

**WINCHESTER/CLARK COUNTY BOARD OF ADJUSTMENTS
MINUTES OF MEETING HELD
ON FEBRUARY 9th, 2017**

A meeting of the Winchester/Clark County Board of Adjustments was held on Thursday, February 9th, 2017 at 6:00 p.m. in the Commission Chambers at City Hall, Winchester, Kentucky. Vice Chair David Puckett presided over the meeting. Those present were:

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

Vice Chair Puckett called the meeting to order and presented the minutes of Jan. 19, 2017. Mr. Johnson made a motion to accept the minutes. Mr. Thompson made a 2nd motion to approve minutes. Motion to approve the Jan. 19th, 2017 minutes was approved 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. Johnson 2nd the motion to approve, treasurer's report and accounts payable were approved unanimously.

There were no public comments.

4-17-V Amendment to existing dimensional variance request to allow the use of the accessory structures for an additional five years at 15 Redwing Dr – Calvary Christian Church

Mr. Jeffries presented the staff report. The applicant (Calvary Christian Church) is requesting an amendment be made to the variance approved originally in 2012. On July 13, 2012 the Board of Zoning Adjustments approved a variance to allow two accessory structures to be placed in front of the primary structure. The variance was approved with a time limit of three (3) years. The variance was granted based on the following findings of fact: 'due to the unique conditions of the site which include steep slopes, existing floodplain, utility easements, underground storm water drainage pipes and a need to maintain unobstructed access for emergency vehicles to the back of the building. It was stated that "the proposed location is the only place to put the accessory structures" and "granting the variance will not harm the public safety and welfare and will not alter the essential character of the neighborhood."

Discussion was held concerning time limitations on a dimensional variance and the interpretation of KRS 100.251. This original application was amended by the Board of Adjustments on December 2, 2014. The amendment allows the structures to be placed at the current location until May 2017. The applicant would like to extend this time period and additional five (5) years. Chris Carpenter of Bon Haven was sworn in to speak on behalf of the church. They have requested an additional 5 year extension to the variance that is running out in May 2017. When they came in before they had plans for renovations. But plans have changed and the church is also growing and these buildings are critical to the church. Dickie Everman of Ironworks Rd was sworn in to testify on behalf of the church. He stated those buildings are used every night and the church has grown so much it is full. He feels like in 5 years the church should be able to build as planned. Mike Rogers of Hibiscus Lane was sworn in on behalf of the church. He stated the church does a lot of programs for the church. And would appreciate any support they might give them. Mr. William Puckett of Redwing Dr. was sworn in to testify against the variance. He has all the respect in the world for the church

and what they do for the community. He said this variance will make it 10 years for temp structures. Mr. Jeffries said these are not temp structures and are built to the building code. Mr. Puckett stated the downtown buildings they purchased were supposed to replace the temp structures. He said he went around to the neighbors and told them they would be removed soon. He said he hopes the board, if they grant the variance for another 5 years, will not extend it any longer. Mr. Charlie Combs of Redwing Drive was sworn in to speak against the variance. He said he was at the meeting in 2014 and he said the church said the structures were temporary and would be removed in 2017. He said some of the trees are dying and should be replaced. Mr. Carpenter said he doesn't disagree with them but they were supposed to be removed 2017. But plans have changed. Mr. Shortridge asked Mr. Carpenter where would the class rooms move if not approved tonight. Mr. Carpenter stated he doesn't know right now. Mr. Rogers said the financial aspects have changed. The church didn't hit their financial goal. Mr. Puckett closed the hearing for further discussion and action by the board. Mr. Johnson said he is a member of Calvary and will recuse himself from voting. Discussion was held concerning the variance application. Mr. Shortridge made a motion to approve the variance to Calvary Christian Church. They will need to further landscape the area around the building and along redwing to suite the neighbors. Trees will be added to block the view; the additional trees will need to be same as the existing trees (spruce trees). And the extension is only until May 2022. The amendment will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. And the additional trees must be in place by May 2017 to block the neighbors.

5-17 V Dimensional Variance allowing additional wall sign on new addition of Hospital at 175 Hospital Dr- Clark Regional Hospital

Mr. Jeffries presented the staff report. The applicant (Clark Regional Hospital) is requesting a dimensional variance to allow wall signage to be installed to the new edition of the hospital located at 175 Hospital Dr. The hospital currently has the following signs installed:

see attached staff report

Mr. Jeffries said it's typical for a hospital to get sign variances to direct people to the correct place to go. Jason Thomas of Ironworks Rd was sworn in to testify on behalf of the hospital. The signs they are looking at are purely directional to help patients get where they need to go. There was no one there to speak against the variance. Mr. Puckett closed the hearing for further discussion and action by the board. Mr. Johnson made a motion to approve the dimensional variance allowing Clark Regional Hospital to install the proposed signage as presented during the meeting and described in the sign package, based on the fact that the hospital is visible from Hospital Drive and Croxton Way and the signs are critical for patients to navigate the hospital and the medical offices located throughout the facility, The variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. Mr. Thompson 2nd the motion. Motion passed unanimously.

Staff Comments: Mr. Jeffries discussed time frames in regards to dimensional variances with the Board.

Mr. Johnson made a motion to adjourn. Meeting was adjourned.

Chairman/Chairperson