

REVIEW NO. \_\_\_\_\_

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 Burlington Estates, INC.  
Phone Number 586-7583  
Applicant's Address 3180 Burlington Pike  
Burlington, Kentucky 41005  
City State Zip
- 4. Description of Request: Variance of the 30 foot building setback to 28 feet and a variance of the side yard from 5 feet minimum, total 15 feet to 2 foot minimum, total 15 feet.
- 5. Name of Development Chris Chad Subdivision, Section Three
- 6. Location of Development Lot 6, Ashwood Drive, Walton, Kentucky
- 7. Acreage Under Review 0.36 acres
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
Lot 6, Chris Chad Subdivision, Section Three
- 9. Owner of Property Burlington Estates, Inc.  
Phone Number 586-7583
- 10. Address of Property Owner 3180 Burlington Pike  
Burlington, Kentucky 41005  
City State Zip
- 11. Proposed Use(s) On Site Single Family Residential
- 12. Total Square Footage of Existing and/or Proposed Buildings  
1,209 sq. ft.
- 13. Current Zoning on Property SR - 1
- 14. Deed Book 423 Page No. 246 Group No. 1678
- 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: \_\_\_\_\_
- 19. Property Owner's Signature: \_\_\_\_\_

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 3-22-91
2. Fee Received \$ 366.00 R 4307
3. Is application complete?  Yes  No
4. Staff Reviewer Amy Moore
5. Scheduled Board Action Date April 17, 1991
6. Board Action:  
 Approval  
 Approved With Conditions (See #7)  
 Disapproved (See #8)
7. Conditions: (Front yard variance) approved, but  
side yard variance not approved.
8. Reasons For Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## STAFF REPORT

DEVELOPMENT: Chris-Chad Subdivision

APPLICANT: Burlington Estates, Inc.

LOCATION: 246 Ashwood Drive (lot #6 of Chris-Chad Subdivision),  
Walton, Kentucky

ZONING: Suburban Residential-One (SR-1)

DATE: April 17, 1991

REMARKS:

The applicant is requesting two Variances for an existing 1,209 square foot single-family house. One Variance is to reduce the minimum front yard setback from 30 feet to 28 feet and the second Variance is to reduce the minimum side yard setback from 5 feet to 2 feet. The 0.36 acre site is located at 246 Ashwood Drive (lot #6 of Chris-Chad Subdivision), Walton, Kentucky. The property is zoned Suburban Residential-One (SR-1) and is owned by Burlington Estates, Inc.

A building permit for the existing single-family structure was issued to Burlington Estates on November 25, 1986. The plot plan indicates that the house should have been built with a front yard setback of 30 feet and side yard setbacks of approximately 8 feet and 20 feet.

Table #1, Dimensional Standards, of the 1990 Boone County Zoning Regulations indicates that the minimum front yard setback in a SR-1 zoning district is 30 feet and the minimum side yard setback is 5 feet but both side yard setbacks must equal at least 15 feet.

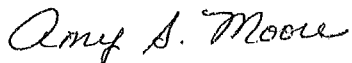
The following reviews the eight criteria the Board must use to judge each variance request:

1. If the Variances are granted, they would not adversely affect the public health, safety or welfare.
2. The Variances will not alter the essential character of the general vicinity.
3. The Variances will not cause a hazard or a nuisance to the public.
4. The Variances will not allow an unreasonable circumvention of the requirements of the zoning regulations.
5. The requested Variances do 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 not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.
8. 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 regulations from which relief is sought.

Attached to this report is a copy of the plot plan submitted with the building permit application in 1986 and a drawing illustrating the present location of the existing residential structure.

