

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations).

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's Name MICHAEL AARON HOGAN
Phone Number H 283-1386 W 681-4999
Applicant's Address 4 A LEXINGTON AVE.
FLORENCE KY 41042
City State Zip
- 4. Description of Request: REQUEST PERMIT TO BUILD
A DUPLEX
- 5. Name of Development BARKER
- 6. Location of Development RESIDUE PARCEL
WALLER ROAD
- 7. Acreage Under Review 11.741 ACRES
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
RESIDUE PARCEL
- 9. Owner of Property JIMMY A. BARKER
Phone Number 485-7215
- 10. Address of Property Owner 16629 MT. ZION VERONA RD.
CRITTENDEN KY 41030
City State Zip
- 11. Proposed Use(s) On Site FARM / DUPLEX
- 12. Total Square Footage of Existing and/or Proposed Buildings
3100 SQ FT. / 1550 PER UNIT
- 13. Current Zoning on Property A-2
- 14. Deed Book 317 Page No. 111 Group No. 1969
- 15. Is the site subject to a zone change? NO
If yes, give date of approval _____
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. Applicant's Signature: Michael Aaron Hogan
- 19. Property Owner's Signature: Jimmy Barker

BK REF ←
GR # 2088

PLAT BOOK
119 B

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 1-22-92
2. Fee Received \$326.00
3. Is application complete? Yes No
4. Staff Reviewer Oliver Moore
5. Scheduled Board Action Date 3/11/92
6. Board Action:
 Approval
 Approved with Conditions (See #7)
 Disapproved (See #8)
7. Conditions: Only one duplex structure (on 2 units) can be constructed on the 11.741 acre tract.
8. Reasons for Disapproval: _____

BCPC:7/11/88

REVISED STAFF REPORT

#1

DEVELOPMENT: duplex
APPLICANT: Michael A. Hogan
LOCATION: south side of Waller Road, Boone County, Kentucky
ZONING: Agricultural Estate (A-2)
DATE: March 11, 1992
REMARKS:

The applicant is seeking a Conditional Use Permit to construct one (1) duplex structure (two residential units). The structure is to be constructed on the south side of Waller Road, Boone County, Kentucky. The property is zoned Agricultural Estate (A-2) and is owned by Jimmy A. Barker.

Article 6, Section 620 of the Boone County Zoning Regulations states that one Conditional Use permitted on any site zoned A-2 is "duplex dwelling units." (p. 28)

The following reviews the criteria that the Board must use to judge all Conditional Use Permit requests:

1. The activity will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or zoning order.

The Boone County Comprehensive Plan indicates that the Future Land Use of this site to be Rural Density Residential (RD). This land use is defined as:

"residential uses that do not exceed one dwelling unit per acre. This includes isolate houses with no connecting agricultural uses, but does not include solitary farm residences." (p. 199)

The text of the Comprehensive Plan as it relates to this portion of Boone County reads:

"Any further residential development should be of a Rural Density nature and should occur along the existing roads...In general, little growth should occur in this section." (p. 218)

2. The activity will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the area.
3. The activity will not be hazardous to existing or future neighboring uses.

4. The activity will be adequately served by essential public facilities and services.

The applicant must work with the Northern Kentucky Health District in providing an adequate on-site septic system for the duplex dwelling unit.

5. Excessive additional requirements at the public cost for public facilities and services will not be created or be detrimental to the economic welfare of the community.
6. The proposed use and operation will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor.
7. The vehicular approaches to the property will be designed so as not to create an interference with traffic on surrounding public streets.

Access to this flag lot is from Waller Road.

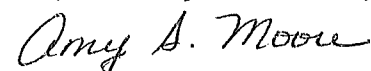
The Board must also consider specific criteria which apply to Conditional Uses in A-2 zoning districts:

- a. The activity is an integral part of the agricultural or residential use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district; or
- b. the activity is necessary to provide the specified public service for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district; and
- c. provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

If this Conditional Use Permit is approved, Staff has no suggested conditions for the Board to consider.

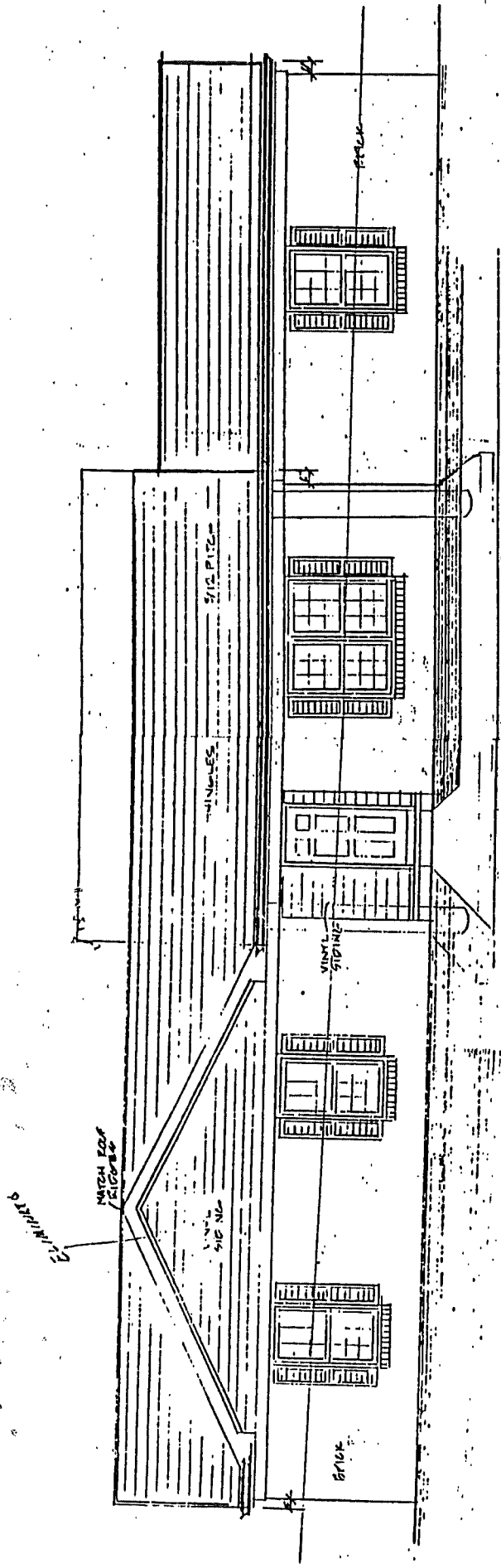
Attached to the Staff Report is a reduction of a portion of a plat illustrating the location of the proposed duplex structure on the site. Illustrations of the front and rear elevations of the proposed structure are also attached.

