

TAYLORSVILLE-SPENCER COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes

The Taylorsville-Spencer County Board of Adjustment held a meeting on Thursday, December 29, 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, Jan Kehne, Greg Murphy and Duane Hume. Charlie Ethington was absent. Also, present Administrator Julie Sweazy and Admin. Assistant Angie Helton.

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

Approval of the minutes for 10/13/22: Motion to approve by Mrs. Hoene, second Mr. Hume, all in favor, opposed, motion carries.

Chairman Murphy: Any Committee Reports.

Administrator Sweazy: None.

Administrator Sweazy: 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 **Kevin & Star Girdley for Nash Girdley** requesting a Conditional Use Permit to allow their son to operate a Dog Day Care per Art. III, Section 300.3 (C) in an agricultural zone located at 672 Mill Road. The applicants are requesting this CUP to allow their son to operate his dog day care on their property. His capacity is 5 dogs at a time. Nash is preparing this operation as part of an upcoming FFA project. He has registered with the Secretary of State and upon approval would have to obtain a Spencer County Business License. In Zoning Regulations Art. III, Sect. 300.3© says in an agricultural zone with Conditional Use Permit: Pay fishing lakes, riding and boarding pens and stables, commercial kennels, animal clinics/hospitals. Conditions may be imposed that limit the size, type, and location of any structures, that limit the number of animals accommodated at any one time, limit the number of employees, impose special requirements on hours or seasons of operation as well as any other condition that allows the use to blend in with its unique surroundings.

Nash Girdley: It's just a small business to make money for Vet School and buy a car one day. I love animals and always wanted to be a Vet.

Mrs. Hoene: So, are you going to do this by yourself?

Nash: Yes.

Chairman Murphy: No employees?

Nash: No.

Mrs. Hoene: How old are you?

Nash: 13.

Mrs. Kehne: Do you have limitation on what size dog you will take?

Nash: It depends. But usually 90-100 odds size dogs.

Mrs. Kehne: Is this just for dogs?

Nash: Yes.

Chairman Murphy: What about waste disposal?

Nash: Usually sink holes and stuff.

Chairman Murphy: How long will you keep dogs there?

Nash: As long as people need them there. From a day to weeks.

Mrs. Hoene: So, you get up in the mornings and tend to the dogs and then in the afternoons?

Nash: Yes. I get them out about 7 then put them up around 10-10:30.

Chairman Murphy: Do you have water and electric in your building?

Nash: Yes, but no water.

Star Girdley: (Nash's mother) Not to his kennel, we just use extension cords from the barn and he buckets water. It's just one of those Amish made buildings on skids, it's not a permanent structure, we can move it. We figure when he's done we can move it and do something else with it.

Chairman Murphy: What about insurance?

Nash: I don't let dogs out together most of the time. I just have people sign that we're not responsible for cuts from cages and stuff like that.

Chairman Murphy: What are your hours going to be?

Nash: Probably about 7-8.

Chairman Murphy: Your right beside a farm, so you have it fenced in. Are you going to put any shrubs, or anything there or just leave it like it is?

Mrs. Girdley: We don't know. We are still in the process of finishing our house and moving out there. We are out there all the time with the cows. We have decided, its fenced off in like a triangle.

Mrs. Kehne: So, you don't currently live at the property?

Mrs. Girdley: No, our house is being built.

Chairman Murphy: Will you do this while you're still in school?

Nash: I do online school so I can do this.

Mrs. Girdley: He does it all himself, takes his own calls, keeps his own calendar, schedules his own people, and meets them for drop off and pickup. I do stick around most of the time. It's his own deal, he wanted to make some money.

Chairman Murphy: Not sure how close your neighbors are but if you have any noise or complainants from neighbors, we can have you come back in, and we might have to shut you down.

Nash: Okay.

Chairman Murphy: How many acres do you have?

Mrs. Girdley: Just under 80.

Mrs. Kehne: With a dog kennel do you have to have any inspection from the state to do this?

Mrs. Girdley: We don't know. The only reason we got the LLC was because my friend Tammy Owen has lots of businesses and she just said to protect our farm in case something went wrong. That's why I contacted the State to protect our farm. I didn't envision it being a business.

Mrs. Kehne: Any time that you're going to be taking money in, it's a business. I think there are some things you have to do for a boarding kennel like sanitation to other things. It might be good to contact the lady back here that has the kennel.

Nash: We have talked to her about this, and she has been very helpful.

Mrs. Kehne: Make sure the animals are coming in are vaccinated.

Nash: I take all their vet papers and have them on file.

Administrator Sweazy: We did have one person with questions, and she is here.

Kim Elzy: I caught them when they came in and we already had a conversation. So, any questions that we had have been hashed out. We have no problems with this.

Mrs. Kehne: How long before you all move out there?

Mrs. Girdley: I'm hoping by February but that's just a guess.

