

TAYLORSVILLE-SPENCER COUNTY
JOINT PLANNING AND ZONING COMMISSION
MEETING

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held July 1, 2021, in the Fiscal Court meeting room at 28 East Main St., Taylorsville, Kentucky.

Chairman Deapen: Called the meeting to order.

Administrator Sweazy: Called roll.

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

Commissioner Mudd made a motion to approve the minutes as amended, second by Commissioner Noel.

Chairman Deapen: Any discussion?

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Committees.

Administrator Sweazy: No committees, but I will take the time to introduce Ashlee Ingram, she is our new enforcer. I'm also trying to find training for this year. I got in touch with KACO and they are not posting any training this year. So, I may try and find someone to come here and do training in house.

Attorney Dale: Administered the oath of testimony to all wishing to speak.

Chairman Deapen: Old Business.

Administrator Sweazy: None.

Chairman Deapen: New Business.

Administrator Sweazy: Docket #1 – We have the application of **Tony & Margaret Herrington** requesting Final Plat Approval of Paradise Point. That is 147 acres proposing 6 tracts located on Mill Road. You have in front of you the Final Plat. At the last meeting there was concern over an easement. They have made notation on the Plat as requested that that easement has been cut short, so it does not attach to that private road anymore. There is also notation that the road is a private road, not to be maintained with public funds. Those notations have been put on the Plat.

Neil Roberts: I am the Surveyor of record. 4316 LaGrange Road, Shelbyville, KY. I'm here on behalf of Tony & Margaret Herrington and their son Lee Miles. We are here to ask for the final approval of the Plat.

Deapen: Questions from the commission?

Commissioner Clayton: Why is there A2 and R3 zoning?

Mr. Roberts: It was a high-density subdivision previously approved by the commission years ago. My guess is that they may have went belly up. It was put back into one big tract, but the zoning was never changed.

Commissioner Clayton: So, some of these lots are half one zone and the other a different zone?

Mr. Roberts: That is correct.

Administrator Sweazy: We consider that as split zone. We know that they are split into more than one zoning. But as far as the private guidelines it just says the tracts have to be more than 5-acre tracts, it doesn't say they have to be zoned a specific way.

Mr. Roberts: The restrictions state that those lots cannot be further divided.

Administrator Sweazy: The private road also holds it to that too because you can only have those 6 tracts on there. The only way they would be able to is to bring that road up to county specs, come back to you all with a new plat and request to pave it and bring it into the county road system.

Chairman Deapen: Other questions from the commissioner? Do we have anyone signed up to speak on this?

Administrator Sweazy: We do not.

Chairman Deapen: Any objection to moving forward? I will entertain a motion.

Commissioner Clayton: I make a motion to recommend to approve the Final Plat for Paradise Point.

Commissioner Mudd: Second.

Chairman Deapen: Any further discussion from the commission? Julie, read the roll.

Administrator Sweazy: Roll called, motion carries.

Administrator Sweazy: Docket #2 – We have the application of the **Walker Family Irrevocable Trust** requesting Ag-1, agricultural to R-1, residential on 1.005 acres (Tr. 2-C) located on Yoder Tipton Road. The Comprehensive Plan Recommended Land Use Map indicates the area should be Medium Density Residential. On 6/7/04, 2.005 acres were zoned R-1. The Trust is deeding the additional 1.005 acres to Jason & Treva King to combine with their existing R-1 zoned tract. On the right it shows how their lot takes in part of a pond. That is what they are doing it's getting the balance of that pond in with this tract, so that they own the whole thing.

Will Hagan: With Hagan Engineering, 506 Main Street, Shelbyville, KY. I am the Engineer and Surveyor of record on the Plat. I am here speaking on behalf of the Walker Farm Irrevocable Trust. Treva and Jason are here as well. Jason currently lives on that 2-acre tract so he is wanting to add the 1.005 acres to his residence. That is why we need the zone change to match his residence.

Chairman Deapen: Questions from the commission?

Commissioner Clayton: The tract in the back does it have public access?

Mr. Hagan: It does not and that is why we are attaching it to tract 6. Which Jason owns that property as well.

Administrator Sweazy: We are going to do the zoning change first and then the plat approval.

Commissioner Clayton: How far off the lake are they?

Mr. Hagan: About 20 feet.

Commissioner Clayton: So, we are taking that area and changing the zoning to match Tract 2C?

Administrator Sweazy: Yes.

Chairman Deapen: Any other questions from the commission?

Commissioner Travis: I make a motion to recommend to rezone the application of the Walker Family Irrevocable Trust requesting A-1, agricultural to R-1, residential on 1.005 acres (Tract 2C) located on Yoder Tipton Road. The Comprehensive Plan Recommended Land Use Map indicates the area should be Medium Density residential, the change would be in compliance with the comprehensive plan. Contingent on approval of the Plat.

