

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
February 26, 2024
6:00 P.M.**

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

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS NOT PRESENT:

Mr. George Whitton, Chairman

STAFF MEMBERS PRESENT:

Mr. Michael Schwartz, Director, Zoning Services

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

APPROVAL OF MINUTES

Vice-Chairman Estes stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of January 10, 2024. He asked if there were any other comments or corrections. Mrs. Poston moved to approve the minutes and Mr. Volland seconded the motion. Vice-Chairman Estes called for the vote and it carried unanimously.

ACTION ON REVIEWS

1. Request of Steven Bingle for a Variance reducing the minimum front yard setback from four hundred twenty-seven (427) feet to one hundred four (104) feet. The approximate 38.6 acre parcel is located at 11952 Gum Branch Road and the property having a Parcel Identification Number (PIDN) of 031.00-00-019.00, Boone County, Kentucky and is zoned Rural Suburban Estates/Small Community (RSE/SC).

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

Vice-Chairman Estes asked the Board if they had any questions for staff.

Mrs. Poston asked how did the Small Community Overlay get on the property.

Mr. Schwartz replied that it has been there since 1980.

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

Mr. Steven Bingle stated that the proposed location for the house makes the most sense and that it is in line with other houses in the area.

Vice-Chairman Estes asked if there was anybody else in attendance that wanted to speak to this issue.

Mr. Robert Hensy stated that he previously owned the one-acre lot and has since signed it over to his stepson. He stated that now, both lots are in common ownership. He stated that the house that was on the site had burned down.

Mr. Bingle stated that the new house to be built will be in essentially the same location as the previous house that has since burned down.

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

Mrs. Poston made a motion to approve the Variance subject to the condition that the two lots that comprise the site shall be consolidated into a single lot. Vice-Chairman Estes seconded the motion.

Vice-Chairman Estes called for the vote which passed unanimously.

2. Request of Roy Smith for a Variance reducing the minimum street frontage of a lot from one hundred (100) feet to 95.67 feet. The approximate 2.8 acre parcel is located at 1276 North Bend Road, Boone County, Kentucky and is zoned Rural Suburban Estates (RSE) and Suburban Residential One (SR-1).

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

Vice-Chairman Estes asked the Board if they had any questions for staff. There were none.

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

Mr. Roy Smith stated that they want to create a new lot for one single-family dwelling and that they would provide for a new driveway through the new flag stem. He stated that there is an existing apron to accommodate the new driveway. He stated that the new driveway would be a shared driveway serving the existing house and the new house. He stated that the new division of land will also provide for the proper setbacks for the existing

house. He stated that the Variance is needed because he cannot get public sewer service to the site, which would have allowed for a minimum eighty (80) foot road frontage.

Vice-Chairman Estes asked if there was anybody else in attendance that wanted to speak to this issue.

Mr. Larry Barnes stated that the existing driveway serves his existing house and he got the State to provide for a widened apron that would serve his property and the site in question. He stated that he has spoken to the applicant and that they both understand that vehicles accessing the two separate driveways will encroach on each other's property at the entrance. He stated that he and the applicant will have their individual driveways. He stated that the new driveway will only serve two residences.

Mrs. Poston asked if the two driveways will be parallel to one another.

Mr. Schwartz replied that at the entrance, the two driveways will share a common apron and then the driveways will parallel one another for a distance, before the new driveway veers off to serve the new house.

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

Mr. Volland made a motion to approve the proposed Variance. Mrs. Poston seconded the motion.

Vice-Chairman Estes called for the vote which passed unanimously.

3. Request of Ryan Littrell on behalf of NS Burlington LLC for a Conditional Use Permit to allow the existing building to be used for a personal training/fitness center. The approximate 0.34 acre parcel is located at 2901 Washington Street, Boone County, Kentucky and is zoned Suburban Residential Two/Small Community Overlay (SR-2/SC).

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

Vice-Chairman Estes asked the Board if they had any questions for staff. There were none.

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

Mr. Ryan Littrell stated that he wants to operate a personal training facility from the site and that there is an existing apartment within the building that he will occupy. He stated that while the building looks large, the apartment will take up some space and that there will also be a storage area and office, leaving a smaller space for the actual training and fitness area.

Vice-Chairman Estes asked if the training was one-on-one or would there be others in the training area as well.

Mr. Littrell stated that while he does on-on-one training, there would probably be no more than ten people in the facility at any one time.

Vice-Chairman Estes asked if there was anybody else in attendance that wanted to speak to this issue.

Ms. Ruth Kirkpatrick stated that her parents own the property next door to the site and that her grandmother has a garage adjacent to the site. She stated that she is representing the family's interest. She stated that she has known the applicant for a long time and has no problem with the request.

Ms. Paula McPeek stated that she is a client of the applicant and stated that he does a wonderful job with all age groups.

Vice-Chairman Estes asked if there was any further discussion.

Vice-Chairman Estes asked if the suggested condition was necessary and will this be a requirement for a permit.

Mr. Schwartz replied that staff will check the parking requirements as part of a Tenant Finish permit.

Vice-Chairman Estes asked if the Board wanted to make a motion.

Mrs. Poston made a motion to approve the proposed Conditional Use Permit. Mr. Volland seconded the motion.

Vice-Chairman Estes called for the vote which passed unanimously.

4. Request of Clarisey-Frank Architecture, per Terry Frank, on behalf of Corken Steel Products Company, per Kevin Navin, for a Variance reducing the Buffer Yard A width from ten (10) feet to zero (0) feet along a portion of the north property line. The approximate 13.1 acre parcel is located at 7910-7920 Kentucky Drive, Boone County, Kentucky and is zoned Rural Suburban Estates (RSE) and Industrial Two (I-2).

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

Vice-Chairman Estes asked the Board if they had any questions for staff.

Mr. Volland asked how the proposal will affect drainage.

Mr. Schwartz replied that since there is very little new impervious surface area being created, there will be very little new stormwater runoff. Additionally, the new parking lot

will be provided with catch basins that will drain to the existing detention facility on the site. He stated that the new parking area will be below the elevation of the adjacent property.

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

Mr. Terry Frank stated that Corken Steel is growing and needs the building addition to accommodate their growth. He stated that all the new stormwater runoff will be directed to the existing detention basin located in the northwest portion of the site.

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

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

Vice-Chairman Estes made a motion to approve the proposed Variance. Mrs. Poston seconded the motion.

Vice-Chairman Estes called for the vote which passed unanimously.

OTHER

None

ADJOURNMENT

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

Vice-Chairman Estes called for the vote and the meeting was adjourned by unanimous consent at 6:41 p.m.

APPROVED

Chairman George Whitton

ATTEST:

Michael D. Schwartz
Director, Zoning Services