ORDINANCE NUMBER 116 - 2026

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 30.963 ACRES OF PROPERTY LOCATED AT 525 SOUTH SCRUGGS LANE, AKA PVA MAP #094-00-00-033.07 AND 094-00-00-033.08 FROM SINGLE-FAMILY RURAL RESIDENTIAL (RR) TO AGRICULTURAL ZONING DISTRICT (AG).

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 and adopted findings of fact on August 13, 2026, as required by K.R.S. 100; and

WHEREAS, the Frankfort/Franklin County Planning Commission recommended approval of the Zone Map Amendment; and

WHEREAS, three requests were filed by aggrieved persons requesting that the final decision be made by the Fiscal Court in accordance with Section 155.072 of the Franklin County Code of Ordinances and K.R.S. 100.2111;

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:

30.963 acres of property located at 525 South Scruggs Lane, AKA PVA MAP #094-00-00-033.07 and 094-00-00-033.08 is hereby amended from Single-Family Rural Residential (RR) to Agricultural (AG), based on the following findings of fact:

(1) The subject property is classified as Rural Farms and Natural Landscapes in the Future Land Use map contained within the Comprehensive Plan.
(2) The proposed "AG"- Agricultural Zone is appropriate in the Rural Farms and Natural Landscapes Future Land Use Designation.
(3) The proposed Zone Map Amendment is in agreement with the Comprehensive Plan.

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

SECTION III. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall

be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

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

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 16th day of September, 2026.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 14 day of 10 2026 and of record in Fiscal Court Order Book 37_, Page 474___ .

Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:

Kim Cox
Fiscal Court Clerk

SUMMARY
This ordinance is a first reading to approve or deny a zone map amendment from Rural Residential District (RR) to Agricultural (AG) for 30.963 acres of property located at 525 South Scruggs Lane, AKA PVA MAP #094-00-00-033.07 and 094-00-00-033.08.

REPORT AND RECOMMENDATION

TO: FRANKFORT-FRANKLIN COUNTY
PLANNING COMMISSION

FROM: COUNTY STAFF

SUBJECT:

PUBLIC HEARING: Jonathan G. and Mary Ann Dailey are requesting a zone map amendment from a Single-Family Rural Residential (RR) zoning district to an Agricultural (AG) zoning district for a total of 30.963 acres of property located at 525 South Scruggs Lane, aka PVA Map #094-00-00-033.07 and 094-00-00-033.08.

MEETING: August 13, 2026

GENERAL INFORMATION

Owner: Jonathan G,. Dailey and Mary Ann Dailey
650 Schofield Lane
Frankfort, KY 40601

Location: 525 South Scruggs Lane

Size of Property: 30.963-Acres

Current zoning of property: Rural Residential- "RR"

Future land use category: Rural Farms and Natural Landscapes

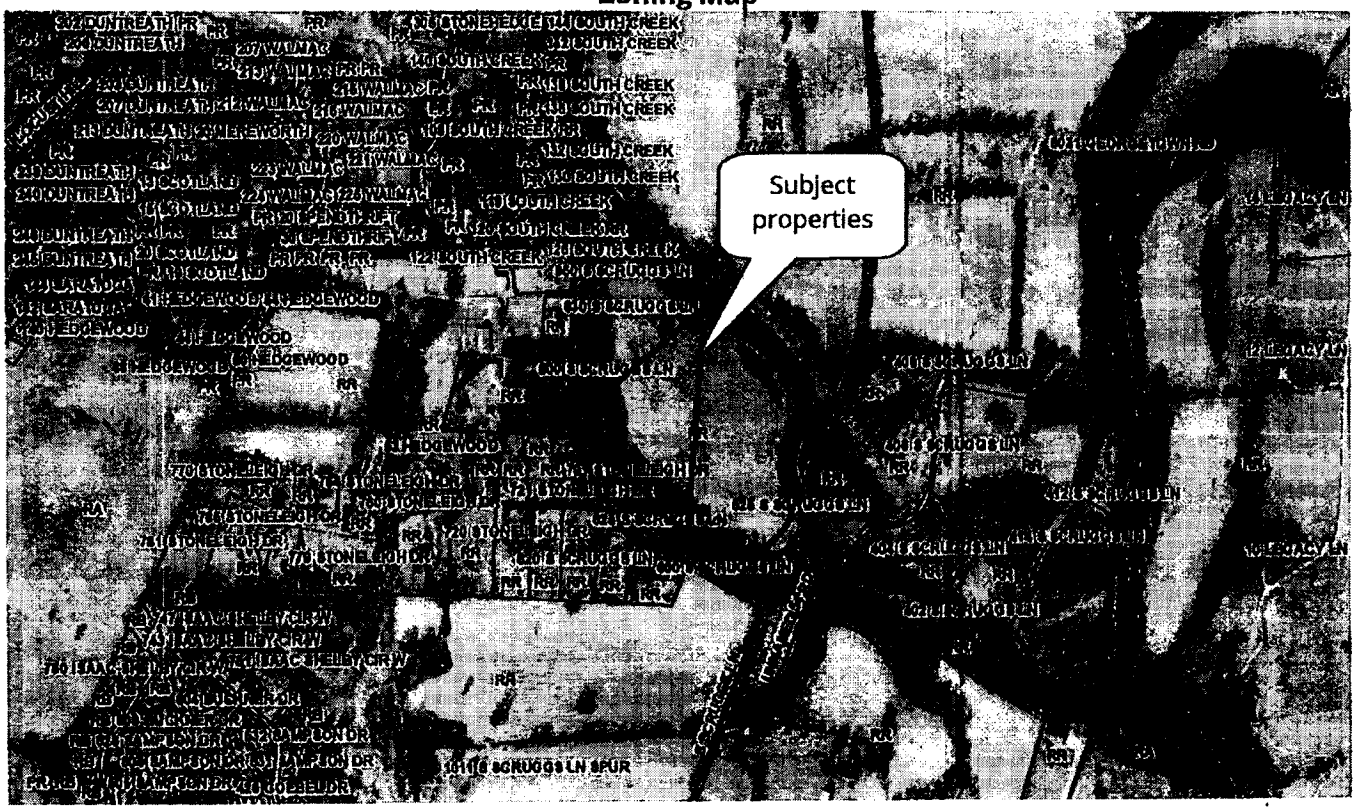
Surrounding zoning & land use:

North: Zone- "RR", Rural/Agricultural, Sputh Fork Elkhorn Creek
South: Zone- "RR", Residential, South Scruggs Lane
East: Zone- "RR"; Residential
West: Zone- "RR", Rural

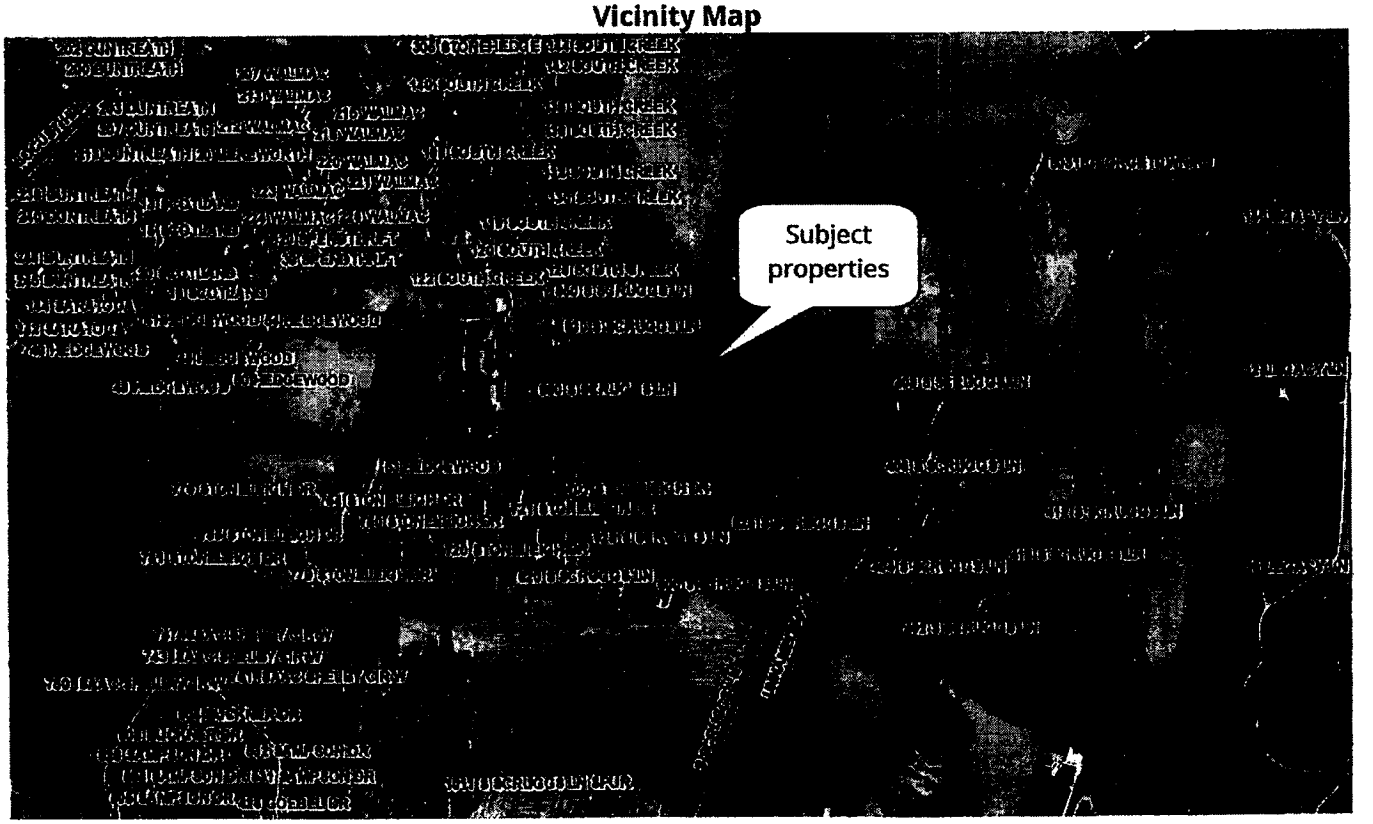
BACKGROUND

The applicant is proposing to rezone the subject property in order to establish an agricultural operation including raising cattle and growing crops. The applicant has also expressed interest in establishing a campground on the propery, which would only be permitted in the Agricultural zone with a Conditional Use Permit. The applicant currently operates a short-term rental under Conditional Use Permit BZA-CUP 26-02 in the existing cabin and intends to continue this use.

