

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
January 10, 2024
6:00 P.M.**

Chairman Whitton called the meeting to order at 6:00 P.M.

BOARD MEMBERS PRESENT:

Mr. George Whitton, Chairman
Dr. Ryan Estes, Vice-Chairman
Mrs. Susan Poston
Mr. Don Volland

BOARD MEMBERS NOT PRESENT:

Mr. Bill Weltzer

STAFF MEMBERS PRESENT:

Mr. Michael Schwartz, Director, Zoning Services

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

Mr. Schwartz stated that Mr. Volland was sworn in prior to the start of the meeting.

ELECTION OF OFFICERS

Chairman Whitton stated that this is the first meeting of the year and it was time to elect officers for 2024.

Chairman Whitton asked for nominations for Chairman. Mrs. Poston nominated Chairman Whitton. Dr. Estes seconded the motion. With no other nominations, Chairman Whitton called for a vote and it passed unanimously.

Chairman Whitton asked for nominations for Vice-Chairman. Mrs. Poston nominated Dr. Estes. Chairman Whitton seconded the motion. With no other nominations, Chairman Whitton called for a vote and it passed unanimously.

Chairman Whitton asked for nominations for Secretary/Treasurer. Chairman Whitton nominated Mrs. Poston. Vice-Chairman Estes seconded the motion. With no other nominations, Chairman Whitton called for a vote and it passed unanimously.

APPROVAL OF MINUTES

Chairman Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of December 13, 2023. He asked if there were any other comments or corrections. Vice-Chairman Estes moved to approve the minutes and Mr. Volland seconded the motion. Chairman Whitton called for the vote which found Chairman Whitton, Vice-Chairman Estes, and Mr. Volland voting yes and Mrs. Poston abstaining.

ACTION ON REVIEWS

1. Request of Quality Signs, per Woody Fellingner, on behalf of RLS Merchants Propco LLC, for Variances: (1) increasing the maximum height of two (2) directional signs from five (5) feet to six (6) feet; and (2) increasing the maximum sign area of two (2) directional signs from six (6) square feet to twenty-five (25) square feet. The approximate 14.8 acre parcel is located at 240 Shorland Drive, Boone County, Kentucky and is zoned Industrial One (I-1).

Staff Member, Michael Schwartz, presented the Staff Report which included a Powerpoint presentation (see Staff Report).

Chairman Whitton asked the Board if they had any questions for staff. There were none.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information.

Mr. Woody Fellingner stated that due to where the signs need to be installed, the six (6) square foot requirement is not sufficient and that a larger sign is needed. He stated that the second sign was needed to separate truck traffic from vehicular traffic.

Chairman Whitton asked if the applicant would agree to the proposed condition as stated in the staff report.

Mr. Fellingner stated that they would meet that requirement.

Chairman Whitton asked if there was anybody else in attendance that wanted to speak to this issue. There were none.

Chairman Whitton asked if there was any further discussion. There was none. Chairman Whitton asked if the Board wanted to make a motion.

Vice-Chairman Estes made a motion to approve the Variances subject to the condition that no more than twenty-five percent (25%) of the directional sign(s) area shall be devoted to the name or logo of the property, business, or profession on the site. Mrs. Poston seconded the motion.

Chairman Whitton called for the vote which passed unanimously.

2. Request of Tony Berling, on behalf of Joyce Robinson Foundation, Inc., for a Conditional

Use Permit to allow a building addition to a previously approved Conditional Use Permit for the Gathering Place Church facility. The approximate 2.7 acre parcel is located at 10336 Dixie Highway, Boone County, Kentucky and is zoned Industrial One (I-1).

Staff Member, Michael Schwartz, presented the Staff Report which included a Powerpoint presentation (see Staff Report).

Chairman Whitton asked the Board if they had any questions for staff.

Mrs. Poston asked staff to identify the four existing curb cuts. Using the PowerPoint slide, Mr. Schwartz displayed the four existing curb cuts.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information.

Mr. Tony Berling stated that the proposed additions would provide for an expanded lobby area and to provide for a storage area. He stated that they will address the curb cut consolidation issue at the time of Site Plan approval.

Chairman Whitton asked if there was anybody else in attendance that wanted to speak to this issue. There were none.

Chairman Whitton asked if there was any further discussion. There was none. Chairman Whitton asked if the Board wanted to make a motion.

Mrs. Poston made a motion to approve the proposed Conditional Use Permit subject to the following conditions: (1) Buffer Yard A landscaping shall be installed along Dixie Highway, between the curb cut and the south property line; and (2) There shall be no more than three (3) access points to the entire Gathering Place Church complex and the location of the access points shall be as approved by KYTC. Mr. Volland seconded the motion.

Chairman Whitton called for the vote which passed unanimously.

3. Request of Dawn Sheanshang for a Conditional Use Permit to allow the existing single-family residential dwelling to be used as a short term rental. The approximate 1.12 acre parcel is located at 2900 Watts Road, Boone County, Kentucky and is zoned Graves Road-Business Park (GR-BP).

Staff Member, Michael Schwartz, presented the Staff Report which included a Powerpoint presentation (see Staff Report).

Chairman Whitton asked the Board if they had any questions for staff. There were none.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information.

Ms. Dawn Sheanshang stated that they built the house and lived in it for about two years

before the state acquired a portion of their property for the Graves Road interchange. Since they now have Graves Road in their back yard, they want to use the property for a short term rental.

Chairman Whitton asked if there was anybody else in attendance that wanted to speak to this issue. There were none.

Chairman Whitton asked if there was any further discussion. There was none. Chairman Whitton asked if the Board wanted to make a motion.

Vice-Chairman Estes made a motion to approve the proposed Conditional Use Permit subject to the condition that a Zoning Permit shall be submitted to, and approved by, the Boone County Planning Commission prior to any use of the property as a short term rental. Mr. Volland seconded the motion.

Chairman Whitton called for the vote which passed unanimously.

OTHER

None

ADJOURNMENT

Chairman Whitton asked for a motion to adjourn the meeting. Mrs. Poston made a motion to adjourn and Vice-Chairman Estes seconded the motion.

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:27 p.m.

APPROVED

Chairman George Whitton

ATTEST:

Michael D. Schwartz
Director, Zoning Services