

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
87391
NOV 22 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: George and Cristi Eten

Address: 587 Buckshire Glen

Florence Kentucky 41042
City State Zip Code

Phone Number: 859-240-6873 Fax Number: n/a

Email: george@quantummetals.com

4. Description of Request:
Variance to reduce the front yard setback from 30' to 27' for covered front porch

5. Name of Development: Union Station

6. Location of Development: 587 Buckshire Glen

Florence Kentucky 41042
City State Zip Code

7. Acreage Under Review: n/a

8. Lot Number and Name of Subdivision (if part of a subdivision):
Lot 69 Section 5 Union Station

9. Current Owner: George and Cristi Eten

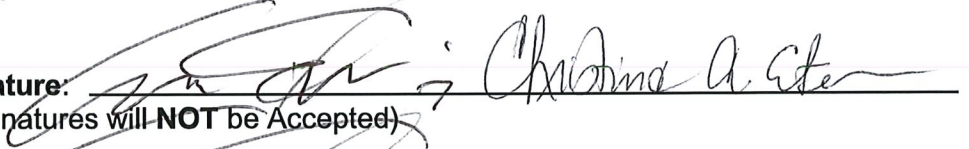
Address: 587 Buckshire Glen

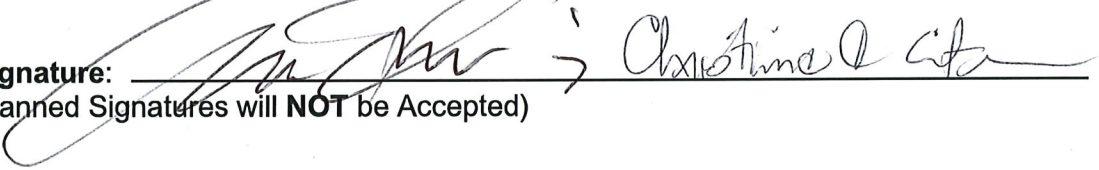
Florence Kentucky 41042
City State Zip Code

Phone Number: 859-240-6873 Fax Number: n/a

Email: george@quantummetals.com

10. Proposed Use(s) on Site: Covered front porch over existing front door and front of house
11. Total Square Footage of Existing and/or Proposed Buildings: ~1700 sq ft/~225 sq ft
12. Current Zoning: Residential
13. 1003 1 ~~3735~~ 2057
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: 11/22/22 Fee Received: \$666 Receipt #: 87391

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 12/19/2022

5. Board Action: 12/19/2022

- 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

#6

APPLICANT: George and Cristi Eten

LOCATION: 587 Buckshire Glen, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: December 19, 2022

PROPOSAL

1. The applicant is requesting a Variance reducing the front yard setback from thirty (30) feet to twenty-seven (27) feet to allow for a covered porch.

SITE HISTORY

- 1997 On August 6, 1997, the Boone County Planning Commission approved a Final Plat for Union Station Subdivision, Section 5.
- 1998 On November 17, 1998, the Boone County Planning Commission approved a zoning permit for a detached single-family residential dwelling.
- 2013 On June 28, 2013, the Boone County planning Commission approved a zoning permit for a pool.
- 2013 On November 13, 2013, the Boone County Planning Commission approved a zoning permit for a deck.
- 2022 On October 11, 2022, the Boone County Planning Commission approved a zoning permit for a covered porch, with a front yard setback of thirty (30) feet.

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 within the SR-1 district.

E. Section 930 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.”

F. 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) or more feet

above the general ground level of the yard shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

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 described 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. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 4. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs (Demographics Goal B, Objective 1).
 5. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
 6. 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).
 7. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features (Demographics Goal B, Objective 8).

- C. Boone Lake Drive is identified as a County maintained local street providing for two way traffic within an approximate twenty-five (25) foot pavement width. There are sidewalks along both sides of the roadway.

SURROUNDING LAND USES AND ZONING

- North: Single family residential (SR-1)
- South: Single family residential (SR-1)
- East: Single family residential (SR-1)
- West: Single family residential (SR-1)

SITE CHARACTERISTICS

- A. The approximate 0.20 acre property is located along the west side of Buckshire Glen, approximately 1,730 feet east of Cheshire Ridge Drive.
- B. The site is currently occupied by a two-story, detached single-family residential dwelling.
- C. Access to the site is from Buckshire Glen.
- D. The site is relatively flat.

PROPOSED DEVELOPMENT

- A. The applicant is proposing to construct a covered porch onto the front of the house.
- B. The proposed addition will be set back approximately twenty-seven (27) feet from the rear property line.

STAFF COMMENTS

- A. The proposed addition will extend three (3) feet out from the front façade of the existing garage.

