

**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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

dlv

**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: Paul Steffen

Address: 1390 Urlage Drive

Burlington KY 41005  
City State Zip Code

Phone Number: 859-620-1881 Fax Number: \_\_\_\_\_

Email: paul.steffen@perfettivanmelle.com

4. Description of Request: Install 8' PVC White Privacy Fence Due to Ground Elevation

5. Name of Development: Paul Steffen

6. Location of Development: 1390 Urlage Drive

Burlington KY 41005  
City State Zip Code

7. Acreage Under Review: Privacy Fence will be 8' tall x 36' long

8. Lot Number and Name of Subdivision (if part of a subdivision):  
Lot # 498 Gunpowder Trails

9. Current Owner: Paul Steffen

Address: 1390 Urlage Drive

Burlington KY 41005  
City State Zip Code

Phone Number: 859-620-1881 Fax Number: \_\_\_\_\_

Email: paul.steffen@perfettivanmelle.com

10. Proposed Use(s) on Site: 8' - Privacy in my side & backyard from my two neighbors backyards.
11. Total Square Footage of Existing and/or Proposed Buildings: N/A 1,600 sqf
12. Current Zoning: SR-1 Residential
13. 854 1198 433 398 2038-A  
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: 7/14/25 Fee Received: \$6666 Receipt #: 92973
2. Is application complete:
3. Staff Reviewer: M. Schwartz
4. Scheduled Board Action Date: 8/13/2025
5. Board Action: 8/13/2025  
 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](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

## STAFF REPORT

#1

APPLICANT: Paul Steffen

LOCATION: 1390 Urlage Drive, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: August 13, 2025

### PROPOSAL

- A. The applicant is requesting a Variance increasing the height of a fence from six (6) feet to eight (8) feet in the side and rear yards.

### SITE HISTORY

- 2006 On October 3, 2006, the Boone Fiscal Court adopted Ordinance Number 06-15, approving a zoning map amendment for the site in question, including areas adjacent to the site in question, from A-2 to SR-1 to allow the development of single-family residences (R-06-018-A).
- 2011 The Boone County Planning Commission approved a Final Plat for Gunpowder Trails, Section 16, creating the lot in question.
- 2012 On May 22, 2012, the Boone County Planning Commission approved a Zoning Permit allowing the construction of a detached single-family residence on the site in question.
- 2018 On October 4, 2018, the Boone County Planning Commission approved a Zoning Permit allowing the construction of an addition 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 903.A 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. Suburban Residential One districts will be located on lands within established urban areas where adequate infrastructure facilities and services are available or proposed.
- E. Section 3655.B of the Boone County Zoning Regulations states that the maximum height for fences within residential districts and the GR-R district is six (6) feet and fences shall be required to be located within the side or rear yards.

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. Urlage Drive is identified as a county maintained local cul-de-sac street providing for two way traffic within two (2) driving lanes. There are sidewalks along both sides of the roadway.

SURROUNDING LAND USES AND ZONING

- North: Detached single-family residential dwellings (SR-1)
- South: Detached single-family residential dwellings (SR-1)
- East: Detached single-family residential dwellings (SR-1)
- West: Detached single-family residential dwellings (SR-1)

SITE CHARACTERISTICS

- A. The approximate 0.18 acre area is located along the north side of Urlage Drive, approximately one thousand one hundred (1,100) feet east of Gordon Boulevard.
- B. The site has approximately sixty-five (65) feet of frontage along Urlage Drive.
- C. The site is currently occupied by a detached single-family residential dwelling.
- D. Access to the site is from a curb cut onto Urlage Drive.
- E. Topographically, the site slopes downward, west to east, at an average grade of six (6) percent.

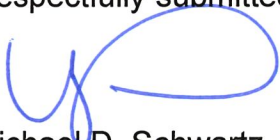
STAFF COMMENTS

- A. The submitted Concept Development Plan indicates the installation of an eight (8) foot high privacy fence enclosing the rear yard.
- B. Due to the topography of the area, the property located to the west of the site sits higher than the site and the property located to the east of the site sits lower than the site.

