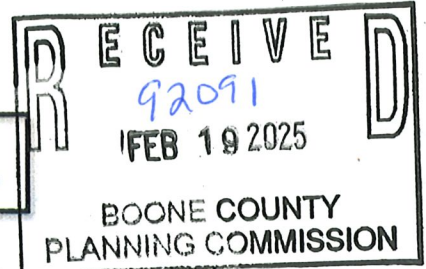


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



One (1) scaled copy and one (1) 11 x 17 reduction of submitted drawings are required

004

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

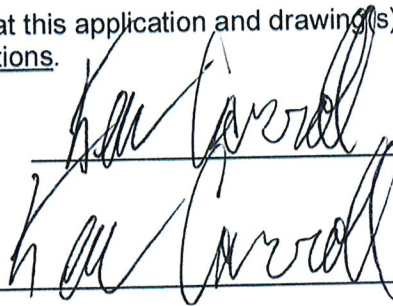
SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: Kenneth Carroll
Address: 468 Rosebud Cir
Walton KY 41094
City State Zip Code
Phone Number: 859-512-6551 Fax Number: _____
Email: foramberandamara@gmail.com
4. Description of Request:
Request for addition of carport and storage to come within 29' +/- of the road.
5. Name of Development: Howes Acres
6. Location of Development: Boone County Rural Subdivision
Walton KY 41094
City State Zip Code
7. Acreage Under Review: 0.420185
8. Lot Number and Name of Subdivision (if part of a subdivision):
Lot 61 Sec 3 Howe Acres
9. Current Owner: Kenneth Carroll
Address: 468 Rosebud Cir
Walton KY 41094
City State Zip Code
Phone Number: 859-512-6551 Fax Number: _____
Email: foramberandamara@gmail.com

10. Proposed Use(s) on Site: Carport and storage attached to home
11. Total Square Footage of Existing and/or Proposed Buildings: 384
12. Current Zoning: RS Rural Suburb
13. 1089 771 2058
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: Up to the board. Prefer April 2025
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 handwritten signatures in black ink. The top signature is written over a horizontal line and is identified as the Property Owner's Signature. The bottom signature is also written over a horizontal line and is identified as the Applicant's Signature. Both signatures appear to be the same person's name, written in a cursive style.

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

1. Date Received: 2/19/25 Fee Received: \$666 Receipt #: 92091

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 4/9/2025

5. Board Action: 4/9/2025

- 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
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: Kenneth Carroll

LOCATION: 468 Rosebud Circle, Boone County, Kentucky

ZONING: Rural Suburban (RS)

DATE: April 9, 2025

PROPOSAL

- A. The applicant is requesting a Variance reducing the minimum front yard setback from forty (40) feet to fourteen (14) feet for an attached carport.

SITE HISTORY

- 1988 On November 8, 1988, Boone Fiscal Court adopted Ordinance Number 920.165, changing the zoning of the site in question, and adjacent areas, from RSE to RS (R-46-88).
- 2004 On August 18, 2004, the Boone County Planning Commission approved a Final Plat for Howe Acres, Section 3.
- 2005 On February 25, 2005, the Boone County Planning Commission approved a zoning permit for the construction of a single-family residence on the site in question.
- 2005 On September 27, 2005, the Boone County Planning Commission approved a zoning permit for the construction of a deck on the site in question.
- 2021 On October 21, 2021, the Boone County Planning Commission approved a zoning permit for the construction of a chicken coop 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 902.A of the Boone County Zoning Regulations states that the purpose of the Rural Suburban district is to provide a residential environment whose dwelling types and densities are typical of a low density suburban character. Such districts will largely be located to preserve the established character of areas developed prior to the adoption of these regulations and where there is limited feasibility, desire, or need to provide or require installation or utilization of all infrastructure necessary to support a suburban or urban neighborhood.

E. Section 4000 of the Boone County Zoning Regulations defines front yard as a yard extending between side lot lines across the front of a lot and from the front lot line(s) to the principal building. For flag lots, the front yard is the yard area between the structure and the property line(s) of the neighboring lot, however, for measurement purposes, this area shall meet the corner side yard setback requirement.



- F. Section 3111 of the Boone County Zoning Regulations states that the minimum front yard setback within the RS district is forty (40) feet.

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. Rosebud Circle is identified as a County maintained local street providing for two-way traffic within an approximate twenty-four (24) foot pavement width. There are sidewalks along both sides of the roadway.

SURROUNDING LAND USES AND ZONING

North: Single family residential (RS)
South: Single family residential (RS)
East: Single family residential (RS)
West: Single family residential (RS)

SITE CHARACTERISTICS

- A. The approximate 0.4 acre property is located on the south and east sides of Rosebud Circle, approximately 1,100 feet north of Maher Road.
- B. The site has approximately two hundred sixty (260) feet of frontage along Rosebud Circle.
- C. The site is currently occupied by a detached single-family residential dwelling with an attached two-car garage and a chicken coop.
- D. Access to the site is from a single curb cut onto Rosebud Circle.
- E. Topographically, the site slopes downward, front to back, with a sixteen (16) foot elevation change.

STAFF COMMENTS

- A. The applicant has provided a petition with the signatures of thirty (38) property owners indicating their agreement with the submitted request.

