January 31, 2022

To: Board of Zoning Adjustment

From: Jordan Miller, Senior Planner
Department of Planning & Community Development

Re: Upcoming Board of Zoning Adjustment Meeting

There will be a meeting of the Board of Zoning Adjustment held at 5:30 P.M. on Tuesday, February 8, 2022 via teleconference in accordance with SB 150 and the requirements of KRS 61.823. BZA Board members, Planning Staff and Applicants will participate in the meeting using teleconferencing and the meeting will be live streamed in accordance with the statutory requirements. The meeting will be live streamed on the City’s Facebook page: https://www.facebook.com/CityofFrankfortKY/. The following items are on the agenda for consideration (please be aware that because this will be a special called meeting the board may not discuss items that are not on the agenda as advertised):

ROLL CALL

APPROVAL OF MINUTES: December 14, 2021

NEW BUSINESS:
1. Election of Officers
2. Adoption of the 2022 Board of Zoning Adjustments meeting calendar
3. In accordance with Article 4.06.26 of the City of Frankfort Zoning Ordinance, Frank T. Smith is requesting approval to place a manufactured home on an existing vacant lot for the property located at 405 Noel Avenue. The property may be more specifically identified as PVA Map Number 074-11-03-007.00.

ADJOURN
*Staff reports for these items may be available seven (7) days prior to the meeting on the Planning Department webpage at www.frankfort.ky.gov/agendacenter. Additional information may also be obtained by calling 502-352-2097 during business hours, Mondays through Fridays, 8:00 a.m. to 4:30 p.m. Anyone wishing to submit comments on any of the items on the agenda may submit comments via e-mail to jmiller@frankfort.ky.gov anytime before 12:00pm February 8, 2022.
REPORT AND RECOMMENDATION

TO: FRANKFORT-FRANKLIN COUNTY
BOARD OF ZONING ADJUSTMENTS

FROM: Jordan Miller, Senior Planner

SUBJECT: Place manufactured home on vacant lot

DATE: February 1, 2022

MEETING DATE: February 8, 2022

BZA No.: 2022-01

GENERAL INFORMATION

Owner/Applicant: Frank T. Smith
PO Box 1024
Frankfort, Ky 40601

Request: In accordance with Article 4.06.26 of the City of Frankfort Zoning Ordinance, Frank T. Smith is requesting approval to place a manufactured home on an existing vacant lot for the property located at 405 Noel Avenue. The property may be more specifically identified as PVA Map Number 074-11-03-007.00.


Current Use: Vacant Lot

Adjacent Zoning & Land Use: North, South, East, & West: “RC”; single-family dwellings

BACKGROUND

The subject property is a 50’ x 184’ parcel (9,200 sq. ft.) that is currently vacant, except for two small storage buildings. The applicant would like to place a 15’ x 64’ (960 sq. ft.) manufactured home on the lot to use as a single-family dwelling. Section 4.06.26 of the City’s Zoning Regulations require specific compatibility standards for single-family homes to be constructed or placed on a lot. Based upon discussions with the applicant and their proposed site plan, several of these standards cannot be met and Staff is unable to approve the building permit application that was submitted to the Planning Department. According to Article 4.06.26, “Structures that fail to meet the following standards shall require approval from the Board of Zoning Adjustments prior to the issuance of a building permit” which is the subject of this request.

The subject property is located in the Thornhill neighborhood with frontage along Noel Avenue and Claxton Avenue. The neighborhood is overwhelmingly single-family dwellings ranging in size from around 900 sq. ft. to 1300 sq. ft., of which are stick-built (constructed on-site) around the early to middle 20th Century. The lot size of the subject property is typical of the neighborhood. The applicant has owned the property since September 2004. An approximately 25’ x 40’ (1,000 sq. ft.) single-family dwelling was demolished in 2004 according to permit files on record in the City Planning Department.
ANALYSIS

City of Frankfort Zoning Ordinance Article 4, Section 4.06.26: Compatibility Standards: Approval Standards For Single-Family Detached Dwellings On Individual Lots

All single-family detached dwellings on individual lots in residential districts, outside of Manufactured Home Parks or subdivisions, shall conform to these standards. Structures that fail to meet the following standards shall require approval from the Board of Zoning Adjustments prior to the issuance of a building permit.

