

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
JULY 8, 2020
6:00 P.M.**

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

BOARD MEMBERS PRESENT:

Mr. George Whitton, Chairman
Mr. Richard Miller, Vice-Chairman
Mrs. Sherry Hempfling
Mr. Chris Vaught-Hall
Mr. Bill Weltzer

BOARD MEMBERS NOT PRESENT:

None

STAFF MEMBERS PRESENT:

Mr. Michael Schwartz, Planner

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

APPROVAL OF MINUTES

Chairman Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of June 10, 2020. He asked if there were any other comments or corrections. Mr. Chris Vaught-Hall moved to approve the minutes and Vice-Chairman Miller seconded the motion. Chairman Whitton called for the vote and it carried unanimously.

ACTION ON REVIEWS

1. Request of Alison Bohman for a Variance to reduce the minimum required front yard setback from thirty (30) feet to fifteen (15) feet to allow the construction of a roof over the existing porch. The approximate .25 acre site is located at 10240 Cherry Lane, Boone County, Kentucky and is zoned Suburban Residential One (SR-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. Vice-Chairman Miller asked staff to clarify that the proposed roof extension will not encroach into the front yard any more than the existing porch. Mr. Schwartz stated that what Vice-Chairman Miller stated was correct.

Chairman Whitton asked the applicant if she would like to provide the Board with any other information. Ms. Alison Bohman stated that they want to extend the roof to provide shade and improve the property. She stated that the proposed roof extension would not alter the character of the neighborhood.

Chairman Whitton asked if there was anyone else that wanted to speak to this issue. There was 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 Miller made a motion to approve the proposed variance. Mrs. Hempfling seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

2. Request of Carolyn Knipp for a Variance to reduce the minimum rear yard setback from forty (40) feet to ten (10) feet in order to construct a single family residential dwelling. The approximate 2.4 acre site is located at 1754 Graves Road, Boone County, Kentucky and is zoned Rural Suburban Estates (RSE).

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. Hempfling asked if the current zoning would stay the same. Mr. Schwartz replied that the present zoning would remain. However, based on the land use study currently being conducted, the zoning may change. Mr. Schwartz stated that it would be at least 7 months before any change in zoning can take place. Vice-Chairman Miller asked if any future zone change would affect the action of the Board. Mr. Schwartz replied that if the Board took action to approve the proposed Variance, that approval will run with the land, regardless of what the property is zoned.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information. Ms. Carolyn Knipp stated that she and her husband have been there for twenty-five years and they made a deal with the Highway Department to leave them with an acre of land so that they could rebuild their house and stay on their property. Ms. Knipp stated that there are no houses behind them or next to them. She stated that the only houses that are near them are across the road.

Mrs. Hempfling asked who were the owners across from their property. Ms. Knipp replied Mr. Pattison is on the other side and Art Snyder owns some adjacent land and the Burcham's are to their left.

Mr. Knipp stated that the reason for the ten (10) foot setback was so that it would provide the proper clearance for the barn doors.

Chairman Whitton asked if there was anyone else that wanted to speak to this issue. There was 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 Miller made a motion to approve the proposed variance. Mr. Vaught-Hall seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

3. Request of John R. Grier for ZoomEssence, on behalf of VP Realty LLC, for Variances: (1) to reduce the minimum front yard setback from fifty (50) feet to fourteen (14) feet in order to install a six (6) foot high decorative fence; and (2) to reduce the minimum buffer yard requirement along the south property line from ten (10) feet to zero (0) feet in order to install an eight (8) foot high chain link fence. The approximate 3.6 acre site is located at 1139-1145 Victory Place, 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. Vice-Chairman Miller asked if the proposed eight (8) foot high chain link fence would tie into an existing fence. Mr. Schwartz replied that it would connect to an existing fence on the airport property.

Vice-Chairman Miller asked if the fence location was to salvage parking area. Mr.

Schwartz replied that the paved area is necessary for the movement and circulation of the trucks within the loading dock area.

Mr. Vaught-Hall asked how tall is the existing fence along the airport property. Mr. Schwartz replied that staff did know the answer.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information. Mr. John Grier stated that he was representing the applicant and also present was Mr. Russ Webb, Vice-President of Manufacturing. Mr. Grier stated that ZoomEssence is a flavor producer for the food industry.

Chairman Whitton asked who is the other tenant in the building. Mr. Webb stated that it is a sign making business and that their lease expires in December. He stated that ZoomEssence has purchased the property and will be expanding into that space once that tenant is gone.

Vice-Chairman Miller asked the applicant to explain the regulations for the secured enclosure. Mr. Webb replied that the federal government is requiring them to secure their site, as they are part of the food supply chain of the country.

Vice-Chairman Miller asked if the proposed fence would meet the federal requirements. Mr. Webb replied yes.

Vice-Chairman Miller asked why they are proposing a decorative fence along the roadway. Mr. Webb replied that the yard along the roadway is technically the front yard, but realistically is their side yard based on the orientation of the building. Mr. Webb stated that they are proposing a decorative fence along the roadway because that is what the public will see.

Chairman Whitton asked if there was anyone else that wanted to speak to this issue. There was none.

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

Mr. Weltzer made a motion to approve the proposed variances with the condition that the applicant contact the Hebron Fire Department prior to Site Plan submittal to discuss emergency access issues. Vice Chairman Miller seconded the motion.

Chairman Whitton asked the applicant if they had a concern with that condition. Mr. Webb replied that they did not have a concern with the condition and they have already contacted the Hebron Fire Department and have resolved the emergency access issue.

Chairman Whitton called for the vote and it carried unanimously.

4. Request of Sean and Robin O'Brien for a Variance to reduce the minimum rear yard setback from forty (40) feet to twenty-five (25) feet in order to construct a covered porch. The approximate 0.6 acre site is located at 2565 Twin Hills Court, Boone County, Kentucky and is zoned Rural Suburban (RS).

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 was none.

Chairman Whitton asked the applicant if they would like to provide the Board with any other information. Mr. Sean O'Brien stated that they are trying to add some covered space and increase the value of the home.

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

Mr. Vaught-Hall made a motion to approve the proposed variance. Mrs. Hempfling seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

OTHER

None.

ADJOURNMENT

Chairman Whitton asked for a motion to adjourn the meeting. Mr. Vaught-Hall made a motion to adjourn and Vice-Chairman Miller seconded the motion.

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:36 p.m.

APPROVED

Chairman George Whitton

ATTEST:

Michael D. Schwartz
Planner