

Taylorsville-Spencer County
Joint Planning and Zoning Commission

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held October 6, 2022, in the City Hall meeting room located at 70 Taylorsville Road, Taylorsville, Kentucky due to water damage to Fiscal Court Room.

Chairman Deapen called the meeting to order.

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

Chairman Deapen: In your packets you have a copy of the minutes from the last meeting for September 15, 2022. I will entertain a motion to approve those minutes.

Commissioner Noel: Made a motion to approve the minutes for the September 15, 2022.

Commissioner Wheatley: Second.

Chairman Deapen: Discussion, roll call please.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Any committees?

Administrator Sweazy: None.

Chairman Deapen: For our bylaws, people who intend to speak, need to be sworn in and if you signed up to speak you will have a 3-minute limit to speak.

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

Chairman Deapen: Old Business.

Administrator Sweazy: We have the application of **Plum Creek Agriculture, LLC** requesting AG-1, agricultural to R-3, residential on 5.000 acres located on Whitfield Land, aka Tract 10, Whitfield Farm Division. I will say I have not seen the applicants yet. We do have people here to speak on it. Not sure what you want to do. Do you want to move it around on the docket?

Chairman Deapen: Given that we are at a different location, why don't we put this further back on the docket and go ahead with new business.

Commissioner Wheatley: Do we have a number for him?

Administrator Sweazy: We did let everyone know we changed locations.

Admin. Assistant Helton: I did speak to Mr. Morgan today.

Chairman Deapen: Lets go ahead with new business.

Administrator Sweazy: We have the application of **Richard and Rita Sweazy** requesting R-1, residential and Ag-1, agricultural to AG-2, agricultural on 5.002 acres located at 740 Townhill Road. The comprehensive plan recommended land use map indicates the area should be high density residential. This property falls within the area on the zoning maps from the early 1970's that is indicated as R-1, residential zoned at approximately 500 feet off Town Hill Road. Therefore, the balance of the original property is AG-1, agricultural. The Sweazy's have had the property surveyed and divided into 3 tracts since there were originally town homes, garage, shed and a barn all on one tract. Tract's 1 & 2 are already zoned R-1. Tract 3 being a 5.002-acre tract with the barn, therefore they are asking for AG-2 zoning to allow a mini farm use. The barn has an existing deeded 20' access easement for ingress and egress. The properties have been put on the market to sell.

Administrator Sweazy: I will state that even though our last names are the same, theirs is no relation.

Chairman Deapen: Who's going to speak on this?

Peggy Heckert: I'm Richard and Rita's Realtor. The two houses were already R-1 so there wasn't anything needed for those. With the land that we're asking to be zoned A-2, we don't have that on the market just yet. So, we're just trying to get the zoning in compliance.

Chairman Deapen: Any questions from the commission?

Commissioner Brown: How are the utilities going to get back to the barn?

Richard Sweazy: There is water directly behind it and power to the right.

Chairman Deapen: Any other questions? Any reason not to proceed? I'll entertain a motion.

Commissioner Wheatley: I make a motion to recommend to rezone the application of Richard and Rita Sweazy from R-1, residential & AG-1, agricultural to AG-2, agricultural on a 5.002 acre tract of land located at 740 Townhill Road. The recommended land use map in the comprehensive plan recommends high density residential. The change would be in compliance with the comprehensive plan and there's no one here to speak against it.

Commissioner Brown: Second.

Chairman Deapen: Any further discussion from the commission? Read roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: New business.

Administrator Sweazy: We have the application of **Richard and Rita Sweazy** requesting R-1, residential to B-1, commercial on 1.007 acres located at 740 Townhill Road. The comprehensive plan recommended land use map indicates the area should be high density residential. The property falls within the area on the zoning maps from the early 1970's that is indicated as R-1, residential zoned at approximately 500 feet off Townhill Road. This property has been home to a

church and fellowship hall building for many years. The Sweazy's are requesting to change the zoning to expand the possible uses of the structures.

Chairman Deapen: Tell us what you would like to do with this.

Peggy Heckert: The building is being occupied by a church. They have built a new church at the end of Gray's Run that they should be moving to soon. The Sweazy's are allowing them to stay until then. Once they move out, we want to put the property on the market. As it sets it can only be used as a church. So, we would like for it to be zoned to a business so there could be other opportunities for a buyer and bring other businesses into the community. This would probably be the lowest traffic business. I could see professional offices, a wedding event center maybe or something like that. We're not asking for anything that would bring high traffic or affect the neighbors. The more opportunities for that building, instead of just a church. Its very hard to sell a church. We're asking to do this to make it more marketable for them.

Chairman Deapen: Questions from the commission?

Commissioner Brown: As a commercial property, how open does that allow it? I know what their intent is but is there anything in between?

Commissioner Wheatley: Are there other commercial properties in that area?

Administrator Sweazy: Not immediately. We have a P1-Professional Offices District, that is our first zoning classification. In our regulations it gives you building sizes, as far as uses, Gordon do you have your book up there?

Chairman Deapen: Under permitted uses, Professional offices uses, and personal service businesses and all other uses as allowed and regulated in the P-1 Professional Office District. Retail sales establishments, for the sale of convenience goods, personal service establishments, and other consumer services, provided that all processing is performed as a consumer service for retail customers served on the premises and all such establishments are limited to a maximum of 5000 square feet of floor area; including but not limited to convenience stores, mini marts including gasoline sales, restaurants, specialty retailers, video rental stores, grocery stores, etc. Dwelling units: attached, occupying the same structure as an otherwise allowed use, not consisting of over 50% of the square footage dedicated to the commercial/office use., garage, private recreational facilities, drive-in facilities, serving a principal use. Conditional Uses, bed and breakfast establishments are allowed. Does that give you enough?

