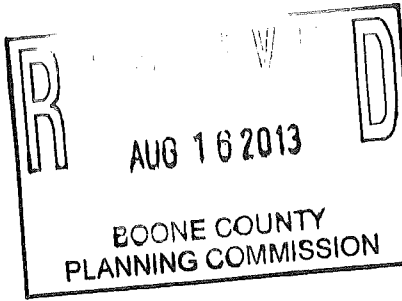


APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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 Gerald Hardcorn, Applicant's Address 510 Whipperwill Lane, Perry Park, Ky 40363
4. Description of Request: Change to set back requirements for a residential lot (i.e. drive rear yard set back from 40' to 20').
5. Name of Development Arborwood Estates Lot #10 Section #1
6. Location of Development East Bend Road (Ky 338) Burlington Ky
7. Acreage Under Review 0.685
8. Lot Number and Name of Subdivision (if part of a subdivision) Arborwood Estates Lot #10 Section #1 Plat Side 306-A
9. Owner of Property Gerald & Andrea Hardcorn, Address of Property Owner 510 Whipperwill Lane, Perry Park, Ky 40363
10. Phone Number 502 484 5179, Fax No. _____, E-Mail jehardcorn@kib.net
11. Proposed Use(s) on Site Residential Construction
12. Total Square Footage of Existing and/or Proposed Buildings 3740 S.F.
13. Current Zoning on Property Residential RS170
14. Deed Book D 1023, Page No. 51-53, Group No. 2029
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.

ORIGINAL Property Owner's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 8-16-13 Fee Received \$632.00 Receipt # 67468
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
_____ Approved
_____ Approved with Conditions (See #6) *SEE other application*
_____ 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 - 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.

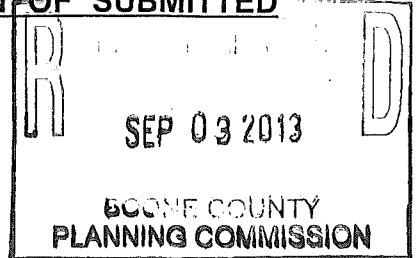
An application consists of all fees paid in full, submitted drawings and a completed application form.

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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 Gerald Hardcorn
Applicant's Address 510 Whippoorwill Lane P.O. Box 28
Henry Park Ky 40363
City State Zip
- 4. Phone Number 502 484 5179 Fax No. _____ E-Mail jahardcorn@kib.net
Description of Request: Home set back requirements for a
residential lot both front & back
- 5. Name of Development Arborswood Estates lot #10 Section #1
- 6. Location of Development East Road Road (Eq 335) Lexington Ky
- 7. Acreage Under Review 0.6850
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
Arborswood Estates Lot #10 Section #1 Plat Slide 306A
- 9. Owner of Property Gerald & Andrea Hardcorn
Address of Property Owner 510 Whippoorwill Lane P.O. Box 28
Henry Park Ky 40363
City State Zip
- 10. Phone Number 502 484 5179 Fax No. _____ E-Mail jahardcorn@kib.net
- 11. Proposed Use(s) on Site Residential construction
- 12. Total Square Footage of Existing and/or Proposed Buildings 3740 S.F.
- 13. Current Zoning on Property Residential
- 14. Deed Book D1023 Page No. 51-53 Group No. 3434 2029
- 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.

ORIGINAL Property Owner's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 9-3-13 Fee Received \$600.00 Receipt # 67547
- 2. Is application complete? Yes No
- 3. Staff Reviewer _____
- 4. Scheduled Board Action Date _____
- 5. Board Action: _____
_____ **Approved**
~~10/9/13~~ **Approved with Conditions** (See #6)
_____ **Denial** (See #7)
- 6. Conditions of Approval: SEE 10/9/13 BCBOA Meeting
MINUTES + CLUR
- 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 - 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: Gerald Hardcorn

LOCATION: Section 1, Lot 10 Arborwood Subdivision, Boone County, Kentucky

Edgewood Dr
Alden Ct.

ZONING: Rural Suburban/Planned Development (RS/PD)

DATE: October 9, 2013

0.43 ACRES

Proposal

The property owner has submitted two (2) variance applications so a proposed house can encroach into the 40 foot front and 40 foot rear yard building setbacks. The submitted plan shows the house will be located 30 feet from Edgewood Drive (front yard) and 20 feet from the rear property line. The applicant has informed Staff that the final design of the house has not been determined and the submitted plan does not reflect the building footprint. He informed Staff that the house will fit in the building envelope that is shown on the plans.

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.

Table 31.1 and Section 3121 of the Boone County Zoning Regulations list the setback requirements in an RS zone as 40' front, 40' rear, 20' corner side, and 10' sides.

Section 3123 of the Boone County Zoning Regulations states that open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections which occupy space three (3) or more feet above the general ground level of the yard shall be considered parts of the building to which attached and shall not project into the required minimum front, side or rear yard. Chimneys, overhangs and gutters may extend up to two and one-half (2½) feet into a required front, side, or rear yard. However, such extensions into a required yard shall not impede, disrupt, or interfere with storm water flow and may need to be cantilevered above grade or necessitate the construction of a storm pipe system with drainage structures or other improvements to provide adequate site drainage.

Site Characteristics

The subject property is approximately 0.43 acres in area and is located at the northwest corner of Edgewood Drive and Alder Court. Boone County GIS shows that the topography of the parcel falls from 820' above sea level at the center of the site to 818' above sea level along the northern property line. The property contains a grass surface and several mature deciduous trees. Public water and sanitary sewer mains exist along Edgewood Drive and Alder Court.

