

67742

APPLICATION FORM

RECEIVED
OCT 08 2013
BOONE COUNTY
PLANNING COMMISSION

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 _____
_____ Change in Non-Conforming Use _____
- 3. Applicant's Name Drake Custom Construction, LLC
Applicant's Address 4030 Mt. Carmel-Tobasco Rd, Cincinnati, Oh 45255
- _____
- _____ City _____ State _____ Zip _____
- 4. Phone Number 513-520-1811 Fax No. 513-528-4400 E-Mail Johnoamb@msn.com
- 5. Description of Request: A variance allowing the proposed garage be set 11.68 ft from the line versus 15 ft. currently required.
- 6. Name of Development Thunder Ridge Subdivision
- 7. Location of Development ~~Planning Valley Park Florence~~
7653 Thunder Ridge Drive
- 8. Acreage Under Review 1/3 Acre
- 9. Lot Number and Name of Subdivision (if part of a subdivision)
Lot #17A Thunder Ridge Subdivision
- 10. Owner of Property Scott Giles & Stephanie Giles
Address of Property Owner 7653 Thunder Ridge Dr
- _____
- _____ City _____ State _____ Zip _____
- 11. Phone Number 513-377-0660 Fax No. _____ E-Mail sgiles22@twc.com
- 12. Proposed Use(s) on Site Garage Addition
- 13. Total Square Footage of Existing and/or Proposed Buildings Proposed 336 sq ft
- 14. Current Zoning on Property ~~SR-1~~ SR-1
- 15. Deed Book 928 Page No. 910 Group No. 2039
- 16. Is the site subject to a zone change? No
- _____ If yes, give date of approval _____
- 17. Have you submitted a Site Plan with this request? Yes
- 18. Have you submitted a list of adjoining property owners with this request? Yes
- 19. 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: Stephanie Giles
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Drake Custom Construction, LLC
John O'Connell, Inc.
(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 10/8/13 Fee Received 1632⁰⁰ Receipt # 67742
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
_____ **Approved**
_____ **Approved with Conditions** (See #6)
11/13/13 **Denial** (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: SEE 11/13/13 Meeting Minutes

**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: Drake Custom Construction, LLC

LOCATION: 7653 Thunder Ridge Drive, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: November 13, 2013

① 5vm 0.34 AC

Proposal

24x14
The applicant has submitted a variance application to permit a garage to be attached to house with a breezeway and allow the structure to encroach into the 15 foot corner side yard setback. The submitted plans show that access to garage will be provided from the existing driveway on Cannon Valley Drive. The request is to reduce the 15 foot corner side yard setback requirement to 11.68 feet.

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 SR-1 zone as 30' front, 30' rear, 15' corner side, and 5' side.

Site Characteristics

The subject property is approximately 0.34 acres in area and is located at the southwest corner of Thunder Ridge Drive and Cannon Valley Drive. The property contains a two-story brick and vinyl sided house, which is accessed from Cannon Valley Drive. The rear yard contains a small shed and is fenced. Two mature deciduous trees exist in the front yard and one exists in the rear yard. Boone County GIS shows that the topography of the parcel falls from 808' above sea level at the rear property line to 796' above sea level along the Thunder Ridge Drive frontage. Public sidewalks exist in the Thunder Ridge Drive and Cannon Valley Drive right-of-ways.

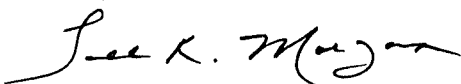
Staff Comments

1. The garage would be permitted if it met the 15' corner side yard setback requirement because it is attached to the house with a breezeway.
2. Staff is concerned that the garage will have the appearance of a detached garage from many public vantage points. The Boone County Zoning Regulations do not permit detached garages in the corner side yard. Staff drove the entire subdivision and did not see any other similar or comparable structures.
3. Staff would like the applicant to address the following questions:
 - A. Does the breezeway have to be 7'-11" long? Could it be shortened to minimize or eliminate the setback Variance?
 - B. What are the proposed building materials? Will they match the house?
 - C. Could gable vents or additional brick be added to garage to help its finished appearance?
 - D. What will be parked or stored inside the garage? The trailer that is currently parked in the driveway is not permitted. It could be parked inside a garage.
 - E. Does Thunder Ridge Subdivision have a Home Owners Association or any Deed restrictions? Are any approvals required before the garage is constructed?
4. 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 request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/vlm

