

APPLICATION TO PLANNING COMMISSION

Conditional Use Permit/ Home Occupation

Bourbon County Joint Planning Commission

525 High Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. CUP 19-05 Fee Amount: \$ 250⁰⁰ Date Fee Received: 7/19/19

1. APPLICANT CHAS & DARRELL POYNTER Owner (if different) _____

MAILING ADDRESS 501 HOUSTON OAKS DR. PROPERTY ADDRESS: 719 MAIN ST.

PHONE NO. Danell 859-421-4966 (HOME) CHAS 502-396-2015 (WORK)

2. PLEASE CIRCLE: Paris / Bourbon County / Millersburg / North Middletown

Location 719 MAIN ST. PARIS, KY 40361

3. SUBDIVISION _____

4. EXISTING USE VACANT ZONING DISTRICT B-1

5. DESCRIPTION OF REQUEST allow an apartment at the rear of the 1st floor
No direct access to the front retail space

7. SUPPORTING INFORMATION:

CONDITIONAL USE PERMIT- Attach a plan for the proposed use showing the location of buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards and refuse and service areas. Also attach a narrative statement relative to the above requirements and also explain any economic, noise, glare or odor effects on adjoining property and the general compatibility with other properties in the district.

CHECKLIST:

- Attach a Legal Description of the Property
- Attach a plan of the proposed use (as described above)
- Attach a narrative of the proposed use (as described above)
- Attach a narrative describing any prior actions taken by the Board of Adjustment on this property
- Attach a list of adjoining property owners (name and address)

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that the paid fee will not be returned after legal notices have been submitted. The filing fee covers the cost of public notice and the recording of a Land Use Restriction at the County Clerk's Office.

[Signature]
APPLICANT SIGNATURE

7-18-19
DATE

Applications under zoning regulations involve legal procedures and the satisfaction of legal requirements, often complex, based up the written information in your application and the facts presented at your hearing. If you fail to comply with the procedures, or to satisfy the requirements your application will be subject to denial. Even if your application is approved it could be subject to a neighboring landowners appeal to the Circuit Court. You are not required to employ an attorney but you are encouraged to do so.

7. IS THIS ZONING ORDINANCE TEXT AMENDMENT RELATED TO ANY OTHER PROPOSALS PRESENTLY BEFORE THE PLANNING COMMISSION OR BOARD OF ADJUSTMENTS? IF SO, PLEASE LIST.

Yes. We are proposing to allow an apartment on the back half of the first floor of 719 Main Street. The front half of the property will be a retail shop, thereby keep the important retail/commercial storefronts that are vital for Main Street. The back apartment would open onto a garden – and the entrance and exit to said apartment is from the back door (no access from Main Street). We plan to use this apartment – and two on the upper floor of 719 Main – as short-term tourist rentals (AirBnBs)

→ Add statement: There have been no prior actions taken by the BOA on this property.

8. SUPPLEMENTAL INFORMATION: (3) A narrative response to address the findings necessary for the text amendment. Before any amendment is granted, the planning commission must find that the text 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: (Refer to Article 5 of the Zoning Ordinance-Amendments).

CHECKLIST:

Attach a narrative to address the necessary findings for the zoning text amendment.

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that the paid fee will not be returned after legal notices have been submitted.


APPLICANT SIGNATURE

4/3/19
DATE

Applications under zoning regulations involve legal procedures and the satisfaction of legal requirements, often complex, based up the written information in your application and the facts presented at your hearing. If you fail to comply with the procedures, or to satisfy the requirements your application will be subject to denial. Even if your application is approved it could be subject to a neighboring landowners appeal to the Circuit Court. You are not required to employ an attorney but you are encouraged to do so.

CITY OF PARIS, KENTUCKY
ORDINANCE NO. 2019-6

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE
RELATING TO CONDITIONAL USES IN THE B-1 CENTRAL BUSINESS
DISTRICT ZONE

WHEREAS, Paris-Bourbon County Joint Planning Commission has recommended the adoption of an amendment to the City Zoning Ordinance,

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PARIS AS FOLLOWS:

Section 80.201.A.4(a) is amended by adding a new section:

§ 80.201 DISTRICT REGULATIONS

(4) *Uses permitted by conditional use.*

- i. Single-family dwellings in existing structures originally designed as single-family dwellings.
- ii. Accessory uses (such as welding, assembly, and the like) which would normally be considered as permitted uses in other zones, but shall occupy no more than 10% of the total floor level.

iii. One (1) apartment unit on the first (ground) floor with the following parameters:

(i) Square footage of the residential space shall not exceed 50% of the total first floor interior square footage;

(ii) Apartment unit shall be located in the rear of the building, allowing for retail/commercial space along the public right-of-way;

(iii) Off-street, privately-owned parking shall be designated for at least one (1) vehicle; and

(iv) No direct access to retail space from residential area.

