

# 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:**

VAR 25-09

Application No. ~~0000000000~~ Fee Amount \$ ~~100~~ Date Fee Received: 7-14-25

1. APPLICANT Phillip McCoy Owner (if different)

MAILING ADDRESS 128 GAY RD, PARIS, KY 40361

PHONE NO. 859-404-8199 (HOME) (WORK)

2. PLEASE CIRCLE: Paris / Bourbon County / Millersburg / North Middletown

Location 128 GAY RD PARIS, KY 40361

3. SUBDIVISION

4. EXISTING USE ZONING DISTRICT

5. DESCRIPTION OF REQUEST TO Allow to Build A Farm use Building on An Already Prepared Lot Less Than 125' off 1 Lane County RD

7. SUPPORTING INFORMATION: In A STRAIGHT stretch. (GAY RD)

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.

PGMCS

APPLICANT SIGNATURE

7-11-25

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

122 GAY RD.

7, A. LOT Already has it's own Driveway

Due to IT Being used AS A house LOT  
6-7 years AGO. I Removed The home, LOT  
is now VACANT.

7B, Farm was Bought INTO 2010 with  
this Particular TrACT Being Planned  
TO serve AS A Shop Area, Due  
to The Driveway, Location, And  
Building site LAYOUT.

7C. NO SPECIAL condition EXIST.  
LOT WAS used AS A home site in The  
PAST, IT MAKES A Perfect Shop  
site, Due TO Driveway, Location And  
LAYOUT, it is NOT PASTure.

7D.

This would Be The only way TO Put  
Shop on This LOT.

Phil McCoy  
859-404-8199

MCCOY PHIL & TINA  
128 GAY RD  
PARIS KY 40361

KELLY RALPH E & ANGELIA  
R  
182 GAY RD  
PARIS KY 40361

MCFARLAND BARTON C &  
PAMELA P  
1098 STONEY POINT RD  
PARIS KY 40361

PLEASANT HILL FARM INC  
1033 32ND STREET SOUTH  
BIRMINGHAM AL 35205

COOMBS WM H JR &  
KAREN & MILLER BARBARA  
280 MT STERLING RD  
PARIS KY 40361

MCFARLAND KENNETH  
1625 OLD SILO HILL DR  
MT STERLING KY 40353

RICE DWAYNE C &  
ANTHONY R  
6983 PARIS PK  
MT STERLING KY 40353

*Adjoining  
Property Owners*

BOOK 294 PAGE 661

DEWEAVE IS MEASURED IS SPOONED WEST 380.76 FEET TO THE POINT  
OF BEGINNING. THIS TRACT OF LAND CONTAINS 15.324 ACRES AND IS  
PART OF P.L. 1 OF PLAN DATED JULY 20, 1986 AS SURVEYED BY  
REINHOLD ENGINEERING AND SURVEYING, INC.

State of Kentucky, County of Bourbon, Sit.  
I, RICHARD STIPP EADS, Clerk of Bourbon County  
Court, do hereby certify foregoing

was made on 29 day of October, 20 18  
at 10:00 A.M. before me, Clerk for record, and  
said act has been duly recorded in my said office,  
together with the and the said act thereon expressed.  
Given under my hand  
*Richard Stipp Eads, Sec*



115113  
Filed on: 05/27/2014 12:08:08 PM  
Book: 650 Number: 234  
Pages: 650 - 651  
Richard Stipp Eads, Bourbon County  
IC: 0000 121801



WERE FROM A MAGNETIC READING ALONG THE EXISTING NORTH PROPERTY LINE OF GORDON AND PENNINGTON, 12/12/87.

AND ALSO Tract II.

PARCEL 1

THAT 6.571 ACRE TRACT IDENTIFIED AS PARCEL 1 ON PLAT FILED OF RECORD NOVEMBER 4, 1994 IN THE BOURBON COUNTY CLERK'S OFFICE IN PLAT CABINET B. SLIDE 231, AND BEING PART OF THE SAME PROPERTY CONVEYED TO CECIL B. GORDON AND MARGARET H. GORDON WIFE, BY DEED DATED OCTOBER 4, 1949, DEED BOOK 129, PAGE 9.

