

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 [checked] Walton Union
2. (Check One) Conditional Use Permit [checked] Variance Appeal
3. Applicant's Name MAILE REMOORING / GLENN ROLAND
Phone Number 578-8844 Fax No. 578-6632
Applicant's Address 519 ENTERPRISE DR SUITE 102
CRESCENT SPRINGS KY 41017
4. Description of Request: VARIANCE FOR NEW BEDROOM & GARAGE ADDITION
5. Name of Development WALNUT CREEK SUBDIVISION
6. Location of Development FLORENCE KY
7. Acreage Under Review
8. Lot Number and Name of Subdivision (if part of a subdivision) LOT 253 WALNUT CREEK SUBDIVISION
9. Owner of Property LES & DONNA WOMACK
Phone Number of Owner 525-2995
Address of Property Owner 7753 ARROWWOOD DR
City FLORENCE State KY Zip 41042
10.
11. Proposed Use(s) on Site RESIDENTIAL - GARAGE & BED ROOM
12. Total Square Footage of Existing and/or Proposed Buildings EXISTING 1036 / PROPOSED 546 SF
13. Current Zoning on Property ?
14. Deed Book 292 Page No. 123 Group No.
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.

Applicant's Signature: [Signature]
Property Owner's Signature: [Signature]

STAFF REPORT

APPLICANT: Maile Remodeling/Glenn Roland on behalf of Les and Donna Womack

LOCATION: Lot 253, Walnut Creek Subdivision, 7753 Arrowwood Drive, Florence, Kentucky

ZONING: Suburban Residential Two (SR-2)

DATE: May 12, 1999

Proposal

The applicant is requesting a Variance to allow a reduction of the rear yard setback on Lot 253 of the Walnut Creek Subdivision, Florence, Kentucky. The Boone County Zoning Regulations requires a minimum rear yard setback of 30 feet from the property line for any principally permitted structure (addition) that is constructed in a Suburban Residential Two (SR-2) zoning district. The subject property is located a corner lot, and has frontage on both Arrowwood and Kernal Drive. Due to the irregular property layout and location on a corner lot, the applicant is proposing an addition to the rear of the existing house that will blend in aesthetically with the community, and will not be detrimental to the surrounding properties. Furthermore, the property has two front yards, and the zoning regulations prohibit the location of a structure in a required front yard. The Variance will not affect the front yard setbacks or the appearance of the residence from Kernal Drive. 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 Florence 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 554 sq. ft. attached addition on Lot 253 of the Walnut Creek Subdivision, Florence, Kentucky. Due to the irregular shape of the lot, and the requirements of the zoning regulations on the placement of a structure in a required front yard, a Variance is appropriate, and should be approved by the Board. 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,

A handwritten signature in black ink, appearing to read 'Mark E. Jordan', followed by a long horizontal line extending to the right.

Mark E. Jordan
Planner

Attachments

- Location Map
- Aerial Photo
- Proposed Plot Plan with 21'-4" x 26' Garage/Master Bedroom and Bath addition



