

SPENCER COUNTY FISCAL COURT

Monday, July 21, 2014

Fiscal Court Meeting Room
28 East Main Street

7:00pm

Meeting Agenda

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Call to Order by the County Judge Executive
- D. Roll Call by the County Clerk
- E. Approval of Minutes from Prior Court Meetings
- F. Communications from Citizens, *** 3 minute limit ***
 - 1.
- G. Communications from County Judge Executive
 - 1. KACo lease for floodwall certification
 - 2. Treasure finders
- H. Communications/reports from Members, Other Offices, and Committees
 - 1. Solid Waste report
 - 2. EMS hvac repair
- I. Old Business
- J. New Business
 - 1. Review and Approval of Expenditures, Purchases, Invoices, and Transfers
 - 2. Zoning readings, recommendations and regulations
 - 3. Board of Adjustments position term ends 7/15/2014
 - 4. Ethics Commission resignation letter
 - 5. Tourism request letter
 - 6. Quarterly financial report for period ending 6/30/2014
 - 7. Executive Session – personnel [KRS61.810(1)(f) and 61.815]
- K. Adjournment

ANNOUNCEMENTS, COMMUNITY EVENTS and TRAINING OPPORTUNITIES

UK Transportation Classes – July/August 2014

- July 22 – Managing People I, in Somerset
- July 29 – Snow & Ice Removal, at Cumberland Falls SRP
- August 5 – Snow & Ice Removal, in Lexington
- August 6 – Asphalt Paving Best Practices, in Louisville
- August 7 – Risk Management/Tort Liability, in Louisville
- August 12 – Small Bridges, at Lake Barkley SRP
- August 12 – Communications, in Lexington
- August 13 – Low-cost Roadway Safety, at Lake Barkley SRP
- August 13 – Traffic Management thru Signals, Signs, & Markings in Lexington
- August 14 – Computer Familiarization, in Lexington

Priority One Inc. - July/August 2014

- July 24 - “Basic Accounting” in Lebanon Ky
- July 30 - “Basic Accounting” in Madisonville Ky
- August 1 - “Parliamentary Procedure” in Rough River
- August 25 - “Basic Accounting” in Presonsburg Ky

KACo Leadership Institute – July/August 2014

- July 23 - “Ready to Retire” in London
- July 24 - “Workers Compensation for County Government” in London
- July 29 – “County Jail Systems” in Cave City
- August 5 – “Healthcare Reform for Counties”, in Gilbertsville
- August 12 – “Workers Compensation for County Government”, in Cave City
- August 14 – “County Jail Systems”, in London
- August 20 – “Ready to Retire” in Morehead
- August 21 – “Ky Planning & Zoning”, in Morehead

Spencer County Fair

July 21 – 26

Governor's Local Issues Conference

August 27 – 29
Galt House, Louisville

SPENCER COUNTY FISCAL COURT
MONDAY, JULY 21, 2014
7:00 PM
FISCAL COURT MEETING ROOM
28 EAST MAIN STREET

A. Opening prayer

Esq. Judd led the court in prayer before the call to order.

B. Pledge of allegiance

Pledge of allegiance to the American flag.

C. Call to order by the County Judge Executive- Bill Karrer

D. Roll call by Spencer County Clerk- Lynn Hesselbrock- all present

E. Approval of minutes from Fiscal Court meeting of July 7, 2014.

- On the motion of Esq. Judd, seconded by Esq. Cheek, with all members of the Court voting "aye", it is hereby ordered to approve the minutes from the July 7, 2014 Fiscal Court meeting with any corrections being made.

F. Communications from Citizens*3 minute limit****

There were no communications from citizens.

G. Communications from the County Judge Executive

1. Treasure Finders.

The Judge explained that the State Treasurer was going to different areas around the State to promote the Treasure Finders program. The program would be in Spencer County on Monday, July 28, 2014 from 10:00 am until 2:00 pm at the EMS training room. The Judge asked for volunteers to do calling to area residents who might have money owed to them. The Judge also said a person could go online to see if any money was owed to them.

2. KACO lease for floodwall certification.

The Judge said that approval for the first half of the funds had been obtained. The interest rate would be 3.43% for sixty (60) months. The Judge needed a motion to proceed with the lease.

- On the motion of Esq. Goodlett, seconded by Esq. Cheek, with all the members of the Court present voting "aye", it is hereby ordered to approve the County Judge to sign all documents to proceed with the KACO lease for the floodwall.

H. Communications/reports from members, other offices, and committees.

1. Solid Waste report.

Esq. Judd reported that the roadside pickup was going well. He also said that the Waste Tire Management Program (Tire Amnesty) would take place on October 16th and 17th and 18th at the old State Road Barn on Townhill Road. Esq. This would be a state run amnesty program. Esq. Judd also reported that the Recycling Trailer would be ready in about two weeks. Esq. Goodlett reported that the outbuilding the Parks Department had asked for to store their equipment needed to be looked at further.

- On the motion of Esq. Judd, seconded by Esq. Cheek, with all members of the Court present voting “aye”, it is hereby ordered to have the County Judge Executive proceed with the Tire Amnesty Program.

2. EMS hvac repair.

The Judge reported that Air Joy had installed a new unit. Because of the age of the old unit, it was decided that replacement was preferable over repair. It was also reported that the K-9 building AC had failed. The repair would be done offsite. A loaner unit was installed in the interim.

3. Training reimbursement

The Judge reported that the Sheriff had asked for reimbursement for training for Deputy Tinsley for \$33.00 per day for ten (10) days for a total of \$330.00.

- On the motion of Esq. Davis, seconded by Esq. Cheek, with all members of the Court present voting “aye”, it is hereby ordered to reimburse the Sheriff \$330.00 for Deputy Tinsley’s training.

I. Old Business

There was no old business.

J. New Business

1. Review and approval of expenditures, purchases, invoices and transfers.

07/17/14
04:32PM

Spencer County Fiscal Court
Open Invoice Report
As of July 17, 2014

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General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: A&MOIL		A & M Oil Company					
121394	07/21/14	0150154550 sher motoroil	07/21/14	748.00	.00	.00	748.00
				Vendor Total: A&MOIL	748.00	.00	748.00
Vendor: AIRGAS		Airgas USA, LLC					
9029111297	07/21/14	0151405500 ems oxygen	07/21/14	138.80	.00	.00	138.80
9029293574	07/21/14	0151405500 ems oxygen	07/21/14	32.28	.00	.00	32.28
9920012950	07/21/14	0151405500 ems oxygen	07/21/14	210.75	.00	.00	210.75
				Vendor Total: AIRGAS	381.83	.00	381.83
Vendor: AIRJOY		Air Joy Heating & Cooling Inc					
4859	07/21/14	0150805710 cths hvac unit	07/21/14	3,640.00	.00	.00	3,640.00
4860	07/21/14	0151405860 ems hvac repair	07/21/14	467.45	.00	.00	467.45
4861	07/21/14	0150865710 annex hvac repair	07/21/14	270.00	.00	.00	270.00
4862	07/21/14	0150805710 cths lobby hvac rep	07/21/14	617.54	.00	.00	617.54
				Vendor Total: AIRJOY	4,994.99	.00	4,994.99
Vendor: AT&T		A T & T					
7/21ems	07/21/14	0151405780 ems iverse	07/21/14	45.00	.00	.00	45.00
7/21maint	07/21/14	0150855780 mainten phone	07/21/14	40.71	.00	.00	40.71
7/21mainten	07/21/14	0150855790 mainten iverse	07/21/14	68.00	.00	.00	68.00
				Vendor Total: AT&T	153.71	.00	153.71
Vendor: AUTOZONE		Auto Zone					
4547887854	07/21/14	0151404430 ems adppter	07/21/14	5.39	.00	.00	5.39
4547887854	07/21/14	0154014670 parks belt	07/21/14	29.04	.00	.00	29.04
4547887854	07/21/14	0150155920 sher oil filter	07/21/14	3.90	.00	.00	3.90
4547891013	07/21/14	0151404430 ems truck cleaner	07/21/14	51.72	.00	.00	51.72
4547897407	07/21/14	0150155920 sher batteries,filr	07/21/14	194.24	.00	.00	194.24
4547905221	07/21/14	0150204450 coroner starter	07/21/14	132.00	.00	.00	132.00
4547905221	07/21/14	0150807210 mainten gloves	07/21/14	10.00	.00	.00	10.00
4547905221	07/21/14	0150155920 sher veh parts	07/21/14	14.40	.00	.00	14.40
4547905222	07/21/14	0151404550 ems coolant	07/21/14	31.60	.00	.00	31.60
				Vendor Total: AUTOZONE	472.29	.00	472.29
Vendor: BENGAS		Bennett's Gas Company					
7/21ems	07/21/14	0151405780 ems utilities	07/21/14	7.20	.00	.00	7.20
7/21mainten	07/21/14	0150855780 mainten utilities	07/21/14	7.20	.00	.00	7.20
7/21recycle	07/21/14	0152175780 recycle utilities	07/21/14	16.20	.00	.00	16.20
				Vendor Total: BENGAS	30.60	.00	30.60
Vendor: BOUNDTREE		Bound Tree Medical LLC					
81475500	07/21/14	0151405500 ems testkits	07/21/14	249.99	.00	.00	249.99
				Vendor Total: BOUNDTREE	249.99	.00	249.99
Vendor: BSPENCER		Brian Spencer					
7/21reimb	07/21/14	0154014670 basketball nets	07/21/14	16.83	.00	.00	16.83
				Vendor Total: BSPENCER	16.83	.00	16.83
Vendor: CARDINAL		Cardinal Office Products					
IN-1337089	07/21/14	0154014670 parks towels	07/21/14	70.20	.00	.00	70.20

SPENCER COUNTY
F19 PG618

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Spencer County Fiscal Court
Open Invoice Report
As of July 17, 2014

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General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor Total: CARDINAL				70.20	.00	.00	70.20
Vendor: CHAMBER		Chamber of Commerce					
July-Sep2014	07/21/14	0150805710 AOC-pd rental	07/21/14	750.00	.00	.00	750.00
Vendor Total: CHAMBER				750.00	.00	.00	750.00
Vendor: CHLOCKSMTH		A Cheaper Locksmith					
013488	07/21/14	0151405960 ems garagedoor	07/21/14	69.50	.00	.00	69.50
Vendor Total: CHLOCKSMTH				69.50	.00	.00	69.50
Vendor: CITY		Taylorville Waterworks					
7/21park	07/21/14	0154015780 wat.park utilities	07/21/14	128.13	.00	.00	128.13
Vendor Total: CITY				128.13	.00	.00	128.13
Vendor: CMS UNIF		CMS Uniforms Inc.					
538317	07/21/14	0151404810 ems belt	07/21/14	19.95	.00	.00	19.95
540550	07/21/14	0151404810 ems belt	07/21/14	26.95	.00	.00	26.95
541088	07/21/14	0151404810 ems t-shirts	07/21/14	753.80	.00	.00	753.80
548111	07/21/14	0151404810 ems shirts	07/21/14	70.00	.00	.00	70.00
Vendor Total: CMS UNIF				870.70	.00	.00	870.70
Vendor: CREATRECYC		Creative Recycling					
101857	07/21/14	0152174880 e-scrap recycling	07/21/14	54.15	.00	.00	54.15
Vendor Total: CREATRECYC				54.15	.00	.00	54.15
Vendor: CWLE		County Wide Lawn Equipment					
7/21park	07/21/14	0154014670 weedeater blade	07/21/14	31.27	.00	.00	31.27
Vendor Total: CWLE				31.27	.00	.00	31.27
Vendor: DUPLICATOR		Duplicator Sales & Service Inc					
464282	07/21/14	0150803380 p/z server contract	07/21/14	57.29	.00	.00	57.29
Vendor Total: DUPLICATOR				57.29	.00	.00	57.29
Vendor: EMSCONSULT		EMS Consultants Ltd.					
June2014	07/21/14	0151403200 ems billing	07/21/14	2,437.81	.00	.00	2,437.81
Vendor Total: EMSCONSULT				2,437.81	.00	.00	2,437.81
Vendor: FEBCO		Febco inc.					
20143098g	07/21/14	0194002030 benefits cards	07/21/14	3,780.00	.00	.00	3,780.00
Vendor Total: FEBCO				3,780.00	.00	.00	3,780.00
Vendor: GDAY		Gary Day					
7/21reimb	07/21/14	015015573W cellphone case	07/21/14	63.60	.00	.00	63.60
Vendor Total: GDAY				63.60	.00	.00	63.60
Vendor: GETSET		Get Set Graphics					
June2014	07/21/14	0150803380 website maintenance	07/21/14	75.00	.00	.00	75.00
Vendor Total: GETSET				75.00	.00	.00	75.00
Vendor: GOODYR		Goodyear Auto Service Center					
186110	07/21/14	0150155920 sher tires, Ware	07/21/14	549.11	.00	.00	549.11
186317	07/21/14	0150155920 sher tires, Tinsley	07/21/14	538.60	.00	.00	538.60
186399	07/21/14	0150155920 sher tires, Bentley	07/21/14	538.60	.00	.00	538.60

