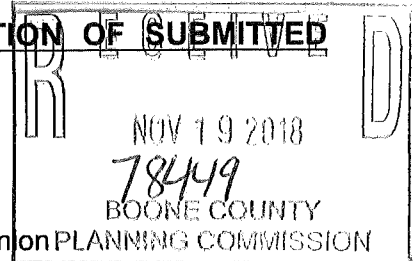


APPLICATION FORM

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 ☐ Florence ☐ Walton ☐ Union ☐ PLANNING COMMISSION
2. (Check One) ☒ Conditional Use Permit ☐ Variance ☐ Appeal
☐ Change in Non-Conforming Use
3. Applicant's Name DELTA BUSINESS GROUP MARK JAE HAN
Applicant's Address 1333 CEDARPOINT COURT
Amelia Ohio 45102
City State Zip
Phone Number 513-485-7841 Fax No. _____ E-Mail JAEMH57@YAHOO.COM
4. Description of Request: Event Center (weddings and
receptions), with CABINS/TREE HOUSES, single family home,
5. Name of Development THE GRACES
6. Location of Development 12226 KITE LAKE, UNION, KY
7. Acreage Under Review 1.42
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property TOBY FROST
Address of Property Owner 3677 HATHAWAY ROAD
Union KY 41071
City State Zip
Phone Number 859-652-9060 Fax No. _____ E-Mail TOBY.FROST@MACHINP
11. Proposed Use(s) on Site Event Center CABINS
/TREE HOUSES, single family home TOOL.COM
12. Total Square Footage of Existing and/or Proposed Buildings Event Center 6000 SF
13. Current Zoning on Property AGRICULTURAL ESTATE A-2
14. Deed Book 1040 Page No. 331 Group No. 2067
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? 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)

(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 11-19-18 Fee Received \$732.00 Receipt # 78449
2. Is application complete? ☒ Yes ☐ No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 12/12/18
5. Board Action:
☐ Approved
☐ Approved with Conditions (See #6)
☒ Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: The applicant failed to meet the findings required by Sections 262 and 263 of the Boone County Zoning Regulations.

**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.

DELTA BUSINESS GROUP
1333 Cedarpoint Court
Amelia, Ohio 45102

November 19, 2018

Boone County Planning Commission
2950 Washington Street
Burlington, Kentucky 41005
Attention Mr. Mike Swartz

In Re: Boone County Conditional
Use application for
December 2018 hearing.

Dear Mr. Swartz:

Thank you for your assistance on this project, we respectfully request with this application and attachments to be included in the December 12, 2018 hearing.

This project consists of the following items to be constructed on approximately 20 acres of the 143 plus acre property.

- Mr Frohlich's single family home.
- Wedding/Event center approximately 6000 S.F. includes inside the bathroom facilities, two changing room areas, receiving area for catering for the events with refrigerator, microwave, sink and cabinets (no cooking appliances for on-site food preparation). This center to hold 250 person occupancy. Events not to last past 11:45 pm, with music to end by 11:30 pm with the Event center and surroundings to be constructed of a wooden/rustic/country atmosphere.
- 125 space parking area for the Event Center as shown on the event center.
- Maintenance of the existing barn.
- Eight cabins/tree houses for short term rentals and a shower house for these units, with three parking spaces per unit at the cabin and one parking space per unit at the shower house.
- Widen Kite lane approximately 550 feet from the property entrance driveway north towards rt. 338 to meet with Boone County Engineers specifications of 25 feet wide as shown on the attached plan.
- Provide a 20 foot wide gravel driveway throughout the property as shown on the attached site plan, please note site adjustments may be required due to engineering design requirements.
- Build three pergolas and a fire pit.

The project is named "The Genesis" with the event barn named "The Grand Barn at the Genesis" this project is to be a family owned and ran operation. No four wheeling and/or hunting will be permitted on the 20 acres of the property. The concept is to have church related events, wedding's, family reunions at the Event Center and cabins of approximately 400 to 600 S.F. to be rented around 7 to 8 months per year during the spring/summer/fall time of year. The shower house to have separate facilities for women and men and both to be handicap accessible. The handicap parking area will be made of concrete or asphalt surface and to be paved to the buildings.

Locally there are over 27,000 weddings in the Northern Kentucky area each year, with bookings presently at least 2 years and out, thus our request to provide for this venue. The local competition is the following:

- The Prickle Barn, Verona Kentucky.
- The Josephina, Dry Ridge.
- The Farm, Delhi Township.
- Rolling Meadow Ranch, Warren County Ohio.
- Nelter Farm, Campbell County.

The trend for non-traditional ceremonies is moving into this type of venue. Only 26% of couples had their weddings in religious institutions in 2016 down from 41% in 2009 per the Knots 2016 Real Wedding Study. The Knot surveyed nearly 13,000 US couples while finding their way into farms, barns and ranches for their ceremonies has gone up.

We have met and/or discussed with the following agencies to be sure we are meeting the appropriate codes and requirements:

- Boone County Zoning-Planning Commission's Mike Swartz.
- Northern Kentucky Health Department's Laura Strevels and Ted Talley.
- Northern Kentucky Plumbing Inspector Chris Stein.
- Boone County Engineer Scott Pennington.
- Union Township Fire Chief Mike Morgan.
- Boone County Building Departments Donald Wright.
- Kentucky EPA about on-site water Peggy Wade.
- SD1 about construction activities Andy Amen.
- Boone County Water's Matthew Gross

In accordance with the conditional use permit checklist section 262 we include the following responses to the #1 thru #7 items:

- 1) This project will be harmonious in accordance with general objectives of the County's Comprehensive Plan, a specific corridor plan and/or zoning order. We did not find any specifics in this area of the county.
- 2) Will be designed, constructed, operated and maintained to be harmonious and appropriate with the existing vicinity and not change the character of the same area. We plan the buildings and surroundings to blend with the area, utilizing the foliage and terrain coupled with the amount of property very little of these facilities will be viewed from off site buildings.
- 3) There is no hazard to any adjacent properties.
- 4) Will be served adequately to essentials facilities, fire, police, utilities, drainage, etc...
- 5) This project will not cause any costs to the public facilities and services and will assist with local economic welfare of the community.
- 6) This project will not be detrimental to any person, property or the general welfare of the community.
- 7) The requirement to widen Kite Lane the distance of 550 feet +/- will assist with the traffic on Kite lane.

In accordance with the Concept Development Plan we have included all the items listed on page 3.2 and 3.3 of the code:

- 1) Mike Swartz per our conversation on 11/14/18 said he would run copies to insert into application for these items if needed.
- 2) Transportation Patterns is public access off Kite Lane off Rt. 338 into the property on the ingress and egress lanes shown on the plan (to meet all local codes as required), due to lack of existing adjoining roads to this property a second access is not available.
- 3) Land Use existing is wooded 143 acres with this project to be on the front 20 acres into the owner's single family home, the event center, the 8 cabins/tree houses with a shower house, 3 peroglas and a fire pit. The open space is 80% of the 20 acres, with the balance for impervious surface on the roads and buildings, parking areas. Sizes are 6000 S.F. event center, 8 cabins/tree houses 400 – 600 S.F. each, shower house to be 4800 S.F. =/-.
- 4) Utilities will be thru Owen Electric, on-site wastewater and cistern for potable water supply.
- 5) Proposed Zone change will conform with the area, Big Bone Lick State Park is a neighbor to the west, Potters Ranch is 3.8 miles west along Rt. 338, the cabins/tree houses used during the spring/summer/fall time periods blends well on the 20 acres sited for this project, the event center to house weddings, family reunions, etc... works well within the community.
- 6) Plans are on 8-1/2" x 11" size paper for reproductions.

- 7) No variances are being requested on this project.

Optional Requirements of Concept Development Plan includes the following:

- 1) Included above is items #1 thru #7.
- 2) Area map with owner's names and address are attached.
- 3) 20 of the 143 acres to used for this project, however 16 acres to remain green space as presently used.
- 4) Only one residential unit for the property owners to occupy.
- 5) Non-residential event center is 6000 S.F. on the northeast portion of the 20 acre area. The cabins/tree houses and the shower house is located on the Northeastern portion of the 20 acres as shown on the attached map.
- 6) Roads and parking, building locations are shown on the attached plan.
- 7) 20 acres of land for this project less 4 acres of home, event center, parking areas, cabins/tree homes, shower house, pergolas, roadways, sidewalks so 80% +/- of green space as shown on the concept plan, landscaping to be provided for all the buildings at a later date, maintenance to be taken care of by the property owners.
- 8) Mike Swartz advised that a landscape plan is not required at this time.
- 9) No flooding in the 20 acre area of the project.
- 10) No local public water and or sanitary sewer is available. Contact with local and state agencies preliminary concept is for on-site wastewater and potable cisterns for water use. Electric/cable/phone lines to be underground located along the roadways then branch off to each building. Storm water system to be designed for use to retention and/or detention ponds sized per code and permitted accordingly.
- 11) No use for schools as the property owners are empty nesters and the remaining buildings do not utilize the school system.

Union Fire Department is approximately 3.8 miles west of Kite Lane and Rt. 338 intersection. Boone County Police to provide police coverage in this area.

- 12) Storm water retention/detention basins to be located on the 20 acre site to be determined per design plan, note the existing pond to be utilized for a portion of the stormwater retention.
- 13) Article 34 for Zone A-2 is a monument sign 32 S.F. maximum and not to exceed 8 feet in height, to be placed on this property near the entrance of the property off Kite Lane.
- 14) Construction schedule would be to begin design, apply for permits/approvals for the single family home and the event center during 1st quarter 2019 and the cabins/tree houses in late summer 2019.
- 15) No traffic study required for this project.

Please note the Union Township Fire Department is approximately 3.8 miles away on Rt. 338, Big Bone Lick State Park is 2.9 miles away and the entrance is partially located in the same flash flood zone.

As a note Florence Speedway located on Rt. 42 has considerable noise levels far above the decibel sounds from this facility that is located inside the event center.

In the previous hearing the following sections of the Boone County Regulations were quoted to provide an explanation on how we intended to meet these requirements:

- Section 220: Is the governing body for these approvals for which we request.
- Section 623: We meet the use of the land as shown on page 6.6 numbers 8,11,12, as well as staff reports findings from previous meeting.
- Section 262: we meet the requirements of this section as listed in the previous staff meetings findings. We will follow all codes, will not construct on steep slopes, work harmoniously with the surroundings and the environment to provide facilities to meet the goals of the county, we will meet all codes to ensure this project to meet all utility codes, fire and police access, vehicular access including handicap access from Kite Lane.
- Section 620: low density development in a rural environment is included with 8 cabins/tree houses, event center, single family home and the amenities as previously stated on the 20 acres for this project.
- Section 3162: None of the buildings are to be constructed on steep hillsides, Geotech analysis to be provided to the necessary agencies during design to assure the structures meet all requirements.
- Section 3325: off street parking codes for hotels/motels for the cabins/tree houses is 1 space per sleeping room and 1 space per 2 employees, we have 3 spaces per unit.

The Banquet/reception hall is 1 space per 4 seats, occupancy to be 250 people/seats divided by 4 = 62.5 spaces we propose 125 parking spaces.

- Section 3326: Parking spaces to be determined by Zoning Administrator, with the additional parking spaces to be provided we feel we have met these requirements.
- Section 2010: Comprehensive Plan 2035 land use plan: one dwelling unit per 2 acres, we have 8 units for 20 acres and the concern for hill sides/steep slopes we will not be building in these areas again will be completed with Geotech analysis prior to building at the permit stage.

- Section 2017 Boone County Comprehensive Plan & Goals: we meet these requirements per previous staff report shown on page 3 bottom of page labeled B except will utilize on site sewage and cistern for potable water approved facilities.
- Sound Transmission Class is the way to measure sound, the concerns of the public for sound to be controlled at an acceptable rate can easily be accomplished by the enclosed building, types of building materials, insulation, existing foliage and properly insulated windows and doors. Note the Florence Speedway was in place prior to the subdivision for the Creek Lane's homes being built and the decibel levels of the speedway exceed any other source of noise in this area. This facilities decibels levels will be kept to local codes with strict attention paid to the building to accomplish this requirement to only offer that this project is harmonious with the surrounding neighbors.

