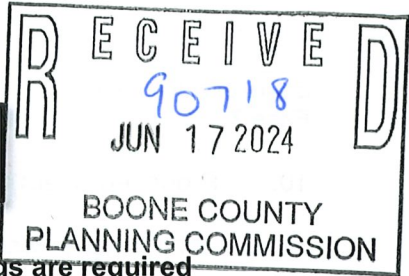


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



One (1) scaled copy and one (1) 11 x 17 reduction of submitted drawings are required

Site Plan Review is not granted by the appropriate Board of Adjustment

004

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: Hermes Construction Co.
Address: 8 Girard St.
Florence KY 41042
City State Zip Code
Phone Number: 859-992-1192 Fax Number: 859-781-7197
Email: ehermies@hermesconstructionco.com
4. Description of Request:
Reduce the buffer yard requirement at the location of the ITM.
5. Name of Development: Peoples Exchange Bank
6. Location of Development: 7620 Dixie Hwy
Florence KY 41042
City State Zip Code
7. Acreage Under Review: .67 Acres
8. Lot Number and Name of Subdivision (if part of a subdivision):
Parcel ID 061.25-24-023.02
9. Current Owner: 7620 Dixie Highway, LLC
Address: 7620 Dixie Hwy
Florence KY 41042
City State Zip Code
Phone Number: 859-746-9110 Fax Number: 859-746-9177
Email: Ed Bosch Jr @ Bosch Financial.com

10. Proposed Use(s) on Site: Banking
11. Total Square Footage of Existing and/or Proposed Buildings: 6600 SF
12. Current Zoning: C-1
13. 1122 464 2042
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: 6/17/24 Fee Received: \$9000 Receipt #: 90718

2. Is application complete: _____

3. Staff Reviewer: [Signature]

4. Scheduled Board Action Date: 7/10/24

5. Board Action: 7/10/24

- 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
plancom@boonecountky.org
www.boonecountky.org

STAFF REPORT

#4

APPLICANT: Hermes Construction Company
LOCATION: 7620 Dixie Highway, Florence, Kentucky
ZONING: C-1
DATE: July 10, 2024

PROPOSAL

- A. The applicant is requesting a Variance reducing the side landscape buffer from ten (10) feet to seven (7) feet to allow for a bank ITM.

SITE HISTORY

- 1991 On October 2, 1991, the Boone County Planning Commission approved a Major Site Plan for a commercial building and parking lot.
- 2008 On February 15, 2006, the Boone County Planning Commission approved a Conveyance Plat creating the approximate 0.67 acre site.

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;

STAFF REPORT

#4

APPLICANT: Hermes Construction Company
LOCATION: 7620 Dixie Highway, Florence, Kentucky
ZONING: C-1
DATE: July 10, 2024

PROPOSAL

- A. The applicant is requesting a Variance reducing the side landscape buffer from ten (10) feet to seven (7) feet to allow for a bank ITM.

SITE HISTORY

- 1991 On October 2, 1991, the Boone County Planning Commission approved a Major Site Plan for a commercial building and parking lot.
- 2008 On February 15, 2006, the Boone County Planning Commission approved a Conveyance Plat creating the approximate 0.67 acre site.

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 1001.A of the Boone County Zoning Regulations states that the purpose of the Commercial One district is to provide the convenience goods and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area with direct access from neighborhood collector 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 3605.A of the Boone County Zoning Regulations states that This article applies to all developments subject to Site Plan Review as required by ARTICLE 30 and does not apply to detached single family residential development except for the requirements in SECTION 3619 "Street Trees." The requirements stated in this article shall be addressed during the applicable Site Plan Review procedures outlined in ARTICLE 30 for all sites listed below:
 2. Existing Sites Currently Developed - Improvements to an existing site that include building additions, vehicular use area expansions or load/unloading area expansion shall only be required to be landscaped in those areas which align with new improvements.
- F. Table 36-1 of the Boone County Zoning Regulations states that a Buffer Yard A shall be required between developing properties within the C-1 Zone.
- G. Table 36-2 provides the width and required plantings for a Buffer Yard A as follows:

BUFFER YARD A - 10 FOOT WIDTH

Landscaping required per 100 linear feet at 10 feet wide.

5 Small Trees - Plant List C OR 3 Large Trees / 3 Medium Trees / or 3 Evergreen Trees or any combination of 3 - Plant List A, B, or D, AND

30 Shrubs - Plant List E OR 15 Shrubs - Plant List C

Ground Cover (Required in all areas not covered with grass)

Mulch (Temporary)

SURROUNDING LAND USES AND ZONING

North: Retail store (C-1)
South: Vacant property (C-1)
East: Medical Office/Parking lot (C-1)
West: Vacant property (C-1)

SITE CHARACTERISTICS

- A. The approximate 0.67 acre property is located along the west side of Dixie Highway, north of the intersection of St. Judes Circle.
- B. The site has approximately one hundred and sixty-four (164) feet of frontage along Dixie Highway.
- C. The site is currently occupied by a commercial building and parking lot.
- D. Access to the site is from a single curb cut onto Dixie Highway.
- F. The site slopes from Dixie Highway towards the rear of the site at an approximate 6.5% average grade.

STAFF COMMENTS

- A. The applicant has provided a landscaping page that shows they will comply with the amount and types of plantings required for this buffer yard.

CONCLUSION

- A. KRS 100.241 and Section 202 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 these criteria.

