

Taylorsville-Spencer County
Joint Planning and Zoning Commission

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held February 17, 2022, in the Fiscal Court meeting room located at 28 East Main Street, Taylorsville, Kentucky.

Chairman Deapen called the meeting to order.

Present were Gordon Deapen, Marsha Mudd, Diana Faue, Teddy Noel, Paula Wheatley, Anthony Travis, Dwight Clayton and Valerie Hunt. Also present were Attorney Dale, Administrator Sweazy and Admin. Assistant Angie Helton.

Chairman Deapen: The next item of business is the approval of the minutes.

Commissioner Wheatley made motion to approve the minutes as amended. Second by Commissioner Noel.

Chairman Deapen: Any further discussion from the commission?

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Any committees?

Administrator Sweazy: None. But I will point out each of you have a copy on our new Subdivision Regulations for Spencer County in your binders. I was speaking to Dudley recently and we just have to get the Taylorsville one's put together so I can make a new one of those.

Chairman Deapen: Our bylaws require anyone wishing to speak be sworn in before testimony. We will do that in just a minute. Another one of our bylaws is all speakers are limited to 3 minutes. That does not include questions from the commission.

Attorney Dale administered the oath of testimony to all wishing to speak.

Chairman Deapen: Old Business.

Administrator Sweazy: We have none.

Chairman Deapen: New Business.

Administrator Sweazy: We have the application of **Ralph and Mary Jo Perry** requesting AG-1, agricultural to R-1, single family residential on 1.767 acres located in the 600 block of Driscoll Road. The comprehensive plan recommended land use map indicates the area should be low density residential. There is no previous action. They are requesting to change the zoning to gift the tract to their grandson to build a home. Mr. Perry is here along with his daughter. In your packets you have the zoning application checklist and a copy of the survey drawing. On the screen I have the PVA map marking the location with a pink star. We also have a zoning map of that area with a purple star showing where the property is. There has been some other residential zonings in that area. Also, here is the comprehensive plan map.

Ralph Perry: 559 Driscoll Road, Mt. Eden, KY. My grandson is wanting to build a little building on my property. So, I let him have an acre and 7/10 to build on. I am wanting to change it from agriculture to residential. He is wanting to build a pole barn 30x50 and live in it.

Chairman Deapen: Questions from the commission?

Administrator Sweazy: I will note that on this plat, by our regulations, if there's not adequate right-of-way they are required to dedicate right of way, so they are dedicating the 25' right-of-way on the property as required by our guidelines and our regulations.

Chairman Deapen: Did anyone sign up to speak against it?

Administrator Sweazy: No.

Commissioner Travis: I move we approve to rezone the application of Ralph & Mary Jo Perry from AG-1, agricultural to R-1, single family residential on 1.767 acres located in the 600 block of Driscoll Road and there will be a 25' right of way for entry to this property.

Chairman Deapen: Before I accept that motion, does anyone have any objections to act on this tonight. Okay, there is a motion on the floor, do we have a second?

Commissioner Noel: Second.

Commissioner Travis: It does meet the guidelines in the comprehensive plan, and no one spoke against it.

Chairman Deaen: Any other discussion from the commission?

Commissioner Clayton: Do we have to waive anything as far as creating a lot that is longer than the width.

Administrator Sweazy: It is the 3 to 1 ratio, and it only applies in subdivisions.

Commissioner Clayton: They mention that subject to the utility lines and easements, but they do not say what the utility line width of easement is. Do you see that anywhere? It looks like there is plenty of distance back to whatever those easements are but it's nice to have that posted.

Administrator Sweazy: I talked to Salt River at one point and ask them about that one time and they told me a lot of the old lines, which were more like the residential lines that just served individual houses didn't necessarily have anything dedicated.

Commissioner Clayton: That is what I'm thinking that this just goes back to serve his farm and not necessarily dedicated to anybody, until this time here.

Administrator Sweazy: Honestly when I made that call, we were doing farm division up off Bloomfield Road and Ochs Lane. Because they had lines going several ways serving more of what was on his farm than anybody else.

