

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
August 10, 2017**

The regular meeting was held in the Scott County Courthouse on August 10, 2017. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Regina Mizell, John Shirley, Steve Smith, Mark Sulski, Johnny Cannon, Director Joe Kane, and Attorney Charlie Perkins. Absent were Commissioners Byron Moran and Frank Wiseman.

Motion by Caldwell, second by Mizell, to approve the July invoices. Motion carried.

Motion by Sulski, second by Smith, to approve the July 13, 2017 minutes. Motion carried.

Motion by Mizell, second by Sulski, to approve the August agenda. Motion carried.

Postponements/Withdrawals

Chairman Jones stated that the Morgan Property Tract 2 (PDP-2017-14) application has been withdrawn, and the Betty Yancy Griffith Trust Property (ZMA-2017-26) had been postponed to the September meeting.

Consent Agenda

A representative of the Mullen Estate Property agreed with their conditions of approval, and no comments were made by the Commission or public. Motion by Sulski, second by Smith, to approve the Final Subdivision Plat (FSP-2017-27) subject to the six (6) conditions of approval. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins. Mr. Wiseman is now present.

FSP-2017-28 BBJ Holdings Property – Final Subdivision Plat for the creation of two 5-acre tracts and six 10+ acre tracts from a parent tract of 72.15 acres, located on the east side of Stamping Ground Road, north of Lloyd Road.

Mr. Kane stated that this development is for eight tracts, two 5-acre tracts and six 10+ acre tracts. In 2012 a new zoning classification of A-5, rural residential, was created for subdivisions of three or more tracts between 5 – 10 acres. Since this proposal is for only two 5-acre tracts and the rest 10+ acre tracts, no rezoning is required. The property is a portion of the larger Taylor property and has two residences on it along with some agricultural buildings. The proposal is to divide two 5-acre tracts off Lloyd Road and leave one 10-acre tract on Lloyd Road with a residence on it. The other tracts will be on Stamping Ground Road (KY 227), three in the front and two in the rear.

The two rear tracts will share an existing access easement off Stamping Ground Road. Two new entrances are proposed off Stamping Ground Road and one new entrance off Lloyd Road; the rest will use existing entrances. The Stamping Ground Road entrances will require State approval. The Lloyd Road proposed entrance will need County approval.

He stated that all requirements have been met and the subdivision conforms with A-1 subdivision standards. Feedback has been received from area resident Dr. Chip Richardson, who could not attend the meeting but asked that his comments be heard.

Dr. Richardson expressed concern about the negative impact this development would have on the historical area that is surrounding the development, the proposed entrances onto Stamping Ground Road, and the karst features that exist on the farm.

Mr. Kane stated that staff has concerns with the middle entrance on Stamping Ground Road due to the entrance being in a low area of the road. Site distance might be an issue to the north and south of the entrance. The State has indicated that further evaluation of the entrances is needed, especially due to the multiple lots sharing an entrance.

The proposed entrance along Lloyd Road, according to the County Road Department, could possibly serve tract 8 and tract 6, eliminating the need for the middle entrance. That would leave one new entrance off Stamping Ground Road to serve tracts 3, 4 and 5. Tracts 1, 2 and 7 have existing entrances. Mr. Kane proposed that a condition could be added eliminating the middle entrance along Stamping Ground Road.

He stated that staff is not recommending that Lloyd Road be widened because the width is acceptable from Stamping Ground Road to the proposed entrance.

Karst features have been identified on site by the GIS department. Any new homes built will need to avoid these areas. The Health Department will review and approve each lot

for septic systems. A drainage area has been identified across the lots with a drainage easement. Mr. Kane stated he received an email saying another drainage area might exist on the lots.

Mr. Kane stated that A-1 zoning for this property does not require perimeter fencing or landscaping. The staff is recommending approval for this project subject to the six (6) conditions of approval.

Staff asked if anyone had any questions. Commissioner Wiseman asked if the 10+ acre tracts would still be considered farm status. Mr. Kane stated that they will maintain their A-1 agricultural lot status.

Brian Jones, applicant, stated that he wants to improve the stone walls, renovate the barns, and install 4-board plank fencing around the lots even though it is not required.

Joel Day, consultant for the applicant, stated that lot 7 has an existing residence and driveway, so lot 8 on Lloyd Road is the only lot on that road requiring a new entrance. He stated they are planning to reconfigure the division line between lots 7 and 8 to be parallel to the drainage easement. He thinks lot 1 might need a drainage easement also.

