

REVIEW NO. \_\_\_\_\_

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION  
(See Boone County Zoning Regulations).

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's Name Raymond Eppenbeck  
Phone Number 727-4206  
Applicant's Address 4205 Dixie Highway  
Elmore ky 41018  
City State Zip
- 4. Description of Request: Front yard variance from 50 feet  
to 40 feet setback
- 5. Name of Development Richwood Industrial Park
- 6. Location of Development lot 12 Richwood Industrial Park
- 7. Acreage Under Review 5.0 Acres
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
Lot 12, Richwood Industrial Park
- 9. Owner of Property Starland Properties  
Phone Number \_\_\_\_\_
- 10. Address of Property Owner P.O. Box 85  
Walton ky 41094  
City State Zip
- 11. Proposed Use(s) On Site Industrial
- 12. Total Square Footage of Existing and/or Proposed Buildings  
12,500 SF Phase I plus future 25,000 SF
- 13. Current Zoning on Property I-1
- 14. Deed Book 33, 422 Page No. 279 Group No. 1905
- 15. Is the site subject to a zone change? No  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? Yes
- 17. Have you submitted a list of adjoining property owners with this request? Yes
- 18. Applicant's Signature: Raymond Eppenbeck 5/16/90
- 19. Property Owner's Signature: Donna Eppenbeck 5/16/90

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 5/16/90
2. Fee Received \$311.00
3. Is application complete? Yes Yes \_\_\_\_\_ No \_\_\_\_\_
4. Staff Reviewer T. Breitenstein
5. Scheduled Board Action Date 6.13.90
6. Board Action:  
 Approval  
 Approved With Conditions (See #7)  
 Disapproved (See #8)
7. Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Reasons For Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BCPC:7/11/88

STAFF REPORT

#2

DEVELOPMENT: Richwood Industrial Park  
APPLICANT: Raymond Erpenbeck  
LOCATION: Lot 12, Richwood Industrial Park  
ZONING: Industrial One (I-1)  
DATE: June 13, 1990

REMARKS:

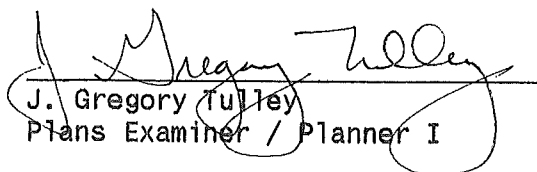
The applicant is seeking a Variance to allow a reduction in the front yard setback. The 5 acre site is located in the Richwood Industrial Park, and is owned by Shorland Properties.

The applicant is requesting a 10' reduction in the front yard setback from the required 50' to 40'.

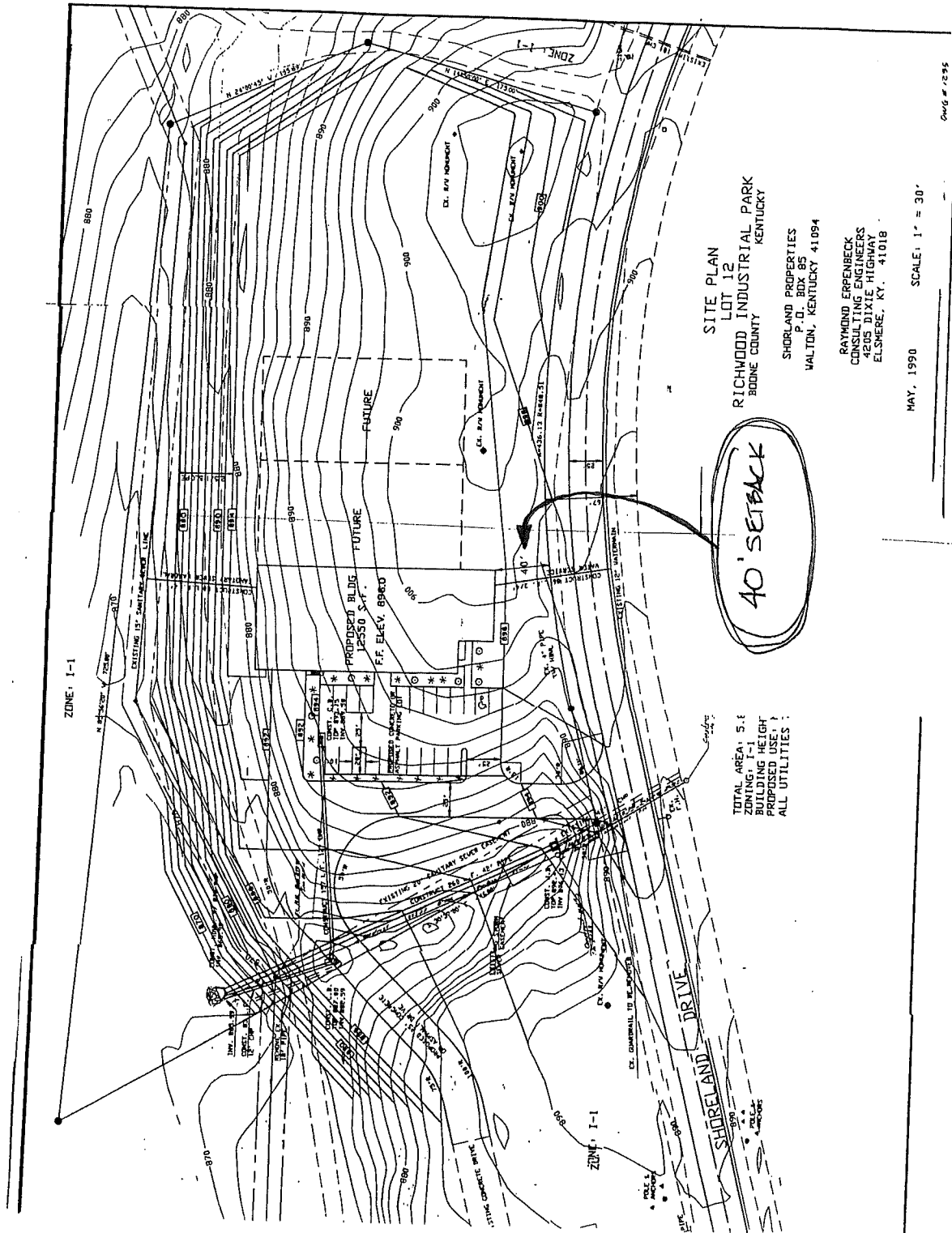
The Board must make certain considerations on determining the findings necessary for granting Variances in Boone County. These are addressed below.

