

Land of Lincoln Planning and Zoning Commission

10 March Meeting Minutes

The Land of Lincoln Planning and Zoning Commission was called to order on Thursday, 10 March 2011, by Commission Member Robert Enlow Jr., acting Chairman in the absence of Paul Lassanske.

Roll was called and the following Commission members were present for the hearing: Robert Enlow Jr., John Veague, Wayne Trombley, Rick Roach, and Harold Skaggs.

Rick Roach made a motion to approve the minutes of the 10 February regular Planning and Zoning meeting minutes and to incorporate any sign-in sheets as part of the official record. Harold Skaggs seconded and the motion carried unanimously.

REZONINGS:

Riverview Farms Inc: Joe Hicks came before the Commission requesting the rezoning of 1.9 acres located at 1642 Blanton Rd., New Haven, Kentucky from A-1 (Agricultural) to R-1A (Single-family residential conventional). Mr. Hicks stated to the Commission he wanted to rezone 1.938 acres to allow the sale of house and metal storage building. Gordon Ireland reported to the Commission signs was posted and no objections had been received to the request for rezoning. Tract #'s 14, 16, 17, and 19 on the PVA Map contain homes and Tract #'s 20 and 21 are vacant acre tracts. Gordon Ireland recommended granting the rezoning request. Wayne Trombley made a motion to approve the rezoning of 1.9 acres located at 1642 Blanton Rd., New Haven, Kentucky from A-1 (Agricultural) to R-1A (Single-family residential conventional) in that there are other house tracts in the immediate area. John Veague seconded and the motion carried unanimously.

Marty Stillwell came before the Commission requesting the rezoning of approximately 5.59 acres located at 4564 Bailey Rd., Mt. Sherman, Kentucky from A -1 (Agricultural) to R-1B (Single-family residential manufactured) for the placement of a mobile home. Mr. Stillwell stated to the Commission he was planning to place a singlewide mobile home on the 1 acre tract for rental property. Gordon Ireland reported to the Commission there are numerous tracts in the area zoned for Mobile Homes. Tract #'s 2.01, 23, 26.01, 52, and 52.01 are zoned for Mobile Homes. Signs were posted and no objections had been received to the request for rezoning. It was pointed out the majority of the homes in the area are not rental property. Harold Skaggs made a motion to approve the rezoning of 1 acre located 4564 Bailey Rd., Mt. Sherman, Kentucky from A-1 to R1-B in keeping with the general character of the area in that there are other mobile homes in the vicinity. Rick Roach seconded and the motion carried unanimously. *(The March Agenda contained a misprint stating 1 acre instead of 5.59 acres).

Charlotte Cothorn came before the Commission requesting the rezoning of 3.4 acres located at 1311 S. Walnut St., Upton, Kentucky from R-1A (Single-family residential conventional) to R-1B (Single-family residential manufactured) for the placement of a mobile home. Ms. Cothorn stated to the Commission she wants to place a mobile home on the property for her daughter to reside. Gordon Ireland stated signs had been posted. He also stated the property lies in a low area and environmental issues are possibly a concern in which the Environmental Site Evaluation will determine if a mobile home can be placed on the property. Tract #'s 3, 4, 6, 10.04, 10.06, 11, 11.04, and 30 contain mobile homes; some being doublewides, while others are singlewide. Ms. Cothorn did not want to go the Environmental Office until she had a definite answer on the rezoning. A building exists on the North part of Tract #11.02 in which Ms. Cothorn may put a Beauty Salon falling under a Conditional Use Permit.

Irwin Hubler of Upton came before the Commission objecting to the rezoning of 1311 S. Walnut Street, Upton, Kentucky. He stated to the Commission he resides on Tract # 11.06 on the PVA Map. Mr. Hubler is concerned the land is at risk for flooding and farm land is being reduced. He also stated he was not notified to the rezoning of Tract # 11.04 and Tract # 11.02 is being used as a residence (permit was issued for a shop). Gordon Ireland stated he would inquire on the issue.