Commissioner Faue: Second.

Chairman Deapen: Any further discussion from the commission? If not, read roll.

Administrator Sweazy: Roll called, motion carries.

Administrator Sweazy: Docket #3 – We have the application of the **Walker Family Irrevocable Trust** requesting Plat Approval of Walker Farm Divided, Tract 2 of 101.68 acres proposing 11 tracts located on Yoder Tipton Road. On 6/16/97, 4 acres were zoned R-1 (Shreve tract); 6/7/04, 2.005 acres were zoned R-1 (PORTION OF 2-C); 4/11/07, 5 acres were zoned AG-2 (Tract 2-B); 2/18/08, 2 acres were zoned R-1 (Tract 2-B1). This is an agricultural division of land with road frontage on a county road. They have dedicated an additional 25' right of way to Yoder Tipton Road as specified in the zoning regulations.

Chairman Deapen: Anything you want to add to this application.

Will Hagan: We had to cut off the road frontage in order to create the tracts. Behind those tracts is approximately a 103-acre farm. We cannot create a land lock tract. But Jason owns Tract 6, which has road frontage from another county road. So, by attaching it to Tract 6 and have the notes state that Tract 2 will be transferred to whoever buys the 103 acres would have the required road access to buy that land.

Chairman Deapen: Anymore questions? Any objections to moving forward? I'll entertain a motion.

Chairman Deapen: Do the restrictions need to be in the motion?

Administrator Sweazy: They can be.

Commissioner Faue: I make a motion we approve the Plat of the Walker Farm Divided, Tract 2 of 101.68 acres proposing 11 tracts with the restrictions of no mobile homes, no modular or prefabricated homes, only stick built homes on a poured foundation with or without a basement and homes must be a minimum of 1500 square feet.

Commissioner Mudd: Second.

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

Administrator Sweazy: Called roll, motion carries.

Administrator Sweazy: Docket #4 – We have the application of **Turnpike Properties, Inc.** requesting B-2, commercial to R-2, residential on 5.36 acres located on Turnpike Avenue. The Comprehensive Plan Recommended Land Use Map indicates the area should be Mixed Use. On 7/6/04, 71.87 acres were zoned R-2; 7/6/04, 34.07 acres were zoned B-2; 12/15/05, Final Plat approval on Phase I, Old South Planation; 11/4/10. Final Plat approval on Phase II, Old South Plantation. Mr. Travis is requesting to change the zoning to allow for single family residential tracts on city sewer.

Commissioner Travis: Recused himself.

Administrator Sweazy: There are 3 roads branching off the main Turnpike Avenue thats already built roads. We are asking for zone change on the second road and the third road. The closest road to Hwy 44 they want to keep those lots that front Hwy 44 as commercial.

Chairman Deapen: So, the ones next to Columbia Drive?

Administrator Sweazy: Yes, between 44 and Columbia Drive. Those 4 tracts will remain B2 commercial. Then on the property line of the lots that back up to that will be trees to divide your commercial from your residential as your screening and buffering.

Chairman Deapen: Who will be speaking on this?

Kevin Sisler: With Sisler & Maggard Engineering, representing Turnpike. Address 220 East Reynolds Road, Lexington, KY. She pretty much explained it, we have the buffering between B2 and R2, it will be on city sewer, and we have all easements.

Chairman Deapen: This will be a zone approval first then the Preliminary Plat approval second.

Commissioner Clayton: You are wanting to do R2, residential homes. Can you not do that in B2? I thought you could do everything that falls underneath it, so why bother?

Administrator Sweazy: When you get down to the one that puts in a residential class its multi-family which is R3.

Chairman Deapen: Any additional questions from the commissioner? Anyone signed up to speak? Any objections to moving forward? I will entertain a motion.

Commissioner Mudd: I make a motion to recommend to rezone the application of Turnpike Properties Inc requesting zone change on 5.36 acres from B-2, commercial to R-2, residential on the condition of Plat Approval. This would be Lots 9-24. The Comprehensive Plan Recommended Land Use Map indicates the area should be Medium Density residential, the change would be in compliance with the comprehensive plan.

Commissioner Noel: Second.

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

Administrator Sweazy: Just so you all know this is a recommendation to the City Council not Fiscal Court. Called roll, motion carries.

