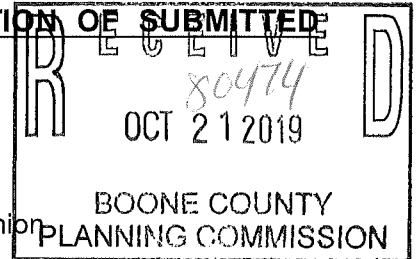


APPLICATION FORM

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 [checked] Variance \_\_\_\_\_ Appeal \_\_\_\_\_
3. Applicant's Name Ron & Annie Vanlandingham
Applicant's Address 1895 Palladian Dr Apt 1221
City Erlanger Ky 41042
State \_\_\_\_\_ Zip \_\_\_\_\_
Phone Number 859 991 0176 Fax No. \_\_\_\_\_ E-Mail Rvanlandingham@fischerhomes.com
4. Description of Request: Variance of setback on home from street
5. Name of Development Eagle Oak Estates
6. Location of Development 1496 Grapevine Ridge, Walton, Ky. 41094
7. Acreage Under Review 1496 Grapevine Ridge Walton, Ky. 41094
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot # 6 - Eagle Oak Estates
9. Owner of Property Ron & Annie Vanlandingham
Address of Property Owner 1496 Grapevine Ridge, Walton Ky 41094
10. City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
Phone Number 859 991 0176 Fax No. \_\_\_\_\_ E-Mail rvanlandingham@fischerhomes.com
11. Proposed Use(s) on Site Single family Home
12. Total Square Footage of Existing and/or Proposed Buildings 2208 1st floor porch
13. Current Zoning on Property \_\_\_\_\_
14. Deed Book 1129 Page No. 555 Group No. 2076A
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 10-21-19 Fee Received \$632.00 Receipt # 80474
2. Is application complete?  Yes  No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 11/13/19
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

#3

APPLICANT: Roan and Angie Vanlandingham

LOCATION: 1496 Grapevine Ridge, Boone County, Kentucky

ZONING: Agricultural Estate (A-2)

DATE: November 13, 2019

### PROPOSAL

The applicant is requesting a Variance reducing the front yard setback from 60 feet to 52.5 feet to allow the construction of a single family residential dwelling.

### SITE HISTORY

- 2016 On October 12, 2016, the Boone Board of Adjustment denied a variance request to reduce the minimum front yard setback from sixty (60) feet to twenty-five (25) feet for property located at 12241 Eagle Ridge.
- 2019 On August 20, 2019, the Boone County Planning Commission staff approved a zoning permit to allow the construction of a single family residential dwelling with a 60 foot front yard setback.

### APPLICABLE REGULATIONS

- A. Section 250 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- B. Section 250 of the Boone County Zoning Regulations defines a variance as a departure from 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.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 251 of the Boone County Zoning Regulations.
1. Findings listed in Section 251:
    - a. 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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
      - (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;

- (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- b. 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.
- D. Section 3111 of the Boone County Zoning Regulations requires a minimum front yard setback of sixty (60) feet in the A-2 zone.
- E. Section 620 of the Boone County Zoning Regulations states that “Agricultural Estate district is to provide for low density residential development and on a limited basis agricultural uses or agricultural related uses in context of a rural environment.”

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question as “Rural Density Residential”. This designation is defined as low density residential uses of up to one dwelling unit per acre.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
- Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
- Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
- C. Grapevine Ridge is identified as a local street, having a pavement width of twenty-five (25) feet. There are no sidewalks along the roadway.

#### SITE CHARACTERISTICS

- A. The approximate 1.8 acre property is located along the northwest side of Grapevine Ridge, approximately 350 feet east of Eagle Ridge. The site is currently being developed with a single family residential dwelling.
- B. Access to the site is to be provided via a curb onto Grapevine Ridge.

