

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 23-13 Fee Amount: \$ 200⁰⁰ Date Fee Received: 12/19/2023
1. APPLICANT Witty Enterprises, LLC Owner (if different) Keene Wesley Wittner
MAILING ADDRESS 406 Hill Rd Paris, Ky 40361
PHONE NO. 859-707-8543 (HOME) Same (WORK)

2. PLEASE CIRCLE: Paris / Bourbon County / North Middletown
Location 334 Centerville Lane

3. SUBDIVISION Residential

4. EXISTING USE Residential ZONING DISTRICT A-2

5. DESCRIPTION OF REQUEST 16' variance front setback and a 20' variance side setback (side adjoining Mavy Margaret King)

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.

Keene Wesley Wittner 12-19-23
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.

Wittner; jennifer @ AOL.com

Adjoining Property Owners

Thomas Saunders Johnson
322 Centerville Lane
Georgetown, Ky. 40324

Mary M. King
336 Centerville Lane
Georgetown, Ky. 40324

Clarence & Vickie Conley Jr.
282 Russell Cave Rd.
Georgetown, Ky. 40324

John W. Guy
345 Centerville Lane
Georgetown, Ky. 40324

Authur B & Susetta Guy
337 Centerville Lane
Georgetown, Ky. 40324

Witty Enterprises, LLC
c/o Wesley and Jennifer Wittwer
406 Hill Road
Paris, Ky. 40361

Variance request for property located at 334 Centerville Lane

A. Special conditions:

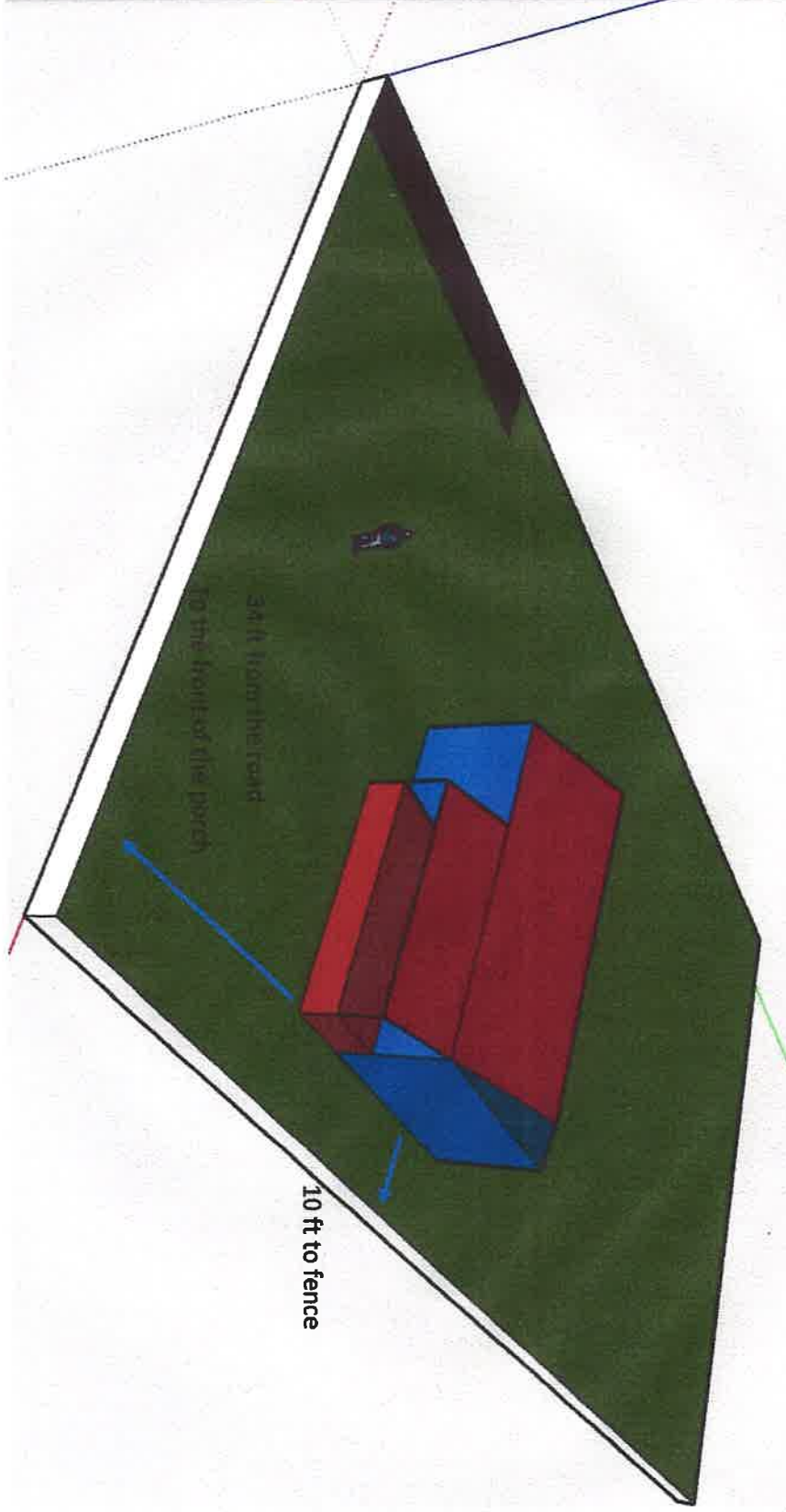
1. Existing septic system - which would be an additional financial burden on us if a variance is not granted.
2. Existing well and water lines - which would also create an additional financial burden on us if a variance is not granted.

