

12. 056/00 930 00-014 5 .08 2087A
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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):

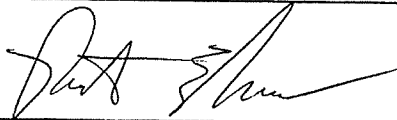
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|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> 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 type="checkbox"/> Kentucky Transportation Cabinet | |

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

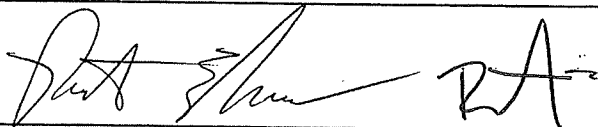
17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

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 April 18 2024

Property Owner's Signature:



Applicant's Signature:



SECTION B: (To be completed by Planning Commission staff) ^{3/29/24} \$1600 Deferral 90219

1. Date Received: 2/6/24 Fee Received: \$2463.40 Receipt #: 89899

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): _____

5. Staff Reviewer: Steve Self

6. Committee Chairperson: Steve Harper

7. Scheduled Public Hearing Date: 3-6-24

8. Boone County Planning Commission Action: _____ Date of Action: 6/5/24

- 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

#2

Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.

March 6, 2024

REQUEST

- A. The request is for a Zoning Map Amendment for a Special Sign District to allow a second Freestanding Sign within a C-3 Zone. Newman's Tractor Sales is intending to retain their existing monument sign located near their entrance off of Verona Mudlick Road. Their proposal is for a telescoping Freestanding Sign that exceeds the allowable height within the zone.

PERTINENT SITE HISTORY

On 10/2/91, a Site Plan application was approved for the original Newman Tractor building and site improvements.

On 9/1/93, a Minor Site Plan application was approved to allow additional site improvements.

In 2002, the Boone County Zoning Regulations were amended through the Zoning Update. The regulations were changed to permit heavy equipment uses (sales, leasing, and service) as a principally permitted use in the I-2 zone only. The existing Newman Tractor use became a legal pre-existing nonconforming use.

In 2004, the Boone County Board of Adjustment conditionally approved a Change in Nonconforming Use application to allow an office addition and other site improvements. A Major Site Plan application was approved for these improvements on 8/6/04.

In 2015, a Zoning Map Amendment application was approved from Agricultural Estate (A-2) and Commercial Services (C-3) to Agricultural Estate/Planned Development (A-2/PD) and Commercial Services/Planned Development (C-3/PD) for the 36.58 acre site (6.81 and 29.77 acre tracts). The request allowed the sales, rental, auction, and storage of heavy equipment related to farming, construction, and utility work. Four conditions were imposed on the approval.

On 3/17/16, a Major Site Plan application was approved allowing additional gravel surfacing to be added to the site for the equipment auctions. The plan also shows where landscaping would be added on the perimeter of the site.

In 2022, a Change in an Approved Concept Development Plan application was approved for an approximate 36.5 acre site located within an Agricultural Estate/Planned Development (A-2/PD)

District. This request allowed for an existing and proposed building expansion. Four conditions were imposed on the approval including the following related to signage:

- A. Building-mounted signage shall be permitted on the building per the 5/3/22 Concept Development. These elevation drawings show eleven building-mounted signs and interior window vinyls on the side building facades.
- B. All building-mounted signage shall comply with the general requirements found in Section 3402 of the Boone County Zoning Regulations.
- C. The tanker trailer parked near the I-71 off-ramp can remain and shall not be considered a sign. However, any flags flown or mounted to the trailer must be official flags (U.S., Kentucky, etc.). Non-official flags, which advertise Newman Tractor and/or products provided on site, shall be subject to Temporary Advertising Display permitting.

On 10/28/22, a sign permit was approved to replace a sign on the existing monument sign near the main entrance off of Verona Mudlick Road.

SITE CHARACTERISTICS

- A. The approximate 7.3 acre site is located on the southeast side of the Verona Mudlick Road/I-71 Interchange. The property has approximately 375 feet of frontage on Verona Mudlick Road and 600 feet of frontage on the I-71 northbound exit ramp.
- B. The site has an access point on Verona Mudlick Road and contains the existing office building and shop, an asphalt surfaced customer and employee parking lot, a concrete surfaced shop parking lot, and a lattice communication tower.

ADJACENT LAND USES AND ZONING

North: Verona Mudlick Road, I-71 Off-Ramp, and Marathon/Convenience Store (C-3)

South: Additional Newman Tractor property (C-3/PD/CD)

East: Shell/Convenience Store (C-3),

West: I-71 Off-Ramp and an Undeveloped Agricultural Tract (C-3)

APPLICABLE REGULATIONS

- A. Section 1500 of the Boone County Zoning Regulations states that a Planned Development District promotes, provides, and creates:
 - A signage package that emphasizes consistency and the minimal use of signs.
- B. Section 1506 of the Boone County Zoning Regulations provides Planned Development Criteria related to signage as follows:

- Signage: A consistent signage theme shall be provided within a Planned Development. Building-mounted signs shall be the predominant signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.

C. Section 3400 of the Boone County Zoning Regulations states that “The purpose of the sign article is to coordinate the type, placement and physical dimensions of signs within the different zones; to recognize the commercial communication requirements of all sectors of the business community; to recognize free speech; to encourage the innovative use of design through Special Sign Districts. Furthermore, this article is intended to protect property values, create a more attractive economic and business climate, and enhance and protect the physical appearance of the community. Lastly, this article is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, and generally enhance community development”.

D. Section 3408.6 of the Boone County Zoning Regulations allows for Free Standing Signs subject to the following limitations:

a. Individual parcels of land which are not located within a shopping center, mixed use commercial development, commercial subdivision, or planned development, shall be subject to the following regulations:

- I. Shall only be a monument or architectural free standing sign.
- II. Shall be limited to one (1) sign for each parcel, regardless of the number of business establishments conducted in the building(s) and regardless of the number of road frontages.
- III. The maximum sign area shall not exceed one (1) square foot per lineal foot of road frontage along the street where the sign is to be located, up to a maximum of two hundred (200) square feet (Unincorporated Boone County, City of Union, City of Walton) or up to a maximum of one hundred fifty (150) square feet (City of Florence).
- IV. The maximum height shall be determined as follows (Unincorporated Boone County, City of Union, City of Walton):

Road Frontage	Maximum Sign Height
50 feet or less	15 feet
51 to 100 feet	20 feet
101 to 200 feet	25 feet
More than 200 feet	30 feet

E. Section 3408.6 of the Boone County Zoning Regulations provides the following definitions related to this issue:

Monument Sign - A freestanding sign with a base width of at least eighty percent (80%) of the width of the longest part of the sign cabinet or sign face.



Architectural Freestanding Sign - A freestanding sign which does not have a bare, exposed, and unadorned pole structure(s), but rather uses: a cover or skirting around the pole structure(s), or; a structure constructed of materials, colors, and design details which match or correlate to the principal building on the site, or; the pole structure(s) is designed to have sculptural or artistic characteristics.



- F. Section 3410 of the Boone County Zoning Regulations allows for the creation of special sign districts.
- G. Section 3410.C of the Boone County Zoning Regulations provides criteria for the approval of a Special Sign District:
 - 1. A Special Sign District shall be approved only if the legislative body finds that the proposed plan meets all of the standards set out in this article. If the legislative body finds that the proposed plan substantially meets such standards, it may approve the proposed plan subject to conditions that will cause it to meet these standards. Otherwise, the legislative body shall deny the application for plan approval:

- a. Each proposed sign generally conforms with all applicable standards of this article.
- b. The total amount of signage proposed for any building, wall, site, or portion of a site, generally conforms with all applicable standards of this article.
- c. The proposed allocation of allowed signage among eligible tenants, which shall be proportional to one of or a combination of the following criteria:
 - (1) The number of public entrances to space leased to or controlled by each tenant or occupant;
 - (2) The linear feet of frontage of the space leased to or controlled by each tenant or occupant along the wall(s) containing public entrances; and/or
 - (3) The façade area of the building elevation(s) containing the public entrances to the spaces leased to or controlled by each tenant or occupant.
- d. All proposed signs shall be part of a common design scheme, meeting at least the following criteria:
 - (1) The materials and design of all wall signs shall follow one design scheme;
 - (2) The materials and design of freestanding signs bearing commercial messages shall follow one design scheme, which may or may not be the same as the design scheme for wall signs;
 - (3) Each design scheme shall require consistency among signs for at least three of the following criteria: lighting design; color schemes; materials; shape; proportion; and/or type faces;
 - (4) If the design schemes for the wall signs and freestanding signs are different, they shall have in common at least two of the following criteria: lighting design; color schemes; materials; proportion; and
 - (5) The design scheme for freestanding signs shall use building materials, colors and, where applicable, architectural design features consistent with the materials, colors and architectural design features of the principal building on the site.
- e. A determination shall be made that any signage that is proposed as part of a Special Sign District that does not conform to the requirements of this Article must be superior to the signage allowed under this Article.

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County – Plan 2040 “2040 Future Land Use Plan” designates the site for Industrial uses which is described as follows:

1. Industrial (I) – Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses.
- B. Verona Mudlick Road is a state maintained arterial street providing for two way traffic within two driving lanes.
- C. Our Boone County Plan 2040 contains the following Future Land Use Development Guideline as it pertains to Design, Signs, and Cultural Resource Preservation (page 97):

"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 motorists 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 corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view."

STAFF COMMENTS

- A. The Boone County Planning Commission and Boone County Fiscal Court should analyze the following passages from the Boone County Zoning Regulations and Boone County Comprehensive Plan before acting on the request:
 - Section 1506 of the Zoning Regulations states that Building-mounted signs shall be the predominant signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.
 - Section 3440 of the Zoning Regulations states that the purpose of a Special Sign District shall be to respond to the special circumstances of development, renewal, redevelopment, or rehabilitation of areas of the County and to better achieve county-wide policies for growth and development.
 - Section 3408.6 of the Zoning Regulations would permit a single, monument or architectural freestanding sign with a maximum height of 30 feet.
 - Section 4000 of the Zoning Regulations states that an Architectural freestanding sign shall not have a bare, exposed, and unadorned pole structure.