Attachments

- *Site Vicinity Map
- *Proposed Plan
- *Standard Setback
- *First Floor Plan
- *Elevation Drawings
- *2013 Aerial Map
- *Zoning Map
- *Topographical Map
- *Application

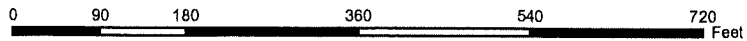
SITE VICINITY MAP

www.boonecountygis.com



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1 inch = 200 feet


Boone County GIS

"Putting Northern Kentucky on the Map"



Boone County GIS, 2012

Requested Variance

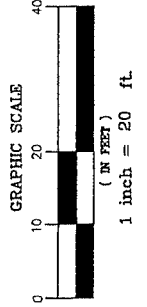
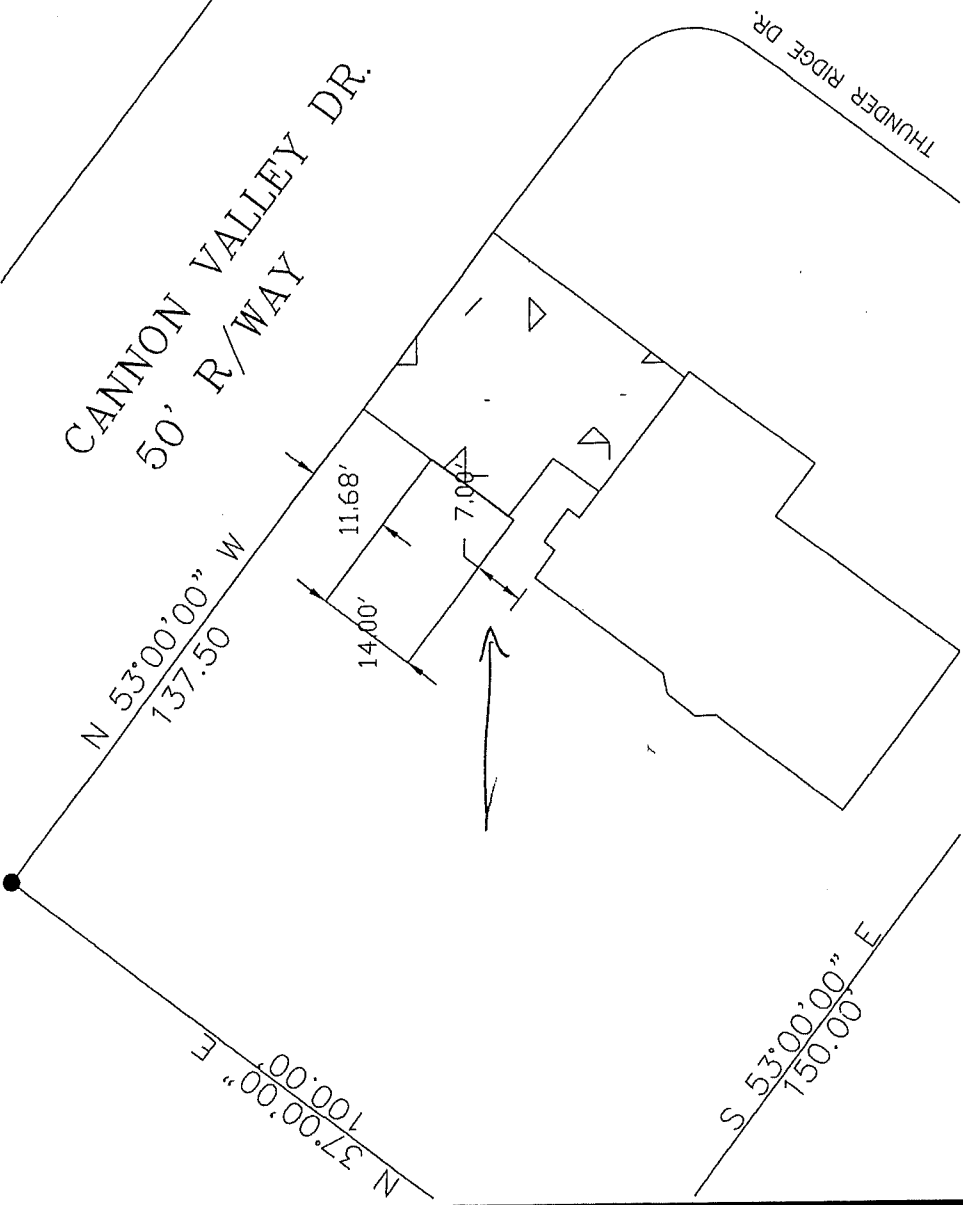
		RYAN LAND SURVEYING 3950 STADY HOLLOW LN FLORENCE, KENTUCKY 41006 (863) 659-5533	
BOUNDARY SURVEY		SCOTT GILES	
DRAWING TITLE		PROJECT TITLE	
SCALE 1"=30'		DATE 9/4/2013	
PROJECT NO. S-68-2013		ZONED	
SHEET 1		OF 1	

