

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 23-01 Fee Amount: \$ 200.00 Date Fee Received: 1/11/2023

1. APPLICANT Hillary Lipsm / Larry Lipsm Owner (if different)

MAILING ADDRESS 115 Lot young rd Sharpsburg Ky 40374

PHONE NO. 207-794-5630 (HOME) (WORK)

2. PLEASE CIRCLE: Paris / Bourbon County / North Middletown Location 115 Lot young rd Sharpsburg Ky 40374

3. SUBDIVISION

4. EXISTING USE Agriculture / Home Stead ZONING DISTRICT

5. DESCRIPTION OF REQUEST Variance for Building Location from Road 40'

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 1/11/2023

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.

Jack Martin
Attorney at Law
(859) ~~997-7994~~

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

REAL ESTATE TAX PAID AMT \$ 50⁰⁰
RICHARD STIPP EADS, BCC
DATE 11-20-17 BY Mary E. Jallat

DEED

THIS DEED made and entered into this 20^e day of November, 2017, by and between **ROBERT VELA and DAWN VELA**, husband and wife, of 1401 Ky. Hwy. 1940, Cynthiana, KY 41031, parties of the first part, and **LARRY JIPSON**, married, of 4037 Brawner Pkwy., Corpus Christi, TX 78411, and **HILLARY JIPSON**, single, of 3339 Copper Creek Rd., Berea, KY 40403, parties of the second part; transfer year taxes in care of Larry Jipson and Hillary Jipson, 3339 Copper Creek Rd., Berea, KY 40403.

WITNESSETH:

For and in consideration of the sum of **FORTY-NINE THOUSAND NINE HUNDRED DOLLARS** (\$49,900.00) 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:

TRACT ONE:

LEGAL DESCRIPTION FOR PARCEL 2 OF THE COOK PROPERTY

This parcel of land is Parcel 2 of the Derrick Cook property located on KY Hwy 57 and Burris Road in Bourbon County, Kentucky. The parent tract is on record in Deed Book 294, Page 100 located in the Bourbon County Clerk's Office. This parcel is more exactly described as follows:

Beginning at a p/k nail found in the centerline of Burris Road a corner to the Deborah Craig property (DB 228, PG 31), the Terry & Dawn Crouch property (DB 297, PG 787 & Plat Cabinet C, Slide 367), and Parcel 1 of the Derrick Cook property (DB 294, PG 100); thence leaving the centerline of Burris Road, the Craig

property, and the Crouch property with the Cook property for the following calls: thence N 38°22'19" E 440.00 feet (with an iron pin set on-line 20.00 feet from p/k found) to an iron pin set; thence S 54°13'53" E 979.50 feet to a p/k nail set in the centerline of KY Hwy 57 (with an iron pin set on-line 18.38 feet from p/k nail set) a corner to the Cook property; thence leaving the Cook property with the centerline of KY Hwy 57 for the following calls; thence with an arc radius to the left 2762.01 feet and a chord bearing S 39°33'47" W 173.09 feet to a p/k nail set; thence with an arc radius to the right 100.10 feet and a chord bearing S 69°34'40" W 116.36 feet to a p/k nail set; thence N 76°00'34" W 42.80 feet to a p/k nail set; thence with an arc radius to the left 246.70 feet and a chord bearing N 81°22'29" W 109.61 feet to a p/k nail set; thence with an arc radius to the left 93.50 feet and a chord bearing S 57°34'09" W 97.64 feet to a p/k nail set; thence S 37°27'26" W 207.81 feet to a p/k nail set; thence with an arc radius to the left 79.00 feet and a chord bearing S 37°35'25" W 51.93 feet to feet to a p/k nail set in the intersection of KY Hwy 57 and Burris Road (with an iron pin reference set N 17°22'21" E 52.37 feet from p/k nail set in the intersection); thence leaving the centerline of KY Hwy 57 with the centerline of Burris Road for the following calls: thence N 20°30'00" W 58.80 feet to a p/k nail set; thence with an arc radius to the left 145.67 feet and a chord bearing N 40°27'21" W 134.63 feet to a p/k nail set; thence N 60°23'05" W 218.66 feet to a p/k nail set; thence with an arc radius to the right 337.35 feet and a chord bearing N 33°26'56" W 253.60 feet to a p/k nail set; thence with an arc radius to the right 606.89 feet and a chord bearing N 07°26'27" W 157.45 feet to the point of beginning containing an area of 522580.1 square feet (12.00 acres).

This parcel of land was surveyed by Alan Justice Engineering and Surveying, Inc. during the month of August 2015. All iron pins set are ½" rebar marked with I.D. caps. The basis of bearing for this survey was an adjoiners tract bearing along the west side of The City of Mt. Sterling property. This is an urban survey and the unadjusted error of closure of the random traverse was 1 in 25,376. See Plat of Parcel 2 attached to Deed Book 298, Page 730 as an addendum.

AND BEING the same property conveyed to Robert Vela and Dawn Vela, husband and wife, by Deed dated September 11, 2015, and of record in Deed Book 298, Page 730, Bourbon County Court Clerk's Office.