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

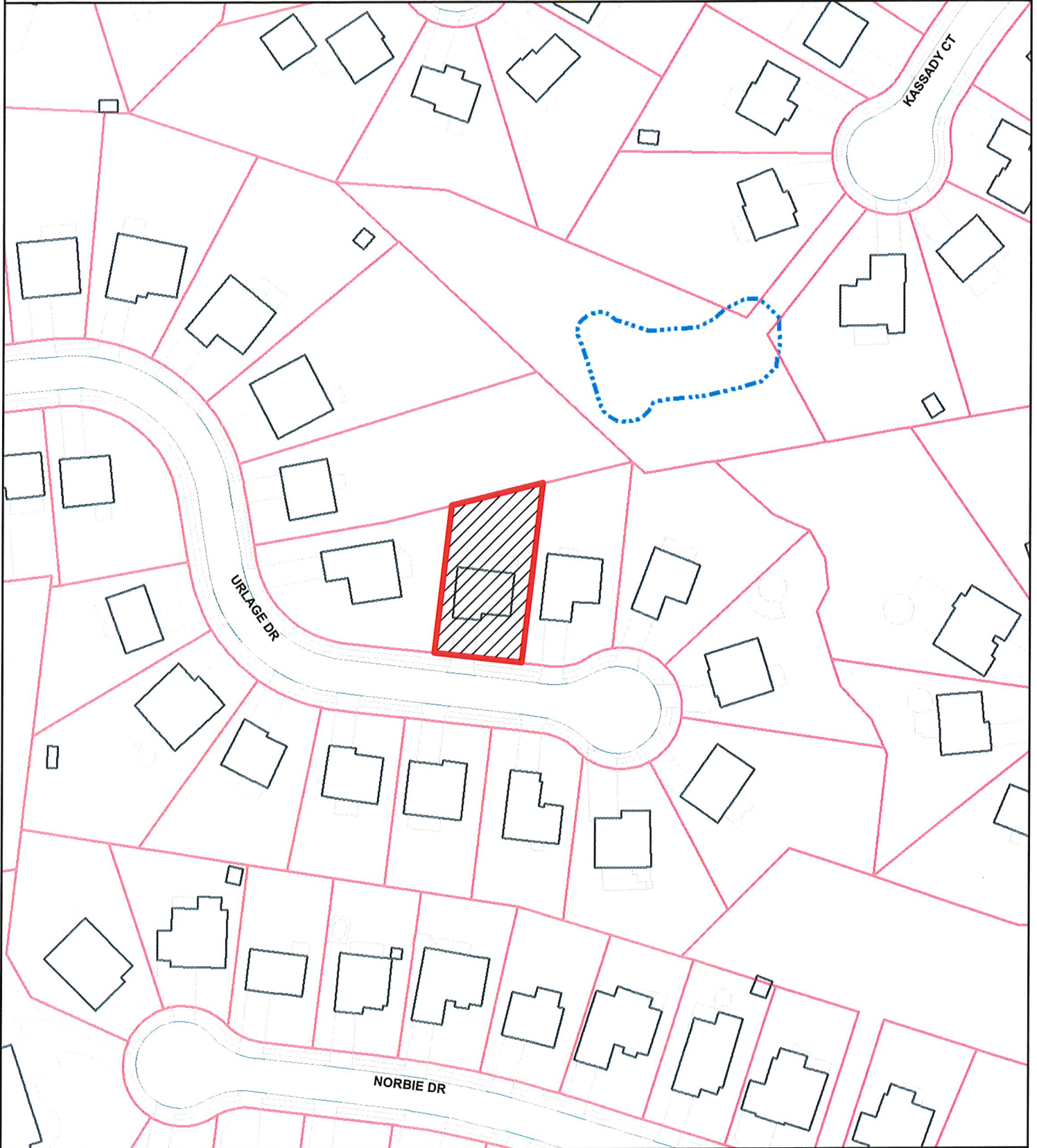
MDS/ss

Attachments

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

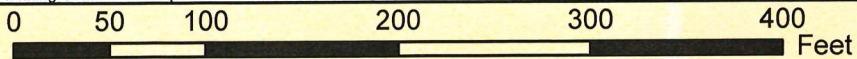
# Vicinity Map

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



1 inch = 100 feet



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



Web Page: [www.boonecountygis.com](http://www.boonecountygis.com)  
ArcMap Document: \*.mxd

