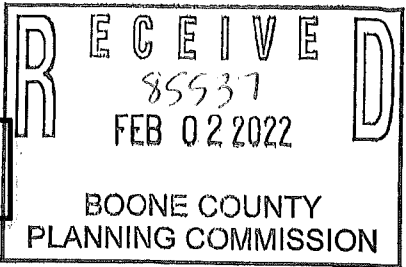


**ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION**



Seven (7) copies of submitted drawings are required

An application consists of all fees paid in full, submitted drawings, and a completed application form

**SECTION A:** (To be completed by applicant)

1. Name of Project: Clear Sight Townhomes
2. Location of Project: South side of Weaver Road across from the intersection of Trellis Drive and Weaver Road
3. Total Acreage of Project: 4.1540 acres
4. Current Zoning of Property: SR-1
5. Proposed Zoning of Property (classification being requested): UR-2
6. Proposed Use(s) (specify each use):  
Townhome Development - 36 units / 8.66 units per acre
7. Proposed Building Intensities (specify for each building):  
36 UNITS / 4.1540 = 8.66 UNITS PER ACRE
8. Are you applying for any of the following (check all that apply):  
 Conditional Use Permit     Variance
9. Current Owner: SL WEAVER INVESTMENTS, LLC  
Address: 2245 GILBERT AVENUE, SUITE 205  
CINCINNATI                      OHIO                      45206  
City                                      State                                      Zip Code  
Phone Number: 513-221-1469                      Fax Number: \_\_\_\_\_  
Email: ARCHIE.SEARP@YAHOO.COM
10. Applicant: SL WEAVER INVESTMENTS, LLC  
Address: 2245 GILBERT AVENUE, SUITE 205  
CINCINNATI                      OHIO                      45206  
City                                      State                                      Zip Code  
Phone Number: 513-221-1469                      Fax Number: \_\_\_\_\_  
Email: ARCHIE.SEARP@YAHOO.COM
11. Are there any existing buildings on the site:     Yes                       No  
If yes, indicate how many: \_\_\_\_\_



# EXHIBIT

“A”

## STAFF REPORT

#3

Request of **SL Weaver Investments, LLC, per Archie Searp (applicant and owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane, and being generally across from Trellises Drive, Boone County. The request is for a zone change to allow the development of thirty-six (36) attached single-family residential dwellings.

March 2, 2022

### REQUEST

- A. The applicant is requesting a zoning map amendment from SR-1 to UR-2 in order to develop 36 attached single-family residential dwellings at a intensity of 8.7.

### SITE HISTORY

2007 On May 2, 2007, the Boone County Planning Commission approved a Conveyance Plat, creating the lot in question.

### APPLICABLE REGULATIONS

- A. Section 308 of the Boone County Zoning Regulations states that before any map amendment is granted, the Planning Commission and legislative body shall use the following criteria:
1. The map amendment is in agreement with the adopted comprehensive plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or
  2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
  3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.
- B. Section 968 of the Boone County Zoning Regulations states that the purpose of the Urban Residential Two district is to provide an urban low rise, residential environment for families who do not require or desire the low density attributes or single family character provided in suburban districts.

### SITE CHARACTERISTICS

- A. The site contains approximately 4 acres and is located along the south side of Weaver

Road, approximately 2,600 feet east of Saddlebrook Lane.

- B. The site has 636.41 feet of frontage along Weaver Road.
- C. The site is currently zoned SR-1 and is vacant and heavily wooded.
- D. The center of the site is relatively flat and slopes downward to the east and west at an average grade of approximately 8%.

ADJACENT LAND USES AND ZONING

- North: Vacant/undeveloped land (UR-2)
- South: Single-family residential and vacant/undeveloped land (SR-1)
- East: Single-family residential (SR-1)
- West: Single-family residential and vacant/undeveloped land (SR-1)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County – Plan 2040 “2040 Future Land Use Plan” designates the site for High Suburban Density Residential uses, which is defined as 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:
  - 1. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).
  - 2. 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).
  - 3. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  - 4. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs (Demographics Goal B, Objective 1).
  - 5. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).

6. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density (Demographics Goal B, Objective 4).
  7. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features (Demographics Goal B, Objective 8).
  8. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
- C. Weaver Road is a state maintained arterial street providing for two way traffic within two driving lanes. An eastbound exclusive left turn lane is provided at Trellises Drive. There are no sidewalks along the roadway.
- D. The following are excerpts from Our Boone County, Plan 2040:
1. The area south of the Saddlebrook Farms Subdivision, along Weaver Road, has developed in an Urban Density Residential manner consistent with this subdivision, with adequate buffering for adjacent to single-family residential uses. The expansion of sanitary sewer lines on Evergreen Road will serve infill sites as well as those who are not currently on public sewer. Commercial uses should not expand along the west side of the interstate beyond the self-storage facility. The Lion's Park site should remain as a recreation area unless it redevelops as part of the 60-acre McEvoy property adjacent to it which is recommended for Suburban Density Residential. However, a combination of Suburban Density Residential and High Suburban Density Residential, such as senior 130 housing, could occur if a traffic impact study is conducted to determine if the existing road network is adequate and if not, what roadway improvements would be necessary to handle any potential increase in anticipated traffic volume (16. Florence South," page 129).
  2. Vehicle stacking problems during rush hours and conflicting left turn movements have become significant problems along the U.S. 42 corridor between the Weaver Road/Hopeful Church and Pleasant Valley Road intersections. The new "jug-handle" intersection design for Weaver Road and U.S. 42 will hopefully address some of these issues. Frontage road and interconnecting parking lots are necessary here to allow vehicles to access existing and future traffic signals. Access to Weaver Road should be implemented through redevelopment of the former Boone Kenton Warehouse site and adjacent parcels as well as well-planned access to U.S. 42. If improvements are made to Gunpowder Road from U.S. 42 to Mt. Zion Road, more intense land uses could be examined for the property behind Wentz Drive as well as the possibility of having access to Gunpowder Road. If commercial development occurs in this area, it should primarily be accessed from U.S. 42. In addition, improvements to pedestrian

access along Weaver Road should be a top priority of the State when making improvements to the road network (16. Florence South," page 130).

3. Developments in Boone County should begin with an assessment of existing site features to determine positive and useful attributes, as well as features that should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. Open Space and Cluster subdivision designs should be considered to blend new subdivisions in with areas that have a rural character ("Utilization of Existing Vegetation and Topography," page 95).
4. Different residential development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists (or is planned) to support the development. Fluctuations in the economy and housing market should be considered when evaluating uses and design of developments ("Development Layout, Lot Sizes, and Setbacks," page 95).
5. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between both like and unlike land uses. However, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible ("Buffering," pages 95-96).
6. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways. The

amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping helps purify the air of harmful pollutants, thus reducing health impacts. It also helps reduce the quantity and improve the quality of storm water runoff, including temperature. The use of bioretention islands (water filtering basins) and grass swales should be used where possible in place of raised islands as described in Northern Kentucky's Storm Water Best Management Practices Manual (2012). Native species are often heartier than nursery stock and should be used wherever possible to minimize pesticides and other high impact forms of maintenance. Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," page 96).

- E. The comprehensive plan indicates the need for a new roadway between Mt. Zion Road and Weaver Road, generally parallel and west of Interstate 71/75).

#### CONCEPT PLAN

- A. The submitted concept plan indicates the following:
1. Construction of 36 attached single-family residential townhomes within 6 buildings, at an intensity of 8.7 units per acre.
  2. Provision of private streets.
  3. Provision for stormwater detention.
  4. Provision for public water (Boone County Water) and sanitary sewer service (SD1).
  5. Provision for a curb cut onto Weaver Road at the westernmost edge of the site.
  6. Identification of buffer yards.

#### STAFF COMMENTS

- A. Since this is a Concept Development Plan submittal, a complete evaluation against the zoning regulations and the subdivision regulations was not conducted. However, Staff has identified the following specific requirements that will need to be addressed:
1. Section 3325 of the zoning regulations requires 1.5 parking spaces for every one bedroom unit in a townhouse and 2 parking spaces for every 2 or more bedroom unit in a townhouse. Insufficient information has been submitted to determine compliance with this requirement.
- B. An inter-departmental email was sent to the Boone County Building Department, Boone County Public Works, Boone County Water, Florence Fire, KYTC, and SD1 requesting comments pertaining to the request.
1. Jerry Noran, Boone County Building Department, replied that he had no comments.

