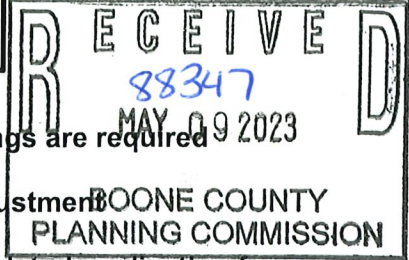


**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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

018

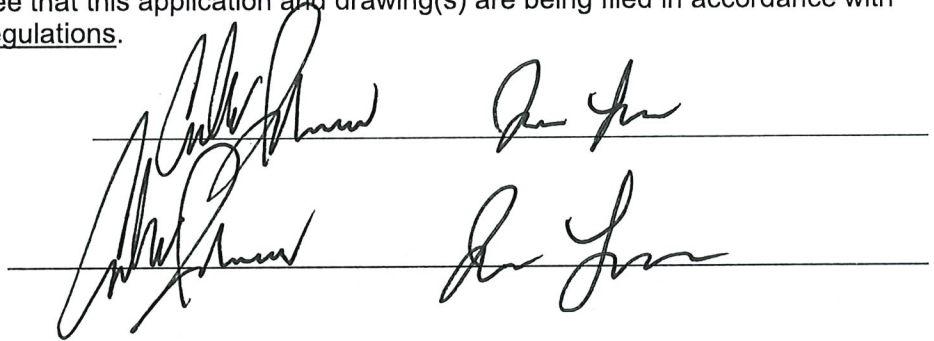
**SECTION A:** (To be completed by applicant)

1. Check One  Boone  Florence  Walton  Union
2. Check One  Conditional Use Permit  Variance  Appeal  
 Change in Non-Conforming Use
3. Applicant: Collin Johnson + Jessica Lightfoot  
Address: 810 Crisp CT  
Walton KY 41094  
City State Zip Code  
Phone Number: 859-957-6871 Fax Number: \_\_\_\_\_  
Email: Collin.Johnson III @ Yahoo.com
4. Description of Request: Reduce 30' Rear Yard setback to +/- 20'  
Build a 12x20 or 14x20 deck in my backyard  
We have a large backyard and no houses near.
5. Name of Development: Steeple Chase
6. Location of Development: Walton  
Walton KY 41094  
City State Zip Code
7. Acreage Under Review: +/- 0.24
8. Lot Number and Name of Subdivision (if part of a subdivision):  
Crisp CT or Steeple Chase
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Address: 810 Crisp CT  
Walton KY 41094  
City State Zip Code  
Phone Number: 859-957-6871 Fax Number: \_\_\_\_\_  
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10. Proposed Use(s) on Site: Deck
11. Total Square Footage of Existing and/or Proposed Buildings: 14 x 20
12. Current Zoning: SR-1/PD/CD
13. 1200 304 2071  
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.

Property Owner's Signature:

Applicant's Signature:

The image shows two rows of handwritten signatures. The top row is for the Property Owner's Signature and the bottom row is for the Applicant's Signature. Each row contains two distinct signatures written in black ink over a horizontal line.

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

1. Date Received: 5/9/23 Fee Received: \$666 Receipt #: 88347
2. Is application complete:
3. Staff Reviewer: M. Schwartz
4. Scheduled Board Action Date: 6/14/2023
5. Board Action: 6/14/2023
- 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](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

## STAFF REPORT

#1

APPLICANT: Collin Johnson and Jessica Lightfoot

LOCATION: 810 Crisp Court, Boone County, Kentucky

ZONING: Suburban Residential One/Planned Development (SR-1/PD)

DATE: June 14, 2023

### PROPOSAL

- A. The applicant is requesting a Variance reducing the rear yard setback from thirty (30) feet to nineteen (19) feet to allow the construction of a deck.

