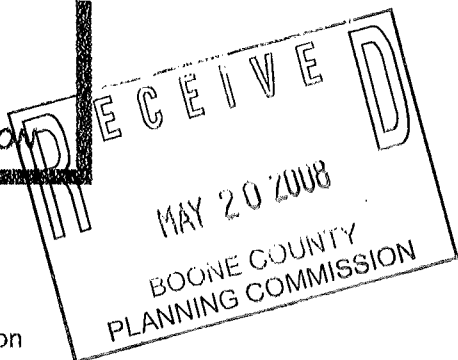


APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
- 1.  Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- (Check One)
- 2. \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use
- 3. Applicant's Name Bosch Property Management, LLC  
Phone Number 859-240-4045 Fax No. \_\_\_\_\_  
Applicant's Address 3110 Hudnall Lane  
Edgewood KY 41017  
City State Zip
- 4. Description of Request: Change in front year requirement to 40'
- 5. Name of Development Bosch Self-Storage
- 6. Location of Development Ariens Drive
- 7. Acreage Under Review 2.3 Acres
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
Lot 4 Phase E T&G Subdivision
- 9. Owner of Property Eddie Turner & Ronald & Mary Lou Garnett  
Address of Property Owner 2130 Treetop Lane Phone No. \_\_\_\_\_  
Hebron KY 41048  
City State Zip
- 10. \_\_\_\_\_
- 11. Proposed Use(s) on Site Self - Storage Units
- 12. Total Square Footage of Existing and/or Proposed Buildings 28,200 sq. ft.
- 13. Current Zoning on Property I-1
- 14. Deed Book 278 Page No. 255 Group No. ~~400~~ 2010
- 15. Is the site subject to a zone change? N/A  
If yes, give date of approval N/A
- 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: [Signature]

Property Owner's Signature: Tanner + Garnett Partnerships  
Ronald E. Garnett, Partner

(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 5-20-08 Fee Received \$932<sup>00</sup> R.H. Skyles
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
 Approved  
 6/11/08 Approved with Conditions (See #6)  
 Denial (See #7)
6. Conditions of Approval: SEE 6/11/08 B.C.B.O.A. MEETING MINUTES + C.L.U.R.
7. Reasons for Denial: \_\_\_\_\_

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page

**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.

## STAFF REPORT

APPLICANT: Bosch Property Management

LOCATION: Lot 4, T & G Subdivision, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: June 11, 2008

### Proposal

The applicant is requesting a Variance to allow three (3) mini storage warehouse buildings to encroach into the 50' front yard setback. The submitted plan shows that the front yard setback for the three buildings would be reduced from 50' to 40' feet. The subject property is lot 4 of T & G Subdivision and is zoned Industrial One (I-1).

### Applicable Regulations

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
  - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
  - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Section 1131 of the Zoning Regulations principally permits mini-warehouses in the I-1 zone.

Table 31.1 of the Zoning Regulations indicates that the setback requirements in an Industrial One (I-1) zone are 50' front, 50' rear when adjoining a residential zone, 10' sides when adjoining non-residential zones, and 50' sides when adjoining residential zones.

Section 3720 of the Zoning Regulations indicates that a street frontage buffer will need to be installed along the eastern property line when the property develops. A street frontage buffer can be minimum of 10' in width with 3 large trees or 5 small trees and 20 shrubs per 100 linear feet.

Section 3745 of the Zoning Regulations indicates that Buffer Yard C will be required along the northern and western property lines when the subject property develops. Buffer Yard C is 25' wide and contains 8 evergreen trees and 4 large, medium, or small trees per 100 linear feet.

#### Site Characteristics

The approximate 2.335 acre property fronts on Ariens Drive and is currently undeveloped. The topography of the parcel falls from approximately 870' above sea level at the southeast property corner to approximately 850' above sea level at the northwest property corner. The northern and western portions of the property are heavily wooded with deciduous trees.

