

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)

- 1. (Check One) Boone [checked] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [checked] Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name A2A Construction Inc.
Phone Number 282-7314 Fax No. 586-
Applicant's Address 760 Roberts Timber Ln
Independ, Ky 41051
City State Zip
4. Description of Request: Build Deck into back line
House sits at least have minimum of 30'
5. Name of Development Deer Creek
6. Location of Development Off 237
7. Acreage Under Review Lot
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot 17 Deer Creek
9. Owner of Property A2A
Phone Number of Owner
Address of Property Owner
City State Zip
11. Proposed Use(s) on Site Deck
12. Total Square Footage of Existing and/or Proposed Buildings 2008
13. Current Zoning on Property Suburban Residential One (SR-1)
14. Deed Book 663 Page No. 281 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? Yes
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: [Signature]

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

1. Date Received May 17, 99 Fee Received 432.00 R# 20556
2. Is application complete? Yes No
3. Staff Reviewer Mark Jordan
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: See minutes dated June 9, 1999

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: Anthony Zimmerman on behalf of AZA Construction, Inc.

LOCATION: Lot 17, Deer Creek Subdivision, Section 1, 1054 Bloomfield Court, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: June 9, 1999

Proposal

The applicant is requesting a Variance to allow a reduction of the rear yard setback on Lot 17 of the Deer Creek Subdivision, Section 1, Boone County, Kentucky. The Boone County Zoning Regulations requires a minimum rear yard setback of 30 feet from the property line for any attached accessory structure (deck) that is constructed in a Suburban Residential One (SR-1) zoning district. The enclosed plat depicts a 48'-8" x 34'-4" detached Single Family dwelling that is currently under construction, and indicates that the dwelling is located at the 30' minimum required rear yard setback. The applicant is proposing a 12 x 12 (144 s.f.) attached deck, which encroaches 12' into the minimum 30' setback, with a 18' rear yard setback remaining. The variance will not affect the front or side yard setbacks or the appearance of the residence from Bloomfield Court. If the Variance is granted, the result will be a smaller rear yard.

Action by 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 height, width, or location of structures, and the size of open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.247.

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 a reasonable capacity to make use of the land in a manner equivalent to the use permitted other land owners 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 rear yard setback for a proposed 144 s.f. attached deck on Lot 17 of the Deer Creek Subdivision, Section 1, Boone County, Kentucky. Staff believes that this request 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,