If you have any questions please contact me at 513-485-7861,

Delta Business Group
Mark Jaehnen

Hamilton, Joseph & Barbara

102058 Kite Lane

Union, Ky 41091

Hamilton, Joseph T. & Patricia

102064 Kite Lane

Union, KY 41091

Jones, Michael & Della

12030 Kite Lane

Union, KY 41091

Sharpe, John & Margaret

12320 Big Oak Road

Union, KY 41091

Nunn, Amy Maxine

PO Box 475

Union, Ky 41091

Massie, Robert & Ashley

11012 Appaloosa Drive

Walton, KY 41094

Staggs, Gregory

12340 Cleek Lane

Walton, KY 41094

Potts, Joseph & Sharon

12300 Cleek Lane

Walton, KY 41094

Frye, Douglas

1019 New Winsor Loop

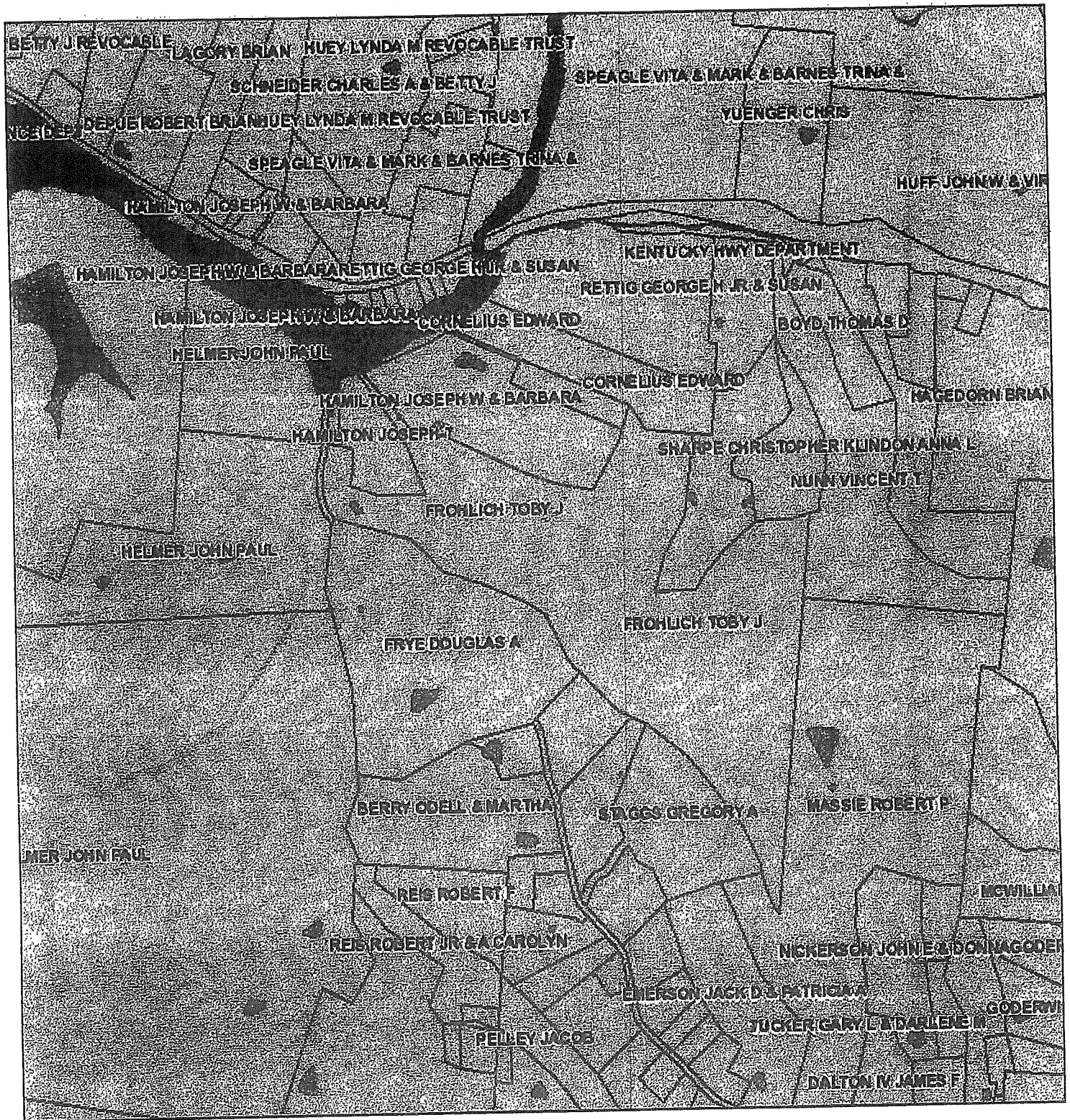
Sun City, Florida 33573

Helmer, John

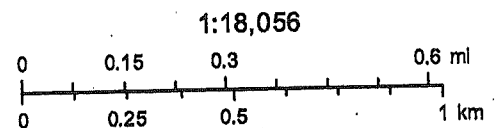
10945 Dixie Hwy

Walton, KY 41094

City of Union, Kentucky



June 28, 2016



GIS Services Division, Boone County Planning Commission

© 2016 Boone County Planning Commission

Legal Description

142.821 Net Acres

Lying and being in Boone County, Kentucky on the East side of Kite Lane, 0.2 miles South of Kentucky Route #338 and more particularly described as follows to-wit:

Unless otherwise stated any monument referred to as a set iron pin is a 5/8" iron rebar 18" in length with a yellow plastic cap stamped Leach 3407. All set Mag Nails are 1 1/2" in length with a yellow plastic washer stamped Leach 3407. All bearings stated herein are referred to Deed Book 660, Page 274 in the Boone County Court Clerk's Records.

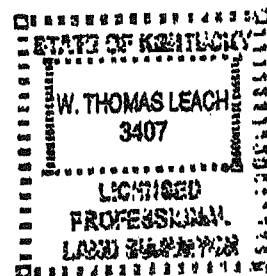
Beginning at a set Mag Nail in the center of Kite Lane a corner to Douglas Frye at.el. (D.B. 984, Pg. 583); thence with the center of Kite Lane N 36°28'50" W a distance of 41.36'to a point; thence N 30°24'16" W a distance of 39.30'to a point; thence N 23°53'22" W a distance of 41.90'to a point; thence N 19°01'22" W a distance of 35.06'to a point; thence N 14°03'23" W a distance of 132.92'to a point; thence N 07°34'06" W a distance of 55.97'to a point; thence N 00°47'24" W a distance of 243.13'to a set Mag Nail; thence leaving said road with a new made line partitioning the Grantor's property N 89°06'10" E and passing a set iron pin @ 25.0 feet for a total distance of 117.85'to a set iron pin a corner to Joseph T. Hamilton (D.B. 660, Pg. 274); thence with the line of Hamilton, S 85°40'47" E a distance of 106.82'to a found railroad spike; thence S 12°11'35" E a distance of 173.53'to a set a found railroad spike; thence S 02°05'29" W a distance of 141.09'to a found railroad spike; thence S 81°34'44" E a distance of 253.57'to a found 1/2" iron pin with cap stamped L.S. 3357; thence N 78°33'53" E a distance of 396.24'to a found 1/2" iron pin with cap stamped L.S. 3357; thence N 31°35'33" W a distance of 283.43'to a set iron pin; thence leaving the line of Hamilton with 6 new made lines partitioning the Grantor's property, N 67°49'48" E a distance of 443.63'to a set iron pin; thence N 80°57'51" E a distance of 155.69'to a set iron pin; thence S 77°24'26" E a distance of 398.72'to a set iron pin; thence S 83°30'30" E a distance of 319.83'to a set iron pin; thence N 84°06'10" E a distance of 305.56'to a set iron pin; thence N 11°34'24" E a distance of 552.70'to a set iron pin a corner to Michael Jones (D.B. 775, Pg. 661); thence with the line of Jones N 03°30'06" E a distance of 218.00'to a set iron pin in the line of Cornelius (D.B. 190, Pg. 334); thence with the lines of Cornelius, S 54°19'35" E a distance of 314.73'to a set iron pin; thence N 86°44'02" E a distance of 322.54'to a set iron pin in the line of John Sharpe (D.B. 423, Pg. 256); thence with the lines of Sharpe, S 05°00'37" E a distance of 661.84'to a set iron pin; thence S 16°24'04" W a distance of 374.40'to a set iron pin; thence S 01°16'38" W a distance of 328.14'to a set iron pin; thence N 75°20'15" E a distance of 350.80'to a set iron pin; thence N 17°18'44" E a distance of 148.85'to a set iron pin; thence N 25°58'00" E a distance of 253.40'to a set iron pin; thence N 44°42'49" E a distance of 419.67'to a set iron pin a corner to John Sharpe Jr. (D.B. 301, Pg. 11); thence with the lines of Sharpe, N 75°59'04" E a distance of 309.40'to a set iron pin; thence N 58°13'04" E a distance of 104.30'to a set iron pin a corner to Amy Nunn (W.B. 77, Pg. 429); thence with the line of Nunn, S 07°33'24" E a distance of 716.76'to a set iron pin a corner to Robert Massie (D.B. 1026, Pg. 106); thence with the lines of Massie, S 05°46'18" E a

distance of 2744.07' to a set iron pin by stone; thence S 32°26'47" W a distance of 28.96' to a set iron pin; thence N 29°12'48" W a distance of 379.67' to a found 1/2" iron pin stamped L.S. 2030 a corner to Gregory Staggs (D.B. 638, Pg. 304); thence with the lines of Staggs, N 19°25'36" W a distance of 82.71' to a found 1/2" iron pin with cap stamped L.S. 2030; thence N 34°20'09" W a distance of 345.64' to a found 1/2" iron pin with cap stamped L.S. 2030; thence N 46°54'31" W a distance of 527.99' to a found 1/2" iron pin with cap stamped L.S. 2030; thence N 50°30'46" W a distance of 247.77' to a found 1/2" iron pin with no cap; thence N 61°19'48" W a distance of 428.60' to a found 1/2" iron pin with cap stamped L.S. 1951 a corner to Edward Deters (D.B. 765, Pg. 146); thence with the line of Deters, N 81°14'46" W a distance of 166.57' to a found 1/2" iron pin with cap stamped L.S. 1951 a corner to Joseph Potts (D.B. 647, Pg. 310); thence with the lines of Potts, N 73°07'44" W a distance of 134.22' to a set iron pin; thence N 54°20'27" W a distance of 456.76' to a set iron pin a corner to Douglas Frye (D.B. 984, Pg. 583); thence with the lines of Frye, N 55°14'29" W a distance of 139.24' to a set iron pin; thence N 39°11'41" W a distance of 420.54' to a found 1/2" iron pin with cap stamped L.S. 1951; thence N 67°15'51" W a distance of 216.92' to a set iron pin; thence N 77°00'59" W a distance of 416.00' to a found 1/2" iron pin with cap stamped L.S. 1951; thence N 81°41'54" W a distance of 318.00' to a set iron pin; thence N 54°39'59" W a distance of 390.00' to a set iron pin; thence N 85°11'39" W a distance of 324.35' to a set iron pin; thence N 80°46'59" W passing a set iron pin @ 381.91 feet for a total distance of 425.27' to a set Mag Nail; which is the Point of Beginning, having an area of 6236210.33 square feet, 143.164 acres less a 25.0' right of way parcel of 0.343 Acres leaving a net of 142.821 Acres more or less exclusive of all right of ways and easements of record.

The above description is in accordance with a survey made by W. Thomas Leach on the 20th December 2014.


W. Thomas Leach PLS 3407

This being a part of the property described in Deed Book 219, Page 35 in the Boone County Court Clerk's Records in Burlington, Kentucky.





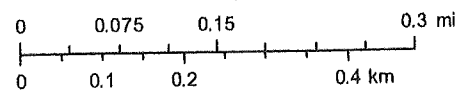
LBH DESIGN
DESIGN AND LAND PLANNING
L. Brian Huehls, AIA.
Architect
P.O. Box 47793
Chattanooga, TN 37404
lbhuehls@hotmail.com
423-503-7730
Not a Seal

Boone County PVA's Office



11/13/2018 2:34:57 PM

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| --- County Boundary | Residential Streets | Waterbodies |
| Site Number Labels | ---+--- Railroad Lines | Perennial Blue Line Streams |
| Major Streets | Runways | Intermittent Blue Line Streams |
| — Interstate | Runway Numbers | |
| — Arterial | Building Footprints | |
| --- Collector | □ Tax Parcels | |
| — Access Ramp | --- Parcel Tract Lines | |

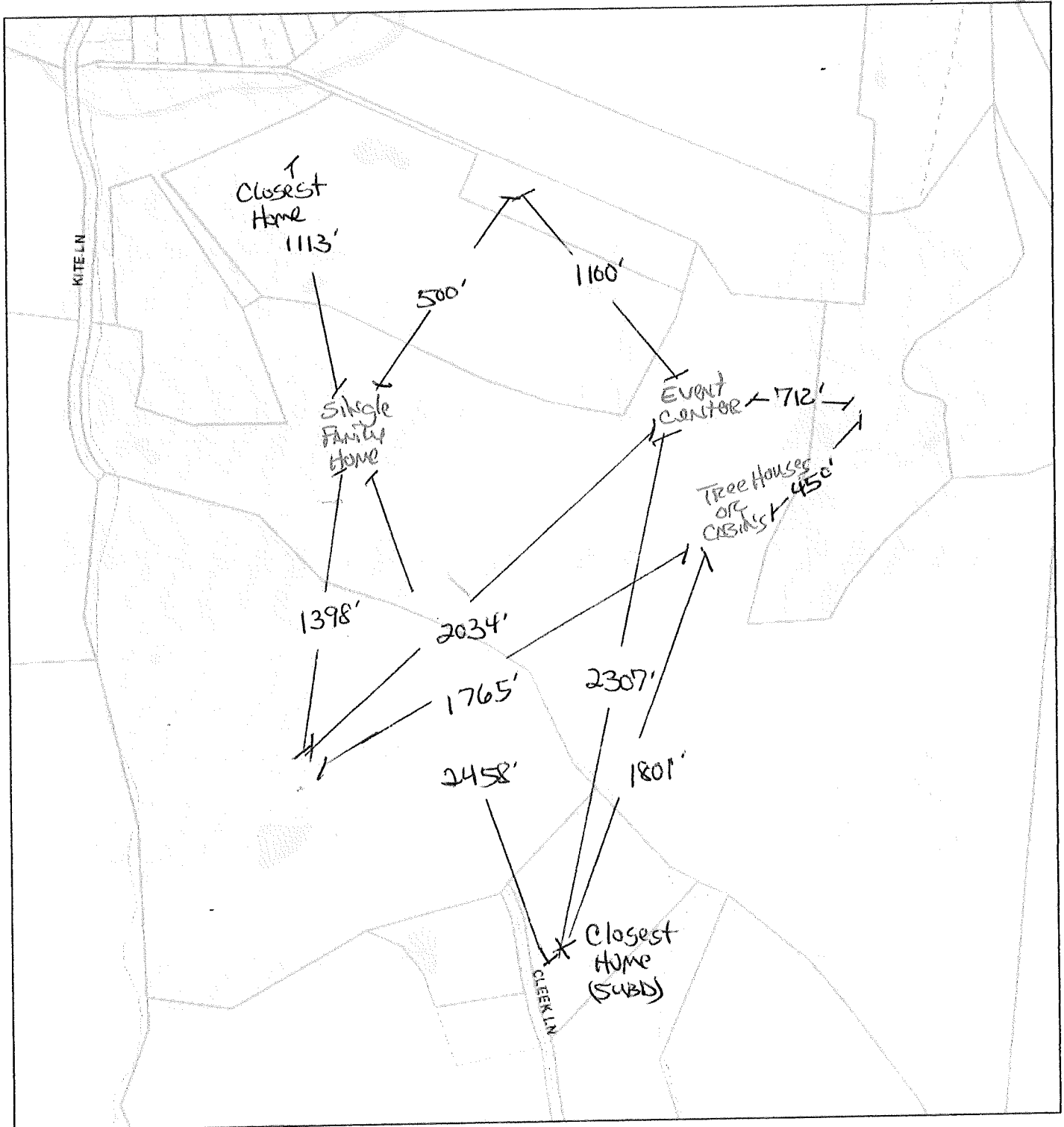
GIS Services Division, Boone County Planning Commission



LBH DESIGN
DESIGN AND LAND PLANNING
L. Brian Huehls, A.L.A.
Architect
15 NEW AVE.
CINCINNATI, OH 45204
513-593-7730
lbh@lbhdesign.com

Boone County PVA's Office

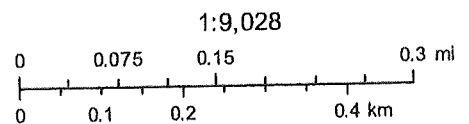
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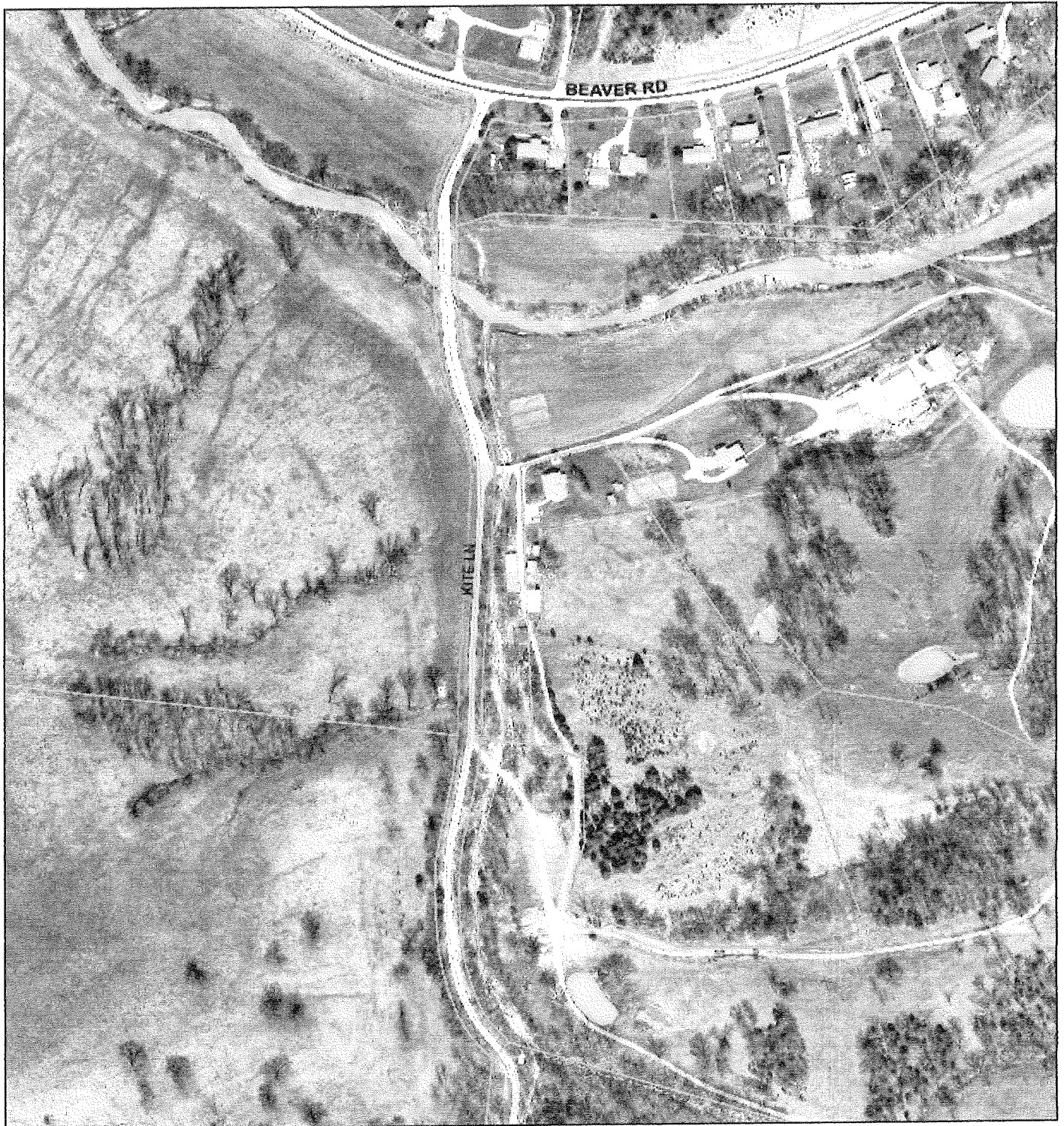
- County Boundary
- Site Number Labels
- Major Streets**
 - Interstate
 - Arterial
 - Collector
 - Access Ramp
- Residential Streets
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- Parcel Tract Lines

- Waterbodies
- Perennial Blue Line Streams
- Intermittent Blue Line Streams



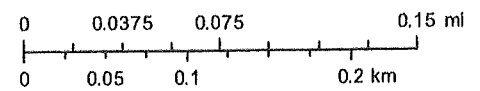
GIS Services Division, Boone County Planning Commission

Boone County PVA's Office



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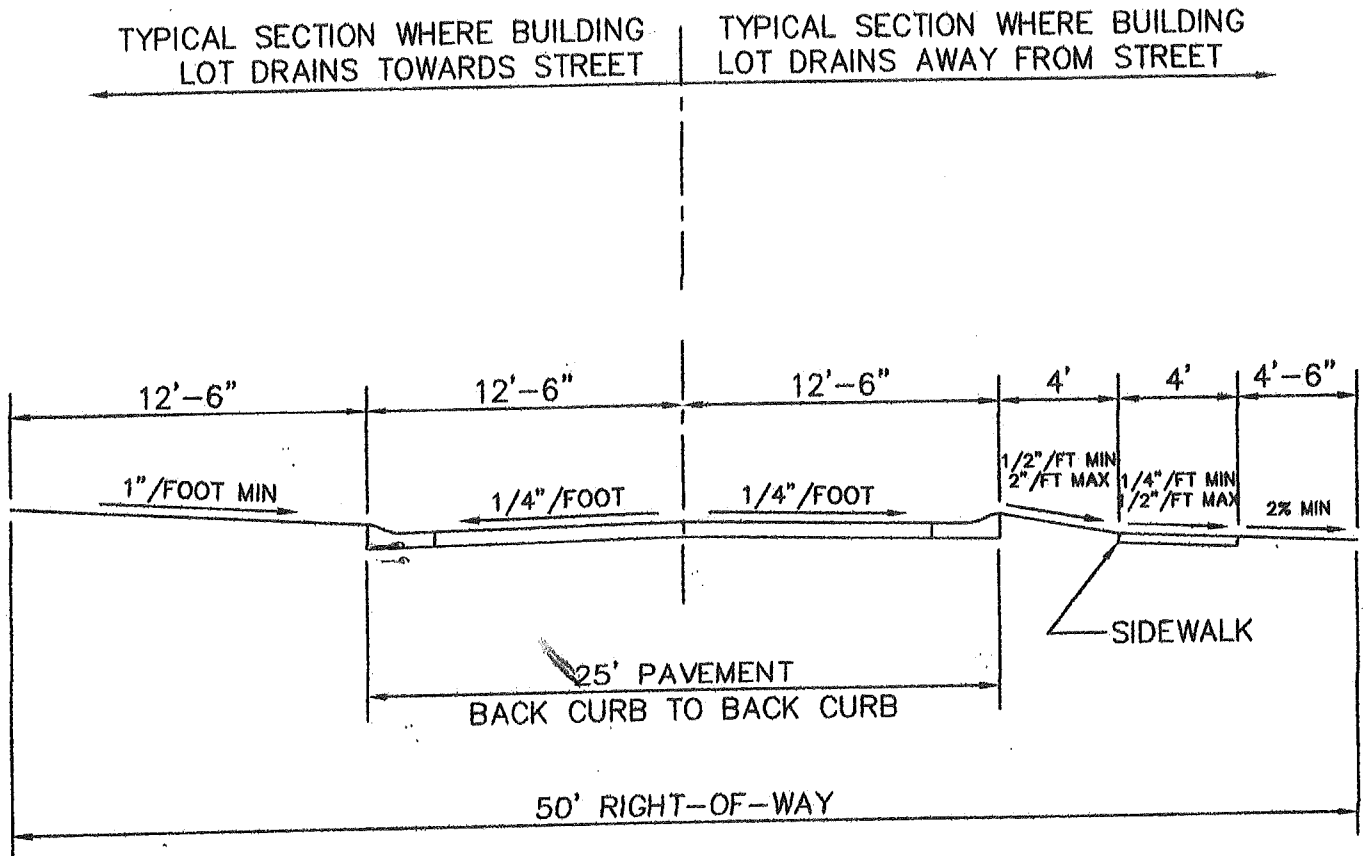


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| --- County Boundary | Residential Streets | Waterbodies |
| Site Number Labels | → Railroad Lines | Perennial Blue Line Streams |
| Major Streets | Runways | Intermittent Blue Line Streams |
| — Interstate | Runway Numbers | |
| — Arterial | Building Footprints | |
| — Collector | □ Tax Parcels | |
| — Access Ramp | Parcel Tract Lines | |

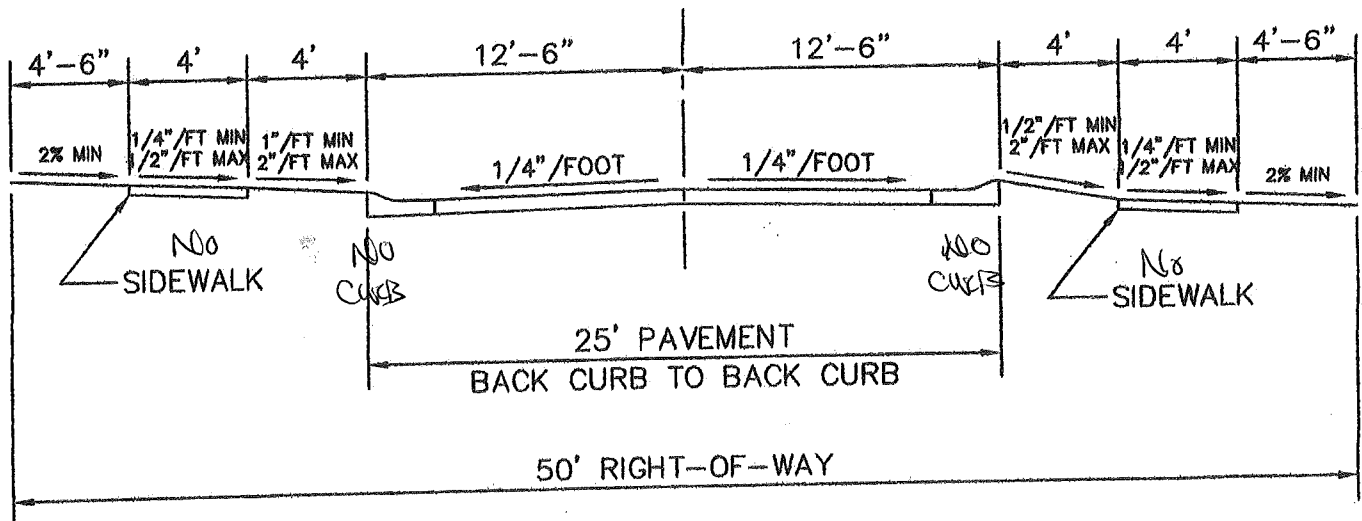
GIS Services Division, Boone County Planning Commission

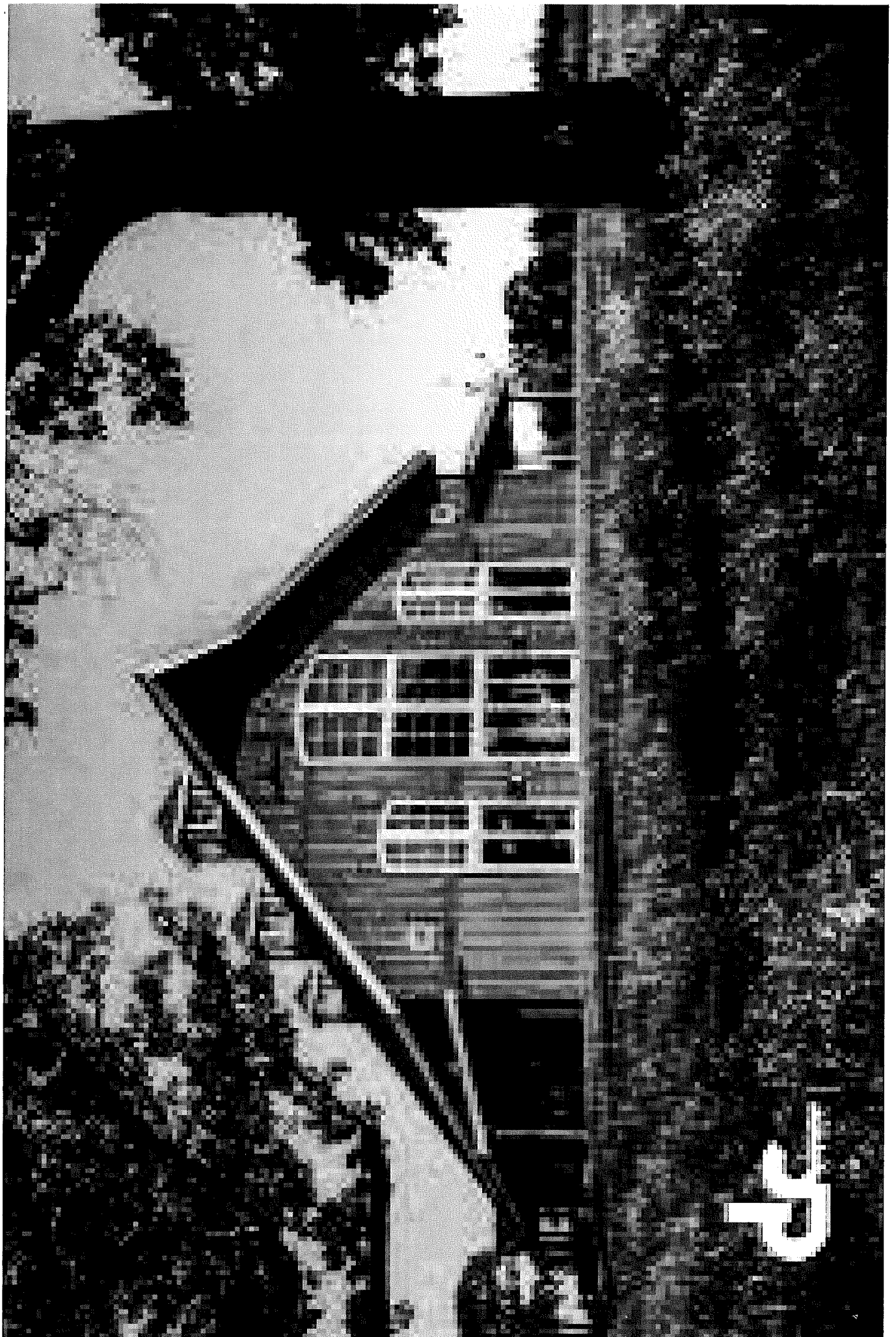
TYPICAL SECTION - CUL-DE-SACS - DEADEND

[SIDEWALKS BOTH SIDES UNLESS WAIVED BY CITY]



TYPICAL SECTION - LOCAL STREETS









STAFF REPORT

#4

APPLICANT: Delta Business Group, per Mark Jaehner, on behalf of Toby J. Frohlich

LOCATION: 12226 Kite Lane, Unincorporated Boone County, Kentucky

ZONING: Agricultural Estate (A-2)

DATE: December 12, 2018

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit for the purpose of constructing an event center, off-street parking area, cabins/treehouses, shower house, pergolas, and a fire pit on an approximate 143 acre property located at 12226 Kite Lane. Of the total property, approximately 20 acres will be used for the proposed Conditional Use.

SITE HISTORY

2018 On September 12, 2018, the Boone Board of Adjustment denied a Conditional Use Permit request for the same property

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the intent of the zoning order.
- B. Section 623 of the Boone County Zoning Regulations identifies: (1) camping, picnicking, hiking areas, trails and other recreational uses for non-motorized activities; and (2) eating and drinking establishments including alcoholic beverages as Conditional Uses within the Agricultural Estate (A-2) district.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 623 of the Boone County Zoning Regulations.
1. Findings listed in Section 262 (Findings for all Conditional Uses):
- a. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
 - b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
 - c. Will not be hazardous to existing or future neighboring uses;
 - d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;

- e. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
 - f. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
 - g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.
2. Criteria listed in Section 623 of the Boone County Zoning Regulations (A-2 district):
- a. The activity is an integral part of the agricultural use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district; or
 - b. The activity is necessary to provide the specified public services for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district; and
 - c. Provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.
- D. Section 620 of the Boone County Zoning Regulations states that "The purpose of the Agricultural estate district is to provide for low density residential development and on a limited basis agricultural uses or agricultural related uses in the context of a rural environment."
- E. Section 3162 of the Boone County Zoning Regulations identifies development guidelines for the construction of any type of structure on hillsides. The site in question contains a significant amount of developmentally sensitive areas.
- F. Section 3325 of the Boone County Zoning Regulations requires off-street parking spaces to be provided as follows:
- 1. Banquet and reception halls 1.00 space for every 4 seats based on maximum seated occupancy
 - 2. Hotels and motels 1.00 space per sleeping room plus 1.00 space per 2 employees
- G. Section 3326 of the Boone County Zoning Regulations states that parking spaces for conditional uses not listed in Section 3325 shall be determined by the Zoning Administrator.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The 2010 Boone County Comprehensive Plan's 2035 Future Land Use Plan designates the site in question for "Rural Land" and "Developmentally Sensitive" uses. These designations are defined as follows:

Rural Land - Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision.

Developmentally Sensitive - Areas that have an existing slope of twenty percent or greater for a height of 20 meters (67.6 feet), or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat, or other natural features that are important to a site's stability and visual character. In addition, developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance. Any development on land identified as Developmentally Sensitive must be carefully assessed by the developer and the Planning Commission to determine the ability of the land to support the proposed project.

- B. The following 2017 Boone County Comprehensive Plan's Goals & Objectives apply to the application:

Mixing of residential and other land uses shall be encouraged where appropriate (Overall Goal A, Objective 1).

Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

An evaluation of environmental factors identified in this Plan will be part of any development review process (Environment Goal A, Objective 1).

Areas possessing unique environmental characteristics should be preserved, used as passive or active recreational areas, or appropriately incorporated into development design (Environment Goal A, Objective 2).

Developmentally Sensitive and scenic areas shall be identified, mapped, and stabilized. Developments proposed in any of these areas shall be carefully designed and reviewed to minimize environmental impacts (Environment Goal A, Objective 3).

Developmentally Sensitive hillsides in Boone County must be given special consideration. Any proposed development on hillsides designated as such shall be reviewed and monitored to maintain the environmental and structural integrity of the hillsides (Environment Goal A, Objective 4).

Development shall attempt to utilize existing topography and vegetation (including mature

trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).

Adequate Active Recreation facilities and programs are provided to meet changing demographics and significant natural features, cultural resources, and open spaces are preserved (Natural and Cultural Resources Goal A).

C. The following passage from the Land Use Plan Element applies to the general area:

This section of Boone County is characterized by a substantial portion of U.S. 42, Richwood Road, Hicks Pike, and Rice Pike area. This section will also be greatly affected by the reconstruction of U.S. 42. Suburban Residential Development of this section of the county is dependent upon the provision of water and sewer, and should not negatively impact the Big Bone Creek and Mud Lick Creek watersheds. The water and sanitary sewer services should not commit these two watersheds to extensive development. Even with the rural water line program, residential development will be slow and of a large-lot nature. It is important that residential subdivisions construct internal roadway systems rather than using the existing roads for primary access; these existing roads should serve as corridors to move traffic through the area. Substantial residential growth will compound crowded conditions at the New Haven Elementary School and will require expansion of school facilities. Beaverlick should remain as a small community with little growth. Any commercial development in this area should locate at the intersection of U.S. 42 and Beaver Road in Beaverlick.

SITE CHARACTERISTICS

The 143 acre property is located along the east side of Kite Lane, approximately 1,400 feet south of Beaver Road. Approximately 20 acres of the northern portion of the property is proposed to be developed. The property is currently undeveloped, with the exception of a barn. Access to the property is from Kite Lane, a two-way local road, within an approximate 14 foot pavement width. An overhead electric transmission line, running in a north-south direction, crosses through the property, approximately 800 feet east of Kite Lane. Boone County GIS shows that the topography of the site is lowest at Kite Lane, being 500 feet above mean sea level, and rises to 790 feet above mean sea level at the northeast portion of the property.

SURROUNDING LAND USES AND ZONING

North: Undeveloped, agricultural, and single-family residential (A-2)

South: Undeveloped, agricultural, and single-family residential (A-2)

East: Undeveloped, agricultural, and single-family residential (A-2)

West: Undeveloped, agricultural, single-family residential, and Big Bone Lick State Park (A-1, R, and RSE/SC)

The area immediately to the north of the property, along Kite Lane, is located within the 100-Year floodplain.

The area immediately to the west of the property, fronting on the west side of Kite Lane, is located

within an Agricultural District. Agricultural Districts are administered by the Boone County Conservation District, under the Kentucky Division of Conservation, and allow farmers to form special areas where commercial agriculture is encouraged and protected.

STAFF COMMENTS

A. The submitted development plan indicates the following:

1. Construction of a detached single-family residential dwelling (not part of this review)
2. Construction of an approximate 6,000 square foot event center
3. Provision for 157 off-street parking spaces
4. Maintenance of the existing barn
5. Construction of eight short term rental cabins/treehouses
6. Construction of a shower house
7. Widening of Kite Lane to twenty-five (25) feet
8. Provision for a twenty (20) foot wide gravel driveway from Kite Lane into the property
9. Provision for three (3) pergolas and a fire pit

B. The applicant has provided additional information, that is summarized as follows:

1. The event center will be designed to hold 250 persons
2. Events will not last past 11:45 pm
3. Music will end by 11:30 pm
4. The cabins/treehouses will be 400 to 600 square feet in size and will be rented 7 to 8 months per year
5. The event center is to be set back a minimum of 170 feet from the closest property line
6. The pergolas are to be set back a minimum of 85 feet from the closest property line
7. The cabins/tree houses are to be set back a minimum of 125 feet from the closest property line
8. The closest adjoining house to the event center is 712 feet
9. The closest adjoining house to the cabins/treehouses is 450 feet

- C. Section 262 of the Boone County Zoning Regulations identifies criteria necessary for granting a Conditional Use. The applicant has provided information as part of their submittal (see attached).
- D. Section 623 of the Boone County Zoning Regulations identifies criteria necessary for granting a Conditional Use permit within the A-2 district. The applicant has provided information as part of their submittal (see attached).
- E. Section 3162 of the Boone County Zoning Regulations identifies guidelines on how to best develop on slopes of 20% or greater. The applicant has provided information as part of their submittal (see attached).
- F. Section 3230 of the Boone County Zoning Regulations identifies design requirements for driveways. The applicant has provided information as part of their submittal (see attached).
- G. Article 33 of the Boone County Zoning Regulations identifies requirements for the provision and construction of off-street parking facilities. The applicant has provided information as part of their submittal (see attached).
- H. Article 34 of the Boone County Zoning Regulations identifies requirements for signage. The applicant needs to provide information regarding if they intend to have signage, and, if so, how they intend to meet these requirements.

OTHER AGENCY COMMENTS:

- A. Boone County Public Works has raised the following issues: (1) Kite Lane should be widened to support two-way traffic; (2) the site could be land-locked during a flash flood event; and (3) the widening of Kite Lane may require approvals from the Kentucky Division of Water and/or the Corps of Engineers (see attached email).
- B. The Northern Kentucky Health Department has raised the following issues: (1) EPA Division of Water approval may be necessary for a water source; (2) the owner will need to submit plat/plans to the health department for site evaluation; (3) Kentucky Food Code requirements may need to be met; and (4) Kentucky State Plumbing Office should be contacted about possible requirements (see attached email).
- C. The Kentucky Division of Water has raised the following issues: (1) the responsible party will have to obtain and comply with General Stormwater Construction Permit; (2) Construction and operation of an on site wastewater treatment system will require permitting from the Division of Water; and (3) the use of a cistern or a private well to supply water would most likely require the facility to operate as a public water supply (see attached email).

CONCLUSION

KRS 100.237 and Section 220 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,

Michael D. Schwartz
Planner

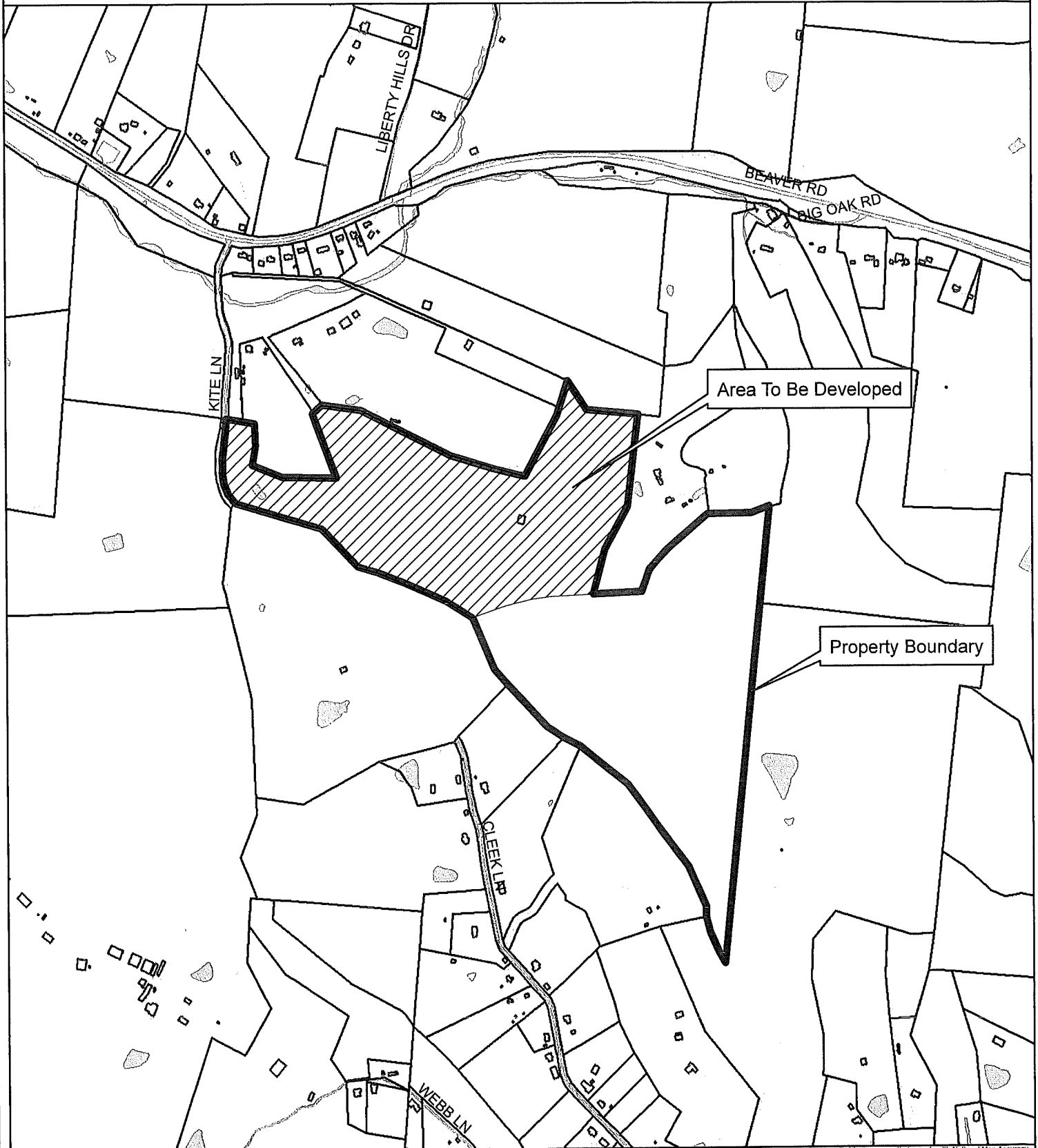
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Zoning Map
- *2035 Future Land Use Map
- *Floodplain Map
- *Application
- *Applicant's Project Description
- *Concept Development Plan
- *Agency Comments

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.

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1 inch = 1,000 feet



Boone County GIS - Putting Northern Kentucky on the Map

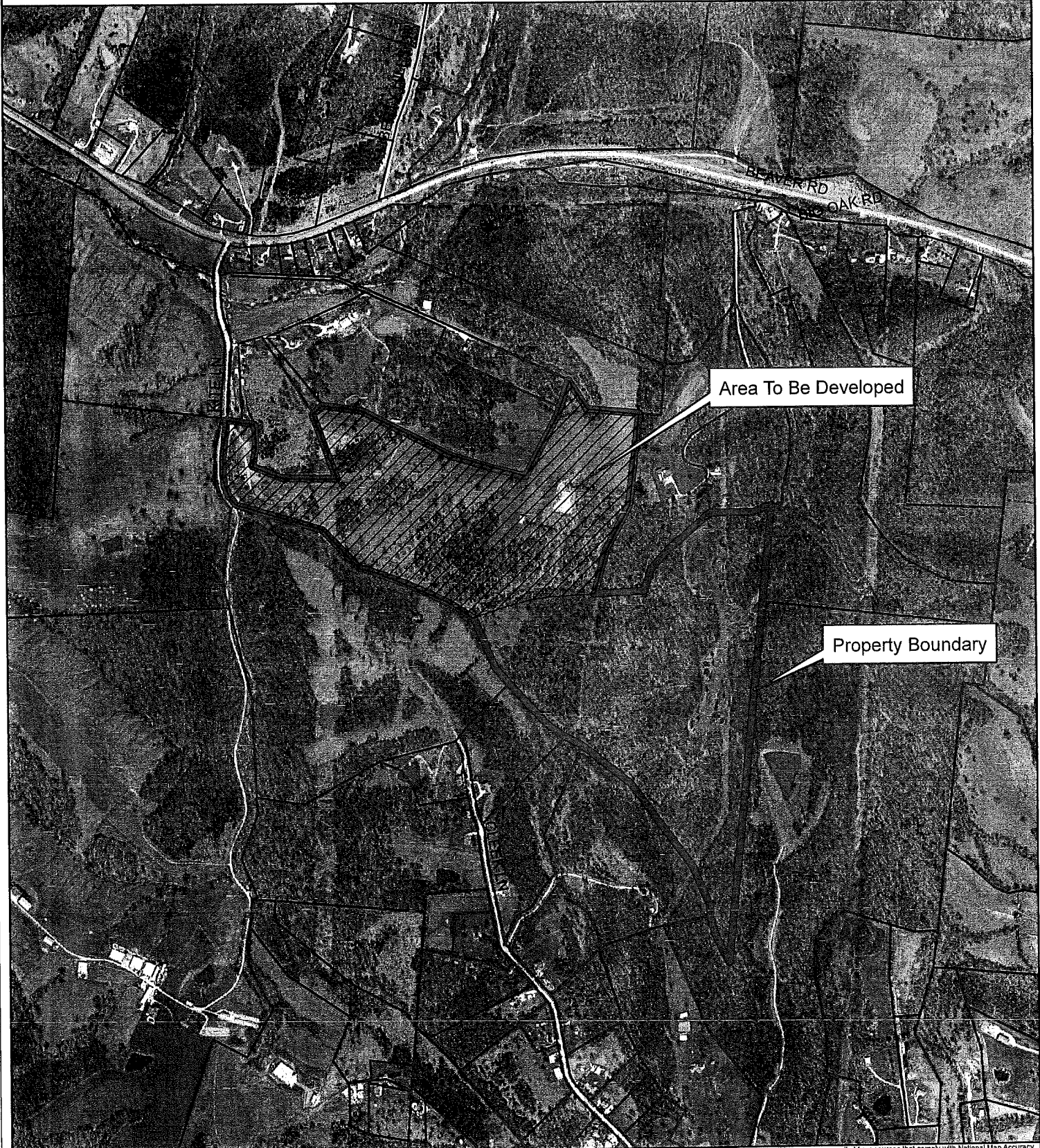


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Boone County GIS
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Aerial Map

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Boone County GIS - Putting Northern Kentucky on the Map

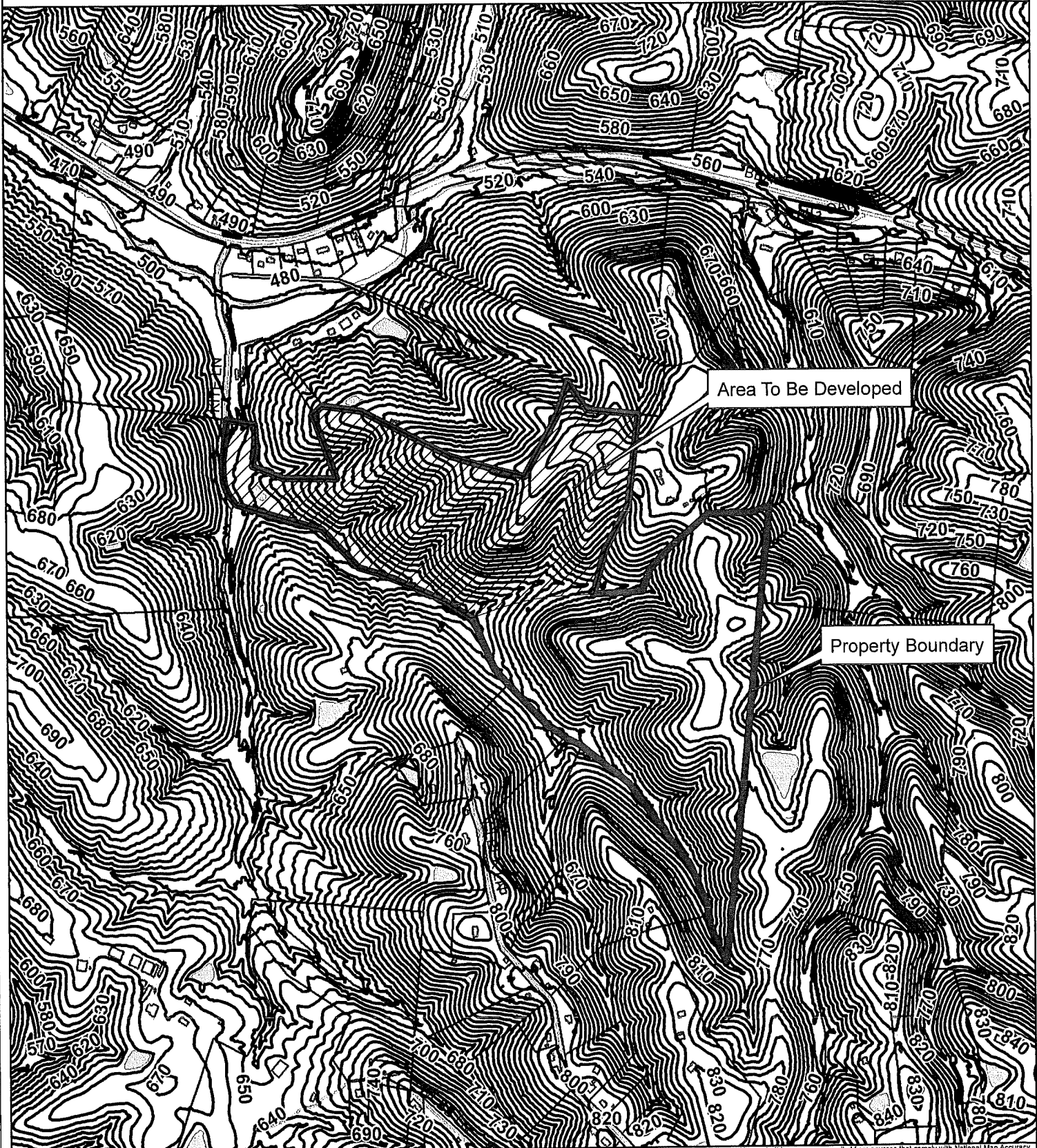


With Thanks to Kentucky GIS 2018-2019
ArcMap Document: *.mxd

Map Created: 01/01/2018

Topographic Map

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Boone County GIS - Putting Northern Kentucky on the Map

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ArcMap Document: *.mxd

Zoning Map

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Boone County GIS - Putting Northern Kentucky on the Map

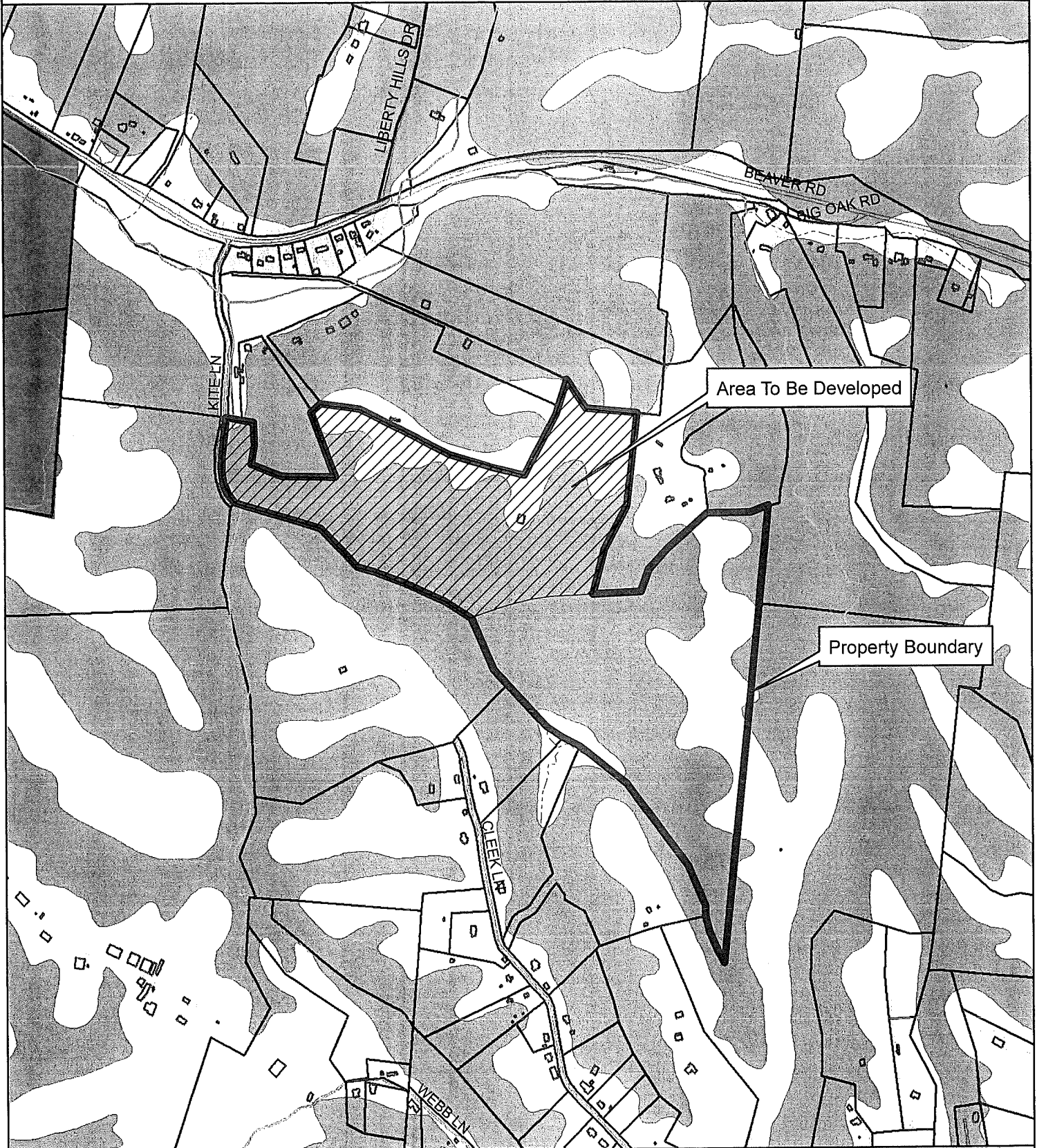


Boone County GIS
ArcMap Document: *.mxd

Map Created: 01/01/2018

2035 Future Land Use Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

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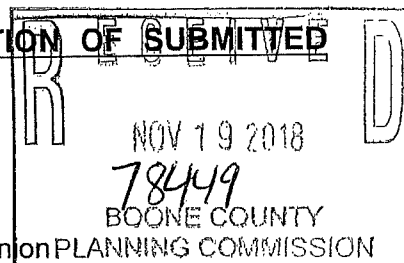
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APPLICATION FORM

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 _____ Florence _____ Walton _____ Union _____
2. (Check One) ☒ Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name DELTA BUSINESS GROUP MARK TAE HAN
Applicant's Address 1333 CEDARPOINT COURT
Amelia Ohio 45702
City State Zip
Phone Number 513-485-7841 Fax No. _____ E-Mail JAHNWLS7@YAHOO.COM
4. Description of Request: EVENT CENTER (WEDDINGS AND RECEPTIONS), WITH CABINS/TREE HOUSES, SINGLE FAMILY HOME,
5. Name of Development THE GENESIS
6. Location of Development 12226 KITE LAKE, UNION, KY
7. Acreage Under Review 1.42
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property TOBY FROTHUEH
Address of Property Owner 3677 HATHAWAY ROAD
10. Union Ky. 41091
City State Zip
Phone Number 513-652-9060 Fax No. _____ E-Mail TOBYEASTMACHINE@TOOL.COM
11. Proposed Use(s) on Site EVENT CENTER, CABINS / TREE HOUSES, SINGLE FAMILY HOME
12. Total Square Footage of Existing and/or Proposed Buildings EVENT CENTER 6000 S.F.
13. Current Zoning on Property AGRICULTURAL ESTATE A-2
14. Deed Book 1040 Page No. 331 Group No. 2067
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? 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)

(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 11-19-18 Fee Received \$732.00 Receipt # 78449
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
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.

DELTA BUSINESS GROUP
1333 Cedarpoint Court
Amelia, Ohio 45102

November 19, 2018

Boone County Planning Commission
2950 Washington Street
Burlington, Kentucky 41005
Attention Mr. Mike Swartz

In Re: Boone County Conditional
Use application for
December 2018 hearing.

Dear Mr. Swartz:

Thank you for your assistance on this project, we respectfully request with this application and attachments to be included in the December 12, 2018 hearing.

This project consists of the following items to be constructed on approximately 20 acres of the 143 plus acre property.

- Mr Frohlich's single family home.
- Wedding/Event center approximately 6000 S.F. includes inside the bathroom facilities, two changing room areas, receiving area for catering for the events with refrigerator, microwave, sink and cabinets (no cooking appliances for on-site food preparation). This center to hold 250 person occupancy. Events not to last past 11:45 pm, with music to end by 11:30 pm with the Event center and surroundings to be constructed of a wooden/rustic/country atmosphere.
- 125 space parking area for the Event Center as shown on the event center.
- Maintenance of the existing barn.
- Eight cabins/tree houses for short term rentals and a shower house for these units, with three parking spaces per unit at the cabin and one parking space per unit at the shower house.
- Widen Kite lane approximately 550 feet from the property entrance driveway north towards rt. 338 to meet with Boone County Engineers specifications of 25 feet wide as shown on the attached plan.
- Provide a 20 foot wide gravel driveway throughout the property as shown on the attached site plan, please note site adjustments may be required due to engineering design requirements.
- Build three pergolas and a fire pit.

The project is named "The Genesis" with the event barn named "The Grand Barn at the Genesis" this project is to be a family owned and ran operation. No four wheeling and/or hunting will be permitted on the 20 acres of the property. The concept is to have church related events, wedding's, family reunions at the Event Center and cabins of approximately 400 to 600 S.F. to be rented around 7 to 8 months per year during the spring/summer/fall time of year. The shower house to have separate facilities for women and men and both to be handicap accessible. The handicap parking area will be made of concrete or asphalt surface and to be paved to the buildings.

Locally there are over 27,000 weddings in the Northern Kentucky area each year, with bookings presently at least 2 years and out, thus our request to provide for this venue. The local competition is the following:

- The Prickle Barn, Verona Kentucky.
- The Josephina, Dry Ridge.
- The Farm, Delhi Township.
- Rolling Meadow Ranch, Warren County Ohio.
- Nelter Farm, Campbell County.

The trend for non-traditional ceremonies is moving into this type of venue. Only 26% of couples had their weddings in religious institutions in 2016 down from 41% in 2009 per the Knots 2016 Real Wedding Study. The Knot surveyed nearly 13,000 US couples while finding their way into farms, barns and ranches for their ceremonies has gone up.

We have met and/or discussed with the following agencies to be sure we are meeting the appropriate codes and requirements:

- Boone County Zoning-Planning Commission's Mike Swartz.
- Northern Kentucky Health Department's Laura Strevels and Ted Talley.
- Northern Kentucky Plumbing Inspector Chris Stein.
- Boone County Engineer Scott Pennington.
- Union Township Fire Chief Mike Morgan.
- Boone County Building Departments Donald Wright.
- Kentucky EPA about on-site water Peggy Wade.
- SD1 about construction activities Andy Amen.
- Boone County Water's Matthew Gross

In accordance with the conditional use permit checklist section 262 we include the following responses to the #1 thru #7 items:

- 1) This project will be harmonious in accordance with general objectives of the County's Comprehensive Plan, a specific corridor plan and/or zoning order. We did not find any specifics in this area of the county.
- 2) Will be designed, constructed, operated and maintained to be harmonious and appropriate with the existing vicinity and not change the character of the same area. We plan the buildings and surroundings to blend with the area, utilizing the foliage and terrain coupled with the amount of property very little of these facilities will be viewed from off site buildings.
- 3) There is no hazard to any adjacent properties.
- 4) Will be served adequately to essentials facilities, fire, police, utilities, drainage, etc...
- 5) This project will not cause any costs to the public facilities and services and will assist with local economic welfare of the community.
- 6) This project will not be detrimental to any person, property or the general welfare of the community.
- 7) The requirement to widen Kite Lane the distance of 550 feet +/- will assist with the traffic on Kite lane.

In accordance with the Concept Development Plan we have included all the items listed on page 3.2 and 3.3 of the code:

- 1) Mike Swartz per our conversation on 11/14/18 said he would run copies to insert into application for these items if needed.
- 2) Transportation Patterns is public access off Kite Lane off Rt. 338 into the property on the ingress and egress lanes shown on the plan (to meet all local codes as required), due to lack of existing adjoining roads to this property a second access is not available.
- 3) Land Use existing is wooded 143 acres with this project to be on the front 20 acres into the owner's single family home, the event center, the 8 cabins/tree houses with a shower house, 3 peroglas and a fire pit. The open space is 80% of the 20 acres, with the balance for impervious surface on the roads and buildings, parking areas. Sizes are 6000 S.F. event center, 8 cabins/tree houses 400 – 600 S.F. each, shower house to be 4800 S.F. =/-.
- 4) Utilities will be thru Owen Electric, on-site wastewater and cistern for potable water supply.
- 5) Proposed Zone change will conform with the area, Big Bone Lick State Park is a neighbor to the west, Potters Ranch is 3.8 miles west along Rt. 338, the cabins/tree houses used during the spring/summer/fall time periods blends well on the 20 acres sited for this project, the event center to house weddings, family reunions, etc... works well within the community.
- 6) Plans are on 8-1/2" x 11" size paper for reproductions.

- 7) No variances are being requested on this project.

Optional Requirements of Concept Development Plan includes the following:

- 1) Included above is items #1 thru #7.
 - 2) Area map with owner's names and address are attached.
 - 3) 20 of the 143 acres to used for this project, however 16 acres to remain green space as presently used.
 - 4) Only one residential unit for the property owners to occupy.
 - 5) Non-residential event center is 6000 S.F. on the northeast portion of the 20 acre area. The cabins/tree houses and the shower house is located on the Northeastern portion of the 20 acres as shown on the attached map.
 - 6) Roads and parking, building locations are shown on the attached plan.
 - 7) 20 acres of land for this project less 4 acres of home, event center, parking areas, cabins/tree homes, shower house, pergolas, roadways, sidewalks so 80% +/- of green space as shown on the concept plan, landscaping to be provided for all the buildings at a later date, maintenance to be taken care of by the property owners.
 - 8) Mike Swartz advised that a landscape plan is not required at this time.
 - 9) No flooding in the 20 acre area of the project.
 - 10) No local public water and or sanitary sewer is available. Contact with local and state agencies preliminary concept is for on-site wastewater and potable cisterns for water use. Electric/cable/phone lines to be underground located along the roadways then branch off to each building. Storm water system to be designed for use to retention and/or detention ponds sized per code and permitted accordingly.
 - 11) No use for schools as the property owners are empty nesters and the remaining buildings do not utilize the school system.
- Union Fire Department is approximately 3.8 miles west of Kite Lane and Rt. 338 intersection. Boone County Police to provide police coverage in this area.
- 12) Storm water retention/detention basins to be located on the 20 acre site to be determined per design plan, note the existing pond to be utilized for a portion of the stormwater retention.
 - 13) Article 34 for Zone A-2 is a monument sign 32 S.F. maximum and not to exceed 8 feet in height, to be placed on this property near the entrance of the property off Kite Lane.
 - 14) Construction schedule would be to begin design, apply for permits/approvals for the single family home and the event center during 1st quarter 2019 and the cabins/tree houses in late summer 2019.
 - 15) No traffic study required for this project.

Please note the Union Township Fire Department is approximately 3.8 miles away on Rt. 338, Big Bone Lick State Park is 2.9 miles away and the entrance is partially located in the same flash flood zone.

As a note Florence Speedway located on Rt. 42 has considerable noise levels far above the decibel sounds from this facility that is located inside the event center.

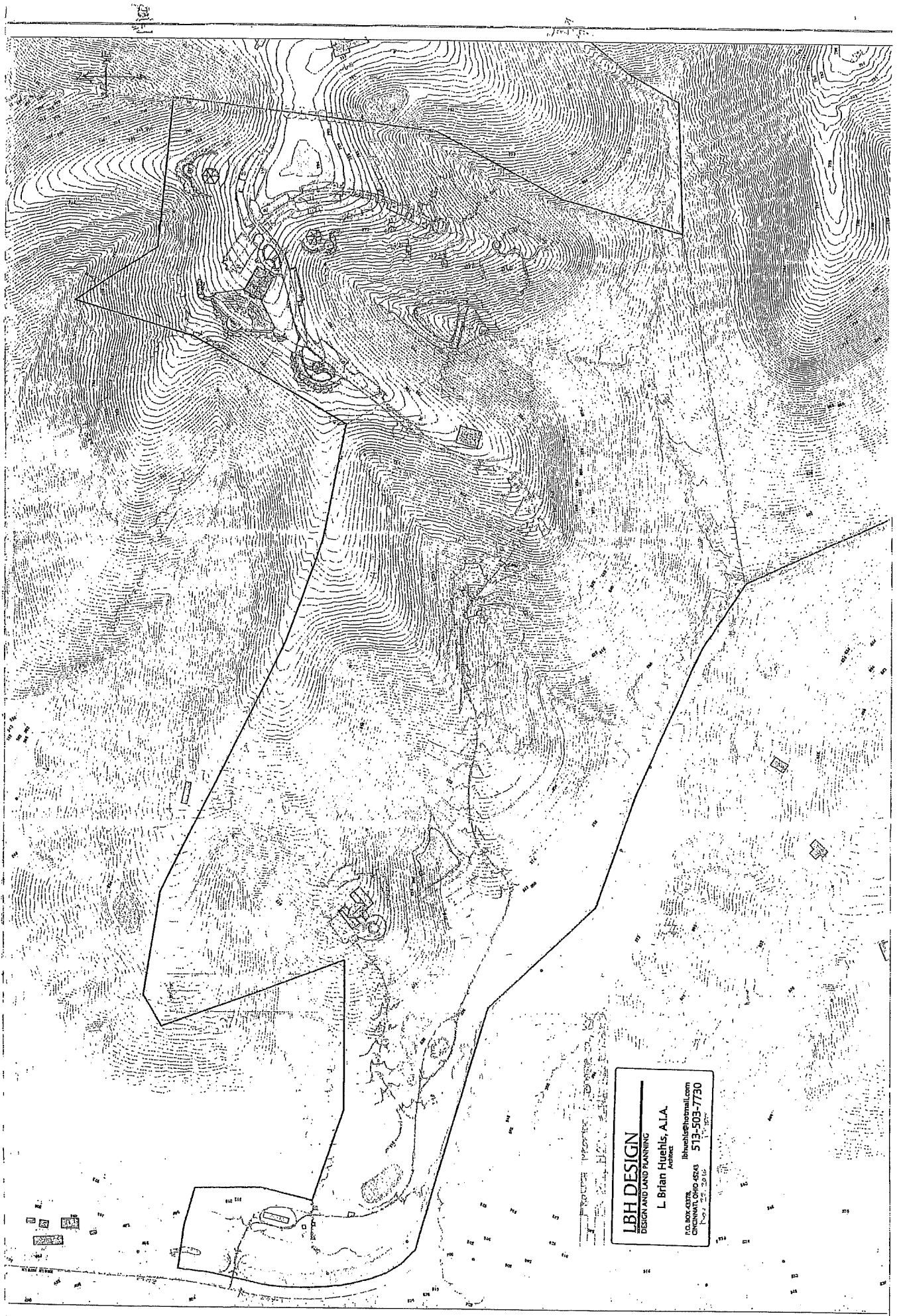
In the previous hearing the following sections of the Boone County Regulations were quoted to provide an explanation on how we intended to meet these requirements:

- Section 220: Is the governing body for these approvals for which we request.
- Section 623: We meet the use of the land as shown on page 6.6 numbers 8,11,12, as well as staff reports findings from previous meeting.
- Section 262: we meet the requirements of this section as listed in the previous staff meetings findings. We will follow all codes, will not construct on steep slopes, work harmoniously with the surroundings and the environment to provide facilities to meet the goals of the county, we will meet all codes to ensure this project to meet all utility codes, fire and police access, vehicular access including handicap access from Kite Lane.
- Section 620: low density development in a rural environment is included with 8 cabins/tree houses, event center, single family home and the amenities as previously stated on the 20 acres for this project.
- Section 3162: None of the buildings are to be constructed on steep hillsides, Geotech analysis to be provided to the necessary agencies during design to assure the structures meet all requirements.
- Section 3325: off street parking codes for hotels/motels for the cabins/tree houses is 1 space per sleeping room and 1 space per 2 employees, we have 3 spaces per unit.
The Banquet/reception hall is 1 space per 4 seats, occupancy to be 250 people/seats divided by 4 = 62.5 spaces we propose 125 parking spaces.
- Section 3326: Parking spaces to be determined by Zoning Administrator, with the additional parking spaces to be provided we feel we have met these requirements.
- Section 2010: Comprehensive Plan 2035 land use plan: one dwelling unit per 2 acres, we have 8 units for 20 acres and the concern for hill sides/steep slopes we will not be building in these areas again will be completed with Geotech analysis prior to building at the permit stage.

- Section 2017 Boone County Comprehensive Plan & Goals: we meet these requirements per previous staff report shown on page 3 bottom of page labeled B except will utilize on site sewage and cistern for potable water approved facilities.
- Sound Transmission Class is the way to measure sound, the concerns of the public for sound to be controlled at an acceptable rate can easily be accomplished by the enclosed building, types of building materials, insulation, existing foliage and properly insulated windows and doors. Note the Florence Speedway was in place prior to the subdivision for the Creek Lane's homes being built and the decibel levels of the speedway exceed any other source of noise in this area. This facilities decibels levels will be kept to local codes with strict attention paid to the building to accomplish this requirement to only offer that this project is harmonious with the surrounding neighbors.