STAFF CONCERNS

1. The proposed sign location appears to be within KYTC right-of-way and would be subject to an encroachment permit.
2. The proposed sign height is greater than three times the maximum allowable sign height.

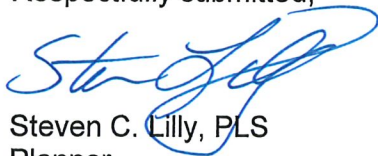
Staff would like the applicant to justify the proposed sign height of 95 feet.

- a. How far away will the sign be visible?
 - b. Could the same sign be as effective at a lower height?
3. Staff would like to know if the owner intends to keep the existing signage located on the property. Staff has identified the following existing signs:
- a. A freestanding monument sign for Newman Tractor/SANY
 - b. A directional sign located near the office and visitor parking lot
 - c. Two freestanding signs for JJ Kane Auctions
4. Staff has a concern that the allowance of a freestanding sign of this height could set a precedent for similar developments located near major roadways.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the criteria necessary for approving a Special Sign District, as outlined in Section 3410.C of the zoning regulations.

Respectfully submitted,



Steven C. Lilly, PLS
Planner

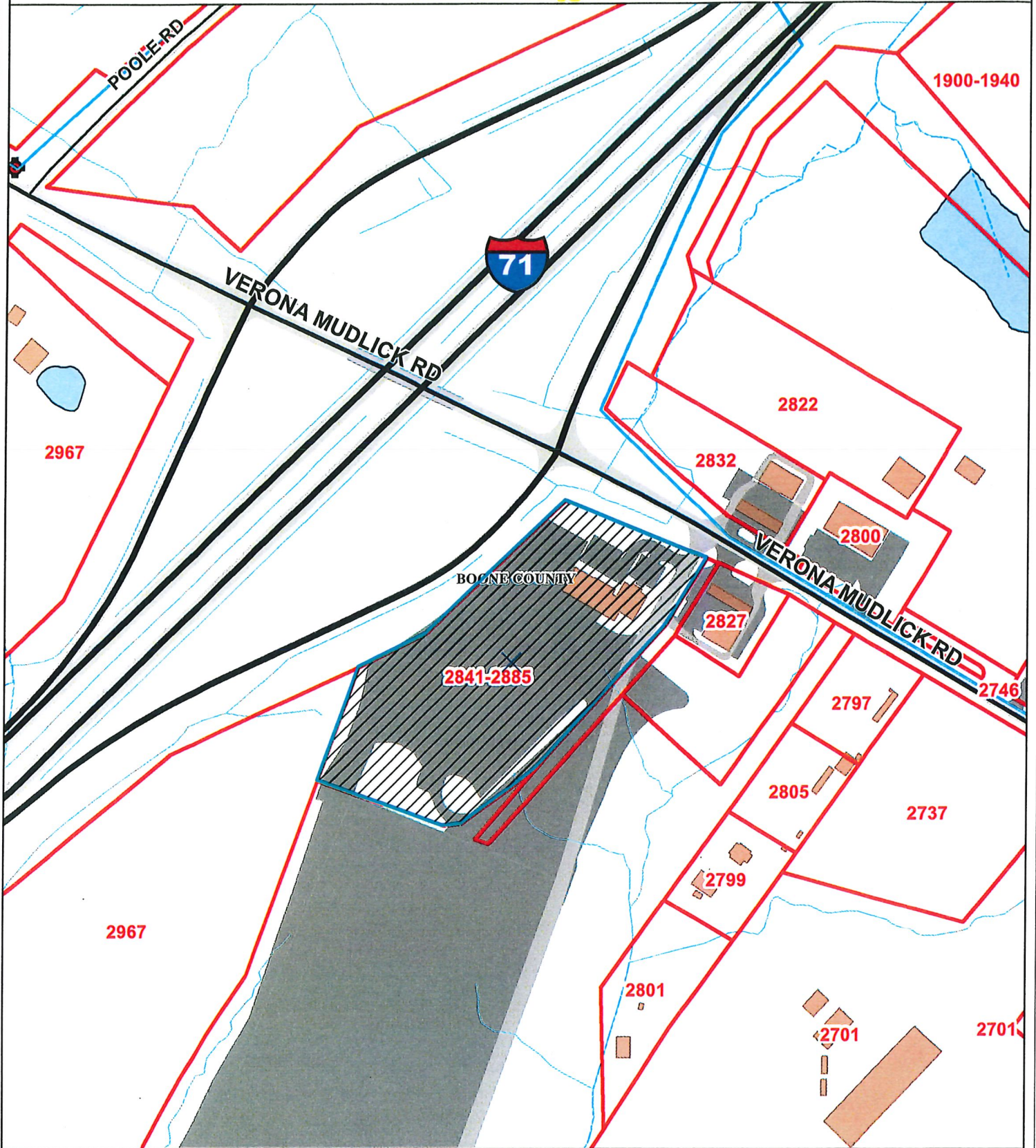
SCL/ss

Attachments:

- *Vicinity Map
- *Zoning Map
- *2040 Future Land Use Map
- *Aerial Map
- *Application
- *Proposed Sign Details

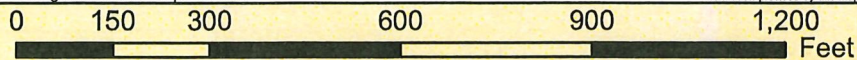
Vicinity Map

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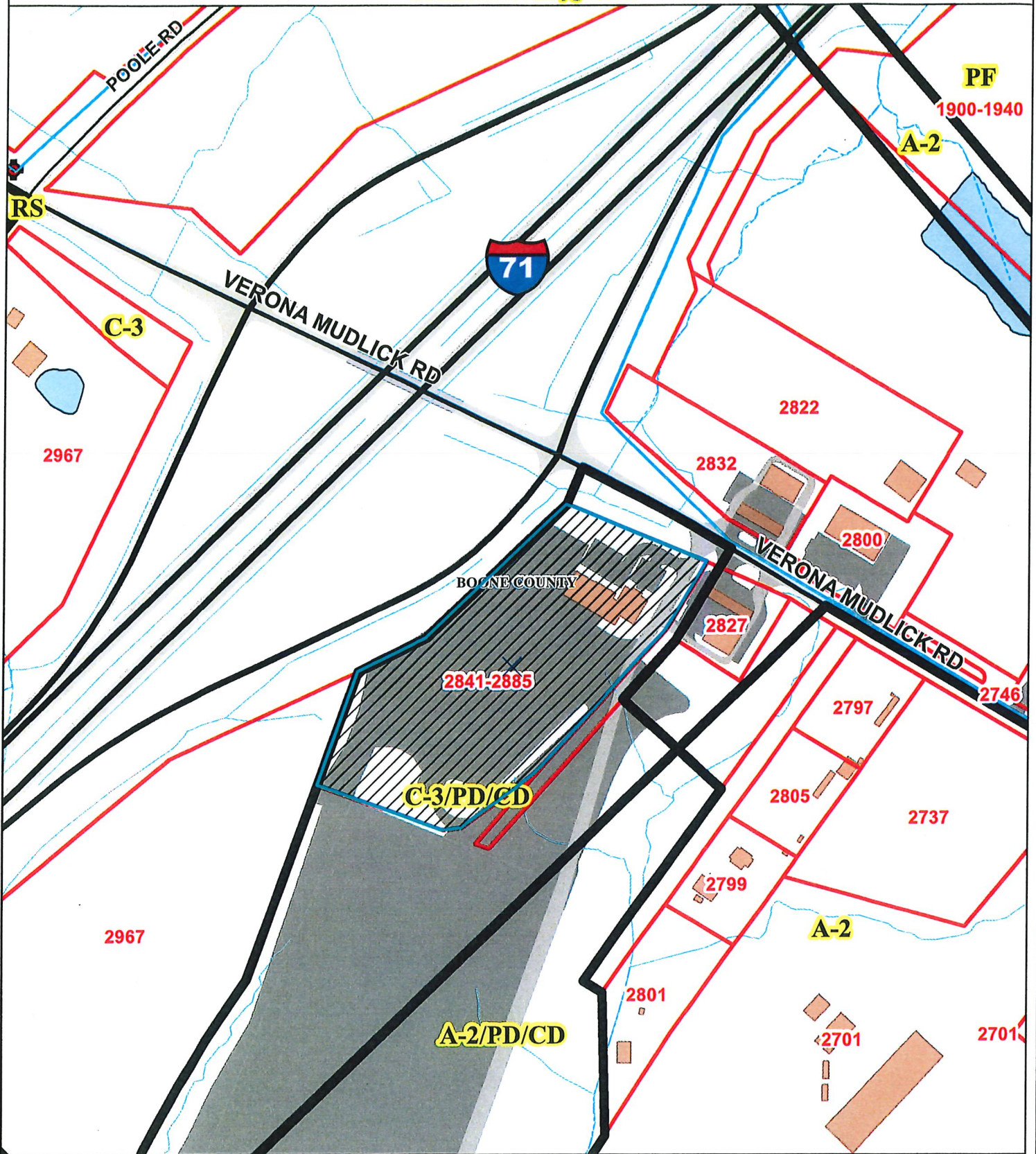


Boone County GIS - Putting Northern Kentucky on the Map

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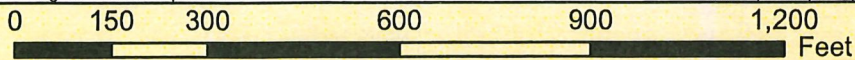
Zoning Map

