

**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**

**RECEIVED**  
85595  
FEB 15 2022  
BOONE COUNTY  
PLANNING COMMISSION

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

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

**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: Karla Jean Hall  
Address: 6625 Third Street  
Belleview Bottoms Ky 41005  
City State Zip Code  
Phone Number: 859 586-6307 Fax Number: NA  
Email: accoup121@TWC.com
4. Description of Request: Tear Down 110yr old Smoke house and Rebuild garage/barn in the same location w/ additional (Same size, with attached section on each side)
5. Name of Development: Hall's Property
6. Location of Development: 6625 Third St.  
Belleview Bottoms Ky 41005  
City State Zip Code
7. Acreage Under Review: \_\_\_\_\_
8. Lot Number and Name of Subdivision (if part of a subdivision):  
Lot # 8
9. Current Owner: Karla Jean Hall  
Address: 6625 Third St  
Belleview Bottoms Ky 41005  
City State Zip Code  
Phone Number: 859 586-6307 Fax Number: \_\_\_\_\_  
Email: accoup121@TWC.com

10. Proposed Use(s) on Site: Garage/Storage/Wood-Ceramic Shop
11. Total Square Footage of Existing and/or Proposed Buildings: Existing 90034' / New 1504' or 16645'
12. Current Zoning: SR-1/SC
13. 186 440 2035  
Deed Book Page Group Number
14. Is the site subject to a zone change:  Yes  No  
If yes, date of approval: \_\_\_\_\_
15. Have you submitted a Site Plan with this request:  Yes  No
16. Have you submitted a list of adjoining property owners with this request:  Yes  No
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:** Karla Hall  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

**SECTION B:** (To be completed by Planning Commission staff)

1. Date Received: 2/15/22 Fee Received: \$966 Receipt #: 85595

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 3/19/2022

5. Board Action: 3/19/2022

Approved

Approved with Conditions (see #6)

Denial (See #7)

6. Conditions of Approval: See Attached, CLUP, Minutes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
Phone: 859-334-2196 Fax: 859-334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

## CONDITIONS OF APPROVAL

APPLICANT: Karla Jean Hall

LOCATION: 6625 Third Street, Boone County, Kentucky

ZONING: Suburban Residential One/Small Community Overlay (SR-1/SC)

DATE: March 9, 2022

1. The site shall not be used for any commercial business purpose.

## STAFF REPORT

#2

APPLICANT: Karla Jean Hall

LOCATION: 6625 Third Street, Boone County, Kentucky

ZONING: Suburban Residential One/Small Community Overlay (SR-1/SC)

DATE: March 9, 2022

### PROPOSAL

- A. The submitted request is for a Change of Nonconforming Use/Structure to allow the demolition of an existing approximate 1,060 square foot accessory structure and replace it with an approximate 1,550 square foot accessory structure.

### SITE HISTORY

- 1999 Based on information contained in the Boone County GIS, the area to the north of the barn was used for a driveway/outside storage.
- 2007 Based on information contained in the Boone County GIS, the area to the south of the barn was paved.

### APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant changes in nonconforming uses as specified in this order.
- B. Section 273 of the Boone County Zoning Regulations states that the Board of Adjustment shall have the power to hear and decide on applications to permit a change from one nonconforming use to another. In reviewing such applications, the Board:
1. Shall not permit such a change unless the new nonconforming use is as equally or more compatible with permitted uses in the district in which it is located as the existing nonconforming use.
  2. Shall not allow any changed nonconforming use to be increased or enlarged, nor extended to occupy a greater area of land than was occupied by the original nonconforming use.
- C. In permitting such change in nonconforming use, the Board may require appropriate conditions and safeguards in accord with other provisions of this order,

such as the provision of landscaping and buffering, the improvement of parking areas, and restrictions on the hours of operation.

- D. Kentucky Revised Statute (KRS) 100.253 (2), reads as follows: “The board of adjustment shall not allow the enlargement or extension of a nonconforming use beyond the scope and area of its operation at the time the regulation which makes its use nonconforming was adopted, nor shall the board permit a change from one (1) nonconforming use to another unless the new nonconforming use is in the same or a more restrictive classification, provided, however, the board of adjustment may grant approval, effective to maintain nonconforming-use status, for enlargements or extensions, made or to be made, of the facilities of a nonconforming use, where the use consists of the presenting of a major public attraction or attractions, such as a sports event or events, which has been presented at the same site over such period of years and has such attributes and public acceptance as to have attained international prestige and to have achieved the status of a public tradition, contributing substantially to the economy of the community and state, of which prestige and status the site is an essential element, and where the enlargement or extension was or is designed to maintain the prestige and status by meeting the increasing demands of participants and patrons.”
- E. Section 930 of the Boone County Zoning Regulations state 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.”
- F. Section 2000 (SC District) of the Boone County Zoning Regulations state that “the intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well. The integration and variety of land uses found in small community centers often cannot practically be accommodated by the other basic zoning districts established by this order. This article creates an overlay district which may be established in areas appropriate for use as small community centers.”
- G. Section 2015 of the Boone County Zoning Regulations states that the required side yard setback shall conform to the setbacks of adjacent principal structures on the same, respective street frontage. Based on this requirement, the corner side yard setback for the site in question is twenty-five (25) feet.

- H. Section 3153 of the Boone County Zoning Regulations states that accessory structures shall be placed in the side or rear yard only, but not the corner side yard.
- I. Section 4000 of the Boone County Zoning Regulations defines an accessory use or structure as a use or structure on the same lot as the principal use or structure and is subordinate and secondary in area, extent and purpose to the principal use or structure in which it serves. An accessory use or structure contributes to the comfort, convenience, and/or necessity for the occupants of the principal use or structure.

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question as “Suburban Density Residential”, which 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:
  - 1. 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).
  - 2. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  - 3. 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).
  - 4. Maintenance of sound existing housing and rehabilitation of deteriorating housing shall be encouraged and incentivized (Demographics Goal B, Objective 2).
  - 5. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
- C. Third Street, Second Street, and Main Street are identified as county maintained local streets, providing for two-way traffic. There are no sidewalks along the roadway.

#### SITE CHARACTERISTICS

- A. The approximate 0.5 acre property is located at the southwest corner of the intersection of Main Street with Third Street.

- B. The site is bound on three sides by Main Street, Second Street, and Third Street.
- C. The site is currently occupied by an approximate 1,570 square foot, two-story, single-family residential dwelling and an approximate 1,070 square foot, one-story, accessory structure.
- D. The site is relatively flat with an average grade of less than 2%.
- E. Access to the site is from an existing curb cut onto Third Street and an existing curb cut onto Main Street.

