

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
1. Boone _____ Florence _____ Walton _____ Union _____
 2. (Check One)
 Conditional Use Permit Variance _____ Appeal _____
 Change in Non-Conforming Use _____
 3. Applicant's Name Christopher A. Haines
 Phone Number 606 689 2033 Fax No. _____
 Applicant's Address 2023 Woodmere Ct
Hebron Ky 41048
 City State Zip
 4. Description of Request: change rear yard setback requirement from 30 feet to 16 feet
 5. Name of Development Wyndemere Place
 6. Location of Development Rt 237, Hebron, Ky
 7. Acreage Under Review _____
 8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot 36 Wyndemere Place
 9. Owner of Property Christopher A. Haines
 Phone Number of Owner 606 689 2033 10. _____
 Address of Property Owner 2023 Woodmere Ct Hebron, Ky 41048
 City State Zip
 11. Proposed Use(s) on Site single family residence
 12. Total Square Footage of Existing and/or Proposed Buildings 322 sf.
 13. Current Zoning on Property SR-1
 14. Deed Book 799 Page No. 224 Group No. 3767 2004
 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? yes.
 17. Have you submitted a list of adjoining property owners with this request? yes
 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: Christopher A. Haines

Property Owner's Signature: Christopher A. Haines

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 3-22-00 Fee Received \$ 420.00 WR# 23551
2. Is application complete? Yes Yes _____ No _____
3. Staff Reviewer MIKE HOMER
4. Scheduled Board Action Date 4/12/00
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: APPROVED FOR 10'
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: Chris Haines
LOCATION: 2023 Woodmere Court, Boone County, Kentucky
ZONING: Suburban Residential One/Concept Development (SR-1/CD)
DATE: April 12, 2000

Proposal

The applicant is requesting a Variance to allow a reduction of the rear yard setback for the addition of a deck to a Single Family Dwelling at 2023 Woodmere Court, Boone County, Kentucky. The Boone County Zoning Regulations require a minimum rear yard setback of 30 feet for any structure in a Suburban Residential One/Concept Development (SR-1/CD) zoning district. The design of the existing house allows the construction of a deck, with a second floor door. The proposed porch will require a Variance to reduce the required 30 foot rear yard setback by 14 feet to 16 feet. If the variance is granted, the result will be a smaller rear yard, and will not affect the side yard or front 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 47%, which is a significant amount.
2. Due to the orientation of the house on the lot, the property owner has no alternative but to file for a variance if he desires a deck on the rear of the house.
3. The house was constructed with the intent of adding an elevated deck to the rear of the home.
4. Staff feels that the approval of this request will allow a deck to be constructed excessively close to the side yard of the neighboring property to the north. The space between the proposed deck and the adjacent home may not be enough to prevent the feeling of a crowded environment. Any type of activity on the proposed deck would be located immediately outside the house on the adjoining property, an impact generally minimized by the setback requirements in the Boone County Zoning Regulations.

