

Staff Report

Bourbon County Joint Board of Adjustment Meeting
March 21, 2023

Case Number: VAR 23-03
Applicant: Kathy Martini
Owner of Property? No (realtor for property)
Location: Fields Street (026-40-05-003.00)
Request: 5 ft side setback requests
10 ft rear setback request
Zoning: R-3 Residential
Application Date: March 10, 2023
Legal Advertisement: March 16, 2023
Staff Site Visit: March 19, 2022



Proposal:

The applicant proposes the following setback variances to construct a single family dwelling:

5 ft side setback variances on both sides
10 ft rear setback variance

Background:

Parcel Size: ~2,400 s.f.
Existing Structure: None
Floodplain (Y/N): NO

The existing rear setbacks of adjoining properties range from ~13 ft – 20 ft. The existing range of side setbacks are less than ~5 ft – 42 ft for surrounding adjacent parcels.



Findings:

Before a variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the vicinity, will not cause a hazardous nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider:

Does the requested variance arise from special circumstances?

Yes, the existing lot of 2,400 sf is a lot of record. The applicant is proposing to construct a new single-family dwelling on this lot.

Would the strict application deprive the applicant of the reasonable use of land or create unnecessary hardship?

Yes, the strict application would reduce the buildable area to an approximate 20' x 12' structure.

Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the zoning regulation for which relief is sought?

No.

Recommendation:

Staff recommends approval of the request for the following setback variances as the proposed setbacks are in character with the existing setbacks of the neighborhood.

- **5 ft side setback variance on both sides of property.**
- **10 ft rear setback variance**