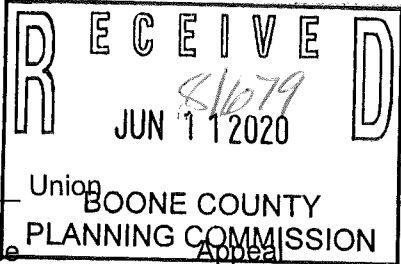


APPLICATION FORM

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)
- Boone _____ Florence _____ Walton _____ Union _____
 - (Check One) _____ Conditional Use Permit Variance _____ Appeal _____
Change in Non-Conforming Use
 - Applicant's Name Carolyn Knipp
Applicant's Address 1754 Graves Road
Hebron KY 41048
City State Zip
 - Phone Number 859-393-2189 Fax No. _____ E-Mail CKnipp2@jattbo.com
Description of Request: Building House
 - Name of Development 1754 Graves Road
 - Location of Development 1754 Graves Road
 - Acreage Under Review 2.38 acres
 - Lot Number and Name of Subdivision (if part of a subdivision) _____
 - Owner of Property Roy & Carolyn Knipp
Address of Property Owner 1754 Graves Road
Hebron KY 41048
City State Zip
 - Phone Number 859-393-2189 Fax No. _____ E-Mail CKnipp2@jattbo.com
Proposed Use(s) on Site Single Family Residential
 - Total Square Footage of Existing and/or Proposed Buildings 1500 sqft 1 story
 - Current Zoning on Property RSE
 - Deed Book 589 Page No. 107 Group No. 2006
 - Is the site subject to a zone change? No
If yes, give date of approval _____
 - Have you submitted a Site Plan with this request? YES
 - Have you submitted a list of adjoining property owners with this request? Yes
 - 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: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's 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 6-11-20 Fee Received \$666.00 Receipt # 81679
2. Is application complete? 5 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

#2

APPLICANT: Carolyn Knipp

LOCATION: 1754 Graves Road, Boone County, Kentucky

ZONING: Rural Suburban Estates (RSE)

DATE: July 8, 2020

PROPOSAL

The applicant is requesting a Variance to reduce the minimum required rear yard setback from forty (40) feet to ten (10) feet to allow the construction of a single family residential dwelling.

SITE HISTORY

1960 –

1969 Based on information contained in the Boone County GIS, the existing house was constructed between 1960 and 1969.

2014

On January 21, 2014, the Boone County Planning Commission approved a zoning permit to allow the construction of a garage.

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 rear yard setback of forty (40) feet in the RSE district.
- E. Section 910 of the Boone County Zoning Regulations states that the RSE district "... should be located where there may be a limited feasibility or desire or need for providing or requiring all infrastructure normal to support a suburban or urban neighborhood. The purpose of the Rural Suburban Estates district is to provide a residential environment whose dwelling types and densities are typical of a semi-suburban character. Such districts will be located on lands adjacent to established urban areas, but which are not suitable for larger scale or more densely developed suburban or urban residential use."

RELATIONSHIP TO THE COMPREHENSIVE PLAN

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

High Suburban Density Residential is defined as single family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks.

- 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. Graves Road is currently identified as a collector street providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.

SURROUNDING LAND USES AND ZONING

- North: Single family (RSE)
- South: Single family and agricultural (RSE)
- East: Vacant/undeveloped (RSE)
- West: Single family, agricultural, and vacant/undeveloped (RSE)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to construct a one story single family residential dwelling on the site in question, having the same rear yard setback as the existing barn.
- B. If the applicant is required to maintain the minimum rear yard setback of forty (40) feet, their proposed house will be approximately 140 feet from the edge of the new 5-lane roadway. If the proposed variance is approved, their proposed house will be approximately 170 feet from the edge of the new 5-lane roadway.

STAFF COMMENTS

- A. The Kentucky Transportation Cabinet (KYTC), in cooperation with the Federal Highway Administration (FHWA), is constructing a new interchange on Interstate 275 in northern Boone County, KY. The interchange will be located between the existing Petersburg (Exit 11) and Hebron/KY-237 (Exit 8) interchanges, about 1 mile west of Exit 8. The project includes the widening and realignment of Graves Road, between Petersburg Road and North Bend Road. Construction has already begun and is expected to conclude in 2022.
- B. As a 'Design Build' project, the design drawings are continually changing and will do so throughout the construction process. However, it is anticipated that the roadway will be a five lane section (two lanes in each direction with a center left turn lane) and sidewalks provided along both sides of the roadway.
- C. Once completed, Graves Road will become a state maintained roadway (KY 495).
- D. The current design of the realigned Graves Road shifts the roadway to the southeast, through the site in question. It is expected that the Highway Department will need to acquire a portion of the site leaving the applicant with approximately one (1) acre of land

measuring approximately 275 feet wide by 160 feet deep.

