

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

R E C E I V E D
93921
DEC 22 2025
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

005

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: DANIEL HUGHES
Address: 10456 RIDDLES RUN RD
UNION KY 41091
City State Zip Code
Phone Number: 859-991-1881 Fax Number: N/A
Email: DANIEL@UNIONMETALWORKS.COM
4. Description of Request:
BUILD INSIDE OF SETBACK ZONE.
FLOOD ZONE MAP REVIEWED WITH NO ISSUES.
5. Name of Development: PRIVATE PARTY
6. Location of Development: AS ABOVE

City State Zip Code
7. Acreage Under Review: 17.5 ACRES
8. Lot Number and Name of Subdivision (if part of a subdivision):

9. Current Owner: DANIEL HUGHES
Address: AS ABOVE

City State Zip Code
Phone Number: _____ Fax Number: _____
Email: _____

10. Proposed Use(s) on Site: 2ND HOME
11. Total Square Footage of Existing and/or Proposed Buildings: 1500
12. Current Zoning: A1
13. 6019 Deed Book 11 Page 2001 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: 12/22/25 Fee Received: \$4666 Receipt #: 93921

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 1/14/2026

5. Board Action: 1/14/2026

_____ Approved

Approved with Conditions (see #6)

_____ Denial (See #7)

6. Conditions of Approval: The proposed Variance be a reduction of the front yard setback from 50' to 30'.

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: Daniel Hughes

LOCATION: 10456 Riddles Run Road, Boone County, Kentucky

ZONING: Agriculture (A-1)

DATE: January 14, 2026

1. The proposed variance be a reduction of the front yard setback from eighty (80) feet to thirty (30).

STAFF REPORT

#5

APPLICANT: Daniel Hughes

LOCATION: 10456 Riddles Run Road, Boone County, Kentucky

ZONING: Agriculture (A-1)

DATE: January 14, 2026

PROPOSAL

- A. The applicant is requesting a Variance reducing the minimum front yard setback from eighty (80) feet to thirty-eight (38) in order to construct a new detached single-family residential dwelling.

SITE HISTORY

- 1986 On December 9, 1986, the Boone County Planning Commission approved a Conveyance Plat creating the original 22.5 acre parcel.
- 2005 On January 19, 2005, the Boone County Planning Commission approved a Conveyance Plat separating a 5 acre parcel from the original 22.5 acre tract, resulting in the site under review.
- Pre 2007 Based on information contained in the Boone County GIS, a house was built on the site in question.
- 2012 On November 26, 2012, the Boone County Planning Commission approved a Zoning Permit for a shed.

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 601.A of the Boone County Zoning Regulations states that the purpose of the Agriculture district is to preserve and protect the supply of productive agricultural lands and other open space, primarily for non-urban uses.

E. Section 3111 of the Boone County Zoning Regulations states that the minimum front yard setback within the A-1 district is eighty (80) feet.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question as “Rural Density Residential” and “Developmentally Sensitive”, which are described as follows:

1. Rural Density Residential: Low density residential uses of up to one dwelling unit per acre.
2. Developmentally Sensitive: Areas that have an existing slope of twenty percent or greater for a height of 20 meters (67.6 feet), or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat, or other natural features that are important to a site's stability and visual character. In addition, developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance. Any development on land identified as Developmentally Sensitive must be carefully assessed by the developer and the Planning Commission to determine the ability of the land to support the proposed project.

- B. Riddles Run Road is identified as a state maintained collector street providing for two-way traffic within an approximate eighteen (18) foot wide pavement width. There are no sidewalks along the roadway.

SURROUNDING LAND USES AND ZONING

- North: Single family residential/vacant/agricultural (A-1)
- South: Single family residential/vacant/agricultural (A-1)
- East: Single family residential/vacant/agricultural (A-1)
- West: Single family residential/vacant/agricultural (A-1)

SITE CHARACTERISTICS

- A. The approximate 17.5 acre property is located along the east side of Riddles Run Drive, approximately 2,700 feet south of Hathaway Road/Rabbit Hash Road.
- B. The site has approximately five hundred sixty (560) feet of frontage along Riddles Run Road.
- 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 Riddles Run Road.
- E. Topographically, the site slopes upward, front to back, at an average grade of thirteen (13) percent.
- F. The northwest corner of the property, along Riddles Run Road, is located within the 500-Year Floodplain

STAFF COMMENTS

- A. The applicant proposes to build a new single-family residential dwelling on the property, having a minimum front yard setback of thirty-eight (38) feet.
- B. While not shown on the GIS mapping, a blueline stream is located in the northwest corner of the site, resulting in the property being within the 500-Year Floodplain.
- C. The applicant has also stated that they may subdivide the property to create a new lot for the new house.
- D. The applicant has provided documentation for the bases for the 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

