



City of Crescent Springs Board of Adjustments February 6, 2018

The February 6, 2018 Public Hearing of the Board of Adjustments was called to order at 6:30 p.m. by Chairman Gary Smith. Roll call showed the following members present: Gary Smith, Mike Gronefeld, and Sarah Bilott. Also present were City Attorney Mike Baker, City Councilman Bob Mueller, City Clerk/Treasurer April Robinson and Associate Planner for PDS Patrick Denbow.

The audience attendance were as follows:

Erik Hermes
Mr. & Mrs. John Huffman
Tim Theissen
Don Stegman
Sherri Porter
Katherine Huffman
Penny Moore
Amy Wolf
Ivory Faeth
Joseph Langreck

CONFIRMATION OF QUORUM

All Board members were present. A Quorum was confirmed.

APPROVAL OF MINUTES

Minutes will be approved at the April 17th yearly required meeting.

ELECTION OF OFFICERS

Election of Officers will occur April 17th as well.

PUBLIC HEARING – BOA1712-0004

Chairman Gary Smith confirmed with Patrick Denbow that all notification had been made per KRS. There were no conflicts and board members had not made any site visits.

Patrick Denbow proceeded with the recommendation of PDS for Case #BOA1712-0004 regarding applicant John Huffman and his requests for property at 2550 Schmidt Lane.

REQUEST

Variances from the setback, landscape planting strip width, and fence height requirements of the IP-1 (Industrial Park One) Zone of the Crescent Springs Zoning

Ordinance; the applicant proposes construction of a self-storage facility with: (1) a 15-foot-wide landscape planting strip adjacent to 539, 543, and 2521 Terry Lane, where 25 feet is required; (2) a 15-foot side yard setback along the property line common to 2541 and 2551 Schmidt Lane where 25 feet is required; (3) a five-foot setback and landscape planting strip along the property line common with the Norfolk Southern railroad right-of-way where a 10 foot building setback and a 75 foot landscape planting strip is required; (4) a six-foot-tall chain link fence with vertical slats within the front yard where four feet is the maximum permitted height; and, (5) a six-foot-tall ornamental fence and gate within the front yard where four feet is the maximum permitted height.

Mike Gronefeld requested clarification on whether there would be parking on Schmidt Lane. It was determined that parking would not be on Schmidt lane but inside and outside the gate within the property boundaries.

Mike Gronefeld questioned whether the mentioned 8-10ft white pines would be planted at this height or if growth were to that height. The question was directed to the applicant who stated 8-10ft pines would be planted.

Mike Gronefeld questioned if any traffic studies had taken place. No traffic studies had been performed.

COMMENTS FROM APPLICANT

Applicant John Huffman introduced himself as owner of Beechgrove Self Storage and offered to answer any questions. He was asked by the board how many UHAUL trucks were rented per day. The average was three which includes the rental of trucks, trailers and tow devices.

COMMENTS FROM PROPONENTS

No comments

COMMENTS FROM OPPONENTS

Joseph Langreck of 566 Park Street was concerned as to what he was going to be looking at from his back yard. His yard is not fenced and his current view is a tree line. He did not like the idea of looking at a fence with slats and asked what his view would be after construction.

Mr. Huffman answered the question by stating that the section of property in question is very heavily wooded and run downhill to dry creek.

Mr. Langreck also asked if he would see the headlights of vehicles entering the Schmidt Lane property.

Mr. Huffman stated the storage units that will be placed on the property should block any headlights.

Ivory Faeth of 552 Park Street was concerned that the large trees between her's and the Schmidt property would be removed.

Mr. Huffman replied that the site has yet to be surveyed so he has no idea which tree will stay and which will be removed. He did not believe there were any trees next to the heavily wooded area that were on the Schmidt Lane property.

Ms. Faeth also inquired on the lighting that would be installed on the property. She was concerned of the lighting shinning onto her property.

Mr. Huffman stated there will be parking lot lights installed. He said the lighting will not be directed outside the property but from the perimeter of the Schmidt Lane property to the inside. Mr. Huffman said he did not see lighting being an issue and further explained that the placement of the storage units will also block light. The storage units are approximately eight and a half feet tall and 20ft long.

DISCUSSION BY BOARD MEMBERS

Mike Gronefeld asked how tall the lights would be.