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1 inch = 300 feet

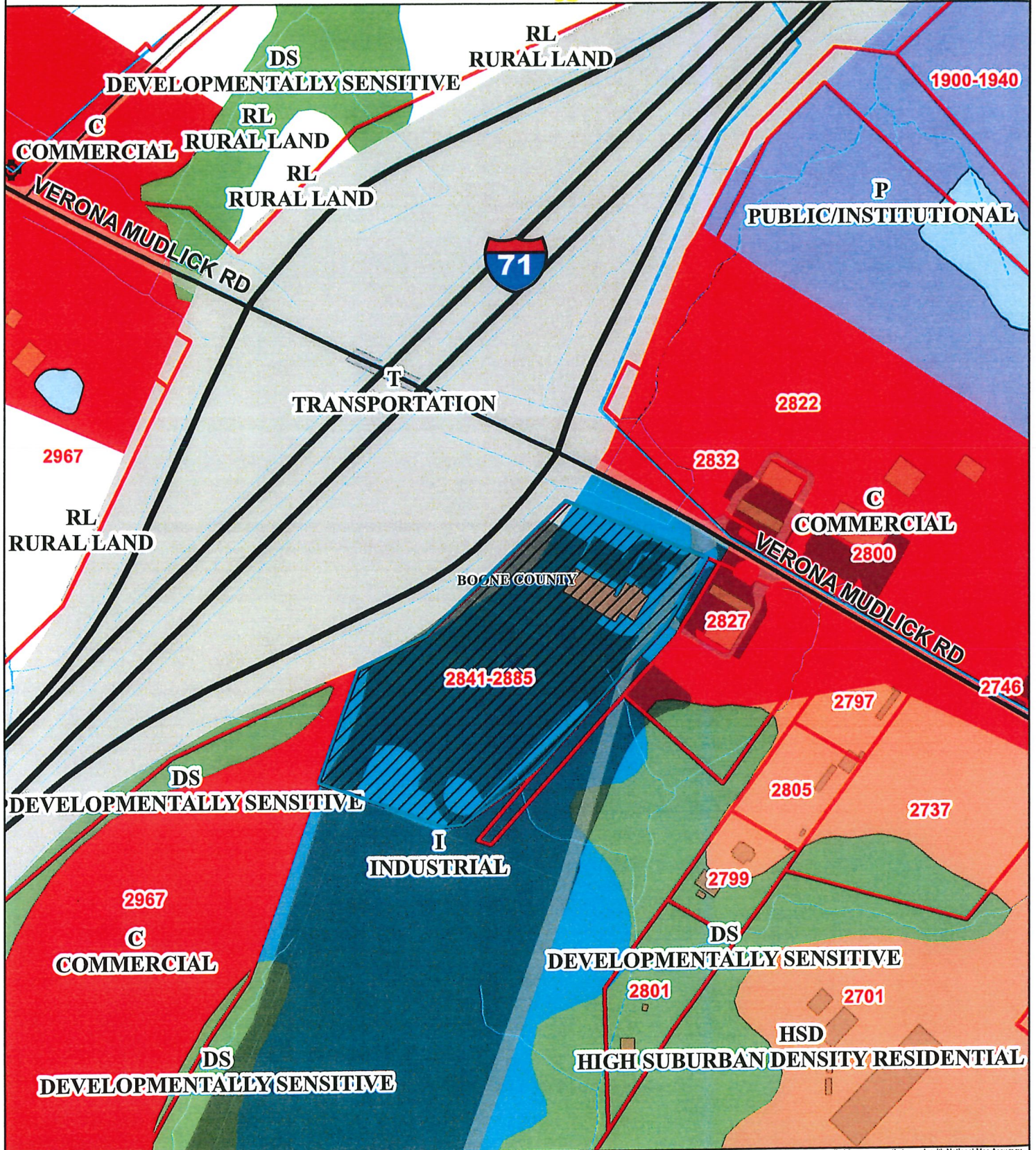


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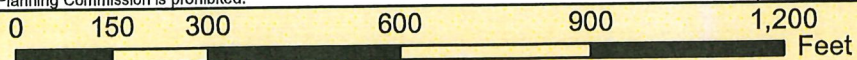
2040 Future Land Use Map

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Boone County GIS - Putting Northern Kentucky on the Map



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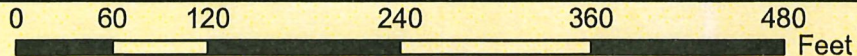
Aerial Map

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1 inch = 120 feet



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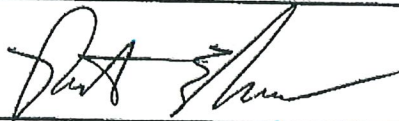
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| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
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16. Concept Development Plan Jurisdiction/Location (check all that apply):
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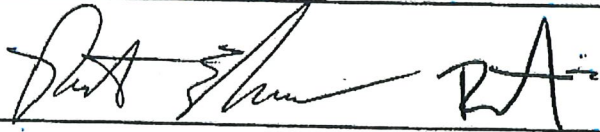
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Applicant's Signature:

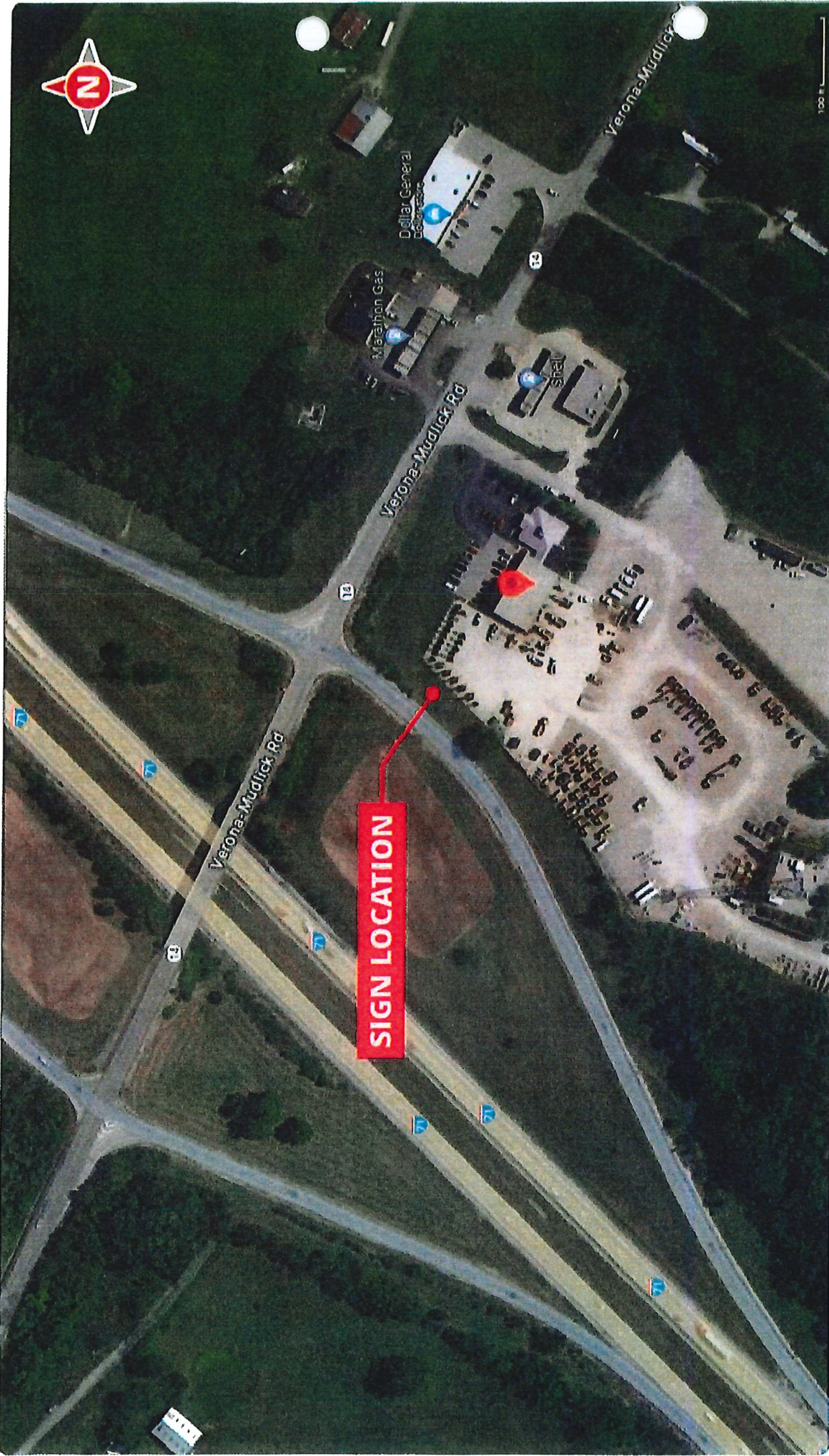


~~Richard~~ Newman
Richard
R.

