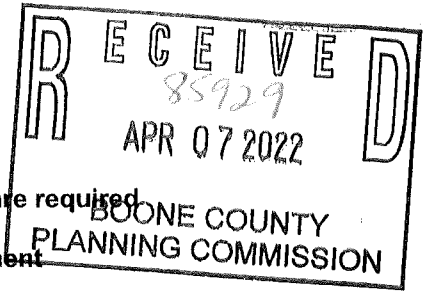


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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: Allison Northcutt & Richard Northcutt Jr
Address: 2030 Alvin St.
Cincinnati OH 45219
City State Zip Code
Phone Number: 859-462-1058 Fax Number: _____
Email: rnorth6920@yahoo.com
4. Description of Request:
need variance approved for lot to build single family home due to not meeting road frontage requirement of 150 ft.
5. Name of Development: _____
6. Location of Development: 2051 Stephenson Mill Rd.
Verona KY 41092
City State Zip Code
7. Acreage Under Review: 2 acres
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: Connie H. Kenkel
Address: 5538 Hubble Rd
Cincinnati OH 45247
City State Zip Code
Phone Number: 513 277 1899 Fax Number: _____
Email: Connie Kenkel@gmail.com

10. Proposed Use(s) on Site: build single family home

11. Total Square Footage of Existing and/or Proposed Buildings: 950 sq. ft.

12. Current Zoning: A2

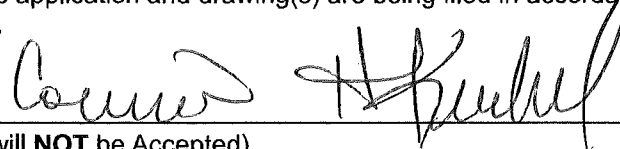
13. 983 289 2077-B
Deed Book Page Group Number

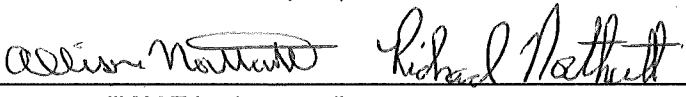
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

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

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

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

1. Date Received: 4/7/22 Fee Received: \$666 Receipt #: 85929

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 5/11/2022

5. Board Action: 5/11/2022

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
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: Allison Northcutt and Richard Northcutt, Jr. for Connie H. Kenkel and Gregory Ray Vest

LOCATION: 2051 Stephenson Mill Road, Boone County, Kentucky

ZONING: Agricultural Estate (A-2), Rural Suburban Estates (RSE), and Rural Suburban (RS)

DATE: May 11, 2022

PROPOSAL

- A. The request is to reduce the minimum required frontage from 150 feet to approximately 121 feet in order to subdivide the property into two (2) lots.

SITE HISTORY

Prior to 1949 Based on information contained in the Boone County GIS, the site was originally developed prior to 1949

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 frontage of 150 feet within the A-2 district.
- E. Section 4000 of the Boone County Zoning Regulations defines lot frontage as the distance between the side property lines as measured across the required minimum front yard setback line.
- F. Section 620 of the Boone County Zoning Regulations states that the “purpose of the Agricultural Estate district is to provide for low density residential development and on a limited basis agricultural uses or agricultural related uses in the 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 for “Rural Density Residential”, “Rural Lands” and “Developmentally Sensitive”. These land use designations are more fully described as follows:
1. Rural Density Residential - Low density residential uses of up to one dwelling unit per acre.
 2. Rural Lands - Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres. Residential construction in Rural Lands does not occur in a formal subdivision.
 3. Developmentally Sensitive - Areas that have an existing slope of twenty percent or greater for a height of 20 meters (67.6 feet), or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat, or other natural features that are important to a site's stability and visual character.
- 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. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
 4. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density (Demographics Goal B, Objective 4).
- C. Stephenson Mill Road is identified as a county maintained collector street providing for two way traffic within an approximate sixteen (16) foot pavement width. There are no sidewalks along the roadway.

SURROUNDING LAND USES AND ZONING

- North: Single family/Agricultural (A-2 and RS)
- South: Single family/Agricultural (A-2 and RSE)
- East: Single family/Agricultural (RS and RSE)
- West: Single family/Agricultural (A-2)

SITE CHARACTERISTICS

- A. The approximate 93 acre property is located along the northeast side of Stephenson Mill Road, approximately 2,500 feet northwest of Walton Verona Road.
- B. The site has approximate 375 feet and 475 feet of frontage along Stephenson Mill Road and approximately 1,700 feet of frontage along Walton Verona Road.
- C. The site is currently occupied by a single-family residential dwelling, several accessory agricultural buildings, and farmland.
- D. Topographically, the site slopes downward, away from Stephenson Mill Road.
- E. The site is located within an Agricultural District.
- F. Access to the site is from two curb cuts onto Stephenson Mill Road, one of which is primarily to the existing house and the other is primarily to the existing agricultural accessory structures.

