

**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 ☐ Union
2. Check One ☐ Conditional Use Permit ☒ Variance ☐ Appeal
☐ Change in Non-Conforming Use
3. Applicant: Anh Phui
Address: 2513 Peppermill Ct
Verona Ky 41092
City State Zip Code
Phone Number: (502) 650-4489 Fax Number: _____
Email: cocobakery@yahoo.com
4. Description of Request:
Reduce front set back from 40ft to 26ft.
5. Name of Development: Verona Common
6. Location of Development: Ver
Verona, Ky Ky 41092
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: Anh Phui
Address: 7388 Maybury Ct
Florence Ky 41092
City State Zip Code
Phone Number: (502) 650-4489 Fax Number: _____
Email: cocobakery@yahoo.com

10. Proposed Use(s) on Site: _____
11. Total Square Footage of Existing and/or Proposed Buildings: _____
12. Current Zoning: RS _____
13. 1237 _____ 239 241 _____ 2805 _____
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: 4/6/24 Fee Received: \$666 Receipt #: 94447
2. Is application complete: ✓
3. Staff Reviewer: L Elliott
4. Scheduled Board Action Date: 6/10/26
5. Board Action: _____

Approved

Approved with Conditions (see #6)
✓ _____
Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: The revised driveway plan did not
satisfy the neighbors' concerns

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

#2

APPLICANT: Anh Phi

LOCATION: 2513 Peppermill Court

ZONING: Rural Suburban (RS)

DATE: May 13, 2026

PROPOSAL

- A. The applicant is requesting a Variance decreasing the minimum front yard setback from forty (40) feet to twenty-six (26) feet in order to construct a detached single-family residence.

SITE HISTORY

- 1988 On June 21, 1988, the Boone County Fiscal Court approved a Zoning Map Amendment to rezone a 99-acre tract including the subject site from A-2 to RS.
- 1999 One December 1, 1999, the Boone County Planning Commission approved a Final Plat for Verona Commons, Section 5, creating the lot in question.
- 2025 On May 21, 2025, The Boone County Planning Commission approved a zoning permit to allow the construction of a single-family residence on the site.

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 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 2045 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. Peppermill Court is identified as a County maintained local street providing for two-way traffic within an approximate twenty-five (25) foot wide pavement width. There are no sidewalks along 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 0.5 acre property is located along the west side of Peppermill Court, approximately 500 feet northeast of Verona Mudlick Road
- B. The site has approximately ninety (90) feet of frontage along Peppermill Court.
- C. The site is currently occupied by a partially constructed detached single-family residential dwelling.
- D. Topographically, the site slopes upward from north to south at an average grade of approximately 11%.

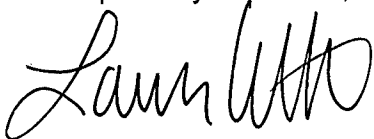
STAFF COMMENTS

- A. The approved zoning permit for this property showed a minimum front setback of 42 feet.
- B. Most of the structure does not encroach into the minimum 40 foot front setback, but the front garage sits 26 feet off the property line.

