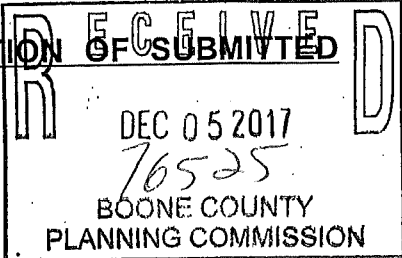


APPLICATION FORM

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)

- 1. (Check One) Boone [X] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [X] Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name Charles Lyons
Applicant's Address 1780 Anderson Blvd
Hebron Ky 41048
City State Zip
4. Description of Request: Allow for expansion of a 20x165 ft. lean-to storage building further into front yard setback
5. Name of Development _____
6. Location of Development 1780 Anderson Blvd., Hebron, Ky 41048
7. Acreage Under Review 5.5 +/-
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Ellison Holdings LLC
Address of Property Owner 8093 Columbia Rd
Mason OH 45040
City State Zip
10. Phone Number 513-770-4926 Fax No. _____ E-Mail clyons@ellisongroup.com
11. Proposed Use(s) on Site Storage
12. Total Square Footage of Existing and/or Proposed Buildings 1300 sqft
13. Current Zoning on Property I-1
14. Deed Book 859 Page No. 892 Group No. 2019
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.

ORIGINAL Property Owner's Signature: [Signature] CFO Ellison Holdings

ORIGINAL Applicant's Signature: [Signature]

**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 12-5-17 Fee Received \$932.00 Receipt # 76525
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
1/10/18 **Approved with Conditions** (See #6)
 Denial (See #7)
6. Conditions of Approval: SEE 1/10/18 BCBOA meeting
MINUTES + CLUR
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: Charles Lyons for Ellison Surface Technologies

LOCATION: 1780 Anderson Boulevard, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: January 10, 2018

PROPOSAL

The applicant has requested a Variance so a 20' x 65' building addition can be constructed onto the Ellison Surface Technologies. The addition is located approximately 3' from a vacated portion of the Anderson Boulevard right-of-way. The request is to reduce the front yard building setback requirement from 50' to approximately 3'.

APPLICABLE REGULATIONS

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 Variance applications. 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 approximate 5.5 acre site fronts on Anderson Boulevard and contains an approximate 45,000 square foot office/manufacturing plant that contains Ellison Surface Technologies. 89 striped parking spaces are located to the south and east of the building. Boone County GIS shows the topography is fairly flat where the building addition is proposed.

SURROUNDING LAND USES & ZONING

North: Undeveloped Land Owned by Kenton County Airport Board (I-1/PD) and Limaburg Road

South: Undeveloped Land Owned by Kenton County Airport Board (RS) and Anderson Manufacturing (I-1)

East: Undeveloped Land Owned by Kenton County Airport Board and Anderson Manufacturing (I-1)

West: North Bend Road, Wagstaff and Undeveloped Land Owned by Kenton County Airport Board

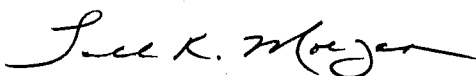
STAFF COMMENTS

1. Staff would like the note that a 77' portion of the Anderson Boulevard right-of-way was vacated by Boone County Fiscal Court in 2003 (see attached Boone County Fiscal Court Resolution No. 03-25). This portion of right-of-way is still owned by Boone County Fiscal Court because Ellison Surface Technologies needs to have a Conveyance Plat prepared, approved, and recorded to transfer the real estate. The proposed building addition will comply with the 50' front yard building setback requirement if this is done.
2. The Board should analyze the Variance criteria before acting on the request.

