

**GEOGETOWN-SCOTT COUNTY PLANNING COMMISSION
AGENDA
January 8, 2026
6:00 p.m.**

I. COMMISSION BUSINESS

- A. Approval of December invoices
- B. Approval of December 11, 2025 minutes
- C. Approval of January 8, 2026 agenda
- E. Items for postponement or withdrawal

II. OLD BUSINESS

- A. ZMA-2025-36/PDP-2025-37 The Stables at Blossom Park - POSTPONED
- B. PDP-2023-10 Scott County Humane Society - Variance from article 6.14 of Landscape & Land Use Buffer Ordinance/change in approved conditions pertaining to PDP-2023-10 located at 1376 Lexington Road.

III. NEW BUSINESS

- A. PDP-2025-67/PSP-2025-68 Woodland Park – Phase 3 - (1) Preliminary Development Plan and Plat for a mixed residential development consisting of single-family detached homes, townhomes, apartments, and a community center. (2) Preliminary Subdivision Plat for 91 single-family detached residential, 4 multi-family residential, 1 community center, 4 open space and 2 floodplain lots located at 1341 Cincinnati Pike.

IV. OTHER BUSINESS

- A. Georgetown Commons Master Sign Plan Amendment
- B. Accessory Dwelling Unit and Cluster Development Regulations Discussion

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
December 11, 2025**

The regular meeting was held in the Scott County Courthouse on December 11, 2025. The meeting was called to order by Chairman Charlie Mifflin at 6:00 p.m. Present were Commissioners Mary Singer, Duwan Garrett, David Vest, Malissa Adair, Harold Dean Jessie, Jessica Canfield, Brad Green, Director Holden Fleming, Planners Elise Ketz, Rhett Shirley, Mark Carper, Toshi Tusam, Noah Smith, Engineer Ben Krebs and Attorney Charlie Perkins. Commissioner James Stone was absent.

Motion by Singer, second by Jessie to approve the November invoices. Motion carried.

Motion by Singer, second by Green to approve November 13, 2025 minutes. Motion carried.

Motion by Vest, second by Garrett to approve the December agenda. Motion carried.

Postponements/Withdrawals

Chairman Mifflin stated that The Stables at Blossom Park (ZMA-2025-36/PDP-2025-37) will be postponed until the next regularly scheduled meeting and North Hamilton Street (ZMA-2025-34) has been withdrawn.

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

PDP-2025-55 Flex Space – Preliminary development plan for the installation of flex space/mini-warehousing located at 944 E. Main Street Ext.

Mr. Carper stated the application is proposed for light industry, specialty use contractor, warehouse use. He stated no auto-related or public facing uses are proposed. He stated all requirements have been met but since the applicant requested a waiver it had to be heard by the Planning Commission.

He stated the project site is little over 11 acres and within city limits. He stated the site has two entrances.

He stated there are 177 proposed parking spots. He stated landscaping requirements have been met. He stated there are not enough trips to require a traffic study.

He stated the requested waiver is for the loading areas in the front yard. He stated in the B-5 zone loading areas are to be in the side or rear yards. He stated the front yard has the flattest grade, fewer easements and less traffic.

He stated there are 5 proposed buildings for a total square footage of 97,200 square feet.

Commissioner Jessie questioned if the property has had topography changes over the last 225 years. Mr. Carper stated there have probably been grading changes over the years.

Commissioner Jessie questioned whether this is the kind of thing the City of Georgetown is trying to change. Mr. Fleming stated there have been meetings to discuss zoning issues and variances. He stated staff have reviewed the application against KRS statutes.

Commissioner Jessie questioned if the application could proceed without the requested waiver. Mr. Carper stated that quite a bit of fill would have to be brought into the site.

Abbie Jones, Abbie Jones Consulting, stated the property has a tremendous amount of easements and site-specific reasons for the waiver request. She stated they tried different scenarios to try to stay within the requirements.

Commissioner Green requested clarity that the unloading area does not actually have a dock. Ms. Jones clarified that there would be one dock in the southeast corners of the lot in the front yard. All other loading areas would be on grade within the parking areas.

Mr. Fleming stated the original application included 3 more waivers. He stated after working with staff the requested waivers were reduced to one.

Commissioner Jessie requested clarification that this was the first time this kind of change was requested. Mr. Perkins stated as far as he remembers but clarified the types of restrictions have not been in place that long.

Ms. Ketz stated after workshop on Monday she looked at some of the B-5 developments and none have front loading but do have extensive loading areas in the rear. She stated the sites are flatter. She stated it is one of the younger zoning classifications and there are not many sites.

After further discussion, **Motion by Singer, second by Garrett, to approve PDP-2025-55 subject to 12 conditions of approval and (1) waiver. Motion carried 7 – 1 with Jessie dissenting.**

Commissioner Singer recognized Chairman Mifflin for his eight years on the Planning Commission as this was his last meeting.

PDP-2025-45 Sharp Property – Preliminary development plan for townhomes and apartments located on Paynes Depot Road.

Mr. Shirley stated this application was first heard in October and the single-family homes were approved. He stated the Board postponed the application but brought different concepts to the

November meeting for discussion without any action being taken. He stated staff have found that this development plan is substantially similar to the original development plan submitted including the same number of units. He stated the difference is the added right and left turn lanes out at the front of the development.

Michael Barlow, developer, stated they added dedicated turn lanes after the November meeting. He stated after discussing with staff they decided against eliminating the McClelland Springs and Clear Springs Drive connection. He stated they would rather keep the connectivity to help the traffic and for future expansion of McClelland Springs.

Kent Wagner, 112 Spring Bluff Drive, questioned if this application is for the apartments. Chairman Mifflin stated the single-family homes have been approved but this application is for the apartments. Mr. Wagner stated his concern for the traffic leaving the neighborhood.

Commissioner Singer questioned what type of housing the Comprehensive Plan has for this location. Mr. Shirley stated the area is noted as a neighborhood center with medium density housing on the Future Land Use Map.

Chris Good, 104 Clear Springs Drive, stated after walking around the neighborhood and talking to people the main concern he found was the exit on Paynes Depot Road. He stated Clear Springs Drive is not wide enough for connectivity between the developments. Mr. Shirley stated on the plat for the subdivision there is a note that connectivity must be made when available. Mr. Barlow stated that it was platted in 2010.

Josh Warren, 102 Clear Springs Drive, questioned if any adjacent R-2 areas have 3-story apartments. Mr. Shirley stated none of the adjacent R-2 areas have 3-story apartments. Mr. Warren stated the apartments are proposed on the higher areas of the property and he is concerned that when people come to the area, the first thing they will see is the apartments.

Paul Curry, 107 Buffalo Run Court, stated he has not heard the requested variances being discussed.

Josh Kyle, 109 Clear Springs Drive, stated that apartments don't fit the neighborhood. He stated that all of the homes on Clear Springs Drive do not want connectivity.

Mr. Perkins explained connectivity over the years and the reason for connectivity.

Mr. Shirley stated that each application goes through TRC review and not having connectivity has not been discussed with the utilities or emergency personnel.

Jesse Kelsey, 103 Clear Springs Drive, questioned if the apartments are supposed to be considered affordable housing when the rent prices were previously discussed. He stated the price of rent will mean several people are living in apartments with multiple cars.

Chairman Mifflin stated he spoke with Kandice Whitehouse, Affordable Housing Director, and stated that she said we are low on all types of housing.

Greg Brockmann, 108 Spring Bluff Drive, stated this area needs single-family homes not apartments. He stated he worries about the safety of his family.

Peter Wagner, 112 Spring Bluff Drive, stated he and his friends play in the street and the extra traffic would make it unsafe. He stated apartments would triple the amount of people living there instead of single-family homes. He stated the extra traffic would make getting in and out more difficult.

Logan Brothers, 112 Warfield Point, stated that Commissioner Jessie stated that a lot of apartments have been approved already without being built. He questioned what point the approvals stop.

Kim Tracy, 134 Old Fort Drive, stated that she had had people knocking on her door asking if she would sell her house. She stated there is a need for housing, but she doesn't want apartments or the connectivity in the neighborhood.

Commissioner Singer questioned if staff has the number of apartment units approved but not yet built. Ms. Ketz stated she is working on the request.

Commissioner Jessie questioned if staff have the number of houses approved but not yet built. Mr. Fleming stated staff are working on the request.

Chad Mcleod, 107 Clear Springs Drive, he stated one of the things he has loved living on the street is the fact it dead ends. He stated the street is too narrow if it was intended to be a connector road. He stated he would rather not have the connectivity or apartments in the neighborhood.

Commissioner Singer stated the emergency services would have to address the connectivity, but she stated she understands the concern regarding having apartments in the neighborhood. She stated other areas have the same concern.

A resident suggested having a gate that allows connectivity like Gatewood subdivision has.

Ethan Howard, 147 McClelland Springs, stated that the development plan does not fit what is described in the Comprehensive Plan. He suggested that developers look at other alternatives to fill the housing need.

Chairman Mifflin stated the apartments across from Kroger have a waiting list according to Kandice Whitehouse with single-family homes being built behind the apartments and selling quickly.

Commissioner Singer pointed out that Indian Hills and The Colony have apartments located within the neighborhood.

Mr. Curry questioned if the plan is for 2 or 3-story apartments. Chairman Mifflin answered 3-story apartments.

Mr. Curry stated that Mr. Perkins spoke about a 30-to-50-year history of connectivity. He stated that it is disappointing to hear that the current and former Planning Commissions have not listened to the homeowners and what they want.

Commissioner Singer stated that many want connectivity for safety concerns.

Commissioner Canfield stated that the Planning Commission cannot make that decision without the input from emergency services.

Chairman Mifflin stated that if the application was approved with or without connectivity the Fire Department may override their decision.

Mr. Curry stated that the neighborhood is in favor of single-family homes but not apartments.

Chairman Mifflin stated that if the city was built without connectivity, it would be more difficult to drive.

Commissioner Singer stated that the Planning Commission does listen to public input but also has ordinances to follow.

Mr. Fleming stated from U.S. Census Bureau there are 15,000 housing units in town with 75% being single-family and 25% are multi-family. He stated 42 multi-family units have been approved this 2025. He stated 52 single-family units have been approved in 2025. He stated in 2024, 600 multi-family units were approved.

Casey Warren, 102 Clear Springs Drive, questioned that there have been multiple different plans discussed and if approved are all the variations approved. Chairman Mifflin stated that staff makes a recommendation with conditions of approval. He stated the Planning Commission has the option to strike through a condition of approval.

Ms. Warren questioned whether there are any plans to widen Paynes Depot Road. Mr. Shirley stated there are improvements to be made by adding turn lanes.

Mr. Shirley stated in the 60 approved single-family homes, only 5 lots need the requested variance to decrease in size. He stated only 5 home lots needed less than standard minimum lot width. He stated in the overall development the applicant exceeds the minimum lot size. He stated the applicant received a waiver from the property owner to the south for the required ag buffer. He stated variances number 1 through 3 apply to the townhomes. He stated that in the R-2 zone for every extra foot away from the property line the applicant can request another foot in height. He stated the applicant has met that requirement. He stated the requested variance for number of units is typical in R-2 zone.

Commissioner Green questioned what other apartments in the city are zoned R-2. Mr. Shirley stated a future application for Woodland Park.

Mr. Fleming stated at the time of zone change for this property the applicant requested this property to be a PUD development. He stated that a PUD has more flexibility than a standard application.

Commissioner Green stated that after the zone change that did allow the lots backing up to the current homes to be larger. He stated the developer could come back with another plan with much smaller lots to make up for loss of units.

Mr. Fleming stated that in R-2 zoning to meet the number of units allowed per acre it is expected to have a variety of housing units.

George Maynard, 125 McClelland Springs Drive, stated that his neighbors will lose money if the development is approved because of the loss of value to their homes.

Kelsie Brockmann, 108 Spring Bluff Drive, stated she will lose her community if approved.

Mr. Wagner stated he is requesting a variance to the Comprehensive Plan to not allow the apartments.

Mr. Barlow stated the development plan complies with the zoning ordinance and aligns with the Comprehensive Plan. He stated 6 apartments per building is an antiquated way to build apartments. He stated more apartments per building and less buildings are the way to build.

Commissioner Adair stated during workshop the elevation of the apartments was discussed. She requested to see the elevation. Mr. Barlow explained the concept plan for the development.

Commissioner Jessie questioned that during workshop something was mentioned about trees. He requested a status of that. John Barlow stated all utilities will be in the front yard and trees will not be disturbed.

A resident stated that The Marq apartments look better than the apartments in the picture.

Chris Hoskins, representing the applicant, stated that they request approval based upon staff's recommendation.

Commissioner Jessie questioned if other suggestions could be made. Mr. Perkins stated that if the application was denied then suggestions could be made of what is suitable for the area.

Commissioner Green questioned if the connectivity was already approved. Mr. Perkins stated that it was approved in October. Mr. Fleming stated it is still part of this overall development plan.

Mr. Shirley stated that this development meets the requirements that require connectivity.

Commissioner Singer questioned what would happen if the Planning Commission approved without the connectivity. Mr. Shirley stated that it would trigger a new application and review by the TRC committee. Mr. Fleming stated that the development plan has not been reviewed for not having connectivity.

Mr. Fleming stated that a PUD does have the flexibility to set reasonable conditions of approval if the Planning Commission so wishes.

Commissioner Jessie questioned if the height of the building could be changed. Mr. Fleming stated that in the R-2 zone a 2-story building is by right, but that height can be increased by one foot by every extra foot in the setback. Mr. Fleming suggested taking a vote on the height.

Mr. Perkins also noted these are not variances, they are waivers as P.U.D.

Mr. Perkins stated that voting on the application but saying no to 3-story apartments is a no to the application. He stated that the developer could reapply with a 2-story apartment plan and it would be ministerial action by staff unless the developer requested any waivers.

Commissioner Jessie questioned if the application would come back for final development approval with a rendering of the design. Mr. Shirley stated we do not have a design standard like some cities require.

Commissioner Jessie questioned how many more buildings there would be if the buildings were only 2-story. It was stated that there would be 7 buildings instead of 4 buildings.

Commissioner Singer that the Planning Commission hears frequently about preserving farmland. She stated one way of preserving farmland is building up and not out.

Andrea Galvin, 145 McClelland Springs Drive, questioned if the applicant can spread out the buildings even though the single-family area has been approved. Mr. Fleming stated that any changes would have to be heard by the Planning Commission again.

Ms. Galvin stated that The Marq apartments were built first before the single-family homes.

Mr. Wagner questioned the number of open apartments in Georgetown currently. It was said that according to a housing needs assessment a few months prior there is a waiting list for availability.

A resident reiterated that the main concern is allowing apartments, not the connectivity.

A resident stated that in October it was decided for the applicant to go back and look at 2-story apartments. He stated the neighborhood does not want any apartments.

Patrick Good, 104 Clear Springs Drive, stated that his car was hit parked on Clear Springs Drive. He stated the road is too narrow.

Mr. Krebs stated Clear Springs Drive is 26 feet wide and parking is only allowed on one side.

After further discussion, **Motion by Jessie, second by Green, to deny PDP-2025-45 due to traffic on US 62 is already substandard, the state has no plans for upgrading US 62, we have other streets that have been planned for upgrades for years without improvements being made, and the three story apartments alter the character of the neighborhood. The motion to deny 5 – 3 with Garrett, Singer, and Vest dissenting.**

Other Business

Approval of 2026 Application Meeting Schedule Deadlines

Mr. Fleming stated that the first meeting in January 2026 has an overlap with the Board of Adjustment. He stated if the schedule is large, staff would find another venue for the Board of Adjustment meeting.

Motion by Singer, second by Canfield to approve the 2026 Application Meeting Schedule Deadlines. Motion carried unanimously.

Mr. Fleming stated that staff have put out bid packages for the yearly audit. He stated so far, the current auditor is the only firm that has responded.

Chairman Mifflin adjourned the meeting.

Attest:

Charlie Mifflin, Chairman

Charlie Perkins, Secretary

WOODLAND PARK - PHASE 3 PDP 2025-67 & PSP-2025-68

Staff Report to the Georgetown-Scott County Planning Commission
January 8, 2026

FILE NUMBER: **PDP 2025-67**
& PSP-2025-68

PROPOSAL:

- (1) Preliminary Development Plan and Plat for a mixed residential development consisting of single-family detached homes, townhomes, apartments, and a community center
- (2) Preliminary Subdivision Plat for 91 single-family detached residential, 4 multi-family residential, 1 community center, 4 open space and 2 floodplain lots

LOCATION: 1341 Cincinnati Road
(164-10-022.000)

**OWNER &
APPLICANT:** Urban Groupe Dev 1, LLC
with Richard Murphy

CONSULTANT: Rich Design, Kevin Rich

STATISTICS:

Total Site Acreage:	68.67 acres
Zone:	R-2 PUD (Medium-Density Residential) C-1 (Conservation)
Surrounding Zone:	A-1, R-1C PUD, & C-1
Description of Development:	Mixed-Housing Residential Neighborhood with Community Center
Proposed Development	Ten (10) 24-unit Apartment Buildings [240]
[Total]:	Seven (7) 2-to-4-unit North Townhome Buildings [22] Sixteen (16) 2-unit South Townhome Buildings [32] Ninety-One (91) Single-Family Detached [91] [385 Dwelling Units]



Density:	5.61 DU/ac (Gross); 9.26 DU/ac (Net)
PUD Requests:	<ol style="list-style-type: none"> 1. Single-Family Lot Width, Setbacks, & Area 2. Multi-Family Apartments & Townhomes Setbacks 3. Multi-Family Apartments Building Height (2 stories and 30 feet to 3 stories and 40 feet) 4. Multi-Family Apartments Units per Building (6 to 24) 5. Landscape Buffering for Agricultural & Housing Type Difference

BACKGROUND:

The Woodland Park neighborhood is at the northern-most edge of the City of Georgetown and adjoins the Anne Mason – Royal Spring school campus. The property was a 122.2-acre farm which was rezoned in 2017 from A-1 to R-1C PUD and C-1. The Project Site is identified as Woodland Park Phase 3 and is a 68.67-acre R-2 PUD and C-1 zoned tract located east of Phases 1 and 2 of the Woodland Park neighborhood and west of the Norfolk-Southern Railway.

In July 2025, the Planning Commission recommended in favor of a Zoning Map Amendment for the rezoning of the Phase 3 area from R-1C PUD to R-2 PUD and C-1. The application was reviewed pursuant to state statute (KRS 100.211 et. seq.) and an administratively complete record for the application was sent to the City of Georgetown. Pursuant to all applicable regulations, the recommendation of the Planning Commission was finalized in October 2025.

Access is solely from Cincinnati Pike. Properties along Cincinnati Pike are primarily residential in character, with non-annexed residential parcels ranging from 1 acre to over 5 acres. Lots in the Woodland Park Phase 1 and 2 sections were approved in 2018. The current number of units in Woodland Park Phases 1 and 2 is 224 single-family detached residential units.

There are utilities available for the property and urban residential land uses on the property from one direction. There are existing connections to Star Gazer Drive, Rattler Lane, and Birdseye Boulevard, the latter two of which connect to Cincinnati Pike.

SITE PLAN REVIEW:

Access & Circulation

Primary access to the site is provided by the extension of Birdseye Boulevard, Rattler Lane, and Star Gazer Drive. Birdseye Boulevard is platted as a 33-foot-wide road (60-foot right-of-way (ROW)) with no on-street parking, Rattler Lane is a 33-foot-wide road (53-foot ROW) with on-street parking on one side, and Star Gazer Drive is a 29-foot-wide road (50-foot ROW) with on-street parking on one side. Per the *Subdivision & Development Regulations*, Article X, 1000, A, 3:

"Traffic from higher intensity residential uses shall not pass through lower intensity residential uses, except where the road is classified or designed as a collector or greater."

The *Subdivision & Development Regulations* identify that roads measuring at least 32-foot-wide with at least 60 feet of road ROW shall be considered a collector road. Both Birdseye Boulevard and Rattler Lane meet this requirement for both pavement width and ROW and are therefore sized to handle future phases of development per the adopted regulations.

The proposed plan indicates that the all three west-to-east transversing roads will be extended to serve Phase 3 at their current widths. A new road is proposed to serve lots 58 through 82 measuring 26-foot-wide which meets the appropriate regulations for road width and construction. A street crossing in the

northeastern portion of the site crosses the floodplain and will require compliance with all local, state, and federal floodplain permitting requirements. The cul-de-sac configuration in this area will require further review to ensure fire apparatus maneuverability. Staff recommends a condition of approval that the subdivision plat return to the Technical Review Committee for review of roadway proposals and lot accessibility.

Private drives are proposed to serve the multi-family apartments and south townhomes. Commercial-style entrance and driveways, continuous sidewalks, and detectable warnings will be required at entrances serving the apartment complex, townhomes, and community center.

Traffic Impact Study

A traffic impact study was performed as part of the zoning map amendment reviewed in July 2025. It is essential to understand that the issue and discussion of traffic impact has already been reviewed and analyzed as part of the zoning map amendment.

The following section is an excerpt from the zoning map amendment staff report, dated July 11, 2025.

Zoning Map Amendment Report Excerpt Regarding the Traffic Impact Study

The traffic study calculated the Project Site's trip generation based upon the three housing types proposed using the Institute of Transportation Engineers (ITE) 11th edition Trip Generation manual. In total, the study states that Phase 3 of Woodland Park would generate 187 AM peak hour trips, 243 PM peak hour trips, and 2,864.53 average daily trips. If the site were proposed to be developed differently than the Concept Plan or redeveloped, staff would request an updated Traffic Impact Study.

Woodland Park - All Phases & Housing Types						
	2017	2025 Current Conditions	2025 R-2 PUD ZMA Change	Total (2025 Current + 2025 Request)	Difference (2017 to 2025)	Percent Difference
Unit Count	683	224	385	609	-74	-10.83%
AM	395.36	168	187	355	-40.36	-10.21%
PM	499.56	224	243	467	-32.56	-6.52%
Avg. Daily Trips	5,103.91	2,132.48	2,864.53	4,997.01	-106.9	-2.09%

The traffic study draws two conclusions. First, at full build out, there would be impacts at the two intersections (Birdseye and Rattler) onto Cincinnati Pike, but the increase in delay would be minimal. Second, while improvements to Cincinnati Pike or Champion Way are not required to serve the additional development on the property, the intersection's signal timing should be monitored to reduce delays at the intersection during times of peak activity.

Residential Review

Summary

The Preliminary Development Plan represents the implementation of the concept plan presented as a supplemental exhibit associated the zoning map amendment (ZMA-2025-22). The zoning map amendment for Woodland Park Phase 3 conditioned public improvements, environmental preservation, open space area, and diversity of housing types, detailed below:

1. All applicable requirements of the *Zoning Ordinance and Subdivision and Development Regulations*.
2. All areas within the floodplain shall be rezoned to C-1 conservation.

3. The applicant shall be responsible for all offsite road and public water and sewer improvements required to serve the proposed development.
4. The total number of dwelling units for the site area shall not exceed 385 units per the approved concept plan.
5. The Applicant shall provide a minimum usable open space of 10% of the total site area. The usable open space shall be improved and shall include only those amenities that are accessible to all residents and the general public. At least 50% of the usable open space shall be located outside the areas proposed to be rezoned to C-1 Conservation and said usable open space shall be located in the residential zoned areas. A plan for usable open space, including amenities proposed in each area, shall be submitted as part of the Area Master Plan.
6. If the applicant does not progress to Preliminary or Final Development Plat/Plan approval within 3 years of Zoning Map Amendment approval, the approved Concept Plan shall expire and the Planning Commission may initiate a rezoning of the property back to A-1 (Agricultural) or some other appropriate zone.
7. The Applicant shall not exceed 70% of the housing units as one type.

The Preliminary Development Plan proposes a mix of housing types arranged to transition in intensity across the site. Single-family detached lots are located primarily along the northern and southern portions of the site to provide compatibility with adjacent residential and agricultural uses as well as the school campus. Townhomes and apartment buildings are located towards the center and southeast portion of the property, with conservation areas and open space buffering Dry Run Creek and floodplain areas.

Planned Unit Development

Woodland Park Phase 3, as well as the already platted areas of Woodland Park Phases 1 and 2, is a planned development project, otherwise known as a planned unit development (PUD). PUDs are flexible, non-Euclidean zoning mechanisms which promote the creation of open spaces, mixed-use housing and land-uses, environmental protection, and development flexibility. While the uses and density of development shall comply with the regulations set forth in the associated base zone (i.e. R-2), the way the uses are constructed and interact with one another is allowed additional options to create unique neighborhoods and communities.

The proposed plan has an overall density 9.26 dwelling units per net acre of development, which is less than the standard 12 dwelling units per net acre set forth in the R-2 Medium Density Residential zone. The *Zoning Ordinance* Section 4.33 lists the following permitted uses in the R-2 District.

- A. Single-Family Dwellings
- B. Duplexes & Multi-Family Dwellings with a maximum of six (6) dwelling units per building and 12 units per net acre.
- C. Planned development projects for residential use only. The procedure under Section 2.32 shall be followed.

All uses proposed in the preliminary development plan are within the permitted uses in the R-2 Medium Density Residential district.

Pursuant to the *Zoning Ordinance*, a planned-development project may depart from literal conformance with individual lot dimension and area regulations. There are several waivers associated with the request, which have been listed below by housing type.

Single-Family Detached	Multi-Family Townhomes	Multi-Family Apartment
<ol style="list-style-type: none"> 1. Lot width from 70-foot-wide to 55-foot-wide. 2. Lot area from 7,500 square feet to 6,000 square feet. 3. Front yard setbacks from 30 feet to 25 feet for single-frontage lots, and from 30 feet to 20 feet for double-frontage lots where the driveway is on the other road. 4. Rear yard setbacks from 25 feet to 20 feet. 5. Agricultural buffer width from 50 feet to 15 feet and required tree planting location from 35 feet from property line to 15 feet from property line. 	<ol style="list-style-type: none"> 1. Front yard setbacks from 30 feet to 25 feet for single-frontage lots, and from 30 feet to 20 feet for double-frontage lots which do not access the other road. 2. Rear yard setbacks from 25 feet to 20 feet. 3. Agricultural buffer width from 50 feet to 15 feet and required tree planting location from 35 feet from property line to 15 feet from property line (south townhomes). 	<ol style="list-style-type: none"> 1. Front yard setbacks from 30 feet to 25 feet for single-frontage lots, and from 30 feet to 20 feet for double-frontage lots which do not access the other road. 2. Rear yard setbacks from 25 feet to 20 feet. 3. Number of units per building from 6 per building to 24 per building 4. Number of building stories from 2-stories to 3-stories.

When considering waiver requests, Staff evaluated the requests by existing conditions, area context, compliance with the ZMA conditions, local and state development patterns, and comprehensive plan guidelines. Staff analysis, waiver review, and overall recommendations are organized by housing type.

Single-Family Detached

The plan proposes 91 single-family detached lots on approximately 18.39 acres. The ratio of single-family detached residential housing type in Phase 3 is 23.6%. When considering the larger neighborhood (Phases 1, 2, and 3), the ratio of single-family detached residential housing options is 51.6%. Despite increase of the housing type, the residential character will still be primarily single-family detached residential. Nine (9) lots are located along the south boundary adjoining the school campus and the entirety of the north boundary is single-family detached residences.

The Applicant requests waivers to lot widths, lot sizes, and setbacks identical to those approved and subsequently platted in Woodland Park Phase 1 and 2 (PSP-2018-05). The Applicant requests the waivers to align with previous phases of the subdivision, thus creating a cohesive neighborhood design. The Applicant has demonstrated that residences can fit and function on the lots in light of the reduction in lot width, and as such, staff recommends that the waiver be approved.

North Townhomes

The north townhome area consists of 22 two-bedroom units on 2.32 acres. The ratio of single-family attached residential housing type in Phase 3 is 5.7% for the north townhome area only, and 14.0% when considering both townhome areas. When considering the larger neighborhood (Phases 1, 2, and 3), the ratio of single-family attached residential housing options is 17.5%. The number of units per building,

building height and number of stories, and lot coverage meets the requirements for the R-2 zoning district.

Waivers requested include a front yard reduction from 30 feet to 25 feet facing the accessing roadway and from 30 feet to 20 feet for the non-accessing double-frontage roadway and a rear yard reduction from 25 feet to 20 feet. The setback reductions would allow for consistent distance from sidewalk to building frontage for both the single-family detached Phase 1, 2, and 3 residences and single-family attached residences, allowing for design cohesion with the larger neighborhood. Staff concludes that the three waivers are appropriate for the planned unit development project based upon the existing conditions, area context, and local development pattern.

Each unit is served by a one-car garage and individual driveway, which, per the *Subdivision & Development Regulations*, can be credited as two off-street parking spaces. The ratio of required off-street parking is 2.5 spaces per each 2-bedroom unit, equivalent to 55 parking spaces. The proposed north townhome development area has a deficit of 11 off-street parking spaces as it only accounts for 44 off-street parking spaces. Per the *Subdivision & Development Regulations*, unsubdivided residential developments such as townhomes shall not have on-street parking, so the final development plan will need to address this discrepancy.

Given that the North Townhome development area is not shown to have shared parking, vehicular use area screening and interior landscape area requirements are not applicable.

South Townhomes

The south townhome area consists of 32 three-bedroom units on 3.89 acres. The ratio of single-family attached residential housing type in Phase 3 is 8.3% for the south townhome area only, and 14.0% when considering both townhome areas. When considering the larger neighborhood (Phases 1, 2, and 3), the ratio of single-family attached residential housing options is 17.5%. The number of units per building, building height and number of stories, and lot coverage meets the requirements for the R-2 zoning district. Two area located east of south townhome units 7-10 and north of units 15-18 has been identified as a possible stormwater management area. The identified area is partially located in the floodplain and additional permitting and design requirements shall apply to this area.

Waivers requested include a front yard reduction from 30 feet to 25 feet facing the accessing roadway, a rear yard reduction from 25 feet to 20 feet, and to the agricultural buffering requirements. Analysis and review of the waiver related to agricultural buffering can be found in the landscape review section below. The setback reductions would allow for consistent distance from sidewalk to building frontage for both the single-family detached Phase 1, 2, and 3 residences and single-family attached residences, allowing for design cohesion with the larger neighborhood. Staff concludes that the two setback waivers are appropriate for the planned unit development project based upon the existing conditions, area context, and local development pattern.

A shared private parking area with vehicle circulation is depicted for the South Townhome development area. The ratio of required off-street parking is 2.5 spaces per each 3-bedroom unit, equivalent to 80 parking spaces. The proposed south townhome development area has a deficit of 5 off-street parking spaces as it only accounts for 75 off-street parking spaces. Per the *Subdivision & Development Regulations*, unsubdivided residential developments such as townhomes shall not have on-street parking, so the final development plan will need to address this discrepancy.

Given that the South Townhome development area is shown to have shared parking, vehicle use area screening and interior landscape area requirements are applicable. Analysis and review of the vehicular use area and interior landscape area requirements can be found in the landscape review section below.

In the South Townhome development area, the Applicant shows an estimated 0.3-acre area located central to the area which is not credited as open space. The landscape plan for the area does not indicate the preservation nor planting of new trees for the tree canopy requirement. This centrally located area is not identified as stormwater management, karst, or any other designation which would make it unsuited to be credited as usable open space. However, per the zoning map amendment conditions of approval, to credit the area as usable open space, it shall be improved and made accessible to all residents and the general public. There is no requirement precluding having private, unimproved open areas in sections of this development, just that any areas cannot be credited for the 10% usable open space requirement in the zone change conditions of approval.

Apartment Complex

Multi-family development is a permitted, by-right use in the R-2 zoning district, when limited to 6 dwelling units per building. The complex proposed in the preliminary development plan consists of 10 buildings totaling 240 units on 9.10 acres. The unit mix includes 80 one-bedroom units and 160 two-bedroom units. The ratio of apartments in Phase 3 is 62.3%. When considering the larger neighborhood (Phases 1, 2, and 3), the ratio of apartments is 39.4%. The coverage meets the requirements for the R-2 zoning district.

Because a planned-development project is inherently more complex than individual lot development and because each such project must be tailored to the topography and neighboring uses, the standards for such projects should be flexible. Waivers requested include a front yard reduction from 30 feet to 25 feet facing the accessing roadway and from 30 feet to 20 feet for the non-accessing double-frontage roadway, a rear yard reduction from 25 feet to 20 feet, building height from 30 feet to 40 feet and the number of dwelling units per building from 6 to 24. The setback reductions would allow for consistent distance from sidewalk to building frontage for both the single-family detached Phase 1, 2, and 3 residences and apartment residences, allowing for design cohesion with the larger neighborhood.

Per the *Schedule of Dimension Area Regulations*, building height is restricted to two stories in the R-2 zone. While there is a footnote that allows for increased building height in the R-2 contingent upon increased side yard setbacks, as a triple-frontage lot, there is no side yard and therefore no associated setback which would be required to be increased per this regulation. However, the west and south setbacks are well in excess of the minimum setback required which is determined to meet the spirit and intent of the regulation.

Furthermore, the applicant has submitted the three-story building as a PUD waiver pursuant to Section 2.32 which states that "*A planned-development project may depart from literal conformance with the individual lot dimension and area regulations.*" Three story apartments are not an uncommon design style in Georgetown and elsewhere. Such practice would enable the applicant to build up instead of out which facilitates an efficient use of land and the conservation of areas for open space and other features; this is particularly apparent in regard to this application, as the "building up" of the apartments rather than "building out" enables features such as the community center.

The second waiver pertaining to the development plan specifically also regards the number of dwelling units in an apartment building. The R-2 zone restricts multi-family structures to 6 units per building. It is uncommon to see larger scale apartment structures proposed in the R-2 zone make this request due to

these restrictions as well as density limitations. As part of a PUD and in the interest of making a diverse selection of housing types available within the development, staff supports allowing a maximum of 24 units per building to facilitate the construction of traditional style apartments. This allowance will not negatively impact the overall density of the development as the net density proposed is 9.26 DU per acre (12 units per acre is the R-2 zone maximum).

A shared private parking area with vehicle circulation is depicted for the Apartment development area. The ratio of required off-street parking is 1.5 spaces per each of the 60 1-bedroom unit (120 spaces) and 2.5 space per each of the 120 2-bedroom units (400 spaces), equivalent to 520 parking spaces. The proposed Apartment development area has a deficit of 80 off-street parking spaces as it only accounts for 440 off-street parking spaces. Per the *Subdivision & Development Regulations*, unsubdivided residential developments such as townhomes shall not have on-street parking, so the final development plan will need to address this discrepancy.

Given that the Apartment development area is shown to have shared parking, vehicle use area screening and interior landscape area requirements are applicable. Analysis and review of the vehicular use area and interior landscape area requirements can be found in the landscape review section below.

In the Apartment development area, the Applicant shows an estimated 0.6-acre area located central to the area which is not credited as open space. The landscape plan for the area does not indicate the preservation but planting of several new trees for the tree canopy requirement. This centrally located area is not identified as stormwater management, karst, or any other designation which would make it unsuited to be credited as usable open space. However, per the zoning map amendment conditions of approval, to credit the area as usable open space, it shall be improved and made accessible to all residents and the general public. There is no requirement precluding having private, unimproved open areas in sections of this development, just that any areas cannot be credited for the 10% usable open space requirement in the zone change conditions of approval.

Open Space

The preliminary development plan shows three credited open space areas, one central to the north townhomes, one east of the floodplain, and the community center parcel, totaling 7.14 acres or 10.6% of the Phase 3 site area.

Trail Connection & Park Open Space 1

The preliminary development plan shows the construction of a trail through the C-1 area to an measuring 2.76 acres area outside of the floodplain but prior to the eastern-most property line. A stream crossing permit is required for the trail and low-flow crossing of the creek. Staff recommends requiring the trail construction be completed at the time when Birdseye Boulevard intersects with either Stargazer Drive or Rattler Lane. Clear pathways to the trail should be installed and extended to guide residents of Phases 1, 2, and 3 to the trailhead at the community center. This would offer residents multiple options for utilizing the open space required for the total site area development. The exact location can be determined at the time of Final Subdivision Plat approval.

Park Open Space 2

In the North Townhome development area, the Applicant shows a 0.73-acre open space area located central to the area. The landscape plan for the area includes the preservation of all existing trees in the lot area as well as the planting of three additional trees along Birdseye Boulevard. This centrally located area is not identified as stormwater management, karst, or any other designation which would make it

unsuited to be credited as usable open space. As such, Staff determines that the open space meets the intent of the zoning map amendment conditions of approval.

Community Center

Along the west side of the C-1 zoned area, the Applicant shows a 3.65-acre site with a community center facility. The community center offers a unique opportunity for the residents of the neighborhood as no other neighborhoods in Georgetown have been constructed with a separate communal space in several years.

At the time of preliminary development plan submittal for the neighborhood, the details of the community center have not been finalized. As such, a minor development plan shall be submitted to the Planning Commission for the community center. Pursuant to the conditions of approval for the zoning map amendment, to count as open space, access to the community center shall at least be available for all residents of the Woodland Park neighborhood, including all apartments, townhomes, and single-family residence owners and renters. The community center shall be constructed and a certificate of occupancy applied for at or before the point that two-thirds of the apartment units have received their certificate of occupancy.

Multi-Use Trail

The northern sidewalk along Birdseye Boulevard has an expanded width (8 feet wide versus the typical 4 feet wide) for the length of Phases 1 and 2. The expanded width should at least continue to the eastern terminus of Birdseye Boulevard at the community center parcel.

Landscape & Land Use Buffers

Section 6.12: Property Perimeter Requirements

Multiple property perimeter landscape areas are required as part of this development.

