

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
85117
NOV 12 2021
BOONE COUNTY
PLANNING COMMISSION

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings and notes

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

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: PODIUM AUTOMOTIVE LLC / MATT Amann (member)
Address: 2611 Spring Mill place
Burlington KY 41005
City State Zip Code
Phone Number: (859)-663-6182 Fax Number: N/A
Email: PODIUMAUTO1@HOTMAIL.COM
4. Description of Request:
To Remove the following condition that was put in the conditional use permit in 1996. #3" only vehicles being sold on site are allowed to be repaired. No other vehicles can be brought in for service. By removing this stipulation we are asking to be able to perform service to customer vehicles.
5. Name of Development: (currently) A-1 Auto Sales
6. Location of Development: 1938 Petersburg Rd.
Hebron KY 41048
City State Zip Code
7. Acreage Under Review: .17 Acres
8. Lot Number and Name of Subdivision (if part of a subdivision): N/A
9. Current Owner: Petersburg Rd. LLC c/o Andrew Schaeff
Address: PO Box 390
Burlington KY 41005
City State Zip Code
Phone Number: (859) 393-6523 Fax Number: N/A
Email: AJSchaeffer1@GMAIL.COM

10. Proposed Use(s) on Site: Auto Sales + Service
11. Total Square Footage of Existing and/or Proposed Buildings: 1150 sq Ft.
12. Current Zoning: C-2 / SC
13. 948 464 2010
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: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

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

1. Date Received: 11/12/21 Fee Received: \$816 Receipt #: 85117

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 12/18/2021

5. Board Action: 12/18/2021

Approved

Approved with Conditions (see #6)

Denial (See #7)

6. Conditions of Approval: See Attached, Minutes, & CLUR

7. Reasons for Denial: _____

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

CONDITIONS OF APPROVAL

APPLICANT: Podium Automotive, per Matt Amann, on behalf of Petersburg Road, LLC, per Andrew Schaeff

LOCATION: 1938 Petersburg Road

ZONING: Commercial Two/Small Community Overlay (C-2/SC)

DATE: December 8, 2021

1. That the parking spaces be striped.
2. No vehicles in disrepair shall be allowed to be parked or stored outside of the building.

STAFF REPORT

#2

APPLICANT: Podium Automotive, per Matt Amann, on behalf of Petersburg Road, LLC, per Andrew Schaeff

LOCATION: 1938 Petersburg Road

ZONING: Commercial Two/Small Community Overlay (C-2/SC)

DATE: December 8, 2021

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to remove a condition from a previously approved Conditional Use Permit limiting the servicing of vehicles to only those being sold on the site.

SITE HISTORY

Prior to
1996

The site was formerly used as a Chevron service station.

1996

On October 9, 1996, the Boone Board of Adjustment approved a Conditional Use Permit to allow used car sales on the site, subject to the following conditions: (1) a Site Plan will be required; (2) the lighting be maintained as it is now; and (3) only the vehicles being sold on the site are allowed to be repaired or prepared for sale...no other vehicles can be brought in for repair or preparation (BCBOA-96-018).

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 2012 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 2012 of the Boone County Zoning Regulations (SC District):
- a. The activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;
 - b. The arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district; and
 - c. Historical and architectural characteristics are protected from inappropriate alteration to existing structures and new buildings are sensitive to the established character of the SC overlay. Additions and structural alterations will be reviewed for conformance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
- C. Section 2000 of the Boone County Zoning Regulations states that "The intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well."
- D. Section 2012.1 of the Boone County Zoning Regulations states that all conditional uses in the underlying district shall be conditional uses within the SC district.

- E. Section 1023.3 of the Boone County Zoning Regulations identifies small scale sales or leasing of new and used motor vehicles, requiring the storage of no more than fifty (50) vehicles on the premises, as a conditional use within the C-2 district.
- F. Section 2012.3 of the Boone County Zoning Regulations identifies automobile repair facilities as a conditional use within the SC district.
- G. Section 4000 of the Boone County Zoning Regulations includes the following definitions:
 - 1. Automotive Repair Facility - A business establishment that repairs, rebuilds, reconditions, or services automobiles or automotive parts, including but not limited to any of the following activities: body and paint work; engine repair or rebuilding; installation, repair, or reconditioning of tires, brakes, transmissions, mufflers, automotive electrical or air conditioning systems, automotive upholstery, or automotive glass, all on a individual vehicle basis; changing of oil, other fluids, and filters; emissions testing and vehicles inspections.
 - 2. Automotive Sales - The sale or leasing of new and used motor vehicles, displayed, stored, and sold or leased on site excluding repair work except incidental repair.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Commercial” uses which is described 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).

Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).

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 a state maintained arterial street providing for two way traffic within two driving lanes. A sidewalk is provided along the south side of the roadway. Limaburg Road is identified as a county maintained collector street providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 0.2 acre site is located at the northeast corner of the intersection of Petersburg Road with Limaburg Road.
- B. The site has approximately 80 feet of frontage along Petersburg Road and approximately 87 feet of frontage along Limaburg Road.
- C. The site is currently occupied by an approximate 1,300 square foot commercial structure. The remainder of the site is paved.
- D. With the exception of the area at the corner, access to the site is via a continuous curb cut along Petersburg Road and Limaburg Road.
- E. Topographically, the site is relatively flat with an average grade of less than 2%.
- F. The site is located within the 55 day/night noise level of the Greater Cincinnati/Northern Kentucky International Airport.

SURROUNDING LAND USES AND ZONING

- North: Parking lot and detached single family residential dwellings (C-2/SC)
- South: The Crew Lounge (C-2/SC)
- East: Hebron Advanced Dentistry and Be Creative Cave Catering (C-2/SC)
- West: Vacant lot (C-2/SC)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to continue to use the site for automotive sales.
- B. The applicant is also proposing to use the site for automotive repair for all vehicles, not

just those that are sold on the site.

- C. The applicant is not proposing any physical changes to the site.

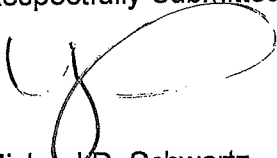
STAFF COMMENTS

- A. The two closest residential properties are located:
1. Approximately 62 feet north (behind) the site, currently zoned C-2/SC.
 2. Approximately 120 feet southeast of the site, currently zoned C-2/SC.

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
Director; Zoning Services

MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Noise Contour Map
- *Application
- *Project Narrative
- *Concept Development Plan

Vicinity Map

www.boonecountygis.com

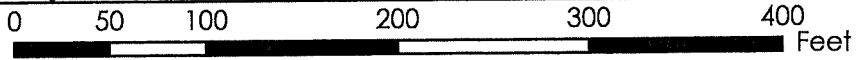


PETERSBURG RD

LIMABURG RD

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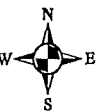
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1 inch = 100 feet



