

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION**

**AGENDA**

**DECEMBER 9, 2021**

**6:00 p.m.**

**I. COMMISSION BUSINESS**

- A. Approval of November invoices
- B. Approval of November 10, 2021 minutes
- C. Approval of December agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

**II. OLD BUSINESS**

- A. FSP-2021-25 Fairfield Farm Subdivision - Final Subdivision Plat to subdivide an existing lot into three (3) lots in Fairfields Farms subdivision located at 3684 Frankfort Road.
- B. ZMA-2021-34 Leaf & Barrel - Zoning Map Amendment to change the zoning district from A-1 to B-1 located at 1442 Delaplain Road. PUBLIC HEARING
- C. ZMA-2021-37 1058 Paris Pike Rezone - POSTPONED
- D. FSP-2021-39 Humphries Property Tract 8 - Final Subdivision Plat to subdivide one (1) 6.40-acre tract leaving a remainder of 9.5 acres located at 4476 Frankfort Road.

**III. NEW BUSINESS**

- A. PDP-2021-44 Penn Alley Townhomes - POSTPONED
- B. PDP-2021-45 Regal Springs - POSTPONED
- C. ZMA-2021-46 1106 Horseshoe Drive - Zoning Map Amendment to change the zoning district from R-2 to B-2 located at 1106 Horseshoe Drive. PUBLIC HEARING
- D. ZMA-2021-47 Cynthiana Road - WITHDRAWN

**IV. OTHER BUSINESS**

- A. Short Term Rental Ordinance & Zoning Ordinance Text Amendment - CONTINUED
- B. Approval of 2022 Application Deadlines
- C. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
November 10, 2021**

The regular meeting was held in the Scott County Courthouse on November 10, 2021. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners Steve Smith, James Stone, Charlie Mifflin, Duwan Garrett, David Vest, Mary Singer, and Dann Smith, Director Joe Kane, Planners Matt Summers and Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioner Rhett Shirley.

Motion by Stone, second by Singer, to approve the October invoices. Motion carried.

Motion by Vest, second by D. Smith, to approve the October 14, 2021 minutes. Motion carried.

Motion by S. Smith, second by Garrett, to approve the November agenda. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins.

Postponements/Withdrawals

Chairman Sulski stated that the application for Fairfield Farm Subdivision (FSP-2021-25) is continued until the December meeting and 1058 Paris Pike Rezone (ZMA-2021-37) and Humphries Property Tract 8 (FSP-2021-39) are postponed until the next regularly scheduled meeting.

Consent Agenda

A representative of the Kentucky Farm Bureau (PDP-2021-40) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mifflin, second by Singer, to approve the application. Motion carried.

PDP-2021-42 R & L Carriers - Preliminary Development Plan for an 80-door cross dock facility, office, vehicle parking, and maintenance garage located south of Cherry Blossom Way Spur, west of the railroad and east of I-75.

Commissioner Singer recused herself for this application.

Mr. Summers stated the zone change was heard last month by the Planning Commission and recommended approval to City Council. He stated City Council has not yet had a reading of the Zoning Map Amendment.

He stated the project site is approximately 44 acres.

He stated the main difference since the zone change is the entrance to the site. He stated the entrance will now be located between the hotel and natural gas fueling station.

He stated the application meets the landscape requirement but is requesting a variance for the required buffer along I-75.

Stan Richards, R & L Carriers, stated he is available for questions.

Commissioner S. Smith questioned who is responsible for the maintenance of the Cherry Blossom Spur Road. Mr. Summers stated his understanding is that Spur Road is state maintained.

Carlene Sharpe, 525 Cherry Blossom Spur, questioned if there would be a buffer between her house and the proposed application. She also stated concern about a spring close to her house and if the applicant would use the railroad to ship products.

Joe Iovinelli, Manhard Consulting, stated any trucking activity will be at least 250 feet from the property line. He stated there is proposed landscaping. He stated they are working with staff and the county to improve the drainage and there will be no access to the railroad.

After further discussion, **Motion by Mifflin, second by S. Smith to recommend approval of the Preliminary Development Plan (PDP-2021-42) subject to twelve (12) conditions of approval and one (1) variance. Motion carried unanimously.**

ZMA-2021-34 Leaf & Barrel – Zoning Map Amendment to change the zoning district from A-1 to B-1 located at 1442 Delaplain Road.

Chairman Sulski opened the public hearing.

Mr. Summers stated the application is to rezone a 3.44-acre tract. He stated the concept plan shows no change to the existing building but an addition of a parking lot. He stated the property is part of the old Oxford School and the building was used as a FFA shop.

He stated the applicant is requesting to not connect to public sewer at this time. He stated at this time the applicant is not proposing to change the old school building.

He stated the Future Land Use map shows the site as part of the Urban Service Boundary and planned for commercial use.

He stated the land has not been used as agricultural land for many years. He stated one of the goals of the Comprehensive Plan is to repurpose existing structures and this application would do that.

He stated the property is located within a historic district and if the zone change is approved the applicant must maintain the historic character of the community.

He stated if the zone change is approved one of his conditions of approval is that the applicant must request annexation either when public sewer is available or if an adjoining property or other property on the same side of Delaplain Road is annexed into the City. He stated in the future if any redevelopment or construction on the site is done that the site must connect to public sewer.

Commissioner Singer questioned if lighting and signage is usually part of a development plan. Mr. Summers stated that there is pavement in the area of the proposed parking and a development plan may not be required.

Chairman Sulski questioned why there is no pictures of the proposed application. Mr. Summers stated since they are reusing the existing building no drawing had to be submitted.

Commissioner D. Smith questioned if there are restrooms and septic presently on the property. Mr. Summers stated the building had been previously used as a house.

Commissioner Singer questioned if there was a sign ordinance for that area. Mr. Summers stated the county has a sign ordinance. He stated even though the property is historical there is no local ordinance designating the property historical.

Zach Cato, Billings Law Firm, stated the applicants agree with the staff report. He stated the old school will continue being a lumber yard and the existing building has no proposed additions.

He stated the zone change will help eliminate non-conforming use of the property. He stated the area has traditionally been a blended use of stores and churches.

He stated a zone change would not decrease farmland.

He stated the applicant will meet with staff to make sure lighting and signage is correct.

Commissioner Mifflin questioned if the site is annexed into the City would the business have to cease due to the no smoking policy in Georgetown. Mr. Cato stated that would be addressed in the future if the site is annexed into the city, and the business is not grandfathered in.

Attorney Perkins stated since the business is a place that you go to smoke, he thinks that it would be treated differently if the site is ever annexed into the city.

Commissioner Singer questioned if the building would have to be ADA compliant. Mr. Cato stated that the building would have to be brought to code.

Commissioner S. Smith questioned how overflow parking would be handled. Mr. Cato stated that after the school was closed the building was still used as a bus garage for a while. He stated there is pavement in good shape at the site. He stated if new parking is needed then a development plan would be submitted to the Planning Commission.

Larry Simpson, 2675 Oxford Village Lane, questioned why the original application was for a smaller area.

He stated he would like to know the building capacity due to safety concerns.

He questioned if any outdoor seating is proposed.

He questioned what would happen to the site if the business closed.

He stated he has concerns about traffic.

Bruce Williams, 2740 Oxford Village Lane, stated he has concerns regarding expansion to the building, lighting, and sewage for the site.

Lee Craig, 2473 Cynthiana Road, stated she has many concerns. She stated lighting, noise, sewage, dumpster odor, fire risk and property value all concern her.

Carlene Perkins, 2625 Oxford Village Lane, stated she supports the business. She stated she went to school at Oxford then Eastern and remembered the businesses that used to be in the area.

Mr. Simpson stated that cigars have already been available to purchase at that location. He stated his concern is that alcohol will also be available.

Brad Green, 2609 Oxford Village Lane, stated his family has lived in that area for many years. He stated he requests that the application is denied until all utilities are available in that area. He stated he has concern with a bar being in the area.

Kim Lynn, 2663 Oxford Village Lane, stated she has concern for the neighborhood if a bar is approved. She stated the applicants have already been selling cigars from the location. She stated the area is very family oriented and still agricultural.

Carrie Williams, 2740 Oxford Village Lane, stated she would like to invite everyone to Oxford to see the area.

Mr. Cato stated he wanted to clarify that whether the proposed application satisfies the Comprehensive Plan is the decision to be made by the Planning Commission. He stated the zone change discussion had veered off course. He stated concerns by residents would be addressed by the appropriate agency if needed.

Commissioner Singer questioned what are the proposed business hours. Larry Ledbetter, applicant, stated tentatively noon to 9:00 pm Monday thru Thursday and until 11:00 pm on Friday and Saturday.

Mr. Ledbetter stated they do have the required licenses.

Commissioner Singer questioned if there are plans for outdoor accommodation. Mr. Ledbetter stated they have discussed a small deck.

Commissioner Singer questioned the septic issues that were discussed. Mr. Cato stated the septic will have to meet Health Department code.

Commissioner Singer questioned if there had been any community meetings to discuss the application. Charles Graves, applicant, stated he is at the lumberyard daily and has only spoken to one neighbor about the proposed application.

Mr. Cato stated notifications were mailed and one neighbor hired an attorney, but the issue has since been resolved. He stated he has not had another neighbor contact him.

Lonnie Craig, 2473 Cynthiana Road, stated he has concern about the potential noise, lighting, and traffic issues.

Regina McCoy, 2692 Oxford Village Lane, stated the proposed business is not a good fit for the neighborhood.