2. Randy Childress, Florence Fire, replied that he had no issues.
3. Linzy Brefeld, KYTC, replied that KYTC has approved the applicant's Traffic Impact Study and that access to the site is only allowed where breaks are shown on the record highway plans.
4. Rob Franxman, Boone County Public Works, replied that an encroachment permit will be required from KYTC, the easement width should be thirty-five (35) feet, sidewalks are required on both sides of the roads, a turnaround should be identified on the side street, and a sidewalk along Weaver Road is recommended.

### CONCLUSION

- A. The request for the proposed zoning map amendment and change of concept plan needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of Kentucky Revised Statute (KRS) 100.213, Article 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Michael D. Schwartz  
Director, Zoning Services

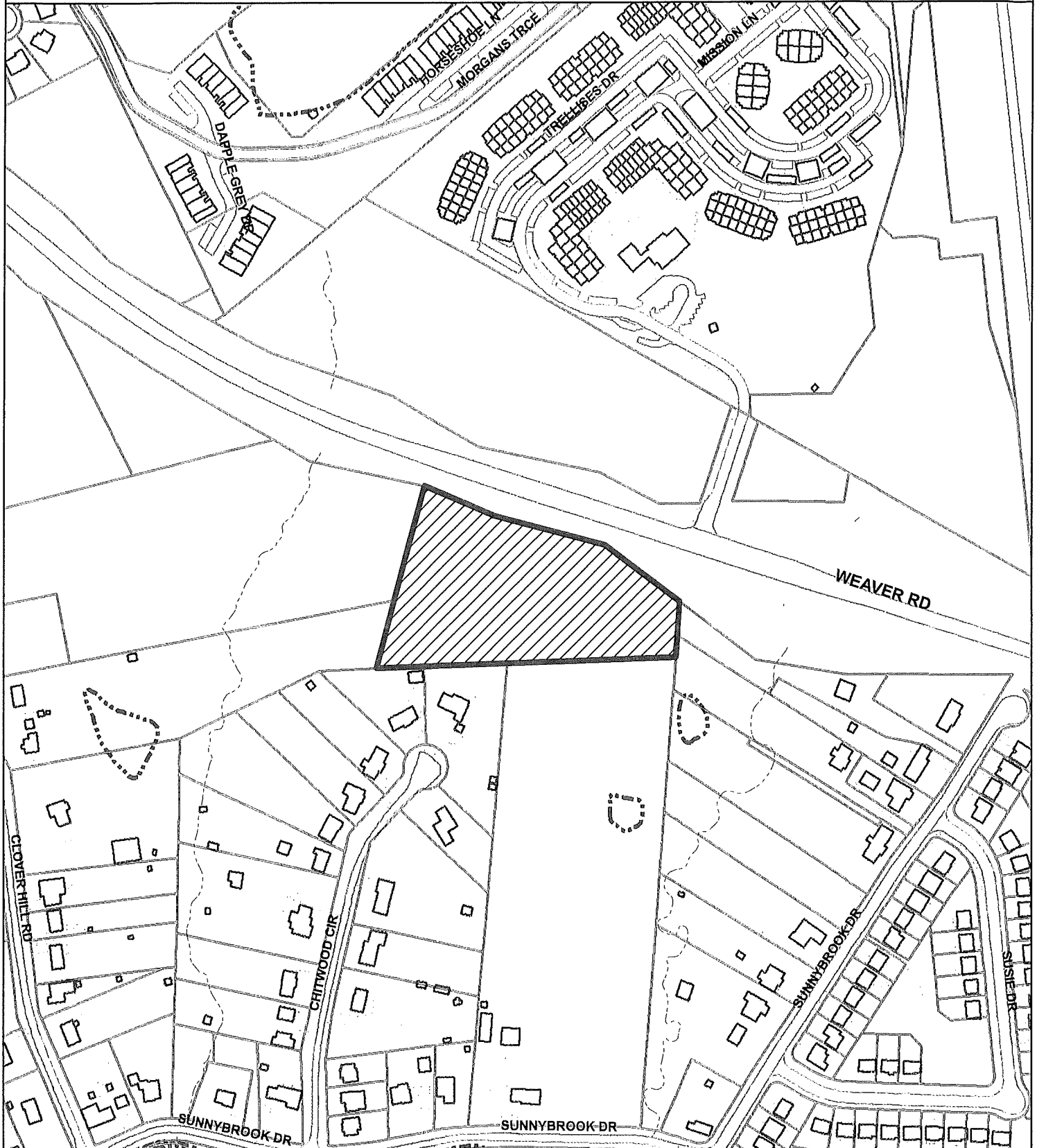
MDS/ss

### Attachments:

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

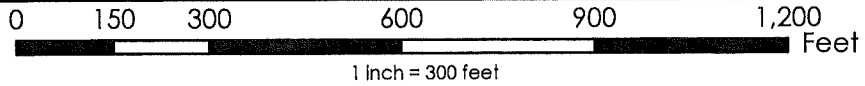
# Vicinity Map

www.boonecountygis.com

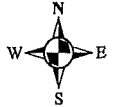


Copyright 2021 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



**Boone County GIS**



Map Created: xx/xx/2021

File Path: C:\work\2021\2021\_1111  
ArcMap Document: \*.mxd

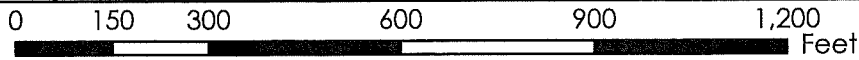
# Aerial Map

www.boonecountygis.com

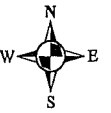


Copyright 2021 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



**Boone County GIS - Putting Northern Kentucky on the Map**



Map Created: xx/xx/2021

Map File: 17.mxd  
ArcMap Document: \*.mxd

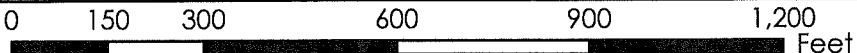
# Topographical Map

www.boonecountygis.com



Copyright 2021 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 = 300 feet



