


APPLICATION FORM

**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**

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 Richards Construction Inc.
Phone Number 485-4544 Fax No. 485-1494
Applicant's Address PO Box 109
Verona Ky. 41092
City State Zip
4. Description of Request: _____
5. Name of Development Hopeful Heights
6. Location of Development North End of Hopeful Rd.
7. Acreage Under Review 20 x 119.43
8. Lot Number and Name of Subdivision (if part of a subdivision)
Hopeful Heights Lot # 15
9. Owner of Property Chris + Christina Delph
Phone Number of Owner 371-
10. Address of Property Owner 912 AMIRILLO Florence Ky 41042
City State Zip
11. Proposed Use(s) on Site _____
12. Total Square Footage of Existing and/or Proposed Buildings 1140
13. Current Zoning on Property _____
14. Deed Book 327 Page No. 19 Group No. 655 2032
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? _____
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: 

V 1207
BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
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SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received Nov 19, 1997 Fee Received 420.00 R# 15281
2. Is application complete? Yes _____ No _____
3. Staff Reviewer Edward Coleman
4. Scheduled Board Action Date 12/10/97
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

APPLICANT: Richards Construction Inc.
LOCATION: 912 Amarillo Drive, Boone County, Kentucky
ZONING: Suburban Residential One (SR-1)
DATE: December 10, 1997

Proposal

The applicant is requesting a Variance to allow a reduction in the front yard setback for an existing house at the corner of Hopeful Church Road and Amarillo Drive, Boone County, Kentucky. The house sits on an approximate 1/4 acre site in a Suburban Residential One (SR-1) zoning district.

The Boone County Zoning Regulations requires a minimum front yard setback of 30 feet from the right of way (property line) for any principally permitted structure (house) built in a Suburban Residential One (SR-1) zoning district. The Applicant submitted a Zoning Permit Application and received approval from the Planning Commission on July 10, 1997. The Applicant's Plot Plan, which was included with the application, indicated that the house would sit 42 feet off the front yard property line. Mr. Michael Richards was notified by Mitch Light, Assistant Zoning Administrator, on November 4, 1997, that the residence he constructed at 912 Amarillo Drive was in violation of the Boone County Zoning Regulations with regard to setback requirements. The house, including the front porch, encroaches the minimum front yard setback by 9 feet. The Applicant has since submitted a revised Plot Plan that accurately indicates the location of the house on the property.

Action by the Board of Adjustment and Zoning Appeals

The Board of Adjustment and Zoning Appeals has the power to hear and decide on applications for variances. A variance is defined 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 K.R.S. 100.241 to 100.47.

Variances are appropriate by reason of exceptional narrowness, shallowness, or unusual shape of a site on the effective date of the zoning regulations or amendment thereof or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of the site. The literal enforcement of the above dimensional terms of the zoning regulation would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same zone. The dimensional terms pertaining to height, width and location involve such items as structures,

parking space stalls, driveway aisles, and landscaped buffers and signs. Lot frontages, the size of yards and open spaces refer to minimum yard dimensions such as building setbacks.

Conclusion

K.R.S. 100.241 gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Variance to reduce the front yard setback for the existing house at the corner of Hopeful Church Road and Amarillo Drive, Boone County. It is Staff's opinion that the proposed 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.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Edward Coleman".

