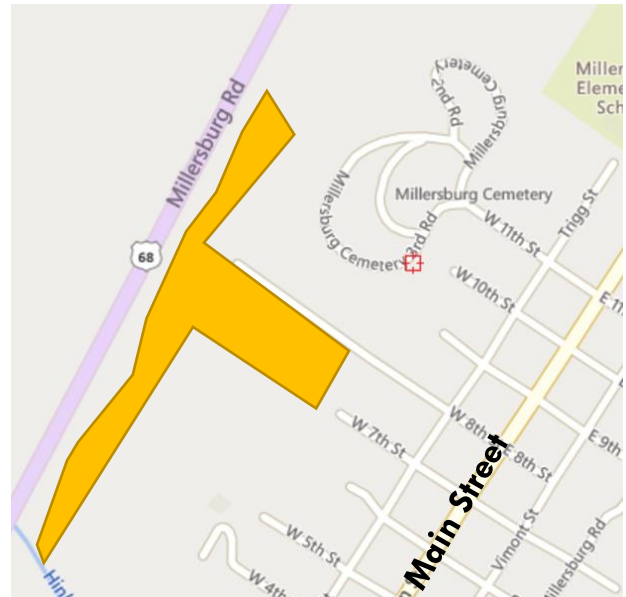


# Staff Report

## Bourbon County Joint Planning Commission

December 15, 2022

Case Number: ZMA 22-07  
Applicant: Richard T Hadden & Paulette Hadden  
Location(s): 3494 Maysville Rd  
Zone Change: A-1 – Agricultural in the Unincorporated County to A – Agricultural in the City of Millersburg  
Acreage: 11.498 acres  
Application Date: October 5, 2022  
TRC Meeting Date: November 21, 2022  
Legal Notification: December 8, 2022 (Bourbon County Citizen)



### PROPOSAL

Applicant requests a zone change for approximately 11.498 acres of land to the following zoning designations:

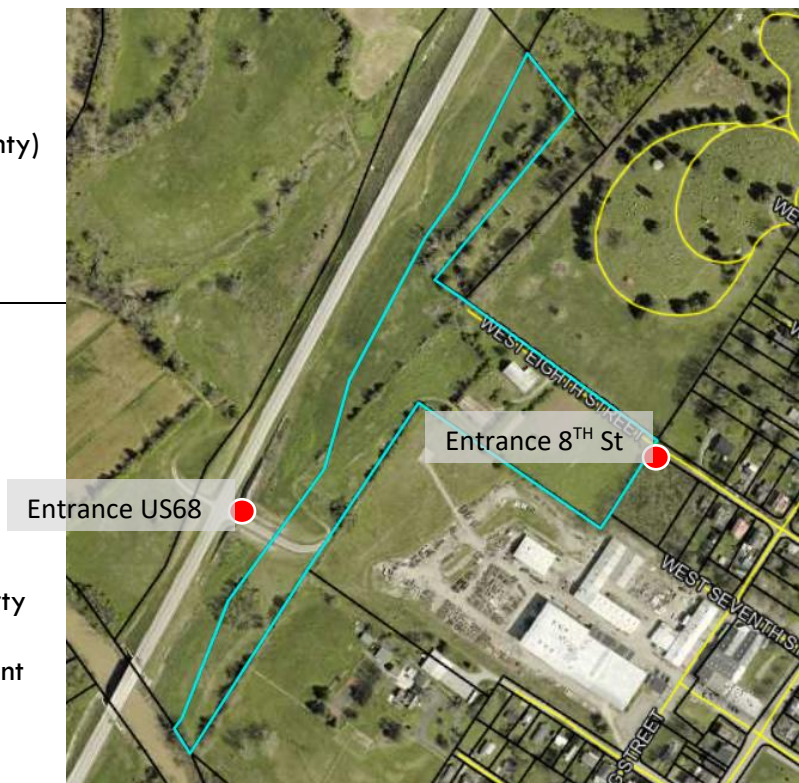
A-1 Agricultural (Unincorporated County) to  
A Agricultural (City of Millersburg)

### BACKGROUND

In 2019 a Voluntary Consent to Annexation was completed by the property owner. As a result, the City of Millersburg annexed the subject property into its municipal boundary.