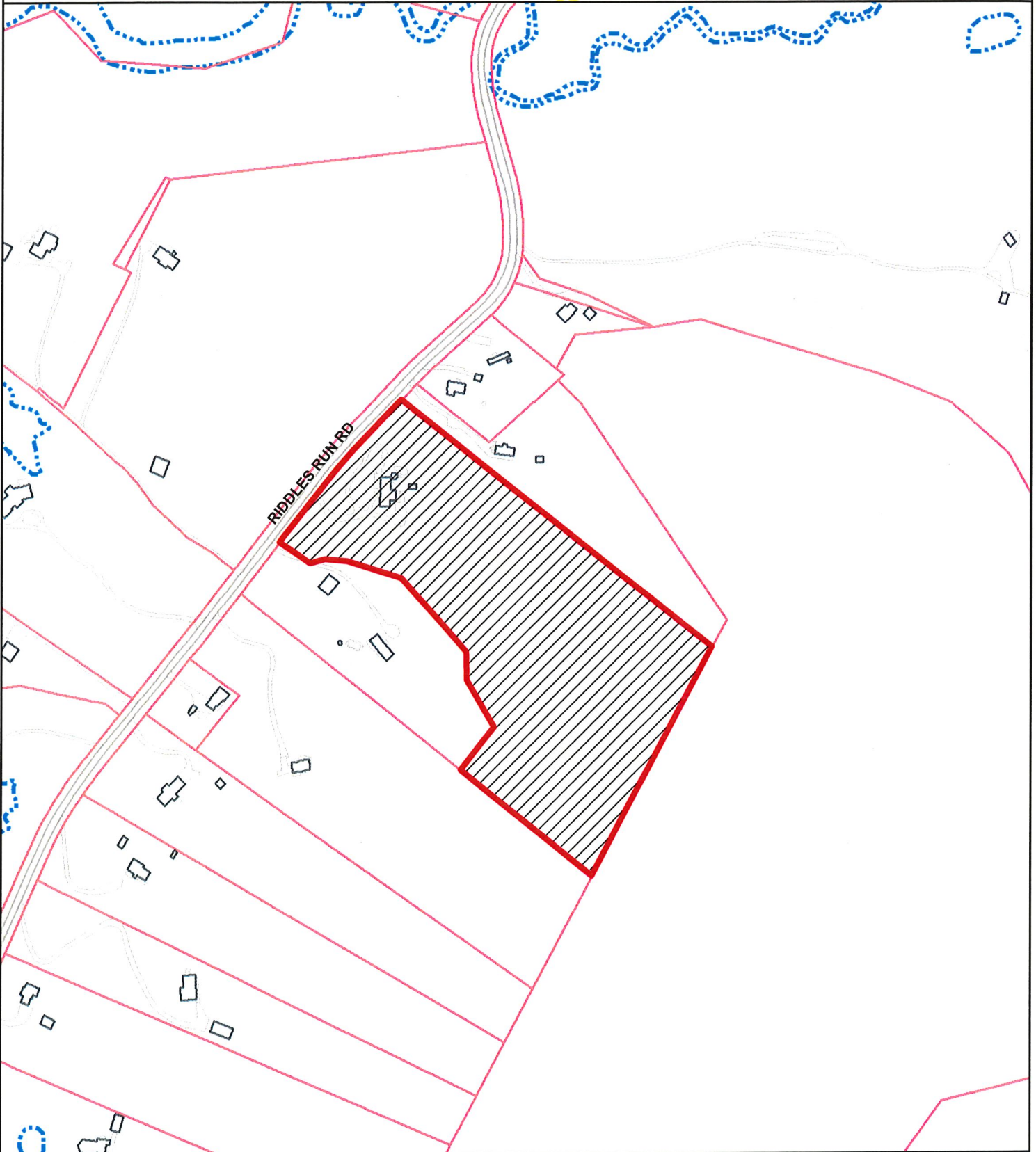
MDS/ss

Attachments

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

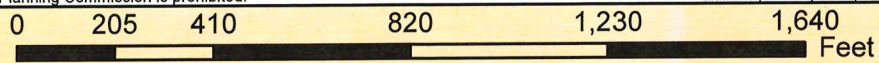
Vicinity Map

www.boonecountygis.com



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1 inch = 400 feet



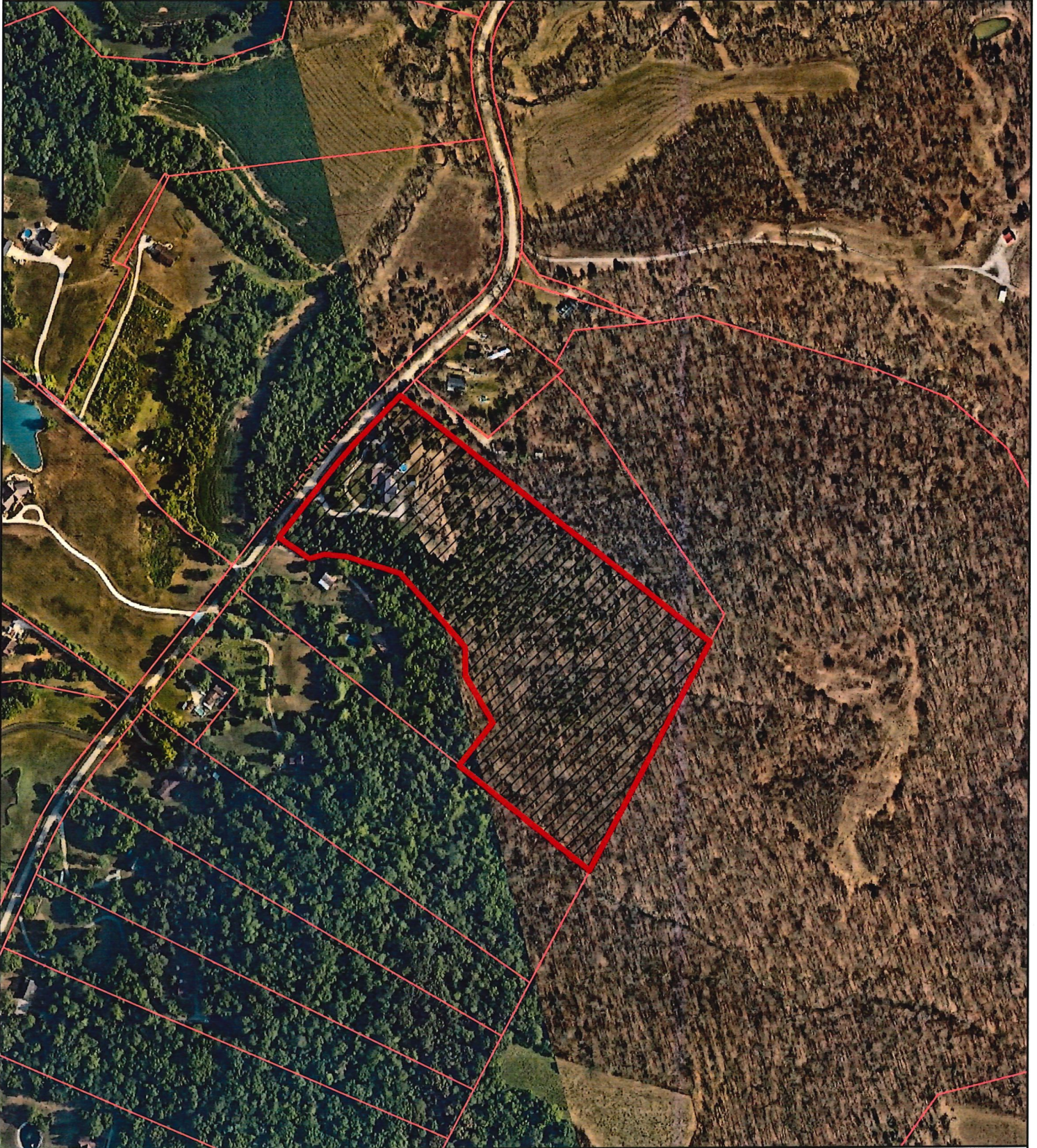
Boone



Boone County GIS
ArcMap Document: *.mxd

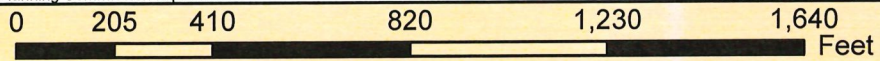
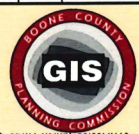
Aerial Map

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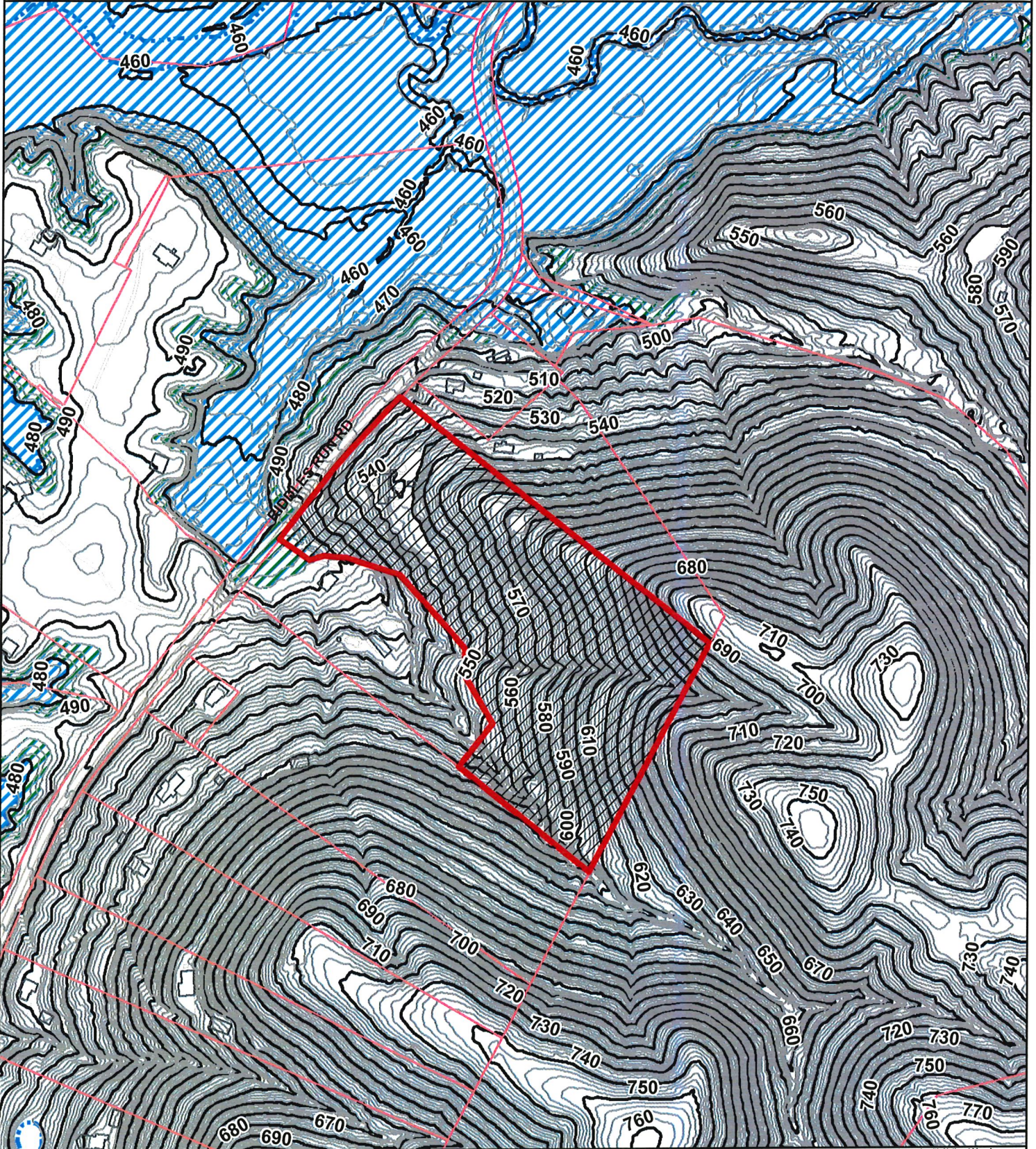


Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS
ArcMap Document (*.mxd)

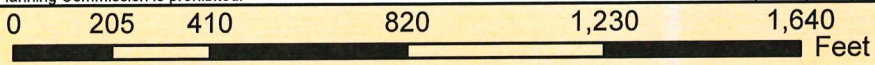
Topographic and Floodplain Map

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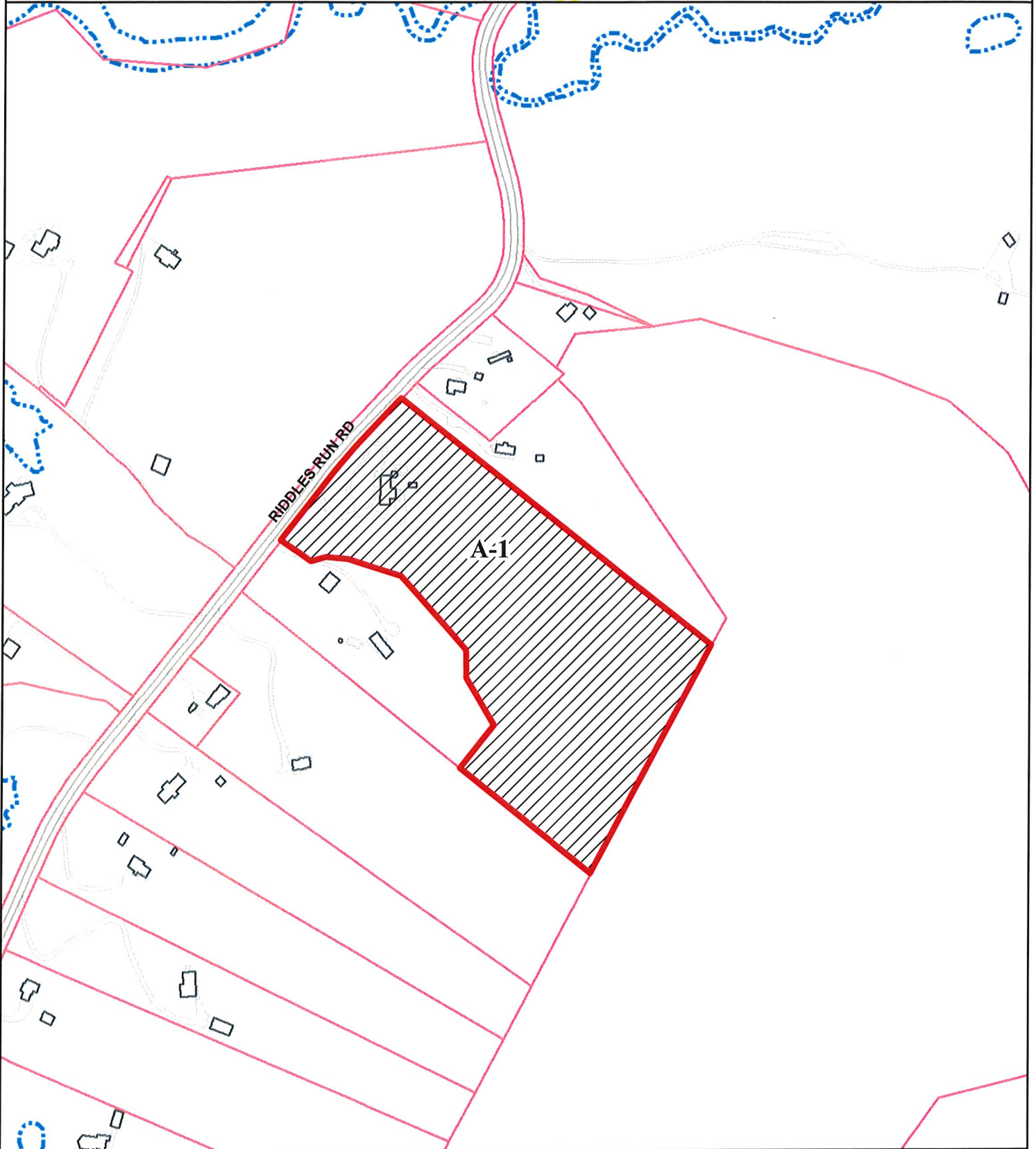


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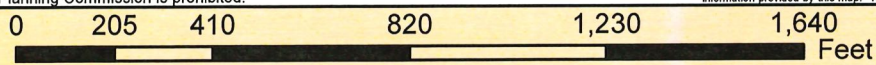
Zoning Map

www.boonecountygis.com



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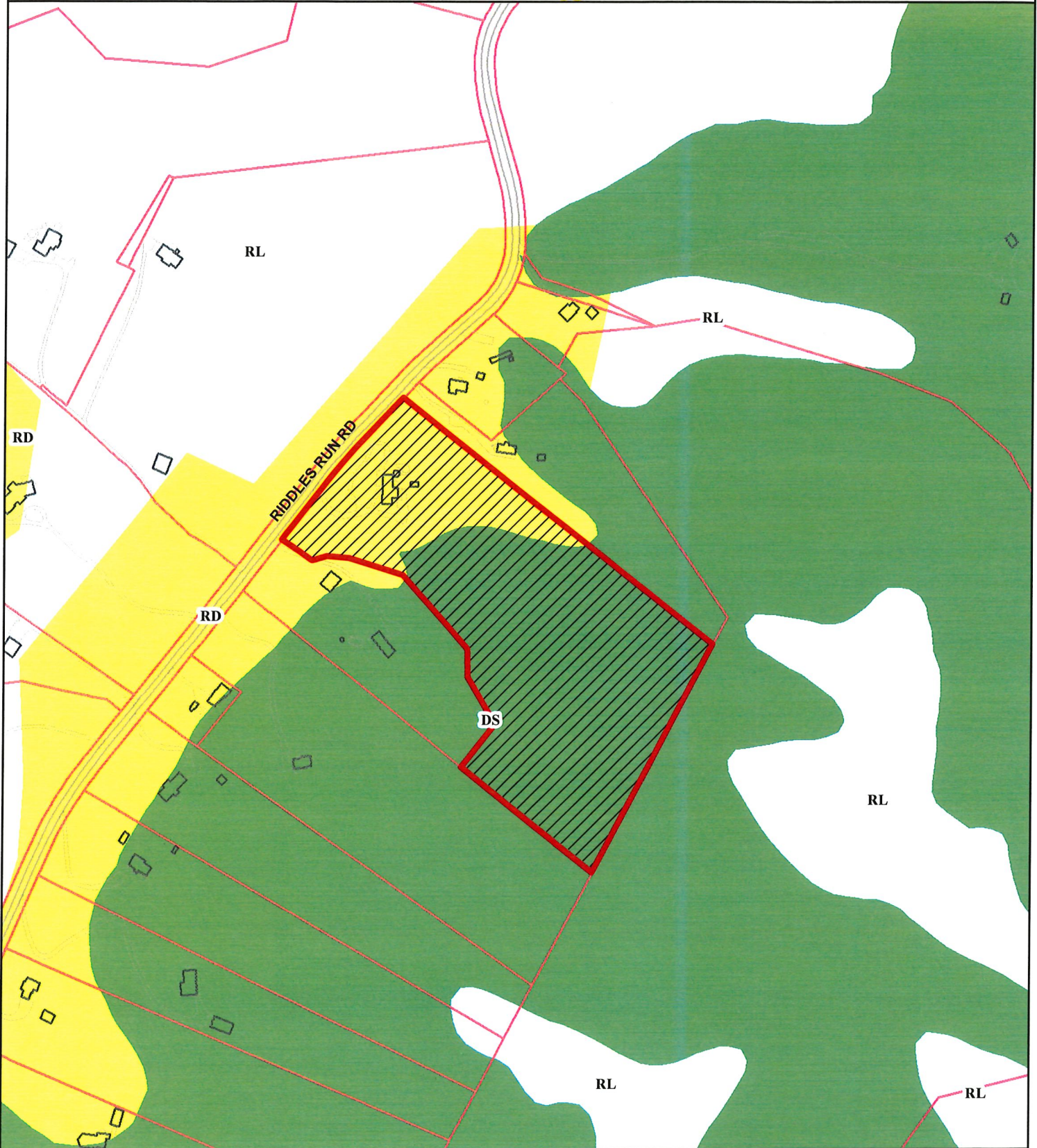
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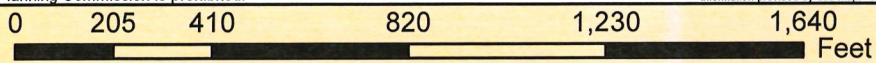
2040 Future Land Use Map

