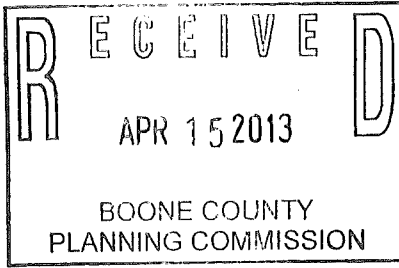


APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

- 1. [X] Boone [] Florence [] Walton [] Union

(Check One)

- 2. [] Conditional Use Permit [X] Variance [] Appeal [] Change in Non-Conforming Use

- 3. Applicant's Name JACK CAHILL
Applicant's Address 749 BUCKSHIRE GLENN DR FLORENCE KY 41042
City State Zip

- 4. Phone Number 859 372 0643 Fax No. 859-371-0643 E-Mail
Description of Request: REDUCE BUFFER VARI REQUIREMENT

- 5. Name of Development GOLF RANCH

- 6. Location of Development 5390 LIMABURG RD BULLINGTOWN KY 41005

- 7. Acreage Under Review 17.1 +/-

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

- 9. Owner of Property DOUG MARTIN
Address of Property Owner 5390 LIMABURG RD

- 10. BULLINGTOWN KY 41005
City State Zip

- 11. Phone Number 859-282-1110 Fax No. E-Mail
Proposed Use(s) on Site SPECIAL CORRAL

- 12. Total Square Footage of Existing and/or Proposed Buildings 600 SQ FT

- 13. Current Zoning on Property I-1 + RS

- 14. Deed Book 498 Page No. 205 Group No. 2026

- 15. Is the site subject to a zone change?
If yes, give date of approval

- 16. Have you submitted a Site Plan with this request?

- 17. Have you submitted a list of adjoining property owners with this request?

- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations

ORIGINAL Property Owner's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 4-15-13 Fee Received \$9300 Receipt # 40652
2. Is application complete? Yes Yes _____ No _____
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
5/8/13 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 5/8/13 BCBOA
MEETING MINUTES + CLK
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 - 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: Jack Cahill for The Golf Ranch

LOCATION: 5390 Limaburg Road, Boone County, Kentucky

ZONING: Industrial One (I-1) and Rural Suburban (RS)

DATE: May 8, 2013

PROPOSAL

The applicant has requested a variance to reduce the Buffer Yard D landscaping buffer requirement to 25' so a 20' x 30' equipment garage can be constructed on the property. The submitted plans show that the garage will be located 40' from the open tees and 25' from the northern property line. The applicant is not proposing to install any landscaping in the 25' wide landscaping buffer.

APPLICABLE REGULATIONS

Section 3605 of the Boone County Zoning Regulations states that landscaping is required on an existing site when new improvements are proposed. The landscaping is required only where new improvements are proposed.

Buffer Yard Table #1 found in Article 36 of the Boone County Zoning Regulations lists that Buffer Yard D is required when a developing property is located in an I-1 zone and adjoins a residentially zoned property.

Buffer Yard Table #2 found in Article 36 of the Boone County Zoning Regulations lists that Buffer Yard D shall require the following plantings:

80 FOOT WIDE OPTION	40 FOOT WIDE OPTION
20 evergreens from Plant List D per every 100 linear feet of buffer. Trees must be planted in a double row and be spaced 10 feet on center and	20 evergreens from Plant List D per every 100 linear feet of buffer. Trees must be planted in a double row and be spaced 10 feet on center and
11 large trees from Plant List A for every 100 linear feet of buffer and	11 large trees from Plant List A for every 100 linear feet of buffer and
40 large shrubs from Plant List C for every linear feet of buffer	20 large shrubs from Plant List C for every linear feet of buffer
No fencing, berming, or masonry wall required	A 6 foot high berm, fence, or masonry wall must be installed in the buffer.

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.

SITE CHARACTERISTICS

The approximate 17.1 acre site is located on the east side of Limaburg Road and contains a golf learning and practice facility. The facility contains a parking lot and putting, chipping, and driving ranges. Mature deciduous landscaping is located along the northern, southern, and eastern property lines.

SURROUNDING LAND USES AND ZONING

North: Single-Family Residential Dwellings Fronting on Limaburg Road (RS) and Undeveloped Property at the Terminus of Lakeland Park Drive (I-1)

South: House Fronting on Limaburg Road (RS) and 27 Acre Farm (I-1)

East: Blue Grass Recycling and Turner Plastics Fronting on Production Drive (I-1)

West: Limaburg Road, Meadowood Golf Course (SR-1/PD), and Single-Family Residential Dwelling (SR-2/PD)

STAFF COMMENTS

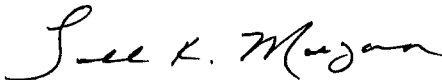
1. The subject property is split zoned RS and I-1. Buffer Yard D is required because the garage is proposed in the I-1 zone and immediately adjoins a residentially zoned property.
2. The property owner has limited options where they can place the garage because the back of the property is a golf driving range. The proposed location should keep the garage from getting hit by golf balls.

