

# APPLICATION TO BOARD OF ADJUSTMENT

## Variance

Paris- Bourbon County Joint Planning Commission

301 Main Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. VAR 18-10

Fee Amount: \$ 200<sup>00</sup>

Date Fee Received: 8/27/18

1. APPLICANT ROBERT L. FOWLER Owner (if different) SAME

MAILING ADDRESS 2010 CYNTHIANA RD. CYNTHIANA, KY. 41031

PHONE NO. 301) 643-8217 (CELL) (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

2. PLEASE CIRCLE: Paris / Bourbon County / Millersburg/ North Middletown  
Location SAME AS ABOVE

3. SUBDIVISION N/A

4. EXISTING USE RESIDENTIAL ZONING DISTRICT RT A1

5. DESCRIPTION OF REQUEST VARIANCE FOR HEIGHT RESTRICTIONS  
5 FT. VARIANCE

### 7. SUPPORTING INFORMATION:

VARIANCE - Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and locations of existing buildings, the locations and dimensions of proposed buildings or additions, and any natural or topographic peculiarities of the lot in question. In order for a variance to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet) Refer to section 4.28 (Dimensional Variance) in Zoning Ordinance.

- A. Special conditions exist peculiar to the lot, land or building(s) in question.
- B. That a literal interpretation of the zoning ordinance would deprive the applicant of the rights enjoyed by other property owners.
- C. That the special conditions do not result from previous actions of the applicant.
- D. That the requested variance is the minimum variance that will allow a reasonable use of the lot, land or building(s).

### CHECKLIST:

- Attach a Legal Description of the Property
- Attach a plan of the proposed variance (as described above)
- Attach a separate statement describing A-D
- Attach a narrative describing any prior actions taken by the Board of Adjustment on this property
- Attach a list of adjoining property owners (name and address)

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that the paid fee will not be returned after legal notices have been submitted. The filing fee covers the cost of public notice and the recording of a Land Use Restriction at the County Clerk's Office.

Robert L Fowler \_\_\_\_\_ 8/27/18 \_\_\_\_\_  
APPLICANT SIGNATURE DATE

Applications under zoning regulations involve legal procedures and the satisfaction of legal requirements, often complex, based up the written information in your application and the facts presented at your hearing. If you fail to comply with the procedures, or to satisfy the requirements your application will be subject to denial. Even if your application is approved it could be subject to a neighboring landowners appeal to the Circuit Court. You are not required to employ an attorney but you are encouraged to do so.

Paris-Bourbon County Joint Planning Commission  
301 Main Street  
Paris, KY 40361

August 29, 2018

Re: Application to Board of Adjustment – Variance

To Whom It May Concern:

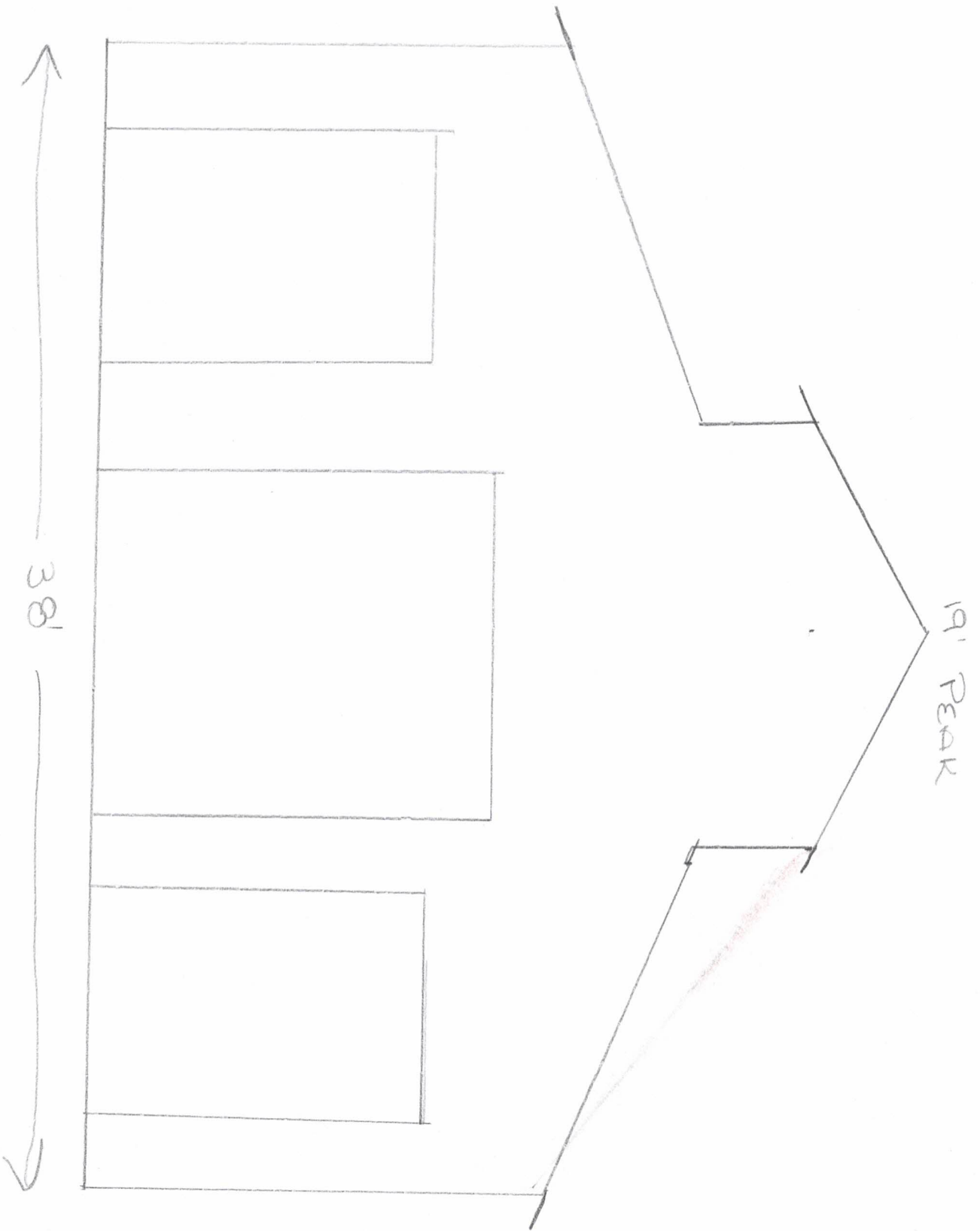
Please find my Height Variance Application attached. The height variance is needed on the proposed ~~pole barn~~ garage due to the design of the building and the height of vehicles that will be housed as well as the maintenance needs that the building will be used for.

Thank you for your consideration in this matter.

Sincerely,



Robert Fowler



**CERTIFICATE OF APPROVAL FOR RECORDING**

I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON HAS BEEN FOUND TO COMPLY WITH THE REQUIREMENTS OF THE BOURBON COUNTY JOINT PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING.

*[Signature]* 12/21/94  
 CHAIRMAN, PLANNING COMMISSION DATE

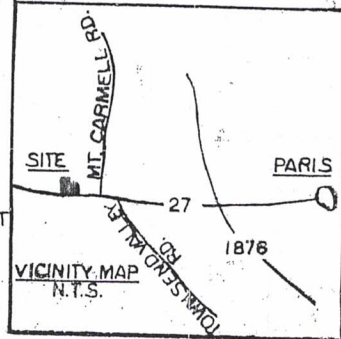
**OWNER'S CERTIFICATE**

I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS AS MY(COURT) PLAN OF LOTS FOR THIS PROPERTY.

