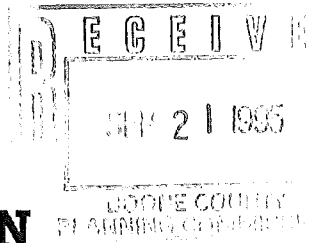


APPLICATION FORM  
**BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION**



(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 Michael Demigan  
Phone Number 3714829    Fax No. 3718429  
Applicant's Address 6415 Dixie Hwy  
Florence Ky    41042  
City    State    Zip  
4. Description of Request: Need Relief in Front Set  
36"  
5. Name of Development Willow Bend  
6. Location of Development Burlington  
7. Acreage Under Review \_\_\_\_\_  
8. Lot Number and Name of Subdivision (if part of a subdivision)  
295  
9. Owner of Property Michael A Demigan  
Phone Number of Owner 3714829  
10. Address of Property Owner 6415 Dixie Hwy  
Florence Ky    41042  
City    State    Zip  
11. Proposed Use(s) on Site Single Family  
12. Total Square Footage of Existing and/or Proposed Buildings  
1500 sq ft  
13. Current Zoning on Property S P 1  
14. Deed Book 534 Page No. 20 Group No. ###2031  
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: \_\_\_\_\_  
Property Owner's Signature: \_\_\_\_\_

(over)

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

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

1. Date Received 9-21-95 Fee Received \$370.00 RA 5027
2. Is application complete?  Yes  No
3. Staff Reviewer J. F. Hayes
4. Scheduled Board Action Date Oct 11 95
5. Board Action:  
 **Approved**  
 **Approved with Conditions (See #6)**  
 **Denial (See #7)**
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

DEVELOPMENT: **Willow Bend Lots 294-295**

APPLICANT: **Michael A Denigan**

LOCATION: Lots 294 - 295 Hollibrook Drive, Boone County

ZONING: Suburban Residential One (SR-1)

DATE: October 11, 1995

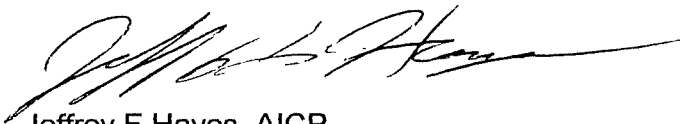
The applicant is requesting a variance for two separate lots located on Hollibrook Drive in a section of Willow Bend Subdivision which is currently under construction. (See Map #1). The request for the two lots which are separately recorded but owned by the applicant, is to allow a reduction of the front yard setback for two houses which are already constructed. The applicant has indicated that a mistake was made in the locating of the homes on the property because they are located on a cul-de-sac. The Boone County Zoning Regulations require that a home be setback thirty (30) feet from the front property line within an SR-1 zone. Apparently the builder measured the setback from the property line in a straight line rather than following the radius of the road.

The applicant is requesting a Variance of three feet for Lot 294 and Lot 295 (See Maps 2 & 3).

### Conclusion

Staff believes that the proposed Variance will have little or no impact on the public health, safety, or welfare nor will it change the essential character of the area. The Board should review this request as it relates to the seven criteria used to judge a Variance request.

Respectfully submitted,



Jeffrey F Hayes, AICP  
Planner

JFH\par

FERNWOOD PLACE

SITE

WILLOW BEND SUBDIVISION  
SECTION 2  
PB 15 PG 10 21

20

FUTURE

SECTION 23

WILLOW BEND SUBDIVISION  
SECTION 9  
PB 16 PG 40

DRIVE

HUNTERS TRAIL

YARD RANSDSELL  
169 PG 343

296  
0.2442 AC.

297  
0.3713 AC.

298  
0.2347 AC.

299  
0.2336 AC.

292  
0.2916 AC.

291  
0.3057 AC.

288  
0.2648 AC.

287  
0.2401 AC.

286  
0.2302 AC.

285  
0.2203 AC.

284  
0.2219 AC.

293  
0.2914 AC.