### SURROUNDING LAND USES AND ZONING

North: Single-family residential and accessory structures (SR-1/SC)

South: Single-family residential, accessory structures, and a large garage building (SR-1/SC)

East: Vacant land (SR-1/SC)

West: Single-family residential and accessory structures (SR-1/SC)

### PROPOSED DEVELOPMENT

- A. The applicant is proposing:
  - 1. To remove the existing approximate 1,070 square foot accessory structure (garage).
  - 2. Construct a new approximate 1,070 square foot accessory structure (garage) in the same location as the existing accessory structure (garage).
  - 3. Enlarge the new accessory structure to have approximately 1,550 square feet, to include a wood shop, storage/garden shed, and an art/ceramic studio.
  - 4. Construct a patio to the rear of the new accessory structure.

### STAFF COMMENTS

- A. The existing and proposed accessory structure (garage) is/will be set back approximately one (1) foot from the right-of-way line of Third Street.
- B. The proposed additions will be set back approximately twelve (12) feet from the right-of-way line of Third Street.
- C. The accessory structure (shed/garage) located immediately to the south of the site in question is set back approximately seven (7) feet from the right-of-way line of

Third Street.

- D. The site in question is bound by three street frontages. There are four (4) other properties within the vicinity of the site in question that are also bound by three (3) street frontages.
- E. The area located immediately to the north of the existing/proposed accessory structure/garage is currently an approximate 551 square foot gravel driveway/outside storage area.
- F. In reviewing the submitted application, the applicant should address, and the Board must find, that the new nonconforming use is as equally or more compatible with uses and structures in the district in which it is located as the previous nonconforming use/structure.
- G. The Board must find that the new nonconforming use/structure is not an increase or enlargement over the previous nonconforming use/structure and that the new nonconforming use/structure is not occupying a greater land area than was occupied by the previous nonconforming use/structure.

### CONCLUSION

KRS 100.253 and Section 273 of the Boone County Zoning Regulations gives the Boone Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Michael D. Schwartz  
Director, Zoning Services

MDS/ss

### Attachments

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

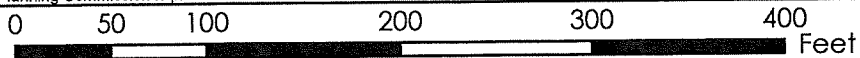
# Vicinity Map

www.boonecountygis.com



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1 inch = 100 feet



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



Map Created: xx/xx/2021

Boone County GIS  
ArcMap Document \*.mxd

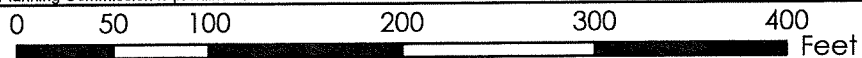
# Aerial Map

www.boonecountygis.com



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**Boone County GIS**



Map Created: xx/xx/2021

Scale Plot created by BOONE GIS 11/23/2021  
ArcMap Document: \*.mxd



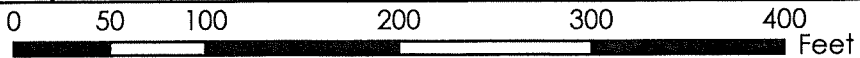
# Zoning Map

www.boonecountygis.com



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Map Created: xx/xx/2021

Map File: C:\Users\j... ArcMap Document: \*.mxd

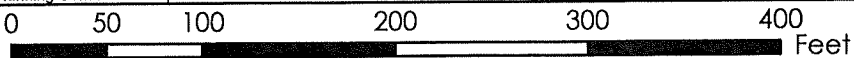
# 2040 Future Land Use Map

www.boonecountygis.com



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Email: accoup121@TWC.com

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13. 186 440 2035  
Deed Book Page Group Number
14. Is the site subject to a zone change:  Yes  No  
If yes, date of approval: \_\_\_\_\_
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16. Have you submitted a list of adjoining property owners with this request:  Yes  No
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:** Karla J. Hall  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**ORIGINAL Applicant's Signature:** Karla J. Hall  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

PROPERTY APPRAISAL REPORT

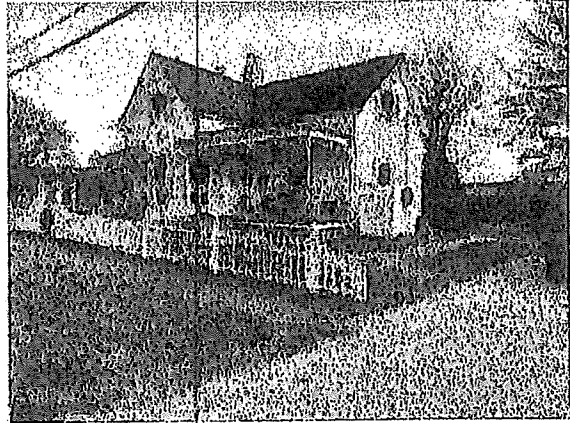
For property: 6625 3RD ST, BURLINGTON, KY 41005  
Prepared for: FIFTH THIRD BANK, NATIONAL ASSOCIATION As Of 01/05/2022

