

TAYLORSVILLE-SPENCER COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, September 30, 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 Mrs. Kehne, 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.

Chairman Murphy: This meeting will be done in an orderly fashion. Everyone has already spoken at the last meeting, and that will be taken into consideration.

Chairman Murphy: Unfinished Business.

Administrator Sweazy: Read the application of **Alexandra Haney** requesting a Conditional Use Permit to operate a Wedding Venue located at 214 Hickory Lane. You have the proposal it's the same as last time in your documents. I know she has requested to give you a packet in response to the things you ask her to give you at the last meeting. So, at this point I will turn it over to Mrs. Haney.

Administrator Sweazy: As a Notary did the swearing in of Mrs. Haney.

Alexandra Haney: Thank you for giving us the opportunity to supply you with more information on our plan for 214 Hickory Lane. I would like to address the specialist we have spoken to over the last two weeks. The first thing we will be speaking about is the roads. My husband works at Mago Construction in Bardstown. So, he does asphalt for a living. He was able to pull up these reports from the roads around us. We are looking at Hwy. 2450(Ashes Creek Road), which Hickory Lane runs off of. The first thing I want to point out is they do the studies for AADT (Annual Average Daily Traffic). Which is the amount of traffic on each road, every three years. There was a decrease from 2017 to 2020. The one thing I wanted to point out as well is if I can get the directions corrected from Taylorsville Lake that should decrease the amount of traffic on that road. Then we have the update to Ashes Creek Road done in 2001. In the bottom left-hand corner of the drawing, they tried to anticipate what that traffic was going to look like when everybody updated the road. So, in 2001 they anticipated in 2021 there was going to be an average 700 drivers on that road daily. As of right now we're not even at half of what that road was expected to be at this point in time. Next, I have an email print out from Todd Burch, County Road Forman. He spoke to Eric Bean, who is the County Engineer on my behalf to see if he could run a traffic study on Hickory Lane itself. I would like to point a few things out about

the email. Hickory Lane is a paved roadway with a width of 16.5'. This roadway currently serves 9 residential houses. A road of this type is typically categorized as a low volume rural facility and would be given a daily use ADT (Average Daily Traffic) of less than 400 trips per day. When they do their statistics, they typically allow 10 trips per household to anticipate what that traffic's going to look like. So, right now the capacity is at 90 trips per day to serve those 9 residential homes. That's a discrepancy of 310 trips that we could bring onto the road without overloading it. He did say he would recommend that we be limited to incoming traffic of 150 vehicles (one way) per day. The other recommendation he gave was that we don't host any type of festivals or things that would attract two-way traffic at any given time. So, with the wedding industry we have just cars coming in one way to the ceremony at a specific time then they will slowly leave out as the reception ends. Next is a copy of the Google Maps request that I did back in August to fix the directions from Taylorsville Lake. That should be all I have on roads. Do you have any questions at this point?

Mrs. Kehne: Did they mention anything about widening the road at any time in the future?

Mrs. Haney: No, not at this time.

Administrator Sweazy: When a new subdivision goes into the county, they are required to make the road 20' wide. At 16.5 feet it's about a lane and a half.

Mrs. Haney: The next thing I would like to discuss is the landscaping and natural barrier. We did have an expert gardener coordinator who gave us some recommendations based off our soil type and the plant hardiness. At the entrance we would put Foster Holly, Arborvitae and Viburnum. The Foster Holly are best for noise barrier. Arborvitae, they would be evergreen all year long. Viburnum, for a buffer at the bottom as the Holly and Arborvitae mature. We are planting over the driveway that already exist there because we plan on moving the driveway further away from the property line.

Mrs. Kehne: How tall will these plants be?

Mrs. Haney: At full growth or when we plant them?

Mrs. Kehne: When you plant them because some take a long time to grow.

Mrs. Haney: I think you can buy them different heights, but we haven't gotten that far yet.