Site History

1993 - Boone County Planning Commission and Boone County Fiscal Court approve a Zoning Map Amendment request which rezones the property from Rural Suburban Estates (RSE) to Rural Suburban/Planned Development (RS/PD).

Staff Comments

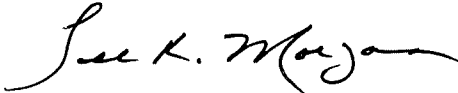
1. Staff is concerned that a true plot plan and exterior elevations have not been submitted with the request. These drawings would have made it easier to evaluate what impacts the proposal will have on adjoining property owners. The proposal would allow a house, covered patio, and/or attached deck to be constructed anywhere in the proposed building envelope.
2. Staff is concerned about the request to reduce the rear building setback from 40' to 20'. This is a 50% reduction of the normal code requirement.
3. Staff would like to note that the house could be located closer to the corner side and side yards. The corner side yard setback requirement is 20' and the side yard setback requirement is 10'.
4. Staff would like the applicant to address the following:
 - A. Is the proposed house a ranch?
 - B. Will the house have a basement?
 - C. Is a covered porch or deck proposed on back of the house?
 - D. What are the proposed building materials?

- E. Could a smaller house be built on the lot which better meets the setback requirements?
 - F. Is any landscaping being proposed along the rear property line?
 - G. Does Arborwood Subdivision have a Home Owners Association? Are any approvals required before the house is constructed?
4. Staff has attached the Zoning Permits for lots 3, 9, and 11 of Arborwood Subdivision on to the back of the report for informational and comparison purposes.
 5. The Board needs to analyze the Variance criteria before acting on the request.

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 act on the requests.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

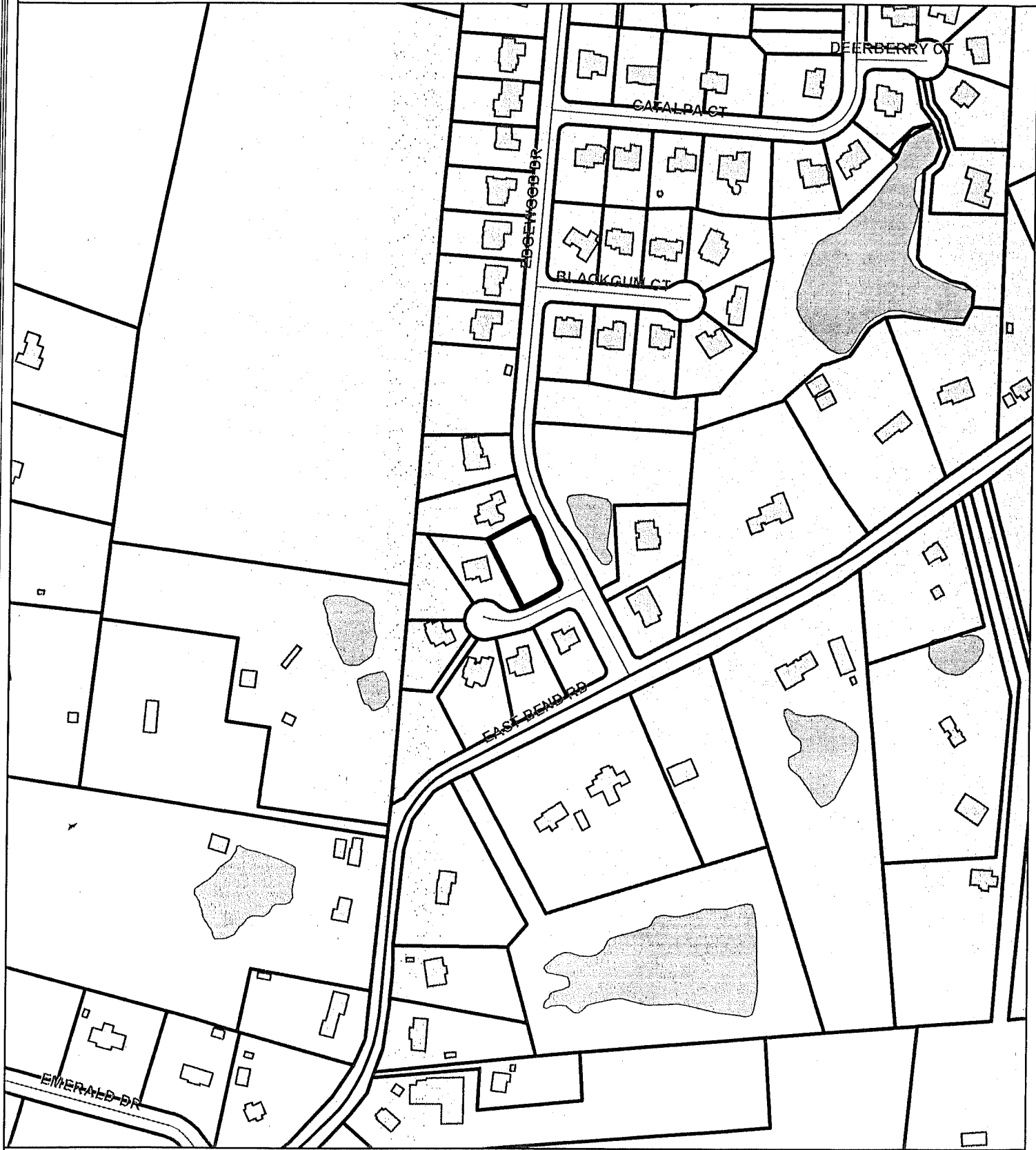
TKM/vlm

Attachments

- *Site Vicinity Map
- *Proposed Plot Plan
- *2012 Aerial Map
- *Zoning Map
- *Topographical Map
- *Zoning Permits for lots 3, 9, and 11 of Arborwood Subdivision
- *Application