Ms. Lynn recommended a traffic study be done for the area.

Ms. Craig stated the business should be required to connect to sewer. She stated you cannot control how people act when they are drinking.

Dana Davis, 2720 Oxford Village Lane, stated she just recently moved to the location and hopes the area stays quiet and peaceful.

Chairman Sulski closed the public hearing.

Commissioner Vest asked Mr. Graves what his response is to the neighbor's concerns. Mr. Graves stated his primary business goal is to sell cigars. He stated the business is not based on being a bar. He stated he plans to continue cleaning up the school.

Mr. Craig questioned why the sign went up on the building before being approved. Mr. Graves stated he thinks the sign went up about the same time as they applied for the zone change.

Commissioner Singer questioned if a deck was added if a development plan would be done. Mr. Kane stated a deck would probably be a minor development plan and reviewed by staff.

Commissioner Singer questioned the historic status of the site and the governing by the National Park Service. Mr. Kane explained the status only applies to federal funding for site work. Commissioner Singer stated she would like more details regarding the regulations.

Chairman Sulski stated he had concern if a patio was added regarding noise. Attorney Perkins stated the Board of Adjustments could regulate and make conditions regarding a patio, but the Commission cannot as part of a zone change.

Commissioner Mifflin questioned if the lumberyard had been operating not in compliance. Mr. Kane answered that it predates zoning.

Commissioner Mifflin questioned if the zone change would make the lumberyard compliant. Mr. Kane stated that a lumberyard is not allowed in B-1 zoning and it would still be a nonconforming use.

Commissioner Smith questioned if alcohol had to be part of the business. Attorney Perkins stated we cannot regulate that. Mr. Ledbetter stated the alcohol is an enhancement but that most cigar lounges either serve alcohol or it is allowed to be brought in.

After further discussion, **Motion by Singer, second by Mifflin to recommend continuing the rezoning request (ZMA-2021-34) until the next regularly scheduled meeting. Motion carried 5-3.**

PDP-2021-38 4 Seasons All Outdoors - Preliminary Development Plan to construct 5,000 square feet of building floor area and parking area located at 743 Lisle Road.

Ms. Ketz stated the property is 27.384 acres and access is from Lisle Road.

She stated the applicant is requesting one variance to reduce the canopy coverage requirement.

She stated east side of the property is the interstate and west side of the property is the railroad.

She stated the proposed use is a Conditional Use and it was approved last week by the Scott County Board of Adjustments.

She stated the site was also reviewed by the Royal Springs Wellhead Protection Committee and approved earlier in the week. She stated the Wellhead Committee placed five conditions on the site.

Commissioner Mifflin questioned if the neighboring properties are agricultural. Ms. Ketz stated she believes that they are.

Greg Smorstad, Banks Engineering, stated the applicant agrees to the conditions of approval and the conditions set by the Wellhead Committee.

After further discussion, **Motion by Garrett, second by Stone to approve the Preliminary Development Plan (PDP-2021-38) subject to nine (9) conditions of approval and one (1) variance. Motion carried.**

PDP-2021-41 Crosswinds Center - Preliminary Development Plan to construct two buildings (2,458 sq. ft. and 3,669 sq. ft.) for restaurant use located at Crosswinds Center Path.

Ms. Ketz stated the property is zoned B-2 and is 1.65 acres.

She stated a traffic study was not required but the applicant did submit a traffic study.

She stated the buildings meet setbacks, parking, and landscape requirements.

Commissioner Smith questioned the sidewalk placement. Ms. Ketz stated there is some sidewalk currently and this would be continuing the sidewalk for connectivity.

Chris Howard, Carmen Engineering, stated they are proposing underground detention between the two buildings under the parking area.

He stated the hedge along the residences would be six foot tall in addition to the elevation difference in that area.

Commissioner Mifflin questioned where Crosswinds Center Path ended. Ms. Ketz stated the road ended at Advanced Eyecare.

Mr. Howard stated that the applicant has submitted a right-in and right-out permit to KYTC for access from Cherry Blossom Way.

Jennifer Leito, 208 Old Mill Road, presented pictures of the fill that was added to the lot and stated that caused flooding to her property.

Chairman Sulski stated the development should help the drainage problem due to the stormwater requirements the applicant must meet.

Ms. Leito stated she has concern about the added traffic.

Commissioner Singer questioned if the criteria are the same now as when the previous applicant applied for the right-in and right-out on Cherry Blossom Way.

James Leito, 208 Old Mill Road, stated that he was told before that the area should not be built on after the infill was added.

Ms. Leito questioned if permits were obtained for the infill.

Mr. Howard stated the underground detention will take care of the site drainage. He stated there will be curbs along the pavement.

He stated the traffic study showed that the businesses would not negatively affect the traffic.

He stated the Geotech report would address concerns regarding the fill dirt added to the site.

Mr. Krebs stated that the traffic study was a requirement.

After further discussion, **Motion by S. Smith, second by Stone to approve the Preliminary Development Plan (PDP-2021-41) subject to nine (9) conditions of approval and an additional condition that if the right-in and right-out is not approved that the development plan must be brought back before the Planning Commission. Motion carried.**

PDP-2021-43 Mallard Point Wireless Facility – Preliminary Development Plan for a 195' wireless communications tower with a 4' lightning arrestor located on a 10,000-sq. ft. lease area zoned A-1 located at 1863 Burton Pike.

Chairman Sulski opened the public hearing.

Mr. Kane stated the application met all the requirements.

He stated the only concern staff had been the proposed entrance is in a floodplain.

He stated during the TRC meeting GMWSS raised concern about the driveway construction due to a water main in that area.

David Pike, Pike Legal Group, questioned if the Planning Commission would let him answer questions without giving the full presentation.

Elizabeth Goble, 265 Wright Lane, stated she opposes the tower due to her horse-riding business. She stated the tower would be at the back of her property and would interfere with pictures and her being able to use the back of her property.

Christy Depp, 1736 Burton Pike, stated she questioned Mr. Pike during the break if other carriers would be allowed to share the tower. She stated that Mr. Pike told her legally they must allow up to four wireless carriers to be on the tower.

She questioned how soon the tower would be built and asked for better clarification of the cell tower's location.

She asked if the cell tower would cause light pollution.

Ms. Goble questioned if property values would decrease around the cell tower.

Ms. Depp stated there is no service in that area.

Mr. Pike stated aesthetics cannot be considered regarding the application.

He stated the setbacks from other properties is significant with this application.

He stated this cell tower would be one of the shortest in the county and would not require lighting.

He stated the timeframe depends upon approval but would hope for construction to be within the year.

He stated property values should increase with the proposed service.

Chairman Sulski closed the public hearing.

Commissioner Mifflin questioned the size of coverage this application would provide. Mr. Pike stated approximately a couple of miles.

After further discussion, **Motion by Singer, second by D. Smith to approve the Preliminary Development Plan (PDP-2021-43) subject to nine (9) conditions of approval. Motion carried.**

#### Short Term Rental Ordinance & Zoning Ordinance Text Amendment

Chairman Sulski opened the public hearing.

Mr. Summers stated some of the definitions in Section 2.1 in the Short-Term Rental ordinance have proposed changes.

He stated in Section 2.58 it will establish that short-term rentals must register with Revenue Commission and Tourism Commission and the zoning use table will be in the section.

Chairman Sulski questioned who the ordinance would affect. Mr. Summers stated adding this to the zoning ordinance will answer questions for people about rentals.

Chairman Sulski questioned if the ordinance would affect group homes. Mr. Summers stated the ordinance would if the rooms were rented for 30 days or less. He stated it would depend on how the home was run.

Mr. Summers stated the City's main reasoning behind the ordinance is to make sure the rental is registered with the Revenue Commission and the Tourism Commission to make sure the appropriate taxes are collected. He stated the ordinance clarifies how the community registers, tracks and establishes safety for the rentals.

Roy Cornett stated he is on the Tourism Board and the Tourism Board is funded by people who are correctly running short-term rentals. He also questioned about existing Airbnb's in B-3 district. He asked for the ordinance to be continued until the Tourism Board could review the proposed ordinance.

**Motion by Mifflin, second by Singer, to continue the public hearing until the next regularly scheduled meeting to give Tourism time to review the proposed ordinance.**

Chairman Sulski adjourned the meeting.

Attest:

\_\_\_\_\_  
Mark Sulski, Chairman

\_\_\_\_\_  
Charlie Perkins, Secretary

**FAIRFIELD FARM PROPERTY  
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission  
August 12, 2021 continued to  
December 9, 2021**

**FILE NUMBER:** FSP-2021-25

**PROPOSAL:** Final Subdivision Plat to subdivide an existing lot into three (3) lots in Fairfield Farms subdivision.

**LOCATION:** 3684 Frankfort Road

**OWNER:** Laura and Gordon Guthrie

**CONSULTANT:** Ron Willhoit, PLS

**STATISTICS:**

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Total: 21.54 acres (6.270 acres, 6.271 acres, 9.003 remainder)
Access	Frankfort Road (US-460) and Fairfield Farm Road (private)
Variiances/Waivers	None

**BACKGROUND:**

The application before the Planning Commission is an Amended Final Subdivision Plat to subdivide an existing 21.54 acre tract (Tract 10 in Fairfield Farm subdivision) into three (3) lots. The two (5+ acre) new lots will have access from Fairfield Farm Road, leaving a remainder of 9.003 acres with an existing home and barn that will continue to utilize an existing entrance on US 460 for its access.

