

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

1. Boone Florence Walton

(Check One)

2. Conditional Use Permit Variance

Change in Non-Conforming Use

3. Applicant's Name SHAUN COLLINS

Applicant's Address 503 KENTABOO AVE
FLORENCE KY 41042

City State Zip

Phone Number 8594683217 Fax No. E-Mail

4. Description of Request: CHANGE 30 FT REAR PROPERTY REQUIREMENT TO 25 FOOT FOR HOUSE ADDITION

5. Name of Development

6. Location of Development 503 KENTABOO AVE

7. Acreage Under Review +/- 0.17

8. Lot Number and Name of Subdivision (if part of a subdivision)

9. Owner of Property SHAUN COLLINS

Address of Property Owner 503 KENTABOO AVE
FLORENCE KY 41042

10. City State Zip

Phone Number 8594683217 Fax No. E-Mail THISGUY41042@GMAIL.COM

11. Proposed Use(s) on Site HOUSE ADDITION (15x20)

12. Total Square Footage of Existing and/or Proposed Buildings 300

13. Current Zoning on Property SR2

14. Deed Book 835 Page No. 569 Group No. 2034B

15. Is the site subject to a zone change?

If yes, give date of approval

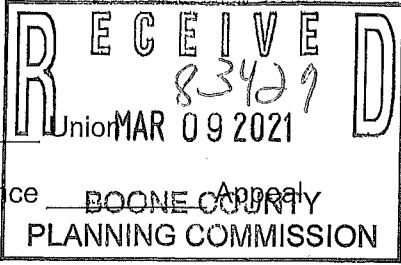
16. Have you submitted a Site Plan with this request? YES

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.

ORIGINAL Property Owner's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)



**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 3-9-21 Fee Received \$666.00 Receipt # 83429
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date 4/15/21
5. Board Action:
4/15/21 **Approved**
Approved with Conditions (See #6)
Denial (See #7) SEE 4/15/21 Meeting Minutes
AND C.C.U.R.
6. Conditions of Approval: _____

7. Reasons for Denial: _____

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
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

#1

APPLICANT: Shaun Collins

LOCATION: 503 Kentaboo Avenue, Florence, Kentucky

ZONING: Suburban Residential Two (SR-2)

DATE: April 15, 2021

0.17 Ac

PROPOSAL

The applicant is requesting a variance so an approximate 15' x 20' bedroom addition can be constructed on the back of his house. The bedroom addition will tie into a detached garage and make it part of the principal structure. The request is to reduce the rear yard setback of the principal structure from 30 feet to 25 feet.

APPLICABLE REGULATIONS

Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide variance applications.

Section 250 of the Boone County Zoning Regulations defines a variance 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 KRS 100.241 to 100.247.

The Board should evaluate the 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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - 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 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 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.

Table 31.1 of the Boone County Zoning Regulations requires a single-family dwelling to meet the following setbacks in the SR-2 zone:

- Front Yard – 30' minimum
- Rear Yard – 30' minimum
- Side Yards – 5' minimum/15' total

Section 3153 of the Boone County Zoning Regulations requires accessory structures, such as detached garages, garden sheds, etc. to be located in the side and rear yards only a meet a minimum 5' setback from the property lines.

Section 940 of the Boone County Zoning Regulations states that "the purpose of the Suburban Residential Two district is to provide a more compact, but essentially single residential environment. Such districts will be located on suitable lands within established or proposed urban entities where adequate infrastructure facilities and services are available or proposed."

SITE CHARACTERISTICS

The approximate 0.17 acre property is located along the south side of Kentaboo Avenue, and is approximately 55 feet to the east of the Kentaboo Avenue/Drexel Avenue intersection. The site currently contains a detached single-family residential dwelling, a detached two car garage, and garden shed. All three structures are constructed with matching siding. A privacy fence exists in the rear yard. Access to the site is provided from a concrete drive that is located to the east side of the house.

