

ORDINANCE NUMBER 3 - 2022

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE TABLE OF SPECIAL ORDINANCES, SECTION 1 ZONING MAP CHANGES OF THE FRANKLIN COUNTY CODE OF ORDINANCES FOR A 1.51-ACRE PORTION OF PROPERTY IDENTIFIED AS PVA MAP #059-00-00-008.00, LOCATED AT 994 SHADRICK FERRY ROAD, FROM AGRICULTURAL DISTRICT (AG) TO RURAL RESIDENTIAL DISTRICT (RR)

WHEREAS, The Franklin County Fiscal Court, having heretofore enacted an Ordinance relating to zoning regulations and zoning district maps in accordance with a Comprehensive Plan and Kentucky Revised Statute (KRS) chapter 100; and

WHEREAS, the aforesaid Ordinance provides for amendments to the zoning ordinance text and maps and requires the Frankfort/Franklin County Planning Commission to forward their recommendations for approval or denial of the zone map amendment, along with their findings of fact, to the Franklin County Fiscal Court for action; and

WHEREAS, The Frankfort/Franklin County Planning Commission held a public hearing on January 13, 2022 and adopted a summary of the evidence and findings of fact as required by KRS chapter 100; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY, THAT:

SECTION I. The Code of Ordinances, Table of Special Ordinances Section 1 Zoning Map Changes, is hereby amended to read as follows:

A 1.51-acre portion of property located at 994 Shadrick Ferry Road in Franklin County, Kentucky, identified as PVA map #059-00-00-008.00 is hereby amended from Agricultural District (AG) to Rural Residential District (RR), based on the following findings of fact:

- a) The Comprehensive Plan, Future Land Use Plan, designates the property for Rural Activities.
- b) The Rural Residential (RR) zone district is an appropriate zone district for the Rural Activities land use designation.
- c) The proposed Rural Residential (RR) zoning designation of the 1.51-acre portion of property will establish a conforming lot of record.
- d) The proposed zone map amendment is in agreement with the Comprehensive Plan.

SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

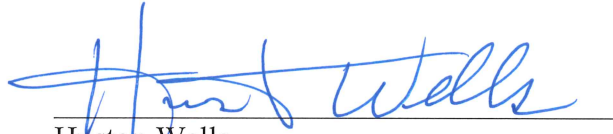
SECTION III. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it

is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

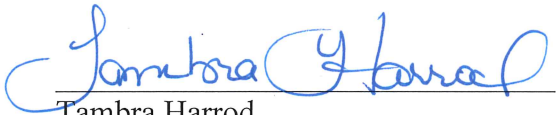
INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 11th day of February, 2022.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 3 day of March, 2022 and of record in Fiscal Court Order Book 32, Page 279.



Huston Wells
Franklin County Judge/Executive

ATTESTED TO:



Tambra Harrod
Fiscal Court Clerk

SUMMARY

This ordinance approves a zone map amendment for 1.51-acre portion of property located at 994 Shadrick Ferry Road, more specifically described as PVA map #059-00-00-008.00, from Agricultural District (AG) to Rural Residential District (RR).

A Description of **1.510 Acres (more or less)**

Being a portion of Tract D as described in Deed Book 607, Page 274 as filed in the Office of the Franklin County, Kentucky Clerk lying on the east side of Shadrick Ferry Road approximately 1.0 mile west from the intersection of U.S. 127 and being more particularly described as follows:

Beginning at a set ½" steel rebar being corner to Chris and Kendra Quire (Deed Book 607, Page 274 and Plat Cabinet C, Slide 374) said rebar being corner to Chris and Kendra Quire (Deed Book 502, Page 577 and Plat Cabinet E, Slide 261) said rebar being located approximately 20 feet from the center of Shadrick Ferry Road said rebar having Kentucky Single Zone Coordinates of **N: 3979146.9126, E: 5174038.3280** thence with the division line herein created,

N 11°00'35" E 191.03 feet to a set ½" steel rebar with cap thence
S 77°48'12" E 125.69 feet to a set ½" steel rebar with cap thence
N 11°24'05" E 138.53 feet to a set ½" steel rebar with cap thence
S 78°51'55" E 171.60 feet to a set ½" steel rebar with cap said rebar being corner to the remaining property of Chris and Kendra Quire said rebar being in the line of Randall and Angela Wright (Deed Book 561, Page 399 and Plat Cabinet D, Slide 385) thence with the line of Wright,

S 14°59'31" W 180.05 feet to a set ½" steel rebar with cap said rebar being corner to Wright and being corner to Lydia and Daniel Berry (Deed Book 572, Page 024 and Plat Cabinet C, Slide 374) thence with the line of Berry,

S 79°53'08" W 83.64 feet to a found ½" pipe with cap (not legible) thence
S 46°51'16" W 219.78 feet to a found ¾" open pipe (no cap) said pipe being corner to Berry and Quire said pipe being located approximately 20 feet from the center of Shadrick Ferry Road thence with the right of way of Shadrick Ferry Road,

N 41°09'50" W 94.45 feet to a found ½" ID pipe (no cap) thence continuing with said right of way of Shadrick Ferry Road, **N 41°09'50" W 5.55 feet to THE POINT OF BEGINNING CONTAINING 1.510 ACRES** (more or less) and being a portion of Tract D as described in Deed Book 607, Page 274 and as shown in Plat Cabinet C, Slide 374 from a boundary survey by Semones Land Surveying, PLLC, Robert T. Semones, KY PLS 3141 with field completion date being November 11, 2021 and plat being dated November 11, 2021. All set steel rebars are ½" in diameter and are 18 inches in length and are marked with red identifier caps stamped "SEMONES 3141". This survey was performed by using GPS methods and the basis of bearings is based on NAD83, Kentucky Single Zone Coordinate System. This survey was conducted by using a Spectra SP85 receiver, serial number 5949500198 utilizing Trimble Access as a VRS network rover and direct GPS observation linked to KY COORS Station.

This survey is subject to all right of ways, easements, conveyances and restrictions that a title examination would reveal. No title report was provided to the surveyor for this survey. This boundary survey meets or exceeds the technical standards for an Urban land survey and is classified as an Urban boundary survey in accordance with 201 KAR 18:150.



REFERENCE BEARING

FROM GRID COORDINATES DERIVED FROM GPS METHOD USING A SPECTRA GEOSPATIAL SP85 RECEIVER - SERIAL NUMBER 5949500198 UTILIZING TRIMBLE ACCESS AS A VRS NETWORK ROVER - DIRECT OBSERVATION LINKED TO KY COORS STATION - CORRECTION RECEIVED VIA AT&T MIFI MODEM AND ARE NAD83 KY SINGLE ZONE

GIS INFORMATION

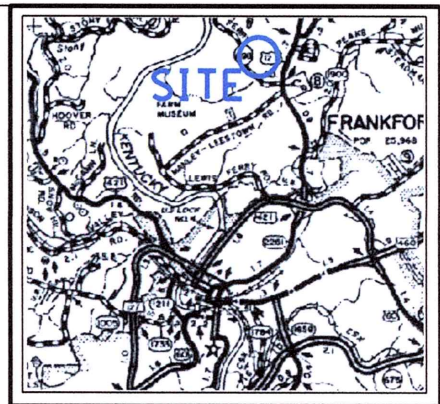
KENTUCKY SINGLE ZONE STATE PLANE 1983
 LOCAL DATUM - NAD 1983 (CONUS) (MO1)
 GLOBAL REFERENCE DATUM - NAD83 (2011)
 GEOID MODEL - GEOID18 (CONUS) FIXED
 DISPLACEMENT MODEL - HTDP V3.2.9

CERTIFICATION OF ACCURACY

I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT SURVEY TO THE ACCURACY OF THE MINIMUM STANDARDS OF PRACTICE AS SET FORTH BY THE KENTUCKY STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS DESCRIBED IN STANDARDS OF PRACTICE 201 KAR 19:150 DATED DECEMBER 3, 2010

ROBERT T. SEMONES
 KY PLS 3141

**ROBERT T. SEMONES
 3141
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR**



VICINITY MAP
 (NOT TO SCALE)

CHRIS AND KENDRA QUIRE
 DB 502 PG 577
 PLAT CAB E, SLIDE 261
 1.507 ACRES
 HOUSE LOT

CHRIS AND KENDRA QUIRE
 DB 502 PG 577
 PLAT CAB E, SLIDE 261
 ZONED AG
 14.46 ACRES

MONUMENTATION LEGEND

- - SET 1/2" STEEL REBAR, 18" IN LENGTH, WITH CAP STAMPED "SEMONES 3141"
 - - FOUND 1/2" PIPE WITH CAP (NOT LEGIBLE)
 - - FOUND 3/4" PIPE (NO CAP)
 - - CONSOLIDATION TIE
- N=388964.6842
 E=516136.4652 KENTUCKY SINGLE ZONE COORDINATES

CERTIFICATION OF APPROVAL FOR RECORDING

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

CHAIRMAN OR DESIGNEE
 FRANKFORT/FRANKLIN
 COUNTY PLANNING COMMISSION

DATE

CERTIFICATION OF OWNERSHIP AND DEDICATION

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

OWNER

DATE

OWNER

DATE

CHRIS AND KENDRA QUIRE
 DB 502 PG 577
 PLAT CAB E, SLIDE 261
 ZONED AG
 14.46 ACRES

SURVEY CLASSIFICATION

THIS SURVEY AND PLAT MEETS OR EXCEEDS THE TECHNICAL STANDARDS FOR AN URBAN LAND SURVEY IN ACCORDANCE WITH 201 KAR 19:150.

