

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

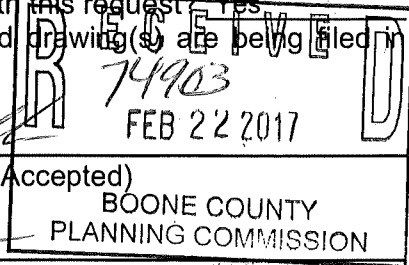
See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One) 1. X Boone ... 2. Conditional Use Permit X ... 3. Applicant's Name Bayer & Becker, Inc. - Rob Keller ... 4. Description of Request: Requesting a variance to allow fence within front yard setback ... 5. Name of Development AAA Cooper Transportation ... 6. Location of Development Lakeland Park Drive ... 7. Acreage Under Review 18.958 Ac. ... 8. Lot Number and Name of Subdivision (if part of a subdivision) N/A ... 9. Owner of Property AAA Cooper Transportation LLC ... 10. Address of Property Owner 1751 Kinsey Road ... 11. Proposed Use(s) on Site Proposed Motor Freight Terminal ... 12. Total Square Footage of Existing and/or Proposed Buildings Existing - vacant. Proposed 33,837 sf ... 13. Current Zoning on Property I-1 ... 14. Deed Book 1082 Page No. 573 Group No. 2026 ... 15. Is the site subject to a zone change? No ... 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.

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

ORIGINAL Applicant's 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 2-22-17 Fee Received \$932.00 Receipt # 14903
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
4/12/17 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: JEE 4/12/17 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: Bayer Becker for AAA Cooper Transportation

LOCATION: Future 18.958 acre lot located on the northwest side of Lakeland Park Drive and immediately to the east of 1760 Lakeland Park Drive, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: April 12, 2017

Proposal

The applicant is requesting a Variance to allow 7' tall steel security fencing to be installed within the front yard of the future AAA Cooper Transportation facility. The request is to reduce the fencing setback requirement from 50' to 15'.

Applicable Regulations

Section 3655 of the Boone County Zoning Regulations states that fencing shall be permitted within the front yard and corner side yard according to the following standards:

- a. No fence can be taller than four (4) feet. The maximum height for fences in front yard and corner side yard areas in the I-1 and I-2 zones is eight (8) feet provided the fence meets the minimum required front yard or corner side yard building setback as applicable.
- b. Fences shall be of a decorative design, (chain link, barbed wire, stock wire, chicken wire and similar type fences are not permitted) and shall be designed to have an opacity of fifty (50) percent or less.
- c. No fence can be located within a public right-of-way nor can it be located in an area which will obstruct the sight triangle for any motorist or pedestrian as defined in Article 32.

Table 31.1 of the Boone County Zoning Regulations lists the minimum front yard setback requirement in an I-1 zone as 50'.

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 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 future 18.958 acre lot will be accessed from an extension of Lakeland Park Drive. The lot is currently undeveloped and heavily wooded. Boone County GIS shows the topography of the site currently ranges from 870 feet above sea level along the north central portion of the site to 840 feet above sea level along portions of the eastern property line. Mass grading will occur before the road extension and transportation facility are constructed.

Staff Comments

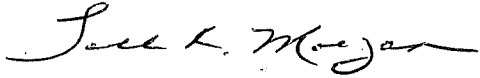
1. The submitted plan shows the future AAA Cooper Transportation facility will contain an approximate 27,650 square foot office/warehouse, 6,000 square foot maintenance building, 60 car parking spaces, 68 trailer parking spaces at the building, and 191 stall tractor trailer parking drop lot.

The facility is proposed to be secured by 7' tall black steel fencing and 6' tall chain link fencing with 3 strands of barbed wire (7' overall height). All of the proposed chain link fencing is more than 50' from the front property line.
2. Staff would like to point out that the Board has approved similar fence height variances for large industrial lots in Park West International Subdivision, Park South at Richwood Subdivision, and Northern Kentucky Industrial Park. As a result, Staff will be considering changes to the fencing regulations as part of the next Zoning Update.
3. The Board needs to analyze the Variance criteria before acting on the request.
4. Staff recommends the following condition if the request is approved:
 - A. The proposed fencing shall be installed per the submitted plan and fence details.
 - B. All street frontage landscaping planted near the decorative fence shall be required between the front property line and the fence.

