

Taylorsville-Spencer County
Joint Planning and Zoning Commission

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held December 7, 2023, in the Fiscal Court meeting room located at 28 East Main Street, Taylorsville, Kentucky.

Chairman Deapen called the meeting to order.

Present were Diana Faue, Gordon Deapen, Teddy Noel, Paula Wheatley, Valerie Hunt and Attorney Dale. Jacob Brown, Anthony Travis, and Marsha Mudd were absent. Also, present were Administrator Julie Sweazy and Code Enforcement Ashlee Welch.

Chairman Deapen: In your packets you have a copy of the minutes from the last meeting for November 2, 2023. I will entertain a motion to approve those minutes.

Commissioner Hunt: Made a motion to approve the minutes with changes for the November 2, 2023, meeting.

Commissioner Noel: Second.

Chairman Deapen: Any discussion? Read roll.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Any committees?

Administrator Sweazy: None.

Chairman Deapen: Anyone wanting to testify tonight must be signed in on the sheet and must be sworn in. You will be limited to a three-minute testimony.

Chairman Deapen: Under old business let me remind you that all the evidence and testimony that's already been received is a matter of record and doesn't need to be repeated. If you've spoken before you're already sworn in on this matter and if not, you will need to be sworn in at this time.

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

Chairman Deapen: Old Business.

Administrator Sweazy: I suppose we will do the same as we have done before and roll these two applications together. We have the application of **MR Smith, Inc. Michael Morgan, Robert Smith and Shelby Jean Smith** requesting AG-1, agricultural to R-1, residential on 47.94 acres located in the 1900 block of Whitfield Lane. I'm going to connect that with the application of **MR Smith, Inc., Michael Morgan, Robert Smith and Shelby Jean Smith** requesting Preliminary Plat approval on 268.72 acres located in the 1900 block of Whitfield Lane. As far as the information provided to you all tonight, I'm not going to go through everything of the past, but I will say last meeting it was discussed that there was a traffic study in the works. Since that

time, it has been completed and copies were provided to The Commission as well as the County Engineer. I ask the County Engineer to be present this evening. You all also do have a new plat in front of you and the only thing different is at one of the meetings Commissioner Travis had ask if there was going to be an access to the Monroe farm, so that access approach has been extended from Ernspiker over to the Monroe's.

Michael Morgan: 17860 Deer Trace Lane, Fisherville, KY. I reviewed the tape of the last meeting so I could address the concerns of the people that did speak on it. We also have Josh with Palmer Engineer here to speak on some of the concerns and his facts and findings. Mr. Manley spoke and wanted the larger tracts to be locked in and no further division of those tracts. Noted that the lots around the Souza's property would be owned by multiple different people. Tina Dowell's house is at the back of her property and didn't think anything should be built close to her.

(Commissioner Jacob Brown arrived at 7:13 pm)

Michael Morgan: I don't feel we should have to put restrictions on our property. About the Souza's property, somebody already owns the land that surrounds their property. If I wanted to build a house there tomorrow, I could do that. Tina Dowell's property, her house is about 10 feet from her back property line, which is out of compliance. We would be willing to keep the setback as is in AG-1 as opposed to R-1. So, if you guys wanted to put a binding element that the setbacks would remain AG-1 on the one-acre tracts. Concerns about the road, we have an Engineer here to speak on that. I appreciate everybody bringing up the road not being maintained by the county. That's a county issue.

Commissioner Faue: Which lots are you saying you would keep the AG-1 setbacks?

Michael Morgan: All the R-1.

Commissioner Faue: So, all the one acre lots, lots 1-46.

Michael Morgan: Correct. I'm trying to be fair with these folks.

Josh: (With Palmer Engineer.) We completed the traffic study for this project. Based on our findings it's a very low volume road. Which falls in A or B range. I think most people are concerned with the geometrics of the road and we did take a look at that. We pulled crash data from Kentucky State Records for the last 10 years. Based on that information there had been 12 crashes and all but 3 occurred on the State maintained section of the road. Speed was more concern than anything. From what we can tell after driving it is that the non-state maintained seems to have a speed limit of 20mph, where the remainder is not signed, therefore State Law is 55mph, and our recommendation would be to establish a speed limit, which would require enforcement for a while until people are accustomed to it to try and lower speeds and hopefully keep people from going off the road. That is a very brief overview. I am happy to answer any question you may have.