*[Signature]* 12-8-94  
 OWNER DATE  
*[Signature]* 12-8-94  
 OWNER DATE



EDGAR N. PURDOM, JR.  
 &  
 WENDELL DRAKEFORD  
 39.85 ACRES

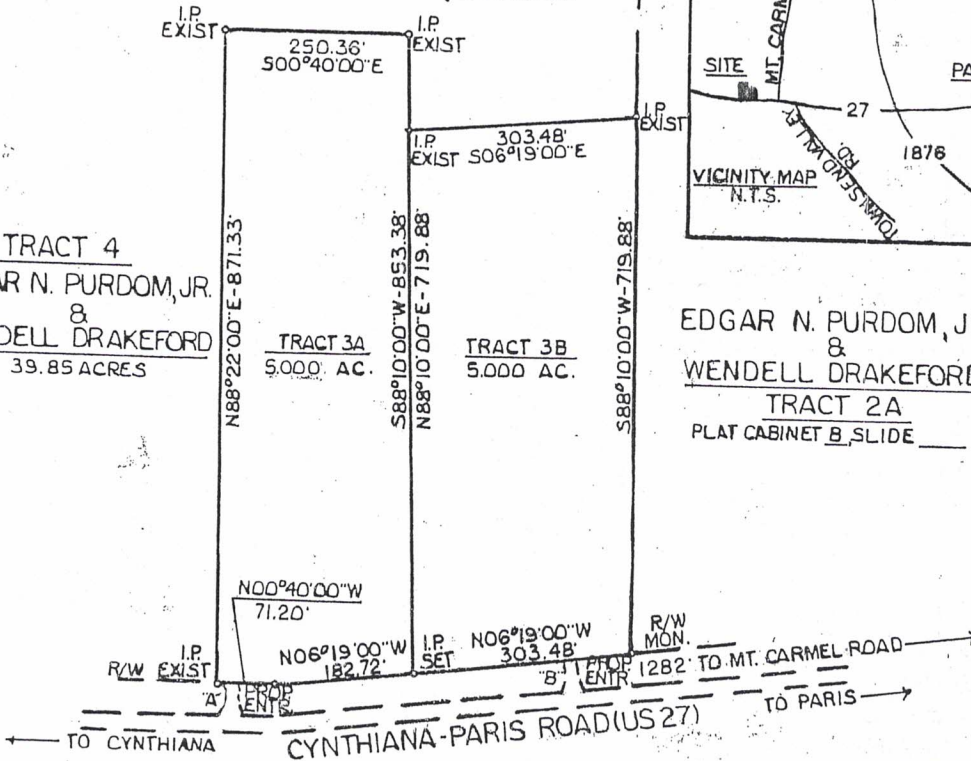


EDGAR N. PURDOM, JR.  
 &  
 WENDELL DRAKEFORD  
 TRACT 2A  
 PLAT CABINET B, SLIDE

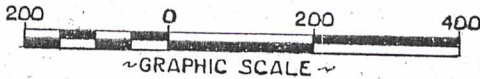
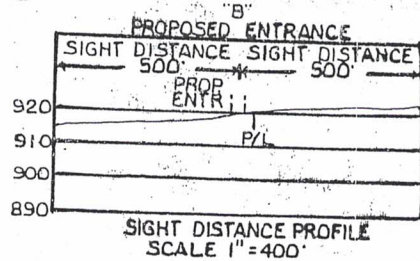
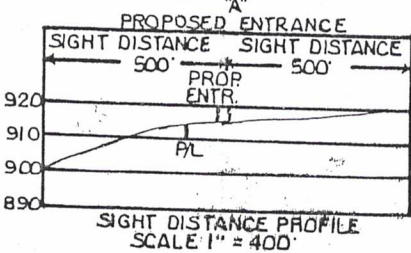
TRACT 4  
 EDGAR N. PURDOM, JR.  
 &  
 WENDELL DRAKEFORD  
 39.85 ACRES

TRACT 3A  
 5.000 AC.

TRACT 3B  
 5.000 AC.



