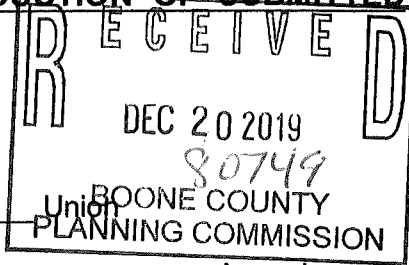


APPLICATION FORM

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) X Boone Florence Walton
2. (Check One) X Conditional Use Permit Variance Appeal
3. Applicant's Name Jeffrey Fasick
Applicant's Address 5122 Petersburg Road Petersburg KY 41080
4. Description of Request: Request permission to operate a Bed and Breakfast from guest house on same acreage as address listed above TOTAL GUEST ROOMS - 3
5. Name of Development JEFFREY FASICK
6. Location of Development 5140 Petersburg Road, Petersburg, KY 41080
7. Acreage Under Review .96 acres - Parcel ID 015.00-00-022.00
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property Jeffrey and Tammy Fasick
Address of Property Owner 5122 Petersburg Road Petersburg KY 41080
10. City State Zip
Phone Number 859 380-7138 Fax No. E-Mail jdfasick1960@gmail.com
11. Proposed Use(s) on Site Guest house to be operated as a Bed and Breakfast establishment with owner/operator living in adjacent home on same property.
12. Total Square Footage of Existing and/or Proposed Buildings Approx. 2500 sf total both buildings
13. Current Zoning on Property A2
14. Deed Book 1069 Page No. 951 Group No. 2005 A
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Yes (all buildings are existing)
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: Jeffrey D. Fasick Tammy Fasick (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Jeffrey D. Fasick Tammy Fasick (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 12-20-19 Fee Received \$720 Receipt # 80749
2. Is application complete? Yes No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 2/12/2020
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: That the site be provided with a minimum of five (5) unencumbered off-street parking spaces.
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

#2

APPLICANT: Jeffrey Fasick

LOCATION: 5122 and 5140 Petersburg Road, Boone County, Kentucky

ZONING: Agricultural Estate (A-2)

DATE: February 12, 2020

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow a bed and breakfast inn to be conducted in the building addressed as 5140 Petersburg Road on an approximate 0.9 acre property located at 5122 and 5140 Petersburg Road.

SITE HISTORY

1954 to
1960

Based on data contained in the Boone County GIS, the existing structures on the site in question were constructed.

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. 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 or residential use of the land, and the activity is not of scale, nature or other character which will detract from or conflict with the principal purposes of the district; or
 - b. The activity is necessary to provide the specified public service 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.
- C. Section 623 of the Boone County Zoning Regulations identifies bed and breakfast inns as a conditional use within the A-2 Zone.
- 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 4000 of the Boone County Zoning Regulations defines a Bed and Breakfast Inn as “A owner operated residential structure(s) where short term lodging rooms and meals are provided for compensation on a small scale, typically in a agricultural or small community setting. The owner-operator must reside on the premises. A bed and breakfast inn shall be limited to a maximum of eight guest rooms or suites on the premises.”
- F. Kentucky Revised Statute provides the following definitions:
- 1. Bed and Breakfast Establishment: A one (1) family dwelling unit, but which also has guest rooms or suites used, rented, or hired out for occupancy or which are

occupied for sleeping purposes by persons not members of the single-family unit. The innkeeper shall reside on the premises or property adjacent to the premises during periods of occupancy. The building shall be known as either a bed and breakfast home or a bed and breakfast inn (KRS 219.011 (5)).

2. **Bed and Breakfast Home:** A bed and breakfast establishment: (a) Having five (5) or fewer guest rooms or suites for occupancy; (b) In which breakfast and other meals may be served to guests; and (c) Whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy (KRS 219.011 (6)).
3. **Bed and Breakfast Inn:** A private inn or other unique residential facility: (a) Having six (6) or more guest rooms or suites for occupancy; (b) In which breakfast and other meals may be served to the guests; and (c) Whose innkeeper resides on the premises or property adjacent to the premises during periods of occupancy (KRS 219.011 (7)).
4. **Farmstay:** A bed and breakfast establishment at a farm location whose focus includes agritourism as defined in KRS 247.801 (KRS 219.011 (8)).

