

# Staff Report

Bourbon County Joint Board of Adjustment  
March 17, 2020

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**Case Number:** CUP 20-01  
**Applicant:** Shawn & Kennon Rose  
**Location:** 34 W. 20<sup>th</sup> St  
**Request:** Conditional Use Permit  
Child Care Facility  
**Zoning:** R-1 (Residential)  
**Application Date:** February 20, 2020  
**Legal Ad Publication Date:** February 27, 2020

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## Proposal:

Applicant requests a conditional use permit to increase the capacity of existing childcare facility to 12 children.

## Background:

Currently, in-home child-care facilities are permissible by conditional use if over 5 children are present and approved by state review.

Parcel 026-70-23-024.00

Owner: Shawn & Rose Kennon

Parcel Size: .5+ acres

Existing Structure(s): Primary single-family residence and rear detached garage/second story apartment space.

Surrounding Zoning: Residential (R-3 or R-1)

Floodplain: No

Parking: There is a 150 ft. length driveway to the rear building.



**Primary residence**



**Accessory garage with second story daycare**

Ingress/Egress: There is one entrance to access the daycare space on the second level.

Fire Safety: Monthly fire drills are conducted with the children. An exit sign marks the door to exit. There is a fire extinguisher located in the kitchen area. A fire escape plan has been submitted to the Paris Fire Department. See application for additional safety details.

State licensing information provided by applicant. Upon approval, applicant will seek state-approval from the Cabinet for Health and Family Services.

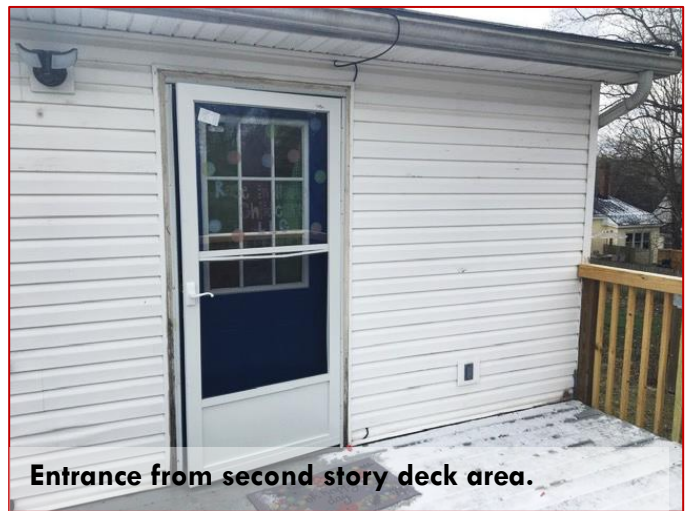
According to the City of Paris Zoning Ordinance, the following criteria shall be met for a home occupation:

- ✓ The operator must be a resident in the principal building on the property.
- ✓ No more than one person, not a resident on the premises may be employed regularly.
- ✓ The use will not occupy more than 25% of the total floor area of the dwelling.
- ✓ The use does not change the appearance of the residence.
- ✓ The use does not adversely affect the immediate neighborhood by excessive traffic generation, noise, or similar nuisance.

A “conditional use” is a use which is essential to or would promote the public health, safety, or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed in the zoning regulation.

A “conditional use permit” is the legal authorization to undertake a conditional use...as authorized by the board of adjustment, consisting of:

1. A statement of the factual determination by the board of adjustment which justifies the issuance of the permit; and
2. A statement of the specific conditions which must be met in order for the use to be permitted.



Entrance from second story deck area.



Downward view of staircase.



Fenced in outdoor play area.



View of parking area from front gate.

Based on staff review, Staff recommends APPROVAL of CUP 20-01 to allow a child care facility for a maximum of 12 children as the application meets the requirements of the City of Paris Zoning Ordinance. This property currently operates as a child care facility and the expansion of this within the existing structure would not negatively affect the health, safety, and welfare of the community. This approval is recommended with the following conditions:

- Applicant shall provide all approved state-licensing paperwork to the Bourbon County Joint Planning Office prior to operation of expanded facility.
- The Board shall have power to revoke the conditional use permit if non-compliance occurs.