

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 21-03 Fee Amount: \$ 200⁰⁰ Date Fee Received: 2/26/2021

1. APPLICANT Tyler and Haley Hager Owner (if different)

MAILING ADDRESS 479 Grimes Batterton Rd. Paris Ky 40361

PHONE NO. 8597073937.

(HOME)

(WORK)

2. PLEASE CIRCLE: Paris / **Bourbon County** / Millersburg/ North Middletown Location 479 Grimes Batterton Rd. Paris Ky 40361

3. SUBDIVISION

4. EXISTING USE Residential ZONING DISTRICT

5. DESCRIPTION OF REQUEST Land had existing double wide that has now been removed. Wishing to place new doublewide in existing spot where existing electric and plumbing is. However existing spot is not 75 foot from rear property line.

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.

Matthew Hager

2/26/2021

APPLICANT SIGNATURE

DATE

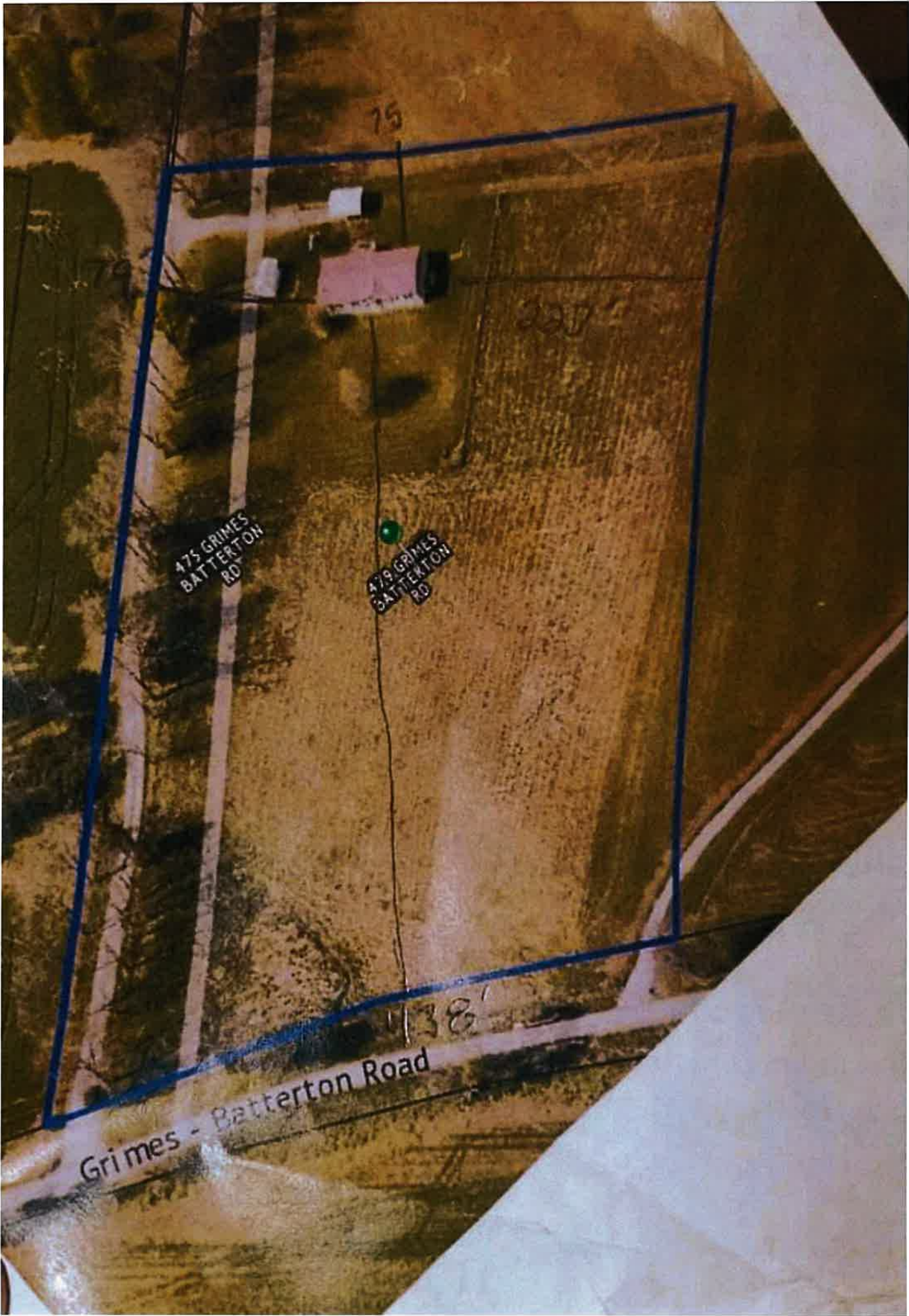
Applications under zoning regulations involve legal procedures and the satisfaction of legal requirements, often complex, based up the written information in your application and the facts presented at your hearing. If you fail to comply with the procedures, or to satisfy the requirements your application 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.

