Mr. Hoops: Yes there's 50 some odd acres there, then to the left is mine and my dad's. So, there's a total of 100 and some acres.

Mr. Goodlett: Those buildings up there in the right corner, do they belong to your brother?

Mr. Hoops: Yes.

Mr. Goodlett: Then the one up front.

Mr. Hoops: That's my Great Uncles house.

Mr. Goodlett: So, it's all in the family.

Mr. Hoops: Yes, it's a family farm.

Mrs. Hoene: So, what is your name?

Mr. Hoops: Josh Hoops.

Chairman Murphy: How close is that going to be to the main road?

Mr. Hoops: It's about 750 feet off the main road.

Chairman Murphy: Has the state been contacted about how close it is to the road? I don't think it makes a difference, does it?

Administrator Sweazy: No. As long as they're not out against state right-a-way on that part it doesn't matter. He's going to use a driveway that he's already got. He's not putting a new one in or anything. So, as for the distance, as long as they're out of the right-a-way, the state doesn't have to do anything.

Mr. Goodlett: A conditional use permit is not like a commercial entrance for commercial property, is it?

Administrator Sweazy: Right.

Mr. Goodlett: Just him parking his vans there doesn't make it a commercial entrance.

Administrator Sweazy: Right. We're not asking for a commercial zoning. It's just strictly asking for him to make a parking lot, have a place for people to come to, get their van and go.

Mr. Goodlett: What about the garage? Are you going to put a drive through in there?

Mr. Hoops: No. It will just be for my supplies only, storage.

Chairman Murphy: It's all family, so I'm sure no complaints, it's going to be for your personal use, and you're a contractor.

Administrator Sweazy: As far as agriculture that is something that is encouraged, it's what we call an incubator business. Something that we would consider allowing him to start there and maybe put a cap on it, then if it grows and he ever gets above a certain amount it would need to move to a commercial zoned property. Only thing is he has asked for 15 at this point, which is more than what our guidelines

allow, so I think you could still put a cap on it that if it ever became more than 15... Is 15 what you're hoping to work to or do you have 15 vans that you know is going to be there?

Mr. Hoops: I have 10 right now and I would stop at 15. If it got any bigger, I wouldn't want the business in front of my house. If it got bigger than 15, I would look for commercial property.

Administrator Sweazy: That's why I was asking because in our guidelines if you have an incubator business. It's a place for you to start to see if it's going to work and when you get to this certain point, if you wanted it to max at 15, at that point he knows he can spread his wings and fly, then you would need to move into a commercial property.

Mr. Goodlett: You have your hours from 7:30am to 5:30pm. I'm sure there's going to be a time after that you will have to come in after that.

Mr. Hoops: No, actually 3:30pm is when we get off. There may be a Saturday. Right now, it's just difficult to tell. Trying to run the business right now is just a little bit odd. Things do vary sometimes; I might have to come in on Saturday sometimes when parts come in. Even then, 7:30am to maybe 2:30pm and I only had to do that maybe four times this year. But on a normal year we don't work Saturday's.

Mrs. Hoene: What kind of customers do you have? Is it commercial or residential?

Mr. Hoops: Residential. Most of my work is between Taylorsville and Bullitt County.

Administrator Sweazy: But your employees are getting in the vans and going to the job. It's not like their doing the work there in the garage.

Mr. Hoops: They might be there like 30 minutes in the morning.

Mrs. Hoene: So, they park their vehicles here in this space also.

Mr. Hoops: Yes, they park their vehicles where the vans go, then leave in the vans.

Mrs. Hoene: So how many personal vehicles do you have parked at your house in addition to 10-15 vans. Do you park those vehicles at your house?

Mr. Hoops: So, on the drawing of the parking lot. See where the lines are, I have a guy coming in to plant trees where all the circles are to canvas the property, so you don't see it. I spent a lot of money for this, so it doesn't affect my neighbors. They will park on the right-hand side where the lines are will be all vans and on the other side will be all cars. They will never all be there at the same time.

Mr. Goodlett: Will you have maintenance done there on the vans yourself like changing oil or anything?

Mr. Hoops: We have Valvoline that does that. We have an account setup with them.

Mr. Goodlett: Your garage is going to go in front of your house and the parking. Are the setbacks ok on it?

Administrator Sweazy: What it is, you have 50' from the right-a-way setback. So, looking at this neighboring house their lot is probably more than or at least 100' deep or better. So, he's going to be back in this area coming on down...

Mr. Hoops: I'll be almost 500' away from that house.

Administrator Sweazy: From your house or the other house?

Mr. Hoops: From that house up front, I'm diagonally almost 500' backwards with the garage.

Administrator Sweazy: So, are you almost even with this building here?

Mr. Hoops: No, I'm still further back.

Administrator Sweazy: So that building would sort of work as a buffer from the road, so no one would really see it from that way, on top of the trees he's installing.

Mr. Hoops: My goal is to only be able to see any of this is maybe a 40' spot in between the left-hand driveway and the edge of my garage. The rest of it will all be in trees, they're starting out at 5 feet. I don't want my guys knowing what I'm doing either on my personal time. That's my main goal is separation, so it doesn't affect my neighbors and of course if I get bigger, I will expand and go somewhere else on commercial property.

Mr. Goodlett: Can we approve this garage at the same time, or does it have to be two motions? I hate to make him come back.

Administrator Sweazy: I think you can, I mean you can make it part of it. I don't see why not. But I wanted to answer a question, I think Annelle was asking and it kind of got misunderstood, she was asking about your personal vehicles, like for your family. It looks like in the picture you have a driveway that comes back to your house. That's where you're going to park your personal vehicles?

