

**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

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: Drees Homes
Address: 211 Grandview Dr.
FT. Mitchell Ky 41017
City State Zip Code
Phone Number: 859-578-6540 Fax Number: _____
Email: Cmartin@DreesHomes.com
4. Description of Request:
Variance request to build an entry monument larger than code allows
5. Name of Development: Aberdeen
6. Location of Development: Westbrook Blvd
Union Ky 41091
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision):
Entry Open Space of Aberdeen
9. Current Owner: Drees Homes
Address: 211 Grandview Dr
FT Mitchell Ky 41017
City State Zip Code
Phone Number: 859-578-6540 Fax Number: _____
Email: Cmartin@DreesHomes.com

10. Proposed Use(s) on Site: Open Space - entry monument
11. Total Square Footage of Existing and/or Proposed Buildings: 120 sq ft.
12. Current Zoning: SR-1
13. H67 1200 539 344 2046
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:

Catherine Marten

Applicant's Signature:

Catherine Marten

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

1. Date Received: 8-2-24 Fee Received: \$666.00 Receipt #: 91025

2. Is application complete:

3. Staff Reviewer: Steve Long

4. Scheduled Board Action Date: 9/3/24

5. Board Action: 9/3/24

- 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@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: Drees Homes
LOCATION: West entrance to Aberdeen Subdivision, Union, Kentucky
ZONING: Suburban Residential One (SR-1)
DATE: September 3, 2024

PROPOSAL

- A. The request is for a Variance to increase the sign height of an entrance sign from ten (10) feet to eighteen (18) feet, eleven and a half (11 ½) inches.

APPLICABLE SITE HISTORY

- 2021 On May 3, 2021, The City of Union adopted Ordinance Number 2021-11, changing the zoning of the site from RSE to SR-1 (R-21-008).
- 2022 On August 24, 2022, the Boone County Planning Commission approved a Preliminary Plat containing the subject site.
- 2005 On May 24, 2023, the Boone County Planning Commission approved an Improvement Drawing containing the subject site.
- 2011 On August 2, 2024, the Boone County Planning Commission received an application for a final plat of Aberdeen, Section 1.

APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- B. Section 4000 of the Boone County Zoning Regulations defines a variance as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 204.D and 204.E of the Boone County Zoning Regulations.
1. Findings listed in Section 204.D and 204.E:
 - a. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - (1) The requested variance arises from special circumstances which

do not generally apply to land in the general vicinity, or in the same zone;

- (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
- (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

- b. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

- D. Section 903.A of the Boone County Zoning Regulations states that “the purpose of the Suburban Residential One district is to provide a low density, residential environment whose dwelling types and densities are typical of a suburban character. It is also to provide limited or passive and active recreational uses that are appropriate to the permitted uses in the district. Suburban Residential One districts will be located on lands within established urban areas where adequate infrastructure facilities and services are available or proposed.
- E. Section 3111, Table 31-1 of the Boone County Zoning Regulations provides the maximum height for a structure of thirty-five (35) feet within the SR-1 Zone.
- F. Section 3408.7.A.4 of the Boone County Zoning Regulations states that the maximum sign area for an entrance sign shall not exceed ten (10) feet within a Residential District.
- G. Section 4000 of the Boone County Zoning Regulations provides for the following definitions:
 1. Sign: A device designed to promote and identify an establishment or activity by any means including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.
 2. Sign, Entrance: A sign that is located near an entrance of a shopping center, mixed-use commercial development, planned development, or residential or commercial subdivision which identifies an overall development.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question for “Suburban Density Residential” uses, which is defined as Single-family housing of up to four units per acre.

SITE CHARACTERISTICS

- A. The proposed sign will be located on the south side of Westbrook Blvd and within Open

Space Parcel A of Aberdeen Subdivision.

- B. The site is currently being developed for a residential subdivision.
- C. The site has been graded to accommodate the proposed streets and building lots, as well as providing for utilities.

SURROUNDING LAND USES AND ZONING

North: Aberdeen Subdivision development (SR-1)
South: Aberdeen Subdivision development (SR-1)
East: Aberdeen Subdivision development (SR-1)
West: Ballyshannon Subdivision (C-1/PD) & Ballyshannon Middle School (PF/PD)

PROPOSED DEVELOPMENT

- A. The applicant is proposing an entrance sign having a height of eighteen (18) feet, eleven and a half (11 ½) inches. The proposed sign will have a sign area of approximately twenty-four (24) square feet.