(You may also see Traffic Study for details.)

Chairman Deapen: Who has the ability to establish this?

Josh: (Palmer Engineer) In the State maintained section probably a discussion with KYTC. I also think some of the brush should be cleaned out for site distance.

Chairman Deapen: Questions from the Commission.

Commissioner Brown: What would be the determination if you increased traffic flow from say 63 homes to 200 homes? Would it change the class?

Josh: (Palmer Engineer) Should stay in the A & B class, would be surprised if went down to a C, which is still acceptable in this type of rural area.

Commissioner Hunt: Could you verify what time frame you were out there for the analysis?

Josh: (Palmer Engineer) The tubes are set there for over a whole 24 hours gathering data.

Commissioner Hunt: So, you're making this analysis off all the tubes for one day. What are the other things going from 7am to... There's basically 2-hour 15-minute intervals.

Josh: (Palmer Engineer) So those are the turn in movement, we want to capture how many cars go from one stop to another. So, you don't just look at the movement, which is all traffic, you look at how many turning left or right. Which was done during peak hours.

Commissioner Hunt: But that's only one day for that 2-hour 15-minute interval. In the morning and in the evening.

Josh: (Palmer Engineer) Yes, and we did it on a weekday when school would be in session so it would be as accurate as possible.

Commissioner Hunt: You did mention the trees and brush in the curves. So that we're all clear, you did say they recommended that all trees and brush in the ROW of Whitfield Lane be removed in curves to provide additional sight distance for both traffic on Whitfield Lane and the adjacent driveways. What were there 15 curves?

Josh: (Palmer Engineer) To clarify that I would say probably like 4 -5 in the crash data that showed to be the most problematic. So, I think it would be fine to focus on those first.

Commissioner Hunt: Because it says here all trees and brush to be removed from curves and there's 15 curves listed.

Administrator Sweazy: Now we have Eric Bean with QK4 and our County Engineer.

Eric Bean: What Palmer just talked about, everything that he did in the report that I read is sound. Palmer is a reputable company. Everything I have seen in the report is very common. There is one item you don't get from a congestion standpoint and that's the width of the roadway. KYTC owns a section of the road from Ridgecrest Drive going East on the KYTC section you got a 15' to 16' section wide, with no shoulder, non-recoverable slope. So, when you get to that point, if you have someone going west and you're coming east, you are not going to pass. So, you're relying on people who know how to drive on that road. You're adding 63 homes of people that probably don't typically run that way. Personally, my suggestion is I don't know if I would allow an entrance for the subdivision until that particular section is widened to whatever

KYTC specs are. As far as the curves go, with the speed limit that Palmer is saying, I agree that I think the curves are going to be okay. I think you need to work on sight distance, 6' of clearance on either side of the road and the only thing I would add is that section that you don't have passing room to pass.

Commissioner Hunt: How long is that section?

Eric Bean: 300 – 400 feet. Someone ask who approves speed limit reductions. It is KYTC District 5, Jason Richardson. I have reached out to him a little bit about this and KYTC agrees with us on the state road. They can't mandate it, but they strongly suggest that that section needs to be widened. That's KYTC's opinion.

Chairman Deapen: Suppose in some of these other areas that are not currently ready for development but looking to develop and we had an additional 200 cars or so. Would your recommendation still be the same?

Eric Bean: You would have to do a study to look at those numbers. Your rules do change after you reach that 400 ADT.

Commissioner Brown: All the other developments that lead out to the Kings Church one way entrance/exit, you would probably end up encroaching into that threshold adding into every subdivision that's within that island.

Eric Bean: Correct.

Administrator Sweazy: I don't know if it was you or who I was talking with. But if it was a situation where someone could pull off the side of the road to let another car go by, what kind of damage over the years are we going to see of the road?

Eric Bean: You are going to see erosion. It's safety as well and that slope is on the south side of that section I'm talking about. That slope is called a non-recoverable, a 2 to 1 slope with no shoulder. If a car goes off there it's not coming out.

