

ORDINANCE NUMBER 9 - 2024

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 0.759-ACRE TRACT LOCATED AT 110 AND 112 HAWKEEGAN DRIVE FROM RURAL RESIDENTIAL (RR) TO RURAL RESIDENTIAL "B" (RB) DISTRICT. THE PROPERTY IS DESCRIBED IN DEED BOOK 493, PAGES 771-774, IN THE OFFICE OF THE FRANKLIN COUNTY CLERK AND FURTHER IDENTIFIED AS PVA MAP #049-20-03-002.00 AND #049-20-03-002.01.

WHEREAS, The Franklin County Fiscal Court, having heretofore enacted an Ordinance relating to zoning regulations and zoning district maps titled, "The Zoning Ordinance of Franklin County," in accordance with a Comprehensive Plan and KRS 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 amendments, 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 July 1, 2024; and

WHEREAS, the Frankfort/Franklin County Planning Commission recommended to the Franklin County Fiscal Court approval of the Zone Map Amendment; 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 0.759-acre tract, located at 110 and 112 Hawkeegan Drive, in Franklin County, Kentucky, and more specifically identified as PVA Map Numbers 049-20-03-002.00 and 049-20-03-002.01 is hereby amended from Rural Residential (RR) to Rural Residential "**B**" District based on the following findings of fact:

1. The Comprehensive Plan, Future Land Use Plan, designates the property for Suburban Residential.
2. The Rural Residential "B" (RB) zoning district is an appropriate zone district for the Suburban Residential land use designation.


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 28th day of August, 2024.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 25 day of September 2024 and of record in Fiscal Court Order Book 35 , Page 196



Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:



Kim Cox
Fiscal Court Clerk

SUMMARY

This ordinance approves a zone map amendment from Rural Residential (RR) to Rural residential "B" District for a 0.759-acre property, located at 110 and 112 Hawkeegan Drive, in Franklin County, Kentucky and more specifically identified as PVA Map Numbers #049-20-03-002.00 and 049-20-03-002.01.

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

**July 1, 2024
5:30 PM**

Brent Sweger, Chairman, Presiding

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

Chairman Sweger asked the Secretary to Call the Roll.

MEMBERS PRESENT:

Irma Johnson
Timothy Luscher
Todd McDaniel
Reed Mills
Michael Nickles
Darrell Sanderson
Charles Stewart

Brent Sweger, Chairman

(8)

Also Present:

Edwin Logan, Planning Commission Attorney
Eric Cockley, Director, City of Frankfort Dept. of Planning & Community Development
Ben Judah, Interim Director, Franklin County Planning & Building Codes
Tina Peck, Planner, Franklin County Planning & Building Codes

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

Chairman Sweger asked for the approval of the minutes of May 9, 2024 meeting. Without objection, the minutes were approved

Chairman Sweger asked for a motion to approve the Payment of Bills, as amended. Mr. Luscher made a motion to approve the following bills:

Ed Logan (Legal Fee, June 2024)	\$1,500.00
Vickie Sewell (PC)	\$ 300.00
Dawn McDonald (May BZA)	\$ 75.00
Dawn McDonald (June BZA)	\$ 75.00
Logan, Burch & Fox (Inv. #110698 – Big Eddy)	\$ 132.00
Frankfort Newsmedia (Legal Ads)	\$ 712.50
Bryan Douglas (BZA Variance REFUND)	\$ 150.00

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

Under Staff Items, Mr. Cockley provided an update on the Comprehensive Plan. He stated that He stated that a slightly amended Goals and Policies had been adopted by Fiscal Court. He stated that the City Commission would be considering them next. He stated that the goal was for the Planning Commission to hold a Public Hearing on the approval of the entire plan in July or August.

Chairman Sweger asked the Secretary to introduce the next item:

CONTINUATION OF PUBLIC HEARING: Amanda McNalley is requesting a zone map amendment from Two Dwelling District "RD" to Limited Commercial District "CL" for property located at 604 Taylor Avenue. The property is more specifically identified as PVA Map Number 062-13-02-002.00. (City Item)

Mr. Luscher made a motion to take the item from the table. The motion was seconded by Mr. Stewart and passed unanimously.

Mr. Nickles made a motion to adopt the Summary of the Public Hearing. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Luscher made a motion to adopt the findings contained within the staff report. The motion was seconded by Ms. Johnson and passed unanimously.

Mr. Luscher made a motion to recommend to the City of Frankfort Board of Commissioners that the Zone Map Amendment request by Amanda McNalley from Two Dwelling District "RD" to Limited Commercial District "CL" for the property at 604 Taylor Avenue be approved. The motion was seconded by Mr. Stewart and passed unanimously.

CONTINUATION OF PUBLIC HEARING: Marissa Swystun is requesting a zone map amendment from Two Dwelling District "RD" to Limited Commercial District "CL" for property located at 612 Taylor Avenue. The property is more specifically identified as PVA Map Number 062-13-02-004.00. (City Item)

Mr. Luscher made a motion to take the item from the table. The motion was seconded by Mr. Nickles and passed unanimously.

Mr. Luscher made a motion to accept the Summary of the Public Hearing and to approve the Staff's proposed Findings of Fact. The motion was seconded by Ms. Johnson and passed unanimously.

Mr. Luscher made a motion to recommend to the City of Frankfort Board of Commissioners that the Zone Map Amendment request by Marissa Swystun from Two Dwelling District "RD" to Limited Commercial District "CL" for the property located at 612 Taylor Avenue be approved. The motion was seconded by Mr. Mills and passed unanimously.

Chairman Sweger stated that the agenda had more than two Public Hearings and that Commission would have to suspend the bylaws in order to have more than two public hearings.

Mr. Stewart made a motion to suspend the bylaws and to hear the additional Public Hearings at this meeting. The motion was seconded by Mr. Luscher and passed unanimously.

Chairman Sweger asked the Secretary to introduce the next item on the agenda:

PUBLIC HEARING: Proposed Text Amendment to the City of Frankfort Zoning Ordinance to amend Article 2.11.10 regarding utilization of the Alternate Regulations for zoning map amendment in accordance with KRS 100.2111.

The Secretary swore in Mr. Cockley.

Mr. Cockley stated that the adoption of this amendment would allow for a zone change to be approved within thirty days if no one asks for it to go to the City Commission for consideration.. He stated that it would make the process faster for projects that are not contentious issues. Mr. Logan stated that it also cuts the time for appeals down, as well.

Under audience testimony, Margaret O'Donnell, a resident of South Frankfort, stated that she had serious issues with the lack of notice and lack of transparency for these types of items. She stated that she understood wanting to make the process easier for non-contentious items.

There was no one else to speak on the item.

Mr. Luscher made a motion to close the Public Hearing and to take action on the item. The motion was seconded by Mr. Stewart and passed unanimously.

Mr. Luscher made a motion to recommend to the City of Frankfort Board of Commissioners that the proposed text amendment to adopt Alternate Regulations for zoning map amendment in accordance with KRS 100.2111 be approved. The motion was seconded by Mr. Stewart and passed by a vote of seven to one. Those voting in favor of the motion were Mr. Luscher, Mr. McDaniel, Ms. Johnson, Mr. Mills, Mr. Stewart, Mr. Nickles and Chairman Sweger. Voting against the motion was Mr. Sanderson.

Chairman Sweger asked the Secretary to introduce the next item on the agenda:

PUBLIC HEARING: Proposed Text Amendment to amend §155.066 of the Franklin County Code of Ordinances and to establish the addition of §155.151 Rural Heritage Mixed Use District (HD). (County Item).

The Secretary swore in Mr. Ben Judah, Interim Director for the Franklin County Planning & Building Codes Department presented the Staff Report.

Mr. Judah stated that Franklin County Fiscal Court had asked staff to prepare the proposed text amendment. Mr. Judah stated that the Zoning Update Committee had reviewed the proposal on May 7, 2024 and had presented a briefing on the Text Amendment to the Planning Commission at the May 9th Planning Commission meeting.

Mr. Judah stated that staff is recommending approval of the proposed text amendment.

Under Commission questioning, Chairman Sweger stated that this is to create a new zone district. Mr. Judah stated that it was. Chairman Sweger stated that it also included historic preservation as a goal, as well. Mr. Judah stated, in some instances it would.

Mr. Luscher asked if it was not working well, could the regulations be amended to make stricter. Mr. Judah stated that they could.

Mr. Luscher asked if it could be limited to one specific property. Mr. Logan stated that would be considered Spot Zoning and that that is illegal.

Mr. Luscher asked, referencing Section D 3, subsection 3, what defines "vicinity." Mr. Judah stated that it would be immediate area or adjacent to the property.

Under audience testimony, Ms. Jane Julian stated that she had read the rough draft and that the proposed text amendment was the best thing to happen to Franklin County in her lifetime. She stated that it was positive and encouraging to know that the ordinance will be approved.

Mr. John Carlton, stated that he is on the Comprehensive Plan Committee and that he supports the text amendment.

There was no more testimony.

Mr. Luscher made a motion to approve the second draft with change to Section D, Subsection B that changes the term "vicinity" to the wording "on property. The motion was seconded by Mr. Stewart and passed unanimously.

Chairman Sweger asked the Secretary to introduce the next item on the agenda:

PUBLIC HEARING: The City of Frankfort Staff is requesting approval of a Text Amendment to Article 17 of the City of Frankfort Zoning Ordinance for the purpose of amending and adopting Design Guidelines for the Special Capital "SC" District

Mr. Cockley was sworn in. He stated that this proposal is the third and final set of guidelines for the three historic districts in the City of Frankfort. He stated that the Special Historic District guidelines were adopted in 2016 and the Central Business district guidelines were adopted in 2018.

Mr. Cockley stated that these three guidelines will replace Article 17 of the Zoning Ordinance.

Mr. Logan asked if all statutorily required notice had been provided for this item. Mr. Cockley stated that it had. He stated that there had been an on-line survey for residents and

interested parties to complete. He stated they had held a Public meeting at South Frankfort so that the Consultant could discuss residents' concerns directly.

Mr. Luscher stated that the document was good. He asked how strict the guidelines could be. Mr. Cockley stated that the process for exterior changes in Historic Districts that were not structural would be processed using a Zoning Permit just to make sure that they are meeting specific guidelines.

After further discussion, Mr. Luscher made a motion to close the Public Hearing, and to recommend to the City of Frankfort Board of Commissioners that the Special Capital "SC" District Design Guidelines be adopted. The motion was seconded by Mr. Stewart and passed unanimously.

The Chairman asked the Secretary to introduce the next item:

PUBLIC HEARING: Dewey and Candice Woods are requesting approval of a zone map amendment from Rural Residential "RR" to Rural Residential "B" District "RB" for a 0.759 acre property located on 110 and 112 Hawkeegan Drive. The tract is more specifically identified as PVA Map Number #049-20-03-002.01 (County Item)

Ms. Tina Peck, Staff Planner, was sworn in.

Under questioning, Ms. Peck stated that the zone change would allow the property owners to subdivide the property. She stated that currently there are two residences on one lot. She stated that the current Rural Residential zoning requires that each lot be 1.5 acres. She stated that the zone change would bring the property more in compliance. She stated that she was recommending approval of the request.

Under audience questioning, Mr. Krista Jackson asked how the change would affect her property value. Ms. Peck stated that it would not affect her values.

Mr. Dewey Woods stated that currently no one is living in 112 Hawkeegan Drive. He stated that his intention is to fix them up and sell one of them. In order to do that they have to be on separate tracts.

Mr. Luscher made a motion to close the Public Hearing, to adopt the Staff Report as the Summary and to adopt Staff's proposed Findings of Fact. The motion was seconded by Mr. Stewart and passed unanimously.

Mr. Luscher made a motion to recommend to the Franklin County Fiscal Court that the property located at 110 and 112 Hawkeegan Drive and identified as PVA Map Number 049-20-03-002.01 be rezoned from "RR" – Rural Residential to "RB" – Rural Residential "B" Density be approved. The motion was seconded by Mr. Stewart and passed unanimously.

Chairman Sweger asked the Secretary to introduce the next item on the agenda:

In accordance with Article 1.09 of the Frankfort Zoning Ordinance, Thomas & Michelle Schubert are requesting approval of a Modification of Standards of Article 15.022 of the Frankfort Zoning Ordinance to allow the extension, enlargement or relocation of a non-conforming use on the property located at Fields Avenue to include the construction of a garage larger than the existing garage structure. The property is more particularly described as PVA Map #074-12-10-016.00.

Mr. Cockley presented the staff report. He stated that the applicants want to construct a larger garage on the property. He stated that there is no primary residence on the lot, which is required in that zone district. He stated that the property has never been served with water or sewer. He stated that the extension of sewer would be most likely cost prohibitive. He stated that there will be two garages on the structure.

Mr. Logan stated that the drawing appears to have four garage doors. Mr. Cockley stated that that was correct.

The applicant, Michelle Schubert, stated that they want to build the garage so that they can park their cars in the garage and two tractors and trailers can be parked inside.

Mr. Luscher made a motion to adopt the Staff Report and to adopt Staff's recommendation and to approve the requested Modification of Standards. The motion was seconded by Ms. Johnson and passed by a vote of seven to one. Those voting in favor were Mr. Luscher, Ms. Johnson, Mr. McDaniel, Mr. Nickles, Mr. Stewart, Mr. Mills and Chairman Sweger. Mr. Sanderson voted against the motion.

There being no further business, Mr. Stewart made a motion to adjourn. The motion was seconded by Mr. Nickles and passed unanimously.

Brent Sweger, Chairman

Vickie Sewell, Recording Secretary

STAFF REPORT



TO: Frankfort/Franklin County Planning Commission
FROM: Tina Peck, Staff Planner
MEETING
DATE : June 13, 2024 (original meeting date)
July 01, 2024 (special meeting date)

GENERAL INFORMATION

Applicant: Dewey & Candis Woods
110 Hawkeegan Drive
Frankfort, KY 40601

Request: Dewey and Candis Woods are requesting approval of a zone map amendment from Rural Residential "RR" to Rural Residential "B" District "RB" for a 0.759-acre property located on 110 and 112 Hawkeegan Drive. The tract is more specifically identified as PVA Map Number #049-20-03-002.00 and 049-20-03-002.01 (County Item).

Size of Property: 0.759-acre

Purpose: Subdivision of land for Single Family Homes

Surrounding Land Use & Zoning:

North: Zone- RR; Rural Residential

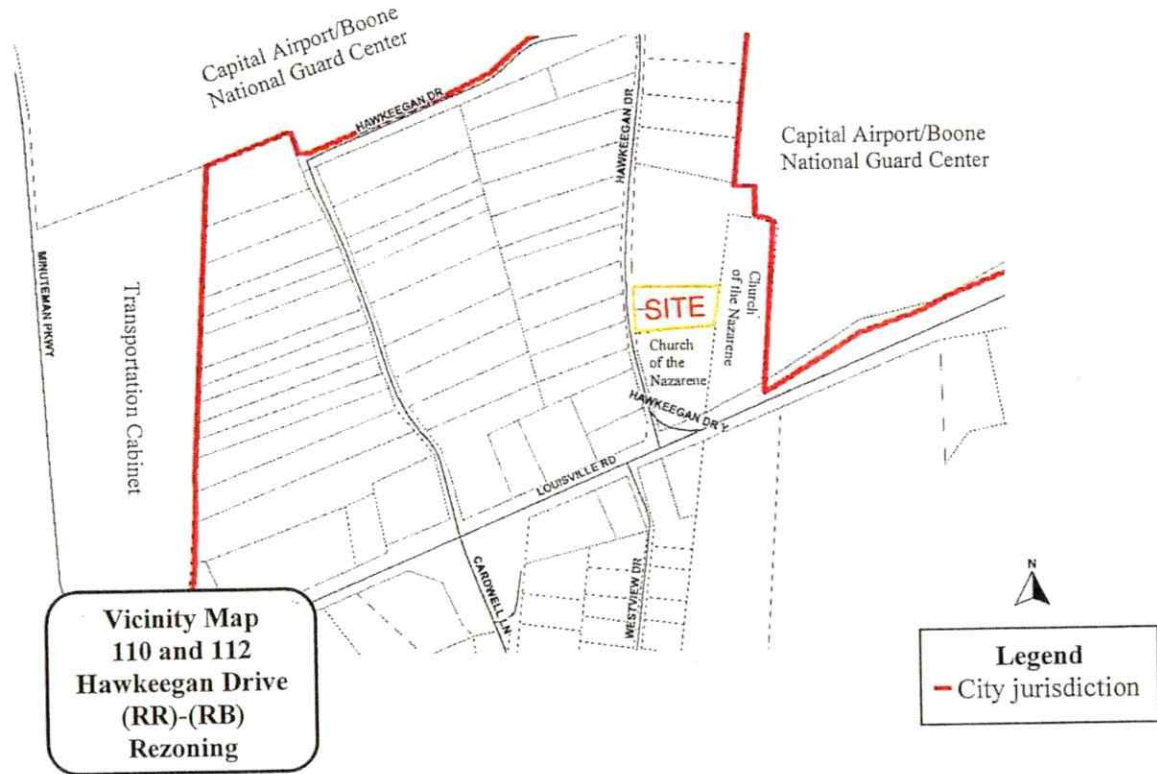
South: Zone- CH; Highway Commercial

East: Zone- RR; Rural Residential

West: Zone- RR; Rural Residential

Background:

The petitioner seeks to petition for the rezoning of 0.759-acre from its current designation of Rural Residential (RR) District to Rural Residential "B" (RB) District. This request is prompted by the necessity to fulfill the minimum lot size requirement of 1.5-acres for subdivision of land purposes, which the current zoning classification does not permit. The minimum lot size requirement for the Rural Residential "B" District is 9,000 square feet or 0.21- acre. The proposed rezoning aims to rectify this non-compliance issue, enabling the subject property to align with regulatory stipulations and thereby facilitate its subdivision. Additionally, the minimum lot frontage for the (RR) zoning district is 100 feet, whereas the (RB) zoning district is 65 feet. Even though the current zoning district lot frontage is consistent with district regulations, the minimum lot size is not. The proposed land-development of subdividing into two separate parcels will satisfy minimum lot size and frontage requirements, in turn, fulfilling zoning district regulations. Moreover, according to the PVA report, the existing structures were built before the advent of zoning and subdivision regulations and are considered "grandfathered-in."



**Existing Zoning: Rural Residential “RR” District
§155.136- 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.



Proposed Zoning: Rural Residential "B" District (RB)

§155.138- Purpose.

It is the intent of this district 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 a medium density single dwelling district, but requires a full range of community facilities, including public sewers, or approved sewage treatment facilities.



Bulk, Density and Height Comparison (RR) and (RB)

Bulk, Density and Height	RR	RB
Maximum height	35 ft.	35 ft.
Maximum lot coverage	10%	25%
Minimum front yard	35 ft. *	25 ft.
Minimum lot area	1.5 acres **	9,000 sq. ft.
Minimum lot frontage	100 ft.	65 ft.
Minimum rear yard	40 ft.	25 ft.
Minimum side yard	10 ft.	8 ft.
Minimum street side yard	22 ft.	15 ft.
NOTES TO TABLE:		
*Front yard minimum 35 ft. from property line at right-of-way		
** 1.5 acres equals 65,340 Sq. ft.		

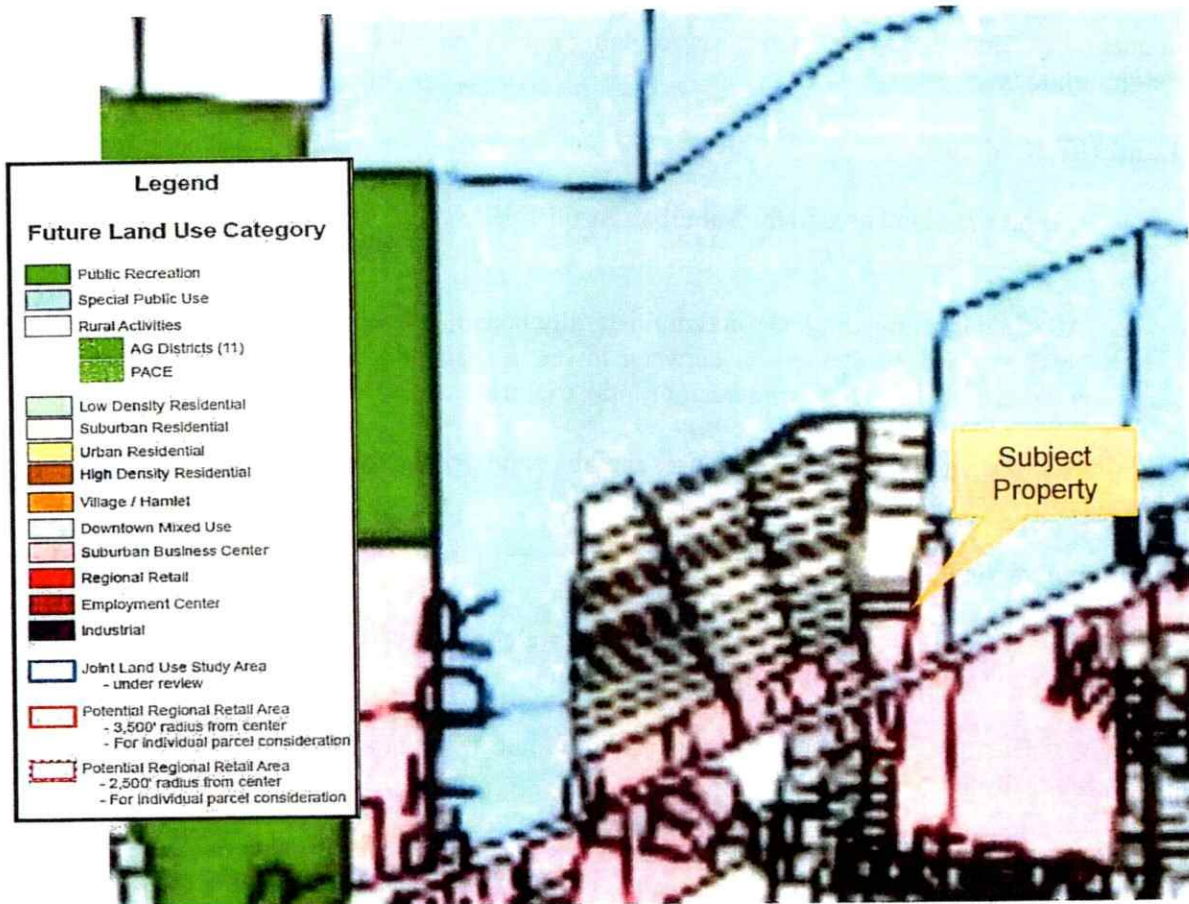
Land Use Comparison (RR) and (RB)

Land Use	RR	RB
Single-family dwellings	P	P
Manufactured homes	P	
Mobile Homes	P	
Field Crop Farms	1	
Vegetable Farms	1	
Livestock Farms	2	2
General farms	1	
Non-commercial farms	1	
Animal Husbandry services	2	
Craft Distilleries & Small Farm Wineries	C	
Churches	5	5
Playgrounds, playfields & tot lots	C	C
Subdivision community centers	C	C
Golf courses, country clubs, etc.	C	C
Day Care Centers	C	C
NOTES TO TABLE:		
1. "C" equals Conditional, "P" equals Permitted		
2. Numbers indicate, "Noted Special Conditions, §155.089" (See exhibit)		

APPLICABLE REGULATIONS

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

- (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 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.