REPORT NO: 6367825  
CLIENT LOAN ID: 38608609

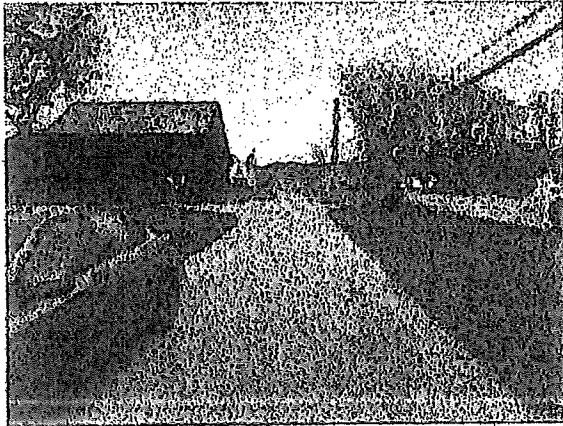
LEFT SIDE



RIGHT SIDE



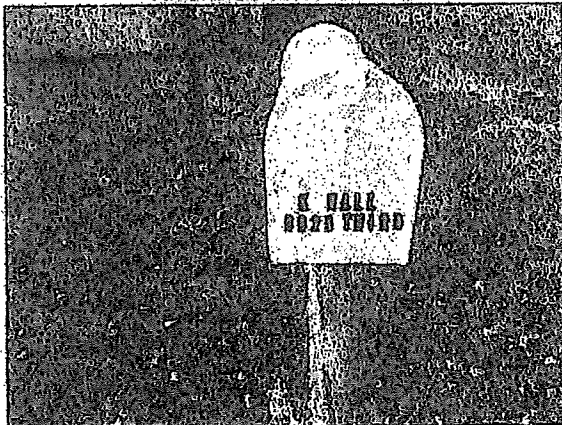
STREET



FRONT



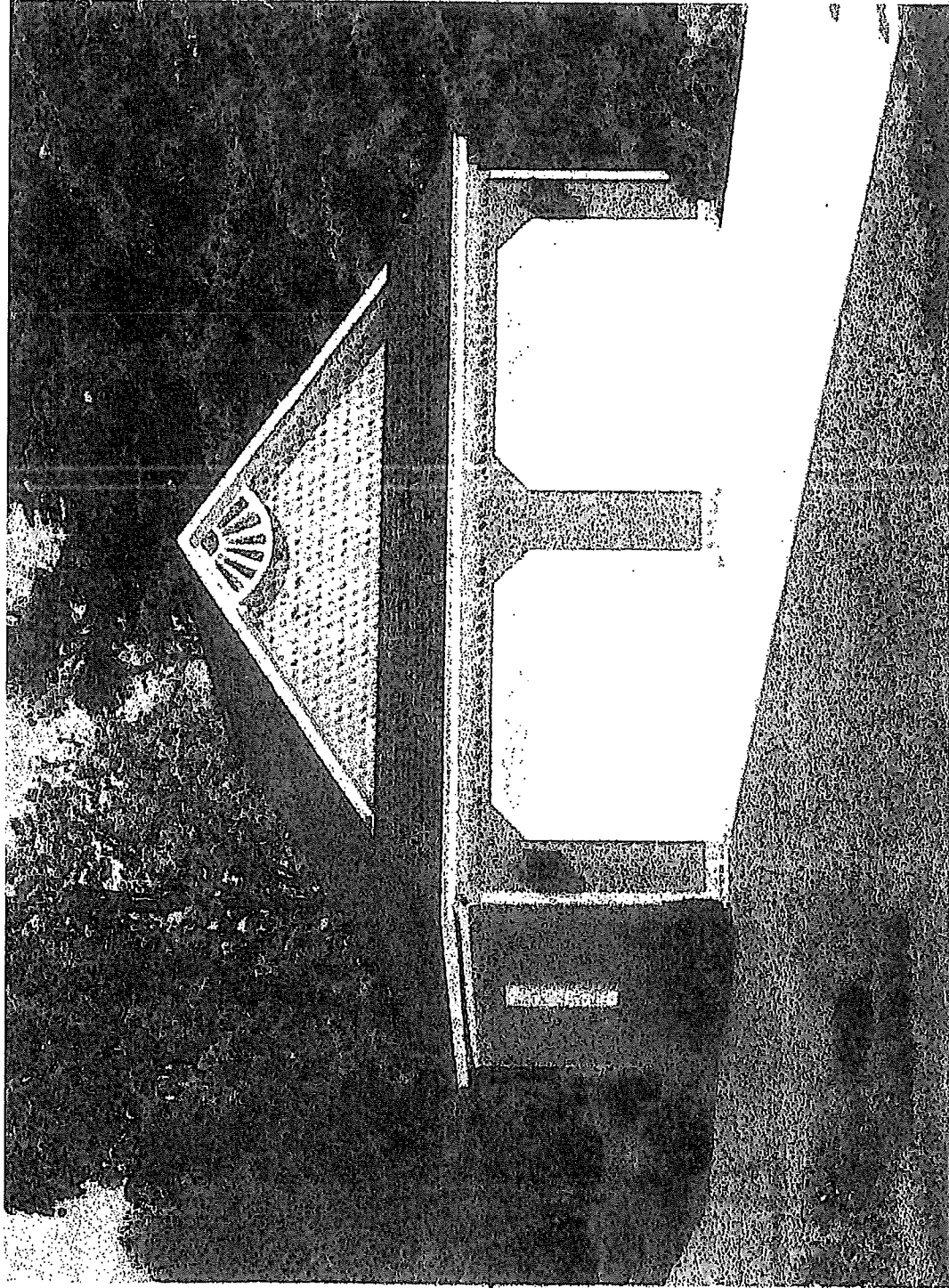
ADDRESS VERIFICATION



STREET

River View





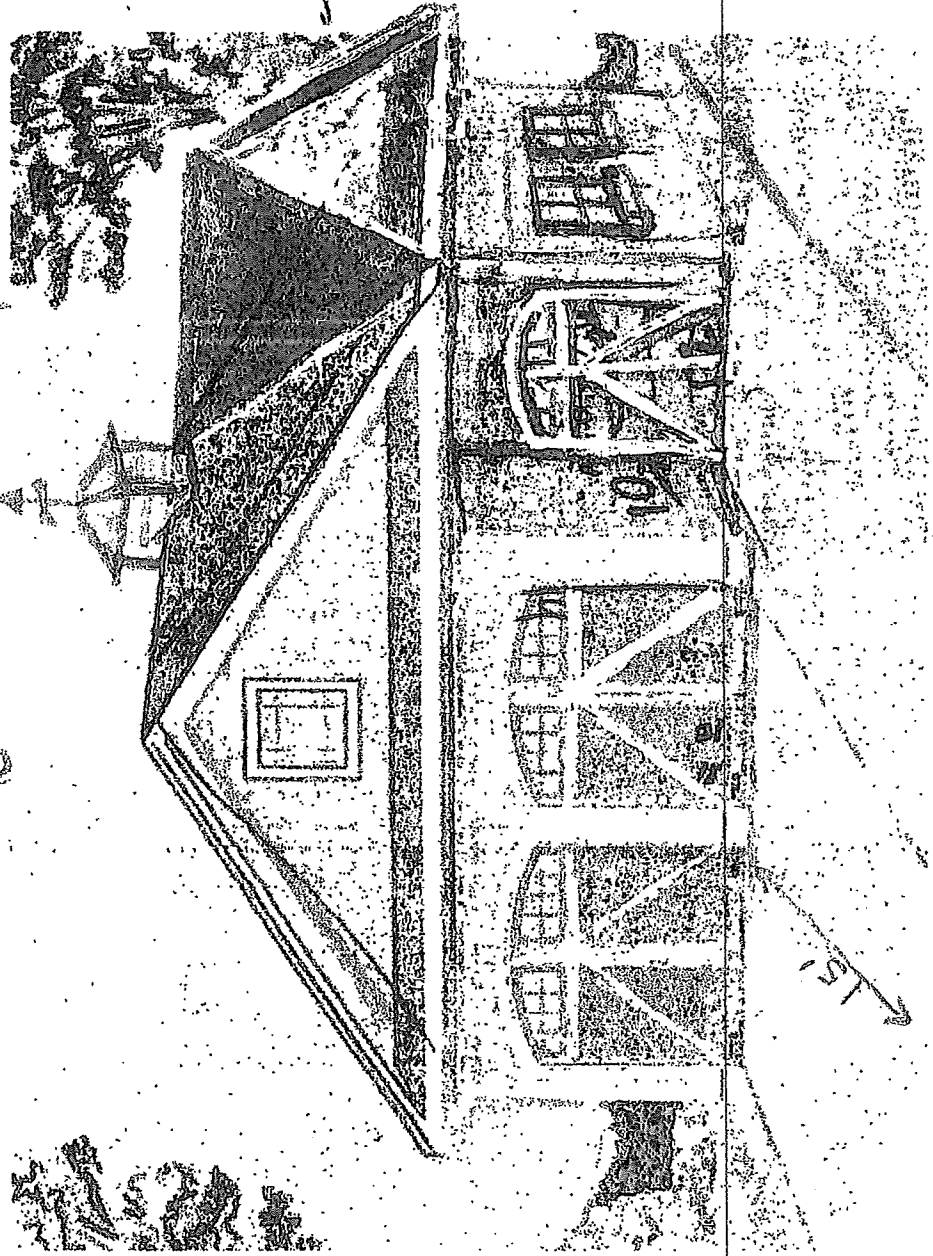
FRONT VIEW -

Single Story (27'10" DEEP (26'x 110')) - (BASE SECTION)

(4 Add 1 workshop on each side (14' x 22'))  
(Third Level View)

NO WORKSHOP WINDOW  
SHOWING IN  
IMAGE

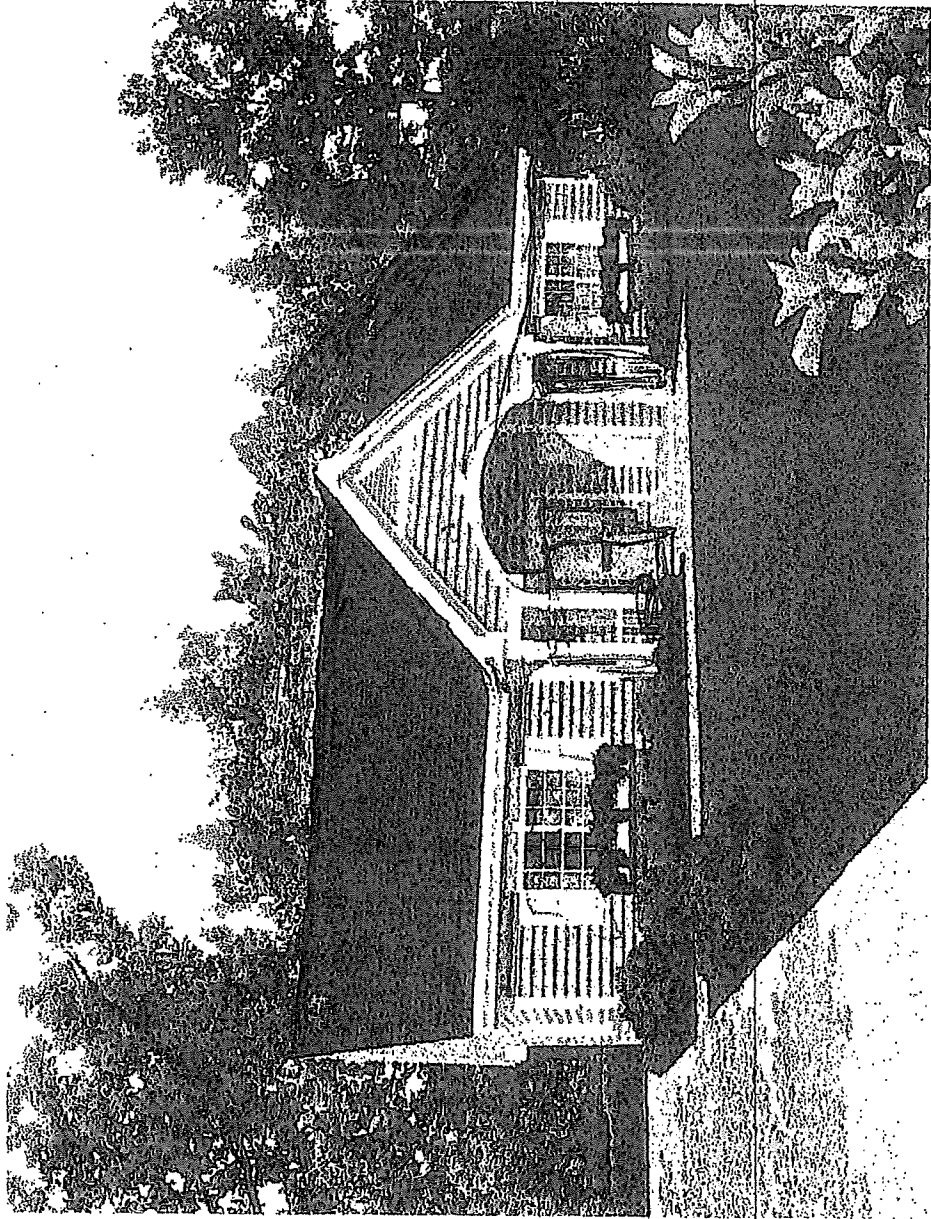
Single Story



Front View Garage w/ workshop Additions

(2-10' Dr + 1 side 10' Dr)

THIRD STREET



Back View of Garage w/ 2 workshop Additions  
w/ Patio  
(Second Street View)

(3RD STREET)

14'

22' or 26'  
(1 Dr) (2 Dr)  
18' Dr 10' Dr

Drive way

10' or 12'



Window Box

2-Car Garage  
(22' x 26' x 30')

Woody Shop/  
1-Car Garage  
(14' x 24')

Window Box

Window Box

ART/  
Ceramic Studio  
(10' x 26')

ELEC

10' Dr

Tool Boxes



Patio

Patio

Water Tank  
Garbage Cans  
Conc. Pad

12'

Storage  
Garden  
Shed  
(12' x 24')

24'

8' Dr

(22' or 26')

(10' or 12')



50'

45'

Karla Hall  
6625 Third St  
Bellview Bottoms, KY 41005

44' - 52'

U. rora  
Garage (75')

WATER

Property Line (145')  
(220') - 112'

40'

288' SP

880'  
1040'  
SP.

