

APPD

MINUTES OF THE JUNE 11, 1992 MEETING
OF THE BOARD OF ADJUSTMENTS FOR THE
CITY OF TAYLOR MILL

The June 11, 1992 meeting of the Board of Adjustments for the City of Taylor Mill was called to order by Chairman Paul Maxfield at 7:00 P.M. on June 11, 1992, in the City Building of the City of Taylor Mill, 5225 Taylor Mill Road, Taylor Mill, Kentucky, with Board members Sherry Doggett, William Hughes, Leo Dolan, Charles Darpel, Robert Kioenne, and John Lucas present and constituting a quorum.

The Board first considered and approved the report of City Administrative Officer Frank A. Wichmann that the constitutional oath of office was administered by him, as a Notary Public, to the Chairman, Paul Maxfield, and Board members Sherry Doggett, Leo Dolan, and John Lucas, either immediately after the May 14, 1992 meeting or immediately before this meeting.

Next, the Board considered the application for a 7' 3" variance from the 25' minimum rear yard requirement of Section 10.5 D5 of the Taylor Mill zoning ordinance for 5428 Stone Hill Drive; and conducted a public hearing in regard thereto at which the Zoning Administrator and the owner, George Moore and the contractor, Jeff Hinkle, testified that because of the unique way the lot was situated between two backyards and close to an intersection, the 25' requirement wouldn't leave him enough room for much of a deck; and that they were unaware of any objections by any neighboring property owners.

and
Upon motion second, the Board voted unanimously to grant a variance from the 25' minimum rear yard requirement of Section 10.5 D5, for the real estate located and known as 5428 Stone Hill Drive, and the owners thereof to permit the construction of a deck according to the plan submitted with the application, so that the minimum rear yard between the rear property line and the corner of the deck nearest thereto is only 17'; and that the stairs associated therewith shall not be considered an obstruction into the minimum rear yard; and in support thereof, the Board concluded from the evidence presented that:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity of the same zone; and

2. Strict applications of the provisions of Section 10.5 D5 would deprive the applicant of reasonable use of the land, or would create an unnecessary hardship on the applicant; and

3. The circumstances of the application are not the result of actions of the applicant taken subsequent to the

adoption of the zoning regulation to which relief is sought; and

4. The granting of the variance will not:

A. Adversely affect the public health, safety or welfare; or

B. Alter the essential character of the general vicinity; or

C. Cause a hazard or a nuisance to the public; or

D. Allow an unreasonable circumvention of the requirement of the zoning regulations.

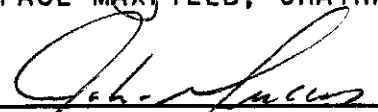
The Board then adjourned the meeting to the Taylor Mill Volunteer Fire Department Building behind the City Building, to accommodate the large number of citizens anticipated for the public hearing of the application of Kentucky Centre Partnership for a conditional use permit for a service station in the NSC Zone on the south side of Taylor Mill Road between Old Taylor Mill and Red Bud Drive.

After the meeting of the Board of Adjustments was reconvened at the Taylor Mill Volunteer Fire Department City Building, the Board considered the aforescribed application of Kentucky Centre Partnership; and conducted a public hearing in regard thereto at which many witnesses testified for and against the application; and, at the conclusion thereof, there was a motion by John Lucas to deny the application because of the failure of the applicant to establish that the service station would be suitable in the location proposed therefore, to allow the proper integration thereof into the community and to promote the public health, safety and welfare; and the motion was passed unanimously by the Board.

There being no further business presented to the Board for the consideration thereof, the meeting was adjourned.

 2/10/93

PAUL MAXFIELD, CHAIRMAN



JOHN LUCAS, SECRETARY