

# APPLICATION TO BOURBON COUNTY JOINT BOARD OF ADJUSTMENT

## Variance

Bourbon County Joint Planning Commission

525 High Street Office 127, Paris, KY 40361 • (859) 987-2150

### Office Use only:

Application No. VAR 21-07 Fee Amount: \$ 200 Date Fee Received: 7/1/2021 

1. APPLICANT Floyd & Merlea Carroll Owner (if different) \_\_\_\_\_

MAILING ADDRESS 519 Rockridge Rd. Paris, KY 40361

PHONE NO. 859-953-0120 (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

2. PLEASE CIRCLE: Paris / Bourbon County / North Middletown  
Location 519 Rockridge Rd. Paris, KY 40361

3. SUBDIVISION \_\_\_\_\_

4. EXISTING USE Residential & Agricultural ZONING DISTRICT A-1

5. DESCRIPTION OF REQUEST 58 ft front set back variance for new Residence.

### 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.

Merlea Carroll

APPLICANT SIGNATURE

7/1/2021

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. Individuals are not required to employ an attorney, but you are encouraged to do so. All business entities require legal representation.

BOURBON COUNTY

2021 MAR 29 AM 10:27

**DEED**

THIS DEED made and entered into this 29 day of March, 2021, by and between **DANNITA CROSSFIELD**, a single person, with a mailing address of 122 Larue Road, Paris, KY 40361, and **CAVEN RAY HEDGES**, a single person, with a mailing address of 9280 South Heavenly Vista Way, Hereford, AZ 85615, PARTIES OF THE FIRST PART, **FLOYD D. CARROLL AND MERLEA D. CARROLL**, husband and wife, with a mailing address of 549 Rock Ridge Road, Paris, KY 40361, PARTIES OF THE SECOND PART. The property tax bill for the current year should be mailed "in care of" Floyd D. Carroll and Merlea D. Carroll, 549 Rock Ridge Road, Paris, KY 40361.

WITNESSETH:

That for and in consideration of the sum of \$30,000.00, the receipt of which is hereby acknowledged by the First Parties, the First Parties have bargained and sold and by these presents do hereby grant and convey equally and jointly unto the Second Parties, for and during their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns forever, the following described real property situated in Bourbon County, Kentucky, to wit:

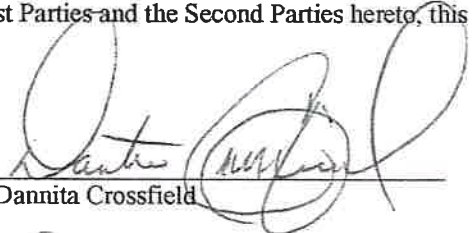
Beginning at a point in the North right of way of Rock Ridge Road corner to Hedges remaining and with said right of way the following call: South 49 deg. 56 min. 41 sec. East, 654.77 feet to a pin set corner to Hedges remaining leaving right of way and with said Hedges the following calls: North 36 deg. 58 min. 39 sec. East, 349.58 feet to a pin set; North 51 deg. 49 min. 44 sec. West, 632.08 feet to a pin set; South 40 deg. 47 min. 56 sec. West, 328.32 feet to the point of beginning and being subject to all right of ways, easements, etc., of record or otherwise. Based on a field survey done by R.D. Jones in July of 1994. The above described parcel contains 5.00 acres. See also Plat Cabinet B, Slide 264, Bourbon County Court Clerk's Office.

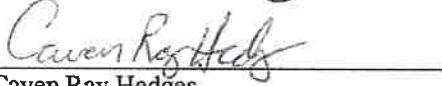
And BEING the same property conveyed to Danny Hedges and Phyllis Hedges, his wife, by deed dated November 25, 1994, and of record in the Office of the Bourbon County Court Clerk in Deed Book 223, at Page 779. The said Phyllis Hedges having thereafter died and by virtue of the survivorship language contained in the aforesaid deed, full and complete title passed to Danny Hedges. The said Danny Hedges (being one and the same person as Danny Ray Hedges) having thereafter died, testate, a resident of Bourbon County, Kentucky, on July 12, 2020, and by Item III of his Last Will and Testament of record in the Office of the Bourbon County Court Clerk in Will Book DDD, at Page 702, he devised the aforesaid property to his two children, namely, Caven Ray Hedges and Dannita Crossfield.

TO HAVE AND TO HOLD the hereinabove described real property unto the Second Parties, equally and jointly, for and during their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns forever, together with all improvements thereon and appurtenances thereof, with covenant of GENERAL WARRANTY.

The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Second Parties join in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

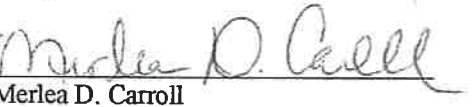
IN TESTIMONY WHEREOF, witness the signatures of the First Parties and the Second Parties hereto, this the day, month and year first above written.

  
Dannita Crossfield

  
Caven Ray Hedges

PARTIES OF THE FIRST PART


  
Floyd D. Carroll

  
Merlea D. Carroll

PARTIES OF THE SECOND PART


STATE OF KENTUCKY  
COUNTY OF BOURBON

The foregoing Deed and Consideration Certificate were acknowledged and sworn to before me this 29 day of March, 2021, by Dannita Crossfield, a single person, and Caven Ray Hedges, a single person, Parties of the First Part.

