

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION

RECEIVED  
FEB 16 2000

BOONE COUNTY  
PLANNING COMMISSION

See Boone County Zoning Regulations  
**SECTION A** (To be completed by applicant)

- 1. (Check One)  
 Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- 2. (Check One)  
\_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
- 3. Applicant's Name John C. Suhar (Agent)  
Phone Number (513) 984-1244 Fax No. (513) 984-4468  
Applicant's Address 6507 Stewart Road  
Cincinnati, Ohio 45236
- 4. Description of Request: Parcel #2, reduce minimum frontage from 150LF to 131LF ADD trees & shrubs; reduce landscape width between Parcels 2 & 3 at south side only from 20LF without trees & shrubs to 10LF with trees & shrubs. Parcel #3, reduce minimum frontage from (see below)
- 5. Name of Development A 65 Unit Motel; 51,500 SF Self Storage
- 6. Location of Development Parcel #2 & #3, Northside Dr. @ KY 237, Hebron Kentucky
- 7. Acreage Under Review Parcel #2 1.45, Parcel #3 4.39
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
\_\_\_\_\_
- 9. Owner of Property The Delta Group  
Phone Number of Owner (513) 321-3731 10.  
Address of Property Owner 4242 Airport Road, Cincinnati OH 45226
- 11. Proposed Use(s) on Site Site is vacant.
- 12. Total Square Footage of Existing and/or Proposed Buildings 36,000 & 51,500
- 13. Current Zoning on Property I-1
- 14. Deed Book 755 Page No. 177 Group No. 208
- 15. Is the site subject to a zone change? No  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? Yes
- 17. Have you submitted a list of adjoining property owners with this request? Yes
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: John C. Suhar, NCARB  
(Agent)

Property Owner's Signature: Chris Shannon  
(Owner)

-cont.- 150LF to 80LF, ADD trees & shrubs.

(over)

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

**SECTION B** (To be completed by the Boone County Planning Commission Staff)

1. Date Received 2-16-00 Fee Received \$ 514.00 AA 23205  
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No  
3. Staff Reviewer \_\_\_\_\_  
4. Scheduled Board Action Date \_\_\_\_\_  
5. Board Action:  
\_\_\_\_\_ **Approved**  
\_\_\_\_\_ **Approved with Conditions (See #6)**  
\_\_\_\_\_ **Denial (See #7)**  
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(606) 334-2196 Phone  
(606) 334-2264 Fax**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

**BCPC: 11/96**

**Adjoining Property Owners**

- The Delta Group  
4242 Airport Road  
Cincinnati, OH 45226                      Attn: Chris Shannon                      (513) 321-3731
- Burlington Realty Development  
5991 Carlton Drive  
Burlington, KY 41005                      Attn: Bob Kirby                      (606) 586-7734
- Pilot Contracting Corp.  
1452 Donaldson Highway  
Erlanger, KY 41018                      Attn: Mike Schleper                      (606) 525-8585

## STAFF REPORT

**APPLICANT:** John C. Suhar  
**LOCATION:** Lot 2 & 3, Northside Drive, Boone County, Kentucky  
**ZONING:** Industrial One (I-1)  
**DATE:** March 8, 2000

### Proposal

The applicant is requesting multiple Variances to allow reductions of dimensional requirements on Lots 2 & 3 on Northside Drive, Boone County, Kentucky. The Boone County Zoning Regulations require a minimum 150 feet of lot frontage in the Industrial One (I-1) zoning district. The request is to reduce the lot frontage on Lot 2 to 131 feet and on Lot 3 to 80 feet to accommodate an office near the street for the proposed storage facility already approved. The proposed plan would also require that the two properties share a 10 foot buffer yard along the common lot line.

### History

Lot 2 had a Conditional Use Permit approved in January of this year to allow a 65 unit motel. Currently, no site plan has been submitted for the site.

Lot 3 has had a Major Site Plan approved for a self storage facility. Any changes to the currently approved plan will require a Revised Site Plan review.