Zoning Map



Vicinity Map



ANALYSIS

County Zoning Regulations

§ 155.1072 Zoning Map Amendments

(A) (1) Before making recommendation to the Fiscal Court of the county that an application for amendment to the Zoning Map be granted, the Commission shall find that the map amendment is in agreement with the Comprehensive Plan adopted by the Commission, or, in the absence of such a finding that:

(a) The original zoning classification given to the property was inappropriate or improper; or

(b) There have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan adopted by the Commission and which have substantially altered the basic character of such area.

(2) The findings of fact made by the Commission shall be recorded in the minutes and records of the Commission.

(B) After voting to recommend that an application for amendment to the Zoning Map be granted or denied, the Commission shall forward its findings of fact and recommendation in writing to the Fiscal Court of the county.

Kentucky Revised Statutes

KRS 100.213 Findings necessary for proposed map amendment – Reconsideration.

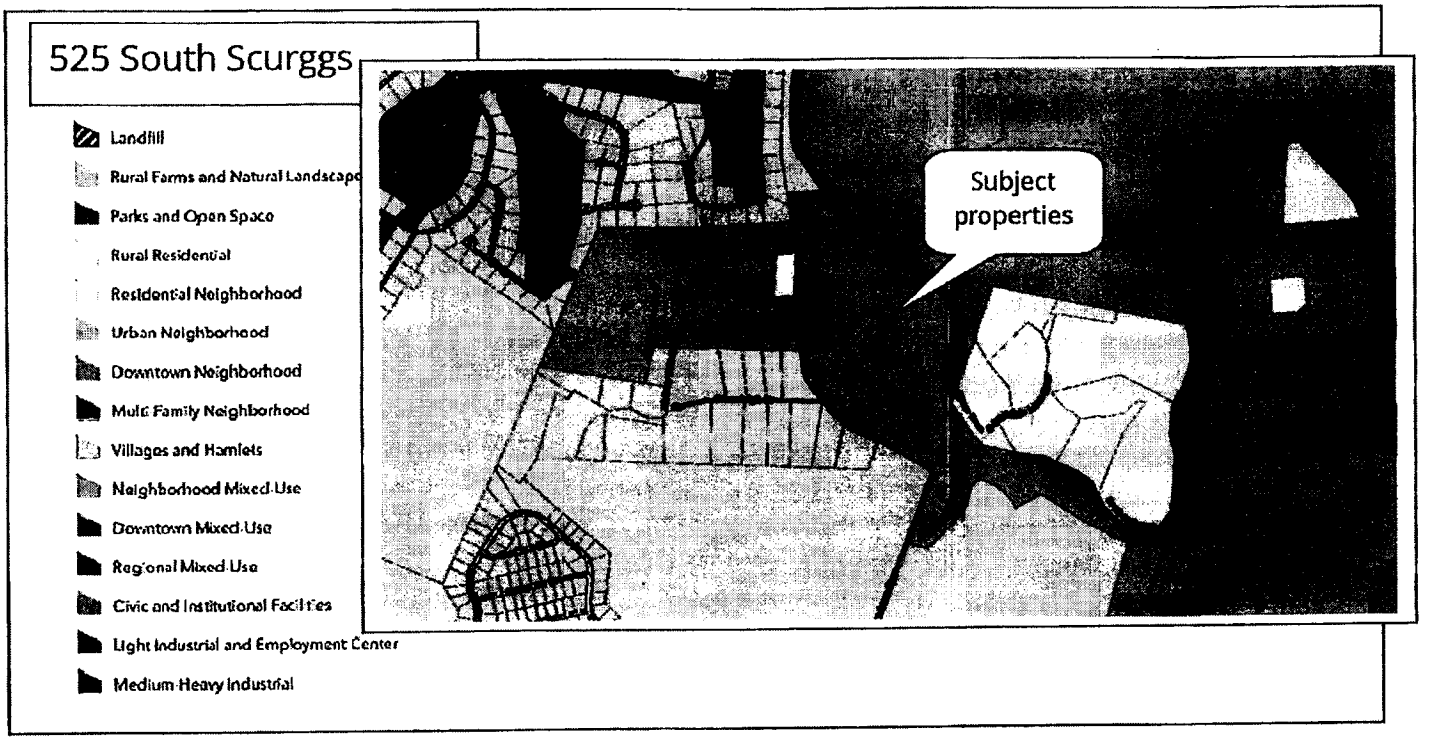
(1) Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded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

(2) The planning commission, legislative body, or fiscal court may adopt provisions which prohibit for a period of two (2) years, the reconsideration of a denied map amendment or the consideration of a map amendment identical to a denied map amendment.

Therefore, a review of the Comprehensive Plan is required.

Chapter 5 "Land Use" of the *Comprehensive Plan* states "The Land Use Chapter is the City and County's official guide to future land use decisions. The goals and objectives support the region's vision for smart growth, developing a healthier economy, supporting business retention and expansion, and ensuring an aesthetically pleasing environment."

It continues: "Every Future Land Use District has a proposed vision, existing character analysis, recommended uses, and future outlook. The chapter reflects how the City and County will encourage growth and development moving forward."



The Future Land Use Map of the 2024 Comprehensive Plan identifies this property within the zone map amendment request as "Rural Residential." This future land use designation is defined as follows.

CHARACTER

Generally, privately owned land outside the developed areas should remain undisturbed to preserve and protect the county's significant natural features, farmlands, croplands, pastures, steep or unstable slopes, forested areas, wildlife habitat, floodways, and conservation areas. Intense development here is undesirable, but individual residential homes on large parcels and agricultural uses are acceptable if developed in a sensitive and respectful manner by preserving existing trees, natural features, and cultural landmarks.

Additionally, land within this area may be appropriate for a variety of activities as long as they do not cause significant changes to the existing landscape. This could include new and upgraded locations for river access, hiking trails, mountain biking paths, campgrounds, adventure activities (e.g., canoeing, kayaking, climbing, and ziplining), horse trails, disc golf, fishing, hunting, and birdwatching. Certain non-residential uses may also be appropriate in these areas such as event venues/lodging, craft distilleries, small farm wineries, or craft breweries particularly when paired with other adventure tourism-related features.

RECOMMENDED USES

Natural resource preservation and recreation, campgrounds, trails, adventure tourism, sport clubs, breweries, wineries, Bed & Breakfasts, Agrotourism, community facilities.

Other uses:
Natural resource preservation and recreation, community/civic facilities, parks & recreation, educational facilities.

Staff Finding: *Positive-* The proposed Agricultural District allows for continuance of the existing short-term rental and fits into the surrounding rural environment. Furthermore, the Agricultural district fits into the "Rural Farms and Natural Landscapes" future land use category because it fits the primary recommended land uses.

General Development Guidelines

The adopted *Comprehensive Plan* is structured around four planning themes each with supporting goals, objectives, and action items developed from the community's vision. Each theme is represented by a chapter of the Comprehensive Plan, including Chapter 2:" Identity and Character", Chapter 3: "Natural Resources", Chapter 4: "Transportation and Infrastructure" and Chapter 5: "Land Use".

Staff Finding: Postivie- The proposed Agricultural District is appropriate in areas designated as "Rural Farms and Natural Landscapes" by the future land use map. The Agricultural District is intended to recognize agricultural land to establish regulations which emphasize agricultural production and preserve a rural character.

The following goals and policies from the "Land Use chapter appear to support this request.

GOAL 1: Develop a healthy economy with shared prosperity that includes sustainable growth, low unemployment rates, and price economic stability within the community.

Staff Finding: Positive- The applicant intends to farm the subject properties. *Policy #3 appears to support this request.*

1. Infill, reuse, and redevelopment opportunities within the City and County should be promoted and supported alongside new development.
2. Locate new development where public facilities and utilities are available or are anticipated in the future.
3. **Identify and preserve prime farmland, key rural viewsheds, and the County's rural character.**
4. Encourage the retention of young professionals, high school graduates, and college graduates in the community. Encourage the retention of business and industry.
5. Promote minority-owned and locally-owned businesses.

6. Encourage the listing of eligible properties and districts to the National Register of Historic Places which allows for federal and state rehabilitation incentives for commercial and residential properties.
7. Encourage economic and industrial development that provides quality high-paying job opportunities to support and expand the tax base.
8. Encourage the development of new housing units of diverse typologies in the City and County to meet the needs of the community in accordance with the analysis contained within the 2023 Frankfort & Franklin County: Housing Market Demand Study. Focus on the "missing middle" housing including owner occupied condos and townhomes.
9. Promote industrial development as to promote economic and social advancement.

GOAL 2: Support business retention, development, and expansion.

Staff Finding: Positive- The Agricultural zoning designation supports policy #6.