Edward Coleman
Planner

EC\pr

Attachments

- Location Map
- Aerial Photo
- Approved Zoning Permit
- Resubmitted Plot Plan



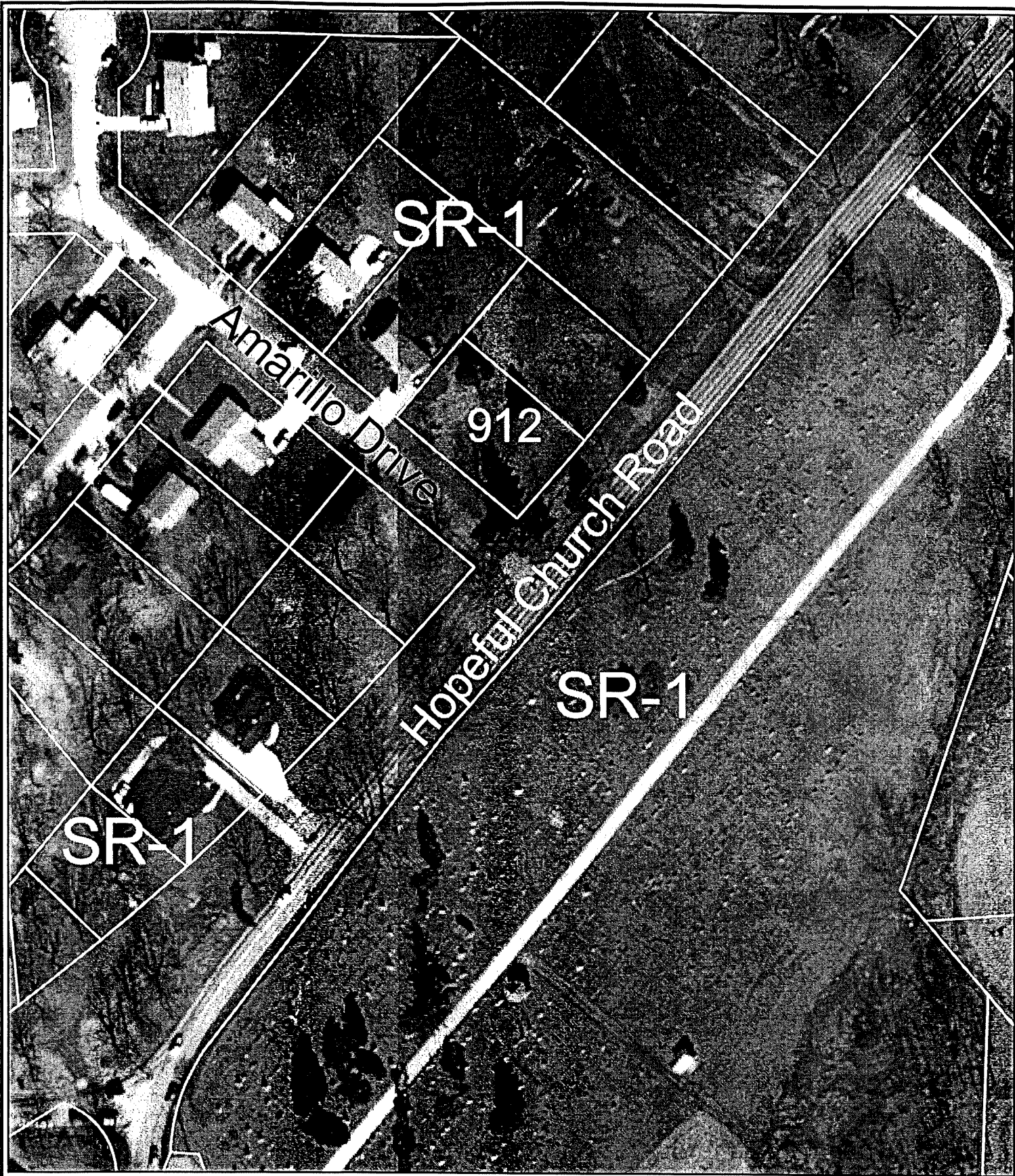
16500 0 16500 Feet



Location Map Amarillo Drive

1 inch equals 16500 feet
Produced by the
Boone County Planning Commission
GIS Services Division
December 5, 1997





912 Amarillo Drive



1 inch equals 100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
December 5, 1997



NAME OF APPLICANT AND ADDRESS: Richards Construction Inc

NAME OF PROPERTY OWNER AND ADDRESS: Chris + Christina Dolph

2354 Running Creek Apt 39 Drive Present Springs Ky
 NOTICE I, or we, understand and agree that all construction work will be performed in accordance with this Zoning Permit Application, the Boone County Zoning Regulations and the Boone County Subdivision Regulations. 410 17

APPLICANT'S SIGNATURE: [Signature]

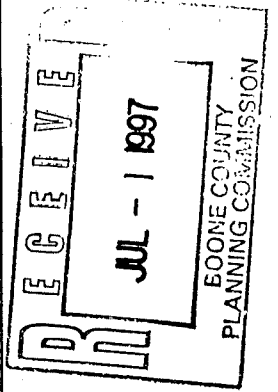
DATE: 6-30-97 Phone Number: 495-4544

Review # _____

**This Portion of the Application to be Completed
 the Boone County Planning Commission**

Zoning District <u>SR-1</u>	Date <u>7-10-97</u>	Fee <u>Paid</u>	<input checked="" type="checkbox"/>	\$40.00	<input type="checkbox"/>	\$35.00	R# 14000
Approved <input checked="" type="checkbox"/>	Denied <input type="checkbox"/>		<input type="checkbox"/>	\$15.00	<input type="checkbox"/>	None	
Staff Reviewer <u>JOHN HUTH</u>		Address/Location <u>912 AMARILLO DRIVE</u>					
Subdivision							
Lot #		Section #		Block/Phase #			

