

April 26, 2019

Scott Graham
Drees Homes
211 Grandview Dr
Fort Mitchell, KY 41017

RE: BOA1903-0001

The Park Hills Board of Adjustment heard your request for the noted case on April 18, 2019. After considering the testimony provided, members of the Board acted as detailed on the following page.

Thank you for your cooperation through this process. Feel free to contact me if you have any questions about the Board's action or steps you may want to take now.

If you choose, you may file an appeal of the Board's action with the Circuit Court within 30 days according to Kentucky Revised Statutes 100.347.

Patrick Denbow, AICP
Senior Planner

attach



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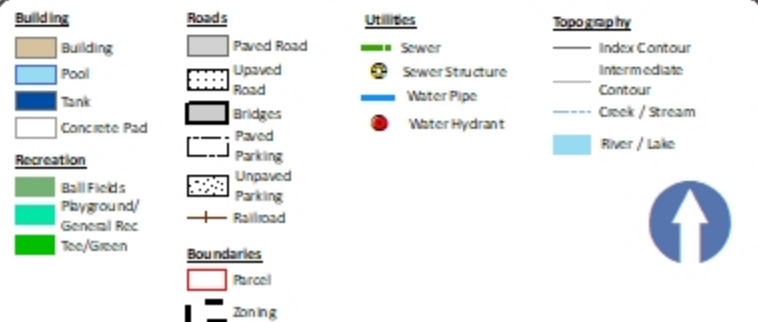
BOA1903-0001

Request: A variance from requirements of the Park Hills Zoning Ordinance to allow a residential driveway to be 35.83 feet wide at the street right of way where 20 feet is the maximum allowed at 1049 Wald Court.

Decision: To deny the request for a variance from the requirements of the Park Hills Zoning Ordinance to allow a residential driveway to be 35.83 feet wide at the street right of way where 20 feet is the maximum allowed at 1049 Wald Court.

- Basis:**
1. The variance request does not arise from special circumstances which do not generally apply to land in the general vicinity or same zone. The submitted plans show that a driveway meeting the code requirements is possible on this lot with room to navigate into each garage door.
 2. The strict application of the zoning ordinance will not deprive the applicant of reasonable use of their land and create an unnecessary hardship for the applicant. A 20-foot-wide driveway will still allow access into each of the three garage doors, and will still allow the use of the land as a single-family residential home.
 3. The variance request is not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought. The applicant became aware of the need for a variance during the permitting process and has applied for a variance.
 4. The variance will alter the essential character of the general vicinity and create an unreasonable circumvention of the requirements of the zoning regulations. While the other lots within this subdivision have not been developed, they will be limited to a 20-foot driveway width as well. The requested variance is an increase of approximately 80 percent of the maximum allowable width of other future driveways in the subdivision.
 5. Based on evidence and testimony heard at the public hearing held on April 18, 2019.

Result of BOA Action: The applicant is permitted to construct a residential driveway that is no wider than 20 feet wide at the street right of way, which is the maximum allowed per the zoning regulations. All work is subject to any required building and zoning permits.



Date: 3/20/2019

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April 26, 2019

Tony Padgett
Drees Homes
211 Grandview Dr
Fort Mitchell, KY 41017

RE: BOA1903-0005

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Patrick Denbow, AICP
Senior Planner

cc: Jim & Judy Berling Land Company, LLC

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BOA1903-0005

Request: A variance from the required side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a side yard setback of 7.08 feet from the property line common with 1059 Wald Court where ten feet is required.

Decision: To approve the variance request from the required side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a side yard setback of 7.08 feet from the property line common with 1059 Wald Court where ten feet is required.