1. Update the development regulations for the City and County to ensure that infill and redevelopment regulatory requirements are streamlined.
2. Encourage the survey, clean-up and redevelopment of brownfield and greyfield properties.
3. Support the development, retention and expansion of local businesses.
4. Develop strategies to incubate innovative technology industries and businesses.
5. Target diverse opportunities to increase investment in the bourbon, IT, government, finance, healthcare sectors, and industrial.
6. **Aid the retention and expansion of local farming production, including farmers markets, AgTech, and agritourism.**
7. Expand multi-modal transportation opportunities to provide a variety of means for residents to access employment opportunities, services, education, and goods.

GOAL 3: Ensure that development is constructed in an aesthetically pleasing, sustainable, manner that complements the surrounding community.

Staff Finding: Positive- *Policy #1 appears to support this request.*

1. **Support a mix of <u>compatible</u> uses in identified growth areas, including housing, employment, commercial, service, parks and open spaces, and other uses.**

2. New development and redevelopment projects should be completed in an aesthetically pleasing manner with high-quality, durable building materials, landscaping for screening and softening, well-designed sites, and land uses.
3. City and County should partner in creating a shared set of development regulations for both jurisdictions, where applicable.
4. Set rural land subdivision and development standards that minimize impacts to rural function and character.
5. Promote connectivity between neighborhoods, commercial, recreation, and educational centers to support the community's desire for increased accessibility.
6. Encourage environmental assessments of developments which are associated with the use, manufacturing, processing, and/or bulk storage of hazardous materials and substances in ways that could pose a risk to the environment and/or human health.
7. Encourage pedestrian oriented development in urban areas and the inclusion of pedestrian amenities in otherwise auto oriented new developments.
8. Encourage the continued commercial use of first-floor storefront spaces in historic two-part commercial block buildings downtown while focusing residential uses to upper floors and structures originally constructed for residential uses.

Zoning Regulations

In reviewing zone map amendments, it is also important to conduct an analysis of the adopted zoning ordinances to ensure that the proposed zone map amendment is consistent with the zoning code/ordinance; and to ensure the requested district is the most appropriate district needed in order to meet the desired uses of the applicant and to ensure that the amendment will provide compatible and appropriate transition of uses to the surrounding area.

County Zoning Regulations:

Existing Zoning: Rural Resodemtial District (RR)

§ 155.135 (A) Purpose.

This district is intented 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: Agricultural District (AG)

§ 155.136 (A) Purpose.

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

Staff finds that although the Comprehensive Plan for Franklin County supports the requested zone change to Agriculture, the potential development of a campground warrants further review. Based on comments received during the Facility Review process, several agencies, including the Health Department and County Engineer, expressed concerns regarding development within the floodplain and the potential traffic impacts on South Scruggs Road. However, the applicant has not yet submitted an application for a Conditional Use Permit, through which staff will require additional details regarding the scale and scope of any proposed campground. The applicant's narrative supporting the zone change also references a desire to establish agricultural production activities, which are consistent with the goals and policies of the Comprehensive Plan. Therefore, staff is comfortable recommending approval of the requested zone change. However, the proposed agricultural uses are permitted in the current "RR" zone.

FINDINGS

Based on this analysis, staff suggests the following findings of fact for consideration:

Positive findings:

(1) The subject property is classified as Rural Farms and Natural Landscapes in the Future Land Use map contained within the Comprehensive Plan.
(2) The proposed "AG"- Agricultural Zone is appropriate in the Rural Farms and Natural Landscapes Future Land Use Designation.
(3) The proposed Zone Map Amendment is in agreement with the Comprehensive Plan.

RECOMMENDATION

Based on the findings and analysis within this report, staff recommends that the Frankfort/Franklin County Planning Commission **APPROVE the request and recommend the Franklin County Fiscal Court to approve** the zone map amendment based on the facts within this report and based on the principle finding that the requested zone change does satisfy the requirements of K.R.S. 100.213.



Existing residence on subject property.

FRANKFORT KY CO.
DISTILLED TOGETHER

Franklin County
Planning, Zoning & Building Codes
321 West Main Street
Frankfort, KY 40601
Phone: (502) 875-8701
www.franklincounty.ky.gov

OFFICE USE ONLY
Application Received: _/_/_
Fee: $____
Mtg. Date: _/_/_
Board Action: Approval/Denial

APPLICATION FOR ZONE MAP AMENDMENT

PLANNING COMMISSION

Fee - $300 (made payable to the Frankfort/Franklin County Planning Commission)

Return Completed Applications To:
Department of Planning, Zoning and
Building Codes
321 W. Main St.
Frankfort KY, 40601

For Questions Please Contact:
Ben Judah
(502) 875-8701
ben.judah@franklincounty.ky.gov

Meeting Date: July 9, 2026 **Filing Deadline:** May 28, 2026

Property Information
Address or Parcel No.: 094-00-00-033.07 and 094-00-00-033.08
Size of Property: 30.963 Acres, more or less, See Metes and Bounds Description, Attached

Existing Zone: Rural Residential Proposed Zone: Agricultural

Existing Use of Property: Agricultural and Residential

Proposed Use of Property: Agricultural and Residential

Applicant Information
Name of Applicant: Jonathan G. Dailey and Mary Ann Dailey
Address: 650 Schofield Lane, Frankfort, KY 40601

Email Address: pcecil@pcfirmky.com

Phone: 502-226-6500

Property Owner (if not applicant)
(If the applicant is not the owner, the applicant must provide a letter of permission from the property owner.)
Name of Owner:
Address:

Email Address:

Phone:

Primary Contact (if not applicant) (This may include an attorney, engineer, contractor, etc.)
Name: Preston S. Cecil, Esq.
Email Address: pcecil@pcfirmky.com

Phone: 502-226-6500

Supporting Information

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

1. **Legal Description of the Property** – If only a portion of the property is to be rezoned, then a stamped survey is required.

2. **Preliminary Development Plan or Preliminary Subdivision Plat** – The purpose of this plan is to provide a detailed description of the property and the proposed activity. It should be done at a scale that accurately and legibly shows the following information.
   a. A vicinity sketch with the property location clearly marked. This sketch should identify major roads and other significant landmarks in the area so that the general location of the property can be quickly recognized.
   b. The dimensions of all property lines.
   c. The location, size in square feet, dimensions, and number of stories of existing and proposed buildings, with such buildings clearly marks as either existing or proposed.
   d. Any screening or landscaping (existing or proposed) that may be relevant to the application, with materials clearly identified (e.g. trees, hedges, shrubs, walls, etc.)
   e. Location and dimensions of any proposed street system, driveways, parking spaces, off-street loading areas, and access points.
   f. Title block, north arrow, scale, and site statistics

   Note: This does not constitute a final development plan or subdivision plat, one or both of which will be required prior to building permit approval.

3. **Traffic Impact Study** for any amendment to a Planned Unit Development District, Commercial District, or Industrial District.

4. **Filing Fee ($300)** – made payable to the Frankfort-Franklin County Planning Commission

5. **Name and mailing addresses of adjacent property owners** as listed by the Franklin County PVA's Office (502) 875-8780

6. **Statement of Facts** – Provide a narrative statement explaining the request and describing how the proposed change meets the requirements of KRS 100.213:

   KRS 100.213 Findings Necessary for Proposed Map Amendment
   (1) Before any map amendment is granted, the planning commission or legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:
      a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
      b. That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

Applicant Signature:

I hereby certify that I am, or have authority of, the owner or agent to make this application and attest that the information contained herein, including any attachments, are complete and accurate.

Applicant Signature: _____ Date: 5-27-26

FOUNDING PARTNER:
PRESTON S. CECIL, ESQ.

(502) 226-6500
PCECIL@PCFIRMKY.COM

THE CECIL LAW GROUP

ATTORNEYS AT LAW

May 22, 2026

VIA HAND DELIVERY

Franklin County Planning
& Building Codes Department
ATTN: Ben Judah
321 W. Main Street
Frankfort, KY 40601

RE: Application for Zone Map Amendment
30.963 Acres – 525 Scruggs Lane, Frankfort KY (the "Property")

Dear Ben:

Please accept this letter and the attached items as the required documents and information to support the above Application. To that end, I include a Vicinity Map showing the location of the Property as well as a list of all property owners and their mailing addresses within and contiguous to the proposed rezoning. I also enclose the legal description of the Property and the required filing fee.

Finally I incorporate the following Statement of Fact pursuant to KRS 100.213:

The proposed zone change of the Property from the current zoning of "RR" (Rural Residential) to a zone classification of "AG" (Agricultural) is in agreement with the Comprehensive Plan because the Property is located in a zone slated for "Rural Farms and Natural Landscapes". The property is currently being used for Residential and Agricultural purposes. The client is planning to continue to use the property for these uses but including the addition of multiple units on the property without subdivision. The Agricultural Zone under the Franklin County Land Use Table allows these types of uses under the "campgrounds" designation as a conditional use. See portion of Land Use Table, enclosed.

According to the "Land Use Guidelines" in the Comprehensive Plan for Rural Farms and Natural Landscapes, "Generally, privately owned land outside the developed areas should remain undisturbed to preserve and protect the county's significant natural features, farmlands, croplands,

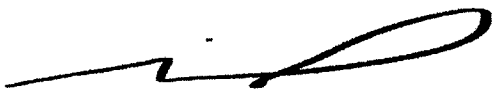
pastures, steep or unstable slopes, forested areas, wildlife habitat, floodways, and conservation areas. Intense development here is undesirable, but individual residential homes on large parcels and agricultural uses are acceptable if developed in a sensitive and respectful manner by preserving existing trees, natural features, and cultural landmarks." The applicant's proposed uses falls under this classification.

In the context of zoning and land use, campgrounds are allowed in agricultural zones with the proper conditional use designation. For these reasons, the Applicants' request for Zone Map Amendment should be granted.