### SITE HISTORY

- 2005 On May 24, 2005, Boone Fiscal Court adopted Resolution Number 05-74, denying a proposed zoning map amendment from A-2 to SR-1 and a Change of Concept Development Plan (R-05-005-A).
- 2006 On August 15, 2006, Boone Fiscal Court adopted Ordinance Number 06-12, approving a zoning map amendment from A-2 to SR-1 and a Change of Concept Development Plan (R-06-016-A).
- 2021 On July 1, 2021, the Boone County Planning Commission approved a Final Plat for Steeplechase Subdivision, Section 18, Phase 3, creating the lot in question.
- 2022 on July 12, 2022, the Boone County Planning Commission approved a Zoning Permit to allow the construction of a detached single-family residential dwelling on the site in question.

### APPLICABLE REGULATIONS

- A. Section 202.C 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 4000 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 204.D and 204.E of the Boone County Zoning Regulations.
1. Findings listed in Section 204.D and 204.E:
    - 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 thirty (30) feet within the SR-1 district.
- E. Section 3123.A 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.
- F. 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.”

#### 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. Crisp Court is identified as a County maintained local street providing for two way traffic within an approximate twenty-four (24) foot pavement width. Sidewalks are provided along both sides of the roadway.

#### SURROUNDING LAND USES AND ZONING

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

#### SITE CHARACTERISTICS

- A. The approximate 0.24 acre property is located at the terminus of Crisp Court, approximately 650 feet north of Wynfair Court.

- B. The site is currently occupied by detached single-family residential dwelling.
- C. Access to the site is from Crisp Court.
- D. The site slopes downward, east to west, at an average grade of 18%.
- E. The proposed deck will be set back nineteen (19) feet from the rear property line.

STAFF COMMENTS

- A. The property to the rear of the site in question has a side yard setback of approximately twenty-eight (28) feet.
- B. If approved, the distance between the proposed deck and the nearest residential structure would be forty-seven (47) 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. Sections 204.D and 204.E 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

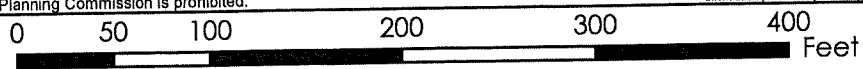
# Vicinity Map

www.boonecountygis.com



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



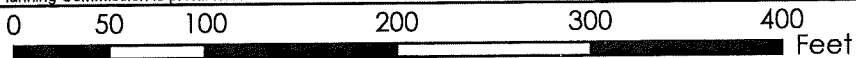
# Aerial Map

www.boonecountygis.com



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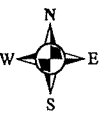
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1 inch = 100 feet