Type of Improvement			
<input checked="" type="checkbox"/>	Single Family Residence	<input type="checkbox"/>	Detached Garage
<input type="checkbox"/>	Duplex	<input type="checkbox"/>	Garage Addition
<input type="checkbox"/>	Three Family	<input type="checkbox"/>	Porch or Deck
<input type="checkbox"/>	Apartment (# units _____)	<input type="checkbox"/>	Barn or Shed
<input type="checkbox"/>	Townhouse (# units _____)	<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Mobile Home	<input type="checkbox"/>	Tenant Finish
<input type="checkbox"/>	Residential Addition	<input type="checkbox"/>	Other:
Jurisdiction			
<input checked="" type="checkbox"/>	Boone County	<input type="checkbox"/>	Florence
<input type="checkbox"/>	Walton	<input type="checkbox"/>	Union
Post Office			
<input type="checkbox"/>	Burlington	<input checked="" type="checkbox"/>	Florence
<input type="checkbox"/>	Walton	<input type="checkbox"/>	Union
<input type="checkbox"/>	Hebron	<input type="checkbox"/>	Verona
<input type="checkbox"/>	Petersburg	<input type="checkbox"/>	Erlanger
<input type="checkbox"/>	Crittenden	<input type="checkbox"/>	
Group # _____		Reference Group # _____	
<u>2032</u>		<u>703.98</u>	



Date _____



RESIDENTIAL BUILDING PERMIT APPLICATION

Boone County Building Department
2986 Union Square, Burlington, Kentucky 41005
Telephone (606) 334-2218
Fax (606) 334-3137

APPLICATION MUST BE COMPLETED IN ITS ENTIRETY INCLUDING DESCRIPTION OF PROJECT.

A. PROJECT ADDRESS 912 ANARILLO DRIVE CITY Florence
SUBDIVISION/PROJECT NAME Hopeful Heights Section #1 LOT/BLDG. NO. 15

B. IDENTIFICATION	NAME	ADDRESS	CITY/STATE/ZIP	PHONE
OWNER	CHRIS CHRISTINA DELPH	2354 Running Creek Dr APT 39 PO Box 109	Crescent Springs 4017	344-0616
CONTRACTOR	Richards Construction		Verona Ky 41092	485-4544

- C. TYPE OF IMPROVEMENT
- NEW BUILDING
 - ADDITION
 - ALTERATION
 - DEMOLITION
- D. TYPE OF USE
- SINGLE FAMILY
 - TWO-FAMILY
 - MODULAR HOME
 - MOBILE HOME
 - MULTI-FAMILY
 - NO. OF UNITS _____
 - GARAGE
 - SHED
 - POOL
 - BARN
 - DECK/PORCH
 - OTHER

E. DESCRIBE PROPOSED WORK

F. CONSTRUCTION COST \$ 65,000

- G. FARM? No _____ Yes _____ # of Acres _____
- H. FLOOD PLAIN? Yes _____ No _____
- I. ENCROACHMENT PERMIT _____ Driveway/Apron Permit _____
- J. TYPE OF SEWAGE Public Private _____ Permit # _____
- K. ELECTRICIAN WEBSTER Certification # _____
- L. ZONING APPROVAL JUN 16 DATE 7-10-97 ZONE SR-1 FEE PAID
SPECIAL RESTRICTIONS ? _____

- M. TYPE OF CONSTRUCTION
- 5B _____ 2C _____
 - 5A _____ 2B _____
 - 4B _____ 2A _____
 - 3B _____ 1B _____
 - 3A _____ 1A _____
- N. TYPE OF HEATING
- GAS
 - OIL
 - ELECTRIC
- Q. SQUARE FOOTAGE
- First Floor _____
 - Second Floor _____
 - Garage _____