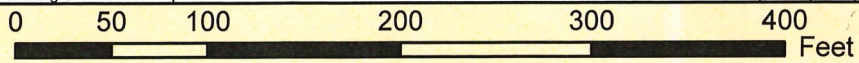
# Aerial Map

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



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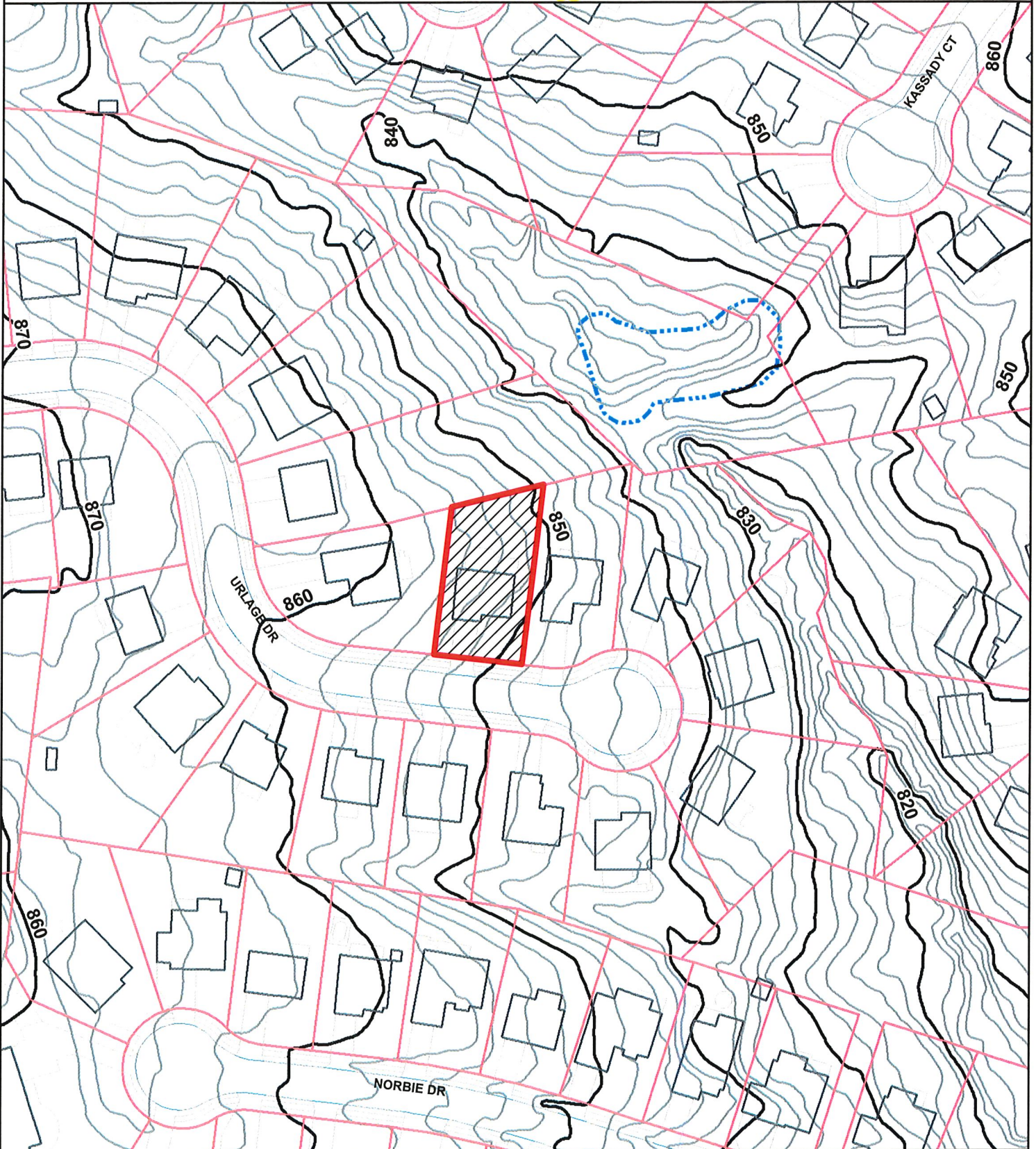


