

**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**

**RECEIVED**  
93554  
OCT 20 2025  
BOONE COUNTY  
PLANNING COMMISSION

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

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: Build IT Construction and Concrete  
Address: 11905 Big Bone Church Rd.  
Union KY 41091  
City State Zip Code  
Phone Number: 859-308-7141 Fax Number: \_\_\_\_\_  
Email: Builditconstruction2025@gmail.com
4. Description of Request:  
Change the set back to allow for a 7' covered porch to be added to front door.
5. Name of Development: Cherry Hill Subdivision
6. Location of Development: Lot #71 Section (3) 688 Maple Tree Lane  
Erlanger Ky 41018  
City State Zip Code
7. Acreage Under Review: .18
8. Lot Number and Name of Subdivision (if part of a subdivision):  
#71 Cherry Hill Subdivision
9. Current Owner: Raven Closser  
Address: 688 Maple tree Ln.  
Erlanger Ky. 41018  
City State Zip Code  
Phone Number: 859-468-3576 Fax Number: \_\_\_\_\_  
Email: raven.closser@twe.com

10. Proposed Use(s) on Site: To provide shade in front of house due to being in full sun during day.  
11. Total Square Footage of Existing and/or Proposed Buildings: 105 sqft.

12. Current Zoning: Residential

13. 677 1227 Deed Book      279 965 Page      2022 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: \_\_\_\_\_ Frank [Signature]

Applicant's Signature: \_\_\_\_\_ Leo Kunkel

Vertical text on the left margin: "Total Number of..."

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

1. Date Received: 10/20/25 Fee Received: \$6666 Receipt #: 93554
2. Is application complete:
3. Staff Reviewer: M. Schwartz
4. Scheduled Board Action Date: 11/12/2025
5. Board Action: 11/12/2025  
 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@boonecountky.org](mailto:plancom@boonecountky.org)  
[www.boonecountky.org](http://www.boonecountky.org)

## STAFF REPORT

#4

APPLICANT: Build IT Construction and Concrete, per Leo Kunkel, on behalf of Closser Family Revocable Trust, per Raven Closser

LOCATION: 688 Maple Tree Lane, Boone County, Kentucky

ZONING: Suburban Residential Two (SR-2)

DATE: November 12, 2025

### PROPOSAL

- A. The applicant is requesting a Variance reducing the minimum front yard setback from thirty (30) feet to twenty-two (22) feet for a covered porch.

### SITE HISTORY

- 1959 On September 8, 1959, the Erlanger Planning and Zoning Commission approved a Final Plat for Cherry Hill Subdivision, Section 3, creating the lot in question.
- 2013 On August 13, 2013, the Boone County Planning Commission approved a Zoning Permit for a building addition.

### 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 904.A of the Boone County Zoning Regulations states that the purpose of the Suburban Residential Two district is to provide a more compact, but essentially single family residential environment. Such districts will be located on suitable lands within established or proposed urban entities where adequate infrastructure facilities and services are available or proposed.
- 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 yard.
- F. Section 3111 of the Boone County Zoning Regulations states that the minimum front yard setback within the SR-2 district is thirty (30) 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. Maple Tree Lane is identified as a County maintained local street providing for two-way traffic within an approximate twenty (20) foot pavement width. There are sidewalks along both sides of the roadway.

### SURROUNDING LAND USES AND ZONING

North: Single family residential (SR-2)  
South: Single family residential (SR-2)  
East: Single family residential (SR-2)  
West: Single family residential (SR-2)

### SITE CHARACTERISTICS

- A. The approximate 0.19 acre property is located on the northeast side of Maple Tree Lane, approximately eight hundred (800) feet northwest of Cherry Tree Lane.
- B. The site has fifty (50) feet of frontage along Maple Tree Lane.
- C. The site is currently occupied by a detached single-family residential dwelling.
- D. Access to the site is from a single curb cut onto Maple Tree Lane.
- E. The site is located within a six hundred sixty (660) foot buffer of an underground pipeline.
- F. Topographically, the site slopes downward, front to back, at an average grade of six (6) percent.

