

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 _____ X Walton _____ Union _____
2. (Check One) X Conditional Use Permit _____ X Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name Dennis S. Flynn
Phone Number 485-7179
Applicant's Address 13478 Service Road
Walton KY 41094
City State Zip
4. Description of Request: Applicant is seeking conditional use permit for a duplex in an SR-1 zone. AND FRONT YARD SETBACK VARIANCE
5. Name of Development N/A.
6. Location of Development 5 Plum Street, Walton, Kentucky 41094.
7. Acreage Under Review 13,088 square feet.
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lots 16, 17 and 18 of Fairview Addition to the City of Walton.
9. Owner of Property Dennis S. Flynn
Phone Number 485-7179
10. Address of Property Owner 13478 Service Road
Walton KY 41094
City State Zip
11. Proposed Use(s) On Site Conversion of 65 year old single family two story house to duplex.
12. Total Square Footage of Existing and/or Proposed Buildings
Building measures 42 feet 4 inches long by 26 feet 3 inches wide (in excess
13. Current Zoning on Property SR-1 of 1,100 square feet).
14. Deed Book 395 Page No. 105 Group No. 357
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: Dennis S. Flynn
19. Property Owner's Signature: Dennis S. Flynn
Pauline E. Flynn

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 7-14-89
2. Fee Received \$181.00 + \$50.00 FOR VAR
3. Is application complete? Yes No
4. Staff Reviewer Paul R. Miller
5. Scheduled Board Action Date Aug. 18, 1989
6. Board Action:
 Approval
 Approved With Conditions (See #7)
 Disapproved (See #8)
7. Conditions: _____

8. Reasons For Disapproval: _____

BCPC:7/11/88

CITY OF WALTON
BOARD OF ADJUSTMENT

August 10, 1989 - 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Earl Abshire, Acting Chairman
Mr. Maynard Meadows

BOARD MEMBERS ABSENT:

Chairman Wally Wireman

LEGAL COUNSEL PRESENT:

Mr. Larry Dillon (Rouse, Skees, Wilson, and Dillon)

The meeting was called to order by Acting Chairman, Earl Abshire at 6:30 P.M.

Mr. Abshire noted that each member had received a copy of the Minutes of the Walton Board of Adjustment Meeting of July 13, 1989 and asked if any corrections needed to be made. None were noted.

A motion was made by Mr. Meadows that the minutes be approved as written. Mr. Abshire seconded the motion and it carried unanimously.

AGENDA ITEM:

1. Request of Dennis S. Flynn for a Conditional Use Permit and a Variance to allow the construction of a two story residential duplex; and a reduction in the required front yard building setback line. The 0.3 acre site is located at 5 Plum Street, Walton, Kentucky. The property is zoned Suburban Residential One (SR-1) and is owned by Dennis S. and Paulene E. Flynn.

Staff Member, Paul Miller, introduced Mr. Larry Dillon from Rouse, Skees, Wilson, and Dillon. Mr. Dillon is our legal representative during Mr. Dale Wilson's absence.

Mr. Miller presented the Staff Report which included a slide presentation (see Staff Report). Mr. Miller explained that a duplex in the SR-1 zoning district is conditionally allowed, therefore, the request for the Conditional Use Permit. He further explained that because the unit is changing from a single-family dwelling unit to a multi-family dwelling unit, the current setback requirements

=====

have to be reviewed. The unit does not meet the front yard setback requirements, therefore, a Variance is being sought. Mr. Miller stated that parking will be behind the duplex and would have to be paved when construction is complete. Mr. Miller quoted Page 2, second paragraph of the Staff Report, "...the proposed duplex will be harmonious and in accordance with the general objectives of the County's Comprehensive Plan."

Mr. Abshire stated that he noticed in the slide presentation and from a visit to the site that the existing homes in the area are in line with this site under review. He feels that requiring the applicant to move the home back in order to meet setback requirements as stated in the Boone County Zoning Regulations would create an unnecessary hardship and, in fact, create more non-conformity than granting the Variance and leaving the house as it is.

Mr. Abshire inquired if we knew who the owner is of the vacant lot.

Mr. Miller stated that all adjoining property owners were notified of the request and that the list of adjoining property owners is on file.

Mr. Asa Rouse stated that the property owner is Ms. Shadler.

Mr. Abshire introduced Mr. Asa Rouse as a property owner to the north of the site and inquired whether he had any objections to the request.

Mr. Rouse stated that he did not have any objections. In fact, he is pleased that Mr. Flynn has purchased the house. He stated that the owners that had lived at the site previously were very nice, however, the outside was always cluttered and a mess. Mr. Rouse further stated, for the record, that it would be his desire that Mr. Flynn purchase Jesse Green's place. He feels certain that Mr. Flynn will keep up the appearance of the duplex. Mr. Rouse stated that he has inspected a site in Kenton County which Mr. Flynn has purchased and renovated. Mr. Rouse stated that he is sure that the improvements Mr. Flynn will make to this site will vastly improve the neighborhood and he is all in favor of both requests. Mr. Rouse has spoken with Tom Polan who is also in agreement with the use.

Mr. Meadows asked Mr. Flynn if he would allow any parking in the front.

Mr. Flynn stated that there would be a designated parking area and that anyone visiting the site would have to use this parking area.

Mr. Meadows asked how the tenants would enter the units.

Mr. Flynn stated that the downstairs unit can be entered either through the front door or a back door. The upstairs will have a stairway entrance in the back. Mr. Flynn stated that he is considering not placing any access (walkway) to the front porch area in order to avoid having people stop in the driveway to walk to the front door. He intends to make it clear that all parking is to be in the parking area behind the duplex.

=====
Mr. Miller stated that he has a letter from one of the adjoining property owners, Mr. Willie Mathis, Jr., written to Chairman Wireman stating that he has no objections to the request.

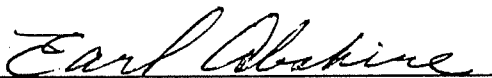
Mr. Abshire asked Mr. Phil Trzop if the City has any objections or statements pertaining to this request.

Mr. Trzop stated that the City has no problems with the request.

Mr. Meadows made a motion that the Conditional Use Permit and the Variance both be granted as presented. Mr. Abshire seconded the motion and it carried unanimously.


There being no further business to come before the Board, the meeting was adjourned by unanimous consent at 6:43 P.M.

APPROVED:



EARL ABSHIRE
ACTING CHAIRMAN

ATTEST:



JOY D. HACKER
SECRETARY