*The Environmental Site Evaluation will make the determination as to whether the property can sustain a mobile home. John Veague made a motion to approve the rezoning of 1311 S. Walnut Street, Upton, Kentucky from R-1A (Single-family residential conventional) to R-1B (Single-family residential manufactured) in that there are other mobile homes in the area and consistent with the neighborhood. Harold Skaggs seconded and the motion carried unanimously.

Beatrice Cobb came before the Commission requesting the rezoning of 12.7 acres located at 14042 S. Dixie Highway, Upton, Kentucky from A-1 (Agricultural) to R-1A (Single-family residential conventional) for the sale of house and lot. Ms. Cobb wants to divide the property into 2 lots for the purpose of selling the house and land. She stated she and her husband want to move closer to work. Jim Banks spoke to the Commission on behalf of Mrs. Cobb stating the house and lot would be surveyed close to 5 acres and contain a vast amount of road frontage. He also stated a subdivision is located south of the property. Mrs. Cobb further stated she has no intentions of subdividing the property in the future. Gordon Ireland reported to the Commission signs was posted and no objections had been received to the request. He stated Tract # 38 containing 3.25 acres was zoned R-1A, # 36.03 – R 1A, and #36.02 containing rental buildings was zoned B. Harold Skaggs made a motion to approve the rezoning of 12.7 acres located at 14042 S. Dixie Highway, Upton, Kentucky from A-1 (Agricultural) to R-1A (Single-family residential conventional) in that there have been economic changes in the area and keeping with the neighborhood. Rick Roach seconded and the motion carried unanimously.

Lee Hutchinson representing Hutchinson Auto Sales LLC called Gordon Ireland to withdraw his request for rezoning.

Emmanuel Ballard came before the Commission requesting the rezoning of 1.22 acres located in the 900 block of Leafdale Rd., Hodgenville, Kentucky from R-1A (Single-family residential conventional) to R-2 (Two-family residential). Mr. Ballard stated to the Commission he wants to construct a duplex containing two (2) – two (2) bedroom rental units. There are no other two-family residences in the area. Commission Member John Veague questioned the size of the duplex and stated the duplex would have smaller square footage per unit.

Mark Ovesen of 2107 Bardstown Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Mr. Ovesen stated the land was original property from the family farm and it was his understanding there was a stipulation in the deed the land be used for single family dwellings. He was concerned about the duplex being rental property.

Andrea Engle of 60 Brian Avenue, Hodgenville, Kentucky came before the Commission with objections to the rezoning request of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Ms. Engle is the sister of Mark Ovesen. She stated the land is part of the original farm and is concerned with the design of the duplex. She reiterated there was a stipulation in the deed for single family dwellings.

Mr. Ballard responded the duplex would be a ranch style structure.

Barbara Garner of 969 Leafdale Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Ms. Garner stated she resides across the road from the property and does not believe the community is appropriate for two family dwellings. She stated she does not want multi-family dwellings in her neighborhood.

Donnie Benton of 920 Leafdale Rd., Hodgenville came before the Commission with objections to the rezoning request of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Norma Benningfield spoke to the Commission on behalf of Mr. Benton. She stated a duplex unit is the same as an apartment according to the definition in the dictionary. Ms. Benningfield told the Commission the construction of a duplex would lead to more requests for duplex construction on other vacant lots in the area. She believes the rental units will lower property value. She does not want duplex or apartment rental units in the area. She later added Mr. Ballard requested rezoning in Bardstown for the development of duplexes and was turned down.

Judy Howell of 712 Leafdale Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Ms. Howell stated to the Commission she purchased a home from Mr. Ballard in the area because of the location and was not expecting the vacant lots to be used for the development and construction of duplexes.

Tashawna James of 374 Leafdale Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Ms. James is the sister of Mark Ovesen and Andrea Engle. She stated to the Commission there is no other rental property in the area. She told the Commission she does not want a duplex constructed in the area. Ms. James added rental units have a continual flow of turnover and would affect property value.