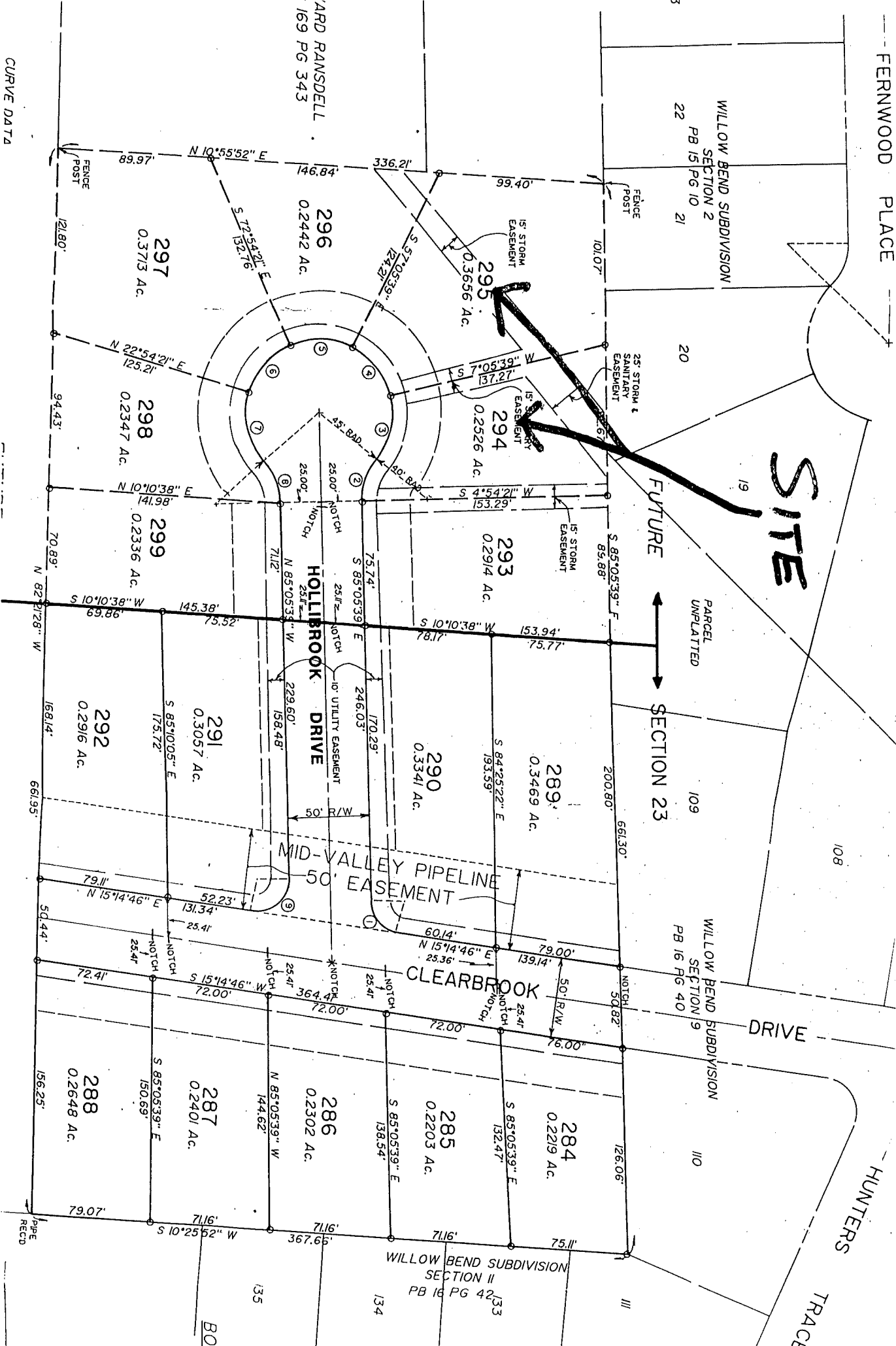
289  
0.3469 AC.

290  
0.3341 AC.

294  
0.2526 AC.

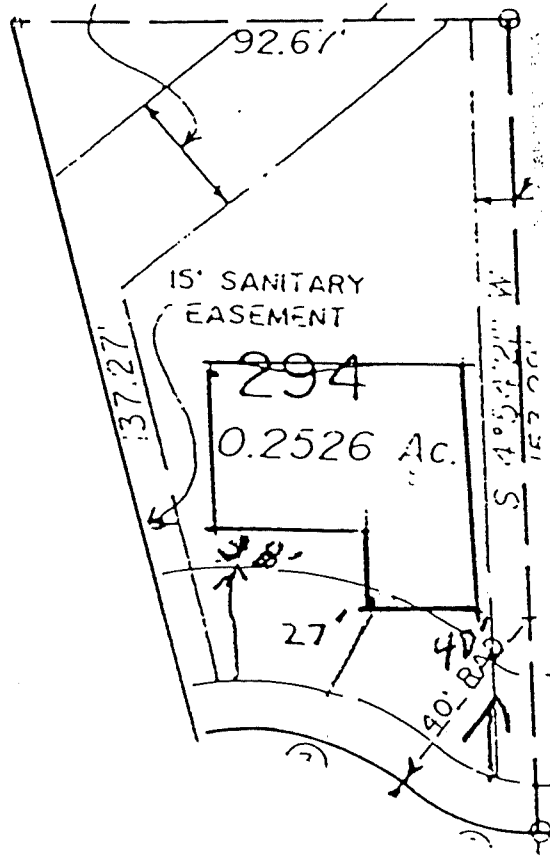
295  
0.3656 AC.