**Plat Review:**

Tract 10 was a larger lot platted in Fairfield Road subdivision on either side of the main entrance with approximately 1,550 feet of frontage on US 460. The original lot included an existing home, detached garage and barn on the far east side of the lot. There is a large area of closed contour in the center of the new proposed lots 10C and 10D, but there appears to be enough buildable area remaining outside the depressed area on the lots. Fairfield Farm was approved in 2005 with the condition that any further subdivision of tract 10 shall be accessed from internal roads only. No access to US 460 is permitted. The



remnant created on the west side of Fairfield Farms Road will remain unbuildable unless joined to abutting property to increase its size to a minimum of 5-acres.

The proposed new lots 10-B, 10-C and 10-D meet the minimum width, size and setbacks for the A-1 District. Access to Lot 10-B is from an existing entrance on US 460 and Tracts 10-C, 10-D and Parcel A will be accessed from Fairfield Farm Road. No direct access is proposed from US 460.

**Fairfield Farm Road:**

Tracts 10C & 10D will each have their own driveway from Fairfield Farm Road which is a private road. The responsibility for the maintenance of Fairfield Farm Road remains with the property owners in the subdivision through the HOA. The road and right-of-way width meet the minimum county standards, but the road is currently in such poor condition that it is unlikely the county would take it over until repaired. Even with repairs, the county is under no obligation to take over maintenance.

The question for the Planning Commission to consider is would it be beneficial to approve additional lots with direct access to a private road that is in substandard condition? These proposed new lots will be responsible for the proportional maintenance cost of the private road and should be added to the HOA. The remainder tract 10B has an existing house and outbuildings and will continue to utilize the existing entrance from US 460.

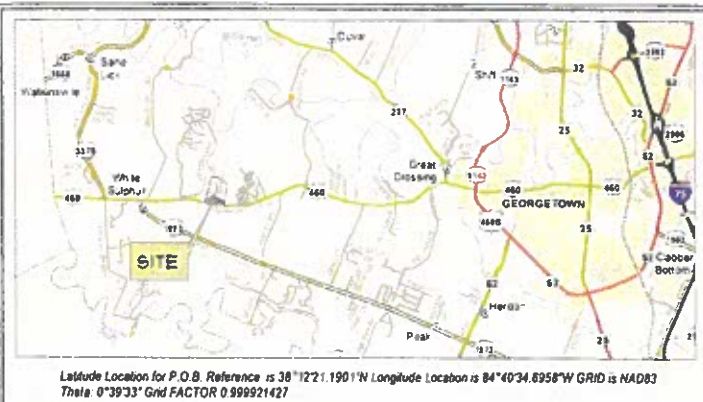
Fairfield Farm Road has some areas that are in major need of repair, remains private and has been in use for 15 years. Until such time as the street is accepted for public maintenance, it shall be maintained by the property owners using the road. If approved, the proposed lots should be required to join the existing HOA at the time of platting.

**RECOMMENDATION:**

Staff recommends **approval** of the Final Subdivision Plat. Staff recommends including the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
4. The new tracts 10C, 10D and Parcel A shall have access from Fairfield Farm Road and shall be included in the existing HOA to provide for continuity of development and future maintenance of the private street.
5. The karst depression areas shall be shown on the final subdivision plat on Tract 10B and 10C and be labelled as unbuildable until further geotechnical study of their suitability for building is provided.

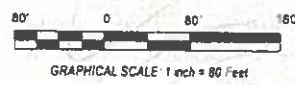


CURVE	BEARING	HORIZ DIST	RADIUS	ARC	DELTA	TANGENT
C1	S43°18'35"W	173.82	575.00'	174.48'	17°23'12"	87.92'
C2	S24°38'27"W	198.67	575.00'	199.68'	19°53'48"	100.85'
C3	S1°20'27"W	37.93'	75.00'	38.35'	29°17'40"	19.60'
C4	S1°34'07"W	64.18'	125.00'	64.91'	29°45'04"	33.20'

LINE	BEARING	HORIZ DIST
L1	S22°15'30"W	23.16'
L2	S9°35'59"W	18.73'
L3	S74°41'20"E	72.76'
L4	S17°36'16"W	20.82'

**LEGEND**

- Angle/Meander Point
- ⊗ 1/2" Rebar (Found) with Surveyor's I.D. Cap Stamped TEI 2402 - Brent Combs
- ⊙ MAG Nail (Set) with Surveyor's I.D. washer stamped W/whol 3004
- 1/2" X 18" Rebar (Set) with Surveyor's I.D. Cap Stamped W/whol 3004 - Orange
- 1/2" X 18" Rebar (Set) with Surveyor's I.D. Cap Stamped W/whol 3004 - Orange with GNSS
- WATER - AIR VALUE
- WATER VALUE
- WATER METER
- BOUNDARY (THIS SURVEY)
- BUILDING SETBACK
- UTILITY EASEMENT
- FENCE WOOD - PLANK
- WATER LINE
- ADJOINERS (BY DEED)
- DEPRESSED AREA
- SINKHOLE AREA



**MINOR SUBDIVISION AND  
RETRACEMENT BOUNDARY  
OF:  
TRACT 10  
FAIRFIELD FARM SUBDIVISION  
U.S. HIGHWAY 460  
FRANKFORT PIKE  
GEORGETOWN, SCOTT CO. KY.**

**NOTES:**

- 1 SOURCE OF TITLE FOR HOBSON PROPERTIES, LLC IS DEED BOOK 269 PG 415
- 2 THE REFERENCE BASIS OF BEARING FOR HORIZONTAL CONTROL AND DIRECTIONS ON THIS SURVEY WAS GPS ENHANCED USING A HEMISPHERE S321 GNSS RECEIVER (SERIAL # 19300899) UTILIZING THE KENTUCKY COORDS NETWORK. RTK CORRECTIONS WERE RECEIVED VIA A VERICON IMPL MODEM. THE TYPE OF SURVEY WAS A VRS REAL TIME NETWORK UTILIZING FIELD GENIUS SOFTWARE TIME FIXED SOLUTIONS OPERATED BY KY COORDS AND KY DOT
- 3 IN PROVIDING THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTING SIZE, DEPTH, CAPITAL CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED
- 4 ALL MONUMENTS FOUND ESTABLISHED BY GPS - FIXED POSITION WITHIN 0.10' USING FIELD GENIUS 10+ SOFTWARE USING A HEMISPHERE BASE/ROVER GNSS AND/OR HTRIP VRS RTKUS NETWORK - KY DOT AS BASE
- 5 PROPERTY SHOWN IS SUBJECT TO THOSE RESTRICTIONS SET FORTH BY THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION (IF ANY) FOR ITS RESPECTIVE ZONE
- 6 BOUNDARY SURVEY FINISHED JUNE 18, 2021 WITH ADJUSTMENTS FOR CLOSURE BY (IF ANY) CRANDALL RULE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL SPECIFICATIONS OF THIS RURAL CLASS
- 7 BUILDINGS, ROADS, PONDS AND OTHER TOPOGRAPHIC INFORMATION MAY BE BASED ON AERIAL IMAGERY
- 8 THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA PER FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY) MAP 170900170D EFFECTIVE DATE 12/21/2011 - ZONE "X" - OUTSIDE 0.2% ANNUAL CHANCE OF FLOOD
- 9 SURVEY SHOWN HEREON WAS PERFORMED BY ME FROM EVIDENCE FOUND IN RECORD AND IN THE FIELD BY METHOD OF RANDOM TRAVERSE USING A TOPCON GTS-903M TOTAL STATION. THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE WAS 1:21,343 AND THE BEARING AND DISTANCE HAVE BEEN ADJUSTED FOR CLOSURE USING GNSS CONTROL ESTABLISHED IN THE FIELD. MONUMENTS SET USING GNSS ARE LABELED WITH AN "AS" PREFIX
- 10 THE ORIGINAL FINAL SUBDIVISION FOR FAIRFIELD FARMS OF RECORD IN PLAT CABINET 8 SLIDE 213 AND WAS AMENDMENT AND OF RECORD IN PLAT CABINET 8 SLIDE 171, ON SEPTEMBER 28, 2006. TRACT 10 OF SAID SUBDIVISION AS RECORDED ERRED IN CLOSURE BY 10.81 FEET. EVIDENCE FOUND IN FIELD AND OF RECORD WAS USED FOR RETRACEMENT RETRACEMENT BOUNDARY SURVEY
- 11 NO TRACTS SHALL HAVE DIRECT ACCESS TO U.S. HWY 460 EXCEPT EXISTING ACCESS AS SHOWN ON TRACT 10 B
- 12 ANY FURTHER SUBDIVISION OF THESE TRACTS REQUIRES APPROVAL FROM THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
- 13 ORIGINAL FINAL SUBDIVISION PLAT OF FAIRFIELD FARM - SEE PLAT CABINET 8 SLIDE 213 - SEE PLAT CABINET 9 SLIDE 171 FOR AMENDMENT FINAL SUBDIVISION PLAT OF FAIRFIELD FARM
- 14 THERE IS A COLUMBIA GAS MAIN ALONG KENTUCKY HIGHWAY 460 IT MAY BE ABLE TO SERVE IF FEASIBLE