www.boonecountygis.com



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ArcMap Document: *.mxd

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BOONE COUNTY PLANNING COMMISSION**

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

3. Applicant: DANIEL HUGHES

Address: 10456 RIDDLES RUN RD

UNION KY 41091
City State Zip Code

Phone Number: 859-991-1881 Fax Number: N/A

Email: DANIEL@UNIONMETALWORKS.COM

4. Description of Request:
BUILD INSIDE OFFSET ZONE.
FLOOD ZONE MAP REVIEWED WITH NO ISSUES.

5. Name of Development: PRIVATE PARTY

6. Location of Development: AS ABOVE
City State Zip Code

7. Acreage Under Review: 17.5 ACRES

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

9. Current Owner: DANIEL HUGHES.

Address: AS ABOVE

City State Zip Code

Phone Number: _____ Fax Number: _____

Email: _____

10. Proposed Use(s) on Site: 2ND HOME

11. Total Square Footage of Existing and/or Proposed Buildings: 1500

12. Current Zoning: A-1

13. 1019 / 11 / 2001
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

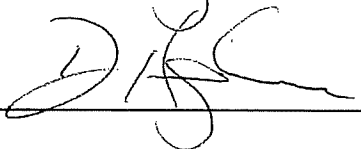
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17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

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Applicant's Signature:



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

1. Date Received: 12/22/25 Fee Received: \$5000 Receipt #: 93921

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

From the desk of:

19-Dec-25

Daniel Hughes
10456 Riddles run Rd, Union, KY
(859) 991-1881

To Boone County Variance request Review Board

RE: Requesting approval to build inside of 80' setback, to requested 38' setback

Hello: My property is 17.5 Acres at North end of Riddles Run Rd, zoned A1, which permits me a second home on the property. I want to build a solar home for family / help / guests to stay in, and possibly move into it myself down the road after a possible 5 acre carve-off subdivision.

Reasons for request:

1. The shape of the land/acreage below the existing driveway is large at the bottom end and necks down toward the back, unsuitable for building due to width of property at that point. Any further back from the road to a larger area is un-buildable due to the formidable cost of a driveway up to it. ATTACHMENT #1
2. This lower area facilitates moving further uphill from the creek which runs through it. ATTACHMENT #2
Moving the house further uphill is also largely advantageous for the Solar application.
3. The lower area closer to the road also is a lower slope, better for building.
4. The house must be rotated to an E-W alignment for optimizing solar. For Solar applications, the limiting factor to feasibility is almost always lack of roof area (unshaded), and for every degree rotated away from South-facing, more area is needed to get the same power output. The larger lower region of the property offers flexibility in house orientation.
5. Following from point 4, shading is another prime factor. Solar panels must not be shaded. The neighbor's trees cast full shade from Southern Sun on the area closest to the setback line; moving into the setback area alleviates this. The neighbor does not want to cut their trees down. ATTACHMENT #3
6. Also concerning the neighbor, they do not want a house built directly overlooking their horse barn, where they value their privacy. ATTACHMENT #3
7. Other properties along my road are variously within the setback zone, address 10378 is 59 ft; 11120 is 38 ft, 4914 outbuilding is 59 ft. ATTACHMENTS #4, #5, #6
8. The road is 10 ft wide to the edge from the centerline, another 20' inward to the property line, and a further 80' in to the setback line. This is a massive loss of buildable land that we pay the same property tax for as the rest of our land, so I find the setback requirement to be onerous, not to mention that to my knowledge, the tax bill is for the area reaching all the way to the middle of the road; easement for utilities is covered by the first 20 ft. A road widening project start is highly dubious since there is no plan to even run city water down this road due to low population density. Tax-payer opinion only.

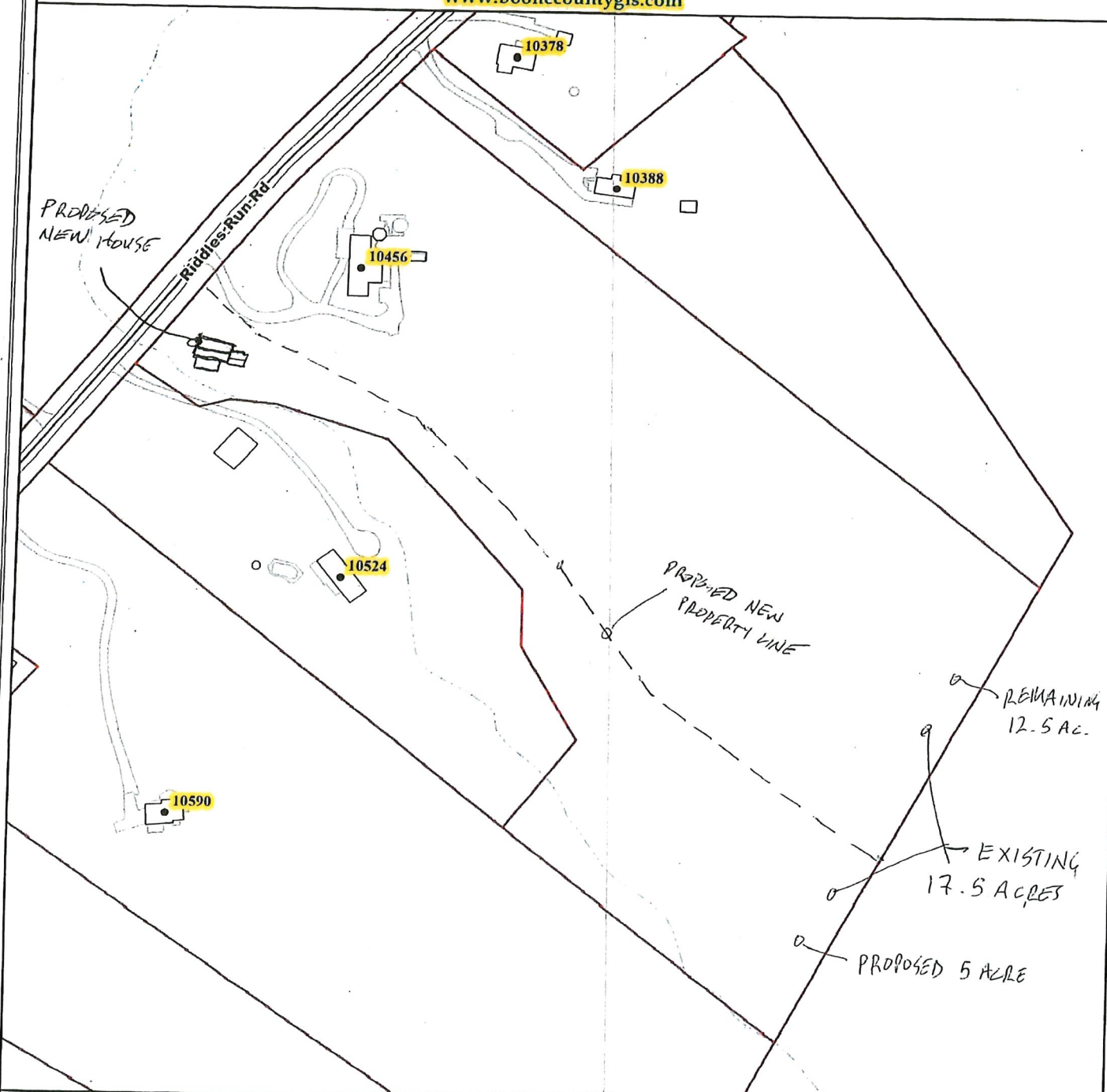
Please note that to build a non-solar home is also fraught with most of these problems, and a variance would be requested in this case also.

