

**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**

**RECEIVED**  
810775  
SEP 09 2022  
BOONE COUNTY  
PLANNING COMMISSION

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

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: John King  
Address: 7417 Dixie Highway  
Florence Kentucky 41042  
City State Zip Code  
Phone Number: 859-525-1213 Fax Number: 859-525-4016  
Email: John002@fuse.net  
c 859-466-8155
4. Description of Request: Small scaled workshop for cabinet making and sales showroom
5. Name of Development: N/A
6. Location of Development: 1818 Petersburg Rd  
Hebron Ky 41048  
City State Zip Code
7. Acreage Under Review: 1.436
8. Lot Number and Name of Subdivision (if part of a subdivision):  
\_\_\_\_\_
9. Current Owner: John and Jay King  
Address: 7417 Dixie Highway  
Florence Ky 41042  
City State Zip Code  
Phone Number: 859-466-8155 Fax Number: 859-525-4016  
Email: John002@fuse.net

10. Proposed Use(s) on Site: Clothing Store, Karate Gym, Bar
11. Total Square Footage of Existing and/or Proposed Buildings: 6000<sup>+</sup> (only 1818 Petersburg)  
12,000<sup>+</sup> (Entire Building)
12. Current Zoning: C-2 / 50
13. 1032 942 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:** John K King Jay O King  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

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

1. Date Received: 9/9/22 Fee Received: \$ 816 Receipt #: 36975

2. Is application complete: \_\_\_\_\_

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 10/12/2022

5. Board Action: 10/12/2022

\_\_\_\_\_ Approved

Approved with Conditions (see #6)

\_\_\_\_\_ Denial (See #7)

6. Conditions of Approval: See 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@boonecountyky.org](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

## **CONDITIONS OF APPROVAL**

APPLICANT: John and Joy King

LOCATION: 1812 - 1818 Petersburg Road, Boone County, Kentucky

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

DATE: October 12, 2022

1. That a Tenant Finish permit be submitted to the Boone County Planning Commission.

## STAFF REPORT

#1

APPLICANT: John and Joy King

LOCATION: 1818 Petersburg Road, Boone County, Kentucky

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

DATE: October 12, 2022

### PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow a tenant space to be occupied by a small scaled workshop.

### SITE HISTORY

1969-  
1981

Based on information contained in the Boone County GIS, the site was developed with the current commercial structures.

2004

On December 15, 2004, the Boone County Planning Commission approved a Conveyance Plat creating the lot in question.

### 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 1133 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 Overlay 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. The integration and variety of land uses found in small community centers often cannot practically be accommodated by the other basic zoning districts established by this order. This article creates an overlay district which may be established in areas appropriate for use as small community centers."

D. Section 2012.13 of the Boone County Zoning Regulations identifies "Small-scaled workshop uses including small engine repair, fabrication, assembly, and repair of household goods and small electronic goods, excluding outside storage and uses that involve hazardous or toxic substances' as a Conditional Use within the SC district.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question for “Suburban Density Residential” and “Commercial” uses. These designations are defined as follows:

Suburban Density Residential - Single family housing of up to four units per acre.

Commercial – 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:

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).

Mixed use, higher density neighborhoods shall be encouraged near existing or proposed transportation nodes and shall be designed to establish neighborhoods with a mix of retail, public, and recreational uses (Demographics Goal B, Objective 6).

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).

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 a county maintained arterial street providing for two-way traffic within two driving lanes. There is a sidewalk along the south side of the roadway.

#### SITE CHARACTERISTICS

- A. The approximate 1.4 acre property is located along the north side of Petersburg Road, approximately 400 feet west of Donjoy Drive.
- B. The site has approximately 244 feet of frontage along Petersburg Road.
- C. The site is currently occupied by a commercial building having four tenant spaces.
- D. Access to the site is provided by two curb cuts onto Petersburg Road.
- E. The front half of the site is relatively flat and the rear half of the site slopes downward.
- F. The rear half of the site is heavily wooded.
- G. 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 residential dwellings (SR-2)

South: Single family residential dwellings and a funeral home (SR-1/SC)

East: Insurance company office (SR-2/SC)

West: Single family residential dwellings (SR-2/SC)

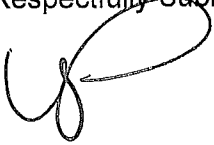
#### STAFF COMMENTS

- A. The submitted site plan indicates that there will be no changes to the exterior of the site.
- B. Should the Board take action to approve the submitted request, the following condition should be part of that action:
  - 1. That a Tenant Finish permit be submitted to the Boone County Planning Commission.