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

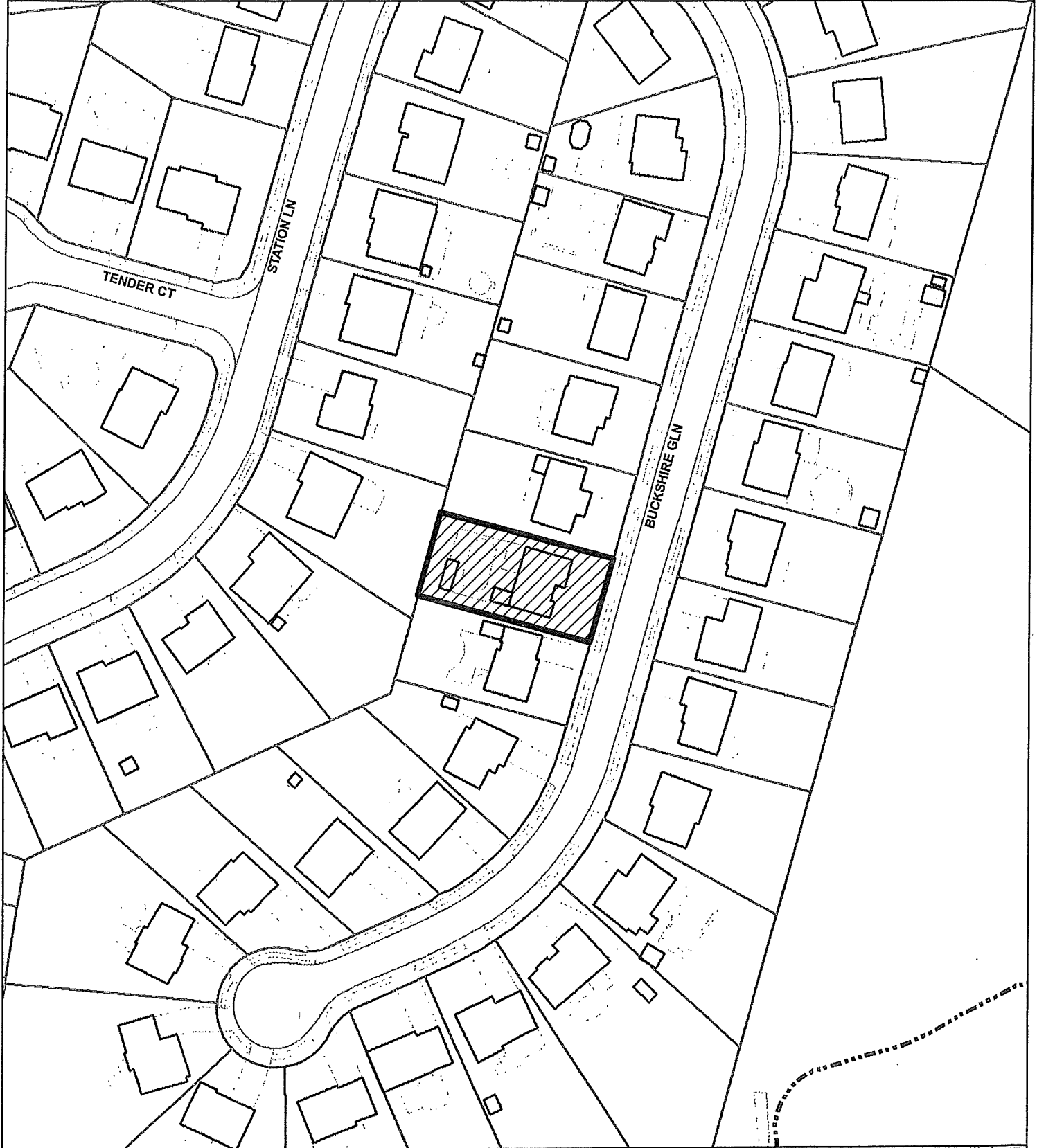
MDS/ss

Attachments

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

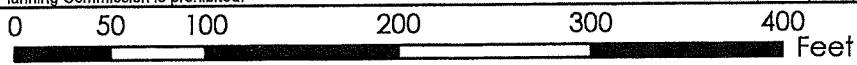
Vicinity Map

www.boonecountygis.com



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1 inch = 100 feet



Boone County GIS - Putting Northern Kentucky on the Map



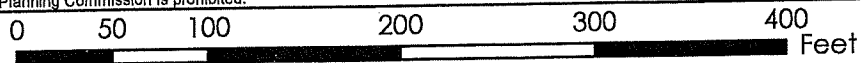
Aerial Map

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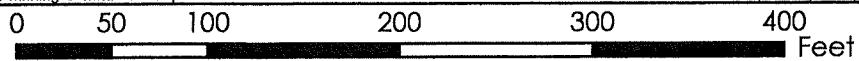
Topographical Map