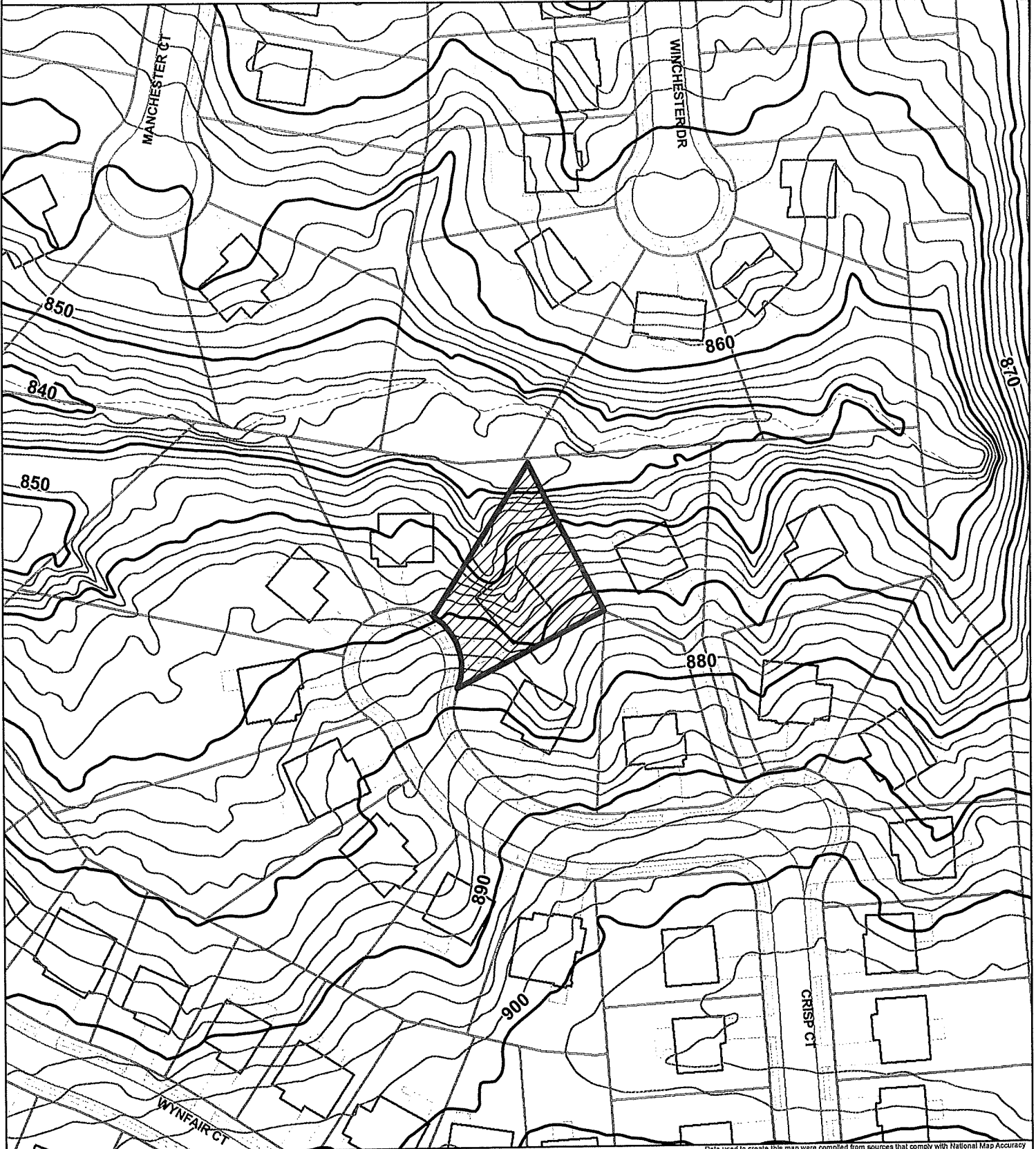


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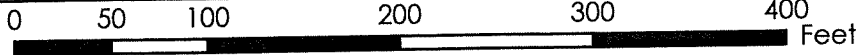
# Topographic Map

www.boonecountygis.com



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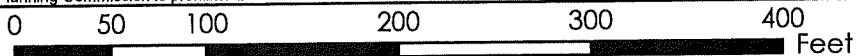
# Zoning Map