B. Based on the current ordinances on this property regarding front set back from edge of road and side set back from adjoining properties would prevent us from having the same rights as other property owners in this residential area. We would like to request a minimum variance that would be consistent and fair with adjoining properties that would allow us to use the property for a residential manufactured home. This minimum variance to the current ordinances would allow us to have reasonable use of the lot and land.

We are requesting a 16' variance front of road set back and a 20' variance side set back (side adjoining Mary Margaret King) which would be consistent and similar boundaries as our neighbors.



SAVE



REAL ESTATE TAX PAID AMT \$ 0
RICHARD STIPPEADS, BCC
DATE 2/18/2022 BY A. Jay Hurst - DC

BOOK **326** PAGE **742**

2022 FEB 18 AM 10:29

QUITCLAIM DEED

THIS QUITCLAIM DEED, made and entered into this 1st day of February, 2021, by and between KEENE WESLEY WITTWER and JENNIFER WITTWER, a married couple, whose address is 406 Hill Rd., Paris, Kentucky 40361, "Grantors"; and WITTY ENTERPRISES, LLC, with an address of 406 Hill Rd., Paris, Kentucky 40361, "Grantee". The in-care-of tax mailing address for the current year is c/o Wesley Wittwer, 406 Hill Rd., Paris, Kentucky 40361.

WITNESSETH:

That, for and in consideration of funding a trust, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, Grantors do hereby quitclaim and convey unto the Grantee, in fee simple, all their right, title and interest in and to the following described property in Bourbon County, Kentucky, more particularly described as follows:

Lot 1

That certain house and lot of ground situated in Bourbon County, Kentucky, in the Ireland Division near Centerville, being Lot #4 of said Division as shown on Plat recorded in the Bourbon County Court Clerk's Office in Deed Book 82, Page 377, to which reference is made for a more definite description, and being the same property conveyed to parties of the first party by Oscar Burrell and others by Deed of date March 15, 1949, and of record in the Office of the Bourbon County Court in Deed Book 125, Page 411.

Lot 2

That Certain house and tract or parcel of land in the town of Centerville, Bourbon County Kentucky, described as follows: Lot NO. 3, Ireland Division near Centerville, Bourbon County Kentucky, adjoining Lot No. 2 owned by William Wash and fronting on a street laid off in said Division, and which Map of said Lots in recorded in the Office of the Clerk of the Bourbon County Court in Deed Book 82, Page 337, to which referenced is hereby made for a more particular description of said lot, and containing one-half acre of land.

