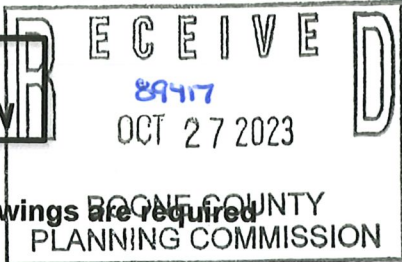


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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

3. Applicant: Scott Summers

Address: 2079 Wagoner Rd

California KY 41007
City State Zip Code

Phone Number: 859-444-7326 Fax Number: —

Email: Summersrace@hotmail.com

4. Description of Request: - Seeking a conditional use permit to allow for the creation of a membership only outdoor club catering to families who want to enjoy a park like setting for their motorized two wheel recreation.

5. Name of Development: Summers' Camp

6. Location of Development: 5769 Snyder Lane

Petersburg KY 41080
City State Zip Code

7. Acreage Under Review: 3 parcels / 1.74 acres + 4.65 acres + 96.89 acres = 104.55 acres

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

9. Current Owner: Scott Summers / Snyder Lane Properties

Address: S 2079 Wagoner Rd.

California KY 41007
City State Zip Code

Phone Number: 859-444-7326 Fax Number: —

Email: Summersrace@hotmail.com

10. Proposed Use(s) on Site: Creation of a yearly fee based private outdoor club-park for: picnicking, hiking, camping, swimming, fishing, canoeing, trail bike riding.
11. Total Square Footage of Existing and/or Proposed Buildings: 4032
12. Current Zoning: 1.74 residential, 4.65 residential, 98.16 agricultural
13. 376
894
563 _____ 11
153
202 _____ 2015
2015
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:

Att Dummer

Applicant's Signature:

Att Dummer

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

1. Date Received: 10/27/2023 Fee Received: \$ 766.00 Receipt #: 89417

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: _____

7. Reasons for Denial: See Minutes

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

#1

APPLICANT: Snyder Lane Properties LCL and Scott Summers

LOCATION: 5811 and 5769 Snyder Lane and includes the property with the Parcel Identification Number (PIDN) of 008.00-00-007.08

ZONING: Agriculture (A-1)

DATE: December 13, 2023

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit for a Commercial Recreation Dirt Bike Club.

SITE HISTORY

- 1980 Based on information contained in the Boone County GIS, the site was originally zoned A-1.
- 1987 On February 2, 1987, the Boone County Planning Commission approved a zoning permit for a barn.

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 505.1 of the Boone County Zoning Regulations identifies 'Recreation, Commercial' as a Conditional Use within the A-1 district.
- D. Section 601. A of the Boone County Zoning Regulations states that the purpose of the Agriculture district is to preserve and protect the supply of productive agricultural lands and other open space, primarily for non-urban uses.
- E. Section 4000 of the Boone County Zoning Regulations defines 'Recreation, Commercial' as any recreational activity or facility in which a fee is collected or tickets are sold.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for "Rural Density Residential", "Rural Lands", and "Developmentally Sensitive". These land uses are described as follows:
- 1. Rural Density Residential – Low density residential uses of up to one dwelling unit per acre.
 - 2. Rural Lands - Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres. Residential construction in Rural Lands does not occur in a formal subdivision.
 - 3. Developmentally Sensitive – Areas that have an existing slope of twenty percent or greater for a height of 20 meters (67.6 feet), or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat, or other natural features that are important to a site's stability and visual character. In addition, developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
- 1. Mixing of residential and other land uses shall be encouraged where appropriate (overall Goal A, Objective 2).
 - 2. Boone County shall strive to achieve diversity and balance in land use while

3. protecting natural resources and natural systems (Overall Goal A, Objective 3).
 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).
 4. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 5. Areas possessing unique environmental characteristics should be preserved, used as passive or active recreational areas, or appropriately incorporated into development design (Environment Goal A, Objective 2).
 6. Developmentally Sensitive and scenic areas shall be identified, mapped, and stabilized. Developments proposed in any of these areas shall be carefully designed and reviewed to minimize environmental impacts (Environment Goal A, Objective 3).
 7. Developmentally Sensitive hillsides in Boone County must be given special consideration. Any proposed development on hillsides designated as such shall be reviewed and monitored to maintain the environmental and structural integrity of the hillsides (Environment Goal A, Objective 4).
 8. Development design shall consider natural and ecological systems, such as wildlife habitats, air, soils, and water (Environment Goal A, Objective 6).
 9. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).
 10. Specific areas, innovative land use planning concepts, and design incentives shall be identified to encourage the preservation of agricultural lands (Natural Resources and Cultural Resources Goal B, Objective 1).
 11. Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).
 12. 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).
 13. 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).
 14. 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. Snyder Lane is a county maintained local street, providing for two way traffic within a ten (10) to fourteen (14) foot wide pavement width. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 103 acre area is located along the south side of Snyder Lane, approximately 4,000 feet west of Woolper Road.
- B. The site is comprised of three (3) separate lots:
 1. 5811 Snyder Lane, having an area of approximately 4.8 acres.

2. 5769 Snyder Lane, having an area of approximately 96.9 acres.
 3. PIDN 008.00-00-007.08, having an area of approximately 1.7 acres.
- C. The site is currently occupied by:
1. Two pole barns.
 2. A carport.
 3. A firewood shed.
 4. A storage shed.
 5. A single-family residential dwelling and garage.
 6. Existing dirt bike trails.
 7. A single-lane concrete driveway.
- D. Access to the site is from two driveways onto Snyder Lane.
- E. A blue line stream, running north-south, bisects the site. There are several hillsides on the property and the southern portion of the site is within the 100-year floodplain.
- F. Several areas of the site are heavily wooded.

SURROUNDING LAND USES AND ZONING

North: Single-family residential and agricultural/undeveloped land (A-1)
South: Single-family residential and agricultural/undeveloped land (A-1)
East: Single-family residential and agricultural/undeveloped land (A-1)
West: Single-family residential and agricultural/undeveloped land (A-1)

PROPOSED DEVELOPMENT

- A. The applicant is proposing the following:
1. A series of dirt bike trails.
 2. Parking areas.
 3. Emergency helicopter landing areas.
 4. Provision for picnicking, camping, swimming, fishing, and canoeing.

STAFF COMMENTS

- A. The proposed dirt bike trail will be located approximately two hundred (200) feet to the nearest residential structure.
- B. Should the Board take action to approve the submitted request, Staff is suggesting the following conditions:
1. The construction of any dirt bike trails, buildings, or other facilities that are not shown on the submitted plan shall require a new Conditional Use Permit.
 2. The dirt bike trails can only be used between 9:00 am and dusk, seven days a week.