LAND SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED ERROR OF CLOSURE WAS 1:84,000 AND WAS NOT ADJUSTED. THE SURVEY IS A PLAT FOR AN URBAN SURVEY, AND THE DISTANCES AND DIRECTIONS ARE BASED ON THE UNADJUSTED TRAVERSE.

TIMOTHY E. RYAN
 LICENSED PROFESSIONAL
 LAND SURVEYOR #3565 IN THE
 COMMONWEALTH OF KENTUCKY

LAND SURVEYOR'S NOTES
 1. ALL FOUND MONUMENTATION IN GOOD CONDITION UNLESS OTHERWISE NOTED.
 2. DATA SOURCES FOR THIS SURVEY INCLUDE DOCUMENTS CITED HEREON.
 3. NO EVIDENCE OF A CEMETERY FOUND ON SUBJECT PROPERTY.

NORTH & BEARING SYSTEM BASED ON
 RESUBDIVISION LOTS 16 & 17 THUNDER RIDGE SUB
 PLAT 462-B BOONE COUNTY RECORDS



VICINITY MAP

Standard Setback

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED ERROR OF CLOSURE WAS 1:54,000 AND WAS NOT ADJUSTED. THE SURVEY SHOWS THE LINES AS CLASSIFIED AS URBAN SURVEY, AND THE DISTANCES AND DIRECTIONS ARE BASED ON THE UNADJUSTED TRAVERSE.