PROPOSED DEVELOPMENT

- A. The property owner is proposing to subdivide the property to create one additional building lot meeting the minimum requirements of the A-2 district, except for the required frontage.
- B. The applicant is identifying that the two lots will be served by a single driveway, via a twenty (20) foot wide by a two hundred fifty (250) foot long access easement, with access to Stephenson Mill Road.

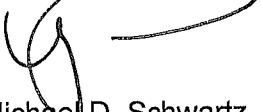
STAFF COMMENTS

- A. The proposed new lot will utilize the existing driveway serving the existing house as its access to Stephenson Mill Road.
- B. On February 10, 2010, the Boone Board of Adjustment approved a variance reducing the minimum required frontage from 150 feet to approximately 115 feet in order to subdivide the property located immediately to the north of the site in question into two (2) lots, subject to the condition that the proposed lot shall not have its own access point onto Stephenson Mill Road and that access shall be provided from the existing driveway (BCBOA-10-002).

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
Director, Zoning Services

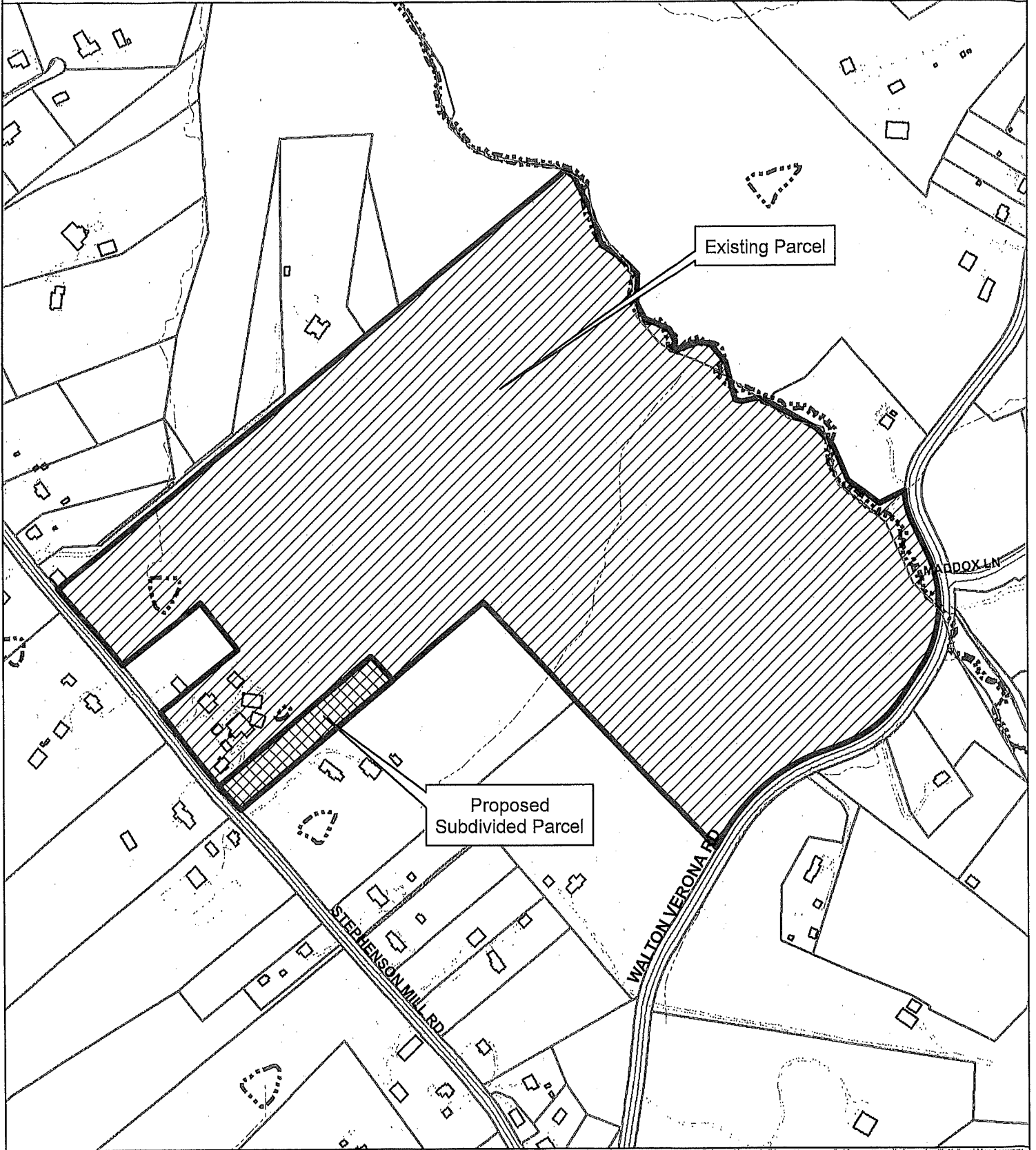
MDS/ss

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.



0 255 510 1,020 1,530 2,040 Feet

1 inch = 500 feet

Boone County GIS

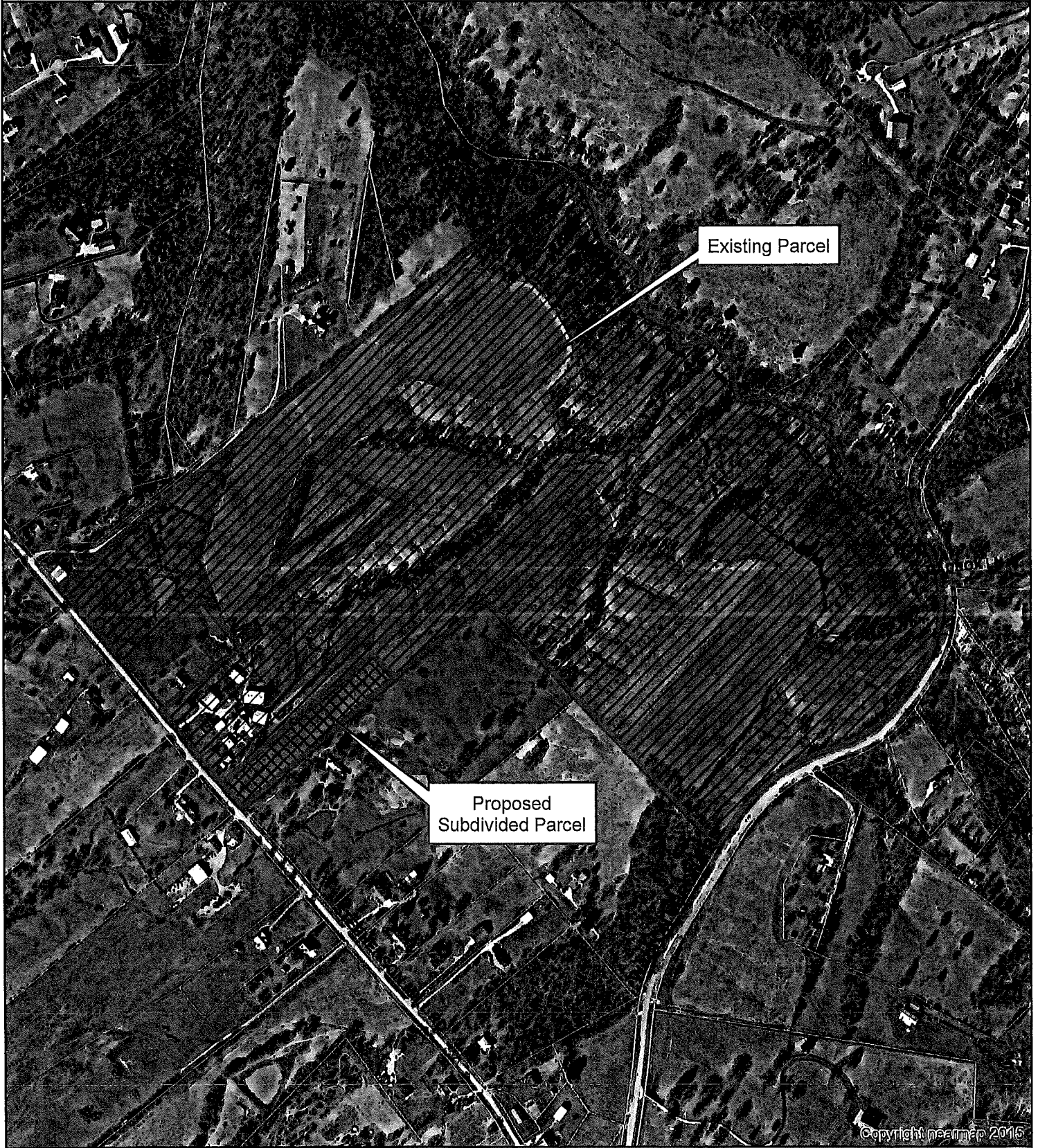


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Aerial Map

www.boonecountygis.com



Existing Parcel

Proposed Subdivided Parcel

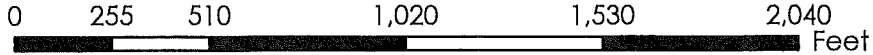
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B