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Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor Total: GOODYR				1,626.31	.00	.00	1,626.31
Vendor: JCOOTS	John W. Coots						
C. Collins	07/21/14	0153105070 court-ordered fee	07/21/14	260.00	.00	.00	260.00
Vendor Total: JCOOTS				260.00	.00	.00	260.00
Vendor: KACO	Kentucky Assoc. of Counties						
1258	07/21/14	0191005510 membership 2014/15	07/21/14	800.00	.00	.00	800.00
Vendor Total: KACO				800.00	.00	.00	800.00
Vendor: KCJEA2	KCJEA/KMCA						
D. Goodlett	07/21/14	0191005690 conf registration	07/21/14	295.00	.00	.00	295.00
H. Judd	07/21/14	0191005690 conf registration	07/21/14	295.00	.00	.00	295.00
R. Cheek	07/21/14	0191005690 conf registration	07/21/14	295.00	.00	.00	295.00
Vendor Total: KCJEA2				885.00	.00	.00	885.00
Vendor: KSFAIR	Kentucky State Fair						
2014lic	07/21/14	0153303480 worker tickets	07/21/14	55.00	.00	.00	55.00
Vendor Total: KSFAIR				55.00	.00	.00	55.00
Vendor: KYRECYCTRL	National Recycling Trailers						
NTR-168	07/21/14	0152174680 recycling trailer	07/21/14	8,800.00	.00	.00	8,800.00
Vendor Total: KYRECYCTRL				8,800.00	.00	.00	8,800.00
Vendor: KYUTIL	Kentucky Utilities						
7/21annex	07/21/14	015085780 annex utilities	07/21/14	589.58	.00	.00	589.58
7/21cthse	07/21/14	0150805780 cthse utilities	07/21/14	2,456.84	.00	.00	2,456.84
7/21occtax	07/21/14	0150475780 occtax utilities	07/21/14	134.11	.00	.00	134.11
7/21sheriff	07/21/14	0150155780 sheriff utilities	07/21/14	509.67	.00	.00	509.67
7/21zoning	07/21/14	0150705780 zoning utilities	07/21/14	363.53	.00	.00	363.53
Vendor Total: KYUTIL				4,053.73	.00	.00	4,053.73
Vendor: L&L EXAMS	L&L Exams Plus						
1225	07/21/14	0191003820 empl drugscreenings	07/21/14	425.00	.00	.00	425.00
Vendor Total: L&L EXAMS				425.00	.00	.00	425.00
Vendor: LCNI	The Spencer Magnet						
7/21clerk	07/21/14	0150803020 delinq tax ads	07/21/14	1,391.90	.00	.00	1,391.90
7/21cc	07/21/14	0150803020 misc co ads	07/21/14	561.00	.00	.00	561.00
7/21zoning	07/21/14	0150703020 zoning ads	07/21/14	112.20	.00	.00	112.20
Vendor Total: LCNI				2,065.10	.00	.00	2,065.10
Vendor: LOUTRACK	Louisville Track Club						
7/21roadlitter	07/21/14	0153404680 7.704mi cleanup@585	07/21/14	654.84	.00	.00	654.84
Vendor Total: LOUTRACK				654.84	.00	.00	654.84
Vendor: LOWES	Lowe's						
901538	07/21/14	0150157250 sher lumber,sheetin	07/21/14	169.70	.00	.00	169.70
901746	07/21/14	0150157250 paint thinner	07/21/14	17.09	.00	.00	17.09
912745	07/21/14	0154014670 parks doorhinge	07/21/14	61.72	.00	.00	61.72
987464	07/21/14	0150157250 sher doorlock	07/21/14	112.10	.00	.00	112.10
Vendor Total: LOWES				360.61	.00	.00	360.61

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Spencer County Fiscal Court
Open Invoice Report
As of July 17, 2014

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General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: LTLR Let Them Live Rescue							
June2014	07/21/14	0152053150 k9 sheltering	07/21/14	2,000.00	.00	.00	2,000.00
				Vendor Total: LTLR	2,000.00	.00	2,000.00
Vendor: MASTERS Masters' Supply Inc.							
3545141	07/21/14	0153055860sr ctr urinal repair	07/21/14	19.17	.00	.00	19.17
				Vendor Total: MASTERS	19.17	.00	19.17
Vendor: NAPA NAPA Auto Parts							
7/21ems	07/21/14	0151404430 ems wipers,coolant	07/21/14	105.31	.00	.00	105.31
7/21sheriff	07/21/14	0150155920 sher filters,brakes	07/21/14	321.07	.00	.00	321.07
				Vendor Total: NAPA	426.38	.00	426.38
Vendor: PRGRAD SCHS Project Graduation							
7/21roadlitter	07/21/14	0153404680 8mi cleanup@585/m	07/21/14	680.00	.00	.00	680.00
				Vendor Total: PRGRAD	680.00	.00	680.00
Vendor: PRIORITY1 Priority 1, Inc.							
H.Judd	07/21/14	0191005890 class registr-7/24	07/21/14	99.00	.00	.00	99.00
				Vendor Total: PRIORITY1	99.00	.00	99.00
Vendor: QUADMED Quad Med Inc.							
88730	07/21/14	0151405500 ems medic supplies	07/21/14	177.30	.00	.00	177.30
88929	07/21/14	0151405500 ems medic supplies	07/21/14	524.00	.00	.00	524.00
				Vendor Total: QUADMED	701.30	.00	701.30
Vendor: QUILL Quill Corporation							
4058901	07/21/14	0152054020 k9 gloves	07/21/14	16.98	.00	.00	16.98
4058901	07/21/14	0150804110 custod gloves	07/21/14	8.49	.00	.00	8.49
4068974	07/21/14	0150404450 treas files	07/21/14	6.37	.00	.00	6.37
4068974	07/21/14	0150474450 occtax files	07/21/14	6.37	.00	.00	6.37
				Vendor Total: QUILL	38.21	.00	38.21
Vendor: RBUSH Randy Bush							
7/21reimb	07/21/14	0152174680 reimb boot allowanc	07/21/14	75.00	.00	.00	75.00
				Vendor Total: RBUSH	75.00	.00	75.00
Vendor: RCHEEK Ronald Cheek							
7/21reimb	07/21/14	0191005890 conf expenses	07/21/14	317.00	.00	.00	317.00
				Vendor Total: RCHEEK	317.00	.00	317.00
Vendor: SCEXT Spencer County Extension							
Aug2014	07/21/14	0151406020 payment #19	07/21/14	1,875.00	.00	.00	1,875.00
				Vendor Total: SCEXT	1,875.00	.00	1,875.00
Vendor: SOFTW MGMT Software Management LLC							
21673	07/21/14	0150105850 clerk softwr progrm	07/21/14	2,894.00	.00	.00	2,894.00
				Vendor Total: SOFTW MGMT	2,894.00	.00	2,894.00
Vendor: SRECC Salt River Electric							
7/21animal	07/21/14	0152055780 k9 office utilities	07/21/14	80.87	.00	.00	80.87
7/21ems	07/21/14	0151405780 ems utilities	07/21/14	755.55	.00	.00	755.55

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Spencer County Fiscal Court
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General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
7/21mainten	07/21/14	0150855780 mainten bdg utilit	07/21/14	242.62	.00	.00	242.62
7/21parks	07/21/14	0154015780 parks utilities	07/21/14	605.72	.00	.00	605.72
7/21recycle	07/21/14	0152175780 recycle utilities	07/21/14	99.70	.00	.00	99.70
7/21tower	07/21/14	0151383480 tower utilities	07/21/14	21.72	.00	.00	21.72
Vendor Total: SRECC				1,806.18	.00	.00	1,806.18
Vendor: TMONTGOMER Tim Montgomery							
7/21reimb	07/21/14	0150154810 unif alterations	07/21/14	40.00	.00	.00	40.00
Vendor Total: TMONTGOMER				40.00	.00	.00	40.00
Vendor: USPOST U.S. Postal Service							
7/21judge	07/21/14	0150014450 judge postage	07/21/14	98.00	.00	.00	98.00
7/21sher	07/21/14	0150155630 sher presort permit	07/21/14	220.00	.00	.00	220.00
7/21sheriff	07/21/14	0150155860 sheriff postage	07/21/14	98.00	.00	.00	98.00
7/21treas	07/21/14	0150404450 treas postage	07/21/14	98.00	.00	.00	98.00
Vendor Total: USPOST				514.00	.00	.00	514.00

* These invoices are on hold.

Report Total: Invoices	46,906.72
Open Credits	.00
Less Discounts Available	.00
Net Balance Due	46,906.72

*** Report Options ***

Vendors: ALL

Invoice Dates: ALL

Status: All

Accounts: 0149090000 to 01GROSS

As Of: Current Date (07/17/2014)

*** End of Report ***

SPENCER COUNTY
F19 PG622

07/17/14
04:32PM

Spencer County Fiscal Court
Open Invoice Report
As of July 17, 2014

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Road Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: AARONOIL		Aaron Oil Company Inc.					
78377-V	07/22/14	026105439H wasteoil fee	07/22/14	35.00	.00	.00	35.00
Vendor Total: AARONOIL				35.00	.00	.00	35.00
Vendor: AUTOZONE		Auto Zone					
4547886130	07/22/14	0261055920 greasguns	07/22/14	29.08	.00	.00	29.08
4547886303	07/22/14	0261055920 innertube	07/22/14	15.19	.00	.00	15.19
4547882565	07/22/14	0261055920 battery terminal	07/22/14	16.88	.00	.00	16.88
4547888351	07/22/14	0261055920 olddry	07/22/14	26.96	.00	.00	26.96
4547903998	07/22/14	0261054750 sockets	07/22/14	13.56	.00	.00	13.56
4547904007	07/22/14	0261055920 fuses	07/22/14	14.38	.00	.00	14.38
4547904293	07/22/14	0261055920 electronic flashers	07/22/14	24.16	.00	.00	24.16
Vendor Total: AUTOZONE				140.21	.00	.00	140.21
Vendor: BRANDEIS		Brandeis					
L59578	07/22/14	0261055920 excavator parts	07/22/14	132.85	.00	.00	132.85
Vendor Total: BRANDEIS				132.85	.00	.00	132.85
Vendor: CCSI		California Contractors Supply					
PP32852	07/22/14	0261054470 metal cutoff wheels	07/22/14	191.40	.00	.00	191.40
PP32853	07/22/14	0261054450 cooling bandanas	07/22/14	77.70	.00	.00	77.70
Vendor Total: CCSI				269.10	.00	.00	269.10
Vendor: CTW ELECTR		CTW Electrical Co. Inc.					
1131403-00	07/22/14	0261055920 veh flashers	07/22/14	20.08	.00	.00	20.08
1131403-01	07/22/14	0261055920 veh flashers	07/22/14	53.70	.00	.00	53.70
Vendor Total: CTW ELECTR				73.78	.00	.00	73.78
Vendor: CWLE		County Wide Lawn Equipment					
343894	07/22/14	0261054750 chainsaw repair	07/22/14	102.49	.00	.00	102.49
Vendor Total: CWLE				102.49	.00	.00	102.49
Vendor: DIAMOND M		Diamond Mowers Inc.					
0089408-IN	07/22/14	0261054870 lift cables	07/22/14	119.42	.00	.00	119.42
Vendor Total: DIAMOND M				119.42	.00	.00	119.42
Vendor: DSPINKS		Dale Spinks					
577724	07/22/14	0261055920 loader repair	07/22/14	60.00	.00	.00	60.00
577729	07/22/14	0261055920 misc trucks repair	07/22/14	250.00	.00	.00	250.00
Vendor Total: DSPINKS				310.00	.00	.00	310.00
Vendor: FEBCO		Febco Inc.					
20143098r	07/22/14	0294002030 benefits cards	07/22/14	616.50	.00	.00	616.50
Vendor Total: FEBCO				616.50	.00	.00	616.50
Vendor: G & C		G & C Supply Co. Inc.					
5544744	07/22/14	0261054690 signs vinyl	07/22/14	486.09	.00	.00	486.09
Vendor Total: G & C				486.09	.00	.00	486.09
Vendor: HUBER		Huber Tires Inc.					
30-70286	07/22/14	0261054790 tires	07/22/14	544.00	.00	.00	544.00
Vendor Total: HUBER				544.00	.00	.00	544.00

07/17/14
04:32PM

Spencer County Fiscal Court
Open Invoice Report
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Road Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: LOWES Lowe's							
911568	07/22/14	0261054470 waternose,weedkill	07/22/14	203.10	.00	.00	203.10
914044	07/22/14	0261054470 workgloves.	07/22/14	62.60	.00	.00	62.60
Vendor Total: LOWES				265.70	.00	.00	265.70
Vendor: PHFS Pleasant Hill Farm Supply Inc.							
59029	07/22/14	0261055920 veh rim	07/22/14	175.00	.00	.00	175.00
59031	07/22/14	0261055920 veh rim	07/22/14	175.00	.00	.00	175.00
Vendor Total: PHFS				350.00	.00	.00	350.00
Vendor: PJEFFIERS Preston Jeffiers							
7/22reimb	07/22/14	0261054470 mailbox damages	07/22/14	128.33	.00	.00	128.33
Vendor Total: PJEFFIERS				128.33	.00	.00	128.33
Vendor: SAF-TI-CO Saf-Ti-Co							
0200840-IN	07/22/14	0261054690 signs	07/22/14	23.00	.00	.00	23.00
0200847-IN	07/22/14	0261054690 stopsigns	07/22/14	105.60	.00	.00	105.60
0200848-IN	07/22/14	0261054690 stopsigns	07/22/14	158.40	.00	.00	158.40
Vendor Total: SAF-TI-CO				287.00	.00	.00	287.00
Vendor: SHELBYAUTO Shelby County Automotive Inc.							
164366	07/22/14	0261055920 truck brakes	07/22/14	173.64	.00	.00	173.64
Vendor Total: SHELBYAUTO				173.64	.00	.00	173.64
Vendor: SRECC Salt River Electric							
7/22road	07/22/14	0261055780 road utilities	07/22/14	333.04	.00	.00	333.04
Vendor Total: SRECC				333.04	.00	.00	333.04
Vendor: SREDMON Steven Redmon							
7/22reimb	07/22/14	0261054470 reimb cdl license	07/22/14	50.00	.00	.00	50.00
Vendor Total: SREDMON				50.00	.00	.00	50.00
Vendor: TRUCKPRO TruckPro, Inc.							
063-0235806	07/22/14	0261054550 cable lubricant	07/22/14	73.32	.00	.00	73.32
063-0236024	07/22/14	0261054550 brakecleaner,fluids	07/22/14	145.08	.00	.00	145.08
063-0236366	07/22/14	0261055920 wheelrim	07/22/14	119.00	.00	.00	119.00
Vendor Total: TRUCKPRO				337.40	.00	.00	337.40
Vendor: ZEE Zee Medical Inc.							
0101300488	07/22/14	0261054450 firstaid supplies	07/22/14	75.22	.00	.00	75.22
Vendor Total: ZEE				75.22	.00	.00	75.22
* These invoices are on hold.							
Report Total: Invoices							4,829.77
Open Credits							.00
Less Discounts Available							.00
Net Balance Due							4,829.77

*** Report Options ***

Vendors: ALL

Invoice Dates: ALL

Status: All

Accounts: 0250011010 to 02GROSS

As Of: Current Date (07/17/2014)