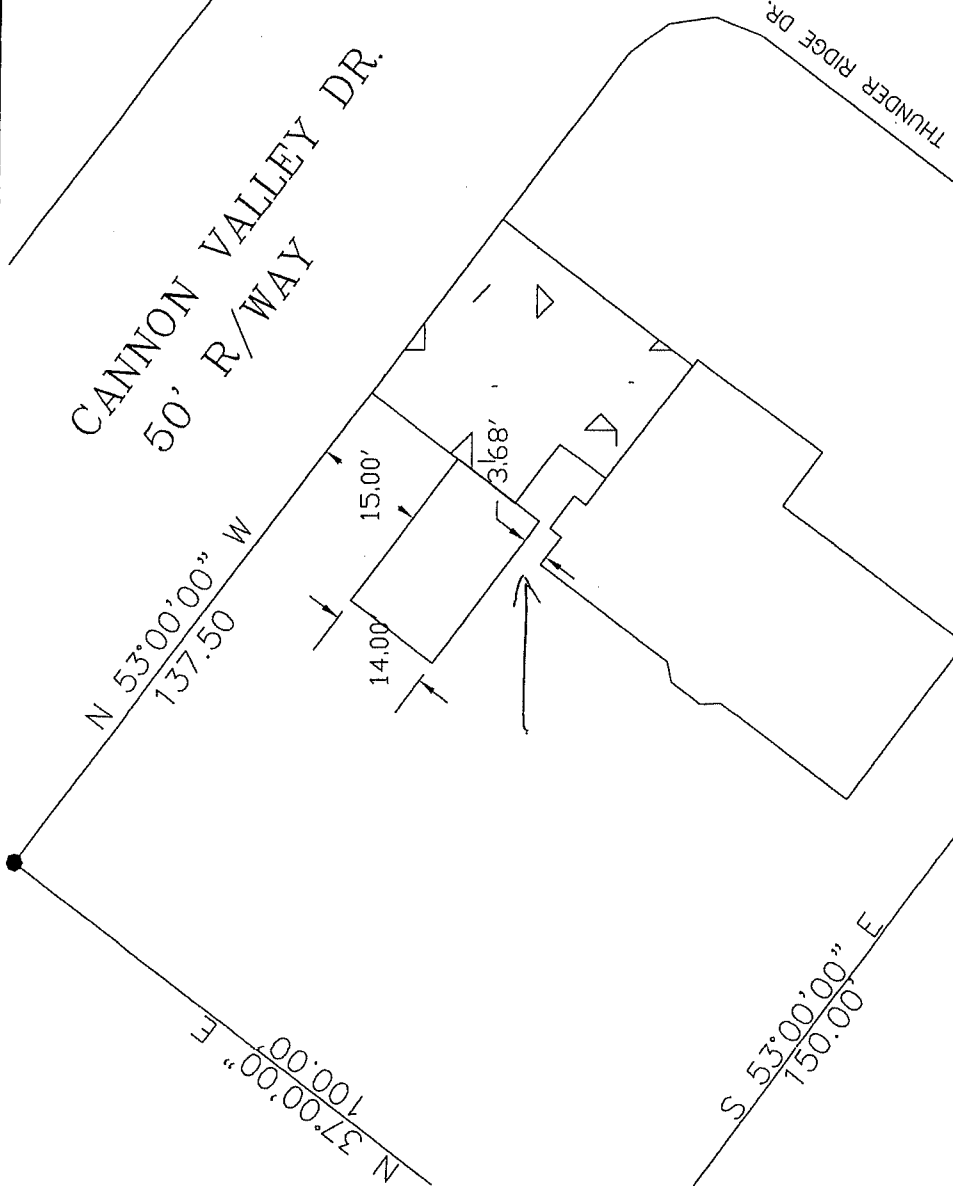
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DATE

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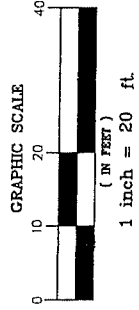
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NORTH & BEARING SYSTEM BASED ON
 RESUBDIVISION LOTS 18 & 17 THUNDER RIDGE SUB
 PLAT 482-B BOONE COUNTY RECORDS



LEGEND

⊙ DENOTES FOUND MONUMENT IN GOOD CONDITION



VICINITY MAP



RYAN LAND SURVEYING
 2860 SHADY HOLLOW LN
 Lexington, Kentucky 40505
 (606) 266-9663

