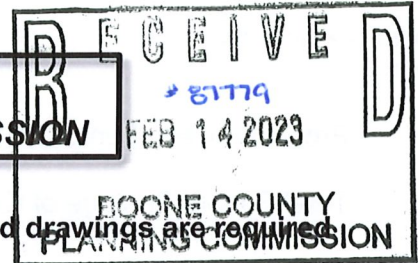


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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

Hillwood

3. Applicant: _____

Address: **7755 Montgomery Road, Suite 120**

Cincinnati **OHIO** **45236**
City State Zip Code

Phone Number: **513-623-0250** Fax Number: _____

Email: **jay.smith@hillwood.com**

4. Description of Request:
Requesting Variance of allowable sign height to be 20' above ground elevation.

5. Name of Development: **Richwood Commerce Center**

6. Location of Development: **Old Lexington Pike & Innovation Way**

Walton **KY** **41094**
City State Zip Code

7. Acreage Under Review: **17.724 Ac.**

8. Lot Number and Name of Subdivision (if part of a subdivision):
Proposed Lot 3 of Richwood Commerce Center

9. Current Owner: **Richwood Holding I, LLC**

Address: **3000 Turtle Creek Boulevard**

Dallas **TX** **75219**
City State Zip Code

Phone Number: _____ Fax Number: _____

Email: _____

Industrial

10. Proposed Use(s) on Site: _____
11. Total Square Footage of Existing and/or Proposed Buildings: 0 s.f. (existing) 273,000 +/- (proposed)
12. Current Zoning: I-1
13. 1191 106 2073
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: 2/14/2023 Fee Received: \$ 966.00 Receipt #: 87779

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 3/18/2023

5. Board Action: 3/18/2023

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
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#5

APPLICANT: Hillwood, per Jay Smith, on behalf of Richwood Holding I LLC

LOCATION: 11686-11776 Old Lexington Pike, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: March 8, 2023

PROPOSAL

1. The applicant is requesting a Variance to increase the maximum height of an entrance monument sign from ten (10) feet to twenty (20) feet.

SITE HISTORY

- | | |
|------|---|
| 2021 | On September 29, 2021, the Boone County Planning Commission approved a Preliminary Plat for Richwood Commerce Park – Phase 1. |
| 2022 | On June 1, 2022, the Boone County Planning Commission approved a Grading Plan for Richwood Commerce Center. |
| 2022 | On July 21, 2022, the Boone County Planning Commission approved a Conveyance Plat creating the lot in question. |
| 2022 | On September 22, 2022, the Boone County Planning Commission approved an Improvement Plan for Richwood Commerce Center – Phase 1. |
| 2022 | On September 29, 2022, the Boone County Planning Commission approved a Major Site Plan for an industrial building at 505 Innovation Way (building 2). |
| 2022 | On November 21, 2022, the Boone County Planning Commission approved a Major Site Plan for an industrial building at 505 Innovation Way (building 1). |

APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- B. Section 4000 of the Boone County Zoning Regulations defines a variance as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 204.D and 204.E of the Boone County Zoning Regulations.
 1. Findings listed in Section 204.D and 204.E:

- a. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
 - b. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.
- D. Section 3408.7.B of the Boone County Zoning Regulations provides the following requirements for entrance signs in an I-1 district:
1. Shall only be a monument sign.
 2. Office and industrial parks shall be permitted one (1) entrance sign per entrance to such parks from a major thoroughfare.
 3. Regardless of the number of entrances to such developments, each office or industrial park shall be limited to a maximum of two (2) entrance signs.
 4. Each sign shall have a maximum sign area of one hundred fifty (150) square feet and a maximum height of ten (10) feet.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question as "Industrial", which is described as manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
 1. 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).
2. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 3. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).
 4. Effective site placement, architectural design, and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Smoke, dust, noise, and odor impacts shall be kept at a minimum and site development and enforcement shall be carefully coordinated with regulatory agencies (Economy Goal B, Objective 7).
 5. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
- C. Old Lexington Pike is identified as a County maintained collector street providing for two way traffic within an approximate eighteen (18) foot pavement width. There are no sidewalks along the roadway. The posted speed limit is 35 MPH.

SURROUNDING LAND USES AND ZONING

- North: Agricultural/undeveloped land and industrial uses (I-1)
- South: Industrial uses (I-1)
- East: Future industrial uses (I-1)
- West: Single family residential (I-1)

SITE CHARACTERISTICS

- A. The proposed sign location is along the east side of Old Lexington Pike, approximately 620 feet north of Cummings Drive.
- B. The site is currently vacant but being developed as part of the Richwood Commerce Center Industrial Park.
- C. Topographically, the area of the proposed sign rises approximately six (6) feet from Old Lexington Pike, at an average grade of approximately four (4) percent.
- D. Old Lexington Pike is relatively flat.

STAFF COMMENTS

- A. The proposed sign will have a sign area of approximately thirty-eight (38) square feet

and a height of twenty (20) feet.

- B. The proposed sign will have a multi-tiered base.
- C. The proposed sign will be set back fifty-five (55) feet from the pavement of Old Lexington Pike and thirty-three (33) feet from the pavement of Innovation Way (under construction).
- D. The proposed sign is intended to be the entrance sign to the Richwood Commerce Center Industrial Park.
- E. Within the Richwood Commerce Center Industrial Park, building 1 was approved with a height of 44'-6" and building 2 was approved with a height of 47'-0".

CONCLUSION

- A. KRS 100.241 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.
- B. Sections 204.D and 204.E of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully submitted,



