

RESOLUTION R-23-005-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF HERITAGE FELLOWSHIP, PER JEREMY WEAVER (APPLICANT) FOR HERITAGE ASSEMBLY OF GOD, INC., PER VERNEL PERRY (OWNER) FOR A ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT FOR AN APPROXIMATE 20.7 ACRE AREA LOCATED AT 7216 US 42, FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to establish a Special Sign District for property zoned Suburban Residential Two (SR-2) and Office One (O-1) for an approximate 20.7 acre area located at 7216 U.S. 42, Florence, Kentucky which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, 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 I

That the request for a Zoning Map Amendment for the real estate, which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment to establish a Special Sign District for property zoned Suburban Residential Two (SR-2) and Office One (O-1) for an approximate 20.7 acre area located at 7216 U.S. 42, Florence, Kentucky. The real estate, which is the subject of this request for a Zoning Map Amendment to establish a Special Sign District is in Suburban Residential Two (SR-2) and Office One (O-zones, is more particularly described in DEED BOOK 959, PAGE NO. 628 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**BOONE COUNTY PLANNING COMMISSION
RESOLUTION R-23-005-A
PAGE TWO**

SECTION II

That as a basis for the recommendation of approval, with conditions, for a Zoning Map Amendment to establish a Special Sign District 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 Resolution and marked as "Exhibit A."

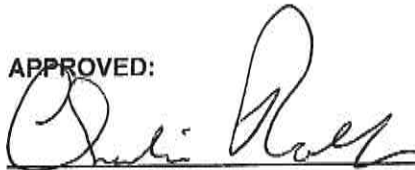
The Committee recommended approval, with conditions, for this request based on the Findings of Fact and Conditions as set forth in the Committee Report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Zoning Map Amendment to establish a Special Sign District for property zoned Suburban Residential Two (SR-2) and Office One (O-1) for an approximate 20.7 acre area located at 7216 U.S. 42, Florence, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 15TH DAY OF FEBRUARY, 2023.

APPROVED:


**CHARLIE ROLFSEN
CHAIRMAN**

ATTEST:


**TREVA L. BEAGLE
MANAGER, ADMINISTRATIVE SERVICES**

CR/tlb

EXHIBIT

“A”

STAFF REPORT

1

Request of **Heritage Fellowship, per Jeremy Weaver (applicant)** for **Heritage Assembly of God, Inc., per Vernel Perry (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 20.7 acre area located at 7216 US 42, Florence, Kentucky, which is zoned Suburban Residential Two (SR-2) and Office One (O-1). The request is for a Special Sign District to allow a free-standing sign having an electronic message board/panel in an Office One (O-1) district.

January 4, 2023

REQUEST

The request is for a Zoning Map Amendment for a Special Sign District to allow Heritage Assembly of God to remove two existing free-standing signs and install a new monument sign with a full color electronic message screen/panel.

The proposal is to install a 49.96 square foot monument sign, of which, 24.98 square feet (50%) will be a full color electronic message screen/panel.

A Special Sign District application is required because electronic message screen/panel are not permitted within the O-1 district.

SITE HISTORY

This site has been zoned SR-2 and O-1 since the adoption of the 1980 Zoning Regulations.

The two existing free-standing signs have been present since before the adoption of the 1980 Zoning Regulations.

APPLICABLE SIGN REGULATIONS

- A. 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".

- B. Section 3440 of the Boone County Zoning Regulations allows for the creation of special sign districts with the appropriate legislative body's approval. "The effect of a special sign district shall be to modify requirements, regulations, and procedures for signs 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."
- C. Section 4000 of the Boone County Zoning Regulations provides for the following definition:
- a. Sign, Monument Style: A freestanding sign that is composed of a solid structure between finished grade and the top of sign.
- D. While the Boone County Zoning Regulations do not allow electronic message boards within the O-1 district, Section 3430 of the Boone County Zoning Regulations provides for the following minimum standards and requirements:
- a. Such message boards and screens will be considered a part of a permitted free-standing or building mounted sign; up to fifty percent (50%) of the permitted sign area can be used as an electronic message board or electronic display screen.
- b. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
- c. Electronic message boards and electronic display screens shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate or thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.
- d. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling" or "running" messages.
- e. The message displayed on the board or screen must be displayed for a minimum of five (5) second intervals. In no instance can a message, or part thereof, flash on the message board.
- f. Such message boards and screens shall have a photocell or dimmer and the displayed messages shall dim as the sky gets darker or brighten as the sky gets brighter.

g. Full color and monochrome message boards shall meet the following pixel pitch requirements:

- i. A 19 mm pixel pitch or better resolution shall be required when the top of the message board is located 30 feet or less above grade.
- ii. A 25 mm pixel pitch or better resolution shall be required when the top of the message boards is located more than 30 feet above grade.

Note: The pixel pitch requirements shall not apply to price boards (gas prices, hotel room rates, and other similar fixed price displays).

SITE CHARACTERISTICS

- A. The site is part of a larger area, containing approximately 20.7 acres, and is currently occupied by a church, parsonage, academy, and its associated off-street parking areas.
- B. There is currently a freestanding manually changeable copy sign for Heritage Academy on the southern portion of the site and a freestanding sign for Heritage Fellowship Church on the northern portion of the site.

ADJACENT LAND USES AND ZONING

North: Florence Elementary School (PF)
South: Mixed Office and Commercial (O-1/C-2)
East: Florence Christian Church (FMS)
West: Mixed Office and Commercial (O-1/UR-2/PD/PO)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County – Plan 2040 “2040 Future Land Use Plan” designates the site for Public/Institutional uses. This designation is described as follows:

“Government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc.”

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

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).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

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).