15'

336' SP

25'

25'

25'

25'

20'

Electric

Septic

Driveway

45'

(15')  
(Easement)

UNBUILDABLE 1/2 ACRE

(145' x 126')

5'

126' x 172' + easements  
(+15) # (15' + 33)

(Second Street)

126'

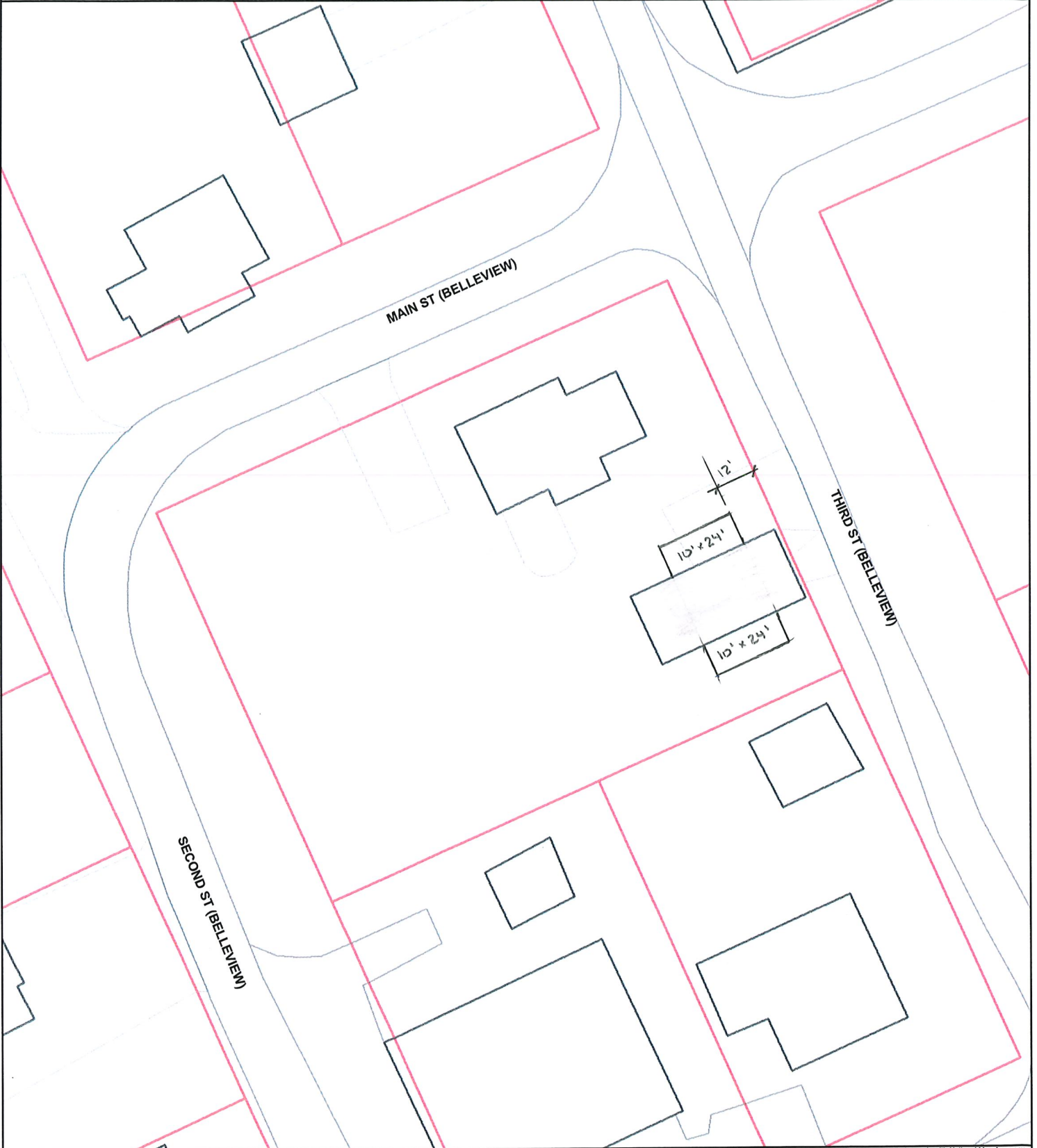
Telephone

(MAIN STREET)

(THIRD

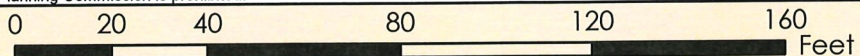
# Boone County GIS Map

[www.boonecountygis.com](http://www.boonecountygis.com)

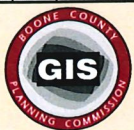


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1 inch = 40 feet



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



Map Created: xx/xx/2021

World File: 8 units by North NAD 1983  
ArcMap Document: \*.mxd

**PROPERTY APPRAISAL REPORT**

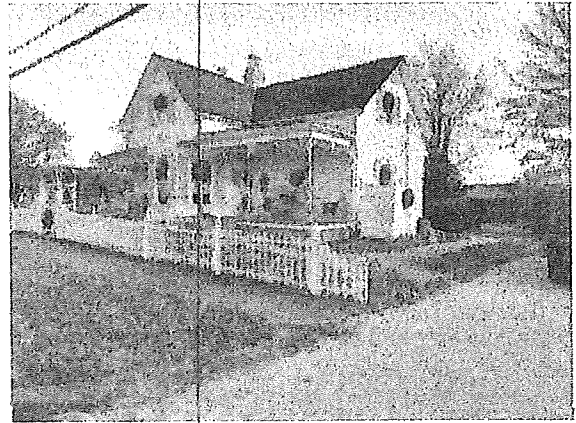
For property: 6625 3RD ST, BURLINGTON, KY 41005  
Prepared for: FIFTH THIRD BANK, NATIONAL ASSOCIATION As Of 01/05/2022

