

SCOTT COUNTY BOARD OF ADJUSTMENT MEETING

SCOTT COUNTY FISCAL COURT

101 EAST MAIN STREET

October 15, 2026

5:00 P.M. EST (4:00PM CST)

AGENDA

I. BUSINESS

- a)** Approval of September 3rd, 2026, minutes.
- b)** Swear in speakers.

II. APPLICATIONS – OLD

- a)** S-2026-12 – Jackie Willoughby Jr is requesting a Conditional Use Permit for a home occupation to operate a welding and fabrication shop with accessory repair of farm equipment at 150 Locust Fork Road [Zoned A-1]

III. APPLICATIONS – NEW

- a)** S-2026-32 – Cecil Aguilar is requesting a Variance to reduce the western and eastern side yard setbacks from 50 feet to 20 feet for the construction of a home at 1207 Cedar Road [Zoned A-1]
- b)** S-2026-33 – Cecil Aguilar is requesting a Variance to reduce the western and eastern side yard setbacks from 50 feet to 20 feet for the construction of a home at 1203 Cedar Road [Zoned A-1]
- c)** S-2026-34 – WTS Construction is requesting a Variance to reduce the front yard setback from 25 feet to 16 feet for the construction of a home at 289 Harbor Village Drive [Zoned R-1C-PUD]

III. OTHER

- a)** None

IV. ADJOURN

CONDITIONAL USE PERMIT APPLICATION

150 Locust Fork Road

Staff Report to the Scott County Board of Adjustment

July 2, 2026

FILE NUMBER: S-2026-12

PROPOSAL: Conditional Use Permit for a home occupation to operate a welding and fabrication shop with accessory repair of farm equipment

LOCATION: 150 Locust Fork Road

PARCEL ID: 038-00-070.000

APPLICANT: Jackie Willoughby Jr

CONSULTANT: N/A



STATISTICS:

Zone:	A-1 (Agricultural)
Surrounding Zone (s):	A-1 (Agricultural) : North, West and East, R-1B (Low Density Residential) : South
Site Acreage:	1.46-acres
Access (Directly):	Locust Fork Road
Access (Nearest Arterial):	Stamping Ground Road/ Main Street [KY-227]
Context:	1000 feet from the intersection of Stamping Ground Road/Main Street [KY-227] and Locust Fork Road, 350 feet north from the intersection of Mulberry Street and Locust Fork Road (Adjoins Stamping Ground City limits)

BACKGROUND:

Jackie Willoughby Jr ("Applicant") is requesting approval of a Conditional Use Permit for a home occupation to operate a welding and fabrication shop with accessory repair of farm equipment at the property addressed 150 Locust Fork Road ("Project Site") with the Parcel ID: 038-00-070.000. The project site is a 1.46-acre parcel zoned A-1 (Agricultural) and is currently developed with an accessory structure (shop) while also undergoing construction for a single-family residence.

The rear portion of the property backs up to the Locust Fork Creek and includes areas within the floodplain. There are no previous applications to the Board of Adjustment for the Project Site.

APPLICATION REQUEST:

The Applicant proposes to operate a welding and fabrication business within the existing 50 foot by 100 foot accessory structure which is placed centrally on the property. The Applicant proposes utilizing approximately 480 square feet of the structure for the home occupation, with the remaining area utilized for personal storage and residential purposes. The structure is situated approximately 60 feet from Locust Fork Road.

The proposed operation includes repair of tractors and farm equipment, metal fabrication, welding of truck beds and gates, and storage of equipment, tractors, and boats. The business is expected to employ approximately five employees and operate Monday through Friday from 7:00 am to 4:30 pm and Saturdays 6:00 am to 11:00 am.

A single-family, two-story residence measuring approximately 1800 square feet is currently under construction on the site. The applicant states that framing is complete up to the first floor. Building permits for both the residence and accessory structure were issued in August 2025. Both structures meet the required 50-foot setbacks and maintain 50-foot separation between structures.

ISSUES & ANALYSIS:

Section 4.12(G) of the Georgetown-Scott County Zoning Ordinance lists "home occupations that exceed the limitations in the definition of such" as a Conditional Use within the A-1 (Agricultural) Zoning District.

In reviewing home occupations within the unincorporated areas of Scott County, the primary consideration is whether the proposed business remains incidental and subordinate to the principal residential use while preserving the agricultural or residential character of the surrounding area. Home occupations are intended to accommodate limited business activities that do not create excessive traffic, noise, outdoor activity, or other commercial impacts that would alter the character of the property or adversely affect neighboring properties. Because this application exceeds the standard definition of a home occupation, the Board must determine whether the proposed use, with appropriate conditions of approval, remains compatible with the surrounding area and satisfies the standards for a Conditional Use Permit pursuant to KRS 100.237.

Definition - Home Occupation:

The Zoning Ordinance defines a home occupation as a professional office, studio, or personal service maintained by one professional with no staff and conducted within a dwelling or an accessory building.

- **Staff Analysis:** Lacking a residential use of the property, there can be no home occupation, as a home occupation by its very nature requires a home to be accessory to.

Separately, staff finds that the proposed welding and fabrication business does exceed the limitations in the definition of a home occupation but may be considered as a conditional use permit in line with section 4.12(G) of the Georgetown-Scott County Zoning Ordinance. The proposed use includes welding, fabrication, and repair of farm equipment. Such uses have the potential to create offsite impacts if not adequately limited or mitigated against.

Incidental and Subordinate Nature:

- **Staff Analysis:** The Applicant proposes to utilize approximately 480 square feet of the existing 5,000-square-foot accessory structure for a welding and fabrication business, with the remaining area reserved for personal use. The single-family residence currently under construction will contain approximately 1,800 square feet of living area. Although only a small area of the existing building will be utilized for commercial activity, Staff finds that the accessory structure was constructed and actively utilized prior to the establishment of the principal residential use. As a result, the business operation cannot presently be considered clearly incidental and subordinate to the residence.

Exterior Evidence of Commercial Activity:

- **Staff Analysis:** There is no current outdoor equipment storage associated with the business that would evidence the commercial use of the property. While some evidence of a commercial operation may remain due to the nature of the site, Staff finds that these impacts can be substantially mitigated through conditions requiring all fabrication, equipment, materials, and business inventory to be stored entirely within the enclosed structure. Staff further recommends requiring compliance with the buffering requirements of Section 6.14 of the Landscape and Land Use Buffer Ordinance and prohibiting outdoor business activities.

Offsite Impacts due to Onsite Activity:

- **Staff Analysis:** The proposed welding and fabrication activities are intended to occur entirely within the enclosed accessory structure, which will significantly reduce the potential for light glare, atmospheric pollution, and noise impacts extending beyond the property. Staff recommends prohibiting outdoor welding, cutting, grinding, fabrication, or repair activities to ensure these impacts remain contained.

The proposed operation includes approximately 5 employees and will generate additional vehicular trips associated with employees, customers, and occasional deliveries. Staff finds that while the use will create additional traffic compared to a typical residential property, it is not anticipated to generate excessive truck or other heavy traffic that would adversely impact the surrounding roadway network. Potential impacts can be further minimized through conditions limiting hours of operation, delivery hours, and requiring all loading and unloading activities to occur during normal business hours.

Staff recognizes that the proposed operation would exceed the standard definition of a home occupation and incorporates characteristics not typical of agricultural or residential use. However, the Applicant by limiting the business area to approximately 500 sq. ft., avoiding exterior indicators of commercial activity, and ensuring that all business activities occur within the enclosed accessory structure, has

substantially reduced the likelihood of unreasonable negative offsite impacts to the surrounding community.

While Staff finds that the proposed use is not incidental and subordinate to a residential use, Staff also finds that the remaining operational impacts related to exterior evidence, noise, traffic, glare, and buffering can be effectively mitigated through conditions of approval. The Board should consider whether these conditions are sufficient to ensure that the proposed use remains compatible with the surrounding agricultural and residential character and satisfies the standards for a Conditional Use Permit under KRS 100.237.

Buffering:

Section 6.14 of the Landscape and Land Use Buffer Ordinance states:

"Property boundary fencing shall be required for all parcels adjoining A-1 zoned land, regardless of the subject property's zone, when there is an approved change of use, either through the conditional use, variance, or development plan approval process to a use other than agricultural or single-family residential use.

The developer shall construct a 6-ft. minimum height fence of diamond mesh wire or equivalent no climb wire. The fence may not be bonded. If an existing tree line is present, then adequate measures shall be required to remove the vegetation to place the fence on the property boundary line. The cost of the fence installation shall be at the expense of the developer."

- **Staff Analysis:** Staff finds that the proposed use represents a transition to a more intensive, non-residential activity and therefore triggers the buffering requirements of Section 6.14. As no buffering plan has been provided, staff recommends that, if approved, the Applicant shall install property boundary fencing in accordance with Section 6.14 of the Landscape and Land Use Buffer Ordinance, including a minimum 6-foot fence along all applicable property lines, prior to the commencement of the use.

Conclusion:

Staff find that lacking an established related residential use of the property the proposed use does not meet the intent of a home occupation. Secondly, the use, as proposed, has great potential to negatively affect the surrounding area unless substantial conditions were applied.

FINDINGS:

1. The Project Site is a 1.46-acre parcel zoned A-1 (Agricultural) and is accessed from Locust Fork Road.
2. The site contains an existing 50-foot by 100-foot accessory structure and a single-family residence under construction.
3. Section 4.12(G) permits home occupations exceeding standard limitations as a conditional use in the A-1 zoning district.
4. The proposed operation occupies approximately 480 square feet and is not incidental to residential use.
5. The proposed use includes multiple employees, site conditions that indicate a non-residential use, and the potential to generate noise, traffic, and activity levels inconsistent with a residential setting.
6. The proposed use may adversely affect the public health, safety, and welfare of the surrounding area if not properly conditioned.

RECOMMENDATIONS:

Staff recommends **Denial** of the Conditional Use Permit for a home occupation to operate a welding and fabrication shop with accessory repair of farm equipment at 150 Locust Fork Road. Should the Board approve the application, staff recommend including the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the *Georgetown – Scott County Zoning Ordinance and Subdivision and Development Regulations*.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities. The Applicant shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain a building permit from the Building Inspection Office prior to any construction.
4. The Conditional Use Permit shall become null and void upon the sale or transfer of ownership of the Project Site.
5. The Applicant shall return to the Board prior to any changes in the approved conditions.
6. The applicant shall adhere to all requirements and limitations set forth by the Landscape Ordinance [6.14 Agricultural Buffering].
7. The hours of operation shall be limited to Monday through Friday- 7 a.m. to 5 p.m. and the Applicant shall not conduct any business operations on weekends.
8. Deliveries, pickups, and loading/unloading activities shall occur only on Tuesdays and Thursdays, between 8:00 a.m. and 4:00 p.m.
9. No outdoor fabrication, welding or repair activities shall occur outside the enclosed accessory structure.
10. No outdoor storage of materials or equipment shall be permitted. All business-related materials shall be stored entirely within the approved structure.
11. No retail sales or walk-in customer service shall be conducted.
12. The non-resident employee vehicle parking must be screened from Locust Fork Rd.
13. Any expansion of the approved use, increase in business area, increase in employees, or change in the nature of the operation shall require review and approval by the Board of Adjustment.
14. The Applicant shall return to the Board of Adjustment every 12 months for compliance checks and review of site operations.

