

Taylorsville-Spencer County  
Joint Planning and Zoning Commission

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held June 15, 2023, in the Fiscal Court meeting room located at 28 East Main Street, Taylorsville, Kentucky.

Chairman Deapen called the meeting to order.

Present were Paula Wheatley, Marsha Mudd, Gordon Deapen, Teddy Noel, Anthony Travis and Valerie Hunt. Also present was Administrator Julie Sweazy.

Motion was made by Commissioner Mudd, second by Commissioner Noel to approve the minutes from May 18, 2023. After roll call vote, motion carried.

Chairman Deapen gave report from the School LPC Committee which is planning the schools facilities for the next four years. Biggest issue hasn't changed, they have roughly Thirty Million Dollars available for the next year or so and there is about Fifty Million in needs. He felt that is true everywhere. They didn't have a quorum tonight so no decisions were made. A really good group of people on the committee and glad to serve on it.

Commissioner Travis questioned when he says Thirty Million available, is that what they are capable of bonding.

Chairman Deapen the impression I get, is that is probably correct. That is what they are able to bond, I don't think they have that in the bank. The comment was made there tonight that the bonding capability goes up three million a year. So that would lead me to believe you are correct. By the end of summer we would have Thirty Million available and by the end of next summer we would have Thirty-three Million.

Commissioner Travis spoke of the rising interest rates. Those are probably tax free bonds so they probably get a tremendous rate.

Administrator Sweazy being a Notary did the swearing in of individuals wishing to speak to the commission.

Old Business: (there was none)

New Business:

The application of **David & Teri McKinney** requesting a zone change from R-1, residential to R-3, residential on a 3.490 acre tract of land located in the 2600 block of Beech Creek Road. The Comprehensive Plan Recommended Land Use Map indicates the area should be Low Density Residential. In 2004 – 3.490 acres was changed to R-1 from AG-1 by the previous owners. The survey plat provided is the recorded plat that was put to record in the courthouse when it was zoned back then. The zoning map of the area was presented showing that the majority of the property in that area is zoned agricultural with a few tracts zoned Ag-2 and a few others zoned

R-3. The applicants are requesting to change the zoning to allow the placement of a manufactured home for their daughter.

David McKinney, 2627 Beech Creek Rd. Bought the property from Raymond Page around 2012. His daughter and fiancé are looking for a place to live. Things are so expensive its hard to fit their budget. He has this 3.49 acres that used to have a house. He has lived there all his life of 64 years on top of the hill. Kenneth and Lorena Whitehouse use to own it when he was a kid. He tore the house down that they lived in after he bought the lot. He felt it would be a good place to put a modular home to get started. Something small for them to work their way up. You try to help your family all you can.

Commissioner Wheatley ask what the home would look like, a lot of modulares look like regular homes these days. Do you have any specs or plans that we can see.

Mr. McKinney yes, the one they are looking at is new.

Commissioner Wheatley are they putting it on a foundation?

Mr. McKinney yes, a poured concrete pad. Ms. Teri McKinney had a photo on her phone of the proposed residence.

Commissioner Wheatley questioned if the front porch will be on it as well.

Mr. McKinney it will have to be added on.

Commissioner Noel and Commissioner Travis both commented that it was nice.

Chairman Deapen requested a copy of the picture be sent to Julie to add to the record.

Chairman Deapen ask for any additional questions from the commission.

Commissioner Travis questioned if this is the only residence they plan to put on this property.

Mr. McKinney yes sir.

Commissioner Travis are you willing to put a binding element on it that you are only going to put one on there?

Mr. McKinney yes.

Commissioner Travis explained that with R-3 you can actually put several on there.

Chairman Deapen explained if we decide to make a motion to grant what you want. In that motion it would say you are permitted to put one residence on this property. What Commissioner Travis said the regulations would allow you to put more but that generally isn't viewed nicely by neighbors. So you would be okay with that?

Mr. McKinney yes sir.

Commissioner Hunt questioned the plat, it says existing county road access to McClain property for over 50 years.

Administrator Sweazy commented there is an old county road that goes up to his house...