REPORT NO: 6367825  
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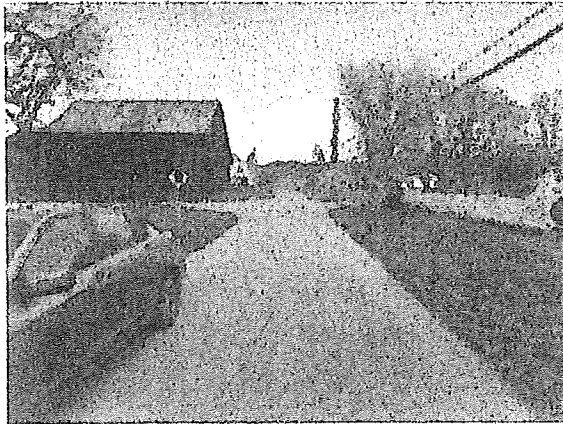
**LEFT SIDE**



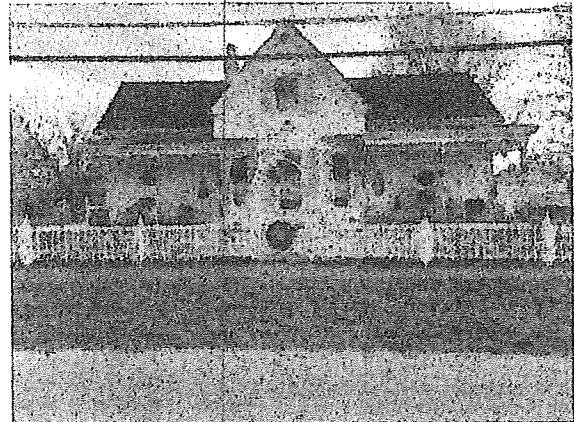
**RIGHT SIDE**



**STREET**



**FRONT**



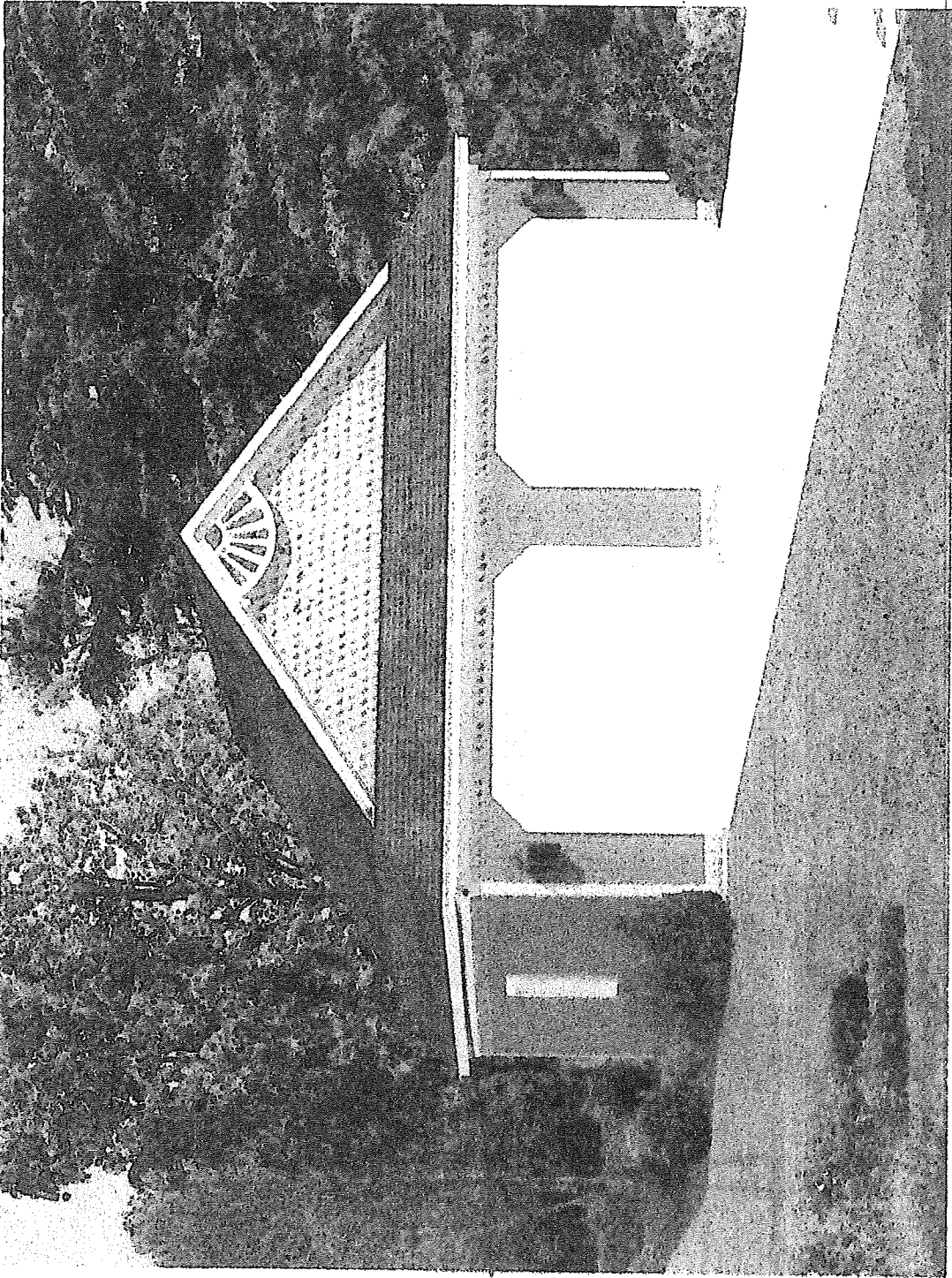