**OWNER'S CERTIFICATE**

I (WE) CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED

DATE: 7-28-21  
OWNER: Laura Gutherie

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY ME, USING APPROPRIATE GPS METHODS FOR MEASURING RECOVERED MONUMENTS AND ESTABLISHED SURVEY CONTROL. THE RELATIVE POSITIONAL ACCURACY WAS ± 0.10 - 200 PPM OR GREATER. THE SURVEY AS SHOWN HEREON IS A RURAL SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL SPECIFICATIONS OF THIS CLASS. THE REFERENCE MERIDIAN BASIS FOR DIRECTIONS ON THIS SURVEY WAS GPS ENHANCED USING HEMISPHERE S321 GNSS (SERIAL # 19300899) RECEIVER

DATE: 7/21/2021  
SURVEYOR: Ronald F. Willhoit

**HEALTH DEPARTMENT CERTIFICATE**

I CERTIFY THAT THE SEWER TREATMENT SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION ON THIS PROPERTY FULLY MEETS THE KENTUCKY CABINET FOR HUMAN RESOURCES SPECIFICATIONS AND REQUIREMENTS AND IS HEREBY APPROVED

DATE: 20  
AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

**CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES**

I HEREBY CERTIFY THAT KENTUCKY UTILITIES AND BELL SOUTH SHALL SUPPLY THE FAIRFIELD FARM TRACT 10 MINOR SUBDIVISION WITH ELECTRIC/TELEPHONE SERVICES AND THAT THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEET THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS

COMPANY REPRESENTATIVE: \_\_\_\_\_  
KENTUCKY UTILITIES

**CERTIFICATION OF PROVISION OF WATER SERVICE**

I HEREBY CERTIFY THAT GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GNWSS), BY AND THROUGH THE CITY OF GEORGETOWN, KY, HAS FACILITIES WITHIN THE WATER DISTRIBUTION SYSTEM TO SUPPLY THE PROPERTY LOCATED AT 3671 FRANKFORT ROAD (FAIRFIELD FARM TRACT 10) WITH WATER SERVICE. PROVISION OF DEVELOPMENT CONSTRUCTION, AND SERVICE IS CONTINGENT UPON THE DEVELOPER OBTAINING A CURRENT APPROVED AVAILABILITY OF CAPACITY REQUEST FROM THE GNWSS BOARD OF COMMISSIONERS, AND GNWSS REVIEW AND APPROVAL OF ALL PLANS AND SPECIFICATIONS FOR REQUIRED ON-SITE AND OFF-SITE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO WATER LINES, ELEVATED STORAGE TANKS, BOOSTER PUMP STATIONS, AND RELATED APPLIANCES FOR THE PROPOSED SYSTEM CONSTRUCTION OF THE PROPOSED WATER DISTRIBUTION SYSTEM SHALL BE AT THE COST OF THE DEVELOPER WITHOUT REIMBURSEMENT BY GNWSS AND CONSTRUCTED ACCORDING TO GNWSS AND KENTUCKY DIVISION OF WATER APPROVED PLANS AND SPECIFICATIONS. EASEMENTS REQUIRED FOR THE PROPOSED WATER DISTRIBUTION SYSTEM SHALL BE ACQUIRED BY THE DEVELOPER AND DEDICATED TO GNWSS.

GENERAL MANAGER: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
DATE: \_\_\_\_\_

**CERTIFICATE OF ACCURACY**

I CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION AND THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON TO THE SPECIFICATIONS OF THE PLANNING COMMISSION OR OTHER AUTHORIZED OFFICER

DATE: 7/21/21  
SURVEYOR: Ronald F. Willhoit

**CERTIFICATION OF UTILITY EASEMENT DESCRIPTION**

EASEMENTS GRANT AND CONVEY TO THE KENTUCKY UTILITY COMPANY, SOUTH CENTRAL BELL, GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GNWSS), THEIR SUCCESSORS, ASSIGNS, AND LESSEES, THE RIGHT TO TRIM OR REMOVE ANY AND ALL TREES, STRUCTURES AND OBSTACLES LOCATED ON THE EASEMENTS OR IN SUCH PROXIMITY THERE TO THAT IN FALLING THEY MIGHT INTERFERE WITH OPERATION AND MAINTENANCE OF SAID FACILITY. NO BUILDING OR OTHER STRUCTURE SHALL BE CREATED, AND NO LANDFILL, OR EXCAVATION OR OTHER CHANGE OF GRADE SHALL BE PERFORMED, UPON THE SAID EASEMENT AFTER INSTALLATION OF FACILITIES. THE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED TO USERS OF THE UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REINFORCE FACILITIES WITHIN SAID EASEMENTS. ALL LOTS LINES NOT HAVING AN EASEMENT INDICATED WILL HAVE EASEMENTS ON THEM

OWNER: \_\_\_\_\_  
DATE: \_\_\_\_\_

**CERTIFICATION OF THE APPROVAL OF PRIVATE SEWERAGE SYSTEMS**

I HEREBY CERTIFY THAT THE PRIVATE SEWERAGE DISPOSAL SYSTEM INSTALLED OR PROPOSED TO BE INSTALLED IN THE DEVELOPMENT ENTITLED TRACT 10 FAIRFIELD FARM MINOR SUBDIVISION FULLY MEETS THE REQUIREMENTS OF THE KENTUCKY STATE HEALTH DEPARTMENT AND HEREBY IS APPROVED AS SHOWN

DATE: 20  
[COUNTY HEALTH DEPARTMENT OFFICIAL]

**CERTIFICATION OF FINAL SUBDIVISION PLAT APPROVAL**

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTIONS OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK

CHAIRMAN: \_\_\_\_\_  
GEORGETOWN-SCOTT COUNTY PLANNING COMM

**NOTE FAIRFIELD FARM ROAD**

FAIRFIELD FARM ROAD IS A PRIVATE ROAD (PR-112) - KYTC MAP RESOURCE - 0.406 MILES IN LENGTH (Map Assets.kytc.ly.gov/localroads)  
IT IS THE INTENTION TO DEDICATE THIS ROAD FOR PUBLIC USE UNTIL SUCH TIME AS SCOTT COUNTY ACCEPTS ANY ROAD DESIGNED TO PUBLIC ROAD STANDARDS. THE OWNERSHIP AND MAINTENANCE OF THE ROAD, RIGHT-OF-WAY, AND DRAINAGE STRUCTURES IN THE RIGHT-OF-WAY SHALL BE SHARED BETWEEN ALL THE LAND OWNERS THAT ABUT FAIRFIELD FARM ROAD AND/OR THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION  
FAIRFIELD FARM ROAD IS NOT COUNTY-MAINTAINED AT THIS TIME AND IS IN DESPAIR

**NOTE DEPRESSED AREA**

DEPRESSED AREAS ARE NON-BUILDABLE UNLESS ENGINEERING/GEOTECHNICAL STUDY PROVIDES SUFFICIENT INFORMATION TO ALLOW FOR BUILDING IN THESE AREAS. STUDY SHOULD ADDRESS CONCERNS RELATED TO FLOODING AND/OR KARST  
SEPTIC SYSTEMS BE LOCATED AWAY FROM ANY SINKHOLE/KARST AREAS  
SOURCE FOR CONTOURS SHOWN HEREON ARE KY TOPO 5-FOOT SCALED CONTOURS GROUP LAYER (GARTOGRAPHIC - MAPLEX)

STATE OF KENTUCKY  
RONALD F. WILLHOIT  
3004  
LICENSED PROFESSIONAL  
LAND SURVEYOR

**PLAT OF SURVEY  
FOR:  
HOBSON PROPERTIES, LLC  
3684 FRANKFORT ROAD  
GEORGETOWN, KY. 40324**

SCALE	DATE	DRAWN BY
80 Fths	7-20-2021	RFW
JOB	MAP REFERENCE (SCOTT CO.)	
21-3004-146	043-00-030-000	

**LEAF & BARREL  
ZONING MAP AMENDMENT**

**Staff Report to the Georgetown-Scott County Planning Commission  
DECEMBER 9, 2021**

**FILE NUMBER:** ZMA-2021-34

**PROPOSAL:** Zoning Map Amendment to change the zoning district from A-1 to B-1.

**LOCATION:** 1442 Delaplain Road

**APPLICANT:** Leaf & Barrel Cigar and Bourbon Lounge, LLC

**CONTACT:** Nathan Billings & Zach Cato, Billings Law Firm



**STATISTICS:**

Current Zone	A-1 (Agricultural)
Proposed Zone	B-1 (Neighborhood Commercial)
Surrounding Zone(s)	A-1 & B-1
Site Acreage	Total: 3.44 acres
Access	Delaplain Road & Oxford Village Lane

**BACKGROUND:**

The Project Site is a 3.44-acre tract at the corner of Delaplain Road and Oxford Village Lane. The Project Site is located in the Oxford Historic District listed on the National Register of Historic Places. Oxford School is listed as a contributing structure, and the old FFA building is listed as a non-contributing structure.

The Project Site is located outside city limits, and staff recommends the property be annexed when either sanitary sewer is provided to the site, or an adjoining property/another property on this section of Delaplain Road is annexed.

**Concept Plan Review:**

The Concept Plan shows a reuse of the existing residence on the Project Site. The relatively small structure is proposed to be repurposed and a parking lot would be constructed to accommodate patrons of the future business on site. The Concept Plan shows the proposed parking lot entrance to be from Delaplain Road. The remainder of the site, the old school building, is proposed to retain its current use. The Applicant told staff at the TRC meeting that the site was in the process of being cleaned up.

Staff expects the outdoor storage of materials on a commercial site to be more organized and screened from adjoining properties and roads.