Thank you for your kind assistance in this matter. If you have any questions or comments, or require any additional information, please don't hesitate to contact me.

With kind regards,

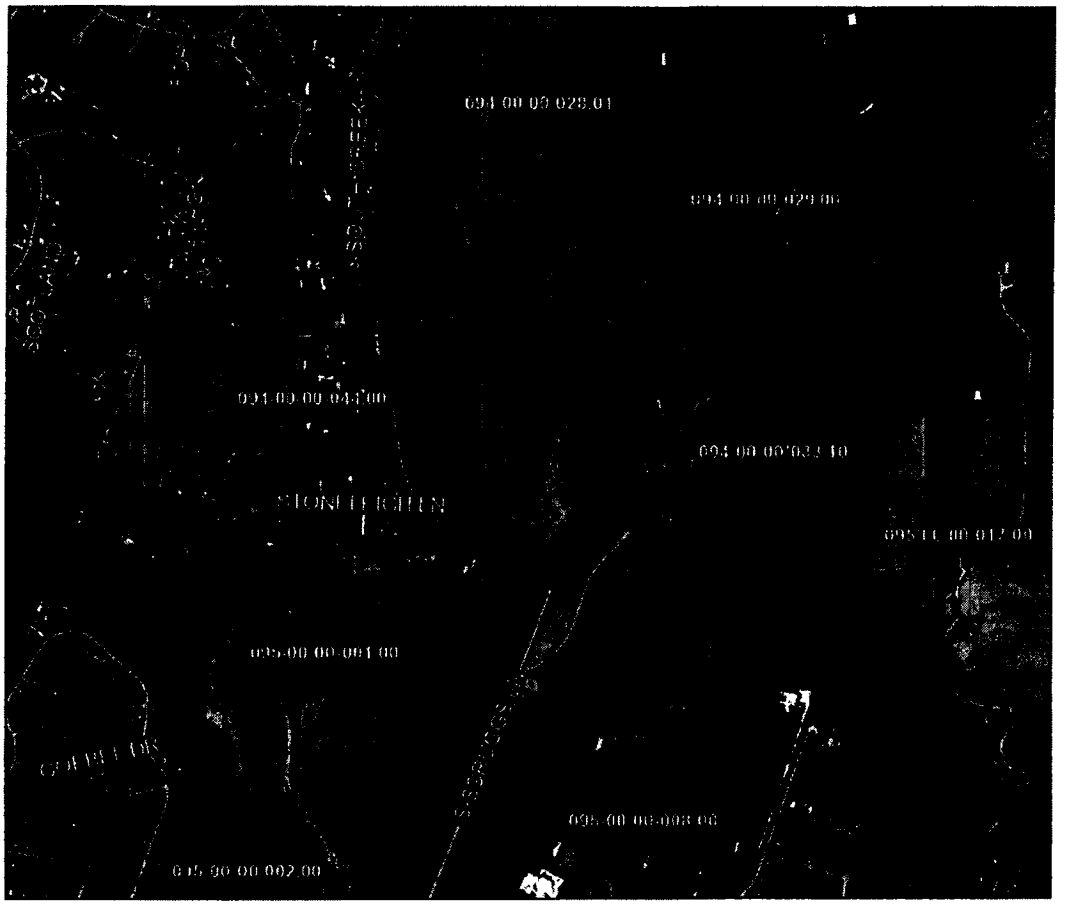
THE CECIL LAW GROUP

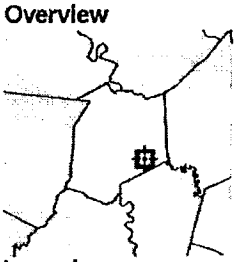


Preston Scott Cecil

cc/JD, Encl.

Franklin County, KY PVA





Legend

- Parcels
- Roads

County Outlines

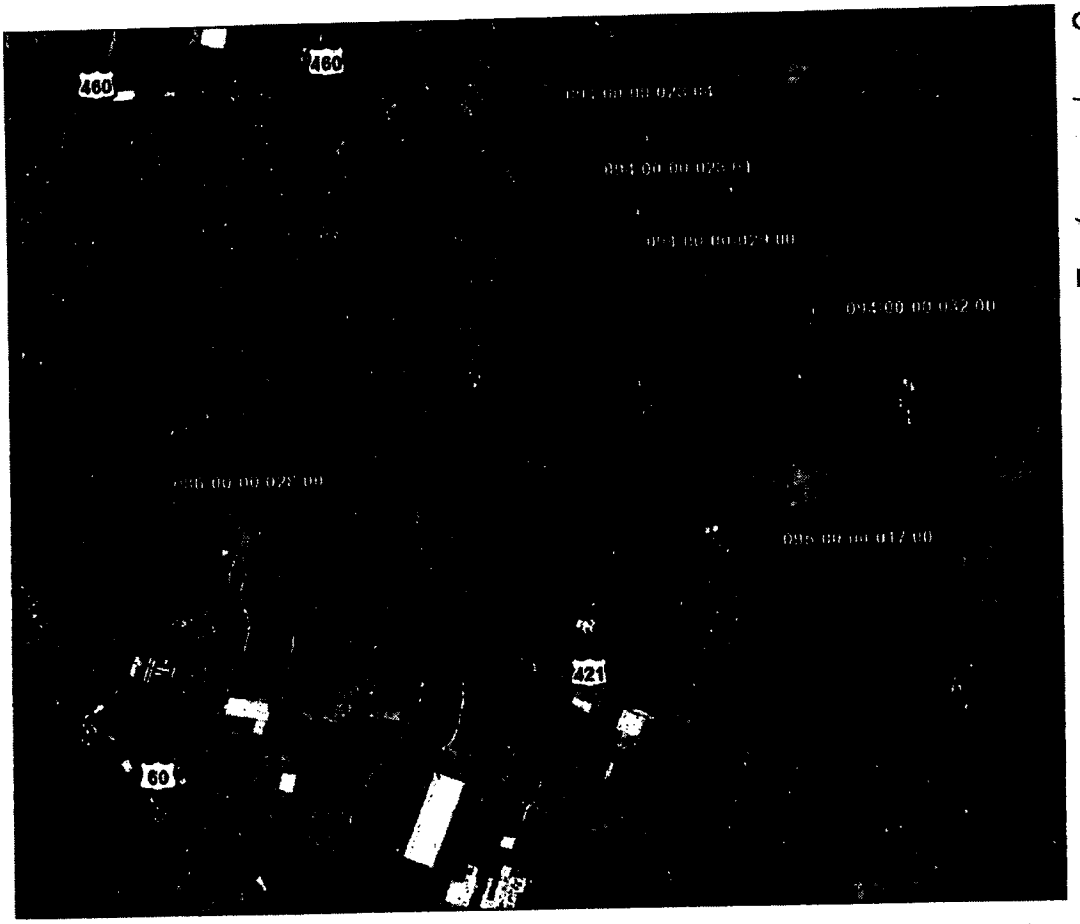
- Franklin
- <all other values>

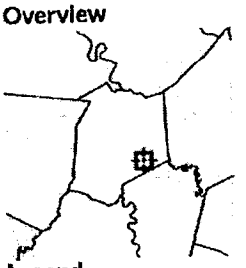
Parcel ID	094-00-00-033.07	**Physical Address**	SCRUGGS LN S 525	**Land Value**	$0	**Last 2 Sales**			
				Improvement	$	**Date**	**Price**	**Reason**	**Qual**
Property Class	Farm	**Mailing Address**	DAILEY JONATHAN G & MARY ANN	**Value**		8/30/2024	$161700	Z	Q
Taxing District	01		650 SCHOFIELD LANE	**Total Value**	$146,438	12/18/2015	$109338	B	U
Acres	18.223		FRANKFORT KY 40601						

Date created: 5/24/2026
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Developed by SCHNEIDER GEOSPATIAL

Franklin County, KY PVA





Legend

- Parcels
- Roads

County Outlines

- Franklin
- <all other values>

Parcel ID	094-00-00-033.08	**Physical Address**	SCRUGGS LN S	**Land Value**	$0	**Last 2 Sales**			
Property Class	Farm	**Mailing Address**	DAILEY JONATHAN G & MARY ANN 650 SCHOFIELD LN FRANKFORT KY 40601	**Improvement Value**	$	**Date**	**Price**	**Reason**	**Qual**
Taxing District	01					8/30/2024	$113300	Z	Q
Acres	12.74			**Total Value**	$6,789	12/18/2015	0	B	U

