

00-BCBA-018-A

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

RECEIVED

MAY 12 2000

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

- (Check One)
- 1. Boone _____ Florence _____ Walton _____ Union _____
- (Check One)
- 2. _____ Conditional Use Permit Variance _____ Appeal _____
Change in Non-Conforming Use _____
- 3. Applicant's Name AFTON DEVELOPMENT, LLC by RONALD MECHLIN MEMBER
Phone Number 291-8077 Fax No. 291-8066
Applicant's Address P.O. Box 17635
Ft. Mitchell KY 41017-0635
City State Zip
- 4. Description of Request: CHANGE IN MINIMUM SIDE YARD SETBACK
FROM 0 FT. MINIMUM 15 FT. TOTAL TO 5 FT. MINIMUM 10' TOTAL
- 5. Name of Development BRADFORD TRACE
- 6. Location of Development CONRAD ROAD AT ORIENT
- 7. Acreage Under Review 29.1
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
LOTS 1 THROUGH 116 BRADFORD TRACE SUBDIVISION
- 9. Owner of Property AFTON DEVELOPMENT, LLC
Phone Number of Owner 291-8077 10.
Address of Property Owner P.O. Box 17635, Ft. Mitchell, Ky 41017-0635
City State Zip
- 11. Proposed Use(s) on Site RESIDENTIAL SINGLE FAMILY HOMES
- 12. Total Square Footage of Existing and/or Proposed Buildings _____
- 13. Current Zoning on Property SR-1
- 14. Deed Book 776 Page No. 437 Group No. 2025
- 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: Ronald D. Mechlin

Property Owner's Signature: Ronald D. Mechlin

BOARD OF ADJUSTMENT AND
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SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 5-12-00 Fee Received \$474.00 R# 24193
2. Is application complete? Yes Yes _____ No _____
3. Staff Reviewer MIKE HOMER M.L.H.
4. Scheduled Board Action Date 6/14/00
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: Afton Development, LLC
LOCATION: Lots 1 through 116 Bradford Trace Subdivision
ZONING: Suburban Residential One (SR-1)
DATE: June 14, 2000

Proposal

The applicant is requesting a Variance to allow a reduction of the required 15 foot total side yard setback to 10 feet, and increase the minimum 0 foot side yard setback to 5 feet, in a cluster subdivision at Bradford Trace, Boone County, Kentucky. The reason for this request is so the developer can restrict the location of the house to exactly 5 feet from each side property line. The resulting development will have houses spaced exactly 10 feet from each other.

Action by Board of Adjustment and Zoning Appeals

The Board of Adjustment and Zoning Appeals has 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 open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.247.

Variances are appropriate by reason of exceptional narrowness, shallowness, or unusual shape of a site on the effective date of the zoning regulations or amendment thereof or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of the site. The literal enforcement of the above dimensional terms of the zoning regulation would deprive the applicant of a reasonable capacity to make use of the land in a manner equivalent to the use permitted other land owners in the same zone. The dimensional terms pertaining to height, width, and location involve such items as structures, parking space stalls, driveway aisles, and landscaped buffers and signs. Lot frontages, the size of yards, and open spaces refer to minimum yard dimensions such as building setbacks.

Staff Comments

1. Restricting the side yards of these single family residences to 5 feet will prohibit any significant storage between houses. The 5 foot limitation will also enhance the visual impact of the overall street as the side of each house will be less visible.

2. The resulting development will probably resemble Orchard Estates and Ridgefield Subdivisions.

Conclusion

K.R.S. 100.241 gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a Variance to allow a reduction of the required 15 foot total side yard setback to 10 feet, and increase the minimum 0 foot side yard setback to 5 feet, in a cluster subdivision at Bradford Trace, Boone County, Kentucky. The applicant's proposal must be determined by the criteria listed in K.R.S. 100.241 to 100.247.

Respectfully Submitted,

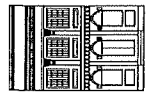


Mike Homer
Planner

MH\pr

Attachments

- Zoning/Vicinity Map
- Site Plan
- Variance Application Form



1 inch equals 900 feet

Produced by the
Boone County Planning Commission
GIS Services Division
June 2, 2000

Zoning/Vicinity Map Bradford Trace Subdivision

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Applicant's Signature: Ronald W. Mechlin

Property Owner's Signature: Ronald W. Mechlin

COPY

CLUR #00-BCBOA-018-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Afton Development, LLC
P.O. Box 17635
Ft. Mitchell, KY 41017

2. ADDRESS OF PROPERTY
Conrad Rd.
Burlington, KY 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Bradford Trace

4. DEED BOOK 776 PAGE NO. 437 GROUP NO. 2025

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



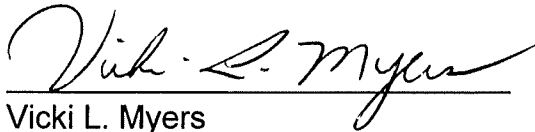
SIGNATURE OF COMPLETING OFFICIAL

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 23 day of June, 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 June 14, 2000 Certificate of Land Use Restriction (#00-BCBOA-018-A), for Afton Development, LLC, Property Owner(s).

The following conditions will apply:

No conditions.

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

DEED BOOK 776

PAGE NO. 437

GROUP NO. 2025