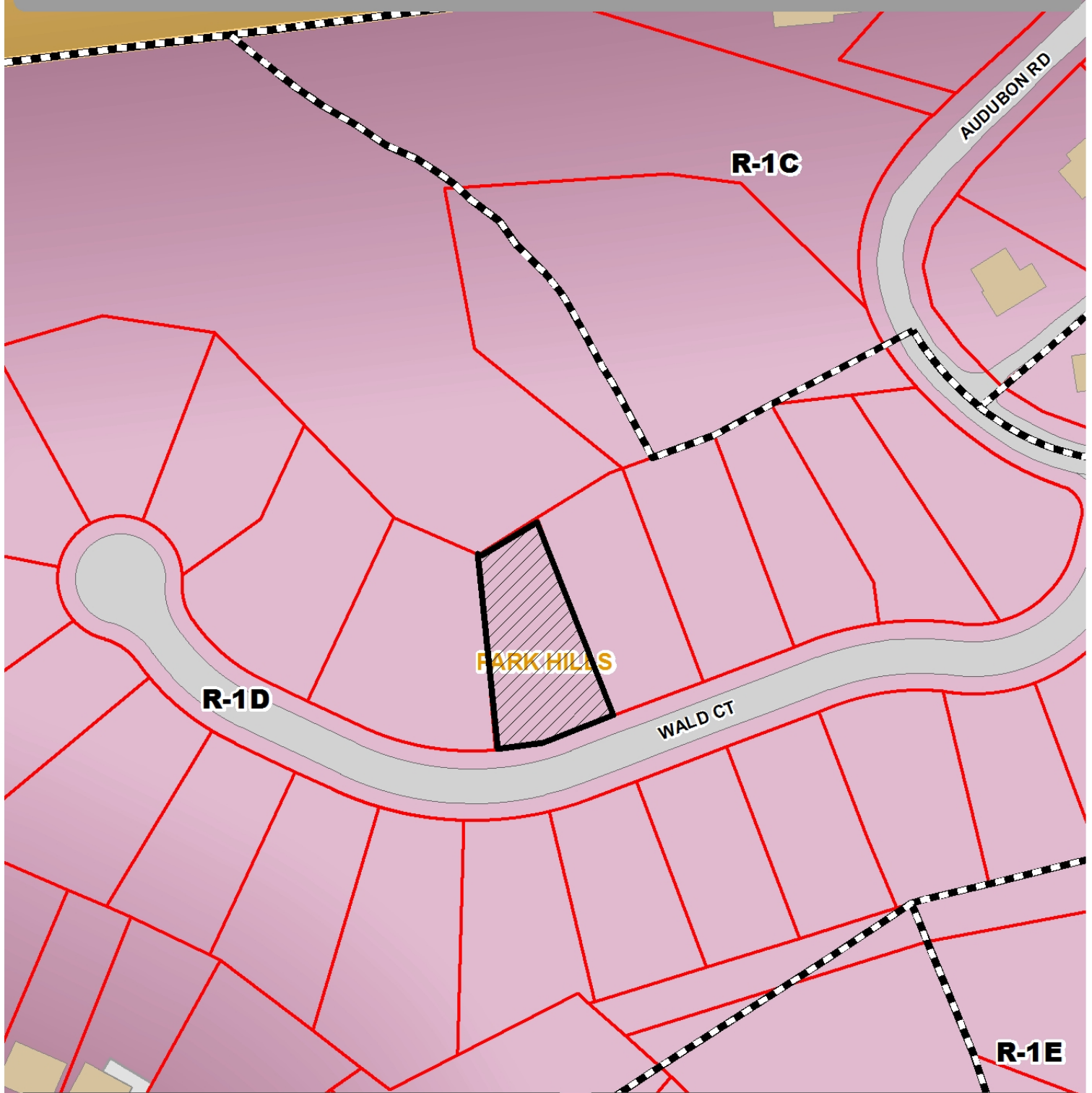
Basis:

1. The variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.
2. The requested variance arises from special circumstances. This lot narrows from front to rear, creating a hardship.
3. Based on evidence and testimony heard at the public hearing held on April 18, 2019.

Result of BOA Action: The applicant is permitted to construct a detached single-family home with a side yard setback of 7.08 feet as depicted on the submitted plans and discussed at the public hearing. Building and zoning permits are required before any construction can occur.



BOA1903-0005



- Building**
- Building
 - Pool
 - Tank
 - Concrete Pad
- Recreation**
- Ball Fields
 - Playground/General Rec
 - Tee/Green

- Roads**
- Paved Road
 - Unpaved Road
 - Bridges
 - Paved Parking
 - Unpaved Parking
 - Railroad
- Boundaries**
- Parcel
 - Zoning

- Utilities**
- Sewer
 - Sewer Structure
 - Water Pipe
 - Water Hydrant

- Topography**
- Index Contour
 - Intermediate Contour
 - Creek / Stream
 - River / Lake



2332 Royal Drive
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859.331.8980
Office hours M-F 8-5
www.linkgis.org

Parcel data provided by CCPVA,
PCPVA and LINK-GIS.