Chairman Deapen: Who do we have signed up?

Administrator Sweazy: Jerry Johnson.

Jerry Johnson: 1681 Whitfield Lane. You have two things on the docket tonight regarding Whitfield Lane one is the development, and the other is across the street from me. Larry Craven put a trailer there for his in-laws to live in due to bad health. As good neighbors agreed to have that trailer put in there, he didn't get any zoning approval or anything to do it. The deal was when the parents were gone, the trailer would be gone. The father-in-law passed away, they moved the mother-in-law into the house and the daughter moved into the trailer. He told me when he sold the property a month or two ago that the daughter of the people who bought the property was going to move in there. They didn't have it rezoned or anything. Nobody gets that because the agreement that we made as a neighborhood was it could be there for those parents. Now on the development, that section of road is 2200 feet long from end to end. The 20mph speed limit sign on the county portion of the road is behind the State Maintenance sign. You

have to get off the road to see that sign. The road needs to be fixed if you're going to put 40 plus houses in there. If I come there in my box truck, I'm not going to put it in a ditch.

Rachel Souza: 1950 Whitfield Lane. I want to talk about the traffic study that was done over a 24-hour time. Me and my husband never left the house that day so you can count 2 trips added to that. A 24-hour period does not give an accurate count. At the last meeting we talked about the 2 access roads. We keep talking about Whitfield Lane, but there's supposed to be 2 accesses, what about Plum Creek Road? Plum Creek Road has to be the second access. No road studies, says future development, but according to the ordinance it needs to be done before even building one house and it has to be paved. Going through the creek is not an option, there needs to be a bridge at Plum Creek Road for safety.

Commissioner Hunt: What ordinance are you referring to?

Rachel Souza: Kentucky Local Access Ordinance.

Tina Dowell: 1826 Whitfield Lane. Property line fences, The Commonwealth of Kentucky has a law that the people adjoining along those lines are 50% responsible for that fence and the upkeep of it. At this point in time, because of the progress of what we've had between Rachel and myself both of us have been out a large expense on just the fence we put up. The way the law reads they are responsible for 50% of that also. So at some point in time, they need to reimburse us 50% for our fences.

Barbara Shelton: 2015 Whitfield Lane. The big concern really is the conditions of the road and the traffic. I know when Whitfield Meadows was developed, they had to lower the number of lots because they said Whitfield Lane could not handle it. So, I'm not sure what has changed since then and now. A lot of the curves on Whitfield Lane are also on a hill and I'm concerned with school buses traveling it. I also would like to say we've been getting a lot of junk mail addressed to Mr. Smith and I would like to ask if he could get that taking care of.

Cyril Blandford: 164 Masters Court. I'm going to pass. My concerns have already been addressed.

Ray Manley: 3759 Plum Creek Road. If I heard it right the traffic study was done on November 26. Make a note that is the Sunday after Thanksgiving. The developer mentioned he would change the zoning on those lots but that doesn't change the fact that that 1/3 of this subdivision is built on small lots adjacent to the Whitfield Subdivision. Does it make sense to do an economic impact study on this? With the number of houses, he's putting in there and the average family size, there could be around 50 children in that subdivision. I think the county needs to see how this will affect emergency services needs to be looked at.

Michael Morgan: I would like to add. It seems like the people's concerns are the road. You all requested us to do the traffic impact study and we paid Palmer Engineer, it's the people that the County Engineer recommended. We did everything we were asked to do. We paid \$7,000 for this road study. The facts of the matter are, he said it was fine.

Chairman Deapen: So, you're ignoring the testimony about the widening?

Michael Morgan: I'm not ignoring it I'm just saying the impact study itself was saying the road was adequate from what I understood from Palmer Engineer.

Commissioner Brown: Adequate with the improvements not adequate as is right now.

Michael Morgan: Correct, we agree with the improvements they recommend.

Chairman Deapen: So, you agree to widening the road and trimming up the sides?

Michael Morgan: I believe that it wasn't Palmer that recommended widening the road.

Chairman Deapen: You clarified my question. Discussion from the commission.

Commissioner Hunt: Palmer does recommend that all trees and brush be removed in the curves and there are 15 curves.

