

10. Proposed Use(s) on Site: Office & Shop for Paul's Metalcraft
11. Total Square Footage of Existing and/or Proposed Buildings: 11,400 Sq. Ft.
12. Current Zoning: C-3
13. 1035 147 2065
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. 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: Paul Baumgartner
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

ORIGINAL Applicant's Signature: Paul Baumgartner
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 4-20-21 Fee Received: \$1,116.⁰⁰ Receipt #: 83774
2. Is application complete: ✓
3. Staff Reviewer: M. Schwartz
4. Scheduled Board Action Date: 5/12/2021
5. Board Action: 5/12/2021
- _____ Approved
- ✓ _____ Approved with Conditions (see #6)
- _____ Denial (See #7)
6. Conditions of Approval: (1) All business activities, other than loading/unloading and storage, shall take place entirely within the building; and (2) A tenant finish permit shall be obtained from the Boone County Planning Commission, and a Building Permit, if required, shall be obtained from the Boone County Building Department, prior to the operation of any business.
7. Reasons for Denial: _____
- _____
- _____
- _____
- _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

CONDITIONS OF APPROVAL

APPLICANT: PJ Property Ventures LLC, per Paul Baumgartner

LOCATION: 10780 Dixie Highway, Boone County, Kentucky

ZONING: Commercial Services (C-3)

DATE: May 12, 2021

1. All business activities, other than loading/unloading and storage, shall take place entirely within the building.
2. A tenant finish permit shall be obtained from the Boone County Planning Commission, and a Building Permit, if required, shall be obtained from the Boone County Building Department, prior to the operation of any business.

STAFF REPORT

#1

APPLICANT: PJ Property Ventures LLC, per Paul Baumgartner

LOCATION: 10780 Dixie Highway, Boone County, Kentucky

ZONING: Commercial Services (C-3)

DATE: May 12, 2021

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow a welding and metal product fabrication business to locate in an existing building.

SITE HISTORY

- 1954 Theo. Carpenter Estate Subdivision was created.
- 1954-1960 Based on information contained in the Boone County GIS, the site was originally developed.
- 1960-1969 Based on information contained in the Boone County GIS, a building addition was constructed.
- 1985-1990 Based on information contained in the Boone County GIS, a building addition was constructed.
- 2000 On May 2, 2000, the Boone County Planning Commission approved a Minor Site Plan for an upgraded parking lot and entrance.
- 2008 On June 11, 2008, the Boone County Planning Commission approved a Tenant Finish Permit for Tiliches Consignment Store.
- 2008 On July 28, 2008, the Boone County Planning Commission approved a Tenant Finish Permit for Rebuilt Solutions.
- 2015 On February 12, 2015, the Boone County Planning Commission approved a Tenant Finish Permit for Studio 25 LLC.

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 1033 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 1033 of the Boone County Zoning Regulations (C-3 District):
 - a. The activity is an integral and subordinate function of a permitted commercial use or service; or
 - b. The arrangement of use, building or structure will be compatible with the organization of permitted and accessory uses to be protected in the district.
- C. Section 1033.1 of the Boone County Zoning Regulations identifies 'welding or limited fabrication of metal products provided the use is of office or service contract and not storage or manufacturing which is more appropriate to an industrial district' as a conditional use within the C-3 district.

- D. Section 1030 of the Boone County Zoning Regulations states that “The purpose of the Commercial Services district is to provide, control and centralize those types of commercial activities which; a) depend on and generate high vehicular accessibility, visibility and traffic; and/or b) large outdoor single-purpose storage, display and parking areas and c) which do not fit the scale, character, trade area and general objectives of the other commercial districts in this article or the employment districts defined in Article 11. Such districts will generally be organized about regional or major community trade areas. Sites will be of suitable lands which can be appropriately buffered from surrounding urban uses. Districts will be located to have direct visibility from major arterials. District facilities and plans should be organized to accomplish as much clustering of compatible uses, sharing of parking and access, signage, lighting and other spaces and improvements as possible.”