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,



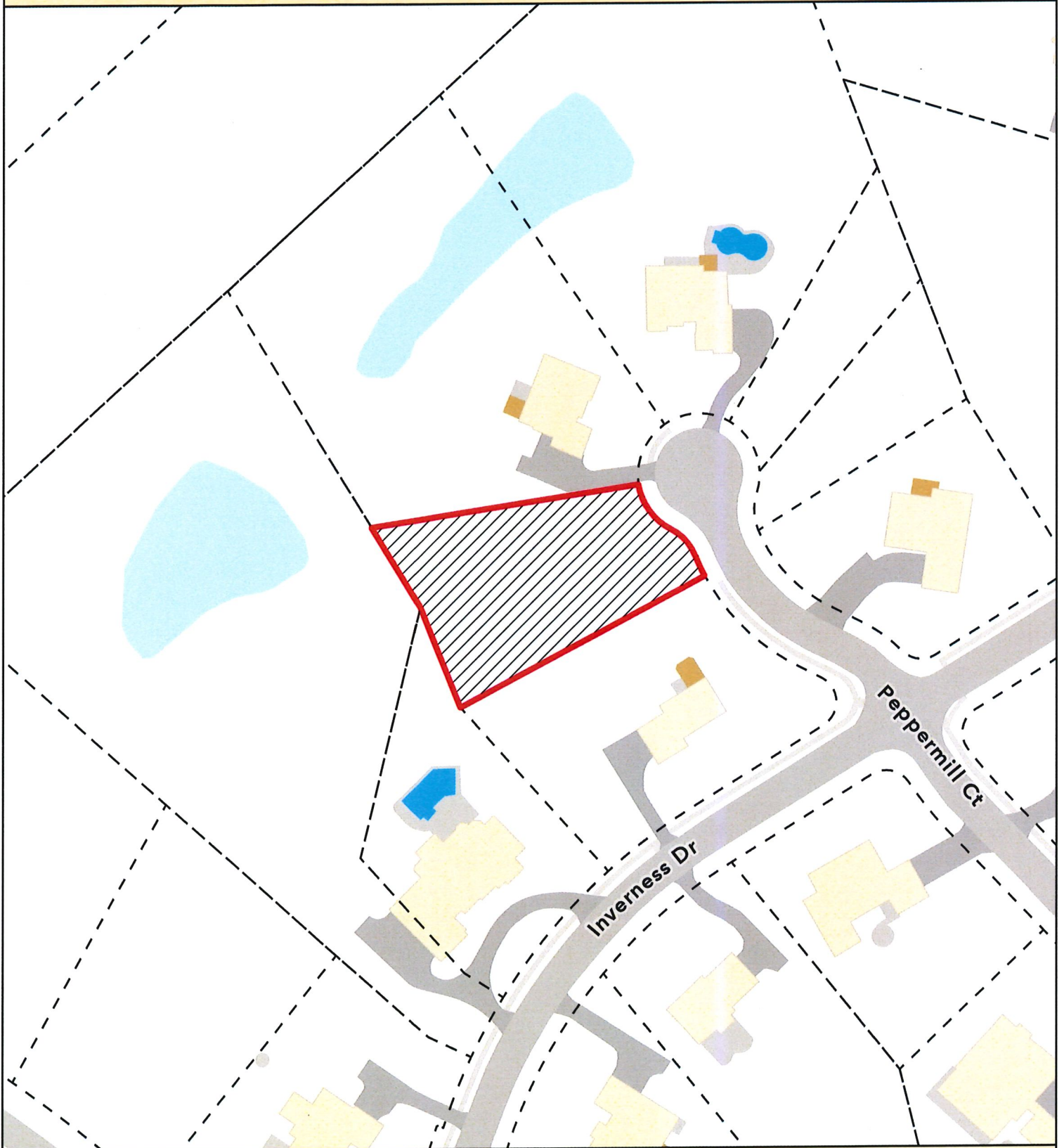
Lauren M. Elliott
Planner, Zoning Services

LME/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographic Map
- *Zoning Map
- *2045 Future Land Use Map
- *Application
- *Development Plan

