

APPLICATION TO PLANNING COMMISSION

Map Amendment

Paris- Bourbon County Joint Planning Commission

301 Main Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. ZMA 22-02 Fee Amount: \$ 400 Date Fee Received: 3/18/22 

1. APPLICANT Mike Johnson

MAILING ADDRESS 248 Columbine Drive Carlisle, KY 40311

PHONE NO. 859-585-0531 (HOME) 859-585-0531 (WORK)

2. TYPE OF REQUEST: Map Amendment

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

4. LOCATION OF REQUEST: 1021 By Pass Road in Paris, KY TOTAL ACREAGE: 50 +/-

5. EXISTING USE: Currently zoned R-1 undeveloped land ZONING DISTRICT FROM: R-1 TO: R-5, R-8, B-2

6. DESCRIPTION OF PROPOSAL: To rezone 50+/- acres from R-1 to a combination of R-5, R-8, and B-2 to create varying sizes and types of residential dwellings suitable for responsible and even growth. The B-2 designation will help to provide a smooth transition from Wal-Mart Supercenter to the new development.

7. FEE: refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION: (1) A legal description (or deed) of the property. (2) Any request for a zoning map amendment to any single or two family residential zone shall be required to submit a site plan; any request for a zoning map amendment to any other zone shall be required to submit a conceptual development plan in accordance with all applicable requirements of the Zoning Ordinance. (3) A narrative response to address the findings necessary for the map amendment. Before any map amendment is granted, the planning commission must find that the map 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:

- That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.
- That there have been major changes of an economical, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive plan and which have substantially altered the basic character of such area.

CHECKLIST:

- Attach a Legal Description of the Property
- Attach a narrative to address the necessary findings for the ZMA (as described above)
- Attach a site plan or conceptual development plan
- Attach a list of adjoining property owners (name and address)
- Post a notice of the ZMA on the property at least 14 days prior to the public hearing in accordance with KRS 100.212

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

March 18, 2022

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.

Mike Johnson
248 Columbine Drive
Carlisle, KY 40311
Phone: (859) 585-0531
mikejohnsonadjuster@gmail.com

March 18, 2022

Bourbon County Joint Planning Commission
Bourbon County Joint Planning Office
525 High Street, Room 112
Paris, KY 40361

Re: Application for Zone Change Request for Parcel 026-00-00-021.00 in the Bourbon County PVA office listed as 1021 By Pass Road in Paris, KY which is 50.691 acres directly adjacent to Wal-Mart.

Dear Members of the Planning Commission:

I have filed a zone change request for the property shown on the attached plat located adjacent to Wal-Mart and between Bedford Acres and Arlington Drive. My application request is to rezone the property from R-1 to a combination of R-8, R-5, and B-2. The 50.691 acres is currently annexed into the city of Paris with water and sewer utilities nearby.

Per the Comprehensive Plan, "There is a consensus that more affordable housing is needed in the City of Paris, and with more affordable housing options that in-migration will occur." I am seeking a portion of the acreage to rezone from R-1 to R-8 in order to create approximately 75 single family residential lots. R-8 lot size is conducive for starter-type homes that will be affordable for many young professionals that already work in Paris but have very little inventory to choose from in regards to home ownership. To obtain the "in-migration" referred to in the Comprehensive Plan, I believe that commuters driving to Paris for work will choose to live in Paris in lieu of commuting which will directly improve the retail aspects of Paris and Bourbon County and increase city service revenue and tax revenue.

An additional zone change request is for a portion of the 50.691 acres to change from R-1 to R-5. Per the "Land Use Discussion" section of the Comprehensive Plan:

"C. Variation of residential product, type, location, and lot sizes."

This zone change aligns and supports the **BOURBON COUNTY ENVISION 2040 COMPREHENSIVE PLAN GOAL 2** – "Support infill and redevelopment within existing infrastructure as a strategic component of growth." The current zone change request allows infill to occur between Bedford Acres and Arlington Drive. An R-5 zone would provide the opportunity to construct some handicap accessible two-family dwellings suitable for a growing elderly population and single-family townhomes that offer entry level

home ownership opportunities with a lower price point than a single family detached structure. The combination of R-8 and R-5 will allow for responsible and controlled growth that is suitable for many sizes of families and incomes by providing varying residential products, types, locations, and lot sizes.