A. **Foundation:** The dwelling shall be set on a permanent perimeter foundation that forms a complete enclosure under the exterior walls. If the structure is not designed to be supported by a perimeter foundation, a wall constructed of brick, stone or concrete block shall be installed to give the appearance of a permanent foundation.

**Staff finding:** Positive and Negative. The applicant has indicated that the dwelling will be set upon a permanent foundation but has not indicated which type (pier, slab, crawl space, slab with concrete block skirting, etc.) and whether it will be completely enclosed.

B. **Roof:** The roof pitch shall not be less than a 1:4 ratio except over porches, garages, and carports. The roofing material shall be of a type or shall resemble a type commonly found on site-built dwellings.

**Staff finding:** Negative. The roof pitch of the proposed manufactured home appears to be less than 1:4.

C. **Minimum width:** The narrowest portion of the main part of the dwelling shall be no less than twenty (20) feet in width.

**Staff finding:** Negative. The narrowest portion of the proposed home will be 15 feet in width. The majority of single-family homes in the surrounding blocks range from 30 feet to 45 feet in minimum width, with most of them around 35 feet.

D. **Exterior walls:** The exterior covering of the dwelling unit shall be similar in appearance to materials commonly found on site-built dwellings. It shall not reflect light to any greater degree than siding coated with white gloss exterior enamel paint.

**Staff finding:** Positive. The proposed manufactured home is covered in vinyl siding, which is a typical and permissible exterior covering of single-family dwellings in the Thornhill neighborhood.

E. **Faces Street:** The longest dimension of the dwelling shall be parallel to the street; unless site-built dwellings are common in the surrounding area or unless the Board of Zoning Adjustments determines such orientation would be compatible in the area.

**Staff finding:** Negative. The applicant is proposing to place the longest dimension of the dwelling perpendicular to the street. The longest dimension of the dwelling (64 feet) would fail to meet the minimum 6-foot side setbacks required for in the “RC” zone if it were placed parallel to the street. Therefore, the applicant is proposing to place the home with the narrowest portion (15 feet wide) facing the street – Noel Avenue.

F. **Installations:** The dwelling shall be properly connected to utilities and, if manufactured off-site, shall be installed on site in accordance with the manufacture’s specifications.

**Staff finding:** Positive. The dwelling is served with public utilities including electric, water, cable, and sewer. The Technical Review Team has reviewed the proposed site plan to place the manufactured home on the subject property and did not have any negative concerns. The TRT comments are attached at the end of this report.
City of Frankfort Zoning Ordinance

4.14 Residential “C” District “RC”

4.141 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 residence of such neighborhood. This district is intended to provide a medium density single family environment on small lots. It is particularly appropriate to more densely developed areas of Frankfort, but may be suited to new developments where higher density is desirable.

4.144 Bulk, Density, and Height

A) Minimum lot area 5,000 sq feet
B) Minimum lot frontage 40 feet
C) Minimum front yard 15 feet
D) Minimum street side yard 10 feet
E) Minimum side yard 6 feet
F) Minimum rear yard 25 feet
G) Maximum lot coverage 40 %
H) Maximum height 35 feet

Staff finding: Positive. If the Board of Zoning Adjustment were to approve the request, the proposal would meet the Bulk, Density, and Height requirements for the “RC” zone, based upon the applicant’s attached site plan.

4.14 Off-street parking

Two spaces per dwelling unit

Staff finding: Positive. The applicant is proposing to construct a construct a 12’ x 60’ concrete drive that will have access off of Claxton Avenue. This size of driveway is sufficient to provide for the required 2 off-street parking spaces

STAFF SUGGESTION

Based upon the negative findings included within the staff report, Staff recommends denial of the request. However, should the Board make positive findings and approve the proposal Staff suggests the following conditions:

1. An approved building permit shall be issued by the City of Frankfort Planning Department prior to the placement of the manufactured home on the vacant lot and the construction of the concrete driveway.
2. The applicant shall obtain all necessary permits and approvals from all respective utilities including but not limited to electric, water, cable, public works, and sewer.
3. The dwelling shall be set on a permanent perimeter foundation that forms a complete enclosure under the exterior walls. If the structure is not designed to be supported by a perimeter foundation, a wall constructed of brick, stone or concrete block shall be installed to give the appearance of a permanent foundation.
Homes on same side of street at Noel Ave-Letcher Ave intersection