Glen Higdon of 864 Leafdale Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Mr. Higdon stated to the Commission he purchased a home from Mr. Ballard upon returning to LaRue County from Elizabethtown. He told the Commission he purchased Lot #12 containing 6 acres for the purpose of controlling the area behind his residence, (Lot #11) due to concern of future rezoning. He stated to the Commission he does not want duplex construction in the area and as an example, if one rezoning is approved, 6 (six) acres of land could be subject for rezoning.

Juanita Spalding of 1576 Leafdale Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Ms. Spalding is not an adjacent property owner but is concerned of the rezoning request. She stated there is an empty lot next to her residence and fears if the rezoning is approved, other contractors will continue to construct duplexes in the area. She stated she does not want duplex construction in the area.

Toni Hawkins of 842 Leafdale Rd., Hodgenville, Kentucky came before the Commission with objections to the rezoning request of property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Ms. Hawkins stated she purchased a home from Mr. Ballard and has had drainage problems.

Cathy Ballard of Bardstown, Kentucky came before the Commission speaking on behalf of her husband, Emmanuel Ballard. Mrs. Ballard responded to a statement made by Norma Benningfield. Mrs. Ballard told the Commission her husband intended to approach the issue in Bardstown but there was not enough pike; thus causing an unwanted amount of flowing traffic.

Gordon Ireland, Planning and Zoning Administrator, received three letters of opposition to the rezoning of the property located in the 900 block of Leafdale Rd., Hodgenville, Kentucky. Being an adjacent property owner, Mr. Ireland submitted the letters to Lori Kinhead, Legal Counsel for Planning and Zoning to read to the Commission and audience members in attendance for the hearing. (Mr. Ireland recused himself from a report on the property due to being an adjacent property of Mr. Ballard).

Adam Gordon of 1025 Leafdale Rd., Hodgenville, Kentucky wrote "it was restricted to a single family residence with a minimum of 1200 square feet." He believes Mr. Ballard is trying to rezone the property for duplex construction to get out of a bad investment due to the lots not being able to sale. Mr. Gordon believes the rezoning will deteriorate the values of surrounding properties.

Linda Ireland of 1750 Bardstown Road, Hodgenville, Kentucky wrote she owns property adjacent to the lot in question and does not believe a duplex would fit in with existing houses on that stretch of Leafdale Road. She further adds she cannot think of a duplex in the county and believes duplexes are more suitable within city limits.

Ron and Holly Butler of 752 Leafdale Rd., Hodgenville, Kentucky wrote they purchased a home from Emmanuel Ballard and have been living on Leafdale Road for five ((5) years. It was their understanding Premier Estates would be for home owners, not rental property. Mrs. Butler added two family residential dwellings will increase traffic and create unsafe conditions children, pets, and farmers. She asked Planning and Zoning to deny the request for rezoning.

With all testimonies heard and properties in the area being zoned R -1A (Single – family residential conventional) or A – 1 (Agricultural) John Veague made a motion to deny the request of rezoning 1.22 acres located in the 900 block of Leafdale Rd., from R-1A to R-2. Rick Roach seconded and the motion carried unanimously.

ADMINISTRATIVE:

Payment of Bills: Rick Roach made a motion to approve the income and expenses for February 2011 as presented. John Veague seconded and the motion carried unanimously.

ZONING ADMINISTRATOR’S UPDATE:

Gordon Ireland reported to the Commission: 5 permits

- 1 Zoning
- 2 Addition
- 1 Storage
- 1 Single Wide Mobile Home

PLAT

- 2 plats

Conditional Use Permit

- 2 CUP

Inspections:

- 2 framing
- 1 footer

Gorgon Ireland also reported seventeen (17) of twenty-three (23) maps are finished.

Lori Kinkead, Legal Counsel for Planning and Zoning was given the last definition of Public Zoning Ordinance. They will be going through the Zoning Ordinances and have them printed for references.

LEGAL UPDATE:

NONE

With no further business coming before the Commission at this time, Rick Roach made a motion to adjourn. Harold Skaggs seconded and the motion carried unanimously.

*The March 10, 2011 Land of Lincoln Planning and Zoning Meeting adjourned at 9:00 p.m.