

MINUTES
Community Appearance Board (CAB)
January 16, 2018

MEMBERS PRESENT: Ms. Brenda England, Mr. Robert McCarley Jr., Ms. Janet Johnson, Ms. Sharon Jones, & Mr. Billy Mitchell

MEMBERS ABSENT: Mr. Ronald McInnis

OTHERS PRESENT: Matt Millwood, Rick Martin, & Debra Grant

- I. **Call to Order**
- II. **Approval of Minutes:** December 9, 2015; **Ms. Janet Johnson made a motion to approve the minutes as submitted; the motion carried unanimously.**
- III. **Public Input:** None
- IV. **Consideration:**

CA#17-01

Mr. Thomas Rufus (TMS# 05-0012-066-00-00) is seeking a variance from the strict interpretation of the City of Georgetown Zoning Ordinance; Article XIII (Overlay District) for a fence.

Rick Martin/City Staff told the Board that back in 2007 the City organized the Community Appearance Board that governed the appearance of businesses on the main corridor, in which fences are included. The variance that is before the Board tonight is for a business located at 2100 Highmarket Street that had a fence in the rear and side yard that was taken down for repairs and put back up. Zoning calls for a black coated fence in the overlay district, however the Building Department does not permit fences and our office did not know of the repairs. Staff was asked by the Administrator to bring this before the board because of a complaint by another business owner. He wanted to put a fence up and was told by Staff that it would have to be black coated, so he referenced the fence at 2100 Highmarket Street is in violation. There is also another business on Highmarket Street that has a pre-existing chain-link fence that is not plastic coated, so Staff needs some guidance on how to proceed with issues like this in the future.

Matt Millwood/City Staff told the Board that the business at 2100 Highmarket Street is zoned general commercial (a power point was shown to the Board). **Mr. Mitchell** asked if the fence ran along the front of the property. **Matt Millwood/City Staff** said no it is in the rear and side yard. Matt said this complaint came after another business owner was told the overlay district requires him to have a black, plastic coated fence. The variance tonight is to allow a galvanized chain-linked style fence.

Mr. McCarley asked if a permit is required for a fence. **Rick Martin/City Staff** said no the city does not permit fences and that is why we didn't know about this one.

Ms. Jones said in her opinion as long as the fence is not obstructing the view or causing any type of danger with the neighbors or cause them to lose business, she did not have a problem with it. **Matt Millwood/City Staff** said the fence absolutely does not obstruct any viewing for vehicles, it

just does not meet the criteria listed in the Overlay District section of the zoning ordinance; wood, black coated, etc.

Mr. Mitchell asked where was the person that made the complaint business in relation to the business at 2100 Highmarket St. /Mr. Rufus. **Matt Millwood/City Staff** said the person filing the complaint is not within the 200 ft. radius of Mr. Rufus' business. No one that is adjacent to Mr. Rufus property has a problem with the fence. **Mr. Mitchell** asked how long has the current Overlay District zoning been in place. **Matt Millwood/City Staff** said the ordinance has been in place since 2006/2007. **Mr. Mitchell** asked if anyone else came with complaints with a chain-linked fence since that time. **Matt Millwood/City Staff** said no.

Public Input: None

Motion:

Mr. McCarley made a motion to allow any chain linked fence in the Overlay District, that was existing prior to January 16, 2018, is considered grandfathered in and shall not be in violation of the ordinance; seconded by Ms. Jones, the motion carried 5 to 0.

Recommendation:

Mr. Mitchell/Board Chairman made a recommendation that the Staff takes a text amendment before Planning Commission to allow any fence in the overlay district, that was in place prior to January 16, 2018, be grandfathered in.

V. Adjournment: With there being no further business the meeting was adjourned.

Submitted By,

*Debra Grant
Board Secretary*