

CYNTHIANA-HARRISON COUNTY-BERRY  
JOINT PLANNING COMMISSION

REGULAR MEETING  
MINUTES  
AUGUST 20, 2018

Courthouse Community Room

6:30 P.M.

Vice Chairman Harney called the meeting to order at 6:30 P.M.

Present: Matt Harney-Vice Chairman, David Kramer-Sec., Julie Muth and Daryl Northcutt  
Bonnie Skinner-Zoning Administrator  
Steve Eads-Code Enforcement  
Rochelle Boland-Legal Counsel for Commission  
Charlene Fuller-Recording Secretary

Absent: Rick Boland

Election of Officers:

Daryl Northcutt nominated David Kramer as Chairman. Mathew Harney seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

Mathew Harney nominated Daryl Northcutt as Vice Chairman. David Kramer seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

Daryl Northcutt nominated Mathew Harney as Secretary. Julie Muth seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

Chairman Kramer then presided over the meeting.

Minutes-July 16, 2018

David Kramer made a motion to approve the minutes of July 16, 2018. Daryl Northcutt seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

Items for Postponement or withdrawal:

A. None.

APPLICATIONS

1. Old Business

A. None.

## 2. New Business

- A. #FDP-08-18: Rozier Construction Co., Inc.-Final Development Plan at 25 Blackburn Road. Zoning: Rural Business (RB)  
Rozier Construction Co. Inc. and/or its representative was not present for the meeting.

Attorney Kelly Mulberry, legal representative during zoning map amendment, stated she did not know the development plan was on the agenda that she was at the meeting representing another applicant. She then stated she would represent Rozier Construction Co., Inc.

Director Skinner gave a staff report on the final development plan of the following: A 9,100 sf general store is proposed on 1.233 acres on a vacant corner lot on U.S. 27 N. & Blackburn Road. A zone change was approved by Fiscal Court on August 14, 2018 from A-1, Agricultural to RB, Rural Business. The building will be masonry on front wall and metal panels on the side and rear. **Landscaping/Vehicular Use Area** meets vehicular use area perimeter requirements under Section 6.13 of Zoning Ordinances. **Parking**-The applicant has provided 28 regular parking spaces and 2 ADA accessible spaces. The requirements in the Zoning Ordinance, Sec. 11.2.T, are for 50 spaces, or 5.5 spaces per 1,000 sf. of gross leasable area. The Applicant has not met that requirement and a variance request has been submitted to the Harrison County Board of Adjustment. **On-site detention**-The development plan shows an on-site piping system for drainage. Stated on the development plan: Storm water from the developed site will be surface drained and collected in below ground piping at inlets located in the parking lot and drives. The underground piping will be oversized, and the excess volume will be used for storm water detention. A detention control structure will be installed at the lowest end of the pipe run to release the storm water at the pre-development runoff rate. Storm water will be detained for the 2-25 year rainfall event. **Lagoon System**-The Local Health Department has reviewed and required specifics for the lagoon on the project site. Originally the lagoon was not located on the same parcel as the store, this has since been amended to meet our local zoning regulations. Notes on the plan refer to those requirements. Our office will complete our final inspection under the building permit until WEDCO has signed off approving the lagoon system inspection on site. **Building Permit**-Will stay local. **Dumpster**-It will be enclosed and screened with similar materials used on the façade of the retail store. Recommendation is for approval of the development plan for a 9,100 sf retail store located on 1.233 acres on the corner of Blackburn Road and U.S. Hwy. 27 N. in an RB zone contingent upon the Harrison County Board of Adjustment approving the parking space.

Chairman Kramer called for public comment in favor. There was none.

Chairman Kramer called for public comment in opposition.

David Melcher, area resident, stated the following: That he knew more what

happened at the fiscal court meeting he attended it, there was no reason to change the zone. He had concerns of the lighting and signage. His wife had concerns of the entrance coming off of Blackburn Rd. Who asked for entrance off of Blackburn Road?

Randy McVey, area resident, asked if the lighting would be on poles or the building?

Director Skinner stated the lighting were to be down cast on poles in the parking lot.

Chairman Kramer stated that the owner placed the entrance on Blackburn Road. He then stated as shown on the development plan the lighting would be toward the store and not the highway.