### STAFF COMMENTS

- A. The applicant wants to build a covered porch onto the front of the existing house.
- B. The following Board of Adjustment issues are pertinent to the submitted request:
  - 1. On June 9, 2010, the Boone Board of Adjustment approved a Variance reducing the front yard setback from thirty (30) feet to eighteen (18) feet so a covered porch could be constructed on the property located at 704 Peach Tree Lane (BCBOA-10-005).
  - 2. On May 8, 2013, the Boone Board of Adjustment approved a Variance reducing the front yard setback from thirty (30) feet to twenty-one (21) feet

so a covered porch could be constructed on the property located at 3427 Maple Tree Lane (BCBOA-13-009).

3. On August 13, 2025, the Boone Board of Adjustment approved a Variance reducing the front yard setback from thirty (30) feet to twenty (20) feet so a covered porch could be constructed on the property located at 713 Peach Tree Lane (BCBOA-25-017).

### 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

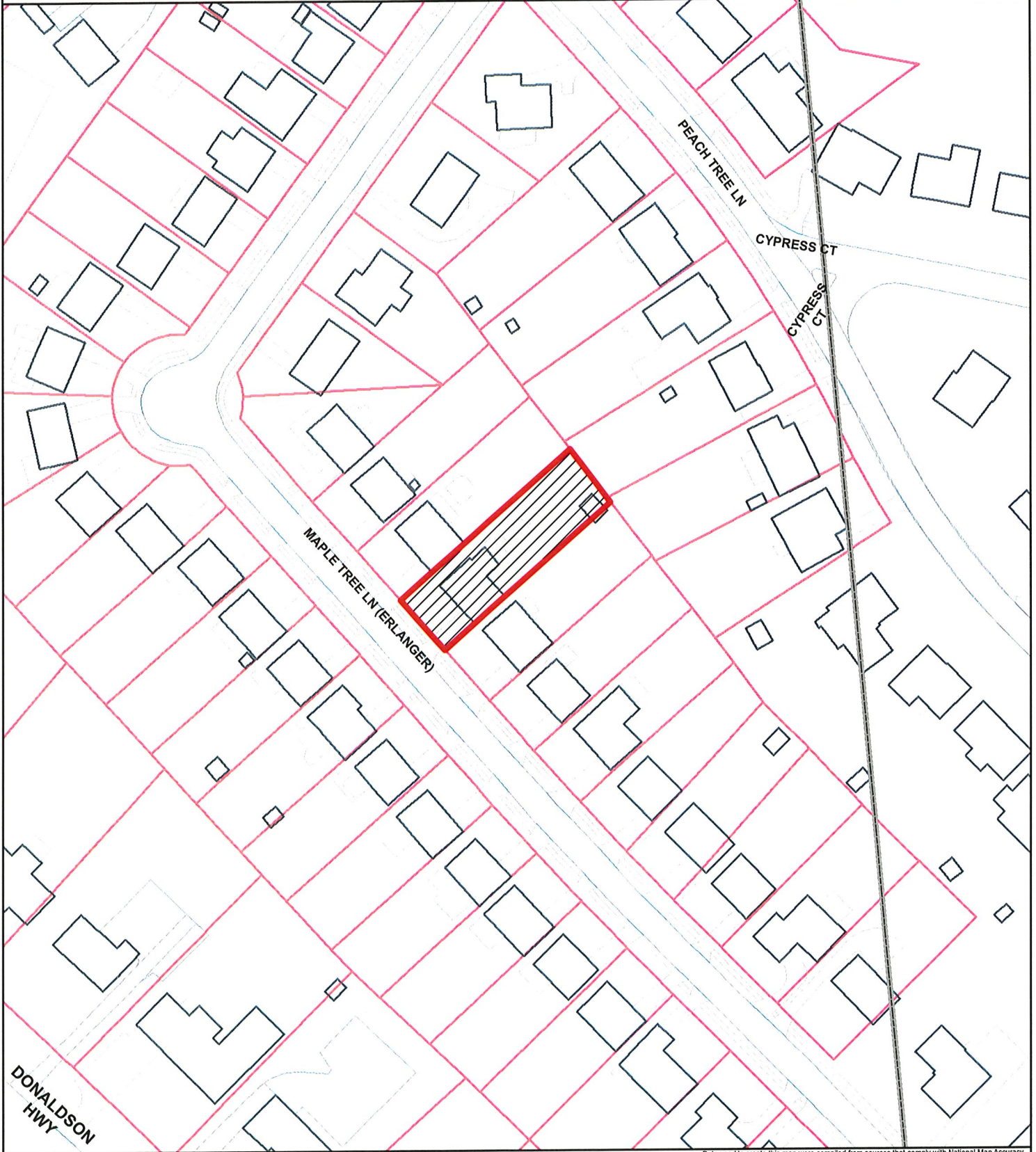
MDS/ss

### Attachments

- \*Vicinity Map
- \*Aerial Map
