

1-19-10

Untitled

Executive Director's Office
Public Service & Comm. of KY
PO Box 615 Frankfort, KY 40602

This is concerning case # 2010-00006, The erection of the 240 foot tower at 85 Chappell way in Pulaski County. I own the house closeset to the tower. #21 my daughter and her 4 small children live there. I am adamently opposed to the tower being built there. My property will be devalued, traffic will increase, health risks and etc. Also, all of the lots on Chappell way are restricted to single family residential. I am enclosing a copy of the restrictions.

Thank you.
Sincerely,
Lowell Wright

PO Box 3030
W. Somerset, KY 42564



RECEIVED
JAN 22 2010
PUBLIC SERVICE
COMMISSION

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING RESTRICTIONS AND RESTRICTIONS ON PLAT OF RECORD IN PLAT CABINET C, SLIDE 331, PULASKI COUNTY COURT CLERK'S OFFICE, KENTUCKY:

1. Each lot shall be known and described as a residential lot and is restricted for residential use and shall not be used for any commercial purpose or other purpose.

2. The dwelling house erected on each lot shall be so constructed as to have a brick front. The remaining exterior walls shall be brick, stone, western cedar, redwood, cypress, high quality aluminum siding, vinyl siding, coated wood or dryvit, or a combination thereof.

3. All exposed areas of foundation shall be constructed or surfaced with brick or stone. Further, any portion of walk-out basements, lower levels and areas having any portion partly below grade shall be faced up with brick or stone.

4. All accessory buildings, such as garages, or storage buildings, shall be constructed of brick, stone, coated wood siding, dryvit, high quality aluminum or vinyl siding, and shall be kept in good repair at all times. Said accessory buildings shall have exterior walls no higher than 10 feet at the side walls.

5. All exterior structures shall be erected in the area from the rear of the residence to the back property line only.

6. No prefabricated exterior structures or buildings may be erected on these premises.

7. All structures shall be completed within nine (9) months from date of commencement of construction.

8. No swine, livestock or other like animal or animals shall be kept on any lot.

9. All fences shall be constructed of commercial materials intended for the purpose of fencing or shall be made of wood and shall be kept in good repair. Fences are not to be constructed in the area between the front exterior walls and the street or road on which the dwelling faces.

10. No capped basement, garage, shell or other outbuilding erected on a lot shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

11. No mobile home or modular home of any kind shall be placed upon the property, and all travel trailers or recreational vehicles shall be kept to the rear of the dwelling, and if on a corner lot, no closer than 50 ft. from the street.

12. Each lot shall be restricted to one one-family residence and the necessary garage or storage buildings to be used incident thereto, as set forth hereinabove.

13. All residences or other structures shall set back 40 ft. from the road right of way that faces Mitchell Lane and no construction shall be made closer than 10 feet from the sidelines of any lot, with the exception of easements for power lines and driveways, which may affect said lots.

14. All sanitary sewage and plumbing facilities shall be in conformity with the Kentucky State Health Department's Regulations and additions or amendments thereto.

15. Any dwelling house constructed on any lot shall be so constructed as to contain a minimum of 1250 square feet of living area, excluding carports, garages, basements and porches, and must contain a 14 foot wide attached garage with no less than 300 square ft. of area, or drive-in basement garage.

16. In the event the dwelling is a bi-level, tri-level or quad-level dwelling, it shall contain not less than 1,250 square feet of living area above grade, and an attached garage or drive-in basement garage as required hereinabove.

17. There shall be no dog kennels. For the purposes of this restriction, three (3) or more dogs shall constitute a kennel.

18. Dog houses for residential pets shall be behind the dwelling house located on the lot, and shall not be closer than 25 feet to adjoining lot owners or street right of ways.

19. No used houses can be moved into this subdivision.

20. No junk vehicles or other vehicles which are unroadworthy or inoperable are to be kept on the subject property.

21. All gardens, except for decorative landscaping, outside clotheslines and poles, children's playhouses and treehouses, satellite signal reception devises, and radio and television towers shall be constructed only to the rear of the dwellings.

22. No commercial vehicles may be housed or contained on this property.

23. No noxious or offensive conditions or nuisances shall be permitted on this property.

24. Main structures are to have a minimum roof pitch of 7/12.

25. Each lot is expressly restricted to secondary underground telephone, television and electric service.

26. Any dwelling damaged by fire, windstorm or other casualty shall be repaired and restored to its original state or better, within sixty (60) days from date of such occurrence, or substantial progress shall have been made within such time and the project shall be completed within 20 work days thereafter. If said dwelling cannot be so repaired or restored, then all necessary steps will be taken to remove the damaged dwelling from the lot within said time limit.

27. Invalidation of any one of these restrictions by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

28. Wherever the term "lot" is used in these restrictions, the same shall mean the parcel of land deeded by the Grantor herein, and if a lot and a portion of another lot has been deeded, the entire parcel shall be considered as a lot.

29. Enforcement shall be by proceedings at law or in equity