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

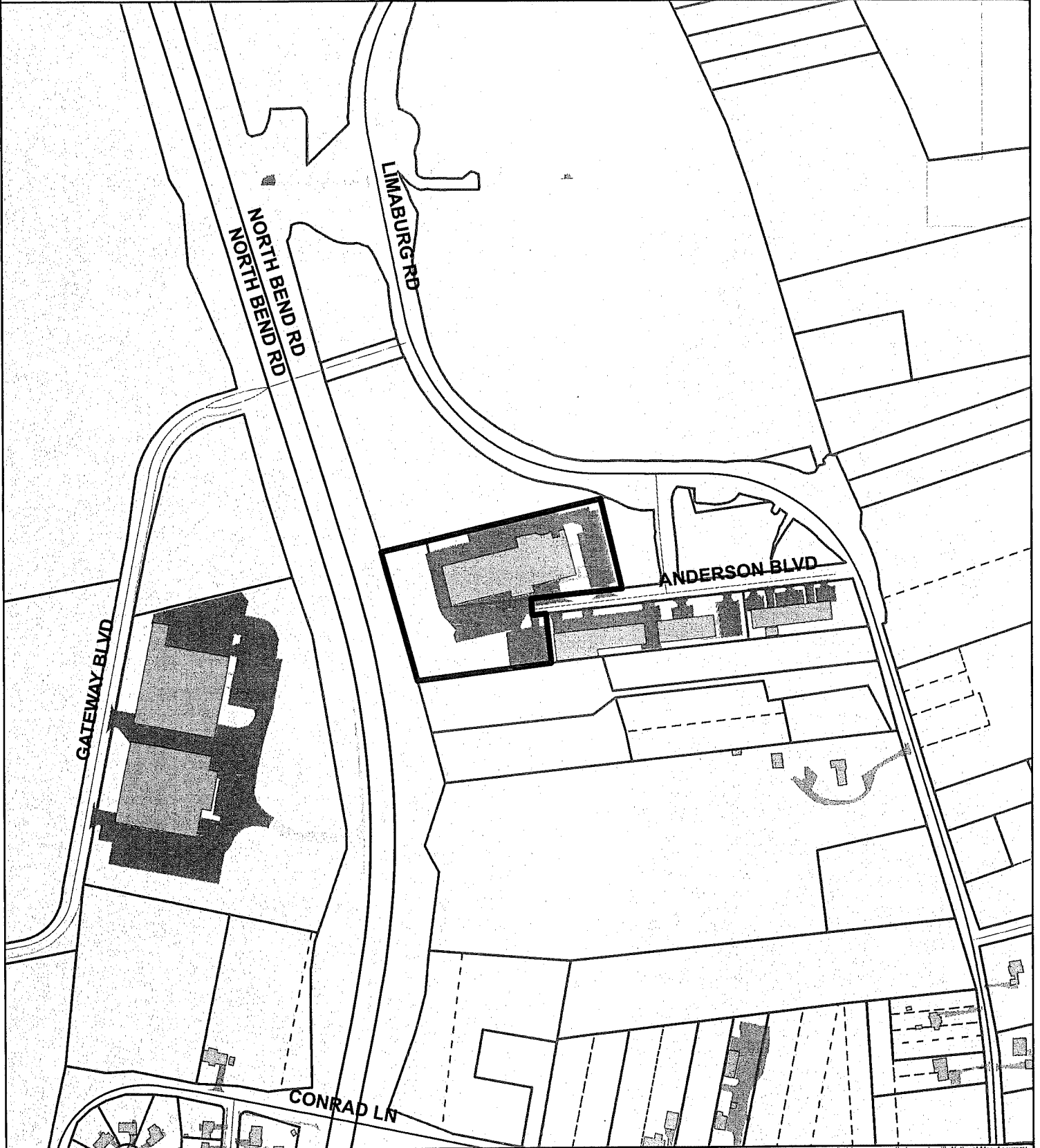
TKM/ss

Attachments

- *Site Vicinity Map
- *Proposed Plan
- *Building and Roof Plans
- *2016 Aerial Map
- *Zoning Map
- *Topographical Map
- *Boone County Fiscal Court Resolution No. 03-25
- *Application

SITE VICINITY MAP

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



0 205 410 820 1,230 1,640 Feet

1 inch = 400 feet



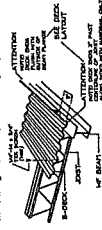
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

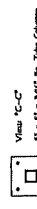
ArchMap Document: BooneMap (15).mxd

INSTALLATION NOTES:

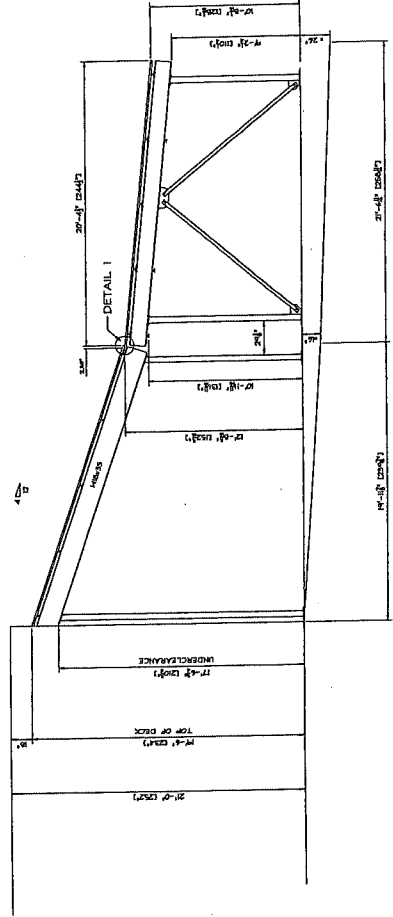
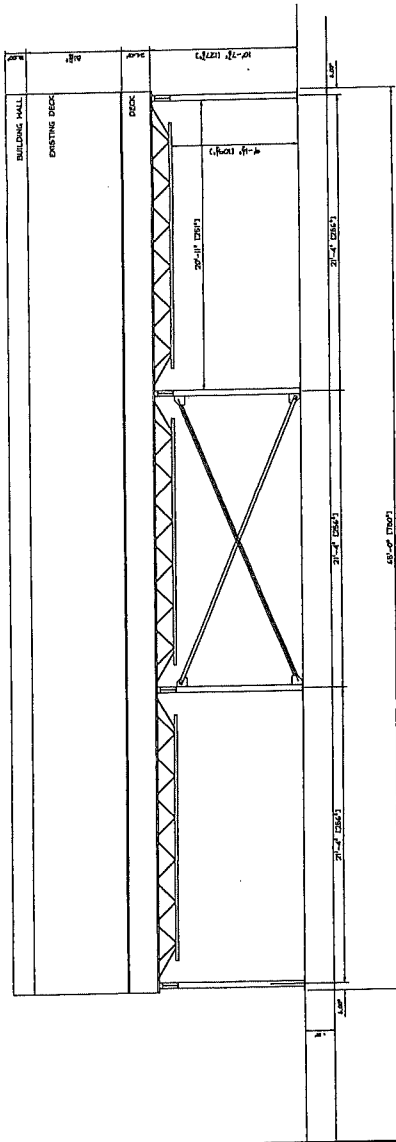
- 1. Installer is field based contractor to build or building columns in accordance with the manufacturer's instructions. All materials and all procedures of 2017 edition requirements, including but not limited to, shall be followed. These documents are included with the product and are available on the manufacturer's website. These documents are included with the product and are available on the manufacturer's website.
- 2. If not designated as deck, deck shall be installed in accordance with the manufacturer's instructions. The deck shall be installed in accordance with the manufacturer's instructions. The deck shall be installed in accordance with the manufacturer's instructions.



- SPECIFICATIONS:**
- Height to top of deck AS NOTED
 - Underclearance AS NOTED
 - Capacity 75 PSF
 - Color GRAY
 - Column load in center of supports under full round load in Pounds per sq. inch.



Floor joists are not provided for any columns less than 5' spans.



CUSTOMER APPROVAL

Check and sign below to indicate approval of manufacturer and installer. This approval is not a warranty or a guarantee of performance. It is a statement of fact only.