SURROUNDING LAND USES AND ZONING

North: Single-family residential dwellings fronting on Kentaboo Avenue (SR-2)

South: Single-family residential dwelling fronting on Drexel Avenue (SR-2)

East: Single-family residential dwelling fronting on Kentaboo Avenue (SR-2)

West: Single-family residential dwelling fronting on Drexel Avenue (SR-2)

STAFF COMMENTS

1. The applicant submitted five (5) signed letters from the adjoining property owners, which support the application (see attachments).
2. Staff talked with Boone County Building Department with the request and they had no preliminary concerns regarding the request.

3. Staff would like the applicant to address the proposed building materials and how they will correlate to the existing structure.
4. The Board needs to analyze the variance criteria before acting on the request. Staff recommends that the Board should analyze if denying the request would deprive the property owner of the reasonable use of the land.

CONCLUSION

- A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Florence Board of Adjustment and Zoning Appeals the authority to act on the request.
- B. Section 251 of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully submitted,



Todd K. Morgan
Senior Planner, Zoning Services

TKM/ss

Attachments

- *Site Vicinity Map
- *Survey and Proposed House Addition
- *2020 Aerial Map and Proposed House Addition
- *2020 Aerial Map
- *Zoning Map
- *Topographical Map
- *Letters from Adjoining Property Owners
- *Application

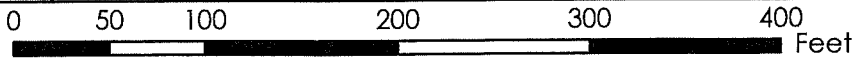
SITE VICINITY MAP

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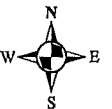


1 Inch = 100 feet



Boone

Map Created: xx/xx/2020



Map File: C:\Users\j... ArcMap Document: *.mxd

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED ERROR OF CLOSURE WAS 1: 38,553. AND WAS NOT ADJUSTED. THE SURVEY SHOWN HEREON IS A CLASS URBAN SURVEY, AND THE DISTANCES AND DIRECTIONS ARE BASED ON THE UNADJUSTED TRAVERSE. THIS IS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150

