



# ST. MARY SCHOOL

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September 23, 2025

Dear Ms. Thornsburg,

I am writing on behalf of the Church of the Annunciation and St. Mary School in response to your letter of August 25, 2025. I write to provide you additional information and ask you to please reconsider the result of your August 25 letter. If not, then please accept this letter as an appeal and a request to be heard at the Board of Adjustments October meeting.

Your letter states you are denying the request because a “freestanding parking lot is not a listed permitted use or conditional use” and that while “off-street parking is an accessory use in all zones” “there must be a primary use of the property in support of proposed parking.” I ask you to reconsider your interpretation of the City of Paris Zoning Ordinance based not only on the language of the text of the Ordinance sections themselves. Additionally, I ask you to reconsider your opinion based upon the evidence of the treatment of numerous other properties in this area by the City of Paris and your office.

First, the text of the Ordinance supports this parcel as a parking lot. I will highlight the portions of Section 80.203 discussed in this communication. The Ordinance states:

## **§ 80.203 OFF-STREET PARKING AND LOADING**

*A. Applicability. In all districts, off-street parking facilities for the storage or parking of motor vehicles for use of occupants, employees and patrons of the building hereafter erected, altered, or extended after the effective date of these regulations shall be provided and maintained as herein prescribed.*

### *B. General requirements.*

*1. In determining the number of parking spaces required, if such space results in fractional parts thereof, the number of said spaces required shall be construed to be the nearest whole number.*

*2. Whenever a use is increased in floor area, such additional parking space shall be provided so that the parking space specified herein for the whole area shall be available.*

*3. For the purpose of these regulations, "floor area" in the case of offices, merchandising, or service types of uses shall mean the gross floor area of the structure.*

*4. Off-street parking facilities for one and two-family dwellings shall be located on the same lot or plat of ground as the buildings served. Off-street parking facilities for other than one and two-family dwellings shall be within three hundred (300) feet of the building intended to be served. An industry which employs five hundred (500) or more employees may supply off-street parking at a distance greater than three hundred (300) feet from such industry.*

*5. The off-street parking facilities for uses not specifically mentioned herein shall be the same as those required for uses of a similar nature.*

*6. Collective off-street parking facilities may be provided; however, such facilities shall be no less than the sum of such facilities as would otherwise be individually required.*

As quoted above, Section 80.203 address off-street parking. Section A is clear that the Ordinance applies “in all districts” and that off-street parking “shall be provided.” Your August 25, 2025 letter noted that you did not interpret the Ordinance to allow any parcel whose entirety is devoted to parking and that there must be some other building, structure or use on the same parcel. However, Section 80.203(B)(4) provides that off-street parking for one or two-family dwellings “shall be located on the same lot or plat of grounds as the buildings served” and that off-street parking for other uses (specifically, *not* a one or two-family dwelling) shall be *within* 300 feet of the building intended to be served. Section 80.203(B)(6) further allows for “collective off-street parking” which further evidences that the Ordinance allows a parking lot to exist on an entire parcel and separate from the use it supports. Otherwise, sub-sections (B)(4) and (B)(6) would have no meaning.

This portion of the Ordinance means that your interpretation of the Ordinance limiting a parking lot to only a portion of a parcel, and not the entirety, applies *only* to those parcels whose parking is for one or two-family dwellings. To reiterate our proposal, this parking lot will serve St. Mary School during the week and the Church of the Annunciation for weekend worship services. Of course, there may be occasions of weddings, funerals, or other church and school events, but the proposal is clear the parking lot would be used primarily to support the school or the church, all of whose buildings are within 300 feet of this parcel. Perhaps your interpretation of the Ordinance would be accurate where the parking was only “for one or two-family dwellings” under 80.203(B)(4) but that is not our proposal and that limitation does not apply here.

Second, this proposed parking lot is actually consistent with, if not required by, the Paris Zoning Ordinance and brings other properties in use by the church and school into compliance. Section 80.203(C) sets forth the City’s requirements for designated parking by different building-types. Your office has traditionally required certain proposed uses to have the Ordinance-required number of parking spaces before approving those plans or permits. In doing so, your office has never limited those applicable and countable parking spaces to only those spaces within the same parcel. Moreover, this proposed parking lot helps bring the church and St. Mary Schools building in further compliance. Section 80.203(C)(10) addresses churches and requires one parking space for every 4 seats in the auditorium. Section 80.203(C)(11) address schools and requires one parking space for every 4 seats in a principal auditorium and one parking space for each classroom plus an extra 16 spaces. There are not a sufficient number of parking spots currently within 300 feet of the school and church buildings no matter the calculation. Adding this new parking lot would bring the church and school closer to compliance with the zoning ordinance.

Third, as a matter of public safety this parking lot is needed. As you know, St. Mary School daily occupies the structures and has classrooms in the properties at 1121 Main Street, 1115 Main Street, and 1025 Main Street, attends daily mass within the church at 1009 Main Street, and conducts activities in parrish hall at 1018 High Street on most days of the school week. During drop-off in the mornings and pick-up times in the afternoon, some parents or others park on the right side of Main Street due to the inability to park on the left side of Main Steet or on 12<sup>th</sup> Steet. There is no on-street parking allowed on 11<sup>th</sup> Street. On multiple occasions this school year and in prior ones, too many “close calls” have occurred between vehicles and pedestrians, most of which were elementary-aged or pre-school-aged children. We also know this is a recurring issue faced at the YMCA which is a cause of concern with the City and the City’s emergency personnel. If you desire additional supporting information for this parking lot from our police department or the fire department/EMS, please let me know and I will request that in writing.