Boone County GIS Map



0 55 110 220 330 440

Feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 5/7/2026

Boone County Kentucky North 310 1901
ArcGIS Pro Document: *.aprx

Boone County GIS Map



0 55 110 220 330 440

Feet

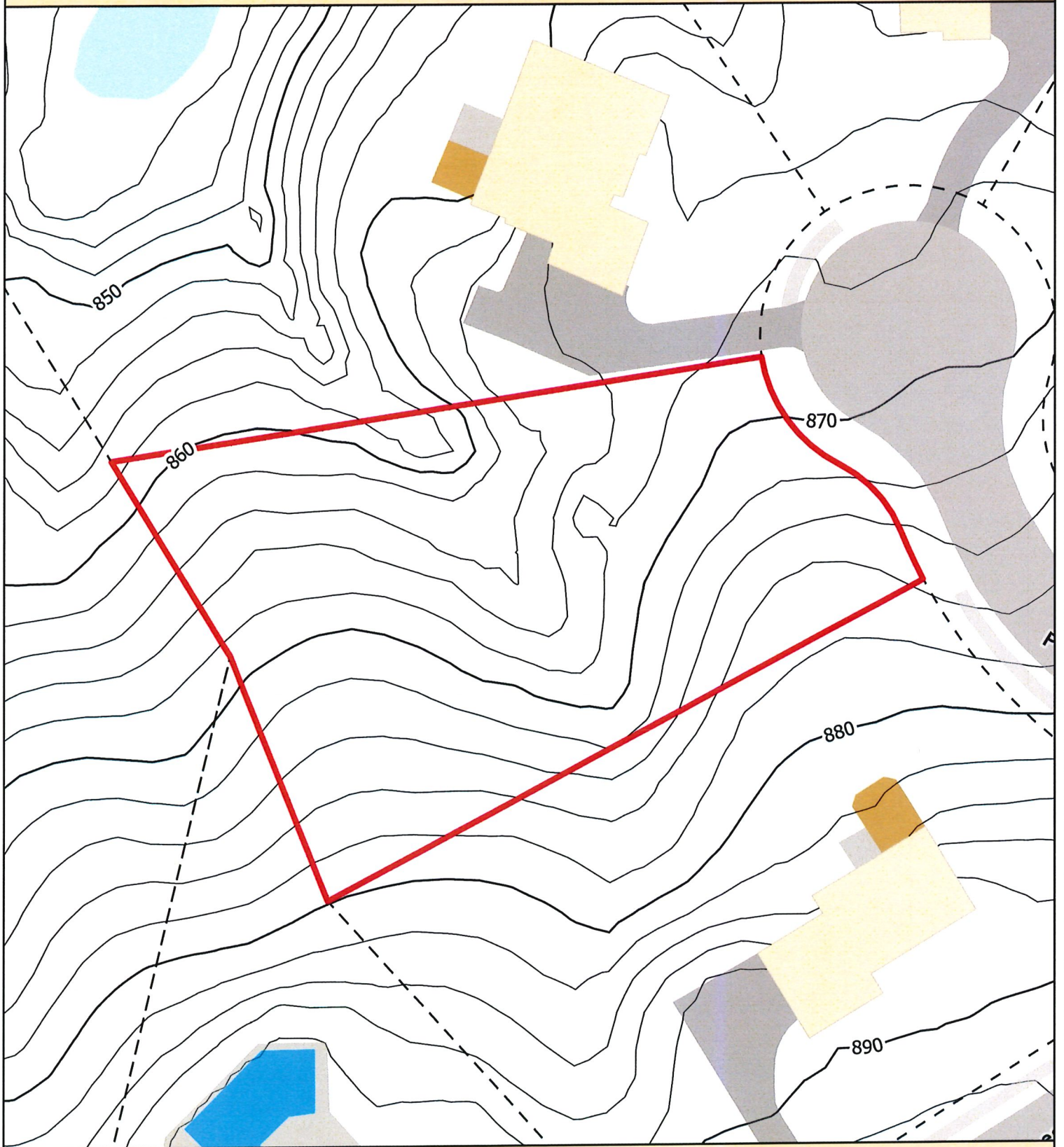


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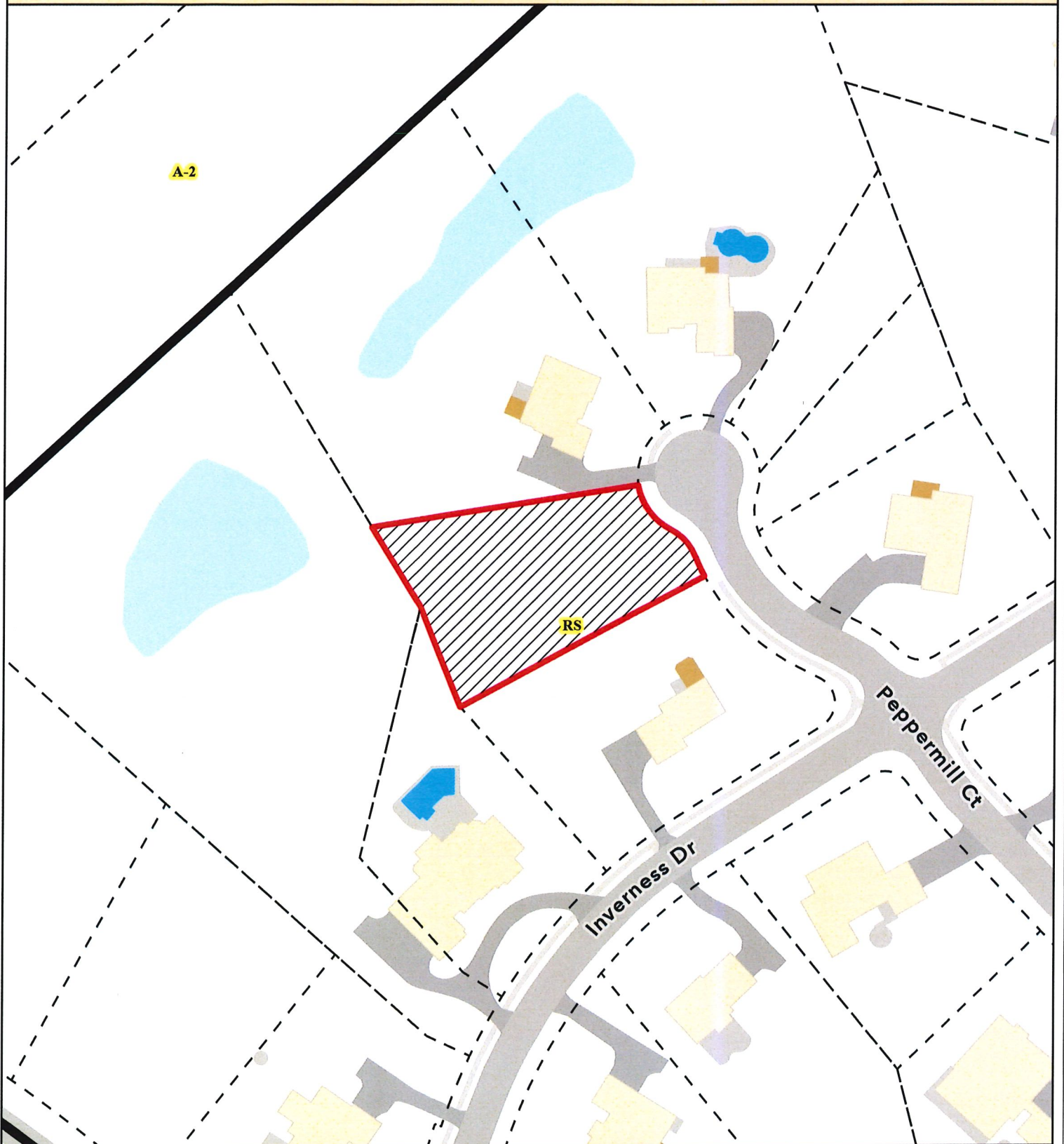


