

MINUTES FOR THE BOARD OF ADJUSTMENT MEETING

April 9, 2018

- I. **ATTENDANCE** - The Chairman called the meeting to order at 1:00 p.m. in the Council Chambers, 200 East Main Street, April 9, 2018. Members present were: Branden Gross, Harry Clarke, Raquel Carter, Thomas Glover, Chad Needham, Jan Meyer, and Joan Whitman. Others present were: Josh Dezarn, Division of Engineering; Tracy Jones and Andrea Brown, Department of Law; and Stephen Parker, Traffic Engineering. Staff members in attendance were: Jim Marx, Autumn Goderwis, Barbara Rackers, Jim Duncan and Tammye McMullen.

- II. **APPROVAL OF MINUTES** - The Chair announced that the minutes of the March 12, 2018, meeting would be considered at this time.

Action - A motion was made by Mr. Glover, seconded by Ms. Whitman, and carried unanimously to **approve** the minutes of the March 12, 2018 meeting.

III. **PUBLIC HEARING ON ZONING APPEALS**

Swearing of Witnesses – Prior to sounding the agenda, the Chair asked all those persons present who would be speaking or offering testimony to stand, raise their right hand and be sworn. The oath was administered at this time to several staff members and other persons in the audience.

- A. **Sounding the Agenda** - In order to expedite completion of agenda items, the Chair sounded the agenda with regard to any postponements, withdrawals, applicants present and objectors.

1. **Postponement or Withdrawal of any Scheduled Business Item** - The Chair announced that any person having an appeal or other business before the Board may request postponement or withdrawal of such at this time.

At this time, Ms. Goderwis announced that the following applicant requested a one-month postponement of her application via email on 04/09/18, to the May 14th hearing.

- a. **PLN-BOA-18-00026: MINNIE SHARP** – requests an administrative appeal to allow placement of a mobile home unit on a property less than 40 acres with no principal structure in the Agricultural Rural (A-R) zone, at 5942 Sulphur Well Road. (Council District 12).

Action – A motion was made by Ms. Meyer, seconded by Mr. Clarke and carried unanimously to **postpone PLN-BOA-18-00026: MINNIE SHARP** until the May 14, 2018 hearing.

*Note – At this time (1:09 p.m.), the Chair announced that the Board would go into a closed session to discuss a matter regarding potential litigation.

A motion was moved by Mr. Needham, pursuant to KRS 61.810(1)(c) to go into closed session for the purpose of discussing proposed litigation against or on behalf of the Board of Adjustment. The motion was seconded by Mr. Clarke and carried unanimously. The meeting reconvened at 2:12 p.m. with the same members in attendance.

a. **ABBREVIATED HEARINGS:**

1. **PLN-BOA-18-00023: PATRICIA MOSS** – requests a variance to allow an accessory structure to exceed the lot coverage of the building to which it is accessory by 316 square feet; and to increase the total allowable area of such an accessory building from 784 square feet to 1,536 square feet in a Single Family Residential (R-1B) zone, at 811 Stone Road. (Council District 10).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested variance will not adversely affect the public health, safety or welfare; will not alter the character of the general vicinity; and will not cause a hazard or nuisance to the public. The accessory structure will replace a recently demolished shed that was in disrepair and will provide a safe, usable storage space for the applicant's belongings/vehicles. Although much larger than the prior shed, it will not appear as out-of-scale on this large lot.
- b. Granting the requested variance should not have much, if any, effect on the character of the general vicinity. The proposed accessory structure will be located directly behind the principal structure, near the center of this long, narrow property, and will not be visible from the road.

This recommendation of approval is made subject to the following conditions:

1. The structure shall be constructed in accordance with the submitted application and site plan.
2. All necessary permits shall be obtained from the Division of Building Inspection, prior to beginning construction.
3. The applicant shall implement any measures recommended by the Urban County Engineer to mitigate the potential for increased water runoff from the property.
4. The new accessory structure shall be used for personal use only and not for any business activities

Representation – Patricia and William Moss, applicants, were present. Ms. Moss indicated that she had reviewed the conditions and agreed to abide by them.

Board Questions and Comments – Mr. Glover asked if the proposed structure was going to be one-story or taller. Ms. Moss responded that it would only be one story in height. Mr. Glover also asked about the trees that were being utilized as buffer. Mr. Moss responded that no trees would be removed, but there has been some tree trimming.