Chairman Deapen: Anything else? Julie read the roll please.

Administrator Sweazy: Roll called, motion carries.

Administrator Sweazy: We have the application of **Nicole Ruth Development, LLC** requesting preliminary plat approval of Top Flight Landing Phase VI consisting of 25.85 acres proposing 47 lots located on Wills Way. In July of 2021, zoning was changed to R-2, High Density Single Family Residential by process of KRS 100.211. The applicants are requesting preliminary plat approval to proceed forward with the development. County Engineers have seen this and agree to moving forward on the process. I will say since the plats have been in the works of being drawn up, we changed our Subdivision Regulations. So, we are aware like the typical pavement drawings and all that on there is not correct. But they have been given the new ones. Monty Rhody and Robert Semonis are the ones who drew those up and they have the new ones and are aware that when Final Plats are started on, they will get the new drawings noted on the plats.

Commissioner Clayton: So, what is on here is not the new?

Administrator Sweazy: No because we did not have that available yet when they were doing the drawings.

Commissioner Clayton: Do you know what the difference is? Is it in the new books?

Administrator Sweazy: It is in your new books, about halfway back.

Josh Long: I think the only thing that is off is the blacktop.

Trevor Brown: 71 Andrew Drive, Fisherville, KY. So, we are just presenting the Preliminary Plat. We all seen this when we brought it in the first time. We just cleaned it up, getting ready to work on our engineering.

Chairman Deapen: One of the big issues that came up last time was the size of the lots.

Mr. Brown: We have an agreement to purchase two more acres, which would add a quarter acre to all those lots 1-8. Which would bring those up to half acre lots. Leaving us with only a couple of quarter acre lots.

Commissioner Hunt: Like 10, 11, 12.

Attorney Dale: Just for the record, it is on a treatment plant.

Mr. Brown: Correct. I think what we agreed on, was nothing smaller than a quarter acre. But we want to do those lots bigger.

Chairman Deapen: Any other questions?

Commissioner Clayton: On the Legend, I do not see FM, which probably means force main. I do see it on the plans but not listed in the Legend. I do believe some of you have had experience with forced mains. I'm not totally against them, I just think everyone should be aware of it.

Commissioner Travis: Well, it is just a matter of the lay of the land, whether you have gravity or force layed.

Mr. Brown: We have to put a lift station in. We haven't completely located where; they're going to work on that. We've already talk to Jack Kaninberg and we're fine with it. He had a failure on his so now they put a gas backup in, and we will have to meet those standards the same.

Commissioner Clayton: I'm seeing down the center, looks like it says (san) which would be sanitary sewer, but on the side, I see FM, so maybe that's why I'm getting confused.

Mr. Brown: There would not be a forced main going down that.

Commissioner Clayton: It is on here.

Mr. Brown: As far as my understanding, which we have not really gotten that far yet.

Commissioner Clayton: It maybe leading past it because the lot can't prep, but you would think it would tie into it and let gravity. Is that just an error on the drawing?

Mr. Brown: I would guess so.

Commissioner Clayton: Do you all see what I am talking about?

Mr. Long: I think it will be corrected on the construction plans.

Commissioner Clayton: The force main starts up here and runs down here to... Is this where the lift station is going to be? No, now this makes sense, it all gravities to that point and then pumping through the force main and up. So, its all going to the lift station in lot 21. Now that looks confusing to me, how do you build on that lot? You have got to put a little line showing where the building could be. It looks like you put all the stuff right in the middle, maybe it's wide enough. The line up to the road is 50', now you have a setback of 15' on the sideline. So, fifty minus fifteen is thirty-five, I guess you could do a 35-footer. They might want to take that down a bit. There is no reason they could not take it further.

Commissioner Wheatley: Lot 23 maybe.

Commissioner Clayton: Sure, and share the line between the two. Okay, on the pavement, what it says is not what we are going to get.

Mr. Long: Probably not.

Commissioner Travis: So, we're going with a 20' street and a 2' curb on each side?

