

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
89569
NOV 21 2023
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: Scott C Spies
Address: 2064 Woodsedge Ct
Hebron KY 41048
City State Zip Code
Phone Number: 859-803-2106 Fax Number: n/a
Email: scottcspies@yahoo.com
4. Description of Request:
Approve conditional use for Automotive Detailing, Indoor Storage and Outdoor storage of boats & RVs
5. Name of Development: Back Lot Storage
6. Location of Development: Elijah Creek Rd
Hebron KY 41048
City State Zip Code
7. Acreage Under Review: 1.6
8. Lot Number and Name of Subdivision (if part of a subdivision):
n/a
9. Current Owner: Mary L Meadows
Address: 2158 Roy Rogers Way
Kingman AZ 86409
City State Zip Code
Phone Number: _____ Fax Number: _____
Email: _____

Board of Adjustment
Page 2

10. Proposed Use(s) on Site: Automotive Detailing, Indoor Storage and Outdoor storage of boats & RVs
11. Total Square Footage of Existing and/or Proposed Buildings: 13,425
12. Current Zoning: C-2
13. 624 274 2008
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.

Property Owner's Signature:

DocuSigned by:
Mary Meadows
4100880402984E...

Applicant's Signature:

Scott L. Smith

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

1. Date Received: 11/21/23 Fee Received: \$1116 Receipt #: 89569

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 12/13/2023

5. Board Action: 12/13/2023

Approved

Approved with Conditions (see #6)

Denial (See #7)

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

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: Scott C. Spies on behalf of Mary L. Meadows

LOCATION: Northwest side of Elijah Creek Road, between Russell Drive and Donjoy Drive, approximately 90 feet northeast of Russell Drive, and having a Property Identification Number (PIDN) of 047.05-00-005.01, Boone County, Kentucky

ZONING: Commercial Two (C-2)

DATE: December 13, 2023

1. There shall be no exterior storage, other than boats and RV's.
2. No inoperable vehicle shall be kept on the property.
3. The hours of operation of the automotive repair facility shall be limited to 8:00 am – 8:00 pm.
4. The automotive repair activity shall be limited to automotive detailing.
5. Any automotive detailing work shall be conducted within a completely enclosed building with all doorways and windows shut.
6. Any of the required trees within the Buffer Yard A along the west property line shall be evergreen trees from Plant List D.

STAFF REPORT

#5

APPLICANT: Scott C. Spies on behalf of Mary L. Meadows

LOCATION: Northwest side of Elijah Creek Road, between Russell Drive and Donjoy Drive, approximately 90 feet northeast of Russell Drive, and having a Property Identification Number (PIDN) of 047.05-00-005.01, Boone County, Kentucky

ZONING: Commercial Two (C-2)

DATE: December 13, 2023

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow automotive detailing, self-storage, and the outdoor storage of boats and RV's.

SITE HISTORY

1996 As part of the 1996 Zoning Ordinance update, the site was rezoned from I-1 and C-2 to C-2.

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 grant conditional uses permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations which may be suitable only if specific locations in the district and only if certain conditions are met.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 205.H of the Boone County Zoning Regulations.
1. Findings listed in Section 205.H (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 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 any such services.
 - e. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of

- the community.
- f. Will 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 designed as not to create an interference with traffic on surrounding public thoroughfares.
- C. Section 505.3 of the Boone County Zoning Regulations identifies 'Automotive Repair Facility' and 'Residential Storage Warehouse (mini warehouse)' as Conditional Uses within the C-2 district.
- D. Section 1002. A of the Boone County Zoning Regulations states that the purpose of the Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.
- E. Section 4000 of the Boone County Zoning Regulations contains 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 an individual vehicle basis; changing of oil, other fluids, and filters; emissions testing and vehicles inspections.
 - 2. 'Residential Storage Warehouse' An establishment offering individual storage units for rent or lease, predominantly for: (1) individuals to store personal effects; and (2) businesses to store business records, materials, or inventory. In no case may individual units function as an independent retail, wholesale, business, or service use. Individual units may not be used for workshops, hobby shops, manufacturing, dwellings, or similar uses.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the northwestern part of the site for Industrial uses and the southeastern part of the site for High Suburban Density Residential uses, which are described as follows:
- 1. Industrial – Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses.

2. High Suburban Density Residential - Single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks.
- 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).

The needs of an aging population (e.g., access to services, transportation, and support networks) shall be acknowledged and addressed (Demographics Goal A, Objective 2).