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04:32PM

Spencer County Fiscal Court
Open Invoice Report
As of July 17, 2014

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Tail Fixed

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
Vendor: CLINICAL		Clinical Solutions						
063014-SHELSP	07/23/14	MEDICAL	07/23/14	294.97	.00	.00	294.97	
Vendor Total: CLINICAL				294.97	.00	.00	294.97	
Vendor: FEBCO		Febco Inc.						
20143096]	07/23/14	0394002030 benefits card	07/23/14	68.50	.00	.00	68.50	
Vendor Total: FEBCO				68.50	.00	.00	68.50	
Vendor: SCODET		Shelby County Detention Center						
030614	07/23/14	june 2014 housing	07/15/14	16,060.00	.00	.00	16,060.00	
Vendor Total: SCODET				16,060.00	.00	.00	16,060.00	
Vendor: SCOEMS		Shelby County EMS						
214-189127-00	07/23/14	MEDICAL-PARKER	07/23/14	122.00	.00	.00	122.00	
Vendor Total: SCOEMS				122.00	.00	.00	122.00	
Vendor: SEEMER		SE Emergency Physicians						
214-190134-00	07/23/14	MEDICAL-PARKER	07/23/14	74.05	.00	.00	74.05	
Vendor Total: SEEMER				74.05	.00	.00	74.05	
* These invoices are on hold.							Report Total: Invoices	16,619.52
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	16,619.52

*** Report Options ***
 Vendors: ALL
 Invoice Dates: ALL
 Status: All
 Accounts: 0350801770 to 03GROSS
 As Of: Current Date (07/17/2014)
 *** End of Report ***

ADDITIONAL INVOICES AND TRANSFERS

GENERAL FUND INVOICES/TRANSFERS

Spencer County Clerk	0150154450 S.Thomas notary fee	19.00
BUSINESS REFUND	0150475670 reimburse net profit overpayment	275.00
Lynn Hesselbrock	0150105760 reimb KCCA meeting expenses	64.12
Dean Curtsinger	0150701910 board of adjustments meeting 7/5/2014	60.00
Ike Irvine	0150701910 board of adjustments meeting 7/5/2014	60.00
Bruce Kapfhammer	0150701910 board of adjustments meeting 7/5/2014	60.00
Lowry Brown	0150701910 zoning meeting 7/17/2014	60.00
Dwight Clayton	0150701910 zoning meeting 7/17/2014	60.00
Jan Deigl	0150701910 zoning meeting 7/17/2014	60.00
Nathan Lawson	0150701910 zoning meeting 7/17/2014	60.00
Gary Mudd	0150701910 zoning meeting 7/17/2014	60.00
Alfreda Currie	0150701910 zoning meeting secretary 7/17/2014	60.00
Transfer \$207.80 to 0150807210 (maintenance supplies) from 0151404550 (ems fuel) for invoice correction		

ROAD FUND INVOICES/TRANSFERS

Steven Redmon	0261054470 reimb cdl physical	35.00
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JAIL FUND INVOICES/TRANSFERS

Darrell Herndon	0394002120 four HB810 training units	3909.72
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<u>Cash Balances:</u>	<u>General Fund</u>	<u>Road Fund</u>	<u>Jail Fund</u>
6/27/2013	\$786,192.54	\$201,267.02	\$48,869.14
7/31/2013	\$710,017.30	\$124,336.89	\$62,868.67
8/30/2013	\$645,470.59	\$809,743.78	\$41,972.35
9/27/2013	\$366,755.35	\$612,038.40	\$23,109.48
10/31/2013	\$1,007,586.92	\$551,140.12	\$44,409.32
11/30/2013	\$891,119.71	\$376,975.74	\$28,163.82
12/1/2013	\$891,119.71	\$376,975.74	\$28,163.82
12/31/2013	\$885,787.77	\$151,496.19	\$42,668.50
1/31/2014	\$996,912.51	\$516,500.58	\$26,540.65
2/28/2014	\$942,823.32	\$456,806.32	\$38,699.40
3/28/2014	\$808,084.89	\$395,370.52	\$61,631.07
4/30/2014	\$938,535.48	\$320,328.34	\$47,148.28
5/31/2014	\$741,609.78	\$153,761.77	\$75,303.55
6/30/2014	\$377,661.58	\$1,546.84	\$75,790.56
7/17/2014	\$290,631.96	\$83,303.31	\$113,971.72

- On the motion of Esq. Goodlett, seconded by Esq. Judd, with all the members of the Court present voting "aye", it is hereby ordered to approve all expenditures, purchases, invoices and transfers.

2. Zoning readings, recommendations and regulations.

2a. 2nd reading zoning request of Prather, Hilbert, Prather&Yates

On motion of Esq. Cheek, second by Esq. Davis with all members of the court voting "Aye", it is hereby ordered by the court to Approve the zone change request of Prather, Hilbert, Prather & Yates for Norma Jean Hilbert on a 0.565 acre tract of land from AG-1, agricultural to R-1, residential on property located at 2917 Bloomfield Road based on the findings of fact presented by the Planning & Zoning Commission.

Attest: Lynn Hesselbrock
Clerk Spencer County Fiscal Court

Bill Karrer
Spencer County Judge/Executive

2b. Ordinance No. 1 (2015 series) repealing existing zoning regulations and creating new zoning regulations for Taylorsville-Spencer County Joint Planning and Zoning.

ORDINANCE NO. 1, Fiscal Year 2015 Series

AN ORDINANCE REPEALING ANY EXISTING ZONING
ORDINANCE/REGULATIONS OR PART THEREOF AND
CREATING NEW ZONING REGULATIONS FOR
TAYLORSVILLE SPENCER COUNTY JOINT PLANNING AND ZONING

WHEREAS, a public hearing was held before the Taylorsville-Spencer County Joint Planning and Zoning Commission on the 5th day of June, 2014 after appropriate legal notice and,

WHEREAS, pursuant to KRS 100.211 (2) and Article XIII, Section 1301 of the regulations, the Taylorsville-Spencer County Joint Planning and Zoning Commission took the following action which was to recommend the proposed changes,

WHEREAS, the Spencer County Fiscal Court held a hearing on the 21st day of July, 2014, after appropriate legal notice, in regard to the proposed changes and,

THEREFORE, BE IT ORDAINED by the Spencer County Fiscal Court (or the County of Spencer) that the Revised Zoning Ordinance of 1992 and amendments thereto are hereby repealed;
and,

BE IT FURTHER ORDAINED by the Spencer County Fiscal Court (or the County of Spencer) that the Zoning Regulations are adopted to read as follows:

ARTICLE I. Introduction / General Provisions and Definitions

Sect. 100 Introduction1.) Purpose.

The purpose of these regulations is to promote the public health, safety, and the general welfare; to prevent the overcrowding of land and the wasteful scattering of population; to avoid undue concentration of the population; to protect and guide development of rural areas; to insure adequate provision for transportation, water supply, sewerage disposal, schools, parks, open space, natural areas and other public requirements; to encourage the most appropriate use of land and structures throughout the county and its cities; to guide and accomplish a coordinated, adjusted, and harmonious development of all areas of the county and its cities; and to aid in the implementation of the Comprehensive Plan.

2.) Title.

This ordinance is entitled "Spencer County Revised Zoning Ordinance" and may be referred to as the "Zoning Ordinance" of Spencer County and the City of Taylorsville. The maps herein referred to are identified by the title "Spencer County Zoning Maps" (or Taylorsville Zoning Map). Copies of these maps are on file with the Zoning Administrator in the offices of the Planning and Zoning Commission in Taylorsville, Kentucky and the County Clerk's office

Sect. 101 Amendments/Adoption1.) Fiscal Court and City Commission may amend.

The Fiscal Court of Spencer County or the City Commission of Taylorsville may from time to time amend, supplement or change by ordinance the boundaries of districts or regulations herein established within their respective jurisdictions.

2.) Review and Public Hearing by Planning Commission.

No amendment shall become effective unless it is first submitted to and approved by the Planning Commission, or if so disapproved, shall receive a majority vote of the entire Fiscal Court or the City Commission of Taylorsville. The Planning Commission shall hold a public hearing on the proposed amendment before making its recommendation. Such public hearing shall be duly advertised with notice published at least once in a newspaper of general

circulation throughout the county no less than seven (7) days nor more than twenty-one (21) days before the scheduled hearing.

A qualified court reporter may be requested by the applicant, ten (10) days prior to the hearing, which shall be paid by the applicant. The applicant shall deliver the original transcript to the Commission.

3.) Interpretation in case of Conflict with other Resolutions and Private Deeds.

In the interpretation and application of the resolution, the provisions contained herein shall be held to be minimum requirements adopted or the promotion of public health, morals, safety, and general welfare.

Any existing zoning ordinance or part thereof which conflicts with the whole or any part of this ordinance is hereby repealed.

In the case of any conflict between this ordinance, or part thereof, and the whole or part of any existing or future private covenants or deed, the most restrictive shall apply.

4.) Validity.

If any article, section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of the ordinance which is not in itself invalid or unconstitutional.

5.) Effective Date.

This resolution shall take effect and be in force immediately after its adoption.

6.) Approval.

Passed by the Fiscal court of the County of Spencer,
Kentucky, this _____ day of _____, _____
County Judge: _____
Clerk to the Court: _____

Passed by the Commission of the City of Taylorsville,
Kentucky, this _____ day of _____, _____
Mayor: _____
City Clerk: _____

Sect. 102 Definitions

1. Accessory use: a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.
2. Agricultural uses: As defined in KRS 100.111 with the following as illustrative uses: the growing and harvesting of crops including grass, legume, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, growing of mushrooms, nursery and forest planting stock, orcharding, forestry and the operation of greenhouses; the keeping, raising and feeding of livestock and poultry, swine, sheep, beef and dairy cattle, pony and horse production; fur, game, fish and wildlife farm operation; farm buildings used for growing, harvesting and preparing crop products for market; roadside stands and signs pertaining to the sale or use of the premises or products produced thereon; farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock and poultry and preparing livestock and poultry products for market.
3. Alley: any public or private way set aside for public travel, less than twenty (20) feet in width and providing only a secondary means of access to property abutting thereon, and not used as roadway frontage for the application of requirements herein.
4. Automobile Salvage Yard (includes Junk Yards and Auto Wrecking Yards): any place where two or more vehicles not in running condition, or the parts thereof, are stored and are unlicensed for the current calendar year and are not being restored to operation or which are operational but, which are unlicensed for the current year; any land, building or structure used for the wrecking or storing of such automobile or the parts thereof.
5. Boarding or Lodging House: a building other than a hotel where meals or sleeping accommodations or both are provided for compensation for three, but not more than twenty persons.
6. Building: any structure constructed or used for residence, business, industry or other public or private purposes, or access thereto.
7. Building, Accessory: a subordinate building, the use of which is purely incidental and subordinate to that of the main building and located on the same lot as the main building.
8. Building Permit: means a permit issued by the Building Inspector for the City of Taylorsville and for the County of Spencer pursuant to the Kentucky Building Code.
9. Building, Principal: a building, including covered porches, carports, and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated.

10. Camping Trailer: vehicle intended or designed for seasonal use but not for year-round living accommodations.
11. Camp or Campgrounds: tracts of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonal, temporary or movable nature not including mobile homes/manufactured housing, such as a cabin, hunting shelter, or tent. Any permanent structures, such as cabins, must comply with the appropriate requirements for dwellings in that district, including requirements of the Health Officer.
12. Commercial Resort: a resort furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishing of lodging and meals.
13. Conditional Use: A use which is essential or desirable or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions of location, size, extent, and character of performance are imposed in addition to those imposed in the zoning regulation.
14. Conditional Use Permit: legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the Board of Adjustment, consisting of two parts:
 - (a) A summary statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit; and
 - (b) A statement of the specific conditions which must be met in order for the use to be permitted and allowed to continue.
15. Construction Permit: means a permit issued by the Taylorsville-Spencer County Joint Planning and Zoning Administrator as set forth in these regulations.
16. Dump: a lot or tract of land of part thereof used for the disposal by abandonment, dumping, burial, burning, or other means of trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.
17. Dwelling: a permanent building used primarily for human habitation but not including mobile homes or facilities for the housing or transient residents.
 - (a) Dwelling, Single-Family: a permanent building, separate and free standing, in itself providing living accommodations for one family.

- (b) Dwelling, Two-Family: a permanent building designed exclusively for occupancy by two families.
- (c) Dwelling, Multiple-Family: a permanent building or portion thereof providing separate living accommodations for three or more families.
18. Family: a group of one or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage but no unrelated group shall consist of more than five persons, as distinguished from a group occupying a boarding or lodging house or hotel.
19. Garage, Private: an accessory building housing not more than four motor driven vehicles. The building owner may lease vehicle space but he shall not provide repairing or servicing or motor vehicles for financial gain.
20. Garage, Public: any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling or storing motor driven vehicles.
21. Garbage: any disposable, odorous, decomposable or' combustible waste materials.
22. Group or Row House: a group or row of not more than eight semi-detached single-family dwellings not more than two rooms deep with access to a street.
23. Height, Building: the vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the main level between the highest gable or slope of a hip roof and the eave.
24. Home Occupation: any use conducted entirely within a dwelling or in the immediate vicinity of the dwelling by the occupant of the dwelling as an accessory use which is clearly incidental to the use of the dwelling for residential purposes. Such a use shall employ not more than one person outside the family residing in the dwelling. Home occupations include the following: fine arts studios, professional offices, teaching, seamstresses, cabinetmakers, real estate or insurance agents, barber shops and beauty parlors, and similar activities as determined by the Board of Adjustment. Home occupations shall not include: commercial stables, kennels and nurseries, rooming houses or tourist homes, dance studios, or commercial repair or storage of automobiles or watercraft. The Board of Adjustment may allow other home occupations similar to those listed as allowed especially in Agricultural Districts where, after a public hearing, it is determined not to have a deleterious effect upon surrounding properties and meeting the

requirements herein. To be considered a home occupation, a use shall not be permitted:

- (a). To display signs, except for one sign not exceeding ten square feet in area and to be affixed to the building in residential districts, except where prohibited by subdivision restrictions. The sign design is to be approved by the Board of Adjustment;
 - (b). To make external structural alterations which are not customary in residential buildings;
 - (c). To generate traffic by such home occupation in greater volume than would normally be expected in a similar neighborhood; any need for parking generated by such activity shall be met off the street and other than in the required front yard; and
 - (d). To produce offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects.
25. Junk yards: a lot, land, building, or structure, or part thereof used primarily for the collecting, storage, and/or sale of waste paper, rags, scrap metal, or discarded material or for the collecting, dismantling, storage, and salvaging of machinery of vehicles not in running condition and for the sale of parts there from.
26. Kenel: any place where house pets are kept for purposes other than those customary and incidental to a household.
27. Legislative Body: same as "governing body" as used herein such body is the Fiscal Court, City Council, City Commission or Town Board.
28. Lot: a piece, parcel or plot of land occupied or to be occupied by one principal building and its accessory buildings and including the open spaces required under this regulation.
29. Lot of record: any lot, the deed of which is on record at or shown on a subdivision plat legally recorded in the office in the office of the County Clerk of Spencer County at the time of enactment of this resolution.
30. Manufactured Home: as defined by KRS 227.550 (7) means: a single-family residential dwelling constructed in accordance with the federal act (see note), manufactured after June 15, 1976, and designed to be used as a single-family residential dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein and as defined by KRS 186.650 (3) as transportable in one (1) or more sections, which;

- (a) Is eight (8) body feet or more in width and forty (40) body feet or more in length when in the traveling mode;
- (b) Has three hundred twenty (320) or more square feet when erected on site;
- (c) Is built on permanent steel or metal chassis;
- (d) Is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities;
- (e) Includes plumbing, heating, air-conditioning, and electrical systems;
- (f) Has a certificate of title.