SITE VICINITY MAP

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

0 135 270 540 810 1,080 Feet

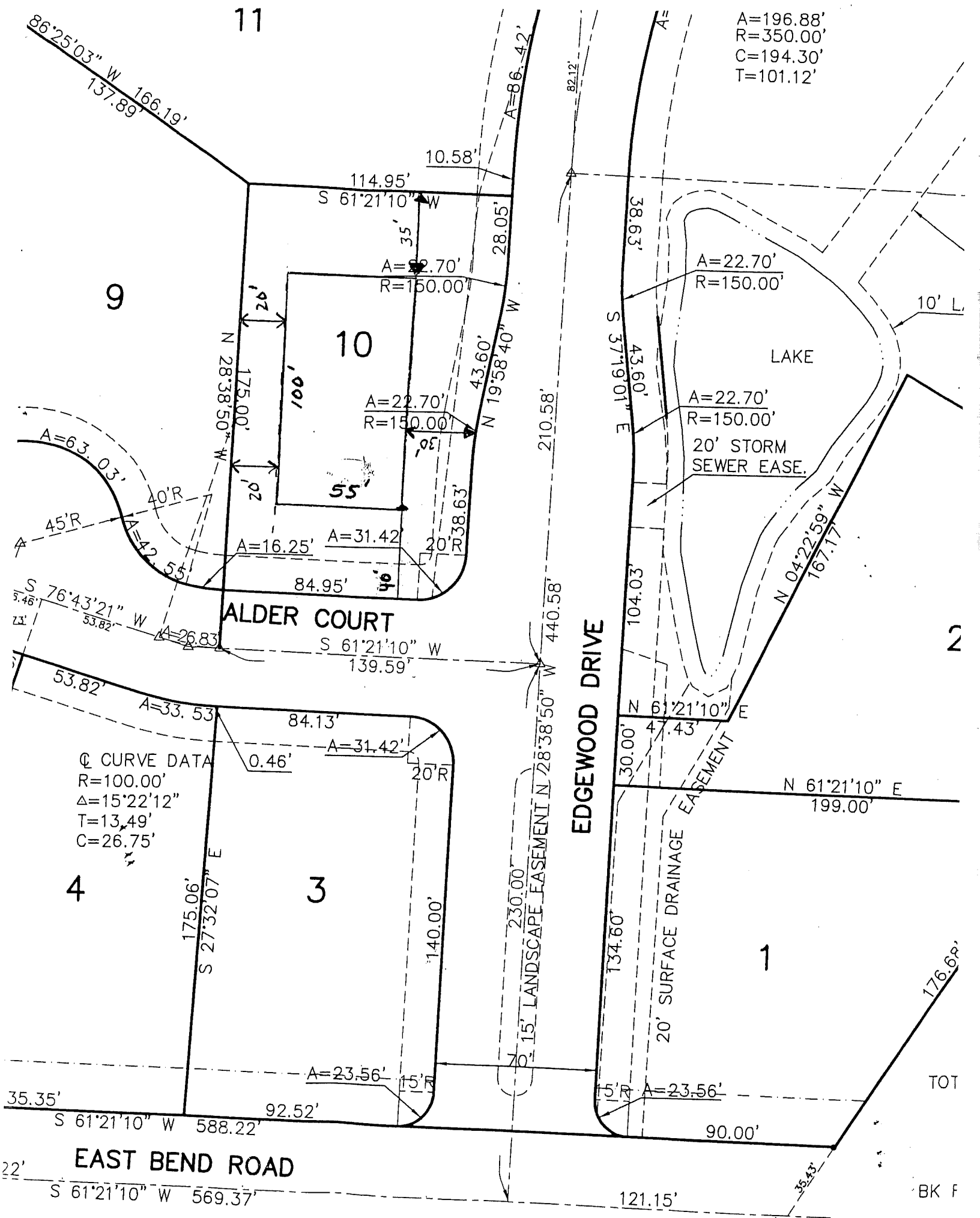
1 inch = 300 feet

Boone County GIS

"Putting Northern Kentucky on the Map"