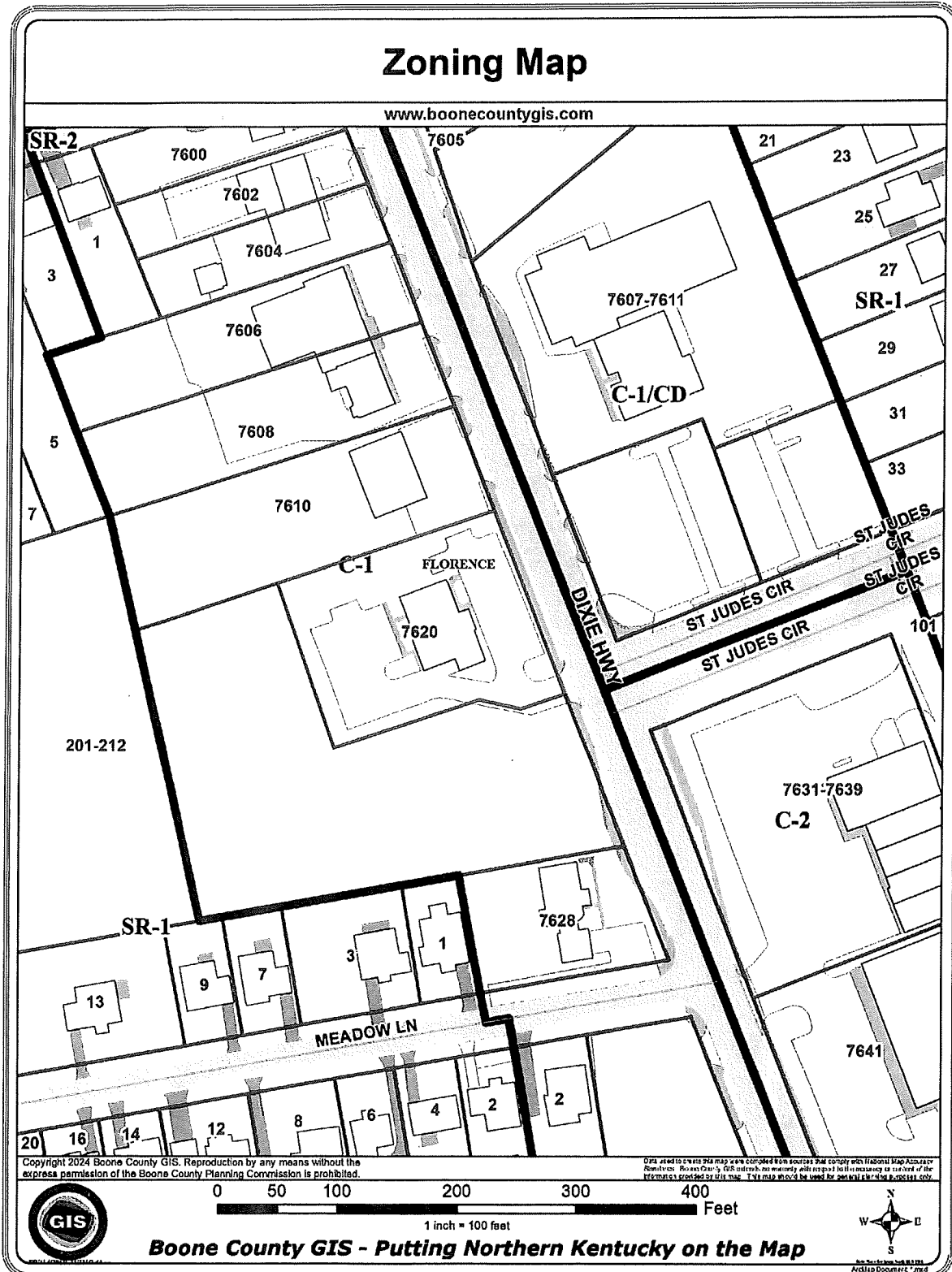
Respectfully submitted,



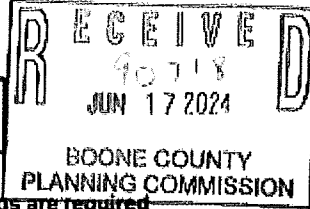
Steven C. Lilly, PLS
Planner, Zoning Services

SCL/ss





**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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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

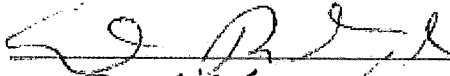
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Florence KY 41042
City State Zip Code
Phone Number: 859-992-1192 Fax Number: 859-781-7197
Email: ahermes@hermesconstructionco.com
4. Description of Request:
Reduce the buffer yard requirement at the location of the ITM.
5. Name of Development: Peoples Exchange Bank
6. Location of Development: 7620 Dixie Hwy
Florence KY 41042
City State Zip Code
7. Acreage Under Review: .67 Acres
8. Lot Number and Name of Subdivision (if part of a subdivision):
Parcel ID 061.25-24-023.02
9. Current Owner: 7620 Dixie Highway, LLC
Address: 7620 Dixie Hwy
Florence KY 41042
City State Zip Code
Phone Number: 859-796-9111 Fax Number: 859-796-9177
Email: Bob.Brown@PeoplesExchangeBank.com