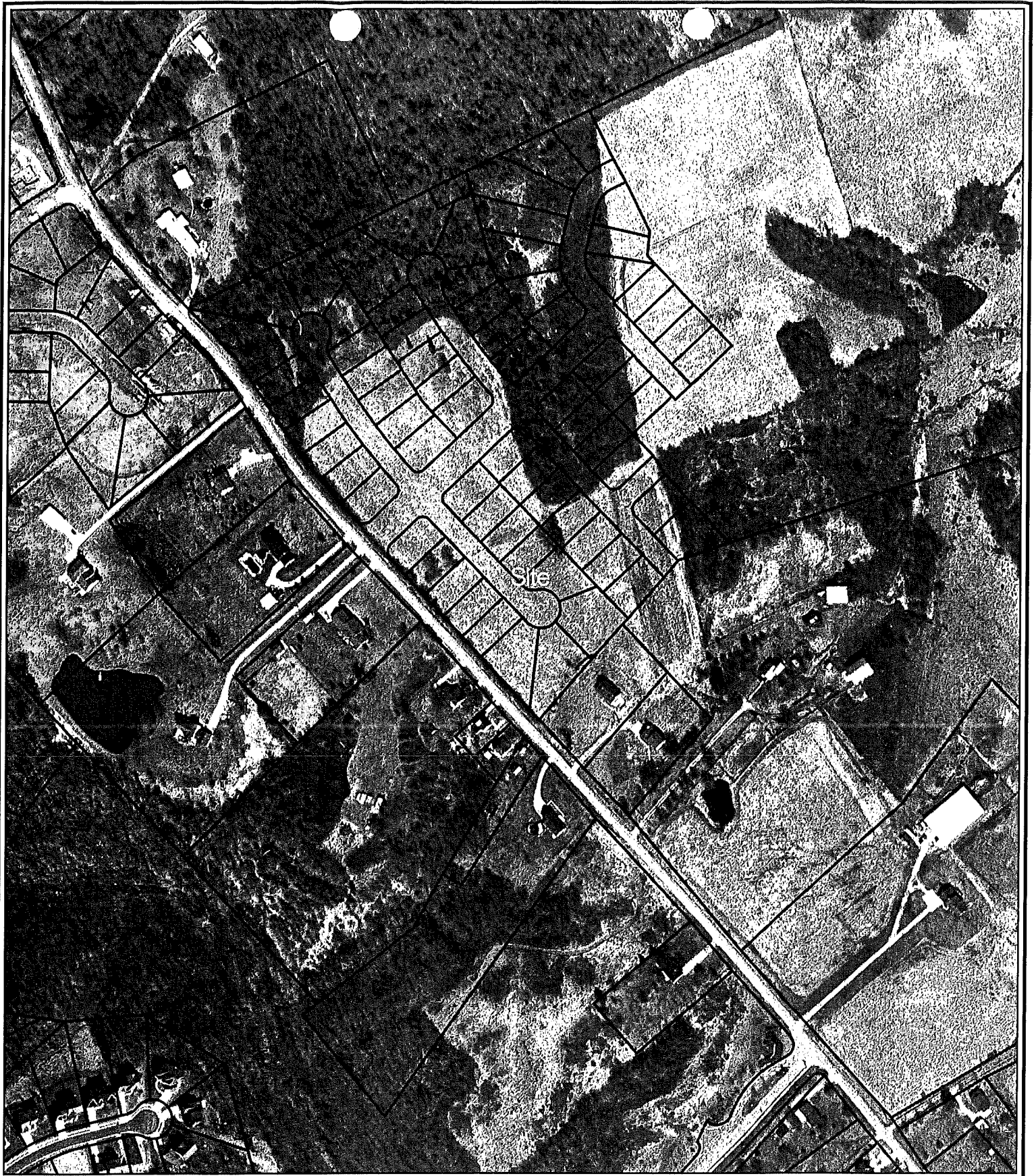


Mark E. Jordan
Planner

MEJ\pr

Attachments

- Zoning Map
- Location Map
- Plot Plan with 48'-8" x 34'-4" Single Family detached dwelling with proposed 12' x 12' attached deck