STAFF COMMENTS

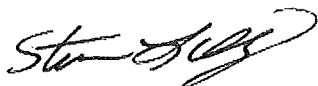
- A. The portion of the structure on which the sign will be located measures approximately 8'-9" in height which would comply with the maximum height allowance of the regulations.

The portion of the sign that exceeds the height allowance could be considered a decorative structure. Freestanding structures within this zone are permitted a maximum height of forty-five (45) feet.

CONCLUSION

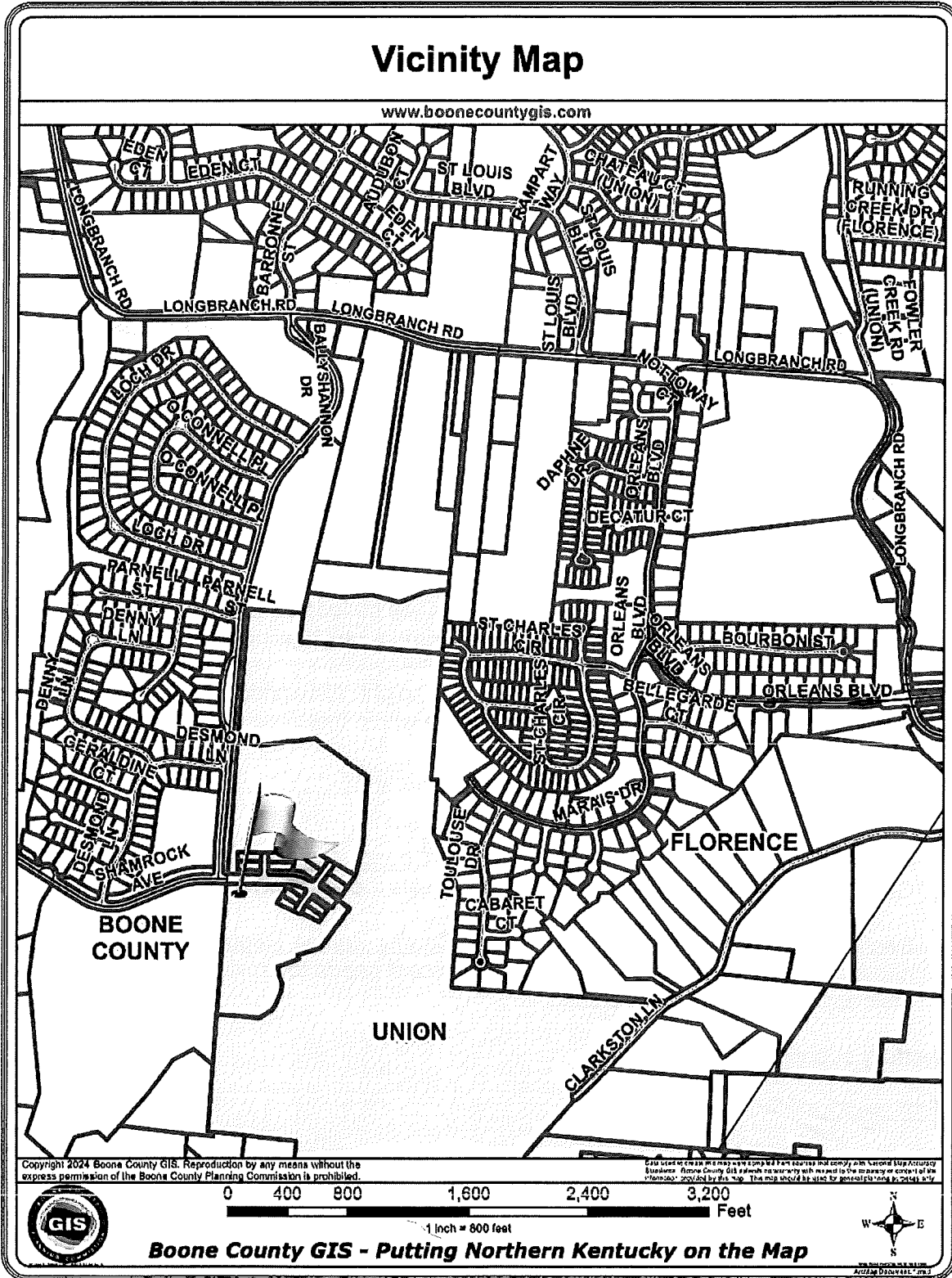
- A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.
- B. Sections 204.D and 204.E of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