Michael D. Schwartz
Director, Zoning Services

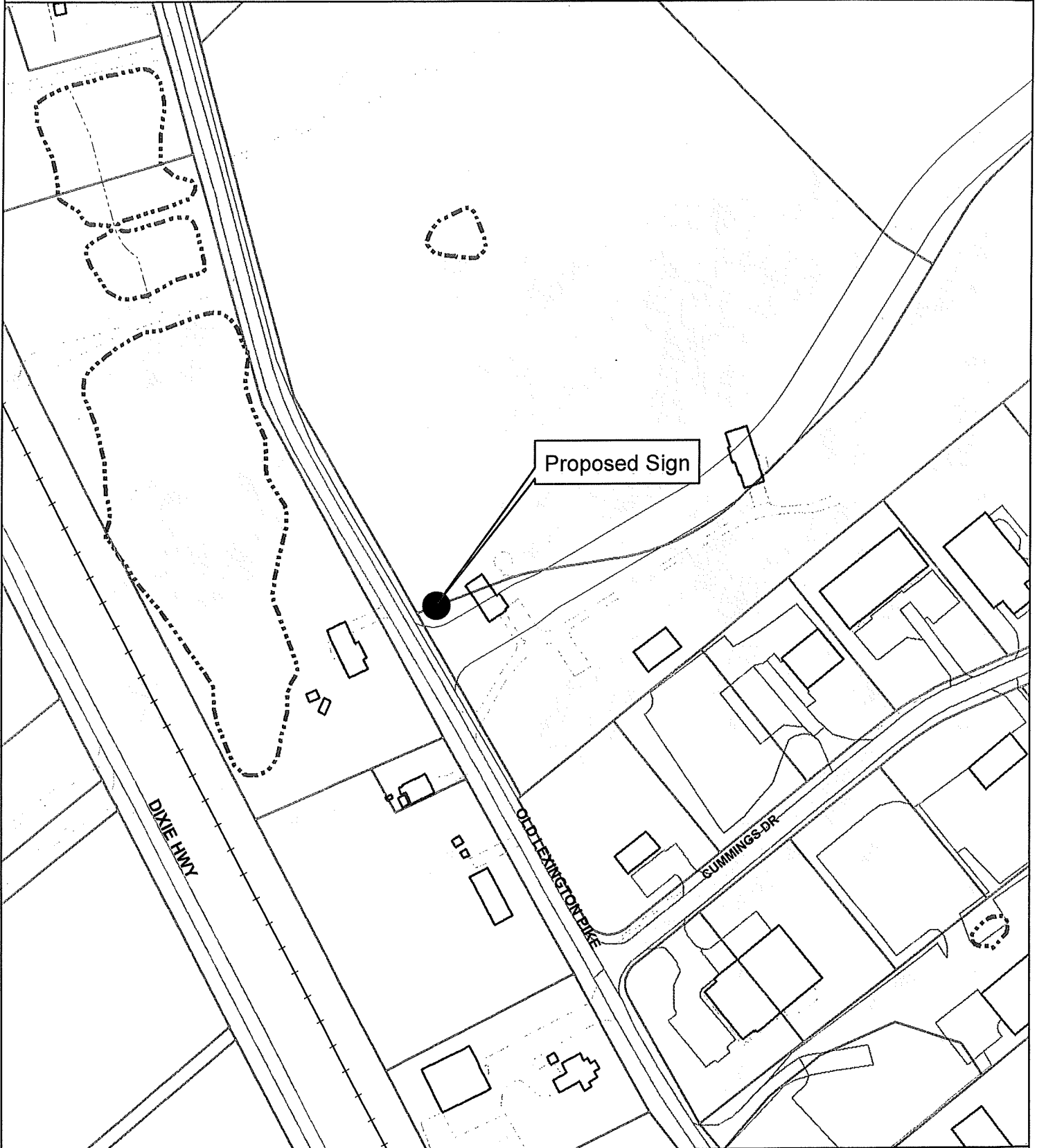
MDS/ss

Attachments

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

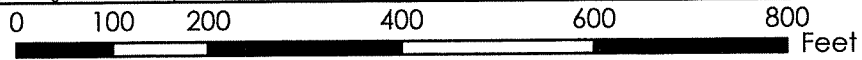
Vicinity Map

www.boonecountygis.com



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1 inch = 200 feet



Boone County GIS

Aerial Map

www.boonecountygis.com