Notes: 1. THE FEDERAL ACT means: the Federal Manufactured Housing Construction and Safety Standards Code as set forth in the Code of Federal Regulations, title 24, Part 3280, 3282, 3283 and 42 USC 5401, et seq. and as mandated by the United States of America Department of Housing and Urban Development and commonly referred to as HUD code, but not meeting the additional standards as required in the definition herein of a SINGLE FAMILY DWELLING. 2. The regulations relating to mobile home subdivisions shall also apply to manufactured home parks and manufactured home subdivisions in keeping with the above definitions. 3. Trailers, mobile homes and manufactured homes are allowed in the zones in which the regulations presently allow trailers, mobile homes and manufactured homes.

31. Mobile Home: as defined by KRS 227.550 (10) means; a structure manufactured prior to June 15, 1976, which was not required to be constructed in accordance with the federal act, which is transportable in one (1) or more sections, which, in traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent steel or metal chassis and which has a certificate of title and designed to be as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and may be used as a place of residence and so constructed as to permit its being used as a conveyance upon the public streets or highways, and designed to permit occupancy thereof as a dwelling place for one or more persons.
32. Mobile Home Park: an area developed for the rental or lease of space for mobile homes with accommodations for six (6) or more mobile homes.
33. Mobile Home Subdivision: a residential subdivision designed exclusively for and occupied only by mobile homes in which the homes and the land are owned by the occupants.
34. Motel or Tourist Home: Inn or group of cabins or rooms designed for occupancy by paying guests.

35. Motor home: a self-propelled, self-contained vehicle with living accommodations constructed as an integral part of the vehicle.
36. Nursing Home or Rest Home: a home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnoses, treatment, or care of the sick or injured.
37. Non-conforming use: an activity or a building, sign, structure or a portion thereof which lawfully existed before the adoption of the 1973 or this zoning ordinance, but which does not conform to all of the regulations contained in this zoning ordinance which pertain to the zone in which it is located, as provided for in KRS 100.
38. Planned Unit Development: a complex of structures and uses planned as an integral unit of development rather than as single structures on single lots.
39. Street: any public or private way dedicated to public travel twenty (20) feet or more in width. The work "street" shall include the words "road", "highway", and "thoroughfare".
40. Structure: any combination of materials fabricated to fulfill a function in a fixed location on the land; includes buildings.
41. Use: the purpose or activity for which a building, structure, or land is occupied or maintained.
42. Yard: an open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this ordinance.
 - (a). Front Yard: the yard extending across the entire width of the lot and measured from the principal building to the right-of-way line or street line which the building faces.
 - (b). Rear Yard: the yard extending across the entire width of the lot and measured from the rear lot line to the nearest part of the principal building.
 - (c). Side Yard: the yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.

ARTICLE II. ADMINISTRATION

Sect. 200 Interpretation of Regulations / Non-conformity

Interpretation in case of Conflict with other Resolutions and Private Deeds.

In the interpretation and application of the resolution, the provisions contained herein shall be held to be minimum requirements adopted for the promotion of public health, morals, safety, and general welfare. Any existing resolution ordinance or part thereof which conflicts with the whole or any part of this ordinance is hereby repealed. In the case of any conflict between this ordinance, or part thereof, and the whole or part of any existing or future private covenants or deed, the most restrictive shall apply.

Sect. 201 Continuance of Non-conforming Uses and Buildings

Any lawful use of land or structure existing at the time of adoption of the 1973 Regulations of this ordinance, or subsequent amendment of this ordinance, may be continued with the following limitations:

- 1.) Non-conforming use not to expand. Nonconforming uses including buildings or structures may not be expanded nor substantially remodeled unless in conformity with this regulation. Residential uses on lots of more than one acre are exempt from this provision.
- 2.) Non-conforming building not to be rebuilt. Any non conforming building or structure which has been damaged to the extent of 50 percent of its current fair cash value, as estimated immediately prior to damage, shall not be repaired or reconstructed except in conformity with this ordinance; provided, however, that a non-conforming residential structure may be rebuilt in the same general yard area if such damage was due to fire or natural causes and if rebuilt within 12 months of the date of damage.
- 3.) Discontinued non-conforming use not to reestablish after one year. No non-conforming use shall be re-established after having been discontinued for twelve (12) months, being presumed to be abandoned. Vacating of premises or building or non-operative status shall be evidence of a discontinued use.
- 4.) Non-conforming uses not to be substituted. No Non-conforming use may be substituted for any other non-conforming use except when the use is typical of that permitted in a more restricted zone and is permitted by the Board of Adjustment after a public hearing.
- 5.) Existing Mobile Homes and Mobile Home Parks.

Any previous decision by the Planning Commission or the Board of Adjustment where permission, or conditional permission, was granted is hereby not affected. Non-conforming mobile homes may continue as non-conforming uses provided that if a mobile home is removed from its lot and not relocated thereon for a period of twelve (12) months, then it shall not be relocated without approval of the Board of Adjustment. Any expansion of existing mobile home parks shall be in conformance with these regulations.

6.) Ordinary repair and maintenance.

Work may be done on ordinary repair and maintenance, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing. Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of a building or other structure in accordance with the order of an appropriate public agency and who declares such building or other structures to be unsafe and orders its restoration to a safe condition.

Sect. 202 Buildings under construction not in violation

To avoid undue hardship, nothing in this ordinance shall be deemed to require change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing that work shall be diligently conducted until completion of the building involved.

Sect. 203 Height Requirements

- 1.) The height requirements as prescribed in these regulations shall not apply except as noted in (3) below, to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, flag poles, monuments, ornamental towers and spires, smoke stacks, scenery lofts, tanks water towers, and radio signal sending and receiving towers (commercial carrier or broadcast);
- 2.) Except as noted in (3) below, public, semi-public, or public service buildings, hospitals, educational institutions, or schools may be erected to a height not exceeding 45 feet, and churches and temples may be erected to a height not exceeding 75 feet, when permitted in a district with a lower height above the height regulations for the district.

- 3.) No building or structure of any kind may be build or erected so as to project into the "glide angle space" of any officially established airport runway, as determined by current FAA Landing Space Requirements.

Sect. 204 Yard Requirements

- 1.) Where 40% or more of the frontage on one side of street between two intersecting streets, or where 40% or more of the frontage within 200 feet of a lot (when an intersecting street is at a greater distance) is improved with buildings which have observed an average front yard, with a variation in depth of not more than ten (10) feet, which is more or less than the required front yard for the district, any building hereafter erected or altered in this block shall not be located closer to the front property line than this established line. This regulation shall not be interpreted to require a front yard in excess of 60 feet.
- 2.) On double frontage lots the required front yard shall be provided on each street;
- 3.) The build-able width of a corner lot which is of record at the time of the adoption of these regulations shall not be reduced to less than 32 feet by the application of the required side yard on the street side. Nothing in this section shall be construed to allow reduction of any other required side yard;
- 4.) Where dwelling units are erected above, and as a subordinate use to, commercial and industrial structures in commercial and industrial districts, and each dwelling unit has openings to the outside only on the front and the rear and is no more than two rooms in depth, no side yard is required except such side yard as may be required in the district regulations for a commercial or industrial building on the side of the lot adjoining a residential district;
- 5.) Whenever a lot abuts upon an alley, one-half of the alley width may be considered as a portion of the required yard;
- 6.) Every part of required yard shall be open to the sky, except as authorized by this section and the ordinary projection of sills, belt courses, cornices, and ornamental features, which may project a distance not to exceed 30 inches into the required yard;
- 7.) Free-standing gasoline pumps and pump islands at automobile service stations may occupy the required front and street side yards, provided however that they are not less than 15 feet from street lines;
- 8.) Fences and walls:

- a.) Required front and street side yards may be occupied by an ornamental fence or wall not to exceed 4 feet in height, except as provided in Section 801 (Vision Clearance);
 - b.) Required side and rear yards may be occupied by an ornamental fence or wall not to exceed 8 feet in height;
 - c.) In all other districts these requirements shall apply when the district abuts a residential district;
- 9.) An open, unenclosed porch or paved terrace may project into a required front yard a distance of not more than 10 feet;
 - 10.) A porte-cochere or canopy may project into a required side yard provided every part of such not be less than 5 feet from the side lot line;
 - 11.) For the purpose of the side yard regulations, a two-family dwelling, or a multiple family dwelling, shall be considered as one building occupying one lot;
 - 12.) Open or lattice-enclosed fire escapes, outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Inspector for a distance of not more than 5 feet, but only where the same are so placed as not to obstruct light and ventilation;
 - 13.) In the R-3 District or any location where constructed, the least dimension of a side yard on which the principal entrances or exits of a multiple family dwelling face shall be 20 feet.
 - 14.) Accessory Structure which are not any part of the main building and are separated from the main building shall be located in the rear yard or side yard so long as it does not project further into the front yard than the main structure.
 - 15.) Accessory buildings, which are not any part of the main building and are separated from it by 15 feet, may be constructed in a required rear yard, provided such accessory buildings do not occupy a total area greater than 30 percent of the area of the required rear yard in the district in which they are located and are not placed closer than 5 feet to the rear lot line nor closer than 2 feet to a side lot line.

- 16.) Construction of a breezeway connecting building properly located on a lot with respect to all yard requirements shall not constitute a violation of this ordinance unless such breezeway violates the side yard requirements.

Sect. 205 Private Noncommercial Swimming Pools

All swimming pools capable of containing water to a depth, at any point, of twenty four (24) inches or greater, shall be governed in accordance with the following subsections:

- 1.) Location and Setback Requirements

Swimming pools shall be constructed in the rear yard of the property on which it is an accessory use. The swimming pool shall have a minimum setback of five (5) feet from any rear or side yard lot line.

- 2.) In-ground Pools

The pool or entire property on which the pool is located, shall be enclosed with a permanent fence not less than four (4) feet in height nor greater than seven (7) feet in height, which includes a gate secured with a lock.

- 3.) Above Ground Pools

An above ground pool shall be enclosed with a permanent fence not less than four (4) feet in height which includes a gate secured with a lock in accordance with the above requirements of Section 205 (b) or in lieu of a fence a deck with adequate railing shall be installed not less than four (4) feet in height. Access into a pool which includes a deck shall be secured by a gate with a lock. Above ground pools greater than four feet in height without access from a deck, shall include retractable steps or removable ladder which prohibits uncontrolled access into the pool when not in use. Decks which are attached to the pool shall not project into any required yard setback for the pool. Pools less than twenty four (24) inches in depth and/or not containing any re-circulating equipment shall be exempt from this requirement.

Sect. 206 Public Swimming Pools

All public swimming pools must comply with all applicable Kentucky State Regulations regarding installation and fencing requirements.

Sect. 207 Front Yard Exceptions

In any district where the average depth of existing front yard of the nearest existing buildings located within 100 feet on each side of a lot and within the same block as such lot is greater than prescribed by this ordinance, then in

such cases, the depth of the front yard on such lot shall be not less than the average depth of said existing front yards. If there is only one such building within 100 feet, the depth shall not be less than the average depth of the front yard of such building and the depth specified in this ordinance for the district of area in which the lot is located.

Sect. 208 Lot of Record

Where the owner of a lot consisting of one or more adjacent lots of official record at the time of adoption of this ordinance, does not own sufficient land to enable him to conform to the yard or the requirements of this ordinance, an appeal may be filed with the Board of Adjustment for a variance from the terms of this ordinance as provided for herein. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Adjustment.

Sect. 209 Maps – Boundaries / Interpretation Rules

If for any reason the location of any zoning district boundary line is not readily determinable from the official map, the location of the district boundary line shall be determined by the Administrative Official in accordance with the following principals:

- 1.) Where a zoning district boundary follows an alley, a street, or a railroad, the centerline of the alley, street, or railroad right-of-way is the boundary of the district.
- 2.) Where a zoning district boundary approximately follows a lot or property line, that line is the boundary of the district.
- 3.) Where a zoning district boundary follows a stream or the shore of a body of water, the centerline of the stream or body of water is the boundary of the district.
- 4.) Where a zoning district boundary does not clearly follow any of the features mentioned above, its exact location on the ground shall be determined by measurement according to the map scale.
- 5.) Where a district boundary line is located with reference to a fixture or monument, the location of such fixture or monument shall control.
- 6.) Where a district boundary line is shown by or established by a specific dimension and/or legal description (ie. through a rezoning request), such specific dimension or legal description shall control.
- 7.) When a tract existing prior to the adoption of these regulations and unchanged since the adoption of these regulations, is zoned two different classifications (said classifications being established by the adoption of the zoning map) then the entirety of the lot or tract may be used in conformity

with and subject to the regulations herein established for the zoning district in which the majority of the area is shown (greater than 50%).

Sect. 210 Regulations and their Administration Generally

1.) Zoning.

Land in Spencer County has, by the official zoning map, been designated as being in individual zoning districts, those districts enumerated and described in Articles III, IV, V, VI, & VII herein. The designation given the property will dictate the use of the property and how it may be developed.