DATE OF FINAL FIELD WORK: 11/11/2021
 DATE OF REVISED FINAL PLAT: 11/11/2021
 NO CEMETERY FOUND ON SUBJECT PROPERTY

THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 19:150.

- - UTILITY POLE
- WM - WATER METER
- FH - FIRE HYDRANT

LI N41°09'50"W
 5.55'

N=3979146.9126
 E=5174038.3280

EXHIBIT BY:

SEMONES LAND SURVEYING, PLLC
 PERMIT #833
 ROBERT T. SEMONES
 KY PLS 3141
 317 WEST FOURTH STREET
 FRANKFORT, KY, 40601
 502-319-5311
 roberttsemones@gmail.com

TRACT D-2
 1.028 AC.
 ZONED AG
 TO BE CONSOLIDATED
 WITH CHRIS & KENDRA QUIRE

N=3979443.6759
 E=5174225.0478

N=3979410.5366
 E=5174393.4195

TRACT D-1
 1.510 ACRES

REQUEST A ZONE CHANGE
 FROM AG TO RR

N=3979307.8771
 E=5174197.6626

N=3979221.9300
 E=5174264.5090

N=3979236.6175
 E=5174346.8443

RANDALL AND ANGALA WRIGHT
 850 SHADRICK FERRY ROAD
 P.C. D SLIDE 385
 1.5 ACRES
 DB 561 PG 399

LYDIA AND DANIEL BERRY
 964 SHADRICK FERRY ROAD
 0.83 AC.
 P.C. C, SLIDE 374
 DB 572 PG 024

EXHIBIT FOR ZONE CHANGE REQUEST

FRANKLIN COUNTY, KY
 SHADRICK FERRY ROAD
 FOR: PROPERTY LOCATED AT 944
 SHADRICK FERRY ROAD
 OWNERS: CHRIS AND KENDRA QUIRE
 1000 SHADRICK FERRY RD
 FRANKFORT, KY 40601
 DB 607 PG 274
 P.C. C, SLIDE 374
 2.538 ACRES
 PROPERTY LOCATED AT THE MPI MARKER WEST OF
 U.S. 127 LYING ON THE EAST SIDE OF
 SHADRICK FERRY ROAD

NOT TO SCALE

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

**January 13, 2022
5:30 PM**

SHERRON JACKSON, CHAIRMAN -- PRESIDING

The meeting was called to order at 5:30 p.m.

Chairman Jackson asked the Secretary to Call the Roll.

MEMBERS PRESENT:

David Boggs
Keith Lee
Paul Looney
Timothy Luscher
William I. May, Jr.
Darrell Sanderson
Charles Stewart
Brent Sweger
Russell Wright
Sherron Jackson, Chairman

(10)

Also Present:

Edwin Logan, Commission Attorney
Eric Cockley, Director, Frankfort Department of Planning & Community Development
Robert Hewitt, Director, Franklin County Planning & Building Codes Department
Jordan Miller, Senior Planner, Frankfort Department of Planning & Community Development
Bed Judah, Planning Supervisor, Franklin County Planning & Building Codes Department

There being a quorum, the meeting was called to order.

Chairman Jackson asked for a motion to approve the minutes of the December 9, 2021 meeting. Mr. Luscher made the motion to approve the minutes. The motion was seconded by Mr. Boggs and passed unanimously.

Chairman Jackson asked for a motion to approve the payment of bills. Mr. Boggs made a motion to approve the following bills:

The following checks were signed on December 13, 2021:

Ed Logan (Legal fee, December)	\$1500.00
Vickie Sewell (PC Secretarial Dec)	\$ 300.00
Dawn McDonald (BZA Secretarial Oct, Nov, Dec)	\$ 225.00
Ed Logan (Legal Fee, January)	\$1500.00
Frankfort NewsMedia (Ad # 1369565)	\$ 213.44
Frankfort NewsMedia (Ad# 1351936)	\$ 311.88

The motion was seconded by Mr. Luscher and passed unanimously.

Under Staff Items, Chairman Jackson asked for acceptance and approval of the 2022 Planning Commission meeting calendar. Without objection, the calendar was approved.

Mr. Cockley provided an update on the Comprehensive Plan. He stated that staff, Chairman Jackson and Russell Wright had met with the consultant to go over the project management plan and to determine the subcommittees that would be needed and the processes and outreach programs that would be used.

Mr. Cockley stated that the group discussed the make-up of the Comprehensive Plan Advisory Committee and the public members that will be included. He stated that they had discussed the project name for the Comprehensive Plan Update and the branding that would be used.

Mr. Sweger asked if the committee had talked about the schedule and when it would be released to the public. Mr. Cockley stated that the documents would be given at the kick-off.

Chairman Jackson asked Mr. Cockley if there was a date set for the public kick-off. Mr. Cockley stated that no firm date had yet to be set.

Chairman Jackson asked the Secretary to introduce the first item on the agenda:

PUBLIC HEARING: Kendra & George C. Quire are requesting approval of a zone map amendment from Agricultural District “AG” to Rural Residential District “RR” for a 1.51-acre portion of the property located at 994 Shadrick Ferry Road. The tract is more specifically identified as PVA Map Number 059-00-00-008.00. (County item)

Mr. Darrell Sanderson joined the meeting.

The Secretary swore in all speakers.

Under questioning by Mr. Logan, Mr. Judah stated that he had reviewed the application for zone map amendment and that he had prepared the staff report for the item. Mr. Judah testified that the report and his findings were based upon his education, training & experience in the field of planning. Mr. Judah stated that there were no additions or deletions he wished to make to his report.

Mr. Logan asked that the staff report be entered into the record and asked Mr. Judah to provide a summary of the staff report to the Planning Commission.

Under Commission questioning, Chairman Jackson asked what the minimum lot size in Rural Residential zone district was. Mr. Judah stated that it was 1 ½ acres.

Chairman Jackson asked if the plat presented in the staff report was creating a non-conforming lot. Mr. Judah responded that the plat will not be approved until the rezoning has been

approved by Fiscal Court. He stated that both lots would then be conforming because one lot would be 1.5 acres and the other portion of the lot would be consolidated with the existing agricultural lot.

Mr. Sweger asked if the plat process would be administrative. Mr. Judah stated that it would.

Mr. Looney asked how a non-conforming lot was created. Mr. Judah stated he was not sure and did not wish to speculate and make an incorrect assumption.

Mr. Wright asked if the Transportation Cabinet's decision to not approve any new entrances in conjunction with the plat was troublesome. Mr. Judah stated that it was not due to the fact that no new structures are being proposed. He stated that the house will be on the new lot and the barn will be with the remaining agricultural property.

There were no further questions of Mr. Judah.

Mr. Charles Jones, Attorney for the applicant was present and stated that he and his clients had been provided with a copy of the Staff Report and that they were in agreement with the report and recommendation. Mr. Jones stated that the original tract was a 2.0 plus tract of property and pre-dated the adoption of the Zoning Regulations. He stated that the majority of the property in that area was zoned Agricultural. He stated that the garage is being "carved out" to be included with the larger tract.

There were no further questions of Mr. Jones.

Mr. May made a motion to close the Public Hearing, adopt the Staff Report as the Summary and to take action on the item at that meeting. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Luscher made a motion to adopt the proposed findings of fact one through four provided by staff in the staff report on page 12 of 13. The motion was seconded by Mr. May and passed unanimously.

Mr. Sweger made a motion to stop the making of findings of fact. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Lee made a motion to recommend to the Franklin County Fiscal Court that the request by Kendra & George C. Quire for approval of a zone map amendment from Agricultural District "AG" to Rural Residential District "RR" for a 1.51-acre portion of the property located at 994 Shadrack Ferry Road be approved. The motion was seconded by Mr. Luscher and passed unanimously.

Chairman Jackson asked the Secretary to introduce the next item:

Ampler Development is requesting approval of a Development Plan for a proposed 2,840 square foot Burger King restaurant to be constructed on the property located at 161 Arrowhead Court. The property is more specifically described as PVA map #086-00-00-017.11. (County Item)

Mr. Judah presented the staff report to the Commission. He stated that the property was rezoned in 2017. He stated that the Planning Commission had, at that time, required that the development plan be presented to the Planning Commission for approval. Mr. Judah stated that the Technical Review Team had reviewed the Development Plan and had approved the Plan. Mr. Judah stated that staff also was recommending approval of the plan.

Chairman Jackson asked the applicant to present their case. Mr. Will Spaulding, Mr. Dan Peyton and Ms. Madison Moitoso were present. Mr. Spaulding stated that the development plan included two drive-thru lanes with a bypass lane on the outside of those two lanes. He stated that stormwater will be underground, along with all utilities. He stated that he was in agreement with the Staff Report and had no additional comments.

Chairman Jackson asked what the lines were that go through the middle of the lot. Mr. Spaulding stated that it was a previous access to the rear lot.

Mr. Sweger asked Mr. Spaulding to explain the underground retention system. Mr. Spaulding stated that the parking will be pervious pavers. He stated that the area underground will consist of #2 stone which will “wash” the run-off and then it will be released into the state right-of-way.

Mr. Lee made a motion to approve the request by Ampler Development for the approval of a Development Plan for the property located at 161 Arrowhead Court. The motion was seconded by Mr. Wright and passed unanimously.