- \*Pipeline Buffer Map
- \*Topographic Map
- \*Zoning Map
- \*2040 Future Land Use Map
- \*Application
- \*Development Plan

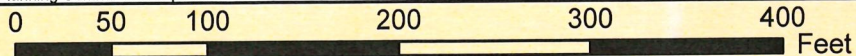
# Vicinity Map

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



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1 inch = 100 feet



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

Boone County GIS  
ArcMap Document: \*.mxd

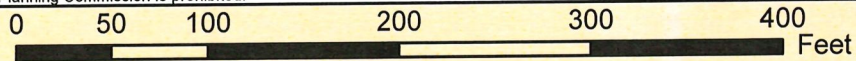
# Aerial Map

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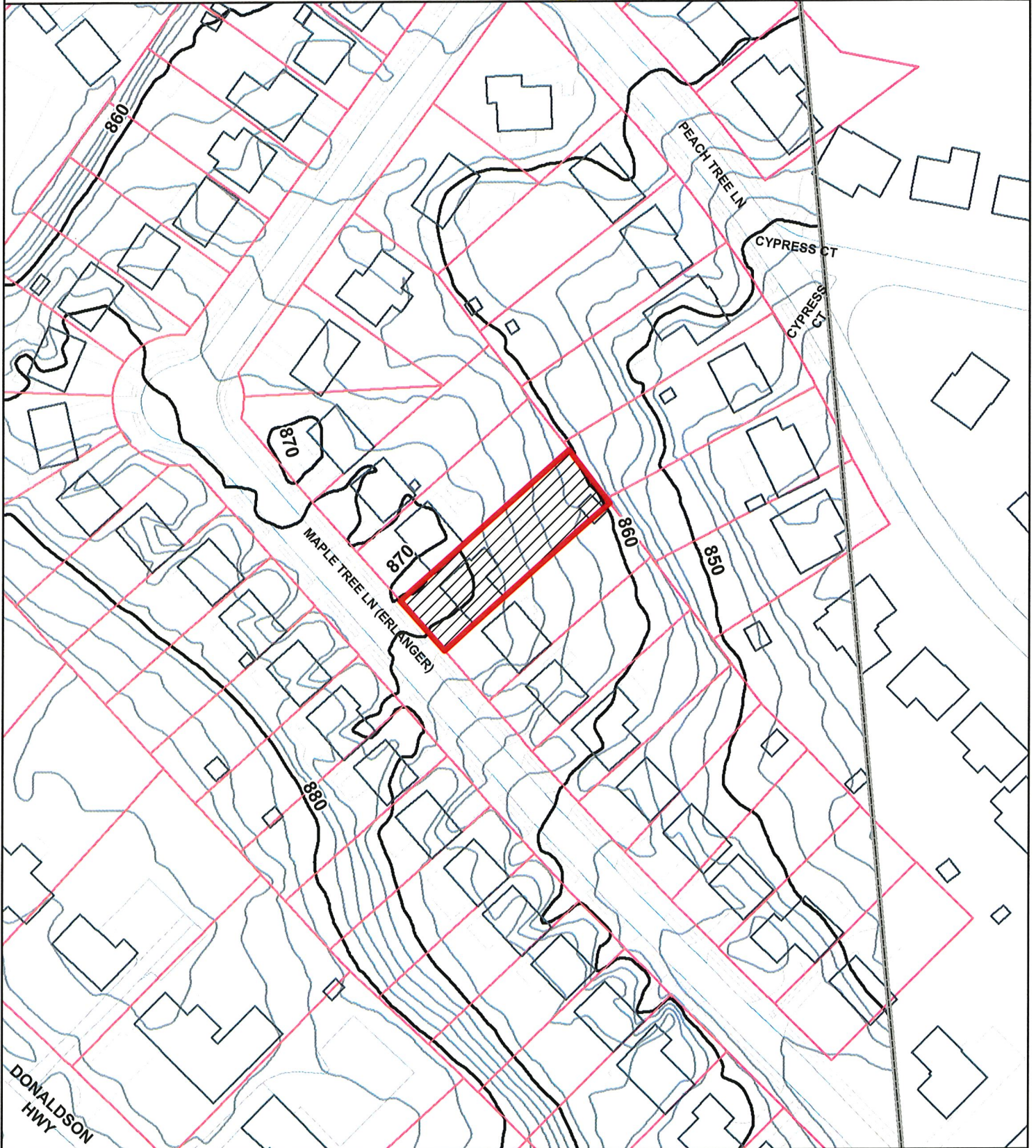