An R-5 zone aligns and fulfills "HOUSING GOAL 3 H3.a "Provide an opportunity for more planned unit developments and neighborhood concepts including townhouses and condominiums, apartment buildings, as well as commercial centers and work places within areas designated for future growth." Although we do not anticipate apartment buildings as part of our development plan, townhouses and condominiums are much needed including elderly friendly structures.

Finally, I am requesting a zone change from R-1 to B-2 for approximately 5+/- acres abutting the current Wal-Mart Supercenter. I have been in contact with several commercial clients and I am recruiting restaurants, hotels, and other retailers. I am proposing a buffer of commercial space to make the transition from B-2 (Wal-Mart) to residential more aesthetically pleasing. As with any responsible growth, a combination of different sizes of housing along with retail services to support them is ideal. Paris and Bourbon County will benefit from more options of restaurants and a hotel with meeting space is much needed. Per the revised Goals and Objectives plan, the B-2 transition area that I am requesting satisfies and aligns with:

"ECONOMIC GROWTH GOAL 2 Make Bourbon County a place that encourages responsible economic growth and diversification." More specifically, "EG 2.a Allow compatible commercial and workplace uses within new and existing neighborhoods." And "EG 2.b Encourage start-up and small-scale commercial businesses."

This request is in agreement with the Comprehensive Plan Goals and Objectives in several areas including but not limited to:

*** Economic Resources**

Goal 1 To stimulate economic growth and stability in Bourbon County.

The construction industry employs 112 people or 2% of the total number of jobs in Bourbon County. Retail trade employment is above that figure, employing 800 people, a figure that is predicted to be low, since Lexington attracts retail customers away from Bourbon County. Likewise, food services and entertainment, professional services and finance and insurance are all affected by the larger market to the west. (All figures from CEDIK and U.S Census Bureau of 2010)."

These zone amendments will help to increase "in-migration" by producing construction industry employment and placing commuters in local housing. The influx of new residents will help to spur the local economy and boost retail sales in Paris. Further, I believe that adequate and reasonable housing options will help to retain local graduates and professionals thereby growing the local economy.

"the fact that 4,340 people commute into Bourbon County for work, and live outside the county (This figure was just 1,110 in 1980). These numbers reflect the mobility of modern life, and the willingness of people to spend a significant amount of time and money to support a separation between their home and their place of employment. With the high costs of transportation, we believe that if adequate housing was available some of these people would choose to live in Paris in lieu of travelling daily to work. People

typically shop where they live so by increasing affordable housing, we would also help to stimulate the retail aspects of Paris.”

Housing Resources

Goal 1 To provide an adequate supply of safe and affordable housing to meet the needs of the community.

These zone amendments will allow safe and affordable housing to several different types of incomes and will not saturate the market with one type of housing option.

By rezoning the current area, we will be able to accomplish goals and objectives stated in the comprehensive plan. Further, multiple zones of R-5 and R-8 are necessary to effectively meet the needs of a broad population in order to make housing affordable which is also a consensus opinion mentioned in the Comprehensive Plan. Lastly, a smooth transition from B-2 (Wal-Mart) is necessary with additional commercial B-2 zoning to allow for a flowing and visually appealing development. Thank you for your consideration and I look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Johnson', written in a cursive style.

Mike Johnson

Lat. Ad. #9500
October 5, 1970
Betty J. Denton
C.B.C.

D E E D

THIS DEED between Joanna Garth, a single person, of Bourbon County, Kentucky, Party of the First Part, and Frances R. Letton, Route 5, Lexington Road, Paris, Bourbon County, Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the affection which the first party has for the second party, the second party having performed many services for and shown many kindnesses to the first party, the first party does hereby grant and convey unto the second party, her heirs and assigns forever, absolutely and in fee simple, the following described real property to-wit:

A certain tract of land consisting of 96.40 acres, more or less, situated in Bourbon County, Kentucky, and described as follows:

No. 1. On which the improvements are located, is bounded as follows: Beginning in the center of the Maysville & Lexington Turnpike at A, a corner to No. 2; thence with the center of said turnpike S 51 3/4 W 778 feet to 2; thence with the northern margin of the Hume & Bedford Turnpike, N 25 1/4 W 995 feet to 3, a corner to John Towles; thence leaving turnpike N 12 1/4 W 1881 feet to 4, a post corner to said Towles; thence S 79 W 783 feet to 5, a post corner to same; thence N 14 1/2 W 1462 feet to a point in Houston Creek, a corner to Margolen, formerly Jno. Tarr, in the south margin of the Frankfort & Cincinnati R.R.; thence with the south margin of said railroad S 74 E 335 feet to 7; thence S 70 3/4 E 1845 feet to C, a stone in the south margin of said railroad and a corner to No. 2; thence with the lines of No. 2, S 44 W 456 feet to B, a stone; thence S 38 1/4 E 2282 feet to the beginning, containing 96.40 acres; and being the same property conveyed to Joanna Garth by deeds as follows: (a) a deed from Nunie Lyle, widow of John A. Lyle, and others, dated February _____, 1915, and recorded in the Office of the Bourbon County Court Clerk in Deed Book 101, Page 575; (b) a deed from J. Vimont Lyle and others, dated March 12, 1915, and