Board of Adjustment
Page 2

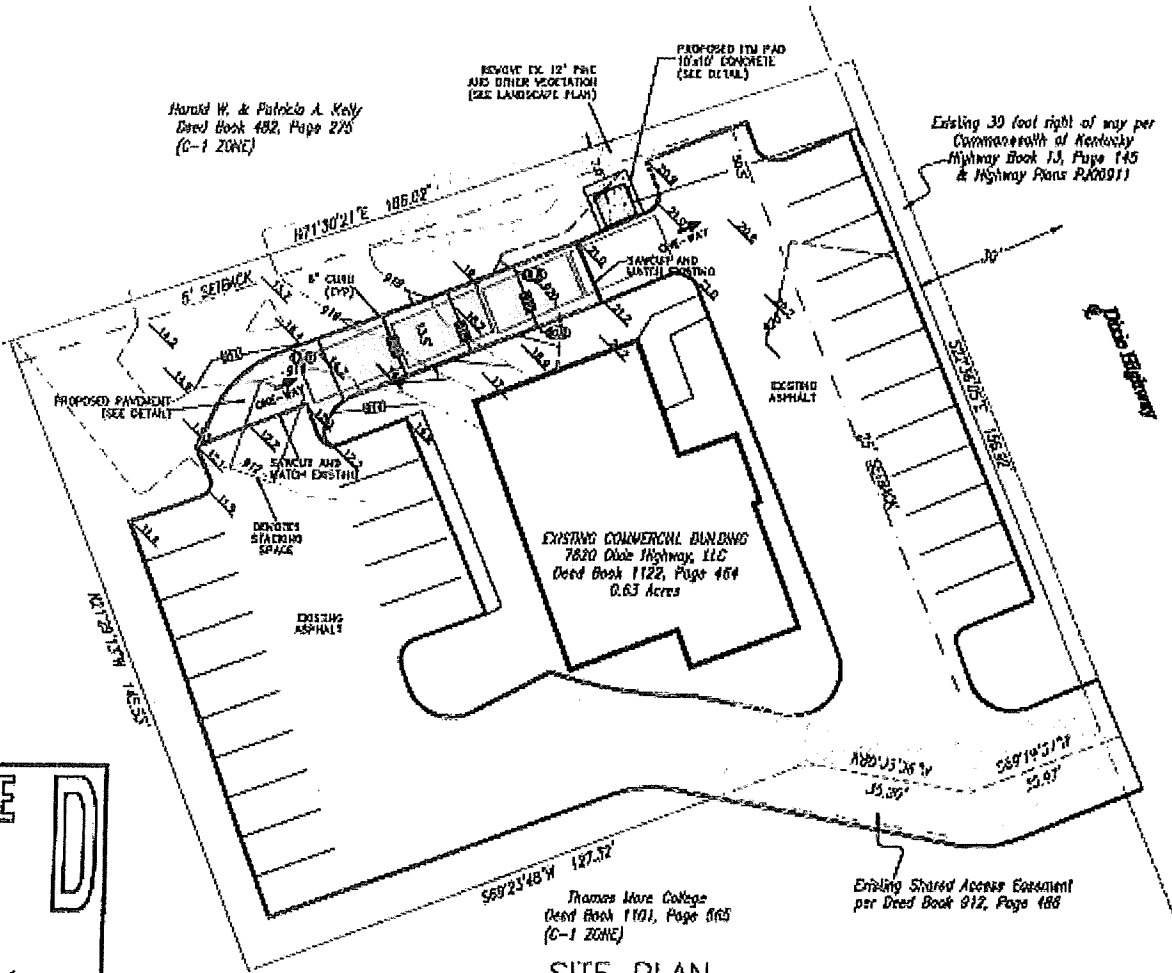
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Deed Book Page Group Number
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If yes, date of approval: _____
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Applicant's Signature:



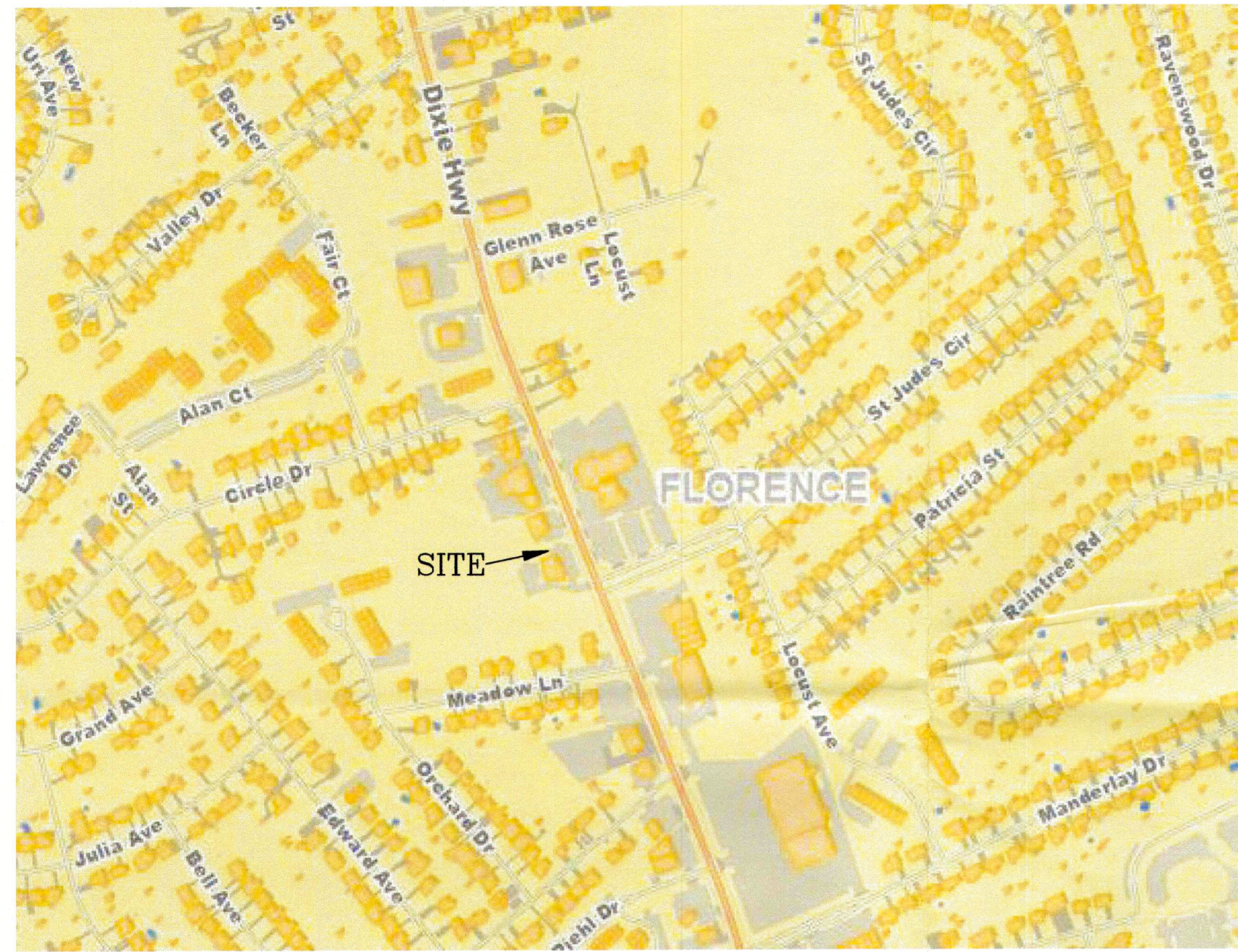


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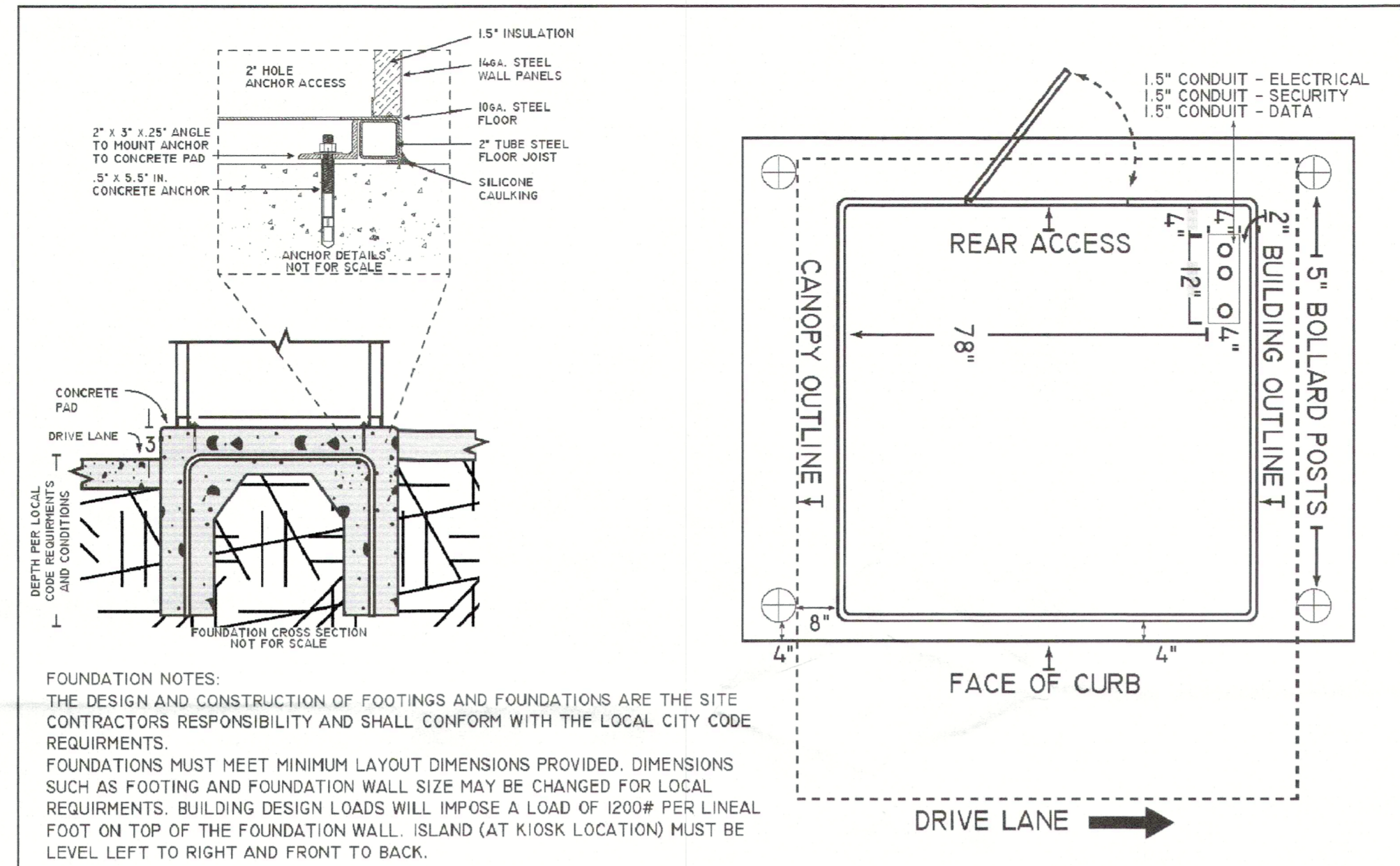
SITE PLAN
 SCALE: 1"=20'