APPLICATION TO BOARD OF ADJUSTMENT

230 E. Main Street, Georgetown, KY 40324

Phone (502) 867-3701

Fax (502) 867-3725

FOR OFFICIAL USE ONLY:

APPLICATION NO: _____

DATE FEE RECEIVED: 4-6-26 CHK# 08067

1. APPLICANT Jackie Willoughby Jr.

MAILING ADDRESS _____

PHONE NO. _____

EMAIL _____

2. TYPE OF REQUEST (Check one or more)

☐ VARIANCE

☒ CONDITIONAL USE PERMIT

☐ HOME OCCUPATION (CUP)

☐ ADMINISTRATIVE REVIEW

3. PROJECT SITE 150 Locust Fork Rd

4. JURISDICTION (Please Circle) Georgetown / Sadieville / Stamping Ground / Scott County

5. EXISTING USE Storage of personal property & equipment

ZONING DISTRICT A-1

6. DESCRIPTION OF REQUEST would be doing repair of farm equipment fabrication and welding of miscellaneous items

7. SUPPORTING INFORMATION:

VARIANCE (\$150.00) – Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and location of existing buildings, the location 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)

- 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).

CONDITIONAL USE PERMIT (CUP) (\$150.00) – Attach a plan for the proposed use showing the location of buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards, and refuse service areas. Also, attach a narrative statement relative to the above requirements and also explain any economic, noise, glare, or odor effects on adjoining property and the general compatibility with other properties in the district.

HOME OCCUPATION (CUP) (\$150.00) – In order for a home occupation conditional use permit to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet)

- A. The home occupation must be incidental to the principal residential use of the residence and be limited to 25% of the ground floor area, in no event to exceed 300 square feet.
- B. The home occupation shall result in no exterior evidence, except an unlighted wall sign not to exceed five (5) square feet in area, which may identify the home occupation.
- C. The home occupation shall not generate any atmospheric pollution, light flashes, glare, odor, noise, vibration, truck or other heavy traffic.

ADMINISTRATIVE REVIEW (\$150.00) – Attach a narrative statement describing the action or decision made by the administrative official including an outline of information supporting your claim for which relief is sought.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT MEETING FOR THE BOARD TO CONSIDER APPLICATION

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that if I withdraw my case, the paid fee will not be returned after legal notice have been submitted. If the applicant is not the owner of the project site, an affidavit will need to be completed.

APPLICANT

DATE

4-6-26



Updates

From Rachel Willoughby [REDACTED]

Date Wed 4/29/2026 4:08 PM

To Toshi Tusam [REDACTED]

Hi Toshi,

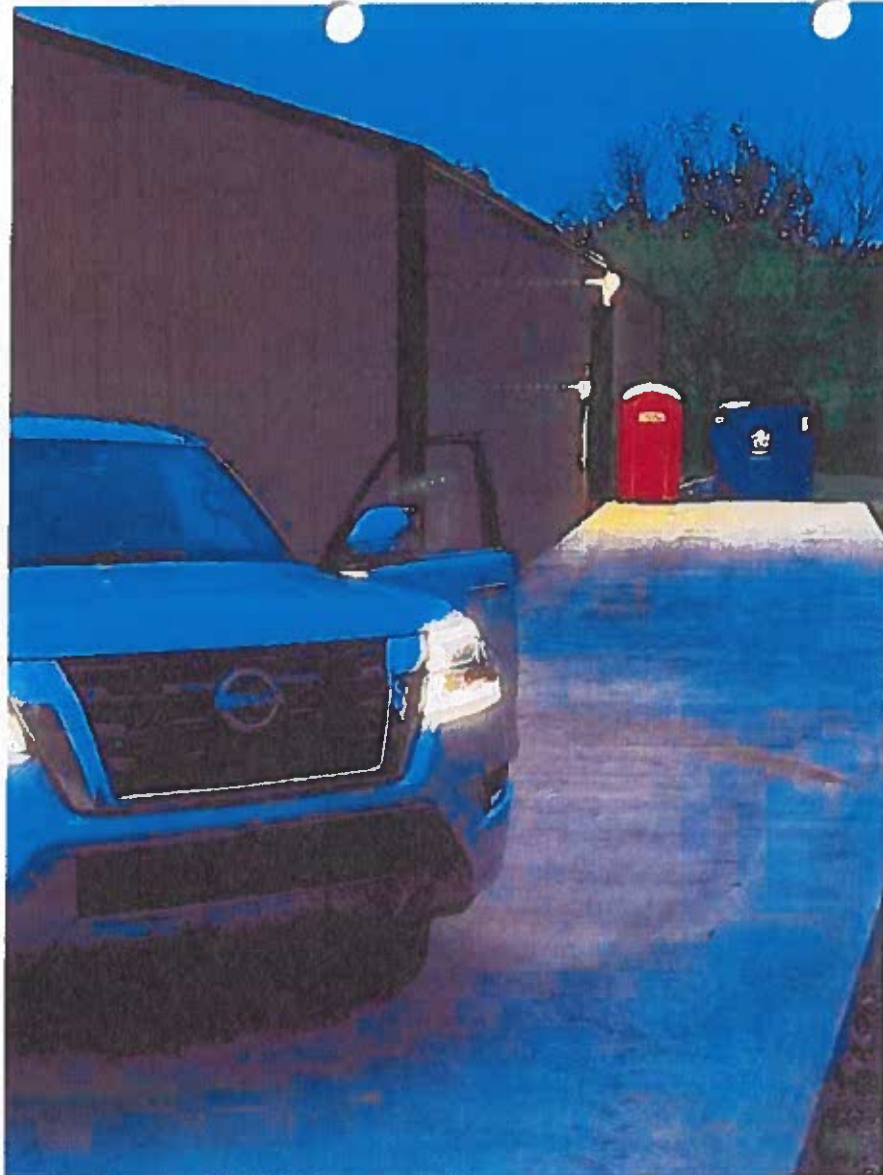
The first picture attached is the change we made to the space inside the building. We designated a specific square footage of 480 square feet to be the business space within the building and all other space utilized as personal space. We understand it exceeds the allowed 300 square feet but are asking the board for permission of 480.

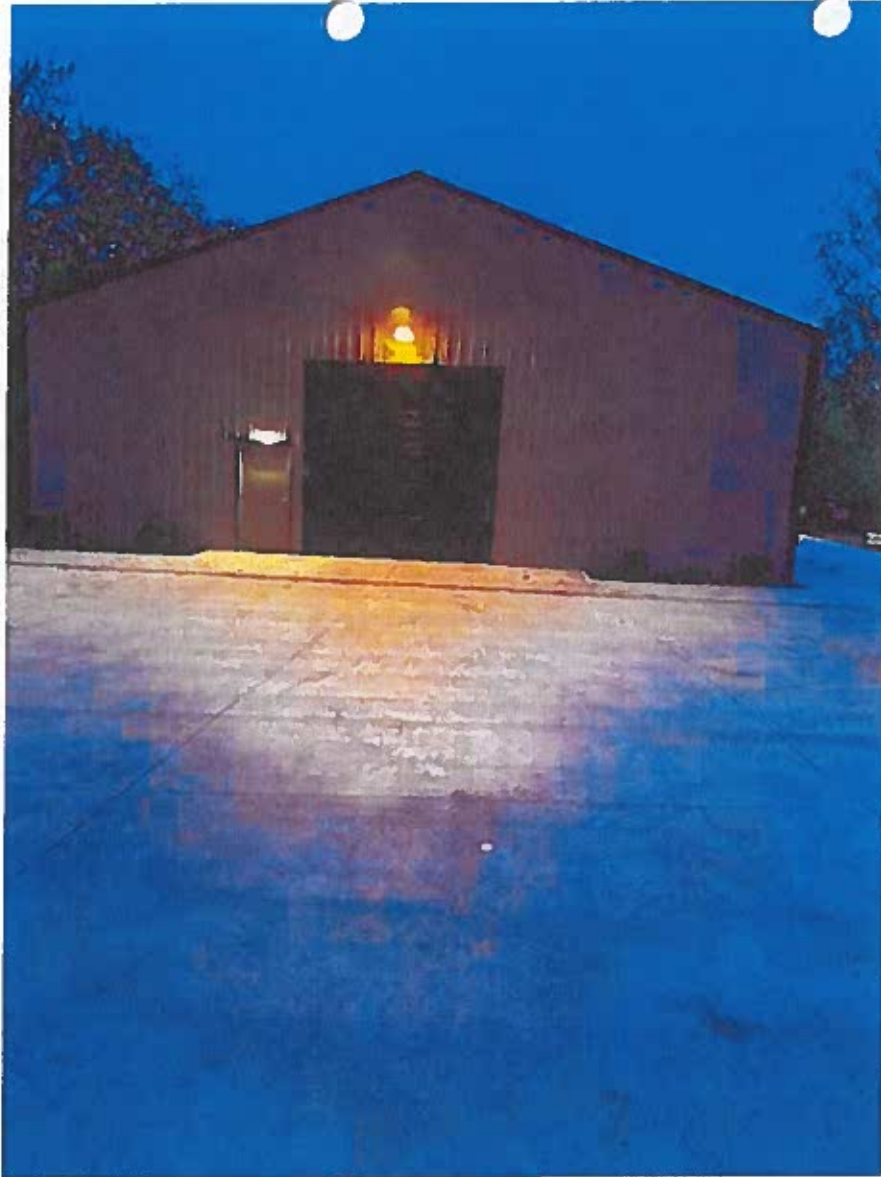
The next 2 pictures are changes we made to the outside of the building. We removed the 2 dump trucks, which are not ours and moved the boards off the lot, which is the framing material for the house.

