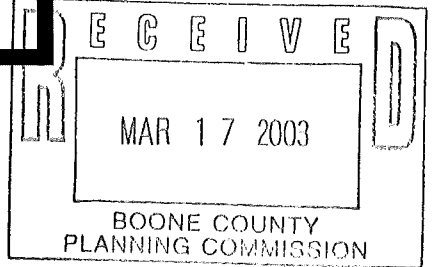


APPLICATION FORM

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 Florence Walton Union
- 2. (Check One)
 Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
- 3. Applicant's Name The Ryland Group Inc
 Phone Number 513-339-2100 Fax No. 513-339-2166
 Applicant's Address 4660 Duke Blvd. Suite 100
Mason Ohio 45040
City State Zip
- 4. Description of Request: Variance for Rear yard setback requirement of 25' for the back corner of building to encroach 5.39'
- 5. Name of Development Savannah Lakes at Plantation Pointe
- 6. Location of Development Florence, Kentucky
- 7. Acreage Under Review 0.23
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot #1 of Savannah Lakes
- 9. Owner of Property The Ryland Group, Inc.
 Phone Number of Owner 513-339-2100
- 10. Address of Property Owner 4660 Duke Blvd. Ste 100 Mason, Ohio 45040
City State Zip
- 11. Proposed Use(s) on Site Single family residential Lot
(model home for community sales)
- 12. Total Square Footage of Existing and/or Proposed Buildings 2409 sq. ft.
- 13. Current Zoning on Property RPD [redacted] - Single Family
- 14. Deed Book D846 Page No. 576 Group No. [redacted] 2047
- 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: Jennifer L. Bluggner - The Ryland Group, Inc.

Property Owner's Signature: Jennifer L. Bluggner

(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 3-17-03 Fee Received \$511.00 ^{\$1479.00} R# 34463
2. Is application complete? _____ Yes _____ No ^{\$32.00} R# 34464
3. Staff Reviewer _____ ^{\$116.00} R# 34496
4. Scheduled Board Action Date _____
5. Board Action:
_____ **Approved**
_____ **Approved with Conditions** (See #6)
4-9-03 **Denial** (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: SEE 4-9-03 FLORENCE B.O.A.
MEETING MINUTES

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page

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: The Ryland Group, Inc.

LOCATION: Section 1, Lot 1, Savannah Lakes at Plantation Pointe
(1704 Savannah Lakes Drive, Florence, Kentucky).

ZONING: Residential Planned Development (RPD)

DATE: April 9, 2003

Proposal

The Ryland Group is requesting a variance for a reduction in the required 25 foot rear yard setback, for a parcel located at Section 1, Lot 1 of Savannah Lakes at Plantation Pointe. The applicant has requested that the rear yard setback be reduced by 5.39 feet (see attached Concept Plan) so that a single-family dwelling can be constructed on the lot.

Applicable Regulations

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the 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 KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the 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 nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
 - A. The requested variance arises 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 contained in 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 regulation from which relief is sought.

2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Site Characteristics and Zoning

The property is located in Savannah Lakes at Plantation Pointe and is zoned Residential Planned Development (RPD). The eastern property line adjoins a Home Owners Association parcel and the northern, southern, and western property lines adjoin other single-family residential lots within Savannah Lakes at Plantation Pointe. The rear portion of the site contains a swale and a drainage easement.

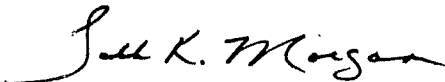
Staff Comments

1. While the request will not adversely affect the public health, will not alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public, Staff would like the applicant to explain if they can construct a smaller house on the lot that would meet all the setback requirements.

Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Florence Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a rear yard setback variance.