Commissioner Brown: How could you not recommend widening the road more than the current 15 feet? Was that conveniently left out, I'm sure Palmer knows better. It doesn't make sense to me being an Engineer myself. Does Palmer want to speak to that?

Josh (Palmer Engineer): When we were doing the study there's no guidance that we could find for an existing road what the width has to be for low volume. For new development it does recommend a wider road but at the same time the crash analysis did not prove that there is a issue currently in that section of road.

Commissioner Brown: What's the typical width of a subdivision road anywhere in Kentucky minimum?

Josh: (Palmer Engineer) On a rural road, if you were to build a new one, we would probably recommend about 18 feet.

Commissioner Brown: Whether it's rural or not you're in an area where you're wanting to put multiple developments encroaching more and more into being something more than rural. Especially when you only have one access in and out. I think not widening that road doesn't make any sense to me.

Attorney Dale: What is your definition of rural?

Josh: (Palmer Engineer) Based on the volume and density of the houses.

Attorney Dale: As they exist now?

Josh: (Palmer Engineer) Yes.

Attorney Dale: We're talking about what it will be in the future. It's becoming urbanely.

Josh: (Palmer Engineer) I can't know the exact density off the top of my head.

Commissioner Brown: We're not even at 200 houses yet. I'm just not sure how this is adequate. I guess we need to talk to Eric Bean, he recommended the widening.

Bobby Smith: 2733 Plum Ridge Road. I made a statement that sounded kind of harsh at an earlier meeting that we have a lot of zoning but very little planning. I also told you that we got a new Judge with new ideas and he's going to work for the people, and he promised me that we would work to try to get a bridge across Plum Creek. That may happen and it may not. Right now, if you live on Whitfield Lane and that was built to come out on Plum Creek Road, it cuts off about 6 miles of travel. Progress is important.

Commissioner Faue: I have a question Chairman. I would like to hear from the KYTC. Is that unreasonable to ask?

Administrator Sweazy: If you can get them here. We can bring Eric back up he has talked to KYTC. The emails that are in your packets, maybe he can shed a little bit more light.

Commissioner Wheatley: I don't know if we can come to a conclusion that's going to make Whitfield happy. Whether the road is widened or not, I don't think they're going to be happy either way. I think they like being out in the middle of nowhere.

Commissioner Faue: What I have heard from a lot of folks in testimony is their big concern is the roads and the traffic that this development will generate. From what I'm hearing about that section of road as well as the side lines on the rest of the road, curves, brush, is that maybe we do need to have something from KYTC saying we want this done.

Commissioner Wheatley: I still don't think that's what they want.

Commissioner Faue: But can we deny a developer? I think we have to have a middle between the developer and the residents. The middle of the road to me seems like it has to be somewhere with fixing the road.

Administrator Sweazy: It comes down to if you pass it or fail it, you have to have good findings to support it.

Commissioner Wheatley: If we can get the road fixed it would help the people on Whitfield Lane. We can't deny the developer, this is their land. If they have access and follow our regulations, we can't just deny it because someone doesn't want it.

Cryil Blandford: I think that was a mischaracterization of what you said. I have no problem with the development, but I do have a problem with the road. I've lived there 30 years and what people do with their property is up to them. The road just can't handle it.

Commissioner Wheatley: That's what we want to address with the Road Department.

Chairman Deapen: We do have some input on this topic from KYTC in the last sentence there in the message on December 6th. It says in short; District 5 believes that KY 2814 should be widened to provide a consistent two-lane section, but in this case we have no means by which to require such improvements.

Commissioner Brown: I guess there's several questions we need to ask the developer.

Michael Morgan: I agree with what everyone is saying. I'm a very black and white person. It seems to me like if there's 10 cars a day the road needs to be this wide, if there's 50 cars a day it needs to be this wide, but it seems like it's okay now. Is it okay for what now? I'm not disagreeing that the road is narrow but what is the exact determination of an Engineer that 15 foot wide is excepted for two lane traffic or how many cars a day. That's what I thought we were going to get and I thought he did speak to that when he said something about the number 400. I guess what I understood is since it was considered a low volume road that it was considered safe for two direction traffic as it is. If it's not, then that is a black and white concern. Today is it safe for two lane traffic. What is the number that is okay? Maybe we could change our development plan if we knew the okay number of lots. Then maybe we can adjust a piece of the road conditions.