The Project Site is not currently connected to public sewer. Section 1010 (C)(1)(a) of the *Subdivision & Development Regulations* requires, "all development within urban service boundaries shall be connected to a public sanitary sewer system..." The regulations definition of development includes "Any construction, redevelopment, change in use or intensity of use of a property, or renovation involving such a change..." The Applicant is proposing a change in the use/intensity of the site with this application but is not intending to connect to public sewer due to the costs of bringing it to the site. If the Commission recommends approval of the Zoning Map Amendment, staff recommends the Commission state as part of the motion whether the Project Site will be required to connect to public sewer or if a waiver is being granted.

**LEGAL CONSIDERATIONS:**

Any zone change request is required to meet the following standards from *Kentucky Revised Statutes*, Chapter 100:

***Section 100.213 Findings necessary for proposed map amendment – Reconsideration.***

1. *Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:*

- a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*
- b. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*

**Part 1:** In analyzing whether the Comprehensive Plan supports the Zoning Map Amendment, staff looks primarily at the Future Land Use Map and the adopted Goals & Objectives of the plan for guidance. The Comprehensive Plan's Future Land Use (FLU) Map shows the subject property having a Commercial future land use. This FLU designation supports, "the sale of goods and services"<sup>1</sup> The Applicant's proposed use for the site as Bourbon & Cigar Lounge is supported by the Future Land Use Map in the Comprehensive Plan.

Staff has received some phone calls from property owners in the historic Oxford community who are concerned about the impacts the zone change would have on their community. While the Future Land Use Map's designation is an important factor, it is also important to ensure that the proposed Zoning Map Amendment will fit in with the character of the surrounding area. Any zone changes or development of property in this area should strive to retain the character and heritage of the

<sup>1</sup> Georgetown – Scott County Comprehensive Plan, Pg. 49

community.<sup>2</sup> The B-1 zoning district is the least intensive of the commercial zoning districts in the Zoning Ordinance. It focuses on serving local consumers with a size and scale not designed to pull in customers/clients at a regional or larger scale.

Objective CF 1.1 calls for management of the Urban Service Boundary (USB) and City Annexation to maximize the efficiency of city transportation and services. The Project Site is within the USB and planned for commercial use. Staff does recommend eventual annexation of the Project Site as was discussed earlier in the staff report.

Objective CF 1.4 encourages preservation of prime farmland for agricultural uses. While the site is currently zoned agricultural, it is not identified as Prime Farmland or Farmland of Statewide Importance.

Objective CF 3.3 calls for the quality and integrity of existing structures to be preserved. A repurpose of the building at 1442 Delaplain Road would be the result of the Zoning Map Amendment. Renovation of the existing structure would involve bringing any deficiencies up to the requirements of the building code.

Goal HE 1 strives to protect the historic structures in all of Scott County. One of the structures on the Project Site is an historic school constructed in 1928. Although its use as a school ceased in 1955, the property owner should ensure the site does not deteriorate to the point where demolition is inevitable.

Objective HO 2.3 states "Explore opportunities to combine development efforts and infill with historic preservation...and place priority on preserving existing residential structures of historic value and retaining neighborhood character." Through this objective, the community has made it clear that they not only desire the preservation of historic structures, but also retaining neighborhood character. For an historic community like Oxford, that means making sure than changes to the area fit in with the scale and character of the area. The choice of a B-1 (Neighborhood Commercial) zoning district and the plan to repurpose existing structures fits in with this objective. The Applicant should take care that any signage, lighting, and other changes not disturb this balance between repurposing existing structures and maintaining the character of the area.

Objective EN 2.4 encourages the preservation of existing structures to reduce the production of waste. This application is supported by this objective.

Objective EG 2.2 encourages small-scale commercial operations. This application is supported by this objective.

Based on the analysis above, staff finds that this application is in agreement with the Comprehensive Plan. Therefore, we need not consider parts a & b of KRS 100.213 (1).

## **FINDINGS:**

1. The Zoning Map Amendment meets the findings necessary described in KRS 100.213.

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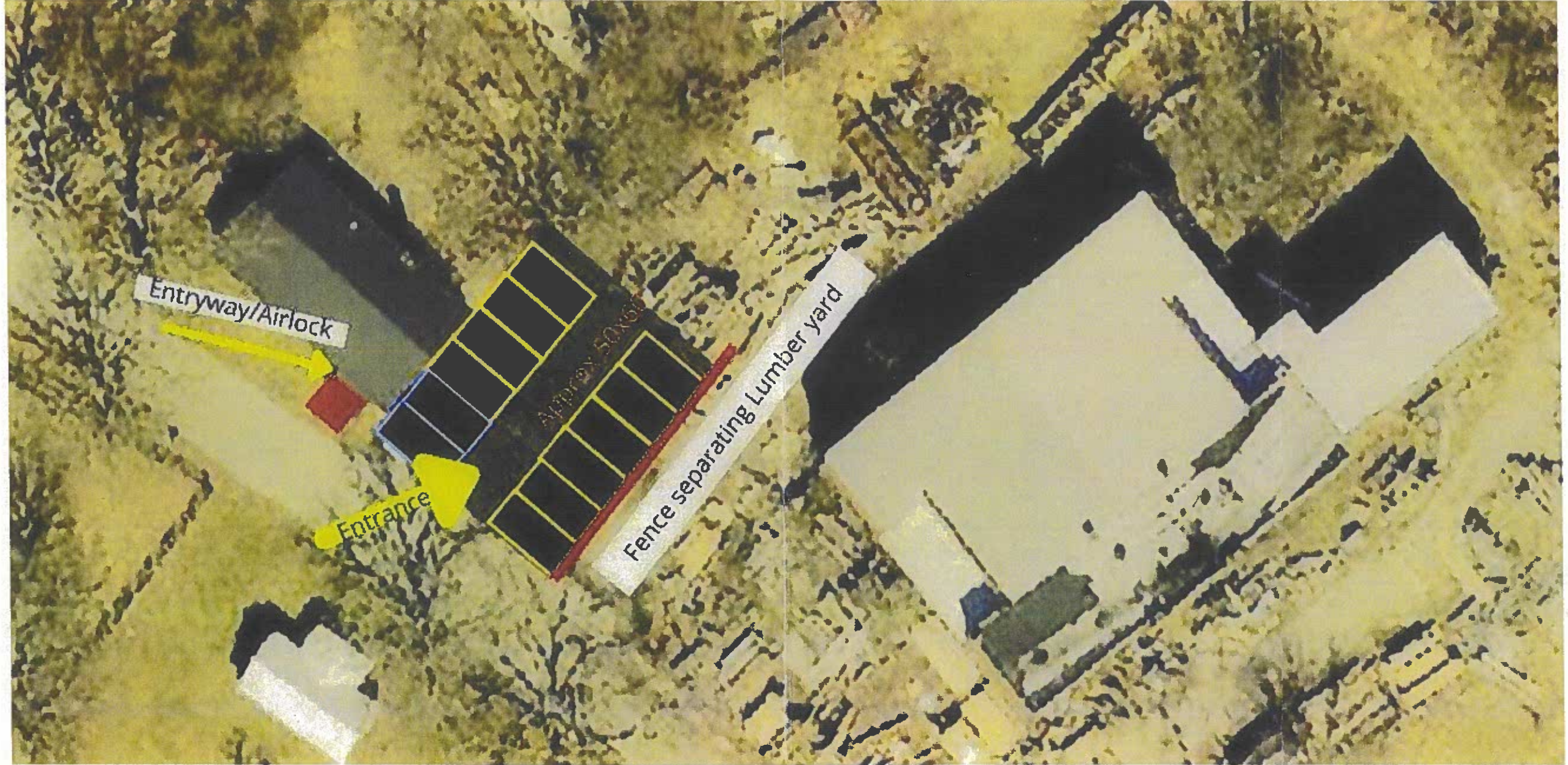
<sup>2</sup> Georgetown – Scott County Comprehensive Plan, Pg. 25

**RECOMMENDATION:**

Based on the findings above, staff recommends the Planning Commission recommends **approval** of the Application to Scott County Fiscal Court. Should the Planning Commission recommend approval, staff suggests adding the following conditions of approval.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. The Applicant shall request annexation either when public sewer is available to the site or an adjoining property or another property on the same section of Delaplain Road is annexed.
3. The Applicant shall submit a Development Plan showing all proposed site improvements prior to any construction or grading. The Development Plan shall show all areas for outdoor storage associated with the lumber operation on the Project Site and how it will be screened from adjoining properties and roads.
4. All lighting and signage for the Project Site shall be designed in a manner to have the least impact on nearby properties or the character of the historic Oxford community.
5. Any redevelopment or construction/placement of new buildings on the Project Site shall require all habitable structures on the Project Site be connected to public sewer.



**HUMPHRIES PROPERTY TRACT 8  
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission  
DECEMBER 9, 2021**

**FILE NUMBER:** FSP-2021-39

**PROPOSAL:** Final Subdivision Plat to subdivide one (1) 6.40-acre tract leaving a remainder of 9.5 acres.

**LOCATION:** 4476 Frankfort Road

**OWNER:** Alvin Humphries

**CONSULTANT:** Jared Stevens



**STATISTICS:**

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Tract 8: 6.40 acres; Remainder: 9.5 acres)
Access	Frankfort Road (US 460)
Variiances/Waivers	None

**BACKGROUND:**

The application before the Planning Commission is a Final Subdivision Plat to subdivide one (1) 6.40-acre lot from a parent tract of ~16 acres. The Project Site was previously subdivided, requiring any future subdivisions to receive approval from the Planning Commission. The Project Site contains an access easement serving three lots that were part of previous applications.