In the Fall of 2022, the current property obtained a setback variance from the City of Millersburg Board of Adjustment for the construction of a single-family home.

FIGURE 1: AERIAL IMAGE OF SITE






The applicant proposes to subdivide the subject property into five (5) tracts of land (see subdivision plat enclosed with application)

## EXISTING ZONING & LAND USE

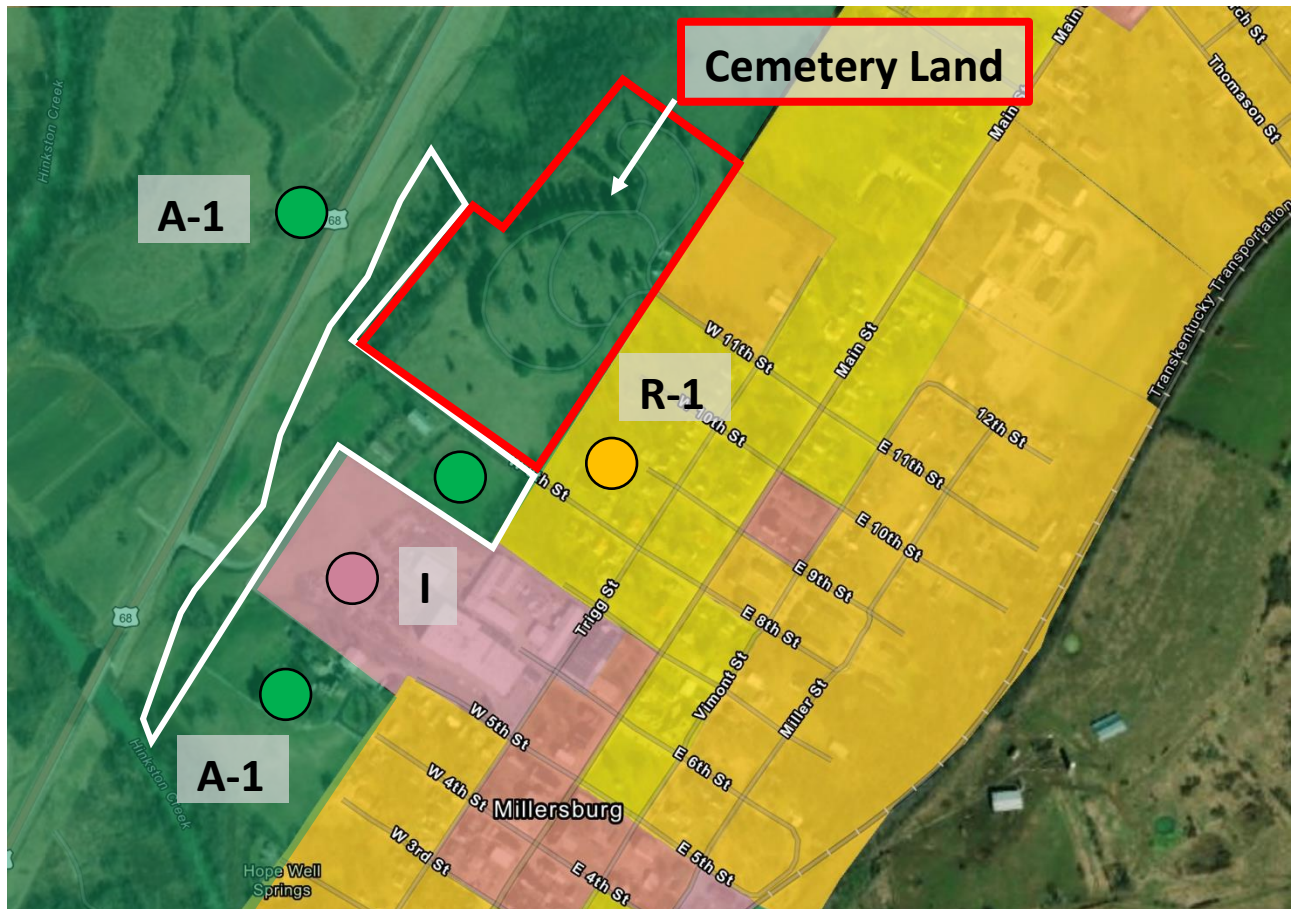
FIGURE 2 shows the existing zoning designations and existing land uses of the subject property and surrounding properties.