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0 100 200 400 600 800 Feet

1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

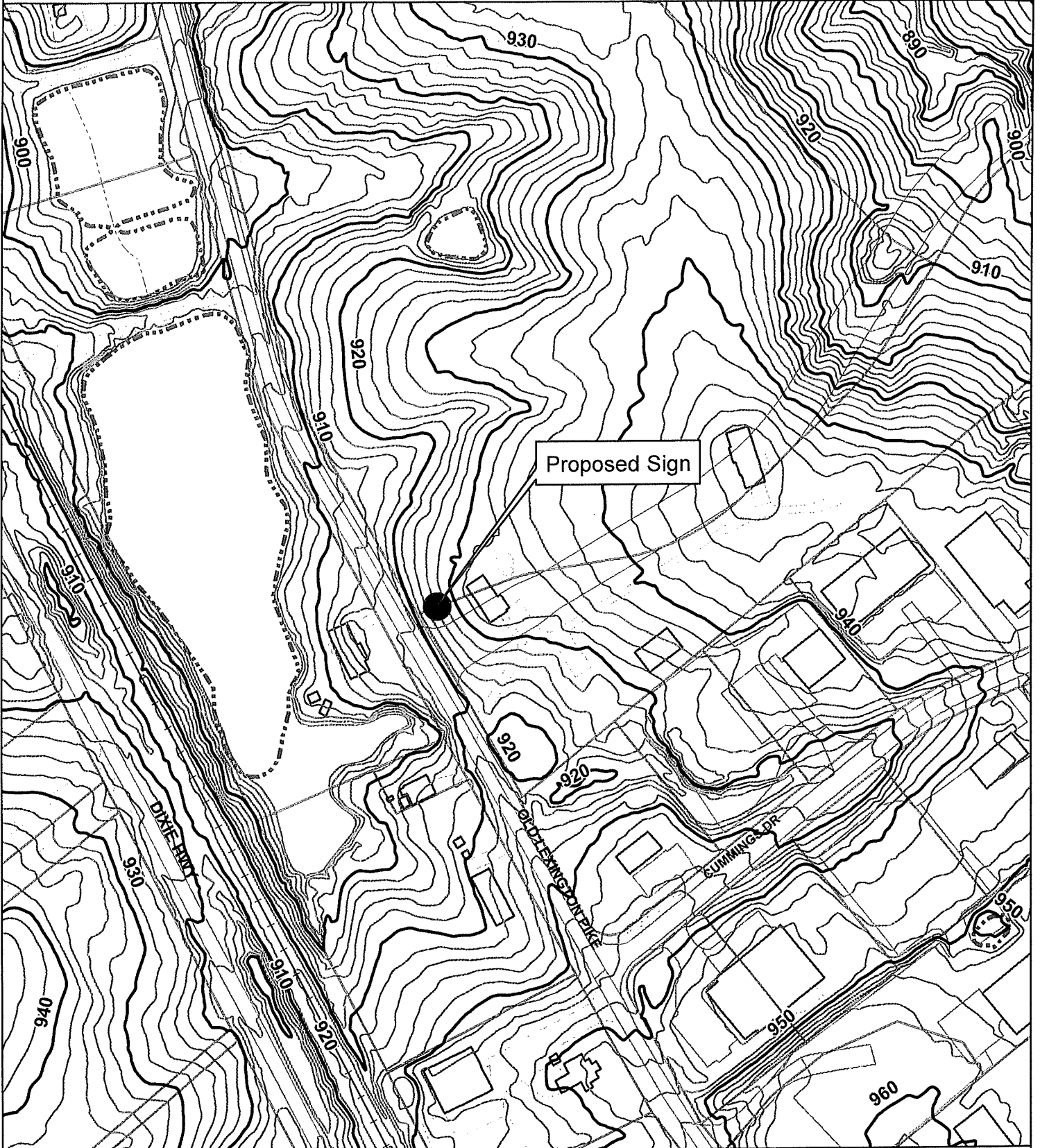


Map Created: xx/xx/2022

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Topographical Map

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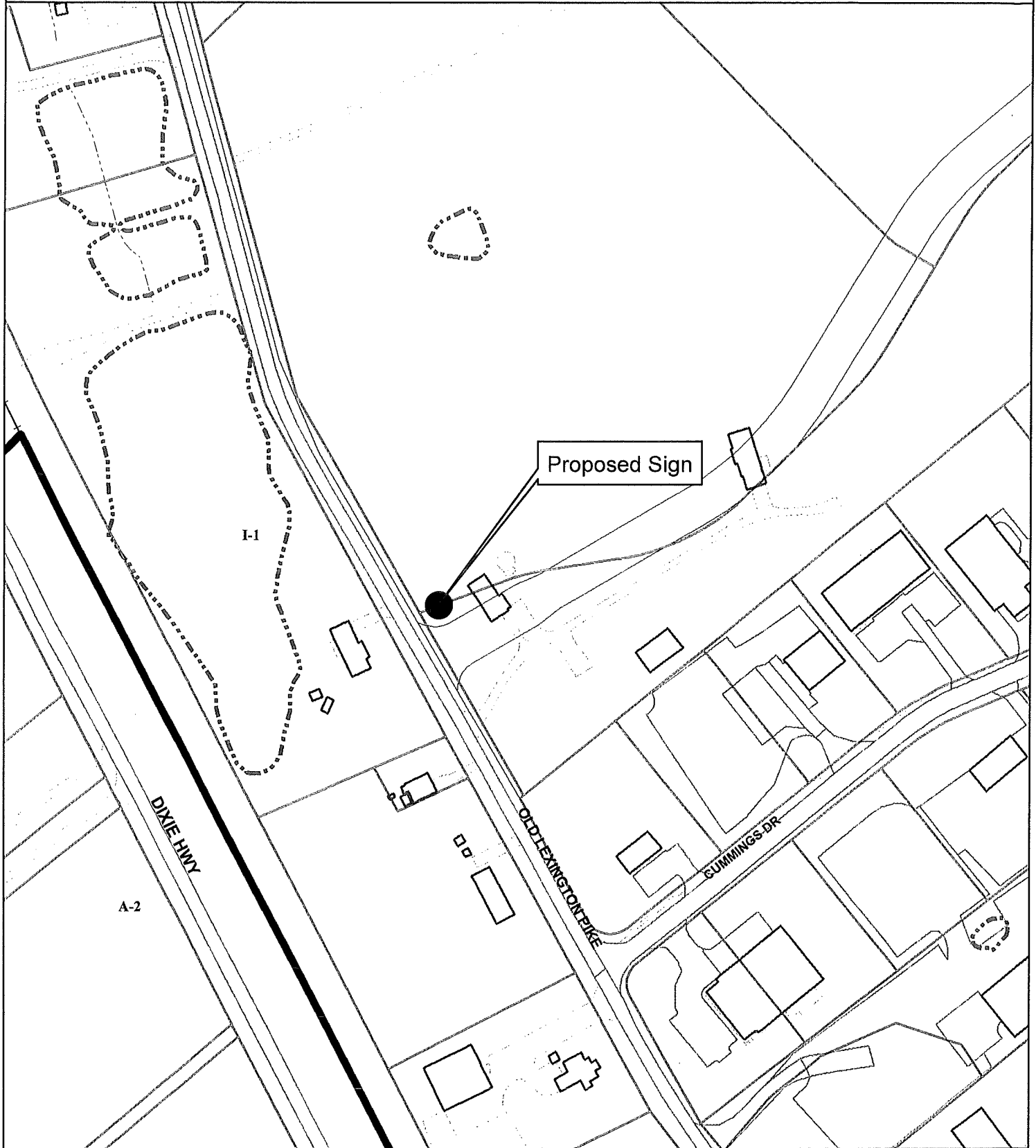


