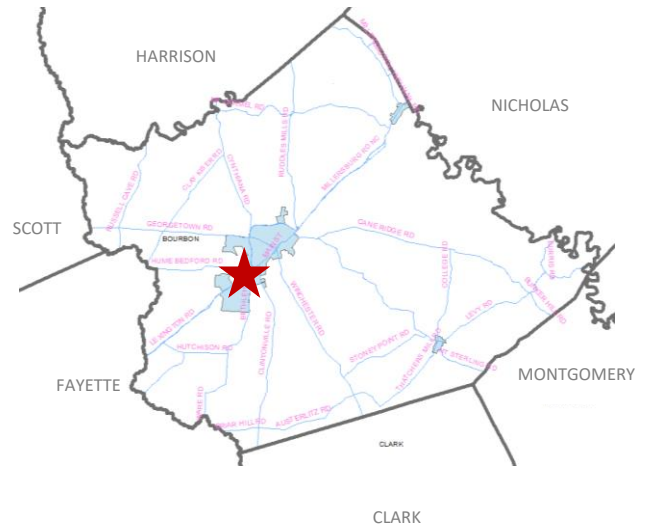


# Staff Report

Bourbon County Joint Board of Adjustment Meeting  
October 19, 2021

**Case Number:** VAR 21-10  
**Applicant:** Ben Royse  
**Owner of Property?** Yes  
**Location:** 200 E 20<sup>th</sup> St  
**Request:** 10 ft front setback variance  
5 ft rear setback variance  
4 ft side setback variance  
**Zoning:** R-3 Residential  
**Application Date:** September 17, 2021  
**Legal Advertisement:** October 14, 2021  
**Staff Site Visit:** October 13, 2021



## Proposal:

The applicant proposes the following setback variances to construct a new single family dwelling (see aerial image on following page):

Front setback variance (along Brent St): 10 feet  
Front setback variance (along Clintonville Rd/20<sup>th</sup> St): 10 feet  
Side setback variance: 4 feet  
Rear setback variance: 5 feet

## Background:

Parcel Size: 4,350 square feet  
Existing Structures: None  
Floodplain (Y/N): NO

## Proposed setbacks:

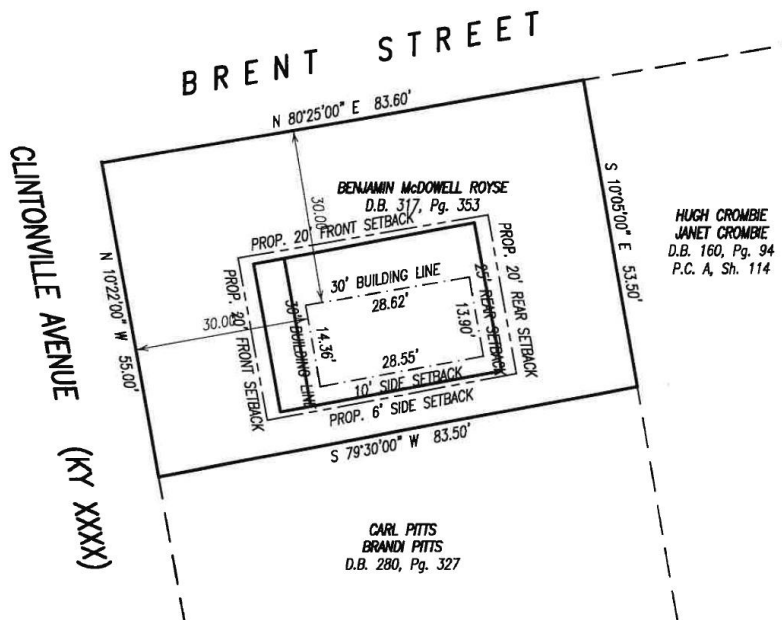
Front (Clintonville/20<sup>th</sup> St.): 20 feet  
Front (Brent St): 20 feet  
Side: 6 feet  
Rear: 20 feet

## Front setbacks of neighboring structures:

120 Clintonville Rd (to the north): 17 feet  
202 Clintonville Rd (to the south): 12 feet



Panoramic view of existing corner lot



See application for image from survey plat. The bold line represents the setback of the previous building footprint.

**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, as a lot of record at 4,350 square feet and corner lot, this property is smaller than the lot minimum of 7,200 square. This leaves very little area for the construction of a dwelling.

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

Yes, if the applicant were to go by the minimum standard, the available building footprint would be less than 400 sf in size. According to the City of Paris Zoning Ordinance (80.206 C. 2.) a residential dwelling may be built upon a lot which was non-conforming at the time the ordinance was adopted. The Board of Adjustment shall permit variances, within reasonable conformity with existing structures in the area, and as described in Section 80.301.B.3 (dimensional variance).

*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 following variances:**

- 10 ft front setback variance (Brent St)**
- 10 ft front setback variance (20<sup>th</sup>/Clintonville Rd)**
- 5 ft rear setback variance**
- 4 ft side setback variance**

**The granting of this variance is in character with the setbacks of the surrounding area would not adversely affect the public health, safety or welfare, and will not cause a hazardous nuisance to the public.**



CLINTONVILLE RD.



BRENT ST.