March 1, 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 Frankfort/Franklin County Board of Zoning Adjustment held at 5:30 P.M. on Tuesday, March 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: February 8, 2022

NEW BUSINESS:
1. In accordance with Sections 155.085, 155.105, and 155.149 of the Franklin County Code of Ordinances, The Candleberry Company is requesting approval of a Conditional Use Permit to allow the operation of a candle factory on the property located at 1150 Chenault Road. The property is more specifically described as Property Valuation Administrator map ID #095-00-00-009.01 Zone-IC (Industrial Commercial) (County Item)
2. In accordance with Articles 4, 18, and 19 of the City of Frankfort Zoning Ordinance, Main Street Properties LLC on behalf of Highland Glen Investments LLC, is requesting a Conditional Use Permit in order to permit a duplex land use for the property located at 63 Reilly Road. The property is more particularly described as PVA Map Number 074-12-01-001.00. (City Item)
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. (City Item)

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. Staff reports for County items may be available seven (7) days prior to the meeting from the Department of Planning and Building Codes, Franklin County Fiscal Court, 321 West Main Street. Staff reports for City items may be available seven (7) days prior to the meeting from the Department of Planning and Community Development, Frankfort City Hall, 315 West Second Street. Requests for staff reports or information from the files can be made via email at robert.hewitt@franklincounty.ky.gov (County) or jmiller@frankfort.ky.gov (City). Additional information may also be obtained by calling 502-875-8701 (County) or 502-352-2095 (City) during business hours, Monday through Friday, 8:00 a.m. to 4:30 p.m.
VICE CHAIR BRANDON WHITE, PRESIDING

The meeting was called to order at 5:30 p.m. Vice Chair Brandon White asked the Secretary to call the roll.

Members Present:

Johnny Keene
Brandon White
Barry Holder Jr.
Mitch Buchanan
Margaret Townsley

Also Present:

Edwin Logan, Attorney
Jordan Miller, City of Frankfort Senior Planner

The first item of business was approval of the minutes of the December 14, 2021 meeting. Mr. Holder made a motion to approve the minutes. The motion was seconded by Mr. Buchanan and passed unanimously.

ELECTION OF OFFICERS:

Ms. Townsley made a motion to nominate Ashley Kennedy as Chair. The motion was seconded by Mr. Buchanan and all were in favor.

Mr. Buchanan made a motion to nominate Brandon White as Vice Chair. The motion was seconded by Mr. Holder and all were in favor.

Mr. Holder made a motion to adopt the 2022 Board of Zoning Adjustment meeting calendar. The motion was seconded by Ms. Townsley and all were in favor.

Vice Chair White asked the Secretary to call the next item of business:

In accordance with Article 4.02.26 of the City of Frankfort Zoning Ordinance, Frank T. Smith is requesting approval to place a manufactured home on an existing lot for the property located at 405 Noel Avenue. The property is more specifically identified as PVA Map Number 074-11-03-007.00.

Jordan Miller, City of Frankfort Senior Planner was present and mentioned that this property is a 50' x 184' parcel on a corner lot on Noel Avenue.
Mr. Miller stated that the applicant would like to place a manufactured home on the lot to use as a single-family residence.

Mr. Miller mentioned that the area is mainly single family dwellings that range in size from 900 sq. ft. to 1,300 sq. ft. Mr. Miller stated that the proposed manufactured home is about 960 sq. ft.

Mr. Miller mentioned that there were negative findings in the staff report. One was related to the pitch of the roof. Per code the roof pitch shall not be less than 1:4 ratio, the pitch on the manufactured home is less than 1:4 ratio. Another negative was related to minimum width which is required to be no less than 20 feet in width. The proposed manufactured home is only 15 feet wide. Additionally the applicant is proposing to place the longest dimension of the dwelling perpendicular to the street. The longest dimension of the dwelling would fail to meet the minimum side setbacks required. Therefore the applicant is proposing to place the home with the narrowest portion facing the street.

Mr. Miller stated that positive findings in the staff report related to the foundation, exterior walls and connection to utilities. The proposal meets the parking requirements.

Mr. Miller stated that the proposal was sent to the Technical Review Team and there were no negative comments

Based on the negative findings in the staff report, staff recommended denial of the request but mentioned there are four suggested conditions on page 4 of the staff report should the Board make positive findings and approve the request.

Mr. Buchanan asked if the photo of the manufactured home in the staff report was the home proposed to be moved. Mr. Miller replied that it is.