This Ordinance was read for the first time on June 11, 2019 and read for the second time on July 9, 2019 and becomes effective on the date of its publication.

If any provision of this Ordinance for any reason or to any extent, be invalid or unenforceable, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

Mayor, John Plummer

ATTEST:
City Clerk, Stephanie Settles

Supplemental information/narrative

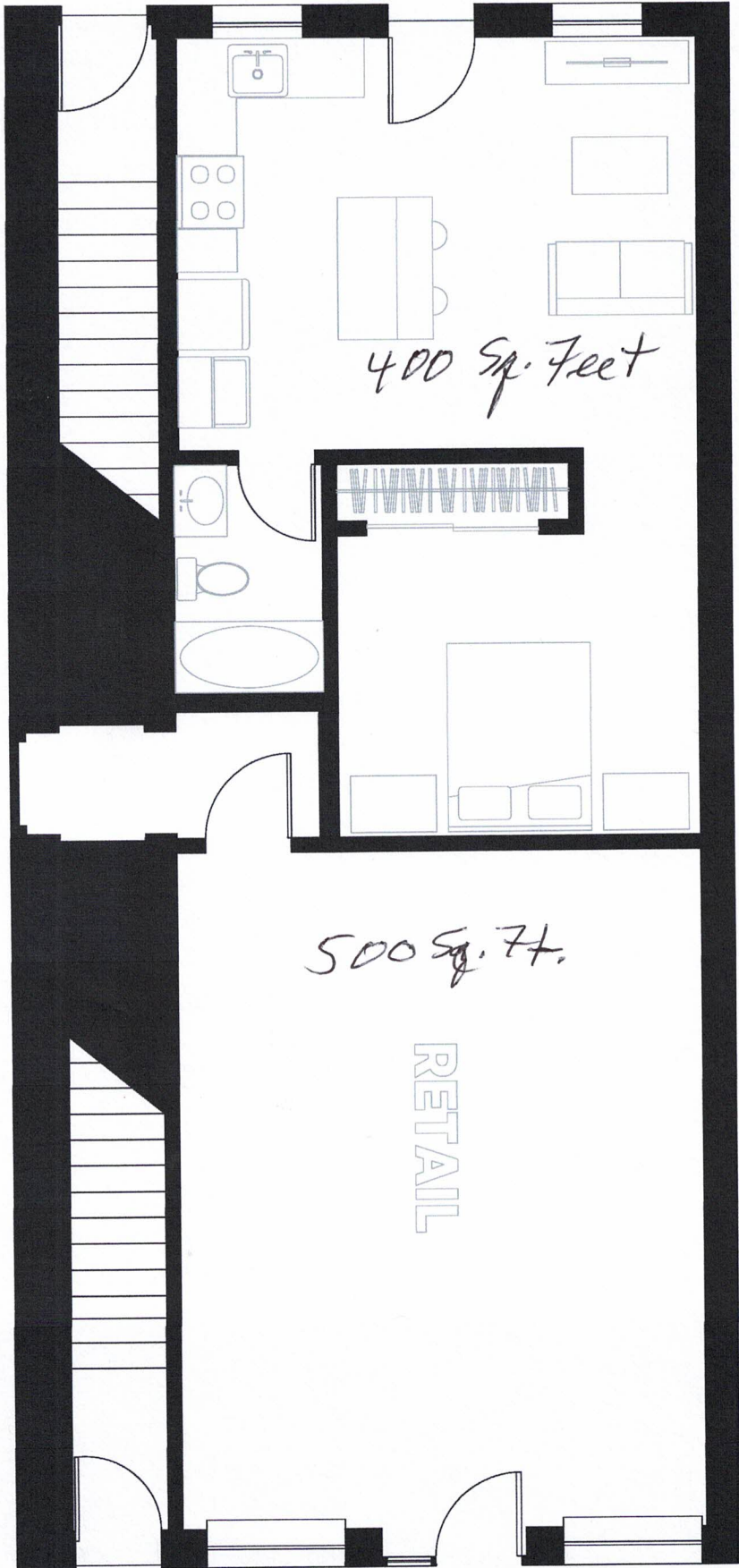
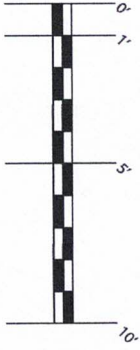
We proposed to amend Chapter 80.201 District Regulation 4. (a) B-1 Central Business District (4) uses permitted by conditional use because it will allow Main Street in downtown Paris to become even more vibrant. It will also help revitalize historic buildings because it gives owners more flexibility in design/renovations. It also helps make historic renovations more financially feasible.

