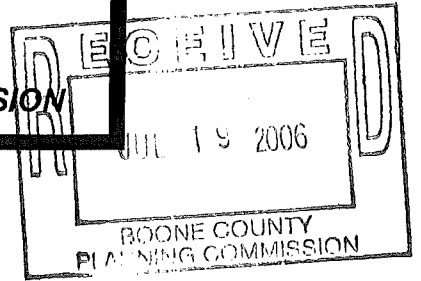


APPLICATION FORM

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 [checked] Variance \_\_\_\_\_ Appeal \_\_\_\_\_
3. Applicant's Name Judy Robin, Phone Number 859-485-1493, Fax No. 859-485-1144, Applicant's Address 1005 Stephenson Mill Rd., Walton KY 41094
4. Description of Request: Approval for operation of Bed and Breakfast, of 3 sleeping rooms maximum.
5. Name of Development N/A
6. Location of Development 1005 Stephenson Mill Rd., Walton, KY 41094
7. Acreage Under Review 6.4601
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property Judy + Jean-yves ROBIN, Phone Number of Owner 859-485-1493
10. Address of Property Owner WALTON KY 41094 (1005 Stephenson Mill Rd.)
11. Proposed Use(s) on Site Bed and Breakfast (3 bedrooms)
12. Total Square Footage of Existing and/or Proposed Buildings approx 2000 sq. feet +/-
13. Current Zoning on Property A2
14. Deed Book 460 Page No. 315 Group No. - 2077 B
15. Is the site subject to a zone change? NO
16. Have you submitted a Site Plan with this request? yes - see attached. (2 photos)
17. Have you submitted a list of adjoining property owners with this request? YES, attached.
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: Judy Robin

Property Owner's Signature: Judy Robin

**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: 7-19-06 Fee Received: \$ 571<sup>00</sup> R# 50798
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
8/9/06 **Approved**  
\_\_\_\_\_ **Approved with Conditions** (See #6)  
\_\_\_\_\_ **Denial** (See #7)
6. Conditions of Approval: NONE  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
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: Judy Robin  
 LOCATION: 1005 Stephenson Mill Road, Boone County, Kentucky  
 ZONING: Agricultural Estate (A-2)  
 DATE: August 9, 2006

*3 guest rooms in house*

Proposal

The applicant is requesting a Conditional Use Permit Conditional Use Permit Approval so she can operate a bed and breakfast inn out of her single-family residence. The 6.46 acre site is located 1005 Stephenson Mill Road and is zoned Agricultural Estate (A-2).

The submitted Concept Development Plan shows that three guest rooms will be located ~~in a 20' x 20' addition that was constructed onto the eastern side of the dwelling in 2000.~~  
 The plan also shows that two gravel parking stalls exist and that a third will be added for guest parking.

*in the house*

Applicable Regulations

Article 6, Section 623 of the Boone County Zoning Regulations permits "Bed and Breakfast inns" as a conditional use within the Agricultural Estate (A-2) zoning district.

The Board needs to evaluate the applicant's request as it relates to the criteria necessary for a granting Conditional Use Permit as stated in Sections 262 and 623 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings for all Conditional Use Permits):

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;

5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 6, Section 623 of the Boone County Zoning Regulations allows Bed and Breakfast Inns as a conditional use in the A-2 district provided that:

- A. The activity is an integral part of the agricultural or residential use of the land, and ~~the activity is not of scale, nature or other character which will detract or conflict with~~ the principal purposes of the district; or
- B. The activity is necessary to provide the specified public service for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district;
- C. Provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Article 33, Section 3314 of the Boone County Zoning Regulations states that all driveways, aisles, and vehicle circulation areas shall be improved with asphalt concrete or portland cement. Driveways serving one single-family residence on a lot of one acre or more shall be exempt from this requirement.

Article 33, Section 3323 of the Boone County Zoning Regulations states that the minimum width of a two-way driveway shall be 20 feet.

Article 33, Section 3325 of the Boone County Zoning Regulations states that 2 off street parking spaces are required for a single family residence. Hotels and motels (Bed and Breakfast Inns) must provide 1 space per sleeping room.