Action – A motion was made by Mr. Glover, seconded by Mr. Clarke and carried unanimously to **approve PLN-BOA-18-00023: PATRICIA MOSS** – a request for a variance to allow an accessory structure to exceed the lot coverage of the building to which it is accessory by 316 square feet; and to increase the total allowable area of such an accessory building from 784 square feet to 1,536 square feet in a Single Family Residential (R-1B) zone, at 811 Stone Road, for the reasons recommended by the staff and subject to the four conditions.

2. **PLN-BOA-18-00003: GRANTHAM, LLC** – requests a conditional use permit to operate a home-based business (gunsmithing, and mail order retail sale for firearms and items that serve as accessories to firearms; i.e., scopes, binoculars, etc.) in a Single Family Residential (R-1C) zone, at 103 Woods Ave. (Council District 5).

The Staff Recommends: Approval, for the following reasons:

- a. The proposed use should not adversely affect the subject or adjoining/nearby properties. The use will be conducted inside the house or offsite. The business will operate no more than 5 hours per week and any customers coming to the property will do so by appointment only.
- b. All necessary public facilities and services are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The use shall be conducted in accordance with the submitted site plan, application, and associated documents.
2. The property shall not feature a showroom/display room, and this business shall not be operated as a “retail sales establishment” as defined in the Zoning Ordinance. Retail sales of merchandise shall be by appointment only; goods shall not be available for immediate purchase and removal from the premises by the purchaser on a walk-in basis.
3. All business shall be conducted during the hours specified on the applicant’s application for a Federal Firearms License: Monday (5:00 p.m. to 7:00 p.m.) and Tuesday - Thursday (5:00 p.m. to 6:00 p.m.).
4. There shall be no on-site discharge of firearms.
5. The applicant shall acquire and utilize a gun safe within the house.
6. Signage for the business shall not be placed on the property or at any other location.
7. Should the applicant cease to own or occupy the subject property, the conditional use permit shall become null and void.
8. All necessary permits, including a Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection, prior to opening the business.
9. All of the proper governmental approvals from the Bureau of Alcohol, Tobacco, and Firearms shall be on file with the Division of Building Inspection prior to the issuance of a Certificate of Occupancy.

Representation – Jacob Walbourn, attorney, was present on behalf of the applicant. Mr. Walbourn indicated that they had reviewed the conditions and agreed to abide by them, with the change to condition #5.

At this time, Mr. Walbourn discussed his client’s proposed use. There were questions and comments from the Board, with further discussion regarding ammunition, how many guns at a time the applicant would be dealing with, parking, and how many customers would visit the home. There was also some discussion as to the re-wording of the original request, as well as conditions number 2 & 5.

Action – A motion was made by Mr. Glover, seconded by Mr. Needham and carried 6-1 (Meyer opposed) to **approve PLN-BOA-18-00003: GRANTHAM, LLC** – a request for a conditional use permit to operate a home-based business (gunsmithing, and mail order and onsite retail sale for firearms and items that serve as accessories to firearms; i.e., scopes, binoculars, etc.) in a Single Family Residential (R-1C) zone, at 103 Woods Ave., for the reasons provided by the staff and subject to the nine conditions, as amended at today’s hearing. Conditions #2 and 5 now reads as follows:

2. The property shall not feature a showroom/display room, and this business shall not be operated as a "retail sales establishment" as defined in the Zoning Ordinance. Mail order sales of merchandise shall be by appointment only; and shall not be available for immediate purchase and removal from the premises by the purchaser on a walk-in basis.
 5. The applicant shall comply with all safety measures as required by Federal Firearms License regulations.
3. **PLN-BOA-18-00024: GREATER LIBERTY BAPTIST CHURCH** – requests a conditional use permit to utilize the four listed properties as parking for the church in a Planned Neighborhood Residential (R-3) zone, at 318, 321, & 323 Chestnut Street & 367 East Third Street. (Council District 1).

The Staff Recommends: **Approval**, for the following reasons:

- a. Granting the requested conditional use should not adversely affect the public health, safety or welfare and will not cause a hazard or nuisance to the public or surrounding property owners. The parking lots will be paved to meet the requirements of the Zoning Ordinance and those of Traffic Engineering and Engineering. A stormwater management plan will be implemented to insure that there will be no adverse effects for the neighboring properties.
- b. The church has a need for additional parking that cannot be met by parking on the street, as parking is restricted to one side of Chestnut Street in this area.
- c. All necessary public services and facilities are or will be available and adequate for the use as parking lots.

