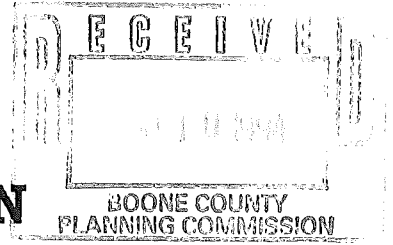


APPLICATION FORM
**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION**



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- (Check One)
1. Boone Florence Walton Union
(Check One)
2. Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant's Name ROBERT E. DAILEY
Phone Number 606-341-2288 Fax No. 606-341-2732
Applicant's Address 2526 Frank Street
Villa Hills Ky 41017
City State Zip
4. Description of Request: Request variance of minimum frontage requirement from 150' to 120'
5. Name of Development N/A
6. Location of Development 13310 Poole Road
7. Acreage Under Review 5.85
8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
9. Owner of Property Darrel G. Schell
Phone Number of Owner 606-331-4888
10. Address of Property Owner 508 Farrell Drive
Ft. Wright Ky 41011
City State Zip
11. Proposed Use(s) on Site Residential building lots
12. Total Square Footage of Existing and/or Proposed Buildings
No buildings exist or have been proposed at this time.
13. Current Zoning on Property A-2
14. Deed Book 438 Page No. 39 Group No. 2075
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. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.
Applicant's Signature: [Signature]
Property Owner's Signature: Darrel D Schell

(over)

BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2

SECTION B (To be completed by the Boone County Planning
Commission Staff)

521.⁰⁰ 4162
~~642.⁰⁰ 214083~~

1. Date Received June 10, 94 Fee Received ~~642.⁰⁰ 214083~~
2. Is application complete? Yes No
3. Staff Reviewer R. Jonas
4. Scheduled Board Action Date 7-13-94
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: Owner/Applicant creating
hardship by dividing lot.

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

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.

STAFF REPORT

APPLICANT: Robert E. Dailey
LOCATION: 13310 Poole Road
ZONING: Agricultural Estate (A-2)
DATE: July 13, 1994

The applicant is requesting a Variance to allow a reduction of the required lot frontage from 150 feet to 120 feet for a lot to be divided into two lots. The property is located at 13310 Poole Road (**See Sheet #1**), owned by Darrel G. Schell, and consists of 5.85 acres.

Article 31, of the Boone County Zoning Regulations requires a minimum of 150 feet of road frontage per lot in the Agricultural Estate (A-2) zoning district. The applicant is requesting a 30 foot reduction of this requirement for each of two proposed lots (**See Sheet #2**). Single family dwellings are planned for the lots.

Surrounding Zoning and Land Uses (See Sheet #3)

North: Single Family Dwelling zoned Agricultural Estate (A-2).
South: Single Family Dwelling zoned Agricultural Estate (A-2).
East: I-71 and undeveloped land zoned Agricultural Estate (A-2).
West: Single Family Dwelling zoned Agricultural Estate (A-2).

Relationship to the Comprehensive Plan (See Sheet #4)

The Future Land Use Map of the 1990 Boone County Comprehensive Plan calls for the region to develop as Rural Land (RL) which allows for a residential density of one dwelling per two acres. This classification is applied to areas not expected to experience significant growth due to the lack of demand, utilities, and transportation networks. Behind the parcel is land designated as Developmentally Sensitive (DS) due to the steep slopes leading down toward the I-71 right of way.

The text of the Comprehensive Plan does not specifically address this site.

Criteria

Before any Variance is granted, the Board must find that the variances will not adversely affect the public health, safety or welfare, will not alter the character of the general vicinity, will not create a nuisance, and will not allow unreasonable circumvention of the requirements of the zoning regulations. The following criteria shall be used to make such findings:

- a) The requested Variances arise from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;

- b) 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;
- c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

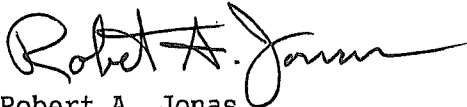
Staff Concern

1. Staff is concerned that the applicant is creating the hardship by deciding to divide land into two parcels.

Conclusion

Staff believes that the request for the variances should be granted only if the applicant is able show how this request meets one of the three criteria required for a Variance.

