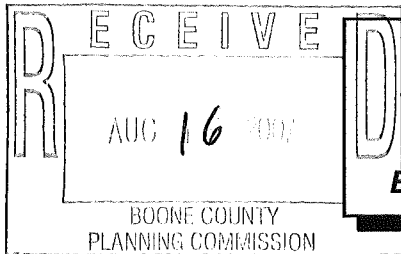


APPLICATION FORM



**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**

See Boone County Zoning Regulations
SECTION A (To be completed by applicant)

- (Check One)
1. Boone Florence Walton Union
- (Check One)
2. Conditional Use Permit Variance Appeal
 3. Change in Non-Conforming Use
- Applicant's Name FRANCES WIREMAN & K.F. FULMER
 Phone Number 859-485-4452 Fax No. 859-485-1122
 Applicant's Address 13 PARK AVENUE
WALTON KY 41094
 City State Zip
4. Description of Request: VARIANCE TO ALLOW FOR A 2.5 FOOT SET BACK INSTEAD OF THE CUSTOMARY 5 FOOT.
 5. Name of Development N/A
 6. Location of Development N/A
 7. Acreage Under Review N/A
 8. Lot Number and Name of Subdivision (if part of a subdivision)
 9. Owner of Property FRANCES WIREMAN
 - Address of Property Owner 13 PARK AVE Phone No. 859-485-4452
 10. WALTON KY 41094
City State Zip
 11. Proposed Use(s) on Site HOME ADDITION & REMODEL
 12. Total Square Footage of Existing and/or Proposed Buildings
 13. Current Zoning on Property SR-1
 14. Deed Book 198 Page No. 423 Group No. 2079
 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: Frances Wireman

**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 8/16/07 Fee Received \$571⁰⁰ R# 54393
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
9/25/07 **Approved**
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: NONE

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

APPLICANT: Frances Wireman and K. F. Fulmer
LOCATION: 13 Park Avenue, Walton, Kentucky
ZONING: Suburban Residential One (SR-1)
DATE: September 25, 2007

Proposal

The applicants are requesting a variance to reduce the 5 foot minimum side yard setback requirement. The subject property is 0.5771 acres in area and is located at 13 Park Avenue, Walton, Kentucky.

The submitted Concept Development Plan shows that an approximate 61' x 15' addition is being proposed on the western facade of the house. The proposed addition will be located approximately 2.5 feet from the side property line.

Applicable Regulations

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board 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.

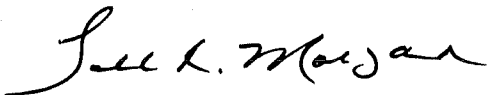
Staff Comments

1. Boone County Department has informed Staff that the gutters and overhangs of the addition will need to be located at least 3 feet from the property line. Any part of the addition closer than 3 feet from the property line will need to be fire rated.
2. Staff would like the applicants to address if the building addition could be relocated into the rear yard.
3. The Board of Adjustment needs to determine if the reduced setback will alter the essential character of the area.

Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Walton Board of Adjustment and Zoning Appeals the authority to grant the applicant's request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/pr

Attachments

- *Site Vicinity Map
- *Concept Plan
- *Elevation Drawings
- *Aerial Map
- *Zoning Map
- *Application