Chairman Jackson asked the Secretary to introduce the next item:

In accordance with Article 1.09 of the Frankfort Zoning Ordinance, Washington Hospitality Group LLC is requesting approval of a Waiver of Section 4.06.34 (E and F) of the City of Frankfort Zoning District Regulations in order to allow a hotel to provide food services and liquor sales to patrons who are not guests of the hotel as well as guests of the hotel for the property located at 300 Washington Street. The property is more particularly described as PVA Map #061-24-07-006.00. (City item)

Mr. Jordan Miller presented the staff report to the Commission. Mr. Miller stated that the property was along 15,000 square feet in area. He stated that the property is zoned Special Historic and is located adjacent to the Central Business district. He stated that the building is currently vacant and that the last occupant had been the Commonwealth of Kentucky’s Historic Preservation Office.

Mr. Miller stated that he had reviewed the request and had proposed positive findings for the request. Mr. Miller stated that the Traffic Engineer had reviewed the request and had no issues,

as long as the proposal meets the required parking spaces. Mr. Miller stated that 13 spaces are required and can be provided on site.

Mr. Miller stated that he had spoken with a representative of the First Presbyterian Church and their only concerns were allowing the hotel to use on-street parking and if that would conflict with the church's activities.

Mr. Miller stated that staff was recommending approval of the request.

Under questioning by the Commission, Mr. Lee asked if the applicants were considering a roof-top bar. Mr. Jordan stated that the applicants are not considering a roof-top bar. He did state that there is an existing 10' x 12' landing at the rear of the building that could be used as a lounge/sitting area, but that there would be no service there.

Mr. Lee asked if the Special Historic district provided for quiet hours. Mr. Jordan stated that there is an existing noise ordinance that would deal with afterhours noise.

Mr. Lee asked if events or weddings would be provided in the rear of the property. Mr. Miller stated that that would be a separate use and would be dealt with in a different manner.

Mr. Lee asked what time alcohol sales were permitted on Sunday. Mr. Luscher stated that alcohol sales were permitted on Sunday without conditions.

Chairman Jackson asked for the applicant to present their case. Ms. Rebecca Burnworth of Burnworth Design, located at 414 Plunkett Street, was present and stated that the applicants were in agreement with the staff report. She stated that the use would be primarily a hotel use, but that the applicants would like to have the ability to have the residents of Frankfort to also use and experience the property.

Mr. Tyler Bromagen and Ms. Amber Lagrew, owners of the property stated that they wished to restore the property and have it highlight the history of the area. They stated that they did not want to deprive local residents from the history of the structure. Mr. Lagrew stated that she felt it would be the first museum hotel in Frankfort and she wanted the residents to be able to see the structure.

Mr. Logan asked Mr. Bromagen and Ms. Lagrew if they were in agreement with the staff report. They stated that they were.

Chairman Jackson questioned the noise issue. The owners stated that the existing noise ordinance will take care of any issues presented. Chairman Jackson stated that there may be a situation wherein the church behind the property would have a function that may coincide with an outdoor function at the hotel. Mr. Bromagen stated that they would work with the Church to minimize problems.

Ms. Lagrew stated that they will also have valet parking off-site and will only be providing small plates for dining.

Mr. Lee asked what the maximum seating could be for the restaurant. Ms. Burnworth stated that 100 persons would be the maximum number of occupants, that that is larger than their goals. Ms. Lagrew added that they envision a capacity of 45 to 50 persons. She stated that if they were having a larger event they would like to extend to the rear/back yard but would be respectful of the city's noise ordinance.

Mr. Looney asked Mr. Miller if the six parking spaces that provide for the hotel use could be used for the restaurant. Mr. Miller stated that they would have to remain for the hotel use, only.

Mr. Logan asked Mr. Miller if the restaurant use was increased to up to 75 people, would that change his recommendation. Mr. Miller stated that it would not.

Mr. Lee asked if the Commission could put conditions on the waiver request. Mr. Logan stated that this request will also be considered for the Conditional Use Permit by the Architectural Review Board and they will be able to establish conditions for how the use will operate, as well.

Mr. May stated that the City already has a noise ordinance and can the Planning Commission impose other restrictions. Mr. Logan responded that they could not place conditions that would diminish the city regulations, but they could place conditions that would enhance the ordinance.

After further discussion, a motion was made by Mr. Lee to approve the applicant's request with the condition that no outdoor alcohol sales occur until after 1:00 pm. Mr. Luscher asked if Mr. Lee would consider modifying to allow for Bruch on Sundays of at least 12:00 noon. Mr. Lee agreed to the change. The motion was seconded by Chairman Jackson and failed by a vote of six to four. Those voting in favor of the motion were Mr. Boggs, Mr. Lee, Ms. Sanderson and Chairman Jackson. Those voting in opposition were Mr. Looney, Mr. Luscher, Mr. May, Mr. Stewart, Mr. Sweger and Mr. Wright.

A motion was then made by Ms. Sweger to approve the waiver, as requested without additional restrictions. The motion was seconded by Mr. May and was approved by a vote of seven to two. Those voting in favor were Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Stewart, Mr. Sweger and Mr. Wright. Those voting against were Mr. Boggs, Mr. Lee and Chairman Jackson.

Under Other Business, Mr. Lee asked the Commission to thank the outgoing Chair and officers who have served over the last two years. Mr. Lee stated that the Nominating Committee was recommending that the Commission approve Mr. Wright as Chairman, Mr. May as Vice-Chairman and Mr. Luscher as Secretary-Treasurer. Mr. Lee made a motion to approve the Nominating Committee's recommendation. The motion was seconded by Mr. Boggs and passed unanimously.

Under other business, Mr. Sweger stated that, with the Comprehensive Plan update beginning, he wanted to make sure that he and all members were aware of the definition of Open Meetings, as it would relate to conversations members of the Commission may have over the course of the completion of the plan.

Mr. Logan stated that, in effect, ex-parte communication involved taking in any information or conversations or other materials for consideration of the matter that were not made in an open meeting. Mr. Logan stated that no member can consider any information they received outside of the public forums held by the Planning Commission and the Comprehensive Plan Committee.

Mr. Logan stated that it was possible that a member of the Planning Commission could be disqualified if it was found that the member had engaged in ex-parte communication.

Mr. Hewitt asked to introduce Daniel Walker as a new planner with his department. The Commission welcomed Mr. Walker.

There being no further business, Chairman Jackson adjourned the meeting.

Sherron Jackson, Chairman

Vickie Sewell, Recording Secretary

STAFF REPORT

TO: Frankfort/Franklin County Planning Commission
FROM: Ben Judah, Planning Supervisor
MEETING DATE: January 13, 2022



GENERAL INFORMATION

Applicant: George & Kendra Quire
C/O Charlie Jones
315 High Street
Frankfort, KY 40601

Request: Kendra & George C. Quire are requesting approval of a zone map amendment from Agricultural District "AG" to Rural Residential District "RR" for a 1.51-acre portion of the property located at 994 Shadrick Ferry Road. The tract is more specifically identified as PVA Map Number 059-00-00-008.00

Size of Property: 1.51 acres

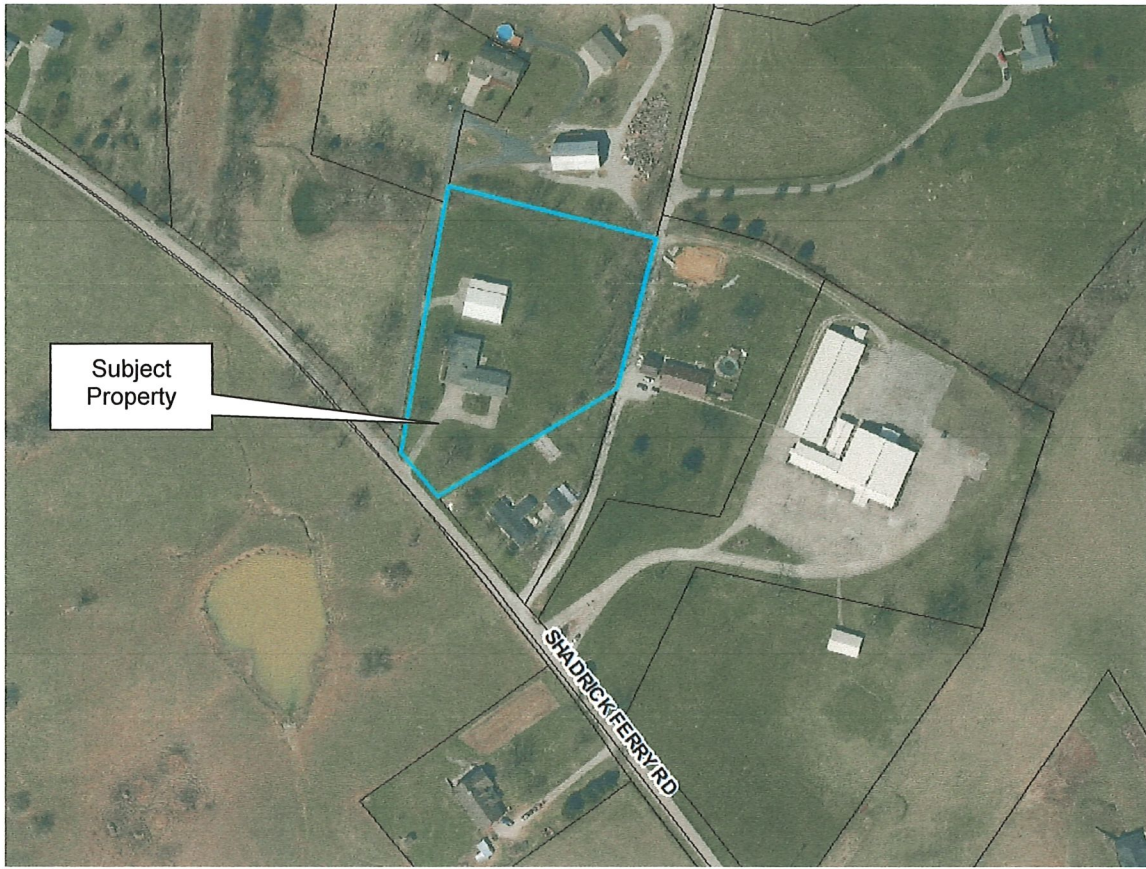
Purpose: Single Family Residence

Surrounding Land Use & Zoning

North: Zone- AG; Residential
South: Zone- AG; Residential, agricultural
East: Zone- AG/RR; Residential, Camp Pleasant Baptist
West: Zone-AG; North Fork Elkhorn Creek, Residential

Background

The subject property is located in the north central portion of Franklin County on Shadrick Ferry Road near the former Camp Pleasant Baptist church in the 4th Magisterial District. There is a residence and pole barn on site. The lot is considered to be substandard because it currently does not meet the minimum 5-acre lot size under the current AG zoning being only 2.538 acres. The applicant is not proposing to construct any new structures at this time. That applicant is requesting to rezone a portion of the property in order to subdivide it as shown on the exhibit attached to this report prepared by Semones Land Surveying, PLLC.