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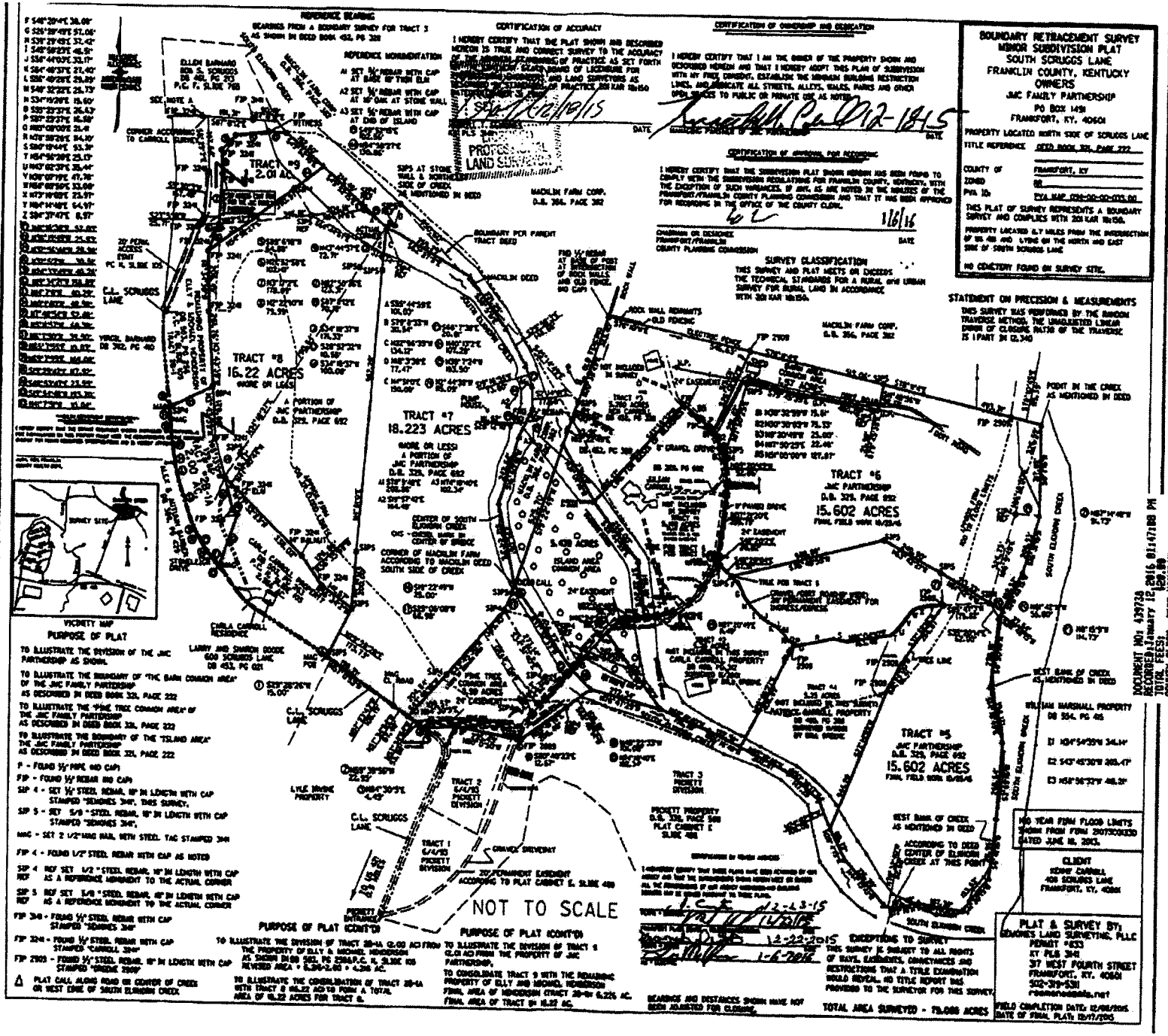

BOUNDARY RETRACEMENT SURVEY
MINOR SUBDIVISION PLAT
SOUTH SCRUGGS LANE
FRANKLIN COUNTY, KENTUCKY
OWNERS
JMC FAMILY PARTNERSHIP
PO BOX 1458
FRANKFORT, KY. 40601
PROPERTY LOCATED NORTH SIDE OF SCRUGGS LANE
TITLE REFERENCE DEED BOOK 325, PAGE 222
COUNTY OF FRANKFORT, KY
ZONED GB
PVA ID: PVA MAP 036-00-00-013.00
THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.
PROPERTY LOCATED 0.7 MILES FROM THE INTERSECTION OF US 421 AND LYING ON THE NORTH AND EAST SIDE OF SOUTH SCRUGGS LANE
NO CEMETERY FOUND ON SURVEY SITE.
REFERENCE BEARING
CERTIFICATION OF ACCURACY
CERTIFICATION OF OWNERSHIP AND DEDICATION
CERTIFICATION OF APPROVAL FOR RECORDING
SURVEY CLASSIFICATION
STATEMENT ON PRECISION & MEASUREMENTS
TRACT #8
16.22 ACRES
MORE OR LESS
TRACT #7
18.223 ACRES
MORE OR LESS
A PORTION OF JMC PARTNERSHIP D.B. 325, PAGE 692
TRACT #6
JMC PARTNERSHIP
D.B. 325, PAGE 692
15.602 ACRES
TRACT #5
JMC PARTNERSHIP
D.B. 325, PAGE 692
15.602 ACRES
TRACT #4
JMC PARTNERSHIP
D.B. 325, PAGE 692
2.01 AC
MACKLIN FARM CORP.
D.B. 364, PAGE 382
MACKLIN DEED
C.L. SCRUGGS LANE
SOUTH ELKHORN CREEK
VICINITY MAP
PURPOSE OF PLAT
PURPOSE OF PLAT (CONT'D)
NOT TO SCALE
EXCEPTIONS TO SURVEY
TOTAL AREA SURVEYED - 75.088 ACRES
100 YEAR FEMA FLOOD LIMITS SHOWN FROM FIRM 21073C0063D DATED JUNE 16, 2003.
CLIENT
KENNY CARROLL
408 SCRUGGS LANE
FRANKFORT, KY. 40601
PLAT & SURVEY BY:
SIMMONS LAND SURVEYING, PLLC
PERMIT #833
KY PLS 3911
317 WEST FOURTH STREET
FRANKFORT, KY. 40601
502-319-5311
FIELD COMPLETION DATE: 12/08/2015
DATE OF FINAL PLAT: 12/17/2015
DOCUMENT NO: 439728
RECORDED ON: JANUARY 12, 2016 01:47:08 PM
RECORDING FEE: 25.00
TOTAL FEES: 25.00
COUNTY CLERK: JEFF HANCOCK
DEPUTY CLERK: LAWANDA STARNES
COUNTY: FRANKLIN COUNTY
BOOK: CAB K PAGES: 128 - 128

EXHIBIT "A"
DAILEY PROPERTY

Map No 094-00-00-033 07

Address 525 S Scruggs Lane

Beginning at a set MAG nail in the center of South Scruggs Lane (No right of way established or acquired at this location) said MAG nail being the southeast corner of Carla Carroll (Deed Book 503, Page 263 and Plat Cabinet H, Slide 105) and being corner to the remaining property of JMC Partnership (Deed Book 329, Page 692) thence leaving said road and with the line of Carla Carroll, N 29 °28'26" E 15 00 feet to a set 5/8" steel rebar with cap thence N 29 °28'26" E 173 73 feet to a set 5/8" steel rebar with cap said rebar being the northeast corner of Carla Carroll thence leaving the Carla Carroll property and with the remaining property of JMC Partnership, N 04 ° 51'00" E 200 00 feet to a set 5/8" steel rebar with cap thence N 04° 51'00" E 982 28 feet to a set 5/8" steel rebar with cap thence N 04 ° 51' 00" E 150 00 feet to a point in the center of South Elkhorn Creek said point being in the line of the Macklin Farm Corporation (Deed Book 356, Page 382} thence with the lie of Macklin Farm Corporation and center of South Elkhorn Creek, S 62° 27'08" E 359 29 feet to a point thence S 38° 05'06" E 221 25 feet to a point thence S 29° 58 1 0311 E 148 65 feet to a point thence S 19° 16'55" E 73 80 feet to a point said point being referenced by a set 5/8" steel rebar the base of a 18" twin elm in said creek said reference bearing and distance from point to said monument being N 66°07'38" W, 20 81 feet thence continuing with the center of said creek, S 02° 14'41" E 77 68 feet to a point thence S 26° 12' 10" W 111 62 feet to a point thence S 16° 50'41" W 242 64 feet to a point thence s 12° 24'03" E 294 05 feet to a point said point being located on the south portion of South Elkhorn Creek as mentioned in the Macklin deed said point being corner to Macklin and the "Island Common Area" and "Pine Tree Common Area" thence with the line of the "Pine Tree Common Area",

s 19° 22'49" W 25 00 feet to a set 5/8" steel rebar with cap thence S 25 ° 06'09" W 68 98 feet to a set ½ " steel rebar with cap thence S 43 ° 45'30" W 309 10 feet to a set ½ " steel rebar with cap thence S 43° 48' 18" W 204 84 feet to a point in the center of South Scruggs Lane thence with the center of South Scruggs Lane, N 57° 34'54" W 67 40 feet to a set MAG nail thence N 57° 23'43" W 106 19 feet to a point thence N 57° 00'53" w 198 21 feet TO THE POINT OF BEGINNING CONTAINING 18 223 ACRES (more or less} and being designated as Tract #7 containing 18 223 acres as shown upon a Boundary Retracement Survey - Minor Subdivision Plat South Scruggs Lane which is recorded in Plat Cabinet K, Slide 120, in the Franklin County Clerks Office, and subject to all easements, restrictions and encumbrances shown upon said plat or visually apparent

Being all of the same real property that was conveyed by John Bradley Carroll, single, Clayton Russell Carroll, single, and Emma Dance Carroll Roberts (f/k/a Emma Dance Carroll and Tera R. Roberts, Married, to Jonathan G. Dailey and Mary Ann Dailey, married by the certain Deed dated August 30, 2024 and of record in Deed Book 630, Page 203, in the Franklin County Clerk's Office.

