

# 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 22-01 Fee Amount: \$ 200 Date Fee Received: \_\_\_\_\_

1. APPLICANT Robert & Karen Dorvel Owner (if different) \_\_\_\_\_

MAILING ADDRESS 1858 Bethlehem Rd. Paris KY 40361

PHONE NO. 774-804-2145 (HOME) NA (WORK)

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

Location 412 Houston Oaks Drive, Paris, KY 40361

3. SUBDIVISION Houston Oaks Subdivision

4. EXISTING USE Vacant/Residential ZONING DISTRICT R-4 Residential

5. DESCRIPTION OF REQUEST 5 ft rear setback variance for the construction of a single family home.

### 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.

Robert Dorvel Karen Dorvel

5/12/22

APPLICANT SIGNATURE

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

When Recorded Return To:  
The Land Group, LLC  
527 Wellington Way  
Ste. 275  
Lexington, KY 40503  
22-1077

### DEED

THIS DEED, made and entered into this 1st day of February, 2022, by and between Houston Oaks Development, Inc., (f/k/a Houston Oaks, Inc.), a Kentucky Corporation, First Party, with a mailing address of 6851 Leeann Lane, Lexington, KY 40515; AND Robert Dorvel and Karen Dorvel, husband and wife, Second Party, with a mailing address of \_\_\_\_\_;

The current year's tax bill to be sent in c/o Robert Dorvel and Karen Dorvel at: \_\_\_\_\_;

#### WITNESSETH:

THAT, for a valuable consideration of \$69,000.00, the receipt of which is hereby acknowledged, the First Party has BARGAINED AND SOLD and does hereby GRANT AND CONVEY unto Second Party, his or her heirs and assigns forever, the following described property located in Bourbon County, Commonwealth of Kentucky:

**Being all of Lot 81 if the Houston Oaks Subdivision, Phase 2, Unit A, Bourbon County, Kentucky of record in Plat Cabinet C, Slide 21, Bourbon County Court Clerk's Office, and to which plat reference is hereby made for a more particular description of said property.**

**Being a portion of the same property conveyed to Houston Oaks, Inc, by deed dated December 22, 2000, of record in Deed Book 242, Page 634, in the Bourbon County Clerk's Office.**

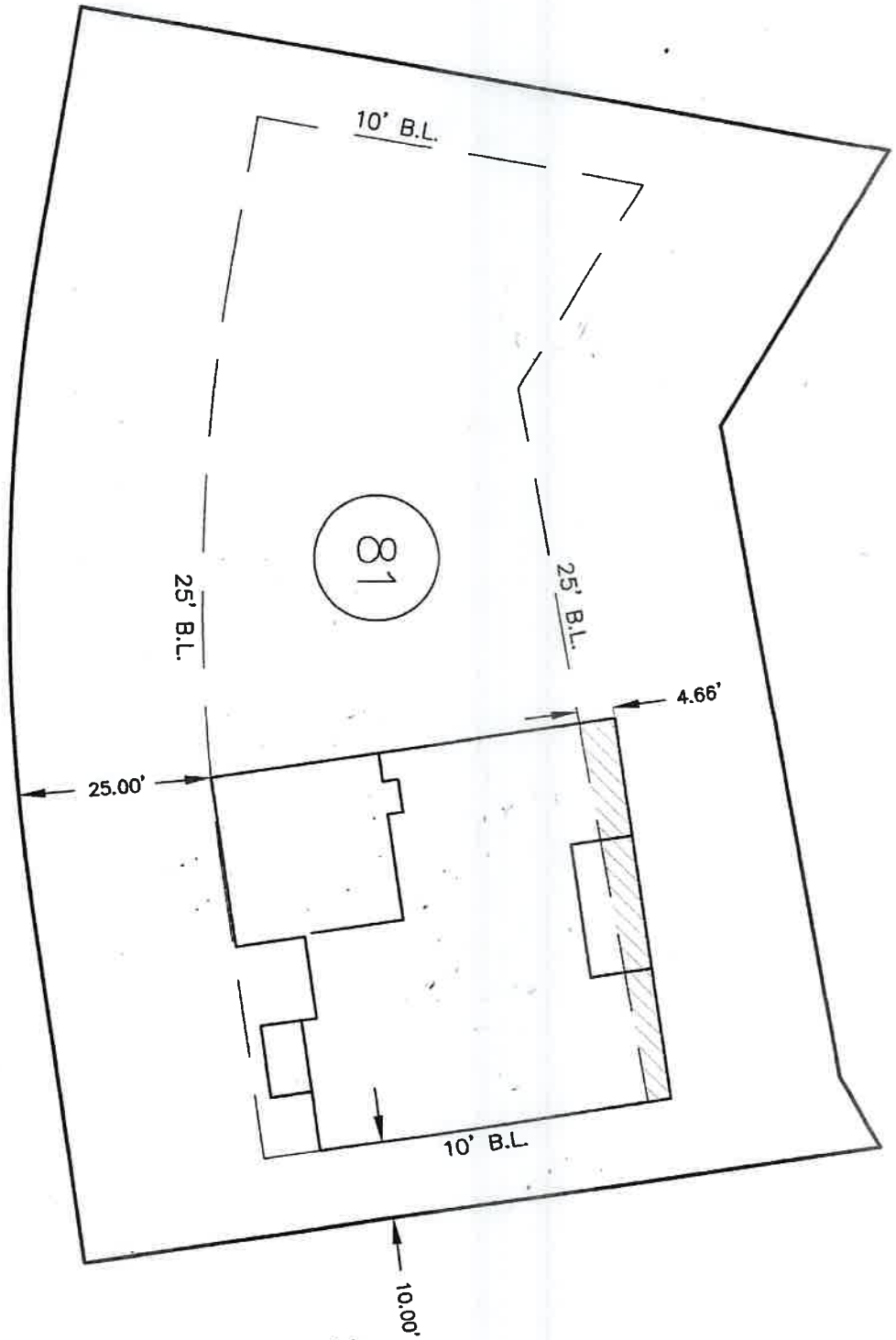
TO HAVE AND TO HOLD the above-described property, together with all appurtenances and privileges thereunto belonging, unto Second Party, his or her heirs and assigns forever.

