

TAYLORSVILLE-SPENCER COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, May 26, 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 and Jan Kehne. Also, present Administrator Julie Sweazy and Admin. Assistant Angie Helton.

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

Approval of the minutes for 04/28/22: Motion to approve by Mrs. Hoene, second Mrs. Kehne, all in favor, opposed, motion carries.

Chairman Murphy: Any Committee Reports.

Administrator Sweazy: None. But I will look over training to see who needs training.

Administrator Sweazy: Swearing in of applicants wishing to speak.

Chairman Murphy: Unfinished business.

Administrator Sweazy: None.

Chairman Murphy: New Business.

Administrator Sweazy: We have the application of **Kathryn & David Akers** requesting a variance for the placement of a 600 square foot livestock shed located forward of the primary dwelling and 15' from the state right of way located at 3019 Hardesty Ridge Road. In your packets you have some information that was provided by the applicant as well as a summary that was prepared by the staff. It's kind of a two-part variance, what we are asking today. One is the structure is forward of the primary residents and the other is where the structure is located, isn't enough footage away from the state right of way. I have provided you with the AG-1 dimensional requirements with setbacks we require and the article and section of yard requirements.

Mrs. Kehne: Is Hardesty Ridge Road a state road?

Administrator Sweazy: It is a state road.

Mrs. Kehne: Can we give a variance to be in a state right of way?

Administrator Sweazy: They're not in the right of way, their just closer to the right of way then their supposed to be. Their supposed to be 50' from the right of way, that's our zoning setback requirement. So, instead of 50' she's at 35'.

Chairman Murphy: Step up to the mic and explain to us why you put it where you did.

Kathryn Akers: Our land is rectangular with the short side running parallel to Hardesty Ridge. What you can't tell by the diagram on the screen is that where we put our house is the flattest area and it goes directly straight down and then directly back up to the back of the property. So, this is the only area that is relatively flat for the purpose of putting in a livestock shed.

Chairman Murphy: So, this is just for livestock, you're not going to be doing any work, just for livestock?

Mrs. Akers: It doesn't have electricity, no plumbing, it's just for livestock.

Chairman Murphy: And you can't move it back any further?

Mrs. Akers: No, if we move it back any further that's the only area that perked for our septic.

Mrs. Hoene: So, it's like a run in for livestock.

Mrs. Akers: It's a run in and one side is enclosed for feed.

Mr. Goodlett: It doesn't look that steep behind it.

Mrs. Akers: The septic is right behind it.

Mr. Goodlett: How far away is the septic?

Mrs. Akers: The septic is just forward of our house on the side. In that picture you can see where the lateral lines are.

Mr. Goodlett: Is that where the tall grass is?

Mrs. Akers: Yes.

Chairman Murphy: So if you turned it the other way.

Mrs. Akers: We turned it that way to offer the most protection to the animals in terms of the elements because it's only three sided.

Chairman Murphy: So, how much do you have on the other side of the house.

Mrs. Akers: None, the property line runs right to the edge of that.

Mrs. Hoene: What kind of floor is in this shed?

Mrs. Akers: It's just dirt.

Mrs. Kehne: It's for alpacas?

Mrs. Akers: Yes. Once I got the notification from Julie's office we stopped. What we're planning to do is put a four-board fence across the front.

Mr. Goodlett: You're going to run a four board, then how are you going to go down to the back of the property? How are you going to keep the livestock off the lateral lines?

Mrs. Akers: The guy doing our septic system said it wouldn't be a problem with our type of animals.

Chairman Murphy: Are you going to have any shrubs or anything in front of it to block the view?

Mrs. Akers: Yes, absolutely.

Mrs. Hoene: So, on the other side of you is the Spurr's?

Mrs. Akers: Yes, that's right.

Administrator Sweazy: I will note that the neighbors on the other side of her are my parents.

Mrs. Akers: And the neighbor on the other side are my parents.

Mrs. Kehne: Julie, does it drop off like your parents?

Administrator Sweazy: Yes.

Mrs. Akers: We did have to level even at that corner, it is steeper than it looks, and it even has bricks under it on the far-left hand side. We were not trying to set a building as close to the road as possible. We really set it back as far as we could without having to do some major work.

Chairman Murphy: You said the alpaca wouldn't affect the lateral lines.

Mrs. Akers: I'm not concerned about the alpaca walking on the lateral lines because we will have that area fenced from there all the way down to the back to connect to the existing fence.

Mr. Goodlett: Do you know what kind of lateral lines you got?

Mrs. Akers: I do not.

Mr. Goodlett: If there infiltrated that could be a problem.