Boone



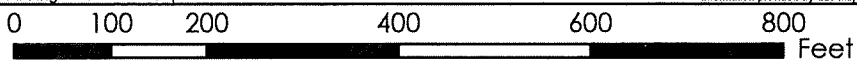
Zoning Map

www.boonecountygis.com



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Map Created: xx/xx/2022

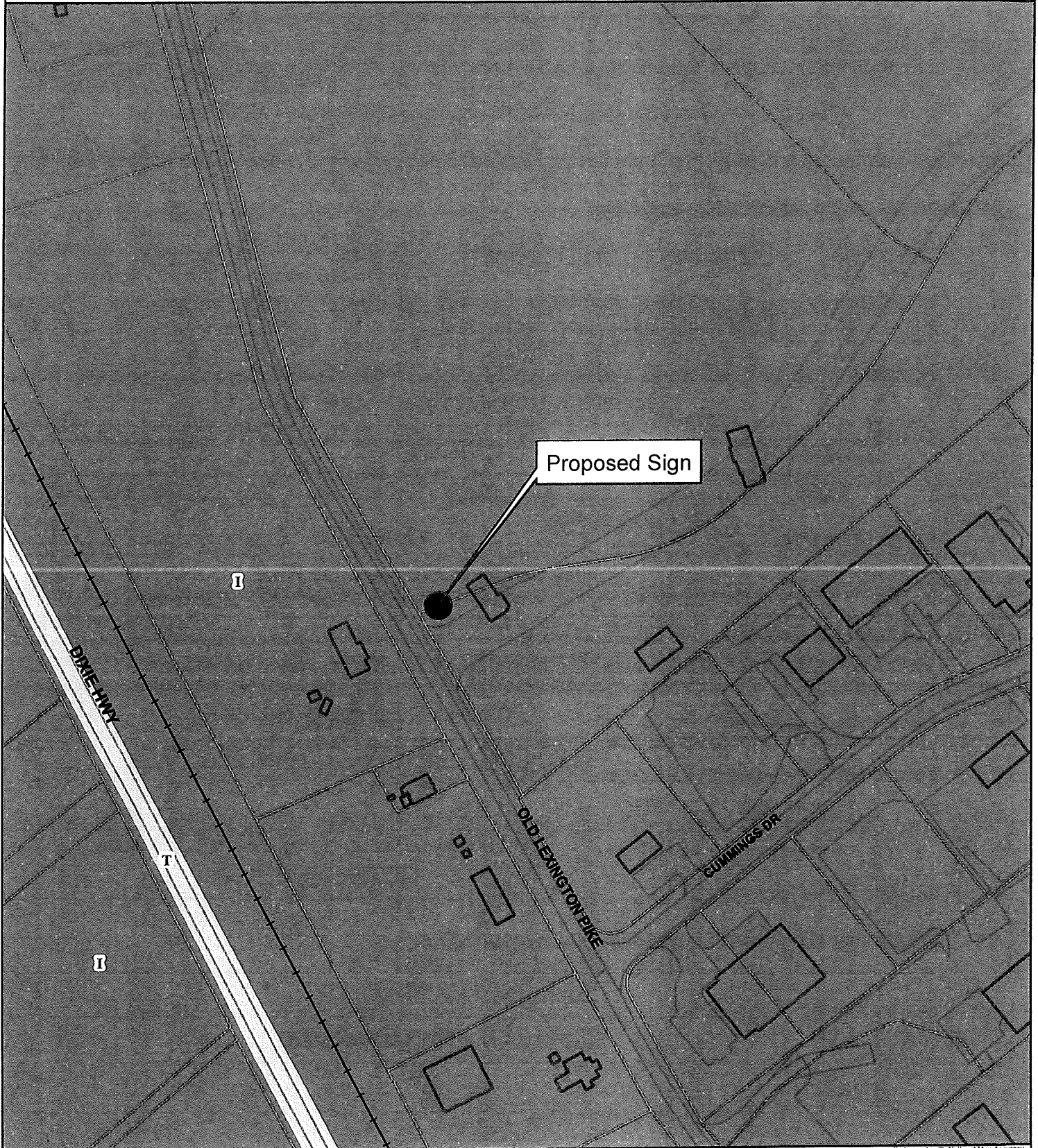
Boone County GIS - Putting Northern Kentucky on the Map



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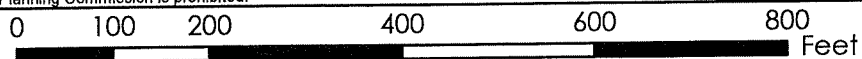
2040 Future Land Use Map

www.boonecountygis.com



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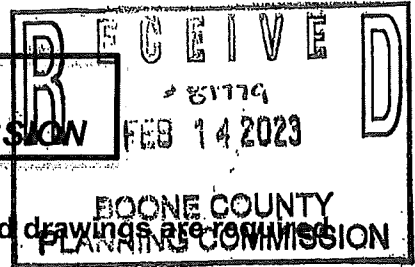


1 inch = 200 feet



Boone County GIS

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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

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: Hillwood

Address: 7755 Montgomery Road, Suite 120

Cincinnati OHIO 45236
City State Zip Code

Phone Number: 513-623-0250 Fax Number: _____

Email: jay.smith@hillwood.com

4. Description of Request:
Requesting Variance of allowable sign height to be 20' above ground elevation.

5. Name of Development: Richwood Commerce Center

6. Location of Development: Old Lexington Pike & Innovation Way

Walton KY 41094
City State Zip Code

7. Acreage Under Review: 17.724 Ac.

8. Lot Number and Name of Subdivision (if part of a subdivision):
Proposed Lot 3 of Richwood Commerce Center

9. Current Owner: Richwood Holding I, LLC

Address: 3000 Turtle Creek Boulevard

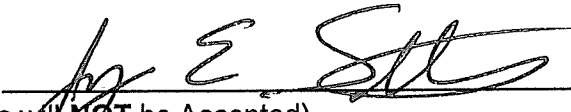
Dallas TX 75219
City State Zip Code

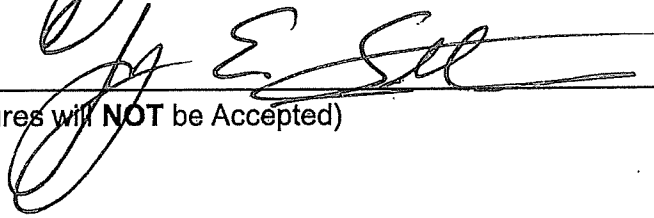
Phone Number: _____ Fax Number: _____

Email: _____

Industrial

10. Proposed Use(s) on Site: _____
11. Total Square Footage of Existing and/or Proposed Buildings: 0 s.f. (existing) 273,000 +/- (proposed)
12. Current Zoning: I-1
13. 1191 106 2073
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: 2/14/2023 Fee Received: \$ 966.00 Receipt #: 87779

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
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



February 13, 2023
Michael Schwartz
Planner, Boone County Planning Commission
Boone County Administration Building, Room 317
P.O. Box 958
2950 Washington St.
Burlington, KY 41005

Re: Request Variance on Sign Requirements for the:
Proposed Richwood Commerce Center – Entry Sign
Innovation Way
Boone County, KY

Dear Mr. Schwartz,

On behalf of the applicant (Richwood Holding I, LLC), Bayer Becker requests a sign variance for the above-mentioned project. Specifically, we request a variance for park entry signs as found in Article 34 Signs, Section 3408.7 Entrance Signs. In an Industrial One (I-1) district a sign shall have a maximum sign area of 150 square feet and a maximum height of 10 feet.

We request a variance to the 10 ft height requirement. The attached plans illustrate a maximum height of 20 ft. As you will see in the attached renderings and illustrations, the sign will be extensively landscaped with numerous trees, shrubs, and planter boxes. The sign will be visibly integrated into the development while maintaining adequate sight distance and sign visibility.