WM. WORNALL III  
 DB219, P158



**ENGINEER'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADE BY ME OR UNDER MY DIRECTION, BY THE METHOD OF RANDOM TRAVERSE. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN ADJUSTED FOR CLOSURE. THIS SURVEY MEETS THE REQUIREMENTS OF THE BOURBON COUNTY JOINT PLANNING COMMISSION.

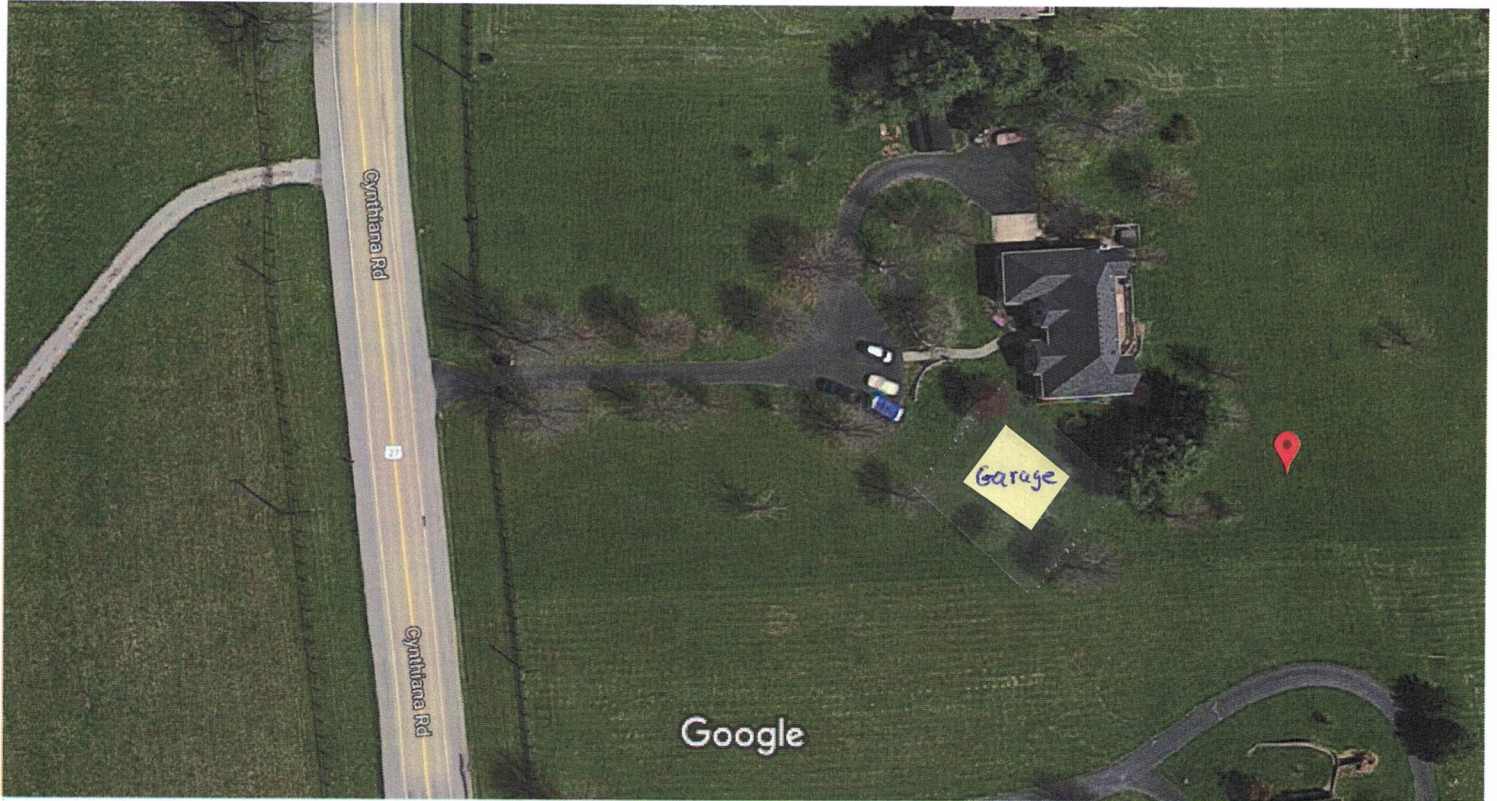
*[Signature]* 12-6-94  
 SIGNATURE RLS #1662 DATE

