

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

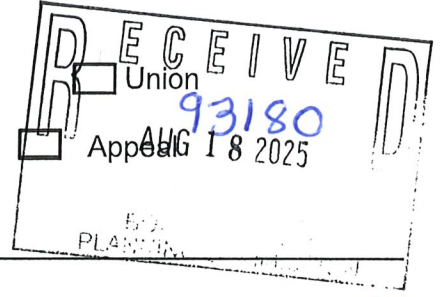
One (1) scaled copy and one (1) 11 x 17 reduction of submitted drawings are required

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
- 2. Check One Conditional Use Permit Variance ^{x2}
 Change in Non-Conforming Use



3. Applicant: Phil Lambert
Address: 3028 Front St.
Petersburg City Ky State 41080 Zip Code
Phone Number: 513-226-6644 Fax Number: 859-689-9898
Email: LAMBERT@FUSE.net

4. Description of Request:

5. Name of Development: GARAGE Addition

6. Location of Development: 3028 Front St.
Petersburg City Ky State 41080 Zip Code

7. Acreage Under Review: _____

8. Lot Number and Name of Subdivision (if part of a subdivision):

9. Current Owner: Phil Lambert & Deborah Dutton Lambert

Address: 3028 Front St.
Petersburg City Ky State 41080 Zip Code

Phone Number: 513-226-6644 Fax Number: 859-689-9898

Email: LAMBERT@FUSE.net

10. Proposed Use(s) on Site: ~~GARAGE~~ ADDITION

11. Total Square Footage of Existing and/or Proposed Buildings: _____

12. Current Zoning: SR-2/SC

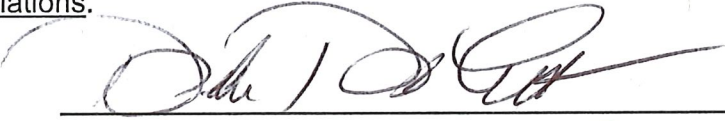
13. 1175 _____ 1 _____ 2011 _____
Deed Book Page Group Number

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: 8/18/25 Fee Received: \$1616⁰⁰ Receipt #: 93180

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 9/10/2025

5. Board Action: 9/10/2025

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

6. Conditions of Approval: See attached, Minutes, & CLUR

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

CONDITIONS OF APPROVAL

APPLICANT: Phil Lambert

LOCATION: 3028 Front Street, Boone County, Kentucky

ZONING: Suburban Residential Two/Small Community Overlay (SR-2/SC)

DATE: September 10, 2025

1. A consolidation plat shall be recorded in the Clerk's office before any permit is granted for the proposed building addition.
2. The proposed building addition shall be done in a manner that is consistent with the historic character of the existing house.

STAFF REPORT

#2

APPLICANT: Phil Lambert

LOCATION: 3028 Front Street, Boone County, Kentucky

ZONING: Suburban Residential Two/Small Community Overlay (SR-2/SC)

DATE: September 10, 2025

PROPOSAL

- A. The first part of the submitted request is a Variance reducing the side yard setback from ten (10) feet to four (4) feet.
- B. The second part of the submitted request is a Variance reducing the rear yard setback from ten (10) feet to three (3) feet.

SITE HISTORY

- 1984 On June 13, 1984, the Boone Board of Adjustment approved a Conditional Use Permit to allow the existing house to be used as a restaurant and gift shop (BCBOA-061318).
- 2015 On August 13, 2015, a Survey Plat was recorded in the Boone County Clerk's office.
- 2024 On August 20, 2024, the Boone County Planning Commission approved a Conveyance Plat for the closure of the right-of-way immediately adjacent to 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 2000.A of the Boone County Zoning Regulations states that the intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well.
- E. Section 2000.B of the Boone County Zoning Regulations states that the integration and variety of land uses found in small community centers often cannot practically be accommodated by the other basic zoning districts established by these regulations. This article creates an overlay district which may be established in areas appropriate for use as small community centers.
- F. Section 2005.B.3 of the Boone County Zoning Regulations states that the minimum side yard shall be ten (10) feet or the minimum required Buffer yard width, as regulated by SECTION 3645, whichever is greater.
- G. Section 2005.B.3 of the Boone County Zoning Regulations states that the minimum rear yard shall be ten (10) feet or the minimum required Buffer yard width, as regulated by SECTION 3645, whichever is greater.
- H. Section 3153.C of the Boone County Zoning Regulations provides for the following regulations for accessory structures for lots in residential districts that are less than 20,000 square feet in area:
1. The combined area of all accessory structures on a lot, not including open,