#### 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,

A handwritten signature in black ink, appearing to be 'MS', written over a large, light-colored scribble or mark.

Michael D. Schwartz  
Director, Zoning Services

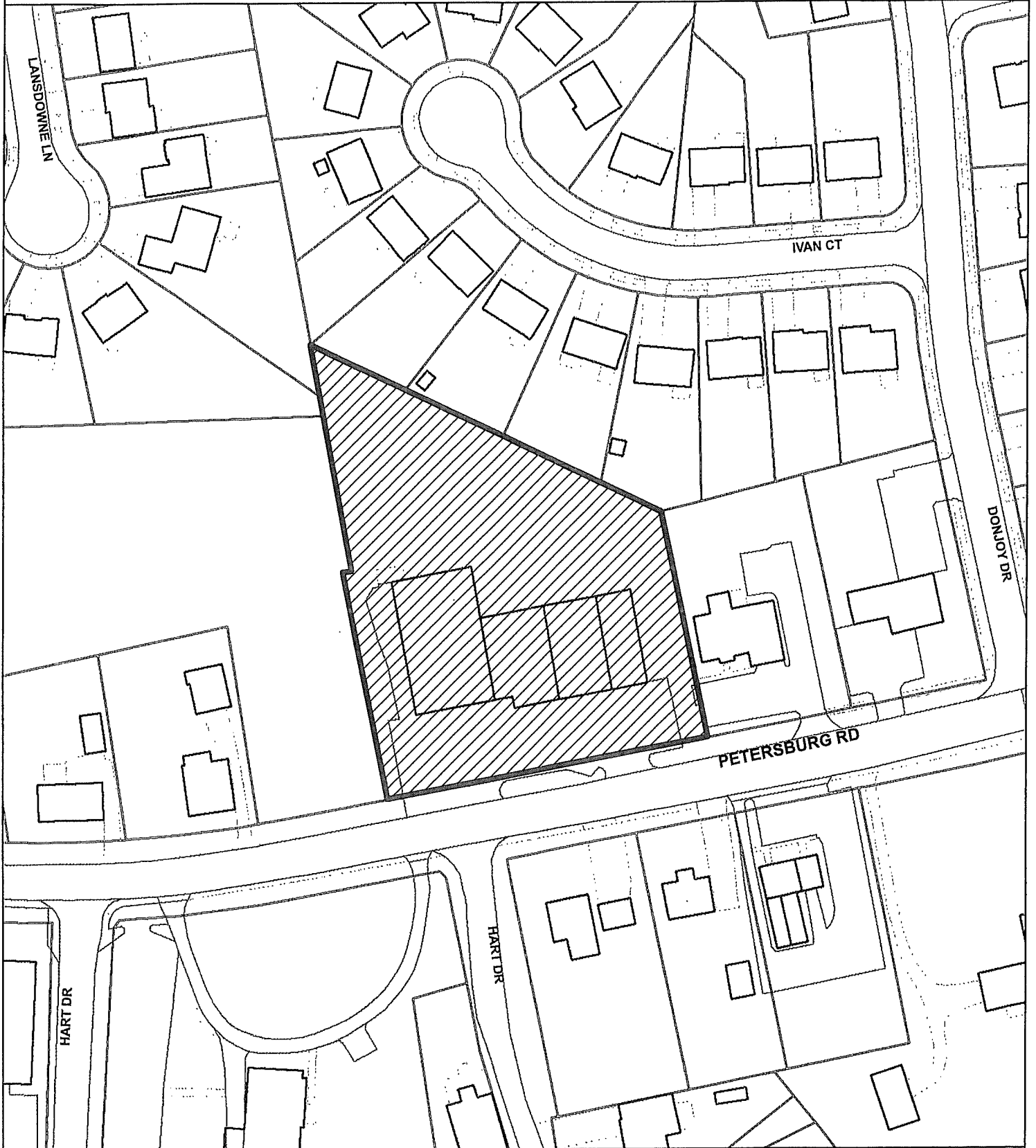
MDS/ss

Attachments

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

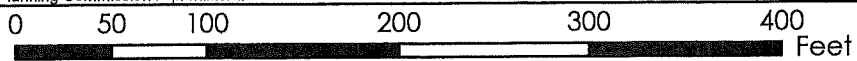
# Vicinity Map

www.boonecountygis.com