*Recorded For Record*  
*the 27th day of December*  
*1994, at 12:23 AM*  
*Paris, Kentucky*  
*Bourbon County Court*  
*house of Richard*  
*Hipp, Clerk, Bourbon*  
*County Clerk*

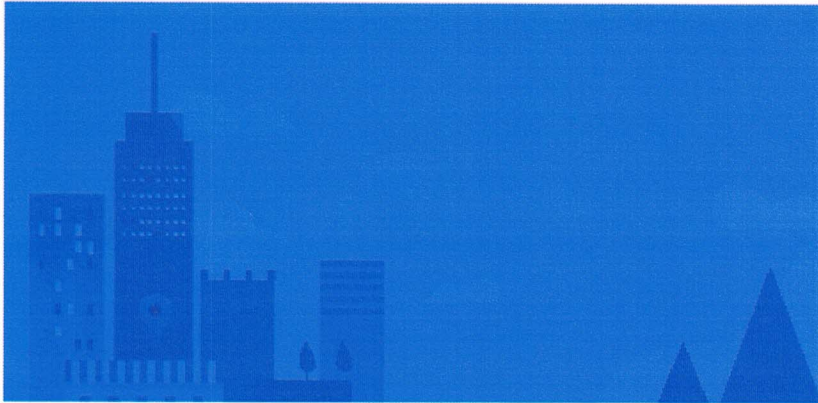
STATE OF KENTUCKY  
 W. E. HUDNALL  
 1662  
 REGISTERED  
 LAND SURVEYOR

AGRICULTURAL LAND DIVISION  
 FOR  
 EDGAR N. PURDOM, JR. & WENDELL DRAKEFORD  
 CYNTHIANA-PARIS ROAD (US HWY 27)  
 WILLIAM E. HUDNALL LAND SURVEYOR  
 156 WOODMONT COURT  
 PARIS, BOURBON COUNTY, KENTUCKY  
 DEED BOOK 218, PAGE 507 (TRACT 3)  
 SCALE 1 INCH = 200 FEET

Google Maps 38°18'35.2"N 84°18'16.4"W



Imagery ©2018 Google, Map data ©2018 Google 50 ft



38°18'35.2"N 84°18'16.4"W  
38.309777, -84.304550

 8M5W+W5 Shawhan, Kentucky

**Physical Address** 2002 CYNTHIANA RD  
CYNTHIANA KY 41031

**Mailing Address** MCKINZIE MARC C & STACEY  
2002 CYNTHIANA RD  
CYNTHIANA KY 41031

**Physical Address** 111 MT CARMEL RD  
CYNTHIANA KY 41031

**Mailing Address** MARTIN JAN S LIVING TRUST  
111 MT CARMEL RD  
CYNTHIANA KY 41031

**Physical Address** 2020 CYNTHIANA RD  
CYNTHIANA KY 41031

**Mailing Address** BABER JAMES L & MARY J  
2020 CYNTHIANA RD  
CYNTHIANA KY 41031

**Physical Address** CYNTHIANA RD  
PARIS KY 40361

**Mailing Address** EADS BETTY J  
3 EMILY ST  
PARIS KY 40361

**Physical Address** CYNTHIANA RD  
PARIS KY 40361

**Mailing Address** JONES PATRICIA A  
5 CAMERON ST  
PARIS KY 40361

Return to:  
Thurman, White & Anderson  
2357 Huguenard, Suite 200  
Lexington, Kentucky 40503