C. Letters and emails that have been received are attached to this report.

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

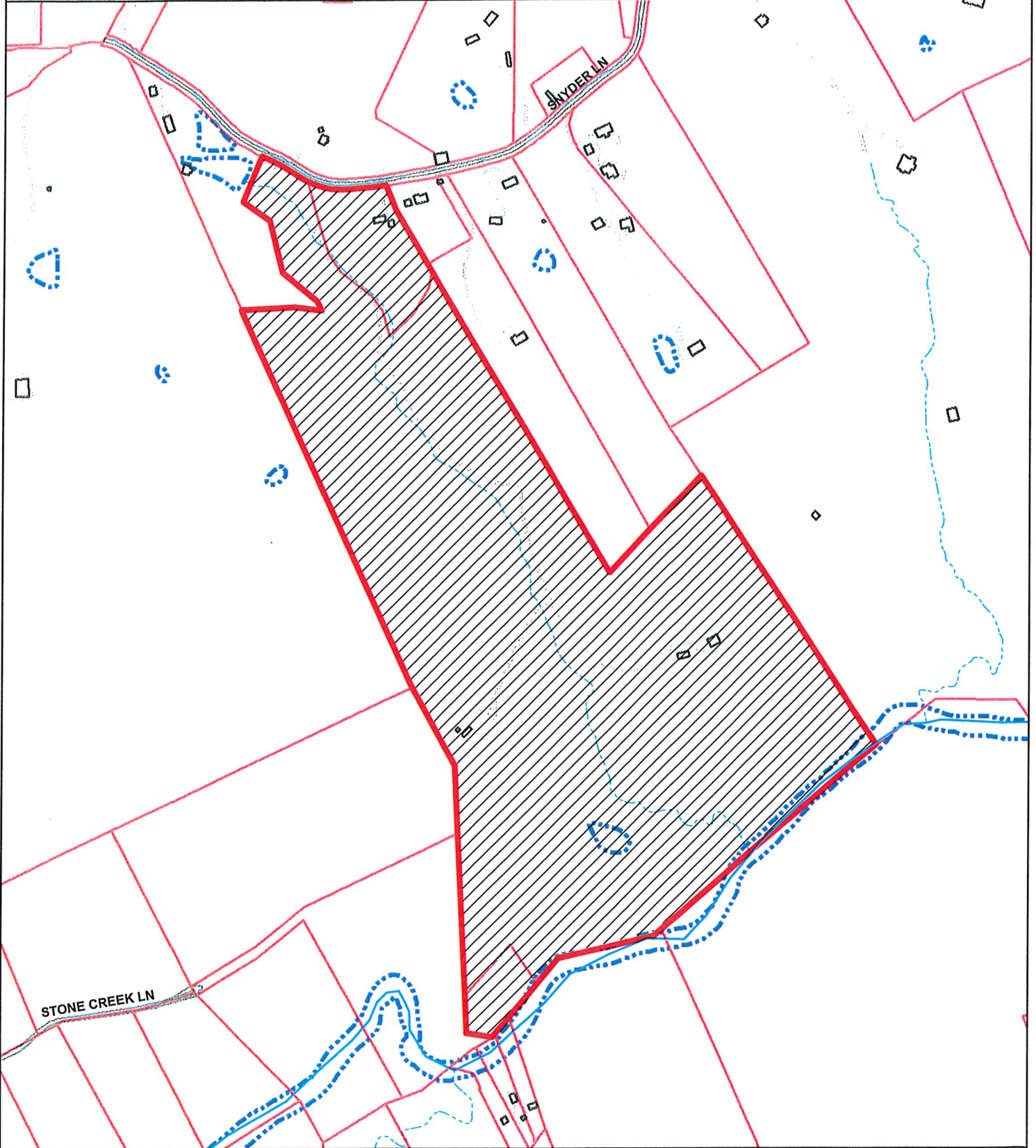
MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographic and Floodplain Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Project Narrative
- *Concept Development Plan
- *Letters/Emails received by Staff

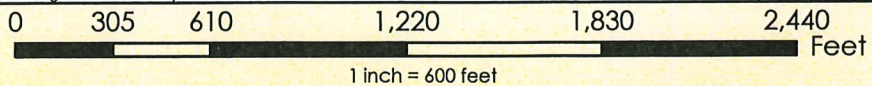
Vicinity Map

www.boonecountygis.com



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Map Created: xx/xx/2021

Web Page: www.boonecountygis.com
ArcMap Document: *.mxd

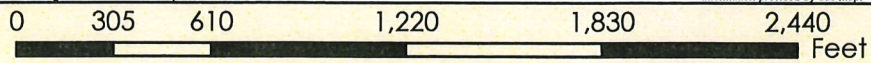
Aerial Map

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Map Created: xx/xx/2021

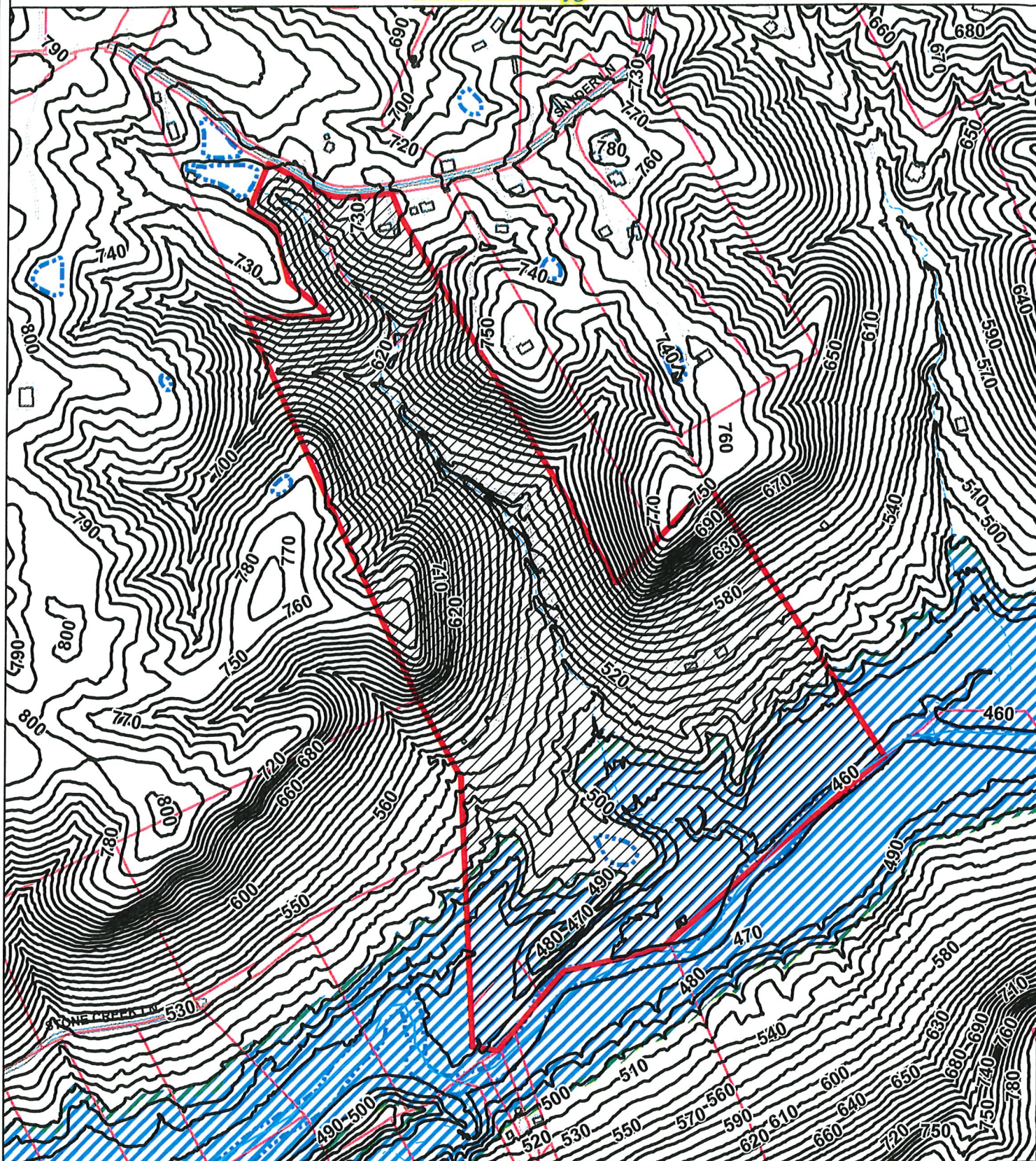
Boone County GIS - Putting Northern Kentucky on the Map