CONSTRUCTION
 ARD ST
 KENTUCKY 41042

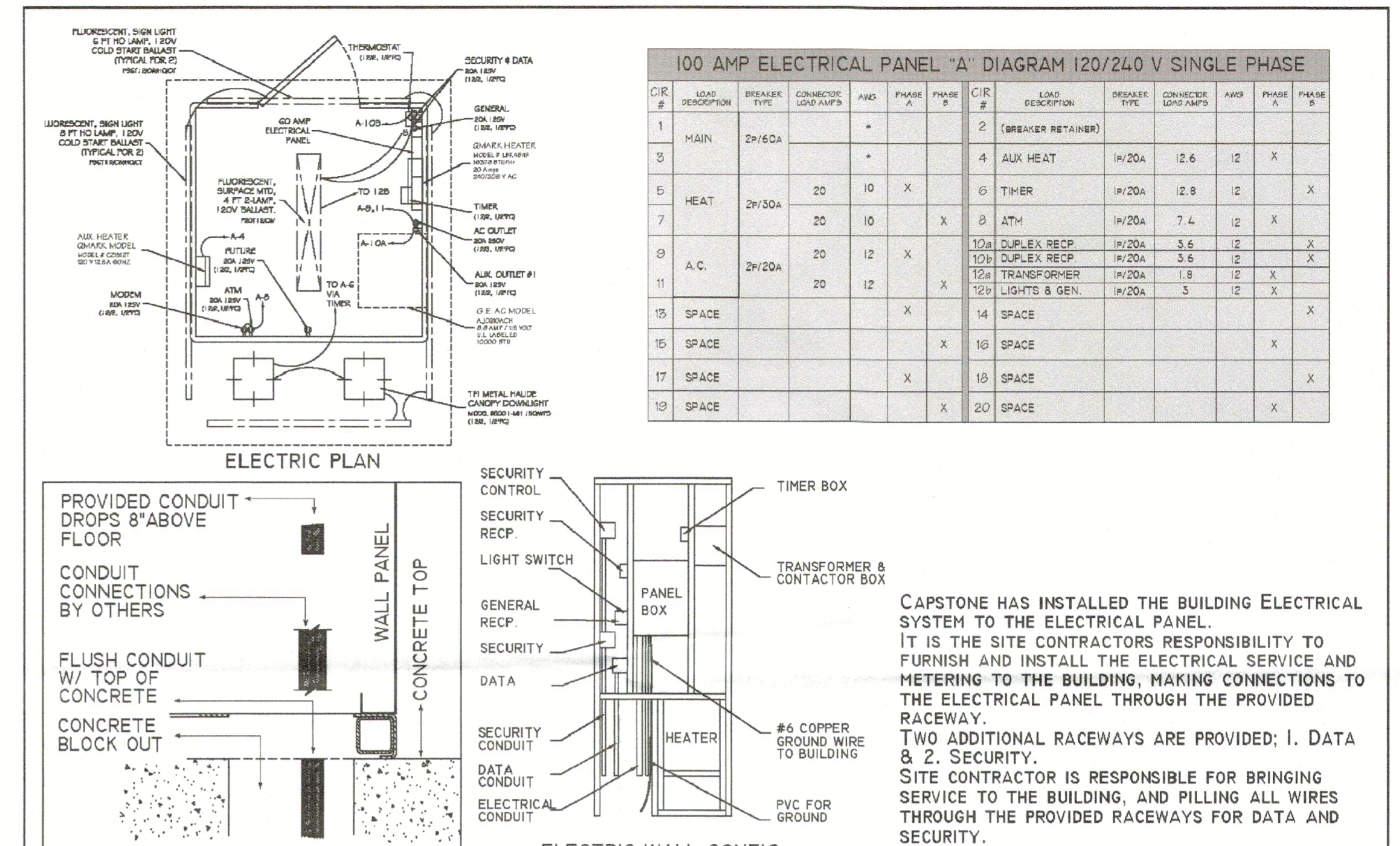
INTELLIGENT TELLER MACHINE (ITM)
 PEOPLES EXCHANGE BANK
 7620 DIXIE HIGHWAY
 FLORENCE, KY 41042



VICINITY MAP
1"=400 FT.



