

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 Byron V. Griffith  
Phone Number 341-8080  
Applicant's Address 834 Collins Rd.  
Villa Hills, Ky. 41017  
City State Zip
- 4. Description of Request: move ONE house from 10805  
Dixie Hwy to the property at 10814 Dixie Hwy,  
Richwood, Ky.
- 5. Name of Development Richwood Motel
- 6. Location of Development 10805 + 10819 Dixie Hwy  
Richwood Ky 41094
- 7. Acreage Under Review 2.17 acres
- 8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
- 9. Owner of Property Byron V. Griffith  
Phone Number 341-8080
- 10. Address of Property Owner 10819 Dixie Hwy.  
Richwood Ky. 41094  
City State Zip
- 11. Proposed Use(s) On Site office + living quarters
- 12. Total Square Footage of Existing and/or Proposed Buildings 1200 sq ft
- 13. Current Zoning on Property C-3
- 14. Deed Book 241367 Page No. 2314 Group No. \_\_\_\_\_
- 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? NO
- 17. Have you submitted a list of adjoining property owners with this request? yes
- 18. Applicant's Signature: Byron V. Griffith
- 19. Property Owner's Signature: Byron V. Griffith

BOONE COUNTY  
PLANNING COMMISSION

R SEP 18 1992 D  
RECEIVED

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 9-18-92
2. Fee Received 406.00 R# 9329
3. Is application complete?  Yes  No
4. Staff Reviewer Dean E. Niemeyer
5. Scheduled Board Action Date Oct. 14, 1992
6. Board Action:  Approval  
 Approved with Conditions (See #7)  
 Disapproved (See #8)
7. Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Reasons for Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BCPC:7/11/88

## STAFF REPORT

DEVELOPMENT: 10819 Dixie Highway  
APPLICANT: Byron V. Griffith  
LOCATION: 10819 Dixie Highway, Richwood, Kentucky  
ZONING: Commercial Services (C-S)  
DATE: October 14, 1992  
REMARKS:

The applicant is requesting a Change in Non-Conforming Use; specifically he proposes to move a house from 10805 Dixie Highway (Richwood Motel) to an adjacent site located at 10819 Dixie Highway. The 2.17 acre site is located at 10819 Dixie Highway, Richwood, Kentucky. The property is zoned Commercial Three (C-3) and is owned by Byron V. Griffith.

ARTICLE 2 Administration, Section 273 Change from One Nonconforming Use to Another of the *Boone County Zoning Regulations* states:

The Board of Adjustments and Zoning Appeals shall have the power to hear and decide on applications to permit a change from one nonconforming use to another.

The Board shall not permit such a change unless the new nonconforming use is as equally or more compatible with permitted uses in the district in which it is located as the existing nonconforming use. Application for change of nonconforming use shall conform to the procedures and requirements for appeals as specified in Sections 245-254, inclusive, of this order and Kentucky Revised Statutes, Section 100.253. The applicant states that the house will continued to be used as an office and place of residence for the manager of the Richwood Motel.

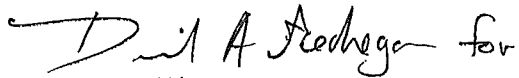
Section 274 Non-conforming Structures states:

Where a lawful structure exists at the effective date of adoption or amendment of this order that could not be built under the terms of this order by reason of restrictions on intensity or size or lot coverage or height or bulk or setback, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following conditions;

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
2. Should such structure be moved for any reason for any distance, it shall thereafter conform to the regulations for the district in which it is located after it is moved as otherwise provided in Kentucky Revised Statutes, Section 100.253(2).

Attached to this report is a letter from the applicant describing the request and three site drawings showing the existing building and where it is to be moved. The existing building is a normal cape cod style home. Also attached is a note from the applicant describing proposed setbacks for moved building and a drawing showing the setbacks.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Dean E. Niemeyer for".

Dean E. Niemeyer  
Planning Assistant

DEN:par

Sept. 15, 1992

To: Boone County Planning Commission,

I would like to move the house located at 10805 Dixie Highway, to 10819 Dixie Highway, Walton, Kentucky ( RICHWOOD ) that is in front of the Richwood Motel. It is presently being used for an office and living quarters.

The land next to the Motel is 10819 Dixie Highway, it has 2.17 acres and a house on it. This property is zoned C-3, the same as the property that the Richwood Motel sits on.

The sewage will continue to be treated by the same treatment plant.

I own both properties.

See page 1 of the attachment for new and old locations.