#### Adjoining Properties and Zoning

- North: Single-Family Residential Dwellings Fronting on Hilliard Drive (SR-2)
- South: Bosch Property Management (I-1/PD)
- East: Ariens Drive, The Antique Auto Shop, Lot 3 of T & G Subdivision (I-1)
- West: Single-Family Residential Dwellings Fronting on Dacey Court (SR-2)

#### Staff Comments

1. The Concept Plan shows that four storage buildings, with a gross floor area of 28,200 square feet, are proposed on the site.

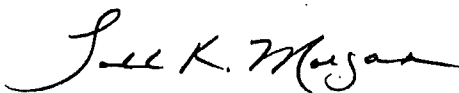
Building 1 - 40' x 190' (7,600 square feet); Proposed 40' Front Yard Setback  
Building 2 - 40' x 200' (8,000 square feet); Proposed 40' Front Yard Setback  
Building 3 - 40' x 230' (9,200 square feet); Proposed 40' Front Yard Setback  
Building 4 - 20' x 170' (3,400 square feet); Meets 50' Front Yard Setback

2. Staff has the following questions for the applicant:
  - A. What are the proposed building heights and building materials?
  - B. Is any outside storage being proposed?
  - C. Can the buildings be reduced so that the front yard setback variances are not necessary?
3. Hebron Fire Protection District has provided a letter regarding the subject application (see attachments). The letter expresses concerns about accessibility to the site if it were to be developed as proposed. A more thorough review will be conducted when Site Plan and Commercial Building Permits are submitted for review.
4. The Board needs to analyze the criteria listed in Section 251 of the Boone County Zoning Regulations. Staff believes that the request does not arise from special circumstances and that denial of the request would not deprive the applicant of reasonable use of the land.
5. Staff recommends the following condition if the request is approved:
  - A. No outside storage shall be permitted in the development.

#### Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

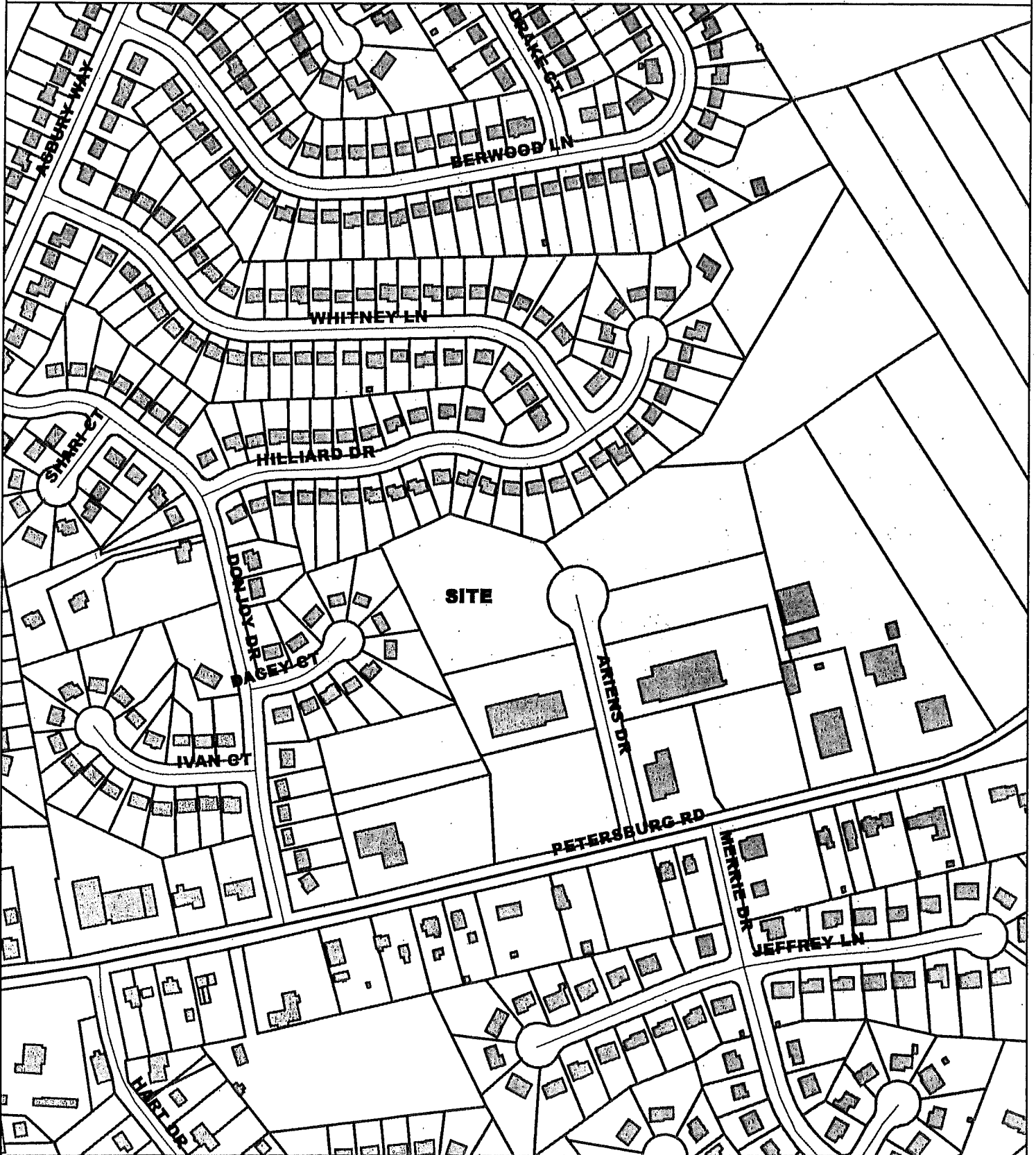
TKM/pr

#### Attachments

- \*Site Vicinity Map
- \*Conceptual Plan
- \*Letter From Hebron Fire Protection District
- \*Zoning Map
- \*Topographical Map
- \*Aerial Map
- \*Application

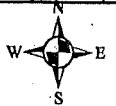
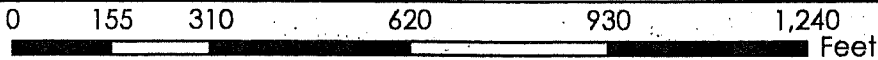
# SITE VICINITY MAP