**Plat Review:**

The proposed plat shows the appropriate setbacks, and the proposed lot meets the lot size and width requirements.

**Access:**

Access to Tract 8 is proposed from a new entrance from Frankfort Road (US 460). This proposed access point for Tract 8 would be very difficult for the Applicant to construct. The proposed entrance location would require moving a guardrail and adding fill. Staff recommends a condition requiring the proposed access point to both receive a permit from KYTC and to be constructed prior to the recording of a plat creating the new lot.

There is an existing gravel driveway along the western boundary of the remainder. This access easement serves Tracts 2, 3, & 5 in the back, and can therefore not serve the proposed Tract 8 without improvements to County Road Standards. Once the lot is approved and platted, staff doubts that, outside of civil action from the owners of Tracts 2, 3, & 5, enforcement of the use of the access easement could be achieved. In November 2020, when Tract 5 was approved, the Planning Commission approved the plat with the access easement shown in green below. Staff recommended against this approval, because it relied upon an access easement across a property that would not be allowed to use it. At the time it was approved, the access easement was solely on property owned by the Applicant, and he stated on the record that he would not use the easement (except to cross it to reach property on the other side) because the Applicant had a separate entrance.

At the Technical Review Committee (TRC) meeting, staff recommended the easement be sold or transferred to the lot(s) that have legal access to it (Tracts 3 or 5). This could be done in conjunction with a portion being brought up to County Road Standards so that the proposed Tract 8 could use the existing driveway. Staff still does not support access easements across property that cannot use them. At TRC, staff also recommended the easement could be retained by the remainder property, so there is more accountability as far as who is using the access easement. Retaining the easement with the remainder would also keep this half acre from being sold with a property that cannot use it.

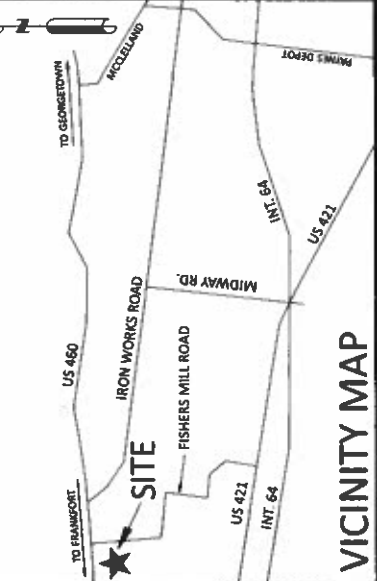
### **RECOMMENDATION:**

Staff recommends **approval** of the Final Subdivision Plat. If the Planning Commission approves the application, staff recommends including the following conditions of approval:

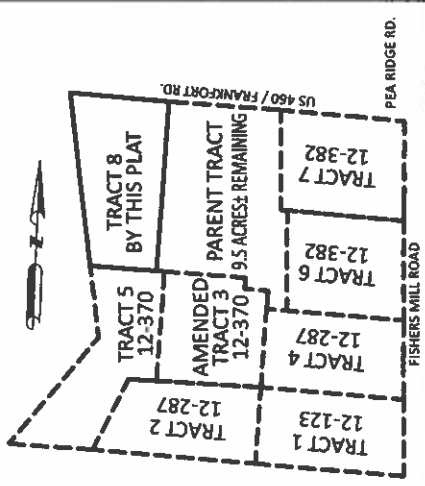
#### Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.
5. Any new entrances from US 460 (Frankfort Road) must be approved by KYTC prior to the plat being recorded.
6. The 30 ft. access and utility easement should remain a part of the remainder property and should not be sold as part of Tract 8.
7. The proposed entrance to Tract 8 shall be permitted through KYTC and constructed prior to recording the plat creating Tract 8.

NOT TO SCALE



VICINITY MAP



Note:  
Any further subdivision will require review and approval by the Planning Commission.

- SURVEY NOTES:**
- SURVEY COMPLETED: SEPTEMBER 28, 2021
  - PLAN COMPLETED: OCTOBER 25, 2021
  - KY COUNTY: SCOTT
  - GPS EQUIPMENT USED: TOPCON HIPER LITE+ (L1/L2), RTK
  - RELATIVE POSITIONAL ACCURACY: DOES NOT EXCEED 0.05' ± 100 PPM
  - BEARINGS AND DISTANCES ARE NOT BASED ON AN ADJUSTED TRANSVERSE MOUNTAIN MESH
  - HORIZONTAL DATUM: NAD 83
  - VERTICAL DATUM: NAVD 88
  - GEOD MODEL: GRS
  - BASIS OF BEARINGS: GRID (KY SINGLE ZONE)
  - DEED SOURCE: DB 395 PG 771
  - THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAN 18.130
  - MONUMENTS ARE ESTABLISHED BY GPS UNLESS OTHERWISE NOTED.
  - ANY MONUMENT WITH A "T" SYMBOL IN THE DESCRIPTION WAS DERIVED FROM SIDESHOTS TAKEN FROM GPS ESTABLISHED CONTROL POINTS.
  - THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY NOT DISCLOSE ALL INFORMATION DISCLOSED IN PREVIOUS RECORDS.
  - THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND RIGHTS OF WAY OF RECORD ON APPLICABLE RECORDS.
  - BUILDINGS, ROADS, PONDS AND OTHER TOPOGRAPHIC INFORMATION MAY BE BASED ON AERIAL IMAGERY.
  - THE REMAINING PORTION OF THE PARENT TRACT WAS NOT SURVEYED, THE AREA DEPICTED AS REMAINING IS AN ESTIMATED AREA.

**WATER LINE NOTES:**

- ANY CONSTRUCTION OVER THE EXISTING WATER LINE SHALL BE IN ACCORDANCE WITH THE REQUIRED COVER AS PER WATER LINE SPECIFICATIONS.
- IF APPLICABLE, A TESTABLE BACKFLOW PREVENTER (BFP) ON THE CUSTOMER SIDE OF THE WATER METER WILL BE REQUIRED. BFP TO BE MAINTAINED BY THE PROPERTY OWNER.
- WATER METERS SHALL BE 3/4" OR 1". NO 2" WATER METERS SHALL BE INSTALLED.
- OWNER SHALL NOT CAUSE THE GRADE TO BE LESS THAN 30 INCHES FROM WATER MAIN OR MORE THAN 60 INCHES, WHERE FILL MAY BE REQUIRED OVER WATER MAIN. ANY GRADE CHANGES GREATER THAN SAID DEPTHS SHALL HAVE PRIOR WRITTEN APPROVAL FROM GHWSS.

**GAS LINE NOTES:**

- NO STRUCTURE TO BE CONSTRUCTED IN COLUMBIA GAS EASEMENT.
- CONTACT COLUMBIA GAS BEFORE ANY CONSTRUCTION (DOWNWEAY, FENCE, ETC) NEAR THE GAS LINE EASEMENT.

**CERTIFICATION OF THE PROVISION OF WATER ONLY:**

I hereby certify that Georgetown Municipal Water & Sewer Service (GHWSS), by and through the City of Georgetown, KY, has facilities within the water distribution system to supply Tract 8, as shown hereon with water service. Provision of development, construction, and service is contingent upon the developer obtaining a current approved Availability of Capacity request from the GHWSS Board of Commissioners, and GHWSS review and approval of all plans and specifications for required on-site and off-site water improvements and related appurtenances for the proposed system. Construction of the proposed water distribution system shall be at the cost of the developer without reimbursement by GHWSS and constructed according to GHWSS and Kentucky Division of Water approved plans and specifications. Easements required for the proposed water distribution system shall be acquired by the developer and dedicated to GHWSS.

**CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES:**

I hereby certify that Kentucky Utilities shall supply Tract 8 of the Snowball Trust property with electric service and that the proposed utility easements of said development meet the requirements of the agency and all other applicable requirements.

**CERTIFICATION OF GIS DEPARTMENT APPROVAL:**

I hereby certify that the development plan or subdivision plat shown has been reviewed and found to comply with the digital submission requirements set forth in the Subdivision and Development Regulations.

**CERTIFICATE OF ACCURACY:**

I hereby certify that there are no recorded or accrued utility and drainage easements being eliminated by this subdivision.

**CERTIFICATE OF ACCURACY:**

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Georgetown-Scott County Planning Commission and that the monuments have been placed as shown herein to the specifications of the Planning Commission or other authorized offices.

LEGEND

These standard symbols will be found in the drawing.

- BOUNDARY LINE
  - UTILITY LINE
  - BUILDING LINE
  - UTILITY EASMT
  - PIN MONUMENT FOUND (PPF)
  - PIN MONUMENT SET (IPS)
  - POWER POLE
  - REFERENCE MONUMENT
  - △ MEANDER POINT
  - ◇ EASEMENT CORNER
- UNLESS OTHERWISE NOTED, ANY MONUMENT REFERRED TO AS A PIN MONUMENT SET (IPS) IS A 5/8" INCH DIAMETER STEEL REBAR, EIGHTEEN INCHES IN LENGTH, WITH A PLASTIC CAP IDENTIFIER, INSCRIBED "STEVENS, PLS 3839". ANY MONUMENT REFERRED TO AS A REFERENCE MONUMENT IS A 5/8" INCH DIAMETER STEEL REBAR, EIGHTEEN INCHES IN LENGTH WITH A PLASTIC CAP IDENTIFIER, INSCRIBED "REFERENCE, PLS 3839".