C. The topography of the site has been modified to create a building pad.

SURROUNDING LAND USES AND ZONING

North: Vacant land (A-2)

South: Single-family (A-2)

East: Vacant land (A-2)

West: Single-family (A-2)

PROPOSED DEVELOPMENT

A. The applicant is proposing to reduce the minimum required front yard setback from 60 feet to 52.5 feet, a reduction of 7.5 feet.

STAFF COMMENTS

A. It is the understanding of staff that while the applicant has an approved zoning permit, with the required 60 foot front yard setback, when siting the building for construction, an error was made resulting in the house being set back 65 feet from the roadway pavement and 52.5 feet from the front property line.

B. The properties located at 12216 and 12217 Eagle Ridge have existing corner side yard setbacks of approximately forty-five (45) feet.

CONCLUSION

A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

B. Section 251 of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully submitted,



Michael D. Schwartz  
Planner

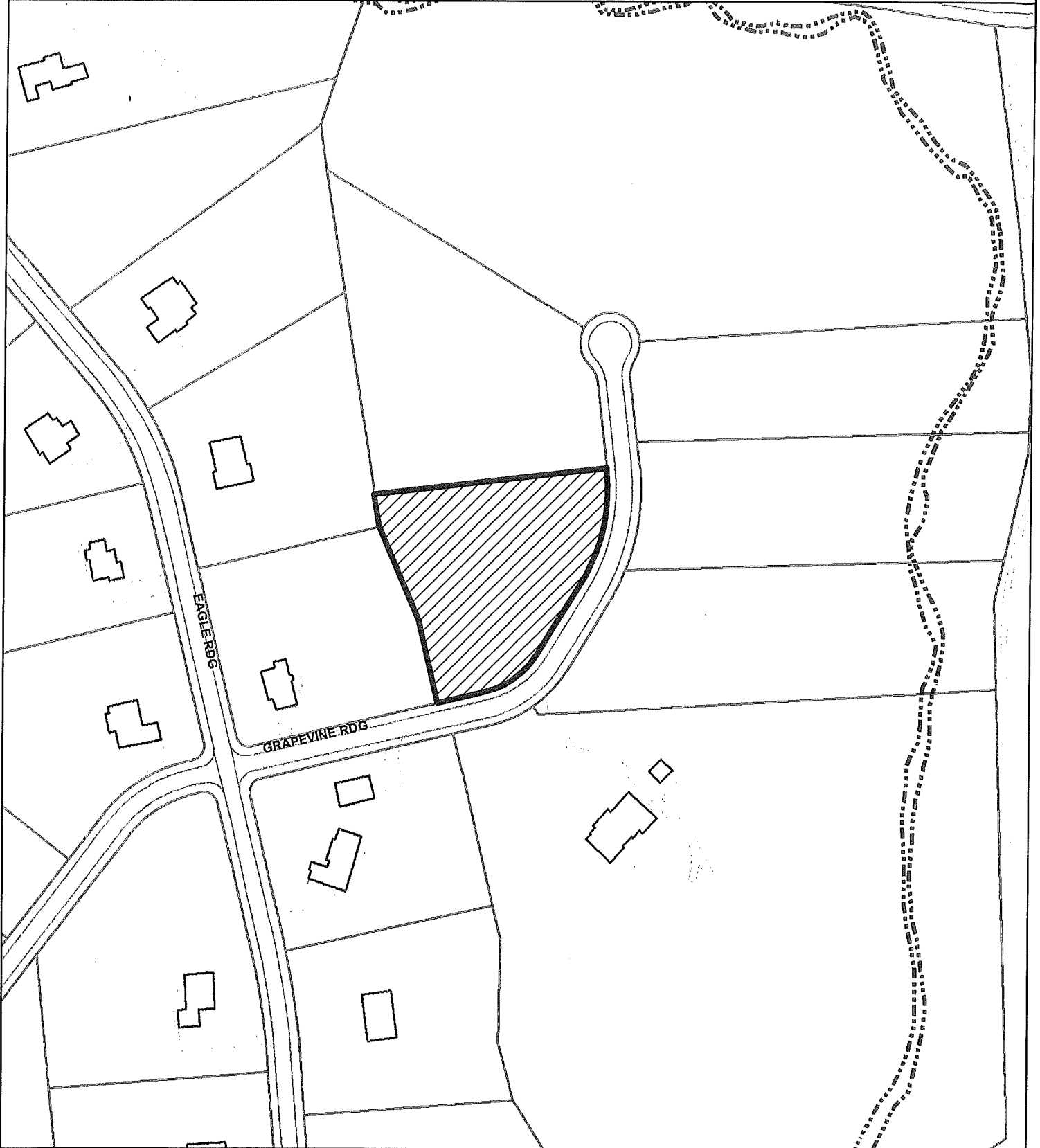
MDS/ss

Attachments  
\*Vicinity Map

- \*Aerial Map
- \*Topographical Map
- \*Zoning Map
- \*2040 Future Land Use Map
- \*Application
- \*Development Plan

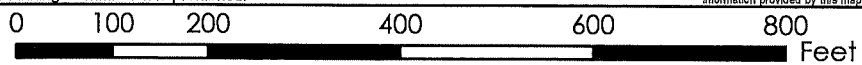
# Vicinity Map

www.boonecountygis.com



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1 inch = 200 feet



Map Created: 01/01/2018

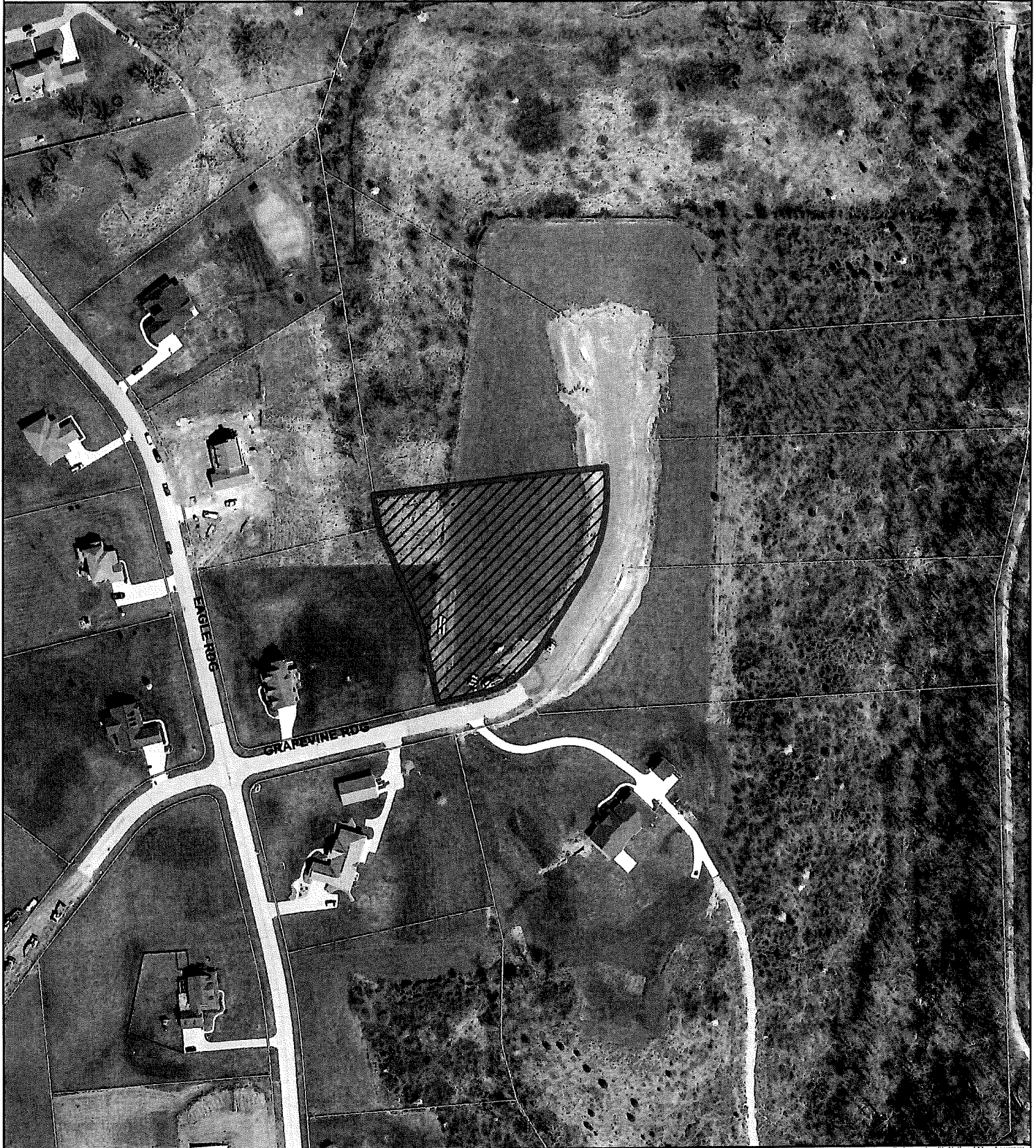
**Boone County GIS - Putting Northern Kentucky on the Map**



