

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 21-04 Fee Amount: \$ 200⁰⁰ Date Fee Received: 3/11/2021

1. **APPLICANT** Daniel Schmidt - BTE Farm Holdings LLC Owner (if different) _____

MAILING ADDRESS 1914 N Middletown Paris, KY 40361

PHONE NO. 618-719-3021 (HOME) _____ (WORK) _____

2. **PLEASE CIRCLE:** Paris / **Bourbon County** / Millersburg/ North Middletown Location 1914 N Middletown Paris, KY 40361

3. **SUBDIVISION** _____

4. **EXISTING USE** Thoroughbred Farm **ZONING DISTRICT** A1

5. **DESCRIPTION OF REQUEST** Seeking to remove an existing double wide and replace it with a new one, in the same locations on the property. Current double wide was an existing structure on the property when purchased by applicant. Also looking to build small entry way porch in front of new double wide to increase curb appeal. **VARIANCE REQUEST: 54'**

7. SUPPORTING INFORMATION:

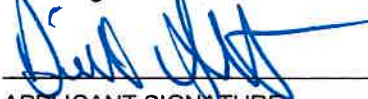
VARIANCE - Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and locations of existing buildings, the locations and dimensions of proposed buildings or additions, and any natural or topographic peculiarities of the lot in question. In order for a variance to be 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.



APPLICANT SIGNATURE

3-11-2021

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.

Legal Description for a portion of 2150 North Middletown Road, Bourbon County, Kentucky

A certain tract or parcel of land in Bourbon County, Kentucky, said tract of land lying on the southwest side of North Middletown Road, and being approximately 4.9 miles east of the intersection of North Middletown Road and Millersburg Road; and being more particularly described as follows:

Beginning at a Mag Nail (set) in the centerline of North Middletown Road, said point being a corner to Brian Rauf & Britta Inman (Deed Book 309, Page 484), and being in the southerly line of BEMAK, Inc. (Deed Book 193, Page 672); thence with the centerline of said road and the southern line of BEMAK, N.V. for two calls: $S64^{\circ}25'53''E$ 1055.90' to a mag nail (set) and $S60^{\circ}35'53''E$ 69.33' to a mag nail (set) at the intersection of North Middletown Road and Harrods Creek Road, said point being a corner to William R. Sphar III and Martha Sphar Pumphrey (Deed Book 208, Page 715); thence with the centerline of North Middletown Road and the southerly line of Sphar for seven calls: $S49^{\circ}38'03''E$ 75.13' to a mag nail (set), $S29^{\circ}08'43''E$ 65.94' to a mag nail (set), $S18^{\circ}08'32''E$ 66.17' to a mag nail (set), $S15^{\circ}26'30''E$ 994.71' to a mag nail (set), $S16^{\circ}01'51''E$ 181.56' to a mag nail (set), $S18^{\circ}02'03''E$ 182.08' to a mag nail (set), and $S20^{\circ}08'05''E$ 184.00' to a mag nail (set); thence severing the land of Oxbow Horse Farms, LLC (Deed Book 262, Page 442) for twelve calls: $S83^{\circ}19'11''W$ 391.87' to an iron pin (set), $N84^{\circ}58'43''W$ 173.79' to an iron pin (set), $N45^{\circ}35'03''W$ 408.84' to an iron pin (set), $N63^{\circ}12'24''W$ 372.96' to an iron pin (set), $N53^{\circ}20'14''W$ 244.43' to an iron pin (set), $S56^{\circ}38'12''W$ 1752.63' to an iron pin (set), $S6^{\circ}48'40''W$ 1233.14' to an iron pin (set), $S6^{\circ}34'11''W$ 421.24' to an iron pin (set), $S64^{\circ}31'11''W$ 119.84' to an iron pin (set), $N74^{\circ}54'04''W$ 487.91' to an iron pin (set), $N62^{\circ}50'59''W$ 339.46' to an iron pin (set), and $N34^{\circ}59'44''W$ 482.53' to a 4" steel post set in concrete (fd.), said point being on the east bank of Stoner Creek and being a corner to D Farm, LLC (Deed Book 271, Page 644), thence the with D Farm, LLC for seven calls: $N29^{\circ}20'44''E$ 143.98' to a point on the east bank of Stoner Creek, $N39^{\circ}31'16''E$ 545.00' to a point on the east bank of said creek, $N31^{\circ}46'16''E$ 516.00' to a point on the east bank of said creek, $N5^{\circ}58'01''W$ 182.64' to a point on the east bank of said creek, $N89^{\circ}13'44''W$ 184.36' crossing Stoner Creek to an iron pin (set) on the west bank of said creek, $N5^{\circ}13'44''W$ 192.72' to a point on the west bank of said creek, and $N3^{\circ}58'44''W$ 299.64' to an iron pin (set) on the west bank of said creek, said point being a corner to Brian Rauf & Britta Inman (Deed Book 309, Page 484); thence with Rauf for eight calls: $S89^{\circ}43'44''E$ 161.70' crossing Stoner Creek to an iron pin (set) on the east bank of said creek, $N1^{\circ}46'16''E$ 64.79' to a point on the east bank of said creek, $N9^{\circ}39'16''E$ 229.02' to a point on the east bank of said creek, $N17^{\circ}53'48''E$ 95.06' to a point on the east bank of said creek, $N24^{\circ}38'16''E$ 82.50' to a 4" steel post set in concrete (fd.) on the east bank of said creek, $S67^{\circ}52'59''E$ 200.14' to a #4 rebar (fd.), $N69^{\circ}05'20''E$ 1243.00' to a _____, and $N28^{\circ}38'49''E$ 1213.71' to the Point of Beginning and containing 138.20 acres.