DATE: _____ TITLE: _____

APPROVED: _____

APPROVED MUST BE RECEIVED PRIOR TO FABRICATION.

fsi industries 30 Technology Way
West Greenwich, RI 02817
www.fsindustries.com (800) 421-6314 eng@fsindustries.com

fsi DECK

QUALITY MANUFACTURERS OF ALUMINUM GRATE, STEEL & ALUMINUM GRATE, HANDLING AND CROSSERS

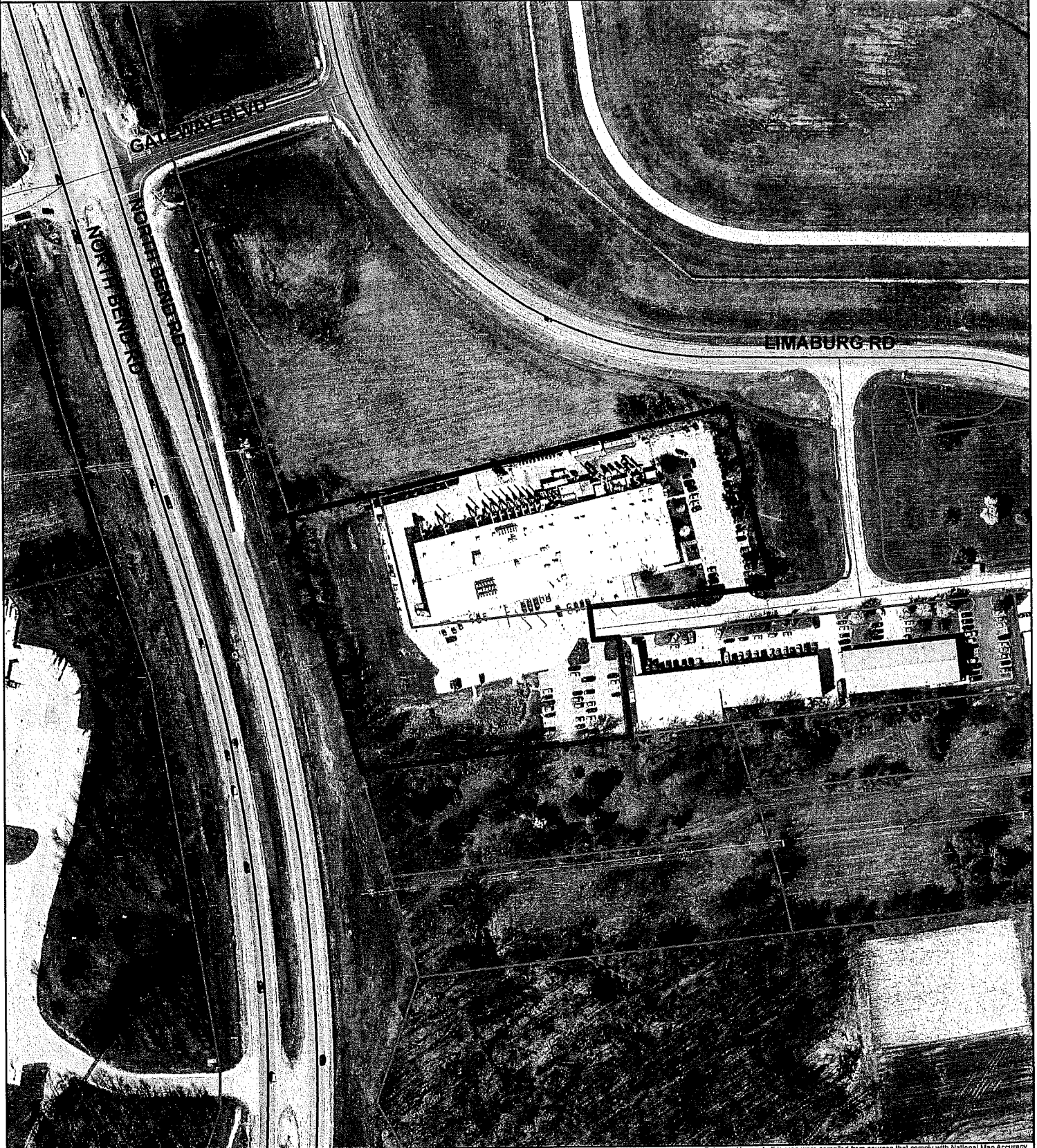
CUSTOMER: CUSTOM MATERIAL HANDLING
PROJECT: ELLISON SURFACE TECHNOLOGIES

SCALE: 1/4" = 1'-0"
SHEET NO: P5-055-D
DRAWING NO: P5-055-3

DATE: 10/24/17
REVISED BY: T.A.
REV. DATE: _____

2016 AERIAL MAP

www.boonecountygis.com



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0 100 200 400 600 800 Feet

1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

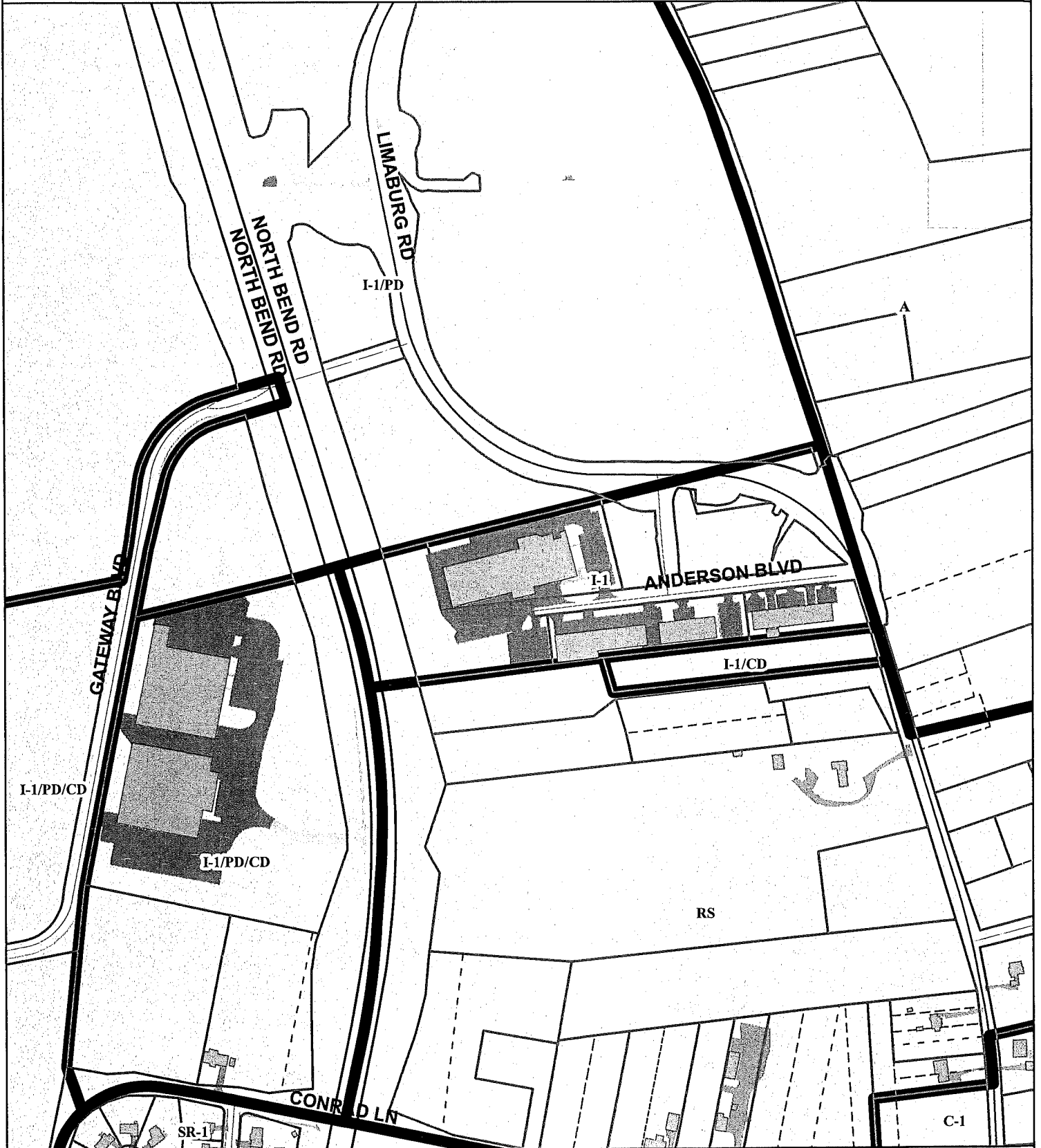


Map Created: 07/01/2013

Map File Location: \\server\GIS\Map\2013
ArcMap Document: BooneMap (file).mxd

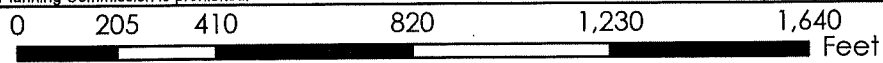
ZONING MAP

www.boonecountygis.com



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1 inch = 400 feet

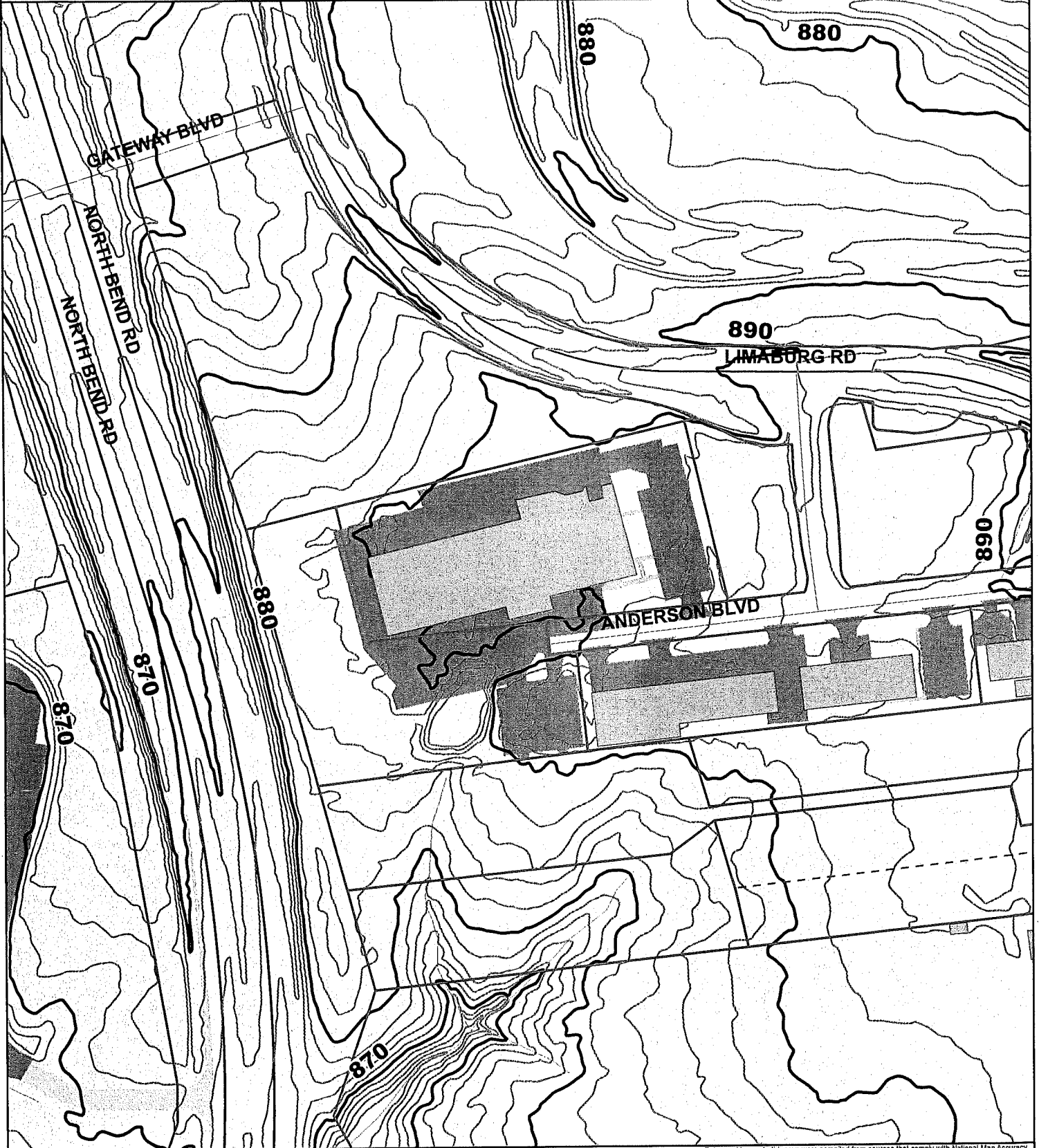


Boone County GIS - Putting Northern Kentucky on the Map



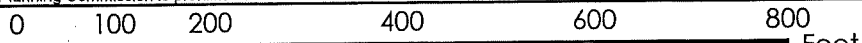
TOPOGRAPHICAL MAP

www.boonecountygis.com



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1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

Map File: BooneMap (file).mxd
ArcMap Document: BooneMap (file).mxd

Resolution
Of
The Boone County Fiscal Court

Resolution No. 03-25

**A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING
THE RIGHT-OF-WAY VACATION OF A PORTION OF ANDERSON
BOULEVARD IN HEBRON.**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY FISCAL
COURT:**

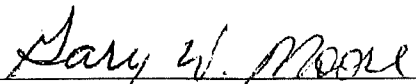
SECTION I

**That Boone County Fiscal Court hereby grants the right-of-way vacation
of a portion of Anderson Boulevard in Hebron, Kentucky, per the
following conditions:**

- 1. The right-of-way is vacated to the adjoining parcels, all
owned by Ellison Surface Technologies.**
- 2. A conveyance plat and deed is prepared for the vacation,
