

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
MAY 12, 2021
6:00 P.M.**

Chairman Whitton called the meeting to order at 6:00 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
Mr. Richard Miller, Vice-Chairman
Mrs. Sherry Hempfling

BOARD MEMBERS NOT PRESENT:

Mr. Chris Vaught-Hall
Mr. Bill Weltzer

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 April 14, 2021. He asked if there were any other comments or corrections. Vice-Chairman Miller moved to approve the minutes and Mrs. Hempfling seconded the motion. Chairman Whitton called for the vote and it carried unanimously, 3 to 0.

ACTION ON REVIEWS

1. Request of Tony Berling, on behalf of Triple Crown Developers, LLC, per James W. Berling, for an Appeal of the Boone County Planning Commission staff decision that the name of a new street must be changed to Count Fleet Drive rather than Justify Drive, as proposed (Section 305.A of the Boone County Subdivision Regulations). The approximate 35 acre parcel is located at the intersection of Count Fleet Drive with Man O War Boulevard, Boone County, Kentucky and is zoned Suburban Residential One (SR-1).

Chairman Whitton stated that this issue was deferred from the Board's April 14, 2021 meeting.

Chairman Whitton asked for a motion to bring the issue off the table. Mrs. Hempfling moved to bring the issue off the table. Vice-Chairman Miller seconded the motion. Chairman Whitton called for the vote and it carried unanimously, 3 to 0.

Staff Member, Michael Schwartz, stated that staff sent an email to Captain Charlie Alexander, Walton Fire District, and Chief Michael Morgan, Union Fire District, asking them to identify the functional boundary line between the two fire districts. Mr. Schwartz stated that he received an email from Chief Joey Vest, Walton Fire District, on April 22, 2021, stating that he and Chief Morgan, Union Fire District, agree that the functional district boundary is as identified on the attachment. Mr. Schwartz then showed the functional boundary line via a PowerPoint slide.

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

Vice-Chairman Miller asked if staff could clarify where the fire district boundary is, relative to the new four-way intersection. Mr. Schwartz indicated the location on the PowerPoint slide.

Vice-Chairman Miller asked if the Board could take action on this issue, given this new information, or is it necessary to have further discussion.

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.

Vice-Chairman Miller made a motion to override the staff decision and to approve

the requested appeal. Mrs. Hempfling seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

2. Request of PJ Property Ventures, LLC, per Paul Baumgartner, for a Conditional Use Permit to allow a welding and metal product fabrication business to locate in an existing building. The approximate 1.74 acre parcel is located at 10780 Dixie Highway, Boone County, Kentucky and is zoned Commercial Services (C-3).

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 there are any fire protection or suppression requirements for welding facilities. Mr. Schwartz replied that those types of requirements would be determined by the Boone County Building Department.

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

Mr. Paul Baumgartner stated that the building was constructed with a concrete floor and concrete block walls and that the building does not have any fire sprinklers.

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.

Vice-Chairman Miller made a motion to approve the Conditional Use Permit, subject to compliance with the following conditions: (1) All business activities, other than loading/unloading and storage, shall take place entirely within the building; and (2) A tenant finish permit shall be obtained from the Boone County Planning Commission, and a Building Permit, if required, shall be obtained from the Boone County Building Department, prior to the operation of any business. 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. Vice-Chairman Miller made a motion to adjourn and Mrs. Hempfling seconded the motion.

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:17 p.m.

APPROVED

Chairman George Whitton

ATTEST:

Michael D. Schwartz
Planner