

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION

PA 22947  
RECEIVED  
JAN 18 2000  
BOONE COUNTY  
PLANNING COMMISSION

See Boone County Zoning Regulations  
**SECTION A** (To be completed by applicant)

- 1. (Check One)  
 Boone     Florence     Walton     Union
- 2. (Check One)  
 Conditional Use Permit     Variance     Appeal  
 Change in Non-Conforming Use
- 3. Applicant's Name Roy L Mullins  
Phone Number 606-282-9279 Fax No. 513-552-4005  
Applicant's Address 1416 AFTON DRIVE  
FLORENCE    KY    4042  
City    State    Zip
- 4. Description of Request: REDUCE 30' FRONT SET-BACK TO 23 FEET  
TO ALLOW FOR 7' FRONT PORCH TO BE BUILT
- 5. Name of Development \_\_\_\_\_
- 6. Location of Development \_\_\_\_\_
- 7. Acreage Under Review .5
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
79 Belle Meadows
- 9. Owner of Property Roy & Debbie Mullins  
Phone Number of Owner 606-282-9279 10.  
Address of Property Owner FLORENCE KY 4042  
City    State    Zip
- 11. Proposed Use(s) on Site FRONT PORCH AND ROOF
- 12. Total Square Footage of Existing and/or Proposed Buildings 350 SQ. FEET
- 13. Current Zoning on Property SR1
- 14. Deed Book 663 Page No. 292 Group No. 3348 2032
- 15. Is the site subject to a zone change? NO  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? \_\_\_\_\_
- 17. Have you submitted a list of adjoining property owners with this request? \_\_\_\_\_
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Roy L. Mullins

Property Owner's Signature: Roy L. Mullins

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

**SECTION B** (To be completed by the Boone County Planning Commission Staff)

1. Date Received 1-18-00 Fee Received \$ 450.00 RA 22947
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
 **Approved**  
 **Approved with Conditions** (See #6)  
 **Denial** (See #7)
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Boone County Planning Commission**  
2995 Washington Street  
Burlington, Kentucky 41005  
(606) 334-2196 Phone  
(606) 334-2264 Fax

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

## STAFF REPORT

**APPLICANT:** Roy Mullins  
**LOCATION:** 1416 Afton Drive, Boone County, Kentucky  
**ZONING:** Suburban Residential One (SR-1)  
**DATE:** February 9, 2000

### Proposal

The applicant is requesting a Variance to allow a reduction of the front yard setback for an approximate 350 square foot front porch addition to a Single Family Dwelling at 1416 Afton Drive, Boone County, Kentucky. The Boone County Zoning Regulations require a minimum front yard setback of 30 feet for any structure in a Suburban Residential One (SR-1) zoning district. The porch on the single family detached residence is currently a small concrete slab with no cover. The enclosed photos indicate that the proposed covered front porch will run along the entire front of the house. The proposed porch will require a Variance to reduce the required 30 foot front yard setback by 7 feet to 23 feet. If the variance is granted, the result will be a smaller front yard, and will not affect the side yard or rear yard setbacks.

### Dimensional Variance

The Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for Variances. A Variance is defined as a departure from dimensional terms of the zoning regulation pertaining to height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.47.

Before any Variance is granted, the board must find that the granting of the Variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

- a. The requested Variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
- b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant and;
- c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Staff Comments

1. The setback would be reduced by approximately 23%, which is a fairly significant amount. The property in question is located on the corner of Afton Drive and Macintosh Lane. Because it is a corner lot, and the position of the house in relation to its neighbors, the visual obstruction of the proposed porch would be minimal if any at all.
2. It is staff's opinion that the addition of the porch would improve the overall character of the house.
3. If the board feels that a 7 foot variance is excessive, it might be possible to reduce the depth of the porch to allow for a smaller variance to be approved.

Conclusion

K.R.S. 100.241 gives the Boone County Board of Adjustment and Zoning Appeals the power to hear and decide on applications for Variances.