2018 Print & Embroidery: Boone GIS 1/1/18  
ArcMap Document: \*.mxd

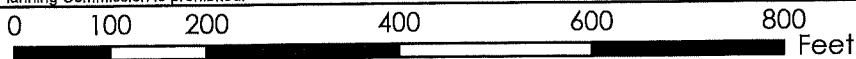
# Aerial Map

www.boonecountygis.com

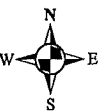


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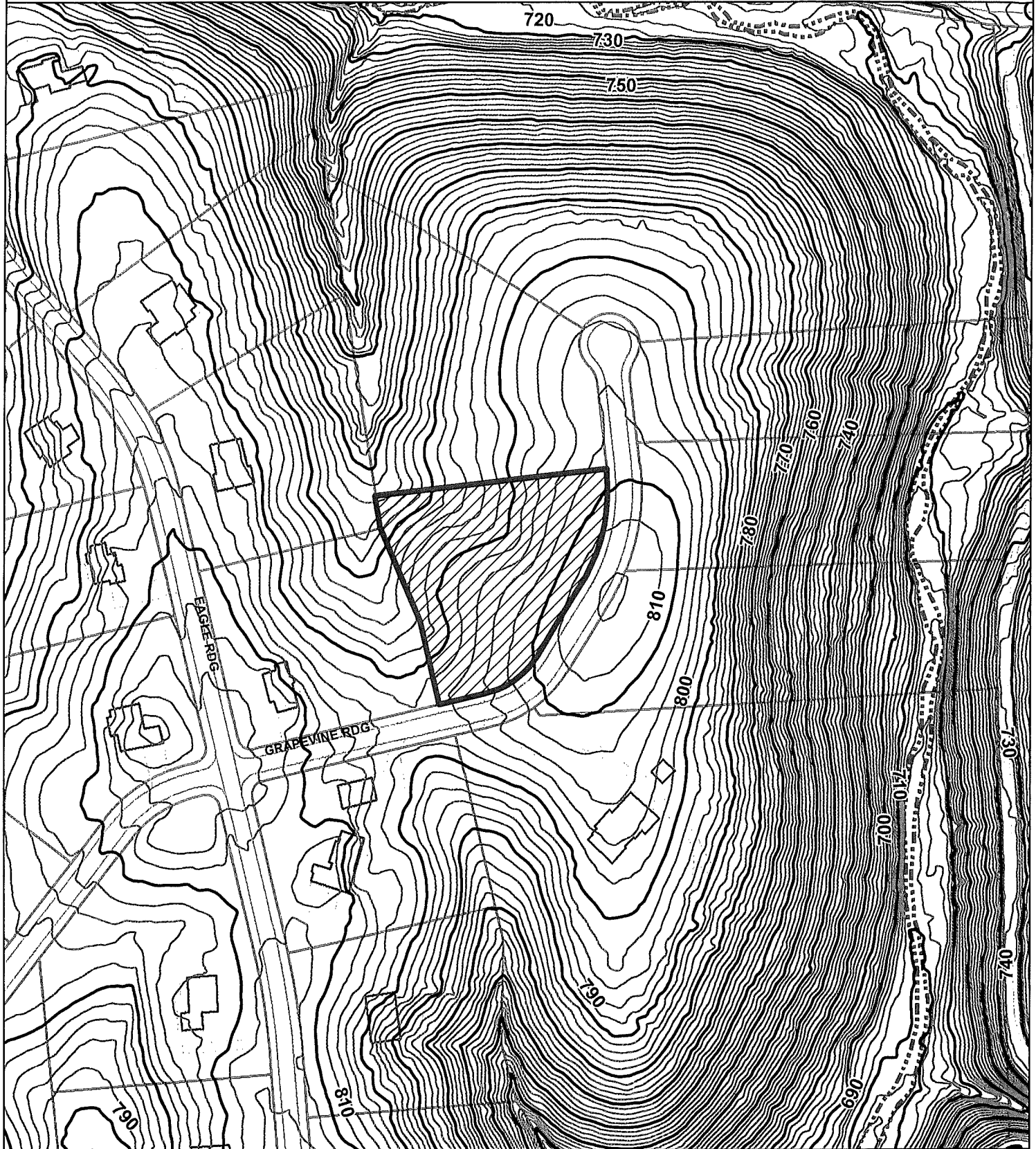
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**Boone County GIS - Putting Northern Kentucky on the Map**