Respectfully submitted,

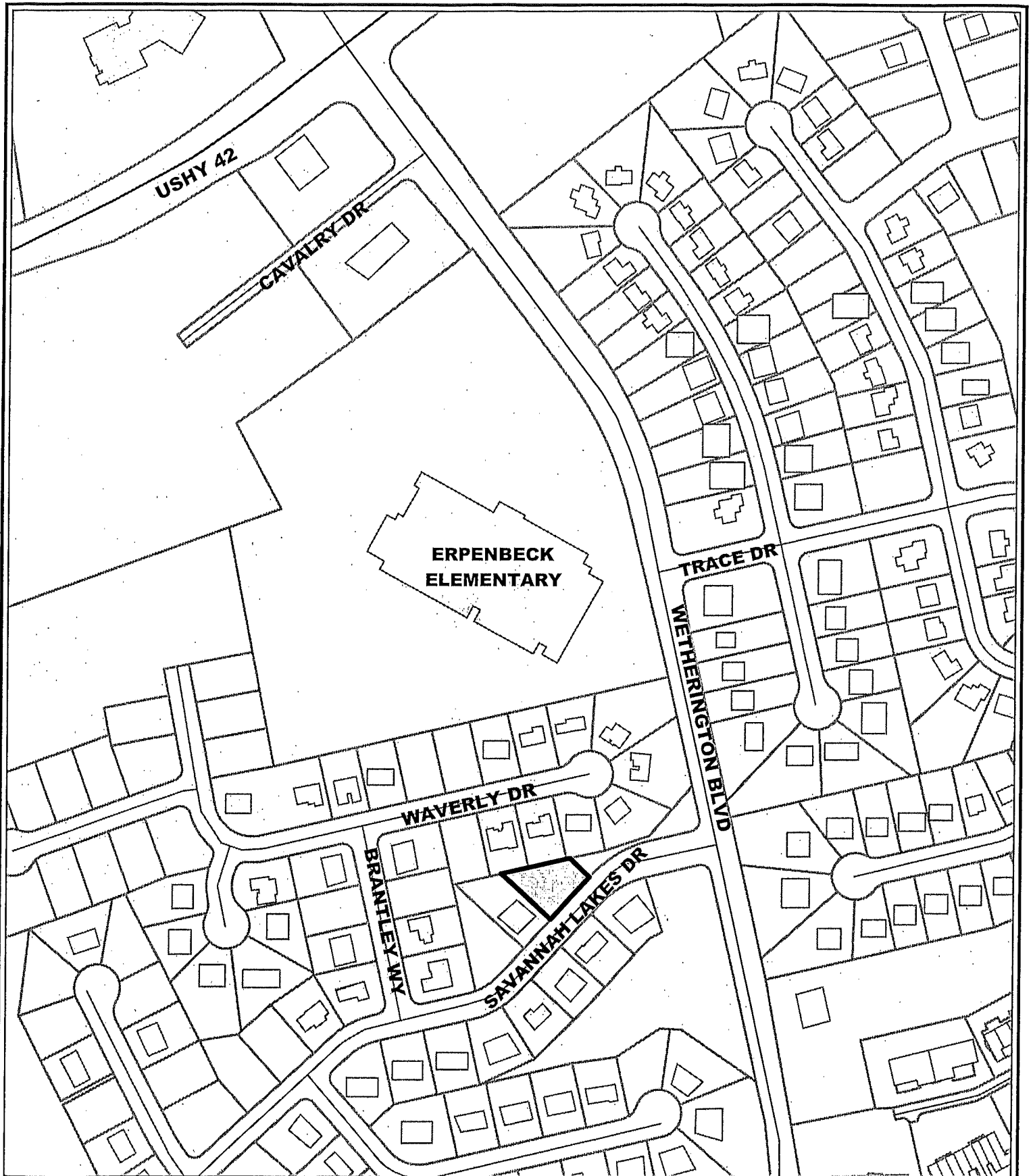


Todd K. Morgan, AICP
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Plan
- Exhibit C – Aerial Map
- Exhibit D – Topographical Map
- Exhibit E – Zoning Map
- Exhibit F – Pictures of Site & Adjoining Properties
- Exhibit G – Application