- C. US 42 is a state maintained arterial street having four driving lanes and a posted speed limit of 40 MPH. Sidewalks are provided along both sides of the roadway.
- D. 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:
 - a. 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.
 - b. Other than the Electronic Message Screen/Board, the proposed sign meets the other requirements of the Zoning Regulations.
 - c. Should the commission take action to recommend approval of the submitted request, the following conditions should be part of that action:
 - 1. That the message displayed on the proposed electronic message board/screen be displayed for a minimum of five (5) second intervals.
 - 2. No message shall contain more than one (1) still photo and/or three (3) lines of text.
 - 3. Any portion of an alphanumeric message that is not displayed on a still photo, shall use a black background.
 - 4. The sign shall not be used to advertise off premise businesses.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment and Section 3440 (Special Sign Districts) of the zoning regulations. The Future Land Use Map will not need to be amended if the request is approved.

Respectfully submitted,



Alaina Hagenseker
Planner

ACH/ss

Attachments:

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

Vicinity Map

www.boonecountygis.com



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0 175 350 700 1,050 1,400 Feet
1 inch = 343 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 10/20/2022

ArchMap Document: *.mxd

Aerial Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

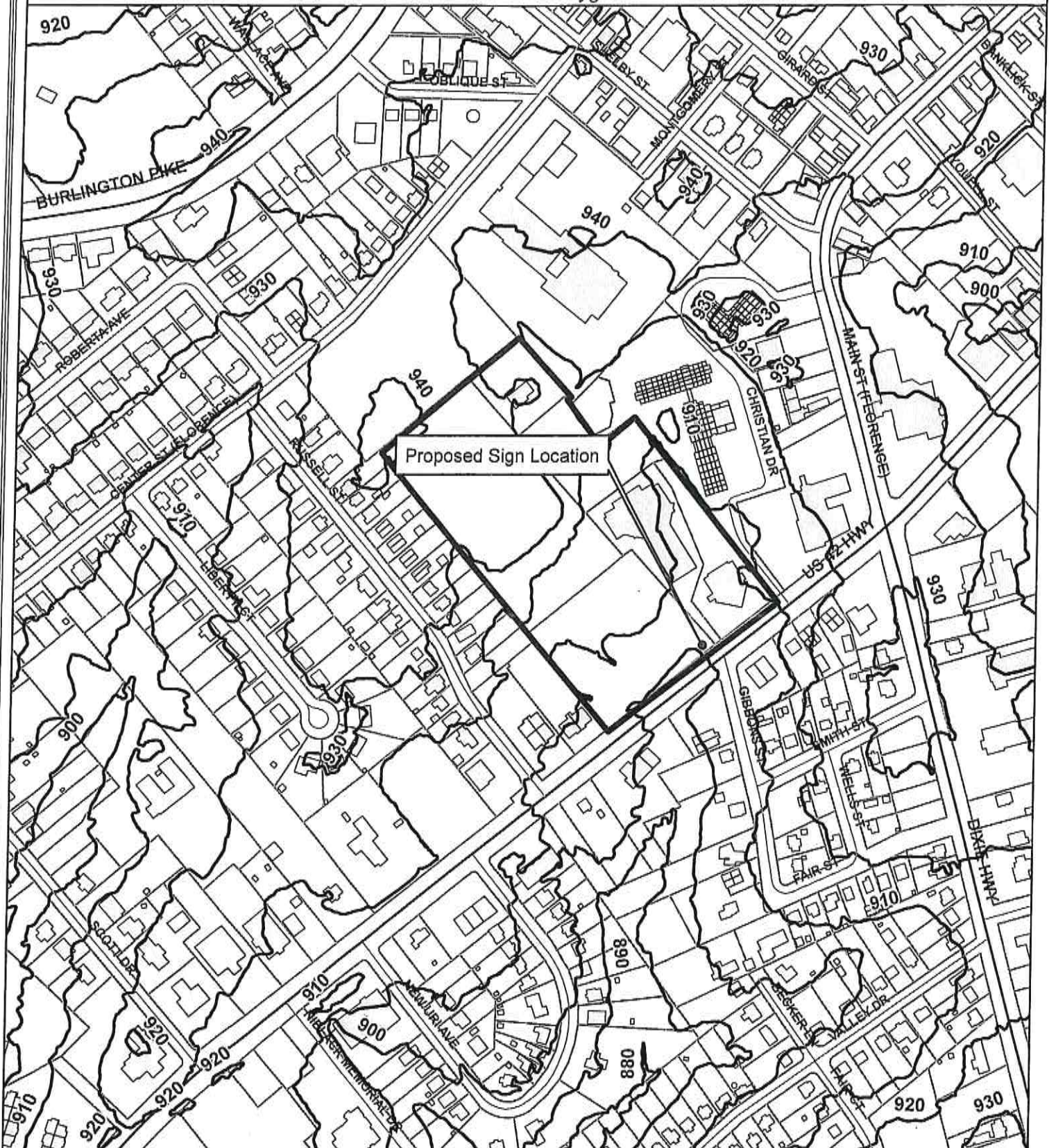


Map Created: 8/26/2022

Boone County GIS
Aerialmap Document: *.mxd

Topography Map

www.boonecountygis.com



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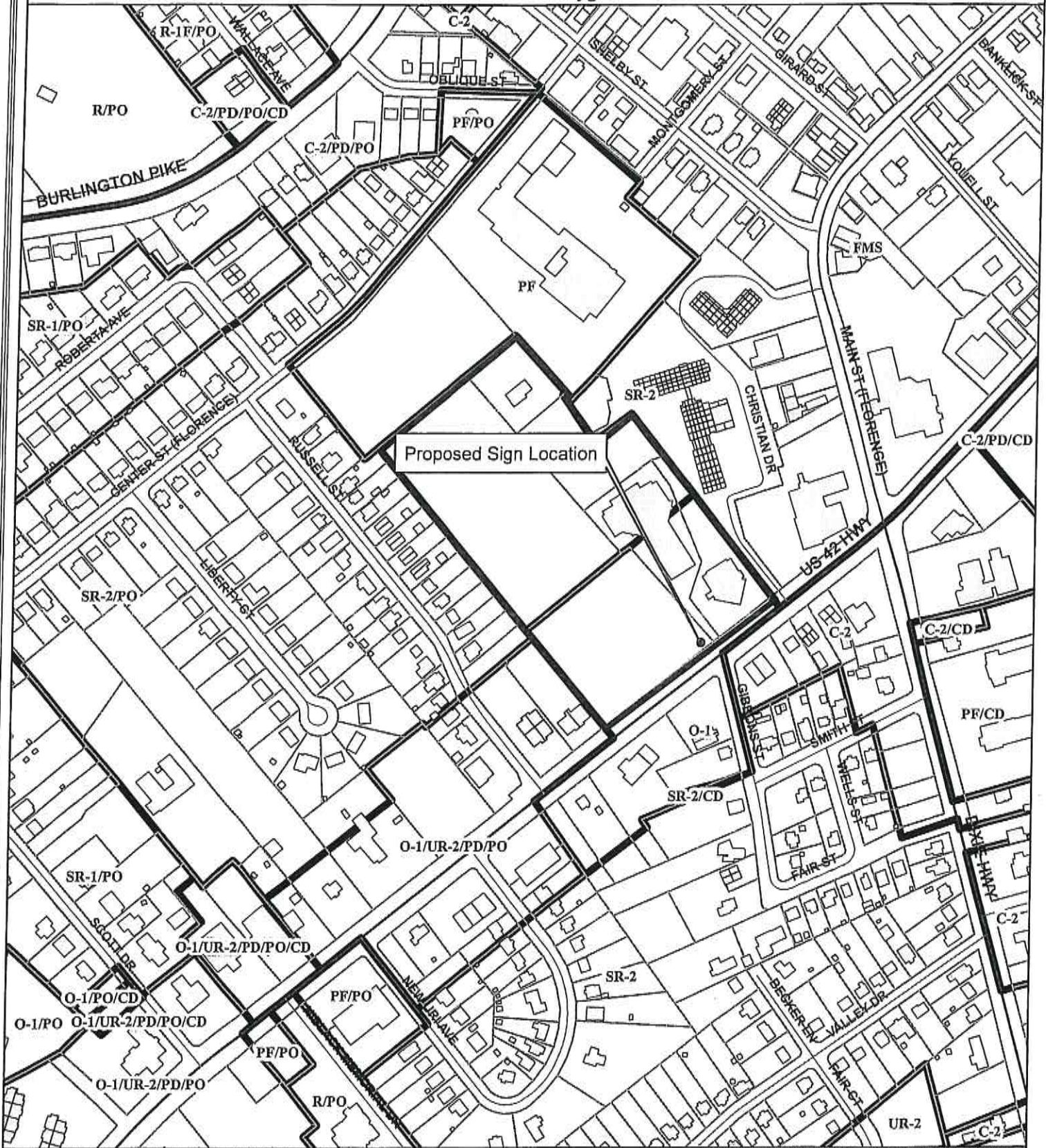
1 inch = 343 feet

Boone County GIS - Putting Northern Kentucky on the Map



Zoning Map

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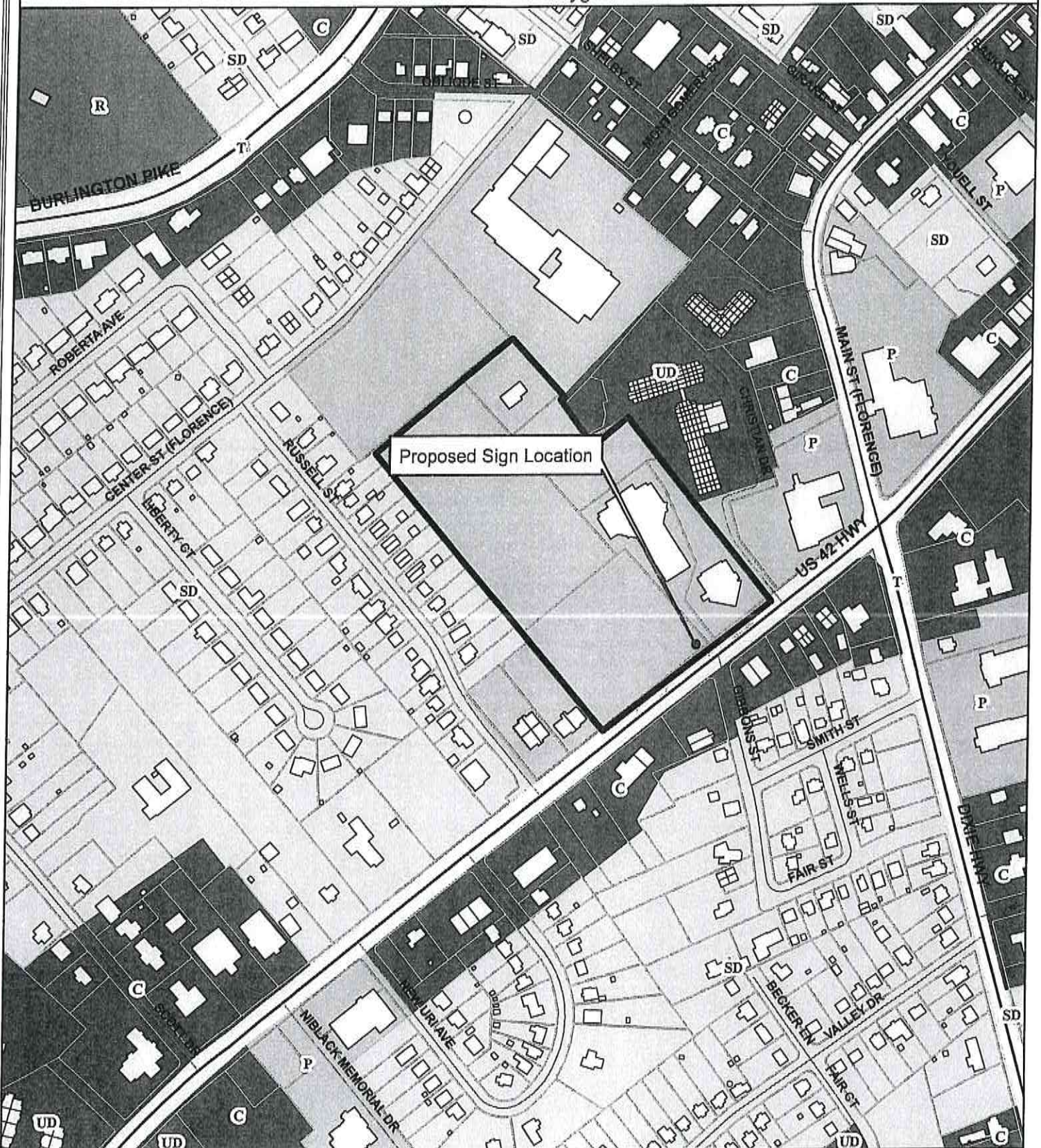
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1 Inch = 343 feet

