

**WINCHESTER / CLARK COUNTY  
PLANNING COMMISSION MEETING AGENDA  
TUESDAY, SEPTEMBER 1, 2020 @ 7:00 PM  
ZOOM WEB CONFERENCE**

1. CALL TO ORDER
2. APPROVAL OF MINUTES – AUGUST 4, 2020 REGULAR PC MEETING
3. TREASURER'S REPORT / ACCOUNTS PAYABLE

**New Business**

4. PUBLIC INVITED TO BE HEARD

**Public Hearings**

- A. REVIEW PUBLIC COMMENTS FROM THE AUGUST 4TH PUBLIC HEARINGS REGARDING THE TABLED ITEMS.
  - Major Subdivision Plat 2435 Flanagan Station Road
  - Accessory Structure in Front Yard at 1330 West Lexington Avenue
  - Major Subdivision Plat 12773 Ironworks Road
- B. REVIEW MAJOR SUBDIVISION PLAT CONSISTING OF 12 TRACTS RANGING IN SIZE FROM 2.468 ACRES TO 8.721 ACRES LOCATED AT THE INTERSECTION OF COLBY ROAD AND VENABLE ROAD AND ADDRESSED AT 5609 COLBY ROAD.
- C. REVIEW A ZONING MAP AMENDMENT REZONING 6.131 ACRES LOCATED BEHIND THE TRACT OF LAND DIRECTLY ACROSS FROM THE ENTRANCES OF HIBISCUS LANE AND PRIMROSE LANE AND ADDRESSED AT 1995 MCCLURE ROAD FROM AGRICULTURAL (A-1) TO SINGLE FAMILY (R-1C) ZONING.
- D. REVIEW A ZONING MAP AMENDMENT REZONING 61.72 ACRES LOCATED AT 1305 IRVINE ROAD FROM AGRICULTURAL (A-1) TO PLANNED DEVELOPMENT (PD) ZONING.

**Other Business**

5. FINAL PLAT REVIEW - TUCKER FARMS PHASE 1 (WELLINGTON WAY).
6. PERFORMANCE GUARANTEE/BOND AMOUNTS FOR FAIRHOLME AND TUCKER FARMS SUBDIVISIONS
7. COMMISSIONER COMMENTS
8. STAFF COMMENTS
9. ADJOURN

**NEXT MEETING:                    OCTOBER 6, 2020**

## MINUTES

A meeting of the Winchester-Clark County Planning Commission was held at 7:00 p.m. on Tuesday, August 4, 2020, via Zoom virtual courtroom, with Commission Chairman, Dwain Wheeler, presiding.

Those present were:

Dwain Wheeler, Chairperson  
Sarah Glenn, Treasurer  
Terry Mynk  
Tim Nance  
Aaron Pelfrey  
Christopher Thacker  
Shane Wiseman, Vice Chairperson  
Bill Dykeman, Legal Counsel  
Robert Jeffries, Planning Director  
Kim Mathias, Recording Secretary

Commissioner Stefan Fink was absent.

Mr. Dwain Wheeler welcomed Mr. Aaron Pelfrey to the Commission. Mr. Pelfrey was given the oath of office and sworn in prior to the start of the meeting.

The minutes of the meeting held on July 7, 2020 were presented. A motion was made by Mr. Wiseman to approve the minutes as presented. After second by Mr. Thacker the minutes were approved as presented with unanimous vote.

The Treasurer's Report was presented with a reconciliation report and financial reports for July 2020 for review and approval by the Commissioners.

The following accounts were presented for approval:

Ron Rigney (engineering services)	\$200.00
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Upon motion by Mr. Wiseman, second by Mr. Thacker, and with unanimous vote, the Treasurer's report was accepted into record and accounts were approved to pay.

The public was invited to be heard for any matters not on the agenda. Matters should be emailed to the Planning Director at [rjeffries@winchesterky.com](mailto:rjeffries@winchesterky.com).