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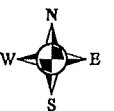
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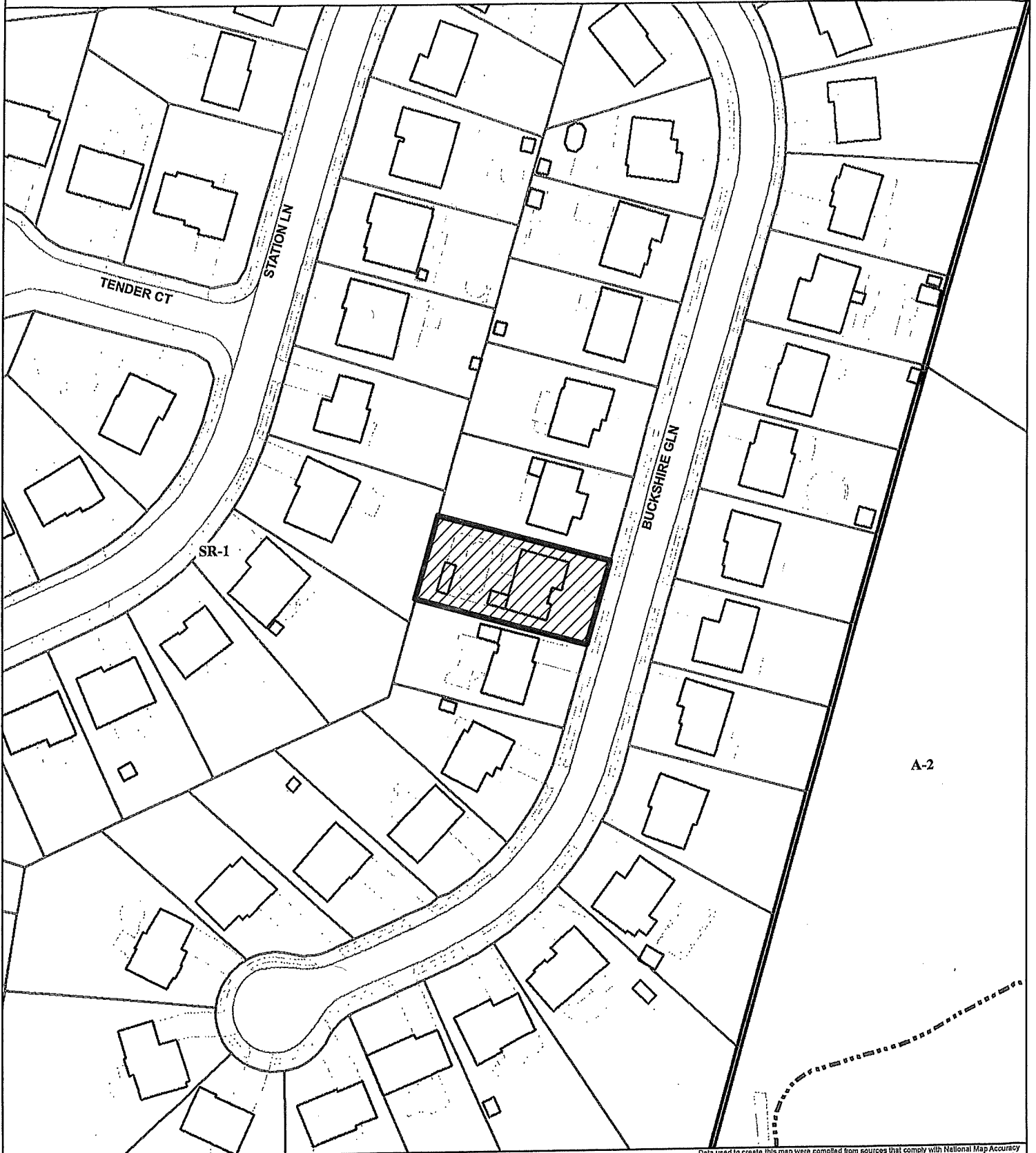


