

**MINUTES FOR REGULAR MEETING
OLDHAM COUNTY
BOARD OF ADJUSTMENTS AND APPEALS**

Thursday, February 18, 2016

At 9:00 a.m., local time, on the above date, this meeting of the Oldham County Board of Adjustments and Appeals, hereinafter, called the Board, was called to order in the Courtroom of the Oldham County Fiscal Court, LaGrange, Kentucky, by Chairperson Larry Otterback.

The following members were present:

Mike Allen
Stephen Davis
Robert Houchens
Larry Otterback
Mike Riley

Senior Planner Amy Alvey and Planner Brooke Radcliffe Viehmann of Oldham County Planning and Development Services were present and sworn in. Administrative Assistant Ethel Foxx and Attorney Travis Combs were also present.

Board Member Riley called and read Docket OC-16-001.

Docket OC-16-001 – An application has been filed requesting a Conditional Use for a proposed accessory structure to be located at 1000 Cedar Creek Road, Crestwood.

(1) Presentation by Staff:

Senior Planner Amy Alvey presented the following:

- Summary of the application.
- Case History (see Staff Report dated February 18, 2016 Exhibit A).
- Notes.
- Aerials and site plans of the property.
- Photos of property.

Ms. Alvey responded to questions from the Board:

- Applicant wishes to construct an accessory building to the front rather than to the side or the rear of the primary structure.
- Pointed out the location of Osage Road and Cedar Creek Road (which is actually the drive into his property).
- Explained that the property does not have an Osage Road address but has a Cedar Creek Road address.

- Referred to photos from Exhibit A showing how the property had been divided and is now considered Lot 8A; there is open space behind the property.
- There is a 50 foot building set-back line from Osage Road and the proposed building cannot sit closer than 50 feet from that front property line.
- The aerial photo outline presented was for planning purposes only and not from an actual survey.

(2) Presentation by the Applicant in support of the application:

Dale Clover, 1000 Cedar Creek Road, Crestwood, was present and sworn prior to speaking on behalf of this application.

- Wishes to build a 1200 square foot building where he can store his lawn equipment, tractor, wood working equipment and so that his wife can have a place to park her car in the house garage.
- Referred to a plot plan (which is not accurate) and showed how Cedar Creek Road is actually to the right of the property and leads up to the house.
- The photo shows a dark red line to the right which actually depicts the neighbors' driveway; there is a row of trees on that easement.
- Referred to a photo from Exhibit A how the driveway leads to the house and where he plans to construct the accessory building to the left of that driveway but behind the wooded area so as not to obstruct the view of house.

(3) Questioning of the Applicant or representative and others in support of the application by the Board:

Mr. Clover responded to questions by the Board:

- The building will sit about 70 feet from the road and 70 to 75 feet from the house.
- Referred to an aerial stating that the proposed building cannot sit behind the house because of a nine foot concrete wall and the property drops dramatically behind the house.
- Provided the approximate location of the septic field and tank which are located at the front and to the west side of the house which makes it impossible to build in that area.
- Clarified location of proposed building in relation to the house.
- Has no intentions of using the building for living space or for a business.

Walt Schumm, 6100 Breeze Hill Road, Crestwood, was present and sworn prior to responding to questions by the Board:

- Built the applicant's residence and clarified that an LG&E easement was obtained for gas and transmission lines.
- Explained why the house was built at its location due to severe property slopes.
- Showed location of two easements, one for water and one for gas; the plot plan drawing that Mr. Clover referred to is a good one.
- Explained that it was EMS that assigned the unique address as Cedar Creek Road when the property was divided five years ago because they did not want to issue half address points.

Mr. Clover continued response to the Board:

- Confirmed that the building can be built farther back than shown on the plot plan; because of the slope of the property will be easier to build in the proposed location.
- Confirmed that he can abide to conditions of approval and build 20 feet from the building line and can still remain the required distance from the septic field.
- Has no problems with a condition that nothing is to be stored between the building and road.

Walt Schumm returned to speak in favor of this application:

- He is a contiguous property owner and sees no harmful effect for the proposed building.
- He will construct the building and after surveying the property this is the best spot for the proposed building.
- He cleared the driveway and purposefully left the vegetation across the easement.
- This is an old subdivision having large lots and many of the properties have more than one accessory building; therefore this structure will not be out of place.
- The only time the building might be seen from the road is in the dead of winter.