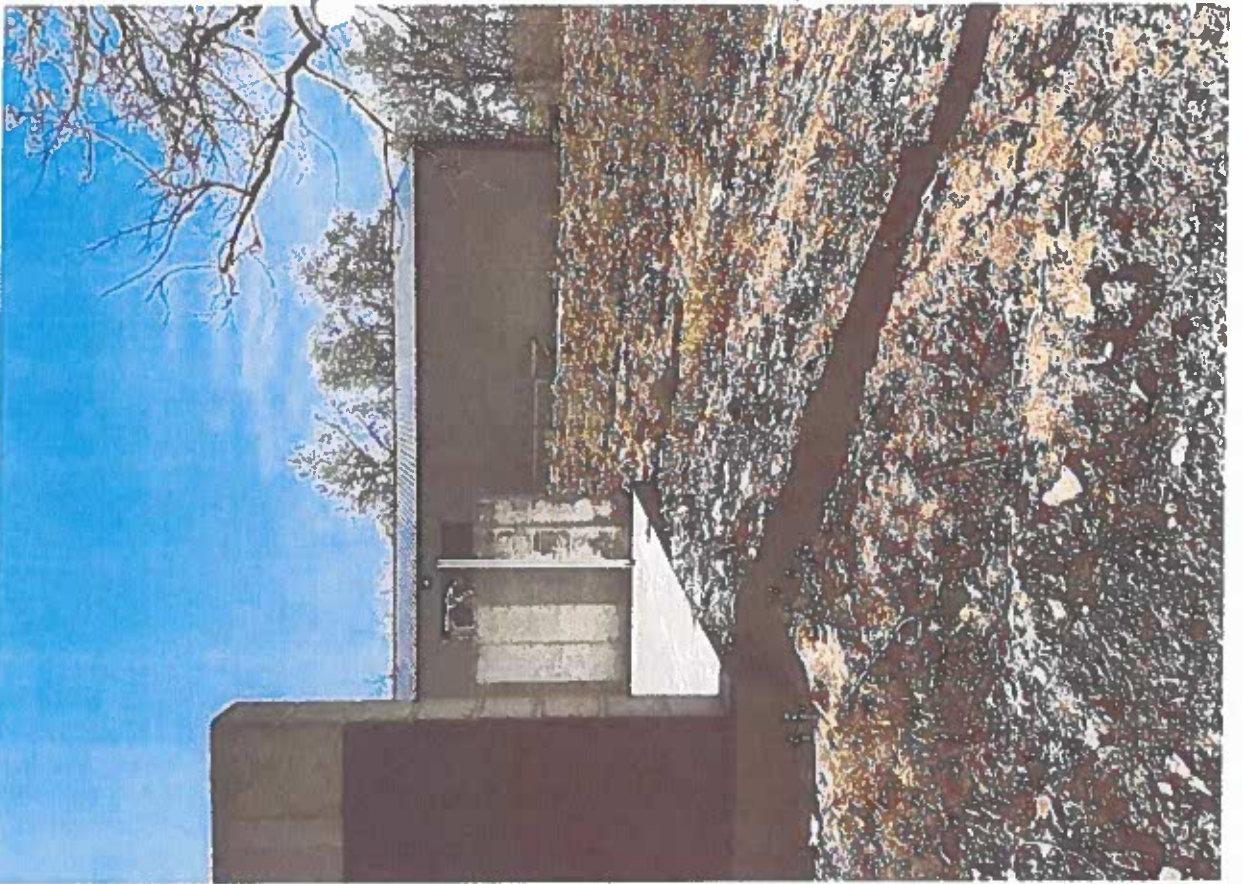
Thank you and let me know if you have any questions.

Rachel Willoughby



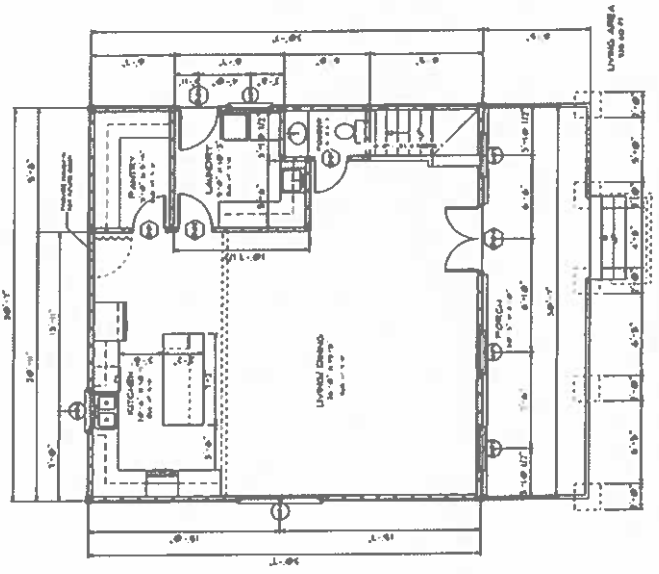
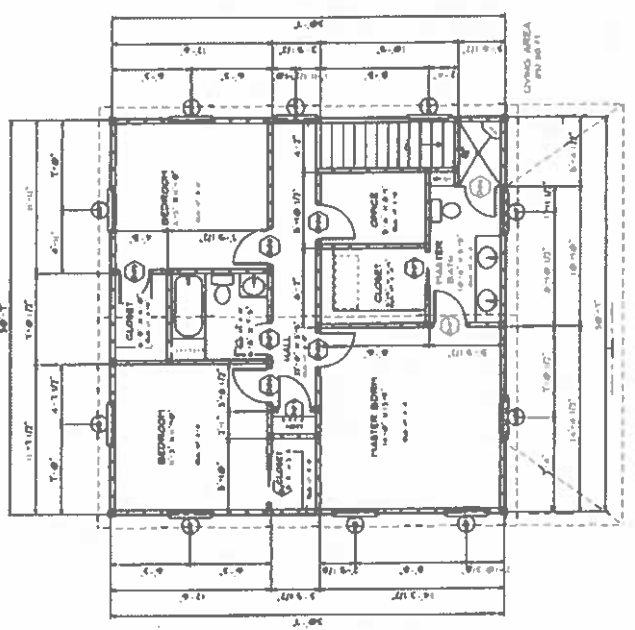
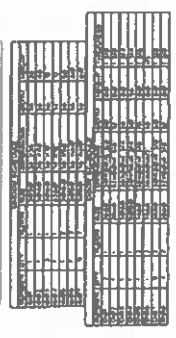


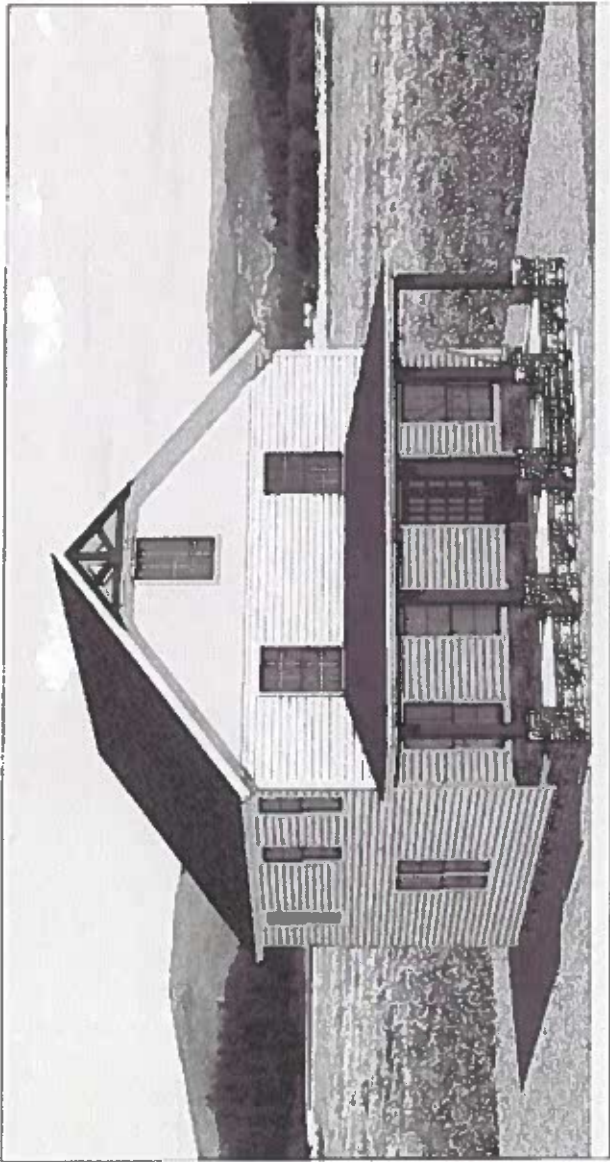






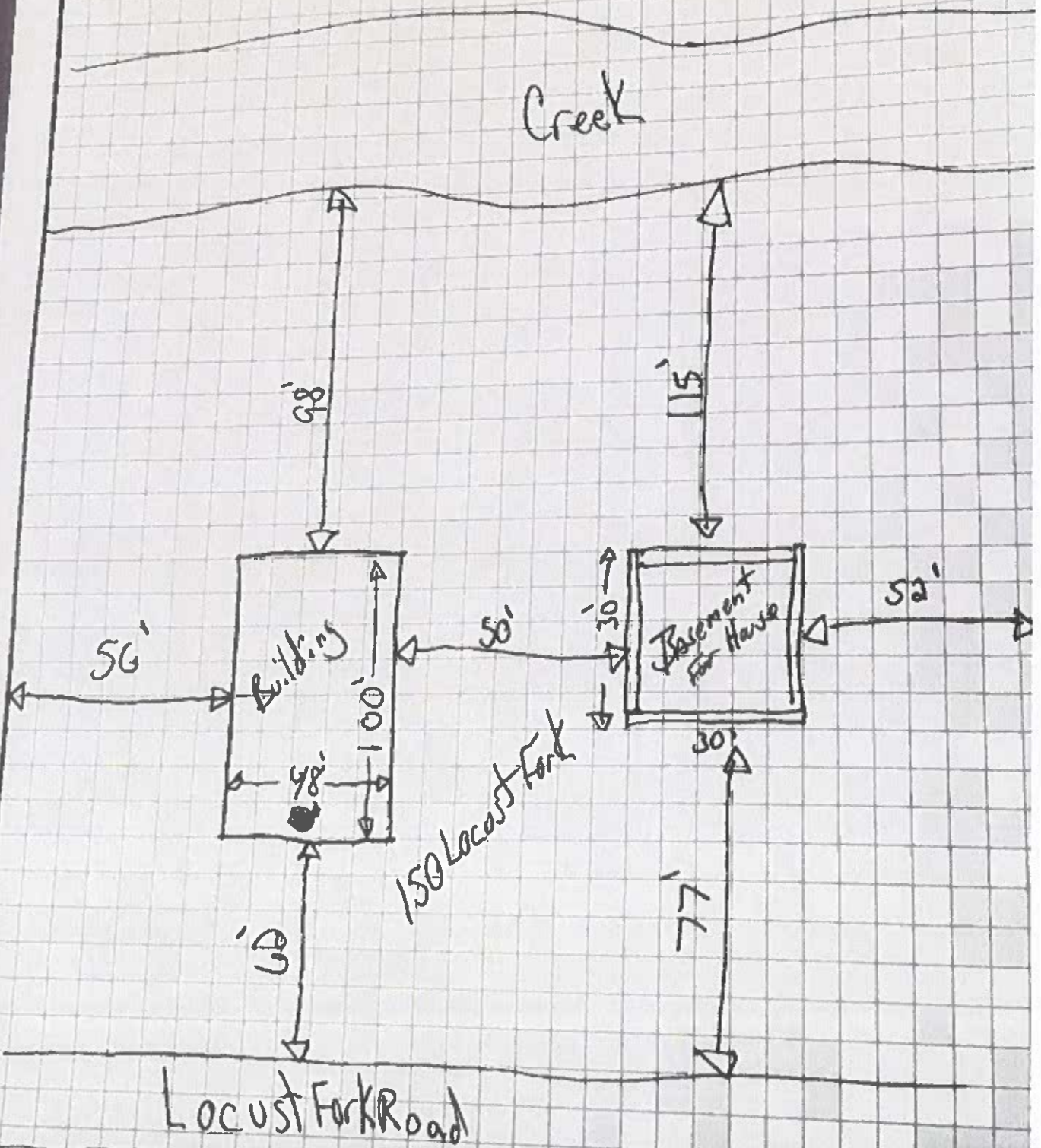
- NOTES TO BUILDER & SUB CONTRACTORS**
1. Refer to accompanying notes to specifications.
 2. All dimensions are to face unless otherwise noted.
 3. All work shall be in accordance with the latest edition of the International Building Code.
 4. All work shall be in accordance with the latest edition of the International Mechanical Code.
 5. All work shall be in accordance with the latest edition of the International Electrical Code.
 6. All work shall be in accordance with the latest edition of the International Plumbing Code.
 7. All work shall be in accordance with the latest edition of the International Fire Code.
 8. All work shall be in accordance with the latest edition of the International Energy Conservation Code.
 9. All work shall be in accordance with the latest edition of the International Building Code.
 10. All work shall be in accordance with the latest edition of the International Mechanical Code.
 11. All work shall be in accordance with the latest edition of the International Electrical Code.
 12. All work shall be in accordance with the latest edition of the International Plumbing Code.
 13. All work shall be in accordance with the latest edition of the International Fire Code.
 14. All work shall be in accordance with the latest edition of the International Energy Conservation Code.
 15. All work shall be in accordance with the latest edition of the International Building Code.
 16. All work shall be in accordance with the latest edition of the International Mechanical Code.
 17. All work shall be in accordance with the latest edition of the International Electrical Code.
 18. All work shall be in accordance with the latest edition of the International Plumbing Code.
 19. All work shall be in accordance with the latest edition of the International Fire Code.
 20. All work shall be in accordance with the latest edition of the International Energy Conservation Code.

