

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

1. Date Received: 3/1/2024 Fee Received: \$ 2,345.40 Receipt #: 90035
2. Number of Copies Received: _____
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): 3/1/24
5. Staff Reviewer: *Stu Lip*
6. Committee Chairperson: *Rick Lunnemann*
7. Scheduled Public Hearing Date: 4-3-24
8. Boone County Planning Commission Action: _____ Date of Action: 5-1-24
 - _____ 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

EXHIBIT

“A”

STAFF REPORT

Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.

April 3, 2024

REQUEST

- A. Zoning map amendment for an approximate 1.47 acre area from SR-1 to I-1 to allow auto repair and a towing and impound lot.

PERTINENT HISTORY

1. The site has been zoned SR-1 since the adoption of the 1980 zoning ordinance.
2. On October 25, 1994, a Zoning Map Amendment was approved for the 1.1-acre site immediately north of the subject site. The request was a change from SR-1 to allow uses for a C-1 Zone. (R-94-038)
3. On February 15, 1997, a Zoning Map Amendment was approved for the 20.88-acre site immediately west and south of the subject site. The request was to allow an industrial subdivision, Holt Place, and a commercial outlot at the corner of Dozer Drive and Dixie Highway. (R-97-002)
4. On August 25, 1988, a Zoning Map Amendment was approved for the adjacent 20.88-acre site to allow a Planned Development Overlay on the site. (R-98-016)
5. On September 8, 1993, a Change in Non-Conforming Use was granted by the Boone County Board of Adjustment to allow the sale of automobiles on approximately 1 acre of the subject site. (BCBOA 93-019)

SITE CHARACTERISTICS

- A. The approximate 1.47 acre area is located at the intersection of Dixie Highway and Dozer Drive.
- B. Dixie Highway is an approximately 22 foot wide public street within KYTC right-of-way.
- C. Dozer Drive is a 28 foot wide public street within a 50 foot wide public right-of-way.
- D. Public water and sanitary sewer are available at the site.

- E. The site is currently vacant with two curb cuts off of Dixie Highway.
- F. Topographically, the southern half of the site slopes west to east towards Dixie Highway at an average grade of 3%. The northern half of the site slopes south to north at an average grade of 8%.

ADJACENT LAND USES AND ZONES

North: Residential detached garage (C-1)
South: Vacant Land (C-1/PD/CD)
East: Stone Center of Kentucky (I-1)
West: Ohio CAT (I-1/PD)

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 1102 of the Boone County Zoning Regulations states that the purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant

architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district. This zoning classification can range from a compact, multi-level office development on several acres to an extensive mixed office/warehouse/distribution development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.

- C. Section 505.4 and Table 5-5 of the Boone County Zoning Regulations principally permit Automotive Repair Facilities and Towing and Impound Lots within the I-1 Zoning District.
- D. Section 4000 of the Boone County Zoning Regulations defines Towing and Impound Lot as follows:
 - Establishments that tow or impound motor vehicles. These establishments may provide storage or impound lots. This definition specifically does not include junkyards or wrecking.
- E. Table 31.1 of the Boone County Zoning Regulations shows the following minimum building setbacks are required in an I-1 zone:
 - 1. Front Yard – 50'
 - 2. Rear Yard – 30'
 - 3. Side Yards – 10'
- F. Table 32-2 and Sections 3620 of the Boone County Zoning Regulations require a street frontage buffer to be a minimum of 10' in width.
- G. Table 36-1 of the Boone County Zoning Regulations requires a Buffer Yard B to be installed between a developing I-1 property and an adjoining C-1 property.
- H. Section 3655 of the Boone County Zoning Regulations permits fences within an industrial district up to a maximum height of twelve (12) feet.

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for Commercial uses.
 - 1. Commercial is described as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.

2. "The Future Land Use boundaries are intended to be approximate and subject to refinement and interpretation by the Planning Commission and county legislative bodies" (Description and Purpose of Land Use Maps, page 99).
- B. The Land Use Plan Element of Our Boone County Plan 2040, includes the following passages, which relates to the request:
1. "Due to its design and its dangerous intersection with U.S. 25, Maher Road should remain an enclave of residential uses, and no industrial access should be provided along this road. Industrial uses abutting this residential area must be planned with adequate buffering for the existing and future residential development. The industrial area to the south of Maher Road should be accessed via Frogtown Road, and the possibility of extending East Frogtown Road to connect with Maher Road should be explored because of the better visibility at the railroad crossing and intersection with U.S. 25. The frontage along U.S. 25 is suitable for a mixture of commercial and light industrial activity with proper access management provisions." (Land Use, Description And Purpose Of Land Use Maps, Richwood East, pages 139-140).
 2. "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" (Future Land Use Development Guidelines, Buffering, pp. 95-96).

3. “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 (Future Land Use Development Guidelines, Landscaping, pg. 96).
4. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way (Future Land Use Development Guidelines, Access Management, pg. 96).
5. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view (Future

Land Use Development Guidelines, Design, Signs, and Cultural Resource Preservation, pg. 97).

C. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

1. 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).
2. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
3. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).
4. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned (Economy Goal B, Objective 5).
5. Effective site placement, architectural design, and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Smoke, dust, noise, and odor impacts shall be kept at a minimum and site development and enforcement shall be carefully coordinated with regulatory agencies (Economy, Goal B, Objective 7).
6. 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).

CONCEPT PLAN

A. The applicant is proposing the following:

1. A single curb-cut off of Dozer Drive, approximately 180 feet west of the intersection of Dozer Drive with Dixie Highway.
2. A 29,676 square foot, asphalt storage lot surrounded by a 10-foot tall privacy fence.
3. An 1,800 square foot building consisting of an office space and three garage bays.
4. Provision for water and storm sewer including a detention pond near the northeast corner of the property.

B. The applicant has also supplied an illustration showing two different prefabricated

steel garage structures and a 10-foot tall privacy fence. It is stated that these are for illustrative purposes only.

STAFF COMMENTS

- A. An inter-departmental email was sent to the Boone County Building Department, Boone County Public Works, Boone County Water District, Hebron Fire Department, Boone County School District, and SD1 requesting comments pertaining to the requests. These comments are attached to the Staff Report.

STAFF CONCERNS

- A. The applicant's narrative states that the images are for illustrative and representative purposes only and do not necessarily reflect the exact dimensions, color, materials, etc. of the proposed structures.
1. The illustrations show two examples of steel buildings. The first shows a plain, unbroken façade that would be visible from Dixie Highway. The second illustrates a façade that has windows. Staff would like the applicant to address whether the building will have windows along Dixie Highway.
 2. Staff would like to know if the applicant would be willing to use a textured block knee wall on the south and east facades of the building.
 3. Staff would like the applicant to clarify the height and type of fence they are planning on installing.
 4. Since this is a highly visible site, staff would like to know if the applicant is willing to commit to utilizing evergreen trees along Dixie Highway.

CONCLUSION

- A. The request for the proposed zoning map amendment needs to be evaluated by the Boone County Planning Commission and Boone 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. The 2040 Future Land Use Map will need to be amended if the request is approved.