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

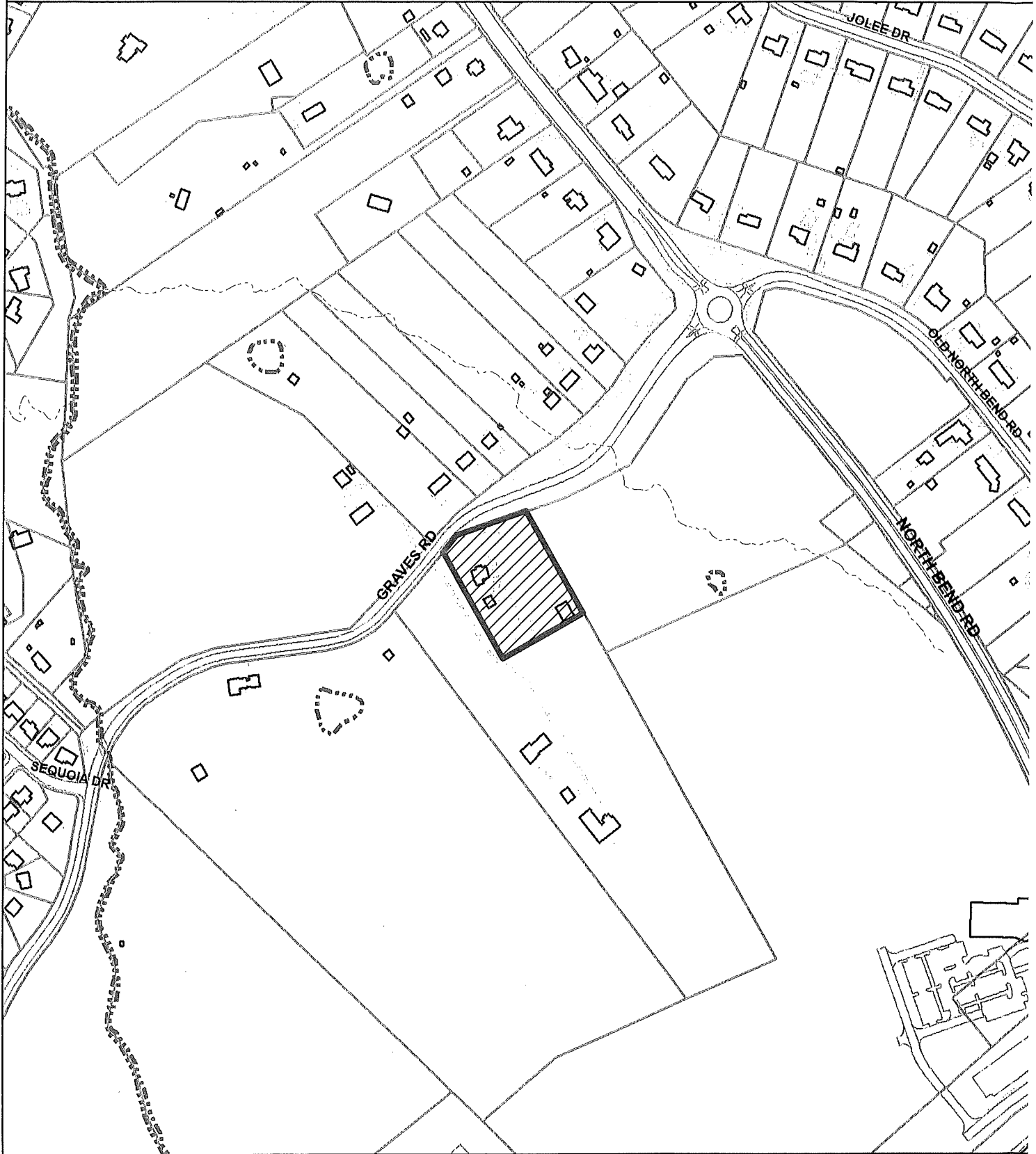
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Road Improvement Map
- *Application
- *Development Plan

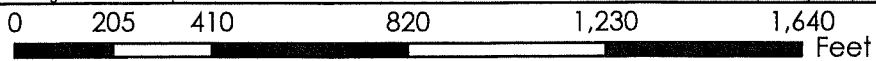
Vicinity Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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 = 400 feet



