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13. Have you had a pre-application meeting with the BCPC staff: Yes No
14. Have you submitted a Concept Development Plan: Yes No
15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Boone County Building Department
<input type="checkbox"/> Boone County Public Works Department
<input type="checkbox"/> Boone County Water District
<input type="checkbox"/> Cincinnati Bell
<input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport)
<input type="checkbox"/> Duke Energy
<input type="checkbox"/> Florence Public Services Department
<input type="checkbox"/> Kentucky Division of Water
<input checked="" type="checkbox"/> Kentucky Transportation Cabinet | <input type="checkbox"/> Local Fire District
<input type="checkbox"/> Local School District
<input type="checkbox"/> Northern Kentucky Health Department
<input type="checkbox"/> Owen Cooperative Electric, Inc.
<input type="checkbox"/> Sanitation District No. 1
<input type="checkbox"/> USDA NRCS/Boone County Conservation District
<input type="checkbox"/> Other: _____ |
|--|--|

16. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on _____

[Signature] COUNTY ADMINISTRATOR/D.J.E.

ORIGINAL Property Owner's Signature: *Barbara Budes, President,*
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted) *Dismond Horstead,*

ORIGINAL Applicant's Signature: *Barbara Budes, President, Dismond*
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted) *Horstead*

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

1. Date Received: 2/21/23 Fee Received: \$2500.14 Receipt #: 87811
2. Number of Copies Received: 7
3. Has the following been submitted (check all that apply):
 - Completed Application
 - Concept Development Plan
 - Legal Description
 - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: M. Schwartz
6. Committee Chairperson: J. Steele
7. Scheduled Public Hearing Date: 4/5/2023
8. Boone County Planning Commission Action: _____ Date of Action: 5/13/2023
 - _____ Approved
 - Approved with Conditions
 - _____ Denial
 - _____ Other
9. Resolution Number: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
planning@boonecountynv.gov
www.boonecountynv.gov

EXHIBIT

“A”

STAFF REPORT

#1

Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant)** for **Dinsmore Homestead Foundation Inc, per Barbara Bardes** and **County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

April 5, 2023

REQUEST

- A. The submitted request is to rezone an approximate 9.2 acre area located along the northwest side of Burlington Pike, approximately 650 feet southwest of Middle Creek Road, to allow the development of a Heritage Center building (reception hall) and an off-street parking area as an extension of the Dinsmore Homestead historic site.

SITE HISTORY

1842 Dinsmore Homestead was constructed.

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 800 of the Boone County Zoning Regulations states that the purpose of the Conservation district is the protection of natural resources and environmentally sensitive areas, and to prevent these resources and areas from being degraded. The district permits low intensity and low activity uses which are compatible with these resource protection goals. It is not intended for high intensity, high activity,

and potentially damaging uses which are customarily provided in other districts. The types of natural resources and environmentally sensitive areas which are to be protected, maintained, and conserved in this district include large canopy forests, fragile hillsides and highly erodible slopes, habitat for unique fish and wildlife, threatened and endangered species, wetlands, stream corridors, fragile or unstable geologic features such as kope formations, and other sensitive or unique natural areas and features. The Conservation district is based on components of the Boone County Comprehensive Plan, including the Goals and Objectives, Environment Element, Land Use Element, and the Future Land Use Map.

- C. Section 505.1 of the Boone County Zoning Regulations identifies historic sites and structures, monuments and other exhibits available for public viewing as a principally permitted use in the CONS district.
- D. Section 1509.A of the Boone County Zoning Regulations states that the Planning Commission shall require that a Concept Development Plan be submitted for the development or redevelopment of property located in a Planned Development zone. The Concept Development Plan may be filed to the Planning Commission by the owner(s). If the Concept Development Plan involves a zone change, then the proposal is subject to the criteria in Section 308 as well as the provisions of this article. If the Concept Development Plan does not involve a zone change, or only involves uses that are permitted in the underlying zone (formerly called a "Utilization of an Underlying District), then the proposal is subject only to the provisions of this article. The contents of the Concept Development Plan submittal shall include the items listed in Section 303.
- E. Section 4000 of the Boone County Zoning Regulations includes the following definitions:
 - 1. Heritage Tourism: Businesses that promote the experiences of places, artifacts, and activities that authentically represent the stories and people of the past. Typical uses include the retail sale of gifts, novelties, souvenirs, locally made furniture or crafts, eating and drinking establishments, museums, cultural exhibitions, wildlife habitats, amphitheaters, and entertainment assemblies.
 - 2. Reception Hall: A facility that is rented or hired for short term, public or private events of an assembly nature such as wedding receptions, reunions, banquets, conferences, and business meetings. A reception hall may serve food and alcoholic beverages.

SITE CHARACTERISTICS

- A. The approximate 9 acre area is located along the northwest side of Burlington Pike, approximately 650 feet southwest of Middle Creek Road

- B. Approximately 8.6 acres of the site is part of the Dinsmore Homestead property and approximately 0.6 acres of the site is part of the Dinsmore Woods property.
- C. That portion of the site that is part of the Dinsmore Homestead is a private facility. The portion of the site that is part of the Dinsmore Woods is a public facility.
- D. The site is currently occupied by the historic Dinsmore house, cook house, ice house, wine house, and Roseberry house. All of these facilities are currently a museum. The remainder of the site is vacant land, much of which is heavily wooded.
- E. The site has approximately 1,030 feet of frontage along Burlington Pike.
- F. Topographically, the site rises from Burlington Pike to the northwest property line at an average grade of approximately 8%.
- G. The site is currently accessed from a single curb cut onto Burlington Pike.
- H. The historic Dinsmore Family Cemetery is located on the Dinsmore Homestead site, but is not part of this application.

ADJACENT LAND USES AND ZONES

- North: Dinsmore Woods (CONS)
- South: Dinsmore Homestead property and Middle Creek Park (CONS)
- East: Dinsmore Homestead property (CONS)
- West: Dinsmore Woods (CONS)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for "Recreational" uses, which is described as public and commercial outdoor recreation including golf courses, parks, race tracks, private reserves, wooded areas that serve an established recreation use, etc.
- B. Areas to the north, south and west of the site are identified for the same land uses as the site in question.
- C. The Land Use Plan Element of Our Boone County Plan 2040, includes the following description:

The Middle Creek Valley comprises a major portion of the land area in this section. Substantial acreage is Developmentally Sensitive. It should remain mostly wooded to protect historic and recreation uses in the area from the visual impacts of nearby residential development. Boone Cliffs is also located in this area and contains important geological formations which should be preserved. Additionally, this section contains the Dinsmore Homestead, Boone Conservancy, and three properties maintained by Boone County Parks, including the 75-acre Boone County Cliffs Nature Preserve, the 105-acre Dinsmore Woods Nature Preserve, and the 230-acre Middle Creek Park. These sites should likewise be preserved as they are valuable assets. The Middle Creek Valley should become a preservation corridor in order to protect and expand the existing nature preserves, passive recreation sites and historic sites. This area should be protected from major utility main construction, such as water and sewer, and from development pressure along KY 18, including extractive mining activity. KY 18 is the major access route to the area and needs moderate improvements to accommodate traffic without jeopardizing the region's rural characteristic. Boone County, private organizations and the citizens of the county should work together to insure that this important area is protected. Outside of the towns, this section should experience isolated growth of a Rural Density Residential character (Land Use, Description And Purpose Of Land Use Maps, 9 Bellevue/McVille, page 116).

- D. 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 2).
 3. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 4. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).
 5. Areas possessing unique environmental characteristics should be preserved, used as passive or active recreational areas, or appropriately incorporated into development design (Environment Goal A, Objective 2).
 6. Development design shall consider natural and ecological systems, such as wildlife habitats, air, soils, and water (Environment Goal A, Objective 6).

7. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).
8. Parks and open space shall be used to preserve scenic and natural areas with significant and unique qualities and provide activity centers close to or within established and developing residential areas Natural and Cultural Resources Goal A, Objective 1).
9. Tourist oriented commercial facilities should be encouraged provided that the impacts on other land uses are minimal (Natural and Cultural Resources Goal A, Objective 4).
10. Cultural resources in/on recreational or education facilities shall be protected and park areas that make use of existing cultural resources shall be encouraged (Natural and Cultural Resources Goal A, Objective 5).
11. Education and recreation facilities shall be combined to provide the mutual benefits of service, safety, convenience, economy, and neighborhood scale (Natural and Cultural Resources Goal A, Objective 6).
12. Inventories shall be maintained of natural and cultural features including historic, architectural, archaeological sites, cemeteries, documents, and traditions (Natural and Cultural Resources Goal C, Objective 1).
13. Priorities shall be established for the conservation, restoration, preservation, and protection of natural and cultural features using land use regulatory tools and incentives as well as consideration for inclusion in potential park land development to serve as educational and recreational resources for the community (Natural and Cultural Resources Goal C, Objective 3).
14. Heritage and agri-tourism shall be encouraged and evaluated as a catalyst for historic preservation and economic development (Natural and Cultural Resources Goal C, Objective 6).
15. Tourism (including agri-tourism and heritage tourism), telecommuting, and virtual employment shall be encouraged as an economic resource while minimizing potential impacts (Economy Goal A, Objective 7).
16. Public facilities and services shall be in locations that are accessible to the population being served (Public Facilities Goal A, Objective 7).
17. 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).