This recommendation of approval is made subject to the following conditions:

1. The parking lots shall be established in accordance with the submitted application and the attached timeline, and amended site plan reflecting the requirements of the Divisions of Traffic Engineering, Engineering, Planning, and Water Quality.
2. The final design of the parking areas shall be subject to review and approval by the Division of Traffic Engineering.
3. Stormwater management shall be provided in accordance with the requirements of the Division of Engineering.
4. All necessary permits shall be obtained from the Divisions of Engineering, Planning, and Building Inspection.
5. All parking areas shall be paved, with spaces delineated (as appropriate based on type of surface) and landscaped/screened in accordance with Articles 16 and 18 of the Zoning Ordinance.
6. Any pole lighting for the parking lots shall be of a shoebox or similar design, with light shielded and directed downward to avoid disturbing adjoining or nearby properties.

*Note – At this time, Ms. Goderwis distributed several letters of opposition for review by the Board.

Representation – Darlene Lee was present on behalf of the applicant. Ms. Lee indicated that they had reviewed the conditions and agreed to abide by them; however, they would have a difficult time completing the tasks by the time allotted, due to its financial strain on the applicant.

Note: Mr. Gross declared a brief recess at 2:43 p.m. in order for the Board to review the letters and documentation related to this request. The meeting reconvened at 2:54 p.m., with the same members in attendance.

Staff Comments – At this time, Ms. Goderwis presented photos on the overhead projector, gave a staff report, and explained the Notice of Violation on the subject property. At this time there were questions and comments by the Board with further discussion with regard to a "solution" of the timeline presented to the church, as well as discussion with regard to the letters received in opposition to the parking and cutting through the surrounding neighbors.

Representation – Ms. Lee explained the church's financial circumstances of not being able to pave the parking lots according to the staff's recommended timeline, and requested some change in timing of the timeline, with comments from Pastor Marcus Underwood. There was further discussion between the Board, the staff and the applicant with regard to changing the timeline to give more time for the applicant to begin work.

At this time, Mr. Gross moved this case down in order to give the Planning staff time to draft a revision to the timeline.

Upon returning for further discussion, Mr. Marx presented the revised timeline on the overhead projector and discussed the changes. Ms. Lee stated that they agreed to abide by the changes. There was further discussion by the Board, staff, and applicant with regard to concerns of the neighbors, with comments from Pastor Underwood.

Opposition – Ms. Keela Jackson, daughter of Mr. Allen Hardin, who lives at 377 East Third Street, came in later to the hearing, to address her concerns of the church people parking in front of her father's home, not allowing him at times to get in and out of his driveway.

Mr. Marx stated, that he had written an additional condition in order to try and accommodate Mr. Hardin's concern of parking in front of his home.

Applicant Rebuttal – Pastor Underwood addressed Ms. Jackson's concerns, and advised that they would be agreeable to the staff's additional condition.

Action – A motion was made by Ms. Carter, seconded by Ms. Whitman and carried unanimously to **approve PLN-BOA-18-00024: GREATER LIBERTY BAPTIST CHURCH** – a request for a conditional use permit to utilize the four listed properties as parking for the church in a Planned Neighborhood Residential (R-3) zone, at 318, 321, & 323 Chestnut Street & 367 East Third Street, based on the staff's recommendations and subject to the now seven conditions, as well as the revised timeline agreed upon at today's hearing. They are as follows:

Added condition:

7. Unobstructed vehicle access from Chestnut Street to 377 East Third Street shall be maintained by the church.

Revised timeline:

- A. Address Immediate Needs by **July, 2018**
 - Establish a grassed 25' wide buffer at rear of 321/323 Chestnut (buffer width may be reduced upon demonstration by the applicant to the Division of Engineering that a lesser width is adequate).
 - Physically delineate the buffer boundary across the full width of both lots to prevent parking within the buffer area, and install a protective barrier around the water meter at the edge of the existing access to prevent vehicle and/or meter damage.
 - Regrade and stabilize the parking surface at 321/323 Chestnut to minimize surface water drainage toward the rear of the lots, per recommendations and permitting requirements of the Division of Engineering. Stabilization may require that the existing surface (a mix of grated asphalt and gravel) be refurbished and/or modified/replaced to be suitable as a temporary parking surface.
 - Clean sidewalks and street from debris on a weekly basis in the immediate vicinity of all four lots (this action to be implemented immediately after approval by the Board).
 - B. Finalize Design Plans by **September, 2018**
 - Permanent parking surface identified for all four lots
 - Parking lot layout developed (striping not required for some surfaces)
 - Access points determined
 - Landscaping plan developed
 - Storm Water Management needs addressed
 - C. Select Contractor by **October, 2018**
 - Solicit Bids
 - Hire Contractor
 - D. Complete Improvements by **December, 2018** for 321 and 323 Chestnut Street, and by **December 2019** for 318 Chestnut and 367 E. Third Street
 - Paving Permit Obtained from Division of Building Inspection
 - Parking Lots Paved (to include grass paver or mesh reinforcement options)
 - Landscaping Installed
 - Storm Water Management Plan Implemented
4. **PLN-BOA-18-00027: THE LEXINGTON SCHOOL** – requests a conditional use permit to construct an addition to an existing school in a Single Family Residential (R-1D) zone, at 1050 Lane Allen Rd. (Council District 10).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested conditional use permit should not adversely affect the subject or surrounding properties. This is a well-established school, which has operated on this property for more than 40 years. The largest addition will be oriented toward the interior of the property, connecting two existing buildings. The clubhouse will be located near the eastern property line, but the two adjacent properties are also owned by the school, with the southeastern property containing the school's athletic fields. The kitchen addition is relatively small and new plantings will provide screening for the new loading area at the kitchen.
- b. The expansion of the existing parking appears to be a sensible continuation of the existing configuration, and should not adversely affect the subject or surrounding properties, so long as it is approved by the Division of Engineering (to address floodplain protection and stormwater management issues).

- c. All necessary public and private services are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. Expansion of the school shall take place in accordance with the submitted application and site plan, or as amended due to the requirements of the Divisions of Traffic Engineering, Engineering, or Building Inspection.
2. All necessary permits shall be obtained from the Divisions of Building Inspection, Engineering, and Planning, including a Certificate of Occupancy.
3. No grading shall take place within the existing FEMA floodplain unless permitted and documented in accordance with the requirements of the Division of Engineering.
4. If floodplain revisions are made based on a new drainage analysis, a Letter of Map Revision (LOMR) shall be filed with the Federal Emergency Management Authority (FEMA) and approved prior to construction.
5. A storm water management plan shall be implemented in accordance with the requirements of the Engineering Manuals and accepted by the Urban County Engineer. This plan shall be designed and implemented to ensure that flooding problems in downstream areas are in no way worsened due to construction activity taking place on the school property.
6. Traffic circulation and layout of the parking areas shall be approved by the Division of Traffic Engineering.
7. All parking areas shall be paved, with spaces delineated, and landscaped/screened in accordance with Articles 16 and 18 of the Zoning Ordinance.
8. Any additional landscaping/screening, as determined to be necessary by the Landscape Examiner, shall be done in accordance with the requirements of Article 18 of the Zoning Ordinance.

*Note – Ms. Goderwis distributed one letter of opposition to the Board for review.

Representation – Emily Wright, landscape architect and Chuck Baldecchi, school headmaster, were present on behalf of the applicant. They indicated that they had reviewed the conditions and agreed to abide by them.

Board Questions and Comments – At this time, there were questions asked by the Board. Mr. Baldecchi responded, with comments from Ms. Wright. Mr. Glover questioned condition #4. Ms. Goderwis explained. Mr. Gross questioned the parking requirements, Ms. Goderwis explained, with comments from Ms. Wright and Mr. Baldecchi.

Action – A motion was made by Ms. Meyer, seconded by Ms. Needham and carried unanimously to **approve PLN-BOA-18-00027: THE LEXINGTON SCHOOL** – a request for a conditional use permit to construct an addition to an existing school in a Single Family Residential (R-1D) zone, at 1050 Lane Allen Rd., for the reasons recommend by the staff and subject to the eight conditions.

5. **PLN-BOA-18-00028: DUKE ROAD PERSONAL CARE** – requests a conditional use permit to operate an assisted living facility in a Planned Neighborhood Residential (R-3)/Neighborhood Design Character (ND-1) zone, at 319 & 327 Duke Road. (Council District 5).