- outdoor swimming pools or other non-roofed structures, shall not exceed fifty (50) percent of the gross floor area of the principal structure or seven hundred fifty (750) square feet, whichever is larger.
2. A maximum of three roof covered accessory structures are permitted.
 3. Accessory structures shall not exceed the height of the principal structure.

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. Front Street and Tanner Street are identified as County maintained local streets providing for two-way traffic. There are no sidewalks along these roadways.

SURROUNDING LAND USES AND ZONING

North: Petersburg Park (SR-2/SC)
South: Residential (SR-2/SC)
East: Residential (SR-2/SC)
West: Residential (SR-2/SC)

SITE CHARACTERISTICS

- A. The approximate 0.24 acre property is located at the southwest corner of the intersection of Front Street with Tanner Street.
- B. The site has 82.24 feet of frontage along Front Street and 122.39 feet of frontage along Tanner Street.
- C. The site is currently occupied by:
 1. A two-story, 3,230 square foot (per Boone County PVA) detached single-family residential dwelling.
 2. A 600 square foot (per Boone County PVA) detached garage.
 3. A 264 square foot (per Boone County PVA) detached utility shed.
- D. Access to the site is from a single curb cut onto Front Street.
- E. Topographically, the site is relatively flat, with an average grade of less than three (3) percent.

STAFF COMMENTS

- A. The site is currently comprised of three separate lots, described as follows:

1. The original lot.
2. Half of the previously vacated right-of-way.
3. The other half of the previously vacated right-of-way.

It is the understanding of staff that when the right-of-way was vacated, each half was deeded to the adjacent property owners on either side of the right-of-way and that the applicant purchased the other half from the adjacent property owner.

- B. The existing house on the site is the L. A. Loder House and is deemed to be historically significant, being built in the 1800's.

Any changes to the house should be made in a manner that would not compromise its historic character.

- C. It is the understanding of staff that the applicant would like to demolish the existing utility shed and construct an accessory structure on the site, in addition to existing detached garage.

Due to the requirements of Section 3153 of the zoning regulations, this approach is not possible.

To accomplish the applicant's goal, the proposal is to demolish the existing utility shed and construct a building addition connecting the existing detached garage to the existing house, along with the construction of a greenhouse.

The proposed building addition will cross over the two lots of the previously vacated right-of-way.

- D. The proposed building addition will be:

1. Set back four (4) feet from the side property, the same distance as the existing detached garage.
2. Set back three (3) feet from the rear property line and sixty-seven (67) feet from the nearest structure to the south of the site in question.

- E. Should the Board take action to approve the variances, the following conditions should be considered:

1. A consolidation plat shall be recorded in the Clerk's office before any permit is granted for the proposed building addition.
2. The proposed building addition shall be done in a manner that is consistent with the historic character of the existing house.