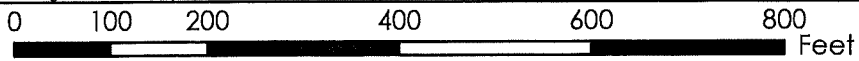
# Topographical Map

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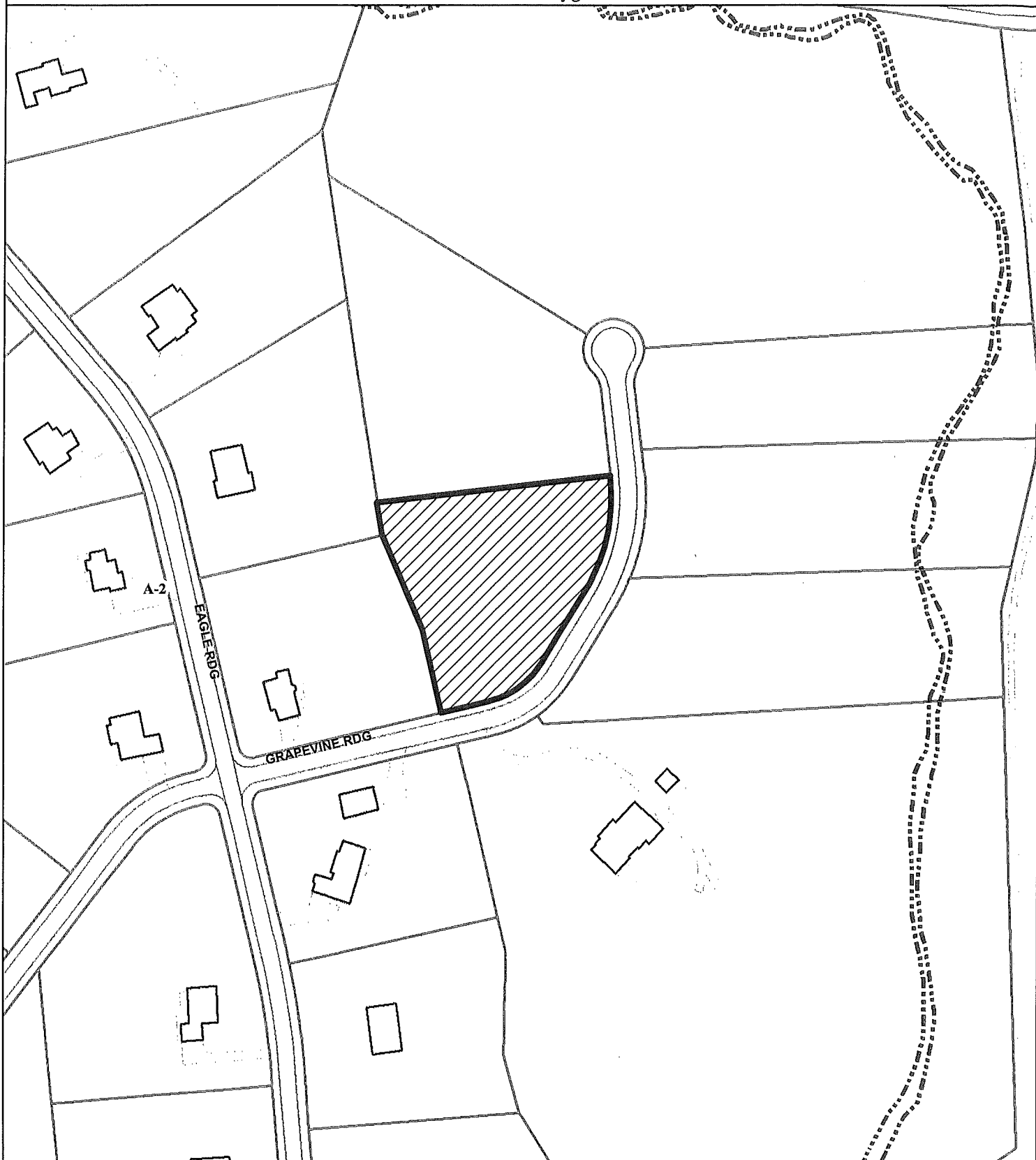
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Map Created: 01/01/2018

Map File: C:\GIS\Map\2018\Map.mxd  
ArcMap Document: \*.mxd

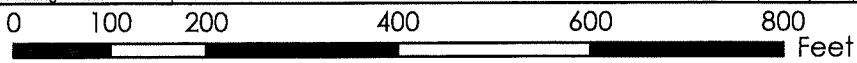
# Zoning Map

www.boonecountygis.com



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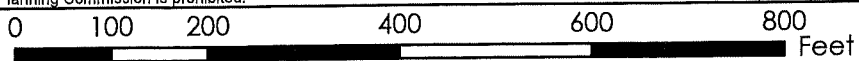
# 2040 Future Land Use Map

www.boonecountygis.com



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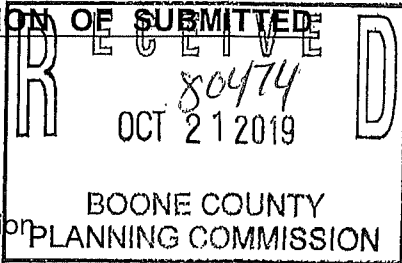


APPLICATION FORM

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See Boone County Zoning Regulations



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Applicant's Address 1895 Palladian Dr Apt 1221
City Erlina Ky 41042 State \_\_\_\_\_ Zip \_\_\_\_\_
4. Phone Number 859-991-0176 Fax No. \_\_\_\_\_ E-Mail rvanlandingham@fischerhomes.com
Description of Request: Variance of setback on home from street
5. Name of Development Eagle Oak Estates
6. Location of Development 1496 Grapvine Ridge, Walton, Ky. 41094
7. Acreage Under Review 1496 Grapvine Ridge Walton, Ky. 41094
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**BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2**