Map File: 8.mxd
ArcMap Document: *.mxd

Topography and Floodplain Map

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1 inch = 600 feet



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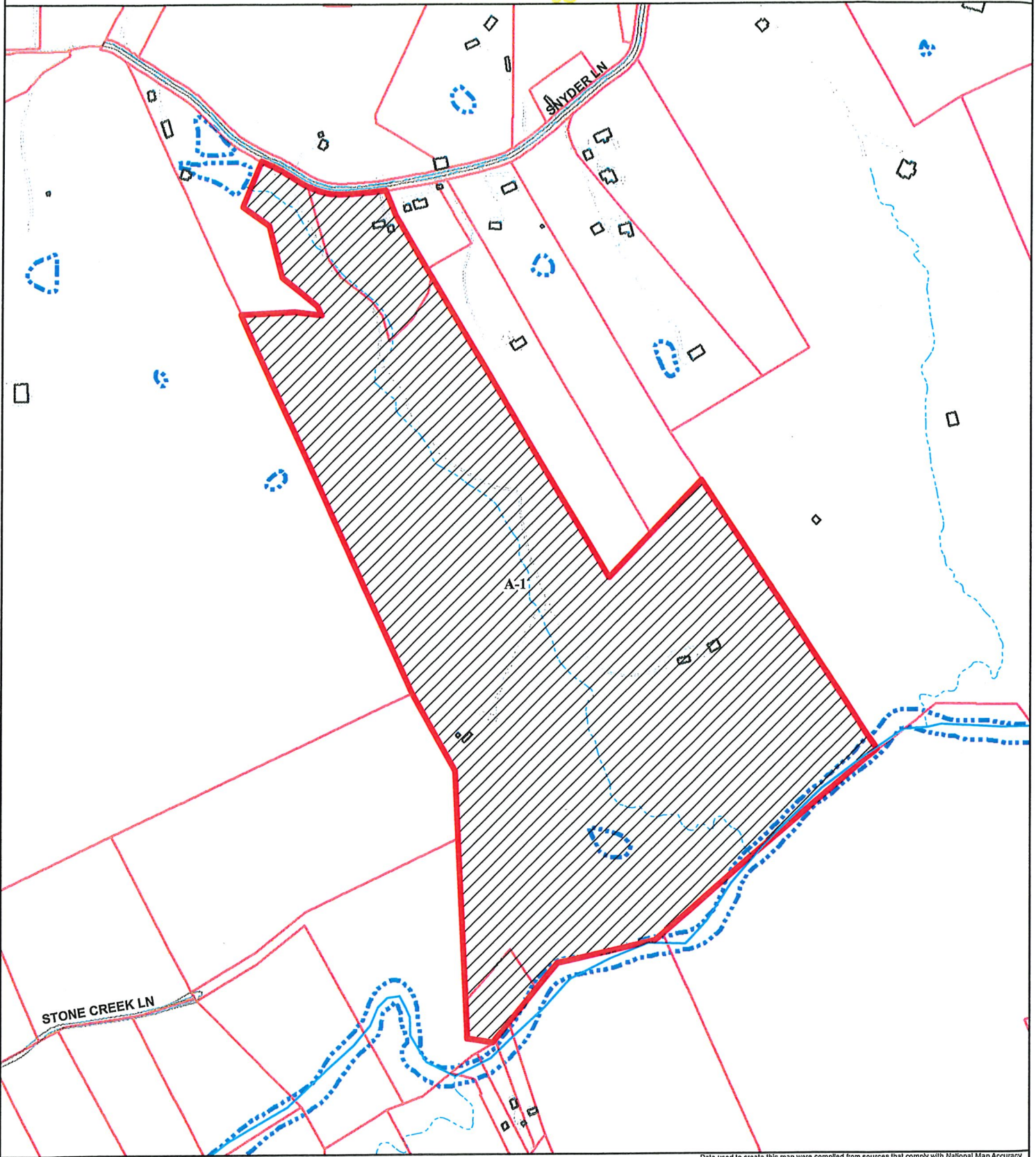