Thank you for your consideration;

Dan Hughes
10456 Riddles Run Rd, Union KY 41091
(859) 991-1881

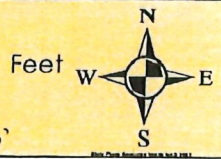
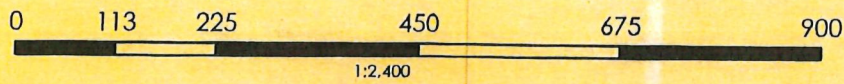
Boone County GIS Map

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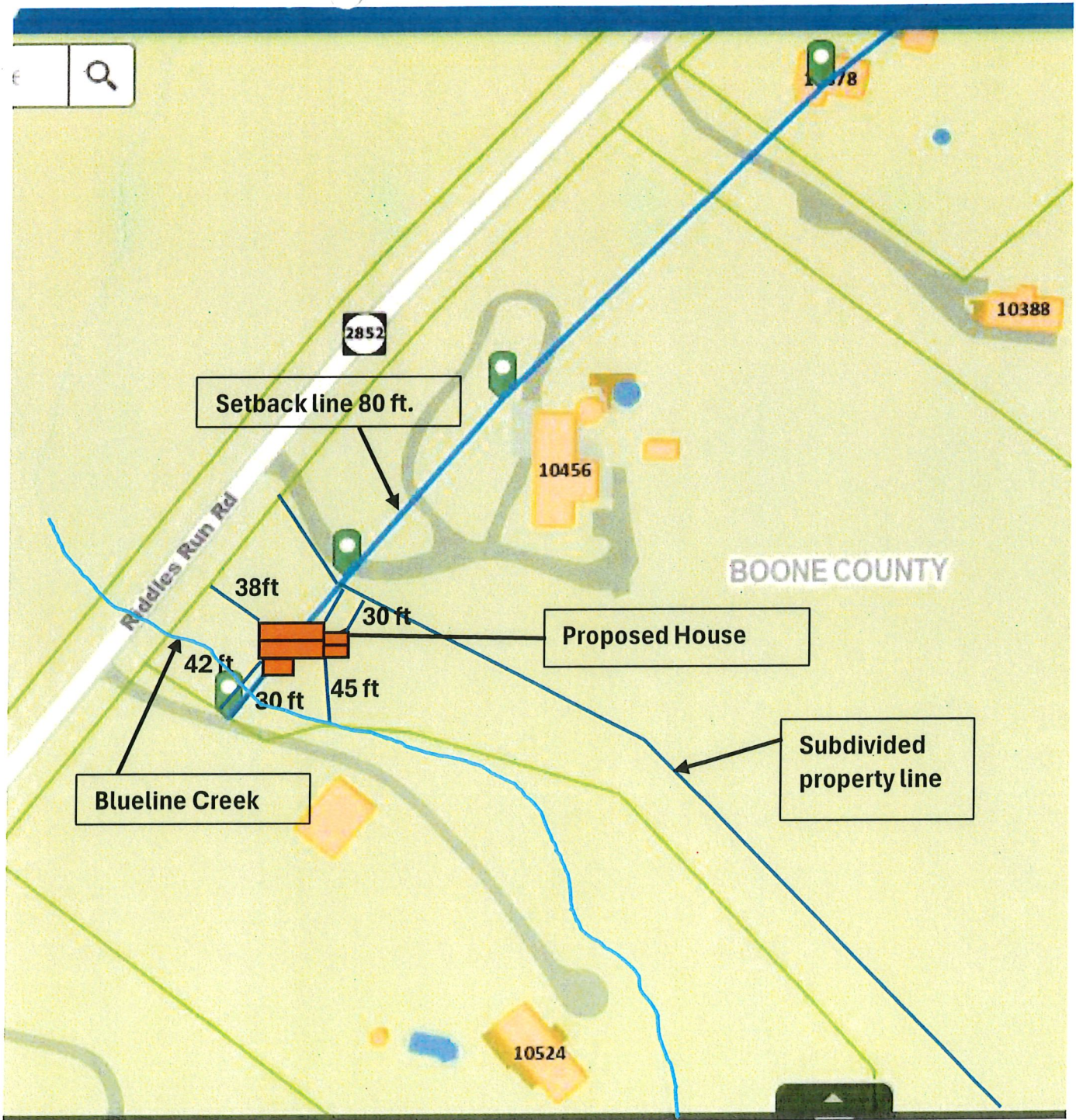


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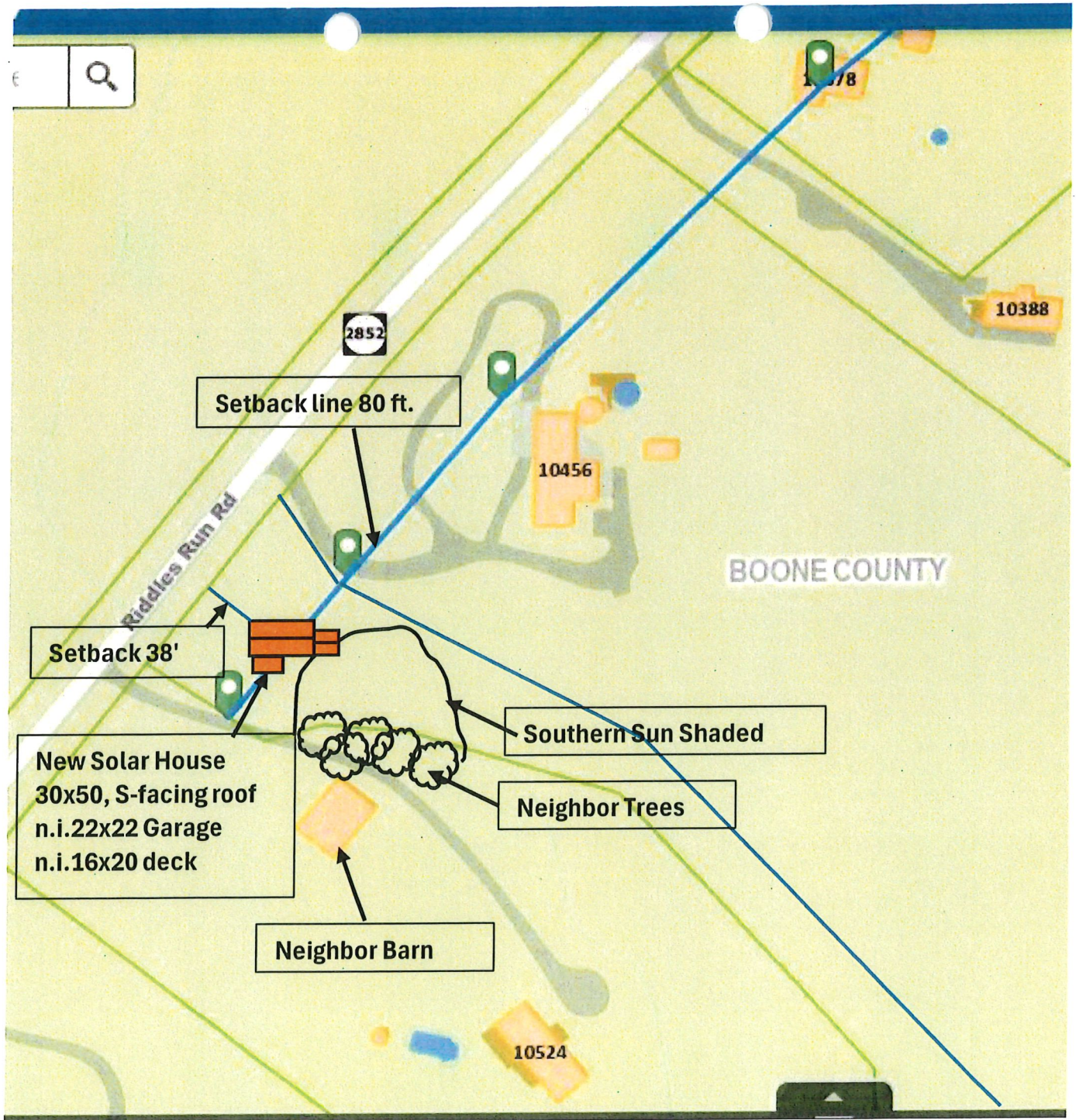
1" = 200'