This change would allow property owners to have rear-facing apartments on the first floor, but it would keep the very important commercial/retail/business storefronts that open onto Main Street. Many buildings on Main Street are deep and some, like 719 Main, open onto a greenspace and/or alley, making a first-floor apartment feasible and practical.

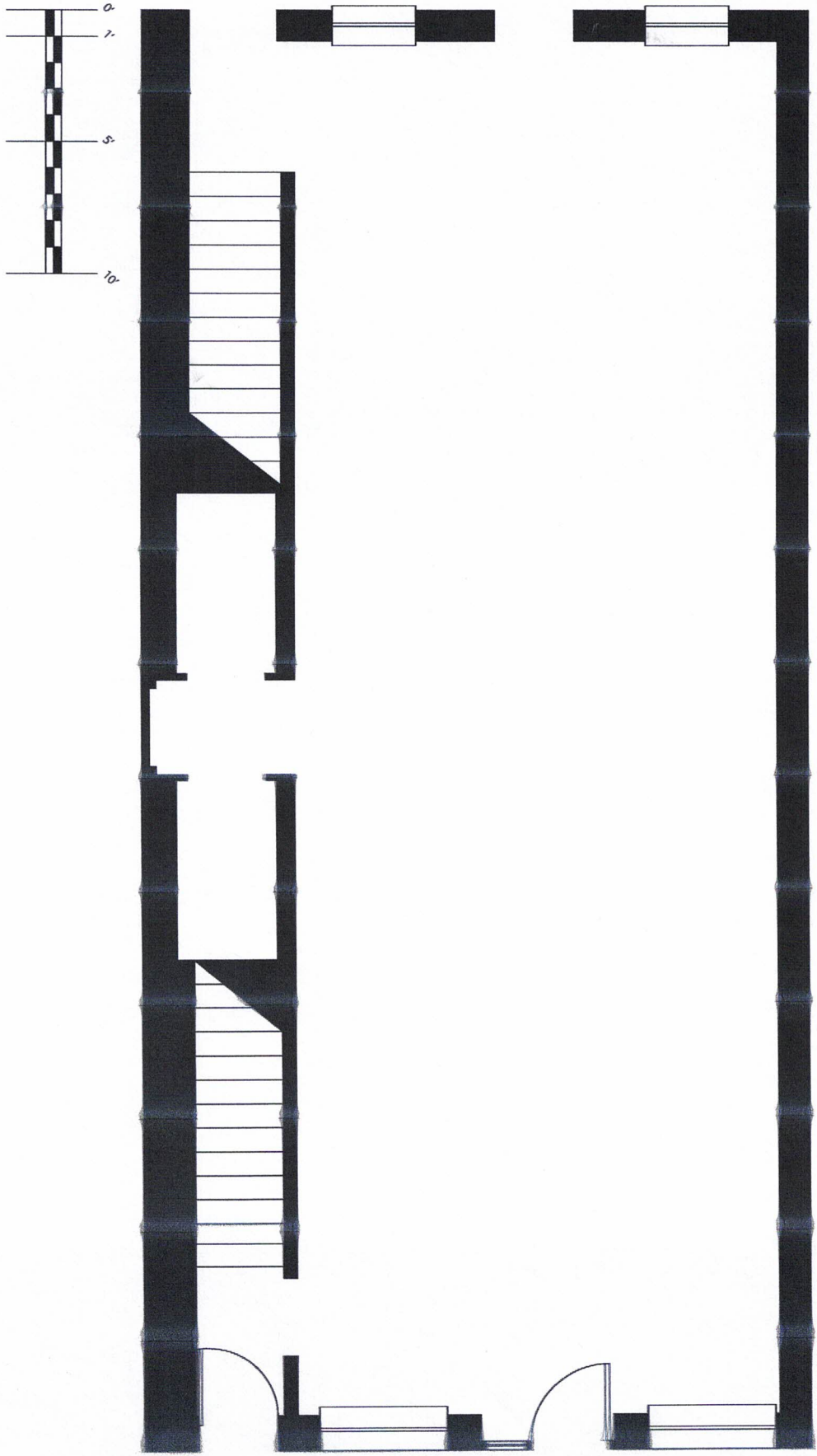
It is our belief that apartments on the first floor should *not* be permitted if they open onto Main Street.

