

TAYLORSVILLE-SPENCER COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Tuesday, November 23, 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, Admin. Assistant Angie Helton. Administrator Julie Sweazy and Doug Goodlett were 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. Kehne, second Mr. Ethington, discussion none, all in favor, motion carried.

Chairman Murphy: Any Committee Reports.

Admin. Assistant Helton: None.

Chairman Murphy: Swearing in of applicants wishing to speak.

Chairman Murphy: Unfinished Business.

Admin. Assistant Helton: None.

Chairman Murphy: New Business.

Admin. Assistant Helton: Read the application of **Christopher & Melissa Webb** requesting a variance to construct a garage forward of the dwelling located at 93 Grant Court. Mr. & Mrs. Webb are requesting to construct a garage on their property. Due to the way their property is situated in a cul-de-sac and the location of their house on the lot, they are limited as to where they can place the garage. Therefore, they are making a request for the variance to allow the garage forward of the main structure. All adjoining property owners have been notified.

Mrs. Hoene: No one has responded to this?

Admin. Assistant Helton: No.

Chairman Murphy: I see that your property is like a triangle. Does it fall off in the back?

Christopher Webb: When Jim Williams built my house, the way that the house set, he said he knew we would be building a pole barn later, the fall off on the back side of the house was too great to build a building and on the other side where my small building is, is where my septic field is now, so we can't do it there either. When we look, the building is going to be about 2 feet from the left front corner of the house. If you look at how the house sets on the land it doesn't set straight facing the court, it sets at

an angle. If you look at that left front corner where we're trying to fit that is right before the pen starts. That's why we went from a 35x40 building to a 35x30 to make sure we stayed behind that corner.

Chairman Murphy: You don't have any utilities or anything out there?

Mr. Webb: No. The power, cable, everything runs at the left corner of the house all the way up to the left corner of the driveway.

Chairman Murphy: Have all the neighbors been notified?

Mr. Webb: Yes sir.

Mrs. Kehne: So, you need a variance on the side and on the front?

Mr. Webb: Where you see they got the rectangle of the building; it's going to be turned a little bit more towards the driveway. So, there's only going to be 8 foot of additional concrete in front of that.

Mrs. Kehne: Are you also needing a variance on the sideline or are you far enough off the sideline?

Mr. Webb: Yes, we're about 30-35 feet from the side.

Chairman Murphy: It's supposed to be at least 15 and you got at least 30.

Mr. Webb: Yes easily.

Chairman Murphy: That tree line behind your house is that a drainage or does that fall off?

Mr. Webb: If you go back to the corner of the house to the very back corner, it's about 30-foot drop. There are no drain ditches or anything back there, that tree line is because it's a fence line of where properties used to be.

Mrs. Hoene: How big is your lot?

Mr. Webb: Around 1.7 acres.

Mrs. Hoene: I make a motion that we approve 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.

Mrs. Kehne: Second.

Chairman Murphy: Any questions? All in favor, opposed. Motion carries.

Admin. Assistant Helton: Read the application of **Bobby & Nicki Vormbrock** requesting a Conditional Use Permit to operate an Airbnb located at 1647 Old Louisville Road. The applicant is requesting to operate an Airbnb, short term vacation rental of their property. Their proposal providing information pertaining to max number of guests, max night stay, parking, etc. is attached. All adjoining

property owners have been notified as well as notice being placed in the newspaper. Julie also included Article II, Section 210 regarding Conditions applicable to all Conditional Use applications.

Nicki Vormbrock: Stepped up to the microphone.

Chairman Murphy: How many guests are you going to allow at one time?

Mrs. Vormbrock: The max would be 8 guests allowed. That's the idea situation with the way this home is laid out. The interior is the way that we want it setup. So, that it could hold two families at one time.

Mrs. Kehne: Do you live in this house?

Mrs. Vormbrock: No.

Chairman Murphy: How many bedrooms and bathrooms do you have?

Mrs. Vormbrock: There is 3 bedrooms and 2 ½ baths.

Chairman Murphy: Have you had the Health Department check it? But for 8 people that should be standard. Do you just have one septic tank?

Mrs. Vormbrock: Yes.

Mrs. Kehne: How old is the homes?

Mrs. Vormbrock: It was built in 1997.

Mrs. Hoene: Is this close to Nelson County?

Mrs. Vormbrock: Yes.

Mrs. Kehne: Is electrical up to code on this?

Mrs. Vormbrock: I would assume so.

Mrs. Hoene: The parking wouldn't be a problem with two families, would it?

Mrs. Vormbrock: It's bigger than an average driveway, plus there's a three-car garage that's attached to the home.

Mrs. Kehne: Will they have access to the three-car garage to park?

Mrs. Vormbrock: At least two of the spaces we would like to allow the guest to park in the garage if they so choose.

Chairman Murphy: Do you have handicap parking?

Mrs. Vormbrock: There's one step from the garage into the home. If we need to make it more accessible of course we would.

Chairman Murphy: Cause with handicap, you would have to pick them up to get in.

Mrs. Kehne: An Airbnb is not commercial. Length of stay? You're asking for 2 weeks. That's kind of unusual for an Airbnb.

Mrs. Vormbrock: I don't foresee anyone, from what we have read, wanting to stay for 2 weeks unless it was a work from that location. A lot of short-term rentals are being used as a place to work which is why I put the 2 weeks on there. But on a common stay we would enforce the other option.

Chairman Murphy: Do you turn this over to a company or do you do it yourself?

Mrs. Vormbrock: So, we would setup through one of, there's a few options for services, an Airbnb is one of them. There are several services for that. We are both licensed Real Estate Agents, but we have intentions of managing it ourselves, the company would help us both.

