

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 23-07 Fee Amount \$ Date Fee Received:

1. APPLICANT David Romero Owner (if different)

MAILING ADDRESS 4898 Hartland Pkwy Lexington, KY 40515

PHONE NO 859-314-2501 cell (HOME) (WORK)

2. PLEASE CIRCLE: Paris / Bourbon County / North Middletown Location 1201 Pleasant St

3. SUBDIVISION N/A

4. EXISTING USE residential ZONING DISTRICT R-3

5. DESCRIPTION OF REQUEST variance to allow garage to be put back on footprint of original garage.

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 1/26/23

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.

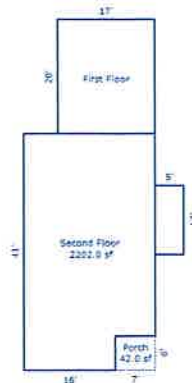
Variance permit application for 1201 Pleasant St.

presented by David Romero (property owner)

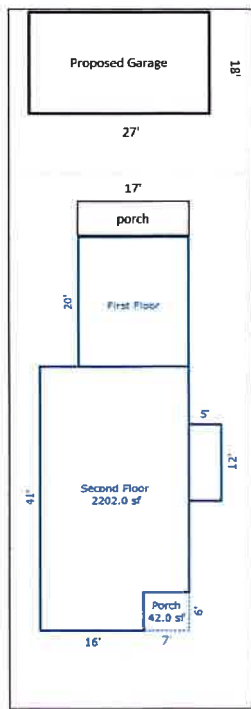
Dear Board of Adjustments –

I am providing you with the below information in an effort gain a building variance. The variance will be for the back property line set back requirements. I am attempting to construct a garage where one used to be. I accidentally began construction on the garage already, failing to get the require permit. This was not done intentionally and as soon as I was made aware of the stop order, I complied. The previous garage was torn down over a year ago; preventing me from being grandfathered into being able to replace the building without a variance. By being able to use the previously poured concrete pad, it will prevent excessive expense and allow me to improve the property value and improve the overall neighborhood aesthetic. No prior actions have been taken by the Board of Adjustments on this property during my time of ownership.

Legal Description of the Property: 1201 Pleasant St. (Parcel # 026-50-09-012.00) is a residential home zoned R-3. There is a 2-story home and concrete pad where previous garage existed. The lot size is 36' wide by 111' feet deep.



Proposed Garage Location

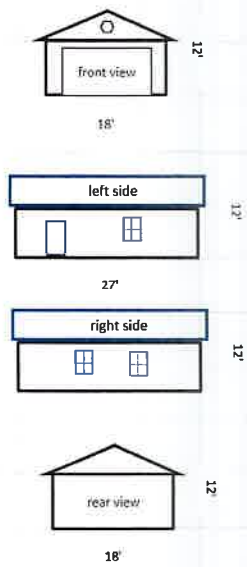


111' property line

12th Street

36' property line

Pleasant Street



Statement describing A-D in the Variance Supporting Information Requirements:

Special conditions exist, peculiar to the lot, land or building in question:

The foundation of the previous garage building is still intact and in great condition. My plan is to construct the new garage building in that same footprint.

That a literal interpretation of the zoning ordinance would deprive the applicant of right enjoyed by other property owners.

Requiring me to change the footprint of the garage would add too much expense to realistically complete construction; then preventing me from having the ability to utilize the garage for common reasons why people have them; parking, storage, etc. This would also prevent me from improving the overall value of the property and aesthetic of the neighborhood.

That the special conditions do not result from previous actions of the applicant.

The foundation that I am attempting to use was from a previous garage building built years ago. It had deteriorated and been removed years ago.

That the requested variance is the minimum variance that will allow a reasonable use of the lot, land or building(s).

I am only asking for approval based on the rear set back requirements in place. Referenced in the below chart.

Bluebonnet Council
Joint Planning Office
ACCESSORY STRUCTURES
ZONING QUICK INFO SHEET

Setback and Height Requirements for Accessory Structures				
Residence	Front	Side	Rear	Minimum Height
*Carport	X	4 FT	9 FT	15 FT
**Clerestory	X	3 FT	3 FT	10 FT
Pet House	X	2 FT	3 FT	NA
Play House	X	6 FT	6 FT	NA
Solar Collectors	X	6 FT	6 FT	NA
Swimming Pool	X	6 FT	6 FT	NA
Utility building	X	2 FT	3 FT	12 FT
Business				
Dumpster Pad	X	12 FT	15 FT	NA
Industry				
Dumpster Pad	X	12 FT	15 FT	NA
Caretaker Quarters	30 FT	10 FT	12 FT	3.5 FT

*Note: Free-standing structure shall be located at least 10 FT from principal structures. Attached structures or structures closer than 10 FT shall have the same setbacks on the zoning district allows.
X = Same as free setbacks for the applicable zoning district.
Accessory Structures in Manufactured Home Parks: No accessory building or structure, including garages, shall be located within five (5) feet from any individual lot line.

Building Materials and specs:

- Cinder block walls – 8' high
- Prefabricated trusses
- 4'x8' plywood sheeting
- Asphalt dimensional shingles to match the house
- 1 exterior door on left side of garage
- 1 vinyl, double hung window of left side of garage
- 2 vinyl, double hung windows on right side of garage
- 1 aluminum or vinyl garage door

Adjoining Property Owners:

1120 & 1124 Main Street – Johnson Funeral Home Inc. – across 12th Street

1200 Main St – Betty Ann Allen – share back property lines

1205 Pleasant St – Mike and Melissa Gabbard – neighbor to the left