Mr. Holder asked if we know the pitch of the roof. Mr. Miller replied that he asked the applicant that question but did not receive and answer. Mr. Buchanan mentioned that the pitch of the roof on manufactured homes are typically lower than stick built homes partially because they travel easier with the lower pitch roof.

The applicant was not present.

Mr. Logan asked if there were any manufactured homes in the area and Mr. Miller replied that he didn't believe there were any in the Thorn Hill area.

Based on the negative findings with the staff report Mr. Buchanan made a motion to deny the request from Frank T. Smith to place a manufactured home on an existing lot for the property located at 405 Noel Avenue. The motion was seconded by Mr. Keene and passed unanimously.
There being no further business, Ms. Townsley made a motion to adjourn. The motion was seconded by Mr. Holder and passed unanimously. The meeting adjourned at 5:51 p.m.
REPORT AND RECOMMENDATION

TO: FRANKFORT-FRANKLIN COUNTY
BOARD OF ZONING ADJUSTMENTS

FROM: Jordan Miller, Senior Planner

SUBJECT: Conditional Use Permit for duplexes

DATE: March 1, 2022

MEETING DATE: March 8, 2022

C.U.P. No.: 2022-02

GENERAL INFORMATION

Owner: Highland Glen LLC
101 Saint Clair St
Frankfort, KY 40601

Applicant: Main Street Properties LLC
PO Box 27
Frankfort, KY 40601

Request: In accordance with Articles 4, 18, and 19 of the City of Frankfort Zoning Ordinance, Main Street Properties LLC on behalf of Highland Glen Investments LLC, is requesting a Conditional Use Permit in order to permit a duplex land use for the property located at 63 Reilly Road. The property is more particularly described as PVA Map Number 074-12-01-001.00. (City Item)

Zoning of property: “RC” – Single-Family Residential Suburban District

Current Use: Vacant parcel

Adjacent Property Uses: North: SG – State offices (KYTC & Finance/Administration)
South: RC – Single-family dwellings
East: RC – Single-family dwelling
West: RC & RD – Single-family dwellings & duplexes

BACKGROUND

The subject property features an approximately 5-acre vacant parcel with a small amount of frontage along Reilly Road. The applicant would like to subdivide and develop the property by constructing townhomes (duplexes) on 14 lots. The proposal will also include the construction of a new street, sidewalks, street lighting, and detention basin, among other development requirements.
As described in Article 4 – Permitted Uses of the Frankfort Zoning Code, duplexes are listed as a conditional use within the RC District. Section 19.01 of the Zoning Ordinance indicates the general requirements that must be met in order for a Conditional Use Permit to be granted:

19.011 The street or road capacity and condition is adequate to serve anticipated additional traffic.
**Staff Finding: Positive** – The capacity and condition of Reilly Road is adequate to serve the anticipated traffic for this proposal. Residents will have access to the townhomes from a 250'-long, 24'-wide street off of Reilly Road, which will terminate at a three-way stop at the middle of a 600'-long, 24'-wide street with two cul-de-sacs. These streets are to be constructed by the developer. Including the 24'-wide street, a 40'-wide right-of-way with planting islands and sidewalks on each side will be constructed.

19.012 The required public facilities are available.
**Staff Finding: Positive** – Water, Sewer, and Plant Board facilities are available at this location. The Technical Review Team has reviewed the proposal. Overall, they had no objections to the development and their comments are attached at the end of this report.

19.013 The conditional use proposed is in accordance with the intent of the zoning district in which it will be located.
**Staff Finding: Positive** – Article 4.01 of the Zoning Ordinance lists duplexes as conditional uses within the RC District.

19.014 The proposed use will have no adverse effect upon the adjacent and surrounding property.
**Staff Finding: Positive** – The existing adjacent land uses include a mixture of multi-family, single-family, duplexes, institutional (state), industrial uses along Reilly Road & Wilkinson Blvd (Buffalo Trace), and professional offices. Staff finds that the proposed duplex will not negatively affect the surrounding properties.