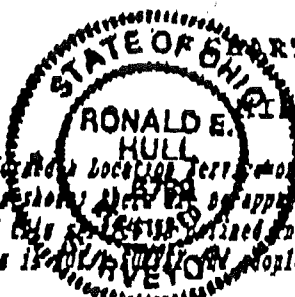
Location Map

7753 Arrowwood Drive

100 0 100 Feet

1 inch equals 100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 7, 1999





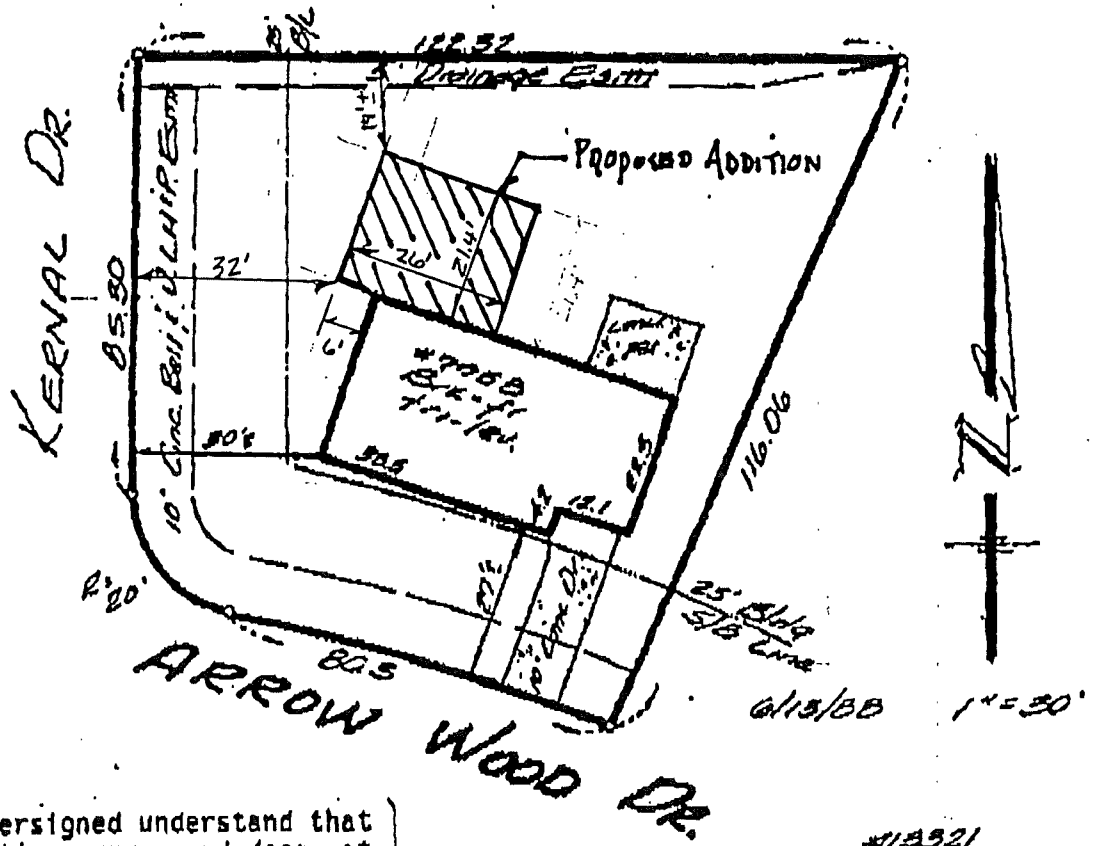
This service was performed only for
CHARTER OAK SAVINGS ASSOCIATION
236
LAND TITLE SECURITY, INC.

We have performed a location service on the subject property; the buildings, if any, are contained within the boundaries as shown. There are no apparent encroachments or visible easements unless shown; the limitations and precision of this service are defined in 'The Purpose and Intent of a Location Service' as attached and a part hereof. This is not a survey and should not be used or relied upon by buyers or sellers for any purpose.

Ronald E. Hull

James R. Lock, Reg. Surveyor No. 6951 or
Carl W. Clark, Reg. Surveyor No. 6358 or
Ronald E. Hull, Reg. Surveyor No. 6769
of Lock & Clark

**SUBJECT PROPERTY DOES NOT APPEAR
TO BE IN FLOOD PLAIN.**



I, WE, the undersigned understand that this is a location survey and does not meet the minimum standards for surveying in the State of Kentucky.

7753 ARROW WOOD DRIVE
CITY OF FLORENCE
BOONE COUNTY
P.P.N. ---
DATE: 06-10-88 10:05 AM

WALNUT CREEK SUBD. SEC. V
PLAT BOOK 16 PAGE(S) 14
NEW OWNER: HULLON, JR. & DONNA R. WOMACK
PRESENT OWNER: JAMES & JANET BOATRIGHT
YOUR ORDER NO. 6-18834

BOCK & CLARK LOCATION SERVICE

COPY

CLUR # 99-FBOA-004-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Les and Donna Womack
7753 Arrowwood Drive
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

7753 Arrowwood Drive
Florence, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Walnut Creek Subdivision

DEED BK.:292

PAGE NO.:123

GROUP NO.:2043 A

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

Zoning Map Amendment:
From _____ To _____

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

Other:

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

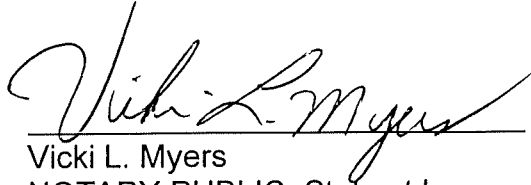

SIGNATURE OF COMPLETING OFFICIAL

Mark Jordan, Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

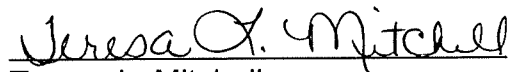
COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Mark Jordan, on behalf of the
Boone County Planning Commission this 2nd day of June, 1999.


Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

This instrument was prepared for recording purposes only by:


Teresa L. Mitchell
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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of May 12, 1999 Certificate of Land Use Restriction (# 99-FBOA-004-A), for Les and Donna Womack, Property Owners.

The following conditions will apply: NO CONDITIONS.

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 292 PAGE NO. 123 Group No. 2043 A