These adjustments are proportional to the overall scale of the industrial development, as the surrounding buildings are up to 50 ft in height. Detailed renderings illustrate the proposed topography, adjacent buildings, public improvements, and landscaping. The proposed site location & elevations have been designed taking into account sight distance at the intersection of Old Lexington Pike and Innovation Way. The proposed location has an approx. 50' setback from the edge of Old Lexington Pike and the proposed height will provide maximum visibility with this setback.

Please place this request on the next Board of Adjustments (BOA) hearing scheduled for 3/8/2023 at 6pm. Enclosed for consideration by the BCPC:

- Completed BOA variance request form signed by both the applicant and property owner
- \$966.00 app fee (Paid w/card) (\$650 flat fee per variance)+ \$250 Legal Ad +\$66 CLUR)
- Current deed & legal description
- Adjoiner's list
- Sign Plan & Sections
- Sign Rendering Exhibit

Please review the plan and contact me or Rob Keller with any further questions or comments. Sincerely,

Madison Meehan

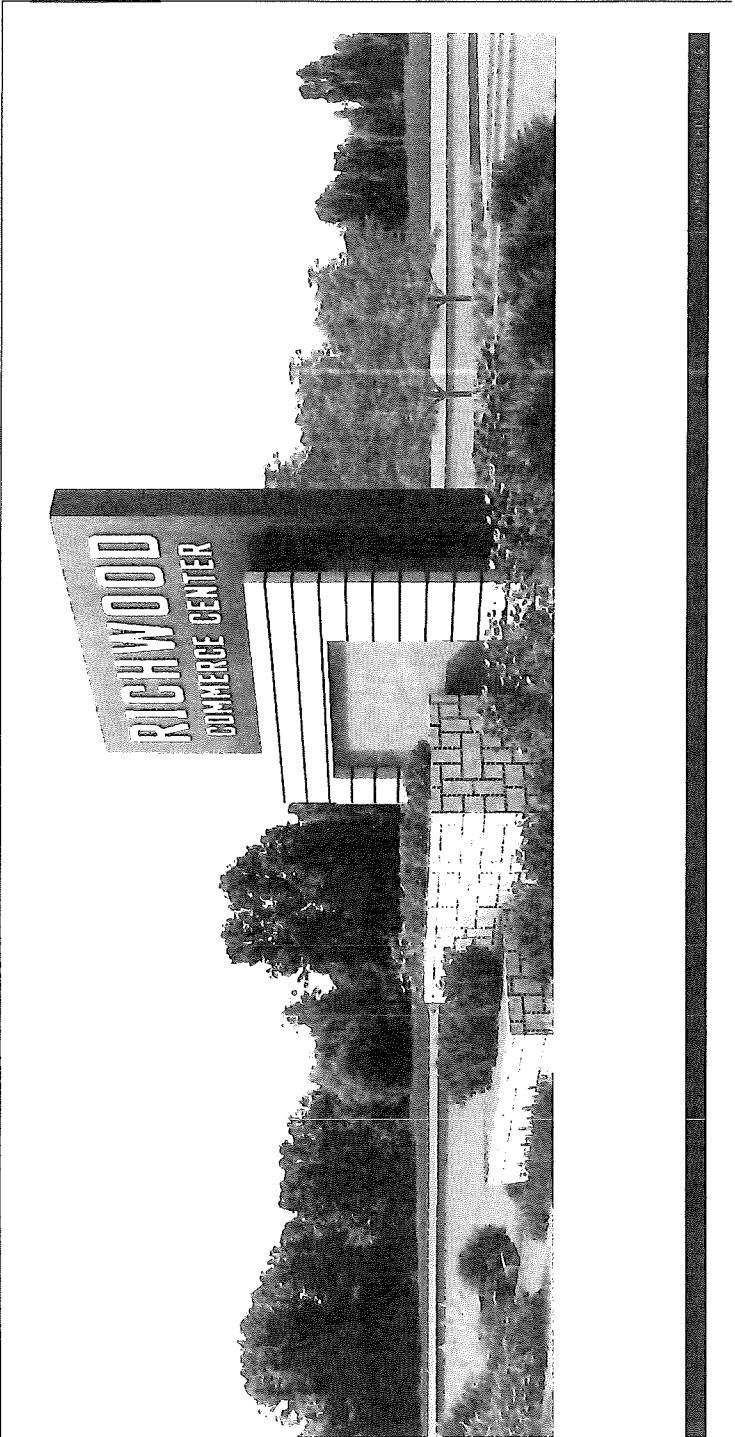
Madison R. Meehan, EI
Civil Engineer
Bayer Becker
859-415-1610 direct
madisonmeehan@bayerbecker.com

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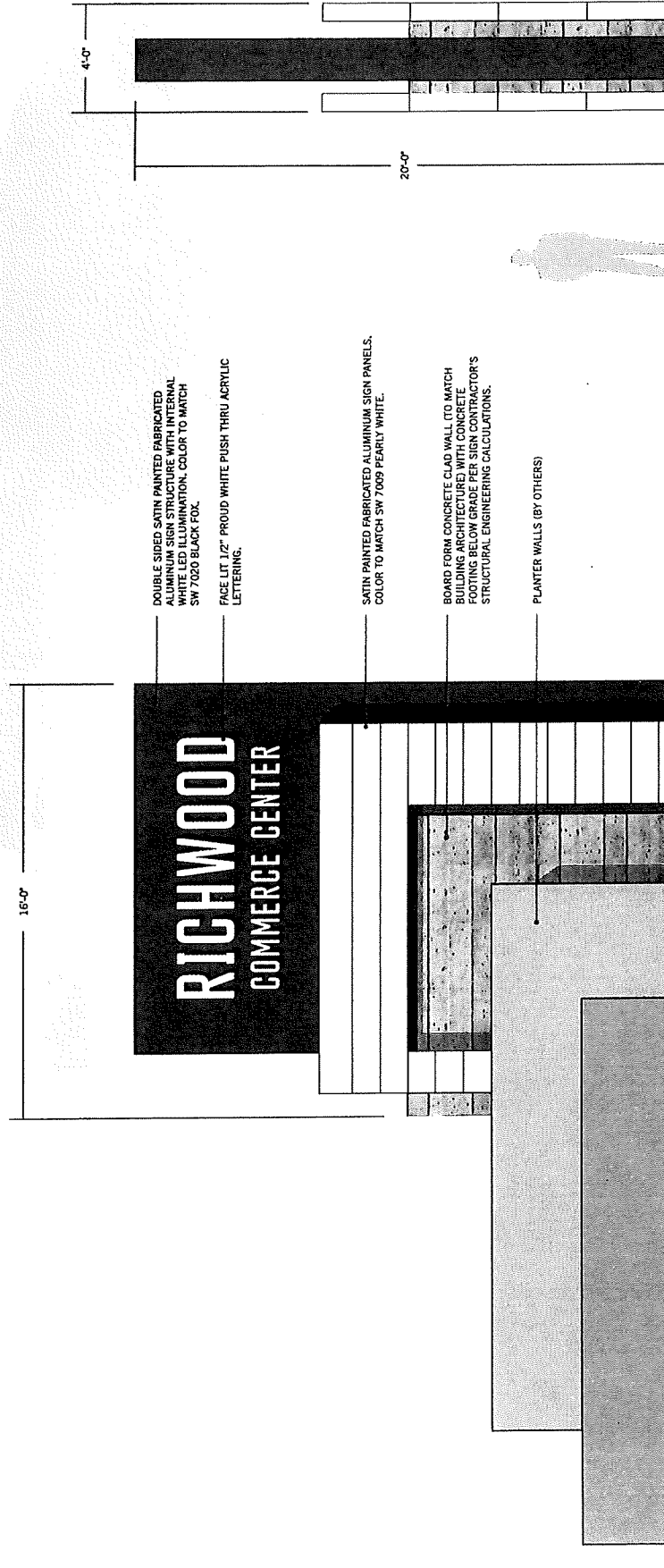
**RICHWOOD COMMERCE
CENTER**