**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: xx/xx/2021

Boone County GIS  
ArcMap Document: \*.mxd

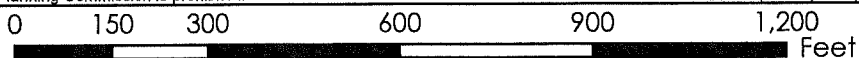
# Zoning Map

www.boonecountygis.com



Copyright 2021 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 = 300 feet

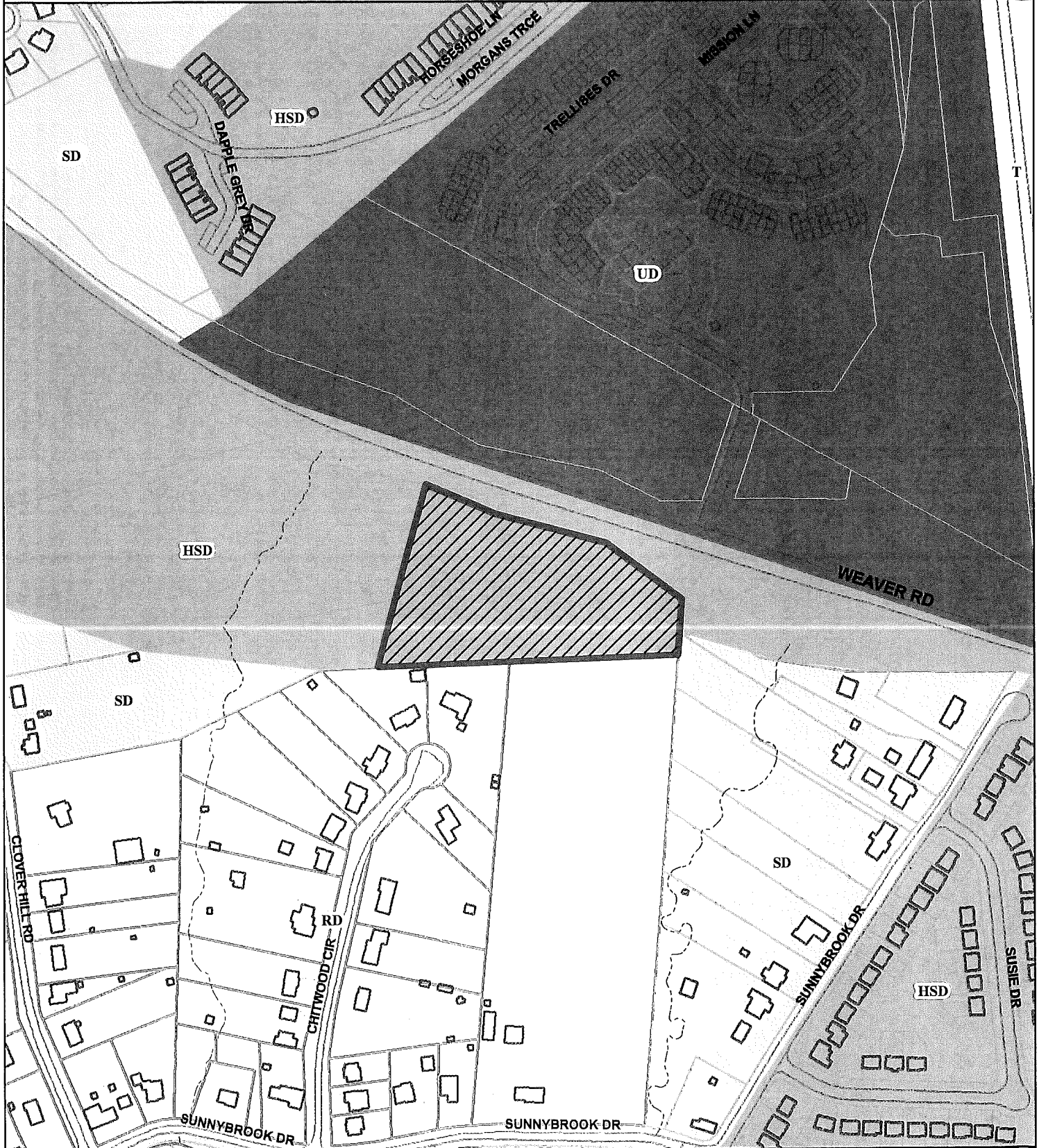


**Boone County GIS - Putting Northern Kentucky on the Map**



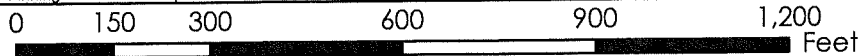
# 2020 Future Land Use Map

www.boonecountygis.com



Copyright 2021 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 = 300 feet



**Boone County GIS - Putting Northern Kentucky on the Map**





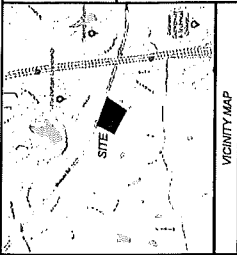




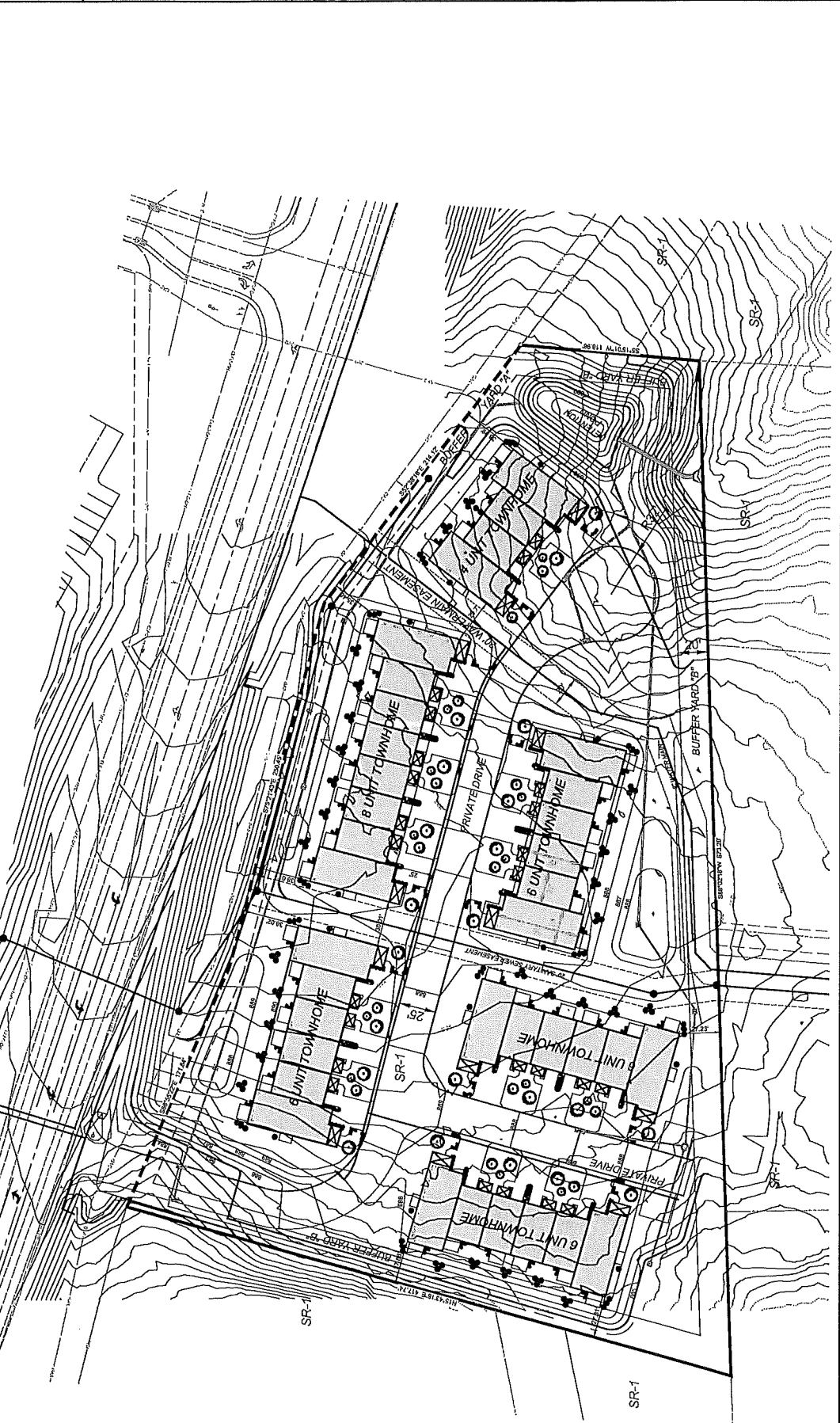
NO.	REVISION	DATE

CONCEPT PLAN  
 UNINCORPORATED AREA OF BOONE COUNTY  
 2248 GILBERT AVE SUITE 208 CINCINNATI, OH 45208  
 SL WEAVER INVESTMENTS  
 CLEAR SIGHT TOWNHOMES

PROJECT NO.	210811
DATE	
SCALE	
DESIGNED BY	
CHECKED BY	
DATE	



- NOTES:
1. SITE IS CURRENTLY ZONE SR-1, PROPOSED ZONING REQUESTED IS UR-2.
  2. SITE IS CURRENTLY ZONED SR-1, PROPOSED ZONING REQUESTED IS UR-2.
  3. CURRENT OWNERS SL WEAVER INVESTMENTS LLC ACQUIRED THE PROPERTY BY DEED RECORDED IN DEED BOOK D131 PAGE 13 OF THE DEED BOOK D131.
  4. KYLE COURT AND SEAR COURT ARE PRIVATE STREETS WITH A WIDTH OF 25 FEET.
  5. KYLE COURT WILL ACCESS THE LIMITED ACCESS RIGHT-OF-WAY OF WEAVER ROAD AS SHOWN ON THE KYTC PLANS FOR THE IMPROVEMENTS.
  6. WEAVER ROAD IS A PUBLIC STREET WITH WATERS WIDTH OF 100 FEET.
  7. THIS SITE WILL BE SERVED BY BOONE COUNTY WATER, DEPARTMENTS AND SEWER.
  8. THE SITE WILL BE SERVED BY A PUBLIC SANITARY SEWER OWNED BY THE CITY OF CINCINNATI.
  9. THE SITE WILL HAVE LIMITED QUALITY WALLS AND A DETENTION BASIN AS SHOWN HEREON.
  10. PROJECT SITE IS 4.1590 ACRES ACCORDING TO DEED BOOK D171 PAGE 13.