#### Relationship to the Comprehensive Plan

The 2005 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site for Suburban Residential, Developmentally Sensitive, and Rural Density Residential uses. These designations are described as follows:

Suburban Residential – “single-family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision.”

Developmentally Sensitive – “areas that have an existing slope of twenty percent or greater for a height of 20 meters, or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's stability and visual character.”

Rural Density Residential – low density residential uses of up to one dwelling unit per acre.”

The following Goals and Objective relate to the request:

Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).

#### Site Characteristics

The 6.46 acre site fronts on Stephenson Mill Road and contains an approximate 2,000 square foot single-family residence, horse stables, and a barn. A 12 foot wide asphalt driveway, which is steep and windy, runs from Stephenson Mill Road to the single-family residence. The driveway becomes flat and turns to a gravel surface as it extends from the house to the barn and horse stable.

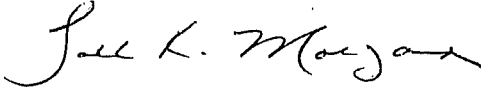
#### Staff Comments

1. The Zoning Administrator issued the applicant a Waiver to reduce the width of the required two-way driveway from 20 feet to 12 feet (see attachments).
2. The submitted Concept Plan shows that the applicant wants to keep two gravel parking stalls and add a third for guest parking. The Zoning Administrator's Waiver letter indicates that the parking surface and driveway aisle for these guest stalls must meet the zoning code. As a result, the guest parking stalls and 20' aisle will need to be paved.
3. If the Board grants approval of the request, a Minor Site Plan application will need to be submitted to the Boone County Planning Commission. This plan will need to address the parking layout, septic approval, and handicapped accessibility.

Conclusion

KRS 100.237 and Sections 220 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 Conditional Use Permit.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

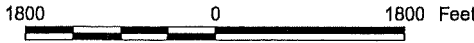
TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Aerial Map
- Exhibit C – Concept Development Plan
- Exhibit D – Zoning Map
- Exhibit E – Future Land Use Map
- Exhibit F – 7/10/06 Approved Waiver Request
- Exhibit G – Application