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

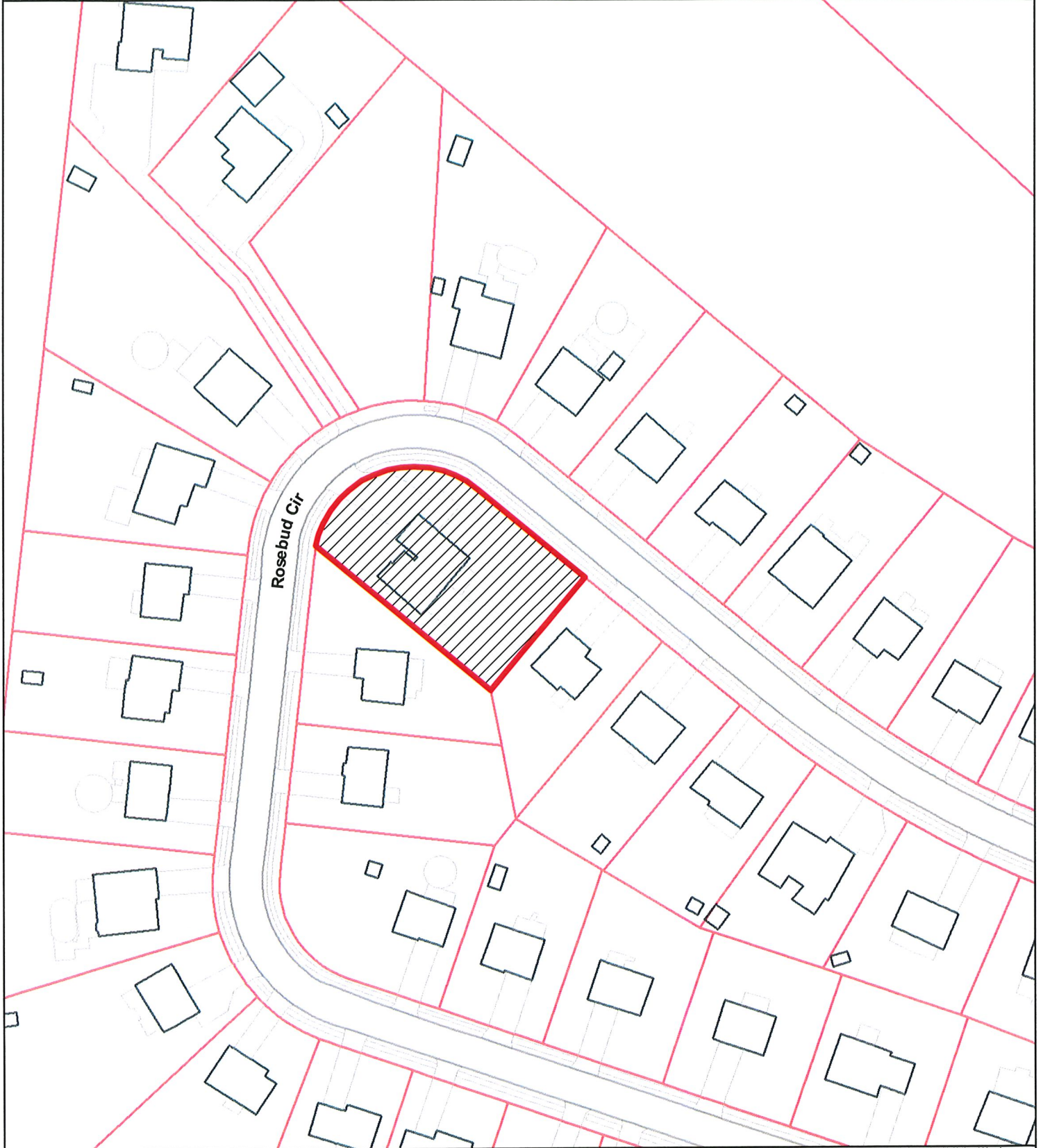
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographic Map
- *Zoning Map
- *2040 Future Land Use Map
- *Front Yard Map
- *Application
- *Petition of Support
- *Development Plan

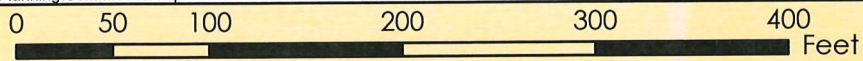
Vicinity Map

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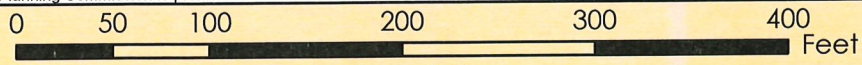
Aerial Map

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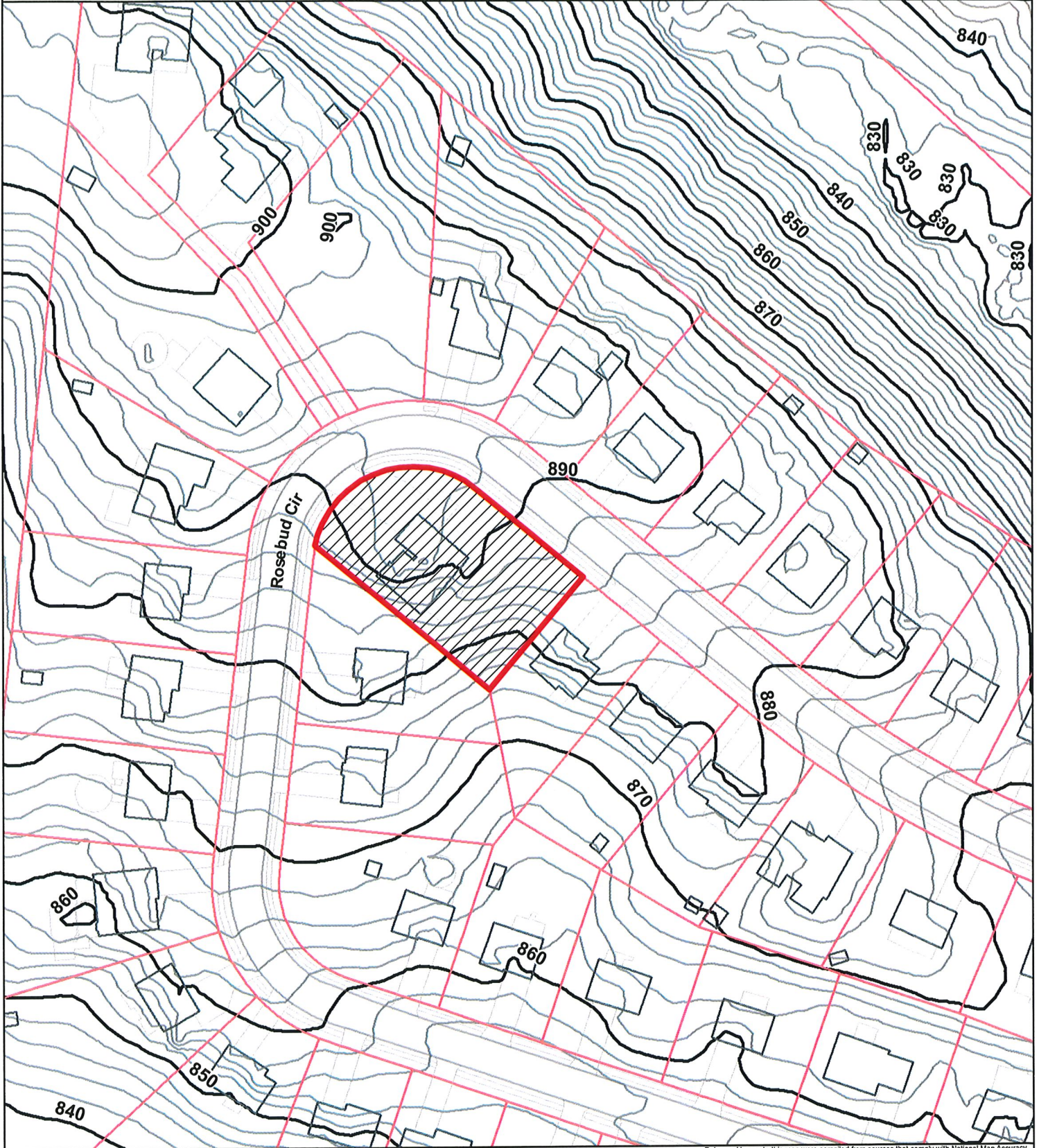