Respectfully Submitted,



Mike Homer  
Planner

MH/pr

Attachments

- Site/Zoning Map
- Site Plan
- Porch Plan
- Porch Sketch
- Photos
- Variance Application



# Site/Zoning Map

## 1416 Afton Drive



1 inch equals 200 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
February 4, 2000



FILE NUMBER: 14000  
CLIENT: ROY & DEBBIE MULLINS

STREET ADDRESS: 1416 AFTON DRIVE  
CITY OR VILLAGE: FLORENCE  
TOWNSHIP: N/A  
COUNTY: BOONE  
STATE: KENTUCKY  
CITY LOT NUMBER: N/A  
SUBDIVISION NAME: BELLE MEADOWS SECTION 2

LOT NUMBER: 79

PLAT BOOK: 273A  
PAGE: 273A

This identification plat is made for and in the instances of KENTUCKY LAND TITLE AGENCY, INC. AND/OR BROADVIEW MORTGAGE COMPANY

I hereby certify, to the best of my knowledge, information and belief, and in my professional opinion that this plat is a true and correct copy of the original plat as recorded in the public records of the State of Kentucky, and that the improvements or alterations of any kind shown on this plat are as shown and described by the improvement or alterations of any kind shown on this plat, except as indicated and that there are no records, plat amendments affecting the tract herein, except as noted.

NOTE:

