

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES**

April 12, 2012

The regular meeting was held in the Scott County Courthouse on April 12, 2012. The meeting was called to order by Chair Melissa Waite at 6:00 p.m. Present were Commissioners Jeff Caldwell, Greg Hampton, Janet Holland, Rob Jones, John Shirley, Frank Wiseman (arrived late) and Horace Wynn, Planning Director Earl Smith, Planner Joe Kane, Engineer Brent Combs, GIS Analyst Matt Tolar, and Attorney Charlie Perkins. Absent was Commissioner Jimmy Richardson.

Motion by Jones, second by Shirley, to approve the March invoices. Motion carried.

Motion by Caldwell, second by Holland, to approve the March 8, 2012 minutes. Motion carried.

Motion by Holland, second by Caldwell, to approve the March 26, 2012 minutes. Motion carried.

Motion by Wynn, second by Shirley, to approve the April agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

There were no items for the Consent Agenda.

FY 10-11 Audit

Mr. Smith introduced Greg Miklavcic, Charles T. Mitchell Company, who completed the most recent audit.

Mr. Miklavcic briefly reviewed the audit, which found all matters in good order.

**Motion by Hampton, second by Wynn, to accept the FY 10-11 audit as presented.
Motion carried.**

Cedar Hills Cluster Subdivision - Amendment of Conditions of Approval

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

Mr. Kane explained the request to remove a condition of approval from a previously approved plat. The condition required the applicant to meet the current fencing requirement in the cluster ordinance by constructing a fence between the 25-acre preserved area and the cluster lots. He stated that one of the cluster lot owners submitted a petition signed by residents on the road that requests removal of the fence requirement.

Robbie Russell, Summeridge Road resident, submitted the petition signed by 10 of the 11 affected property owners saying that they do not wish the fence constructed. He felt that the fence will negatively affect the value of the properties, ruin the aesthetic value, cause more maintenance, and prevent the wildlife from coming into their yards. He stated that the one property owner that did not sign the petition has her home for sale, and the one property owner at the previous meeting who supported the fence has now signed this petition.

Discussion continued on the use of the property. Commissioner Holland asked about cattle getting onto the preserved tract, then into the yards if no fence is constructed. Mr. Russell stated that the nearest cattle are across U.S. 25.

Commissioner Jones expressed concern about approving the fence waiver after so recently approving the subdivision conditioned on the fence. Mr. Russell stated that individual property owners can still fence their yards, although the reserved lot is wooded and trees would need to be removed to construct a fence.

Commissioner Hampton felt that if 10 out of 11 property owners do not want the fence, then the waiver is justified.

Mr. Perkins stated that the Commission has the authority to grant the waiver regardless of the petition. He stated that the area is a natural habitat that may not be conducive to fencing, and receiving the request from 10 out of 11 residents is very strong support for the waiver.

The Commissioner expressed concern that the residents could come back again in a few months and request the fence be constructed. Mr. Russell assured the Commission that would not happen.

Peter Switalski, President of the Cedar Hills Phase II Homeowners Association, agreed with everything Mr. Russell stated.

**Motion by Hampton to grant the variance to eliminate the fence requirement.
Motion failed for lack of a second.**

Discussion continued on the matter. Commissioner Wynn recalled the neighbors who were present at the prior meeting who wished the fence to be constructed.

Reford Chad Hunt, Summeridge Road resident and owner of the preserved tract, asked for an extension of the timeframe in which the fence must be built.

Mr. Switalski stated that liability should not be an issue because all the homeowners have liability insurance.

Mr. Kane suggested adding a condition that the tract will never be used for agricultural purposes unless a fence is constructed.

Commissioner Jones asked that the neighbors who signed the petition will come to the next meeting to state their wishes, he will vote for the waiver. Mr. Perkins noted that Mr. Russell was sworn in to state the truth which includes his submitting a petition that is valid.

Motion by Shirley, second by Hampton, to remove the fencing requirement as long as the tract is not used for agricultural purposes. By roll call vote, motion carried 4-2 with Holland and Jones dissenting.

Appreciation for Commissioner Bias Tilford

Mr. Smith read a plaque given to Commissioner Bias Tilford in appreciation for his service to the Commission. Mr. Tilford thanked the Commission and expressed his gratitude for the opportunity to serve the community.

Historic District Overlay Ordinance - presentation

Mr. Kane discussed what is currently in place and what is added in the proposed ordinance. He stated that the current ordinance does not adequately protect property from demolition or unwanted changes. He stated that the new ordinance will help gain Certified Local Government status for the City of Georgetown, which will aid in obtaining funds that are set aside for historic preservation. It will also aid in obtaining design help from the State.

He outlined the boundaries of the current historic district, and briefly reviewed the ordinance.

He stated that a public hearing for property owners within the historic district will be held to obtain their input before the matter comes back before the Commission at the next meeting.

Kitty Dougoud, Main Street Director and Main Street resident, spoke in support of the ordinance.

Commissioner Wiseman arrived at the meeting.

GIS presentation

Mr. Smith and Matt Tolar, GIS Analyst for the Commission, gave a presentation on the capabilities of the Geographic Information System in the office.

Bonding ordinance project extensions

Mr. Combs explained the County ordinance that changed the procedure for timing of the final course of asphalt and the surety for that. He also presented a list of projects that have failed to complete their street improvements. He stated that the letters of credit could be called, but he recommended granting the one-year extension allowed by the ordinance so that staff can concentrate on getting the developers to complete the required work.

Commissioner Hampton asked if any of the developers are no longer in business, and if not, should the letters of credit be called now. Mr. Combs replied that that might be the case with one or two of the developments. Mr. Perkins added that it can be difficult to make that determination.

After further discussion, **motion by Hampton, second by Holland, to authorize Mr. Combs to inform the developers of the projects in question that a one-year extension has been granted to complete the improvements on their developments, and that a possible second year extension will be granted only if good cause is shown why the improvements have not been made. Motion carried, with Commissioner Shirley recusing himself from voting.**

Mr. Combs noted that Fiscal Court has also approved the extension.

Scott County Greenvision Conference

Mr. Kane informed the Commission of the Greenvision Conference, an initiative being led by Bluegrass Tomorrow. The goal is to organize an advisory committee and sponsor a community workshop to come up with a strategic plan for making communities more sustainable and energy efficient. The plan could be incorporated into the Comprehensive Plan.

The meeting was then adjourned.

Respectfully,

Attest:

Melissa Waite, Chair

Charlie Perkins, Secretary