The Staff Recommends: **Approval**, for the following reasons:

- a. Granting the requested conditional use permit will not adversely affect the subject or surrounding properties, as the use will remain essentially the same; there will be only a slight increase in the number of residents that can be accommodated (from 20 to 24). As an assisted living facility, versus a personal care facility, small apartments rather than just individual rooms for residents will be provided. The facility will be modernized to better serve the residents and staff, and adequate parking to meet the Zoning Ordinance requirement will be provided in the rear of the property. The facility will be certified by the State of Kentucky (per KRS 194A.700-729) and will be inspected by all appropriate local government agencies.
- b. All public facilities and services continue to be available and adequate for the new facility.

This recommendation of approval is made subject to the following conditions:

1. That the property be developed according to the submitted application and site plan.
2. That any permits, including a Zoning Compliance Permit, a Land Disturbance Permit (if necessary), a Paving Permit, a Building Permit and a Certificate of Occupancy be obtained from the Divisions of Planning, Engineering and Building Inspection, as appropriate.
3. That, if not already done, all encroachment agreements be obtained from the Urban County Government, as well as all applicable utilities.
4. That the properties known as 319 and 327 Duke Road be consolidated via plat, submitted to the Division of Planning, prior to commencement of construction.
5. That the parking area be paved and screened, in compliance with Articles 16 and 18 of the Zoning Ordinance.
6. That design of the building comply with all requirements of the Chevy Chase ND-1 Overlay.

*Note – At this time, Mr. Gross recused himself, and asked Mr. Glover to chair this case.

At this time, Ms. Goderwis distributed one letter of support to the Board for review. Ms. Goderwis also noted that the condition #6 on the staff report does not apply to this type of use, as it is not a typical multi-family structure.

Representation – Solomon VanMeter was present on behalf of the applicant. He indicated that they had reviewed the conditions and agreed to abide by them. Mr. VanMeter gave a history of the proposed use and further discussed, with questions and comments from the Board.

Action – A motion was made by Mr. Needham, seconded by Ms. Carter and carried 6-0 (Gross recused) to **approve PLN-BOA-18-00028: DUKE ROAD PERSONAL CARE** – a request for a conditional use permit to operate an assisted living facility in a Planned Neighborhood Residential (R-3) zone, at 319 & 327 Duke Road, based on the staff's recommendations and subject to the five conditions, deleting #6 for the reason provided by Ms. Goderwis.

*Note – At this time, Mr. Gross returned to chair the remaining of the hearing.

6. **PLN-BOA-18-00029: HILL N DALE CHRISTIAN CHURCH** – requests a conditional use permit to operate a preschool accessory to a church in a Single Family Residential (R-1C) zone, at 371 Hill N Dale Rd. (Council District 10).

The Staff Recommends: Approval, for the following reasons:

- a. The proposed use should not adversely affect the subject or adjoining/nearby properties, being confined to an existing building and fenced play area. This church site is well suited to use as a preschool, as the church building has classroom spaces that are not utilized throughout the week, and a preschool could provide a useful and convenient service for the surrounding neighbors.
- b. More than adequate parking exists and is available on the property.
- c. A fenced play area exists as required, and is large enough to accommodate up to 144 students.
- d. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The preschool shall be established in accordance with the submitted application (noting conditions #3 and #4 below) and site plan.
2. All necessary permits, including a Zoning Compliance Permit and a Certificate of Occupancy, shall be obtained prior to the commencement of this use.
3. The preschool's days and hours of operation shall not exceed Monday through Friday, from 6:00 a.m. to 6:00 p.m. without further approval by the Board of Adjustment.
4. Should the operators of the preschool wish to expand it in the future, it may provide services for no more than 60 students, without further approval from the Board of Adjustment.
5. The facility shall be fully licensed by and comply with requirements of the Kentucky Cabinet for Health and Family Services, Division of Regulated Child Care.

Representation – Tom Cruze was present on behalf of the applicant. He indicated that they had reviewed the conditions and agreed to abide by them.

Action – A motion was made by Mr. Clarke, seconded by Mr. Glover and carried unanimously to **approve PLN-BOA-18-00029: HILL N DALE CHRISTIAN CHURCH** – a request for a conditional use permit to operate a preschool accessory to a church in a Single Family Residential (R-1C) zone, at 371 Hill N Dale Rd., based on the recommendations of the staff and subject to the five conditions.

7. **PLN-BOA-18-00032: FAYETTE COOPERATING PRESCHOOL** – requests a conditional use permit to operate a childcare center/nursery school accessory to a church in a Single Family Residential (R-1C) zone, at 121 Rosemont Garden (Council District 3).