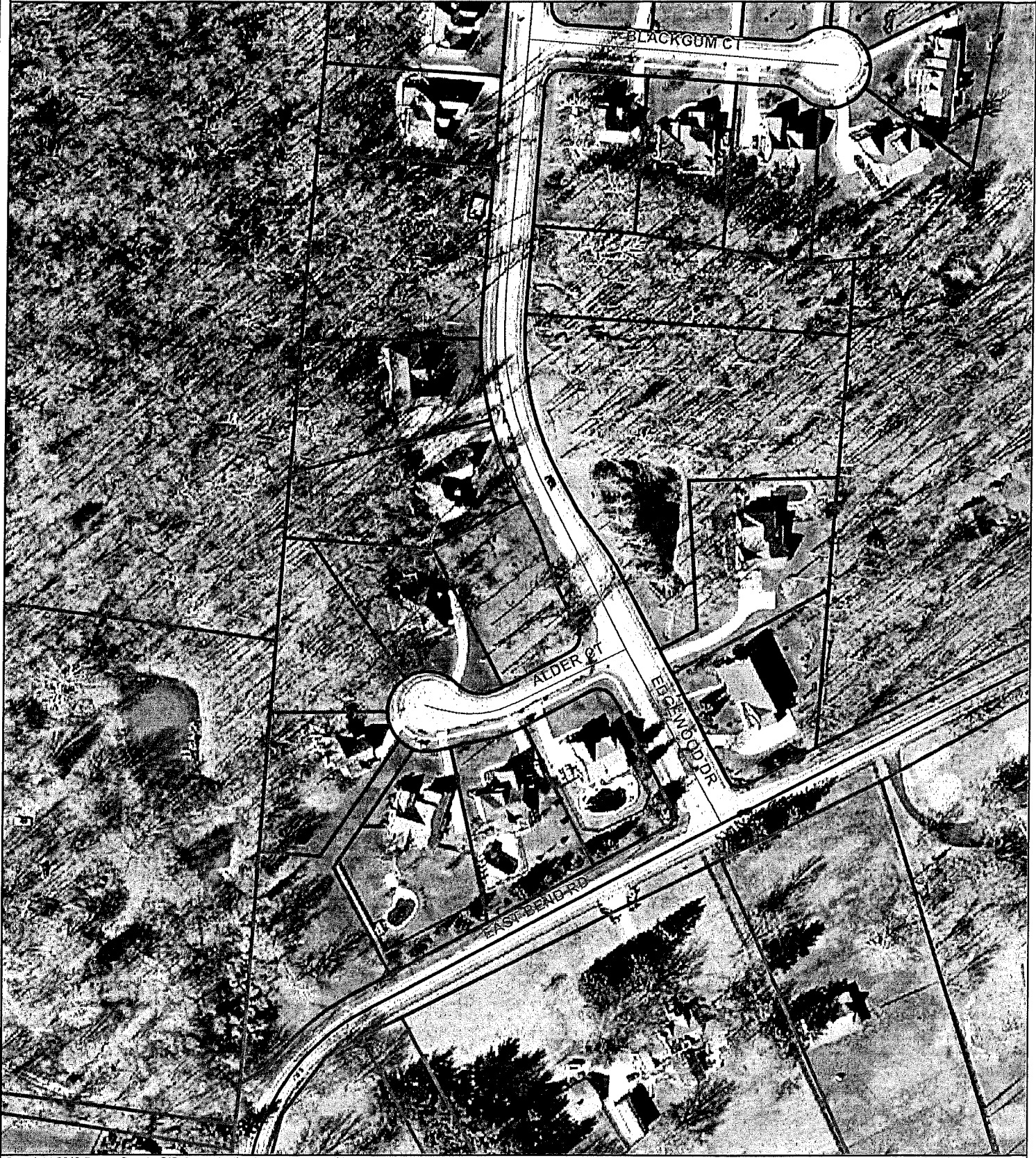


Boone County GIS



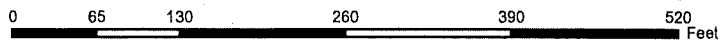
2012 AERIAL MAP

www.boonecountygis.com



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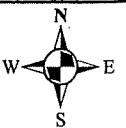
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 150 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



ZONING MAP

www.boonecountygis.com



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0 135 270 540 810 1,080 Feet

1 inch = 300 feet

Boone County GIS

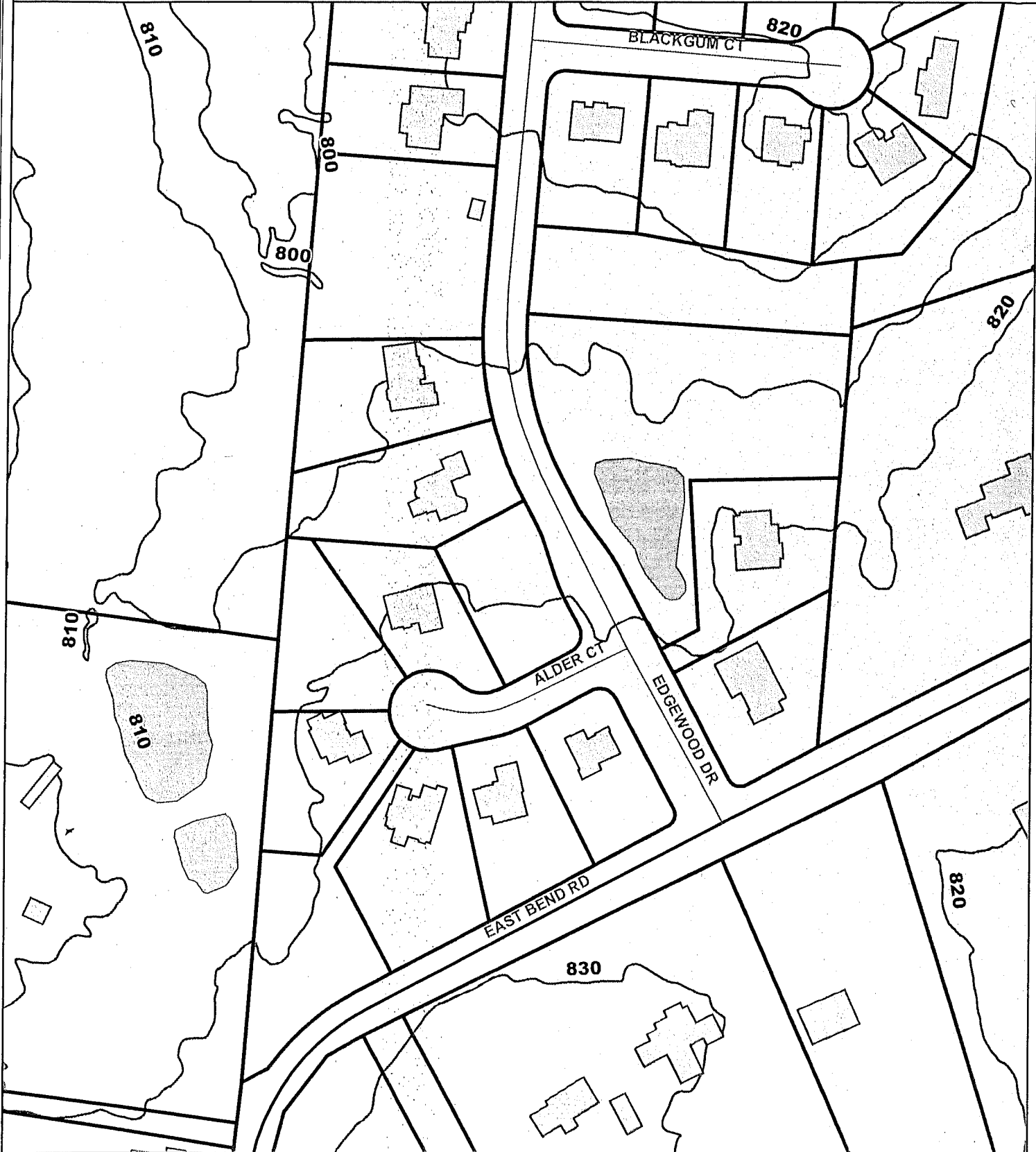
"Putting Northern Kentucky on the Map"



