

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 ANNELIESE K. WAHRENBURG
Phone Number (606) 485-7203
Applicant's Address 184 N. MAIN STREET
WALTON KY 41094
City State Zip
- 4. Description of Request: FRONT YARD VARIANCE
- 5. Name of Development ANNELIESE'S
- 6. Location of Development 184 N. MAIN STREET WALTON
- 7. Acreage Under Review 0.28
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
- 9. Owner of Property ANNELIESE WAHRENBURG
Phone Number 485-7203
- 10. Address of Property Owner 184 N. MAIN
WALTON KY 41094
City State Zip
- 11. Proposed Use(s) On Site ADD A BARRAGE
- 12. Total Square Footage of Existing and/or Proposed Buildings
2275 sq' 270 sq'
- 13. Current Zoning on Property C-2 (current)
- 14. Deed Book 288 Page No. 319 Group No. D.B.
- 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. Applicant's Signature: Annaliese Wahrenburg
- 19. Property Owner's Signature: Annaliese Wahrenburg

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 8-4-89
2. Fee Received \$191.00 (CHECK FEE!)
3. Is application complete? Yes No
4. Staff Reviewer _____
5. Scheduled Board Action Date _____
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: Anneliese's Art Studio and residence

APPLICANT: Anneliese K. Wahrenburg

LOCATION: 184 N. Main Street, Walton

ZONING: Commercial Two (C-2)

DATE: Thursday, August 24, 1989, 6:00 P.M.

REMARKS:

The applicant is requesting a front yard Variance to allow the construction of an attached garage. The 0.28 acre site, located on the east side of U.S. 25 on the north side of Walton, is zoned Commercial Two (C-2) and is owned by Anneliese K. Wahrenburg.

The Boone County Zoning Regulations require a 75 foot (minimum) front yard setback for developments in C-2 zoning districts. Since the applicant's house/studio is already 41 feet from U.S. 25, any further encroachments on the required setback must be through approval of a Variance only. The applicant is requesting a reduced front yard setback to allow the construction of an attached garage approximately 33 feet from Main Street. Thus, a Variance of 8 feet is requested.

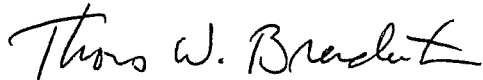
The Board must use certain standards when reviewing Variance applications. First, Staff does not believe that granting the Variance would adversely affect the public health, safety a welfare, would alter the essential character of the general vicinity, would cause a hazard or a nuisance, or would allow the circumvention of the requirements of the zoning regulations. The Board must also consider:

- a. The requested Variance arises from the special circumstance of the arrangement of the studio in relationship to the lot lines. In other words, the house is too close to the side property lines to allow a reasonable addition onto the side or rear of the building. The most logical area to expand the garage is to the front of the house.
- b. The strict application of the setback requirement would prevent the applicant from building onto the front of the house.
- c. The special circumstance of the location of the house in relationship to the side property lines is not the result of the actions of the applicant.

STAFF REPORT - ANNELIESE K. WAHRENBURG
PAGE TWO
AUGUST 24, 1989

Attached is a plat of the property prepared by the applicant. Note that the drawing indicates that the new garage will actually bring the setbacks more in line with those of the adjacent structures. At this writing, Staff has no suggested conditions should the Variance be approved.

Respectfully submitted,



Thomas W. Breidenstein,
Zoning Enforcement Officer

TWB:kat

Bill and Sandy Slomer
182 N. Main Street
Walton, Kentucky
41094

Porch

26'6"

33'

GARAGE

Proposed
GARAGE

33'

ANNELEISE WAHRENBURG
ANNELEISE'S ART STUDIO
184 NORTH MAIN STREET
Walton, Kentucky
41094

44'9"

Studio

Entry

41'1"

DAVID AND RITA DUE
COLONIAL PRESS PRINTERS
186 N. MAIN STREET
Walton, Kentucky
41094

31'

Southern Railway Line

U.S. 25

JAMES ...
12781 Dixie Highway
Walton, Kentucky 41094
(Farm)

CITY OF WALTON
BOARD OF ADJUSTMENT

August 24, 1989 - 6:00 P.M.

BOARD MEMBERS PRESENT:

Chairman Wally Wireman
Mr. Earl Abshire
Mr. Maynard Meadows

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

The meeting was called to order by Chairman, Wally Wireman at 6:10 P.M.

Chairman Wireman noted that each member had received a copy of the Minutes of the Walton Board of Adjustment Meeting of August 10, 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. Mr. Wireman abstained from the vote due to his absence at that meeting.

AGENDA ITEM:

1. Request of Anneliese K. Wahrenburg (owner) for a front yard Variance to allow the construction of an attached garage. The 0.28 acre site, located on the east side of U.S. 25 on the north side of Walton, is zoned Commercial Two (C-2).

Staff Member, Tom Breidenstein, presented the Staff Report which included a slide presentation (see Staff Report). The applicant's house is located at 184 N. Main St. between a single-family home and the Colonial Printer's. The addition to the front will bring her site more in line with the neighbors. The use for the garage is for personal use. The current Zoning Regulations require a 75 foot front yard setback in the C-2 zoning district, however, none of the properties in the area meet that requirement. Currently, the front part of her house is 41 feet from U.S. 25. The garage would create a 33 foot setback from U.S. 25.

Chairman Wireman inquired if the neighbors had been notified and if any had commented on this request.

Mr. Breidenstein stated that the adjoining property owners were notified and that Ms. Rita Due, owner of Colonial Printers, had called to state that the garage is fine with her.

=====

Ms. Wahrenburg stated that the neighbor on the opposite side spoke to her and stated that he did not have any problem with the garage.

Chairman Wireman inquired if a car could still be parked outside the garage without blocking a sidewalk or anything.


Mr. Breidenstein stated that there would be plenty of room and that there is a parking area for customers.

Chairman Wireman inquired if there were any questions from the Board members or audience. None were noted.

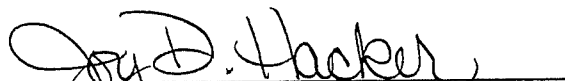
Mr. Meadows made a motion that the Variance be granted as presented. Mr. Abshire seconded the motion and it carried unanimously.

There being no further business to come before the Board, the meeting was adjourned by unanimous consent at 6:30 P.M.

APPROVED:


WALLY WIREMAN
CHAIRMAN

ATTEST:


JOY D. HACKER
SECRETARY