TRACT TWO:

LEGAL DESCRIPTION FOR PARCEL 1C OF THE COOK PROPERTY

This parcel of land is a portion of the Derrick Cook property located on Burris Road in Bourbon County, Kentucky. The parent tract is on record in Deed Book 294, page 100 located in the Bourbon County Clerk's Office and is more exactly described as follows:

Beginning at a mag nail found in the centerline of Burriss Road a corner to the Robert and Dawn Vela property (D.B. 298, page 730); thence leaving the Vela property with the centerline of Burriss Road for the following calls: thence N 03 deg. 05 min. 45 sec. E, 30.63 feet to a mag nail found; thence N 05 deg. 29 min. 18 sec. E, 104.09 feet to a mag nail found; thence with an arc radius to the left 241.37 feet and a chord bearing N 08 deg. 04 min. 46 sec. W, 108.75 feet to a mag nail found; thence N 21 deg. 13 min. 45 sec. W, 80.37 feet to a nag nail found; thence with an arc radius to the right 311.43 feet and a chord bearing N 19 deg. 18 min. 13 sec. W, 61.31 feet to a mag nail set in the centerline of Burriss Road a corner to the Derrick Cook remainder (D.B. 294, page 100); thence leaving the centerline of Burriss Road with the Cook remainder for the following calls: thence S 88 deg. 27 min. 41 sec. E, 296.12 feet to an iron pin set (with an iron pin set 30.98 feet on-line from mag nail set in the centerline of Burriss Road); thence S 54 deg. 13 min. 53 sec. E, 37.17 feet to an iron pin found a corner to the Cook remainder and the Vela property; thence leaving the Cook remainder **with the Vela property** S 38 deg. 22 min. 19 sec. W, 440.00 feet to the point of beginning (with an iron pin found 20.00 feet on-line from mag nail set in the centerline of Burriss Road) containing an area of 55792.0 square feet **(1.28 acres)**.

This parcel of land was surveyed by Alan Justice Engineering and Surveying during the month of March 2016. All iron pins set are ½" rebar marked with I.D. caps. The basis of bearing for this survey was a parent tract bearing. This is an survey and the unadjusted error of closure of the random traverse was 1 in 71,053. See Plat recorded in Plat Cabinet C, Slide 377.

AND BEING the same property conveyed to Robert Vela and Dawn Vela, husband and wife, by Deed dated November 10, 2017, and of record in Deed Book 305, Page 682, Bourbon County Court Clerk's Office.

PER PLAT CABINET C, SLIDE 377 THE ABOVE TWO TRACTS ARE CONSOLIDATED.

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.

Robert Vela by Dawn Vela AIF
ROBERT VELA, by Atty. in Fact Dawn Vela –
see POA filed herewith

Dawn Vela
DAWN VELA

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

The foregoing instrument was subscribed, sworn and acknowledged before me this 20th day of November, 2017 by Robert Vela (by Atty. in Fact Dawn Vela – see POA filed herewith) and Dawn Vela, husband and wife, as first parties herein.

[Signature]
NOTARY PUBLIC – STATE AT LARGE
My Commission expires: 10/16/2020
Notary ID #565444

The undersigned, Robert Vela (by Atty. in Fact Dawn Vela – see POA filed herewith) and Dawn Vela, husband and wife, Grantors herein, and Larry Jipson, married, and Hillary Jipson, single, Grantees herein, do hereby certify, pursuant to K.R.S. 382, that the above stated consideration in the amount of \$49,900.00 is the true, correct and full consideration paid for the property herein conveyed.

Robert Vela by Dawn Vela AIF Larry Jipson
ROBERT VELA, Grantor, by Atty. in
Fact Dawn Vela – see POA filed herewith LARRY JIPSON, Grantee

Dawn Vela
DAWN VELA, Grantor

[Signature]
HILLARY JIPSON, Grantee

Due to the lay of the land with a ridge running at an S shape and having two roads causing the property to be triangular there isn't a place that isn't more than 75 to 100' from the road. The back of the property drops down into a steep drop off and the septic pond is down at the bottom. The way the property lines run there isn't any place that would be more conducive to place the home back more than 100' on this property. This would give me the best usage of the land without doing major ground work. At the very top of this ridge I have spent several thousands of dollars to make a 130x200 horse riding arena.

*No known prior actions taken by board
of adjustments.*



Overview



Legend

- Parcels
- Roads

Parcel ID	068-00-00-003.00	Physical Address	115 LOT YOUNG	Land Value	\$75,000	Last 2 Sales	
Property Class	Farm	Mailing Address	JIPSON LARRY & JIPSON HILLARY	Improvement Value	\$0	Date	Price
Taxing District	00		115 LOTT YOUNG RD	Total Taxable Value	\$37,700	11/20/2017	\$49,900
Acres	n/a		SHARPSBURG KY 40374	Living Area	0	9/11/2015	\$34,900

Date created: 1/10/2023
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Developed by **Schneider**
 GEOSPATIAL