Map & Photo Courtesy: Boone County GIS

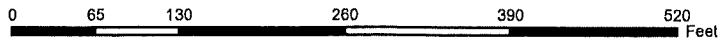
TOPOGRAPHICAL MAP

www.boonecountygis.com



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1 inch = 150 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Map Data Source: ESRI 2005

BUILDING ADDRESS OR LOCATION: _____

NOTICE

I certify that what is submitted is true and accurate and I or we understand and agree that all construction work will be performed in accordance with this Zoning Permit Application, the Boone County Zoning Regulations and the Boone County Subdivision Regulations.

NAME AND ADDRESS OF APPLICANT (PLEASE PRINT): _____

S.L. WILLIAMS

HOMES, INC.

300 Buttermilk Pike, Suite 311

Ft. Mitchell, KY 41017-2139

APPLICANT'S SIGNATURE: _____
As Authorized by Property Owner

[Handwritten Signature]

DATE 3-29-04 PHONE NUMBER: 240-0592

RS/PA This Portion of the Application to be Completed
the Boone County Planning Commission

Zoning District	Date <u>4/8/04</u>	Fee <u>PA</u>	\$50.00		
Approved <u>X</u>	Denied		\$20.00		None
Staff Reviewer <u>Randy Cordell</u>	Address/Location <u>6670 Alder CT.</u>				
Subdivision <u>Ardenwood Estates</u>	SPIDN				
Lot # <u>3</u>	Section # <u>1</u>	Block/Phase # <u>—</u>			

Type of Improvement	
<input checked="" type="checkbox"/> Single Family Residence	Detached Garage
<input type="checkbox"/> Duplex	Garage Addition
<input type="checkbox"/> Three Family	Porch or Deck
<input type="checkbox"/> Apartment (# units _____)	Barn or Shed
<input type="checkbox"/> Townhouse (# units _____)	Swimming Pool
<input type="checkbox"/> Mobile Home	Tenant Finish
<input type="checkbox"/> Residential Addition	Other:
Jurisdiction	
<input checked="" type="checkbox"/> Boone County	Florence
<input type="checkbox"/> Walton	Union
Post Office	
<input checked="" type="checkbox"/> Burlington	Florence
<input type="checkbox"/> Walton	Union
<input type="checkbox"/> Hebron	Verona
<input type="checkbox"/> Petersburg	Erlanger
<input type="checkbox"/> Crittenden	
Group # <u>2029</u>	Census Tract # <u>705.01</u>

RE# 38374
RECEIVED
APR - 7 2004
PLANNING COMMISSION

cut: EE:500:0

L=3.05
B=235' R=125.00'

Alder Court

25' pavement

4' sidewalk

S 62°21'10" W

84.13'

10' utility easement

L=31.42'
Δ=90°00'00" R=20.00'

utilized &
light post

concrete drive

41.2'

SEWER 20"

10.66'

10.66'

11.83'

28.16'

36.99'

garage

20'

13.33'

13.66'

30.16'

house

top of foundation: EL: 504.0

27.00'

6.00'

6.00'

4.66'

58.19'

Lot 3

minimum setback

20' landscape easement

landscape area

N 62°21'10" E

92.52'

East Bend Road

Edgewood Drive

15' 3" asphalt pavement

landscape median

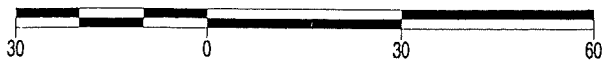
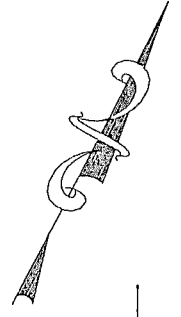
70'

Lot 4

S 27°32'07" E 175.06'

N 27°38'50" W 140.00'

L=23.56'



scale 1" = 30'

PLAN: Monte Carlo "B" modified

Arborwood Subdivision
Section One
Plat Cabinet 2 Slide 306 A

ZONE RPD-CD
setbacks
front 40'
rear 40'
side 10'
corner 1/2 of front

March 30, 2004

SITE PLAN FOR:
S.L. WILLIAMS
300 BUTTERMILK PIKE
SUITE 311
FT MITCHELL, KY 41017-2139

FIELD CONTACT:
ROB ADAMS
CELL 859-240-0592

PREPARED BY:
GREGORY C. SCHULTZ
P.L.S. 2777
10130 LABRADOR LANE
ALEXANDRIA, KY 41001
859-391-6361

NAME OF APPLICANT AND ADDRESS: SUTTER Homes Inc 4660 BURL PK BURL KY

NAME OF PROPERTY OWNER AND ADDRESS: KAREN + JEFF COLEMAN 6189 ROCKFORD FLO KY

NOTICE

I, or we, understand and agree that all construction work will be performed in accordance with this Zoning Permit Application, the Boone County Zoning Regulations and the Boone County Subdivision Regulations.