The foregoing described Survey was performed under the supervision of Gary Roland, PLS 3363 with CAM Surveying in October of 2020. All Iron Pin (set) referred to herein are #5 X 18" rebar w/ ID cap. Meridian of the Survey is grid north based upon the KY North Zone. The Survey was performed with a Topcon Hyper V GPS system with Dual Frequency utilizing RTK accurate to 0.05 ft and radial side shots utilizing a Sokkia Set 530 R3 Total Station. To the best of the Surveyors knowledge all work complies with 201 KAR 18:150.

Supporting information for the application for a zoning variance at 1914 N Middletown Road,
Paris, KY 40361

7A. Due to the topography of the land, existing utilities and structures, and existing utility pole, placing a dwelling in a different location is not feasible.

7B. The ability to place a dwelling on a farm is enjoyed by other properties with A1 zoning, and is only feasible on this property, without extensive cost, with a variance.

7C. The applicant did not place the current dwelling on the property, nor did they place the utility pole on the property that restricts available space.

7D. The requested variance is only to allow a replacement dwelling and garage in the same location, and is the absolute minimum variance to allow full use of the land.

Prior Action by the Board

To the best of the knowledge of the applicant, the Board of Adjustments has not taken any previous actions on this property.

List of adjoining properties:

2150 N Middletown Road

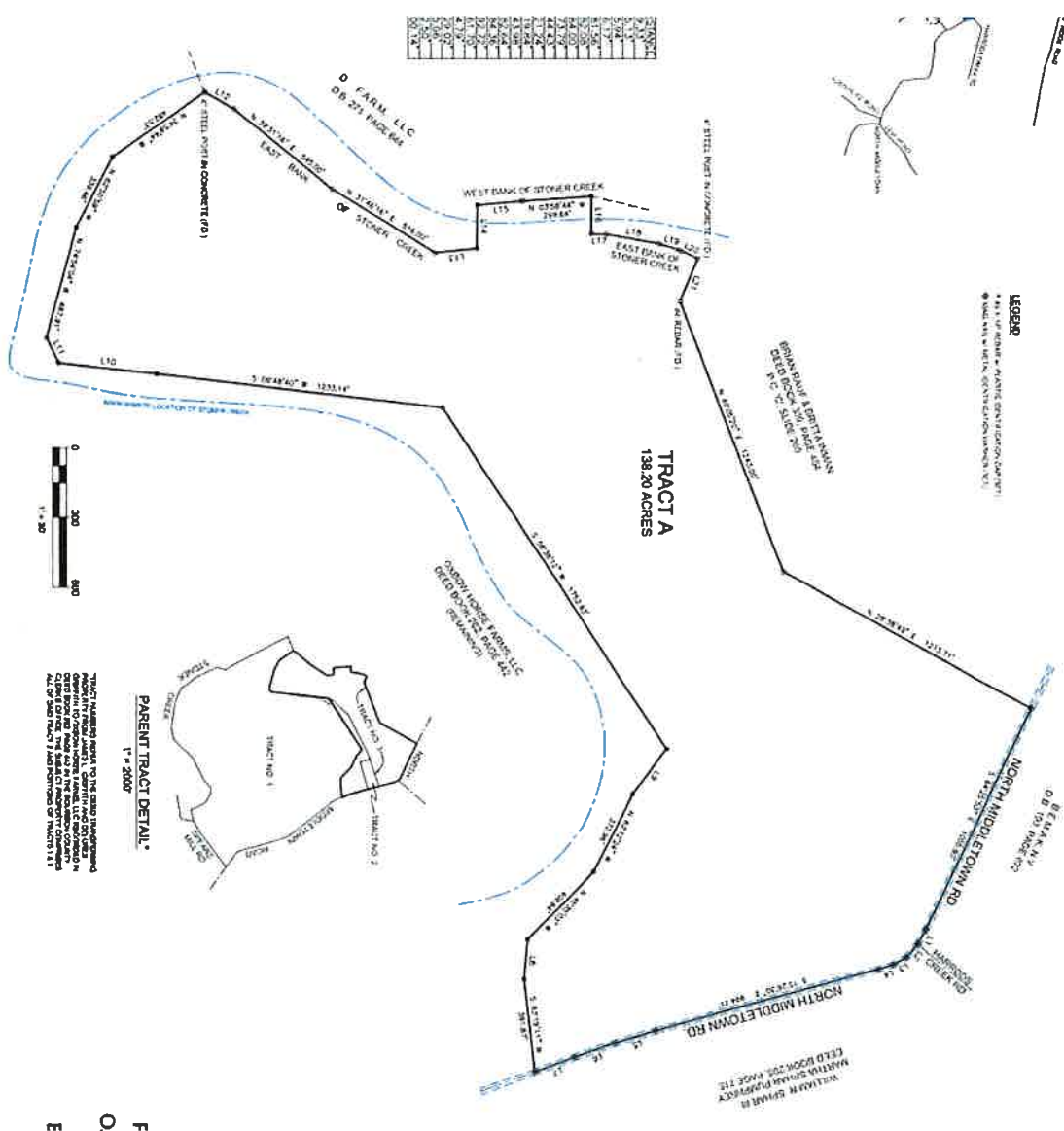
- Oxbow Horse Farms LLC
10200 Grogans Mill Road #520
The Woodlands, TX 77380