Mrs. Hoene: I make a motion we approve this Conditional Use Permit. Only going to have 5 dogs at a time, drop off from 7-8. The granting of the Conditional Use Permit 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 if certain conditions are met.

Mr. Hume: Second.

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

Administrator Sweazy: We have the application of **Richard Dixon** requesting a Conditional Use Permit for Home Occupation to provide mortgage services for homebuyers per Art. III, Sec. 300.2(C) in an agricultural zone located at 534 Brashears Point Road. The applicants are requesting to operate his office at home to provide mortgage services for homebuyers. There will be no foot traffic to and from the home of customers or business affiliates. There will be no additional employees at the residence other than himself and his wife.

Richard Dixon: I've been in mortgage services for 27 years. In 2003 – 2008 I had my own mortgage company which was based out of Louisville. Since I've lived in Spencer County for 22 years, I've had my office downstairs. Nothing different than before except now for a new company.

Administrator Sweazy: He came in and had paperwork that needed to be signed off on stating the business was in the type of zoning that was fit for that. I told him I couldn't sign it because he's agricultural, you're not on commercial. I can sign that paper unless you get your home occupation.

Chairman Murphy: It's just you and your wife.

Mr. Dixon: We don't have any customers, no agents, everything is electronic.

Chairman Murphy: Any neighbors object?

Administrator Sweazy: No.

Mr. Hume: I make a motion to allow him to use his office in his home. The granting of the Conditional Use Permit 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 if certain conditions are met.

Mrs. Kehne: Second.

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

Administrator Sweazy: We have the application of **Craig Cameron for Husky Enterprises LLC** requesting a variance to place a sign on the new store front of **Heirloom Traditions Company Store** that is larger than allowed per Art. X, Sect. 1002 in an Industrial zone located at 35 Progressive Drive. The applicants are requesting the variance to allow a wall sign to be placed on the front of the new store front. When the permit application was received in the office, they were notified that the sign exceeded the allowable square footage for this type of sign. Therefore, they are making a request by asking permission by way of variance to go larger with the sign. The size of the sign being requested is

254 square feet. In the zoning regulations Art. X, Sect. 1002, Wall Signs it says one square foot for each lineal foot of building frontage is maximum area not to exceed 150 square feet.

Craig Cameron: Handed out a packet to board members explaining who they are and what they're trying to accomplish. I'm the CEO and owner of Heirloom Traditions. Have been in business 9 years. Opened up in Taylorsville in 2020. Started with 12,000 square feet. Now has about 42,000 square feet. The building on the left is going to be our store. The building is 5,000 square feet on the main level of that building, the second floor is a studio where we do all our live video's we shoot for Facebook live, the total building is 10,000 square feet. The building will house all paint products which are an all in one paint that can be used indoors or outdoors. We applied for a liquor license to sell take out products for wine and bourbon. The plan is to become a destination place. We have a million people who follow them on Facebook. We have applied for a food permit and plan on having a small café. We are requesting a variance for a sign to be larger than what the regulations allow. The store will be open 6 days a week, Monday-Saturday. Occasionally on Sunday for special events.

Chairman Murphy: Would ask why bigger but you said because it sets off the road.

Mr. Cameron: Yes, the building sets back a little bit and angled that people coming down Hwy 44 could see it and it would be lit.

Mr. Hume: The other building has a sign on the front of it now where your old store is.

Mr. Cameron: Yes, but it's not lit.

Mrs. Kehne: I have a question about the lighting. Isn't it residential next to him on the left-hand side?

Administrator Sweazy: It's more behind him. To the left is where Hall's Wrecker service was and now, they just do car repairs.

Mr. Hume: You said you were going to do some events. Will the events be evening things?

Mr. Cameron: No, but we might open on a Sunday.

Mr. Hume: Is the sign going to be back lit or have lights shining on it?

Mr. Cameron: It will have lights shining on it.

Chairman Murphy: Is there anyone else that wants to speak?

Administrator Sweazy: No one signed up.

Chairman Murphy: I'll entrain a motion.

Mr. Hume: I think the sign fits the size of the building. I'll make a motion we approve. The granting of the variance 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 now allow an unreasonable circumvention of the requirements of the Zoning Regulations.

Mrs.; Hoene: Second.

Chairman Murphy: Motion made, Second, questions.

Administrator Sweazy: Just to be clear, where the regulations say 150 square feet, we're going to allow 254 square feet.

Mr. Hume: Yes.

Chairman Murphy: Questions, all in favor, opposed, motion carries.