Map Created: 01/01/2018

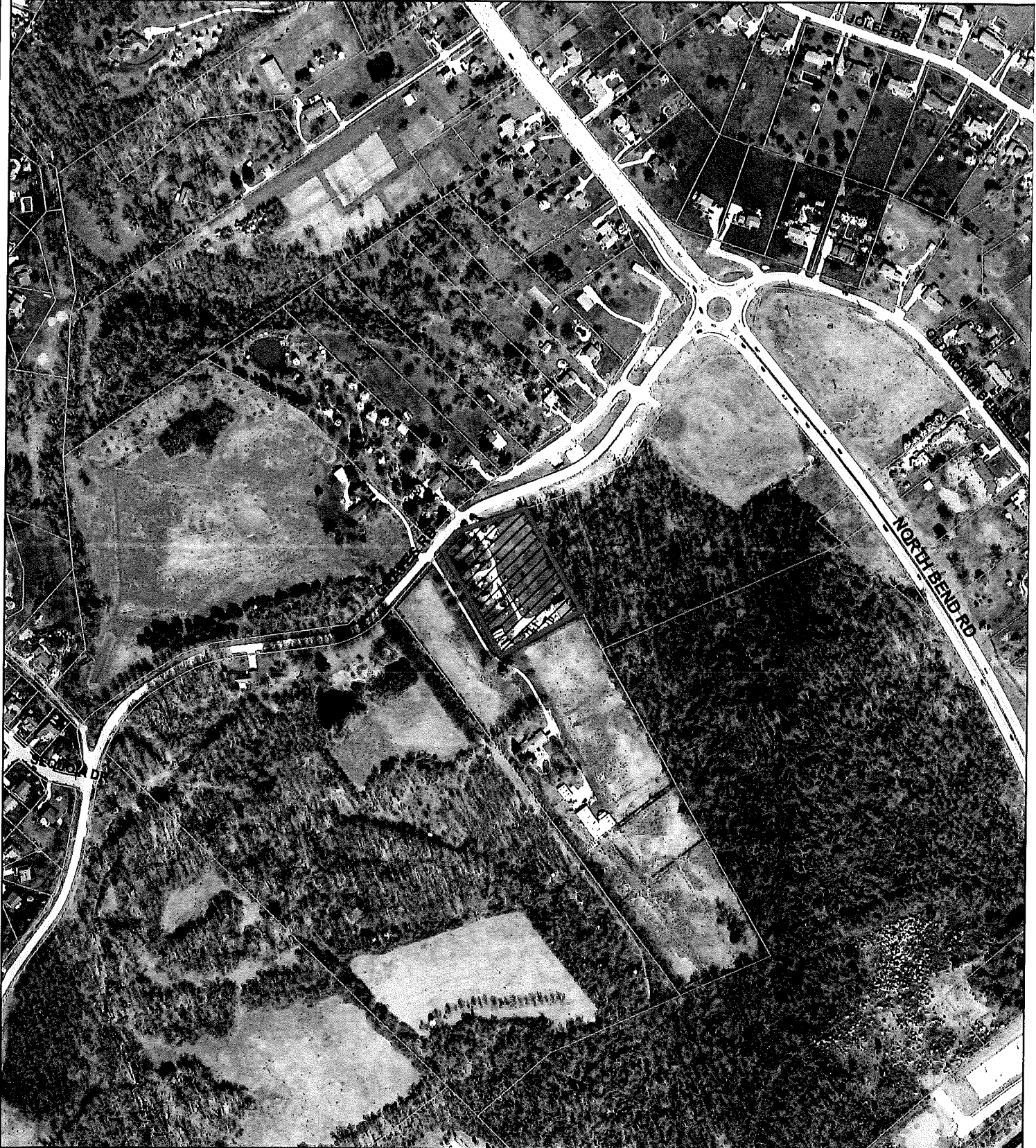
Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Document: *.mxd

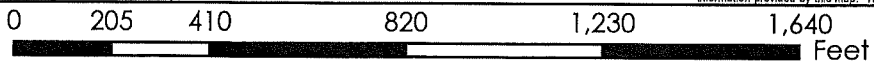
Aerial Map

www.boonecountygis.com

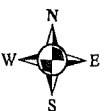


Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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 = 400 feet



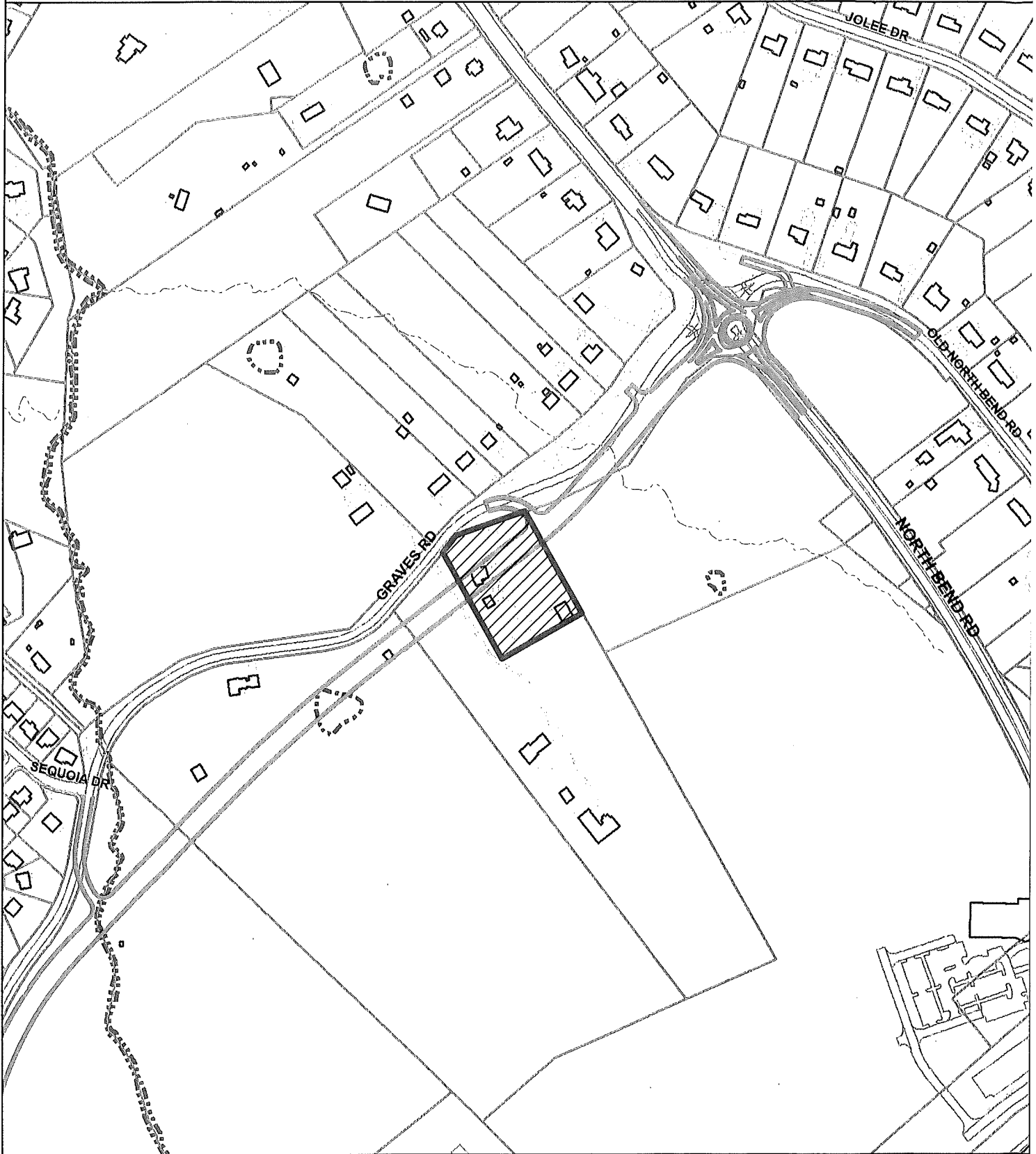
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2018

