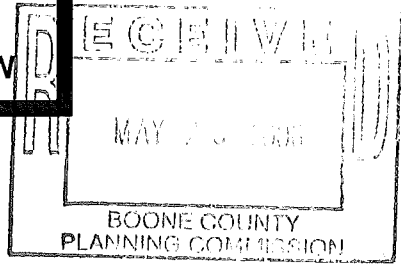


06-BCBOA-001-A

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



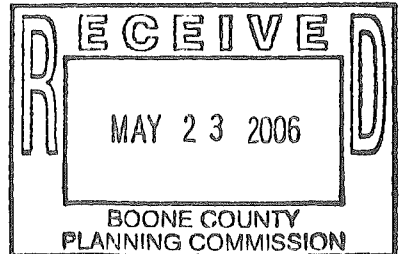
See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) [X] Boone [ ] Florence [ ] Walton [ ] Union
2. (Check One) [ ] Conditional Use Permit [X] Variance [ ] Appeal
3. Applicant's Name Chase-Reese-Carlisle, LLC
4. Description of Request: VARIANCE TO SIDEYARD SET BACKS- SEE ATTACHED
5. Name of Development Steeplechase - Phase 6
6. Location of Development Richwood Rd (KY 52338) TO GRAND NATIONAL BLVD TO TURFRIDER COURT
7. Acreage Under Review 12.773
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Chase-Reese-Carlisle, LLC
10. Address of Property Owner 519 ENTERPRISE CRESCENT SPRINGS KY 41017
11. Proposed Use(s) on Site Residential - single family
12. Total Square Footage of Existing and/or Proposed Buildings
13. Current Zoning on Property SRI-PD
14. Deed Book 863 Page No. 960 Group No. 2071
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: [Signature]

Property Owner's Signature: [Signature]

(over)



**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 5-23-06 Fee Received \$1571.00 R# 50193
2. Is application complete?  Yes  No
3. Staff Reviewer MP Buchanan
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  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page**

**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: Chase-Reese-Carlisle, LLC.

LOCATION: Lots 265-289 of Steeplechase Subdivision, Boone County, Kentucky.

ZONING: Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

DATE: June 14, 2006

### Proposal

The applicant is requesting a variance to allow a reduction in the required side yard setbacks for lots 265-289 of Steeplechase Subdivision. The approved Concept Development Plan for Steeplechase Subdivision requires a side yard setback of a minimum of 5 feet on one side, with a combined total of 15 feet between the two side yard setbacks. The applicant has indicated that required side yard setback would be reduced to a combined total of 14 feet between the two side yard setbacks, in order to accommodate a brick wrap around the buildings (see attached document entitled "Board of Adjustment and Zoning Appeals Action").

### Applicable Regulations

Section 250 of the Boone County Zoning Regulations states that 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 the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. 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 nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
  - 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 contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

- 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.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

#### Site History

- |                 |   |
|-----------------|---|
| April, 1997     | The Boone County Fiscal Court approved a Zoning Map Amendment from Employment Planned Development/Agricultural Estates (EPD/A-2) to Suburban Residential One/Planned Development (SR-1/PD), to allow the development of Steeplechase Subdivision. |
| August, 1997    | The Boone County Planning Commission approved a Preliminary Plat for the portion of the site on which the subject property is located.  |
| September, 2005 | The Boone County Planning Commission approved an Improvement Plan for Phase Six of Steeplechase Subdivision, in which the subject property is located.  |

#### Surrounding Land Uses and Zoning

The properties, lots 265-289 of Steeplechase Subdivision, are zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD) and will all be located on Turfrider Court. The street has not yet been installed. The following land uses adjoin the subject property:

- |            |   |
|------------|---|
| North:     | Six detached single-family residences within Steeplechase Subdivision, located at 11347, 11355, 11359, 11363, 11367, and 11372 Sheffield Lane zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD) |
| Northeast: | Detached single-family residence within Steeplechase Subdivision, located at 580 Winchester Lane, zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)   |

South: Four detached single-family residences within Richwood Country Estates Subdivision, located at 618, 644, 658, and 678 Aylor Lane, zoned Agricultural Estate (A-2)

Southeast: Undeveloped property, part of future phase of Steeplechase Subdivision, zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

Southwest: Detached single-family residence within Richwood Country Estates Subdivision, located at 11936 Decker Lane, zoned Agricultural Estate (A-2)

East: Five detached single-family residences within Steeplechase Subdivision, located at 575 and 579 Winchester Court; 11413, 11417, and 11420 Gold Cup Court, zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

Undeveloped lot # 193 on Gold Cup Court, zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

Undeveloped property, part of future phase of Steeplechase Subdivision, zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

West: Vacant property owned by Steeplechase Homeowner's Association, existing retention basin, zoned Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

Single family detached residence within Richwood Country Estates Subdivision, located at 677 James Lane, zoned Agricultural Estate (A-2)

### Staff Comments

1. Staff questions if the design of the proposed houses on these lots could be modified to accommodate the brick wrap without the requested variance.

### Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a side yard setback variance. It is Staff's opinion that granting 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.

Respectfully submitted,



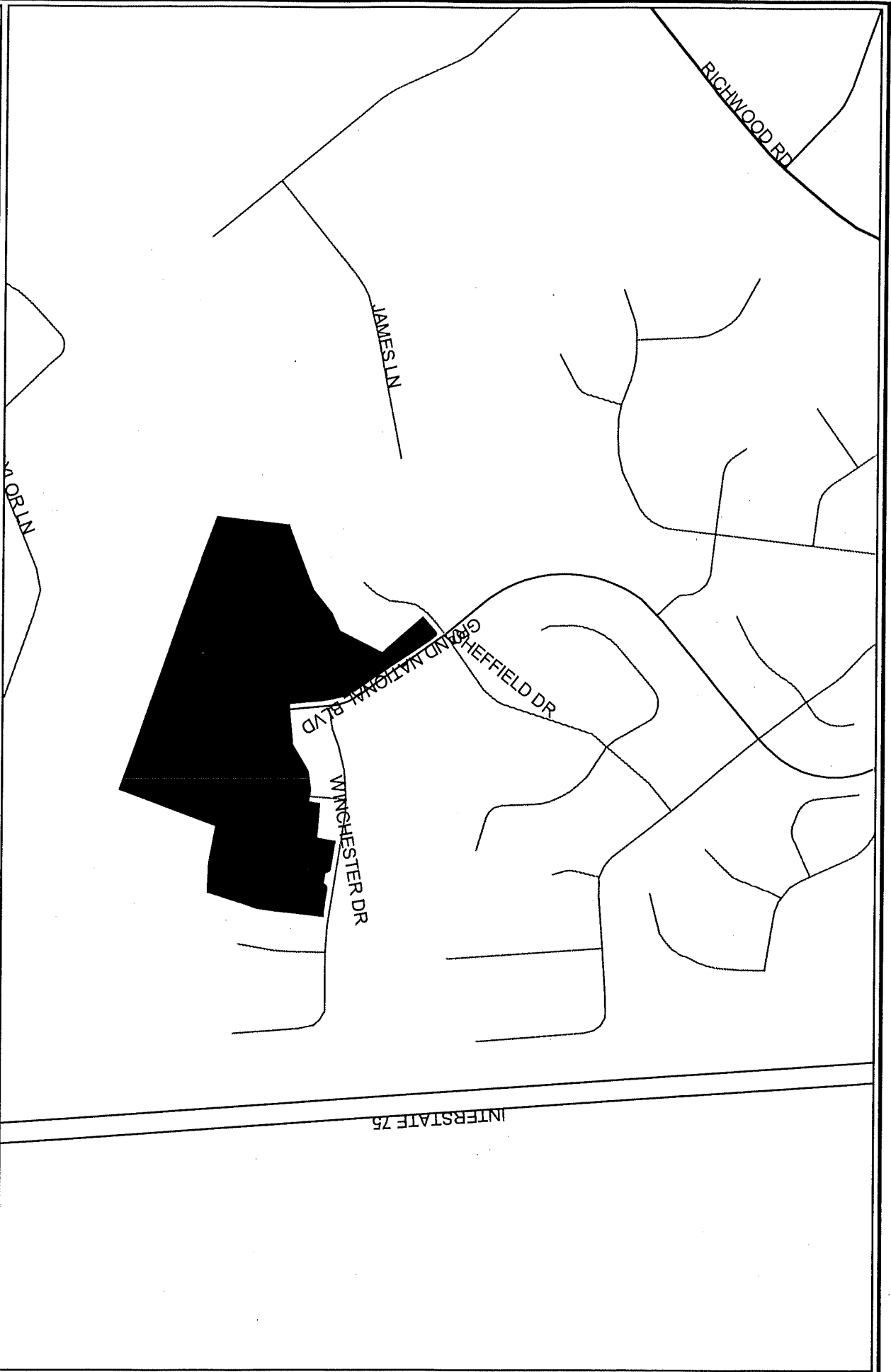
Patty Bachman  
Planner, Zoning Services

MPB/pr

Attachments

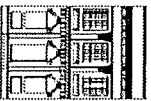
- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Development Plan
- Exhibit C – Zoning Map and Aerial Photography
- Exhibit D – Topographical Map
- Exhibit E – Excerpt from approved Improvement Plan for Section 6 of Steeplechase
- Exhibit F – Applicant's Narrative
- Exhibit G – Application

# Vicinity



1 inch equals 600 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 9, 2006

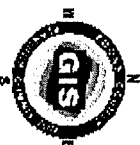




# Zoning



1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 9, 2006







## Board of Adjustment and Zoning Appeals Action

### Description of Request (continued)

The minimum lot width for the lots in the Turfrider section of Steeplechase is 65 feet at the building setback, which is consistent with the rest of the subdivision. The side yard setbacks total 15 feet. Following the design of the subdivision for 65 foot lots, Ryan Homes contracted to purchase all of the lots on Turfrider. The maximum standard plan for Ryan Homes for a 65 foot lot is 50 feet wide with vinyl siding. The requirement for Steeplechase is a full brick wrap on the first floor. To meet this requirement and to make their standard plans with brick wrap work on several of these lots we are requesting a blanket variance to reduce the total side yard setback from 15 feet to 14 feet. The addition of a brick wrap will add 8" to the 50 foot wide plans. The requested 12" variance (from 15 feet to 14 feet) will allow for construction tolerances.