1 Inch = 500 feet



Map Created: xshv2021

Photo File: C:\Users\jguth\My Documents\GIS\Map\Map Document: *.mxd

Topographical Map

www.boonecountygis.com



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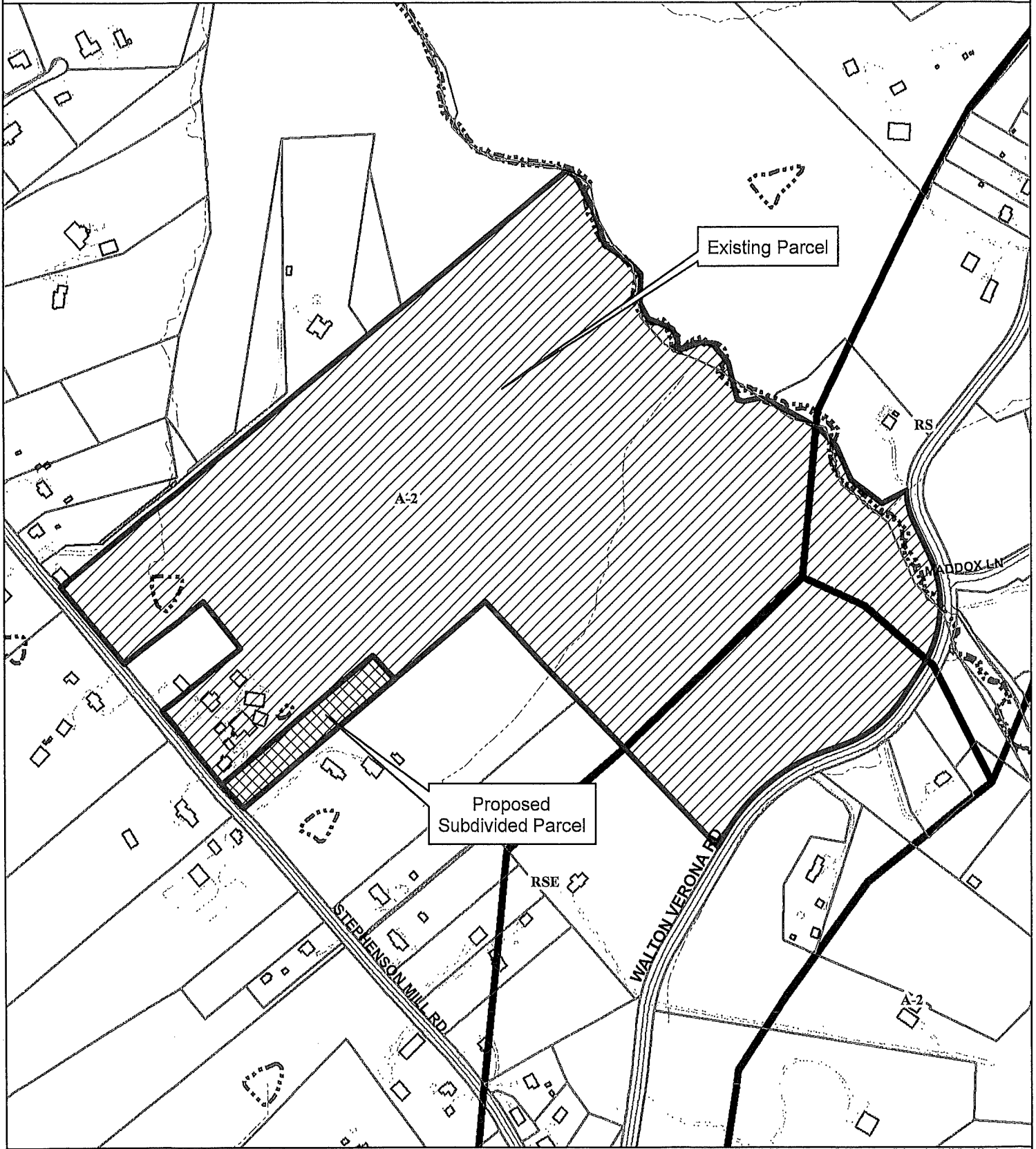


