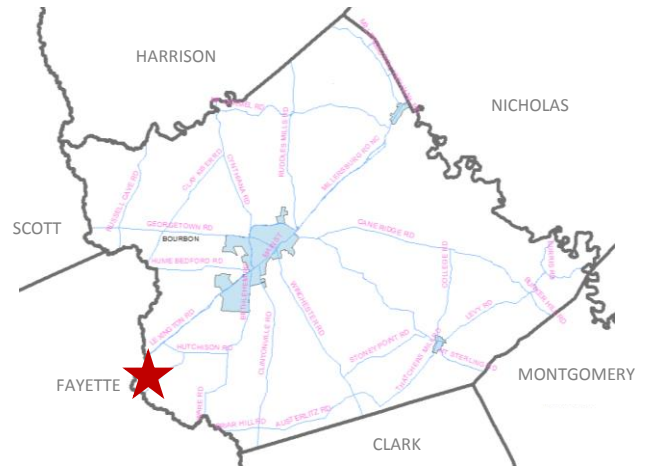


# Staff Report

Bourbon County Board of Adjustment Meeting  
October 16, 2019

**Case Number:** VAR 19-11  
**Applicant:** Ralph Ruschell  
**Owner of Property?** Yes  
**Location:** 4805 Bryan Station Rd.  
**Request:** 51 foot front setback request  
**Zoning:** Agricultural (A-1)  
**Application Date:** September 25, 2019  
**Legal Advertisement:** October 3, 2019



## Proposal:

The applicant proposes a 51 ft. front setback variance for the construction of a single family dwelling.

## Background:

Parcel Size: 2 acres  
Existing Structures: Mobile Home and Garage/Accessory Building.  
Floodplain (Y/N): NO

## Proposed setbacks:

Front: 74 ft. setback  
Side: Approximately 75 ft. and 325 ft.

**Distance of proposed site to nearest residence:** Over 90 ft.









SETBACKS OF ADJACENT RESIDENCES



**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 replace an non-conforming mobile home with a new single-family residence. Due to the shallowness of the lot, the variance is needed due to special circumstances.

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

Yes, the strict application would bring the home closer to rear setback line than would be functional given the adjacent garage/workshop.

*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 a 51 ft. front setback variance for the construction of a new single-family dwelling. The request setback is similar to other homes on the adjacent properties. 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.