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).

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. Elijah Creek Road is 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 1.5 acre site is located along the northwest side of Elijah Creek Road,

approximately 650 feet northeast of Limaburg Road.

- B. The site has approximately one hundred (100) feet of frontage along Elijah Creek Road.
- C. The site is currently vacant and heavily wooded.
- D. Currently, there are no curb cuts to the site in question.
- E. The site slopes downward, front to back, at an average grade of 9% for three-quarters of the depth of the lot. From there, it slopes upward at an average grade of 15%.

SURROUNDING LAND USES AND ZONING

- North: Vacant/undeveloped land (C-2)
- South: Single family residential (SR-1)
- East: Vacant/undeveloped land (C-2)
- West: Single-family residential and commercial uses (C-2)

PROPOSED DEVELOPMENT

- A. Construction of a 9,225 square foot self-storage building.
- B. Construction of a 1,000 square foot self-storage building.
- C. Construction of a 3,200 square foot automotive detailing building.
- D. Provision for twenty-eight (28) outdoor parking spaces for the storage of boats and RV's.
- E. Provision for eight (8) off-street parking spaces for customers.
- F. Access from a single curb cut onto Elijah Creek Road.
- G. Provision for perimeter landscape buffer yards.

STAFF COMMENTS

- A. Section 3230 of the zoning regulations states that the width of driveways for urban commercial uses must be between fifteen (15) and thirty-five (35) feet.

The submitted concept plan shows that the width of the driveway will be fifty (50) feet.

- 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. There shall be no exterior storage, other than boats and RV's.
 - 2. No inoperable vehicle shall be kept on the property.
 - 3. The hours of operation of the automotive repair facility shall be limited to 8:00 am – 8:00 pm.
 - 4. The automotive repair activity shall be limited to automotive detailing.
 - 5. Any automotive detailing work shall be conducted within a completely enclosed building with all doorways and windows shut.

CONCLUSION

- A. KRS 100.237 and Section 202.C 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