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ArcMap Document: \*.mxd

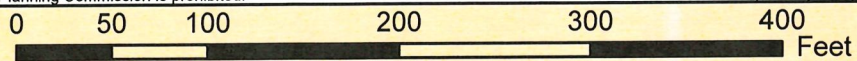
# Topographic Map

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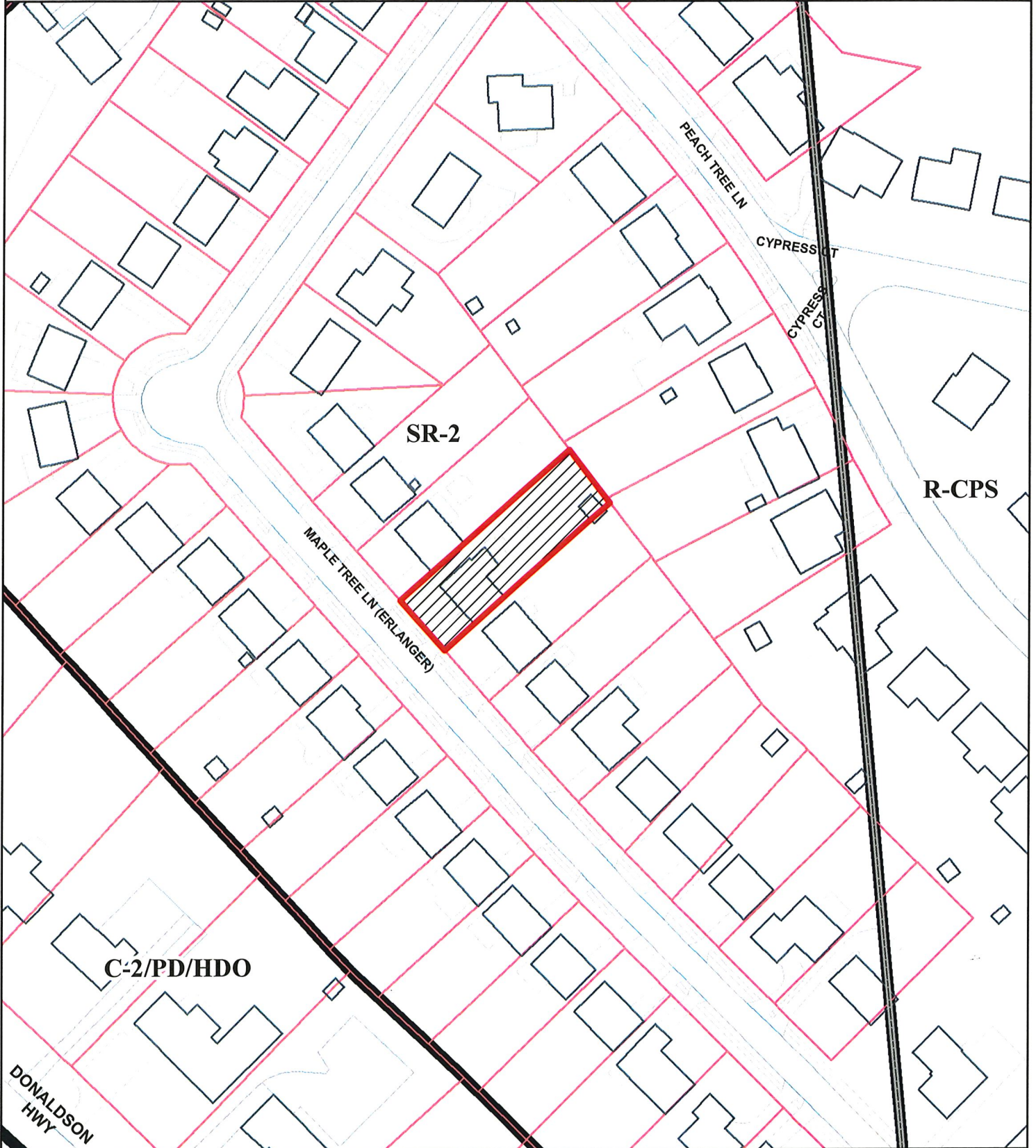
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ArcMap Document (\*.mxd)