with utility easements granted to existing utilities within
the right-of-way.**
- 3. Ellison Surface Technologies shall be responsible for the
plat and deed preparation.**
- 4. The plat and deed shall be reviewed by the Boone County
Attorney and the Boone County Engineer.**
- 5. The Boone County Judge/Executive is authorized to sign
the deed.**

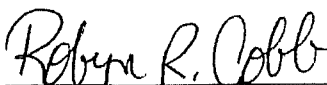
SECTION II

**That this Resolution is hereby approved and adopted in Open Session of
the Boone County Fiscal Court this 28th day of January, 2003.**

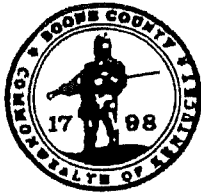


Gary W. Moore
Boone County Judge/Executive

Attest:



Robyn R. Cobb
Fiscal Court Clerk



Boone County Public Works Department

5645 Idlewild Rd.
Burlington, KY 41005

Gary W. Moore
County Judge-Executive

Gregory V. Sketch, PE, PLS
County Engineer

Phone: (859) 334-3600
Fax: (859) 334-3598
www.boonecountyky.org

James E. Parsons
County Administrator

MEMORANDUM

TO: Gary Moore, County Judge/Executive
Cathy Flaig, Commissioner, District 1
Charles Kenner, Commissioner, District 2
Terri Moore, Commissioner, District 3

FROM: Greg Sketch, PE, PLS
County Engineer

RE: **Road Closing and Right-of-Way Vacation of a Portion of
Anderson Boulevard**

DATE: January 23, 2003

Anderson Boulevard is a County maintained local street that intersects Limaburg Road (KY 3168). Ellison Surface Technologies is requesting the Fiscal Court to close and vacate 77 feet at the end of the street. Ellison owns all the property that adjoins the request. The request is for the following description.

Legal Description - Portion of Anderson Boulevard


Located in the Hebron area, Boone County, Kentucky and being a dedicated Boone County maintained 50 feet wide right-of-way; beginning at a point approximately 900 feet west of the intersection of the centerlines of Anderson Boulevard and Kentucky State Route 3168 (Limaburg Road), thence continuing along the centerline of Anderson Boulevard for a distance of approximately 80 feet to the terminus point of the right-of-way of Anderson Boulevard.