Boone County GIS - Putting Northern Kentucky on the Map



2040 Future Land Use Map

www.boonecountygis.com



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1 Inch = 343 feet

Boone County GIS - Putting Northern Kentucky on the Map



**ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
8745Lp
DEC 06 2022

**BOONE COUNTY
PLANNING COMMISSION**

Seven (7) copies of submitted drawings are required.

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Name of Project: Heritage Fellowship Special Sign District
2. Location of Project: 7216 US Highway 42 Florence KY 41042
3. Total Acreage of Project: 1 acre of 11.22 acres
4. Current Zoning of Property: O-1 + SR-2
5. Proposed Zoning of Property (classification being requested): Special Sign District
6. Proposed Use(s) (specify each use):
~~Replacing Existing Sign with New Sign with Electronic Message Board~~
7. Proposed Building Intensities (specify for each building):

8. Are you applying for any of the following (check all that apply):
☐ Conditional Use Permit ☐ Variance
9. Current Owner: HERITAGE ASSEMBLY OF GOD INC
Address: 7216 US 42
Florence KY 41042
City State Zip Code
Phone Number: 859-525-1124 Fax Number: _____
Email: vernelp@aol.com
10. Applicant: Heritage Fellowship - Jeremy Weaver
Address: 7216 US 42
Florence KY 41042
City State Zip Code
Phone Number: 859-462-0869 Fax Number: _____
Email: jeremy@surusgroup.com
11. Are there any existing buildings on the site: ☒ Yes 3 ☐ No
If yes, indicate how many: _____

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

1. Date Received: 12/6/22 Fee Received: \$2,336.⁰⁰ Receipt #: 87456
2. Number of Copies Received: 7
3. Has the following been submitted (check all that apply):
 - ☒ Completed Application
 - ☒ Concept Development Plan
 - ☐ Legal Description
 - ☒ Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: _____
6. Committee Chairperson: _____
7. Scheduled Public Hearing Date: _____
8. Boone County Planning Commission Action: _____ Date of Action: _____
 - _____ Approved
 - _____ Approved with Conditions
 - _____ Denial
 - _____ Other
9. Resolution Number: _____

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

12. 959 628 2041B
Deed Book Page Number Group Number

13. Have you had a pre-application meeting with the BCPC staff: ☐ Yes ☐ No

14. Have you submitted a Concept Development Plan: ☐ Yes ☐ No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|---|---|
| <input 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 checked="" type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input checked="" 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 2-16-23