North Arrow & Metadata from: 1/1/18
ArcMap Document: *.mxd

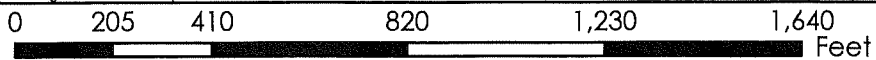
Roadway Improvement Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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 = 400 feet



Map Created: 01/01/2018

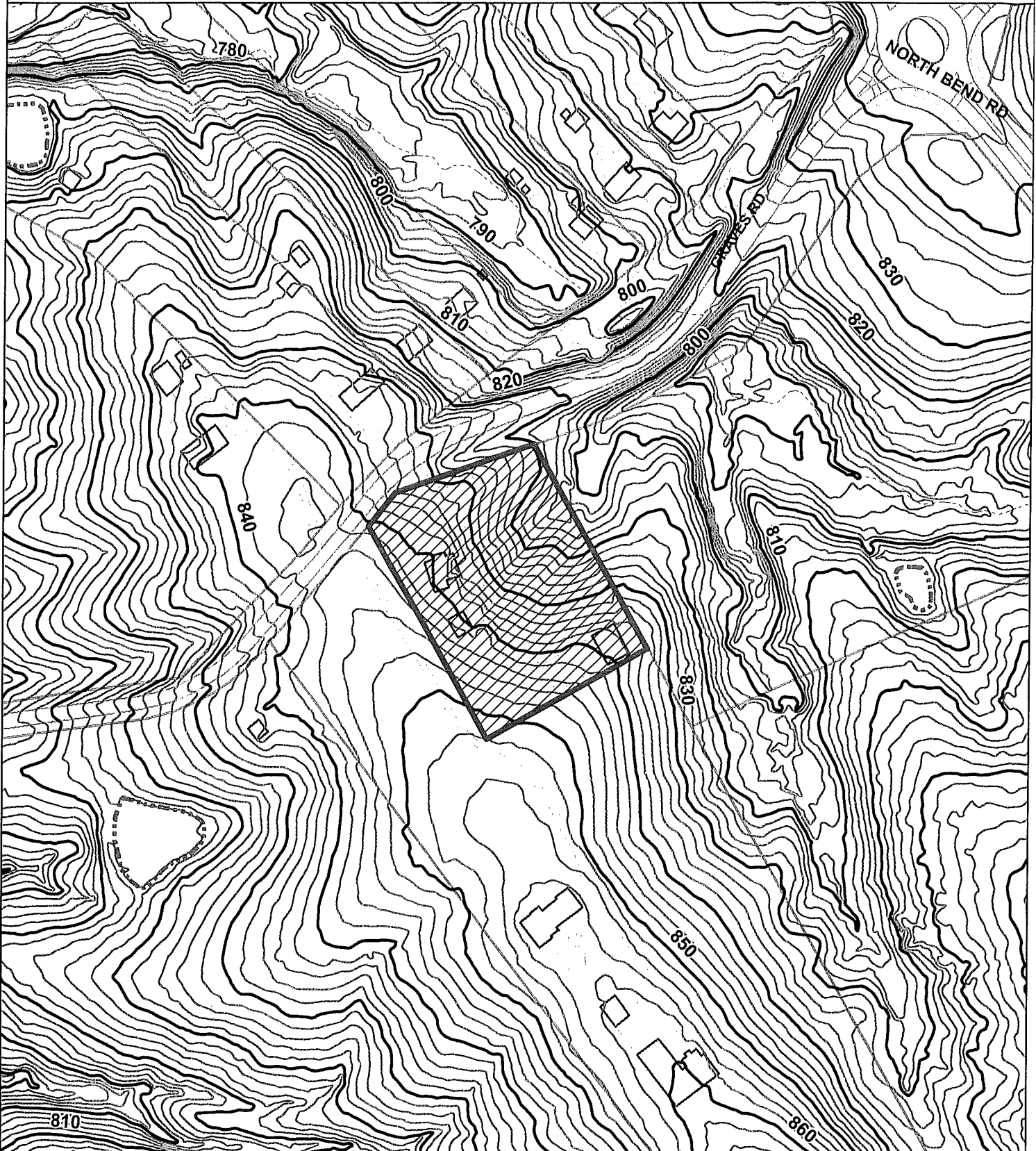
Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Document: *.mxd

