

TAYLORSVILLE-SPENCER COUNTY  
BOARD OF ADJUSTMENT  
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, August 25, 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, and Duane Hume. Jan Kehne was absent. Also, present Administrator Julie Sweazy and Admin. Assistant Angie Helton.

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

Approval of the minutes for 07/28/22: Motion to approve by Mrs. Hoene, second Mr. Ethington, all in favor, opposed, motion carries.

Chairman Murphy: Any Committee Reports.

Administrator Sweazy: None.

Attorney Dale: Swearing in of everyone wishing to speak.

Chairman Murphy: Unfinished business.

Administrator Sweazy: None.

Chairman Murphy: New Business.

Administrator Sweazy: We have the application of **Mason and Krysten Lunsford** requesting a variance to be 6 feet off the western side property line located at 2744 Hardesty Ridge Road, Hwy. 1251. The Lunsford's are planning to construct a 30x40 detached garage six feet from the neighboring property which is Ms. Lunsford's grandparents. They are requesting the variance to allow them to build the garage to connect to the existing driveway. They feel that due to the lay of the land this is the best location for it. Mr. Lunsford is present.

Mr. Lunsford: I'm proposing to build a 30x40 pole barn/garage with metal siding. The grandparents will have access as well to store tractors it's just going to be on my property.

Chairman Murphy: Does the land drop off back there in the back and that's the reason?

Mr. Lunsford: Yes, if you can see that triangle that looks like dirt, that there drops off.

Chairman Murphy: So, you're putting it were both of you can use it? Are you going to have electric or water?

Mr. Lunsford: Yes.

Chairman Murphy: You going to have it on septic tank?

Mr. Lunsford: The water that's going to be in there is just a faucet. There will not be any plumbing for a restroom or anything.

Mr. Hume: Is it going to be an outside spigot?

Mr. Lunsford: Yes.

Chairman Murphy: Is there going to be any animals in there.

Mr. Lunsford: No, just equipment.

Mr. Hume: Is there any rules or regulations about utilities that would cause issues with this?

Administrator Sweazy: If he were in a development that had utility easements they would be shown on the plat. With his it doesn't have utility easements because it's out in the rural part of the county.

Mrs. Hoene: So, the grandparents are the only adjoining property owner to this property?

Mr. Lunsford: Yes, he joins all the way around it.

Administrator Sweazy: And the neighbors across the road don't have any opposition to it.

Mr. Hume: So, there's no opposition anywhere?

Administrator Sweazy: No.

Chairman Murphy: Questions.

Mr. Hoene: I'll make a motion we approve this variance. 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. Motion made, second, all in favor, opposed, motion carries.

Administrator Sweazy: We have the application of **Sean C Dickson** requesting a variance to allow a shed to set forward of the primary residence located at 700 Lilly Pike, Hwy 623. Mr. Dickson is requesting to relocate an existing shed. The location he has had prepared and leveled happens to be forward of the existing residence. It is situated at the edge of a tree line on this property. The Dickson's property has a 30' utility easement across the rear property line and has steep topography. This limits him on where he can build on level ground. He has pulled a permit to construct a pole barn in the current location of the shed. He says the shed is only a few years old and would like to keep it on the property instead of removing it. Mr. Dickson is present.

Mr. Dickson: When I moved here, I had a lot more personal property than I had room for. So, I needed some place to put it, so I bought the shed and had it sit there. I had it set as to where it could be moved. I want to move it down to where that star is, there's a roll of trees that sit around it and the way the land is you don't see much of it from the road. I did not realize I needed a variance to put it in front of the house and to move it back is almost impossible with the way the land lays.

Chairman Murphy: So, you've already moved the shed and its 15' off the property line?

Mr. Dickson: Yes.

Chairman Murphy: You have buffer trees around it?

Mr. Dickson: Yes.

Mr. Hume: What's the road that's goes back to the left?

Mr. Dickson: That's the service road the Travis's have going back to their barn.

Administrator Sweazy: It's not a named road, it's a driveway. There's a 60' access that runs up through there.

Mrs. Hoene: So, are you having electric and water in this shed?

Mr. Dickson: Not right away. I doubt I will ever have water. I do plan on putting electric there if I can but that will probably be another year or so.

Mrs. Hoene: How far back Lilly Pike is this?