**SECTION B** (To be completed by the Boone County Planning Commission Staff)

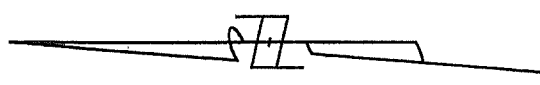
1. Date Received 10-21-19 Fee Received \$632.00 Receipt # 80474
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
 **Approved**  
 **Approved with Conditions (See #6)**  
 **Denial (See #7)**
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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.**

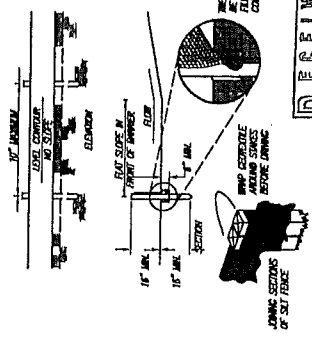
**An application consists of all fees paid in full, submitted drawings and a completed application form.**



**NOTES:**

1. TOPOGRAPHIC & UTILITY INFORMATION TAKEN FROM CONSTRUCTION DEVELOPMENT PLANS & THE LATEST BOONE COUNTY GIS DATA.
2. ALL SEPTIC AND RESERVE SEPTIC AREAS ARE TO BE CLEARLY MARKED PRIOR TO CONSTRUCTION OF ANY KIND ON THIS LOT, AND NO CONCRETE OR PERMANENT SOIL FROM THIS AREA TO KEEP CONCRETE FROM BEING PLACED INTO THE SOIL. SEE DESIGN OF ON SITE SEPTIC SYSTEM DESIGNED BY OTHERS.
3. DOWNSPOUTS TO DISCHARGE ONTO SPASHLOCKS UNLESS OTHERWISE NOTED.