Rauf Brian & Inman Britta

- Spears Mill Rd (Per County PVA)
- Neighbor: Brian Rauf – 1780 N Middletown Road (Unsure if describing same property)

D Farm LLC

- Spears Mill Rd



NO.	ACRES	FRAC.
1	1.00	1/1
2	1.00	1/1
3	1.00	1/1
4	1.00	1/1
5	1.00	1/1
6	1.00	1/1
7	1.00	1/1
8	1.00	1/1
9	1.00	1/1
10	1.00	1/1
11	1.00	1/1
12	1.00	1/1
13	1.00	1/1
14	1.00	1/1
15	1.00	1/1
16	1.00	1/1
17	1.00	1/1
18	1.00	1/1
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23	1.00	1/1
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28	1.00	1/1
29	1.00	1/1
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36	1.00	1/1
37	1.00	1/1
38	1.00	1/1
39	1.00	1/1
40	1.00	1/1
41	1.00	1/1
42	1.00	1/1
43	1.00	1/1
44	1.00	1/1
45	1.00	1/1
46	1.00	1/1
47	1.00	1/1
48	1.00	1/1
49	1.00	1/1
50	1.00	1/1

LEGEND

- 1/4 ACRES - PLANT ORIENTATION (SEE PLAN)
- 1/2 ACRES - PLANT ORIENTATION (SEE PLAN)
- 3/4 ACRES - PLANT ORIENTATION (SEE PLAN)
- 1 ACRES - PLANT ORIENTATION (SEE PLAN)



PARENT TRACT DETAIL
1" = 200'

TRACT A (138.20 ACRES) IS A SUBDIVISION OF TRACT A (138.20 ACRES) AS SHOWN ON THE SURVEY MAP OF TRACT A (138.20 ACRES) AND IS BOUND BY THE EAST AND WEST BOUNDARIES OF TRACT A (138.20 ACRES) AND THE NORTH AND SOUTH BOUNDARIES OF TRACT A (138.20 ACRES).

F
O
E

SURVEY NOTES

-KENDON OF SURVEY IS GRID NORTH, BASED ON
 ARIZONA NORTH ZONE COORDINATE DATA
 DERIVED FROM GPS READINGS TAKEN DURING THE
 SURVEY.
 THIS IS A SURVEY CONDUCTED WITH GPS, HAS 16.189
 AND 16.190 METERS WITH 1/1000000 MAPPING
 RELATIVE POSITIONAL ACCURACY OF 0.05 OR BETTER
 IN ALL DIRECTIONS. THIS SURVEY WAS CONDUCTED AT 150
 METERS PER SECOND. THIS IS A CLASS A SURVEY.
 ALL WORK WAS PERFORMED UNDER MY DIRECTION
 AND IS TRUE AND CORRECT TO THE BEST OF MY
 KNOWLEDGE AND BELIEF.