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

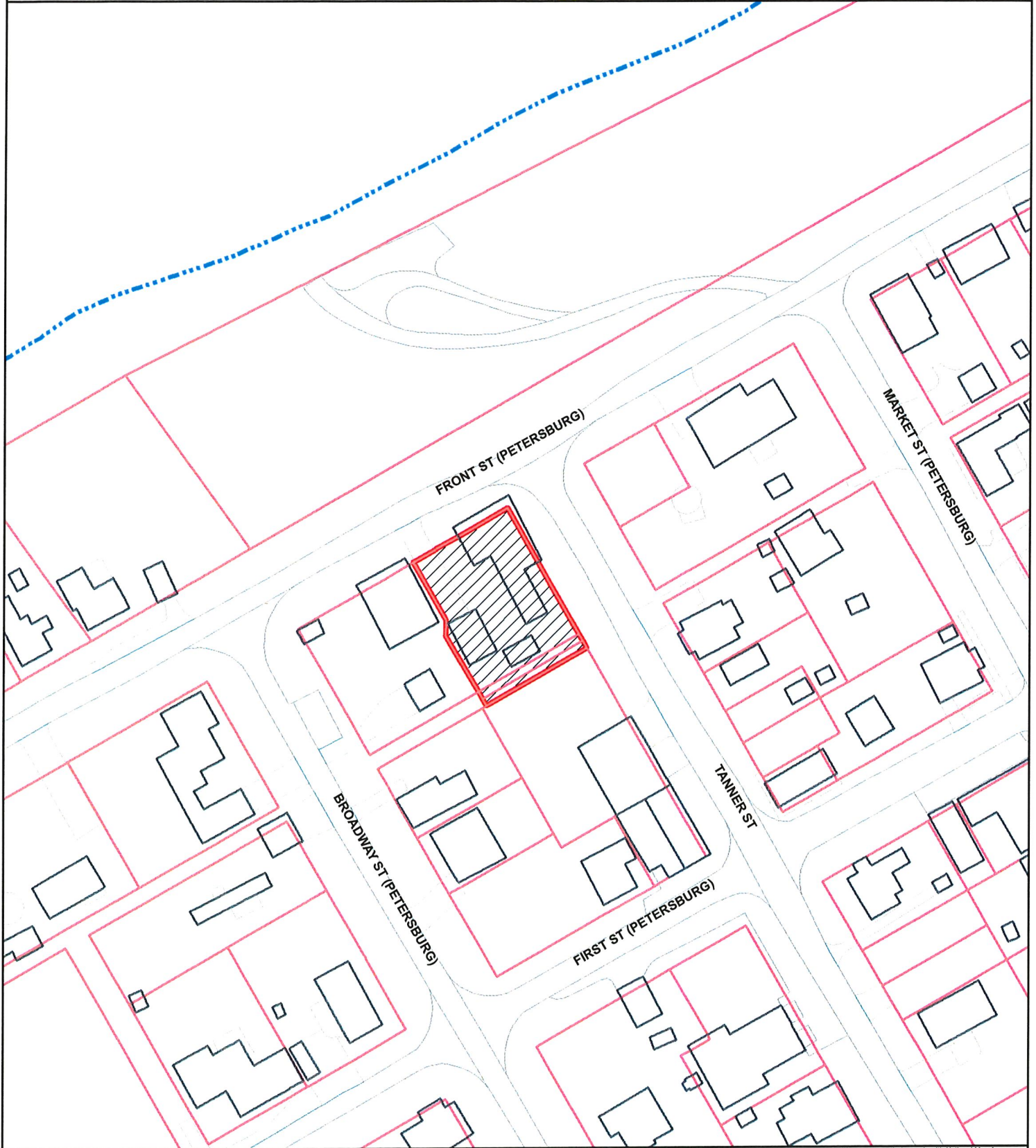
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographic and Floodplain Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Development Plan

Vicinity Map

www.boonecountygis.com

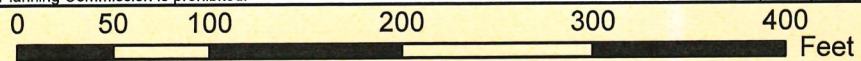


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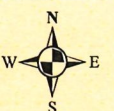
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1 inch = 100 feet



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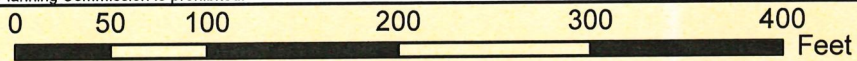
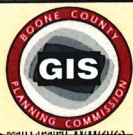
Aerial Map