(The subject property has been designated as Suburban Residential)

ANALYSIS

Franklin County Urban Land Use Plan

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

Suburban residential neighborhoods should provide safe and attractive places for people to live. These neighborhoods may be designed in a variety of ways to provide City/County residents with a variety of housing options. The primary land use within these neighborhoods is single family residential homes; however, attached housing and multi-family homes in these areas can create a transition between single family homes and higher intensity uses such as commercial developments. Open Space, parks, sidewalks, connectivity, and access to transportation alternatives are desired features in these neighborhoods.

Land Use Guidelines

1. The primary land uses in the Suburban Residential Neighborhoods should be single family detached homes.
2. Attached housing, duplexes and multi-family housing may be appropriate where it serves as a buffer/transition between lower intensity residential uses and more intense multi-family, commercial or industrial uses.
3. Non-residential, non-industrial uses may be appropriate at the intersections of two major arterial roadways.

Development Guidelines

1. New development should occur in areas where water and sewer services are served by public agencies and can meet any additional demand.
2. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.
3. Provide flexibility in the design and intensity of development to create land use transitional areas and minimize impacts on neighboring uses through increased landscaping, buffering and setbacks.
4. Emphasis should be placed on developing new neighborhoods in between existing communities with similar characteristics prior to development along the outskirts of the existing urban area. Such in-fill strategies will help minimize the need for infrastructure improvements and will help manage urban sprawl.

5. Developments with a mixture of housing types should be encouraged where the development meets the overall density requirements.
6. Developments should be planned to include neighborhood parks and greenspace that provide amenities to local residents and work toward providing a link with the community's existing parks and recreation in conformance with a park and recreation plan.
7. Developers should incorporate the protection of natural resources, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment.
8. Maximize interconnectivity between adjacent neighborhoods, schools and to major roadways through multiple ingress/egress points and connections with existing roadways, sidewalks and trail systems, while discouraging commercial traffic flowing through a residential subdivision.
9. The development of attached housing and multi-family housing should be encouraged so as to provide the residents of Frankfort and Franklin County with a variety of housing options.
10. The scale and character of attached housing and multi-family housing should take into consideration the character of surrounding developments.
11. Promote the development of convenient retail uses in highly developed areas to help serve the day-to-day needs of residents within walking distance of their homes.
12. The size and scale of commercial uses in these areas should reflect the 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: The property under consideration is geographically situated due north of the Suburban Business Center development, as delineated by the Future Land Use map, and currently holds zoning classification as Highway Commercial (CH) District. Adjacent to the subject property, the Rural Residential (RR) District is positioned to the east, west, and north, all of which are identified as Suburban Residential on the Future Land Use map. The proposed rezoning seeks to transition the zoning designation to Rural Residential "B" (RB)

District, a modification that does not alter the Future Land Use Map designation of Suburban Residential. Notably, the subject site has existing utility services.

It appears that **policy #1, #2 and #8** 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: The subject property falls within the Suburban area delineated on the map included within the Subdivision and Development Plan Regulations. Consequently, the development standards outlined in Part 3 of said regulations pertaining to Suburban development would govern any enhancements made to the property. Notably, the Rural Residential "B" District mandates a minimum lot size of 9,000 square feet, whereas the Rural Residential (RR) District necessitates a minimum lot size of 1.5 acres. The subject property is designated as Suburban Residential on the Future Land Use Map of the Comprehensive Plan. Importantly, the Suburban area designation precludes large lot residential development. The proposed utilization aligns with a medium-density development scheme, harmonizing with the Future Land Use designation attributed to the subject property

It appears that **policy #5 and #8** is 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: There are existing public utilities. A facility review was performed and services can or are provided to the property. Copies of the reviews are attached.

It appears that **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: This request does not appear to represent a significant economic impact. If approved, the proposed development would increase the residential density, but not significantly, since the existing neighborhood is predominantly higher in density than the current Rural Residential (RR) zoning district (refer to the diagram below).

It appears that **policy #3** 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.



(Franklin County GIS data, acreage of surrounding parcels to site)

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: The subject property is not located within a Special Flood Hazard area (i.e. 1% Annual Chance Flood) as depicted on the FEMA National Flood Hazard Layer Firmette. 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. According to the Franklin County GIS data there are no potential sinkholes. The U.S Fish and Wildlife Service, *National Wetlands Inventory Map* does not depict any fresh water streams or wetlands on the property. No other geologic features were identified that might limit development of the site.



(FEMA Flood Map, Zone X; Flood Panel 21073C0116D)



May 28, 2024

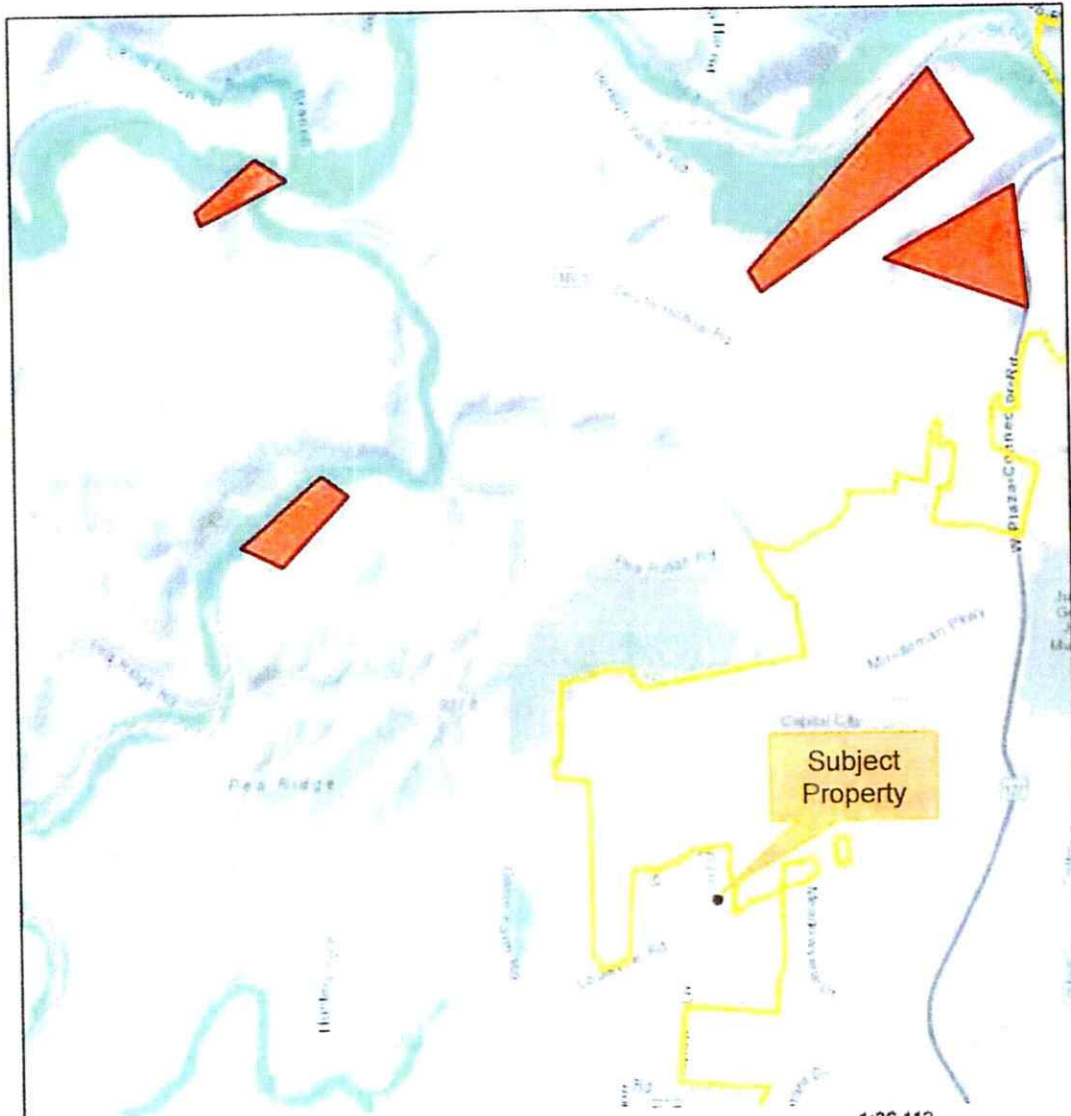
Wetlands	Freshwater Emergent Wetland	Lake
Estuarine and Marine Deepwater	Freshwater Forested/Shrub Wetland	Other
Estuarine and Marine Wetland	Freshwater Pond	Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

(U.S. Fish and Wildlife Service, National Wetlands Inventory Map)

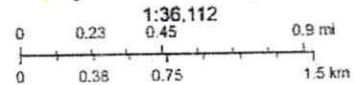
It appears that **policy # 1** is applicable to this request.

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.



5/28/2024, 11:23:34 AM

- USFWS - Critical Habitat - Polygon Features (Live)
- FEMA NFHL Political Jurisdictions (Live)
- FEMA NFHL Flood Hazard Zones (Live)
 - 1% Annual Chance Flood Hazard
 - 1% Annual Chance Flood Hazard
 - Regulatory Floodway
 - 0.2% Annual Chance Flood Hazard



Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

Threatened and Endangered Species Ranges November 2019
 Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA, NOAA National Marine Fisheries Service | NOAA Fisheries, West Coast Region, Protected Resources Division | US EPA

Web AppBuilder for ArcGIS

(Flood Risk and Endangered Species Habitat (FRESH) Map)

Goal 6: Preserve Existing Neighborhoods
Promote the stability, preservation, and vitality of existing residential neighborhoods.

Staff finding: While §155.085 of the *Land Use Table* stipulates single-family residential use as the primary permitted land use within a Rural Residential "B"(RB) district, the comprehensive plan delineates suburban residential neighborhoods as the predominant land use. These neighborhoods are predominantly characterized by single-family residential homes. However, the comprehensive plan acknowledges that the inclusion of attached housing and multi-family homes within these areas can serve as a transitional buffer between single-family residences and higher intensity land uses, such as commercial developments. This recognition underscores the nuanced approach to land use planning, emphasizing the importance of accommodating diverse housing types while facilitating appropriate transitions between different land use intensities.

Although, the applicant has not currently submitted any development plans specifying the inclusion of multi-family or attached housing, it is acknowledged that such land use configurations remain a plausible consideration for future development endeavors. This recognition underscores the inherent flexibility within the zoning framework to accommodate potential future land use modifications, subject to adherence to applicable regulatory procedures and standards.

Moreover, the applicant's property adjoins a commercial zone, presenting an opportunity to serve as a transitional interface between the commercial zone (CH) and the Rural Residential (RR) zone. This adjacency underscores the property's strategic positioning to facilitate a gradual transition from commercial to residential land uses, in accordance with zoning principles and land use planning objectives.

It appears that **policy #6 and #7** 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: At present, all prospective development initiatives concerning this property are contingent upon compliance with the standards outlined within the Zoning Ordinance and Subdivision Regulations. The request for a zoning modification aligns with the prevailing activities observed within the surrounding area. Moreover, referencing the *Frankfort and Franklin County: Housing Market Demand Study*, conducted on July 25, 2023, which states that the majority of housing in Frankfort and Franklin County consists of single-family detached dwellings (65% in Franklin County), and predicts that factors such as land affordability, construction costs, and consumer preferences will continue to drive single-family home development more prominently than denser housing types. Furthermore, the housing study suggests a demand for mid-density housing options, albeit with limited supply. The proposed rezoning to Rural Residential "B" District is considered mid-density. We also cannot negate the close proximity to the city of Frankfort jurisdiction, at approximately 150 feet, or the city center at approximately 3.3 miles. Further, as previously indicated, the comprehensive plan designates the subject property as Suburban Residential, endorsing multi-family development despite any incongruity with the current §155.085, *Land Use Table*. Given that 65% of housing in Franklin County comprises single-family dwellings, in addition to the existing neighborhood context, the proposed re-zoning, particularly considering that the permitted use in a Rural Residential "B" (RB) District is limited to single-family dwellings, warrants due consideration.

It appears that **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.

SUMMARY

As delineated in the Future Land Use map within the Comprehensive Plan, the subject property is designated with a Suburban Residential Use Designation, as expounded upon in the Comprehensive Plan segment of this document. Predominantly, the land use envisaged within this Future Land Use designation comprises single-family residential homes. It is notable that the (RB) zoning district, while permitting and primarily intended for medium density single-family detached residential usage, aligns with the overarching vision outlined in the Comprehensive Plan for the subject property. The (RB) zoning district permits the use of and is primarily intended to be medium density single-family detached residential.

Furthermore, in accordance with the provisions outlined in the Comprehensive Plan's chapter for Suburban Residential Neighborhood, it is duly acknowledged that attached housing and multi-family dwellings serve as potential transitional elements between single-family residences and more intensive land uses, such as commercial developments. However, it is imperative to note that despite the absence of submitted plans for such developments by the applicant, and the specific restriction outlined in the land use regulations detailed in §155.085, *Land Use Table*, pertaining to Rural Residential "B" District, this aspect is duly recognized for the purposes of this report, and future potential developments.

Additionally, the Rural Residential (RR) zoning district is established with a minimum lot size requirement of 1.5 acres, reflecting its designation as a low-density zoning district. The applicant's property currently falls short of this requirement, measuring at 0.759- acre, thereby classifying it as a non-conforming lot within the (RR) zone. Pursuant to the regulations of the Rural Residential "B" (RB) zoning district, which stipulates a minimum lot size of 9,000 square feet, or 0.21 acre, the proposed rezoning seeks to bring the property into conformity with applicable zoning standards. This transition to the (RB) district is substantiated by the need for alignment with zoning ordinances and facilitates compliance with lot size requirements. Moreover, the higher density permitted within the (RB) district is anticipated to contribute positively to the mitigation of suburban sprawl, further justifying the proposed rezoning.

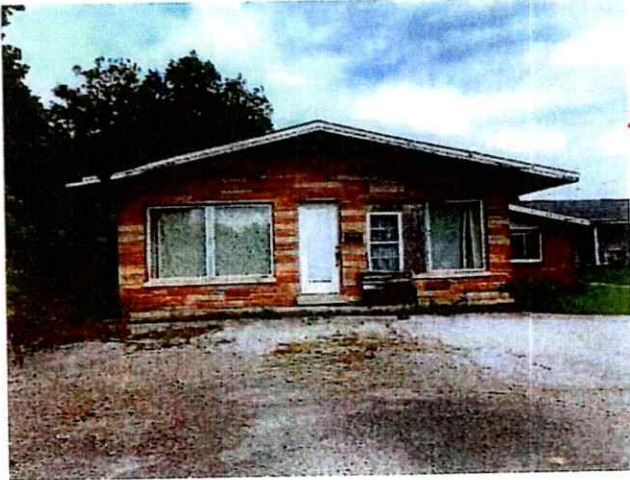
CONCLUSION

Staff recommends the following findings of fact:

1. The Comprehensive Plan, Future Land Use Plan, designates the property for Suburban Residential.
2. The Rural Residential "B" (RB) zoning district is an appropriate zone district for the Suburban Residential land use designation.

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

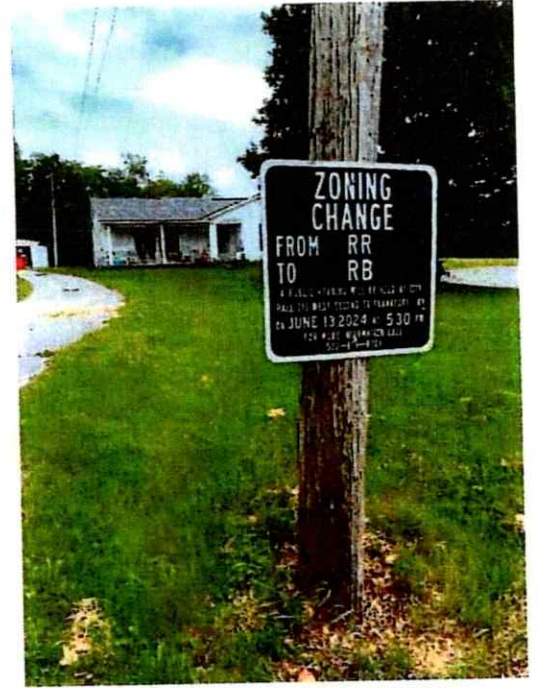
Photographs



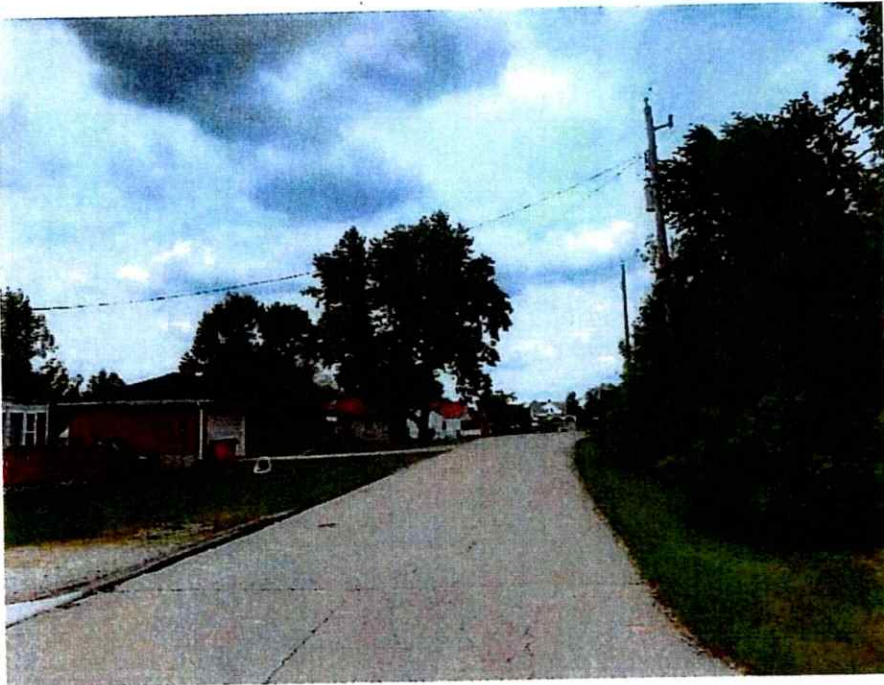
Looking North toward subject property from the Church of the Nazare's parking lot.



Looking South on Hawkeegan Drive



Zone Change Sign Notice



Looking North on Hawkeegan Drive

§155.089 Noted Special Conditions

(EXHIBIT)

- (1) Garden crop, but no sales structures;
- (2) Livestock (excluding non-crowing chickens) only on lots over five acres. All other poultry shall be kept on tracts or lots of at least five acres. Up to five non-crowing chickens may be kept on tracts less than acres, but shall be kept in a fence or structure of sufficient height and construction to prevent the animal(s) from leaving the owner's property. On tracts or lots less than one and one-half acres no fence, corral, chicken coop or similar enclosure shall be located within 15 feet of any side or rear property line or within 50 feet of any front property line. No poultry of any kind shall be kept on tracts or lots less than 0.75 acre in size. The maximum number of non-crowing chickens allowed on lots less than five acres shall be in accordance with the following table:

<i>Lot Size</i>	<i># Allowed</i>
0.75 - 1.5	2
1.51 - 2.5	3
2.51 - 3.5	4
3.51 - 4.99	5

EXCEPTIONS TO THE TABLE:

-Students who are currently enrolled in a supervised agricultural experience (SAE), who reside on properties which would otherwise permit some number of non-crowing chickens (at least 0.75 acres) and provide written documentation from their instructor may keep up to 5 non-crowing chickens for the duration of the class for which the birds are kept. Upon the completion of the class the number of chickens on the property must conform to the table.

-A property owner who has had chickens for at least 6 months, and the family of a student who had completed an SAE of less than 6 months, may make a request to the Board of Zoning Adjustments for a conditional use permit to allow more chickens than the maximum allowed in the table.

- (5) Permitted only where principal access is to a street designated as at least a collector.

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE made and entered into by and between **JAMIE HOWE BRATCHER**, *Executrix of the Estate of J.C. Howe, a/k/a Jesse C. Howe, deceased*, of 525 Lee Court, Richmond, Madison County, Kentucky 40475, hereinafter GRANTOR, and **DEWEY WOODS and CANDIS WOODS**, husband and wife, of 3313 Long Lick Road, Stamping Ground, Kentucky 40379-9784, hereinafter GRANTEEES.

WITNESSETH; That for and in consideration of the sum of ONE HUNDRED FORTY-NINE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$149,800.00), cash in hand paid, the receipt of which is hereby acknowledged, GRANTOR does hereby BARGAIN, GRANT, SELL, and CONVEY unto GRANTEEES, for and during their joint lives and at the death of one the fee to the survivor of them, his, her, or their heirs and assigns forever, the following described property, located and situated in **FRANKLIN COUNTY, KENTUCKY**:

The following real estate located at 110-112 Hawkeegan Drive, Frankfort, Franklin County, Kentucky, is more particularly described as follows:

Tract 2-Block "A", on the Revised Plat of Block "A", Hawkeegan Subdivision, in Deed Book 225, Page 419, Franklin County Clerk's Office, to which reference is hereby made for a more particular description.