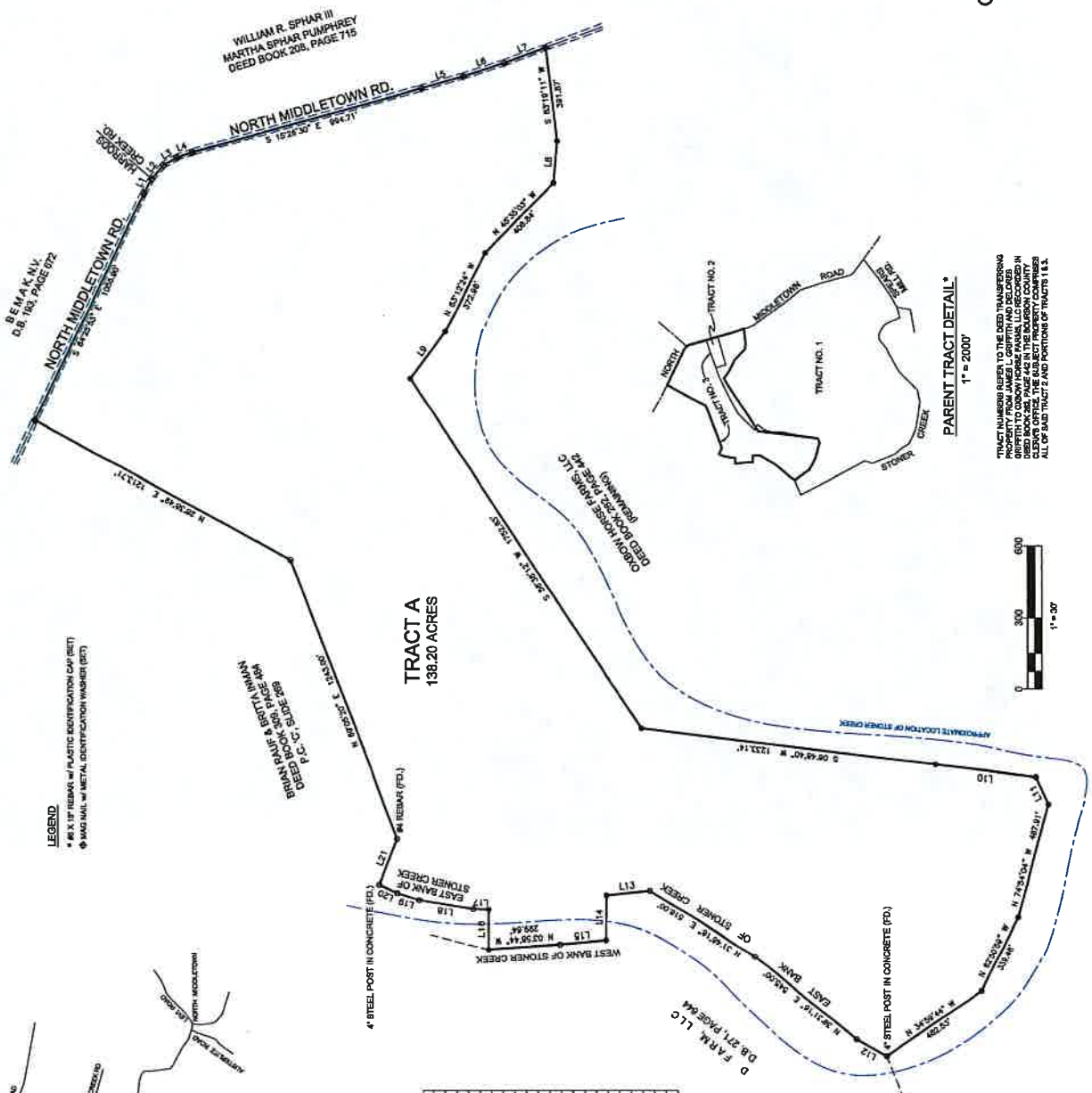
BOUNDARY PLATS



OWNER
 OXBOW HORSE FARMS, LLC
 10200 GREGGANS HILL ROAD #820