Map Created: xx/xx/2021

ArchMap Document: *.mxd

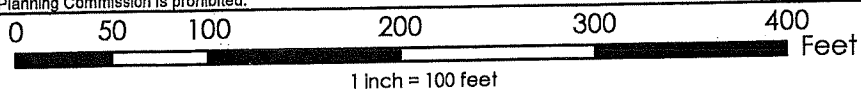
Zoning Map

www.boonecountygis.com

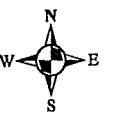


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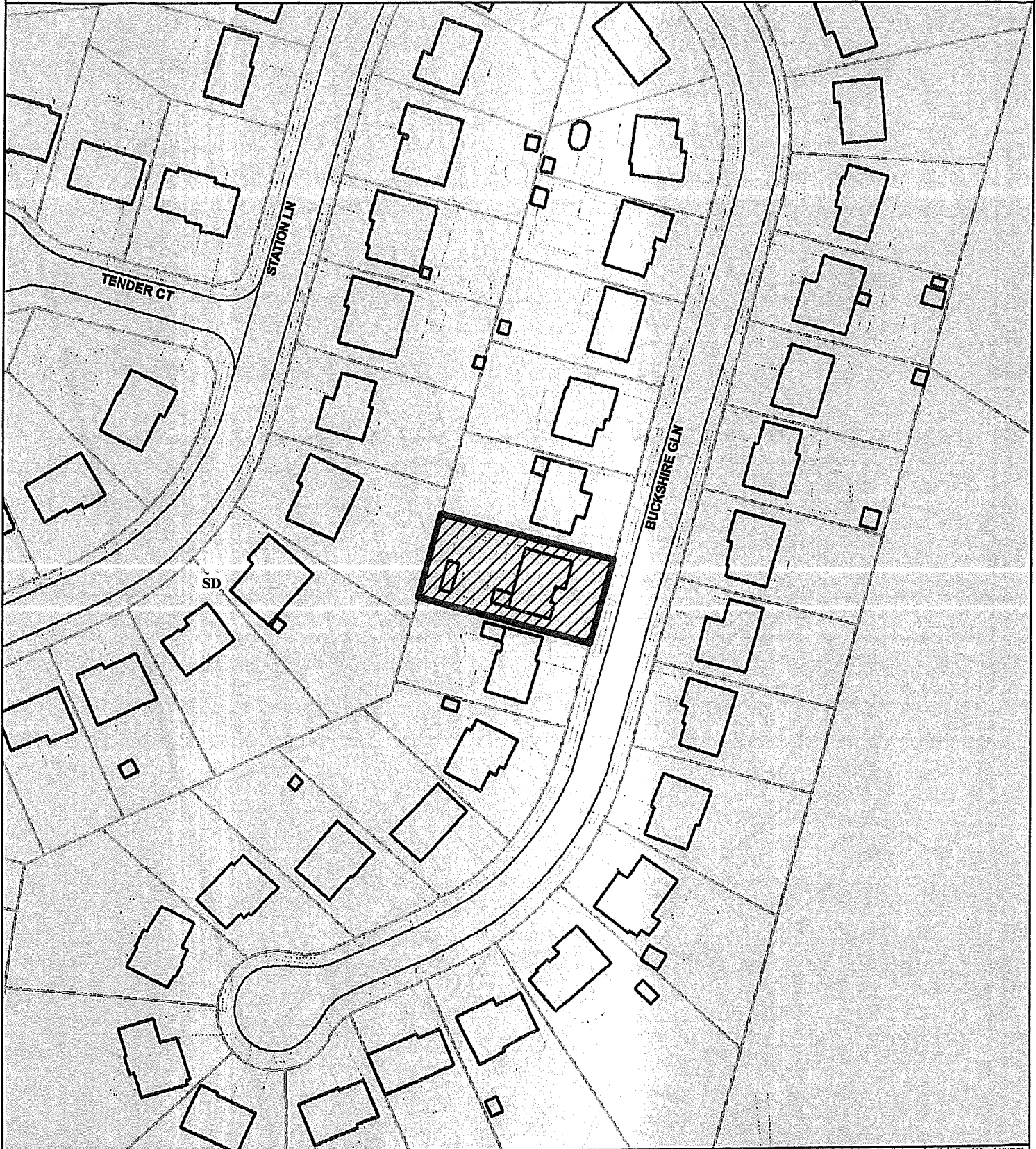


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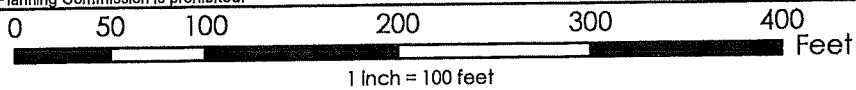
2040 Future Land Use Map

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4. Scheduled Board Action Date: _____

5. Board Action: _____

- _____ Approved
- _____ Approved with Conditions (see #6)
- _____ Denial (See #7)