RICHWOOD, KENTUCKY
UNITED STATES,

CONCEPTUAL DESIGN
ATL22-0020-00
02.10.2023



WARE MALCOMB



FRONT

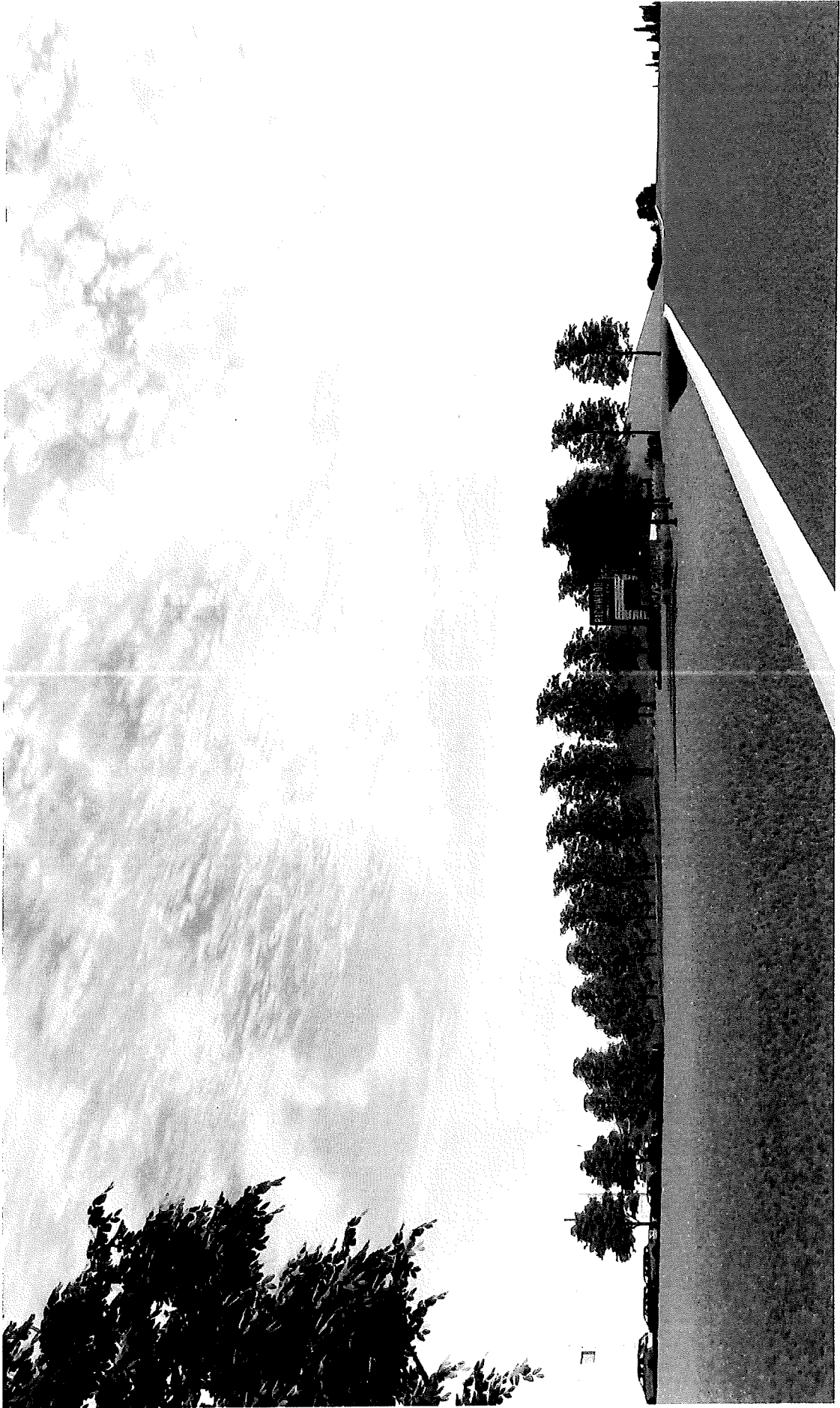
SIDE

ELEVATION VIEWS
SCALE: 1/4" = 1'-0"



This conceptual design is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed. Signage shown is for illustrative purposes only and does not necessarily reflect municipal code compliance. All colors shown are for representative purposes only. Refer to material samples for actual color verification.

