

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
DECEMBER 9, 2020
6:00 P.M.**

Chairman Whitton called the meeting to order at 6:00 P.M.

Mr. Schwartz stated that the meeting was being held via video teleconference pursuant to KRS 61.826, SB 150 and OAG 20-05. He stated that the public hearing format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic.

Mr. Schwartz confirmed that all those in attendance could see and hear the proceedings. All those in attendance stated that they could see and hear the proceedings.

BOARD MEMBERS PRESENT:

Mr. George Whitton, Chairman
Mr. Richard Miller, Vice-Chairman
Mr. Chris Vaught-Hall
Mrs. Sherry Hempfling

BOARD MEMBERS NOT PRESENT:

Mr. Bill Weltzer

STAFF MEMBERS PRESENT:

Mr. Michael Schwartz, Planner

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

APPROVAL OF MINUTES

Chairman Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of October 14, 2020. He asked if there were any other comments or corrections. Vice-Chairman Miller moved to approve the minutes and Mr. Vaught-Hall seconded the motion. Chairman Whitton called for the vote and it carried unanimously.

ACTION ON REVIEWS

1. Request of Casey reeves, per Randi Reeves, for a Variance to reduce the minimum required front yard setback from eighty (80) feet to six (6) feet for an accessory structure. The approximate 10.1 acre parcel is located at 4880 Petes Lane, Boone County, Kentucky and is zoned Agricultural One (A-1).

Staff Member, Michael Schwartz, presented the Staff Report which included a Powerpoint presentation (see Staff Report).

Mr. Schwartz stated that staff received one telephone call from a person who wanted to stay anonymous. The caller stated that he was opposed to the request and thought that the barn was too close to he roadway.

Chairman Whitton asked the Board if they had any questions for staff. There were none.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information. Mr. Reeves stated that he thought the setback would be measured from the nearest public street, which is Botts Lane and that setback was greater than 1,000 feet. He stated that he did not know the setback would be measured from a private street.

Mr. Vaught-Hall asked who maintains the street in the winter. Mr. Reeves stated that he plows the street to Botts Lane.

Vice-Chairman Miller asked about KRS 100.243(2) and what the implication was if the action of the applicant is not done willfully. Mr. Wilson responded that the statute speaks to willful violations. If the applicant did not act willfully, the Board can approve the request.

Vice-Chairman Miller stated that he believes that the applicant did not act willfully.

Chairman Whitton asked if there was any further discussion. There was none. Chairman Whitton asked if the Board wanted to make a motion.

Mr. Vaught-Hall made a motion to approve the Variance as submitted. Vice-Chairman Miller seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

OTHER

Mr. Schwartz reminded the Board that they will have an election of officers at their first meeting in 2021

ADJOURNMENT

Chairman Whitton asked for a motion to adjourn the meeting. Vice-Chairman Miller made a motion to adjourn and Mr. Vaught-Hall seconded the motion.

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:13 p.m.

APPROVED

Chairman George Whitton

ATTEST:

Michael D. Schwartz
Planner