Mrs. Haney: Now I will discuss the reception hall. You have a drawing that I did, showing how we will utilize the space. We will have a prep kitchen; we don't know specific appliances that we are going to be putting in there yet still discussing with caterers to see what they need in order to be successful and the Health Department to see what permits we have to have once specific appliances go into that space. Then we have a vendor lounge. This would be a space for any vendors to store their equipment or personal belongings and a place to set and eat dinner. Then there is a storage section where we would put tables, chairs, and décor we accumulate. Then the final space will be the bathrooms for men and women. We have met with the State Building Inspector, he came out to see the space. I showed him this blueprint and he said everything looks good so far. He was also able to give me a maximum guest count based off the available seating square footage. So, the available seating square footage is approximately 3760 square feet. With that square footage we will be able to host 250 people. With that we would be willing to have some kind of proposed condition with a lower guest count of 200. The building inspector also said there are some codes we need to be aware of, one being with the type of building it

is, with the size and material it's made of, we do not need a commercial sprinkler system. We will also be working with the State Building Inspector throughout the finishing of this building so that we make sure we abide by any state codes. I have currently been working with Justin Jump with the County Health Department to discuss the solutions with septic system at the event space. He needs the guest count before he can answer these questions. I will be scheduling an appointment for him to come out. On the parking lot location and lights. The parking lot location has changed from the original proposal. I was in the front field, now we are putting it behind the event space. The lights will be all faced downward and with the barrier, I think, it would be minimal, if or any light would get over to the neighbors.

Mrs. Hoene: How tall will the lights be?

Mrs. Haney: I'm not sure. I would want to check with the building inspector to see if there's a code or not.

Mrs. Haney: Regarding trash. We think that its best that the vendors that come on the property would be responsible for any trash they bring in, they remove it. Any additional trash that could be left by guest we would have that cleaned up by the end of the night. As far as the alcohol, we are still working with Scot Heath to attain an alcohol license. But we have to have proper zoning and the Conditional Use Permit in place before we can move forward with the application process. Now I want to address the issue with the noise. First, we are planting those barriers that would act as a barrier to any noise that could get through. We also conducted a decibel test. According to a professional wedding DJ, the average decibels on the dance floor is 90db. We measured about 91db in the event area and a max of 59 at the closest property line. Based on the scale below 59 measures the same as the conversation in this room. We also measured in the closest window of the honeymoon suite that is directly next to the event area, and the max db was 50, which is equivalent to a refrigerator running. So, don't see the music being an issue. We are also okay with having to have the music off at a specific time. We also are proposing a few conditions under which we can operate while still being respectful to our neighbors and the community. Music will be off by 11pm, events will have a 200 person guest limit (not including vendors working the wedding), inspections as required by health department and state building inspector, lighting will be directed downward and away from adjoining properties, appropriate septic needs, including capacity, for the event space shall be approved by the Spencer County Health Department, all plants within the buffer area shall be planted no later than the spring planting season, and the parking area for the event space will be moved to the back of the event center. We did do that decibel test with the doors open and we will be adding sheetrock and additional insulation.

Chairman Murphy: What about your insurance?

Mrs. Haney: We will be covered through different ways. The property owner already has a homeowner policy. Then me as the general operator, I will be covered under a general liability policy. The contracted couple planning to get married would also be covered under the event policy for that day.

Chairman Murphy: What about security?

Mrs. Haney: We plan on installing cameras with a recording system. Which saves up to 10 days back. If we see the need to hire an off-duty officer, I don't see that being an issue.

Chairman Murphy: Do your bartenders have to be licensed?

Mrs. Haney: Yes.

Mrs. Kehne: In the parking lot what will be used to make parking space?

Mrs. Haney: Gravel, but eventually paved.

Chairman Murphy: Employees, you said you were going to have people to clean up after the wedding.