CONCEPTUAL RENDERING ENTRY FEATURE PERSPECTIVE
RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00



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CONCEPTUAL RENDERING ENTRY FEATURE - DRIVING FROM NORTH PERSPECTIVE
RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00



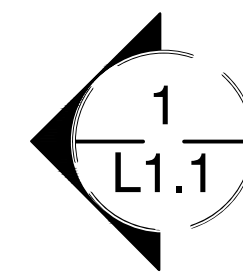
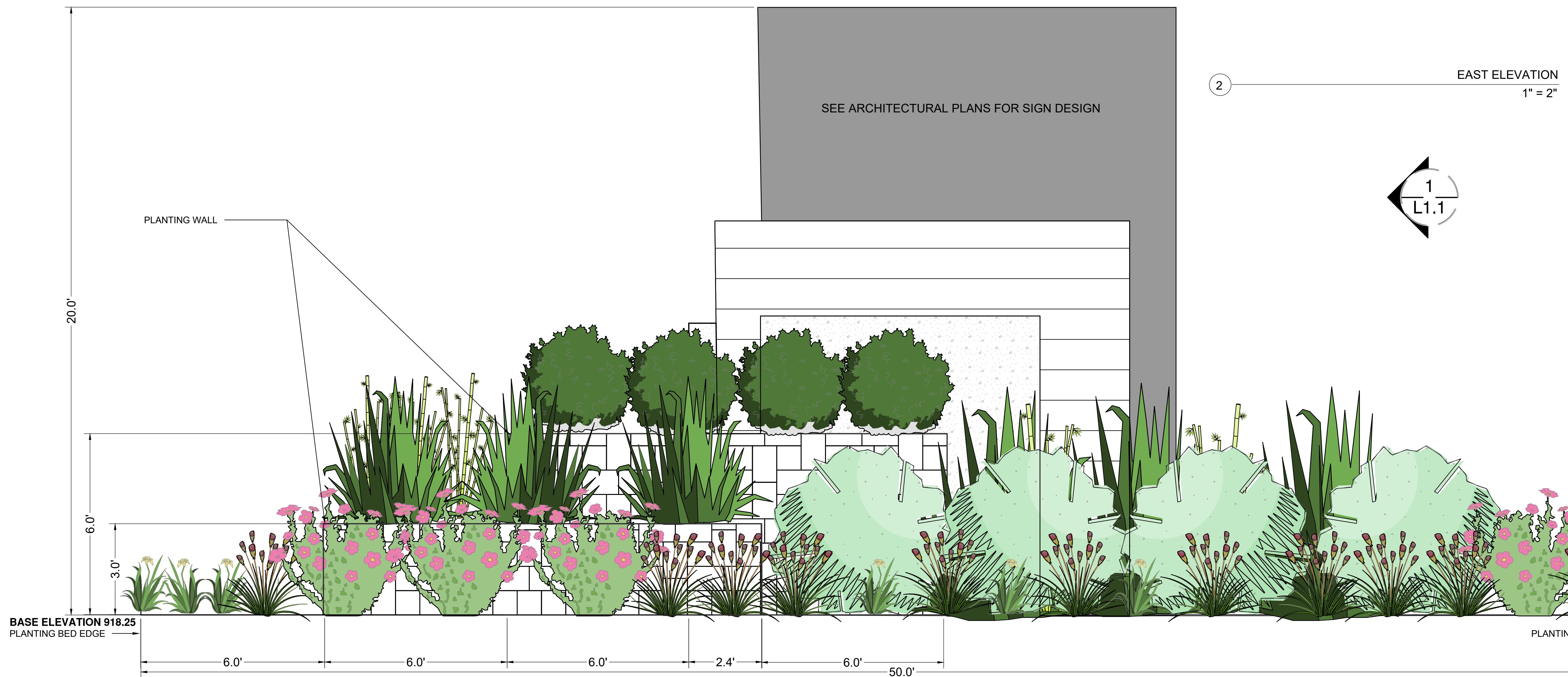
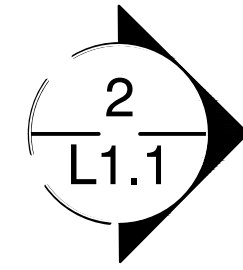
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CONCEPTUAL RENDERING ENTRY FEATURE - SIDEWALK PERSPECTIVE
RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00



This conceptual design is based upon a preliminary review of entitlement requirements and is intended to provide a general idea of the proposed design. It is not intended to assist in exploring how the project might be developed. Signage is for illustrative purposes only and does not necessarily reflect municipal code compliance. All colors shown are for representative purposes only. Refer to material samples for actual color verification.

CONCEPTUAL RENDERING ENTRY FEATURE - CLOSE UP PERSPECTIVE
RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00



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Item	Revision Description	Date	Drawn	Chk

RICHWOOD COMMERCE CENTER
ENTRY SIGN
OLD LEXINGTON PIKE & INNOVATION WAY
BOONE COUNTY, KENTUCKY

ENTRY SIGN PLANTING ELEVATION

bayer becker
www.bayerbecker.com
209 Grandview Drive
Fort Mitchell, KY 41017 - 859.281.1113

