

**MURRAY PLANNING COMMISSION MINUTES  
REGULAR MEETING  
TUESDAY, JANUARY 19, 2021  
4:30 P.M.**

The Murray Planning Commission met in regular session on Tuesday, January 19, 2021 at 4:30 p.m. via Web-Ex.

**Commissioners Present:** John Krieb, Robin Zhang, Bobby Deitz, Jim Foster, David Roberts and Terry Strieter

**Commissioners Absent:** Martin Milkman

**Also Present:** Justin Smith, Attorney David Perlow, Bennett Moore, Danna Clayton, Jim Osborne, Chase Molar, Butch Sargent, Charles Adams and public audience

Chairman Krieb called the meeting to order and welcomed all guests. He then asked Danna Clayton to call the roll. At this time Mr. Krieb asked if there were any changes to the minutes from the regular Planning Commission meeting on December 15, 2020.

**Terry Strieter made a motion to approve the minutes from the regular Planning Commission meeting on December 15, 2020 as amended. Jim Foster seconded the motion and the motion carried unanimously.**

**Administer Oath of Office for David Roberts & Terry Strieter:** Danna Clayton administered the oath of office to David Roberts & Terry Strieter.

**Minor Subdivision Plat for Michelle Colson located at 3452 State Route 121 North:** Justin Smith showed an aerial photograph of the property in discussion. The property is located within a 4-mile radius of the Murray city limits. It consists of 47.85 acres and is approximately 577 feet from the intersection of Rob Mason Road and State Route 121 North. The applicant is requesting approval for a Minor Subdivision Plat to create an 8-acre tract of land which will be designated as Tract 1. The remaining 39.85 acres will be identified as P.V.A. Parcel #031-0-0036A. This plat addresses the means of access for Tract 1 with the creation of a 20-foot ingress/egress easement off the 39-acre parcel. Due to the fact that this proposed tract of land does not have 75 feet of road frontage, it will need approval from the Planning Commission in order for this Minor Subdivision Plat to be recorded. Justin reviewed the applicable regulations. Ms. Colson's intention for subdividing the property is so that she can give the newly created 8-acre tract to her son and his family to build a house on. David Roberts noted that if this is approved, the driveway will have to meet the KYTC Department of Transportation approval because it is on a state road. He added that sometimes it is helpful to Planning Staff to have more information on the plat such as the distance it is from surrounding roads. He suggested that in the future, that the surveyors be asked to put this information on plats along with any city monument locations (when feasible) to aid in GPS additions into the City's data base.

Murray Planning Commission Regular Meeting  
Tuesday, January 19, 2021

**Jim Foster made a motion to approve the Minor Subdivision Plat for the Michelle E. Colson property for the location of 3452 State Route 121 North as described on the plat. Based on the findings: it does not adversely affect public health, safety, or welfare; will not alter the essential character of the general vicinity; will not cause a hazard or nuisance to the public; and will not allow unreasonable circumvention of the requirements of the zoning ordinance or subdivision regulations. This is subject to the state approving the easement onto State Route 121. Terry Strieter seconded the motion and the motion carried with a 6-0 roll call vote.**

**Minor Subdivision Plat for Charles Adams located at 2451 State Route 94 West:** Justin used aerial photography to show the 32.51-acres. The property is approximately 660 feet from the nearest intersection at 94W and Belle Meade Drive and lies within a 4-mile radius of the Murray city limits. The applicant (Charles Adams) is seeking to subdivide the land into 2 separate tracts, Tract 1-A (0.709) and Tract 1-B (remaining acreage). Currently Mr. Adams is renting the house to a family who intends to purchase this property as soon as the Minor Subdivision Plat is approved, recorded and the property deeded. Tract 1-B shows a 10-foot ingress/egress easement for the current driveway to maintain access for the future property owners of Tract 1-A. There is also language on the plat addressing a 15-foot utility line easement for future maintenance or replacement of the existing water meter and water line (which shall remain located on Tract 1-B). Typically, the county regulations and health department require at least one acre of land for private septic systems. Staff has spoken with the Calloway County Health Department about the property being less than one-acre for the septic system and they seemed like they were agreeable to it; however, Staff recommends that the Planning Commission consider requesting a signature line to be added to the plat where the County Health Officer can sign off on it prior to recording. Justin reviewed the applicable regulations. Since this property does not have the 75-foot road frontage, the Commissioners are required to approve this plat. Justin asked Butch Sargent (surveyor) and Charles Adams to speak. Mr. Adams said that the system is fairly new (less than 5-years old), the tank has been pumped and the field has been inspected. He has spoken to Carson with the Calloway County Health Department and he had indicated that since there is no standing or pooling of water, it does not appear to be an issue. He added that the deed will state that the new property owner will have the first "right of refusal" to Tract 1-B if it is ever sold. Mr. Adams clarified that the tank is located 20 feet from the east side of the house. The lines run east and west and the field does not extend past the back of the lot (which is about 75-80 feet from the tank). Butch noted that there is about 60 feet from the back of the house to the property line. Justin asked Butch if he could find the septic tank and septic field and put an easement on the plat showing those locations. Butch said that would be no problem from his perspective; however, he thought they should get the health department to come out and show them approximately where all of these features are. That way if the septic field ran into Tract 1-B, then the easement could be drawn on the plat and if not, at least the true measurements would be on the plat. The commissioners agreed and felt that if the field does extend into Tract 1-B, then the easement should be there to protect the property owner's rights. Another alternative would be to reconfigure Tract 1-A to a little larger size to include the septic field. Bobby Deitz suggested that a 20-foot wide easement be allowed instead of the 10-foot wide ingress/egress easement to be used as a driveway and public utility easement. This would give more flexibility for the future for a wider driveway and/or sewer. (The house is already hooked up to natural gas.) Mr. Adams said that he had no issues with the ingress/egress easement being 20-foot wide. He just wants to get the young couple that has bought the property a legal deed.