ACKNOWLEDGED BY CLIENT

*Andrew R. Ament*

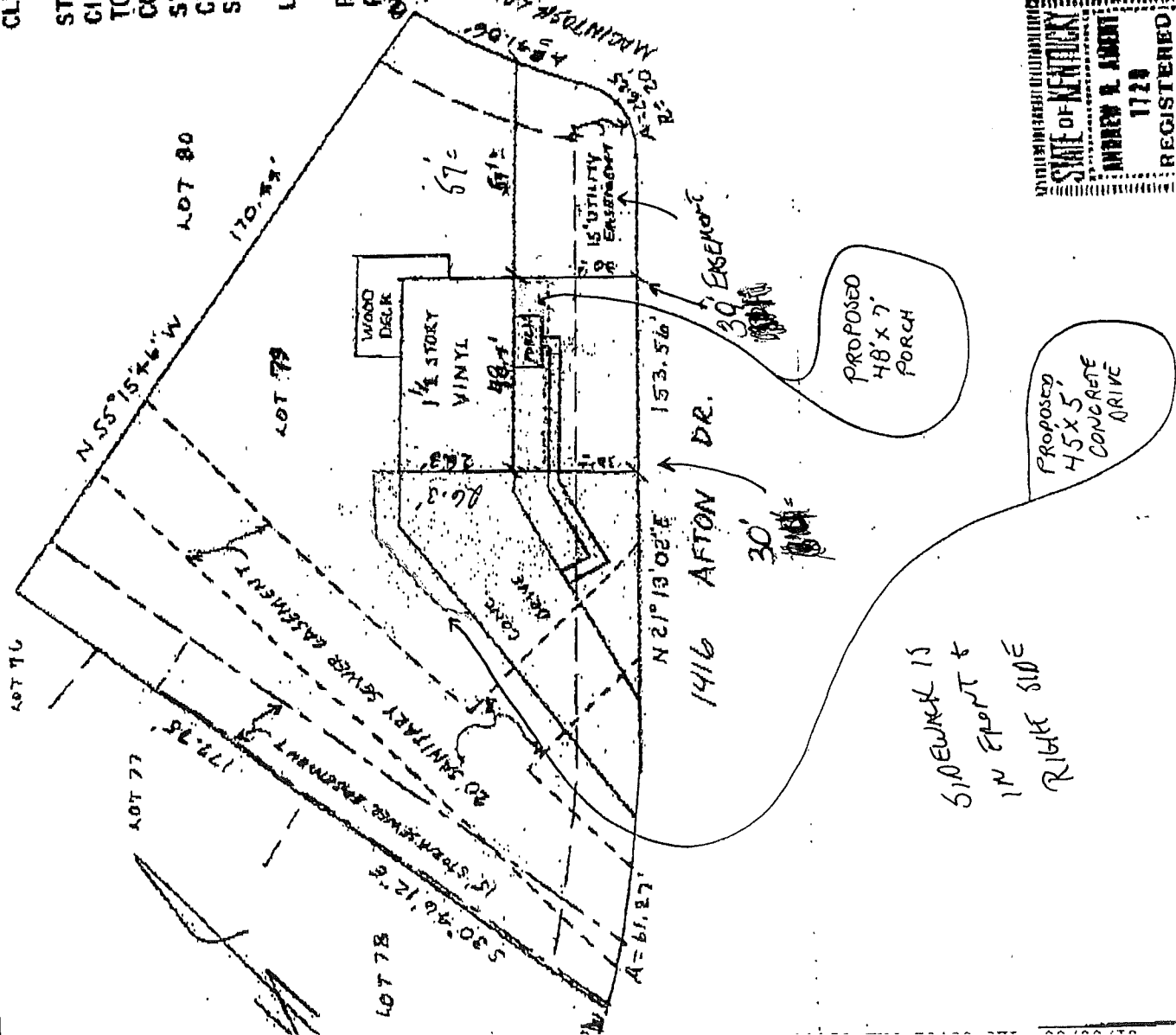
ACKNOWLEDGED BY SURVEYOR

ANDREW R. AMENT

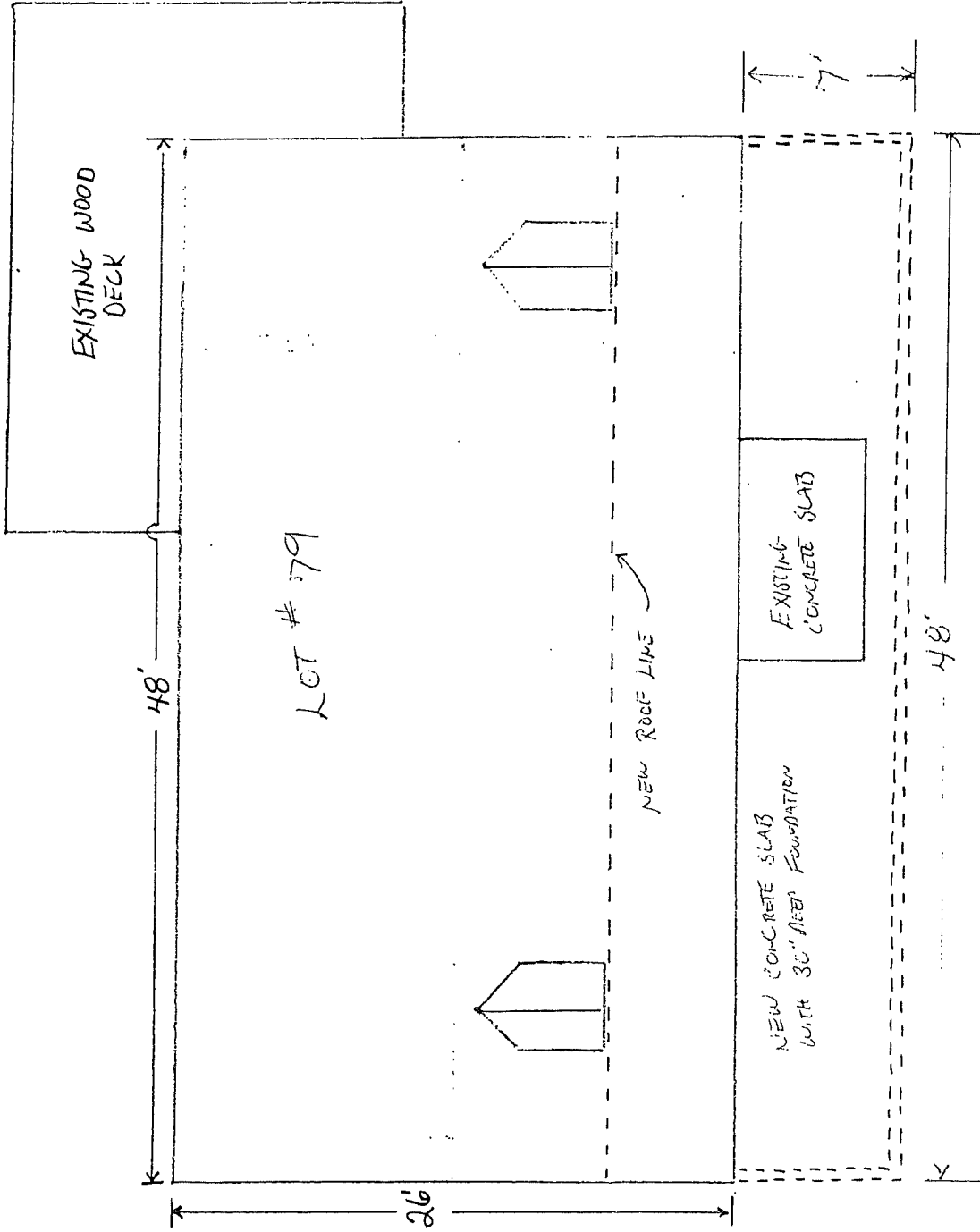
REGISTERED LAND SURVEYOR 1729

855 Fair Oaks Lane, Edgewood, Kentucky 41017  
606/341-7878

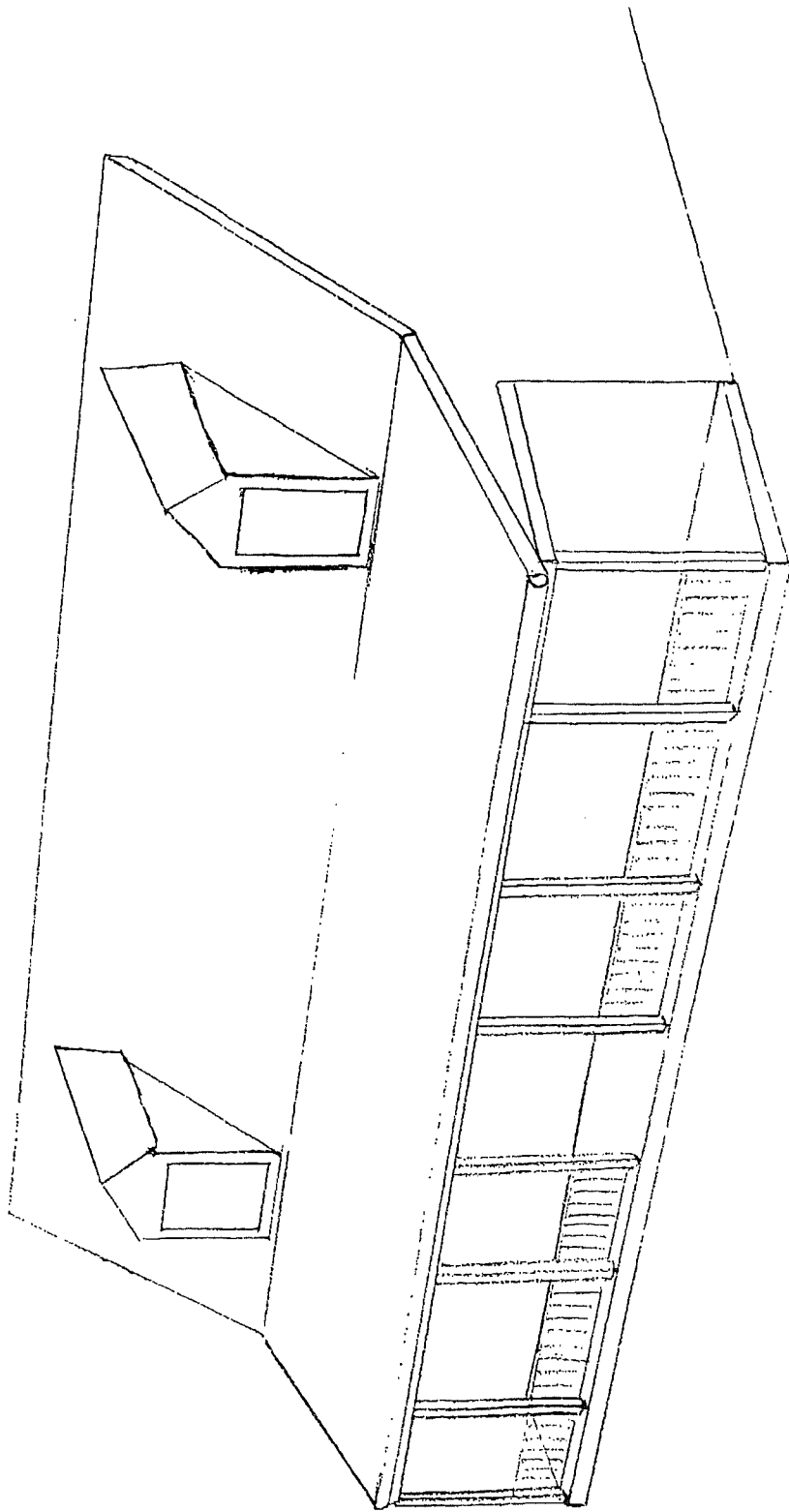
STATE OF KENTUCKY  
ANDREW R. AMENT  
1729  
REGISTERED

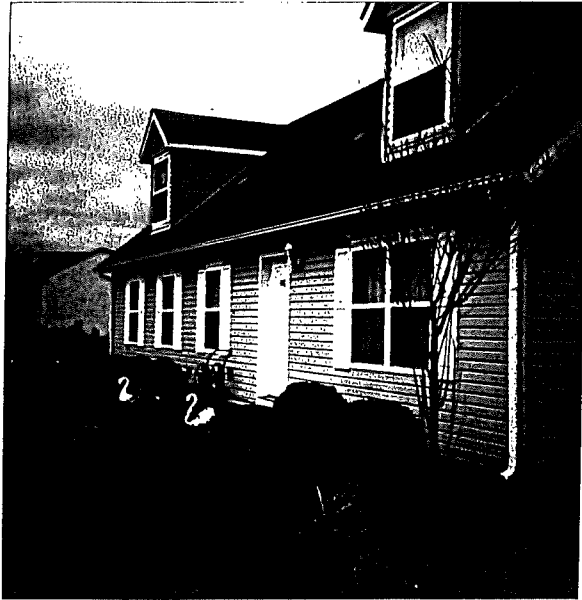


(REAR)



1416 AFTON DR ROY + DEBBIE MULLINS  
FLORENCE, KY.





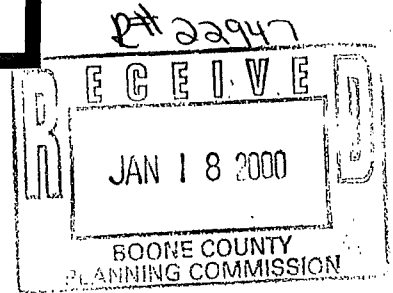
AS IS NOW... BEFORE  
CONSTRUCTION.



FINISHED PRODUCT  
AFTER COMPLETION

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations  