Administrator Sweazy: We have the application of **Taylorville Investment Group LLC** requesting a Conditional Use Permit to expand their previous CUP approval by adding 14 additional storage units per Article VI, Section 602.3(D) pertaining to mini-storage facilities in B-2 zone located on Turnpike Avenue. As in their previous application from October 2022, the applicants are requesting to build 14 additional mini storage units on the eastern side of the property that will back up to the cemetery. To pull you forward since all this is pertaining to mini storage, buffering, etc. that you all already addressed with them. At the last meeting the part of the application for which they applied and the plan I was given to the plans you all were given at that meeting that I wasn't in attendance for. It showed an area for an RV and maybe boat storage for outside. That wasn't part of the original application. So, that was denied. So, they put a new set of plans together to show the existing buildings that were approved and now asking to add that last building against the back that will back up to the cemetery. That will allow them to add 14 more mini storage units. They will have to raise the level of the ground back there to level it out. Mrs. Dunlap was not available today, so she sent a representing attorney.

Chairman Murphy: So, you're going to add on to the back of it.

Walter Wilson: I'm here to answer any questions you might have.

Chairman Murphy: Last time you were here the RV wasn't part of it. We said you would have to come back. Do you plan on putting trees back there as a buffer?

Mr. Wilson: Yes.

Mrs. Hoene: Your talking about filling in with dirt in at the back. Is that what you have to do?

Mr. Wilson: It slopes off back there.

Chairman Murphy: He will have to fill that in and build it up.

Mr. Wilson: It will still have a slope, but it should look like what's on the screen now. The dirt won't be up on the building. There will be a drain behind that building.

Mrs. Hoene: Where's the water draining to?

Mr. Wilson: It drains out front. The engineer, which it's not approved yet, but to my understanding it will go down to that drainage pond and across the road. I talked to the city today and there's a drainage across the road that it might go to.

Mrs. Hoene: Across what road?

Mr. Wilson: Across the subdivision street, Turnpike Avenue.

Administrator Sweazy: This is something they will have to do before we give them a building permit. They have to have their drainage plans reviewed and approved by the city.

Mr. Wilson: The City is working on that now and I have a meeting with them this afternoon.

Mrs. Kehne: How far off the property line are you with this?

Mr. Wilson: I think it's 25 feet.

Mrs. Kehne: This is going to be completely fenced in, correct?

Mr. Wilson: Yes.

Administrator Sweazy: It's 25 feet from the property line over and then from there the fence is another 24 feet.

Mrs. Kehne: I'm talking about down where the star is.

Administrator Sweazy: From that side they have acreage that goes all the way out towards Hwy. 44 and that's why it's not telling you there. From the back of the building to the property line towards the cemetery is 27 feet.

Mrs. Hoene: And you're putting trees there?

Mr. Wilson: Yes.

Mrs. Kehne: I don't like how this is laid out. It really doesn't give you a property boundary line because it's all the acreage as a whole.

Mr. Hume: What's around it?

Administrator Sweazy: The open area is where they are proposing Townhomes at a later date. Then on the other side is single family residences. From the property line to the fence is 25 feet then from the fence to the buildings is like 24 more feet. From the building to the fence, it is telling us it's 24 feet.

Mrs. Kehne: There keeping the property as a whole so where it says property line is not a true property line. Down the road this could become an issue. They're noting it as a property line that doesn't exist because the whole plat is not platted off.

Administrator Sweazy: It is but that's my fault that you don't have that. Because it's deceiving because it shows 100 townhouses that are not there. We're not doing that part we are only doing this.

Mrs. Kehne: So, when they put this to record. What will be submitted for record on this? Is it going to still show this as a property line?

Administrator Sweazy: No because it's all one property. Once they come into the Planning Commission with their plans for Townhomes the property lines will then be established for each person that buys a Townhome which will own to a certain property point or a common area.

Mrs. Kehne: Will this have to be rezoned for them to do the Townhomes?

Administrator Sweazy: Maybe. But our main concern today is that last building in the back.

Mrs. Hoene: Who is Taylorsville Investment Group LLC?

Mr. Wilson: Monica Dunlap.

Administrator Sweazy: She's the one that couldn't be here today, and the other lady is filling in.

Chairman Murphy: Would you like to say something?

Administrator Sweazy: Would you mind stating your name for the record?

Samantha Nicks: An attorney for Louisville Title Agency. Filling in for Monica Dunlap.

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

Mrs. Kehne: I'll make the motion on this. I want to incorporate into this because it is part of the initial motion that we are doing as an addition, The exterior buildings will be bricked on the South and West side, must put privacy fence on side that runs beside the homes and side facing the cemetery and chain link on the other side, lighting facing downward, locked with electric gate and any stipulations we put on this in the meeting on October 13, 2022 will fall into this building.

Mr. Hume: Second.

Chairman Murphy: Questions, all in favor, opposed, motion carries.

Administrator Sweazy: As of now we don't have any applications that have come in. When something comes up I will get in touch.

Mr. Hume: Motion to adjourn.

Mrs. Kehne: Second.

Chairman Murphy: Motion made, second. Adjourn.

Secretary

Chairman