

**MINUTES OF THE TAYLOR MILL  
BOARD OF ADJUSTMENTS  
January 6, 2000  
7:00 P.M.**

Chairman Maxfield called the meeting to order at 7:05 p.m. The Secretary called the role.

Paul Maxfield, Chairman	Present
Cary Bushman	Present
Sherry Doggett	Absent
Jack Osterhage	Present
Lee Flischel	Present
Paula Tretter Kuehne	Absent
John Lucas	Present

**OLD BUSINESS**

4516 Valley View Lane, Taylor Mill, Kentucky

Request to grant a variance from the minimum requirements of section 10.4, paragraph D, subsection 3 and 4 of the Taylor Mill Zoning Ordinance.

Cynthia Tuemler (applicant), Louise Armstrong (4514 Valley View Lane) and Judy Meyer (3105 Hudnall Lane) were present.

Chairman Maxfield asked Mr. Barbian (Taylor Mill Building Inspector) to provide a report on the variance requested for 4516 Valley View Lane.

Mr. Barbian said that he had received a call from Ms. Armstrong and that she had expressed concern about a large pole that was coming off of the deck onto her property line and close to her window. Mr. Barbian indicated that he had not received a request for a building permit from Ms. Tuemler, therefore he placed a "Stop Work" order on the project. He then indicated that Ms. Tuemler filed the appropriate application, and that the Zoning Code provides for a minimum setback of 8' for all structures.

Chairman Maxfield wanted to know if this would be an issue at all if Ms. Tuemler was installing a concrete patio verses a deck. Mr. Barbian indicated that he was not sure of the setback on a patio, but that a driveway is 5' from the property line. He believes that a patio would be along the same lines and not be considered a structure. Mr. Barbian indicated that Ms. Tuemler was instructed to either cover the area or take the structure down because it was a safety hazard.

Mr. Barbian indicated that if this was a slab he would enforce 5' from the property line. However, he recognizes that it is tight quarters back there. Chairman Maxfield felt that

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one could argue this area pre-dates the zoning codes and that it would not allow reasonable use of the property if the full setback was enforced. Mr. Barbian said that he felt that Ms. Armstrong's main concern was the taller platform coming out and ending up on her property line. He thought that Ms. Tuemler had agreed to knock that back to where it was, the same distance out from the house which was approximately 3' or 4'.

Mr. Barbian said he thought the only issue would be whether or not to allow the decking to go all the way to the property line. Chairman Maxfield indicated that he felt some distance between the deck and the property line would be gained when they used a circular saw to cut the deck back into the finished product.

Chairman Maxfield asked Ms. Tuemler and Ms. Armstrong if they had a chance to talk collectively since last month's meeting. They indicated that they did not. Chairman Maxfield ask each party if they had any additional information they would like to add. Ms. Tuemler ask if it was an issue as to who was going to maintain the existing privacy fence and indicated that if it was she would maintain it. Ms. Meyer indicated that if was not an issue.

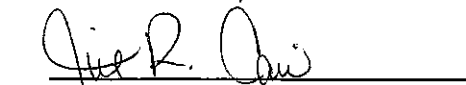
Ms. Armstrong showed the Board Members pictures of what the house looked like with the steps and a drawing prepared by herself. They had additional discussion regarding the issue with the Board Members present.

Chairman Maxfield asked for any objective comments from the Board Members. After a brief discussion, Mr. Flischel made a motion to allow the lower deck to be built 12" from the existing fence, and that the upper stoop be built in accordance with what is being most immediately replaced. He also indicated that the steps would need to be built to either the front or the back of the property line. Mr. Bushman made a second. All members present were in favor of the motion as presented.

**MOTION PASSED**

Mr. Flischel made a motion to adjourn. Mr. Lucas made a second. All members present were in favor. The meeting adjourned at 7:45 p.m.

  
Paul Maxfield, Chairman

  
Jill Cain, Secretary, B.O.A.  
(City Administrative Officer)

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