Respectfully submitted,



Steven Lilly
Planner, Zoning Services

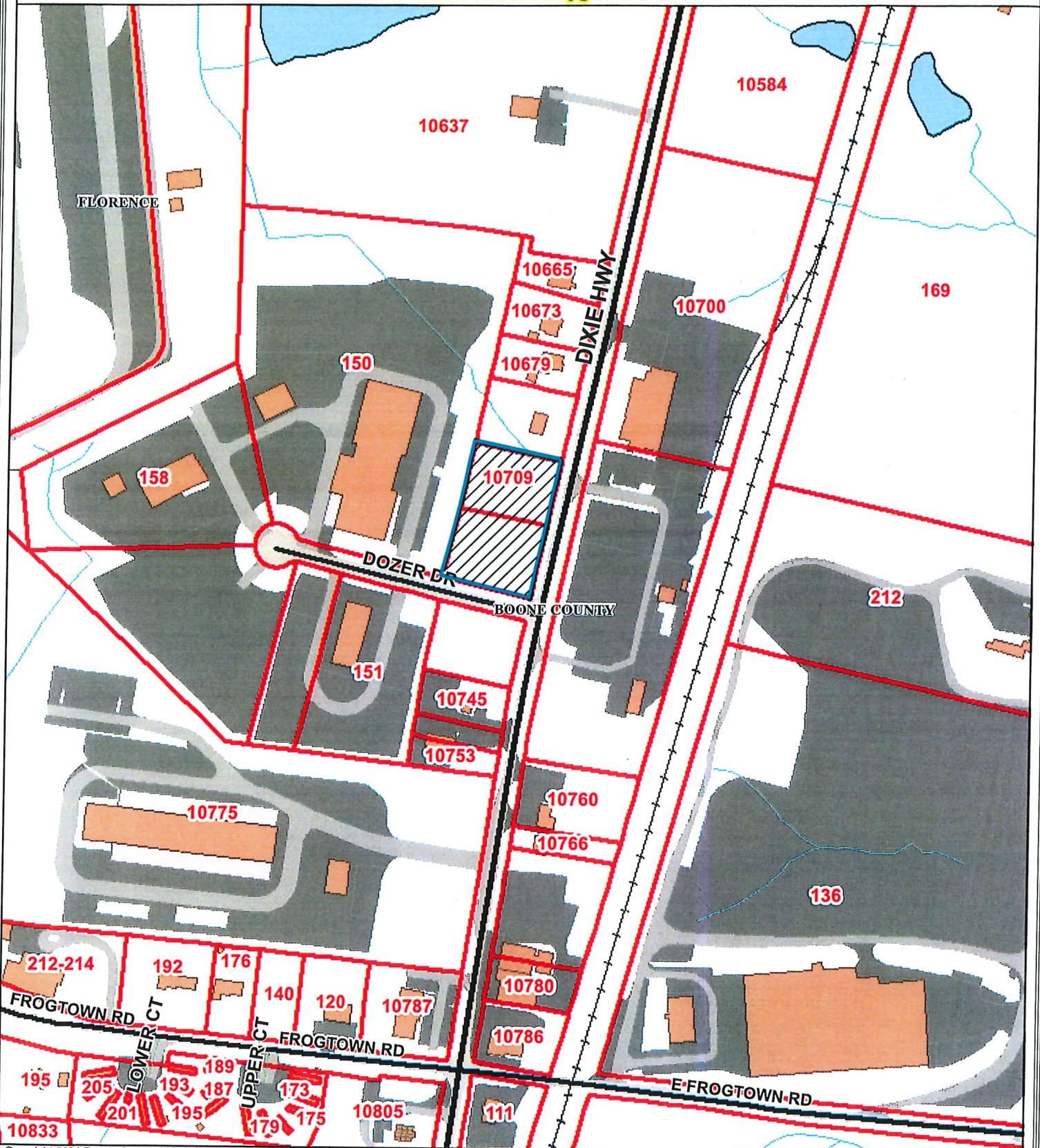
SCL/ss

Attachments:

- *Vicinity Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- * Application
- *Materials Submitted by the Applicant
- *Concept Development Plan
- * Inter-departmental emails

Vicinity Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

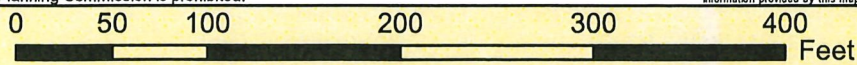
Aerial Map

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1 inch = 100 feet

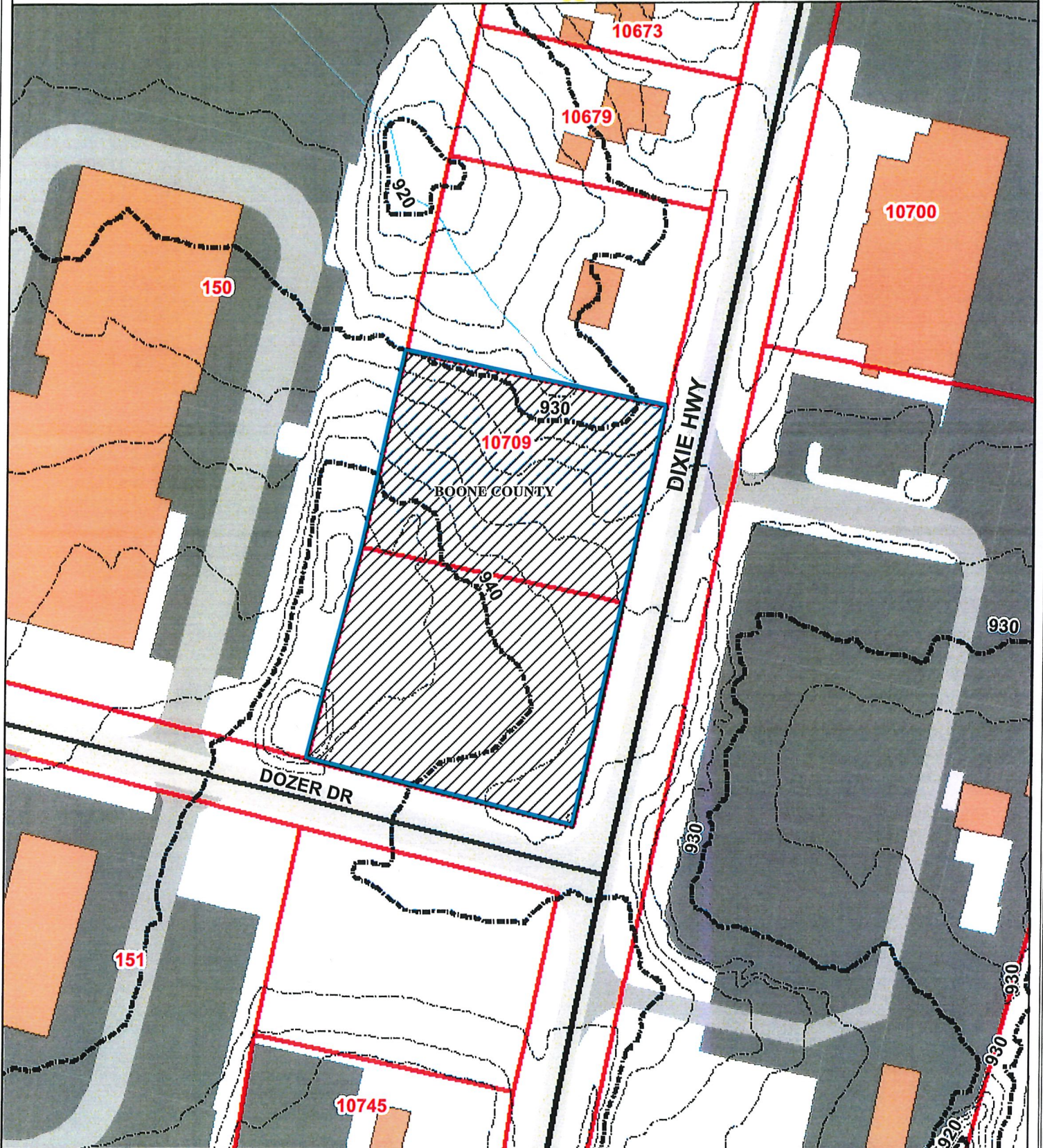


Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS
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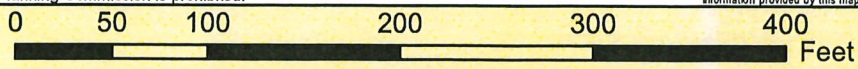
Topographical Map