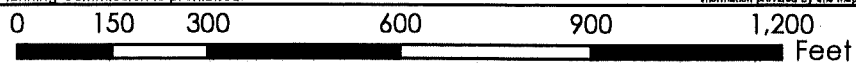
Site Vicinity Map

www.boonecountygis.com

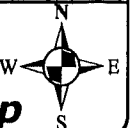


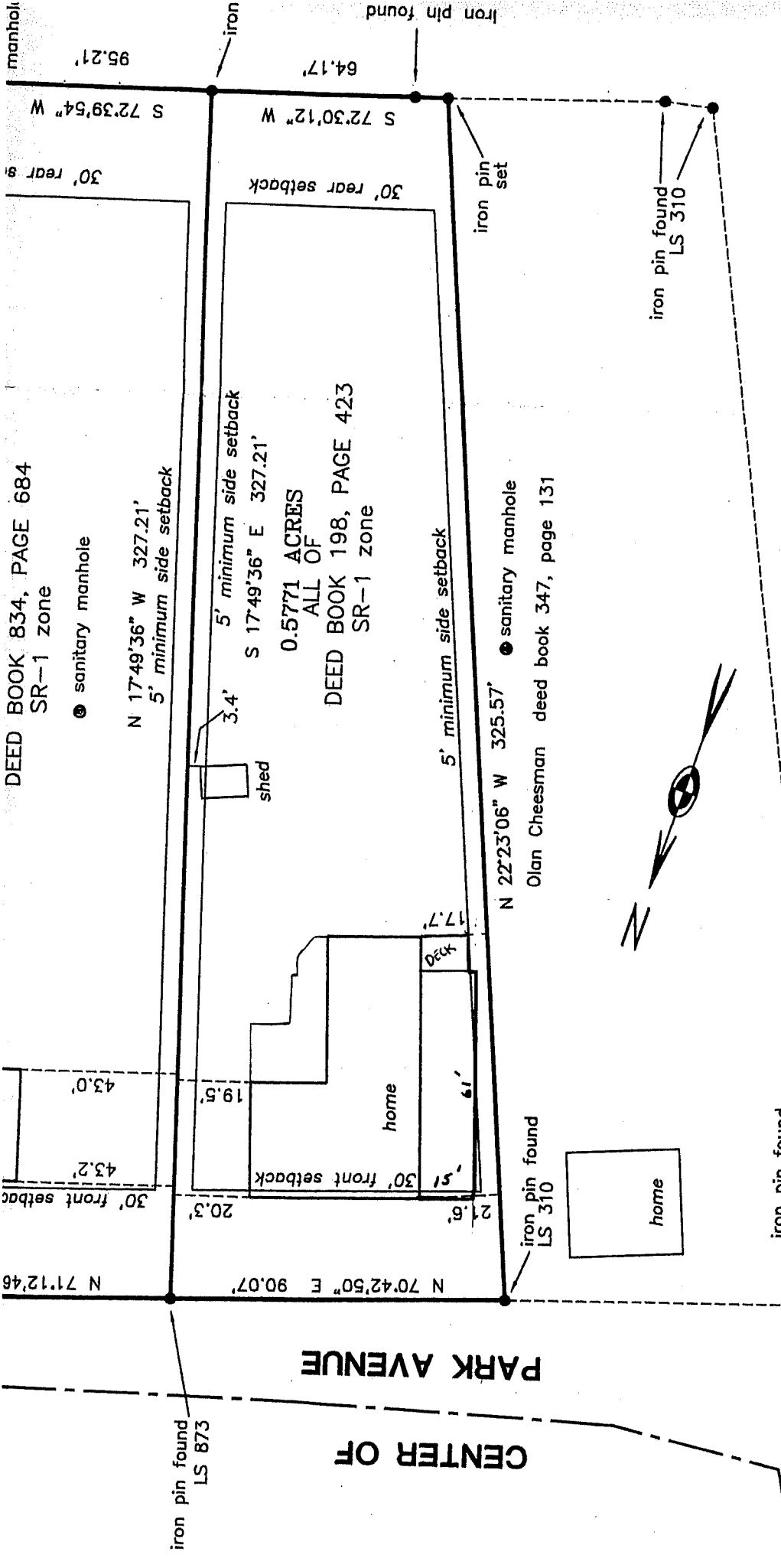
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Boone County GIS - Putting Northern Kentucky on the Map





LAND SURVEYOR CERTIFICATE

I, J. P. CAHILL, A REGISTERED LAND SURVEYOR IN THE STATE OF KENTUCKY, HEREBY CERTIFY THAT THE SURVEY OF THE KELLY FULLER PROPERTY WAS MADE BY ME OR PERSONS UNDER MY DIRECT SUPERVISION AND THAT THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SURVEY THEREOF. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE AND THE UNADJUSTED ERROR OF CLOSURE IS GREATER THAN 1:10000 THIS CLASS "A" SURVEY