Boone



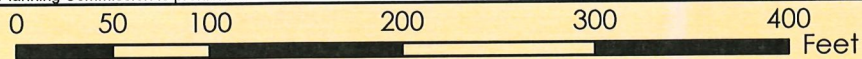
Topographic Map

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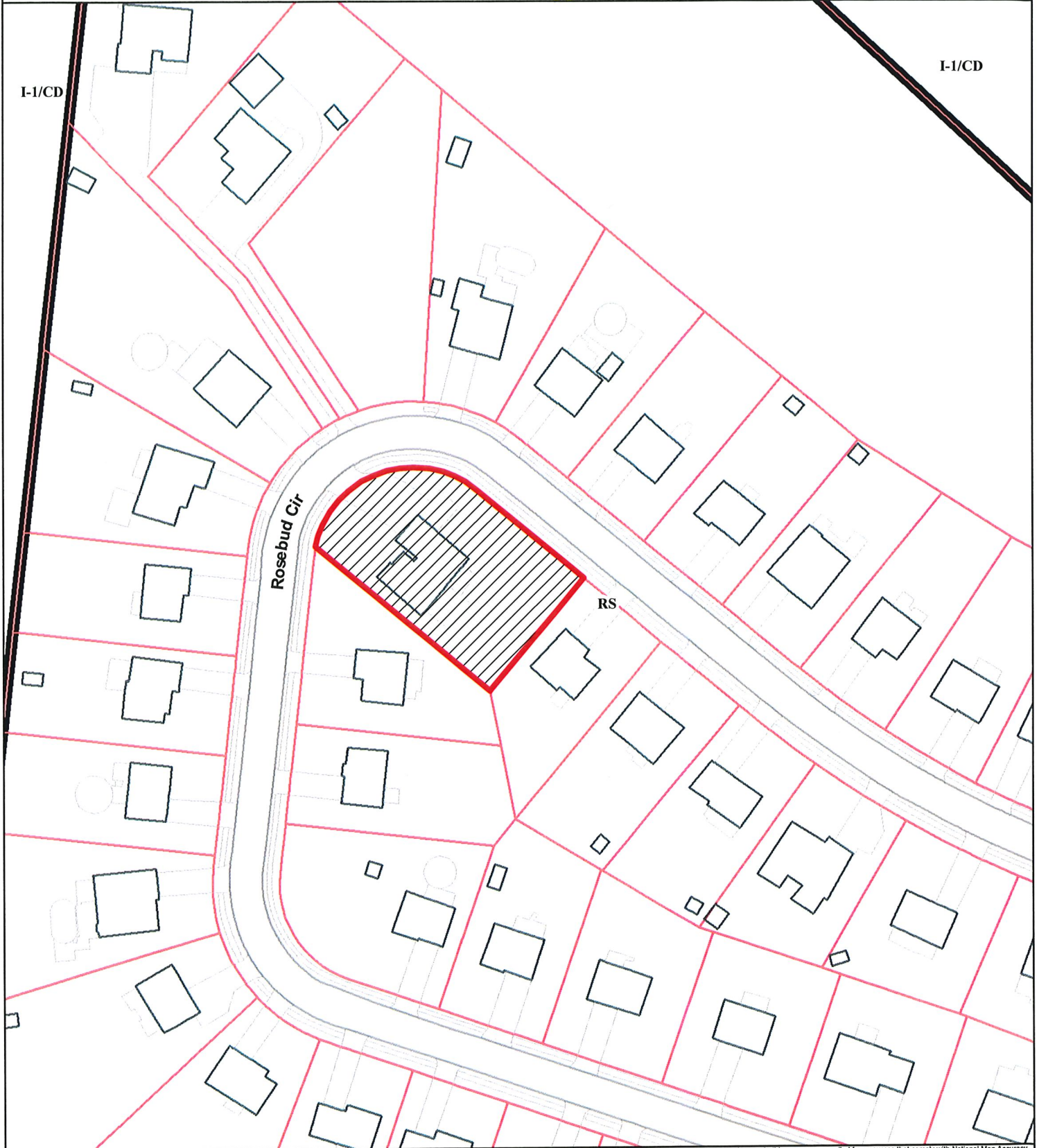