T. Ryan
 TIMOTHY E. RYAN
 DATE 2/28/2021

LICENSED PROFESSIONAL
 LAND SURVEYOR #3565 IN THE
 COMMONWEALTH OF KENTUCKY

LAND SURVEYOR'S NOTES

1. NO ENCROACHMENT UNLESS NOTED
2. NO EVIDENCE OF A CEMETERY FOUND ON SUBJECT PROPERTY.

Legend

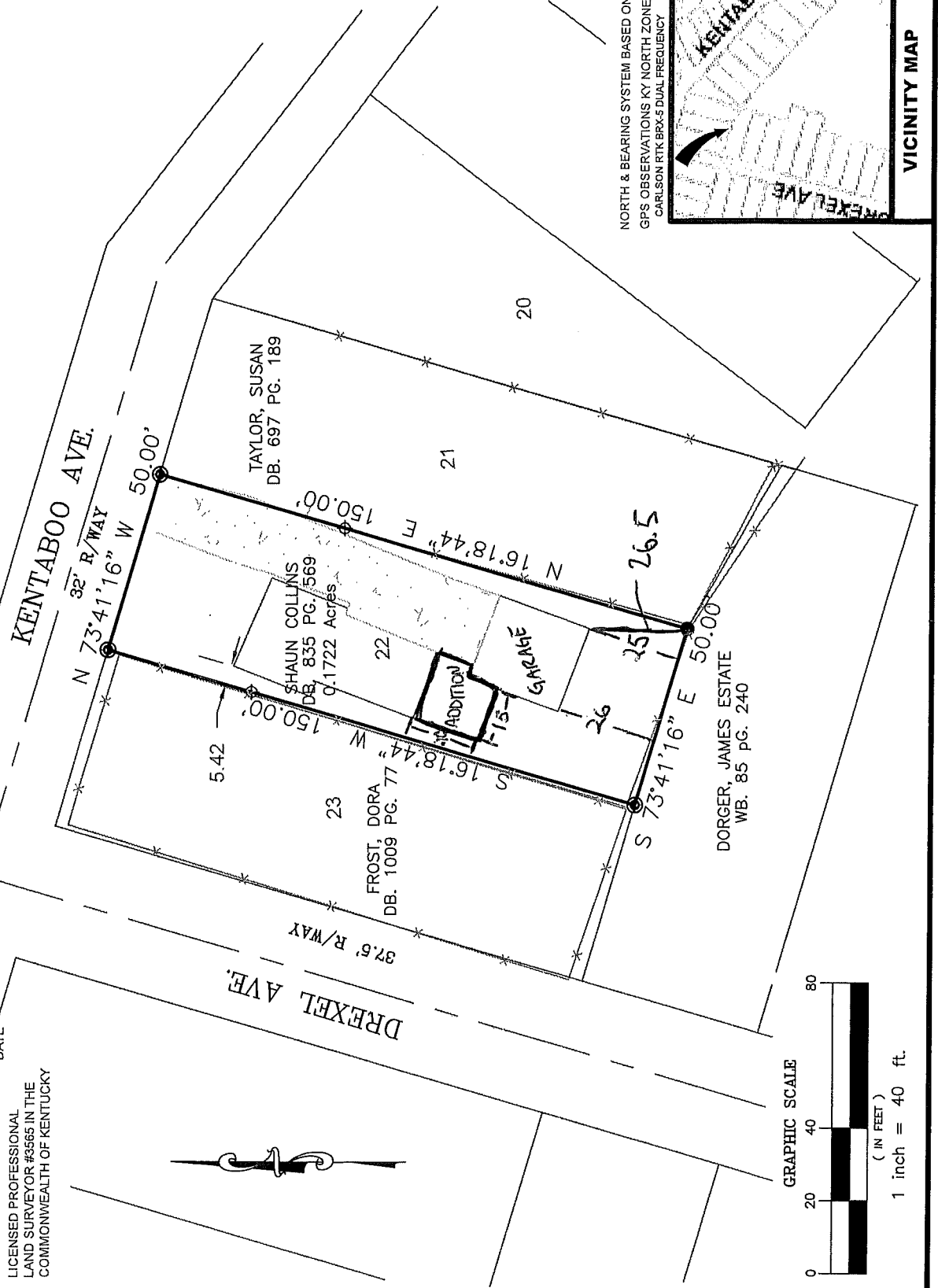
- - Denotes Set 24"x30" Iron Pin stamped T. Ryan #3565
- ⊙ - Denotes Found Iron Pin stamped COX #3381
- ⊙ - Denotes Found Iron Pin with No Cap
- ⊕ - Denotes Stake set on Property Line
- ✱ - Denotes Fence
- ⊙ - Denotes SET DRILL HOLE IN CONCRETE

STATE OF KENTUCKY
 TIMOTHY EARL RYAN
 LS-3565
 LICENSED PROFESSIONAL LAND SURVEYOR

RYAN LAND SURVEYING
 3850 SHADY HOLLOW LN.
 Burlington, Kentucky 41005
 (859) 586-5800

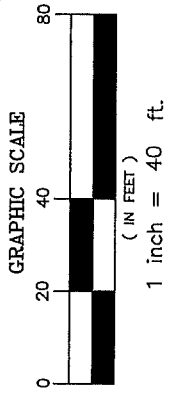
CLIENT
 COLLINS

DRAWING TITLE	BOUNDARY SURVEY	SCALE	1" = 40'	DATE	2/28/2021
PROJECT TITLE	SHAUN COLLINS	PROJECT NO.	21-27	REVISION	0
			SHEET 1 of 1		