Mrs. Haney: Yes. After consulting with a couple of other wedding vendors. I ask how many they have for 50 guest and they said around 1 person per 50 guests to setup and break down. So, at an event with 150 people we would have 3 people on the property in addition to myself because I would be acting as the Event Coordinator. To set up table and chairs, act as parking attendants on site and to break down at the end of the night.

Mrs. Hoene: I'm having a problem with the traffic on that road. That's like 100 cars coming down that road, then coming back out that road and that's not counting the vendors.

Mrs. Haney: The County Engineer did say he was comfortable with 150 cars one-way coming in and out of the property.

Mrs. Kehne: When they do this test, it's an all-day thing, it's spread out throughout the whole day. With your event it's going to be spread out in a very short period of time. When the music is turned off and people are ready to leave, those 200 cars will basically be leaving at the same time.

Mrs. Haney: Not 200 cars.

Mrs. Kehne: By the time you do your servers, your DJ, and people doing the wedding. I understand the test, but that's over a 24-hour period.

Mrs. Haney: I understand what you're saying, but when I ask for this study, I told him it was for a wedding and event venue. Which is why I think he even went further and said I don't feel comfortable saying this road can sustain consistent two-way traffic, but he did say it could sustain 150 cars one way.

Mr. Ethington: What about the people back there that want to go the other way during this time period? That's a problem I have too. Is the road wide enough for cars to get over and pass by?

Mrs. Haney: I pass by cars on that road before. The road is 16.5', which is about a lane and a half. Our traffic will be consistent about 30 minutes before the ceremony and then there will be a steady trickle out of the reception. In those 30 minutes I don't see a lot of people getting on and off that road.

Mrs. Hoene: Homeowners back there are going to be coming and going too. So, if there coming and going and all these other people are going one way, that puts them a situation that's not. I do know that in the country and in the county, there are some people with pickup trucks that have big mirrors on them. That is kind of a problem too, if you try to pass someone with those mirrors, is there enough room for them to get over to pass safely and what if both are trucks with big mirrors?

Mrs. Haney: I would just like to ask you to think about how often the specific scenario would happen in comparison to what we can bring into the county, such as revenue and tax dollars. Because eventually that road could be widened based on the tax dollars we bring into the county.

Mrs. Kehne: I have a question about people staying there. We have a tourism tax, which is based on the amount of hotel stays. Have you checked into tourism tax?

Mrs. Haney: Yes, I did. When I setup a listing on Airbnb they know the city, county and state that the property is in. Airbnb automatically collects what they call occupancy tax. So, that occupancy tax is essentially the same as that hotel tax.

Mrs. Kehne: So, there done separately. So, you would have to break that down?

Mrs. Haney: Yes, we would have to do that. I think we discussed, but I'm not sure where the conversation went with the Airbnb being a separate conditional use permit or not. We would have to calculate that tax in ourselves, which is something I do as a photographer anyway. It's based off the county and state you're in.

Mrs. Hoene: With this application, it's for a wedding venue only, it's not for events or anything else? Because we must take that into consideration at this point.

Mrs. Haney: The wedding type of event would be the largest traffic heavy event we would host. Anything else, such as a baby shower or a bridal shower, those guest counts would be far less than anything else.

Chairman Murphy: On the road, which is 16.5' wide, in the wintertime if you have to get off the edge of the road, you may not get back on.

Mrs. Haney: That's why we refer our clients for that day about the event insurance. If a snowstorm were to come through on their event day, they would be able to cancel their event and get some of their deposits back from the insurance company.

Mrs. Hoene: What time of the day would they be starting? When would that traffic start flowing?

Mrs. Haney: Typically depends on the time of the ceremony. The ceremony could be anywhere from 2pm to 5pm. Then as in the proposed condition of having the music off at 11pm.

Mrs. Hoene: With the 2pm-5pm, there will be children out especially in the summer months. I have an issue with people not feeling comfortable with letting small children out with all this traffic coming through. My issue is safety with the children, the people that live there and the traffic moving through there.

Mrs. Kehne: How far are you from Ashes Creek Road?