Map Created: xx/xx/2025

Boone County GIS
ArcGIS Pro Document: *.aprx



ATTACHMENT #2



Address, setback:

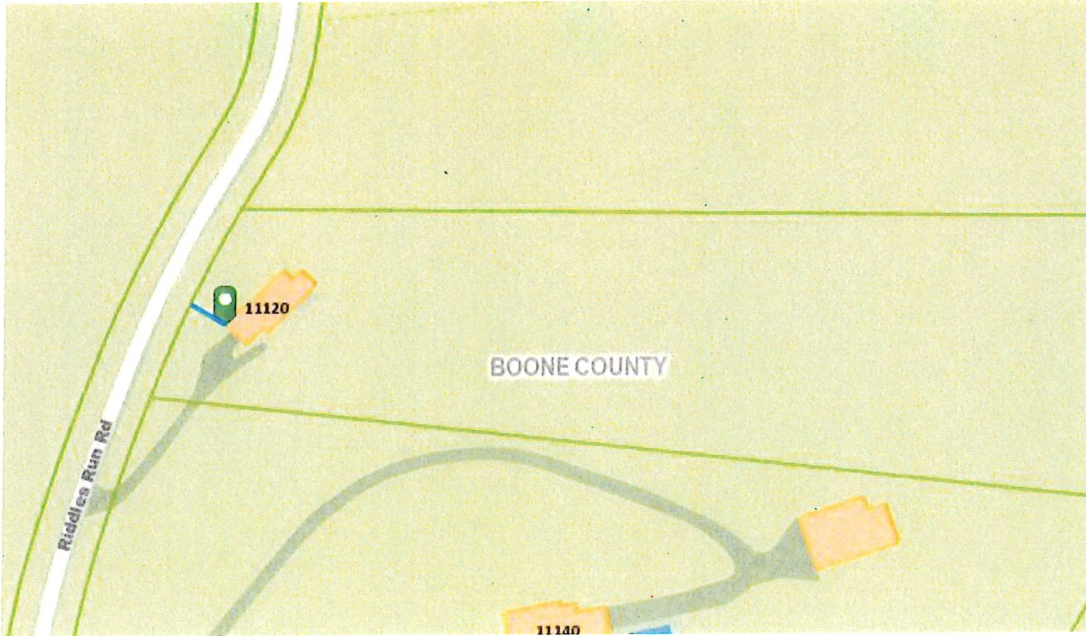
10378 Riddles Run Rd; 59 ft.



ATTACHMENT #4

Address, setback:

11120 Riddles run Rd; 38 ft.



Feet (US) ▾

Measurement Result

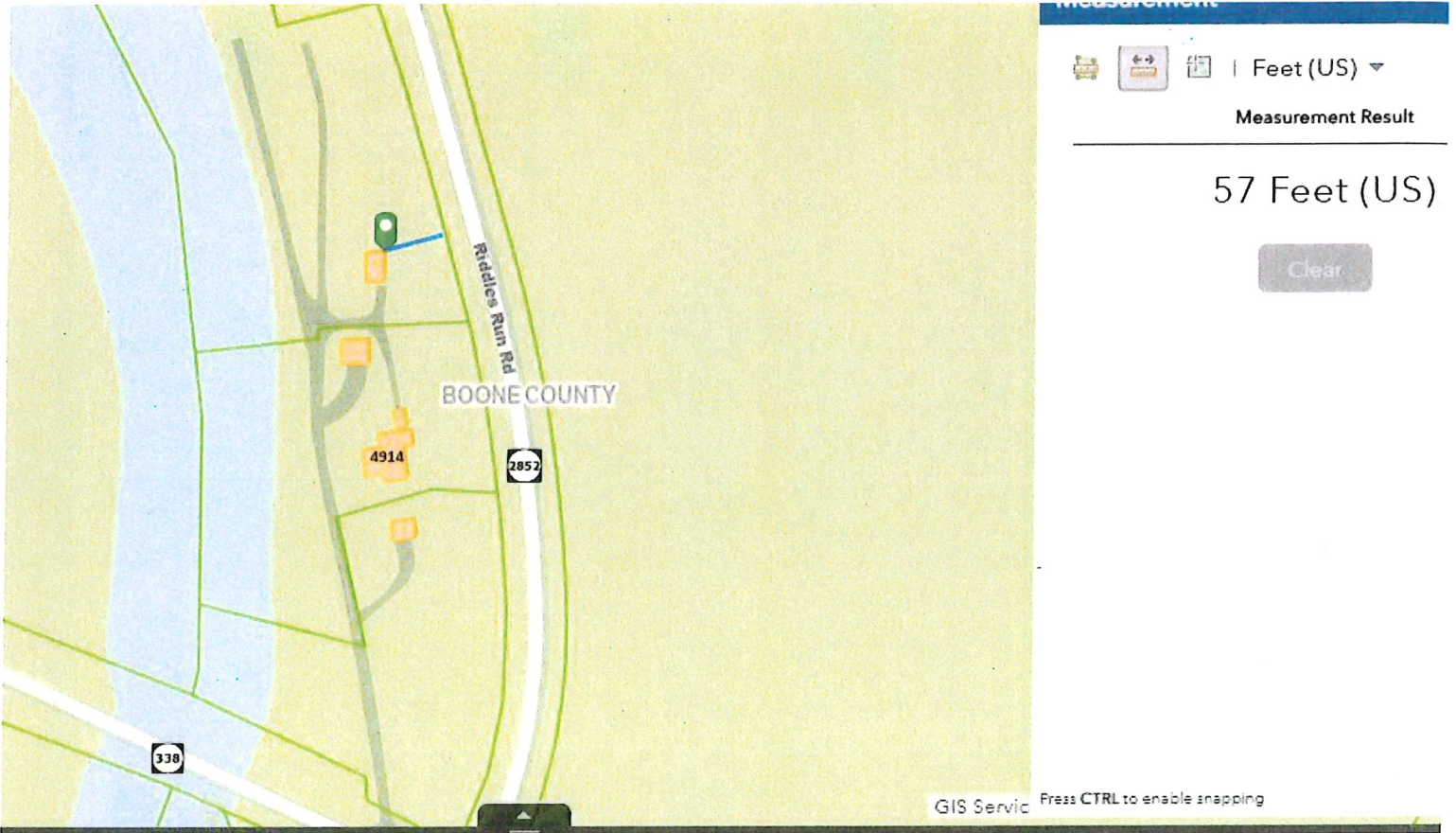
37.7 Feet (US)

Clear

ATTACHMENT #5

Address, setback:

4914 338, 59 ft



ATTACHMENT #6

From the desk of:

19-Dec-25

Daniel Hughes
10456 Riddles run Rd, Union, KY
(859) 991-1881

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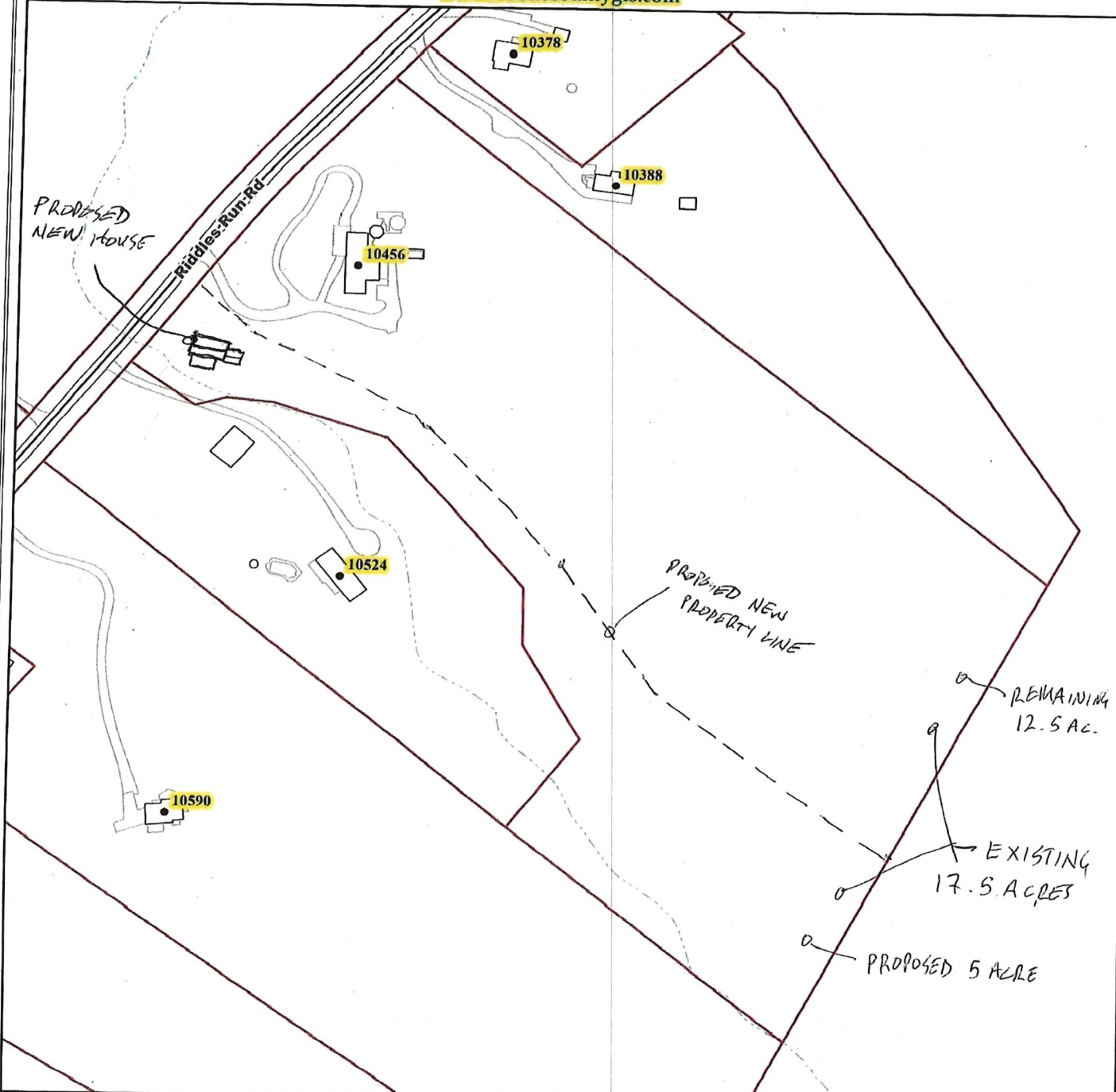
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10456 Riddles Run Rd, Union KY 41091
(859) 991-1881

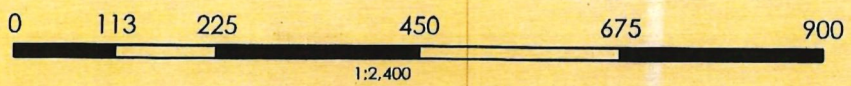
Boone County GIS Map

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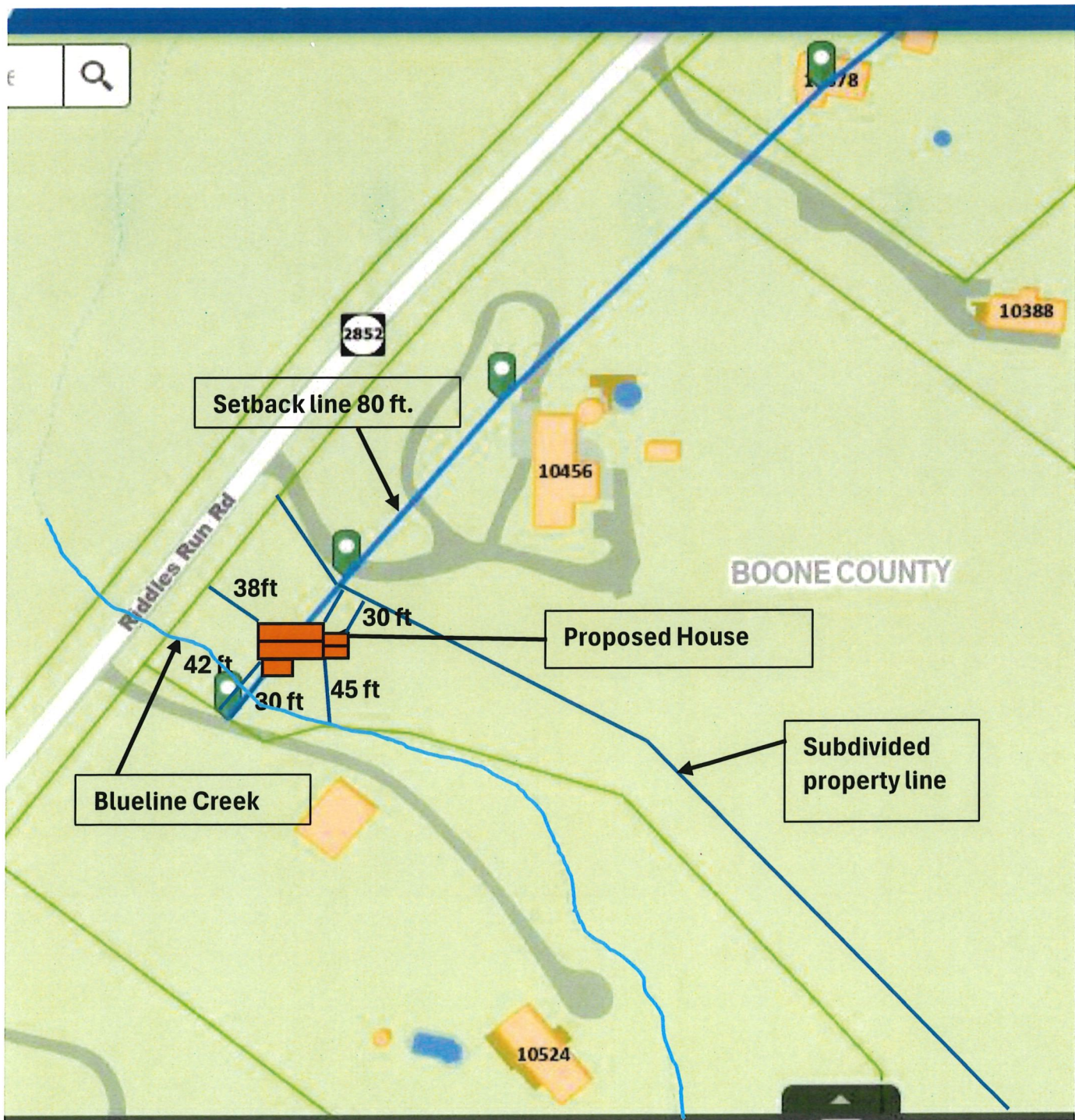
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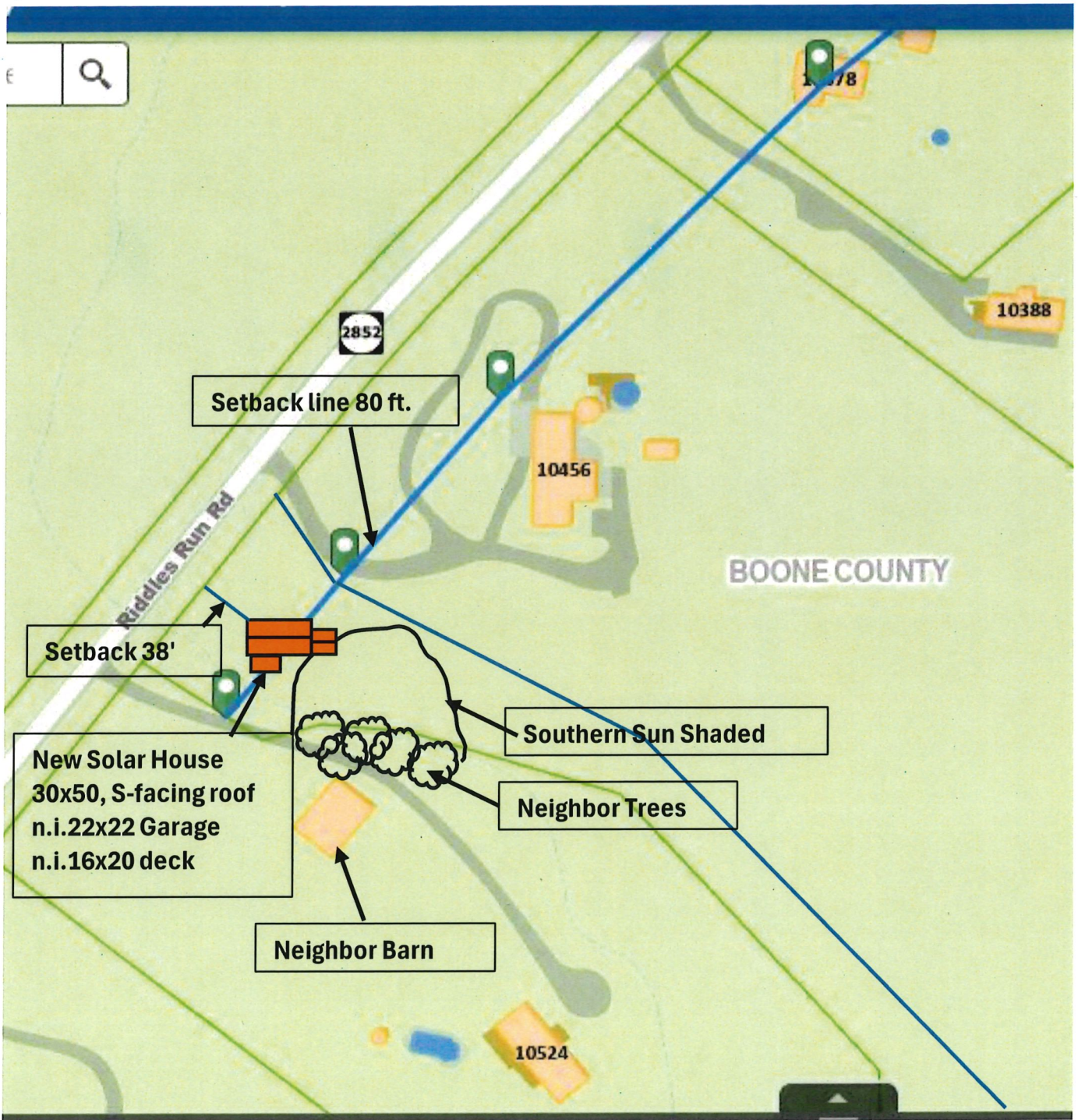
Boone County GIS - Putting Northern Kentucky on the Map 1" = 200'