ORIGINAL Property Owner's Signature: _____

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: _____

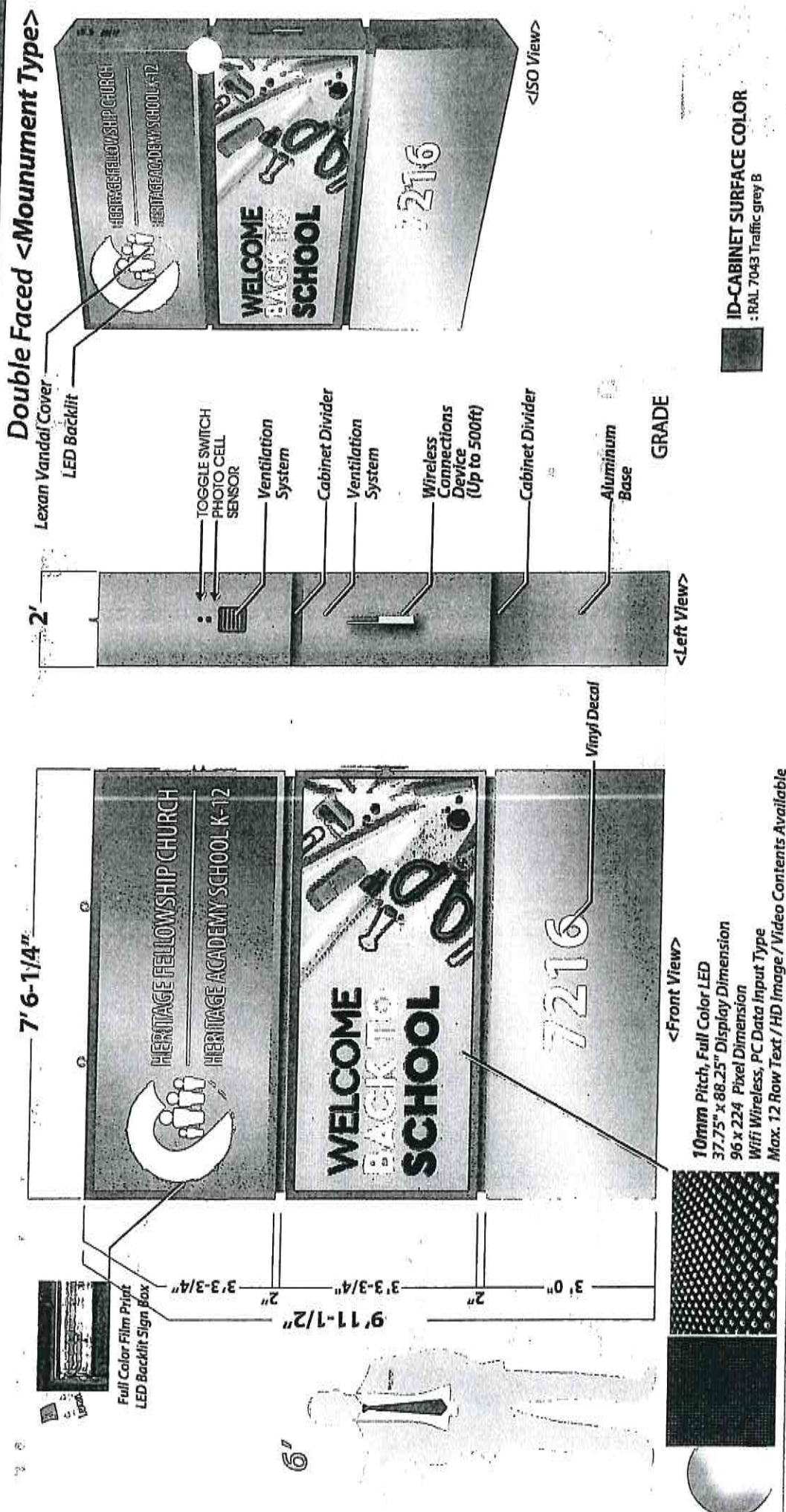
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

Vernel Perry

Jeremy Weaver

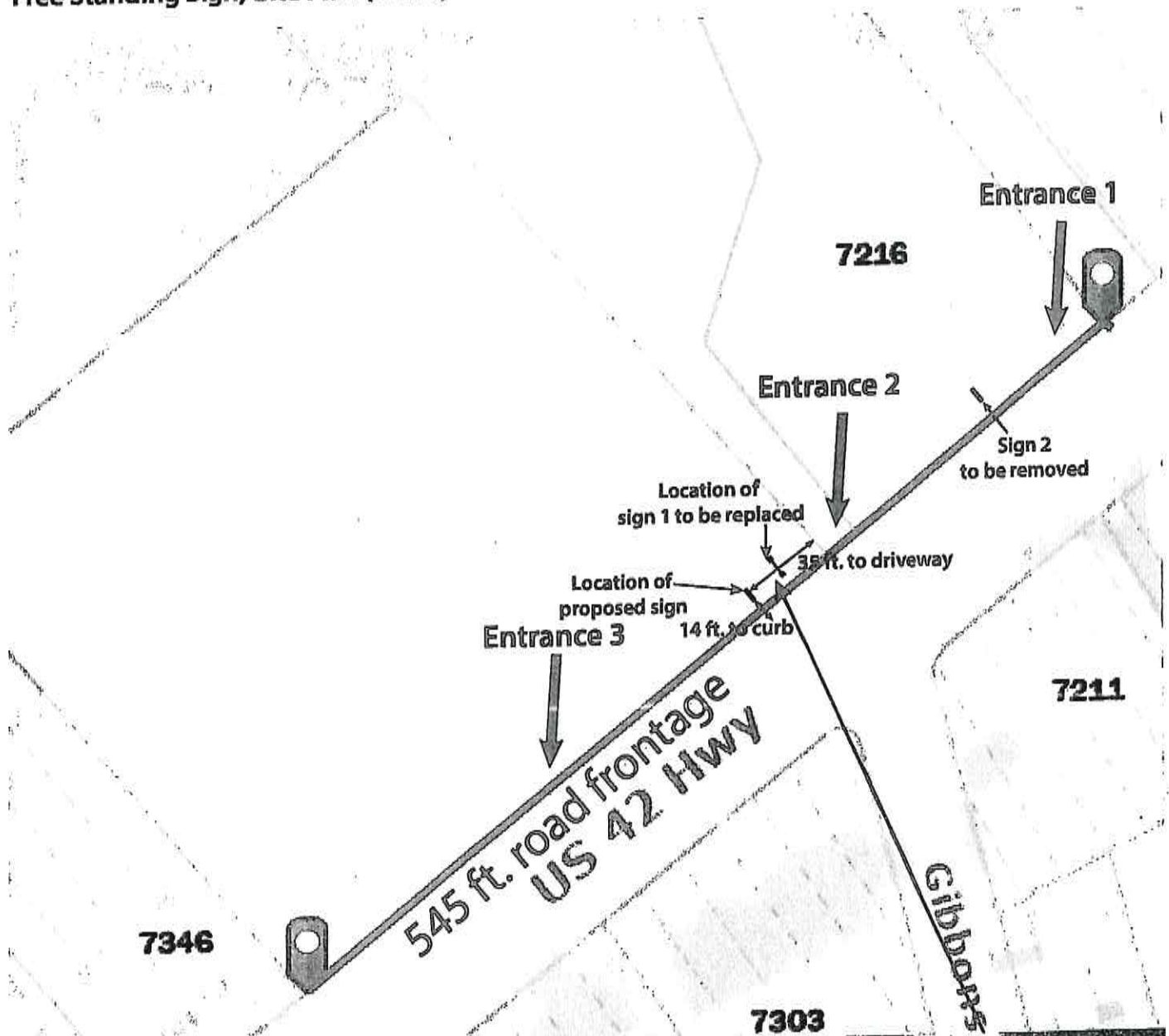
AIOT 86-MP10-37-SMD-DF

SCALE: 3/8" = 1'
WHEN PRINTING, SET PAGE SCALING TO "NONE"