J. P. CAHILL L. S. #2709
J. P. Cahill
 4/13/07

DATE

RECEIVED
 AUG 15 2007
 BOONE COUNTY
 PLANNING COMMISSION

Scale 1" = 40'

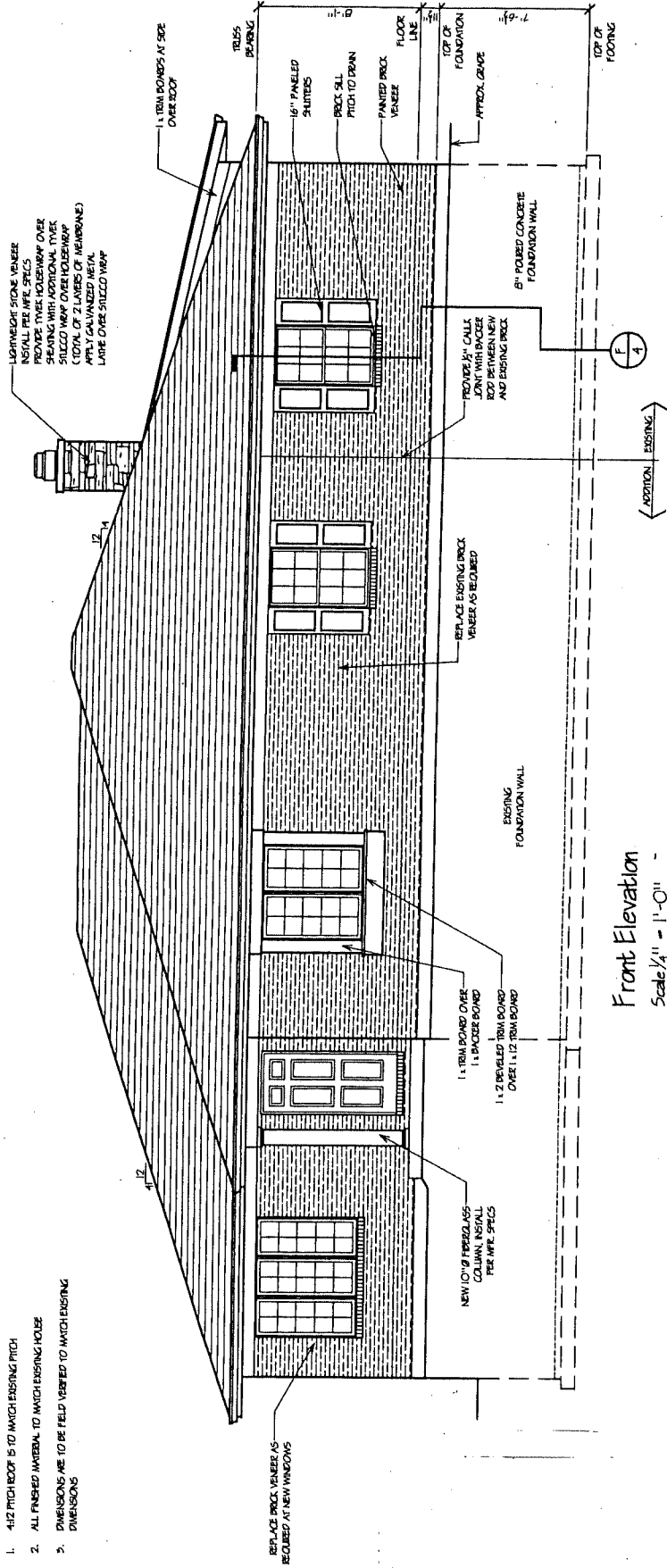
LEGEND

- 1/2" DIAMETER, 18" LONG IRON PIN SET WITH PLASTIC CAP STAMPED "2709 3612"
- UNLESS OTHERWISE NOTED

STATE OF KENTUCKY
 JOSEPH P. CAHILL
 2709
 LICENSED PROFESSIONAL LAND SURVEYOR

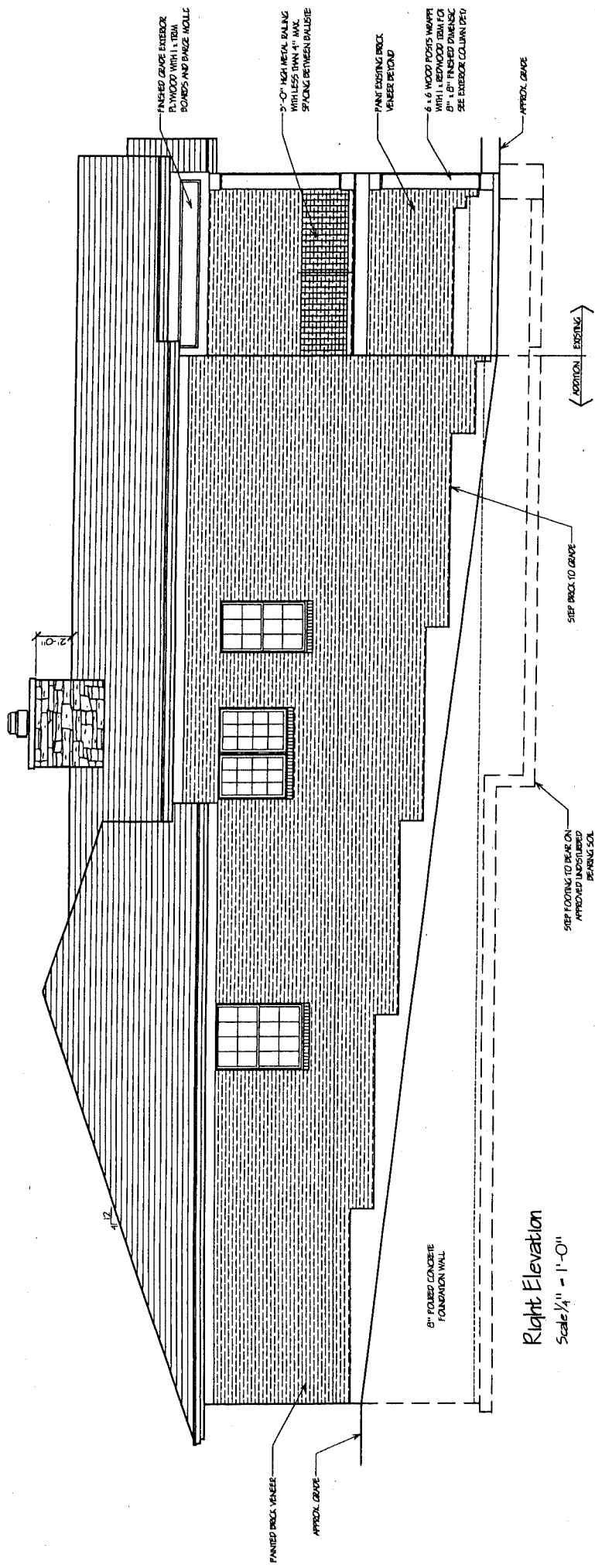
Notes:

1. 4:12 PITCH ROOF IS TO MATCH EXISTING PITCH
2. ALL FINISHED MATERIAL TO MATCH EXISTING HOUSE
3. DIMENSIONS ARE TO BE FIELD VERIFIED TO MATCH EXISTING DIMENSIONS



Front Elevation
Scale 1/4" = 1'-0"

ZERO CLEARANCE CHIMNEY



FINISHED GRADE EXTERIOR
PLYWOOD WITH 1/2" T&G
BOARDS AND DAZZ MOLLIE

3"-0" HIGH METAL RAILING
NO LESS THAN 4" MAX.
SPACING BETWEEN RAILS

PAINTE EXISTING BRICK
VENEER DETAIL

6-16 WOOD POSTS NAILER
WITH 1" REDWOOD T&G CO
8" x 16" FINISHED DIMENSIO
SEE EXTERIOR COLUMN DETO

APPROX. GRADE

12'-0"

4'-12"

