

Staff Report

Bourbon County Joint Board of Adjustment Meeting
May 18, 2021

Case Number: VAR 21-05
Applicant: Jeff & Kara Cowan
Owners of Property? Yes
Location: 224 Monson Rd
Request: 80 ft front setback variance for garage
Jurisdiction: Unincorporated Bourbon County
Zoning: Agricultural (A-1)
Application Date: April 13, 2021
Legal Advertisement: May 13, 2021



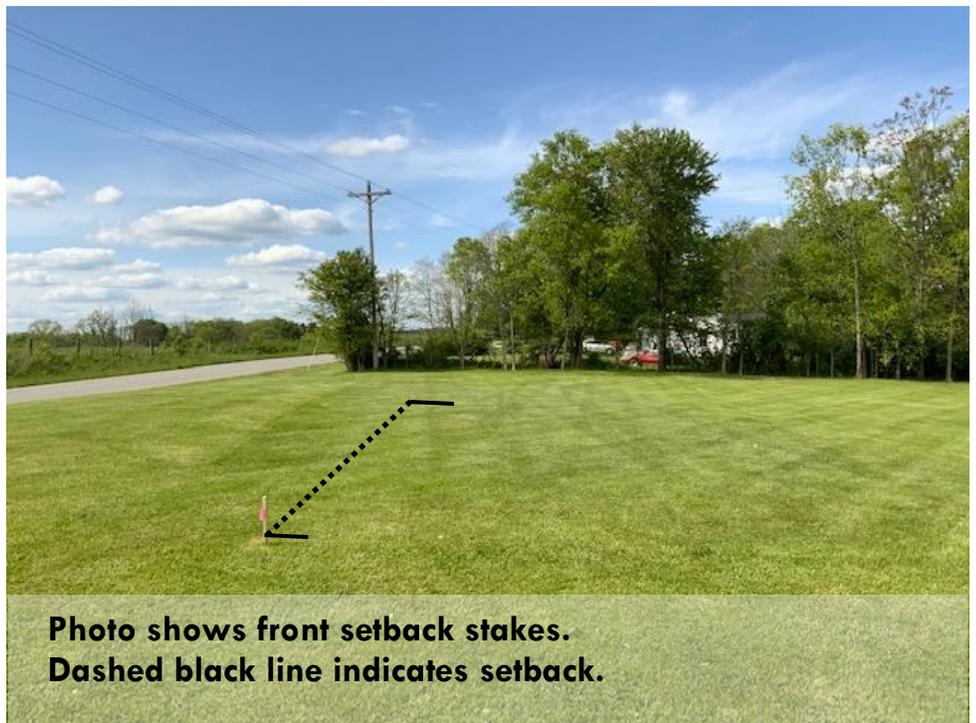
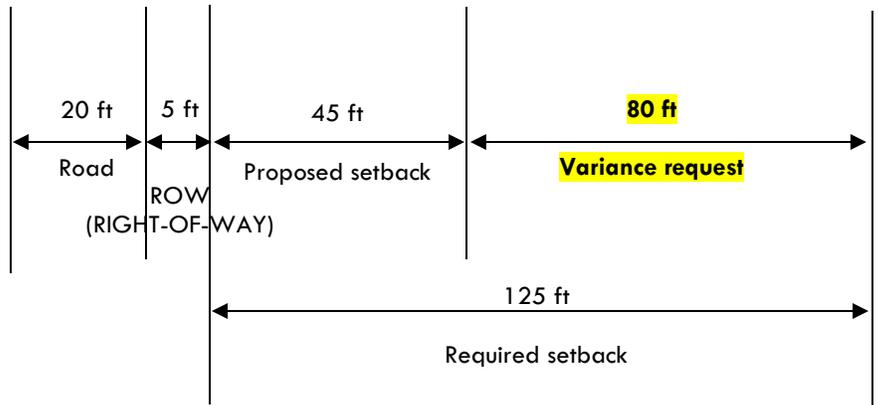
Proposal:

The applicant proposes a 80 ft. front setback variance for construction of a garage.

