

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 19-13 Fee Amount: \$ 200⁰⁰ Date Fee Received: 11/08/19

1. **APPLICANT** Doug and Elaine Beaman Owner (if different) Jeremy and Christy Thompson

MAILING ADDRESS 1901 Iron Loop Path Georgetown, KY 40324

PHONE NO. 737 203-7307 (HOME) _____ (WORK)

2. **PLEASE CIRCLE: Paris / Bourbon County / Millersburg/ North Middletown Location**

211B Excondida Road paris, KY 40361 (new 5 acre track, split from original 10 acres)

3.

SUBDIVISION NA

4. **EXISTING USE** Agricultural **ZONING DISTRICT** Residential A1 AKB

5. **DESCRIPTION OF REQUEST** We would request to have a variance for the front setback line moved to 90 ft from the middle of the street. This is based on 3 factors:

- 1) the pond location (approximately 235 ft from middle of street)
- 2) overhead power lines at 175 ft (approximation from middle of street)
- 3) the slope of the land past the current 150' build line.

These factors do not provide an optimal building location. The property adjacent to this property (211A) filed a similar variance (VAR 19-12) on 10/07/2019 and was approved by the Paris-Bourbon County Planning Commission.

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.

Elaine Beaman

APPLICANT SIGNATURE

Doug Beaman

DATE

11/8/19

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.

Legal Description of Property

Beginning at a found mag nail in the center of Escondida Road, a corner to Ethan C. Wells & Kristin C. Wells (D.B. 303, Pg. 409); said point being located S.55°25'45"E. 690.14 feet from found metal in the center of said road, a corner to Joanna Vega Keiser Living Trust U/T/A Dated March 24, 2016 (D.B. 311, Pg. 239; D.B. 305, Pg. 391; P.C. C, Sh. 360); thence with the center of said Escondida Road N.54°35'56"W. 374.45 feet to a mag nail, a corner to Tract 1, a new division of Jeremy Thompson & Christy Thompson (D.B. 300, Pg. 325); thence with said Tract 1 N.32°46'31"E. passing an iron pin at 25.00 feet, in all 695.75 feet to an iron pin, in the line of Roy A. Johnson & Martha V. Johnson (D.B. 287, Pg. 338; P.C. C, Sh. 248); thence with said Johnson S.58°00'23"E. 244.24 feet to an iron pin, in the line of C. Fipke Holdings, Ltd. (D.B. 302, Pg. 753); thence with said C. Fipke Holdings, Ltd. S.22°30'00"W. 266.27 feet to a found iron pin, a corner to Ethan C. Wells & Kristin C. Wells (D.B. 303, Pg. 409); thence with said Wells S.22°30'00"W. passing an iron pin at 441.64 feet, in all 461.64 feet to the point of beginning containing an area of 5.000 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on September 25, 2019. Said property being a portion of that property deeded Jeremy Thompson & Christy Thompson by Dayland Farms, LLC by deed dated March 25, 2016 and recorded in Deed Book.

Plan of the Proposed Variance and Description of A-D

The plan for the proposed variance is to move the house from the 150 ft to 90 ft. Applicant plans to build 60 ft deep 96 ft wide, single story without a basement.

A. Special conditions exist peculiar to the lot, land or building(s) in question.

The lay of the land falls in elevation as the property goes back from the road beginning about 150 ft. One side of the property has a downward slope that is quite steep. The other side is somewhat gentler of a slope to a wooded area and a 100+ year old pond that is about 70 ft in diameter. The pond set back 235 ft from center of road.

B. That a literal interpretation of the zoning ordinance would deprive the applicant of the rights to enjoyed by other property owners.

Applicant plans to build a one-story home ranch style house centered from side to side.

Building at or behind the 150 ft build line would cause the following issues:

- The back of the house would be positioned on a downhill slope. Owner would need to build up the property by 12 ft at a considerable cost.
- The house would be built under existing powerlines (175 ft from road). The option to move the power line to the front of the property would affect the neighboring property, who recently received a variance (Var 19-12) to move their build line to 90 ft. The power line would cut across where they are planning to build their home.
- Building on the downward slope would affect the flow of rain water to the pond. The back of the house would be 25 ft from the edge of the pond.

C. That the special conditions do not result from previous actions of the applicant

NA

D. That the request variance is the minimum variance that will allow a reasonable use of the lot, land or building(s).

The ideal spot for building on this property is 90 ft from center of road. Applicant plans to build 60 ft deep by 96 ft wide, single story without a basement. Centered from side to side of the property boundaries. This request will allow the owners to place the home in the ideal building location and protect the natural aspects of this property. This request is also in line with the variance request made by Steve and Sarah Stoner on 10/8/2019 (Var19-12) and approved by the Paris-Bourbon County Planning Commission.