Kenny Price, area resident, stated he had concerns that the lighting be toward the store and not toward his house. He then stated he would like to see a buffer that he didn't want to see the store. He was shown the development on the lighting and landscaping (trees) for buffering.

Chairman Kramer asked if anyone was here from Rozier Construction?

Attorney Kelly Mulberry stated no one was there from Rozier Construction that she had just found out herself.

Joan Price stated that she had concerns of privacy and individuals from Dollar General parking lot watching what they did.

Matt Harney stated there questions on the number of parking spaces. He then stated if ask for a privacy fence they would need a higher sign the one shown on the plans is a pylon sign on the drawing.

Chairman Kramer stated someone needed to be here from Rozier to answer questions and concerns.

Attorney Kelly Mulberry asked to table till Rozier Construction was there?

Kenny Price asked if tabled he would like a notice sent to him of the next meeting.

Gary Sandy, area resident, stated the following: There are a few things to be discussed since it was happening. If you do not have a clear picture on what's being built, they will build what they want. Having the building well built, shrubs and lighting was a fantastic thing to show. He asked how high was the sign?

Director Skinner stated it was 25 ft. on drawing but could be as high as 110 sf.

Gary Sandy stated the following: He did not know what the attraction was but it was voted on by the fiscal court and it was like saying we don't care. This was a well travelled highway someone could get killed in a month. Allen Yoder is farther down on U.S. 27 but here a car come up on you. He was concerned of the traffic coming in and off Blackburn Road. He was not sure this was good for the community a fire station would have been better there.

Chairman Kramer stated that would be a question to Rozier on the entrance why it will go onto Blackburn Road.

Anne Melcher, area resident, stated the plans show the entrance off Blackburn Road. She then stated that could be changed so we don't have to be on Blackburn Road. She asked why couldn't it be off U.S. 27 and state deal with the traffic?

Director Skinner stated that she had been in contact with the State Road Department and they did not want the entrance off U.S. 27. She then stated the entrance had not been approved off of U.S. 27 it has to be off Blackburn Road.

Chairman Kramer called again for public comment in favor, there was none. He then closed the hearing to comments.

Matt Harney made a motion to continue to the next monthly meeting on September 17<sup>th</sup>, 2018 for the applicant to be present to address questions and concerns. David Kramer seconded. Muth, Harney, Kramer and Northcutt-yes. None voted no. Motion Passed 4-0.

B. #FDP-09-18: R. Michael Ammerman Trustee-Final Development Plan at N. Church St. Zoning: Industrial One (I-1). Map#102-0000-029-00-000 & 102-0000-029-01-000)

Applicants Robert Ammerman and Mike Ammerman were present. Attorney Kelly Mulberry, legal representative for applicants, was present. Engineer & Surveyor Pat Darnell was also present.

Director Skinner gave a staff report on the final development plan of the following: A 20,000 sf building for the storage and bottling of hemp oil. The structure will contain a receiving warehouse, distribution warehouse and office area. There are three sets of overhead doors on the rear of the building, and two of those are depressed docks. There are also two regular doors on the rear of the structure. The access aisle leading To this area is 24 ft. wide. The dock area to the rear of the building will be gravel, while the front parking area will be paved. There will be 8 parking spaces for the facility. There will be a maximum of 6 employees, with 2 additional handicap spaces making the total 8. The engineer for the site submitted a statement in regard to storm water drainage: The proposed building is located within an area that once contained a much larger tobacco warehouse building. This building contained approximately

120,000 sf of area; but was subsequently torn down sometime around 2006. This work was performed by the Department of Transportation prior to the viaduct replacement. Therefore, to the best of knowledge and belief; the proposed warehouse building will not adversely affect the post-developed runoff conditions from those conditions that existed prior to the 2006 demolition. The anticipated impervious coverage is much less than the warehouse that was removed from the site.

Pat Darnell, engineer and surveyor, stated the following: This was 15 acres with an existing warehouse. A proposed 100 x 200 sf building is to be constructed for processing and bottling of hemp oil. A large warehouse was torn down in 2006 and the property was not reduced by this. The property goes to Flat Run creek but was not in the floodplain, it was just out of it.

Chairman Kramer asked if the fill had been compacted?

Bob Ammerman stated the fill had been compacted over a 2 year period of time.