(4) Testimony of the Opposition: NONE

(5) Questioning of the Opposition by the Board: NONE

(6) Rebuttal and Final Statement by the Applicant: NONE

(7) Rebuttal and Final Statement by the Opposition: NONE

(8) Board Discussion and Final Decision:

**Findings and Decisions
Docket OC-16-001
Variance – Accessory Structure**

Motion is made by Board Member Houchens and seconded by Board Member Riley to approve a variance for construction of an accessory structure in front of the primary structure because:

1. Evidence has been heard that the proposed structure cannot be constructed as required due to the location of the septic field and lay of the land.
2. Proposed structure is desirable.
3. It will not be in conflict with the elements, objectives or policies of the Comprehensive Plan.
4. Will not impair the character and integrity of the zone.

Conditions of Approval:

- Approval shall only apply to the plan considered at the February 18, 2016 Oldham County Board of Adjustments hearing.
- No commercial activity shall be conducted out of the accessory building.
- The accessory building is not to be occupied for living space.
- There shall be no storage or parking between the proposed building and Osage Road.
- The front edge of the building shall be constructed no closer than 70 feet from Osage Road (which is an additional 20 feet from the 50 foot building line).

The vote was as follows:

Yes: Board Members Allen, Davis, Houchens, Otterback and Riley.
 No: None
 Abstain: None.
 Absent: None

Motion carried on a vote of 5-0.

Motion to Make Correction

Motion was made by Board Member Davis and seconded by Board Member Riley, that all references made by Board Member Houchens concerning a “**Conditional Use**” in the “Findings” and “Motion” of Docket OC-16-001, shall be corrected to the word “**Variance**”.

Motion stated and motion carried by unanimous voice vote.

Motion for a five minute recess was made by Board Member Houchens and seconded by Board Member Riley at 9:37 a.m. and carried by unanimous voice vote.

Motion was made by Board Member Riley and seconded by Board Member Houchens to come back to session at 9:42 a.m. and carried by unanimous voice vote.

Board Member Riley called and read Docket OC-16-002.

Docket OC-16-002 – An application has been filed requesting a Side Yard Setback Variance and Rear Yard Setback Variance for a proposed building addition on property located at 4505 Mattingly Court, Buckner.

(1) Presentation by Staff:

Senior Planner Amy Alvey presented the following:

- Summary of the application.
- Case History (see Staff Report dated February 18, 2016 Exhibit A).

- Notes.
- Aerial photos of the site.
- Photos of subject property and adjoining property and buildings.

Ms. Alvey responded to questions from the Board:

- There was approval of a side yard and front yard variance for the adjoining mini storage buildings;
- Confirmed that the set back is 11.4 feet and the variance requested is 23 feet; showed where the variance is requested in between the two buildings.

(2) Presentation by the Applicant in support of the application:

Robert Greenrose, II, 7300 Abbott Glen, Crestwood, was present and sworn prior to speaking on behalf of this application.

- Moved into the building in April of 2015 and realized by June of 2015 that they have outgrown the building.
- Has a contract to buy the building but would only do so if he can expand the building.
- Has no desire to move his business out of Oldham County as he has lived in Oldham County his entire life and worked in Jefferson and Oldham County all his career.

(3) Questioning of the Applicant or representative and others in support of the application by the Board:

Mr. Greenrose responded to questions by the Board:

- Produce conveyor systems for Fed Ex and UPS; have contracts with Junior Bridgeman companies redoing Wendy's and Golden Coral, etc.; make screen presses for Ocean Spray and Tyson Foods.
- Referred to a plot plan showing the existing layout of the building and the overlay of the proposed expansion.
- Showed where he wishes to expand the building to 75 feet by 100 feet and location where the basic manufacturing will take place; the 30 by 50 foot area at the front will be office area.
- Has talked with adjoining property owner, Boneal Company, and assured them he would not encroach onto their property; the mini storage property owner has assured him he can build as close to the property line as he wishes.
- Explained that he will be building over the existing building (old sea food building) and will look like a new building; same material, green siding with a tan roof and will basically look the same.
- The only other change may be the location of the driveway to allow better parking due to the location of the 30 foot electrical easement.
- It is necessary to expand the building in order for him to continue the operation of his business.
- Would eventually like to have 10 to 12 employees and would be advantageous to neighboring Prodigal Ministries from where he hires help.
- Confirmed that he is requesting an 11.4 foot side yard setback variance.

