

# 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 22-07 Fee Amount: \$ 200<sup>00</sup> Date Fee Received: 11/2/2022

1. APPLICANT Mitchell + Ashley Hamilton Owner (if different) \_\_\_\_\_  
MAILING ADDRESS 3818 Millersburg - Ruddles Mill Rd.  
PHONE NO. 859-473-3063 (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

2. PLEASE CIRCLE: Paris / Bourbon County / North Middletown  
Location Ruddles Mill

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

4. EXISTING USE \_\_\_\_\_ ZONING DISTRICT R1

5. DESCRIPTION OF REQUEST 16 X 26 addition -

**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.

Ashley Hamilton \_\_\_\_\_  
APPLICANT SIGNATURE DATE 10/26/22

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.

Mitchell & Ashley Hamilton  
3818 Millersburg Ruddles Mill Road  
Paris KY 40361  
859-473-3063

Joint Board of Adjustment:

We would like to make some changes to our home that require a variance because of the narrowness of our lot. On the left side of the house we would to add a 16' addition. However, the side to the property line is only 25'. The side setback is 15' Foot. We would like to request a setback variance of 9 feet. If not able to add this to the side of our house, it will limit the space required for our growing family.

We also plan to add a cover to the slab porch on the front of our house. We will not need a variance but will contact the Building Inspector for any permits that we need.

We are not aware of any prior variance requests by the Board of Adjustments.

Thank you,

Mitchell & Ashley Hamilton

*Mitchell Hamilton*  
*Ashley Hamilton*

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

REAL ESTATE TAX PAID AMT \$ 44.00  
RICHARD STIPP LEADS, BCC  
DATE 10-4-11 BY Conley Day DC



**DEED**

**THIS DEED** made and entered into this 28<sup>th</sup> day of September 2011, by and between **MITCHELL HAMILTON and KAREN HAMILTON**, husband and wife, of 1298 Maysville Rd., Carlisle, Kentucky 40311, parties of the first part, and **MITCHELL W. HAMILTON and ASHLEY M. HAMILTON**, husband and wife, of 3818 Millersburg Ruddles Mill Rd., Paris, Kentucky 40361, parties of the second part; transfer year taxes in care of Mitchell W. Hamilton and Ashley M. Hamilton, 3818 Millersburg Ruddles Mill Rd., Paris, Kentucky 40361.

**WITNESSETH:**

For and in consideration of the sum of **FORTY-THREE THOUSAND SIX HUNDRED EIGHTY-SIX DOLLARS** (\$43,686.00) 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 house and lot fronting 79 feet on the Ruddles Mills-Millersburg Road in the village of Ruddles Mills, being shown on the consolidation plat (attached to Deed Book 209, Page 437) as Parcels 1 and 2, containing 1.21 acres; the improvements thereon being known and designated as 3818 Ruddles Mill Road aka **3818 Millersburg Ruddles Mill Road**, Paris, Kentucky.

**AND BEING** the same property conveyed to Mitchell Hamilton and Karen Hamilton, husband and wife, by Deed dated November 24, 2008, and of record in Deed Book 277, Page 10, Bourbon County Court Clerk's Office.

LODGED FOR RECORD  
RICHARD STIPP LEADS  
BOURBON COUNTY CLERK'S OFFICE  
11 OCT -4 PM 1:35

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.

*Mitchell Hamilton*  
MITCHELL HAMILTON, Grantor

*Karen Hamilton*  
KAREN HAMILTON, Grantor

COMMONWEALTH OF KENTUCKY  
COUNTY OF BOURBON

Subscribed, sworn and acknowledged before me by Mitchell Hamilton and Karen Hamilton, husband and wife, as Grantors herein, this 28<sup>th</sup> day of September 2011.