Chairman Kramer called public comment in favor or opposition? There was none.

Mathew Harney made a motion to approve the Final Development Plan for a 20,000 square foot processing facility at Farmers Tobacco parcel at 636 U.S. 27 North zoned I-1, subject to: 1.) Any revisions or amendments to the approved Development Plan must be reviewed and approved by the Planning Commission Staff (minor) or by the Planning Commission (major). Daryl Northcutt seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

C. #FDP-10-18: Tactical Contracting Services International-Final Development Plan at Lot 7 Sea Biscuit Way. Zoning: Industrial One (I-1)

Applicant William and Sherri Spates, Tactical Contracting Services International, were present.

Director Skinner gave a staff report on the final development plan of the following: This was for construction in the Industrial Park. The site is located off of Sea Biscuit Way, between the Sadler and Chidsey properties. The zoning is I-1, Light Industrial. The property consists of 8.6 acres. The proposed building is 18,178 sq.ft. The proposed use is approved for the Cynthiana-Harrison County Business Park. The building would include office space and a fabrication shop area for vaults. In accordance with the Zoning Ordinance Regulations, the site is required to provide two parking spaces for each three employees and one space per company vehicle. The applicant proposes six parking spaces. There will be three employees, with a requirement of at least 2 spaces. The Ordinance requires that 1-25 parking spaces provide 1 handicap accessible space; all parking requirements have been met. The Project Site shows two entrances that both meet the requirement of 25 ft. distance minimum of concrete. The parking area are

adequately landscaped and meet all requirements of the Ordinance. Circulation is shown on the plan and aisle widths meet the minimum requirements of the Ordinance.

William Spates, Tactical Contracting Services International, they fabricate machinery for the medical industry for before and after cancer treatment. Machinery for commercial airlines and turbines in jets. Their facility build machines for big dump trucks on wheels and tires that go into coal mines. He has found out that this would be the only company in the state of Kentucky produce machinery for coal mining.

Chairman Kramer asked if they global and did they do chemical testing?

William Spates stated there were 113,000 companies in North America that they competed with. He then stated they did sell global and that they were in the top 25 %. He also stated they did not do any chemical testing.

Chairman Kramer called for public comment in favor or opposition. There was none.

Julie Muth made a motion to approve the Development Plan for a building with a total of 18,178 sq.ft. at Sea Biscuit Way (Lot 8-A) zoned I-1, subject to: 1.) Any revisions or amendments to the approved Development Plan must be reviewed and approved by the Planning Commission Staff (minor) or by the Planning Commission (major). 2.) Prior to building, the Applicant must obtain a building permit. Mathew Harney seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

## OTHER BUSINESS

### 1. Old Business

A. None.

### 2. New Business

A. Building Permits and Financial Report  
Administrative Review

B. Berry Code Enforcement

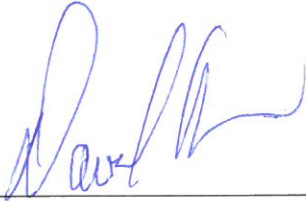
City of Berry would like extend the contract to 05/11/2020 for building code and nuisance enforcement under the enforcement officer for Planning Commission. Daryl Northcutt made a motion to extend the contract to 05/11/2020 for enforcement of Building Code Violation and City of Berry Nuisance Ordinance 101-2012 under enforcement officer for Cynthia-Harrison County-Berry Joint Planning Commission. Julie Muth seconded. A poll vote was taken: Julie Muth-yes, Mathew Harney-yes, David Kramer-yes and Daryl Northcutt-yes. None voted no. Motion Passed 4-0.

C. Staff Report

Training Session-September 26<sup>th</sup>, 8:00am-4:30pm at Prizing House.

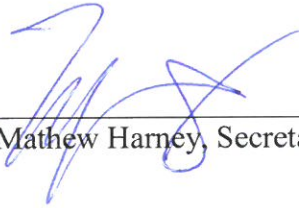
Adjourn:

David Kramer made a motion to adjourn being no other discussion. The meeting was adjourned at 7:22 p.m. Daryl Northcutt seconded. Muth, Harney, Kramer and Northcutt-yes. None voted no. Motion Passed 4-0.



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David Kramer, Chairman



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Mathew Harney, Secretary