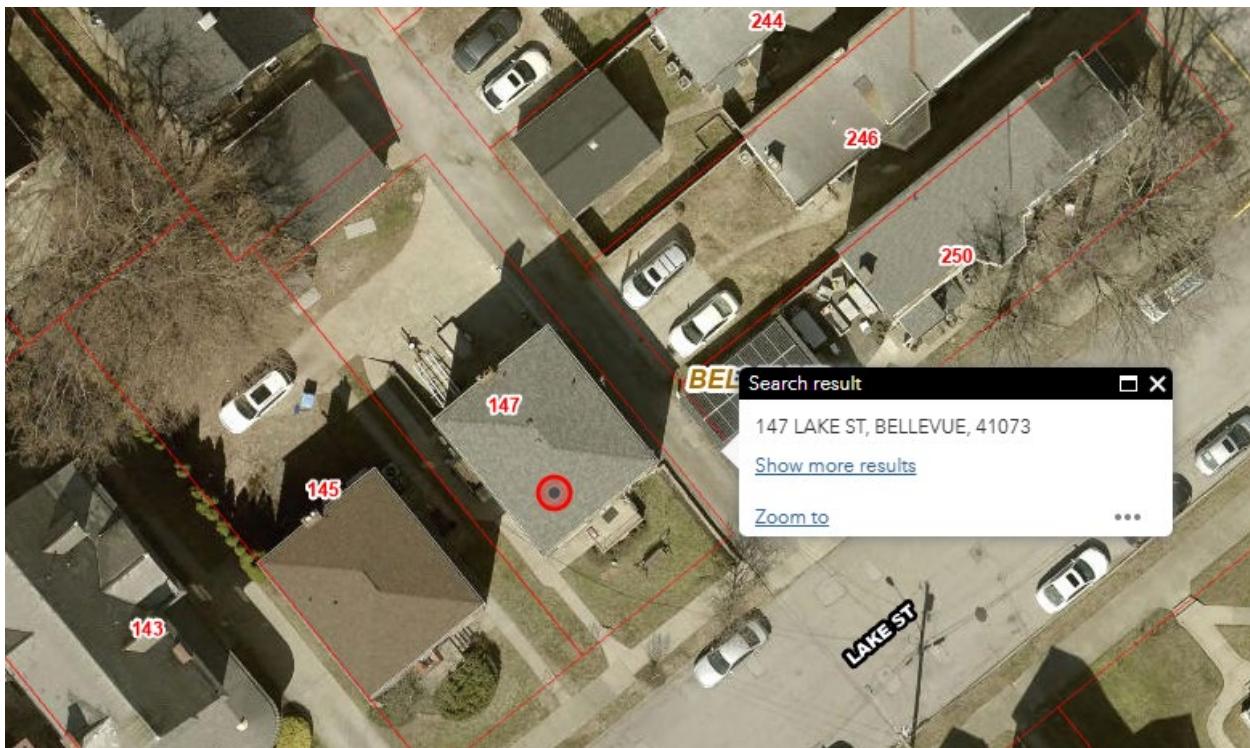




City of Bellevue Board of Adjustments
Staff Comments, Findings, and Recommendations
Issue to be heard on: January 5, 2026 at 6:00 P.M

December 29, 2025

FILE NUMBER: BA-25-012
APPLICANT: Hinsford Building and Remodeling
LOCATION: 147 Lake St – Bellevue, Kentucky
REQUEST: Approval of setback variance for the construction of a residential building addition



Considerations:

1. The applicant is requesting a dimensional variance to build a building addition.
2. The approximately 3,500 square foot site is located in the City of Bellevue on Lake Street at an unnamed alley between Berry and Robson.
3. The site is within the Taylors Daughters Historic District and does require a Certificate of Appropriateness. The Historic Preservation Commission will review the request separately.
4. The Proposed Land Use Map of the 2022 Comprehensive Plan identifies the site within a low-density residential land use area.