OWNER

  
Byron V. Griffith

834 Collins Rd.

Villa Hills, Ky. 41017

606-341-8080

Sept. 17, 1992


B.V.Griffith

10819 Dixie Highway

Richwood , Kentucky 41094

1. The north side of house will set 30 feet off of the property line from the mobile home park.
2. The front of the house will set 250 feet from U.S.25.
3. The south side of the house will 55 feet from Clayton Mobile Homes Sales.
4. The west side will set 538.5 from the rear lot line.
5. All utilities run between the mobile home park and this property.
6. The house is 30 Ft. x 30 Ft.

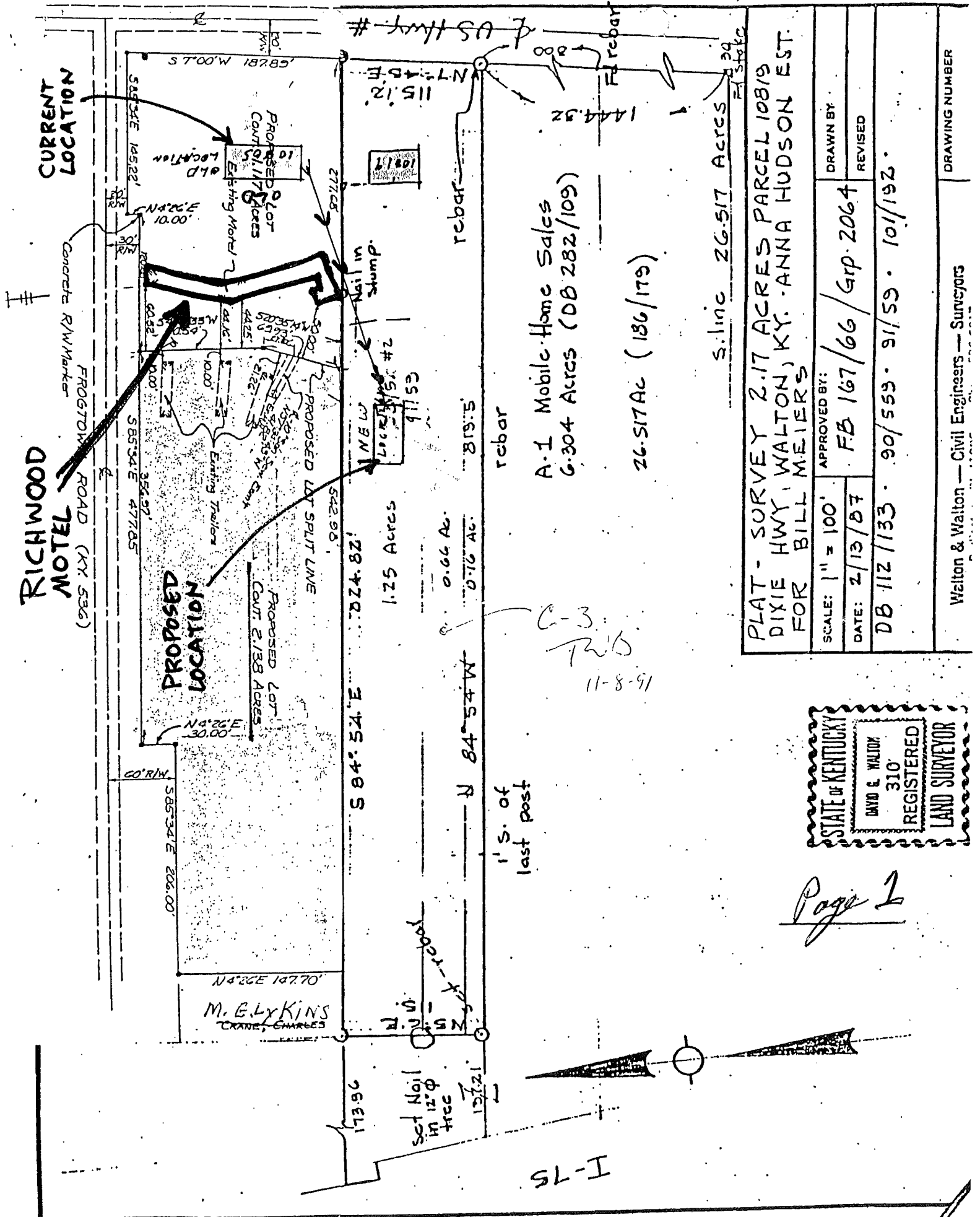
B.V.Griffith



**RICHWOOD  
MOTEL**  
ROAD (KY 536)

**CURRENT  
LOCATION**

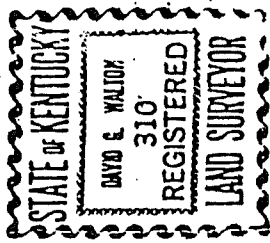
**PROPOSED  
LOCATION**



# US Hwy. 7

A-I Mobile Home Sales  
6.304 Acres (DB 282/109)  
26.517 AC (186/179)