### Action by Board of Adjustment and Zoning Appeals

The Board of Adjustment and Zoning Appeals has the power to hear and decide on applications for Variances. A Variance is defined as a departure from dimensional terms of the zoning regulation pertaining to height, width, or location of structures, and the size of open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.247.

Variances are appropriate by reason of exceptional narrowness, shallowness, or unusual shape of a site on the effective date of the zoning regulations or amendment thereof or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of the site. The literal enforcement of the above dimensional terms of the zoning regulation would deprive the applicant of a reasonable capacity to make use of the land in a manner equivalent to the use permitted other land owners in the same zone. The

dimensional terms pertaining to height, width, and location involve such items as structures, parking space stalls, driveway aisles, and landscaped buffers and signs. Lot frontages, the size of yards, and open spaces refer to minimum yard dimensions such as building setbacks.

### Staff Comments

1. Staff questions if there is an extraordinary situation or condition of the site that creates a hardship where a Variance would be appropriate. Particularly when considering the amount of remaining vacant land owned by the applicant.
2. Should the Variances be approved, the self storage facility will require a Revised Site Plan review.
3. Although the proposed uses either are principally permitted or have an approved Conditional Use Permit, Staff feels the proposed design may create a structurally crowded environment that lot frontage requirements are designed to prevent.

### Conclusion

K.R.S. 100.241 gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for Variances to reduce the lot frontage requirements at Lot 2 & 3, Northside Drive, Hebron, Kentucky. The applicant's proposal must be determined by the criteria listed in K.R.S. 100.241 to 100.247.