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Commercial”, which is defined as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.

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

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).

Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).

Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).

Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).

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).

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. Dixie Highway is a state maintained arterial street providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 1.7 acre site is located along the east side of Dixie Highway, approximately 200 feet north of Frogtown Road.
- B. The site is currently occupied by an approximate 11,400 square foot commercial building, an approximate 30,000 square foot gravel parking lot, and parking for approximately 12 vehicles in front of the building.
- C. The existing building is currently occupied by the following uses:
 - 1. Merchandise distribution (2,800 square feet)
 - 2. Storage/vacant space (1,700 square feet)
 - 3. Office/vacant space (656 square feet)
 - 4. Storage/vacant space (2,144 square feet)
 - 5. Storage/vacant space (4,100 square feet)
- D. Access to the site is provided by a continuous curb cut in front of the building and a curb cut at the northern edge of the site.
- E. The site is relatively flat.

SURROUNDING LAND USES AND ZONING

- North: D1 Auto Sales and a detached single-family residential dwelling (C-3)
- South: Special K's Sports Bar/Café (C-3)
- East: Norfolk Southern Railroad line and Eaton Asphalt's Main Office (I-2)
- West: XPO Logistics (I-1)

PROPOSED DEVELOPMENT

- A. Use of the existing building for the following uses:
 - 1. Merchandise distribution (2,800 square feet)
 - 2. Storage (1,700 square feet)
 - 3. Office (656 square feet)
 - 4. Sheet metal shop (2,144 square feet)
 - 5. Welding fabrication (4,100 square feet)
- B. Retention of all other existing conditions.

STAFF COMMENTS

- A. Since the conditional use is for welding or limited fabrication of metal products, the

applicant should address the following:

1. Will any part of the business operation, other than loading/unloading, take place outside of the building.
 2. Will there be any outside storage.
 3. Will the operation of the business produce noise that can be heard outside of the building.
 4. Will there be any company vehicles that will be stored on the site.
- B. To better integrate the proposed use, the following conditions should be considered by the Board, if the action is to approve the submitted request:
1. All business activities, other than loading/unloading and storage, shall take place entirely within the building.
 2. A tenant finish permit shall be obtained from the Boone County Planning Commission prior to the operation of any business.

CONCLUSION

- A. 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 Conditional Use Permit request.