PIDN	PRCLOWNR1	MAILADD1	MAILADD2	MAILPOST	MAILSTATE	MAILZIP
056.00-00-011.00	DUNN GWENDOLA	2967 VERONA MUDLICK RD		VERONA	KY	41092
056.00-00-014.01	NILAM LLC	2016 CROOKED RIDGE CT		FLORENCE	KY	41042
056.00-00-012.01	TACKETT RONALD R & BRENDA A	470 HWY 562		WARSAW	KY	41095
056.00-00-014.00	OLD LEXINGTON PIKE LLC	2841 VERONA MUDLICK RD		VERONA	KY	41092
056.00-00-014.07	OLD LEXINGTON PIKE LLC	2841 VERONA MUDLICK RD		VERONA	KY	41092
056.00-00-015.01	HARPER BOBBY L & JANICE	971 WESTBROOK CT		VILLA HILLS	KY	41017
056.00-00-012.09	BVC FARMS LLC	3000G HENKLE DR		LEBANON	OH	45036



100 FT



SIGN LOCATION

CUSTOMER: NEWMAN TRACTOR
 LOCATION: 2841 VERONA-MUDLUCK ROAD, VERONA, KY, 41092
 SALES REP: WILLIAM YUSKO
 PROJECT MGR: CJ McDONALD
 DRAWN BY: GRIGG ESSERT
 DATE: 2-4-2024
 FILE NAME: 107216_NEWMAN TRACTOR_VERONA_PERMITS

APPROVED
RECEIVE
 FEB 08 2024

BOONE COUNTY
 PLANNING COMMISSION



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atlanticsigncompany.com





CUSTOMER: NEWMAN TRACTOR
 LOCATION: 2641 VERONA HEDDLICK ROAD, VERONA, KY, 41092
 SALES REP: WILLIAM YUSKO
 PROJECT MGR: CJ McDONALD
 DESIGNED BY: GREG ESSECK
 DATE: 2-6-2024
 FILE NAME: 107216_NEWMAN TRACTOR_VERONA_PERMITS

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 Atlantic Sign Company



CUSTOMER: NEWMAN TRACTOR
 LOCATION: 2641 VERONA MUDLUCK ROAD, VERONA, KY, 41092
 SALES REP: WILLIAM YUSKO
 PROJECT: 1587
 DESIGNED BY: GREG ESSERT
 DATE: 2-5-2024
 FILE NAME: 102716_NEWMAN TRACTOR_VERONA_PERMITS

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CUSTOMER: NEWMAN TRACTOR
LOCATION: 2841 VERONA-HUDLUCK ROAD, VERONA, KY, 41992
SALES REP: WILLIAM YUSRO
PROJECT MGR: McDONALD
DRAWN BY: GREG ESSEIT
DATE: 2-6-2024
FILE NAME: 107216_NEWMAN TRACTOR_VERONA_PERMITS

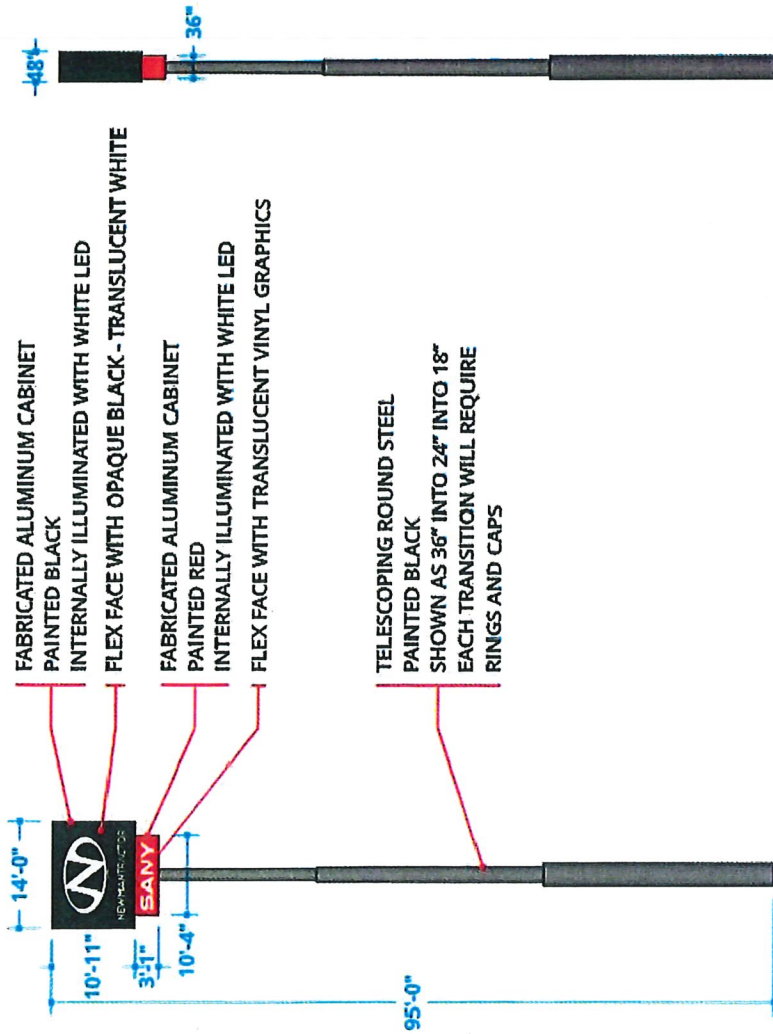
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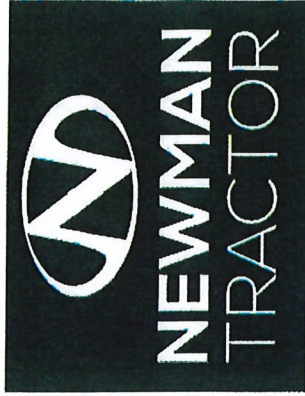
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 1/16" SCALE



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PAGE 5

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CUSTOMER	NEWMAN TRACTOR
LOCATION	2841 VERONA-MUDLICK ROAD, VERONA, ILL. 61092
SALES REP	WILLIAM YUSKO
PROJECT MGR	CI McDONALD
DRAWN BY	GREG ESSERT
DATE	2-6-2024
FILE NAME	102716_NEWMAN TRACTOR_VERONA_PERMITS

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Steve Harper, Chairman

DATE: June 6, 2024

RE: Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.

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 findings 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 for a Special Sign District based on the following findings of fact:

FINDINGS OF FACT:

1. Section 3410 of the Boone County Zoning Regulations states that the effect of a special sign district shall be to modify, according to standards established by the Commission, the requirements, regulations, and the procedures for signs in the area included as part of the district. The purpose of the district shall be to respond to the special circumstances of development, renewal, redevelopment, or rehabilitation of areas of the County and to better achieve county-wide policies for growth and development.

The Committee concluded that the distance from the exit ramp, coupled with the topography and existing tree lines, creates a special circumstance that justifies both the need for and the height of the proposed free standing sign.

2. Our Boone County Plan 2040 contains the following Future Land Use Development Guideline as it pertains to Design, Signs, and Cultural Resource Preservation (page 97):

"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 motorists 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 corridor. Utility lines

ZONE CHANGE/COMCEPT PLAN COMMITTEE REPORT

Atlantic Sign/Newman's Tractor

June 5, 2024

Page 2

should be placed underground wherever possible, and junction boxes screened from public view."

The Committee concluded that the proposed signage would adequately identify the business and would not compete for motorists' attention nor create a negative impact on the visual appearance of the surrounding area.

3. The Committee concluded that the attached conditions are necessary to achieve consistency with the Our Boone County Plan 2040. The Committee also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The developer has signed a letter demonstrating agreement with the conditions:

CONDITIONS:

1. That the proposed sign shall be located on the subject property and outside of KYTC right-of-way unless an encroachment permit is acquired.
2. That the sign be consistent with the submittal material, showing a sign having a black pole structure, white logo, and an opaque background.
3. That the sign illumination be adjustable, and that the brightness shall be less than the adjacent Marathon sign.

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

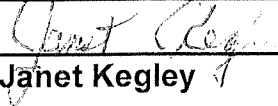
TO: Boone County Planning Commission
FROM: Steve Harper, Chairman
DATE: May 15, 2024

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.

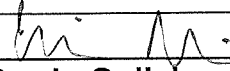
ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Steve Harper, Chairman, Steve Lilly, Staff

1. Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.



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 _____

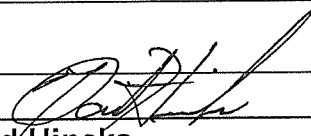


Steve Harper (Chairman)

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 4 FOR PROJECT 1 ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
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

COMMISSION MEMBERS NOT PRESENT:

Mr. David Hincks
Mr. Steve Turner
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Steve Lilly, PLS, GISP, Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:43 p.m.

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Steve Lilly, Staff

1. Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.

Staff member, Steve Lilly, referred to his PowerPoint presentation (see Staff Report). The 7.3 acre site is located on the southeast side of Verona-Mudlick Road and the I-71 interchange. The property has approximately 375 feet of road frontage along Verona-Mudlick Road and 600 feet of road frontage along the I-71 northbound exit ramp. The site contains an office building, a shop, a paved customer/employee parking lot and a communication tower. In 2015, a Zoning Map Amendment application was approved to change the site to its present C-3/PD zoning district. Mr. Lilly described the surrounding land uses and zoning. Pages 2-5 of the Staff Report includes sections of the Zoning Regulations that are applicable to the request. The 2040 Future Land Use Map designated the site for Industrial (I) uses. "The minimum use of signs is encouraged in the Comprehensive Plan. Signage should be adequate to identify specific development but should not be used as a means to compete for motorists' 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 corridor." Pages 5-6 of the Staff Report contain other references to the Comprehensive Plan. Mr. Lilly referred to an aerial photograph provided by the applicant that showed the proposed sign location. It appears that the sign location is in the interstate right-of-way. He showed the 2022 Change in Concept Development Plan approval. It included a building addition and building mounted signage as part of the PD process. The proposed addition has not been built yet. Mr. Lilly showed building elevation drawings as well as photographs of the site and adjoining properties that had freestanding signs. The site currently has several directional signs as well as a monument sign for Newman Tractor and a separate sign for JJ Kane Auctions. The proposed freestanding sign would be 95 feet high and 196 square feet. The proposed square footage for the sign is okay but the maximum height in a C-3 District is 30 feet. He showed photographs of what the proposed sign would look like from different properties. A Special Sign District is being requested because the applicant wants 4 freestanding signs.

In terms of Staff concerns, the proposed sign is located in the interstate right-of-way. It would require an encroachment permit from the Kentucky Transportation Cabinet. Staff is requesting the justification of the 95 foot high sign. How far away will the proposed sign be visible? Could it be effective at a lower height? Is all the existing signage going to be retained on the site? Staff remains concerned about setting a precedent on other requests if the proposed sign is approved. The request must be evaluated based on the criteria outlined in Section 3410(c) of the Zoning Regulations and noted in Pages 4-5 of the Staff Report.