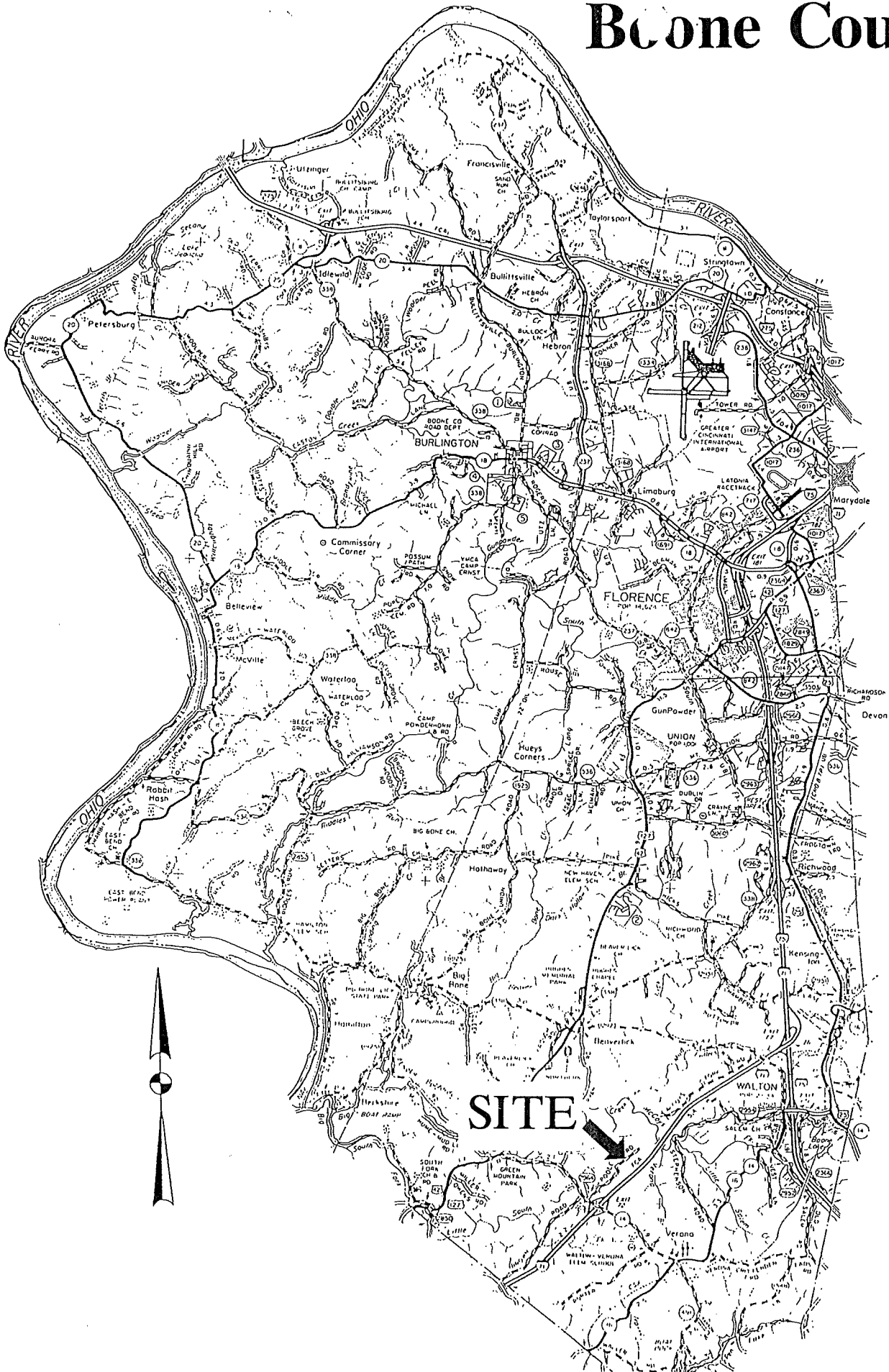
Respectfully submitted,



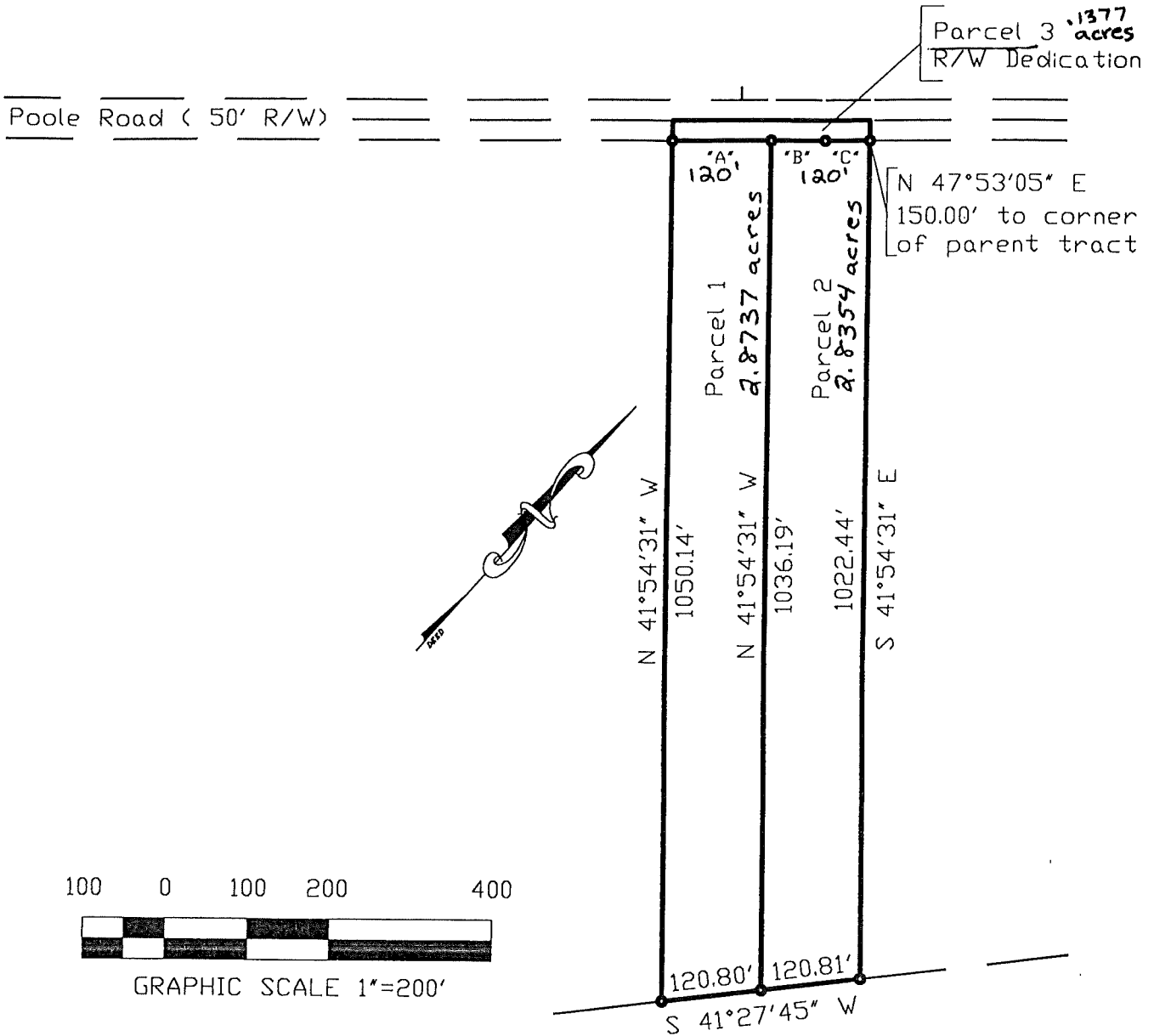