*Frances Bell Lepore*  
NOTARY PUBLIC – STATE AT LARGE  
My Commission Expires: 4/6/15  
# 439392

The undersigned, Mitchell Hamilton and Karen Hamilton, husband and wife, Grantors herein, and Mitchell W. Hamilton and Ashley M. Hamilton, husband and wife, Grantees herein, do hereby certify, pursuant to K.R.S. 382, that the above stated consideration in the amount of \$43,686.00 is the true, correct and full consideration paid for the property herein conveyed.

*Mitchell Hamilton*  
MITCHELL HAMILTON, Grantor

*Mitchell W Hamilton*  
MITCHELL W. HAMILTON, Grantee

*Karen Hamilton*

KAREN HAMILTON, Grantor

*Ashley M. Hamilton*

ASHLEY M. HAMILTON, Grantee

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

Subscribed, sworn and acknowledged before me by Mitchell Hamilton and Karen Hamilton, husband and wife, as Grantors herein, this 28<sup>th</sup> day of September 2011.

*James Bell*

NOTARY PUBLIC - STATE AT LARGE

My Commission Expires: 4/6/15

#439392

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

Subscribed, sworn and acknowledged before me by Mitchell W. Hamilton and Ashley M. Hamilton, husband and wife, as Grantees herein, this 28<sup>th</sup> day of September 2011.

*[Signature]*  
NOTARY PUBLIC - STATE AT LARGE

My Commission Expires: 10/16/2012

THIS INSTRUMENT PREPARED BY:

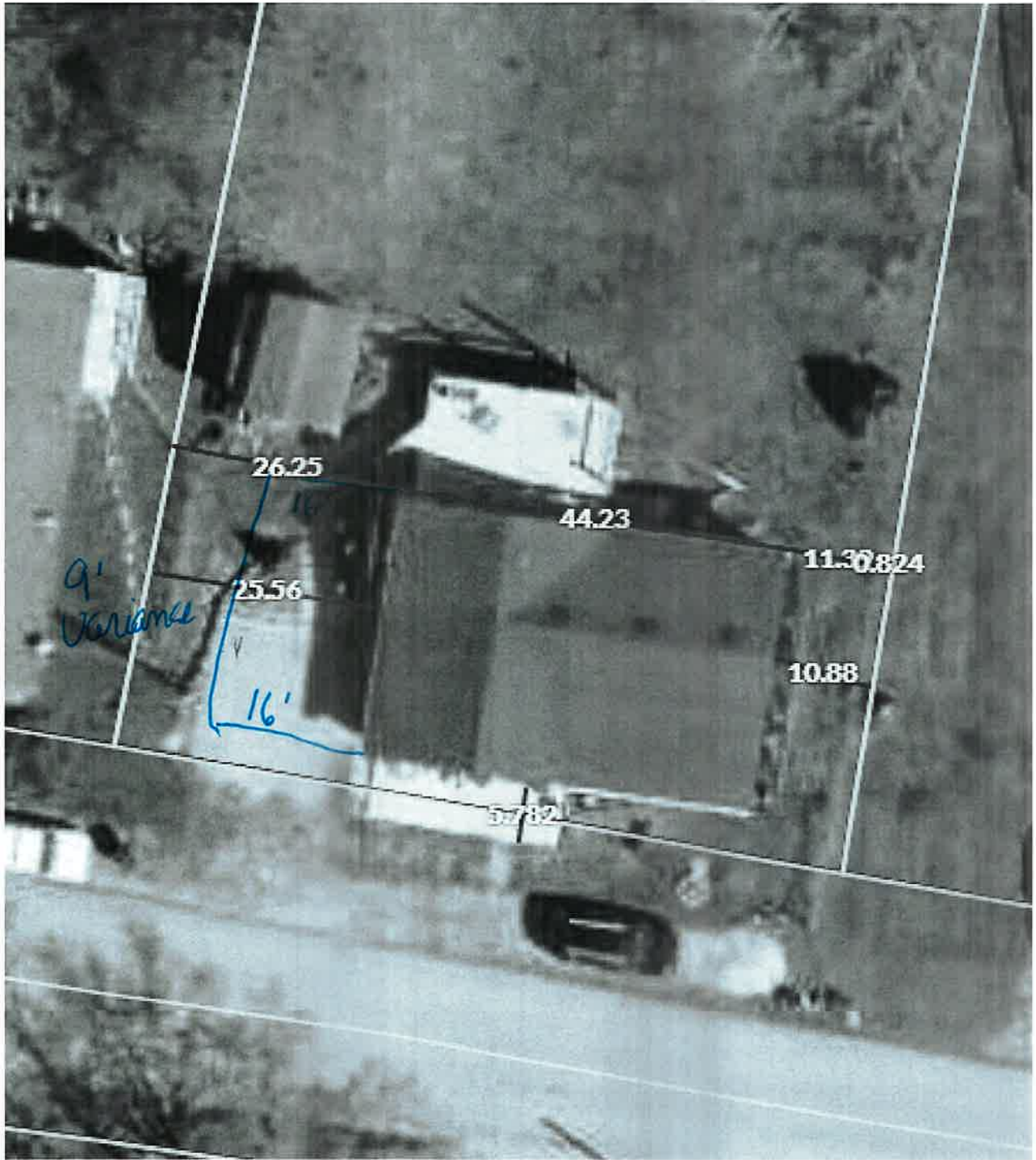
*[Signature]*  
JACK MARTIN GOINS  
Attorney at Law  
315 Pleasant Street  
Paris, Kentucky 40361  
(859) 987-7994