**EXHIBIT**

**“B”**

**ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT**

**TO:** Boone County Planning Commission

**FROM:** Corrin Gulick, Chairwoman

**DATE:** April 6, 2022

**RE:** Request of **SL Weaver Investments, LLC, per Archie Searp (applicant and owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane, and being generally across from Trellises Drive, Boone County. The request is for a zone change to allow the development of thirty-six (36) attached single-family residential dwellings.

**REMARKS:**

1. We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the finding of fact and conditions, if deemed necessary, to complete the Committee Report.
2. We, the Committee, recommend approval of the above referenced zoning map amendment based on the following findings of fact:

**FINDINGS OF FACT:**

1. The Committee has concluded that the proposed UR-2 district, along with the submitted concept development plan, is consistent with Our Boone County – Plan 2040, which designates the site for High Suburban Density Residential uses which is described as single-family and/or attached housing of up to 8 dwelling units per acre.
2. The Committee has concluded that the proposed UR-2 district, along with the proposed concept development plan, is consistent with the following Our Boone County – Plan 2040 Goals and Objectives:
  - a. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).
  - b. 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).
  - c. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  - d. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs (Demographics Goal B, Objective 1).

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Clear Sight Townhomes

April 6, 2022

Page 2

- e. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density (Demographics Goal B, Objective 4).
  - f. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features (Demographics Goal B, Objective 8).
  - g. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
3. The Committee has concluded that the proposed development is consistent with several sections of Our Boone County – Plan 2040, as outlined on pages 4 through 6 of the staff report.
4. In making these findings, the Committee notes that the proposed UR-2 district, along with the submitted concept development plan, will:
- a. Allow for the development of 36 attached single-family residential dwelling units at an intensity of 8.7 units per acre.
  - b. Provide for a development which is consistent with the intensity of other areas within the vicinity of the site in question.
  - c. Provide for a residential intensity that is consistent with being bordered by an arterial street.
5. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County – Plan 2040 and to mitigate foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS:

- 1. Development shall be consistent with the submitted Concept Development Plan, except as modified by these conditions.
- 2. Development shall meet the minimum requirements of the zoning regulations and the subdivision regulations, except as modified by these conditions.
- 3. Sidewalks shall be provided along both sides of all streets with the exception of the first approximate 150 feet of the entrance drive, where a sidewalk shall be required on one side of the street.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Clear Sight Townhomes

April 6, 2022

Page 3

4. Building mounted signage shall be limited to building numbers or address ranges.
5. The property owner/developer shall, at their expense, construct any off-site improvements required by the Kentucky Transportation Cabinet.
6. The property owner/developer shall either: (1) construct a sidewalk along Weaver Road, fronting the site in question; (2) provide a bond for the cost of constructing a sidewalk along Weaver Road, fronting the site in question; or (3) construct a sidewalk within the development, that is open to the public, from their west property line to the Weaver Road right-of-way line in the east part of the site.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Development Plan Committee Vote.

**ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE**

TO: Boone County Planning Commission  
FROM: Corin Gulick, Chairwoman  
DATE: March 16, 2022

**ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Corrin Gulick, Chairwoman, Michael Schwartz, Staff**

1. Request of **SL Weaver Investments, LLC, per Archie Searp (applicant and owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane, and being generally across from Trellises Drive, Boone County. The request is for a zone change to allow the development of thirty-six (36) attached single-family residential dwellings.

**REMARKS:**

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Via Live Teleconference  
**Janet Kegley**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

Via Live Teleconference  
**Corrin Gulick (Chairwoman)**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

Via Live Teleconference  
**Rick Lunnemann**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Randy Bessler (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

Via Live Teleconference  
**Kim Patton**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Steve Turner (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

Via Live Teleconference  
**Steve Harper**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Jackie Steele (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_

Recorded by Michael D. Schwartz  
Director, Zoning Services

TOTAL:    \_\_\_\_\_ DEFERRED    5 FOR PROJECT    \_\_\_\_\_ ABSENT  
          \_\_\_\_\_ AGAINST PROJECT    \_\_\_\_\_ ABSTAIN

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Kathy Clark  
Mrs. Pamela Goetting  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Tom Szurlinski  
Mr. Steve Turner  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mr. David Hincks  
Mr. Kim Patton, Vice Chairman  
Mrs. Jackie Steele

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael D. Schwartz, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner  
Ms. Alaina Hagenseker

Chairman Rolfsen introduced the second item on the Agenda at 9:05 p.m.

**ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN,  
Michael Schwartz, Staff**

1. Request of **SL Weaver Investments, LLC, per Archie Searp (applicant and owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane, and being generally across from Trellises Drive, Boone County. The request is for a zone change to allow the development of thirty-six (36) attached single-family residential dwellings.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation. The site contains approximately 4 acres off Weaver Road between Sam Neace Drive and Saddlebrook Lane. It has 636 feet of road frontage along Weaver Road. The site is vacant and heavily wooded. He described the surrounding land uses. The site is currently zoned SR-1. Across the street is an existing UR-2 zoning district. The proposed zoning district allows multi-family units up to 20 units per acre. Page 1 of the Staff Report includes applicable regulations that apply to the specific request. The site is relatively flat in the middle and then slopes to the east and west at an average grade of 8%. The 2040 Future Land Use Map designates the site for High Suburban Density Residential (HSD) for up to 8 dwelling units per acre. Access to the site is from Weaver Road. An exclusive eastbound left turn lane is provided for access to Trellis Drive. Pages 2-5 of the Staff Report references portions of the Comprehensive Plan. The Comprehensive Plan also suggests a road connection from Weaver Road to Mt. Zion Road west of I-75 on the eastern edge of the site. Mr. Schwartz showed photographs of the site. The submitted Concept Development Plan shows the construction of 36 attached single family townhomes in 6 buildings. The intensity of the development is 8.7 units per acre. The proposed development will be served by a private street. Public water service will be provided from the Boone County Water District and sanitary sewer service from SD1. The Kentucky Transportation Cabinet has approved the applicant's Traffic Impact Study.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jim Bertrum, project engineer, stated that he has been working out the sanitary sewer service to the site for a number of years. He noted the presence of a large mound near Weaver Road. They will have to level out this area to create lots. It could also be a natural berm along Weaver Road. They will meet all the landscaping requirements on the perimeter. Weaver Road is a limited access road so they only have one curb cut. They have performed a Traffic Impact Study for their site and the site across the street. Each unit will have a different façade and color. Each unit would be 2 story, 3 bedroom units with room for 1 car garage and 1 surface parking space. There will also be ranch units at the end of each building. Mr. Bertrum showed the route for the new sanitary sewer as SD1 has already approved it. Construction of the sanitary sewer will occur in the Spring. The water connection has already been approved.

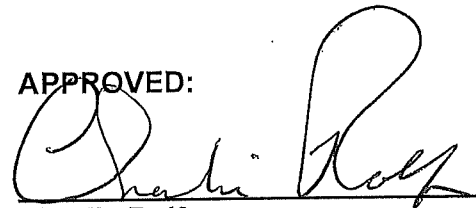
The Staff Report includes comments from the Boone County Public Works Department. The parking calculations include 72 spaces with 36 garages and 36 paved spaces. They will probably add some parking spaces on the cul-de-sac street. A sidewalk is proposed on one side of the entrance drive due to the steepness of the grade. Beyond that, sidewalks will be provided on both sides of the street and side roads. He asked the Board not to require sidewalks on Weaver Road due to the steepness of the grade. They will include a "t" turnaround at the end of the side streets.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no one, Chairman Rolfsen asked if any Board members had any questions or comments?

