

**Board of Zoning Adjustments**

**August 10 , 2021**

**5:30 PM**

**CHAIR ASHLEY KENNEDY , PRESIDING**

The meeting was called to order at 5:30 p.m. Chair Ashley Kennedy asked the Secretary to call the roll.

Members Present:

Johnny Keene  
Ashley Kennedy  
Brandon White  
Barry Holder Jr.  
Mitch Buchanan

Also Present:

Edwin Logan, Attorney  
Ben Judah, Franklin County Planning Supervisor

The first item of business was approval of the minutes of the March 9, 2021 meeting. Mr. White made a motion to approve the minutes. The motion was seconded by Mr. Buchanan and all were in favor.

Chair Kennedy asked the Secretary to call the next item of business.

**In accordance with Article 14, Section 14.04 of the Franklin County Zoning Ordinance, Don R. McCormick is requesting a Conditional Use Permit for a Major Home Occupation to allow for online sales of firearms located at 211 Duntreath, Frankfort, KY 40601. The property is more specifically identified as Property Valuation Administrator map number 085-40-06-050.02.**

Ben Judah, Franklin County Planning Supervisor was present and mentioned that this property is located in Two Creeks and is zoned "PR".

Mr. Judah stated that the applicant is requesting a Conditional Use Permit for a Major Home Occupation in order to sell firearms online.

Mr. Judah mentioned that the Board approved a similar request in the past and the only difference was the other request required some assembly of guns but this request is to simply buy and sell firearms online.

Mr. Judah stated that staff had all positive findings and recommended approval of the request with the conditions that were outlined in the staff report.

The applicant Don McCormick was present and stated that he deals in antique guns. No one comes to his home and all purchases or sales are done online.

Mr. McCormick stated that he agreed with the conditions outlined in the staff report.

Based on the positive findings of fact, Mr. Buchanan made a motion in accordance with Article 14, Section 14.04 of the Franklin County Zoning Ordinance, to

approve the request from Don R. McCormick for a Conditional Use Permit for a Major Home Occupation to allow for online sales of firearms located at 211 Duntreath with the following conditions:

1. That a business license is required from the County.
2. The conditional use is only permitted at 211 Duntreath.
3. The conditional use is granted only to Don McCormick to allow the use of the property for online firearms sales.
4. The conditional use is not transferable and any change in ownership or use will make this approval null and void.
5. That the business will operate in compliance with all regulations that may apply from any other regulatory agency that may apply.
6. The business shall have no non-resident employees.
7. That the Home Occupation shall operate in compliance with all requirements listed above in Article 15.07 Home Occupations contained within the Franklin County Zoning Ordinance otherwise this permit shall be null and void.

The motion was seconded by Mr. White and passed unanimously.

Chair Kennedy asked the Secretary to call the next item of business.

**In accordance with Article 1.08 of the Franklin County Zoning Ordinance, Showtime Sign & Design, INC for Commonwealth Credit Union is requesting a waiver of Article 11.21 A to allow for a sign to be permitted on a building face that adjoins a residential zone. The property address is 1425 Louisville Road and more specifically described as PVA map Number 085-40-06-050.02**

Ben Judah, Franklin County Planning Supervisor was present and mentioned that this property is surrounded by “SG”, “RC” and “CH” zoning districts.

Mr. Judah explained that the zoning regulations do not allow fascia signs on the facade facing residential areas or residential zone districts. However in this case the **closest house that faces the façade with the proposed sign is more than 800-feet away**, which is further than the existing sign. The closest houses in any direction are the houses to the east and the closest house in that direction is approximately 460-feet away.

Mr. Judah explained that the existing signage is 93.72 feet. Based upon Table 11.1, the maximum signage for this parcel is 608 square feet. The total signage including the proposed sign amounts to 135.11 square feet.

Mr. Judah stated that no neighbors have contacted staff with concerns. Mr. Judah stated that staff is recommending approval of the request.

The applicant was not present.

Based on the positive findings of fact, Mr. Holder made a motion in accordance with Article 1.08 of the Franklin County Zoning Ordinance, to approve the request from Showtime Sign & Design, INC for Commonwealth Credit Union for a waiver of Article 11.21 A to allow for a sign to be permitted on a building face that adjoins a residential zone for the property located at 1425 Louisville Road. The motion was seconded by Mr. Keene and passed unanimously.

There being no further business, the meeting adjourned at 5:44 pm.