

ON MONDAY, OCTOBER 9, 2017, THE BOARD OF ADJUSTMENT HELD A MEETING IN THE 2ND FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 6:30 P.M.

Vice Chairman Prewitt called the meeting to order.

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT: Al Schooler, Frank Stark, Fred Powers, David Prewitt

MINUTES: A motion was made by Mr. Stark, as seconded by Mr. Schooler, to approve the September 11, 2017 minutes, as submitted. The motion carried with four (4) aye votes.

Application #10-017-2017 – Dimensional Variance – Stephen and Alyssa Gullery – 3375 Clifton Rd – A-1 District – Article VII, Section 701.6 – Applicant is seeking a 30’ front yard variance from the required minimum 80’ setback in order to build a front porch 50 feet from the right of way on an existing home.

Vice Chairman Prewitt opened the hearing and called upon Patricia Wilson, Planning Director for comments. Mrs. Wilson noted that the owners were seeking a 30 foot variance from the required 80 foot minimum front yard setback in order to build a covered porch on their residence, 50 feet from the front property line/right-of-way of Clifton Road. The property is zoned A-1 (Agriculture). The project site is approximately 2.3 acres and lies on the south side of Clifton Road approximately 3.4 miles northwest of Versailles. The lot is a legal non-conforming lot of record as is the residence located on it, as both predate the adoption of the zoning ordinance. (Article VIII, Section 803 A). The house was built 1860-70. The existing house is located approximately 60 feet from the right-of-way and had an enclosed front porch that was recently demolished. Mrs. Wilson noted that there were no records of any prior variances associated with this property. However, in 1980 there was a request for a Conditional Use Permit to operate an “Auto storage facility” which was denied. The variance came about because the Building Inspector drove by and noticed the new construction of the covered porch taking place without a building permit. The contractor immediately came in to the office to acquire a permit only to discover that the project was too close to the road and a permit could not be issued; work stopped at that point. Mrs. Wilson noted that all four criteria had been met. Mrs. Wilson noted that notices were mailed to adjoining property owners and notification was published in the Woodford Sun. Mrs. Wilson noted the following conditions to be attached to the variance:

- 1. This property is subject to all requirements of the Versailles-Midway-Woodford County Zoning Ordinance.**
- 2. The Owner shall comply with all other federal, state and local regulatory entities and shall provide copies to the Planning Commission office of any and all permits issued on behalf of the Owner as a result of the approval of the Variance.**
- 3. The approved Variance is granted only for the front porch on the residence as shown on the site plan attached to the variance application. Any future structures or additions shall conform to the standards of the Zoning Ordinance.**
- 4. The Owner shall obtain all necessary permits from the Versailles-Midway-Woodford County Building Inspector for the construction of the covered porch.**

Mrs. Wilson noted that staff was in receipt of a letter which had been emailed to Board members in support from Carey and Debbie Tichenor.

Vice Chairman Prewitt asked if any members had questions for Mrs. Wilson.

Vice Chairman Prewitt asked if the applicant had any comments, hearing none Vice Chairman Prewitt asked if anyone from the public would like to speak.

C.L. Watts noted that Mrs. Wilson covered all of the issues. Mr. Watts noted that he has known Mrs. Gullery for several years and she is a wonderful person and her husband is cherished and welcomed in the community. Mr. Watts noted that he was the magistrate in the 2nd District and this property is in his district. Mr. Watts noted that the footprint was the same as the porch that was removed. Anything that was done was simply an oversight and these are fine people.

Mr. Schooler asked if the house was constructed prior to zoning and that the old porch was removed to build a new one. Mrs. Wilson stated yes.

Vice Chairman Prewitt asked if there were any further questions, hearing none he closed the hearing.

Vice Chairman Prewitt asked for a motion to approve or deny the dimensional variance.

A motion was made by Mr. Stark, as seconded by Mr. Powers, to approve Application #10-017-2017 – Dimensional Variance – Stephen and Alyssa Gullery – 3375 Clifton Rd – A-1 District – Article VII, Section 701.6 based on staff report – Applicant is seeking a 30’ front yard variance from the required minimum 80’ setback in order to build a front porch 50 feet from the right of way on an existing home with the noted conditions. The motion carried with four (4) aye votes.

A motion was made by Mr. Stark, seconded by Mr. Schooler to adjourn at 6:38 p.m. The motion carried with four (4) aye votes.

David Prewitt, Vice Chairman
DP/ko