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September 20, 2005

Beth O'Donnell, Executive Director  
Public Service Commission  
211 Sower Blvd  
P.O. Box 615  
Frankfort, KY 40602

RECEIVED

SEP 21 2005

PUBLIC SERVICE  
COMMISSION

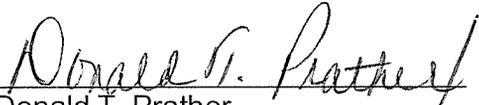
Re: Annette D. Calvert v. U.S. 60 Water District  
Case No. 2005-00356

Dear Ms. O'Donnell:

Enclosed please find one original and ten (10) copies, plus an extra copy of the Supplemental Filing in regard to the captioned action. Please file the original and ten copies with the Commission and return to me the file-stamped copy. For your convenience I have enclosed a self-addressed stamped envelope.

Yours truly,

MATHIS, RIGGS & PRATHER, P.S.C.

BY:   
Donald T. Prather *mew*

DTP/mew

Enc.

Cc: Darrell Dees, Manager  
Sandy Broughman, Engineer  
Duncan LeCompte, President

DTP\us60\transmission\calvert\PSC filing letter 2

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ANNETTE D. CALVERT }  
 }  
COMPLAINANT }  
 }  
v. }  
 }  
U.S. 60 WATER DISTRICT }  
 }  
DEFENDANT }

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SEP 21 2005

CASE NO. 2005-00356 PUBLIC SERVICE COMMISSION

**SUPPLEMENTAL FILING**

Comes U.S. 60 Water District, by counsel, to supplement its Response, previously filed in the captioned case, by filing herein the applicable pages from the Franklin County Zoning Regulations establishing that Annette Calvert's property has a 35-foot minimum front yard requirement, to be measured from the right-of-way line for U.S. Highway 60, which cannot be occupied by any buildings or structures. According to the Franklin County Zoning Office, Calvert's property is zoned rural residential district.

Respectfully Submitted,

MATHIS, RIGGS & PRATHER, P.S.C.

By: 

Donald T. Prather  
500 Main Street, Suite 5  
Shelbyville, Kentucky 40065  
Phone (502) 633-5220  
Fax (502) 633-0667

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and accurate copy of the foregoing was this 20 day  
of September, 2005 mailed to the following:

Annette D. Calvert  
575 Old U.S. 60  
Frankfort, KY 40601

A handwritten signature in black ink, appearing to read "Donald T. Prather", written over a horizontal line.

Donald T. Prather

# Franklin County Zoning Regulations

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Article II – Definitions	Tab 3
Article IV – Permitted Uses	Tab 4
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Article VI – Bulk, Density, Height & Area Provisions	Tab 6
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Article X – Minimum Off Street Parking Requirements	Tab 10
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Article XII – Non-Conforming Use & Non-Complying Structure	Tab 12
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**4.11 RURAL RESIDENTIAL DISTRICT "RR"**

**4.111 Purpose.**

This District is intended to establish and preserve a quiet single family home neighborhood, free from other uses except those which are convenient to and compatible with the residences of such neighborhood. This district is intended to be of very low density and will customarily be located in areas where public sewer facilities are not available or planned.

**4.112 General Uses Permitted.**

Detached single family dwelling units, including mobile homes used as single family residences.

**4.113 Conditional Uses Permitted.**

Permitted with approval of Board of Adjustments and subject to conditions defined in Article 15. Home occupations, nursery schools and day care centers, elementary and secondary schools, parks and public recreation facilities.

**4.114 Bulk Density and Height**

a)	Minimum lot area	1 1/2 acres
b)	Minimum lot frontage	100 feet
c)	Minimum front yard	35 feet *
d)	Minimum side yard	10 feet
e)	Minimum rear yard	40 feet
f)	Maximum lot coverage	10%
g)	Maximum height	35 feet

\*Front yard minimum 35' from property line at R.O.W.

**4.115 Off-street Parking.**

Two spaces per residential dwelling unit, others as required in Article 10.

Any vehicular structure on wheels designed to be towed or hauled by another vehicle. Trailers can be used for temporary human occupancy or the transportation of equipment, goods or livestock. This definition includes automobile trailers, campers and horse trailers but not mobile homes.

### **Usable Open Space**

That portion of the lot which is not covered by buildings, streets, parking areas or paved walkways. For the purposes of this ordinance outdoor roof gardens, patios and decks may be counted, providing a maximum of 100 square feet per dwelling unit may be included as usable open space. Pools and other recreational facilities may be included in the usable open space, provided that a minimum of thirty percent (30%) of the usable open space must be devoted to landscaping.

### **Yard**

A space on the same lot with a main building; open, unoccupied and unobstructed by buildings or structures from the ground to the sky except as otherwise provided in this title.

### **Yard, Front**

Any yard extending across the full width of the lot between any parts of a lot line which runs adjacent to a public street.

### **Yard, Rear**

A yard extending across the full width of the lot between the rearmost portion of the main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of such main building.

### **Yard, Side**

A yard between the main building and the side lot line, extending from the front yard or front lot line, where no front yard is required.

### **Yard, Street Side**

A yard between the main building and the side lot line of a corner lot which abuts a side street extending from the front lot line to the rear lot line.

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**PUBLIC STREET**