Existing Zoning: Agricultural District (AG)

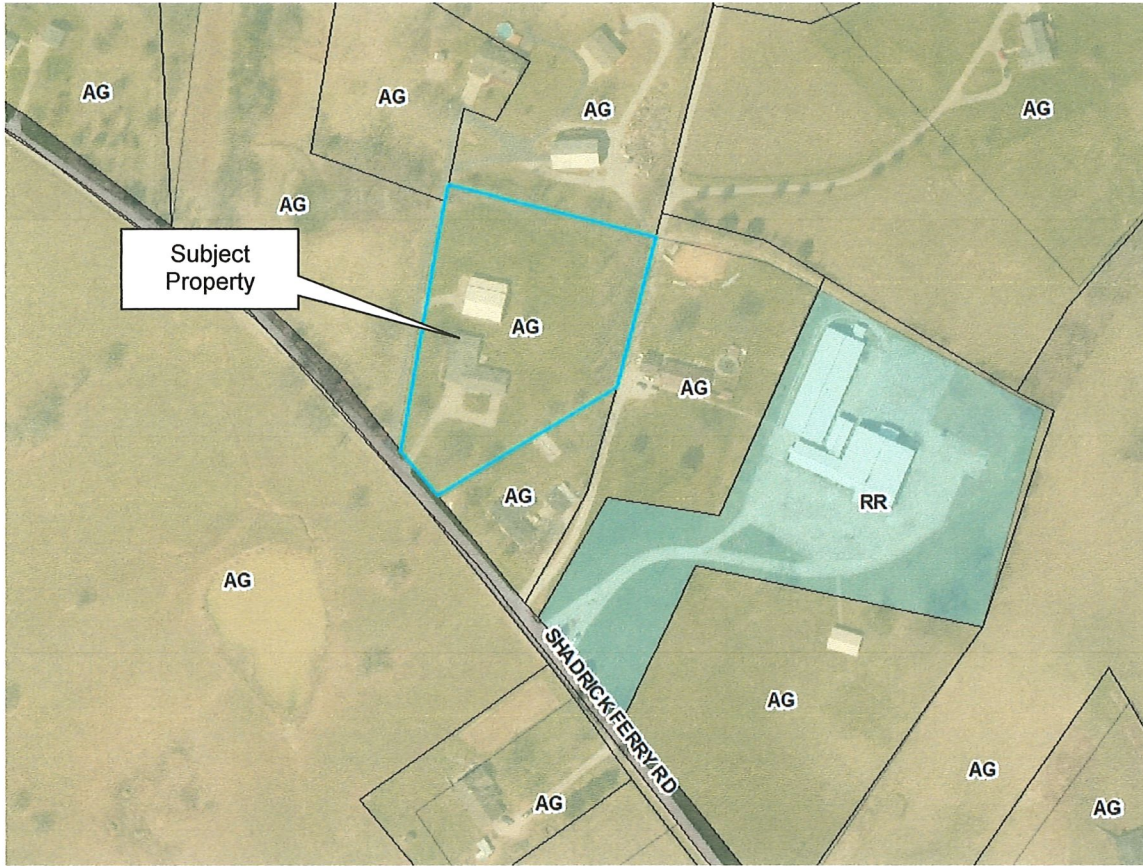
4.101 Purpose.

This district is intended to recognize agricultural land to establish regulations which emphasize agricultural production and preserve a rural character.

Proposed Zoning: Rural Residential District (RR)

4.111 Purpose.

This district is intended to establish and preserve a quiet single family home neighborhood, free from other uses except those which are convenient to and compatible with the residences of such neighborhood. This district is intended to be of very low density and will customarily be located in areas where public sewer facilities are not available or planned.

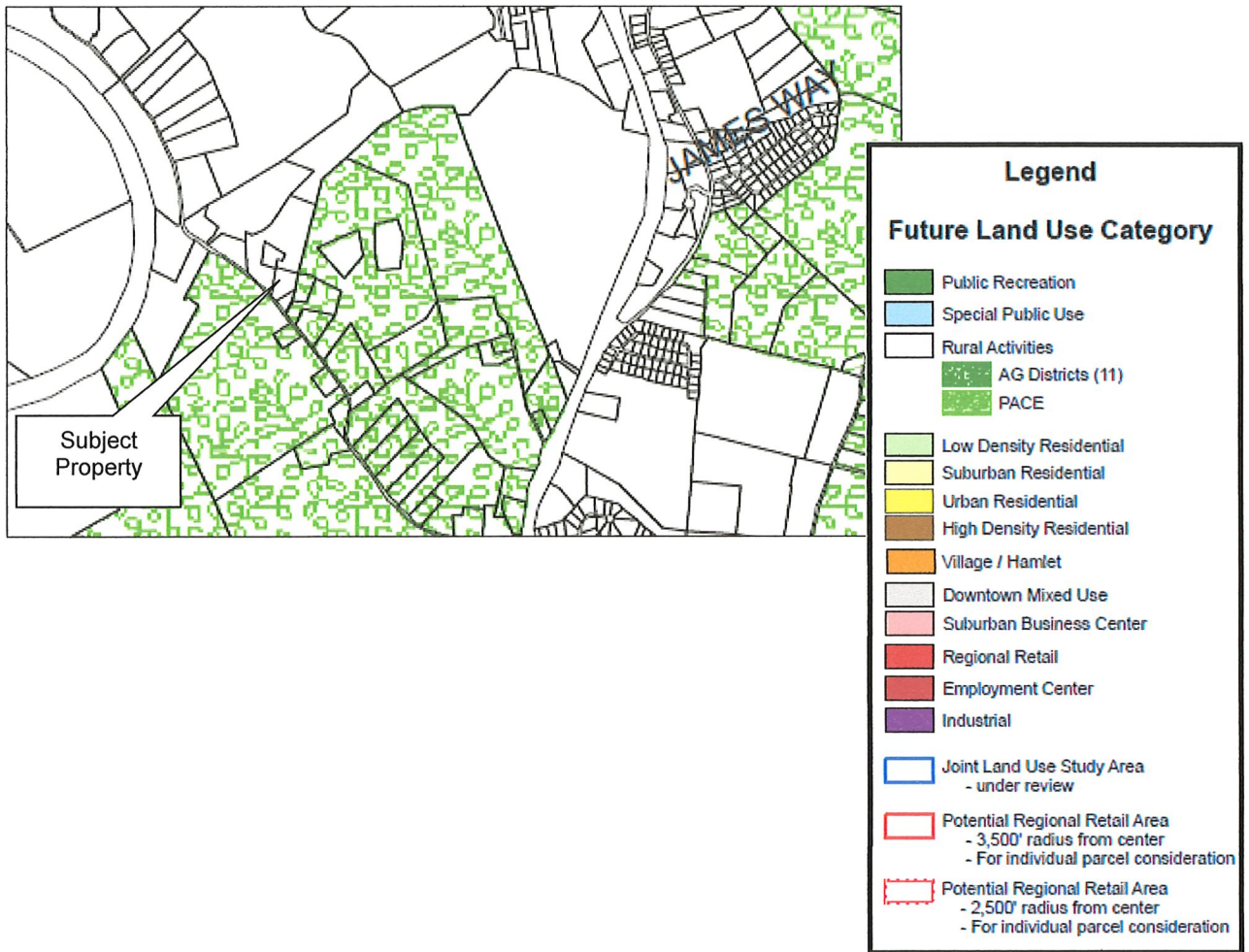


APPLICABLE REGULATIONS

K.R.S. 100.213, Findings Necessary for a Zone Change

Before any map amendment is granted, the Planning Commission or legislative body or fiscal court must find that the map amendment is in agreement with the adopted Comprehensive Plan, or in the absence of such a finding, that one or more of the following apply:

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



ANALYSIS

Franklin County Urban Land Use Plan

The subject property is identified on the Countywide Land Use Plan map as Rural Activities. The land use category Rural Activities is described in the following manner:

Rural Activities

There are large areas of Franklin County that are undeveloped and will most likely remain undeveloped well into the future. There are many reasons for leaving these areas undeveloped ranging from public service availability to other development constraints. The natural and undeveloped areas provide many important benefits to the residents of the County including water filtration, flood protection, wildlife habitat, recreation and natural beauty. Agriculture is also an important part of the history and economy of Franklin County. Growth in these areas should be closely considered with an awareness of the value of the ecosystem services which they provide. Given that these areas are considered undeveloped, they may be suited for some types of very low intensity development including large lot residential uses, cluster/conservation subdivisions and agriculture. In some cases, these lands may also remain in their natural undeveloped state indefinitely.

