

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 19-09 Fee Amount: \$ 200⁰⁰ Date Fee Received: 8/9/19

1. APPLICANT Chris Rexroat & Madison Lee Owner (if different) _____

MAILING ADDRESS 3563 Georgetown Rd. Lexington, KY 40511

PHONE NO. 859-533-1170 (HOME) Madison Lee (Wife) 502-294-1813 (WORK)

2. PLEASE CIRCLE: Paris (Bourbon County) Millersburg/ North Middletown c.rexroat@gmail.com
Location 1254 Millersburg Rd

3. SUBDIVISION _____

4. EXISTING USE Farm ZONING DISTRICT A1

5. DESCRIPTION OF REQUEST Right of way variance from front of property to construct new house

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.

Chris Rexroat _____
APPLICANT SIGNATURE DATE 8/9/19

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.

To Whom It May Concern;

Request for area variance for the property at 1254 Millersburg Rd

Property was purchased in October of 2018 as represented by Google Maps image and surveyor plat.

Requesting variance due to the following:

The original house and utilities sat closer to Millersburg Rd. Requiring the new house to be built according to the current right-of-way (R.O.W.) required, would involve greater expense as the Kentucky Utilities service pole and municipal water line would need to be extended further back into the property.

When the new driveway was installed, it enters the property from the northern edge and then turns to face southwest. This makes the ideal orientation of the front of the house face northeast. What would traditionally be called the front yard with regard to the highway would now be the side yard.

If required to locate the house behind the 125 ft R.O.W. marker, we would also be required to relocate existing fence lines and remove a mature Oak tree, to allow for safe clearance from the structures. This would require our future detached garage and horse barn, to be pushed further back onto the property, requiring an enormous amount of clearing and leveling in order for it to have a suitable foundation and grade, along with greater utilities installation expenses at the time of its construction. Additionally, this would result in a reduction of the amount of agricultural farmland available to produce hay for the purpose of farm income, and reduce available pasture/grazing land for the raising of horses.

We are requesting that a variance be granted, allowing the house to be constructed no less than 70 feet from the R.O.W. line of Millersburg Rd. This will allow for safe clearance of existing mature trees, and existing 4 plank fencing.

Sincerely,

Madison A. Lee

Chris L. Rexroat

Physical Address 1257 MILLERSBURG RD
Mailing Address SOSBY WENDELL GAYLE & BRENDA S
1257 MILLERSBURG RD
PARIS KY 40361

Physical Address 1267 MILLERSBURG RD
Mailing Address YAZELL LESLIE TODD
1267 MILLERSBURG RD
PARIS KY 40361

Physical Address 1208 MILLERSBURG RD
Mailing Address WILLIAMS MICHAEL R & RITA
1208 MILLERSBURG RD
PARIS KY 40361

Physical Address 1310 MILLERSBURG RD
Mailing Address FAULKNER BEACH & KAREN E MAU
1310 MILLERSBURG RD
PARIS KY 40361

Physical Address MILLERSBURG RD
Mailing Address BOURBON CMO INVESTMENTS INC
236 KINGSWAY DR
LEXINGTON KY 40502

LINE/TYPE LEGEND:

- Survey Boundary
- Road Centerline
- Original Tract
- Right-of-Way Easement
- Adjacent Property Line
- Entrance Driveway Centerline
- Existing Power Line

LEGEND:

- Iron Pin Found
- bearing W 10° 16' 32" E
- bearing N 70° 00' 00" W
- Iron Pin Found with Aluminum Cap bearing "X" DOT R/W
- #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 35533"
- #4 Rebar, 18" long, with I.D. Cap bearing "Witness 35533"
- Set this Survey
- #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 35533"
- Point of Right-of-Way
- Railroad Spike Found
- Address

CONSOLIDATION ABREVIATIONS:

- BEACH CONSOLIDATION:
Parcel 1 + Parcel 3 = 22,944 Acres
Parcel 2 = 8,382 Acres
TOTAL CONSOLIDATION:
Parcel 1 + Parcel 2 + Parcel 3 = 10,000 Acres
Parcel 3 = 21,324 Acres

