

**FLORENCE BOARD OF ADJUSTMENT  
FLORENCE GOVERNMENT CENTER  
BUSINESS MEETING  
May 9, 2013  
7:00 P.M.**

---

Mr. Pieper called the meeting to order at 7:02 P.M.

**BOARD MEMBERS PRESENT:**

Mr. Timothy Pieper, Chairman  
Ms. Lois Evans, Vice-Chairwoman  
Mrs. Lori Heilman  
Mrs. Linda Schaffer  
Mr. Ritsel Sparks

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**APPROVAL OF THE MINUTES:**

Mr. Pieper stated the Board members received copies of the minutes of the Florence Board of Adjustment Meeting of April 10, 2013. He asked if there were any comments or corrections. There being no changes, Mr. Sparks moved to approve the minutes and Ms. Evans seconded the motion. Mr. Pieper called for a vote and it carried unanimously.

**AGENDA ITEMS:**

- 1. Request of Len Riegler Blacktop, Inc. for a Variance to allow the construction of storage sheds in the 50' rear yard setback. The approximate 1.63 acre site is located at 19 Lendale Drive, Florence, Kentucky and is currently zoned Industrial One (I-1).**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mrs. Schaffer asked how far up the hill the rear property line was? Mr. Morgan referred to the preliminary Site Plan that was submitted. Ms. Heilman asked if the picture that was taken from the church parking lot could be shown again.

Mr. Pieper asked if the proximity of the sheds to the sealer tanks would be a problem. Mr. Morgan stated that would be reviewed by Boone County Building Department.

Mr. Dan Riegler, with Len Riegler Blacktop, said they have been in the City of Florence for about 25 years. They have always had storage sheds back there but they were getting dilapidated. Unfortunately, when he was out having surgery some of his co-workers decided to start construction. Their original conversations only involved fixing up the sheds

but it evolved into pouring foundation walls. When he found out he made them stop and they applied for Permits. When they applied, they were informed that they would need a Variance to reduce the 50' building setback. The purpose of these sheds is to house cones, seed, straw, and other materials they use on a daily basis. These sheds will put more things under roof and will clean things up a little bit. They use to have a decent amount of pine trees near Pleasant Valley Road but the road work totally wiped them out. They are not opposed to Staff's recommendation of adding trees in the Pleasant Valley Road right-of-way. They also would not be opposed to the City of Florence or State adding more plantings in the right-of-way beyond what they are going to do.

Mr. Morgan said he never remembers the buildings on Lendale Drive being so visible before the road work was done.

Mrs. Schaffer asked if the eight small trees and twelve large shrubs that are being recommended by Staff could be evergreen species? Mr. Morgan said there are some arborvitae and other evergreen species in Plant List C that could be used. Mr. Pieper said he would rather see evergreen species so they block some of the view from the road. Mrs. Schaffer said she understands there are overhead utilities and that is why small trees need to be used. Mr. Riegler said they will need to get permission from the utility company before they plant any landscaping in their easement. Mr. Morgan agreed.

Mr. Riegler said the Staff recommendation would allow them to put all the landscaping on the subject site or break it up evenly among both of their corner properties at Pleasant Valley Road and Lendale Drive. They will probably just keep it on the subject lot unless the Board has a preference.

Ms. Evans asked why there were so many vehicles on the property in the pictures? Mr. Riegler explained that they have a very large fleet of vehicles. Usually the vehicles are all out in the field during the day. They currently have 15 employees and 5 work crews. They are pretty much bulging at the seams at this location. The proposed storage shed will help them be more organized.

Mrs. Schaffer said she has no problem with the request but she would like to tweak the landscaping condition. Mr. Morgan said the condition could be tweaked by requiring the trees and shrubs to be evergreen species. The Board should also determine if they want the landscaping concentrated on the subject lot or broken up among the two corner properties. Mrs. Schaffer asked if they could review the pictures of the other corner property. Mr. Riegler said that property is their equipment yard and it is fully visible from Pleasant Valley Road. There used to be landscaping that screened the lot but it was all taken out by the state with the road work.

Mr. Morgan said he hoped that they would choose to break the landscaping up between the two lots. Mrs. Schaffer said she would rather see that option as well. Mr. Riegler said he was fine with that.

Mr. Pieper said he thinks all the trees and shrubs should be evergreens.

Mr. Sparks said sight distance at the intersection should be analyzed before evergreens are installed. Mr. Riegler said he would do that before the landscaping plan was drawn up. Mr. Pieper said the buffer will not block the facility it will only dress things up a little bit.

**Mrs. Schaffer made a motion to approve the request based on the Staff Report and applicable regulations. She included the following condition with her motion:**

- 1. Eight (8) small evergreen trees from Plant List C and twelve (12) large evergreen shrubs from Plant List C shall be planted in the Pleasant Valley Road right-of-way. The applicant shall evenly divide the landscaping so it screens both of their corner properties at the Pleasant Valley Road/Lendale Drive intersection. This condition shall be voided if the KY Transportation Cabinet or utility company does not allow the landscaping in the right-of-way or utility easement. The applicant shall furnish documentation from Kentucky Transportation Cabinet and the proper utility company regarding the landscaping plan at the time the Minor Site Plan application for the sheds is submitted to Boone County Planning Commission.**

Mr. Morgan said he and the applicant would contact the Kentucky Transportation Cabinet and utility company if they will not approve the landscaping plan. They will verify if the planting restriction applies to all plantings or if alternative plantings can be used.

**Mr. Sparks seconded the motion. Mr. Pieper called for the vote and it carried unanimously.**

#### **OTHER**

No other business was discussed.

#### **ADJOURNMENT**

Mr. Pieper asked for a motion to adjourn. Ms. Evans so moved and Mrs. Schaffer seconded the motion. Mr. Pieper called for a vote and the meeting adjourned by unanimous consent at 7:33 PM

**APPROVED**

---

**Timothy L. Pieper, Chairman**

**Attest:**

---

**Todd K. Morgan, AICP  
Senior Planner, Zoning Services**