Map Created: x/bx/2021

Boone County GIS
ArcMap Document: *.mxd

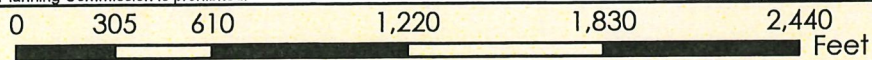
Zoning Map

www.boonecountygis.com



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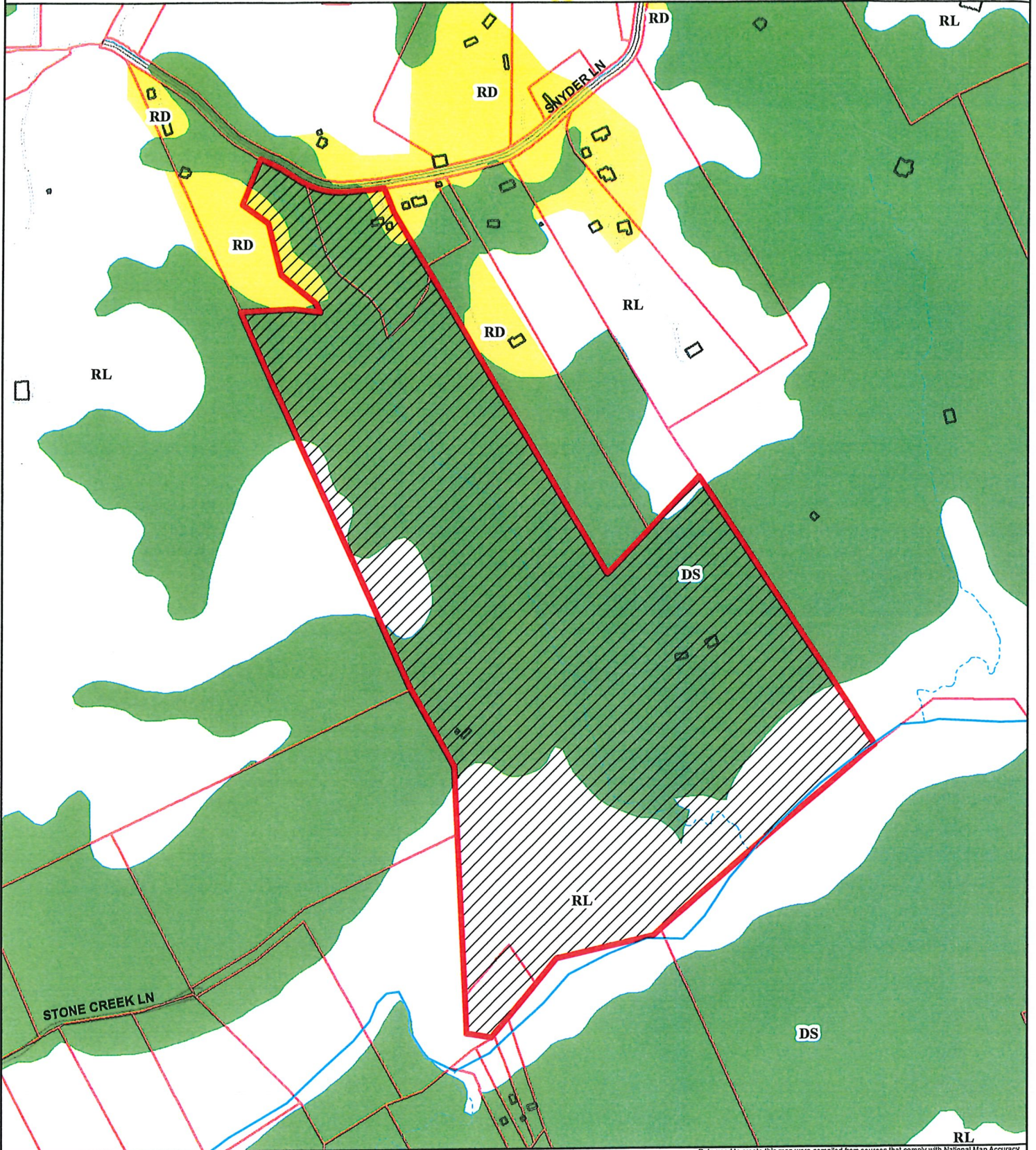


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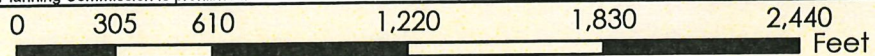
2040 Future Land Use Map

www.boonecountygis.com



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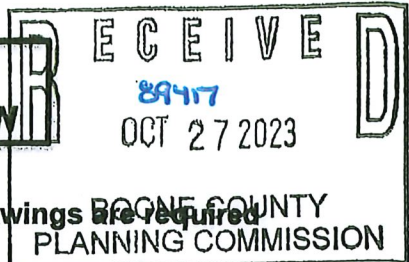
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**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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

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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
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Address: 2079 Wagoner Rd

California KY 41007
City State Zip Code

Phone Number: 859-444-7326 Fax Number: —

Email: Summersrace@hotmail.com

4. Description of Request: - Seeking a conditional use permit to allow for the creation of a membership only outdoor club catering to families who want to enjoy a park like setting for their motorized two wheel recreation.

5. Name of Development: Summers' Camp

6. Location of Development: 5769 Snyder Lane

Petersburg KY 41080
City State Zip Code

7. Acreage Under Review: 3 parcels / 1.74 acres + 4.65 acres + 96.89 acres = 104.55 ac

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

9. Current Owner: Scott Summers / Snyder Lane Properties

Address: S 2079 Wagoner Rd.

California KY 41007
City State Zip Code

Phone Number: 859-444-7326 Fax Number: —

Email: Summersrace@hotmail.com

Creation of a yearly fee based private outdoor club-park for:
picnicking, hiking, camping, swimming, fishing, canoeing, trail bike riding

10. Proposed Use(s) on Site: _____
11. Total Square Footage of Existing and/or Proposed Buildings: 4032

12. Current Zoning: 1.74 residential, 4.65 residential, 98.16 agricultural

13. 376 11 2015
894 153 2015
563 202 2015
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: 

Applicant's Signature: 

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

1. Date Received: 10/27/2023 Fee Received: \$ 766.00 Receipt #: 89417

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

SITE PLAN

Summers' Private Dirt Bike Riding Club

Scott and Amanda Summers are considering creating a private park/club to accommodate dirt bike riders who are seeking a safe, organized, family friendly atmosphere, where they can ride their bikes and enjoy other outdoor activities in the beauty of the region.

The proposed site is our three parcels of 98.16 acres, 4.65 acres and 1.74 acres totaling 104.55 acres of picturesque property located in a relatively unpopulated and mostly wooded area of Boone County along Woolper Creek.

Our plan is to be selective and only choose club members who can behave responsibly and follow strict guidelines.

The plan includes having a ceiling of 150 memberships so as not to diminish the quality of the experience for participants. There will be no day passes available. The only way to utilize our facility would be to pay a yearly membership fee and be granted use of the property. If granted a special use permit, the proposed activities will be primarily dirt bike riding, but picnicking, camping, swimming, fishing, and canoeing will also be available to members.

The trail network has been in use for 40 years. It is mostly natural terrain; it is one way and the areas range in difficulty from beginner to expert. We will use standard trail marking procedures that riders and skiers would be familiar with. The trails are one way and will be marked with green arrows for the beginner loop. It will be in an area where beginners are easily observable in case assistance is necessary. It will be under one mile in length. The intermediate loop will have blue arrows and will cover approximately seven miles weaving all around the property. The expert sections will be marked with black arrows and these trails will be options that can be taken along the intermediate loop. They will temporarily exit the blue loop and then return to it farther down the trail. The expert sections will add approximately 3 miles to the intermediate main/blue loop trail. Bold black X's will mark areas where riders should use caution to navigate more difficult terrain. Intersections will be clearly marked with arrows and stop signs if necessary to guarantee safety and to ensure traffic flow is always in one direction. A bold capital W stating the wrong way will be posted all along the trails but especially prevalent just past each intersection. All riders must always stay on marked trails. Trail blazing will be

strictly prohibited, punishable by sacrificing membership. All riders must maintain a first gear, 10 mph speed limit when in route to any destination on the property. The only place speed limits do not exist is along the marked trails.