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1 inch = 100 feet



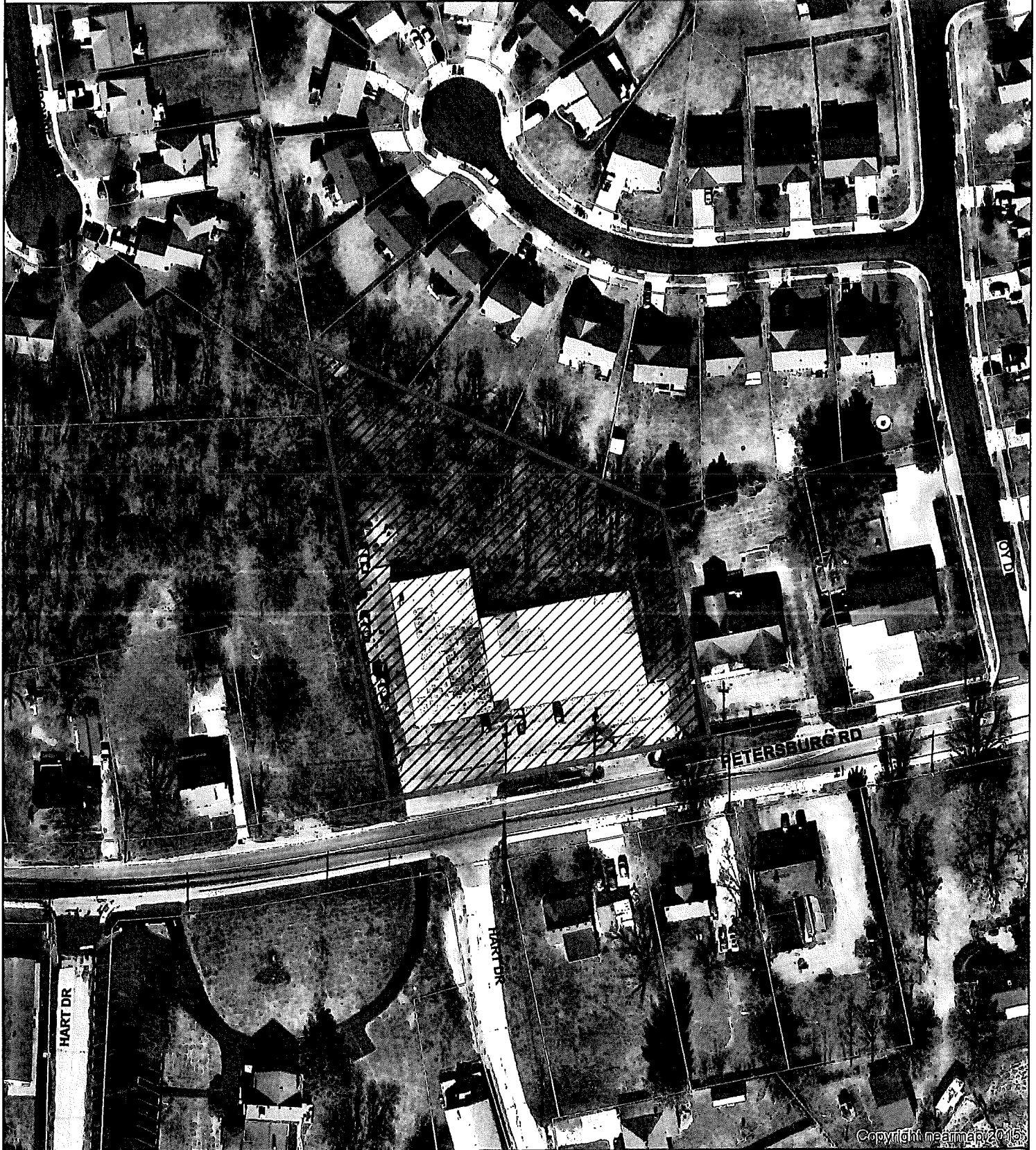
**Boone County GIS**

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ArcMap Document: \*.mxd

# Aerial Map

www.boonecountygis.com



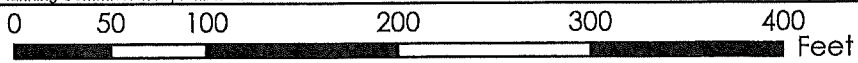
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**B**



1 Inch = 100 feet



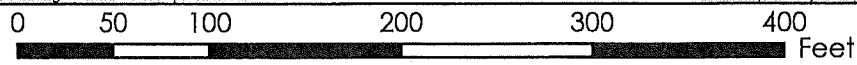