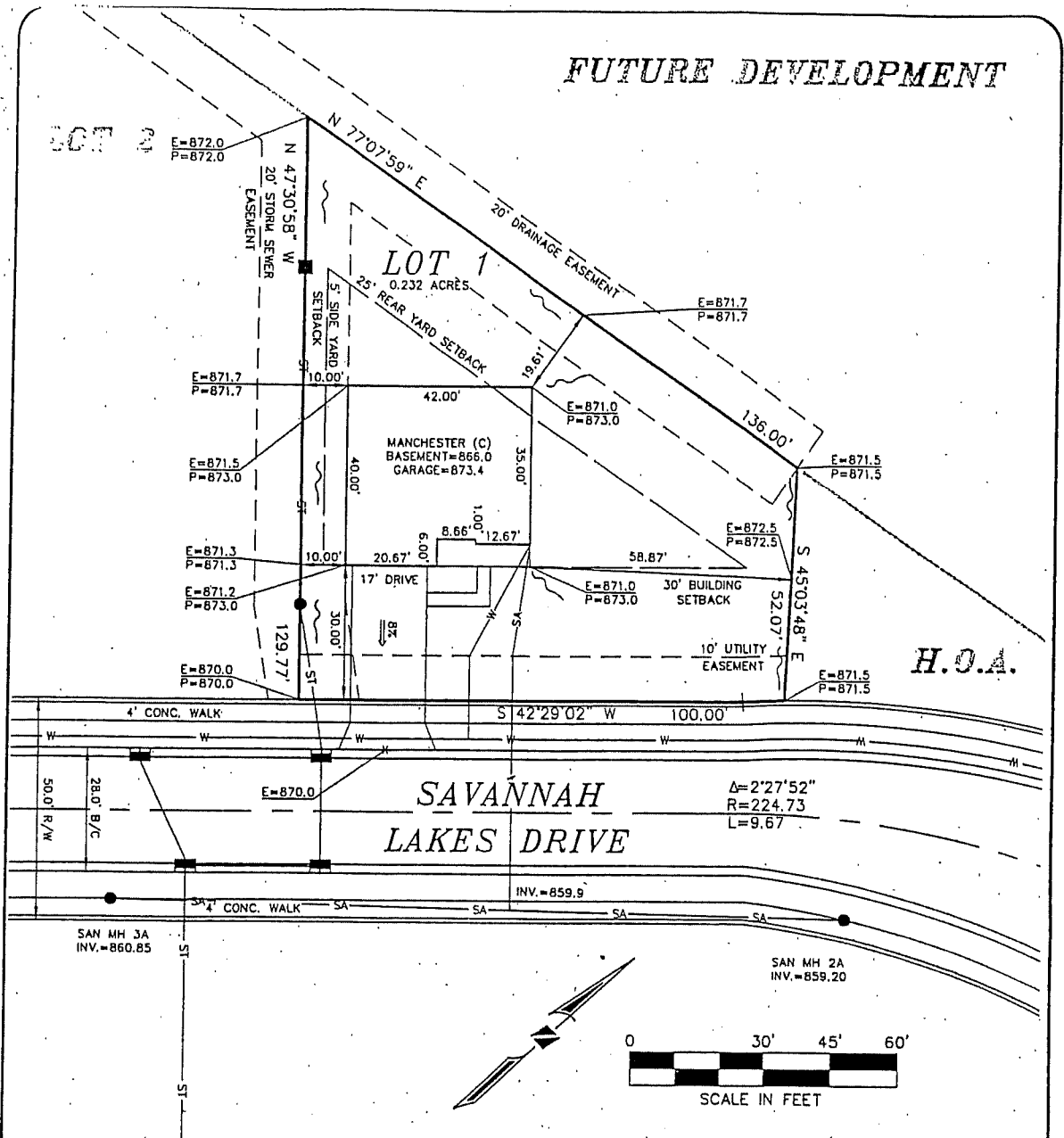
Lot 1, Savannah Lakes Site Vicinity Map

250 0 250 Feet

1 inch equals 250 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 28, 2003



FUTURE DEVELOPMENT



NOTES:

1. EXISTING INFORMATION SHOWN HEREON WAS TAKEN FROM THE APPROVED IMPROVEMENT PLANS FOR SAVANNAH LAKES SUBDIVISION SECTION ONE.
2. BOUNDARY DIMENSIONS ARE SHOWN PER PLAT UNLESS OTHERWISE NOTED - THOSE RELYING ON THIS DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF ITS ACCURACY BEFORE USING IT FOR ANY PURPOSE.
3. DOWNSPOUTS AND FOOTING FOUNDATION DRAINS ARE TO BE CONNECTED TO THE STORM SEWER OR DISCHARGED TO A CURB CUT OR DRAINAGE SWALE.
4. THIS PLOT PLAN WAS PREPARED AT THE REQUEST OF RYLAND HOMES AND IS TO BE USED SOLEY FOR THEIR PURPOSE AND INTENT ONLY.