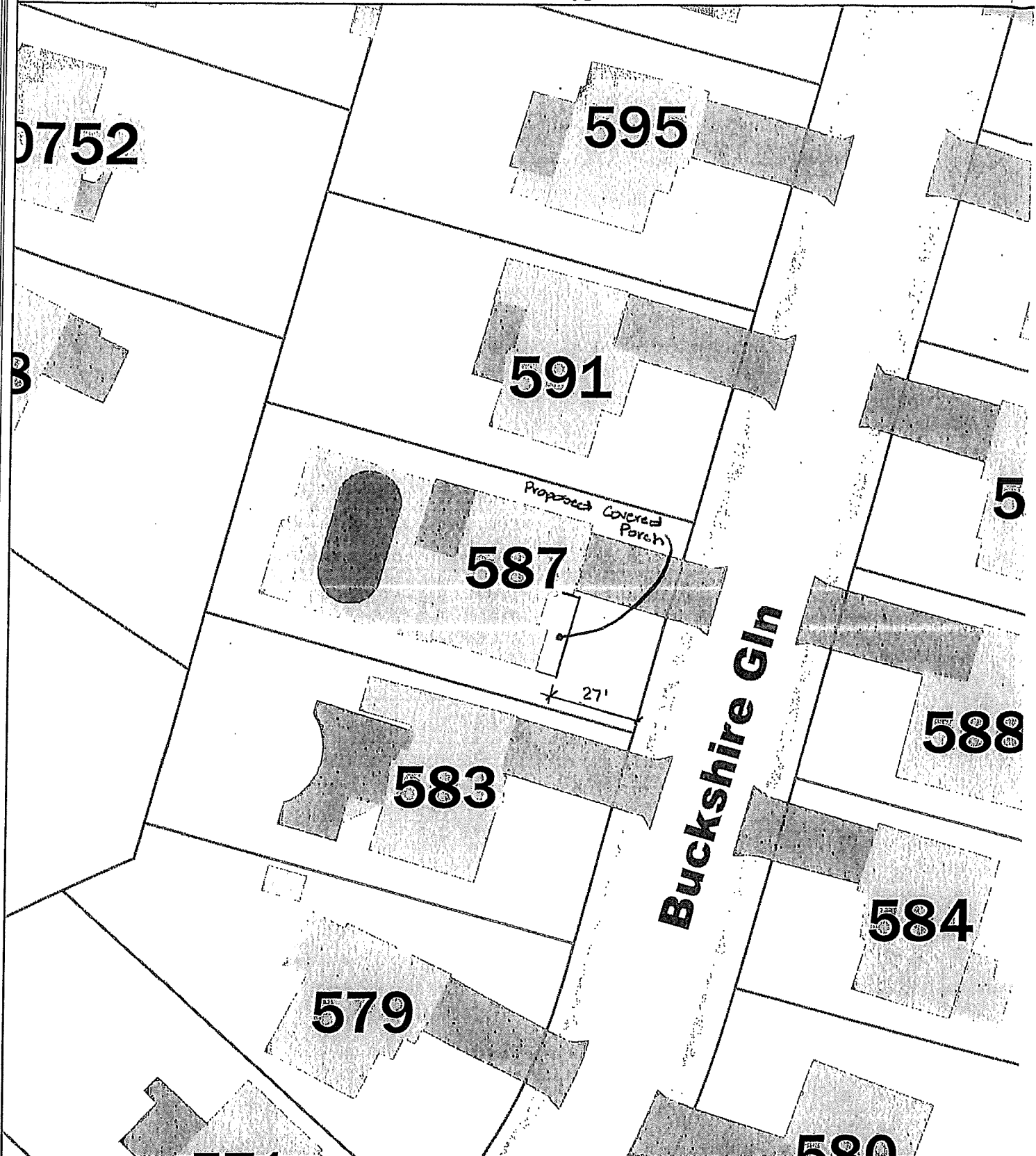
6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
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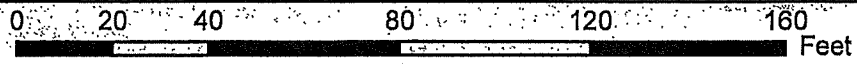