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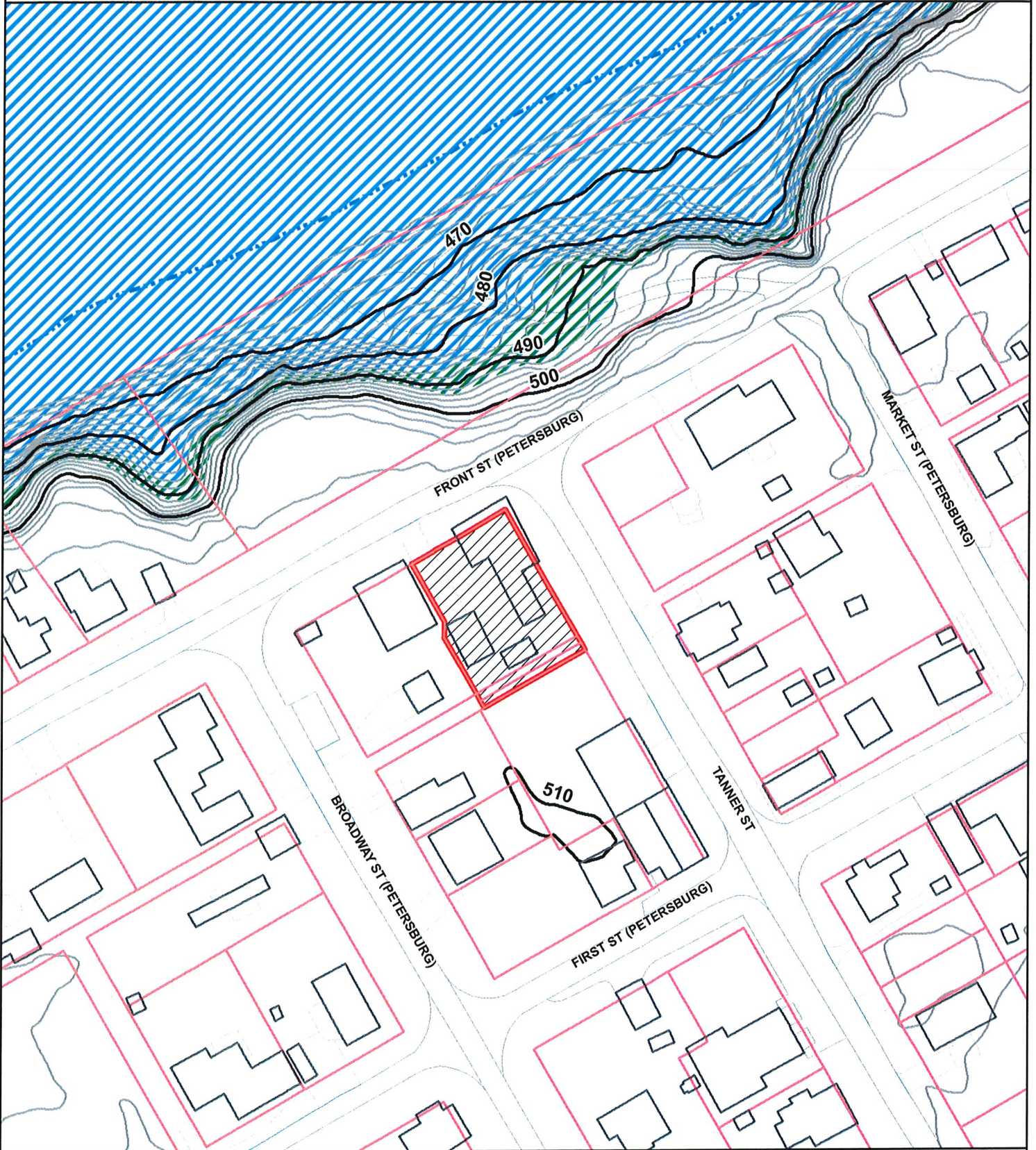