3. The applicant has submitted elevation drawings of the proposed garage (see attachments).
4. Staff would like the applicant to address which side of the garage will have the overhead door.
5. The adjoining property to the north has a mature deciduous tree line that will largely buffer the garage from view during the spring and summer months.
6. Staff does not believe the request will alter the essential character of the area.
7. Staff recommends that two evergreen trees from Plant List D should be installed between the open tees and the proposed garage.

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/dw

Attachments

- *Site Vicinity Map
- *2012 Aerial
- *2012 Aerial with Proposed Garage Location
- *Garage Plan and Elevations
- *Zoning Map
- *Application

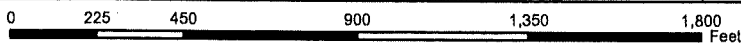
SITE VICINITY MAP

www.boonecountygis.com



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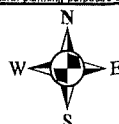
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1 inch = 500 feet

Boone County GIS

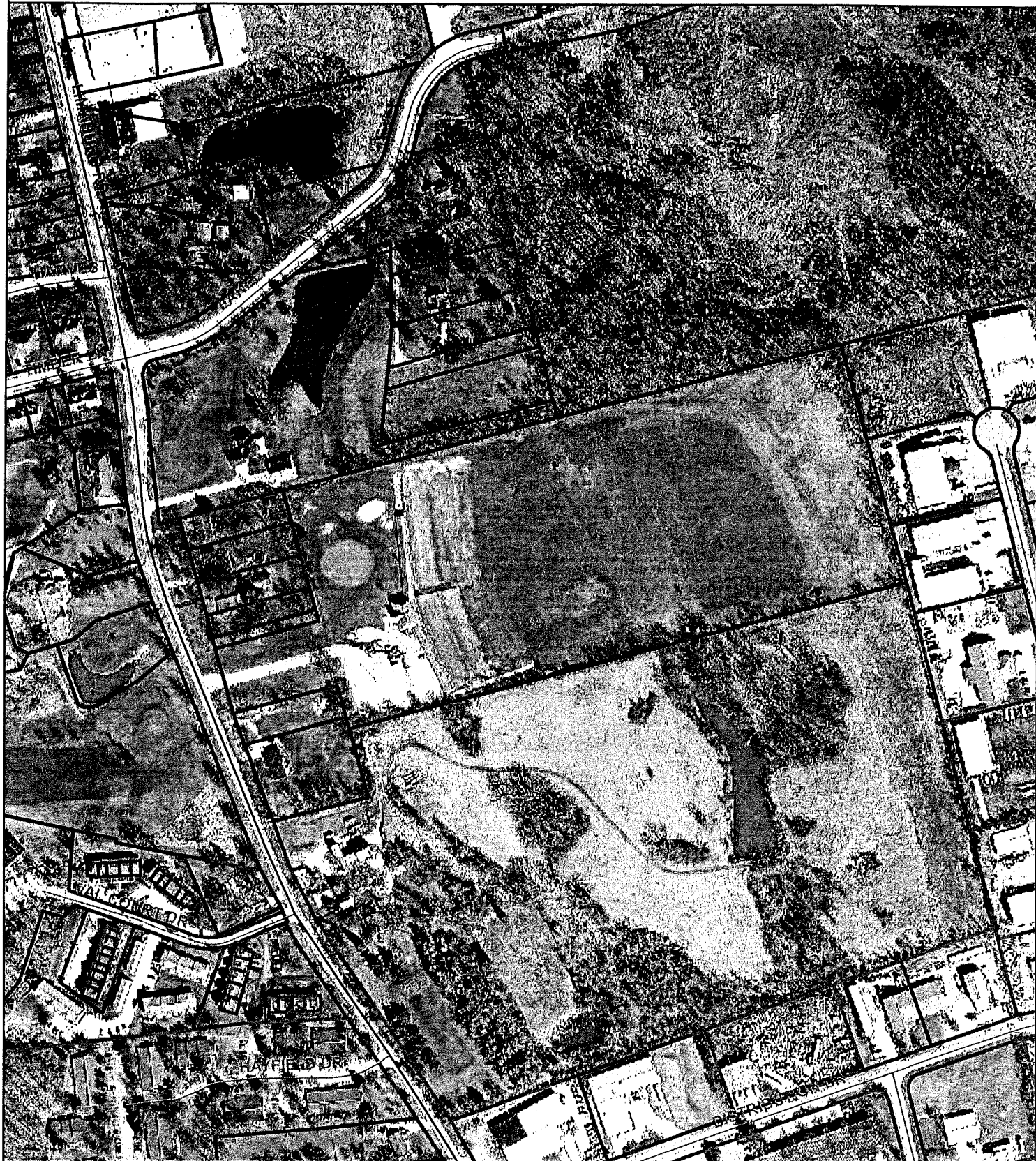
"Putting Northern Kentucky on the Map"