Boone

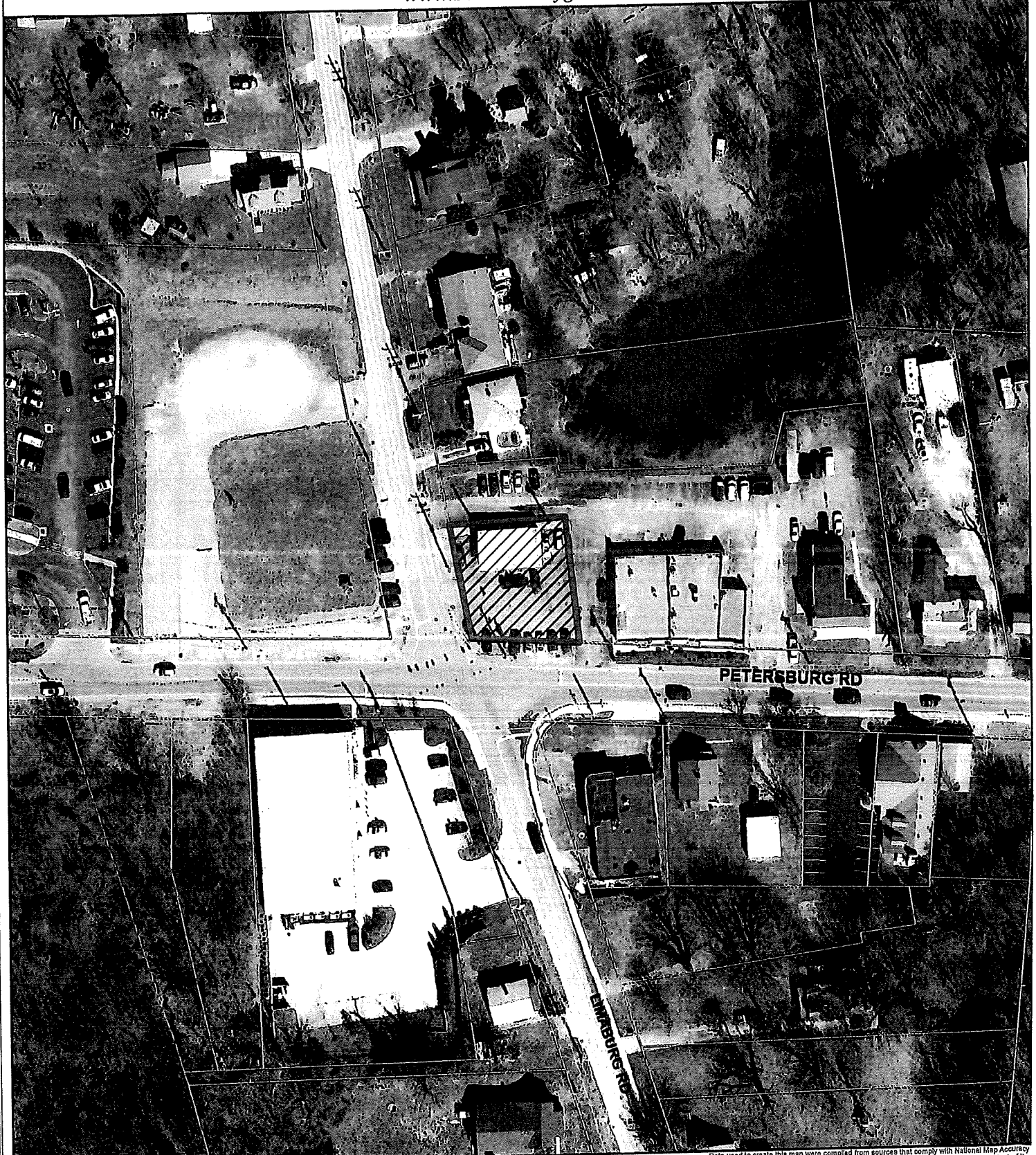


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Aerial Map

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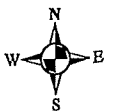
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0 50 100 200 300 400 Feet

