

APPLICATION TO BOURBON COUNTY JOINT BOARD OF ADJUSTMENT

Variance

Bourbon County Joint Planning Commission

525 High Street Office 127, Paris, KY 40361 • (859) 987-2150

Office Use only:

Application No. VAR 20-06 Fee Amount \$ 200 Date Fee Received: 11/23/2020

1. APPLICANT MATTHEW KERR Owner (if different)

MAILING ADDRESS 1540 BETHLEHEM RD PARIS KY 40361

PHONE NO. 859-987-1547 (HOME) 859-621-3345 (WORK)

2. PLEASE CIRCLE: Paris Bourbon County North Middletown Location

3. SUBDIVISION

4. EXISTING USE RESIDENCE ZONING DISTRICT

5. DESCRIPTION OF REQUEST BUILD A BARN ADJACENT TO RESIDENCE FOR FULL R.V. STORAGE ETC. NEEDS TO BE HIGH ENOUGH FOR 14' DOOR, ROOF PEAK 25' (13'-6" SIZE)

7. SUPPORTING INFORMATION: WOULD BE THE SAME ROOF HEIGHT AS ADJACENT HOUSE

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.

APPLICANT SIGNATURE [Signature] DATE 11/23/20

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. Individuals are not required to employ an attorney, but you are encouraged to do so. All business entities require legal representation.

**ORDINANCE
OF
THE FISCAL COURT OF BOURBON COUNTY
COMMONWEALTH OF KENTUCKY**

ORDINANCE NO. 08-08-19-01

**AN ORDINANCE AMENDING THE BOURBON COUNTY ZONING
ORDINANCE RELATING TO SPECIAL HEIGHTS AND SETBACK
REQUIREMENTS**

WHEREAS, Paris-Bourbon County Joint Planning Office has recommended the adoption of an amendment to the Bourbon County Zoning Ordinance, Article III, Section 3.11;

WHEREAS, the Fiscal Court of the County of Bourbon deems it appropriate and necessary for the health, safety and general welfare of the Citizens of Bourbon County to Amend the Bourbon County Planning and Zoning Ordinance, Article III, Section 3.11, relating to special heights and setback requirements.

NOW THEREFORE:

BE IT ORDAINED by the Fiscal Court, County of Bourbon, Commonwealth of Kentucky as follows

Section 3.11 is amended as follows:

3.1 ALL DISTRICTS

3.11 Uses permitted

A. Public Park, playground, and other public recreation areas.

B. Uses by temporary permit:

a. Non-Commercial concrete batching plant (permit not to exceed six (6) months).

b. Temporary building, office or yard for construction (permit not to exceed six (6) months).

C. Accessory Uses:

a. Uses Permitted: Customary accessory uses shall be permitted in any zoning district provided such use is directly related to the principal use.

b. Height and Setback: Unless otherwise indicated in the following table, the height and yard setback requirements for accessory buildings and uses shall be the same as for the principal permitted uses.

c. Table of Special Height and Setback Requirements:

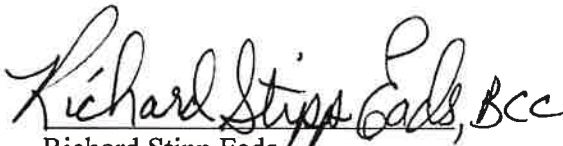
| Principal Use | Accessory Use | Minimum Setback | | | Maximum Height |
|---------------|---------------|-----------------|------|------|----------------|
| | | Front | Side | Rear | |
| Residence | Carpport | X | 4' | 9' | 15' 18' |
| | *Garage | X | 2' | 3' | 15' 18' |

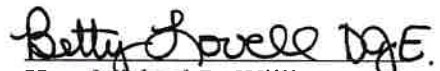
If any provision of this Ordinance for any reason or to any extent be invalid or unenforceable, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

Introduced and given first reading at a meeting of the Fiscal Court, County of Bourbon, Kentucky held on the 8th day of August, 2019, and finally adopted, after second reading, at a meeting of the Fiscal Court, County of Bourbon, Kentucky held on the 12th day of September, 2019.

This Ordinance shall be in full force and effect from and after its passage, publication and recording, according to law.

Dated this 12th day of September, 2019.