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Applicant's Signature: Roy L. Mullins

Property Owner's Signature: Roy L. Mullins

COPY

CLUR #00-BCBOA-008-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Roy & Debbie Mullins  
1416 Afton Drive  
Florence, KY 41042
2. ADDRESS OF PROPERTY  
1416 Afton Drive  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Belle Meadows
4. DEED BOOK 663      PAGE NO. 292      GROUP NO. 2032
5. TYPE OF RESTRICTION(S) (Check all that apply)
- Zoning Map Amendment:       Conditional Use Permit  
From    To
- Development Plan       Conditional Zoning
- Subdivision Plat       Other:  
(Not Recorded)
- Variance
6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005

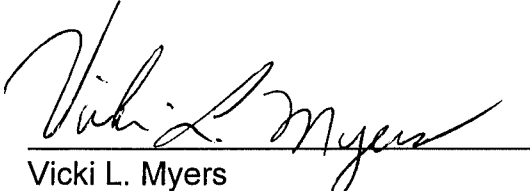
  
SIGNATURE OF COMPLETING OFFICIAL

Mike Homer, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

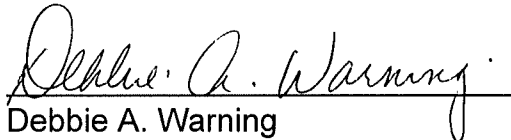
Subscribed, sworn to, and acknowledged before me by Mike Homer on behalf of the  
Boone County Planning Commission this 10 day of February, 2000.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of February 9, 2000 Certificate of Land Use Restriction (#00-BCBOA-008-A), for Roy & Debbie Mullins, Property Owner(s).

The following conditions will apply:

None.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 663

PAGE NO. 292

GROUP NO. 2032