1 inch = 100 feet



Boone County GIS - Putting Northern Kentucky on the Map

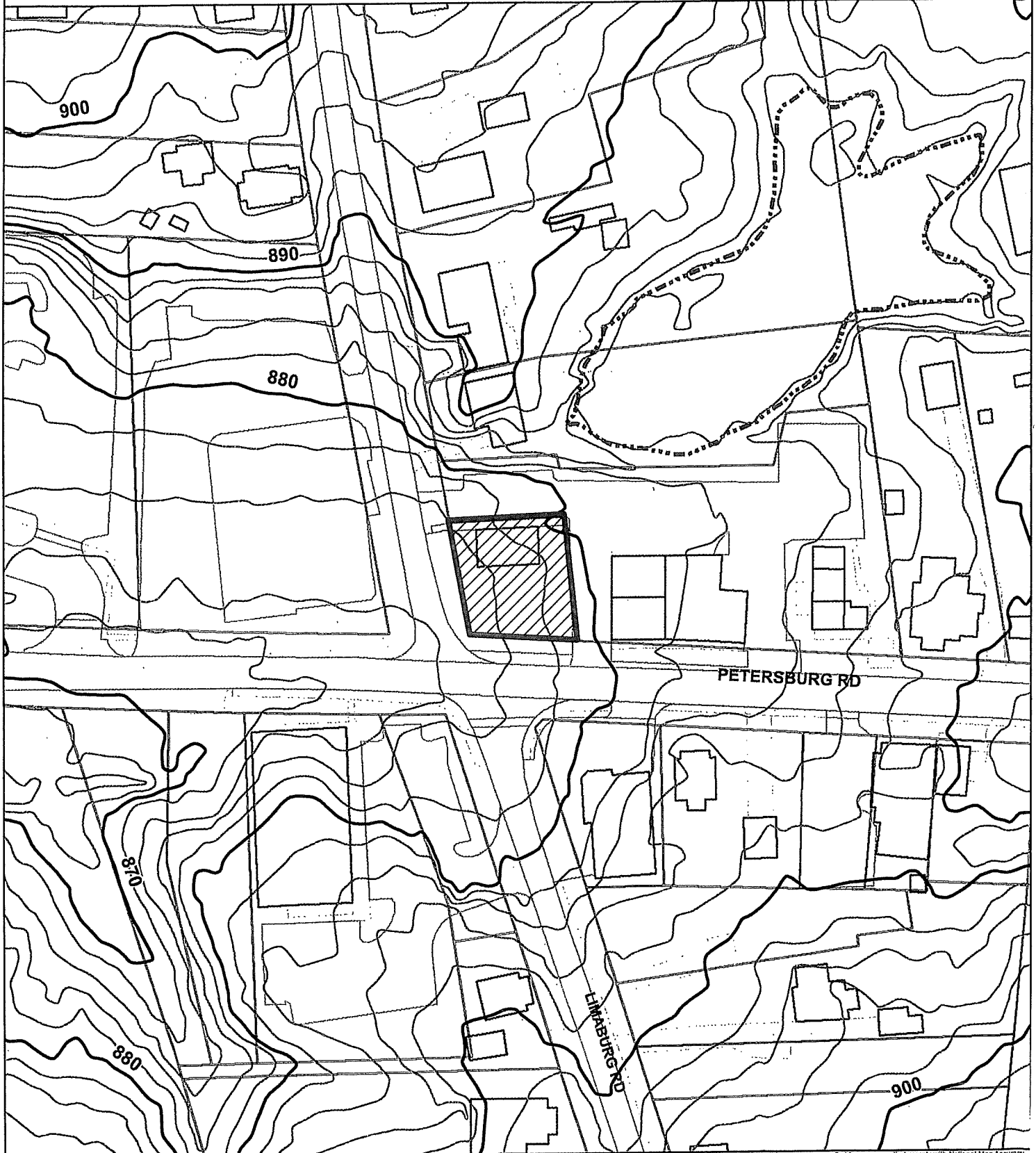


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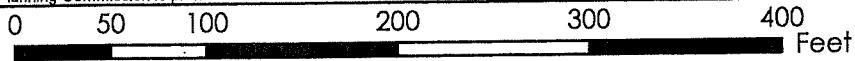
Topographical Map

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Boone County GIS



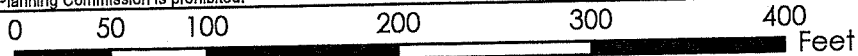
Zoning Map

www.boonecountygis.com



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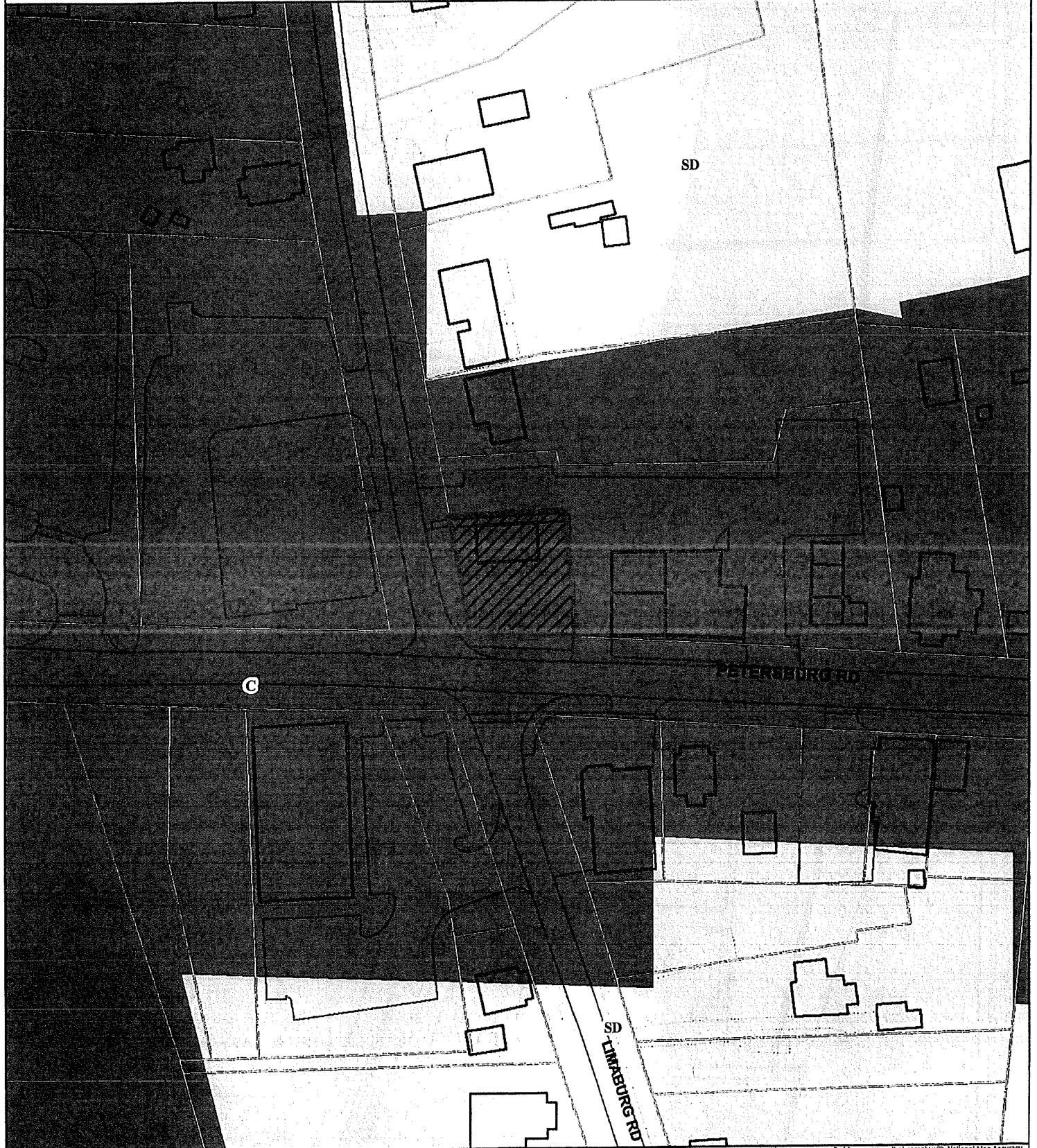
Boone County GIS