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/ss

Attachments

- *Site Vicinity Map
- *Proposed Plan
- *Fence Details
- *Zoning Map
- *2016 Aerial Map
- *Application

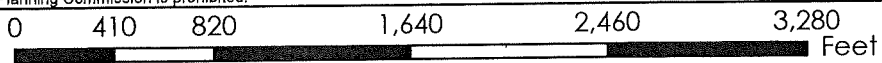
SITE VICINITY MAP

www.boonecountygis.com



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1 inch = 800 feet

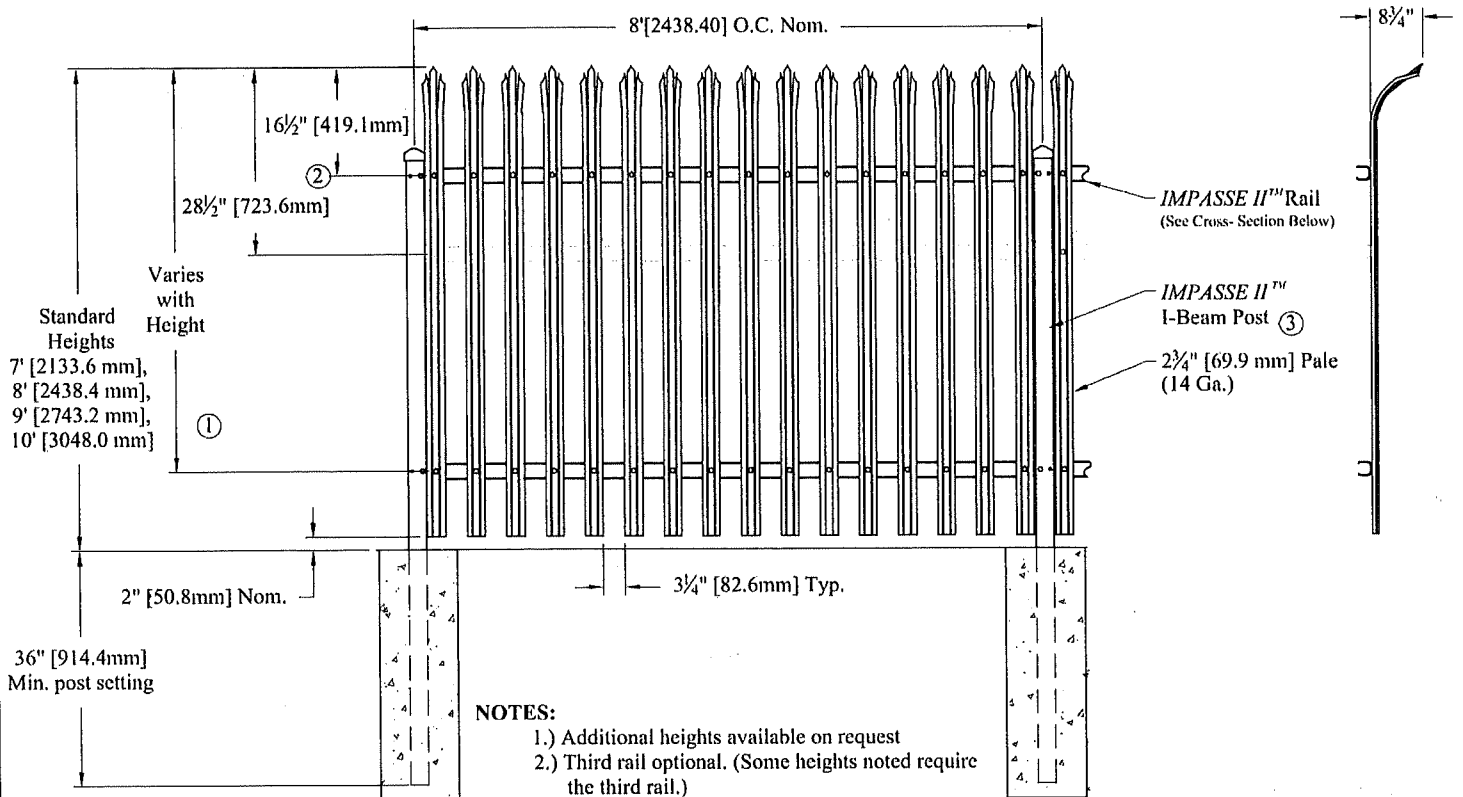


Boone County GIS - Putting Northern Kentucky on the Map



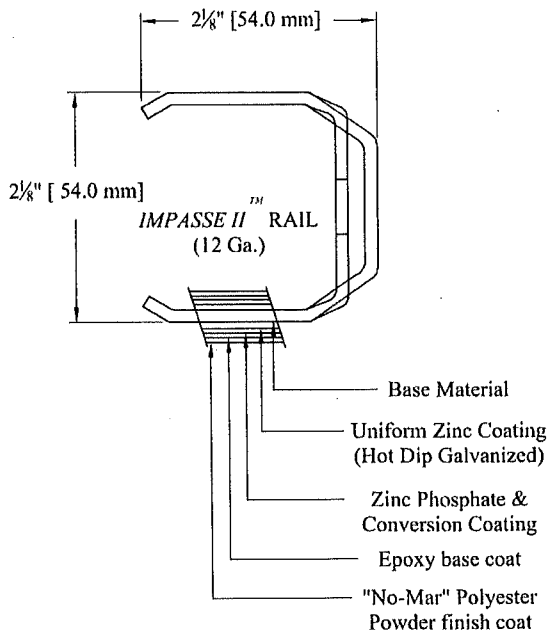
Map Created: 07/01/2013
ArcMap Document: BooneMap (file).mxd

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.



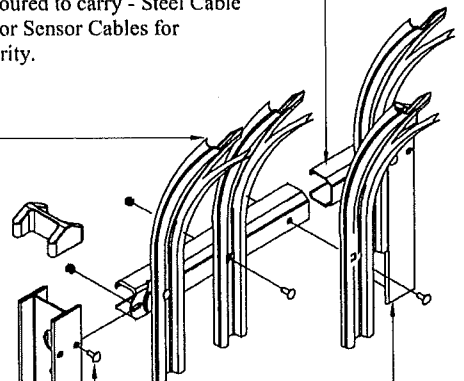
NOTES:

- 1.) Additional heights available on request
- 2.) Third rail optional. (Some heights noted require the third rail.)
- 3.) 3" [76.2 mm] x 12Ga. I-Beam recommended for 7' [2133.6 mm] & 8' [2438.4 mm] heights, 4" [101.6 mm] x 11Ga. I-Beam recommended for 9' [2743.2 mm] & 10' [3048.0 mm] heights.



IMPASSE II™ RAIL
Specially formed high strength architectural shape; lower lip contoured to carry - Steel Cable and/or Sensor Cables for security.

IMPASSE II™ PALE
Specially formed high strength corrugated shape; resists prying or bending; bolt holes recessed to prevent chiselling of bolt head.



SECURITY FASTENER
Stainless steel security nut prevents tampering or removal by normal tools.