If you have any questions please contact me at 513-485-7861,

Delta Business Group
Mark Jaehnen



LBH DESIGN
DESIGN AND LAND PLANNING

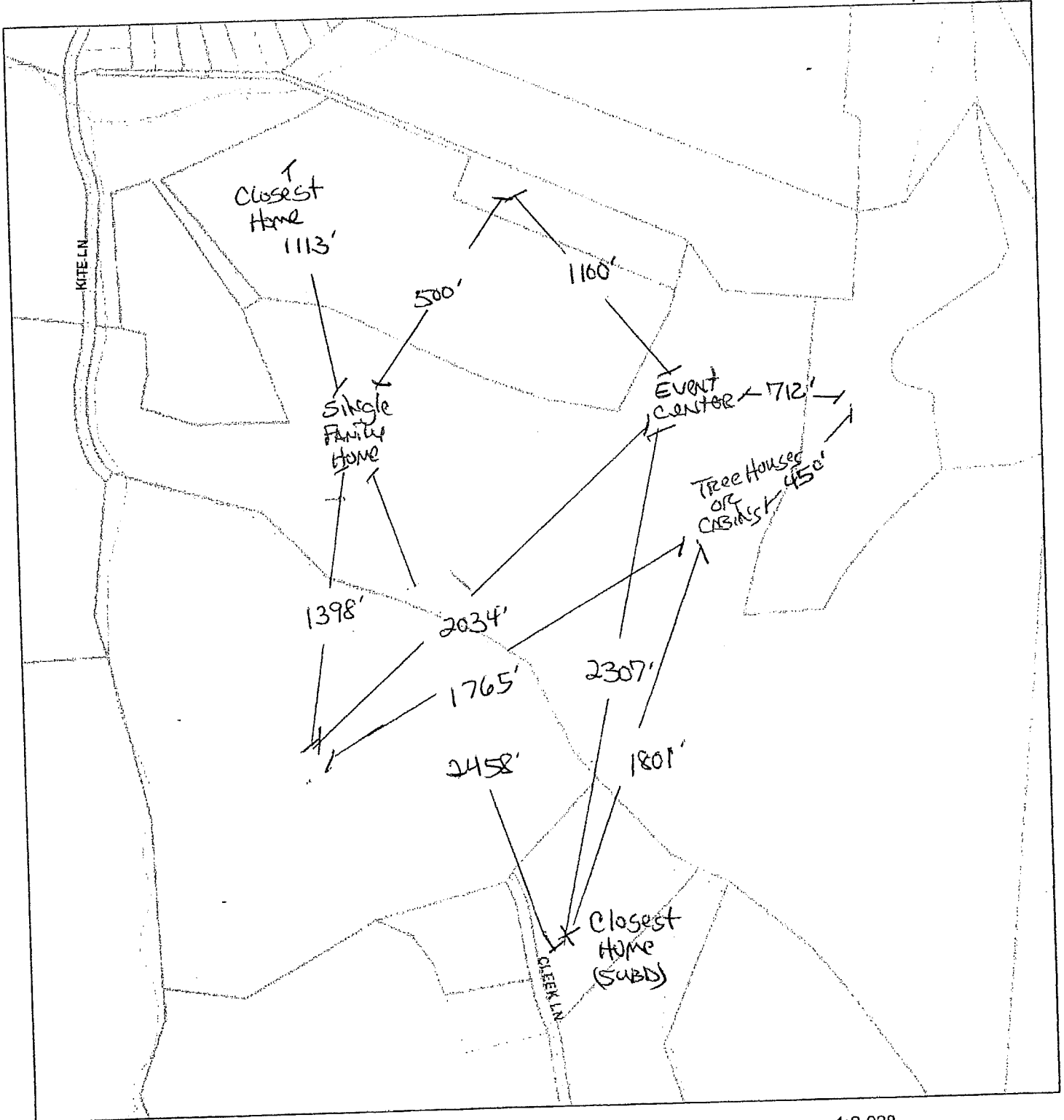
L Brian Huebels, A.L.A.
ARCHITECT

P.O. BOX 4278
CHICAGO, OHIO 43003
707.221.3010

lbhuebels@hotmail.com
519-503-7730

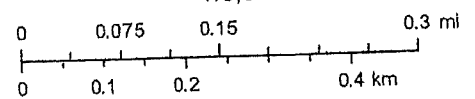
Boone County PVA's Office

4
NORTH
NOT TO SCALE



11/13/2018 1:54:34 PM

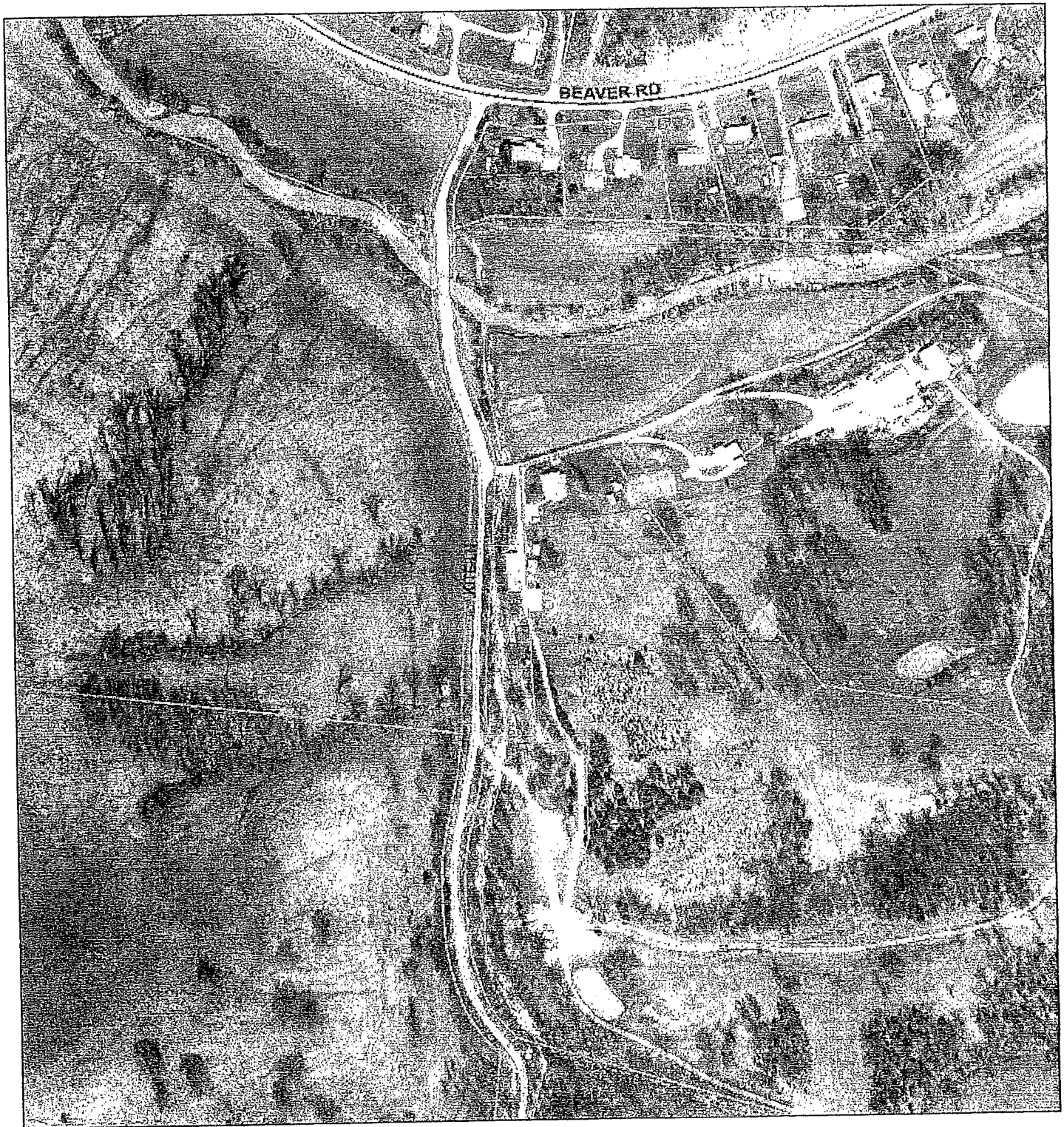
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| --- County Boundary | Residential Streets | Waterbodies |
| Site Number Labels + | Railroad Lines | Perennial Blue Line Streams |
| Major Streets | Runways | Intermittent Blue Line Streams |
| --- Interstate | Runway Numbers | |
| --- Arterial | Building Footprints | |
| --- Collector | Tax Parcels | |
| --- Access Ramp | Parcel Tract Lines | |

GIS Services Division, Boone County Planning Commission

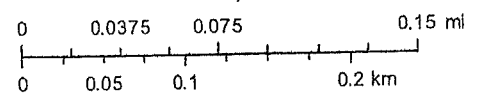
Boone County PVA's Office



11/5/2018 12:40:25 PM

1:4,514

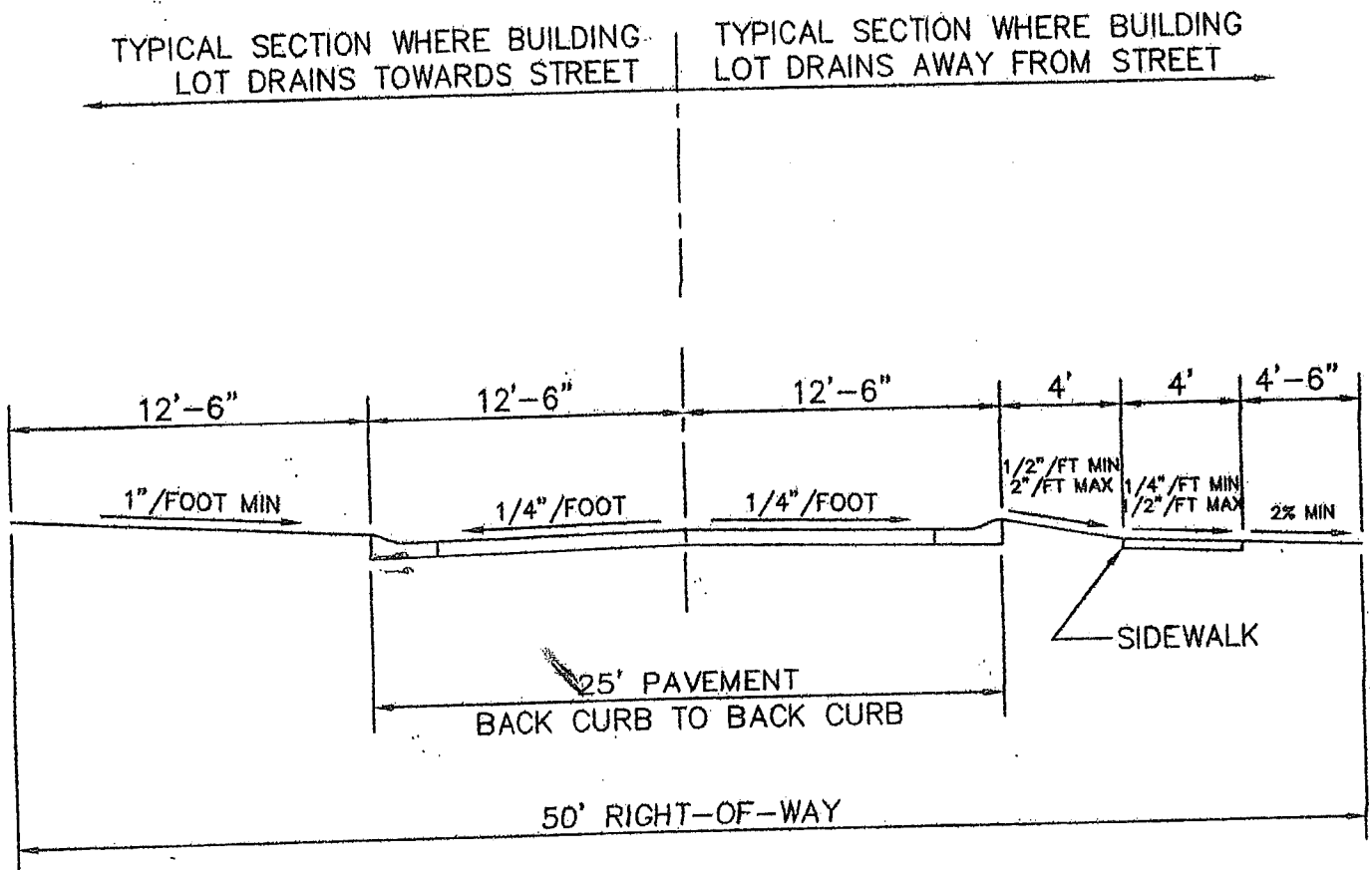
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| --- County Boundary | Residential Streets | Waterbodies |
| Site Number Labels | --- Railroad Lines | Perennial Blue Line Streams |
| Major Streets | Runways | Intermittent Blue Line Streams |
| — Interstate | Runway Numbers | |
| — Arterial | Building Footprints | |
| --- Collector | Tax Parcels | |
| — Access Ramp | Parcel Tract Lines | |



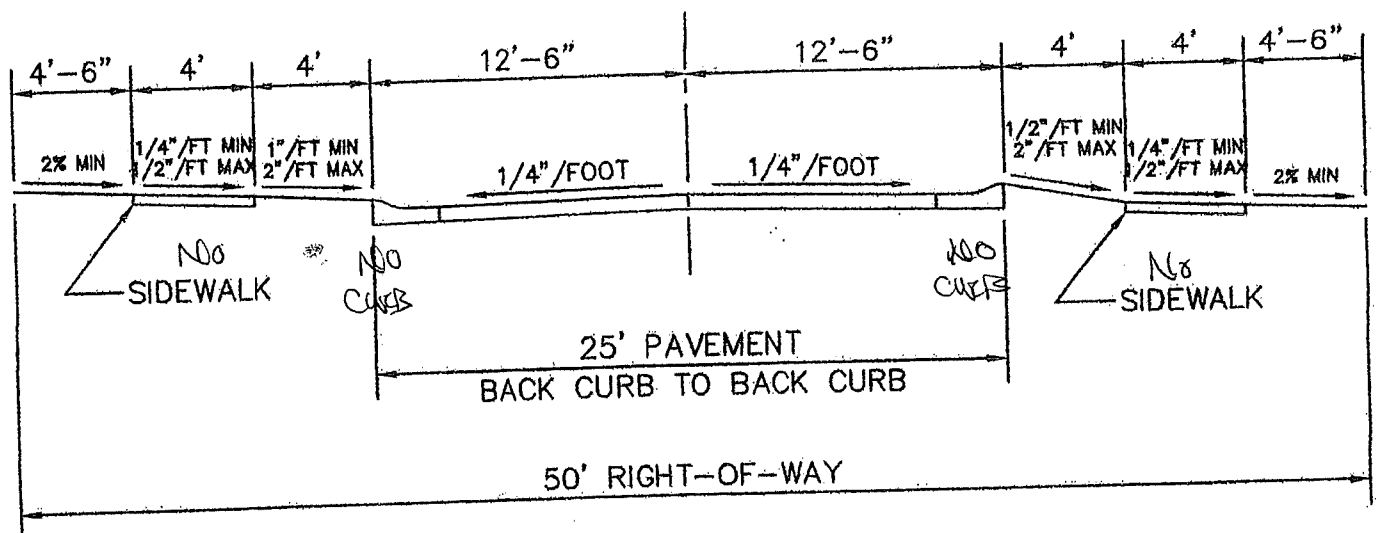
GIS Services Division, Boone County Planning Commission

TYPICAL SECTION — CUL-DE-SACS — DEADEND

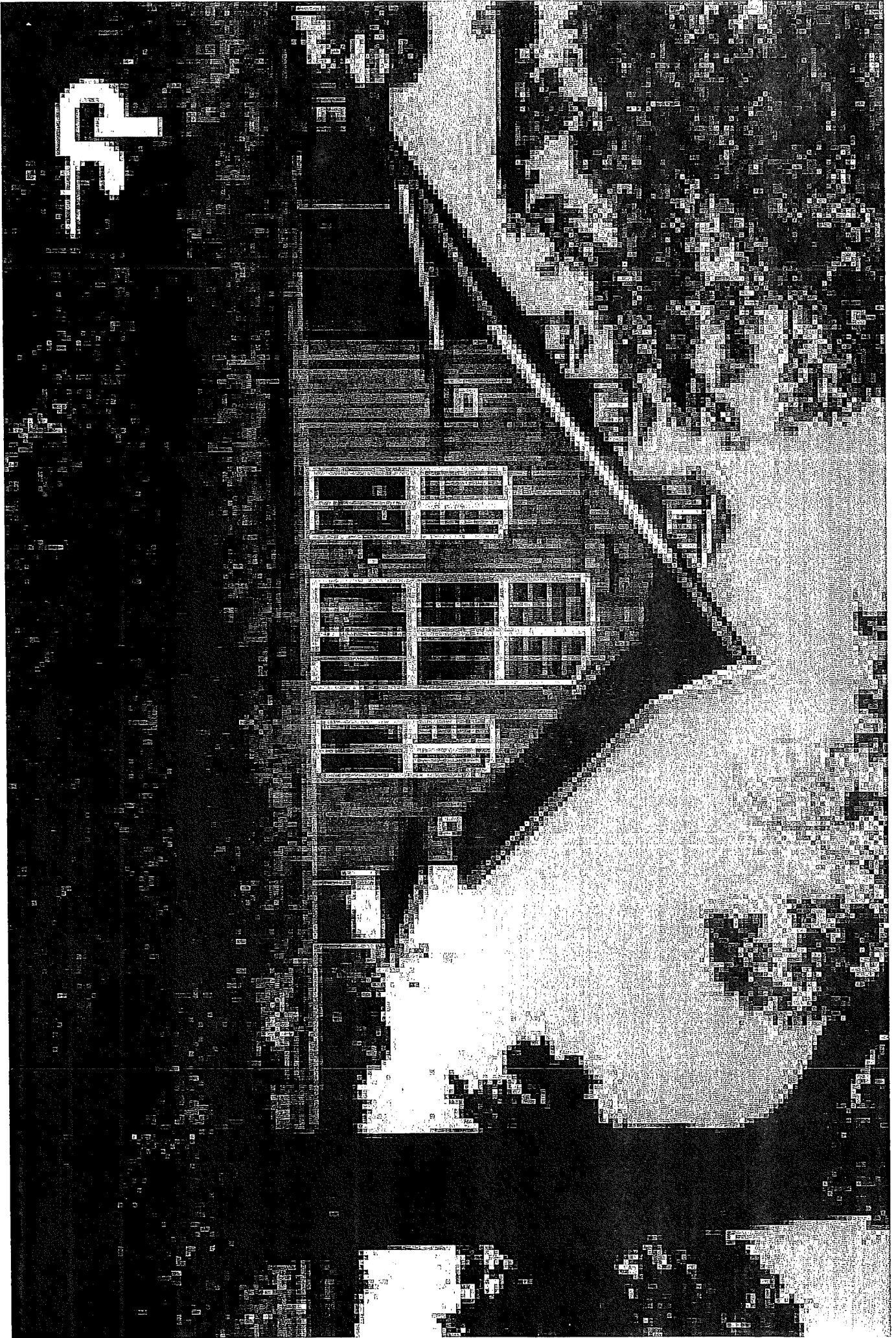
[SIDEWALKS BOTH SIDES UNLESS WAIVED BY CITY]