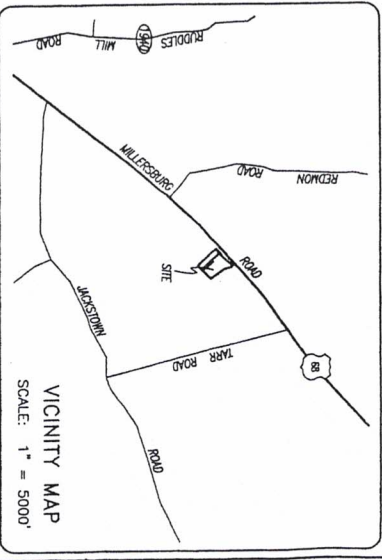
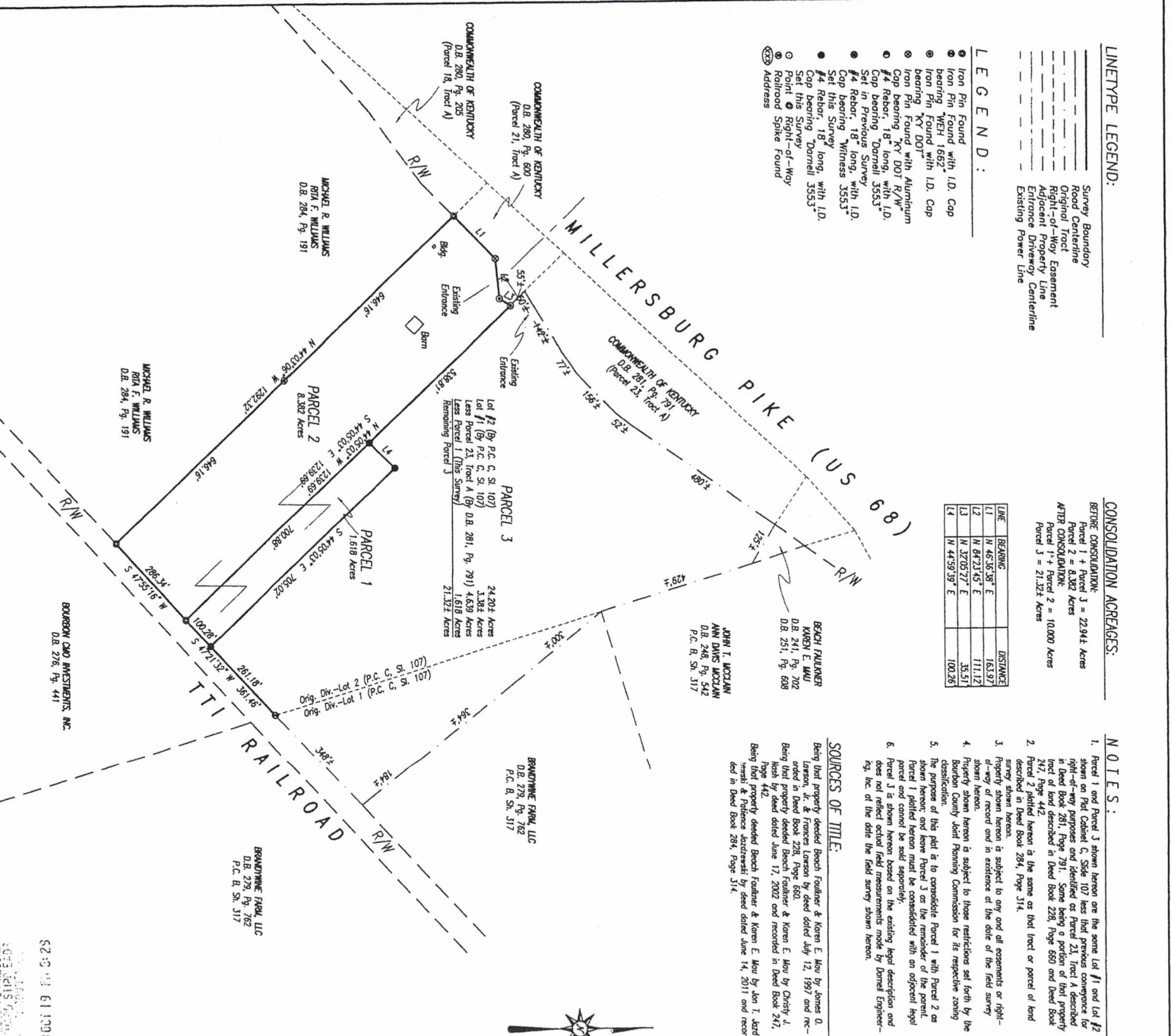
LINE	BEARING	DISTANCE
L1	N 45° 35' 39" E	163.97
L2	N 48° 23' 43" E	111.12
L3	N 37° 05' 37" E	35.517
L4	N 44° 59' 39" E	100.285