CLIENT
 SCOTT GILES

GROUP 3427

BOUNDARY SURVEY
 PROJECT TITLE
SCOTT GILES
 PROJECT TITLE
7653 THUNDER RIDGE
FLORENCE, KENTUCKY 41042

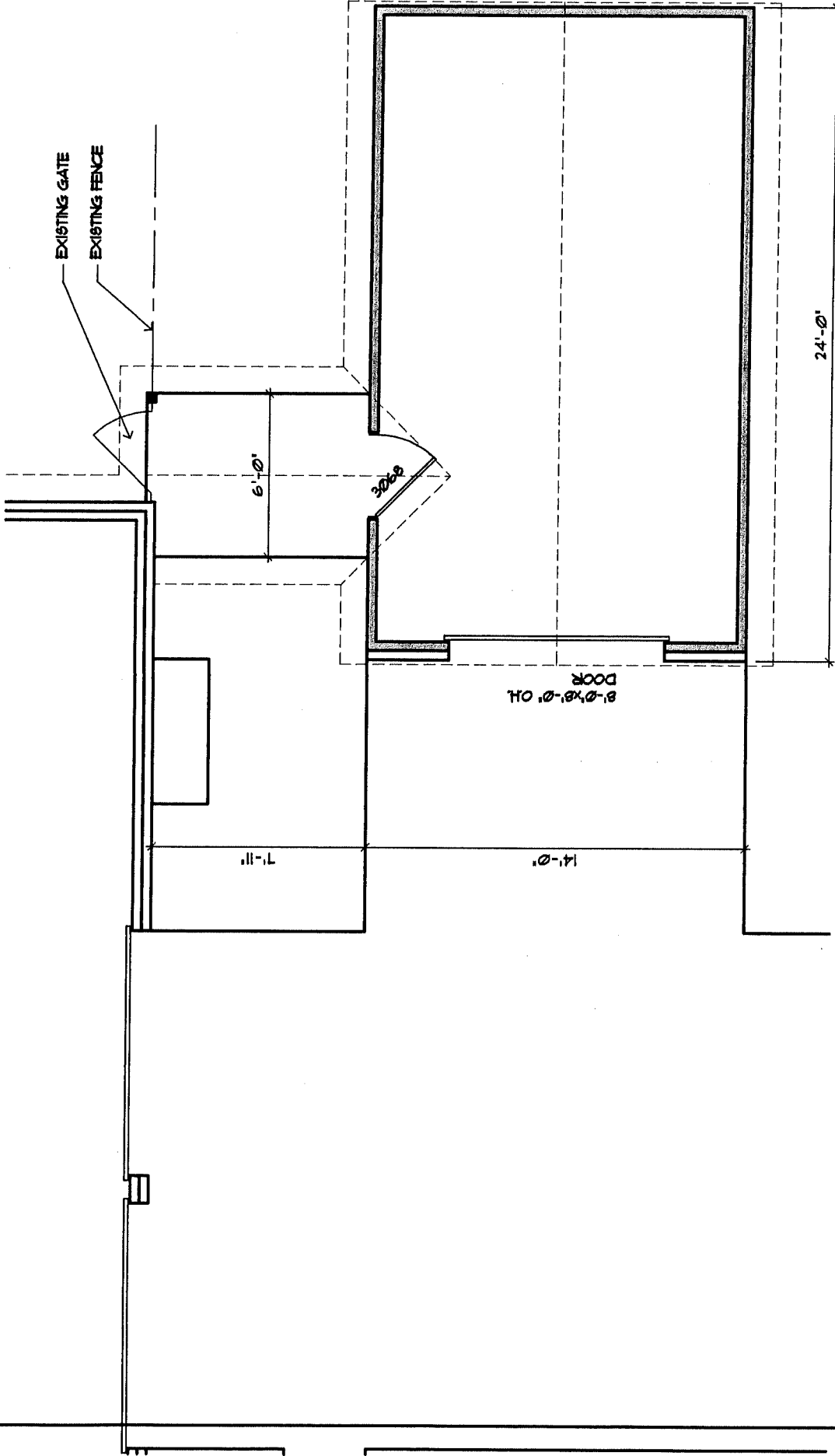
SCALE
 1"=30'