Commissioner Brown: Yes.

Chairman Deapen: Any other questions?

Commissioner Wheatley: My concern would be the location and entrance. Would that need to be addressed in any way?

Administrator Sweazy: There's already a entrance to the church and parking in front of it.

Commissioner Wheatley: I've been by there on a Sunday and if it were a business, with it being so close to the road. Where is the other parking for it?

Mrs. Heckert: Off to the side and in the back.

Chairman Deapen: I guess a significant change in traffic would be... Right now, it's concentrated on a specified four hour period. Now that could be expanded. Do you want to address that issue? Let's just say it was a convenient store.

Mrs. Heckert: I don't know if the number of cars would change but the timing would be different. When the Church is letting out everyone is leaving all at the same time. With a convenient store you will have a car pulling out here and there. So, I don't know that that would make any kind of a difference from what's there already. Whether it was a convenient store or any other type of business. You're not going to have the volume coming out at the same time or in at the same time.

Chairman Deapen: So, to restate your argument, your argument would be that while you would have a more constant use of the facility, it would be a much lesser density than the concentrated density today.

Mrs. Heckert: Yes.

Chairman Deapen: Other questions from the commission? Do we have anyone signed up for this one?

Administrator Sweazy: Joey Tindle.

Joey Tindle: Was just listening. I'm good.

Chairman Deapen: Anyone else signed up? Any objections to moving forward? I'll entertain a motion.

Commissioner Mudd: I make a motion to recommend to rezone the application of Richard & Rita Sweazy requesting a zone change from R-1, residential to B-1, commercial on a 1.007 acre tract of land located at 740 Townhill Road. The recommended land use map in the comprehensive plan recommends high density residential. The change would be in compliance with the comprehensive plan and there's no one here to speak against it.

Commissioner Noel: Second.

Chairman Deapen: Any further discussion from the commission? Read roll.

Administrator Sweazy: Mrs. Heckert was asking me a question about if we talked about a variance. I don't have a plat in front of me. I'm wondering if I forgot something.

Chairman Deapen: Well, let's finish this up first and take a vote on it.

Administrator Sweazy: Roll called, motion carries.

Administrator Sweazy: The house on Tract 1 is only 6 feet off the property line opposed to the required 15 feet. I will need the variance approved before I can sign off on the plat.

Commissioner Wheatley: I'm amending the motion on the zoning change to include the variance for the house on Tract 1.

Commissioner Noel: Second.

Chairman Deapen: Any further discussion? Read roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Next.

Administrator Sweazy: We have the application of **Carl & Karri Owen and Selina R. Goode** requesting R-1, residential to RM, Residential on tract 4A-1 on 0.19 acres requesting and RM, residential to R-1, residential on tract 4B-1 on 0.19 acres located at 425 & 431 Normandy Road. The comprehensive plan recommended land use map indicates the area should be mixed use to medium density residential. In 2014 the Goode property was zoned RM. The Owen's had their property surveyed and found that the Goode driveway encroached onto their property. To make things right, they have agreed to do a land swap of 0.19 acres. This zone request is to make those exchanged properties have compatible zoning. No zoning is required on the transfer of the 0.018-acre tract that Owen's is obtaining from Foster. This is to allow the proper spacing between a property line and a septic tank/lateral field. Owen's and Goode's are both present.

Chairman Deapen: State your name, address and verify what you're doing.

Selina & Joe Goode: 425 Normandy Road.

Karri & Carl Owen: 431 Normandy Road.

Chairman Deapen: Anything you would add or is that an adequate description?

Mr. Goode: We didn't know it was off, they didn't know it was off, just making it good.

Chairman Deapen: Questions from the commission? Do we have anyone signed up?

Administrator Sweazy: No.

Chairman Deapen: Any reason not to proceed? Okay, let's fix it. I'll entertain a motion.

Commissioner Mudd: I'll make a motion to recommend to rezone the application of Carl & Karri Owen and Selina R. Goode requesting a zone change from R-1, residential to RM, residential on tract 4A1 consisting of 0.19 acres and RM, residential to R-1, residential on tract 4B-1 consisting of 0.19 acres for properties located at 425 & 431 Normandy Road. The recommended land use map in the comprehensive plan recommends mixed use to medium density residential. The change would be in compliance with the comprehensive plan and there's no one here to speak against it.

Commissioner Travis: Second.

Chairman Deapen: Any further discussion from the commission? Read roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Have we seen any sign of our old business applicant?

Chairman Deapen: I assume all you all still setting in the room are here to speak on the old business piece. By law I'm not allowed to let you speak because the applicant isn't here.

Administrator Sweazy: I texted that number on the application and asked if he was attending the meeting tonight and he said he could be here in 20 minutes.

Several commissioners stated their time was more valuable than that.

Chairman Deapen: I'm going to suggest that we advance this, two meetings with a stipulation that if they don't show at that time that it come off the docket. I'll ask for a motion to that effect.

Commissioner Travis: I make a motion we put this off until November 17th and continue it at that time and if they don't show it can not be continued again.

Commissioner Brown: Second.

Chairman Deapen: Read roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Julie lets defer the discussion on townhomes until we get that Oldham County information.

Administrator Sweazy: Okay.

Chairman Deapen: We have no agenda for the next meeting. I'll entertain a motion we cancel the next meeting.

Commissioner Wheatley: I make a motion to cancel the next meeting for 10/20/22 and our next meeting will now be November 3rd.

Commissioner Noel: Second.

Chairman Deapen: Read roll.

Administrator Sweazy: Roll called, motion carries.

Commissioner Travis: Motion to adjourn.

Commissioner Brown: Second.

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

Attest:

Secretary

Chairman