Respectfully Submitted,



Michael D. Schwartz
Planner

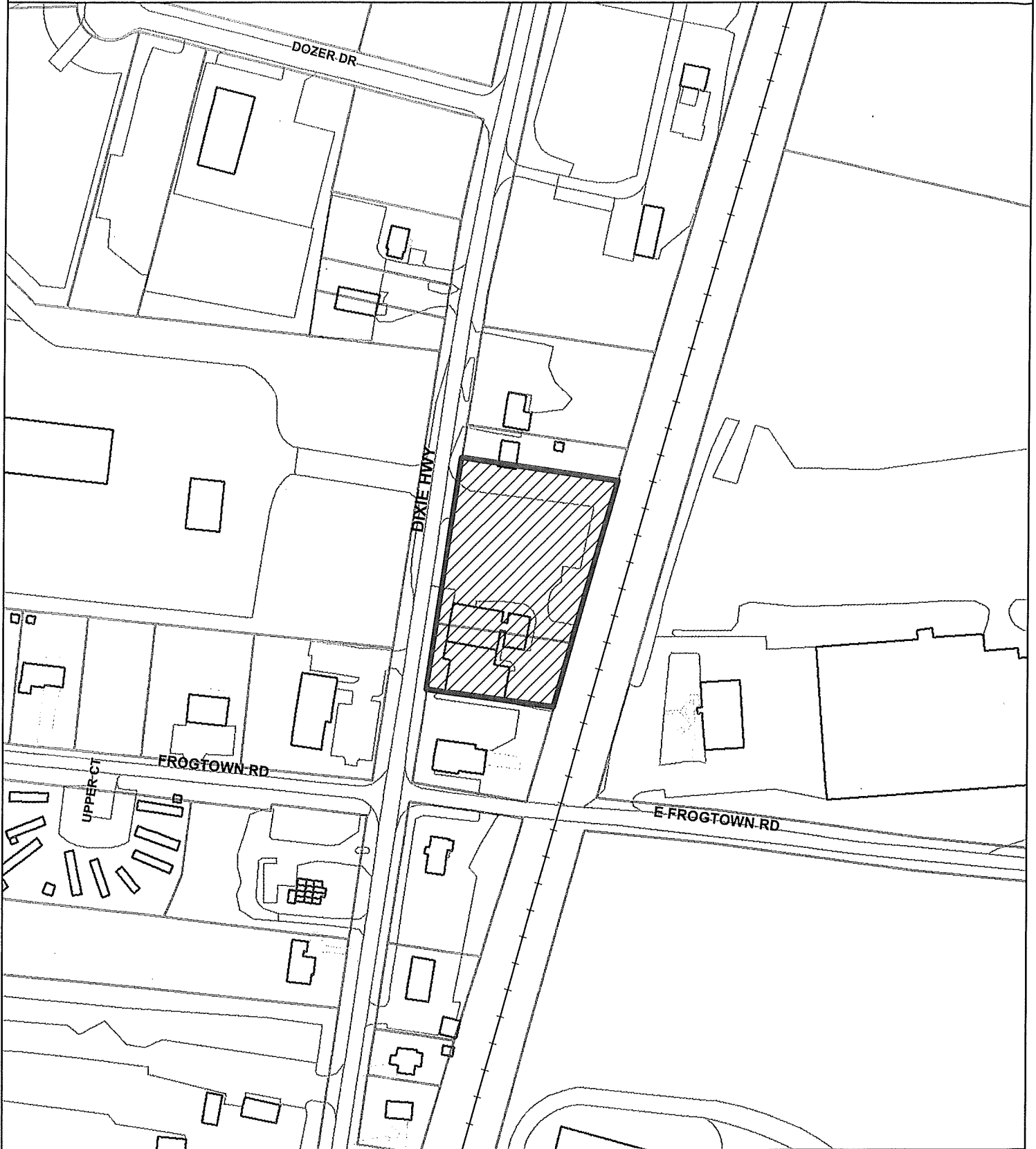
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Zoning Map
- *Topographical Map
- *2040 Future Land Use Map
- *Application
- *Concept Development Plan

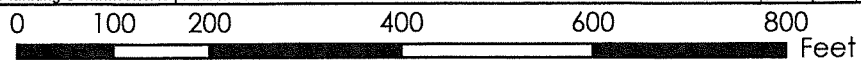
Vicinity Map

www.boonecountygis.com



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1 inch = 200 feet



Map Created: 01/01/2016

Boone County GIS - Putting Northern Kentucky on the Map



Photo: Photo of Fort by Earthlink.com
ArcMap Document: *.mxd

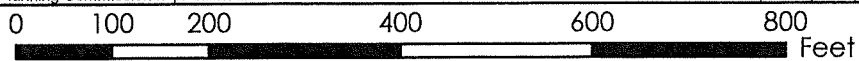
Aerial Map

www.boonecountygis.com



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Map Created: 01/01/2018

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Boone County GIS
ArcMap Document: *.mxd