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Boone County GIS Planning Commission
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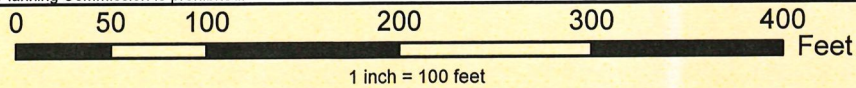
Topographic and Floodplain Map

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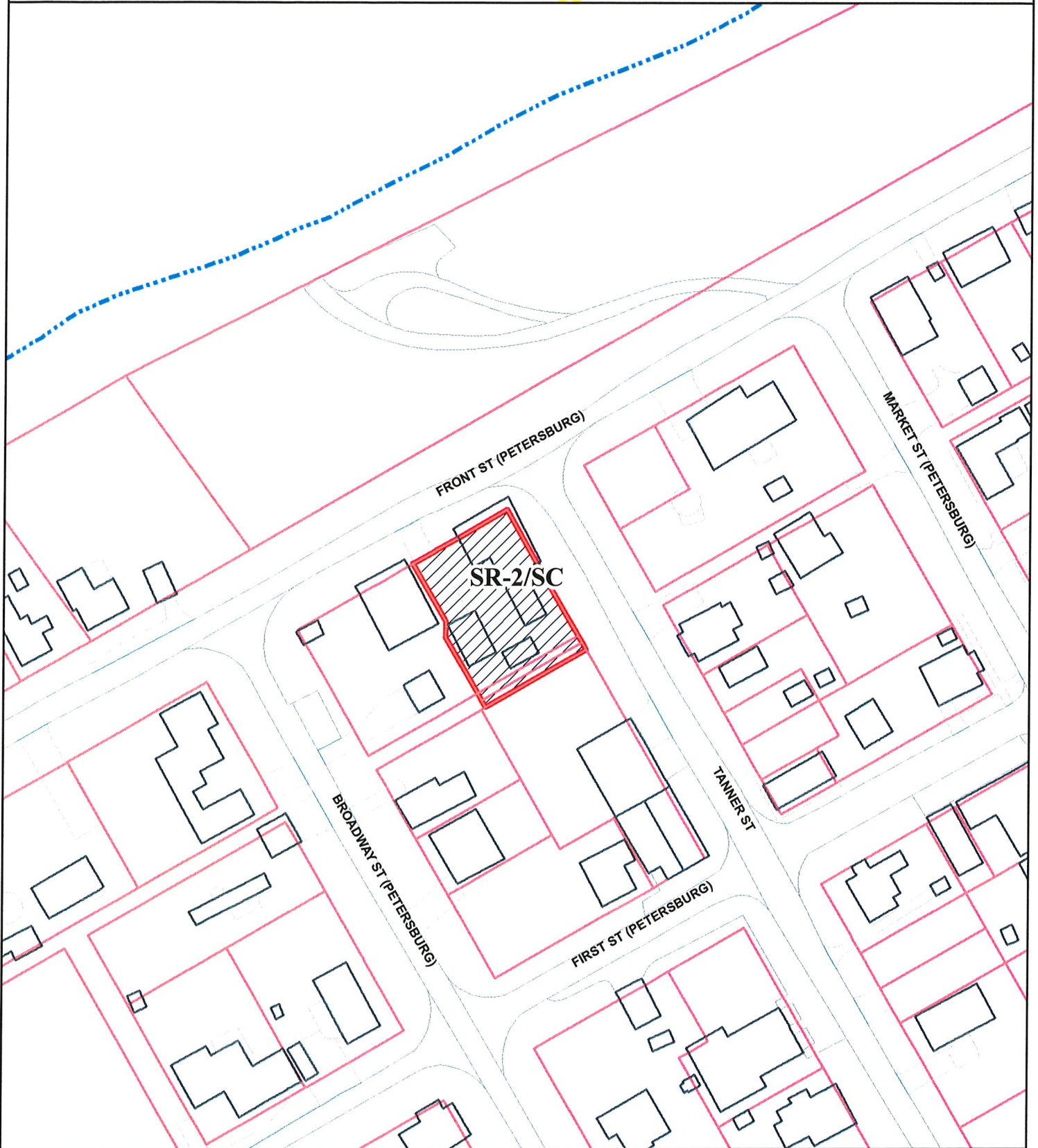