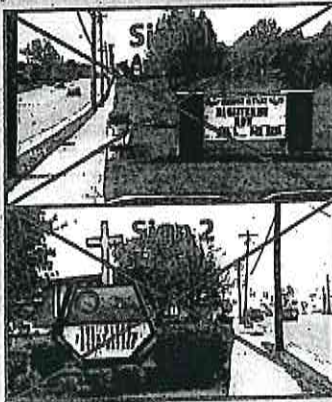


TV Liquidator
S. Distributor of LED Signs

Heritage Fellowship
 7216 US 42 Florence Kentucky
 Free Standing Sign, Site Plan (detail)



Sign 1 and Sign 2 will be removed and replaced by the proposed sign in the location of sign 1



**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
JANUARY 4, 2023
7:30 P.M.**

Chairman Charlie Rolfsen opened the Public Hearing at 7:36 p.m. and welcomed the audience to the Planning Commission's January 4, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick
Mr. Steve Harper
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the first item on the Agenda.

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Alaina Hagenseker, Staff

1. Request of **Heritage Fellowship, per Jeremy Weaver (applicant)** for **Heritage Assembly of God, Inc., per Vernel Perry (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 20.7 acre area located at 7216 US 42, Florence, Kentucky, which is zoned Suburban Residential Two (SR-2) and Office One (O-1). The request is for a Special Sign District to allow a free standing sign having an electronic message board/panel in an Office One (O-1) district.

Staff Member, Alaina Hagenseker, referred to her PowerPoint presentation. The request is from Heritage Assembly of God Church to remove two existing free-standing signs and replace them with a monument sign with a full color electronic message board panel. The proposal is to install a 49.96 square foot monument sign of which 24.98 square feet will be a full color electronic message screen. The Special Sign District application is required because electronic message boards are not permitted in an O-1 zoning district. Mrs. Hagenseker showed photographs of the existing signs, the subject site and adjoining properties. The applicant submitted drawings showing the proposed signs and the location of where the new sign will be located. Mrs. Hagenseker referred to Section 3440 of the Zoning Regulations and the purpose of the Special Sign District regulations - special circumstances of an area or specific property. She offered potential conditions of the proposal should the Planning Commission approve it. One condition relates to display intervals of a minimum of 5 seconds. The second condition suggests that no message shall contain more than one still photo and/or 3 lines of text. A third potential condition includes any portion of an alphanumeric message that is not displayed on a still photo, shall use a black background. Finally, the proposed sign shall not be used to advertise off premise businesses.

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

Mr. Jeremy Weaver, applicant, stated that the original sign has been in place since 1975. They are trying to upgrade the premises. It will be used to update school events.

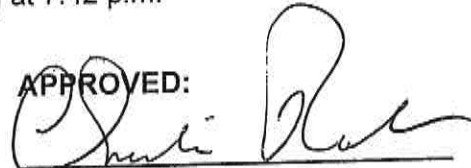
Chairman Rolfsen asked if anyone in the audience had any comments or questions?

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

Mr. Harper asked what was the bottom panel on the proposed sign? Mr. Weaver replied that it was the base with their address on it.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on January 18, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on February 1, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:42 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
FEBRUARY 1, 2023
7:00 P.M.**

Chairman Charlie Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's February 1, 2023 Business Meeting. Chairman Rolfsen then invited everyone to join him 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
Mr. David Hincks
Mr. Rick Lunnemann
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:

Mrs. Kathy Clark
Mrs. Janet Kegley
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, Senior Planner
Mrs. Alaina Hagenseker, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the January 18, 2022 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections?

Mrs. Steele moved to approve the Minutes as presented. Mrs. Goetting 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 January 5, 2023 and February 1, 2023.

EXPENSES:

Accounting Fees	\$ 810.69
Attorney Fees	4,931.25
Consultant/Professional Svcs Fees	4,301.25
Filing Fees (CLURS)	550.00
Legal Ads/Recruitment	507.68
Miscellaneous Expense	512.79
Office & Board Meeting Supplies	1,810.53
Office Equipment / Expense	318.69
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	39.00

TOTAL: \$ 14,281.88

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 6,668.95
Health/Dental/Life/LTD	13,817.21
Retirement – BCPC Portion	24,294.25
Salaries – Staff Expenses	91,064.38
Salaries – BCPC & BOA	1,610.00

TOTAL: \$137,454.79

GRAND TOTAL: \$151,736.67

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. Mr. Vaught seconded the motion and it carried unanimously.

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Rick Lunnemann, Chairman, Alaina Hagenseker, Staff

1. Request of **Heritage Fellowship, per Jeremy Weaver (applicant) for Heritage Assembly of God, Inc., per Vernel Perry (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 20.7 acre area located at 7216 US 42, Florence, Kentucky, which is zoned Suburban Residential Two (SR-2) and Office One (O-1). The request is for a Special Sign District to allow a free standing sign having an electronic message board/panel in an Office One (O-1) district.

Staff Member, Alaina Hagenseker, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment. The Committee Members present at the Committee Meeting voted unanimously to approve the request. The applicant has signed the condition letter.

