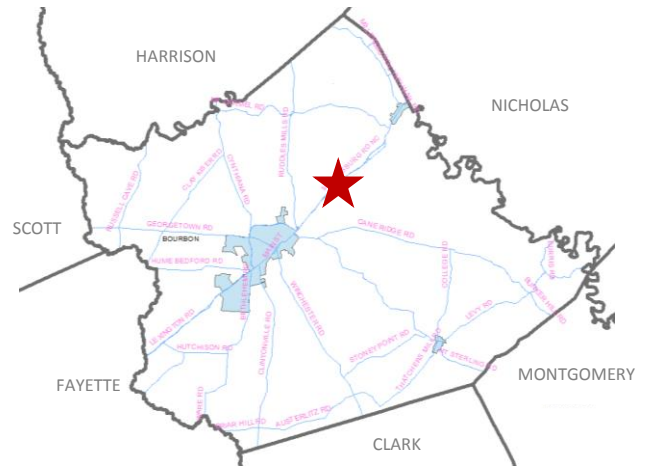


Staff Report

Bourbon County Board of Adjustment Meeting
September 11, 2019

Case Number: VAR 19-09
Applicant: Chris Rexroat & Madison Lee
Owners of Property? Yes
Location: 1254 Millersburg Rd.
Request: 55 ft front setback variance
Zoning: Agricultural (A-1)
Application Date: August 9, 2019
Legal Advertisement: August 29, 2019 and September 5, 2019



Proposal:

The applicant proposes a 55 ft. front setback variance for the construction of a single-family home.

Background:

Parcel Size: 10 acres
Existing Structures: Barn
Floodplain (Y/N): NO

Proposed front setback: 70 ft.
Required front setback: 125 ft.

Distance of proposed site to nearest residence: Over 475 ft. to house located on the opposite side of Millersburg Rd.



Existing entrance to property



View of property from Millersburg Rd.



View of controlled access point



SW view of right-of-way (fence-line)



View of residences across Millersburg Rd.

Google



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. In making these findings, the Board shall consider:

Does the requested variance arise from special circumstances?

Yes, the owner would like to build a residence on the property which is located off a controlled access point off of Millersburg Rd. For economic reasons as stated in the application, the applicant is requesting a setback variance of 55 ft. so that existing buildings, trees, fencing, and utilities will not have to be moved/extended.

Would the strict application deprive the applicant of the reasonable use of land or create unnecessary hardship?

Yes, the strict application could potentially create a hardship by eliminating a small portion of agricultural land that could otherwise be used for grazing.

Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the zoning regulation for which relief is sought?

No, the circumstances are not the result of any actions taken by the applicant subsequent to the adoption of the zoning regulations.

Recommendation:

Staff recommends approval of the 55 ft. front setback variance for the construction of a single-family residence, resulting in a 70 ft. setback from the platted right-of-way line. The granting of this variance would not adversely affect the public health, safety or welfare, and will not cause a hazardous nuisance to the public. It is also in character with the existing surrounding homes along this section of Millersburg Rd.