Map by GeoMedia 2012

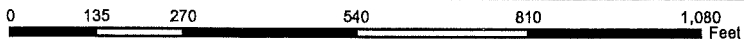
2012 AERIAL MAP

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1 inch = 300 feet

Boone County GIS

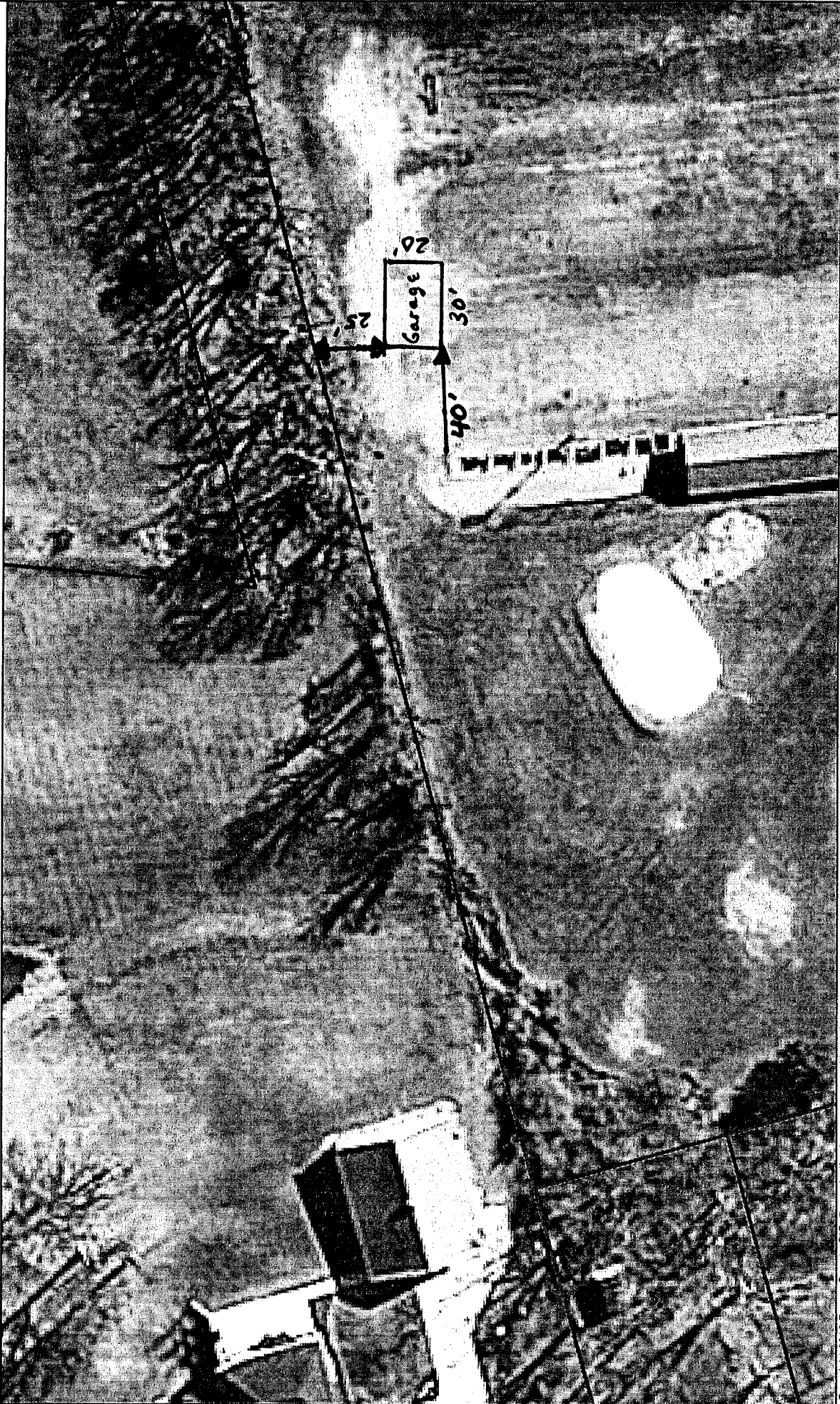
"Putting Northern Kentucky on the Map"