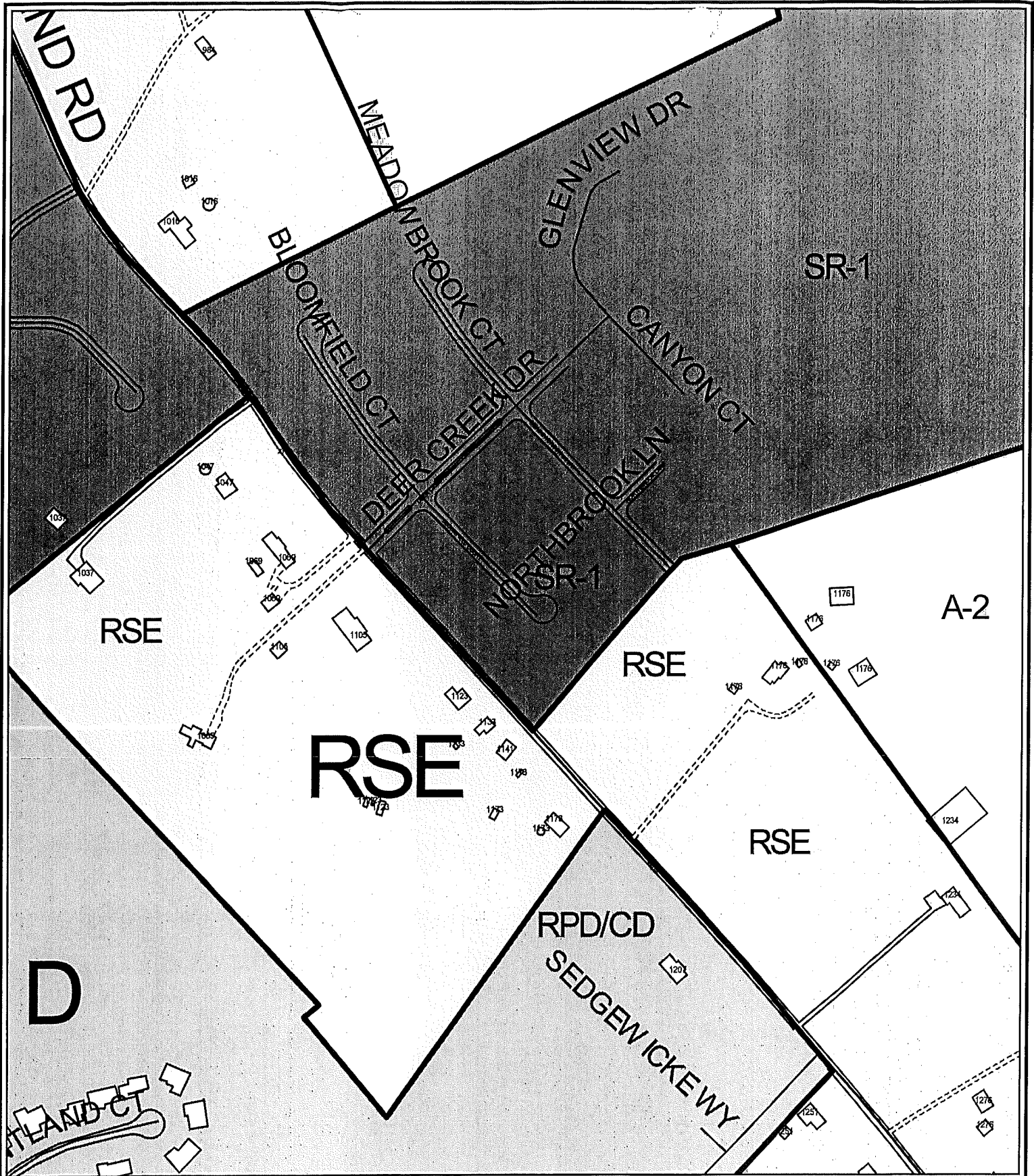
Location Map

1054 Bloomfield Court

300 0 300 Feet

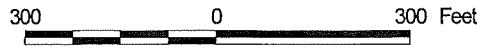
1 inch equals 300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
June 4, 1999





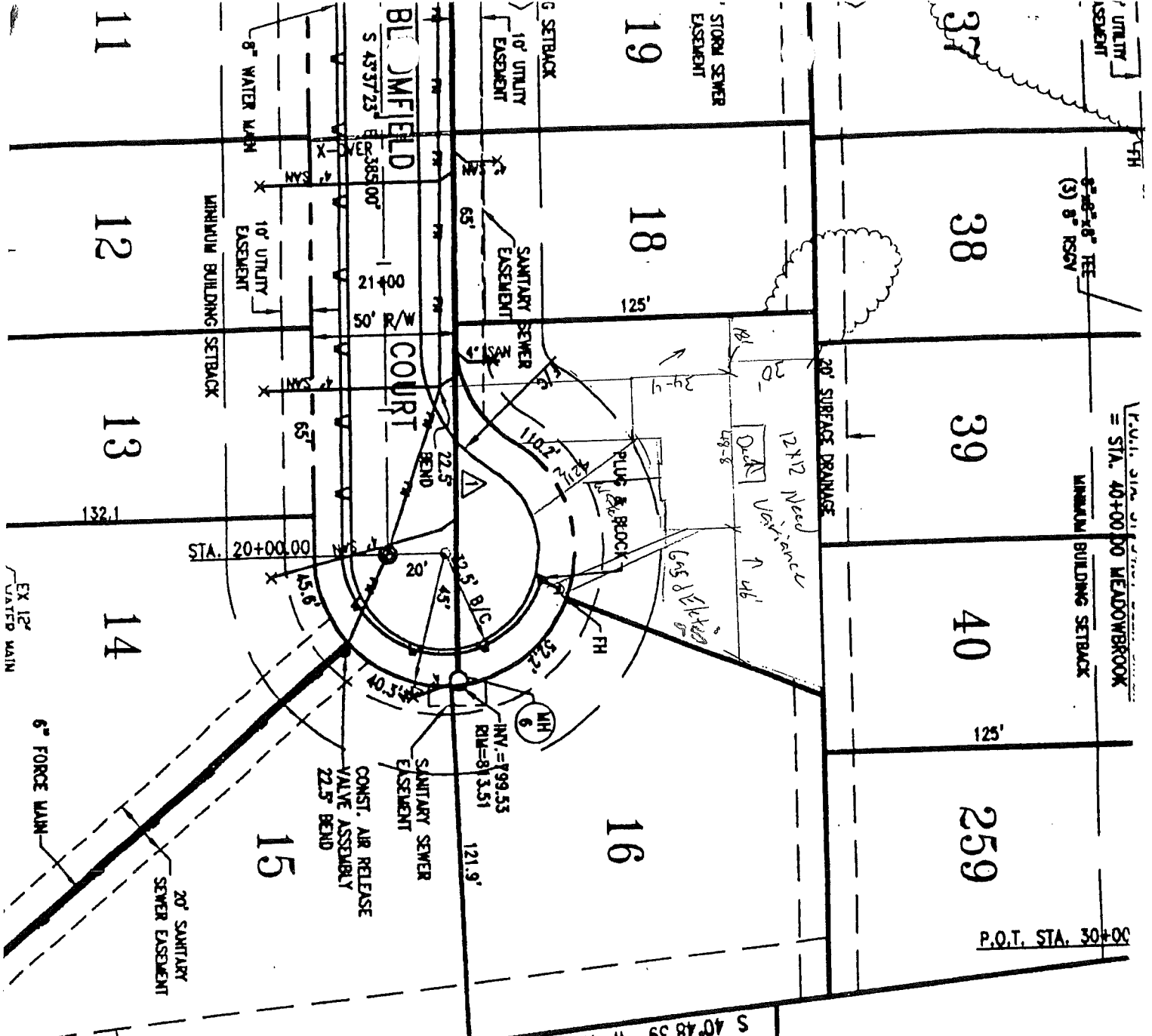
Zoning Map

1054 Bloomfield Court



1 inch equals 300 feet
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P.O.T. STA. 30+00

S 40°48'39" W 489.94'

20' LANDSCAPE EASEMENT SEE LANDSCAPE PLAN FOR DETAILS

Lot 17-Deer Creek