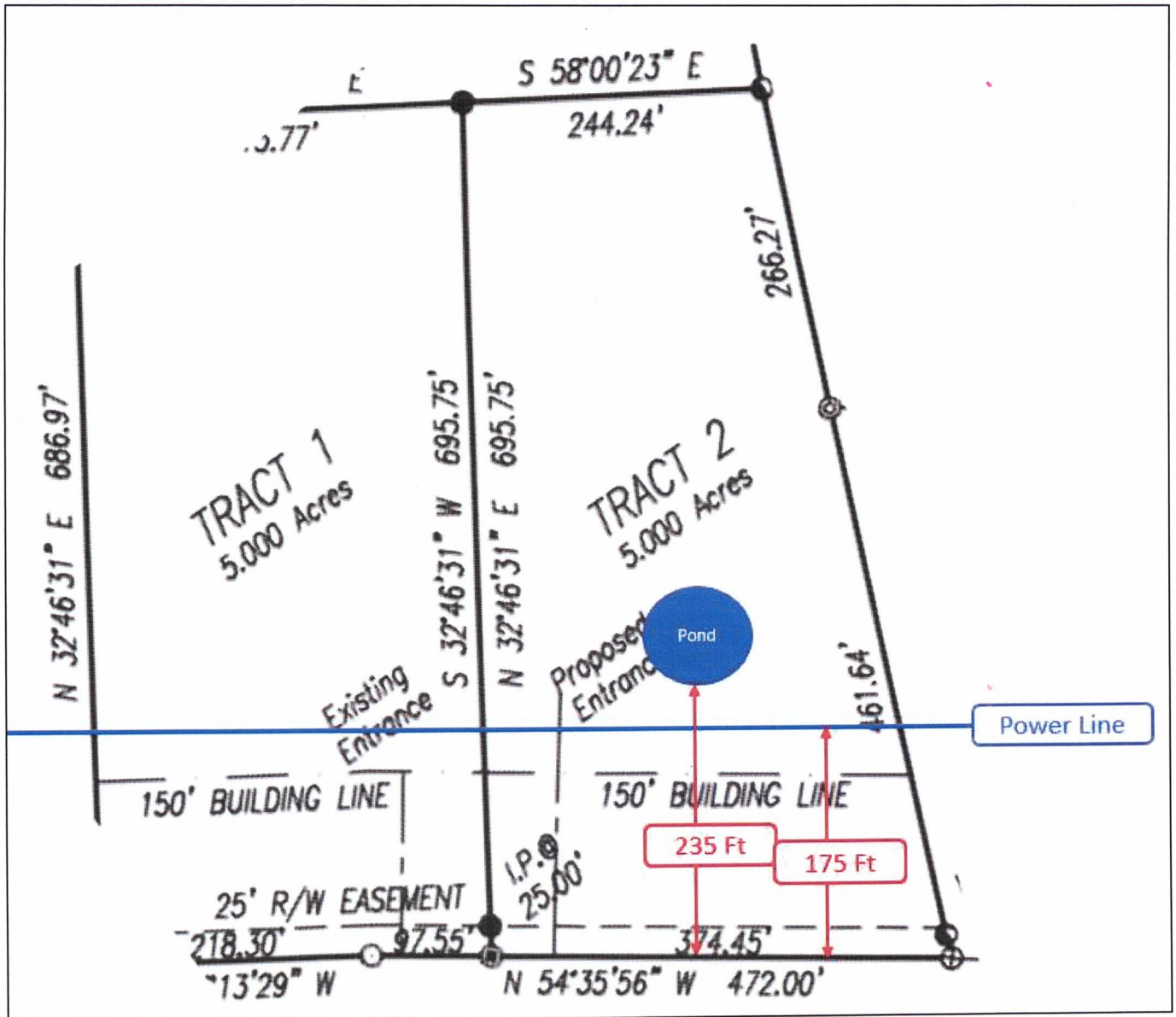
Adjoining Property Owners

Jeremy Thompson and Christy Thompson

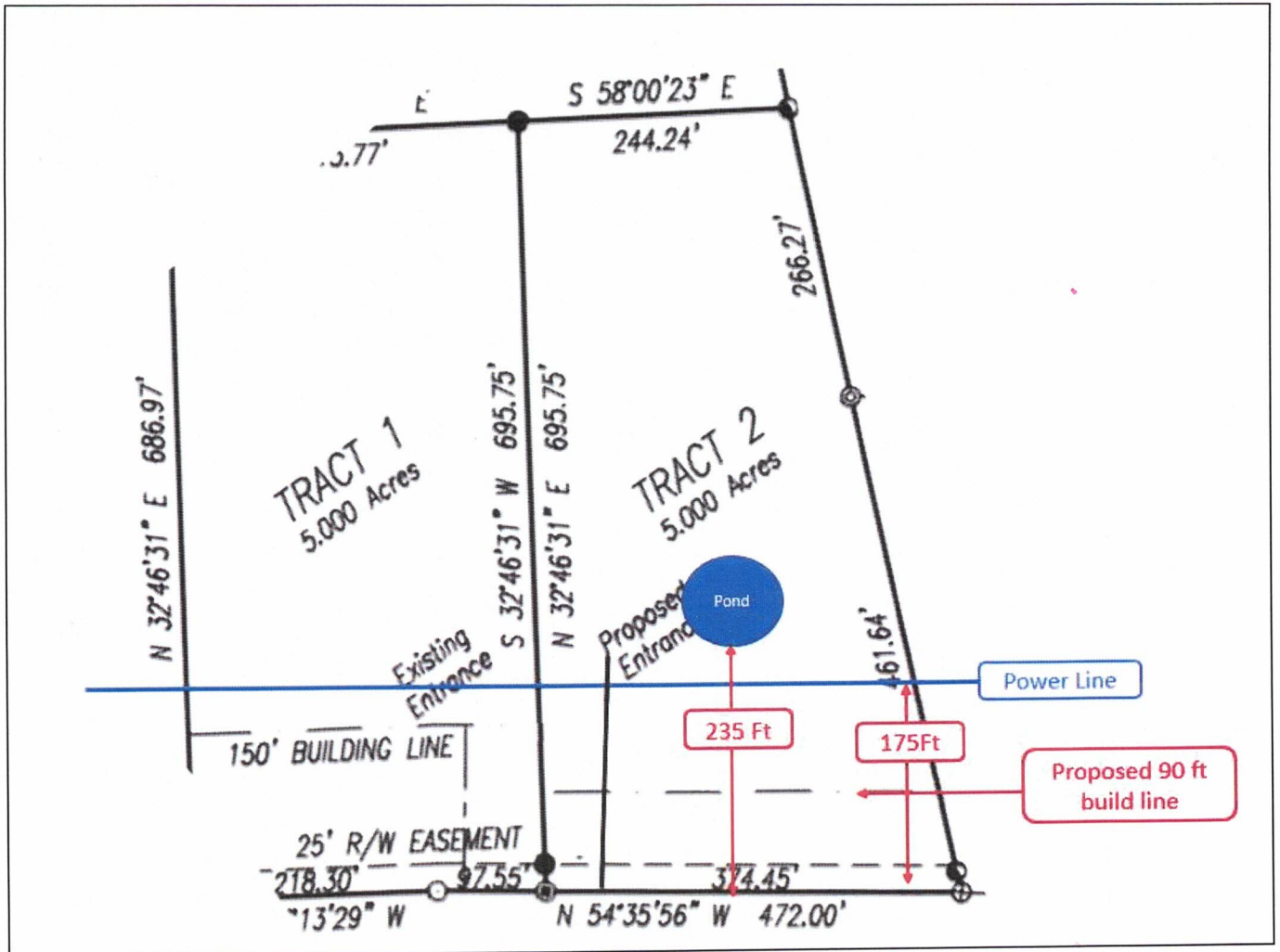
211-A Escondida Rd (Track 1 on the survey)

(Mailing Address: Christy Thompson, 526 Meadowview Dr. Paris, KY 40361)

Current Property without Variance



Proposed Variance Build line at 90 ft



CERTIFICATE OF APPROVAL FOR BOURBON COUNTY ROAD SUPERVISOR

I hereby certify that the Bourbon County Road Department has inspected the site of the entrance proposed on this plat and found it to meet all current safety standards including the time/site distance standards of Section 345(A)(4)(1) in these Bourbon County Subdivision Regulations.