Land Use Guidelines

- The primary land uses in Rural Activity Areas should be agriculture, forestland, open space, cluster/conservation subdivisions and some limited large lot residential land uses.
- Non-residential uses may locate at appropriate intersections of primary roadways.
- Agricultural Districts and properties preserved under the P.A.C.E. (agricultural conservation easement) should be used solely for agricultural uses. The approximate boundaries of these districts and easements are illustrated on the Land Use Plan Map. Exact boundaries are available through the Franklin County Soil Conservation District.

Development Guidelines

1. Development in Rural Activities areas that is served by public/private water and private sewer should not exceed 1 unit per 10 acres. Development that is served by public water and public sewer should not exceed 1 unit per 1.5 acres, provided that there is sufficient capacity to serve those units.
2. Flexibility should be given when special circumstances are presented and where the proposed development will not have an adverse effect on the surrounding uses. Such circumstances may include the division of property for the purpose of building a home for a relative, etc.
3. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.
4. Emphasis should be placed on clustered/conservation subdivisions to help minimize the need for infrastructure improvements and manage urban sprawl, and preserve natural and cultural features.
5. Developers should incorporate the protection of natural resources, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment.
6. Non-residential uses should be at a size and scale that reflects the rural character of surrounding uses.

Goal 1: Grow by Design

Growth in Frankfort/Franklin County will be responsibly designed, planned and managed to create a sustainable community that provides for a quality lifestyle for all residents of Frankfort and Franklin County. Future growth will be based on a long-term vision for our community, public service availability, the suitability of land for development, and a thorough understanding of the cultural and ecological features of the area. Among other things, decisions on future growth should be considered with awareness for energy conservation, the public need for greenspace and walkability and the need for ties to historic resources, tourism opportunities, and the Kentucky River, including its tributaries.

Staff finding: Positive-The subject property is located in a rural part of the County. The surrounding area is a mixture of both single-family residences and agricultural uses. The zone change request does not represent any proposed growth.

Policy #1 is applicable to this request.

Policies:

1. Recognize that growth is healthy and necessary, but that growth should be managed pursuant to the community's Comprehensive Plan.
2. Approve new development only when the public facilities and public services needed to serve the development will be available.
3. Develop standards that require the developer to provide for the increased costs in providing public services for the new development as appropriate. The public services may include, but not be limited to, water, sewer, schools, transportation, emergency services, and parks as appropriate.
4. Provide a level of public service in rural areas that complements the rural settings.
5. Continue the enforcement of storm water regulations to minimize runoff from new developments.
6. Provide overlays within the city and county that identify aspects of the landscape that are of cultural, ecological and historical significance (for example, mature woodlands, old railroad tracks, stone walls, historic buildings, wetlands, steep slopes, etc.).
7. Develop an urban growth plan with designated growth areas that can accommodate new moderate- and high-density housing units. The size and location of the growth areas should be based on projected population growth, current housing stock and demographics.
8. Encourage developments that provide a mix of uses such as different housing types, affordable housing, commercial establishments, restaurants, recreational areas and open space that will encourage the development of a sense of place.
9. Encourage the redevelopment of brownfield and grayfield properties and the reuse of vacant/underutilized existing industrial or commercial buildings.
10. Recognize the need for energy conservation in modes of transportation.
11. Encourage developments to provide greenspace within neighborhoods and linking neighborhoods and other appropriate sites together.
12. Plan for public services and facilities that adequately serve current needs as well as demand generated by the additional growth as detailed above.

Goal 2: Distinguish Town and Country Identity

Preserve and reinforce the distinction between the urban and rural areas of Franklin County.

Staff finding: Positive-The property is located within the Rural area as depicted on the map contained with the Subdivision and Development Plan Regulations. The Rural development standards contained within Part 4 of the Subdivision Regulations would be applicable to improvements on the site. The minimum lot size of Agricultural District properties is 5 acres; the minimum lot size of Rural Residential

District properties is 1.5 acres. The property is classified as Rural Activities in the Future Land Use Map of the Comprehensive Plan. Similar uses to the proposed use are in the area.

Policies # 5 and 7 are applicable to this request.

Policies:

1. Promote a compact urban area, and recognize and encourage small, compact, rural villages to promote cost effectiveness and efficiency.
2. Identify urban growth boundaries that are compatible with the goal of preserving community character.
3. Define in-fill development as it relates to development in the urban areas of Frankfort, recognizing that in-fill development may not be an appropriate term for developments that may occur in the unincorporated portions of Franklin County.
4. Support and provide incentives for in-fill development on properties that were skipped over within urban areas.
5. Encourage the preservation of existing farms and rural lands outside of existing and planned urban areas.
6. Promote the need to provide incentives for and support the revitalization of the downtown and other already developed areas.
7. Encourage rural land use outside of the urban growth area.
8. Avoid and contain urban sprawl, to preserve the distinction between the rural landscape and Urban/Suburban environment.

Goal 3: Use Infrastructure as a Planning Tool

Utilize the provision of infrastructure in supporting and influencing growth into areas most suitable for development.

Staff finding: Positive-The existing public utilities in the area are capable of supporting the agricultural and residential uses in the rural setting. A facility review was performed and services can or are provided to the property. Copies of the reviews are attached.

Policy #2 of this goal supports the applicant's request.

Policies:

1. Develop a Capital Improvements Plan as a means of coordinating public services/utilities, infrastructure improvements, and development, including pedestrian ways, bikeways, public transit, etc.
2. Direct development into areas within or in close proximity to the existing infrastructure service areas.
3. Encourage the extension of public utilities and public facilities capable of supporting rural densities outside of the planned urban growth area.

4. Plan and build a safe and efficient transportation system, through access management, required roadway interconnections, traffic systems management, development impact analysis, transit, sidewalks and bicycle facilities.
5. Encourage development to occur in a manner respective of emergency response and in compliance with emergency preparedness plans.
6. Encourage the development of a county-wide bicycle and pedestrian master plan.

Goal 4: Promote Economic Health

Recognizing that our economic health is inextricably linked to the health of our environment and our citizens, we will provide for the economic health of the community by continuing to implement this plan and by providing an environment for quality jobs, supporting local business and promoting sustainable businesses and industries that have a low environmental impact.

Staff finding: Positive-This request does not appear to represent a significant economic impact.

Policy #6 of this goal supports the applicant's request.

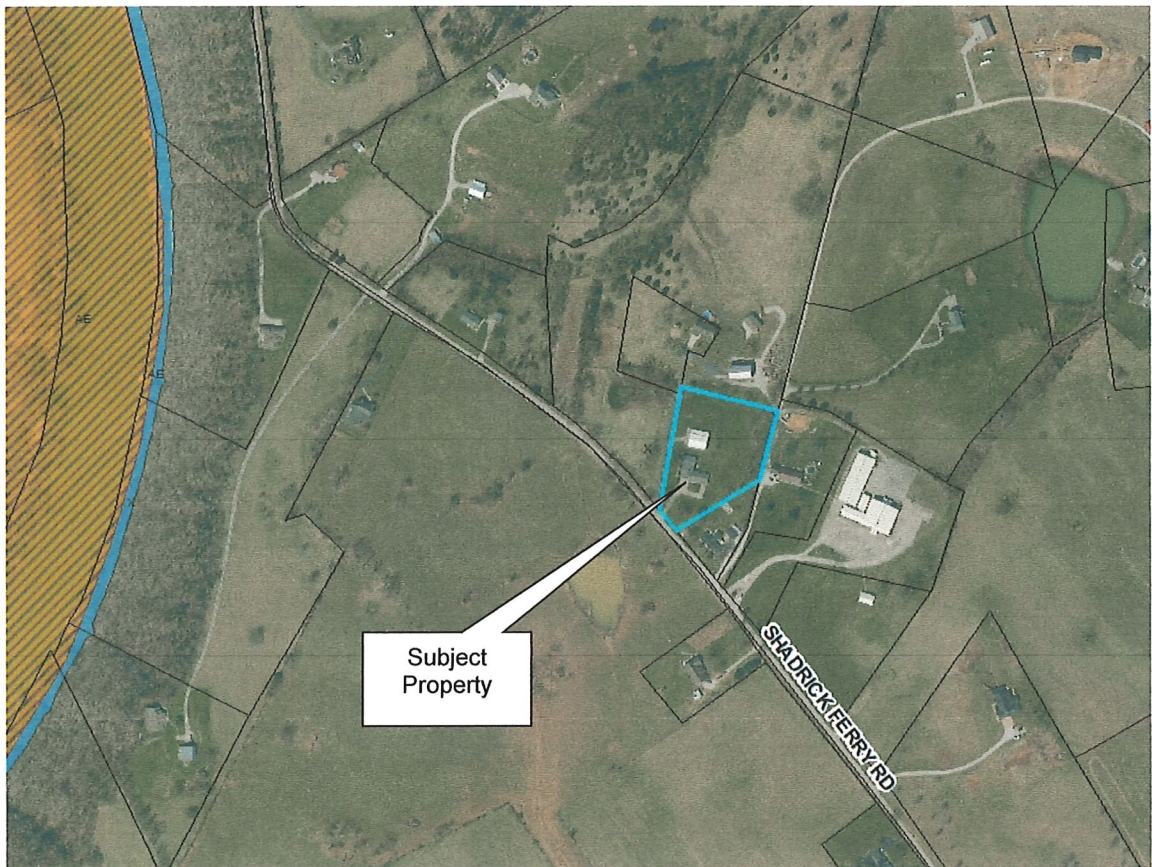
Policies:

1. Continue to promote the development and expansion of quality, environmentally sustainable and economically productive industry in existing industrial parks.
2. Direct additional industrial and/or commercial growth onto land that is suited for industrial and/or commercial development.
3. Promote concepts such as mixed land uses, increased density and connectivity within and between developments.
4. Promote new commercial activity within compact, mixed-use areas and in close proximity to residential areas.
5. Emphasize tourism, including heritage related tourism, as an important economic development asset in the community, including the Kentucky River and its tributaries.
6. Promote local farms and their markets within Franklin County.
7. Work with and encourage state government to coordinate its facility needs consistent with community interests.
8. Encourage the development of businesses that can provide needed products, services and jobs for existing neighborhoods, as well as appropriate expansion opportunities of unique, local industry.

Goal 5: Protect Environmental Health

Protect the integrity of the natural environment, including water, air, and land quality, by ordinance and by overlay planning.

Staff finding: Positive- The subject property is not located within a Special Flood Hazard area (i.e. 1% Annual Chance Flood) as depicted on the Flood Insurance Rate Maps for Franklin County (adopted December 21, 2017). The Subdivision Regulations, Zoning Ordinance, stormwater ordinance and associated regulations are written in such a manner that either encourage or require that the policies within this goal are addressed. The subject property is approximately 1,650 linear feet east of the Kentucky River and is approximately 320 feet higher in elevation.



Policies # 1 and #5 are applicable to this request

1. Preserve streams and drainage ways to manage stormwater runoff, prevent flooding, or to create a system of greenways.
2. Promote the development of regulations to reduce air, noise, light, water, and other pollution.

3. Promote building design that utilizes recycled material, encourages energy conservation, and low impacts on the environment.
4. Protect scenic viewsheds along rural roadways and protect rural character and viewsheds by supporting developments that create scenic overlays or easements.
5. Encourage new development to be designed in a manner that preserves the natural topography and other natural features such as trees, woodlands, wildlife, rare species, streams, ponds, and drainage ways.
6. Support the development of a countywide greenways plan.
7. Encourage the reduction of energy costs through more efficient development patterns and transportation modes.

Goal 6: Preserve Existing Neighborhoods

Promote the stability, preservation, and vitality of existing residential neighborhoods.

Staff finding: Positive- A Rural Residential zoning classification allows the property to remain compatible with the existing residential and agricultural character of the area.

Policy #5 is applicable to this request.

Policies:

1. In existing neighborhoods, encourage the retention of product and service providers.
2. Establish programs to stabilize, improve, and revitalize existing neighborhoods.
3. Promote maintenance of existing structures and provide incentives for the rehabilitation of deteriorating structures.
4. Encourage appropriate infill housing as a tool to preserve neighborhoods.
5. Preserve historic buildings and neighborhoods to maintain community character.
6. Encourage new development to fit the character of existing neighborhoods.
7. Encourage appropriate mixed-use development in existing neighborhoods to promote energy conservation and more walkable neighborhoods.
8. Encourage the preservation of the existing rural villages in Franklin County.

Goal 7: Enhance Community Quality and Character

Promote quality development that strengthens community character and pride.

Staff finding: Positive- Currently, any development on this property would be subject to the standards established in the Zoning Ordinance and Subdivision Regulations. The zone change request is consistent with existing activities in the general area.

Policy # 4 is applicable to this request.

Policies:

1. Identify all quadrants of the I-64 interchanges as Regional Retail Center.
2. Support and enhance the rural gateways into the community by preserving their natural scenic beauty.
3. Improve standards for site design- including trees and other landscaping, access management, signage, and other design components.
4. Preserve rural character where appropriate.
5. Encourage the conversion of overhead utilities to underground.
6. Encourage small area overlay plans for high priority areas, including Holmes Street, Second Street, East Main Street, Versailles Road, Benson Valley, Bridgeport, Bellpoint, Peaks Mill, Louisville Road, and US 127 North and South Corridors.
7. Develop flexible tools for alternative rural development, such as cluster development, that preserves rural character.
8. Identify and preserve unique park, recreational, and historic opportunities including those along the Kentucky River and its tributaries.
9. Continue to provide adequate and improved community services such as schools, police and fire protection, and parks and recreational opportunities that serve existing and planned growth.
10. Promote public art and encourage community art activities.

The Future Land Use map of the Comprehensive Plan property identifies the subject property with a Rural Activities Future Lane Use Designation. As indicated in the Comprehensive Plan section of this report, the primary land use within that Future Land Use designation is agriculture, forestland, open space, cluster/conservation subdivisions and some limited large lot residential land uses. The “RR” zoning district generally permits single family residential uses. Low intensity agricultural uses are also allowed (see use table).

A traffic study and concept plan was not required for this request to appear before the Planning Commission

CONCLUSION

Staff recommends the following findings of fact:

1. The Comprehensive Plan, Future Land Use Plan, designates the property for Rural Activities.
2. The Rural Residential (RR) zone district is an appropriate zone district for the Rural Activities land use designation.
3. The proposed Rural Residential (RR) zoning designation of the 1.51-acre portion of property will establish a conforming lot of record.
4. The proposed zone map amendment is in agreement with the Comprehensive Plan.

Based upon these findings of fact, staff recommends **APPROVAL** of this zone map amendment.



Subject property facing northeast

REFERENCE BEARING

FROM GRID COORDINATES DERIVED FROM GPS METHOD USING A SPECTRA GEOSPATIAL SP85 RECEIVER-SERIAL NUMBER 5949500198 UTILIZING TRIMBLE ACCESS AS A VRS NETWORK ROVER - DIRECT GPS OBSERVATION LINKED TO KY COORS STATION- CORRECTION RECEIVED VIA AT&T MIFI MODEM AND ARE NAD83 KY SINGLE ZONE

GIS INFORMATION

KENTUCKY SINGLE ZONE STATE PLANE 1983
LOCAL DATUM / NAD 1983 (CONUS1)MOI
GLOBAL REFERENCE DATUM - NAD83 (2011)
GEOID MODEL - GEOID18 (CONUS)FIXED
DISPLACEMENT MODEL - HTPD V3.2.9



MONUMENTATION LEGEND

- - SET 1/2" STEEL REBAR, 18" IN LENGTH, WITH CAP STAMPED "SEMONES 3141"
- - FOUND 1/2" PIPE WITH CAP (NOT LEGIBLE)
- - FOUND 3/4" PIPE (NO CAP)
- - CONSOLIDATION TIE
- - 201 KAR 18150 KENTUCKY SINGLE ZONE COORDINATES

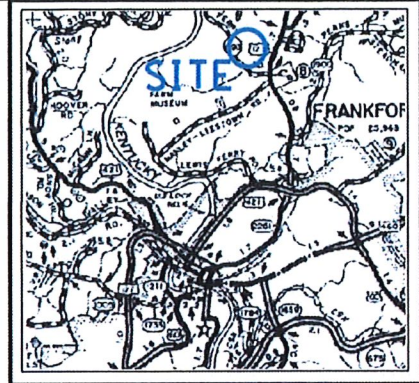
CERTIFICATION OF ACCURACY

I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT SURVEY TO THE ACCURACY OF THE MINIMUM STANDARDS OF PRACTICE AS SET FORTH BY THE KENTUCKY STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS DESCRIBED IN STANDARDS OF PRACTICE 201 KAR 18150 DATED DECEMBER 3, 2016

ROBERT T. SEMONES
KY PLS 3141

ROBERT T. SEMONES
3141
LICENSED PROFESSIONAL LAND SURVEYOR

DATE



VICINITY MAP
(NOT TO SCALE)

CHRIS AND KENDRA QUIRE
DB 502 PG 577
PLAT CAB E, SLIDE 261
1.507 ACRES
HOUSE LOT

CHRIS AND KENDRA QUIRE
DB 502 PG 577
PLAT CAB E, SLIDE 261
ZONED AG
14.46 ACRES

CERTIFICATION OF APPROVAL FOR RECORDING

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

CHAIRMAN OR DESIGNEE
FRANKFORT/FRANKLIN
COUNTY PLANNING COMMISSION

CERTIFICATION OF OWNERSHIP AND DEDICATION

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

OWNER _____ DATE _____
OWNER _____ DATE _____

CHRIS AND KENDRA QUIRE
DB 502 PG 577
PLAT CAB E, SLIDE 261
ZONED AG
14.46 ACRES

SURVEY CLASSIFICATION

THIS SURVEY AND PLAT MEETS OR EXCEEDS THE TECHNICAL STANDARDS FOR AN URBAN LAND SURVEY IN ACCORDANCE WITH 201 KAR 18150.

DATE OF FINAL FIELD WORK: 11/11/2021
DATE OF REVISED FINAL PLAT: 11/11/2021
NO COERCERY FOUND ON SUBJECT PROPERTY

THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLETES WITH 201 KAR 18150.