RELATIONSHIP TO THE COMPREHENSIVE PLAN

A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question for "Rural Density Residential" uses, which is defined as low density residential uses of up to one dwelling unit per acre.

B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

Mixing of residential and other land uses shall be encouraged where appropriate (Overall Goal A, Objective 2).

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).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).

Tourist oriented commercial facilities should be encouraged provided that the impacts on other land uses are minimal (Natural and Cultural Resources Goal A, Objective 4).

Heritage and agri-tourism shall be encouraged and evaluated as a catalyst for historic

preservation and economic development (Natural and Cultural Resources Goal C, Objective 6).

Tourism (including agri-tourism and heritage tourism), telecommuting, and virtual employment shall be encouraged as an economic resource while minimizing potential impacts (Economy Goal A, Objective 7).

Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).

Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems (Economy Goal B, Objective 2).

Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).

- C. Petersburg Road is identified as an arterial roadway providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 0.9 acre property is located along the north side of Petersburg Road, approximately 250 feet east of Caribou Drive.
- B. The site is currently occupied by two (2) detached single-family residential dwellings.
- C. The existing driveway is approximately 100 feet in length and can accommodate four (4) vehicles for parking (without blocking other parked vehicles).
- D. The site is located within the 55 day/night noise level of the Cincinnati/Northern Kentucky International Airport.

SURROUNDING LAND USES AND ZONING

- North: Single family dwellings and agricultural land (A-2)
- South: Single family dwellings (A-2)
- East: Single family dwellings and agricultural land (A-2)
- West: Single family dwellings and agricultural land (A-2)

PROPOSED DEVELOPMENT

- A. The applicant proposes to operate a bed and breakfast inn out of the building addressed at 5140 Petersburg Road.

B. The proposed bed and breakfast inn will have three (3) guest rooms.

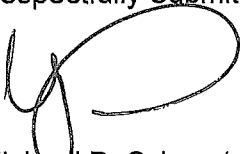
STAFF COMMENTS

- A. Section 3325 of the Boone County Zoning Regulations provides for the following off-street parking requirements:
1. Single family residential dwellings: Two (2) spaces
 2. Hotels/Motels: 1 space for each sleeping room
- B. The Boone County Zoning Regulations does not have a separate off-street parking listing for bed and breakfast inn.
- C. Based on the above requirements, the site would need to provide a minimum of five (5) unencumbered off-street parking spaces.
- D. Based on information obtained from the Boone County Building Department, a handicap parking space would only be required when there would be more than five (5) sleeping units for rent. Therefore, this site would not be required to provide a handicap parking space.

CONCLUSION

KRS 100.237 and Section 220 of the Boone County Zoning Regulations give 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
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Noise Contour Map
- *Application
- *Concept Development Plan

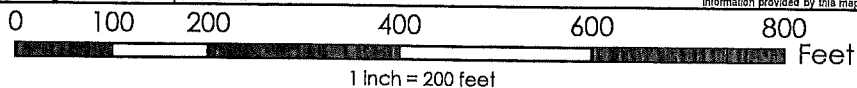
Vicinity Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map



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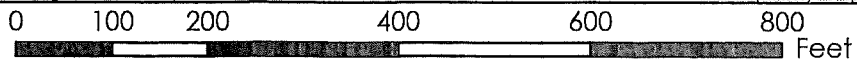
Aerial Map