BEING the same property conveyed to Jesse C. Howe and Dorothy Howe, his wife, by deed from James E. Hankins and Mary Homer Hankins, his wife, dated the 23rd day of July, 1962, and of record in Deed Book 175, Page 121, Franklin County Clerk's Office. SEE ALSO Deed Book 178, Page 316, Franklin County Clerk's Office, wherein Dorothy Howe (then Kappler) conveyed all of her interest in said property to Jesse C. Howe.

ALSO BEING the same property conveyed to Jesse C. Howe by Deed from Clarence Wiley, et al, dated the 24th day of April, 1969, and of record in Deed Book 222, Page 507, Franklin County Clerk's Office.

J.C. Howe, a/k/a Jesse C. Howe, departed this life testate on April 18, 2006. Pursuant to the provisions of the Last Will and Testament of J.C. Howe of record in Will Book 51, Page 459, Franklin County Clerk's Office, Jamie Howe Thatcher (the only granddaughter of J.C. Howe) was devised all of the decedent's interest in the above-described real property. GRANTOR covenants that Jamie Howe Bratcher and Jamie Howe Thatcher are one and the same person. Said Will also grants the Executrix hereunder the power to convey the above-described property.

The above described property is conveyed subject to all covenants, restrictions, reservations, limitations and easements as may be revealed in the record chain of title.

TO HAVE AND TO HOLD the above described property with all the rights, privileges and appurtenances thereunto belonging unto the said GRANTEEES, for and during their joint lives and at the death of one the fee to the survivor of them, his, her

or their heirs and assigns forever, with covenants of GENERAL WARRANTY (in her fiduciary capacity only); and the GRANTOR does hereby release unto the GRANTEEES the every right, title and interest of the GRANTOR in and to the above described property, including curtesy, dower, homestead exemption and all other exemptions allowed by law.

Consideration Certificate: The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The GRANTEEES join this deed for the sole purpose of certifying the consideration pursuant to KRS 382.

IN TESTIMONY WHEREOF, witness the signatures of the GRANTOR and GRANTEEES hereto, this the 29 day of August, 2006.

GRANTOR:

Jamie Howe Bratcher, Executrix
Jamie Howe Bratcher, Executrix
of the Estate of J.C. Howe, deceased

GRANTEEES:

Dewey Woods
Dewey Woods
Candis Woods
Candis Woods

STATE OF KENTUCKY
SCT
COUNTY OF Madison

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me this 28th day of August, 2006, by JAMIE HOWE BRATCHER, Executrix of the Estate of J.C. Howe, a/k/a Jesse C. Howe, deceased, GRANTOR.

Rosa Lynn Murphy
Notary Public, Kentucky State at Large

My Commission Expires: 8/30/09

STATE OF KENTUCKY
SCT
COUNTY OF Scott

The foregoing Consideration Certificate was subscribed, acknowledged and sworn to before me this 29 day of August, 2006, by DEWEY WOODS and CANDIS WOODS, husband and wife, GRANTEEES.

Kimberly Marshall
Notary Public, Kentucky State at Large

My Commission Expires: 2/13/10

PREPARED BY:

SWORD, FLOYD & MOODY, PLLC

Morris B. Floyd
Morris B. Floyd

ADDRESS: 218 West Main Street
Post Office Box 300
Richmond, Kentucky 40476-0300
Telephone: (859) 623-3728

O:\FLOYD\HOWE, ESTATE OF J.C.DOC; WOODS; 08-2006.(Revised)wpd.wpd
August 28, 2006

DOCUMENT NO: 383518
RECORDED ON: SEPTEMBER 08, 2006 09:47:100
TOTAL FEES: \$19.00
TRANSFER TAX: \$150.00
COUNTY CLERK: GUY ZEIGLER
COUNTY: FRANKLIN COUNTY CLERK
DEPUTY CLERK: ANITA WHITTNER
BOOK 0493 PAGES 771 - 774

Franklin County, KY PVA

Summary

Parcel Number 049-20-03-002.00
 Account Number 51487
 Location Address HAWKEEGAN DR 110
 Description HAWKEEGAN
 (Note: Not to be used on legal documents)
 Class Residential
 Tax District 01 County
 Rate Per Thousand 11.95
 Deed Book-Page 493-771



[View Map](#)

Owner

Primary Owner
WOODS DEWEY & CANDIS
 110 HAWKEEGAN DR
 FRANKFORT, KY 40601-

Land Characteristics

Condition	Average	Topography	Rolling
Plat Book/Page	225-419	Drainage	Ditch
Subdivision	HAWKEEGAN	Flood Hazard	None
Lot	2	Zoning	
Block		Electric	Yes
Acres	0.00	Water	Yes
Front	0	Gas	Yes
Depth	0	Sewer	Yes
Lot Size	0x0	Road	Secondary
Lot Sq Ft	0	Sidewalks	No
Shape	Typical	Information Source	

Assessment

	2024 Working Tax Roll	2023 Certified Tax Roll	2022 Certified Tax Roll	2021 Certified Tax Roll
+ Land Value	\$15,000	\$15,000	\$15,000	\$15,000
+ Improvement Value	\$62,000	\$62,000	\$62,000	\$62,000
+ Ag Improvement Value	\$0	\$0	\$0	\$0
= Total Taxable Value	\$77,000	\$77,000	\$77,000	\$77,000
- Exemption Value	\$0	\$0	\$0	\$0
= Net Taxable Value	\$77,000	\$77,000	\$77,000	\$77,000
+ Land FCV	\$0	\$0	\$0	\$0
+ Improvement FCV	\$0	\$0	\$0	\$0
+ Ag Improvement FCV	\$0	\$0	\$0	\$0
= Total FCV	\$0	\$0	\$0	\$0
Exemption				
Farm Acres	0.00	0.00	0.00	0.00
Fire Protection Acres	0.00	0.00	0.00	0.00

Taxes

	2023	2022	2021
Tax	\$920.15	\$911.68	\$922.85

Improvement Information

Building Number 1
 Description 1 Story Brick/Vinyl
 Residence Type Single Family
 Comm Type
 Mobile Home Type
 Year Built 1940
 Effective Age 0
 Ave. Wall Height 0
 Structure 1 Story
 Number of Stories 0
 Exterior Brick/Vinyl
 Foundation Concrete Block
 Construction Type
 Construction Quality Average/Standard
 Building Condition Fair
 Roof Type Gable
 Roof Cover Comp.Shingles
 Roof Pitch
 Basement Type Sunken
 Basement Finish 1/4 Finished
 Basement Size Full
 Basement Sq Ft 0
 Garage/Carport None
 Garage Size None
 Garage Type None
 Garage Exterior None
 Width 0
 Length 0
 Garage Sq Ft 0
 Pool None
 Pool Size 0
 Tennis Courts None

Kitchens 0
 Dining Rooms 0
 Living Rooms 0
 Family Rooms 0
 Bedrooms 3
 Full Baths 1
 Half Baths 1
 Other Rooms 0
 Total Rooms 5
 Living Sq Ft 0
 Fireplaces/Water 0/1
 Supplemental Heat
 Mobile Home Model
 Mobile Home Manufacturer
 MH Skirt Foundation
 Heat Yes
 Heat Source Natural Gas
 Heat Type Forced Air
 Air Conditioning Yes
 AC/Type Central
 Special Improvements No
 Fire Alarm No
 Sprinklers No
 Porch/Deck None
 Porch Sq Ft 0
 Deck Sq Ft 0
 Concrete Sq Ft 0
 Farm Bldg Type
 Value \$0.00
 Driveway Paved/Asphalt
 Fence 0

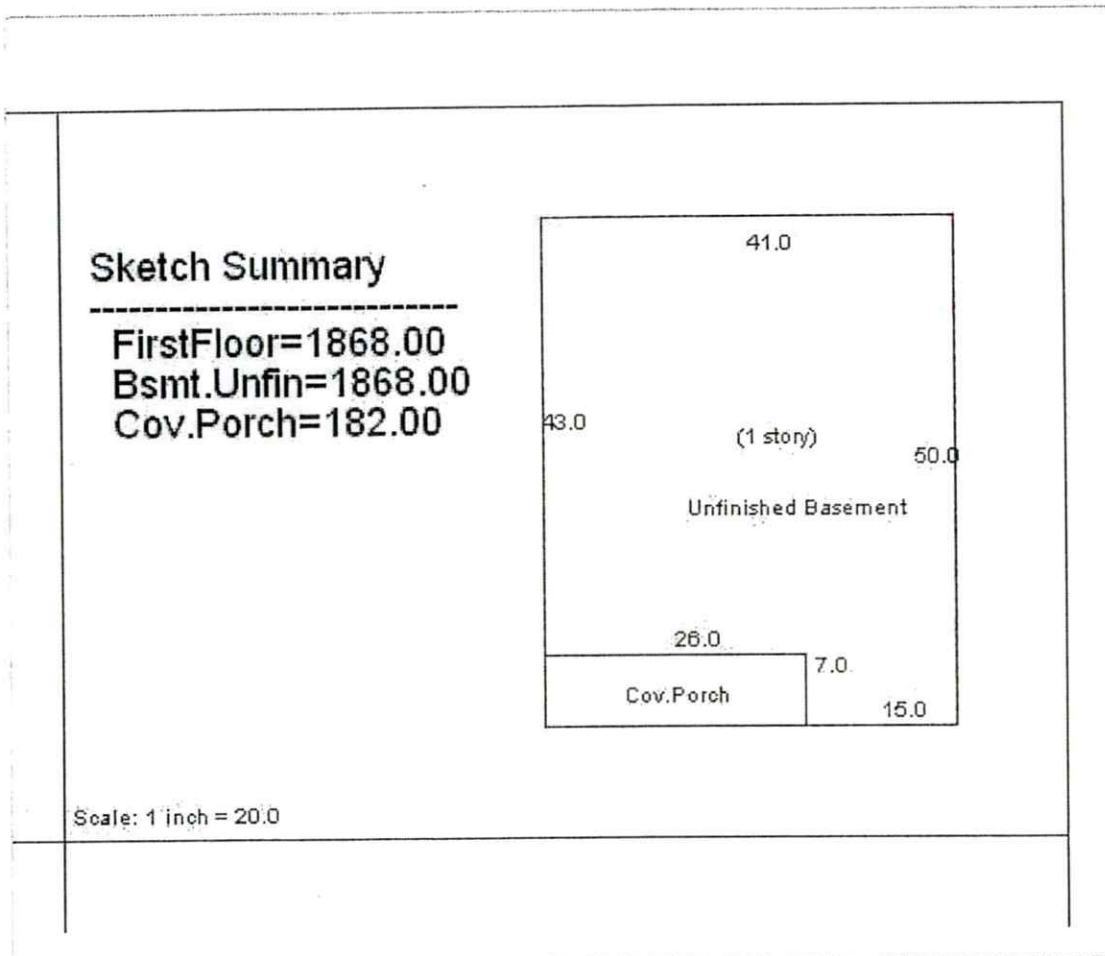
Sale Information

Deed	Sale Date	Sale Price	Sale Type	Book-Page	Grantee	Grantor
493-771	8/29/2006	\$149,800	Multiple Properties	493-771	WOODS DEWEY & CANDIS	HOWE JESSE C

Photos



Sketches



Map



No data available for the following modules: Plat, Special Assessments.

While the Office of the Property Valuation Administrator has attempted to ensure that the data contained in this file is accurate and reflects the property's characteristics, the PVA makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data. The PVA does not assume any liability associated with the use or misuse of this data.

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 Last Data Upload: 5/28/2024, 8:53:05 PM

Contact Us

Developed by

Franklin County, KY PVA

Summary

Parcel Number 049-20-03-002.01
 Account Number 51487
 Location Address HAWKEEGAN DR 112
 Description (Note: Not to be used on legal documents)
 Class Commercial
 Tax District 01 County
 Rate Per Thousand 11.95
 Deed Book-Page 493-771



[View Map](#)

Owner

Primary Owner
WOODS DEWEY & CANDIS
 110 HAWKEEGAN DR
 FRANKFORT, KY 40601-

Land Characteristics

Condition	Average	Topography	Rolling
Plat Book/Page	225-419	Drainage	Ditch
Subdivision	HAWKEEGAN	Flood Hazard	None
Lot		Zoning	
Block		Electric	Yes
Acres	0.00	Water	Yes
Front	0	Gas	Yes
Depth	0	Sewer	Yes
Lot Size	0x0	Road	Secondary
Lot Sq Ft	0	Sidewalks	No
Shape	Typical	Information Source	

Assessment

	2024 Working Tax Roll	2023 Certified Tax Roll	2022 Certified Tax Roll	2021 Certified Tax Roll
+ Land Value	\$20,000	\$20,000	\$20,000	\$20,000
+ Improvement Value	\$55,000	\$55,000	\$55,000	\$55,000
+ Ag Improvement Value	\$0	\$0	\$0	\$0
= Total Taxable Value	\$75,000	\$75,000	\$75,000	\$75,000
- Exemption Value	\$0	\$0	\$0	\$0
= Net Taxable Value	\$75,000	\$75,000	\$75,000	\$75,000
+ Land FCV	\$0	\$0	\$0	\$0
+ Improvement FCV	\$0	\$0	\$0	\$0
+ Ag Improvement FCV	\$0	\$0	\$0	\$0
= Total FCV	\$0	\$0	\$0	\$0
Exemption				
Farm Acres	0.00	0.00	0.00	0.00
Fire Protection Acres	0.00	0.00	0.00	0.00

Taxes

	2023	2022	2021
Tax	\$896.25	\$888.00	\$898.88

Improvement Information

Building Number	1	Kitchens	0
Description	1 Story Brick/Concrete/Stone Commerc	Dining Rooms	0
Residence Type		Living Rooms	0
Comm Type		Family Rooms	0
Mobile Home Type		Bedrooms	0
Year Built	1963	Full Baths	0
Effective Age	0	Half Baths	0
Ave. Wall Height	0	Other Rooms	0
Structure	1 Story	Total Rooms	0
Number of Stories	0	Living Sq Ft	0
Exterior		Fireplaces/Water	0/1
Foundation	Slab	Supplemental Heat	
Construction Type		Mobile Home Model	
Construction Quality	Average/Standard	Mobile Home Manufacturer	
Building Condition	Fair	MH Skirt Foundation	
Roof Type	Gable	Heat	Yes
Roof Cover	Comp.Shingles	Heat Source	Natural Gas
Roof Pitch		Heat Type	Forced Air
Basement Type	None	Air Conditioning	Yes
Basement Finish	None	AC/Type	Wall Units
Basement Size	None	Special Improvements	No
Basement Sq Ft	0	Fire Alarm	No
Garage/Carport		Sprinklers	No
Garage Size	1 Car	Porch/Deck	None
Garage Type	Detached	Porch Sq Ft	0
Garage Exterior	Other	Deck Sq Ft	0
Width	0	Concrete Sq Ft	0
Length	0	Farm Bldg Type	
Garage Sq Ft	0	Value	\$0.00
Pool	None	Driveway	Paved/Asphalt
Pool Size	0	Fence	0
Tennis Courts	None		

Building Number	2	Kitchens	0
Description	Garage/Storage	Dining Rooms	0
Residence Type		Living Rooms	0
Comm Type		Family Rooms	0
Mobile Home Type		Bedrooms	0
Year Built	0	Full Baths	0
Effective Age	0	Half Baths	0
Ave. Wall Height	0	Other Rooms	0
Structure		Total Rooms	0
Number of Stories	0	Living Sq Ft	0
Exterior		Fireplaces/Water	0/0
Foundation		Supplemental Heat	
Construction Type		Mobile Home Model	
Construction Quality		Mobile Home Manufacturer	
Building Condition		MH Skirt Foundation	
Roof Type		Heat	No
Roof Cover		Heat Source	
Roof Pitch		Heat Type	
Basement Type		Air Conditioning	No
Basement Finish		AC/Type	
Basement Size		Special Improvements	No
Basement Sq Ft	0	Fire Alarm	No
Garage/Carport		Sprinklers	No
Garage Size		Porch/Deck	
Garage Type		Porch Sq Ft	0
Garage Exterior		Deck Sq Ft	0
Width	0	Concrete Sq Ft	0
Length	0	Farm Bldg Type	
Garage Sq Ft	0	Value	\$0.00
Pool		Driveway	Paved/Asphalt
Pool Size	0	Fence	0
Tennis Courts			

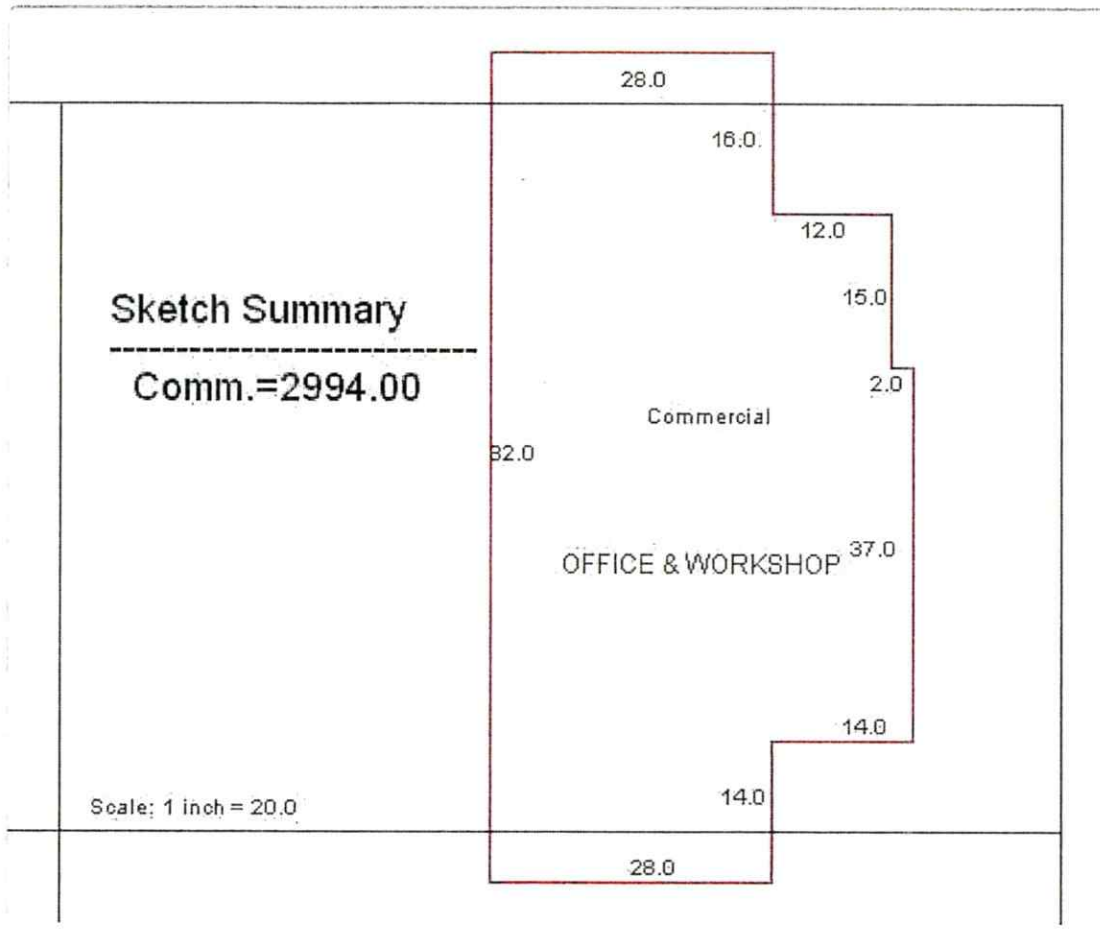
Sale Information

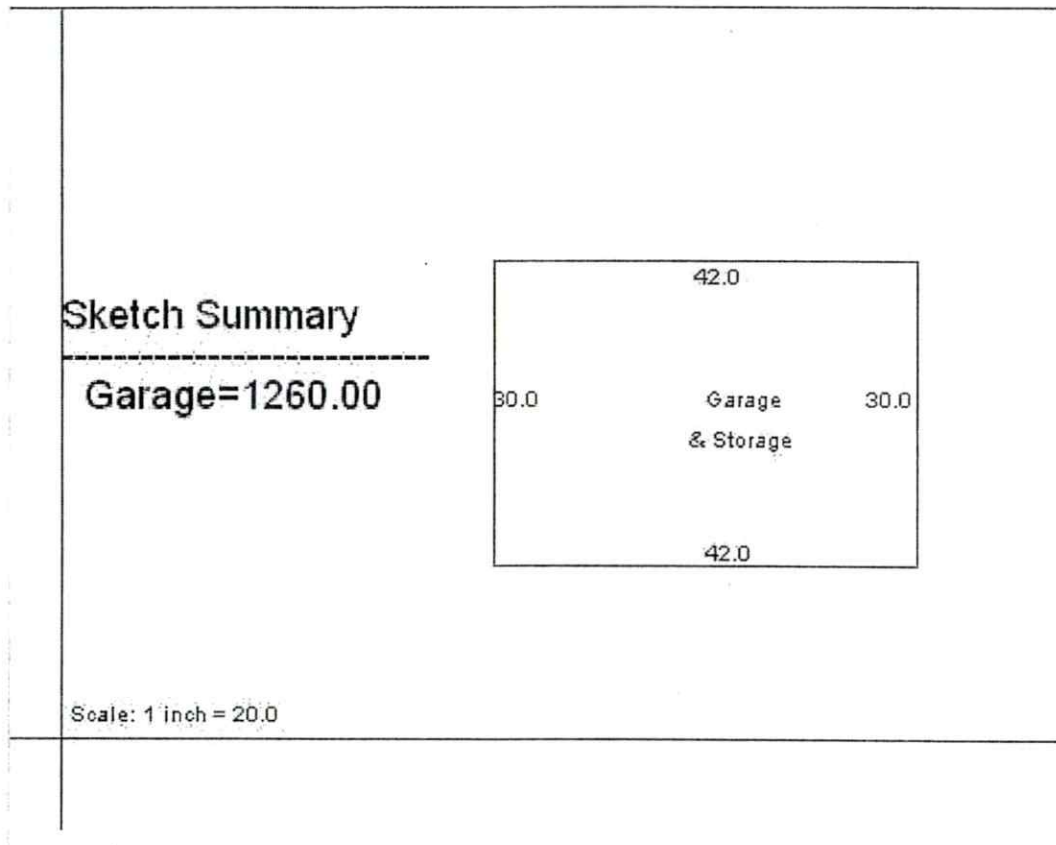
Deed	Sale Date	Sale Price	Sale Type	Book-Page	Grantee	Grantor
493-771	8/29/2006	\$149,800	Multiple Properties	493-771	WOODS DEWEY & CANDIS	HOWES UPHOLSTERY SHOP

Photos



Sketches





Map



No data available for the following modules: Plat, Special Assessments.