Map No 094-00-00-033 08

Tract 1

Beginning at a set MAG nail in the center of South Scruggs Lane said MAG nail being the southwest corner of the Carla Carroll property as described in Deed Book 503, Page 263 and Plat Cabinet H, Slide 105 thence with the center of South Scruggs Lane for the following calls

N 41° 07'51" w 10 04 feet, N 41° 16 1 3011 w 52 03 feet, N 36° 15 1 49" w 25 93 feet, N 32° 56' 44" w 28 98 feet, N 32° 05'07" w 30 51 feet, N 24 °33' 49" w 40 26 feet, N 19° 34'21" w 158 89 feet,N 14° 07' 06" w 40 29 feet, N 10° 01'40" w 48 58 feet, N 07° 48' 54" w 52 48 feet, N 05° 11' 57" W 68 39 feet to a set MAG nail thence N 06° 07'50" W 39 50 feet to a set MAG nail said MAG nail being the corner to the remaining property of Elly and Michael Henderson (Deed Book 503, Page 258 and Plat Cabinet H, Slide 105) thence leaving said road and with the remaining property of Henderson N 65° 07'55" E 10 03 feet to a set ½" steel rebar with cap stamped" SEMONES 3141" thence N 65° 07'55" E 169 08 feet to a set ½" steel rebar with cap stamped" SEMONES 3141" thence S 03° 43'39" E 179 86 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence S 15° 13'00" E 139 85 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence S 15° 25'47" E 117 92 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence S 48° 53'47" E 23 55 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence S 19° 54'48" w 184 25 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence S 19° 54'48" W 184 25 feet TO THE POINT OF BEGINNING CONTAINING 2 00 ACRES (more or less) and being designated as TRACT 2B-1A as shown upon that certain Boundary Retracement Survey - Minor Subdivision Plat South Scruggs Lane which is recorded in Plat Cabinet K, Slide 120, in the Franklin County Clerk's Office, and subject to all easements, restrictions and encumbrances shown upon said plat or visually apparent

Tract 2

Beginning at a set 5/8" steel rebar with cap stamped "SEMONES 3141" said rebar being the northeast corner of Carla Carroll property (Deed Book 503, Page 263 and Plat Cabinet H, Slide 105) and being corner to the remaining property of JMC Partnership (Deed Book 329, Page 692) thence along the line of Carroll and JMC Partnership N 55° 34'12" w 141 57 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence N 36° 35 1 59" W 126 86 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence N 47 ° 32'23" w 338 02 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" at a 12 inch elm thence N 47° 40' 44" W 59 77 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence N 15° 13' 00" w 139 85 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence N 03° 43' 39" W 179 86 feet to a set ½" steel rebar with cap stamped "SEMONES 3141" said rebar being the revised corner of Elly and Michael Henderson (Deed Book 503, Page 258 and Plat Cabinet H, Slide 105) thence with the line of Henderson, N 03° 43' 39" w 261 76 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" thence N 01° 34' 36" W 206 45 feet to a found ½" steel rebar with a cap stamped "Carroll 3241" said rebar being corner to Henderson and JMC Partnership thence leaving the line of Henderson and with the remaining property of JMC Partnership, N 54° 58' 27" E 390 97 feet to a set ½" steel rebar with cap stamped "SEMONES 3141" thence N 54° 58' 27" E 130 86 feet to the center of South Elkhorn Creek said point being in the line of JMC Partnership and Macklin Farm Corporation (Deed Book 356, Page 382) thence with the center of said creek s 49°52' 15" E 214 46 feet thence s 49°52' 15" E 102 56 feet to a point said point being the northwest corner of Tract 7 of the JMC Partnership thence leaving said creek and with the west boundary line of Tract 7, s 04° 51' 00" w 150 00 feet to a set ½" steel rebar with cap stamped "SEMONES 3141" thence S 04° 51'00" W 982 28 feet to a set 5/8" steel rebar with cap stamped "SEMONES 3141" thence S 04° 51' 00" W 200 00 feet TO THE POINT OF BEGINNING CONTAINING 16 22 ACRES (more or less) and being designated as TRACT 8 as shown upon that certain Boundary Retracement Survey - Minor Subdivision Plat South Scruggs Lane which is recorded in Plat Cabinet K, Slide 120, in the Franklin County Clerk's Office, and subject to all easements, restrictions and encumbrances shown upon said plat or visually apparent

There is excluded from the foregoing, and not conveyed herewith, that certain parcel of real property containing 5 48 Acres (more or less), a portion of the Julian Carroll property as described in Deed Book 558, Page 787 and being a portion of the original Tract 8 (18 22 acres) as shown in Plat Cabinet K, Slide 120 said tract of property being located to the northeast side of the Rodney Lindauer and Jane Vigor property as described in Deed Book 561, Page 791 and as shown in Plat Cabinet K, Slide 120, previously conveyed by deed recorded in the Franklin County Clerks Office in Deed Book 597, Page 154, and more particularly described as follows

Commencing from a found MAG nail in the center of Scruggs Lane said MAG nail being the southwest corner of the Rodney Lindauer and Jane Vigor property as described in Deed Book 561, Page 791 and as shown in Plat Cabinet K, Slide 120 said MAG nail being corner to Julian Carroll property as described in Deed Book 558, Page 78 thence with the line of Lindauer, Vigor, and Carroll N 65°07'55" E, 10 03 feet to a found ½" rebar with cap stamped "SEMONES 3141" thence continuing with the line of Lindauer, Vigor, and Carroll N 65°07'55" E, 169 08 feet to a found ½" steel rebar with cap stamped "SEMONES 3141". THE TRUE POINT OF

BEGINNING THE TRUE POINT OF BEGINNING BEING THE SOUTHEAST CORNER OF LINDAUER AND VIGOR AND IN THE LINE OF JULIAN CARROLL thence with the line of Lindauer and Vigor, N 03°43'39" W, 187 45 feet to a set ½" steel rebar with cap stamped "SEMONES 3141" thence N03°43'39" W, 74 31 feet to a found ½" steel rebarwith cap stamped "3241" thence N 01°34'36" W, 206 45 feet to a found ½" steel rebar with cap stamped "3241" thence N 54°58'27" E, 390 97 feet to a found ½" steel rebar with cap stamped "SEMONES 3141" thence N 54°58'27" E, 130 86 feet to a point in the center of the center of South Elkhorn Creek said point being in the line of Macklin Farm Corporation (Deed Book 356, Page 3 82) thence with the center of said creek S 49°52' 15" E, 214 46 feet to a point said point being referenced by a set ½" steel rebar with cap stamped "SEMONES 3141" said reference bearing and distance being S 28°52'32" W, 10 55 feet thence continuing with center of said creek, S 49°52'15" E, 102 56 feet to a point and point being referenced by a set 5/8" steel rebar said reference bearing and distance being S 79°08'33" W, 30 54 feet thence leaving said creek and with the division line herein created, S 48°59'01" W, 857 51 feet to the TRUE POINT OF BEGINNING CONTAINING 5 48 ACRES (more or less and being designated as Parcel 8-A and being a portion of the original Tract 8 as described in Deed Book 558, Page 787 and as shown in Plat Cabinet K, Slide 120 from a boundary survey by Semones Land Surveying, PLLC, Permit# 833, Robert T Semones, KY PLS 3141 dated September 1, 2020 with final plat September 9, 2020 The subject property is subject to all legal right of ways and easements, apparent or not The unadjusted error of closure for this boundary survey was 1 in 12,340 The bearings and distances shown hereon have NOT been adjusted for closure See Plat Cabinet K, Slide 120 for basis of bearings

Being all of the same real property that was conveyed by the Estate of Julian M. Carroll, by its Executor, Neel Carrol, to Jonathan G. Dailey and Mary Ann Dailey, married by the certain Deed dated August 30, 2024 and of record in Deed Book 630, Page 209, in the Franklin County Clerk's Office.

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Re: Facility Review Request-525 South Scruggs- RR to AG

Summarize this email

DB David Brown<dbrown@hmbpe.com>

To: Ben Judah; Brad Gregory <bgregory@hmbpe.com>

Tue 6/9/2026 3:22 PM

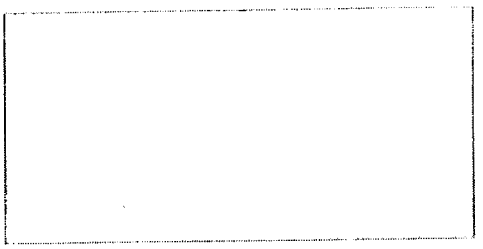
Some content in this message has been blocked because the sender isn't in your Safe senders list. Trust sender | Show blocked content

Ben,

My understanding of the zoning code is that a for-profit campground in an AG zone is a **conditional use** requiring approval of the Board of Zoning Adjustments.

We take no exceptions to a rezone to AG provided any Conditional Use follows the process to obtain approval from the Board of Zoning Adjustments. That being said, with the current conditions, we would recommend to the BZA that the conditional use be DENIED as the majority of this property is in the floodplain and some of it is in the floodway - see attached. If the applicant intends to employ a licensed Civil Engineer to permit grading the property or a portion of it ABOVE the floodplain (through the Kentucky Division of Water) with compensatory cut/fill and required analysis then the review engineer COULD potentially recommend the BZA approve the conditional use.

Happy to explain further over the phone or in a meeting if necessary thanks.



From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Monday, June 8, 2026 4:11 PM
To: Cambron, Jonathan (LHD-Franklin Co) <jonathan.cambron@ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Mike Dees <mike.dees@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Banks, Russell <rbanks@fewpb.com>; AMBROSE, FRANK A <fa2207@att.com>
Cc: Conway, John <jconway@fewpb.com>; David Brown <dbrown@hmbpe.com>; Maciag, Joseph (LHD-Franklin Co) <joseph.maciag@ky.gov>
Subject: Facility Review Request-525 South Scruggs- RR to AG

This Message is from an external sender.

Dear TRT,

Please see the attached facility review request for a proposed zone change from RR to AG for property located at 525 South Scruggs Lane. The applicant intends to establish a campground on the property. If possible, please submit comments via email by June 15, 2026. If you need any additional, information, please contact me.

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Re: Facility Review Request-525 South Scruggs- RR to AG

Summarize this email

DB David Brown<dbrown@hmbpe.com>

To: Ben Judah; Brad Gregory <bgregory@hmbpe.com> Wed 6/10/2026 8:03 AM

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In addition, we would likely have comments regarding county road level of service for the increased ADT resulting from a campground at this location.