# Topographical Map

www.boonecountygis.com

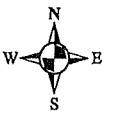


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**Boone County GIS**

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ArcMap Document: \*.mxd

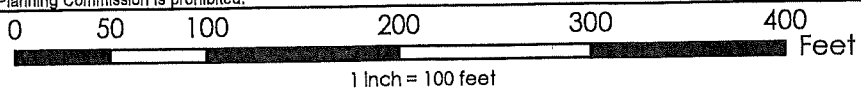
# Zoning Map

www.boonecountygis.com



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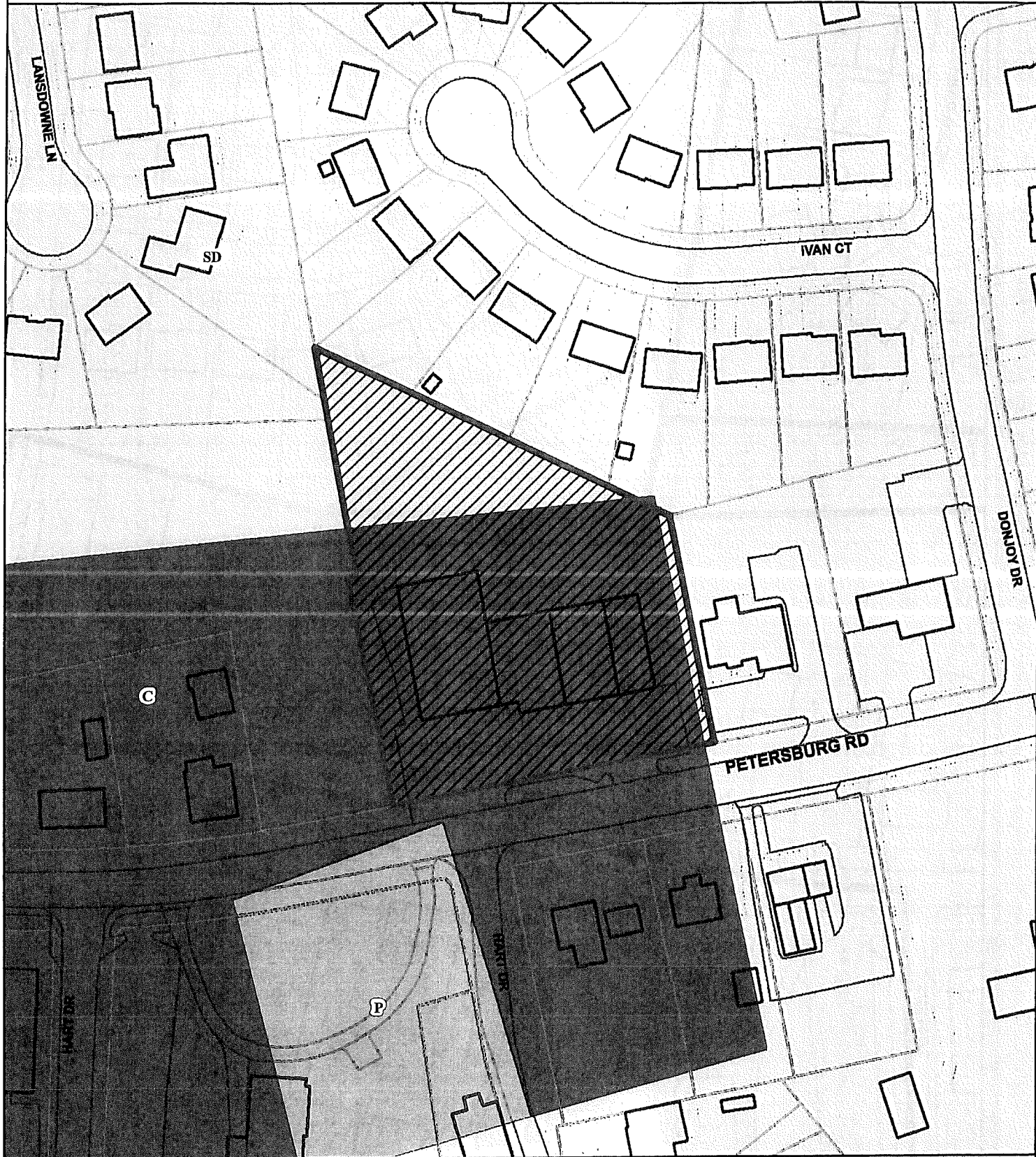
**B**