NOTES:

- Parcel 1 and Parcel 3 shown hereon are the same as Parcel #1 and Parcel #2 shown on Plat Cabinet C, Slide 107 less that previous conveyance for right-of-way purposes and recorded as Parcel 23, tract 14, described as follows: Parcel 23, Page 1, Deed Book 228, Page 680 and Deed Book 247, Page 442, less Parcel 23, tract 14, described as follows: Parcel 23, Page 1, Deed Book 228, Page 680 and Deed Book 247, Page 442.
- Parcel 2, parcel 12 hereon is the same as that tract or parcel of land described in Deed Book 284, Page 314.
- Property shown hereon is subject to any and all easements or right-of-way of record and in existence of the date of the field survey.
- Property shown hereon is subject to those restrictions set forth by the Bourbon County Jail Planning Commission for its respective zoning designation.
- The purpose of this plat is to consolidate Parcel 1 with Parcel 2 as shown hereon, and leave Parcel 3 as the remainder of the parcel. Parcel 1, parcel 12 hereon must be consolidated with an adjacent legal parcel and cannot be sold separately.
- Parcel 3 is shown hereon based on the existing legal description and does not reflect actual field measurements made by Darnell Engineering, Inc. of the date the field survey shown hereon.

SOURCES OF TITLE:

Being that property deeded Beach Faulkner & Karen E. Mau by James O. Larson, Jr. & Frances Larson by deed dated July 12, 1997 and recorded in Deed Book 228, Page 680; and Karen E. Mau by Christy J. Being that property deeded June 17, 2002 and recorded in Deed Book 247, Page 442.
Being that property deeded Beach Faulkner & Karen E. Mau by Jan T. Jantz & Frances Jantz by deed dated June 14, 2011 and recorded in Deed Book 284, Page 314.



OWNER'S CERTIFICATION

I (we) do hereby certify that I am (we are) the owner(s) of record of the property platted hereon, said property being (a portion of) the same property conveyed to me (us) by _____, See Sources of Title _____, page _____, recorded in Deed Book _____, and do hereby adopt this as my (our) record plat for this property.

Witness: *Beach Faulkner*
Owner: *Karen E. Mau by Beach Faulkner & Karen E. Mau*
Address: *109 E. Pike St., Cynthia, KY 40301*
Date: *10-1-18*

LAND SURVEYOR'S CERTIFICATION

I do hereby certify that this plat depicts a survey made by me or under my direction, by the method of random traverse and all monuments indicated hereon actually exist and their size, location, and material are correctly shown. The undisturbed mathematical error of closure ratio of the random traverse was $\frac{1}{1180000}$ and the bearings and distances shown hereon have been adjusted for closure. The survey shown hereon is a Class 1 survey and the accuracy and precision of said survey meets all the specifications of this class. This survey and plat meets or exceeds the minimum standards of governing authorities. The basis of the bearings shown hereon is in relation to True North, S 89° 10' 00" W.

Date: *September 27, 2018*
P.O. Box 175
Cynthiana, Kentucky 41031

COMMISSIONER'S CERTIFICATION

I do hereby certify that this record plat has met the requirements of the Bourbon County Joint Planning Commission, and is now approved for recording.

Date: *10-18-2018*
Planning Commission Official: *Richard Stepp, Clerk*
P.O. Box 175
Cynthiana, Kentucky 41031
Phone: 606/717/118 • 500 BR. RD.

CONSOLIDATION PLAT
BEACH FAULKNER
KAREN E. MAU
MILLERSBURG PIKE (US 68)

DARNELL ENGINEERING, INC.
P.O. Box 175
Cynthiana, KY 41031
(606) 234-8957

STATE OF KENTUCKY
ALLEN PATRICK
DARNELL
35533
LICENSED PROFESSIONAL LAND SURVEYOR

DATE: 08/28/18
FED. REG. NO. 18-3560
159-16
APD

52-2-11 61.1393E