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

Ms. Brooke Alini, Atlantic Sign Company, stated that the sign will be moved back to the owner's property – approximately 8-10 feet back.

Mr. Herb Cress, Newman Tractor Sales, stated that the property line is at the edge of the concrete. The sign would be in the concrete area.

Ms. Alini distributed handouts to the Board members (Exhibit A) that showed where the sign would be relative to the interstate. The first picture was taken going southbound about 500 yards away from I-71 and the second photo is 3,000 yards away. It won't be as big as people may think it will be. The point is for people to find Newman Tractor from the highway and not to distract people in any way. The Company is trying to rebrand and bring in other clients from different areas. It is not just a local business anymore. The sign will be lit at night. If the sign is lowered to 30 feet, it will be blocked by the tree line.

Ms. Stephanie Smith, Newman Tractor Sales, stated that they have 2 locations and over 100 employees. They are planning to expand the business with an \$8 - \$10 million dollar investment. It is difficult for people to find their business. Additional signage is a must. They need some wayfinding signage for their business. They can change some of the JJ Kane Auction signs. Mr. Cress alluded that JJ Kane Auction traffic needs better directions to get to their site.

Chairman Rolfsen inquired about water truck signage. Mr. Morgan noted that it was allowed to stay per the previous application. Mr. Cress stated that the water trucks are used daily.

Mr. Lunnemann inquired about a brick base or a cabinet to cover the sign pole. Mr. Cress replied that they will look at it.

Chairman Rolfsen asked about the use of GPS to find the business. Mr. Cress explained the building sits so far back from the interstate. Customers always miss the exit.

Dr. Clark expressed a concern about setting a precedent with the application. Will others follow?

Based on his experience, Mr. Harper appreciates the value of a high rise sign. Those types of signs became less valuable when the State interstate logo program started. That program is not available to the applicant.

Chairman Rolfsen asked if anyone knew the height of the Marathon signs? Ms. Alini replied that it may be 30 feet high. The cell tower is between 250 – 300 feet high.

Mr. Costello asked the applicant if they considered trimming the trees and installing a smaller sign? Mr. Cress replied it would be difficult because some of the land is privately owned.

Ms. Gulick asked what has been the practice with dealing with these types of signs in the past? Mr. Morgan replied that he would have to research it. Mr. Costello explained the history of the sign code with fewer larger signs and billboards.

Mr. Tom Armstrong, 2937 Verona Mudlick Road, expressed a concern about the proposed sign being lit up at night and facing his house. Mr. Armstrong submitted a drawing showing the distance between his house and the sign location: It is approximately 1,743 feet away. That measurement is based on the current location that's shown (See Exhibit B).

Chairman Rolfsen asked if Mr. Armstrong doesn't want the sign to be lit? Mr. Armstrong replied that a 95 foot high sign is too tall.

Ms. Brooke Alini replied that all signs now come with a photo cell. They adjust to light. The majority of the sign is black. She will perform a light test. The distance is pretty far.

Chairman Rolfsen asked if the Commissioners had any questions or comments?

Ms. Gulick asked if the applicant can do a sight line analysis so the adjoiner could see what he might see from his property? She responded that she will look into it with her boss and get a better idea of how much light is put out. Maybe the sign can be relocated to minimize the light or turned.

Mr. Armstrong stated that it is still a rural area and he doesn't want to look at a sign.

Mr. Szurlinski stated that he was confused about the purpose of the sign. Is it used to capture traffic going in both directions on the interstate and getting off the exit or just driving by once you are off the exit? If it is the second thought, then there is no reason for a 95 foot high sign.

Mr. Cress stated that it is part of their branding. They have new brands and they want customers to stop.

Ms. Alini stated that the sign is a safety feature to make sure people are getting off at the correct exit. It is also used for advertising purposes. Ms. Smith stated that they have more contractors visiting their location for the very first time.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 20, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on April 3, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:26 p.m.

APPROVED:



Charlie Rolfsen
Charlie Rolfsen
Chairman

Attest:



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

Exhibit A – Photos provided by Brooke Alini
Exhibit B – Map provided by Tom Armstrong

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Steve Lilly, Staff

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Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 20, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on April 3, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:26 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – Photos provided by Brooke Alini
Exhibit B – Map provided by Tom Armstrong



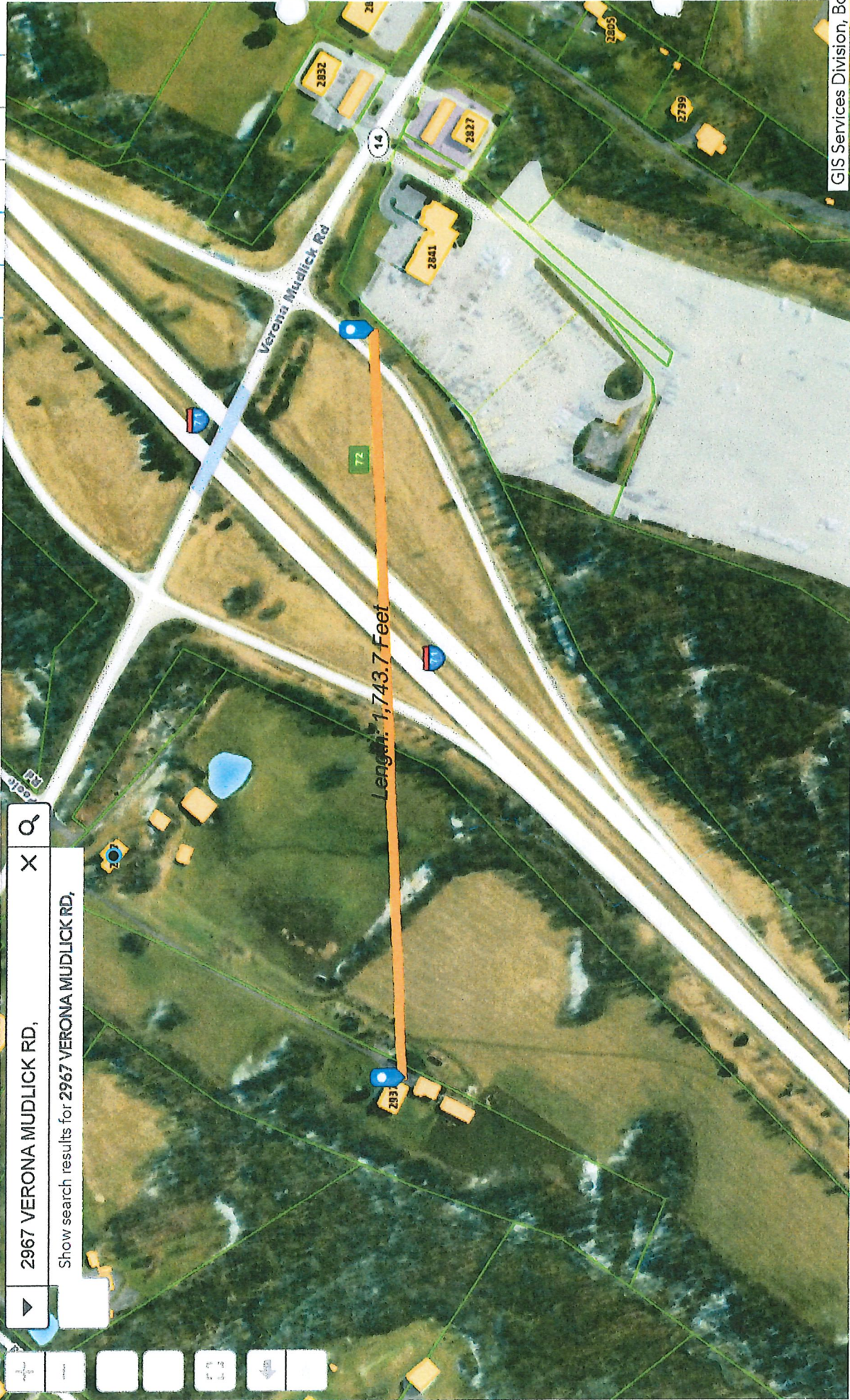




▼ 2967 VERONA MUDLICK RD,



Show search results for 2967 VERONA MUDLICK RD,



GIS Services Division, Bc



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**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
JUNE 5, 2024
7:00 P.M.**

Vice-Chairwoman Gulick opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's June 5, 2024 Business Meeting. Ms. Gulick then invited everyone to join her in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mrs. Janet Kegley
Mr. Eric Richardson
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. Rick Lunnemann
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 Schwartz, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Steve Lilly, GISP, Planner

APPROVAL OF THE MINUTES:

Vice-Chairwoman Gulick stated that the Commissioners received copies of the Minutes from the May 15, 2024 Business Meeting. She asked if there were any comments or corrections?

Mrs. Goetting moved to approve the Minutes as presented. Mr. Schwenke 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 May 2, 2024 and June 5, 2024.

EXPENSES:

Accounting Fees	944.00
Attorney Fees	4,600.00
Auto Expense	228.82
Consultant/Professional Svcs Fees	4,330.00
Filing Fees	1,500.00
Legal Ads/Recruitment	744.98
Miscellaneous Expense	184.00
Office & Board Meeting Supplies	618.79
Office / Equipment Maintenance	6,503.40
Office Equipment / Expense	309.97
Postage Expense	502.25
Printing/Pub/Dues/Subscriptions	270.37
Professional Development	<u>906.00</u>

TOTAL: \$ 21,642.58

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 8,582.00
Health/Dental/Life/LTD	17,349.68
Retirement – BCPC Portion	27,299.63
Salaries – Staff Expenses	117,890.44
Salaries – BCPC & BOA	<u>1,375.00</u>

TOTAL: \$ 172,496.75

GRAND TOTAL: \$ 194,139.33

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

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Steve Harper, Chairman, Steve Lilly, Staff

1. Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.

