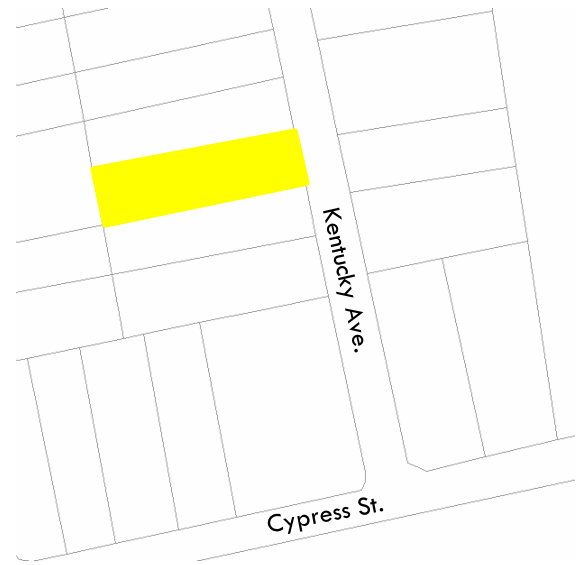


# Staff Report

Bourbon County Joint Board of Adjustment Meeting  
February 18, 2020



**Case Number:** VAR 20-01  
**Applicant:** Ben Royse  
**Owner of Property?** Yes  
**Location:** 229 Kentucky Ave.  
**Request:** 10 ft. front setback variance request  
**Zoning:** R-3 Residential  
**Application Date:** January 29, 2020  
**Site Visit:** February 11, 2020  
**Legal Advertisement:** February 6, 2020  
**Signage Posted:** Confirmed February 11, 2020

## Proposal:

The applicant proposes a 10 foot front setback variance for a proposed single-family residence on a 6,000 sf lot on Kentucky Ave.

## Background:

Owner: Ben Royse  
Existing Structures: NO  
Floodplain (Y/N): NO

## Required in the R-3 District:

Front: 30 ft.  
Side: 10 ft.  
Rear: 25 ft.

## Proposed setbacks:

Front: 20 ft. setback (10 ft. variance requested)  
✓ Side (approved 7/16/19): 5 ft. (north side) and 3 ft. (south side)  
✓ Rear: 83 ft.



## 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 narrowness of the lot constrains the applicant's ability to build a house on this lot.

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

Yes, the strict application would be out of pattern with the existing neighborhood. Due to non-conforming nature of the lot, the setback requirements would create a hardship.

*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 10 ft. front setback variance for a primary residence at 229 Kentucky Ave. The surrounding homes on that same block are setback between 15 and 20 feet. This variance arises from special circumstances, the strict application of which would deprive the applicant of a reasonable use of land. 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.



**View of Subject Property from front sidewalk**



**North bound view from subject property**





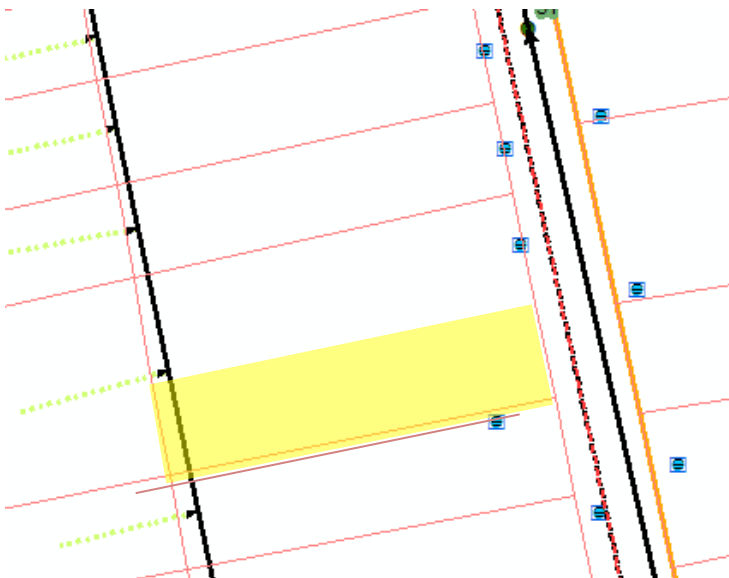
Photo taken: 2/11/2020



South bound view from subject property



**Aerial Photograph  
Source (Googlemaps)**



**Utilities**

- ➔ Gravity sewer
- ➔ Force water main
- 4 inch water line
- Property boundary
- Ⓜ Water meter
- ➔ Sewer lateral