DRAWN BY: TMW
 CHECK BY: *[Signature]*
 DATE: 2/10/03

JOB NO: C475
 SCALE: 1" = 30'
 MANCHESTER (C)

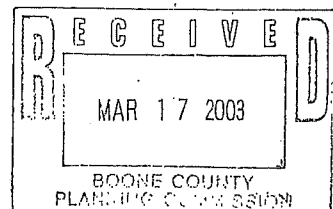
R.D. Zande & Associates

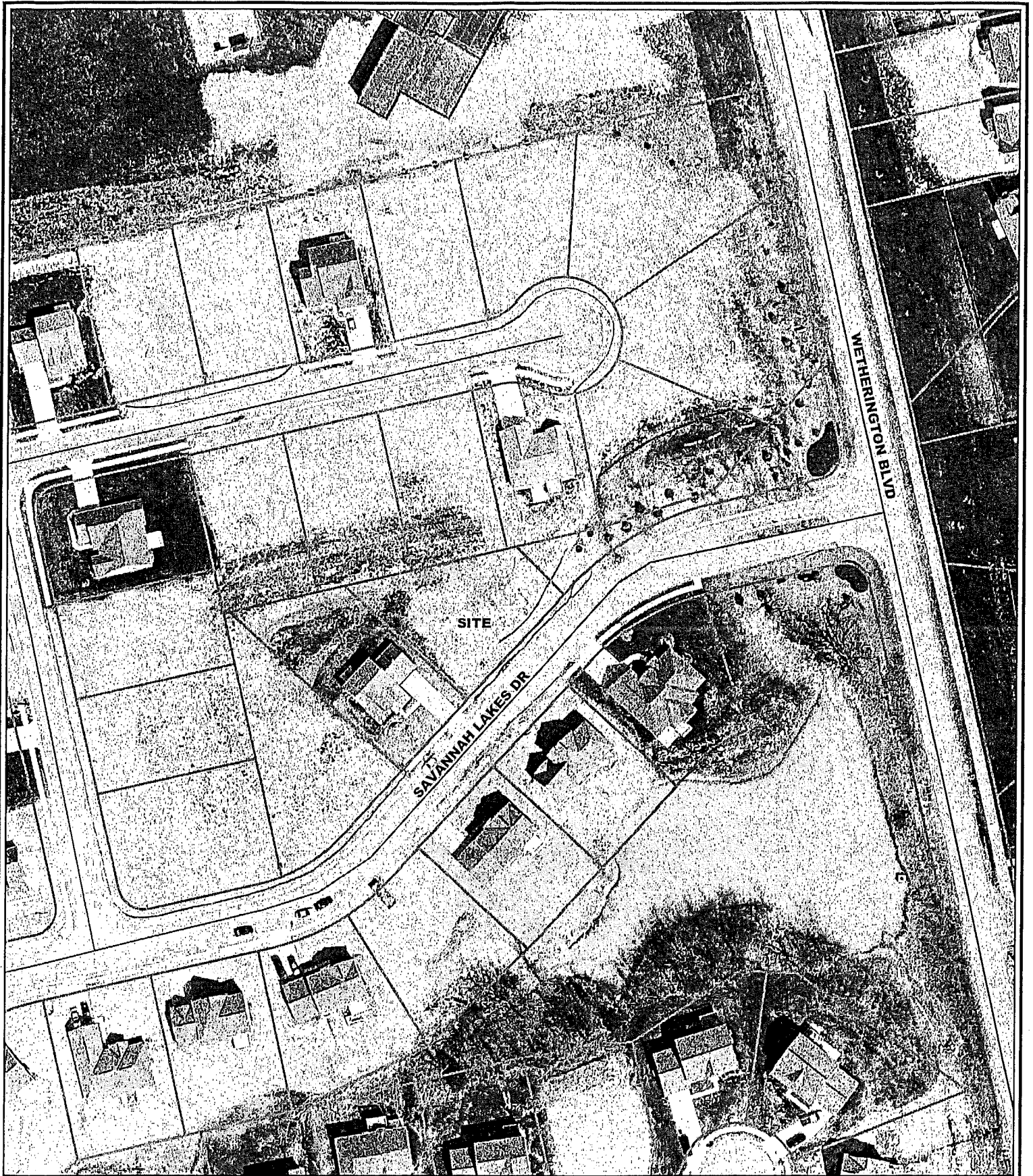
11500 NORTHLAKE Dr.
 SUITE 150
 CINCINNATI, OHIO 45249
 (513)769-5009
 FAX: (513)769-5030

WATER SERVICE	29 L.F.
SANITARY LATERAL	25 L.F.
SIDEWALK	439 S.F.
DRIVEWAY	480 S.F.
SOD	5828 S.F.
REAR SOD	2585 S.F.
APPROACH	133 S.F.