- The Landscape & Land Use Buffers Ordinance requires a 20-foot-wide buffer area for double-frontage residential properties, and for those areas to be populated with 1 medium or large tree per 30 feet of linear boundary plus planting of 6-foot-tall continuous buffer. This regulation is applicable to the apartment development area along Birdseye Boulevard. The preliminary landscape plan does not meet these requirements as the continuous buffer is not shown, and the final landscape plan will need to address this deficit.
- The Landscape & Land Use Buffers Ordinance requires a 10-foot-wide buffer area for multi-family residential zones developed for three (or greater) family occupancy adjoining a single-family zone, and for those areas to be populated with 1 small, medium, or large tree per 40 feet of linear boundary plus planting of a 6-foot-tall continuous buffer. This regulation is applicable to the apartment development area along the west boundary. The preliminary landscape plan does meet these requirements.

Section 6.14: Agricultural Buffering Requirements

The *Landscape & Land Use Buffers Ordinance* requires a 50-foot-wide buffer area along the property perimeter landscaping for all residential zones which adjoin agricultural zones, and for those areas to be populated with 1 large tree per 40 feet of linear boundary planted 35 feet from the property line. In addition, the *Ordinance* also requires the installation of a minimum 6-foot-tall diamond mesh wire or equivalent no-climb wire fence along the property boundaries. The Project Site adjoins A-1 Agricultural properties to the north and south. The Applicant requests relief from both the width and tree planting location along a portion of the north boundary and the entirety of the south boundary.

Both the north and south property boundaries will possess perimeter fencing in pursuance to the requirements of the ordinance. The requested waiver pertains specifically to the vegetation buffer for these boundaries.

The A-1 parcel to the south is the site of a school, which is not an active agricultural use as defined by section 2.1 of the *Zoning Ordinance*. The Applicant has requested a full waiver of this requirement to the south, specifically for lots 83 through 91 and 94. While staff notes that protecting future agricultural uses is critical to the community, because this lot to the south does not currently fall under an agricultural use, Staff concludes that relief from this requirement is appropriate.

The north property line is more complex in the sense that it is an active agricultural use however the previous phases of the development were not required to incorporate the same setback and tree planting requirement to the extent which the current *Landscape & Land Use Buffers Ordinance* requires. The deviation from the standard is similarly more complex, as it does not entail a full waiver from the required boundary buffer.

- For lots 37 through 48, the Applicant requests a continuation of previously approved buffering and planting requirements as noted on the PSP-2018-05 plats, or a 15-foot-wide buffer populated with 1 large tree per 40 feet of linear boundary plus a 3-foot-tall buffer and 6-foot-tall no-climb fence along the property boundary.
- For lots 49 through 51, the Applicant requests a gradually increasing landscape boundary width but requests to locate the required trees along the edge of the required stream protection buffer, or 25 feet from the centerline of a significant stream (riparian buffer). The property perimeter 6-foot-tall climb fence would be located along the north property boundary.
- For lots 52 through 57 and 100, the Applicant satisfies the landscape buffer width requirement, but requests to locate the required trees along the edge of the required stream protection buffer, or 25 feet from the centerline of a significant stream (riparian buffer). The property perimeter 6-foot-tall climb fence would be located along the north property boundary.
- The Applicant does not request a waiver to the landscape buffer requirement for lots 67 through 74.

Staff returns to Section 2.32.I.C of the *Zoning Ordinance*: “*the Planning Commission may allow reductions in these requirements if the developer can satisfactorily prove that large scale development may permit such reductions without destroying the intent of these regulations.*” Staff finds that the waiver pertaining to agricultural buffer requirements does not *destroy the intent of regulations* for two primary reasons:

1. The property to the south does not fall under active agricultural use as defined by the *Ordinance*, and the proposed fence remains as an effective shield between the two uses.
2. The proposed reduction of the minimum requirement to the north, does not fully circumvent the standard, it merely reduces the minimum. Similarly, the proposed fence to the north boundary shields any future uses.

In the interest of alignment with the intent of the *Landscape & Land Use Buffers Ordinance* and its goal of protecting A-1 Agricultural zoned parcels and agricultural uses along the Urban Services Boundary through strategic plantings and fencing while balancing it with existing development patterns in the neighborhood, staff recommends in favor of granting the waiver to the requirements and several conditions of approval regarding the required agricultural protection buffering requirements.

Section 6.13: Vehicular Use Area Perimeter Requirements

Multiple vehicular perimeter landscape areas are required as part of this development.

- The *Landscape & Land Use Buffers Ordinance* requires a 3 to 5-foot-wide buffer area between a vehicular use area (VUA) and either any property in any zone, and for those areas to be populated with 1 small, medium or large tree per 40 feet of linear boundary plus a 3-foot-tall continuous buffer. The applicable locations are along the west boundary of the apartment parking lot and the north and south boundary of the community center parking lot. The preliminary landscape plan does not meet these requirements as the continuous buffer is not shown, and the final landscape plan will need to address this deficit.
- The *Landscape & Land Use Buffers Ordinance* requires a 3 to 5-foot-wide buffer area between a vehicular use area (VUA) and an adjoining public or private street, right-of-way, access road or service road (6.13.2), and for those areas to be populated with 1 medium or large tree per 40 feet of linear boundary plus a 3-foot-tall continuous buffer. The applicable locations are the south and east boundary of the apartment parking lot, the west boundary of the south townhome parking lot, and the west boundary of the community center parking lot. The preliminary landscape plan does meet these requirements.

In the area where the VUA perimeter and property perimeter landscaping requirements overlap along the northeast property line, the more stringent of the two regulations shall be applied which means in this area property perimeter would be required. The preliminary landscape plan does not meet these requirements, and the final landscape plan will need to address this deficit.

Section 6.22: Interior Landscaping for Vehicular Use Areas

The *Landscape & Land Use Buffers Ordinance* requires for open VUAs of 6,000 SF area (or greater) interior landscaped area (ILA) 10% the size of the VUA and for those areas to be populated with 1 tree per 250 square feet of interior landscaped area.

- The north townhome development area does not require ILA; however, the south townhome development area does require ILA. The south townhome area shows 33,100 SF of VUA, requiring at least 3,310 SF of ILA and 14 trees. The landscape plan shows 4,305 SF of ILA and 17 ILA trees in the south townhome area which meets the requirement.
- The apartment area shows 149,670 SF of VUA, requiring at least 14,967 SF of ILA and 60 ILA trees. The landscape plan shows 15,721 SF of ILA and 60 ILA trees in the apartment area which meets the requirement.
- The community center shows 25,307 SF of VUA, requiring at least 2,531 SF of VUA and 11 ILA trees. The landscape plan shows 2,774 SF of ILA and 10 ILA trees in the community center area, so one additional ILA tree is required to satisfy the regulations.

Section 6.2215: Minimum Canopy Requirements

Total, post development, tree canopy requirements are on a stepped scale depending on the land use and volume of tree canopy preserved through development. For the purposes of analysis of the minimum tree canopy requirements, the canopy requirements have been split into the single-family detached area and the multi-family (single-family attached/townhome and apartment) and community center area.

- Approximately 2.4% (0.61 acres, or 26,571 SF) of tree canopy are shown to be preserved in the 25.76 acres defined as single-family detached areas. Per the *Ordinance*, an additional 12% of new tree canopy must be planted, resulting in a minimum total tree canopy of 14% of the single-family detached area (equivalent to 157,094 SF or 3.6 acres of canopy). The landscape plan shows, through the required agricultural buffers requirement and the planting of 121 "lot trees" 10 feet from road ROW, that at least 160,821 SF (3.69 acres) of canopy is proposed, or a total tree canopy coverage of 14.3%.
- Approximately 20.74% (8.87 acres, or 386,377 SF) of tree canopy are shown to be preserved in the 42.91 acres defined as the single-family attached (townhome), apartments, and community center area. Per the *Ordinance*, no additional tree canopy is required outside of that which is necessary to satisfy the property perimeter, vehicular use area perimeter, and interior landscape area required plantings. The landscape plan shows, through the culmination of all requirements, that the area in question will have at least 493,627 SF (11.33 acres) of canopy is proposed, or a total tree canopy coverage of 26.4%.

Concluding Comments

The *Zoning Ordinance* states that a planned development project or planned unit development may depart from literal conformance with individual lot dimensions and area regulations if the developer can satisfactorily prove that the waivers requested do not diminish the intent of these regulations. All uses proposed in Woodland Park Phase 3 are permitted by right. Staff finds that the application follows the zoning map amendment submitted concept plan and satisfies its' zoning map amendment's conditions of approval. After thorough review of the preliminary development plan and subdivision plat, Staff finds that the application for mixed housing type development meets the requirements set forth in the adopted regulations for planned unit developments and recommends in favor of the preliminary and development plan and subdivision plat subject to the findings, waivers, and conditions of approval below.

FINDINGS

1. Staff finds that the Preliminary Development Plan for Woodland Park Phase 3 is consistent with the approved R-2 PUD zoning and the Concept Plan approved by the Planning Commission on July 10, 2025. The proposed mix of housing types, including single-family detached homes, townhomes, and multi-family apartments provides a range of residential options and is compatible with the surrounding development pattern within Woodland Park Phases 1 and 2, while providing appropriate transitions to adjacent properties.
2. Staff finds that the total number of dwelling units, building coverage, and overall site density comply with the maximum density permitted in the R-2 zoning district, with a proposed net residential density of 9.26 units per acre, which is below the 12 units per acre maximum. The requested PUD waivers related to apartment building height and the number of units per building

are consistent with the intent of the PUD process and do not negatively impact overall density, site layout, or compatibility, provided that all required setbacks, open space, and buffering requirements are met.

3. Staff finds that the development provides 7.14 acres of open space, exceeding the minimum ten percent requirement for PUD as set forth in the zoning map amendment, and that the proposed open space network, including designated open space lots, greenways, and conservation areas, supports the goals of the adopted Comprehensive Plan. The areas within the floodplain and along Dry Run Creek are appropriately designated as C-1 Conservation and that development within or adjacent to these areas will be subject to applicable floodplain regulations and permitting requirements.
4. Staff finds that property perimeter buffers, vehicle use area landscaping, interior landscaping areas, and tree canopy coverage are generally shown on the plans and can be reviewed for full compliance with the Landscape and Land Use Buffer Ordinance at the Final Development Plan stage.
5. Staff finds that stormwater management, utility service, and fire protection can be adequately provided to serve the proposed development, subject to approval by the appropriate agencies and compliance with all Technical Review Committee comments.
6. Staff finds that as per Technical Review Committee comments related to subdivision layout, floodplain crossings, landscaping details, utilities, and fire access must be addressed prior to Final Development Plan approval.

PRELIMINARY DEVELOPMENT PLAN RECOMMENDATION

Staff recommends **Approval** of the Woodland Park Phase 3 Preliminary Development Plan for a mixed residential development consisting of single-family detached homes, townhomes, apartments, a community center and open space, with the following waivers and conditions of approval:

Planned Unit Development Waivers:

1. Increase the maximum number of units per multi-family (apartment) building from 6 to 24.
2. Increase the maximum height and number of stories per multi-family (apartment) building from 2 stories to 3 stories.
3. Alter the front yard setback for multi-family (apartment, north and south townhome) buildings from 30 feet to 25 feet for single-frontage lots, and from 30 feet to 20 feet for double-frontage lots which do not have direct access onto the road in question.
4. Reduce the rear yard setback for multi-family (apartment, north and south townhome) buildings from 25 feet to 20 feet.
5. Modify the agricultural buffer width and planting location for single-family detached lots 37-48, 49-51, 52-57, and 83-91, open space lot 100 and townhome lot 94 pursuant to the conditions below.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance, Subdivision and Development Regulations, and Landscape & Land Use Buffers Ordinance*.

2. All conditions of approval from ZMA-2025-22 and PSP-2025-68.
3. The applicant shall be responsible for all offsite road and public water and sewer improvements required to serve the proposed development.
4. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
5. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the Subdivision and Development Regulations.
6. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff.
7. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
8. The final development plan shall satisfy all requirements of the Georgetown Fire Department and all other area service providers.
9. The final development plan shall satisfy all requirements of the utility providers.
10. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual including a post-construction stormwater management BMP O&M agreement.
11. A photometric plan shall be submitted and approved as part of the Final Development Plan. The Applicant shall direct lighting away from adjoining property and not have any off-site impact.
12. The Applicant shall apply for and receive all permits related to the stormwater management areas in the floodplain, low-flow crossing and road for lots #67 through #74.
13. A species-specific landscape plan shall be included with the Final Development Plan indicating all trees to be preserved during construction.
14. Single-family detached lots #37 through #48 and #83 through #91 and south townhome lot #94 (or equivalent) shall have a minimum 15-foot-wide agricultural-residential buffer with a minimum 6-foot-tall no-climb fence along the property boundary as well as 1 tree per 40 linear feet and 3-foot-tall buffer hedge planting consistent with phase 1 and 2 requirements.
15. Single-family detached lots #49 through #51 (or equivalent) shall have a minimum 6-foot-tall no-climb fence along the property boundary and a variable width agricultural-residential buffer located 25 feet from the centerline of the significant stream (riparian buffer) with 1 tree per 40 linear feet planted along the riparian buffer boundary.
16. Single-family detached lots #52 through #57 and lot #100 (or equivalent) shall have a minimum 6-foot-tall no-climb fence along the property boundary and a 50-foot-wide agricultural buffer. The required planting shall be 1 tree per 40 linear feet located 25 feet from the centerline of the significant stream (riparian buffer boundary).

17. Prior to Final Development Plan approval, the northeastern cul-de-sac shall be reviewed and approved for fire apparatus maneuverability by Planning Commission staff and the Fire Department.
18. All open spaces shall be platted at or before the point that two-thirds of the apartment units have received their certificate of occupancy.
19. Access to the community center shall at least be available for all residents of the Woodland Park neighborhood, including all apartments, townhomes, and single-family residence owners and renters.
20. A minor development plan shall be submitted to the Planning Commission for the community center and Dry Run Creek trail and low-flow crossing.
21. The community center shall apply for a certificate of occupancy at or before the point that two-thirds of the apartment units have received their certificate of occupancy.
22. The Dry Run Creek low-flow crossing shall be permitted, platted, and constructed at or before the point that two-thirds of the apartment units have received their certificate of occupancy.

PRELIMINARY SUBDIVISION PLAT RECOMMENDATION

Staff recommends **Approval** of the Woodland Park Phase 3 Preliminary Subdivision Plat for 91 single-family detached residential lots, 4 multi-family residential lots, 1 community center lot, 4 open space lots and 2 floodplain lots, with the following waivers and conditions of approval:

Planned Unit Development Waivers:

1. Decrease the lot width for single-family detached lots from 70 feet wide to 55 feet wide.
2. Decrease the lot area for single-family detached lots from 7,500 square feet to 6,000 square feet.
3. Alter the front yard setback for single-family detached and multi-family (apartment, north and south townhome) buildings from 30 feet to 25 feet for single-frontage lots, and from 30 feet to 20 feet for double-frontage lots which do not have direct access onto the road in question.
4. Alter the rear yard setback for single-family detached and multi-family (apartment, north and south townhome) buildings from 25 feet to 20 feet.
5. Modify the agricultural buffer width and planting location for single-family detached lots 37-48, 49-51, 52-57, and 83-91, open space lot 100 and townhome lot 94 pursuant to the conditions below.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance, Subdivision and Development Regulations, and Landscape & Land Use Buffers Ordinance*.
2. All conditions of approval from ZMA-2025-22 and PDP-2025-67.
3. The applicant shall be responsible for all offsite road and public water and sewer improvements required to serve the proposed development.

4. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
5. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 406 section A of the Subdivision and Development Regulations.
6. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff.
7. 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 plan.
8. The final subdivision plat shall satisfy all requirements of the Georgetown Fire Department and all other area service providers.
9. The final subdivision plat shall satisfy all requirements of all area utility providers.
10. The Applicant shall apply for and receive all permits related to the stormwater management areas in the floodplain, low-flow crossing and road for lots #67 through #74.
11. All required and preserved plantings and buffering shall be indicated on the Final Subdivision Plat(s), including but not limited to species and location.
12. Single-family detached lots #37 through #48 and #83 through #91 and south townhome lot #94 (or equivalent) shall have a minimum 15-foot-wide agricultural-residential buffer with a minimum 6-foot-tall no-climb fence along the property boundary as well as 1 tree per 40 linear feet and 3-foot-tall buffer hedge planting consistent with phase 1 and 2 requirements.
13. Single-family detached lots #49 through #51 (or equivalent) shall have a minimum 6-foot-tall no-climb fence along the property boundary and a variable width agricultural-residential buffer located 25 feet from the centerline of the significant stream (riparian buffer) with 1 tree per 40 linear feet planted along the riparian buffer boundary.
14. Single-family detached lots #52 through #57 and lot #100 (or equivalent) shall have a minimum 6-foot-tall no-climb fence along the property boundary and a 50-foot-wide agricultural buffer. The required planting shall be 1 tree per 40 linear feet located 25 feet from the centerline of the significant stream (riparian buffer boundary).
15. The Final Subdivision Plat shall return to the Technical Review Committee prior to plat approval.
16. Prior to Final Development Plan approval, the northeastern cul-de-sac shall be reviewed and approved for fire apparatus maneuverability by Planning Commission staff and the Fire Department.
17. All open spaces shall be platted at or before the point that two-thirds of the apartment units have received their certificate of occupancy.

PC MINUTES 07/10/2025

She referred to the density chart for the breakdown of housing types and number of units. She presented the timeline with the shifts in the dwelling types.

She presented the trip generation for commercial and residential from the 2004 traffic study until the 2024 conditions and the proposed in 2025. She stated the proposed residential number of trips decreased from 2004 until presently. She stated overall the higher anticipated number of trips is higher, but it is because of the types of proposed commercial businesses.

She presented the concept plan and the proposed retail locations. She stated staff feels the mixed use would be an appropriate fit for the neighborhood.

She stated the development is under density from the approved concept plan.

She stated staff recommend taking 2 separate votes for the application. She stated the first vote would be to allow or not allow an amendment to the 2004 zone change's concept plan density calculation. She stated second would be a vote to approve or not the amended concept plan.

She stated staff recommends approval of concept plan amendment to change the number of units from 338 to 369.

Nathan Billings, representing applicant, stated his client agrees with the staff report.

Joey Smith, applicant, stated it had been a long process, but he was proud of how the development has turned out.

Steve Brukwicki, 136 Falls Creek Drive, questioned if the traffic study considered the number of trips of people cutting through the subdivision.

After further discussion, Motion by Singer, second by Garrett, to allow a change to the 2004 concept plan based on staff report. Motion carried unanimously.

Motion by Singer, second by Garrett, to approve PDP-2025-19 based on staff report. Motion carried unanimously.

ZMA-2025-22 Woodland Park – Phase 3 – Zoning Map Amendment for 68.67 acres from R-1C PUD (Single Family Residential) to R-2 PUD (Medium Density Residential) and C-1 (Conservation) located at 1341 Cincinnati Pike.

Chairman Mifflin opened the public hearing.

Ms. Ketz stated the applicant is requesting an R-2 area of 50+ acres and C-1 area of 18+ acres. She stated the surrounding zones are A-1, R-1C PUD and C-1.

She stated the applicant is requesting a mixed housing type of development with 385 units using existing roads of Rattler Lane, Star Gazer Drive and Birdseye Boulevard to access Cincinnati Pike.

She stated this would be phase 3 of the development, presently between phases 1 and 2 there are 224 units platted.

She presented the map showing the surrounding areas incorporated into the city. She stated this property was rezoned in 2017.

She stated the applicant is proposing 91 single-family detached, 54 single-family attached, and 240 multi-family apartment units. She stated the area directly east of the community center is proposed open space.

She stated the proposal did include a traffic study. She presented the chart of findings.

She stated landscape requirements have changed since the start of this development. She stated the Agricultural Buffer Ordinance has since been enacted and would apply to this property.

She stated staff feels the rezoning would align with the 2024 Comprehensive Plan and the goals and objectives. She stated if approved staff has 7 conditions of approval.

Chairman Mifflin requested clarification of condition 7.

Dick Murphy, representing the applicant, stated when the development started it was proposed to be all single-family homes. He stated the diversification of housing is needed.

He stated the traffic study is lower now because single-family homes have more trips than townhomes or apartments.

He stated there is more open space than in the original approved plan.

Kevin Rich, Rich Design, stated the community center and open space will be open to all 3 phases of the development.

Chairman Mifflin stated he would love to see a walking trail to the schools for students to use.

Mr. Fleming stated that condition of approval 5 states the minimum of open space that is required.

Mr. Shirley stated the school system is aware of the proposed development.

David Childs, 122 Pinehurst Drive, stated he was nominated to speak about opposition to the development. He stated in 2017 the R-2 zoning was denied and questioned why it is being supported now.

Dennis Frommeyer, Stonehedge HOA President, stated the traffic study is incorrect. He stated the residents are concerned about the traffic.

Mr. Fleming stated there is a different Comprehensive Plan in effect since the original 2017 development. He stated the R-2 zoning was denied in 2017 due to lack in detail of the concept plan.

Shannon True, 102 Pinehurst Drive, stated she works at Scott County High School. She said it takes her 10 to 15 minutes to get home from work.

Diane Zimmerman, traffic engineer, stated she prepared the 2017 and 2025 traffic study. She explained the difference in the calculation is because of the different types of units. She explained the addition of Great Crossing high school has changed the traffic pattern and the same level of service should remain.

A Woodland Park resident questioned if you don't know if the units will be owned or not how you assume who will occupy them. Chairman Mifflin explained stated a 1-bedroom apartment or townhome is less likely to have kids than a 3-bedroom house.

Mr. Murphy explained that traffic data is based on types of housing, not owning or renting.

Alan Showalter, 140 Perseverance Way, stated on average you pay more for an apartment than a single-family home. Commissioner Singer stated she thinks there is more of a shift towards apartments due to the economy.

Sandra Martin, 118 White Owl Way, questioned if there is a range of rental prices. She stated her concern for property values if rentals are added to the development.

Kathy Litton, 123 Pebble Beach Drive, questioned whether the apartments are single level or multi-level. She stated her concern for walking paths to the schools.

Ms. True stated she has been employed at Scott County High School for 20 years. She stated in her time she witnessed kids using the path from the Colony to the school even during times the kids should not have been.

Sherry Greer, 124 Pinehurst Drive, stated she is so glad that others stated their concern for walking paths to the schools.

Chairman Mifflin closed the public hearing.

After further discussion, **Motion by Singer, second by Stone to recommend approval of the rezoning request (ZMA-2025-22) on the basis of the staff recommendation that it complies with the comprehensive plan. Motion carried 4-3 with Vest, Green, and Adair dissenting.**

ZMA-2025-29 Marketplace at Frankfort Pike - Zoning Map Amendment for 0.8 acres and 0.9 acres from A-1 (Agricultural) to B-2 (Highway Commercial) located at 1938 & 2020 Frankfort Road.

Chairman Mifflin opened the public hearing.

Mr. Shirley stated this rezoning is for two parcels adjacent to the Marketplace at Frankfort Pike. He stated the corner parcel was owned by the Commonwealth of Kentucky and served as an office for transportation.

He stated the area was rezoned in 2008 and the preliminary development plan was approved in November 2024. He stated the parcels have not been annexed into the City of Georgetown but adjoin city limits.

He stated a traffic study was conducted as part of the development plan in 2024. He stated the size of the two parcels does not warrant another traffic study.

He stated the western parcel if approved would have to adhere to the Agricultural Buffer Ordinance.

He stated the parcels are shown in the Future Land Use Map as commercial.

Jon Woodall, representing applicant, stated once the Preliminary Development Plan was approved, they realized they had to acquire this property.

Chairman Mifflin closed the public hearing.

Motion by Singer, second by Green to recommend approval of the rezoning request (ZMA-2025-29) on the basis of the staff recommendation that it complies with the comprehensive plan. Motion carried unanimously.

Other Business

Text Amendment ZOTA-2025-03 HB 443 Reformatting Resolution

Chairman Mifflin opened the public hearing.

Mr. Fleming explained after HB 443 was passed this text amendment deals with reformatting and renumbering the ordinance.

He stated 2025-03 is zoning ordinance renumbering and reformatting for HB 443, 2025-04 is PUD regulations, 2025-05 is Zoning Ordinance Article 4 concerning the zones and 2025-06 is Subdivision and Development Regulations renumbering and reformatting for HB 443.

Chairman Mifflin closed the public hearing.

Motion by Vest, second by Garrett to adopt Text Amendment ZOTA-2025-03 HB 443. Motion carried unanimously.

Motion by Green, second by Vest to adopt Text Amendment ZOTA-2025-04 HB 443. Motion carried unanimously.

Motion by Garrett, second by Adair to adopt Text Amendment ZOTA-2025-05 HB 443. Motion carried unanimously.

Motion by Vest, second by Green to adopt Text Amendment ZOTA-2025-06 HB 443. Motion carried unanimously.

Text Amendment RV Park Ordinance

Mr. Fleming explained why the previous RV Ordinance was repealed and why a new RV Ordinance is being drafted.

Ms. Ketz and Mr. Shirley gave further details on the RV Ordinance process.

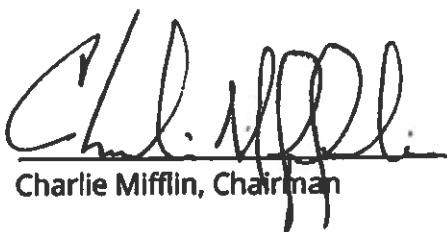
Dick Murphy, representing owner of Bluegrass Experience Resort, stated his concern that his client was not notified about the new ordinance being drafted.

After further discussion, It was decided to request an additional moratorium time from the Fiscal Court to review and engage public discussion of the RV Ordinance.

Chairman Mifflin adjourned the meeting.

Attest:

Charlie Perkins


Charlie Mifflin, Chairman

ADDENDUM TO APPLICATION FOR PRELIMINARY DEVELOPMENT PLAN

The applicant, Urban Groupe Dev 1 LLC, is requesting your approval of the preliminary development plan for Phase 3 of the Woodland Park Subdivision. This property is located in the R-2 (PUD) zone and consists of approximately 68.67 acres at 1341 Cincinnati Pike. (This tract has no direct frontage on Cincinnati Pike; it is located to the east of the first two phases of Woodland Park).

The property is adjacent to and just north of Anne Mason Elementary School and Royal Spring Middle School. It will be a continuation of Woodland Park Subdivision.

Our preliminary development plan follows the conceptual development plan which was included with the recent zone change to the R-2 (PUD) zone. Phase 3 will be a mixture of single-family detached, townhouse-style duplexes and garden apartments. This will allow a greater diversity of housing choice for middle income residents. Phase 3 will include 91 single-family detached houses, 54 townhomes and 10 apartment buildings with 240 units, totaling 385 units. The multi-family portion will be in the middle of the property. Along adjacent properties, we will have single-family residences to the north, C-1 land to the east, and single-family townhomes and/or duplexes to the south, adjacent to the schools.

We are continuing to utilize several variances which were approved in the original plan in 2017-2018. These include the following:

1. Reduction of minimum lot sizes from 7,500 square feet to 6,000 square feet.
2. Reducing the minimum lot width from 60 feet to 55 feet.
3. Reducing setbacks as follows:
 - a. Front yard: reduced from 30 feet to 25 feet.
 - b. Street side yard/front yard for double frontage lots: reduced from 25 feet to 20 feet.
 - c. Rear yard: reduced from 25 feet to 20 feet.

As mentioned above, these reductions were approved in the original consideration of Woodland Park Subdivision. They will allow the lots in Phase 3 to be consistent with the lots previously approved and constructed in Phases 1 and 2.

In addition, we are requesting that the reduction of the 50-foot agricultural buffer requirement to 15 feet along the north property line continue for Lots 37-48. The buffer will be variable (with a minimum of 22 feet) for Lots 49-51. Lots 52-74 have been revised from the conceptual plan and now meet the 50 foot requirement. This reduction in the agricultural buffer area is necessary because Stargazer Drive has already been constructed in accord with the prior plans and we need a transition to bring the buffer area to its full width of 50 feet.

We are also asking to continue the existing reduction of the 50-foot agricultural buffer requirement to 15 feet along the south property boundary for Lots 83-91 and the south townhomes along the common property line with Anne Mason Elementary and Royal Spring Middle schools. As mentioned above, this setback will be consistent with the setbacks previously established in

Phases 1 and 2 along the property line with the schools. The school property, of course, is not being used for agricultural purposes.

Finally, we are requesting two increases in zone requirements relating to the multi-family development. These increases were shown and discussed as part of the zone change and conceptual development plan. First, we are requesting an increase in maximum building height from two stories to three stories. Second, we are requesting an increase from the maximum of six dwelling units per building and twelve units per net acre to 24 dwelling units per building and 12 units per net acre. There will be a drop in elevation from the single-family homes on the west to the multi-family units on the east, in the center of the property. The decrease in elevation will mean that the roofline of the apartments will be similar to the roofline of the homes to the west. Thus, the three-story apartments will not increase the visual impact of the development. The apartments will not be visible from Cincinnati Pike. There will be a significant community and amenity center to the east of the multi-family area.

Thank you for your consideration of this preliminary development plan.

Richard V. Murphy
Richard V. Murphy,
Murphy & Clendenen, PLLC
Attorneys for Applicant

SECOND ADDENDUM TO APPLICATION FOR PRELIMINARY DEVELOPMENT PLAN

The Planning staff has asked us to give further information for the variances which were approved for the entire tract, Phases 1, 2 and 3, in 2018. These variances relate to reduction of the minimum lot sizes from 7,500 square feet to 6,000 square feet, reducing the minimum lot width from 60 feet to 55 feet, and reducing setbacks as follows: front yard: reduced from 30 feet to 25 feet; street side yard/front yard for double frontage lots: reduced from 25 feet to 20 feet; rear yard: reduced from 25 feet to 20 feet.

As mentioned above, these reductions were approved as part of the original consideration of Woodland Park subdivision in 2018. It is important that the look, feel and character of the community remain consistent between Phases 1, 2 and 3. The size of the lots has allowed construction of popular patio-type homes on lots with consistent size. We want to maintain the same size lots so that there will not be a noticeable transition to a different architectural style in Phase 3. Allowing us to utilize the same size, width and setback will allow us to achieve the consistency to maintain the design of the neighborhood.

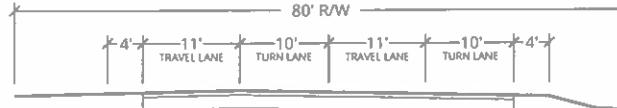
Also, the variances allow us to provide greater greenspace and conservation areas to benefit the entire neighborhood, while maintaining existing lot sizes.

Please contact me if you need further information.

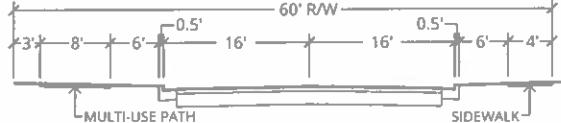

Richard V. Murphy,
Attorney for Applicant
Murphy & Clendenen, PLLC
250 West Main Street, Suite 2510
Lexington, Kentucky 40507
Telephone: 859-233-9811
Facsimile: 859-233-0184
Email: richard@murphyclendenen.com

TYPICAL SECTION A-A' - CINCINNATI ROAD

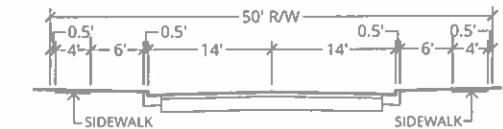
NOT TO SCALE


TYPICAL STREET SECTION B-B'

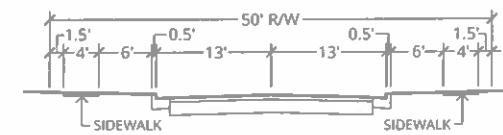
NOT TO SCALE


TYPICAL STREET SECTION C-C'

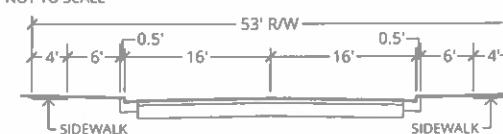
NOT TO SCALE


TYPICAL STREET SECTION D-D'

NOT TO SCALE


TYPICAL STREET SECTION E-E'

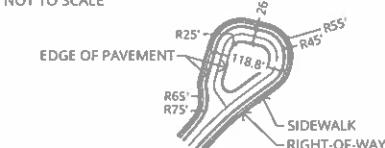
NOT TO SCALE


HANDICAP PARKING SPACES

NOT TO SCALE


CUL-DE-SAC DETAIL

NOT TO SCALE


GENERAL PROJECT NOTES

1. **UTILITY EASEMENT DESCRIPTION**
EASEMENTS GRANT AND CONVEY TO KENTUCKY UTILITIES, COLUMBIA GAS, AT&T, TIME WARNER, AND OTHER APPROPRIATE UTILITY COMPANIES, 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 NEARNESS THEREOF AS MAY BE NECESSARY WITH THE OPERATION AND MAINTENANCE OF SAID FACILITIES; NO BUILDING OR OTHER STRUCTURE SHALL BE ERECTED 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 LOT LINES NOT INDICATING EASEMENTS SHALL HAVE A 5 (FIVE) FOOT EASEMENT ON EACH SIDE OF THE LOT LINE UNLESS OCCUPIED BY A RESIDENTIAL STRUCTURE.
2. **DRAINAGE EASEMENT DESCRIPTION**
DRAINAGE EASEMENTS CONTAIN STORMWATER CHANNELS, STORMWATER STORAGE AREAS/FACILITIES AND ACCESS RIGHTS FOR MAINTENANCE OF SUCH FACILITIES. NO CHANNEL, TERRAIN OR CONSTRUCTION OF ANY KIND OR TYPE THAT MAY OBSTRUCT THE EASEMENT IS ALLOWED; THERE SHALL BE NO STORAGE OR DISPOSAL OF GRASS CLIPPINGS, TRASH, DEBRIS, OR OTHER POTENTIAL OBSTRUCTIONS THAT MAY WASH INTO STORMWATER CHANNELS OR STORAGE AREAS.
3. **INTEROP CONNECTIVITY**: SANITARY SEWERS, STORMWATER MANAGEMENT, ENTRANCE DESIGN AND EXISTING TREES SHALL BE EVALUATED WITH THE FINAL DEVELOPMENT PLAN AND CONSTRUCTION DOCUMENTS.
4. **STORM SEWERS AND STORMWATER RETENTION BASINS** SHALL MEET THE SPECIFICATIONS AND APPROVAL OF THE PLANNING COMMISSION ENGINEER.
5. **ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING** SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS; SLOPES EXCEEDING 4:1 SHALL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SOD IN ORDER TO PREVENT EROSION.
6. **THE PRELIMINARY DEVELOPMENT PLAN** SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY; ANY SALE OF LAND SHALL BE BASED ON A RECORDED SUBDIVISION PLAT.
7. **GRADING, BUILDING FINISH FLOOR ELEVATIONS AND HANDICAP PARKING SPACE LOCATIONS** ARE SUBJECT TO CHANGE BASED ON FINAL CONSTRUCTION PLANS.
8. **ANY SINKHOLE RELATED NON-BUILDABLE AREA IDENTIFIED HEREIN** HAS BEEN DETERMINED TO BE UNSUITABLE FOR ANY CONSTRUCTION ACTIVITY AND NO BUILDINGS, PARKING AREAS OR OTHER STRUCTURES SHALL BE PERMITTED WITHIN THIS AREA. RESIDENTIAL STRUCTURES LOCATED ADJACENT TO THE CLOSE CONTOUR OF A SINKHOLE OR ADJACENT TO AN IMMEDIATE SINKHOLE DRAINAGE AREA SHALL NOT BE PERMITTED TO HAVE A BASEMENT OR FIRST FLOOR ELEVATION LOWER THAN AN ELEVATION, USGS DATUM, OR OTHER COMPARABLE SOURCES, TO BE DETERMINED ON A CASE-BY-CASE BASIS, SAID ELEVATION BEING AT LEAST TWO (2) FEET ABOVE THE 100-YEAR, 24-HOUR STORM EVENT (MAXIMUM) ASSUMING NO OUTFLOW FROM THE SINKHOLE. MINIMUM FLOOR ELEVATIONS FOR SUCH LOTS ARE TO BE REFERENCED AND SHOWN ON THE PLAT.

PUD WAIVERS REQUESTED

1. A WAIVER IS REQUESTED TO THE GEORGETOWN-SCOTT COUNTY SCHEDULE OF DIMENSION AREA REGULATIONS FOR THE R-2 ZONE TO INCREASE PROPOSED APARTMENT BUILDING HEIGHT TO THREE (3) STORIES INSTEAD OF TWO (2) STORIES AND TO INCREASE THE NUMBER OF ALLOWABLE UNITS PER BUILDING FROM 6 UNITS/BUILDING TO 24 UNITS/BUILDING FOR THE APARTMENT BUILDINGS ONLY.
2. ALL WAIVERS GRANTED FOR THE APPROVED PRELIMINARY SUBDIVISION PLAT PER THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION MEETING MINUTES, DATED MARCH 8, 2018, TO REMAIN IN EFFECT FOR PHASE 3, INCLUDING THE REDUCED SETBACKS, REDUCED MINIMUM LOT WIDTH, AND REDUCED MINIMUM LOT SIZE; THIS ALSO INCLUDES THE SETBACKS FOR CORNER LOTS OF TWENTY-FIVE (25) FEET, WITH A STREET SIDE YARD SETBACK OF TWENTY (20) FEET.
3. A WAIVER IS REQUESTED TO CONTINUE THE EXISTING FIFTEEN (15) FOOT-WIDE LANDSCAPE BUFFER AREA ALONG PROPERTIES ZONED A-1 FOR LOTS 37-48, LOTS 83-91 AND THE SOUTH TOWNHOMES. PER THE PRELIMINARY SUBDIVISION PLAT APPROVED MARCH 8, 2018, INSTEAD OF THE FIFTY (50) FOOT AGRICULTURAL BUFFER REQUIREMENT, AND TO REDUCE THE FIFTY (50) FOOT AGRICULTURAL BUFFER REQUIREMENT FOR LOTS 49-51 TO A VARIABLE WIDTH BUFFER WITH A MINIMUM OF 22-FT.