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,

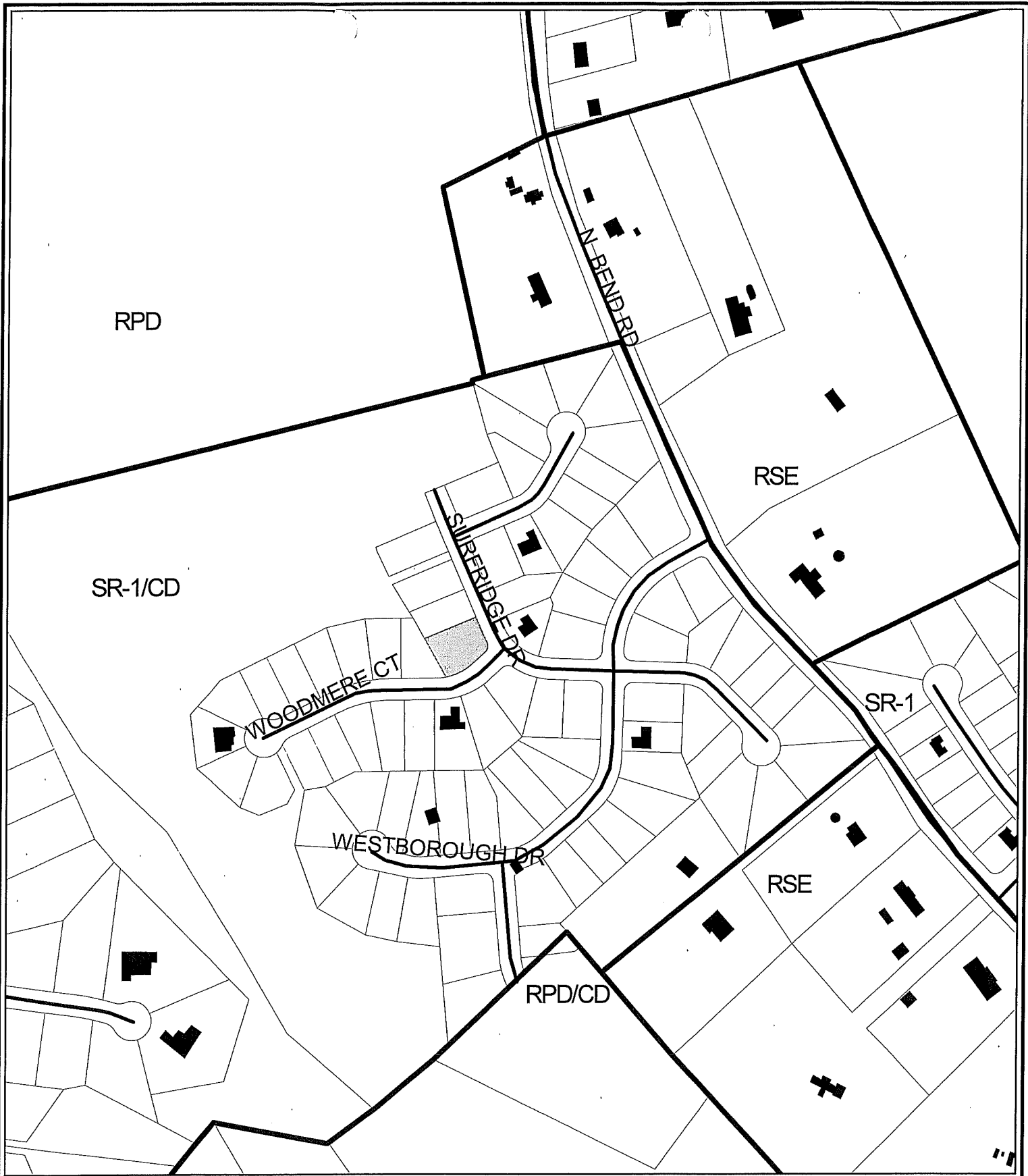


Mike Homer
Planner

MH/pr

Attachments

- Site/Zoning Map
- Site Map
- Letter from the applicant
- Deck Sketches and General Information
- Variance Application