Mr. Day stated that Mr. Kane mixed up the sight distance on the two proposed entrances located on Stamping Ground Road. He stated the northern entrance has shorter sight distance and the proposed entrance between lots 2 and 3 is on the higher point. The existing entrance into lot 2 has the worst sight distance. He pointed out it is a 35mph speed limit through that area.

Bruce Lankford, representing the applicant, stated that Mr. Jones has complied with the regulations and is exercising his right to the development.

Chairman Jones asked Mr. Day if there are sinkholes on lot 2. He stated that they were not identified as sinkholes, but Ben Krebs, Engineer, said there could be karst features. The applicant explained that previously Noel Murphy had horses on the property with circle paddocks that left rough patches on the ground. Mr. Jones stated he had been doing clean-up on the property and used the spots to burn.

The question was asked of Mr. Kane how many lots are left platted in Georgetown-Scott County that could be built on. He estimated that there are 1400 lots in the City and County. He was asked if that includes Pleasant Valley, and he stated it does not. That would add approximately another 100 lots to build on.

Haley Conway, Stamping Ground Road resident, expressed his appreciation to the Planning Commission staff for their service. He stated that he lives adjacent to the property and was saddened to learn that it had sold. He felt that 5-acre tracts are hurting the County. His concern is the continued development of Scott County, and he hopes that future laws take into consideration loss of farmland. Mr. Conway also reiterated the unsafe condition of Stamping Ground Road.

He also expressed concern over the remaining acreage and asked what the plans are for that portion. Mr. Jones stated that the farm was actually two separate tracts, and they decided to subdivide one tract first to see if there is interest before dividing the rest of the farm.

Commissioner Wiseman asked Mr. Conway why development is not going into Woodford or Bourbon County. Mr. Conway replied that Woodford County has a minimum lot size of 40 acres and Bourbon County has a limit of two 5-acre tracts within three years or three 5-acre tracts within five years. Mr. Conway stated that our lower taxes and 5-acre minimum lot size is bringing the growth here.

Bob Hall, Stamping Ground Road resident, stated that his concerns have already been expressed.

Davine Young, Jones Lane resident, asked if Jones Lane was part of this application. Chairman Jones stated that it is not part of this application.

Debra Combs, Stamping Ground Road resident, asked for clarification of a Conditional Use Permit in the A-1 zone. Mr. Kane stated that agricultural zoning can be used for agricultural purposes, or for conditional uses such as churches, cemeteries, schools, and for residences such as 5-acre tracts. Ms. Combs asked if her business of Combs Welding that she and her husband James run, that serves the agricultural community, could be approved for a Conditional Use Permit on this property. She currently has a Conditional Use Permit for that business located at their home on Stamping Ground Road. Mr. Kane stated that a Conditional Use Permit could be applied for, and would need approval of the County Board of Adjustment.

Ms. Combs felt the traffic and speed are not just a problem for KY 227 (Stamping Ground Road) and also that the opportunity to have her residence and business located together is needed in this county.

Lewis Wolfe, Georgetown resident and business partner of a farm on Lloyd Road, expressed concern about whether the driveways will be gravel or blacktopped and who will maintain them. Mr. Kane replied they will be private driveways and maintained by the owner. Mr. Wolfe also expressed concern how the rest of the property will develop and if that will change the conditions or zoning. Mr. Kane stated that if they further

subdivide, it will have to be 10+ acre tracts and will have to return to the Commission for approval.

It was asked if there is one deed for both tracts of land. Mr. Jones replied that there is one deed for the farm, but multiple tracts. It was clarified that if they further subdivide two more 5-acre tracts, it will be considered a major subdivision and will have to be rezoned; otherwise it can be subdivided into 10+ acre tracts.

Lewis Wolfe also had concern about the width of Lloyd Road. He asked if the road will be widened. Again, Mr. Kane stated the width is acceptable where the new entrance is proposed. It currently meets County road standards.

Darryl Blakeman, Stamping Ground Road resident, expressed his gratitude for the services we have available in this county but feels that in the last 25 years services have declined. He loves small communities but feels that they are starting to disappear. He agreed with Mr. Wiseman that with all the lots available, there is no need for this development.

Mr. Blakeman's other concern is the speed limit and sight distance for the area. He pointed out he has three active insurance claims to his property. He complained that no one follows the speed limit on Stamping Ground Road. He has filed an open records request to get the number of accidents for his address alone from the past 16 years. He has asked the State Engineer, Mr. Bidwell, for a guardrail in front of his house. His major concern is putting more traffic and entrances onto that road. He wants to see the rural character kept for this area, but he is pleased that it is not a cluster development.