- - UTILITY POLE
- WM - WATER METER
- FH - FIRE HYDRANT

LI N41°09'50"W
5.55'

N=3979146.9126
E=5174038.3280

N=3979334.4313
E=5174074.8109

TRACT D-2
1.028 AC.
ZONED AG
TO BE CONSOLIDATED
WITH CHRIS & KENDRA QUIRE

N=3979443.6759
E=5174225.0478

N=3979410.5366
E=5174393.4195

TRACT D-1
1.510 ACRES
REQUEST A ZONE CHANGE
FROM AG TO RR

N=3979307.8771
E=5174197.6626

N=3979221.9300
E=5174264.5090

RANDALL AND ANGALA WRIGHT
850 SHADRICK FERRY ROAD

P.C. D SLIDE 385
1.5 ACRES

DB 561 PG 399

N=3979236.6175
E=5174346.8443

LYDIA AND DANIEL BERRY
964 SHADRICK FERRY ROAD

0.83 AC.
P.C. C, SLIDE 374

DB 572 PG 024

EXHIBIT FOR ZONE CHANGE REQUEST

FRANKLIN COUNTY, KY
SHADRICK FERRY ROAD
FOR: PROPERTY LOCATED AT 944
SHADRICK FERRY ROAD

OWNERS: CHRIS AND KENDRA QUIRE
1000 SHADRICK FERRY RD
FRANKFORT, KY 40601
DB 607 PG 274
P.C. C, SLIDE 374
2.538 ACRES

PROPERTY LOCATED AT THE MPI MARKER WEST OF
U.S. 127 LYING ON THE EAST SIDE OF
SHADRICK FERRY ROAD

EXHIBIT BY:
SEMONES LAND SURVEYING, PLLC
PERMIT #833
ROBERT T. SEMONES
KY PLS 3141
317 WEST FOURTH STREET
FRANKFORT, KY. 40601
502-319-5311
roberttsemones@gmail.com

NOT TO SCALE



FRANKLIN COUNTY
 PLANNING & BUILDING CODES
 DEPARTMENT
 321 West Main Street
 Frankfort, KY 40601
 Phone: (502) 875-8701
 Fax: (502) 875-8737
 www.franklincounty.ky.gov

OFFICE USE ONLY

Received: 12/17/21
 Payment Amt: \$ 300
 Receipt #: 28299
 Meeting: 1/13/22

APPLICATION FOR ZONE MAP AMENDMENT

MEETING DATE: _____ FILING DEADLINE: _____

The undersigned owner(s) of the following described property hereby request(s) the consideration of change in zone district classification as specified below:



GENERAL INFORMATION

- Property Owner (The owner must be the applicant):
George C. & Kendra Quire
- Mailing Address:
c/o Charles E. Jones
315 High Street, Frankfort, Kentucky 40601
- Phone Number:
 Home: _____ Work: 875-8808

SITE INFORMATION

- General Location of Property: Shadrick Ferry Road
- Subdivision Name: (if applicable) _____
- Street Address: 994 Shadrick Ferry Road

ZONING INFORMATION

- Present Zoning of Property: AG (Agricultural)
- Proposed Zoning of Property: RR (Rural Residential)
- Existing Use of Property: Single Family Residence

10. Proposed Use of Property: Single Family Residential


11. Size of Property: Acres: 1.51 Sq. Ft. _____

SUPPORTING INFORMATION:

The following items must be attached to the application as supporting information to this request:

- A. A vicinity map showing the location of the request.
- B. A list of all property owners and their mailing addresses within, contiguous to, and directly across the street from the proposed rezoning.
- C. Legal Description of the Property. If proposed change involves only a portion of a parcel the applicant must attach a survey conducted by a registered land surveyor.
- D. Statement of Fact that the proposed change meets the minimum requirements of KRS 100.213.
- E. Preliminary Development Plan or Preliminary Subdivision Plat, as required in Articles 5 & 7 of the Franklin County Zoning Ordinance or the Subdivision Regulations. Checklists for the Preliminary Development Plan or the Preliminary Subdivision Plat are attached.
- F. **Filing Fee \$300** (Checks should be made payable to the Frankfort/Franklin County Planning Commission.)

Date



Signature of Property Owner

Note: One (1) copy of this form and the Supporting Information, Items A through E, must be filed with the Frankfort/Franklin County Planning Commission at the Franklin County, Department of Planning and Building Codes by 1:00 p.m. on the deadline date.

100.213 FINDINGS NECESSARY FOR PROPOSED MAP AMENDMENT

- (1) Before any map amendment is granted, the planning commission or legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:
 - (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
 - (b) That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

FOR OFFICE USE ONLY

DATE FILED: _____

FEE PAID: _____ RECEIPT #: _____

DATE OF NOTICE IN NEWSPAPER: _____

DATE OF NOTICE TO ADJOINING PROPERTY OWNERS: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION:

APPROVAL: _____ DENIAL: _____

MINUTE BOOK: _____ PAGE #: _____

CERTIFICATE OF LAND USE RESTRICTION FILED IN COUNTY CLERK'S OFFICE
ON: _____

DATE

LIST OF ADJOINING PROPERTY OWNERS

Stephen & Julene Pattison
1282 Shadrick Ferry Road
Frankfort, Kentucky 40601

Thomas & Alatheia Hamilton
1282 Shadrick Ferry Road
Frankfort, Kentucky 40601

Pamela B. Gilbert
1154 Shadrick Ferry Road
Frankfort, Kentucky 40601

Ronnie C. Cohorn
P. O. Box 891
Frankfort, Kentucky 40602

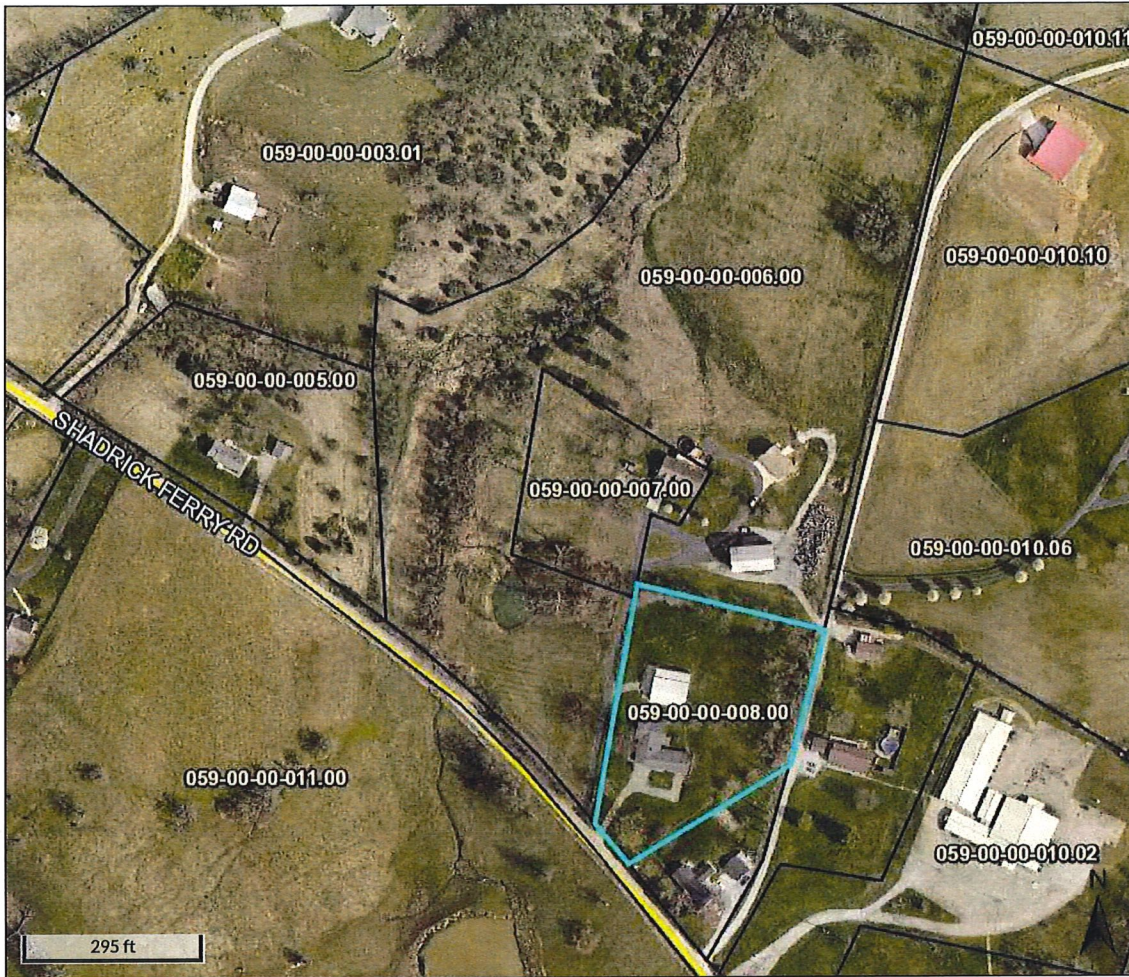
Lydia & Daniel Berry
964 Shadrick Ferry Road
Frankfort, Kentucky 40601

Randall T. & Angela L. Wright
850 Shadrick Ferry Road
Frankfort, Kentucky 40601

Kimberly A. Green
860 Shadrick Ferry Road
Frankfort, Kentucky 40601

Brett & Janet Barber
3440 N. County Road 950 E
Brownsburg, Indiana 46112

Shaun Allen & Ashley Nicole King
863 Shadrick Ferry Road
Frankfort, Kentucky 40601



Legend
 □ Parcels
 — Roads

Parcel ID	059-00-00-008.00	Physical Address	SHADRICK FERRY RD 994	Land Value	\$25,000	Last 2 Sales			
Property Class	Residential	Mailing Address	QUIRE GEORGE & KENDRA	Improvement Value	\$200,000	Date	10/14/2021	Price	\$280,000
Taxing District	County		1000 SHADRICK FERRY RD	Total Value	\$280,000		9/17/1997	\$128,000	
Acres	n/a		FRANKFORT, KY 40601						Reason Arms-Length Transaction Arms-Length Transaction
									Qual U U

