

**APPLICATION TO PLANNING COMMISSION**  
**Zoning Text Amendment**

Bourbon County Joint Planning Commission  
525 High Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

**Office Use only:** Application No. ZTA 23-03 Fee Amount: \$ 400<sup>00</sup> Date Fee Received: 12/11/2023

1. **APPLICANT NAME** Emma Stone  
**MAILING ADDRESS** 311 Bourbon Acres Road, Paris, KY 40361  
**PHONE NO.** 502-542-2519 (HOME) \_\_\_\_\_ (WORK)

**2. TYPE OF REQUEST:** Zoning Text Amendment

The attached application form should be used for proposals made to the Bourbon County Joint Planning Commission to amend to add sections to the zoning texts of the cities of Paris, Millersburg, North Middletown, or Bourbon County. The form and other related materials should be completed and returned to the Joint Planning Office by the posted monthly filing deadline. The filing deadline is 12:00 noon on the scheduled date. Applications should be signed by the applicant or his/her attorney.

All zoning text change applicants should note that the completion of this application does not imply that such text change will be approved by the Planning Commission or the applicable legislative body. The Planning Administrator and County Attorney cannot and do not represent the applicant in any matter before the Commission but instead represent the Planning Commission.

This proposal to change the zoning text will be considered in a public hearing by the Bourbon County Joint Planning Commission. The Planning Commission will review the proposal and make a recommendation to the appropriate legislative body. The legislative body will then review both the proposal and the recommendation of the Planning Commission before making a final determination on amending the zoning text.

**3. ORDINANCE PROPOSED TO AMEND (PLEASE CIRCLE): Paris/ Bourbon County/ North Middletown/ Millersburg** \_\_\_\_\_

**4. WHAT SECTION OF THE ZONING ORDINANCE ARE YOU PROPOSING TO AMEND? PLEASE PROVIDE NUMBER AND HEADING/NAME OF SECTION:** 3.31 Permitted Uses  
\_\_\_\_\_  
\_\_\_\_\_

**5. LIST THE PROPOSED WORDING OF SECTION PROPOSED FOR ADDITION OR AMENDMENT. PROVIDE ATTACHMENTS, IF NECESSARY.**  
Add an additional permitted use to 3.31B: "10. Dog Grooming"  
\_\_\_\_\_

**6. LIST OTHER SECTIONS OF THE ZONING ORDINANCE OR SUBDIVISION REGULATIONS THAT MAY BE AFFECTED BY THIS PROPOSED AMENDMENT.**  
3.321 and 1.8 Home Occupation  
\_\_\_\_\_  
\_\_\_\_\_

**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.**

The appeal of the Bourbon County Joint Planning Office's notice of violation issued for 311 Bourbon Acres Rd., Bourbon County, Kentucky and the Bourbon County Joint Planning Office's denial of a conditional use permit to allow a boutique beauty shop for dogs 311 Bourbon Acres Rd., Bourbon County, Kentucky.

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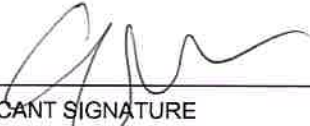
**7. FEE:** refer to Fee Schedule

**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.



12/11/23

\_\_\_\_\_  
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. You are not required to employ an attorney but you are encouraged to do so.

The Bourbon County Zoning Ordinance R-1 regulations and the City of Paris Zoning Ordinance R-1 regulations are nearly identical regarding permitted uses, building heights, sign requirements, etc. However, there are a few subsections where they differ slightly. The City of Paris Zoning Ordinance R-1 section is more specific and provides more clarity regarding Home Occupations than the Bourbon County Zoning Ordinance.

Bourbon County Zoning Ordinance Section 3.31 (B) currently lists nine home occupations.

*“Home occupations are defined and restricted in Section 1.8 (definition of home occupations) herein. No home occupation shall be permitted which changes the appearance of the structure from that of a residence. Home occupations permits are to be issued by the Board of Adjustments.”* Followed by a list of several home occupations.

