

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. VAR23-07 Fee Amount: \$ 200⁰⁰ Date Fee Received: 6/2/2023

1. APPLICANT KENNETH WEDDLE Owner (if different) _____

MAILING ADDRESS 2546 OLD MILLERSBURG Rd PARIS KY 40361

PHONE NO. 502-287-8507 (HOME) _____ (WORK) _____

2. PLEASE CIRCLE: Paris (Bourbon County) North Middletown
Location _____

3. SUBDIVISION _____

4. EXISTING USE _____ ZONING DISTRICT R-1

5. DESCRIPTION OF REQUEST SET BACK VARIANCE REAR + SIDE

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 NOUG
- 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.

Kenneth Weddle 6/2/2023
APPLICANT SIGNATURE 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.

Special Conditions exist peculiar to the lot, land or building(s) in question:

The back yard is small and has several large trees. Having a 25 foot rear set back and 15' side set back will make large areas of yard unusable.

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

This home was built in 1836 long before the R1 ordinance was in effect. The neighbor to the south has 2 large barns within a few feet of the rear line. I propose a 10' rear and side set back.

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

There has been no actions by the applicant.

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

A 10 foot setback around the building will allow me to keep the grass mowed and neat but not consume a large portion of my back yard like the 24/15 foot setback would.

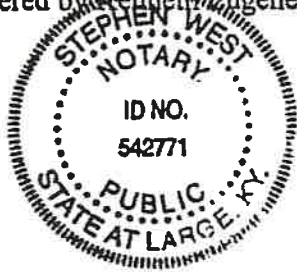
Kenneth Eugene Weddle

Sharon Marie Weddle
Sharon Marie Weddle

Grantees

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The undersigned, a Notary Public within and for the Commonwealth of Kentucky, County of Fayette, does certify that on this 27th day of December 2018 the foregoing Deed of Conveyance and Consideration Certificate was produced to me and was sworn to, acknowledged and delivered by ~~Kenneth Eugene Weddle~~ Eugene Weddle and Sharon Marie Weddle, Grantees.



S. West
Notary Public

My Commission Expires: 7/30/2019

This instrument prepared by:

S. West
Stephen A. West
Attorney-at-Law, PLLC.
202 Vimont Lane
Paris, KY 40361



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

Deed
was, on the 2 day of Jan, 2019
at 3:50 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.

162840
Filed on: 31/22/2019 3:55:08 PM
Book: DEED Number: 309
Pages: 391 - 394
Richard Stipp Eads, Bourbon County
DC: MARY TALENT

Richard Stipp Eads
DEED Book 309 Page 394

DEED

THIS DEED OF CONVEYANCE made and entered into on this ~~27th~~ day of December, 2018 by and between **Richard A. Kaye and Alana M. Kaye, husband and wife**, of 2546 Old Millersburg Road, Paris, KY 40361 hereinafter referred to as the **Grantors**. To **Kenneth Eugene Weddle and Sharon Marie Weddle, husband and wife**, of 610 East Market St., New Albany, IN 47150, hereinafter, referred to as the **Grantees**.

2546 Old Millersburg Road, Paris, KY 40361 is the in-care-of address to which the property tax bill for 2019 may be sent.

WITNESSETH:

For and in consideration of the sum of 350,000.00, cash in hand paid by Grantees to Grantors the receipt of all of which is hereby acknowledged, the Grantors have bargained, sold, aliened, and conveyed, and do by these presents bargain, sell, alien, and convey, unto the Grantees, for and during their joint lives, remainder in fee simple to the survivor and unto his or her heirs and assigns forever, with Covenant of General Warranty of Title, a certain tract of real estate more fully described as follows:

Being all of the 5.674 acres on the Old Millersburg Pike as set forth in the Robert Thaxton plat of record in Plat Cabinet B, slide 288 of the Bourbon County Clerk's office, to which reference is made for a more particular description of the property; the improvements thereon being known and designated as 2546 OLD MILLERSBURG ROAD;

Being the same property conveyed to Richard A. Kaye and Alana M. Kaye, husband and wife, from Gordon Davis Wilson and Samantha G. Wilson, husband and wife, by a deed dated July 28, 2014 and filed for record in Deed Book 295 Page 92 of the records of the Bourbon County Clerk.

1

19 JAN -2 PM 3:56
BOURBON COUNTY CLERK
RICHARD STIPP EADS
LOGGED FOR RECORD

DEED Book 309 Page 391

It is agreed and understood by and between the parties hereto that all ad valorem taxes due and payable upon the above described real estate for and during the current calendar year shall be prorated between the Grantors and Grantees as of the date of this Deed of Conveyance and that all such taxes due and payable for and during all succeeding calendar years shall be paid by Grantees, and that possession of the subject real estate shall accompany delivery of this Deed of Conveyance.

TO HAVE AND TO HOLD, the above described tract of real estate, together with the improvements thereon and the appurtenances thereunto appertaining, aforementioned, unto the Grantees, for and during their joint lives, remainder in fee simple to the survivor of them, and unto his or her heirs and assigns forever, with Covenant of General Warranty of Title; **SUBJECT, HOWEVER**, to all covenants and restrictions of record, conditions or restrictions on a plat affecting the property, zoning and building restrictions, regulations, and ordinances, if any, and any rights- of -way or easements of record.

IN THIS CONSIDERATION CERTIFICATE, the parties hereto do hereby certify, pursuant to KRS Section 382.135, that the above stated consideration in the sum of \$350,000.00, is the true, correct, and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

DEED Book 309 Page 392

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IN TESTIMONY WHEREOF, witness the hands of the Grantors and the Grantees herein, all on this the day and year first above written.

Richard A. Kaye
Richard A. Kaye AKA Rick Kaye
SW

Alana M. Kaye
Alana M. Kaye

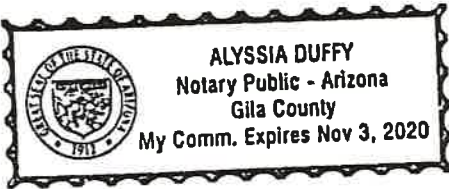
Grantor

STATE OF Arizona
COUNTY OF Gila

The undersigned, a Notary Public within and for the State of Arizona, County of Gila does certify that on this the 24th day of December 2018 the foregoing Deed of Conveyance and Consideration Certificate was produced to me and was sworn to, acknowledged and delivered by Richard A. Kaye and Alana M. Kaye, Grantors.

Alyssia Duffy
Notary Public

My Commission Expires: NOV 3, 2020



DEED Book 309 Page 393

Friday
To wife,
Last Marker