Robert A. Jonas
Planner I

RAJ\par

Boone County



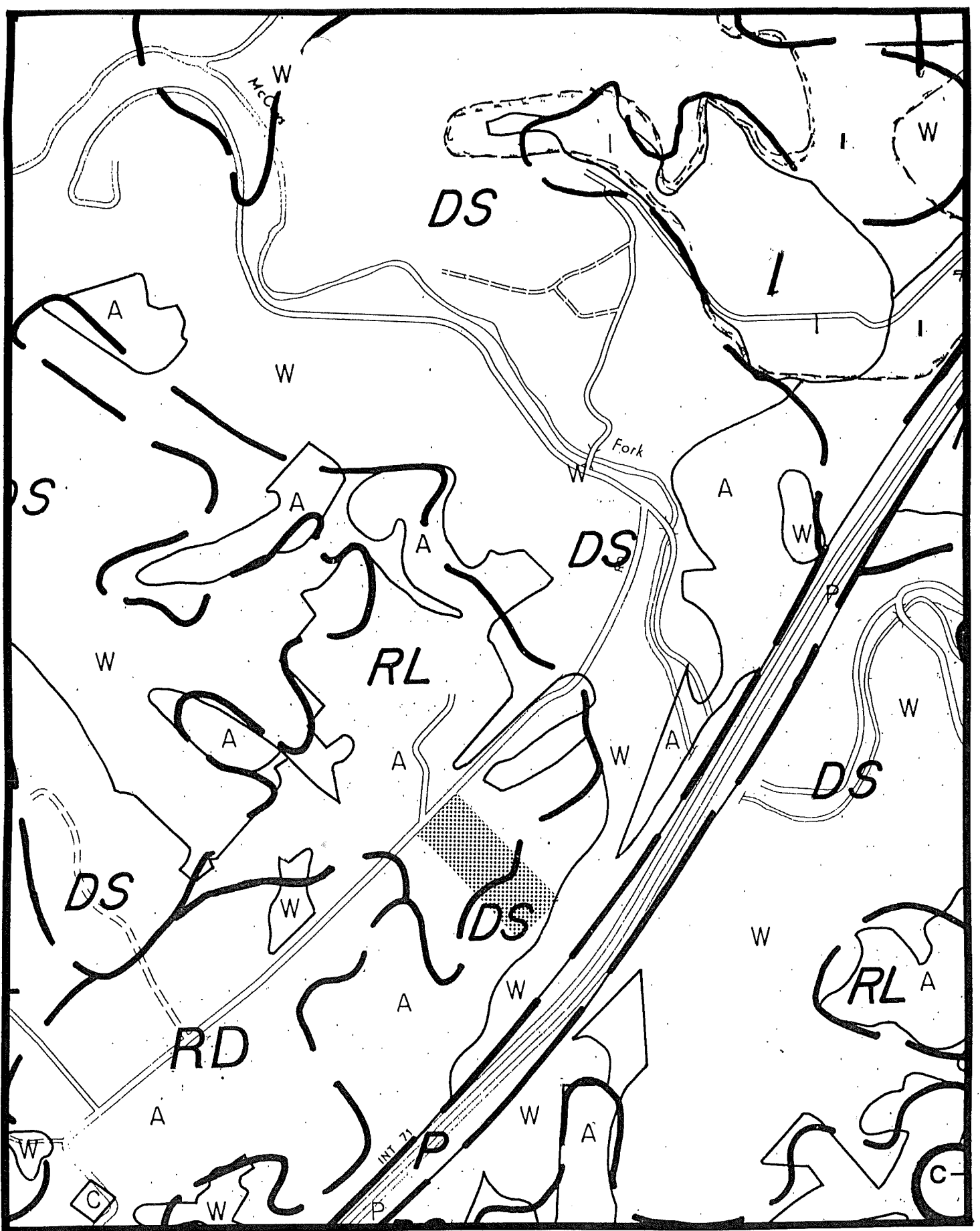
SHEET # 1 – Location Map



