

**WINCHESTER/CLARK COUNTY BOARD OF ADJUSTMENTS**  
**MINUTES OF MEETING HELD**  
**ON JUNE 11, 2020**

A meeting of the Winchester/Clark County Board of Adjustments was held on Thursday, June 11, 2020 at 6:00 p.m. by zoom web conferencing. Chairman Zeldon Angel presided over the meeting. Those present were:

Zeldon Angel, Chairman  
David Puckett  
Leo Shortridge  
Cory Johnson  
Candice Quisenberry, absent  
Robert Jeffries, Staff  
William Dykeman - Attorney

**MINUTES** - Chairman Angel called the meeting to order and presented the May 21, minutes. Mr. Shortridge had some corrections for the minutes. He will email Rob with the corrections. When changes/corrections are made the Board will then approve the minutes. Mr. Puckett made a motion to approve minutes with corrections. Mr. Johnson seconded the motion. Motion was passed unanimously. Mr. Shortridge presented the treasurer's report. Mr. Shortridge made a motion to approve the treasurer's report. Mr. Puckett 2<sup>nd</sup> the motion. Motion passed unanimously.

**PUBLIC COMMENTS:** Mr. Jeffries said he received comments from the neighbor across the street regarding 101 S. Burns meeting and the comments regarding the mobile home on Ruckerville Road Mr. Dykeman stated he thought the mobile home comment was just an inquiry as to the mobile home possibly facing that neighbor we can only enforce setbacks not which way the mobile home faces. Mr. Jeffries said the City Manager & Engineer Tech has been in numerous conversations with the 101 S. Burns applicant. The applicant is going to bring their parking plans to the City Commission for review.

Mr. Dykeman said they need to formally make a motion to approve 3 applications from May 21<sup>st</sup> meeting. The 101 S. Burns parking project will need to be tabled unless the City Commission approves the plans.

Chairman Angel said the 3 applications from last meeting were as follows:

1. Mobile Home at Ruckerville Road
2. 117 Teakwood Court for setback variance.
3. 214 Hampton Ave. to decrease an existing parcel to increase 212 Hampton Ave.

Mr. Puckett made a motion to approve the three applications from May 21<sup>st</sup> based on the review with the public comments. Mr. Johnson made a 2<sup>nd</sup> motion to approve. Mr. Dykeman said the 101 S. Burns will be dealt with by the City Commission. He said there will be a written order by the City Commission regarding 101 S. Burns Ave. Mr. Puckett made a motion to extend the 101 S. Burns Ave application until it is brought back to BOA if needed. Mr. Shortridge made a 2<sup>nd</sup> motion to table it. Motion passed unanimously.

**5-20-Cu Review a Conditional Use to allow a hair salon to operate as a home occupation, by appointment only, in an R-1C Single Family zoning district located at 21 Cardinal Lane.**

Mr. Jeffries presented the staff report. The Applicants (Jesse & Kris Newman) are requesting a conditional use permit to allow a hair salon to operate as a home occupation, by appointment only, in an R-1C Single Family Residential Zoning District located at 21 Cardinal Lane.

Article 6.43 of the Winchester/Clark County Zoning Ordinance states the following as conditional uses permitted in the R-1C Single Family Residential Zone: **See staff report**

KRS 100.237 Conditional Use permits (**see staff report**)

Mr. Jeffries presented a power point of 21 Cardinal Lane. He stated the zoning surrounding this is all R-1C zoning. He showed pictures of property and showed that there will be sufficient parking. Mr. Shortridge asked about signage. Mr. Jeffries said they were allowed one wall sign not exceeding 6 square ft. and a yard sign of 3 square feet. The wall sign would require a sign permit. The applicant Jesse Newman of 21 Cardinal Lane was sworn in to testify on his own behalf.

He said the door in front at the right of the house would be the entrance to the Salon if approved. Mr. Newman said there will not be any signs installed because it will be by appointment only. Mr. Shortridge asked about the hours of operations if there were any restrictions in our ordinance. Mr. Newman said the latest would be 9:00 pm. Mr. Shortridge said driveway isn't part of the house so it can be enlarged as long as it meets county regulations. Letters will be sent out regarding any comments from neighbors. Mr. Jeffries reminded the applicant only the homeowner could work there and they couldn't have any employees on the premises working in salon. Shortridge made a motion to approve a conditional use permit for a hair salon to operate by Jesse & Kris Newman located at 21 Cardinal lane, based on the fact that the business is incidental to the principal residential use, it is conducted entirely in the dwelling, not alteration is being made to the exterior of the building, the business will be conducted by appointment only and would not adversely affect the neighborhood by generating excessive traffic, and the definition for a home occupation is being adhered to as defined in Article 12 of the Winchester/Clark County Zoning Ordinance. The parking will be primarily in the driveway. This will be contingent on the feedback from the neighbors they will have 15 days for comments.

**Board Member comments:** Mr. Johnson asked about his term it is expiring at the end of June. Mr. Jeffries will continue the discussion with Mr. Johnson in the next day or so.

Mr. Jeffries brought up if we need to find ways of saving money due to the budget limitations.

Mr. Dykeman said the Stuff order that came from the court agreed with the BOA ruling of what can be in front of the building. Stuff filed a motion and by law the judgement isn't final until this is taken up in court. Maybe by the next meeting we will have more information.

Being no further business Mr. Puckett made a motion to adjourn. Meeting was adjourned.

---

Chairman/Chairperson