Mr. Hoops: Yes, and we only have two vehicles.

Mr. Goodlett: I'll make a motion we approve it. It will allow proper integration into the community of uses which are specifically named in the Zoning Regulations, which may be suitable only in specific locations and rezoned only if certain conditions are met. The conditions to be met are no more than 15 vans if so, you have to come back, and your garage is set 100' off the road. I would make this motion to approve your garage and your Conditional Use Permit, so you won't have to come back.

Administrator Sweazy: Just to clarify, so you're saying it's okay to put the building in front of his house?

Mr. Goodlett: Yes, that's why I said setback 100' off the road.

Mrs. Hoene: That's a variance and the other is the Conditional Use Permit.

Administrator Sweazy: Right.

Chairman Murphy: Right at the top of that driveway, is that where you park the vans?

Mr. Hoops: Yes.

Chairman Murphy: Any restrictions?

Mr. Goodlett: Yes, restricted to 15 vans, hours are already on here 7:30am to 5:30pm.

Chairman Murphy: Motion been made, do I hear a second?

Mrs. Hoene: Second.

Chairman Murphy: Motion been made, second, all in favor, opposed, motion carries.

Administrator Sweazy: Once we get all this done and you get everything established you will need to make sure you get everything setup with the Occupational Tax and License lady.

Administrator Sweazy: Our next application is for **Sammy Hall** requesting a variance to construct a garage forward of the dwelling and to be less than 50 feet from the road located at 19 Hickory Lane. Mr. Hall is requesting to build a pole barn structure in a way not to interfere with his lateral field and without having to remove multiple trees in a wooded area behind his house. The pole barn will set 42 feet from Hickory Lane which our guidelines are 50. With the barn access point to be at the right side of the property in front of the house. So, he's asking for two things, he's asking for the variance to be located forward of the house and to be 42 feet off Hickory Lane. Here's a drawing he put together for us to give us an idea of where the building is setting on the property and how the area behind him is wooded and there's a steep grade in those woods that prevents him from going back further behind it. Then there's an arial from the PVA Office showing the part that is clear and then the wooded area.

Mr. Goodlett: I don't see a house in there.

Sammy Hall: No, nothings been built on the property yet. We have lateral lines that have been set in the line of this across the one acre of field and two acres of woods. The surrounding two acres of woods is a steep grade, you can walk it, but prevented us from building on it at a financial standpoint. Just behind the star, maybe 35-40 feet is where our lateral fields are now. So, the pole barn on the right would be 30' wide by 70' deep that goes just to the edge of the woods... I'll have to do backfill there because there is some slope existing in the field where we would be building, and the house will be positioned in a way that it will "T" into the pole barn. The pole barn will be phase 1 and the house phase 2. We have it done this way because the way the land is laid out.

Mr. Goodlett: Is that your driveway out in front?

Mr. Hall: Yes, and it will be asphalt in the future.

Mr. Goodlett: Is it serving the pole barn and the house?

Mr. Hall: Yes, the drive comes around and we will be extending it to the line at the right of the pole barn.

Mr. Goodlett: The 32 foot I see up there, is that the width of the building?

Mr. Hall: 30 is the width and 70 is the length.

Mr. Goodlett: Are you doing any bathroom or anything in the garage?

Mr. Hall: No. We will run electric for the lighting and the garage door and that's it.

Administrator Sweazy: You're not going to use the pole barn for any commercial activities, just personal?

Mr. Hall: No commercial or anything in there.

Mr. Goodlett: Are you going to have a walk out basement in the back?

Mr. Hall: No, will just be flat. The house portions going to be a barndominium. So, it will be a concrete pad.

Mr. Goodlett: So, is the house part going to be a barn house?

Mr. Hall: Pretty much. Only reason why we're doing it is to cash flow build the whole thing, so we don't have a mortgage or anything. We're just going to build it out right. My intentions are to build the pole barn myself then I have Amish that are going to frame the house.

Mrs. Hoene: So, you're going to access from inside the house to inside the pole barn. Is that right?

Mr. Hall: To be determined. We don't know if we're going to build it actually to it or a small 4' walkway between the two. When ready to build the house, it will be what is most cost effective.

Administrator Sweazy: You might want to check with the building inspector for fire rating purposes. As far as what type of material you would have to use where it connects for fire rating.

Mr. Hall: Your right. I know with electrical cutoff, there's going to be one for the house and one for the pole barn. Even if we don't connect, we will probably just cover it for a walk through for that area just to get out of the weather.

Mr. Goodlett: I make a motion we approve this variance for the pole barn of 42' setback, opposed to the 50'. It will not adversely affect the public health, safety, or welfare; it will not alter the essential character of the general vicinity; it will not cause a hazard or a nuisance to the public; and it will not allow an unreasonable circumvention of the requirements of the Zoning Regulations. I also make a motion to approve a variance for the garage to be forward of the dwelling.

Mr. Ethington: Second.

Chairman Murphy: Motion been made by Mr. Goodlett, second by Mr. Ethington, all in favor, opposed, motion carries.

Administrator Sweazy: Right now, I don't have any more business, so we don't need to schedule another meeting date.

Mrs. Hoene: Made motion to adjourn.

Mr. Ethington: Second.

Chairman Murphy: Motion made to adjourn by Mrs. Hoene, second by Mr. Ethington, motion carries, meeting adjourned.

Secretary

Chairman