- E. Burlington Pike is a state maintained arterial street providing for two way traffic within two driving lanes. There are no sidewalks along the roadway. The posted speed limit is 45 MPH.
- F. The following are excerpts from Our Boone County Plan 2040:
 1. Local governments in Boone County manage approximately 1,965 acres of land designated for parks and recreation purposes. Schools operate additional campus and recreational areas. Boone County cooperates with the Cities of Walton, Florence and Union in the operations of parks within their jurisdictions. These agencies have the responsibility to manage this land efficiently and in a manner consistent with the health, safety and welfare of the community. For many residents, parks provide their only access to active recreational opportunities in the natural environment. Furthermore, the quality of a community's parks and recreation system is viewed as one of the indicators of the overall quality of life. Property values around parks tend to be considerably higher than other areas, thereby making an annual contribution to the community in the form of higher property tax revenues, as well as additional profits to the owners at point of sale. More valuable properties also tend to be maintained at a higher level, improving the appearance of the communities. Parks also preserve important cultural and natural features for future generations to enjoy (Recreation and Open Space, page 35).
 2. A range of hiking, biking, and walking activities is available in the Boone County Park system. The trails at England-Idlewild and Central Park are the most popular paved trails in the county's system. The mountain bike trails at England-Idlewild are among the most well-known and frequently visited in the region falling under the Cincinnati Off Road Alliance chapter of the International Mountain Biking Association. Some of the most scenic recreational hiking in the region is found in the Middle Creek Valley at Dinsmore Woods, Middle Creek Park/Conservancy Park, and Boone County Cliffs. A new bridge recently opened at Middle Creek Park, where the trail system is a shared pedestrian/equestrian path and the parking area can accommodate vehicles with horse trailers. Boone County Cliffs reopened in May, 2018, after being closed for over a year for trail upgrading, new signage, and parking area redesign (Recreation and Open Space, Public and Private Recreation Facilities, page 35).
 3. In addition to the government-sponsored REVIEW BOARD and BCPL, Boone County's heritage is stewarded by numerous local private non-profits, some of which include:

- a. Dinsmore Homestead Foundation maintains the c. 1842 Greek Revival James Dinsmore House, surrounding buildings, acreage, and collection. The Dinsmore Homestead is a living history farm with regular and a variety of special (Recreation and Open Space, Historic Preservation, Historic Preservation in Boone County: A Collaborative Approach, page 46).
4. Many of the recommendations here derive from the Boone County Historic Preservation Plan (1999) which clarifies the role of historic preservation efforts in Boone County. The Plan provides specific guidelines and recommendations as well as pertinent background information for the preservation program in Boone County. The plan establishes preservation priorities for natural and cultural features, recommends appropriate regulatory tools, incentives, and strategies. Historic preservation efforts should focus on balancing new development with preserving the history and character of Boone County. This could include strategies such as adapting a historic building for a modern commercial or retail use, including an existing building in plans for a new subdivision, or a creative building design that blends with the existing landscape.

While Boone County has changed in the nearly 20 years since the Preservation Plan's adoption, its goals remain relevant, and include:

- a. Promote cultural resources as a viable part of the county's lively past and vibrant future.
- b. Identify cultural resources as valuable assets to the county and to its citizens.
- c. Protect cultural resources from physical threats, which endanger their preservation.
- d. Preserve cultural resources through a variety of economic and other programs.

Promotion and education are key themes of the Preservation Plan, reflected in the first goal. The Review Board has addressed this goal in the past through educational workshops, lectures, publications, and by developing a heritage education curriculum for use in local elementary schools. Other preservation partners meet this goal in various ways such as the BCHS bi-monthly lecture series, BCPL's Underground Railroad tours or lectures sponsored by the FOBB. While some printed brochures, maps and publications remain available, their digital counterparts are more accessible today. These include Facebook pages, websites such as Chronicles of Boone County, Northern Kentucky Views, and Kentucky Libraries Unbound, online story maps, the History in Your Own Backyard video series, and even QR codes attached to historical markers/sites that

link to additional online information (Recreation and Open Space, Historic Preservation, Preservation Strategies For Boone County, pages 53-54).

5. The 2000 Boone County Comprehensive Plan recognized the importance of heritage tourism in Boone County and in 2002, the Boone County, Kentucky, Heritage Tourism Plan was developed and adopted by the Historic Preservation Review Board. The Heritage Tourism Plan catalogued Boone County's numerous heritage resources into seven categories "considered representative, unique, irreplaceable, or distinctly characteristic of" Boone County, Kentucky. The plan recommended that the county's existing heritage-oriented businesses and organizations should coordinate their efforts to market local heritage and utilize potential heritage tourism markets. Markets identified in the plan included the Cincinnati, Dayton, and Columbus, Ohio, metropolitan areas, southeast Indiana, central Kentucky, and the rapidly growing population of Boone County. The plan argued that the economic benefits of heritage tourism might be realized if an area's heritage is conserved and shared with visitors. Many recommendations of the plan were implemented, including development of the Boone County Heritage Tourism Council, creation of a heritage tourism website and shared event calendar, and printing and distribution of 3 editions (totaling over 67,000 copies) of the Boone County Heritage Tourism Map. The Heritage Tourism Council met on a regular basis for two years before disbanding in late 2005. Then as now, the most recognized heritage tourism resources include the Burlington Historic District, Dinsmore Homestead, Big Bone Lick State Historic Site, and Rabbit Hash. According to the NKY Convention and Visitors Bureau, the Creation Museum near Petersburg and Ark Encounter (near Williamstown, Gallatin County) are the 55 primary drivers of a burgeoning "faith-based" tourism in the region. Together, they have helped generate increased demand for hotel rooms in spurred the creation of a significant number of Airbnb and VRBO (Vacation Rental By Owner) properties in Boone County. A number of houses and other buildings in Petersburg and elsewhere in Boone County have been rehabilitated for rental through these online booking sites (Recreation and Open Space, Historic Preservation, Heritage Tourism, pages 54-55).
6. 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 (Land Use, Future Land Use Development Guidelines, Utilization of Existing Vegetation and Topography, pages 95).

7. 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 (Land Use, Future Land Use Development Guidelines, Buffering, pages 95-96).

8. 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 (Land Use, Future Land Use Development Guidelines, Landscaping, page 96).

STAFF COMMENTS

A. The submitted Concept Development Plan indicates the following:

1. Retention of all of the existing historic buildings.
2. Reconstruction of the Caroline Williams Cabin.
3. Construction of a Heritage Center Building.
4. Construction of a 33 space, gravel surface, off-street parking lot.
5. Construction of a bus parking area.
6. Construction of a white Kentucky Board fence.
7. Provision for an on-site sewage system.
8. Provision for two new curb cuts onto Burlington Pike.
9. Provision for a future water main connection.
10. Construction of new sidewalks between the existing Dinsmore House and the proposed Heritage Center.

B. The Dinsmore Homestead website (www.dinsmorefarm.org) contains the following information about the proposed Heritage Center:

1. The 6,000 square foot building will include:
 - a. An admissions office, gift shop, and restrooms
 - b. Three offices
 - c. Two educational spaces
 - d. A warming kitchen
 - e. A large, attached pavilion
2. The Heritage Center will allow the Dinsmore Homestead to:
 - a. Expand our calendar for school field trips to accommodate over 5,000 students per year
 - b. Double the capacity of daily visitors
 - c. Serve as a vibrant and more accessible resource for research
 - d. Offer education, special interest programs, and exhibitions
 - e. Host social events including weddings, gatherings, fundraisers, business meetings, and retreats

C. Staff has reviewed the submitted Concept Development Plan against the Boone County Zoning Regulations, and offers the following comments:

1. Section 505.1 does not identify 'Reception Hall' as either a permitted or

conditional use within the CONS district. All other activities of the proposed Heritage Center are identified as permitted uses within the CONS district.

2. The submitted Concept Development Plan meets the applicable requirements of Section 1506, Planned Development Criteria.
 3. Section 3221.A.2 states that a proposed development is permitted one (1) access point for each five hundred (500) feet of site frontage. The site has approximately 1,031 feet of frontage along Burlington Pike, allowing for two (2) access points. The submitted plan indicates the provision for three (3) access points.
 4. Section 3314 requires off-street parking areas and drive aisles to be paved with a hard surface. The submitted plan indicates that the proposed off-street parking areas and drive aisles will have a gravel surface.
 5. Insufficient information has been submitted to determine if there are a sufficient number of off-street parking spaces being provided.
 6. Section 3620 requires a Buffer Yard A to be provided along Burlington Pike. The submitted plan does not indicate any landscaping along Burlington Pike.
- D. Staff sent out an Agency Memo to the Bellevue-McVillie Fire District, Boone County Building Department, Boone County Public Works, and KYTC.
1. Linzy Brefeld, KYTC, replied that they have a concern about school buses stopping to turn into the eastern entrance and having cars coming up behind them from around the curve. They would like to have the buses enter at the western curb cut.
 2. Rob Franxman, Boone County Public Works, replied that he had no comments.

STAFF CONCERNS

- A. The following list provides a summary of those requirements that are being requested to be waived/alterd using the PD district regulations:
1. Use of the Heritage Center building as a 'Reception Hall'.
 2. Allow for three (3) curb cuts.
 3. Allow off-street parking areas and drive aisles to have a gravel surface.
 4. Elimination of the required landscaping along Burlington Pike.