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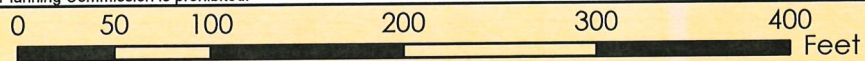
Zoning Map

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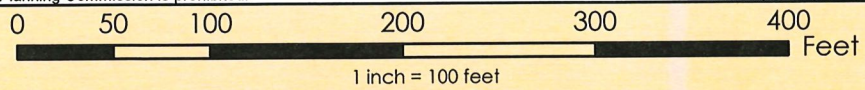
2040 Future Land Use Map

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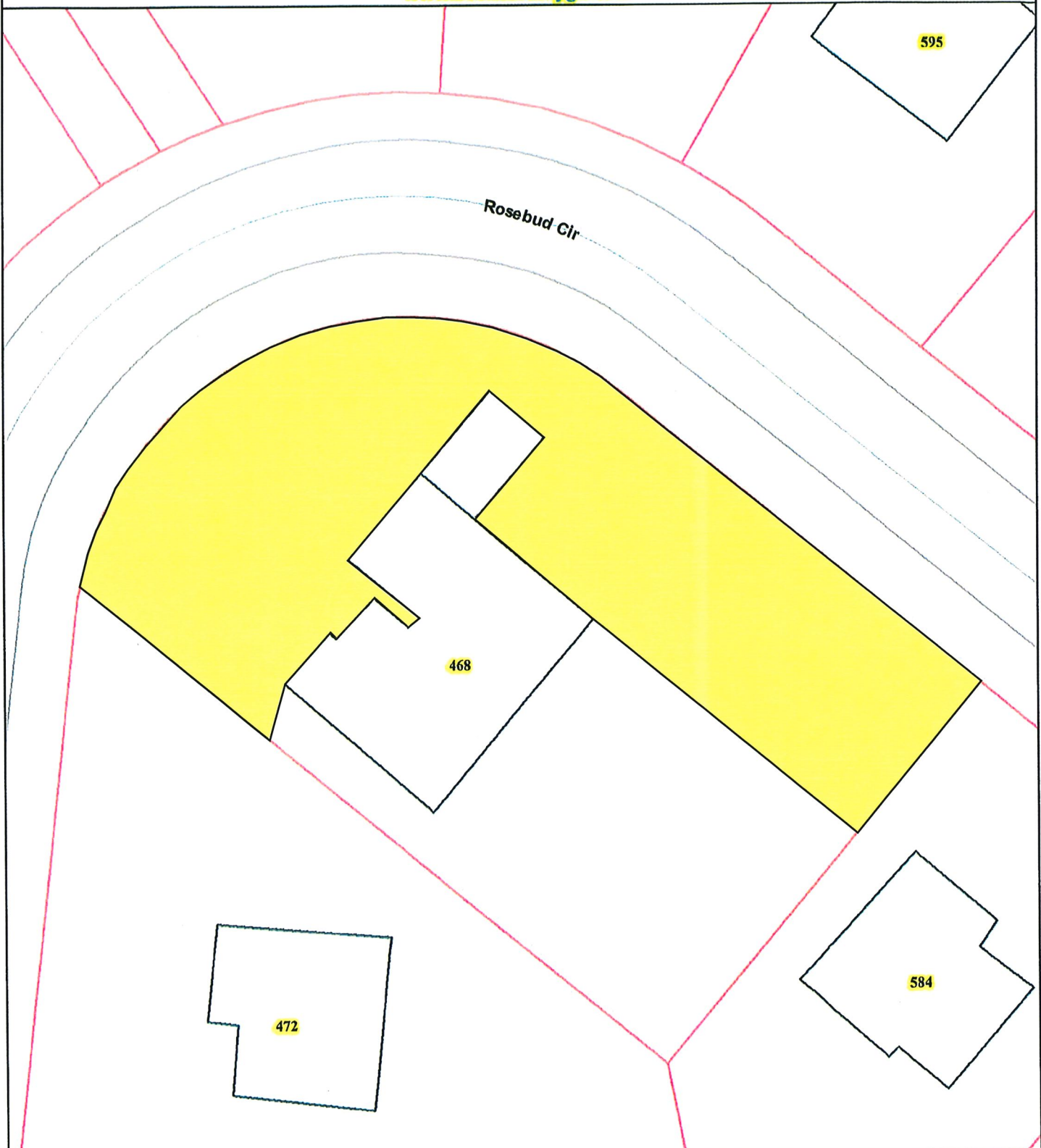


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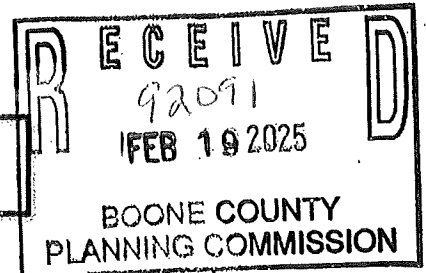
0 15 30 60 90 120 Feet

1 inch = 30 feet



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**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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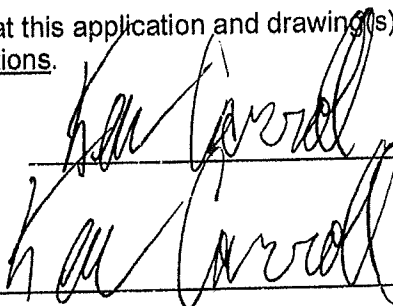
SECTION A: (To be completed by applicant)

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Address: 468 Rosebud Cir
Walton KY 41094
City State Zip Code
Phone Number: 859-512-6551 Fax Number: _____
Email: foramberandamara@gmail.com
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Walton KY 41094
City State Zip Code
7. Acreage Under Review: 0.420185
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13. 1089 771 2058
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: Up to the board. Prefer April 2025
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SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 2/19/25 Fee Received: \$1000 Receipt #: 92091

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
plancom@boonecountyky.org
www.boonecountyky.org

Dear Neighbor

My name is Ken Carroll. I live at 468 Rosebud Cir, Walton Ky. I am wanting to build a carport and carport storage at the end of my driveway, on the side of my home. I have to obtain a zoning variance for this. There will be approximately 14' between the addition and the road. Please see the diagram on the back. If you are agreeable to this, will you please sign this petition? Thank you.