## EXISTING LAND USES

-  AGRICULTURAL/OPEN SPACE
-  RESIDENTIAL
-  INDUSTRIAL

**FIGURE 2: Zoning Area Map**

Source: [Bourbon County Joint Planning Interactive Zoning Map](#)



## PROPOSED ZONE CHANGE AND THE COMPREHENSIVE PLAN

According to KRS 100.187 the Comprehensive Plan goals shall serve as a guide for the physical development and economic and social well-being of the planning unit(s); in this instance, the City of Millersburg and the Bourbon County Fiscal Court.

Regarding the designated future land use of the property, the current adopted Comprehensive Plan Future Land Use Map designates this property as future Industrial and future Park/Greenspace.

(See FIGURE 3)

**FIGURE 3: FUTURE LAND USE MAP**

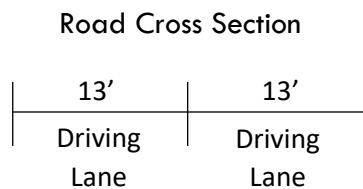
Source: 2017 Bourbon County Comprehensive Plan



## URBAN SERVICES REPORT

### ROADS

The subject property is located along US 68 Millersburg Bypass/Maysville Rd and , a State Route. The property is .8 miles from Main Street in downtown Paris. The approximate width of the Millersburg Bypass is 22 ft. without curb, gutter or sidewalks.



**US 68 Entrance Aerial View**

Source: 2020 Eagleview Connect Explorer



**FIGURE 4: REGULATORY FLOODPLAIN MAP**

Source: FEMA / Kentucky Division of Geographic Information

**CURB/GUTTER/SIDEWALKS**

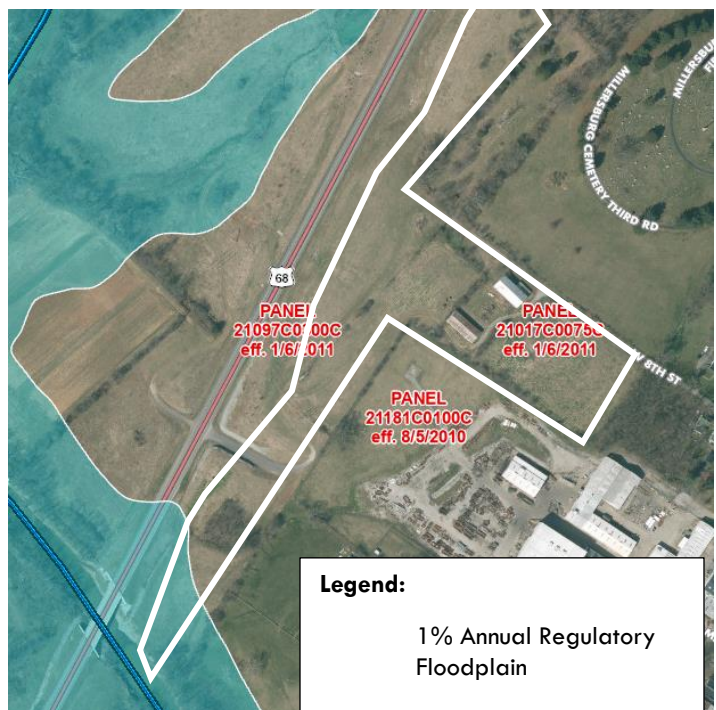
This property does not currently contain infrastructure such as curb, gutters, storm sewer, or sidewalks.

**FLOODPLAIN MANAGEMENT**

A portion of this property is located within the 1% annual regulatory floodplain. All areas within the regulatory floodplain are subject to the requirements of the City of Millersburg Flood Prevention Ordinance and all State Kentucky Division of Water and potentially Army Corps of Engineers Requirements.

**STORM SEWERS**

This property does not currently contain stormwater infrastructure.



## SANITARY SEWER

Currently, the closest sanitary sewer line to the subject property is located on 8<sup>th</sup> Street (see Figure 5). Sewer service is provided by Kentucky American Water.

**FIGURE 5: Millersburg Sanitary Sewer**

Source: City of Paris Wastewater Treatment Facility

## REFUSE

Refuse collection is currently available through Rumpke or another private garbage and recycling collection service.