19.015 Appropriate screening or buffering is provided in accordance with Article 7, Landscape Regulations.
**Staff Finding: Positive** – There are minimal landscaping requirements for these proposed duplexes when they adjoin a single-family residential zone - a continuous 6’ hedge row plus 1 tree at 35’ on-center OR a 6’ wall or fence plus 1 street at 35 on-center. This would be required within a 10’ easement at the rear of the properties which abut single-family zones. The existing lot is covered mostly with trees and scrub vegetation. Staff will work with applicant to ensure that these landscaping requirements are fulfilled before any final plat is recorded and any building and grading permits are issued. Per Section 2.07.02 of the Frankfort Subdivision & Development regulations, street trees (minimum 2” caliper, 6’ height at time of installation) are also required at an average spacing not greater than 30’ on-center.

19.016 Any sign requirement specified in Article 13 will have been met.
**Staff Finding: N/A**

19.017 All specific conditions enumerated in Section 19.02 – 19.15 will have been fulfilled.
**Staff Finding: N/A**

19.018 The use of land complies with the adopted Comprehensive Plan.
**Staff Finding: Positive** – The adopted land use map of the 2020 Comprehensive Plan identifies this area as Urban Residential – an existing mixture of uses ranging from single family detached housing to duplexes and multi-family housing that should be continued with an emphasis on maintaining the existing housing stock and infill development. This proposal would fulfill the intent of the property’s designated future land use.
Based on the findings within this report, staff suggests **APPROVAL** of the Conditional Use Permit for duplex land uses at 63 Reilly Road (PVA Map No. 074-12-01-001.00) **with the following conditions:**

1. The applicant will work with Staff to ensure that the appropriate landscaping and screening will be installed before any plats are recorded and permits issued.
2. A building permit shall be obtained prior to construction.
3. A grading permit shall be obtained from the Public Works Department prior to any grading, digging, excavation, and removal of trees/vegetation.
4. The proposed duplex shall conform to the bulk, density, and height standards for the “RC” zoning district as established in the Frankfort Zoning Regulations.
5. All Technical Review Team comments and requirements shall be addressed prior to any new construction.
Frontage along Reilly Road - proposed entrance to townhomes.
House Plan #126-1051

Square Feet: 2868
Floors: 1
Bedrooms: 3
Bathrooms: 2
Garage Bays: 1

Construction Sets

PDF - Single Build
$1710
5 Sets + PDF Print
$1835
Reproducible Set
$1835
Main Level Laundry
Split Bathroom

Garage Type
Attached Garage
Front Entry

Master Suite Features
Main Floor Master
Master Bathroom
Split Master Bedroom
Walk In Closet
CAD - Single Build  
$2310

**Foundation Options**

Crawlspace  
$450

Monolithic Slab  
$0

**Other Options/ADD-ONS**

BCIN Certification (Ontario, Canada ONLY)  
$475

Right Reading Reverse  
$150

Additional Set(s), Each  
$50

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**Square Footage**

Heated Square ft:  
2868

Main Floor:  
2868

Unfinished Square ft:  
Garage:  
313

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**House Plan Description**

Now here's a breath of fresh air -- 126-1051! This single story duplex design has a very spacious living/dining area, and still offers 3 bedrooms, 2 baths, and a single car garage in each unit. Plus it's just so stylish! Check it out!

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**Home Features**

**Architectural Styles**

Multi-Unit

**Exterior Wall Material**

Rock/Stone

Wood Siding

**Roofing Type**

Gable

Hip

**Roofing Material**

Asphalt Shingles

**Special Feature**
CONDITIONAL USE PERMIT APPLICATION

Meeting Date: March 8, 2022  
Filing Deadline: February 8, 2022

Applicant: Mainstreet Properties, LLC

Mailing Address: P.O. Box 27, Frankfort, KY 40602

Daytime Phone Number: 502-803-1901

Status of Applicant: owner_____ lessee_____ under contract to purchase X____

General Location of Property: Thorn Hill/Blanton Acres

Street Address: 63 Reilly Road, Frankfort, KY 40601

Zoning of Property: RC

Existing Use of Property: Residential

Proposed Use of Property: Residential

Lot Size: 5 Acres; or __________ Square Feet

Brief description of the conditional use being requested: Townhouse setup

duplex per lot

Applicant’s Signature: [Signature]  
Date: 3/8/22

NOTE: SUPPORTING INFORMATION IS REQUIRED WITH THIS APPLICATION. PLEASE SEE ATTACHED PAGE FOR DETAILS.
APPLICANT'S REQUEST
(Describe SPECIFICALLY the nature and purposes of the Conditional Use Permit being requested):


I HAVE READ THE INFORMATION IN THIS APPLICATION AND HAVE FILLED IN ALL ANSWERS CORRECTLY TO THE BEST OF MY ABILITY.