BEING the same property conveyed to Keene Wesley Wittwer, from Master Commissioner, by deed, dated the 1st day of June, 2021 recorded in Deed Book 318 Page 280 in the Office of the Bourbon County Clerk.

TO HAVE AND HOLD the above described property unto Grantee, in fee simple, its successors and assigns forever, all of Grantors' interest, whatsoever, in same.

CONSIDERATION CERTIFICATE

The parties hereto attest that the estimated fair cash value of the property is \$ 27,000. The Grantor and Grantee do hereby certify, pursuant to KRS 382.135, that the consideration set forth is true and correct. This transfer is exempt from transfer taxes pursuant to KRS 142.050 (8)(c).

IN TESTIMONY WHEREOF, WITNESS the signatures of the Grantor and Grantee.

GRANTORS

Keene Wesley Wittwer
Keene Wesley Wittwer
Jennifer Wittwer
Jennifer Wittwer

GRANTEE: WITTY ENTERPRISES, LLC

Keene Wesley Wittwer
KEENE WESLEY WITWERT, MANAGER

COMMONWEALTH OF KENTUCKY
COUNTY OF SCOTT

I hereby certify that the foregoing Quitclaim Deed and consideration statement was acknowledged and sworn to before me this 1st day of February, 2022 by Keene Wesley Wittwer and Jennifer Wittwer, Grantors.

My Commission Expires: 2-8-23



NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY
COUNTY OF SCOTT

I hereby certify that the foregoing Quitclaim Deed and consideration statement was acknowledged and sworn to before me this 1st day of February, 2022 by KEENE WESLEY WITWERT, Manager of WITTY ENTERPRISES, LLC, Grantee.

My Commission Expires: 2-8-23



NOTARY PUBLIC

This instrument was prepared by:

Mikel D. McKinley, Jr., 444 E. Main Street, Ste. 201, Lexington, KY 40507



STATE OF KENTUCKY

COUNTY OF BOURBON, Sct.

I, RICHARD STIPP EADS, Clerk of Bourbon County Court,

do certify that the foregoing DEED

was on 2/18/2022 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

Richard Stipp Eads, BCC

A-2 RURAL/AGRICULTURAL SMALL COMMUNITY ZONE
REFERENCE POINTS

1. Ruddles Mill – (1/2) One Half Mile Radius of the intersection of Kentucky Highway 1940 (Paris-Ruddles Mill Road) and Kentucky Highway 1893 (Millersburg & Ruddles Mill Road).
2. Centerville – (1/2) One Half Mile Radius of a given point at the Methodist Church on Kentucky Highway 460 in Centerville.
3. Clintonville – (1/2) One Half Mile Radius of the intersection of Kentucky Highway 1678 (Clintonville Road) and Kentucky Highway 57 (Briar Hill Road & Austerlitz Road).
4. Little Rock – (1/2) One Half Mile Radius of Kentucky Highway 537 (Cane Ridge Road) and Rock Drive in Little Rock.



GENTERVILLE LANE

103.8

58.05

74.79

30.37

17.26

3.2 (B) RURAL/AGRICULTURAL COMMUNITY ZONE (A-2)