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Boone County GIS  
ArchMap Document: \*.mxd

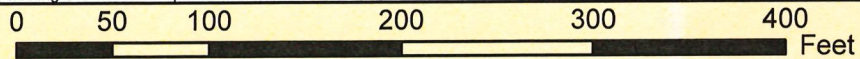
# Topographic Map

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



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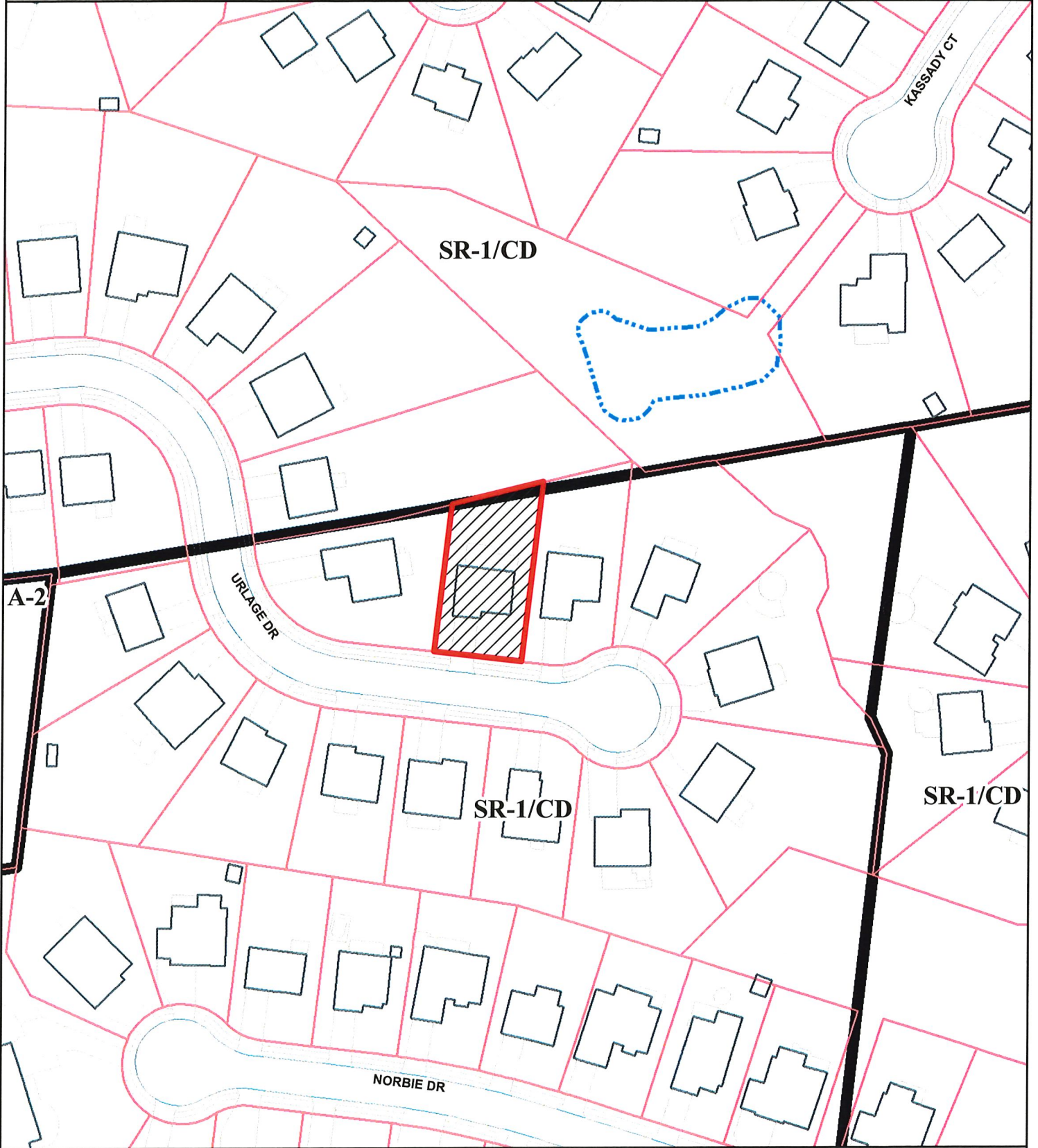