Date: 3/29/2019

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211 Grandview Dr
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RE: BOA1903-0006

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BOA1903-0006

Request: A variance from the required side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a side yard setback of 7.29 feet from the property line common with 1089 Wald Court where ten feet is required at 1085 Wald Court in Park Hills.

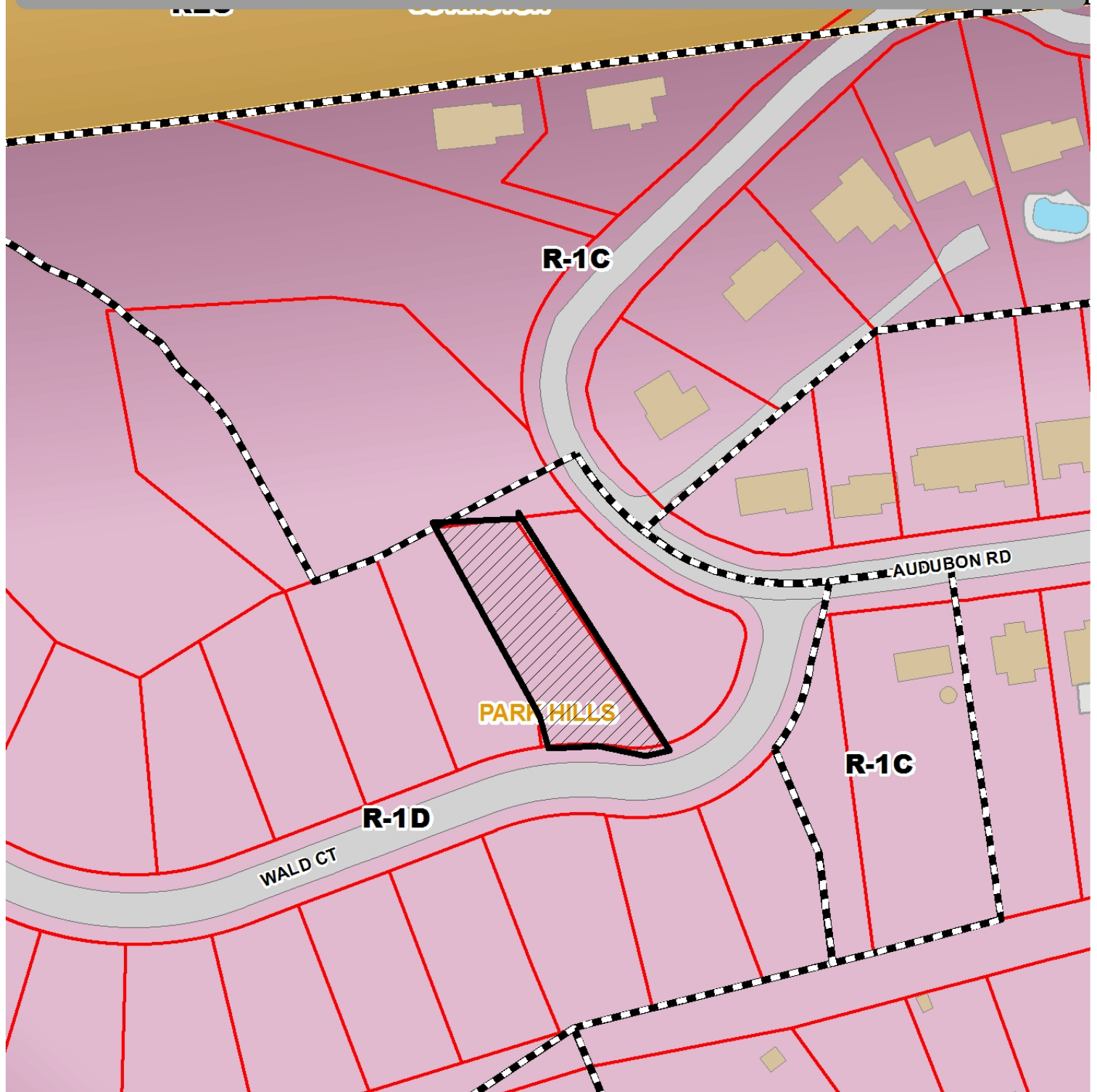
Decision: To deny the request for a variance from the required side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a side yard setback of 7.29 feet from the property line common with 1089 Wald Court where ten feet is required.