NORTH & BEARING SYSTEM BASED ON GPS OBSERVATIONS KY NORTH ZONE CARLSON RTK BRX-S DUAL FREQUENCY

VICINITY MAP



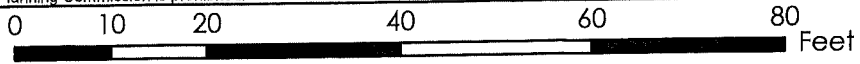
Boone County GIS Map

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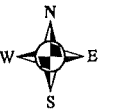


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1 inch = 20 feet



Boone County GIS - Putting

Map Created: xx/xx/2021

Boone County GIS
ArcMap Document: *.mxd

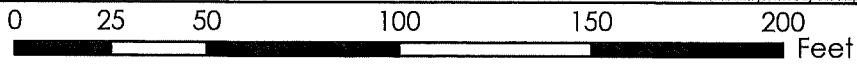
2020 AERIAL MAP

www.boonecountygis.com



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Boone County GIS - Putting



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ArcMap Document: *.mxd

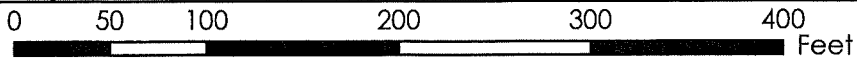
ZONING MAP

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1 inch = 100 feet



Boone County GIS - Putting

Map Created: xx/xx/2020



ArchMap Document: *.mxd

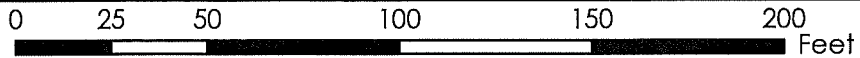
TOPOGRAPHICAL MAP

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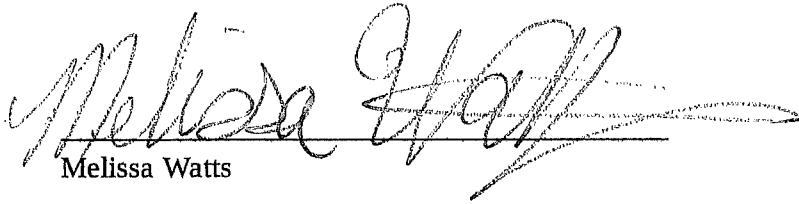
1 inch = 50 feet



Boone County GIS - Putting



My name is Melissa Watts and I own the property at 501 Kentaboo Avenue in Florence, Kentucky. My neighbor at 503 Kentaboo Avenue has informed me that he would like to build an addition onto his house. I understand this addition will render the house 25 feet from the rear property line. I also understand that it is not to be closer than 30 feet, according to code. I have no problem with this addition being built, knowing all the facts and given this is what he needs for his growing family.

A handwritten signature in cursive script, reading "Melissa Watts". The signature is written in black ink and is positioned above a horizontal line. The name "Melissa Watts" is printed in a simple, sans-serif font directly below the line.

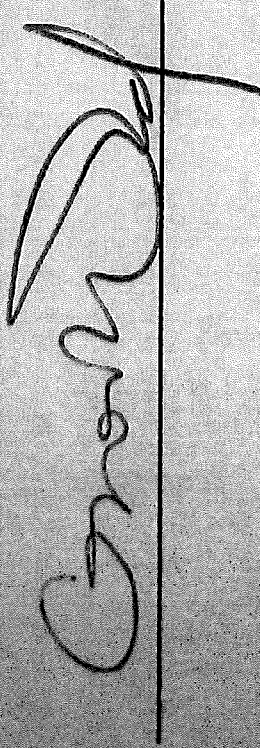
Melissa Watts

My name is DORA Frost and I own the property at 505 Kentaboo Ave in Florence Ky. My neighbor at 503 Kentaboo has informed me that he would like to build an addition onto his house. I understand that this addition will render the house 25 feet from the rear property line. I also understand that it is not to be closer than 30 feet, according to code. I have no problem with this addition being built, knowing all the facts and given this is what he needs for his growing family.