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Boone County GIS  
ArcMap Document (\*.mxd)

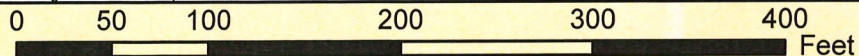
# Zoning Map

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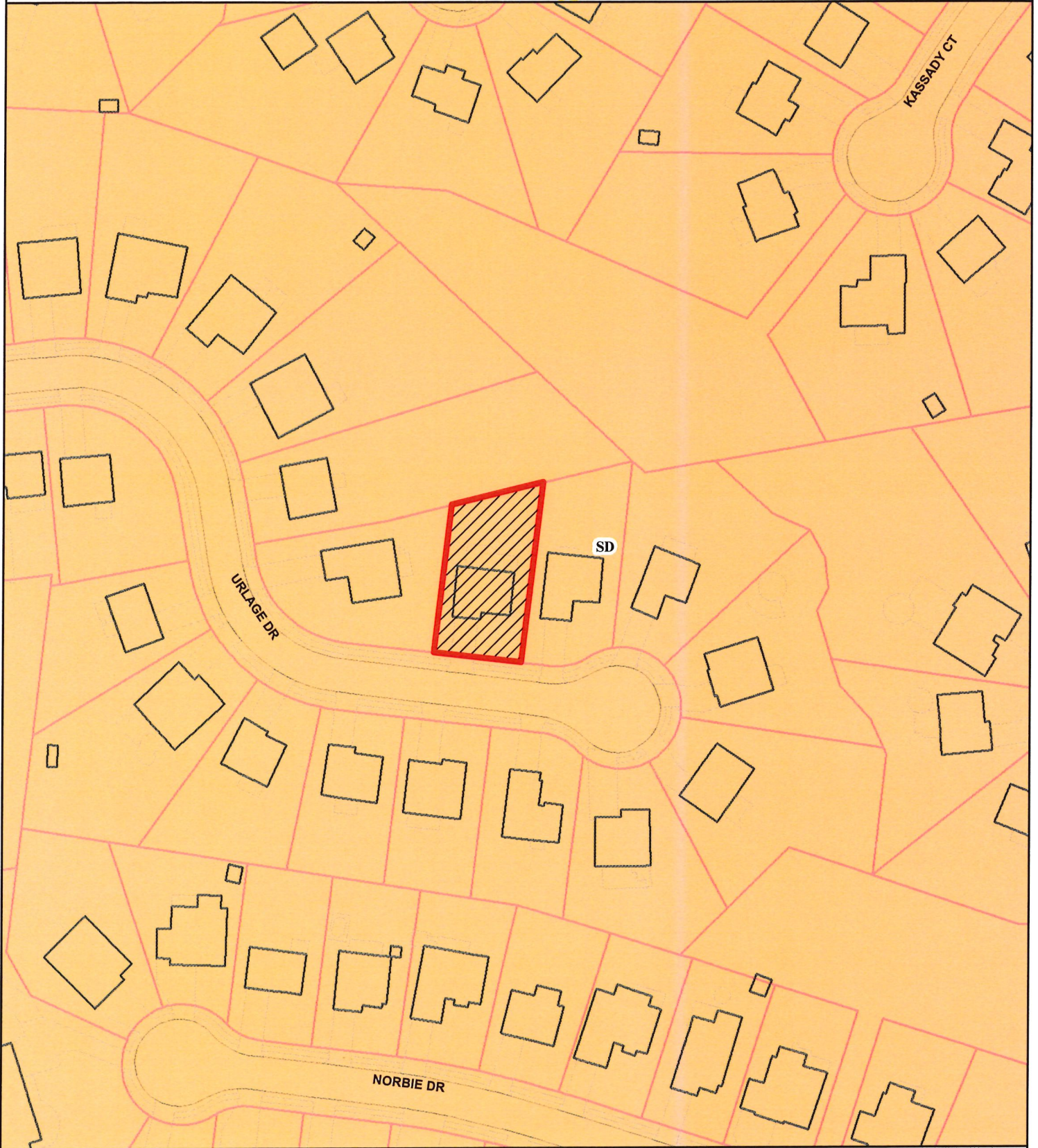
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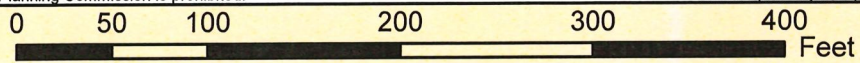
# 2040 Future Land Use Map