- Basis:**
1. The variance request does not arise from special circumstances which do not generally apply to land in the general vicinity or same zone. This subdivision was recently approved under the R-1D regulations, with all lots meeting the requirements of this zone.
 2. The strict application of the zoning ordinance will not deprive the applicant of reasonable use of their land and create an unnecessary hardship for the applicant. This lot is fully capable of containing a single-family home within the required setbacks. As this is a new subdivision, a home floor plan which is capable of fitting into the required setbacks, should be made available to this lot as it was laid out and approved.
 3. The variance request is the result of actions of the property owner taken subsequent to the adoption of the zoning regulations from which relief is sought. The property owner is responsible for platting this subdivision under the requirements of the R-1D Zone, and should have been aware of the area requirements for the home models being proposed in the subdivision. Any subsequent setback issues with the available home models should have been addressed during the platting process by reconfiguring the lots to accommodate the desired home models.
 4. The variance will alter the essential character of the general vicinity and create an unreasonable circumvention of the requirements of the zoning regulations. It is an unreasonable circumvention of the ordinance to vary from the required setbacks within a newly created lot.
 5. Based on evidence and testimony heard at the public hearing held on April 18, 2019.

Result of BOA Action: Applicant is permitted to construct a detached single-family dwelling that meets the minimum required side yard setback of ten feet. All work is subject to any required building and zoning permits.



BOA1903-0006



Building	Roads	Utilities	Topography
Building	Paved Road	Sewer	Index Contour
Pool	Upaved Road	Sewer Structure	Intermediate Contour
Tank	Bridges	Water Pipe	Creek / Stream
Concrete Pad	Paved Parking	Water Hydrant	River / Lake
Recreation	Unpaved Parking		
Ball Fields	Railroad		
Playground/General Rec			
Tee/Green	Boundaries		
	Parcel		
	Zoning		



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BOA1903-0007

Request: A variance from the required corner side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a corner side yard setback of 9.86 feet from the property line common with Audubon Road where 30 feet is required.

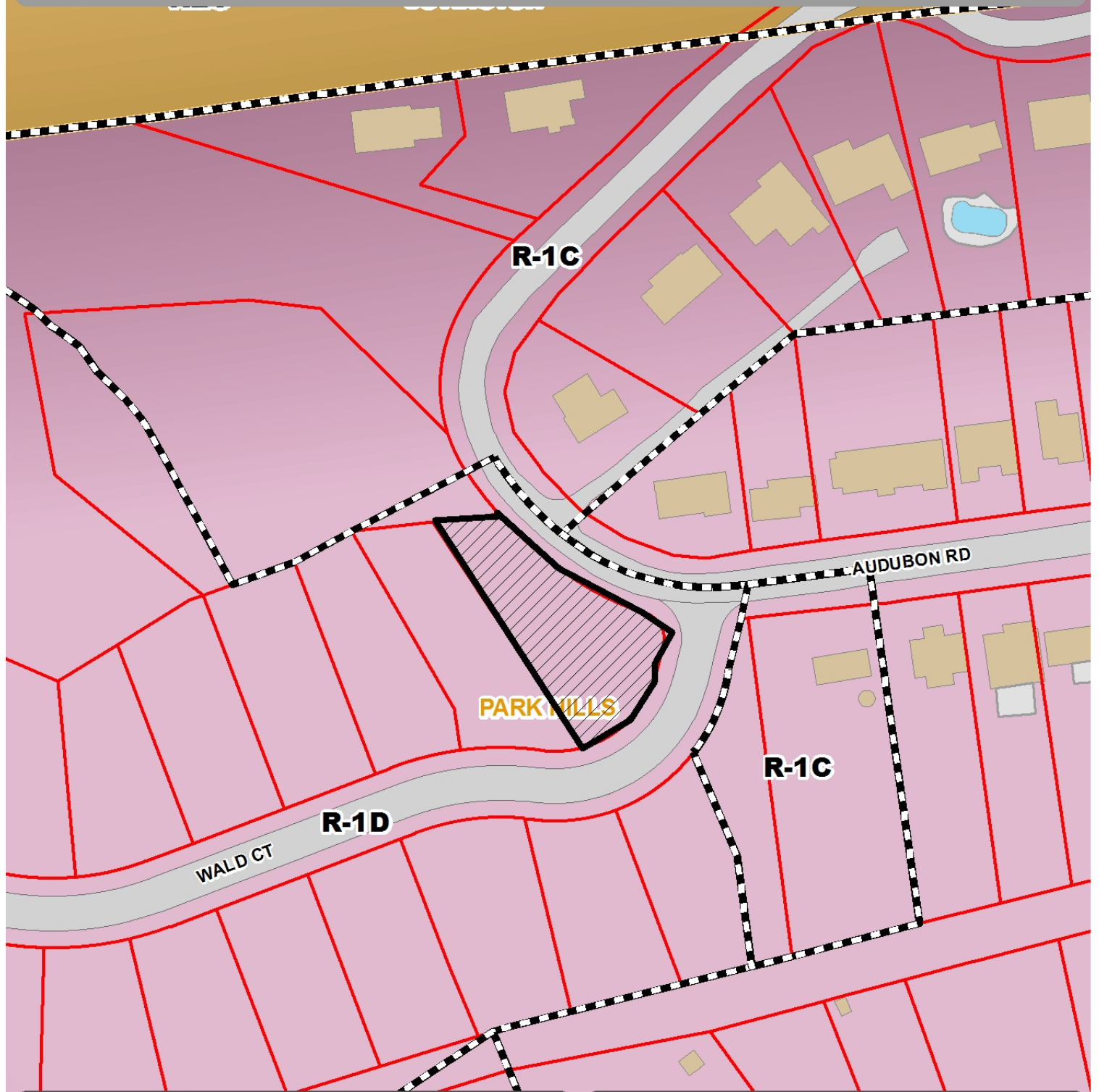
Decision: To deny the request for a variance from the required corner side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a corner side yard setback of 9.86 feet from the property line common with Audubon Road where 30 feet is required.