FIRST PARTY does hereby release and relinquish unto the Second Party, his or her heirs and assigns forever, all of its right, title and interest in and to the above-described property, including all exceptions allowed by law, and does hereby covenant to and with Second Party, his or her heirs and assigns forever, that it is lawfully seized in fee simple title to said property and has good right to convey the same as is herein done; that said property is free and clear of all encumbrances of whatsoever nature, except as herein stated, and that it will WARRANT SPECIALLY the title to said property.

The warranties passing to grantees hereunder are limited solely to those matters arising from acts of the grantor, its agents or representatives, occurring solely during the period of grantor's ownership of the subject real estate.

PROVIDED, HOWEVER, that there is expected from the foregoing warranty and covenants of title and this conveyance is made subject to any restrictions, easements and conditions of record affecting said title.

412 HOUSTON OAKS DRIVE





525 High Street  
Paris, KY 40361

Dear Bourbon County Joint Board of Adjustment,

The attached application is for a 5 foot rear setback variance request for the construction of a single-family dwelling at 412 Houston Oaks Drive in the Houston Oaks Subdivision. This shallow lot contains several easements which deprive the property owner of reasonable use of the land. This includes a walking path easement in the rear of the property as well as other side and front utility and drainage easements. Compared to other lots along the same side of Houston Oaks Drive, this lot is approximately 25 ft less in depth (see image below). These special conditions do not result from previous actions.

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

Sincerely,

Victoria Rosok  
Premier Home Builders  
859.552.8761

ADJOINING PROPERTY OWNER LIST  
412 HOUSTON OAKS DRIVE, PARIS, KY 40361

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555 HOUSTON OAKS DR

HOUSTON OAKS GOLF COURSE LLC  
555 HOUSTON OAKS DR  
PARIS KY 40361

410 HOUSTON OAKS DR

CALLERO TRUST  
410 HOUSTON OAKS DR  
PARIS KY 40361

414 HOUSTON OAKS DR

JEFFERSON WILLIAM G & EVELYN D  
414 HOUSTON OAKS DR  
PARIS KY 40361-2704

417 HOUSTON OAKS DR

HOUSTON OAKS INC  
419 HOUSTON OAKS DR  
PARIS KY 40361

415 HOUSTON OAKS DR

AKERS JAMES E & CHRISTINE K  
415 HOUSTON OAKS DR  
PARIS KY 40361

411 HOUSTON OAKS DR

FRANK JULIAN SIMMS & LEEANN  
PO BOX 246  
PARIS KY 40362