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



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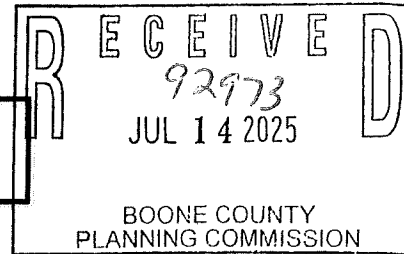


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**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**



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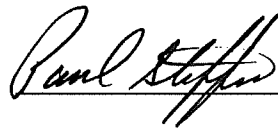
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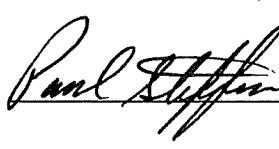
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**SECTION A:** (To be completed by applicant)

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2. Check One  Conditional Use Permit  Variance  Appeal  
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Phone Number: 859-620-1881 Fax Number: \_\_\_\_\_  
Email: paul.steffen@perfettivanmelle.com
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Deed Book Page Group Number
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Property Owner's Signature: 

Applicant's Signature: 

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

1. Date Received: 7/14/25 Fee Received: \$1660 Receipt #: 92973

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  
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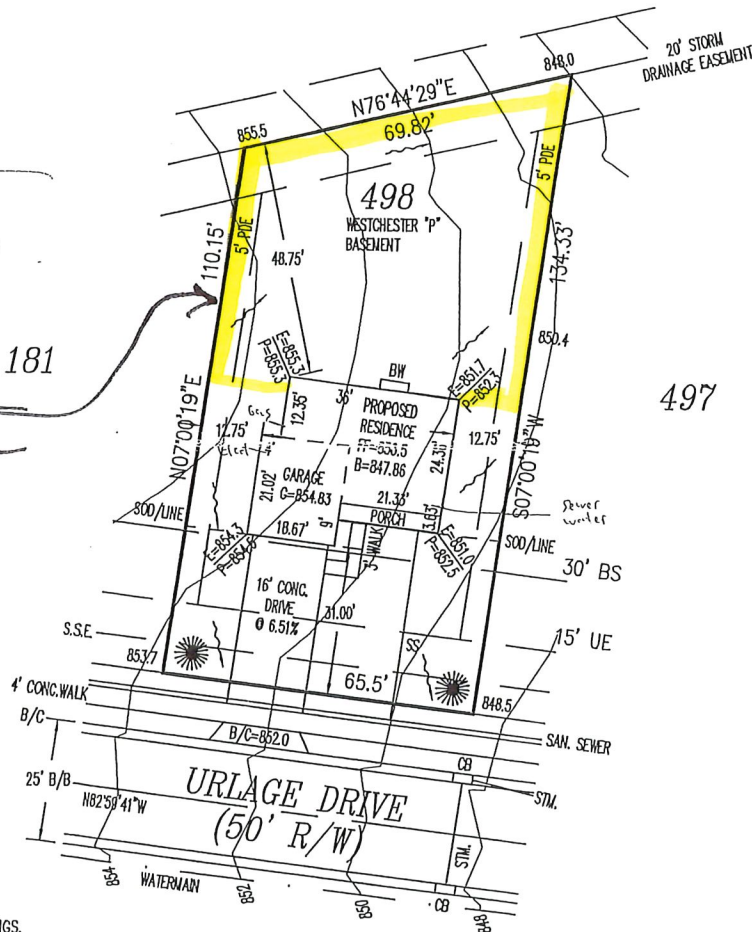


Lot Area	8,006 sf
Sod	228.02 sq. yds
Seed	453.63 sq. yds
House	X sq. ft.
Drive	568 sq. ft.
Approach	74 sq. ft.
Walk	262 sq. ft.
San	21.3 lin. ft.
Wat	X lin. ft.