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[Contact Us](#)

Developed by
 Schneider
 GEOSPATIAL



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: 5/2/24
 Payment Amt: \$ 300⁰⁰
 ck#: 1830
 Meeting: 6/13/2024

APPLICATION FOR ZONE MAP AMENDMENT

MEETING DATE: 6/13/2024 FILING DEADLINE: 5/2/2024

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

1. Property Owner (The owner must be the applicant):

DEWEY AND CANDIS WOODS

2. Mailing Address:

110 HAWKEEGAN DRIVE
FRANKFORT, KY 40601

3. Phone Number:

Home: (859) 361-2139

Work: _____



SITE INFORMATION

4. General Location of Property: WEST FRANKFORT, US 60

5. Subdivision Name: (if applicable) HAWKEEGAN

6. Street Address: 110 & 112 HAWKEEGAN DRIVE

ZONING INFORMATION

7. Present Zoning of Property: RR

8. Proposed Zoning of Property: RB

9. Existing Use of Property: RESIDENTIAL

10. Proposed Use of Property: RESIDENTIAL

11. Size of Property: Acres: 0.759 Sq. Ft. 33,066

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.)

5/2/2024
Date

Dewey Woods
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.



Louisville Rd.



Hawkeegan Dr.

Louisville Rd.

Westview Dr.



Louisville Rd.

Hawkeegan Dr.

Hawkeegan Dr.

Dr. ne

Louisville Rd.

CARROLL LAND SURVEYING
STEPHEN D. CARROLL, PLS #3241
1085 GOGGIN LANE
DANVILLE, KENTUCKY, 40422
(502) 803-1318

TO: The Franklin County
Planning and Zoning Office
Frankfort, KY

DATE: April 17, 2024

Findings of Fact for the requested Zone Change for the property located at 110 & 112 Hawkeegan Drive, Frankfort, Kentucky.

The existing zoning classification given to the property is inappropriate due to the deeded lot having an area of only 0.759 acres. Also, the present lot is served by the City of Frankfort Sewer Department. The entire subdivision is presently zoned "RR", with a large majority, if not all of the lots having an area less than what is required in the "RR" zone, 1.50 Acres.

The requested zone change to "RB" is more in line with lot size and city services that are available.



Stephen D. Carroll
PLS #3241

FOR OFFICE USE ONLY

DATE FILED: 5/2/2024

FEE PAID: \$ 300 RECEIPT #: CK # 1830

DATE OF NOTICE IN NEWSPAPER: 5/24/2024

DATE OF NOTICE TO ADJOINING PROPERTY OWNERS: 5/30/2024

DATE OF PUBLIC HEARING: 6/13/2024 (rescheduled)

PLANNING COMMISSION RECOMMENDATION: July 1, 2024 (special meeting)

APPROVAL: _____
MINUTE BOOK: _____

DENIAL: _____
PAGE #: _____

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

NOTES:

1. SOURCE OF THIS IS FOR THE SURVEY AND CHAINS WOODS PROPERTY, 10 & 112 HAWKEEGAN DRIVE, DEWEY & CANDIS WOODS, FRANKLIN COUNTY, KENTUCKY, TRACT #1 & #2, DB. 493, PG. 771, IN THE FRANKLIN COUNTY CLERK'S OFFICE.
2. THE SURVEY IS SUBJECT TO ALL EASEMENTS OF RECORD OR APPLICABLE.
3. THIS SURVEY IS FOR THE PURPOSES OF A PRELIMINARY SURVEY OF THE PARENT TRACT BY D.L. BESSER, M.S.S.L. DB. 292, PG. 418, METHOD OF SURVEY WAS USED AS
4. THE CALLS HAVE NOT BEEN ADJUSTED BY ANY MEANS.
5. ANY MEANS OF ACCESS OR EGRESS THE REQUIREMENTS OF 201 KAN. 18.150 AND PRESENTLY ANY BOUNDARY & MATCHED AREA OF EXISTING DRIVEWAY, TO BE REMOVED.

CERTIFICATION OF COMPETENCY AND EXPERIENCE
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY AND HAVE BEEN LICENSED BY THE BOARD OF PROFESSIONAL LAND SURVEYORS OF THE STATE OF KENTUCKY. I HAVE BEEN LICENSED AS A PROFESSIONAL LAND SURVEYOR SINCE 1985. I HAVE BEEN LICENSED AS A PROFESSIONAL LAND SURVEYOR SINCE 1985. I HAVE BEEN LICENSED AS A PROFESSIONAL LAND SURVEYOR SINCE 1985. I HAVE BEEN LICENSED AS A PROFESSIONAL LAND SURVEYOR SINCE 1985.

Stephen D. Carroll
 DATE: 5/2/24

DESCRIPTION OF SUBJECT PROPERTY AND EASEMENTS
 THE PROPERTY IS A 10.395 ACRES TRACT, TRACT #1 & #2, DEWEY & CANDIS WOODS, FRANKLIN COUNTY, KENTUCKY, TRACT #1 & #2, DB. 493, PG. 771, IN THE FRANKLIN COUNTY CLERK'S OFFICE. THE PROPERTY IS A 10.395 ACRES TRACT, TRACT #1 & #2, DEWEY & CANDIS WOODS, FRANKLIN COUNTY, KENTUCKY, TRACT #1 & #2, DB. 493, PG. 771, IN THE FRANKLIN COUNTY CLERK'S OFFICE.

CERTIFICATE OF ASSUMPTION FOR ZONING
 I HEREBY CERTIFY THAT THE ASSUMPTION FOR ZONING IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE INFORMATION AVAILABLE TO ME AT THE TIME OF THE SURVEY. I HAVE CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAVE FOUND NO EVIDENCE OF ANY VIOLATIONS OF THE ZONING ORDINANCES OF FRANKLIN COUNTY, KENTUCKY. I HAVE CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAVE FOUND NO EVIDENCE OF ANY VIOLATIONS OF THE ZONING ORDINANCES OF FRANKLIN COUNTY, KENTUCKY.

DATE: _____
 INSPECTOR, INSPECTOR OF LAND SURVEYING

PROPOSED ZONE CHANGE
 FROM "RR" TO "R8"

CURRENT ZONING: "RR"
 SETBACKS FOR "RR" ZONE:
 FRONT - 30'
 SIDE - 10'
 REAR - 25'

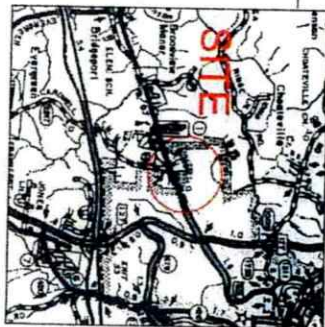
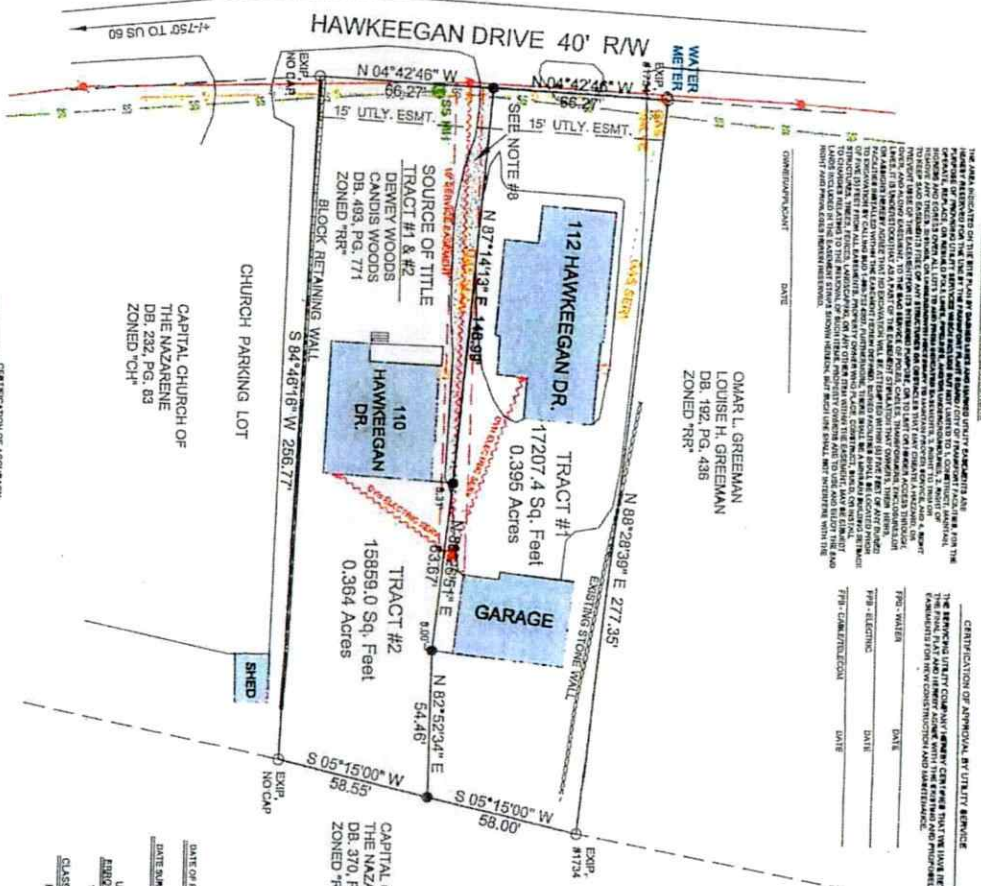
PROPOSED ZONING: "R8"
 SETBACKS FOR "R8" ZONE:
 FRONT - 25'
 SIDE - 5'
 REAR - 25'

CERTIFICATION OF MEASUREMENT DISTRIBUTION

THE AREA INDICATED ON THE BLUE PLAN BY CHAINING AND MEASUREMENT DISTRIBUTION ARE PREPARED BY THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE SURVEY.

CERTIFICATION OF APPROVAL BY UTILITY SERVICE

THE SURVEYOR HAS BEEN ADVISED BY THE UTILITY SERVICE THAT THE SURVEY IS SUBJECT TO ALL EASEMENTS OF RECORD OR APPLICABLE. THE SURVEYOR HAS BEEN ADVISED BY THE UTILITY SERVICE THAT THE SURVEY IS SUBJECT TO ALL EASEMENTS OF RECORD OR APPLICABLE.



PLAT PURPOSE
 NUMBER OF PLAT IS TO SHOW THE BOUNDARY TRACT OWNED BY DEWEY AND CANDIS WOODS (0.76 ACRES) TRACT #1 & #2, DEWEY & CANDIS WOODS, FRANKLIN COUNTY, KENTUCKY, TRACT #1 & #2, DB. 493, PG. 771, IN THE FRANKLIN COUNTY CLERK'S OFFICE.



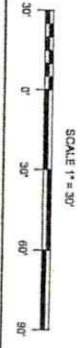
- LEGEND**
- - IRON PIN SET (P/N) WITH 1/2" x 1/8" S. S. ROD
 - - EXISTING IRON PIN FOUND EXPT
 - - COVERED AS NOTED
 - - ELECTRIC METER
 - - WATER METER
 - - SPARKING ZONING MARKER
- DATE OF PLAT:** 5/2/24
DATE SURVEYED: 5/2/24
LAND SURVEYOR: STEPHEN D. CARROLL
EXPIRES: 11/23/28
CLASS OF SURVEY: RURAL

MINOR SUBDIVISION
 TRACTS 1 & 2
 DEWEY & CANDIS WOODS
 110 & 112 HAWKEEGAN DR.
 DB. 493, PG. 771
 PVA MAP #049-20-03-002.00 & 2.01
 PRESENTLY ZONED: "RR"
 EAST SIDE OF HAWKEEGAN DRIVE
 FRANKLIN COUNTY, KENTUCKY



CERTIFICATION OF ACCURACY
 I HEREBY CERTIFY THAT THE SURVEY AND DESCRIBED HEREON IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD IN THE OFFICE OF THE CLERK OF FRANKLIN COUNTY, KENTUCKY. I HAVE CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAVE FOUND NO EVIDENCE OF ANY VIOLATIONS OF THE ZONING ORDINANCES OF FRANKLIN COUNTY, KENTUCKY.

DATE: 5/2/24
Stephen D. Carroll
 STEPHEN D. CARROLL
 PROFESSIONAL LAND SURVEYOR (KMI)
 1000 S. MAIN ST., SUITE 100
 FRANKLIN, KY 40501
 (502) 653-1318
 CARROLLS@FRANKLINCOUNTYKY.COM





Acreage Map
 Lots Surrounding
 Site
 Hawkeegan Drive

Church of the Nazarene
3.28 acres

Site

0.376 acres

0.56 acres

0.494 acres

0.516 acres

0.569 acres

0.781 acres

0.938 acres

0.407 acres

0.896 acres

1 acres

1.048 acres

0.957 acres

0.638 acres

0.957 acres

0.938 acres

0.82 acres

0.689 acres

82.21

72.77

77.84

103.1

122.8

43.5

96.51

102.2

97.58

63.26

98.07

544.8

282.9

108.4

294.2

289.3

301.2

326.3

342.6

104.4

110.6

143.9

140.8

106.8

94.58

104.6

107.75 acres

117.3

160.5

1201 acres

LOUISVILLE RD

2.485 acres

310.9

302.6

299.3

304.3

183.9

129.3

74.03

68.24

104.7

94.33

227.5

266.7

122.5

National Flood Hazard Layer FIRMette



84°55'2" W, 38°10'45" N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL, LAY

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, AE, AP
- With BFE or Depth Zone AE, AO, AH, VE
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, of 1% annual chance flood with are depth less than one foot or with dra areas of less than one square mile

Future Conditions 1% Annual Chance Flood Hazard Zone X

OTHER AREAS OF FLOOD HAZARD

- Area with Flood Risk due to Leveez

OTHER AREAS

- Area of Minimal Flood Hazard Zone
- Effective LOMRs
- Area of Undetermined Flood Hazard

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Cha
- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approx point selected by the user and does not re an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

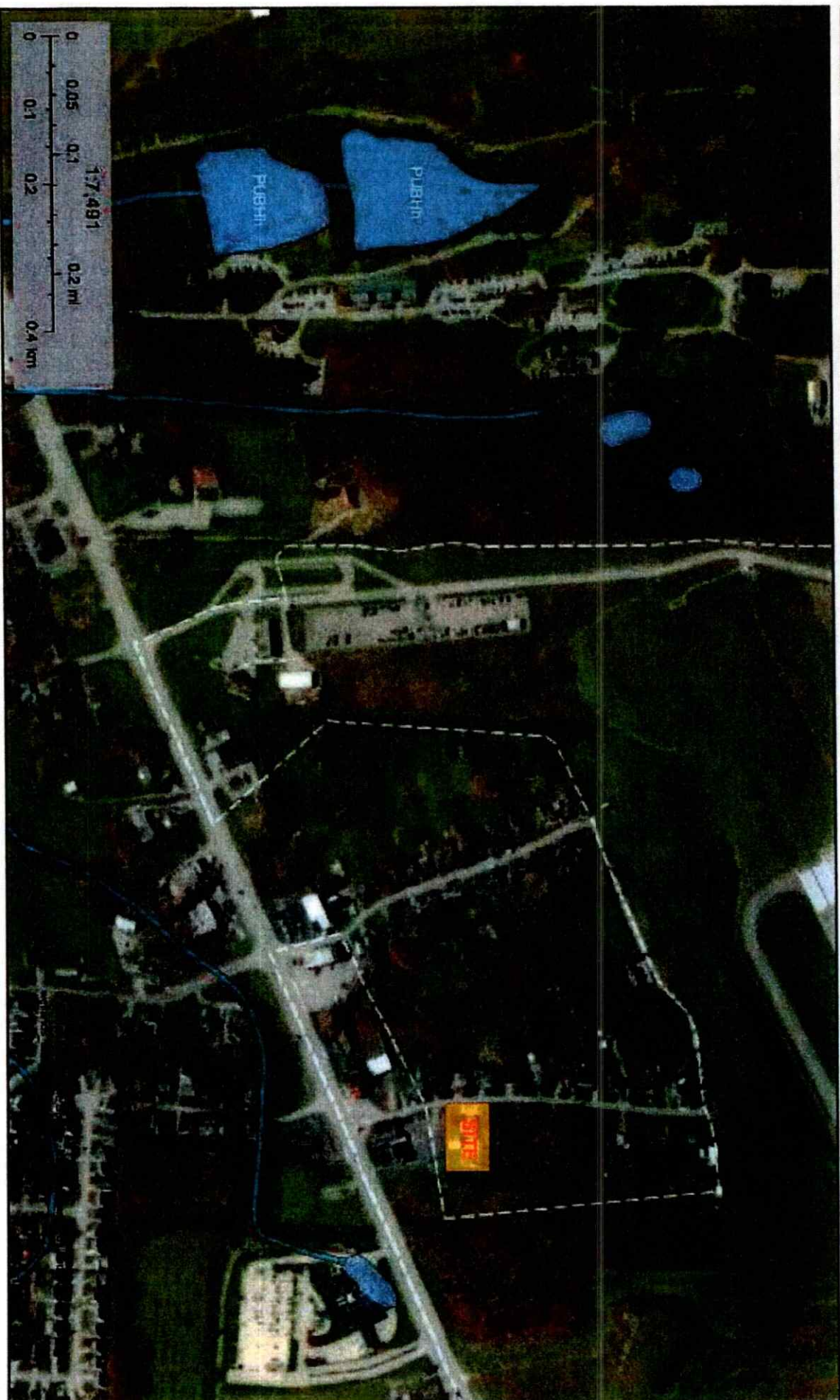
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **5/28/2024 at 9:57 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following elements do not appear: basemap imagery, flood zone label legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images if unmapped and unmapped areas cannot be used for regulatory purposes.



U.S. Fish and Wildlife Service
National Wetlands Inventory

Wetlands Report-110/112 Hawkeegan

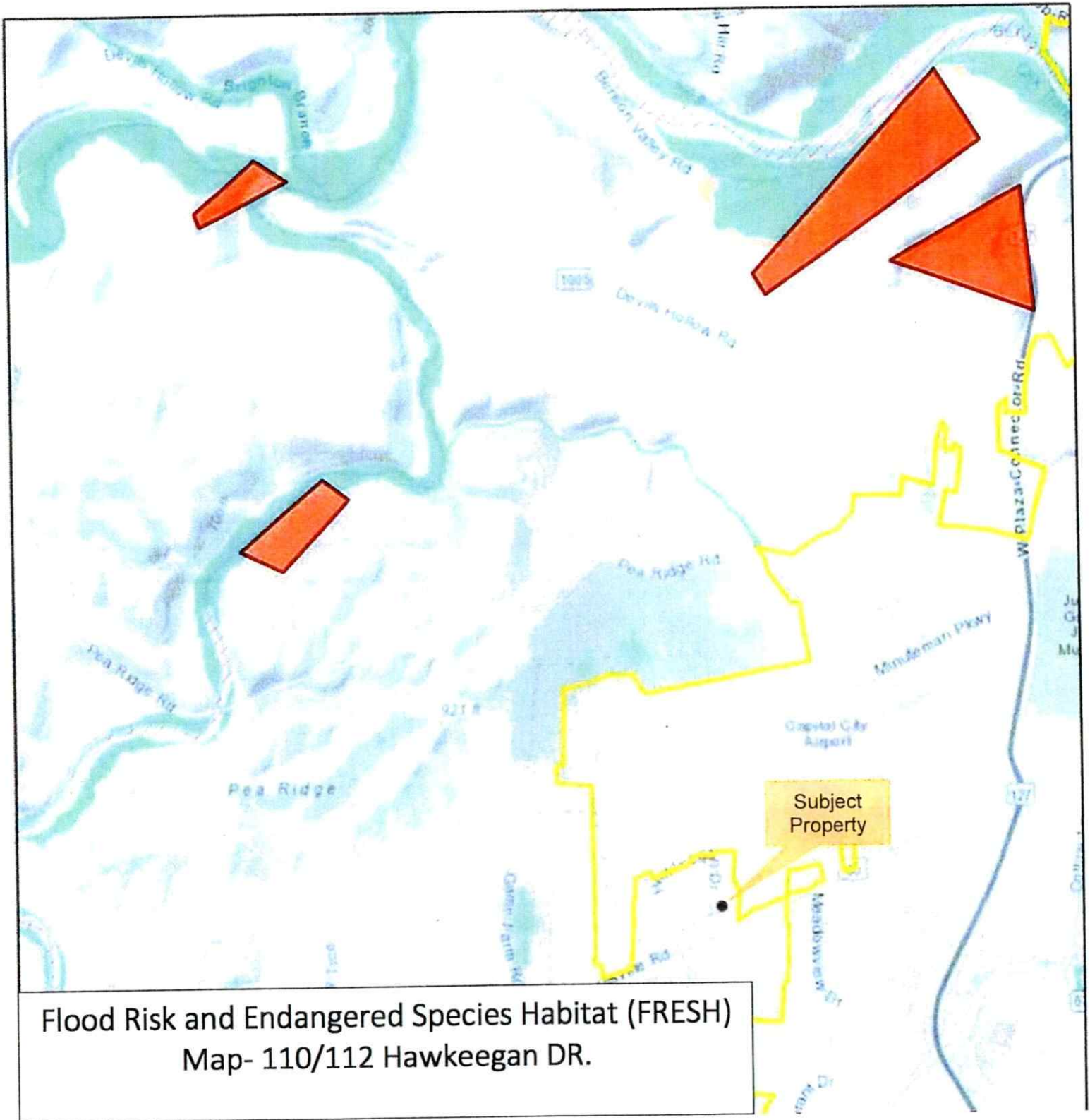


May 28, 2024

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Rivertine

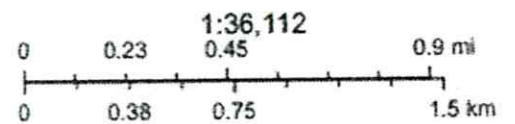
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



Flood Risk and Endangered Species Habitat (FRESH)
Map- 110/112 Hawkeegan DR.