Administrator Sweazy: Docket #5 – We have the application of **Turnpike Properties, Inc.**, requesting Preliminary Plat Approval of Turnpike Place Subdivision of 10.265 acres proposing 24 lots located on Turnpike Avenue. Since this property was part of the original larger tracts that were zoned commercial, they were not part of the Old South Plantation Subdivision. Therefore, he is proposing a difference in the Subdivision name. Proposing a minimum 1,200 square foot homes of 1 to 1.5 story or minimum 1,800 square foot homes of 2.5 story.

Chairman Deapen: Questions from the commission?

Administrator Sweazy: On the Plat they are requesting, I guess we would do as a variance, to do a 30-foot building setback line.

Mr. Sisler: Revert back to the road right away.

Administrator Sweazy: Are you going to do the 15-foot on the commercial lots or follow the commercial setbacks?

Scott Travis: 1420 Max House Road, Cox's Creek, KY. I would prefer to just follow your setback regulations on the B2, commercial lots. I am ok with the Plat, its fine.

Chairman Deapen: Anymore questions from the commission? Any objection to proceeding? I will entertain a motion.

Commissioner Wheatley: I make a motion to recommend to approve Preliminary Plat with the setbacks as stated on the plat of Turnpike Place Subdivision.

Commissioner Mudd: Second.

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

Administrator Sweazy: Roll called, motion carries.

Administrator Sweazy: Docket #6 – We have the application of **WCM Land Series 22** requesting Preliminary Plat Approval of Foreman Farm Subdivision of 34.215 acres proposing 29 lots located on Lilly Pike. On 10/19/98, 700 acres were zoned R-1. When this property was zoned, there were Binding Elements agreed to and put to record. They are reserving two strips of land for possible access, should they decide to divide further later.

Charles Tichnor: Representing WCM Land. I have Neil Roberts with me, he is the Surveyor of record on this property. My client would like to divide off some of the property that is not useful to his operation.

Administrator Sweazy: Please note for the record that Commissioner Travis has rejoined the meeting.

Chairman Deapen: Questions from the commission?

Commissioner Hunt: What about Lot 8 & 9?

Mr. Roberts: They are reserved for access to the remaining approximately 70 acres on the back part of the property.

Commissioner Travis: So, the road is at the edge of the woods.

Mr. Roberts: Yes, on top of the hill there. These tracts will be primarily in the woods.

Commissioner Clayton: So, they could actually put a road between Lot 8 & 9?

Mr. Roberts: That would be an access for them.

Chairman Deapen: What about maintenance on these?

Mr. Roberts: Basically, it would just be a driveway.

Mr. Tichnor: It would be maintained like the residual ground behind all these subdivisions.

Chairman Deapen: Any other questions from the commission?

Commissioner Travis: Any restrictions?

Mr. Tichnor: We will have the restrictions when we come back with the Final Plat Approval, but they will closely follow the binding elements that were laid out.

Chairman Deapen: Anything else? Any objections to proceeding? I entertain a motion.

Commissioner Faue: I make a motion to recommend approval of the Preliminary Plat of Foreman Farm Subdivision of 34.215 acres proposing 29 lots on Lilly Pike.

Commissioner Travis: Second.

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

Administrator Sweazy: Roll called, motion carries.

Administrator Sweazy: The last item on the docket is to look at doing an amendment to our regulations under Article V – Provisions Governing Residential Districts. This is the public hearing, and it has been advertised.

Chairman Deapen: We have no one here but us. So, the action we take tonight will be to make a motion to recommend to make the changes.

Administrator Sweazy: You're going to make a recommendation to the City and the County. It will have to go to both. I crossed out what we wanted to change and made the change bold print.

Commissioner Hunt: I make a motion for the proposed amendments to Article V – Provisions Governing Residential Districts starting in Section 500, R-1, Single Family Residential, Number 4 – Dimensional Requirements – Change to Letter c. Section 501, R-2, High Density Single Family Residential, Number 4 – Dimensional Requirements – Change to Letters c, d, e, f and g. Section 502, R-3, Multi-Family Residential District, Number 4 – Dimensional Requirements – Change to Letters c, d, e, f and g. Section 503, RM, Manufactured Housing Residential District, Number 4 – Dimensional Requirements – Changes to Letters c, d, e, f and g.

Commissioner Faue: Second.

Chairman Deapen: Any further discussion? Read roll.

Administrator Sweazy: Roll called. Motion carries.

Chairman Deapen: General questions or discussion? On Friday I received a correspondent from Brett Beaverson addressed to me about Planning & Zoning. I'm going to read that to you along with my response to him. You will understand this in a minute, not because I'm trying to start anything, I want the commission to be aware of somethings that are going on. (Please see attached correspondents)

Chairman Deapen: Any other questions or concerns?

Administrator Sweazy: Next Meeting July 15, 2021.

Commissioner Travis: Made motion to adjourn.

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

APPROVED 7/15/2021