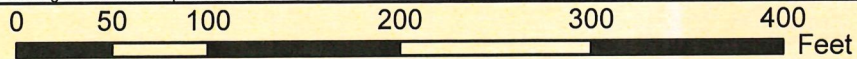
# Zoning Map

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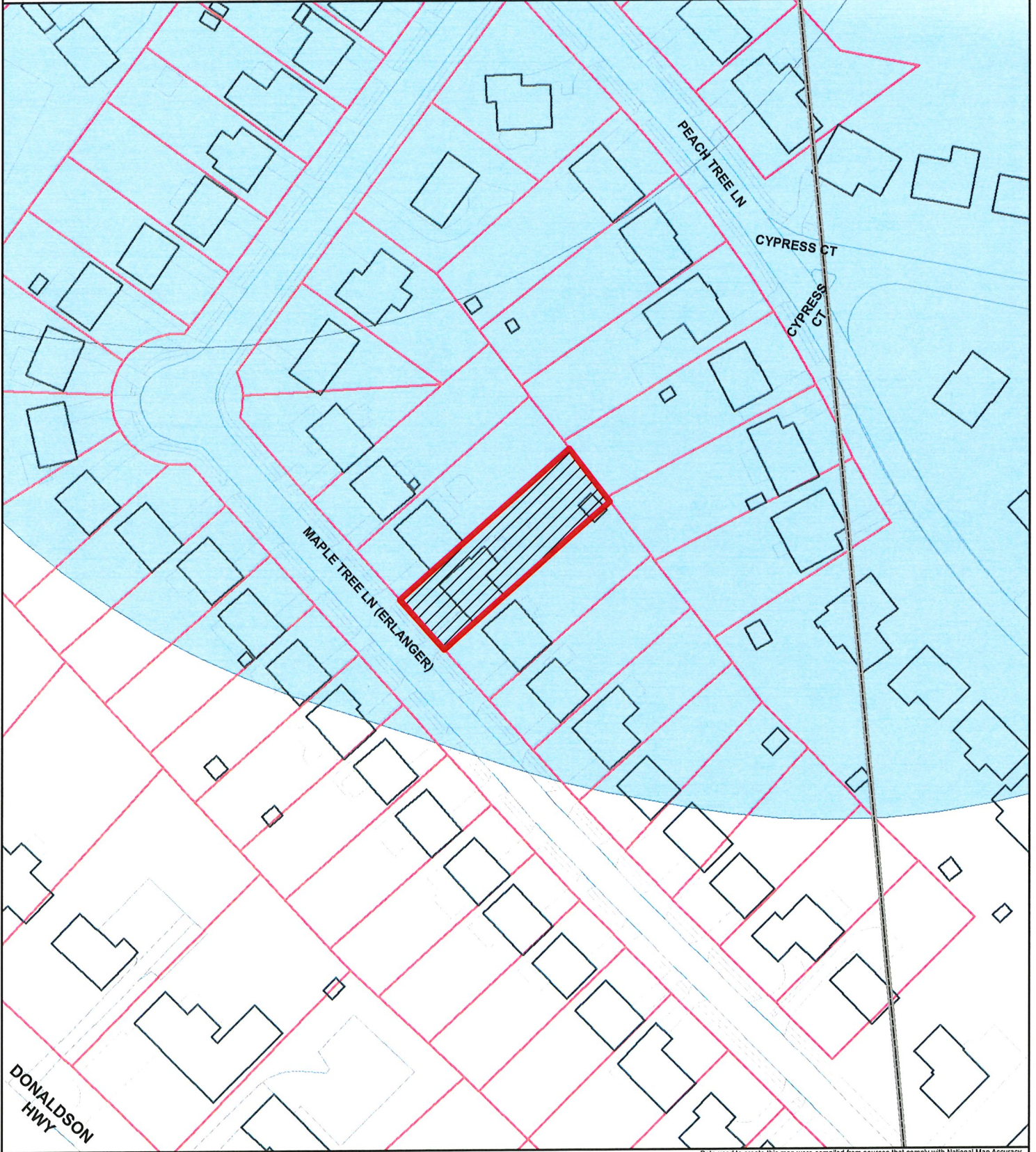
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ArcMap Document: \*.mxd