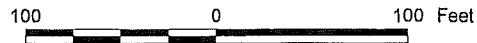
PLOT PLAN FOR:
RYLAND HOMES INC.

LOT 1
 SAVANNAH LAKES
 SECTION ONE
 FLORENCE
 BOONE COUNTY, KENTUCKY



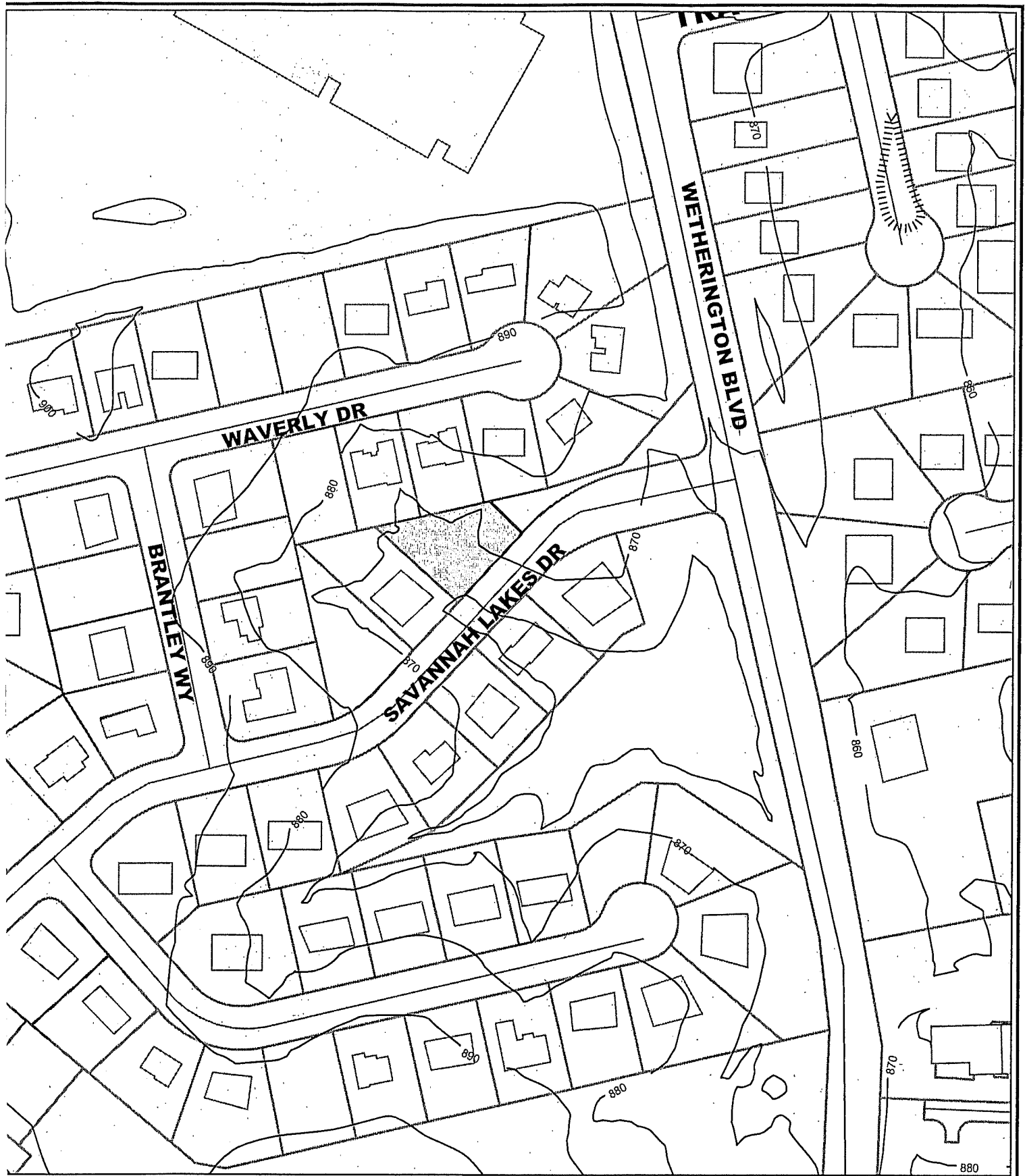


Lot 1, Savannah Lakes Aerial Map

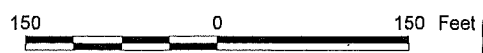