5/28/2024, 11:23:34 AM

- USFWS - Critical Habitat - Polygon Features (Live)
- FEMANFHL Political Jurisdictions (Live)
- FEMANFHL Flood Hazard Zones (Live)
- 1% Annual Chance Flood Hazard
- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard




110-112 Hawkeegan Drive-Zone Change RR-RB

Tina Peck <tina.peck@franklincounty.ky.gov>

Fri 5/10/2024 9:26 AM

To: Carter, Jim <jcarter@fewpb.com>; Dutta, Sharmista <sdutta@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>

 1 attachments (270 KB)

2024-06-13- TRT facility review-Zone Change- 110-112 Hawkeegan DR- RR to RB.pdf;

Hi, Dear TRT Members,

Attached is a memorandum for a rezoning proposal for 110 and 112 Hawkeegan Road, from Rural Residential to Rural Residential "B" District. Please review for any comments by May 17, 2024. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

MEMORANDUM

To: Technical Review Team

From: Tina Peck, Staff Planner

Date: May 10, 2024

Re: Proposed Zone Change- 110 and 112 Hawkeegan Drive (PVA#049-20-03-002.00 and 049-20-03-002.01).

The applicant is requesting a zone change from Rural Residential District (RR) to Rural Residential "B" District for the property on Hawkeegan Drive, which is located off Louisville Road-US Route 60. The applicant is seeking to use the property for rural activities. The subject property is approximately 0.759-acre in size.

I am requesting information relating to whether the property is currently served or can be served by public utilities for any future development. If you are not a utility provider, feel free to identify any issues that you think may be relative to the project. The GIS mapping for the site. If possible, please review and provide any written comments by e-mail at tina.peck@franklincountyky.com no later than May 17, 2024.

If you have any questions or need additional information, please contact me at (502) 875-8701.



Re: 110-112 Hawkeegan Drive-Zone Change RR-RB

Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>

Fri 5/10/2024 9:35 AM

To:Tina Peck <tina.peck@franklincounty.ky.gov>

No objection to the zone change.

Autumn Dmytrewycz

Team Fishel contractor

Land Services Division

Columbia Gas of Kentucky, Inc.

2001 Mercer Road

Lexington, KY 40511

Cell: 859-361-1589

Email: agdmytrewycz@teamfishel.com

Email: admytrewycz@nisource.com

On Fri, May 10, 2024 at 9:26 AM Tina Peck <tina.peck@franklincounty.ky.gov> wrote:

Hi, Dear TRT Members,

Attached is a memorandum for a rezoning proposal for 110 and 112 Hawkeegan Road, from Rural Residential to Rural Residential "B" District. Please review for any comments by May 17, 2024. Thank you so much.

Sincerely,

Tina Peck

Staff Planner

Deputy Floodplain Manager

Deputy ABC Administrator

Franklin County Planning and Zoning

321 West Main Street

Frankfort, KY 40601

502-875-8701

This message is intended solely for the designated recipient, may contain privileged or confidential information and may be subject to confidentiality agreement(s). Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this message in error, please notify the sender immediately by reply e-mail and destroy the original communication.

RE: 110-112 Hawkeegan Drive-Zone Change RR-RB

Carter, Jim <jcarter@fewpb.com>

Fri 5/10/2024 9:35 AM

To:Tina Peck <tina.peck@franklincounty.ky.gov>;Dutta, Sharmista <sdutta@fewpb.com>;Michael Hesse <mhesse@frankfort.ky.gov>;Brad Gregory <bgregory@hmbpe.com>;Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>;Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>
Cc:Harrod, Mike <mikeharrod@fewpb.com>;McCullar, Travis <tmccullar@fewpb.com>

This property is in FPB's Electric Service Territory and will be served based on our existing Tariffs and Regulations.

Thanks.

James R. Carter, P.E.
FPB Electrical Engineer
305 Hickory Drive
PO Box 308
Frankfort, KY 40602
jcarter@fewpb.com
502-352-4401 o

From: Tina Peck <tina.peck@franklincounty.ky.gov>

Sent: Friday, May 10, 2024 9:27 AM

To: Carter, Jim <jcarter@fewpb.com>; Dutta, Sharmista <sdutta@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>

Subject: 110-112 Hawkeegan Drive-Zone Change RR-RB

CAUTION: This email originated from an **External Source**. Please use EXTRA caution when opening attachments, clicking links, or responding to this email.

Hi, Dear TRT Members,

Attached is a memorandum for a rezoning proposal for 110 and 112 Hawkeegan Road, from Rural Residential to Rural Residential "B" District. Please review for any comments by May 17, 2024. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

RE: 110-112 Hawkeegan Drive-Zone Change RR-RB

Brad Gregory <bgregory@hmbpe.com>

Fri 5/10/2024 11:04 AM

To:Tina Peck <tina.peck@franklincounty.ky.gov>

Tina,

I don't see any issues from an engineering perspective with the rezoning.

Thanks,

Brad



Brad Gregory, PE, PLS

Principal-in-Charge

3 HMB Circle

Frankfort, KY 40601

P: (502) 695-9800

C: (502) 330-3114

www.hmbpe.com

From: Tina Peck <tina.peck@franklincounty.ky.gov>

Sent: Friday, May 10, 2024 9:27 AM

To: Carter, Jim <jcarter@fewpb.com>; Dutta, Sharmista <sdutta@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>

Subject: 110-112 Hawkeegan Drive-Zone Change RR-RB

Hi, Dear TRT Members,

Attached is a memorandum for a rezoning proposal for 110 and 112 Hawkeegan Road, from Rural Residential to Rural Residential "B" District. Please review for any comments by May 17, 2024. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

RE: 110-112 Hawkeegan Drive-Zone Change RR-RB

Dutta, Sharmista <sdutta@fewpb.com>

Fri 5/10/2024 12:21 PM

To:Tina Peck <tina.peck@franklincounty.ky.gov>;Carter, Jim <jcarter@fewpb.com>

No issues for Water. Properties are currently served with FPB Water.

Thank you.

Sharmista Dutta, P.E.
Director of Water
Frankfort Plant Board
305 Hickory Drive
Frankfort KY 40601
Office: 502-352-4407
Mobile: 502-395-3774
sdutta@fewpb.com

From: Tina Peck <tina.peck@franklincounty.ky.gov>

Sent: Friday, May 10, 2024 9:27 AM

To: Carter, Jim <jcarter@fewpb.com>; Dutta, Sharmista <sdutta@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>

Subject: 110-112 Hawkeegan Drive-Zone Change RR-RB

CAUTION: This email originated from an **External Source**. Please use EXTRA caution when opening attachments, clicking links, or responding to this email.

Hi, Dear TRT Members,

Attached is a memorandum for a rezoning proposal for 110 and 112 Hawkeegan Road, from Rural Residential to Rural Residential "B" District. Please review for any comments by May 17, 2024. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

Re: 110-112 Hawkeegan Drive-Zone Change RR-RB

Brian Brewer <brian.brewer@franklincounty.ky.gov>

Tue 5/14/2024 12:15 PM

To:Tina Peck <tina.peck@franklincounty.ky.gov>

Tina,

The Fire Department has no comment on the zone change request.

Best Regards,

Chief Brewer

Brian Brewer
Fire Chief
Franklin County Fire Department
106 Darby Shire Circle
Frankfort, KY. 40601
Work: 502-695-1617
Cell: 502-219-0265

From: Tina Peck <tina.peck@franklincounty.ky.gov>

Sent: Friday, May 10, 2024 9:26 AM

To: Carter, Jim <jcarter@fewpb.com>; Dutta, Sharmista <sdutta@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>

Subject: 110-112 Hawkeegan Drive-Zone Change RR-RB

Hi, Dear TRT Members,

Attached is a memorandum for a rezoning proposal for 110 and 112 Hawkeegan Road, from Rural Residential to Rural Residential "B" District. Please review for any comments by May 17, 2024. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

RE: 110 and 112 Hawkeegan Drive_Technical Review

Gene Wilburn <gene.wilburn@franklincounty.ky.gov>

Wed 4/24/2024 6:28 AM

To:Tina Peck <tina.peck@franklincounty.ky.gov>

Franklin County Road Dept has no issues. Thanks

Gene Wilburn

Gene Wilburn

Franklin County Road Supervisor

100 Lewis Ferry Road

P.O. Box 280

Frankfort, KY 40601

502-875-8760

From: Tina Peck

Sent: Tuesday, April 23, 2024 3:45 PM

To: Dutta, Sharmista <sdutta@fewpb.com>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Gene Wilburn <gene.wilburn@franklincounty.ky.gov>; Autumn Dmytrewycz <agdmytrewycz@teamfishel.com>; Carter, Jim <jcarter@fewpb.com>

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

Subject: 110 and 112 Hawkeegan Drive_Technical Review

Good afternoon, Technical Review Team,

Attached is a project at 110 and 112 Hawkeegan Drive. This is for a Minor subdivision plat as well as a zone change. Please review and if you have any questions, comments or concerns please let me know. Thank you. Have a wonderful day.

Sincerely,

Tina Peck

Staff Planner

Deputy Floodplain Manager

Deputy ABC Administrator

Franklin County Planning and Zoning

321 West Main Street

Frankfort, KY 40601

502-875-8701

CAPITAL OF KENTUCKY

May 31, 2024

Tina Peck
Franklin County Planning and Building Codes
321 West Main Street
Frankfort, KY 40601

RE: 110 and 112 Hawkeegan Drive
Zone Change

Dear Tina,

The Frankfort Sewer Department (FSD) has received the proposed zone change. Please see attached comments.:

1. 112 is believed to be connected to the existing septic tank on the rear of 110 property.
 - a. 112 should connect to the public sewer as soon as possible.
2. The owner will be required to pay a capacity / tap fee based upon the number and size of water meters on the property. If the existing water meter is to be upsized the fee will be based upon the difference in size.

If you have any questions, please contact this office at 502.875.2448.

Sincerely,
Frankfort Sewer Department



Michael Hesse
Design Engineer

CC: Tina Peck, Franklin County Planning and Zoning
Kenny Hogsten, FSD
Robert Barker, FSD

315 W Second Street, Frankfort KY 40602
502-875-8500
www.frankfort.ky.gov

EQUAL OPPORTUNITY EMPLOYER
EQUAL HOUSING OPPORTUNITY



Layne Wilkerson, Mayor

Kelly May, Commissioner
Katrisha Waldrige, Commissioner
Leesa Unger, Commissioner
Kyle Thompson, Commissioner

Re: 110 and 112 Hawkeegan Drive_Zone Change

Michael Hesse <mhesse@frankfort.ky.gov>

Fri 5/31/2024 5:06 PM

To:Tina Peck <tina.peck@franklincounty.ky.gov>

Cc:Kenny Hogsten <khogsten@frankfort.ky.gov>;Robert Barker <rbarker@frankfort.ky.gov>

The County Health Department should force a connection on 112.

Michael Hesse

502.352.2012 Office

502.330.9551 Cell

On Fri, May 31, 2024 at 4:22 PM Tina Peck <tina.peck@franklincounty.ky.gov> wrote:

Thank you so much, Mr. Hesse. It sounds as though there is no objection from FSD of the zone change, but the property owner needs to be aware of your comments, is that correct? Thank you. Have a wonderful weekend.

Sincerely,

Tina Peck

Staff Planner

Deputy Floodplain Manager

Deputy ABC Administrator

Franklin County Planning and Zoning

321 West Main Street

Frankfort, KY 40601

502-875-8701

From: Michael Hesse <mhesse@frankfort.ky.gov>

Sent: Friday, May 31, 2024 3:32 PM

To: Tina Peck <tina.peck@franklincounty.ky.gov>

Cc: Kenny Hogsten <khogsten@frankfort.ky.gov>; Robert Barker <rbarker@frankfort.ky.gov>

Subject: Re: 110 and 112 Hawkeegan Drive_Zone Change

Please see attached comments

Michael Hesse

502.352.2012 Office

502.330.9551 Cell

On Wed, May 29, 2024 at 8:58 AM Tina Peck <tina.peck@franklincounty.ky.gov> wrote:

Hi, Mr. Hesse,

I hope you are well today. I am reaching out to you for an update on the 110/112 Hawkeegan zone change request. Do you have any issues or comments? Thank you so much. I appreciate you.

Sincerely,

Fw: 110 and 112 Hawkeegan Drive_Zone Change

Tina Peck <tina.peck@franklincounty.ky.gov>

Mon 6/3/2024 8:06 AM

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

📎 1 attachments (270 KB)

2024-06-13- TRT facility review-Zone Change- 110-112 Hawkeegan DR- RR to RB.pdf;

Hi, Jon,

Hope you are well today. We have a zone change case for 110 and 112 Hawkeegan Drive. I have attached a facility review. The FCSD stated that the County Health Department should force a connection on 112 (see message below). Please review for any comments you may have. Thank you. Have an awesome day!

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

From: Michael Hesse <mhesse@frankfort.ky.gov>
Sent: Friday, May 31, 2024 5:05 PM
To: Tina Peck <tina.peck@franklincounty.ky.gov>
Cc: Kenny Hogsten <khogsten@frankfort.ky.gov>; Robert Barker <rbarker@frankfort.ky.gov>
Subject: Re: 110 and 112 Hawkeegan Drive_Zone Change

The County Health Department should force a connection on 112.

Michael Hesse
502.352.2012 Office 502.330.9551 Cell



MICHAEL HESSE, P.E.

Frankfort Sewer Department,
Design Engineer
1270 Kentucky Ave. Frankfort, KY 40601

📞 (502) 875 - 2448

✉️ mhesse@frankfort.ky.gov

🌐 www.frankfort.ky.gov



Re: 110 and 112 Hawkeegan Drive_Zone Change

Tina Peck <tina.peck@franklincounty.ky.gov>

Mon 6/3/2024 8:07 AM

To: Michael Hesse <mhesse@frankfort.ky.gov>

Thank you, Mr. Hesse,

I have contacted FCHD on this matter.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

From: Michael Hesse <mhesse@frankfort.ky.gov>
Sent: Friday, May 31, 2024 5:05 PM
To: Tina Peck <tina.peck@franklincounty.ky.gov>
Cc: Kenny Hogsten <khogsten@frankfort.ky.gov>; Robert Barker <rbarker@frankfort.ky.gov>
Subject: Re: 110 and 112 Hawkeegan Drive_Zone Change

The County Health Department should force a connection on 112.

Michael Hesse
502.352.2012 Office 502.330.9551 Cell



MICHAEL HESSE, P.E.
Frankfort Sewer Department
Design Engineer
1290 Kentucky Ave. Frankfort, KY 40601
📞 (502) 875 - 2448 ✉️ mhesse@frankfort.ky.gov
🌐 www.frankfort.ky.gov



On Fri, May 31, 2024 at 4:22 PM Tina Peck <tina.peck@franklincounty.ky.gov> wrote:
Thank you so much, Mr. Hesse. It sounds as though there is no objection from FSD of the zone change, but the property owner needs to be aware of your comments, is that correct? Thank you. Have a wonderful weekend.

Sincerely,

This Message Originated from Outside the Organization

[Report Suspicious](#)

This Message Is From an External Sender.

Hi, Jon,

Below is the message received from Michael Hesse for 110 Hawkeegan Drive. The proposed plan at this time for 110/112 Hawkeegan is a zone change in order to subdivide the property.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

From: Michael Hesse <mhesse@frankfort.ky.gov>
Sent: Monday, June 3, 2024 11:24 AM
To: Tina Peck <tina.peck@franklincounty.ky.gov>
Cc: Randy Adams <radams@frankfort.ky.gov>; Kenny Hogsten <khogsten@frankfort.ky.gov>; Robert Barker <rbarker@frankfort.ky.gov>
Subject: Re: 110 and 112 Hawkeegan Drive_Zone Change

Our GIS mapping was updated on April 30, 2024 to reflect our field investigation. FSD believes the lateral location is as shown below in purple.



Michael Hesse
502.352.2012 Office

502.330.9551 Cell

On Mon, Jun 3, 2024 at 9:10 AM Tina Peck <tina.peck@franklincounty.ky.gov> wrote:

Hi, Mr. Hesse,

Mr. Cambron is asking if 110 Hawkeegan is already connected to the sewer?

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

From: Michael Hesse <mhesse@frankfort.ky.gov>

Sent: Friday, May 31, 2024 5:05 PM

To: Tina Peck <tina.peck@franklincounty.ky.gov>

Cc: Kenny Hogsten <khogsten@frankfort.ky.gov>; Robert Barker <rbarker@frankfort.ky.gov>

Subject: Re: 110 and 112 Hawkeegan Drive_Zone Change

The County Health Department should force a connection on 112.

Michael Hesse
502.352.2012 Office 502.330.9551 Cell

RE: 110 and 112 Hawkeegan Drive_Zone Change

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

Mon 6/3/2024 12:37 PM

To:Tina Peck <tina.peck@franklincounty.ky.gov>

This Message Originated from Outside the Organization

This Message Is From an External Sender.

Report Suspicious

Tina,

With the information we have at this time, our recommendation would be to hook to city sewer if the plan is to subdivide the lots further. Franklin County has a 1.5ac minimum lot size for septic and this proposal would be taking it in the opposite direction.

Thanks,



Jon Cambron, MS, RS

Onsite Program Manager

502-564-7647 x 206
Text: 270-929-3036

(fax) 502-564-5672

jonathan.cambron@ky.gov

FCHD.org

100 Glens Creek Rd, Frankfort, KY 40601



Facebook Instagram Twitter YouTube FCHDKentucky

MISSION Prevent. Promote. Protect. Franklin County.

VISION Public Health Saves Lives.

VALUES Helpfulness, Equity, Reliability, Optimism, Efficiency and Service

Please rate your experience with us at [FCHD.org/SatisfactionSurvey](https://www.fchd.org/SatisfactionSurvey)

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[Link to Jon Cambron Digital Business Card](#)

From: Tina Peck <tina.peck@franklincounty.ky.gov>

Sent: Monday, June 3, 2024 11:30 AM

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

Subject: Fw: 110 and 112 Hawkeegan Drive_Zone Change

112 Hawkeegan_FCSD tie in

Tina Peck <tina.peck@franklincounty.ky.gov>

Mon 6/3/2024 1:25 PM

To: woodsdewey [REDACTED] <woodsde [REDACTED]>

Hi, Mr. Woods,

Per our phone conversation today, the Franklin County Sewer Department and Health Department both recommend a tie in for 112 Hawkeegan Drive to the city sewer system. I also recommend this action as well, since the Health Department requires at least 1.5-acres for septic. Therefore, with the subdivision proposal you will not have enough acreage for a septic system. Even though this is a step for the development phase of your project, it is a good idea to address this matter during the re-zoning process.

Please acknowledge receipt of this email and that you plan on tying 112 Hawkeegan Drive into the city sewer system during the development phase. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

Re: 112 Hawkeegan_FCSD tie in

Dewey Woods <[REDACTED]>

Mon 6/3/2024 3:35 PM

To: Tina Peck <tina.peck@franklincounty.ky.gov>

Received, thank you. I will be tying 112 Hawkeegan Drive into sewer system

Thanks,
Dewey Woods

On Monday, June 3, 2024 at 01:25:08 PM EDT, Tina Peck <tina.peck@franklincounty.ky.gov> wrote:

Hi, Mr. Woods,

Per our phone conversation today, the Franklin County Sewer Department and Health Department both recommend a tie in for 112 Hawkeegan Drive to the city sewer system. I also recommend this action as well, since the Health Department requires at least 1.5-acres for septic. Therefore, with the subdivision proposal you will not have enough acreage for a septic system. Even though this is a step for the development phase of your project, it is a good idea to address this matter during the re-zoning process.

Please acknowledge receipt of this email and that you plan on tying 112 Hawkeegan Drive into the city sewer system during the development phase. Thank you so much.

Sincerely,

Tina Peck
Staff Planner
Deputy Floodplain Manager
Deputy ABC Administrator
Franklin County Planning and Zoning
321 West Main Street
Frankfort, KY 40601
502-875-8701

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.
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.



Suburban Residential Neighborhood

Suburban residential neighborhoods should provide safe and attractive places for people to live. These neighborhoods may be designed in a variety of ways to provide City/County residents with a variety of housing options. The primary land use within these neighborhoods is single family residential homes; however, attached housing and multi-family homes in these areas can create a transition between single family homes and higher intensity uses such as commercial developments. Open Space, parks, sidewalks, connectivity, and access to transportation alternatives are desired features in these neighborhoods.

Land Use Guidelines

- The primary land uses in the Suburban Residential Neighborhoods should be single family detached homes.
- Attached housing, duplexes and multi-family housing may be appropriate where it serves as a buffer/transition between lower intensity residential uses and more intense multi-family, commercial or industrial uses.
- Non-residential, non-industrial uses may be appropriate at the intersections of two major arterial roadways.



Development Guidelines

1. New development should occur in areas where water and sewer services are served by public agencies and can meet any additional demand.
2. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.
3. Provide flexibility in the design and intensity of development to create land use transitional areas and minimize impacts on neighboring uses through increased landscaping, buffering and setbacks.
4. Emphasis should be placed on developing new neighborhoods in between existing communities with similar characteristics prior to development along the outskirts of the existing urban area. Such in-fill strategies will help minimize the need for infrastructure improvements and will help manage urban sprawl.
5. Developments with a mixture of housing types should be encouraged where the development meets the overall density requirements.
6. Developments should be planned to include neighborhood parks and greenspace that provide amenities to local residents and work toward providing a link with the community's existing parks and recreation in conformance with a park and recreation plan.

7. Developers should incorporate the protection of natural resources, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment.
8. Maximize interconnectivity between adjacent neighborhoods, schools and to major roadways through multiple ingress/egress points and connections with existing roadways, sidewalks and trail systems, while discouraging commercial traffic flowing through a residential subdivision.
9. The development of attached housing and multi-family housing should be encouraged so as to provide the residents of Frankfort and Franklin County with a variety of housing options.
10. The scale and character of attached housing and multi-family housing should take into consideration the character of surrounding developments.
11. Promote the development of convenient retail uses in highly developed areas to help serve the day-to-day needs of residents within walking distance of their homes.
12. The size and scale of commercial uses in these areas should reflect the character of surrounding uses.