Map Created: xx/xx/2025

ArcGIS Pro Document: *.aprx



ATTACHMENT #2



Address, setback:

10378 Riddles Run Rd; 59 ft.



ATTACHMENT #4

Address, setback:

11120 Riddles run Rd; 38 ft.

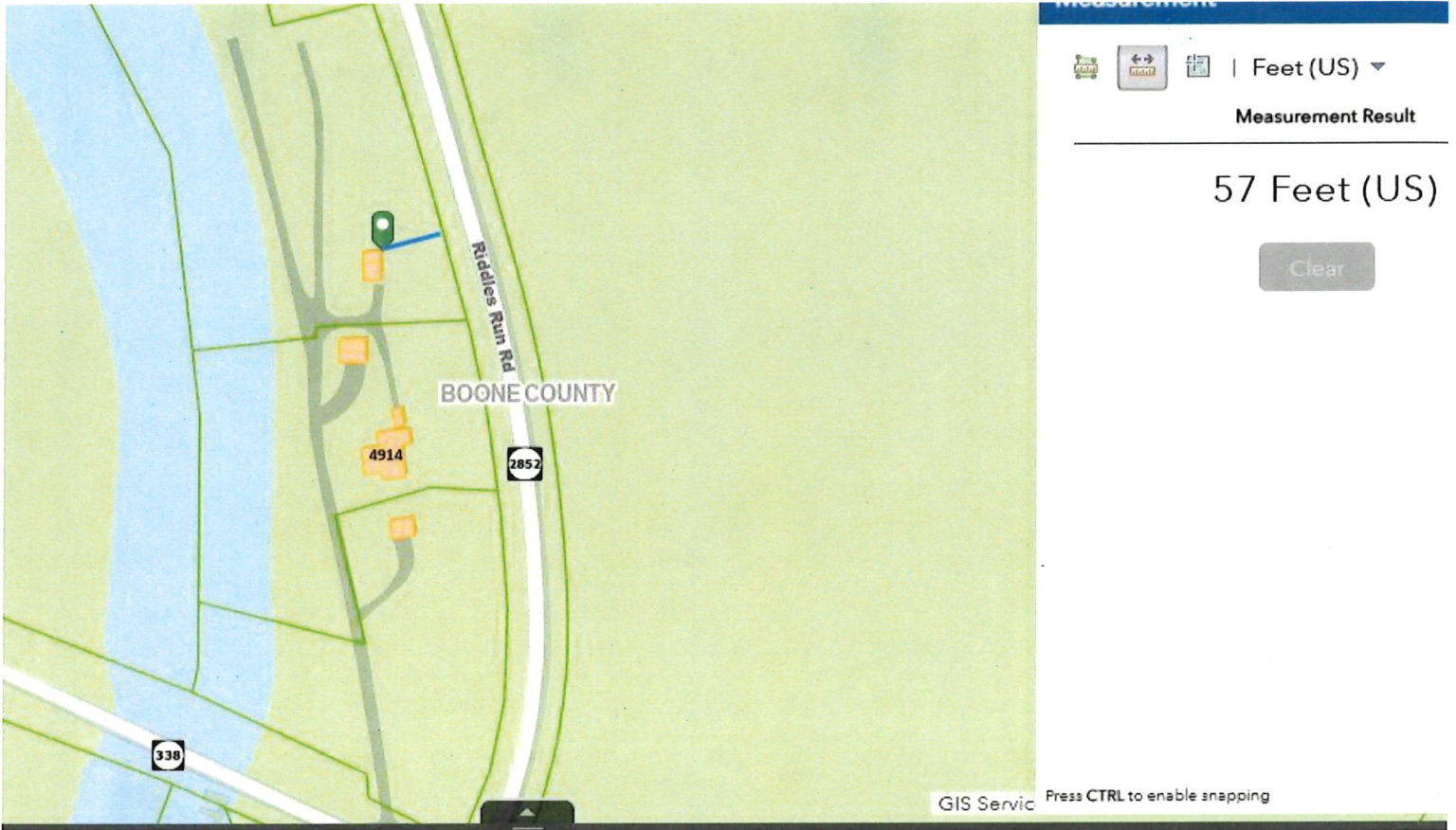


1 Feet (US) ▾
Measurement Result
37.7 Feet (US)
Clear

ATTACHMENT #5

Address, setback:

4914 338, 59 ft



ATTACHMENT #6

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Daniel J. Hughes
10456 Riddles Run Rd
Union, KY 41091

2. ADDRESS OF PROPERTY
10456 Riddles Run Rd
Union, KY 41091
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Hughes Variance

4. DEED BOOK 619 PAGE NO. 11 GROUP NO. 2061

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)

 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 15th day of January, 2026.

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
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 Variance approved by the Boone County Board of Adjustment and in accordance with the current zoning in effect as of January 14, 2026, Certificate of Land Use Restriction (#26-BCBOA-005-A), for Daniel J. Hughes, Property Owner(s).

The following conditions will apply:

1. The proposed variance shall be a reduction of the front yard setback from eighty (80) feet to thirty (30) feet.

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

DEED BOOK 619

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GROUP NO. 2061