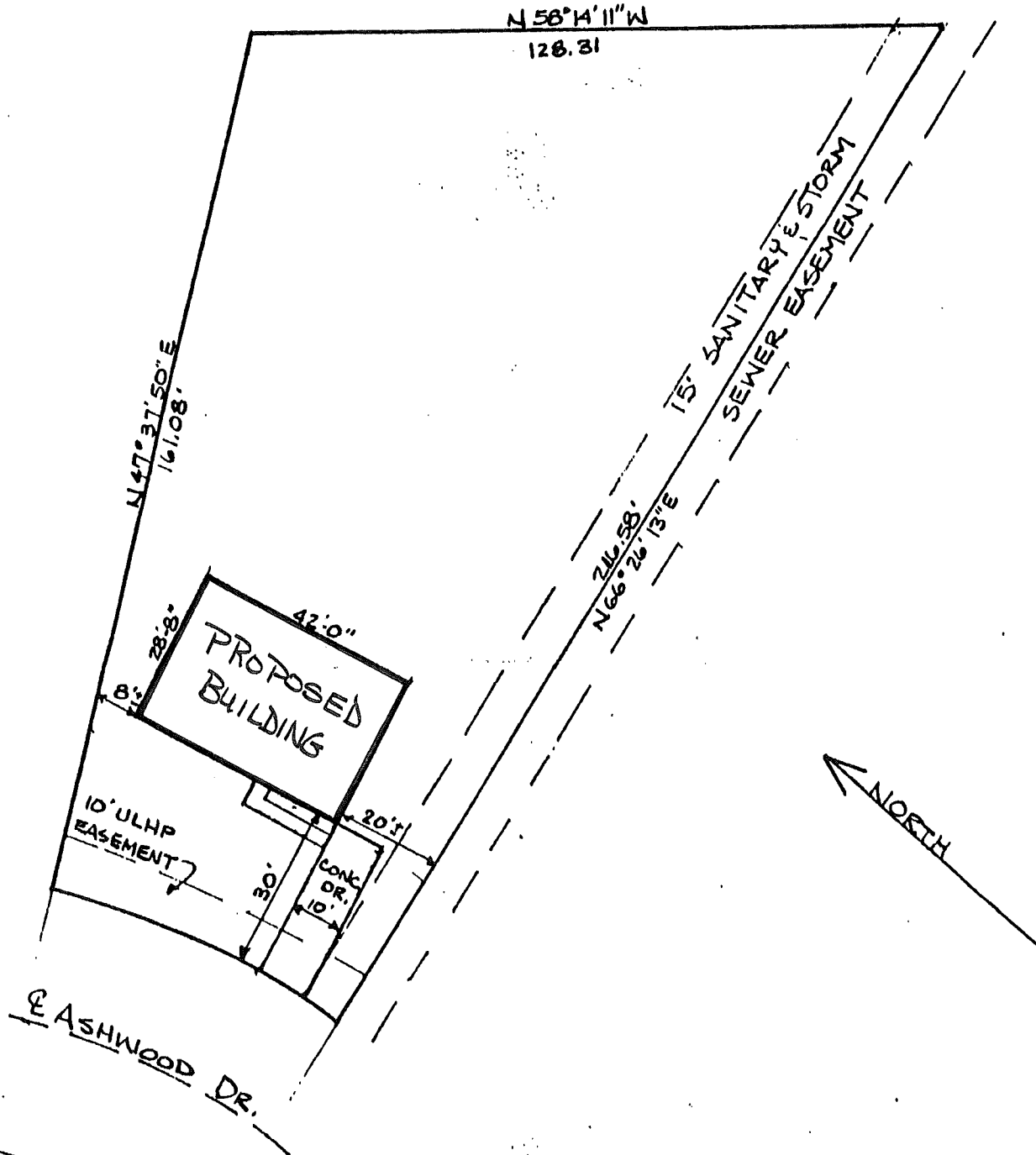
Respectfully submitted,

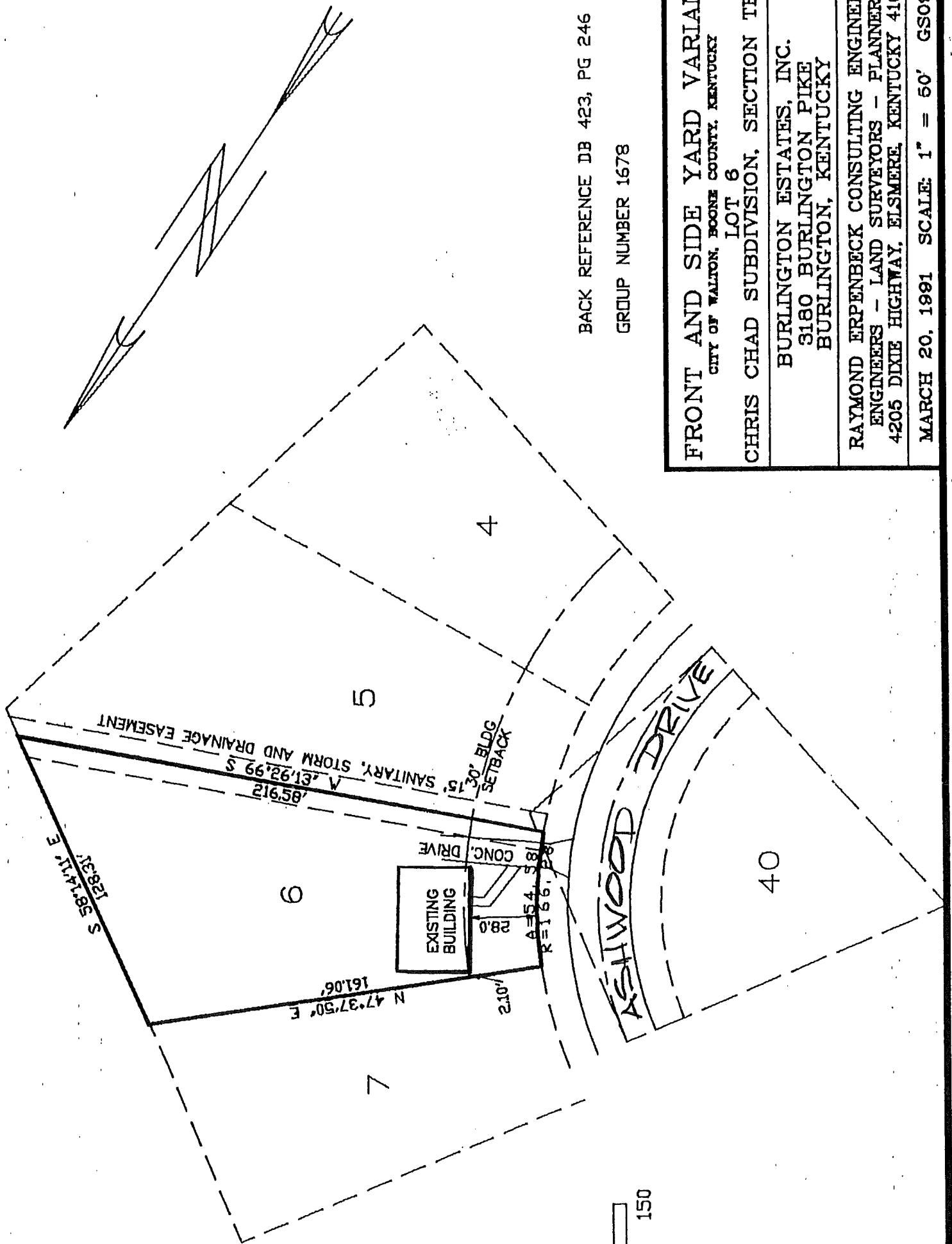


Amy S. Moore  
Planner I

ASM:kat

PLOT PLAN  
LOT 6  
CHRIS-CHAD SUB'D.  
WALTON, KY.  
SECTION THREE





BACK REFERENCE DB 423, PG 246

GROUP NUMBER 1678

150

FRONT AND SIDE YARD VARIANCE  
CITY OF WALTON, BOONE COUNTY, KENTUCKY

LOT 6

CHRIS CHAD SUBDIVISION, SECTION THREE

BURLINGTON ESTATES, INC.  
3180 BURLINGTON PIKE  
BURLINGTON, KENTUCKY

RAYMOND ERPENBECK CONSULTING ENGINEERS  
ENGINEERS - LAND SURVEYORS - PLANNERS  
4205 DIXIE HIGHWAY, ELSMERE, KENTUCKY 41018

MARCH 20, 1991 SCALE: 1" = 50' GS0904