Commissioner Hunt not clear on where the line is for tract A and where is the access for it.

Mr. McKinney we will have to put one in. Can either come up his road which is a county road, Bud McKinney Road.

Administrator Sweazy there is Little Beech Creek Rd...the dashed area in the middle of the plat being the road, is that what your saying? This lot is actually on both sides of the road. Bud McKinney road follows the property line. (the east side property line)

Mr. McKinney they could either put a culvert in and come off Beech Creek or off Bud McKinney Road going up the hill towards his house.

(Additional discussion on the plat projected on the screens)

Commissioner Hunt so Beech Creek Road cuts the property almost in half? She ask about location of the house.

Mr. McKinney pointing (northern side of road) stating you can't put anything on the other side because it floods.

Administrator Sweazy so he will either put a driveway off Beech Creek Road being the main road or off Bud McKinney Road that the property line runs with it and its county-maintained gravel road. It will be whichever one the county gives approval for.

Mr. McKinney when the Whitehouse's owned it they came right off Beech Creek at the bottom of the hill when the house was there.

Commissioner Hunt stated that plat just has a lot going on and it states that the boundary between Page and Whitehouse has not been established on this survey so I didn't know.

Mr. McKinney replied that Mr. Page owns on the other side of Bud McKinney Road, it goes up the hill. The road divides his place and the 3.49 acres.

Commissioner Hunt okay.

Chairman Deapen ask a gentleman in audience if he had signed up to speak. (He hadn't.)

Commissioner Travis questioned if Little Beech Creek was still a county road.

Mr. McKinney yes it is a county road. Bud McKinney Road is county maintained, its gravel but Little Beech Creek is blacktopped.

John Mullins, 1563 Beech Creek Rd. I was concerned with the zoning going to R-3, being able to put multiple units in one spot and the style of the trailer. That trailer looks a lot better than what I was anticipating, better than what we have on our road now. Our road now has pitiful looking trailers, not taken care of. I spent a lot of money out here in this county, I want my property value to stay the same. I'm cool with that as long as they can do something to keep all the gravel from coming out in the road because its bad out there any way. That's got to be taken care if

that's a county maintained road, they need to do their work cause its bad. I'm cool with it as long as the drainage is right where its not washed out in the road, I am good.

Administrator Sweazy commented that anytime there are issues with it, you are welcome to call the county road department.

Mr. Mullins right, but it don't do any good.

Administrator Sweazy I'm saying it's the county road department's job to do it, where as they (the McKinney's) don't have any control over it and that's the hard part.

Mr. Mullins it's an erosion control issue on the street but if the driveways are put in properly there shouldn't be any problem.

Commissioner Wheatley now that there will be two people on that road maybe they will come out there, with two people calling. I have been out that way past your house and it does wash out.

Chairman Deapen questioned a couple that just arrived at the meeting if they were wishing to speak.

Chris Shawver stated he just wanted to know what was going on. He knows what the issue is but didn't hear what happened. We were running late for no fault of our own, sorry.

Chairman Deapen did a briefing of previous discussion. So far they've seen the dwelling he is going to put on it, the commitment of a binding element of only one residence can be put on the property and you just heard Mr. Mullins who was here for the testimony and those were his major concerns and he has expressed that he is satisfied with where we are with it. It is an attractive building, they can show you a picture of it.

Mr. Mullins its not a piece of junk like what we see there now. It's a nice modular.

Mrs. McKinney its new.

Mr. Mullins a brand new modular with a built front porch. It's not what we are looking at now.

Commissioner Wheatley felt a lot of concern with the R-3 is with the modular homes. But they aren't making them like they used to. They are really nice.

Chairman Deapen agreed.

Administrator Sweazy noted the correct terminology is manufactured not modular. Mobile home and trailer's left us in the 70's.

Chairman Deapen there are some still out there.

Administrator Sweazy anything built after that isn't considered a mobile home anymore.

Mr. Mullins we have some on our road with the windows busted out, they are a complete eye sore.

Commissioner Wheatley when moving from one place to another but most of the ones being brought in now are new with porches, patios, decking and on foundations.