CURVE DATA



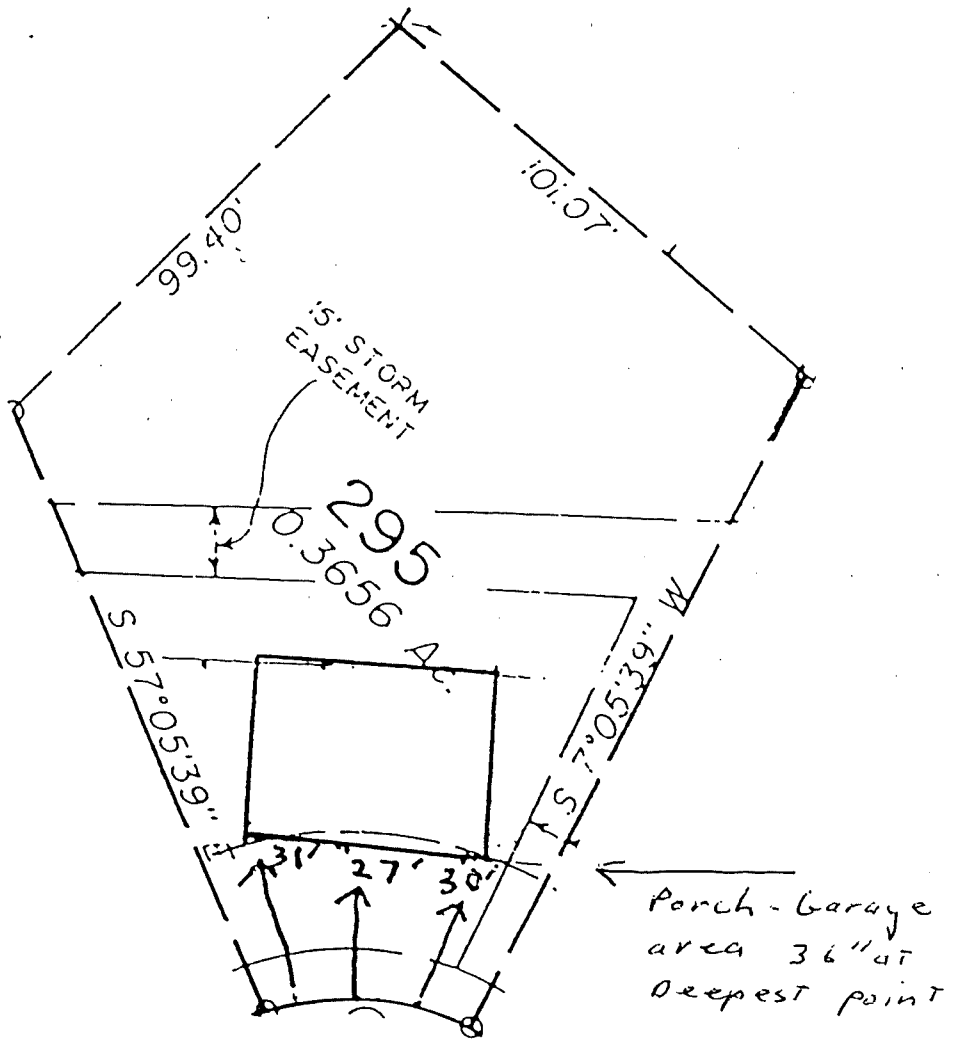
MAP #1

# MAP #2



← LEFT CORNER OF  
Garage 36"

# MAP #3



COPY

CLUR # 95-BCBOA-017-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Michael Denigan  
6415 Dixie Highway  
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

Hollibrook Drive  
Boone County, Kentucky 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Willowbend Subdivision

DEED BOOK: 534

PAGE NO.: 20

GROUP NO.: 2031

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

Zoning Map Amendment  
from  to

Conditional Use Permit

Development Plan  
Change in Concept Development

Conditional Zoning

Subdivision Plat  
(Unrecorded)

Other:

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

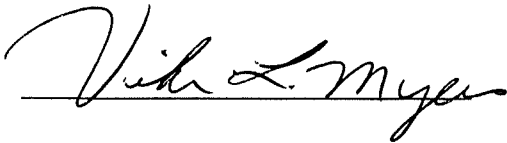
  
SIGNATURE OF COMPLETING OFFICIAL  
Jeffrey Hayes, AICP Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey Hayes on behalf of the Boone  
County Planning Commission this 15th day of November 1995.

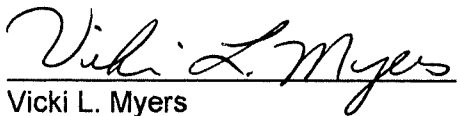


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

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.)

CLUR# 95-BCBOA-017-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of October 11, 1995 (Certificate of Land Use Restriction # 95-BCBOA-017-A), for Michael Denigan, property owner.

The following conditions will apply: NO CONDITIONS

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 534 PAGE NO. 20 Group No. 2031