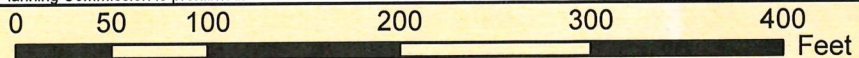
# Underground Pipeline Buffer Map

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1 inch = 100 feet

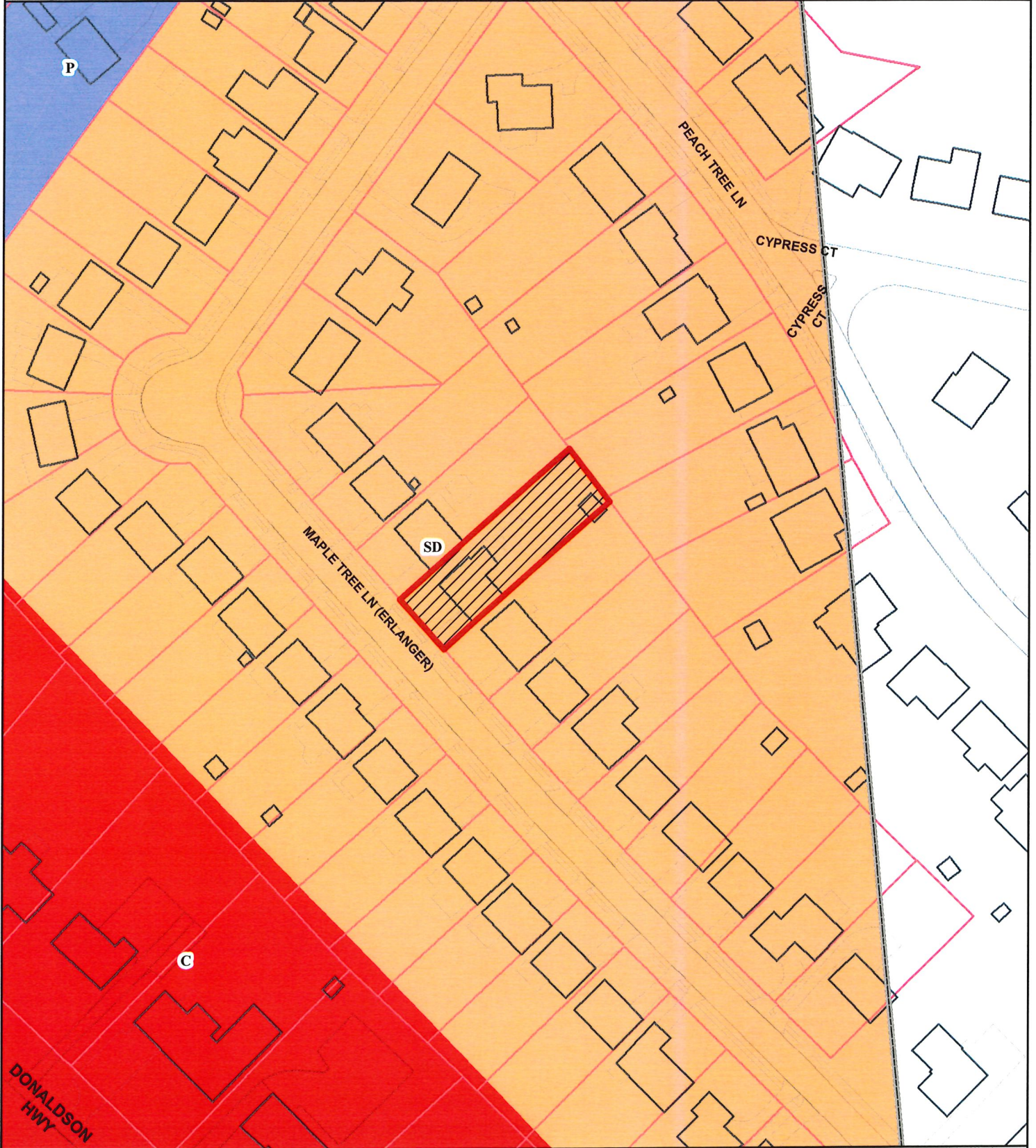


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ArcMap Document: \*.mxd

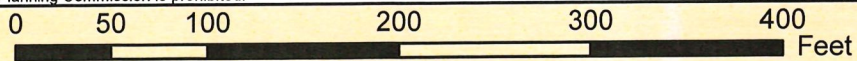
# 2040 Future Land Use Map

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1 inch = 100 feet



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Boone County GIS  
ArcMap Document (\*.mxd)



- 10. Proposed Use(s) on Site: To provide shade in front of house due to being in full sun during day.
- 11. Total Square Footage of Existing and/or Proposed Buildings: 105 sqft.
- 12. Current Zoning: Residential
- 13. 677 1227 279 965 2022  
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: \_\_\_\_\_ Frank Debar