1 inch equals 100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 31, 2003



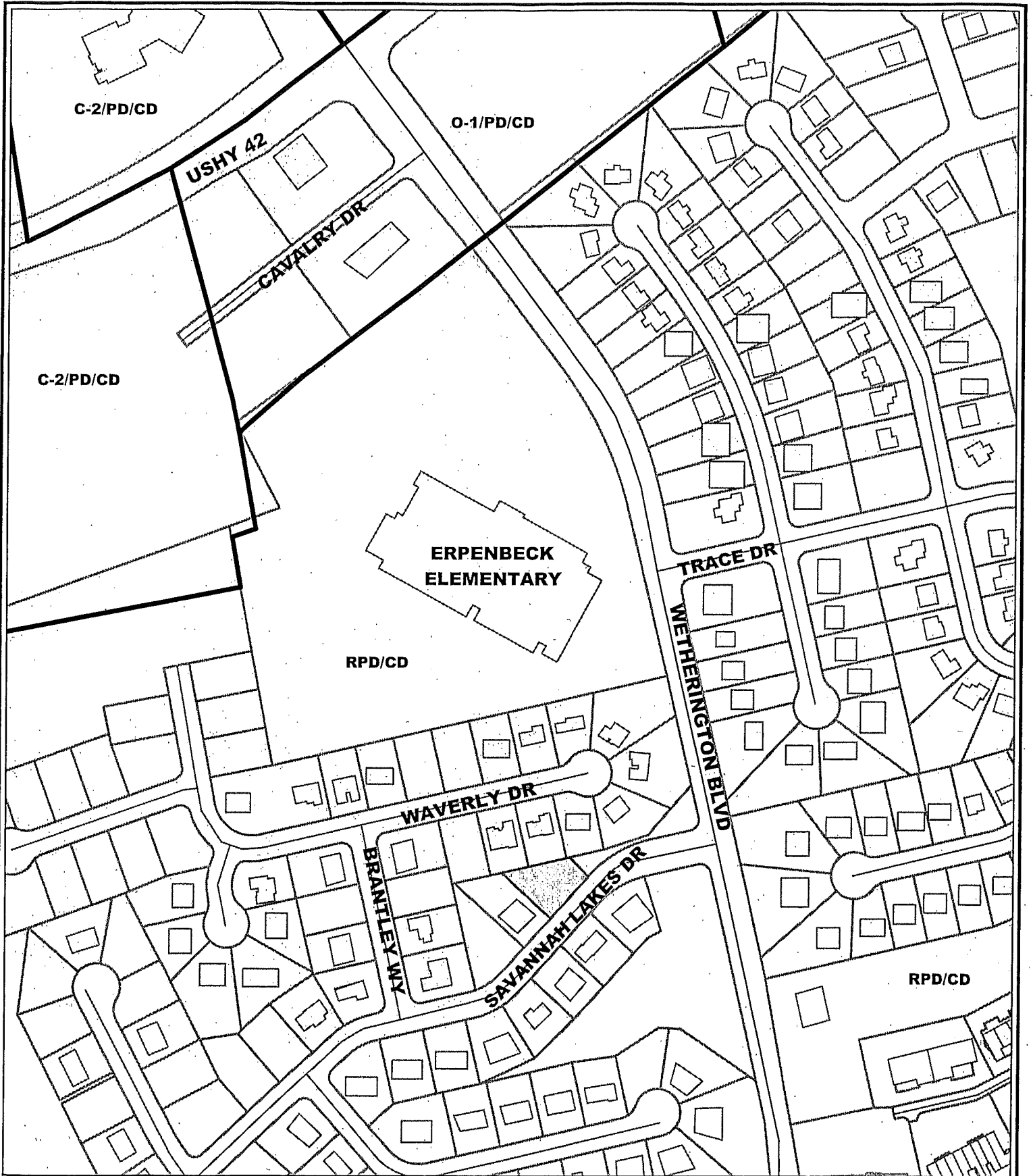


Lot 1, Savannah Lakes Topographical Map



1 inch equals 150 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 March 28, 2003