Boone County GIS  
ArcMap Document: \*.mxd

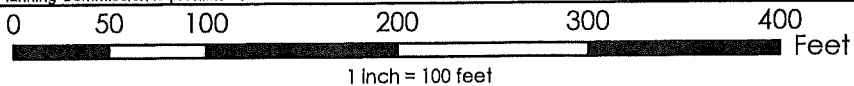
# 2040 Future Land Use Map

www.boonecountygis.com



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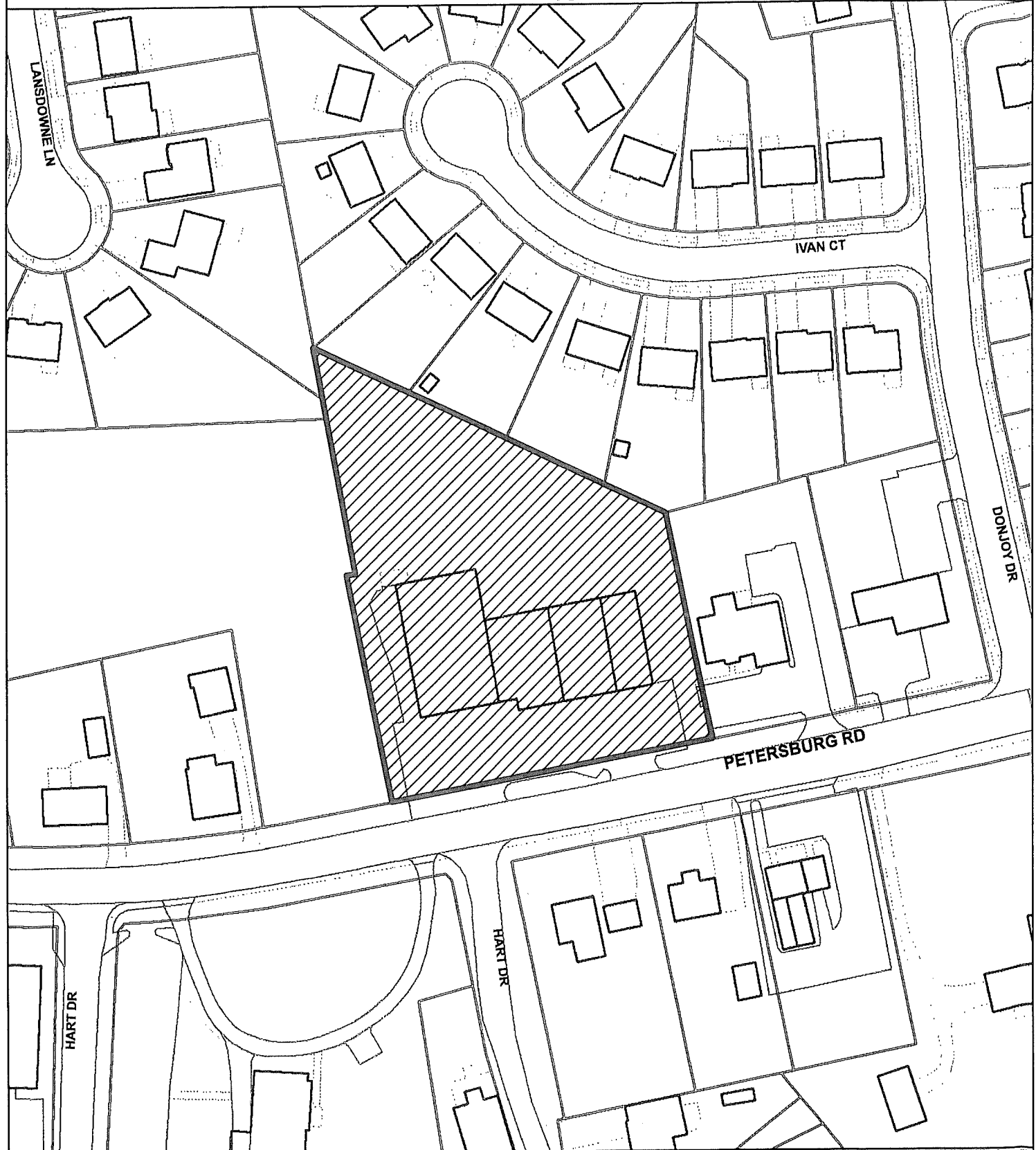


