

# APPLICATION TO BOARD OF ADJUSTMENT

## Variance

Paris- Bourbon County Joint Planning Commission

301 Main Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

### Office Use only:

Application No. VAR 21-11 Fee Amount: \$ 200 Date Fee Received: OCTOBER 8, 2021

1. APPLICANT GREG & LAURA DOUGLAS Owner (if different) \_\_\_\_\_

MAILING ADDRESS 2017 Sunset Dr., Paris, KY 40361

PHONE NO. 229-921-3026 (Greg) (HOME) 229-873-7487 (Laura) (WORK)

2. PLEASE CIRCLE: Paris / Bourbon County / Millersburg / North Middletown

Location 2017 Sunset Dr., Paris, KY 40361

3. SUBDIVISION -

4. EXISTING USE Residential ZONING DISTRICT R-1

5. DESCRIPTION OF REQUEST Request to build deck all the way to the property line on the east side. 15 FOOT VARIANCE REQUEST.

### 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.

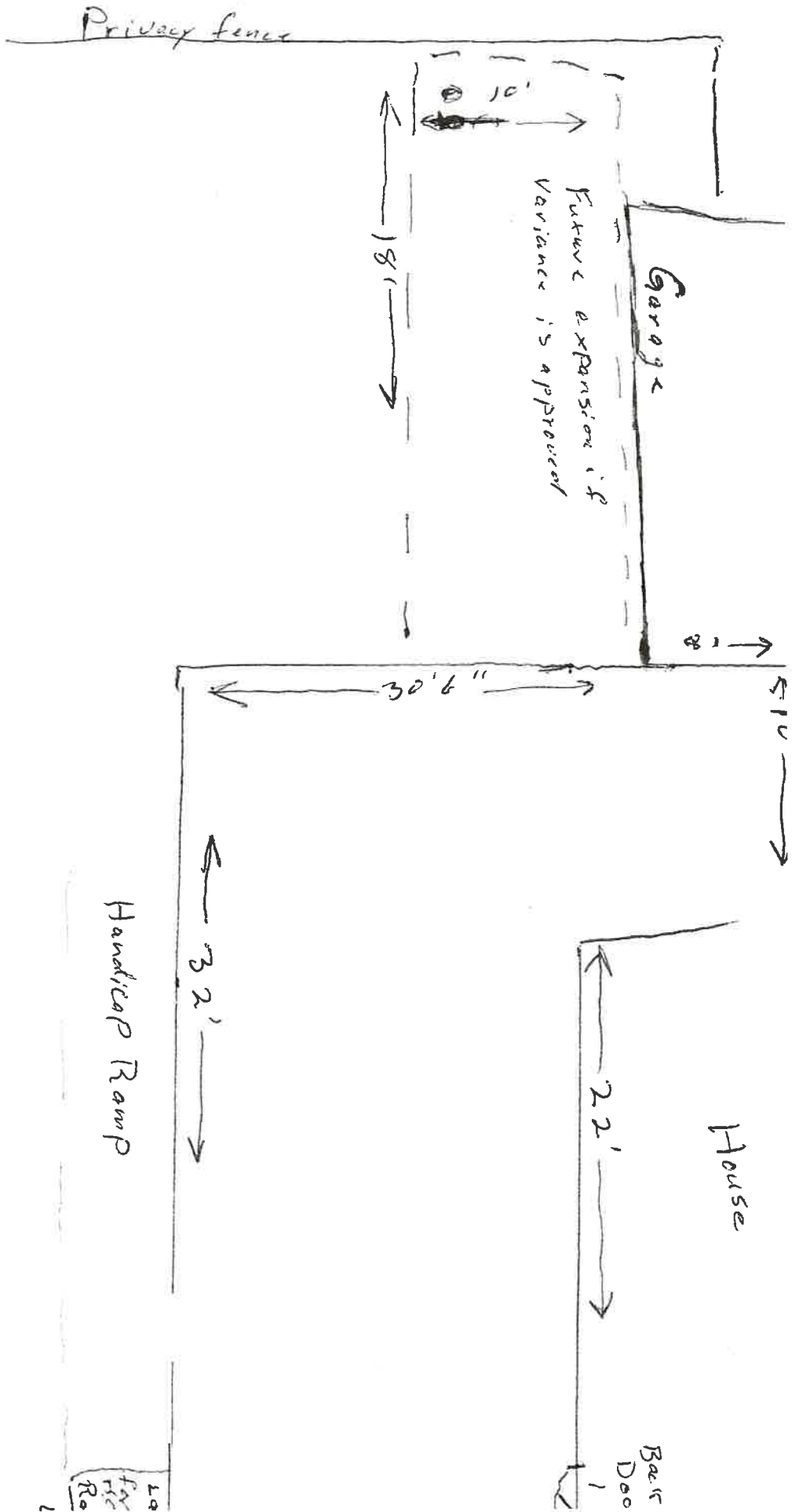


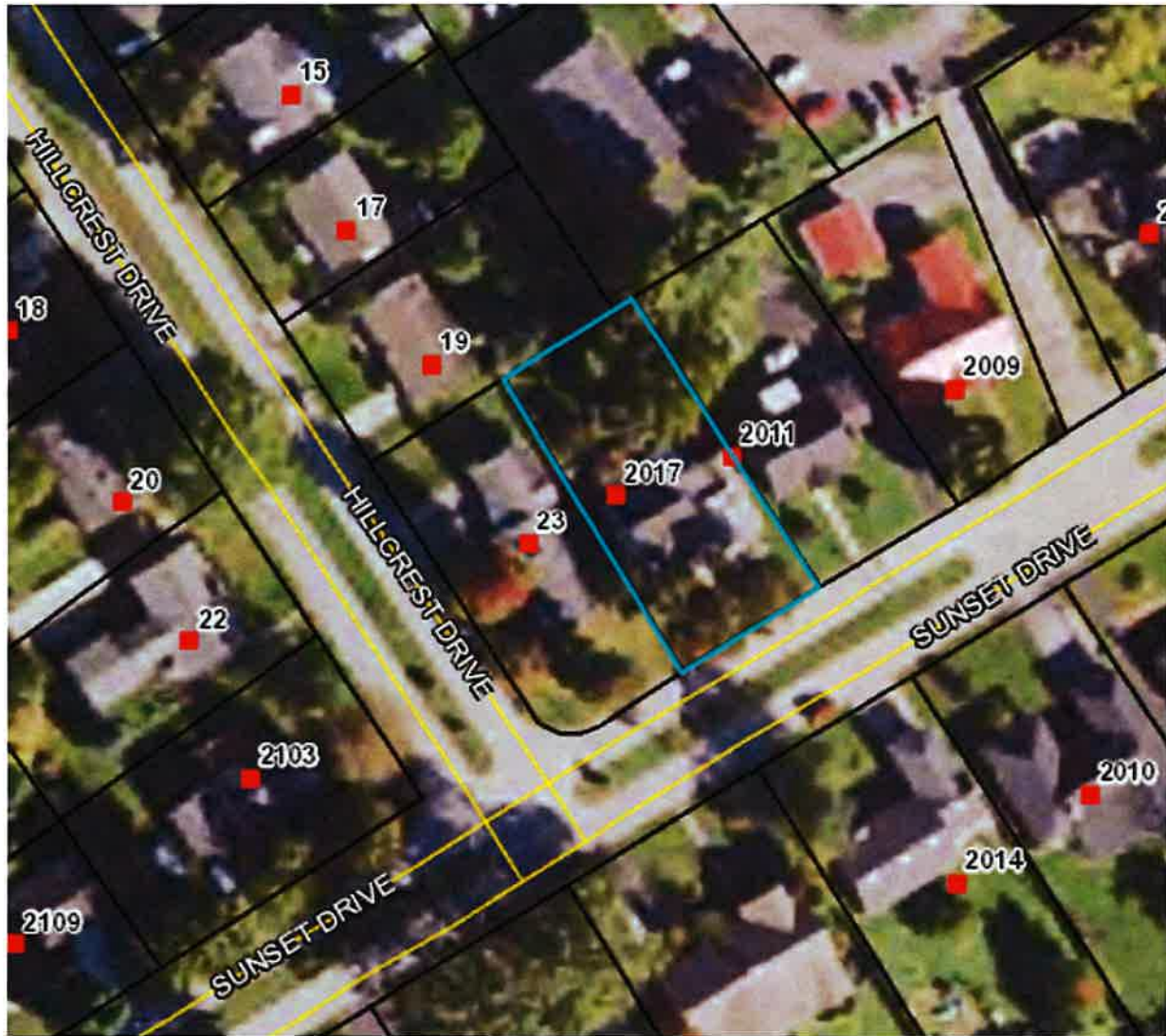
APPLICANT SIGNATURE

DATE

10/13/21

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. You are not required to employ an attorney but you are encouraged to do so.





1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.

This is an older neighborhood with houses on fairly small lots. There are multiple properties in the neighborhood where improvements extent to the property line.

2. The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

By not being able to build the deck over to the existing fence/property line, applicant is definitely deprived of reasonable use of the land.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Yes. Applicant was not aware of the 15' set back regulation prior to commencing the deck project.

4. The granting of the variance will not adversely affect the public health, safety, and welfare, and will not alter the essential character of the general vicinity and will not cause a hazard or a nuisance to the public.

I don't see any of the above consequences being of concern. The deck is concealed by a privacy fence.