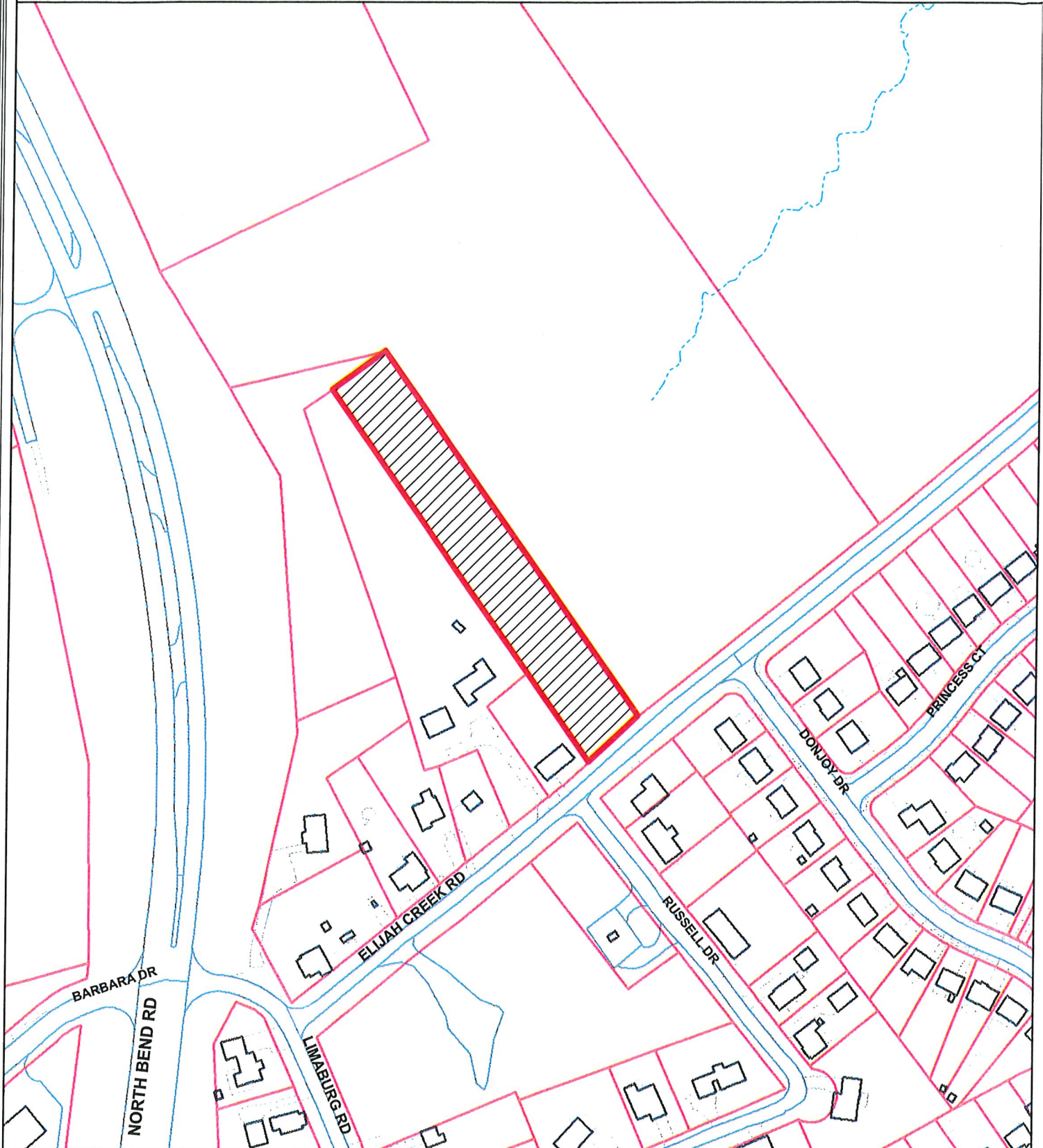
MDS/ss

Attachments

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

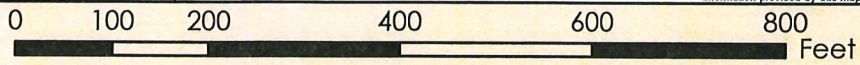
Vicinity Map

www.boonecountygis.com



Copyright 2022 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map



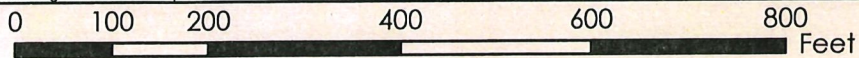
Aerial Map

www.boonecountygis.com



Copyright 2022 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 200 feet