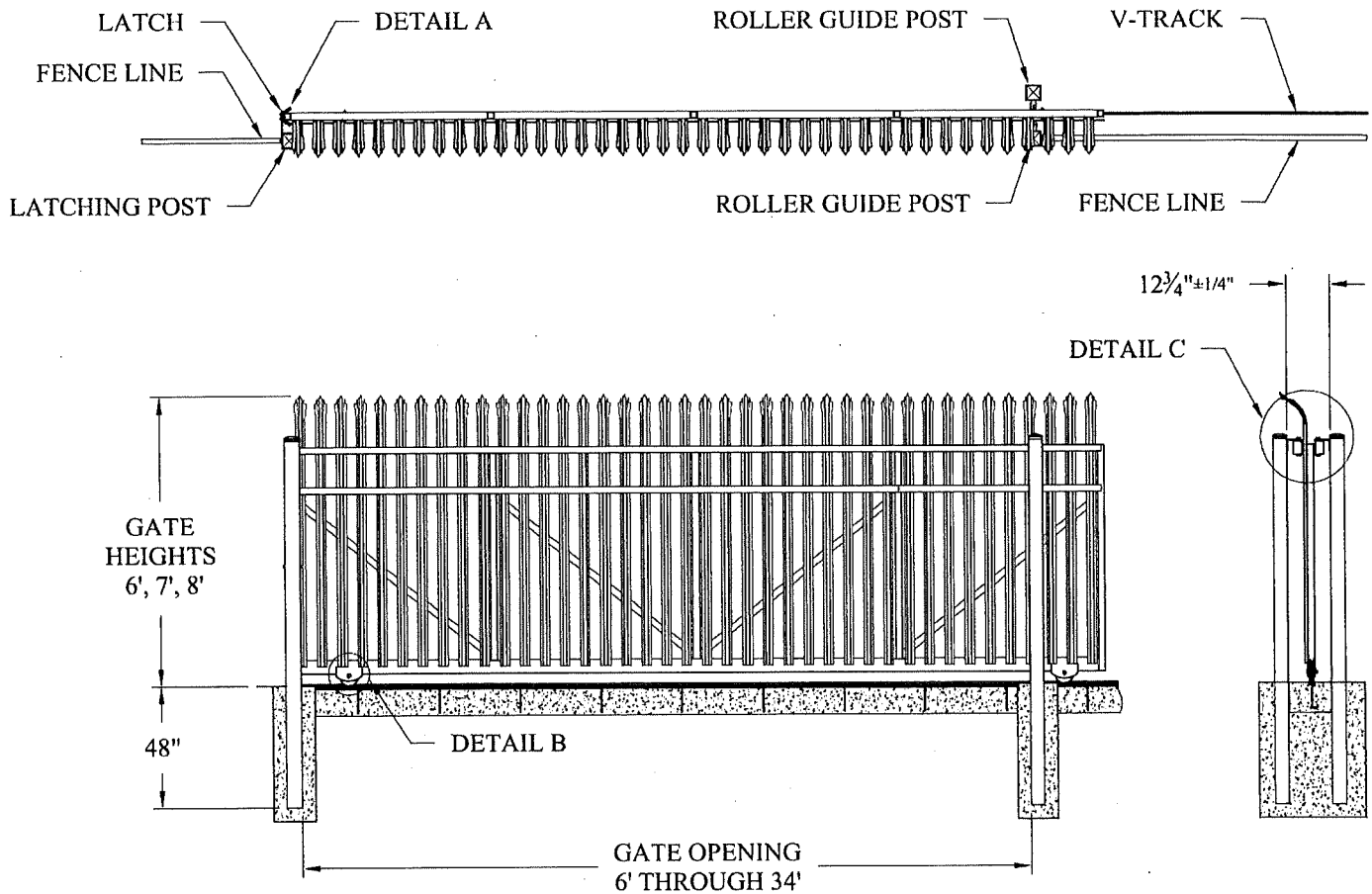
HIGH SECURITY STEEL FENCE

Title: IMPASSE II GAUNTLET 2/3-RAIL		
DR: KMc	SH. 1 of 1	SCALE: DO NOT SCALE
CK:	Date 04/13/2015	REV: C

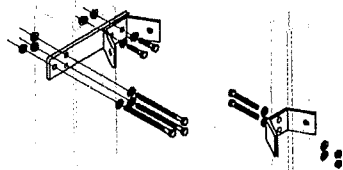


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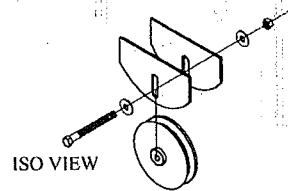


DETAIL A



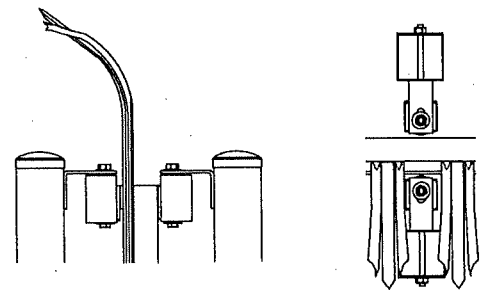
ISO VIEW

DETAIL B



ISO VIEW

DETAIL C



SIDE VIEW

TOP VIEW

PassPort IS[®] (Impasse Security) Roll Gate

Security Pales: Proprietary Corrugated Impasse Shape x 1/8" Thick



Top Rail(s), Uprights and Diagonals Braces: 2" Square x 11Ga.

Bottom Rail: 2" x 4" x 11Ga. (Notched & Plated for V-track Wheels)

Roll Gate Hardware : Kit #PGKOD

Available in Profiles of 2-Rail, 3-Rail & 3-Rail w/Rings

Values shown are nominal and not to be used for installation purposes. See product specifications for installation requirements.

3GISOR

Title: **PASSPORT IS GAUNTLET INDUSTRIAL ROLL GATE**

DWN: NJB SH. 1 of 1 SCALE: DO NOT SCALE

0412-02
ECR: 0113-07

Date: 06/17/13

REV: C



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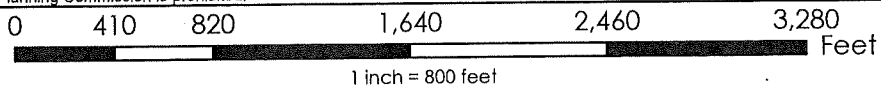
ZONING MAP

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Boone County GIS - Putting Northern Kentucky on the Map



2016 AERIAL MAP

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0 410 820 1,640 2,460 3,280 Feet

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Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 07/01/2013

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ArcMap Document: BooneMap (lta).mxd

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