Mrs. Hoene: So, they told you when they brought this metal building that you didn't need a permit?

Mrs. Akers: Yes, I ask what I needed and was told not for this type building in this area.

Chairman Murphy: Are there any neighbors online or anything?

Administrator Sweazy: I have not heard from anybody.

Mr. Goodlett: You got a four-board fence across the front plus down the sideline.

Mrs. Akers: I planned to do a four-board fence on the side next to the house and Penrod is supposed to put that in and down the side on the Spurr's property.

Mr. Goodlett: I see a problem with the lateral lines. I see a problem with the fence running over the lateral lines, I see a problem with alpacas running across your lateral lines but it's not my job to pick and choose on that. But I wouldn't want to run a fence across it because if you hit one of the lines you're going to have to repair.

Mrs. Akers: So, if we have the house, then the septic, then the lateral lines and if we put the fence here between the house and septic, that would eliminate some of the issue of running the fence over the lateral lines?

Mrs. Kehne: What if the fence connected to the building and just came around the lateral lines?

Mrs. Akers: I don't have any concerns about that.

Mrs. Kehne: You just really need to stay off the lateral lines. You want a problem just dig into it. I would do everything possible to keep livestock and keep from digging even close to the lateral lines. That's for your own sake and it will eliminate problems. That's something we won't dictate, it's just a suggestion.

Mrs. Hoene: So, all you will have are alpacas?

Mrs. Akers: We do have goats. I don't want to run them together but there could be a time when we swap fields with them.

Chairman Murphy: The grounds soft and with the lateral lines when digging holes for the post and the fence and everything. It could cause you some major issues.

Mr. Goodlett: Can we throw a restriction in there to be a four-board fence with some woven wire?

Administrator Sweazy: It's up to you.

Mr. Goodlett: Something to make it more attractive and to stay off the lateral lines.

Administrator Sweazy: If you're going to allow the building to stay forward of the house, I don't know why you couldn't put that as a contingency to beautify it.

Chairman Murphy: We're looking at two motions then, right? One for that and one for the right of way.

Administrator Sweazy: I would.

Mrs. Hoene: You need a motion for that building being that close. I'll make that motion for the building. 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; It will not allow an unreasonable circumvention of the requirements of the zoning regulations. I make that motion for the building.

Mr. Ethington: Second.

Administrator Sweazy: I want to clarify. You're doing it for the variance for it to be in front of the house or the variance for it to be within 15' of the...

Mrs. Hoene: I'm make the motion to let it stay where it is.

Administrator Sweazy: So, to be forward of the house?

Mrs. Hoene: Yes.

Chairman Murphy: Any more questions?

Mr. Goodlett: I want to add a contingency to the motion. The lateral line must be fenced off from all livestock and the front needs to be a board fence or attractive fence across the front to make it more attractive.

Chairman Murphy: Mrs. Hoene made the motion, Mr. Ethington second and Mr. Goodlett added a contingency. Any discussion?

Mrs. Akers: I just thinking of how large this area is of lateral lines. So, this is just the beginning of it and they branch out from there?

Mr. Goodlett: They will go down hill from there. They're going to come out the same distance pretty much.

Administrator Sweazy: Are you thinking maybe she might be boxing in an area from like the back of this building, down and then over to this side of her house?

Mr. Goodlett: It will go straight down the hill then what she wants to do to fence off those lateral lines. She'll go straight down this side of the lateral lines, then go back into the house and then go down.

Mr. Ethington: How long has the house been built?

Mrs. Akers: We moved in in September 2021.

Mr. Ethington: So, whoever built it should know exactly where they are.

Mrs. Akers: Frankie Owen put the septic in. Either way I'm going to talk to him.

Chairman Murphy: He'll know where they're at. Motion been made, second, any more discussion?

Mrs. Hoene: Do you understand what we're saying?

Mrs. Akers: Yes.

Chairman Murphy: Motion been made by Mr. Hoene, second by Mr. Ethington, all were in favor, no one opposed, motion carries.

Administrator Sweazy: Now I need a motion to do the variance of the 15', so that their good at leaving it 35' from the right of way.

Chairman Murphy: I entertain a motion to accept the variance.

Mr. Goodlett: I make a motion we accept it. 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; It will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Mr. Ethington: Second.

Chairman Murphy: Questions? All in favor, no one opposed, motion carries.

Administrator Sweazy: That is all that we have today. I don't have any additional applications. So, unless we have any general questions or discussions.

Mrs. Hoene: I made a motion to adjourn.

Mrs. Kehne: Second.

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

Secretary

Chairman