S. line 26.517 Acres



PLAT - SURVEY 2.17 ACRES PARCEL 108/9  
DIXIE HWY, WALTON, KY. ANNA HUDSON EST.  
FOR BILL MEIERS

SCALE: 1" = 100'	APPROVED BY:
DATE: 2/13/87	F.B. 167/66 / Grp. 2064
DB 112/133 · 90/559 · 91/59 · 101/192.	
DRAWN BY ·	
REVISED	
DRAWING NUMBER	

1'S. of  
last post

I-75

Page 1

C-3  
TWB  
11-8-91

M. G. LyKINS  
CRANE, CHARLES

Set Nail  
in 12" φ  
tree

173.96  
137.21

N 84°54'W

S 04°54'E

1.25 Acres

0.66 Ac.

0.76 Ac.

819.5

115.12

rebar

rebar

rebar

26.517 AC (186/179)

rebar

1444.52

585.34' E 477.85'

N4°26'E 10.00'

N4°26'E 30.00'

S85°34'E 206.00'

S85°34'E 477.85'

S85°34'E 477.85'

S85°34'E 477.85'

S85°34'E 477.85'

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S85°34'E 477.85'

S85°34'E 477.85'

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER (S)  
Byron V. Griffith  
10819 Dixie Hwy  
Richwood, KY 41094
- 2. ADDRESS OF PROPERTY  
10805 & 10819 Dixie Hwy  
Richwood, KY 41094
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Richwood Motel

DEED BOOK: 367 PAGE NO.: 314 GROUP NO.: 2064

4. TYPE OF RESTRICTION (S) (Check all that apply)
- |                          |  |                                     |                                     |
|--------------------------|--|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> | Zoning Map Amendment from _____ to _____ | <input type="checkbox"/>            | Conditional Use Permit              |
| <input type="checkbox"/> | Development Plan                         | <input type="checkbox"/>            | Conditional Zoning Condition        |
| <input type="checkbox"/> | Subdivision Plat (unrecorded)            | <input checked="" type="checkbox"/> | Other: Change in Non-Conforming Use |
| <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

10.50 n.p.

RECEIVED  
 1992 DEC 16 P 2:44  
 JERRY W. ROUSE  
 BOONE COUNTY CLERK

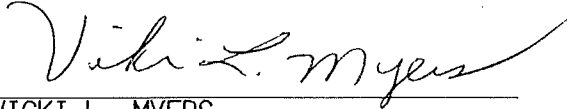
Paul A. Sedhegan for  
 SIGNATURE OF COMPLETING OFFICIAL

Dean E. Niemeyer/Planning Assistant  
 NAME AND TITLE OF COMPLETING OFFICIAL  
 (type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Dean E. Niemeyer  
on behalf of the Boone County Planning Commission this 16th day  
of December, 1992.

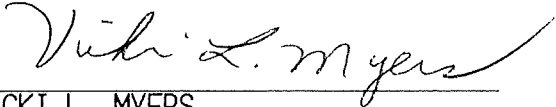


VICKI L. MYERS  
NOTARY PUBLIC, State at Large

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

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Change in a Non-Conforming Use

as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of October 14, 1992, (Certificate of Land Use Restriction #92-BCBOA-020-A ), for Byron V. Griffith, property owner.

"Chairman Whitton advised Mr. Griffith that he is applying to move the building with the same use and, if the use would change at a later date to a use that is also a Non-Conforming Use, that use must be approved by the Board." Mr. Griffith replied "Okay."

The approved Change in a Non-Conforming Use as well as the preceding conditions apply to the property described in: DEED BOOK 367 PAGE NO. 314 Group No. 2064

State of Kentucky, County of Boone  
JERRY W. ROUSE, Clerk of the Boone County  
Court, do certify that the foregoing  
Mrs was, on the 16<sup>th</sup> day of  
December  
1992, at 2:44 P.M., lodged in my office  
for record, and that it has been duly recorded in  
my said office, together with this and the  
certificate thereon endorsed,  
Given under my hand this 16<sup>th</sup> day of Dec  
1992.

JERRY W. ROUSE, CLERK  
By Jerry Rouse D.C.