  
Notary Public, State at Large, Kentucky  
Print Name: William J. Pool  
My Comm. Exp.: 5/25/21  
Notary ID No.: 5200168


STATE OF KENTUCKY  
COUNTY OF BOURBON

The foregoing Consideration Certificate was acknowledged and sworn to before me this 29 day of March, 2021, by Floyd D. Carroll and Merlea D. Carroll, husband and wife, Parties of the Second Part.

  
Notary Public, State at Large, Kentucky  
Print Name: William J Fooks  
My Comm. Exp.: 5/25/21  
Notary ID No.: 580068

This instrument was prepared by William J. Fooks, William J. Fooks, P.S.C., Attorney at Law, 278 East Main Street, Paris, Kentucky 40361.

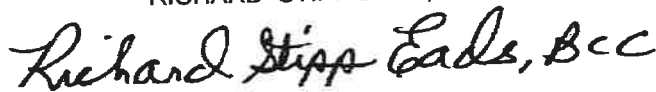
WILLIAM J. FOOKS, P.S.C.

BY:   
William J. Fooks

NO TITLE EXAMINATION OR  
TITLE CERTIFICATION

STATE OF KENTUCKY  
COUNTY OF BOURBON, Sct.  
I, RICHARD STIPP EADS, Clerk of Bourbon County Court,  
do certify that the foregoing DEED  
was on 3/29/2021 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





Floyd & Merlea Carroll  
549 Rockridge Rd.  
Paris, KY 40361

July 1, 2021

RE: 58 ft front setback variance request at 519 Rockridge Rd.

Dear Bourbon County Joint Board of Adjustment,

We are requesting a 58 ft setback variance request to replace an existing non-conforming manufactured home and install a new manufactured home on our 5 acre property. By allowing the requested variance, our new home will be more in compliance with the front setback requirements for the A-1 Agricultural zone. Currently, the existing home is set back 35 ft from the edge of the right-of-way on Rockridge Rd.

Special conditions exist that are peculiar to this lot, such as topographic constraints and an existing utility pole and wire that we cannot encroach upon.

To our knowledge, there have been no prior actions taken by the Board of Adjustment on this property.

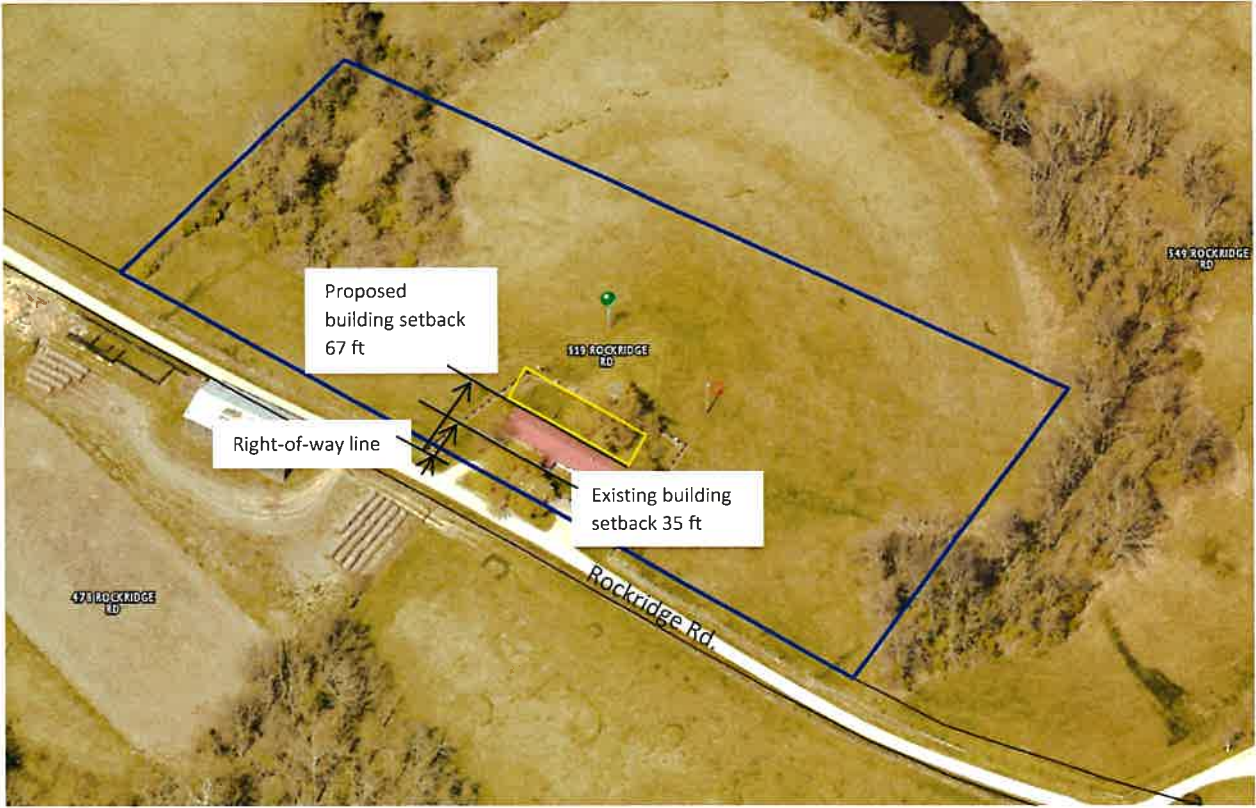
Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Floyd & Merlea Carroll". The signature is written in a cursive, flowing style.

Floyd & Merlea Carroll





ADJOINING PROPERTY OWNERS

RANDY COOK  
549 ROCKRIDGE RD  
PARIS, KY 40361

ERMAN FOLEY  
478 ROCKRIDGE RD  
PARIS, KY 40361