Mr. Dickson: Maybe a half a mile.

Chairman Murphy: Is there anyone that wishes to speak?

Randall Coy: 758 Lilly Pike. It's a very nice building and I have no problems with it.

Charles Tichenor: I represent Scott & Roberta Travis that own the property behind and the 60' access strip there. They have no objections to this.

Mr. Hume: How many total acres do you own?

Mr. Dickson: Just a little over three.

Mrs. Hoene: I make a motion we approve this variance. 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. Hume: Second.

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

Administrator Sweazy: We have the application of **Brian Scott and Roberta Travis** requesting a Conditional Use Permit to operate an Event Venue located at 5105 Mt. Washington Road, Hwy 44. The Travis family are proposing to operate an existing pole barn on their 63-acre agricultural tract be used as an event venue. They are proposing the venue to be used for weddings, receptions, parties, and meetings. There are existing bathrooms and there is access from both Mt. Washington Road, Hwy. 44W and Lilly Pike, Hwy. 623. There's additional information in the written proposal that they provided, which is in your packets. The property does already have restrooms, so the Health Department has already issued their septic permit and we have the final inspection reports on the septic.

Charles Tichenor: I represent Brian Scott and Roberta Travis. The main entrance to this property is located off Hwy 44. It is a shared entrance with the Spencer County Fire Department. It's a 60' access easement owned by both the Fire Department and the Travis's. Because of the Fire Station there has already been installed a 50' concrete paved commercial entrance. There is a secondary entrance that would not be the primary entrance off Lilly Pike. In addition, Mr. Coy who spoke earlier, he is the closest neighbor approximately a quarter mile from where the barn is located and about a half a mile off Hwy 44. I'm going to have Camron Derudder, Mr. & Mrs. Travis's daughter come up, she is actually going to be the one in charge of running the Venue if approved.

Camron Derudder: We would like to make this an Event Venue, we would like to have weddings, parties, etc. Our plan right now is to use the weekends to do that. Our rules right now is to have the music turned off at 11:30pm and everybody out by 12:00am.

Mrs. Hoene: There's 60 plus acres in this, is there going to be any livestock on these 60 acres at all?

Mrs. Derudder: No.

Chairman Murphy: How many employees are you going to have?

Mrs. Derudder: It would just be myself.

Chairman Murphy: You doing the cleanup and all?

Mrs. Derudder: Yes.

Chairman Murphy: What about food?

Mrs. Derudder: Who ever rents will have their own caters.

Chairman Murphy: Are you going to apply for alcohol?

Mrs. Derudder: Eventually that would be our plan, yes.

Chairman Murphy: Security?

Mrs. Derudder: As of right now, we don't have any.

Mr. Hume: What's the number of maximum guests?

Mrs. Derudder: We were kind of waiting to see how this meeting went and then we would have the state come out to determine. It is under 5,000 square feet.

Attorney Tichenor: It's looking at capacity probably just shy of 300 people. But the state will set that once they come in to look at it.

Mr. Ethington: There would be no vehicles that would interfere with the Fire Department?

Attorney Tichenor: No.

Mrs. Hoene: So, the adjoining property owners would be?

Attorney Tichenor: Opal Edwards, Kyle Martin, Petie Day, the three houses on the front by the Dollar General would be considered adjoining owners because the tract is so large, the Dickson's and Coy's.

Chairman Murphy: Are you going to put up extra lighting around?

Attorney Tichenor: It already has two security lights out there.

Chairman Murphy: On these wedding venues, you really have to have security and you know that if someone complains, you will have to come back in here and we can pull it.

Mrs. Derudder: Okay.

Chairman Murphy: And also, insurance.

Attorney Tichenor: They will be insured.

Mr. Hume: Was it built agriculture and now their changing it?

Administrator Sweazy: The permit was issued as an agriculture structure. So, they will have to follow commercial inspections to bring it up to the way the state says they have to do it.

Mr. Hume: Is there a county ordinance that says the music has to be turned off at a certain time?

Attorney Tichenor: There is not a noise ordinance in Spencer County.

Mrs. Hoene: If we get a complaint about the noise, we can have you come back in here and we can put a restriction on here about the noise.

Administrator Sweazy: This is something they're asking to do that doesn't normally fall in agriculture. So, to give them a special use to do it on agriculture, opposed to having to go to commercial will allow you all to put as many conditions as you feel needed to make it fit within that area of the county.

