

**BOONE COUNTY BOARD OF ADJUSTMENT  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
BUSINESS MEETING  
SEPTEMBER 13, 2017  
6:00 P.M.**

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Mr. Whitton called the meeting to order at 6:00 P.M.

**BOARD MEMBERS PRESENT:**

Mr. George Whitton, Chairman  
Mr. Justin Bailey  
Mrs. Sherry Hempfling  
Mr. Richard Miller  
Mr. Chris Vaught

**STAFF MEMBERS PRESENT:**

Mr. Todd Morgan, AICP, Senior Planner

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**APPROVAL OF MINUTES**

Mr. Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of August 9, 2017. He asked if there were any comments or corrections? Mr. Vaught moved to approve the minutes and Mr. Bailey seconded the motion. Mr. Whitton called for the vote and it carried unanimously.

**ACTION ON REVIEWS**

1. Request of **John Clementson** for a Variance to allow an attached deck on a house to encroach into the 40 foot front yard building setback in a Rural Suburban (RS) and Public Facilities (PF) zoning district. The approximate 2.16 acre site is located at 1804 Conner Road, Boone County, Kentucky.

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

Mr. John Clementson introduced himself. Mr. Miller asked him how high off the ground the deck was going to be? Mr. Clementson replied about 10'. Mr. Miller asked if the bottom of the deck was going to be covered or open? Mr. Clementson replied it would be open and you would be able to see the house. Mr. Miller stated the deck is rather large. He asked if he considered ending it at the sides of the house and not bringing it into the front yard? Mr. Clementson replied that bringing the covered deck around to the front will give the house a needed facelift. He will also enjoy sitting on the deck.

Mr. Miller asked Mr. Clementson if he could address the three Staff questions found in the Staff Report. Mr. Clementson replied:

1. The metal roofing will be grey.
2. The storage pod will be removed from the property in the next week.
3. The bottom of the household is used for personal storage and is not part of the business operation.

Mr. Whitton asked if anyone else in the audience wanted to speak regarding the request? There was no response.

**Mr. Miller made a motion to approve the request as submitted. Mr. Vaught seconded the motion. Mr. Whitton called for a vote and it carried 5-0.**

2. Request of **Len Riegler Blacktop, Inc.** for a Conditional Use Permit to allow Point Pleasant Church of Christ to construct building and parking additions in an Agricultural Estate (A-2) and Employment Planned Development (EPD) zoning district. The approximate 23.86 acre site is located at 3259 Point Pleasant Road, Boone County, Kentucky.

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

Mr. Miller asked if a lot of trees were being taken out to install the parking lot. Mr. Morgan said a few trees will need to be removed. He reviewed the PowerPoint slides of the parking addition area.

Mr. Whitton asked if the applicant wanted to speak? Mr. Dan Riegler, with Len Riegler Blacktop, introduced himself. They understand that the easement will need to be rewritten to give the cell tower company proper access. He will be making some small revisions to the plan to allow better access to the cell tower and church household. They also received confirmation from the Health Department that the existing septic system is adequate.

Mr. Whitton asked if the applicant is okay with installing the landscaping that is recommended by Staff? Mr. Riegler said that recommendation is pretty fair.

Mr. Miller said the addition is a pre-engineered metal building. He asked if any consideration had been given to putting a brick fascia on it? Mr. Dennis Tolliver said the original design of the building included a brick wainscot. They ultimately decided against it because of the cost. The addition will be multi-colored and will match the building as best as possible. The shingles will match the existing building, the metal siding will be an off-white color, the metal wainscot will be red to match the brick, and the metal roofing will be green.

Mr. Whitton asked if the Board had any questions for the applicant? There was no response.

Mr. Whitton asked if anyone in the audience wanted to speak regarding the request?

Ms. Barbara Walker said she owned 1.66 acres at 3088 Point Pleasant Road. She has no opposition to the church expansion but is very concerned about storm water coming down the hill. The storm water from the hill has almost wiped her out. In addition, the house on her property is not inhabitable from blasting. She called her insurance company about this and they told her it was natural hill slippage. She was told blasting was not occurring in the area because it was not a Boone County Water project but a Cincinnati project. Her concern is the storm water and the impact on her property. The plan does not show the blue line stream that comes across the end of her property.

Mr. Riegler responded that he will be required to address storm water when a Major Site Plan application is submitted for review. As a result, the church will need to put in a storm water detention facility. It is basically a bath tub with a slow drain. This detention area will be sized to accommodate all the runoff from the new impervious area. He will be calculating the pre-development and post-development rates for the 2, 10, 25, 50, and 100 year storm events. Ms. Walker said there was a storm in 1997 where they got 11.5 inches of rain. Mr. Riegler responded they will be analyzing the 100 year storm and the Planning Commission's Engineer will review his work.

Mr. Jim Biedenbender said he and his brother own a property across Point Pleasant Road and have no issues with the request.

Mr. Whitton asked if anybody else in the audience wanted to speak? There was no response.

**Mr. Vaught made a motion to approve the request with the following conditions:**

- 1. The existing vegetation between the church building and Point Pleasant Road shall be preserved.**
- 2. The landscaping strip between the existing and proposed parking lots shall contain landscaping. One large tree or evergreen tree shall be required every 40'.**

**Mr. Miller seconded the motion. Mr. Whitton called for a vote and it carried 5-0.**

### **ADJOURNMENT**

Mr. Whitton asked for a motion to adjourn the meeting. Mr. Vaught made a motion to adjourn and Mr. Miller seconded the motion. Mr. Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:34 p.m.

**APPROVED**

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**Mr. George Whitton, Chairman**

**ATTEST:**

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