www.boonecountygis.com

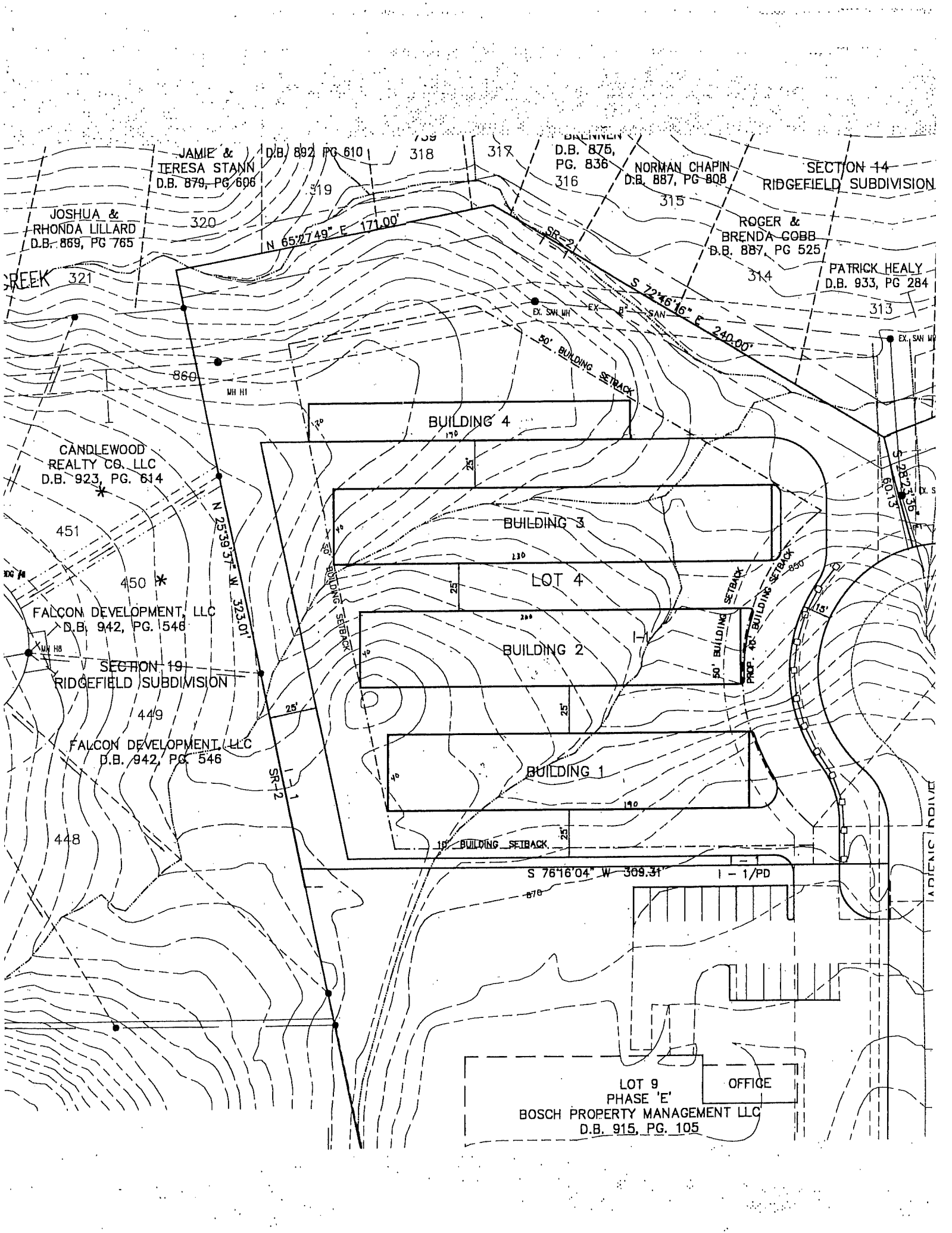


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**Boone County GIS - Putting Northern Kentucky on the Map**



JAMIE & TERESA STANK  
D.B. 879, PG. 606

JOSHUA & RHONDA LILLARD  
D.B. 869, PG. 765

CREEK 321

860  
MH HI

CANDLEWOOD REALTY CO. LLC  
D.B. 923, PG. 614

451

450 \*

FALCON DEVELOPMENT, LLC  
D.B. 942, PG. 546

SECTION 19  
RIDGEFIELD SUBDIVISION

449

FALCON DEVELOPMENT, LLC  
D.B. 942, PG. 546

448

SR-12

BUILDING 4

BUILDING 3

LOT 4

BUILDING 2

BUILDING 1

S 76°16'04" W 369.31'

SECTION 14  
RIDGEFIELD SUBDIVISION

BRETTEN  
D.B. 875,  
PG. 836

NORMAN CHAPIN  
D.B. 887, PG. 808

ROGER & BRENDA COBB  
D.B. 887, PG. 525

PATRICK HEALY  
D.B. 933, PG. 284

EX. SW UH

EX. SW UH

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LOT 9  
PHASE 'E'  
BOSCH PROPERTY MANAGEMENT LLC  
D.B. 915, PG. 105

OFFICE

ADRIENNE DRIVE



# **HEBRON**

## **Fire Protection District**

3120 North Bend Road • P.O. Box 24 • Hebron, Kentucky 41048 • (859) 586-9009

Todd Morgan  
Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005

June 3, 2008

Todd;

This letter is in reference to the proposed Bosch Self Storage Facility located on Ariens Drive in Hebron. I have reviewed the submitted Concept Plan and have the following comments on this project:

1. It appears that the proposed entrance drive configuration will adversely affect access for Fire Apparatus in the event of a fire emergency. Should a security gate be installed, as they usually are on these types of facilities, this would further limit the access drive clearance needed for Fire Apparatus access.
2. The plans show some sort of fencing between the facility and the Ariens Drive cul-de-sac which creates some concern for fire hydrant access in the event of a fire. This issue needs to be addressed with a gate or other access to the fire hydrant.
3. The proposed property and building layouts create concern for Fire Apparatus access around this facility. I have scaled the property and our fire apparatus, and there will be very limited access with the existing proposal.