1390 URLAGE DRIVE

Utilities	Concrete
Water-55	
Sewer-40	
gas-70	yds
clerk-70	

Fence location



INFORMATION FROM CONSTRUCTION DRAWINGS.

CONTRACTOR IS TO VERIFY LOCATION AND DEPTH OF WATER AND SANITARY SERVICES BEFORE CONSTRUCTION.

ALL ELEVATIONS ARE EXISTING UNLESS SPECIFIED WITH AN "E" FOR EXISTING OR A "P" FOR PROPOSED. UNLESS F.F.E., M.O.E. OR M.B.E. ARE FIELD VERIFIED BY AN ENGINEERING FIRM, CONTRACTOR TAKES FULL RESPONSIBILITY FOR THE FINISH FLOOR ELEVATION.

A STANDARD FORMULA WAS USED TO DETERMINE FINISH FLOOR GRADE. FINAL FINISH FLOOR ELEVATION IS CONTRACTOR'S RESPONSIBILITY.

Prior to construction, a geotechnical report shall be obtained by the builder. Apex assumes no responsibility for soil conditions.

SETBACKS  
FRONT YARD=30'  
REAR YARD=30'  
SIDE YARD=5' MIN-15' TOTAL

PROJECT No. GUNPOWDERTRAILS DWG No. 120402PA

THIS DRAWING WAS DONE FROM AN UNRECORDED RECORD PLAT.

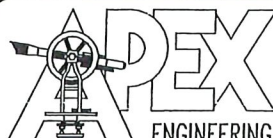


DATE: 05-16-17

MARONDA HOMES

EXHIBIT "A"

PLOT PLAN  
LOT 498  
GUNPOWDER TRAILS  
SECTION-16  
BOONE COUNTY, KENTUCKY



ENGINEERING & SURVEYING, INC.  
1068 NORTH UNIVERSITY BLVD. MIDDLETOWN, OHIO 45042  
PH.-(513) 424-5202 OR (513) 932-8991 FAX - (513) 424-6202

SCALE: 1"=30'

DRAWN: DWM

CHECKED: KC

Neighbor's Lot # 181

Post on left in picture to the corner post is 36' long.



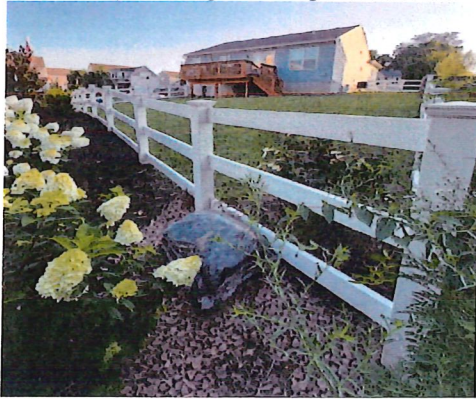
Neighbors Lot #s 181 & 180

Looking at post in center of picture down neighbor's fence line you can see the ground elevation slops down.



Neighbor's Lot # 181

From corner post looking back at neighbor's fence line.



Neighbor's Lot # 180

View from my backyard looking up towards my neighbor's backyard.



Neighbors Lot # 181 & 180

View from my backyard no privacy from my neighbors backyard. Typical neighbors have kids, young adults, along with family dogs and family gatherings. Everyday living taking care of garden, lawn work and enjoying outside elements.

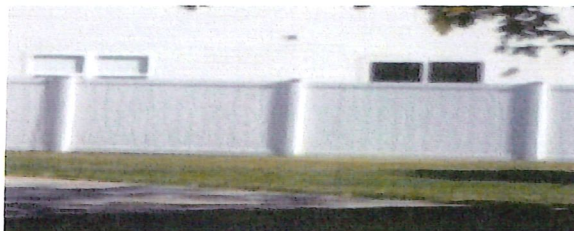


Paul Steffen Family

Picture is from Easter 2024. We have family gathering on major holidays along with celebrations throughout the year.