www.boonecountygis.com



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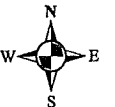
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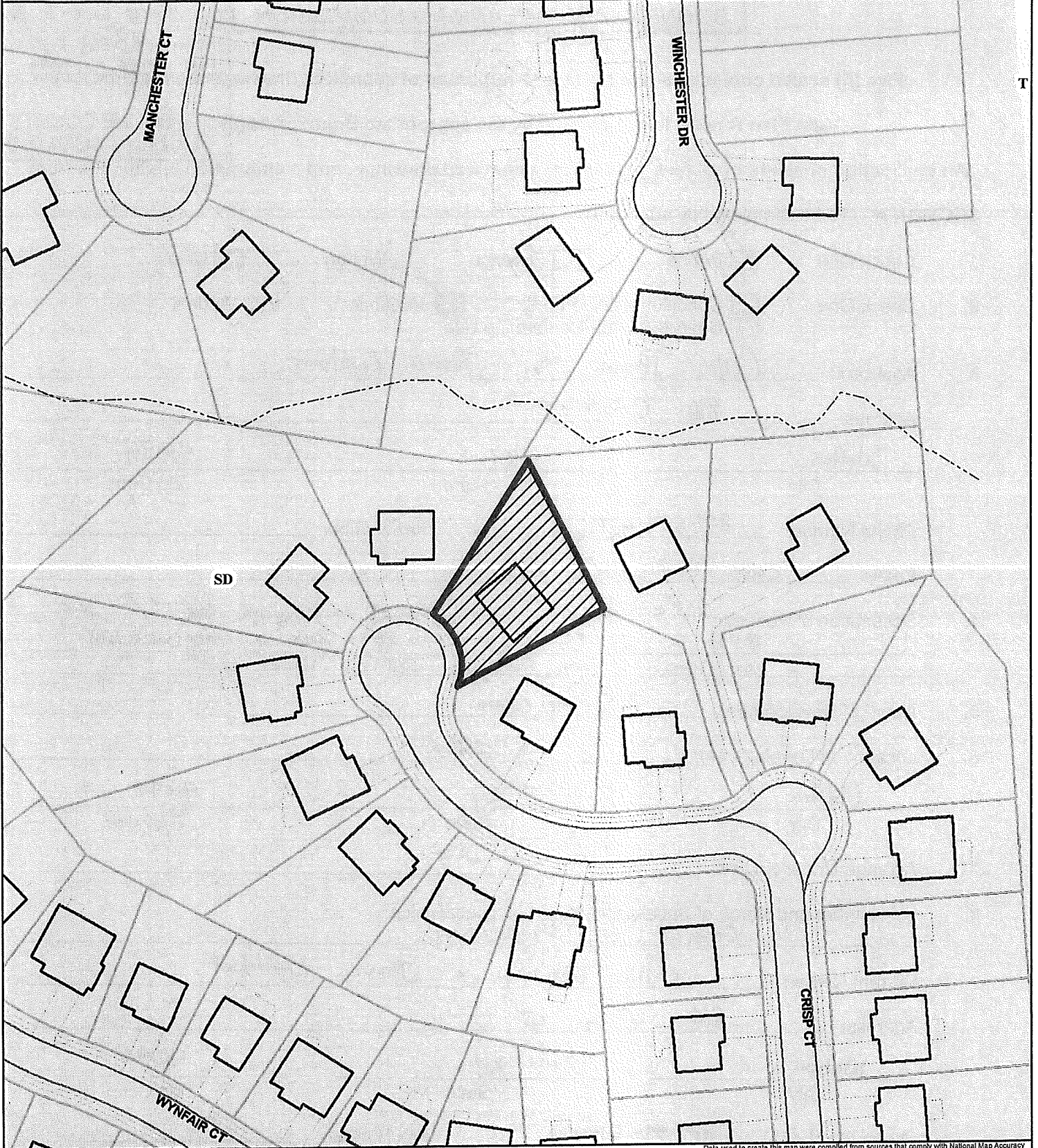


Map Created: xx/xx/2022

Boone County GIS  
AroMap Document: \*.mxd

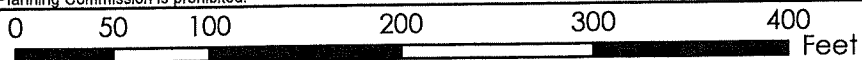
# 2040 Future Land Use Map

www.boonecountygis.com



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1 inch = 100 feet



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



**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**

**R E C E I V E D**  
88347  
MAY 09 2023  
**BOONE COUNTY  
PLANNING COMMISSION**

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

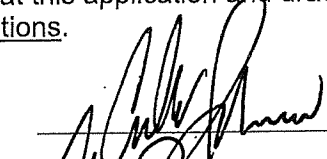

Site Plan Review is not granted by the appropriate Board of Adjustment

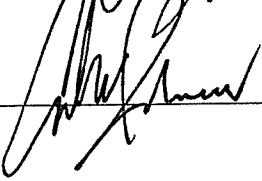

An application consists of all fees paid in full, submitted drawings, and a completed application form