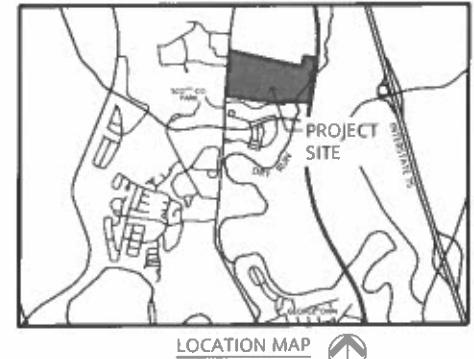
PROJECT DATA

SITE DATA	123.10 ACRES (\$,362,196.17 SQ.FT.)	12.0 UNITS/ACRE
TOTAL PROJECT SITE AREA	54.43 ACRES (2,371,857.14 SQ.FT.)	5.61 UNITS/ACRE
PHASE 1 & 2	68.67 ACRES (2,991,462.18 SQ.FT.)	9.26 UNITS/ACRE
ZONING		(NET DENSITY EXCLUDES HIGH-T-OF-WAY, FLOODPLAIN AND OTHER C-1 LANDS)
PHASES 1 & 2	R-1 PUD	
PHASE 3	R-2 PUD / C-1	
EXISTING LAND-USE	RESIDENTIAL & VACANT	
PROPOSED LAND-USE	RESIDENTIAL	
BUILDING DATA - PHASE 1	66 UNITS	
BUILDING DATA - PHASE 2	157 UNITS	
AREA	UNITS	
18.39 ACRES	91	FRONT YARD 25'-FT*
9.18 ACRES	240	STREET SIDE YARD 20'-FT*
3.89 ACRES	32	SIDE YARD 7.5'-FT
2.32 ACRES	22	REAR YARD 20'-FT*
33.78 ACRES	...	
*ALL WAIVERS NOTED ABOVE ARE PER THE APPROVED PRELIMINARY SUBDIVISION PLAT PER GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION MEETING MINUTES, DATED MARCH 8, 2018		
MAXIMUM BUILDING GROUND COVERAGE	27.47 ACRES (40%)	
BUILDING GROUND COVERAGE PROVIDED	8.50 ACRES (12.4%)	
MAXIMUM ALLOWABLE BUILDING HEIGHT	30'-FT (2-STORIES)	
PROPOSED BUILDING HEIGHT	40'-FT (3-STORIES)**	
**VARIANCE REQUEST FOR APARTMENTS ONLY (SEE VARIANCE NOTE)		
***NOTE: ADDITIONAL BUILDING SETBACK PROVIDED PER PHASE 1 OF THE SCHEDULE OF DIMENSIONS IN THE (R-1) ZONING ORDINANCE.		
PUBLIC RIGHT OF WAY	8.02 ACRES	
OPEN SPACE REQUIRED (MIN. 10%)	6.87 ACRES	
OPEN SPACE PROVIDED (10.6%)	7.14 ACRES	
OPEN SPACE AREA 1 (LOT 89)	0.73 ACRES	
COMMUNITY CENTER (LOT 97)	3.65 ACRES	
OPEN SPACE AREA 2 (LOT 98)	2.76 ACRES	
FLOODPLAIN & OTHER C-1 LANDS (LOTS 99-100)	19.07 ACRES	
ADD'L GREEN SPACE (LOTS 101-102)	0.74 ACRES	
TOTAL GROSS AREA	68.67 ACRES	
TOTAL NET AREA	41.58 ACRES	

 PARKING SPACES REQUIRED
 APARTMENTS
 NORTH TOWNHOMES 44 (INCL. 9 HDPC SPACES)
 SOUTH TOWNHOMES 64 (INCL. 4 HDPC SPACES)

 PARKING SPACES PROVIDED
 APARTMENTS
 NORTH TOWNHOMES 44 (INCL. 10 HDPC SPACES)
 SOUTH TOWNHOMES 75 (INCL. 7 HDPC SPACES)

***NORTH TOWNHOMES ARE SINGLE-FAMILY ATTACHED PRODUCT WITH 1-CAR GARAGE AND SEPARATE DRIVEWAY.


 LOCATION MAP
 NOT TO SCALE

PURPOSE OF PLAN

1. THE PURPOSE OF THIS PLAN IS TO REFLECT A PRELIMINARY DEVELOPMENT PLAN FOR PHASE 3 OF THE EXISTING WOODLAND PARK DEVELOPMENT IN ACCORDANCE WITH THE APPROVED R-2 PUD ZONING.
2. ZONE CHANGE AND CONCEPT PLAN APPROVED BY THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION ON JULY 10, 2020, ZONE CHANGE CASE NO. ZMA-2020-22

OWNER
URBAN GROUPE DEV 1
 858 W. MAIN STREET, STE 103
 LEXINGTON, KY 40508
 PHONE: (859) 977-6450

PROJECT NAME
WOODLAND PARK
PHASE 3
PROJECT ADDRESS

 1341 CINCINNATI ROAD
 GEORGETOWN, KY 40324

SHEET TITLE
PRELIMINARY
DEVELOPMENT PLAN
PRELIMINARY
FOR REVIEW PURPOSES ONLY
DATE ISSUED

DECEMBER 1, 2025

DRAWN BY

YZ

CHECKED BY

KWR

PROJECT NUMBER

RDS-24216

REVISIONS

1. TRC COMMENTS 12.23.2025

SHEET NUMBER

1.00

CERTIFICATION OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT/PLAN OF THE DEVELOPMENT WITH MY 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 SHOWN IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

CERTIFICATION OF PRELIMINARY PLAN APPROVAL

WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

2026

CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

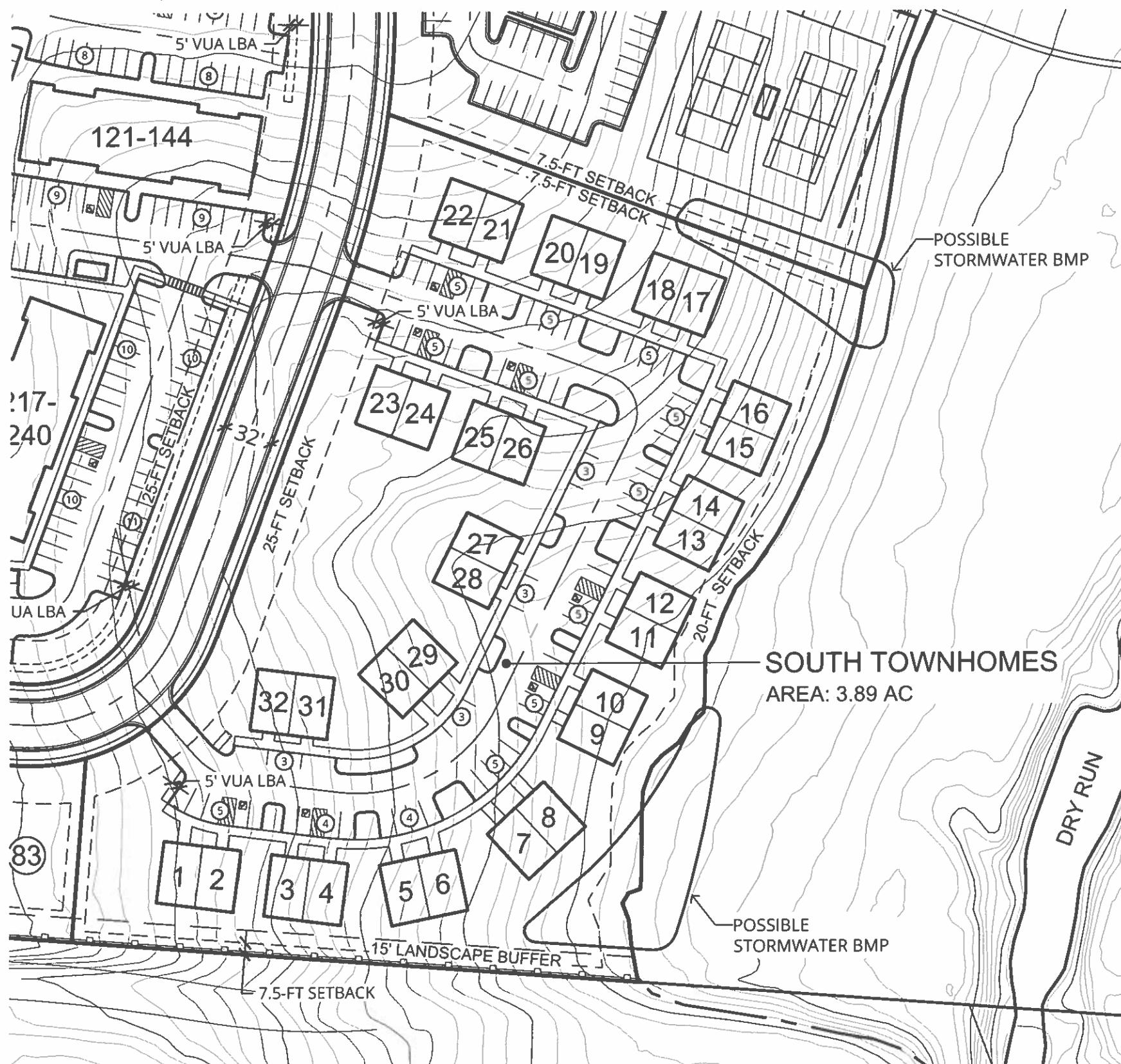
SIGNATURE OF OWNER OR OWNERS



WOODLAND PARK - PHASE 3

PRELIMINARY DEVELOPMENT PLAN EXHIBIT - SOUTH TOWNHOMES

GEORGETOWN, KENTUCKY



PREPARED ON: DECEMBER 23, 2025



0 40 80 160
SCALE: 1"=80'

SITE DATA - SOUTH TOWNHOMES

TOTAL PHASE 3 AREA	68.67 ACRES
SOUTH TOWNHOMES AREA	3.89 ACRES
ZONING- PHASE 3	R-2 PUD
EXISTING LAND-USE	VACANT
PROPOSED LAND-USE	RESIDENTIAL
 BUILDING DATA - PHASE 3	
TOTAL TOWNHOME UNITS	32*
*ALL UNITS ARE PROPOSED TO BE 3 BDRM	
 PARKING SPACES REQUIRED	64 (INCL. 4 HDCP SPACES)
PARKING SPACES PROVIDED	75 (INCL. 7 HDCP SPACES)
 SETBACKS	
FRONT YARD	25-FT**
STREET SIDE YARD	20-FT**
SIDE YARD	7.5-FT
REAR YARD	20-FT**
 **ALL WAIVERS NOTED ABOVE ARE PER THE APPROVED PRELIMINARY SUBDIVISION PLAT PER GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION MEETING MINUTES, DATED MARCH 8, 2018.	
 MAXIMUM BUILDING GROUND COVERAGE	1.56 ACRES (40%)
BUILDING GROUND COVERAGE PROVIDED	0.88 ACRES (22.6%)
MAXIMUM ALLOWABLE BUILDING HEIGHT	30-FT (2-STORIES)
PROPOSED BUILDING HEIGHT	24-FT (2-STORIES)
 TREE CANOPY COVERAGE & OPEN SPACE REQUIREMENTS	
-REFER TO THE PRELIMINARY DEVELOPMENT & LANDSCAPE PLANS	
 VEHICULAR USE AREA (VUA)	33,100 SF
INTERIOR LANDSCAPE AREA REQUIRED	3,310 SF
INTERIOR LANDSCAPE AREA PROVIDED	4,305 SF
VUA TREES REQUIRED	13
VUA TREES PROVIDED	17

WOODLAND PARK - PHASE 3

PRELIMINARY DEVELOPMENT PLAN EXHIBIT - NORTH TOWNHOMES

GEORGETOWN, KENTUCKY



PREPARED ON: DECEMBER 23, 2025



0 40 80 160
SCALE: 1"=80'

SITE DATA - NORTH TOWNHOMES

TOTAL PHASE 3 AREA	68.67 ACRES
NORTH TOWNHOMES AREA	2.32 ACRES
ZONING- PHASE 3	R-2 PUD
EXISTING LAND-USE	VACANT
PROPOSED LAND-USE	RESIDENTIAL
BUILDING DATA - PHASE 3	
TOTAL TOWNHOME UNITS	22*
*ALL UNITS ARE PROPOSED TO BE 2 BDRM	
PARKING SPACES REQUIRED	44
PARKING SPACES PROVIDED	44 (1 CAR GARAGE + DRIVEWAY PER UNIT)
SETBACKS	
FRONT YARD	25-FT**
STREET SIDE YARD	20-FT**
SIDE YARD	7.5-FT
REAR YARD	20-FT**
**ALL WAIVERS NOTED ABOVE ARE PER THE APPROVED PRELIMINARY SUBDIVISION PLAT PER GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION MEETING MINUTES, DATED MARCH 8, 2018.	
MAXIMUM BUILDING GROUND COVERAGE	0.93 ACRES (40%)
BUILDING GROUND COVERAGE PROVIDED	0.82 ACRES (35.3%)
AVG DUPLEX = 3,250 SQ.FT.	
AVG QUADPLEX=6,500 SQ.FT.	
MAXIMUM ALLOWABLE BUILDING HEIGHT	30-FT (2-STORIES)
PROPOSED BUILDING HEIGHT	24-FT (2-STORIES)
TREE CANOPY COVERAGE & OPEN SPACE REQUIREMENTS	
- REFER TO THE PRELIMINARY DEVELOPMENT & LANDSCAPE PLANS	
NOTE: NORTH TOWNHOMES ARE SINGLE-FAMILY ATTACHED PRODUCT WITH 1-CAR GARAGES AND SEPARATE DRIVEWAYS.	



RICH DESIGN

PROJECT NAME

**WOODLAND PARK
 PHASE 3**

PROJECT ADDRESS

 1341 CINCINNATI ROAD
 GEORGETOWN, KY 40324

SHEET TITLE

**PRELIMINARY
 LANDSCAPE PLAN &
 TREE PROTECTION
 PLAN**

STAMP

**PRELIMINARY
 FOR REVIEW PURPOSES ONLY**

DATE ISSUED

DECEMBER 1, 2025

DRAWN BY

YZ

CHECKED BY

KWR

PROJECT NUMBER

RDS-24216

REVISIONS

DATE

1 TRC COMMENTS

12.23.2025

SHEET NUMBER

1.02

LANDSCAPE DATA - PHASE 3

TOTAL PROJECT SITE AREA 68.67 ACRES (2,991,462.18 SQ.FT.)

 ZONING R-2 PUD / C-1
 MIXED RESIDENTIAL

 BUILDING DATA
 LOT-TYPE UNITS AREA
 SINGLE-FAMILY LOTS 91
 SINGLE-FAMILY TOWNHOMES 54
 MULTI-FAMILY APARTMENTS 240
 TOTAL 385 43.77 ACRES

PUBLIC RIGHT-OF-WAY AREA 8.02 ACRES

FLOODPLAIN & OTHER C-1 LANDS 19.01 ACRES

 OPEN SPACE
 OPEN SPACE REQUIRED (MIN. 10%) 6.87 ACRES
 OPEN SPACE PROVIDED (10.6%) 7.14 ACRES
 COMMUNITY CENTER 3.65 ACRES
 OPEN SPACE AREA 1 2.76 ACRES
 OPEN SPACE AREA 2 0.73 ACRES

 TREE CANOPY COVERAGE
 MULTI-FAMILY AREAS* 42.91 AC
 EX. TREE CANOPY TO BE PRESERVED 8.87 AC (20.7%)
 NEW TREE CANOPY COVERAGE AREA 2.46 AC (5.7%)
 VUA TREES (ILA+LBA) (118*50 SF=88,500 SF)
 PROPERTY PERIMETER LBA TREES (25*75=18,750 SF)
 TOTAL TREE CANOPY REQUIRED 8.58 AC (20.0%)
 TOTAL TREE CANOPY PROVIDED 11.33 AC (26.4%)
 *INCLUDES COMMUNITY CENTER EX. TREE CANOPY IN FLOODPLAIN CREDITED TO
 MULTI-FAMILY AREAS

 SINGLE-FAMILY AREAS 25.76 AC
 EX. TREE CANOPY TO BE PRESERVED 0.61 AC (2.4%)
 NEW TREE CANOPY COVERAGE AREA 3.08 AC (3.9%)
 PROPERTY PERIMETER TREES (58*750 SF=43,500 SF)
 LOT TREES (OFFSET MIN. 10-FT FROM R/W LINE) (21*750=15,750 SF)
 TOTAL TREE CANOPY REQUIRED 3.22 AC (12.5%)
 TOTAL TREE CANOPY PROVIDED 3.69 AC (14.3%)

INTERIOR LANDSCAPING

 APARTMENTS
 VEHICULAR USE AREA (VUA) 149,670 SF
 INTERIOR LANDSCAPE AREA (ILA) REQUIRED 14,967 SF
 INTERIOR LANDSCAPE AREA (ILA) PROVIDED 14,996 SF
 VUA ILA TREES REQUIRED (1 PER 250 SF) 60
 VUA ILA TREES PROVIDED 60
 VUA LANDSCAPE BUFFER AREA LENGTH 885 LF
 VUA LBA TREES REQUIRED 22
 VUA LBA TREES PROVIDED 22

 SOUTH TOWNHOMES
 VEHICULAR USE AREA (VUA) 33,100 SF
 INTERIOR LANDSCAPE AREA REQUIRED 3,310 SF
 INTERIOR LANDSCAPE AREA PROVIDED 4,305 SF
 VUA ILA TREES REQUIRED (1 PER 250 SF) 13
 VUA ILA TREES PROVIDED 17
 VUA LANDSCAPE BUFFER AREA LENGTH 121 LF
 VUA LBA TREES REQUIRED 3
 VUA LBA TREES PROVIDED 4

 COMMUNITY CENTER
 VEHICULAR USE AREA (VUA) 25,307 SF
 INTERIOR LANDSCAPE AREA REQUIRED 2,531 SF
 INTERIOR LANDSCAPE AREA PROVIDED 2,774 SF
 VUA ILA TREES REQUIRED (1 PER 250 SF) 10
 VUA ILA TREES PROVIDED 10
 VUA LANDSCAPE BUFFER AREA LENGTH 188 LF
 VUA LBA TREES REQUIRED 5
 VUA LBA TREES PROVIDED 5

 KEY
 ● VUA INTERIOR LANDSCAPE AREA (ILA) TREES (87 TOTAL TREES)
 ● VUA LANDSCAPE BUFFER AREA (LBA) TREES (31 TOTAL TREES)
 + LOT TREES (121 TOTAL TREES)
 OFFSET MIN. 10-FT FROM R/W LINE
 PROPERTY PERIMETER BUFFER / (83 TOTAL TREES)
 AGRICULTURAL BUFFER TREES
 ■ EX. TREE CANOPY AREAS TO BE PRESERVED (MULTI-FAMILY)
 □ EX. TREE CANOPY AREAS TO BE PRESERVED (SINGLE-FAMILY)

GENERAL NOTES

 1. UTILITY EASEMENT DESCRIPTION
 EASEMENTS GRANT AND CONVEY TO KENTUCKY UTILITIES, COLUMBIA GAS, AT&T, TIME WARNER, AND
 OTHER APPROPRIATE UTILITY COMPANIES, THEIR SUCCESSORS, ASSIGNS AND LESSEES, THE RIGHT TO
 TIME AND FREQUENTLY ENTER UPON THE TREES, STRUCTURES AND OBSTACLES LOCATED ON THE EASEMENTS AND
 IN SUCH PROXIMITY THERETO THAT IN FALLING THEY MAY INTERFERE WITH THE OPERATION AND
 MAINTENANCE OF SAID FACILITIES; NOT BUILDING OR OTHER STRUCTURE SHALL BE ERECTED 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 LOT LINES NOT INDICATING EASEMENTS
 SHALL HAVE A 5 FEET EASEMENT ON EACH SIDE OF THE LOT LINE UNLESS OCCUPIED BY A
 RESIDENTIAL STRUCTURE.

 2. DRAINAGE EASEMENT DESCRIPTION
 DRAINAGE EASEMENTS CONTAIN STORMWATER CHANNELS, STORMWATER STORAGE AREAS/FACILITIES
 AND ACCESS RIGHTS FOR MAINTENANCE OF SUCH FACILITIES, NO CHANNEL ALTERATION OR
 CONSTRUCTION THAT WOULD OBSTRUCT THE FLOW OF STORMWATER IS ALLOWED; THERE SHALL BE
 NO STORAGE OR DISPOSAL OF GRASS CLIPPINGS, TRASH, DEBRIS, OR OTHER POTENTIAL
 OBSTRUCTIONS THAT MAY WASH INTO STORMWATER CHANNELS OR STORAGE AREAS.

 3. INTERIOR CONNECTIVITY, SANITARY SEWERS, STORMWATER MANAGEMENT, ENTRANCE DESIGN AND
 EXISTING TREES SHALL BE EVALUATED WITH THE FINAL DEVELOPMENT PLAN AND CONSTRUCTION
 DOCUMENTS.

 4. STORM SEWERS AND STORMWATER RETENTION BASINS SHALL MEET THE SPECIFICATIONS AND
 APPROVAL OF THE PLANNING COMMISSION ENGINEER.

 5. ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER
 PROVIDED; SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS; SLOPES EXCEEDING 4:1
 SHALL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SOD IN ORDER TO PREVENT
 EROSION.

 6. THE CONCEPTUAL PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY; ANY SALE OF
 LAND SHALL BE BASED ON A RECORDED SUBDIVISION PLAT.

 7. GRADING, BUILDING FINISH FLOOR ELEVATIONS AND HANDICAP PARKING SPACE LOCATIONS ARE
 SUBJECT TO CHANGE BASED ON FINAL CONSTRUCTION PLANS.


LANDSCAPE DATA - PHASE 3

TOTAL PROJECT SITE AREA 68.67 ACRES (2,991,462.18 SQ.FT.)

ZONING R-2 PUD / C-1

LAND-USE MIXED-RESIDENTIAL

 BUILDING DATA
 LOT TYPE UNITS AREA
 APARTMENT COMPLEX (LOTS 92-93) 240 9.10 ACRES
 SOUTH TOWNHOMES (LOT 94) 32 3.89 ACRES
 COMMUNITY CENTER — 3.65 ACRES

INTERIOR LANDSCAPING

 APARTMENTS
 VEHICULAR USE AREA (VUA) 149,670 SF
 INTERIOR LANDSCAPE AREA (ILA) REQUIRED 14,967 SF
 INTERIOR LANDSCAPE AREA (ILA) PROVIDED 14,996 SF
 VUA ILA TREES REQUIRED (1 PER 250 SF) 60
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 VUA LANDSCAPE BUFFER AREA LENGTH 885 LF
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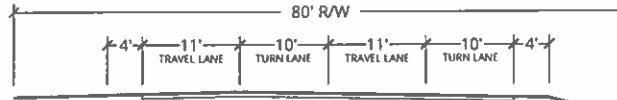
 COMMUNITY CENTER
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LAST CHANCE DR

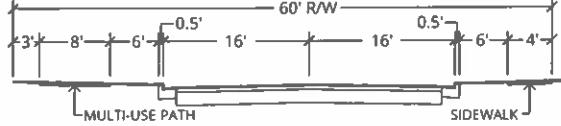


TYPICAL SECTION A-A' - CINCINNATI ROAD

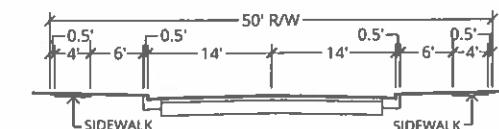
NOT TO SCALE


TYPICAL STREET SECTION B-B'

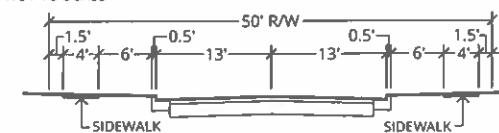
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TYPICAL STREET SECTION C-C'

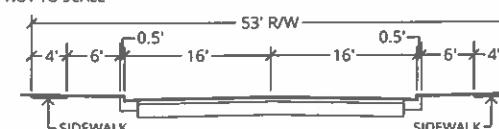
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TYPICAL STREET SECTION D-D'

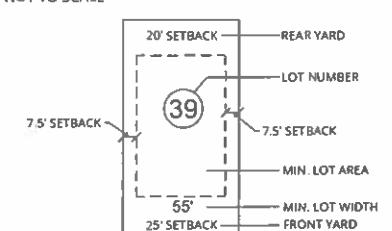
NOT TO SCALE


TYPICAL STREET SECTION E-E'

NOT TO SCALE


TYPICAL LOT SETBACK LINES

NOT TO SCALE


GENERAL PROJECT NOTES

- UTILITY EASEMENT DESCRIPTION: EASEMENTS GRANT AND CONVEY TO KENTUCKY UTILITIES, COLUMBIA GAS, AT&T, TIME WARNER, AND OTHER APPROPRIATE UTILITY COMPANIES, 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 FAILING THEY MAY INTERFERE WITH THE OPERATION AND MAINTENANCE OF SAID FACILITIES; NOT BUILDING OR OTHER STRUCTURE SHALL BE ERECTED AND NO LANDFILL OR EXCAVATION OR OTHER CHANGE OF GRADE SHALL BE PERFORMED ON OR NEAR THE EASEMENT; THE EASEMENT SHALL NOT BECOME A PUBLIC HIGHWAY; ACCESS AND EGRESS IS HEREBY GRANTED TO USERS OF THE UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REMOVE FACILITIES WITHIN SAID EASEMENTS; ALL LOT LINES NOT INDICATING GEASEMENTS SHALL HAVE A 5 (FIVE) FOOT EASEMENT ON EACH SIDE OF THE LOT LINE UNLESS OCCUPIED BY A RESIDENTIAL STRUCTURE.
- DRAINAGE EASEMENT DESCRIPTION: DRAINAGE EASEMENTS CONTAIN STORMWATER CHANNELS, STORMWATER STORAGE AREAS/FACILITIES AND ACCESS RIGHTS FOR MAINTENANCE OF SUCH FACILITIES, NO CHANNEL ALTERATION OR CONSTRUCTION THAT WOULD OBSTRUCT THE FLOW OF STORMWATER IS ALLOWED; THERE SHALL BE NO STORAGE OR DISPOSAL OF GRASS CLIPPINGS, TRASH, DEBRIS, OR OTHER POTENTIAL OBSTRUCTIONS THAT MAY WASH INTO STORMWATER CHANNELS OR STORAGE AREAS.
- INTERIOR SANITARY SEWERS, STORMWATER MANAGEMENT, ENTRANCE DESIGN AND EXISTING TREES SHALL BE EVALUATED WITH THE FINAL DEVELOPMENT PLAN AND CONSTRUCTION DOCUMENTS.
- STORM SEWERS AND STORMWATER RETENTION BASINS SHALL MEET THE SPECIFICATIONS AND APPROVAL OF THE PLANNING COMMISSION ENGINEER.
- ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS; SLOPES EXCEEDING 4.1 SHALL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SOD IN ORDER TO PREVENT EROSION.
- THIS PRELIMINARY DEVELOPMENT PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY; ANY SALE OF LAND SHALL BE BASED ON A RECORDED SUBDIVISION PLAT.
- GRADING, BUILDING FLOOR ELEVATIONS AND HAMMOCK PARKING SPACE LOCATIONS ARE SUBJECT TO CHANGE BASED ON THE FINAL DEVELOPMENT PLANS.
- ANY SINKHOLE RELATED NON-BUILDABLE AREA IDENTIFIED HEREIN HAS BEEN DETERMINED TO BE UNSUITABLE FOR ANY CONSTRUCTION ACTIVITY AND NO BUILDINGS, PARKING AREAS OR OTHER STRUCTURES SHALL BE PERMITTED WITHIN THIS AREA.
- RESIDENTIAL STRUCTURES LOCATED ADJACENT TO THE CLOSE CONTOUR OF A SINKHOLE OR ADJACENT TO AN IMMEDIATE SINKHOLE DRAINAGE AREA SHALL NOT BE PERMITTED TO HAVE A BASEMENT OR FIRST FLOOR ELEVATION LOWER THAN AN ELEVATION, USGS DATUM, OR OTHER COMPARABLE SOURCES, TO BE DETERMINED ON A CASE-BY-CASE BASIS. SAID ELEVATION BEING AT LEAST TWO (2) FEET ABOVE THE 100-YEAR, 24-HOUR STORM EVENT (MAXIMUM) ASSUMING NO OUTFLOW FROM THE SINKHOLE. MINIMUM FLOOR ELEVATIONS FOR SUCH LOTS ARE TO BE REFERENCED AND SHOWN ON THE PLAT.

PUD WAIVERS REQUESTED

- A WAIVER IS REQUESTED TO THE GEORGETOWN-SCOTT COUNTY SCHEDULE OF DIMENSION AREA REGULATIONS FOR THE R-2 ZONE TO INCREASE PROPOSED APARTMENT BUILDING HEIGHT TO THREE (3) STORIES INSTEAD OF TWO (2) STORIES AND TO INCREASE THE NUMBER OF ALLOWABLE UNITS PER BUILDING FROM 6 UNITS/BUILDING TO 24 UNITS/BUILDING FOR THE APARTMENT BUILDINGS ONLY.
- ALL WAIVERS GRANTED FOR THE APPROVED PRELIMINARY SUBDIVISION PLAT PER THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION MEETING MINUTES, DATED MARCH 8, 2018, TO REMAIN IN EFFECT FOR PHASE 3, INCLUDING THE REDUCED SETBACKS, REDUCED MINIMUM LOT WIDTH, AND REDUCED MINIMUM LOT SIZE. THIS ALSO INCLUDES THE SETBACKS FOR CORNER LOTS OF TWENTY-FIVE (25) FEET, WITH A STREET SIDE YARD SETBACK OF TWENTY (20) FEET.
- A WAIVER IS REQUESTED TO CONTINUE THE EXISTING FIFTEEN (15) FOOT WIDE LANDSCAPE BUFFER AREA ALONG PROPERTY OWNED BY THE CITY OF GEORGETOWN FOR LOTS 37-46, LOTS 83-91 AND THE SOUTH TOWNHOMES, PER THE PRELIMINARY SUBDIVISION PLAT APPROVED MARCH 8, 2018, INSTEAD OF THE FIFTY (50) FOOT AGRICULTURAL BUFFER REQUIREMENT, AND TO REDUCE THE FIFTY (50) FOOT AGRICULTURAL BUFFER REQUIREMENT FOR LOTS 49-51 TO A VARIABLE WIDTH BUFFER WITH A MINIMUM OF 22-FT.

PROJECT DATA

SITE DATA	123.10 ACRES (5,362,196.17 SQ.FT.)	12.0 UNITS/ACRE
TOTAL PROJECT SITE AREA	54.43 ACRES (2,371,057.14 SQ.FT.)	5.61 UNITS/ACRE
PHASES 1 & 2	68.67 ACRES (2,991,462.18 SQ.FT.)	9.26 UNITS/ACRE
PHASE 3		(NET AREA EXCLUDES RIGHT-OF-WAY, FLOODPLAIN AND OTHER C-1 LANDS)
ZONING		
PHASES 1 & 2	R-1C PUD	
PHASE 3	R-2 PUD / C-1	
EXISTING LAND-USE	RESIDENTIAL & VACANT	
PROPOSED LAND-USE	RESIDENTIAL	
BUILDING DATA - PHASE 1	66 UNITS	
BUILDING DATA - PHASE 2	157 UNITS	
BUILDING DATA - PHASE 3		
SINGLE-FAMILY LOTS (1-91)	18.39 ACRES	91 UNITS
APARTMENT COMPLEX (LOTS 92-93)	9.10 ACRES	240 UNITS
SOUTH TOWNHOMES (LOT 94)	3.89 ACRES	32 UNITS
NORTH TOWNHOMES (LOT 95)	2.32 ACRES	22 UNITS
TOTAL RESIDENTIAL LOT AREA	33.70	385 UNITS
PUBLIC RIGHT-OF-WAY	8.02 ACRES	...
OPEN SPACE REQUIRED (MIN. 10%)	6.87 ACRES	...
OPEN SPACE PROVIDED (10.6%)	7.14 ACRES	...
OPEN SPACE AREA 1 (LOT 96)	0.73 ACRES	44 UNITS
COMMUNITY CENTER (LOT 97)	3.65 ACRES	64 UNITS
OPEN SPACE AREA 2 (LOT 98)	2.76 ACRES	...
FLOODPLAIN & OTHER C-1 LANDS (LOTS 99-100)	19.07 ACRES	...
ADDL GREEN SPACE (LOTS 101-102)	0.74 ACRES	...
TOTAL GROSS AREA	68.67 ACRES	385 UNITS
TOTAL NET AREA	41.58 ACRES	...

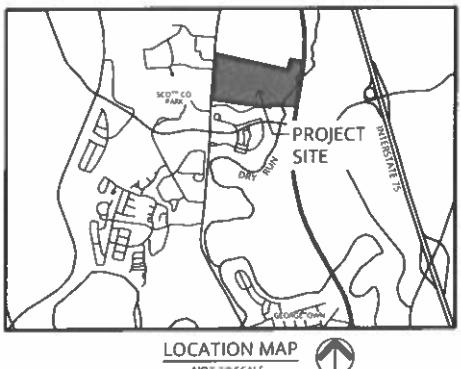
MAXIMUM ALLOWABLE DENSITY 12.0 UNITS/ACRE
 PROPOSED GROSS DENSITY 5.61 UNITS/ACRE
 PROPOSED NET DENSITY 9.26 UNITS/ACRE
 (NET AREA EXCLUDES RIGHT-OF-WAY, FLOODPLAIN AND OTHER C-1 LANDS)

P.U.D. MINIMUMS
 LOT WIDTH (SINGLE-FAMILY) 55'-FT*
 LOT SIZE (SINGLE-FAMILY) 6,000 SQ.FT.*
 LOT SETBACKS
 FRONT YARD 25'-FT*
 STREET SIDE YARD 20'-FT*
 SIDE YARD 7.5'-FT
 REAR YARD 20'-FT*

*ALL WAIVERS NOTED ABOVE ARE PER THE APPROVED PRELIMINARY SUBDIVISION PLAT PER GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION MEETING MINUTES, DATED MARCH 8, 2018.

MAXIMUM BUILDING GROUND COVERAGE 27.47 ACRES (40%)
 BUILDING GROUND COVERAGE PROVIDED 8.50 ACRES (12.4%)
 MAXIMUM ALLOWABLE BUILDING HEIGHT 30'-FT (2-STORIES)
 PROPOSED BUILDING HEIGHT 40'-FT (3-STORIES)*
 **VARIANCE REQUEST FOR APARTMENTS ONLY (SEE VARIANCE NOTE)

PARKING SPACES REQUIRED
 APARTMENTS 440 (INCL. 9 HDPC SPACES)
 NORTH TOWNHOMES 44***
 SOUTH TOWNHOMES 64 (INCL. 4 HDPC SPACES)
 PARKING SPACES PROVIDED
 APARTMENTS 440 (INCL. 10 HDPC SPACES)
 NORTH TOWNHOMES 44***
 SOUTH TOWNHOMES 75 (INCL. 7 HDPC SPACES)
 ***NORTH TOWNHOMES HAVE 1-CAR GARAGES AND SEPARATE DRIVEWAYS


 LOCATION MAP
 NOT TO SCALE

PURPOSE OF PLAN

- THE PURPOSE OF THIS DOCUMENT IS TO PROVIDE AN AMENDED PRELIMINARY SUBDIVISION PLAT FOR PHASE 3 OF THE EXISTING WOODLAND PARK DEVELOPMENT IN ACCORDANCE WITH THE APPROVED R-2 PUD ZONING.
- ZONE CHANGE AND CONCEPT PLAN FOR WOODLAND PARK PHASE 3 WAS APPROVED BY GSCPC ON JULY 10, 2025. ZONE CHANGE CASE NO: ZNC-2025-22.
- THE ORIGINAL PRELIMINARY SUBDIVISION PLAT FOR WOODLAND PARK PHASE 3 WAS APPROVED BY GSCPC ON MARCH 8, 2018. THE PLAT IS RECORDED IN PC 12/PG 385, FINAL DEVELOPMENT PLAN FOR PHASE 1, SECTION 1 IS RECORDED IN PC 13/PG 370, AND FINAL DEVELOPMENT PLAN FOR PHASE 2, SECTION 2 IS RECORDED IN PC 13/PG 271.

OWNER

URBAN GROUPE DEV 1
 858 W. MAIN STREET, STE 103
 LEXINGTON, KY 40508
 PHONE: (859) 977-6450

PROJECT NAME

WOODLAND PARK
 PHASE 3

PROJECT ADDRESS

1341 CINCINNATI ROAD
 GEORGETOWN, KY 40324

SHEET TITLE
**AMENDED
 PRELIMINARY
 SUBDIVISION PLAT**
STAMP

**PRELIMINARY
 FOR REVIEW PURPOSES ONLY**

DATE ISSUED

DECEMBER 23, 2025

DRAWN BY

Y2

CHECKED BY

KWR

PROJECT NUMBER

RDS-24216

REV/ISIONS

DATE

SHEET NUMBER

2.00

CERTIFICATION OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLATPLAN OF THE DEVELOPMENT WITH MY FREE CONSENT, ESTABLISH THE PROPERTY LINE RESTRICTIONS AND INDICATE ALL STREETS, ALLEYS, WALKS, DRIVEWAYS, 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.