We plan to have a mobile on-site facility manager to ensure appropriate use of the grounds. He will make sure all visitors are current members and he will be accessible by phone or radio to answer questions or assist with any problems.

We plan to prohibit the use of alcohol. All protective gear must be worn while riding. Recreational riding will be mostly limited to two wheeled machines. Four wheeled machines, like atv's or side by side's, will only be used for trail maintenance or, in special allowances, to transport non-riding family members to different areas of the property. Riding would only be permitted during daylight hours and the park would be closed during gun deer hunting season.

In the event of medical emergency, we have an area designated for helicopter landing in our oval shaped field next to Woolper Creek. The GPS coordinates are 39.034199, -84.834381. If this area is flooded, we have a secondary helicopter landing area which is just Northwest of the pond on the property. GPS coordinates are 39.034854, - 84.836075.

The Summers' Private Dirt Bike Riding Club would seek to create a special place where every member, especially parents and children, can spend quality time with each other and friends in nature. Our goal is to nourish these forms of recreation which involve toolboxes and tackle boxes, where exercise and educational outdoor experiences can out compete indoor screen time.

We know the beauty of this land has a therapeutic effect on people and we want to maintain or even enhance this beauty while sharing it with others who will treat it with the respect it deserves.

We want all ten of our adjoining property owners, our neighbors, to enjoy the whole scope of this endeavor with us, so our plan is to invite them to join in on the fun. We intend to waive the annual membership fee for them every year if they follow our guidelines for appropriate use of the property and if they continue to be our bordering neighbors.

Currently, there are five structures on the main parcel:

1. 24'x48' pole barn- houses racing memorabilia
2. 36'x48' pole barn- workshop
3. Aluminum car port- tractor storage
4. Small firewood shed
5. 20'x20' storage shed

These structures are dedicated to ground maintenance equipment and some weekend comforts for enjoying the property.

The amenities available to guests will be as follows:

- Established scenic trails to ride
- Porta-potties
- Picnic tables
- Tools to assist in necessary mechanical repair
- Pond and creek with docks to enjoy
- Concrete loading dock for safely loading and unloading bikes
- Pressure washing area
- Well for natural drinking water
- One mile of concrete access road

The driveway is a single lane. It is .6 miles from Snyder Lane to the east and west parking areas. It is .8 miles to the south parking area. There are nine spots along the driveway where vehicles can pull off in turnouts to pass. This rarely causes a problem because most people come in the morning and leave in the late afternoon. If meeting another vehicle, common courtesy is to expect the person without a trailer to back up to the nearest turn out. If both vehicles have trailers, then they should talk to each other and have the better driver do the backing up or whoever is closest to a turnout can volunteer to back up. If meeting vehicles along the driveway becomes something other than a very rare occurrence, we are not opposed to implementing a traffic light or timer system to rectify the situation.

- Three different parking areas

We have three options for parking depending on what best suits our members. East area, West area, and South area. The South area is a completely level grassy field along Woolper Creek. It is the largest level parking option but the farthest from the buildings. This is in the flood plain so certain times of the year; it will not be an option. The East area is the smallest of the three areas and has limited level parking but is near the loading dock, workshop and pressure washing bay. There are no hookups but there is access to electricity and water at the workshop. The workshop has an air compressor and access to various tools. The West area is a large, primarily gently sloping, grassy field which has a pond, a firewood shelter, a well, a cistern and a small level concrete area where a few electrical and water hookups could be an option in the future. We don't anticipate much camping as most of the members will be local and just making day trips. However, we would like to give our members the option to camp, even though it would be done primitively, as we currently have no water, sewer, or electrical hookups available to RV's. The restrooms provided to members are a men's and women's porta potty centrally located between the East and West parking areas, along the main driveway.

As far as future construction goes, someday the Summers' Private Dirt Bike Riding Club may benefit from a clubhouse/picnic shelter if funding permits.

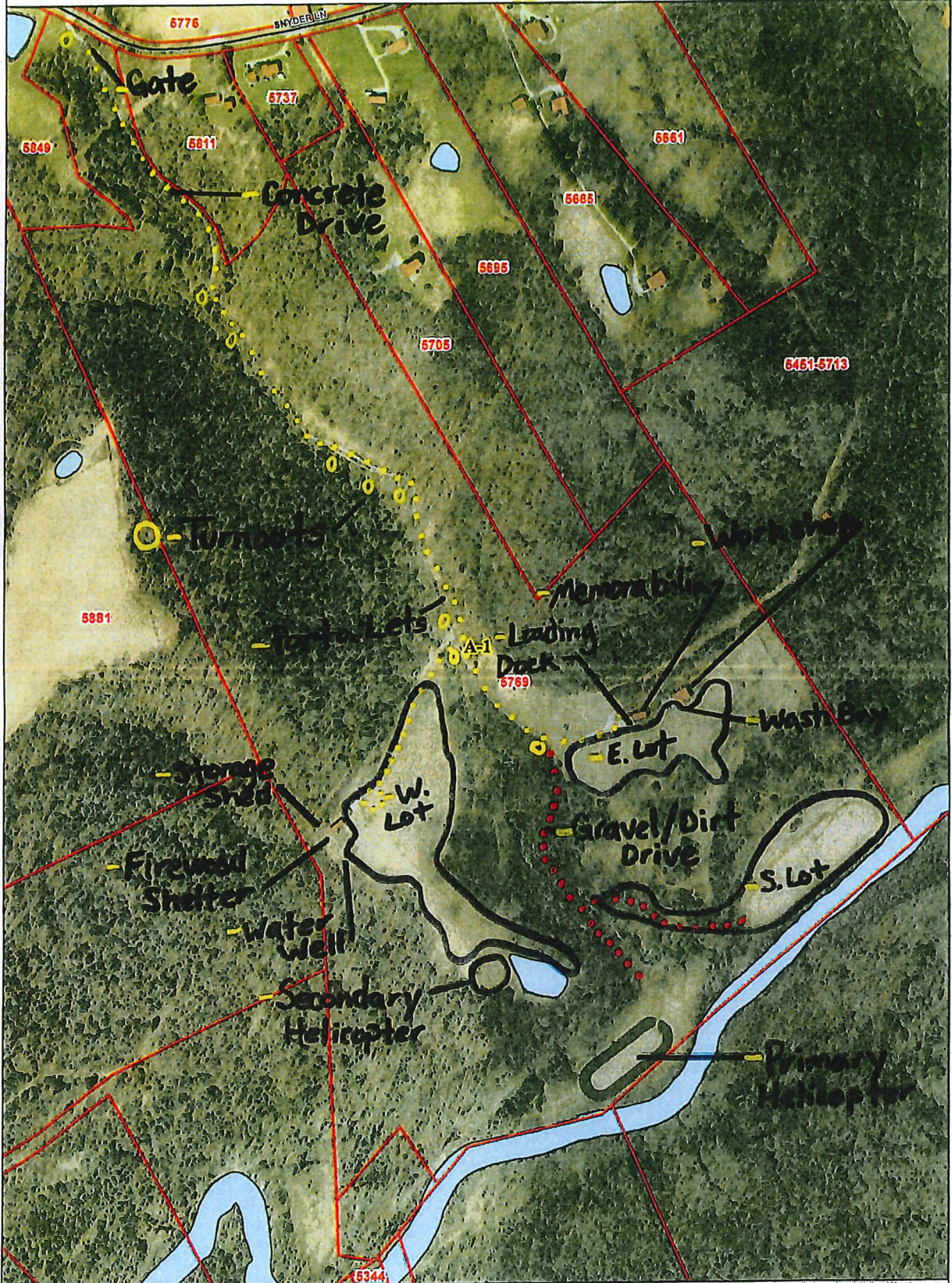
The concept for the creation and operation of this small private club/park is to share the magic of this property with a selection of others and through membership fees make it even more beautiful over time. We want to create a top-notch facility that will be a sight to behold, and we want to engage in activities in this place that are beneficial to the community.