Dora C. Frost

DORA FROST 3/8/21

Hi my name is Caitlyn ward and I own the property at 508 Kentaboo Ave Florence Ky. I have been informed my neighbor at 503 kentaboo Ave is wanting to build an addition to his house. I understand that will render the house 25 foot from the rear property line. I also understand code requires the house to be no closer than 30 foot to the rear property line. I am completely ok with this addition taking place knowing all the facts.

A handwritten signature in cursive script, appearing to read "Caitlyn Ward", is written above a horizontal line.

Caitlyn ward

My name is Jose Gullon and I own the property at 512 Kentaboo Ave Florence Ky. I have been informed my neighbor at 503 Kentaboo Ave is wanting to build an addition to his house. I understand that will render the house 25 foot from the rear property line. I also understand code requires the house to be no closer than 30 foot to the rear property line. I am completely ok with this addition taking place knowing all the facts.



Jose Gullon 3-10-21

My name is Albert Dorger and I own the property at 2 Drexel Avenue in Florence, Kentucky. My neighbor at 503 Kentaboo Avenue has informed me that he would like to build an addition onto his house. His entire rear property line is against my property. I understand this addition will render the house 25 feet from the rear property line. I also understand that it is not to be closer than 30 feet, according to code. I have no problem with this addition being built, knowing all the facts and given this is what he needs for his growing family.

A handwritten signature in cursive script that reads "Albert Dorger". The signature is written in black ink and is positioned above a horizontal line.