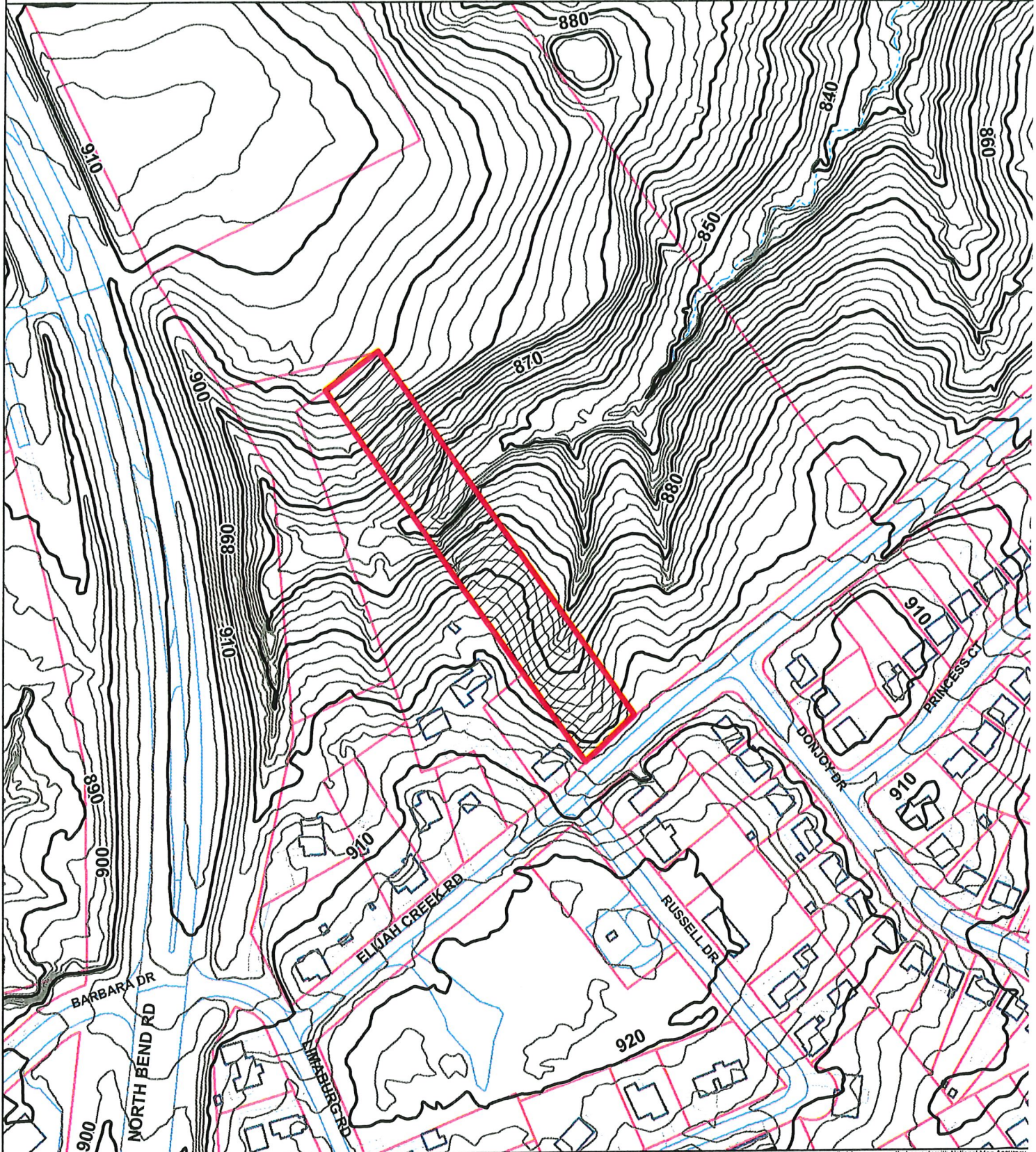


Boone County GIS - Putting Northern Kentucky on the Map



Topographic Map

www.boonecountygis.com



Copyright 2022 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

0 100 200 400 600 800 Feet

1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: x0/x2/2022

File Path: E:\boone\GIS\Map\Boone County GIS - Putting Northern Kentucky on the Map.mxd