PARCEL 2

THAT 19.277 ACRE TRACT IDENTIFIED AS PARCEL 2 ON PLAT FILED OF RECORD NOVEMBER 4, 1994 IN THE BOURBON COUNTY CLERK'S OFFICE IN PLAT CABINET B. SLIDE 231, AND BEING PART OF THE SAME PROPERTY CONVEYED TO CECIL B. GORDON AND MARGARET H. GORDON WIFE, BY DEED DATED MARCH 6, 1977, DEED BOOK 175, PAGE 443. PARCEL 2 BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF THE GAY ROAD, A CORNER TO GORDON, AND RUNNING WITH THE CENTER OF THE GAY ROAD NORTH 13 DEGREES 00 MINUTES 00 SECONDS WEST 100.00 FEET; NORTH 12 DEGREES AND 15 MINUTES 00 SECONDS WEST 100.00 FEET TO A CORNER TO TRACT II; THENCE LEAVING SAID CORNER AND RUNNING WITH THE LINE OF TRACT II NORTH 82 DEGREES 41 MINUTES 00 SECONDS WEST 652.5 FEET TO A POST, A CORNER TO PENNINGTON AND DAVIS; THENCE WITH THE LINE OF SAID SOUTH 2 DEGREES AND 13 MINUTES WEST 104.00 FEET TO A CORNER TO DAVIS AND GORDON; THENCE WITH THE LINE OF SAID CORNER TO DAVIS AND GORDON 55 MINUTES WEST 100.00 FEET TO A POST, A CORNER TO PENNINGTON AND DAVIS; THENCE WITH THE LINE OF SAID CORNER TO PENNINGTON AND DAVIS 100.00 FEET TO THE POINT OF BEGINNING AND CONTAINING THEREON 19.277 ACRES OF LAND.

10625193

EXHIBIT A

Tract I

SITUATED IN THE COUNTY OF BOURBON AND STATE KENTUCKY:

BEGINNING AT A POINT SAID POINT BEING SOUTH 4 DEGREES 51 MINUTES 29 SECONDS WEST 436.04 FEET ALONG THE CENTERLINE OF GAY ROAD FROM ITS INTERSECTION WITH THE CENTERLINE OF KENTUCKY HIGHWAY 450; THENCE FROM THE BEGINNING POINT, COMMON CORNER WITH OSCAR J. PENNINGTON (DEED BOOK 134, PAGE 317 AND IN THE WEST LINE OF GEORGE W. WYDE, ALONG SAID CENTERLINE OF GAY ROAD FOR 2 CALLS: SOUTH 5 DEGREES 13 MINUTES 32 SECONDS WEST 131.20 FEET TO A POINT; THENCE SOUTH 6 DEGREES 04 MINUTES 28 SECONDS WEST 219.19 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF GAY ROAD WITH THE NEW LINES OF CECIL B. AND MARGARET H. GORDON FOR 6 CALLS: SOUTH 81 DEGREES 25 MINUTES 37 SECONDS WEST 343.90 FEET (PASSING A 1/2 INCH BY 18 INCH LONG IRON PIN WITH CAP MARKED R.L.S. 2670 AT 11.60 FEET ON LINE, AND SHOWN AS WITNESS MONUMENT "B" ON PLAT OF SAME DATED 12/12/87) TO AN IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE SOUTH 4 DEGREES 47 MINUTES 00 SECONDS WEST 20.25 FEET TO AN IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE SOUTH 50 DEGREES 44 MINUTES 04 SECONDS WEST 148.02 FEET TO AN IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE 22 DEGREES 45 MINUTES 54 SECONDS WEST 51.30 FEET TO AN IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE SOUTH 84 DEGREES 45 MINUTES 44 SECONDS WEST 100.57 FEET TO AN IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE NORTH 87 DEGREES 40 SECONDS EAST 321.80 FEET TO AN IRON PIN WITH CAP MARKED R.L.S. 2670 SET IN THE SOUTH LINE OF OSCAR J. PENNINGTON (DEED BOOK 134, PAGE 317); THENCE WITH POINT OF BEGINNING TO THE POINT OF SAID PENNINGTON FOR 2 CALLS: SOUTH 89 DEGREES 00 SECONDS WEST 78.52 FEET TO AN EXISTING IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE SOUTH 89 DEGREES 12 MINUTES 28 SECONDS WEST 11.48 FEET (PASSING WITNESS MONUMENT "A" AT 560.48 FEET) TO AN IRON PIN WITH CAP MARKED R.L.S. 2670; THENCE TO THE POINT OF BEGINNING AS SURVEYED BY BARRY M. ROBINSON.