Mrs. Haney: 1100 feet.

Mrs. Haney: We have 2 young kids ourselves. We wouldn't do anything to put anyone else's kids in danger. The family that lives' next to us have 2 small kids. They have 5 acres to be able to play and

enjoy their time on. I don't anticipate a problem; I haven't seen them on the road since we have been there.

Mrs. Hoene: This is a big change from what their used to, their comfortable with letting their children out to play and not a lot of concerns with people or lots of traffic. Now they have to be concerned.

Mrs. Haney: Again, that traffic would be in a very short window of approximately 30-40 minutes.

Chairman Murphy: You can't control who's invited or who comes. But we can't control who comes into the city either. Their used to a certain lifestyle and this is going to change things up there, quite a bit. It will be a big change for them to get used to. There's the concerns of safety and alcohol.

Mrs. Haney: Which is why we're taking every measure we can to litigate any circumstances or any effects that could potentially happen around us. I hope the board can see that.

Chairman Murphy: We do appreciate the work and research you have put into this. Are there any more questions?

Mrs. Hoene: I think that our job is, we have to look at all this as coming into the community. These people have moved there for reasons, and we don't want to interrupt their lifestyle that their used to, which this would do.

Mr. Ethington: In other words, they're going to have to be the ones to do all the changing because of you all. I'm all for your business, but these people moved to this area to get away from all the outside world and still be able to get to that outside world, but they want their kids to be safe.

Mrs. Hoene: You spoke the other day, your Attorney about Spencer County and how much this would bring to Spencer County to have this venue. But that's one thing it's a drawing card for Spencer County because we are still rural. That's one of the reasons that's a drawing card for some of these people that live there now, that's what drew them to this county, and we still like to protect our county and what draws people here. I know the money is good for the county and other people might have different reasons for that. But I have a problem with changing all these people's life's because you all are coming there.

Mrs. Haney: I understand. I don't want to change the landscape of what they see every day. We have 91 acres; we have to make some minor changes to the land in order to make a business work there. Overall, we're not really changing much.

Mrs. Hoene: I know you're not changing much as far as that, but I'm talking about the people that are going to be coming there now and the traffic and the safety of the people that are there. That's what I'm concerned about. I'm not trying to be difficult because I see both sides. We're not her to put people out of business, we like to have new businesses in the county.

Mrs. Haney: But this is a large piece of land, if we hadn't bought it some other people could have and developed it into a subdivision or add more houses. That's not what we are trying to do because that would disrupt their everyday as opposed to 30 minutes on Saturday.

Mrs. Hoene: I believe if it was a subdivision coming there, we would have the same people here that we had at the last meeting objecting to it for various reasons.

Mrs. Kehne: I've been here 30 years and seen a lot of growth. I do have concerns about the traffic. Like I said before change is hard.

Mrs. Haney: I would like to be able to just talk about those concerns and come to a compromise or agreement with conditions placed on the permit as opposed to not have a chance to prove ourselves in a way we can serve the community.

Mrs. Kehne: You answered all the questions that I ask you to. I went down Ashes Creek Road I looked at all the farmlands. I went down Hickory Lane and I realize there's not a lot more to develop back there, there are some vacant lots. I do believe there's a lot of work to be done before you could open.

Chairman Murphy: I lived here all my life. I have been on some of these small roads, and this is a big change.

Mrs. Haney: Its tourist money coming to the county without weighing on any of the resources such as the schools, the police department or anything like that.

Attorney Baker: Those recommendations came from your own Comprehensive Plan. When you talk about the struggle of the county itself, about generating revenue. We agree with what you're saying which I think is good about these type of uses because they are dependent on keeping that rural character. That's why wedding venues in this area are very popular. That's a great way to show off Spencer County without changing the landscape. Just as these fine folks bought a house in a rural area. There was a time when those houses were not there. Just like if the Haney's don't get to move forward with their wedding venue, they can also look at subdividing that property. If it's appropriate for those houses to be there, then it's appropriate for more houses to be there. As relates to the county road, the county road was built to the point to sustain two-way traffic. They forecasted over 700 trips to be accruing daily and yet they didn't make improvements to the road because they know that two-way traffic can happen on that road.