**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: Collin Johnson + Jessica Lightfoot  
Address: 810 Crisp CT  
Walton KY 41094  
City State Zip Code  
Phone Number: 859-957-6871 Fax Number: \_\_\_\_\_  
Email: Collin.Johnson III @ Yahoo.com
4. Description of Request: Reduce 30' Rear Yard setback to +/- 20'  
- Build a 12x20 or 14x20 deck in my backyard  
- We have a large backyard and no houses near.
5. Name of Development: Steeple Chase
6. Location of Development: Walton  
Walton KY 41094  
City State Zip Code
7. Acreage Under Review: +/- 0.24
8. Lot Number and Name of Subdivision (if part of a subdivision):  
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- 10. Proposed Use(s) on Site: Deck
- 11. Total Square Footage of Existing and/or Proposed Buildings: 14 x 20
- 12. Current Zoning: SR-1/PD/CD
- 13. 1200 304 2071  
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.

Property Owner's Signature:  

Applicant's Signature:  

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

1. Date Received: 5/9/23 Fee Received: \$666 Receipt #: 88347

2. Is application complete:  \_\_\_\_\_

3. Staff Reviewer: \_\_\_\_\_

4. Scheduled Board Action Date: \_\_\_\_\_

5. Board Action: \_\_\_\_\_

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

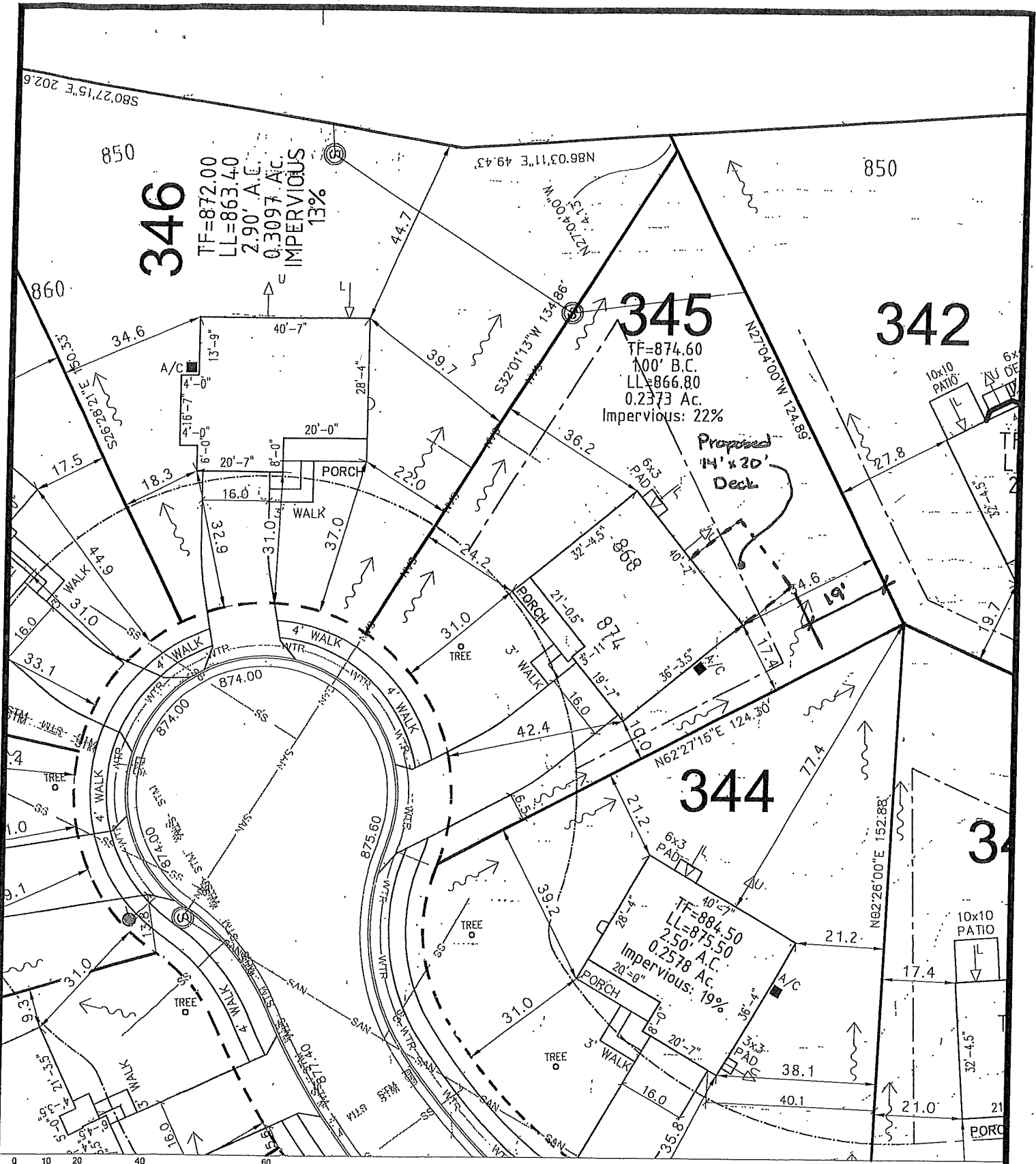
6. Conditions of Approval: \_\_\_\_\_

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

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  
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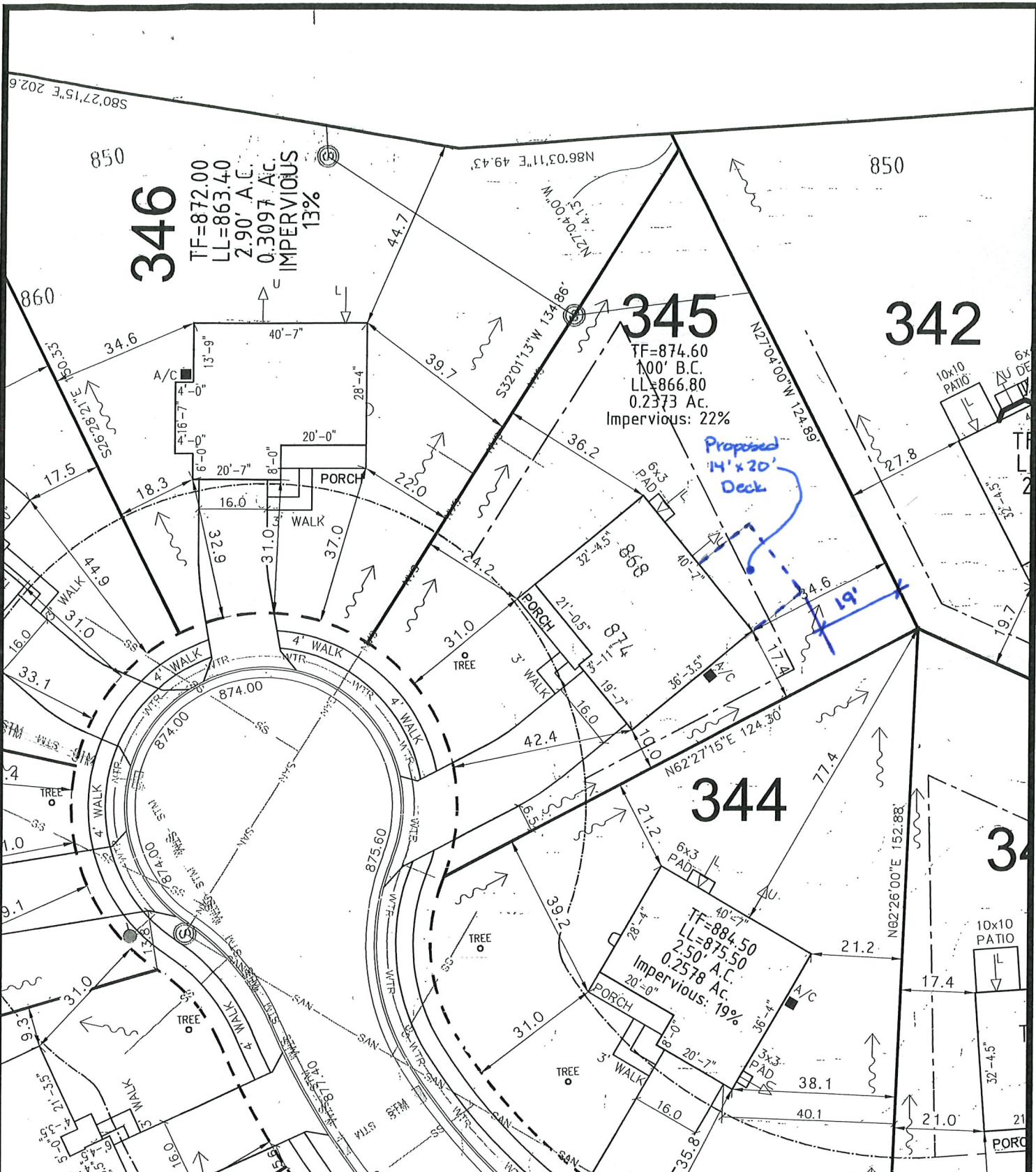