DATE
 9/4/2013

PROJECT NO.
 S-68-2013

ZONED

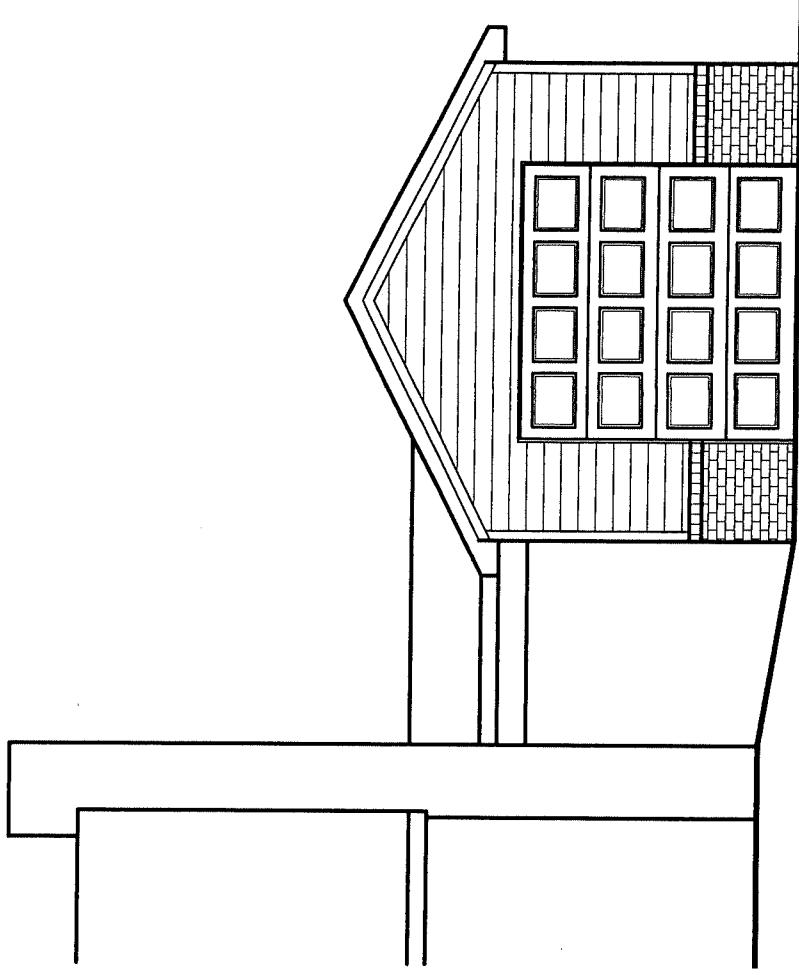
SHEET 1 OF 1



FIRST FLOOR PLAN

SCALE 3/16" = 1'-0"