Date created: 12/17/2021
 Last Data Uploaded: 12/15/2021 8:47:23 PM

Developed by Schneider GEOSPATIAL

A Description of **1.510 Acres (more or less)**

Being a portion of Tract D as described in Deed Book 607, Page 274 as filed in the Office of the Franklin County, Kentucky Clerk lying on the east side of Shadrick Ferry Road approximately 1.0 mile west from the intersection of U.S. 127 and being more particularly described as follows:

Beginning at a set ½" steel rebar being corner to Chris and Kendra Quire (Deed Book 607, Page 274 and Plat Cabinet C, Slide 374) said rebar being corner to Chris and Kendra Quire (Deed Book 502, Page 577 and Plat Cabinet E, Slide 261) said rebar being located approximately 20 feet from the center of Shadrick Ferry Road said rebar having Kentucky Single Zone Coordinates of **N: 3979146.9126, E: 5174038.3280** thence with the division line herein created,

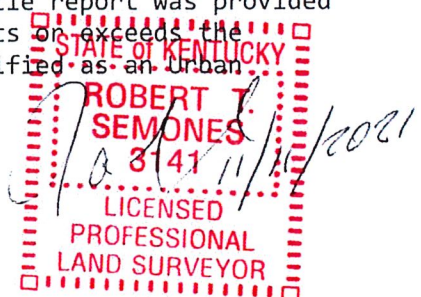
N 11°00'35" E 191.03 feet to a set ½" steel rebar with cap thence
S 77°48'12" E 125.69 feet to a set ½" steel rebar with cap thence
N 11°24'05" E 138.53 feet to a set ½" steel rebar with cap thence
S 78°51'55" E 171.60 feet to a set ½" steel rebar with cap said rebar being corner to the remaining property of Chris and Kendra Quire said rebar being in the line of Randall and Angela Wright (Deed Book 561, Page 399 and Plat Cabinet D, Slide 385 thence with the line of Wright,

S 14°59'31" W 180.05 feet to a set ½" steel rebar with cap said rebar being corner to Wright and being corner to Lydia and Daniel Berry (Deed Book 572, Page 024 and Plat Cabinet C, Slide 374) thence with the line of Berry,

S 79°53'08" W 83.64 feet to a found ½" pipe with cap (not legible) thence
S 46°51'16" W 219.78 feet to a found ¾" open pipe (no cap) said pipe being corner to Berry and Quire said pipe being located approximately 20 feet from the center of Shadrick Ferry Road thence with the right of way of Shadrick Ferry Road,

N 41°09'50" W 94.45 feet to a found ½" ID pipe (no cap) thence continuing with said right of way of Shadrick Ferry Road, **N 41°09'50" W 5.55 feet to THE POINT OF BEGINNING CONTAINING 1.510 ACRES** (more or less) and being a portion of Tract D as described in Deed Book 607, Page 274 and as shown in Plat Cabinet C, Slide 374 from a boundary survey by Semones Land Surveying, PLLC, Robert T. Semones, KY PLS 3141 with field completion date being November 11, 2021 and plat being dated November 11, 2021. All set steel rebars are ½" in diameter and are 18 inches in length and are marked with red identifier caps stamped "SEMONES 3141". This survey was performed by using GPS methods and the basis of bearings is based on NAD83, Kentucky Single Zone Coordinate System. This survey was conducted by using a Spectra SP85 receiver, serial number 5949500198 utilizing Trimble Access as a VRS network rover and direct GPS observation linked to KY COORS Station.

This survey is subject to all right of ways, easements, conveyances and restrictions that a title examination would reveal. No title report was provided to the surveyor for this survey. This boundary survey meets or exceeds the technical standards for an Urban land survey and is classified as an Urban boundary survey in accordance with 201 KAR 18:150.



Application for Zone Map Amendment

Statement of Fact

The requested zone map amendment from AG (Agricultural) to RR (Rural Residential) meets the minimum requirements of KRS 100.213, as it agrees with the currently adopted comprehensive plan.

[↶ Reply all](#)
▼
 Delete
 Junk
Block
...

RE: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

TC [Tracy Cinnamon <TracyC@bgenenergy.com>](#)





...

Mon 12/27/2021 7:18 AM

To: Ben Judah

Ben,

Yes, it is in our area and it looks good to me.

Hope you had a wonderful Christmas,



Tracy Cinnamon

Staking Technician

Blue Grass Energy

Making life better, the cooperative way

phone: (859) 887-8122

email: tracyc@bgenenergy.com

address: [P.O. BOX 150 Lawrenceburg, KY 40340](#)



From: Ben Judah <ben.judah@franklincounty.ky.gov>

Sent: Wednesday, December 22, 2021 1:45 PM

To: Tracy Cinnamon <TracyC@bgenenergy.com>

Subject: [External Email] Fw: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

Tracy,

Please see the attached facility review. I had initially sent it to Kentucky Utilities but they are telling me this is your service area.

Thanks,

Ben

From: Ben Judah

Sent: Wednesday, December 22, 2021 9:55 AM

To: pmwd2011@att.net <pmwd2011@att.net>; 'McClure, Lee' <James.Mcclure@lge-ku.com>;

jonathan.micka@ky.gov <jonathan.micka@ky.gov>; Cambron, Jonathan (LHD - Franklin Co)

<jonathan.cambron@ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Brian Brewer

<brian.brewer@franklincounty.ky.gov>; AMBROSE, FRANK A <fa2207@att.com>

Cc: STROBL, ARTHUR G <as7779@att.com>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>

Subject: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

TRT Members,

 Reply all   Delete  Junk  Block ...

Re: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

CJ **Cambron, Jonathan (LHD - Franklin Co)**
<jonathan.cambron@ky.gov>

    ...

Wed 12/29/2021 9:16 AM

To: Ben Judah; cjones <cjones@mjlawky.com>

Cc: Robert Hewitt

All,

I have spoken to Mr. Quire and he is supposed to be working with his surveyor to box that building out and attempt to designate a small utility easement across the drive where the solid pipe runs to the back of the building. If anyone needs any further information from me, please reply to this email. I am off today but will respond to email as I am able.

Thanks,

Jon Cambron
FCHD

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From: Ben Judah <ben.judah@franklincounty.ky.gov>

Sent: Wednesday, December 29, 2021 8:56:56 AM

To: cjones <cjones@mjlawky.com>

Cc: Cambron, Jonathan (LHD - Franklin Co) <jonathan.cambron@ky.gov>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>

Subject: Fw: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Mr. Jones,

I am in the process of conducting a facility review for your client's zone change request for property on Shadrick Ferry Rd. Although this review is still ongoing, I have received the email below from the Health Department. I know the exhibit provided is indented to be used just for the zone change request. However, the proposed layout of the exhibit is what prompted the Health Department's response. Is your client able to grant an easement for the septic and lateral field? Some of this correspondence may show up in the staff report.

Sincerely,

Ben Judah, Planning Supervisor

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Re: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

JO

Jonathan Otis <otisengineeringllc@gmail.com>

    ...

Wed 1/5/2022 8:45 AM

To: Ben Judah

Ben,

After we've discussed my initial concerns for frontage requirements and setbacks I don't see any issues with the basic request to rezone from "AG" to "RR" to allow for this new parcel from an engineering standpoint. We'll be re-reviewing the provided "exhibit" as it becomes a plat in the future as warranted.

County Engineer

On Wed, Dec 22, 2021 at 9:55 AM Ben Judah <ben.judah@franklincounty.ky.gov> wrote:

TRT Members,

Please see the attached facility review request for a zone change request. The applicant would like to rezone from "AG" to "RR" in order to subdivide the parcel. Under the current zone, the parcel could not be further subdivided due to the minimum lot size under the AG zone. Please provide written comments to me by January 3, 2022.

Thank you very much,

Ben Judah, Planning Supervisor
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701

--

Jonathan K. Otis, P.E.
Otis Engineering LLC
234 W. Main Street, Suite 2
Frankfort, KY 40601
Office: (502) 352 - 2808
Mobile: (502) 803 - 7311

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RE: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

MD **Micka, Jonathan D (KYTC-D05) <Jonathan.Micka@ky.gov>**     ...
Mon 12/27/2021 1:33 PM

To: Ben Judah

Ben,

If this land-division is for the purpose of building a new house, I don't know that I can grant a new private entrance onto KY-898. The Property frontage is already really tight, and there is (per Google Streetview) what looks like a "farm entrance" adjacent to the driveway for 994 (if I zoom in on the regular overhead view in Google it looks like its been paved and might be the driveway for 1000 Shadrick Ferry Rd (?)).

If a new house is the plan, I would want the driveway to connect to the private drive for 1000 Shadrick if at all possible.

Johnny Micka, PE

KYTC – District 5 Permits
8310 Westport Rd
Louisville, KY 40242
Office: 502.764.0089
Cell: 502.931.5872

From: Ben Judah <ben.judah@franklincounty.ky.gov>

Sent: Wednesday, December 22, 2021 9:56 AM

To: pmwd2011@att.net; 'McClure, Lee' <James.Mcclure@lge-ku.com>; Micka, Jonathan D (KYTC-D05) <Jonathan.Micka@ky.gov>; Cambron, Jonathan (LHD - Franklin Co) <jonathan.cambron@ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; AMBROSE, FRANK A <fa2207@att.com>

Cc: STROBL, ARTHUR G <as7779@att.com>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>

Subject: TRT facility review- Zone Map Amendment AG to RR - 994 Shadrick Ferry

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

TRT Members,

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Thank you very much,

Ben Judah, Planning Supervisor