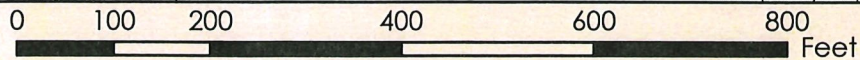
Zoning Map

www.boonecountygis.com



Copyright 2022 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



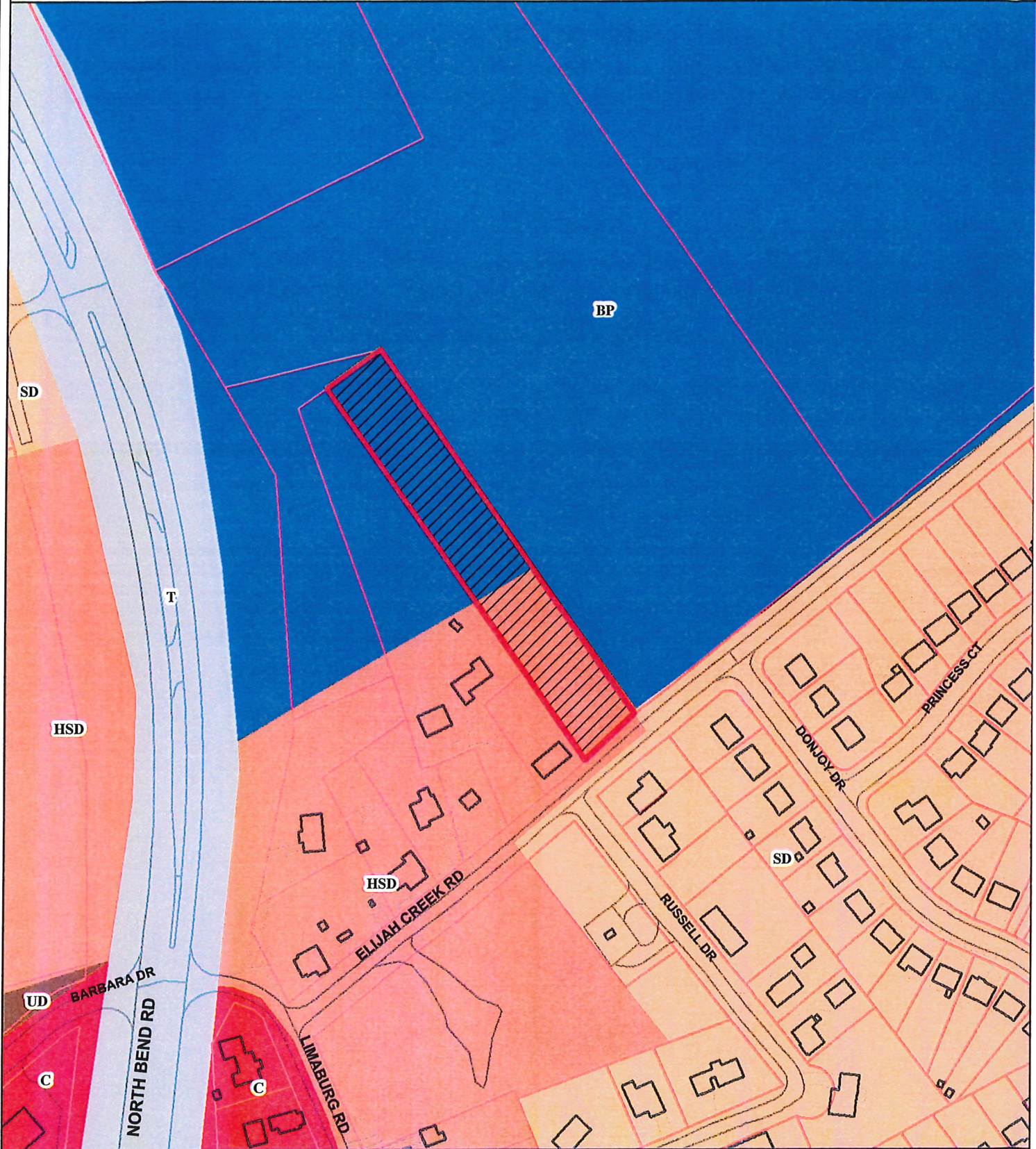
1 inch = 200 feet

Boone County GIS - Putting Northern Kentucky on the Map



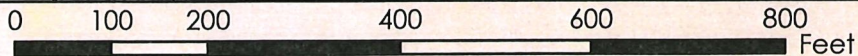
2040 Future Land Use Map

www.boonecountygis.com



Copyright 2022 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 Inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2022

ArcMap Document: *.mxd

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
89569
NOV 21 2023
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: Scott C Spies

Address: 2064 Woodsedge Ct

Hebron KY 41048
City State Zip Code

Phone Number: 859-803-2106 Fax Number: n/a

Email: scottcspies@yahoo.com

4. Description of Request:

Approve conditional use for Automotive Detailing, Indoor Storage and Outdoor storage of boats & RVs

5. Name of Development: Back Lot Storage

6. Location of Development: Elijah Creek Rd

Hebron KY 41048
City State Zip Code

7. Acreage Under Review: 1.6

8. Lot Number and Name of Subdivision (if part of a subdivision):
n/a

9. Current Owner: Mary L Meadows

Address: 2158 Roy Rogers Way

Kingman AZ 86409
City State Zip Code

Phone Number: _____ Fax Number: _____

Email: _____

Board of Adjustment
Page 2

10. Proposed Use(s) on Site: Automotive Detailing, Indoor Storage and Outdoor storage of boats & RVs
11. Total Square Footage of Existing and/or Proposed Buildings: 13,425
12. Current Zoning: C-2
13. 624 274 2008
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.

Property Owner's Signature:

DocuSigned by:

Mary Meadows

Applicant's Signature:



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

1. Date Received: 11/21/23 Fee Received: \$1116 Receipt #: 89569

2. Is application complete:

3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

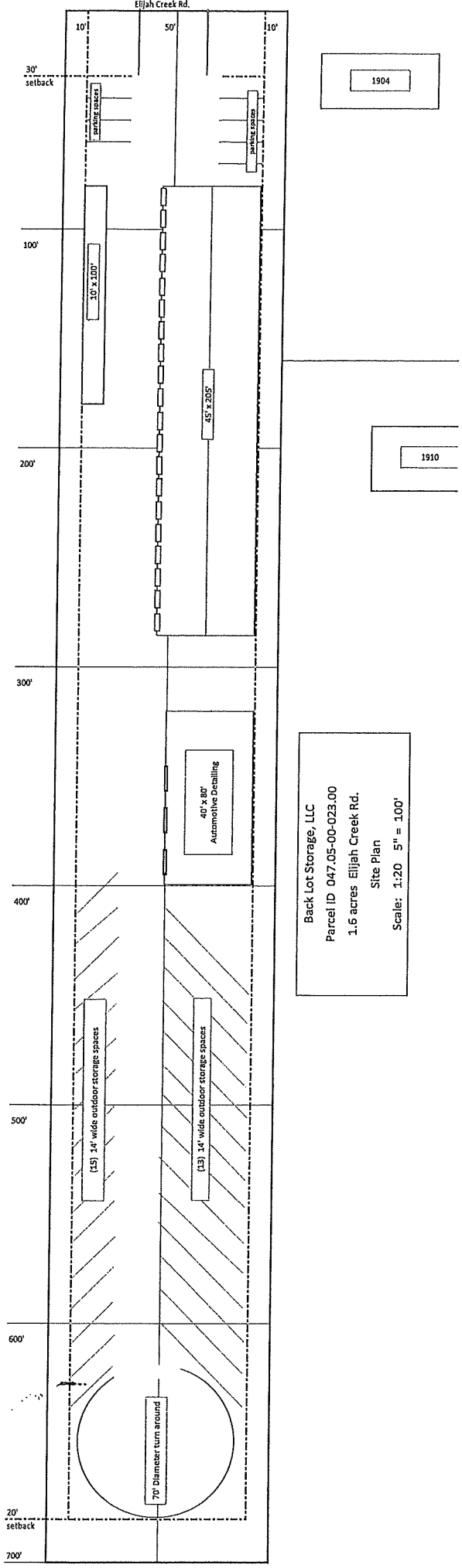
5. Board Action: _____

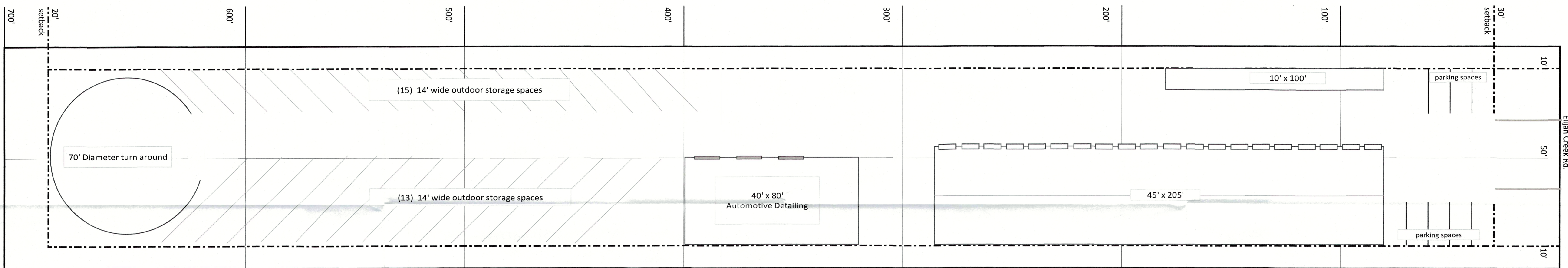
- _____ Approved
- _____ Approved with Conditions (see #6)
- _____ Denial (See #7)

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@boonecountky.org
www.boonecountky.org





Elijah Creek Rd.

Back Lot Storage, LLC
 Parcel ID 047.05-00-023.00
 1.6 acres Elijah Creek Rd.
 Site Plan
 Scale: 1:20 5" = 100'

1910

1904

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Mary Meadows
2158 Roy Rogers Way
Kingman, AZ 86409
2. ADDRESS OF PROPERTY
Elijah Creek Rd
Hebron, KY 41048
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Back Lot Storage
4. DEED BOOK 624 PAGE NO. 274 GROUP NO. 2008
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 14th day of December, 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.)

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 13, 2023, Certificate of Land Use Restriction (#23-BCBOA-041-A), for Mary Meadows, Property Owner(s).

The following conditions will apply:

1. There shall be no exterior storage, other than boats and RVs.
2. No inoperable vehicles shall be kept on the property.
3. The hours of operation of the automotive repair facility shall be limited to 8:00 am—8:00 pm.
4. The automotive repair activity shall be limited to automotive detailing.
5. Any automotive detailing work shall be conducted within a completely enclosed building with all doorways and windows shut.
6. Any of the required trees within the Buffer Yard A along the west property line shall be evergreen trees from Plant List D.

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

DEED BOOK 624

PAGE NO. 274

GROUP NO. 2008