Site/Zoning Map

2023 Woodmere Court

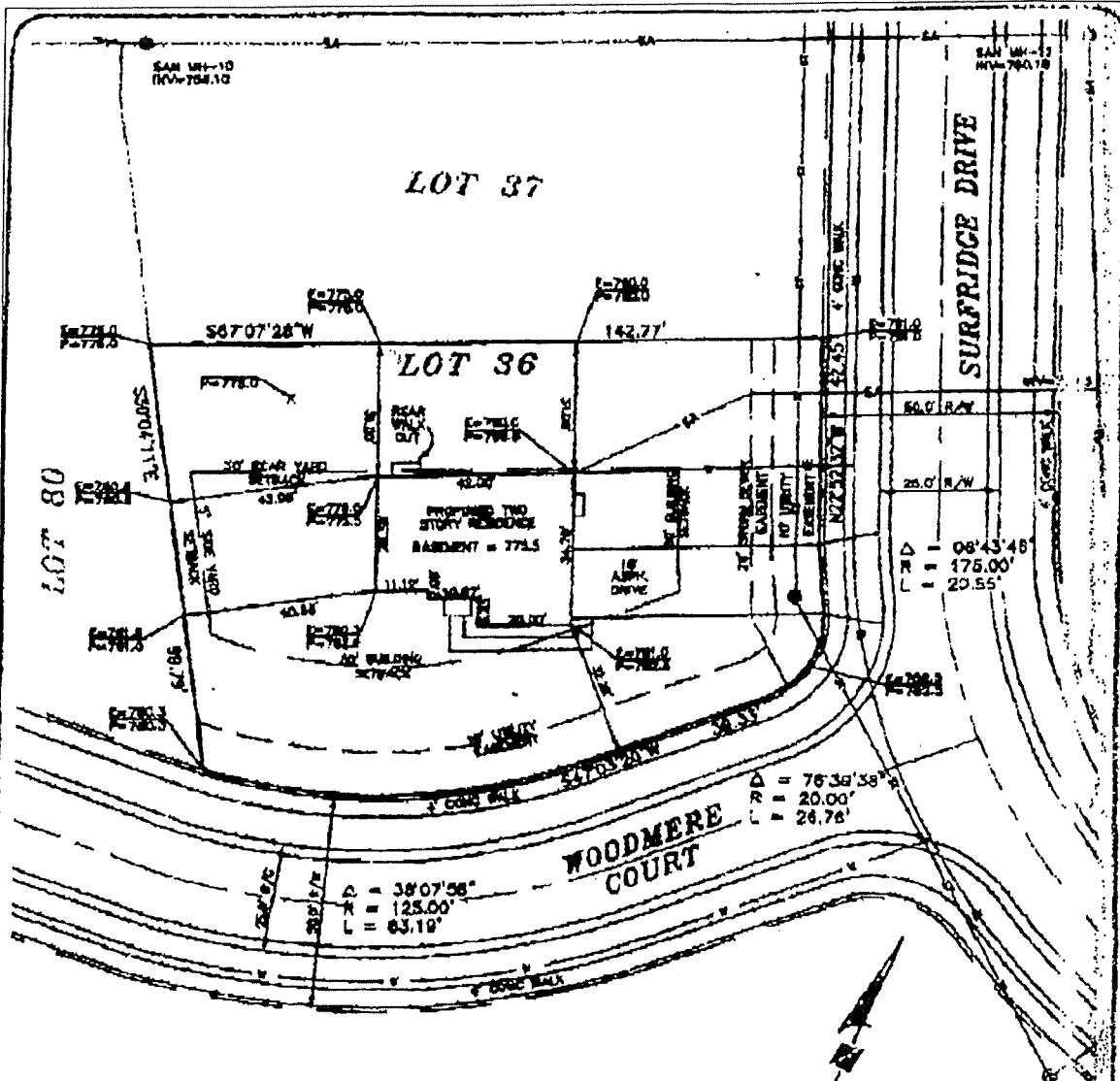
300 0 300 Feet



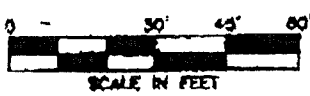
1 inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 April 5, 2000



Site Plan Lot 36 Wyndeme Place, Hebron, Ky 41048



WALK	706 S.F.
DRIVEWAY	778 S.F.
POO	11867 S.F.
SANITARY LATERAL	41 L.F.
WATER SERVICE	42 L.F.
APPROACH	137 S.F.



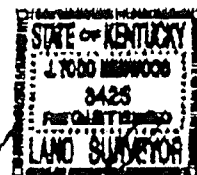
EXISTING INFORMATION SHOWN HEREON WAS TAKEN FROM THE APPROVED IMPROVEMENT PLANS FOR WYNDEME PLACE PHASE ONE. THOSE RELYING ON THIS DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF ITS ACCURACY BEFORE USING IT FOR ANY PURPOSE.