Thanks,



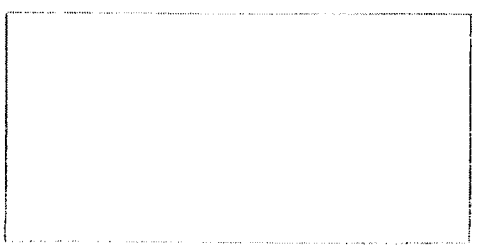
From: David Brown <dbrown@hmbpe.com>
Sent: Tuesday, June 9, 2026 3:21 PM
To: Ben Judah <ben.judah@franklincounty.ky.gov>; Brad Gregory <bgregory@hmbpe.com>
Subject: Re: Facility Review Request-525 South Scruggs- RR to AG

Ben,

My understanding of the zoning code is that a for-profit campground in an AG zone is a **conditional use** requiring approval of the Board of Zoning Adjustments.

We take no exceptions to a rezone to AG provided any Conditional Use follows the process to obtain approval from the Board of Zoning Adjustments. That being said, with the current conditions, we would recommend to the BZA that the conditional use be DENIED as the majority of this property is in the floodplain and some of it is in the floodway - see attached. If the applicant intends to employ a licensed Civil Engineer to permit grading the property or a portion of it ABOVE the floodplain (through the Kentucky Division of Water) with compensatory cut/fill and required analysis then the review engineer COULD potentially recommend the BZA approve the conditional use.

Happy to explain further over the phone or in a meeting if necessary thanks.



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Re: Facility Review Request-525 South Scruggs- RR to AG

Summarize this email

CJ

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

To: Ben Judah

Cc: Maciag, Joseph (LHD-Franklin Co) <Joseph.Maciag@ky.gov>

Mon 6/8/2026 4:16 PM

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Report Suspicious

Ben,

Is the intent to be a tent camping campground or an RV Park?

Link to Jon Cambron Digital Business Card

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Monday, June 8, 2026 4:11 PM
To: Cambron, Jonathan (LHD-Franklin Co) <jonathan.cambron@ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Mike Dees <mike.dees@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Banks, Russell <rbanks@fewpb.com>; AMBROSE, FRANK A <fa2207@att.com>
Cc: Conway, John <jconway@fewpb.com>; David Brown <dbrown@hmbpe.com>; Maciag, Joseph (LHD-Franklin Co)

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Re: Facility Review Request-525 South Scruggs- RR to AG

Summarize this email

Brian Brewer
To: Ben Judah

Fri 6/26/2026 10:45 AM

Ben,

The Fire Dept has no comment on the zone change; however, there will likely be comments on the campground development plan when it gets to that stage.

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: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Thursday, June 25, 2026 3:31 PM
To: Brian Brewer <brian.brewer@franklincounty.ky.gov>; Mike Dees <mike.dees@franklincounty.ky.gov>; AMBROSE, FRANK A <fa2207@att.com>
Subject: Fw: Facility Review Request-525 South Scruggs- RR to AG

Dear TRT,

I am following up on the attached facility review request. The staff report is due tomorrow and I would like to include comments from your agency in the report.

Sincerely,

Ben Judah, AICP
Assistant Director
MS4 Coordinator
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Monday, June 8, 2026 4:11 PM
To: Cambron, Jonathan (LHD-Franklin Co) <jonathan.cambron@ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Mike Dees <mike.dees@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Dutta, Sharmista

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RE: Facility Review Request-525 South Scruggs- RR to AG

Summarize this email

BR

Banks, Russell<rbanks@fewpb.com>

To: Ben Judah; Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.co Mon 6/15/2026 7:01 AM

Cc: Conway, John <jconway@fewpb.com>

Morning Ben,

FPB Telecom has no issues with the proposed zone change.

Thanks

Russell Banks, PE
Frankfort Plant Board
Telecom Engineer
PO Box 308, 306 Hickory Drive, Frankfort, KY 40602
[T]502.352.4452 [F]502.223.4449 [E] rbanks@fewpb.com

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Monday, June 8, 2026 4:11 PM
To: Cambron, Jonathan (LHD-Franklin Co) <jonathan.cambron@ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Mike Dees <mike.dees@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Banks, Russell <rbanks@fewpb.com>; AMBROSE, FRANK A <fa2207@att.com>
Cc: Conway, John <jconway@fewpb.com>; David Brown <dbrown@hmbpe.com>; Maclag, Joseph (LHD-Franklin Co) <joseph.maclag@ky.gov>
Subject: Facility Review Request-525 South Scruggs- RR to AG

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

Dear TRT,

Please see the attached facility review request for a proposed zone change from RR to AG for property located at 525 South Scruggs Lane. The applicant intends to establish a campground on the property. If possible, please submit comments via email by June 15, 2026. If you need any additional, information, please contact me.

Sincerely,

Ben Judah, AICP
Assistant Director
MS4 Coordinator
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701

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RE: Facility Review Request-525 South Scruggs- RR to AG

Summarize this email

CJ Carter, Jim<jcarter@fewpb.com>

To: Ben Judah; Cambron, Jonathan (LHD-Franklin Co) <jonathan.cambron@ky.gov>; Br Tue 6/9/2026 10:07 AM

Cc: Conway, John <jconway@fewpb.com>; David Brown <dbrown@hmbpe.com>; Macia

FPB Electric has no issue with the zone change.

Thanks.

James R. Carter, PE
FPB Electrical Engineer
305 Hickory Drive
Frankfort, KY 40602
502-352-4401
jcarter@fewpb.com

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Monday, June 8, 2026 4:11 PM
To: Cambron, Jonathan (LHD-Franklin Co) <jonathan.cambron@ky.gov>; Brad Gregory <bgregory@hmbpe.com>; Mike Dees <mike.dees@franklincounty.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Banks, Russell <rbanks@fewpb.com>; AMBROSE, FRANK A <fa2207@att.com>
Cc: Conway, John <jconway@fewpb.com>; David Brown <dbrown@hmbpe.com>; Maciag, Joseph (LHD-Franklin Co) <joseph.maciag@ky.gov>
Subject: Facility Review Request-525 South Scruggs- RR to AG

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Dear TRT,

Please see the attached facility review request for a proposed zone change from RR to AG for property located at 525 South Scruggs Lane. The applicant intends to establish a campground on the property. If possible, please submit comments via email by June 15, 2026. If you need any additional, information, please contact me.

Sincerely,

Ben Judah, AICP
Assistant Director
MS4 Coordinator
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701

Frankfort-Franklin County Planning Commission

AUGUST 13, 2026

Charles Stewart, Chairman, Presiding

Chairman Stewart asked the Secretary to call the roll:

Members Present:

Patrick Carney
Irma Johnson
Mary Robson
Danny Semones
Charles Stewart

Members Absent:
William May
Todd McDaniel
Reed Mills
Michael Nickles

Also Present:

Edwin Logan, Planning Commission Attorney
Eric Cockley, Frankfort Planning & Community Development Director
Autumn Goderwis, Franklin County Planning & Building Codes Director

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

Chairman Stewart asked for motion to approve the minutes of the July 30, 2026 meeting. Mr. Carney made a motion to approve the July 30, 2026 minutes. The motion was seconded by Mr. Semones and passed unanimously.

Mr. Carney made a motion to approve the payment of the following bills:

Ed Logan, (Legal – June 2026)	$ 1,500.00
Vickie Sewell (PC 7/3026)	300.00
Dawn McDonald (BZA 07/14/26)	150.00
McBride Dale Clarion (Inv. #4690-24)	5,332.50
Frankfort NewsMedia (Legal Ads)	236.25
Mitch Buchanan (BZA – 11 meetings)	550.00
Patrick Carney (BZA – 7 meetings)	350.00
Barry Holder, Jr. (BZA – 9 meetings)	450.00
Johnny Keene (BZA - 11 meetings)	550.00

Jeremy Richerson (BZA – 7 meetings)	350.00
Margaret Richardson (BZA – 8 meetings)	400.00
Iris Skidmore (BZA – 10 meetings)	500.00
Irma Johnson (PC – 6 meetings)	450.00
Timothy Luscher (PC – 7 meetings)	525.00
William May, Jr. (PC – 7 meetings)	525.00
Todd McDaniel (PC – 6 meetings)	450.00
Reed Mills (PC – 7 meetings)	525.00
Michael Nickles (PC – 6 meetings)	450.00
Danny Semones (PC – 6 meetings)	450.00
Charles Stewart (PC – 9 meetings)	675.00
Ryan Watts (PC – 1 meeting)	75.00
Brent Sweger (PC – 2 meetings)	150.00

The motion was seconded by Ms. Robson and passed unanimously.

Chairman Stewart stated that the Vice Chair position has been vacated and the Commission needed to elect someone to fill the position. It was moved and seconded that Mike Nickles be elected as Vice Chair. The motion passed unanimously.

Under Staff Items, Eric Cockley stated that with the high cost of mailings for the three boards, he had been looking into buying tablets for the Board members. He stated that the staff reports would be loaded onto the tablets and each member could come by the Planning office and pick them up. He added that the members could leave their tablets after each meeting.

After further discussion it was moved and seconded to give Mr. Cockley the authority to purchase the tablets for a total of around $1,600 dollars. The motion passed unanimously.

Chairman Stewart asked for a motion to suspend the bylaws in order to have more than two public hearings at the meeting. The motion was made by Mr. Carney and seconded by Ms. Robson and passed unanimously.

Under Staff Items, Mr. Eric Cockley provided an update on the Development Code. He stated that the final review of the document was currently taking place and that the new Code is expected to be on the agenda for the September meeting.