LAYSON & PRATER

303-308
NATIONAL BANK
BUILDING
PARIS, KENTUCKY

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recorded in the aforesaid Clerk's Office in Deed Book 101, Page 581; and (c) a deed from E. M. Dixon, Master Commissioner of the Bourbon Circuit Court, to first party, Joanna Garth, dated July 2, 1932, and recorded in the aforesaid Clerk's Office in Deed Book 116, Page 154.

TO HAVE AND TO HOLD unto said second party, her heirs and assigns forever, together with all improvements thereon and appurtenances thereof, with Covenant of General Warranty.

IN TESTIMONY WHEREOF, witness the signature of the first party this 2 day of October, 1970.

Joanna Garth
Joanna Garth

STATE OF KENTUCKY
COUNTY OF BOURBON

The foregoing instrument was acknowledged before me this 2 day of October, 1970, by Joanna Garth.

James E. Orator
Notary Public
My commission expires Nov. 12, 1973

THIS INSTRUMENT WAS PREPARED BY
LAWSON & ... Attorneys
...
Paris, Ky.

BY James E. Orator

State of Kentucky, County of Bourbon, Set
... JO DENTON HEICK, Clerk of the Bour
... County Court, do certify that the foregoing
 deed was on the 5 day of Oct.
 1970 filed in my office for
record and it has been duly recorded in my
said office together with this and the certificate
herein endorsed.
Given under my hand this 5 day of Oct.
 1970
Clark: Betty J. Denton Heick

Notification Mailing List

<u>Property Address</u>	<u>Owner</u>	<u>Mailing Address</u>
2361 Fords Mill Rd	Russel Dray Jr	Same
246 Hume Bedford Rd	Landworks Farms LLC	Same
600 Mt View Dr	Robert Pasley and Whitney Lynn	Same
560 Mt View Dr	Linda Danko	Same
540 Mt View Dr	Jude Marcum	Same
530 Mt View Dr	Charles and Margie Johnson	Same
520 Mt View Dr	Lori Turner Bowles	Same
510 Mt View Dr	Roy and Georgia Jefferson	Same
565 Skyview Dr	Gerald and Clara Porter	Same
560 Skyview Dr	Burt Mingey	Same
540 Skyview Dr	Diana Richards/Tanner Jefferson	Same
520 Skyview Dr	William Bradford	Same
500 Skyview Dr	Betty Derossett	Same
480 Skyview Dr	Wanda Traylor	Same
460 Skyview Dr	James and Susie Tipton	Same
440 Skyview Dr	Byron and Courtney Bradford	Same
420 Skyview Dr	Gene Bowen	Same
400 Skyview Dr	William and Kimberly Denninghoff	Same
380 Skyview Dr	Susan Donohoe	Same
360 Skyview Dr	Hazel Hatton	Same
340 Skyview Dr	Nicholas and Lois Carter	1104 Peacock Rd Paris KY 40361
305 Letton Dr	Wal-Mart Real Est Business Trust	PO BOX 8050 Attn M/S 0555, Bentonville AR 72712
Lot 5 Walmart Shopping Center	Murphy Oil USA	PO BOX 7300 El Dorado AR 71730
1203 Arlington Dr	Michael Courtney	Same
1205 Arlington Dr	Gametime Properties, LLC	315 Pleasant St Paris KY 40361
1207 Arlington Dr	Joseph and Heather Sparks	PO BOX 12395 Lexington KY 40583
1209 Arlington Dr	Eckman Management LLC	119 S Ashland Ave Lexington KY 40502
1211 Arlington Dr	Robert and Patricia Eades	160 Old Post Rd Paris KY 40361
1213 Arlington Dr	Robert and Patricia Eades	160 Old Post Rd Paris KY 40361
1215 Arlington Dr	Robert and Patricia Eades	160 Old Post Rd Paris KY 40361
1217 Arlington Dr	Robert and Patricia Eades	160 Old Post Rd Paris KY 40361
1219 Arlington Dr	ADIL Properties, LLC	1312 Moultrie Ct Lexington KY 40513
1221 Arlington Dr	Robert and Patricia Eades	160 Old Post Rd Paris KY 40361
1223 Arlignton Dr	Charles and Christina Linville	993 Townsend Valley Rd Paris KY 40361
1225 Arlington Dr	Benjamin and Katheryn Royse	715 Hume Bedford Rd Paris KY 40361
1227 Arlington Dr	Paulette Congleton	Same
1229 Arlignton Dr	Grant and Tamra Dail	681 Cynthiana RD Paris KY 40361
1231 Arlington Dr	Robert and Patricia Eades	160 Old Post Rd Paris KY 40361
1233 Arlington Dr	Shane Foley	2098 Bahama Rd Lexington KY 40509
1235 Arlington Dr	Richard and Mandy Cline	440 Houston Oaks Dr Paris KY 40361
1237 Arlignton Dr	Leshia Sharon	Same