Mrs. Hoene: Wasn't that 700 for Ashes Creek Road?

Mrs. Haney: Yes, it was 400 for Hickory Lane.

Attorney Baker: Just for anyone on a public right away, walkers, pedestrians, bikers they have to be monitoring what's around them. Whether its construction traffic that goes up and builds those homes there. Construction and heavy trucks do get up there and use these roadways daily. So, I think those roads are sufficient according to a roadway engineer and there are specific questions about that concern then it would be appropriate to bring that gentleman before this board to ask him questions. Then he can provide about that road passing.

Mrs. Hoene: Which engineer are you talking about?

Mrs. Haney: The County Road Forman.

Attorney Baker: These types of uses across many counties in Kentucky are flattering because they retain a little character of the area. As a neighbor I would hate to see that property change too and I'd sure hate to see it turned into a subdivision. It would be great to have a wedding venue because it's going to stay that way moving forward. We appreciate your consideration and if there is any other additional information the board would like, we would be happy to run that down.

Chairman Murphy: Questions or comments? You did a fantastic job with putting this together. If by chance this does pass, you know you're going to have several complaints. I'll entertain a motion unless you all have any other questions.

Mrs. Hoene: Do they have to have 2 rows of shrubs or trees in that buffer?

Administrator Sweazy: In commercial regulations we have a buffering guide that requires 2 rows staggered. But you can put a condition on it of how you want them done.

Mrs. Hoene: The Airbnb is not included in this, is that correct?

Administrator Sweazy: That is totally up to you all. In the last meeting it was my understanding that she would allow the couples and maybe the wedding party to stay in the house or the guest house.

Mrs. Hoene: Is that like 15 people?

Administrator Sweazy: I think the 15 people came from what the septic system was built for. I think that's where that number came from. We would have to depend on Justin at the Health Department to put a capacity number on what the septic system would handle.

Mrs. Haney: There's currently 2 septic systems on the property now.

Mrs. Hoene: There is one for the main house and one for the guest house. So, you would have to install another for the reception hall?

Mrs. Haney: Yes.

Mrs. Hoene: Is the reception area going to be soundproof?

Mrs. Haney: We would be insulating it.

Administrator Sweazy: In response to your question about an Airbnb, it was my understanding that they would want guest in the wedding party maybe to stay with the wedding portion of the request but as far as an Airbnb like the ones we've done in other parts of the county for just anytime or anybody, I think that would require an additional Conditional Use Permit for that.

Chairman Murphy: Moving that parking lot will help a lot with the traffic and noise.

Chairman Murphy: Charlie do you have any questions?

Mr. Ethington: I'm just having a problem with the safety, the size of the road with that much traffic on there. That's the big issue I have is the safety of the people that's been there for a while.

Chairman Murphy: If you get those directions changed that will help a lot with Uber if people need someone to come pick them up.

Mrs. Hoene: There will be no outside music except during the wedding ceremony?

Mrs. Haney: When we did the decibel test, we did it with the garage doors open as if it were an outside party and with that the decibel level at the property line was 59, which is equivalent to two people having a conversation 1 meter apart.

Chairman Murphy: You're not going to have any big tents outside?

Mrs. Haney: No, as of right now we don't have any tents.

Mrs. Kehne: I think that's something we need to address anyway because if they do later there's a noise issue. Noise carries back there, you might say in decibels, but noise will carry all over the place back there because it so open.

Mrs. Haney: One thing I would like to propose is I hear a lot of concerns about safety, and I understand those concerns. We have two small children and if we were allowed to build on this property we would be living there and going through the same thing as them every single day and weekend.

Mrs. Hoene: You could do that by tracking off a piece of property to do so.