Mr. Hume: I was just wondering if it's going to cause issues. Where it sits up on that hill, that music is going to carry.

Attorney Tichenor: But if you look at the proposal, they have the dance floor on the opposite side of the building from the neighbors so the sound will go off the back of the hill where there is acres and acres of land.

Mrs. Derudder: I sent pictures from every angle from the barn so you all could see what its facing. The picture on the left is facing the Edwards farm which is the side of where the music would be and you can see there's no one that lives back there.

Mr. Hume: Will everything be inside or outside?

Mrs. Derudder: There would be outside things as well. I got married here in June. We had the ceremony outside and the dance floor and DJ where outside as well. But there is enough space that it could all be done inside.

Chairman Murphy: If we approve this were going to have to put a time on it, we can't do the guest because you don't know yet, you're going to have to have security. We can put it in the wording, but we have to have this in there.

Administrator Sweazy: You said you had gotten married there. You know how many people were there, was there any problem with traffic flow with that many cars coming out on Hwy. 44?

Mrs. Derudder: Not that I was aware of.

Attorney Tichenor: I was there and there was not.

Administrator Sweazy: I'm asking that as a resident because I live on Hwy. 44, not in my official capacity.

Mrs. Derudder: Not that I'm aware of. We didn't get any complaints.

Randell Coy: 758 Lilly Pike. I'm probably the closest one to the Venue. There's been like four events up there I believe. Camron got married there and there was a bunch of people there. They had a pretty good party up there, we didn't stay, we ate then headed back down to the house and we didn't hear nothing. Then I think the next one was friends of yours. They had a birthday party for a grandkid or somebody. The next day I went up there to just help clean up the tables and stuff. They ask if it bothered me with the music. I didn't hear a thing. As far as the traffic flow goes, the majority of the people use the main entrance by the firehouse. But the locals know the shortcut out the back way. They go back up behind us and down. We were out there last night sitting, and they had some kind of deal going. The people that come out were really respectful, they drive slow and don't make dust. Basically, what I'm saying is I try to watch over the place. They have been really good neighbors and friends. As far as noise goes, we don't hear anything.

Mrs. Coy: There's a breeze that goes up there and I think the wind carries that out.

Mr. Hume: I was just trying to think if I lived around it, and it did bother me, what time I would like the music cut off.

Attorney Tichenor: I pulled the Conditional Use Permits we have for similar Venues here and most of them end at midnight.

Kyle Martin: I'm one of the adjoining landowners. I think it's a beautiful space, I think it's an addition to the community. My only issue was the noise and they've taken care of saying what they were doing with the noise.

Mr. Hume: You think 11:30pm is sufficient?

Mr. Martin: I think you all should put in there 11:30pm is what there going to do and if people start complaining, they can revisit it, the Travis's are good to work with and I'm sure they will come back and talk to you about it. If you haven't been there, then go see it. It's a great addition to the county.

Mr. Dickson: I just wanted to say we were home during the wedding and the birthday party, and I didn't even know they were having a birthday party up there. Except when you look up there and see cars. I'm for it.

Administrator Sweazy: Within her business plan she talks about signage. Signage with a Conditional Use Permit is just a 2-foot by 2-foot sign, so you're aware of that's the maximum size of the sign.

Mrs. Hoene: Where would that sign be?

Mrs. Derudder: By Hwy. 44.

Chairman Murphy: Questions? (There were none)

Mrs. Hoene: I make a motion we accept this Conditional Use Permit as is with the music cutoff at 11:30pm and everybody out by 12:00am.

Chairman Murphy: You also need adequate security.

Mr. Ethington: Second.

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

Chairman Murphy: Is there anymore applicants?

Administrator Sweazy: No, but under general questions or discussion I had been requested to put Mary Ann Stamper on the agenda but she's not present.

Chairman Murphy: Are you going to put her on the next docket?

Administrator Sweazy: Our next meeting is September 22, 2022, at 4pm. I want to remind you that we have a training opportunity on October 5<sup>th</sup> in Frankfort that I would like everyone to attend.

Mrs. Hoene: Motion to adjourn.

Mr. Ethington: Second.

Chairman Murphy: Motion made, second. Adjourn.

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Secretary

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Chairman