COX S DOUGLAS & ALLISON F  
1519 CLINTONVILLE RD  
PARIS KY 40361

BOURBON HEIGHTS INC  
2000 S MAIN ST  
PARIS KY 40361

DUNDON MICHAEL LAVIN  
19 HILLCREST DR  
PARIS KY 40361

FRANKLIN EUGENE SR & SANDRA  
23 HILLCREST DR  
PARIS KY 40361

REAL ESTATE TAX PAID AMT \$ 156<sup>00</sup>  
RICHARD STIPP EADS, BCC  
DATE 7-7-15 BY Mary Salbita

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AFTER RECORDING RETURN TO:  
JACK MARTIN GOINS  
ATTORNEY AT LAW  
315 Pleasant Street  
Paris, Kentucky 40361

**DEED**

**THIS DEED** made and entered into this 6<sup>th</sup> day of July, 2015, by and between **CHARLES A. HATMAKER and HOLLI T. HATMAKER**, husband and wife, of 2017 Sunset Dr., Paris, KY 40361, parties of the first part, and **GREGORY ALLAN DOUGLAS and LAURA LEWIS DOUGLAS**, husband and wife, of 332 Winchester St., Paris, KY 40361, parties of the second part; transfer year taxes in care of Gregory Allan Douglas and Laura Lewis Douglas, 2017 Sunset Dr., Paris, KY 40361.

**WITNESSETH:**

For and in consideration of the sum of **ONE HUNDRED FIFTY-FIVE THOUSAND FIVE HUNDRED DOLLARS** (\$155,500.00) paid to the parties of the first part by the parties of the second part, the receipt of all of which the parties of the first part hereby acknowledge, the parties of the first part hereby bargain, sell and convey unto the parties of the second part, in fee simple, to the survivor of them, his or her heirs and assigns forever, and with the Covenant of **GENERAL WARRANTY**, all of the first parties' right, title and interest in and to the following described real property located in Bourbon County, Kentucky:

That certain tract or parcel of land situated and located in the Crombie Heights Subdivision in the City of Paris, Bourbon County, Kentucky, and more particularly described as Lot 26 on the Plat of said Subdivision, recorded in the Office of the Clerk of Bourbon County in Deed Book 128, Page 516A; fronting 70 feet on the City Street running from the Clintonville Road and extending back 160 feet; being bounded on the south by Lot 25, on the north by Lot 27, on the West by Lot 24 and on the East by the City Street.

**AND BEING** the same property conveyed to Charles A. Hatmaker and Holli T. Hatmaker, husband and wife, by Deed dated July 21, 2011, and of record in Deed Book 284, Page 579, Bourbon County Court Clerk's Office.

**TO HAVE AND TO HOLD** the above described property together with all appurtenances and privileges thereunto belonging, unto the parties of the second part, in fee simple, to the survivor of them, his or her heirs and assigns forever, with Covenant of **GENERAL WARRANTY** subject, however, to easements and restrictions of record.

**IN TESTIMONY WHEREOF** the parties of the first part have hereunto signed their hands on this date, which is first above written.

  
\_\_\_\_\_  
CHARLES A. HATMAKER

  
\_\_\_\_\_  
HOLLI T. HATMAKER

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

The foregoing instrument was subscribed, sworn and acknowledged before me this 6<sup>th</sup> day of July, 2015 by Charles A. Hatmaker and Holli T. Hatmaker, husband and wife, as first parties herein.

  
\_\_\_\_\_  
NOTARY PUBLIC – STATE AT LARGE  
My Commission expires: 8/31/2017  
Notary ID #496163

The undersigned, Charles A. Hatmaker and Holli T. Hatmaker, husband and wife, Grantors herein, and Gregory Allan Douglas and Laura Lewis Douglas, husband and wife, Grantees herein, do hereby certify, pursuant to K.R.S. 382, that the above stated consideration in the amount of \$155,500.00 is the true, correct and full consideration paid for the property herein conveyed.

  
\_\_\_\_\_  
CHARLES A. HATMAKER, Grantor

  
\_\_\_\_\_  
GREGORY ALLAN DOUGLAS, Grantee

Holli T. Hatmaker  
HOLLI T. HATMAKER, Grantor

Laura Lewis Douglas  
LAURA LEWIS DOUGLAS, Grantee

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

Subscribed, sworn and acknowledged before me by Charles A. Hatmaker and Holli T. Hatmaker, husband and wife, as Grantors herein, this 6<sup>th</sup> day of July, 2015.

Cliff B...  
NOTARY PUBLIC - STATE AT LARGE  
My Commission expires: 8/31/2017  
Notary ID #496163

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

Subscribed, sworn and acknowledged before me by Gregory Allan Douglas and Laura Lewis Douglas, husband and wife, as Grantees herein, this 6<sup>th</sup> day of July, 2015.

Cliff B...  
NOTARY PUBLIC - STATE AT LARGE  
My Commission expires: 8/31/2017  
Notary ID #496163

THIS INSTRUMENT PREPARED BY:

JACK MARTIN GOINS  
Attorney at Law  
315 Pleasant Street  
Paris, Kentucky 40361  
(859) 987-7994

State of Kentucky, County of Bourbon, Sct.  
I, RICHARD STIPP EADS, Clerk of Bourbon County  
Court, do certify that the foregoing

Deed  
was on the 7 day of July, 2015  
at 11:34 A.M. 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, CEC

2015 JUL -7 AM 11:34  
BOURBON COUNTY CLERK