**1005 Stephenson Mill Rd  
Site Vicinity Map**



1 inch equals 1800 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006





# 1005 Stephenson Mill Rd Aerial Map

300 0 300 Feet

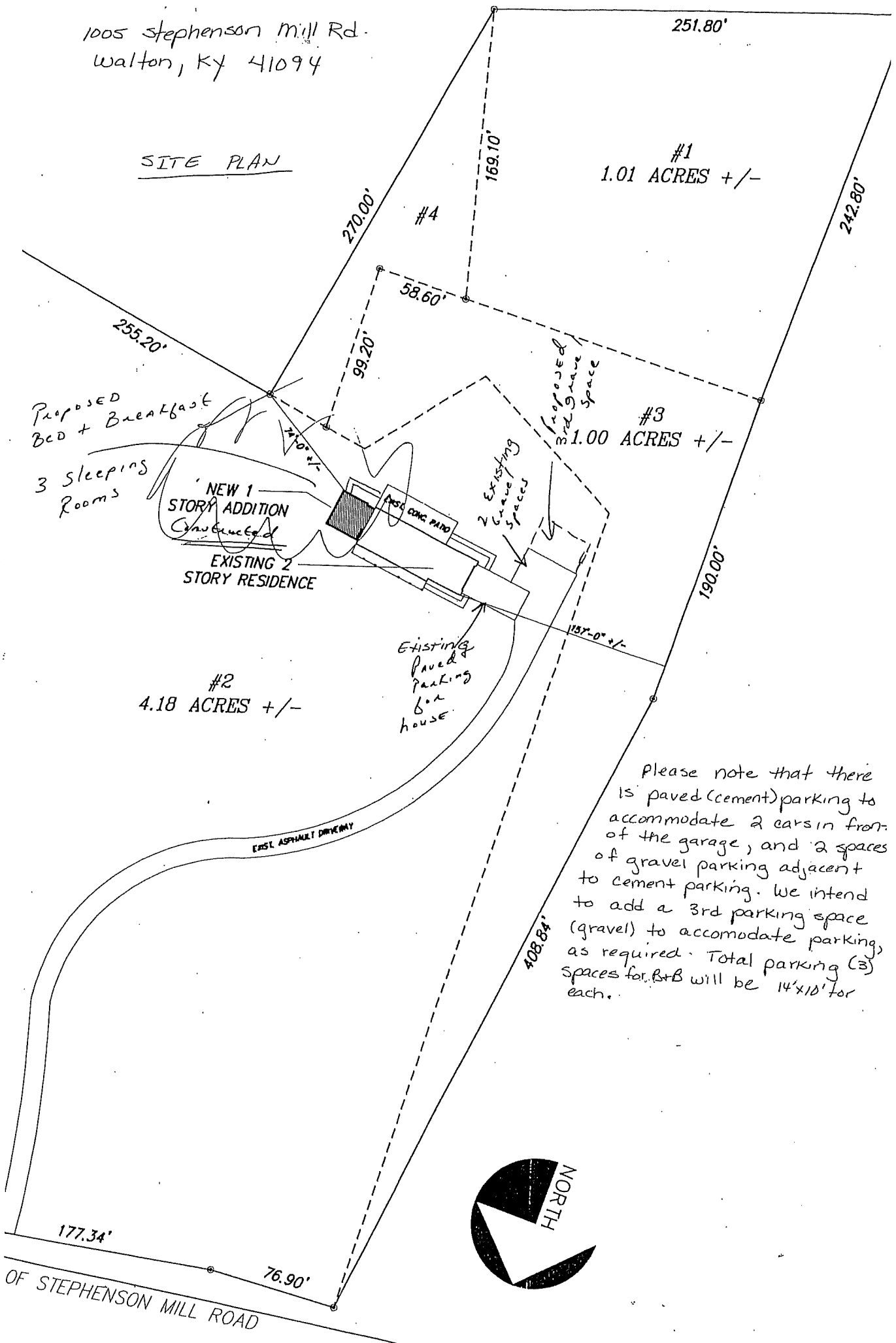


1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006

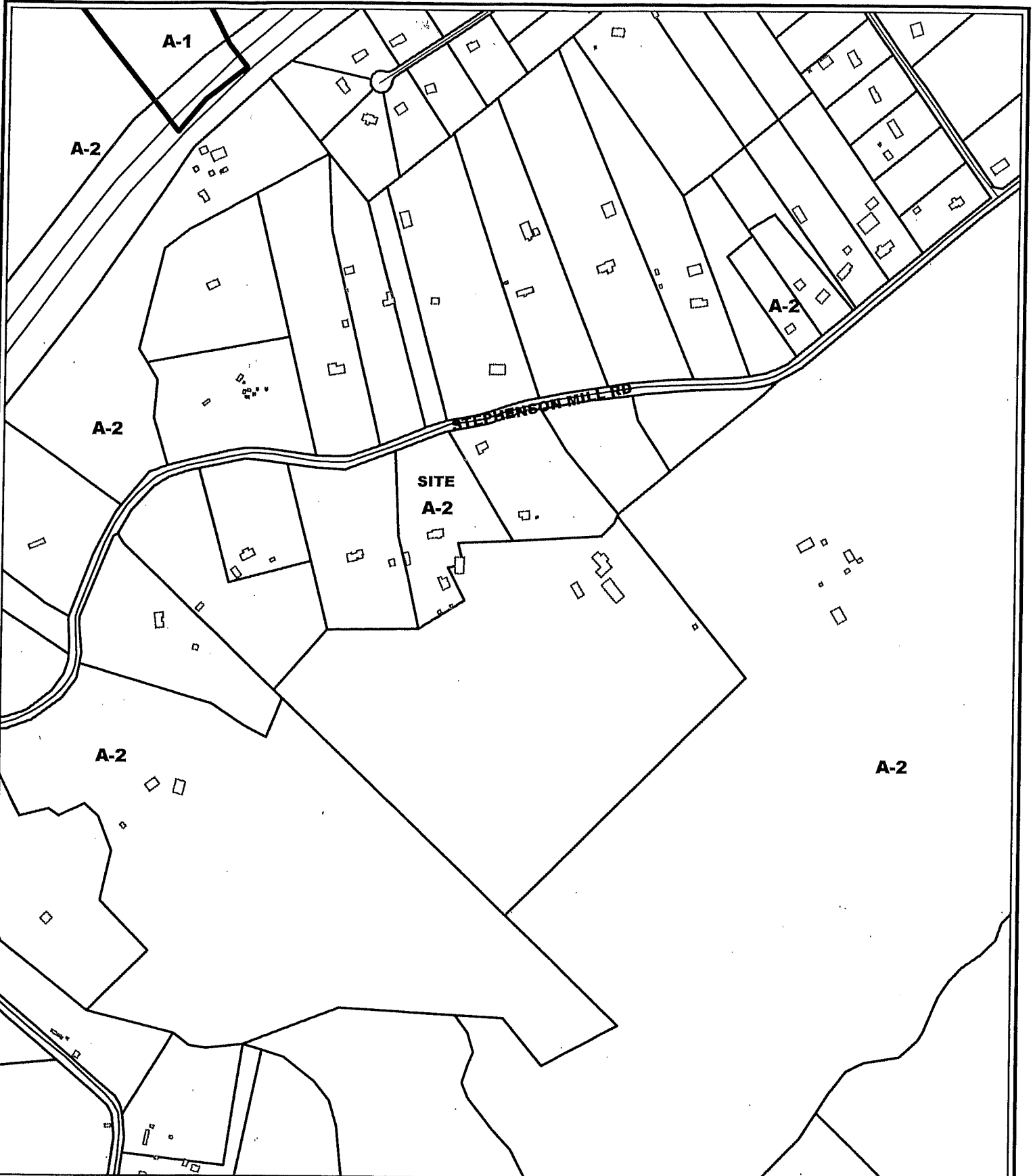


1005 Stephenson Mill Rd.  
Walton, Ky 41094

SITE PLAN



Please note that there is paved (cement) parking to accommodate 2 cars in front of the garage, and 2 spaces of gravel parking adjacent to cement parking. We intend to add a 3rd parking space (gravel) to accommodate parking, as required. Total parking (3) spaces for B+B will be 14'x10' for each.