2026
 SIGNATURE OF OWNER OR OWNERS

CERTIFICATION OF PRELIMINARY PLAN APPROVAL

WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

2026

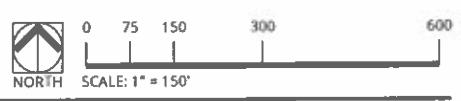
CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

DRAINAGE EASEMENT DESCRIPTION

WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

2026

CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION



VARIANCE APPLICATION
AMENDMENT TO FINAL DEVELOPMENT PLAN
Staff Report to the Georgetown-Scott County Planning Commission
1376 Lexington Road

FILE NUMBER: **PDP-2023-10**

PROPOSAL: Variance from article 6.14 of *Landscape & Land Use Buffer Ordinance*/change in approved conditions pertaining to PDP 2023-10.

LOCATION: 1376 Lexington Road

APPLICANT: Scott County Humane Society

CONSULTANT: n/a

STATISTICS:

Zone: A-1

Surrounding Zone (s): A-1, B-2

Site Acreage: 4.52 acres

Access (Directly): Lexington Road

Access (Nearest Arterial): KY 25 (Lexington Road)

Context: South of the the intersection of Mclelland and Lexington road, outside of the Georgetown Urban Service Boundary/city limits.



BACKGROUND:

The Scott County Humane Society ("Applicant") is seeking a variance from the requirements of article 6.14 of the *Landscape & Land Use Buffer Ordinance*, which requires a 6-foot-tall diamond mesh or no-climb boundary fence for any non-A-1 zone or use that abuts any A-1 property. Because the parcel is a conditional use and not a by-right agricultural/A-1 use, it is subject to this requirement. The variance takes the form of a departure from this requirement to the north and west property lines in using existing fence lines, rather than establishing what is listed in the article.

The Applicant has appeared before the Scott County Board of Adjustment regarding this property twice, as well as once before the Planning Commission Board. The first appearance was the initial request for a conditional use permit for the operation of a new adoption center upon the A-1 zoned property, pursuant to Article 4.12 (F) of the *Georgetown Scott County Zoning Ordinance*. The initial conditional use permit was granted in 2020 (S-2020-39). The granting of this initial conditional use permit also entailed a variance for the reduction in the minimum A-1 side yard setback from 50 feet to 35 feet. Pursuant to condition #3 on the initial use permit approval, the applicant brought a preliminary development plan before the Planning Commission Board in 2023, which was approved. The preliminary development plan

also indicated further fencing within the property lines, within which the animals would be kept. Pursuant to Condition #4 of the initial permit approval, the applicant also re-appeared before the Board of Adjustment in spring of 2025 with changes to the initially approved conditions. The Applicant was granted approval for this respective application as well, and the expanded conditional use entailed the following changes:

- Expansion of operating hours from Monday-Sunday from 9am-6pm.
- Overnight housing of up to four dogs.

This expansion of use retained all previous conditions of approval for the initial permit as well as distinct conditions of approval intended to limit any effects the overnight housing of dogs on the property may have had on the surrounding area (S-2025-10, Conditions 6-9). The final development plan has been approved in 2024.

Perimeter fencing requirements have been discussed and conceptualized for this site since the initial conditional use permit was considered in 2020. At that time, fencing requirements were discussed as potential conditions of approval, but the Board of Adjustment opted to defer any ruling regarding fencing requirements to the Planning Commission Board (specifically in relation to the conditioned development plan). Therefore, this request regarding fencing changes comes back before the Planning Commission Board as an amended/added variance to the final development plan submitted and approved in the form of PDP-2023-10.

The issue of required fencing was also discussed at the hearing for PDP-2023-10. It was noted at that time that there were no local ordinances which would require buffering or fencing between two properties in the A-1 zone. The Planning Commission had heard and recommended approval of a text amendment which did require such fencing in the form of Article 6.14 of the *Landscape & Land Use Buffer Ordinance*, but at that time it had not yet been formally adopted by legislative bodies.

The text amendments that were mentioned formerly were implemented before the final development plan for the site was approved. Because of this unique timing, the application is now behold to the requirements of article 6.14 of the *Landscape and Land Use Buffer Ordinance*. It is also worth considering the implementation of this article in relation to the expansion of the conditional use permit (S-2025-10). Conditions of the use were significantly altered subsequent to the implementation of said text amendment.

Staff find that the only facet of the Development Plan that is materially different in relation to previously approved PDP-2023-10 is the fencing requirement. All other conditions regarding the site are deemed to have no material change. Therefore, staff analysis will exclusively examine the current variance request.

VARIANCE ANALYSIS:

"KRS 100. 243 Findings Necessary for Granting Variances:

"(1) Before any variance is granted, the board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

(a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;

(b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

(c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

(2) The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought."

Staff finds that there are two primary articles from which the applicant requests relief. The first is a variance from article 6.14 of the *Landscape & Land Use Buffer Ordinance*:

"When land zoned anything except A-1 or C-1 is developed, the developer shall construct a 6-ft. minimum height fence of diamond mesh wire or equivalent no-climb wire. The fence may not be bonded. If an existing tree line is present, then adequate measures shall be required to remove the vegetation to place the fence on the property boundary line. The cost of the fence installation shall be at the expense of the developer.

Property boundary fencing, as described above, shall be required for all parcels adjoining A-1 zoned land, regardless of the subject property's zone, when there is an approved change of use, either through the conditional use, variance, or development plan approval process to a use other than agricultural or single-family residential use."

Because the Conditional Use Permit to which the development plan pertains has been expanded since the implementation of article 6.14, any potential granting of this variance must also grant relief from article 2.20, also from the *Landscape & Land Use Buffer Ordinance*:

"...no use shall be changed to another use or increased in intensity unless the minimum landscaping required by the provision of this Article is provided for the property," (2.20 of the *Landscape & Land Use Buffer Ordinance*).

The property abuts A-1 zoned parcels on all sides--therefore, to the letter of the ordinance--the site requires new 6 ft tall fencing on all boundaries. The variance, as requested by the applicant, is to omit the required boundary fencing to the north and west property lines, as there is already an existing fence line upon those boundaries. The existing fence lines in question are approximately 5 feet in height, with a four-plank fence to the west and a wire/mesh fence to the north. The applicant intends to add new fencing (compliant with article 6.14) to the south and east property lines, that will connect to the existing fence lines at convergence points. The requested deviation from standards therein is that the existing fencing to the north and west boundaries do not meet the explicit requirements of "...a 6-ft. minimum height fence of diamond mesh wire or equivalent no-climb wire" (6.14 of the *Landscape & Land Use Buffer Ordinance*).

The Applicant posits that there is an existing tree and fence line to the north boundary, where the parcel abuts "Central Kentucky Pet Resort," which similarly functions as an animal boarding facility. The Applicant points out that this existing tree and fence line already serves as a buffer between the two properties/uses. Staff concurs, finding that the existing tree and fence line meets the intent of article 6.14, which is to prevent potential disturbance to A-1 districts or uses. Staff makes two primary findings regarding the variance in relation to the north property:

- 1) Despite A-1 zoning, the parcel to the north does not operate under any sort of agricultural use. It is a conditional use that does not explicitly fall under the designation of agricultural use as defined in section 2.1 of the *Zoning Ordinance*. However, because the north parcel's conditional use permit

(S-2018-02) would become null and void upon sale or transfer of 1364 Lexington Road--giving the parcel potential to return to a designated agricultural use--staff finds that it remains critical to protect any potential disturbances to this property.

- 2) Staff find that the existing tree and fence line to the north meet the essential intent of article 6.14 in the sense that it would shield any sort of disturbance or intrusion that Humane Society operations may have upon the abutting parcel to the north. This is further supported by the fact that the existing fence is approximately 5 feet in height, only one foot short of the prescribed 6-foot requirement. The material of the northern fence, which is wire/mesh, would adequately prevent the crossing of boundaries by any animals.

Staff find that this existing northern fence line will protect the adjacent northern property from disturbance, whether in the form of the parcel's current use or regarding potential future agricultural uses it may host. Staff agree with the applicant's claim that the existing fence line may require further repair and recommends a condition of approval that the applicant must effectively repair and maintain existing fences and buffers.

The Applicant also requests relief from Land Use Buffer Requirements regarding the western property boundary. This boundary is where the parcel has road frontage upon Lexington Road. Similar to the north property line, while this abutting parcel has A-1 district designation, it is not an active agricultural use under the *Zoning Ordinance*. It falls under *de facto* A-1 designation because it is a state road outside of the Urban Service Boundary. 6-foot boundary fencing, or lack thereof, to this western adjacent property would not be in place to protect an active agricultural use; rather, staff finds it is somewhat unnecessary, as it would be an excessive measure to protect an A-1 district that will never foreseeably be put to an agricultural use as defined by the *Zoning Ordinance*. This western fence is also approximately five feet in height, and for the purposes of protecting surrounding zones, serves the same purpose as the 6-foot-tall fence required by article 6.14 of the *Ordinance*.

Staff posits that the existing fence lines to the north and west meet the spirit and intent of the article, which is to protect agricultural zones or uses from forms of disturbance. Furthermore, the tree line to the north provides ample visual shielding, buffer, and protection between the Humane Society's use and the north parcel--both in its current form and in regard to any potential future A-1 uses.

The application must be considered in relation to Kentucky Revised Statute 100.243. "...*the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, [and] will not cause a hazard or a nuisance to the public*" granting of the variance will still provide fencing and buffers from the north and west properties, albeit not "to the letter" of the *Ordinance*. Staff posits that these existing fence & tree lines annul any potential threat that the Humane Society's use may pose. For the same reason, it will not alter or threaten the character of the general vicinity.

Staff finds that the granting of this variance will "...*not allow an unreasonable circumvention of the requirements of the zoning regulations*" for two primary reasons. The first is that the required fence to the south and east property lines will still be erected in pursuance to the exact language of the *ordinance*. The second is that the existing, 5-foot-tall fence lines to the north and west, contingent upon proper maintenance, will serve the same essential intended purpose of article 6.12, which is to protect abutting agricultural zones. Staff find that while this variance, like all variances, is a circumvention of zoning standards, it is not to an unreasonable degree.

In relation to KRS 100.243 (1a), staff finds that "...*special circumstances that do not generally apply to land in the same vicinity, or in the same zone*" apply to this application in the sense that the fencing

requirement arises from the requirements for the previously granted conditional use, which is in itself a special circumstance. Similarly, the timeline in which the text amendment (article 6.14) was implemented constitutes a unique circumstance in the sense that the applicant would not have been fully aware of this requirement in purchasing the property, applying for the Conditional Use Permit, or undergoing development plan review.

"(1b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant"

While financial circumstances in relation to the expense of bearing the full cost of new fencing is not to be considered in relation to "hardship" under KRS 100.243, staff finds that the strict application of article 6.14 to this site would create three primary forms of hardship:

- 1) Staff finds that the full implementation of a 6-foot-tall diamond fence is, by definition, "unnecessary hardship" as existing fence lines to the north and west, each being five feet in height, already meet the intent of such a standard.
- 2) The article from which the applicant seeks relief was not imposed until the very end of their final development plan approval, four years after the initial conditional use permit was granted. While fencing requirements were conceptualized during previous hearings, the applicant was unaware of the standard to which this site would be held throughout most of the process of their application. While unawareness of the requirement does not absolve the Applicant of responsibility to adhere to it, staff finds that it does indeed constitute a level of hardship as the applicant would have purchased, planned, and applied for the use of this parcel without being aware of the strict buffer standard to which it would be held.
- 3) Article 6.14 requires that "*If an existing tree line is present, then adequate measures shall be required to remove the vegetation to place the fence on the property boundary line.*" The removal, reduction, or clearing of the existing tree line to the north to enable the erection of the new fence would be counterintuitive and unnecessary, given that the tree line itself already provides ample land use buffering, especially in tandem with the existing fence.

"(1c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought" in the sense that the final development plan was approved after article 6.14 was implemented via text amendment in 2024, therefore action is subsequent to the regulation from which relief is sought

In relation to section (2) of KRS 100.243, the variance does not arise from any willful violations on the part of the applicant, as the applicant has complied with all zoning-based requirements up to this point.

The Applicant has stated in good faith that all dogs housed on the property would be kept within the fenced 40x100 foot animal exercise area noted on the approved development plan. This fenced exercise area will have evergreen vegetation screening. In relation to the boundary fencing variance, it is worth consideration that when the dogs are outside, they will be kept within the inner fencing ring attached to the building rather than given free roam of the entire property. Staff recommend a condition of approval to confirm.

FINDINGS:

1. The Project Site is a 4.52-acre A-1 zoned parcel.
2. The variance entails a departure/relief from both Article 2.20 and Article 6.14 of the Landscape & Land Use Buffer Ordinance.
3. While the existing fence lines to the north and west property lines do not meet the explicit requirement of "...a 6 foot minimum height boundary fence of diamond mesh or equivalent no-

climb wire" (6.14), the existing fence and buffer lines meet the general spirit and intent of such an article in the sense that they effectively shield any potential disturbance to adjacent properties and are not unreasonably short of the prescribed height of 6 feet.

4. While article 6.14 of the Landscape & Use Buffer Ordinance explicitly states that 6 foot boundary fencing "...shall be required for all [non-A-1 or residential use] parcels adjoining A-1 zoned land" rather than when *adjoining agricultural uses*, staff posits that the variance may be considered in relation to the fact that the north and west adjoining properties do not fall under active agricultural use as defined by the *Zoning Ordinance*.
5. The application meets the requirements of KRS 100.243, as formerly listed.
6. Up to this point, the Applicant has complied with the previous conditions of approval for CUP-2025-10, CUP-2020-39, and PDP-2023-10, many of which were intended similarly to the article in that they are tailored to limit the disturbance of the current use to the surrounding area. The existing conditional use permit for the site retains all restrictions intended for the same purpose of protecting surrounding agricultural land.
7. The adjoining parcels to the north and west, while under A-1 designation, are not active agricultural uses as defined in the *Georgetown-Scott County Zoning Ordinance*. While it remains critical to protect all surrounding land from the potential effects of this use, such strict application of the text of 6.14 may create hardship and may not be entirely necessary as pertaining to non-agricultural uses.
8. As noted on the development plan, animals on the site are intended to be kept within the inner fence line attached to the primary structure.

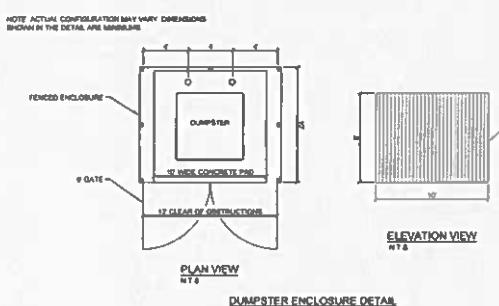
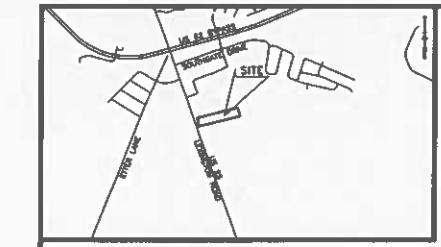
RECOMMENDATION:

Given findings and analysis, staff recommends **Approval** of the Variance request pertaining to PDP-2023-10 for relief from article 6.14 and 2.20 of the *Landscape & Use Buffer Ordinance*, on the basis that it meets the requirements of KRS 100.243 as well as satisfies the general spirit and intent of the standards from which relief is sought. Should the Commission approve the application, staff recommend including the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the Georgetown - Scott County Zoning Ordinance and Subdivision and Development Regulations.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities. The Applicant shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain a building permit from the Building Inspection Office prior to any construction.
4. The Applicant shall return to the Board prior to any changes in the approved conditions.
5. Site remains subject to all previously recorded conditions of approval for S-2025-10, S-2020-39, and PDP-2023-10.
6. Any further changes or variances pertaining to fencing or the development plan (PDP-2023-10) shall return to the Commission.
7. Any changes to the conditions of the Conditional Use Permit (S-2020-39 & S-2025-10) shall return to the Scott County Board of Adjustment.

8. The conditional use permit, as previously established, becomes null and void upon sale or transfer of the project site.
9. The existing fence and tree line to the north must be repaired and otherwise maintained by the applicant to ensure that it remains as an effective buffer to the north.
10. The existing fence line to the west must also be effectively maintained by the applicant.
11. The new fence lines to the south and east property lines must meet the explicit requirements of article 6.14 of the *Landscape & Land Use Buffer Ordinance* and must effectively connect to the existing fence lines in a manner that completely encloses the subject property.
12. When going outside, all dogs housed on the property must stay within the inner 40x100 foot privacy fence noted in PDP-2023-10. In the event where any animals utilize the larger area of the site, they must be harnessed properly and monitored under SCHS staff supervision.



SITE STATISTICS	
SITE AREA(SQ. FT)	198,882 SQ. FT
SITE AREA(ACRES)	4.62 AC
ZONE	A-1
NO. OF LOTS	1
GRIDS BLDG. FLR. AREA	3,700 SQ. FT.
FLOOR AREA RATIO	0.18
PARKING REQ. *	5 (1 HCP)
PARKING PROV.	8 (2 HCP)
VEHICLE USE AREA (VUA)	8,825 SQ. FT.
LANDSCAPE(AUM 10)	882.5 SQ. FT.
PROP. INT. LANDSCAPE	980.50 FT
**1 SF / EVERY 3 PERSONS BASED ON MAXIMUM OCCUPANCY	
BT FRONTAGE (LEXINGTON)	210 LF.

COLUMBIA GAS NOTES

1. NO COVER SHALL BE REMOVED OR FILL ADDED WITHIN TWENTY-FIVE (25) FEET OF THE HIGH-PRESSURE GAS LINE WITHOUT APPROVAL OF THE COMPANY. NO COVER SHALL BE REMOVED OR FILL ADDED WITHIN TWENTY-FIVE (25) FEET OF THE HIGH-PRESSURE GAS LINE SHALL HAVE COLUMBIA PERSONNEL ON SITE. CONTACT SHANNON BARKER, FIELD OPERATIONS LEADER, AT 800-508-7440.
2. ANYONE EXCAVATING, EXCAVATING, OR DIGGING WITHIN TWENTY-FIVE (25) FEET OF THE HIGH-PRESSURE GAS LINE SHALL HAVE COLUMBIA PERSONNEL ON SITE. CONTACT SHANNON BARKER, FIELD OPERATIONS LEADER, AT 800-508-7440.
3. ANY PROPOSED LINE AND / OR FIBER OPTIC LINES SHALL CROSS COLUMBIA GAS LINES AT OR AS NEAR PRACTICAL TO 90 DEGREES.
4. ALL PROPOSED LINE FACILITY CROSSINGS SHALL MAINTAIN GREATER THAN EIGHTEEN (18) INCHES SEPARATION FROM COLUMBIA GAS LINES.
5. ANY PROPOSED ELECTRIC AND FIBER OPTIC LINES SHALL CROSS BELOW COLUMBIA GAS LINES AND BE ENCASED FOR TWENTY-FIVE (25) FEET ON BOTH SIDES OF LINE.
6. ALL PROPOSED UTILITIES CROSSING COLUMBIA GAS FACILITIES SHALL BE INSTALLED WITH WARNING TAPE, MARKER POSTS, OR BOTH.
7. COLUMBIA GAS SHALL HAVE 24-HOUR / 7 DAYS A WEEK UNRESTRICTED ACCESS TO THE ENTIRE LINE FOR THE PURPOSES OF MAINTAINING, INSPECTING, OPERATING, REPLACING, AND REPAIRING THE LINE AND WILL NOT REQUIRE APPROVAL FROM THE PROPERTY OWNER.
8. IF ANY EXPOSURE OF THE HIGH-PRESSURE GAS LINE IS PLANNED, OWNERSHIP WITH CORROSION SHALL BE NOTIFIED PRIOR TO EXPOSURE AT 856-300-1000 AND BE GIVEN THE OPPORTUNITY TO BE ON SITE.
9. IF A BLASTING IS TO BE PERFORMED NEAR THE BLASTING LINE, SHALL BE SUPPLIED TO THE COLUMBIA GAS ENGINEERING DEPARTMENT AT LEAST TWO (2) WEEKS IN ADVANCE. ALL RECOMMENDATIONS BY THE ENGINEERING DEPARTMENT SHALL BE ADHERED TO.
10. THE HIGH-PRESSURE GAS LINE SHALL BE FIELD LOCATED (WITH ELEVATIONS) PRIOR TO THE APPROVAL OF A FINAL DEVELOPMENT PLAN.

PURPOSE OF DEVELOPMENT PLAN:
THE PURPOSE OF THIS DEVELOPMENT PLAN IS TO ADD A 5,100 SF BUILDING AND ASSOCIATED SITE IMPROVEMENTS TO SITE

GENERAL NOTES

1. THIS DEVELOPMENT PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAT.
2. THIS DEVELOPMENT PLAN MAY BE AMENDED WITH THE APPROVAL OF THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION.
3. ACCESS TO THIS PROPERTY SHALL BE LIMITED TO THE POINTS INDICATED HEREON, OR AS MAY BE AMENDED.
4. ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVERS AND STABILIZERS. ALL SOIL GASES OR DUST GRAINS, SLOPES EXCEEDING 4:1 SHALL HAVE ADDITIONAL PROTECTION, SHELTER, OR SCREENING TO PREVENT EROSION.
5. LANDSCAPING AND BUFFERING OF THIS PROPERTY SHALL COMPLY WITH THE GEORGETOWN/SCOTT COUNTY LANDSCAPE AND LAND USE BUFFER ORDINANCE.
6. NO GRADING, STRIPPING, EXCAVATING, FILLING OR OTHER DISRUPTION OF THE NATURAL GROUND CONDITIONS SHALL PLACE A BURDEN ON THE APPROVAL OF AN EASEMENT, PLAT, OR SUBDIVISION PLAN.
7. STORMWATER MANAGEMENT AND BARRIER SEWERS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE GEORGETOWN/SCOTT COUNTY ENGINEERING MANUALS.
8. ALL STREETS SHOWN HEREON ARE EXISTING.
9. THIS DEVELOPMENT PLAN SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF GEORGETOWN-SCOTT COUNTY ENGINEERING AND KYC WHERE APPLICABLE.
10. THIS DEVELOPMENT PLAN IS NOT SUBJECT TO THE FLOOD INSURANCE RATE MAP (FIRMAP) SHOWN ON FLOOD INSURANCE RATE MAP (FIRMAP) DATED DECEMBER 21, 2013.
11. THE LOCATION OF ADDITIONAL FIRE HYDRANT(S) AND/OR FIRE CONNECTION(S) AS REQUIRED, SHALL BE APPROVED BY GEORGETOWN-SCOTT COUNTY.
12. NO BUILDING PERMIT SHALL BE ISSUED UNLESS THE APPROVED DEVELOPMENT PLAN IS APPROVED BY THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION.
13. ANALYSIS FOR STORMWATER MANAGEMENT WILL BE PROVIDED IN THE IMPROVEMENT PLANS. THE ANALYSES SHALL CONSIDER THE PROPOSED INCREASE IN IMPERVIOUS AREAS AND ASSOCIATED STORMWATER QUANTITY AND QUALITY MANAGEMENT NEEDS FOR THE REGIONAL IMPACTS OF THE PROPOSED IMPROVEMENTS.
14. AN ENCROACHMENT PERMIT WILL BE REQUIRED FOR ENTRY DRIVE ONTO US-25.

SURVEY NOTES

1. CONTOUR INTERVAL: 1 FOOT. CONTOURS GENERATED FROM DIGITAL ELEVATION MODEL (DEM) DOWNLOADED FROM COMMONWEALTH OFFICE OF TECHNOLOGY.
2. BOUNDARY SHOWN WAS TAKEN FROM PRIOR PLAT OF RECORD LOGGED IN PLAT CABINET "U: SLIDE 360 IN THE SCOTT COUNTY CLERK'S OFFICE.
3. EXISTING EASEMENTS SHOWN WERE TAKEN FROM PRIOR PLAT OF RECORD LOGGED IN PLAT CABINET "U: SLIDE 360 IN THE SCOTT COUNTY CLERK'S OFFICE.
4. SOURCE OF DEEDS:
1376 LEXINGTON ROAD - PART OF LOT 2, LORI A. AND JOHN SAUNDERS, PLAT CABINET "U: SLIDE 360 DEED BOOK 362, PAGE 64 OF RECORD IN THE SCOTT COUNTY CLERK'S OFFICE.

TREE PRESERVATION PLAN

1. TREE PROTECTION AREAS (TPA) SHALL BE FENCED WITH A MINIMUM 6 FEET TALL FENCING LOCATED ALONG THE CROWN OF THE TREE CANOPY WITH SIGNS POSTED EVERY 100 FEET THAT READ "PROTECTED BY THE CITY OF GEORGETOWN". THE FENCE SHALL BE MAINTAINED BY THE URBAN FORESTER. TPA SHALL BE OBTAINED PRIOR TO ISSUE OF PERMIT OR OTHER CONSTRUCTION ACTIVITY. THE FENCE SHALL BE MAINTAINED IN GOOD ORDER FOR THE DURATION OF THE PROJECT AND NOT MOVED WITHOUT PRIOR PERMISSION TO THE URBAN FORESTER. NO TREES TO BE REMOVED, GRATED, OR CLEARED IN THE TPA SHALL BE PERMITTED WITHOUT PRIOR APPROVAL OF THE URBAN FORESTER. SEE PLANNING COMMISSION FOR ALL OTHER REQUIRED TREES SHALL CONFORM WITH THE GEORGETOWN/SCOTT COUNTY PLANTING MANUAL. ALL TREES SHALL BE PLANTED A MINIMUM 10 FEET FROM BUILDINGS TREES TO BE LOCATED WITHIN EASEMENTS MUST FIRST CALL KENTUCKY URGENT CARE AT 1-800-243-7333.
2. ALL EXISTING TREES SHOWN AS TREE SYMBOL WITH AN X SHALL REMAIN AND ARE TO BE PROTECTED. OTHER TREES SHOWN ON PLAN ARE NEW TREES TO BE PLANTED.

TREE CANOPY STATISTICS

SITE AREA	198,882 SF
REQUIRED TREE CANOPY AREA	23,432 SF (12%)
EXISTING TREE CANOPY COVERAGE	12,180 SF (6%)
CANOPY REQUIREMENT	11,480 SF (9%)
(REQUIRING 10+ LARGE TREES OR A COMBINATION OF LARGE, MEDIUM, AND SMALL TREES)	
TREES PROPOSED	1/ LARGE TREES

CONDITIONAL ZONING RESTRICTIONS

PROHIBITED USES:
 A. NO MULTIFAMILY RESIDENTIAL STRUCTURE;
 B. CLUSTER DEVELOPMENT LOTS;
 C. MAJOR RESIDENTIAL SUBDIVISIONS OF TRACTS BETWEEN FIVE AND LESS THAN TEN ACRES.
 A MAJOR RESIDENTIAL SUBDIVISION IS THE DIVISION OF LAND INTO FOUR OR MORE RESIDENTIAL TRACTS INCLUDING THE PARENT TRACT.

CONDITIONAL USE PERMIT NOTES:

1. THE SCOTT COUNTY BOARD OF ADJUSTMENT APPROVED A CONDITIONAL USE PERMIT TO ALLOW THE SCOTT COUNTY HUMANE SOCIETY TO CONDUCT THEIR OPERATIONS AT 1364 LEXINGTON ROAD, SCOTT COUNTY, KY (S-2018-02).

ROYAL SPRING AQUIFER NOTES:

1. THIS PROJECT DOES NOT LIE WITHIN THE ROYAL SPRING AQUIFER RECHARGE AREA.

CERTIFICATION OF OWNERSHIP AND DEDICATION

1. I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I (WE) HEREBY ADOPTE THIS PLAT/PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTCTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, 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.

OWNER SIGNATURE _____ DATE _____

CERTIFICATION OF PRELIMINARY PLAN APPROVAL

I HEREBY CERTIFY THAT THE PRELIMINARY DEVELOPMENT PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

CHARLES GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION DATE _____

LANDSCAPE LEGEND



SHEET	DATE	REVIEWED
FDP	MARCH 2025	REVIEWED
1	20168	
2	GWS	
3		
4		
5		

BANKS
1211 JESSAMINE STATION | HONDAVILLE, KY | 859.851.0020 | BANKSENGINEERING.NET

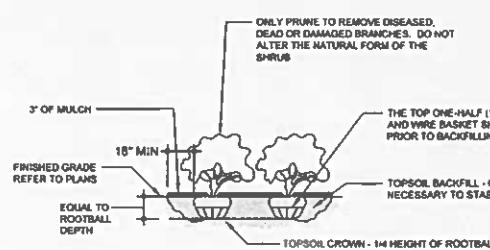
SCOTT COUNTY HUMANE SOCIETY
1376 LEXINGTON ROAD, GEORGETOWN, KY 40324 AMENDED MINOR DEVELOPMENT PLAN

SCOTT COUNTY HUMANE SOCIETY
751 SLOWE DRIVE, STE 13, GEORGETOWN, KY 40324

PRELIMINARY DEVELOPMENT PLAN

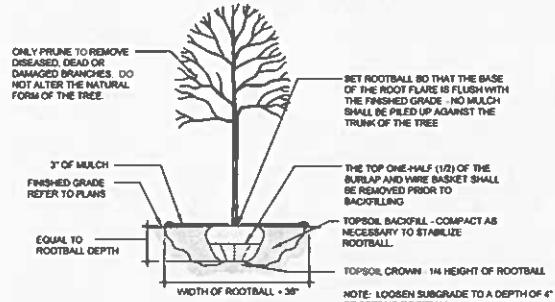
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Drawing 29106_PDP_2025_UPDATE.dwg



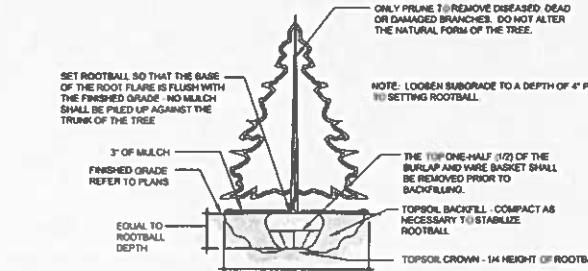
SHRUB

SCALE: NOT TO SCALE



TREE

SCALE: NOT TO SCALE



EVERGREEN TREE

SCALE: NOT TO SCALE

INTERIOR LANDSCAPING FOR VEHICULAR USE AREAS

VEHICULAR USE AREA: 7,527 S.F.
INTERIOR LANDSCAPE AREA REQUIRED (1994): 783 S.F.
PROPOSED: 635 S.F.

INTERIOR LANDSCAPING TREES (1 TREE/29 S.F. REQUIRED INTERIOR LANDSCAPE AREA)
REQUIRED: 3
PROPOSED: 3

VUA PERIMETER LANDSCAPING FOR PARKING LOT EXPANSION

PERIMETER VIA LENGTH: 184 L.F.
REQUIRED PERIMETER TREES (1 TREE / 40')
REQUIRED: 5 TREES
PROPOSED: 5 TREES

PLANTING SCHEDULE

ABREVI.	BOTANICAL NAME	COMMON NAME	MINIMUM CALIPER	MINIMUM SPREAD	MINIMUM HEIGHT	MINIMUM BALL DIA.	QUANTITY
TREES - DECIDUOUS							
BETN	BETULA NIGRA	RIVER BIRCH	2"	5'	17'	24"	2
NYSS	NYSSA SYLVATICA	BLACKGUM	2"	5'	12'	24"	2
ZELB	ZELKOVA SERRATA VILLAGE GREEN	VILLAGE GREEN JAPANESE ZELKOVA	2"	5'	12'	24"	4
TREES - EVERGREEN							
PIN	PINUS STROBIS	WHITE PINE	5"	8'	24"		0
TREES - FLOWERING							
CERC	CERCIS CANADENSIS	EASTERN REDBUD	4"	6'	24"		2
SHRUBS - DECIDUOUS							
FOTG	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	24"	24"	18"		23
SHRUBS - EVERGREEN							
TAXD	TAXUS X MEDIA 'DENSIFORMIS'	YEW	24"	24"	18"		23

GENERAL PLANTING NOTES / SPECIFICATIONS:

1. THESE DOCUMENTS ARE MEANT TO SERVE AS A GUIDE FOR CONSTRUCTION MODIFICATIONS TO THE PLAN MAY BE REQUIRED TO ACCOMMODATE VARYING FIELD CONDITIONS.
2. ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS AS SET BY THE CITY OF GEORGETOWN - SCOTT COUNTY PLANTING MANUAL.
3. CONTRACTOR TO PROVIDE PHOTOS AND SIZE FOR APPROVAL BY LANDSCAPE ARCHITECT AND/OR OWNER OF ALL PLANT MATERIAL PRIOR TO PROCUREMENT.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANT MATERIAL, INCLUDING TWO DRUGS, SITE DELIVERY AND INSTALLATION DATES.
5. ALL SUBSTITUTIONS OR SIZES OR VARIETIES ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT.
6. IN THE EVENT THE PLANT LIST DIFFERS FROM THE PLAN, THE PLAN SHALL GOVERN. THE CONTRACTOR IS RESPONSIBLE FOR COUNTING PLANT QUANTITIES.
7. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES AND IRRIGATION SYSTEMS BEFORE INSTALLATION.
8. USE CAUTION WHEN PLANTING TREES, ESPECIALLY IN AREAS OF EXISTING AND PROPOSED UTILITIES. TREES MAY BE MODIFIED IN THE FIELD TO MITIGATE AND SUCH CONCERN. CONTRACTOR SHALL CONSULT WITH LANDSCAPE ARCHITECT OR OWNER PRIOR TO ADJUSTMENTS.
9. 9. TOPSOIL SHALL BE A NATURAL, FERTILE, LOAM POSSESSING CHARACTERISTICS COMMON TO PRODUCTIVE SOILS IN THE BLUEGRASS REGION. IT SHALL BE FREE FROM ROCKS, STONES, MOULD, DISEASE, AND FREE OF PLANT WASTE, SUBSOIL, HEAVY CLAY, ROOTS AND STALKS, OR ANY OTHER MATERIAL THAT MAY BE HARMFUL TO PLANT GROWTH OR HINDER PLANTING OPERATIONS.
10. 10. PLANTING BED PREPARATION: LOOSEN EXISTING SOIL AND IF NECESSARY ADD TOPSOIL TO A SUFFICIENT QUANTITY TO RAISE THE BED ABOVE THE FINISHED LAWN GRADE TO ADEQUATELY DRAIN AWAY FROM ALL BUILDINGS AND TO PROVIDE POURING OF WATER IN THE PLANTING BEDS. DO NOT RAISE BED GRADES, FINISHED GRADES, OR MULCH ABOVE THE FINISHED FLOOR ELEVATIONS.
11. 11. ALL PLANTING BEDS SHALL BE SPADE EDGED 4-6" DEEP.
12. 12. ALL PLANTING BEDS TO BE MULCHED WITH 2-3" STERILE SHREDDED HARDWOOD MATERIAL (100% EQUIVALENT). DO NOT USE DYED MULCH.
13. 13. ALL EXISTING GRAVEL AND OTHER EXPOSED SURFACES OCCUPIED BY BUILDINGS, STRUCTURES, PAVING, MULCHING, AND AREAS TO BE LEFT UNDISTURBED. SHALL BE SEDED OR SODDED ACCORDING TO THE REQUIREMENTS SET FORTH IN THE CITY OF GEORGETOWN - SCOTT COUNTY PLANTING MANUAL.
14. 14. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CLEAN UP ASSOCIATED WITH THEIR WORK.
15. 15. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL LANDSCAPE MAINTENANCE UNTIL TIME OF FINAL APPROVAL AND ACCEPTANCE BY OWNER. CONTRACTOR SHALL PROVIDE THE MAINTENANCE PROCEDURES, IN WRITTEN FORM, TO OWNER AT TIME OF ACCEPTANCE.
16. 16. ALL MATERIALS, GROUNDCOVERS AND FINISHED WORK TO BE INSPECTED AND APPROVED BY THE OWNER BEFORE FINAL ACCEPTANCE.
17. 17. CONTRACTOR SHALL PROVIDE AND INSTALL PLANT BRACING AND STAKING AS NEEDED OR REQUESTED BY THE LANDSCAPE ARCHITECT OR OWNER. BRACING TO BE EVALUATED AT THE TIME OF INSTALLATION. ALL BRACING SHALL BE INSTALLED PER CITY OF GEORGETOWN - SCOTT COUNTY PLANTING MANUAL.
18. 18. THE 1-YEAR GUARANTEE PERIOD SHALL BEGIN AT THE FINAL ACCEPTANCE OF THE PROJECT. AT THE CONCLUSION OF THE GUARANTEE PERIOD A FINAL INSPECTION OF THE WORK WILL BE MADE TO DETERMINE THE CONDITION OF THE PLANT MATERIAL. ALL PLANT MATERIAL NOT IN A HEALTHY GROWING CONDITION WILL BE REPLACED. REPAIRS TO EXISTING PLANT MATERIAL SHALL BE MADE WITH PLANT MATERIAL OF LIKE KIND AND SIZE, AND IN A MANNER SPECIFIED ON THE ORIGINAL PLAN AT NO EXTRA COST. GUARANTEE PERIOD ALSO APPLIES TO REPLACED MATERIAL.

MULCHING NOTES:

1. ALL TREES SHALL BE MULCHED WITH HARDWOOD MULCH PER PLANTING DETAIL ON THIS SHEET.

SEEDING NOTES:

1. SEED AND STRAW ALL AREAS DISTURBED BY CONSTRUCTION AND SCHEDULED TO RECEIVE NO OTHER SURFACE TREATMENT.

SHEET NOTES:

1. HARDWOOD MULCH TYPICAL ALL PLANTINGS
2. STEEL LANDSCAPE EDDING

KENTUCKY UNDERGROUND PROTECTION INC.