**CERTIFICATION OF THE APPROVAL OF PRIVATE SEWERAGE SYSTEMS:**

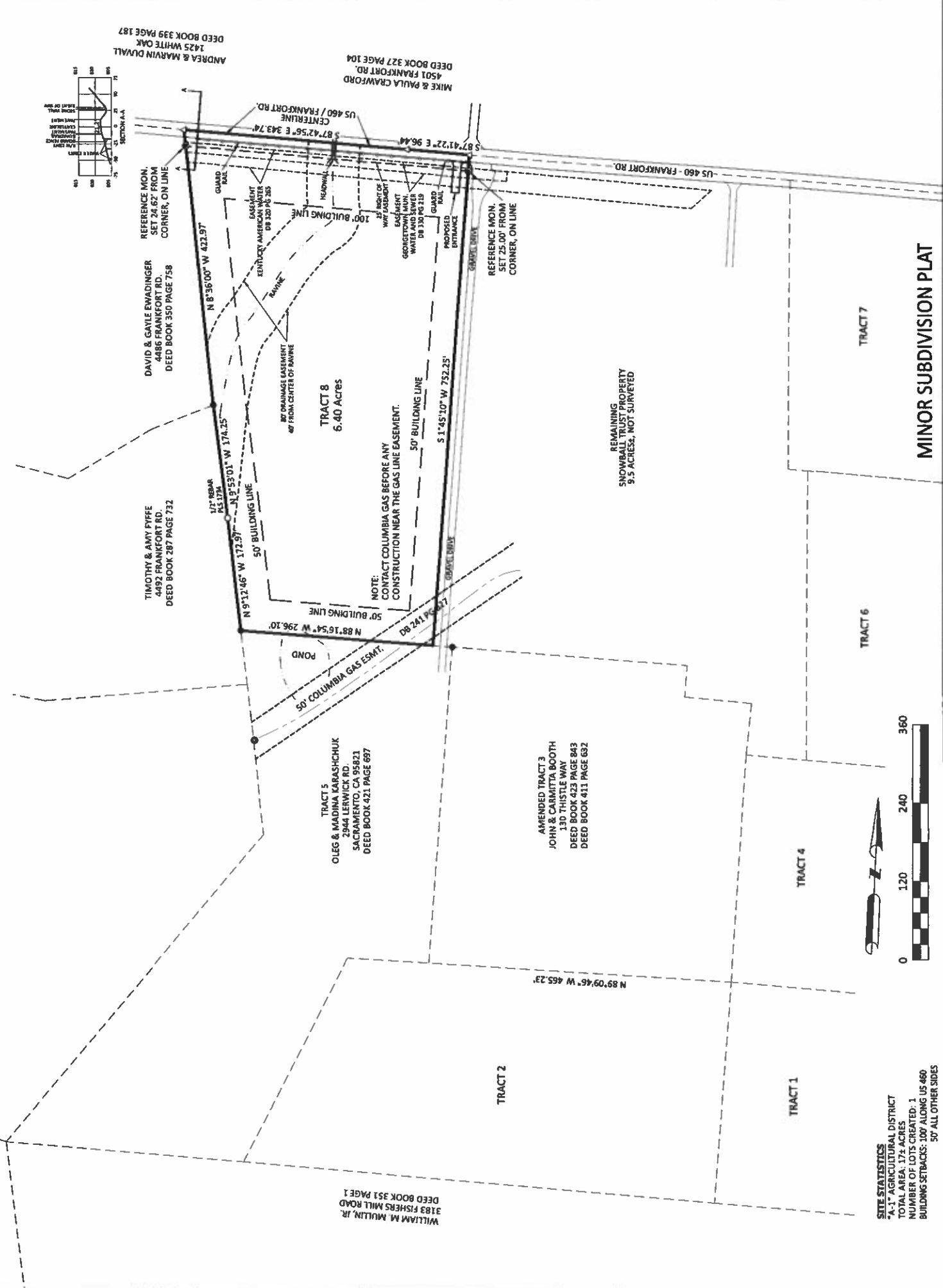
I hereby certify that the private sewerage disposal system installed, or proposed to be installed in the development entitled, Tract 8 of the Snowball Trust Property hereby is approved as shown.

**CERTIFICATION OF OWNERSHIP AND DEDICATION:**

I (we) hereby certify that I (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt the plat(s) of the development with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, paths, and other open spaces to public or private use as shown, in accordance with the Georgetown-Scott County Subdivision and Development Regulations, unless otherwise noted.

**CERTIFICATION OF UTILITY EASEMENT DESCRIPTION:**

Easements grant and convey to the Kentucky Utility Company, South Central Bell, Georgetown Municipal Water & Sewer Service (GHWSS), their successors, assigns, and lessees, the right to trim or remove any and all trees, structures and obstacles located on the easements or in such proximity thereto that in falling they might interfere with operation and maintenance of said facility. No building or other structure shall be erected, and no landfill or other use shall be made on the easement. The right of ingress and egress is hereby granted to users of the utility easement as required to construct, operate, maintain and reinforce facilities within said easements. All lots hereon not having an easement indicated will have 5' easements on them.



**SITE STATISTICS**

- A-1' AGRICULTURAL DISTRICT
- TOTAL AREA: 17.8 ACRES
- NUMBER OF LOTS CREATED: 1
- BUILDING SETBACKS: 30' ALONG US 460
- 50' ALL OTHER SIDES

**FLOOD PLAIN NOTE:**

ACCORDING TO FLOOD INSURANCE RATE MAP 210209C0175D FOR SCOTT COUNTY, KENTUCKY, DATED DECEMBER 21, 2017, THE SUBJECT PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA.

MINOR SUBDIVISION PLAT

TRACT 8 OF THE SNOWBALL TRUST PROPERTY  
4476 FRANKFORT ROAD DEED BOOK 395 PAGE 771  
GEORGETOWN, SCOTT COUNTY, KENTUCKY

DESIGNED BY	NAME	DATE
STEVENS	STEVENS	11/22/21
DRAWN BY	STEVENS	11/22/21
CHECKED BY	STEVENS	11/22/21
AS BUILT		

PROJECT: 18-1185 (TRACT 8)  
SCALE: 1" = 120'

**PURPOSE OF PLAN:**

1. TO DIVIDE TRACT 8 (6.40 ACRES) FROM THE SNOWBALL TRUST PROPERTY.

JARED D. STEVENS' LAND SURVEYING

523 MEMORINEE TRAIL, FRANKFORT, KENTUCKY  
PHONE 859/250-2658  
EMAIL: jared@stevensurveys.com

**HORSESHOE DRIVE  
ZONING MAP AMENDMENT**

**Staff Report to the Georgetown-Scott County Planning Commission  
DECEMBER 9, 2021**

**FILE NUMBER:** ZMA-2021-46

**PROPOSAL:** Zoning Map Amendment to change the zoning district from R-2 to B-2.

**LOCATION:** 1106 Horseshoe Drive

**APPLICANT:** Doug Smith

**CONTACT:** Nathan Billings & Zach Cato, Billings Law Firm



**STATISTICS:**

Current Zone	R-2 (Medium-Density Residential)
Proposed Zone	B-2 (Highway Commercial)
Surrounding Zone(s)	R-2, R-3 & B-2
Site Acreage	Total: .716 acres
Access	Horseshoe Drive & Frankfort Road

**BACKGROUND:**

The Project Site is a .716-acre remnant of a larger 4.84 tract on Horseshoe Drive and Paris Pike. The remnant is currently accessed from Horseshoe Drive, a city street, which is also serving as access for five tracts off Paris Pike in Georgetown just west of Cherry Blossom Way.

The .716-acre Project Site is located inside city limits and contains a single-family home and a number of large mature trees. The parcel is legally part of a large 4.84-acre tract that contains two business uses and another structure that is a retail building operating as Carriage House Gifts. There is also outdoor storage on the property for which a Conditional Use Permit was approved in 2019. The majority of the larger 4.84-acre tract is zoned B-2 Highway Commercial and the .716-acre area around the single-family home is zoned residential. Though not legally subdivided, it is presumed the .716-acre portion was zoned residential when the property was originally annexed into the City of Georgetown, since it was being used at the time as a single-family residence.

## Concept Plan Review:

The Concept Plan exhibit shows no new building on the site but shows the continued use of the existing residence for retail purposes on the Project Site. The Concept Plan also shows an eight-space parking lot in front of the building. Staff asked that required buffers and the required right-of-way reservation be shown on the zone change Concept Plan to indicate how the required buffer and ROW reservation would impact future commercial use of the lot. It should be noted that if the rezoning is approved, a Development Plan would be required at the time of redevelopment of the property and prior to any construction. The property would likely be re-platted prior to redevelopment, unless a large user purchased it, since it is currently one contiguous 4.84-acre tract.

The applicant has indicated that the house is no longer being used residentially, but as an annex to the Carriage House Flowers and Gifts business. Thus, the current use on the property is a lawfully non-conforming commercial use.

The existing business and home are using a private septic system. Any new development will be required to connect to public sewer.

## LEGAL CONSIDERATIONS:

Any zone change request is required to meet the following standards from *Kentucky Revised Statutes*, Chapter 100:

### ***Section 100.213 Findings necessary for proposed map amendment – Reconsideration.***

1. *Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:*

- a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*
- b. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*

**Part 1:** In analyzing whether the Comprehensive Plan supports the Zoning Map Amendment, staff looks primarily at the Future Land Use Map and the adopted Goals & Objectives of the plan for guidance. The Comprehensive Plan's Future Land Use (FLU) Map shows the subject property having a Residential future land use. The remainder of the 4.84-acre tract has a Commercial Future Land Use designation and is Commercially zoned. So, the property under consideration is planned Residential, but has a split zoning and FLU Map designation. It makes some sense to bring the whole tract into compliance if the residential use of the property is no longer desired or viable.