Boone County GIS 2012

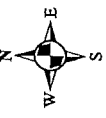
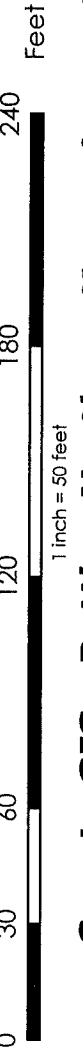
2012 AERIAL MAP

www.boonecountygis.com

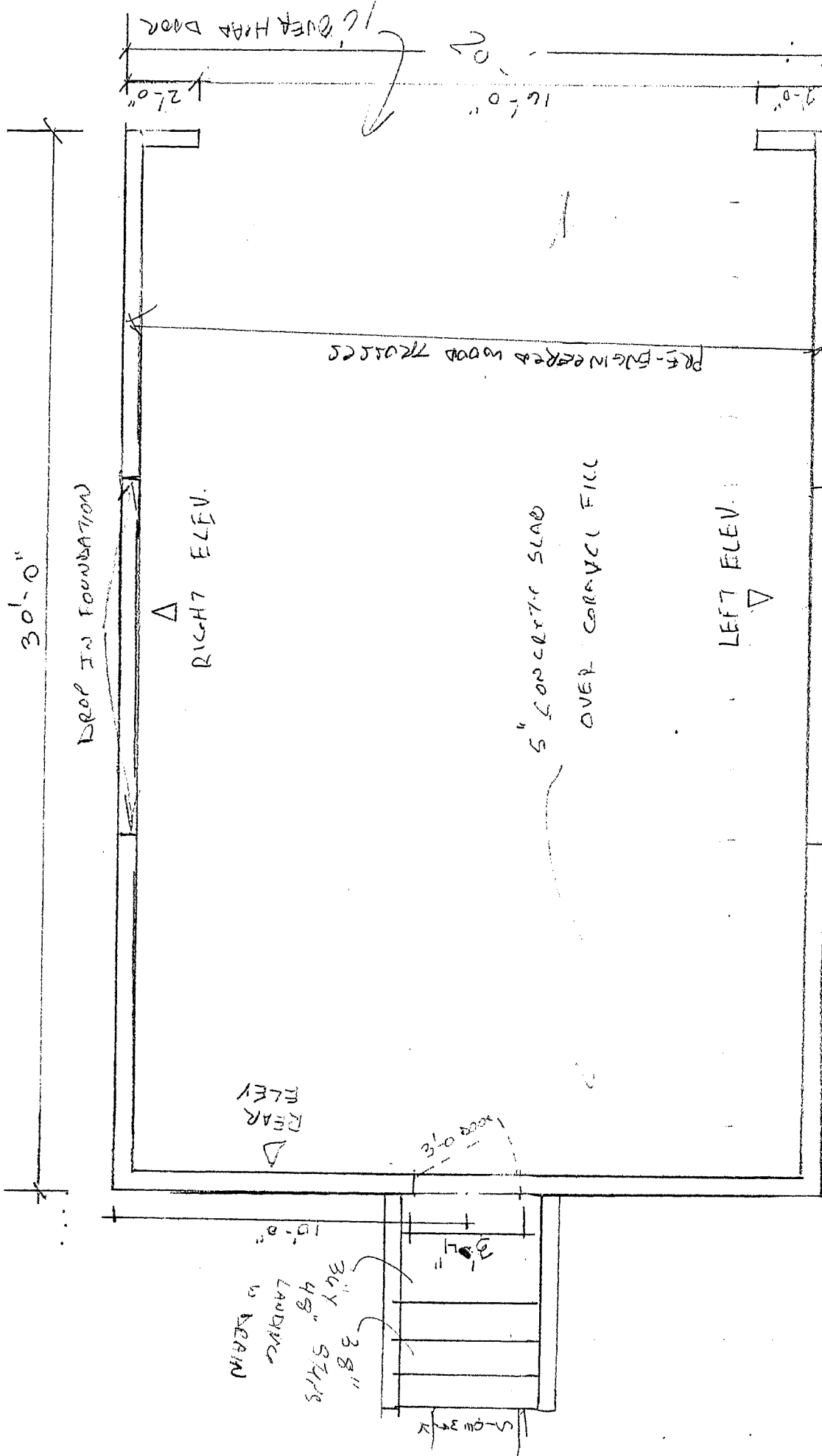


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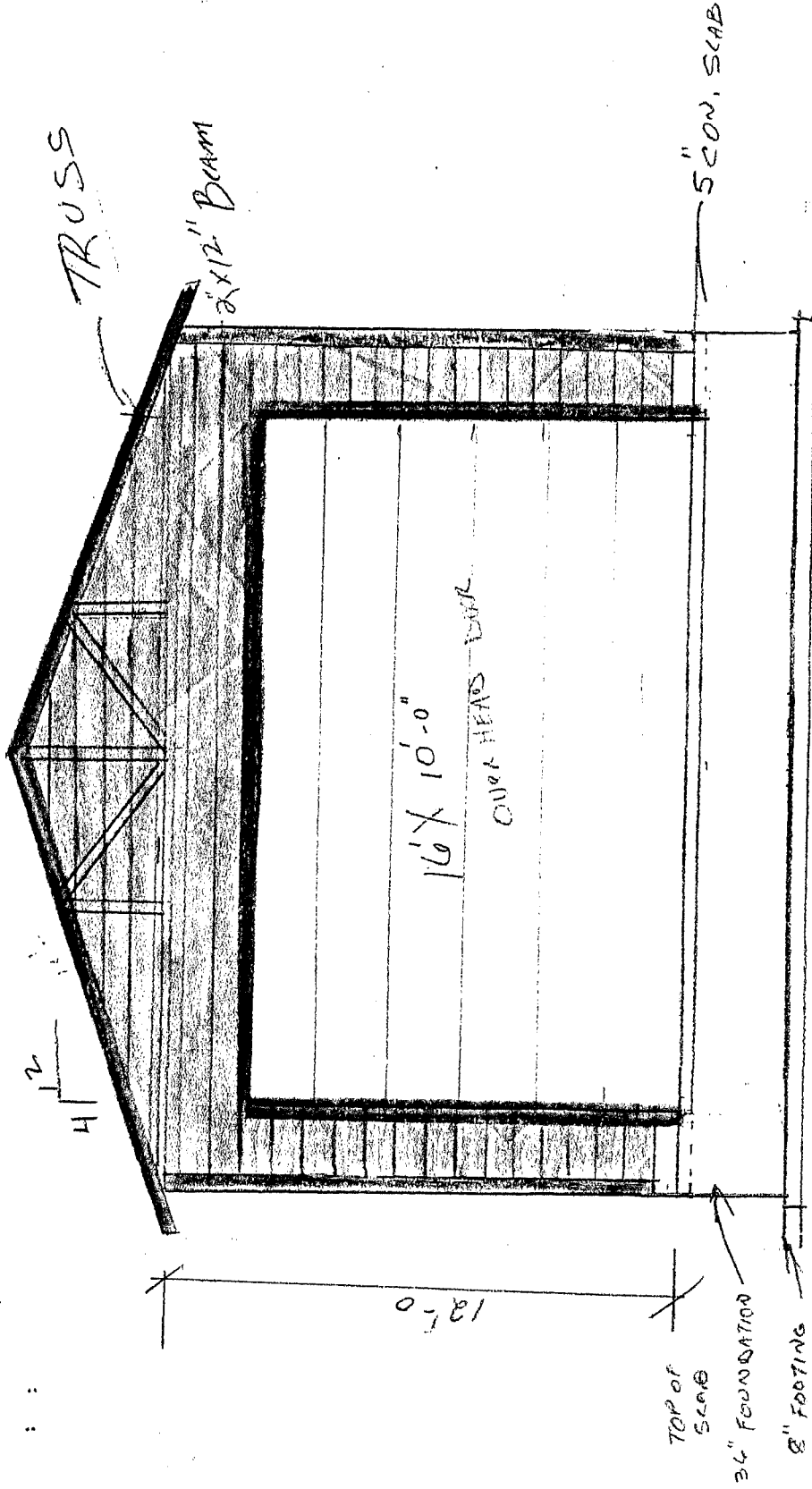


