

Taylorsville-Spencer County
Joint Planning and Zoning Commission

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held April 6, 2023, in the Fiscal Court meeting room located at 28 East Main Street, Taylorsville, Kentucky.

Chairman Deapen called the meeting to order.

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

Chairman Deapen: In your packets you have a copy of the minutes from the last meeting for March 16, 2023. I will entertain a motion to approve those minutes.

Commissioner Hunt: Made a motion to approve the minutes for the March 16, 2023, meeting.

Commissioner Noel: Second.

Chairman Deapen: Discussion, roll call please.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Any committees?

Administrator Sweazy: None.

Chairman Deapen: Anyone wishing to speak must be sworn in.

Administrator Sweazy administered the oath of testimony to all wishing to speak.

Chairman Deapen: Old business.

Administrator Sweazy: We have the application of **Mt. Eden Christian Church, Inc. and The Estate of Nathan Davenport for Susan A. Cox** requesting R-3, residential to B-2, commercial on 1.047 +/- acres located at the corner of Mt. Eden Road, Hwy.44 and Van Buren Road, Hwy. 636. This is back here tonight because it was continued from our last meeting. The comprehensive plan recommended land use map indicates the area should be mixed use. On 5/16/2022, Spencer County Fiscal Court voted to do the closure/discontinue Second Street.

Chairman Deapen: We had some specific questions we wanted answers to.

Attorney Daniel Reed: She has agreed to do the masonry brick style on all four sides of the building and agreed to the monument style sign. I think we are ready to proceed.

Chairman Deapen: Any questions from the commission? Anything on the landscaping?

Brandy Zachery: With Arnold Consulting Engineer Services, 1136 South Park Drive, Bowling Green, KY. We'll provide our full set of plans to Julie, landscape plans, lighting, drainage,

erosion control, etc. We have those almost 100% complete. Just wrapping up some final details and we will get them over to her as soon as we get them finished.

Chairman Deapen: Is the commission comfortable with that?

Commissioner Travis: Are you familiar with the guidelines?

Mrs. Zachery: Yes.

Administration Sweazy: In our zoning regulations it does state that anytime you're commercial adjoining residential that we require buffering and that requires a two-row staggering of evergreen type of tree or privacy fence. With this being in more of a neighborhood community type setting, is there anything we could urge them to go with? So, we want them to put up a privacy fence and box it in or be more open and use trees?

Commissioner Brown: I would go for trees rather than fencing since it's an all-residential area like this.

Chairman Deapen: Let's listen to the testimony of people signed up to speak and then we will come back to this issue.

Christy Waldridge: 604 Van Buren Road, Mt. Eden, KY. First read a statement from Barbie Graham, that lives at the four-way at 184 Mt. Eden Road. Mrs. Graham was against the location due to her concerns for the safety of her children and grandchildren, more traffic, stock trucks and being too close to her home.

Chairman Deapen: We have to take that into low consideration because you're acting as a representative for someone else and by law, you're not entitled to do that.

Mrs. Waldridge: I understand but we wanted to be heard.

Commissioner Travis: You can have an attorney represent somebody but as an individual you can't.

Mrs. Waldridge: I wasn't for this all but after talking to some of the locals I see it's good, especially for the elderly people in the community. But again, that location, there are seven residences around that location. I do want to say if you notice the other locations are not on top of people's homes. Just wondering why, we weren't given the same courtesy. I can think of several other locations that would have been better suited for this. I just want people to know this is not a country store, it's a big corporation and they don't care about me, you, or our town.

Joann Bain: 12550 Mt. Eden Road, Mt. Eden, KY. I'm 83 years old and have lived in Mt. Eden, KY all my life. I think its absolutely wonderful that we're getting a Dollar Store. There's a lot of other people there that can't commute to other places to get milk or other things needed. They're talking about a big city here, if you blink your eyes, you're going to miss Mt. Eden. So, we don't have a lot of traffic up and down that street that they're talking about. I just think it's a wonderful idea and hope you all agree to it.

Chairman Deapen: Does anyone have any response to any of this?

Mrs. Zachery: I want to ask some questions about the landscaping. We're fine with putting in what you want. One thing that I will say, the site is so small we have right of way on all three sides and along Market Street and Van Buren Road there are some overhead electrical lines and so we might be kind of limited that close to the right of way line with those overhead lines and the easements of the electric company. We're happy, like in front of the parking lot to do some shrubs or trees around the parking and along the side of the drive that's next to the church, puts some more trees down that property line. I can work with Julie on that for what is acceptable with the ordinance. I just want to make sure everybody is aware of the overhead lines that are running along the right of way. So, we might be a little limited as to what we can do right there.