CAPSTONE DESIGN & FABRICATION 107 Schuler Drive Louisville, KY 40204 TEL: 502-350-1000 capstoneky.com		CUSTOMER: _____ PRODUCT: 7x7 BUILDING w/ CANOPY ATM MODEL: NCR 6884	
NOTES: The ink colors shown on this rendering provide conceptual intent and are not to be used as the final color. The ink colors may not match the actual construction materials or other details that will be used on the final build.		SIGN OFF: _____	

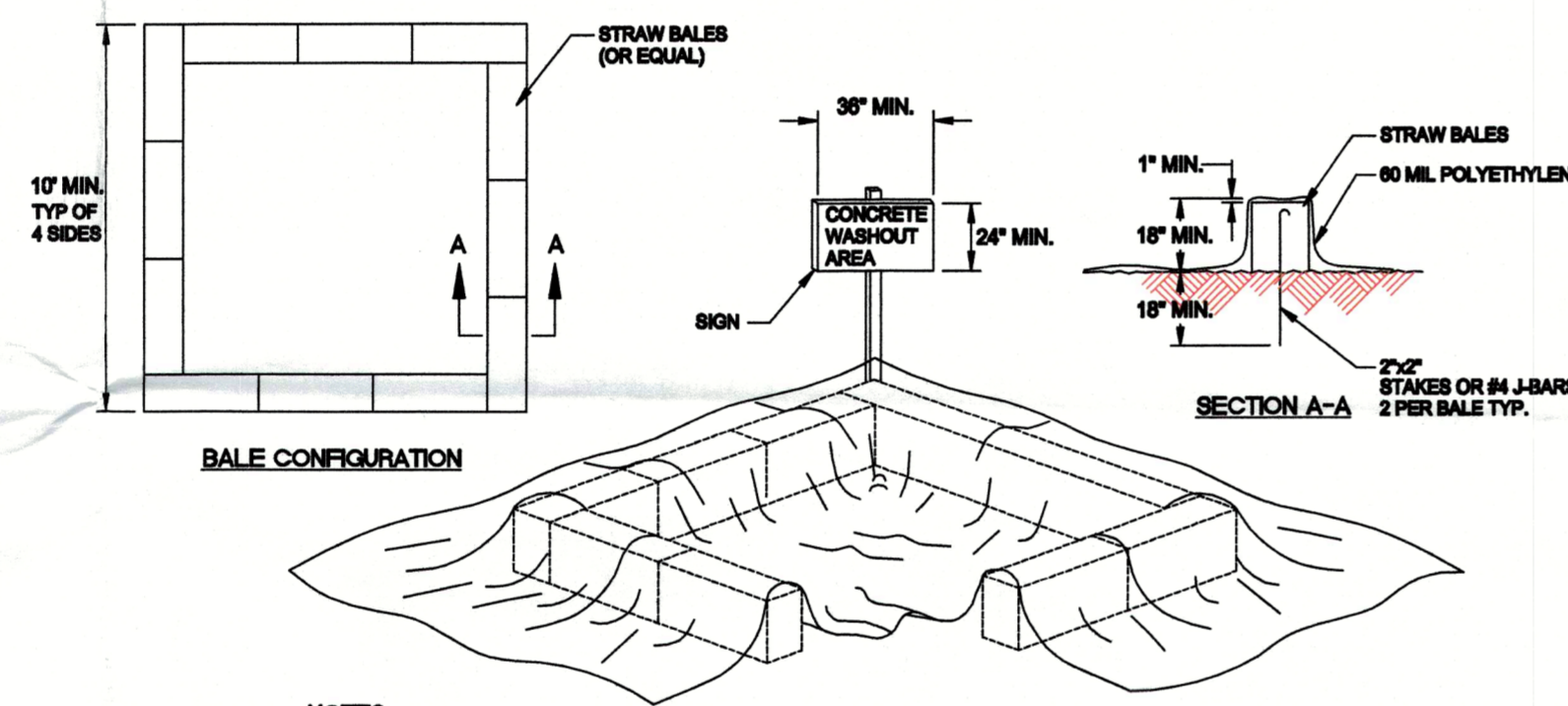


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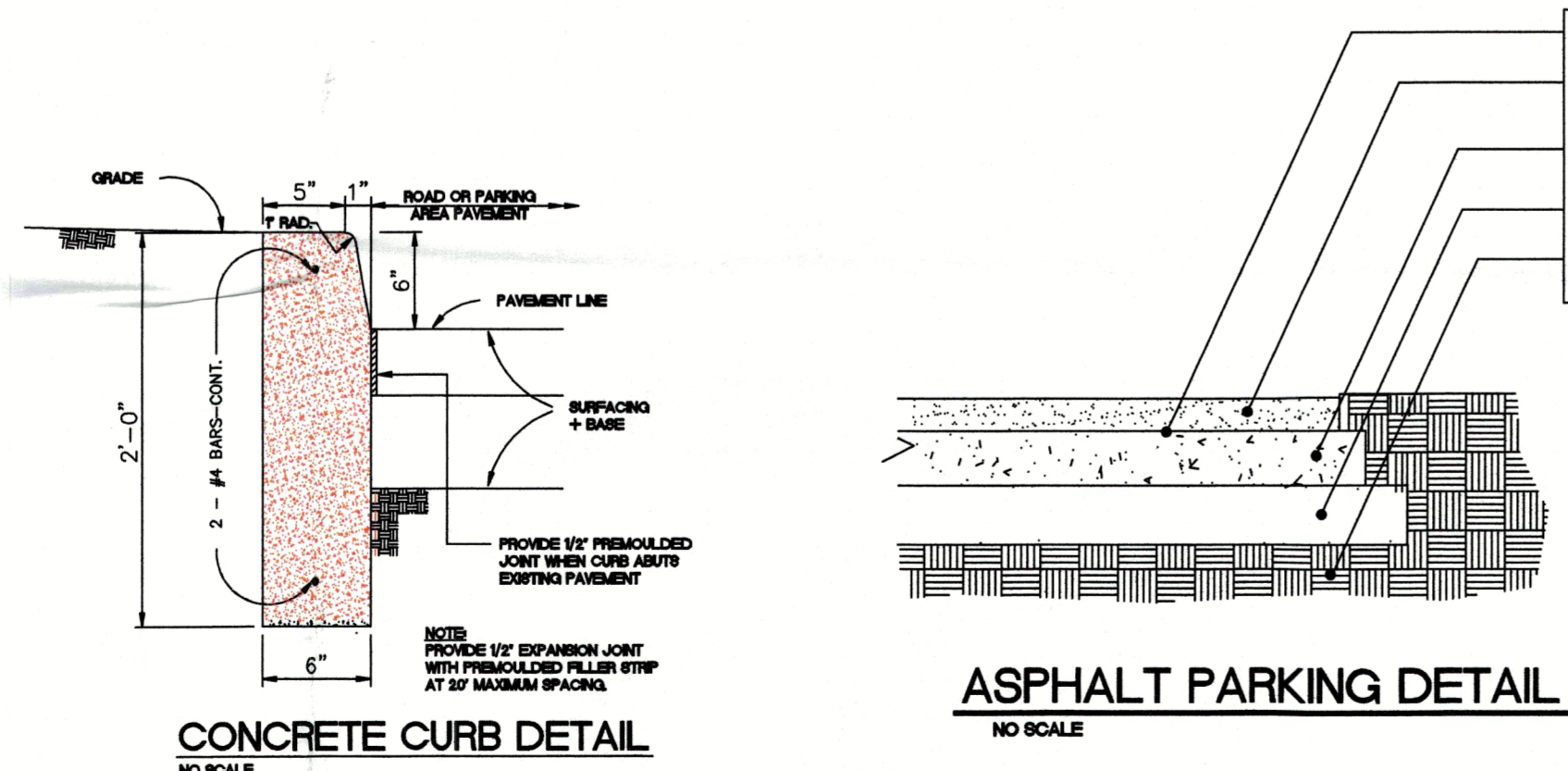
SPECIAL NOTE

THE DETAILS ABOVE ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS AND SPECIFICATIONS.

- NOTES**
- ALL WORK SHALL BE IN ACCORDANCE WITH ALL APPLICABLE SECTIONS OF THE BOONE COUNTY PLANNING AND ZONING REGULATIONS.