R.D. Zande & Associates
 10840 ASHTON PLACE
 SUITE 110
 CINCINNATI, OHIO 45242
 (513)768-5444
 FAX: (513)768-8000

**PLOT PLAN FOR:
 RYLAND HOMES**

DRAWN BY: PDH
 CHECK BY: AM
 DATE 2/22/98
 JOB NO: C475
 SCALE: 1" = 30'
 SAVANNAH, GA

LOT 36
 WYNDEME Page 1 of 1
 PHASE ONE
 CITY OF HEBRON
 BOONE COUNTY, KENTUCKY



J. Todd Henwood
 J. TODD HENWOOD, L.S., REG. SURVEYOR #3425

March 22, 2000

**Boone County Planning Commission
Route 18
Burlington, Kentucky 41005**

Re: Zoning Change Request – Lot 36 – Wyndemere Place, Hebron, Ky 41048

To Whom It May Concern:

Application is hereby made by Paula L. and Christopher A. Haines, owners of the property of record, for a zoning change for the below described property.

Lot 36, Wyndemere Place Subdivision, Section One, Hebron, Ky 41048

More particularly described as follows:

**SITUATE IN THE COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY TO WIT:
BEING ALL OF LOT NUMBER 36, SECTION 1 OF THE WYNDEMERE PLACE
SUBDIVISION AS RECORDED ON THE SUBDIVISION PLAT THEREOF IN PLAT
SLIDE 439B, BOONE COUNTY, KENTUCKY CLERK'S RECORDS AT BURLINGTON,
KENTUCKY.**

The property has an address of 2023 Woodmere Court, Hebron, Kentucky 41048.

The purpose of this zoning change request is to facilitate the construction of an elevated rear wooden deck, measuring eighteen feet in length and 14 feet in width, of which the specifications are attached to this request.

Current zoning requires a thirty (30') construction setback from rear property line. The rear building line of the present structure, a 2-story residence, currently exists at approximately thirty-one (31") feet from rear property line.

The building line of the proposed deck would lie sixteen (16') feet from rear property line.

The owners contend that this piece of property deserves special consideration. Lot 36 is a corner lot, and is therefore restricted in its use by a setback requirement of over 30 feet on three sides of the property. To wit: 35 foot setback on the front of the house, 35 foot setback on side of house facing adjacent street, and 30 foot setback on the rear of the house.

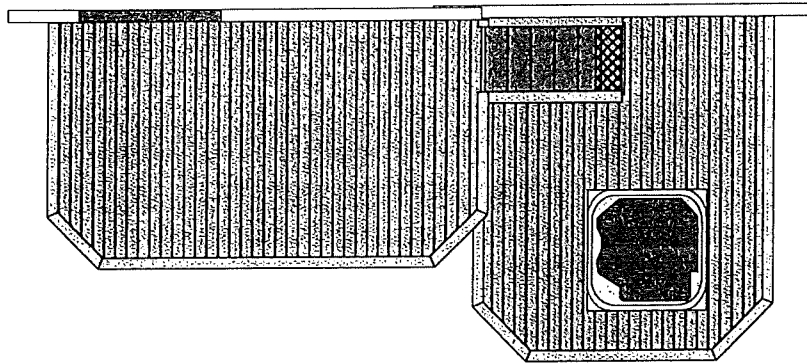
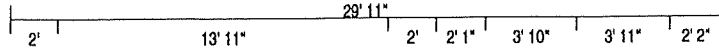
We believe that this unfairly restricts our use and enjoyment of the property, and represents a far more stringent control over its use relative to other properties in the neighborhood, specifically non-corner lots.

WE believe that a waiver should be granted for the construction of this deck, and that we should not be required to be subject to the expense and effort necessitated by a zoning change.