Since the adoption of the Comprehensive Plan, downtown Paris has been seeing more investment and renovations. This proposed sensible change would aid in the ongoing revitalization of our downtown.

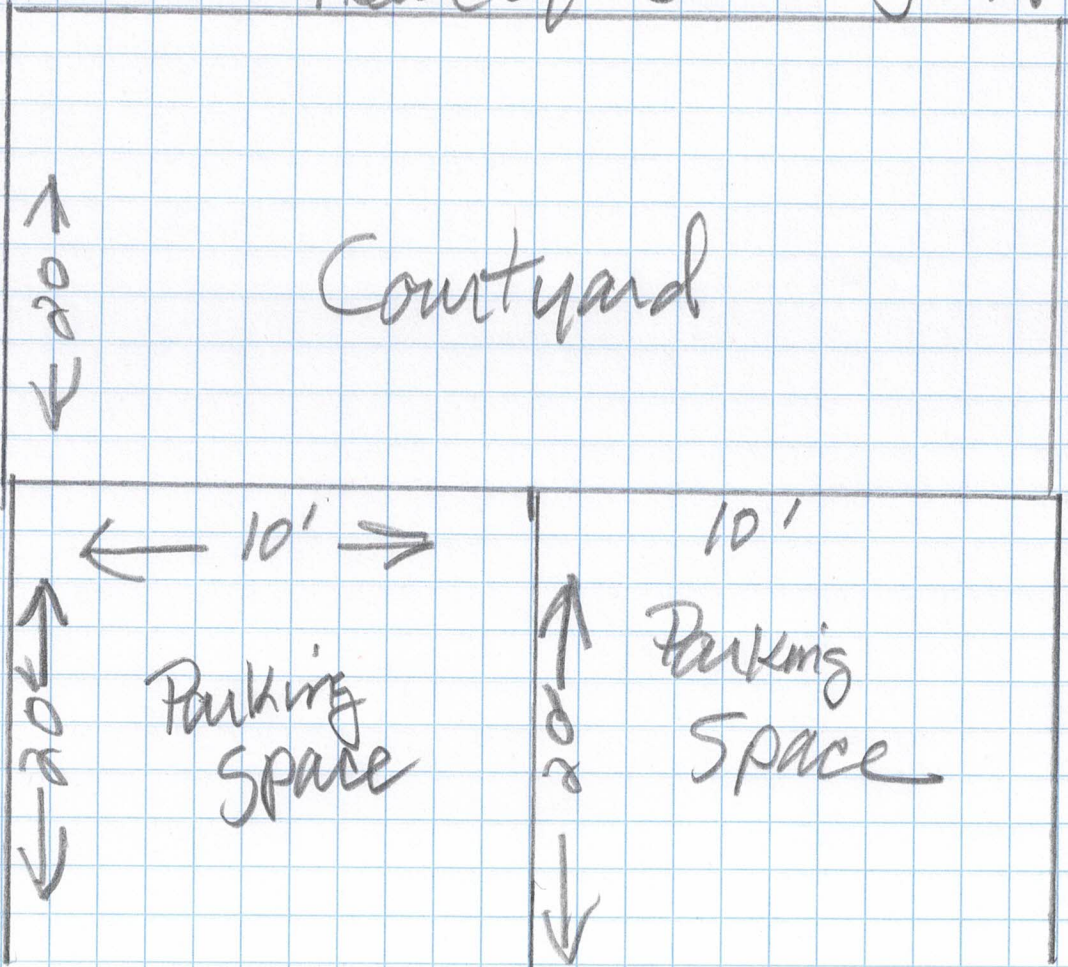
PROPOSED
1st FLOOR
219 MAIN ST.
PARIS KENTUCKY
DRAWINGS SET BY TJM



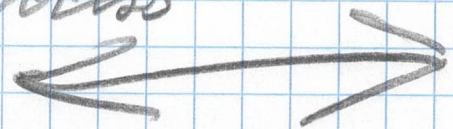
EXISTING
1st FLOOR
219 MAIN ST.
PARIS, KENTUCKY
DRAWING SET BY TJM



Rear of Building 719



Rear Alley Access
Beyond



DEED

THIS DEED made and entered into this 06 day of March, 2019, by and between **RALPH C. QUILLIN, JR. AND DONNA B. QUILLIN, Trustees of the Quillin Family Living Trust**, dated March 28, 2018, with a mailing address of 1795 Leesburg-Newtown Road, Paris, KY 40361, PARTIES OF THE FIRST PART, and **MAIN STREET DREAMERS, LLC**, a Kentucky Limited Liability Company, with a mailing address of 501 Houston Oaks Drive, Paris, KY 40361, PARTY OF THE SECOND PART. The current year tax bill shall be mailed "in care of" Main Street Dreamers, LLC, 2083 Von List Way, Lexington, KY 40502.

WITNESSETH:

That for and in consideration of the sum of \$40,000.00, cash in hand paid, the receipt of which is hereby acknowledged by the First Parties, the First Parties have bargained and sold and by these presents do hereby grant and convey unto the Second Party, in fee simple, its successors and assigns forever, the following described real property situated in Paris, Bourbon County, Kentucky, to wit:

That certain lot of ground together with all the improvements thereon situated at #719 on the west side of Main Street between Seventh and Eighth Streets in Paris, Bourbon County, Kentucky, and as described and bounded as follows: Fronting on Main Street 25 feet more or less and running back from Main Street in the direction of High Street 100 feet to an alley 14 feet wide and bounded on the northeast by the lot of Mrs. Kate W. Shinnars, formerly owned by, Edward Shinnars, Sr., and on the southwest by the lot of John T. Hinton formerly owned by Harrison Jackson; and being a part of the same property conveyed to Ralph C. Quillin, Jr. and Donna B. Quillin, Trustees of the Quillin Family Trust, dated March 18, 2018, and of record in the Office of the Bourbon County Court Clerk in Deed Book 307, at Page 19.

