

5/16/2023

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. VAR23-05 Fee Amount: \$ 200⁰⁰ CK 304 Date Fee Received: 4/14/2023

1. APPLICANT Jerry Guinn Owner (if different) _____

MAILING ADDRESS 150 Bourbon Hills Drive Paris KY 40361

PHONE NO. 85 601-278-7144 (HOME) _____ (WORK)

2. PLEASE CIRCLE Paris Bourbon County / North Middletown Location _____

3. SUBDIVISION _____

4. EXISTING USE Residential ZONING DISTRICT R-2

5. DESCRIPTION OF REQUEST 10' side setback to erect a cover over existing driveway to park truck

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.

Jerry Guinn
APPLICANT SIGNATURE

4-14-2023
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. Individuals are not required to employ an attorney, but you are encouraged to do so. All business entities require legal representation.



Now paved



REAL ESTATE TAX PAID AMI 225.00
RICHARD STIPPEADS, BCC
DATE 6/24/2021 BY A. Jayhurst DC

BOOK 318 PAGE 234

AFTER RECORDING RETURN TO:
JACK MARTIN GOINS
Attorney at Law
315 Pleasant Street
Paris, Kentucky 40361

DEED

THIS DEED made and entered into this 21st day of June 2021, by and between, **HELEN S. DOWNING FAMILY LIVING TRUST** by Successor Co-Trustees **Robert R. Downing and Denise D. Plowman (f/k/a Denise D. Giles)**, c/o 2333 Glenview Dr., Paris, KY 40361, party of the first part, and **JERRY GUINN**, single, of 150 Bourbon Hills Dr., Paris, KY 40361, party of the second part; transfer year taxes in care of Jerry Guinn, 150 Bourbon Hills Dr., Paris, KY 40361.

WITNESSETH:

For and in consideration of the sum of **TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00)** paid to the party of the first part by the party of the second part, the receipt of all of which the party of the first part hereby acknowledges, the party of the first part hereby bargains, sells and conveys unto the party of the second part, in fee simple, his heirs and assigns forever, and with the Covenant of **GENERAL WARRANTY**, all of the party of the first part's right, title and interest in and to the following described real property located in Bourbon County, Kentucky:

All of Lot 28 in what is known as Bourbon Hills Subdivision which is of record in the Bourbon County Clerk's Office in Plat Book 1, Page 33, Slide 33, to which reference is made for a more particular description of said property; and the improvements thereon being commonly known and designated as **150 Bourbon Hills Drive**, Paris, Kentucky.

AND BEING the same property conveyed to Bobby B. Downing and Helen S. Downing, husband and wife, by Deed dated October 26, 1989, and of record in Deed Book 205, Page 789, Bourbon County Clerk's Office. Helen S. Downing became sole owner upon the February 2, 2009 death of Bobby B. Downing pursuant to the survivorship clause in said Deed. Helen S. Downing, an unremarried widow, conveyed the property to Helen S. Downing, Trustee under the Helen S. Downing Family Living Trust, or her successor trustee, by Quitclaim Deed dated August 17, 2010, of record in Deed Book 282, Page 2. Helen S. Downing died October 2, 2020 and pursuant to the Trust and Memorandum of


Trust, upon the death of Helen S. Downing the designated successor Co-Trustees are Robert R. Downing and Denise D. Giles (n/k/a Denise D. Plowman), and said successor Co-Trustees have the power to sell real property.

TO HAVE AND TO HOLD the above described property together with all appurtenances and privileges thereunto belonging, unto the party of the second part, in fee simple, his heirs and assigns forever, with Covenant of **GENERAL WARRANTY** subject, however, to easements and restrictions of record.

IN TESTIMONY WHEREOF the party of the first part has hereunto signed its hand on this date, which is first above written.

The undersigned, Helen S. Downing Family Living Trust by Successor Co-Trustees Robert R. Downing and Denise D. Plowman (f/k/a Denise D. Giles), Grantor herein, and Jerry Guinn, single, Grantee herein, do hereby certify, pursuant to K.R.S. 382, that the above stated consideration in the amount of \$225,000.00 is the true, correct and full consideration paid for the property herein conveyed.

GRANTOR:
HELEN S. DOWNING FAMILY LIVING
TRUST

BY:  1
Robert R. Downing, Successor Co-Trustee

BY: 
Denise D. Plowman (f/k/a Denise D. Giles),
Successor Co-Trustee

COMMONWEALTH OF KENTUCKY

COUNTY OF BOURBON

The foregoing instrument was subscribed, sworn and acknowledged before me by Helen S. Downing Family Living Trust by Successor Co-Trustees Robert R. Downing and Denise D. Plowman (f/k/a Denise D. Giles), this 21st day of June, 2021, as first party and Grantor herein.


NOTARY PUBLIC – STATE AT LARGE

My Commission expires: 10/16/2024
Notary ID #KYNP16118 Jack Martin Goins

GRANTEE:


JERRY GUINN

LODGED FOR RECORD
RICHARD STIPP EADS
BOURBON COUNTY CLERK
2021 JUN 24 PM 4: 07

COMMONWEALTH OF KENTUCKY
COUNTY OF BOURBON

The foregoing instrument was subscribed, sworn and acknowledged before me by Jerry Guinn, single, this 21st day of June, 2021, as second party and Grantee herein.


NOTARY PUBLIC – STATE AT LARGE

My Commission expires: 10/16/2024
Notary ID #KYNP16118 Jack Martin Goins

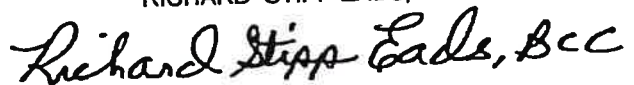
THIS INSTRUMENT PREPARED BY:


JACK MARTIN GOINS

Attorney at Law
315 Pleasant Street
Paris, Kentucky 40361
(859) 987-7994

STATE OF KENTUCKY
COUNTY OF BOURBON, Sct.
I, RICHARD STIPP EADS, Clerk of Bourbon County Court,
do certify that the foregoing DEED
was on 6/24/2021 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, CLERK





On this day April 13, 2023 we consent to allow Jerry Guinn to construct a carport on the south end of his house next to our residence. We understand that it will rest over his driveway and the cover will not extend over our property at 154 Bourbon Hills Drive. He has consented to allow us to use his driveway to access our backyard if needed.

David McMillen

David McMillen

Geraldine McMillen

Geraldine McMillen

My garage at 150 Bourbon Hills is too narrow for my pickup truck. The garage was built when I bought the house. The land between my house and property line is already paved. It is in the 10 ' side setback. I would like to build a cover, like a carport, over this pavement so that I can park my truck out of the weather.

To cover this pavement would be in the 10 foot side setback. That is my request.

I have contacted my neighbor that shares this property line and he has no problem with me building this. He has written a letter that I am attaching to my application.

I know of no other prior actions taken by the Board of Adjustments.

Thank you for the consideration of my application.



Jerry Guinn