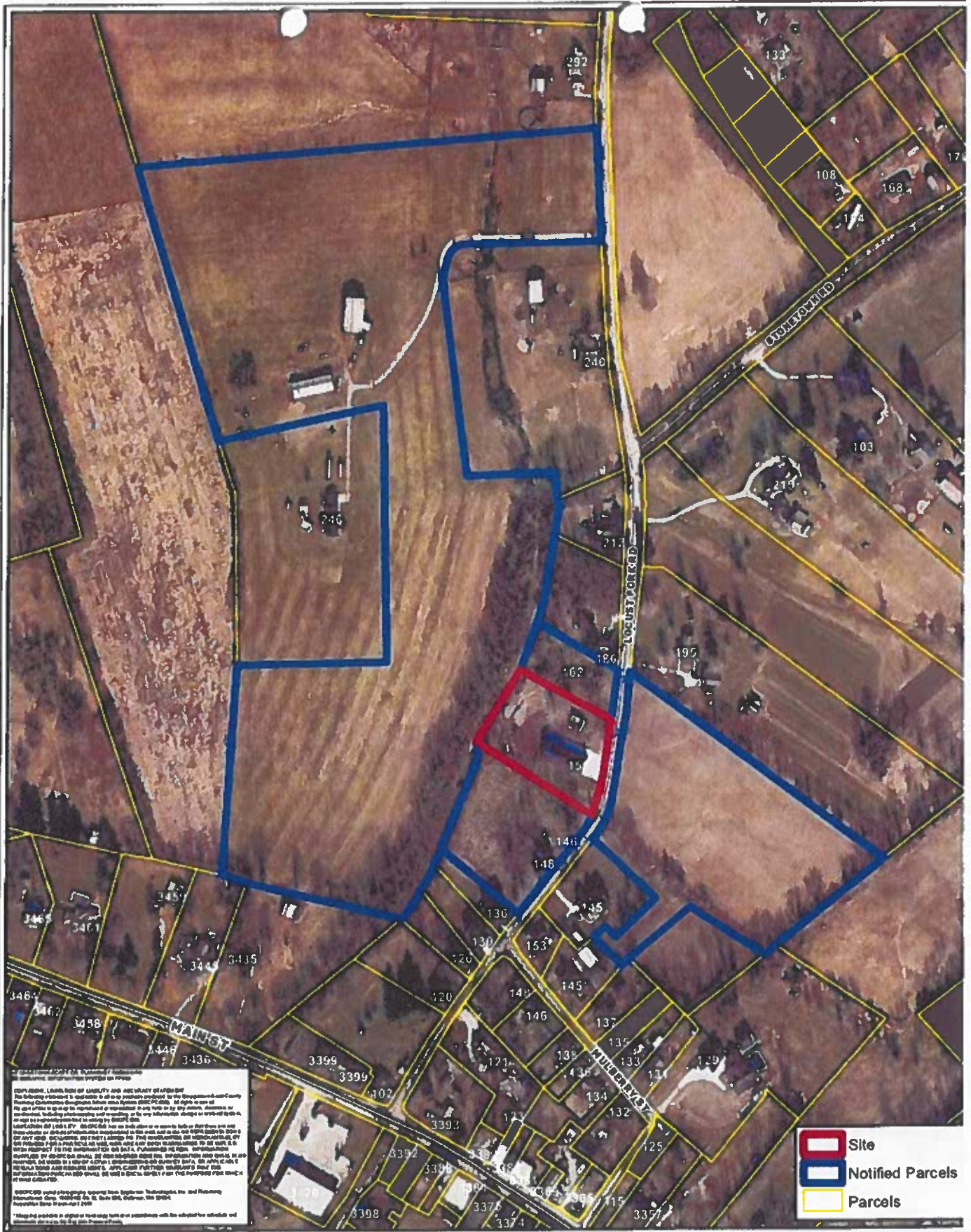




**COMPLEX Machining
and Fabrication, Inc.**

PO Box 758
Georgetown, Kentucky 40324





MapNumber	Name1	Name2	MailAddress	CityStateZ	Complete A
037-00-032.000	VANHOOSE CHARLES T		246 LOCUST FORK RD	STAMPING GRD KY 40379-9029	246 LOCUST FORK RD
038-00-066.000	FIRST BAPTIST CHURCH OF STAMPING GROUND	C/O SHIRL MARKS	176 STONETOWN RD	STAMPING GROUND KY 40379	148 LOCUST FORK RD
038-00-070.000	WILLOUGHBY JACKIE A II & RACHEL		604 STONETOWN RD	STAMPING GRD KY 40379-9736	150 LOCUST FORK RD
038-00-118.001	FRYMAN AMY WISE		145 MULBERRY ST	STAMPING GROUND KY 40379	LOCUST FORK RD
038-00-074.000	MCNAMEE GREG L		3464 MAIN ST	STAMPING GROUND KY 40379	162 LOCUST FORK RD

VARIANCE APPLICATION
1207 Cedar Road
Staff Report to the Scott County Board of Adjustment
October 15, 2026

FILE NUMBER: S-2026-32

PROPOSAL: Variance Application to reduce the western and eastern side yard setbacks from 50 feet to 20 feet for the construction of a home

LOCATION: 1207 Cedar Road

PARCEL ID: 019-00-028.000

APPLICANT: Cecil Aguilar

CONSULTANT: N/A



STATISTICS:

Zone: A-1 (Agricultural)

Surrounding Zone (s): A-1 (Agricultural)

Site Acreage: 0.90 acre

Access (Directly): Cedar Road

Access

(Nearest Arterial): Owenton Road (KY-227)

Context: Approximately half a mile from the intersection of Owenton Road and Cedar Road

BACKGROUND:

Cecil Aguilar ("Applicant and Property Owner"), is requesting approval of a Variance to reduce the required western and eastern side yard setbacks from 50 feet to 20 feet for the construction of a single-family residence at the property addressed 1207 Cedar Road. ("Project Site"), with Parcel ID: 019-00-028.000.

The Project site is a 0.90-acre parcel zoned A-1 (Agricultural) and is directly accessed Cedar Road. The property is currently undeveloped. According to FEMA Flood Maps, the Zone A floodplain associated with Lecomptes Run extends along Cedar Road and encroaches onto the southwestern portion of the Project Site near the road frontage. The remainder of the parcel is located outside of the mapped floodplain.

There are no previous applications to the Board of Adjustment for the Project Site.

APPLICATION REQUEST:

The Applicant is requesting approval of a Variance to reduce the required 50-foot western and eastern side yard setbacks to 20 feet for the construction of an approximately 65-foot by 40-foot single-family residence.

According to the Applicant, the proposed residence would be oriented to front Cedar Road, with a driveway extending into the property. The approximately 0.90-acre lot is substantially smaller than the typical 5-acre parcel in the A-1 zoning district. Applying both 50-foot side yard setbacks to the narrow lot would substantially restrict the buildable width and would not accommodate the proposed residence in an orientation facing Cedar Road.

To provide a practical building area while maintaining the proposed frontage and access, the Applicant requests a 30-foot reduction from each required side yard setback. The residence would maintain a minimum 20-foot setback from both the side yard property lines.

ISSUES & ANALYSIS:

"KRS 100.243 Findings necessary for granting variances.

1. *Before any variance is granted, the board must find that the granting of 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 nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
 - a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
 - **Staff Analysis:** The approximately 0.90-acre Project Site is 82% smaller than the typical 5-acre parcel in the A-1 zoning district. Its narrow width, when combined with the required 50-foot setback from each side property line, substantially limits the buildable area available for a residence oriented towards Cedar Road. Staff finds that the parcel's limited size and configuration constitute special circumstances that do not generally apply to other A-1 properties in the vicinity. Therefore, this criteria is satisfied.
 - b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;*
 - **Staff Analysis:** Strict application of 50-foot setbacks would require a minimum building width of approximately 165 feet to accommodate the proposed 65-foot-wide residence. Based on the submitted materials, the approximately 155 feet width does not accommodate the residence in its proposed orientation. Requiring full 50-foot setback would substantially limit the practical residential use of this existing undersized parcel. The proposed 20-foot setbacks would preserve separation from both adjoining properties while permitting a single-family residence of residential scale. Staff finds that strict application would create an unnecessary hardship and that this criteria is satisfied.
 - c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*

- **Staff Analysis:** The need for the variance arises from the pre-existing undersized lot and setback standards of the A-1 zone and these circumstances were not created by the Applicant for obtaining relief. Therefore, this criteria is satisfied.
2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*
- **Staff Analysis:** There is no evidence of any willful violation of the zoning regulations.

In conclusion, Staff finds that the proposed variance satisfies all criteria under KRS 100.243. Approval of the variance would not adversely impact public health, safety, or welfare, nor would it alter the essential character of the general vicinity, would not cause a hazard or nuisance to the public, and would not allow an unreasonable circumvention of the zoning regulations.

FINDINGS:

1. The Project Site is an approximately 0.90-acre parcel zoned A-1 (Agricultural), which requires a minimum 50-foot setback from all property lines.
2. The project site is substantially smaller than the typical 5-acre parcel in the A-1 zoning district and is currently undeveloped.
3. The Applicant proposes construction of an approximately 65-foot by 40-foot single-family residence oriented to front Cedar Road.
4. The Applicant requests reduction of both the western and eastern side yard setbacks from 50 feet to 20 feet, representing a 30-foot reduction on each side.
5. The parcel's limited size and narrow configuration substantially restrict the available building width when both required side yard setbacks are applied.
6. The requested setbacks would maintain at least 20 feet of separation between the proposed residence and each side property line.
7. The requested relief would allow reasonable residential use of the undersized parcel while maintaining the proposed frontage and access from Cedar Road.
8. A portion of the Project Site along the Cedar Road frontage is located within / adjacent to the FEMA Zone A floodplain of Lecomptes Run; the proposed residence is to be located outside of the mapped floodplain.
9. Approval of the variance will not adversely affect public health, safety, or welfare, will not alter the essential character of the general vicinity, and is consistent with the intent of the zoning regulations.