Mrs. Hoene: So, the company would provide clean up afterwards?

Mrs. Vormbrock: There is a cleaning fee that is charged, on top of the stay then it would depend on the company you use, then you hire out your workers.

Chairman Murphy: Insurance wise?

Mrs. Vormbrock: I have a copy of the insurance.

Mrs. Hoene: Will you have to go through some kind of screening with Airbnb to advertise this?

Mrs. Vormbrock: With the short-term rental, if someone wanted to book, depending on who you set it up through (BnB, Vibro, etc), they would get on the website and select the days they wanted the rental.

Mrs. Kehne: And you are aware that once a year, all Conditional Uses are pulled up and reviewed? If we do receive any notices were neighbors have any problems, we can pull that permit. Just want to make sure you are aware of that. Because you are pretty much residential in there and even though its private back there, you are residential. We haven't had any problems, but we want to make sure when applying through the commission that you understand, every year you get reviewed, if there's any problems that come before that, that the permit can be pulled.

Chairman Murphy: Charlie do you have any questions?

Mr. Ethington: No.

Mrs. Kehne: I know Airbnb's are growing, we are learning from it, we've heard great success and horror stories on both ends, but with the bourbon trail, it's a huge market. We have several here in the county now doing this. We haven't had any problems and we don't want any problems.

Mrs. Hoene: Will you be getting a business license?

Mrs. Vormbrock: We would do everything through our company to do our thing and follow their rules.

Mrs. Kehne: You still have to get a Spencer County Business License and pay tourism tax.

Mrs. Vormbrock: Because this was our first step, I didn't want to do much more then this until we meet with you all.

Mr. Ethington: Do Airbnb also mold these rules and regulations by the individual counties?

Mrs. Kehne: No, it is up to them to provide them with that information. Because I've been in contact with before about this and it states in their contract any legalities that happens in the county that you're doing this in, you have to make sure you take care of that. Their contract is pretty cut and dry and quite interesting.

Mrs. Vormbrock: I understand that this doesn't transfer to a new owner?

Mrs. Kehne: No. What about garbage pickup? Is it once a week out there? You have 8 people staying, that produces a lot of garbage. Will you be able to have an extra garbage pickup?

Mrs. Vormbrock: We are not sure we will have service because we don't know if we can put that on the guest to remove the trash. So, every time the cleaning, which would be about every other day, would haul off the trash so that wasn't a burden to the guest.

Mrs. Kehne: That could be a lot of garbage. Spencer County has garbage pickup once a week. The main thing is not to have that garbage exposed.

Mrs. Vormbrock: We would have a large trash can for them to take it out of the house.

Mrs. Kehne: I drove out there and the house looks very well kept, it's a nice area, and that's our goal to make sure it stays that way. It's a beautiful place, very nice, I like that is off the beaten path but it's between us and Bardstown. The past couple of ones we've done, because it is residential, and we're not sure how you can police this, but we do ask by 11:30pm everybody be inside the house, because most of the time it's going to be on the weekends, that's going to be a complaint from the neighbors, if it gets late and people are outside partying it's the noise. We really don't have a noise ordinance here but that will be your number one compliant.

Chairman Murphy: If they call the law, they will notify us, and we have to call you back in.

Mrs. Kehne: That is the number one compliant from neighbors.

Mr.s Kehne: Do you actually have an age limit you will rent to?

Mrs. Vormbrock: I don't think we can set an age because I've not looked into it, I would assume 18 as an adult.

Chairman Murphy: But you don't have control of who they bring in after they get there. No parking on the road of course.

Mrs. Kehne: Has the house been empty long?

Mrs. Vormbrock: About 2 weeks.

Mrs. Kehne: What kind of modification do you plan on doing?

Mrs. Vormbrock: Paint and furnish it. We might replace a couple of fans and change the locks.

Mrs. Kehne: Do you all live close by?

Mrs. Vormbrock: Not far, off Kings Church Road.

Chairman Murphy: Any more questions?

Mrs. Hoene: I make a motion to approve this Conditional Use Permit with the stipulation that they be in the home by 11:30pm to hold down to minimum noise, responsible for trash removal, not parking on roadway, no more than 8 people staying at night, must get a business license for Spencer County, apply for tourism tax.

Mrs. Kehne: Signage? Since you are residential, we really don't have any way for you to put a sign up. There's no zoning for you to put a sign. So, you won't be able to put any type of sign up.

Mrs. Vormbrock: We weren't going to put a sign.

Chairman Murphy: Mrs. Hoene, you need to go ahead and finish your motion.

Mrs. Hoene: What do I need to finish?

Mrs. Kehne: Just to add the business license, tourism tax and no signage.

Mrs. Hoene: No signage, in at 11:30pm, no parking on the roadway.

Mrs. Kehne: And if we do receive any complaints within a 12-month period, you can be called back in and your permit can be revoked.

Chairman Murphy: A motion has been made by Mrs. Hoene, do I have a second.

Mr. Ethington: Second.

Chairman Murphy: Second by Mr. Ethington, all in favor, opposed, motion carries.

Mrs. Kehne: Have you had any calls about any of the Airbnb's?

Admin. Assistant Helton: No.

Mrs. Kehne: General discussions. Happy Thanksgiving everybody.

Chairman Murphy: Motion made to adjourn by Mrs. Hoene.

Mrs. Kehne: Second.

Chairman Murphy: Motion to adjourn by Mrs. Hoene, second by Mrs. Kehne. Motion carries, meeting adjourned.

Secretary

Chairman