Urban Neighborhood

Frankfort is fortunate to have several existing urban neighborhoods that are rich with a mixture of housing types and neighborhood commercial services. These neighborhoods are located on grid roadway networks that interconnect a large portion of the Frankfort urban areas. The existing mixture of uses ranging from single family detached housing to duplexes and multi-family housing should be continued with an emphasis on maintaining the existing housing stock and infill development. Where appropriate, neighborhood commercial areas should be continued or created to provide the necessary day-to-day needs of residents within walking distance of their homes.



3

Suburban Area Subdivision and Development Design Requirements

3.01.00 GENERALLY

3.01.01 Intent

The requirements of Part 3 are provided to ensure that the SUBDIVISIONS and DEVELOPMENT PLANS within the Suburban Area are consistent with the predominant characteristics of suburban types of development. It is the intent of the PLANNING COMMISSION that land proposed to be subdivided shall be suitable for development, including consideration of flood hazards; geologic hazards; availability of adequate water supply, sewage disposal, storm water facilities, transportation facilities, and schools; or consideration of other such conditions as may endanger the health, life, or property of the citizens of Frankfort and Franklin County.

Commentary Pertaining to 3.01.00

A BUILDING SITE is any group of one (1) or more LOT(S) or parcel(s) occupied or intended for DEVELOPMENT as a unit, whether or not as part of a larger DEVELOPMENT SITE. BUILDING SITE area does not include surface water bodies or floodways, but does include wetlands. (From Part 10 - Definitions)

3.01.02 Applicability

SUBDIVISIONS and DEVELOPMENT PLANS within the boundaries of the Suburban Area, as depicted on the Map of Urban, Suburban, and Rural Areas (Figure 1.1 located in Part 1), shall comply with the requirements of this Part. (See Section 1.07.00 for the rule applicable to properties located in more than one type of area.)

3.02.00 STANDARDS FOR LOT LAYOUT AND SITE DESIGN

3.02.01 Compliance with Zoning District Requirements

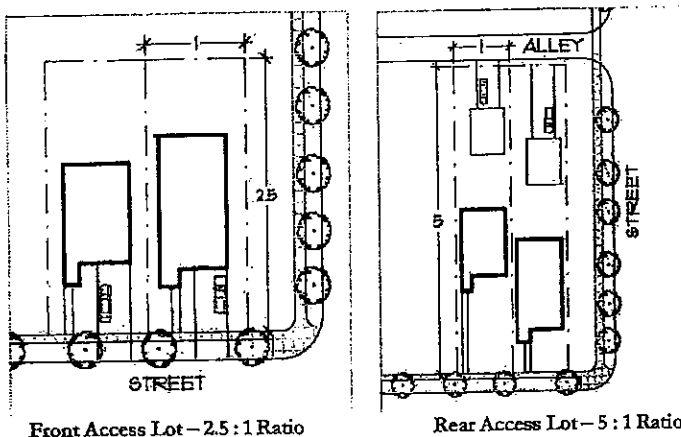
The SUBDIVISIONS and DEVELOPMENT PLANS within the Suburban Area shall comply with the requirements of the zoning district in which the SUBDIVISION or site is proposed. Zoning district regulations govern BUILDING PLACEMENT, density, and intensity of use.

FRANKFORT AND FRANKLIN COUNTY SUBDIVISION
AND DEVELOPMENT PLAN REGULATIONS

3.02.02 Lot and Block Design Requirements

- A. LOT AREA and dimensions shall conform to the applicable zoning district standards, except as provided below. LOT AREA shall be consistent with the average LOT AREA within the NEIGHBORHOOD, but not less than the minimum standards established for the applicable zoning district(s). Consistency means that the proposed LOTS are within ten (10) percent of the average LOT AREA of all LOTS within the NEIGHBORHOOD.
- B. LOT DEPTH to width ratio standards will be based on the type of access. Where access to a LOT is from a frontage STREET, the lot depth to width ratio should not exceed 2.5 to 1. Where access is located at the rear of a LOT, either by ALLEY, STREET or BASEMENT, the lot depth to width ratio should not exceed 5 to 1 or a maximum depth of two hundred (200) feet.

Figure 3.1 Lot Depth to Width Standards



Commentary Pertaining to 3.02.02(B)

The intent of Section 3.02.02 (B) is to ensure that new subdivisions and Building Sites in the Suburban area are of similar configuration and that lot or building site area is as similar as possible to the existing development pattern.

Average lot area is determined by summing the total lot area of all lots within the "neighborhood." Neighborhood can be defined by one of three methods depending on the context. The first method is generally applicable for residential neighborhoods with a predominant housing type. In this context the average lot area is determined by summing the area of all lots and/or Building Sites within the same block and all abutting blocks, then dividing by the total number of lots and/or Building Sites within the same area.

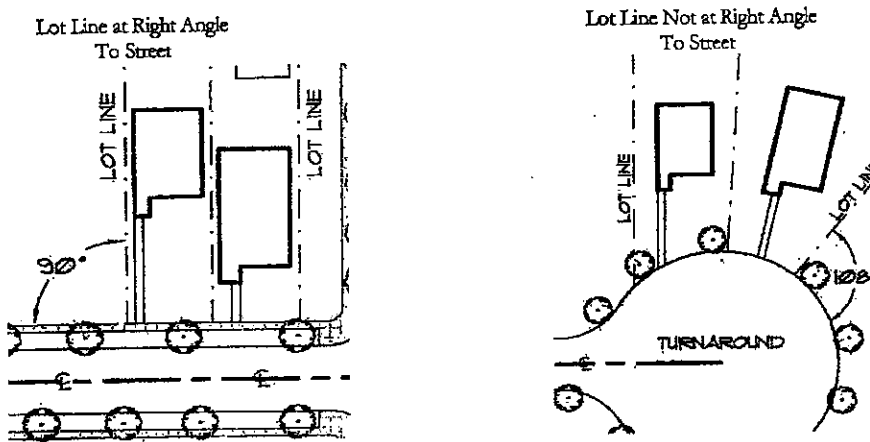
The second method is for neighborhoods with multiple housing types. In this context the average lot area is determined by summing the width of all lots and Building Sites within the same block face along both sides of the street, then dividing by the total number of lots and Building Sites within that same area.

The third method is intended to address a mixed use or non-residential context. Average Building site Area can be determined by summing the area of all Building Sites fronting the same street within two blocks of the proposed subdivision or site development, and dividing by the total number of Building Sites in that same area.

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AND DEVELOPMENT PLAN REGULATIONS**

C. LOTS shall be configured so that side LOT lines are at right angles to the LOT FRONTAGE or STREET FRONTAGE wherever practical. Lots fronting on the narrow portion of a cul-de-sac street represent one situation where it may not be practical for side lot lines to form a right angle with the lot or street frontage.

Figure 3.2 Illustration of Lot Line Standards

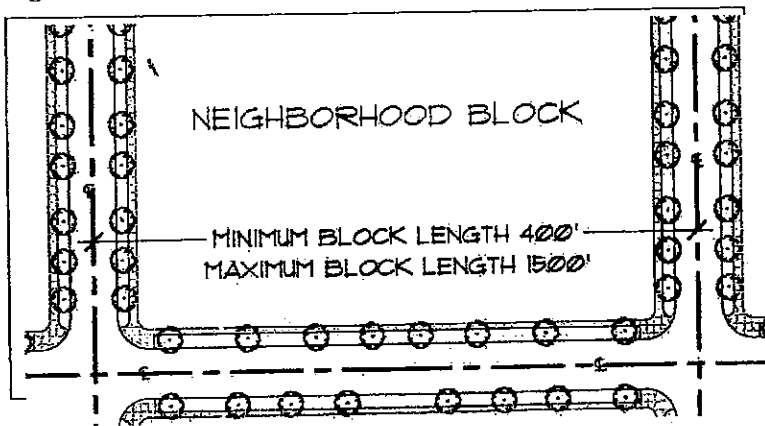


- D. SUBDIVISIONS should not be configured with DOUBLE FRONTAGE or REVERSE FRONTAGE LOTS, unless the configuration is needed to provide for the separation of residential DEVELOPMENT from major transportation THOROUGHFARES; LOTS developed or zoned for commercial use; LOTS developed or zoned for industrial use; or lots developed or zoned Planned Unit Developments (PUD).
- E. CORNER LOTS shall have sufficient frontage on the two ABUTTING STREETS to ensure that all BUILDING PLACEMENT standards are met.
- F. The length of BLOCKS along the primary street frontage should be consistent with the average BLOCK length of the NEIGHBORHOOD, but shall not be less than 400 feet or more than 1500 feet. BLOCK length shall be measured from the centerline of intersecting STREETS that establish the BLOCK. The determination of the primary street frontage shall be based on the highest functional classification. Where all streets that form the BLOCK are of the same functional classification, the primary street frontage shall be determined from the longest STREET.
- G. BLOCKS should be configured to accommodate two (2) rows of LOTS. An exception may be granted where DOUBLE FRONTAGE LOTS or REVERSE FRONTAGE LOTS are allowed, pursuant to 3.02.02 (E).

**FRANKFORT AND FRANKLIN COUNTY SUBDIVISION
AND DEVELOPMENT PLAN REGULATIONS**

- H. All LOTS shall abut a THOROUGHFARE or NEIGHBORHOOD STREET for a minimum of twenty feet.
- I. FLAG LOTS shall not be permitted in the Suburban Area.

Figure 3.3 Block Design Standards



**FRANKFORT AND FRANKLIN COUNTY SUBDIVISION
AND DEVELOPMENT PLAN REGULATIONS**

3.03.00 TRANSPORTATION SYSTEM REQUIREMENTS

3.03.01 Street System Classification

A. The proposed STREET system of the SUBDIVISION or site shall conform to the system of THOROUGHFARES and NEIGHBORHOOD STREETS established in the Suburban Area. Extensions and connections of new THOROUGHFARES and STREETS to existing THOROUGHFARES and STREETS shall be required to continue the transportation system and pattern of the Suburban Area. The proposed transportation system shall provide for adequate and safe on and off-street parking, and adequate and safe loading and unloading of goods and equipment.

B. The proposed street system of the SUBDIVISION or site shall conform to the MAJOR STREET PLAN. (See Transportation Plan contained in the Frankfort and Franklin County Comprehensive Plan.)

3.03.02 Design Standards - Thoroughfares and Neighborhood Streets

A. The minimum RIGHT-OF-WAY width, as measured from LOT line to LOT line, shall be as provided in the MAJOR STREET PLAN, but shall not be less than the standards shown below in Table 3.1.

Table 3.1 Minimum Right-of-Way Requirements – Suburban Area

Urban Area Street Type Classification	Minimum ROW (feet) No On-Street Parking CG Section(1)		Minimum ROW (feet) With On-Street Parking One or Both Sides CG Section (1)	
	3 lanes	5 lanes	3 lanes	5 lanes
Thoroughfares	80	104	96	NA
Arterial	70/80(3)	94/104(3)	86/96 (3)	110/120 (3)
Collector	50	NA	NA	NA
Marginal/Frontage	2 lanes	3 lanes	2 lanes	3 lanes
Neighborhood Streets	60	71	76/86(3)	87/97
Major	40	NA	50 (5)	NA
Minor	30 (4)	NA	NA	NA
Alley/Common Drive (2)				

(1) CG section includes the curb and gutter along both sides of the STREET as well as raised medians.

(2) Curbs and gutters are required for the Alley/Common Drive unless waived by the applicable ENGINEERING OFFICIAL.

(3) The additional 10 feet of RIGHT-OF-WAY may be required for the purpose of increasing the width of sidewalks when the THOROUGHFARE or NEIGHBORHOOD STREET provides access to commercial properties or pedestrian traffic is significant.

(4) The minimum RIGHT-OF-WAY may be increased to provide for drainage facilities and a portion of the required RIGHT-OF-WAY may be provided in an utility easement.

(5) On-street parking is only permitted along one side of the street opposite to side containing fire hydrants and potable water lines. Where on-street parking is provided the curb shall be painted and a sign placed to denote where on-street parking is prohibited.

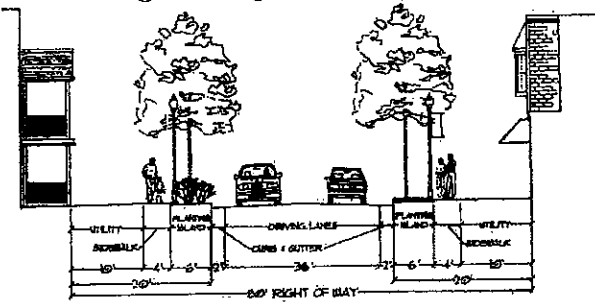
Note: The references to 3 and 5 lanes for STREET types are based on two or four travel lanes and one left turn lane.

Note: The RIGHT-OF-WAY standards assume that left turn lanes are painted to separate movements. If a raised median is planned, the right-of-way requirements will be increased to accommodate the additional curb and gutter.

B. Typical Cross-Sections and Requirements for Thoroughfares and Neighborhood Streets – The following Figures contain all RIGHT-OF-WAY and design requirements that shall be applicable for these classifications.

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AND DEVELOPMENT PLAN REGULATIONS

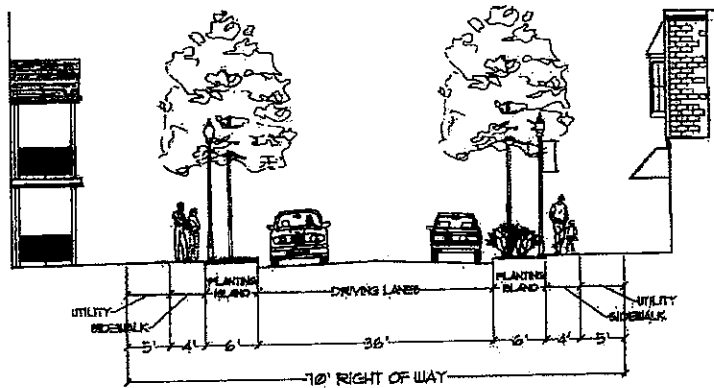
Figure 3.4 Thoroughfare Design Standards



Arterial Thoroughfare Cross-Section

If on-street parking is included, an additional 8 feet per side is recommended for parking lanes

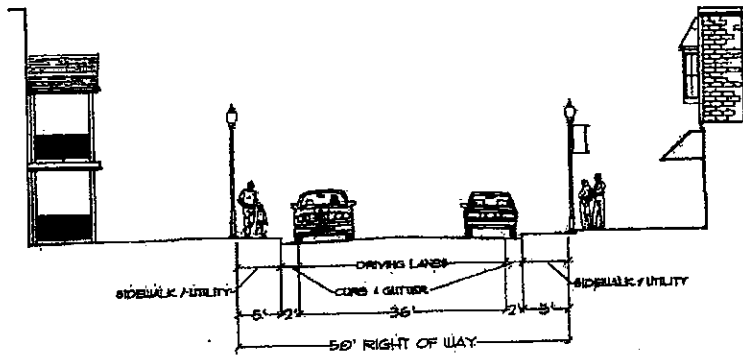
Figure 3.4 Thoroughfare Design Standards - continued



Collector Thoroughfare Cross-Section

If on-street parking is included, an additional 8 feet per side is recommended for parking lane

FRANKFORT AND FRANKLIN COUNTY SUBDIVISION
AND DEVELOPMENT PLAN REGULATIONS

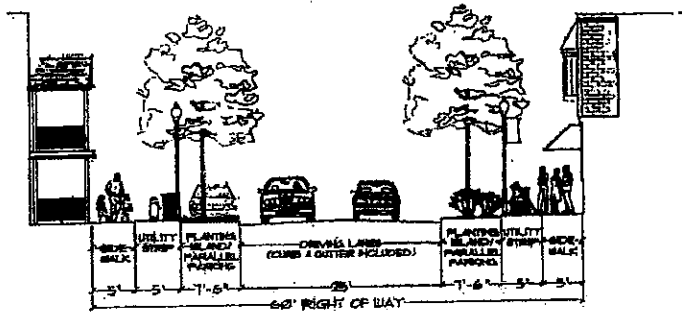


Marginal/Frontage Thoroughfare Cross-Section

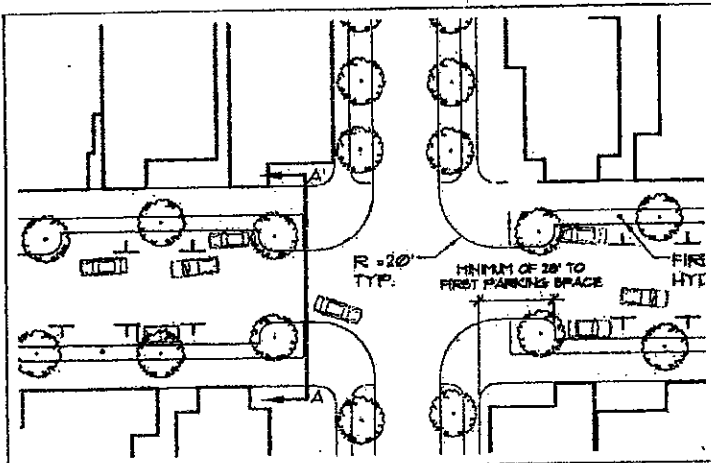
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Figure 3.5 Major Neighborhood Street Design Standards

Major Neighborhood Streets should be utilized within SUBDIVISIONS and sites when serving a mixture of residential and non-residential LAND USES, or high density or intensity development. This classification of Local Street is also appropriate when the road will serve as an internal collector, providing access from Minor Neighborhood Streets to Major Thoroughfares.



MAJOR STREET ELEVATION A-A'

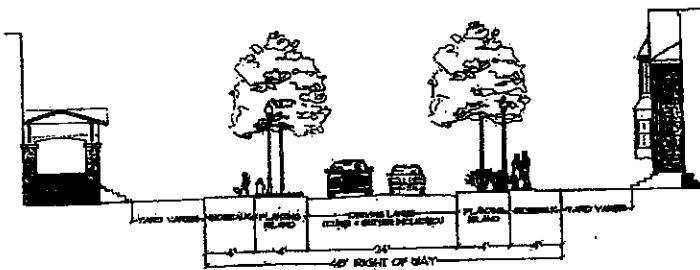


MAJOR STREET PLAN
(Major Street Plan – Internal Layout - not an entrance detail.)

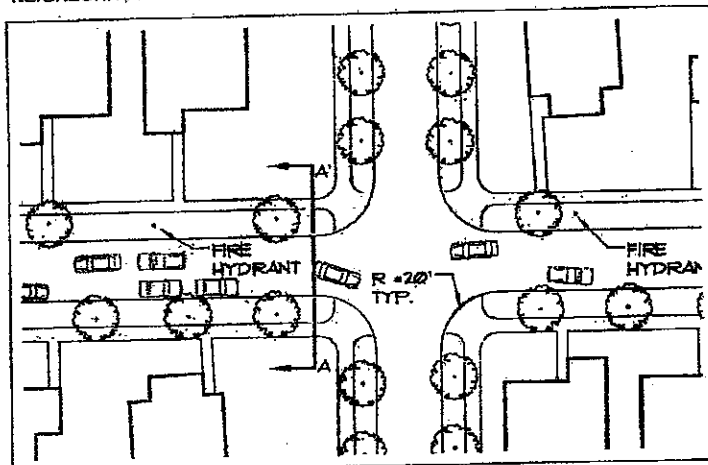
**FRANKFORT AND FRANKLIN COUNTY SUBDIVISION
AND DEVELOPMENT PLAN REGULATIONS**

Figure 3.6 Minor Neighborhood Street Design Standards

Minor Neighborhood Streets should be utilized within SUBDIVISIONS and sites to provide access to individual LOTS and BUILDING SITES. When Minor Neighborhood Streets are utilized in conjunction with ALLEYS, on-street parking along one side of the STREET should be provided. When ALLEYS are not present, on-STREET parking should not be provided.



NEIGHBORHOOD MINOR STREET - ELEVATION A-A'



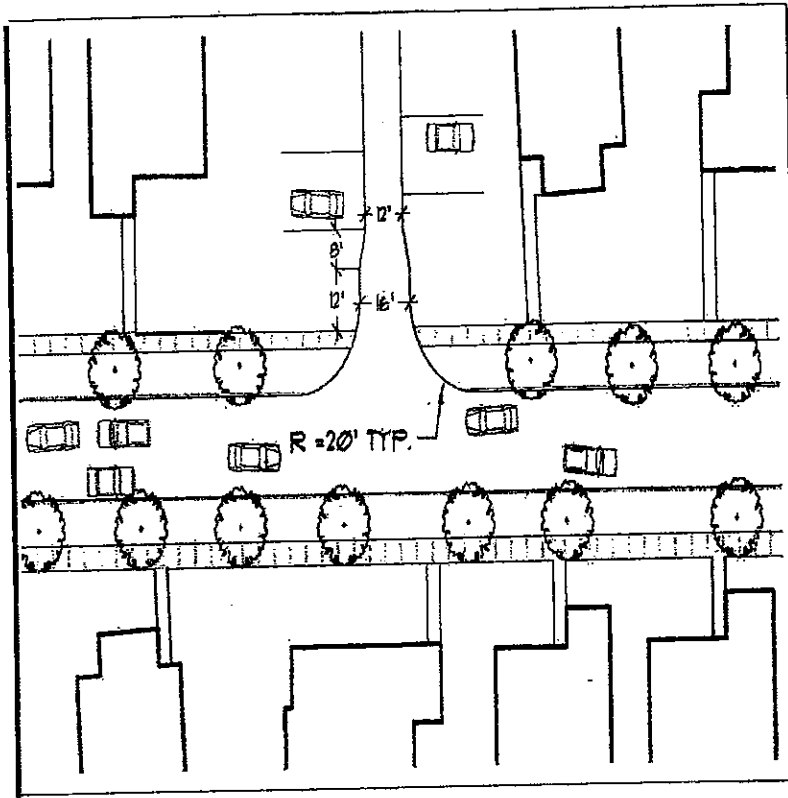
NEIGHBORHOOD MINOR STREET PLAN

50' RIGHT-OF-WAY, ON-STREET PARKING ONLY PERMITTED ALONG ONE SIDE OF THE STREET 20' CURB RADIUS AT TRAVEL LANE. SIDEWALKS 4' WIDTH MINIMUM

(Minor Street Plan – Internal Layout - not an entrance detail)

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AND DEVELOPMENT PLAN REGULATIONS

Figure 3.7 Neighborhood Alley/Common Drive Design Standards



C. SUBDIVISIONS that are platted or sites proposed for DEVELOPMENT along existing THOROUGHFARES and STREETS that do not meet the standards of 3.03.02(A) shall provide additional RIGHT-OF-WAY sufficient to meet the minimum standards.