RECOMMENDATIONS:

Staff recommends **Approval** of the **Variance** to reduce the required **western and eastern side yard setbacks from 50 feet to 20 feet at 1207 Cedar Road**, subject to the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the *Georgetown-Scott County Zoning Ordinance and Subdivision and Development Regulations*.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities and shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain a building permit from the Building Inspection Office prior to any construction.
4. The Applicant shall return to the Board prior to any changes in the approved conditions.
5. Any new driveways or entrances from Cedar Road (a state road) will require KYTC Approval.
6. The proposed residence shall be located outside of the mapped FEMA floodplain unless otherwise approved by applicable local, state and federal agencies.

APPLICATION TO BOARD OF ADJUSTMENT

230 E. Main Street, Georgetown, KY 40324

Phone (502) 867-3701

Fax (502) 867-3725

FOR OFFICIAL USE ONLY:

APPLICATION NO: _____

DATE FEE RECEIVED: 9-30-26 CK # 461

1. APPLICANT Cecil Aguilar

MAILING ADDRESS _____

PHONE NO. _____

EMAIL _____

2. TYPE OF REQUEST (Check one or more)

☒ VARIANCE

☐ CONDITIONAL USE PERMIT

☐ HOME OCCUPATION (CUP)

☐ ADMINISTRATIVE REVIEW

3. PROJECT SITE 1207 Cedar Rd Stamping Ground KY 40319

4. JURISDICTION (Please Circle)

Georgetown / Sadieville / Stamping Ground / Scott County

5. EXISTING USE R-1

ZONING DISTRICT _____

6. DESCRIPTION OF REQUEST reduce setbacks on both sides to 20'
for construction of new home

7. SUPPORTING INFORMATION:

VARIANCE (\$150.00) – Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and location of existing buildings, the location 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)

- 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).

CONDITIONAL USE PERMIT (CUP) (\$150.00) – Attach a plan for the proposed use showing the location of buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards, and refuse service areas. Also, attach a narrative statement relative to the above requirements and also explain any economic, noise, glare, or odor effects on adjoining property and the general compatibility with other properties in the district.

HOME OCCUPATION (CUP) (\$150.00) – In order for a home occupation conditional use permit to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet)

- A. The home occupation must be incidental to the principal residential use of the residence and be limited to 25% of the ground floor area, in no event to exceed 300 square feet.
- B. The home occupation shall result in no exterior evidence, except an unlighted wall sign not to exceed five (5) square feet in area, which may identify the home occupation.
- C. The home occupation shall not generate any atmospheric pollution, light flashes, glare, odor, noise, vibration, truck or other heavy traffic.

ADMINISTRATIVE REVIEW (\$150.00) – Attach a narrative statement describing the action or decision made by the administrative official including an outline of information supporting your claim for which relief is sought.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT MEETING FOR THE BOARD TO CONSIDER APPLICATION

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that if I withdraw my case, the paid fee will not be returned after legal notice have been submitted. If the applicant is not the owner of the project site, an affidavit will need to be completed.

APPLICANT Cecil Aguilar

DATE 9-1-26

September 9, 2026

RECEIVED
SEP 09 2026
PLANNING COMMISSION

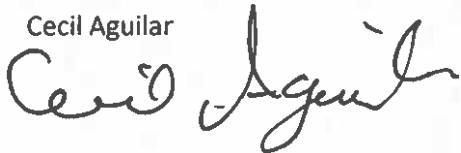
To whom it may concern,

I Cecil Aguilar will be building a home on each lot at 1203 & 1207 Cedar Rd Stamping Ground and nothing that will harm the community. I only need a variance to allow for the home to be situated on the lot since the lots are around 1 acre and have previously been used as residential lots.

No chemicals or hazardous materials will be stored or be on the property.

Thank you,

Cecil Aguilar

A handwritten signature in black ink, appearing to read "Cecil Aguilar", written in a cursive style.

SCOTT COUNTY, KY.
BOUNDARY RETRACEMENT SURVEY
CEDAR ROAD
MARVIN HOCKENSMITH PROPERTY
1203 CEDAR ROAD
STAMPING GROUND, KY 40379
ADDRESS OF PROPERTY SURVEYED
1203 CEDAR ROAD
STAMPING GROUND, KY 40379
TITLE REFERENCE DEED BOOK 283, PAGE 87
COUNTY OF SCOTT, KY
ZONED A-1
PVA ID# 028-02-028.000
THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLES WITH 20 KAR 18.050.
NO CEMENTED FOUND ON SUBJECT PROPERTY

PLAT & SURVEY BY:
SEMOMES LAND SURVEYING, PLLC
PERMIT # 833
ROBERT T. SEMOMES
KY PLS 3141
317 WEST FOURTH STREET
FRANKFORT, KY. 40601
502-319-5311
rtd@rtsemomes@gmail.com
FIELD COMPLETION - 11/29/2024
DATE OF PLAT - 11/30/2024

REFERENCE BEARING
FROM GRID COORDINATES DERIVED FROM GPS METHOD
USING A SPECTRA GEOSPATIAL SPIS RECEIVER
SERIAL NUMBER 594900999 UTILIZING TRIANGLE ACCESS
AS A VMS NETWORK ROVER - DIRECT GPS OBSERVATION
LIMITED TO KY COORS STATION- CORRECTION RECEIVED
VIA A181 MPT MODERN AND ARE NAD83 KY SINGLE ZONE
GIS INFORMATION
KENTUCKY SINGLE ZONE STATE PLANE 1983
LOCAL DATUM - NAD 1983 (CONUS) 0901
GLOBAL REFERENCE DATUM - NAD83 (CONUS)
GEOD MODEL - GEODIM (CONUS) 0101
DISPLACEMENT MODEL - NTP V4.2.5

MONUMENTATION LEGEND
① - SET 1/2" STEEL REBAR, 18" IN LENGTH,
WITH CAP STAMPED "SEMOMES 3141"
② - FOUND 1/2" MONUMENT WITH CAP
STAMPED "KARR 3812"
□ - PLAT CALL TO CENTER OF ROAD
NO MONUMENT SET
U.P. - UTILITY POLE
PVA 2024-0311 KENTUCKY SINGLE
ZONED A-1

CLIENT
TONYA MORROW
855-285-6600

EXCEPTIONS TO SURVEY
THIS SURVEY IS BASED ON THE ASSUMPTIONS
OF THE SURVEYOR AND DOES NOT GUARANTEE
THE ACCURACY OF THE SURVEY. THE SURVEYOR
MAKES NO WARRANTY, EXPRESS OR IMPLIED,
FOR THE RESULTS OF THE SURVEY.

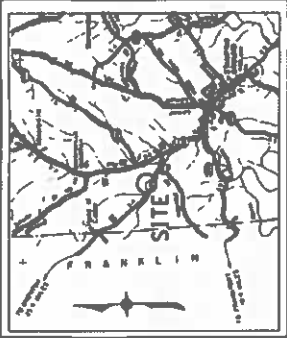
SURVEY CLASSIFICATION
THIS SURVEY AND PLAT MEETS OR EXCEEDS
THE TECHNICAL STANDARDS FOR AN URBAN
SURVEY IN ACCORDANCE WITH 20 KAR 18.150.
THE RELATIVE POSITIONAL ACCURACY
OF THE SURVEY MEASUREMENTS EXCEEDS THE
KENTUCKY STANDARD OF 0.05'
+100 PPM FOR AN URBAN SURVEY.

CERTIFICATION OF ACCURACY
I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED
HEREON IS TRUE AND CORRECT SURVEY TO THE ACCURACY
OF THE MINIMUM STANDARDS OF PRACTICE AS SET FORTH
BY THE KENTUCKY STATE BOARD OF LICENSURE FOR
PROFESSIONAL LAND SURVEYORS AND LAND SURVEYORS AS
DESCRIBED IN STANDARDS OF PRACTICE 20 KAR 18.150
DATED DECEMBER 3, 2010

ROBERT T SEMOMES
KY PLS 3141
DATE

CERTIFICATION OF OWNERSHIP AND DEDICATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND
DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION
WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION
LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER
OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER OR PUA
DATE



VICINITY MAP
(NOT TO SCALE)

BEARINGS AND DISTANCES SHOWN
HAVE NOT BEEN ADJUSTED FOR CLOSURE



ROBERT SEMOMES

SHIRLEY D CLARK
CATHY CLARK HALL
1123 CEDAR ROAD
STAMPING GROUND, KY 40379
DB 283 PG 87
PVA 019-00-025.000

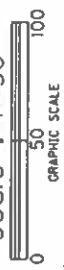
N=3994988.2145
E=5218734.3582
AT OLD POST

TO SNAVELY ROAD
480'

PURPOSE OF PLAT
TO ILLUSTRATE THE MONUMENTATION OF THE
PROPERTY OWNED BY MARVIN HOCKENSMITH AS
DESCRIBED IN DEED BOOK 283, PAGE 87.

TOTAL AREA OF LOT - 1.064 ACRES
106,371.1 SQ. FT.

Scale : 1"=50'







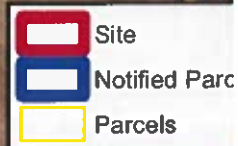
GEORGETOWN-SCOTT CO. PLANNING COMMISSION
GEOGRAPHIC INFORMATION SYSTEM MAPPING

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GSCPCS aerial photography acquired from Earthstar Technologies, Inc. and Photovue International Corp. 10000 NE 4th St, Suite 800, Bellevue, WA 98004.
Acquisition Date: March-April 2013.

* Mapping available in digital or hard copy format in accordance with the adopted fee schedule and standards set forth in the Aerial Photography Plan.



MapNumber	Name1	Name2	MailAddress	CityStateZ	Complete_A
019-00-026.000	DELIMPO TAMI		1255 CEDAR RD	STAMPING GRD KY 40379-9680	1255 CEDAR RD
019-00-028.000	AGUILAR CECIL		4819 MUDDY FORD RD	GEORGETOWN KY 40324	1207 CEDAR RD
019-00-029.000	AGUILAR CECIL		4819 MUDDY FORD RD	GEORGETOWN KY 40324	1203 CEDAR RD
020-00-001.000	HOCKENSMITH ALBERT KENT		P O BOX 903	JAMESTOWN KY 42629	1378 CEDAR RD
019-00-025.000	CLARK SHIRLEY D & CATHY GAIL CLARK HALL		1123 CEDAR RD	STAMPING GROUND KY 40379	1123 CEDAR RD

VARIANCE APPLICATION
1203 Cedar Road
Staff Report to the Scott County Board of Adjustment
October 15, 2026

FILE NUMBER: S-2026-33

PROPOSAL: Variance Application to reduce the western and eastern side yard setbacks from 50 feet to 20 feet for the construction of a home

LOCATION: 1203 Cedar Road

PARCEL ID: 019-00-029.000

APPLICANT: Cecil Aguilar

CONSULTANT: N/A

STATISTICS:

Zone: A-1 (Agricultural)

Surrounding Zone (s): A-1 (Agricultural)

Site Acreage: 1.06 acre

Access (Directly): Cedar Road

Access

(Nearest Arterial): Owenton Road (KY-227)

Context: Approximately half a mile from the intersection of Owenton Road and Cedar Road



BACKGROUND:

Cecil Aguilar ("Applicant and Property Owner"), is requesting approval of a Variance to reduce the required western and eastern side yard setbacks from 50 feet to 20 feet for the construction of a single-family residence at the property addressed 1203 Cedar Road. ("Project Site"), with Parcel ID: 019-00-029.000.