[Signature]

Signature of Applicant

[Date]

Date

NOTE: SUPPORTING INFORMATION IS REQUIRED WITH THIS APPLICATION. PLEASE SEE ATTACHED PAGES FOR DETAILS.
February, 7, 2022

Franklin County Planning
and Building Department
321 West Main St.
Frankfort, KY

Re: Conditional use permit request filed for 63 Reilly Rd.

We would like to request amendment of the 19 approved lots residential, to 14 lots with townhomes constructed.

Respectfully,

Tom Roberts
Member

Email sherpatom@yahoo.com
February 8, 2022

Via Email and Regular Mail

Mr. Eric Cockley, Director
Frankfort Planning & Community Development
315 W. 2nd Street
Frankfort, Kentucky 40601

RE: Application for Conditional Use
63 Reilly Road, Frankfort, KY

Dear Eric:

Please let this letter serve as notice that Highland Glen Investments, LLC, who is the owner of the above property, gives permission to Mainstreet Properties, LLC, to pursue the granting of a conditional use to construct duplexes thereon.

Thank you for your attention to this matter. As always, if you have any additional questions, please do not hesitate to call.

Very Truly Yours,

Highland Glen Investments, LLC

cc/TR

Preston Scott Cecil
Concept Plan for Townhomes off of Reilly Road
1 message

Jordan Miller <jmiller@frankfort.ky.gov> Fri, Jan 21, 2022 at 12:46 PM
To: Sharmista Dutta <sdutta@fewpb.com>, Jim Carter <jcarter@fewpb.com>, "Harrod, Mike" <mikeharrod@fewpb.com>, Michael Hesse <mhesse@frankfort.ky.gov>, Shane Holt <sholt@fewpb.com>, Katie Beard <kbeard@frankfort.ky.gov>, Sara Anderson <sanderson@frankfort.ky.gov>, tmccullar@fewpb.com
Cc: sherpatom@yahoo.com, Eric Cockley <ecockley@frankfort.ky.gov>, Julie.Roberts@lveymechanical.com

Hi Folks,

Please find the attached concept plan for a series of townhomes for a currently vacant lot off of Reilly Road. The applicant is seeking a Conditional Use Permit from the Board of Zoning Adjustments to allow duplex (two dwelling) land uses. If you recall, you saw something similar to this proposal last year/year before. If the use is approved by the BZA, the applicant will be coming back with a preliminary plat that will be more fleshed out, which you will also review.

Please shoot your comments my way.

Thanks!

JORDAN MILLER  
Senior Community Planner  
Planning & Community Development  
Phone: 502-352-2097  
Email: jmiller@frankfort.ky.gov

3 attachments

![aerial for reference.PNG](attachment://aerial_for_reference.PNG)  
*2317K*

Reached Townhouse plan 1.pdf  
*435K*

Roberts Reilly Road concept plan 1.pdf  
*965K*
RE: Concept Plan for Townhomes off of Reilly Road - Electric comments

1 message

Carter, Jim <jcarter@fewpb.com> Fri, Jan 21, 2022 at 12:53 PM
To: Jordan Miller <jmiller@frankfort.ky.gov>, "Dutta, Sharmista" <sdutta@fewpb.com>, "Harrod, Mike" <mikeharrod@fewpb.com>, Michael Hesse <mhesse@frankfort.ky.gov>, "Holt, Shane" <sholt@fewpb.com>, Katie Beard <kbeard@frankfort.ky.gov>, Sara Anderson <sanderson@frankfort.ky.gov>, "McCullar, Travis" <tmccullar@fewpb.com>
Cc: "sherpatom@yahoo.com" <sherpatom@yahoo.com>, Eric Cockley <ecockley@frankfort.ky.gov>, "Julie.Roberts@iveymechanical.com" <Julie.Roberts@iveymechanical.com>

FPB Electric has no issue with the conditional use 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: Friday, January 21, 2022 12:47 PM
To: Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Holt, Shane <sholt@fewpb.com>; Katie Beard <kbeard@frankfort.ky.gov>; Sara Anderson <sanderson@frankfort.ky.gov>; McCullar, Travis <tmccullar@fewpb.com>
Cc: sherpatom@yahoo.com; Eric Cockley <ecockley@frankfort.ky.gov>; Julie.Roberts@iveymechanical.com
Subject: Concept Plan for Townhomes off of Reilly Road