 Richard Stipp Eads
 Bourbon County Clerk


 Hon. Michael R. Williams
 Bourbon County Judge-Executive

First Reading: 08-08-19
 Second Reading: 09-12-19
 Passage: 09-12-19
 Publication: 08-29-19

- A. ONLY AREA ON MY PROPERTY TO HAVE A BUILDING
ACCESSED FROM CURRENT DRIVEWAY AND NOT BE
IN FRONT OF HOUSE.
- B ALL OF THE HORSE BARN'S SURROUNDING PROPERTIES
ARE TALLER THAN 18' TO THE PEAK
- C. AREA WAS NOT PREVIOUSLY DISTURBED
- D. THE EAVE HEIGHT NEEDS TO BE 16' TO ACCOMMODATE
A 14' DOOR. ROOF PITCH WILL BE 4/12 TO ENSURE
GOOD WATER SHED AND TO MAINTAIN A SIMILAR PEAK
HEIGHT TO THE HOUSE FOR AESTHETIC APPEAL
TO RESEMBLE BARN'S ON SURROUNDING PROPERTIES

PROPERTY OWNERS ADJACENT TO 1540 BETHLEHEM

JOHN GAGEZ (859) 230 - 2962
1530 BETHLEHEM RD
PARIS KY 40361

TIM GRIGGS (859) 621 - 3341
1568 BETHLEHEM RD
PARIS KY 40361

ANDY GRIGGS (859) 621 - 3342
1596 BETHLEHEM RD
PARIS KY 40361

PRIOR ACTIONS BY BOARD OF ADJUSTMENTS
ON 1540 BETHLEHEM RD

— NONE TO MY KNOWLEDGE —

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE is made and entered into this 4th day of June, 2004, by and between KENNETH A. GRIGGS and JANIE L. GRIGGS, husband and wife, of 4744 Bryan Station Road, Lexington, Kentucky 40516, hereinafter called First Parties, and MATTHEW DAVID KERR and OLIVIA AMBER KERR, husband and wife, of 1596 Bethlehem Rd Paris, Ky 40361 hereafter called Second Parties.

KAG
OAK
June
40361
OAK

WITNESSETH:

That the First Parties, for and in consideration of the total purchase price of THIRTY THOUSAND DOLLARS (\$30,000.00) cash in hand paid by Second Parties, the receipt of all of which is hereby acknowledged, has BARGAINED and SOLD and do hereby GRANT and CONVEY unto the Second Parties, for and during their joint lives with the remainder in fee simple to the survivor of them, his or her heirs and assigns forever, the following described property together with improvements thereon and appurtenances thereunto belonging, located in the County of Bourbon, State of Kentucky, and more fully described as follows, to-wit:

That certain tract or parcel of land lying and being in Bourbon County, Kentucky, and situated on the west side of Bethlehem Road, and being more particularly described as follows:

Beginning at a point, said point being in the center of Bethlehem Road corner common to John D. and Tamara Gagel DB. 248, Pg. 668; thence commencing from the beginning point with said centerline of Bethlehem Road, S 03 deg. 45 min. 43 sec. W., 250.00 feet to a point; corner common to Timothy S. and Annie Griggs, DB. 245, Pg. 009; thence leaving said Road with the line of Timothy Griggs, No. 89 deg. 03 min. 15 sec. W., passing an offset iron pin with cap marked PLS 2670 at 20.00 feet a total of 887.45 feet to a found iron pin with cap; thence, severing the 60.81 acre tract of Kenneth Griggs, N. 03 deg. 58 min. 52 sec. E., 250.25 feet to a found iron pin with cap at the southwest corner of said Gagel; thence, with said line of Gagel passing a set iron pin with cap marked PLS 2670 at 866.56 feet a total of 886.56 feet to the point of beginning and containing 5.09 acres as recovered 4/10/04 by Barry M. Robinson, KY. PLS 2670 and being further described as Parcel 1 of the Agricultural Subdivision for Kenneth A. and Janie L. Griggs dated May 10, 2004 as prepared by Barry M. Robinson, Land Surveyor, Paris, Kentucky and filed of record on the 3rd day of June, 2004 in Plat Cabinet C, Slide 168 in the Bourbon County Clerk's office.

Said Parcel 1 being a portion of the same property conveyed to First Parties by deeds of record in Deed Book 241, Page 797 and Deed Book 241, Page 34 in the Bourbon County Clerk's Office.

LODGED FOR RECORD
RICHARD STIPPEAD
BOURBON COUNTY CLERK
04 JUN -4 PM 12:10

TO HAVE AND TO HOLD the above described property together with all appurtenances and privileges thereunto belonging, unto the said Second Parties, for and during their joint lives together with the remainder in fee simple to the survivor of them, his or her heirs and assigns FOREVER.


First Parties do hereby release and relinquish unto the Second Parties, their heirs and assigns, all of their right, title and interest in and to said property, including homestead, dower and all exemptions allowed by law therein, and do hereby covenant to and with said Second Parties, their heirs and assigns, that First Parties are lawfully seized in fee simple of said property, that they have good and lawful right to sell and convey the same as herein done, and that said property is free and clear of all encumbrances of whatsoever nature, except as herein stated, and except for the real estate taxes due and payable in the current year, and thereafter, which the Second Parties assume and agree to pay, and with said exceptions, the First Parties WARRANT GENERALLY the title thereto.