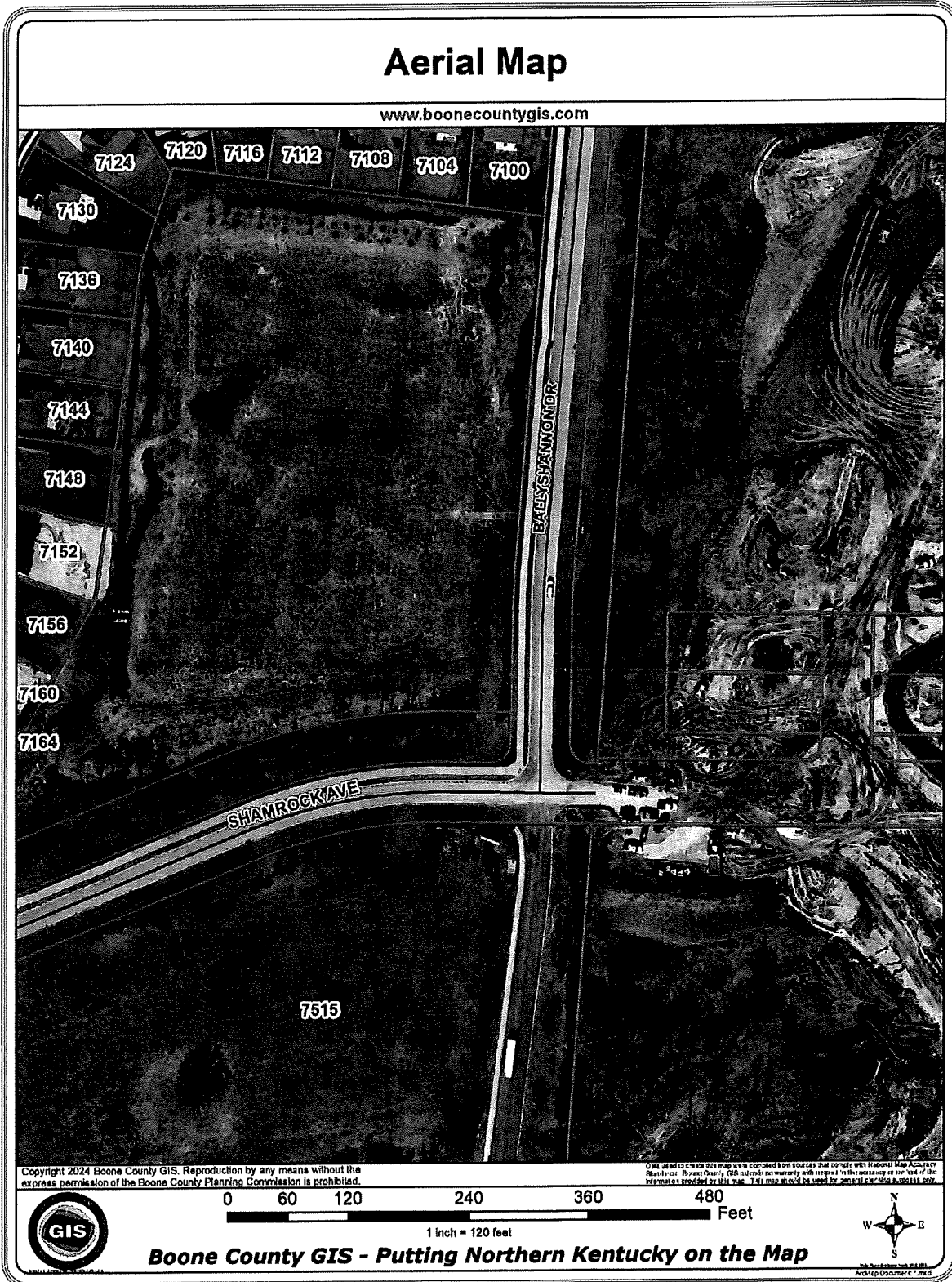
Respectfully submitted,

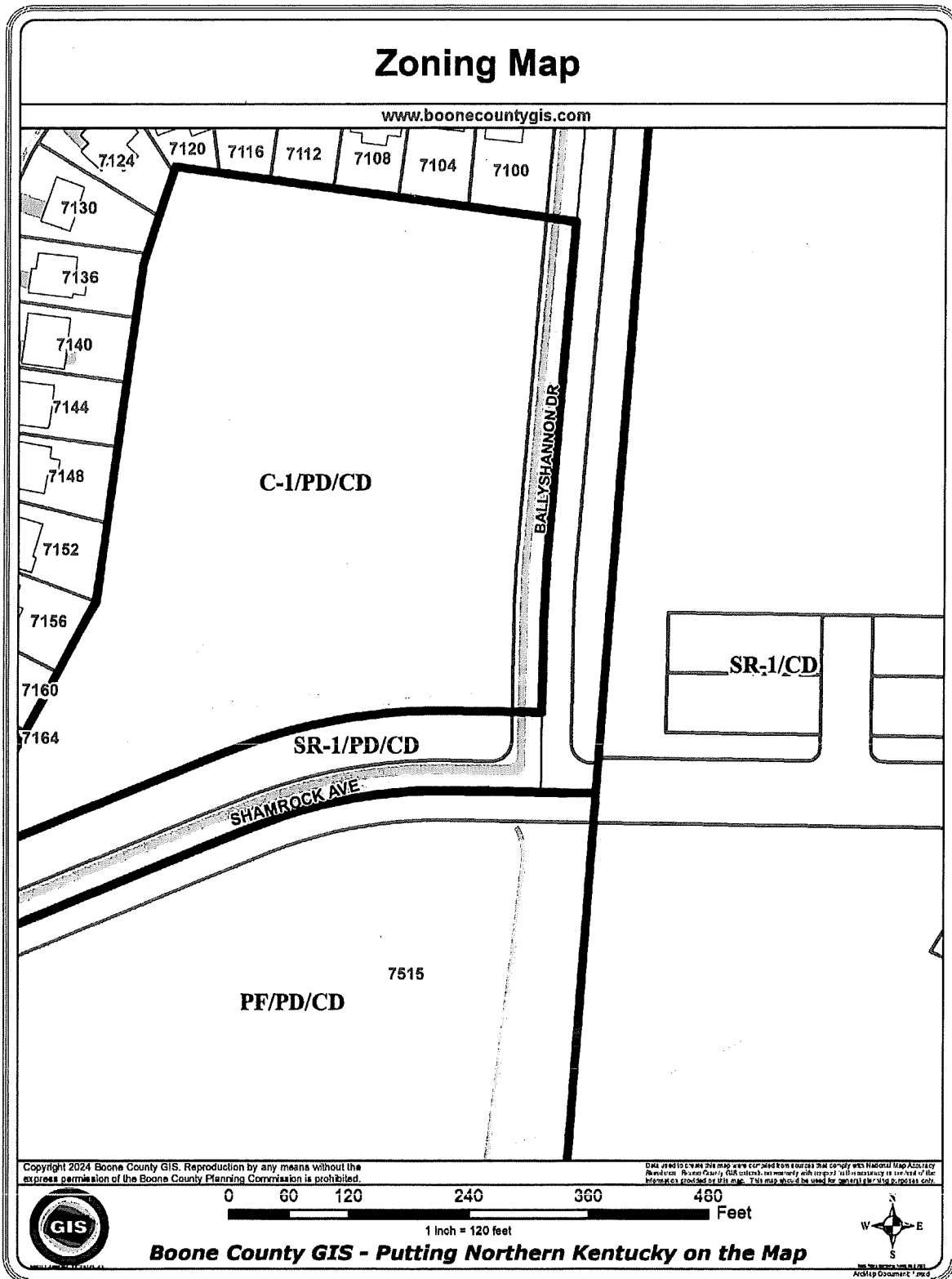


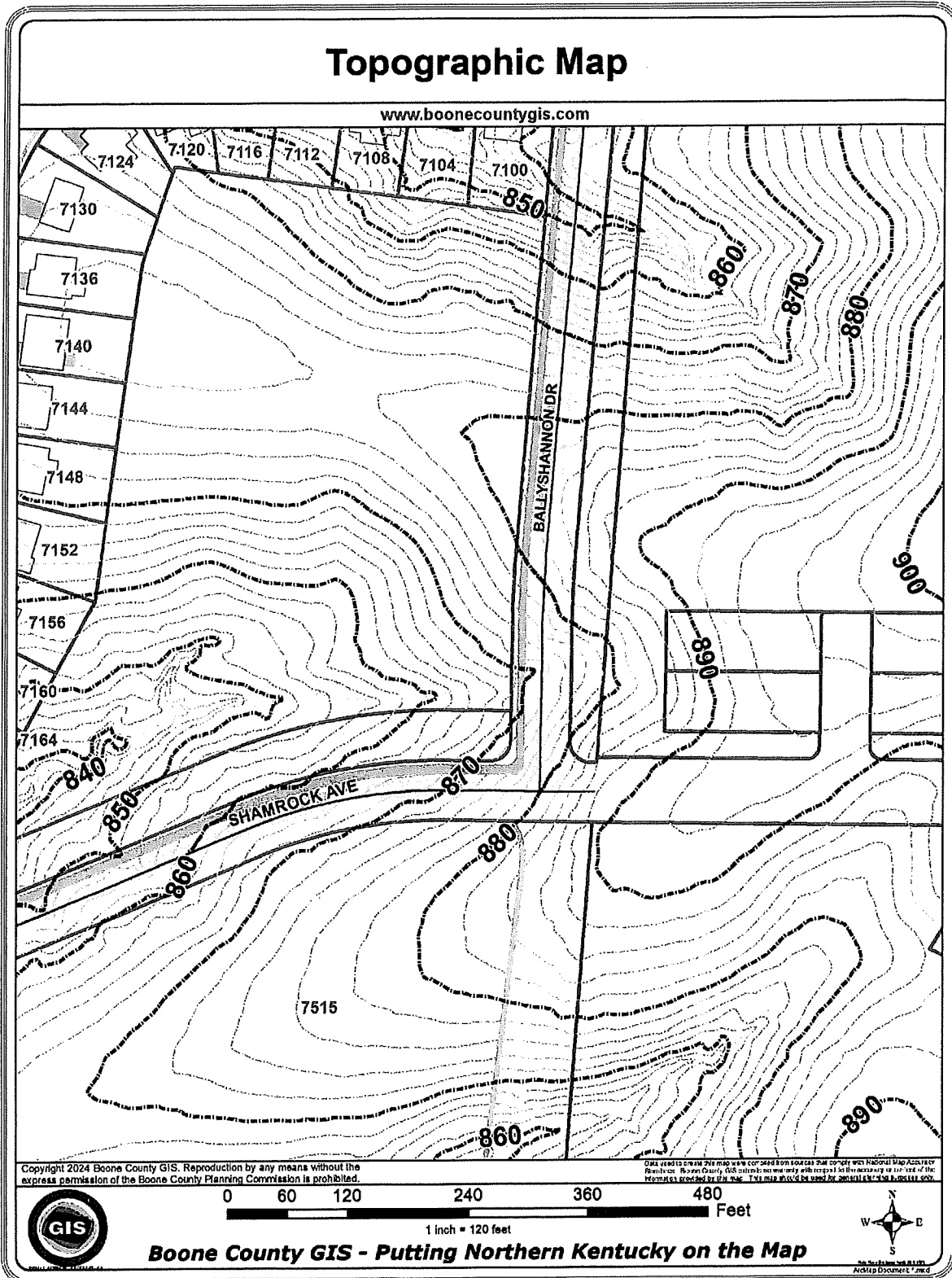
Steven C. Lilly, PLS
Planner, Zoning Services