The Project site is a 1.06-acre parcel zoned A-1 (Agricultural) and is directly accessed Cedar Road. The property is currently undeveloped. According to FEMA Flood Maps, the Zone A floodplain associated with Lecomptes Run extends along Cedar Road and abuts the Project Site's frontage. The remainder of the parcel is located outside of the mapped floodplain.

There are no previous applications to the Board of Adjustment for the Project Site.

APPLICATION REQUEST:

The Applicant is requesting approval of a Variance to reduce the required 50-foot western and eastern side yard setbacks to 20 feet for the construction of an approximately 75-foot by 55-foot single-family residence.

According to the Applicant, the proposed residence would be oriented to front Cedar Road, with a driveway extending into the property. The approximately 1.06-acre lot is substantially smaller than the typical 5-acre parcel in the A-1 zoning district. Applying both 50-foot side yard setbacks to the narrow lot would substantially restrict the buildable width and would not accommodate the proposed residence in an orientation facing Cedar Road.

To provide a practical building area while maintaining the proposed frontage and access, the Applicant requests a 30-foot reduction from each required side yard setback. The residence would maintain a minimum 20-foot setback from both the side yard property lines.

ISSUES & ANALYSIS:

"KRS 100.243 Findings necessary for granting variances.

1. *Before any variance is granted, the board must find that the granting of 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 nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
 - a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
 - **Staff Analysis:** The approximately 1.06-acre Project Site is 78% smaller than the typical 5-acre parcel in the A-1 zoning district. Its narrow width, when combined with the required 50-foot setback from each side property line, substantially limits the buildable area available for a residence oriented towards Cedar Road. Staff finds that the parcel's limited size and configuration constitute special circumstances that do not generally apply to other A-1 properties in the vicinity. Therefore, this criteria is satisfied.
 - b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;*
 - **Staff Analysis:** Strict application of the both 50-foot side yard setbacks would require a minimum building width of approximately 175 width to accommodate the proposed 75-foot-wide residence. Based on the submitted materials, the available width does not accommodate the residence in its proposed orientation. Requiring full compliance would substantially limit the practical residential use of this existing undersized parcel. The proposed 20-foot setbacks would preserve separation from both adjoining properties while permitting a single-family residence of residential scale. Staff finds that strict application would create an unnecessary hardship and that this criterion is satisfied.
 - c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*

- **Staff Analysis:** The need for the variance arises from the pre-existing undersized lot and setback standards of the A-1 zone and these circumstances were not created by the Applicant for obtaining relief. Therefore, this criteria is satisfied.
2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*
- **Staff Analysis:** There is no evidence of any willful violation of the zoning regulations.

In conclusion, Staff finds that the proposed variance satisfies all criteria under KRS 100.243. Approval of the variance would not adversely impact public health, safety, or welfare, nor would it alter the essential character of the general vicinity, would not cause a hazard or nuisance to the public, and would not allow an unreasonable circumvention of the zoning regulations.

FINDINGS:

1. The Project Site is an approximately 1.06-acre parcel zoned A-1 (Agricultural), which requires a minimum 50-foot setback from all property lines.
2. The project site is substantially smaller than the typical 5-acre parcel in the A-1 zoning district and is currently undeveloped.
3. The Applicant proposes construction of an approximately 75-foot by 55-foot single-family residence oriented to front Cedar Road.
4. The Applicant requests reduction of both the western and eastern side yard setbacks from 50 feet to 20 feet, representing a 30-foot reduction on each side.
5. The parcel's limited size and narrow configuration substantially restrict the available building width when both required side yard setbacks are applied.
6. The requested setbacks would maintain at least 20 feet of separation between the proposed residence and each side property line.
7. The requested relief would allow reasonable residential use of the undersized parcel while maintaining the proposed frontage and access from Cedar Road.
8. A portion of the Project Site along the Cedar Road frontage is located within / adjacent to the FEMA Zone A floodplain of Lecomptes Run; the proposed residence is to be located outside of the mapped floodplain.
9. Approval of the variance will not adversely affect public health, safety, or welfare, will not alter the essential character of the general vicinity, and is consistent with the intent of the zoning regulations.

RECOMMENDATIONS:

Staff recommends **Approval** of the **Variance** to reduce the required **western and eastern side yard setbacks from 50 feet to 20 feet at 1203 Cedar Road**, subject to the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the *Georgetown-Scott County Zoning Ordinance and Subdivision and Development Regulations*.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities and shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain a building permit from the Building Inspection Office prior to any construction.
4. The Applicant shall return to the Board prior to any changes in the approved conditions.
5. Any new driveways or entrances from Cedar Road (a state road) will require KYTC Approval.
6. The proposed residence shall be located outside of the mapped FEMA floodplain unless otherwise approved by applicable local, state and federal agencies.

APPLICATION TO BOARD OF ADJUSTMENT

230 E. Main Street, Georgetown, KY 40324

Phone (502) 867-3701

Fax (502) 867-3725

FOR OFFICIAL USE ONLY:

APPLICATION NO: _____

DATE FEE RECEIVED: 9-3-26 CK# 404

1. APPLICANT Cecil Aguilar

MAILING ADDRESS _____

PHONE NO _____

EMAIL _____

2. TYPE OF REQUEST (Check one or more)

☒ VARIANCE

☐ CONDITIONAL USE PERMIT

☐ HOME OCCUPATION (CUP)

☐ ADMINISTRATIVE REVIEW

3. PROJECT SITE 1203 Cedar Rd Stamping Ground Ky 40379

4. JURISDICTION (Please Circle)

Georgetown / Sadieville / Stamping Ground / Scott County

5. EXISTING USE R-1

ZONING DISTRICT

6. DESCRIPTION OF REQUEST reduce setbacks on both sides to 20' for
construction of new home

7. SUPPORTING INFORMATION:

VARIANCE (\$150.00) – Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and location of existing buildings, the location 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)

- 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).

CONDITIONAL USE PERMIT (CUP) (\$150.00) – Attach a plan for the proposed use showing the location of buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards, and refuse service areas. Also, attach a narrative statement relative to the above requirements and also explain any economic, noise, glare, or odor effects on adjoining property and the general compatibility with other properties in the district.

HOME OCCUPATION (CUP) (\$150.00) – In order for a home occupation conditional use permit to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet)

- A. The home occupation must be incidental to the principal residential use of the residence and be limited to 25% of the ground floor area, in no event to exceed 300 square feet.
- B. The home occupation shall result in no exterior evidence, except an unlighted wall sign not to exceed five (5) square feet in area, which may identify the home occupation.
- C. The home occupation shall not generate any atmospheric pollution, light flashes, glare, odor, noise, vibration, truck or other heavy traffic.

ADMINISTRATIVE REVIEW (\$150.00) – Attach a narrative statement describing the action or decision made by the administrative official including an outline of information supporting your claim for which relief is sought.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT MEETING FOR THE BOARD TO CONSIDER APPLICATION

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that if I withdraw my case, the paid fee will not be returned after legal notice have been submitted. If the applicant is not the owner of the project site, an affidavit will need to be completed.

APPLICANT

DATE

RECEIVED

SEP 03 2026

LANDING COMMISSION

September 9, 2026

RECEIVED
SEP 09 2026
PLANNING COMMISSION

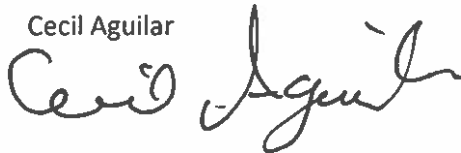
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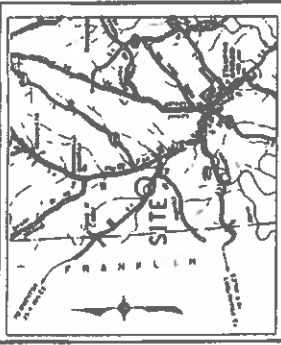
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Thank you,

Cecil Aguilar

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VICINITY MAP
(NOT TO SCALE)

BEARINGS AND DISTANCES SHOWN
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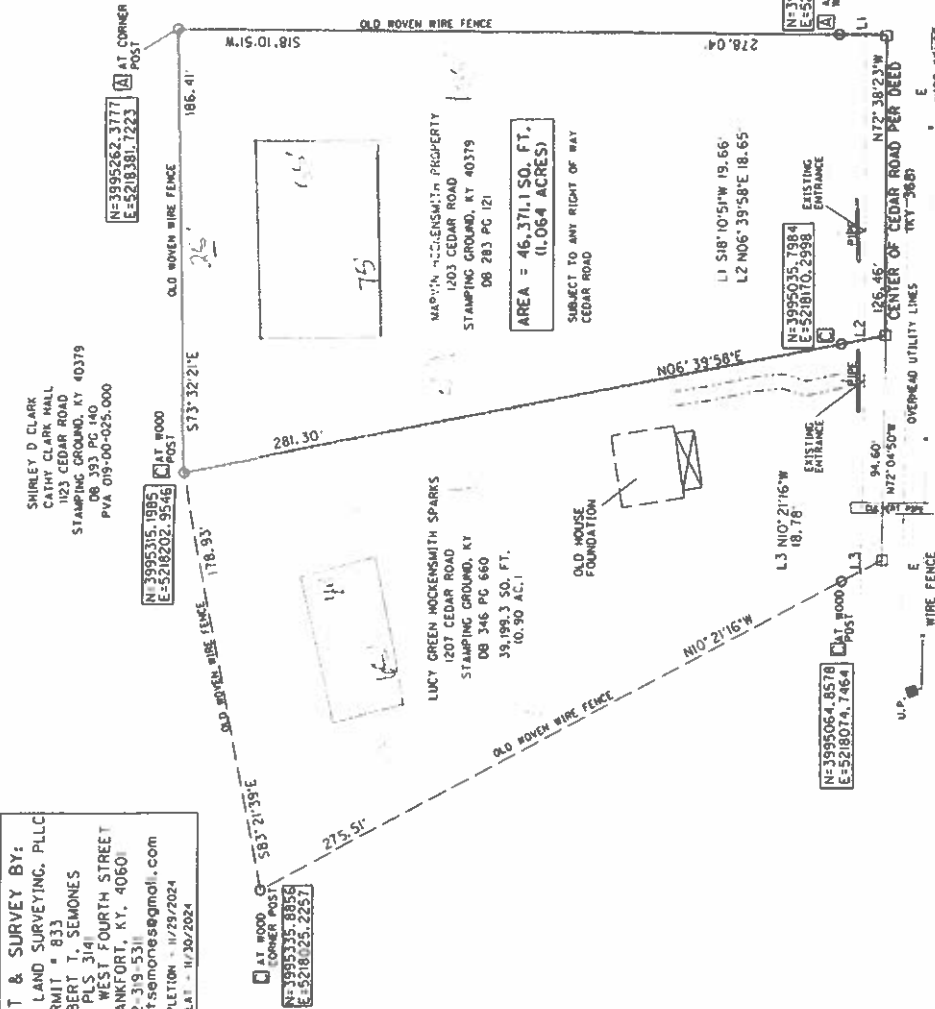
ROBERT SEMONES

SHIRLEY D CLARK
CATHY CLARK HALL
1203 CEDAR ROAD
STAMPING GROUND, KY 40379
DB 283 PG 121
PVA 019-00-025.000

PURPOSE OF PLAT
TO ILLUSTRATE THE MODIFICATION OF THE
PROPERTY OWNED BY MARVIN HOCKENSMITH AS
DESCRIBED IN DEED BOOK 283, PAGE 121.