APPLICANT'S SIGNATURE: Thomas Sutter

DATE: 7-1-97 Phone Number: 506-6334-7560

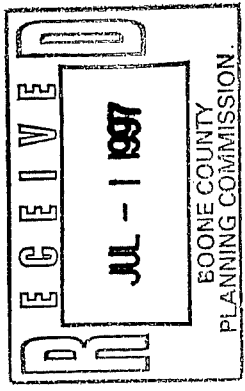
Review # _____

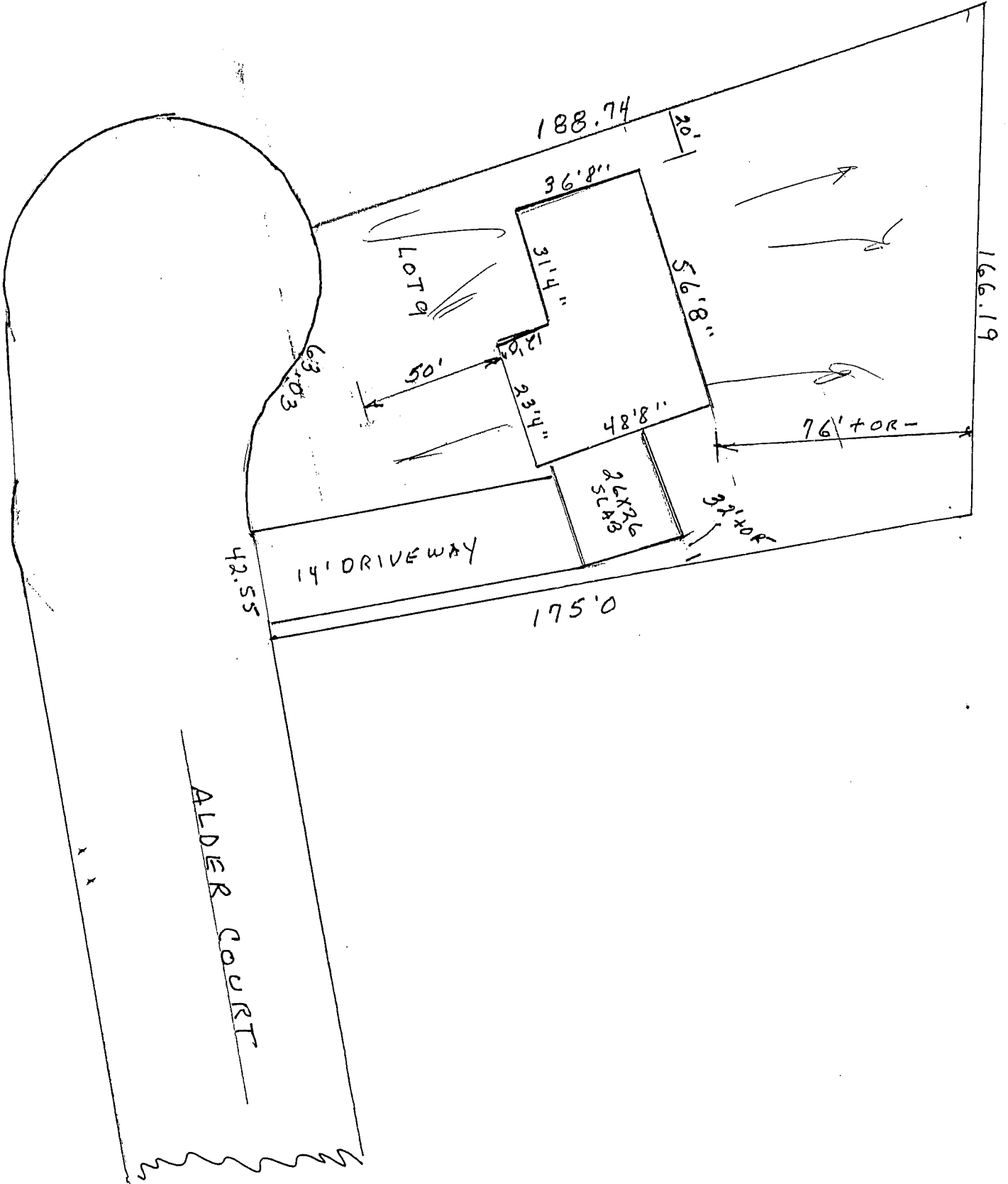
**This Portion of the Application to be Completed
the Boone County Planning Commission**

Zoning District	RS/PD	Date	7-2-97	Fee	<input checked="" type="checkbox"/> \$40.00	<input type="checkbox"/> \$35.00
Approved	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Paid	<input type="checkbox"/> \$15.00	<input type="checkbox"/> None
Staff Reviewer	JOHN HUTH		Address/Location <u>6675 ALDER COURT</u>			
Subdivision	<u>ARBORWOOD</u>					
Lot #	<u>9</u>	Section #	<u>1</u>	Block/Phase #		

