

# Staff Report

## Bourbon County Joint Planning Commission

August 17, 2023

Case Number:	DVP 23-04
Applicant:	Janet's Investments
Location(s):	1462 W. Main St.
Zoning District:	B-2
Acreage:	.317 acres (13,805 sf)
Application Date:	April 10, 2023
TRC Meeting Date:	May 22, 2023
Legal Notification:	August 1, 2023 (Bourbon County Citizen)



### PROPOSAL

Applicant requests approval of a development plan and the following setback variances:

- Front: 10 ft setback variance
- Side: 5 ft side setback variance
- Rear: 5 ft setback variance

The Board of Adjustment waived the requirement for storm water runoff calculations to not exceed previous calculations via an appeal.

FIGURE 1: AERIAL IMAGE OF SITE



**Staff Recommendation:** Staff recommends **approval** of a 10-foot front setback variance, a 5-foot side setback variance, a 5-foot rear setback variance, and the development plan.

## Analysis of Variance

### **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 .317 acres (13,805 sf) is a lot of record. The applicant is proposing to construct a new 3,840 sq ft self-storage facility.

*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 for the storage building creating an unnecessary hardship. There are existing nearby properties that do not conform to the setback requirements as well.

*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.



Front setbacks of nearby properties.





Side and rear setbacks of nearby properties.

Category	Requirements	Findings
Zoning	B-2 General Commercial	✓ <b>Conforming.</b>
Area, Road Frontage, and Setback	Minimum lot area: ½ acre Percentage of lot coverage: Total footprint of principal and accessory buildings must not exceed 33%. Minimum lot width at building setback line: 150 ft. Minimum setback requirements: Front: 50 ft. Side: 25 ft. Rear: 30 ft.	<b>Nonconforming (variance requested).</b> ✓ Lot area: .3 acres ( <i>Lot of Record</i> ) ✓ Percentage of building coverage: 27.8% ✓ Road frontage: 81.11 ft ✓ Front setback: 40 ft ✓ Side setback: 20 ft ✓ Rear Setback: 25 ft
Building Characteristics	None.	Building Plans required at Building Permit review according to Kentucky Commercial Building Code.
Access to Property	Exits and entrances to the parking area shall be clearly marked.	<b>Conforming.</b>
Off Street Parking	Required: 1 space	<b>Conforming.</b> Proposed: 4 spaces
Signage	See Chapter 80.202 Signs and Outdoor Advertising	N/A No signage plans submitted. If mounted or free-standing signage is desired in the future, applicant will need to submit a sign permit application.
Sidewalk	Sidewalks along public right-of-way	Applicant requests appeal of sidewalk requirements along public right-of-way.
Drainage	Stormwater Plan, including location of catch basins, manholes, retention/detention basins, calculations.	Decided pursuant to Board of Adjustment appeal.
Landscaping	Landscape Buffer Requirement: 2 trees and 5 feet buffer along Main Street.	The proposed landscaping meets requirements.
Waste Disposal	Show location of dumpsters and trash receptacles.	None shown.



## Memo

**Date:** 08/10/23  
**To:** P&Z Commission  
**From:** Mike Smith Public Works Superintendent  
**Re:** 1462 South Main St.

To whom it may concern,

After reviewing the property, I see no issues with Mr. West adding gravel to his lot as there is a sidewalk and curb to keep it from reaching the street.

Thanks  
Mike Smith  
Public Works Superintendent