Bob Hall feels that the safety of the road does need to be considered. He says the number of accesses for these lots needs to be decreased to one, and in a location that can be seen from all directions.

Joel Day stated that the main concerns seem to be traffic and the new driveways. He stated they will be eliminating one driveway. He feels that the driveway to the north has sufficient sight distance. He stated division lines along the tracts can be adjusted to accommodate the entrances.

Mr. Day maintained that they are entitled to two more 5-acre tracts because there was a 13-acre parcel in the middle of the 95-acre tract. He stated they own two parcels of land and are entitled to further development. It is one deed, but multiple parcels.

The question was asked if any of the tracts will share a driveway. Mr. Day stated that two of the driveways will be shared. The driveway off Lloyd Road will be for a single residence. Tract 7 already has a driveway with a residence and tract 1 already has a driveway with a residence. Mr. Day pointed out that they are only adding six new homes.

Mr. Conway stated that he lost his job in 2008 and was unemployed for two years. He could have easily sold his farm, but the land means too much to his family. Farmland around him has been in families for years. He has deeded his farm in a manner that prohibits his children from selling it. He asked the Commission to consider the future and the effects that growth has on it.

Bruce Lankford stated that Mr. Jones has a right to develop this property as proposed because he complies with the regulations. He stated that it is unfortunate that people drive too fast but asked that the Planning Commission agree with Mr. Kane's recommendation to approve the development.

Anita Gilkey Smith, Scott County resident and representing her mother who resides at 1081 Stamping Ground Road, asked if anything will go through her property. Chairman Jones stated this has nothing to do with her property.

Commissioner Shirley, addressing some of Mr. Conway's concerns, stated that the Commission is continually looking at the existing ordinances and doing the best they can to make constructive changes for the betterment of the City and County. The growth is almost impossible to stop. He stated that the Commission has reached out to the State numerous times for help. The existing infrastructure cannot keep up with the growth. Development could be stopped completely but that creates a bad situation for everyone.

Commissioner Shirley felt that Mr. Jones purchased the property under the existing ordinances, and it would be unfair to deny the application when he complies with those ordinances.

He felt that to deny him because of the speeding issue, again, would be unfair to the applicant. He stated that drivers not abiding by the law is not reason to deny Mr. Jones. Commissioner Shirley stated he understands the concerns, but what Mr. Jones has proposed, in his opinion, is the best-case scenario for this property.

Commissioner Wiseman stated that he would like to quote a friend, Frank Penn, who is on the Fayette County Planning Commission. Mr. Penn stated that the purpose of planning and zoning is to provide an area that is good for the citizens, not to make money for the developers and real estate agents.

Commissioner Wiseman felt that with 1500 lots available, there is no reason to destroy this farmland for eight more lots. He felt that adding eight more lots to that area adds more people, cars, and crime, and that if it can be stopped at some point it should be.

Commissioner Smith stated that our convenient location and lower taxes make Scott County set to see more growth.

Chairman Jones stated he lives in Stamping Ground and travels that road every day. The road has speeders like every other road in Scott County. He stated that he loves the rural character, but to address Mr. Conway's comments about growth, it is inevitable that growth will come. He feels it is the best plan that could have been presented for that farm besides it staying a horse farm. Putting his feelings aside, the Commission must vote according to the regulations.

Darry Blakeman stated that this is the best outcome for that piece of land, but he believes that something needs to be done to halt growth.

Chairman Jones pointed out for the last year and a half the Commission has been working on updating the Comprehensive Plan, which is the guideline for growth.

Chairman Jones stated that Commissioner Wiseman is saying there are 1400 lots available, but probably two-thirds of them are owned by one company. That does not leave many available for private builders.

Commissioner Shirley stated that 1400 lots sound like a lot, but in reality, it is not. He stated that the Commission cannot force anyone to build on existing lots. He felt there is a need for that size lot in this area. He stated that larger houses can be built that you cannot build on a smaller residential lot.

Commissioner Sulski stated Scott County is the fastest growing county in Kentucky. Toyota invested \$1.3 billion here this past April and Scott County will continue to see growth.

**Motion by Smith, second by Shirley, to approve the Final Subdivision Plat (FSP-2017-28) subject to the six (6) conditions of approval. By roll call vote, motion carried 7-1 with Wiseman dissenting.**

The meeting was then adjourned.

Respectfully,



Rob Jones, Chair

Attest:



Charlie Perkins, Secretary