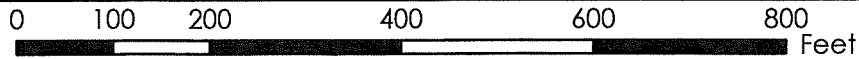
Topographical Map

www.boonecountygis.com



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Boone



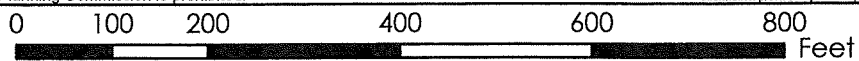
Zoning Map

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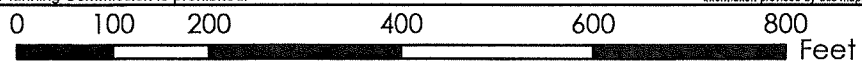
2040 Future Land Use Map

www.boonecountygis.com

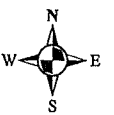


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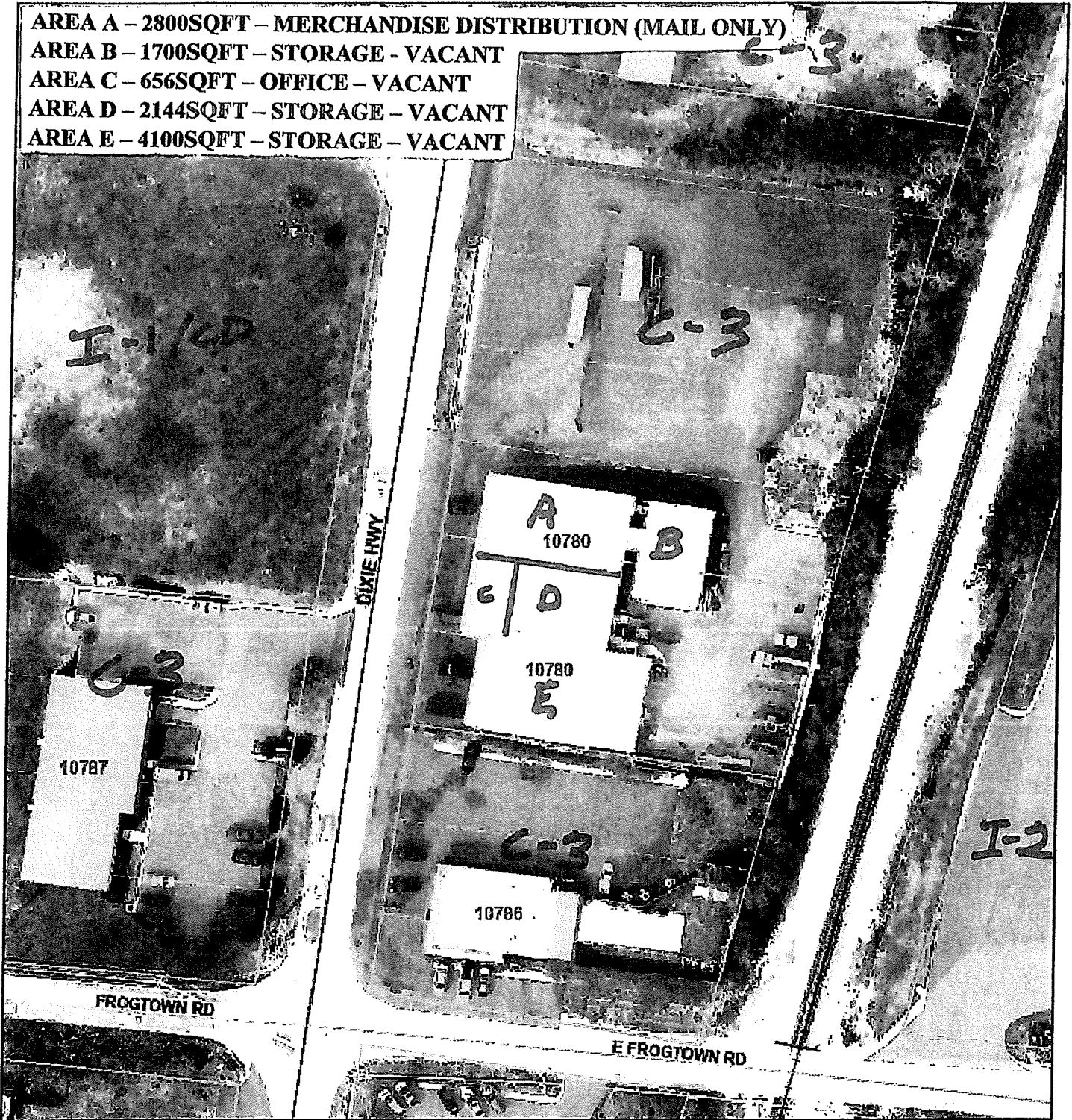
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Map Created: 01/01/2018