- B. Access onto Burlington Pike will be controlled by KYTC. However, a sight distance analysis should be conducted to insure safe turning movements into/out of the site.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone Fiscal Court in terms of Articles 3 and 15 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

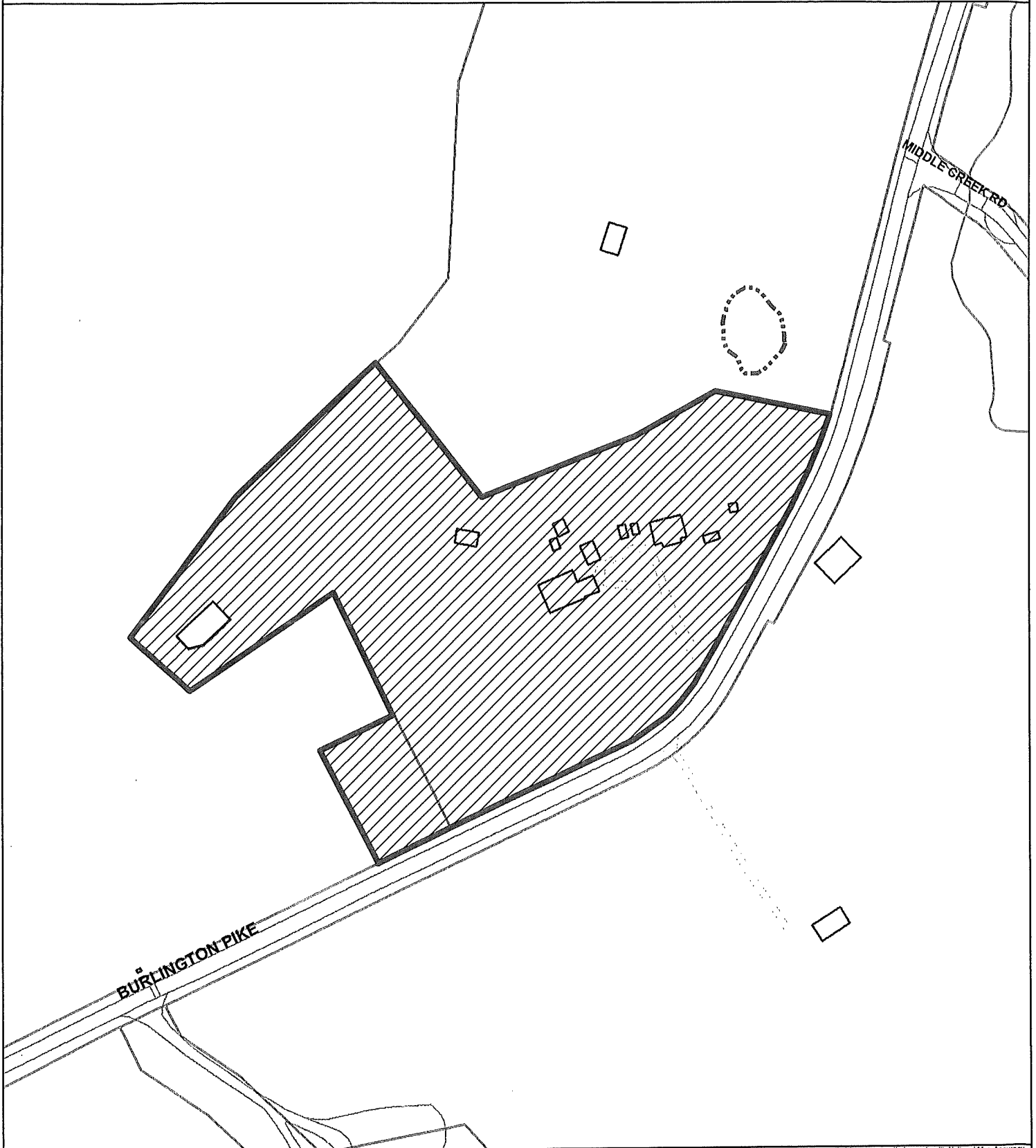
MDS/ss

Attachments:

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

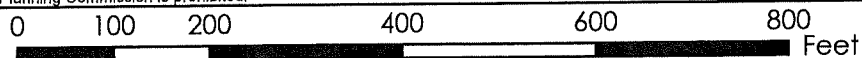
Vicinity Map

www.boonecountygis.com



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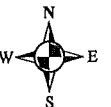
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1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map



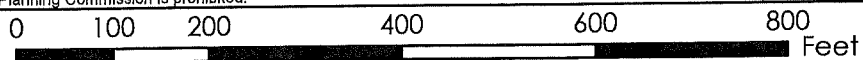
Aerial Map

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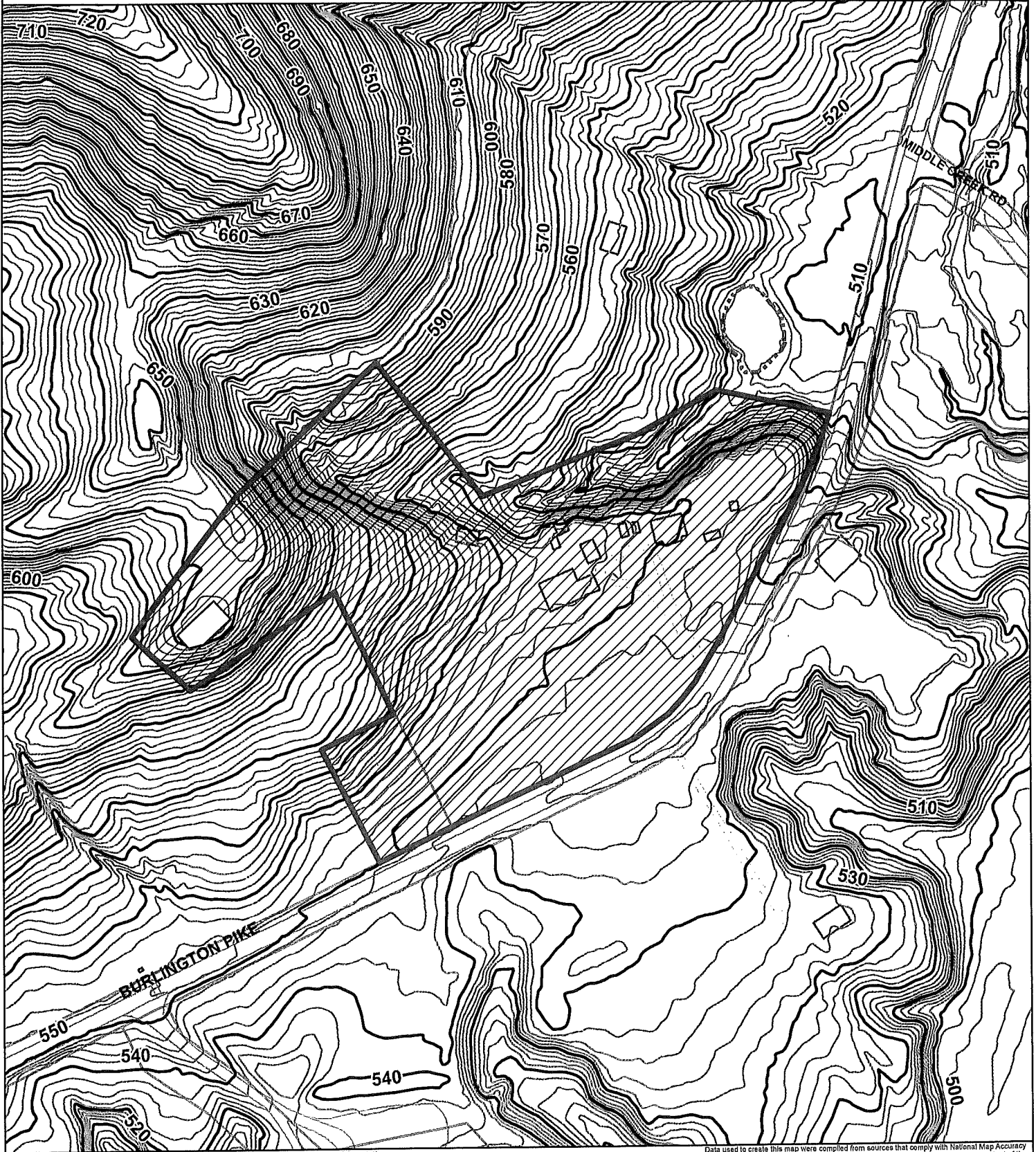
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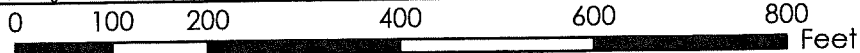
Topographic Map

