

**BOONE COUNTY BOARD OF ADJUSTMENT  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
BUSINESS MEETING  
FEBRUARY 10, 2021  
6:00 P.M.**

Chairman Whitton called the meeting to order at 6:02 P.M.

Mr. Schwartz stated that the meeting was being held via video teleconference pursuant to KRS 61.826, SB 150 and OAG 20-05. He stated that the public hearing format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic.

Mr. Schwartz confirmed that all those in attendance could see and hear the proceedings. All those in attendance stated that they could see and hear the proceedings.

**BOARD MEMBERS PRESENT:**

Mr. George Whitton, Chairman  
Mrs. Sherry Hempfling  
Mr. Bill Weltzer

**BOARD MEMBERS NOT PRESENT:**

Mr. Richard Miller, Vice-Chairman  
Mr. Chris Vaught-Hall

**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 January 13, 2021. He asked if there were any other comments or corrections. Mrs. Hempfling moved to approve the minutes and Mr. Weltzer seconded the motion. Chairman Whitton called for the vote and it carried unanimously.

**ACTION ON REVIEWS**

1. Request of John Huff for a Change of Nonconforming Use/Structure to allow the construction of a 1,296 square foot storage building, along with a 432 square foot side shed. The approximate 1.6 acre parcel is located at 12251 Ryle Road, Boone County, Kentucky and is zoned Commercial One (C-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. Hempfling asked how many houses are near the site. Mr. Schwartz responded that there is a house to the east and west of the site, two houses to the south of the site and a house further to the north of the site.

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

Mr. John Huff stated that the only reason that the area is zoned C-1 is because of an old store that was there prior to 1965. He stated that he did not know why the area is still zoned commercial. Mr. Huff stated that with the condition of Ryle Road, commercial traffic would not be appropriate. He stated that he had talked with his neighbors and none of them object to what he wants to do.

Chairman Whitton asked if there was anyone who wished to speak for or against the request.

Mr. Schwartz noted that Mrs. Hempfling was no longer present on the live teleconference.

Chairman Whitton called for a brief recess until Mrs. Hempfling logged back in and joined the meeting.

After a few minutes, Mrs. Hempfling rejoined the live teleconference.

Chairman Whitton called the meeting back to order and stated that no business or action was taken during the recess.

Chairman Whitton again asked if there was anyone who wished to speak for or against the request. 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 Change in Nonconforming Use/Structure as submitted. Mrs. Hempfling seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

Mr. John Huff thanks the Board. Mr. Harry Huff thanked the Board and stated that in its heyday, the area was more commercial. He stated that times have changed and the area is no longer commercial and hoped that the area could be zoned residential.

2. Request of Brad Trauth, on behalf of Marcella Barton, for Variances: (1) to reduce the rear yard building setback (west) from thirty (30) feet to twenty-five (25) feet; (2) to reduce the side yard building setback (south) from thirty (30) feet to twenty (20) feet; (3) to reduce the side yard setback (south) for decks from thirty (30) feet to ten (10) feet; (4) to reduce the rear (west) Buffer Yard A landscape width from ten (10) feet to five (5) feet; (5) to reduce the side (north) Buffer Yard A landscape width from ten (10) feet to five (5) feet; and (6) reduce the driveway aisle width from twenty-four (24) feet to twenty-two (22) feet in order to develop 13 attached single family residential dwellings. The approximate 1.1 acre parcel is located at 5559 Limaburg Road, Boone County, Kentucky and is zoned Urban Residential One (UR-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. Brad Trauth stated that the site is very narrow, having a width of 100-115 feet and a depth of approximately 500 feet. He stated that he has attempted various versions of providing multi-family on the site, but due to the narrowness of the lot, variances are needed. He stated that there is a demand for condominiums/town homes, rather than apartments.

Chairman Whitton asked if there was anyone in attendance 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 Variances as submitted. 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. Chairman Whitton made a motion to adjourn and Mr. Weltzer seconded the motion.

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:29 p.m.

**APPROVED**

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**Chairman George Whitton**

**ATTEST:**

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**Michael D. Schwartz**  
**Planner**