**ADDRESS VERIFICATION**



**STREET**

*River View*





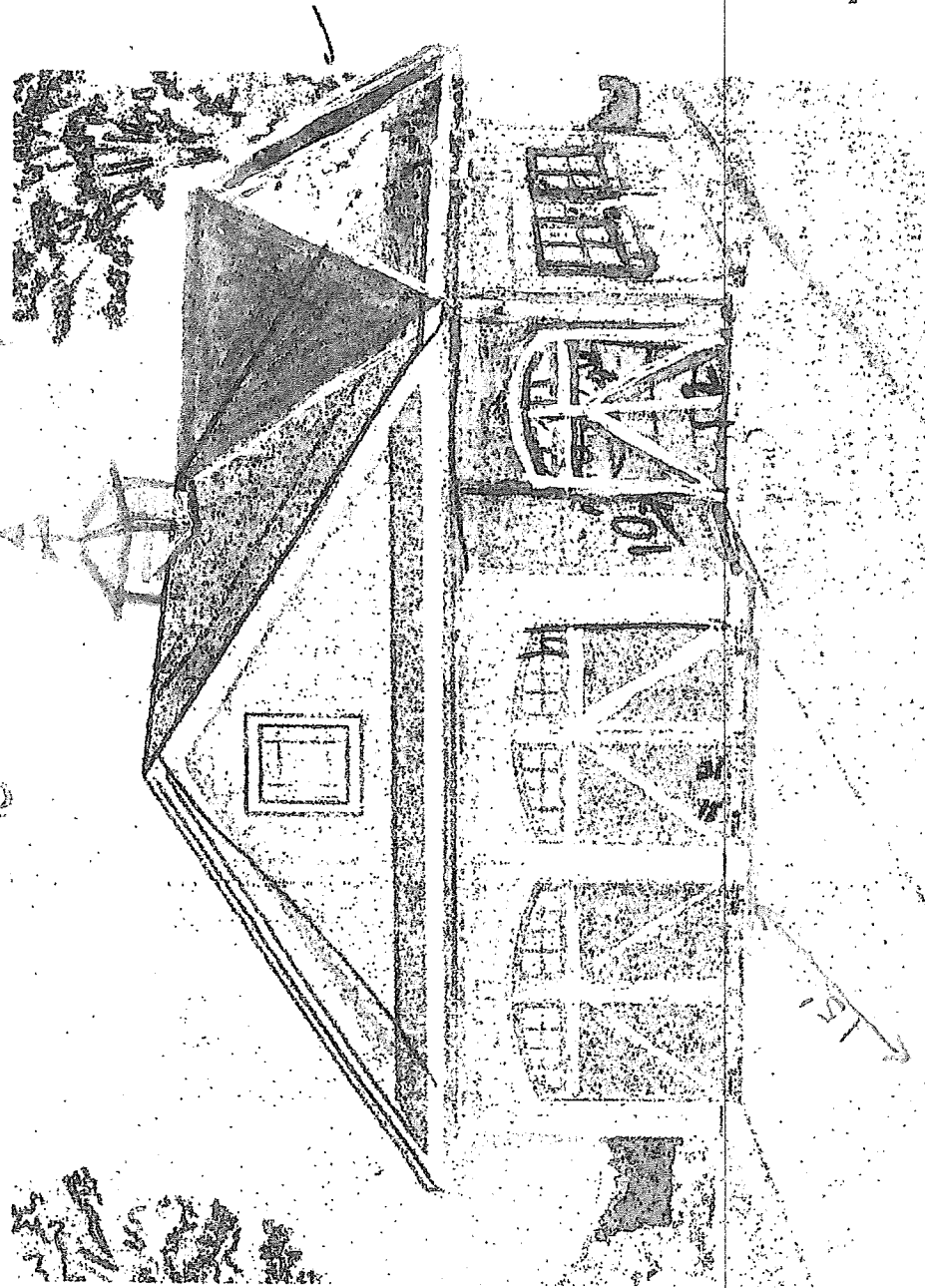
FRONT VIEW -

(BASE SECTION)

Single Story 27'10" Deep (26' x 40')  
(\* Add 1 workshop on each side (14' x 22')  
(Third Street View)