TOTAL AREA OF LOT - 1.064 ACRES
146,371.1 SQ. FT.

Scale: 1"=50'
0 50 100
GRAPHIC SCALE



PLAT & SURVEY BY:
SEMOMES LAND SURVEYING, PLLC
PERMIT # 833
ROBERT T. SEMONES
KY PLS 3141
317 WEST FOURTH STREET
FRANKFORT, KY, 40601
502-319-5311
robertt@semomes.com
FIELD COMPLETION - 11/29/2024
DATE OF PLAT - 11/20/2024

SCOTT COUNTY, KY.
BOUNDARY RETRACTION SURVEY
CEDAR ROAD
MARVIN HOCKENSMITH PROPERTY
1203 CEDAR ROAD
STAMPING GROUND, KY 40379
ADDRESS OF PROPERTY SURVEYED
1203 CEDAR ROAD
STAMPING GROUND, KY 40379
TITLE REFERENCE DEED BOOK 283, PAGE 121
COUNTY OF SCOTT, KY
ZONED A
PVA 019-00-025.000
THIS PLAT OF SURVEY MEMORIALS A BOUNDARY
SURVEY AND COMPLIES WITH SCOTT CO. RES.
NO CONFLICT FOUND ON SUBJECT PROPERTY

REFERENCE BEARING
FROM GRID COORDINATES DERIVED FROM GPS METHOD
USING A SPECTRA GEOSPATIAL SPNS RECEIVER
SERIAL NUMBER 544900000 UTILIZING TRIANGLE ACCESS
TO THE PROPERTY. THE BEARING IS LIMITED TO THE
LIMITED TO THE COORDINATE SYSTEM RECEIVED
VIA ATRIS WITH MODERN AND ARE NAD83 KY SINGLE ZONE

GIS INFORMATION
KENTUCKY SINGLE ZONE STATE PLANE 1983
LOCAL DATUM - NAD 1983 (CONUS 1101)
GLOBAL REFERENCE DATUM - NAD83 (CONUS)
DISPLACEMENT MODEL - NAD83 (CONUS)
DISPLACEMENT MODEL - NAD83 (CONUS)

MONUMENTATION LEGEND
□ - SET 1/2" STEEL REBAR, 18" IN LENGTH,
WITH CAP STAMPED "SEMOMES 3141"
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STAMPED "CARR 3812"
□ - PLAT CALL TO CENTER OF ROAD
NO MONUMENT SET
U.P. - UTILITY POLE
NAD83 (CONUS) 1101
E-515583.13311 ZONE COORDINATES

CLIENT
TONYA MORROW
859-285-6600

EXCEPTIONS TO SURVEY
THIS SURVEY IS SUBJECT TO ALL RIGHTS
OF WAY, EASEMENTS, CONVEYANCES AND
OTHER INTERESTS THAT MAY AFFECT THE
PROPERTY. THE SURVEYOR HAS NO RECORD
PROVIDED TO THE SURVEYOR FOR THIS SURVEY.

SURVEY CLASSIFICATION
THIS SURVEY AND PLAT MEETS OR EXCEEDS
THE TECHNICAL STANDARDS FOR AN URBAN
SURVEY IN ACCORDANCE WITH 201 KAR 18:150.
THE RELATIVE POSITIONAL ACCURACY
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CERTIFICATION OF ACCURACY
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DESCRIBED IN STANDARDS OF PRACTICE 201 KAR 18:150
DATED DECEMBER 3, 2010

ROBERT T. SEMONES
KY PLS 3141

CERTIFICATION OF OWNERSHIP AND DEDICATION
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WITH MY FREE CONSENT. ESTABLISH THE MINIMUM BUILDING RESTRICTION
LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER
OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER OR POA
DATE

-1255

PANEL 21209C0100C eff. 1/8/2014
PANEL 21073C0065D eff. 6/18/2013

PANEL 21187C0350C eff. 6/2/2011

1207

1208

CEDAR RD 368

Zone A



GEORGETOWN-SCOTT CO. PLANNING COMMISSION
GEOGRAPHIC INFORMATION SYSTEM MAPPING

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GISCOPGIS aerial photography extracted from EagleView Technologies, Inc. and Photomatrix International Corp. 19998 NE 9th St, Suite 600, Bellevue, WA 98004.

* Mapping available in digital or hard copy format in accordance with the adopted fee schedule and standards set forth in the Geographic Information System.

- Site
- Notified Parcel
- Parcels



Map created by the Georgetown-Scott County Planning Commission
Geographic Information System Mapping

0

250

500 Feet

S 2026 22

N

Parcels from the Scott County Plat. For Reference Purposes Only. Not Survey Grade, and Subject to Change at any time.

MapNumber	Name1	Name2	MailAddress	CityStateZ	Complete_A
019-00-028.000	AGUILAR CECIL		4819 MUDDY FORD RD	GEORGETOWN KY 40324	1207 CEDAR RD
019-00-029.000	AGUILAR CECIL		4819 MUDDY FORD RD	GEORGETOWN KY 40324	1203 CEDAR RD
020-00-001.000	HOCKENSMITH ALBERT KENT		P O BOX 903	JAMESTOWN KY 42629	1378 CEDAR RD
019-00-025.000	CLARK SHIRLEY D & CATHY GAIL CLARK HALL		1123 CEDAR RD	STAMPING GROUND KY 40379	1123 CEDAR RD

VARIANCE APPLICATION
289 Harbor Village Drive
Staff Report to the Scott County Board of Adjustment
October 15, 2026

FILE NUMBER: S-2026-34

PROPOSAL: Variance Application to reduce the front yard setback from 25 feet to 16 feet for the construction of a home

LOCATION: 289 Harbor Village Drive

PARCEL ID: 133-20-002.028

APPLICANT: WTS Construction

CONSULTANT: N/A



STATISTICS:

Zone: R-1C PUD (Single-family Residential)
Surrounding Zone (s): A-1 (Agricultural), R-1C (Single-family Residential)
Site Acreage: 1.59-acre
Access (Directly): Harbor Village Drive
Access
(Nearest Arterial): Cincinnati Road (US-25)
Context: Approximately 0.9 mile from the intersection of Cincinnati Road and Harbor Village Drive

BACKGROUND:

WTS Construction ("Property Owners"), are requesting approval of a Variance to reduce the front yard setback from 25 feet to 16 feet for the construction of a single-family residence at the property addressed 289 Harbor Village ("Project Site"), with Parcel ID: 133-20-002.028.

The Project site is an approximately 1.59-acre parcel zoned R-1C (Single-Family Residential) and is directly accessed by Harbor Village Drive. The property is currently undeveloped and is a part of Harbor Village Unit 1, Phase III Subdivision recorded in Plat Cabinet 13 Page 53 on September 28th, 2021.

The standard setbacks within the R-1C zoning district are 30 feet for the front yard, 10 feet for each side yard, and 25 feet for the rear yard. However, Harbor Village was approved as a Planned Unit Development with development-specific setback standards. The recorded subdivision plat establishes a 25-foot front yard setback along Harbor Village Drive, a 25-foot rear yard setback, and 7.5-foot side yard setbacks.

According to the submitted site plan, the proposed residence would be located approximately 16 feet from the front property line at its closest point. Therefore, the Applicant is requesting a 9-foot reduction from the approved 25-foot front yard setback. The proposed residence would comply with the side and rear yard setbacks established through the Planned Unit Development approval.

There are no previous applications to the Board of Adjustment associated with the Project Site.

APPLICATION REQUEST:

The Applicant proposes to construct a single-family residence on the currently undeveloped Project Site. According to the submitted site plan, the proposed residence would be located approximately 16 feet from the front property line at its closest point. The Harbor Village Planned Unit Development establishes a 25-foot front yard setback for the Project Site. Therefore, the Applicant is requesting a Variance to reduce the approved front yard setback from 25 feet to 16 feet.

According to the Applicant's Letter of Justification, the request is primarily related to the location of the waterway depicted on the recorded subdivision plat. The Applicant states that, based on current site conditions of the property, the waterway does not appear to be located in the same position shown on the recorded plat and that applying the required setbacks based on the waterway's depicted location significantly restricts the usable building area and limits the reasonable placement of a residence.

The Applicant further states that constructing a residence while maintaining the approved front yard setback and accounting for the waterway as depicted would require substantial additional costs and create an undue economic hardship. The requested front yard setback reduction is intended to allow the property to be developed in a manner that responds to the physical conditions observed on the Project Site.

ISSUES & ANALYSIS:

"KRS 100.243 Findings necessary for granting variances.

1. *Before any variance is granted, the board must find that the granting of 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 nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
 - a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
 - **Staff Analysis:** The recorded subdivision plat depicts a waterway and associated drainage area affecting the Project site. According to the Applicant's Justification, the waterway does not appear to be located in the same position under current site conditions as depicted on the recorded plat. Due to these physical conditions of the property, the approved 25-foot front yard setback limits the usable building area and affects the reasonable placement of a residence.

Staff finds that the waterway and the apparent discrepancy between its depicted and observed locations constitute circumstances specific to the subject parcel that do not generally apply to other properties in the vicinity. Therefore this criteria is satisfied.

- b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;*
- **Staff Analysis:** Strict application of the approved 25-foot front yard setback, when considered together with the location of the waterway would significantly restrict the usable building area available for a single-family residence.

According to the Applicant, designing and constructing a residence within the remaining area would create an undue economic hardship. Reducing the front yard setback to 16 feet would provide additional separation between the proposed residence and the waterway area while allowing the property to be developed for its intended single-family residential use. The proposed residence would continue to comply with the applicable side and rear yard setbacks. Staff finds that strict application of the approved front yard setback would create an unnecessary hardship and that this criteria is satisfied.

- c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*
 - **Staff Analysis:** The Applicant did not create the waterway or establish its location for the purpose of obtaining relief from the zoning regulations. Therefore, Staff finds that the circumstances giving rise to the requested Variance are not the result of actions taken by the Applicant subsequent to the adoption of the applicable zoning regulations, and this criteria is satisfied.
2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*
- **Staff Analysis:** There is no evidence of any willful violation of the zoning regulations.