0 20 40 80 120 160 Feet



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0 55 110 220 330 440

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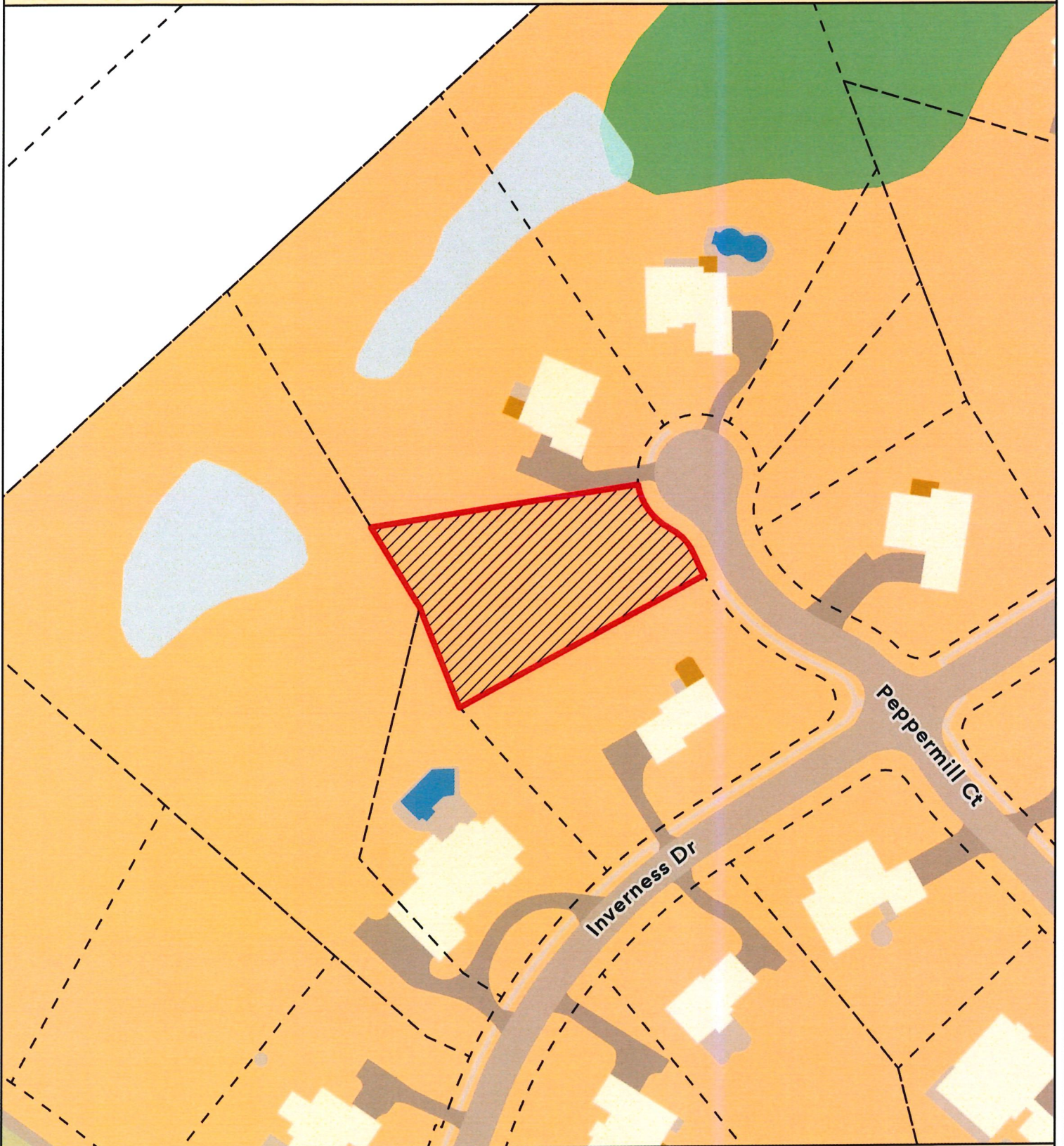


