

APPLICATION TO BOURBON COUNTY JOINT PLANNING COMMISSION

Agricultural Land Division

Bourbon County Joint Planning Commission

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



Office Use only:

Application No. ALO 21-08 Fee Amount: \$ 1.75 Date Fee Received: 2/12/21 CHECK 11249
DARNELL

1. APPLICANT (prospective purchaser) Heather Sparks

MAILING ADDRESS 1476 Jackstown Road, Paris, KY 40361

PHONE # (HOME) (859) 983-3981 (OTHER) _____

2. OWNER Sparks View Farm, LLC

MAILING ADDRESS 1476 Jackstown Road, Paris, KY 40361

PHONE # (HOME) (859) 293-5063 (OTHER) (859) 983-3981

3. LOCATION AND BRIEF DESCRIPTION OF LAND: Jackstown & Blacks Cross Road; flat to gently rolling

4. ACREAGE: 44.373 5. ZONING DISTRICT: A1

6. IDENTIFY CURRENT USE OF BUILDINGS barns

7. PROPOSED STRUCTURES none

8. INFRASTRUCTURE:

Does the Division involve a new street? Yes/No (No) Is public water available? (No) Yes/No

What agricultural use will you make of this property? equine

9. FEE: Refer to Fee Schedule

10. SUPPLEMENTAL INFORMATION:

CHECKLIST:

- Attach a Legal Description of the Property (include deed book and page number for all tracts comprising the plat)
- Attach a plat of the Division
- 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)

Heather Sparks 1/20/2021
APPLICANT SIGNATURE 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. Individuals are not required to employ an attorney, but you are encouraged to do so. All business entities require legal representation.

DARNELL ENGINEERING, INC.

*P.O. Box 175
Cynthiana, KY 41031
(859) 234-8957-Telephone*

*ENGINEERING & SURVEYING
Allen Patrick Darnell, PE, PLS
allenpatrickdarnell@gmail.com (EMAIL)*

February 12, 2021

File No. 21-4608

Bourbon County Planning Commission
525 High Street, Room 127
Paris, Kentucky 40361

RE: Ag Land Division @ Jackstown Road & Blacks Cross Road, Bourbon County

Dear Sirs:

Please find transmitted herewith an Agricultural Land Division Application and plat. The purpose of this plat is to create and divide off a 44.373 acre parcel. The land use will remain the same; agricultural. To our knowledge there has been no previous action taken by the board of adjustments in regards to this property.

The adjoining property owners are:

MOSTAFA & BRENDA GHAELIAN, 3309 OVERBROOK DR, LEXINGTON KY 40502
PADRAIG M & AVEEN A CAMPION, P O BOX 907, PARIS KY 40362-0907

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

AFFIDAVIT

(Land Use)

The Affiant Sparks View Farm, LLC, first being duly sworn, states that:

1. He (she) is the owner of one of the parcels of land shown in the attached application.
2. An agricultural use is now and will be made of the property as set out in K.R.S. 100.111 (2).
3. Any residence on the premises or hereafter constructed on the premises will be occupied by a person, and their family, who is engaged in this agricultural use.
4. This is not a division so as to allow for residential building development for sale or lease to the public.

Walter Sparks
Landowner

STATE OF Ky

COUNTY OF Fayette

Sworn and subscribed to before me by Penny Leigh Byrd on this
the 20 day of January, 2021.

My commission expires June 24, 2022.

Penny Leigh Byrd
NOTARY PUBLIC
STATE AT LARGE

K.R.S. 100.111 (2) "Agricultural Use" means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard, fruits, vegetable, flowers, or ornamental plants, including provisions for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.

AFFIDAVIT

(Land Use)

The Affiant Heather Sparks, first being duly sworn, states that:

1. He (she) is the Prospective Purchaser of one of the parcels of land shown in the attached application.
2. An agricultural use is now and will be made of the property as set out in K.R.S. 100.111 (2).
3. Any residence on the premises or hereafter constructed on the premises will be occupied by a person, and their family, who is engaged in this agricultural use.
4. This is not a division so as to allow for residential building development for sale or lease to the public.

Heather Sparks
Prospective Purchaser

STATE OF Ky

COUNTY OF Fayette

Sworn and subscribed to before me by Penny Leigh Byrd on this
the 20 day of January, 2021.

My commission expires June 24, 2022.

Penny Leigh Byrd
NOTARY PUBLIC
STATE AT LARGE

K.R.S. 100.111 (2) "Agricultural Use" means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard, fruits, vegetable, flowers, or ornamental plants, including provisions for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.

said point being located N.86°57'35"W. 484.31 feet from a found mag nail in the center of said road, a corner to Dalmas L. Bretz & Margaret M. Bretz (D.B. 228, Pg. 390; P.C. B, Sh. 323-A); thence with the center of said Jackstown Road for four calls as follows: (1) N.86°57'35"W. 1,455.43 feet to a point, (2) N.87°47'14"W. 329.99 feet to a point, (3) S.84°00'36"W. 75.39 feet to a point, and (4) S.72°16'53"W. 67.38 feet to a mag nail at the intersection of the centerlines of said Jackstown Road, Blacks Cross Road, and Blacks Ridge Road; thence with the center of said Blacks Cross Road for three calls as follows: (1) N.02°24'13"E. 244.45 feet to a point, (2) N.01°36'52"E. 1,138.78 feet to a point, and (3) N.01°07'26"E. 905.26 feet to a found mag nail, a corner to Mostafa Ghaelian & Brenda Ghaelian (D.B. 236, Pg. 846); thence with said Ghaelian S.87°33'29"E. passing a found iron pin bearing "Williams PLS 316" at 21.97 feet, in all 1,654.64 feet to a point, a corner to Parcel 2, a new division of Padraig M. Campion & Aveen A. Campion (D.B. 203, Pg. 796); thence with said Parcel 2 for 14 calls as follows: (1) S.25°41'31"E. passing an iron pin at 2.12 feet, in all 465.09 feet to an iron pin, (2) S.00°12'46"E. 248.90 feet to an iron pin, (3) S.06°22'13"W. 40.90 feet to an iron pin, (4) S.47°38'24"W. 59.09 feet to an iron pin, (5) S.16°57'37"E. 12.39 feet to an iron pin, (6) S.60°12'10"E. 50.49 feet to an iron pin, (7) S.32°27'43"E. 11.20 feet to an iron pin, (8) S.01°46'42"W. 452.88 feet to an iron pin, (9) S.17°18'44"W. 103.89 feet to an iron pin, (10) S.00°35'55"W. 360.18 feet to an iron pin, (11) S.18°25'23"E. 56.59 feet to an iron pin, (12) S.04°54'39"E. 156.48 feet to an iron pin, (13) S.31°38'29"E. 29.66 feet to an iron pin, and (14) S.00°32'11"E. passing an iron pin bearing "Witness 3553" at 317.91 feet, in all 337.00 feet to the point of beginning containing an area of 96.174 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on February 27, 2020. See Plat recorded in Plat Cabinet D, Slide 42.

AND BEING PART OF (all of Tract 2 and a portion of Tract 1) the same property conveyed to Padraig M. Campion and Aveen A. Campion, husband and wife, by Forest Retreat Farms, Inc. by Deed dated December 15, 1988 and recorded in Deed Book 203, Page 796, Bourbon County Clerk's Office.

TO HAVE AND TO HOLD the above described property together with all appurtenances and privileges thereunto belonging, unto the party of the second part, in fee simple, its successors and assigns forever, with Covenant of **GENERAL WARRANTY** subject, however, to easements and restrictions of record.

