

**WINCHESTER/CLARK COUNTY BOARD OF ADJUSTMENTS**  
**MINUTES OF MEETING HELD**  
**On Sept 22, 2016**

A meeting of the Winchester/Clark County Board of Adjustments was held on Thursday, Sept. 22 2016 at 6:00 p.m. in the City Commission Chambers at City Hall, Winchester, Kentucky. Chair Zeldon Angel presided over the meeting. Those present were:

Zeldon Angel, Chair  
Leo Shortridge  
David Puckett  
Travis Thompson  
Cory Johnson was absent  
Robert Jeffries, Staff  
Henry Rosenthal, Council

Chairman Angel called the meeting to order and presented the minutes of August 25th, 2016. Mr. Puckett made a motion to approve minutes as presented. Mr. Shortridge 2<sup>nd</sup> the motion. Motion carried unanimously. Mr. Shortridge presented the treasurer's report and accounts payable. Mr. Shortridge made a motion to approve the treasurer's report and accounts payable. Mr. Thompson 2<sup>nd</sup> the motion. Treasurer's report and accounts payable were approved unanimously.

**Public comments** – There were none.

**11-16-V – BoJangles – 100 Hospital Dr. – Dimensional Variance for setback for Interstate sign**

Mr. Jeffries presented the staff report. The applicant is constructing a 90 foot tall interstate sign for Bojangle's Restaurant located at 100 Hospital Drive. The sign will be located 19'6" from the road and the center of the steel Pole will be 10 feet behind the property line. The actual sign will be 17 feet wide, leaving approximately 1.5 feet from the property line-resulting in a need for an 8.5 foot setback variance for the proposed interstate sign. Both freestanding and interstate signs require a minimum setback of 10 feet. The pole itself will meet the 10 feet setback. But the sign will be 1.5 feet from the property line. Mr. Jeffries showed the Commission exactly where the sign would be located on the site. Clarification it is just the bottom sign that needs a variance not the large sign located at the top. This will only require a 5.5 variance instead of the 8.5. John Sutherland was sworn in on behalf of Bojangle's, he didn't have any comments to add. There was no one there to speak against the variance. Chairman Angel closed the meeting for discussion and action by the Board. Mr. Thompson made a motion to approve the 5.5 setback variance for interstate sign for Bojangle's Restaurant to be located at 100 Hospital Drive. The variance will allow the pole to be installed at a 10 foot setback, leaving the sign edge approximately 1.6 facing Hospital Dr., W. Lexington Ave, and Caudill Dr. Based on the evidence of this hearing. Mr. Shortridge made a 2<sup>nd</sup> motion to approve. Motion passed unanimously.

**Other Business -**

anning on making the garage facing the driveway or the house. Chairman Angel closed the hearing for discussion and action by the Board. Mr. Johnson made a motion to approve the variance to allow a garage to be constructed in the front yard with at least 25 feet front setback and at least 5 1/2 ft from the side yard property lines with a recommended 10 ft from side yard setbacks. Based on the fact that the strict application of the zoning regulation would deprive the applicant of reasonable use of the land when locating a garage/accessory building on the property. The granting of the variance will not adversely affect the public health, safety or welfare, will not alter the character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow unreasonable circumvention of the requirements of the zoning regulations. Mr. Puckett 2<sup>nd</sup> the motion, motion carried unanimously. They reminded Mr. Watts to get his building permit before any construction is started.

**Board member comments:** Temporary illegal signs were discussed. Mr. Jeffries brought up the Gilbert Arizona case. He will get back with the board with some amendments on the sign regulations. The board members said they really appreciated how he had changed the meeting format and they feel it is more productive.

**Staff comments:** There were none.

Being no further business, Mr. Puckett made a motion to adjourn, Mr. Shortridge 2<sup>nd</sup> it. Meeting was adjourned.

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Chairman/Chairperson