Thank you for your consideration.

Scott and Amanda Summers

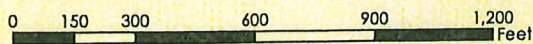
Boone County GIS Map

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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xoh/2022

State Plane Kentucky West Zone 1811
ArcMap Document *.mxd

10:00

5G 95

←

ON HUNT



1000 ft

842 ft elevation

15

FAKER
CAMP

SHUTTLES
CAMP

mapbox



Hunt Map
Layers

Hyb
20



Offline Maps

My Content

Tools

Tracker

Michael Schwartz

From: Sara Smith
Sent: Sunday, December 3, 2023 6:19 PM
To: Michael Schwartz
Subject: Fw: Zone change on Snyder Lane

From: Arden Bogner <ardenlaneb@gmail.com>
Sent: Sunday, December 3, 2023 1:30 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: Zone change on Snyder Lane

EXTERNAL MESSAGE

To the commission



Sent from my iPad

Although our mailing addresses seem far apart our properties do share the same Woolper Creek Valley basin. We are located at a higher elevation and very sensitive to activity in the lower Woolper basin. Motor cycle noise would not be welcome.

A cycle membership club would involve members, members friends and buddies of friends. In addition more rural road traffic.

We are active members of the Boone County Conservancy. We appose any re- zone change.

Thank you for your consideration.

David and Arden Bogner

5415 Snyder Lane. 859 468 5229

Michael Schwartz

From: Montgomery, Matt <MMontgomery@ecampus.com>
Sent: Wednesday, December 13, 2023 11:05 AM
To: Michael Schwartz
Subject: Motorcycle club

EXTERNAL MESSAGE

Dear Michael,

I am the owner of the property connected to Scott Summers to the west. We own the building lots in Stone Creek estates approximately 125 acres.

The motorcycle club would be a huge disturbance to the home owners of Stone Creek estates and most likely devalue these lots value and home values.

There was a test ride at the proposed motorcycle club on Saturday and the noise was very disturbing. This was just a couple of cycles running. With a full club running multiply motorcycles and people, the noise would be horrific especially bouncing off the waterway; Stone Creek.

Please do not allow the proposed zoning variance pass! I am unable to attend the meeting but if asked it would be a strong NO.

Best,

Matt Montgomery

Michael Schwartz

From: Sara Smith
Sent: Wednesday, December 13, 2023 10:37 AM
To: Michael Schwartz
Subject: FW:

From: Tony Izquierdo <tony.izquierdo@randahealthcare.com>
Sent: Wednesday, December 13, 2023 9:31 AM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject:

EXTERNAL MESSAGE

I am a resident of Petersburg Ky. I recently heard about a Motto Cross park being considered near Snyder and Woolper Roads. I am vehemently opposed to this proposal. I lived in Villa Hills, Ky for the majority of my life. I moved to the country 3 years ago for the peace and quiet, the nature and the wildlife. This is all taken away should this project be approved. Thank you for your consideration.

Michael Schwartz

From: Sara Smith
Sent: Tuesday, December 12, 2023 4:52 PM
To: Michael Schwartz
Subject: FW: Zone Change - 5811 & 5769 Snyder Lane (Snyder Lane Properties LLC and Scott Summers)

From: Ken Middleton <krmiddleton@pm.me>
Sent: Tuesday, December 12, 2023 3:50 PM
To: Planning Commission General Account <plancom@boonecountyky.org>
Subject: Zone Change - 5811 & 5769 Snyder Lane (Snyder Lane Properties LLC and Scott Summers)

EXTERNAL MESSAGE

Boone County, KY Planning Commission:

My wife and I oppose any zoning change to the above referenced property.

We live at 3400 Woolper Road and own property at 3327 Woolper Road. The property at 3327 Woolper backs up to Snyder Lane.

Our concerns.

- **Noise** - no serious motocross sportsperson is going to use the stock muffler. The first modification to a motocross bike, is going to be the muffler (to boost power). If there is some type of "inspector" on site to inspect vehicles for compliance, what is the recourse if there are violations? Also, a portion of the property sits in a valley therefore, the noise will be projected over a vast area beyond Snyder Road.
- **Traffic / Roads / Access** - All of the access roads (Woolper, Ashby Fork and Snyder) are extremely narrow. An independent internal evaluation conducted by Boone County found that the street widths are not adequate for Emergency Equipment, School Buses etc... and at some point, will need to be addressed. Adding up to 150 additional Truck & Trailers for Bike transportation to and from the proposed club would be extremely impactful to all local residence. In addition, there is going to be increased need for Sanitation. Both Trash pickup and Portable Restroom maintenance.
- **Safety** - The area is serviced by a Volunteer Fire Department making response to emergency calls a challenge and dangerous on the small roads.
- **Environmental** - What if any, studies have been performed to access the impact to the area. Impact to Blueline Stream, Wildlife, Soil Erosion etc...

Thank you for your consideration.

Kenneth & Alwilda Middleton
Winding Creek Farm II, LLC
3400 Woolper Road
Petersburg, KY 41080
513-616-8392

Legal Arguments Against

Conditional Use Permit for a Commercial Recreation Dirt Bike Trail

The Applicant should have gone through a Zone Change

- SECTION 700 RECREATION (R)

- 1.A. 2.The purpose of the Recreation [district](#) is to identify, protect, and provide for the [use](#) of lands and [structures](#) for recreation activities. The purpose is further to ensure compatibility between the scale, extent, character, and location of these uses, surrounding development, local needs for recreation facilities, environmental suitability's, and the limits of supporting [infrastructure](#).