Background:

Parcel Size: 5 acres
Existing Structures: Residence
Floodplain (Y/N): NO

Proposed front setback: 45 ft.



**Photo shows front setback stakes.
Dashed black line indicates setback.**



Photo shows connected stakes in relationship to adjacent property and rear agricultural fence line. Dashed black line connects stakes that are visible in photo.

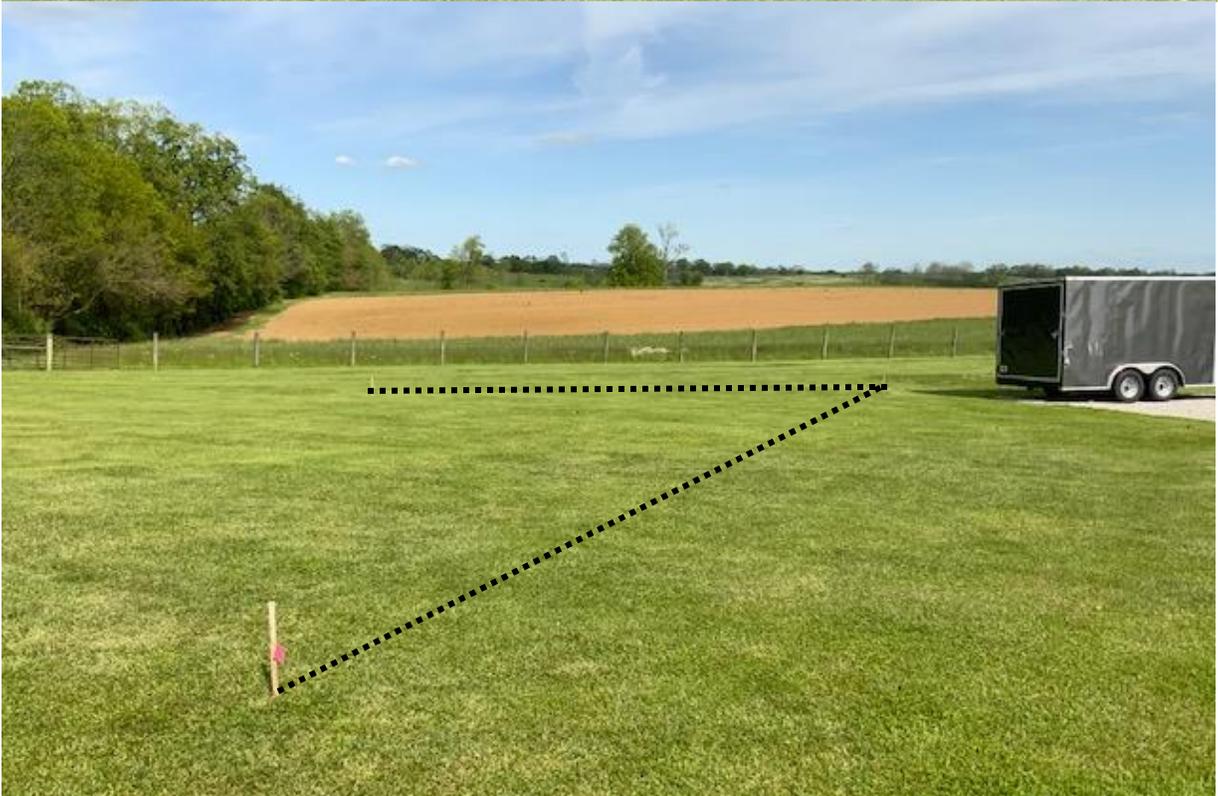


Photo shows front and side stakes in relationship to adjacent property and rear agricultural fence line. Dashed black line connects stakes that are visible in photo.

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 owners have property constraints of the rear leach field and agricultural fencing which limits their ability to construct an accessory garage near the house.

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

Yes, the strict application may present a hardship of disrupting the agricultural operations on the property. Additionally, the leach field may not be disrupted.

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 80 ft. front setback variance for the construction of garage for personal vehicle storage and personal workshop. 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. The requested setback is in character with the surrounding front setbacks in this area.