

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
- 3. Change in Non-Conforming Use
- 3. Applicant's Name Dan Wischer
- Phone Number 371-3805
- Applicant's Address 50 Ridgeway Ave.
- Florence Ky 41042
- City State Zip
- 4. Description of Request: Zoning Adjustment

- 5. Name of Development DECK
- 6. Location of Development 50 RIDGEWAY AVE FLORENCE KY

- 7. Acreage Under Review 0
- 8. Lot Number and Name of Subdivision (if part of a subdivision)

- 9. Owner of Property DANIEL + DENISE WISCHER
- Phone Number 606-371-3805
- 10. Address of Property Owner SAME
- City State Zip

- 11. Proposed Use(s) On Site _____

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

- 13. Current Zoning on Property RESIDENTIAL
- 14. Deed Book ~~340~~ 405 Page No. ~~110~~ 66 Group No. 84
- 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. Applicant's Signature: Daniel Wischer
- 19. Property Owner's Signature: Daniel Wischer, Denise Wischer

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 8-20-91
2. Fee Received \$ 220.00
3. Is application complete? Yes No
4. Staff Reviewer Tom Deitzman
5. Scheduled Board Action Date 9/11/91
6. Board Action:
 Approval
 Approved with Conditions (See #7)
 Disapproved (See #8)
7. Conditions: None

8. Reasons for Disapproval: _____

STAFF REPORT

#1

DEVELOPMENT: frontyard setback
APPLICANT: Denise Wischer
LOCATION: 50 Ridgeway Avenue, Florence, Kentucky
ZONING: Suburban Residential Two (SR-2)
DATE: September 11, 1991

REMARKS:

The applicant is requesting a Variance in the minimum frontyard setback from 30 feet to 15 1/2 feet. The less than one acre site is located at 50 Ridgeway Avenue, Florence, Kentucky. The property is zoned Suburban Residential Two (SR-2) and is owned by Daniel and Denise Wischer.

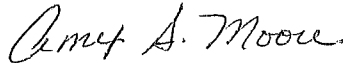
Table #1, Dimensional Standards, of the 1990 Boone County Zoning Regulations indicates that the minimum frontyard setback of any structure located within an SR-2 zoning district is 30 feet from the right-of-way.

The following reviews the seven criteria the Board must use to judge each variance request:

1. If the Variance is granted, it would not adversely affect the public health, safety or welfare.
2. The Variance will not alter the essential character of the general vicinity.
3. The Variance will not cause a hazard or a nuisance to the public.
4. The Variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.
5. The requested Variance does not arise from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.
6. The Board should decide if 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.
7. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

Attached to this report is a copy of a drawing that the applicant has submitted illustrating the location of the deck in relation to the front and side property lines, the existing house, and the rear deck.