ORIGINAL

A public hearing was held to review a variance to keep an accessory structure (a carport) in the front of the yard approximately 26 feet from the front property line at 1330 West Lexington Avenue. The Board of Adjustments met on July 9, 2020 to review the proposed variance and found that the Planning Commission motioned in March of 2014 to not allow structures within the 50' setback along Lexington Avenue. The Board of Adjustments felt it best to forward the variance application to the Planning Commission, based on the opinion that the Board thinks it is causing Mr. Noble a hardship by not letting him have a structure within the 50' setback. The applicant (Phyllis Noble) is requesting a variance in order to keep the carport in the front of the building located at 1330 West Lexington Road. The property is zoned B-3 Highway Business and buildings within the zone need to maintain a 50' front setback. The carport is approximately 26 feet from the backside of the sidewalk along West Lexington Avenue.

The applicants have spoken to the City Manager and staff throughout the application process. They would like to keep the carport in the current location and continue to operate their business under the carport instead of operating the business in the garage - as they did previously. A fence was recently constructed along the east property line in order to separate the neighboring property's parking lot from the drive aisle for the fruit stand/market.

After presentation of the staff report, the applicant (Phyllis Noble) was present to answer any questions.

After review and comments by each member and discussion of the matter, Mr. Thacker made the following motion: I make a motion to table this variance review until the September 1, 2020 meeting and allow public comment on the matter for the next 15 days. After second by Mr. Nance and with unanimous vote the motion carried.

A motion was made to take the hearing concerning the Major Subdivision Plat proposal for 2435 Flanagan Station Road off the table by Mr. Thacker. After second by Mr. Pelfrey and with unanimous vote the motion carried.

A public hearing was held on a Major Subdivision Plat at the July meeting. The applicant (Cantrell Properties) submitted a subdivision plat subdividing the 102 acre property located on the corner of Flanagan Station Road and Bybee Road into a total of 13 tracts ranging in size from 1.82 acres to 46.64 acres.

After presentation of the staff report and comments from the applicant (Mr. Cantrell) and engineer (Mr. Ward) a motion was made to table the hearing to allow for public comments.

Mr. Jeffries updated the Commissioners on the public comments received. There were a lot of legitimate concerns. The plat was also missing several items. The applicant has since submitted an updated plat but this version still does not show the locations of the driveways.

After review and comments by each member and discussion of the matter, Mr. Thacker made the following motion: I move that this Major Subdivision Plat be tabled to come back on once the proposed plat is complete, especially in regards to any road access points. After second by Mr. Nance and with unanimous vote the motion carried.

A public hearing was held on a Major Subdivision Plat (TDR). The applicant (Larry Baker) submitted a subdivision plat subdividing the 44 acre property at 12773 Ironworks Road into 15 tracts ranging in size from 1.722 acres to 10.012 acres.

The properties will remain zoned Agricultural (A-1) and adhere to the dimension and area requirements for the Agricultural Zoning District. Tracts 9 through 15 do not have public road frontage as these tracts have been transferred development rights in order to develop without the required 250 feet of public road frontage.

After presentation of the staff report, the applicant (Larry Baker) and engineer (Robert Baldwin) were present to answer any questions.

After review and comments by each member and discussion of the matter, Mr. Thacker made the following motion: I move to table consideration of the major subdivision plat until the September 1, 2020 meeting and allow public comment on the matter for the next 15 days. After second by Mr. Wiseman and with unanimous vote the motion carried.

In Other Business, Mr. Jeffries updated the Commissioners on some potential meeting sites for rescheduling a special meeting for the draft ordinance for solar energy facilities.

Mr. Thacker commented for the record that the Commissioners should be consulted prior to any decisions being made on cancelling meetings.

There being no other business, Mr. Nance motioned to adjourn the meeting. After second by Mr. Thacker and with unanimous vote the meeting was adjourned at 8:01 PM.

The next Planning Commission meeting will be held on Tuesday, September 1, 2020.

Prepared by:

Respectfully submitted,

  
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Kim Mathias, Recording Secretary

  
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Stefan Fink, Secretary