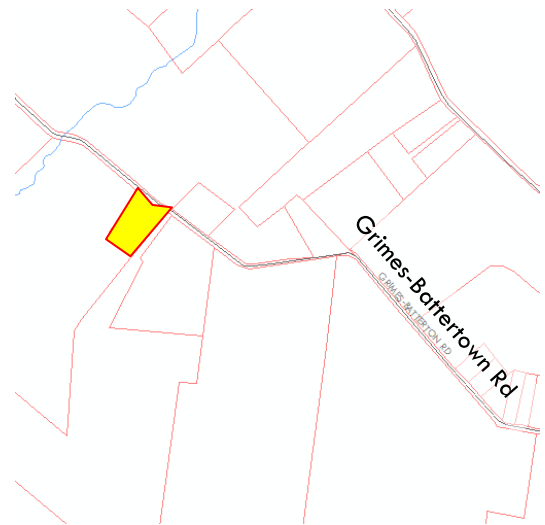


# Staff Report

Bourbon County Joint Board of Adjustment Meeting  
March 17, 2021

**Case Number:** VAR 21-03  
**Applicant:** Tyler and Haley Hager  
**Owner of Property?** Yes  
**Location:** 479 Grimes Batterton Rd  
**Request:** 21 ft rear setback variance request  
**Zoning:** A-1 Agricultural  
**Application Date:** February 26, 2021  
**Site Visit:** March 10, 2021  
**Legal Advertisement:** March 4, 2021  
**Signage Posted:** Confirmed March 10, 2021



## Proposal:

The applicant proposes a 21 ft rear setback variance to replace a single-family manufactured home on a 5 acre parcel on Grimes Batterton Rd.

## Background:

Owner: Tyler and Haley Hager  
Existing Structures: 1 carport  
Floodplain (Y/N): NO

## Required setbacks in the A-1 district:

Front: 125 ft.  
Side: 75 ft.  
Rear: 75 ft.

## Proposed setbacks:

Front: 438 ft. setback  
Side: 227 ft. and 79 ft.  
Rear: 58 ft. (21 ft rear setback variance requested)



## 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 property owner is claiming economic hardship upon extending/relocating septic and water connection. Instead, the property owner is requesting placing the home on the same footprint of the previous home located on site.

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

Yes, the strict application would pose an economic hardship to the applicant for the extension of these septic/water lines.

*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 21 ft. rear setback variance for a manufactured home at 479 Grimes Batterton Rd. The surrounding home on the adjacent property has a side setback of less than 50 ft and the requested variance is in character with that of the neighboring property. 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.



**Notification Signage**



**Northbound view from rear property line**



**Westbound view from parking area on property.**



**Southern view showing graded home site with boundary markers.**



**Southern view showing graded home site with boundary markers.**