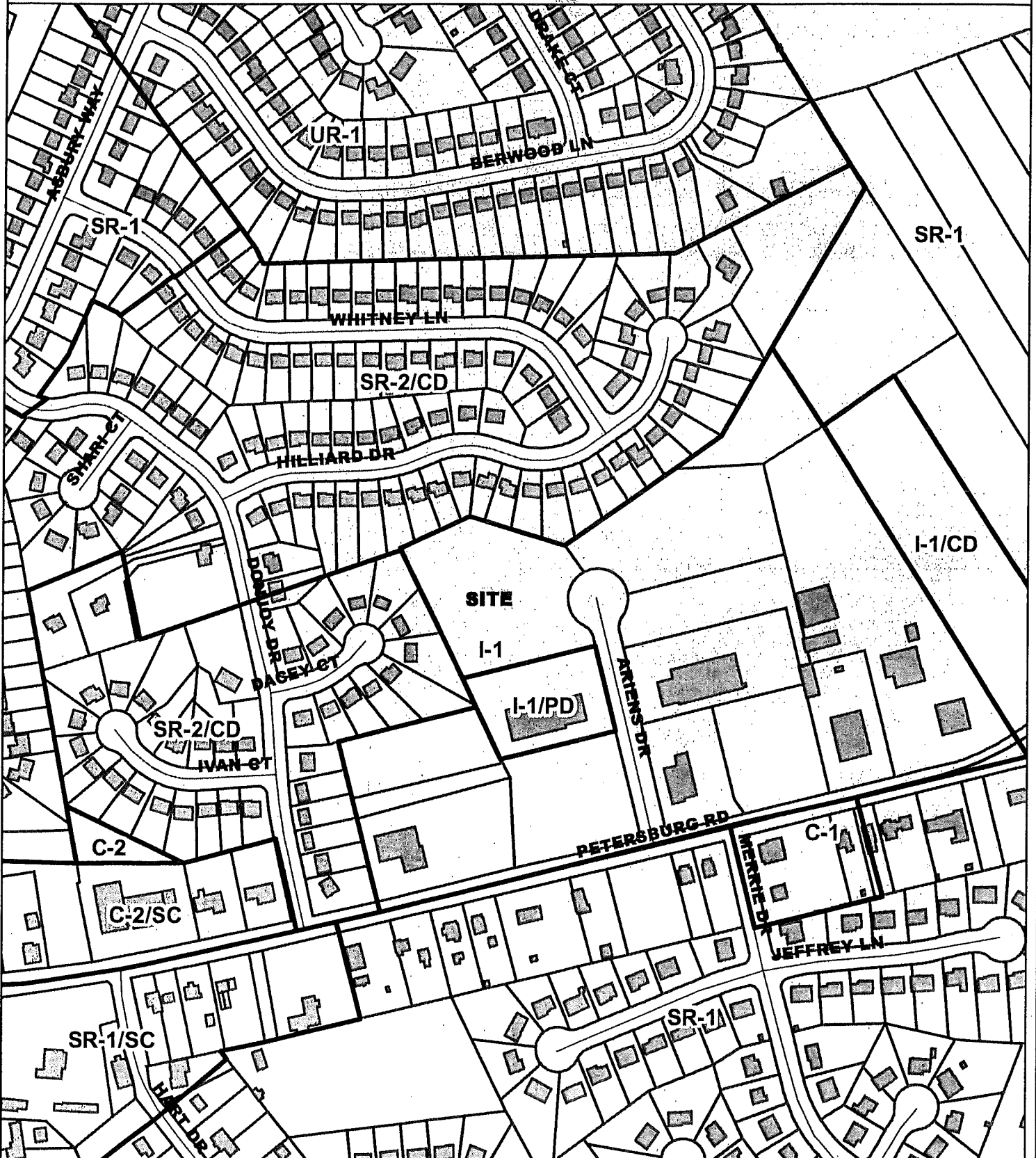
I do not believe that the proposed layout should be allowed as submitted due to the previously mentioned issues. I have no other concerns about the project with the exception of the access and water supply issues. If you have any questions or comments please feel free to contact me

Sincerely;

Assistant Chief David K. Perkins  
Hebron Fire Protection District

# ZONING MAP

www.boonecountygis.com



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0 150 300 600 900 1,200 Feet