1. The requested Variance must arise from special circumstances that do not generally apply to the general vicinity or same zone. Staff can not determine any special circumstances. The slope at the rear of the site hinders development, however the placement of the structure could be altered to accommodate the 50' setback.
2. Strict application of the Boone County Zoning Regulations would require the applicant to adhere to the 50' front yard setback.
3. The above mentioned circumstance is the result of the applicants desire to site the structure as indicated on the plan, without encroaching into the steep slope at the rear of the property.
4. If granted, staff does not feel that the public health, safety, or general welfare will be adversely affected or the essential character of the general vicinity will be altered.

Respectfully submitted,

  
J. Gregory Tully  
Plans Examiner / Planner I

JGT:kat



SITE PLAN  
 LOT 12  
 RICHWOOD INDUSTRIAL PARK  
 BOONE COUNTY KENTUCKY

SHORLAND PROPERTIES  
 P.O. BOX 85  
 WALTON, KENTUCKY 41094

RAYMOND EGGENBECK  
 CONSULTING ENGINEERS  
 4205 DIXIE HIGHWAY  
 ELSMERE, KY. 41018

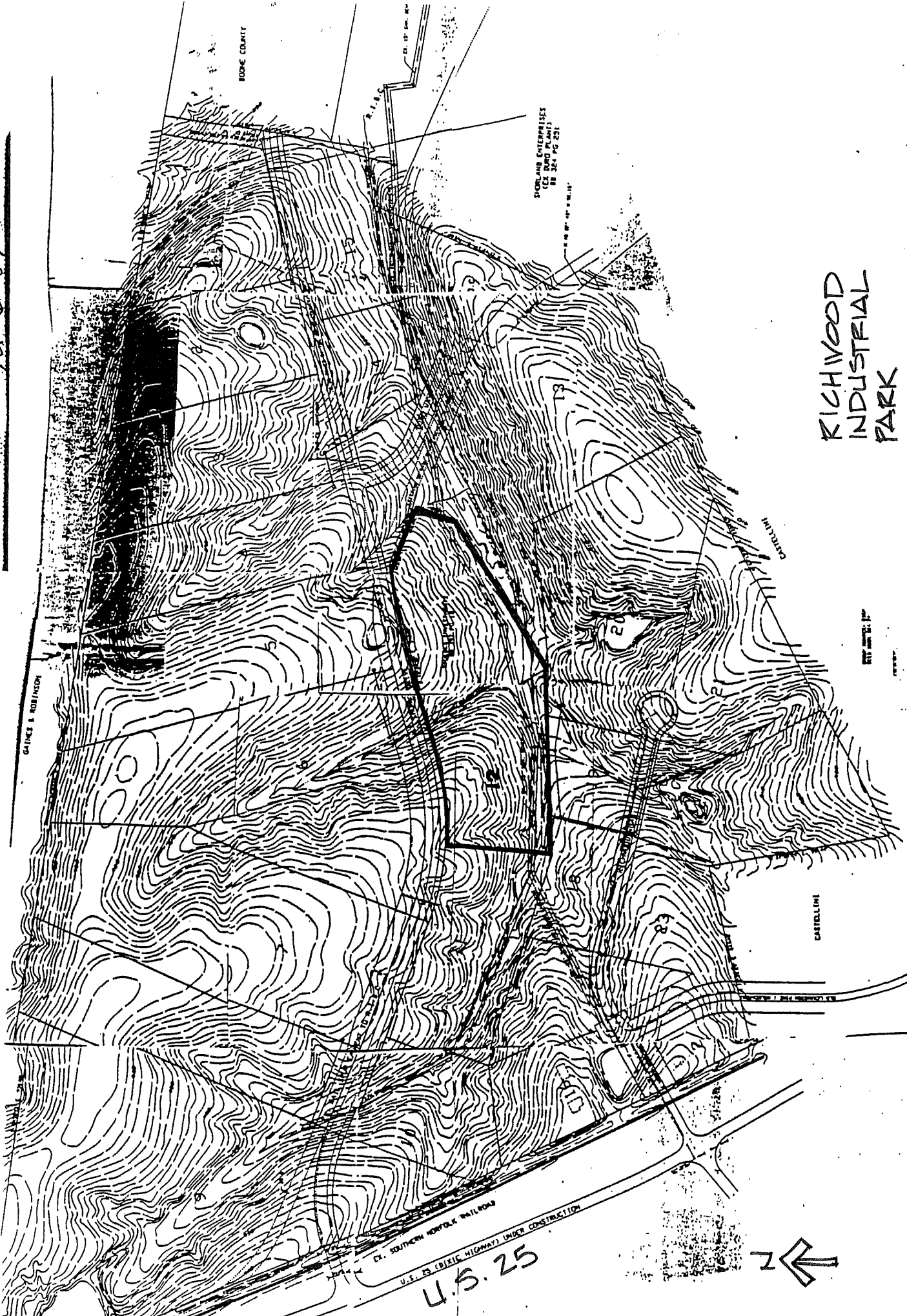
MAY, 1990 SCALE: 1" = 30'