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

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

CONCEPT DEVELOPMENT PLAN/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Todd Morgan, Staff

2. Request of **Prime Car Wash, LLC, per Adam Jones (applicant) for Broadway Circle, LLC, per Mike Hanich (owner)** for a Concept Development Plan/Change in an Approved Concept Development Plan in a Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) district for an approximate 1.3 acre area located at 7592 and 7600 Burlington Pike, Florence, Kentucky. The request is for a Concept Development Plan/Change in an Approved Concept Development Plan to allow a car wash.

Mr. Costello noted that the Zone Change Committee met just prior to the Business Meeting so the request has to be deferred until the February 15, 2023 Business Meeting. As a result, **Mr. Lunnemann moved to defer the request until the February 15, 2023 Business Meeting. Mr. Szurlinski seconded the motion and it passed unanimously.**

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

3. Request of **ECE, Inc, per R. Wayne Erpenbeck (applicant) for Tri-Saint Investments, LLC, per Tim Bishel (owner)** for a Zoning Map Amendment from Public Facilities (PF) and Industrial One (I-1) to Urban Residential One (UR-1) for an approximate 18.2 acre area located along the west side of Beaver Road, between Mary Grubbs Highway and Skyway Drive, approximately 800 feet north of Mary Grubbs Highway, having a Parcel Identification Number (PIDN) of 078.00-

00-002.00, Walton, Kentucky. The request is for: (1) a zone change to allow 214 multi-family residential dwelling units within sixteen (16) buildings; and (2) a variance reducing a portion of the rear yard buffer yard width from sixty (60) feet (Buffer Yard C) to twenty (20) feet (Buffer Yard B).

Mr. Costello noted that the Zone Change Committee will meet on February 15, 2023 to discuss this request. **Ms. Gulick moved to defer the request until the March 1, 2023 Business Meeting. Mr. Bessler seconded the motion and it passes unanimously.**

TECHNICAL/DESIGN REVIEW, Rick Lunnemann, Chairman, Michael Schwartz, Staff

6. Turfway Gaming -7500 Turfway Road

Staff Member, Todd Morgan, referred to a PowerPoint presentation. The Technical/Design Review Committee has been meeting on this project since November. It involves the screening of rooftop mechanicals on the building. Turfway Park brought back a new option of painting the RTUs on top of the building in order to match the building. It involves the front and side elevations. A striping pattern would be painted on the units. The units in the rear would be painted a beige color. Mr. Morgan stated that the Technical/Design Review Committee is recommending approval. A packet of drawings were distributed to the Board members showing the stripes. Mr. Costello asked if the applicant was aware that the units will have to be maintained or repainted in the future? Mr. Morgan replied yes. Mr. Jihad Hillany, engineer, understood and agreed. He asked that the request be approved.

Mr. Schwenke inquired on whether the applicant knew about this issue before they built the project. Mr. Hillany replied that during Covid, the roof materials used were different due to the supply chain issues. The RTUs were a different size and the roof size was a foot higher. Overall, it was 3 feet higher.

Mr. Lunnemann moved to approve the request as presented by Mr. Morgan subject to a condition that the RTUs painted colors are maintained to match the building. Mr. Richardson seconded the motion and it passed unanimously.

NEW BUSINESS

ZONING MAP AMENDMENT, Michael Schwartz, Staff

5. Request of Banklick Real Estate Holder, per Karen Schwarz (applicant/owner) for a Zoning Map Amendment from Commercial Two (C-2) to Suburban Residential Two (SR-2) for an approximate 0.48 acre area located at 7309 Dixie Highway, Florence, Kentucky. The request is for a zone change to allow the existing building to be used as a single-family home for rental.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

6. Request of WCG Holdings, LLC, per Justin Cooper (applicant) for Eric Deters (owner) for a Change of Concept Development Plan for an approximate 13 acre area located at 159 Walton Nicholson Road, Boone County, Kentucky, which is

zoned Industrial One (I-1). The request is to allow the development of a 60,000 square foot online shipping and fulfillment services building with access onto Walton Nicholson Road.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Alaina Hagenseker, Staff

7. Request of **Terrace Townhomes, LLC, per Brad Trauth (applicant)** for **Terrace Development Co., LLC, per Phil Drees (owner)** for a Change of Concept Development Plan for an approximate 0.5 acre area located at 2011 Terrace Court, Florence, Kentucky, which is zoned Union Commercial/Planned Development (UC/PD). The request is to allow the development of six (6) attached single-family residential units.

Mrs. Goetting moved to schedule the Public Hearing for Items #5, #6 and #7 on March 1, 2023 at 7:30 p.m. in the Fiscal Courtroom. Mrs. Steele seconded the motion and it passed unanimously.

H. Executive Director's Report:

Mr. Kevin P. Costello, AICP, stated that he sent some information to the Board members about the Kentucky Public Employees Deferred Compensation Program. The Kentucky Public Employees Deferred Compensation Authority asked the Planning Commission to update its Resolution to allow its employees to participate in the program. The Planning Commission joined the program in 1998. The program is voluntary and there is no employer match.

Mr. Schwenke moved to adopt the proposed Resolution and forward it to the Kentucky Public Employees Deferred Compensation Authority and authorize the Executive Director to execute or sign all documents. Mr. Harper seconded the motion and it passed unanimously.

Finally, Mr. Costello explained that the Fiscal Court will be making some improvements to their meeting room in terms of audio and visual equipment. More information will be forthcoming.

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
No Report

J. Chairman's Report:


K. OKI Report: (Randy Bessler)
No Report

L. Other:

M. Adjournment:

There being no further business to come before the Planning Commission, Ms. Gulick moved to adjourn the meeting. Mrs. Steele seconded the motion and it passed unanimously. The meeting was adjourned at 7:20 P.M.

