

**INSTRUCTIONS FOR DIMENSIONAL VARIANCE**  
**(APPLICANT PLEASE READ ALL INFORMATION)**

The Board of Zoning Adjustments Meets for Public Hearings on the third (3<sup>rd</sup>) Thursday of each month, @ 6:00 p.m., Court House Annex, 139 South Main Street, Lawrenceburg, Kentucky.

Applications for Dimensional Variance must be submitted to the Zoning Office no later than three (3) weeks prior to the next regularly scheduled Board Meeting. Applications will not be accepted after this deadline date due to Legal Publication & Adjacent Property Owner Notification Deadlines, that the Secretary of the Board is required to meet according to KRS 100.

1. The next deadline for application submission for the Board of Zoning Adjustments is:  
\_\_\_\_\_.

2. This Application will be reviewed at a public hearing at the next scheduled meeting of the Board to be held on: \_\_\_\_\_.

3. Upon receipt of the completed application, a sign will be provided to post on the property in a visible area. Please return sign on the night of the public hearing. Sign deposit will be returned, provided the sign is received within fourteen (14) days after the public hearing.

4. Applicant must date and sign the application, in front of a Notary. If the Applicant is not the Property Owner: the Owner and the Applicant must Date and Sign the Application in front of a Notary. A phone number and Address is required for each.

**THE FOLLOWING INFORMATION MUST BE SUPPLIED WITH THIS APPLICATION**

a. Copy of the Deed.

b. A Sketch, Arial photo, or survey, which shows the general shape of the land, the road, and all existing and proposed buildings. Please indicate on the sketch which setback requirement you are requesting be varied for the proposed structure, e.g. front setback, side setback, or rear setback. If you are requesting the front setback be varied, please indicated the measurement distance from the right-of-way of the road. Right-of-way information can be acquired from the Anderson County Road Department (839-4438), or the State Highway Department (839-3017).

c. A list of adjacent property owners, which must include the property owners across the road, to the rear and sides of the subject property. (This information can be acquired at the Anderson County Property Valuation Administrator's Office, 101 Ollie J. Bowen Street, Lawrenceburg, Kentucky.)

d. A \$100.00 application fee and a separate payment for a \$75.00 sign deposit. (Checks made payable to the Anderson County Treasurer, or the exact cash amount.)

**PLEASE NOTE: ALL REQUIRED INFORMATION MUST BE PROVIDED BY THE DEADLINE DATE.**

**Should you have any questions, please feel free to contact the Zoning Office Secretary 839-1505.**

**APPLICANT: Please read the following information carefully before completing an Application for Dimensional Variance.**

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**ARTICLE IV  
BOARD OF ADJUSTMENT**

**440 Dimensional Variance**

The Board shall have the power to hear and decide on applications for dimensional variances where, by reason of the exceptional narrowness, shallowness, or unusual shape of a site on the effective date of this Ordinance, or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height or width of building or size of yards, but not population density) of this Ordinance would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same district. The Board may impose any reasonable conditions or restrictions on any variance it decides to grant.

Before any variance is granted, the Board must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance.

- a. The specific conditions in detail which are unique to the applicant's land and which do not exist on other land in the same zone.
- b. The manner in which the strict application of the provisions of the Ordinance would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners in the same zone.
- c. That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance.
- d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.
- e. Consideration of all adjoining property owner's comments regarding the variance request.

The Board shall not possess the power to grant a variance to permit a use of any land, building, or structure which is not permitted by the Ordinance in the district in question, or to alter density requirements in the district in question.

A dimensional variance applies to the property for which it is granted, and not to the individual who applied for it. A variance also runs with the land and is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site.

**ARTICLE II  
TERMS AND DEFINITIONS**

*116. Variance, Dimensional*

A departure from the terms of the zoning regulations pertaining to height or width of structures and size of yards and open spaces, where such departures will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape, or topography and not as a result of actions of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship. Such departure requires approval of the Board of Adjustment.

DATE \_\_\_\_\_

1. Name and Address of Applicant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Address of Subject Property & Lot Area (acreage/sq. footage): (If the subject property does not have a legal address, please provide a locational description. E.g. "Property is located on the North side of John Doe Road, approximately 1.5 miles from the intersection of Jane Doe Lane and John Doe Road.") \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2 a. What is the right of way of the road? \_\_\_\_\_

3. Proposed Use: \_\_\_\_\_  
(House, Manufactured Home, Accessory Building)

4. Water Source: \_\_\_\_\_

5. Type of Sewage System: \_\_\_\_\_

6. Date Property was Purchased: \_\_\_\_\_

7. Required Dimensional Variation

Lot Width at the Building line: \_\_\_\_\_

Front Setback Variation: \_\_\_\_\_

Side Setback Variation: \_\_\_\_\_

Rear Setback Variation: \_\_\_\_\_

8. The Kentucky Revised Statute 100.243 requires that the Board meet four (4) criteria in order to justify action. Please answer the following:

a. Will not adversely affect the public health, safety or welfare? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Will not alter the essential character of the general vicinity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Will not cause a hazard or nuisance to the public? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Will not allow an unreasonable circumvention of the requirements of the Zoning? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. In the space below, please provide reason for which you are making this request (Use additional sheet if necessary). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. List All Adjacent Property Owners. (Use separate sheet if necessary)

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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Applicant	Owner (If different from Applicant)
Address	Address
Telephone	Telephone
Email	Email

The forgoing application was acknowledged and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

_____ Notary Public, State At Large, KY	_____ My Commission Expires
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**THIS SECTION FOR OFFICIAL USE ONLY:**

Current Zoning District of Application/Property: \_\_\_\_\_

Section \_\_\_\_\_ of the Zoning District Regulations for Anderson County, Kentucky, for which Application is hereby made.

**-ZONING REQUIREMENTS FOR THE APPLICABLE ZONE-**

Minimum Lot Area: \_\_\_\_\_  
 Lot Width at the Building Line: \_\_\_\_\_

Setback Requirements

Front: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_

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Date of Public Hearing: \_\_\_\_\_ Date of Public Notice: \_\_\_\_\_  
 Date of Notification Adjacent Property Owners: \_\_\_\_\_  
 Fee Paid: \_\_\_\_\_ Approval: \_\_\_\_\_ Denial: \_\_\_\_\_