The applicant is seeking to have a private dirt bike club



Recreation, Non Commercial is a better fit for this project.

- **Recreation, Commercial.** Any recreational activity or facility in which a fee is collected or tickets are sold.
- **Recreation, Non-Commercial.** Any recreational activity or facility that is available to no cost, or is available as an amenity for members, employees, residents, or other special populations.

The BOA should dismiss the Conditional Use Permit as a plain reading of Recreation, Non- Commercial shows that “membership clubs” are not permitted uses.

Recreation, Commercial	<p>C</p>	<p>C</p>	<p>C/P²</p>	<p>-</p>	<p>Sec. 905.7 (SR-3 Zone) Sec. 906.6 (UR-1 Zone) Sec. 907.6 (UR-2 Zone) Sec. 908.6 (UR-3 Zone) Sec. 909.6 (MHP Zone) Sec. 2705 (GR-C Zone)</p>
Recreation, Non-Commercial	<p>-</p>	<p>-</p>	<p>-</p>	<p>-</p>	

Boone County Zoning Code requires protection of agricultural lands

(Horse Trails, Non motorized bikes, parks, fishing clubs, etc.)

•BOONE COUNTY ZONING REGULATIONS

•SECTION 601 AGRICULTURE (A-1)

- 2.The purpose of the Agriculture district is to preserve and protect the supply of productive agricultural lands and other open space, primarily for non-urban uses.
 - 1.A.

•Section 601.2 Conditional Uses And Criteria

- 2.Table 5-2, in Section 505.1, identifies those uses which are conditionally permitted within the A-1 district, subject to the approval and qualifications of the Board of Adjustment provided: a) the activity is an integral part of the agricultural use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district; b) the activity is necessary to provide the specified public service for the character of the activity does not overpower, transcend or conflict with the principal purpose of the district; and c) provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.
 - 1.A.

• **SECTION 205 Boone County Zoning Regulations- Conditional Use Permits**

In addition to any specific requirements for conditionally permitted uses deemed appropriate by the Board of Adjustment, the Board shall review the particular facts and circumstances of each proposed use and determine that the use is in fact a conditional use as established under the provisions of these regulations. The Board may consider whether such use at the proposed location:

- 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. **(Impact to Wildlife- 2040- Line 8)**
- 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. **(All secluded and quiet homes and hunting areas)**
- c. Will be hazardous to existing or future neighboring uses. **(Noise, Dirt, Traffic, Impact to environment)**
- 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. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community. **(Volunteer Fire Service can't handle, Snyder Lane and companion roads are very windy)**
- e. 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. Motorbikes are noisy and will kick up dust. **(They have designed two helicopter pads. (We know people will get hurt)**
- f. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. **(End of cul-d-sac)**

Staff Report is Neutral and lays out no facts or basis for the Conditional Use Permit

SITE PLAN

Summers' Private Dirt Bike Riding Club

Scott and Amanda Summers are considering creating a private park/club to accommodate dirt bike riders who are seeking a safe, organized, family friendly atmosphere, where they can ride their bikes and enjoy other outdoor activities in the beauty of the region.

The proposed site is our three parcels of 98.16 acres, 4.65 acres and 1.74 acres totaling 104.55 acres of picturesque property located in a relatively unpopulated and mostly wooded area of Boone County along Woolper Creek.

Our plan is to be selective and only choose club members who can behave responsibly and follow strict guidelines.

The plan includes having a ceiling of 150 memberships so as not to diminish the quality of the experience for participants. There will be no day passes available. The only way to utilize our facility would be to pay a yearly membership fee and be granted use of the property. If granted a special use permit, the proposed activities will be primarily dirt bike riding, but picnicking, camping, swimming, fishing, and canoeing will also be available to members.

The trail network has been in use for 40 years. It is mostly natural terrain; it is one way and the areas range in difficulty from beginner to expert. We will use standard trail marking procedures that riders and skiers would be familiar with. The trails are one way and will be marked with green arrows for the beginner loop. It will be in an area where beginners are easily observable in case assistance is necessary. It will be under one mile in length. The intermediate loop will have blue arrows and will cover approximately seven miles weaving all around the property. The expert sections will be marked with black arrows and these trails will be options that can be taken along the intermediate loop. They will temporarily exit the blue loop and then return to it farther down the trail. The expert sections will add approximately 3 miles to the intermediate main/blue loop trail. Bold black X's will mark areas where riders should use caution to navigate more difficult terrain. Intersections will be clearly marked with arrows and stop signs if necessary to guarantee safety and to ensure traffic flow is always in one direction. A bold capital W stating the wrong way will be posted all along the trails but especially prevalent just past each intersection. All riders must always stay on marked trails. Trail blazing will be

strictly prohibited, punishable by sacrificing membership. All riders must maintain a first gear, 10 mph speed limit when in route to any destination on the property. The only place speed limits do not exist is along the marked trails.

We plan to have a mobile on-site facility manager to ensure appropriate use of the grounds. He will make sure all visitors are current members and he will be accessible by phone or radio to answer questions or assist with any problems.

We plan to prohibit the use of alcohol. All protective gear must be worn while riding. Recreational riding will be mostly limited to two wheeled machines. Four wheeled machines, like atv's or side by side's, will only be used for trail maintenance or, in special allowances, to transport non-riding family members to different areas of the property. Riding would only be permitted during daylight hours and the park would be closed during gun deer hunting season.

In the event of medical emergency, we have an area designated for helicopter landing in our oval shaped field next to Woolper Creek. The GPS coordinates are 39.034199, -84.834381. If this area is flooded, we have a secondary helicopter landing area which is just Northwest of the pond on the property. GPS coordinates are 39.034854, - 84.836075.

The Summers' Private Dirt Bike Riding Club would seek to create a special place where every member, especially parents and children, can spend quality time with each other and friends in nature. Our goal is to nourish these forms of recreation which involve toolboxes and tackle boxes, where exercise and educational outdoor experiences can out compete indoor screen time.

We know the beauty of this land has a therapeutic effect on people and we want to maintain or even enhance this beauty while sharing it with others who will treat it with the respect it deserves.

We want all ten of our adjoining property owners, our neighbors, to enjoy the whole scope of this endeavor with us, so our plan is to invite them to join in on the fun. We intend to waive the annual membership fee for them every year if they follow our guidelines for appropriate use of the property and if they continue to be our bordering neighbors.

Currently, there are five structures on the main parcel:

1. 24'x48' pole barn- houses racing memorabilia
2. 36'x48' pole barn- workshop
3. Aluminum car port- tractor storage
4. Small firewood shed
5. 20'x20' storage shed

These structures are dedicated to ground maintenance equipment and some weekend comforts for enjoying the property.