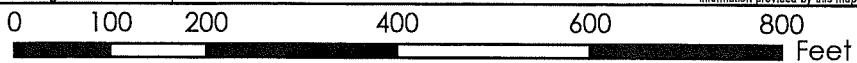
Topographical Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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 = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

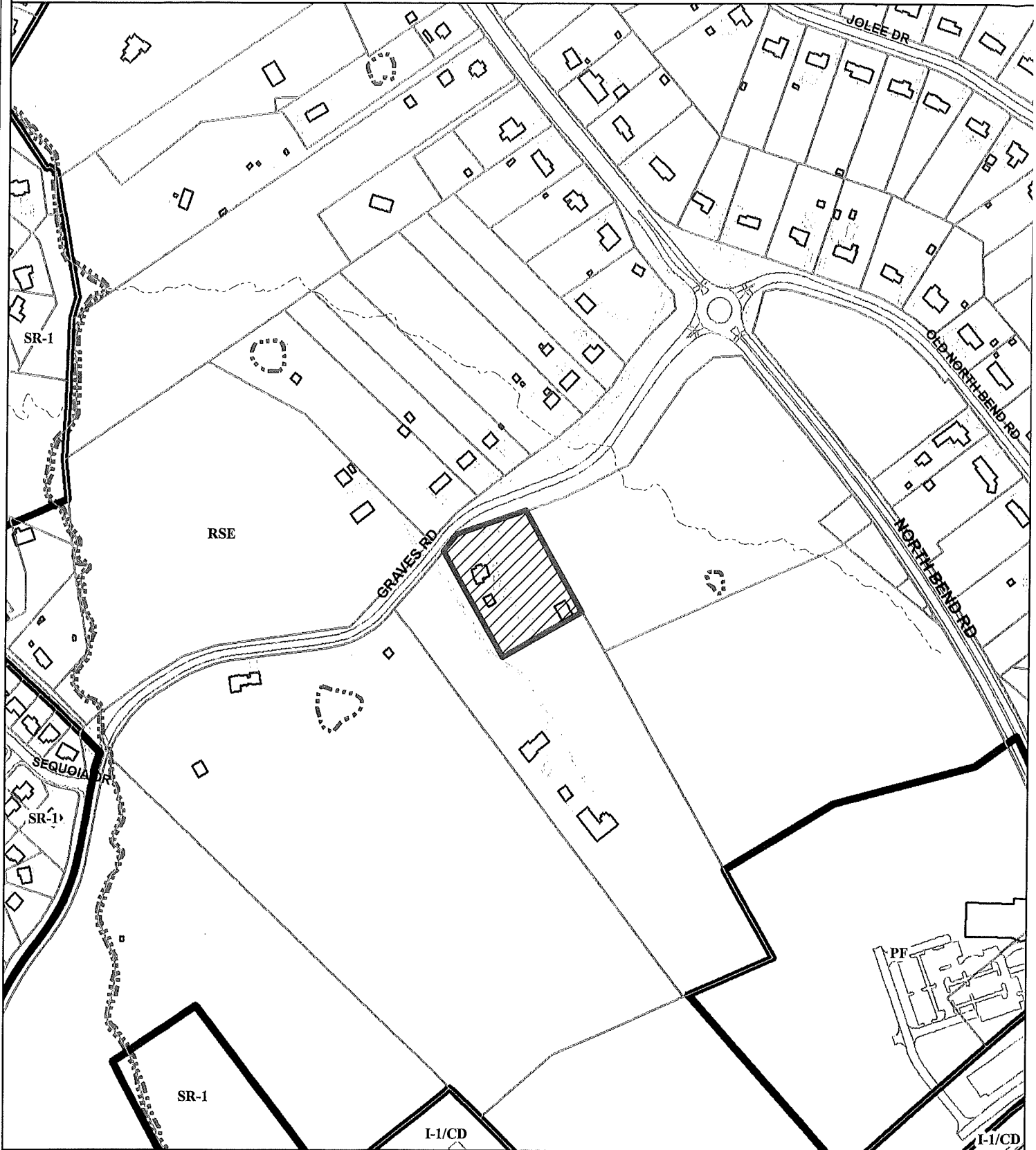


Map Created: 01/01/2018

Map File: C:\gis\maps\2018\2018_01_01_1.mxd
ArcMap Document: 2.mxd

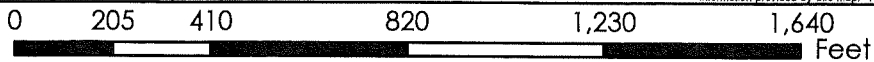
Zoning Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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 = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