Administrator Sweazy: That's part of the reason I brought this up because this is the time, we need to discuss it. Not only what you're talking about but site vision clearance as well because it is street corners. You don't want a dense hedge or anything either because you won't be able to see through it or around it. So, if there's something specific. I know you don't want a fence, but you don't want a dense hedge either. So maybe we can do something specific like hide the back of the store where their going to be doing deliveries, dumpsters, and dollies for cardboard. Maybe we could be a little looser on the rest of it for landscaping instead of buffering.

Commissioner Hunt: For safety reasons I think it's something we can modify for that reason.

Mrs. Zachery: I can also see if we can make the dumpster area larger to also hold the cardboard containers as well.

Administrator Sweazy: I would encourage that everywhere.

Chairman Deapen: Let me offer a suggestion. If we make a motion to approve this, why don't we authorize in the motion for Julie to work with you and allow a certain number of variances. She has a lot of good ideas.

Mrs. Zachery: The other question I had was about the variance which you said could all be approved as a part of this.

Administrator Sweazy: They do have the ability to do variances at the same time.

Mrs. Zachery: Because we are surrounded by right of way on all three sides. We technically have front yard setbacks on three sides, which is 50 feet. Which would make a very small area to try and get a building in. We meet the setbacks adjacent to the church, we meet the setbacks on Mt. Eden Road but on Van Buren Road and Market Street, our building is within that 50-foot setback.

Chairman Deapen: How much of a variance do you think you need?

Mrs. Zachery: Along Market Street we are just little under 6 feet from the right of way line, and we are 17 feet away from the right of way at Van Buren Road.

Chairman Deapen: Discussion from the commission on that.

Commissioner Brown: What about large trucks?

Mrs. Zachery: We've already done the testing with the truck turning software and I can provide Julie with all that information.

Commissioner Hunt: On Van Buren Road, what are you looking for the setback line to be changed to?

Mrs. Zachery: We are 17.77 feet from the property line. Van Buren Road has a 44 foot right of way from the center of the road and Market Street has a 50 foot right of way.

Commissioner Hunt: Normally we would see about trying to increase the right of way line even in itself wouldn't we on the 44 feet. If we're going to have room to do that at all...

Administrator Sweazy: Normally if there's not enough right of way they have to dedicate right of way.

Mrs. Zachery: Is it 50'?

Administrator Sweazy: Yes. We would ask you to dedicate enough to get it to the 50'.

Chairman Deapen: Specifically, how much variance do we need?

Administrator Sweazy: I was going to say I don't think that we've ever dedicated extra right of way when it's a state road. We've only done it when it was a county road. So, I don't think that would be anything to worry about either.

Mrs. Zachery: On Van Buren Road we would need a variance of 33 feet.

Administrator Sweazy: Will that have the building closer to the road than any of the other buildings down through there? What I'm getting at is we have a thing in our book for an established setback that would allow you to stay within an established setback.

Chairman Deapen: So, what would it be on Market Street?

Mrs. Zachery: On Market Street it would be 44 feet.

Administrator Sweazy: I think with Market it can be a grandfathered in thing.

Chairman Deapen: Discussion from the commission. I will entertain a motion.

Commissioner Hunt: I make a motion to recommend to rezone the application of Mt. Eden Christian Church, Inc. and Estate of Nathan Davenport for Susan A. Cox requesting a zone change from R-3, residential to B-2, commercial on a 1.047+/- acre tract of land located on the corner of Mt. Eden Road, Hwy. 44 and Van Buren Road, Hwy. 636. The recommended land use map in the comprehensive plan recommends mixed use. The change would be in compliance with the comprehensive plan. We have heard testimony against it as far as the location. Julie will have the authority to work with the representatives of the Dollar Store developers as to specific landscaping requirements. There will be either an established setback or a variance in regard to the Van Buren Road side, the variance would be needed of 33 feet if the established setback is not sufficient. On Market Street, the variance needed would be 44 feet if the established setback is not sufficient. The building itself will be masonry appearance, all four walls. A monument sign

will be erected, the area for the storage of dumpsters will possibly be extended to make it larger and will also be masonry appearance to match the building.

Commissioner Brown: Second.

Chairman Deapen: Discussion from the commission, read roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: New business.

Administrator Sweazy: None.

Chairman Deapen: General questions or discussion

Administrator Sweazy: None.

Chairman Deapen: Next meeting will be April 20, 2023.

Commissioner Travis: Motion to adjourn.

Commissioner Faue: Second.

Chairman Deapen: All in favor say aye, any opposed, meeting adjourned.

Attest:

Secretary

Chairman