The zoning designation given to property in Spencer County may be changed by amending the official zoning map by the process provided herein and compliance with the requirements of state law as contained in KRS Chapter 100. Zoning map amendments may originate by application from the property owner, the Planning Commission of legislative body. No amendment shall become effective unless it is first submitted to and approved by the Planning Commission, or if so disapproved, shall receive a majority vote of the entire Fiscal Court or the Taylorsville City Commission. The Planning Commission shall hold a public hearing on the proposed amendment before making its recommendation. Such public hearing shall be duly advertised with notice published at least once in a newspaper of general circulation throughout the county no less than seven (7) days nor more than twenty-one (21) days before the scheduled hearing. A qualified court reporter may be requested by the applicant, ten (10) days prior to the hearing, who shall be paid by the applicant. The applicant shall deliver the original transcript to the Commission. The Fiscal Court of Spencer County or the City Commission of Taylorsville may from time to time amend, supplement or change by ordinance the boundaries of districts or regulations herein established within their respective jurisdictions.

APPLICATION PROCESS.

Applications for amendments to the Zoning Map shall be made only in accordance with this section.

1.) Initiation of Amendment:

Applications for amendment of the Zoning Map shall be filed with the Planning Commission. Map amendment applications may be initiated by the Planning Commission, or any legislative body within the county having zoning authority over an affected property or the owner of the affected property. When requested, the Planning Commission shall provide the applicant with appropriate application forms.

2.) Exemptions:

Applications for amendment to the zoning Map, which are initiated by the Planning Commission, or the legislative body having zoning authority over the affected property shall be exempt from the development plan and binding elements section of this ordinance.

3.) Preapplication conference:

Prior to formal application for amendment of the Zoning Map, the applicant or his agent shall have a conference with the planning commission staff to discuss the effect the Comprehensive Plan, the Zoning Regulations, the Subdivision Regulations and other land development controls would have on the proposed development. It is intended that the conferees discuss apparent characteristics of the site that would affect the proposed development and also discuss what elements may be required on the preliminary development plan of the proposed project.

4.) Application for Amendment:

Applications for amendment of the Zoning Map shall be filed with the Planning commission in accordance with the Planning Commission's rules and this Section of the Zoning Regulations.

(A.) Demonstration of Appropriateness:

All applications for amendment to the Zoning Map shall be accompanied by the following where applicable:

- (1) A statement describing how the proposed map amendment would conform to the Comprehensive plan.
- (2) A statement why the existing zoning classification of the property in question is inappropriate or improper.
- (3) A statement describing what major economic, physical or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the comprehensive Plan, and which have substantially altered the basic character of the area involved. This statement shall include the following:
 - (a) A list of major economic, physical or social changes;
 - (b) A description of how said changes were not anticipated by the Comprehensive Plan;

- (c) A description of how said changes altered the basic character of the area.
- (d) A description of how said changes make the proposed amendment to the Zoning Map appropriate;
- (4) A statement describing how utilities and essential public services will be provided to the property in question;
- (5) A description of the anticipated time period in which implementation of the proposed uses will be initiated provided the amendment is approved.

(B.) Property Owners Signature:

Unless made by the Planning commission or a legislative body, all applications for amendment to the zoning Map shall be signed by the owner(s) of the affected property. Leaseholders, option holders, developers, and agents should also be identified.

(C.) Responsibility for Accuracy:

The applicant shall be held responsible for the accuracy of the information submitted as part of the Zoning Map Amendment application.

(D.) Development Plan:

All applications for any proposed amendment to the Zoning Map shall include a development plan in accordance with the provisions and requirements of section 212 of this ordinance.

2.) Variances.

Dimensional Variance. As defined in KRS 100, a dimensional variance is a departure from the dimensional terms of this ordinance as relates to the height, width, length or location of structures, and the size of yards and open spaces. Variances must meet the requirements of KRS 100.

Before any variance is granted, the Board must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records:

- a.) The manner in which the strict application of the provisions of the regulation would deprive the applicant of a reasonable use

of the land in the manner equivalent to the use permitted other landowners in the same zone.

- b.) That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation.
- c.) Reasons that the variance will preserve, not harm the public safety and welfare, and will not alter the essential character of the neighborhood.

The Board shall not, per KRS 100, possess the power to grant a variance to permit a use of any land, building or structure which is not permitted by the zoning regulation in the zone in question. A dimensional variance applies to the property for which it is granted, and not to the individual who applied for it. A variance also runs with the land and is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site.

3.) Conditional Uses.

A Conditional Use is a use which is essential or desirable or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions of location, size, extent, and character of performance are imposed in addition to those imposed in the zoning regulation. The Board of Adjustment has the power to hear and decide applications for Conditional Use permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations but which may be suitable only in specific locations in the zone and only if certain conditions are met. The uses allowed as conditional are listed in Section 210(3) (B) or in the specific zone in which they are allowed. Conditions specific to individual uses are listed there also.

The Board may approve, modify, or deny any application for a Conditional Use permit. If it approves such a permit, it may attach necessary conditions such as time limitations, requirements that one or more things be done before the request can be initiated, or conditions of a continuing nature. Any such conditions shall be recorded in the Board's minutes and on the Conditional Use Permit, along with a reference to the specific section in the zoning regulation listing the Conditional Use under consideration. The Board shall have power to revoke Conditional Use Permits, or variances for non-compliance with the condition thereof. Furthermore, the Board shall have a right of action to compel the violator to remove offending structures or uses at his own costs and may have judgment for such other cost as allowed by law.

The Administrator shall review all Conditional Use Permits, except those for which all conditions have been complied within a previous review (as provided for herein). The Administrator is given the power to inspect the land

or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the Conditional Use Permit. If the landowner is not complying with all of the conditions listed on the Conditional Use Permit, the Administrator shall report the fact in writing to the chairman of the Board of Adjustment. The report shall state specifically the manner in which the landowner is not complying with the conditions on the Conditional Use Permit, and a copy of the report shall be furnished to the landowner at the same time that it is furnished to the chairman of the Board of Adjustment. The Board shall hold a hearing on the report within a reasonable time, and notice of the time and place of the hearing shall be furnished to the landowner at least one week prior to the hearing. If the Board of Adjustment finds that the facts alleged in the report of the Administrator are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hearing, the Board of Adjustment may authorize the Administrator to revoke the Conditional Use Permit and take the necessary legal action to cause the termination of the activity on the land which the Conditional Use Permit authorized.

Once the Board of Adjustments has completed a Conditional Use Permit and all the conditions required are of such type that they can be completely and permanently satisfied, the Administrator, upon request of the applicant, may, if the facts warrant, make a determination that the conditions have been satisfied and enter the facts which indicated that the conditions have been satisfied and the conclusion in the margin of the copy of the Conditional Use Permit which is on file with the County Clerk, as required in KRS 100.344 at the expense of the applicant. Thereafter said use, if it continues to meet the other requirements of the regulations, will be treated as a permitted use.

1.) Conditions applicable to all Conditional Use applications:

All requests for Conditional Use Permits shall meet the following mandatory requirements as well as being reviewed for the requirements, if any, listed for the conditional use in each specific zone under "Conditional Uses Permitted":

- A.) The proposed use must blend in with surrounding uses and is not a detriment to the area;
- B.) Adequate public or private utilities are provided on site to serve the particular needs of the specific use proposed;
- C.) Traffic circulation is adequate both to and from the site;
- D.) Adequate parking and traffic flow areas are provided on site; and

- E.) When necessary to insure compliance with the forgoing requirements, limitations may be placed on the hours of operation and/or on the duration of the permit.

2.) Uses Conditional in all zones

The following uses are conditional uses allowed in all zoning districts after review and approval of a conditional use permit by the Board of Adjustments. These uses are subject to the requirements listed above as applicable to all conditional use applications as well as any other deemed necessary by the Board of Adjustment to allow the particular use to blend with its unique surroundings.

- A.) Airports/landing strips
- B.) Aviaries/Zoos
- C.) Marinas/Boat Rentals
- D.) Radio Towers (not cell)
- E.) Community Buildings
- F.) Private Clubs

Sect. 211 Administrative Appeals

An appeal to the Board of Adjustment may be taken by any person or entity claiming to be injuriously affected or aggrieved by an official action or decision of the Administrator or where it is alleged that there is error in any order, requirement, decision, grant, or refusal of the Administrator or in other matters specifically indicated in this resolution, on which the Board is required to pass.

Appeals shall be filed with the Administrator and the Board within thirty (30) days after the appellant or his agent receives notice of the action appealed from, or within sixty (60) days in matters where it alleged there is error in the administrative review of the Board. The notice of appeal shall state the grounds appealed from and be transmitted by the appellant to all parties of record. The Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

The Board shall fix a reasonable time for hearing the appeal and give public notice in accordance with applicable state law, as well as written notice to the appellant and the Administrative official at least one week prior to the hearing and shall decide it within sixty days. The affected party may appear at the hearing in person or by attorney.

Sect. 212 Development/Site Plans

Development plans, as described more fully in Article XII are required to be submitted as part of the process requesting a zoning map amendment. Additionally, development plans are required to be submitted and approved by the Planning Commission per the process outlined in Section 210 and the administrative procedures as periodically adopted by the Planning Commission prior to the approval of subdivision plats and rezoning request and the initiation of construction. Approval of development plans is ministerial in nature and do not require in themselves a public hearing prior to approval but may be the subject of a public hearing if part of a process that otherwise requires a public hearing.

Sect. 213 Entities Involved

1.) Planning Commission.

The Spencer County Planning Commission has been established pursuant to applicable sections of KRS 100. The commission shall adopt and maintain By-Laws for the transaction of business as per KRS 100.167, as amended.

The Planning Commission shall consist of eight (8) members appointed by the County Judge/Executive with the approval of the Spencer County Fiscal Court and the Mayor of Taylorsville with the approval of the City Commission. Each Commissioner shall serve four year terms as per KRS 100.143. Any vacancies on the Commission shall be filled within 60 days by the appropriate appointing authority. If the no action is taken within that time, then the Planning Commission shall fill the vacancy.

The Planning Commission is hereby authorized and empowered to undertaken any and all activities as provided for in state law.

2.) Legislative Body-Fiscal Court / City Commission.

The legislative bodies in Spencer County are Spencer County Fiscal Court and the Taylorsville City Commission. Spencer County Fiscal Court is the legislative body for unincorporated Spencer County (the area outside the local cities). It is made up of five (5) Magistrates and the County Judge Executive all of whom are duly elected through an election cycle established by state law and local regulation. Taylorsville City Commission is the legislative body within the city limits of Taylorsville. It is made up of four (4) Commission members and the Mayor all of whom are duly elected through an election cycle established by state law and local regulation.

Legislative bodies in Spencer County have the following duties and responsibilities as relates to these regulations and the planning and development process:

- (a.) Final Adoption of Zoning regulations
- (b.) Final approval authority for zoning map amendment requests

- (c.) Final approval authority for the goals and objectives for the community's comprehensive plan
- (d.) Final approval authority for related regulations and ordinances used as part of the land development process or effecting same including but not limited to floodplain regulation, access management regulations etc..

3.) Board of Adjustment.

A.) Authorization

A Board of Adjustment is authorized for the administration of this ordinance with Kentucky Revised Statutes, Section 100.217. The Board shall consist of five (5) members, three (3) of whom must be citizen members of which to be appointed by the County Judge Executive with the approval of Fiscal Court and two (2) City members to be appointed by the Mayor of the City of Taylorsville with the approval of the City Commissioners and not more than two (2) of whom may be citizens members of the Planning Commission. The filling of vacancies, taking oaths, and removal from office shall be only as provided in KRS 100.217. The Board of Adjustment shall annually elect a chairperson, vice chairperson, secretary and other officers it deems necessary. Any officer shall be eligible for reelection at the expiration of his/her term.

B.) Powers Of The Board.

When approving any application, the Board may impose such additional conditions as it deems necessary to safeguard the public welfare, safety, health, morale, convenience, and best interests of the adjoining property and neighborhood.

The Board of Adjustment shall have the power to hear and decide the following matters as provided for elsewhere herein:

- 1.) Interpretation and Administrative Reviews
- 2.) Dimensional Variances.
- 3.) Conditional Uses.

C.) Uses Not Specifically Permitted in Zoning Districts.

In addition to the powers enumerated above, The Board of Zoning Adjustment shall have the power to review the determination of the administrator as to which uses are of the same general character as uses specifically permitted in zoning districts and thus allow uses in

zoning districts which although not specifically permitted, will not be out of character with other uses in the district.

4.) Engineers/Technical personnel.

As part of the process of the development and use of land, materials of a technical nature are required. These technical materials are submitted and reviewed by professionals in several fields. These professionals are either employed by governmental bodies or public facility providers, by an applicant desiring a particular use of land, and/or someone opposed to a particular use of land. The list of professionals involved in the development process includes but is not limited to:

- (a.) Civil Engineers
- (b.) Transportation Engineers
- (c.) Sanitarians
- (d.) Architects
- (e.) Landscape Architects
- (f.) Land use planners
- (g.) Surveyors
- (h.) Attorneys

As stated above, the role of professionals with varying technical expertise is to provide required technical information at the appropriate time in the regulatory or review process. For instance, a survey of property is required for several of the review processes provided for in these regulations. Such a survey must be prepared and certified by a licensed surveyor. These regulations and administrative policies, in some circumstances, specify the particular required roles of professional understanding that other professional maybe involved even though not required by these regulations.

5.) Staff.

The Planning Commission, with the assistance of the legislative bodies, shall secure the full-time professional services of an individual to serve as Administrator, Building Official, Flood Program Administrator, and Chief Zoning Enforcement Officer whose tasks are specified herein. The title of "director" shall be construed in this ordinance as the individual responsible for any of above mentioned tasks. Other individuals may be secured by the commission in order to accomplish the duties prescribed by this ordinance pursuant to KRS 100.173, as amended.

Planning Commission staff is responsible for and has the authority to interpret and administer this regulation. The "administrator", which may be the "director" or other designee, is specifically empowered to determine which uses are of the same general character as uses specifically permitted in zoning districts and thus allow uses in zoning districts which although not specifically permitted, will not be out of character with other uses in the district. Additionally they serve an advisory role with the Planning Commission and the board of adjustment providing staff reports and

processing application and materials relating to request for action from those boards. Staff also serves as liaisons between the Planning Commission, Board of Adjustments, technical professionals, elected officials and the public. In that role they distribute and share information as provided in regulations, policies, application and/or other sources.

6.) Applicants/Public.