**SPECIFICATIONS FOR SALT FENCE**



**RECEIVED**  
 OCT 21 2018  
 BOONE COUNTY  
 PLANNING COMMISSION

**PLOT PLAN**

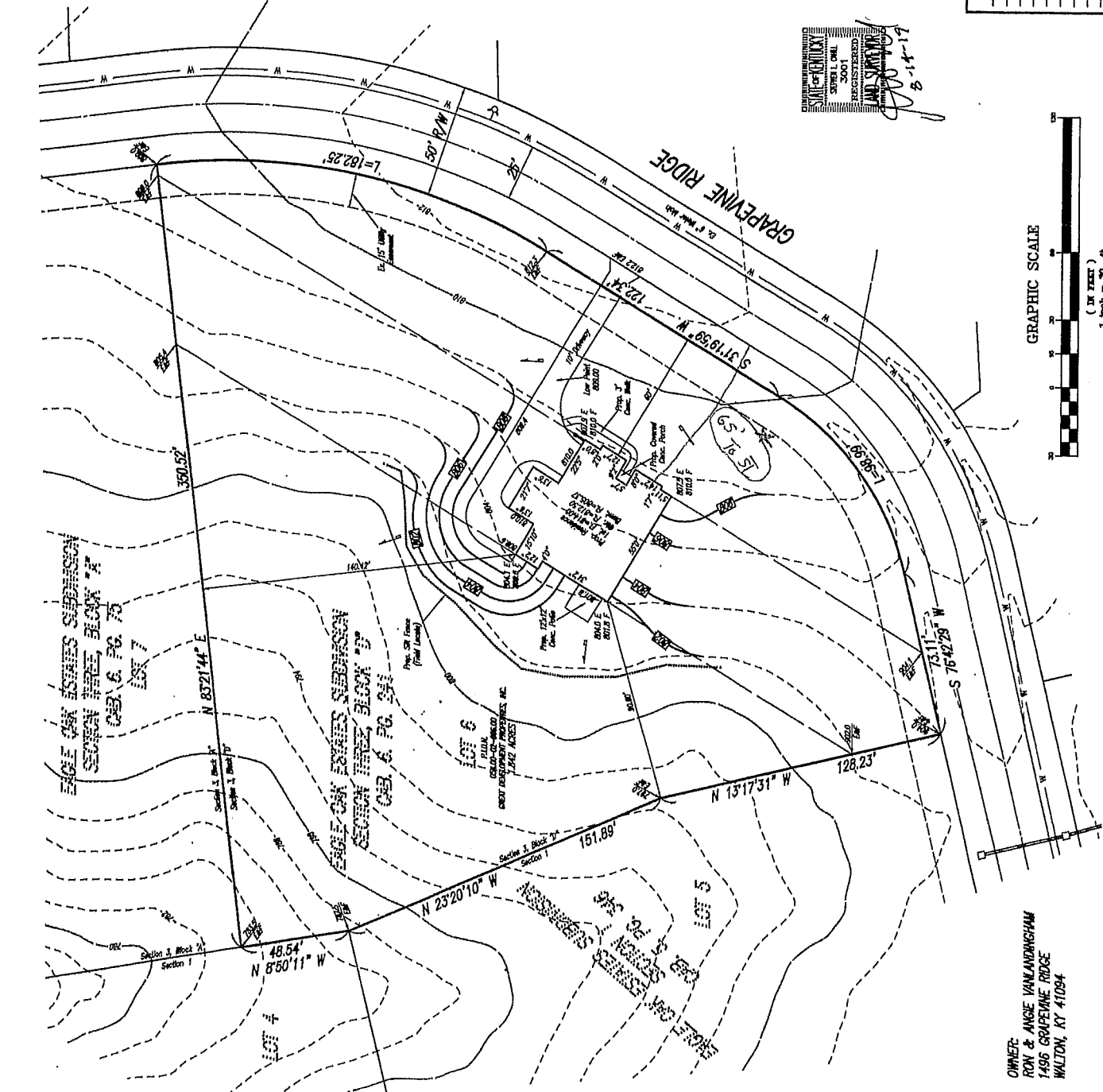
THIS DRAWING IS INTENDED FOR BUILDING PERMIT PURPOSES ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY-NOT INTENDED FOR LAND TRANSFER

1496 GRAPEVINE RIDGE  
 EAGLE OAK ESTATES SUBDIVISION  
 UNINCORPORATED BOONE COUNTY, KENTUCKY

**A**  
 Abercrombie  
 & Associates, Inc.  
 Civil Engineering & Surveying  
 #11 Charles Road, Suite 200 - Cincinnati, Ohio 45247  
 513-535-5277 - www.abercrombie.com

SCALE	DATE	JOB NO.	DRAWN
1" = 30'	8-12-19	79-0146	J.C.

REVISIONS



REGISTERED  
 SURVEYOR  
 BOONE COUNTY, KY  
 2001  
 B-14-17

OWNER:  
 RON & ANGE VANLANDINGHAM  
 1496 GRAPEVINE RIDGE  
 WALTON, KY 41094

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Ron & Angie Vanlandingham  
1496 Grapevine Ridge  
Walton, KY 41094

2. ADDRESS OF PROPERTY

1496 Grapevine Ridge  
Walton, KY 41094

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Ron & Angie Vanlandingham

4. DEED BOOK 1129

PAGE NO. 555

GROUP NO. 2076A

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

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


Michael D. Schwartz - Planner  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz

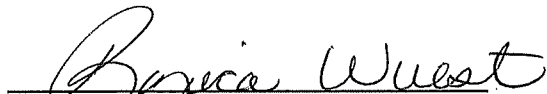
on behalf of the Boone County Planning Commission this 14 day of November, 2019.



Treva L. Beagle  
Notary ID 588897  
NOTARY PUBLIC, State at Large

My commission Expires:  
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest  
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.)