Mr. Huffman stated the light poles were approximately twelve feet in height.

Mr. Huffman stated he will have a security system installed with cameras. He further explained that his Beechgrove location has never had a unit broken into. He works with law enforcement when needed and also has a law enforcement agency use his facility for training a drug dog. All prospective clients are informed of this upfront so they know it is a safe facility and if they have any ill intent they know to go rent somewhere else.

Mike Gronefeld asked if the storage units were permanent and will not be moved.

Mr. Huffman replied that the units are moveable but will not be moved. These units are being used in case of instability of the land. If the land becomes unstable the units can be moved out of the way until the issue is resolved.

Mike Baker requested confirmation that the pine trees that are to be planted will create a buffer between the Schmidt Lane property and the houses located on Terry Lane.

Mr. Huffman replied that they would.

Ms. Billot asked if it were possible to also plant the pines between the storage units/fence and the railroad tracks.

Mr. Huffman replied that the railroad sprays defoliant and he would be worried that this action would kill anything he planted.

Mike Gronefeld asked what the three phases of development were.

Mr. Huffman stated Phase I would involve site work, containers, parking spaces, building number one, and the slab of building number two. Phase II is half of building number three, roughly 140ft long and three stories tall, and Phase III would be the second half of building number two in the year 2020. Mr. Huffman stated that he would be ready for business around August 2018 and construction would be completed in 2020.

Gary Smith asked if the opponents were satisfied.

Mr. Langreck replied that he understood everything and felt Mr. Huffman was working the best with what he has. Mr. Langreck asked if there was any way to conceal the view of the storage containers.

Mr. Huffman stated that in this region the wind blows from the West to the East with the Schmidt Lane property being located to the East of Park Street. When the railroad sprays defoliant the wind would carry the "drift" onto anything he were to plant. Mr. Huffman asked if he could run the fence with black plastic strips through the chain link to provide more screening.

Ms. Faeth stated her main concern was the lighting and the fact that the trees located there currently block the light from the existing businesses.

Mr. Huffman offered to put blinders on the lights if needed but stated the lights would not be directed towards the properties of Park Street. He also restated that the heavily wooded hill area to Dry Creek will not be touched.

Katherine Huffman spoke in favor of her father's (John Huffman) development proposal. She stated she did not feel her father would do anything to jeopardize any of the residents' privacy and enjoyment of their homes.

Mike Baker asked Mr. Denbow if the applicant had met all of the requirements under the relevant statute of the KRS to seek the variance and had not violated any of the restrictions in that statute. Mr. Denbow replied that the applicant had met the requirements and there were no violations.

FINDINGS OF THE BOARD

The proposed variance requests will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, and will not cause a hazard or a nuisance to the public. In addition, the request does not constitute an unreasonable circumvention from the zoning regulations. These findings are due to the following:

- This request stems from special circumstances due to the topography of the site and the layout of the property. The topography adds special challenges to the site as a significant portion of the property would not be reasonably buildable. In addition, the irregular shape of the property creates irregular setbacks which in turn causes challenges to developing this property for industrial uses.
- The strict application of the provisions of the zoning regulations will deprive the applicant of the reasonable use of the land and will create an unnecessary hardship of the applicant. The large landscape buffer in the rear is due to a residential district lying on the opposite side of the railroad right-of-way. There is significant existing tree growth on either side of the right-of-way. According to LINK-GIS, the nearest residential structure across the railroad tracks is approximately 144 feet away.
- The circumstances are not the result of actions of the applicant taken after the adoption of the zoning regulation from which relief is sought, no construction has taken place prior to the issuance of any required permits or zoning action.

Based upon these findings, Gary Smith made a motion to accept the PDS recommendation, and Mike Gronefeld seconded the motion. The motion unanimously passed.

Patrick Denbow proposed an amendment change to Article X, Section A 1 and 2 of the Crescent Springs Board of Adjustment Bylaws changing submission deadlines from three weeks (conditional use) and two weeks (variance, nonconforming use, appeal) to four weeks for all issues. The board will review this at the April 17, 2018 Board of Adjustment Meeting.

Mike Gronefeld made a motion to adjourn at 7:56 p.m. Sarah Bilott seconded the motion. All were in favor. Motion Passed.

April C. Robinson
City Clerk/Treasurer

BOA Chairman

Approved: _____