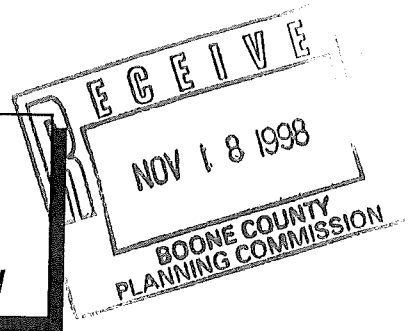


APPLICATION FORM

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
 Change in Non-Conforming Use
3. Applicant's Name JACKIE SANDERS
Phone Number 485-4019 Fax No.
Applicant's Address 14 LOCUST
WALTON KY 41097
City State Zip
4. Description of Request: PERMIT 60' LOT FRONTALAGE FOR TWO
LOTS IN SR-1 ZONE INSTEAD OF 65'
5. Name of Development
6. Location of Development SANDERS AVENUE
7. Acreage Under Review
8. Lot Number and Name of Subdivision (if part of a subdivision)
LOT 11 SANDERS SUBDIVISION
9. Owner of Property JACKIE SANDERS
Phone Number of Owner 485-4019 10.
Address of Property Owner WALTON KY 41097
City State Zip
11. Proposed Use(s) on Site HOME
12. Total Square Footage of Existing and/or Proposed Buildings 990 SQ FT
13. Current Zoning on Property RESIDENTIAL
14. Deed Book 241 Page No. 22 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: JACKIE SANDERS

Property Owner's Signature: JACKIE SANDERS

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 11-18-98 Fee Received \$438.00 R# 18795
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

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: Jackie Cordray

DEVELOPMENT: Jackie Cordray

LOCATION: Lot 10 and Lot 11 of the Sanders Subdivision, Sanders Drive, Walton, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: December 15, 1998

Proposal

The applicant is requesting a Variance to allow a 5' reduction of the required 65' lot frontage for two lots in a Suburban Residential One (SR-1) zoning district. Presently Lot 10 fronts onto Sanders Drive and Lot 11 is adjacent to the east of Lot 10 with no frontage onto Sanders Drive. A "Paper Street" is located immediately north of both lots and a "Paper" alley is immediately south of both lots. The railroad runs along the east of Lot 11. The applicant is requesting the Variance in order to create two lots both with lot frontage onto Sanders Drive.

Boone County Zoning Regulations

The Boone County Zoning Regulations requires a 65' minimum lot frontage for any lot located in a Suburban Residential One (SR-1) zoning district. The Boone County Zoning Regulations also requires that the minimum lot size in a Suburban Residential zoning district be 8,000 Square feet. Therefore, these two lots will each need to be at least 8,000 square feet in size.

Dimensional Variance

A Variance is defined as a departure from 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 K.R.S. 100.241 to 100.47.

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 reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same zone. The dimensional terms pertaining to height, width and location involve such items as structures, parking space stalls, driveway aisles, 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 Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a Variance to reduce the front yard setback for the two proposed lots located at Lot 10 and Lot 11 of the Sanders Subdivision, Sanders Drive, Walton, Kentucky.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Variance, stated in Article 2, Section 251 of the Boone County Zoning Regulations.

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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider whether:

- 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 of 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 regulations from which relief is sought.

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 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,