- 611 Rosebud _____
- 607 Rosebud Therese Smith
- 599 Rosebud Lera R. Allen
- 595 Rosebud César Aguirre
- 591 Rosebud [Signature]
- ✓ 587 Rosebud Victor DeCar
- 583 Rosebud _____
- 579 Rosebud [Signature]
- 575 Rosebud _____
- 571 Rosebud Judith A. Sandell
- 567 Rosebud [Signature]
- 563 Rosebud [Signature]
- 559 Rosebud Cynthia A. Marsh
- 555 Rosebud [Signature]
- 551 Rosebud _____
- 547 Rosebud _____
- 539 Rosebud [Signature]
- 535 Rosebud _____
- 531 Rosebud [Signature]
- 527 Rosebud Shannon Reed
- 523 Rosebud Lee Fogel
- 519 Rosebud [Signature]

Dear Neighbor

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515 Rosebud _____

511 Rosebud Amanda Barnhill

507 Rosebud [Signature]

503 Rosebud [Signature]

495 Rosebud _____

503 Rosebud _____

495 Rosebud _____

491 Rosebud [Signature]

487 Rosebud _____

483 Rosebud [Signature]

479 Rosebud _____

475 Rosebud [Signature]

471 Rosebud [Signature]

463 Rosebud [Signature]

459 Rosebud [Signature]

455 Rosebud [Signature]

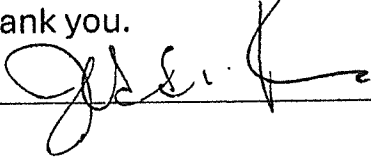
451 Rosebud [Signature]

447 Rosebud [Signature]

443 Rosebud [Signature]

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584 Rosebud 

580 Rosebud _____

576 Rosebud _____

572 Rosebud _____

✓ 568 Rosebud Sawamah Osman

564 Rosebud _____

560 Rosebud Debra Tal

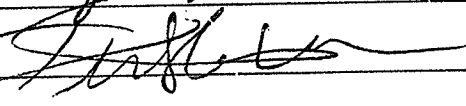
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540 Rosebud _____

526 Rosebud _____

512 Rosebud _____

508 Rosebud Cory Miller

504 Rosebud 

500 Rosebud _____

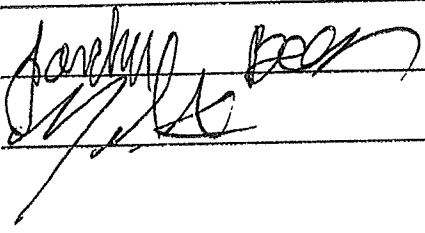
496 Rosebud _____

492 Rosebud _____

488 Rosebud _____

480 Rosebud _____

476 Rosebud Joseph Bean

472 Rosebud 

Dear Neighbor

My name is Ken Carroll. I live at 468 Rosebud Cir, Walton Ky. I am wanting to build a carport and carport storage at the end of my driveway, on the side of my home. I have to obtain a zoning variance for this. There will be approximately 14' between the addition and the road. Please see the diagram on the back. If you are agreeable to this, will you please sign this petition? Thank you.

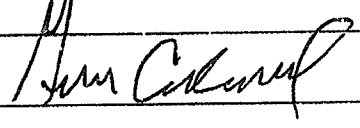
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10467 Walnut Ridge Dr _____

10463 Walnut Ridge Dr _____

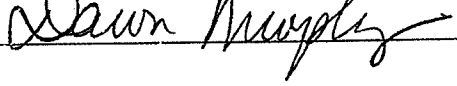
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10460 Walnut Ridge Dr _____