## POLICE

Currently, the City of Millersburg is served by Millersburg Police Force and the Bourbon County Sheriff.

## FIRE/AMBULANCE

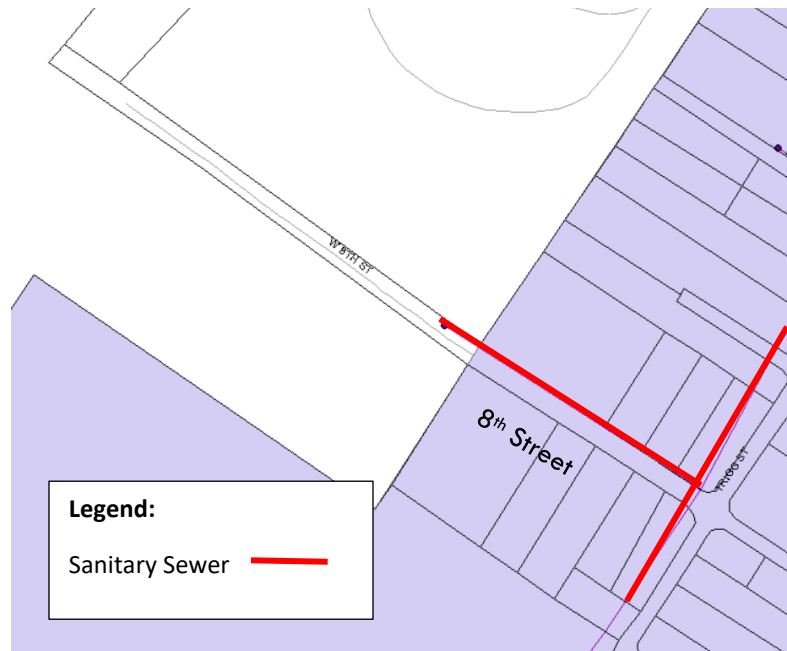
The City of Millersburg Fire Department is located at 301 W 5<sup>th</sup> Street in Millersburg and serves the subject property.

## WATER

Water service is provided by Kentucky American Water.

## ELECTRICITY

Electric service is provided by Kentucky Utilities.



**ARTICLE 5: AMENDMENTS**

<p>80.400 B. The zoning ... map shall not be amended, changed, or modified in such manner as to create a free-standing district of less than five (5) acres...</p>	<p>✓ Conforming. Property size is over five (5) acres and would not create a free-standing district.</p>
<p>80.403 B. The Planning Commission shall make findings of fact and a recommendation for approval or disapproval of the proposed amendment to the City Commission. Before recommending to the City Commission that an application for amendment to the Official Zoning Map ... be granted, the Planning Commission... must find that the amendment request is in agreement with the current Bourbon County Comprehensive Plan, or in the absence of such a finding that:</p> <p>The original zoning classification given to the property was inappropriate or improper, and that the proposed classification is proper.</p> <p>That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan adopted by the Planning Commission and which have substantially altered the basic character of the area.</p> <p>The Planning Commission shall also determine, as part of its findings, the suitability and compatibility of any proposed development of said property.</p>	<p>The applicant claims that although the request is not in alignment with the most recent future land use map of the Comprehensive Plan, there is a finding that the new Millersburg Bypass (US 68) has presented major physical and economic changes to the property in question.</p> <p><b>Staff Comments:</b>  <b>In agreement with current Comprehensive Plan?</b></p> <p>No. On the adopted Future Land Use Map of the 2017 Comprehensive Plan, his property is identified as future industrial and the planned Bypass route is demarcated (see map on Page 7)</p>
<p>The Planning Commission shall have the power to hear and finally decide applications for variances ... in conjunction with a requested zoning map amendment, if the proposed development requires both a map amendment and one or more variances.</p>	<p>No variances or waivers requested at this time.</p>

**Staff Recommendation:**

Staff recommends the Planning Commission recommend denial ZMA 22-07 to change the zoning from A-1 Agricultural in the Unincorporated County to A Agricultural in the City of Millersburg with the following finding:

The 2017 Bourbon County Comprehensive Plan identified the Millersburg Bypass in the adopted Future Land Use Map.

MILLERSBURG FUTURE LAND USE MAP  
Bourbon County Comprehensive Plan 2017