The address of 479 Grimes Batterton Rd. Paris Ky 40361 is on a 5 acre lot that has been handed down in the family. It was originally owned by Donald Hutson, who currently owns the the adjoining rear. The land was then given to his daughter and son in law Stanley and Christy Wagner who in 1998 placed a doublewide on the property, that has remained their until its removal in January 2021. Stanley and Christy Wagner have since deeded the porperty over to us their daughter and son in law Tyler and Haley Hager, so that we could place a home for our own growing family. Currently the lot has the sewage and electric and water ready from the previous home, and a new doublewide has been purchased with the intentions of placing it at the 479 Grimes Batterton Rd address, where the old doublewide sat so that existing plumbing and electric could be used, so that we could avoid any extra aggervation of land, and increased fianancial hardship. The old doublewide however, was not 75 foot from the rear property line; which in turn will mean we need a 21 foot variance for the new doublewide to be placed. The current intended placement of the doublewide is of no issue to the rear adjoining property owner, who has given premission and okay for use. The land which he owns, has every intention of remaining in the family and would cause no future issues as well. With out this variance we are looking at an unnecessary fianancial burden to completely move an already exisiting lot.

There have been no prior actions taken from the board of adjustments.

X Matthew Hager
Hager

3/8/2021



75

237

475 GRIMES
BATTERTON
RD

479 GRIMES
BATTERTON
RD

Grimes - Batterton Road

438'

DEED

THIS DEED made and entered into this 24 day of February, 2020, by and between STANLEY V. WAGNER and CHRISTY H. WAGNER, husband and wife, of 539 Grimes Batterton Road, Paris, Kentucky 40361, parties of the first part, and HALEY LUCREASIE HAGER and TYLER MATTHEW HAGER, wife and husband, of 479 Grimes Batterton Road, Paris, Kentucky 40361, parties of the second part;

W I T N E S S E T H:

For and in consideration of the premises and the love and affection the parties of the first part, Stanley V. Wagner and Christy H. Wagner, have for their daughter and son-in-law, Haley Lucreasie Hager and Tyler Matthew Hager, the parties of the first part hereby acknowledge, remise, convey, release and forever quitclaim unto the parties of the second part, for and during their joint lives with remainder in fee simple to the survivor of them, their heirs and assigns forever, any and all right, title interest or claim in and to the following described real property located in Bourbon Kentucky:

Beginning at a point in the center of the Grimes Batterton Road, a corner to a 30' Passway to the Betty Lastinger (DB 164, PG 137) property, thence running with the center of said road North 63 deg. 34 min. 00 sec. West-100.00 feet; North 55 deg. 34 min. 00 sec. West-60.65 feet and North 50 deg. 25 min. 45 sec. West-218.29 feet to a corner to Donald & Powell Hutson (DB 152, PG 156); thence running with the line of Donald & Powell Hutson (DB 152, PG 156) South 37 deg. 15 min. 00 sec. West-597.48 feet and South 53 deg. 28

min. 15 sec. East-376.93 feet to a point in the west margin of the 30' passway to the Betty Lastinger (DB 164, PG 137) property; thence running with said passway North 37 deg. 15 min. 00 sec. East-605.65 feet to the point of beginning and containing 5.1248 acres more or less. See Plat recorded in Flat Cabinet B, Sheet 332.

Being the same property conveyed to Stanley V. Wagner and Christy H. Wagner, husband and wife, by a deed dated July 25, 1997, and of record in the Office of the Bourbon County Court Clerk in Deed Book 228, at Page 785.

TO HAVE AND TO HOLD the above described property unto the parties of the second part, for and during their joint lives with remainder in fee simple to the survivor of them, their heirs and assigns forever, however, subject to easements and restrictions of record.

The parties hereto do hereby certify that no cash consideration was exchanged between the parties and that the fair cash value of the property according to the records of the Bourbon County Property Valuation Administrator is SEVENTY TWO THOUSAND SEVEN HUNDRED DOLLARS (\$72,700.00). The Parties of the Second part join herein to certify the consideration and this statement is given for the purpose of complying with KRS 382.135.

The 2020 ad valorem tax bill should be sent in care of Haley Lucreasie Hager and Tyler Matthew Hager at 479 Grimes Batterton Road, Paris, Kentucky 40361.

COMMONWEALTH OF KENTUCKY
COUNTY OF BOURBON

The foregoing instrument was subscribed and sworn to before me this the 24th day of February, 2020 by Haley Lucreasie Hager and Tyler Matthew Hager, wife and husband, as second parties herein.

Becca Henderson
NOTARY PUBLIC-STATE AT LARGE, KY.
My Commission expires: 3/16/20
Notary No.: 552986

TITLE NOT EXAMINED BY PREPARER.