KENTUCKY STATE LAW REQUIRES CONTRACTORS TO CALL TWO BUSINESS DAYS PRIOR TO DIGGING. CALL 811 OR 1-800-732-6007 FOR A LOCATOR REQUEST. ANY ORGANIZATIONS THAT ARE NOT A PART OF KUP INC. SHALL BE CONTACTED INDIVIDUALLY.

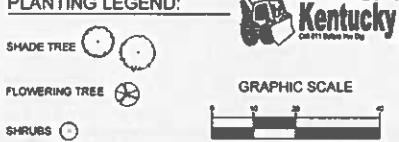
UTILITY NOTE:

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER, "KENTUCKY DIG SAFELY" 811 OR 1-800-732-6007 (TOLL FREE PHONE NO. 1-800-732-6007) FORTY EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GROUND UTILITIES (I.E. GAS, WATER, SEWER, TELEPHONE, ETC.). THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

UNDERGROUND UTILITIES:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND ARE APPROXIMATE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION PROVIDED, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

PLANTING LEGEND:



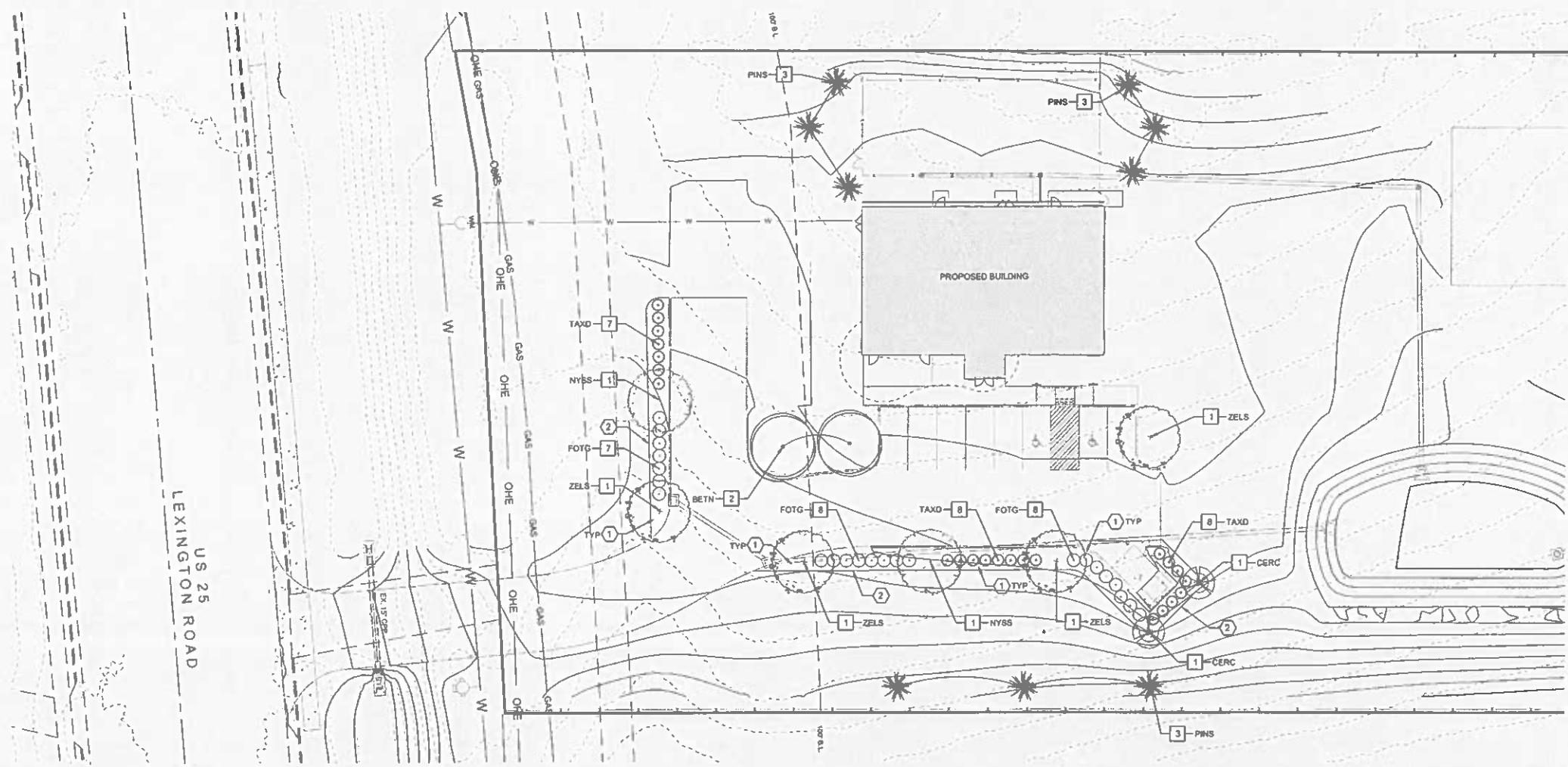
OWNER
SCOTT COUNTY HUMANE SOCIETY
751 SLINE DRIVE, STE. 13, GEORGETOWN, KY 40324

SCOTT COUNTY HUMANE SOCIETY
1376 LEXINGTON ROAD, GEORGETOWN, KY 40324
LANDSCAPE PLAN

BANKS
1211 E. BIRMINGHAM STATION | NASHVILLE, KY | 800.887.0000 | BANKSENGINEERING.COM

DATE	REvised	1	2	3	4	5
05/02/2025						

SHEET 04
DRAWN 20168
CHECKED JTS
APPROVED JDB





P.O Box 821
Georgetown, KY 40324
502-863-3279
www.sc4paws.org

December 11, 2025

RE: Application for Variance from Agricultural Buffer Fencing Requirements for Scott County Humane Society Adoption Center located at 1376 Lexington Road, Georgetown, KY 40324.

Background:

Scott County Humane Society is requesting a variance from the agricultural buffering and fencing requirements outlined in the Zoning Ordinance and Landscape and Land Use Buffers Ordinance as they pertain to parcels adjoining A-1 zoned land for the property at 1376 Lexington Road. The agricultural buffer ordinance requires that when a property undergoes a change of use—through conditional use, variance, or development plan approval—and adjoins A-1 zoning, the developer must install a **6-ft minimum height diamond-mesh or no-climb wire boundary fence along the property boundary line.**

Request:

SCHS requests a variance from the strict requirement that a new fence be installed along **all** boundaries adjoining A-1 property. Specifically, the applicant requests permission to:

- Omit construction of new boundary fencing along the **northern and western** property lines.
- Allow installation of compliant fencing only along the **southern and eastern** boundaries, where active agricultural operations exist.

This request reflects existing site conditions and avoids unnecessary disturbance of established vegetation while still meeting the intended purpose of the agricultural buffering ordinance.

Exhibit A contains site photos of the existing site condition, locations of which are outlined on **Exhibit B**, for reference.

Basis for the Request:

1. Existing Fence and Dense Tree Line Along the Northern Boundary

A substantial, mature tree line exists along the **north side** of the site, providing natural opacity consistent with perimeter buffer intent. There is also **existing fence** along this northern boundary, which adjoins to the Central Kentucky Pet Resort, which is also zoned A-1 and operating as a pet boarding business with an approved conditional use.

While a small section of the older fencing is partially collapsed and may need minor repair at the junction point, it otherwise functions as an appropriate connection for any new fencing on other sides of the property. Given this, constructing new fencing along the northern boundary would provide no additional buffer benefit and would require unnecessary clearing.

2. Existing Fence Along the Western Boundary

4-plank fencing exists along the **western side** of the site, which extends explicitly to both neighboring properties along US25. This fencing has an existing gate to allow access to the property. This existing fencing is characteristically appropriate, blending seamlessly with the surrounding rural corridor. Replacing the existing fencing, or adding additional fencing overlapping, would create a visually intrusive boundary along the roadway, and be functionally unnecessary.

3. Primary Agricultural Interface Occurs on the Southern and Eastern Boundaries

SCHS requests **no variance** of the intended buffer for the **southern and eastern boundaries** of the property, which directly abut active agricultural operations. Fencing in these locations addresses the primary purpose of Section 6.14—managing the interface between new development and agricultural land—and ensures both agricultural protection and clear separation of land uses.

Conclusion:

The Scott County Humane Society respectfully requests approval of this variance to allow:

- New compliant fencing **only on the southern and eastern boundaries**, and
- Omission of new fencing on the **northern and western boundaries**, where natural and existing barriers already fulfill the buffering purpose

This solution maintains the intent of the Agricultural Buffering Ordinance while minimizing overall disturbance. Our goal is to enhance continuity with the agricultural corridor while meeting the intent of the ordinance through thoughtful design and placement.

By constructing fencing only where it is functionally necessary, and maintaining existing buffers that are characteristically appropriate, the project will maintain an agricultural look and feel.

We appreciate the Board's consideration and look forward to presenting this request.

Scott County Humane Society

Jill Nowlin, Board Chair

751 Slone Drive, Suite 13, Georgetown, KY 40324 (502) 863-3279

Noah Smith

From: Cassie Ernst <cassie.ernst173@gmail.com>
Sent: Tuesday, December 30, 2025 4:36 PM
To: Noah Smith
Subject: Re: SCHS Dec 11 Submission - Variance Request

Noah- as we spoke, we are still installing the privacy fencing near the building itself per the site plan, which is where any dogs “off leash” would be to use the restroom/exercise, etc. All other dogs would be “on leash” (or in crates/carriers, as appropriate) to come in and out of the building, as allowed by our conditional use for base operation of the adoption center.

Therefore, the existing and/or new perimeter fencing would only be to meet the intent of the ordinance, and not intended to contain dogs off leash.

Hopefully this helps explain the site condition further.

Cassie
859-250-7648

On Dec 29, 2025, at 11:59 AM, Noah Smith <nsmith@gscplanning.com> wrote:

Wonderful, thank you—I’ll make sure that’s properly noted in the report.

-Noah

From: Cassie Ernst <cassie.ernst173@gmail.com>
Sent: Monday, December 29, 2025 11:32 AM
To: Noah Smith <nsmith@gscplanning.com>
Cc: Rhett Shirley <rshirley@gscplanning.com>
Subject: Re: SCHS Dec 11 Submission - Variance Request

Good morning. I did field confirm the existing fencing is all right around 5ft tall, give or take 1in either way, depending on where I checked!

Cassie

On Dec 29, 2025, at 7:11 AM, Cassie Ernst <cassie.ernst173@gmail.com> wrote:

Good morning! Hopefully you all had a good holiday!



EXHIBIT A — Site Photos

Project: 1376 Lexington Road

Applicant: Scott County Humane Society

Date: 12/11/2025

Photo 1: Western Fence, Looking NE (10/9/25)



Description: 4-plank fencing exists along the **western side** of the site, which extends explicitly to both neighboring properties along US25.

Photo 2: Building West Side, Looking East (12/5/25)



Description: Future building footprint, for reference against the existing landscape.

Photo 3: Northern Fence (12/5/25)



Description: A substantial, mature tree line exists along the **north** side of the site, providing natural opacity consistent with perimeter buffer intent. There is also **existing fence** along this northern boundary. This picture highlights that the existing fencing is older/worn at some sections, but is still intact.

Photo 4: Northern Fence (12/5/25)



Description: A substantial, mature tree line exists along the **north** side of the site, providing natural opacity consistent with perimeter buffer intent. There is also **existing fence** along this northern boundary.

Photo 5: Northern Fence (12/5/25)



Description: A substantial, mature tree line exists along the **north** side of the site, providing natural opacity consistent with perimeter buffer intent. There is also **existing fence** along this northern boundary – this photo is an example of an area where the fencing is partially collapsed, but the mesh is intact.

Photo 6: Northern Fence (12/5/25)



Description: A substantial, mature tree line exists along the **north side** of the site, providing natural opacity consistent with perimeter buffer intent. There is also **existing fence** along this northern boundary.

Photo 7: Northern Fence Corner (12/5/25)



Description: Minor repair required at the junction point at the northeast corner of the property to extend new fencing on the **eastern** property line.

Photo 8: Northeast Corner, Looking West



Description: A substantial, mature tree line exists along the **north side** of the site, providing natural opacity consistent with perimeter buffer intent.

Photo 9: Southeast Corner, Looking Northwest (12/5/25)



Description: Southern and eastern boundaries of the property directly abut active agricultural operations, and is intended to be fenced per the agricultural buffer ordinance. The existing silt fencing is offset from the property line.

**SCOTT COUNTY HUMANE SOCIETY
PDP 2023-10**

**Previous Minutes, Reports, and Context Pertaining to 1376 Lexington Road
January 8th, 2026**

Staff has included excerpts from the Scott County Board of Adjustment minutes pertaining to **CUP S-2020-39 & S-2025-10 (dated 11/5/2020 & 05/1/2025, respectively)** as well as from the Planning Commission meeting for **PDP-2023-10 (dated 04/13/2023)**, so that Commission members may have full context of prior discussions of the site, particularly in relation to fencing requirements.

CONDITIONAL USE PERMIT APPLICATION

1376 LEXINGTON ROAD

Staff Report to the Scott County Board of Adjustment

NOVEMBER 5, 2020

FILE NUMBER: S-2020-39

PROPOSAL: Conditional Use Permit to operate a new pet adoption center.

LOCATION: 1376 Lexington Road

APPLICANT: Scott County Humane Society

CONSULTANT: N/A



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	4.52 Acres
Access	Lexington Road (US 25)

BACKGROUND:

The Applicant is seeking a Conditional Use Permit to operate a new pet adoption center. There are two related variances the Applicant is requesting if the Board is agreeable to approving the Conditional Use Permit. The first variance would be to reduce the side yard setback from 50 feet to 35 feet on the north side of the lot. The second variance is to reduce the setback and increase the allowable height for a freestanding sign on the Project Site. In 2017 a conditional use permit application was denied on the Project Site for an indoor/outdoor archery sport complex.

The supporting narrative submitted by the Applicant indicates that the Humane Society currently operates at 751 Sloane Drive. The current operating hours are noon to 5:30 PM Monday through Friday. The Applicant occasionally has evening meetings, but it is rare that these go later than 8:30.

ISSUES & ANALYSIS:

Section 4.12 (F) of the Zoning Ordinance lists churches, libraries, schools, hospitals, institutions, and clubs as a conditional use in the A-1 zoning district. Section 4.12 (F) makes it conditionally permissible for the operation of quasi-governmental or non-profit organizations in this zoning district. As a local

non-profit serving the public good, the Applicant falls under the conditional uses in the A-1 zoning district.

Traffic:

The Applicant has one full time and one part time employee. Outside of these employees, the Applicant does rely on volunteers for help. The Applicant is proposing 15 parking spaces, and has limited hours of operation, so staff does not anticipate traffic volumes that would negatively impact neighboring properties. The Project Site will need to comply with all landscaping requirements for the parking area, which is designed to minimize off site light and noise impacts from parking areas.

Noise:

The Applicant is not proposing to keep any dogs overnight at the facility, and dogs are proposed to be brought to the facility only for training or meeting potential adopters. The outdoor portion of the proposed facility is shown on the north side of the building. The Applicant is proposing additional evergreen trees on the east and west sides of the fenced yard to further screen any noise or visual impacts from US 25 and properties to the east. This should prevent this area, even with infrequent use, from becoming a nuisance to neighboring property owners.

Other Potential Nuisances:

The site should not generate any odors, light flashes, vibrations, or other potential nuisances to neighboring property owners.

Variances:

"KRS 100.243 Findings necessary for granting variances.

- 1. Before any variance is granted, the board must find that the granting of the variance will not adversely affect the 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 an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
 - a. The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
 - b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*
 - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*
- 2. The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*

Staff supports the requested variance to reduce the side yard setback from 50 feet to 35 feet on the north side of the property. It would not negatively impact the public health safety or welfare. It would not alter the essential character of the general vicinity and would not cause a hazard or nuisance. The Applicant stated that the neighboring property to the north is agreeable to this reduced setback.

Approval of this variance would allow the Applicant to keep the building further away from nearby properties that have historic agricultural use and character. It also helps to reduce any potential noise or other disturbances further from residential or agricultural properties in the area. The Project Site is a

narrow lot measuring approximately 200 feet in width at the front, which does not meet the width requirements for an agriculturally zoned lot. As with most narrow or undersized lots throughout Scott County, variances are requested to make a reasonable use of the property. The Applicant has not taken any actions that would constitute a willful violation of the regulations from which relief is sought.

Staff also supports the requested variance to the proposed sign for the Project Site. The County's Sign Ordinance requires all signs to meet the setbacks for the zoning district in which they are located. For this site, it would require the Applicant's sign to be 50 feet from the front property line. For reference, this would require the sign to be 50 feet back from the existing four board fence on the site. Staff finds it reasonable, given the lay of the land, and the existing fence to move the sign closer to the front property line to allow the sign to be visible. KYTC has a very wide right-of-way for US 25 since the road was widened. Abiding by the 50 setbacks for the proposed sign would require it to be approximately 115 feet from the eastern edge of the pavement for US 25. The US 25 corridor between Georgetown and Fayette County is also recommended to only have monument style signs to allow the area to retain a more rural character. Monument signs are limited to be a maximum of 8 feet tall. The applicant is requesting the proposed sign be 13 feet tall to allow it to be visible over the existing 5 feet tall fence on the site. Staff finds this to also be a reasonable request. Approving the sign variance would not negatively impact the public health, safety, or welfare. It would also not constitute a nuisance or hazard to properties in the general vicinity.

FINDINGS:

1. The proposed use is a conditional use in the A-1 zoning district under Section 4.12 (F).
2. The project site's proposed layout, limited staff, and limited hours of operation should result in minimal, if any, negative impacts for nearby property owners.
3. The requested variances meet the requirements of KRS 100.243, and should not negatively impact the public health, safety, or welfare.

RECOMMENDATION:

Staff recommends **Approval** of the application for Conditional Use Permit as well as the related variances to the building setback and the sign. Should the Board approve the application, staff recommends including the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the *Georgetown – Scott County Zoning Ordinance and Subdivision and Development Regulations*.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities and shall provide copies to the Board of Adjustment of any and all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain Preliminary Development Plan Approval and Final Development Plan approval before any construction or grading on the Project Site.
4. The Applicant shall return to the Board of Adjustment prior to any changes in the approved conditions, particularly changes in operating hours or the keeping of dogs on the Project Site.
5. The Conditional Use Permit shall become null and void upon the transfer of ownership of the property.



Georgetown-Scott County Planning Commission
Planning · Engineering · GIS

Reference Case No. S-2020-39

November 9, 2020

Scott County Humane Society
P.O. Box 821
Georgetown, KY 40324

Subject: Case No. S-2020-39

Applicant,

At a special meeting on November 5, 2020, the Scott County Board of Adjustment approved application S-2020-39 for a conditional use permit to operate a pet adoption center at 1376 Lexington Road. The Board also approved a variance to reduce the side yard setback from 50 feet to 35 feet. The Board also approved variances to reduce the setback for a monument sign to 14 feet and allow the sign to be up to 13 feet tall. The approval deferred any questions regarding fencing for the Project Site to development plan approvals from the Planning Commission. The following conditions were attached to the approval:

1. The property is subject to all requirements in the *Zoning Ordinance* and the *Subdivision and Development Regulations*.
2. The Applicant shall comply with all requirements of other federal, state and local regulations and shall provide copies to the Board of Adjustment staff of all permits issued on behalf of the Applicant as a result of the approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain a Preliminary Development Plan approval and Final Development Plan approval prior to any construction or grading on the Project Site.
4. The Applicant shall return to the Board of Adjustment prior to any changes in the approved conditions, particularly changes in operating hours or the keeping of dogs on the Project Site.
5. The Conditional Use Permit shall become null and void upon the transfer of ownership of the property.



Georgetown-Scott County Planning Commission
Planning · Engineering · GIS

A copy of the minutes of the meeting can be provided to you when they become available. If you have any questions, please feel free to call at (502) 867-3701.

Sincerely,

Matt Summers, AICP, MPA
Senior Planner

Scott County Board of Adjustment

November 5, 2020

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d. S-2020-35 – Nickolas Nims, 421 Boyers Chapel Road, Sadieville, KY 40370, sworn, requested a Conditional Use Permit (CUP) for a secondary single-family residence for a family member at 421 Boyers Chapel Road, Sadieville, KY 40370. The property is zoned Agricultural, A-1. The applicable provision is Zoning Ordinance, Section 4.12 (L). Required notices were given. There was no opposition. Staff recommends approval.

Staff presented the application. Applicant (sworn) confirmed Staff's information. The property is comprised of nineteen and sixty-eight hundredths (19.68) acres.

Upon motion by Dillow, second by Barrett, the Board unanimously approved the application, subject to the Staff report.

e. S-2020-36– POSTPONED: Luther & Linda Sebastian, P.O. Box 911, Georgetown, KY 40324 seeking a variance at 1840/1844 Lexington Road.

f. S-2020-37 – Earnie Woodard, 3295 Cincinnati Road, Georgetown, KY 40324, requested a variance to reduce front yard setback from fifty (50) feet to fifteen (15) feet and the side yard setback from fifty (50) feet to fifteen (15) feet at 3295 Cincinnati Road, Georgetown, KY. The property is zoned Agricultural, A-1. The applicable provision is Zoning Ordinance, Schedule of Dimension and Area Regulations. Required notices were given. There was no opposition. Staff recommends approval of Option 3, as outlined in the Staff report.

Staff explained applicant was unable to speak to the Board, and asked the matter be continued to later on the agenda. **This application passed to later on the agenda.**

g. S-2020-38 – David Lee Maynard, 1525 Locust Fork Road, Stamping Ground, KY 40379, requested a conditional Use Permit (CUP) for a secondary single-family residence for a family member at 1525 Locust Fork Road. The property is zoned Agricultural, A-1. The applicable provision is Zoning Ordinance, Section 4.12 (L). Required notices were given. There was no opposition. Staff recommends approval.

Staff presented the application. Applicant (sworn) explained further and confirmed Staff's information.

Upon motion by Holland, second by Dillow, the Board unanimously approved the application, subject to the Staff report.

h. S-2020-39 – Scott County Humane Society, 751 Slone Drive, Suite 13, Georgetown, KY 40324, requested a Conditional Use Permit (CUP) to operate a pet adoption center at 1376 Lexington Road, Georgetown, KY 40324. Applicant further requested two (2) variances: a. a side yard variance on the north side from fifty (50) feet to

Scott County Board of Adjustment
November 5, 2020
Page three

thirty-five (35) feet; b. a variance of the front setback of the sign from one hundred (100) feet to fourteen (14) feet; and c. the height of the sign varied from the maximum height of eight (8) feet to thirteen (13) feet. The property is zoned Agricultural, A-1. The applicable provision is Zoning Ordinance, Section 4.12 (F). Required notices were given. There was no opposition. Staff recommends approval. The Board attorney explained that he represented the property owners, though not in relation to the sale of this property, and that he would take the minutes, but would not advise on the application. There were no objections.

Staff presented the application. Applicant, through its Board Chair, Kristen Lowry (sworn), confirmed Staff's information and explained further. The application is for permission to construct and operate new pet adoption center at 1376 Lexington Road. The Board packet should be consulted for a detailed description of the proposed operation, which currently operates at 751 Sloane Drive, Georgetown. Dr. Scott Weakley (sworn) one of the owners of Central Kentucky Veterinary Center, next door, supported the application.

Roger Quarles (sworn), owner of an adjacent farm, asked that his letter be placed in the record. He suggested the applicant could use the site of the old house in front of Central KY Vet Clinic adjacent to the north side of the subject property. Quarles acknowledged that the proposed use is better than previously proposed uses. He asked if the dumpster could be moved away from the side of applicant's building nearest to his driveway. He asked if hours of operation could be coordinated with the Central Kentucky Veterinary Pet Hotel next door. He reminded the Board that he hosts weddings and other events on his property and asked that applicant's operation, e.g., the animals' release for bathroom and exercise be coordinated with those events. Quarles also noted the need for a boundary fence on the south and east sides of the subject property, which adjoin his farm. Quarles closed saying that if this use fails, he hopes no other inappropriate businesses are allowed on this property.

Staff responded to Quarles, saying they would review relocation of the dumpster. Matt said that Staff would defer to applicant concerning coordination of animals outside the facility. Staff told the Board that the ordinance does not require fencing between agricultural uses. Perhaps fencing could be required on the development plan.

Lowry said that the dumpster could be relocated. She argued, however, the facility does not need a fence, while Quarles' farm does. She assured the Board that applicant will fence what is needed, but that the perimeter of applicant's property needs no fence. No fencing will be constructed until construction begins on the facility.

Board member Holland asked the Board attorney regarding the process for requiring fence construction between properties. The Board attorney advised Kentucky statute provides a mechanism for requiring an adjacent agricultural property owner to share the cost of fencing, but that he had not used that statute in years and the process had changed somewhat. The Board attorney added, the Board may require a fence as part of the CUP approval if a fence is reasonably needed for the use to fit in this location. If the Board

Scott County Board of Adjustment

November 5, 2020

Page four

does not believe CUP conditions should include fencing, then fencing would not be part of the Board's decision. The cluster Ordinance, or other unrelated ordinance would not apply to this application. As part of an approval, the Board may direct construction of a fence, but defer the issue of what an appropriate fence would be to Staff's development plan review.

Upon motion by Barrett, second by Dillow, the Board unanimously approved the application, subject to the Staff report, with the issue of required fencing deferred to the Commission's approval of a development plan.

CONTINUED FROM ABOVE: f. S-2020-37 – Earnie Woodard. Applicant is now before the Board. Staff presented the application. This property is across from Mallard Point entrance. Applicant requested and received a variance in 2006. In 2020, he requested a rear setback variance and was denied. There are similarly situated lots in this area. A variance is required to enable the reasonable use of this non-conforming lot of only fifty-one hundredths (.51) acres.

Staff explained applicant's options as outlined in the application. Staff opposed options 1 and 2. Option 3 results in the smallest variance and the least neighborhood impact, while allowing reasonable use of this non-conforming lot. Staff also noted the presence of a business sign in the past, which if still there, would require a CUP for home occupation.

Applicant (sworn in) further explained the options, his history of appearances before this Board concerning this project. He explained he also prefers option 3. Nonetheless, applicant explained the efforts he has made toward achieving this proposed building. He understood option 1 previously had been approved, so he planned accordingly. After spending significant funds, he learned option 1 had not been approved. This is why he is back before the Board. Applicant agrees option 3 is best, but would like to proceed with option 1.

Upon motion by Dillow, second by Barrett, the Board unanimously approved option 3, subject to the Staff report and a variance from fifty (50) feet to twenty-five (25) feet.

i. S-2020-40– Baron Gibson, 584 Maryland Ave. Lexington, KY 40508, Project site: Cane Run Road, Georgetown, KY 40324, requested a variance to reduce the side yard setback from fifty (50) feet to seventeen (17) feet for an expansion of the existing house. The property is zoned Agricultural, A-1. The applicable provision is Zoning Ordinance, Schedule of Dimension and Area Regulations. Required notices were given. There was no opposition. Staff recommends approval.

Staff has heard from a neighbor in the vicinity that voiced opposition. That person is not present. Gibson (sworn) is applicant and architect on this project. He explained the necessity of this encroachment. Cohen (sworn) a neighbor, upon learning the specifics of the application, was not opposed.

SCOTT COUNTY HUMANE SOCIETY PRELIMINARY DEVELOPMENT PLAN

Staff Report to the Georgetown-Scott County Planning Commission APRIL 13, 2023

FILE NUMBER: PDP-2023-10

PROPOSAL: Preliminary Development Plan for a 5,100 SF building with a 1,500 SF covered-open air area.

LOCATION: 1376 Lexington Road

OWNER: Scott County Humane Society

CONSULTANT: Jason Banks
Banks Engineering, Inc.



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage (Net)	4.52 Acres
Building Height	20 feet, 5 inches
Proposed Building Size	6,600 SF Total (Main Building: 5,100 SF; Covered Open-Air Area: 1,500 SF)
Proposed Parking	16 spaces (2 ADA Accessible)
Access	Lexington Road (US 25)
Variances/Waivers	None

BACKGROUND:

The Applicant is seeking approval of a site plan to construct a 6,600 SF building for the Scott County Humane Society. In November of 2020, the Scott County Board of Adjustment approved a conditional use permit for the site to allow the site to be used as a pet adoption center. As part of their Conditional Use Permit, the Applicant indicated they would not be keeping any dogs overnight at the Project Site. Dogs would be brought to the site only for training and meeting potential adopters. At the same hearing, the Board approved a variance to reduce the side yard setback on the north side from 50 feet to 35 feet.

PLAN REVIEW:

The Project Site is a 4.5-acre lot with access from Lexington Road. The proposed building will sit on the western side of the lot (closer to Lexington Road), leaving a large space in the rear. The proposed parking for the building is on the west and south sides of the building. The development plan shows an adequate amount of off-street parking.

There is a proposed covered open-air area on the north side of the building for pet adopters to get acquainted with the pets. There is also a 40 ft. x 100 ft. fenced area on the north side of the building for dog exercise.

Access:

Vehicular access to the site is proposed from Lexington Road. The Applicant will need to get approval for all modifications to the existing entrance from the Kentucky Transportation Cabinet (KYTC). Additionally, the Applicant will need to coordinate with any utility providers with easements/lines along the US 25 right-of-way and the frontage of the Project Site.

Stormwater Management:

The Preliminary Development Plan shows a potential stormwater detention area south of the parking lot.

Landscaping & Buffering:*Section 6.12: Property Perimeter Requirements*

The landscaping and buffering requirements of Section 6.12 do not apply to this site.

Section 6.13: Vehicular Use Area Perimeter Requirements

The Preliminary Development Plan meets the requirements for VUA perimeter landscaping.

Section 6.22: Interior Landscaping for Vehicular Use Areas

The Applicant is meeting the requirement for the amount of VUA landscaped area and the number of trees required in those areas.

Section 6.2215: Minimum Canopy Requirements

The Preliminary Development Plan meets the requirements for canopy coverage.

Section 6.23: Landscaping for Service Structures

The Preliminary Development Plan meets the requirements for screening around the dumpster.

Miscellaneous Buffering

At the Board of Adjustment hearing, a question was posed by a neighbor regarding fencing around the proposed development. There are no local ordinances at this time which would require buffering or fencing between two properties in the A-1 zone. The Planning Commission has heard and recommended approval of a text amendment which may require such fencing, but at this time it has not yet been adopted by the legislative bodies.

RECOMMENDATION:

Staff recommends **approval** of the Preliminary Development Plan. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

Conditions of Approval:

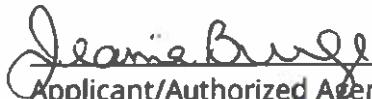
1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
5. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual including a post-construction stormwater management BMP O&M agreement.
6. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
7. The Final Development Plan shall have a specie specific Landscaping Plan in compliance with the *Landscaping & Land Use Buffers Ordinance*.
8. The Applicant shall abide by all conditions of the Conditional Use Permit numbered S-2020-39.

SCOTT COUNTY HUMANE SOCIETY
PDP-2023-10
Conditions of Approval
APRIL 13, 2023

Approval of the Preliminary Development Plan for a 5,100 SF building with a 1,500 SF covered open-air area.

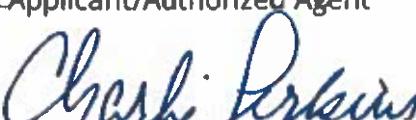
Conditions:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Development Plan 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 Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
5. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual including a post-construction stormwater management BMP O&M agreement.
6. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
7. The Final Development Plan shall have a specie specific Landscaping Plan in compliance with the *Landscaping & Land Use Buffers Ordinance*.
8. The Applicant shall abide by all conditions of the Conditional Use Permit numbered S-2020-39.



Jeanie Brueg
Applicant/Authorized Agent

4/13/23
Date



Clark Perkins
Planning Commission Secretary

4/13/23
Date

Mr. Elam proposed that the Army Corp of Engineers may have regulations.

After further discussion, **Motion by Jessie, second by Smith to approve the Final Development Plan (FDP-2023-09) subject to (6) conditions of approval. Motion carried unanimously.**

PDP-2023-10 Scott County Humane Society – Preliminary Development Plan for a 5,100 SF building with a 1,500 SF covered-open air area located at 1376 Lexington Road.

Mr. Summers stated the property and surrounding properties are zoned A-1. He stated the site is approximately 4.5 acres. He stated access is from Lexington Road. He stated the application meets all requirements and does not request any waivers/variances for this application.

He stated in November 2020 the applicant received a conditional use permit for this site.

He stated previously fencing was discussed around the proposed development. He stated the Planning Commission has recommended approval of a text amendment which would require fencing but at this time it has not been adopted by the County. Mr. Perkins stated generally it would be what is currently in place but if the applicant does not act on the plan until after the amendment takes effect, the development would need to follow the amendment.

Greg Smorstad, Banks Engineering, questioned if the new fence regulation passes who is responsible for installing the fence. Mr. Kane stated the developer is responsible for installing the fence. Mr. Summers stated that the conditional use permit is what would make this application need to install a fence when the ordinance passes.

Jeani Burge, Scott County Humane Society Board Member, questioned if they would have to fence the whole property and what type of fencing would be required. It was stated it would need to be a 6-foot diamond mesh fence. Ms. Burge stated that could be expensive for 4.5 acres. Mr. Summers stated the southern and eastern side of the property would require fencing.

Mr. Smorstad stated he has not had this type of situation happen before. Mr. Perkins read the ordinance and it was discussed.

Commissioner Shirley questioned the applicant if they planned to fence any other area not shown on the development plan. Ms. Burge stated they planned to fence off the dog run area.

Roger Quarles, 1689 Lemons Mill Road, stated he is the adjoining landowner. He stated he was part of developing the ordinance and is concerned that someone is already trying to figure out how to get out of the requirement.

He stated he also has concerns about noise. He asked if there could be a limit on dogs being out after 5:00 pm.

Commissioner Jessie stated he feels the applicant has tried to be a good neighbor by limiting the times when dogs would be outside.

Commissioner Jessie asked for clarification that presently the new ag buffer ordinance has not been adopted but by the time the final development plan comes back it might be adopted.

After further discussion, **Motion by Jessie, second by Smith to approve the Preliminary Development Plan (PDP-2023-10) subject to (8) conditions of approval. Motion carried 6-1 with Stone dissenting.**

PDP-2023-11 MLS Powersports (Commonwealth of KY Unit 3, Tract 1) - Preliminary Development Plan for 47,075 SF Commercial Building with a 24,000 SF future expansion on 41.66 acres located at NE corner of Cherry Blossom Drive and Cynthiana Road.

Mr. Kane stated the property is zoned B-5 and C-1. He stated the site is between Lanes Run Business Park, Barkley Meadows, Toyota and Pleasant Valley across the street.

He stated the property includes a floodplain area. He stated a future storage building to the west will be built but not in phase 1. He stated that the storage area will have gravel and will be fenced.

He stated the main access will be from Cynthiana Road with a secondary proposed access from Barkley Lane.

He stated the B-5 zoning has additional standards. He stated there are additional landscaping and setbacks from residential areas and the preliminary development plan meets the requirements.

He stated there is triple road frontage for the lot and the applicant is requesting a variance to allow loading and unloading from the rear of the building which is a secondary front yard facing Barkley Lane.

He stated the applicant is requesting a variance to allow gravel in the temporary storage area.

He stated the applicant also is requesting a variance to allow no new sidewalks along Cynthiana Road or Barkley Lane.

He stated staff supports the application but without direct access to Barkley Lane at this time. He stated Barkley Lane is not built to withstand truck traffic. He stated the staff thinks the one entrance off Cynthiana Road is sufficient at this time.

He stated state approval will be needed for the new entrance. He stated as a condition of approval staff is requesting a turn lane into the development from Cynthiana Road.

CONDITIONAL USE PERMIT APPLICATION
1376 LEXINGTON ROAD
Staff Report to the Scott County Board of Adjustment
March 6, 2025

FILE NUMBER: S-2025-10

PROPOSAL: Amend an existing
Conditional Use Permit

LOCATION: 1376 Lexington Road

APPLICANT: Scott County Humane Society
(property owner)

CONSULTANT: n/a

STATISTICS:

Zone: A-1 (Agricultural)

Surrounding Zone (s): A-1

Site Acreage: 4.52 acres

Access (Directly): Lexington Road [US-25]

Access (Nearest Arterial): Lexington Road [US-25]

Context: North of McClelland Circle



BACKGROUND:

The Scott County Humane Society ("Applicant") is seeking to amend an existing Conditional Use Permit (S-2020-39) which allows them to operate a pet adoption center at the property addressed 1376 Lexington Road ('Project Site'). The Project Site is a 4.52-acre parcel in an A-1 zone.

ISSUES & ANALYSIS:

Conditional Uses are those uses which are essential to or would promote the public health, safety, or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located or in adjoining zones **unless** restrictions on location, size, extent and character of performance are imposed in addition to those imposed in the zoning regulation. Conditional uses may be permitted in districts as designated under the zoning district regulations but only when specifically approved by the Board of Adjustment.

A Conditional Use Permit is legal authorization to undertake a conditional use, issued by the Administrative Official pursuant to authorization by the Board of Adjustment consisting of two parts:

- a) A statement of the factual determination by the Board of Adjustment which justifies the issuance of the permit.
- b) A statement of the special conditions which must be met in order for the use to be permitted.

Section 4.12 (F) of the *Zoning Ordinance* lists churches, libraries, schools, hospitals, institutions, and clubs as a conditional use in the A-1 zoning district. Section 4.12 (F) makes it conditionally permissible for the operation of quasi-governmental or non-profit organizations in this zoning district. As a local non-profit serving the public good, the Applicant falls under the conditional uses in the A-1 zoning district.