- Basis:**
1. The variance request does not arise from special circumstances which do not generally apply to land in the general vicinity or same zone. This subdivision was recently approved under the R-1D regulations, with all lots meeting the requirements of this zone.
 2. The strict application of the zoning ordinance will not deprive the applicant of reasonable use of their land and create an unnecessary hardship for the applicant. This lot is fully capable of containing a single-family home within the required setbacks. As this is a new subdivision, a home floor plan which is capable of fitting into the required setbacks, should be made available to this lot as it was laid out and approved.
 3. The variance request is the result of actions of the property owner taken subsequent to the adoption of the zoning regulations from which relief is sought. The property owner is responsible for platting this subdivision under the requirements of the R-1D Zone, and should have been aware of the area requirements for the home models being proposed in the subdivision. Any subsequent setback issues with the available home models should have been addressed during the platting process by reconfiguring the lots to accommodate the desired home models.
 4. The variance will alter the essential character of the general vicinity and create an unreasonable circumvention of the requirements of the zoning regulations. It is an unreasonable circumvention of the ordinance to vary from the required setbacks within a newly created lot.
 5. Based on evidence and testimony heard at the public hearing held on April 18, 2019.

Result of BOA Action: Applicant is permitted to construct a detached single-family dwelling that meets all of the required setbacks. All work is subject to any required building and zoning permits.



BOA1903-0007



Building	Roads	Utilities	Topography
Building	Paved Road	Sewer	Index Contour
Pool	Upaved Road	Sewer Structure	Intermediate Contour
Tank	Bridges	Water Pipe	Creek / Stream
Concrete Pad	Paved Parking	Water Hydrant	River / Lake
Recreation	Unpaved Parking		
Ball Fields	Railroad		
Playground/General Rec			
Tee/Green			
	Boundaries		
	Parcel		
	Zoning		



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RE: BOA1903-0008

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BOA1903-0008

Request: A variance from the required side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a side yard setback of 6.78 feet from the property line common with 1094 Wald Court where ten feet is required at 1090 Wald Court in Park Hills.

Decision: To approve the variance from the required side yard setback in an R-1D (Residential One-D) Zone of the Park Hills Zoning Ordinance; the applicant proposes to construct a home with a side yard setback of 6.78 feet from the property line common with 1094 Wald Court where ten feet is required.