Mrs. Haney: Well, obviously we would rather be able to move into a house that's already built.

Mrs. Kehne: It's something that you can do, not something that you can't.

Mrs. Haney: If that were to end up being one of the conditions as well then, we understand that. This is one of my lifelong dreams so I'm willing to do what it takes to make it happen.

Mrs. Hoene: You said you want people out of there by 11:00pm?

Mrs. Haney: I want the music cut off by 11pm.

Mrs. Hoene: You want the music off by 11pm, when do they need to be gone?

Mrs. Haney: That would be up to you all. Typically, I would say 11:30 would be more than enough time for everyone else to get out.

Mrs. Kehne: That would be on Friday and Saturday night?

Mrs. Haney: Saturday. But I will anticipate Friday if they have the rehearsal dinner there. If there is any other information I need to get from specialist, I'm happy to do so. I'm trying to wear a lot of hats right now and I'm not an expert in everything. If there are any other questions that hasn't been answered that you need clarification on, I'm happy to do that.

Mrs. Hoene: So, you're saying most of the weddings will be outdoors or you would have them in the main house?

Mrs. Haney: Ceremony would be outdoors.

Mrs. Hoene: What type of music system are you going to have for that?

Mrs. Haney: Ceremonies are usually very low music just while the bride is coming down the aisle. That music would be far lower than anything at the reception.

Mrs. Kehne: Guest staying in the house. What about them staying there and being on the deck on the back of the house being noisy and loud?

Mrs. Haney: My best solution to this would be collecting a security deposit from them saying you have these set of rules to abide by, if you break any of these rules, we will keep the security deposit. That's pretty standard for the wedding industry.

Mrs. Hoene: So, you said 15 people staying there on Friday and Saturday night? If they have a large family and wedding party that could exceed 15. Does that mean you would put a limit on it?

Mrs. Haney: Yes. They would have to decide which 15 were staying.

Mrs. Kehne: Have you worked out about the bathrooms in the reception area? You had talked about having some mobile bathrooms.

Mrs. Haney: We will know more once Justin comes out to do the site visit to give us recommendations on what we would need to expect to be able to finish those restrooms immediately in the reception hall.

Mrs. Hoene: Those restrooms are being brought in on a trailer?

Mrs. Haney: The portable restrooms are brought in on a trailer, they are air conditioned, they're very nice restrooms and they would be taken away at the end of each event.

Mrs. Kehne: Are you planning on using those or finishing the bathrooms in the event center?

Mrs. Haney: It would depend on cost. I don't know what to expect for the installation for the septic. So, that's a decision we haven't made yet.

Chairman Murphy: Questions?

Mrs. Hoene: If you put in restrooms in that building, would the septic and lateral lines be on the property line?

Mrs. Haney: No, they would be away from the property line.

Chairman Murphy: Anymore questions? I'll entertain a motion.

Mrs. Kehne: I'll make a recommendation to grant the Conditional Use Permit, 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 in certain conditions are met. This will be for a wedding venue with accommodations of two buildings that can house 15 people, at no time can there be more than 15 guest total in either one of the homes, and due to Spencer County Tourism Tax they will need to fill out all paperwork and follow any specifications of Tourism Tax. The following conditions must be met as of operation:

- The music must be off at 11:00pm, all guest off the property by 11:30pm, with the exception to those sleeping on the premises, at 11:30 all guest must be inside the residence.
- Operational men and women restrooms will be installed within 15 months in the front of the reception building.
- Parking capacity and surface requirements is gravel, no parking on Hickory Lane, withing 2 years the property needs to be paved.
- No larger than a 2x2 permanent sign, this is for a wedding venue.
- It will only be operational on Friday's and Saturday's.
- No more than 200 guest.
- No DJ outside the building.
- Buffering as stated in the Commercial Planning and Zoning Regulations, must be staggered, and those trees must be between 6-8 feet tall, buffering is to run down the driveway and meet the existing tree line.
- Outside ceremony music must be low.
- Bartenders must meet ABC Laws, be licensed, and insurance has to be carried.
- Need a landline inside the building in case of emergencies because cell phones do not work out there all the time.
- Security, cameras on site if any problems at any time we could come back and require security onsite.
- Will have to meet ADA specifications on restrooms, meet with state inspectors cause it will be commercial application not residential. For lighting, heating and air, etc.
- Will have to meet with Health Department to see what's required for the septic system. Also for the AirBnB not sure of those requirements.
- Carry the insurance you spoke about.
- Lighting will be 250 watts and 23,000 lumens will be facing towards the ground and shielded, there will be no string lighting. Lighting is restricted to the parking lot and sidewalks.
- The vendors will be responsible for their trash, if they don't take it, it's your responsibility, no trash left by the road.
- Move the driveway for required buffering, set buffering back at entrance to allow guest to see in both directions for incoming and outgoing traffic.

Mrs. Haney: Is there a code that tells me the distance?

Administration Sweazy: There's something on vision clearance in the regulations.

Mrs. Kehne: Does anybody have anything else?

Chairman Murphy: A motion has been made with conditions, is there a second?

Mrs. Hoene: Second.

Chairman Murphy: Motion been made by Mrs. Kehne, second by Mrs. Hoene, all in favor.

Mrs. Hoene: Aye.

Mrs. Kehne: Aye.

Mr. Ethington: I'm still opposed. Not because of them, it's just the safety issues. I don't want that on my mind if something happens to one of these kids or something and those roads are not wide enough to satisfy my needs.

Chairman Murphy: Motion been made with conditions, second, all in favor raise your hand, one opposed, motion carries.

Shellie Stamper: If something happens to one of my kids, I swear to God it will be your last day on earth. You move in here from somewhere else, you have no idea. Take your f*****g s**t somewhere else.

Mr. McGowan: If there are problems can this be brought back up and be revoked?

Chairman Murphy: Yes, it can.

Mr. McGowan: By the way the police will be there all the time, invoking cost, because they will be called constantly if a violation issue occurs. Also, if you've ever been on one of those roads in snow or rain, they are very dangerous.

Chairman Murphy: Thank you.

Administrator Sweazy: Next, we have the application of **Robin Coulter** requesting a variance to locate a carport forward of the primary dwelling located at 1270 Dale Lane.

Administrator Sweazy: Swore in Robin Coulter.

Administrator Sweazy: In your packets you have information that was provided to us. As it states Mr. Coulter is asking for a variance. He currently has a camper and a boat that you should be able to see in the pictures. He's asking to add a carport at that location to shelter those in.

Mr. Coulter: It's a carport. Wanting to set in the same footprint as to where the camper is. Back behind the camper about 14 feet is the septic tank, so I can't go back any further.

Mrs. Hoene: Is it going to be attached to the house?

Mr. Coulter: No, it's going to be freestanding. It's a 12x32, mainly to protect the camper.

Mrs. Hoene: Is there no one objecting to this?

Administrator Sweazy: We don't have anyone signed up to speak on this.

Chairman Murphy: What about utilities, are they underground or what?

Mr. Coulter: Utilities come through on the other side. Everything except the septic tank is on the other side of the house.

Administrator Sweazy: The reason he's here, there is a regulation in article 2, section 204 that states accessory structure which are not any part of the main building and are separated from the main building shall be located in the rear yard or side yard so long as it does not project further into the front yard than the main structure. So, that's why we are asking for the variance.

Mrs. Hoene: I make a motion to 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; and it will not allow an unreasonable circumvention of the requirements of the Zoning Regulations.

Mr. Ethington: Second.

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

Administrator Sweazy: Next we have the application of **Linda Waddell** requesting a variance on the front yard setback of 20' due to topography located in the 100 block of Murphy Lane.

Administrator Sweazy: Swore in Linda Waddell.