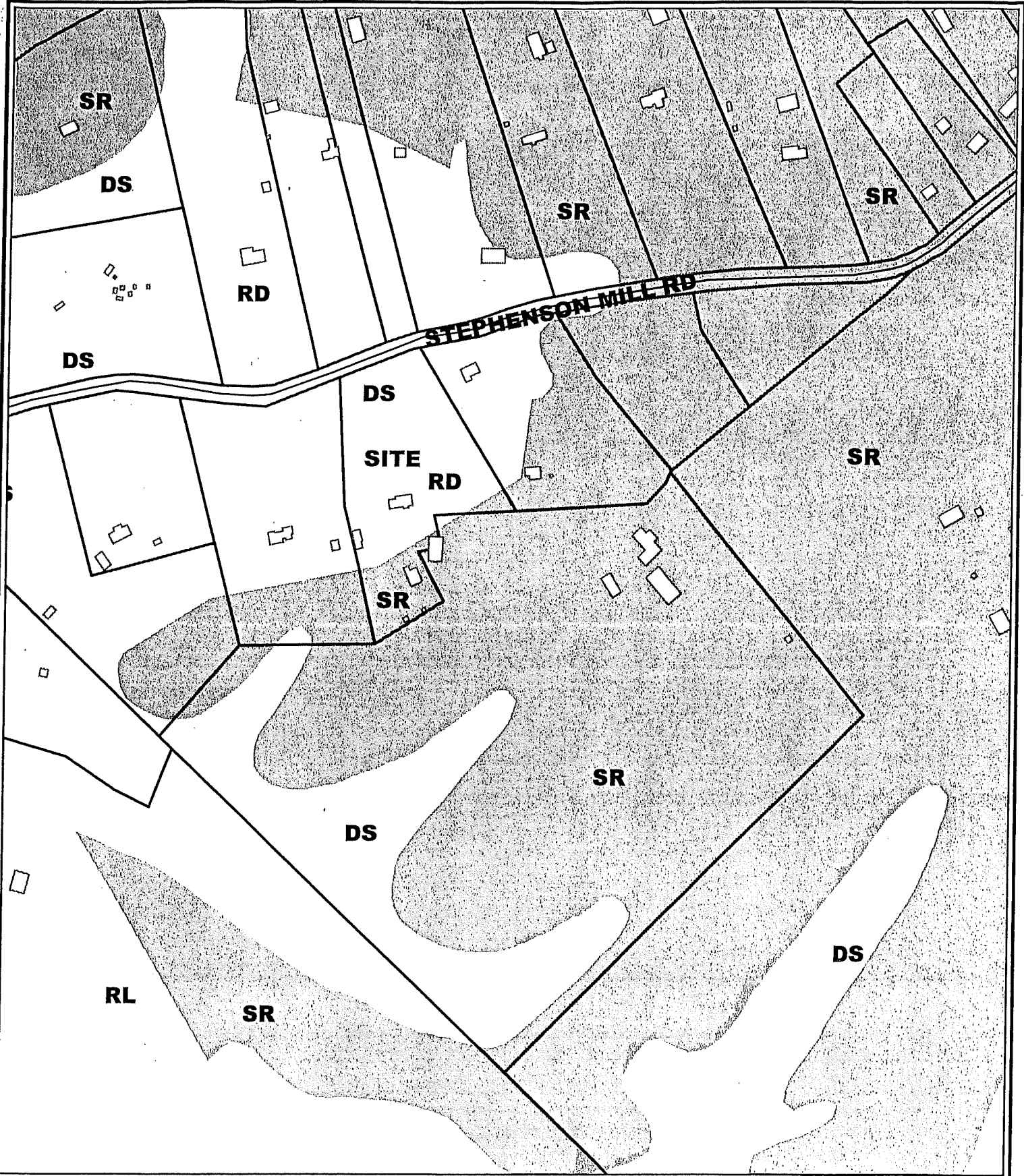


# 1005 Stephenson Mill Rd Zoning Map

600 0 600 Feet

1 inch equals 600 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006





**1005 Stephenson Mill Rd  
Future Land Use Map**

400 0 400 Feet

1 inch equals 400 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006





# BOONE COUNTY PLANNING COMMISSION

[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

July 10, 2006

Mrs. Judy Robin  
1005 Stephenson Mill Road  
Walton, KY 41094

RE: Requested Waiver from Section 3323 "Internal Driveways" of Boone County Zoning Regulations for Proposed Bed and Breakfast at 1005 Stephenson Mill Road, Boone County, Kentucky

Dear Mrs. Robin:

I have reviewed your request for a waiver from Section 3323 of the zoning regulations to allow an existing 12 foot wide asphalt drive to serve as the two way entrance drive to an intended bed and breakfast inn with up to three (3) guest rooms within the existing residence. The required two way drive width under Section 3323 is twenty feet (20'). As part of this review, I have evaluated the zoning regulations, air photos of the existing conditions, and viewed the driveway and this section of Stephenson Mill Road in the field.

First, I will state that waiver requests of this nature are heavily scrutinized and generally viewed with some skepticism. However, after considering the circumstances of your proposal, I hereby grant your requested waiver to allow the existing drive to serve as the access to a potential bed and breakfast inn with up to three (3) guest rooms. Assuming that a Conditional Use Permit (CUP) is granted by the Board of Adjustment (BOA), the addition of any guest rooms beyond the initial three will require another successful waiver application in order to avoid upgrading the drive width per Section 3323.