Boone County GIS



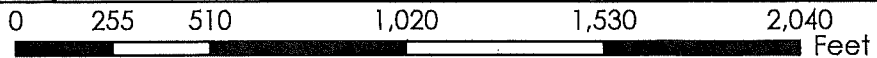
Zoning Map

www.boonecountygis.com



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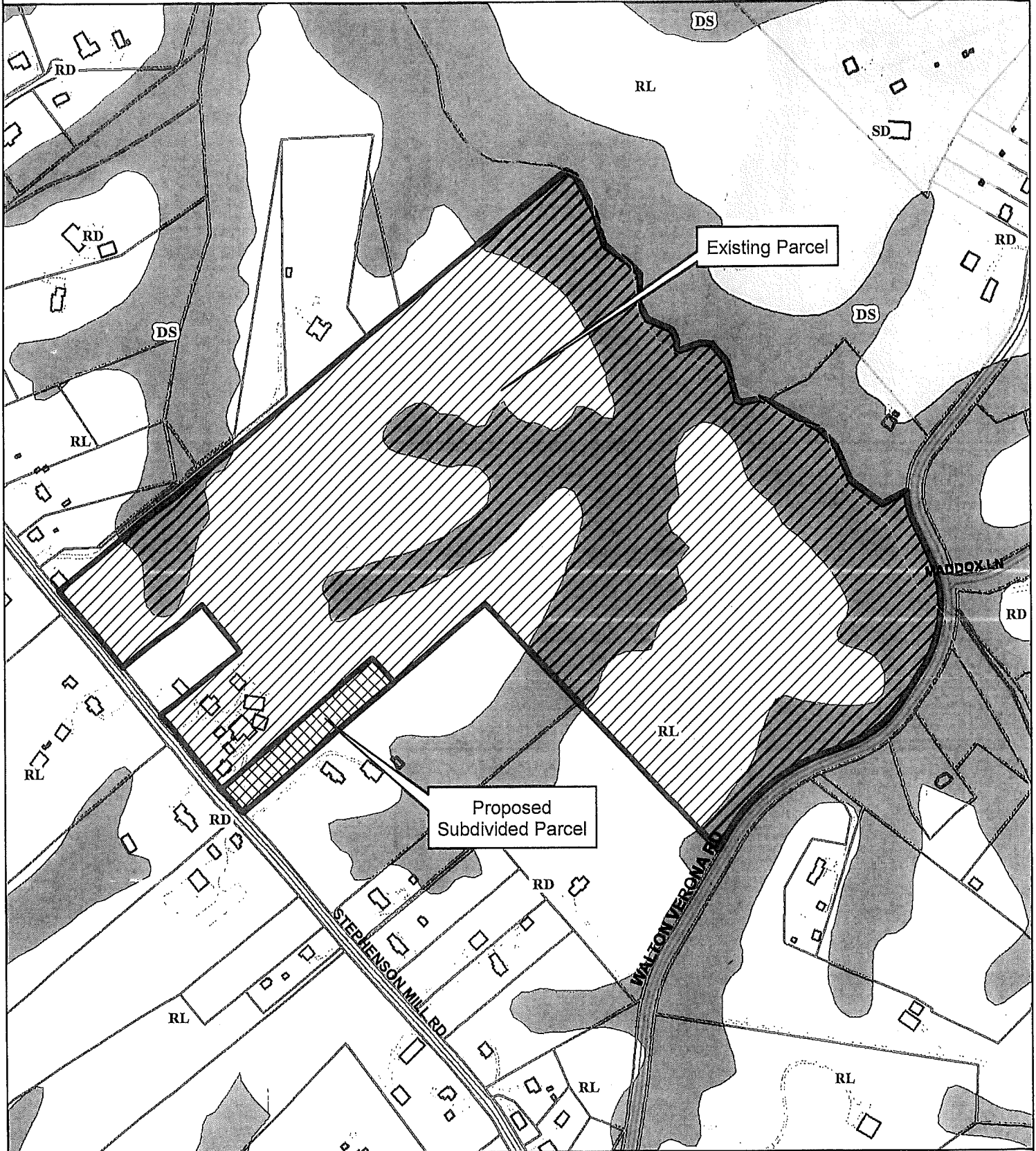
Boone County GIS - Putting Northern Kentucky on the Map

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Map File: C:\Users\jg2018\Desktop\GIS\Map Documents*.mxd