Staff Member, Steve Lilly, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment. The owner has signed the condition letter. He noted that the Committee voted 4-0 in favor of the request with one member absent.

Vice-Chairwoman Gulick asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Alex Barnett, Atlantic Sign Company, stated that he was available to answer any questions.

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

CHANGE OF CONCEPT DEVELOPMENT PLAN, David Hincks, Chairman, Steve Lilly, Staff

2. Request of **SMJ International, on behalf of Tesla, per Aaron Adelman (applicant)** for **Meijer Stores Limited Partnership (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 0.16 acre portion of the approximate 22.48 acre lot located at 4990 Houston Road, Florence, Kentucky (Meijer). The request is for a Change of Concept Development Plan to allow for the expansion of electric vehicle charging stations.

THIS ITEM WAS WITHDRAWN BY THE APPLICANT

CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Todd Morgan, Staff

3. Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7 acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus

for a previously approved hotel, under the PD regulations, and provide for an outlot for future development.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions of the Concept Development Plan. Mr. Morgan showed the updated Concept Development Plan that includes additional sidewalks and landscaping. The request included two conditions. All four Committee Members present voted in favor of the request.

Vice-Chairwoman Gulick asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Ryan Shassarre, corporate counsel for Drury Hotels, stated that he strongly supports the Findings of Fact and it appears the hotel will open in October. He looks forward to bringing a future development that is complementary to the hotel site. He is available to answer any questions that the Board might have tonight.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the City of Florence, to recommend approval of the Concept Development Plan based on the Committee Report and Finding of Fact and Conditions. Mr. Szurlinski seconded the motion and it passed unanimously.**

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

4. Request of **Jake's Farm Real Estate Development Company, LLC, per Mark Jacobs (applicant/owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One/Planned Development (SR-1/PD) for an approximate 34.87 acre area located at the southeast corner of the intersection of Richwood Road with Schmidt Lane, including the properties at 731, 733, and 735 Richwood Road, and the properties having Parcel Identification Numbers (PIDN) of 065.01-02-001.00 and 065.01-02-007.00. The request is for a zone change to allow: Option A – 147 residential units within twenty-four (24) buildings, four (4) detached single-family residential dwellings, fifty six (56) attached single-family residential dwellings within fourteen (14) buildings, and eighty-seven (87) multi-family residential dwellings within six (6) buildings; or Option B – sixty-nine (69) detached single-family residential dwellings.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval of both Options A and B based upon Findings of Facts and Conditions for a Zoning Map Amendment. The Committee vote was 4-1 with Mr. Hincks being the only person voting no. The applicant has submitted a signed condition letter.

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

Mr. Tom Breidenstein, attorney for applicant/owner, gave a previous history of the subject property. In 2021, the Boone County Board of Adjustment denied a Conditional Use Permit application to convert the dairy barn into an event center. Many of the neighbors preferred residential development so they took those comments to heart and submitted a zone change application in October, 2022 for a Zoning Map Amendment request to create a community of

residential townhomes and condos for people 55 and over. That project consisted of 215 condos and 5 single family homes. It was later reduced to 190 units but the project was denied by the full Planning Commission. In February, 2023, the applicant heard comments of waiting until Richwood Road was completed. The applicant communicated with their neighbors by meeting with them numerous times. They created a website and posted all 3 options on the website. They had over 280 unique views on the website. They sent out over 500 surveys to neighbors within one half a mile of the site. They had a 22% response rate to the survey. With the 54 residents that adjoin the farm, 9 wanted residential and 3 wanted a pig farm. They also reduced the number of units from 215 to 143. It is a 33% reduction from the original amount. They broke up the massing of the middle of the site. The Comprehensive Plan is satisfied for both options of the submitted plan. Traffic will not be severely impacted with either option. Schools will also not be impacted as well as flooding. He asked for a favorable vote from the full Board just like from the Committee. If it fails, then the property owner will develop the site for agricultural uses. Those types of uses are not the most appropriate considering residential uses surround the site.

Mr. Paul Darpel, attorney for one of the neighbors, stated that the submitted plan is better but it doesn't make it right or good. It is not in compliance with the Comprehensive Plan for many reasons. It is not even close to the residential density of 1 unit per acre. It is not sensitive to low impact residential density, especially Option A with multiple stories and large buildings. Have a balance in housing doesn't mean it has to be high density. The site can still be diverse with large lots. Nothing in the area has the same density. There is a goal about protecting existing neighbors with buffering and matching buildings in the area. Multi-family buildings don't match. The SR-1 zone prohibits townhomes and multi-family. The dairy barn will have a liquor license for commercial use. The property is subject to restrictions. It is mentioned in their application. It only allows one house per lot. There is a pool and pickleball court located next to his client's lot. They will enforce the restrictions on the 11 acres but not on the 24 acres. How do you enforce 55 and older and fair housing laws? How may seniors want multi-story dwelling units? They want Ranch style houses. The Board needs answers to those questions.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Zoning Map Amendment for both Option A and Option B based upon the Committee Report and Findings of Fact and Conditions. Mr. Bessler seconded the motion.** Vice Chairwoman Gulick asked if any Board members had any questions or comments?

Mr. Schwenke stated that he drove by the site and the neighborhood. He drove Hicks Pike and noticed Triple Crown Subdivision and farmland. There is plenty of farmland and large lot residential development along Richwood Road, Richwood Church Road and Chambers Road. Option A is so far over what is in the area. There are larger multi-family building proposed. Option B is an afterthought of Option A. The applicant really wants Option A. He didn't think Option B got a fair shake at the Public Hearing. He stated that he has seen other examples of options but the differences are minor like the number of houses on a street. It is basically the same type of development. But this development isn't. Option A has 16 conditions and Option B only has 3 conditions. He stated that he will vote no.

Mrs. Kegley responded that the Committee gave a considerable amount of time to both options. Option B is a more standard type of subdivision. She disagreed that previous applications had two options – estated type lots or small lots depending on marketability. She liked Option A better than Option B because of demographics. The community has a large elderly population. It is a 55 plus development. This type of development costs more and sales will be more because it is different and they are targeting people with wealth or their money in 401(k)s. This type of housing

is not present in Boone County. The Comprehensive Plan encourages planned developments.

The density of the project has been lowered to 4.7 dwelling units per acre. It will be a quiet neighborhood and gated.

Vice-Chairwoman Gulick offered some comments. She voted in favor of the project. Neither Option A or Option B produced a significant traffic impact particularly with the 55 plus. That is not based on Boone County data but national publications. All traffic engineers use this data and she likes the development and would like to live there when she retired.

Mr. Wilson asked Mrs. Kegley if her motion includes the Committee Report based on it and subject to the Conditions? Mrs. Kegley responded yes.

Vice-Chairwoman Gulick asked for a vote on the original motion made by Mrs. Kegley and seconded by Mr. Bessler. The vote found Mr. Bessler, Mrs. Goetting, Ms. Gulick, Mr. Harper, Mrs. Kegley and Mr. Richardson voting in favor of the request and Mr. Schwenke, Mrs. Steele, Mr. Szurlinski and Mr. Turner voting against the request. The motion passed by a vote of 6-4. Vice-Chairwoman Gulick mentioned that the Boone County Fiscal Court has final action. Mr. Costello noted that the recommendation will be forwarded to the Fiscal Court in two weeks after the minutes from the June 5, 2024 Business Meeting are approved.

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

5. 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 July 3, 2024 Business Meeting. The next Committee Meeting is scheduled for June 19, 2024 at 5:00 p.m. Mrs. Goetting seconded the motion and it passed unanimously.

TECHINICAL/DESIGN REVIEW COMMITTEE, Rick Lunnemann, Chairman, Todd Morgan, Staff

6. Golden Corral Façade Improvements – 4770 Houston Road

Staff Member, Todd Morgan, referred to a PowerPoint presentation. The request is for Design Review approval. He described the proposed façade improvements. The building will be painted and faux stone will be installed on two sides. Paint colors were identified – Crabby Apple, Caviar and Tattle Tail to be used on the trim, cornice and siding. A new aluminum awning would be added. The City of Florence is in favor of the project. The signage will remain. The Technical/

Design Review Committee met prior to the Business Meeting and unanimously recommended approval.

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

TEXT AMENDMENT, Michael Schwartz, Staff

7. Request of the **City of Florence** to consider a Zoning Text Amendment to Section 3655, Fences, of the Boone County Zoning Regulations to allow fences within corner side yards, subject to certain restrictions. The request is to hear and evaluate comments on the proposed Text Amendment and how it affects the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

ZONING MAP AMENDMENT, Steve Lilly, Staff

8. Request of **Triple Crown Developers LLC, per Tony Berling (applicant) for St. Elizabeth Medical Center, per Christopher Mangeot (owner)** for a Zoning Map Amendment from Public Facilities (PF) to Suburban Residential One (SR-1) for an approximate 16 acre area located at the terminus of Man O War Boulevard, approximately one hundred sixty (160) feet southeast of Authentic Court, and being part of the properties having the following Parcel Identification Numbers (PIDN's): 064.00-00-029.03 and 064.00-00-029.04, Boone County, Kentucky. The request is for a zone change to allow for the development of thirty-four (34) detached single-family residential dwellings.