THIS INSTRUMENT PREPARED BY:

J M Lovell
JAMES M. LOVELL
Attorney at Law
509 Pleasant Street
P.O. Box 521
Paris, Kentucky 40362-0521
(859) 987-7535

20 FEB 26 11:30 AM

STATE OF KENTUCKY
COUNTY OF BOURBON, Sct.
I, RICHARD STIPP EADS, Clerk of Bourbon County Court,
do certify that the foregoing DEED
was on 2/24/2020 lodged in my office for record,
and that it has been duly recorded in my said office,
together with this and the certificate thereon endorsed.
Given under my hand.
RICHARD STIPP EADS, CLERK

- Richard Stipp Eads, BCC



IN TESTIMONY WHEREOF the parties of the first part and second part have hereunto signed their hands on this date which is first above written.

Stanley V. Wagner
STANLEY V. WAGNER

Christy H. Wagner
CHRISTY H. WAGNER

Halcy Lucreasie Hager
HALCY LUCREASIE HAGER

Tyler Matthew Hager
TYLER MATTHEW HAGER

COMMONWEALTH OF KENTUCKY
COUNTY OF BOURBON

The foregoing instrument was acknowledged, subscribed and sworn to before me this the 24th day of February, 2020, by Stanley V. Wagner and Christy H. Wagner, husband and wife, as first parties herein.

Brecca Henderson
NOTARY PUBLIC-State at Large, Ky.
My Commission expires: 3-16-20
Notary No.: 550986

**BOURBON COUNTY JOINT PLANNING OFFICE
JOINT BOARD OF ADJUSTMENT
PARIS MUNICIPAL BUILDING
525 HIGH STREET, SUITE 127
PARIS, KENTUCKY 40361
PHONE # 859-987-2150**

March 1, 2021

Tyler and Haley Hager
479 Grimes Batterton Road
Paris KY 40361

Request for a Dimensional Variance Request from the Joint Board of Adjustment

The Joint Board of Adjustment will meet to hear your request for a Dimensional Variance Request at 479 Grimes Batterton Road, Paris, Bourbon County, KY, for your request for a dimensional variance of twenty-one feet (21') from the rear property line. Due to the Governor's issuance of Executive Order 2020-215 on March 6, 2020 declaring a state of emergency in the Commonwealth caused by the outbreak of COVID-19 virus, as well as additional action by the General Assembly, this meeting will be conducted by videoconference pursuant to KRS 61.826.

<https://zoom.us/j/92053550340>
Or Telephone: US: (312) 626-6799
Webinar ID: 920 5355 0340

The owner of the property, or their attorney, must attend this virtual meeting. All entities must be represented by an attorney.

You must mark the requested Dimensional Variance Request with a sign that will be provided to you. This sign is in our office and should be displayed so as to be read from the road. Additionally, you should mark the property with spray paint or stakes at the physical location of the request for the change. This must be done as soon as possible. The Board members may want to physically visit and view the site prior to the meeting.

If you have any questions, please contact me at 987-2150.

Sincerely,



Andrea S. Pompei Lacy, AICP
Planning Administrator

**BOURBON COUNTY JOINT PLANNING COMMISSION
JOINT BOARD OF ADJUSTMENT
PARIS MUNICIPAL BUILDING
525 HIGH STREET, ROOM 127
PARIS, KENTUCKY 40361**

PHONE # 859-987-2150

FAX # 859-987-4640

March 1, 2021

Dear Adjoining Property Owner:

This letter is being sent to inform you that the owner of property adjoining yours has requested the Joint Board of Adjustment to hold a virtual public hearing on an application for a Dimensional Variance Request for their property. The date for the public hearing is shown below. This notice is being sent to you by the Joint Board of Adjustment, such that you may be notified of action which may or may not affect your interest. The location of the property, the applicant for the Dimensional Variance Request and the general nature of the request are listed below:

1. Address or location of property for which the Dimensional Variance Request is requested:
479 Grimes Batterton Road
2. Owner of Property:
Tyler and Haley Hager
3. Applicant:
Tyler and Haley Hager
4. Change Involved:
21' Rear Setback Variance
5. Date and Time of Hearing:
Wednesday, March 17, 2021 at 5:30 p.m.

6. Location of Hearing:
Due to the Governor's issuance of Executive Order 2020-215 on March 6, 2020 declaring a state of emergency in the Commonwealth caused by the outbreak of COVID-19 virus, as well as additional action by the General Assembly, this meeting will be conducted by videoconference pursuant to KRS 61.826.

<https://zoom.us/j/92053550340>

Or Telephone:

US: (312) 626-6799

Webinar ID: 920 5355 0340

You are invited to attend the Virtual Public Hearing, either yourself or by agent or attorney, to state your view regarding the above stated application.

If you should desire any additional information regarding the Dimensional Variance Request, please contact the Planning Commission Office in the Paris Municipal Building or call the Office at 987-2150.