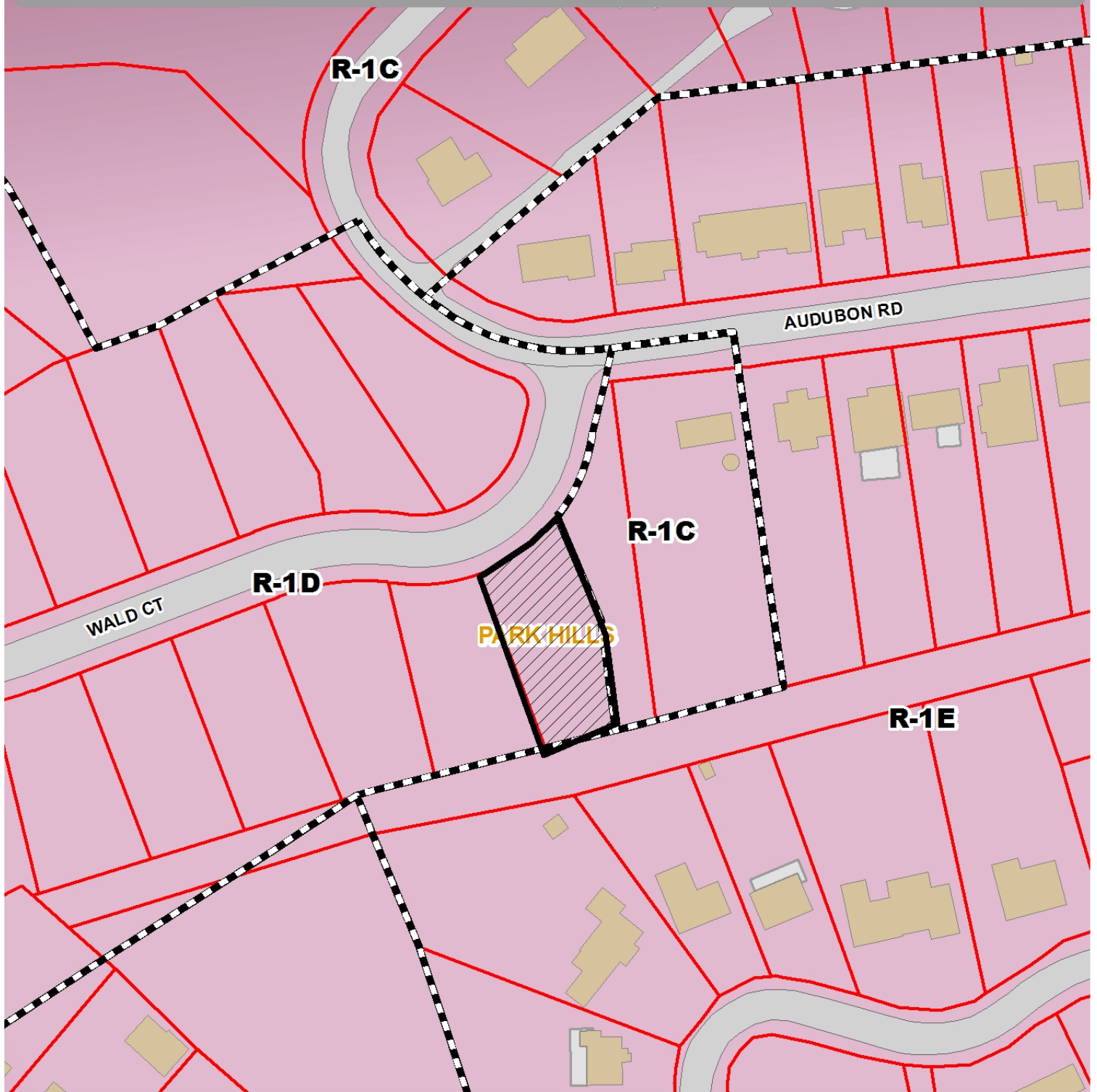
Basis:

1. The variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.
2. The requested variance arises from special circumstances. This lot narrows from front to rear, creating a hardship.
3. Based on evidence and testimony heard at the public hearing held on April 18, 2019.

Result of BOA Action: The applicant is permitted to construct a detached single-family home with a side yard setback of 6.78 feet as depicted on the submitted plans and discussed at the public hearing. Building and zoning permits are required before any construction can occur.



BOA1903-0008



Building	Roads	Utilities	Topography
Building	Paved Road	Sewer	Index Contour
Pool	Upaved Road	Sewer Structure	Intermediate Contour
Tank	Bridges	Water Pipe	Creek / Stream
Concrete Pad	Paved Parking	Water Hydrant	River / Lake
Recreation	Unpaved Parking		
Ball Fields	Railroad		
Playground/General Rec			
Tee/Green			
	Boundaries		
	Parcel		
	Zoning		



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