

TAYLORSVILLE-SPENCER COUNTY  
BOARD OF ADJUSTMENT  
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, July 29, 2021, 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, Jan Kehne, Administrator Julie Sweazy and Admin. Assistant Angie Helton. Doug Goodlett was absent.

Approval of the Docket: Motion to approve by Mrs. Hoene, second Mr. Ethington, discussion none, all in favor, motion carried.

Approval of the minutes: Motion to approve by Mrs. Hoene, second Mr. Ethington, discussion none, all in favor, motion carried.

Chairman Murphy: Any Committee Reports.

Administrator Sweazy: None, but I do have everybody signed up for training on Tuesday. We will meet here at 7:45am for anyone wanting to carpool.

Administrator Sweazy: Swearing in of applicants wishing to speak.

Chairman Murphy: Unfinished Business.

Administrator Sweazy: Read the application of **Rodrick & Gaye Waldrige** requesting a side yard & rear yard setback variance to allow a previously installed storage building located at 978 Townhill Road. You all are familiar with this one we have had it on the docket a few times. The Waldrige's have had Surveyor, Jamie Brown up to that property so I will turn it over to them.

Chairman Murphy: Was the property line where you thought it was?

Mr. Waldrige: No, it's not. One corner is not on my property.

Mrs. Kehne: What are you asking?

Mrs. Waldrige: To leave it where it is.

Mrs. Kehne: But part of it is not on your property.

Mr. Waldrige: Well, I guess we will have to move it.

Mrs. Waldrige: Could we get an easement or deed for that much property?

Chairman Murphy: We will have to talk to the person that owns the property.

Mrs. Hoene: I went up and looked at it. Is that the road that goes along side of it?

Mrs. Waldrige: It's not even close to that road.

Chairman Murphy: Your building has to be 15 feet off the property line.

Administrator Sweazy: The best way to explain it is there's a 50 foot joint excess easement and then their property line. It's not saying it's actually in the roadbed, but it looks like we are 2 ½ feet on that one back corner over into that excess easement. So, it's not in the road itself but it's in the easement. So, it's 2 ½ feet over on the excess easement that Mr. Mills owns. I don't believe this board has the authority to allow a building to be on someone else's property.

Chairman Murphy: No.

Administrator Sweazy: They could give a variance to be so much off the property line, then you would have to move that back corner in to meet that variance.

Mrs. Kehne: Is it possible to move it over a little bit.

Chairman Murphy: Let's talk to the Mills.

Mr. Mills: We're okay if he leaves it where it is, it's not bothering me.

Administrator Sweazy: If you wanted to deed them an easement that they could leave it setting there for so many years or until they sell the property. That would be an agreement between you two, but they still don't meet our guidelines.

Mrs. Hoene: So, if he moved that building over 2 ½ feet, we could do a variance?

Administrator Sweazy: If that's what you choose to do.

Chairman Murphy: That would leave the Mills out of it completely.

Mr. Mills: He can leave it where it's at.

Mrs. Hoene: We don't have the authority to change an easement.

Mr. Mills: What if I write something up and we both sign it and have it notarized.

Administrator Sweazy: It still wouldn't meet our setback requirements. Legally I think the only thing that can be done is the back of that building will have to be shifted to their property and it's up to you all as to how far.

Mrs. Hoene: How much trouble is it going to be to move it?

Mr. Waldrige: It's going to be trouble to move it. But the rule is 15 feet and that will get all the way across the lateral lines.

Mrs. Hoene: But we could give you a variance of at least 2 ½ feet.

Chairman Murphy: If you moved it over 3 foot, would that be over your lateral lines?

Mr. Waldrige: No.

Mrs. Hoene: Do we have to wait until it's moved to do anything?

Administrator Sweazy: No. You can tell him the distance it needs to be today and that's where he will have to put it.

Mrs. Hoene: Who follows up on that to make sure it is done?

Administrator Sweazy: Our office.

Mr. Ethington: I make a motion we approve a variance for him to move the building in 3 feet on the back-end corner within 30 days. 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 hazard or a nuisance to the public; It will not allow an unreasonable circumvention of the requirements of the Zoning Regulations.

Chairman Murphy: If you can't get it done in 30 days then call the office and make arrangements for longer.

Mrs. Hoene: Second the motion.

Chairman Murphy: Motion made by Mr. Ethington, second by Mrs. Hoene, all in favor say aye, motion carried. You have 30 days.

Administrator Sweazy: Moving on to New Business. We have the application of Country Day Apartments, Inc. for Deborah Casey requesting a Conditional Use Permit for a home occupation located at 248 East Main Street. You have some information in your packets along with a business plan she wrote. The property owner and Ms. Casey are both present.

Curtis Tilford: Ms. Casey came to me and told me 98% of her business is done on the computer or by phone. She delivers the flowers herself. I told her I would come talk to you all. I don't have a problem with it I own the property and own most of the city block next to it.