ADDITION EXISTING

STEP BRICK TO GRADE

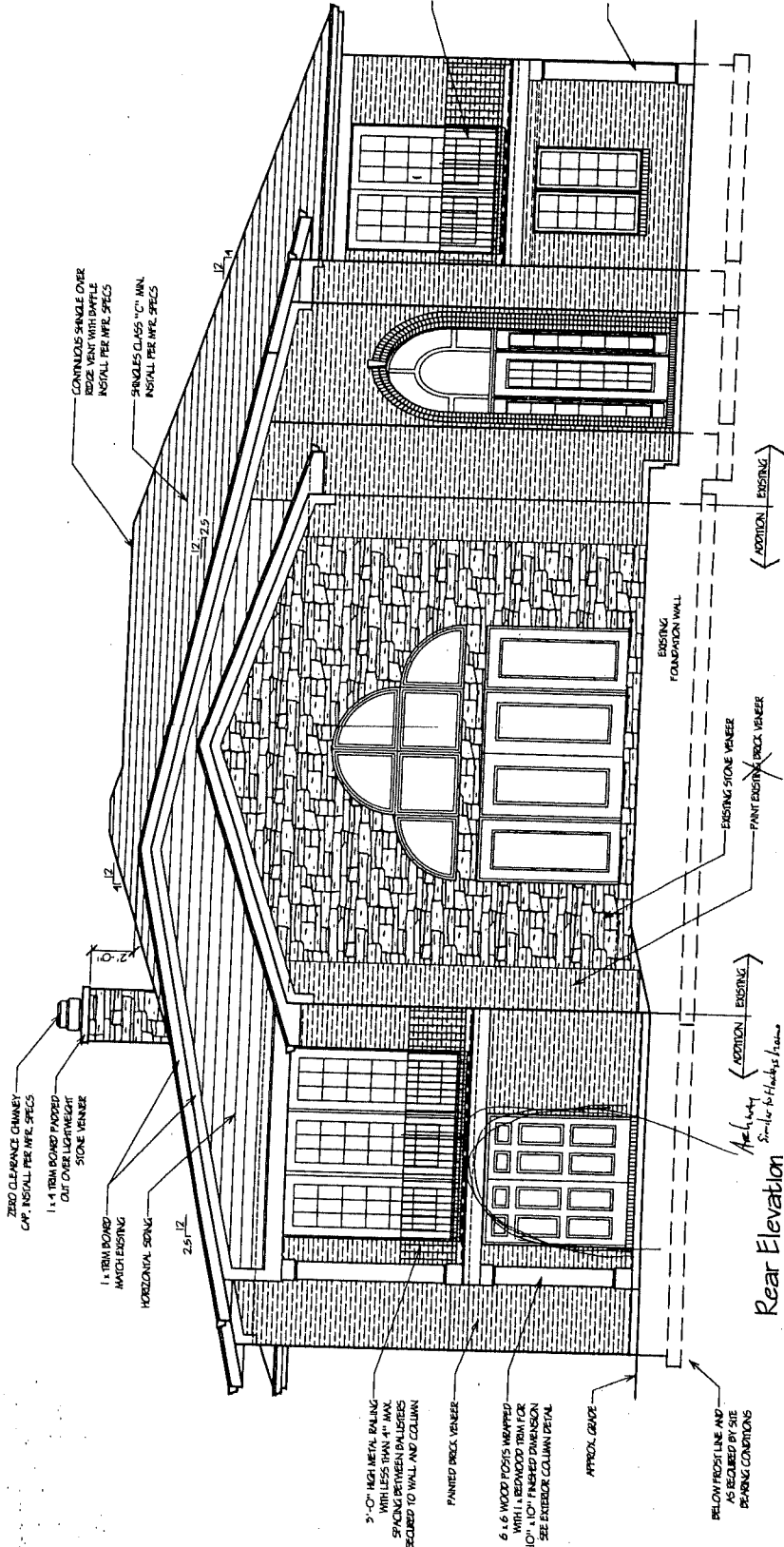
STEP FOOTING TO BE ON
APPROXIMATE
BEARING SOL

8" POLISHED CONCRETE
FOUNDATION WALL

PAINTED BRICK VENEER

APPROX. GRADE

Right Elevation
Scale 1/4" = 1'-0"



ZERO CLEARANCE CHIMNEY CAP, INSTALL PER MFR. SPECS

1 x 4 TRIM BOARD PAIRED OUT OVER ALL EXISTING STONE VENEER

1 x TRIM BOARD MATCH EXISTING HORIZONTAL Siding

2 1/2" x 1/2"