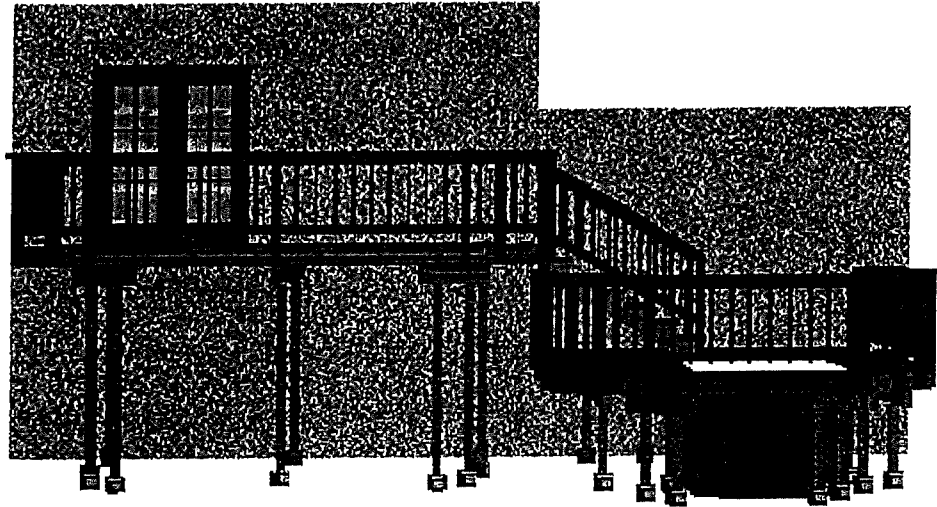
Should this waiver not be granted, we then make request for a zoning change.

Top View of Your Deck

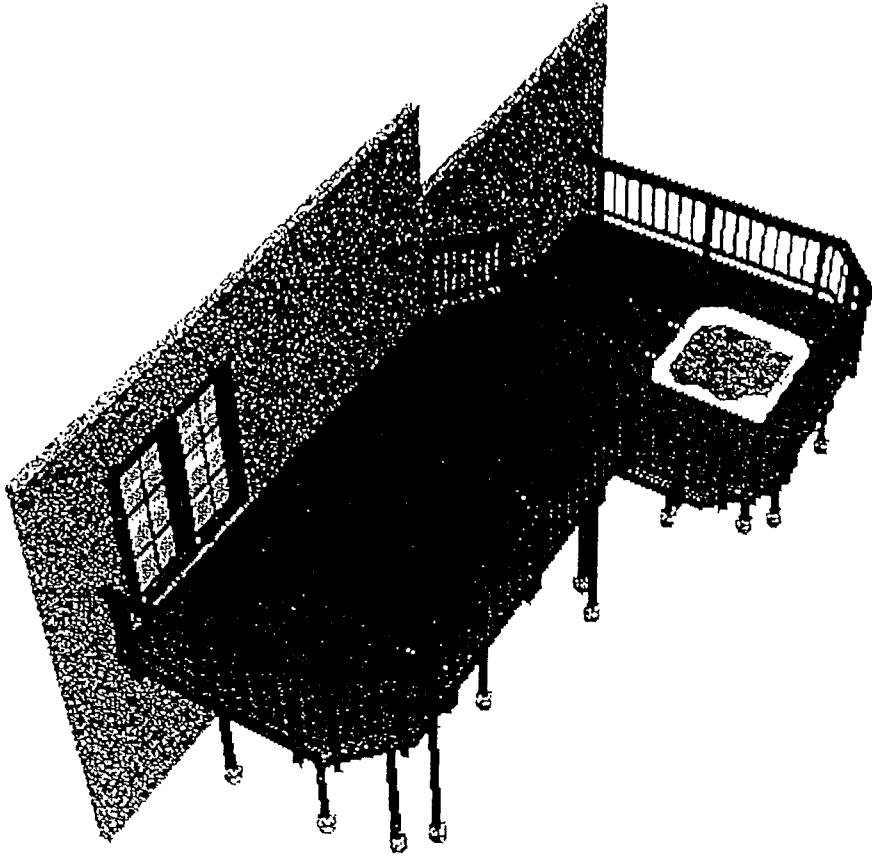
The Scale is 1/8" : 1'