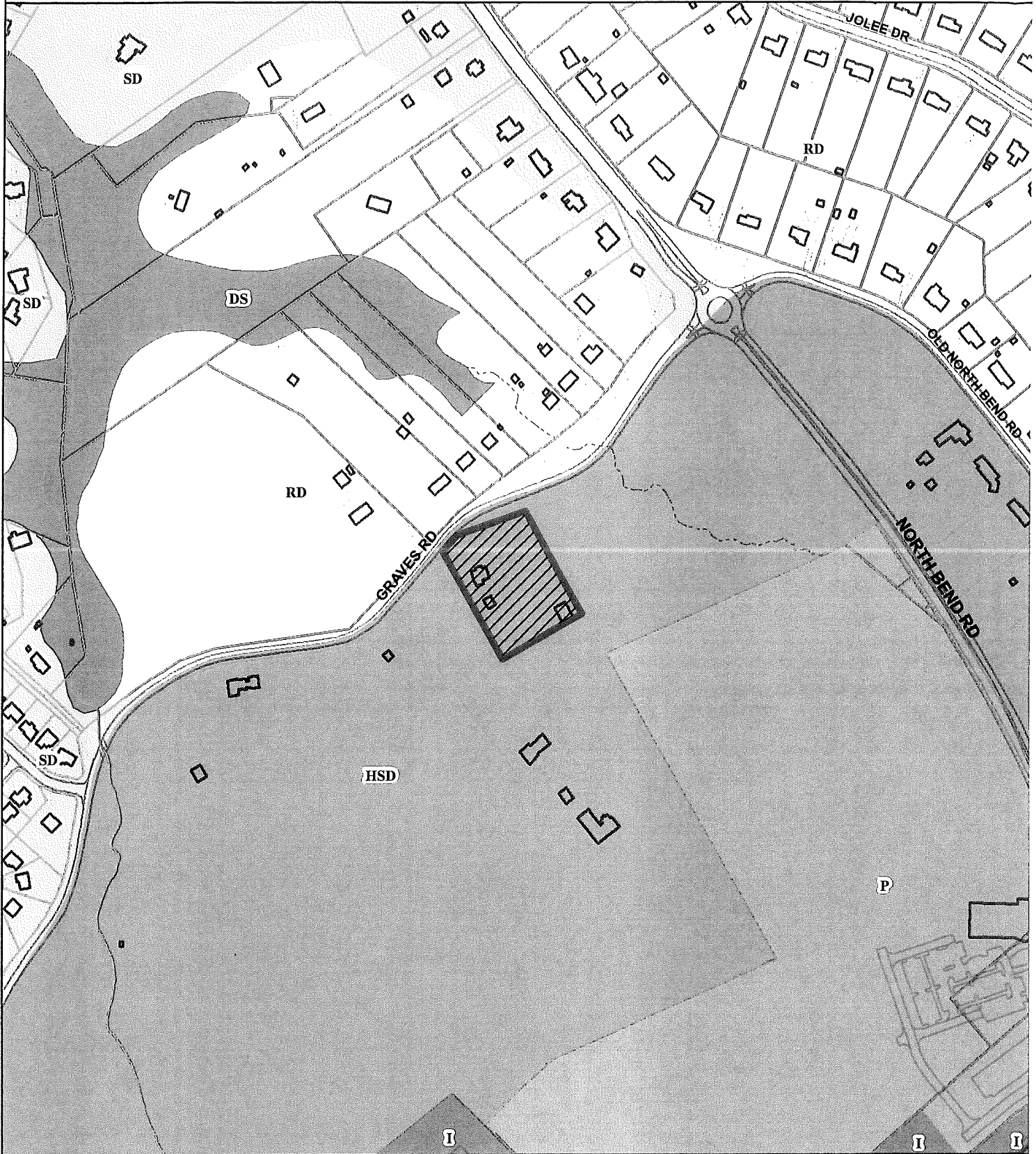


Map Created: 01/01/2018

Boone County GIS
ArcMap Document: *.mxd

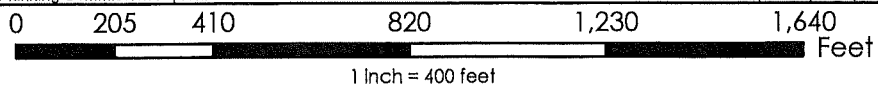
2040 Future land Use Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 01/01/2018

Boone County GIS
ArcMap Document: *mxd

Road Improvement Map

www.boonecountygis.com

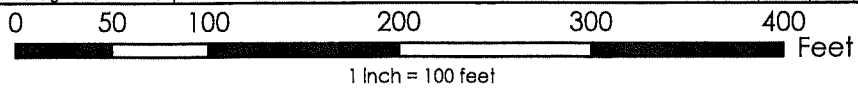


Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



Boon



Map Created: 01/01/2018

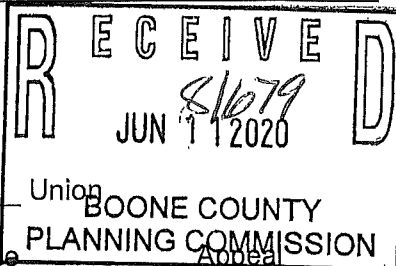
Boone County GIS
ArcMap Document: *.mxd

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)