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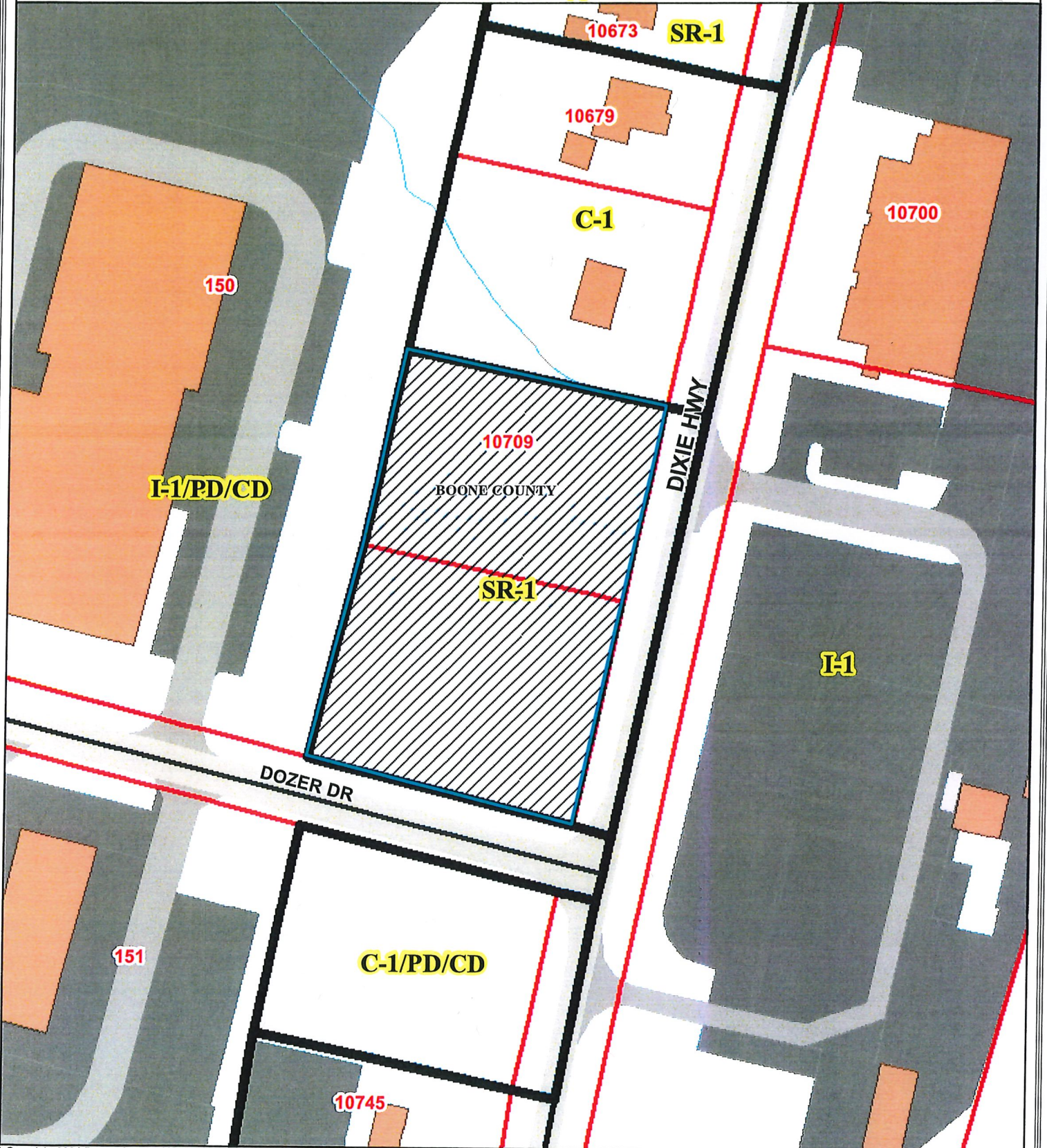


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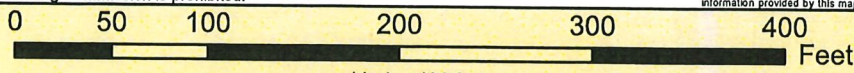
Zoning Map

www.boonecountygis.com



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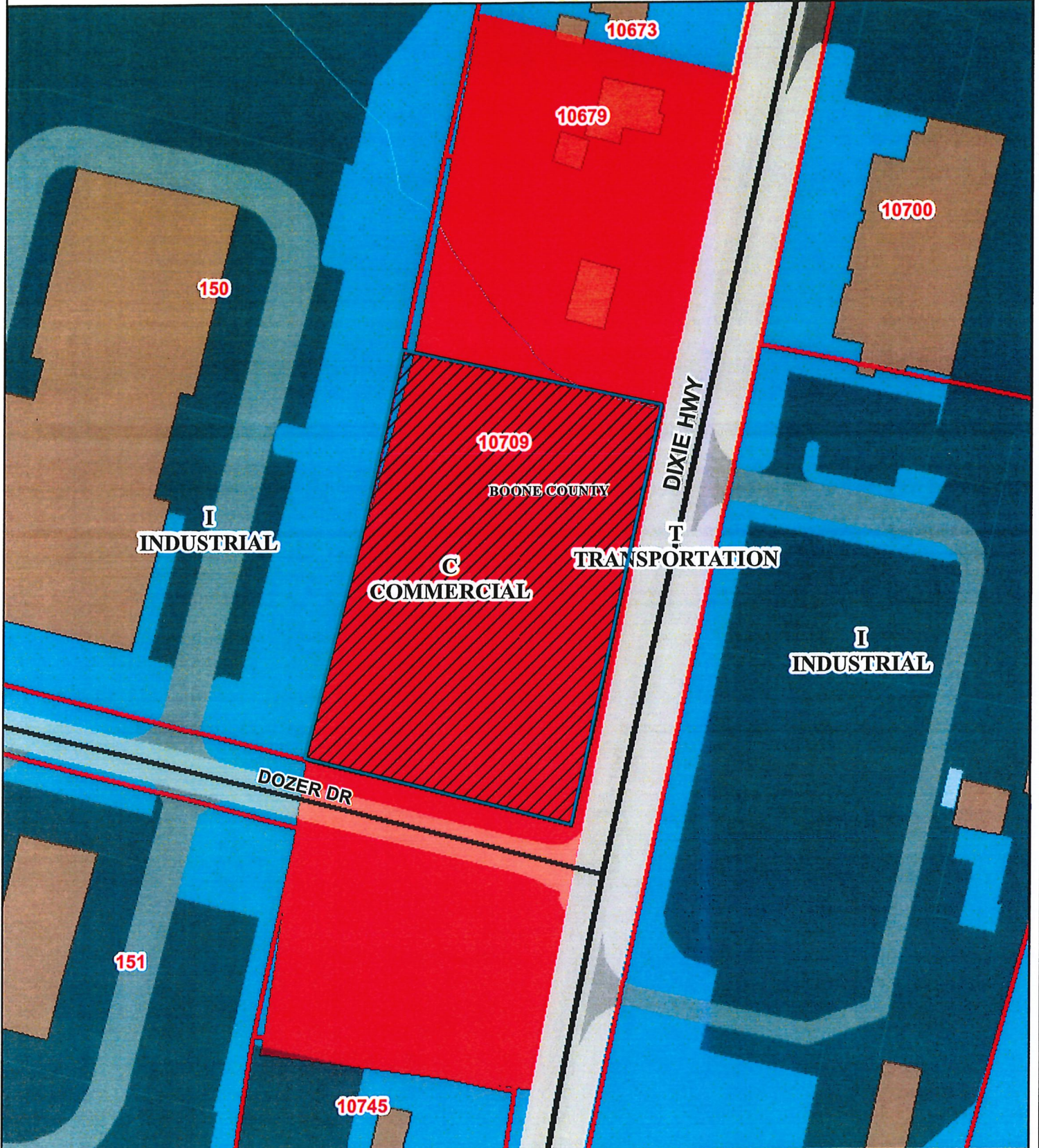
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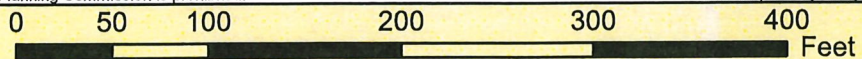
2040 Future Land Use Map