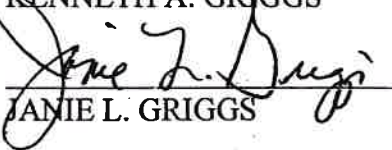
PROVIDED, HOWEVER, this conveyance and the above warranty are made subject to all applicable restrictions, covenants, agreements, and easements apparent or of record affecting said title; liens for the current ad valorem taxes and special assessments assessed against the property which the Second Parties assume and agree to pay; and all applicable building, zoning and health enactments.

The parties hereto certify that the consideration reflected in this deed is the full consideration paid for the Property pursuant to KRS CHAPTER 382. Second Parties join in the execution of this deed for the sole purpose of certifying the amount of the consideration.

IN WITNESS WHEREOF, the Parties have hereunto set their hands the day and year first above written.


FIRST PARTIES:

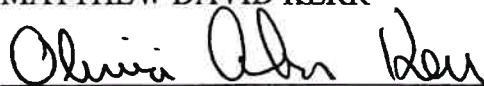


KENNETH A. GRIGGS


JANIE L. GRIGGS

SECOND PARTIES:



MATTHEW DAVID KERR


OLIVIA AMBER KERR

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

The foregoing instrument was subscribed, sworn to and acknowledged before me by KENNETH A. GRIGGS and JANIE L. GRIGGS, husband and wife, on this 4th day of June, 2004.

Olivia Amber Griggs Kerr
NOTARY PUBLIC, STATE AT LARGE, KY
My commission expires: _____

NOTARY PUBLIC, KENTUCKY, STATE AT LARGE
MY COMMISSION EXPIRES FEB. 1, 2005

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

The foregoing instrument was subscribed, sworn to and acknowledged before me by MATTHEW DAVID KERR and OLIVIA AMBER KERR, husband and wife, on this 4th day of June, 2004.

Janie L. Griggs
NOTARY PUBLIC, STATE AT LARGE, KY
My commission expires: 8-21-06

THIS INSTRUMENT PREPARED BY:

J. PATRICK SULLIVAN, P.S.C.

J. Patrick Sullivan

J. PATRICK SULLIVAN
180 North Mill Street
Lexington, Kentucky 40507
Telephone: (859) 259-9877

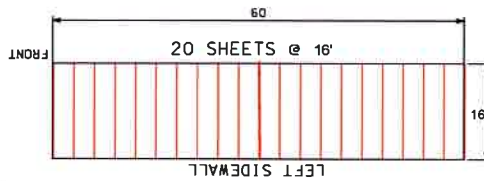
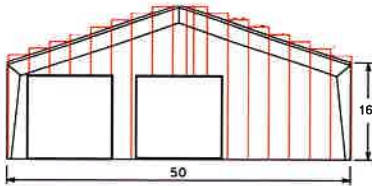
H-PANEL (WALL)
FASTENER LOCATIONS



H-PANEL
LAP DETAIL

FRONT ENDWALL

LAP CENTER SHEETS 2'
TO AVOID LONG CUT AT SIDEWALL



LEFT SIDEWALL

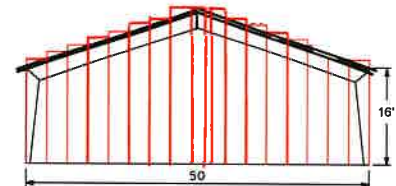
H-PANEL (ROOF)
FASTENER LOCATIONS



H-PANEL
LAP DETAIL

REAR ENDWALL

LAP CENTER SHEETS 2'
TO AVOID LONG CUT AT SIDEWALL



NOTE:
EXTEND ROOF
CLADDING 2"
PAST EAVE

SOFFITT:
9 SHEETS
@ 11"

SOFFITT:
21 SHEETS @ 11"

SOFFITT:
9 SHEETS
@ 11"

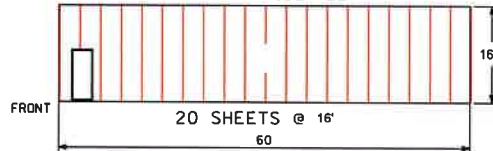
SOFFITT:
9 SHEETS
@ 11"

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21 SHEETS @ 11"

SOFFITT:
9 SHEETS
@ 11"

NOTE:
EXTEND ROOF
CLADDING 2"
PAST EAVE

RIGHT SIDEWALL



KENTUCKY STEEL BUILDINGS
PANEL & SUPPLY
P.O. BOX 949
WINCHESTER KY. 40391
DUSTIN LEHMANN
859-745-0606

MATT KERR
50'x60'x16'
CLADDING



Map data ©2020, Map data ©2020 20 ft

PROPERTY LINE

Google

NEW 50' X 60' METAL BLDG CONCRETE APRON

5'-0" SET BACK

PROPERTY LINE