No workshop wings  
showing in  
image

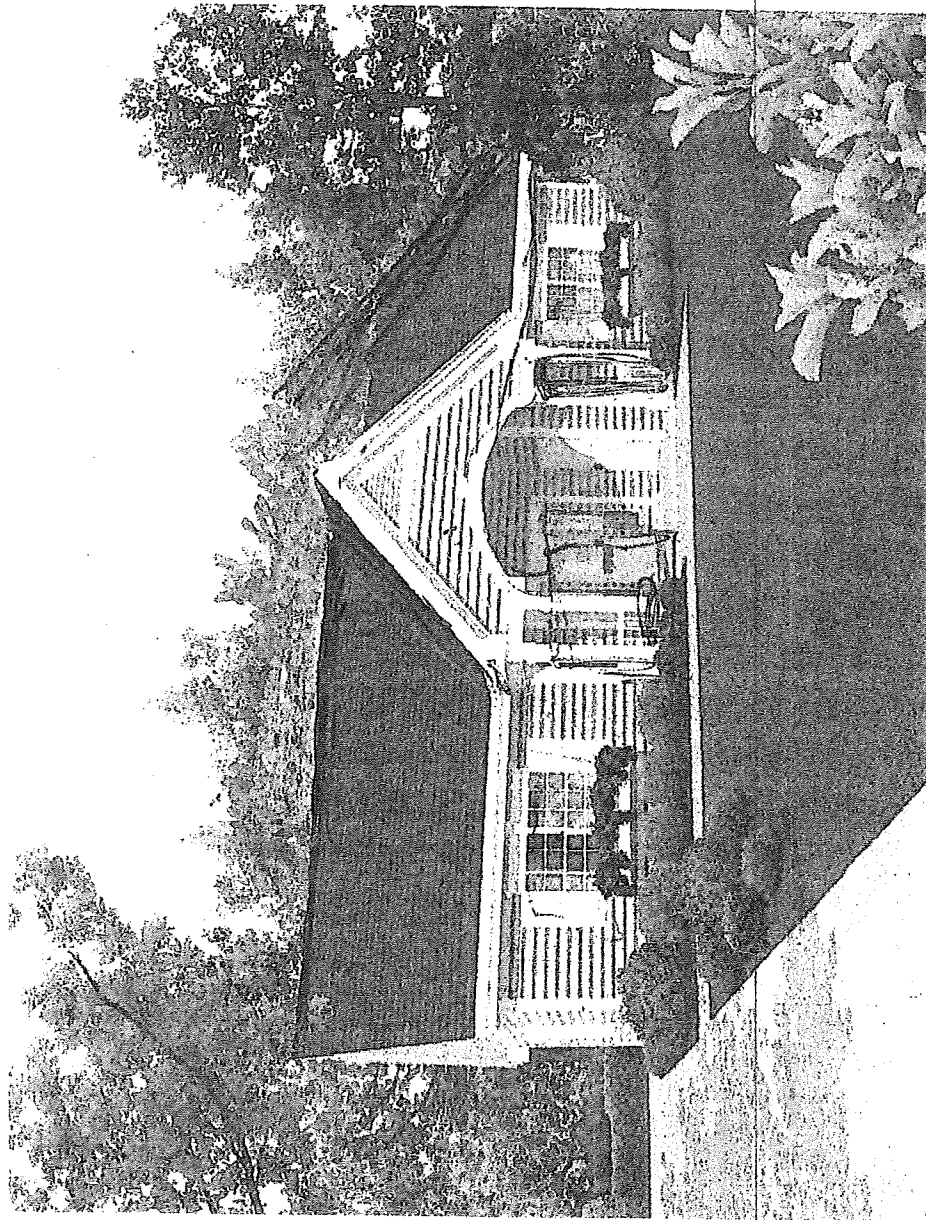
Single Story



Front View Garage w/ workshop Additions

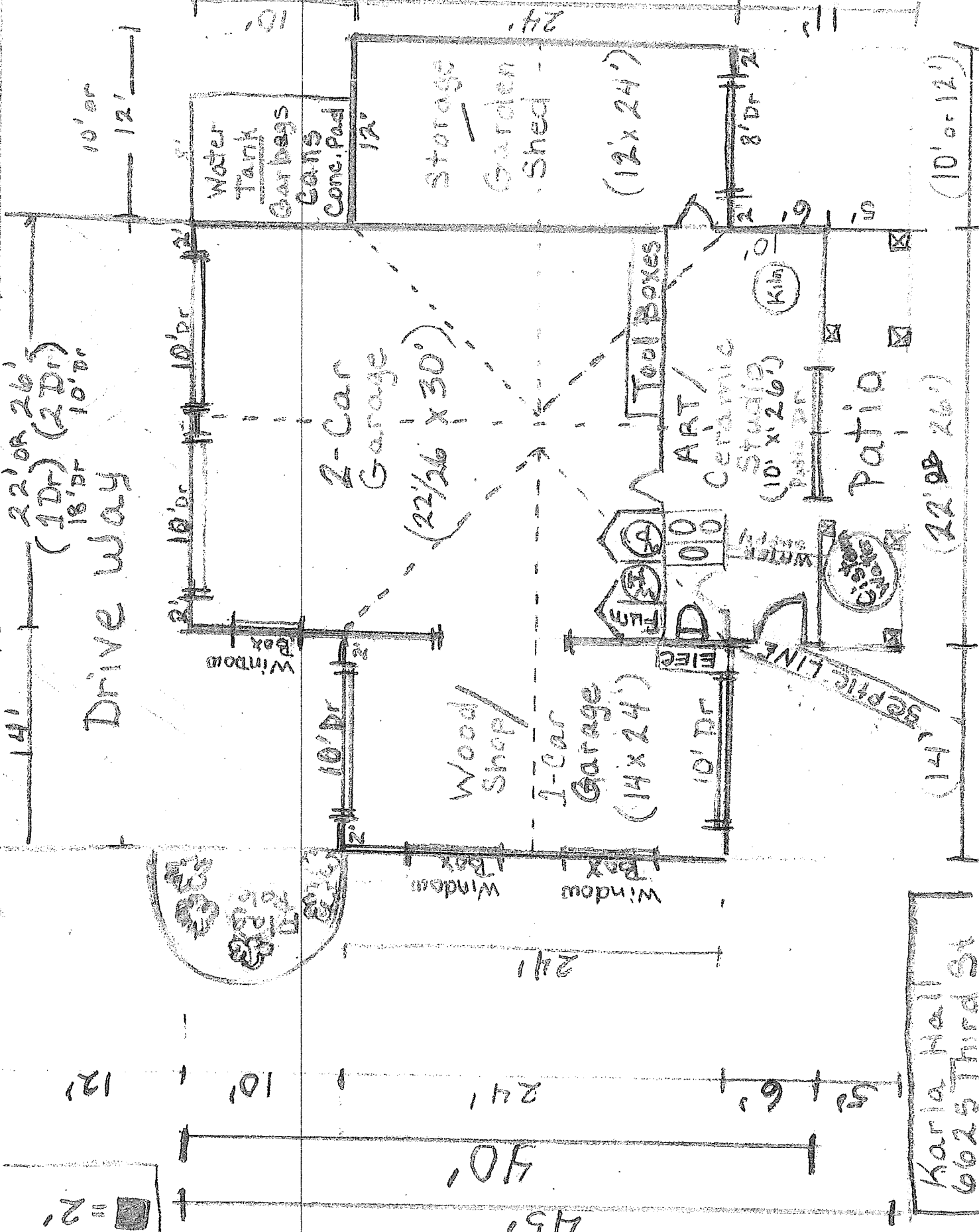
(2-10' Dr + 1 side 10' Dr)

THIRD STREET



Back View of Garage w/ 2 workshop Additions  
w/ Patio  
(Second Street View)

(3RD STREET)



14' 10' or 12'

22' or 26' (1 Dr) (2 Dr) 18' Dr 10' Dr

Drive way

2-Car Garage (22' x 26')

Wood Shop

1-Car Garage (14' x 24')

ART / Ceramic Studio (10' x 26')

Patio

Storage Garden Shed (12' x 24')

Water Tank  
Garbage Cans  
Cone. Pad

12'

10'

24'

6'

5'

45'

Karla Hall  
6625 Third St  
Bellview Bottoms, Ky 41005

(22' or 26')

46' - 52'

(10' or 12')



CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Karla Hall  
6625 Third St  
Burlington, KY 41005
2. ADDRESS OF PROPERTY  
6625 Third St  
Burlington, KY 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Hall Property
4. DEED BOOK 186                      PAGE NO. 440                      GROUP NO. 2035
5. TYPE OF RESTRICTION(S) (Check all that apply)
- Zoning Map Amendment:                       Conditional Use Permit  
From \_\_\_\_\_ To \_\_\_\_\_
- Development Plan                                       Conditional Zoning
- Subdivision Plat                                       Other: Change in Non-Conforming Use  
(Not Recorded)
- Variances
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, Director, Zoning Services  
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 11<sup>th</sup> day of March, 2022.

\_\_\_\_\_  
Treva L. Beagle  
Notary ID KYNP37603  
NOTARY PUBLIC, State at Large

My commission Expires:  
November 12, 2025

This instrument was prepared for recording purposes only by:

Nicole Dierna  
Nicole Dierna  
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 Change in Non-Conforming Use approved by the Boone County Board of Adjustment and in accordance with the current zoning in effect as of March 9, 2022, Certificate of Land Use Restriction (#22-BCBOA-011-A), for Karla Hall, Property Owner(s).

The following conditions will apply:

1. The site shall not be used for any commercial business purpose.

The approved Change in Non-Conforming Use as well as the preceding conditions apply to the property described in:

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GROUP NO. 2035