 - THE BOUNDARY INFORMATION AND EXISTING EASEMENTS ARE SHOWN IN AS PER FIELD SURVEY BY DAILY LAND SURVEYING, LLC., DATED MAY 17, 2024.
 - THIS LOT IS CURRENTLY OWNED BY 7620 DIXIE HIGHWAY, LLC, DEED BOOK 1122, PAGE 464. PARCEL ID 061.25-24-023.02. TOTAL LOT AREA = 0.63 AC.
 - THE EXISTING ZONING OF THE SITE IS "COMMERCIAL ONE" (C-1).
 - THE PROJECT WILL MEET ALL APPLICABLE "BASAL" AND LANDSCAPE RULES AND REGULATIONS.
 - COMMERCIAL ONE ZONE:
 MIN. LOT AREA ----- 5,000 SQ. FT.
 MIN. LOT WIDTH ----- 50 FT.
 MIN. FRONT YARD ----- 25 FT.
 MIN. SIDE YARD ----- 5 FT.
 MIN. REAR YARD ----- 20 FT.
 MAX. BUILDING HT. ----- 45 FT.
 - ANY SIGNAGE WILL BE BY SEPARATE PERMIT.
 - THE PROPOSED IMPROVEMENTS WILL BEGIN IN SUMMER 2024, UPON APPROVALS AND PERMITS.
 - THIS LOT HAS A SHARED ACCESS EASEMENT AS PER PLAT PROVIDED IN DEED BOOK 912, PAGE 486.
 - AS PER SECTION 3155, PARAGRAPH 9(d), FOUR 10'X20' STACKING SPACES ARE PROVIDED.