R#
13983

Type of Improvement			
<input checked="" type="checkbox"/>	Single Family Residence	<input type="checkbox"/>	Detached Garage
<input type="checkbox"/>	Duplex	<input type="checkbox"/>	Garage Addition
<input type="checkbox"/>	Three Family	<input type="checkbox"/>	Porch or Deck
<input type="checkbox"/>	Apartment (# units _____)	<input type="checkbox"/>	Barn or Shed
<input type="checkbox"/>	Townhouse (# units _____)	<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Mobile Home	<input type="checkbox"/>	Tenant Finish
<input type="checkbox"/>	Residential Addition	<input type="checkbox"/>	Other:
Jurisdiction			
<input checked="" type="checkbox"/>	Boone County	<input type="checkbox"/>	Florence
<input type="checkbox"/>	Walton	<input type="checkbox"/>	Union
Post Office			
<input checked="" type="checkbox"/>	Burlington	<input type="checkbox"/>	Florence
<input type="checkbox"/>	Walton	<input type="checkbox"/>	Union
<input type="checkbox"/>	Hebron	<input type="checkbox"/>	Verona
<input type="checkbox"/>	Petersburg	<input type="checkbox"/>	Erlanger
<input type="checkbox"/>	Crittenden	<input type="checkbox"/>	
Group #	<u>2029</u>	Reference Group #	_____
		Census Tract #	<u>705.01</u>





NAME OF APPLICANT AND ADDRESS: CRAIG JOSE, Company

NAME OF PROPERTY OWNER AND ADDRESS: CRAIG JOSE, Company

NOTICE

I, or we, understand and agree that all construction work will be performed in accordance with this Zoning Permit Application, the Boone County Zoning Regulations and the Boone County Subdivision Regulations.

APPLICANT'S SIGNATURE: [Signature]

DATE: 12-6-95 Phone Number: 283-1411

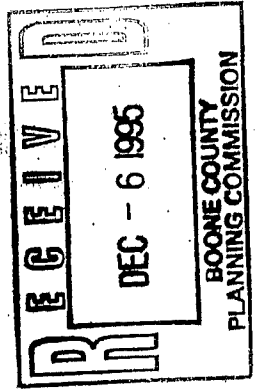
Review # _____

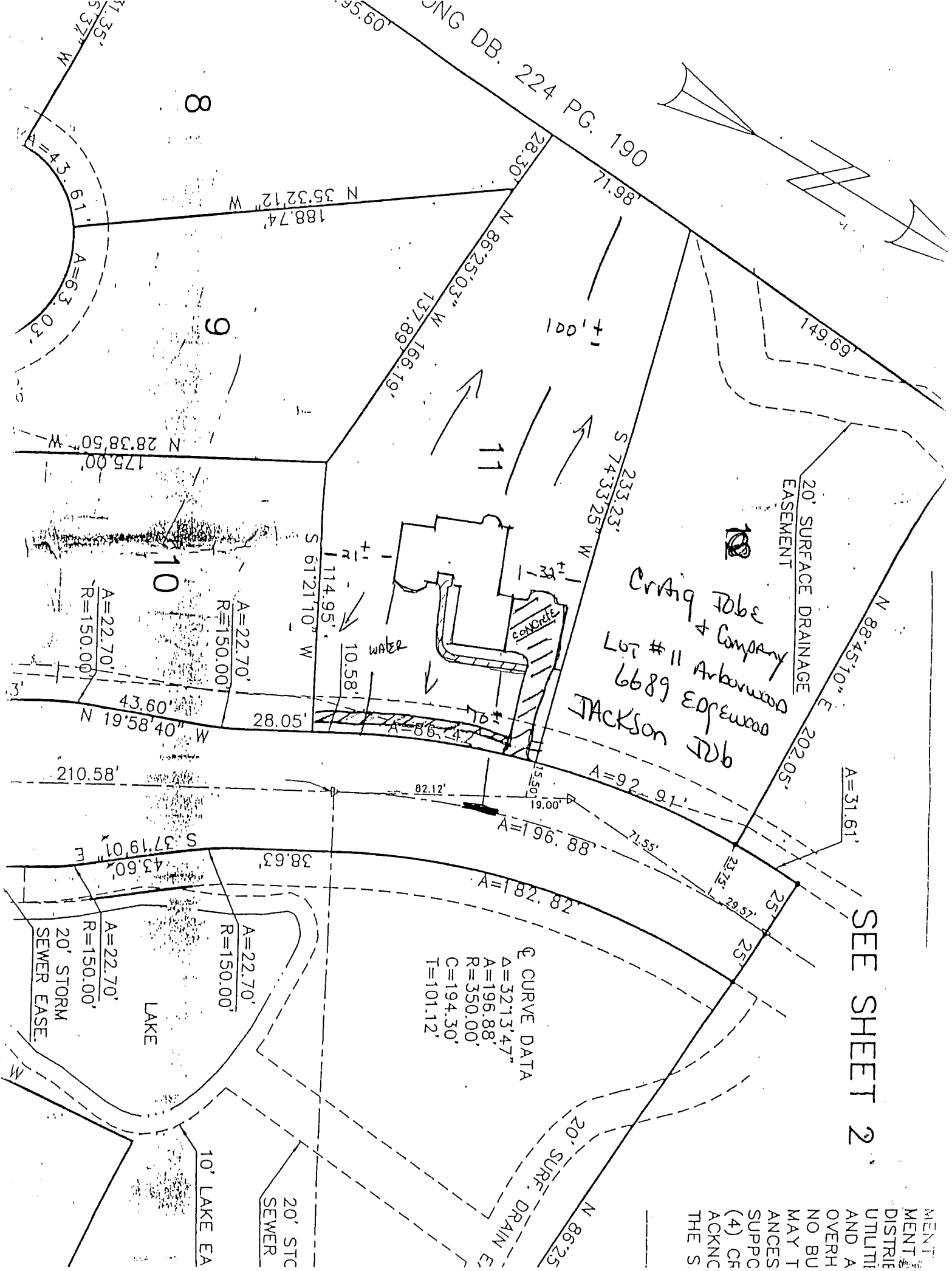
**This Portion of the Application to be Completed
the Boone County Planning Commission**