BOOK 298 PAGE 269

REAL ESTATE TAX PAID AMT \$ 182.50  
RICHARD STIFFEADS, ECC  
DATE 7-30-15 BY A. Jay Hurst DC

**THIS DEED**, made and entered into this 28<sup>th</sup> day of July, 2015, by and between **Robert L. Fowler**, a single person, of 2010 Cynthiana Road, Cynthiana, Kentucky 41031, first party, and **Don B. White, Trustee**, 2357 Huguenard Drive, Suite 200, Lexington, Kentucky 40503, second party, and **Robert L. Fowler and Shirley H. Roberts**, both single persons, third parties. Property tax bills may be sent in care of: Robert L. Fowler, at 2010 Cynthiana Road, Cynthiana, Kentucky 41031.

WITNESSETH:

The first party, desires to transfer and convey all of the below-described property to the party of the second part, IN TRUST, upon the condition that the party of the second part shall immediately reconvey all of said property to the third party, as hereinafter set out,

**NOW THEREFORE**, in consideration of \$1.00 and the promise and agreement of the party of the second part as TRUSTEE to immediately reconvey the property described below to the third party, first party has this day bargained and sold and hereby grants and conveys to the party of the second part, his successors and assigns, forever, IN TRUST, HOWEVER, for the uses and purposes set forth, the following described property located in the County of Bourbon, Kentucky:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

TO HAVE AND TO HOLD the above described property unto the said party of the second part, his successors and assigns in fee simple, forever, IN TRUST, for the uses and purposes set forth, with covenant of GENERAL WARRANTY

**NOW THEREFORE**, for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid, the party of the second part as TRUSTEE, in order to fully execute the trust upon which the property conveyed to the party of the second part, has sold to third parties, jointly in fee simple, with the remainder to the survivor, his or her heirs and assigns forever, the following-described property:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

2015 JUL 30 PM 1:36  
BOURBON COUNTY CLERK  
RICHARD STIFFEADS  
RECORDED FOR RECORD

**TO HAVE AND TO HOLD** the above-described property to the third parties, jointly, with remainder to the survivor, her or his heirs and assigns forever. The said party of the second part does hereby release and relinquish unto third party his or her heirs and assigns, forever, all of his (second party's) right, title and interest in and to said property with covenant of SPECIAL WARRANTY. The second party is acting in a fiduciary capacity only and as such, said warranty implies no personal liability.

**The parties agree that the estimated cash value ½ interest of the property is \$182,500.00.** The consideration reflected in this deed is the full consideration paid for the property pursuant to KRS 382.990.

FIRST PARTY

Robert L Fowler  
Robert L. Fowler

SECOND PARTY

Don B White  
DON B. WHITE, TRUSTEE

THIRD PARTY

Robert L Fowler  
Robert L. Fowler

Shirley H. Roberts  
Shirley H. Roberts

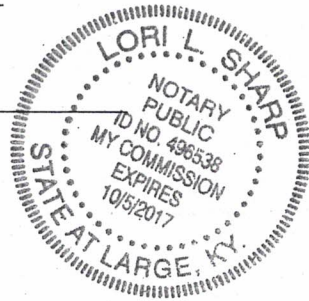
COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn and acknowledged before me Robert L. Fowler and Shirley H. Roberts, both single persons, on this 28<sup>th</sup> day of July, 2015.

My Commission Expires: 10/5/17 ID # 496538

Lori L Sharp  
NOTARY PUBLIC



COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing instrument was acknowledged and sworn to before me by Don B. White, Trustee, on this 28<sup>th</sup> day of July, 2015.

My Commission Expires: 10/5/17 ID # 496538

Lori L Sharp  
NOTARY PUBLIC



THIS INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE EXAM BY:

Don B White

Don B. White  
Thurman, White & Anderson  
2357 Huguenard Dr., Ste. 200  
Lexington, KY 40503  
(859) 278-5000