The Conditional Use Permit active at this property allows for operating hours of 12:00 PM to 5:30 PM Monday through Friday, with no dogs to be kept overnight. This property has yet to be constructed, but has received approval through the development plan process.

The Applicant is seeking to amend the hours of operation to Monday through Sunday, 9 AM to 6 PM, and to also allow for a maximum of six dogs to be kept overnight at any time.

EXPANSION OF OPERATING HOURS:

The Applicant has stated that requesting expanded hours will allow them to host activities that typically take place outside of the previously approved operating hours without having to frequently apply for special event permits, or risk violating the terms of their permit.

These activities may include:

- Adoptions or "meet and greets"
- Medical or vaccination clinics
- Training activities for volunteers or foster homes
- Fundraisers

Staff finds that these functions are typical of and incidental to an animal shelter that provides adoption and fostering services, and as such is in support of this request.

OVERNIGHT HOUSING OF DOGS:

The applicant is seeking to amend their current permit to allow the housing of a maximum of 6 dogs overnight at any time.

The applicant has stated that a growing need for temporary, short term, and emergency overnight housing of dogs has led them to this request.

Allowing this would help remediate the following situations:

- Prior adopters returning an animal without notice
- Unplanned emergencies affecting foster homes
- Safety concerns within foster homes
- Local natural disasters or emergencies
- Lessen the burden on Scott County Animal Care and Control

While Staff recognizes that these temporary needs for overnight housing may be irregular and potentially overlap in frequency, and that the allowance of overnight housing may constitute staff and public activity onsite outside of business hours, the intent of the proposed amendment to this permit is **not** to allow for overnight housing of dogs to become a primary function of this facility. Otherwise, Staff is in support of this request.

As part of the development plan for this facility (PDP-2023-10), the Applicant is proposing additional evergreen trees on the east and west sides of the fenced yard to further screen any noise or visual impacts from US 25 and properties to the east. This should prevent this facility and its proposed use from becoming a nuisance to neighboring property owners. Being that the property borders other A-1 zoned properties on all sides, additional screening and fencing that satisfies the *Georgetown & Scott County Landscape & Land Use Buffer Ordinance - Section 6.14 - Agricultural Buffering* will be installed along property boundaries as deemed necessary.

Approval of this application would not adversely impact public health, safety, or welfare, or alter the character of the general vicinity as remediation measures will be put in place per the conditions of approval of their development plan. Approval of this application would not cause a hazard or nuisance to the public.

Overall, Staff recommends **Approval** of this application, as the described uses and measures that will be put in place to minimize impacts to the surrounding community satisfy the requirements of Section 4.12 (F) of the *Zoning Ordinance*.

FINDINGS:

1. The Project Site is a 4.52-acre A-1 zoned parcel.
2. Section 4.12 (F) makes it conditionally permissible for the operation of quasi-governmental or non-profit organizations in this zoning district.
3. As a local non-profit serving the public good, the Applicant falls under the conditional uses in the A-1 zoning district.
4. Properties zoned A-1 must adhere to 50-foot setbacks from all property lines.
5. Approval of the conditional use permit would not adversely impact public health, safety, or welfare. Additionally, approval of the Conditional Use Permit will not alter the character of the general vicinity, as appropriate preventative measures shall be put in place per the conditions of approval of their development plan for the facility.

RECOMMENDATION:

Staff recommends **Approval** of the request to amend an existing Conditional Use Permit to allow for expanded business hours and the temporary housing of dogs overnight as described. Should the Board approve the application, staff recommends including the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the Georgetown – Scott County Zoning Ordinance and Subdivision and Development Regulations.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities. The Applicant shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall return to the Board prior to any changes in the approved conditions.
4. Overnight housing of dogs shall not become a primary function of this facility.
5. Failure to comply with the conditions of this permit or those as they pertain to the development plan for the facility shall constitute review of this application.



Georgetown-Scott County Planning Commission
Planning · Engineering · GIS

Reference Case No. S-2025-10

May 14, 2025

Scott County Humane Society
C/O Cassie Ernst

Subject: Case No. S-2025-10

Applicant,

At the regular meeting scheduled on May 1, 2025, the Scott County Board of Adjustment reviewed application S-2025-10 and **Approved** of the request to amend an existing Conditional Use Permit to allow for expanded business hours (Monday through Sunday, 9 AM to 6 PM), and the temporary housing of dogs overnight as described below.

The following Conditions of Approval were applied to this permit:

Conditions of Approval:

1. This property is subject to all requirements of the Georgetown - Scott County Zoning Ordinance and Subdivision and Development Regulations.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities. The Applicant shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall return to the Board prior to any changes in the approved conditions.
4. Overnight housing of dogs shall not become a primary function of this facility.
5. Failure to comply with the conditions of this permit or those as they pertain to the development plan for the facility shall constitute review of this application.
6. The applicant shall retain records of all dogs that are kept overnight.
7. There shall be no dogs unattended outside after business hours.
8. There shall be no more than 4 dogs kept overnight at a time.
9. There shall be no overnight housing of dogs until 6 months after the issuance of a certificate of occupancy.

A copy of the minutes of the meeting can be provided to you when they become available. If you have any questions, please feel free to call at (502) 867-3701.

Sincerely,

Rhett Shirley



Georgetown-Scott County Planning Commission
Planning · Engineering · GIS

Planner I

Scott County Board of Adjustments
May 1, 2025, Minutes

Channing Meadows, Stamping Ground member, was sworn in before meeting.

The meeting was called to order at 5:00 p.m. All members were present. Rhett Shirley was present as Staff to the Board. The Board Attorney administered the oath to those signed in to speak.

Upon Motion by Cooper, second by Volk, the Board unanimously approved the March 6, 2025, minutes.

Applications Old:

a. **S-2025-05: Michael Barnett, 4672 Todds Road, Lexington, KY 40509**, request for a variance to reduce the western boundary setback from fifty (50) feet to seven and one-half (7.5) and reduce the minimum lot width at the building line to two hundred ten (210) feet at 2101 Woodlake Road. The property is zoned Agricultural, A-1. The applicable provision is KRS 100.243.

Rhett presented the application. He reported on the site visit staff made to the site. Based upon that visit, Staff amended its recommendation to approval of the side yard variance from fifty (50) feet to fifteen (15) feet, not the 7.5 feet requested. He described the circumstances and reasonableness of the variance request to the width of the building line and recommended approval. He presented his proposed findings and conclusions. The State has approved the entrance. The recommended approvals are appropriate under Statute.

Applicant thanked the Board and Rhett and concurred in the report.

Upon motion by Cooper, second by Holland, the Board unanimously approved the fifteen (15) feet side yard setback and width from two hundred fifty (250) feet to two hundred ten (210) feet.

b. **S-2025-10: Scott County Humane Society, Jill Nowlin, Board Chair, PO Box 821, Georgetown, KY 40324**, requested modification of an existing Conditional Use Permit (S-2020-39) at 1376 Lexington Road. The property is zoned A-1, Agricultural. The applicable provision is Zoning Ordinance, Section 4.12(F). Notices were given. There was opposition.

Rhett presented the application. Applicant and opposition have met with Staff. Staff's recommendation of approval has not changed. The Board previously approved extending applicant's hours. The only issue to be considered at this meeting is the request to keep dogs overnight. The facility for which this CUP modification is requested is in the development plan process. Staff deferred to applicant to explain the need for up to six (6) dogs overnight. Staff's recommendation is in the Staff report. Rhett noted fencing and other requirements. The original request was for six (6) dogs. The request is now four (4).

Scott County Board of Adjustments
May 1, 2025, Minutes
Page two

Alex Cantrill, applicant board member, said this request is needed for applicant's adoption program. The request is now for four (4) dogs overnight, not six (6). These will only be in emergent circumstances while fosters are arranged.

Applicant has only a 5% return rate on adoptions. Applicant needs a way to care for those dogs that are returned. There will be no dogs unattended outside after hours. Contact info will be provided. The facility will be closed on the listed holidays. This will greatly assist in our mission. This is not an intake site. The County's Animal Control performs intake. This is for emergencies.

Roger Quarles asked to shorten Sunday hours. He complained that no documents have been submitted that demonstrate applicant's history or that of the County's Animal Control that justifies this request. He asked for a plan to achieve zero noise. He asked for no dogs outside after 4:00 p.m. He asked for dogs not to be kept on consecutive nights. There are no overnights now. This is a new request.

Director Holden suggested the Board might delay the effective date of dogs kept overnight. He also noted Staff's duty to review each CUP at least annually.

Applicant agreed to no unattended dogs outside after 6:00 p.m. Quarles requested none be unattended outside after 4:00 p.m. A log of the dogs kept overnight was suggested that would identify the dog and the dates kept overnight. Quarles reiterated his request for a plan to achieve zero noise.

Director Holden reminded everyone that applicant is comprised of dog experts. Staff is not. Applicant can provide "best practice" for keeping the dogs.

Upon motion by Cooper, second by Volk, the Board unanimously approved the application, subject to the Staff Report, and the following:
Applicant may keep only four (4) dogs overnight. Applicant will keep a verified log of the dogs kept overnight, with the dates kept. None of the dogs will be allowed outside the facility unattended after hours. No dogs shall be kept overnight on site for the first six (6) months after issuance of the Certificate of Occupancy.

c. S-2025-13: Kusheda Salyers, 877 Porter Road, Sadieville, KY 40370, requested a Conditional Use Permit (CUP) for a private park/recreational area at 891 Porter Road, Sadieville, KY 40370. The property is Zoned Agricultural, A-1. The applicable provision is Zoning Ordinance, Section 4.12. Required notices were given. There was opposition. Staff recommended approval.

GEORGETOWN COMMONS PRELIMINARY DEVELOPMENT PLAT

Signage Variance & Updated Master Sign Plan PDP-2024-48

Georgetown-Scott County Planning Commission
January 8, 2025

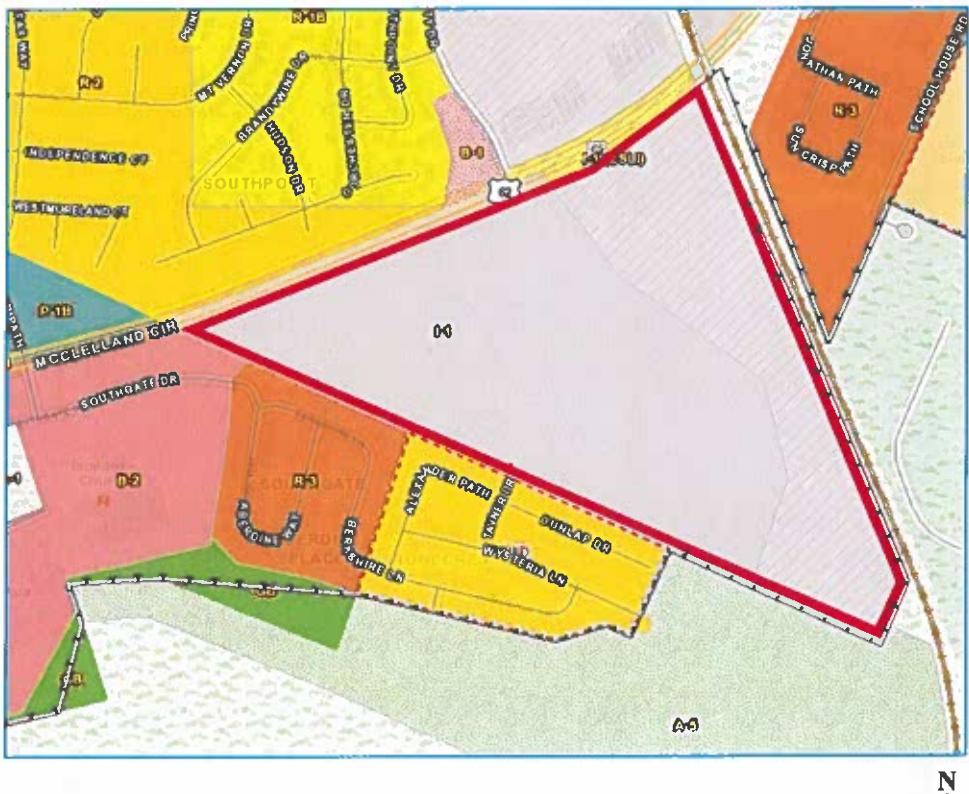
FILE NUMBER: PDP-2024-48

PROPOSAL: Variance for the Modification of the Master Sign Plan

LOCATION: McClelland Circle

APPLICANT: Hogan Realty and Jon Woodall Esq., McBrayer Law

CONSULTANT: Derek Triplett, Land Design & Development Inc.



BACKGROUND:

On November 14, 2024 Hogan Real Estate Company, hereinafter the "Applicant" received approval of a preliminary development plan (PDP-2024-48) for the Georgetown Commons project. This approval included the approval of a Master Sign Plan that contained the details of a 25' tall pylon sign for outlots 1 & 2 (sign 3).

The applicant is now requesting a variance to modify the height of sign #3 to 35' and modify the approved Master Sign Plan with the updated sign based on site specific topography.

Staff has reviewed the submitted documents for compliance with both the original conditions as well as KRS 100.243.

ISSUES & ANALYSIS:

The applicant has submitted several site line studies as well as justification for the specific requested variance.

"KRS 100.243 Findings necessary for granting variances.

1. *Before any variance is granted, the board must find that the granting of the variance will not adversely affect the 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 an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
 - a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
 - b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*
 - c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*
2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*

When considering all variances, it is important to note that previous variances, granted or denied do not create precedence. Additionally, economic considerations are not expressly listed as a qualifier for relief within KRS 100.243.

FINDINGS:

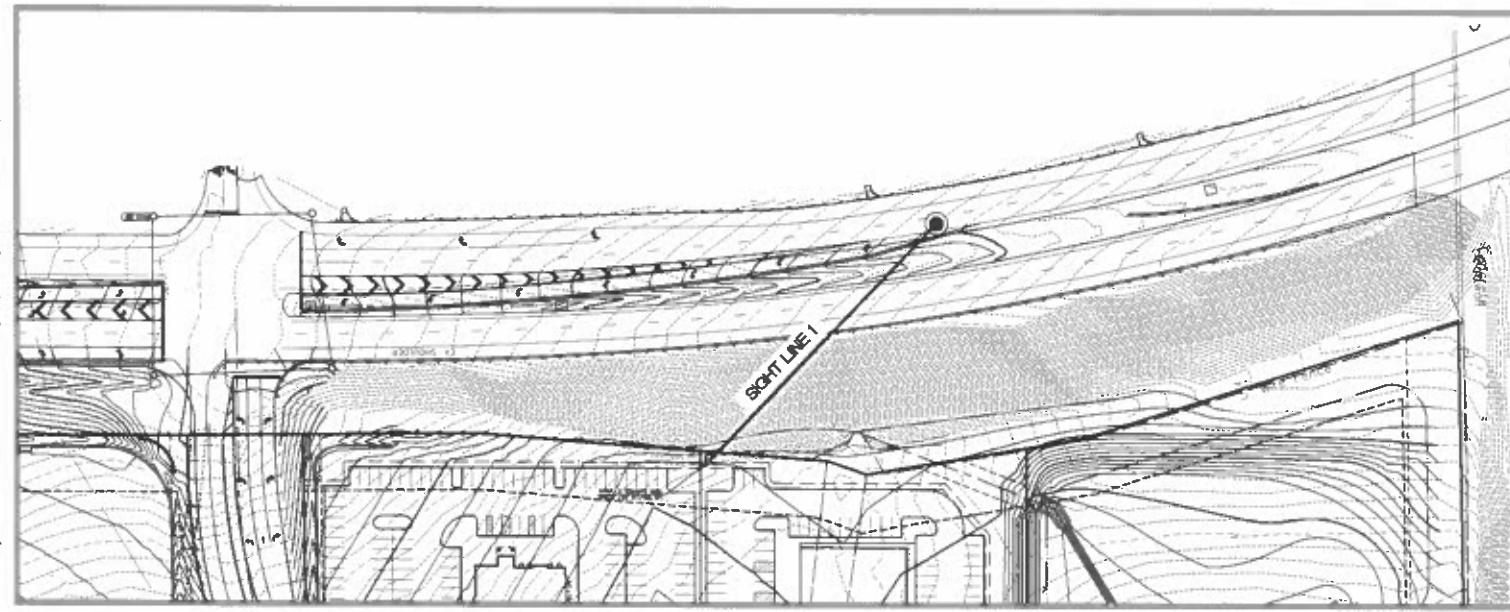
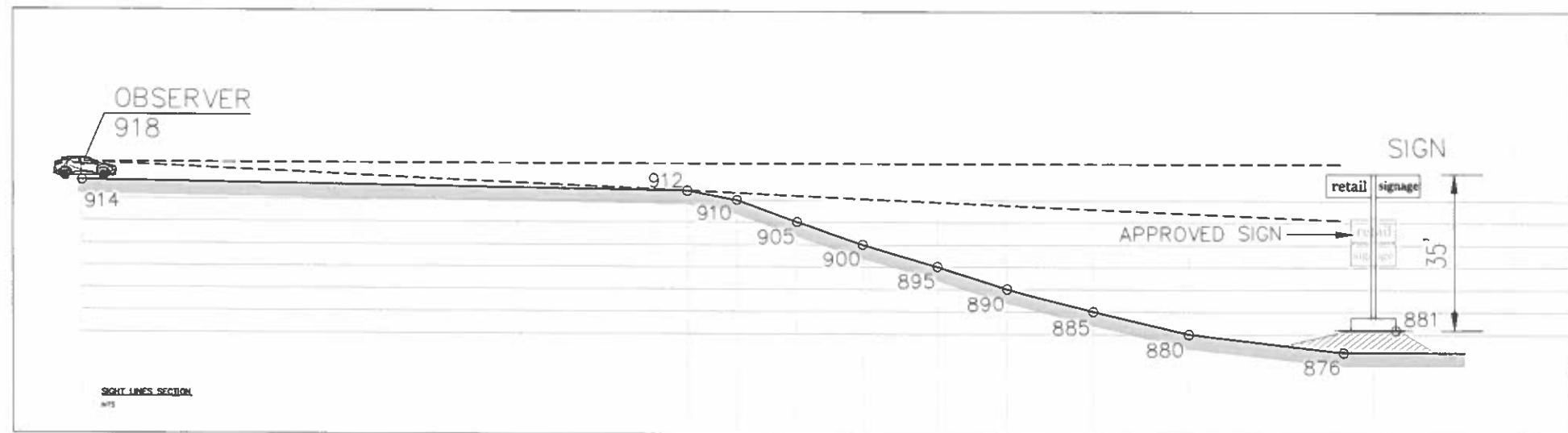
1. The site specific topography would limit the visibility of sign #3 as previously approved.
2. The proposed sign would be visible from the vantage point indicated on site line study #3 (see attached) with a top elevation of 914'.
3. The updated sign layout is in keeping with the spirit of the originally approved Master Sign Plan.
4. The granting of the variance for sign 3 & the implementation of the updated Master Signage Plan will not affect the 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 an unreasonable circumvention of the requirements of the zoning regulations. And the granting of a the dimensional variance for sign 3, as shown in the updated "Master Signage Plan" would be supported by KRS 100.243.

RECOMMENDATION:

Staff recommends **Approval** of requested variance and updated Master Sign Pla with the following conditions applied and in consideration of the staff analysis above.

Conditions of Approval:

1. This property is subject to all requirements of the Georgetown – Scott County Zoning Ordinance and Subdivision and Development Regulations not hereunto granted a variance from.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities.
3. The total height of sign #3 is no more than 35' and shall not result in a finished top elevation of 915', or greater, above sea level.
4. All previously approved conditions of PDP 2024-48.
5. The Applicant shall return to the Board prior to any changes in the approved conditions, Master Signage Plan, or major changes to the submitted elevations.

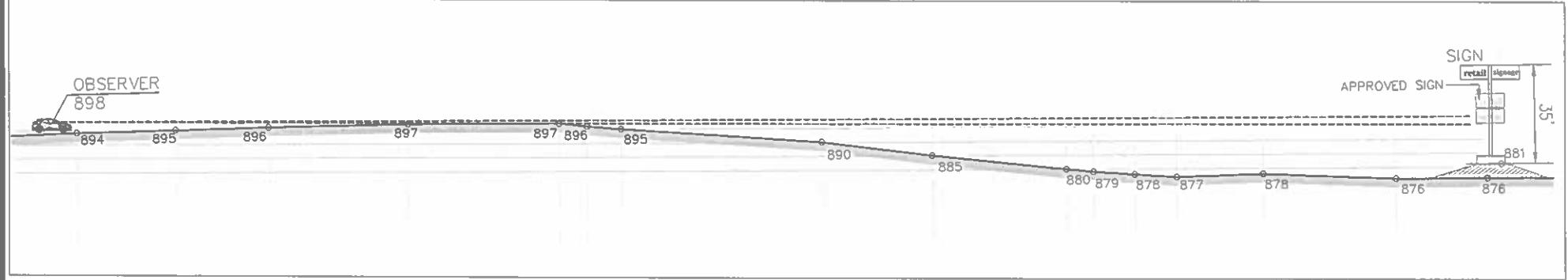


PREPARED FOR
HOGAN
REAL ESTATE

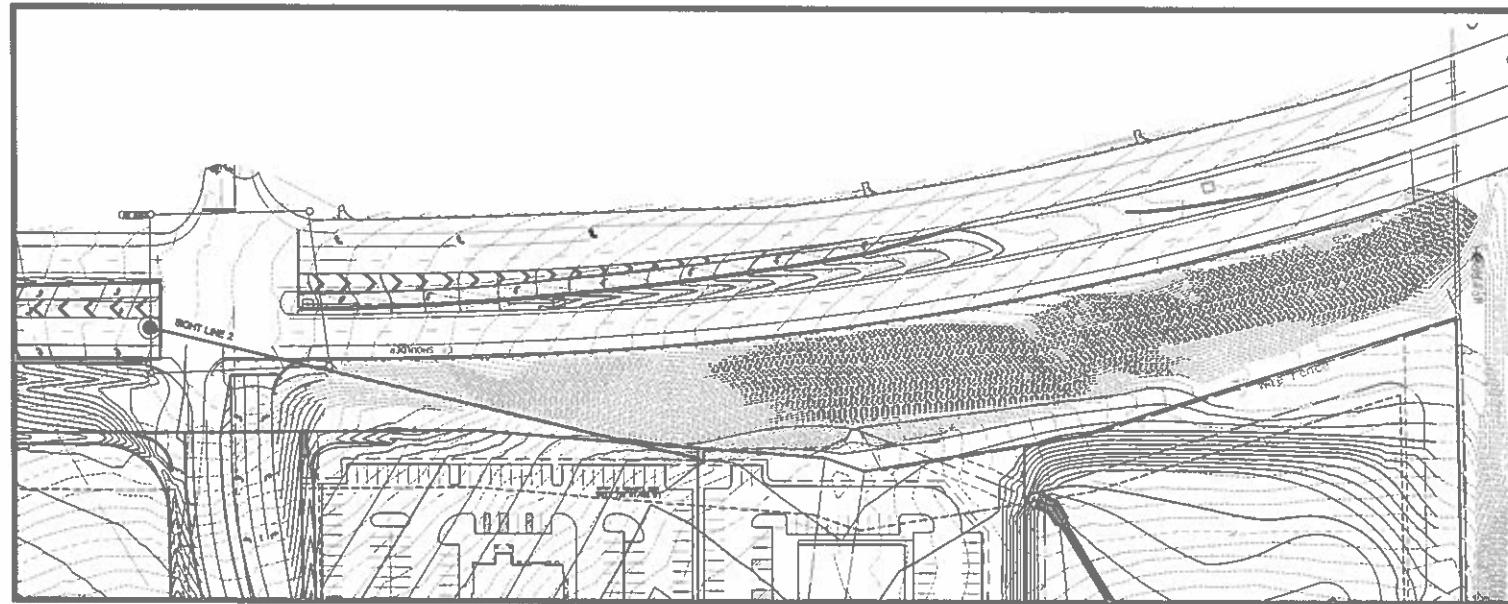
GEORGETOWN
COMMONS

FREESTANDING SIGN
SIGHT STUDY
SIGHT LINE 1

PREPARED BY:
LD&D
LAND DESIGN & DEVELOPMENT, INC.
DANBURY - LAFAYETTE - CINCINNATI
401 N. HARRISON AVENUE, SUITE 100
LAFAYETTE, INDIANA 47901-2775
PHONE: (765) 423-2222 FAX: (765) 423-2223
JOB: 20009
DATE: 11/26/2003



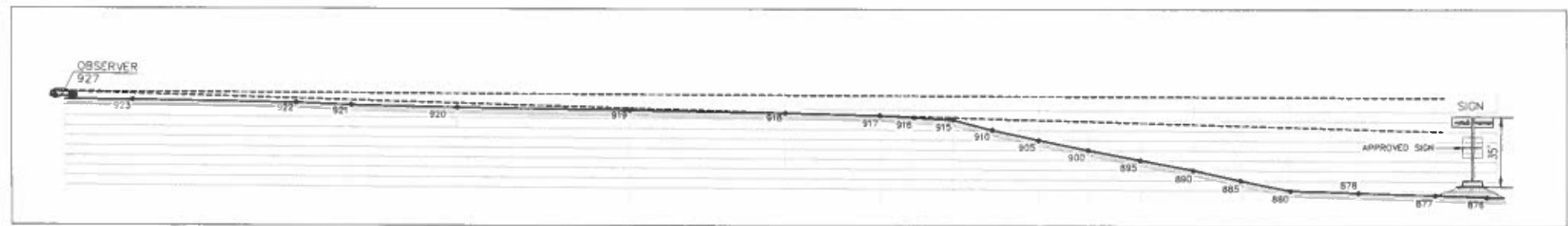
SIGHT LINES SECTION
NTS



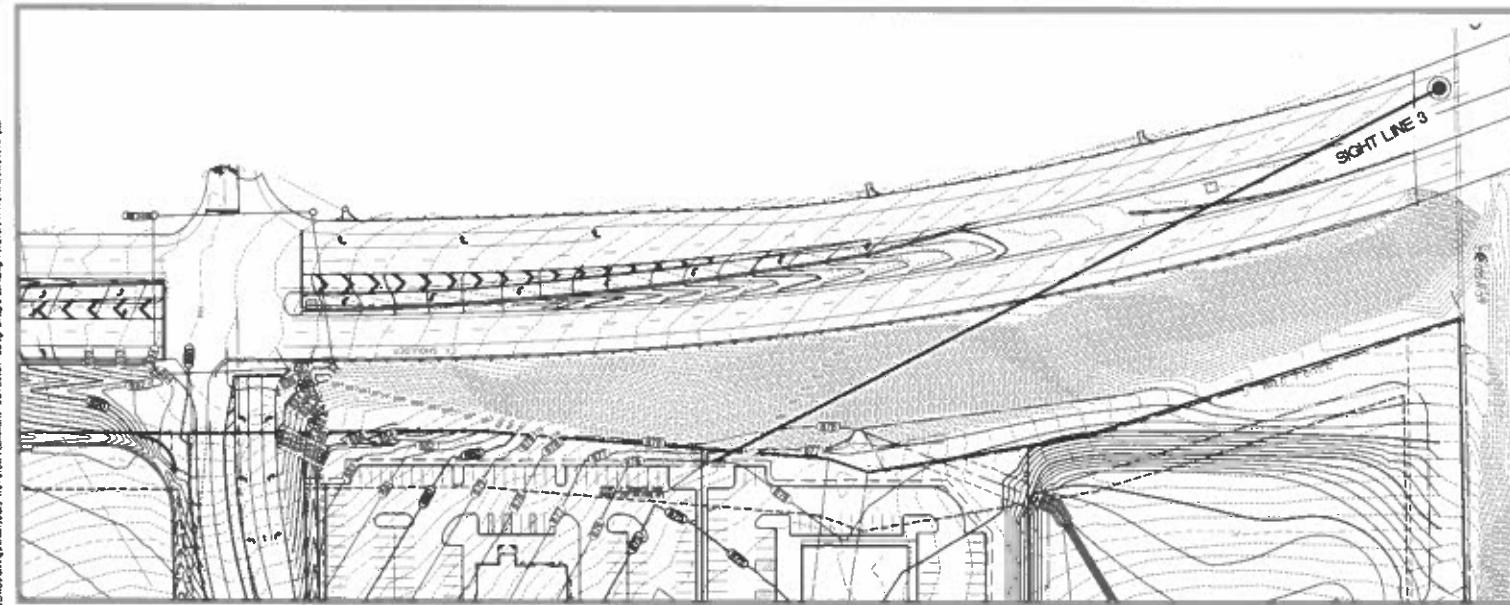
PREPARED FOR
HOGAN
REAL ESTATE

GEORGETOWN
COMMONS
FREESTANDING SIGN
SIGHT STUDY
SIGHT LINE 2

PREPARED BY:
LD&D
LAND DESIGN & DEVELOPMENT, INC.
1000 HARBORVIEW ROAD
609 HARBORVIEW ROAD, SUITE 100
LAUREL, MARYLAND 20708
PHONE: 301-961-9770 FAX: 301-961-9770
JOB: 20009
DATE: 11/26/2006



SIGHT LINES SECTION
475



SIGHT LINES LOCATION
SCALE 1/800

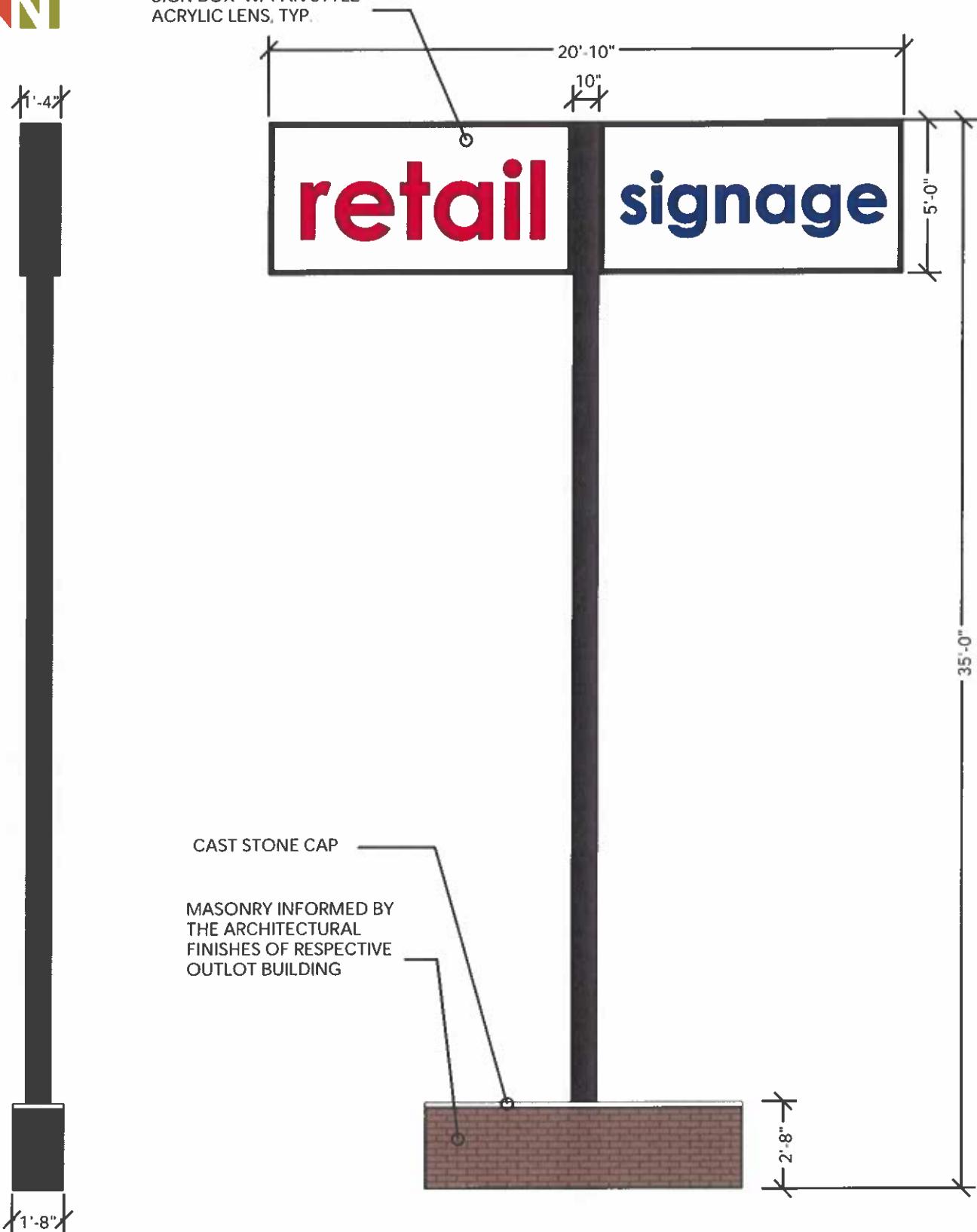
PREPARED FOR
HOGAN
REAL ESTATE

GEORGETOWN
COMMONS

**FREESTANDING SIGN
SIGHT STUDY
SIGHT LINE 3**

PREPARED BY
LD&D
LAND DESIGN & DEVELOPMENT, INC.
100 HAMPTON ROAD, SUITE 40
LAWRENCE, KANSAS 66044
PHONE: (785) 832-2574 FAX: (785) 832-2579
JOB: 20009
DATE: 11/26/2008

INTERNALLY LIT METAL
SIGN BOX W/ PAN STYLE
ACRYLIC LENS, TYP.



OUTLOTS 1 & 2 PYLON SIGN

11.11.2025

GEORGETOWN COMMONS
MCCLELLAND CIR (US 62), GEORGETOWN, KY

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APPLICATION TO BOARD OF ADJUSTMENT

230 E. Main Street, Georgetown, KY 40324

Phone (502) 867-3701

Fax (502) 867-3725

FOR OFFICIAL USE ONLY:

APPLICATION NO: _____

DATE FEE RECEIVED: 12-1-25

CK 160956

1. APPLICANT Hogan Real Estate Company

MAILING ADDRESS 9300 Shelbyville Road, Suite 1300, Louisville, KY 40222

PHONE NO. 859-231-8780 EMAIL jwoodall@mcbrayerfirm.com

2. TYPE OF REQUEST (Check one or more)

VARIANCE

CONDITIONAL USE PERMIT

HOME OCCUPATION (CUP)

ADMINISTRATIVE REVIEW

3. PROJECT SITE Georgetown Commons

4. JURISDICTION (Please Circle) Georgetown Sadieville / Stamping Ground / Scott County

5. EXISTING USE I-1 (Light Industrial)

ZONING DISTRICT R-3 and B-5

6. DESCRIPTION OF REQUEST Proposing a 35' sign as opposed to the 25' sign that was originally requested. This is due to the grade change from the road to the site and the impact it has on visibility (see attached justification).

7. SUPPORTING INFORMATION:

VARIANCE (\$150.00) – Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and location of existing buildings, the location and dimensions of proposed buildings or additions, and any natural or topographic peculiarities of the lot in question. In order for a variance to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet)

- A. Special conditions exist peculiar to the lot, land, or building(s) in question.
- B. That a literal interpretation of the zoning ordinance would deprive the applicant of the rights enjoyed by other property owners.
- C. That the special conditions do not result from previous actions of the applicant.
- D. That the requested variance is the minimum variance that will allow a reasonable use of the lot, land, or building(s).

CONDITIONAL USE PERMIT (CUP) (\$150.00) – Attach a plan for the proposed use showing the location of buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards, and refuse service areas. Also, attach a narrative statement relative to the above requirements and also explain any economic, noise, glare, or odor effects on adjoining property and the general compatibility with other properties in the district.

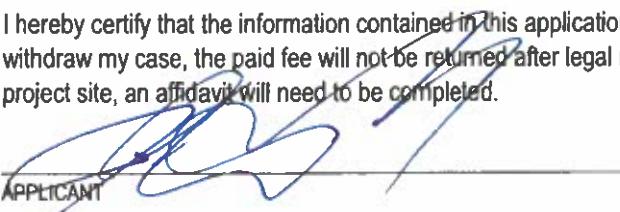
HOME OCCUPATION (CUP) (\$150.00) – In order for a home occupation conditional use permit to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet)

- A. The home occupation must be incidental to the principal residential use of the residence and be limited to 25% of the ground floor area, in no event to exceed 300 square feet.
- B. The home occupation shall result in no exterior evidence, except an unlighted wall sign not to exceed five (5) square feet in area, which may identify the home occupation.
- C. The home occupation shall not generate any atmospheric pollution, light flashes, glare, odor, noise, vibration, truck or other heavy traffic.

ADMINISTRATIVE REVIEW (\$150.00) – Attach a narrative statement describing the action or decision made by the administrative official including an outline of information supporting your claim for which relief is sought.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT MEETING FOR THE BOARD TO CONSIDER APPLICATION

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that if I withdraw my case, the paid fee will not be returned after legal notice have been submitted. If the applicant is not the owner of the project site, an affidavit will need to be completed.


APPLICANT

December 1, 2025
DATE

December 1, 2025

VIA HAND DELIVERY

Georgetown-Scott County Planning Commission
230 E. Main Street
Georgetown, Kentucky 40324

LETTER OF JUSTIFICATION

Applicant: Hogan Real Estate Company
Development: Georgetown Commons
Parcel: Outlots 1 and 2 (sign #3)
RE: *Variance Request*

Dear Commission Members:

Please be advised I am writing on behalf of the applicant, Hogan Real Estate Company (hereinafter the “Applicant”). Hogan’s request for a zone map amendment and subdivision plat applicable to that certain property located at McClelland Circle, Georgetown, Kentucky and identified as parcel number 168-40-213.000 (the “Property”) was approved by the Planning Commission of October 10, 2024. As a result, the Property is now zoned R-3 and B-5. For reasons made clear below, the Applicant now seeks a variance specific to outlots 1 and 2 and pylon sign #3 to be located thereon. Specifically, Applicant seeks to increase the maximum height of the said pylon sign from twenty-five (25) feet to thirty-five (35) feet. Although the Board of Adjustment typically has jurisdiction over variance requests, the Planning Commission has retained authority over variance requests specific to signage in the Georgetown Commons’ development.

