

Staff Report

Bourbon County Joint Board of Adjustment Meeting
March 17, 2020

Case Number: VAR 20-02
Applicant: Scott/Bourbon County Habitat for Humanity
Owner of Property? Yes
Location: 501 Lilleston Ave.
Request: 10 ft. side setback variance request along Williams St.
Zoning: R-3 Residential
Application Date: February 17, 2020
Site Visit: March 11, 2020
Legal Advertisement: February 27, 2020
Signage Posted: Confirmed March 11, 2020



Proposal:

The applicant proposes a 10 ft. side setback variance along the eastern side of property that fronts Williams St. for the construction of a single-family home on a 8,148 sf lot.

Background:

Owner: Scott/Bourbon County Habitat for Humanity
Existing Structures: NO
Floodplain (Y/N): NO

Required in the R-3 District:

Front: 30 ft.

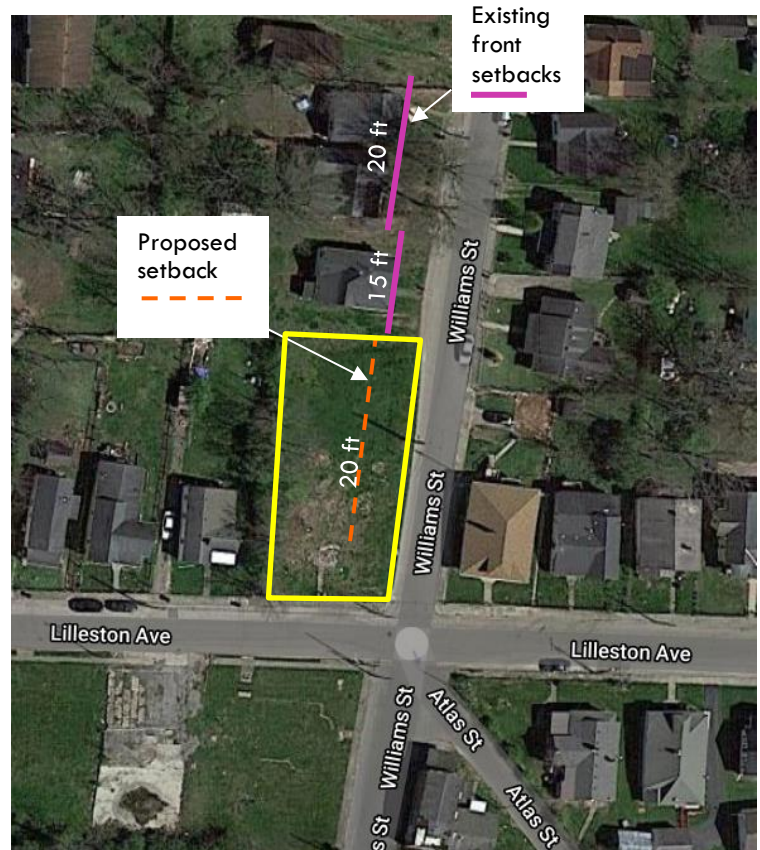
Side: 10 ft.

Side (corner lots where adjacent homes front the same street): 30 ft.

Rear: 25 ft.

Proposed setbacks:

- ✓ Front: 32 ft. setback
- ✓ Side: 11.3 ft. (west side)
- Side: 20 ft (east side) -VARIANCE REQUEST
- ✓ Rear: 50+ ft.





North bound view along Williams St



North bound view from Lilleston St.



East bound view along Lilleston St.

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.

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. side setback variance request for a primary residence at 501 Lilleston Ave. The surrounding homes on along Williams St. 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.

Conditions:

Applicant is responsible for filing the land use restriction with the County Clerk's Office upon approval and receipt from the Planning Office.

Applicant shall file building plans with the Bourbon County Building Inspection prior to beginning construction.

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