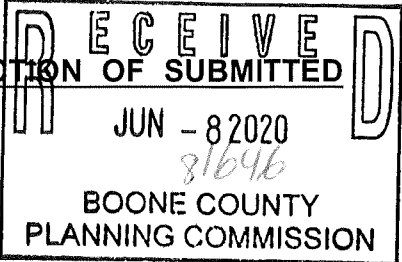


APPLICATION FORM

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 [checked] Appeal _____ Change in Non-Conforming Use _____
3. Applicant's Name Alison Bohman
Applicant's Address 10240 Cherry Lane
Florence Ky 41042
City State Zip
Phone Number 859-391-1572 Fax No. _____ E-Mail ali.bohman@gmail.com
4. Description of Request: Add roof to existing porch
5. Name of Development _____
6. Location of Development 10240 Cherry Lane
Florence, Ky 41042
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot PTS 392 393 Parcel B Highland Acres (740-318)
9. Owner of Property same as above
Address of Property Owner 10240 Cherry Lane
Florence Ky 41042
City State Zip
Phone Number 859-391-1572 Fax No. _____ E-Mail alibohman@gmail.com
11. Proposed Use(s) on Site roof on attached porch
12. Total Square Footage of Existing and/or Proposed Buildings _____
13. Current Zoning on Property SC-1
14. Deed Book 1075 Page No. 8 Group No. 2058
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: Alison Bohman
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Alison Bohman
(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 6-8-20 Fee Received \$666.00 Receipt # 81646
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 7/8/2020
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 - 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

#1

APPLICANT: Alison Bohman

LOCATION: 10240 Cherry Lane, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: July 8, 2020

PROPOSAL

The applicant is requesting a Variance to reduce the minimum required front yard setback from thirty (30) feet to fifteen (15) feet to allow the construction of a roof over the existing porch.

SITE HISTORY

1969 –

1974 Based on information contained in the Boone County GIS, the existing house was constructed between 1969 and 1974.

2016

On August 5, 2016, the Boone County Planning Commission approved a zoning permit to allow the installation of an above ground pool.

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 3110 of the Boone County Zoning Regulations requires a minimum front yard setback of thirty (30) feet in the SR-1 district.

E. Section 3123 of the Boone County Zoning Regulations states that open structures such as porches, decks, canopies, balconies, platforms, carports, covered patios and similar architectural projections which occupy space three (3) feet above the general ground level of the yard shall be considered part of the building to which attached and shall not project into the required minimum front, side, or rear yard.

F. Section 1130 of the Boone County Zoning Regulations states that “the purpose of the Suburban Residential One district is to provide a low density, residential environment whose dwelling types and densities are typical of a suburban character. It is also to provide limited or passive and active recreational uses that are appropriate to the permitted uses in the district. Suburban Residential One districts will be located on lands within established urban areas where adequate infrastructure facilities and services are available or proposed.”

RELATIONSHIP TO THE COMPREHENSIVE PLAN

A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question for “Suburban Density Residential” uses.

Suburban Density Residential is defined as single family housing of up to four units 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).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).

Maintenance of sound existing housing and rehabilitation of deteriorating housing shall be encouraged and incentivized (Demographics Goal B, Objective 2).

Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).

- C. Cherry Lane is identified as a local street providing for two way traffic. There are no sidewalks along the roadway.

SURROUNDING LAND USES AND ZONING

North: Single family (SR-1)

South: Single family (SR-1)

East: Multi family (UR-1)

West: Single family (SR-1)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to construct a 6'-6" x 16'-0" roof extension over the existing porch.
- B. The proposed roof extension will be set back fifteen (15) feet from the front property line, the same distance as the existing porch.

STAFF COMMENTS

- A. There are a total of fifteen 15 houses along Cherry Lane in the vicinity of the site. Of those, ten (10) have covered front porches.
- B. Based on information from the Boone County GIS, the average front yard setback for houses along Cherry Lane, in the vicinity of the site in question, is twenty-eight (28) 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

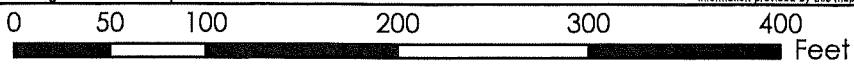
Vicinity Map

www.boonecountygis.com



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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 = 100 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2018

Boone County GIS
ArcMap Document: *.mxd

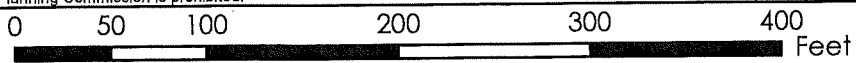
Aerial Map

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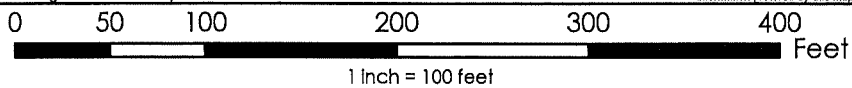
Topographical Map

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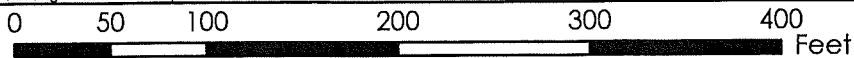
2040 Future Land Use Map

www.boonecountygis.com



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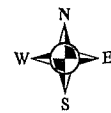
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APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

RECEIVED
JUN - 8 2020
81646
BOONE COUNTY
PLANNING COMMISSION

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See Boone County Zoning Regulations

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- (Check One)
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 Change in Non-Conforming Use
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Florence Ky 41042
City State Zip
Phone Number 859-391-1572 Fax No. _____ E-Mail alibohman@gmail.com
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7. Acreage Under Review _____
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If yes, give date of approval _____
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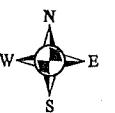
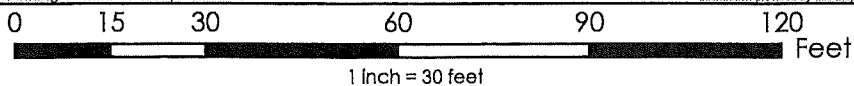
Boone County GIS Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

ArchMap Document *.mxd

(C-1017)

CLUR #20-BCBOA-010-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Alison Bohman
10240 Cherry Lane
Florence, KY 41042

- 2. ADDRESS OF PROPERTY
10240 Cherry Lane
Florence, KY 41042

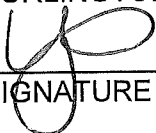
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Alison Bohman

- 4. DEED BOOK 1075 PAGE NO. 8 GROUP NO. 2058

- 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

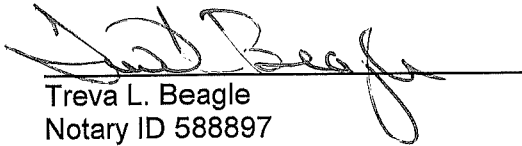
Michael D. Schwartz, Planner
Name and Title of Completing Official

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 9 day of July, 2020.



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.)