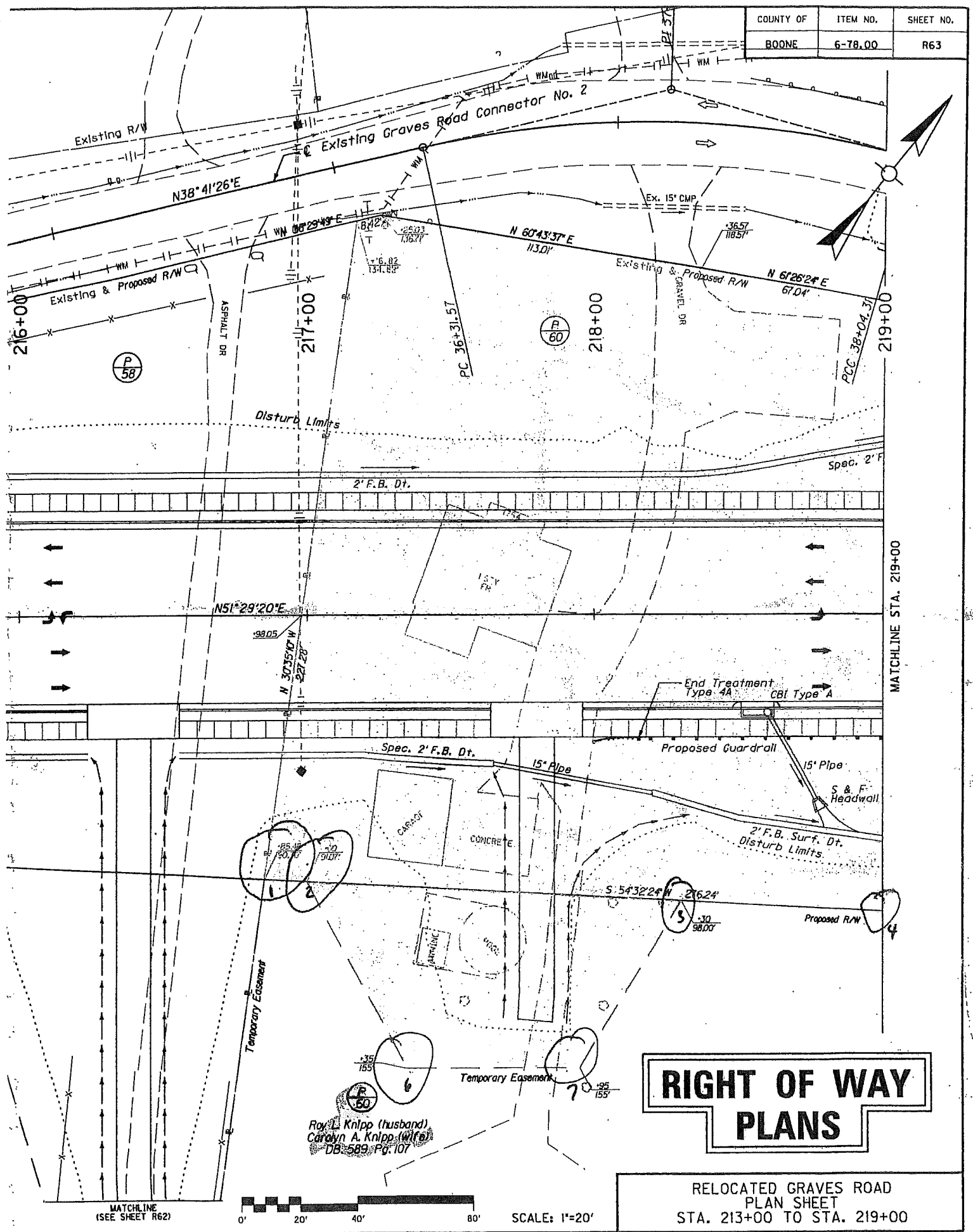
- 1. (Check One) Boone _____ Florence _____ Walton _____ Union _____
- 2. (Check One) _____ Conditional Use Permit Variance _____
_____ Change in Non-Conforming Use _____
- 3. Applicant's Name Carolyn Knipp
Applicant's Address 1754 Graves Road
Hebron KT 41048
City State Zip
- 4. Phone Number 859-393-2189 Fax No. _____ E-Mail CKnipp2@attbo.com
Description of Request: BUILDING HOUSE
- 5. Name of Development 1754 Graves Road
- 6. Location of Development 1754 Graves Road
- 7. Acreage Under Review 2.38 acres
- 8. Lot Number and Name of Subdivision (if part of a subdivision) _____
- 9. Owner of Property Roy & Carolyn Knipp
Address of Property Owner 1754 Graves Road
Hebron KT 41048
City State Zip
- 10. Phone Number 859-393-2189 Fax No. _____ E-Mail CKnipp2@attbo.com
Proposed Use(s) on Site Single Family Residential
- 11. Total Square Footage of Existing and/or Proposed Buildings 1500 sqft 1 story
- 12. Current Zoning on Property RSE
- 13. Deed Book 589 Page No. 107 Group No. 2006
- 14. Is the site subject to a zone change? No
If yes, give date of approval _____
- 15. Have you submitted a Site Plan with this request? YES
- 16. Have you submitted a list of adjoining property owners with this request? Yes
- 17. 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: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

(over)