1. Where the SUBDIVISION or SITE is located on one side of the existing STREET that does not meet the minimum RIGHT-OF-WAY standards, one-half (1/2) of the needed RIGHT-OF-WAY shall be provided. The required RIGHT-OF-WAY shall be based on a measurement from the centerline of the existing STREET.
2. Where the SUBDIVISION or site is located along both sides of an existing STREET that does not meet the minimum RIGHT-OF-WAY standard, all additional RIGHT-OF-WAY shall be provided.
3. The minimum pavement width for THOROUGHFARES and STREETS shall be as indicated in the cross sections for THOROUGHFARES and STREETS.

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D. The centerline of all THOROUGHFARES and STREETS shall intersect as nearly at a ninety (90) degree angle as possible for a tangent distance of at least one hundred (100) feet, but in no case shall the angle of intersection be less than seventy-five (75) degrees or greater than one hundred and five (105) degrees.

E. Where T-type intersections are permitted, the following minimum offsets set forth in Table 3.2 shall be required.

Table 3.2 Minimum Offset Requirements for T-type Intersections

Intersection Type	Minimum Offset Between Centerlines (in feet)
Arterial with Arterial	600
Arterial with Collector or Frontage	600
Arterial with Major Neighborhood St.	600
Arterial with Minor Neighborhood St.	600
Collector with Collector	400
Collector with Frontage	400
Collector with Major Neighborhood St.	400
Collector with Minor Neighborhood St.	400
Major Neighborhood St. with Minor or Alley/Common Dr.	150

F. Intersections shall not be designed with more than four (4) approaches. This design requirement shall not be construed to prohibit merging lanes, deceleration lanes, or traffic circles.

G. The highest classification of THOROUGHFARE or NEIGHBORHOOD STREET shall be considered the through STREET when intersecting with any other classification of THOROUGHFARE or NEIGHBORHOOD STREET.

H. The minimum and maximum GRADES for all classified STREETS is shown in the following table:

Table 3.3 Minimum and Maximum Grades

Thoroughfare or Neighborhood Street Type	Grades	
	Minimum	Maximum
Arterial	0.5%	5%
Collector/Frontage	0.5%	8%
Major/Minor/Alley	0.5%	8-12% (1)

(1) The GRADE may not exceed 8% unless specifically authorized by the applicable ENGINEERING OFFICIAL and provided that additional landing area is provided where the STREET intersects with another STREET.

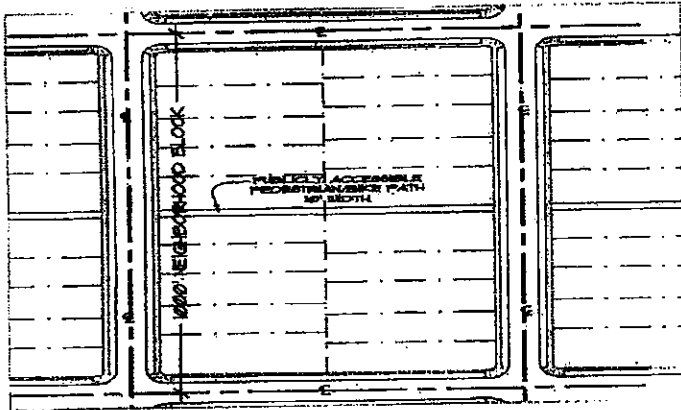
I. Where the GRADE of any THOROUGHFARE or NEIGHBORHOOD STREET at the approach to an intersection exceeds three (3) percent, a leveling area shall be provided, having a GRADE not greater than three (3) percent for a distance of fifty (50) feet back from the edge of the RIGHT-OF-WAY of the intersecting STREET.

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- J. A change in GRADE shall be connected by a vertical curve that provides a minimum sight distance equal to: the distance an automobile will travel in six (6) seconds at the design speed of the road; or 220 feet at 25 MPH, 310 feet at 35 MPH, 400 feet at 45 MPH, 500 feet at 55 MPH. This standard may be reduced at the discretion of the applicable ENGINEERING OFFICIAL in order to preserve scenic, cultural or historic resources.
- K. The minimum horizontal curve radius for THOROUGHFARES shall be 600 feet and 100 feet for NEIGHBORHOOD STREETS unless an alternative is approved by the applicable ENGINEERING OFFICIAL.
- L. The minimum radius for THOROUGHFARE curb intersections shall be thirty-five (35) feet. The minimum radius for NEIGHBORHOOD STREET curb intersections shall be twenty (20) feet. All measurements shall be from the pavement edge.
- M. Dead-end NEIGHBORHOOD STREETS shall not be included in SUBDIVISIONS proposed in the Suburban Area, unless topography or the existing STREET pattern requires a dead-end street. When a dead-end street is proposed, the STREET shall meet the following standards:
1. The STREET shall be designed as a permanent dead-end street
 2. The dead-end STREET shall not be longer than 500 feet
 3. The STREET shall be designed with a closed end with a turn-around at a minimum centerline radius of fifty (50) feet.
- N. THOROUGHFARE and NEIGHBORHOOD STREET names shall meet the following standards as well as those in Part 9 Street Naming, Closing and Site Addressing Procedures
1. THOROUGHFARE and NEIGHBORHOOD STREET extensions shall bear the same name as the existing STREET.
 2. THOROUGHFARE and NEIGHBORHOOD STREETS that align with existing STREETS shall bear the same name as the existing STREET.
- O. There shall be no private THOROUGHFARES or NEIGHBORHOOD STREETS in Suburban Area SUBDIVISIONS, except that dedication to the public of a cross-access BASEMENT for ALLEYS is acceptable.
- P. In BLOCKS over one thousand (1,000) feet in length, the PLANNING COMMISSION may require one (1) or more publicly accessible pedestrian and/or bike pathways ten (10) feet in width to extend approximately from the midpoint of one BLOCK face to the midpoint of the opposing blockface.

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Figure 3.8 Location of Publicly Accessible Pedestrian/Bike Path



Q. THOROUGHFARE and NEIGHBORHOOD STREET PAVEMENT design and construction standards are shown in Table 3.4. PAVEMENT base shall consist of not less than two courses (five inch maximum per lift) of dense graded aggregate laid and rolled separately to at least ninety (90) percent maximum density, totaling the required number of inches based on STREET type for the full width of PAVEMENT and including any proposed shoulder/curb. Sub-grade shall have been graded and rolled to ninety (90) percent of maximum density prior to the placement of the first course of aggregate. A bituminous binder course shall be applied with the thickness at the thinnest point as required for the applicable STREET type. A surface or wearing course of Asphalt Concrete, Class I, Type "A", or the equivalent shall be applied, with a thickness at the thinnest point of one (1.5) inches.

Table 3.4 Pavement Design and Construction Standards

Type	Compacted DGA Base (inches)	Bituminous Asphalt Base (inches)	Finish Grade Bituminous Asphalt (inches)
Arterial	12	4	1.5
Collector	10	4	1.5
Neighborhood Streets	10	3	1.5

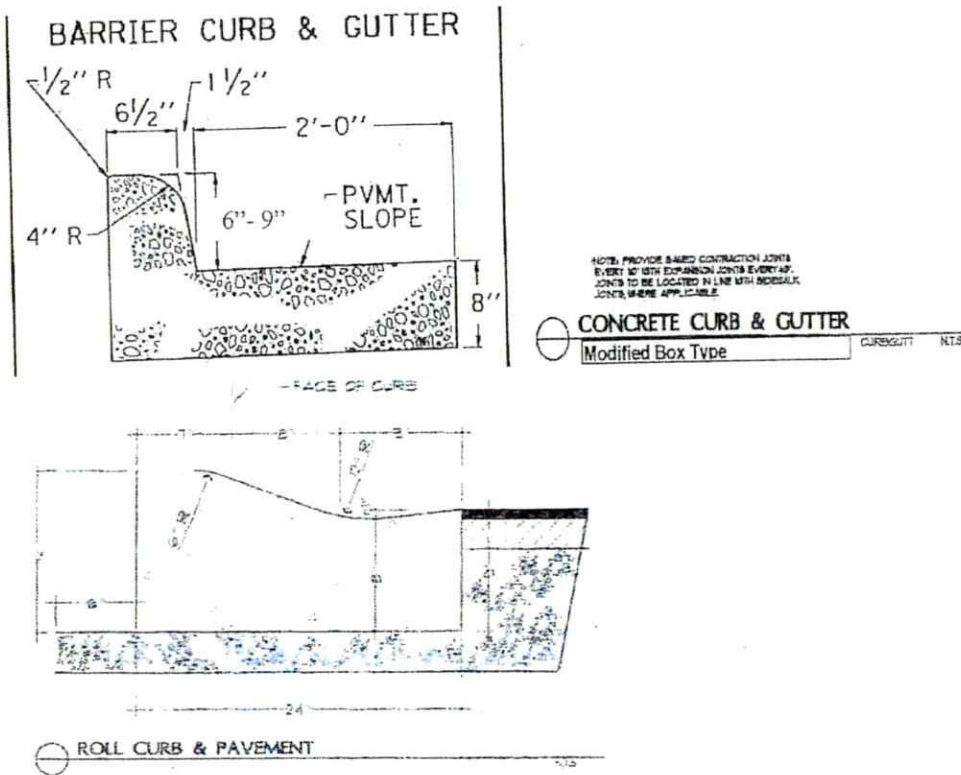
R. Straight battered Portland cement box type or Portland cement roll type, concrete curbs and gutters shall be designed in accordance with current Kentucky Bureau of Highways standards or AASHTO. The box type curb and gutter section shall be required on all THOROUGHFARES and the roll type CURB and gutter section may be constructed in conjunction with a NEIGHBORHOOD STREETS in the Suburban Area. This standard shall not be modified. In addition, the following is required when box or roll type curb and gutter sections are planned and constructed.

1. Cut-outs and repair of straight or roll type curb and gutter sections to accommodate driveways, alleys or other forms of access shall be completed prior to the issuance of a certificate of occupancy for any principal structure on the building site served by the driveway, alley or other form of access. (8-27-07)

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- Developers may install all driveway aprons at time of installation of the curbs to avoid the costs associated with removing such curbs at time of installing a driveway connection onto the new road system.

Figure 3.9 Illustration of Box Type Concrete Curb and Gutter Alternatives



S. ALTERNATIVE TO DESIGN STANDARDS. Any applicant with a project that requires the installation of public infrastructure may request to the appropriate Engineering Official design standards that are consistent with the American Association of State Highway and Transportation Official (AASHTO) design standards (including any amendments thereto) for the following specific areas:

- Pavement design and construction standards
- Radius of intersections
- Radius of horizontal curves
- Radius of vertical curves
- Maximum grade slope

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When the Engineering Official has determined that the request is consistent with the AASHTO standards, such designs may be authorized without the need of Planning Commission review.

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3.03.03 Design Standards for Street Drainage

All **STREETS** shall be designed in accordance with the applicable storm water management and design guidelines for the City of Frankfort or Franklin County.

3.03.04 Design Standards for Street Signs

Developers of **SUBDIVISIONS** and sites are responsible for placement of **STREET** signs in accord with the following requirements:

- A. The developer shall place at least two **STREET** name signs at each four-way **STREET** intersection and one at each "T" intersection;
- B. **STREET** signs shall be installed within the parkway, free of visual obstruction, and easily legible;
- C. All **STREET** signs must be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) standards and shall be metal with reflective lettering; and,

Commentary Pertaining to 3.03.03 (C)

The MUTCD can be viewed or downloaded from the following website.
<http://mutcd.fhwa.dot.gov/12.28.01.htm>

- D. The developer, or successor in interest, will be responsible for the maintenance and replacement, when necessary, of any aspect of a required **STREET** sign that exceeds the minimum requirements of the MUTCD and has been approved by the applicable **ENGINEERING OFFICIAL**. This would include decorative features associated with the signage.

3.03.05 Street Connectivity Standards

- A. Wherever a proposed **SUBDIVISION** or site abuts unplatted land or a future **DEVELOPMENT** phase of the same development, **STREET** stubs shall be installed to allow access to abutting properties or to logically extend the **STREET** system into the surrounding area.
- B. All **STREET** stubs shall be installed with a turn-around having a radius at the outside of the **PAVEMENT** of forty-five (45) feet, and a radius at the outside of the **RIGHT-OF-WAY** of at least fifty (50) feet.

3.03.06 Design Standards for Sidewalks

- A. All **SIDEWALKS** shall be constructed of Portland Cement concrete, or other material acceptable to the applicable **ENGINEERING OFFICIAL**, with a minimum three thousand five hundred (3,500) pounds per square inch Class A concrete, and shall have a minimum thickness of four inches and contain fiber reinforced mesh.
- B. **SIDEWALKS** shall be constructed on thoroughly compacted sub **GRADE** and shall conform in width to the requirements for specific **THOROUGHFARE** or **NEIGHBORHOOD STREET** classifications.

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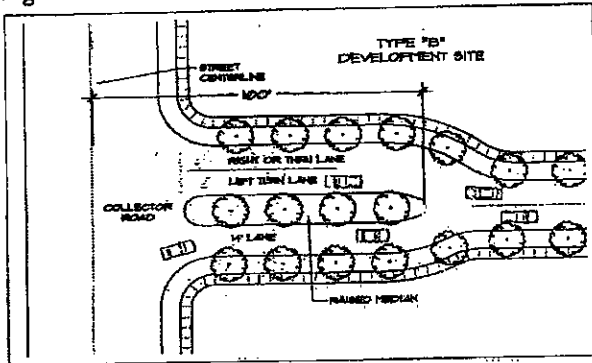
- C. SIDEWALKS shall be scored in squares, with the minimum spacing based on one (1) foot per foot of SIDEWALK width. Expansion joints shall be placed at thirty-two (32) foot intervals, or where necessary based on the GRADE, location of driveways, and other features of the sidewalk corridor. SIDEWALK slope toward the curb shall be one-quarter (1/4) of an inch to the foot.
- D. SIDEWALKS shall be located not less than six (6) inches from the property line in residential areas to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date.
- E. SIDEWALKS shall be designed to connect to and extend existing SIDEWALKS.
- F. Ramps at intersections shall be provided to comply with the design requirements of the Americans with Disabilities Act.
- G. SIDEWALKS should properly connect with pedestrian crosswalks, and part of the responsibility of the developer for the installation of SIDEWALKS will include the delineation of pedestrian crosswalks on the surface of the STREET consistent with the requirements of the applicable ENGINEERING OFFICIAL.
- H. SIDEWALKS are required along both sides of a STREET as depicted in Section 3.03.01.

3.03.07 Emergency Vehicle Access

- A. SUBDIVISIONS or sites shall provide for emergency vehicle access consistent with the type and density or intensity of use.
- B. For proposed developments of fifty (50) or fewer residential LOTS or 30,000 square feet or less of gross floor area of non-residential use (Type A Development) a single two (2) lane, two-way access from the SUBDIVISION or site to the transportation system shall be sufficient for emergency access. A single one-way lane may be permitted as an alternative to the standard above with written approval of the applicable ENGINEERING OFFICIAL.
- C. For proposed developments with fifty-one to one hundred (51-100) residential LOTS or 30,001-150,000 square feet of gross floor area of non-residential use (Type B Development), a single lane ingress and a two lane egress access divided by a raised median shall be sufficient for emergency access. The length of this divided access, measured from the centerline of the connecting THOROUGHFARE or STREET shall be determined from Table 3.5 on the following page. The width of the median is provided in 3.03.09.

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Figure 3.10 Illustration of Driveway Design for Emergency Vehicle Access



- D. For proposed DEVELOPMENTS with more than one hundred (100) residential LOTS or 150,001 or more square feet of gross floor area of non-residential use (Type C Development), a minimum of two (2) separate access STREETS or driveways to the abutting transportation system shall be provided. If a development site fronts on two roadways, other than Interstate 64, then a driveway on each shall be required. The type and design requirements for both of these access STREETS or both driveways should be separated with a raised median as shown in figure 3.10 above unless otherwise determined in writing by the ENGINEERING OFFICIAL upon recommendation of both the applicable Fire Chief and Planning Director.

Table 3.5 Length of Access Based on Street Classification

Roadway Type	Type A Development	Type B Development	Type C Development
Arterial	100 ft.	120 ft.	160 ft.
Collector	80 ft.	100 ft.	140 ft.
Neighborhood Streets	60 ft.	100 ft.	120 ft.

3.03.08 Access from Residential Lots to Thoroughfares

Access from residential LOTS to THOROUGHFARES shall be prohibited in the Suburban Area except where the provision of access is determined by the PLANNING COMMISSION to be an important element in the preservation of the scenic or historic character of the thoroughfare or street. Where such access is allowed, the spacing of such access locations shall conform to the general pattern of LOT access driveways along the roadway.

Commentary Pertaining to Sections 3.03.07 and .08

In addition to the access management standards of these sections, please refer to the access management requirements of the Zoning Regulations.

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3.03.09 Access Connection and Driveway Design Standards

Driveways from individual LOTS or BUILDING SITES to THOROUGHFARES or NEIGHBORHOOD STREETS shall be designed in accordance with the standards below:

A. Driveway width shall be determined by the following requirements:

1. If the driveway is a one-way in or one-way out drive, then the driveway shall be a maximum width of sixteen (16) feet and shall designate the driveway as a one-way connection.
2. For two-way access, each lane shall have a width of twelve (12) feet. Whenever more than two (2) lanes are proposed, entrance and exit lanes shall be divided by a raised median. The median shall be not less than four (4) feet wide or thirteen (13) feet wide if five (5) or more lanes are proposed. An exception to this median design is if the access is on a state right-of-way and the KYTC will not approve this design with the minimum median size. The applicant must provide written documentation to the Planning Director that KYTC will not approve such a design and what alternative design closest to the requirement will be acceptable to KYTC.

NOTE: Nothing in this section shall prevent the applicable Engineering Official to allow the median to be tapered or striped for safety purposes.

3. Driveways that enter the major THOROUGHFARE or NEIGHBORHOOD STREET at traffic signals must have at least two outbound lanes (one for each turning direction) of a least twelve (12) feet in width, and one inbound lane with a fourteen (14) foot width unless otherwise authorized by the applicable Engineering Official.
- B. On-street parking shall be prohibited within the entire length of the access driveway as determined from Table 3.5.
- C. Driveway GRADES shall conform to the requirements of the Kentucky Transportation Cabinet Standard Index, Roadways and Traffic Design Standard Indices, latest edition, but in no case shall a driveway GRADE exceed twelve (12) percent.
- D. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers is not permitted.

3.04.00 PUBLIC FACILITY AND SERVICE REQUIREMENTS

3.04.01 Required Facilities and Services

SUBDIVISIONS AND DEVELOPMENT PLANS proposed within the Suburban Area shall provide for the following facilities and services: potable water, sanitary sewer, flood hazard protection, storm-water management, gas, electricity, cable, and telephone.

3.04.02 Water System Design and Fire Protection Standards

All Suburban Area SUBDIVISIONS and sites are required to have adequate potable water service from a public utility provider for drinking water and fire protection. All SUBDIVISIONS and sites shall comply with the design standards below and, where applicable, those standards adopted by the Frankfort Plant Board. Where standards contained herein are determined to conflict with the standards adopted by the Frankfort Plant board or other potable water provider, the more stringent standard shall apply. The applicable ENGINEERING OFFICIAL shall consult

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with the utility service provider and make the final determination that standards are in conflict and which standard is more stringent.

- A. Water mains shall be not less than six (6) inches in diameter. Larger mains may be required when warranted by service or topographic conditions. Four (4) inch water mains may be considered by the applicable **ENGINEERING OFFICIAL**, but only for mains which do not serve as a fire hydrant branch. Blow-offs shall be installed as necessary and pursuant to **ENGINEERING OFFICIAL** requirements.
- B. Dead end water service to a **SUBDIVISION** or **DEVELOPMENT SITE** should not be permitted. Water service mains should connect to the distribution system at a minimum of two (2) points to avoid interruption of service should one main be out of service. A single point of connection to the public distribution system may be permitted when it is determined that a second connection is not feasible due to the physical limitations of the site.
- C. Water mains should be so arranged that the distance between intersecting mains does not exceed eight hundred (800) feet. If intersecting mains are at a distance in excess of this standard, eight (8) inch or larger mains must be used.
- D. The distribution system for **SUBDIVISIONS** and sites shall be equipped with a sufficient number of valves located in a manner such that breakage or other interruption will not cause the shut down of any portion of a main greater than eight hundred (800) feet.
- E. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the public water service provider.
- F. Fire hydrants shall be able to deliver a minimum of five hundred (500) gallons per minute or other rate of water flow as determined by the applicable **FIRE DEPARTMENT OFFICIAL**, for firefighting purposes. Friction loss between the main and the hydrant should be minimized to ensure that the hydrant can deliver the specified flow of water.
- G. Fire hydrants shall be equipped with not less than two (2) two and one-half (2 ½) inch outlets and one (1) four and one-half (4 ½) inch main steamer or pumper outlet and an isolation valve must be installed between the street main and the hydrant.
- H. Hydrant spacing shall be determined by the fire flow demand standards below or as determined for a specific site by the applicable **FIRE DEPARTMENT OFFICIAL**:
 - 1. Higher density residential and commercial areas, where the proposed density is greater than three (3) dwelling units per net acre or greater than a 0.15 **FLOOR AREA RATIO**, shall have hydrants located as to keep hose lines at a maximum of five hundred (500) feet. At a minimum, there shall be enough hydrants appropriately spaced within the **SUBDIVISION** or **BUILDING SITE** to make two (2) streams of water available at every part of the interior and exterior of each building not covered by standpipe protection. Private hydrant design and installation (private hydrants are those located on private property and not within a public right-of-way or easement) may also be required to comply with the standard to make available two (2) streams of water at every part of the interior and exterior of each building not covered by standpipe protection.