ZONING MAP AMENDMENT, Michael Schwartz, Staff

8. Request of **Steve Berling (applicant) for Corporex Parks of Kentucky LLC, per William Butler (owner)** for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Two (C-2) for an approximate 5.7 acre area located at the southwest corner of the intersection of Mineola Pike with Olympic Boulevard, and including the properties at 3331 and 3333 Mineola Pike, 3332 and 3334 Booneland Trail, and the properties having the following Parcel Identification Numbers (PIDN's): 071.00-00-017.00, 071.00-00-047.01, and 071.00-00-044.00, Boone County, Kentucky. The request is for a zone change to allow for the development of an approximate 37,300 square foot commercial complex having six (6) buildings and the following Variances: (1) reducing the side yard building setback from fifty (50) feet to thirty (30) feet along the southwest property line; (2) reducing the minimum Buffer Yard width from sixty (60) feet with a thirty (30) foot option (Buffer Yard C) to ten (10) feet (Buffer Yard A) along the southwest property line; (3) reducing the minimum Buffer Yard width from sixty (60) feet with a thirty (30) foot option (Buffer Yard C) to ten (10) feet (Buffer Yard A) along the

northwest property line; and (4) reducing the minimum Buffer Yard width from ten (10) feet (Buffer Yard A) to zero (0) feet along a proposed interior lot line.

ZONING TEXT AMENDMENTS, Michael Schwartz, Staff

10. Request of the **Boone County Planning Commission Technical/Design Review Committee** to consider a series of amendments to the **Boone County Zoning Regulations** pertaining to cannabis businesses.

Mrs. Steele moved to schedule the Public Hearings for Items #7, #8, #9, and #10 on July 3, 2024 at 7:30 p.m. in the Fiscal Courtroom Mr. Schwenke seconded the motion and it passed unanimously.

H. **EXECUTIVE DIRECTOR'S REPORT:**

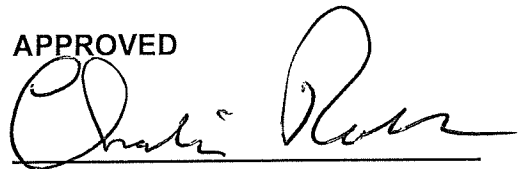
- No Report

I. **OTHER:**

J. **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 7:55 P.M.

APPROVED

for 
Corrin Gulick
Vice-Chairwoman

Attest:



Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION



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

May 16, 2024

Alex Barnett
Atlantic Sign Company
2328 Florence Avenue
Cincinnati, Ohio 45206

RE: Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.

Dear Mr. Barnett:

The following represents the recommended conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their May 15, 2024 meeting. Please have the property owner sign the appropriate line at the end of this letter if they are in agreement with the conditions. Please return the signed letter to the Planning Commission office by no later than June 3, 2024.

CONDITIONS:

1. That the proposed sign shall be located on the subject property and outside of KYTC right-of-way unless an encroachment permit is acquired.
2. That the sign be consistent with the submittal material, showing a sign having a black pole structure, white logo, and an opaque background.
3. That the sign illumination be adjustable, and that the brightness shall be less than the adjacent Marathon sign.

Sincerely,

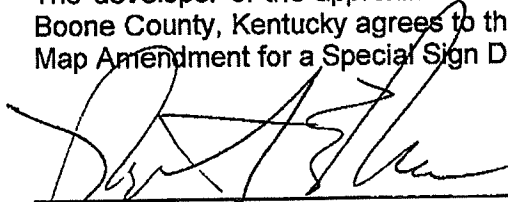
Steven C. Lilly
Planner, Zoning Services

SCL

Newman Tractor – Special Sign District
May 16, 2024
Page 2

AGREEMENT

The developer of the approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky agrees to the conditions listed herein for the above referenced Zoning Map Amendment for a Special Sign District.



Newman Tractor (owner)

5-17-24
Date

ORDINANCE 2024-20

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING WITH CONDITIONS, A REQUEST OF ATLANTIC SIGN COMPANY (APPLICANT) FOR NEWMAN'S TRACTOR SALES (OWNER) FOR A ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, FOR AN APPROXIMATE 7.3 ACRE AREA LOCATED AT 2841-2885 VERONA MUDLICK ROAD, BOONE COUNTY, KENTUCKY, WHICH IS CURRENTLY ZONED COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD).

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD), which is more particularly described below; and

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

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

Section One

That the request for a Zoning Map Amendment for a Special Sign District for the real estate, which is more particularly described below shall be and is hereby approved, with conditions, this Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky. The real estate, which is the subject of this request for a Zoning Map Amendment for a Special Sign District is in a Commercial Services/Planned Development (C-3/PD) zone, is more particularly described in DEED BOOK 930, PAGE NO. 5 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for approval, with Conditions, a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD) 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, with conditions, for this request based on the Findings of Fact and Conditions as set forth in the Committee Report and marked as "Exhibit B."

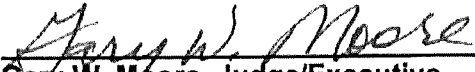
Section Three

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

First Reading the 9th day of July 2024

Second Reading the 23rd day of July 2024

Adopted this 23rd day of July 2024 Yes 4 No 0



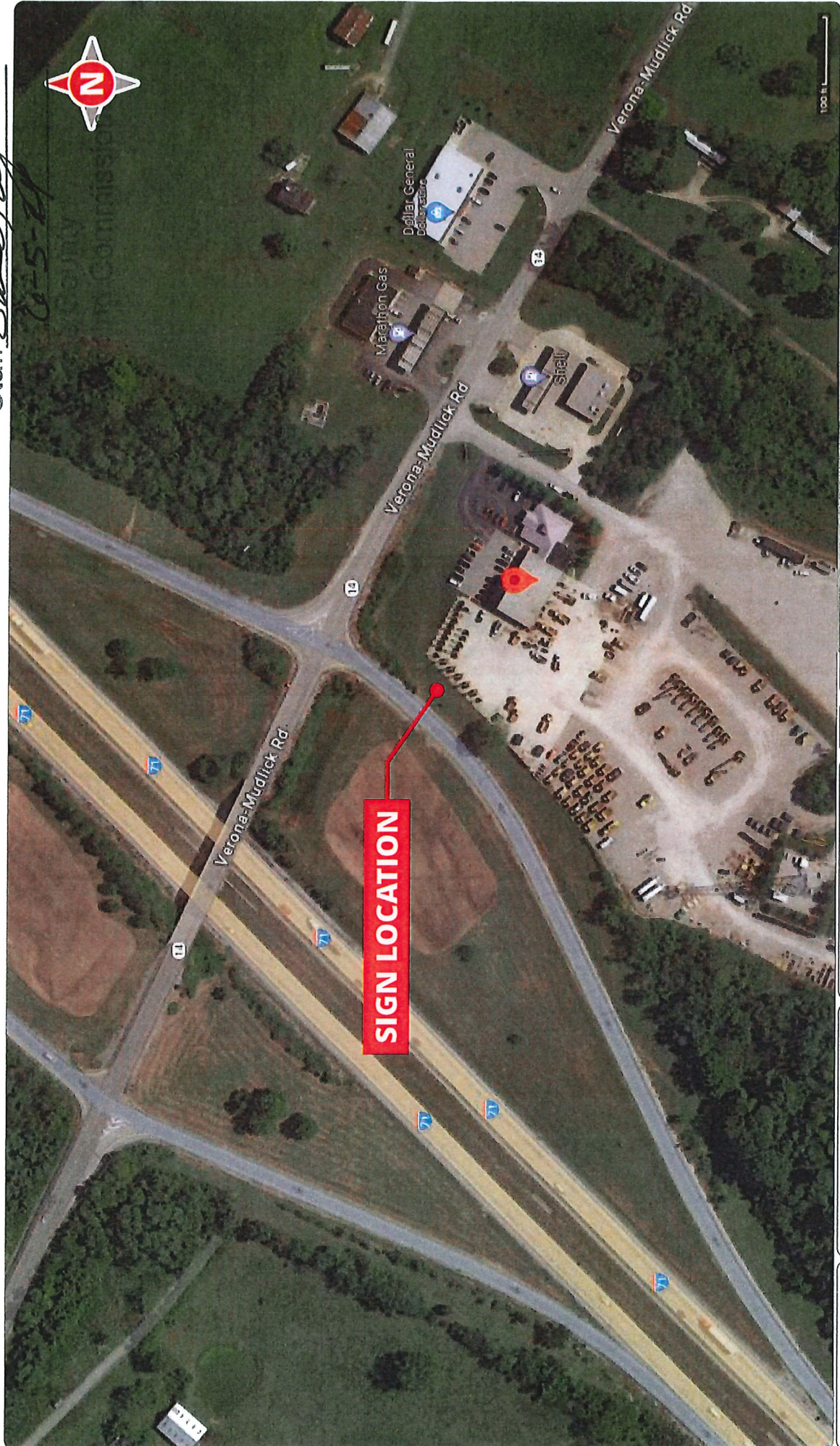
Gary W. Moore, Judge/Executive
Boone County Fiscal Court

ATTEST:



Shona Schulkers,
Fiscal Court Clerk

APPROVED
 with conditions
 Staff: *Steve [Signature]*



CUSTOMER: NEWMAN TRACTOR
 LOCATION: 2841 VERONA-MUDLICK ROAD, VERONA, KY, 41092
 SALES REP: WILLIAM YUSKO
 PROJECT MGR.: CJ McDONALD
 DRAWN BY: GREG ESSERT
 DATE: 2-5-2024
 FILE NAME: 107216_NEWMAN TRACTOR_VERONA_PERMITS