Commissioner Brown: I think it's not safe today and that's my biggest concern without telling you that you have to put a bridge in but I know that will botch the whole deal. But maybe we can reach some middle ground. Probably work out the entrance and road improvements and kind of satisfy. You're not going to satisfy everybody. Something feasible then let's talk about that bridge and the connection to 1016 later on in life when the infrastructure becomes available.

Michael Morgan: What we currently have on that play, with that road 15 feet wide, is it considered safe today or do we need to make improvements today? I guess what I'm looking for is if you do this many lots, you need to do this.

Commissioner Brown: There's no center line down the middle of the road. If you put 16 more houses out there, you're going to have to widen it.

Michael Morgan: Diana mentioned KYTC. I don't know if they can say it's safe in its current condition for 30 more houses, its safe for 10 house or in its current condition its unsafe for travel at this time. I don't know if we can get that from KYTC or not. I think that might be the answer we're all looking for maybe.

Commissioner Wheatley: I think there's some gray area with the study. I'm like you what do I need to do to get this to go through, what do I need to do to not widen the road?

Michael Morgan: Say if I widen it to 18 feet for this many houses. Then it's a number and I can set there and get bids to see if it's something we can proceed with or not.

Attorney Dale: What's the subdivision requirements?

Michael Morgan: 22' with no curbs and 20' with curbs.

Attorney Dale: So, you would have 22' going to 15'.

Michael Morgan: If it was approved today that's what the current requirements are but if they required us to do this to get that then that's what it would be.

Commissioner Hunt: Question about just the lots themselves in the R-1 section. You have the 3 to 1 ratios to go by and that means that the lot depth shall not be less than one or more than three times the average width.

Administrator Sweazy: There are some that do not meet the 3 to 1 ratio and we would have to discuss that when we get to the plat itself.

Commissioner Hunt: Everyone I checked so far does not meet the 3 to 1.

Administrator Sweazy: They can average out.

Michael Morgan: We have room for adjustments so it shouldn't be an issue.

Commissioner Hunt: Since we're looking at lots. The lot you previously came in before us on, that was still remaining as 10B where the access is and now incorporates 20, 21, 22, 23, and 24 are all part of that original lot we approved before to be one lot on its own. So, you're wanting to change your plan there. My situation is when I read back through the minutes, and you said I understand I wouldn't want 10 houses going right next to my house or trailers we would be okay with that and binding elements of no multifamily restrictions.

Michael Morgan: We had no intentions of building a mobile home on that. You never know what's going to happen next week, next month, nothing is solid.

Commissioner Hunt: You're taking what we had said of you can put one home on that and now you're wanting to change that one spot to make it part of five tracts. If you have to do any reworking of the plat it would be my recommendation would be the good neighbor policy, the Souza's will have nine lots touch their property now. If something could be done to lessen that I think that could be a great step towards a good neighbor policy. But pacifically what we approved was one lot and now you want to make that five.

Michael Morgan: If the Commission says we would like to see this and that...This is a preliminary not the final. We are waiting to see what we can get approved then see if it is feasible.

Commissioner Hunt: You came here for one to get approved and now if we approve this then that one is now five.

Administrator Sweazy: If you go back to the beginning this was a private road. If the County hadn't got secondary funds and paved it, we wouldn't be here.

Commissioner Faue: In Palmer's report it suggested that the speed limit would change on portions of the road.

Michael Morgan: When you're coming from Kings Church Road there's a yellow sign but not a white one. The speed limit on any state road is 55mph, there's no way to enforce it, so if someone is doing 55mph they can't give them a ticket.

Eric Bean: Yes, right now it's unmarked so there's no speed limit, there's a recommendation but the state doesn't have a speed limit. So, recommending different speed limits in different places. The Developer would have to go to KYTC to give that to Jason Richardson, he will verify it, then if he approves it, the developer will come place those signs.

Commissioner Wheatley: I would like to see more information.

Commissioner Brown: The roads are going to have to be widened for safety issues. Whether the Developer or the County pays for it, I'm not sure, but it has to happen. We have to take care of safety first.