Albert Dorger

LAND SURVEYOR'S CERTIFICATE

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T. Ryan

2/28/2021

TIMOTHY E. RYAN

LICENSED PROFESSIONAL
LAND SURVEYOR #3565 IN THE
COMMONWEALTH OF KENTUCKY

DATE

LAND SURVEYOR'S NOTES

1. NO ENCROACHMENT UNLESS NOTED
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Legend

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STATE OF KENTUCKY

TIMOTHY EARL
RYAN
LS-3565

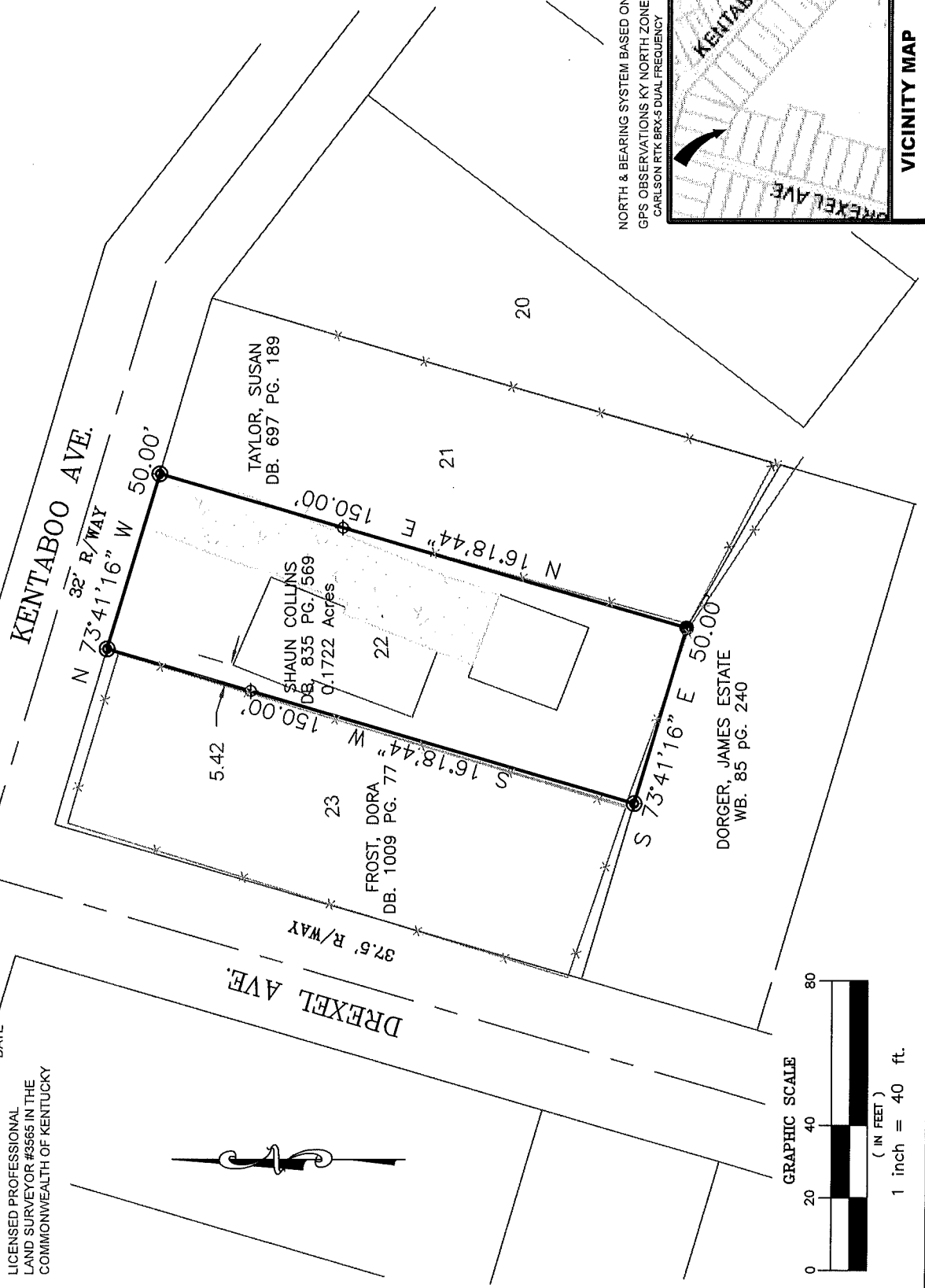
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RYAN LAND SURVEYING
3850 SHADY HOLLOW LN.
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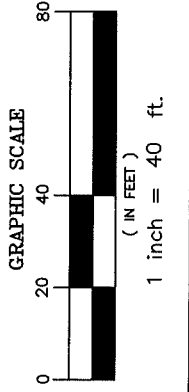
CLIENT
COLLINS

DRAWING TITLE BOUNDARY SURVEY		SCALE 1" = 40'	DATE 2/28/2021
PROJECT TITLE SHAUN COLLINS FLORENCE, KY. 41042		PROJECT NO. 21-27	REVISION 0
SHEET 1		OF 1	



NORTH & BEARING SYSTEM BASED ON
GPS OBSERVATIONS KY NORTH ZONE
CARLSON RTK BRX-S DUAL FREQUENCY

VICINITY MAP



CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Shaun Collins
503 Kentaboo Avenue
Florence, KY 41042

- 2. ADDRESS OF PROPERTY
503 Kentaboo Avenue
Florence, KY 41042

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
503 Kentaboo Avenue

- 4. DEED BOOK 835 PAGE NO. 569 GROUP NO. 2034B

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 - Zoning Map Amendment: Conditional Use Permit
 - From _____ To _____
 - Development Plan Conditional Zoning
 - Subdivision Plat Other:
 - (Not Recorded)
 - Variance

- 6. 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
 2950 WASHINGTON STREET, ROOM 317
 P.O. BOX 958
 BURLINGTON, KENTUCKY 41005

Todd K. Morgan

 SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, ACIP – Senior Planner

 Name and Title of Completing Official

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the variance approved by the Florence Board of Adjustment and in accordance with the current zoning in effect as of April 15, 2021 Certificate of Land Use Restriction (#21-FBOA-005-A), for Shaun Collins, Property Owner(s).

The following conditions will apply:

1. The addition shall be constructed with siding and roofing that matches the existing house.

The approved variance as well as the preceding conditions apply to the property described in:

DEED BOOK 835

PAGE NO. 569

GROUP NO. 2034B

