

AGENDA FOR THE BOARD OF ADJUSTMENT MEETING

February 14, 2022

I. CALL TO ORDER - The Chair will call the meeting to order at 1:30 p.m. **via video teleconference.**

The media and public may view the hearing on LexTV Spectrum channel 185, MetroNet channel 3, Windstream channels 3 and 20, or via live stream at the following link:

http://lfucg.granicus.com/MediaPlayer.php?publish_id=12

Please utilize the following information to participate in this public hearing:

<https://zoom.us/join>

Webinar ID: 850 3932 2274

Password: 924078

<https://us06web.zoom.us/j/85039322274?pwd=dHplZlo4Sm1YZ1kxN3hmT25sMTB1Zz09>

Call in Number

+1 (929) 436-2866

II. APPROVAL OF MINUTES – The Chair will announce that the minutes from the January 10, 2022 meeting will be considered at this time.

III. PUBLIC HEARING ON ZONING APPEALS

A. Swearing of Witnesses - The Chair will announce that any applicant or objector to any appeal before the Board who plans to speak, will be sworn in at this time.

B. Sounding the Agenda - In order to expedite completion of agenda items, the Chair will sound the agenda with regard to any postponements, withdrawals, and items requiring no discussion.

C. Variance Appeals

There are no appeals for Variances at this time.

D. Conditional Use Appeals

- 1. PLN-BOA-22-00001: ROOD & RIDDLE PARTNERS** – requests to amend an existing conditional use in order to construct a new storage building and covered exercise arena at an equine hospital in an Agricultural Urban (A-U) zone, on property located at 2150 Georgetown Rd. (Council District 2)

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 equine hospital with numerous facilities on the 23-acre site.
- b. The proposed storage building will be screened from view from the adjacent residential properties by existing vegetation along the northeast property line.
- 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. The project shall be completed in accordance with the submitted application materials and site plan.
2. All necessary permits and approvals shall be obtained from the Divisions of Planning, Building Inspection, and Engineering prior to construction.

2. **PLN-BOA-22-00002: GME ENTERPRISES** – requests a conditional use for a home-based business (individual physical therapy sessions) in a Single Family Residential (R-1C) zone, on property located at 606 Lane Allen Rd. (Council District 10)

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

- a. Granting the requested conditional use should not adversely affect the subject or surrounding properties, as it should not create disturbing levels of traffic, noise, or odors. Adequate off-street parking is available.
- 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 home-based business (Physical Therapy) shall be operated in accordance with the submitted application materials and site plan, with appointments only on an individual basis.
2. All necessary permits including a Zoning Compliance Permit and a Certificate of Occupancy shall be obtained from the Divisions of Planning and Building Inspection prior to initiation of the use.
3. The conditional use shall become null and void should the applicant no longer reside at this location.

3. **PLN-BOA-22-00003: BLUEGRASS CARE NAVIGATORS** – requests a conditional use for a nursing home in order to establish a residential hospice facility in Planned Neighborhood Residential (R-3)/Neighborhood Character Design (ND-1) Overlay zones, on property located at 319 Duke Rd. (Council District 5)

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

- a. Granting the requested conditional use permit should not adversely affect the subject or surrounding properties, as the proposed hospice use will contain the same number of beds, will utilize the existing building, and will be similar in terms of hours and patterns of operation as the assisted living facility that was previously approved at this location.
- 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. The property shall be operated in accordance with the submitted application materials and site plan.
2. All necessary permits and/or approvals shall be obtained from the Divisions of Planning and Building Inspection, as well as necessary state agencies, prior to occupancy.

E. Administrative Appeals

There are no Administrative Appeals at this time.

- IV. **BOARD ITEMS** - The Chair will announce that any items a Board member wishes to present will be heard at this time.
- V. **STAFF ITEMS** - The Chair will announce that any items a Staff member wishes to present will be heard at this time.
- VI. **NEXT MEETING DATE** - The Chair will announce that the next meeting date will be March 14, 2022 at 1:30 p.m. **via video teleconference.**
- VII. **ADJOURNMENT** - If there is no further business, the Chair will declare the meeting adjourned.