Homes on opposite side of street at Noel Ave-Letcher Ave intersection
ATTACHMENTS
1) Proposed manufactured home to be placed on subject property
2) Site plan submitted by applicant
3) TRT comments
4) Notified adjacent property owners
Hey Folks,
Property owner at 405 Noel is going before the Board of Zoning Adjustment to permit a manufactured home on the vacant lot. Please find attached a VERY general site plan and let me know if you have any issues with it's placement on the property. There's also a proposed driveway off of Claxton. Thanks!

Jordan Miller
Senior Community Planner
Planning & Community Development

jmiller@frankfort.ky.gov
www.frankfort.ky.gov

0107_001.pdf
92K
RE: Site Review 405 Noel Ave - Electric comments
1 message

Carter, Jim <jcarter@fewpb.com>       Wed, Jan 26, 2022 at 3:50 PM
To: Jordan Miller <jmiller@frankfort.ky.gov>, "Dutta, Sharmista" <sdutta@fewpb.com>, "Harrod, Mike" <mikeharrod@fewpb.com>, Sara Anderson <sanderson@frankfort.ky.gov>, Michael Hesse <mhesse@frankfort.ky.gov>
Cc: Eric Cockley <ecockley@frankfort.ky.gov>, "McCullar, Travis" <tmccullar@fewpb.com>

FPB Electric has no issue with the permit.

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: Jordan Miller <jmiller@frankfort.ky.gov>
Sent: Wednesday, January 26, 2022 12:34 PM
To: Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>; Sara Anderson <sanderson@frankfort.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>
Cc: Eric Cockley <ecockley@frankfort.ky.gov>
Subject: Site Review 405 Noel Ave

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

Hey Folks,
MEMORANDUM

TO: Jordan Miller, Senior Community Planner
DATE: January 27, 2022
FROM: Sara Anderson, Public Works Deputy Director
RE: Preliminary Site Plan - 405 Noel Ave

This office has reviewed the applicant's submittal received January 26, 2022. Our comments and requirements are based on applicable codes and ordinances and based upon the health, safety and welfare of the public. We reserve the right to add or amend comments and/or requirements at any time prior to signing the final document (submittal).

General Comments

1. The Public Works Department agrees with the plan as submitted.

Any future development shall comply with all requirements of the Frankfort/Franklin County Stormwater Procedures Manual and applicable City of Frankfort Code of Ordinances.

Should you have any questions concerning this project, please do not hesitate to contact my office at 502.875.8500 or sanderson@frankfort.ky.gov.
DATE: January 27, 2022

TO: Eric Cockley, Director
    Planning & Community Development
    City of Frankfort

FROM: Sharmista Dutta
      Water Engineer
      Frankfort Plant Board

RE: Water comments for the following item:

405 Noel Drive – Board of Zoning Adjustment Permit
a. FPB Water has no issues with the permit.
b. The Frankfort Plant Board reserves the right to modify these comments based on other agency reviews and changes to the plat or plan resulting from required or voluntary revisions.

Should you have any questions or comments, please do not hesitate to contact me at (502) 352-4407 or sdutta@fewpb.com.
January 27, 2022

Jordan Miller
Senior Community Planner
Planning and Community Development
215 West Second Street
Frankfort, KY 40601

RE: 405 Steele Street
Site Development Plan

Dear Mr. Miller,

The Frankfort Sewer Department (FSD) has received the proposed site plan for 405 Noel Street. FSD has the following comments.

1. FSD has no objection to permit a manufactured home on the property.
2. The home shall drain to Noel Street. FSD has located an existing tap approximately 99 L.F. upstream of MH 9-408.
3. Owner will be required to pay a capacity / tap fee based upon the number and size of the water meters on the property. If the existing water meter is to be upsized the fee will be based upon the difference in size.
4. No discharge will be allowed until the Frankfort Sewer Department witnesses installation, testing, and approves the connection.
5. The Frankfort Sewer Department reserves the right to modify these comments based on applicable regulations / ordinances, other agency reviews, and changes to the plat or plan resulting from required or voluntary revisions.

Should you need further assistance, please contact the FSD at (502) 875-2448.

