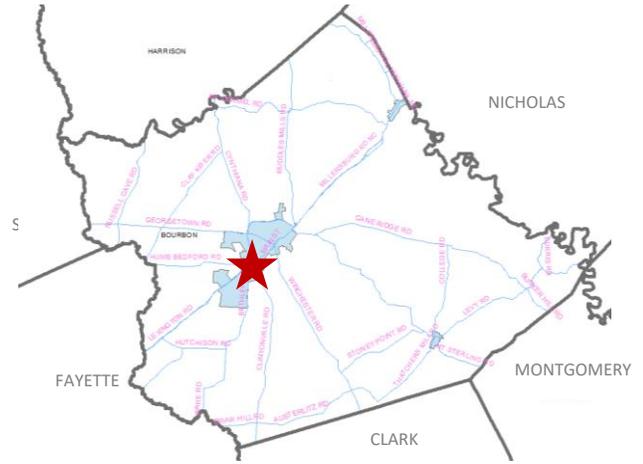


# Staff Report

Bourbon County Joint Board of Adjustment Meeting  
October 19, 2021

**Case Number:** VAR 21-11  
**Applicant:** Greg and Laura Douglas  
**Owner of Property?** Yes  
**Location:** 2017 Sunset Dr  
**Request:** 15 ft side setback variance  
**Zoning:** R-1 Residential  
**Application Date:** October 8, 2021  
**Legal Advertisement:** October 14, 2021  
**Staff Site Visit:** October 13, 2021



## Proposal:

The applicant proposes a 15 foot side setback variance for the construction of an attached deck in the backyard of house at 2017 Sunset Dr.

## Background:

Parcel Size: .25 acres  
Existing Structures: House  
Floodplain (Y/N): NO

**Proposed side setback: 0 feet**

Distance of 2017 Sunset Dr to neighboring structures:





**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?*

No, the variance request does not arise from special circumstances.

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

Yes, the strict application would prevent the applicant from being able to construct a deck that is within the building footprint and setbacks of the existing home.

*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 denial of variance request of 15 ft. with a finding that there are no zero lot line provisions in the zoning ordinance. Additionally, the proposed variance request is out of character with the surrounding area setbacks (see page 1 of report).**

**Staff recommends Board explore reducing the side setback variance request to match the setback of the existing home (+/- 12 ft.).**

