

**ZONING BOARD OF ADJUSTMENT
BLUE GRASS CITY HALL
NOVEMBER 20, 2024
6:00 P.M.**

CALL TO ORDER: Chair Rick Porter called the meeting to order at 6:00 p.m.

Chair Porter read aloud the “Opening Statement of the Zoning Board of Adjustment”

ROLL CALL: Members present: Rick Porter, Matt Sampson, Josh Brus, Justin Box and Maria Sampson. Other’s Present: Building Commissioner Jim Meyrer, City Attorney William McCullough, Brandon Schadt (via telephone) representing Rhyne Land Company LLC (Southern Mud), Donna Porter and Joleen Hoffmann.

APPROVAL OF AGENDA: Box moved to approve the agenda as presented, seconded by Matt Sampson. All ayes, motion carried.

APPROVAL OF MINUTES: Maria Sampson moved to approve the minutes of the July 31, 2024 and August 28, 2024 meetings, seconded by Brus. All ayes, motion carried.

NEW BUSINESS:

PUBLIC HEARING: RHYNE LAND COMPANY, LLC REPRESENTING SOUTHERN MUD IS REQUESTING TO SECURE A VARIANCE TO WAIVE CERTAIN REQUIREMENTS IN CHAPTERS 17.46 SITE PLAN REVIEW; 17.46.040 (G) HARD SURFACE PARKING LOT REQUIREMENTS; 17.54 TREE REGULATIONS AND 17.16.060 TIME OF CONSTRUCTION:

Matt Sampson made a motion to close the regular meeting and open the public hearing, seconded by Maria Sampson. Roll call: Matt Sampson-aye, Maria Sampson-aye, Brus-aye, Porter-aye and Box-aye. Motion carried. The public hearing was opened at 6:05 p.m.

Chair Porter opened the public hearing asking that the applicant, Brandon Schadt, further explain his request. Mr. Schadt explained that he was requesting to secure the following Variances to the construction of his business due to the shape of the lot: requesting to eliminate some of the required trees and shrubs from fourteen trees and thirty five shrubs to ten trees and fifteen shrubs; requesting to use asphalt millings to meet the required hard surface parking lot; requesting a temporary building/trailer onsite while the permanent building was being built so he could start his business immediately reassuring the Board that as soon as the permanent building was complete, he would remove the temporary building/trailer. City Attorney William McCullough pointed out, with the exception of the temporary building Variance, the Zoning Board of Adjustment (ZBA) may consider the other Variances since other businesses were allowed some of these changes to their sites; however, as far as the temporary building, the ZBA must approach this carefully as we have never allowed a business to run out of a temporary building before. He said that if the ZBA was to consider this request, there should be a signed agreement with the applicant showing the requirements and timeline for the building and if the Applicant is not meeting those requirements the City has the right to pull the Occupancy Permit to run a business and remove the temporary building. Members agreed that they would request that all permits be paid and taken care of prior to the start of the project and would also like to see concrete or some type of solid surface/seal coat parking in front of building and not allow asphalt millings. Members also requested that concrete be placed in front of the building and that parking be ADA compliant. Members expressed concerns on the drainage as Schadt was doing sheet drainage to drain naturally as recommended by his Engineer. Schadt also stated he would have plenty of trees and shrubs to make the property appealing. Members stated they were not confident enough to make a decision at this time until they see an updated Site Plan and an Attorney drafted letter meeting specific requirements.

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Chair Porter asked if there were any other questions. After no further discussion, Brus made a motion to close the public hearing and reopen the regular meeting, seconded by Box. Roll call. Brus-aye, Box-aye, Matt Sampson-aye, Maria Sampson-aye and Porter-aye. Motion carried. The regular meeting was reopened at 6:47 p.m.

RESOLUTION ZBA 24-01 REF: APPROVING A VARIANCE REQUEST – Rhyne Land Company, LLC representing Southern Mud:

Matt Sampson made a motion to table Resolution ZBA 24-02 until all required recommendations were met as previously discussed, seconded by Box. Roll call: Matt Sampson-aye, Box-aye, Porter-aye, Brus-aye and Maria Sampson-aye. Motion Carried.

OTHER: None.

ADJOURNMENT: Matt Sampson made a motion to adjourn, seconded by Maria Sampson. All ayes, motion carried. The meeting adjourned at 6:50 p.m.

Submitted by: Joyce A. Lorenz, Assistant City Clerk/Financial Officer