CAUTION: This email has originated from an External Source. Please use EXTRA caution when opening attachments, clicking links, or responding to this email.
Concept Plan for Townhomes off of Reilly Road

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>

FPB Telecom has no objections with the conditional use permit. 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: Friday, January 21, 2022 12:47 PM  
To: Dutta, Sharmista <sdutta@fewpb.com>; Carter, Jim <jcarter@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Holt, Shane <sholt@fewpb.com>; Katie Beard <kbeard@frankfort.ky.gov>; Sara Anderson <sanderson@frankfort.ky.gov>; McCullar, Travis <tmccullar@fewpb.com>  
Cc: sherpatom@yahoo.com; Eric Cockley <ecockley@frankfort.ky.gov>; Julie.Roberts@iveymechanical.com  
Subject: Concept Plan for Townhomes off of Reilly Road

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

[Quoted text hidden]
MEMORANDUM

TO: Jordan Miller, Senior Community Planner
DATE: January 21, 2022
FROM: Sara Anderson, Public Works Deputy Director
RE: Concept Plan, Reilly Road (Windsor Park), 1st Submittal.

This office has reviewed the applicant’s submittal received January 21, 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).

1. Any future development shall comply with all requirements of the Frankfort/Franklin County Stormwater Procedures Manual. any applicable City of Frankfort Code of Ordinances, and the requirements of the previously approved plat.

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.
MEMORANDUM

DATE: January 24, 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:

Windsor Subdivision – Reilly Rd – Conditional Use Permit
a. Overall, we agree with the plan as submitted.
b. Note: Please add the proposed waterline to the legend.
c. Note: We will work with the developer to finalize the waterline route and additional utility
easements (if necessary).
d. 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 26, 2022

Jordan Miller  
Senior Community Planner  
Planning and Community Development  
315 West 2nd Street  
Frankfort, KY 40601

RE: Highland Glen Investments, LLC  
Concept Plan

Mr. Cockley,

The Frankfort Sewer Department has received the Concept Plan for Highland Glen Investments located off Reilly Road and Fifth Avenue. FSD has the following comments:

1. FSD does not oppose a conditional use permit from the Board of Zoning Adjustments to allow duplex land uses.

2. Each duplex shall have its own lateral connection to the sanitary sewer.

3. The proposed development indicates a sanitary sewer extension is required to serve the proposed. Please contact FSD prior to designing the Sanitary Sewer Extension to develop a working layout of the sanitary sewer and the requirements for the project.

4. The proposed layout configuration indicates a sanitary sewer relocation of our existing facilities is required to serve the proposed units. The estimated impact is described below. The lengths and sizes of the sanitary sewer shall be confirmed by the Developer.
   a. MH 9-42 to MH 9-41. 221 L.F. of 30” sanitary sewer.
   b. MH 9-41 to MI 9-508. 68 L.F. of 18” sanitary sewer.
   c. MH 9-253 to MH 9-252. 129 L.F. of 8” sanitary sewer.
   d. MH 9-252 to MH 9-143. 199 L.F. of 8” sanitary sewer.
   e. MH 9-100 to MH 9-143. 202. L.F. of 8” sanitary sewer.
   f. MH 9-143 to MH 9-498. 95 L.F. of 8” sanitary sewer.
   g. MH 9-498 to MH 9-140. 162 L.F. of 8” sanitary sewer.
February 22, 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 Articles 4, 18, and 19 of the City of Frankfort Zoning Ordinance, Main Street Properties LLC on behalf of Highland Glen Investments LLC, is requesting a Conditional Use Permit in order to permit a duplex land use for the property located at 63 Reilly Road. The property is more particularly described as PVA Map Number 074-12-01-001.00.

The Frankfort/Franklin County Board of Zoning Adjustments will host a special meeting at 5:30 P.M. on Tuesday, March 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
HEDRICK GERALD & TRACI
910 FIFTH AVE
FRANKFORT,KY 40601-