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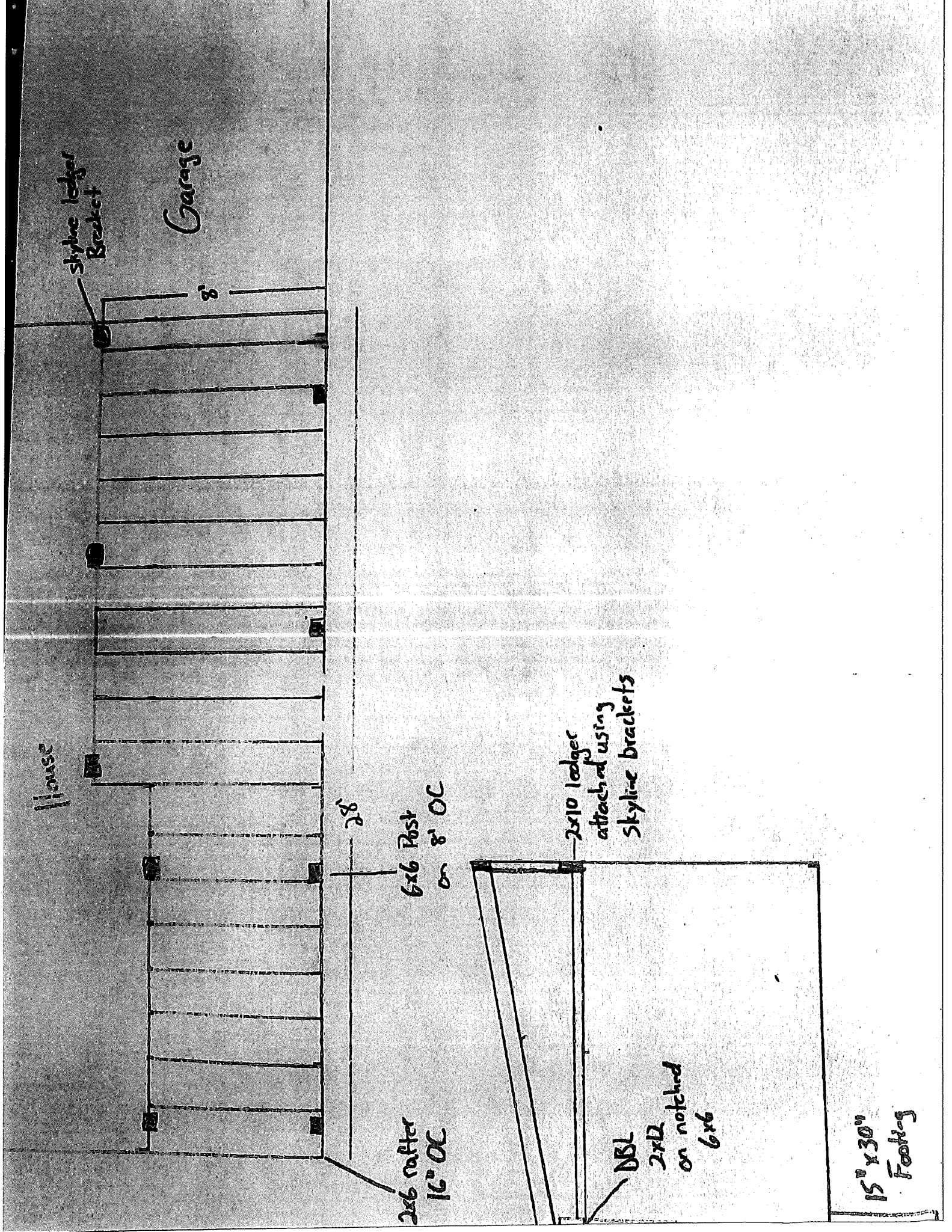
1 Inch = 40 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 10/2/2022

