

Review No. \_\_\_\_\_

## SUBDIVISION REGULATIONS SETBACK ENCROACHMENT VARIANCE APPLICATION

Joint City-County Planning Commission of Barren County, Kentucky  
200 S. Green St., Suite 201 (2<sup>nd</sup> Floor)  
Glasgow, KY 42141  
Barren County Development Center Building  
(270) 659-0661

The following Items are to be submitted along with this application:

- Appropriate copies of the Plat(s) and/or Development Plan(s) showing proposed request.
- One (1) copy of the deed(s) of the property.
- Appropriate application fee, see Part II.

### PART I: (to be completed by applicant)

1. Owner(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State / Zip \_\_\_\_\_ Phone \_\_\_\_\_
2. Applicant Information \_\_\_\_\_  
(if different from owner)  
Address \_\_\_\_\_  
City \_\_\_\_\_ State / Zip \_\_\_\_\_ Phone \_\_\_\_\_
3. The subdivider or their agent shall submit all development items to the Commission's Administrative Officer or Staff at least fifteen (15) consecutive days prior to the next regular meeting of the Planning Commission, (i.e., third Monday of each month).  
Submittal Date \_\_\_\_\_
4. Development Information  
Name of Subdivision or Development \_\_\_\_\_  
Location of Subdivision or Development \_\_\_\_\_  
Lot Number(s) \_\_\_\_\_  
Deed Book \_\_\_\_\_ Page Number \_\_\_\_\_  
Plat Book \_\_\_\_\_ Page Number \_\_\_\_\_  
Acreage Under Review \_\_\_\_\_ Total Acreage \_\_\_\_\_

**PART II – Type of Setback Encroachment Variance Request:** (to be completed by Applicant)

**❑ Encroachment of structure constructed prior to August 15<sup>th</sup>, 1990**

This classification shall apply to the following:

- A. The setback encroachment occurred prior to August 15<sup>th</sup>, 1990; and
  - B. The Applicant or its predecessor in title acted In good faith at the time the encroachment was constructed; and
  - C. At the time the encroachment was constructed, there was no present or future intention to subdivide the subject property; and
  - D. The Applicant presently desires to convey or subdivide the subject property and the encroachment violates the applicable setback requirements.
- The Commission's Administrative Officer will review and approve, disapprove, or refer the application request to the Planning Commission.
  - The Applicant shall submit to the Commission's Administrative Officer the application and one (1) paper copy of the Plat and one (1) digital (PDF or CAD) file showing the proposed request.
  - An application fee of \$250.00 plus \$35.00 for advertising, payable to the Joint City-County Planning Commission is required and of which no part is refundable to the Applicant.

**❑ Encroachment of structure constructed after August 15<sup>th</sup>, 1990 and before July 1<sup>st</sup>, 2001**

This classification shall apply to the following:

- A. The setback encroachment occurred after August 15<sup>th</sup>, 1990; and
  - B. The Applicant or its predecessor in title acted In good faith at the time the encroachment was constructed; and
  - C. At the time the encroachment was constructed, there was no present or future intention to subdivide the subject property; and
  - D. The Applicant presently desires to convey or subdivide the subject property and the encroachment violates the applicable setback requirements.
- The Planning Commission will review and approve or disapprove the application request.
  - The Applicant shall submit the application and all development items to the Commission's Administrative Officer at least fifteen (15) consecutive days prior to the next regular meeting of the Planning Commission, (i.e., third Monday of each month).
  - The Applicant shall submit to the Commission's Administrative Officer the application and one (1) paper copy of the Plat and one (1) digital (PDF or CAD) file showing the proposed request.
  - An application fee of \$250.00 plus \$35.00 for advertising, payable to the Joint City-County Planning Commission is required and of which no part is refundable to the Applicant.

**❑ Encroachment of structure constructed after July 1<sup>st</sup>, 2001**

This classification shall apply to the following:

- A. Due diligence was exercised by the Applicant or its predecessor in title to comply with the applicable setback requirement; and
- B. A good faith error was made with regard to the location of the subject structure or the applicable setback requirement.



**PART IV – Applicant and Owner Signature:**

I (We) do hereby certify that the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

A variance of any requirement does not exempt the development from any other requirements of the Subdivision Regulations or any local Zoning Ordinance.

\_\_\_\_\_  
Applicant(s) Signature                      Date

\_\_\_\_\_  
Property Owner(s) Signature                      Date

\_\_\_\_\_  
Applicant(s) Signature                      Date

\_\_\_\_\_  
Property Owner(s) Signature                      Date

**OFFICE USE ONLY**

**PART V:** (to be completed by the commission staff)

1. Date Application Received \_\_\_\_\_ Fee Received \_\_\_\_\_ Check Number \_\_\_\_\_

2. Action Taken: \_\_\_\_\_

3. Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_

4. Notes: \_\_\_\_\_

\_\_\_\_\_