1 inch equals 300 feet



**Boone County GIS - Putting Northern Kentucky on the Map**

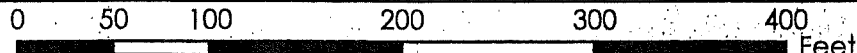
# TOPOGRAPHICAL MAP

www.boonecountygis.com



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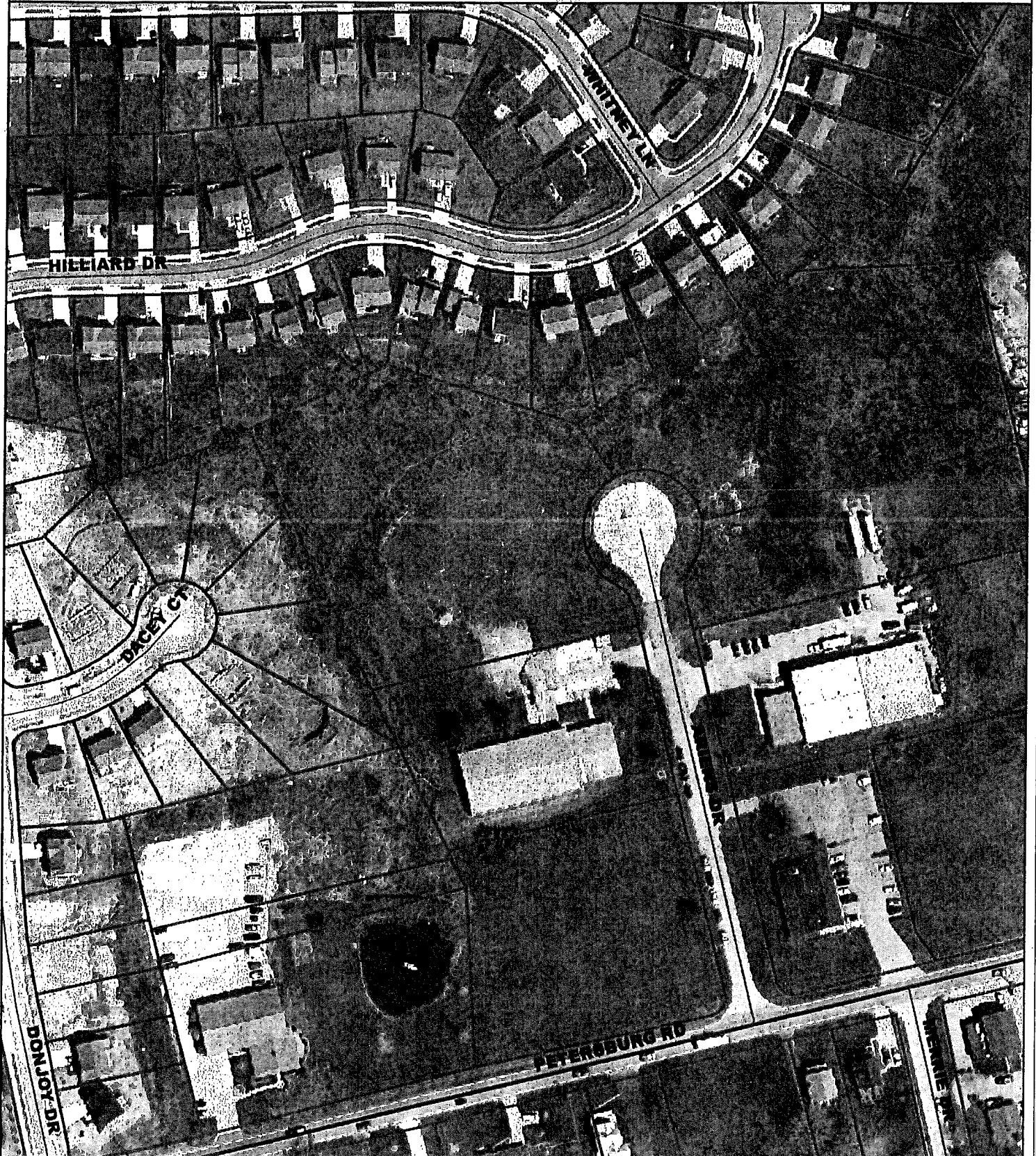
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**Boone County GIS - Putting Northern Kentucky on the Map**