Boone County GIS
ArcMap Document: *.mxd

Boone County, Kentucky

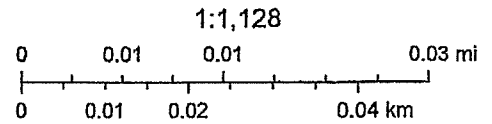
AREA A - 2800SQFT - MERCHANDISE DISTRIBUTION (MAIL ONLY)
AREA B - 1700SQFT - STORAGE - VACANT
AREA C - 656SQFT - OFFICE - VACANT
AREA D - 2144SQFT - STORAGE - VACANT
AREA E - 4100SQFT - STORAGE - VACANT



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- Major Streets
- Arterial
- Collector
- Railroad Lines
- Building Footprints
- Tax Parcels
- Parcel Tract Lines
- Paved Areas
- Roadway
- Private Roadway
- Parking Lot

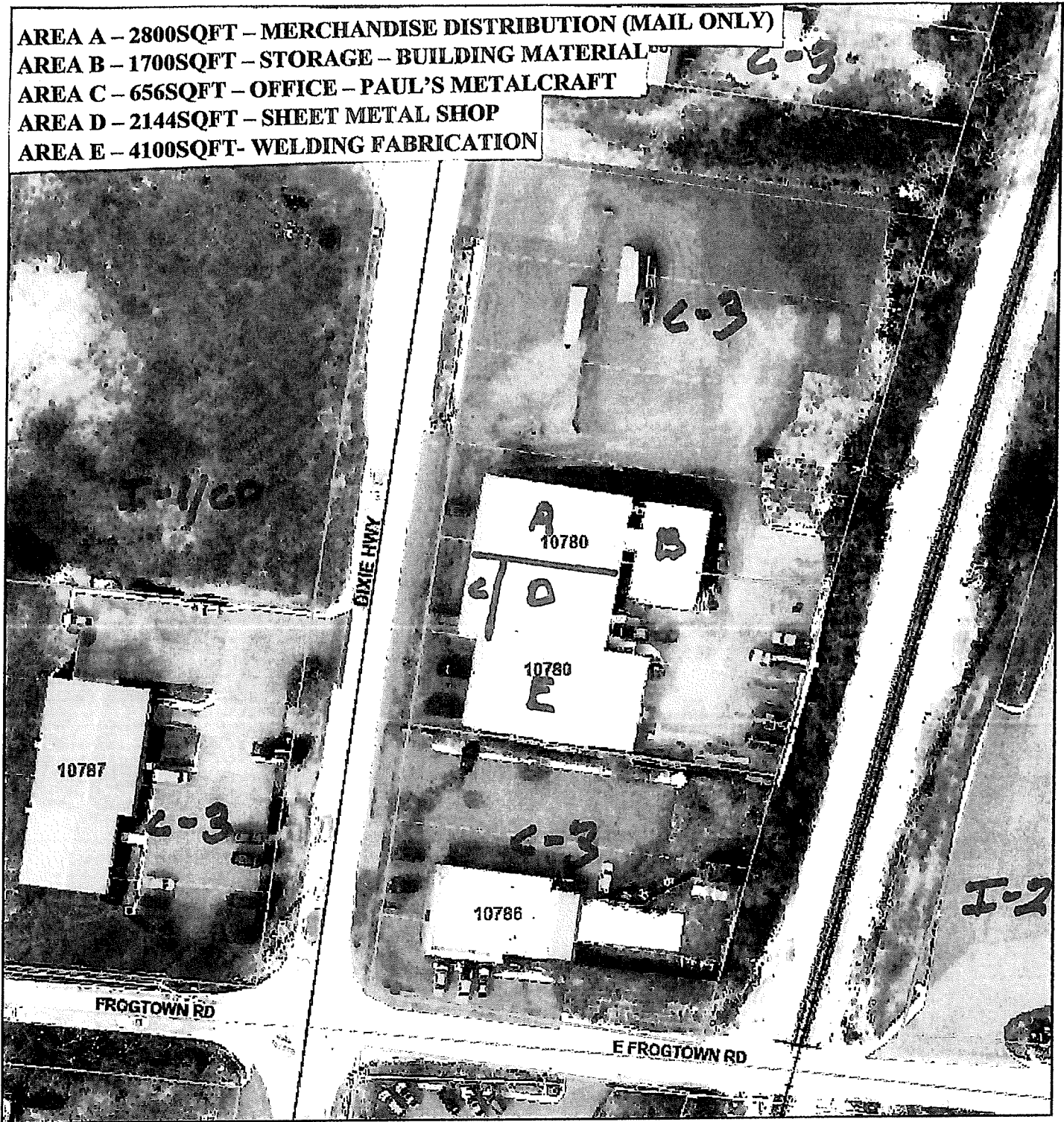
EXHIBIT A
PREVIOUS USE
10780 DIXIE HWY
WALTON, KY. 41094



GIS Services Division, Boone County Planning Commission

Boone County, Kentucky

- AREA A - 2800SQFT - MERCHANDISE DISTRIBUTION (MAIL ONLY)
- AREA B - 1700SQFT - STORAGE - BUILDING MATERIAL
- AREA C - 656SQFT - OFFICE - PAUL'S METALCRAFT
- AREA D - 2144SQFT - SHEET METAL SHOP
- AREA E - 4100SQFT - WELDING FABRICATION

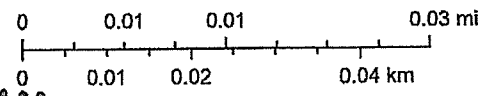


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EXHIBIT B
PROPOSED USE
10780 DIXIE HWY
WALTON, KY. 41094