GARAGE
7633 THUNDER RIDGE
FLORENCE, KY

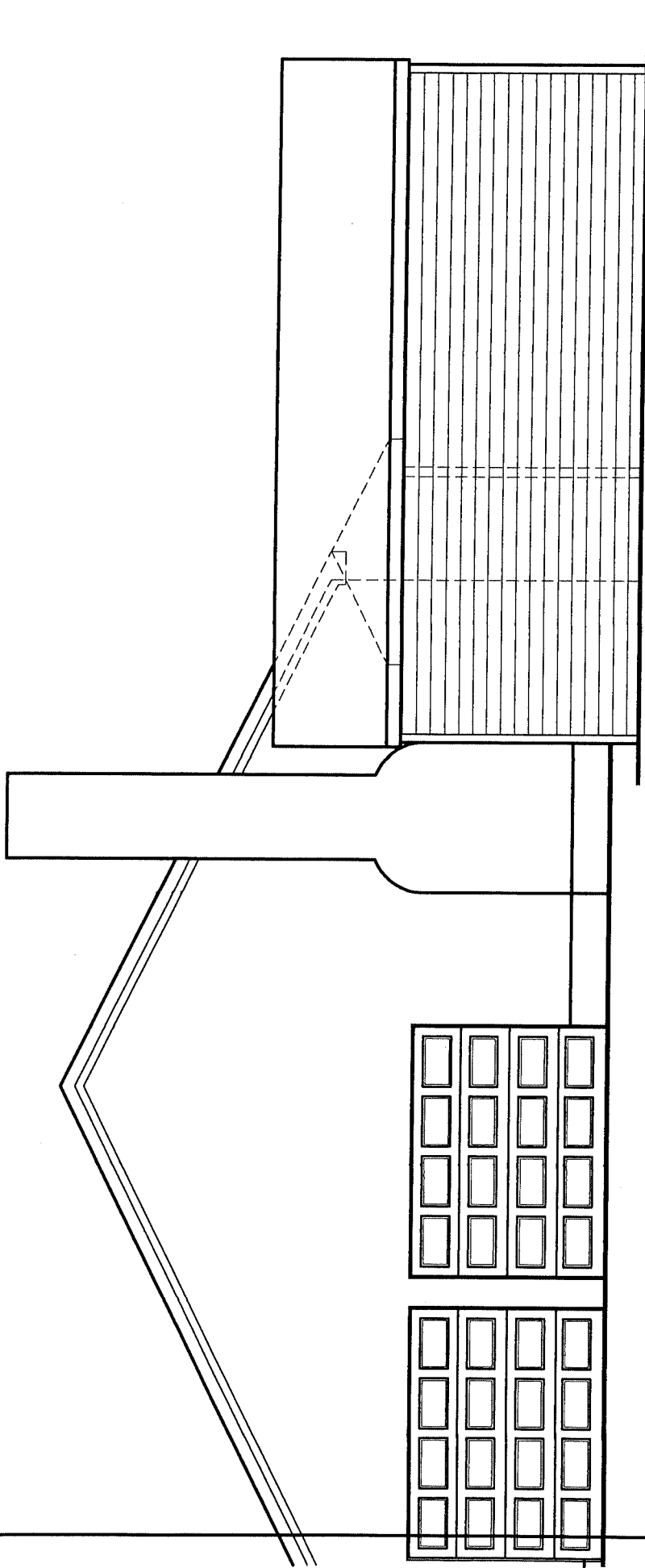


GARAGE

**7633 THUNDER RIDGE
FLORENCE, KY**

FRONT ELEVATION

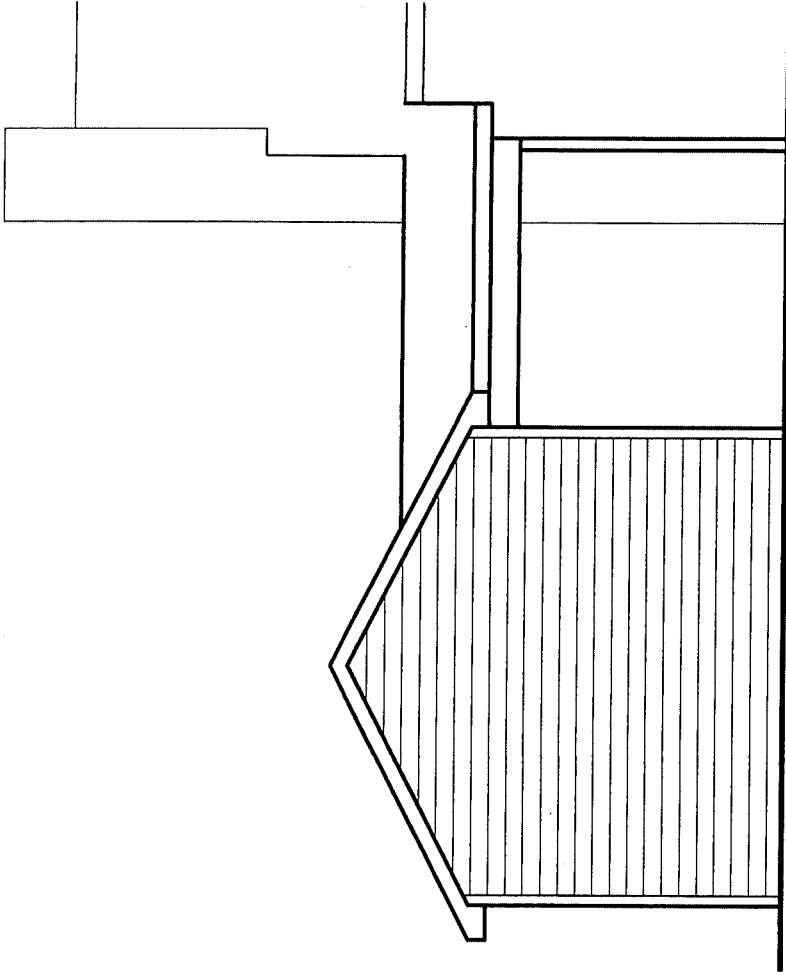
SCALE 3/16" = 1'-0"



RIGHT ELEVATION

SCALE 3/16" = 1'-0"

GARAGE
7633 THUNDER RIDGE
FLORENCE, KY



REAR ELEVATION

SCALE 3/16" = 1'-0"

GARAGE
T633 THUNDER RIDGE
FLORENCE, KY

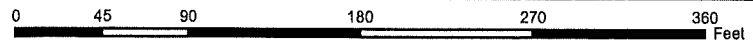
2013 AERIAL MAP

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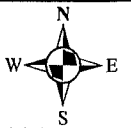
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1 inch = 100 feet

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Boone County GIS 12/10/12

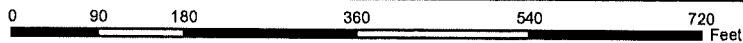
ZONING MAP

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Boone County GIS 2012

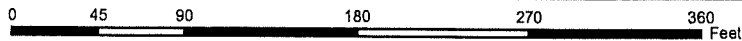
TOPOGRAPHICAL MAP

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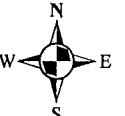
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(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: John W. Giles, Jr.
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)