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Zoning Map

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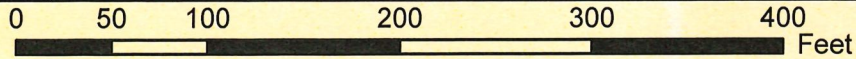


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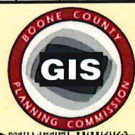
2040 Future Land Use Map

www.boonecountygis.com

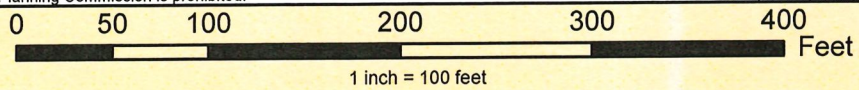


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**BOARD OF ADJUSTMENT
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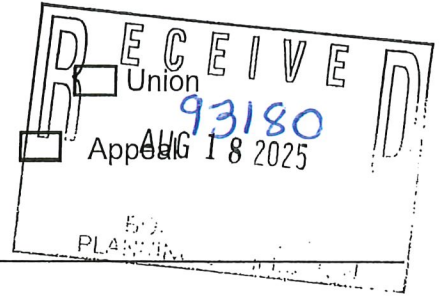
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Site Plan Review is not granted by the appropriate Board of Adjustment

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
 2. Check One Conditional Use Permit Variance
 Change in Non-Conforming Use



3. Applicant: Phil Lambert
 Address: 3028 FRONT ST.
Petersburg Ky 41080
 City State Zip Code
 Phone Number: 513-226-6644 Fax Number: 859-689-9898
 Email: LAMBERT@FUSE.net

4. Description of Request:

5. Name of Development: GARAGE Addition
 6. Location of Development: 3028 Front St.
Petersburg Ky 41080
 City State Zip Code

7. Acreage Under Review: _____

8. Lot Number and Name of Subdivision (if part of a subdivision):

9. Current Owner: Phil Lambert & Deborah Dutton Lambert
 Address: 3028 Front St.
Petersburg Ky 41080
 City State Zip Code
 Phone Number: 513-226-6644 Fax Number: 859-689-9898
 Email: LAMBERT@FUSE.net

10. Proposed Use(s) on Site: ~~GARAGE~~ ADDITION

11. Total Square Footage of Existing and/or Proposed Buildings: _____

12. Current Zoning: SR-2/SC

13. 1175 _____ 1 _____ 2011 _____
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: 8/18/25 Fee Received: \$16,160.00 Receipt #: 93180