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

Deed  
was, on the 4 day of Oct, 20 11  
at 1:35 P.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, Sec*







26.25

44.23

11.30

8.24

25.56

10.88

57.82

Sloping  
Back Yard

9'

16'

**Physical Address** 3826 MILLERSBURG-RUDDLES MILL RDMailing Address MURPHY ADAM CLAY &  
ANDREA KATHERINE  
3826 MLBG-RUDDLES MILL RD  
PARIS KY 40361-9366

**Physical Address** 3810 MILLERSBURG-RUDDLES MILL RDMailing Address CRUMP AMBROSE JR &  
CAROLYN J  
PO BOX 5216  
PARIS KY 40362-5216

**Physical Address** 3811 MILLERSBURG-RUDDLES MILL RDMailing Address RUDDLES MILL CHRISTIAN  
CHURCH  
3804 MILLERSBURG-RUDDLES MILL RD  
PARIS KY 40361

**Physical Address** 3819 MILLERSBURG-RUDDLES MILL RD  
**Mailing Address** FERN FRED & BETTY  
733 REED DR  
FRANKFORT KY 40601



**BOURBON COUNTY JOINT PLANNING COMMISSION  
JOINT BOARD OF ADJUSTMENT  
PARIS MUNICIPAL BUILDING  
525 HIGH STREET, ROOM 127  
PARIS, KENTUCKY 40361**

**PHONE # 859-987-2150**

**FAX # 859-987-4640**

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November 4, 2022

Dear Adjoining Property Owner:

This letter is being sent to inform you that the owner of property adjoining yours has requested the Joint Board of Adjustment to hold a public hearing on an application for a Dimensional Variance Request for their property. The date for the public hearing is shown below. This notice is being sent to you by the Joint Board of Adjustment, such that you may be notified of action which may or may not affect your interest. The location of the property, the applicant for the Dimensional Variance Request and the general nature of the request are listed below:

1. Address or location of property for which the Dimensional Variance Request is requested:

**3818 Millersburg Ruddles Mill Rd**

2. Owner of Property:

**Mitchell and Ashley Hamilton**

3. Applicant:

**Mitchell and Ashley Hamilton**

4. Change Involved:

**6' Side Setback Variance**

5. Date and Time of Hearing:

**Tuesday, November 15, 2022 at 5:30 p.m.**

6. Location of Hearing:

**Paris Municipal Building  
525 High Street, Room 127  
Paris, Kentucky**

If you should desire any additional information regarding the Dimensional Variance Request, please contact the Planning Commission Office in the Paris Municipal Building or call the Office at 987-2150.