CONTINUOUS SHINGLE OVER ROOF VENT WITH RAFFLE INSTALL PER MFR. SPECS

SHINGLES CLASS 1" x 10" MIN. INSTALL PER MFR. SPECS

2" x 4" HIGH METAL BRACING UNLESS THAN 4" ON SPACING BETWEEN BRACES SECURED TO WALL AND COLUMN

PANNELED BRICK VENEER

6 L 6 WOOD POSTS WEATHERED WITH 1 x 2 BOARD TRIM FOR 10" x 10" FINISHED DIMENSION SEE EXTERIOR COLUMN DETAIL

APPROX. GRADE

BELOW FROSTLINE AND AS REQUIRED BY SITE BEARING CONDITIONS

EXISTING FOUNDATION WALL

EXISTING STONE VENEER

PAINT EXISTING BRICK VENEER

Architect
Similar to House #1000

Rear Elevation
Scale 1/4" = 1'-0"

EXISTING

EXISTING

ADDITION

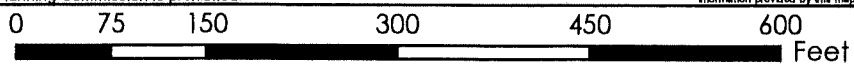
Aerial Map

www.boonecountygis.com



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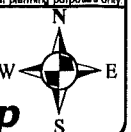
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1 inch equals 150 feet