Chairman Murphy: So, someone bought the place where she was located at?

Mr. Tilford: Yes. That's when she came to talk to me about it.

Mrs. Hoene: Is this an apartment?

Mr. Tilford: It's a house.

Chairman Murphy: How much of your business did you say was done online?

Deborah Casey: About 98%. The only time I have a walk-in customer is when there's a funeral and someone wants to personally pick out something.

Mrs. Kehne: Will you be living in this residence?

Ms. Casey: Yes.

Mrs. Hoene: How big is the house?

Mr. Tilford: The house is approximately 2,000 square feet, two story, 4 bedroom which has a sun porch on the right side that's about 300 square feet.

Mrs. Hoene: Do you make your flowers or are they delivered to you?

Ms. Casey: They are delivered to me. They only deliver Monday, Wednesday and Friday and Tuesday and Thursday and sometimes I go pick them up. I have two suppliers; one comes every two weeks on a Tuesday and the other supplier only comes once every six weeks.

Mrs. Hoene: Do you have a display room?

Ms. Casey: Yes, I turned my living room into a display room, I do the flower work in the kitchen and part of my dining room will be my storage room for my vases and stuff.

Mrs. Kehne: What about electrical use?

Ms. Casey: I have two coolers.

Mrs. Kehne: How big are they?

Mr. Tilford: About the size of a double wide refrigerator.

Mrs. Hoene: So, Mr. Tilford, you own Country Day Apartments?

Mr. Tilford: Yes.

Mrs. Kehne: What about garbage pickup?

Ms. Casey: I just have my regular residential garbage pickup. I didn't want to make any changes until I knew what was going to happen.

Mrs. Kehne: How many commercial and delivery vehicles will you have at this site?

Ms. Casey: I have one, its my personal and delivery.

Mrs. Hoene: Do you have any employees?

Ms. Casey: I have two, my sister and my niece on an as needed basis.

Chairman Murphy: Are you just doing this for right now until you find another place?

Ms. Casey: Well yes basically. The building where I was sold. They offered me to stay for \$700.00 a month and a five-year contract. I couldn't afford that.

Chairman Murphy: Do you have a business licence for this?

Ms. Casey: I do.

Administrator Sweazy: She does for her current location. She would need to come in and modify it.

Mrs. Hoene: You haven't moved in this new place?

Ms. Casey: I had to move all my stuff out and into the new place.

Chairman Murphy: Have we had any complaints?

Administrator Sweazy: No, not yet.

Mrs. Hoene: Do we have anyone that wants to talk about this?

Administrator Sweazy: We do have one person.

Kathy Spears: Our property does adjoin on the east side. I have no problem with Debbie having the business. But I have questions I would like answered. If you all give her a Conditional Use Permit does it just go with her or if she moves from that house, does it stay with the property?

Mrs. Hoene: It would not stay with the property.

Ms. Spears: The other thing is if she has people come in person the parking could be an issue. I don't want them parking in my driveway thinking its her driveway. She has the gravel area on the one side of the house that's always been there under city easement, and she has two parking spaces on Main Street in front of the house. We have no problem with it as long as problems don't develop with parking and we're hoping she will have hours during the day and not people in and out during the night.

Chairman Murphy: Her plan says 9am-5pm.

Ms. Spears: We are fine with that.

Mrs. Kehne: With a Conditional Use, if you have a problem and you call and talk to Julie or anyone in the office, they can be brought back in and addressed to this group again, we will have to be satisfied one way or another or your Conditional Use Permit can be pulled.

Ms. Spears: I don't want to knock her out of having her business, I know she needs it and it's the only florist we have left. We just wanted to clarify those two issues. Other than that, we don't have a problem with it.

Mrs. Hoene: Like Jan said if an issue comes up, we can revisit it and we can continue it or stop it.

Chairman Murphy: Thank you for voicing your opinion, we will take that into consideration.

Mrs. Kehne: Is the 2 foot by 2 foot sign all she can have?

Administrator Sweazy: Yes.

Mrs. Hoene: I'll make a motion we approve the Conditional Use Permit with the stipulation that hours will be 9am-5pm in the Summer, 9am-4pm in the Fall, 9am-2pm on Saturday. Also, should provide a dumpster for adequate trash disposal and adequate parking.

Mr. Ethington: Second.

Chairman Murphy: Discussion.

Mrs. Kehne: That was Saturday hours 9am-2pm, is that correct?

Ms. Casey: Yes.

Chairman Murphy: Any more discussion? Motion has been made, and second, all in favor say aye, motion carried.

Administrator Sweazy: Next meeting 8/26/21.

Mr. Ethington: Motion to adjourn, second by Mrs. Kehne.

Chairman Murphy: All in favor, meeting adjourned.

---

Secretary

---

Chairman