Drawing: 21-0069 ENTRY
Drawn by: CDO
Checked By: XXX
Issue Date: 02-13-2023

Sheet: **L1.1**

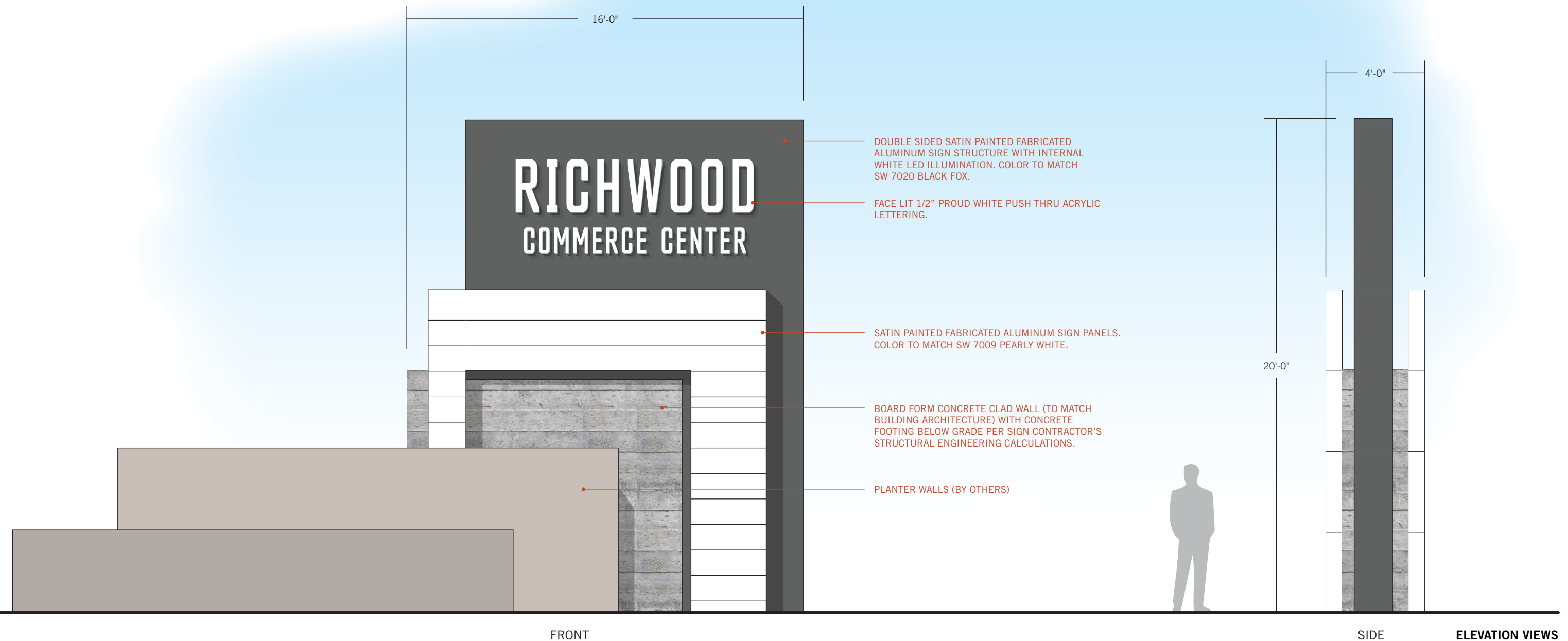


H HILLWOOD
A PEROT COMPANY®

**RICHWOOD COMMERCE
CENTER**

RICHWOOD, KENTUCKY
UNITED STATES,

CONCEPTUAL DESIGN
ATL22-0020-00
02.10.2023



FRONT

SIDE

ELEVATION VIEWS
SCALE: 1/4"=1'-0"



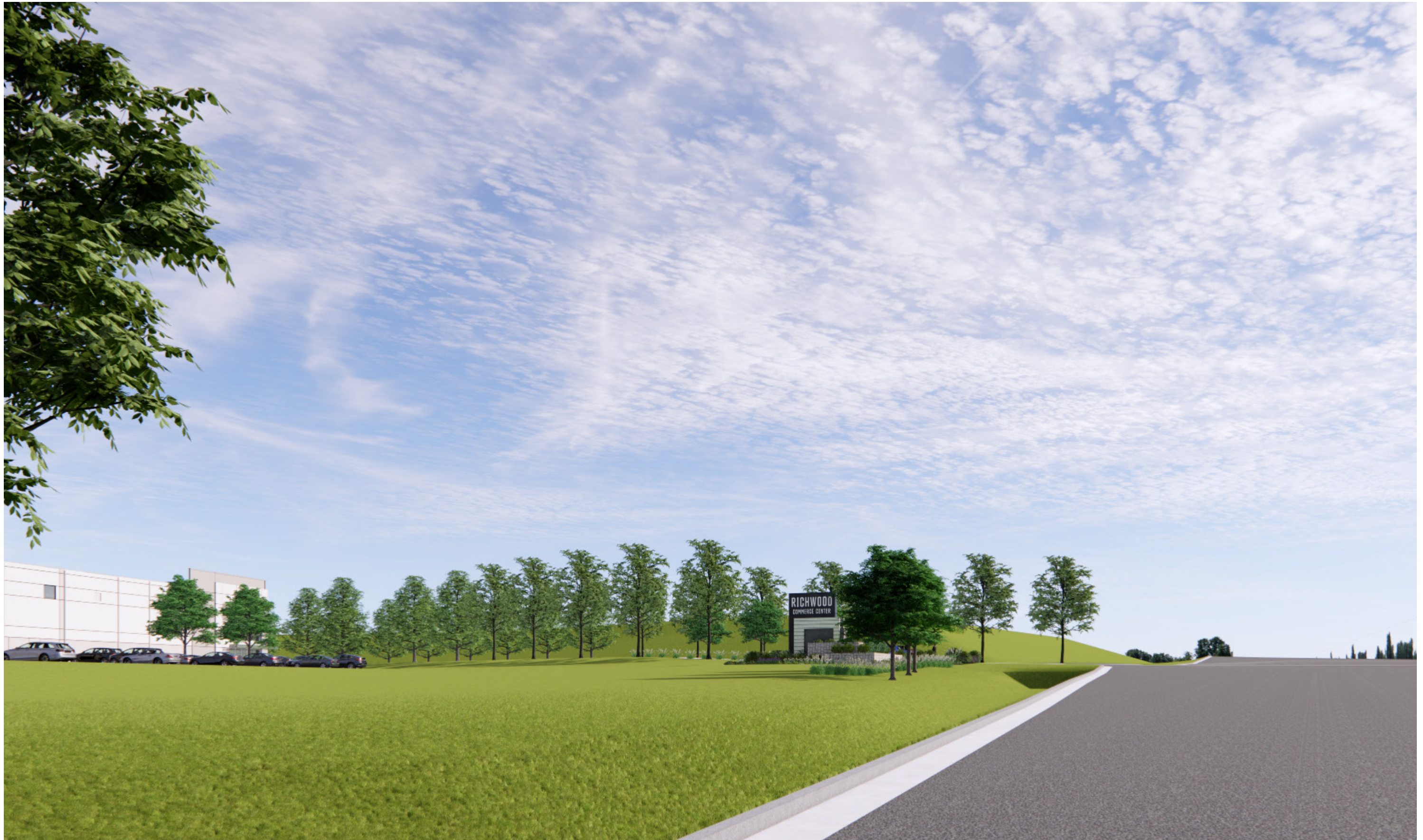
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CONCEPTUAL RENDERING ENTRY FEATURE PERSPECTIVE

RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00

WARE MALCOMB 02.10.2023

PAGE
2



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CONCEPTUAL RENDERING ENTRY FEATURE - DRIVING FROM NORTH PERSPECTIVE

RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00

WARE MALCOMB 02.10.2023



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CONCEPTUAL RENDERING ENTRY FEATURE - SIDEWALK PERSPECTIVE

RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00

WARE MALCOMB

02.10.2023

PAGE
4



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CONCEPTUAL RENDERING ENTRY FEATURE - CLOSE UP PERSPECTIVE

RICHWOOD COMMERCE CENTER
RICHWOOD, KENTUCKY - ATL22-0020-00

WARE MALCOMB

02.10.2023

PAGE
5

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 10th day of March, 2023.

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.)