Page -2- Anderson Boulevard

Therefore it is the recommendation of the Viewing Committee that the proposal for the vacation of the above referenced dedicated right-of-way be granted per the following conditions:

1. The right-of-way is vacated to the adjoining parcels, all owned by Ellison Surface Technologies.
2. A conveyance plat and deed is prepared for the vacation, with utility easements granted to existing utilities within the right-of-way.
3. Ellison Surface Technologies shall be responsible for the plat and deed preparation.
4. The plat and deed shall be reviewed by the Boone County Attorney and the Boone County Engineer.
5. The Boone County Judge/Executive is authorized to sign the deed.

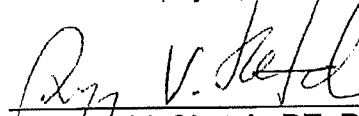
Respectfully Submitted by,



Patricia Stephens
Viewing Committee Member



Kenneth Crooker
Boone County Public Services Supervisor



Gregory V. Sketch, PE, PLS
Boone County Engineer

Thank you

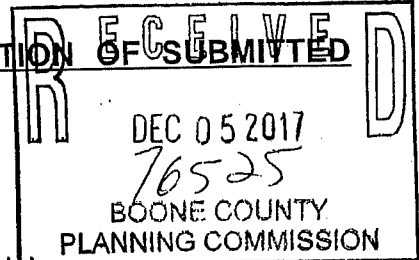
c: James Parsons, County Administrator

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)

- 1. (Check One) Boone [X] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [X] Variance _____ Appeal _____
3. Applicant's Name Charles Lyons
Applicant's Address 1780 Anderson Blvd Hebron Ky 41048
4. Description of Request: Allow for expansion of a 20x16.5 Ft. lean-to storage building further into front yard setback
5. Name of Development
6. Location of Development 1780 Anderson Blvd., Hebron, Ky 41048
7. Acreage Under Review 5.5 +/-
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Ellison Holdings LLC
Address of Property Owner 8093 Columbia Rd Mason Off 46040
10. City State Zip
Phone Number 513-770-4926 Fax No. E-Mail clyons@ellisongroup.com
11. Proposed Use(s) on Site Storage
12. Total Square Footage of Existing and/or Proposed Buildings 1300 sqft
13. Current Zoning on Property I-1
14. Deed Book 859 Page No. 892 Group No. 2019
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: [Signature] CFO Ellison Holdings

ORIGINAL Applicant's Signature: [Signature]

Copy

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Ellison Holdings LLC
8093 Columbia Road
Mason, OH 45040

2. ADDRESS OF PROPERTY

1780 Anderson Blvd.
Hebron, KY 41048

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Ellison Surface Technologies

4. DEED BOOK 859

PAGE NO. 892

GROUP NO. 2019

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

Zoning Map Amendment:
From _____ To _____

Conditional Use Permit

Development Plan

Conditional Zoning

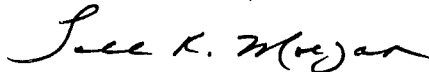
Subdivision Plat
(Not Recorded)

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, AICP – Senior Planner

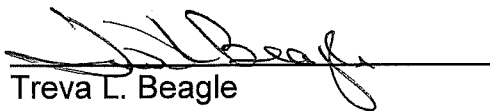
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

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

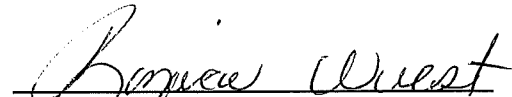
on behalf of the Boone County Planning Commission this 11 day of January, 2018.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest
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.)

[COPY]

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the variance approved by the Board of Adjustment and in accordance with the current zoning in effect as of January 10, 2018 Certificate of Land Use Restriction (#18-BCBOA-001-A), for Ellison Holdings LLC, Property Owner(s).

The following conditions will apply:

1. The Conveyance Plat for the 77' portion of vacated right-of-way shall be approved, recorded, and comply with the 2003 Boone county Fiscal Court Resolution (Resolution No. 03-25).

2. The Certificate of Occupancy for the building addition shall not be granted until such time that the Conveyance Plat for the 77' portion of vacated right-of-way is approved and recorded.

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

DEED BOOK 859 PAGE NO. 892 GROUP NO. 2019