www.boonecountygis.com



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1 inch = 100 feet



Boone County GIS - Putting Northern Kentucky on the Map



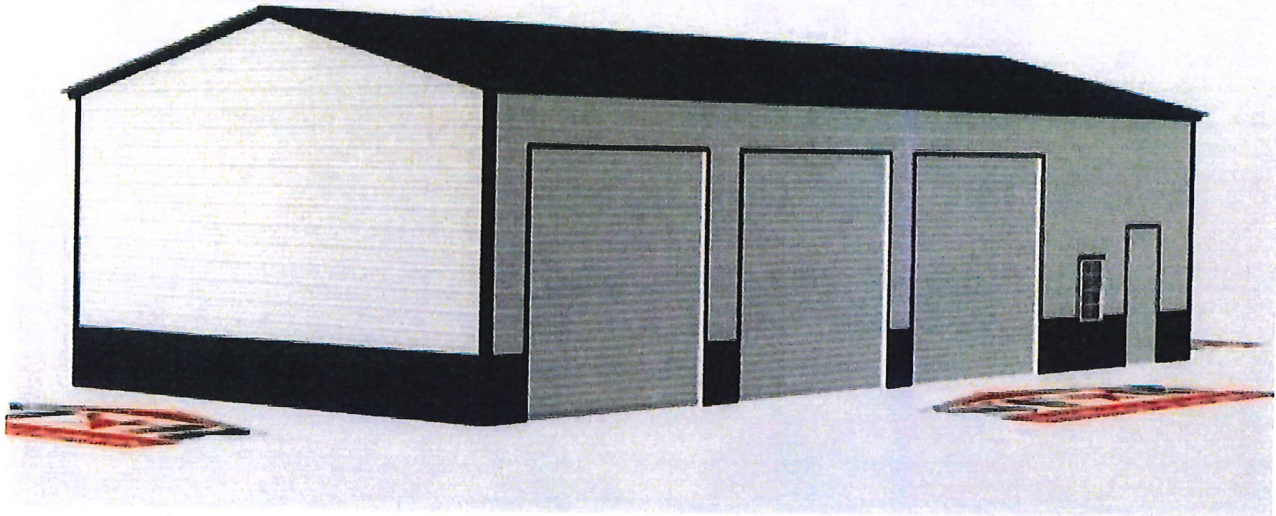
Boone County GIS
ArcMap Document: *.mxd

Bodies by Mike, L.L.C.

**Attachment to Application for Zoning Map Amendment
of 10709 Dixie Hwy., Florence, KY 41042**

ILLUSTRATIVE BUILDING AND FENCING EXAMPLES

The owner/applicant plans to install fully closed 10' tall privacy fencing around the paved vehicle storage lot at the building setback lines. The fence is intended to enhance security both as a physical barrier and to prevent observation of vehicles stored at the site. The owner/applicant has not yet initiated any specific plans for the construction of a garage building and privacy fencing on the site. However, the owner/applicant anticipates the possible future installation of a prefabricated steel garage structure of approximately 60' x 30', consisting of three vehicle bays and an office space, to allow for more secure storage of high value vehicles. Shown below are examples of the type of structure and fencing that the owner/applicant anticipates installing on the site. These are for illustrative and representative purposes only, and do not necessarily reflect the exact dimensions, color, materials, etc. of the proposed structures.





Steve Lilly

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Wednesday, March 6, 2024 12:42 PM
To: Steve Lilly
Subject: RE: ZMA - Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00

EXTERNAL MESSAGE

Steve,

No issues with this.

Just want to make sure the applicant knows they will need a KYTC encroachment permit to remove the existing drive aprons in the US 25 r/w.

Thanks,

Linzy Brefeld, P.E.
Transportation Engineer Supervisor
KYTC District 6
Traffic and Permits Section
Linzy.Brefeld@ky.gov

From: Steve Lilly <steve.lilly@boonecountyky.org>
Sent: Wednesday, March 6, 2024 12:07 PM
To: Robert Franxman <rfranxman@boonecountyky.org>; Tom Logan <tlogan@boonecountyky.org>; Mark Martin <mmartin@boonecountyky.org>; Paul Stephenson <Pstephenson@boonecountyky.org>; Jenna LeCount <jlecount@boonecountyky.org>; Bridget Striker <bstriker@boonecountyky.org>; Mike Rouse <miker@boonewater.com>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>; Andy Aman <aaman@sd1.org>; jison@sd1.org; joey.vest@waltonfireky.com; Charlie Alexander <Charlie.Alexander@waltonfireky.com>
Subject: ZMA - Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Good morning,

We have a zoning map amendment application for the subject site. They are proposing the following:

- Zone change from SR-1 to I-1
- A new curb cut off of Dozer Drive
- Proposed asphalt driveway and parking
- A 29,676 square foot asphalt storage lot
- A 10 foot tall privacy fence
- A 30 x 60 steel building for vehicle storage and office space
- Storm water detention

Steve Lilly

From: Bridget Striker
Sent: Wednesday, March 6, 2024 2:31 PM
To: Steve Lilly
Subject: RE: ZMA - Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00

Hi, Steve.

I have no comments regarding the Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00 zoning map amendment applications.

Thank you,

Bridget Striker

From: Steve Lilly <steve.lilly@boonecountyky.org>
Sent: Wednesday, March 6, 2024 12:07 PM
To: Robert Franxman <rfranxman@boonecountyky.org>; Tom Logan <tlogan@boonecountyky.org>; Mark Martin <mmartin@boonecountyky.org>; Paul Stephenson <Pstephenson@boonecountyky.org>; Jenna LeCount <jlecount@boonecountyky.org>; Bridget Striker <bstriker@boonecountyky.org>; Mike Rouse <miker@boonewater.com>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>; Andy Aman <aaman@sd1.org>; jison@sd1.org; joey.vest@waltonfireky.com; Charlie Alexander <Charlie.Alexander@waltonfireky.com>
Subject: ZMA - Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00

Good morning,

We have a zoning map amendment application for the subject site. They are proposing the following:

- Zone change from SR-1 to I-1
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- Proposed asphalt driveway and parking
- A 29,676 square foot asphalt storage lot
- A 10 foot tall privacy fence
- A 30 x 60 steel building for vehicle storage and office space
- Storm water detention

Please review and let me know if you have any comments by **March 22, 2024**.