Map File: E:\GIS\Map\Zoning Map 1111
ArcMap Document: *.mxd

2040 Future Land Use Map

www.boonecountygis.com

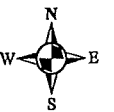
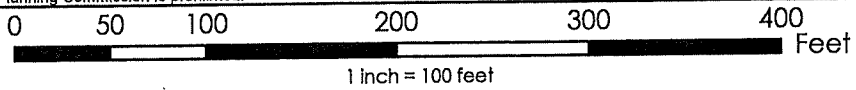


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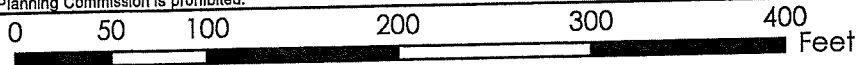
Noise Contour Map

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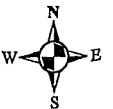
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Boone County GIS



Map Created: x06012021
ArchMap Document: *.mxd

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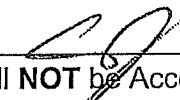
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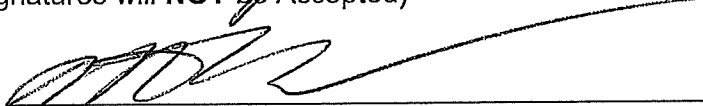
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ORIGINAL Applicant's Signature: 
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BOARD OF ADJUSTMENT