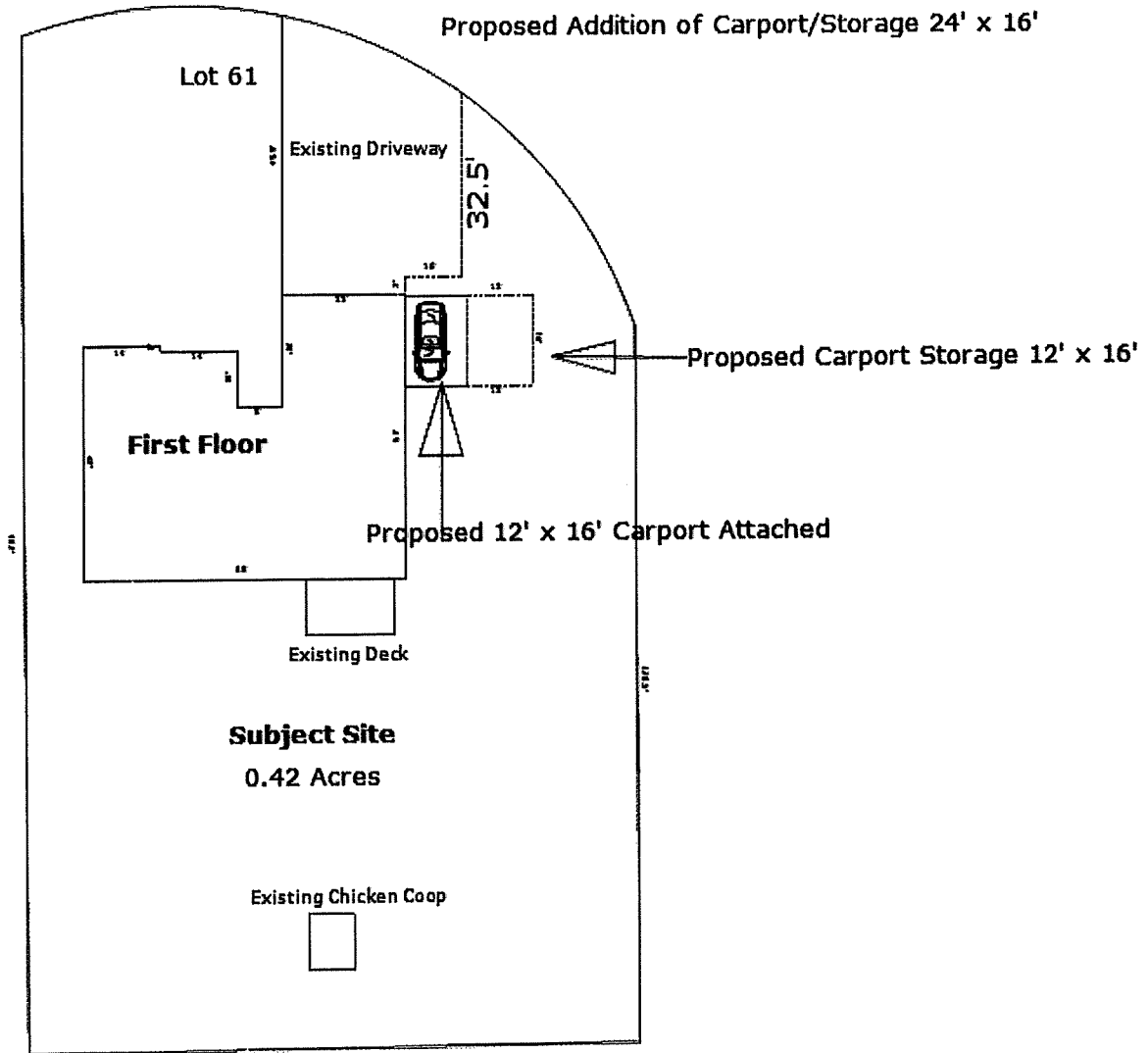
10464 Walnut Ridge Dr 

10468 Walnut Ridge Dr 

10474 Walnut Ridge Dr _____

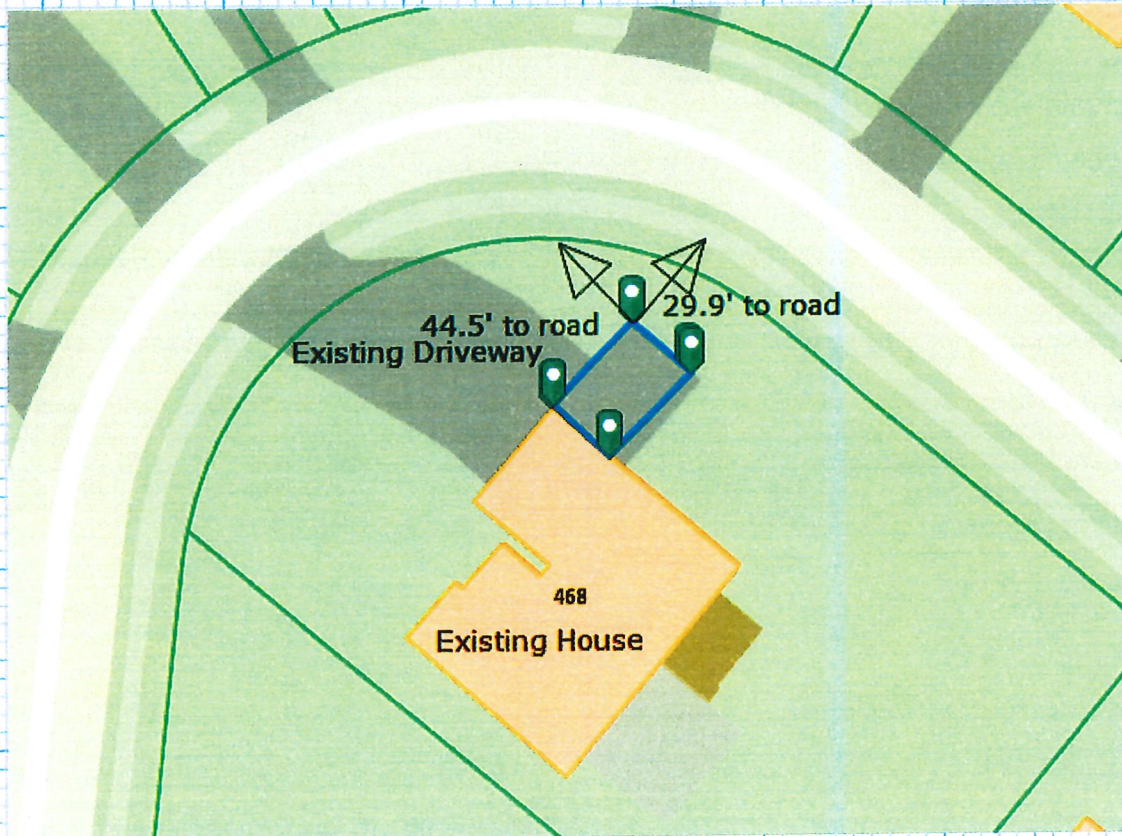
10472 Walnut Ridge Dr 

Rosebud Circle]
Existing Street



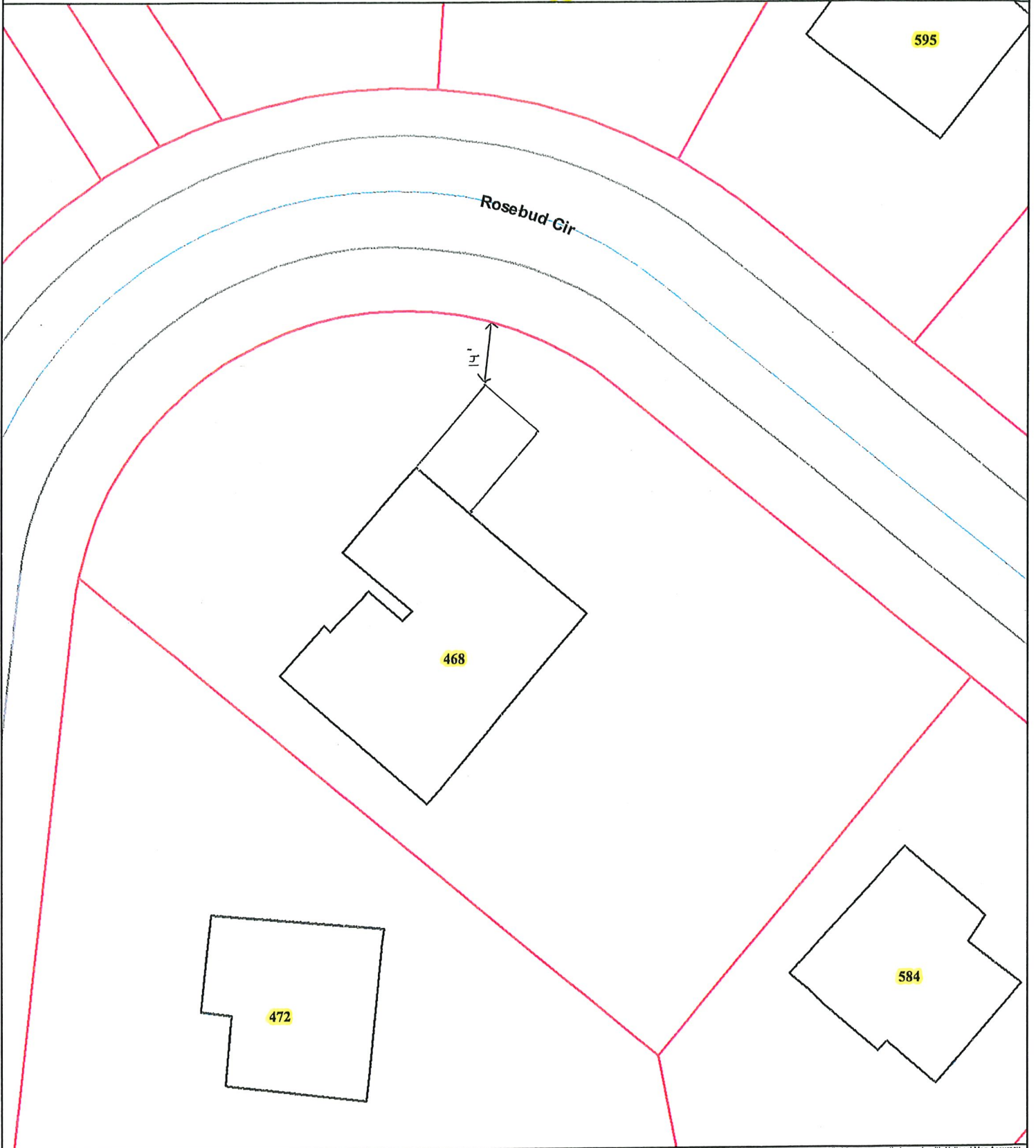
Lot 61, Sec 3, Howe Acres
Walton Ky, Boone County Ky

Carport With Storage to Be 24' x 16'



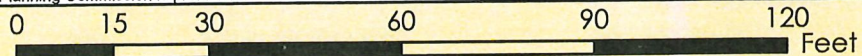
Boone County GIS Map

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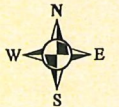