Sincerely,
Frankfort Sewer Department

Michael Hesse, PE
Design Engineer

CC: Kenny Hogsten, FSD
Robert Barker, FSD
Site Review 405 Noel Ave

Harrod, Mike <mikeharrod@fewpb.com>  
To: Jordan Miller <jmiller@frankfort.ky.gov>  
Cc: "Carter, Jim" <jcarter@fewpb.com>, "Dutta, Sharmista" <sdutta@fewpb.com>, "Eagle, Rush" <reagle@fewpb.com>, "Hellard, Adam" <ahellard@fewpb.com>, "Holt, Shane" <sholt@fewpb.com>, "Phillips, Jack" <jphillips@fewpb.com>, "Banks, Russell" <rbanks@fewpb.com>

Fri, Jan 28, 2022 at 7:31 AM

FPB Telecom has no issues with the proposed mobile home placement. Thanks,

Mike Harrod

Frankfort Plant Board
Telecom Engineering Supervisor
PO Box 308, 306 Hickory Dr, Frankfort, KY 40602

The information and attachments contained in this e-mail are intended for the exclusive use of the original recipient(s) and may contain confidential and/or legally privileged information. Unless otherwise noted, any disclosure or forwarding of this information outside of Frankfort Plant Board is strictly prohibited. If you are not the intended recipient, we respectfully request that you delete this message and not further distribute its contents. Thank you.

From: Jordan Miller <jmiller@frankfort.ky.gov>
Sent: Wednesday, January 26, 2022 12:34 PM
To: Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>; Sara Anderson <sanderson@frankfort.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>
Cc: Eric Cockley <ecockley@frankfort.ky.gov>
Subject: Site Review 405 Noel Ave

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

Hey Folks,

[Quoted text hidden]
January 27, 2022

To: Adjoining Property Owner

From: Jordan Miller, Senior Planner
Department of Planning & Community Development

Re: Upcoming Board of Zoning Adjustment meeting

You have been identified as a property owner whose land adjoins property affected by the following request that will be heard before the Board of Zoning Adjustment:

In accordance with Article 4.06.26 of the City of Frankfort Zoning Ordinance, Frank T. Smith is requesting approval to place a manufactured home on an existing vacant lot for the property located at 405 Noel Avenue. The property may be more specifically identified as PVA Map Number 074-11-03-007.00.

The Frankfort/Franklin County Board of Zoning Adjustments will host a special meeting at 5:30 P.M. on Tuesday, February 8, 2022 via teleconference in accordance with SB 150 and the requirements of KRS 61.823. BZA Board members, Planning Staff and Applicants will participate in the meeting using teleconferencing and the meeting will be live streamed in accordance with the statutory requirements on the City’s Facebook page: https://www.facebook.com/CityofFrankfortKY/

Staff reports for these items may be available seven (7) days prior to the meeting at http://www.frankfort.ky.gov/AgendaCenter. Additional information may also be obtained by calling 352-2097 during business hours, Mondays through Fridays, 8:00 a.m. to 4:30 p.m. Anyone wishing to submit comments on any of the items on the agenda may submit comments via e-mail to jmiller@frankfort.ky.gov before 12:00pm on 3/8/22.

Sincerely,

[Signature]
Jordan Miller, Senior Planner
Planning & Community Development
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pulliam George</td>
<td>406 Noel Ave, Kentuckiana 40601</td>
<td>Frankfort, KY 40601</td>
</tr>
<tr>
<td>Royster Christopher B</td>
<td>404 Noel Ave, Kentuckiana 40601</td>
<td>Frankfort, KY 40601</td>
</tr>
<tr>
<td>Badlands LLC</td>
<td>131 Saratoga Ave, Kentuckiana 40601</td>
<td>Frankfort, KY 40601</td>
</tr>
<tr>
<td>Roberts Tom</td>
<td>P.O. Box 27, Frankfort, KY 40602</td>
<td></td>
</tr>
<tr>
<td>Robinson Elizabeth</td>
<td>1006 Letcher Ave, Frankfort, KY 40601</td>
<td></td>
</tr>
<tr>
<td>Hall Debra K</td>
<td>409 Noel Ave, Frankfort, KY 40601</td>
<td></td>
</tr>
</tbody>
</table>