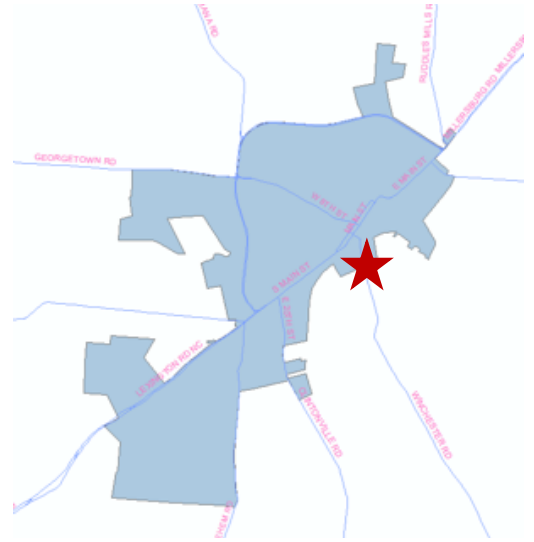


# Staff Report

Bourbon County Joint Planning Office  
City of Paris Board of Adjustment Meeting:  
July 25, 2017

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**Case Number:** VAR 17-06  
**Applicant:** Dwight Guy  
**Location:** 700 Link Ave.  
**Request:** Side setback variance of six (6) inches  
**Zoning:** Residential (R-3)  
**Application Date:** July 3, 2017  
**Legal Advertisement:** July 12, 2017



## Proposal:

Applicant requests a side setback variance of 6 inches to build 12' x 24' shed.

## Background:

Parcel # 026-50-26-010.00

Owner: Dwight & Keena Guy

Parcel Size: .15 acres

Existing Structures: Single family dwelling.

Front Setback: Approx. 20 ft

Applicant has not obtained a building permit however he approached the Planning Office to obtain one upon learning that one would be required.



*Imagery shown above for descriptive purposes only.  
Not to shown to scale.*



*Above: Utility building is shown in the center of the photo. The building is currently 22.5 ft or 1.5 inches less than the required side setback variance for utility buildings on residential properties. The building is setback well beyond the front building setbacks of the surrounding homes.*

**Findings:**

Before a 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 vicinity, will not cause a hazardous nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulations by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

The applicant communicated that he was unaware of the need to for building permit for a building over 200 sf and of the setback requirements. Staff has deemed that this is not a willful violation.

**Recommendation:**

Staff recommends approval of the side setback variance of six inches, which would only minimally affect the character of the vicinity. The setback variance resulted from an unwillful violation.