Fourth, our view of the Ordinance is one that was shared previously by the City of Paris and your office. To that end, we do not understand the reversal in the approach you have taken in your August 25, 2025 letter. A review of other properties show the City and your office has not previously adopted the interpretation you have in your August 25, 2025 letter. For example, the publicly available records from the Bourbon County Property Valuation Administrator’s Office for other parcels the downtown area (roughly that is Main Street, Pleasant Street, and High Street from 14<sup>th</sup> Street to Second Street) show a number of comparable properties where a parking lot consumes the entirety of the lot. It is hard to square the existence of those lots with your new interpretation of the Ordinance. We are also unaware of any enforcement action taken against those properties which shows that the prior interpretation of the Ordinance is different from the one you announced in your August 25, 2025 letter. These privately owned parcels in the area include:

1. 1114 Pleasant Street - Johnson Funeral Home Inc. (Lusk-McFarland)
2. 1018 Pleasant Street – First Baptist Church of Paris Inc.

3. 101 E. 10<sup>th</sup> Street – Claiborne Farm Inc. (site of Louie’s Restaurant)
4. Two parcels located at 926 Pleasant Steet / 108 E. 10<sup>th</sup> Street – Claiborne Farm Inc. (the open parking lot across from the site of Louie’s Restaurant)
5. Pleasant Street (corner to East 5<sup>th</sup> Street) – James and Mary Lovell
6. 318 Pleasant Street – Stockyards Bank
7. 101 3<sup>rd</sup> Street (corner to Pleasant) - Jack Martin Goins and Pamela Evans
8. 221 Pleasant Street – D. Elam Rentals LLC
9. High Street – Stockyards Bank
10. West 4<sup>th</sup> Street – Stockyards Bank
11. Corner of Cypress and West 8<sup>th</sup> Street – Central Baptist Church
12. 920 High Street (YMCA)
13. Main Street adjacent to Robnell building - Robnell Group, LLC

We do believe the property owned by Johnson Funeral Homes may have proceeded through the conditional use permit process but are unaware of any approval process for or enforcement action taken against any of the other properties. Again, All of these collectively demonstrate that the City and your office previously had a different view of the Ordinance than that in your August 25, 2025 letter.

Adding to this list of other privately owned properties are three other parcels already owned by the Church of the Annunciation. Two of these properties are located across 11<sup>th</sup> Stret from this subject parcel and were previously occupied as small residences. When the church constructed its current parrish hall, these homes were demolished and the two parcels were converted into the current parking lots. A third property owned by the church is located on Main Street at the corner to 10<sup>th</sup> Street. That entire parcel is also a parking lot. The church allows its frequent use by the YMCA. As we are aware of the typical issues arising with drop-off and pick-up for the YMCA daycare, we believe the City and many citizens appreciate the church allowing the use by the public at large for that parking lot, especially during those busy pick-up and drop-off times. It keeps people, and especially children, off the street and in areas on Main Street that impedes traffic turning off of Winchester Road.

In addition to this significant number of privately owned parcels, there are a number of publicly owned parcels near this area whose entirety is parking lot. Those include 8 parcels owned by the City of Paris located at:

1. Intersection of Pleasant and East 7<sup>th</sup> Streets
2. Main and 4<sup>th</sup> Streets to Pleasant
3. 605 High Street
4. High Street (adjacent to Farmer’s Market)
5. 800 High Street
6. Main Street (corner to 8<sup>th</sup> Street) (note that this parcel was only recently acquired by the City and previously was owned by the Beheler family and leased to the City)
7. Main Street (corner to 7<sup>th</sup> Street)
8. Main Street (between 5<sup>th</sup> and 6<sup>th</sup> Streets)

Two additional parcels in this area are publicly owned including the old jail location owned by the Bourbon County Fiscal Court and a recently acquired parcel by the Paris Independent schools at 281 Houston Ave. While we understand government entities are not subject to the strict interpretation of the City’s zoning ordinance, on no occasion have any of these government entities operated a parcel of property in direct contradiction to the zoning code for the surrounding areas. To that end, the City, County, and School have maintained their properties as parking lots in keeping with the letter and spirit of

the zoning ordinance and the surrounding areas of this downtown part of the City. All of that further demonstrates the City and your office previously shared a different interpretation of the Ordinance than your August 25, 2025 letter.

Simply put, nothing in the zoning ordinance prohibits an entire parcel from being a parking lot, especially in this downtown area. Doing so, and allowing this proposed planned parking lot is supported by (1) the text of the ordinance calling for off-street parking in all areas, (2) allowing those off-street parking areas to be located within 300 feet of the building its supports (unless that is a one or two-family dwelling, which this parking lot is *not* supporting); (3) required to provide the requisite number of spots for a church or a school; (4) a significant public safety benefit especially for those small children attending St. Mary School and one which the church already provides to the YMCA through another of its parking lots (again which consumes the entire parcel); and (5) consistent with 27 other parcels in the downtown area.

As I mentioned above, I ask you to reconsider your August 25, 2025 opinion and interpretation as it is not consistent with the City zoning ordinance or any prior interpretation of the zoning ordinance by the City or your office.

If not, please consider this a formal appeal of your ruling for all these reasons stated above and others to be provided to the Board of Adjustment. Please place this item on the Agenda for the Board October's meeting. I will prepare more formal packets of the detailed information cited here including for each of the 26 properties listed and records from the PVA office.

If this matters proceeds as an appeal, I also ask you to provide me: (1) any records, maps, or other materials that you reviewed in reaching the opinions expressed in your August 25, 2025 letter and (2) you separately search and provide me the records of your office for concerning each of these other properties so we may all have those for the Board meeting. If you require such, I am happy to reduce these requests to a formal open records act under KRS 61.810 which will require a response within 5 days.

Sincerely,



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