Family members come over just for visits.

Outside...having morning coffe, afternoon lunch and dinner while watching television.



White PVC Privacy Fence

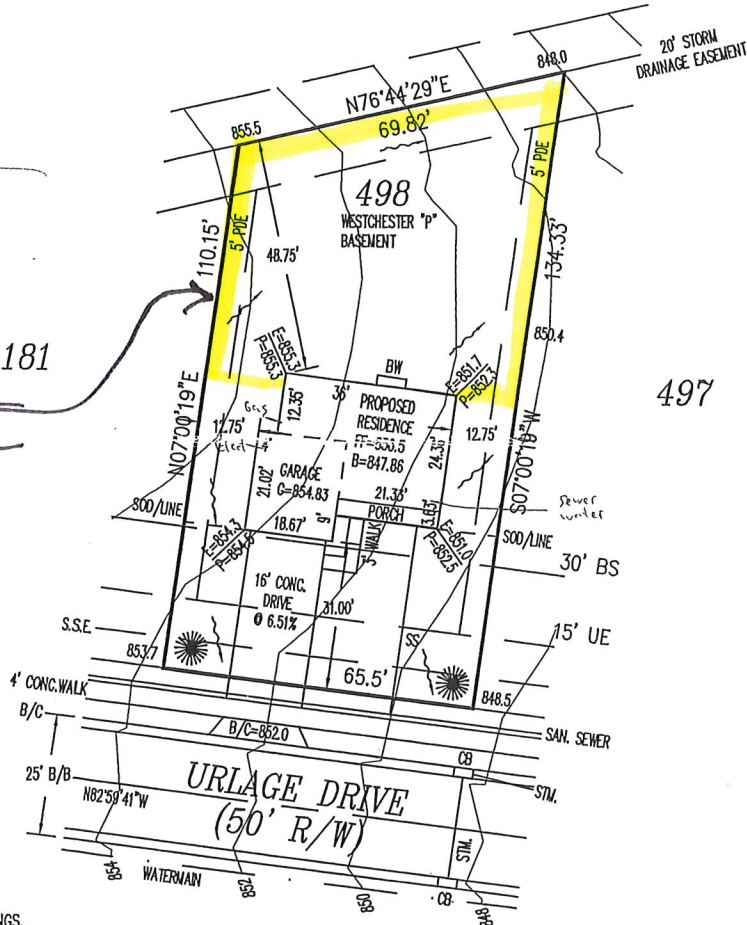


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1390 URLAGE DRIVE

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 SIDE YARD=5' MIN-15' TOTAL

THIS DRAWING WAS DONE FROM AN UNRECORDED RECORD PLAT.

STATE of KENTUCKY  
 KENNETH R. COMBS  
 3164  
 LICENSED PROFESSIONAL LAND SURVEYOR

PROJECT No. GUNPOWDERTRAILS DWG No. 120402PA  
 MARONDA HOMES EXHIBIT "A"

DATE: 05-16-17

PLOT PLAN  
 LOT 498  
 GUNPOWDER TRAILS  
 SECTION-16  
 BOONE COUNTY, KENTUCKY

ENGINEERING & SURVEYING, INC.  
 1068 NORTH UNIVERSITY BLVD. MIDDLETOWN, OHIO 45042  
 PH.-(513) 424-5202 OR (513) 932-8991 FAX - (513) 424-6202

SCALE: 1"=30' DRAWN: DWM CHECKED: KC

Neighbor's Lot # 181

Post on left in picture to the corner post is 36' long.



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White PVC Privacy Fence

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Paul & Lisa Steffen  
1390 Urlage Dr  
Burlington, KY 41005
2. ADDRESS OF PROPERTY  
1390 Urlage Dr  
Burlington, KY 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Steffen Variance
4. DEED BOOK 1198                      PAGE NO. 398                      GROUP NO. 2038A
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 14<sup>th</sup> day of August, 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*  
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.)