Applicant's Signature: \_\_\_\_\_ Leo Kuntel

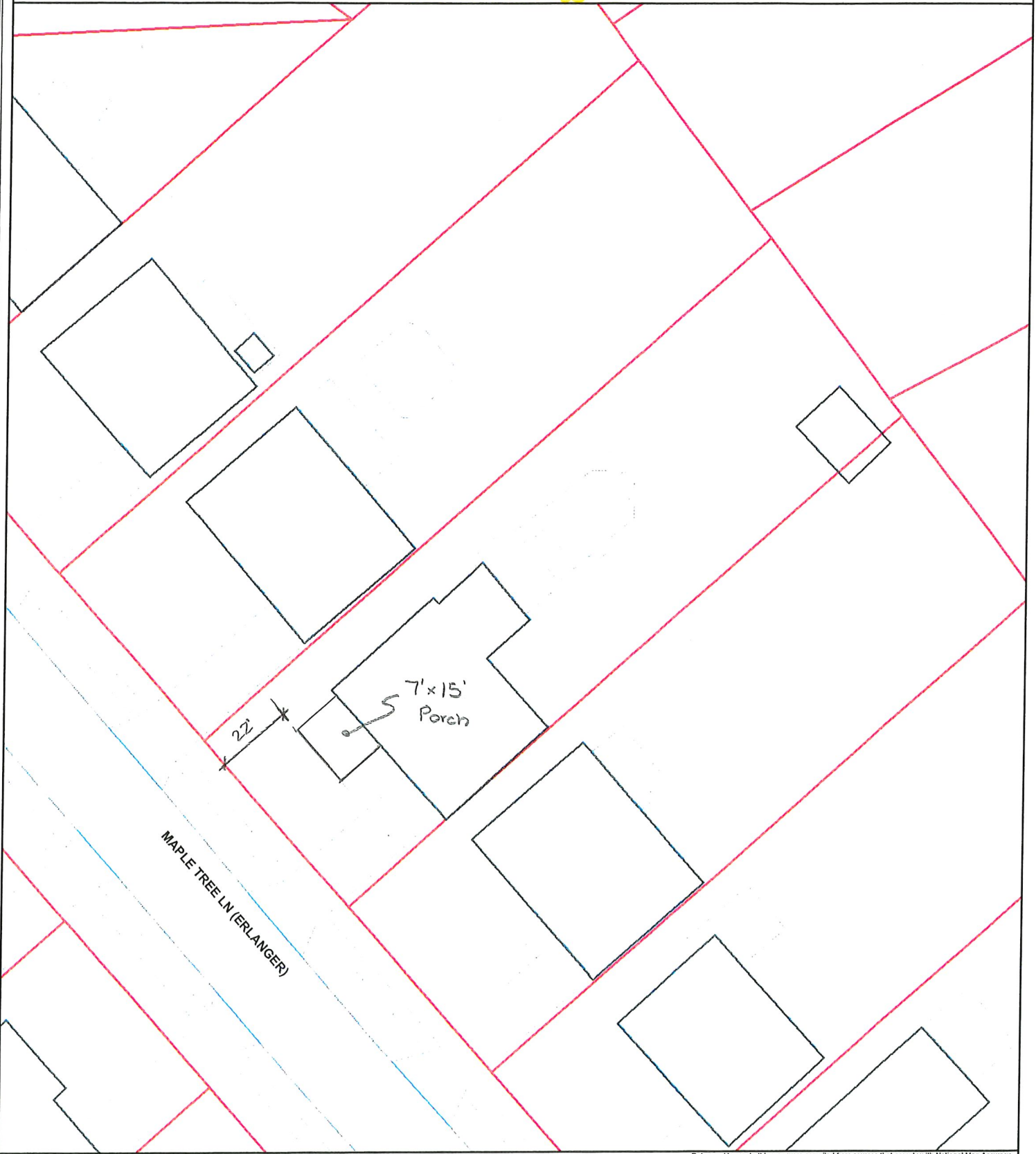
**SECTION B:** (To be completed by Planning Commission staff)

1. Date Received: 10/20/25 Fee Received: \$1000 Receipt #: 93554
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@boonecountky.org](mailto:plancom@boonecountky.org)  
[www.boonecountky.org](http://www.boonecountky.org)

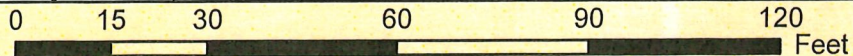
# Boone County GIS Map

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1 inch = 30 feet



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



Boone County GIS  
ArcMap Document: \*.mxd

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Closser Family Revocable Trust  
688 Maple Tree Ln  
Erlanger, KY 41018
  
- 2. ADDRESS OF PROPERTY  
688 Maple Tree Ln  
Erlanger, KY 41018
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Closser Porch Variance
  
- 4. DEED BOOK 1227                      PAGE NO. 965                      GROUP NO. 2022
  
- 5. TYPE OF RESTRICTION(S) (Check all that apply)
  - Zoning Map Amendment:  
From \_\_\_\_\_ To \_\_\_\_\_
  - Development Plan
  - Subdivision Plat  
(Not Recorded)
  - Variance
  - Conditional Use Permit
  - Conditional Zoning
  - Other:
  
- 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 November, 2025.

---

Treva L. Beagle  
Notary ID KYNP37603  
NOTARY PUBLIC, State at Large

My commission Expires:  
November 12, 2029

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.)