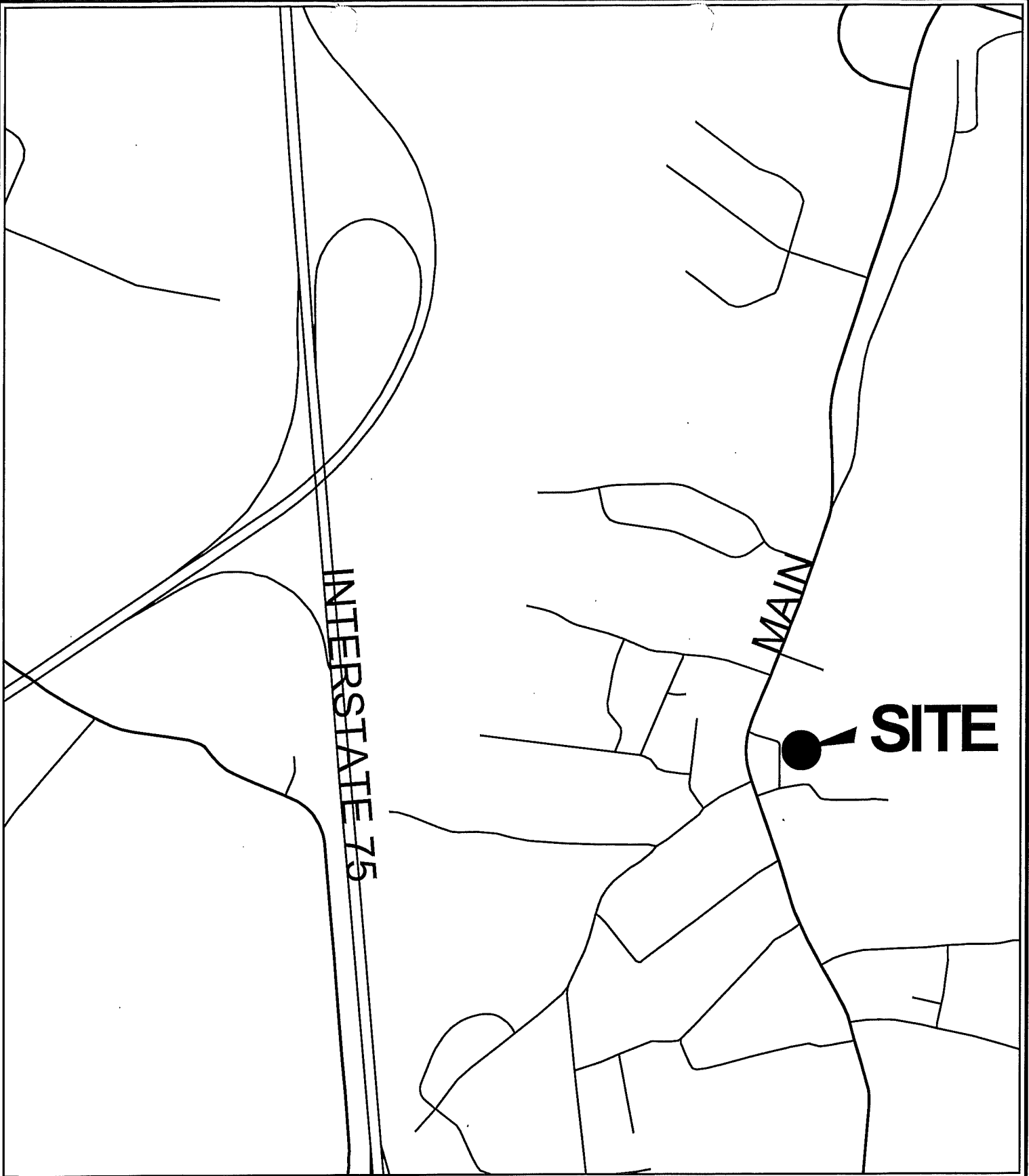


David R. Doerger
Planner

DRD\pr

Attachments

- Vicinity Map
- Plat Map
- Survey Map
- Proposed Plot Plan

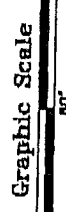
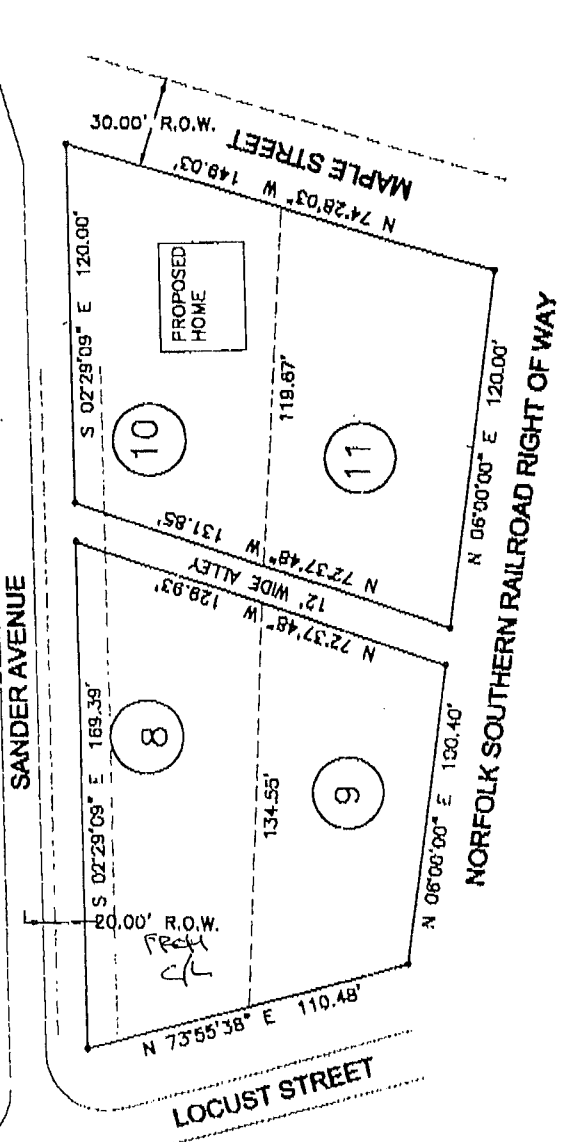
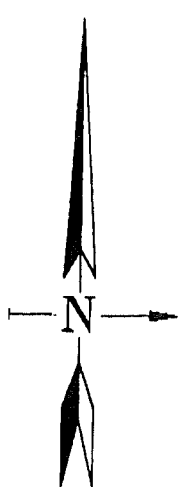


VICINITY MAP



1 inch equals 1000 feet
Produced by the
Boone County Planning Commission
GIS Services Division
December 8, 1998

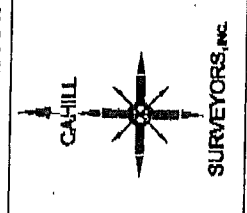




JACK CORDRAY TO

SURVEY FOR CONVEYANCE

DATE:	DATE	BOONE COUNTY
SCALE:	1" = 50'	DRAWING NUMBER
DRAWN BY:	C.C.B.	96141JC
REVISED:		
CITY OF WALTON, ON EAST SIDE OF SANDERS AVE 145 FEET NORTH OF LOCUST STREET		
CAHILL SURVEYORS, INC. 12 NORTH MAIN ST., P.O. BOX 377, DRY RIDGE, KY 41035		



SR-1

COPY

CLUR # 98-WBOA-003-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Jackie Cordray
14 Locust
Walton, Kentucky 41094

2. ADDRESS OF PROPERTY

Lot 10 & 11 Sanders Ave
Walton, Kentucky 41094

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

DEED BK.: 341

PAGE NO.: 23

GROUP NO.: 2080

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

Zoning Map Amendment: Conditional Use Permit
From To

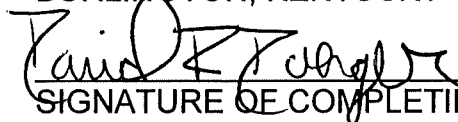
Development Plan Conditional Zoning

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

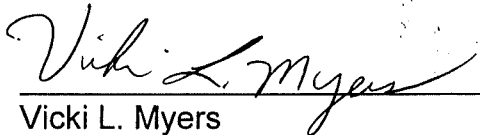

SIGNATURE OF COMPLETING OFFICIAL

David Doerger, Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

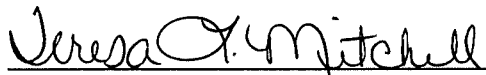
Subscribed, sworn to, and acknowledge before me by David Doerger, on behalf of the
Boone County Planning Commission this 4th day of January, 1999.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 1999

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 Walton Board of Adjustments and in accordance with the current zoning in effect as of December 15, 1998 Certificate of Land Use Restriction (# 98 WBOA-003-A), for Jackie Cordray, 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 341 PAGE NO. 23 Group No. 2080