 THE WOODLANDS, TX, 77380

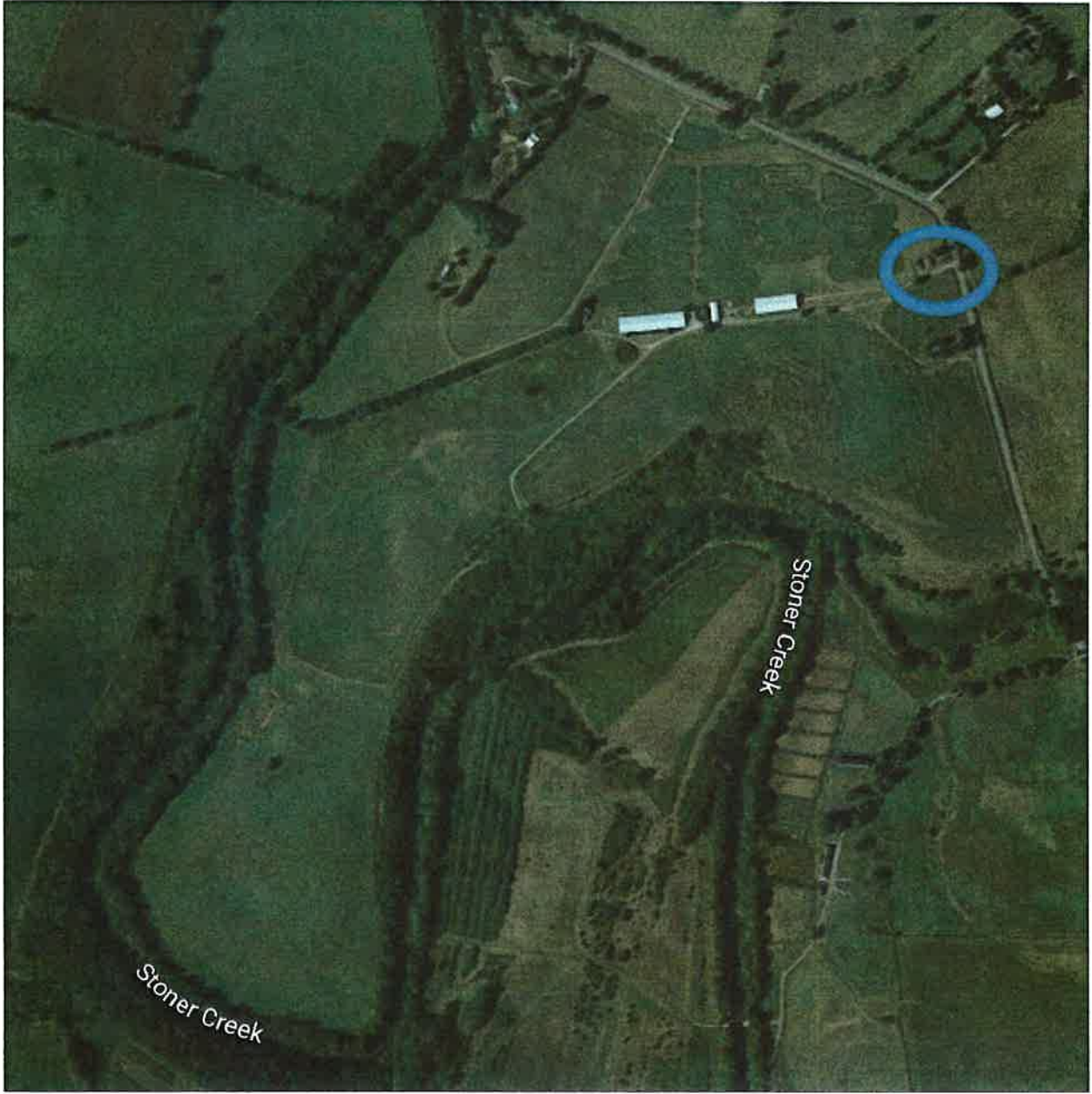
CLIENT
 BTE HOLDINGS, LLC
 bteholder@oxbow.com