- (4) Testimony of the Opposition: NONE**
- (5) Questioning of the Opposition by the Board: NONE**
- (6) Rebuttal and Final Statement by the Applicant: NONE**
- (7) Rebuttal and Final Statement by the Opposition: NONE**
- (8) Board Discussion and Final Decision:**

There was much discussion as to how and if the variance would affect the adjoining property owners.

Senior Planner Alvey presented more photos of the adjoining warehouse buildings showing that there is no sidewalk alongside the buildings and pointed out the location of the drainage/ditch lines. Explained the reasoning for the 35 foot setback in the Industrial zoning and are allowed to cover 75 percent of the lot with structures.

Per the Board Members' request, Ms. Alvey referred to a site plan (Applicant Exhibit B) which was retrieved from the file of the adjoining property on which the mini warehouses sit. The property has two fronts; one on Mattingly Road and one on Mattingly Court. However, cannot tell how many feet the warehouse building at the rear sits from the property line.

Findings and Decisions
Docket OC-16-002
Variance for Side Yard and Rear Yard Setbacks

Motion is made by Board Member Houchens and seconded by Board Member Allen, to approve the requested Variances of 23.6 feet for the Side Yard and .6 feet for the Rear Yard because:

- It 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 nuisance to the public
- Will not allow an unreasonable circumvention of the requirements of the regulations.
- Moving the electrical lines would cause a hardship to the Applicant.

Conditions of Approval:

1. The variance shall only apply to the application considered at the February 18, 2016 Oldham County Board of Adjustments public hearing.
2. The applicant shall submit a site plan for staff review and approval as outlined in Division 390 of the Oldham County Comprehensive Zoning Ordinance prior to applying for a building permit.

The vote was as follows:

Yes: Board Members Houchens, Otterback, and Allen.
No: Board Members Riley and Davis.

Abstain: None.

Absent: None

Motion carried on a vote of 3-2.

Board Member Riley called and read Docket OC-16-003.

Docket OC-16-003 – An application has been filed requesting a Conditional Use Permit for a Home Occupation Permit (tree service) located at 2016 Stephanie Kaye Drive, LaGrange.

(1) Presentation by Staff:

Community Planner Brooke Radcliffe Viehmann presented the following:

- Summary of the application.
- Case History (see Staff Report dated February 18, 2016 Exhibit A).
- Notes.
- Ariel Photos of the property
- Photos of property.

Ms. Viehmann continued as follows:

- Applicant does not advertise and there is no signage on the property.
- This home occupation could have been approved administratively if there had not been commercial vehicles on the property.
- The vehicles are parked behind the accessory structure which cannot be seen from the road and behind the tree line.
- Applicant appears to meet the standards required under Section 260-230 for Home Occupations.

Ms. Viehmann responded to Questions by the Board:

- Presented letter of January 4, 2016 (Exhibit B) from Terry Green, Code Enforcement Officer to the Applicant concerning complaints that Applicant had been milling trees and that trucks were being used to unload trees back by their shop.
- Ms. Viehmann explained a home occupation must be incidental to the residence.
- What the Board is reviewing today is the commercial vehicles used on the property.

Senior Planner Alvey responded to the Board concerning Special Standards for Administrative Home Occupation Approval.

- The largest commercial vehicle that can be used is a pick-up truck in order to receive Administrative approval which is reviewed at staff level.
- If one does not meet the standard concerning commercial vehicles, one must appear before the Board of Adjustments for approval of a home occupation.

Terry Green, Oldham County Code Enforcement Officer, was present and sworn prior to speaking in behalf of this application.

- Received a complaint from an anonymous caller of a business being conducted from subject property that there was milling of logs at all hours of the day.
- Did a site visit and could see from the street that there was a large commercial truck, a large building at the back of the lot and could see logs stacked.
- He did not see any milling or big piles of mulch; he did see a couple of stacks of tree logs (that Applicant said they use for themselves or donate to people to heat their homes).
- There was an advertisement in the yellow pages (Exhibit C) and on the internet that shows their address.
- There was no advertisement on the property; there was advertisement on the trucks that are parked at the back of the lot.
- The property was not unsightly; only issue is the large trucks.
- Referred to aerial photo where property is located in a cul-de-sac and because of all the trees one cannot see the operation from Stephanie Kaye or Zachary.
- The operation requires a conditional use for a home occupation allowing them to park their commercial trucks there.
- He only made one site visit and applicant immediately contacted him upon receipt of the letter of violation.
- Because they advertise their business, the approval should state they are running a business out of their home and he does not consider this a lawn care business.

(2) Presentation by the Applicant in support of the application:

Matt and Missy Sullivan, 2016 Stephanie Kaye Drive, LaGrange, were present and sworn prior to speaking on behalf of this application.

- Their home was the first built in this subdivision over 15 years ago.
- Was not aware that they required a home occupation for the business they have been running for years and have never received a complaint.
- Use their trucks to transport the logs after cutting them at customer's property.
- Pointed out where they kept the pile of logs, many which they use to heat their shop.
- Upon learning of the nearby house that went on the market, they realized the piles of logs were unsightly and visible to that neighbor so they sawed up the logs and clean up the area.
- Showed where they park the trucks which are not visible from the front of their property.
- Planted trees in the back to use for screening and have plans to plant more if they get this approval.

(3) Questioning of the Applicant or representative and others in support of the application by the Board:

Mr. Sullivan responded to question by the Board:

- The pile of Ash trees is no longer there; there were about 20 logs, 12 to 18 inches in diameter and 12 to 15 feet long.

- Cut up the trees and processed into firewood which they use to heat the shop where they keep their RV and some old vehicles.
- Do not sell the firewood; they never see customers at their home; no one knows they are even there.
- Did get behind on cutting up logs but when they learned of the neighbor's house going up on the market they tried to quickly clean up by running the chain saws on the weekend which may have led one to believe they were milling.
- Confirmed that they are not milling, not selling firewood and the noise activity created was from cutting the wood for firewood to be used on their property.
- The chips (debris) taken from customers' lots is used at several different nurseries.
- Some wood is donated to people that have outdoor boilers to heat with.
- The chips and wood is hauled elsewhere and not stored on the property.
- There is no additional equipment, trucks, material and no other wood except the little bit for personal use.
- Started their business in 1997 and have done so since then; this is the only complaint they know of.
- Own three trucks and one chipper which is a trailer that is pulled behind a truck and all are stored outside.
- Confirmed they have been doing this business out of this home for 15 years and have no plans to expand.
- There is no signage planned and employee two of their sons and a friend.
- There is no business activities on site other than parking their vehicles on it.

Others present to speak in favor of this application:

Jay Hall, 1503 Kamer drive, LaGrange, was present and sworn prior to speaking on behalf of this application.

- Pointed out on the site plan where he owns three lots behind Mr. Sullivan's property.
- Was one of the developers when this subdivision was created; did not realize Mr. Sullivan was running a business except that he sees the trucks parked at the back of the property.
- Mr. Sullivan and his wife have been good neighbors.
- Thinks it would be a good idea if Mr. Sullivan would plant the additional screening at the back of the property.

Scott Walker, 2014 Stephanie Kay Drive, LaGrange, was present and sworn prior to speaking on behalf of this application:

- They are neighbors of the Sullivan's; his family has lived there for 10 years.
- The Sullivans are good neighbors and have never had any issues with their business.
- Their trucks leave early in the morning and they return about 4:30 in the afternoon.
- Are in favor of this application.

Christy McCombs, 2018 Stephanie Kaye Drive, LaGrange, was present and sworn prior to speaking on behalf of this application.

- Family has lived in the subdivision for ten years.

- Have not experienced noise or milling issues considering they live so close to the property.
- Do not object to this proposed application.

Board had more questions of the Applicants:

Mr. Sullivan responded to question by the Board:

- In agreement with the proposed conditions of approval; no signage, no lighting, no noise, no debris piles, no mulch and would have no more than 20 logs at one time.
- The biggest truck they have is a tree-care truck and have a couple of bucket trucks.
- They do not have to store the logs on the property; they can cut them before they get to the site.

(4) Testimony of the Opposition: NONE

(5) Questioning of the Opposition by the Board: NONE

(6) Rebuttal and Final Statement by the Applicant: NONE

(7) Rebuttal and Final Statement by the Opposition: NONE

(8) Board Discussion and Final Decision:

Community Planner Viehmann informed the Board that anyone can store logs on their property for personal use.

Planner Alvey explained that the Items listed in Paragraph 2 of the regulations are items where one cannot apply for a home occupation. They are here because of the size of the vehicles.

Attorney Combs informs the Board that the Applicant has been doing this for years and they now come before this Board requesting approval of the home occupation. The Board may wish to place conditions on the size and number of the vehicles.

**Findings and Decisions
Docket OC-16-003
Conditional Use for Home Occupation**

Motion is made by Board Member Houchens and seconded by Board Member Riley to approve Docket OC-16-003 Conditional Use for a Home Occupation (tree service) because:

- Evidence has been heard that the activity is not intrusive to the neighbors.
- Proposed use is desirable to the Community.
- Proposed use is not in conflict with the elements, objectives and policies of the Comprehensive Plan.
- The character and objectives proposed on the community and surroundings is appropriate.

Conditions of Approval:

1. The conditional use permit shall only apply to the plan considered at the February 18, 2016 Oldham County Board of Adjustments public hearing.
2. There shall be no signage advertising the business visible on the property except on the vehicles.
3. A minimum of 20 evergreen trees shall be planted for screening.
4. There shall be a maximum of 20 logs brought from the outside on site to be used only for the personal use of the property owners.
5. There shall be no more than three commercial vehicles and one chipper on the property to be used for the tree service.

Motion to Amend

Motion was made by Board Member Davis and seconded by Board Member Riley that the motion stand as stated, however, to strike Item #4 of the Conditions of Approval concerning the limitation of the number of logs.

Yes: Board Members Riley, Otterback, Allen and Davis
 No: Member Houchens
 Abstain: None.
 Absent: None

Motion carried on a vote of 4-1.

Motion to Approve

Yes: Board Members Riley, Otterback, Allen Houchens and Davis
 No: None.
 Abstain: None.
 Absent: None

Motion carried on a vote of 5-0.

Board Member Riley called and read Docket OC-16-004.

Docket OC-16-004 – An application has been filed requesting a Variance for a sign located at 4734 West Highway 146, Buckner.

(1) Presentation by Staff:

Community Planner Brooke Radcliffe Viehmann presented the following:

- Summary of the application.

- Case History (see Staff Report dated February 18, 2016 Exhibit A) including Code Enforcement History.
- Notes.
- Ariel Photos of the site.
- Site plan showing location of the signs.
- Photos of property and adjoining properties showing location of signs in the area.

Ms. Viehmann responded to questions from the Board:

- Clarified that Applicant prefers that the variance for the existing high rise sign be approved, will replace the Shell sign cabinet with a Subway cabinet, and will remove the smaller pylon sign.
- The Planning Office prefers that there be approval for only one of the signs.
- When the signs were approved in 1969, the heights and setbacks were available without a variance and therefore considered non-conforming signs.

Ms. Alvey explained as follows:

- Applicant wishes to use the existing sign without moving or changing the height; he wishes to only change the face of the sign.
- The Shell gas station property has been vacant since 2009.
- Because the sign has not been used within one year, the regulations states he is not allowed to use the signs.
- If the Board denies the use of the high rise sign, that sign will have to come down.
- Referred to the photo showing both signs and confirmed that the smaller sign must come down, regardless.

Oldham County Code Enforcement Officer, Terry Green was present and having been sworn, responded to the Board as follows:

- The signs were approved years ago and would have still been allowed if the gas station had not closed more than one year ago.
- When Applicant, owner of the Subway, appeared before the Code Enforcement Board, they allowed him an extension in order to apply for a variance.
- The ruling was that whatever this Board decides, the Applicant had to be in compliance within 30 days.
- The Code Board imposed a \$4,000.00 fine which still applies for violation of both non-conforming signs.
- If this Board does not approve the sign variance request, it must be removed from the property within 30 days.
- The Applicant would like both signs but if necessary, prefers that the taller sign be approved.
- Gave the history of the code enforcement hearings.

(2) Presentation by the Applicant in support of the application:

Deepak Tirwari, 5506 Timber Ridge Drive, Prospect, was present and sworn prior to speaking on behalf of this application.

- Has been a business owner for 25 years and has three Subway restaurants in Oldham County in which he employs 30 people.
- Gave history of the time, money and many issues he had in acquiring and renovation of the property.
- When he finally purchased the property in 2014, he received a letter of violation regarding the signs.
- Dilemma is that it will cost \$12,000.00 to \$15,000.00 to take down the signs.
- Because the existing building and property were in such poor condition he spent \$300,000 to construct the new Subway store, which included restoring the parking lot and providing good lighting.
- Contacted Mark Kidwell of Commonwealth Signs to help him solve the sign issue.
- Is requesting to leave the tall sign and replace the face with a Subway sign.
- Is willing to take down the smaller sign if the tall one is allowed.