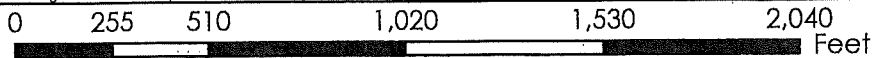
2040 Future Land Use Map

www.boonecountygis.com



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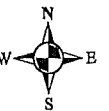
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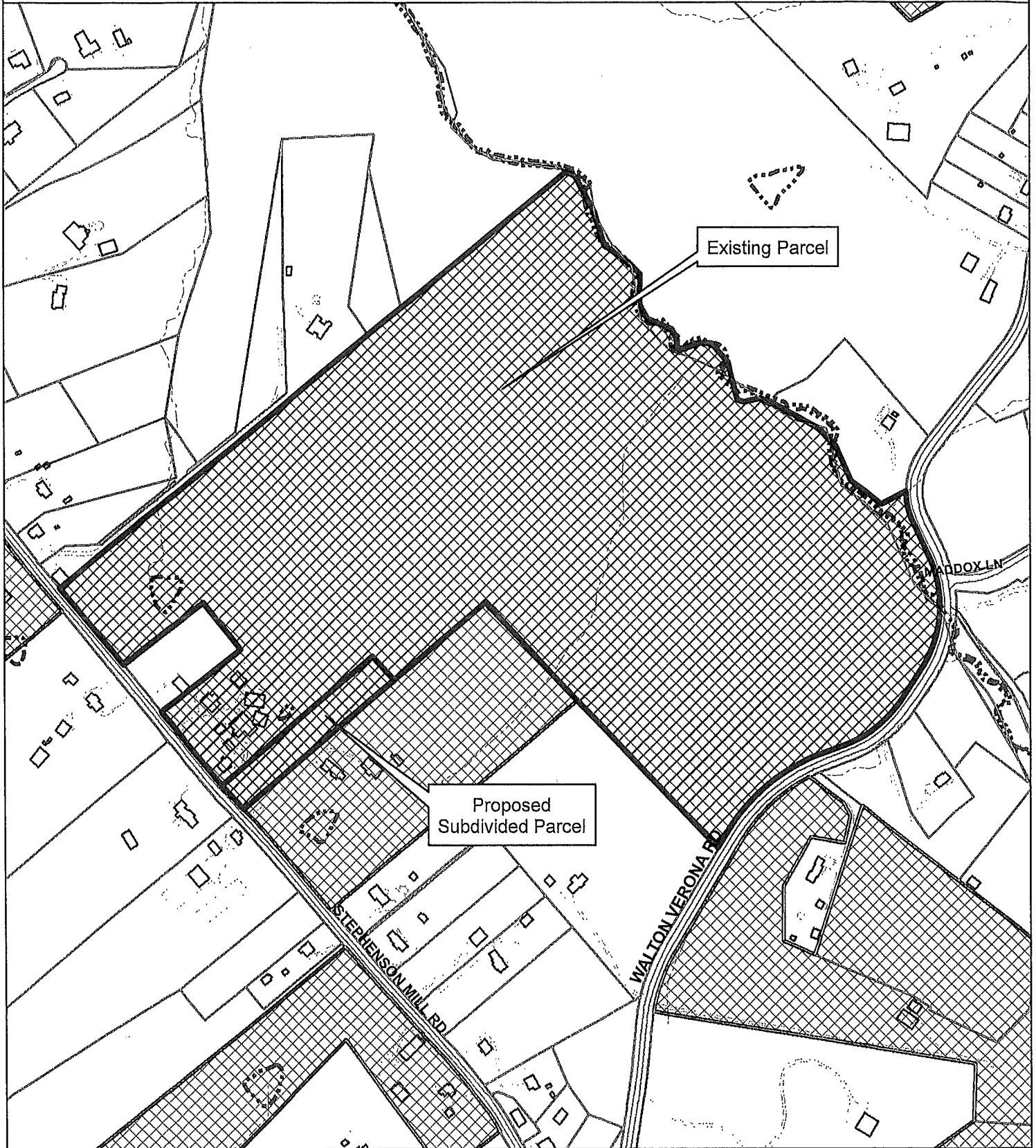


Boone County GIS - Putting Northern Kentucky on the Map



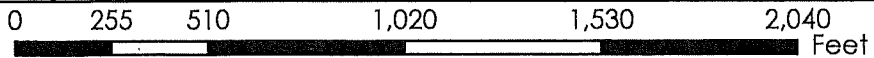
Agricultural District Map

www.boonecountygis.com



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1 Inch = 500 feet



Boone County GIS

Map Created: 06/09/2021

Boone County GIS
ArcMap Document: *.mxd

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

R E C E I V E D
85929
APR 07 2022
BOONE COUNTY
PLANNING COMMISSION

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

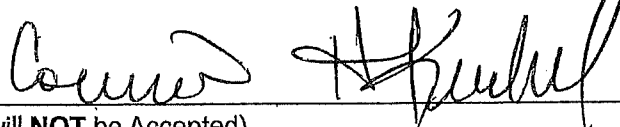
Site Plan Review is not granted by the appropriate Board of Adjustment