Chairman Rolfsen inquired about not having a sidewalk on Weaver Road? Mr. Costello responded that the developer should provide a sidewalk or investigate whether the State will install a sidewalk. Weaver Road was originally built as a rural arterial with no sidewalks. The area has developed over time and sidewalks have been added to Weaver Road by the State, City of Florence and other developers. Chairman Rolfsen reminded everyone that Weaver Road is where a few people died while walking. It is important to have connectivity.

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 16, 2022 at 5:00 P.M. via live video teleconference. This item will be on the Agenda for the Business Meeting on April 6, 2022 at 7:00 p.m. in the Fiscal Courtroom. The Chairman Rolfsen closed the Public Hearing at 9:25 p.m.**

APPROVED:



Charlie Rolfsen  
Chairman

Attest:



Kevin P. Costello, AICP  
Executive Director

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Kathy Clark  
Mrs. Pamela Goetting  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Tom Szurlinski  
Mr. Steve Turner  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mr. David Hincks  
Mr. Kim Patton, Vice Chairman  
Mrs. Jackie Steele

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael D. Schwartz, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner  
Ms. Alaina Hagenseker

Chairman Rolfsen introduced the second item on the Agenda at 9:05 p.m.

**ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN,  
Michael Schwartz, Staff**

1. Request of **SL Weaver Investments, LLC, per Archie Searp (applicant and owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane, and being generally across from Trellises Drive, Boone County. The request is for a zone change to allow the development of thirty-six (36) attached single-family residential dwellings.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation. The site contains approximately 4 acres off Weaver Road between Sam Neace Drive and Saddlebrook Lane. It has 636 feet of road frontage along Weaver Road. The site is vacant and heavily wooded. He described the surrounding land uses. The site is currently zoned SR-1. Across the street is an existing UR-2 zoning district. The proposed zoning district allows multi-family units up to 20 units per acre. Page 1 of the Staff Report includes applicable regulations that apply to the specific request. The site is relatively flat in the middle and then slopes to the east and west at an average grade of 8%. The 2040 Future Land Use Map designates the site for High Suburban Density Residential (HSD) for up to 8 dwelling units per acre. Access to the site is from Weaver Road. An exclusive eastbound left turn lane is provided for access to Trellis Drive. Pages 2-5 of the Staff Report references portions of the Comprehensive Plan. The Comprehensive Plan also suggests a road connection from Weaver Road to Mt. Zion Road west of I-75 on the eastern edge of the site. Mr. Schwartz showed photographs of the site. The submitted Concept Development Plan shows the construction of 36 attached single family townhomes in 6 buildings. The intensity of the development is 8.7 units per acre. The proposed development will be served by a private street. Public water service will be provided from the Boone County Water District and sanitary sewer service from SD1. The Kentucky Transportation Cabinet has approved the applicant's Traffic Impact Study.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jim Bertrum, project engineer, stated that he has been working out the sanitary sewer service to the site for a number of years. He noted the presence of a large mound near Weaver Road. They will have to level out this area to create lots. It could also be a natural berm along Weaver Road. They will meet all the landscaping requirements on the perimeter. Weaver Road is a limited access road so they only have one curb cut. They have performed a Traffic Impact Study for their site and the site across the street. Each unit will have a different façade and color. Each unit would be 2 story, 3 bedroom units with room for 1 car garage and 1 surface parking space. There will also be ranch units at the end of each building. Mr. Bertrum showed the route for the new sanitary sewer as SD1 has already approved it. Construction of the sanitary sewer will occur in the Spring. The water connection has already been approved.

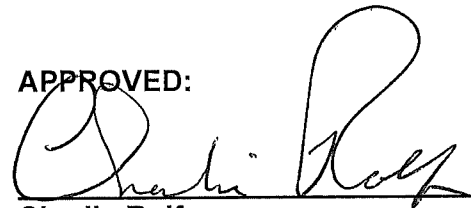
The Staff Report includes comments from the Boone County Public Works Department. The parking calculations include 72 spaces with 36 garages and 36 paved spaces. They will probably add some parking spaces on the cul-de-sac street. A sidewalk is proposed on one side of the entrance drive due to the steepness of the grade. Beyond that, sidewalks will be provided on both sides of the street and side roads. He asked the Board not to require sidewalks on Weaver Road due to the steepness of the grade. They will include a "t" turnaround at the end of the side streets.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no one, Chairman Rolfsen asked if any Board members had any questions or comments?

Chairman Rolfsen inquired about not having a sidewalk on Weaver Road? Mr. Costello responded that the developer should provide a sidewalk or investigate whether the State will install a sidewalk. Weaver Road was originally built as a rural arterial with no sidewalks. The area has developed over time and sidewalks have been added to Weaver Road by the State, City of Florence and other developers. Chairman Rolfsen reminded everyone that Weaver Road is where a few people died while walking. It is important to have connectivity.

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 16, 2022 at 5:00 P.M. via live video teleconference. This item will be on the Agenda for the Business Meeting on April 6, 2022 at 7:00 p.m. in the Fiscal Courtroom. The Chairman Rolfsen closed the Public Hearing at 9:25 p.m.**

APPROVED:



Charlie Rolfsen  
Chairman

Attest:



Kevin P. Costello, AICP  
Executive Director

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY FISCAL COURTROOM  
BURLINGTON, KENTUCKY  
BUSINESS MEETING  
APRIL 6, 2022  
7:00 P.M.**

---

Chairman Charlie Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's April 6, 2022 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Kathy Clark  
Mrs. Pamela Goetting  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mr. David Hincks  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Kim Patton, Vice Chairman  
Mr. Charlie Rolfsen, Chairman  
Mrs. Jackie Steele, Secretary/Treasurer  
Mr. Tom Szurlinski  
Mr. Steve Turner  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Bob Schwenke

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael Schwartz, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner  
Mrs. Alaina Hagenseker, Planner

**APPROVAL OF THE MINUTES:**

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the March 16, 2022 Business Meeting and Public Hearing. Chairman Rolfsen asked if there were any other comments or corrections?

Mr. Patton moved to approve the Minutes as presented. Mr. Harper seconded the motion and it carried unanimously.

**BILLS:**

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between March 3, 2022 and April 6, 2022.

**EXPENSES:**

Accounting Fees	\$ 874.16
Attorney Fees	4,200.00
Auto Expense	153.09
Consultant/Professional Svcs Fees	2,360.00
Filing Fees (CLURS)	1,700.00
Legal Ads/Recruitment	52.66
Miscellaneous Expense	102.95
Office & Board Meeting Supplies	526.40
Office / Equipment Maintenance	335.49
Office Equipment / Expense	1,474.80
Printing/Pub/Dues/Subscriptions	<u>913.39</u>

**TOTAL: \$ 12,692.94**

**SALARIES AND BENEFITS:**

FICA-BCPC Portion	\$ 7,829.40
Health/Dental/Life/LTD	14,287.47
Retirement – BCPC Portion	23,065.97
Salaries – Staff Expenses	107,210.72
Salaries – BCPC & BOA	<u>1,840.00</u>

**TOTAL: \$154,233.56**

**GRAND TOTAL: \$166,926.50**

Ms. Gulick moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Patton seconded the motion and it carried unanimously.