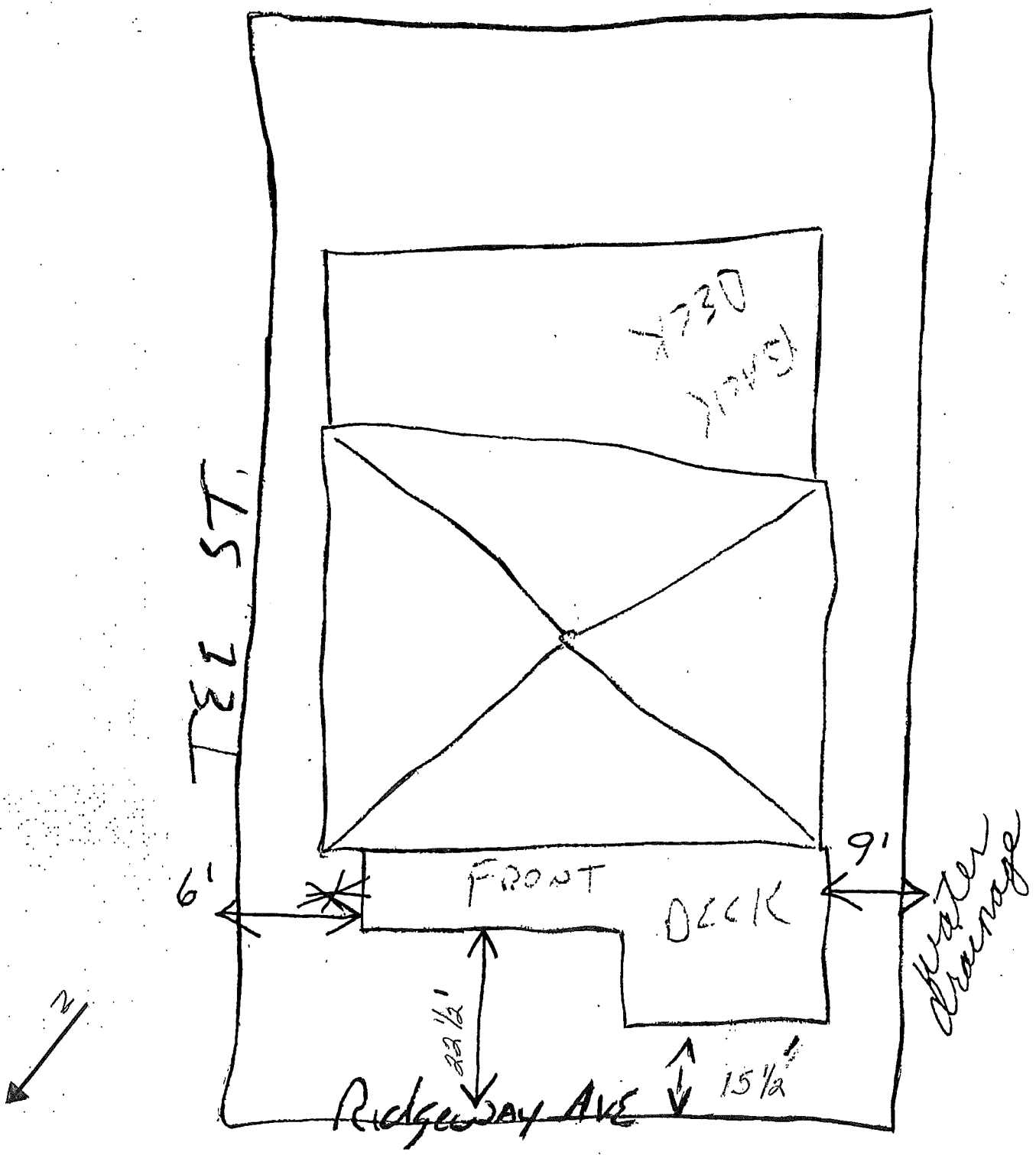
Respectfully submitted,

A handwritten signature in cursive script that reads "Amy S. Moore".

Amy S. Moore
Planner I

ASM:kat

WISCHER VARIANCE



COPY

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Daniel & Denise Wischer
50 Ridgeway Avenue
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

50 Ridgeway Avenue
Florence, Kentucky 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

N/A

DEED BOOK: 405 PAGE NO.: 66

GROUP NO.: 2034B

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

_____ Zoning Map Amendment from _____ to _____ _____ Conditional Use Permit

_____ Development Plan _____ Conditional Zoning Condition

_____ Subdivision Plat (unrecorded) _____ Other: (Specify)

X 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

Amy A. Moore

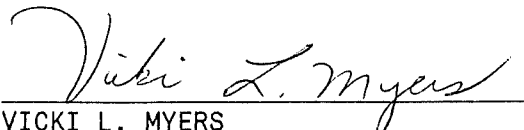
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Amy S. Moore
on behalf of the Boone County Planning Commission this 14th day
of October, 1991.

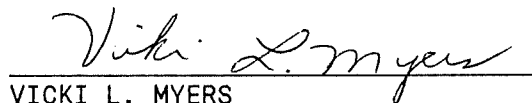


VICKI L. MYERS
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:



VICKI L. MYERS
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.)

BCPC 01/89

CLUR# FBOA-91-004-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance
as approved by the Florence Board of Adjustments and in accordance with the
current zoning in effect as of September 11, 1991, (Certificate of Land Use
Restriction #BCBOA-91-004-A), for Daniel & Denise Wischer, property
owner.

NO CONDITIONS

The approved Variance as well as the preceding conditions apply
to the property described in: DEED BOOK 405 PAGE NO. 66 Group No. 2034B