Boone County GIS - Putting Northern Kentucky on the Map

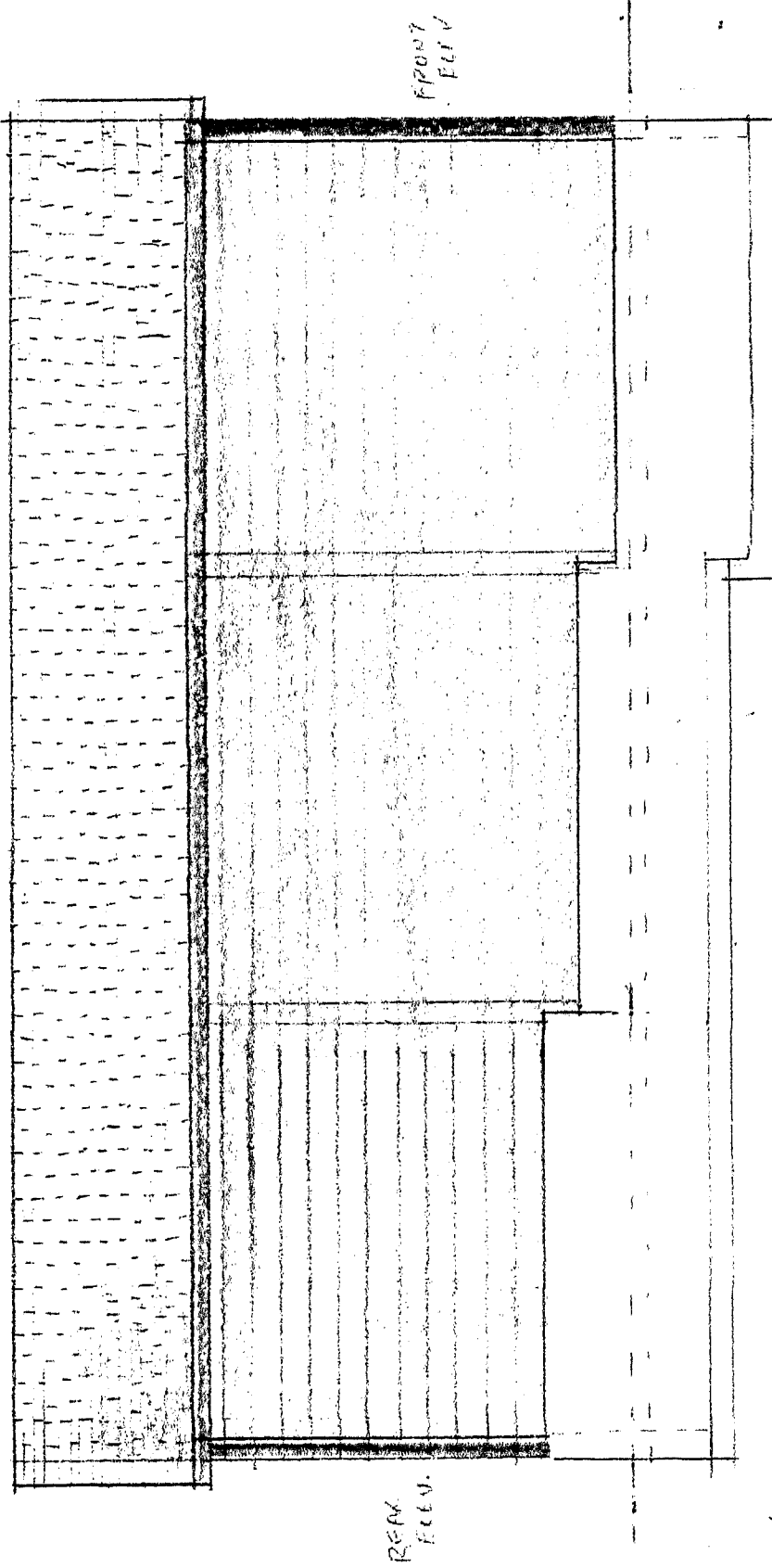


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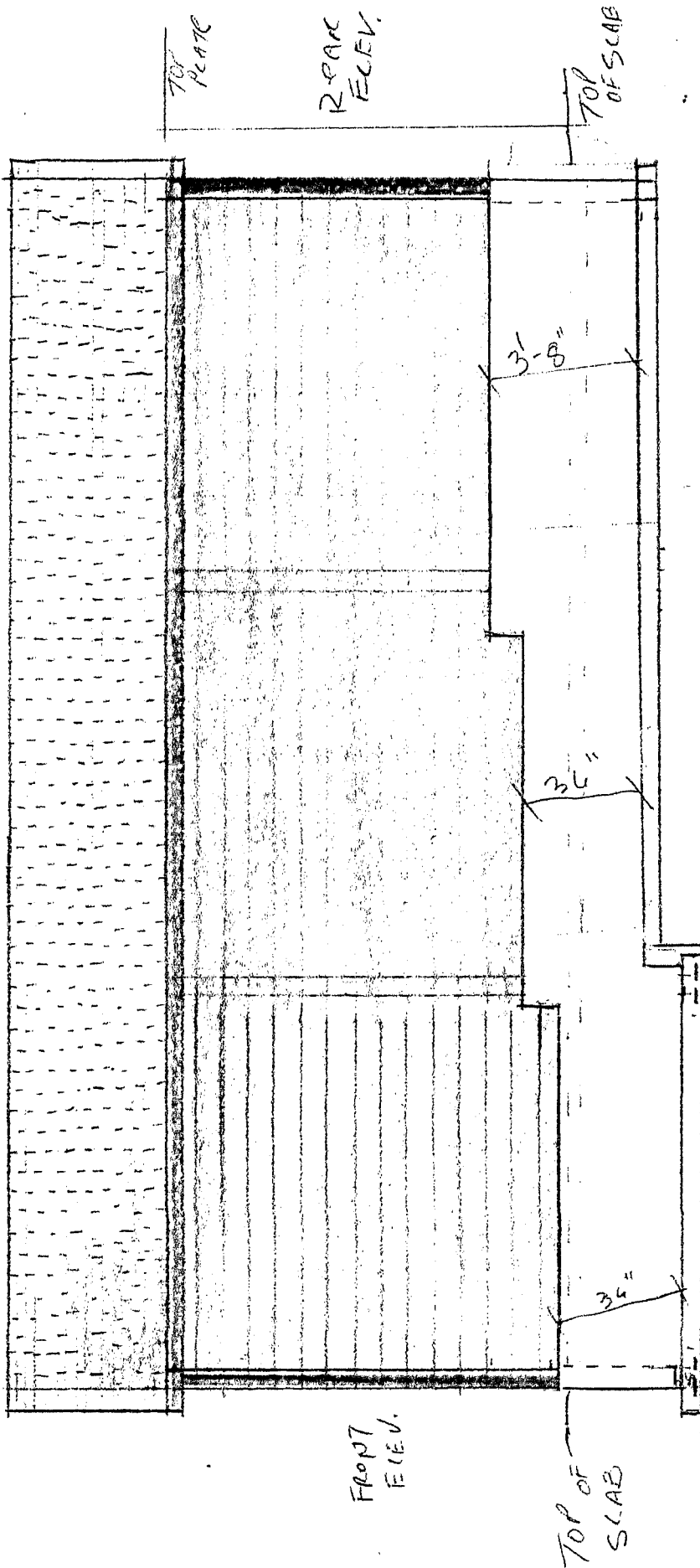
Cahill Construction P.O. Box 6026 Florence, Ky. 41042-6026 859-371-0643	The Golf Ranch 20x30 Garage	Foundation DOOR SIDE STEPS
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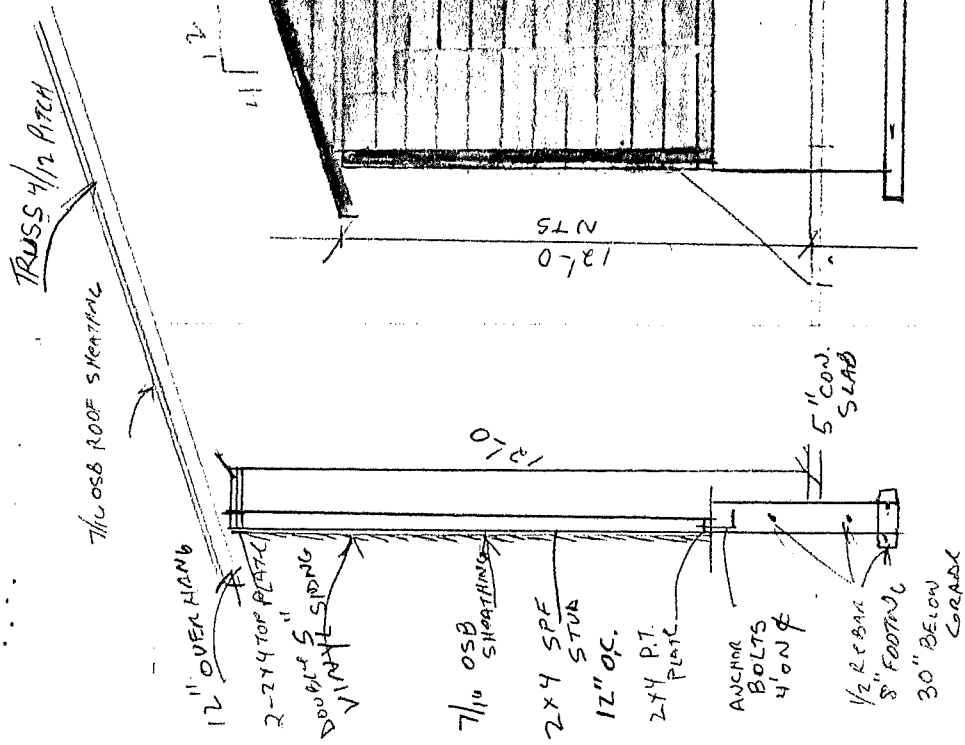
	Cahill Construction P.O. Box 6026 Florence, Ky. 41042-6026 859-371-0643	The Golf Ranch 20x30 Garage	Front Elevation	2
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	Cahill Construction P.O. Box 6026 Florence, Ky. 41042-6026 859-371-0643	The Golf Ranch 20x30 Garage	Right Elevation	3
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Cahill Construction P.O. Box 6026 Florence, Ky. 410422-6026 859-371-0643	The Golf Ranch 20x30 Garage	Left Elevation	4
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Cahill Construction P.O. Box 6026 Florence, Ky. 41042-6026 859-371-0643	The Golf Ranch 20x30 Garage	Rear Elevation	5
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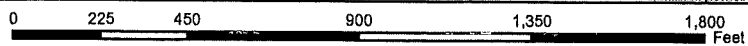
ZONING MAP