Chairman Stewart asked the Secretary to announce the first item of business:

PUBLIC HEARING: Allan & Renata Kotria are requesting a zone map amendment from Residential "C" District "RC" to General Commercial District "CG" for the property located at 122 Schenkel Lane. The property may be more specifically described as PVA Map No. 074-41-01.007.00 In accordance with Article 1.09 of the City of Frankfort Zoning

Mr. Eric Cockley, City of Frankfort Planning and Community Development Director was sworn in. Under questioning by Mr. Logan he stated that he had prepared the staff report for the request. He stated that there were no changes to the staff report. He stated his vita was on file.

Mr. Cockley stated that the applicant had worked out the sewer capacity issues. He stated that there were no other changes to his report. Mr. Logan moved that the report being filed into the record.

Ms. Robson asked about the driveway and was told that it can be maintained. Mr. Carney asked what would happen to the residence. Mr. Cockley stated that it would be subdivided and rezoned.

Mr. Charles Jones, Attorney for the applicant, stated that the applicant wanted to make improvements to the residence up front. He stated that the applicant was only asking for a zone change for the rear area of the property.

Under citizen comments, Ms. Debbie Fitzgerald stated that she has lived across the street for 26 years. She stated that there are several vehicles in the yard. She stated that she was concerned about increased traffic and if an ambulance would be able to get the rear portion of the property.

Ms. Johnson stated that she has noticed that the area could get congested at times.

Mr. Jones stated that the manner in which the land lays, the 40' fence won't block access to the block. He stated that the house is dilapidated and the applicant wants to improve the house. H stated that the applicant wants to pave the first 20' for a driveway. He stated that the applicant wants to live by this property and is trying to improve it.

Mr. Semones made a motion to find that staff's testimony was in agreement with the request and that the staff report indicated that the Comprehensive Plan supported the land use and recommended that the Commission adopt the report and Findings of Fact contained in the Staff Report and to recommend to the City Commission that the requested zone map amendment be approved. The motion was seconded by Mr. Carney and passed by a vote of four to one. Those voting in favor were Mr. Carney, Ms. Robson, Mr. Semones and Chairman Stewart. Ms. Johnson voted against the request.

Chairman Stewart asked the Secretary to introduce the next item:

> **PUBLIC HEARING: The City of Frankfort is requesting a zone map amendment from Residential "B" District "RB" to High Density Multifamily "RH" for the property located at 600 Schenkel Lane. The property may be more specifically described as PVA Map No.. 074-00-00-004.00 (City Item)**

Mr. Cockley had been previously sworn. Under questioning by Mr. Logan he stated that he had prepared the staff report for the request and that he had no additions or deletions to the report. Mr. Logan asked that the report be submitted into the record.

Mr. Cockley stated that the Future Land Use was designated for Urban Neighborhood, which was in agreement with the Comprehensive Plan. He stated that the rezoning would provide the City with the opportunity to apply for low income tax credits for the property.

Mr. Johnson asked how many units they were proposing. Mr. Cockley stated that there would be 200 units with most being multi-family units.

Mr. Semones asked how long the construction would take place. Mr. Cockley stated that it would be one to two years.

Mr. Jason Monroe, City Manager for the City of Frankfort was present and that he had reviewed the Staff Report prepared for the request and was in agreement with the report and recommendation.

Mr. Carney made a motion to close the public hearing and to adopt the Staff Report in lieu of further testimony and to recommend to the City of Frankfort

Board of Commissioners that the zone map amendment being requested for 600 Schenkel Lane be approved based on Staff's recommended findings.

The motion was seconded by Ms. Johnson and passed unanimously.

Chairman Stewart asked the Secretary to introduce the next item:

> **PUBLIC HEARING: SEL BRO CONSTRUCTION LLC is requesting a zone map amendment from Single Family Residential Suburban Density District "RB" to Special Capitol District "SC" for the property located at 202 Paul Sawyier Drive. The property may be more specifically described as PVA Map No. 062-30-01-002.00 (City Item)**

Mr. Jordan Miller, Senior Planner for the Frankfort Department of Planning and Community Development was sworn in. Under questioning by Mr. Logan he stated that had been the Senior Planner for 11 years and that he had reviewed the applicant's request for the zone map amendment. He stated that his recommendation was based on his expertise and training in Planning and Community Development. He stated that he had no corrections or additions to the staff report.

Mr. Miller stated that the house is a single-family residence and the applicant wishes to use it as a short-term rental. He stated that the Future Land Use designated the property as Urban Neighborhood and that the requested Special Capitol District was in agreement with the comprehensive plan and KRS 100.123.

Ms. Johnson asked if there were any other properties in the area that were short term rentals. Mr. Miller stated that there were several within the adjoining South Frankfort district.

Ms. Robson asked why the Planning Commission was reviewing the request and not the Architectural Review Board. Mr. Miller stated that all zone map amendments come before the Planning Commission.

Under audience testimony, an unidentified female stated that she was against having the area turn into an Air B-N-B neighborhood.

Mr. Gary Harp stated that he owned property at 207 Paul Sawyier Drive. He stated that his property is across the street from 202 Paul Sawyier Drive. He stated that he though the entire street should be rezoned to allow Air B-N- B's to be located

in that neighborhood. He stated that his insurance for his property is over 14,000 per year. He stated that an Air B-N-B would help absorbs the cost of maintaining the property.

Ms. Sarah Jones stated that she was in agreement with Mr. Harp. She stated that her insurance is $17,000 per year and she can't afford that cost with only a long-term rental.

Mr. Carney made a motion to close the public hearing and to adopt staff's findings and to recommend to the City of Frankfort Board of Commissioners that the requested zone change from RB to SC for the property located at 202 Paul Sawyier Drive be approved. The motion was seconded by Mr. Semones and passed unanimously.

Note: Item #4 PUBLIC HEARING: Shane Trent's request for a zone map amendment at 3600 Leestown Road was tabled.

Chairman Stewart asked the Secretary to introduce the next item:

> **PUBLIC HEARING: Jonathan G. & Mary Ann Dailey are requesting a zone map amendment from a Single-Family Rural Residential (RR) zoning district to an Agricultural (AG) zoning district for a total of 30.963 acres of property located at 525 South Scruggs Lane, aka PVA Map s 094-00-00-033.07 and 094-00-00-033.08**

Ms. Autumn Goderwis was sworn in and under questioning by Mr. Logan testified that she was the Director of the Planning Department and had been for two years. She stated that she had reviewed the application and had prepared the staff report for the request. She stated that there were no additions or deletions to the report. She stated that she had filed her Vita with the Commission.

Ms. Goderwis stated that the request was for a zone map amendment from Rural Residential to Agricultural at 525 South Scruggs Lane. She stated that the applicants were proposing to raise cattle and grow crops on the property. She stated that there is a house on the property that may be used for Short Term Rentals in the future.

Ms. Goderwis stated that she had found all positive findings and read the findings into the record.

Mr. Preston Cecil, attorney for the applicants stated that he had reviewed the staff report and was in agreement with staff's recommendation.

Under audience discussion, Mr. William Hester stated that he was fine with opening up Scruggs Lane but felt it would become a problem if a use such as an Recreational Vehicle campground were to locate there.

There was no one else to speak on the item.

Ms. Robson made a motion to close the public hearing and to adopt staff's recommended findings of fact and the recommend to the Franklin County Fiscal Court that the 30.963 acres of property located at 525 South Scruggs Lane be rezoned from RR – Rural Residential to AG – Agricultural. The motion was seconded by Ms. Johnson and passed unanimously.

Chairman Stewart asked the Secretary to introduce the next item:

> **PUBLIC HEARING: Charles Darren Hardin is requesting a zone map amendment from a Single-Family Rural Residential (RR) zoning district to an Agricultural (AG) zoning district for approximately 43.74 acres of a 106.3-acre property located at 147 Doe Run Road, also identified as PVA Map #035-00-00-002.00**

Ms. Tina Peck, Planner with the Franklin County Planning & Building Codes Department was present, sworn in and presented the Staff Report. Under questioning by Mr. Logan she stated that had reviewed the requested zone map amendment and had prepared the staff report for the request. She staff that she had found all positive findings of fact. She stated that this zone change would bring an existing non-conforming use into compliance.

Mr. Preston Cecil, attorney for the applicant stated that had reviewed the staff report and agreed with staff's findings and recommendation. He stated that the use had been in existence for 10 years and there had never been any traffic issues in that time.

Ms. Johnson made a motion to close the Public Hearing, and to adopt the Staff's recommended Findings of Fact and to recommend to the Franklin County Fiscal Court that the Zone Map Amendment requested by Charles Darren Hardin for 43.74 acres located at 147 Doe Run Road be approved. The motion was seconded by Mr. Carney and passed unanimously.

Chairman Stewart asked the Secretary to introduce the next item:

> **In accordance with Articles 4, 17, 18 and 19 of the City of Frankfort Zoning Ordinance, SEL BRO CONSTRUCTION LLC is requesting a Conditional Use Permit to operate a non-owner occupied short term rental for the property located at 202 Paul Sawyier Drive. The property may be more specifically described as PVA Map No. 062-30-01-002.00**

Mr. Jordan Miller, Planning Supervisor with the Frankfort Department of Planning & Community Development stated that he had reviewed the request for the Conditional Use and had made all positive findings for approval.

There was no other testimony.

Ms. Johnson made a motion to adopt staff's positive findings to approve the requested Conditional Use Permit with Staff's recommended conditions of approval. The motion was seconded by Mr. Carney.

Ms. Robson moved to amend the motion for approval to contain the condition that no on-street parking be allowed. Ms. Johnson agreed to the amendment. The motion passed unanimously.

There being no further items on the agenda, Mr. Semones made a motion to adjourn, which was seconded by Ms. Johnson.

_____

Vickie Sewell Recording Secretary

_____

Charles Stewart, Chairman