[Signature]
County Road Supervisor

11/14/19 Date

LINE TYPE LEGEND:

- Survey Boundary
- Road Centerline
- Building Line
- Adjacent Property Line
- Entrance Driveway Centerline
- Easement Line

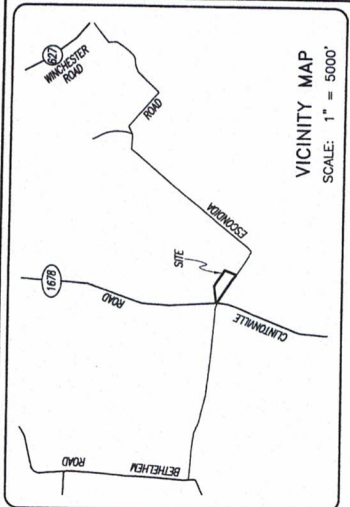
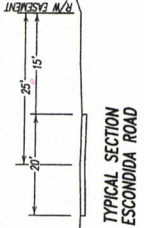
LEGEND:

- Iron Pin Found
- #4 Rebar, 18" long, with I.D.
- Cap bearing "Darnell 3553"
- Set in Previous Survey with I.D.
- #4 Rebar, 18" long, with I.D.
- Cap bearing "Darnell 3553"
- Set this Survey
- Mag Nail Set in Road
- Cap bearing "Darnell 3553"
- Right-of-Way Marker
- Address

CLINTONVILLE ROAD (KY 1678)



- NOTES:**
- Tract 1 and Tract 2 platted hereon are the same as Parcel 2-A shown on Plat Cabinet G, Sheet 291 and further described in Deed Book 300, Page 302.
 - Property platted hereon is subject to a water line easement in favor of the Water Utility Association as recorded in Deed Book 257, Page 435.
 - Property platted hereon is subject to a telephone line easement in favor of South Central Bell Telephone Company as recorded in Deed Book 161, Page 382.
 - Property platted hereon is subject to any and all easements or right-of-way of record and in existence at the date of the field survey shown hereon.
 - Property platted hereon is subject to those restrictions set forth in the subdivision plat of the County Joint Planning Commission for its respective zoning classification.
 - This plat shall be deemed invalid if not recorded within one year of the Planning Commission Chairman's signature being affixed hereon.



OWNER'S CERTIFICATION

(We) do hereby certify that I am (we are) the owner(s) of record of the property platted hereon, said property being located on the same property conveyed to me (us) by March 25, 2018, and recorded in Deed Book 300, page 302 in the Bourbon County Clerk's office, and do hereby adopt this as my (our) record plat for this property.

[Signature] Witness
[Signature] Owner
 104 Cedar Stream Dr., Paris, KY 40364 Address
 11-8-19 Date
 117 Tahoma Dr., Paris, KY 40364 Address

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 thereon are correctly shown. The unadjusted polygonal size, location, and material are correctly shown. The unadjusted polygonal area hereon have been adjusted for closure. The survey as shown hereon is a Class A land survey and the accuracy and precision of said survey meets all the specifications of this class. The bearings shown hereon are in relation to the minimum standards of all governing authorities. The basis of the bearings shown hereon is in relation to Post Office Cabinet C, Sheet 291.

[Signature] Date
 November 1, 2019
 P.O. Box 175
 Cynthiana, Kentucky 41031

COMMISSION'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.

[Signature] Date
 11-21-2019
 Planning Commission Official



PLATTER: 11/01/19 @ 5:00 BY APD

AGRICULTURAL LAND DIVISION
JEREMY THOMPSON
CHRISTY THOMPSON
 #211 ESCONDIDA ROAD

STATE OF KENTUCKY	DATE	08/25/19
ALLEN PATRICK DARNELL	RENAME	THOMPSON
19-4237	FILE NO.	
48-23	FILE NO.	
DAILEY	CREATED BY	APD
APD	APPROVED BY	APD

DARNELL ENGINEERING, INC.
 P.O. Box 175
 Cynthiana, Kentucky 41031
 (859) 234-8857

THE PLAT OF SURVEY REPRESENTING A BOUNDARY SURVEY AND CORRECTS WITH 2017 RECORD.

Physical Address 249 ESCONDIDA RD
Mailing Address WELLS ETHAN C & KRISTIN
119 HUNTER RUN DR
MT STERLING KY 40353

Physical Address 441 ESCONDIDA RD
Mailing Address C FIPKE HOLDINGS LTD
2421 MEMBERS WAY
LEXINGTON KY 40504

Physical Address CLINTONVILLE RD
Mailing Address JOHNSON MARTHA V
2500 BETHLEHEM RD
PARIS KY 40361

Physical Address 161 ESCONDIDA RD
Mailing Address KEISER LARRY KIM & JOANNA V LIVING TRUST
161 ESCONDIDA RD
PARIS KY 40361

Physical Address 212 ESCONDIDA RD
Mailing Address EASON CLYDE W & CAROLYN R
212 ESCONDIDA RD
PARIS KY 40361

Paul Borman
11/08/19