TAYLOR MARSHALL
PROPERTY LLC
112 E MAIN ST
FRANKFORT,KY 40601

RAMOS EDWIN
107 JOHNSON ST
LAWRENCEBURG,KY 40342

MCQUEEN MARY
814 FIFTH AVE
FRANKFORT,KY 40601-

PERKINS BILLY SHELDON & IDA ELIZABETH
808 FIFTH AVE
FRANKFORT,KY 40601

DEAN STEPHEN C & JESSICA I
73 REILLY RD
FRANKFORT,KY 40601

BULLOCK ROBERT V SR & ANGELA T & ROBERT V BULLOCK JR
223 WALMAC
FRANKFORT,KY 40601-

MCKINNEY THEODRIC & SAMANTHA
7105 RIDGESIDE COURT
LOUISVILLE,KY 40291

ROBINSON ALLEN H & CHARLOTTE
215 MANOR HOUSE LN
FRANKFORT,KY 40601

RAMOS EDWIN
107 JOHNSON ST
LAWRENCEBURG,KY 40342

HOWARD BILL & ROBIN
1026 BITTERSWEET LN
FRANKFORT,KY 40601-

ROYCE BLEVINS CO LLC
965 STONEY CREEK DR
FRANKFORT,KY 40601

THOMPSON GAREY A & HELEN M
71 REILLY RD
FRANKFORT,KY 40601

HOWARD WILLIAM EARL & ROBIN RENEE
1026 BITTERSWEET LN
FRANKFORT,KY 40601-

WEST MARY ELAINE
828 FIFTH AVE
FRANKFORT,KY 40601-

TOOLE MARK
822 FIFTH AVE
FRANKFORT,KY 40601-

BLANKENSHIP POLLY
816 FIFTH AVE
FRANKFORT,KY 40601

PARTIN RICKEY
810 5TH AVE
FRANKFORT,KY 40601

RONCA LINDSEY & DOMINIK WHITE
602 GREENUP AVE
FRANKFORT,KY 40601

DOANE KEITH N & LESLEY K
67 REILLY RD
FRANKFORT,KY 40601-
REPORT AND RECOMMENDATION

TO: FRANKFORT-FRANKLIN COUNTY
BOARD OF ZONING ADJUSTMENTS

FROM: Jordan Miller, Senior Planner

SUBJECT: Place manufactured home on vacant lot

DATE: March 1, 2022

MEETING DATE: March 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

At the February 8, 2022 BZA meeting, the Board denied this same request by a vote of 5-0. The applicant was unable to attend the virtual meeting at that time due to technical difficulties logging onto the meeting. Therefore, the applicant is requesting that the Board revisit the request so that they can speak their case before the Board.

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.
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 manufacturer’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

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A)</td>
<td>Minimum lot area</td>
<td>5,000 sq feet</td>
</tr>
<tr>
<td>B)</td>
<td>Minimum lot frontage</td>
<td>40 feet</td>
</tr>
<tr>
<td>C)</td>
<td>Minimum front yard</td>
<td>15 feet</td>
</tr>
<tr>
<td>D)</td>
<td>Minimum street side yard</td>
<td>10 feet</td>
</tr>
<tr>
<td>E)</td>
<td>Minimum side yard</td>
<td>6 feet</td>
</tr>
<tr>
<td>F)</td>
<td>Minimum rear yard</td>
<td>25 feet</td>
</tr>
<tr>
<td>G)</td>
<td>Maximum lot coverage</td>
<td>40 %</td>
</tr>
<tr>
<td>H)</td>
<td>Maximum height</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

**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 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 across street along Noel Avenue

Homes on same side of street along Noel Avenue
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
Site Review 405 Noel Ave

1 message

Jordan Miller <jmiller@frankfort.ky.gov>  Wed, Jan 26, 2022 at 12:34 PM
To: Sharmista Dutta <sdutta@fwpb.com>, Jim Carter <jcarter@fwpb.com>, "Harrod, Mike" <mikeharrod@fwpb.com>, Sara Anderson <sanderson@frankfort.ky.gov>, Michael Hesse <mhesse@frankfort.ky.gov>
Cc: Eric Cockley <ecockley@frankfort.ky.gov>

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
502 • 352 • 2097  jmiller@frankfort.ky.gov
502 • 320 • 1777  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 0

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

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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.
January 27, 2022

Eric Cockley, Director
Planning & Community Development
City of Frankfort

Sharmista Dutta
Water Engineer
Frankfort Plant Board

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

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From: Jordan Miller <jmiller@frankfort.ky.gov>
Sent: Wednesday, January 26, 2022 12:34 PM
To: Dutta, Sharmista <sdutta@fwpb.com>; Carter, Jim <jcarter@fwpb.com>; Harrod, Mike <mikeharrod@fwpb.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]
February 22, 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, March 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,

Jordan Miller, Senior Planner
Planning & Community Development