COUNTY OF	ITEM NO.	SHEET NO.
BOONE	6-78.00	R63



RIGHT OF WAY PLANS

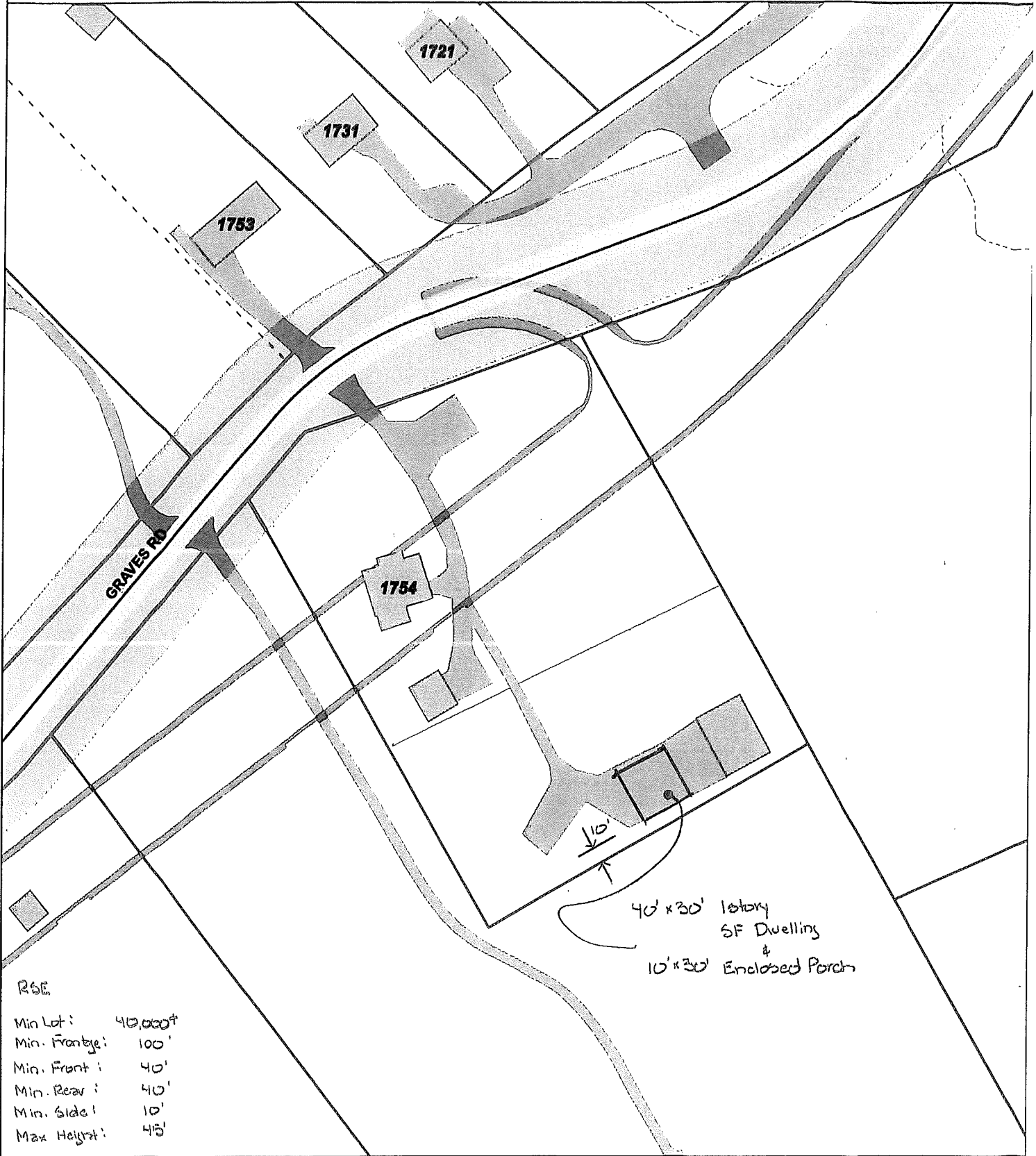
RELOCATED GRAVES ROAD
 PLAN SHEET
 STA. 213+00 TO STA. 219+00



Roy L. Knipp (husband)
 Carolyn A. Knipp (wife)
 DB: 589 Pg. 107

Boone County GIS Map

www.boonecountygis.com



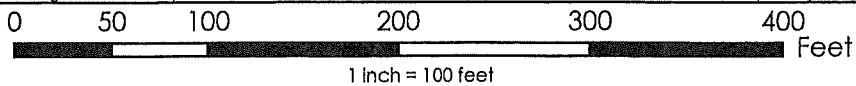
RSE

Min Lot: 40,000⁺
 Min. Frontage: 100'
 Min. Front: 40'
 Min. Rear: 40'
 Min. Side: 10'
 Max Height: 45'

40' x 30' 1st story
 SF Dwelling
 &
 10' x 30' Enclosed Porch

Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



Boone



CLUR #20-BCBOA-011-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Roy & Carolyn Knipp
1754 Graves Road
Hebron, KY 41048
2. ADDRESS OF PROPERTY
1754 Graves Road
Hebron, KY 41048
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Carolyn Knipp
4. DEED BOOK 589 PAGE NO. 107 GROUP NO. 2006
5. TYPE OF RESTRICTION(S) (Check all that apply)
- | | |
|-----------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Zoning Map Amendment:
From _____ To _____ | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> Conditional Zoning |
| <input type="checkbox"/> Subdivision Plat
(Not Recorded) | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> 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

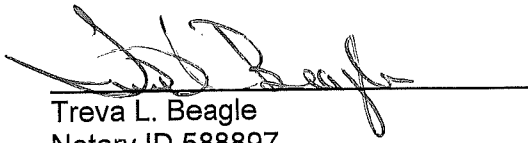
Name and Title of Completing Official

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.)