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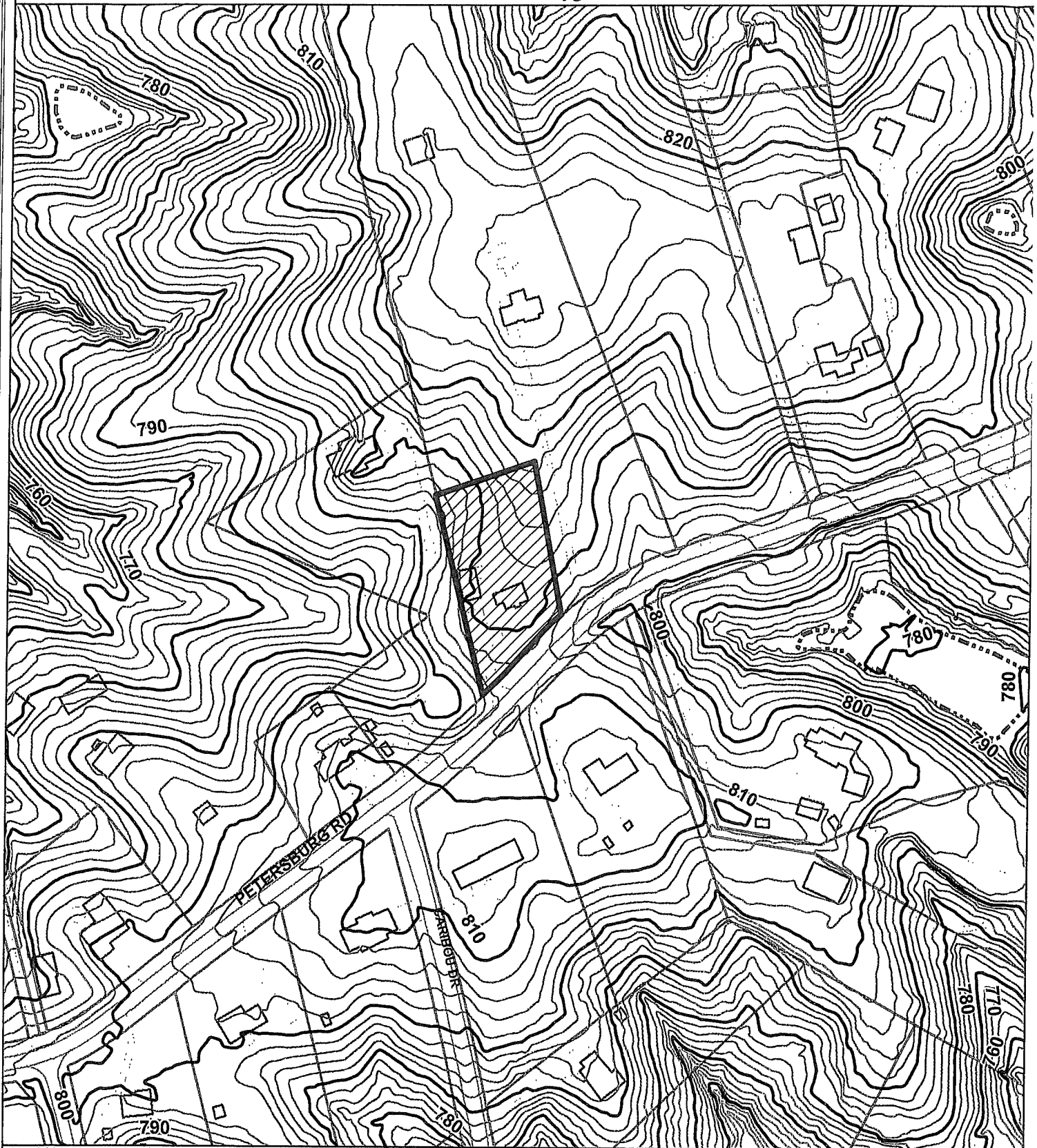
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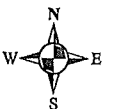
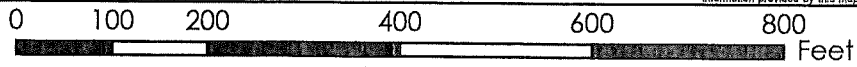
Topographical Map

www.boonecountygis.com



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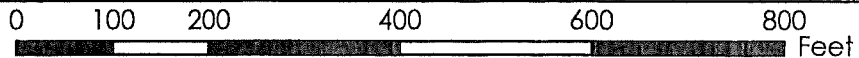
Zoning Map

