

APPLICATION TO BOARD OF ADJUSTMENT

Variance

Paris- Bourbon County Joint Planning Commission

301 Main Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. VAR 24-01 Fee Amount: \$ 200.00 Date Fee Received: 1/26/2024

1. APPLICANT Capall Construction, LLC Owner (if different)

MAILING ADDRESS 1445 High St., Paris, Ky 40361-1285

PHONE NO. 865-851-5988 (Cell) (HOME) (WORK)

2. PLEASE CIRCLE: Paris Bourbon County / Millersburg/ North Middletown Location 103 Park Ridge Rd.

3. SUBDIVISION Clintonville Place

4. EXISTING USE Vacant - Empty Lot ZONING DISTRICT R-8

5. DESCRIPTION OF REQUEST Request a variance of the 25' Rear Setback, the proposed residence overhang will be 24'9" to 18'10" from Rear Prop. Line.

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.

APPLICANT SIGNATURE DATE 1-25-24

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. You are not required to employ an attorney but you are encouraged to do so.

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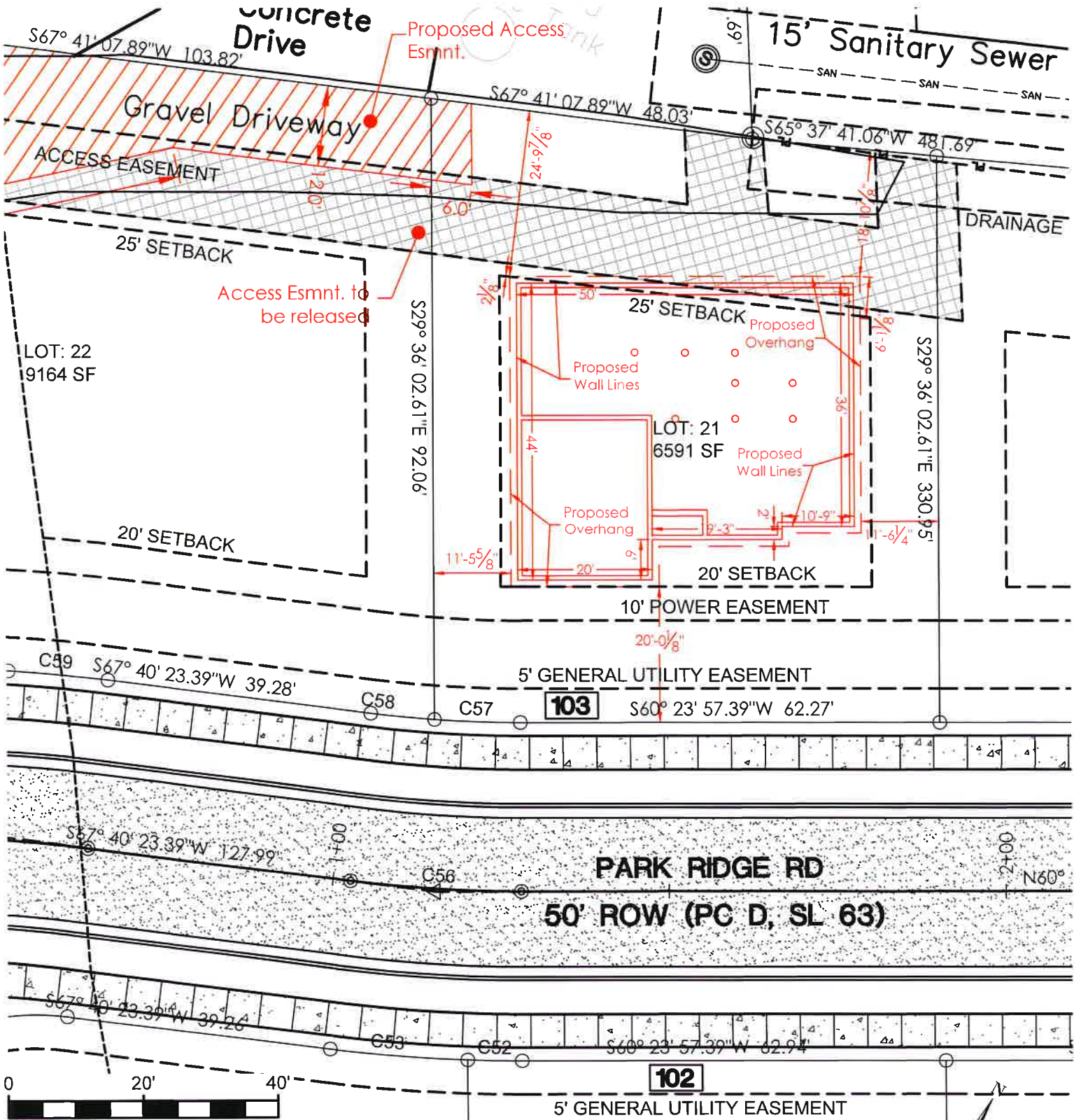
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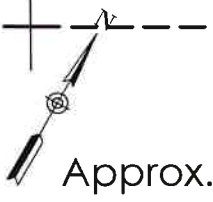
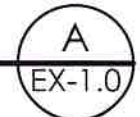
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GRAPHIC SCALE
1" = 20'

NOTE: Indicated property lines, easements, boundary information as taken from PC D, SL 23. Not field verified by MLH Civil.