By the very nature of the process to develop and use land in Spencer County, the public is involved. Owners and developers of land may act as applicants. Neighbors or other concerned citizens may express their support or concerns relating to a particular proposal or project.

The burden of proof shall rest with the applicant in all proceedings required by this ordinance. Applicants and/or owners are charged with providing any and all information required by these regulations and administratively adopted policies regarding the development process. They must sign applications and verify the completeness and truthfulness of all submittals and testimony offered on their behalf.

The public at large may submit in writing or verbally as appropriate and legally tendered, their opinion concerning any application or proposal to be addressed under these regulations. The public is charged with complying with all administrative and procedural guidelines applicable to providing such information

Sect. 214 Enforcement/Violations

Enforcement.

(1) Any person, firm, corporation or entity who violates any of the provisions of these regulations for which no other penalty is provided, shall upon conviction be fined not less than \$10.00 but no more than \$500.00 for each conviction. Each day of violation shall constitute a separate offense.

(2) Any person, owner, agent or entity who violates these regulations shall upon conviction be fined not less than \$100.00 nor more than \$500.00 for each lot or parcel which was the subject of a sale or transfer, or a contract for sale or transfer in violation of these regulations. Any person who fails to file applications for a building permit shall be subject to a penalty fee in an amount determined by the Commission.

(3) These regulations readopted pursuant to KRS100.334, and other applicable laws. The commission and/or its designee shall have such power as provided by KRS 100.337, and other applicable laws, to enforce these regulations.

ARTICLE III. PROVISIONS GOVERNING AGRICULTURAL DISTRICTS

Sect. 300 A-1 Agricultural Zone

Intent: The Agriculture District is intended to (1) conserve agricultural lands for continued farm use, and (2) minimize urban-type development in rural areas (3) preserve the natural beauty and open space character of the Spencer County rural countryside and (4) protect the public health, safety and welfare from hazardous and/or unsafe waste, whether solid, semi-solid or liquid generated or disintegrate from a municipal commercial or industrial waste water treatment plant, water supply treatment plant, air pollution control facility or any other such waste having similar characteristics and effects; due to the presence of sinkholes, losing streams and sinking streams associated with the karsts topography of Spencer County.

1.) Uses permitted:

- a.) One Principal Single Family Dwelling of site built construction and limited to one manufactured home or site built home per farm used as a dwelling, which is permanently occupied by members of the immediate family of the farm owner or by full-time employees working on the farm.
- b.) Agricultural uses including one principle farm dwelling and storage of farm products.
- c.) Roadside stand for sale of agricultural products produced on the premises.
- d.) Churches, parish halls, temples, convents, monasteries, educational or similar institutions.

2.) Accessory uses allowed:

- a.) Riding academies and stables subject to KRS 100.111 pertaining to agricultural uses
- b.) Non-commercial kennels
- c.) Home Occupations
- d.) Garage or other accessory building
- e.) Private recreational facilities

3.) Conditional Uses allowed:

- A.) Land farming may be permitted by special Conditional Use of the following conditions:

- 1.) Storage of any sludge or special waste shall be stored on the farm on which the sludge or special waste will be spread, provided it is not stored more than ten (10) days; and provided a plan which provides appropriate measures to prevent wind or water erosion or leaking of the sludge or special waste is submitted to the Board of Adjustments. The Board of Adjustments may grant a "Restricted Conditional Use" permit for storage of any sludge or special waste for a period exceeding ten (10) days in an Industrial District.
- 2.) The applicant (landowner and sludge generator) shall submit to the Board of Adjustments the following:
 - (a) For informational purposes, a copy of the surface and ground water Quality Assurance Plan required by 401 KAR 48:200.
 - (b) The affidavit of a geologist, physical geographer, agricultural or civil engineer, with professional experience in karsts hydrogeology, certifying that the land farming site is not within the catchment / drainage area of a sinkhole, losing stream, or sinking stream; with citations to the sources used in preparing the certification which shall include but not be limited to a physical on-site inspection of the proposed land farming site. Said affidavit shall detail the affiant's educational background and experience with karsts hydrogeology.
 - (c) Copies of all test results used to determine that the sludge is non-hazardous in accordance with all criteria to be considered for identifying hazardous waste as set forth in 401 KAR, Chapter 31 of Natural Resources and the Environmental Protection Cabinet.
 - (d) Copies of all test results establishing that the sludge does not contain any pathogens, or toxic substances regulated by the Toxic Substances Control Act.
- 3.) The grant or denial by the Cabinet for Natural Resources and Environmental Protection of a request for determination of waste classification for a proposed land farming site prior to the applicant's submittal of a complete permit application pursuant to 401 KAR 48:200, Section 1 may be considered by the Board of Adjustments in approving or denying the Special Conditional Use Permit, but shall not be dispositive of that determination.
- 4.) Any Special Conditional Use permit granted shall be conditional upon the granting of a land farming permit pursuant to 401 KAR 48:200 and shall become effective upon

date the land farming permit is issued by Kentucky's Cabinet for Natural Resources and Environmental Protection.

- 5.) For informational purposes, a copy of the permit application required by 401KAR 48:200, Section 3 to be submitted to Kentucky's Cabinet for Natural Resources and Environmental Protection shall be submitted simultaneously to the Board of Adjustments.
- 6.) For informational purposes, the Permit-tee shall provide to the Board of Adjustments a copy of the results of periodic soil sampling tests required by 401 KAR 48:200 section 8 (20), (a), (b) within 30 days of the date said sampling tests are conducted together with an affidavit by the applicant stating that said results are within the guidelines set by 401 KAR 48:200 Section 8. Applicant shall send copies of the sampling results and the affidavit described herein above to the Kentucky Cabinet for Natural Resources and Environmental Protection.
- 7.) For informational purposes, the Permit-tee shall provide the Board of Adjustment a copy of the written notice regarding excessive cumulative concentration of contaminants required by 401 KAR 48:200 section 8 (25) and a copy of any report describing corrective actions to be taken pursuant to 401 KAR 48:200 Section 8.
- 8.) When a Special Conditional Use permit for land farming is revoked, notice of revocation shall be provided by letter from the Board of Adjustments to the Kentucky Cabinet for Natural Resources and Environmental Protection. A Special Conditional Use Permit for land farming shall be revoked:
 - (a) When permit-tee fails to provide copies of test results, affidavits or notices required by this article hereof to Board of Adjustment within 60 days of the date tests are taken or notice or report is due to be sent to the Cabinet for Natural Resources and Environmental Protection.
 - (b) When the area ceases to be used as a land farming site;
 - (c) When the permit-tee's land farming permit issued pursuant to KRS Chapter 224 and 401 KAR 48:200, and any amendments thereto, is revoked by the Kentucky Cabinet for Natural Resources and Environmental Protection;

- (d) If the information on which the application for special Conditional use permit was granted is proved to have been false; or
 - (e) When the information contained in the hydro geologist affidavit becomes incorrect as a result of hydro geological changes in the land farming site which affect the site's capacity for removal and/or control of contaminants.
- 9.) No Special Conditional Use which has been revoked shall be reactivated or renewed until the Board of Adjustments has received from the Permit-tee a copy of the written authorization by the Kentucky Cabinet for Natural Resources and Environmental Protection to recommence land farming.
- B.) Commercial Greenhouses, Plant Nurseries. Conditions may be imposed that limit the size and type of structure, hours/seasons of operation, location of structures, number of employees, limitations on type of merchandise offered for sale, limitations on the storage of refuse and waste material. A conditional use granted under this section allows commercial greenhouses and plant nurseries only (other than permitted use) as the primary use.
- C.) Pay Fishing Lakes, Riding and Boarding Pens and Stables, Commercial Kennels, Animal Clinics/Hospitals. Conditions may be imposed that limit the size, type and location of any structures, that limit the number of animals accommodated at any one time, limit the number of employees, impose special requirements for screening and buffering, the number of clients served at any one time, limitations on hours or seasons of operation as well as any other condition that allows the use to blend in with its unique surroundings.
- D.) Instructional/Research Facilities, Rehabilitation Centers. Conditions may be imposed that limit or specify the size and type of structure or structures, that impose a maximum number of employees and/or individuals to be accommodated on site at any one time, limit seasons or hours of operation, limit the specific area to be used for the particular use, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
- E.) Owner-Operated, Specially Skilled Shop. The intent of this section is to permit the resident craftsman to benefit from his specialty skill at his residence. Examples of the type of uses so

permitted are welders, mechanics, wood workers, sawmills, re-upholsters, appliance repair persons, sign painters, etc.. Conditions which may be imposed or which shall be mandatory (*) include: the business may be operated by the resident owner and immediate family members residing at the location, no outside employees are allowed(*); no person may own or operate more than one such business (*); no more than one structure be permitted for such operation (*); such structure not exceed 2500 sq. ft. in area(*); storage of any equipment, necessities, or accessories to said business which incidentals to the business must be completely and entirely stored and contained within said structure (*); limits may be placed on hours of operation; impose special screening and buffering requirements; as well as any other requirement that allows the use to blend in with its unique surroundings.

- F.) Contracting Businesses (electrical, general, plumbing excavation, concrete, etc.) at the contractor's place of residence: Conditions that may be imposed or that are mandatory (*) include: that the lot or parcel on which the business is located must be at least five (5) acres in size (*); no activity related to the business shall occur within 100 feet of any adjoining property (*); that the use involve one building only being no more than 2500 square feet in size (*); that the area of the lot or tract to be used for the purposes of the conditional use, excluding a driveway, is to be no more than 25,000 square feet (*); that there are no more than three (3) employees, including the landowner and other resident employees, employed or associated with the business on-site (*); that there are no more than four (4) pieces of business equipment or vehicles (trailer to carry a piece of equipment not counting as a separate piece of equipment) allowed on-site (*); special screening or buffering may be required; as well as any other condition that allows the particular use to blend with its unique surroundings.
- G.) Bed and Breakfast Establishments: allowing sleeping accommodations to be rented for profit with minimal food service provided. The Board of Adjustment when granting requests for bed and breakfast establishments may, limit the number of rooms to be used, limit the area of structure to be dedicated to the use, require a specific number of parking spaces as well as impose any other requirement that it deems necessary to help the requested use blend into its unique surroundings.
- H.) Automobile and agricultural equipment sales and service at the residence of the owner/operator: The Board of Adjustment when approving a Conditional Use Permit for an establishment for the sales and service of automobiles and/or agricultural

equipment may consider the impact of the proposed use on the surrounding area, in particular to the properties adjacent. This type of establishment shall not be considered as altering the agricultural or residential character of its particular area and shall not be justification for zoning map amendments. Conditions may be impose by the Board addressing the area to be used for sales or service; parking; screening and buffering; hours of operation or any other restriction required to allow the establishment blend with its particular environment. In addition the Board may put a time limit or expiration date on the permit after which the applicant may reapply for extension of the permit. In the case of automobile sales, no more than five (5) automobiles may be displayed for sale at any one time. When appropriate the Board of Adjustment may limit the number of automobiles displayed to less than five (5). All automobiles displayed for sale must be operative.

- I.) One (1) accessory dwelling unit of permanent construction having no more than 1000 square feet in living area provided that the parcel on which the accessory dwelling is located has approved on-site sewage disposal for both the principal use dwelling and the accessory dwelling and that the lot or tract is at least two (2) acres in size.
 - J.) Rifle Shooting Range: Conditions may be imposed that limit or specify the size and type of structure or structures, hours of operation, safety measures required including but not limited to direction of fire and berming, limit the specific area to be used for the particular use including setbacks from property lines, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
 - K.) Circus/Carnivals: Conditions may be imposed that limit or specify the size and type of structure or structures, hours and frequency (seasons) of operation, traffic safety measures required including but not limited to direction of flow and required parking, limit the specific area to be used for the particular use including setbacks from property lines, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
- 4.) Dimensional Requirements – subject to the special requirements of Article VIII.
- a.) Road Frontage - 50 feet

- b.) Front Yard - 50 feet from right-of-way
- c.) Side Yard - 15 feet*
- d.) Street Side yard - 30 feet
- e.) Rear Yard - 40 feet *
- f.) Minimum lot/tract size – 10 acres
- g.) Maximum Height – 35 feet

* SPECIAL NOTE: on land used solely for agriculture, stock raising, dairying or similar purposes, the regulations as to construction permits, certifications of occupancy, height, yard, location, or Courts Requirements is not applicable for Agriculture Buildings other than the residence, except that set-back lines required for protection of existing or proposed streets or highways must be observed; and no structure may be built in a designated floodway or flood plain which would tend to increase flood heights or obstruct water flow unless permitted by the Division of Water. An Agricultural Construction Permit Exemption Affidavit is to be acquired for all agricultural structures stating that all buildings are being used as farm buildings incidental to the farming operation.

5.) Parking.

- a.) Three All-weather off-street automobile parking, paved with bituminous asphalt, concrete, crushed stone, gravel, or slag shall be provided on all lots on which any of the following uses are established such space shall be provided with vehicular access to a street or alley.
- b.) All other parking shall be provided as indicated in Article XIII.
- c.) Parking Exceptions Article XIII, Section 1301.

6.) Signage.

Signs permitted as indicated in Article X.

Sect. 301 A-2 Agricultural Zone

Intent: The A-2 Agriculture District is intended to (1) conserve agricultural lands for continued farm use, and (2) allow low density, low-impact residential development in rural areas that is compatible with agricultural operations, and (3) preserve the natural beauty and open space character of the Spencer County rural countryside and (4) protect the public health, safety and welfare from hazardous and/or unsafe waste, whether solid, semi-solid or liquid generated or disintegrate from a municipal commercial or industrial waste water treatment plant, water supply treatment plant, air pollution control facility or any other such waste having similar characteristics and effects; due to the presence of sinkholes, losing streams and sinking streams associated with the karsts topography of Spencer County.

1.) Uses permitted:

- a.) One Principal Single Family Dwelling.
- b.) Agricultural uses including one principle farm dwelling and storage of farm products.
- c.) Roadside stand for sale of agricultural products produced on the premises.
- d.) Churches, parish halls, temples, convents, monasteries, educational or similar institutions.