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CUSTOMER | NEWMAN TRACTOR
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 SALES REP | WILLIAM YUSKO
 PROJECT MGR. | JIM McDONALD
 DRAWN BY | GREG ESSERT
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 DRAWN BY | GREG ESSERT
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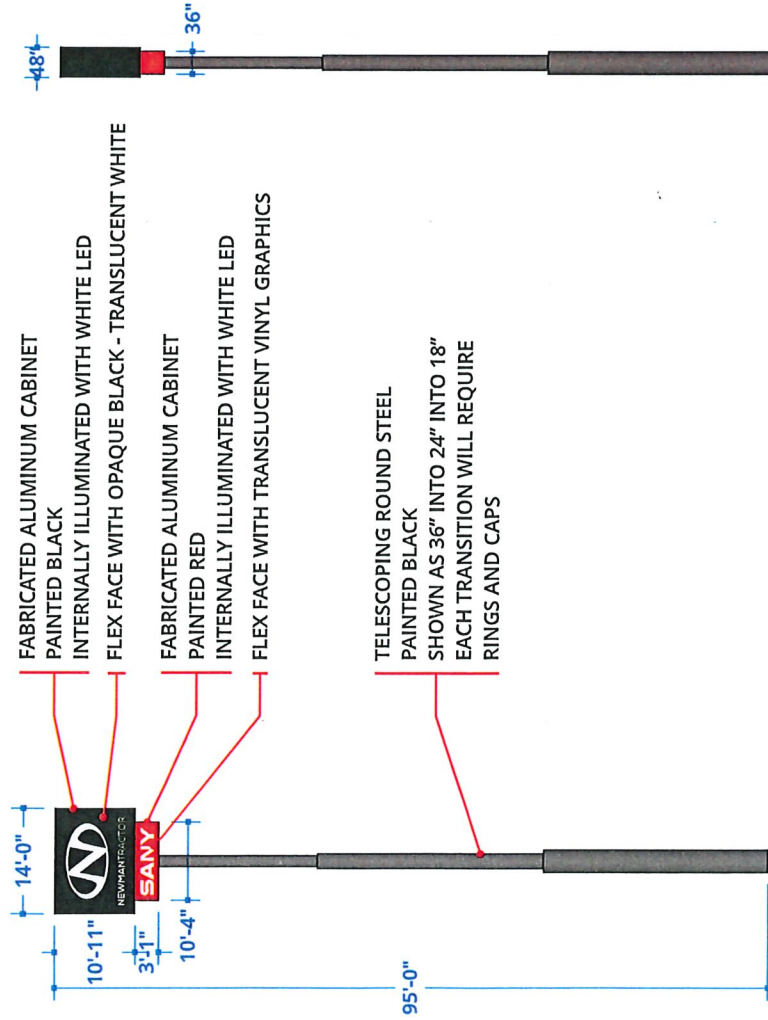
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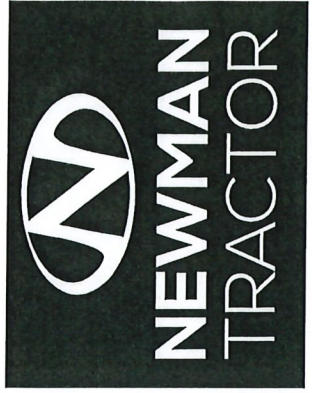


FRONT: QUANTITY 1
1/16" SCALE

SIDE:
1/16" SCALE



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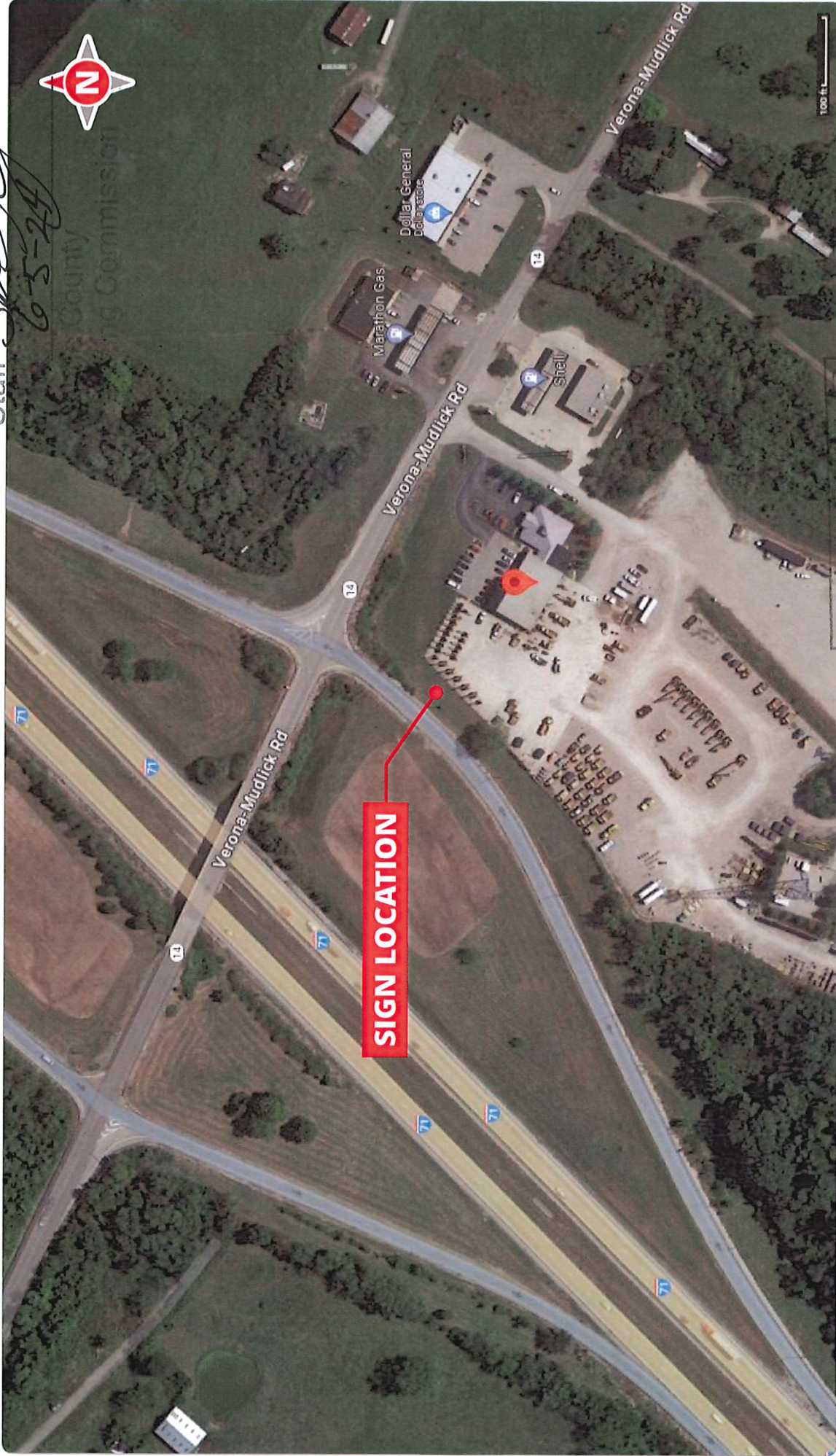


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DATE: 2-6-2024
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ZMA-Special Sign District
 with APPROVED
 conditions
 Staff *Shelley*
 6-5-24



CUSTOMER: NEWMAN TRACTOR
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ASC
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 SALES REP: **WILLIAM YUSKO**
 PROJECT MGR: **CJ McDONALD**
 DRAWN BY: **GREG ESSERT**
 DATE: **2-6-2024**
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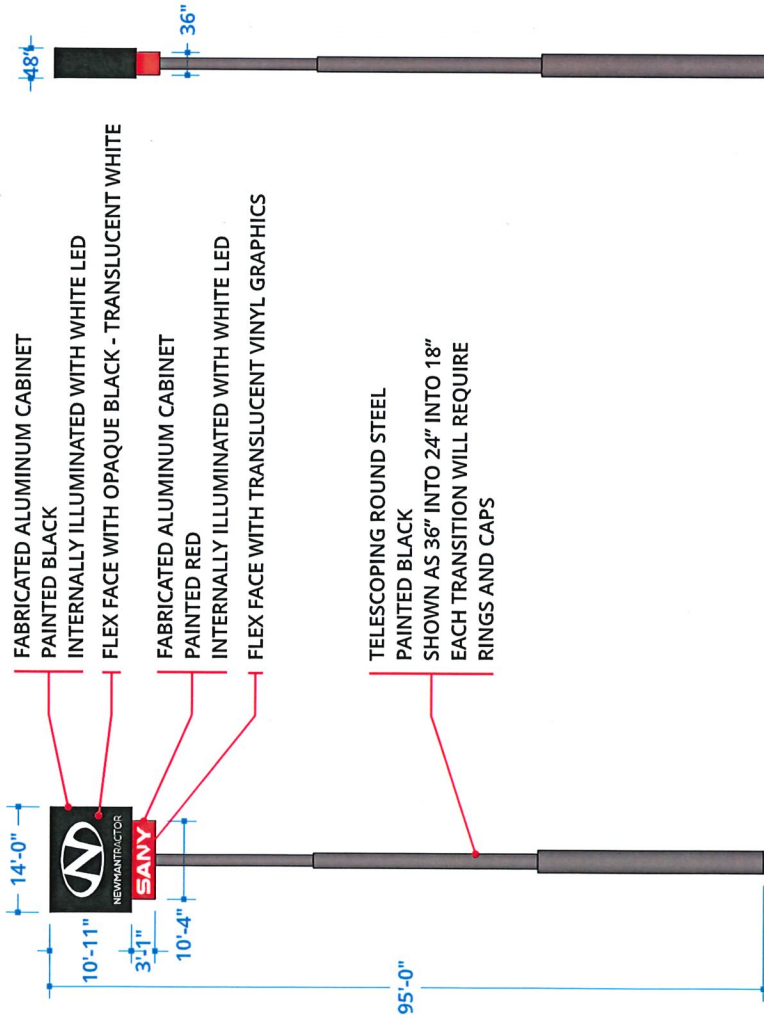
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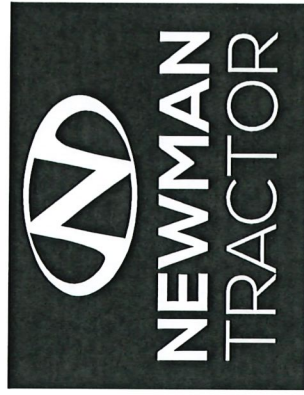
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