BOA SITE PLAN



DRAWING EX-1.0 1 OF 1	DATE 25 JAN 2024	BOA EXHIBIT - VARIANCE SITE PLAN - 103 PARK RIDGE DR. CAPPALL CONSTRUCTION 1445 HIGH ST. PARIS, KY 40361	 MLH CIVIL	MLH CIVIL ENGINEERS, PLLC PO BOX 910379 LEXINGTON KY 40591 john@mlhcivil.com PH/FAX 859-219-1066 CELL 859-552-4103
	FILE SLL2001AA			



MLH Civil Engineers, PLLC

John W. Hunt, PE, PLS
john@mlhcivil.com

25 January 2024

Bourbon Co. Joint Board of Adjustments
525 High Street
Paris, KY

RE: Variance Request – 103 Park Ridge Drive
Capall Construction, LLC

Dear Board Chair:

Capall Construction would like to request a variance of the 25' Rear Building Setback requirement in the R-8 Zone per Zoning Ordinance Section 80.201.3 (h)(4) (iii). As you can see on the provided BOA Exhibit, the overhang of the proposed residence will be between 24' 9" to 18' 10" from the rear property line.

- A. The angled property line / setback line is a result of the outer shape of the overall property development. This lot is at the "pinch" point of an adjacent property corner, thus when a square residence is proposed to be built it results in this tapered intrusion into the setback.
- B. The literal application of the 25' setback at this corner of the development creates the skewed setback line relative to the square residence floorplan.
- C. There have been no previous BOA actions from the Applicant for this lot.
- D. It is the applicant's belief that this house plan and layout is a minimal intrusion into the setback and does not result in an unusual / detrimental condition for this lot or any adjoining lot.

The applicant appreciates your consideration of this Variance Request. The Zoning Ordinance even has language that is in line with the spirit of this request. In Section 80.201.3 (h)(4) (vi) Exceptions, it states "*In order to allow productive use of property, the Board of Adjustments shall permit lesser setbacks to be established where the lot involved is a lot of record and lesser setbacks will be in conformity with existing structures in the area.*" The proposed house plan is a near mirror of the house constructed across the street at 102 Park Ridge Road.

If there is anything else I can do to help, please don't hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read 'John W. Hunt'.

JOHN W. HUNT, PE, PLS
Professional Engineer
Professional Land Surveyor

MLH CIVIL

3320 Clays Mill Road, PO Box 910379
Lexington, KY 40591-0379

Phone / Fax 859•219•1066
Cell 859•552•4103



MLH Civil Engineers, PLLC

John W. Hunt, PE, PLS
john@mlhcivil.com

25 January 2024

Variance Request – 103 Park Ridge Rd.

ADJOINER LIST

<u>PVA #</u>	<u>NAME</u>	<u>ADDRESS</u>
027-00-00-020.02	Capall Construction, LLC 1445 High St, Paris, KY 40361	
027-00-00-020.03	Riley & Norma Whitaker 663 Clintonville Rd., Paris, KY 40361	
027-00-00-020.05	William J Tuttle Trust 16594 Ambassador Bridge Rd., Delray Beach, FL 33446-5681	

MLH CIVIL

3320 Clays Mill Road, PO Box 910379
Lexington, KY 40591-0379

Phone / Fax 859•219•1066
Cell 859•552•4103



Overview



Legend

- Parcels
- Roads

Parcel ID	027-00-00-020.02	Physical Address	PARK RIDGE DR	Land Value	\$100,000	Last 2 Sales	
Property Class	Residential	Mailing Address	CAPALL CONSTRUCTION LLC	Improvement Value	\$0	Date	Price
Taxing District	05		1445 HIGH ST	Total Taxable Value	\$100,000	11/15/2019	\$115000
Acres	5.51		PARIS KY 40361	Living Area	0	8/2/2010	0

Date created: 1/25/2024
 Last Data Uploaded: 1/25/2024 12:05:49 AM

Developed by **Schneider**
 GEOSPATIAL