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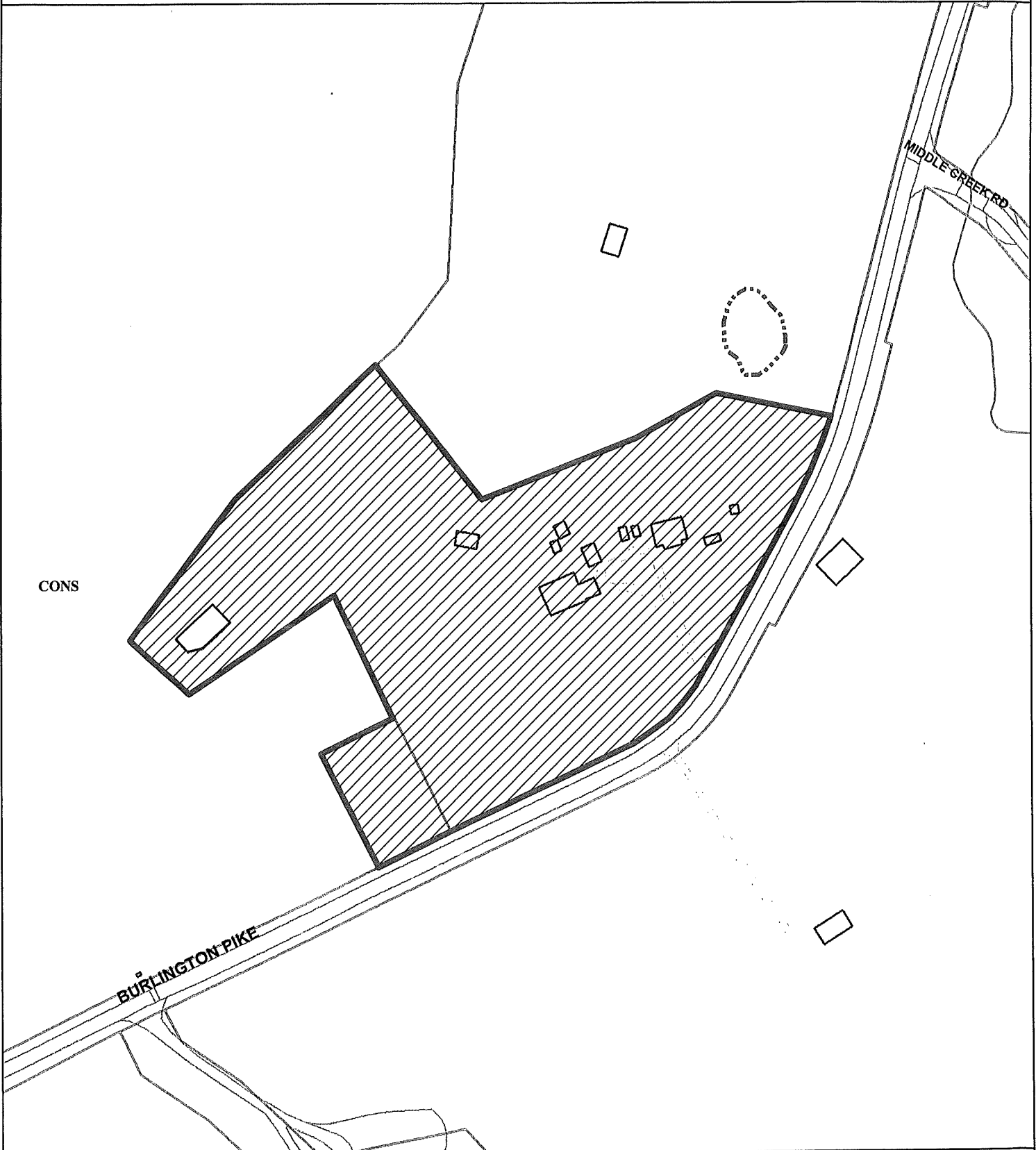
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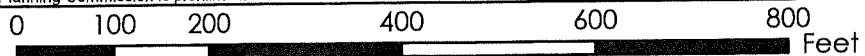
Zoning Map

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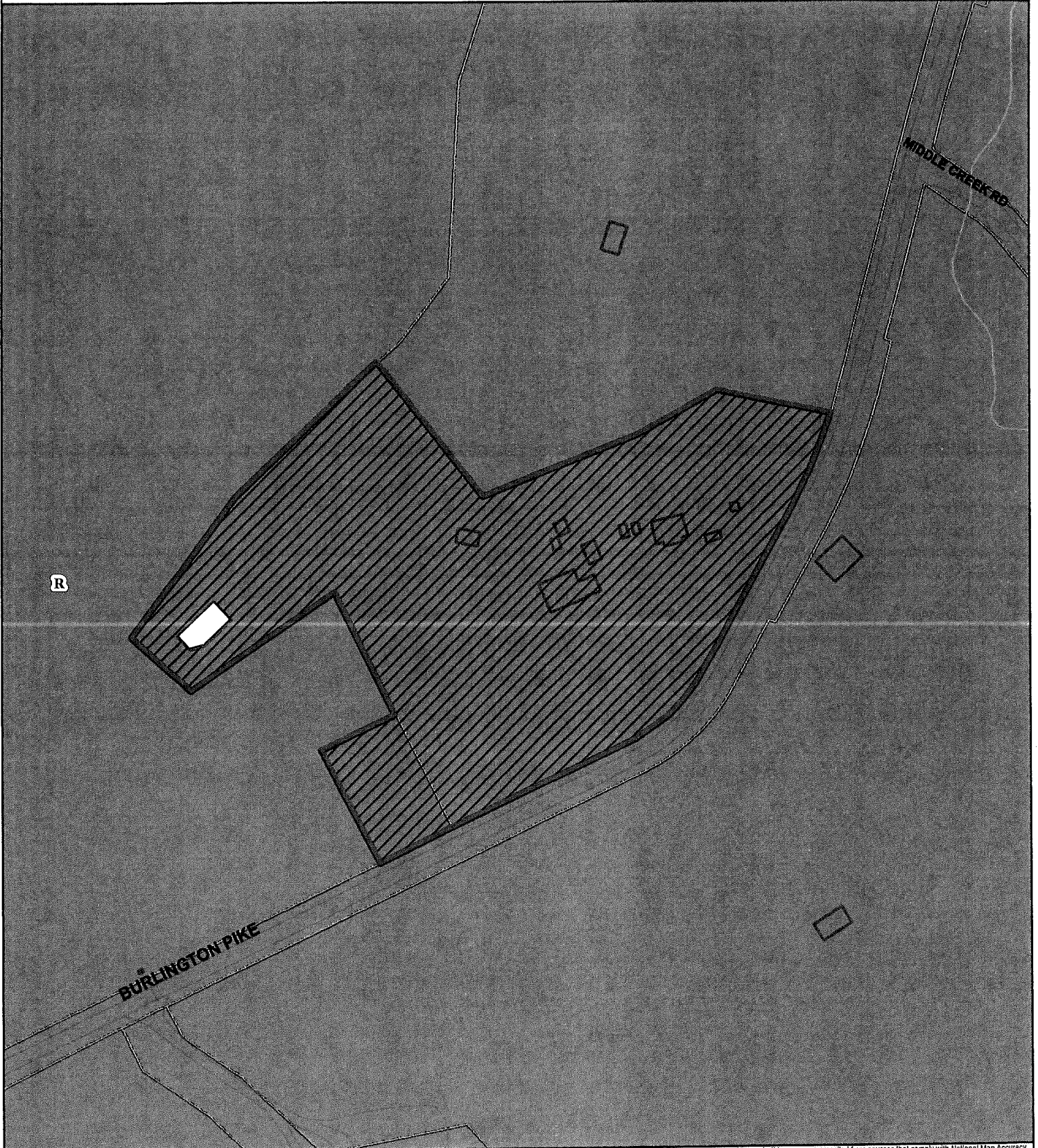


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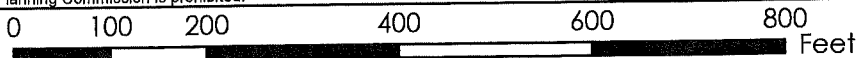
204J Future Land Use Map

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12. 387 45 2023
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13. Have you had a pre-application meeting with the BCPC staff: Yes No
14. Have you submitted a Concept Development Plan: Yes No
15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input checked="" type="checkbox"/> Kentucky Transportation Cabinet | |

16. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on _____

John S. Egan COUNTY ADMINISTRATOR/D.J.E.

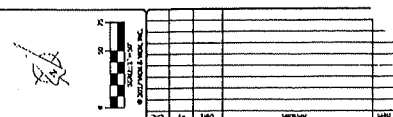
ORIGINAL Property Owner's Signature: Gabriela Ludes, President,
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) Dissonance Homestead,

ORIGINAL Applicant's Signature: Gabriela Ludes, President, Dissonance
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) Homestead

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

1. Date Received: 2/21/23 Fee Received: \$2500.14 Receipt #: 87811
2. Number of Copies Received: 7
3. Has the following been submitted (check all that apply):
 - Completed Application
 - Concept Development Plan
 - Legal Description
 - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: _____
6. Committee Chairperson: _____
7. Scheduled Public Hearing Date: _____
8. Boone County Planning Commission Action: _____ Date of Action: _____
 - _____ Approved
 - _____ Approved with Conditions
 - _____ Denial
 - _____ Other
9. Resolution Number: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org