If you have no comments, please let me know as well.

Thanks,

Steven Lilly, PLS
Planner, Zoning Services



2950 Washington Street, Room 317

Steve Lilly

From: Jared Ison <jison@sd1.org>
Sent: Tuesday, March 12, 2024 1:50 PM
To: Steve Lilly; Robert Franxman; Tom Logan; Mark Martin; Paul Stephenson; Jenna LeCount; Bridget Striker; Mike Rouse; Brefeld, Linzy M (KYTC-D06); Andy Aman; joey.vest@waltonfireky.com; Charlie Alexander
Subject: Re: ZMA - Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00

EXTERNAL MESSAGE

All,

SD1 comments below:

Storm:

1. If this project is disturbing an acre or more, a Land Disturbance Permit needs to be applied for and obtained from SD1.

Sanitary:

1. If a new sanitary connection is to be made:
 - a. A reservation of sanitary sewer capacity needs to be applied for.
 - b. A Sanitary Sewer Construction Permit needs to be applied for and obtained, from SD1, for construction of public sanitary sewer.
 - c. New sanitary connection(s) with this project will need to obtain the appropriate sanitary sewer connection permits from SD1.

Plats:

1. All plats with an SD1 easement(s) will need to be reviewed and signed off on by SD1.

Thanks,

Jared Ison
Development Services Coordinator
SD1
1045 Eaton Drive
Ft. Wright, KY 41017
(859)-578-6883

Public Records Notice: I am not the Official Custodian of Public Records at SD1. All requests for public records must be sent to SD1's Official Custodian of Records at: 1045 Eaton Dr. Ft. Wright, KY 41017, Attention: Official Custodian of Records; facsimile at (859) 331-2436 or via email to records@sd1.org. Your request will not be forwarded.

From: Steve Lilly <steve.lilly@boonecountyky.org>
Sent: Wednesday, March 6, 2024 12:07 PM
To: Robert Franxman <rfranxman@boonecountyky.org>; Tom Logan <tlogan@boonecountyky.org>; Mark Martin <mmartin@boonecountyky.org>; Paul Stephenson <Pstephenson@boonecountyky.org>; Jenna LeCount

Steve Lilly

From: miker@boonewater.com
Sent: Wednesday, March 13, 2024 3:19 PM
To: Steve Lilly
Subject: ZMA - Bodies by Mike LLC, 075.00-00-035.00 & 075.00-00-033.00
Attachments: Concept Plan.pdf

EXTERNAL MESSAGE

Steve,

No comments.

Thanks,
Mike

Mike Rouse / Project Manager
Boone County Water District
2475 Burlington Pike
Burlington, Ky. 41005

Office: 859-586-7270
Mobile: 859-991-5104

Good morning,

We have a zoning map amendment application for the subject site. They are proposing the following:

- Zone change from SR-1 to I-1

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Rick Lunnemann, Chair

DATE: April 17, 2024

RE: Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.

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, if deemed necessary, to complete the Committee Report.
2. We, the Committee, recommend approval of the Zoning Map Amendment request based on the following findings of fact:

ZONING MAP FINDINGS OF FACT

1. The Committee concluded that the existing zoning classification of Suburban Residential (SR-1) is inappropriate and the proposed I-1 district, along with the submitted concept development plan, is appropriate.

The Future Land Use boundaries are intended to be approximate and subject to refinement and interpretation by the Planning Commission and county legislative bodies" (Our Boone County Plan 2040 -Description and Purpose of Land Use Maps, page 99).

The properties east and west of the site are identified for Industrial uses and are currently zoned I-1. This proposal is compatible with the surrounding land uses that access from Dozer Drive.

2. The Committee concluded that the proposed I-1 district, along with the concept development plan, is consistent with several Our Boone County Plan 2040 Goals and Objectives.
 - a. 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).
 - b. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 - c. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Bodies by Mike – Dixie Highway

April 17, 2024

Page 2

- d. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned (Economy Goal B, Objective 5).
- e. Effective site placement, architectural design, and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Smoke, dust, noise, and odor impacts shall be kept at a minimum and site development and enforcement shall be carefully coordinated with regulatory agencies (Economy, Goal B, Objective 7).

CONDITIONS

The Committee has concluded the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County Plan 2040 and Article 3 (Amendment) of the Boone County Zoning Regulations. The Committee also concluded the attached condition is necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with the condition.

1. The proposed building and privacy fence shall be consistent with the illustrations shown at the Zone Change Committee meeting and that the building shall have a brick/stone veneer knee wall for the facades along Dixie Highway and Dozer Drive.
2. That evergreen trees be planted along Dixie Highway to meet the tree planting requirements per Table 36-2, Buffer Yard "A" of the Boone County Zoning Regulations.

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.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
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

COMMISSION MEMBERS NOT PRESENT:

Mrs. Kathy Clark
Mr. David Hincks
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
Mr. Steve Lilly, PLS, GISP, Planner

Chairman Rolfsen introduced the third item on the Agenda at 8:00 p.m.:

ZONING MAP AMENDMENT, Steve Lilly, Staff

1. Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.

Staff member, Steve Lilly, referred to his PowerPoint presentation (see Staff Report). The site is located at the intersection of Dixie Highway and Dozer Drive. It is north of Frogtown Road. The site is currently vacant. The site has two existing curb cuts on Dixie Highway. Public water and sanitary sewer are available at the site. The southern half of the site slopes west to east at an average grade of 3%. The northern half of the site slopes south to north at an average grade of 8%. The site is currently zoned SR-1 and it has been that way since 1980. Mr. Lilly described the surrounding properties in terms of land use and zoning. Pages 2-3 of the Staff Report include sections of the Zoning Regulations that are pertinent to the application. The 2040 Future Land Use Map designates the parcel for Commercial (C) uses. Pages 3-6 of the Staff Report include sections from the Comprehensive Plan. A single curb cut is being proposed off Dozer Drive approximately 180 feet away from Dixie Highway. An asphalt storage lot, a 10 foot high privacy fence and an 1,800 square foot building (includes 2 bays and office space) are proposed. A detention pond is planned along Dixie Highway. A narrative and examples of two pre-fabricated steel buildings were submitted as part of the application. Mr. Lilly showed both examples of building types. One example had windows. He also showed the proposed privacy fence. These examples are shown for illustration purposes only. Comments from various agencies are included for the Staff Report. Mr. Lilly showed photographs of the site.

In terms of Staff Concerns, will the proposed building have windows facing Dixie Highway? Will the applicant be willing to use a textured block knee wall on the south and east facades of the building? That is the most visible areas. What is the type and height of the proposed fence? Finally, since the site is highly visible, will the applicant agree to use evergreen trees along Dixie Highway?

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

Mr. David Johnson, Dunham Law Firm, stated that since 2001, Bodies by Mike has owned and operated an autobody repair facility approximately 1.8 miles north of Dixie Highway. The purpose of the Zone Change is to make the subject site a short-term staging area for customer vehicles undergoing repair operations. They need more room while cars wait for parts. The site is surrounded on all sides by commercial and industrial developments and zoning. The current zoning of SR-1 is inappropriate. The site will be turned into an attractive, productive, landscaped business property. The proposed use will have no meaningful impact on nearby residential areas. Airport Towing is located across Dozer Drive. The owner of Airport Towing supports the request.

Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Seeing no one, Chairman Rolfsen asked if the Commissioners had any questions or comments?

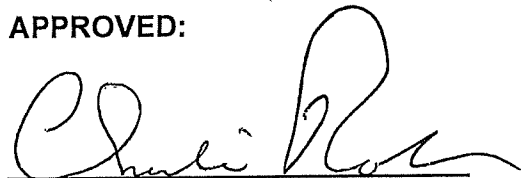
Mr. Harper asked if the building would be located inside the privacy fence? Mr. Johnson replied that the building would be set at the corner setback and the fenced area would not include any part of the building.

Chairman Rolfsen expressed a concern about vehicle thefts based on the applicant's current location. Will the proposed facility solve that problem? Mr. Berling replied that the new fenced storage lot will resolve that problem. The proposed building will allow some storage of vehicles and serve as an office. There will be no body work performed in the new building. Mr. Berling stated that the owner would agree to the texture block wall and evergreen trees on Dixie Highway. The bays will be used to secure higher value vehicles. The improvements will be far enough away for the possible widening of Dixie Highway in the future. Mr. Berling stated that the windows will face Dozer Drive and Dixie Highway. Mr. Lunnemann asked if the windows will be placed in the office section of the building? Mr. Berling responded a window will face Dozer Drive and the Dixie Highway side. A door will be installed into the garage and into the parking lot.

Mrs. Kegley inquired about the size of the proposed building. Mr. Berling replied that it will be 60' x 30'. Mr. Johnson said that the building will have a pitched roof. Mr. Berling offered to provide more details of the building at the Committee Meeting.

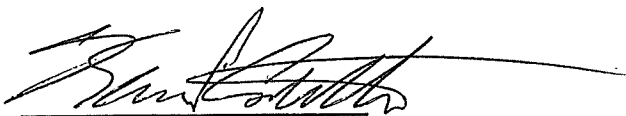
Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on April 17, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on May 1, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:16 p.m.

APPROVED:



**Charlie Rolfsen
Chairman**

Attest:



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

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

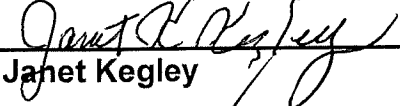
TO: Boone County Planning Commission
FROM: Rick Lunnemann, Chairman
DATE: April 17, 2024

REMARKS:

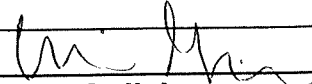
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

ZONING MAP AMENDMENT, Rick Lunnemann, Chairman, Steve Lilly, Staff

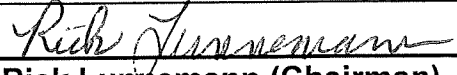
3. Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.


Janet Kegley

For Project Absent
Against Project
Abstain Deferred


Corrin Gulick

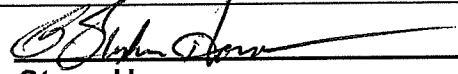
For Project Absent
Against Project
Abstain Deferred


Rick Lunnemann (Chairman)

For Project Absent
Against Project
Abstain Deferred

Kathy Clark (Alternate)

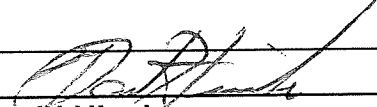
For Project Absent
Against Project
Abstain Deferred


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 (Alternate)

For Project Absent
Against Project
Abstain

TOTAL: DEFERRED 5 FOR PROJECT ABSENT
 AGAINST PROJECT ABSTAIN

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
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

COMMISSION MEMBERS NOT PRESENT:

Mrs. Kathy Clark
Mr. David Hincks
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
Mr. Steve Lilly, PLS, GISP, Planner

Chairman Rolfsen introduced the third item on the Agenda at 8:00 p.m.:

ZONING MAP AMENDMENT, Steve Lilly, Staff

1. Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.

Staff member, Steve Lilly, referred to his PowerPoint presentation (see Staff Report). The site is located at the intersection of Dixie Highway and Dozer Drive. It is north of Frogtown Road. The site is currently vacant. The site has two existing curb cuts on Dixie Highway. Public water and sanitary sewer are available at the site. The southern half of the site slopes west to east at an average grade of 3%. The northern half of the site slopes south to north at an average grade of 8%. The site is currently zoned SR-1 and it has been that way since 1980. Mr. Lilly described the surrounding properties in terms of land use and zoning. Pages 2-3 of the Staff Report include sections of the Zoning Regulations that are pertinent to the application. The 2040 Future Land Use Map designates the parcel for Commercial (C) uses. Pages 3-6 of the Staff Report include sections from the Comprehensive Plan. A single curb cut is being proposed off Dozer Drive approximately 180 feet away from Dixie Highway. An asphalt storage lot, a 10 foot high privacy fence and an 1,800 square foot building (includes 2 bays and office space) are proposed. A detention pond is planned along Dixie Highway. A narrative and examples of two pre-fabricated steel buildings were submitted as part of the application. Mr. Lilly showed both examples of building types. One example had windows. He also showed the proposed privacy fence. These examples are shown for illustration purposes only. Comments from various agencies are included for the Staff Report. Mr. Lilly showed photographs of the site.

In terms of Staff Concerns, will the proposed building have windows facing Dixie Highway? Will the applicant be willing to use a textured block knee wall on the south and east facades of the building? That is the most visible areas. What is the type and height of the proposed fence? Finally, since the site is highly visible, will the applicant agree to use evergreen trees along Dixie Highway?

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

Mr. David Johnson, Dunham Law Firm, stated that since 2001, Bodies by Mike has owned and operated an autobody repair facility approximately 1.8 miles north of Dixie Highway. The purpose of the Zone Change is to make the subject site a short-term staging area for customer vehicles undergoing repair operations. They need more room while cars wait for parts. The site is surrounded on all sides by commercial and industrial developments and zoning. The current zoning of SR-1 is inappropriate. The site will be turned into an attractive, productive, landscaped business property. The proposed use will have no meaningful impact on nearby residential areas. Airport Towing is located across Dozer Drive. The owner of Airport Towing supports the request.

Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Seeing no one, Chairman Rolfsen asked if the Commissioners had any questions or comments?

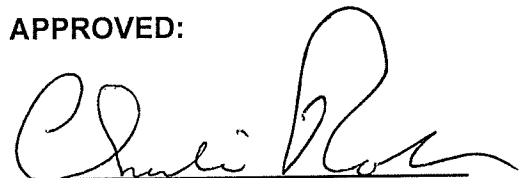
Mr. Harper asked if the building would be located inside the privacy fence? Mr. Johnson replied that the building would be set at the corner setback and the fenced area would not include any part of the building.

Chairman Rolfsen expressed a concern about vehicle thefts based on the applicant's current location. Will the proposed facility solve that problem? Mr. Berling replied that the new fenced storage lot will resolve that problem. The proposed building will allow some storage of vehicles and serve as an office. There will be no body work performed in the new building. Mr. Berling stated that the owner would agree to the texture block wall and evergreen trees on Dixie Highway. The bays will be used to secure higher value vehicles. The improvements will be far enough away for the possible widening of Dixie Highway in the future. Mr. Berling stated that the windows will face Dozer Drive and Dixie Highway. Mr. Lunnemann asked if the windows will be placed in the office section of the building? Mr. Berling responded a window will face Dozer Drive and the Dixie Highway side. A door will be installed into the garage and into the parking lot.