2. Is application complete: ✓

3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

5. Board Action: _____

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

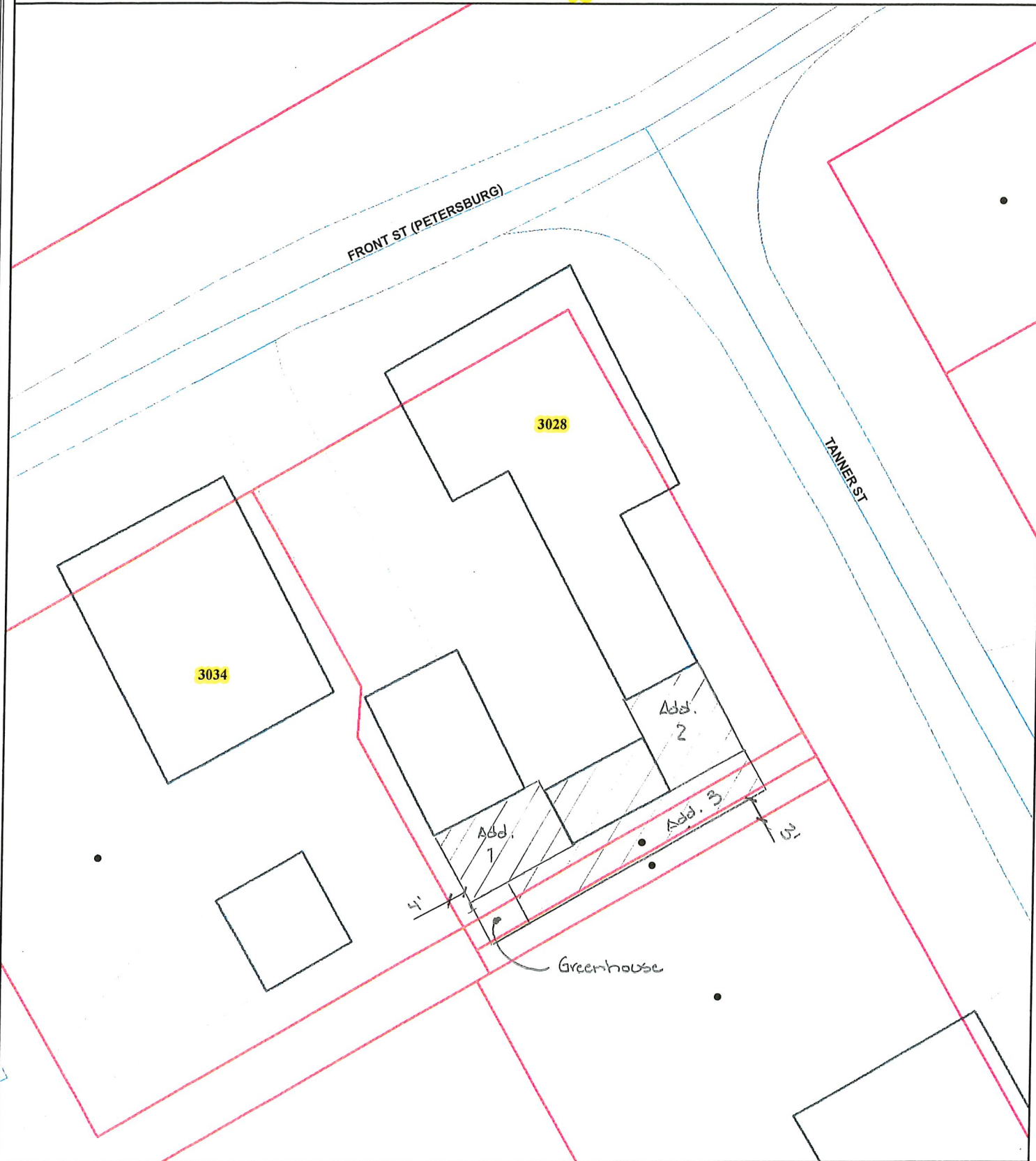
6. Conditions of Approval: _____

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
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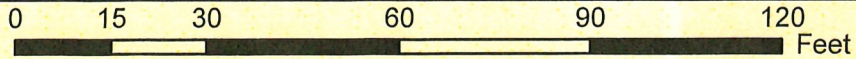
Boone County GIS Map