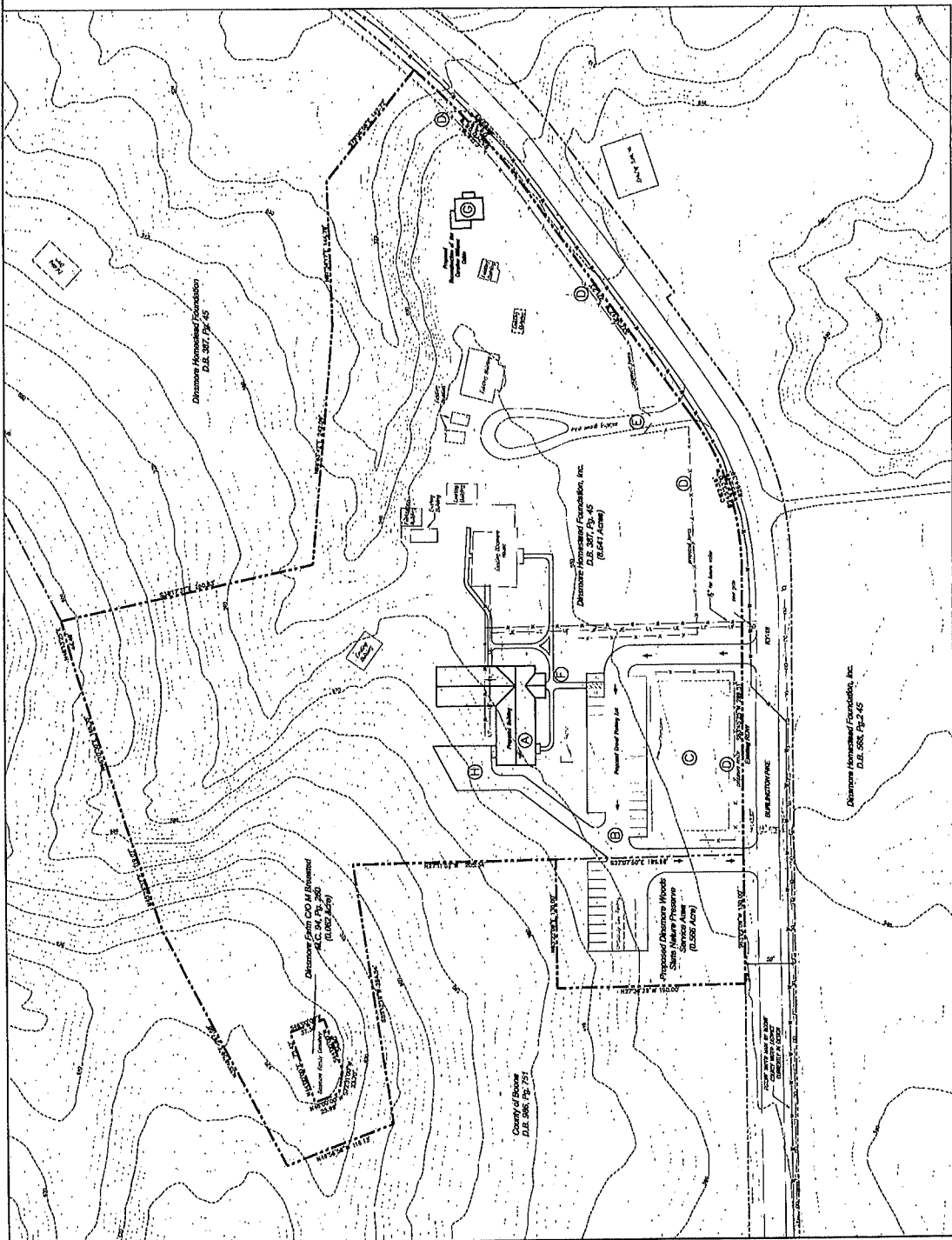
VIOXX & VIOX
 CIVIL ENGINEERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
 466 EXETER ROAD • LEXINGTON, KENTUCKY 40518
 P: 606.253.1234 • F: 606.253.1235 • WWW.VIOXX.COM

DINSMORE HOMESTEAD
BURLINGTON PIKE
 BOONE COUNTY, KENTUCKY
 CONCEPT PLAN

PROJECT NO.	DATE
1000000	10/2022
1000000	10/2022
1000000	10/2022

1 OF 1

- PROPOSED IMPROVEMENTS**
- (A) HERITAGE CENTER
 - (B) GRAVEL DRIVE & PARKING LOT
 - (C) LEACH FIELD
 - (D) WHITE KENTUCKY BOARD FENCE
 - (E) GATE
 - (F) CONCRETE ADA SIDEWALKS & PARKING
 - (G) RECONSTRUCTION OF THE CAROLINE WILLIAMS CABIN
 - (H) SERVICE DRIVE



- GENERAL NOTES:**
1. ALL ROOF DRAINAGE WILL BE DIRECTED NORTH TO MIDDLE CREEK.
 2. ALL WATER FROM PARKING LOT WILL BE COLLECTED IN STORM SEWER SYSTEM TO BE DESIGNED AND DIRECTED THROUGH EXISTING STORM SEWER SYSTEM TO MIDDLE CREEK. NO DETENTION WILL BE CONSTRUCTED AS PART OF THIS PROJECT.
 3. CURB CUTS APPROVED BY KYTC ENCROACHMENT PERMIT # 05-2022-00216

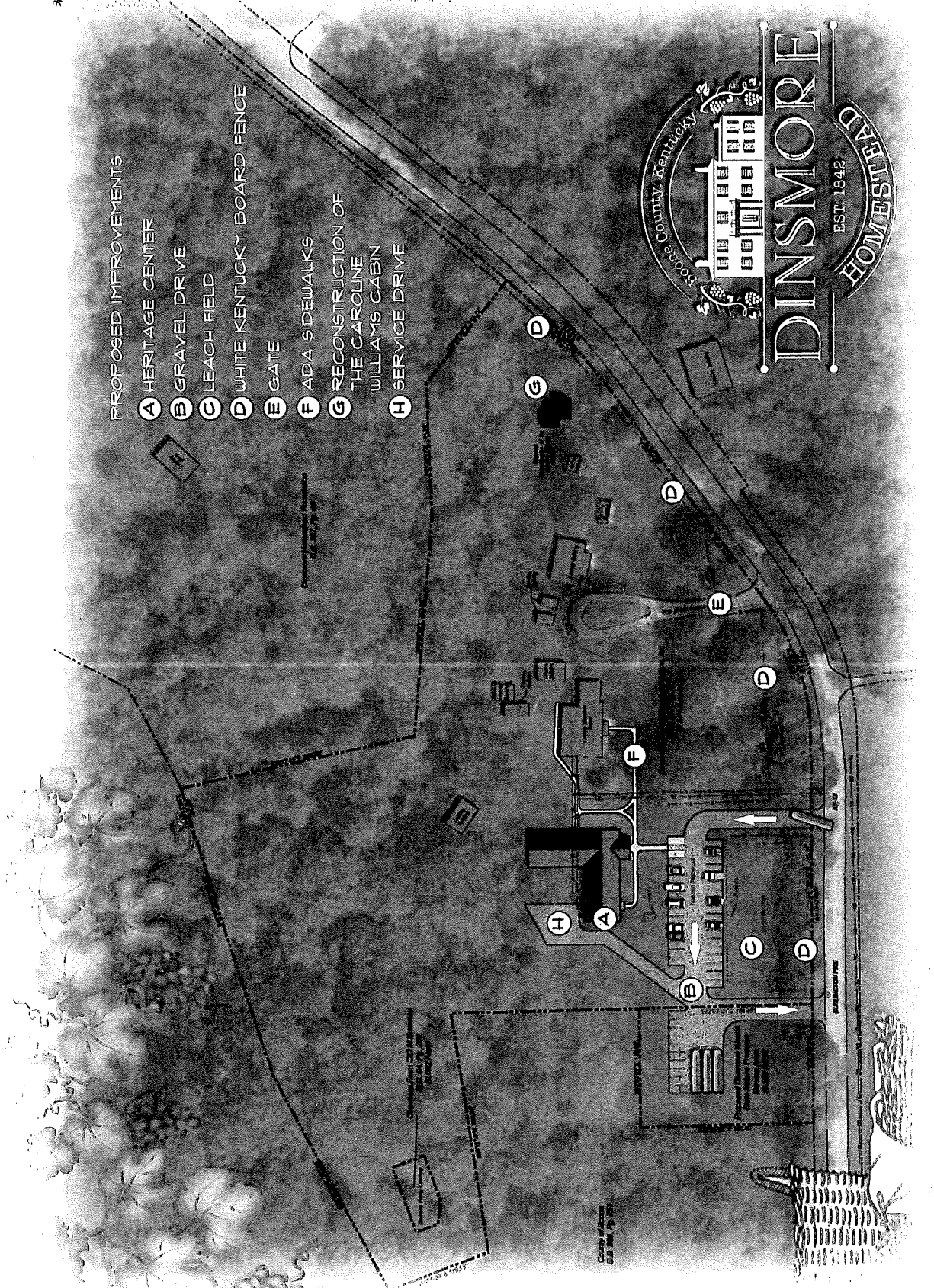
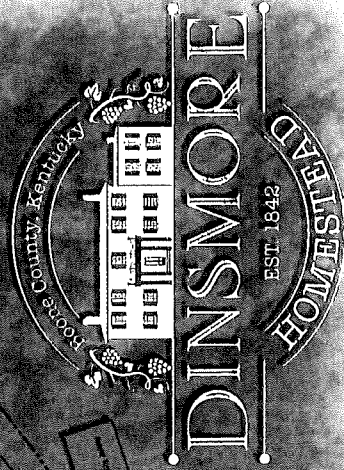
SITE DATA
 Site Location: 5656 Burlington Pike
 Property Owner: Dismore Homestead Foundation, Inc.
 Parcel ID: 013-00-00-014.01
 Current Zoning: COVS
 Soil Types: A1D, I4C, In, CyF, EDEZ

This drawing and all other documents prepared by or for the undersigned shall be held in confidence and shall not be used, copied, or otherwise reproduced in whole or in part without the written consent of the undersigned.