Mrs. Kegley inquired about the size of the proposed building. Mr. Berling replied that it will be 60' x 30'. Mr. Johnson said that the building will have a pitched roof. Mr. Berling offered to provide more details of the building at the Committee Meeting.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on April 17, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on May 1, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:16 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
MAY 1, 2024
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 1, 2024 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. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Rick Lunnemann
Mr. Steve Turner

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
Mr. Steve Lilly, GISP, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the April 17, 2024 Business Meeting and Public Hearing. He asked if there were any 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 4, 2024 and May 1, 2024.

EXPENSES:

Accounting Fees	919.00
Attorney Fees	5,693.75
Consultant/Professional Svcs Fees	4,512.75
Legal Ads/Recruitment	548.85
Miscellaneous Expense	158.00
Office & Board Meeting Supplies	1,656.06
Office Equipment / Expense	324.97
Postage Expense	1,000.00
Printing/Pub/Dues/Subscriptions	57.00
Professional Development	<u>823.02</u>

TOTAL: \$ 15,693.40

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 6,865.60
Health/Dental/Life/LTD	18,316.93
Retirement – BCPC Portion	21,839.71
Salaries – Staff Expenses	94,497.44
Salaries – BCPC & BOA	<u>1,745.00</u>

TOTAL: \$ 143,570.25

GRAND TOTAL: \$ 159,263.65

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. Kegley seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT, Janet Kegley, Chairwoman, Michael Schwartz, Staff

1. Request of **Bayer Becker Engineers, per Jay Bayer (applicant) for Toebben Limited (developer) and Russell W. Markesbery (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential Three/Commercial One/Office One/Planned Development (SR-3/C-1/O-1/PD) for an approximate 1.4 acre area located at 1685 Stahl Road, Boone County, Kentucky. The request is for a zone change to allow the site in question to be incorporated into the Rivers Pointe Estates development.

Mr. Bessler left the meeting room.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment. The proposed Conditions are taken verbatim from the previous 2010 action.

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

Mr. Jay Bayer, applicant, stated that he had nothing to add.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Zoning Map Amendment based upon the Committee Report, Findings of Fact and Conditions. Ms. Goetting seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

2. Request of **Kentucky 42, LLC, per Phillip Drees (applicant/owner)** for a Change of Concept Development Plan for an approximate 2.88 acre area located along the southeast side of US 42, between Braxton Drive and Old Union Road, approximately four hundred (400) feet southwest of Braxton Drive, and having a Parcel Identification Number (PIDN) of 063.00-29-003.04, Union, Kentucky, which is currently zoned Commercial Two/Planned Development (C-2/PD). The submitted request is to allow the construction of a 2,200 square foot building for a retail, service, or office use.

Mr. Bessler returned to the meeting room.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and 10 Conditions, some of which were from the previous application for the Change in Concept Development Plan. Two deal with the freestanding sign. Mr. Schwartz read the two additional conditions.

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

Mr. Phil Drees, applicant, stated that he has nothing to add.

Seeing no further comment, **Mr. Harper moved, by Resolution to the City of Union, to recommend approval of the Change in Concept Development Plan based on the Committee Report, Finding of Fact and Conditions. Mr. Schwenke seconded the motion and it passed unanimously.**

ZONING MAP AMENDMENT, Rick Lunnemann, Chairman, Steve Lilly, Staff

3. Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.

Staff Member, Steve Lilly, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for a Zoning Map Amendment. The applicant has submitted a signed 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, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Zoning Map Amendment based upon the Committee Report, Findings of Fact and Conditions. Mr. Hincks seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Corrin Gulick, Chairwoman, Todd Morgan, Staff

4. Request of **Hrezo Engineering Inc, per Jim Bertram (applicant)** for **Alex Othman (owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional Use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Mrs. Kegley moved to defer the request until the June 5, 2024 Business Meeting. The next Committee Meeting is scheduled for May 15, 2024 at 5:00 p.m. Mrs. Steele seconded the motion and it passed unanimously.

TECHINICAL/DESIGN REVIEW COMMITTEE, Rick Lunnemann, Chairman, Steve Lilly, Staff

5. Arhaus Loft – 1336 Hansel Avenue, Suite 100

Staff Member, Steve Lilly, referred to a PowerPoint presentation. The request is for Design Review approval. The site is the former Christmas Tree Shops. The site is zoned C-2/PD/HDO. Mr. Lilly showed photographs of the building. The applicant wants to paint the building from tan to gray for a new tenant – Arhaus Loft. The primary color of the building will be Snowbound along with trim painted Dorian Gray and Gauntlet Gray. He showed a picture of what it would look like. Section 1506 suggests that buildings shall largely use natural colors and use a consistent design treatment on all facades. While the Houston-Donaldson Study addresses building materials and colors. The Technical/Design Review Committee met prior to the Business Meeting and unanimously recommended approval.

Chairman Rolfsen asked the applicant if they were going to paint the entire building the same color? Mr. Tom Howard, Anchor Management, responded that they planned to have a more consistent theme eventually as he has one other vacant tenant space and Dick's Sporting Goods. It may not be identical colors but will be complementary. Arhaus is a furniture store.

Mrs. Goetting moved to approve the request as submitted and presented because it meets the architectural criteria as well as the Houston-Donaldson Study. Mrs. Kegley seconded the motion and it passed unanimously.

NEW BUSINESS

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

6. Request of **Richwood Development LLC, per Milanben Patel (applicant/owner)** for: (1) a Change of Concept Development Plan in a Commercial Services (C-3) district; (2) a Variance reducing the perimeter buffer yard widths from ten (10) feet to zero (0) feet along interior property lines; and (3) a Variance increasing the size of a free standing sign from two hundred (200) square feet to two hundred ten (210) square feet, for an approximate 5.4 acre area located at 460, 468, and 476 Davis Lane, Boone County, Kentucky. The request is for a Change of Concept Development Plan and Variances to allow for the development of an approximate 28,000 square foot commercial complex having five (5) buildings.

ZONING MAP AMENDMENT, Michael Schwartz, Staff

7. Request of **Midland Atlantic Properties, per Clayton Riney (applicant) for KCJA LLC, Roy Smith, Larry and Christina Barnes, and the Kentucky Transportation Cabinet (owners)** for a Zoning Map Amendment from Graves Road – Residential (GR-R) and Graves Road – Commercial (GR-C) to Graves Road - Commercial/Planned Development (GR-C/PD) for an approximate 53 acre area located at the northeast and northwest corners of the intersection of Graves Road with Worldwide Boulevard and including the properties located at 2477

Treetop Lane (portion), 2338 Williams Road (portion), 2355 Water Tower Drive (portion), and properties having the following Parcel Identification Numbers (PIDN's): 035.00-00-072.01, 035.00-00-038.05, 035.00-00-038.01, 035.00-00-061.04, 035.00-00-038.04, and 035.00-00-057.02, Boone County, Kentucky. The request is for a zone change to allow for the development of an approximate 115,000 square foot commercial complex having six (6) buildings.

Mrs. Goetting moved to schedule the Public Hearings for Items #6 and #7 on June 5, 2024 at 7:30 p.m. in the Fiscal Courtroom Dr. Clark seconded the motion and it passed unanimously.

