

Members present: John Bowling
Dana Dixon, secretary
Gary Nogle
Tom Tye, president

Others present: Joni House, CLG coordinator
Henry Smith, Atty for the City

1. Tye called the meeting to order at 2:07 pm and asked House to explain the basis for discussing the COA in question: The owner of 127 South 4th St. wants to remove 2 steps from the back of his building and construct a 5-ft high brick-veneered wall across the entire parking lot.
2. House pointed the packet of documents with findings of fact for the property.

Tim Montgomery, owner, described his request to remove the last two steps from a staircase that originates on neighboring property and terminates on his. Discussion yielded that the staircase existed before either owner took possession of the two properties, which were both owned by one person at one time. He said the current configuration is unsafe, making him vulnerable to liability.

Haddon Dean, who represents the owner of the other property in question, addressed the Board and stated they believe the steps have been there more than 15 years and meet the criteria for an easement. They have filed a lawsuit to prevent removing steps on the neighboring property. He asked this Board to postpone a decision until Judge Dotson makes a decision in Boyle Circuit Court.

House referred the Board to the packet she had prepared which included letters from the City Building Inspector, who noted the steps provide the only egress from the 2nd floor B&Bs She pointed to our Design Guidelines, which in section 4.4.2 on Accessibility and Safety recommend that we first consider whether life safety codes and proposed changes are compatible. The Fire Marshall agreed that the steps provide an egress. Regarding the proposed wall, her findings of fact stated that walls of similar design and materials exist in lots near this complex, and it would therefore be appropriate.

Bowling moved to approve wall design only and to hold implementing the COA pending resolution by the Boyle Circuit Court. Nogle seconded the motion. The motion passed without objection. Smith noted that the decision to grant the COA is in effect for one year after issuance.
3. Administrative approvals included changes to the face of two signs at 116 East Main. Placement of a stand-alone sign in the public right-of-way, which has exceeded the limit for a temporary sign, has been referred to P&Z.
4. House reported on the status of the City Manager's decision regarding removing the position of CLG coordinator and AHB funding from Codes Enforcement and assigning those functions to a different department instead. Members commented on benefits and potential problems with being under P&Z, which is a separate entity partially supported by Boyle County government.
5. At 2:57 pm, Bowling moved to adjourn the meeting; Nogle seconded. Carried.

Respectfully submitted,


Dana Dixon, secretary

APPROVED:

