

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
APRIL 13, 2022
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 due to the threats to public health presented by the novel coronavirus (COVID 19) pandemic.

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

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS NOT PRESENT:

Mr. Bill Weltzer

STAFF MEMBERS PRESENT:

Mr. Michael Schwartz, Director, Zoning Services

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 March 9, 2022. He asked if there were any other comments or corrections. There were none. Mr. Vaught-Hall moved to approve the minutes. Vice-Chairman Miller seconded the motion. Chairman Whitton called for the vote and it carried unanimously.

ACTION ON REVIEWS

1. Request of Holland Design + Construction, per Dustin Pierce, on behalf of Holland Dixie Development, LLC, for Variances to: (1) to reduce the minimum buffer yard width along the west property line from twenty (20) feet (Buffer Yard B) to two (2) feet; and (2) to reduce the minimum buffer yard width along the south property line from twenty (20) feet

(Buffer Yard B) to ten (10) feet (Buffer Yard A). The approximate 1.57 acre parcel is located at 8000 Dixie Highway and 7305 Industrial Road, Boone County, Kentucky and is zoned Commercial two (C-2).

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 why the staff report included suggested conditions regarding the landscaping along the north and east property lines when the requested variances pertain to the south and west property lines. Mr. Schwartz replied that since the application included a landscape plan, staff wanted to make sure that there was no possibility of someone interpreting that the Board was approving the landscape plan, even though it did not meet the requirements of the zoning regulations.

Chairman Whitton asked if the applicant wanted to address the Board.

Mr. Dustin Pierce stated that he did receive the staff comments earlier in the day and that the applicant is aware that the landscape plan is not part of this approval.

Mr. Patrick Moone stated that they have been in communication with KYTC and they understand that access to Dixie Highway and Industrial Road will be with the approval of KYTC.

Vice-Chairman Miller asked if the applicant would agree to the two suggested conditions contained within the staff report.

Mr. Pierce stated that they had attempted to provide a hybrid approach to the landscaping along Dixie Highway and Industrial Road.

Mr. Schwartz suggested that the two suggested conditions be reworded to allow for a waiver pursuant to the landscape regulations.

Mr. Pierce stated that the applicant would agree with the revised two conditions.

Mr. Brian Dunham stated that the site is unique being adjacent to a water tower, an electrical sub-station, and a railroad line. He stated that due to these circumstances, the requested variances are appropriate.

Chairman Whitton asked if there was anyone present 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 Miller made a motion to approve the Variances subject to the following

conditions:

1. The required landscaping material for a Buffer Yard A shall be provided along the north property line, unless a waiver is granted by the Zoning Administrator, as allowed by the landscape requirements of the zoning regulations.
2. The required landscaping material for a Buffer Yard A shall be provided along the east property line, unless a waiver is granted by the Zoning Administrator, as allowed by the landscape requirements of the zoning regulations.

Mr. Vaught-Hall seconded the motion.

Chairman Whitton called for the vote and it carried unanimously.

2. Request of Scott Keairns for a Variance to reduce the minimum required front yard setback from eighty (80) feet to thirty-three (33) feet in order to have a building addition and covered porch onto an existing single-family dwelling. The approximate 5.3 acre parcel is located at 419 Botts Lane, Boone County, Kentucky and is zoned Agricultural One (A-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. Scott Keairns stated that he had nothing more to add and that he was present to answer any questions.

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

Chairman Whitton asked if there was anyone present 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.

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

Chairman Whitton called for the vote and it carried unanimously.

OTHER

Mr. Schwartz reminded the Board that there would be a special meeting of the Board on Wednesday, April 20, 2022 at 6:00 pm and that the meeting would be held virtually.

ADJOURNMENT

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

Chairman Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:24 p.m.

APPROVED

Chairman George Whitton

ATTEST:

Michael D. Schwartz
Director, Zoning Services