H. EXECUTIVE DIRECTOR'S REPORT:

- No Report

I. COMMITTEE REPORTS:

- Airport (Randy Bessler)
No Report
- Administrative/Personnel (Tom Szurlinski)
No Report
- Enforcement (Tom Szurlinski)
No Report
- Long-Range Planning/Comprehensive Plan (Bob Schwenke)
No Report
- Technical/Design Review (Rick Lunnemann)
No Report
- Executive (Charlie Rolfsen)
No Report

**J. CHAIRMAN'S REPORT: (Charlie Rolfsen)
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. Szurlinski 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

Bodies by Mike, L.L.C.
Attachment to Application for Zoning Map Amendment
of 10709 Dixie Hwy., Florence, KY 41042

LEGAL DESCRIPTION

PIDN: 075.00-00-033.00
075.00-00-035.00
Group: 2058

Book D1132, Page 187

10709 Dixie Highway
Florence, KY 41042

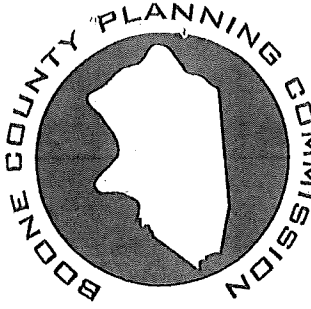
Being all of Lot Nos. Eight (8), Nine (9), and Ten (10) of the Resubdivision Tracts Three (3), Four (4), and Five (5) of the Marion Grubbs Homestead as shown on the plat for said subdivision which is recorded in Plat Book 1, Page 114 of the Boone County Court Clerk's records.

Also included are the following two tracts, which are part of Lot Seven (7) of the Resubdivision of Tracts Three (3), Four (4), and Five (5) of the Marion Grubbs Homestead as shown on the Plat for said subdivision which is recorded in Plat Book 1, Page 114 of the Boone County Court Clerk's records.

Located generally on the west side of US Highway 25 north of and near Frogtown Road and being a part of Lot No. Seven (7) of the Marion Grubbs Homestead Resubdivision, Plat Book 1, Page 114 and described particularly thus: Beginning at the common corner of Lots Numbers Seven (7) and Eight (8) of said Resubdivision in the west line of US Highway 25; thence along said line on said highway S 11-30 W 70.0 feet; thence leaving said highway N 78-30 W 200.0 feet; thence with the west line of said Lot No. Seven (7) N 11-30 E 70.0 feet; thence with the common line of said Lots Numbers Seven (7) and Eight (8) S 78- 30 E 200.0 feet to the place of beginning, containing 14,000 square feet.

Located generally on the west side of US Highway 25 north of and near Frogtown Road and described particularly thus: Beginning at a point in the west line of said Highway 25, 70.0 feet south as measured along said line from common corner of Lots Numbers Seven (7) and Eight (8) of the Marion Grubbs Homestead Resubdivision, Plat Book 1, Page 114; thence along said highway S 11-30 W 102.0 feet; thence leaving the highway N 76-55 W 200.08 feet to a point in the west line of said Lot No. Seven (7); thence therewith N 11-30 E 96.5 feet; thence S 78-30 E 200.0 feet to the place of beginning containing 19,850 square feet.

Subject to easements and restrictions of record and/or in existence.



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 17, 2024

Chris Deidrichs
Bodies by Mike, LLC
8525 Dixie Highway
Florence, KY 41042

Re: Request of **Bodies By Mike, per Chris Deitrichs (applicant/owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The request is for a zone change to allow auto repair and a towing and impound lot.


Dear Mr. Deidrichs,

The following represents the recommended condition of approval for the above-referenced application as discussed by the Planning Commission's Zone Change Committee at their April 17, 2024 meeting. Please sign the appropriate lines at the end of this letter if you are in agreement with the conditions. Please return the original letter to the Boone County Planning Commission office by April 29, 2024.

CONDITIONS

1. The proposed building and privacy fence shall be consistent with the illustrations shown at the Zone Change Committee meeting and that the building shall have a brick/stone veneer knee wall for the facades along Dixie Highway and Dozer Drive.
2. That evergreen trees be planted along Dixie Highway to meet the tree planting requirements per Table 36-2, Buffer Yard "A" of the Boone County Zoning Regulations.

Sincerely,


Steven C. Lilly, PLS
Planner

SCL/ss

AGREEMENT

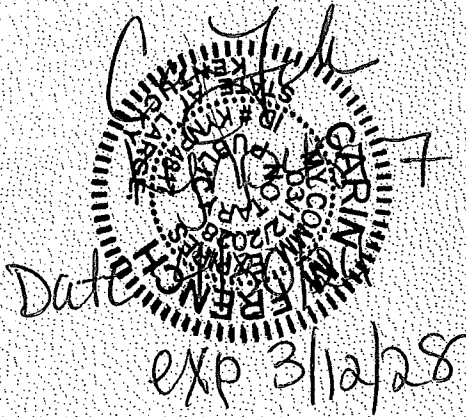
I, Chris Deidrichs, Manager of Bodies by Mike, LLC do hereby agree to the condition of approval for the Zoning Map Amendment application, which is referenced on the first page of this letter.



Chris Deidrichs, Manager

4-19-24

Date



9
3

ORDINANCE 2024-16

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING WITH CONDITIONS, A REQUEST OF BODIES BY MIKE, PER CHRIS DEITRICHS (APPLICANT/OWNER) FOR A ZONING MAP AMENDMENT FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO INDUSTRIAL ONE (I-1) FOR AN APPROXIMATE 1.47 ACRE AREA LOCATED AT 10709 DIXIE HIGHWAY, INCLUDING THE LOT HAVING A PARCEL IDENTIFICATION NUMBER (PIDN) OF 075.00-00-035.00, BOONE COUNTY.

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 Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, 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 Conditions, for the Zoning Map Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

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 approved, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 1.47 acre area located at 10709 Dixie Highway, including the lot having a Parcel Identification Number (PIDN) of 075.00-00-035.00, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Rural Suburban Estates (RSE) zone is more particularly described in DEED BOOK: 1132, PAGE NO: 187 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for approval, with Conditions, 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 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 adoption, according to law.

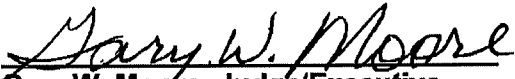
First Reading the 4th day of June 2024

Second Reading the 18th day of June 2024


Adopted this 18th day of June 2024

Yes 4

No 0


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

ATTEST:


Shonda Schulkers,
Fiscal Court Clerk

LOT #4
HOLT PLACE
PLAT CAB 4/112

151 DOZER DRIVE
MONOMOY PROPERTIES
WALTON KY, LLC
DB 1172/544
ZONE: I-1/PD/CD1

LOT #1
HOLT PLACE
PLAT CAB 4/112

150 DOZER DRIVE
OMCO BUILDING LLC
DB 852/411
ZONE: I-1/PD/CD1

LOT #5
HOLT PLACE
PLAT CAB 4/112

OMCO BUILDING LLC
DB 852/411
ZONE: I-1/PD/CD1

FLOYD & BRENDA BROWN
DB 424/230
ZONE: C-1

BODIES BY MIKE, L.C.C.
DB 1132/187
ZONE: SR-1

10720 DIXIE HIGHWAY
PETROZE PROPERTIES, L.L.C.
DB 950/547
ZONE: I-1

RECEIVED
MAR 01 2024
BOONE COUNTY
PLANNING COMMISSION

Zoning Map Amendment
APPROVED with conditions
Staff *Stanley*
Date 5-2-24
Boone County
Planning Commission



CONCEPT PLAN
Bodies by MIKE
8519 DIXIE HIGHWAY
BOONE COUNTY, KENTUCKY

DESIGNED BY GVS
DATE 2/27/24
DRAWN BY
1" = 20'
BODIES BY MIKE, L.C.C.
DB 1132/187

JAMES W. BERLING
ENGINEERING, PLLC