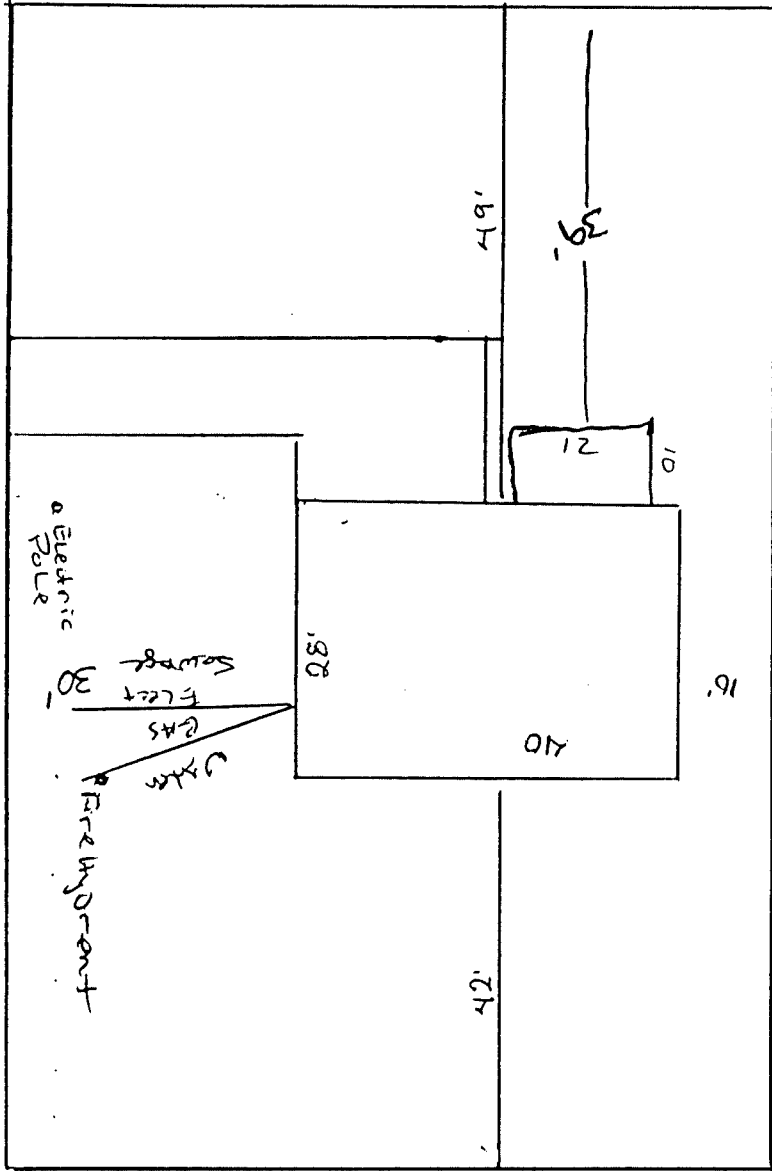
- O. RESIDENTIAL
- NO. OF BEDROOMS _____ NO. OF BATHROOMS _____
- P. CODE USED
- _____ CABO _____ KBC _____

The owner of this building and undersigned, do hereby covenant and agree to comply with all the applicable regulations pertaining to building and buildings, and to construct the proposed building or structure or make the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specifications are to the best of their knowledge true and correct. Failure of this office to note all violations in the review of plans and specifications does not relieve contractors of the responsibility of complying with the applicable codes and regulations.

APPLICANT'S SIGNATURE [Signature] ADDRESS PO Box 145 Verona Ky
DO NOT WRITE BELOW THIS LINE 41092