2.) Accessory uses allowed:

- a.) Riding academies and stables subject to KRS 100.111 pertaining to agricultural uses
- b.) Non-commercial kennels
- c.) Home Occupations
- d.) Garage or other accessory building
- e.) Private recreational facilities

3.) Conditional Uses allowed:

- A.) Land farming may be permitted by special Conditional Use of the following conditions:
 - 1.) Storage of any sludge or special waste shall be stored on the farm on which the sludge or special waste will be spread, provided it is not stored more than ten (10) days; and provided a plan which provides appropriate measures to prevent wind or water erosion or leaking of the sludge or

special waste is submitted to the Board of Adjustments. The Board of Adjustments may grant a "Restricted Conditional Use" permit for storage of any sludge or special waste for a period exceeding ten (10) days in an Industrial District.

- 2.) The applicant (landowner and sludge generator) shall submit to the Board of Adjustments the following:
 - (a) For informational purposes, a copy of the surface and ground water Quality Assurance Plan required by 401 KAR 48:200.
 - (b) The affidavit of a geologist, physical geographer, agricultural or civil engineer, with professional experience in karsts hydrogeology, certifying that the land farming site is not within the catchment / drainage area of a sinkhole, losing stream, or sinking stream; with citations to the sources used in preparing the certification which shall include but not be limited to a physical onsite inspection of the proposed land farming site. Said affidavit shall detail the affiant's educational background and experience with karsts hydrogeology.
 - (c) Copies of all test results used to determine that the sludge is non-hazardous in accordance with all criteria to be considered for identifying hazardous waste as set forth in 401 KAR, Chapter 31 of Natural Resources and the Environmental Protection Cabinet.
 - (d) Copies of all test results establishing that the sludge does not contain any pathogens, or toxic substances regulated by the Toxic Substances Control Act.
- 3.) The grant or denial by the Cabinet for Natural Resources and Environmental Protection of a request for determination of waste classification for a proposed land farming site prior to the applicant's submittal of a complete permit application pursuant to 401 KAR 48:200, Section 1 may be considered by the Board of Adjustments in approving or denying the Special Conditional Use Permit, but shall not be dispositive of that determination.
- 4.) Any Special Conditional Use permit granted shall be conditional upon the granting of a land farming permit pursuant to 401 KAR 48:200 and shall become effective upon date the land farming permit is issued by Kentucky's Cabinet for Natural Resources and Environmental Protection.
- 5.) For informational purposes, a copy of the permit application required by 401KAR 48:200, Section 3 to be submitted to

Kentucky's Cabinet for Natural Resources and Environmental Protection shall be submitted simultaneously to the Board of Adjustments.

- 6.) For informational purposes, the Permit-tee shall provide to the Board of Adjustments a copy of the results of periodic soil sampling tests required by 401 KAR 48:200 section 8 (20), (a), (b) within 30 days of the date said sampling tests are conducted together with an affidavit by the applicant stating that said results are within the guidelines set by 401 KAR 48:200 Section 8. Applicant shall send copies of the sampling results and the affidavit described herein above to the Kentucky Cabinet for Natural Resources and Environmental Protection.
- 7.) For informational purposes, the Permit-tee shall provide the Board of Adjustment a copy of the written notice regarding excessive cumulative concentration of contaminants required by 401 KAR 48:200 section 8 (25) and a copy of any report describing corrective actions to be taken pursuant to 401 KAR 48:200 Section 8.
- 8.) When a Special Conditional Use permit for land farming is revoked, notice of revocation shall be provided by letter from the Board of Adjustments to the Kentucky Cabinet for Natural Resources and Environmental Protection. A Special Conditional Use Permit for land farming shall be revoked:
 - a) When permit-tee fails to provide copies of test results, affidavits or notices required by this article hereof to Board of Adjustment within 60 days of the date tests are taken or notice or report is due to be sent to the Cabinet for Natural Resources and Environmental Protection.
 - (b) When the area ceases to be used as a land farming site;
 - (c) When the permit-tee's land farming permit issued pursuant to KRS Chapter 224 and 401 KAR 48:200, and any amendments thereto, is revoked by the Kentucky Cabinet for Natural Resources and Environmental Protection;
 - (d) If the information on which the application for special Conditional Use Permit was granted is proved to have been false; or
 - (e) When the information contained in the hydro geologist affidavit becomes incorrect as a result of hydro geological changes in the land farming site which

affect the site's capacity for removal and/or control of contaminants.

- 9.) No Special Conditional Use which has been revoked shall be reactivated or renewed until the Board of Adjustments has received from the Permit-tee a copy of the written authorization by the Kentucky Cabinet for Natural Resources and Environmental Protection to recommence land farming.
- B.) Commercial Greenhouses, Plant Nurseries. Conditions may be imposed that limit the size and type of structure, hours/seasons of operation, location of structures, number of employees, limitations on type of merchandise offered for sale, limitations on the storage of refuse and waste material. A conditional use granted under this section allows commercial greenhouses and plant nurseries only (other than permitted use) as the primary use.
- C.) Pay Fishing Lakes, Riding and Boarding Pens and Stables, Commercial Kennels, Animal Clinics/Hospitals. Conditions may be imposed that limit the size, type and location of any structures, that limit the number of animals accommodated at any one time, limit the number of employees, impose special requirements for screening and buffering, the number of clients served at any one time, limitations on hours or seasons of operation as well as any other condition that allows the use to blend in with its unique surroundings.
- D.) Instructional/Research Facilities, Rehabilitation Centers. Conditions may be imposed that limit or specify the size and type of structure or structures, that impose a maximum number of employees and/or individuals to be accommodated on site at any one time, limit seasons or hours of operation, limit the specific area to be used for the particular use, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
- E.) Owner-Operated, Specially Skilled Shop. The intent of this section is to permit the resident craftsman to benefit from his specialty skill at his residence. Examples of the type of uses so permitted are welders, mechanics, wood workers, sawmills, re-upholsters, appliance repair persons, sign painters, etc.. Conditions which may be imposed or which shall be mandatory (*) include: the business may be operated by the resident owner and immediate family members residing at the location, no outside employees are allowed(*); no person may own or

operate more than one such business (*); no more than one structure be permitted for such operation (*); such structure not exceed 2500 sq. ft. in area(*); storage of any equipment, necessities, or accessories to said business which incidentals to the business must be completely and entirely stored and contained within said structure (*); limits may be placed on hours of operation; impose special screening and buffering requirements; as well as any other requirement that allows the use to blend in with its unique surroundings.

- F.) Contracting Businesses (electrical, general, plumbing excavation, concrete, etc.) at the contractor's place of residence: Conditions that may be imposed or that are mandatory (*) include: that the lot or parcel on which the business is located must be at least five (5) acres in size (*); no activity related to the business shall occur within 100 feet of any adjoining property (*); that the use involve one building only being no more than 2500 square feet in size (*); that the area of the lot or tract to be used for the purposes of the conditional use, excluding a driveway, is to be no more than 25,000 square feet (*); that there are no more than three (3) employees, including the landowner and other resident employees, employed or associated with the business on-site (*); that there are no more than four (4) pieces of business equipment or vehicles (trailer to carry a piece of equipment not counting as a separate piece of equipment) allowed on-site (*); special screening or buffering may be required; as well as any other condition that allows the particular use to blend with its unique surroundings.
- G.) Bed and Breakfast Establishments: allowing sleeping accommodations to be rented for profit with minimal food service provided. The Board of Adjustment when granting requests for bed and breakfast establishments may, limit the number of rooms to be used, limit the area of structure to be dedicated to the use, require a specific number of parking spaces as well as impose any other requirement that it deems necessary to help the requested use blend into its unique surroundings.
- H.) Automobile and agricultural equipment sales and service at the residence of the owner/operator: The Board of Adjustment when approving a Conditional Use Permit for an establishment for the sales and service of automobiles and/or agricultural equipment may consider the impact of the proposed use on the surrounding area, in particular to the properties adjacent. This type of establishment shall not be considered as altering the agricultural or residential character of its particular area and shall not be justification for zoning map amendments. Conditions may be impose by the Board addressing the area to

be used for sales or service; parking; screening and buffering; hours of operation or any other restriction required to allow the establishment blend with its particular environment. In addition the Board may put a time limit or expiration date on the permit after which the applicant may reapply for extension of the permit. In the case of automobile sales, no more than five (5) automobiles may be displayed for sale at any one time. When appropriate the Board of Adjustment may limit the number of automobiles displayed to less than five (5). All automobiles displayed for sale must be operative.

- I.) One (1) accessory dwelling unit of permanent construction having no more than 1000 square feet in living area provided that the parcel on which the accessory dwelling is located has approved on-site sewage disposal for both the principal use dwelling and the accessory dwelling and that the lot or tract is at least two (2) acres in size.
 - J.) Rifle Shooting Range: Conditions may be imposed that limit or specify the size and type of structure or structures, hours of operation, safety measures required including but not limited to direction of fire and berming, limit the specific area to be used for the particular use including setbacks from property lines, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
 - K.) Circus/Carnivals: Conditions may be imposed that limit or specify the size and type of structure or structures, hours and frequency (seasons) of operation, traffic safety measures required including but not limited to direction of flow and required parking, limit the specific area to be used for the particular use including setbacks from property lines, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.
- 4.) Dimensional Requirements – subject to the special requirements of Article VIII.
- a.) Road Frontage - 50 feet
 - b.) Front Yard - 50 feet from right-of-way
 - c.) Side Yard - 15 feet*
 - d.) Street Side yard - 30 feet
 - e.) Rear Yard - 40 feet *

- f.) Minimum lot/tract size – 5 acres
- g.) Maximum Height – 35 feet

*SPECIAL NOTE: on land used solely for agriculture, stock raising, dairying or similar purposes, the regulations as to construction permits, certifications of occupancy, height, yard, location, or Courts Requirements is not applicable for Agriculture Buildings other than the residence, except that set-back lines required for protection of existing or proposed streets or highways must be observed; and no structure may be built in a designated floodway or flood plain which would tend to increase flood heights or obstruct water flow unless permitted by the Division of Water. An Agricultural Construction Permit Exemption Affidavit is to be acquired for all agricultural structures stating that all buildings are being used as farm buildings incidental to the farming operation.

5.) Parking.

- a.) Three All-weather off-street automobile parking, paved with bituminous asphalt, concrete, crushed stone, gravel, or slag shall be provided on all lots on which any of the following uses are established such space shall be provided with vehicular access to a street or alley.
- b.) All other parking shall be provided as indicated in Article XIII.
- c.) Parking Exceptions Article XIII, Section 1301.

6.) Signage.

Signs permitted as indicated in Article X.

ARTICLE IV. PROVISIONS GOVERNING CO-1 CONSERVATION DISTRICT

Sect. 400 CO-1 Conservation District

Intent: The conservation District is intended to promote and protect significant natural features, wooded areas, water courses, existing and potential lake sites, other recreational and conservation resources, wildlife habitat, watersheds, dams, present and future water supplies, and to minimize erosion of soil, siltation and pollution of streams and lakes.

- 1.) Uses permitted.

Within any CO-1 Conservation District no building or premises shall be used or arranged, or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements for permit of this ordinance.

- a.) Agricultural uses including farm dwellings and accessory buildings, orchards and orchard products.
- b.) Lakes (artificial)
- c.) Public or private picnic grounds, beaches, bridle and bicycle paths.
- d.) Public parks and forest preserves.
- e.) Boat docks and launching areas, recreational camps, resorts.
- f.) Single family dwellings on lots of one (1) acre or more.

2.) Accessory uses allowed.

Accessory structures customarily incidental to any principal use located on the same lot when they meet the yard requirements

3.) Conditional Uses allowed.

None, except those allowed in Section 210 (3)(b).

4.) Dimensional Requirements.

- a.) The minimum lot size permitted without Conditional Use approval is one acre which shall have a minimum of 150 foot frontage and a minimum of 200 foot depth.
- b.) Front Yard - 50 feet from right-of-way
- c.) Side Yard-15 feet
- d.) Street Side Yard - 50 feet
- e.) Rear Yard- 30 feet
- f.) Maximum Height – 35 feet

5.) Parking.

- a.) Three All-weather off-street automobile parking, paved with bituminous, concrete, crushed stone, gravel, or slag shall be provided on all lots on which any of the following uses are established such space shall be provided with vehicular access to a street or alley.

- b.) All other parking shall be provided as indicated in Article XIII.
 - c.) Parking Exceptions Article XIII, Section 1301.
- 6.) Signage.

Signs permitted as indicated in Article X.

ARTICLE V - PROVISIONS GOVERNING RESIDENTIAL DISTRICTS

Intent: The purpose of the Residential Districts is to provide an area for residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve. Residential zones are differentiated from one another by the density they allow and the areas in which they are appropriately applied.

Sect. 500 R-1 Single Family Residential

Intent: The intent of the R-1 District, when properly applied, is to provide a threshold development zone in which residential development can take place but at a relatively low density for what is traditionally or generally believed to be "subdivision" type development.

1.) Uses permitted:

- a.) One single family dwelling of site built construction per tract
- b.) Churches, schools, parks, playgrounds, community center, and similar uses.
- c.) Agricultural uses as stated in Article III pertaining to livestock and poultry provided that no livestock or poultry shall be housed or placed under roof within 100 feet of any neighboring dwelling except that of the owner or leaser of the tract and provided that no more than one (1) livestock or poultry animals per acre except household pets and provided that no more than five (5) household pets over 1 year of age, may be kept, provided that they are not kept for breeding or maintained for any commercial purposes and provided that they are not kept in such a manner as to create an offensive odor to neighboring dwellings. The disposal or feeding of garbage is prohibited. The housing or maintaining of livestock or poultry is prohibited within the city limits.
- d.) Golf courses and other planned recreational areas including country clubs, but not including miniature golf courses or driving ranges.

e.) Lakes (artificial).

2.) Accessory uses allowed:

- a) Accessory structures customarily incidental to any principal use located on the same lot when they meet the yard requirements.
- b) Private swimming pools when they meet yard requirements and when adequately fenced as set forth in Article II Sect. 205.

3.) Conditional Uses allowed:

None, except those allowed in Section 210 (3)(b).

4.) Dimensional Requirements – subject to the special requirements of Article VIII.

- a.) Minimum Lot size – 1 acre whether served by on-site sewage disposal or sanitary sewers
- b.) Maximum building height - 3 stories not including basements. Public, semi-public, or public service buildings, hospitals, educational institutions, or schools may be erected to a height not exceeding 45 feet, and churches and temples may be erected to a height not exceeding 75 feet.
- c.) Lot Width - 50 feet at Property Line and 100 feet at Building Line
- d.) Front Yard Setback - 50 feet from right-of-way
- e.) Side Yard Setback - 15 feet
- f.) Street Side yard Setback - 50 feet from right-of-way
- g.) Rear Yard Setback - Dwelling - 25 feet;
Accessory Structures -15 feet

5.) Parking.