Zoning District	<u>RS/PD</u>	Date	<u>12/11/95</u>	Fee	<input checked="" type="checkbox"/>	\$30.00	<input type="checkbox"/>	\$45.00
Approved	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Paid	<input checked="" type="checkbox"/>	\$10.00	<input type="checkbox"/>	None
Staff Reviewer	<u>[Signature]</u>			Address/Location	<u>6689 EDGEWOOD</u>			
Subdivision	<u>ARBORWOOD</u>							
Lot #	<u>11</u>	Section #		Block/Phase #				

R# 8671
DR

Type of Improvement			
<input checked="" type="checkbox"/>	Single Family Residence	<input type="checkbox"/>	Detached Garage
<input type="checkbox"/>	Duplex	<input type="checkbox"/>	Garage Addition
<input type="checkbox"/>	Three Family	<input type="checkbox"/>	Porch or Deck
<input type="checkbox"/>	Apartment (# units _____)	<input type="checkbox"/>	Barn or Shed
<input type="checkbox"/>	Townhouse (# units _____)	<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Mobile Home	<input type="checkbox"/>	Tenant Finish
<input type="checkbox"/>	Residential Addition	<input type="checkbox"/>	Other _____
Jurisdiction			
<input checked="" type="checkbox"/>	Boone County	<input type="checkbox"/>	Florence
<input type="checkbox"/>	Walton	<input type="checkbox"/>	Union
Post Office			
<input checked="" type="checkbox"/>	Burlington	<input type="checkbox"/>	Florence
<input type="checkbox"/>	Walton	<input type="checkbox"/>	Union
<input type="checkbox"/>	Hebron	<input type="checkbox"/>	Verona
<input type="checkbox"/>	Petersburg	<input type="checkbox"/>	Erlanger
<input type="checkbox"/>	Crittenden	<input type="checkbox"/>	
Group #	<u>2029</u>	Reference Group #	_____
Census Tract #	<u>705.01</u>		





Craig Jobe
 & Company
 Lot # 11
 6689 Arborwood
 JACKSON EDGEWOOD
 JOB

SEE SHEET 2

Q CURVE DATA
 Δ=3213.47'
 A=196.88'
 R=350.00'
 C=194.30'
 T=101.12'

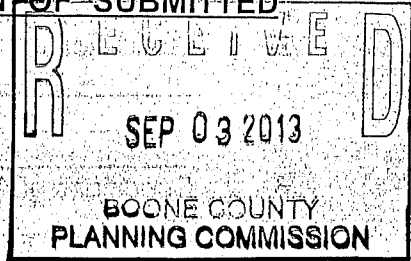
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APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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

3. Change in Non-Conforming Use

Applicant's Name Gerald Hardcorn

Applicant's Address 510 Whipoorwill Lane P.O. Box 28

Perry Park Ky 40363
City State Zip

Phone Number 502 484 5179 Fax No. _____ E-Mail jahardcorn@kih.net

4. Description of Request: Change set back requirements for a residential lot back front & rear

5. Name of Development Arborwood Estates Lot #10 Section #1

6. Location of Development East Bend Road (Ky 338) Burlington Ky.

7. Acreage Under Review 0.6850

8. Lot Number and Name of Subdivision (if part of a subdivision)

Arborwood Estates Lot #10 Section #1 Plat Slide 306A

9. Owner of Property Gerald & Andrea Hardcorn

Address of Property Owner 510 Whipoorwill Lane P.O. Box 28

10. Perry Park Ky 40363
City State Zip

Phone Number 502 484 5179 Fax No. _____ E-Mail jahardcorn@kih.net

11. Proposed Use(s) on Site Residential Construction

12. Total Square Footage of Existing and/or Proposed Buildings 3740 S.F.

13. Current Zoning on Property Residential

14. Deed Book D1023 Page No. 51-53 Group No. 3434 2029

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.

ORIGINAL Property Owner's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

COPY

CLUR #13-BCBOA-019-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Gerald & Andrea Hardcorn
510 Whippoorwill Lane
P.O. Box 28
Perry Park, KY 40363

2. ADDRESS OF PROPERTY

Arborwood Estates, Lot #10
Burlington, KY 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Arborwood Estates

4. DEED BOOK 1023 PAGE NO. 51-53 GROUP NO. 2029

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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

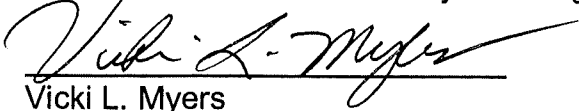
Todd K. Morgan, AICP, Senior Planner
Name and Title of Completing Official

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 24th day of October, 2013.



Vicki L. Myers

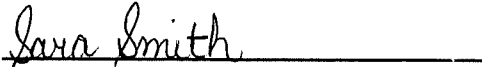
Notary ID 438411

NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 2015

This instrument was prepared for recording purposes only by:



Sara Smith

Boone County Planning Commission

2950 Washington Street, Room 317

P.O. Box 958

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 October 24, 2103 Certificate of Land Use Restriction (#13-BCBOA-019-A), for Gerald and Andrea Hardcorn, Property Owner(s).

The following conditions will apply:

The house constructed on the lot shall meet the following building setbacks:

- 1.) Front Yard – 30 Feet
- 2.) Rear Yard – 20 Feet
- 3.) Cornerside Yard – 40 Feet
- 4.) Side Yard – 35 Feet

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

DEED BOOK 1023

PAGE NO. 51-53

GROUP NO. 2029