

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(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 HSE CORP CHRIS HARMS
Phone Number 331-8600 689-7117
Applicant's Address 184 BARN WOOD
EDGEWOOD KY 41017
City State Zip
- 4. Description of Request: VARIANCE OF FRONT YARD
EXTEND PORCH
- 5. Name of Development PHEASANT RUN
- 6. Location of Development FLORENCE, KY
- 7. Acreage Under Review ± 0.28
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot 27 Pheasant Run Florence
- 9. Owner of Property HSE CORP
Phone Number 331-8600
- 10. Address of Property Owner 184 BARN WOOD LN
EDGEWOOD KY 41017
City State Zip
- 11. Proposed Use(s) On Site RESIDENTIAL HOME
- 12. Total Square Footage of Existing and/or Proposed Buildings
1344 sq ft
- 13. Current Zoning on Property RESIDENTIAL
- 14. Deed Book 387 Page No. 112 Group No. 1405
- 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?
- 18. Applicant's Signature: _____
- 19. Property Owner's Signature: _____

ENCLOSURE

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 9-12-88
2. Fee Received \$13.00
3. Is application complete? _____ Yes No NEED ADDRESS OF LOT #31 - AS JOINING
4. Staff Reviewer PAUL R. MILLER
5. Scheduled Board Action Date OCTOBER 12, 1988
6. Board Action:
_____ Approval
_____ Approved With Conditions (See #7)
_____ Disapproved (See #8)
7. Conditions: _____

8. Reasons For Disapproval: _____

BCPC:7/11/88

STAFF REPORT

DEVELOPMENT: single-family residence
APPLICANT: HSK Corporation
LOCATION: Lot #27, Pheasant Run Subdivision, Florence
ZONING: Residential One Family (R-1F)
DATE: October 12, 1988
REMARKS:

The applicant is seeking a front yard Variance to allow a house to extend into the front yard building setback. The site is located on the east side of Pheasant Drive in the Pheasant Run Subdivision, Florence, Kentucky. The property is zoned Residential One Family (R-1F) and is owned by HSK Corporation.

The following reviews the considerations the Board must make in determining the findings necessary for granting Variances:

1. The Board must consider whether the requested Variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone. The special circumstance of this request is that the lot on which the house is being constructed is located on a slight bend in the road. The applicant laid the house foundation in line with the houses to the north. At this time, the house is almost completely constructed, but the proposed front porch has been built so that it extends five feet into the building setback of the subdivision.
2. The strict application of the zoning regulation would necessitate shortening the porch by five feet. The Board must consider whether enforcing the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.
3. The Board must consider whether the circumstances necessitating the variance are the result of the actions of the applicant taken subsequent to the adoption of the 25 foot building setback regulation. In the opinion of the Staff, the circumstances necessitating this variance are the results of the actions of the applicant; the lot could accommodate a house oriented in such a way that the porch is behind the building setback, or a smaller porch could be constructed.

Granting 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. The applicant did not intentionally violate the building setback line, but it is due to the actions and desire of the applicant that a porch is being built which is large enough to require a variance.

STAFF REPORT - HSK CORPORATION
OCTOBER 12, 1988

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Attached to this report is a copy of a plat prepared by the applicant showing the approximate location of the house and the distances of the corners of the porch to the center line of Pheasant Drive.