Map Document: *.mxd



House

Garage

skyline ledger Bracket

8'

8'

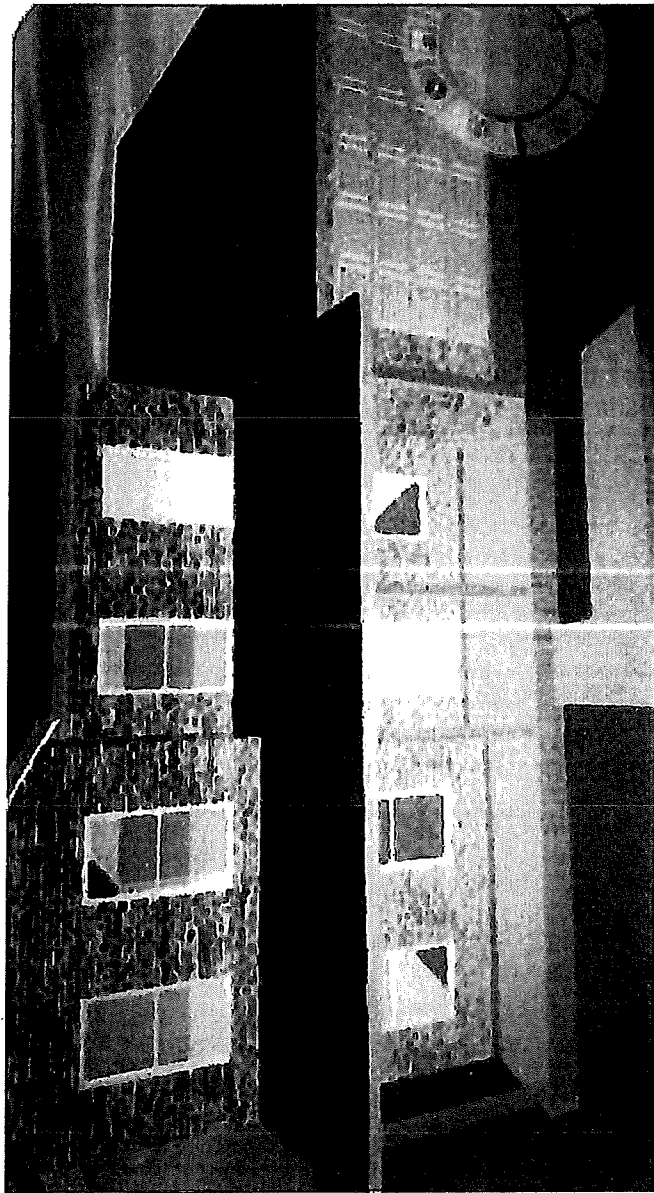
2x6 rafter
16" OC

6x6 Post
on 8' OC

2x10 ledger
attached using
skystone brackets

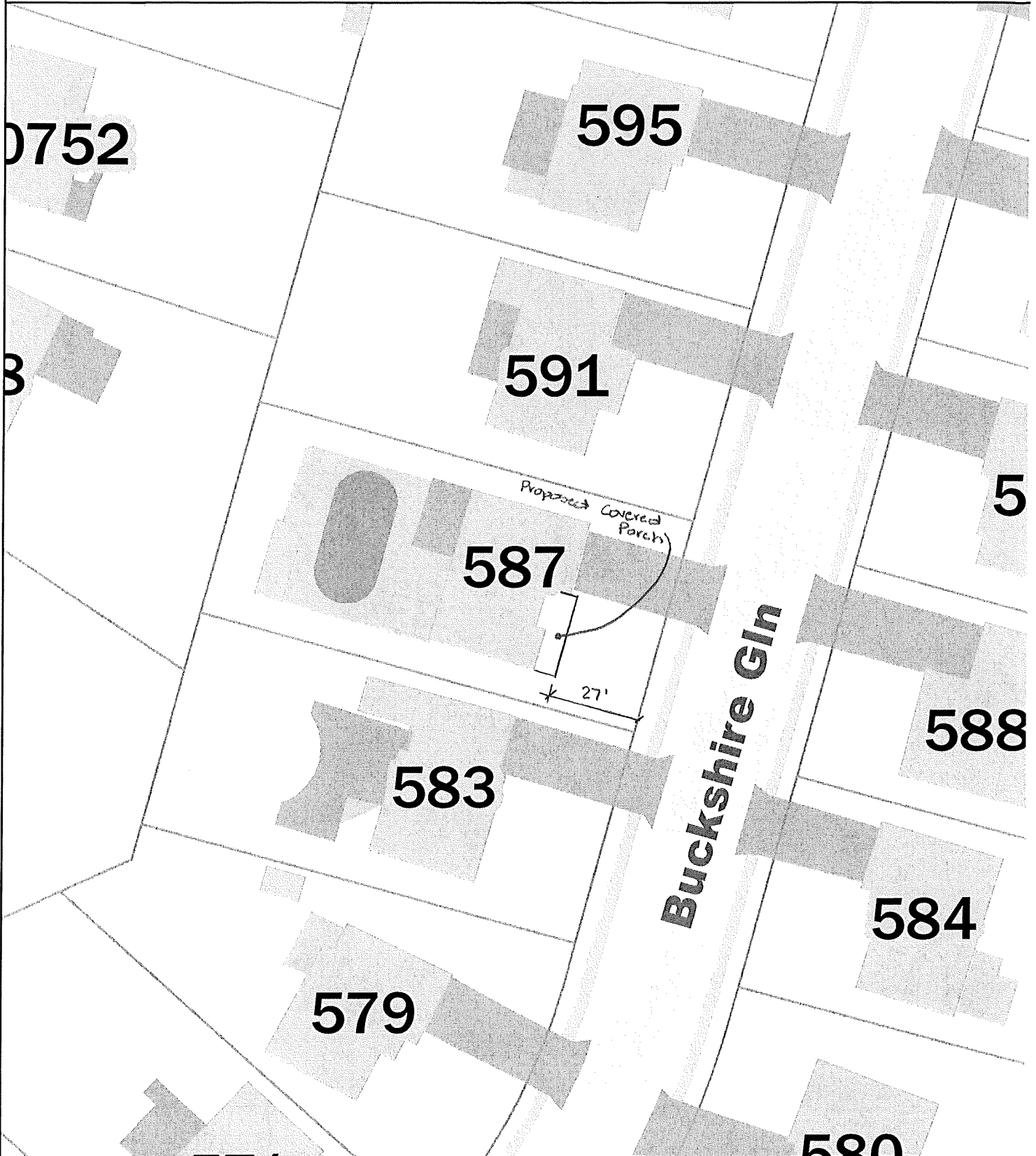
DBL
2x12
on notched
6x6

15" x 30"
Footing



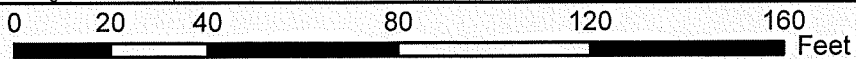
Boone County GIS Map

www.boonecountygis.com



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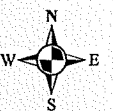
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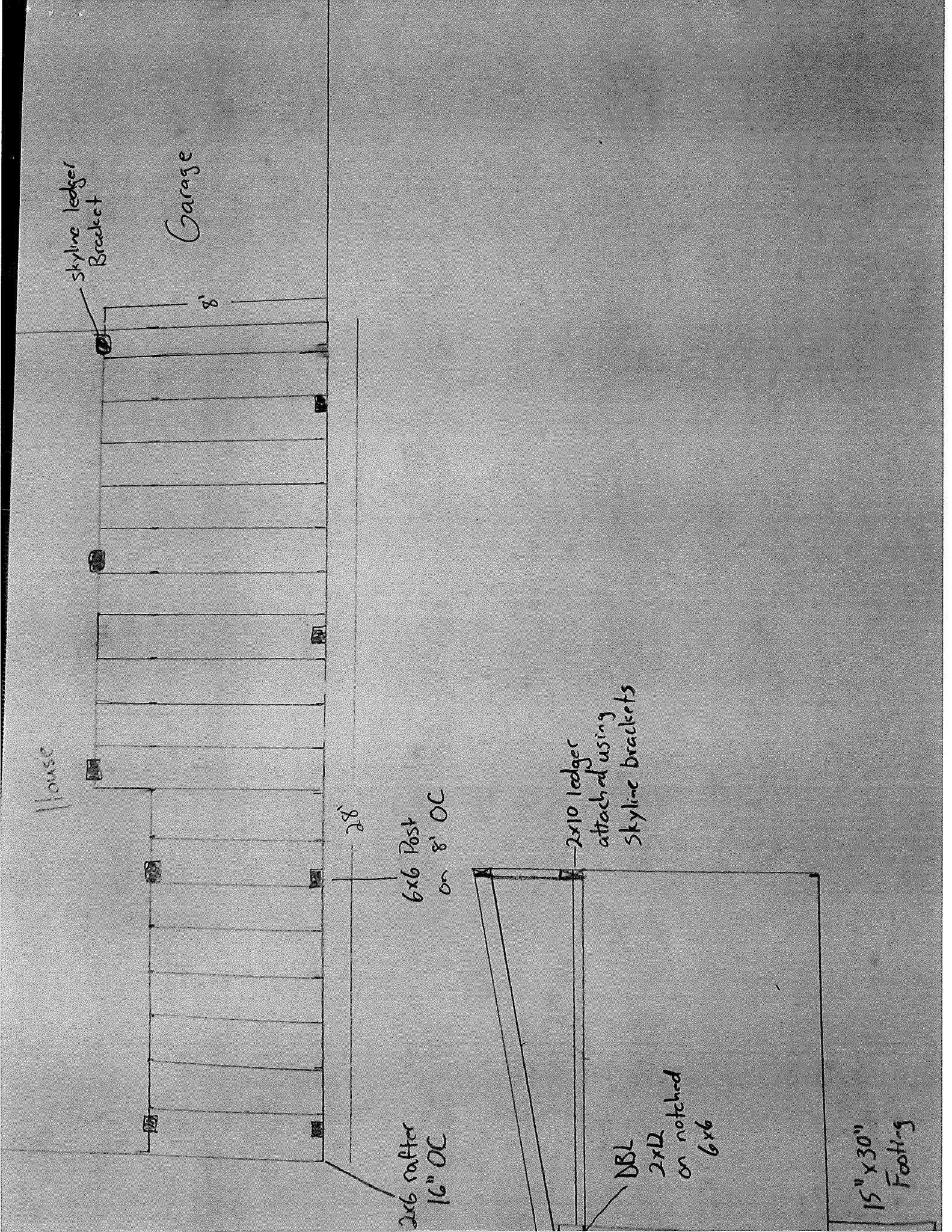


Boone County GIS - Putting Northern Kentucky on the Map



Map Created: x/xx/2022

Map File: Boone County GIS Map 1111
ArcMap Document: *.mxd



Garage

skyline ledger Bracket

8'

HOUSE

28'

6x6 Post on 8' OC

2x10 ledger attached using skyline brackets

2x6 rafter 16" OC

DBL 2x12 on notched 6x6

15" x 30" Footing



CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
George and Cristi Eten
587 Buckshire Glen
Florence, KY 41042
2. ADDRESS OF PROPERTY
587 Buckshire Glen
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Union Station Porch
4. DEED BOOK 1003 PAGE NO. 1 GROUP NO. 2057
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)
- X 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 21st day of December, 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
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.)