TO HAVE AND TO HOLD the hereinabove described real property unto the Second Party, in fee simple, its successors and assigns forever, together with all improvements thereon and appurtenances thereof, with covenant of GENERAL WARRANTY.

The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Second Party joins in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

19 MAR -7 PM 2:54
BOURBON COUNTY CLERK
RICHARD STIPP EADS
RECORDED FOR RECORD

IN TESTIMONY WHEREOF, witness the signatures of the First Parties and the Second Party hereto, this the day, month and year first above written.

Ralph C. Quillin, Jr., Trustee
Ralph C. Quillin, Jr., Trustee of the Quillin Family Living Trust, dated March 28, 2018

Donna B. Quillin, Trustee
Donna B. Quillin, Trustee of the Quillin Family Living Trust, dated March 28, 2018

PARTIES OF THE FIRST PART

Main Street Dreamers, LLC, a Kentucky Limited Liability Company

BY: Darrell F. Poynter
Darrell F. Poynter, Member

PARTY OF THE SECOND PART

STATE OF KENTUCKY
COUNTY OF BOURBON

The foregoing Deed and Consideration Certificate were acknowledged and sworn to before me this 6th day of March, 2019, by Ralph C. Quillin, Jr. and Donna B. Quillin, Trustees of the Quillin Family Trust, dated March 28, 2018, Parties of the First Part.

My Comm. Exp.: 9-16-2019

Sarah H. Jones
Notary Public, State at Large, Kentucky

STATE OF KENTUCKY
COUNTY OF BOURBON

The foregoing Consideration Certificate was acknowledged and sworn to before me this 6 day of March, 2019, by Darrell F. Poynter, Member, Main Street Dreamers, LLC, a Kentucky Limited Liability Company, for and on behalf of said LLC, Party of the Second Part.

My Comm. Exp: 9-16-2019

Sarah H. Jones
Notary Public, State at Large, Kentucky

This instrument was prepared by William J. Fooks, Fooks Law Office, P.S.C., Attorney at Law, of 278 E Main Street, Paris, Kentucky 40361.

FOOKS LAW OFFICE, P.S.C.
BY: [Signature]
William J. Fooks

STATE OF KENTUCKY
COUNTY OF BOURBON, Sct.
I, RICHARD STIPP EADS, Clerk of Bourbon County Court,
do certify that the foregoing DEED
was on 3/7/2019 lodged in my office for record,
and that it has been duly recorded in my said office,
together with this and the certificate thereon endorsed.

Given under my hand.
RICHARD STIPP EADS, CLERK

Richard Stipp Eads, scc