OMG # 1295

TOTAL AREA: 5.1  
 ZONING: I-1  
 BUILDING HEIGHT  
 PROPOSED USE: I  
 ALL UTILITIES:

RICHWOOD INDUSTRIAL PARK

11/11/11  
12-6-89



RICHWOOD  
INDUSTRIAL  
PARK

- LOT 12



U.S. 25



BOONE COUNTY BOARD OF ADJUSTMENT  
BUSINESS MEETING

June 13, 1990 - 6:30 P.M.

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BOARD MEMBERS PRESENT:

Mr. I. A. Archambault  
Mr. Dan Houston  
Mr. Fred Nevel  
Mr. George Whitton, Chairman

BOARD MEMBERS NOT PRESENT:

Mr. Walt Ryan

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

The meeting was called to order by Chairman Whitton at 6:30 P.M..

Approval of the Minutes:

Chairman Whitton noted that each Board member had received a copy of the Minutes of the Boone County Board of Adjustment meeting of May 9, 1990 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. Archambault moved that they be approved as mailed. Mr. Houston seconded the motion and it carried unanimously.

Agenda Items:

1. The request of Arnold E. Caddell for a Variance of 37.5 feet in the 75 foot minimum front yard setback required in the C-2 Zone. The purpose of the request is to allow green space in the front of the building and to locate the parking behind the building. The one-acre site is located at the northwest corner of the intersection of Old Kentucky 18 and Taylor Drive, Boone County, Kentucky. The site is owned by Arnold E. Caddell.

Staff Member, Amy Moore, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Whitton asked if there was anyone present who wished to speak in regard to this request.

Mr. David Wallace, attorney representing Mr. Caddell and the bank, stated that they feel a special circumstance exists due to the location and the topography. He stated that by decreasing the setback, they will be able to locate all of their parking in the rear of the building which will enhance the area. The 37.5-foot setback will be at one corner of the building only. The rest of the building, which is on an angular lot, will be set back as much as 55 feet. They feel that they meet the requirements under KRS Chapter 100 and the Variance will benefit the property. Without the Variance, there will be an undue burden on the property owner.

Chairman Whitton asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments from the Board.

Mr. Nevel moved that the Variance be granted based on the Staff Report. Mr. Archambault seconded the motion and it carried unanimously.

2. The request of Raymond Erpenbeck (applicant) for Shorland Properties (owner) for a Variance to allow the reduction in the front yard setback. The property is zoned Industrial One (I-1) and is located in the Richwood Industrial Park, Boone County, Kentucky.

Staff Member, Greg Tulley, presented the Staff Report which included a slide presentation (see Staff Report). Mr. Tulley advised that the site in question is not the entire area shown in a circle and marked #12 in the attachment to the Staff Report.

Mr. Ray Erpenbeck stated that Vagedes is setback 40 feet from the roadway due to a Variance granted 1½ years ago. He stated that they are requesting this Variance as the site drops off sharply to the rear and they want the building closer to the road on the ridge.

Chairman Whitton asked if there was anyone else present who wished to speak in regard to this item or if there were any comments from the Board.

There being no further discussion, Mr. Houston moved that the Variance be granted based on the Staff Report and due to the topography. Mr. Archambault seconded the motion and it carried unanimously.

There being no further business to come before the Board, Mr. Archambault moved that the meeting be adjourned. Mr. Houston seconded the motion and it carried unanimously.

APPROVED:

Attest:

Jan Hancock  
Jan Hancock, Recording Secretary

George D. Whitton  
George D. Whitton, Chairman