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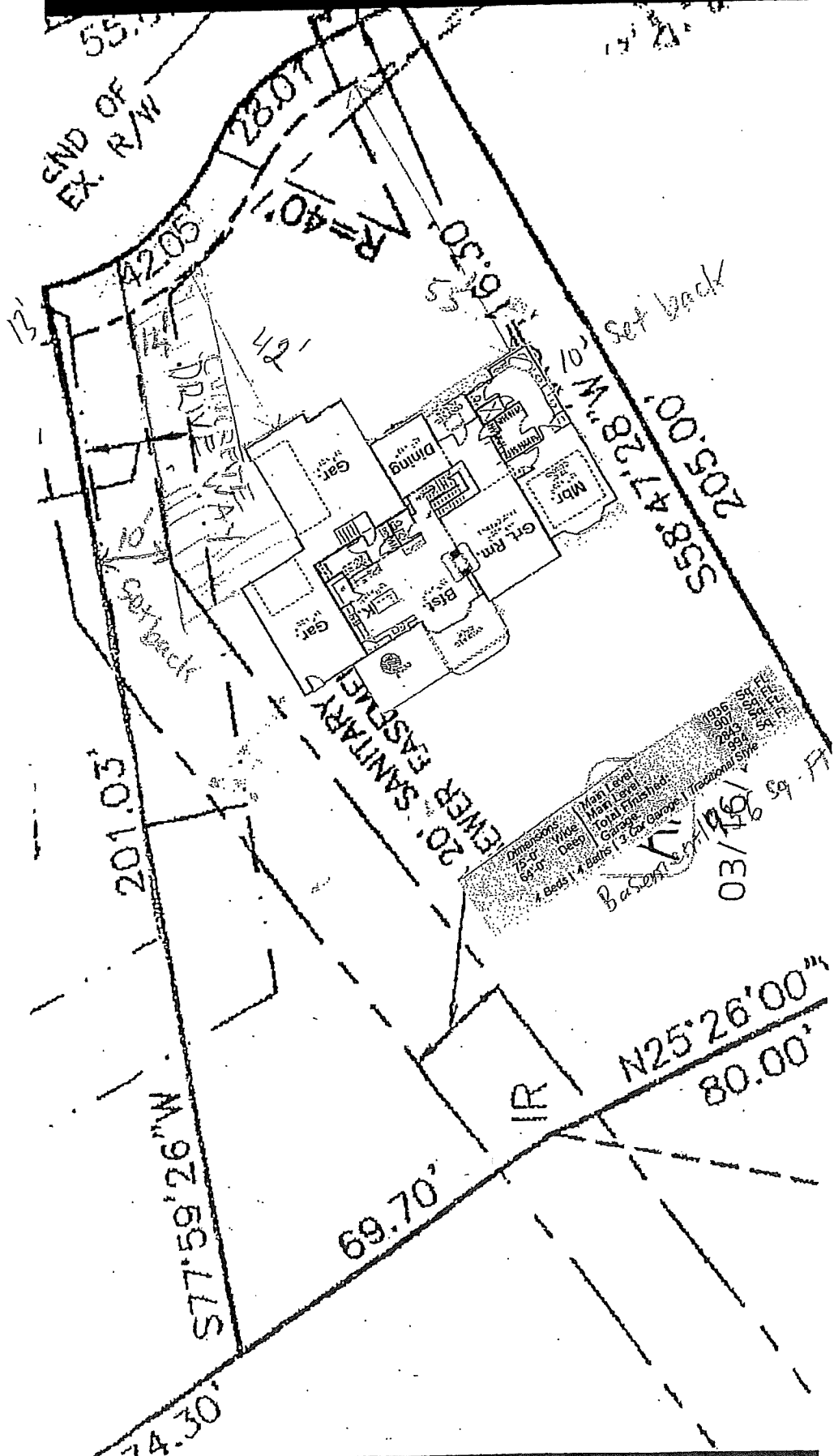
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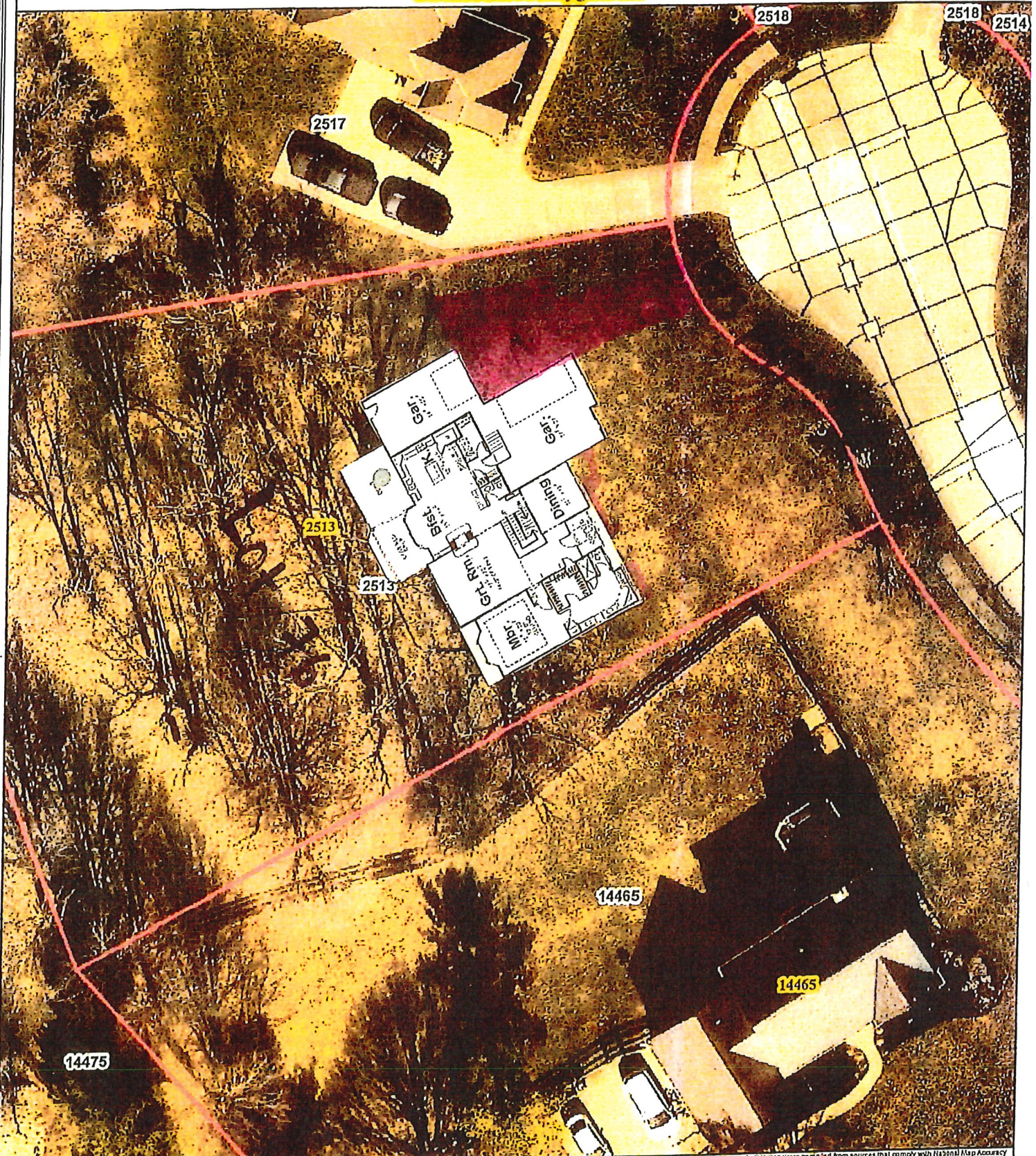


Dimensions:	Main Level
75' x 100'	1907' sq. ft.
65' x 100'	2046' sq. ft.
4 Beds 4 Baths 3 Ex. Garages Traditional Style	2046' sq. ft.

Front & Rear 40'
Sides 10'

Boone County GIS Map

www.boonecountygis.com



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0 15 30 60 90 120 Feet

1 inch = 30 feet



Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Document: "mxd"

Boone County GIS Map

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