PROPOSED IMPROVEMENTS

- A** HERITAGE CENTER
- B** GRAVEL DRIVE
- C** LEACH FIELD
- D** WHITE KENTUCKY BOARD FENCE
- E** GATE
- F** ADA SIDEWALKS
- G** RECONSTRUCTION OF THE CAROLINE WILLIAMS CABIN
- H** SERVICE DRIVE



EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Jackie Steele, Chair

DATE: May 3, 2023

RE: Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant)** for **Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

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 concluded that the proposed CONS/PD district, along with the submitted Concept Development Plan, is generally consistent with the 2040 Future Land Use Map of the Comprehensive Plan (Our Boone County – Plan 2040), which designates the site for “Recreational” uses, which is described as public and commercial outdoor recreation including golf courses, parks, race tracks, private reserves, wooded areas that serve an established recreation use, etc.

The proposed CONS/PD district will allow the development of a heritage center building for the continued use of the Dinsmore Homestead museum.

2. The Committee concluded that the proposed CONS/PD district, along with the submitted Concept Development Plan, is consistent with the Land Use Plan Element of the Comprehensive Plan (Our Boone County – Plan 2040), which states that the Dinsmore Homestead should be preserved as a valuable asset in the County.

The development of the proposed Heritage Center will provide for the continued financial sustainability to preserve the Dinsmore Homestead property.

3. The Committee concluded that the proposed CONS/PD district, along with the submitted Concept Development Plan, is generally consistent with several Goals and Objectives of

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Dinsmore Homestead

May 3, 2023

Page 2

the Comprehensive Plan as they relate to quality of life, providing appropriate services, preservation of natural and ecological systems, provision of a broad range of educational facilities, cultural resources, maintenance of cultural features, and provision for heritage tourism

- a. The proposed Heritage Center will provide for an educational space for the Dinsmore Homestead.
 - b. The proposed Heritage Center will allow for a year round attraction to an important historic site.
 - c. The proposed Heritage Center will enhance the viability of the Dinsmore Homestead property.
4. The Committee concluded that the proposed CONS/PD district, along with the submitted Concept Development Plan, is generally consistent with several Development Guidelines of the Comprehensive Plan as they relate to impacts on adjoining areas, provision for parks and recreation areas, maintenance of historic buildings and sites, and the importance of heritage tourism.
- a. The proposed Heritage Center will allow for the Dinsmore Homestead to be more financial self-sufficient, thus allowing the continued preservation and availability of an historically significant site.
5. Based on the previous findings, the Committee concluded that the proposed CONS/PD district, along with the submitted Concept Development Plan, is generally consistent with the Planned Development criteria as outlined in Section 1514 of the zoning regulations.

The proposed requirements that are being requested to be waived/modified using the PD district regulations are appropriate, given the nature of the site in question:

- a. The use of the proposed Heritage Center as a reception hall will allow for greater accessibility to the Dinsmore Homestead property.
 - b. The provision for three (3) curb cuts will allow for improved access to the site as well as providing for improved bus access.
 - c. The provision for a gravel parking surface will be consistent with the historical character of the site.
 - d. The elimination of landscaping along Burlington Pike will provide for the historically accurate view of the site from the roadway.
6. The Committee concluded the attached condition is necessary to achieve consistency with the Our Boone County Plan 2040. The Committee also concluded that the attached

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Dinsmore Homestead

May 3, 2023

Page 3

condition is necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with the condition:

CONDITION:

1. Access to the site, including traffic patterns and turning movements, shall be approved by KYTC.

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: Jackie Steele, Chairwoman

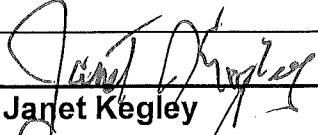
DATE: April 19, 2023

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.

ZONING MAP AMENDMENT, Jackie Steele, Chairwoman, Michael Schwartz, Staff

2. Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant) for Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.



Janet Kegley
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

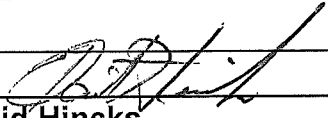
Corrin Gulick
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Rick Lunnemann
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

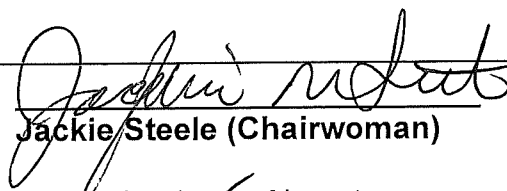
Kathy Clark (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Harper
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____



David Hincks
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____



Jackie Steele (Chairwoman)
For Project Absent _____
Against Project _____
Abstain _____

TOTAL: - DEFERRED 3 FOR PROJECT 2 ABSENT
 - AGAINST PROJECT - ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
APRIL 5, 2023
7:30 P.M.**

Secretary/Treasurer Jackie Steele opened the Public Hearing at 7:51 p.m. and welcomed the audience to the Planning Commission's April 5, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Ms. Corrin Gulick, Vice Chairwoman
Mr. Charlie Rolfsen, Chairman
Mr. Kenny Vaught

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
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the first item on the Agenda.

ZONING MAP AMENDMENT, Michael Schwartz, Staff

1. Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant) for Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned

Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation (See Staff Report). The 9.2 acres site is located on the northwest side of Burlington Pike. It has 1,030 feet of road frontage along Burlington Pike. Approximately 8.6 acres of the site is part of the Dinsmore Homestead and about 0.6 acres is part of the Dinsmore Woods property. The Dinsmore Homestead property is private and the Dinsmore Woods property is public and owned by the County. The site is currently occupied by the historic Dinsmore House, ice house, wine house, cook house and the Roseberry House, all of which are part of a private museum. The remainder of the site is vacant and heavily wooded. Access is provided by a single curb cut onto Burlington Pike. The existing cemetery is not part of the site under review by the Commission. The site and surrounding property is currently zoned Conservation (CONS). The Planned Development (PD) request is being sought to allow a reception hall. Pages 1 and 2 of the Staff Report outlines the sections of the zoning ordinance that are applicable to the request. Mr. Schwartz showed a topographic map of the site. The site rises northwest from Burlington Pike at average grade of 8%. The 2040 Future Land Use Map designates the site for Recreation (R) use. Pages 3-10 of the Staff Report reference the Comprehensive Plan. Mr. Schwartz showed photographs of the site and surrounding properties. The Concept Development Plan indicates the retention of all historic buildings on the site, the reconstruction of the Caroline Williams cabin, the new Heritage Center, a 33 space gravel parking lot, bus parking, a new white Kentucky board fence, an on-site sewage system, two new curb cuts onto Burlington Pike, a future water main connection and new sidewalks.

The Staff performed an analysis of the submitted Concept Development Plan and only two curb cuts are allowed but the application shows three. Hard surface parking is usually required but the application indicates gravel via the PD request. Sufficient information has not been provided about seating capacity relative to parking requirements. Buffer Yard A is required along Burlington Pike but one is not shown. Pages 11 and 12 of the Staff Report includes Staff Concerns. Page 11 outlines the list of items that are being requested to be waived under the use of the PD zone. The Kentucky Transportation Cabinet (KTC) has submitted comments about access. A concern is for school buses using the eastern curb cut to enter the site because of sight problems. KTC would like the buses to enter the site from the western curb cut. Those issues can be addressed at the site plan review phase.

Secretary/Treasurer Steele asked if the anyone wanted to speak in favor or against the request?

Ms. Barbara Bardes, Dinsmore Homestead Foundation, explained why the proposed project is important to them. At first, she provided background information and a history of the Dinsmore

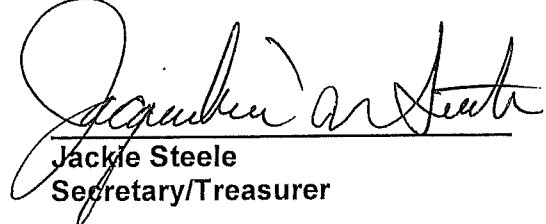
Homestead. The current buildings has no running water as the site is rather historic. They have over 2,000 school children visit the Homestead each year. They offer public talks, events, festivals, tours and research. Dinsmore has all of the family's belongings and over 100,000 pieces of paper – letters and papers of the family. It is a history of what really happened. A new building and new zoning would allow them to operate tours on an annual basis. Currently, they are closed from November to April. They can also expand their school program by using advanced technology. The facilities can be used for social events and make the foundation more financially viable. They can store more artifacts including more papers that are currently kept in Arizona. They will be able to host visiting scholars. They can relocate the entrance to Dinsmore away from the curve and relocate the bus entrance.

Secretary/Treasurer Steele asked if any Commissioners had any questions or comments?

Mr. Schwenke mentioned that the soil in the area has a lot of sand content and drains very well. So it would be good soil to put gravel on it for a parking lot.

Seeing no further questions or comments, Secretary/Treasurer Steele announced that the Committee Meeting for this item will be on April 19, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on May 3, 2023 at 7:00 p.m. in the Fiscal Courtroom. Secretary/Treasurer Steele closed the Public Hearing at 8:05 p.m.

APPROVED:



Jackie Steele
Secretary/Treasurer

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
APRIL 5, 2023
7:30 P.M.**

Secretary/Treasurer Jackie Steele opened the Public Hearing at 7:51 p.m. and welcomed the audience to the Planning Commission's April 5, 2023 Public Hearings.

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Mrs. Kathy Clark
Mrs. Pamela Goetting
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Ms. Corrin Gulick, Vice Chairwoman
Mr. Charlie Rolfsen, Chairman
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
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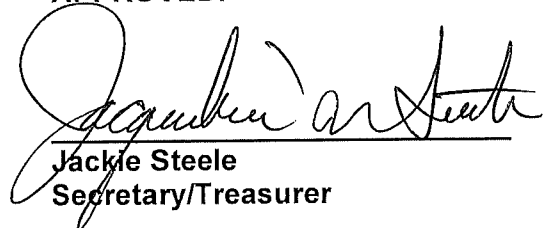
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APPROVED:


Jackie Steele
Secretary/Treasurer

Attest:


Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
MAY 3, 2023
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's May 3, 2023 Business Meeting. Mr. 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, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

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

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the April 19, 2023 Business Meeting. He asked if there were any other comments or corrections?

Mr. Szurlinski moved to approve the Minutes as presented. Mr. Hincks 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 April 6, 2023 and May 3, 2023.

EXPENSES:

Accounting Fees	\$ 775.00
Attorney Fees	4,400.00
Auto Expense	41.48
Consultant/Professional Svcs Fees	2,770.00
Filing Fees (CLURS)	750.00
Legal Ads/Recruitment	196.44
Miscellaneous Expense	3.49
Office & Board Meeting Supplies	193.94
Office Equipment / Expense	827.78
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	<u>1,610.86</u>

TOTAL: \$ 12,068.99

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 6,032.50
Health/Dental/Life/LTD	12,895.12
Retirement – BCPC Portion	21,911.01
Salaries – Staff Expenses	82,334.62
Salaries – BCPC & BOA	<u>1,385.00</u>

TOTAL: \$124,558.25

GRAND TOTAL: \$136,627.24

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. Mrs. Goetting seconded the motion and it carried unanimously.

ZONING MAP AMENDMENT AND VARIANCE, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

1. Request of **ECE, Inc, per R. Wayne Erpenbeck (applicant)** for **Tri-Saint Investments, LLC, per Tim Bishel (owner)** for a Zoning Map Amendment from Public Facilities (PF) and Industrial One (I-1) to Urban Residential One (UR-1) for an approximate 18.2 acre area located along the west side of Beaver Road, between Mary Grubbs Highway and Skyway Drive, approximately 800 feet north of Mary Grubbs Highway, having a Parcel Identification Number (PIDN) of 078.00-00-002.00, Walton, Kentucky. The request is for: (1) a zone change to allow 214 multi-family residential dwelling units within sixteen (16) buildings; and (2) a variance reducing a portion of the rear yard buffer yard width from sixty (60) feet (Buffer Yard C) to twenty (20) feet (Buffer Yard B).

This item has been withdrawn by the applicant.

ZONING MAP AMENDMENT, Jackie Steele, Chairwoman, Michael Schwartz, Staff

2. Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant)** for **Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and one Condition. The vote was unanimous with Mrs. Kegley, Mr. Hincks and Mrs. Steele voting in favor of the request. The applicant has signed the condition letter.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no further comment, **Mrs. Steele 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 one Condition. Mr. Schwenke seconded the motion and it passed unanimously.**

ZONING MAP AMENDMENT, Janet Kegley, Chairwoman, Todd Morgan, Staff

3. Request of **Terrace Townhomes, LLC, per Brad Trauth (applicant)** for **Terrace Development Co., LLC, per Phil Drees (owner)** for a Zoning Map Amendment from Union Commercial/Planned Development (UC/PD) to Urban Residential One/Planned Development (UR-1/PD) for an approximate 0.5 acre area located at 2011 Terrace Court, Florence, Kentucky. The request is to allow the development of six (6) attached single-family residential units.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions. The vote was unanimous with Mrs. Kegley, Mr. Hincks and Mrs. Steele voting in favor of the request. The applicant has signed the condition letter.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Brad Trauth, applicant, stated that he was present to answer any questions.

Seeing no further comment, **Mrs. Kegley moved to approve the request by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Clark seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN, David Hincks, Chairman, Todd Morgan, Staff

4. Request of **Black and Veatch, per Breanne Mocaby, on behalf of Electrify America (applicant) for Meijer Stores Limited Partnership, per Matt Levit (owner)** for a Change of Concept Development Plan in an Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) district for an approximate 0.28 acre portion of the 26.32 acre lot located at 4990 Houston Road, Florence, Kentucky (Meijer). The request is for a Change of Concept Development Plan to allow an electric vehicle charging station.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions. The vote was unanimous with Mr. Hincks, Mrs. Kegley, and Mrs. Steele voting in favor of the request. The applicant has signed the condition letter.

Mrs. Susan Faber, Black & Veatch, stated that she was present to answer any questions.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no further comment, **Mr. Hincks moved to approve the request by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Kegley seconded the motion and it passed unanimously.**

NEW BUSINESS

ZONING TEXT AMENDMENTS, Michael Schwartz, Staff

5. Request of the **Boone Fiscal Court, per Jeff Earlywine, County Administrator**, to consider Zoning Text Amendments to Section 505.5, Use/District Matrix – Public Facility, Airport, Small Community Overlay, and Special Study Districts, of the Boone County Zoning Regulations to: (1) add Short Term Rental as a Conditional Use within the Graves Road – Residential (GR-R) district; (2) add Short Term Rental as a Conditional Use within the Graves Road – Commercial (GR-C) district; and (3) add Short Term Rental as a Conditional Use within the Graves Road – Business Park (GR-BP) district. 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.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff

6. Request of **Restaurant Holdings LLC, per Ana Pelhank (applicant)** for **MassiveG2.0 LLC (owner)** for a Change of Concept Development Plan in a Commercial Services (C-3) district for an approximate 0.56 acre area located at 7303 Turfway Road being immediately to the northwest of the property located at 6808 Burlington Pike, Florence, Kentucky. The request is for a Change of Concept Development Plan to allow an approximate 2,300 square foot eating and drinking establishment with drive-through service.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

7. Request of **Tony Berling (applicant)** for **Ireland Properties, LLC (owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 3.26 acre area located at 5765 Constitution Drive, Boone County, Kentucky. The request is for a Change of Concept Development Plan to allow an 8,000 square foot building addition and a new 4,000 square foot building.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff

8. Request of **Tom Gill (applicant/owner)** for a Change of Concept Development Plan in a Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO) district for an approximate 2.65 acre area located at 7864 Commerce Place, Florence, Kentucky. The request is for a Change of Concept Development Plan to allow the expansion of an existing auto body repair facility outdoor vehicle storage area.

ZONING MAP AMENDMENT, Michael Schwartz, Staff

9. Request of **Northern Kentucky Aggregates, Inc., per Dennis Garrison (applicant)** for **Timothy William Hitzfield, Daniel Lynch Hitzfield, Joseph Gerard Hitzfield, and Nancy Hitzfield (owners)** for a Zoning Map Amendment from Rural Suburban (RS) to Industrial Three Surface Mining (I-3) for an approximate 32 acre area located at 3989 Belleview Road, Boone County, Kentucky. The request is for the expansion of an existing sand and gravel mining operation on an overall approximate 78 acre area located at 3989 Belleview Road, Boone County, Kentucky.

Mr. Lunnemann moved to schedule the Public Hearings for Items #5, #6, #7, and #8 on June 7, 2023 at 7:30 p.m. in the Fiscal Courtroom. Mr. Szurlinski seconded the motion and it passed unanimously.

Mr. Turner moved to schedule the Public Hearing for Item #9 on June 21, 2023 at 7:30 p.m. in the Fiscal Courtroom. Mrs. Goetting seconded the motion and it passed unanimously.

H. **Executive Director's Report:**

Mr. Kevin P. Costello, AICP, referred to his April 26, 2023 email to the Board Members. It recommends that the Board hire Steve Lilly, GISP as a planner effective May 8, 2023. His resume outlining his qualifications was enclosed along with a recommended annual salary. Mr. Costello noted that Mr. Lilly is a licensed surveyor. He will begin to perform that work in a couple of months or when our current surveyor's contract ends in July. Mr. Costello explained that this work will be added to Mr. Lilly's job responsibilities and an adjustment to his salary will be made at that time.

Mrs. Clark moved to hire Mr. Lilly in accordance with terms described by Mr. Costello's email. Ms. Gulick seconded the motion and it passed unanimously.

I. **Committee Reports:**

- Airport (Randy Bessler)

The Airport Committee will meet on May 25, 2023 at 12:00 noon. It will be a virtual meeting.

- Administrative/Personnel (Tom Szurlinski)
No Report
- Enforcement (Tom Szurlinski)
No Report
- Long-Range Planning/Comprehensive Plan (Bob Schwenke)

The next Committee meeting is scheduled for May 17, 2023 immediately following the Business Meeting.

- Technical/Design Review (Rick Lunnemann)
No Report
- Executive
No Report

J. **Chairman's Report:**

- No Report

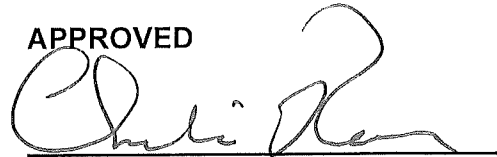
K. **OKI Report:** (Randy Bessler)
No Report

L. **Other:**

M. **Adjournment:**

There being no further business to come before the Planning Commission, Mr. Bessler moved to adjourn the meeting. Mr. Richardson seconded the motion and it passed unanimously. The meeting was adjourned at 7:25 P.M.

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road | 602 Lila Avenue
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000
Fax: 859.727.8452

www.vioxinc.com

February 14, 2023

DESCRIPTION OF 9.207 ACRES

Located in Boone County, Kentucky, lying on the north side of Burlington Pike 0.8 mile east of Belleview Road, and being part of the same property conveyed by deeds to Dinsmore Homestead Foundation, Inc. in Deed Book 387, page 45, and County of Boone, Kentucky in Deed Book 986, page 751 in the office of the Boone County Clerk and is more particularly described as follows:

Unless otherwise stated, any monument referred to herein as an iron pin (set) is a ½ inch diameter rebar eighteen inches in length with a plastic cap stamped "LARISON PLS 3357".

BEGINNING at a point in the northerly right-of-way line of Burlington Pike, 25.00 feet as measured perpendicular to centerline, at the most southwesterly common corner of Dinsmore Homestead Foundation, Inc. and County of Boone;

THENCE with said right-of-way line S63°22'09"W 425.63 feet to a point;

THENCE through the property of County of Boone for the following two (2) courses:

1. N27°36'29"W 190.00 feet to a point;
2. N63°22'09"E 130.00 feet to a point;

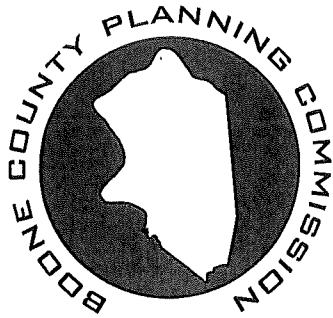
THENCE with the common line of Dinsmore Homestead Foundation, Inc. and County of Boone for the following eleven (11) courses:

1. N27°11'52"W 205.54 feet to a point;
2. S55°12'19"W 264.54 feet to a point;
3. N46°56'56"W 116.13 feet to a point;
4. N35°49'59"E 267.68 feet to a point;
5. N45°23'57"E 119.07 feet to a point;
6. N46°10'30"E 166.35 feet to a point;
7. N48°13'25"E 44.49 feet to a point;
8. S38°17'37"E 260.83 feet to a point;
9. N68°43'42"E 242.09 feet to a point;
10. N61°34'17"E 144.78 feet to a point;
11. S78°06'56"E 142.72 feet to point in the northerly right-of-way line of Burlington

Pike;

THENCE with said right-of-way line for the following five (5) courses:

1. with a curve to the right having a radius of 793.69 feet, an arc length of 178.52 feet, and a chord bearing and distance of S21°12'08"W 178.15 feet to a point;
2. S27°38'47"W 271.23 feet to a point;
3. with a curve to the right having a radius of 264.39 feet, an arc length of 165.27 feet, and a chord bearing and distance of S45°33'10"W 162.59 feet to a point;
4. S63°45'25"W 289.51 feet to a point the **POINT OF BEGINNING**, containing 9.207 acres, more or less **EXCLUSIVE** of the 0.062 Acre Dinsmore Cemetery.



BOONE COUNTY PLANNING COMMISSION

www.boonecountyky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

April 20, 2023

Dinsmore Homestead Foundation, Inc.
PO Box 453
Burlington, Kentucky 41005

County of Boone Kentucky
2950 Washington Street
Burlington, Kentucky 41005

RE: Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant)** for **Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

Dear Ms. Bardes and Mr. Earlywine:

The following represents the recommended condition of approval for the above referenced application as discussed by the Planning Commission at their April 19, 2023 meeting. As you verbally agreed to this condition at the public hearing, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office no later than Friday, April 28, 2023.

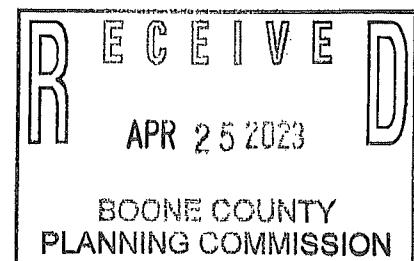
CONDITION

1. Access to the site, including traffic patterns and turning movements, shall be approved by KYTC.

Sincerely,

Michael D. Schwartz
Director, Zoning Services

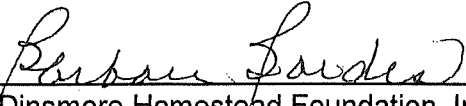
MDS/ss



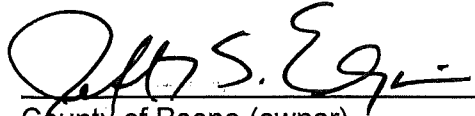
AGREEMENT

I, the property owner/developer of the approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650

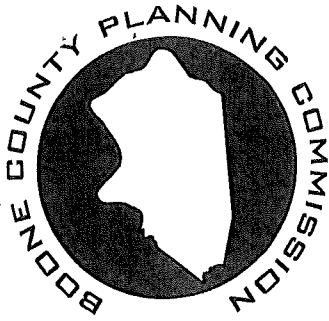
feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky, agree to the condition listed herein for the above referenced Zoning Map Amendment.


Dinsmore Homestead Foundation, Inc (owner)

April 25, 2023
Date


County of Boone (owner)

APRIL 20, 2023
Date



BOONE COUNTY PLANNING COMMISSION

www.boonecountyky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

April 20, 2023

Dinsmore Homestead Foundation, Inc.
PO Box 453
Burlington, Kentucky 41005

County of Boone Kentucky
2950 Washington Street
Burlington, Kentucky 41005

RE: Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant)** for **Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

Dear Ms. Bardes and Mr. Earlywine:

The following represents the recommended condition of approval for the above referenced application as discussed by the Planning Commission at their April 19, 2023 meeting. As you verbally agreed to this condition at the public hearing, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office no later than Friday, April 28, 2023.

CONDITION

1. Access to the site, including traffic patterns and turning movements, shall be approved by KYTC.

Sincerely,

Michael D. Schwartz
Director, Zoning Services

MDS/ss

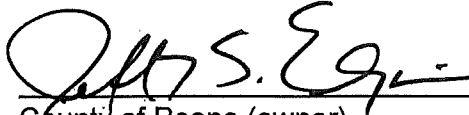
AGREEMENT

I, the property owner/developer of the approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650

feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky, agree to the condition listed herein for the above referenced Zoning Map Amendment.

Dinsmore Homestead Foundation, Inc (owner)

Date



County of Boone (owner)



Date

0/5

ORDINANCE 2023-13

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, A REQUEST, WITH A CONDITION OF DINSMORE HOMESTEAD FOUNDATION INC, PER BARBARA BARDES (APPLICANT) FOR DINSMORE HOMESTEAD FOUNDATION INC, PER BARBARA BARDES AND COUNTY OF BOONE, PER JEFF EARLYWINE, COUNTY ADMINISTRATOR (OWNERS) FOR A ZONING MAP AMENDMENT FROM CONSERVATION (CONS) TO CONSERVATION/PLANNED DEVELOPMENT (CONS/PD) FOR AN APPROXIMATE 9.2 ACRE AREA LOCATED ALONG THE NORTHWEST SIDE OF BURLINGTON PIKE, BETWEEN MIDDLE CREEK ROAD AND BELLEVIEW ROAD, APPROXIMATELY 650 FEET SOUTHWEST OF MIDDLE CREEK ROAD, AND BEING PART OF THE PROPERTIES LOCATED AT 5656 BURLINGTON PIKE AND 5700 BURLINGTON PIKE, 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 Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, 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 of Fact recommending approval, with a Condition, 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 a condition, this Zoning Map Amendment being a zone change from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Conservation (CONS) zone is more particularly described in DEED BOOKS:/PAGE NOS: 387/45, and 986/751 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for the recommendation of approval, with a Condition, for a Zoning Map Amendment request are the Findings of Fact, and Condition, 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 recommended approval for this request based on the Findings of Fact and Condition as set forth in the Committee Report and marked as "Exhibit B."

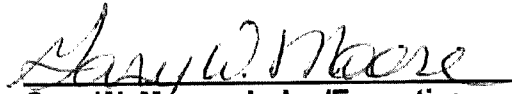
Section Three

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

First Reading the 8th day of June 2023

Second Reading the 27th day of June 2023

Adopted this 27th day of June 2023 Yes 4 No 0

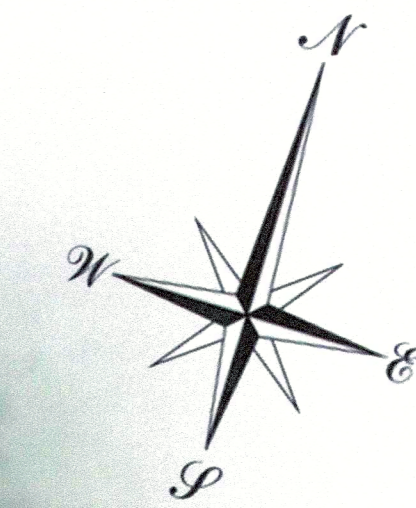


Gary W. Moore, Judge/Executive
Boone County Fiscal Court

ATTEST:



Shona Schulkers,
Fiscal Court Clerk



PROPOSED IMPROVEMENTS

- A** HERITAGE CENTER
- B** GRAVEL DRIVE
- C** LEACH FIELD
- D** WHITE KENTUCKY BOARD FENCE
- E** GATE
- F** ADA SIDEWALKS
- G** RECONSTRUCTION OF THE CAROLINE WILLIAMS CABIN
- H** SERVICE DRIVE



Dinsmore Farm C/O M Breasted
M.C. 94, Pg. 260
(0.062 Acre)

Dinsmore Homestead Foundation
D.B. 387, Pg. 45

County of Boone
D.B. 986, Pg. 751

Dinsmore Homestead Foundation, Inc.
D.B. 387, Pg. 45
(8.641 Acres)

Proposed Dinsmore Woods
State Nature Preserve
Service Area
(0.566 Acre)

BURLINGTON PIKE

KY-18