Mrs. Waddell: We are planning on putting a double wide on the lot. It's one big farm of 20 plus acres. We just built a house next door and put in a garage. This will go on the opposite side of the garage.

Mrs. Kehne: Is this still all on one track?

Administrator Sweazy: Yes and no. It's in the mist of getting signed off on 2 separate tracts. The original survey that was done was an older survey and they never took the right of way off Briar Ridge Road. So, she's had a new survey done. I only have the older one in your packets. I added the new one I just got, it's on the left-hand side of the screen that shows where they are dividing it to get two tracts. Tract 1 is where her house is at, the wedding venue is on Tract 2 and she's putting the manufactured home on the tract where the wedding venue is.

Mrs. Kehne: Is it going to be before the wedding venue?

Administrator Sweazy: Just past it. When you turn on Murphy Lane it will be the wedding venue then the home.

Mrs. Waddell: It's for my daughter to live in.

Mrs. Hoene: No one has objected to it?

Administrator Sweazy: They have not. On the property tax map, I tried to put a star where we think it will be set.

Mrs. Kehne: That will make it how many feet off the right a way?

Administrator Sweazy: It's going to be 20 feet off the right a way.

Chairman Murphy: I'll entertain a motion.

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. Ethington: Second.

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

Administrator Sweazy: We have the application of **Chad and Holly Stewart** requesting a variance to build a garage within 5' of the side yard property line at 159 Elk Chase Drive aka. Lot 39, Elk Chase Subdivision.

Administrator Sweazy: Swore in Chad Stewart.

Mr. Stewart: I'm looking to place a garage on our lot.

Mrs. Kehne: Can you explain to me the reason it has to be this close?

Mr. Stewart: The way they positioned the house and the way the lots fall from back to front. It falls over to a tree line. This was the flattest spot for the house to go and if garage is setting on the side of the house, it would push it back and over putting it behind the house, it's just too much for the garage to be pushed in.

Mrs. Kehne: What about the septic system?

Mr. Stewart: The septic system is going up the hill on the opposite side of the house.

Administrator Sweazy: This is a photo I took the other day when I was out by there to show you all how the ground goes upwards.

Mr. Stewart: The garage will be about 8' behind the house and probably 3' to 4' in behind the house, where the driveway will go straight into the garage.

Mrs. Kehne: Being that close to the property line always bothers me about run off. How are you going to direct water off the garage? How will you keep it from going to your neighbor?

Mr. Stewart: We have a drain running down beside the driveway.

Chairman Murphy: Like a ditch that goes down to the street, then under the road?

Mr. Stewart: Yes.

Administrator Sweazy: They have already gotten all utilities released or gotten a variance on those easements and those have been recorded in the County Clerk's Office.

Mrs. Kehne: What were the variances on the easement?

Administrator Sweazy: Now days they will not allow me to record the utility easements with the Conditional Use Permit, they have to record each one separately. It says AT&T does hereby allow a variance on the utility easement. So, what that is, the letter that went to them told them how close they wanted to be to the property line. So, on theirs they gave a variance for it to be 5 feet. Salt River says will allow you to construct a garage within 5 feet off the property line within Salt River Electric easement. Spectrum says allow a variance on the utility easement located at 159 Elk Chase Drive located in Spencer County. City of Taylorsville they just completely released the water easement measuring 15' on the west side and parallel to the property line on Lots 39 and 40.

Mrs. Kehne: The utility companies use to release the whole easement, but now they're not, so that's why I questioned that.

Chairman Murphy: I'll entertain a motion.

Mrs. Kehne: I make a motion to grant the 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: We have a motion, second, all in favor, motion carries.

Administrator Sweazy: Just a suggestion on something like those, it might not hurt to even put in the motion that the easements have been released or a variance granted and are of record.

Mrs. Kehne: Made motion to adjourn, Second by Mr. Ethington.

Chairman Murphy: All in favor, meeting adjourned.

Secretary

Chairman