www.boonecountygis.com



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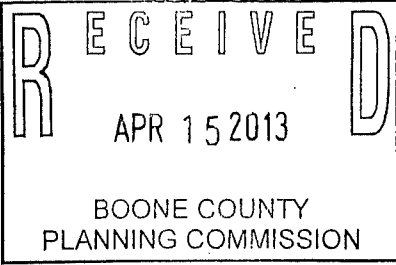
Boone County GIS

"Putting Northern Kentucky on the Map"



Boone County GIS

APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

1. [X] Boone [] Florence [] Walton [] Union

(Check One)

2. [] Conditional Use Permit [X] Variance [] Appeal [] Change in Non-Conforming Use

3. Applicant's Name JACK CARTER
Applicant's Address 749 BUCKSHIRE GLENN DR FLORENCE KY 41042
City State Zip

4. Description of Request: REDUCE BUFFER VARD REQUIREMENT

5. Name of Development GOLF RANCH

6. Location of Development 5390 LIMABURG RD BURLINGTON KY 41005

7. Acreage Under Review 17.1 +/-

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

9. Owner of Property DOUG MARTIN

10. Address of Property Owner 5390 LIMA BURG RD BURLINGTON KY 41005
City State Zip

Phone Number 859-282-1110 Fax No. E-Mail

11. Proposed Use(s) on Site STORAGE GARAGE

12. Total Square Footage of Existing and/or Proposed Buildings 600 SQ FT

13. Current Zoning on Property I-1 + RS

14. Deed Book 498 Page No. 205 Group No. 2026

15. Is the site subject to a zone change? If yes, give date of approval

16. Have you submitted a Site Plan with this request?

17. Have you submitted a list of adjoining property owners with this request?

18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Doug Martin
5390 Limaburg Rd.
Burlington, KY 41005

- 2. ADDRESS OF PROPERTY
5390 Limaburg Rd.
Burlington, KY 41005

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Golf Ranch

- 4. DEED BOOK 498 PAGE NO. 205 GROUP NO. 2026

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment: Conditional Use Permit
 From _____ To _____
 Development Plan Conditional Zoning
 Subdivision Plat Other:
 (Not Recorded)
 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

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

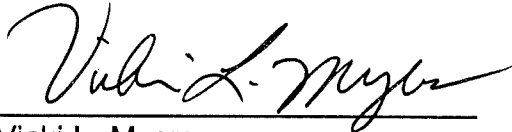
Todd K. Morgan, AICP, Senior Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

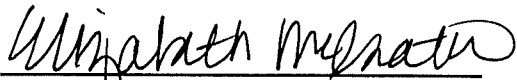
on behalf of the Boone County Planning Commission this 14th day of May, 2013.



Vicki L. Myers
Vicki L. Myers
Notary ID 438411
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2015

This instrument was prepared for recording purposes only by:



Elizabeth McGrath
Elizabeth McGrath
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 Board of Adjustments and in accordance with the current zoning in effect as of May 8, 2013 Certificate of Land Use Restriction (#13-BCBOA-011-A), for Doug Martin, Property Owner(s).

The following conditions will apply:

1. The overhead garage door shall face golf driving range (rear of the property).
2. Two evergreen trees from Plant List D shall be installed between the equipment garage and northern property line.

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

DEED BOOK 498

PAGE NO. 205

GROUP NO. 2026