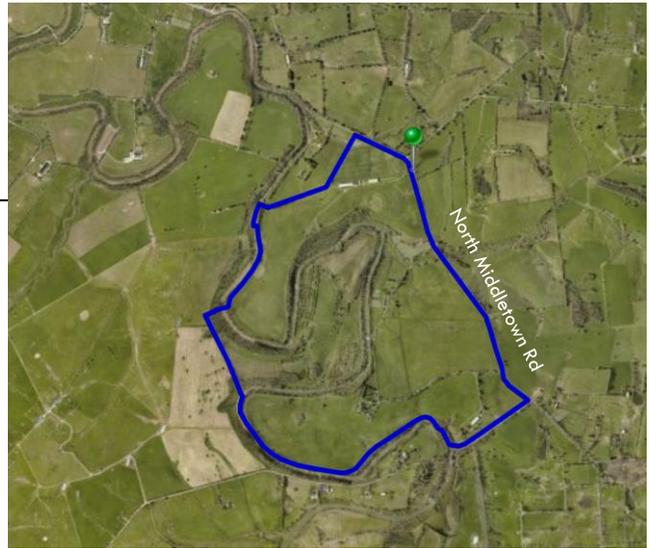


Staff Report

Bourbon County Joint Board of Adjustment
April 1, 2021

Case Number: 21-04
Applicant: BTE Holdings LLC
Owner of Property? Yes
Location: 1914 North Middletown Rd
Request: 54 ft. front setback variance
Zoning: A-1 Agricultural
Application Date: March 11, 2021
Legal Advertisement: March 25, 2021
Signage Posted: March 24, 2021



Proposal:

The applicant proposes a front setback variance of 54 ft for the placement of a new manufactured home.

Background:

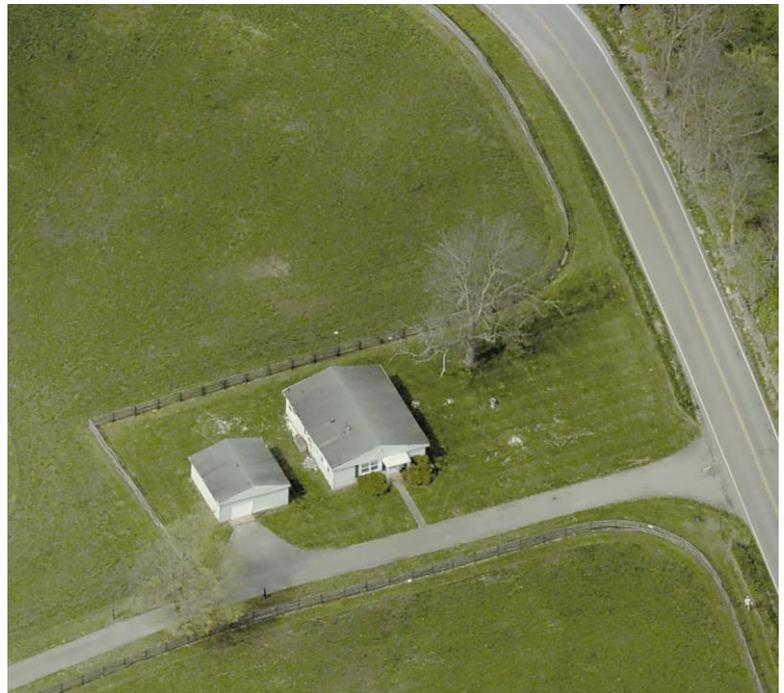
Existing Structures: 2 residences and agricultural buildings.
Floodplain (Y/N): NO

Required in the A-1 District:

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

Proposed:

Front setback: 71 ft.
Rear setback: Over 1,000 ft.
Side setback: Over 1,000 ft.



Existing house and garage to be demolished. Dead tree to be removed.



Findings:

Before the 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 claims that the relocation of fencing to accommodate a farther setback will hinder the agricultural operation on the property.

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

Yes, the strict application would pose both an economic hardship and limit the applicants ability to continue utilizing their property for agricultural purposes.

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 54 foot front setback variance for a manufactured home at 1914 North Middletown Rd. The 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 create a hazardous nuisance to the public.