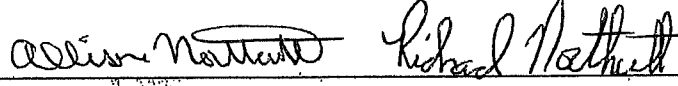
An application consists of all fees paid in full, submitted drawings, and a completed application form

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: Allison Northcutt & Richard Northcutt Jr
Address: 2030 Alvin St.
Cincinnati OH 45219
City State Zip Code
Phone Number: 859-462-1058 Fax Number: _____
Email: snorth6920@yahoo.com
4. Description of Request:
need variance approved for lot to build single family home due to not meeting road frontage requirement of 150 ft.
5. Name of Development: _____
6. Location of Development: 2051 Stephenson Mill Rd.
Verona KY 41092
City State Zip Code
7. Acreage Under Review: 2 acres
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: Connie H. Kenkel
Address: 5538 Hubble Rd
Cincinnati OH 45247
City State Zip Code
Phone Number: 513 277 1899 Fax Number: _____
Email: Connie Kenkel@gmail.com

10. Proposed Use(s) on Site: build single family home
11. Total Square Footage of Existing and/or Proposed Buildings: 950 sq. ft.
12. Current Zoning: A2
13. 983 289 2077-13
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: 
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

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 GNSS best practices. The relative positional accuracy is $\pm 0.02'' + 10 \text{ PPM}$ and was not adjusted. The survey as shown herein is a Rural Survey and the accuracy and precision of said survey meets all the specifications of this class and complies with 201 KAR 18-150. I further certify this survey complies with all requirements of the Boone County Zoning and Subdivision Regulations (pending variance approval for road frontage), and that dedicated areas including public ways or streets are currently owned by the property owner. Field work completed on April 1, 2022. This plat is not valid unless stamped and signed.

[Signature]
 Brent M. Webster, P.S. 3923
 Date: 4/2/2022

GNSS NOTES
 Equipment: Javad Triumph-LS GNSS Dual Frequency Receiver
 Type of Survey: KY Virtual Reference Station via Cellphone Network Adjusted Real Time Kinematic
 Horizontal Datum: NAD-83(2011), KYSPCS North Zone
 Vertical Datum: NAVD-88
 Geoid: GEOID-12B

Connie Hope Kenkel &
 Gregory Roy Vest
 D.B. 983, pg. 289

- EXISTING IRON PIN OR POST AS NOTED
- SET 5/8" x 24" REBAR & CAP
- ⊗ STAMPED PLS 3923
- ⊗ EXISTING X-NOTCH
- ▲ EXISTING MAG NAIL
- ▲ SET MAG NAIL OR SPIKE AS NOTED

FOR BUILDABLE LOTS

I certify that I have examined the records of the Boone County Clerk and find that this is the first conveyance made under the present ownership of the parent tract.

[Signature]
 Brent M. Webster, P.S. 3923
 Date: 4/2/2022



BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE
 Approved for recording the transfer of property only by the Boone County Planning Commission this _____ day of _____, 20____.

Executive Director's Signature _____ Date _____

This plat shall be void if not filed with the Boone County Clerk for recording purposes within two years of Planning Commission approval.