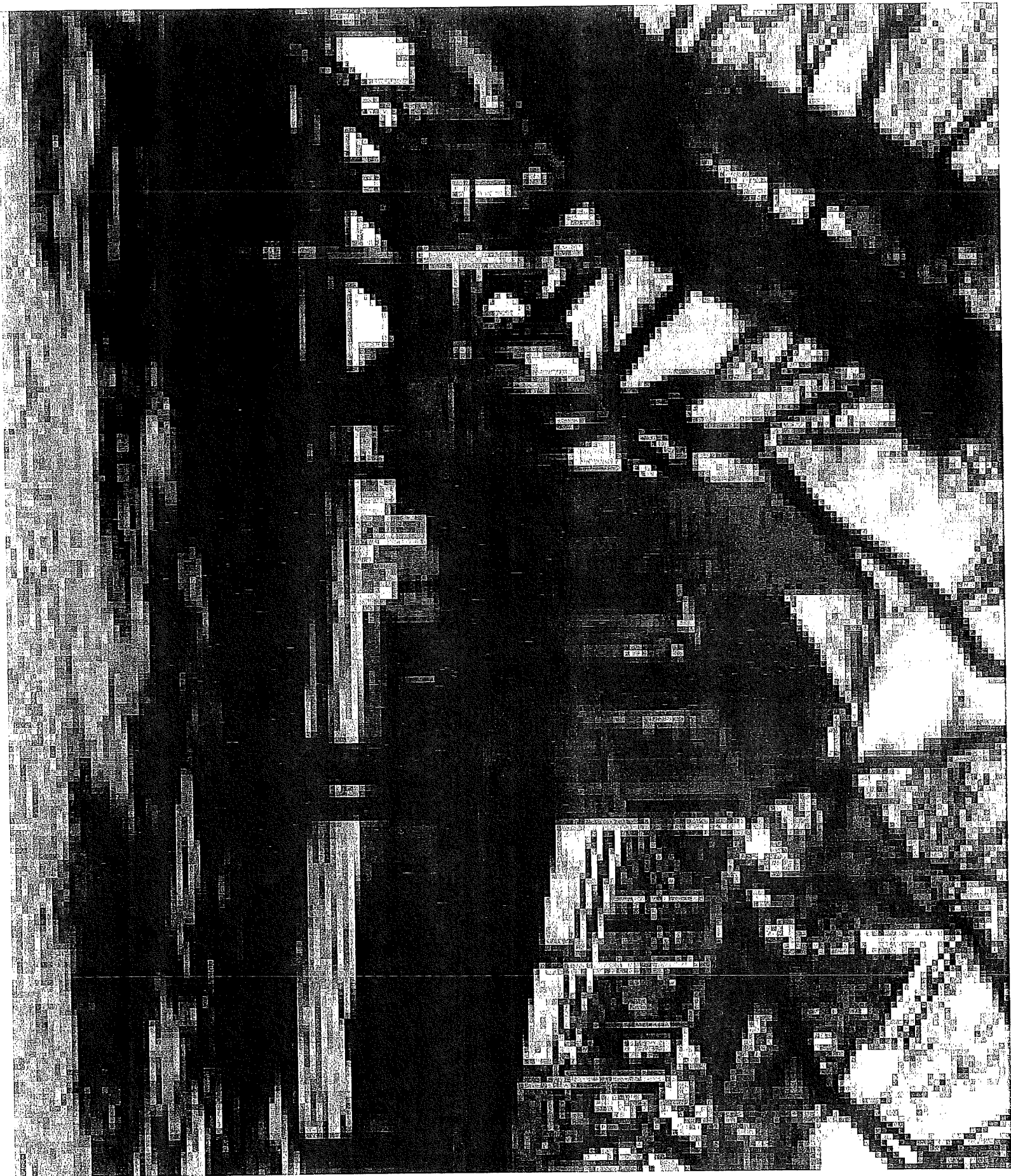


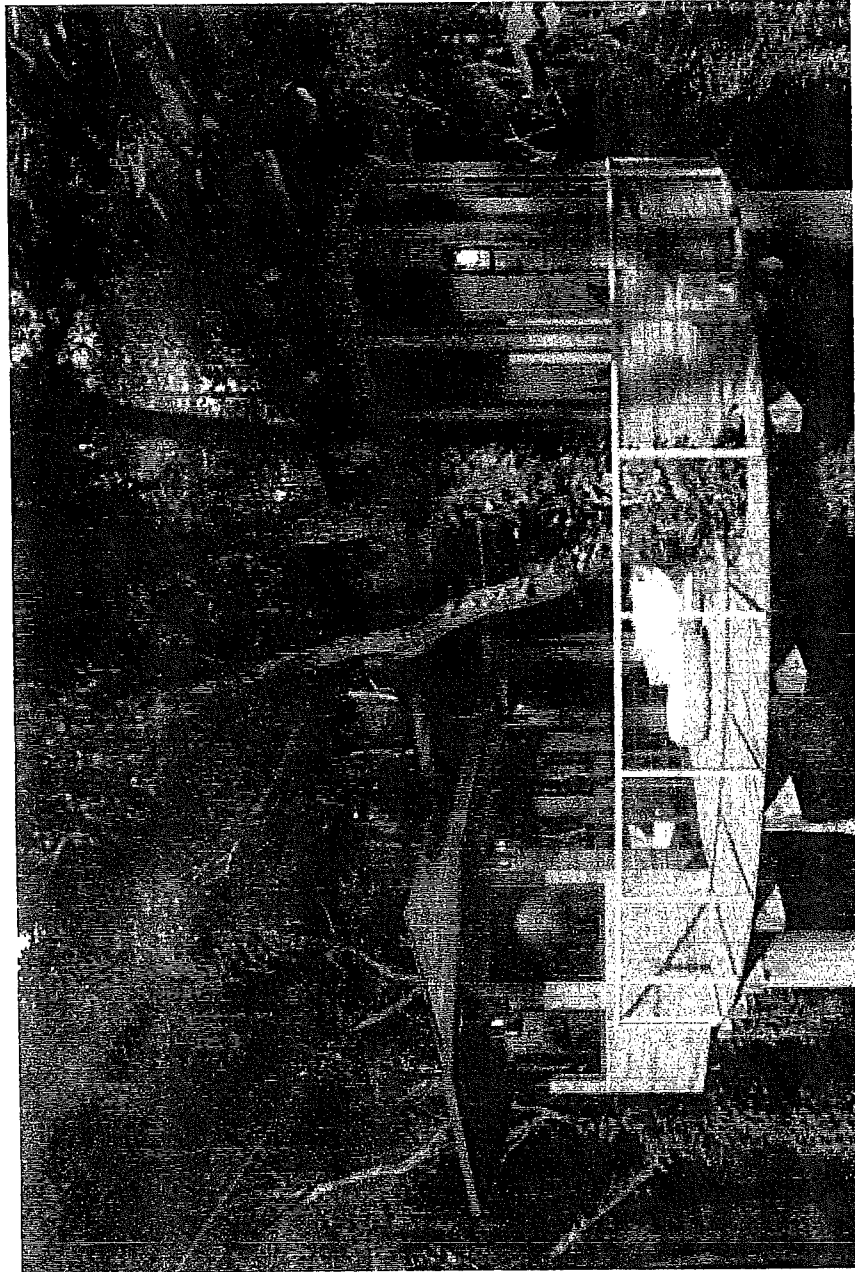
TYPICAL SECTION — LOCAL STREETS



3







Michael Schwartz

From: Scott Pennington
Sent: Monday, August 20, 2018 4:54 PM
To: Todd Morgan
Subject: Toby Frohlich Parcel Development - Kite Ln

Tracking:	Recipient	Delivery	Read
	Todd Morgan	Delivered: 8/20/2018 4:54 PM	Read: 8/20/2018 5:00 PM

Todd,

As a quick follow-up to the proposed development by Toby Frohlich on Kite Ln:

- To support the development of the parcel, we believe Kite Ln should be widened to support two-way traffic. We would recommend widening Kite Ln from the shared driveway on the east side of Kite Ln (approx 825' South of Beaver Rd) to the Frohlich driveway. The widened roadway should match the typical section for Kite Ln north of the shared driveway. We would ultimately require engineered drawings to for the roadway design to ensure the proposed typical section would work within the existing R/W. Drainage and other safety features would need to be addressed.
- As the existing roadway falls within the recorded FEMA Flood Hazard Area, there are concerns about the development being land-locked during a flash flood event. I would defer to the local fire district and support their recommendations related to this issue.
- The widening of Kite Ln may require approvals from KY DOW and/or the Corps of Engineers b/c of the location in the Flood Hazard Area.

Thank you.

Scott D. Pennington, P.E.
County Engineer/Director of Public Works
Boone County Public Works
spennington@boonecountyky.org
(O) 859-334-3600

Michael Schwartz

From: Ted Talley <ted.talley@nkyhealth.org>
Sent: Monday, November 19, 2018 12:47 PM
To: Michael Schwartz
Cc: Laura Strevels
Subject: Re: 12226 Kite Lane
Attachments: image001.png

Mr. Schwartz,

Here is a list of health department considerations regarding the 12226 Kite Lane proposal that the board should be aware of -

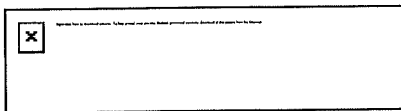
- EPA Division of Water approval may be necessary for water source.
- Sewage Disposal (septic systems) - may be a challenging site.
 - Owners will need to submit plat/plans to health department for site evaluations - event barn and bath house.
- Kentucky Food Code requirements may need to be met depending on business operation and catering agreements.
- Kentucky State Plumbing Office should be contacted about possible requirements from that agency regarding all structures. Chris Stein or Matt Lewis. 859-341-8228. Office hours 8-9:30am.

I hope this helps, and please let me know if you have any additional questions.

Ted

Ted Talley, RS, MBA, MPH
Environmental Health Manager

Northern Kentucky Health Department
New address: 8001 Veterans Memorial Drive, Florence, KY 41042
Office: 859-363-2027 | Fax: 859-578-7871
ted.talley@nkyhealth.org



EEO/M/F/Vets/Disabled/H

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On Mon, Nov 19, 2018 at 12:03 PM Michael Schwartz <mschwartz@boonecountyky.org> wrote:

The Boone County Board of Adjustment has received a request for a Conditional Use Permit at the above mentioned address. If your agency has any concerns and/or recommendations that the Board should be aware of, please forward them to me by December 5, 2018.

I have attached the applicant's description and site plan for your reference.

Please feel free to contact me if you need any additional information.

Thank you for your help.

Michael D. Schwartz, Planner

2950 Washington Street, Room 317

Burlington, Kentucky 41005

(P) 859-334-2196 (F) 859-334-2264

Michael Schwartz

From: Gross, Matthew (EEC) <Matthew.Gross@ky.gov>
Sent: Tuesday, December 04, 2018 3:42 PM
To: Michael Schwartz
Cc: Bailey, Jordan (EEC)
Subject: RE: 12226 Kite Lane

Michael,

I've reviewed the Kite Lane submittal and spoken briefly with Mr. Jaehnen over the phone about the proposed project. The potential issue from a DOW perspective are still essentially the same as before, specifically:

- It appears this project will disturb an acre or more of soil during construction activities. The responsible party will have to obtain and comply with a General Stormwater Construction Permit through the DOW, in addition to any local permits. The site will be subject to regular inspection by DOW staff.
- I did not note any potential floodplain issues based on a map review with the given site location.
- Construction and operation of an on site wastewater treatment system will require permitting from the DOW. I'm assuming a package type WWTP will be needed based on the projected size and occupancy. Once construction is complete, the facility will have to properly operate and maintain the WWTP, operate it in compliance with the terms of the permit, and be subject to regular inspection by DOW staff. If a traditional septic system is possible, then that becomes a Health Department issue rather than a DOW issue.
- The biggest issue for me is that the planned use of a cistern to supply water and the amount of people will make this facility a public water supply. The responsible party will need to contact our Drinking Water Branch in Frankfort to ensure that the system design and construction meets regulatory requirements, and will have to operate in compliance with all regulations and statutes governing the operation, maintenance, monitoring, and reporting requirements associated with public water supplies. The facility will be subject to regular inspection by DOW staff.

The operation of a WWTP and a water system is certainly possible – it's been done with varying degrees of success at other facilities in the region. I've tried to impress upon everyone involved that neither of those prospects is a simple thing – both require construction and operational permits, certified operators, and significant amounts of time, resources, and attention to operate properly and safely. My primary concern is that they approach this project with a realistic idea of the short term and long term commitment operating these types of systems requires. Once they're permitted and operational, the property owner is responsible for them – in my experience that tends to be fine while everything is new and running smoothly, but gets more difficult as the infrastructure ages and becomes more difficult and expensive to operate, much less repair and replace. My intention isn't to scare anyone away from the project, I just want the potential owners to have a clear idea that what they are proposing is significant and probably a long term responsibility. Feel free to give me a call or shoot me an e-mail if you need anything else.

From: Michael Schwartz [<mailto:mschwartz@boonecountyky.org>]
Sent: Monday, November 19, 2018 12:03 PM
To: Scott Pennington <spennington@boonecountyky.org>; Gross, Matthew (EEC) <Matthew.Gross@ky.gov>; 'k.feldhaus@fuse.net' <k.feldhaus@fuse.net>; 'm.norgan@unionky911.org' <m.norgan@unionky911.org>; Ted.Talley@nkyhealth.org
Subject: 12226 Kite Lane

****CAUTION** PDF attachments may contain links to malicious sites. To verify the destination of the hyperlink in an attachment, hover your mouse over the link and verify the link address. If you are unfamiliar with the**

address or the address looks suspicious, do not click on the link and delete the email immediately. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.

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I have attached the applicant's description and site plan for your reference.

Please feel free to contact me if you need any additional information.

Thank you for your help.

Michael D. Schwartz, Planner



BOONE COUNTY
PLANNING COMMISSION

2950 Washington Street, Room 317
Burlington, Kentucky 41005
(P) 859-334-2196 (F) 859-334-2264