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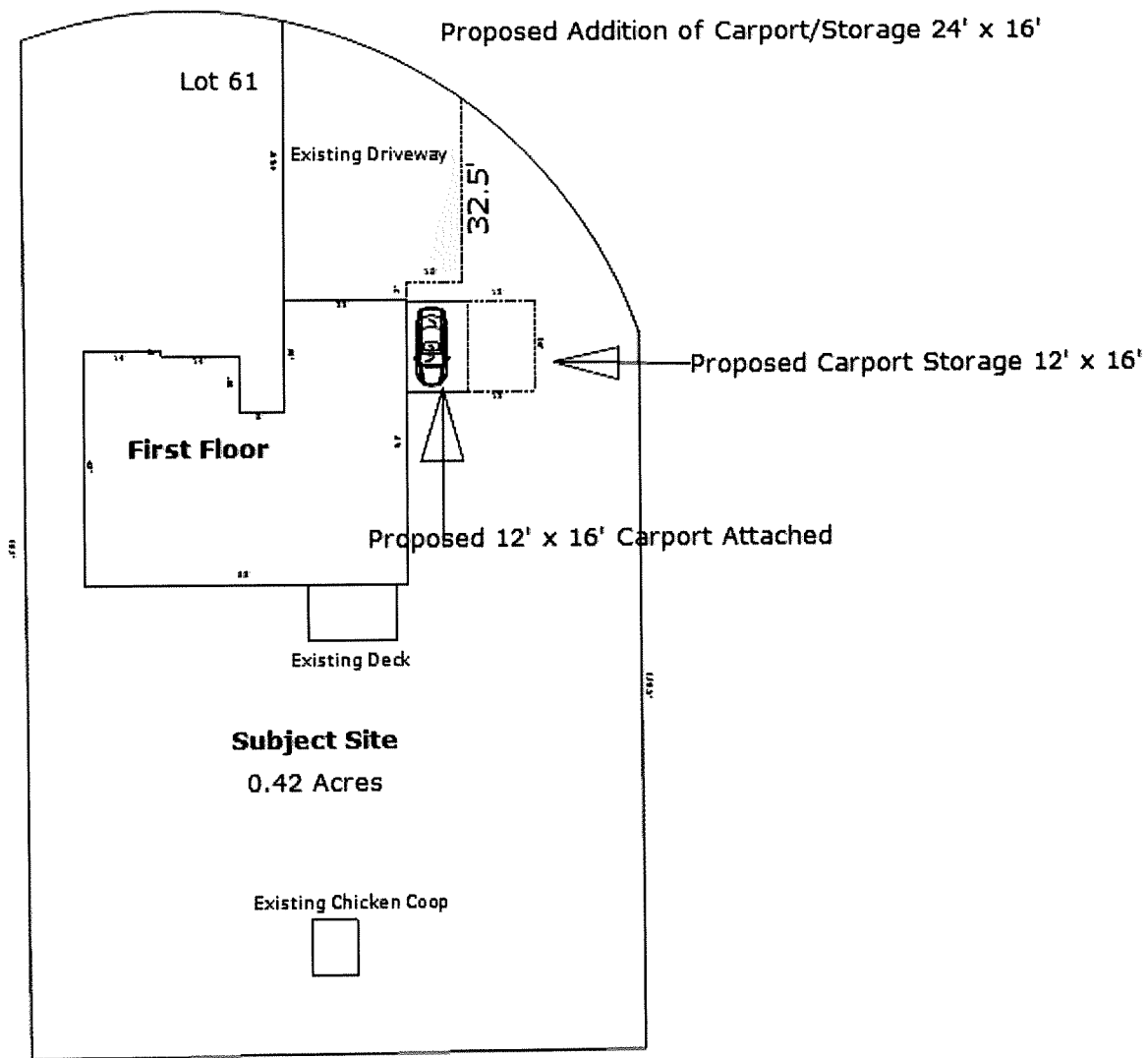
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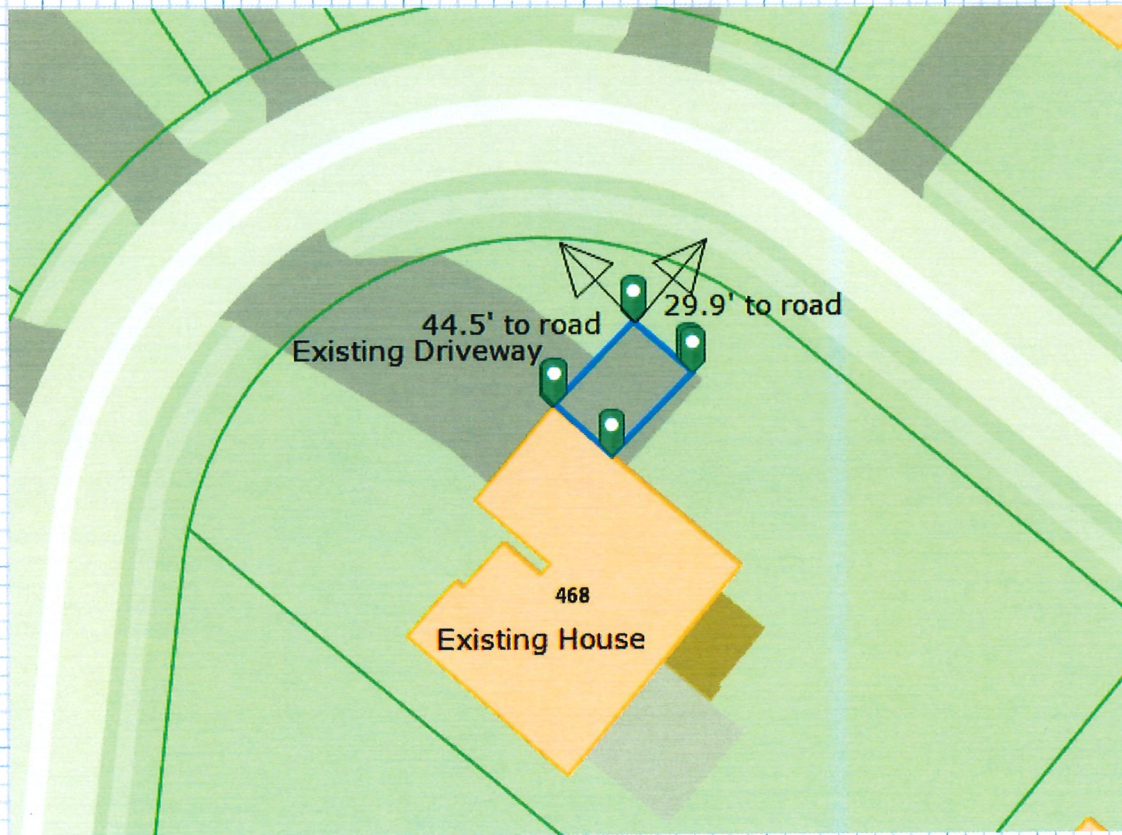
Rosebud Circle]

Existing Street



Lot 61, Sec 3, Howe Acres
Walton Ky, Boone County Ky

Carport With Storage to Be 24' x 16'



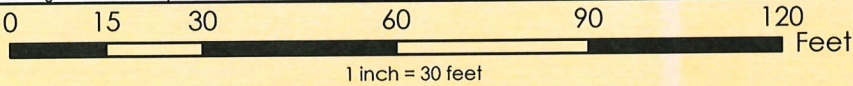
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CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Kenneth Carroll
468 Rosebud Cir
Walton, KY 41094

2. ADDRESS OF PROPERTY
468 Rosebud Cir
Walton, KY 41094

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Carroll Variance

4. DEED BOOK 1089 PAGE NO. 771 GROUP NO. 2058

5. TYPE OF RESTRICTION(S) (Check all that apply)

 Zoning Map Amendment:
From _____ To _____ Conditional Use Permit

 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 10th day of April, 2025.

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.)