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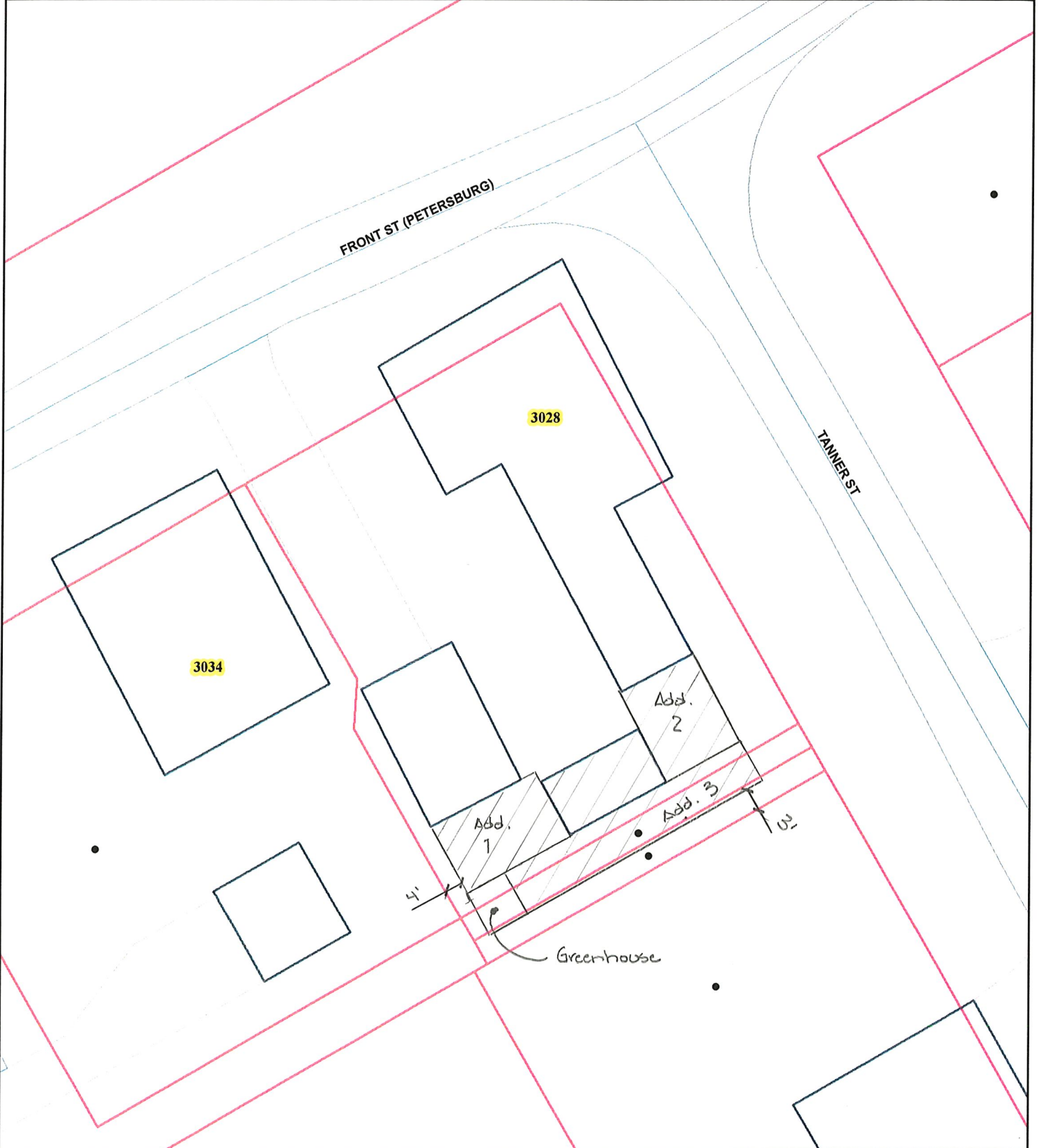
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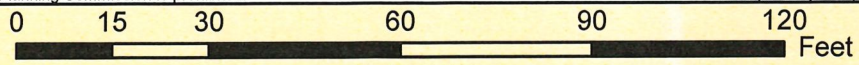
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CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Phil & Deborah Lambert
3028 Front St
Petersburg, KY 41080
2. ADDRESS OF PROPERTY
3028 Front St
Petersburg, KY 41080
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Lambert Garage Addition
4. DEED BOOK 1175 PAGE NO. 1 GROUP NO. 2011
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 Variances (2)
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 11th day of September, 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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variances approved by the Boone County Board of Adjustment and in accordance with the current zoning in effect as of September 10, 2025, Certificate of Land Use Restriction (#25-BCBOA-020-A), for Phil and Deborah Lambert, Property Owner(s).

The following conditions will apply:

1. A consolidation plat shall be recorded in the Boone County Clerk's Office before any permit is granted for the proposed building addition.
2. The proposed building addition shall be done in a manner that is consistent with the historic character of the existing house.

The approved Variances as well as the preceding conditions apply to the property described in:

DEED BOOK 1175

PAGE NO. 1

GROUP NO. 2011