This waiver is granted in accordance with Section 3003 "Application and Approval" of the zoning regulations. In short, based on the limited scope of the proposal (with up to three guest rooms, the use will act much like a single family residence with several adult and teenage drivers), the low traffic volumes on this section Stephenson Mill Road, and the length of the drive (which allows opportunity for any on-coming vehicles to maneuver), I have concluded that there are unusual circumstances and that traffic circulation and other site plan requirements will not be adversely affected. Additionally, substantial paving improvements in the front yard area will add somewhat of a "commercial flavor" which I believe will detract from the low density residential/agricultural character of the immediate area.

Mrs. Judy Robin  
July 10, 2006  
Page 2

Please keep in mind that the parking space requirements (and width for the driveway that immediately serves the parking spaces) in the zoning regulations still need to be met.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Wall', written in a cursive style.

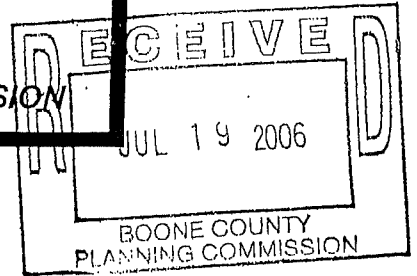
Kevin T. Wall, AICP CDT  
Zoning Administrator  
Boone County Fiscal Court

KTW/vlm

cc: Todd Morgan, Senior Planner

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     Florence     Walton     Union
- 2. (Check One)  
 Conditional Use Permit     Variance     Appeal  
 Change in Non-Conforming Use
- 3. Applicant's Name Judy Robin  
Phone Number 859-485-1493    Fax No. 859-485-1144  
Applicant's Address 1005 Stephenson mill Rd.  
Walton    KY    41094  
City    State    Zip
- 4. Description of Request: Approval for operation of Bed and Breakfast, of 3 sleeping rooms maximum.
- 5. Name of Development N/A
- 6. Location of Development 1005 Stephenson mill Rd.,  
walton, ky 41094
- 7. Acreage Under Review 6.4601
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
N/A
- 9. Owner of Property Judy + Jean-yves ROBIN  
Phone Number of Owner 859-485-1493
- 10. Address of Property Owner WALTON    KY    41094  
1005 Stephenson mill Rd. City    State    Zip
- 11. Proposed Use(s) on Site Bed and Breakfast  
(3 bedrooms)
- 12. Total Square Footage of Existing and/or Proposed Buildings Approx 2000 sq. feet +/-
- 13. Current Zoning on Property A2
- 14. Deed Book 460    Page No. 315    Group No. —
- 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 - see attached. (2 photos)
- 17. Have you submitted a list of adjoining property owners with this request? YES, attached.
- 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: Judy Robin

Property Owner's Signature: Judy Robin

COPY

CLUR #06-BCBOA-012-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Judy & Jean-Yves Robin  
1005 Stephenson Mill Road  
Walton, KY 41094
2. ADDRESS OF PROPERTY  
1005 Stephenson Mill Road  
Walton, KY 41094
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
\_\_\_\_\_
4. DEED BOOK 460                      PAGE NO. 315                      GROUP NO. 2077B
5. TYPE OF RESTRICTION(S) (Check all that apply)
- \_\_\_ Zoning Map Amendment:                      X 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

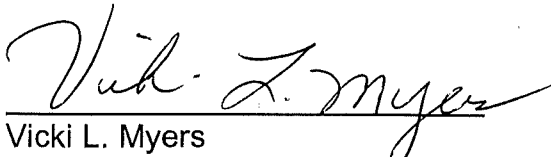
  
\_\_\_\_\_  
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

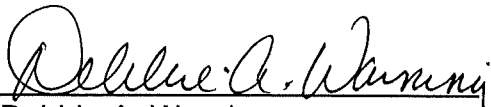
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 10 day of August, 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 Conditional Use Permit approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of August 9, 2006 Certificate of Land Use Restriction (#06-BCBOA-012-A), for Judy & Jean-Yves Robin, Property Owner(s).

The following conditions will apply:

No conditions.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOK 460 PAGE NO. 315 GROUP NO. 2077B