In conclusion, Staff finds that the proposed variance satisfies all criteria under KRS 100.243. Approval of the variance would not adversely impact public health, safety, or welfare, nor would it alter the essential character of the general vicinity, would not cause a hazard or nuisance to the public, and would not allow an unreasonable circumvention of the zoning regulations.

FINDINGS:

1. The project site contains approximately 1.59 acres, is zoned R-1C (Single-Family Residential) and is part of the and is part of the Harbor Village Unit 1, Phase III Planned Unit Development.
2. The approved Planned Unit Development establishes a 25-foot front yard setback for the Project Site.
3. The Applicant is requesting to reduce the approved front yard setback from 25 feet to 16 feet, representing a 9-foot reduction.
4. The recorded subdivision plat depicts a waterway and associated drainage area affecting the Project Site, which differs from it's current location.
5. The observed physical conditions on the site along with 25-foot front yard setback would limit the usable building area and affects the reasonable placement of the residence.
6. The proposed single-family residence is a permitted use within the R-1C zoning district and is consistent with the residential character of the Harbor Village subdivision.

7. The requested Variance is not anticipated to adversely affect public health, safety, or welfare; alter the essential character of the general vicinity; or create a hazard or nuisance to the public.

RECOMMENDATIONS:

Staff recommends **APPROVAL** of the Variance to reduce the required front yard setback from 25 feet to 16 feet at 289 Harbor Village Drive, subject to the following conditions of approval:

Conditions of Approval:

1. This property is subject to all requirements of the *Georgetown-Scott County Zoning Ordinance and Subdivision and Development Regulations*.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities and shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The Applicant shall obtain a building permit from the Building Inspection Office prior to any construction.
4. The Applicant shall return to the Board prior to any changes in the approved conditions.
5. No structures shall be located within drainage, utility or other easements unless authorized by the appropriate agency.

APPLICATION TO BOARD OF ADJUSTMENT

230 E. Main Street, Georgetown, KY 40324

Phone (502) 867-3701

Fax (502) 867-3725

FOR OFFICIAL USE ONLY:

APPLICATION NO: _____

DATE FEE RECEIVED: 9-9-26 CK # 821

1. APPLICANT 22 Investments dba WTS Construction

MAILING ADDRESS _____

PHONE NO. _____

EMAIL _____

2. TYPE OF REQUEST (Check one or more) ☐ VARIANCE ☐ CONDITIONAL USE PERMIT
☐ HOME OCCUPATION (CUP) ☐ ADMINISTRATIVE REVIEW

3. PROJECT SITE 289 Harbor Village Dr.

4. JURISDICTION (Please Circle) Georgetown / Sadieville / Stamping Ground / Scott County

5. EXISTING USE _____ ZONING DISTRICT _____

6. DESCRIPTION OF REQUEST To move the building line 10 feet closer to road due to slope of property, plat waterway is not correct

7. SUPPORTING INFORMATION:

VARIANCE (\$150.00) – Attach plans drawn to scale showing the dimensions and shape of the lot or land, the size and location of existing buildings, the location 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)

- 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).

CONDITIONAL USE PERMIT (CUP) (\$150.00) – Attach a plan for the proposed use showing the location of buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards, and refuse service areas. Also, attach a narrative statement relative to the above requirements and also explain any economic, noise, glare, or odor effects on adjoining property and the general compatibility with other properties in the district.

HOME OCCUPATION (CUP) (\$150.00) – In order for a home occupation conditional use permit to be granted, the applicant must prove to the Board that the following items are true: (Please attach these comments on a separate sheet)

- A. The home occupation must be incidental to the principal residential use of the residence and be limited to 25% of the ground floor area, in no event to exceed 300 square feet.
- B. The home occupation shall result in no exterior evidence, except an unlighted wall sign not to exceed five (5) square feet in area, which may identify the home occupation.
- C. The home occupation shall not generate any atmospheric pollution, light flashes, glare, odor, noise, vibration, truck or other heavy traffic.

ADMINISTRATIVE REVIEW (\$150.00) – Attach a narrative statement describing the action or decision made by the administrative official including an outline of information supporting your claim for which relief is sought.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT MEETING FOR THE BOARD TO CONSIDER APPLICATION

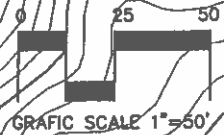
I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that if I withdraw my case, the paid fee will not be returned after legal notice have been submitted. If the applicant is not the owner of the project site, an affidavit will need to be completed.

Kynda Woods
APPLICANT

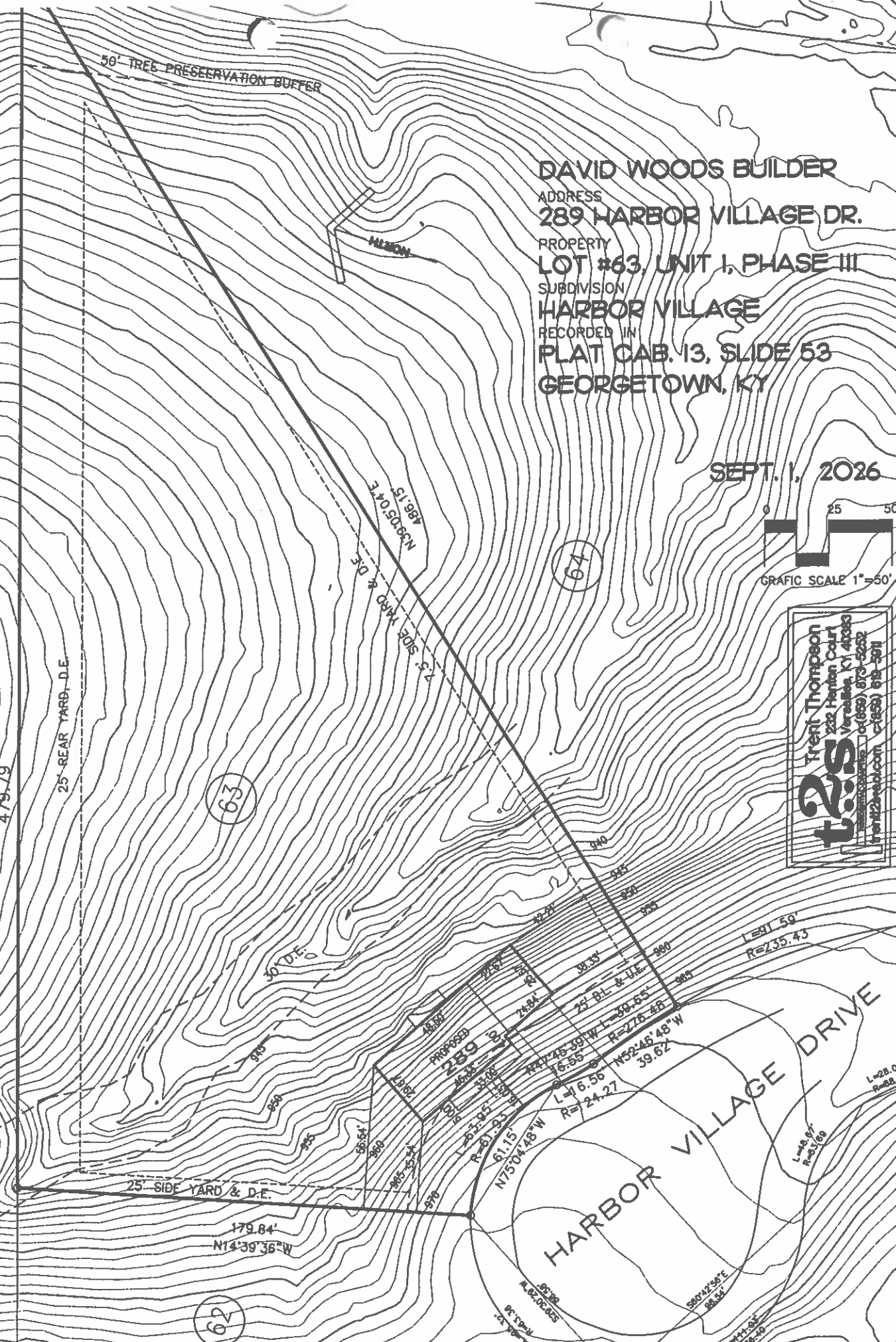
9/9/2026
DATE

DAVID WOODS BUILDER
ADDRESS
289 HARBOR VILLAGE DR.
PROPERTY
LOT #63, UNIT 1, PHASE III
SUBDIVISION
HARBOR VILLAGE
RECORDED IN
PLAT CAB. 13, SLIDE 53
GEORGETOWN, KY

SEPT. 1, 2026



Trent Thompson
222 Horton Court
Vero Beach, FL 33583
t2s@verizon.net or (888) 873-5252
trent22@verizon.net c-(850) 616-3011



September 9, 2026

Scott County Board of Adjustment

Re: Request for Modification of Required Setbacks

Property Address: 289 Harbor Village Dr

Dear Members:

I am writing to respectfully request a modification of the required setbacks for the above-referenced property in Scott County, KY.

The request is based primarily on the location of the waterway shown on the recorded plat. Based on current sit conditions and observations of the property, the waterway does not appear to be located in the same position as depicted on the plat. This substantially affects the buildable area of the lot and the ability to reasonably locate a home.

If the setbacks are applied based upon the waterway location shown on the plat rather than the waterway's actual location, the usable building area of the lot is significantly restricted. Constructing a residence while maintaining the existing setback requirements under those circumstances would result in substantial costs and create an undue economic hardship.

The requested setback modification is intended to allow the property to be developed in a practical manner consistent with the actual physical conditions of the site. The request is not intended to create unreasonable use of the property or adversely affect neighboring properties.

We respectfully ask you to consider the unique circumstances of this lot. We are requesting the front yard setback be modified to 16 feet. The side yards and the rear yard setback requirements do not need to be modified and will comply with the standard ordinance requirements.

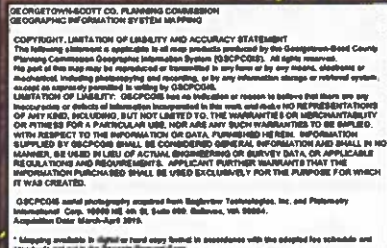
Thank you for your consideration of this request.

Sincerely,

Kyndra Woods

22 Investments LLC, dba WTS Construction





MapNumber	Name1	Name2	MailAddress	CityStateZ	Complete_A
159-10-011.001	WILHOITE FAMILY LIMITED PARTNERSHIP	C/O RICHARD WILHOITE EXECUTOR	3156 CINCINNATI RD	GEORGETOWN KY 40324	CINCINNATI RD
133-20-002.029	SHARP CHRIS & JENNIFER		737 SETH DR	VERSAILLES KY 40383-8696	285 HARBOR VILLAGE DR
133-20-002.026	YEWELL PATRICK RADCLIFFE & BRENDA TERESA		284 HARBOR VILLAGE DR	GEORGETOWN KY 40324-8908	284 HARBOR VILLAGE DR
133-20-002.028	22 INVESTMENTS LLC		110 CHICKADEE TRL	GEORGETOWN KY 40324-2105	289 HARBOR VILLAGE DR