10825197



BOOK 294 PAGE 656

6, 1996 and recorded May 6, 1996 in Deed Book 224, page 561 in the land records of Bourbon County, Kentucky.

Tract III


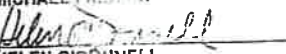
Being all of that certain property conveyed to Helen O'Donnell and Michael Fiedler, wife and husband from T.P.B. Enterprises, Inc., a Kentucky corporation by deed dated August 23, 1996 and recorded August 23, 1996 in Deed Book 225, Page 756 in the land records of Bourbon County, Kentucky.

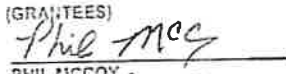
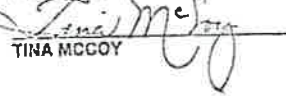
TO HAVE AND TO HOLD, the same together with all the appurtenances thereunto belonging unto the Grantees, jointly and equally for and during their joint natural lives with remainder in fee simple to the survivor of them, their heirs and/or assigns forever, together with the Covenant of General Warranty of Title, except that the within conveyance is made subject to all easements and restrictions which may appear of record affecting said property.

CONSIDERATION CERTIFICATE

Grantors and Grantees, upon being duly sworn, do hereby certify pursuant to KRS Chapter 382, that the above stated consideration of satisfaction of indebtedness in the amount of \$500,000.00 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 sales price of said property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00. Grantees have executed this deed of conveyance only for the purpose of certifying the consideration paid for said real property, pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of the parties hereto as of the day, month and year first herein written.

(GRANTORS)  
  
MICHAEL FIEDLER  
  
HELEN O'DONNELL

(GRANTEES)  
  
PHIL MCCOY  
  
TINA MCCOY

REAL ESTATE TAX PAID AMT \$ 500.00  
RICHARD STIPP LEADS, BCC  
DATE 07-11-2018 Richard DC

BOOK **294** PAGE **655**

**DEED OF CONVEYANCE**

This DEED OF CONVEYANCE, made and entered into this 25<sup>th</sup> day of June, 2014, by Michael Fiedler and Helen O'Donnell, husband and wife, with a mailing address of 128 Gay Road, Paris, Kentucky 40361, hereinafter referred to as GRANTORS and Phil McCoy and Tina McCoy, husband and wife, with a mailing address of 3655 KY HWY 599, Jeffersonville, Kentucky 40337, hereinafter referred to as GRANTEES.

Grantees' address to which the property tax bill for 2014 shall be mailed is:  
3655 KY HWY 599, Jeffersonville, Kentucky 40337.

**WITNESSETH:**

For and in consideration of the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), the receipt of which is hereby fully acknowledged, the Grantors do hereby bargain, sell, and convey unto the Grantees, jointly and equally for and during their joint natural lives with remainder in fee simple to the survivor of them, the heirs and assigns of such survivor forever, all their right, title, and interest in and to the following described real property located in Bourbon County, Kentucky and more particularly described to-wit:

**SEE ATTACHED "EXHIBIT A"**

**Tract 1**

Being all of that certain property conveyed to Helen Mary O'Donnell and Michael P. Fiedler, wife and husband from James W. Ertel and Kathleen D. Ertel, husband and wife by deed dated April 3, 1995 and recorded April 6, 1995 in Deed Book 221, page 98 in the land records of Bourbon County, Kentucky.

**Tract II**

Being all of that certain property conveyed to Helen O'Donnell and Michael Fiedler, wife and husband from Cecil B. Gordon and Margaret H. Gordon, husband and wife by deed dated May

LODGED FOR RECORD  
RICHARD STIPP LEADS  
BOURBON COUNTY, KY  
14 JUN 27 PM 1:36