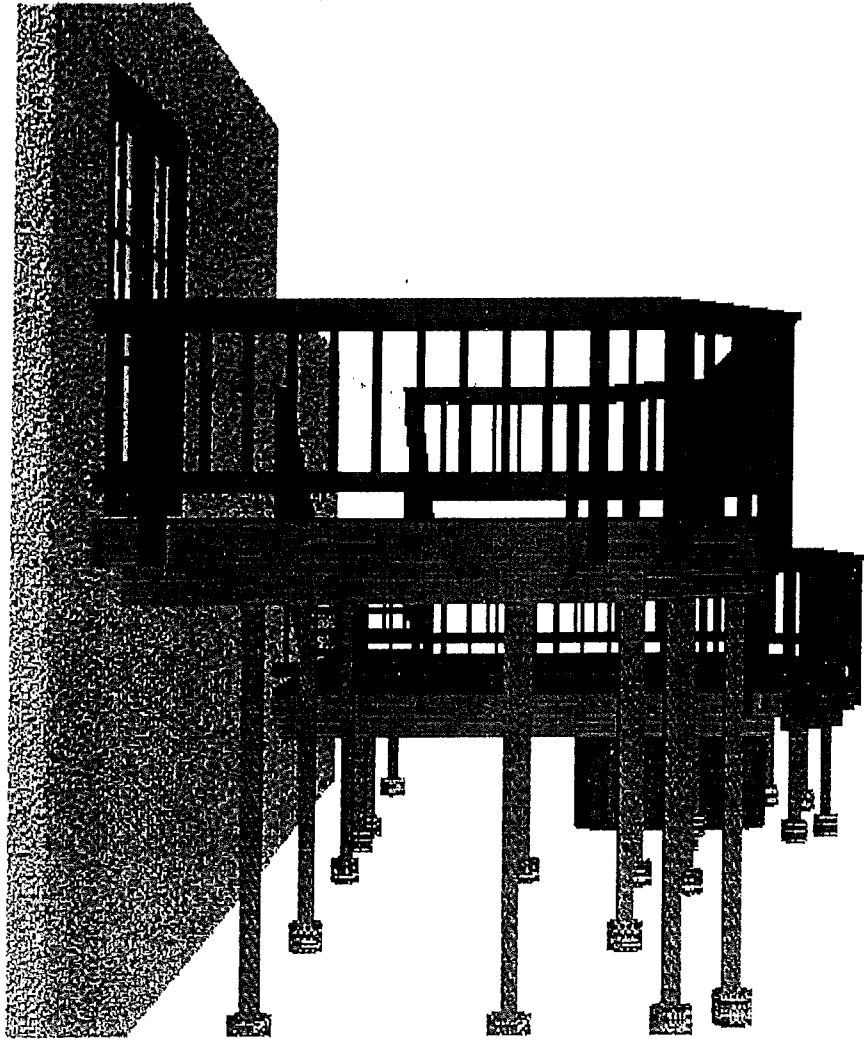
3D View of Your Deck



3D View of Your Deck



3D View of Your Deck





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FOREVERDOCK®

F.A.Q.'S

FURNITURE

GALLERY

FRIENDS

CONTACT

E-MAIL US

HOME

This deck was built by Custom Carpenter's
311 Stratford Ave. West Berlin, NJ 08091
(609) 627-5566 Voice
(609) 768-6769 Fax
(800) 777 - 6770



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Cape May area. Custom Carpenter's
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Coastal Area Homes.





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Voice: 610-940-1590 Fax: 610-940-1593 E-mail: info@plasticlumberyard.com

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[INFORMATION](#)

[CONTACT](#)

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[LUMBER SIZE & PRICE](#)

[LINKS](#)

[HOME](#)

Engineering Data

1. STRUCTURAL FIBERGLASS REINFORCED PLASTIC LUMBER ALLOWABLE PROPERTIES: (in PSI)

STRUCTURAL FIBERGLASS REINFORCED LUMBER	REINFORCED LUMBER	SOUTHERN PINE #2
Design Rupture Load (MOR)	1,470	1,265
Modules of Elasticity	450,000	1,400,000
Compression Parallel to Grain	870	650
Compression Perpendicular to Grain	347	270
Shear Parallel to Grain	370	85
Tension Parallel to Grain	625	675
Abrasion Resistance	1,000%-2,000%	100%

Span Tables are available by request for joist and decking modes for structural fiberglass reinforced plastic lumber.