A. KRS 100.243 & Georgetown-Scott County Zoning Ordinance Section 5.42 D.

KRS 100.243 provides as follows:

(1) Before any variance is granted, the board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

Georgetown-Scott County Planning Commission
December 1, 2025
Page 2

- (a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
- (b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
- (c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

(2) The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

The Zoning Ordinance provides as follows:

VARIANCES: The Board may vary the strict application of the dimension and area regulations provided that unique conditions prevent strict conformance and would thus deprive the owner of the reasonable use of his premises. Financial disadvantage to the property owner shall not constitute conclusive proof of unnecessary hardship within the purpose of zoning. The Board shall not grant a variance unless all of the following general conditions are met:

1. The specific conditions in detail which are unique to the applicant's land and do not exist on other land in the same zone.
2. The manner in which the strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners in the same zone.
3. That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Zoning regulations.
4. Reasons that the variance will preserve, not harm the public safety and welfare, and will not alter the essential character of the neighborhood.

Although, subsection 1(b) of KRS 100.243 and section 2 of the Zoning Ordinance are similar in terms of the standard(s) to be applied when assessing the request for a variance. KRS 100.243 also adds "The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant." Conversely, the Zoning Ordinance does not mention the unnecessary hardship factor as highlighted above.

The Applicant satisfies the requirements of both KRS 100.243 and the Zoning Ordinance. The additional ten (10) feet in height requested will not affect the public health safety or welfare. It will not alter the essential character of the general vicinity because it will be situated in a low area of the site. For the same reason, the extra ten (10) feet will not cause a hazard or nuisance

Georgetown-Scott County Planning Commission
December 1, 2025
Page 3

to the public. Finally, the Applicant has been methodical and deliberate in its approach to design so as not to cause an unreasonable circumvention of requirements of the zoning regulations. In addition, the Applicant is requesting no more relief than is necessary to ensure visibility of the signage described below.

B. Topography Necessitates Variance

The instant variance request is driven by the topographic characteristics of the site. Simply put, the Property sits below McClelland Circle such that it is at a much lower elevation. This change in grade and the negative impact it has on signage visibility results in the need for a taller sign. Accordingly, the Applicant is requesting a specific height variance to make the signage easily visible to the traveling public. In fact, the Applicant's design team performed a freestanding sign sight study in order to demonstrate the visibility deficiencies given the current signage height of twenty-five (25) feet. See Exhibits attached hereto. The study makes clear that the signage cannot be seen at the currently approved height. Visibility issues are resolved at thirty-five (35) feet. To be clear, the topographic considerations cannot be rectified without the requested variance due to the overall dynamics of the site. The increase in height is the only feasible way to solve the problem.

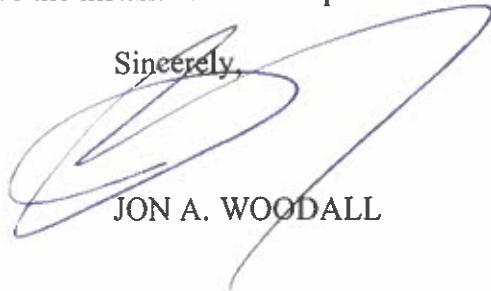
It is true that economic considerations are not expressly listed within KRS 100.243. However, KRS 100.243(1)(b) makes clear that an applicant can be entitled to a variance upon a showing that application of the zoning ordinance would deprive the Applicant of the reasonable use of the land **or would create an unnecessary hardship on the Applicant**. An upscale development such as Georgetown Commons is dependent upon retention and selection of retailers to occupy the commercial spaces. Without these vital end users, the development will fail. As such, to ensure these retailers are successful, thereby making the development successful, retailers must be known by the general public and the best way to accomplish this is via signage. If retailers or potential end users do not have the benefit of viewable signage, this development will not attract needed patrons. Thus, prohibiting the requested variance imposes an unnecessary hardship on the Applicant.

Lastly, this variance request is not the result of a willful violation of the Zoning Ordinance. In explaining what a willful violation can constitute, the Courts have been clear that an application seeking a variance is not a willful violation, it is actions taken by an applicant without a variance or other required approval or before the filing of an application for a variance which amounts to a willful violation. "Thus, a variance seeker who decides to build first and ask questions later can reasonably be accused of committing a willful violation." Ives v. City-Cnty. Board of Adjustments Bowling Green, 2015-CA-001360-MR, 2016 WL 6543575, at *3 (Ky. App. Nov. 4, 2016). The Applicant is being proactive in seeking the variance before construction actually begins.

Georgetown-Scott County Planning Commission
December 1, 2025
Page 4

Conclusion

Again, thank you Commissioners for your consideration and review of this Application and we respectfully request that you approve the instant variance request.

Sincerely,

JON A. WOODALL

JAW/ss

4899-0273-8301, v. 1



GEORGETOWN COMMONS

SIGNAGE MASTER PLAN

REVISION 1 - JULY 14, 2025

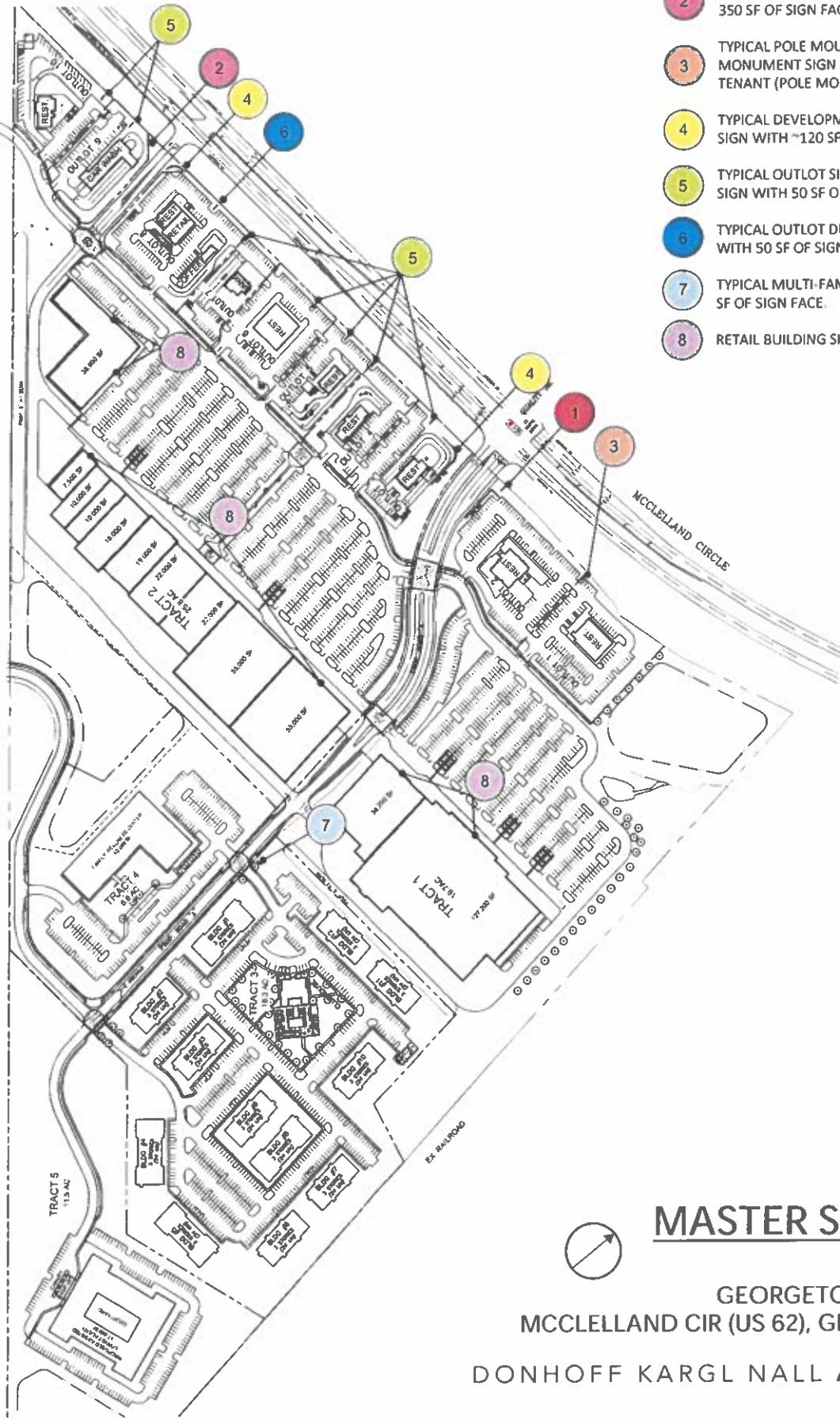
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REAL ESTATE

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TRACTS 1, 2, 3, 4, 5
TRACTS 6, 7, 8, 9, 10



1 TRACT 1 & 2 MULTI-TENANT 35' PYLON SIGN WITH 350 SF OF SIGN FACE (PRIMARY ENTRANCE).

2 TRACT 2 MULTI-TENANT 35' PYLON SIGN WITH 350 SF OF SIGN FACE (SECONDARY ENTRANCE).

3 TYPICAL POLE MOUNTED, DUAL TENANT OUTLOT MONUMENT SIGN WITH 50 SF OF SIGN FACE PER TENANT (POLE MOUNT AT GRADE CHANGE).

4 TYPICAL DEVELOPMENT SIGNATURE ENTRANCE SIGN WITH ~120 SF OF SIGN AREA.

5 TYPICAL OUTLOT SINGLE TENANT MONUMENT SIGN WITH 50 SF OF SIGN FACE.

6 TYPICAL OUTLOT DUAL TENANT MONUMENT SIGN WITH 50 SF OF SIGN FACE.

7 TYPICAL MULTI-FAMILY MONUMENT SIGN WITH 42 SF OF SIGN FACE.

8 RETAIL BUILDING SIGNAGE.

MASTER SIGN PLAN

07.14.2025

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INTERNALLY LIT METAL
SIGN BOX W/ PUSH
THROUGH ACRYLIC LENS

INTERNALLY LIT METAL
SIGN BOX W/ PAN STYLE
ACRYLIC LENS, TYP.

MASONRY INFORMED BY
THE ARCHITECTURAL
FINISHES OF TRACT 2

CONCRETE
FOUNDATION



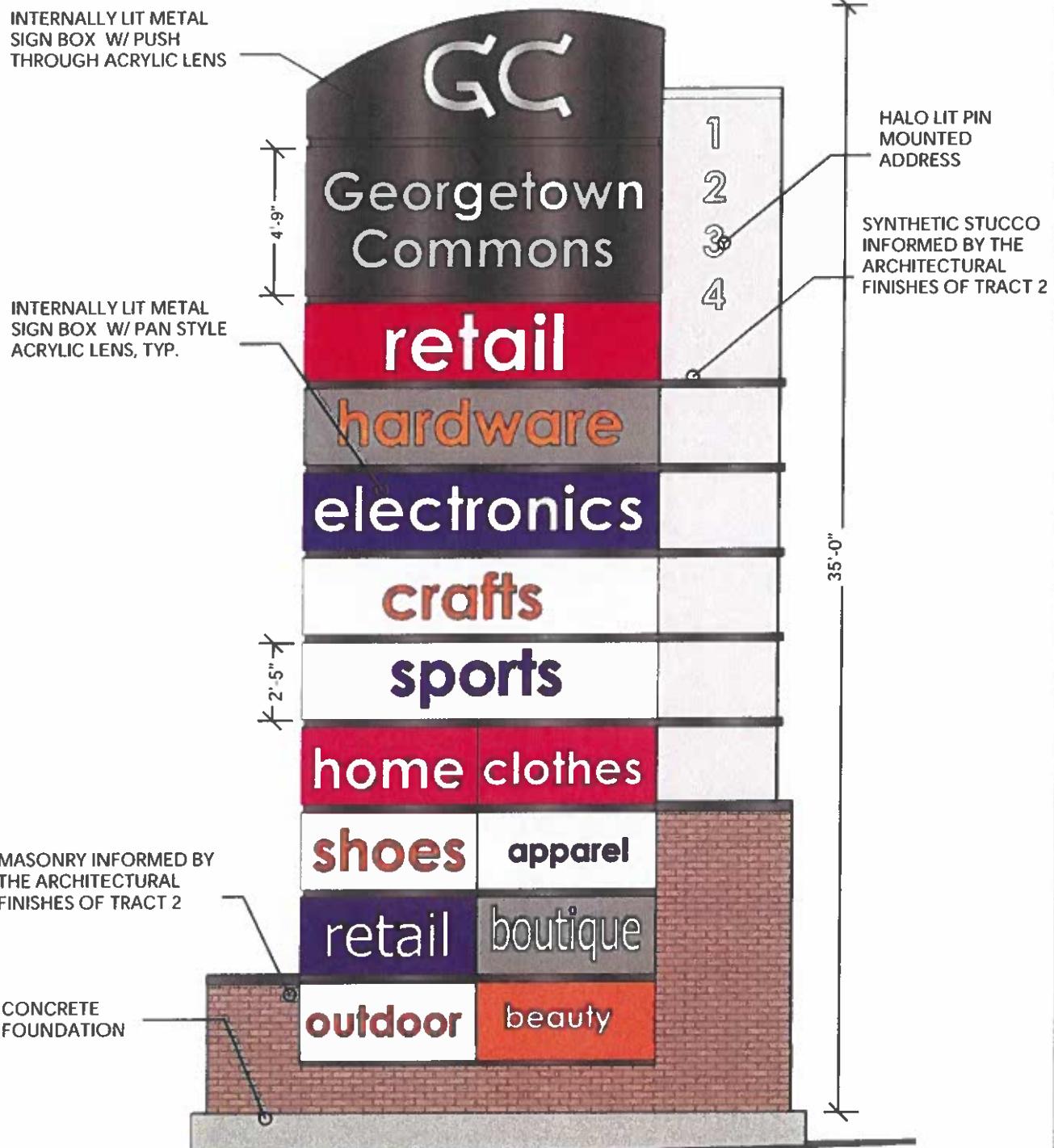
SIGN FACE SQUARE FOOTAGE 350

TRACT 1 & 2 MULTI -TENANT PYLON SIGN

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TRACT 2 MULTI -TENANT PYLON SIGN

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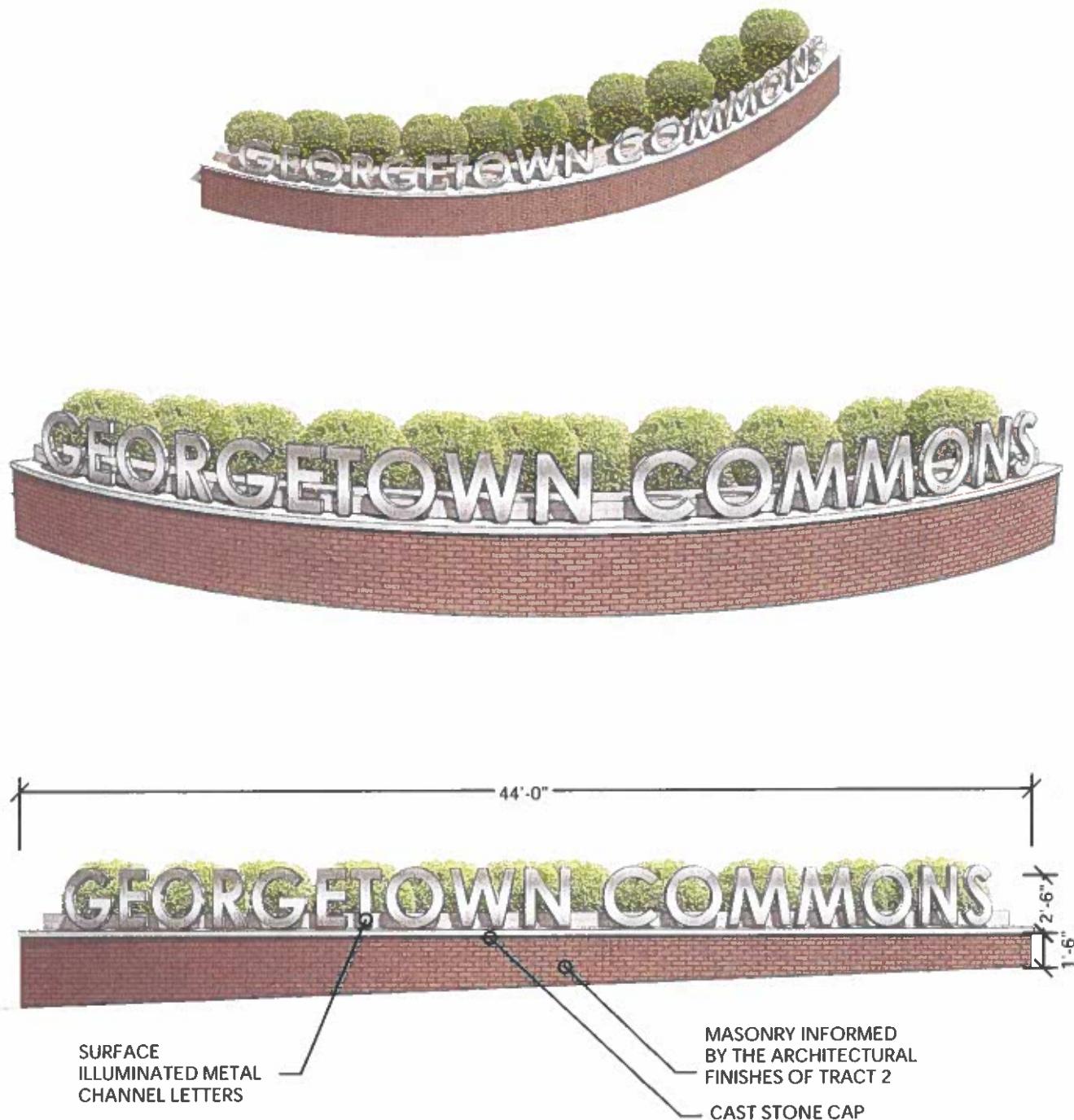


OUTLOTS 1 & 2 PYLON SIGN

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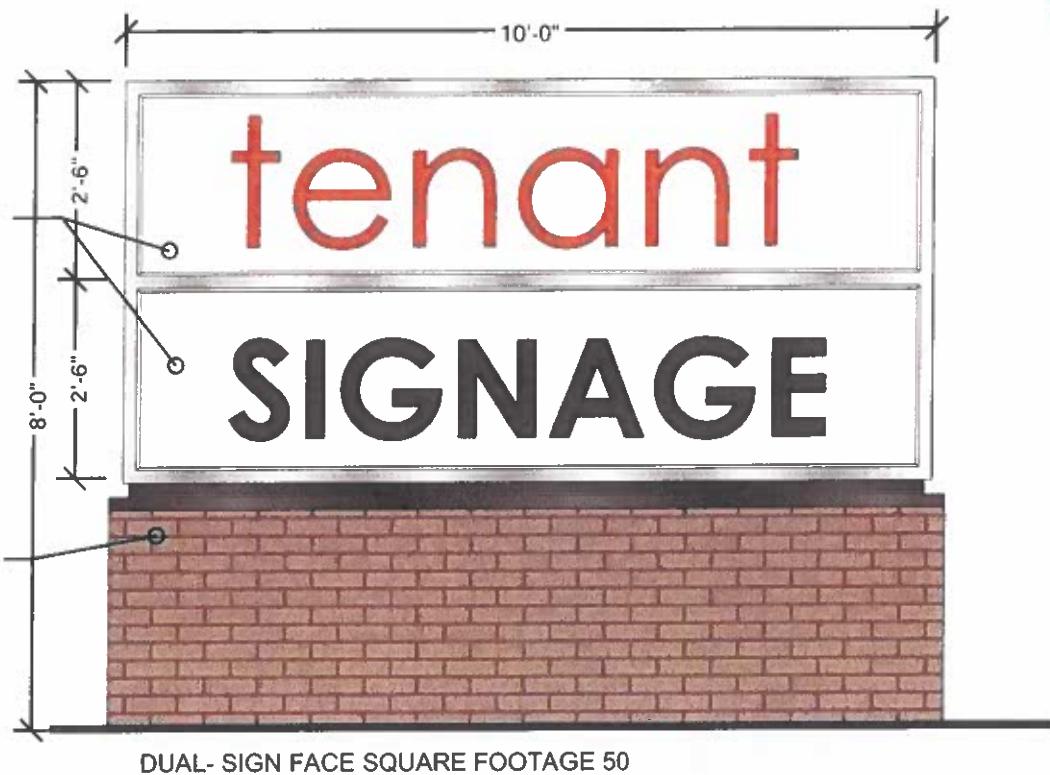
SIGNATURE DEVELOPMENT ENTRY

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INTERNALLY LIT METAL
SIGN BOX W/ PAN STYLE
ACRYLIC LENS, TYP.



DUAL- SIGN FACE SQUARE FOOTAGE 50



SINGLE- SIGN FACE SQUARE FOOTAGE 50

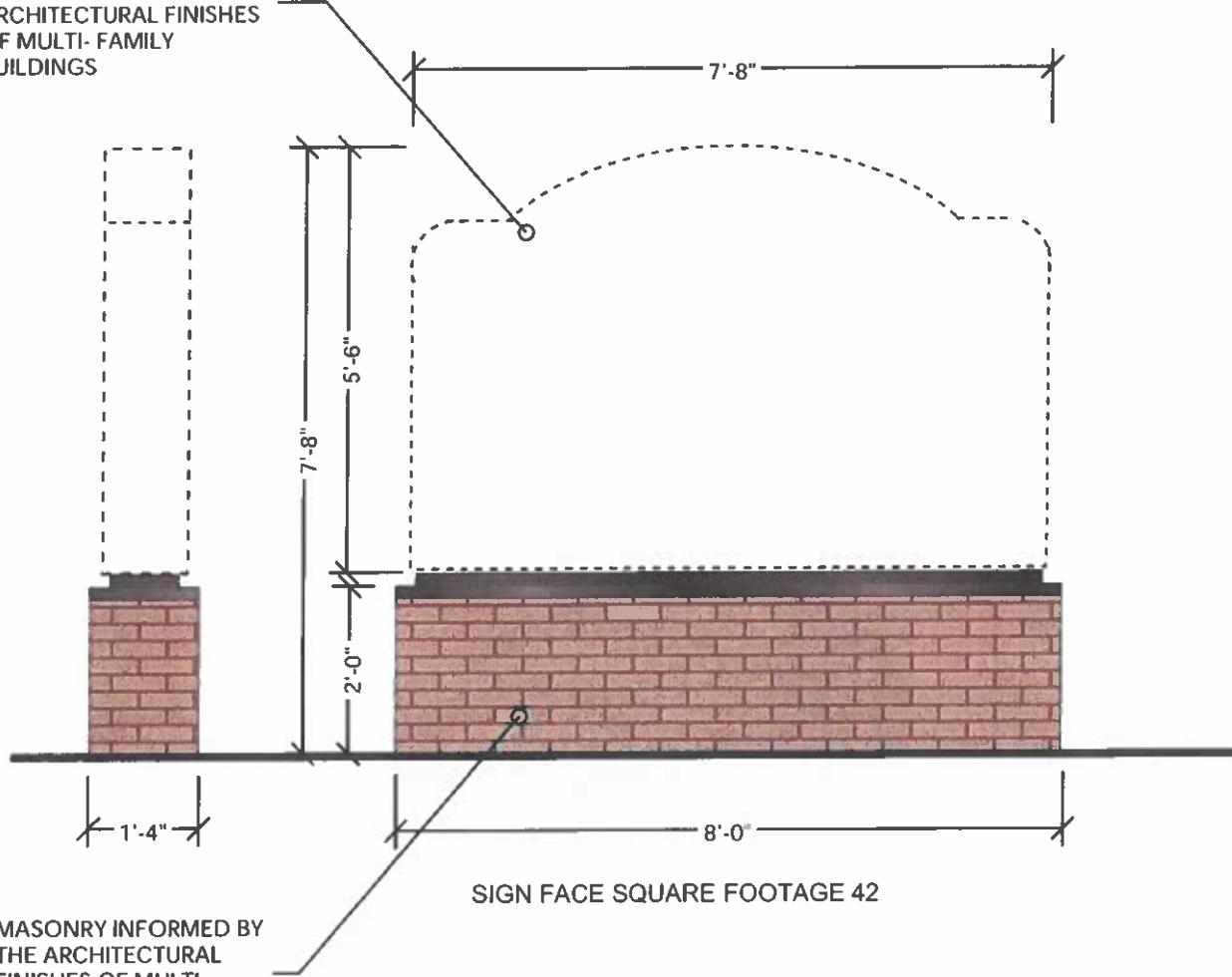
TYPICAL OUTLOT TENANT MONUMENT SIGN

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SURFACE ILLUMINATED
SIGNAGE FACE. SIGNAGE
DESIGN TBD; MATERIAL
TO BE INFORMED BY THE
ARCHITECTURAL FINISHES
OF MULTI-FAMILY
BUILDINGS



MASONRY INFORMED BY
THE ARCHITECTURAL
FINISHES OF MULTI-
FAMILY BUILDINGS

TYPICAL MULTI-FAMILY MONUMENT SIGN

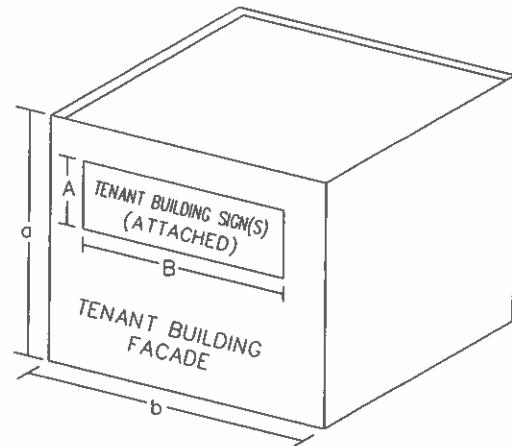
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BUILDING SIGNS (ATTACHED)

AREA OF FAÇADE	MAXIMUM SIGNS PER FAÇADE	MAXIMUM SIGN AREA
<500 SF	Three (3)	20% of facade area
500–999 SF		100 SF plus 15% of facade area over 500
1000–3,499 SF		175 SF plus 5% of facade area over 1,000
3,500–4,999 SF		300 SF
5,000–9,999 SF		500 SF
10,000 SF or greater		750 SF



TENANT FAÇADE AREA = $a \times b$

TENANT SIGN AREA = $A \times B$

NOTES:

1. THE AREA OF THE TENANT BUILDING FAÇADE IS DETERMINED BY ADDING THE SQUARE FOOTAGE OF SURFACE AREA OF EACH SECTION OF WALL VISIBLE FROM A GIVEN PERSPECTIVE. FOR BUILDINGS WITH MORE THAN ONE WALL ALONG ONE FAÇADE (FOR EXAMPLE, ROOMS JUTTING OUT FROM THE MAIN BUILDING OR A BUILDINGS WHERE EACH FLOOR IS SET BACK FROM THE FLOOR BELOW), ALL OF THE WALLS ARE INCLUDED IN THE TOTAL AREA. THE TOTAL AREA DOES NOT INCLUDE ANY ROOF AREA.

RETAIL BUILDING
SIGN CRITERIA

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SIGNAGE MASTER PLAN

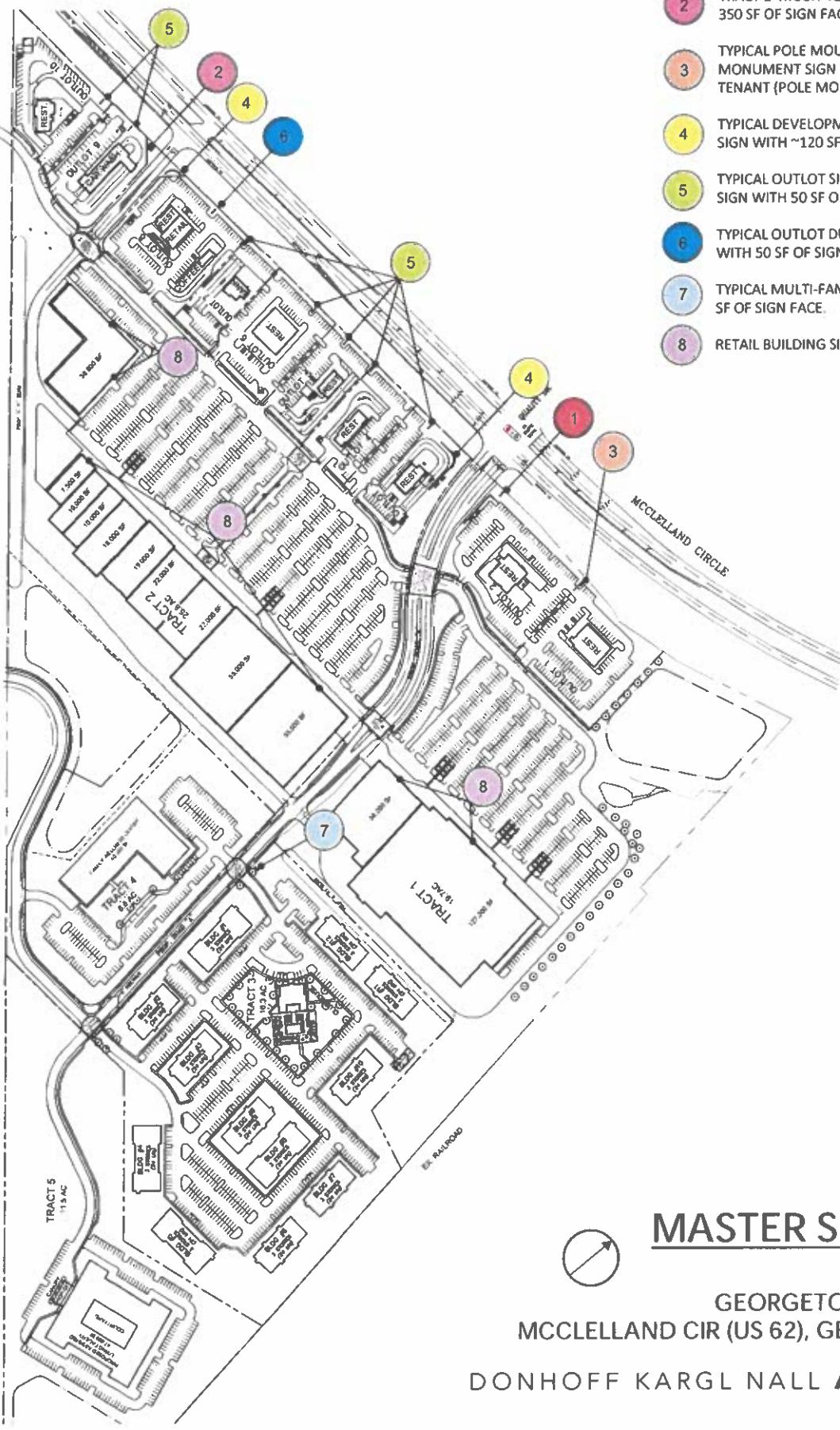
REVISION 1 - AUGUST 22, 2025

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1 TRACT 1 & 2 MULTI-TENANT 35' PYLON SIGN WITH 350 SF OF SIGN FACE (PRIMARY ENTRANCE).

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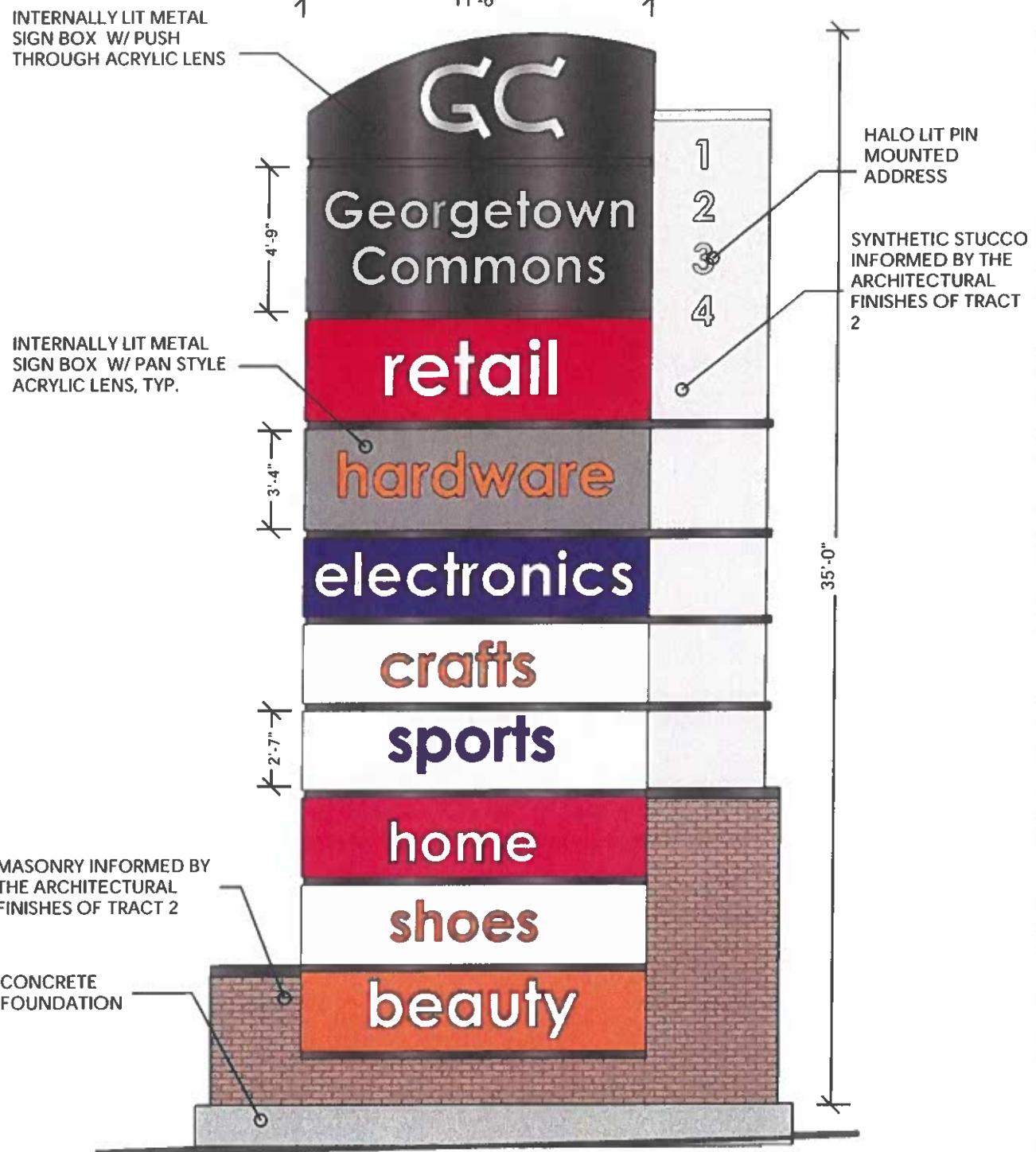
8 RETAIL BUILDING SIGNAGE.