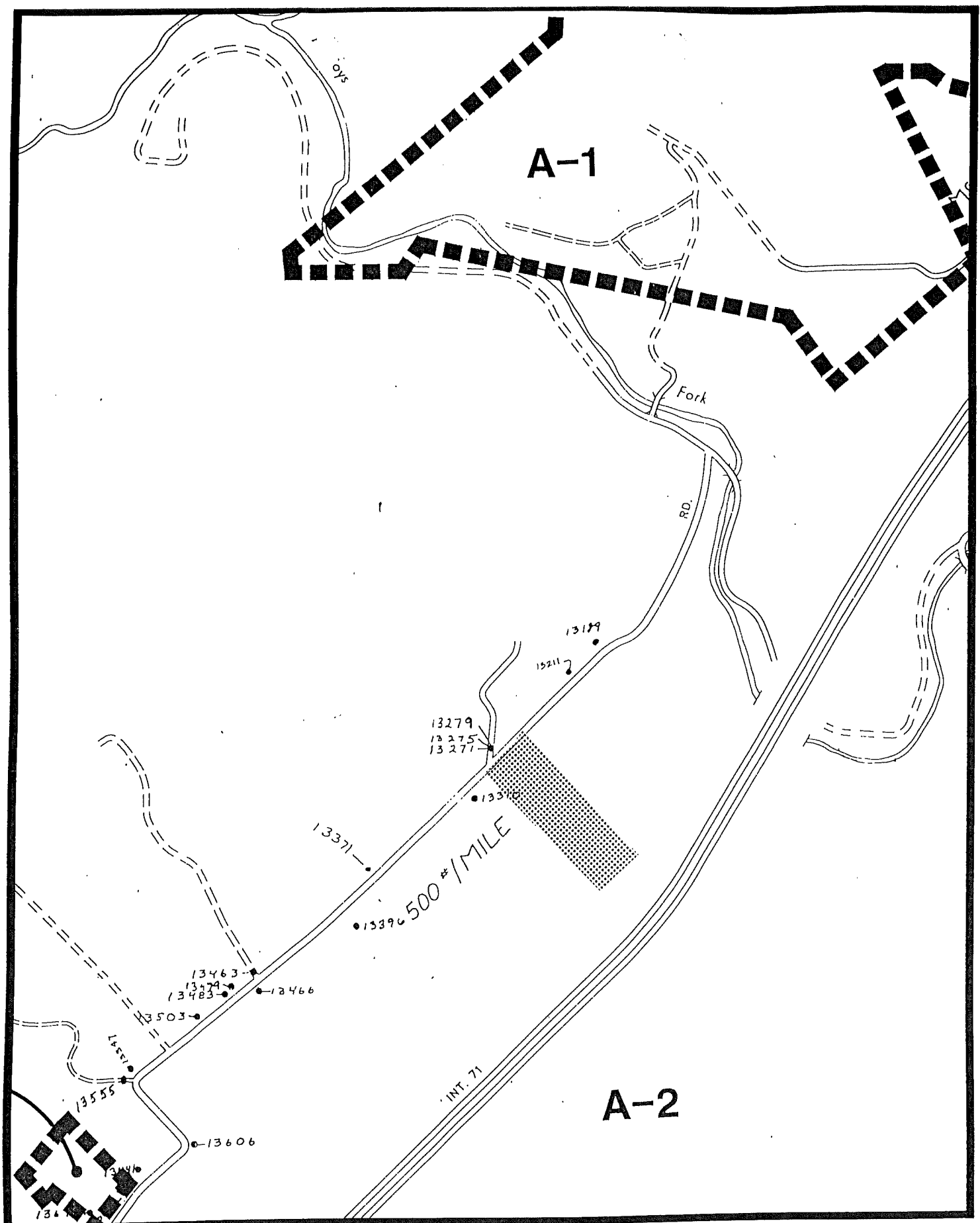
I-71 R/W
Commonwealth of Kentucky

Sheet #2

Robert E. Dailey, Variance



Sheet #3 - Zoning
Robert E. Dailey, Variance



Sheet #4 - Future Land Use
 Robert E. Dailey, Variance