CONCEPT PLAN FOR USE OF 1938 PETERSBURG RD. HEBRON KY 41048

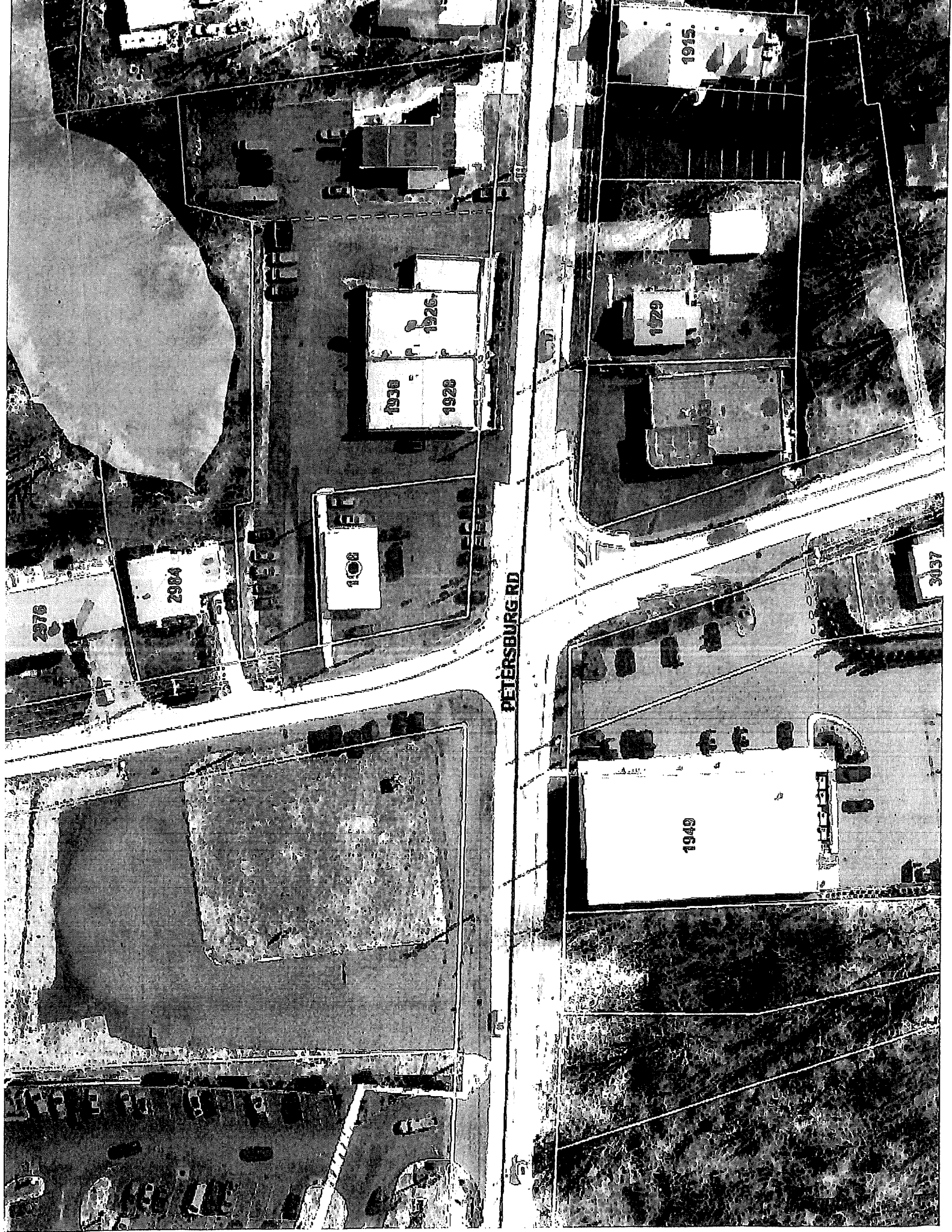
Dear Board of Adjustment,

We are a newer Auto Sales and Service Business looking to Provide Service to the Hebron Residents to keep their vehicles safe on the road. We started in 2020 gaining a customer base and are now large enough to move into the property at 1938 Petersburg Road where we can hopefully provide Service to Hebron and surrounding area residents. We are a business focused on Trust, Safety and Honesty and want to put our 30+ years of experience to good use in this area.

Right now, this property is allowed, under the Conditional uses, to do Sales and Service to vehicles. In 1996 there was a Stipulation put on the Conditional use permit saying the only service that can be done is to vehicles that are being sold. What we are looking to do is remove that condition, thus allowing us to Service vehicles for customers to keep them safe on the road. Not much would change with us doing this, as vehicles are already being serviced from this location, but only the vehicles being prepared to be sold. This area was much different back in 1996 when they put the Stipulation in the conditional use Permit.

We know Hebron is a very Aesthetically appealing area and we want to keep it that way. With that being said, we want to only do things to this property that will make it look better to the traveling public. We feel with 2 other Auto repair businesses within ¼ mile from this property, Auto repair would be a great fit for this location. We plan to perform all Service to vehicles inside the building to reduce noise and keep it as close to what is being done there at this time. The Entrance to the property is at a 4-way intersection with a stop light, customers can safely enter the lot from Petersburg rd. or the smaller side street.

We Hope you consider this application as we feel like this would benefit the area in many ways including serving the Hebron area residents and helping bring Hebron more Tax dollars.



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PETERSBURG RD

1915

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 9th day of December, 2021.

Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:

Nicole Dierna
Nicole Dierna
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 County Board of Adjustment and in accordance with the current zoning in effect as of December 8, 2021, Certificate of Land Use Restriction (#21-BCBOA-042-A), for Petersburg Road, LLC – Andrew Schaeft, Property Owner(s).

The following conditions will apply:

1. That the parking spaces will be striped.
2. No vehicles in disrepair shall be allowed to be parked or stored outside of the building.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOK 948

PAGE NO. 464

GROUP NO. 2010

BOARD OF ADJUSTMENT

CONCEPT PLAN FOR USE OF 1938 PETERSBURG RD. HEBRON KY 41048

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PETERSBURG RD

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