MASTER SIGN PLAN

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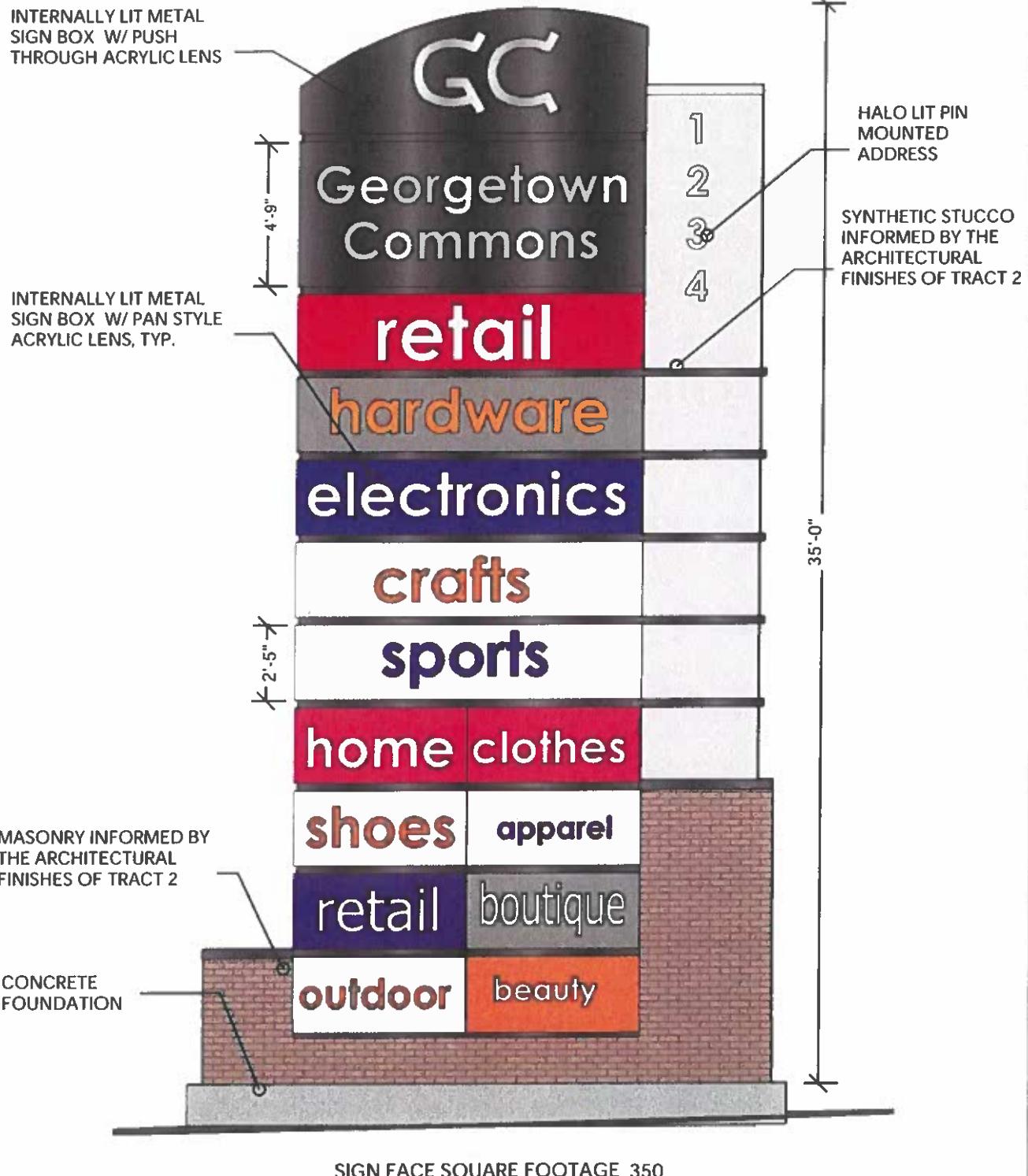
SIGN FACE SQUARE FOOTAGE 350

TRACT 1 & 2 MULTI -TENANT PYLON SIGN

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TRACT 2 MULTI -TENANT PYLON SIGN

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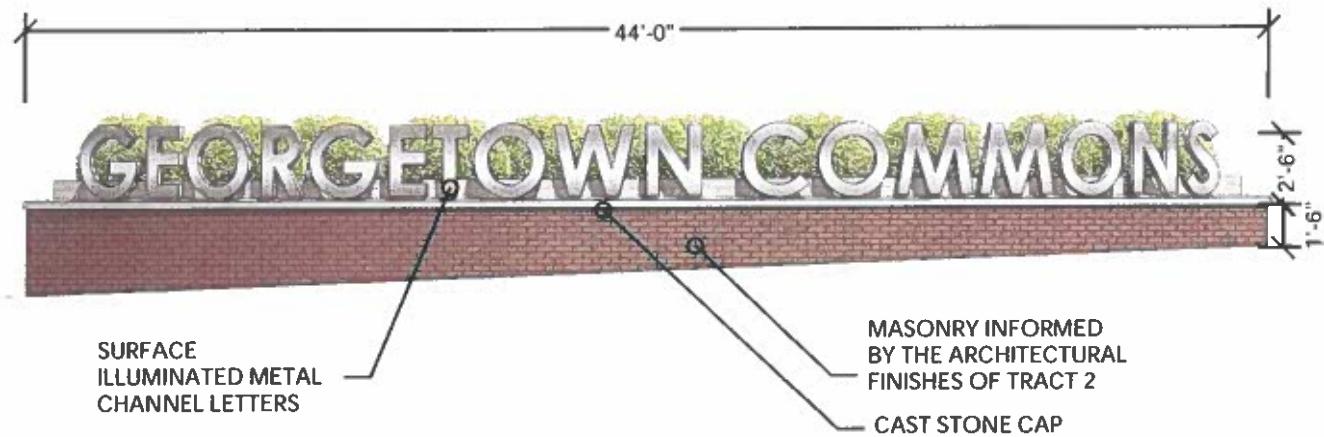


OUTLOTS 1 & 2 PYLON SIGN

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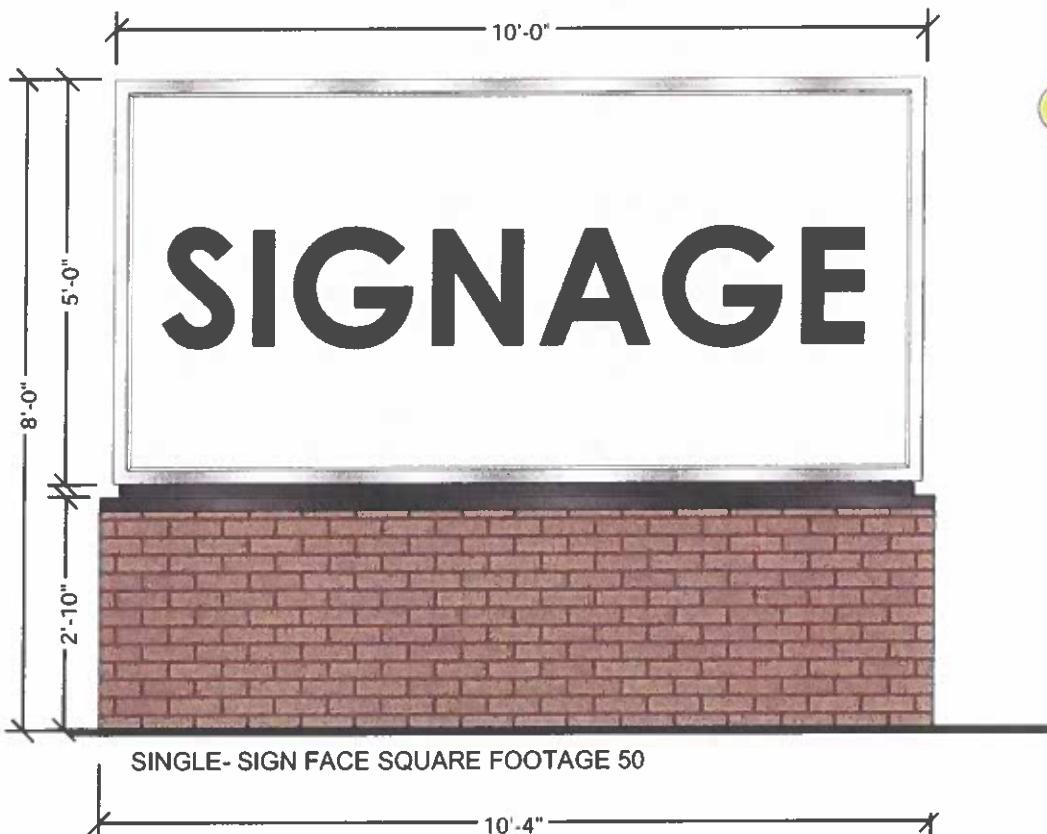
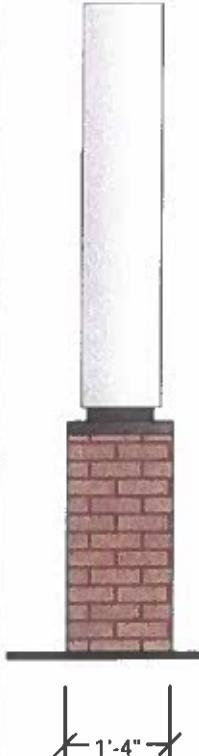
SIGNATURE DEVELOPMENT ENTRY

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INTERNALLY LIT METAL
SIGN BOX W/ PAN STYLE
ACRYLIC LENS, TYP.



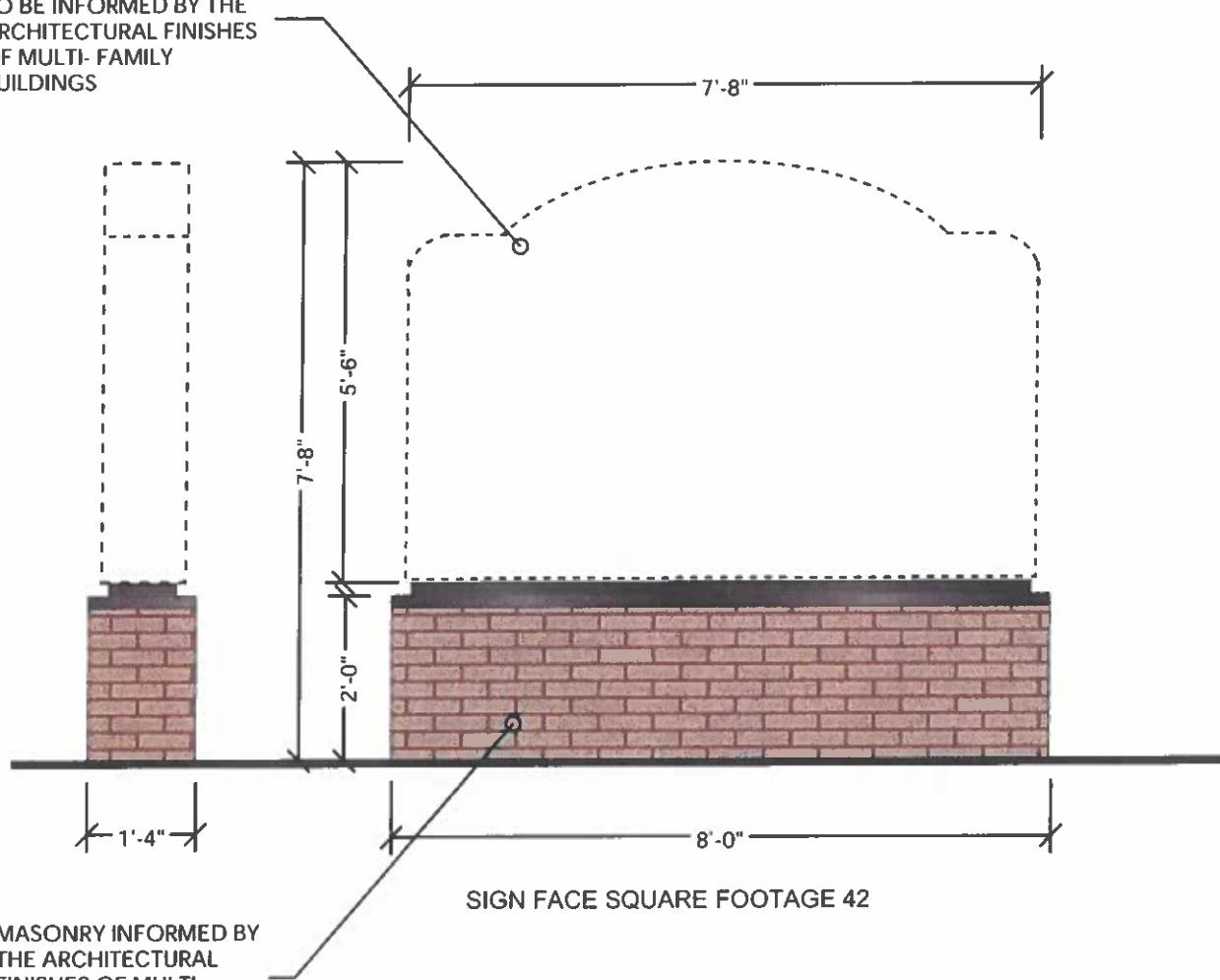
TYPICAL OUTLOT TENANT MONUMENT SIGN

07.14.2025

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SURFACE ILLUMINATED
SIGNAGE FACE. SIGNAGE
DESIGN TBD; MATERIAL
TO BE INFORMED BY THE
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BUILDINGS



TYPICAL MULTI-FAMILY MONUMENT SIGN

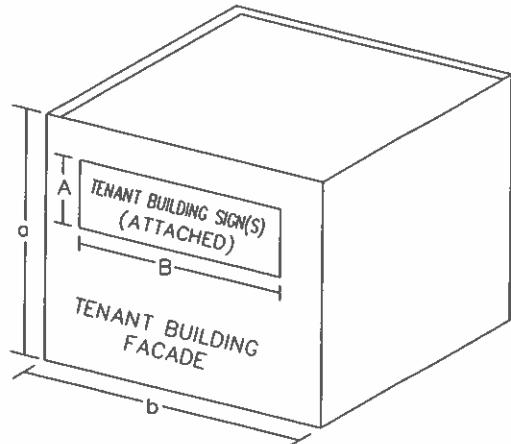
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BUILDING SIGNS (ATTACHED)

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<500 SF	Three (3)	20% of facade area
500-999 SF		100 SF plus 15% of facade area over 500
1000-3,499 SF		175 SF plus 5% of facade area over 1,000
3,500-4,999 SF		300 SF
5,000-9,999 SF	Four (4)	500 SF
10,000 SF or greater	Five (5)	750 SF (See Note 3)



TENANT FAÇADE AREA = $a \times b$
TENANT SIGN AREA = $A \times B$

NOTES:

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2. IN THE CASE WHERE A TENANT DESIRES A SIGN ON A SECOND FAÇADE, THE TENANT BUILDING FAÇADE REFERENCED ABOVE SHALL BE THE FAÇADE WHERE TENANT'S PRIMARY BUSINESS ENTRANCE IS LOCATED (PRIMARY FAÇADE). A TENANT SIGN ON A FAÇADE OTHER THAN THE PRIMARY FAÇADE SHALL NOT EXCEED 75% OF THE MAXIMUM SIGN AREA PERMITTED ON TENANT'S PRIMARY FAÇADE. THE MAXIMUM NUMBER OF SIGNS ON THE SECONDARY FAÇADE SHALL BE ONE LESS THAN ALLOWED IN THE ABOVE CHART WHEN APPLIED TO THE PRIMARY FAÇADE.
3. NO ONE SIGN SHALL EXCEED 500 SQUARE FEET.



INTERNAL LIT METAL
SIGN BOX W/ PAN STYLE
ACRYLIC LENS, TYP.

1'-4"

20'-10"

10"

5'-0"

retail signage

35'-0"

CAST STONE CAP

MASONRY INFORMED BY
THE ARCHITECTURAL
FINISHES OF RESPECTIVE
OUTLOT BUILDING

1'-8"

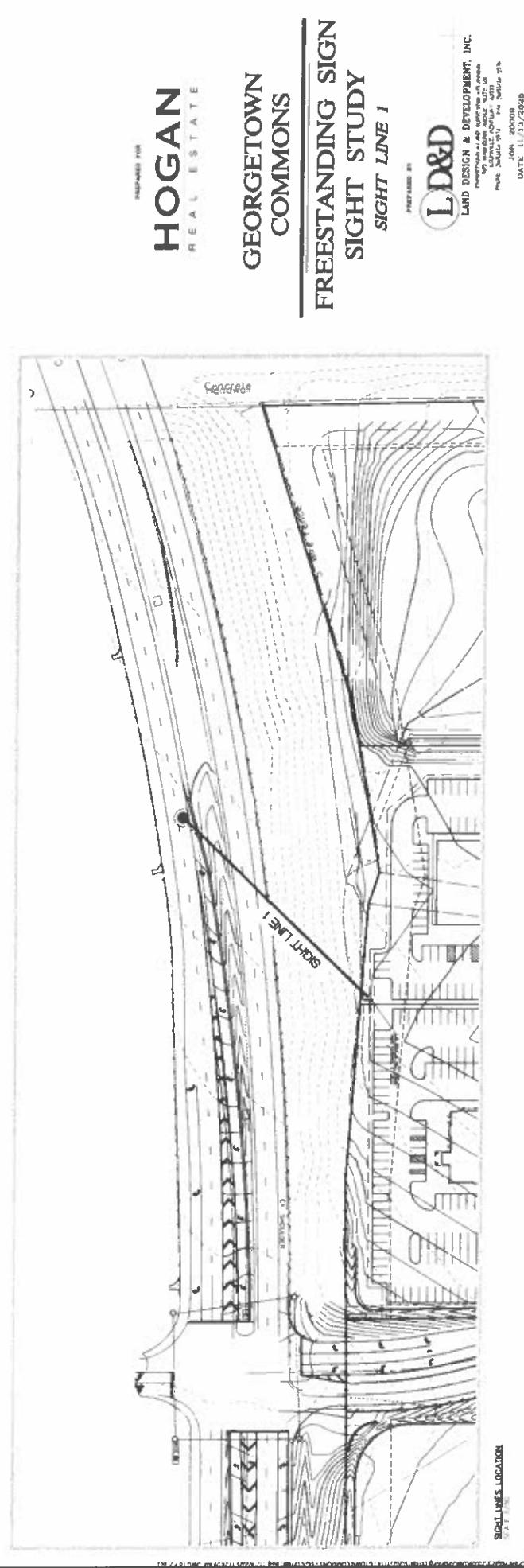
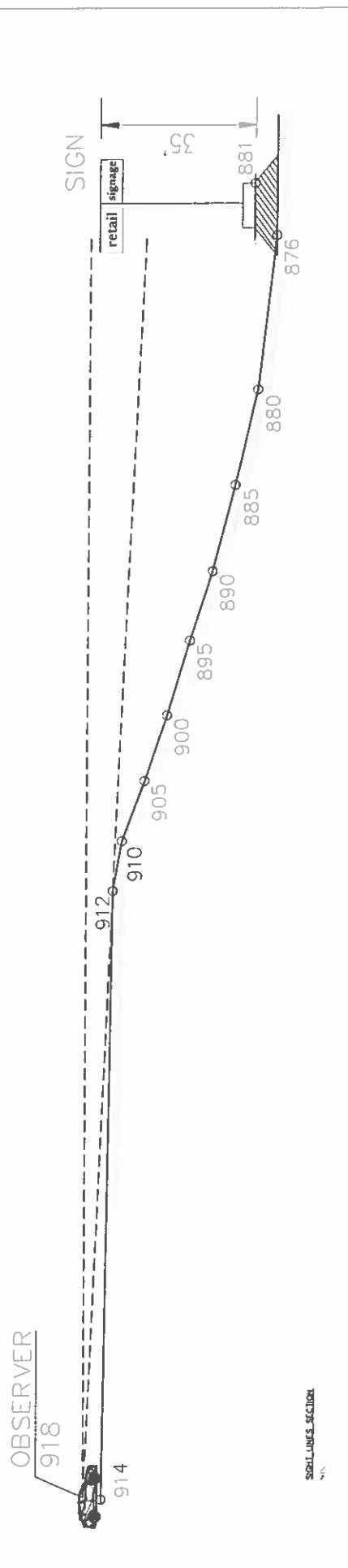
2'-8"

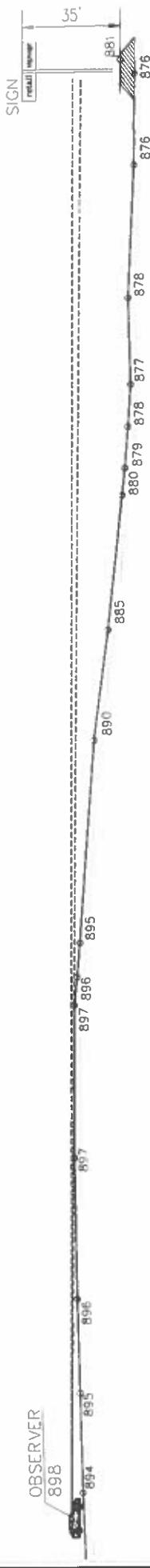
OUTLOTS 1 & 2 PYLON SIGN

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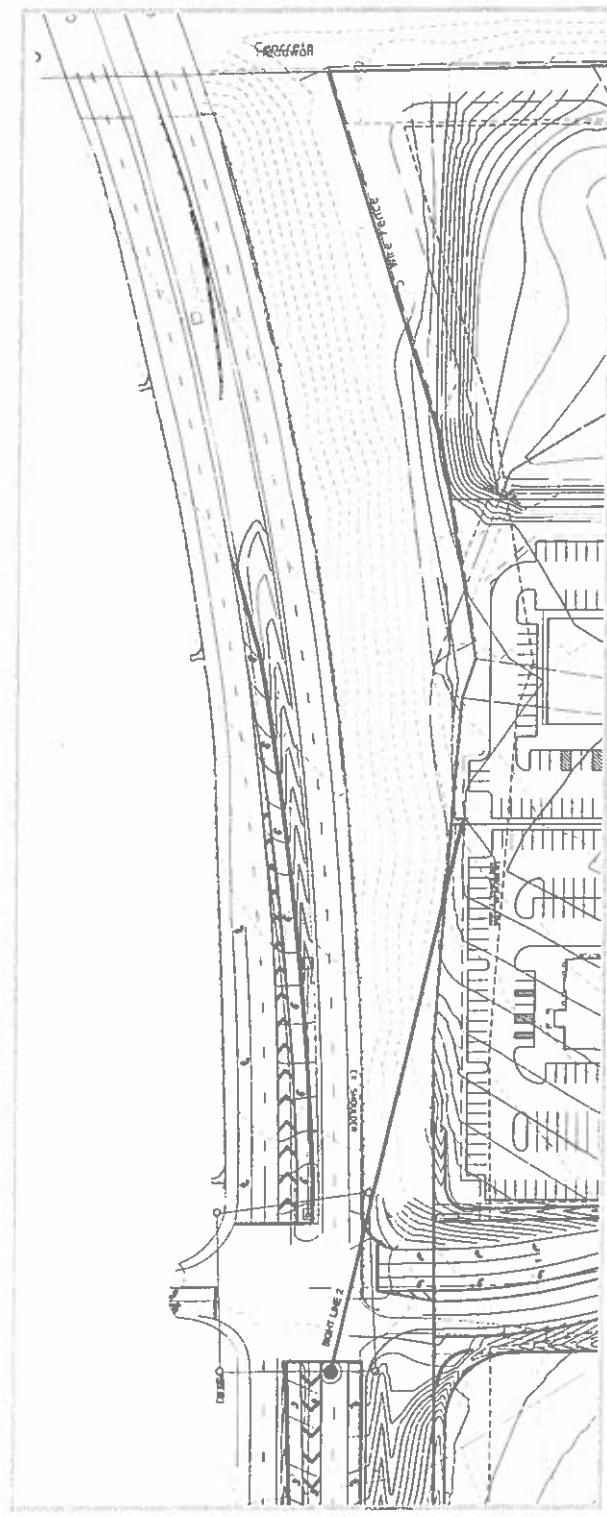
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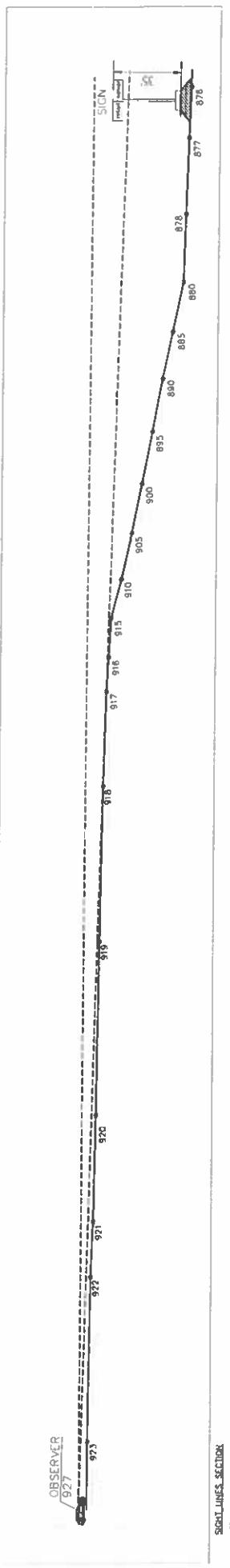




HOGAN
REAL ESTATE
GEORGETOWN
COMMONS
FREESTANDING SIGN
SIGHT STUDY
SIGHT LINE 2

L D&D
LAND DESIGN & DEVELOPMENT, INC.





**GEORGETOWN
COMMONS**
**REESTANDING SIGN
SIGHT STUDY**
SIGHT LINE 3

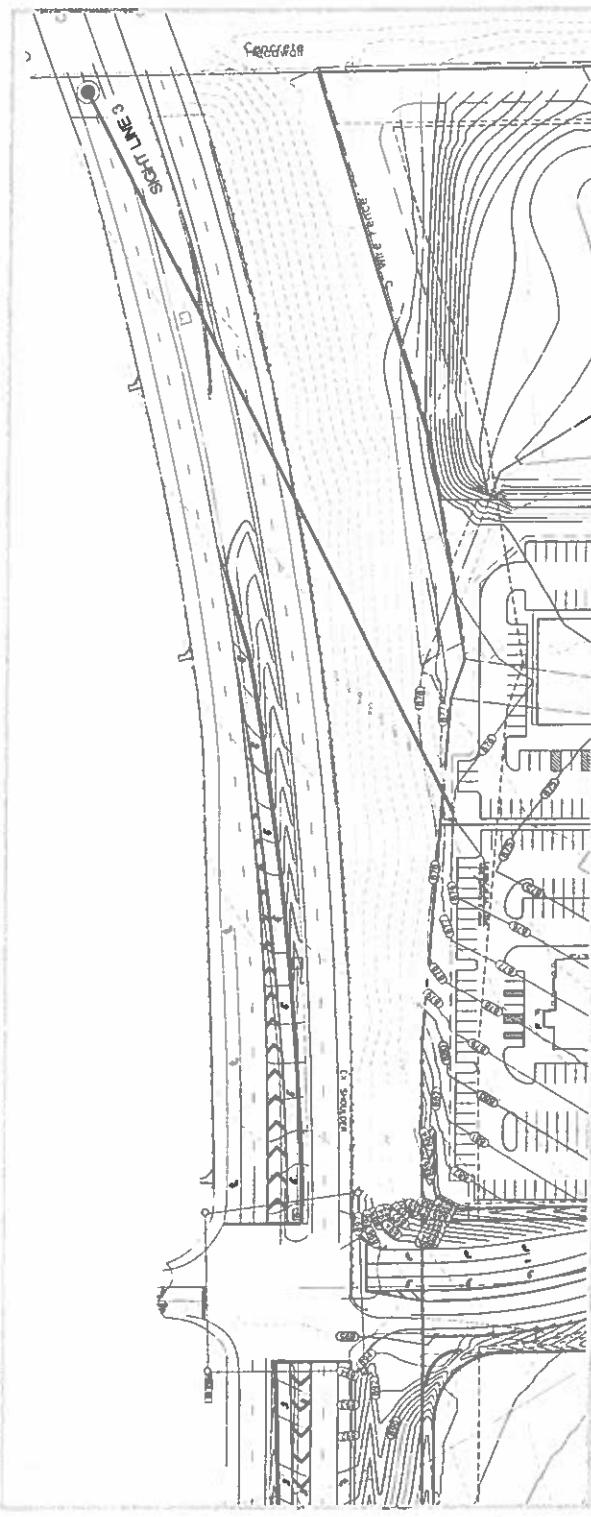
PREPARED FOR
HOGY
HOGY

GEORGETOWN COMMONS

**FREESTANDING SIGN
SIGHT STUDY**

L D&D
LAND DESIGN & DE

JOH 20000 DATE 11/16/2002
FIREMAN + AND REED TRUCK + REED
1000 MARKET ST PHILA. PA 19101
LAPORTE REEDLINE + 40011
PHONE 717-243-9724



ACCESSORY HOUSING

Purpose and intent.

Scott County recognizes the benefits that accessory housing can provide as a housing alternative where such benefits consider and are balanced with other community goals. The purpose and intent of this chapter is to:

- (1) Ensure that accessory housing remains clearly an incidental and subordinate use to the existing single-family dwelling.
- (2) Protect the rural and neighborhood character in areas where accessory housing is allowed.
- (3) Accommodate unique or special housing needs and circumstances.
- (4) Provide for the general convenience of area landowners to accommodate family and guests with independent living quarters.
- (5) Create alternative housing opportunities that promote more efficient use of existing or planned public and private transportation facilities and utilities.
- (6) Encourage accessory housing where public and private utilities, transportation facilities, and other facilities already exist.

Applicability In Unincorporated Scott County.

Accessory housing units are allowed land uses in all zones where otherwise consistent with the standards of this chapter and the Scott County Code. Accessory housing includes accessory dwelling units (ADUs). Accessory housing which conforms to the standards in this chapter shall not be considered to exceed the allowable density for the lot upon which it is located. shall be considered a residential use which is consistent with the comprehensive plan and zoning designation for the lot.

General requirements.

The requirements listed below apply to all accessory housing:

- (1) *Certificate of Occupancy.* A certificate of occupancy is required to be obtained from the Building Official and posted within the accessory housing unit. The code inspection required to obtain a certificate of occupancy in an existing structure shall be restricted to the portion of the structure to be occupied by the accessory housing unit and shall apply only to new construction, and not the existing components of the primary dwelling.
- (2) *Structure Type.* Accessory housing units shall not be travel trailers, recreational vehicles, buses, truck storage containers, or similar manufactured units which are not originally intended to be used for permanent residences. If such structures are occupied for a period of 90 or more calendar days in the same year, such occupation shall be considered a violation of this chapter and subject to enforcement.
- (3) *Water and Wastewater Disposal.*
 - (a) Accessory housing shall be required to utilize the same potable water source as the associated primary residential dwelling.
 - (b) Accessory housing shall not be permitted unless the water supply and sewage disposal facilities are adequate for the number of bedrooms.
- (4) *Recording.* To ensure continued compliance with owner-occupancy and other ordinance requirements by current, as well as any subsequent owners, a registration of the accessory housing unit in the form of a notice to title shall be filed and recorded with the County. The notice to title shall be on a form provided by the Administrator and filled out completely by the applicant prior to filing. The notice to title shall run with the land and serve as notice to all future purchasers/owners of the subject property of the presence of the accessory housing unit and applicable restrictions regarding accessory housing units contained in the Scott County Zoning Ordinance. Proof of registration, in the form of a copy of the filed document, shall be submitted to the Georgetown – Scott County Planning Commission prior to issuance of a certificate of occupancy. Said registration may only be removed upon a demonstration to the Georgetown – Scott County Planning Commission that the accessory housing unit has been lawfully removed from the subject property, or the portion of the subject property containing

the accessory housing unit is legally subdivided from the remainder of the property pursuant to local regulations.

(5) *Sale or Transfer of Accessory Housing Units.* Accessory housing units shall not be sold as separate dwelling lots from the subject property, unless the portion of the subject property containing the accessory housing unit is legally subdivided from the remainder of the property pursuant to local regulations.

(6) *Density.* There shall be no more than one accessory housing unit allowed per lot.

Additional standards for accessory dwelling units.

In addition to the general requirements listed above, accessory dwelling units shall be subject to the following requirements.

(1) *Size.*

(a) *Size of Detached ADU.* Detached ADUs shall not exceed 50 percent of the gross floor area of the primary dwelling unit, nor exceed 1,250 square feet in gross floor area. This requirement shall not apply to any detached ADU 400 square feet or less.

(b) *Size of Attached ADU.* Attached ADUs shall not exceed 35 percent of the gross floor area of the primary dwelling unit.

(2) *Density.*

(a) The property on which an ADU is to be located must be a legally created parcel.

(b) The property on which a detached ADU is to be located shall be at least 5 acres in size.

(3) *Occupancy.*

(a) The owner of the parcel shall live either in the primary dwelling or ADU as their primary residence. For the purpose of this standard, "primary residence" shall mean occupancy by the underlying property owner for no less than 120 days during a calendar year.

(b) ADUs may be used for occupation by family members, guests, renters, lessees, and estate caretakers/groundskeepers.

- (c) The ADU may not be used as a short-term rental.
- (4) *Design.* ADUs must be designed so that the appearance of the lot remains that of a single-family residential development through the following standards:
 - (a) When development abuts or is accessed by a state or county road, all building entrances shall be located so that only one entrance faces the road frontage of the development.
 - (b) On-site parking area shall be provided.
 - (c) Access for vehicle ingress and egress shall share the same legal access onto a public or private road as the primary dwelling unit and no new access shall be established for the ADU.
 - (d) The primary dwelling and the ADU may be no more than 300 linear feet from each other.

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RURAL CLUSTER DEVELOPMENT ORDINANCE

Cluster Regulations Analysis

- A. Cluster development density: Cluster density shall not exceed one dwelling unit per two acres. A cluster development must result in no fewer than four parcels.
- B. Lot size: Cluster developments shall be a maximum of 2.0 acres for all lots outside the preserve acreage. Lots with approved septic systems may be approved for a minimum lot size of 0.5 acre. All applications for cluster residential development must receive approval by the Health Department prior to Planning Commission approval of a final plat. All applicants for cluster residential development with lots proposed smaller than 1.75 acres must receive approval by the Health Department prior to Planning Commission approval of the preliminary plat. Preserve acre tracts may be no smaller than 10 acres.
- C. The preserved acreage must be no less than 50% of the total development acreage and must be preserved for agriculture or open space. The preserved acreage must be set aside in one lot and must be contiguous with the boundary of the residential lots. A note shall be placed on the Final Plat restricting future subdivision or development of the reserved area. Non-contiguous property cannot be tethered as preserved acreage.
- D. If a property is proposed for both cluster development and 5-acre tract development, each type of development must be reviewed by the Planning Commission as a separate application.
- E. The maximum number of cluster lots is based on the acreage of the farm proposed for cluster development. All property associated with a cluster development should be under the ownership of the applicant(s) or under contract to the applicant(s), prior to preliminary approval of the cluster development by the Planning Commission.
- F. For cluster developments containing 100 lots or more, accel/decel lanes, turn lanes, and secondary access points will be required [Note: see also Item L-6].
- G. Individual lot standards are as follows:

1. Lot size: 0.5 acre minimum, 2.0 acre maximum (outside the floodplain).
Lot width: 150' minimum at the building setback line (The lot cannot exceed a 2:1 depth-to-width ratio).
2. Front Yard Setback: Shall be the same as all other residential setbacks in the A1 zone.
3. Rear Yard Setback: 50';
4. Side Yard Setback: 25' OR 50' if side yard abuts any property other than another cluster lot.

H. Environmentally Sensitive Areas may be included in the preserve acreage. These areas may not be included within the any other lots within the development, without a variance to increase the allowable lot size by the amount of acreage that is environmentally sensitive; otherwise, those areas must be part of the preserved acreage.

I. All cluster proposals will be subject to the road improvement policies established in the *adopted subdivision regulations* and subject to the carrying capacity of the existing roads based on the ITE Trip Generation Manual, 11th (or latest) Edition and the AASHTO Policy on Geometric Design of Highways and Streets, 1990 (or latest) Edition.

and any existing lots at the time these regulations were adopted. The required TIS may be waived upon recommendation of the Commission staff, where the road upon which the cluster is proposed is adequate for the anticipated traffic generated by the development. The adequacy of the road will be reviewed based on the carrying capacity of the existing roads based on the ITE Trip Generation Manual, 6th (or latest) Edition and the AASHTO Policy on Geometric Design of Highways and Streets, 1990 (or latest) Edition.

J. Cluster lots may share a common rear lot line with other cluster lots subject to all Health Department requirements.

K. **Required Landscaping/Buffering & Fencing:** All Cluster developments are required to meet relevant requirements of the adopted Landscape & Land Use Buffer Ordinance.

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M. All cluster lots shall have public water supply. In addition, fire hydrants are required to be installed where the appropriate (required) size water lines are present (in order to maximize fire protection).

N. One dwelling credit must remain with the preserved acreage.

O.

P. Notice of the cluster application is required pursuant to Planning Commission noticing requirements

Q. All applicable standards of the *Subdivision & Development Regulations* will be required, including Erosion Control, Drainage Plans, and Construction Plans.

R. The final plat of the cluster development and reserved property including all required restrictive covenant/deed restrictions, and homeowner's association documents (if applicable), shall note and convey that the acreage reserved for agricultural/open space is restricted to its noted use. This covenant shall terminate at such time as the property is annexed into a city and approved by the appropriate legislative body of that city for a zone classification change (rezoning) to an urban use.

S. A note is required on the final plat, "Prospective purchasers of residential lots are placed upon notice that hunting and fishing within accepted safety guidelines and agricultural use and production, including the use of machinery in the normal course of activity, are common and legal practices in the A-1 zone. It is understood that these uses must be expected to occur in and around A-1 developments. These practices, if conducted within accepted safety guidelines, shall not constitute a nuisance within the meaning of KRS 401.500 et.seq. Also see the Kentucky Right to Farm Act".

T. The developer may note on the preliminary and final subdivision plat(s) the types of dwellings (e.g. mobile homes, conventional frame construction, manufactured homes,

etc.) which shall be permitted within this development. This requirement shall avoid potential buyer misunderstanding of the consequences of their investment.

- U. A note shall be placed on the final plat that the preserved area cannot be further subdivided. Property that is set aside as “preserved acreage,” by a recorded plat, cannot be removed from “preserved” status unless the entire cluster development is annexed. A copy of the land use and deed restrictions, including preservation areas must be reviewed and approved by the Planning Commission and recorded with the Scott County Clerk’s Office; a note shall be placed on the final subdivision plat indicating the recording reference.
- V. Preserved acreage has no Conditional Uses permitted. Those tracts are not eligible for consideration of Conditional Use Permits by the Board of Adjustment.
- W. The Planning Commission may require a master plan of the entire farm illustrating overall cluster/rural lot layout, access, internal road system, fencing, landscaping/buffering.
- X. All cluster lots shall have access to internal roads only, no direct access (driveways) onto the existing public road.
- Y. Existing stone fences may not be removed or altered except where the proposed road is to be installed, including the required sight triangle. Any portions of a stone fence removed for the above reasons must be replaced elsewhere on the property.
- Z. All applicants for cluster residential subdivision approval are encouraged to provide a copy of the soils map for the subject property or a soil certification from the USDA-NRCS office prior to Planning Commission review and approval. Soils that are less desirable for agriculture are preferential for cluster lot location as a means of maintaining preserved acreage for agricultural purposes.
- AA. A Homeowner’s Agreement is required for cluster proposals. Until such time as Scott County accepts any roads designed to public road standards, the ownership and maintenance of the roads, right-of-ways, and any drainage structures will be the responsibility of the homeowners.

DEFINITIONS/KEY TERMS:

AASHTO – American Association of State Highway and Transportation Officials.

ITE – Institute of Transportation Engineers.

TIS – Traffic Impact Study.

KRS – Kentucky Revised Statutes.

Agricultural Use - as defined in Article II of this ordinance.

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