The amenities available to guests will be as follows:

- Established scenic trails to ride
- Porta-potties
- Picnic tables
- Tools to assist in necessary mechanical repair
- Pond and creek with docks to enjoy
- Concrete loading dock for safely loading and unloading bikes
- Pressure washing area
- Well for natural drinking water
- One mile of concrete access road

The driveway is a single lane. It is .6 miles from Snyder Lane to the east and west parking areas. It is .8 miles to the south parking area. There are nine spots along the driveway where vehicles can pull off in turnouts to pass. This rarely causes a problem because most people come in the morning and leave in the late afternoon. If meeting another vehicle, common courtesy is to expect the person without a trailer to back up to the nearest turnout. If both vehicles have trailers, then they should talk to each other and have the better driver do the backing up or whoever is closest to a turnout can volunteer to back up. If meeting vehicles along the driveway becomes something other than a very rare occurrence, we are not opposed to implementing a traffic light or timer system to rectify the situation.

- Three different parking areas

We have three options for parking depending on what best suits our members. East area, West area, and South area. The South area is a completely level grassy field along Woolper Creek. It is the largest level parking option but the farthest from the buildings. This is in the flood plain so certain times of the year; it will not be an option. The East area is the smallest of the three areas and has limited level parking but is near the loading dock, workshop and pressure washing bay. There are no hookups but there is access to electricity and water at the workshop. The workshop has an air compressor and access to various tools. The West area is a large, primarily gently sloping, grassy field which has a pond, a firewood shelter, a well, a cistern and a small level concrete area where a few electrical and water hookups could be an option in the future. We don't anticipate much camping as most of the members will be local and just making day trips. However, we would like to give our members the option to camp, even though it would be done primitively, as we currently have no water, sewer, or electrical hookups available to RV's. The restrooms provided to members are a men's and women's porta potty centrally located between the East and West parking areas, along the main driveway.

As far as future construction goes, someday the Summers' Private Dirt Bike Riding Club may benefit from a clubhouse/picnic shelter if funding permits.

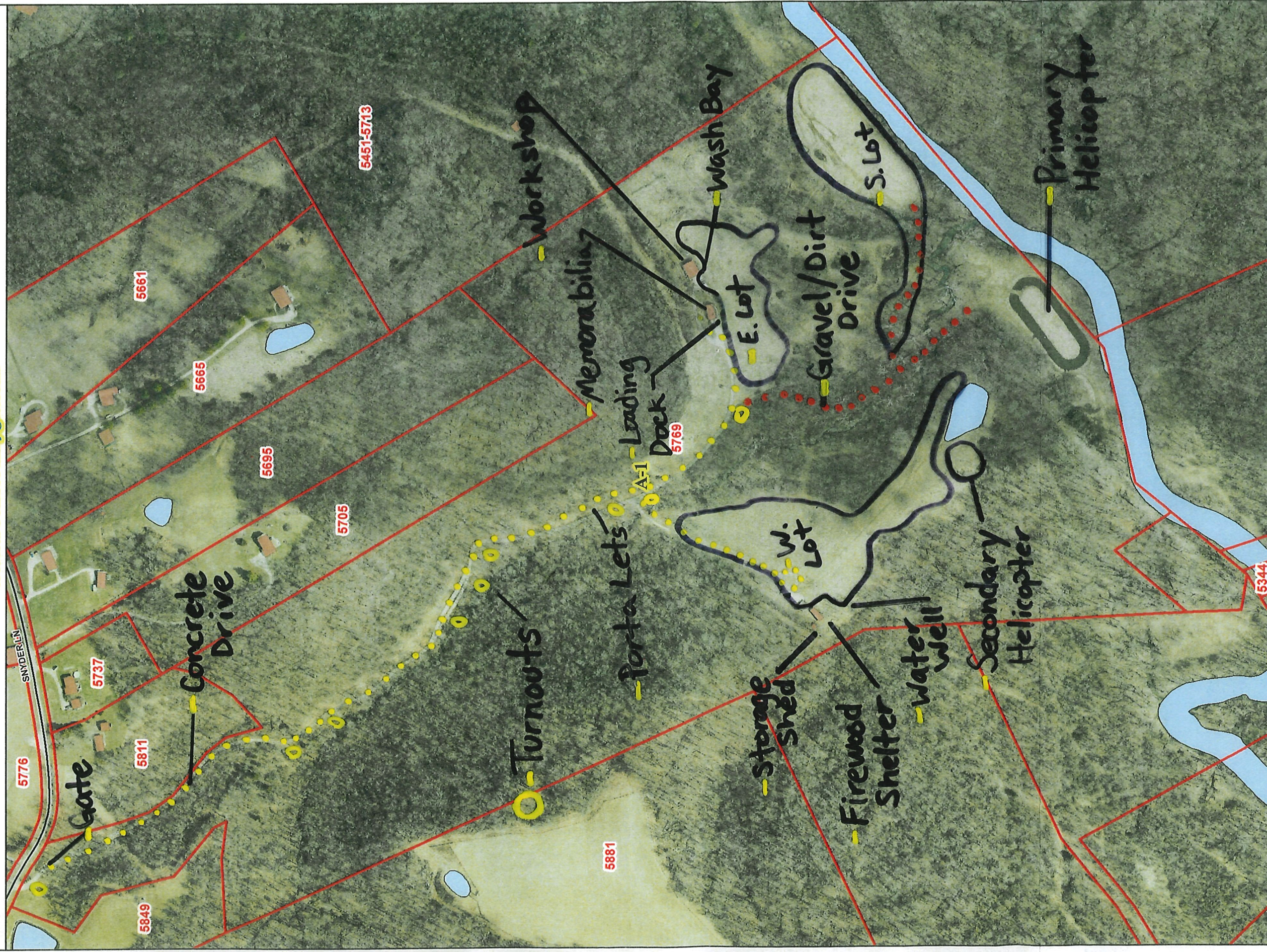
The concept for the creation and operation of this small private club/park is to share the magic of this property with a selection of others and through membership fees make it even more beautiful over time. We want to create a top-notch facility that will be a sight to behold, and we want to engage in activities in this place that are beneficial to the community.

Thank you for your consideration.

Scott and Amanda Summers

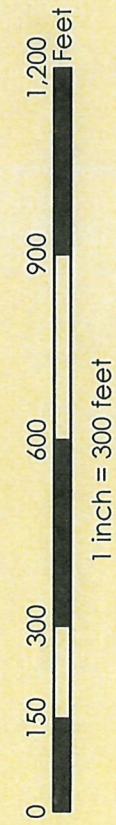
Boone County GIS Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2022

Site: Pure Kentucky North NAD 1983
ArcMap Document: *.mxd

10:00

5G 95

Mail

ON HUNT



1000 ft
842 ft elevation

15°

mapbox

BAKER
CORNED BUN

SUMMERS
CORN
PATTY

650ft

600ft

50ft

Hyb
2D

Hunt Map
Layers

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Tools

Tracker