- a) Three All-weather off-street automobile parking, paved with bituminous, concrete, crushed stone, gravel, or slag shall be provided on all lots on which any of the following uses are established such space shall be provided with vehicular access to a street or alley.
- b.) All other parking shall be provided as indicated in Article XIII.

6.) Signage:

- a.) Signs permitted as indicated in Article X.
- b.) Electronic Signs are prohibited.

Sect. 501 R-2 High Density Single Family Residential

Intent: The intent of the R-2 District, when properly applied, is to provide a development zone in which residential development can take place but at a higher density for what is traditionally or generally believed to be "subdivision" type development served by public sanitary sewer systems.

1.) Uses permitted.

- a.) One single family dwelling of site built construction per tract
- b.) Churches, schools, parks, playgrounds, community center, and similar uses.
- c.) Household pets are allowed provided not to exceed more than two (2) household pets over 1 year of age, may be kept, provided that they are not kept for breeding or maintained for any commercial purposes and provided that they are not kept in such a manner as to create an offensive odor to neighboring dwellings. The disposal or feeding of garbage is prohibited. The housing or maintaining of livestock or poultry is prohibited.
- d.) Golf courses and other planned recreational areas including country clubs, but not including miniature golf courses or driving ranges.
- e.) Lakes (artificial).

2.) Accessory uses allowed.

- a.) Accessory structures customarily incidental to any principal use located on the same lot when they meet the yard requirements.
- b.) Private swimming pools when they meet yard requirements and when adequately fenced as set forth in Article II, Sect. 205.

3.) Conditional Uses allowed.

None, except those allowed in Section 210 (3)(b).

4.) Dimensional Requirements – subject to the special requirements of Article VIII.

- a.) Minimum Lot size – 7200 sq. ft. when served by public sanitary sewer system, 1 acre when served by on-site sewage disposal

- b.) Maximum building height - 3 stories not including basements. Public, semi-public, or public service buildings, hospitals, educational institutions, or schools may be erected to a height not exceeding 45 feet, and churches and temples may be erected to a height not exceeding 75 feet.
- c.) Lot Width - 50 feet at Property Line and 100 feet at Building Line
- d.) Front Yard Setback - 50 feet from right-of-way
- e.) Side Yard Setback - 15 feet
- f.) Street Side yard Setback - 50 feet from right-of-way
- g.) Rear Yard Setback - Dwelling - 25 feet;
Accessory Structures -15 feet
- h.) Maximum lot coverage – 30%

5.) Parking.

- a.) Three All-weather off-street automobile parking, paved with bituminous, concrete, crushed stone, gravel, or slag shall be provided on all lots on which any of the following uses are established such space shall be provided with vehicular access to a street or alley. All parking spaces within the city shall be paved or concrete.
- b.) All other parking shall be provided as indicated in Article XIII.

6.) Signage.

- a.) Signs permitted as indicated in Article X.
- b.) Electronic Signs are prohibited.

Sect. 502 R-3 Multi-Family Residential District

Intent: The intent of the R-3 District, when properly applied, is to provide a development zone in which residential development can take place at a higher density including duplex and multi-dwelling unit/apartment type development primarily served by public sanitary sewer systems.

1.) Uses permitted.

- a.) One single family dwelling of site built construction per tract, including manufactured housing

- b.) Duplex or multi unit housing structures developed and constructed per the density guidelines and requirements contained in Section 502(4).
- c.) Churches, schools, parks, playgrounds, community center, and similar uses.
- d.) Household pets are allowed provided not to exceed more than two (2) household pets over 1 year of age, may be kept, provided that they are not kept for breeding or maintained for any commercial purposes and provided that they are not kept in such a manner as to create an offensive odor to neighboring dwellings. The disposal or feeding of garbage is prohibited. The housing or maintaining of livestock or poultry is prohibited.
- e.) Golf courses and other planned recreational areas including country clubs, but not including miniature golf courses or driving ranges.
- f.) Lakes (artificial).

2.) Accessory uses allowed.

- a.) Accessory structures customarily incidental to any principal use located on the same lot when they meet the yard requirements.
- b.) Private swimming pools when they meet yard requirements and when adequately fenced as set forth in Article II, Sect. 204(8).

3.) Conditional Uses allowed.

a.) Mobile Home Parks:

1.) Intent. It is the intent of this conditional use designation is to permit the establishment of mobile home parks in areas of the County or in areas within the municipalities that best provide the proper facilities and setting for mobile home park development. The areas approved for this district are limited to R-3 District and should be provided with access to major traffic arterial streets and the necessary community facilities. Mobile home parks themselves require special consideration as to the circumstances and conditions under which each such use may be permitted in order to provide adequate protection from and consideration of, both the community and the mobile home dweller.

2.) Mobile Homes in Other Districts. No mobile home shall be parked or maintained and used as a dwelling unit on any lot other than the following:

- (a.) It is located in a mobile home park;
- (b.) It shall have received conditional approval by the Planning Commission of the Board of Adjustment prior to the effective date of this ordinance;
- (c.) It is parked, maintained, underpinned and used as a principal dwelling on a farm of five acres or more;
- (d.) It is used as a dwelling unit by a member of the immediate family or full-time employee of the farm owner provided that the density does not exceed one dwelling for each five acres; and that no more than one may be permitted per farm.

3.) Uses Permitted in Mobile Home Parks. The uses permitted in a Mobile Home Park are mobile homes and those uses clearly accessory and incidental to a mobile home park such as recreation areas, community centers, community facilities, which are all designed primarily for use by residents of the mobile home park and their guests.

4.) Required Conditions and Procedures. All mobile home parks shall conform with all the applicable provisions of K.R.S. and shall be subject to a conditional approval and the following:

- (a.) Procedure. An application for a Conditional Use as a mobile home park along with a site development plan for proposed mobile home park shall be filed with the Administrator and shall contain the following as a minimum:
 - (1) Name and address of applicant;
 - (2) Name and location of the proposed mobile home park;

- (3) All property and lot lines with distances and degrees along with all roads, pavement widths and easement;
- (4) Contour lines at least 10 foot intervals;
- (5) Location of all utilities, water supply, sewers or sewage treatment plan and easement;
- (6) All areas reserved for open space, recreation and visitor parking;
- (7) Computations of the number of mobile homes, total number of acres, and overall density of the development;
- (8) General design of the development showing streets, numbered lots, approximate size of each lot (square feet) and a diagram of two typical lots with the mobile homes located on the lots together with parking areas, set-back or yard provisions and easements, if typical.

(b.) Development and Design Standards.

- (1) A mobile home park shall have at least 200 feet of frontage on a street designated on the Transportation Plan as an arterial or collector street and shall have principal access from said street;
- (2) Each mobile home park shall be situated in an area that is free from objectionable smoke, odor, dust, noise, and shall be well drained.
- (3) The minimum site area shall not be less than five (5) acres;
- (4) The minimum lot area for each mobile home space shall be 5,000 square feet and a maximum density of eight units per gross acre;

- (5) The minimum frontage for a space or lot shall be 40 feet and that frontage shall be on an improved access road;
- (6) Each mobile home shall be at least 10 feet from an access road or driveway, 20 feet from any other mobile home and 20 feet from any service building or area, 10 feet from any exterior property line, and at least 20 feet from any street or dedicated right-of-way;
- (7) All access roads and driveways within the mobile home park shall be paved in accordance with the standards specified in the subdivision regulations;
- (8) Sidewalks shall be provided along at least one side of each access road within the development that provide for pedestrian circulation throughout the development;
- (9) Parking spaces shall be provided either on each mobile home lot or on an abutting lot at a minimum of two for each unit (2 for each space) ;
- (10) Permanent structures like cabanas, ramadas and the like may be erected on the lot, provided it is not closer than 20 feet from abutting mobile homes other than the one on the site;
- (11) Each mobile home park shall have either a public or private sanitary sewer system approved by the Health Department;
- (12) The maximum height for any structure allowed in a park approved under this conditional use is 25 feet;
- (13) Electric and telephone facilities shall be placed underground.

(c.) Required Consideration. The following steps shall be taken in the approval or disapproval of a Conditional Use Permit for a Mobile Home Park.

- (1) The applicant completes the application and site plan for the mobile home park and submits six (6) copies of it to the Administrator;
- (2) The Administrator sends copies to the County Health Officer and other agencies;
- (3) The applicant presents the plan to the Planning Commission for preliminary consideration;
- (4) The site plan is refined showing details of construction and six (6) copies along with the application fee are filed with the Administrator who advertises for a public hearing in accordance with KRS Chapter 400;
- (5) The Planning Commission holds a public hearing and recommends approval, approval with conditions, or disapproval to the governing body having jurisdiction over the area;
- (6) The Administrator notifies the applicant of the action taken and if approval is given, construction of improvements may begin, or a bond for such improvements shall be filed, and the final plat may then be prepared;
- (7) The Applicant submits a final site plan (same as final plan) to the Planning Commission for approval;
- (8) Once the final site plan is approved by the Planning Commission, it may then be filed in the Office of County Court Clerk at the expense of the applicant.

4.) Dimensional Requirements – subject to the special requirements of Article VIII.

- a.) Minimum Lot size – 6000 sq. ft. for the first dwelling unit on a particular lot with an additional 1,500 sq. ft. of lot area required for each additional unit over 1, when served by public sanitary sewer system.

2 acre for the first dwelling unit on a particular lot with an additional 6000 sq. ft. of lot area required for each additional unit over 1 when served by on-site sewage disposal

- b.) Maximum building height - 3 stories not including basements. Public, semi-public, or public service buildings, hospitals, educational institutions, or schools may be erected to a height not exceeding 45 feet, and churches and temples may be erected to a height not exceeding 75 feet.
- c.) Lot Width - 50 feet at Property Line and 100 feet at Building Line
- d.) Front Yard Setback - 50 feet from right-of-way (county), 30 feet from right-of-way in the city.
- e.) Side Yard Setback - 15 feet (County); 10 feet (City)
- f.) Street Side yard Setback - 50 feet from right-of-way (County); 30 feet from right-of-way (City)
- g.) Rear Yard Setback - Dwelling - 25 feet;
Accessory Structures -15 feet (County); 10 feet (City)
- h.) Maximum lot coverage – 30%

5.) Parking.

- a.) Three all-weather off-street automobile parking, paved with bituminous, concrete, crushed stone, gravel, or slag shall be provided for the first dwelling unit on all lots with an additional two all-weather off-street automobile parking, paved with bituminous, concrete, crushed stone, gravel, or slag on which any of the following uses are established such space shall be provided per each dwelling unit over 1 per lot with vehicular access to a street or alley. All parking spaces within the city shall be paved or concrete.
- b.) All other parking shall be provided as indicated in Article XIII.

6.) Signage.

- a.) Signs permitted as indicated in Article X.
- b.) Electronic Signs are prohibited.

Sect. 503 RM- Manufactured Housing Residential District

Intent: The intent of the RM District, when properly applied, is to provide a development zone in which residential development can take place consisting of manufactured housing as defined herein. The development can take the form of both manufactured home parks and subdivisions served primarily by public sanitary sewer systems.

1.) Uses permitted.

- a.) Single family dwellings in compliance with all standards contained in the Kentucky Building Codes; Manufactured Homes on individual lots subject to compliance with the following standards.

Manufactured Dwelling: a permanent building or structure, separate and free standing, designed and intended for occupancy by a single family and fabricated in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with all transport features permanently removed, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Code as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283 and 42 USC 5401. ET seq. and as mandated by the United States of America Department of Housing and Urban Development and commonly referred to as the HUD Code, and which meets the following additional standards:

- 1.) Fixed to a "PERMANENT FOUNDATION SYSTEM" which shall be anchored in accordance with the state standards set forth in KRS 227.570;
- 2.) EXTERIOR MATERIAL shall be material customarily used on site-built dwellings such as board siding, vinyl, stucco, brick, etc.
- 3.) ROOFING MATERIAL shall be of wood, tile, composition shingles, or other materials compatible with the conventionally built residential structures in the neighborhood which shall be installed on a surface pitched at a minimum slope of 5:12;
- 4.) EXTERIOR COVERING MATERIAL extending from the roofline to the ground or to the top of the foundation shall be used. Masonry type skirting materials commonly found on conventionally built residential structures shall be used;
- 5.) STRUCTURAL ADDITIONS OR ALTERATIONS shall be subject to the same regulations and requirements that must be complied with to obtain a building permit for additions to a conventionally built house:

- 6.) An adequate GUTTERING AND ROOF DRAINAGE system shall be installed; MEASUREMENT from front to back (depth) shall average at least 20 ft.;
 - 7.) MINIMUM SQUARE FOOTAGE shall be 1000 square foot on main floor not including basement or garage space;
 - 8.) INSPECTIONS by the local building inspector or by the appropriate state inspector.
 - 9.) ELECTRIC METER attached to the structure as with an on-site built structure.
 - 10.) ENTRANCE to have a front main entrance with a permanently attached porch or stoop with the appropriate steps as required in the Kentucky Building Code and a rear entrance with a porch or deck with the appropriate steps as required in the Kentucky Building Code.
- b.) Manufactured homes in a park; subject to the requirements as imposed by the Spencer County Health Department and applicable State law.
- 2.) Accessory uses allowed.
- a.) Accessory structures customarily incidental to any principal use located on the same lot when they meet the yard requirements.
 - b.) Private swimming pools when they meet yard requirements and when adequately fenced as set forth in Article II, Sect. 205.
 - c.) Household pets are allowed provided not to exceed more than two (2) household pets over 1 year of age, may be kept, provided that they are not kept for breeding or maintained for any commercial purposes and provided that they are not kept in such a manner as to create an offensive odor to neighboring dwellings. The disposal or feeding of garbage is prohibited. The housing or maintaining of livestock or poultry is prohibited.
- 3.) Conditional Uses allowed.
- None, except those allowed in Section 210 (3)(b).
- 4.) Dimensional Requirements – Subject to the special requirements of Article VIII.
- a.) Minimum Lot size – 6,000 sq. ft. when served by public sanitary sewer system, 1 acre when served by an approved on-site sewage disposal system. Parks served by public sanitary sewer systems must be at least 5 acres in size.