Administrator Sweazy: Yes, that is what we've gone to county wide. The other thing on the preliminary plat in the Legend in the site statics they are requesting a 25' variance on the front setbacks. So, instead of being 50' from the right-of-way, they would like to be 25' from the right-of-way to be consistent with the rest of the neighborhood.

Commissioner Clayton: Are these one-foot contours?

Commissioner Hunt: Yes, its on the top left of the plat.

Chairman Deapen: Other questions from the commission? Is there anyone signed up to speak?

Administrator Sweazy: Yes. Tim Marks.

Tim Marks: 181 Bluegrass Acres Drive. I am not here to fight this; I have a concern I want brought out. If you will look on the plat you have, there is a line for Buck Creek coming down through there. The way I am seeing it, the proposed property line is showing on our side of Buck Creek. It shows that Buck Creek is on their side of the property line and that line comes over onto our property. The plat that we got from the County Clerk today, which is the original from when we bought it, shows that the center line of the creek is the divider line. I am not saying they done anything wrong, they just need to make sure the dividers are located properly, because if that's wrong that might not meet the .25-acre criteria. I am not trying to stop anything, I just want to be sure no one encroaches on us.

Commissioner Clayton: I am just doing a quick scale of this and if we are just talking about a .25-acre lot...

Mr. Brown: So, what we got is a preliminary that we are going off meets and bounds paper. We have actually just ordered, and they have done the actual survey. So, before we submit a Final Plat, they will come in based off the actual survey and that will correct that.

Mr. Marks: Can I ask a favor? Because you can't mark in the creek because its rock bottom, will they do their offsets on your side, so when someone buys that lot and looks over the hill and see's that stake on our side of the field, that they don't think they own it. Cause then I will have an issue to deal with.

Mr. Brown: Absolutely.

Commissioner Clayton: Based on the scale, the concern Mr. Marks had on lots being .25 acre lots is not a concern because when the property line gets corrected, the lot is still deep enough to get the .25 acre.

Chairman Deapen: Any other discussion from the commission? I will entertain a motion.

Commissioner Hunt: In between lots 11 and 12, what is that line running through there?

Commissioner Clayton: Sanitary line.

Commissioner Wheatley: It goes all the way down to where it feeds to the center.

Commissioner Hunt: So, that is okay because it's going to have the normal setbacks for those two lots? I do not see an actual easement type line.

Administrator Sweazy: A lot of times there is a place that it states and talks about easements.

Commissioner Clayton: In the site statistics it says side easement with utilities is 15 feet. So, on each side you would already combined be at 30 feet. I notice the 100-year floodplain, that you're encroaching into that topography with fill. I would recommend you might want to build a wall down there and avoid touching that floodplain. It might not be worth it. You will have to contact the Corp of Engineers to get approval.

Administrator Sweazy: They will have to file a Letter of Intent anyway.

Commissioner Hunt: So, what I was talking about with lots 11 and 12. Is that going to be okay on lot 21 where it's not... It is in the middle of that lot, correct?

Commissioner Clayton: That is the one I was raising the issue on with maybe splitting between the two lots. Because its squeezing that lot down to where the house could only be 30 foot wide.

Chairman Deapen: Any other questions or discussion from the commission? I will entertain a motion.

Commissioner Clayton: I make a motion we approve the preliminary plat of Phase VI of Top Flight Subdivision as presented with variance request of 25' front yard setback.

Chairman Deapen: Motion on the floor, is there a second?

Commissioner Faue: Second.

Chairman Deapen: Any further discussion? Read the roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Any general questions or discussion? I have been told we have no business for next meeting.

Commissioner Wheatley: I make a motion to cancel the March 3, 2022, meeting.

Commissioner Clayton: Second.

Chairman Deapen: We have a motion and a second, all in favor, opposed.

Chairman Deapen: Any general questions or discussions we need to have?

Commissioner Travis: Motion to adjourn.

Commissioner Faue: Second.

Chairman Deapen: We have a motion to adjourn and a second, all in favor say aye, meeting adjourned.

Attest:

Secretary

Chairman