www.boonecountygis.com

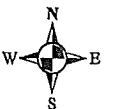


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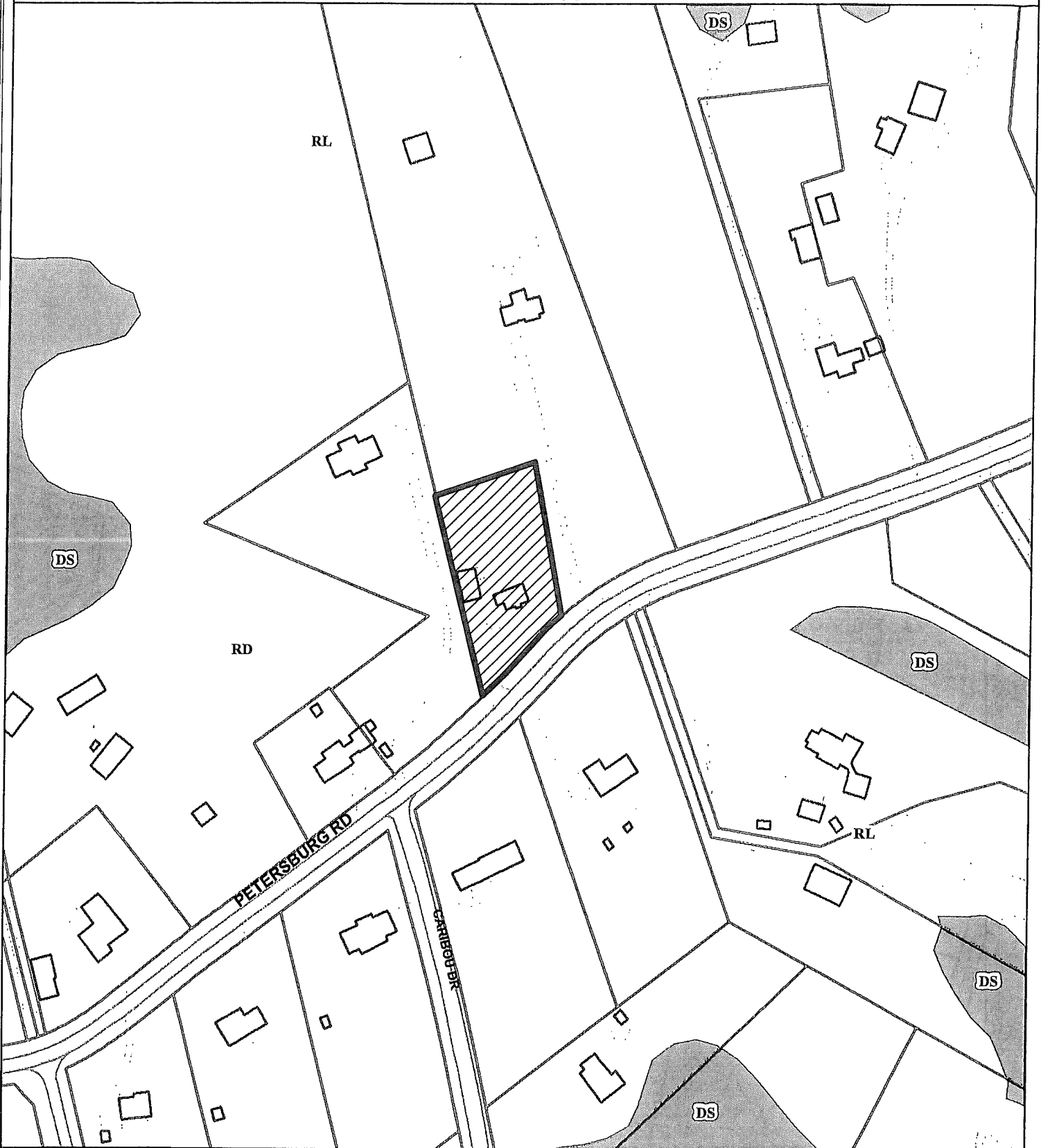
1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

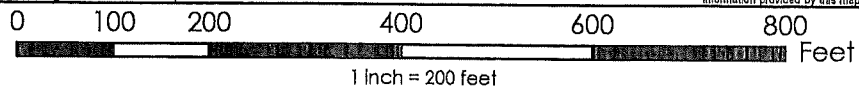
2040 Future Land Use Map

www.boonecountygis.com



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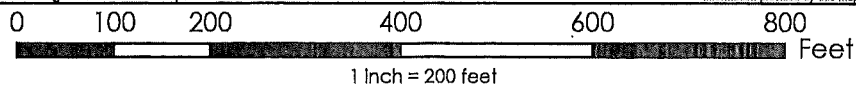
Noise Contour Map

www.boonecountygis.com

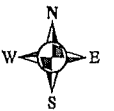


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Boone County GIS - Putting Northern Kentucky on the Map