Administrator Sweazy commented that now when they want to move from one place to another even within the same county they have to go to the state to have a B-1 seal which means they are inspected. If they aren't up to par they won't give them that seal and they can't move it.

Mr. Mullins questioned why it has to be rezoned if already zoned for residential.

Chairman Deapen because you can't put a modular home on a R-1.

Commissioner Travis noted his statement that he would be willing to put binding elements on it would limit them to one residence on this tract.

Mr. Shawver filled out a speaking form and was sworn in to speak.

Mr. Shawver 91 Hunter Trace but I own property on Beech Creek Rd. Sorry I'm late but my other concern is does this open the door to happen in other places up there. Is it a one time thing?

Chairman Deapen I don't think I can answer that one way or another. They're a case by case basis.

Mr. Shawver so all of them would be case by case.

Chairman Deapen we would have hearings...anytime someone wants to change their zoning. They have to come in here and talk to us about what they want to do and why they want to do it. People that are for it or opposed to will have an opportunity to speak on it and then we are going to go by what the Regulations say from there.

Commissioner Travis stated that on this piece of property or any piece of property.

Chairman Deapen yes, if you are asking does this set a precedent? That now we are going to have this kind of housing all over down there, not necessarily. But it doesn't preclude it either. If you stood before me on the property that you have and said this is what I want to do. We are going to listen, we are going to look at what the regulations say. If the regulations permit it and it makes sense, we are probably going to approve it.

Commissioner Travis my understanding is there are already other pieces of property with similar structures on them in this area. Is that correct?

Mr. Shawver there are some run down places out there.

Commissioner Travis I'm not talking about that.

Commissioner Noel R-3 zoning.

Commissioner Travis are there other R-3 in this area?

Commissioner Wheatley suggested Julie to bring up the map and show us.

Administrator Sweazy that and some are grandfathered in.

Commissioner Travis you could have AG-1 and the properties run down could be AG-1 and that could allow this. Correct?

Administrator Sweazy right, it will depend on the acreage.

Commissioner Wheatley I think most people's concerns when it comes to R-3 is multiples or trailer parks. But where you are at, we look at the access of the road, what other ones are in that area. We like to keep things alike in that area. So if it were beside a trailer park or mobile home park or whatever but I don't think you guys really have that out there.

Mr. Shawver right, but that is what I am trying to avoid in the future.

Chairman Deapen before you got here, the McKinney's already committed that if we made a motion to approve this, we could include in that motion they are prohibited to having more than one residence on this property. Regulations says you can allow it, but they gave up that right voluntarily and said you can prohibit us from having that. If that is your concern, they wouldn't be able to do it. They could be taken to a court of law if they violated that. If that's what we do.

Mr. Shawver like John Mullins said I am okay with that. Thanks for letting me speak.

Chairman Deapen called for any further discussion from the commission. Any reason to push this any further than tonight. I entertain a motion.

Commissioner Hunt made a motion to recommend to rezone the application of David & Teri McKinney requesting a zone change from R-1, residential to R-3, residential on a 3.490 tract of land located in the 2600 block of Beech Creek Road. The Recommended Land Use Map in the Comprehensive Plan Recommends Low Density Residential. The change would be in compliance with the comprehensive plan. There was testimony from two different individuals today. This would include a Binding Element for only one residence to be located on the entire tract of the 3.490 acres and that the manufactured home will include a front porch as depicted on the picture that was shown as evidence provided by the applicants and be on a foundation.

Second by Commissioner Travis.

After a roll call vote motion carried.

General questions or discussion:

Administrator Sweazy informed of a training opportunity in Frankfort in October. This is for anyone that didn't do training last year and will be needing training this year. I will get more information out on that.

Chairman Deapen next meeting July 6.

Administrator Sweazy as of right now I don't have anything for that docket. If I don't receive anything I will contact Gordan and we may push it.

Motion was made by Commissioner Travis, second by Commissioner Wheatley to adjourn.  
Motion carried.

Attest:

---

Secretary

---

Chairman