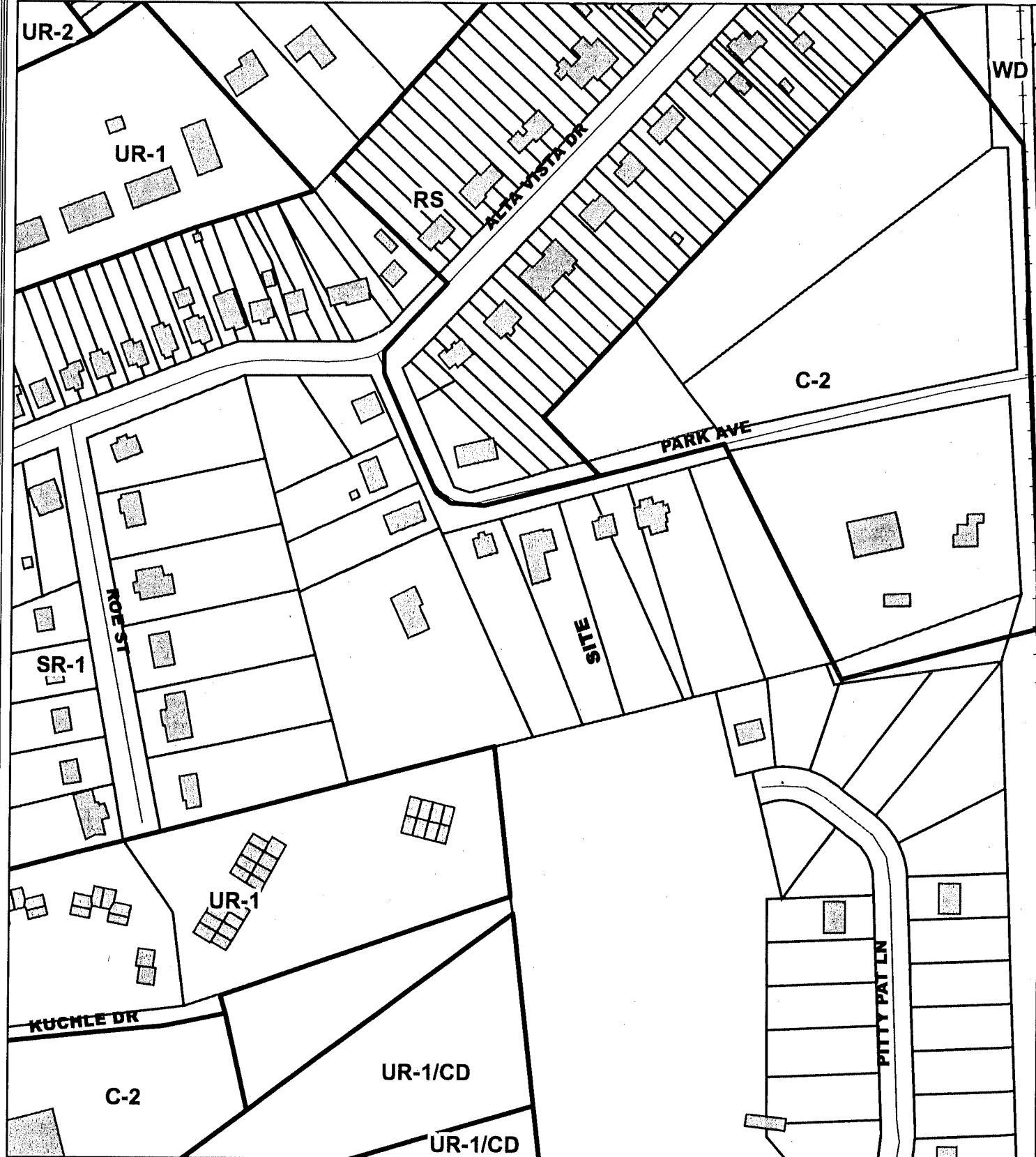


Boone County GIS - Putting Northern Kentucky on the Map



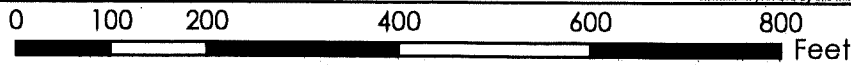
Zoning Map

www.boonecountygis.com



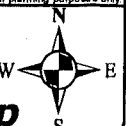
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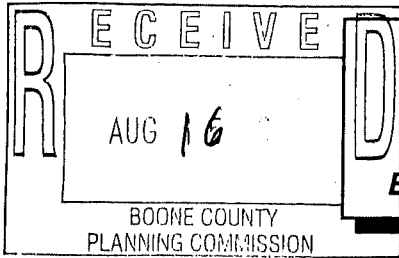


1 inch equals 200 feet

Boone County GIS - Putting Northern Kentucky on the Map



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 [X] Walton Union
2. (Check One) Conditional Use Permit [X] Variance Appeal
3. Applicant's Name, Phone Number, Applicant's Address
4. Description of Request: VARIANCE TO ALLOW FOR A 2.5 FOOT SET BACK...
5. Name of Development
6. Location of Development
7. Acreage Under Review
8. Lot Number and Name of Subdivision
9. Owner of Property, Address of Property Owner
10. City, State, Zip
11. Proposed Use(s) on Site
12. Total Square Footage of Existing and/or Proposed Buildings
13. Current Zoning on Property
14. Deed Book, Page No., Group No.
15. Is the site subject to a zone change?
16. Have you submitted a Site Plan with this request?
17. Have you submitted a list of adjoining property owners with this request?
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]

(over)

COPY

CLUR #07-WBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Frances Wireman
13 Park Avenue
Walton, KY 41094
2. ADDRESS OF PROPERTY
13 Park Avenue
Walton, KY 41094
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

4. DEED BOOK 198 PAGE NO. 423 GROUP NO. 2079
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)
- X 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

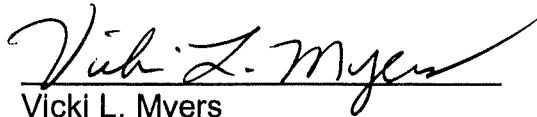
Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

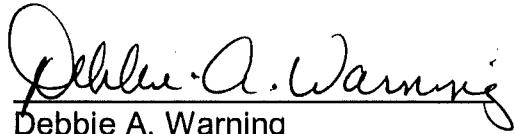
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 26 day of September, 2007.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2011

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
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 Walton Board of Adjustments and in accordance with the current zoning in effect as of 2007 Certificate of Land Use Restriction (#07-WBOA-001-A), for Frances Wireman, Property Owner(s).

The following conditions will apply:

No conditions.

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

DEED BOOK 198

PAGE NO. 423

GROUP NO. 2079