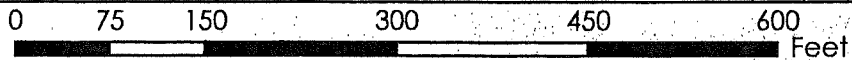
# AERIAL MAP

www.boonecountygis.com



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1 Inch equals 150 feet



**Boone County GIS - Putting Northern Kentucky on the Map**

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION

RECEIVED  
MAY 20 2008  
BOONE COUNTY  
PLANNING COMMISSION

See Boone County Zoning Regulations

**SECTION A** (To be completed by applicant)

(Check One)

1.  Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_

(Check One)

2. \_\_\_\_\_ Conditional Use Permit  \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_

\_\_\_\_\_ Change In Non-Conforming Use

3. Applicant's Name Bosch Property Management, LLC

Phone Number 859-240-4045

Fax No. \_\_\_\_\_

Applicant's Address 3110 Hudnall Lane

Edgewood

KY

41017

City

State

Zip

4. Description of Request: Change in front year requirement to 40'

5. Name of Development Bosch Self-Storage

6. Location of Development Ariens Drive

7. Acreage Under Review 2.3 Acres

8. Lot Number and Name of Subdivision (if part of a subdivision)

Lot 4 Phase E T&G Subdivision

9. Owner of Property Eddie Turner & Ronald & Mary Lou Garnett

Address of Property Owner 2130 Treetop Lane

Phone No. \_\_\_\_\_

10. Hebron

KY

41048

City

State

Zip

11. Proposed Use(s) on Site Self - Storage Units

12. Total Square Footage of Existing and/or Proposed Buildings 28,200 sq. ft.

13. Current Zoning on Property I-1

14. Deed Book 278

Page No. 255

Group No. 4156

15. Is the site subject to a zone change? N/A

If yes, give date of approval N/A

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: \_\_\_\_\_

*[Handwritten Signature]*

Property Owner's Signature: \_\_\_\_\_

*Tanner + Garnett Partnership  
Ronald E. Garnett, Partner*

(over)

COPY

CLUR #08-BCBOA-011-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Eddie Turner  
Ronald and Mary Lou Garnett  
2130 Treetop Lane  
Hebron, KY 41048

2. ADDRESS OF PROPERTY

Ariens Drive  
Boone County, KY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Bosch Self Storage

4. DEED BOOK 278

PAGE NO. 255

GROUP NO. 2010

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

Zoning Map Amendment:  
From  To

Conditional Use Permit

Development Plan

Conditional Zoning

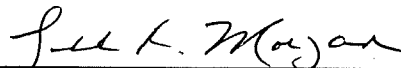
Subdivision Plat  
(Not Recorded)

Other:

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  
2950 WASHINGTON STREET, ROOM 317  
P.O. BOX 958  
BURLINGTON, KENTUCKY 41005



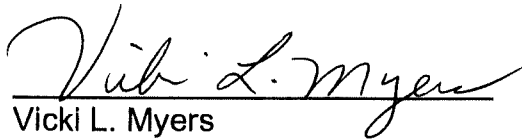
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

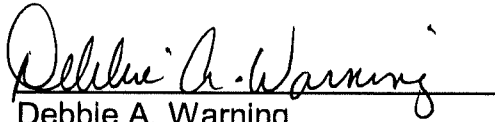
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 2 day of July, 2008.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2011

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2950 Washington Street, Room 317  
P.O. Box 958  
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 June 11, 2008 Certificate of Land Use Restriction (#08-BCBOA-011-A), for Eddie Turner and Ronald and Mary Lou Garnett, Property Owner(s).

The following conditions will apply:

- 1) No outside storage shall be permitted in the development.
- 2) No light poles or wallpacks are to be oriented toward residential dwellings.
- 3) All units are to be no more than one-story tall. There are to be no two-story units.

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

DEED BOOK 278 PAGE NO. 255 GROUP NO. 2010