3.21 (B) Uses Permitted

- A. Single Family Residential

3.22 (B) Uses Permitted By Conditional Use

- A. Churches and Cemeteries;
- B. Parks, Recreational Facilities;
- C. Home Occupations are permitted in the R-1 Zone within the dwelling only;
- D. Agricultural home occupations such as agricultural implement repair, woodworking, carpentry, blacksmithing, and related occupations.
- E. Bed and Breakfast establishments;
- F. Agricultural activities including agricultural crops, dairying, or raising of fowls or animals;
- G. Sales on the premises of agricultural products produced on the premises;
- H. Neighborhood/Local business uses designed primarily to serve the local residents such as gas stations, food marts, small groceries, barber or beauty shops; restaurants (excluding drive-through type restaurants), video stores, agricultural implement repair, hardware store, feed store, and related retail enterprises which are not disruptive to the small community concept;
- I. Retail and consumer oriented businesses designed to attract limited tourist traffic and to meet the needs of local residents such as antique shops, fine art and arts and crafts stores, woodworking shops and related enterprises which are not disruptive to the small community concept.
- J. Multi-Family Dwellings, only in existing buildings of institutional or historical significance (e.g. former school buildings), provided that the number of dwelling units created does not exceed a density of one unit per gross acre of the entirety of the tract upon which the building proposed for this use is situated.
- K. Professional Offices only in existing buildings of institutional or historical significance (e.g. former school buildings), provided that such offices may include research and development activities if such activities are not disruptive to the small community concept. To preserve the character of the small communities: offices shall have no more than one free-standing sign; research and development activities must have one free-standing for negative off-site effects such as noise, air and water pollution or excessive traffic; the number of employees must not exceed the capacity of the site for proper sewage disposal and parking; landscape buffering between all parking areas and the street or road must be installed; provision must be made for prompt removal from the site of all solid waste.

* Minimum lot size shall be measured from a point 15 feet from the centerline of the road or from the edge of the pavement whichever is the greater distance from the centerline.

3.24 (B) Special Provisions

- A. All Lots within the zone shall have fifty (50) feet of access on a public road, including the balance of the parent tract;
- B. Any new road must be built to county standards;
- C. All lots proposed under the “old public sewer” scenario or proposed to be served by an individual on-site sewage system shall have a site evaluation that conforms that the minimum lot size is suitable for the required on-site septic system prior to final plan approval; the Board of Health shall have the authority to increase the minimum lot size required for a particular lot due to on-site conditions;

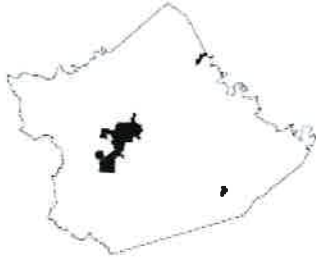
Any development proposing to utilize a public sewer shall have certification from the public sewer provider of the capacity of the system to serve the development and approving the proposed design of the development prior to final plat approval.

Any development proposing to utilize the central waste disposal system approved by the County Board of Health and the Kentucky Cabinet for Human Resources Division of Environmental Services (if subsurface discharge) shall be prepared to discuss the proposed system including such issues as the proposed location, size, and number of lagoons at the development plan stage (in conjunction with the zoning map amendment). State approval of the central waste disposal system shall be received prior to final plan approval.

- D. If a parcel of land is divided by the boundary line of a small community as designated on the official small community map, a portion of that parcel outside the boundary equal to no more than twenty (20) percent of that portion lying within the boundary, but not exceeding twenty (20) acres, may be developed as A-2.
- E. Any division of property to create an A-2 property shall not result in the creation of any non-farming A-1 lots. The remaining A-1 property must conform to required five (5) acre minimum to size, two hundred fifty (250) feet of road frontage and all other requirements of the A-1 Zone.
- F. All development proposals within the A-2 zone shall require the submission of a development plan to address any special conditions of the community, which shall be binding.
- G. All development within this zone shall be required to be sensitive to and to actively participate in the preservation of significant tree stands and/or significant trees and/or other significant natural or historic features which shall be reflected upon the proposed development plan.



②



BOURBON COUNTY JOINT PLANNING OFFICE

**525 High Street
Paris, KY, 40361
859.987.2150**

www.bourboncountyplanning.com

Permit #: 483

Permit Type:

Address: CENTERVILLE LN 334

City: PARIS KY 40361

State:

Zip:

Owner: WITTY ENTERPISES LLC

Owner Address: 406 HILL RD

Owner City: PARIS KY 40361

Owner State:

Owner Zip:

Owner Phone:

Owner Email:

Receipt #: 349

Date: 12/19/2023

Paid By: Check #3271

Description: Paid check #3271 for VAR 23-13

Payment Type: Check

Payment Type Description: #3271

Accepted By: Micki Sosby

Fees Paid

Fee Name	Fee Type	Description	Factor	Total Fee Amount	Amount Paid
Variance	Application		0.00	200.00	200.00
				Total:	\$200.00