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ArcMap Document: 1.mxd

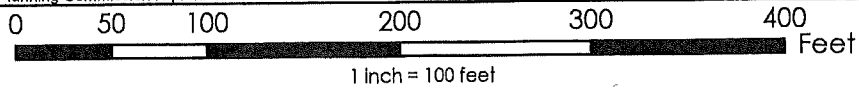
# Noise Contour Map

www.boonecountygis.com

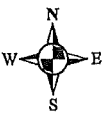


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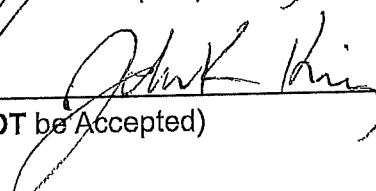
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**SECTION A: (To be completed by applicant)**

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2. Check One  Conditional Use Permit       Variance       Appeal  
 Change in Non-Conforming Use
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16. Have you submitted a list of adjoining property owners with this request:  Yes  No
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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: 9/9/22 Fee Received: \$ 816 Receipt #: 36975

2. Is application complete: \_\_\_\_\_

3. Staff Reviewer: \_\_\_\_\_

4. Scheduled Board Action Date: \_\_\_\_\_

5. Board Action: \_\_\_\_\_

\_\_\_\_\_ Approved

\_\_\_\_\_ Approved with Conditions (see #6)

\_\_\_\_\_ Denial (See #7)

6. Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

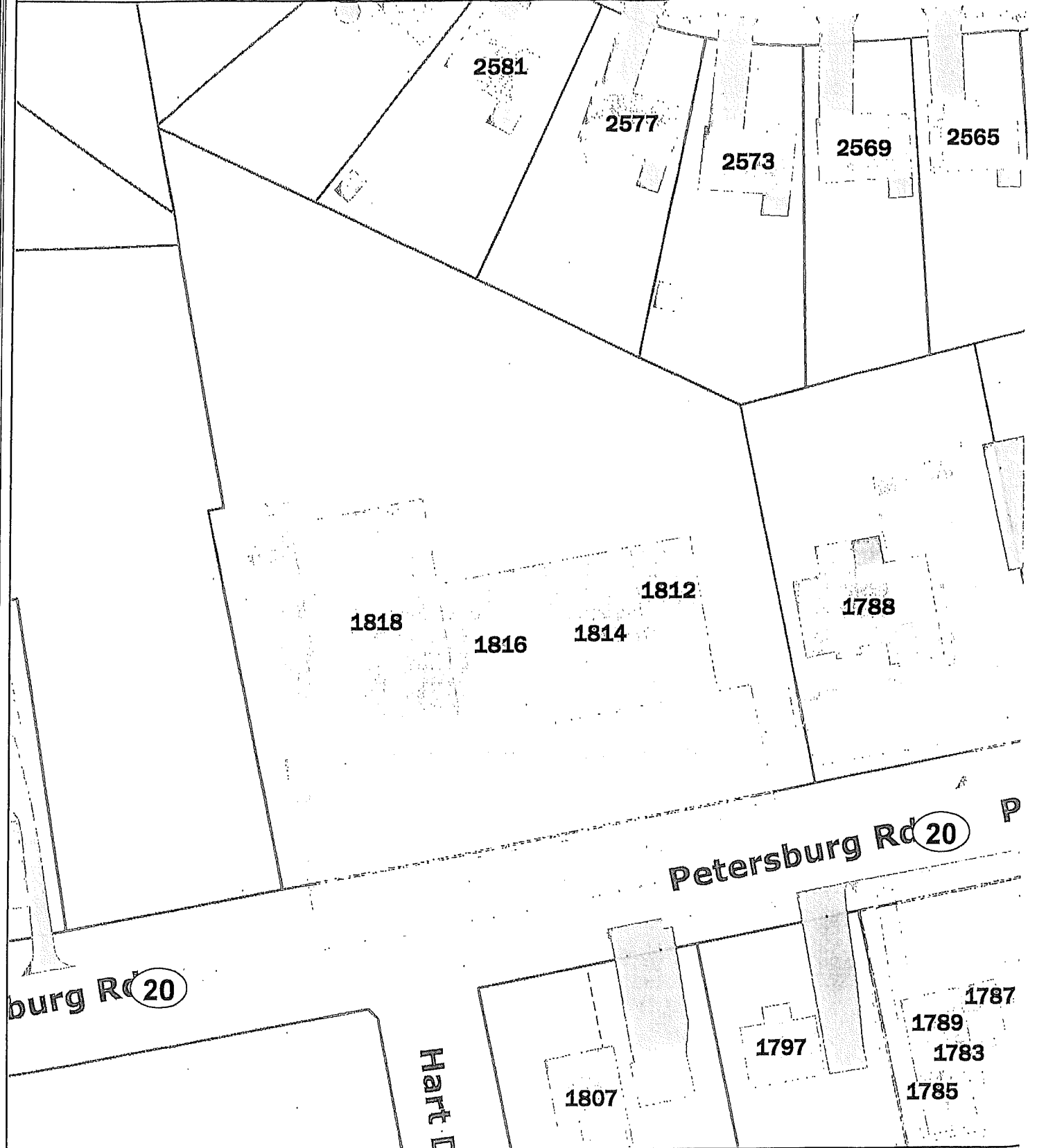
7. Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Boone County Planning Commission  
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2950 Washington Street, Room 317  
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[www.boonecountyky.org](http://www.boonecountyky.org)

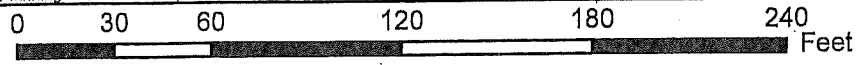
# Boone County GIS Map

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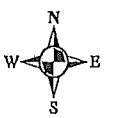
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1 Inch = 60 feet



Boone



Map Created: 10/06/2022

Boone County GIS  
ArcMap Document: \*.mxd

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
John & Jay King  
7417 Dixie Hwy  
Florence, KY 41042
2. ADDRESS OF PROPERTY  
1818 Petersburg Rd  
Hebron, KY 41048
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
King Workshop
4. DEED BOOK 1032                      PAGE NO. 942                      GROUP NO. 2010
5. TYPE OF RESTRICTION(S) (Check all that apply)
- \_\_\_ Zoning Map Amendment:                      X 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, Director, Zoning Services  
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<sup>th</sup> day of October, 2022.

---

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  
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 October 12, 2022, Certificate of Land Use Restriction (#22-BCBOA-028-A), for John and Jay King, Property Owner(s).

The following conditions will apply:

1. That a Tenant Finish permit be submitted to the Boone County Planning Commission.

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

DEED BOOK 1032

PAGE NO. 942

GROUP NO. 2010