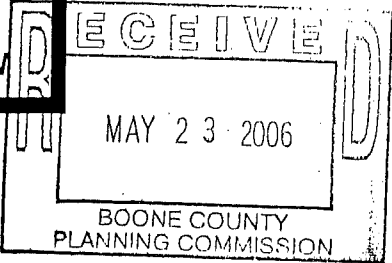
Please note that many of the lots have a width at the setback of 65'-8" or greater so the side yard setback will not be an issue. Also please note that since Ryan does not build market homes, only pre-sales, potential buyers may choose a plan that is less than the 50 foot wide maximum product that Ryan will build on this street. Therefore determining the exact number of lots that may require this variance is not possible at this time, which is why we are requesting a blanket variance. The lots on this street are 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289.

Thank you,

Bruce Schweitzer  
Center Line Development  
Chase-Reese-Carlisle  
859-578-8050

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 \_\_\_\_\_

(Check One)

- 2. \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use

- 3. Applicant's Name Chase-Reese-Carlisle, LLC  
Phone Number 859 578-6032 Fax No. 859 578 6032  
Applicant's Address 519 ENTERPRISE DR  
CRESCENT SPRINGS KY 41017  
City State Zip

- 4. Description of Request: VARIANCE TO SIDEYARD SET BACKS- SEE ATTACHED

- 5. Name of Development Steeplechase - Phase 6
- 6. Location of Development Richwood Rd (KY 52338) TO GRAND NATIONAL BLVD TO TURFRIDER COURT
- 7. Acreage Under Review 12.773

- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284,

- 9. Owner of Property Chase-Reese-Carlisle, LLC 285, 286, 287, 288, 289  
Phone Number of Owner 859 578-8050
- 10. Address of Property Owner 519 ENTERPRISE CRESCENT SPRINGS KY 41017  
City State Zip

- 11. Proposed Use(s) on Site Residential - single family

- 12. Total Square Footage of Existing and/or Proposed Buildings \_\_\_\_\_
- 13. Current Zoning on Property SRL-PD
- 14. Deed Book 863 Page No. 960 Group No. 2071
- 15. Is the site subject to a zone change? NO  
If yes, give date of approval N/A

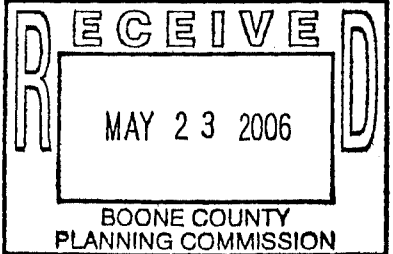
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? YES

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: T L R

Property Owner's Signature: T L R

(over)



**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 5-23-06 Fee Received \$1571.00 R# 50193
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

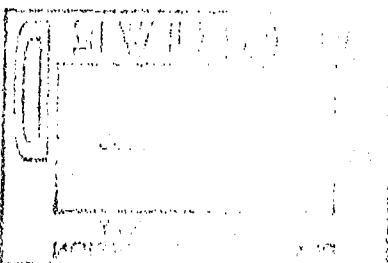
Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page

**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.

BCPC:05/06



COPY

CLUR #06-BCBOA-007-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Chase-Reese-Carlisle, LLC  
519 Enterprise Drive  
Crescent Springs, KY 41017

2. ADDRESS OF PROPERTY

Turfrider Court  
Boone County, KY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Steeplechase, Phase 6

4. DEED BOOK 863

PAGE NO. 960

GROUP NO. 2071

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



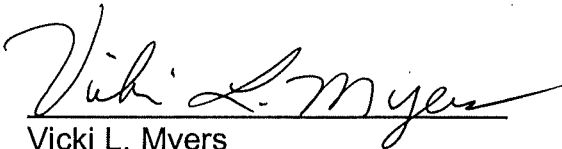
SIGNATURE OF COMPLETING OFFICIAL

Patty Bachman, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

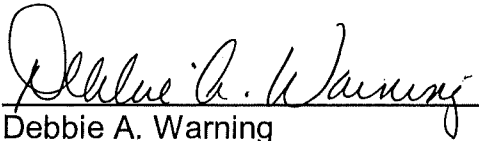
Subscribed, sworn to, and acknowledged before me by Patty Bachman on behalf of the  
Boone County Planning Commission this 15<sup>th</sup> day of June, 2006.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

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, 2006 Certificate of Land Use Restriction (#06-BCBOA-007-A), for Chase-Reese-Carlisle, 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 863

PAGE NO. 960

GROUP NO. 2071