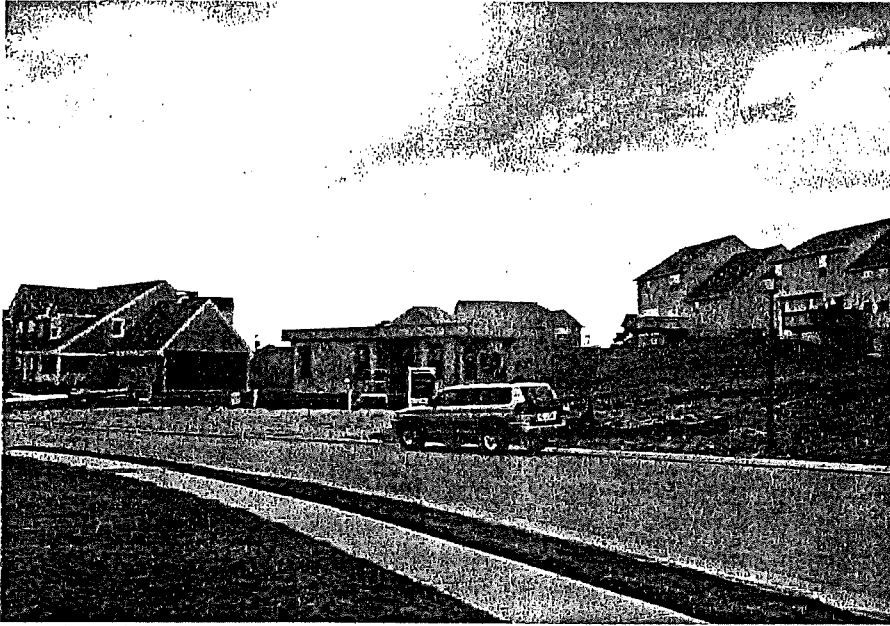


Lot 1, Savannah Lakes Zoning Map

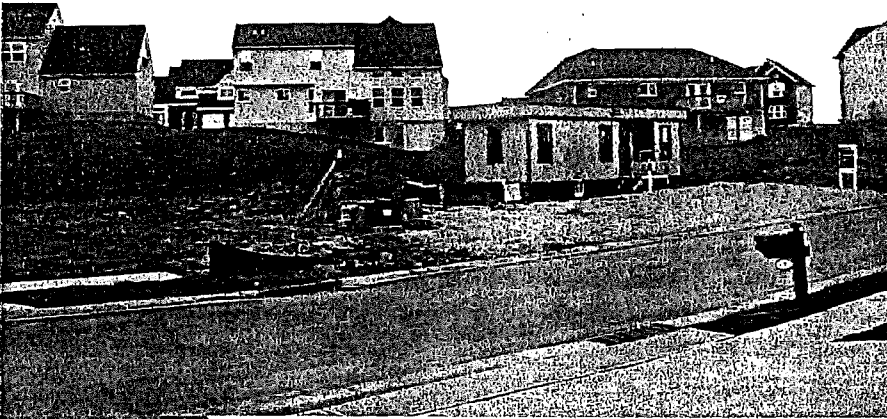
250 0 250 Feet

1 inch equals 250 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 28, 2003





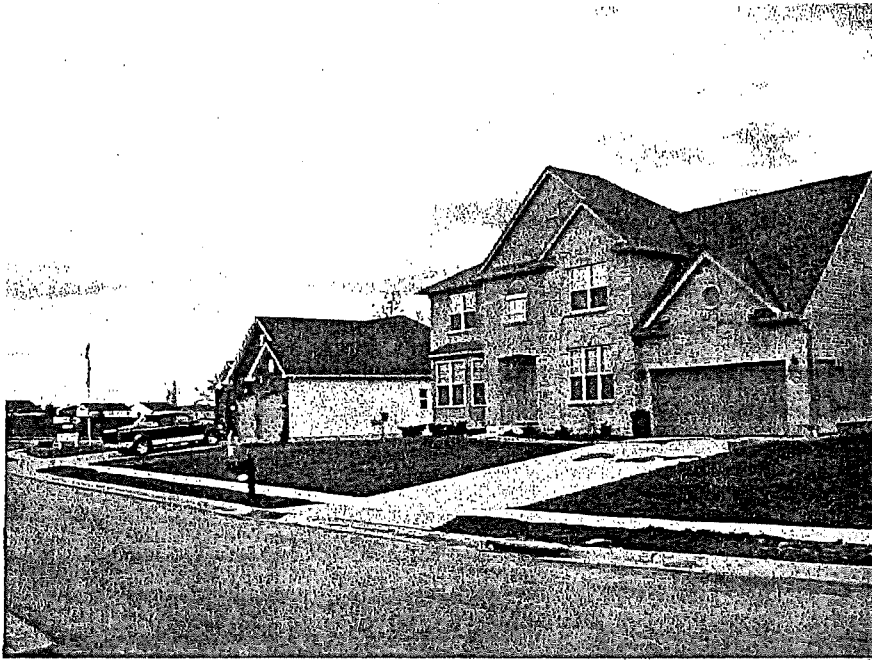
**VIEW OF SITE FROM
SAVANNAH LAKES
DRIVE**



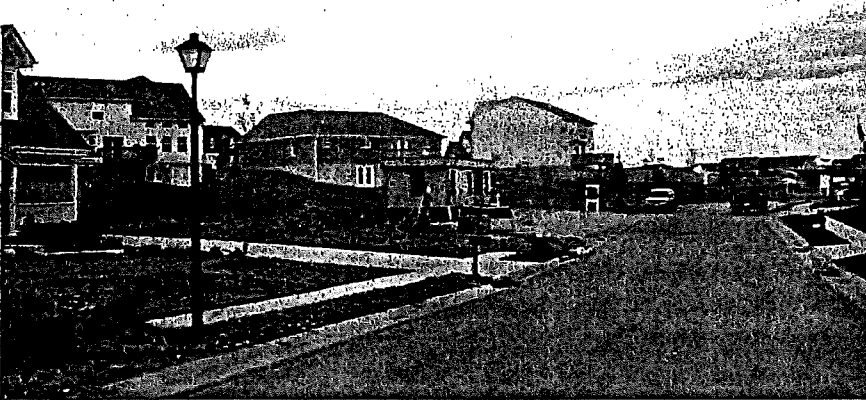
**VIEW OF SITE FROM
SAVANNAH LAKES
DRIVE**



**REAR PORTION
OF LOT**



**VIEW SOUTH ACROSS
SAVANNAH LAKES
DRIVE**



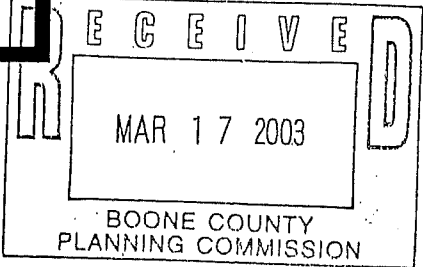
**VIEW EAST TOWARDS
WETHERINGTON BLVD**



VIEW WEST

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)

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 Change in Non-Conforming Use
- 3. Applicant's Name The Ryland Group Inc
Phone Number 513-339-2108 Fax No. 513-339-2166
Applicant's Address 4660 Duke Blvd. Suite 100
Mason Ohio 45040
City State Zip
- 4. Description of Request: Variance for Rear yard set back requirement of 25' for the back corner of building to encroach 5.39'
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- 6. Location of Development Florence, Kentucky
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- 11. Proposed Use(s) on Site Single family residential Lot (model home for community sales)
- 12. Total Square Footage of Existing and/or Proposed Buildings 2409 sq. ft.
- 13. Current Zoning on Property RPD - Single Family
- 14. Deed Book D846 Page No. 576 Group No. 4194
- 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: Jennifer J Bluggner - The Ryland Group, Inc

Property Owner's Signature: Jennifer J Bluggner
(over)