Staff has some concerns about the commercial use of Horseshoe Drive, but Carriage House gifts and the former bank building, now being used for office and service commercial uses already use Horseshoe Drive for access. Since Part 1 is only partially met we can look at sections a and b.

**Part a:** Staff believes that the existing zoning classification may be inappropriate. Although the structure on the area of the lot be considered is single-family in form, the structure is being used for storage and other business uses and may have been modified on the interior. Since it is under one ownership and is on the same lot as adjoining commercial uses, it may be more appropriate to consolidate the zoning for the lot.

**Part b:** Staff believes there has been increased commercial activity in the area, but there have been no major changes not anticipated in the adopted comprehensive plan that have substantially altered the basic character of the area.

### **FINDINGS:**

1. The Zoning Map Amendment meets the findings necessary described in KRS 100.213 due to a combination of Part 1 and Part b.

### **RECOMMENDATION:**

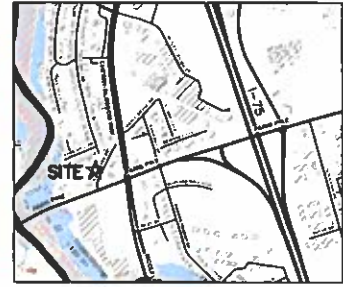
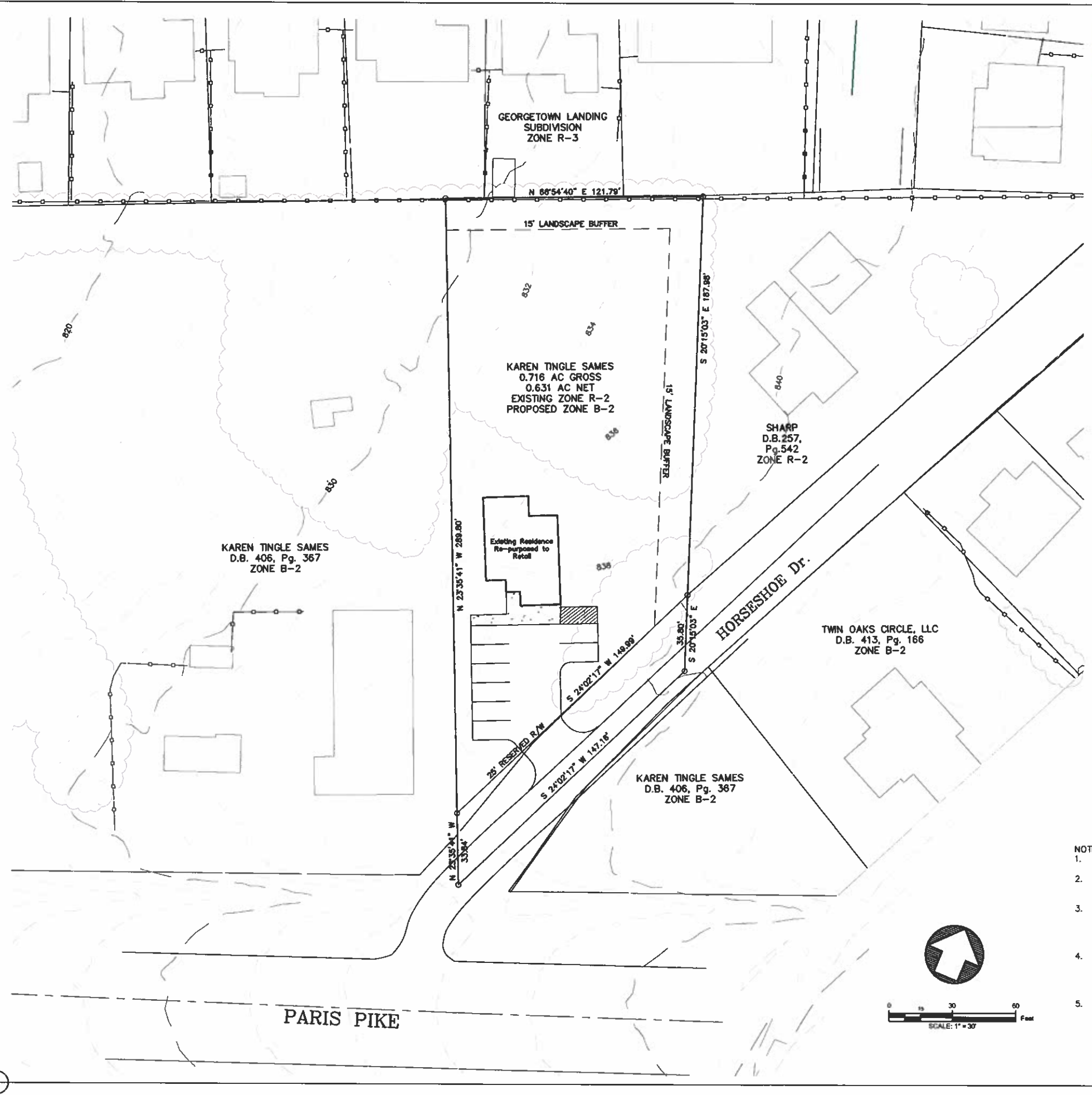
Based on the findings above, staff recommends the Planning Commission recommend **Approval** of the Application to Georgetown City Council with the following conditions.

#### Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. The Applicant shall submit a Development Plan prior to any redevelopment or site construction.
3. All lighting and signage for the Project Site shall be designed in a manner to have the least impact on nearby residentially used properties.
4. Any redevelopment or construction/placement of new buildings on the Project Site shall require all habitable structures on the Project Site be connected to public sewer.
5. If the subject property is to be used for outdoor commercial storage of materials or products an amended Conditional Use Permit shall be approved by the Georgetown Board of Adjustment.

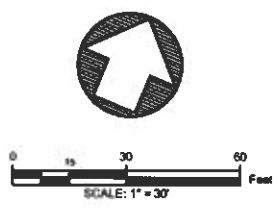
PLOT DATE: 11/23/2021 10:08 AM

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VICINITY MAP  
NTS

- NOTES:
- BOUNDARY PROVIDED BY MERIDIAN ASSOCIATES.
  - BACKGROUND ITEMS (TOPO, STREETS, BUILDINGS, ETC.) PROVIDED BY GIS DEPARTMENT.
  - THERE IS NO SPECIFIC PROPOSED USE FOR THE PROPERTY IF REZONED. PLAN SHOWN IS FOR A RE-PURPOSE OF THE EXISTING BUILDING.
  - PLANT MATERIALS, SIZE, SPACING, ETC., IN LANDSCAPE BUFFERS, TO MEET REQUIREMENTS OF THE LANDSCAPE ORDINANCE, WITH EXISTING COUNTING AS ALLOWED.
  - 1500 SQUARE FEET @ 1 PER 250 = 6 PARKING STALLS



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CM-CI-CONSTRUCTION SERVICES



**ZONE MAP AND CONCEPT PLAN  
TINGLE-SAMES PROPERTY**

HORSESHOE DRIVE, GEORGETOWN, SCOTT COUNTY, KENTUCKY

PROJECT NO:	DRAWN BY:
11-22-21	ABC
DATE:	REVIEWED BY:
	ABC

REVISION:	DATE:

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
APPLICATION DEADLINES  
2022**

<b>FILING DEADLINE</b>	<b>TECHNICAL REVIEW MEETING</b>	<b>CORRECTIONS DEADLINE*</b>	<b>PLANNING COMMISSIONER WORKSHOP**</b>	<b>PLANNING COMMISSION MEETING</b>
December 1, 2021	December 14, 2021	December 29, 2021	January 10, 2022	January 13, 2022
January 3, 2022	January 11, 2022	January 26, 2022	February 7, 2022	February 10, 2022
February 1, 2022	February 8, 2022	February 23, 2022	March 7, 2022	March 10, 2022
March 1, 2022	March 8, 2022	March 30, 2022	April 11, 2022	April 14, 2022
April 1, 2022	April 12, 2022	April 27, 2022	May 9, 2022	May 12, 2022
May 2, 2022	May 10, 2022	May 25, 2022	June 6, 2022	June 9, 2022
June 1, 2022	June 7, 2022	June 29, 2022	July 11, 2022	July 14, 2022
July 1, 2022	July 12, 2022	July 27, 2022	August 8, 2022	August 11, 2022
August 1, 2022	August 9, 2022	August 24, 2022	<b>September 6, 2022</b>	September 8, 2022
September 1, 2022	September 13, 2022	September 28, 2022	October 10, 2022	October 13, 2022
October 3, 2022	October 11, 2022	October 26, 2022	November 7, 2022	November 10, 2022
November 1, 2022	November 8, 2022	November 23, 2022	December 5, 2022	December 8, 2022
December 1, 2022	December 13, 2022	December 28, 2022	January 9, 2022	January 12, 2023

\* Deadline to file revised plans and information for Planning Commission Meeting.

\*\* Developer must attend this meeting to discuss appeal of staff recommendation(s).

*Dates in bold italics have been moved from their regular scheduled dates due to observed holidays.*

**Meeting Times: Planning Commission Meeting 6:00 p.m.; Commissioner's Workshop 4:30 p.m.; TRC- Varies**

**(All times are tentative and subject to change; please contact the Commission office for further information.)**