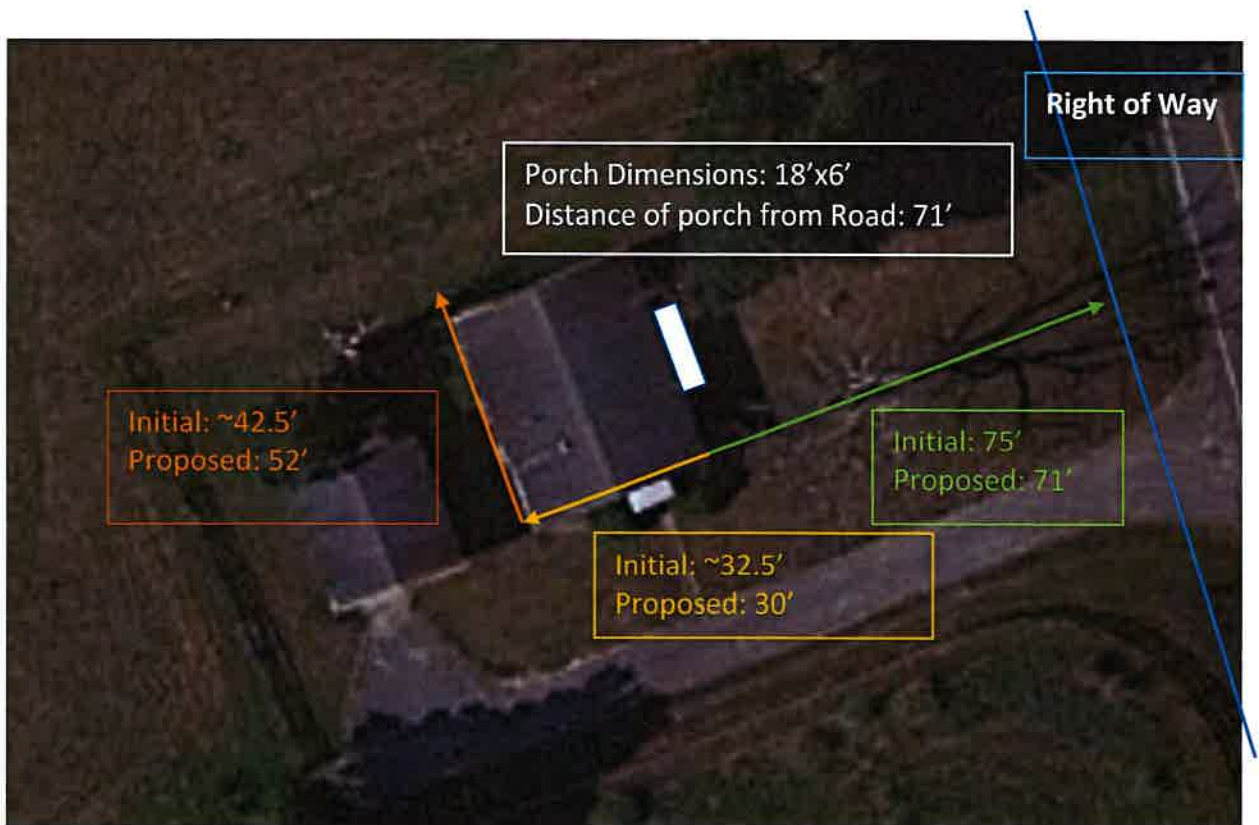
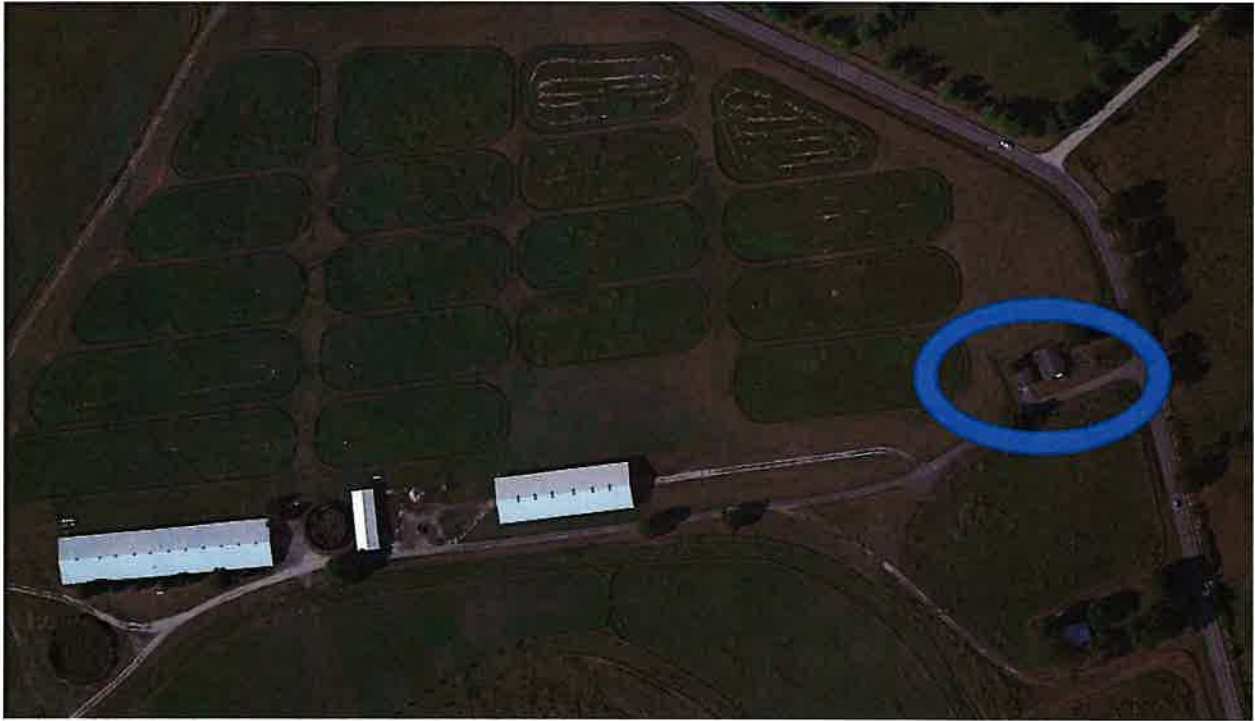
PROPERTY DIVISION PLAT
 OF THE
OXBOW HORSE FARMS, LLC
 FOR
PROPERTY
 OF
BTE FARM HOLDINGS, LLC
 2150 NORTH MIDDLETOWN ROAD
 (A PORTION OF)
 BOURBON COUNTY, KEN.
 OCTOBER 2020