SCL/ss

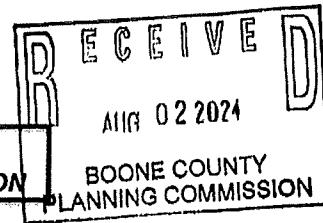








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Board of Adjustment
Page 2

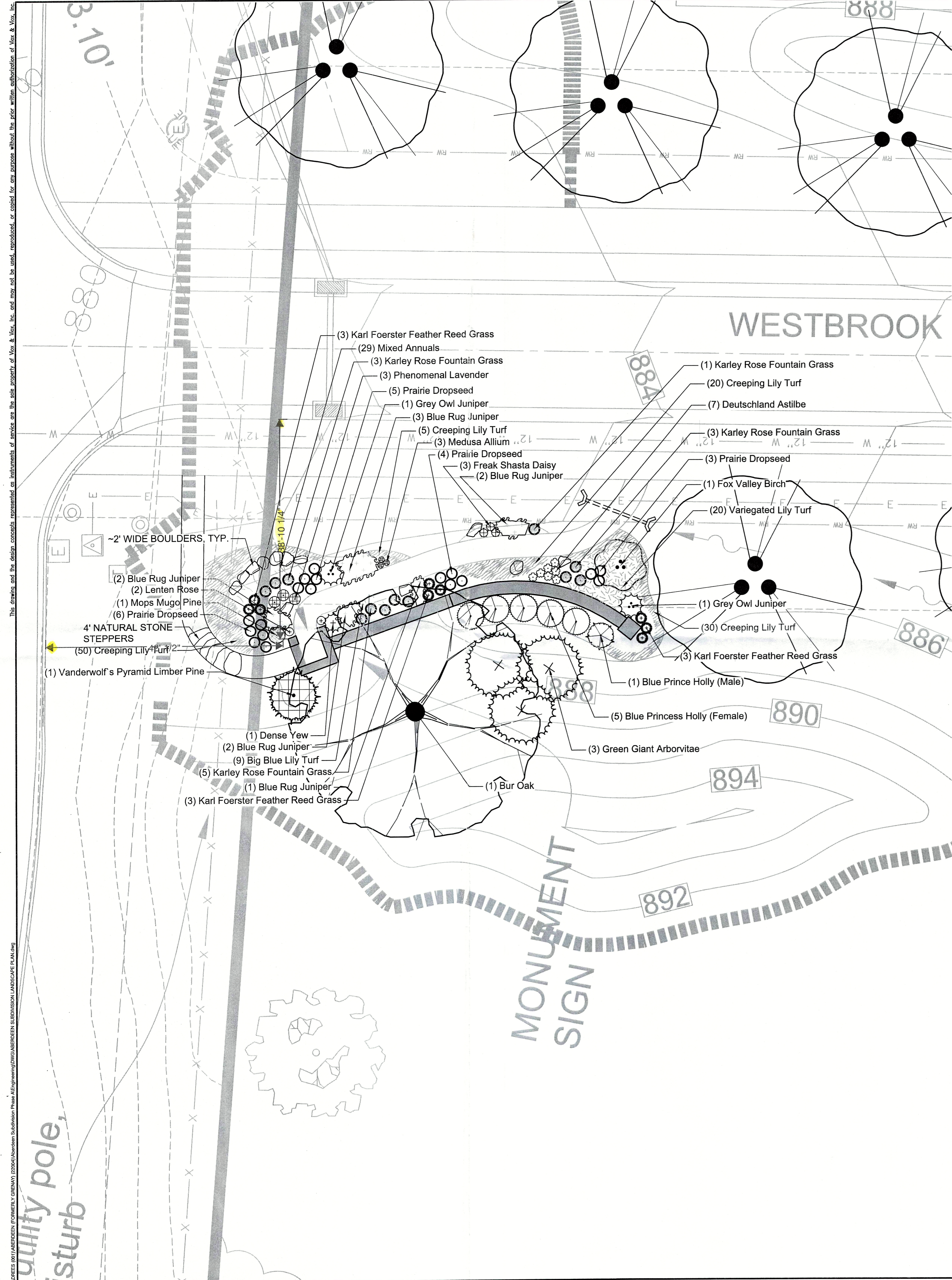
10. Proposed Use(s) on Site: Open Space - entry Monument
11. Total Square Footage of Existing and/or Proposed Buildings: 120 sq ft.
12. Current Zoning: _____
13. 1167 539 _____
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
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Catherine Martin

Applicant's Signature:

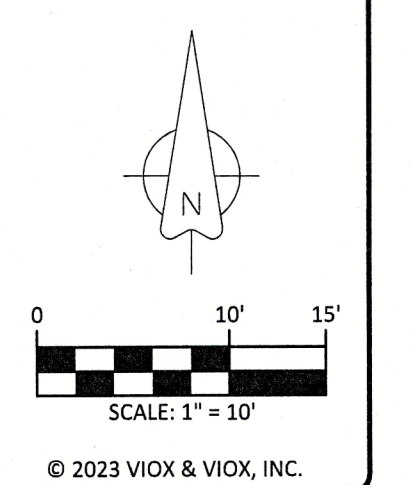
Catherine Martin



PLANT SCHEDULE MONUMENT SIGN

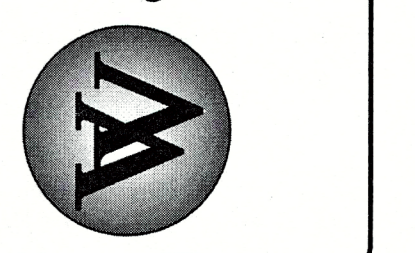
SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	CAL.	SIZE (HT)	CONT.	REMARKS
TREES							
	1	Betula Nigra 'Little King' Tm	Fox Valley Birch	n/a	4-6'	15 Gal.	Full even growth
	1	Quercus macrocarpa (Bur)	Bur Oak	2" Cal.	n/a	B&B	Full even growth
EVERGREEN TREES							
	1	Pinus flexilis 'Vanderwolf's Pyramid'	Vanderwolf's Pyramid Limber Pine	n/a	6-8'	B&B	Full even growth
	3	Thuja Plicata 'Green Giant'	Green Giant Arborvitae	n/a	6-8'	B&B	Full even growth;
EVERGREEN SHRUBS							
	1	Ilex X Meserveae 'Blue Prince'	Blue Prince Holly (Male)	B&B	24 - 30"	5' 0"	Full even growth; 1 per 8 Blue Princess Holly for berry production
	5	Ilex X Meserveae 'Blue Princess'	Blue Princess Holly (Female)	B&B	24 - 30"	5' 0"	Full even growth
	2	Juniperus Virginiana 'Grey Owl'	Grey Owl Juniper	3 gal.	n/a	4' 6"	Full even growth
	1	Pinus mugo 'Mops'	Mops Mugo Pine	3 gal.	n/a	3' 0"	Full even growth
	1	Taxus X Media 'Densiformis'	Dense Yew	B&B	24 - 30"	3' 0"	Full even growth
GRASSES							
	9	Calamagrostis X Acu. 'Karl Foerster'	Karl Foerster Feather Reed Grass	3 gal.	n/a	2' 0"	
	12	Pennisetum Orientale 'Karley Rose'	Karley Rose Fountain Grass	3 gal.	n/a	2' 0"	
	18	Sporobolus heterolepis	Prairie Dropseed	1 gal.	n/a	2' 0"	
PERENNIALS							
	3	Allium X 'Millenium'	Medusa Allium	1 gal.		1' 0"	
	7	Astilbe Japonica 'Deutschland'	Deutschland Astilbe	1 gal.		1' 6"	
	3	Chrysanthemum X Superbum 'Freak'	Freak Shasta Daisy	1 gal.		1' 6"	
	2	Helleborus X	Lenten Rose	2.5 qt		1' 6"	
	3	Lavandula x intermedia 'Niko' TM	Phenomenal Lavender	1 gal.		2' 0"	
SHRUB AREAS							
	10	Juniperus h. 'Wiltonii'	Blue Rug Juniper	3 gal.		36"	
GROUND COVERS							
	1 flat	Liriope Muscari 'Big Blue'	Big Blue Lily Turf	flat	4" pot	12"	QTY is # of flats; 18 plants/flat
	2 flats	Liriope Muscari 'Variegata'	Variegated Lily Turf	flat	4" pot	15"	QTY is # of flats; 18 plants/flat
	6 flats	Liriope Spicata	Creeping Lily Turf	flat	4" pot	12"	QTY is # of flats; 18 plants/flat
	29	Mixed Annuals	Mixed Annuals	1 gal.		12"	

Mulch Required:
 Total planting bed area: 897 sf
 Total mulch required at 3" depth: 8 CY



Rev	Date	By	Chk	Remarks
1	5/12/24	WMA	BMM	updated groundcover qty, added mulch calc.

VIOX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 466 Erlanger Road • Erlanger, Kentucky 41018
 602 Lila Avenue • Milford, Ohio 45150
 Ph: Erlanger (859) 727-3283 • Ph: Milford (513) 576-1000
 www.vioxinc.com



**ABERDEEN SUBDIVISION
 PHASE A IMPROVEMENT PLANS
 UNION, BOONE COUNTY, KENTUCKY**
 ENTRY MONUMENT LANDSCAPE PLAN

Project No:	Checked:
Date:	Ref:
2-20-24	N/A

Sheet:
L101

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Drees Homes
211 Grandview Dr
Fort Mitchell, KY 41017

2. ADDRESS OF PROPERTY
Westbrook Blvd
Union, KY 41091
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Aberdeen

4. DEED BOOK 1200 PAGE NO. 344 GROUP NO. 2046

5. TYPE OF RESTRICTION(S) (Check all that apply)

 Zoning Map Amendment: 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

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 4th day of September, 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
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)