2. PREMIUM HDPE, B-GRADE, & UTILITY PLASTIC LUMBER

Density (LB/in ³)	.0275
Flexural Modules (PSI)	1.6 x 10 ⁵
Tensile Yield (PSI)	3510
Compressive Yield (PSI)	3208
IZOD Impact (FT-LB/IN ²)	2.8
Hardness 64/65	Shore D
Thermal Expansion (occurs lengthwise only)	70 x 10 ⁻⁶ (in/in)

Chemical Resistance

Since high density polyethylene has a high resistance to most acids and chemicals, Phoenix Plastic Lumber is not affected by exposure to most substances.

Ultraviolet Weathering

When colors are added to Phoenix Plastic Lumber, an ultraviolet stabilizer is also incorporated which insures that the product will not fade in exterior applications. Span Tables are available by request for joist and decking modes for structural fiberglass reinforced plastic lumber.

[ORDER A SAMPLE](#)

ELECTRICAL PROPERTIES

D.C. Resistivity, ohm-cm >1015
Dielectric Constant, 60 cps 2.3-2.35
Dielectric Constant, 106 cps 2.3-2.35
Dissipation Factor, 60 cps <.0005

COMBUSTION

BTUs/lb: 19,900
Odor of Fumes: Paraffin
Melting Point: 225 f
Burning Rate : Slow

[PHOTO GALLERY](#)
[FOREVERDECK®](#)

[APPLICATIONS](#)
[FOREVERDOCK®](#)

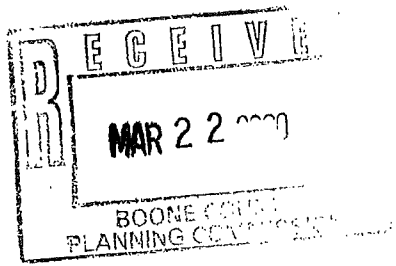
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APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

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

- 1. (Check One) Boone [checked] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit _____ Variance [checked] Appeal _____
3. Applicant's Name Christopher A. Hames
Phone Number 606 689 2033 Fax No.
Applicant's Address 2023 Woodmere Ct Hebron Ky 41048
4. Description of Request: change rear yard setback requirement from 30 feet to 16 feet
5. Name of Development Wyndemere Place
6. Location of Development Rt 237, Hebron, Ky
7. Acreage Under Review
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 30 Wyndemere Place
9. Owner of Property Christopher A. Hames
Phone Number of Owner 606 689 2033
Address of Property Owner 2023 Woodmere Ct Hebron, Ky 41048
11. Proposed Use(s) on Site Single family residence
12. Total Square Footage of Existing and/or Proposed Buildings 322 sq. ft.
13. Current Zoning on Property SR-1
14. Deed Book 799 Page No. 224 Group No. 3767
15. Is the site subject to a zone change? no.
16. Have you submitted a Site Plan with this request? yes.
17. Have you submitted a list of adjoining property owners with this request? yes
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: Christopher A. Hames

Property Owner's Signature: Christopher A. Hames

COPY

CLUR #00-BCBOA-013-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Christopher A. Haines
2023 Woodmere Ct.
Hebron, KY 41048

2. ADDRESS OF PROPERTY

2023 Woodmere Ct.
Hebron, KY 41048

3. NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)

Wyndemere Place

4. DEED BOOK 799

PAGE NO. 224

GROUP NO. 2004

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

Other:

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

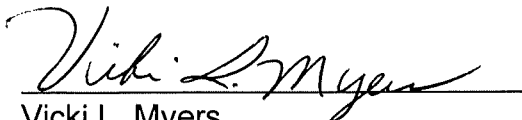

SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

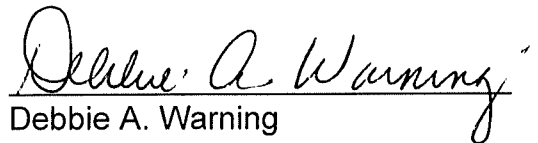
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Mike Homer on behalf of the
Boone County Planning Commission this 27 day of April, 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 April 12, 2000 Certificate of Land Use Restriction (#00-BCBOA-013-A), for Christopher A. & Paula L. Haines, Property Owner(s).

The following conditions will apply:

1. The deck will protrude no more than 10 feet (ten feet) out from the house.

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

DEED BOOK 799

PAGE NO. 224

GROUP NO. 2004