Respectfully submitted,

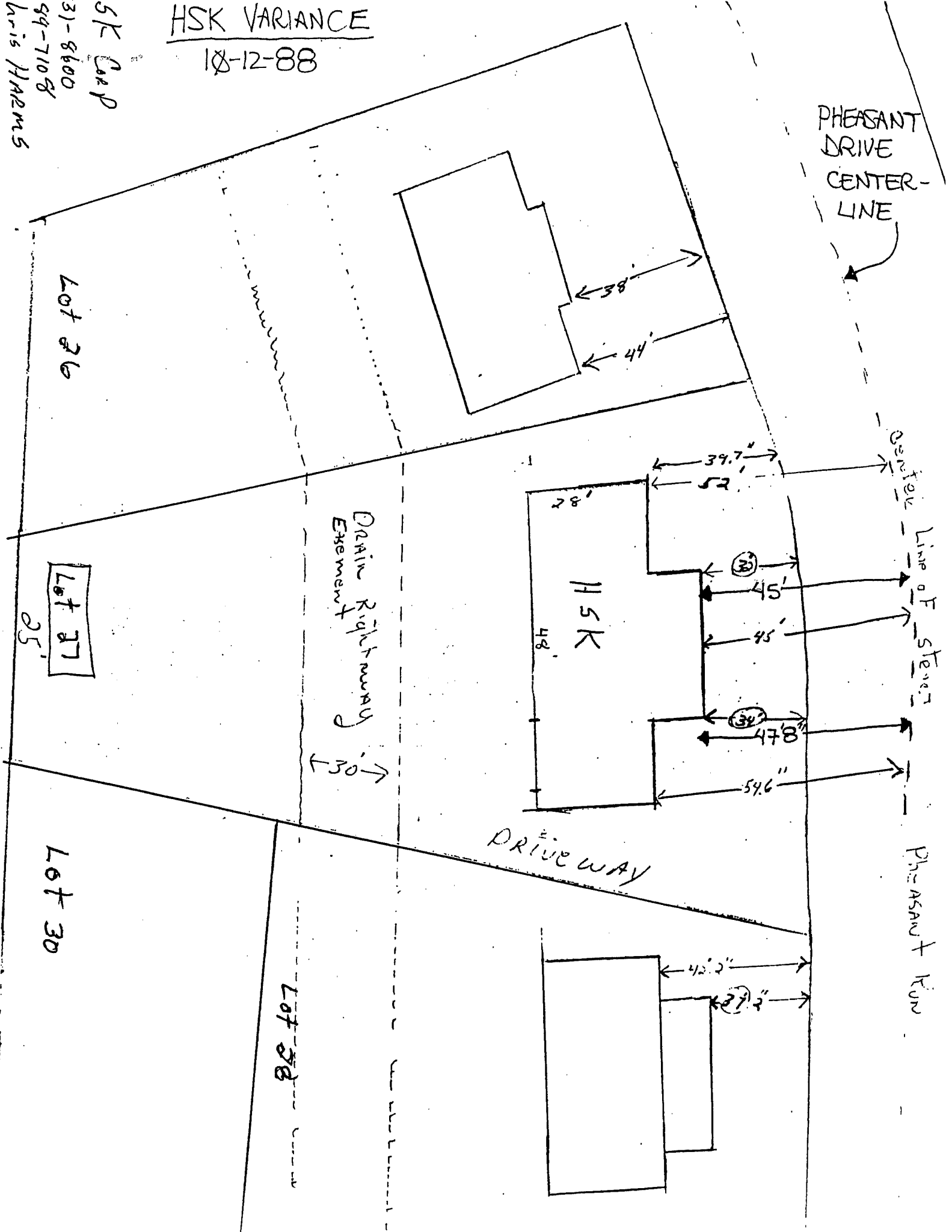


Paul R. Miller,
Plans Examiner/Planner

PRM:kat

SK Corp
31-8600
99-7108
Chris Harms

HSK VARIANCE
10-12-88



CITY OF FLORENCE
BOARD OF ADJUSTMENT

October 12, 1988 - 8:00 P.M.

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Mrs. Meihaus
Mrs. Ward
Mr. White

BOARD MEMBERS NOT PRESENT:

Chairman Holland

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Earl White called the meeting to order at 8:00 P.M..

AGENDA ITEM:

1. The request of HSK Corporation for a front yard Variance to allow a house to extend into the front yard building setback. The site is located on the east side of Pheasant Drive in the Pheasant Run Subdivision, Florence, Kentucky. The property is zoned Residential One Family (R-1F) and is owned by HSK Corporation.

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. White asked if there was anyone present in behalf of the request.

Mr. Chris Harmes, President of HSK Corporation, stated that he had talked to Mr. Breidenstein of the Staff and been advised that a minimum side yard of seven feet and fourteen feet was required. The lot is pie-shaped and they wanted to keep those minimums.

Mr. White stated that he had visited the site. He noted the location of a ditch. Mr. White noted that the applicant is not a rookie and that he got caught.

Mr. Harmes stated that he had talked to Mr. Breidenstein about the driveways and he made an assumption that the porch was not a part of the problem.

Mr. White noted that the property is on the curve. Mr. Ashcraft stated that the difference is not noticeable. Mr. White stated that the house is not in question, only the porch.

Mr. Ashcraft noted that there was no one present in opposition to the request.

Mr. Harmes stated that he has talked to the neighbors and none of them had a problem with the request.

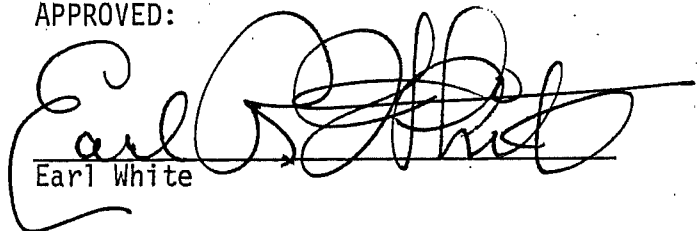
Mr. Ashcraft moved that the Variance be granted due to the special circumstance of a slight bend in the road which prohibits specific alignment in both directions. Mrs. Meihaus seconded the motion and it carried unanimously.

BOARD ITEMS:

Counselor Wilson distributed copies of a letter prepared in regard to Land Use Analysis for Conditional Uses and Zone Changes, which he had prepared.

There being no further business to come before the Board, Mrs. Meihaus moved that the meeting be adjourned. Mrs. Ward seconded the motion. The meeting was adjourned by unanimous consent at 8:12 P.M..

APPROVED:


Earl White

ATTEST:


Jan Hancock, Recording Secretary