The City of Paris Zoning Ordinance Article III, 80.201 3 a ii (vii) lists 13 home occupations and expressly states that *“Home occupations are to be limited to those listed below (A-M).”*

- There is no explicit language in Section 3.31 of the Bourbon County Ordinance indicating that the list of Home Occupations is exclusive. It could rightly be interpreted as providing mere examples of permitted uses. Whereas Article III, 80.201 3 a ii (vii) of the City of Paris Ordinances cites language expressly limiting Home Occupations to those listed in (A) through (M) of that section.
- Section 3.31 B of the Bourbon County Ordinance specifically states that *“Home occupation permits are to be issued by the Board of Adjustments,”* which implies that Home Occupations meeting the definition under Section 1.8 can be approved and permitted by the Board of Adjustments. It further implies that the explicitly listed permitted uses are a list of examples of permitted uses, but that the Board of Adjustments is responsible for issuing permits for other, unlisted home occupations meeting the definition of Home Occupation found in section 1.8.

It is my opinion that, given the stark similarities between the Bourbon County and Paris R-1 Ordinances regarding Home Occupations and Permitted Uses, the Bourbon County Zoning Ordinance should be amended to provide the clarity which is found in the City of Paris Zoning Ordinance.

If Bourbon County Ordinance, Section 3.31 B were interpreted as an exclusive list of permitted Home Occupations, I further assert that given the nearly identical list of Permitted Uses found in both Ordinances, that Dog Grooming should be added to the list of expressly permitted uses. The City of Paris Ordinance allows it, and it is similar to other approved occupations listed in both ordinances, in terms of environmental and traffic impact on neighborhoods.

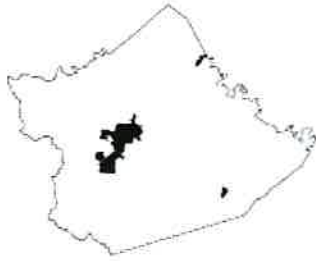
- If a Dog Grooming facility meets the criteria in the Bourbon County Ordinance’s 1.8 Home Occupation definition and other applicable regulations, such as building height, signage, yard requirements etc. then I believe it falls within the spirit and the intent of the Zoning Ordinances.
- It is evident from the specifically listed Home Occupations and other sections of the Ordinance, that the intent of the drafters was to limit the environmental and traffic impacts as well as maintain the aesthetics of residential areas.
- A dog grooming facility, which meets all other requirements, has arguably the same, or less environmental and traffic impacts as a beauty shop, massage parlor, catering, antique shop, bakery, art studio, photography studio, computer consulting services, etc.

Moreover, a dog grooming facility is essentially a canine beauty shop and could be seen as already qualifying under Section 3.31 B 1.

For all the above reasons, I set forth this proposed amendment to the Bourbon County Zoning Ordinance to provide much needed clarity around Permitted Uses and Home Occupations in the R-1 Residential Zones. In addition to making our regulations clearer for residents of the city and county, it is important to encourage our citizens to grow their businesses here and contribute to our community. I fully understand the need for strict zoning regulations, but there are

also circumstances where more expansive readings of ordinances or amendments might be necessary as times change and our community continues to grow.

I'm sure the dog grooming industry has grown in recent years and was likely not as popular when the original Ordinances were drafted. I am hopeful that we can make the necessary adjustments to encourage local economic development, entrepreneurship, and a continued sense of community. Bourbon County has that special something lacking in most surrounding counties lately, which is why we must continue to find ways to encourage our citizens to stay here, work here, receive services here and raise their families here. Please consider passing this amendment to provide both clarity and a much-needed service to the citizens of Bourbon County.



**BOURBON COUNTY JOINT PLANNING OFFICE**

**525 High Street  
Paris, KY, 40361  
859.987.2150**

**[www.bourboncountyplanning.com](http://www.bourboncountyplanning.com)**

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**Permit #: 482**

**Permit Type:**

**Address: BOURBON ACRES 311**

**City: PARIS**

**State: KY**

**Zip: 40361**

**Owner: STONE BRIAN & MARY RUTH**

**Owner Address: 311 BOURBON ACRES**

**Owner City: PARIS**

**Owner State: KY**

**Owner Zip: 40361**

**Owner Phone:**

**Owner Email: [emilyvferguson@gmail.com](mailto:emilyvferguson@gmail.com)**

**Receipt #: 348**

**Date: 12/19/2023**

**Paid By: Check #1015**

**Description: Check #1015 for ZTA 23-03**

**Payment Type: Check**

**Payment Type Description: #1015**

**Accepted By: Micki Sosby**

**Fees Paid**

Fee Name	Fee Type	Description	Factor	Total Fee Amount	Amount Paid
Zoning Map/ Text Amendment	Application		0.00	400.00	400.00
				<b>Total:</b>	<b>\$400.00</b>