TEXT AMENDMENTS, Rick Lunnemann, Chairman, Michael Schwartz, Staff

1. Request of the **Walton City Council** to consider Zoning Text Amendments to Section 3154, Outside Storage, Display, and Loading Areas, of the Boone County Zoning Regulations to: (1) allow outside storage, display, and loading areas within front and corner side yards; (2) allow outside storage, display, and loading areas along the front of a building and along the edge of designated off-street parking areas; and (3) exempt outside storage, display, and loading areas from meeting certain screening requirements, when specific locational requirements are met. The request is to hear and evaluate comments on proposed Text Amendments and how they affect the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts (see Committee Report). He noted that the Committee Members present at the Committee Meeting voted unanimously to approve the request. Staff received a communication from the Walton City Attorney. He identified a technical addition that should be made. It is identified in red on the projector screen. In paragraph 3, the additional language states "and the cities and Walton and Union except as provided in paragraph 5 of this section for the City of Walton only." Paragraph 5 is the one paragraph that is being added. It doesn't change the substance and the effect of the regulation. Staff believes that the wording is not necessary because it begins with not withstanding any other provisions of this section, but if the City Attorney feels that it is important to include, then it would be appropriate to include the additional language.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Seeing no one, Chairman Rolfsen asked if there was a motion to proceed? **Mr. Lunnemann moved to approve the Request with one amendment to the proposed text by Resolution to the City of Walton only based upon the Committee Report and subject to the Findings of Fact.** Chairman Rolfsen asked if the amended wording will affect other sites? Mr. Schwartz replied not at the present time. If a zone change came in later on, it could affect the locational requirements for other sites. If it does, it would be very few sites. **Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Mr. Hicks. It passed unanimously.**

ZONING MAP AMENDMENT/CHANGE IN CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Michael Schwartz, Staff

2. Request of **Choice Engineering, per Michael Seeger (applicant) for Em-Non Acres Limited Partner, Dennis and Margaret Davis, Don and Rita Davis, and Richard and Sarah Ruth Davis (owners)** for (1) a Zoning Map Amendment from Employment Planned Development (EPD) and Commercial Services (C-3) to Public Facilities/Planned Development (PF/PD), and a Change in an Approved Concept Development Plan in an EPD district, for an approximate 33 acre area located at the terminus of Davis Lane, Boone County, Kentucky (Area 1); (2) a Zoning Map Amendment from Employment Planned Development (EPD) to C-3, and a Change in an Approved Concept Development Plan in an EPD district, for an approximate 12 acre area located at the southeast and southwest corners of

the intersection of Richwood Road with Grand National Boulevard, including the properties located at 460, 468, and 476 Davis Lane, Boone County, Kentucky (Area 2); and (3) a Zoning Map Amendment from Employment Planned Development (EPD) to Public Facilities (PF), for an approximate 6 acre area located along the southwest side of Grand National Boulevard, between Richwood Road and Overland Ridge, approximately 700 feet southeast of Richwood Road, Boone County, Kentucky (Area 3). The request is for zone changes and change in an approved concept development plan to allow the development of an assisted living facility, an independent living facility, independent living villas, a future commercial development, and future public facilities.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions (see Committee Report). Mr. Schwartz showed a copy of the revised Concept Development Plan based upon the comments made at the Public Hearing. The Committee Members present at the Committee Meeting voted unanimously to approve the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Mr. Ryan Tebow, Provisional Living, thanked the Staff for helping his company to get through the process. Mr. Schwartz was a tremendous help. He is available to answer any questions.

Chairman Rolfsen asked if there was a motion to proceed? **Mrs. Kegley moved to approve the Request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Goetting seconded the motion and it carried unanimously.**

**ZONING MAP AMENDMENT , Corrin Gulick, Chairwoman, Michael Schwartz, Staff**

3. Request of **SL Weaver Investments, LLC, per Archie Searp (applicant and owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane, and being generally across from Trellises Drive, Boone County. The request is for a zone change to allow the development of thirty-six (36) attached single-family residential dwellings.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions (see Committee Report). All Committee Members present at the Committee Meeting voted unanimously in favor of the request. Chairman Rolfsen asked Staff about the sidewalk condition? Is it about topography along Weaver Road? Mr. Schwartz replied that there was a very long discussion about the sidewalk. There is a significant grade and utility issues. The applicant also has to provide perimeter landscaping. There is no room to do it and that is why there are three options.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Mr. Jim Bertrum, P.E., project engineer, stated that he is present and is in agreement with the last condition regarding the sidewalk. They have signed the condition letter and he is available to answer any questions.

Chairman Rolfsen asked if there was a motion to proceed? **Ms. Gulick moved to approve the Request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Lunnemann seconded the motion and it passed unanimously.**

**ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Todd Morgan, Staff**

4. Request of **Riegler Blacktop, Inc., per Dan Riegler (applicant) for Dr. James Wright (owner)** for a Zoning Map Amendment from Union Commercial (UC) to Union Commercial/Planned Development (UC/PD), and a Change in an Approved Concept Development Plan in a UC district, for an approximate 2.5 acre area located along the east side of US 42, between Frogtown Road and Callie Way, being the properties located at 10350 and 10358 US 42, Union, Kentucky. The request is for a zone change and change in an approved concept development plan to allow the development of two multi-tenant commercial buildings.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions (see Committee Report). The Committee Members present at the Committee Meeting voted unanimously in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a total of 5 minutes on either side?

Mr. Dan Riegler, applicant, stated that he was available to answer any questions regarding the project.

Chairman Rolfsen asked if there was a motion to proceed? **Mr. Harper moved to approve the Request by Resolution to the City Union based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Szurlinski seconded the motion.** Chairman Rolfsen asked if Staff had a revised drawing of the buildings based upon the Conditions? Mr. Morgan referred to them and noted that the knee walls were required on the U.S. 42 side. The windows would not be reflective. There is also outdoor screening for the CO<sub>2</sub> tanks. **Chairman Rolfsen asked for a vote on the original motion made by Mr. Harper and seconded by Mr. Szurlinski. The motion passed unanimously.**

**NEW BUSINESS:**

**CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff**

5. Request of **Viox and Viox, Inc., per Michelle Bollman (applicant) for Shihasi KY, LLP (owner)** for a Change in an Approved Concept Development Plan in a

Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) district for an approximate 3.2 acre area located at 7484-7488 Turfway Road, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to redevelop a portion of the site with an 8,770 square foot commercial building.

**ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff**

6. Request of **Arlinghaus I, LLC, per Bob Schroder (applicant) for Carol Ray and Paul Medin (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) district to Suburban Residential One (SR-1) district for an approximate 81 acre area located along the north side of Hathaway Road, between Old Union Road and Spruce Lane, approximately 2,400 feet east of Spruce Lane, being directly across from Meiman Road and having a Parcel Identification Number (PIDN) of 052.00-00-028.03, Boone County and Union, Kentucky and a request of **Arlinghaus I, LLC, per Bob Schroder (applicant and owner)** for a Change in an Approved Concept Development Plan in an Agricultural Estate/Union Town Overlay (A-2/UTO) district for an approximate 14 acre area located at the terminus of Westfield Lane, Union, Kentucky. The request is for a zone change to allow a single-family residential subdivision and to amend the design and layout of a previously approved portion of a single-family residential subdivision.

**ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Alaina Hagenseker, Staff**

7. Request of **Vision Engineering, LLC, per Jihad Hillany (applicant) on behalf of Turfway Gaming and Racing for RNS Properties, LLC (owner)** for a Zoning map Amendment for a Special Sign District for an approximate 2.4 acre site located at 4885 Houston Road, Florence, Kentucky. The request is for an amendment to the Turfway Park Special Sign District to allow an off-site free standing sign in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) district.

**Mrs. Goetting moved to schedule the Public Hearings for Items #5, 6 & 7 on May 4, 2022 at 7:30p.m. in the Fiscal Courtroom. Mrs. Steele seconded the motion and it passed unanimously.**

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Kevin P. Costello, AICP, introduced the Planning Commission's newest employee, Ms. Alaina Hagenseker. She is a planner and has been with the Planning Commission for about 3 months. Mr. Costello noted that the Airport Committee meeting scheduled for April 21<sup>st</sup> has been cancelled due to scheduling conflicts. It will be rescheduled in May. He will let everyone know about the new date.

**COMMITTEE REPORTS:**

**AIRPORT:** Mr. Bessler  
No Report

**ADMINISTRATIVE/PERSONNEL:** Mr. Szurlinski  
No Report

**ENFORCEMENT:** Mr. Szurlinski  
No Report

**LONG RANGE PLANNING/COMPREHENSIVE PLAN:** Mr. Schwenke  
No Report

**TECHNICAL/DESIGN REVIEW:** Mr. Lunnemann  
No Report

**EXECUTIVE:** Chairman Rolfsen  
No Report

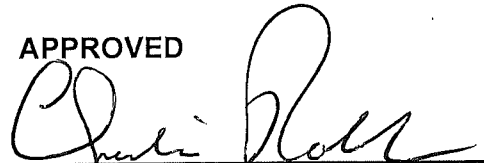
**CHAIRMAN:** Chairman Rolfsen

**OKI:** Mr. Patton  
No Report

**OTHER:**

There being no further business to come before the Planning Commission, **Mrs. Steele** moved to adjourn the meeting. **Mr. Patton** seconded the motion and it passed unanimously. The meeting was adjourned at 7:38 P.M.

APPROVED



**Charlie Rolfsen**  
**Chairman**

**Attest:**



**Kevin P. Costello, AICP**  
**Executive Director**

# **SUPPORTING INFORMATION**

4  
[Handwritten signature]

**GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: that **PINE COVE DEVELOPMENT, LLC**, a Kentucky Limited Liability Company ("Grantor"), for and in consideration of \$150,000.00, the receipt of which is acknowledged, does bargain, sell, and convey, with general warranty covenants, to **SL WEAVER INVESTMENTS, LLC**, a Kentucky Limited Liability Company ("Grantee"), all of Grantor's right, title and interest in the following described real estate:

Property Address: 4.1540 Acres, Weaver Road, Florence, Kentucky 41042

Grantee's Mailing Address: 2245 Gilbert Avenue, Suite 205, Cincinnati, Ohio 45206

Grantor's Mailing Address: 189 Weber Lane, Florence, Kentucky 41042

Tax Mailing Address: 2245 Gilbert Avenue, Suite 205, Cincinnati, Ohio 45206

PIDN: 062.00-00-079.07

Group: 2048B

Situated in the Commonwealth of Kentucky, Boone County, being part of a tract of land heretofore conveyed to Donald S. and Patricia Fullerton by deed, recorded in Deed Book 292, Page 151 of the Boone County deed records on file in Burlington, KY, and being more particularly described as follows:

Beginning at a found 1/2" iron pin (L.S. 310) in the southerly right-of-way of Weaver Road and being the northwesterly corner of a tract of land heretofore conveyed to William T. and Novelle Marshbanks by deed, recorded in Deed Book 552, Page 227 of said County Records;

Thence along the westerly line of said Marshbanks tract and the westerly line of a tract of land heretofore conveyed to William Carl and Athalena King by deed, recorded in Deed Book 317, Page 26 of said County records S 05°16'14" W, 118.98 feet to a found 1/2" iron pin (L.S. 2030) at the northeasterly corner of a tract of land heretofore conveyed to John R. and Wilma Ross by deed, recorded in Deed Book 158, Page 309 of said County Records.

Thence along the northerly line of said Ross tract and the northerly line of a tract of land heretofore conveyed to Jack J. and Ruth Johnson by deed, recorded in Deed Book 288, Page 23 of said County records, and the northerly line of a tract of land heretofore conveyed to Edward L. and Carol Paul by deed, recorded in Deed Book 415, Page 71 of said County records, S 88°03'32" W, passing a set witness pin at 668.29 feet, a total distance of 673.29 feet to a found corner post at the southeasterly corner of a tract of land heretofore conveyed to Cecil E. and Linda Reeves by deed, recorded in Deed Book 403, Page 236 of said County records;

Thence along the easterly line of said Reeves tract and the easterly line of a tract of land heretofore conveyed to John E. and Evelyn Jones by deed, recorded in Deed Book 183, Page 178 of said County records N 15°44'30" E, passing a set witness pin at 5.00 feet, a total distance of 417.74 feet to a set iron pin in the southerly right-of-way of Weaver Road.

Thence along said southerly right-of-way the following three (3) courses:

1. S 66°54'09" E, 171.84 feet to a set iron pin;
2. S 75°20'30" E, 250.45 feet to a set iron pin;
3. S 52°37'05" E, 214.12 feet to the Point of Beginning;

RETURN TO: PG 3

Containing 4.1540 acres of land, more or less, subject to easements, conditions, restrictions, and rights-of-way of record.

Iron pins called to be set are 5/8" iron pins, twenty-four inches in length, with an orange cap stamped One Eleven #3423-3722.

The above description and bearing system is based on the southerly line of Trellises Kentucky I, Ltd. as recorded in Deed Book 621, Page 531 of said County records. It is further based on a field survey made by One Eleven Engineering and Surveying PLLC dated March 19, 2007.

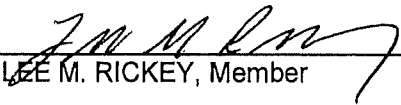
Together with all the privileges and appurtenances to the same belonging. Subject to all easements, conditions, restrictions, legal highways, rights-of-way of record and/or in existence and taxes not yet due and payable. To have and to hold the same to the said Grantee, and Grantee's successors and assigns forever.

Prior Deed Reference: Being the same property conveyed to Pine Cove Development LLC, a Kentucky Limited Liability Company, from Lee M. Rickey and Bonnie Rickey, his wife; James Hartberger and Patricia Hartberger, his wife; Cleddie Keith and Gaynell Keith, his wife; and Vernel Perry and Donna Perry, his wife, by Deed of Correction dated July 26, 2019, of record July 26, 2019 in Deed Book 1129, Page 978, AND further conveyed by Warranty Deed dated July 11, 2019, of record July 23, 2019 in Deed Book 1129, Page 811, in the Boone County, Kentucky Clerk's office. ✓

IN WITNESS WHEREOF, the said Grantor, **Pine Cove Development, LLC**, a Kentucky Limited Liability Company, is executing this Deed as of this 9th day of August, 2019.

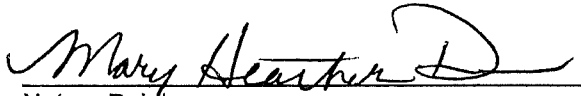
GRANTOR:

**PINE COVE DEVELOPMENT, LLC**  
a Kentucky Limited Liability Company

By:   
LEE M. RICKEY, Member

STATE OF OHIO )  
 ) ss:  
COUNTY OF HAMILTON )

The foregoing instrument was subscribed, sworn and acknowledged before me this 9<sup>th</sup> day of August, 2019, by **Lee M. Rickey**, in his capacity as a Member of **PINE COVE DEVELOPMENT, LLC**, a Kentucky Limited Liability Company and the Grantor in the foregoing deed, as his/her voluntary and free act on behalf of the company.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

RETURN TO

  
\_\_\_\_\_  
This instrument prepared by:  
ROBERT C. HASSMAN JR., ESQ.  
DOYLE & HASSMAN, LLC  
2245 Gilbert Avenue, Suite 205  
Cincinnati, Ohio 45206  
513-321-0900



MARY HEATHER DONNER  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
September 30, 2023

CONSIDERATION CERTIFICATE

PINE COVE DEVELOPMENT, LLC, a Kentucky Limited Liability Company and the Grantor in the foregoing deed, and SL WEAVER INVESTMENTS, LLC, a Kentucky Limited Liability Company and the Grantee in the foregoing deed, do hereby certify, pursuant to KRS Chapter 382, that the consideration reflected in this deed, in the amount of \$150,000.00, is the true, correct and full consideration paid for the property herein conveyed. Grantor, Grantor's spouse, and Grantee further certify their understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one (1) to five (5) years imprisonment and fines up to Ten Thousand Dollars (\$10,000.00).

PINE COVE DEVELOPMENT, LLC
a Kentucky Limited Liability Company

By: [Signature]
LEE M. RICKEY, Member

SL WEAVER INVESTMENTS, LLC
a Kentucky Limited Liability Company

By: [Signature]
ARCHIE SEARP, Manager

STATE OF OHIO )
COUNTY OF HAMILTON ) ss:

The foregoing instrument was subscribed, sworn and acknowledged before me this 9th day of August, 2019, by Lee M. Rickey, in his capacity as a Member of PINE COVE DEVELOPMENT, LLC, a Kentucky Limited Liability Company and the Grantor in the foregoing deed, as his/her voluntary and free act on behalf of the company.

STATE OF OHIO
COUNTY OF HAMILTON

MARY HEATHER DONNER
Notary Public
In and for the State of Ohio
My Commission Expires
September 30, 2023

[Signature]
Notary Public
My Commission Expires:

The foregoing instrument was subscribed, sworn and acknowledged before me this 9th day of August, 2019, by ARCHIE SEARP, in his capacity as the Manager of SL WEAVER INVESTMENTS, LLC, a Kentucky Limited Liability Company and the Grantee in the foregoing deed, as his/her voluntary and free act on behalf of the company.

STATE OF OHIO
COUNTY OF HAMILTON

MARY HEATHER DONNER
Notary Public
In and for the State of Ohio
My Commission Expires
September 30, 2023

[Signature]
Notary Public
My Commission Expires:

DOCUMENT NO: 788752
RECORDED ON: AUGUST 12, 2019 12:37:10PM
TOTAL FEES: \$20.00
TRANSFER TAX: \$150.00
GROUP : 28488
COUNTY CLERK: JUSTIN CRIGLER
COUNTY: BOONE COUNTY CLERK
DEPUTY CLERK: MICHELLE E
BOOK D1131 PAGES 13 - 16

20-011

**ORDINANCE 2022-10**

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF SL WEAVER INVESTMENTS, LLC, PER ARCHIE SEARP (APPLICANT AND OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO URBAN RESIDENTIAL TWO (UR-2), FOR AN APPROXIMATE 4.1 ACRE AREA LOCATED ALONG THE SOUTH SIDE OF WEAVER ROAD, BETWEEN SAM NEACE DRIVE AND SADDLEBROOK LANE, APPROXIMATELY 2,600 FEET EAST OF SADDLEBROOK LANE AND BEING GENERALLY ACROSS FROM TRELISES DRIVE, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane and being generally across from Trellises Drive, Boone County, Kentucky, which is more particularly described below; and,

**WHEREAS**, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the for the Zoning Map Amendment.

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:**

**Section One**

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Urban Residential Two (UR-2), for an approximate 4.1 acre area located along the south side of Weaver Road, between Sam Neace Drive and Saddlebrook Lane, approximately 2,600 feet east of Saddlebrook Lane and being generally across from Trellises Drive, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOK: 1131, PAGE NO: 13 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**Section Two**

That as a basis for this approval for a Zoning Map Amendment request are the Findings of Fact, and Conditions, of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A."

The Boone County Planning Commission Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit B."

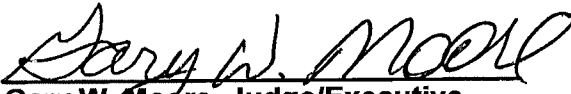
**Section Three**

This Ordinance shall be in effect and in full force from and after its passage, publication and adoptions, according to law.

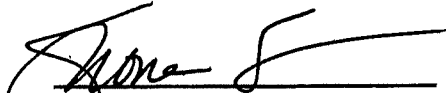
**First Reading the 26<sup>th</sup> day of April, 2022**

**Second Reading the 10<sup>th</sup> day of May, 2022**

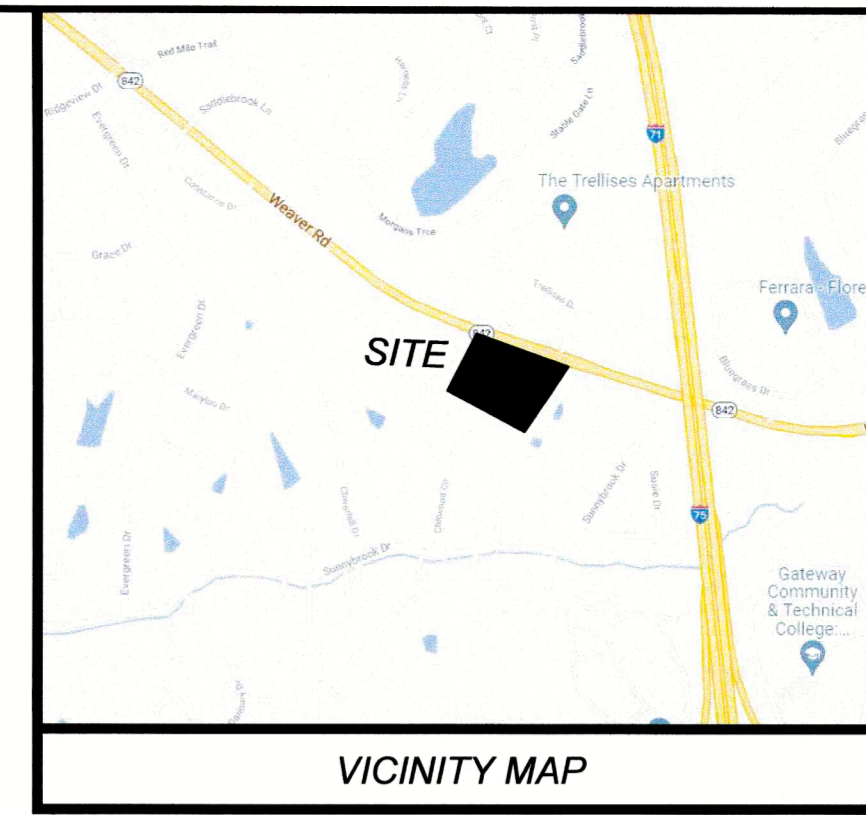
**Adopted this 10<sup>th</sup> day of May, 2022      Yes   4      No   0**

  
**Gary W. Moore, Judge/Executive  
Boone County Fiscal Court**

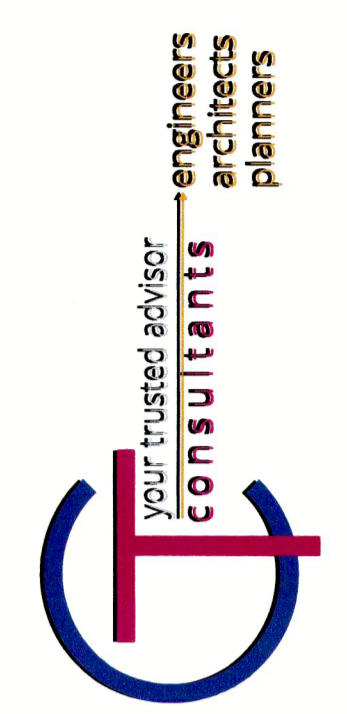
**ATTEST:**

  
**Shona Schulkers,  
Fiscal Court Clerk**

- NOTES:
1. SITE IS CURRENTLY ZONE SR-1, PROPOSED ZONING REQUESTED IS UR-2
  2. THE SITE IS CURRENTLY VACANT.
  3. CURRENT OWNER IS SL WEAVER INVESTMENTS LLC. AQUIRED THE PROPERTY BY DEED RECORDED IN DEED BOOK D1131 PAGE 13 OF THE BOONE COUNTY DEED RECORDS
  4. KYLA COURT AND SEARP COURT ARE PRIVE STREETS WITH A WIDTH OF 25 FEET.
  5. KYLA COURT WILL ACCESS THE LIMITED ACCESS RIGHT-OF-WAY OF WEAVER ROAD AS SHOWN ON THE KYTC PLANS FOR THE IMPROVEMENTS FOR WEAVER ROAD.
  6. WEAVER ROAD IS A PUBLIC STREET WITH VARYING WIDTH OF RIGHT-OF-WAY.
  7. THE SITE WILL BE SERVED BY BOONE COUNTY WATER DEPARTMENT'S WATER MAIN BEING CONSTRUCTED ALONG THE SOUTH SIDE OF WEAVER ROAD.
  8. THE SITE WILL BE SERVED BY A PUBLIC SANITARY SEWER OWNED BY THE SANITATION DISTRICT NO 1'S THAT WILL BE CONSTRUCTED.
  9. THE SITE WILL HAVE WATER QUALITY BASINS AND A DETENTION BASIN AS SHOWNHERE ON.
  10. THE SUBJECT SITE IS 4.1540 ACRES ACCORDING TO DEED BOOK D1131 PAGE 13.



ZONING MAP  
 AMENDMENT  
**APPROVED** with conditions  
 Staff M. Schwartz  
 Date 4/6/2022  
 Boone County  
 Planning Commission



ISSUED FOR:	DATE
ISSUE DATE:	REVISION
SCALE:	NO
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	

**CLEAR SIGHT TOWNHOMES**  
 SL WEAVER INVESTMENTS  
 2245 GILBERT AVE SUITE 205 CINCINNATI, OH 45206  
 UNINCORPORATED AREA OF BOONE COUNTY

PROJECT NO.	210811
DISCIPLINE	CIVIL
SHEET NAME	
SHEET	OF
1	1