Respectfully submitted,


Amy S. Moore
Planner I

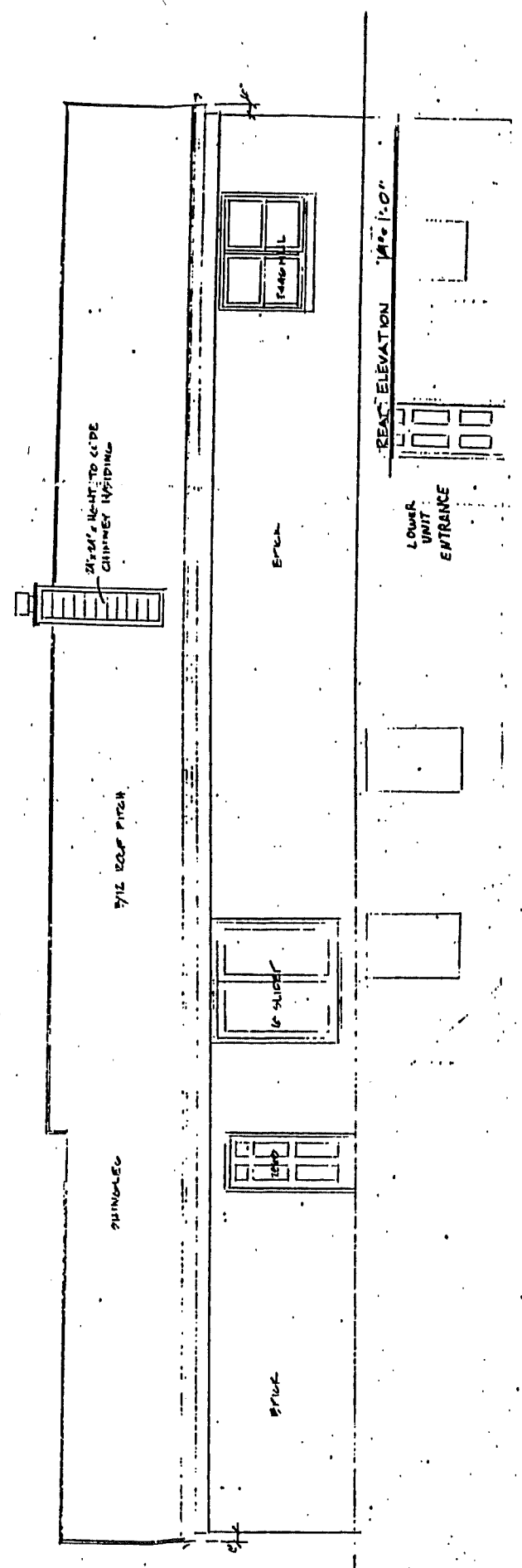
ASM:kat

Hogan - Conditional Use Permit
March 11, 1992



FRONT ELEVATION 1/4" = 1'-0"

Front Elevation



REAR ELEVATION 1/4" = 1'-0"

Rear Elevation

COPY

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Jimmy A. Barker
16629 Mt. Zion Verona Road
Crittenden, KY 41030

2. ADDRESS OF PROPERTY

Waller Road
Boone County, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

N/A

DEED BOOK: 317

PAGE NO.: 111

GROUP NO.: 2088

4. TYPE OF RESTRICTION (S) (Check all that apply)

- | | | | |
|--------------------------|---|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | Zoning Map Amendment
from _____ to _____ | <input checked="" type="checkbox"/> | Conditional Use Permit |
| <input type="checkbox"/> | Development Plan | <input type="checkbox"/> | Conditional Zoning
Condition |
| <input type="checkbox"/> | Subdivision Plat
(unrecorded) | <input type="checkbox"/> | Other: (Specify) |
| <input type="checkbox"/> | Variance | | |

5. 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
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

Amy S. Moore
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

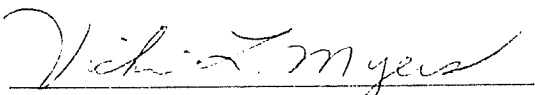
COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Amy S. Moore

on behalf of the Boone County Planning Commission this 18th day

of May, 1992.

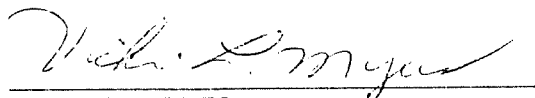


VICKI L. MYERS
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:



VICKI L. MYERS
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

BCPC 01/89

CLUR# 92-BCBOA-004-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of March 11, 1992, (Certificate of Land Use Restriction #92-BCBOA-004-A), for Jimmy A. Barker, property owner.

The Conditional Use Permit is approved subject to the condition that only one duplex structure (or 2 units) can be constructed on the 11.741 acre tract.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 317 PAGE NO. 111 Group No. 2088