Chairman Deapen: I don't know a process to inquire from The Fiscal Court if they would be willing to take that up or not.

Commissioner Brown: The fact that they want to come out Whitfield Lane, the Developer made this decision, we didn't. So, they want to come out Whitfield Lane and put this additional traffic out there and we're like it's not safe enough to do it and that's where we're at.

Attorney Dale: If you made the motion to approve subject to those changes then it goes to the County, and they have to address it.

Administrator Sweazy: The only thing is you all are sending the County a zoning change, you're not sending a Plat to the county, you are the Plat reviewers. It stops here on that one. I think with the zoning portion if you think it needs to be the Developer responsible to widen the road to this so many feet, you put that as one of your binding elements and anything else you want done. Then you send it to the Fiscal Court with those requirements. Then Fiscal Court can approve it with those requirements, or they can change them, add to them or take some away.

Commissioner Brown: How many feet is the county portion?

Administrator Sweazy: There's 1700 feet from where the state maintenance stops and the county maintenance to where the entry point is.

Bobby Smith: You all do a good job, but you still don't know how to talk to each other, the county, the city. If I was sitting on this board having heard all the testimony, I would either pass it or fail it and send a letter with it. You have a right to communicate what you think to the government body which is The Fiscal Court in this case. You all are leaning hard to ask us to fix state road problems.

Commissioner Hunt: It's county.

Bobby Smith: We had to do a study on the whole thing. Would you vote against a motion asking the county to consider dealing with the state on the problems we have with the state? Who paid Eric Bean to be here?

Eric Bean: Spencer County.

Bobby Smith: The county paying him to be against us and I told you all standing right here what they do. We don't have any business in dealing with the state, the county should be dealing with the state. Do it with a letter to the County Fiscal Court. You all know there's one of the Magistrates out there beating the bushes to get somebody to show up at the meetings. That's all I have got to say, thank you.

Chairman Deapen: I think we've closed additional testimony.

Commissioner Brown: Is there a Fiscal Court meeting before our next meeting?

Administrator Sweazy: Yes, the Fiscal Court meeting is on the 18th and Commission meeting is on the 21st.

Commissioner Brown: How long is the distance from the two bad curves and the 15 feet? How much will it cost to fix the two curves and put guardrails in and widen just the section that's very narrow? Does that get you through until the whole thing can be widened? Without connecting it to 1060, I'm not sure the state will intervene at all.

Chairman Deapen: I do not know.

Commissioner Brown: The biggest concern would be the safety of the roadway and how this effects infrastructure in regards to EMS, fire, police and the school system.

Commissioner Wheatley: You have to look at the issues out there now. If they have those issues now there are going to continue to have those. Is it going to require another station?

Commissioner Faue: But that's not our jurisdiction here, they need to go to their magistrate.

Administrator Sweazy: You do have service issues, but you have letters that were provided at the first meeting for water service, they will have to put in fire hydrants. For fire there is an agreement with Mt. Washington.

Commissioner Brown: We need to make the road safe and that's the bottom line. Not sure what those cost are or build a bridge and go across 1060. At some point we need to look at some numbers.

Michael Morgan: What I'm thinking is a reasonable comprise. Such as with this number of cars this is what is required. Approved subject to what is required.

Commissioner Wheatley: I think there's going to have to be some improvements done, its more than just a study at this point. It's like this is what is going to be done and by whom in order for the development to happen.

(Conversation between Commissioner Brown, Michael Morgan, and Josh from Palmer Engineer)

Commissioner Hunt: I think putting a band-aid on it is going to get us nowhere. Like Bobby said, we are supposed to be planning so let's plan for what's truly going to happen out there and not try and do these feedback number of lots.

Administrator Sweazy: You all have the County Engineer sitting back here and he's the one that is going to help the county determine how wide the road needs to be. I think they are going to say follow what's in your book.

Eric Bean: KYTC, the portion you're talking about putting guardrails on, that's actually the worst spot so you're going to put guardrails there, you're going to widen that thing. KYTC is going to tell you how wide it has to be, what kind of shoulder and what made of. My guess is going to be 20' wide, 2' shoulders and slope coming down. If you're going to plan for the future, the plan is to do it right.