1:1,128

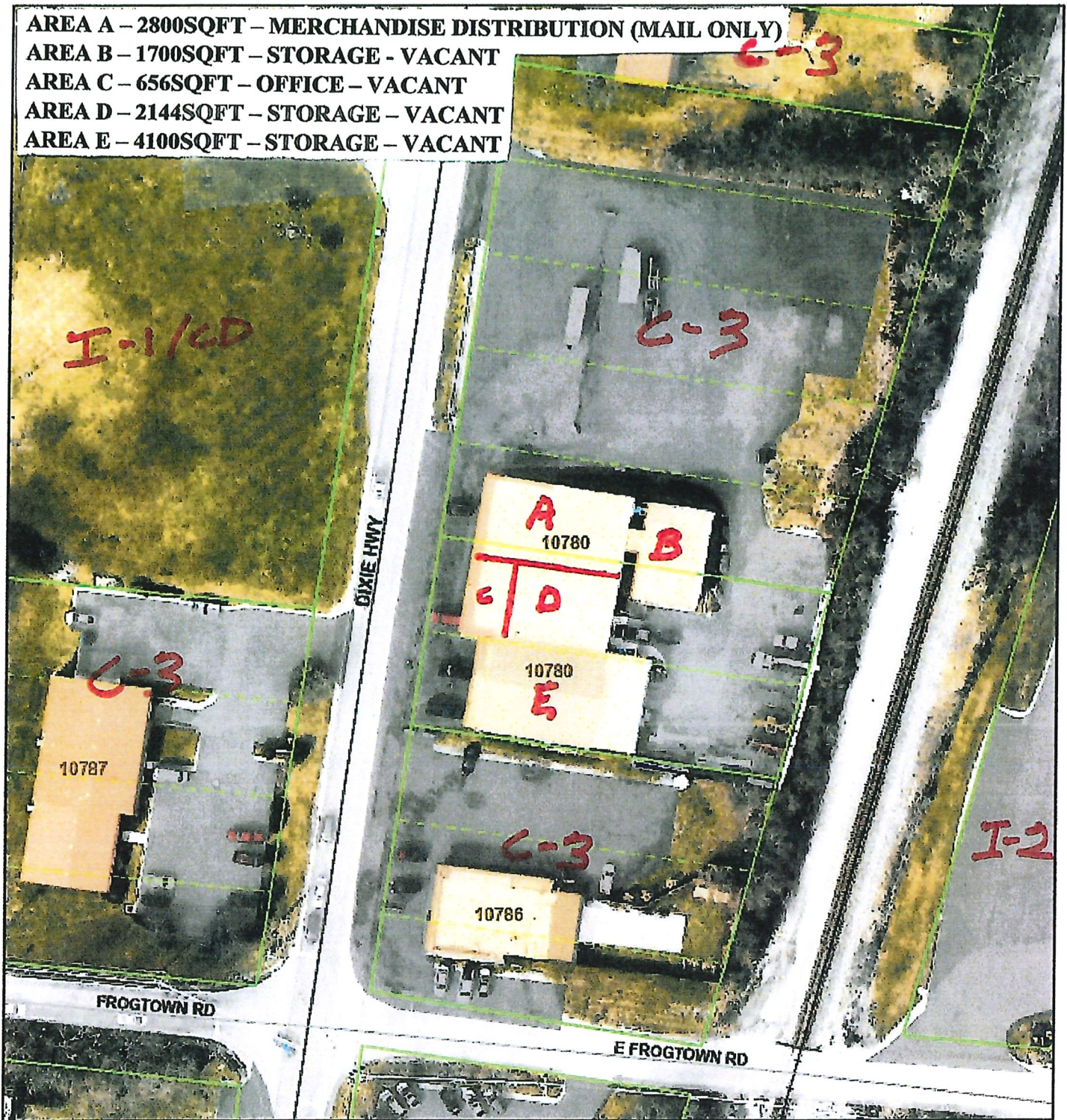
- Major Streets
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GIS Services Division, Boone County Planning Commission

Boone County, Kentucky

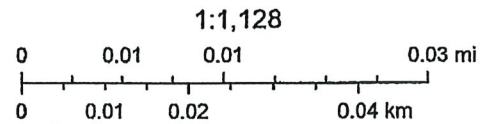
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- | | |
|---------------------|--------------------|
| Major Streets | Parcel Tract Lines |
| Arterial | Paved Areas |
| Collector | Roadway |
| Railroad Lines | Private Roadway |
| Building Footprints | Parking Lot |
| Tax Parcels | |