CONVEYANCE PLAT
 2.083 ACRES TO BE CONVEYED BY
 CONNIE H. KENKEL & GREGORY R. VEST
 BOONE COUNTY, KENTUCKY

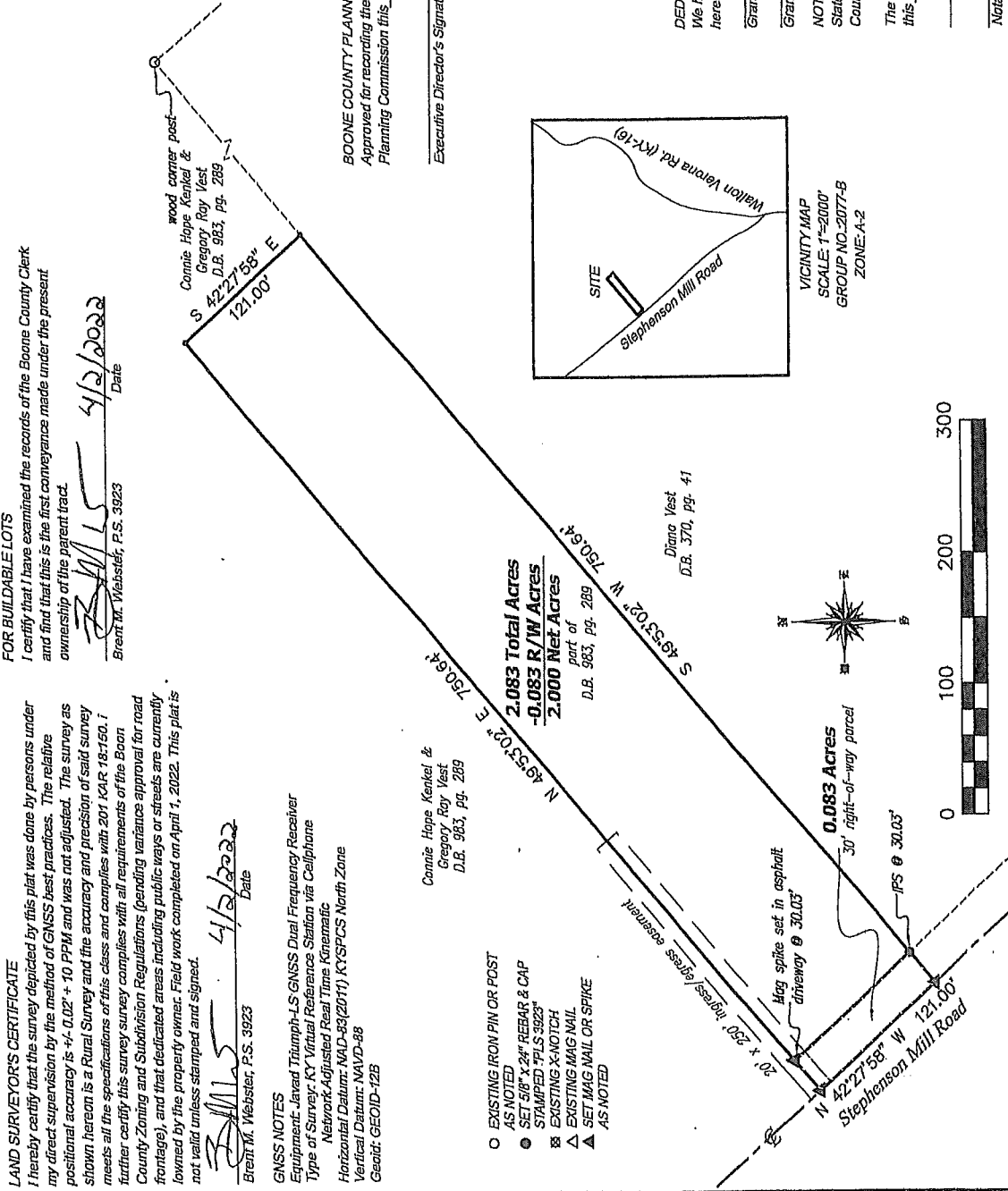
CLIENT: Richard Northcutt
 2051 Stephenson Mill Road
 Verona, KY 41092

PROJECT NUMBER: 20220037
 DATE: 04/02/2022

SCALE: 1" = 100'

DRAWN BY: BMR
 2940 Hebron Park Drive, Ste 210 Hebron, KY 41048
 bmr@hvlandsurvey.com 859.760.7794

WEBSTER LAND SURVEYING, L.L.C.



DEDICATION CERTIFICATE
 We hereby dedicate the right-of-way of 30 feet as shown hereon to public use, forever.

Grantor's Signature _____ Date _____
 Grantor's Signature _____ Date _____

NOTARY CERTIFICATE
 State of Kentucky
 County of Boone

The foregoing instrument was acknowledged before me this _____ day of _____, 2022 by _____ & _____

Notary Signature _____ Notary ID Number _____

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Connie Kenkel
5538 Hubble Rd
Cincinnati, OH 45247
- 2. ADDRESS OF PROPERTY
2051 Stephenson Mill Rd
Verona, KY 41092
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Northcutt Variance
- 4. DEED BOOK 983 PAGE NO. 289 GROUP NO. 2077B
- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment: Conditional Use Permit
 From _____ To _____
 Development Plan Conditional Zoning
 Subdivision Plat Other:
 (Not Recorded)
 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, 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 16th day of May, 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.)