Respectfully Submitted,

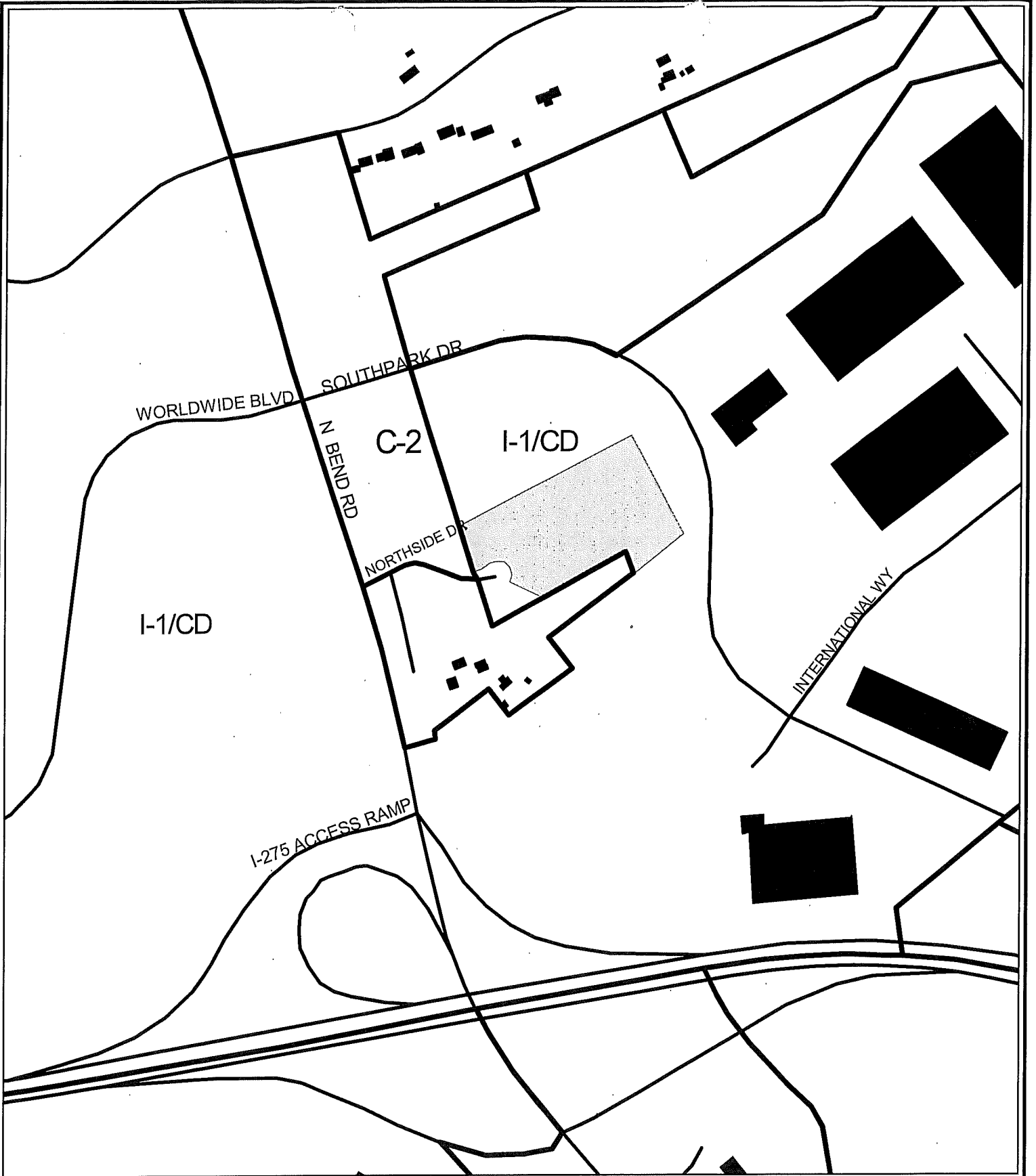


Mike Homer  
Planner

MH\pr

### Attachments

- Vicinity/Zoning Map
- Plot Plan
- Variance Application Form



# Vicinity/Zoning Map

## Lot 2 & 3, Northside Drive

500 0 500 Feet

1 inch equals 500 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 February 25, 2000





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Applicant's Signature: John C. Suhar (Agent) NCARB

Property Owner's Signature: Chris Shannon (Owner)

-cont.- 150LF to 80LF, ADD trees & shrubs.

(over)

COPY

CLUR #00-BCBOA-012-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

The Delta Group  
4242 Airport Road  
Cincinnati, OH 45226

2. ADDRESS OF PROPERTY

Northside Drive  
Hebron, KY 41048

3. NAME OF SUBDIVISION OR  
DEVELOPMENT (if applicable)

\_\_\_\_\_

4. DEED BOOK 755

PAGE NO. 177

GROUP NO. 2008

5. TYPE OF RESTRICTION(S) (Check all that apply)

\_\_\_ Zoning Map Amendment:  
From \_\_\_ To \_\_\_

\_\_\_ Conditional Use Permit

\_\_\_ Development Plan

\_\_\_ Conditional Zoning

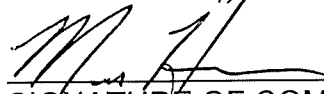
\_\_\_ Subdivision Plat  
(Not Recorded)

\_\_\_ Other:

X Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT,  
LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL  
RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005



\_\_\_\_\_  
SIGNATURE OF COMPLETING OFFICIAL

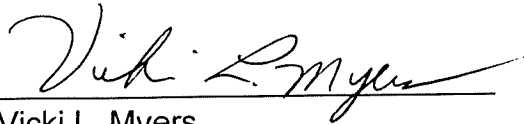
Mike Homer, Planner, Zoning Services

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

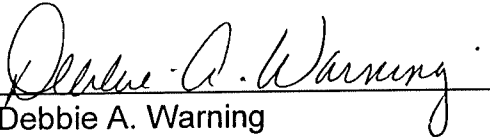
Subscribed, sworn to, and acknowledged before me by Mike Homer on behalf of the  
Boone County Planning Commission this 16 day of March, 2000.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of March 8, 2000 Certificate of Land Use Restriction (#00-BCBOA-012-A), for The Delta Group Property Owner(s).

The following conditions will apply:

No conditions.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 755

PAGE NO. 177

GROUP NO. 2008