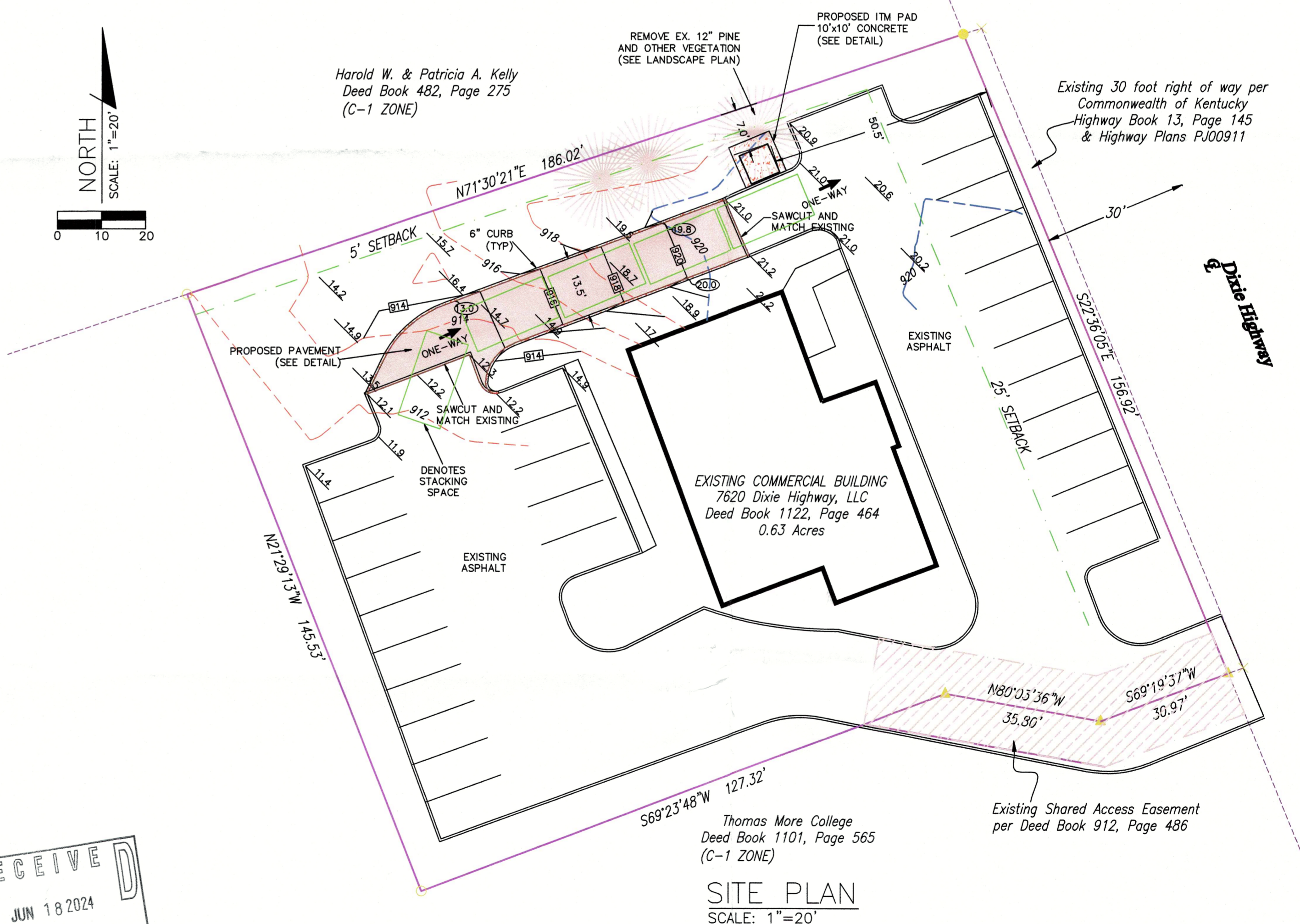


CONCRETE WASHOUT AREA DETAIL
NO SCALE

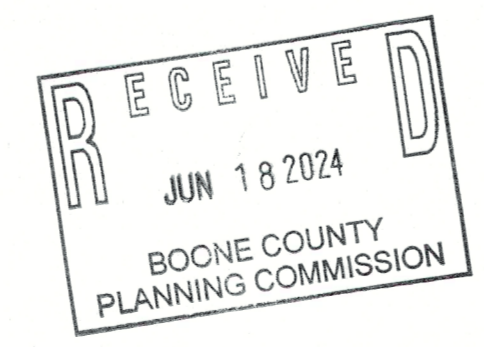


CONCRETE CURB DETAIL
NO SCALE

ASPHALT PARKING DETAIL
NO SCALE



SITE PLAN
SCALE: 1"=20'



LEGEND

○	UTILITY POLE
●	CONTROL POINT SET
○	IRON PIN FOUND
+	T-POST
□	CONCRETE MONUMENT
□	TELEPHONE BOX
+	SIGN
+	LAMPPOST
○	STOP SIGN
○	EXISTING WATER METER
○	PROPOSED WATER METER
○	SANITARY SEWER MANHOLE
○	PROJECT BENCHMARK
○	WATER VALVE
○	METER BOX
○	TREE STUMP

NO.	REVISION	DATE:	BY:	CHK:
1	ADDED 4 STACKING SPACES AND SHARED ACCESS EASEMENT EMAIL OF 5/29/2024	6/4/24	RWC	RWC

MASON CARR
Civil Engineering, PLLC
P.O. BOX 661 ALEXANDRIA, KY 41001
(513) 260-2982 FAX (859) 635-6841

HERMES CONSTRUCTION
8 GIRARD ST
FLORENCE, KENTUCKY 41042

INTELLIGENT TELLER MACHINE (ITM)
PEOPLES EXCHANGE BANK
7620 DIXIE HIGHWAY
FLORENCE, KY 41042

DATE:	MAY, 2024
JOB NO:	202411
SCALE:	AS SHOWN
SHEET	1 OF 1

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
7620 Dixie Highway LLC
7620 Dixie Hwy
Florence, KY 41042

- 2. ADDRESS OF PROPERTY
7620 Dixie Hwy
Florence, KY 41042

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Peoples Exchange Bank

- 4. DEED BOOK 1122 PAGE NO. 464 GROUP NO. 2042

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment:
From _____ To _____ Conditional Use Permit
 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

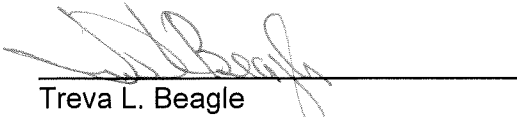
Steven C. Lilly, Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Steven C. Lilly on behalf of the Boone
County Planning Commission this 11th day of July, 2024.



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.)¹