(3) Questioning of the Applicant or representative and others in support of the application by the Board:

Mark Kidwell, Commonwealth Signs, Louisville, was present and sworn prior to responding on behalf of this application.

- The small sign is 5 feet 9 inches from the road edge; most likely the road has been widened since that sign was placed in 1969.
- The larger sign is 32 feet from the road, 44 feet from the center of the road, and 12 feet from the rear property line.
- The larger sign can be cut down to 50 feet but explained the many issues, costs and engineering permits required to lower that sign.
- Even cutting the tall sign down to 35 feet would be very costly.

Mr. Tirwari responded as follows:

- Mr. Carlson owns the land with whom he has a five year lease-to-buy; he sent a copy of the violation letter to Mr. Carlson.
- Is leasing the property with the intention of using the signs.

Ms. Alvey responded as follows:

- The property was owned by Watson Automotive; Southern Petroleum bought it from them.
- Discussed the issue with the Administrator as to who should be here concerning this application because of the follow-up with Code Enforcement.
- There is nothing in the Deed that say the signs cannot be used.
- The existing use of the property ceased in 2009; after one year, if the signs are not used they become non-conforming.

(4) Testimony of the Opposition: NONE

(5) Questioning of the Opposition by the Board: NONE

(6) Rebuttal and Final Statement by the Applicant:

Mr. Tirwari stated the following:

- Is requesting approval for the tall sign to remain as it will be visible to I-71 and will bring more business and opportunity to hire more employees. If approved for the taller sign agrees to remove the smaller sign. Is simply asking to reface the tall sign.

Mr. Kidwell stated the following:

- The issue of the non-conforming signs sat there for years and it was not until Mr. Tirwari built the Subway and made many improvements that a violation was considered and then was fined. Re-facing both sides of the taller sign would cost \$6,462.00. Removing the sign would cost \$12,000 to \$15,000 as the steel has to be cut in stages and need to make several trips to haul it out due to the weight limit. Once the sign is removed, what is left on the property can be an eye sore. There is an advantage to re-facing the sign as it would be serviced and address any safety factors.

(7) Rebuttal and Final Statement by the Opposition: NONE

(8) Board Discussion and Final Decision:

The request is an attempt to circumvent the regulations for sign height. Non-conforming signs shall not be re-established after having been discontinued or obsolete for twelve months. Recommended that this be tabled however, Applicant must return to the Code Enforcement Board and has only 30 days to comply. Concerns that there are too many issues to consider: ownership, the number of signs, what type variance; none of which can be decided at this time. The smaller sign is a safety factor and could be removed. The new building on the site is a great improvement.

Code Enforcement Officer Terry Green stated that it is the business owner, not the land owner that is requesting the use of the signs as like it is done in other businesses that operate a business on property that they do not own.

Ms. Viehmann informed the Board that the Administrator felt that Mr. Tirwari had the right to go before this Board to request the variance for the non-conforming use.

Planner Amy Alvey responded that that there are other tall signs in Oldham County that exceed the required 30 foot height. Some like the Ford Dealership have applied for a "Program for Signs" to the Planning Commission. The Thornton's sign across the street does exceed the current standards for height and setbacks.

**Findings and Decisions
Docket OC-16-004
Variance for Signs**

Motion was made by Board Member Allen and seconded by Board Member Davis to deny Docket OC-16-004 because:

- It will allow an unreasonable circumvention of the requirements of the current zoning regulations.
- Regulations under Division 290.160 identifies the signs as non-conforming

- No non-conforming sign shall be re-established after having been discontinued or obsolete for twelve months.
- Not in compliance with the current regulations and would put the sign if allowed, over 25 percent more than the maximum sign height and would put it between 45-50 feet which exceeds that height currently.

The vote was as follows:

Yes: Board Members Allen, Davis and Riley.
 No: Board Houchens and Otterback.
 Abstain: None.
 Absent: None

Motion carried on a vote of 3-2 to deny the application.

Approval of Minutes

Motion was made by Board Member Allen and seconded by Board Member Riley to approve the minutes of December 17, 2015 as submitted and corrected.

Motion carried by unanimous voice vote.

Other Business

NONE

Motion is made by Board Member Riley and seconded by Board Member Houchens to adjourn the meeting at 12:50 pm. Motion carried by unanimous voice vote.

The next Regular Meeting is scheduled for Thursday, March 17, 2016 at 9:00 a.m., in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Respectfully Submitted,

 Ethel Foxx
 Administrative Assistant

Approved:

 Larry Otterback, Chairperson