

TAYLORSVILLE-SPENCER COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, April 13, 2023, 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, Jan Kehne, Greg Murphy and Duane Hume. Also, present Administrator Julie Sweazy and Admin. Assistant Angie Helton.

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

Approval of the minutes for March 30, 2023: Motion to approve by Mr. Ethington, second Mr. Hume, all in favor, opposed, motion carries.

Chairman Murphy: Any Committee Reports.

Administrator Sweazy: None.

Administrator Sweazy: Swearing in of everyone wishing to speak.

Administrator Sweazy: We have the application of **Sunrise Market, LLC** requesting a variance on the size of a free-standing sign to be replacing a sign located at 125 East Main Street. This is a continuation of our previous meeting. I will let Attorney Tichenor take the floor.

Attorney Charles Tichenor: We're back on this matter and I do have the proprietor of Sunrise Market with me in case you have any specific questions. A couple of things I want to point out. We incorrectly listed the sign as 130 odd square feet and it's actually 110 square feet. The difference in the change is the difference in the measurement whether or not you count the poles as part of the sign. I ask the Zoning Administrator earlier today if you count poles as part of the sign and she said no we do not. We talked to the petroleum company and that is the preferred size of the sign they would like in that location. I did some comparison around town just to get an idea. The newest sign is the German American Bank and it's 290 square feet. To give you some reference to the size of this sign, its about 1/3 of that sign. In theory this sign is basically a little over 3 sheets of plywood. It's more in line with the Fresh Take Market sign in size. My client is going to do a major overhaul of that station and make it look very nice and spending well over a half million dollars on it.

Chairman Murphy: You said that is the preferred sign for their stations?

Attorney Tichenor: Yes, because it gives them 21" digital lettering for the pricing.

Mrs. Kehne: Do they have anything smaller?

Attorney Tichenor: I'll leave that up to my client to address that.

Moe: I'd like to request, if possible, for this sign or we have to go back to the company and ask if they can make it smaller. This sign will look more uniform with the building.

Mr. Hume: That part that says Endurance Fuels on the bottom, does that have to be part of the sign, can it be taken off or is that something that has to be there?

Moe: That actually won't be there.

Attorney Tichenor handed out an updated picture of the sign.

Attorney Tichenor: If you look at the page, I just gave you the sign would be D the 2 Product R/G. That is the sign that would be put up there. It will have Marathon, Regular and Diesel, that's it. It's 97.13"x163.73" which is 110.35 square feet. The height is variable to the extent of they can put them up on 20-foot poles or 25-foot poles and both are under the limit of B1 sign regulations.

Mrs. Hoene: Is the sign going back in the same spot as it was before?

Attorney Tichenor: The sign will go back into the Remington tire spot, yes. There's a base in the ground where that sign was.

Administrator Sweazy: It's closer to the Dentist Office.

Mrs. Kehne: I just have a general question. We've run into something on another property that we removed something, and it never grandfathered back in. I was told by the Attorney in this county that if something was put in and it was illegal doesn't necessarily mean you can put it back in. My question is, was that sign actually legal where it set because I know from the width of the road there's still a State Highway easement, is that in the highway easement?

Administrator Sweazy: I can't tell you if it's in the right of way or the easement. It's pretty close to the front as the depth of the front of that dental office building.

Moe: I don't think it would be in the State right of way.

Attorney Tichenor: It's not on the State right of way. We're going where the existing sign is.

Mrs. Kehne: From 50' maximum to 110, that's just a lot to me being downtown. I just have a problem with it. How much of it is lit?

Moe: The numbers light up for the gas price and then the top part with the logo. It's not brightly lit.

Mrs. Kehne: Is this a 24-hour lit sign?

Moe: Yes, we're going to be open 24 hours.

Mr. Hume: Since the last meeting I've looked at the one in Elk Creek and the one at River Bend and it's a big sign. But it's going to set off the ground 10 feet and I do like that so you can see under it.

Mrs. Kehne: I don't have a problem with the height, it's the size of the sign.

Mr. Hume: I think that the area it's going to be in, I don't think it will be an eye sore.

Mrs. Kehne: But on main street, I have a sign issue. I don't like huge signs.

Administrator Sweazy: I'm reading here and grandfathered not the definition but like under non-conforming most of it is talking about the actual buildings. This one here says non-conforming uses not to be substituted but it says it can still be permitted by the BOA after a public meeting.

Attorney Tichenor: You all can change and permit anything as an exception to the zoning book because there are odd circumstances.

Chairman Murphy: Discussion. I'll entertain a motion.

Mr. Hume: I make a motion to approve the sign. The granting of the variance 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; it will not allow an unreasonable circumvention of the requirements of the Zoning Regulations.

Mrs. Hoene: Second.

Chairman Murphy: Motion made, second, questions or discussion, all in favor, opposed (Jan Kehne was opposed), motion carries.

Administrator Sweazy: We have no new business, but we need to set up another meeting. (Discussion on next date)

Next meeting, May 11, 2023, at 4:00pm.

Mrs. Kehne: Motion to adjourn.

Mr. Ethington: Second.

Chairman Murphy: Motion made, second, all in favor. Adjourn.

Secretary

Chairman