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) X Boone Florence Walton
2. (Check One) X Conditional Use Permit Variance Appeal
3. Applicant's Name Jeffrey Fasick
Applicant's Address 5122 Petersburg Road Petersburg KY 41080
4. Description of Request: Request permission to operate a Bed and Breakfast from guest house on same acreage as address listed above TOTAL GUEST ROOMS - 3
5. Name of Development JEFFREY FASICK
6. Location of Development 5140 Petersburg Road, Petersburg, KY 41080
7. Acreage Under Review .96 acres - Parcel ID 015.00-00-022.00
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
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Address of Property Owner 5122 Petersburg Road Petersburg KY 41080
10. City State Zip
Phone Number 859 380-7138 Fax No. E-Mail jdfasick1960@gmail.com
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12. Total Square Footage of Existing and/or Proposed Buildings Approx. 2500 sf total both buildings
13. Current Zoning on Property A2
14. Deed Book 1069 Page No. 951 Group No. 2005 A
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Yes (all buildings are existing)
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: Jeffrey D. Fasick Tammy Fasick (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Jeffrey D. Fasick Tammy Fasick (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

FROM THE DESK OF
JEFF FASICK

December 20, 2019
Boone County Planning Commission
Board of Adjustment and Zoning Appeals Action
2950 Washington Street, Room 317
Burlington, KY 41005

This letter is to inform the Board of Adjustment of our request for permission to establish a Bed and Breakfast at 5140 Petersburg Road. Our vision for this establishment is that it be a family-friendly, quiet place for vacationers who come to the area to unwind and relax in a slow-paced, rural setting. In keeping with this vision, there will be specific guidelines in place regarding the use of alcohol, drugs etc. and also noise levels/parties etc. Our residence being less than 30 feet away will ensure that these guidelines are adhered to. All buildings involved are existing.

As requested, the following is a list of property owners obtained from the Boone County PVA website that are adjacent to the property located at 5140 Petersburg Road:

Stephen K. and Debra A. Glassford - 5080 Petersburg Road, Petersburg, KY 41080

Jay A. and Leigh Ann Grant - 5134 Petersburg Road, Petersburg, KY 41080

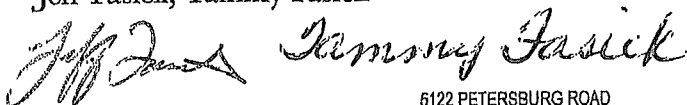
John and Linda Radenheimer - 3024 Caribou Drive, Petersburg, KY 41080

Kim W. Garrett - 5131 Petersburg Road, Petersburg, KY 41080

Thank you for your consideration of our request.

Sincerely,

Jeff Fasick, Tammy Fasick



6122 PETERSBURG ROAD
PETERSBURG, KY 41080

5134

ALL BUILDINGS ARE EXISTING

Proposed Bed
and Breakfast

ERRONE COUNTY

5140

A-2

5122

Owner/Operator
Residence

5152

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Jeffrey and Tammy Fasick
5122 Petersburg Road
Petersburg, KY 41080

2. ADDRESS OF PROPERTY

5140 Petersburg Road
Petersburg, KY 41080

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Jeffrey Fasick

4. DEED BOOK 1069

PAGE NO. 951

GROUP NO. 2005A

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

Michael D. Schwartz, Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

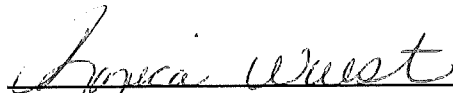
Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz
on behalf of the Boone County Planning Commission this 13 day of February,
2020.



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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the conditional use permit approved by the Boone Board of Adjustment and in accordance with the current zoning in effect as of February 12, 2020 Certificate of Land Use Restriction (#20-BCBOA-003-A), for Jeffrey Fasick property Owner(s).

The following conditions will apply:

1. That the site be provided with a minimum of five (5) unencumbered off – street parking spaces.

The approved conditional use permit as well as the preceding conditions apply to the property described in:

DEED BOOK 1069

PAGE NO. 951

GROUP NO. 2005A