Administrator Sweazy: Well, that's 20' if its curb and gutter, 22' if not.

Eric Bean: I can do it or you can do it, but someone needs to get with KYTC. There is no point in spinning anymore wheels. If we're talking about widening the road, which is going in the right direction, then let's start doing it correctly. I will work with them.

Chairman Deapen: Does the Commission have any objection of doing that? (no objection)

Commissioner Wheatley: If they go through all this, are we going to move forward with this? Is this truly all we need?

Michael Morgan: So, subject to the road being standard, he is the one that will have to sign off on the road. Tell us what they want us to do then it won't be so difficult doing it. It may cost us \$10,000 to get to that next step, I hate to spend \$10,000 not knowing if I can proceed forward. So, contingent upon the road being safe.

Commissioner Hunt: As far as the plat myself, I would like to see that entrance reworked, the 3 to 1 ratio ironed out, because I still have some issues with the size and shape.

Chairman Deapen: I'll entertain a motion.

Commissioner Faue: I'll make a motion to continue both dockets for Smith to December 21, 2023.

Commissioner Brown: Second.

Chairman Deapen: Discussion, read roll.

Administrator Sweazy: Roll called, motion carries.

Michael Morgan: Can I get a specific list of what you want me to turn in at the next meeting?

Chairman Deapen: Cost to fix that portion of the road and what you would be willing to do toward that number.

Commissioner Faue: Make sure your lots meet the 3 to 1 ratio or ask for a variance and on what lots. Also, the entrance rework.

Chairman Deapen: New business.

Administrator Sweazy: We have the application of **Robert Jones Jr. & Tabitha Jones** requesting AG-1, agricultural to AG-2, agricultural on Tract 12-A consisting of 5.335 acres and AG-1, agricultural to R-3, residential on Tract 12-B consisting of 1.00 acres located at 1736 & 1760 Whitfield Lane. The comprehensive plan recommended land use map indicates the area should be medium density residential. The applicants have requested to create two tracts. Tract 12-A has an existing brick home where the Jones' live. Tract 12-B has an existing single wide mobile home where the Jones are requesting to create the tract for their daughter. They are requesting the zoning change to allow the division. This property in the past was zoned AG-1 which the acreage at that time allowed for a home for the owner of the land and then they could do a mobile home for an immediate family member or tenant farmer. That's how the mobile home got put on there. The Jones are here but this did not make it into the local paper in the right

amount of time it came out in the paper yesterday. So, you can hear the application, but you can't vote on it until the next meeting.

Tabitha Jones: 1760 Whitfield Lane. Everything Julie said is We have only owned the property for a few weeks and all we want to do is pull off the old trailer there and replace it with a new one for my daughter and son-in-law. We would agree to a binding element and not make it any multifamily home. We just want to put a safer trailer on the property.

Robert Jones: 1760 Whitfield Lane. There was a gentleman up here earlier about this property. We are improving the property; we are not trying to break any rules. There's a second address to the trailer already. We're just wanting to remove the 2BR and go to a 3BR.

Chairman Deapen: Questions from the commission.

Administrator Sweazy: We have one person signed up.

Bobby Smith: I have no problem with what they're doing. What I have a problem with is Planning & Zoning created the problem for everybody that owns property in that subdivision by not rezoning when they changed it. It should of went to AG-2 when it became a less than a 10 acre tract. Could we please address that and just accept that fact that those problems were created by Planning & Zoning need to be corrected now? There's no reason for people to have to get something done we created. It's in other places too. Thank you.

Chairman Deapen: Ok, we'll take this up at the next meeting for a vote.

Commissioner Brown: I'm not going to disagree with what Bobby is saying but I don't think you have enough personal resources to make that happen.

Administrator Sweazy: What happens is when the zoning regulations change that makes those lots non-conforming and they can stay that way until they want to change it, then we have to fix it.

Chairman Deapen: Any general questions or discussion?

Administrator Sweazy: We have none.

Commissioner Faue: Motion to adjourn.

Commissioner Wheatley: Second.

Chairman Deapen: All in favor, meeting adjourned.

Attest:

Secretary

Chairman