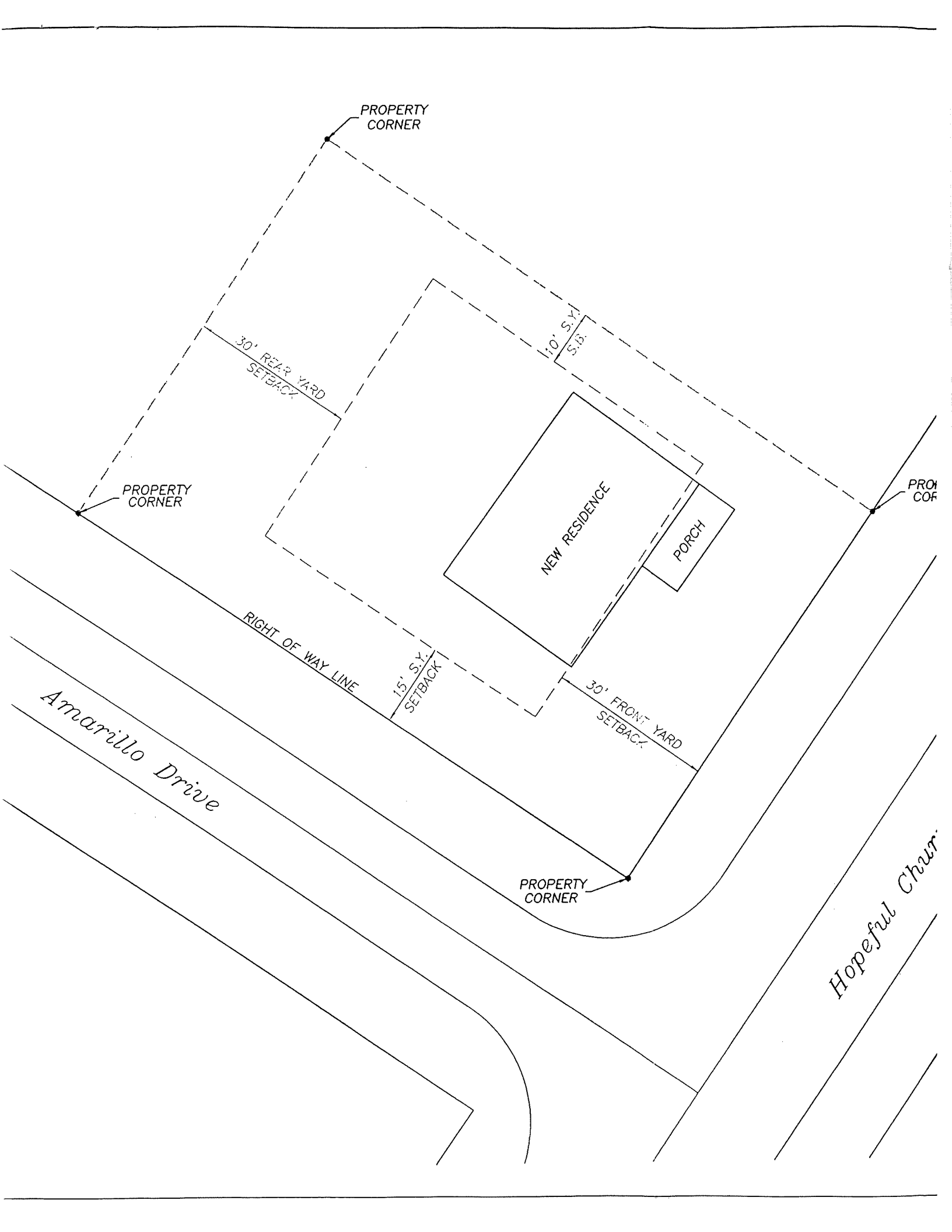
R. APPROVED BUILDING OFFICIAL [Signature]

DATE ISSUED _____ PERMIT NO. _____ FEE _____ DRIVEWAY/APRON FEE _____



Amazilia

Hotel



PROPERTY CORNER

30' REAR YARD SETBACK

10' S.Y. S.B.

PROPERTY CORNER

PROJ COF

NEW RESIDENCE

PORCH

RIGHT OF WAY LINE

15' S.Y. SETBACK

30' FRONT YARD SETBACK

Amarillo Drive

PROPERTY CORNER

Hopeful Char.

COPY

CLUR # 97-BCBOA-018-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Chris and Christina Dalph
912 Amirillo
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

North end of Hopeful Rd.
Boone County, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Hopeful Heights

DEED BOOK: 327

PAGE NO.:19

GROUP NO.:2032

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

Zoning Map Amendment:
From to

Conditional Use Permit

Development Plan

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

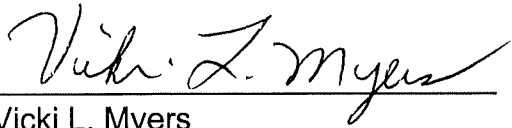
Edward Coleman, Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Edward Coleman on behalf of
the Boone County Planning Commission this 9th day of January 1998.

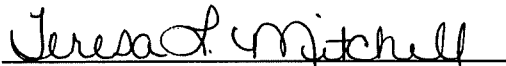


Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:



Teresa L. Mitchell
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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of December 10, 1997 Certificate of Land Use Restriction (# 97-BCBOA -015-A), for Chris and Christina Dalph, property Owners

The following conditions will apply: No Conditions

The approved Variance as well as the preceding conditions apply to the property

described in: DEED BOOK 327

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