**ISSUE FOR CONSTRUCTION PLOT PLAN**

PLAN: Yosemite - 40-271  
 EXTERIOR: Western Craftsman  
 HOME SITE #: 345 SECTION: 0018  
 COMMUNITY: Steeplechase (SPC)  
 ADDRESS: 810 Crisp Court  
 COUNTY/STATE: Walton, KY  
 PARCEL ID: 076.00-03-345.00  
 DRAWN BY: GTH 859-344-7119

SETBACK REQUIREMENTS		
	FISCHER	ZONING
FRONT	30'	30'
MIN. SIDE	5'	5'
TOT. SIDE	15'	15'
REAR	30'	30'
BETWEEN BUILDINGS		
SIDEYARD CORNER LOT		

DRAWING LEGEND	
<span style="border: 1px solid black; padding: 2px;">100.0</span>	PROPOSED GRADE
<span style="border: 1px solid black; padding: 2px;">100.0 AB</span>	AS BUILD GRADE
---	SANITARY SERVICE
---	SANITARY LINES
---	STORM LINES
---	WATER SERVICE
---	WATER LINES
---	SLUMP LINES



## ISSUE FOR CONSTRUCTION PLOT PLAN

PLAN: Yosemite - 40-271  
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 HOME SITE #: 345 SECTION: 0018  
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 DRAWN BY: GTH 859-344-7119

	SETBACK REQUIREMENTS	
	FISCHER	ZONING
FRONT	30'	30'
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DRAWING LEGEND	
<span style="border: 1px solid black; padding: 2px;">100.0</span>	PROPOSED GRADE
<span style="border: 1px solid black; padding: 2px;">100.0 AB</span>	AS BUILT GRADE
---	SANITARY SERVICE
---	SANITARY LINES
---	STORM LINES
---	WATER SERVICE
---	WATER LINES
---	SUMP LINES

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Collin Johnson & Jessica Lightfoot  
810 Crisp Ct  
Walton, KY 41094
2. ADDRESS OF PROPERTY  
810 Crisp Ct  
Walton, KY 41094
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Johnson Variance
4. DEED BOOK 1200                      PAGE NO. 304                      GROUP NO. 2071
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 15<sup>th</sup> day of June, 2023.

---

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.)