Notification Mailing List

1239 Arlington Dr	Joseph and Heather Sparks	PO BOX 12395 Lexington KY 40583
1241 Arlington Dr	Stephen and Lori Wagoner	207 Wedgewood Circle Paris KY 40361
1243 Arlighton Dr	Jason and Regina Thornberry	422 Grimes Batterton Rd Paris KY 40361
1245 Arlington Dr	Maple Lane Enterprises LLC	275 Clay Kiser Rd Paris KY 40361
1247 Arlighton Dr	Charles and Christina Linville	993 Townsend Valley Rd Paris KY 40361
1256 Arlington Dr	Jack Martin Goins	PO BOX 124 Paris KY 40362
1108 Arlington Dr	NHK Investments LLC	1223 Peacock Rd Paris KY 40361
1106 Arlington Dr	Robert and Ellyse Poole	Same
1104 Arlington Dr	Tacy Earlywine	Same
1102 Arlington Dr	Connie Fitzgerald	Same
1100 Arlington Dr	Ronald Gilbert	2073 Dogwood Dr Lexington KY 40504
Fords Mill rd	Jeffrey McMahan	303 Carolina Way Paris KY 40361
1020 Wes-Lee Dr	Thornton Properties INC	PO BOX 5343 Paris KY 40362
1030 Wes-Lee Dr	Long & McDonald INC	2001 Alverson Dr Suite 107 Paris KY 40361
2301 Fords Mill Rd	Richard and Tammera Pardini	Same
2315 Fords Mill Rd	Glen and Janetta Thompson	Same
2341 Fords Mill Rd	Eric and Nadine Hale	Same

CSX RAIL ROAD
FORMERLY FRANKFORT & CINCINNATI RAIL ROAD
(ABANDONED)

S 69°18'52" E 1741.95'

TRACT 1
AREA: 50.691 ACRES
DA 199 PG. 583
(R-1)

ARLINGTON CLASSIC
TOWN HOMES INC.

TRACT 2
AREA: 40.000 ACRES
(R-1)

No connection
to Skyview Drive

BEDFORD ACRES SUBDIVISION

JESSE BIDDLE



D R/R
ROCK
HOUSTON
CREEK

S 74°21'57" E 312.38'
LP SET (44.33)
DEAD END

(971.49)
N 13°02'29" W 1015.82'

N 12°15'56" W 440.83'

S 80°37'33" W 782.37'

R/W
SKYVIEW DRIVE (60' R/W)
R/W

(880.06)

N 10°50'41" W 198.102'

S 56°47' W 1021.87'
N 35°46'47" E 1021.87'

S 38°12'36" E 1392.31'
(917.87)

S 13°59'59" W 495.78'
LP FOUND

R/W
(221.34)
S 16°02'39" E 1162.91'
LP SET

S 25°12'20" E
LP SET

S 44°43'49" E
LP SET

90' ACRES
OPENING

(100.95)

(A) N 84°09'38" W 311'
(B) N 33°09'58" W 90.00'

LP FOUND
(B-1)
LP SET

(A)



22 +/- ACRES
R-5

22 +/- ACRES
R-8

5.6 +/- ACRES
B2

ARLINGTON DRIVE

NEWTON DRIVE

SKYVIEW DRIVE

HILLTOP DRIVE

SUMMIT DRIVE

MOUNT VIEW DRIVE

1156,485 +/-

243,347 +/-

243,347 +/-