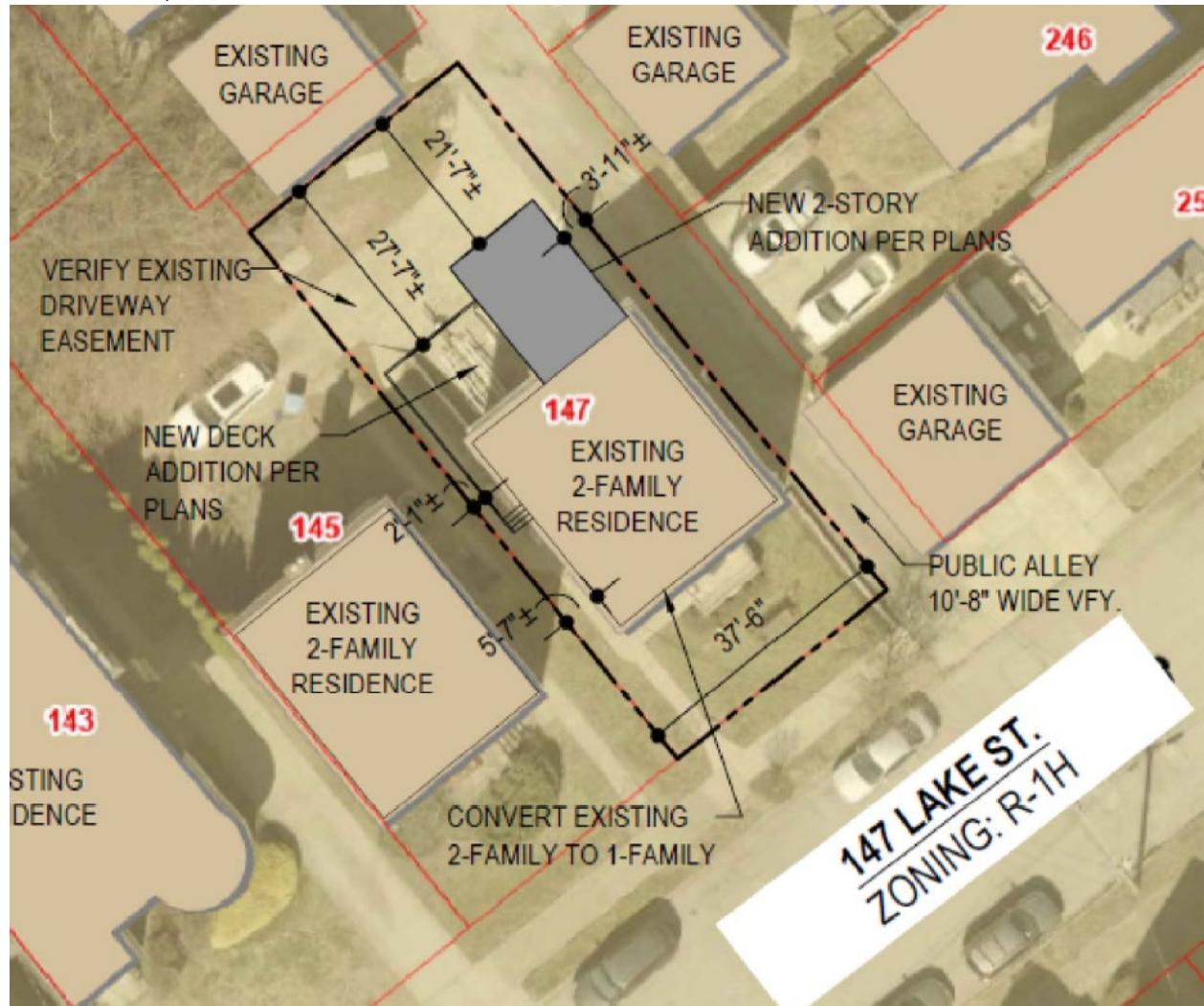
5. The City of Bellevue Zoning Ordinance Article XXI classifies the area within the Residential One-H (R-1H) Zone. A detached garage is permitted as a customary accessory structure.
6. The minimum setbacks for accessory structures in the R-1H Zone are:

Description:	Zone Regulations Require:	Applicant's Request:
Front Yard Depth:	Twenty (20) feet	N/A
Minimum Side Yard Width:	Three (3) feet	N/A
Minimum Rear Yard Depth:	Twenty-Five (25) feet	Approximately 21' -7"

7. A review of public records indicates no previous requests for a variance have been submitted for this site.

8. Site plan submitted by the applicant shows:

- The proposed building addition in the rear yard with 21' 7" rear setback in line with the house;
- The proposed deck positioned in the rear yard with 27' 7" rear setback and 2'-1" side setback;



9. Per Section 9.10 Application of Zoning regulations, decks may be no closer than two (2) feet to the property line. No variance is required for the deck.
10. **Notice of Public Hearing.** A legal notice appears in the December 16, 2025 edition of the LINK Reader advertising applicant's request and the hearing to be held on January 5, 2026.
11. According to Article XVIII Section 18.1, B. VARIANCES: An application for a *variance* and the findings necessary for granting a *variance* shall be regulated by KRS 100.241 to 100.251.
12. According to KRS 100.243: Before any variance is granted, the Board of Adjustment 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. Such variance shall not be granted by the Board of Adjustment unless and until:
 - a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - 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; and
 - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Staff Comments:

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.

- The proposed addition will not encumber the existing access easement to the neighboring house.

The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.

- There is an existing 7-1/2-foot unimproved public right-of-way behind this property.
- The minimum lot size for this zone is 3,500 square feet. The front yard setback is 20 feet, situating the houses in this zone further back than other, small-lot zoning districts. Combined with the small lot size and more suburban sized front and rear setbacks, the zoning ordinance does not allow for much room to grow.

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.

- This is the minimum variance necessary to construct the addition.

The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Summary of Applicants Request:

The applicant is requesting an approximately four (4) foot rear yard setback variance for the construction of a building addition.

Staff Recommendation:

To approve the applicant's request

Basis for Recommendation

1. In accordance with KRS 100.241 Variances, the board shall have the power to hear and decide on applications for variances. The board may impose any reasonable conditions or restrictions on any variance it decides to grant.
2. The evidence presented by the applicant and staff is such as to make a finding that:
 - a. The requirements for a variance have been met by the applicant for a variance and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - b. The variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and 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 considers whether:
 1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 2. 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; and
 3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Should you have any questions, please do not hesitate to call our office at (859) 292-3880 for assistance.

Respectfully,



Kirk Hunter, AICP
Principal Planner

CC: Bellevue BOA Members
Applicant