LINE	BEARING	DISTANCE
L1	S 31° 35' 03" E	69.73
L2	S 28° 08' 43" E	65.94
L3	S 15° 04' 32" E	66.17
L4	S 16° 01' 51" E	181.56
L5	S 16° 02' 07" E	182.08
L6	S 14° 58' 43" W	173.70
L7	S 14° 58' 43" W	173.70
L8	S 14° 58' 43" W	173.70
L9	S 14° 58' 43" W	173.70
L10	S 05° 34' 11" W	421.24
L11	S 05° 34' 11" W	119.84
L12	S 05° 34' 11" W	119.84
L13	S 05° 34' 11" W	119.84
L14	S 05° 34' 11" W	119.84
L15	S 05° 34' 11" W	119.84
L16	S 05° 34' 11" W	119.84
L17	S 05° 34' 11" W	119.84
L18	S 05° 34' 11" W	119.84
L19	S 05° 34' 11" W	119.84
L20	S 05° 34' 11" W	119.84
L21	S 05° 34' 11" W	119.84

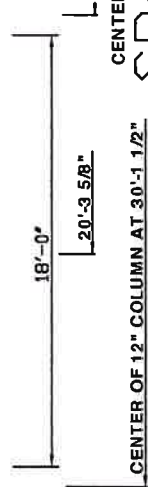
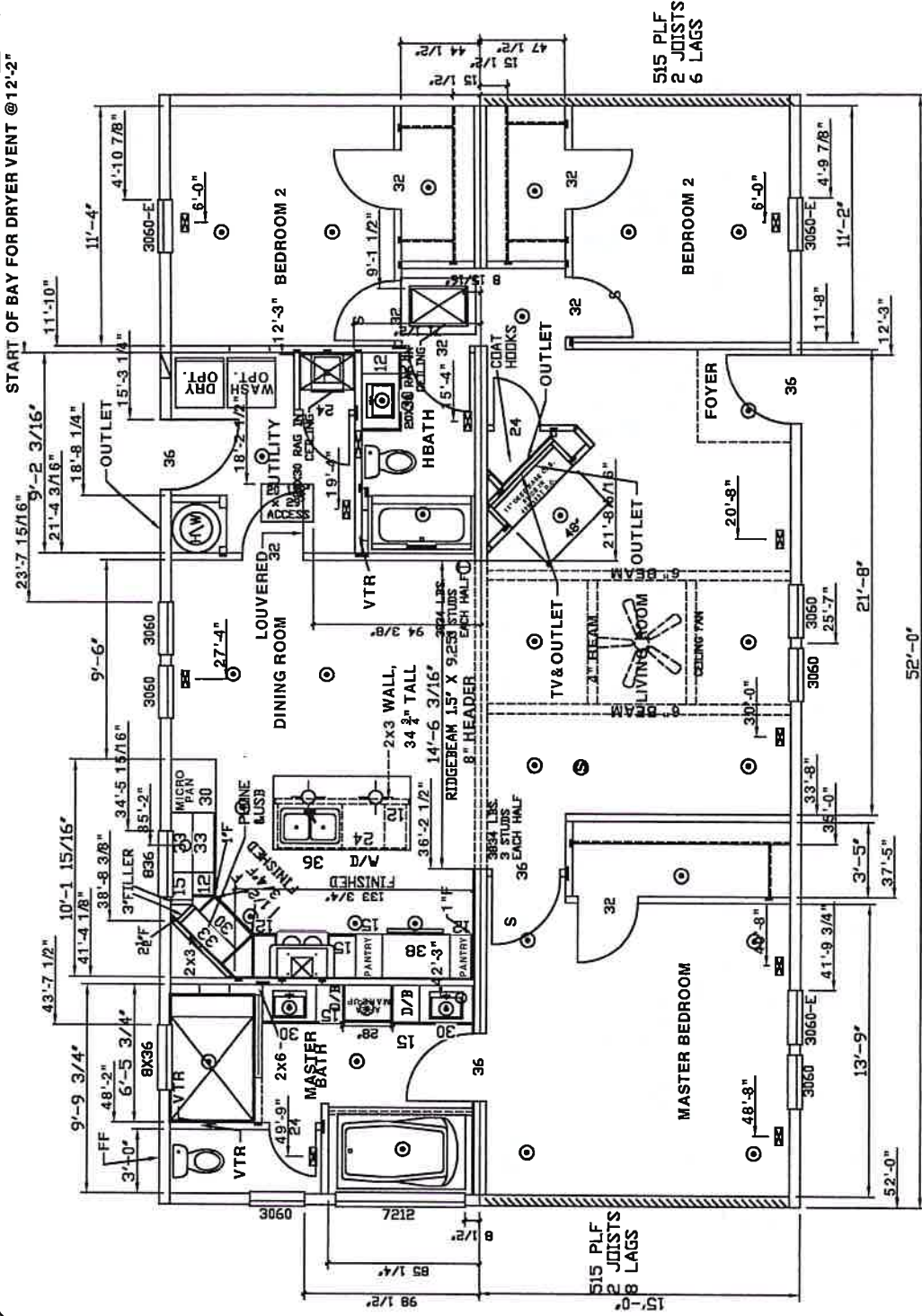