The Staff Recommends: Approval, for the following reasons:

- a. The proposed use should not adversely affect the subject or adjoining/nearby properties. The use has been conducted in the church on the adjacent property for a number of years and the new classrooms will be located in an existing building with a fenced play area. Church properties are typically not used throughout the week, so are generally well suited for uses such as a preschool. This property is located near residential properties, and a preschool could provide a useful service for the surrounding neighbors.
- b. More than adequate parking exists and is available on church-owned adjacent/nearby properties.
- c. A fenced play area exists as required, and is large enough to accommodate more than 200 students.
- d. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The preschool use shall be conducted in accordance with the submitted application, site plan, and the listed conditions.
2. All necessary permits, including a Zoning Compliance Permit and a Certificate of Occupancy, shall be obtained prior to the commencement of this use.
3. The preschool's days and hours of operation shall not exceed Monday through Friday, from 6:00 a.m. to 6:00 p.m. without further approval by the Board of Adjustment.
4. Should the operators of the preschool wish to expand class size in the future, it may provide services for no more than 21 students on the subject property, without further approval from the Board of Adjustment.
5. The facility shall be fully licensed and comply with requirements of the Kentucky Cabinet for Health and Family Services, Division of Regulated Child Care.

Representation – Mary Brenzel was present on behalf of the applicant. She indicated that they had reviewed the conditions and agreed to abide by them.

Action – A motion was made by Ms. Meyer, seconded by Ms. Whitman and carried unanimously to **approve PLN-BOA-18-00032: FAYETTE COOPERATING PRESCHOOL** – a request for a conditional use permit to operate a childcare center/nursery school accessory to a church in a Single Family Residential (R-1C) zone, at 121 Rosemont Garden, for the reasons recommended by the staff and subject to the five conditions.

b. **Discussion items:**

1. **PLN-BOA-18-00031: ANDY CHANG** – requests an administrative appeal to allow construction of a new residential structure within the Defined & Redevelopment area without a primary entrance for pedestrian access along the primary wall plane & without a one-story projection on the primary wall plane in a High Rise Residential (R-5) zone, at 155 Transcript Ave. (Council District 3).

The Staff Recommends: Disapproval, for the following reasons:

- a. The applicant has not provided compelling reasons that strict enforcement of the Zoning Ordinance will cause a hardship or unreasonable restriction. The applicant's request for relief from these provisions appears to be based primarily on the applicant's personal preferences, rather than any unique characteristics of the property.
- b. While the adopted Residential Infill & Redevelopment Design Standards document does state that the Board has the authority to hear appeals related to its standards, the specific intent statements clarify the reasons for those standards and are meant to provide guidance in considering if the intent can be met by other methods. The applicant has not provided evidence that the intent of design standards of the Infill and Redevelopment Area will be met by an alternative method.

Representation – Andy Chang applicant was present.

Staff Report – Ms. Goderwis presented photos on the overhead projector, citing Article 15-7(a)(1), and gave a staff report with regard to the staff's recommendation of disapproval.

Discussion – Ms. Meyer questioned the primary wall and the entrance located on the photos. Ms. Goderwis explained. At this time, there was further discussion with regard to the entrance to the building and the proposed use in further detail.

Applicant Rebuttal – At this time, Mr. Chang presented photos on the overhead projector and explained his proposed use. There were questions and comments by the Board with further discussion, with additional comments from Ms. Goderwis.

*Note – Ms. Goderwis noted that this case had an error; it is located in a High Rise Apartment (R-5) Zone and not an Agricultural Rural (A-R) Zone.

There was discussion by the Board as to postponing this case for further information from the applicant, and to give Mr. Chang time to further discuss with the staff to try and come up with a better solution.

Action – A motion was made by Mr. Clarke, seconded by Ms. Meyer and carried unanimously to **postpone PLN-BOA-18-00031: ANDY CHANG** until the May 14, 2018 hearing.

IV. **BOARD ITEMS**

None to be heard.

V. **STAFF ITEMS**

None to be heard.

VII. **NEXT MEETING DATE** - The Chair announced that the next meeting date would be May 14, 2018.

VIII. **ADJOURNMENT** - There was no further business. The Chair declared the meeting adjourned at 4:16 p.m.

Branden Gross, Chair

Joan Whitman, Secretary

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