APPROVED


Charlie Rolfsen
Chairman

Attest:


Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Rick Lunnemann, Chairman

DATE: February 1, 2023

RE: Request of **Heritage Fellowship, per Jeremy Weaver (applicant) for Heritage Assembly of God, Inc., per Vernel Perry (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 20.7 acre area located at 7216 US 42, Florence, Kentucky, which is zoned Suburban Residential Two (SR-2) and Office One (O-1). The request is for a Special Sign District to allow a free-standing sign having an electronic message board/panel in an Office One (O-1) district.

REMARKS:

We, the Committee, recommend approval of the above referenced request based on the following findings of fact and with the following conditions:

FINDINGS OF FACT:

1. Section 3440 of the Boone County Zoning Regulations allows for the creation of special sign districts with the appropriate legislative body's approval. The effect of a special sign district shall be to modify requirements, regulations, and procedures for signs 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.
2. The request is in agreement with Our Boone County Plan 2040 for the following reasons:
 - A. The request is in agreement with the following goals and objectives:
 - "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).
 - Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 - 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).

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Heritage Fellowship

February 1, 2023

Page 2

B. The request is in agreement with the following passages from the land use element:

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

4. The Committee 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 that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant and property owner have signed a letter demonstrating agreement with these conditions.

CONDITIONS:

1. The message displayed on the proposed electronic message board/screen be displayed for a minimum of five (5) second intervals.
2. No message shall contain more than one (1) still photo and/or three (3) lines of text.
3. Any portion of an alphanumeric message that is not displayed on a still photo, shall use a black background.
4. The sign shall not be used to advertise off premise businesses.
5. The sign shall not display moving patterns, the illusion of running objects moving patterns or boards of light, rotating shapes, or other similar rotating shapes. No scrolling of running messages.

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: Rick Lunnemann, Chairman

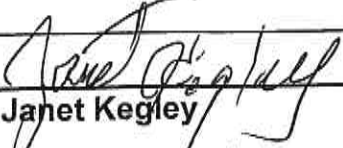
DATE: January 18, 2023

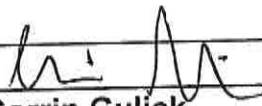
REMARKS:

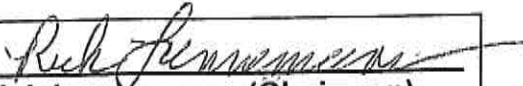
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

**ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Rick Lunnemann, Chairman,
Alaina Hagenseker, Staff**

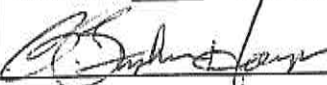
1. Request of **Heritage Fellowship, per Jeremy Weaver (applicant)** for **Heritage Assembly of God, Inc., per Vernel Perry (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 20.7 acre area located at 7216 US 42, Florence, Kentucky, which is zoned Suburban Residential Two (SR-2) and Office One (O-1). The request is for a Special Sign District to allow a free standing sign having an electronic message board/panel in an Office One (O-1) district.


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 _____

Randy Bessler (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 _____

Vacant
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

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

TOTAL: _____ DEFERRED _____ FOR PROJECT _____ ABSENT _____
_____ AGAINST PROJECT _____ ABSTAIN _____

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
JANUARY 4, 2023
7:30 P.M.**

Chairman Charlie Rolfsen opened the Public Hearing at 7:36 p.m. and welcomed the audience to the Planning Commission's January 4, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick
Mr. Steve Harper
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the first item on the Agenda.

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Alaina Hagenseker, Staff

1. Request of **Heritage Fellowship, per Jeremy Weaver (applicant)** for **Heritage Assembly of God, Inc., per Vernel Perry (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 20.7 acre area located at 7216 US 42, Florence, Kentucky, which is zoned Suburban Residential Two (SR-2) and Office One (O-1). The request is for a Special Sign District to allow a free standing sign having an electronic message board/panel in an Office One (O-1) district.

Staff Member, Alaina Hagenseker, referred to her PowerPoint presentation. The request is from Heritage Assembly of God Church to remove two existing free-standing signs and replace them with a monument sign with a full color electronic message board panel. The proposal is to install a 49.96 square foot monument sign of which 24.98 square feet will be a full color electronic message screen. The Special Sign District application is required because electronic message boards are not permitted in an O-1 zoning district. Mrs. Hagenseker showed photographs of the existing signs, the subject site and adjoining properties. The applicant submitted drawings showing the proposed signs and the location of where the new sign will be located. Mrs. Hagenseker referred to Section 3440 of the Zoning Regulations and the purpose of the Special Sign District regulations - special circumstances of an area or specific property. She offered potential conditions of the proposal should the Planning Commission approve it. One condition relates to display intervals of a minimum of 5 seconds. The second condition suggests that no message shall contain more than one still photo and/or 3 lines of text. A third potential condition includes any portion of an alphanumeric message that is not displayed on a still photo, shall use a black background. Finally, the proposed sign shall not be used to advertise off premise businesses.

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

Mr. Jeremy Weaver, applicant, stated that the original sign has been in place since 1975. They are trying to upgrade the premises. It will be used to update school events.

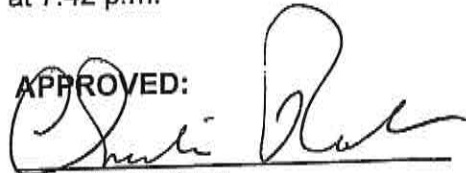
Chairman Rolfsen asked if anyone in the audience had any comments or questions?

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

Mr. Harper asked what was the bottom panel on the proposed sign? Mr. Weaver replied that it was the base with their address on it.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on January 18, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on February 1, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:42 p.m.

APPROVED:


Charlie Rolfsen
Chairman

Attest:


Kevin P. Costello, AICP
Executive Director