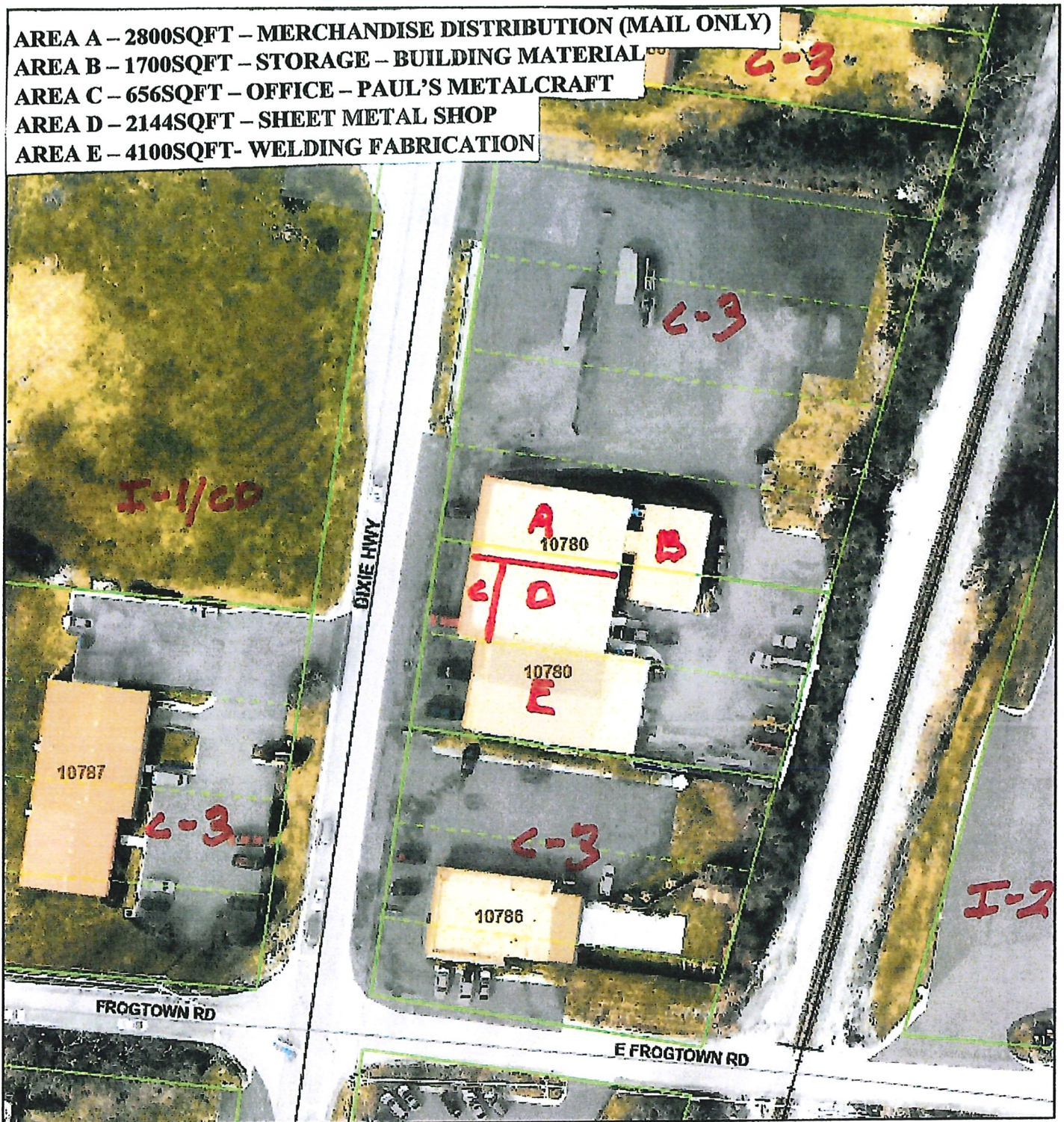
EXHIBIT A
PREVIOUS USE
10780 DIXIE HWY
WALTON, KY. 41094



GIS Services Division, Boone County Planning Commission

Boone County, Kentucky

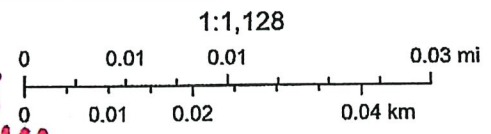
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EXHIBIT B
PROPOSED USE
10780 DIXIE HWY
WALTON, KY. 41094



GIS Services Division, Boone County Planning Commission

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
PJ Property Ventures LLC
14106 Vest Lane
Verona, KY 41092

- 2. ADDRESS OF PROPERTY
10780 Dixie Highway
Walton, KY 41094

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Paul's Metal craft

- 4. DEED BOOK 1035 PAGE NO. 147 GROUP NO. 2065

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

- 6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

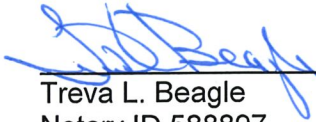
Michael D. Schwartz, Planner
Name and Title of Completing Official

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 May, 2021.



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.)