Commentary Pertaining to Section 3.04.02.H.1:

The property owner will be responsible for the design, installation and maintenance of the water distribution system and fire hydrants to be placed within a site, outside of a public right-of-way or easement.

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2. For lower density residential areas, hydrant spacing shall not exceed eight hundred (800) feet between hydrants. In higher density residential and commercial developments, hydrant spacing shall not exceed 500 feet between hydrants, nor shall any portion of a building be further than 500 feet from a hydrant installed to protect it.
 3. Fire hydrants shall be located as close to a STREET intersection as possible with intermediate hydrants along the STREET or on the site of the premises so as to meet area requirements. Hydrants should be located in designated STREET tree planting or other portion of the RIGHT-OF-WAY designated for utilities.
 4. Measurements for distances referenced above shall be made along an all weather road (never measured through or across yards, fields, woods, creeks, or other avenues not accessible to fire apparatus) for laying hose lines.
- I. All fire hydrants shall be placed a minimum of fifty (50) feet from the exterior wall of any building to be protected. When such placement is impossible, hydrants shall be placed where the chance of injury by falling walls is minimized and where firefighters are not likely to be driven away by smoke or heat. The height of proposed buildings shall be considered for minimum distance when the fifty (50) foot distance is not possible.

3.04.03 Sanitary Sewer System Design Standards

All Suburban Area SUBDIVISIONS and sites are required to have adequate sanitary sewer service from either a public utility provider or by an on-site system approved by the Franklin County Health Department. All SUBDIVISIONS and sites shall comply with the design standards adopted by the public utility provider or administered by the Franklin County Health Department. In addition, the following standards are applicable:

- A. The maximum length of sanitary sewer pipe between manholes is 350 feet;
- B. Residential LOTS served by an on-site sanitary sewer system shall be a minimum of two-hundred (200) feet wide as measured at the building line, and one-half (1/2) acre in area. A greater area than specified may be required for residential LOTS if, in the opinion of the County Health Officer, there are factors of drainage or soil condition to cause potential health hazards.

3.04.04 Flood Hazard Protection Standards

Any land lying below the intermediate regional flood elevation as designated by the U.S. Army Corps of Engineers or five hundred seven (507) feet above mean sea level (MSL) as determined from the published data and maps of the U. S. Geological Survey (USGS) shall be considered as subject to repeated flooding unless the land is rendered flood free by a flood protection facility. Land that is subject to repeated flooding or is deemed to be topographically unsuitable for any residential use shall not be approved for SUBDIVISION or site DEVELOPMENT, nor for any other use that may create danger to the public health, life, or property or aggravate erosion or flood hazards. All SUBDIVISIONS and sites shall be designed to conform to the requirements of any applicable Floodplain Zone (See Article 8 of the Frankfort and Franklin County Zoning Regulations).

3.04.05 Storm Water Management Design Standards

All Suburban Area SUBDIVISIONS and sites are required to have adequate storm water management facilities to limit the post development peak runoff from a SUBDIVISION or site to the predeveloped value for the ten (10) year, one (1) hour and one-hundred (100) year, six (6)hour storm events. Additionally, such facilities shall be capable of conveying the one hundred (100) year, twenty four (24)hour peak flow rate assuming the principle spillway is fully

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clogged. All SUBDIVISIONS and sites shall comply with the storm water standards for Frankfort and Franklin County.

3.04.06 Gas, Electricity, Cable, and Telephone Service Design Standards

Except as provided in (A) or (B) below, all gas, electric, cable, telephone, and similar utilities provided to new SUBDIVISIONS and BUILDING SITES shall be placed underground in RIGHTS-OF-WAY or EASEMENTS as required. Above-ground utility service facilities, other than junction boxes, transformers and related ground-mounted equipment, are prohibited except as provided in accordance with (A) or (B) below. All permitted above ground service facilities shall be appropriately placed in or near front, side, or rear yard setbacks and should not be placed any closer than two (2) feet to the front or rear property line.

- A. SUBDIVISIONS or sites, wherein more than seventy-five percent of the total number of residential units qualify as AFFORDABLE HOUSING, will be permitted to be serviced by above ground electric and telephone utility service facilities. In order to qualify for this provision, the developer of the SUBDIVISION or SITE shall provide to the PLANNING COMMISSION a written statement justifying and certifying that the requisite number of residential units will be sold at a price consistent with the definition of "affordable" as described in the commentary below or as may be determined by policy of the PLANNING COMMISSION from time to time. Also, the developer's certification statement shall also describe a binding method of enforcement to ensure that the requisite number of affordable dwelling units will be achieved over the life of the project, and the actions that the developer will take to ensure enforcement.
- B. Above ground electric service may be provided to a SUBDIVISION or SITE when it is determined by the applicable PLANNING DIRECTOR or more of the following conditions exist: 1) the SUBDIVISION or SITE is located in an area where adjoining developed SUBDIVISIONS or SITES are served from above ground facilities; and/or 2) the SUBDIVISION or SITE can be served from existing overhead electric facilities without the need to construct new overhead facilities.
- C. For all commercial and multi-tenant residential developments, a minimum three (3) inch ID, Schedule 40 PVC conduit will be provided to the Service Demarcation Point for Frankfort Plant Board Cable/Telecommunication facilities. The Demarcation Point is within a six (6) foot radius of the electric meter for external BUILDING terminations, or the mechanical room (wiring closet) near the electric service panel for terminations inside a BUILDING. A pull box is required for conduit runs having more than two (2) sweeping, ninety (90) degree bends between the Frankfort Plant Board cable/telecommunication access point and the Service Demarcation Point.

Commentary Pertaining to Section 3.04.06

Subpart (A) is intended to help reduce the cost of site development and eventual housing cost in order to support the production of affordable housing units in Frankfort and Franklin County. The definition of "affordable" is a maximum sale price, including closing costs, equal to 2.5 times the median household income for Franklin County.

3.04.07 Public Transit Standards

- A. All non-residential DEVELOPMENTS with more than 100,000 square feet of gross floor area shall be required to conform to the following public transit standards:
 - 1. Provide a transit shelter in a location as determined appropriate by the public transit authority, if the location is identified in the long-range plan for transit facilities.

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2. Provide a publicly accessible sidewalk from the transit shelter to the principal entrance to the DEVELOPMENT. The principal entrance for a multi-tenant structure shall be the entrance for the principal tenant, or the tenant with the largest amount of gross floor area.
- B. Residential SUBDIVISIONS are encouraged, but not required, to construct a multi-purpose pedestrian shelter (§) in common open space areas within in the development to provide a covered waiting area for school children and transit-riders.

3.05.00 EROSION AND SEDIMENTATION

3.05.01 Erosion Control Measures

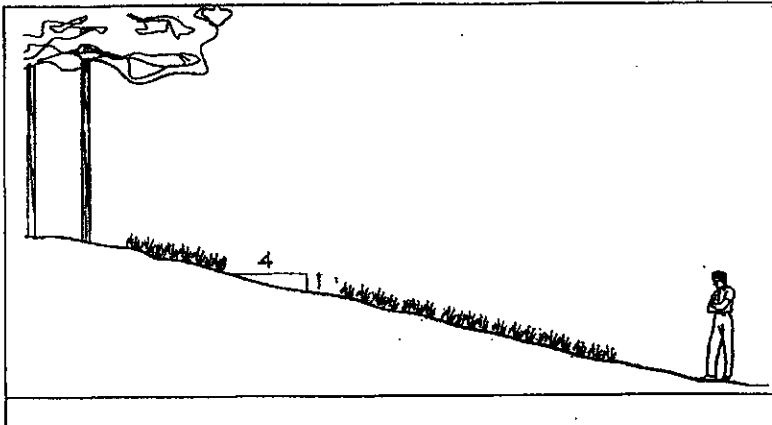
- A. All areas disturbed by grading shall have temporary vegetative cover provided. Such cover shall consist of annual grasses or small grains. Slopes exceeding 4:1 shall have additional protection of mulching and/or seeding to prevent erosion. To protect ditches and other areas from erosion, the following protective measures shall be required for all SUBDIVISIONS and BUILDING SITES:

<u>Grade of Ditch</u>	<u>Required Protection</u>
Less than 1%	Seed and fertilize entire ditch and slopes.
1% to 5%	Seed, mulch, fertilize and peg invert and sides to top of 2:1 slope.
5% to 7%	Paved invert, and paved slope to six (6) inches above maximum flow depth, with four (4) inch thick reinforced concrete. Seed all other areas not paved in the right-of-way.
All over 10%	Seeded and pave as above, but with alternate side diagonal baffles at about three (3) to four (4) foot on center to retard flow.

- B. All seeding and fertilization shall be done in conformance with the guidelines established by the Franklin County Conservation District. During grading, excavation, or construction no erosion, siltation or water impoundment shall occur on any adjoining property as the result of such grading, excavating, or construction activity. If erosion, siltation or water impoundment should occur, the contractor will correct it immediately, to the satisfaction of the applicable ENGINEERING OFFICIAL.

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Figure 3.12 Illustration of a 4 : 1 Slope Ratio



- C. Effective sediment control measures shall be incorporated in the planning and construction of **SUBDIVISIONS** and sites. A Notice of Intent (NOI) for storm water discharge is required on all construction sites that will disturb one (1) or more acres. The permit shall be obtained from the Division of Water, the Natural Resources and Environmental Protection Cabinet (Division of Water) prior to grading. Practical combinations of the following technical principles shall be applied:
1. The smallest practical area of land shall be exposed at any one (1) time during development.
 2. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
 3. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
 4. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters from land undergoing development.
 5. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.
 6. The permanent final vegetation and structures shall be installed as soon as practical in the development.
 7. The development plan shall be fitted to the topography and soils so as to create the least erosion potential.
 8. Wherever feasible, natural non-invasive vegetation shall be retained and protected.

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3.06.00 DEDICATION OF EASEMENTS CONTROL

3.06.01 Type, Location and Extent of Easements

Where appropriate and to the fullest extent possible, EASEMENTS required by these regulations should be located and of sufficient width and extent as to provide for the installation and ongoing maintenance of the facilities or services installed within the easement, without creating a conflict with the application of other subdivision or zoning regulations. EASEMENTS shall be fully indicated on the RECORD PLAT OR DEVELOPMENT PLAN.

Commentary Pertaining to Section 3.06.01

The location and extent of easements should be planned to reduce the potential for conflicts with the application of other land development regulations. For example, where required landscape buffers and easements overlap in area with utility easements coordination between the utility provider, property owner and planning commission will be required in order to accomplish the objectives of both the landscape and utility easements.

- B. The PLANNING COMMISSION may require, when it deems it necessary to facilitate pedestrian access to community facilities or other nearby STREETS, perpetual unobstructed EASEMENTS at least twelve (12) feet in width. The Commission may require a paved sidewalk for pedestrian safety within such an EASEMENT.
- C. Where a SUBDIVISION borders on a watercourse in an area designated in the COMPREHENSIVE PLAN for public recreational use, the PLANNING COMMISSION may require EASEMENTS to be reserved for public access to the water.
- D. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within STREET RIGHTS-OF-WAY, perpetual unobstructed EASEMENTS at sufficient width for such utilities shall be provided across property outside the STREET lines and with satisfactory access to the STREET.
- E. Where a SUBDIVISION is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water EASEMENT or drainage RIGHT-OF-WAY conforming substantially with the lines of such watercourse, and such further width as may be deemed necessary by the applicable ENGINEERING OFFICIAL to permit the construction of improvements designed to restrict flooding on adjoining properties. Parallel STREETS or medians may be required.

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3.07.00 STREETScape, LANDSCAPE, LIGHTING AND OPEN SPACE DESIGN
STANDARD

3.07.01 Public Open Space Required (amended 12-1-06)

- A. Any Subdivision, Condominium, or Development proposing a residential land use of twenty-six (26) lots/units or more shall provide public open space based on the following design standards:
1. 1,089 sq. ft. of platted open space area per unit OR 5% of the gross acreage of the original parent tract, which ever is less.
 2. Platted open space shall be maintained by the homeowners association of the development/subdivision/condominium. Alternative to maintenance:
 - a. The Developer may choose not to provide the required homeowners association for the development and dedicate the required open space area to an accepted land trust provided the land trust is willing to accept the dedication and the Planning Commission approves this alternative method.
 3. Platted open space areas shall be allowed to contain common amenities such as pavilions, playgrounds, accessory structures, walkways, bike paths, trails, and the like. These areas may also consist of natural preserved scenic corridors, steep slopes, retention basins, and golf courses; however, right-of-way, driveways, parking for residential uses, or areas from the top of rim to the lowest elevation of detention basins or sink holes shall not be credited as the required open space area. The required open space areas should be properly designed to provide a reasonable and functional purpose within the development or to other public open spaces outside of the development boundaries. The developer shall adequately demonstrate how the development and/or open space areas will protect ecologically sensitive areas, preserve natural or cultural features of the site, and preserve viewsheds or scenic vistas.
 4. Developers of development that is located equal to or less than 2,640 feet (half mile) from an existing and accepted public open space may request to the Planning Commission to be exempt from the above requirements, provided they submit the following, but not limited to, justification:
 1. Verification that the subject property is equal to or less than 2,640 feet from an existing public open space – measured from the parent tract boundaries and along the existing public rights-of-way or other acceptable access ways to the existing open space;
 2. How they have attempted to provided connections to nearby parks, greenways, public buildings, schools, or the like; and
 3. Adequately demonstrate how the development will protect ecologically sensitive areas, preserve natural or cultural features of the site, and preserve viewsheds or scenic vistas;

Commentary Pertaining to Section 3.07.01

The National Park and Recreation Association and Urban Land Institute publish standards for the amount of land for parks and open space that communities should strive to provide. Generally, this standard is 10 acres per 1,000 of population. This standard would yield a factor of 1,089 square feet of park and open space area per dwelling unit based on an average household size of 2.5 persons. Another way of describing this standard, when applied to a suburban subdivision, is that about 8% of the gross developable acreage of a subdivision should be set aside for park and open space purposes. (The 8% assumes that approximately 20% of every subdivision is occupied by roads, storm water facilities or other areas that are not developable for homes).

Within the urban and suburban area defined herein, there is an existing system of parks and open space available to serve new development. Therefore, the 8% factor has been reduced to 5% to reflect the availability of some existing park and open space resources. The existing inventory of public green space/open space within Frankfort/Franklin County is as follows:

- A. Urban area = 2,162.28 ac. x 4% = 86.49
- B. Suburban area = 13,371.69 ac. x 8% = 1,069.74 acres
- Total open space per subdivision regulations = 1,156.23 acres
- Total existing open space (only governmentally owned) = 1,296.86 acres
- Total existing open space (including private golf courses) = 1,792.09 acres

3.07.02 Streetscape Requirements

STREET trees shall be planted along a **STREET TREE ALIGNMENT LINE** at an average spacing not greater than thirty (30) feet on center. **STREET** trees shall be at least 1.5-2.0 inch **CALIPER** and at least twelve (12) feet in overall height at time of installation. All **STREET** trees along any given **BLOCK** face should be of the same species. The following list contains all species approved for use as **STREET** trees. It contains native species, with some acceptable adapted plants. When the primary access to lots and sites is from the frontage street (as opposed to a rear alley), the average spacing standard may be modified by the applicable planning director to accommodate driveways.

Canopy and Understory Trees

<u>Latin Name</u>	<u>Common Name</u>
▪ Acer rubrum	Red Maple *
▪ Acer buergerianum	Trident Maple
▪ Acer griseum	Hedge Maple
▪ Acer tartaricum	Tartarian Maple
▪ Acer saccharum	Sugar Maple *

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▪ <i>Acer truncatum</i>	Shantung Maple
▪ <i>Aesculus pavia</i>	Red Buckeye
▪ <i>Amelanchier arborea</i>	Downey Serviceberry
▪ <i>Amelanchier canadensis</i>	Shadblow Serviceberry
▪ <i>Amelanchier laevis</i>	Allegheny Serviceberry
▪ <i>Betula Nigra</i>	River Birch
▪ <i>Carpinus caroliniana</i>	American Hornbeam
▪ <i>Catalpa speciosa</i>	Northern Catalpa *
▪ <i>Celtis laevigata</i>	Sugar Hackberry *
▪ <i>Celtis occidentalis</i>	Hackberry *
▪ <i>Cercis Canadensis</i>	Redbud
▪ <i>Cercidiphyllum japonicum</i>	Katsura Tree
▪ <i>Chionanthus virginicus</i>	Fringetree
▪ <i>Cornus florida</i>	Flowering Dogwood
▪ <i>Cornus kousa</i>	Kousa Dogwood
▪ <i>Cornus mas</i>	Corneliancherry Dogwood
▪ <i>Cotinus obovatus</i>	American Smoketree
▪ <i>Cotinus coggygria</i>	Smokebush
▪ <i>Cladrastis kentuckea</i>	Yellowwood
▪ <i>Crataegis crugalli inermis</i>	Thornless Cockspur
▪ <i>Crataegis phacnopyrum</i>	Washington Hawthorn (these contain thorns)
▪ <i>Crataegis punctata var. inermis</i>	Thornless Hawthorne 'Ohio Pioneer'
▪ <i>Crataegis viridis</i>	Green Hawthorne (these contain thorns)
▪ <i>Fraxinus americana</i>	White Ash *
▪ <i>Fraxinus pennsylvanica</i>	Green Ash *
▪ <i>Fraxinus pennsylvanica 'Johnson'</i>	Leprechaun Ash
▪ <i>Fraxinus quadrangulata</i>	Blue Ash *
▪ <i>Ginkgo biloba</i>	Ginkgo (male only) *
▪ <i>Gleditsia triacanthos inermis</i>	Thornless Honeylocust
▪ <i>Gymnocladus dioicus</i>	Kentucky Coffeetree (male only) *
▪ <i>Koelreuteria paniculata</i>	Golden Raintree
▪ <i>Liquidambar styracifolia</i>	Sweetgum *
▪ <i>Liriodendron tulipifera</i>	Tulip Poplar *
▪ <i>Maackia amurensis</i>	Amur maackia
▪ <i>Magnolia virginiana</i>	Sweetbay Magnolia
▪ <i>Malus spp</i>	Crabapples
▪ <i>Nyssa sylvatica</i>	Tupelo Black Gum
▪ <i>Ostrya virginiana</i>	Hophornbeam
▪ <i>Parrotia persica</i>	Persian Parrotia
▪ <i>Platanus x acerifolia</i>	London Planetree *
▪ <i>Platanus occidentalis</i>	Sycamore *
▪ <i>Prunus spp.</i>	Plums, Cherries
▪ <i>Quercus acutissima</i>	Sawtooth Oak *
▪ <i>Quercus alba</i>	White Oak *
▪ <i>Quercus bicolor</i>	Swamp White Oak *
▪ <i>Quercus borealis</i>	Northern Red Oak *
▪ <i>Quercus coccinea</i>	Scarlet Oak *

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▪ Quercus imbricaria	Shingle Oak *
▪ Quercus macrocarpa	Bur Oak *
▪ Quercus muhlenbergii	Chinkapin Oak *
▪ Quercus nigra	Water Oak *
▪ Quercus phellos	Willow Oak *
▪ Quercus robur	English Oak *
▪ Quercus rubra	Red Oak *
▪ Quercus shumardii	Shumard Oak *
▪ Sophora japonica	Japanese Pagoda
▪ Syringa pekinensis	Pekin Lilac
▪ Syringa reticulata	Japanese Tree Lilac
▪ Taxodium distichum	Bald Cypress *
▪ Tilia tomentosa	Silver Linden
▪ Ulmus parvifolia	Chinese Elm*
▪ Ulmus americana	American Elm *
▪ Viburnum prunifolium	Blackhaw Viburnum
▪ Viburnum rufidulum	Southern Blackhaw Viburnum
▪ Zelkova serrata	Japanese Zelkoba *

NOTE: (1) The species listed above that contain an asterisk (*) require a tree lawn of six (6) feet or more. (2) The list of species above may not be suitable for all sites, soils, or other conditions that may exist on a development streetscape. Consulting with an arborist is recommended prior to final approval. (3) Other species may be deemed acceptable by the City Arborist.

3.07.03 Lighting Requirements

- A. STREET lighting shall be required for all street classifications in the Suburban Area.
- B. Lighting fixtures shall be placed within the STREET RIGHT-OF-WAY, alternating along both sides of the STREET with a minimum spacing as determined by appropriate design standards of the utility provider. Lighting fixtures should be placed at the intersection of major streets serving the subdivision or site.
- C. Lighting fixtures shall have a maximum height of eighteen (18) feet above the GRADE of the SIDEWALK for residential subdivisions and up to 35' in height for non-residential subdivisions/developments, and a minimum clearance above the GRADE of the STREET of not less than fifteen (15) feet. All fixtures shall be of an appropriate design to shed light downward and away from residential structures to the rear of the fixture. The height of street lights to be placed in State or Federal rights-of-way may vary from the standards in order to maintain conformance with State or Federal lighting standards.

3.08.00 COMMUNITY FACILITIES

3.08.01 Reservation of Lands for Community Facilities

The PLANNING COMMISSION may require the reservation of lands for community facilities as a condition of preliminary subdivision plan plat or DEVELOPMENT PLAN approval. Community facilities for which a reservation of land may be required include community parks, schools, and other public uses. Reservations are subject to the following criteria:

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- A. The maximum period of time that land shall be reserved, unless voluntarily extended by the property owner, will be two years. This period shall begin with the date that the RECORD PLAT containing the reservation is officially recorded by the Clerk of Franklin County or upon approval of a development plan.
- B. The reservation will be deemed to be extended beyond the two (2) year period if a public agency or organization, such as a Board of Education, has made a bona fide offer for the purchase of the reserved land. The extension will be null and void if the property owner formally rejects the offer.
- C. The property owner may elect to voluntarily reserve the lands beyond the two (2) year period, but such reservation shall be made in writing to the PLANNING COMMISSION.

Commentary Pertaining to Section 3.08.01

The Kentucky Revised Statutes, Chapter 100.281 (5) provides that subdivision regulations may include "specifications for the extent to which land is to be used for public purposes shall be reserved as a condition precedent to approval by the commission of any subdivision plat." The maximum time period for such reservation is two (2) years.