5/12 HINGED ROOF-#M968-8' FLAT CEILINGS
2X6 SIDEWALLS

FRE32523A
2-FILE



CENTER OF 12" COLUMN AT 10'-5 3/4"
SR#27859 S.C.

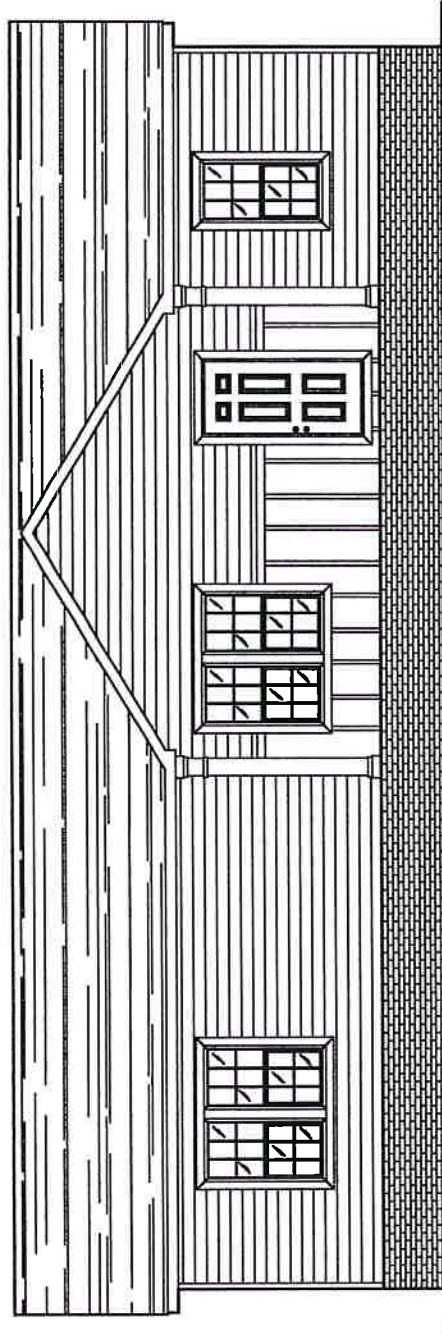
CENTER OF 12" COLUMN AT 30'-1 1/2"

3 VTR'S
4 DROPS
12KW FURNACE
33R-21W-22F

SQ.FT. (STD PLAN "CONDITIONED"
SQ.FT. (W/OPT. PORCH/RECESS "CONDITIONED"
Model #: E1N32523A
Drawing #: H

NORRIS HOMES
Product Designer: Zeb Brabson
Scale: NTS
Rev:

HARDCARD



SR#27859 S.C.

SQ.FT. (STD PLAN "CONDITIONED"
SQ.FT. (W/OPT. PORCH/RECESS "CONDITIONED"

Norris Homes Model #: E1N32523A Drawing #:
Date: 06/19/20 Scale: NTS

Product Designer: Zeb Brabson

Rev: