



10/29/2021

The Kenton Conservancy
1840 Simon Kenton Way
Covington, KY 41011

Re: Permit # 21781
10463 Canberra, Independence KY
Change of Use
APPROVED W/ CONDITIONS

The Planning and Development Services staff has reviewed the above referenced application and finds that the submitted plans are in substantial compliance with the local zoning ordinance.

The zoning permit for the above referenced application is hereby approved with the below Conditions:

1. Clear all easements; it is the responsibility of the property owner and/or their designee (contractor, landscaper, POA, etc.) to ensure that proposed construction or activities do not obstruct or encroach upon any easement whether public or private.
2. Provide erosion and sedimentation controls; do not divert runoff onto adjacent properties.
3. Provide erosion and sedimentation controls prior to any earth movement.
4. Comply with guidelines from the BOA 2004-0002 (Attached)
5. Signs and other structures require separate permits.

NOTE: Failure to install and/or maintain erosion controls could result in a stop work order being issued and a re-inspection fee.

Failure of this office to note all violations in the review of plans and specifications does not relieve contractors of the responsibility of complying with the applicable Codes and Regulations.

Sincerely,

A handwritten signature in black ink that reads "Kristen Martin". The signature is written in a cursive, flowing style.

Kristen Martin
Planning & Zoning Administration

August 21, 2020

Kenton Conservancy
Gary Wolnitzek
1840 Simon Kenton Way
Covington, KY 41011

RE: BOA2004-0002

The Kenton County Joint Board of Adjustment heard your request for the noted case on August 19, 2020. After considering the testimony provided, members of the Board acted as detailed on the following page.

Thank you for your cooperation through this process. Feel free to contact me if you have any questions about the Board's action or steps you may want to take now.

If you choose, you may file an appeal of the Board's action with the Circuit Court within 30 days according to Kentucky Revised Statutes 100.347.



Patrick Denbow, AICP
Senior Planner

Attach

cc: James Wenstrup, Si Si Si LLC - Owner



We would appreciate feedback about your experience with us on this process. SERVICE is the first of our core values so we're always looking for ways to improve how we do what state law requires of us. You'll find a short customer satisfaction survey at www.pdskc.org/survey.html. You can also scan this QR Code with your smartphone to access it. We hope you'll take a couple minutes to help us serve our customers better. **Thank you!**

BOA2004-0002

Request: A conditional use under the Independence zoning ordinance to establish a nature preserve (park); variances for landscape buffers, building setback, and drive aisle width; and, an appeal of the Zoning Administrator's decision regarding parking surface material; the applicant proposes to establish a nature preserve for public use, passive recreation, and ecosystem restoration including signage, parking, accessory structures, and trails, with access off Canberra Drive.

Decision: Conditional Use Permit to establish a nature preserve (park):

1. To approve the Conditional Use Permit

Variance to decrease the width of landscape buffers from 20 feet to 10 feet (where noted on the site plan), reduce the required building setback from 50 feet to 15 feet, and reduce the drive aisle width from 20 feet to 15 feet:

1. To approve the variance requests with the following conditions:
 - a. That the proposed building be limited to a single-story structure measuring no greater than 30 feet by 30 feet with an additional 10-foot overhang.
 - b. That the proposed building be only used for equipment storage and not open to the public, except for emergency storm sheltering.

Appeal of the Zoning Administrator's decision that all new off-street parking areas be paved per the provisions of the ordinance:

1. To uphold the decision of the Zoning Administrator

Basis: Conditional Use Permit:

1. This proposed facility is necessary or desirable to provide a service or facility which will contribute to the general wellbeing of the neighborhood or the community.
2. This facility will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
3. Based on testimony provided at the August 19, 2020 public hearing.

Variances:

1. The variance requests, as conditioned, will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Appeal:

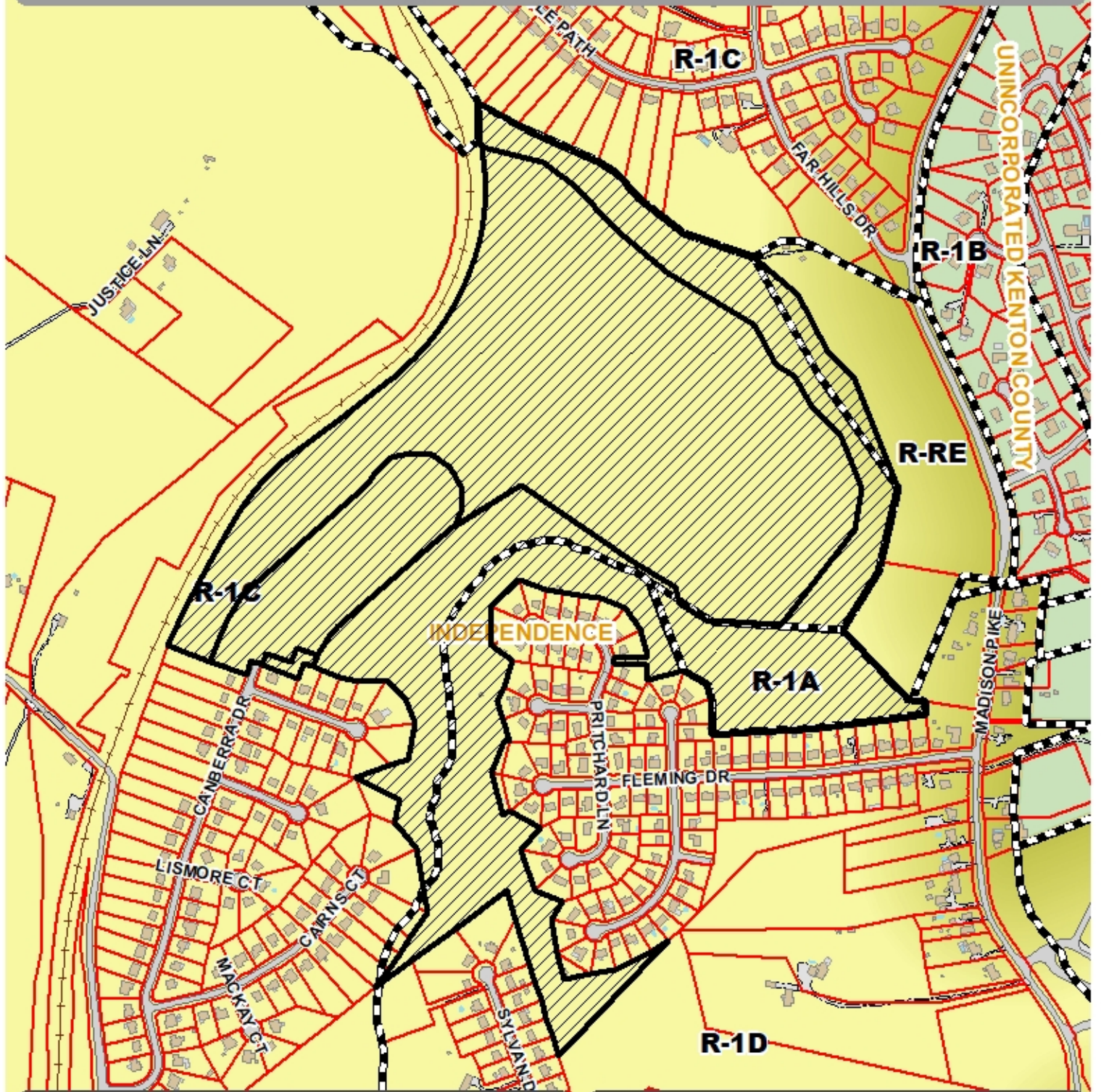
1. There is not error in the action, order, requirement, interpretation, grant, refusal, or decision of the zoning administrator. The zoning administrator's

decision is based on the literal interpretation of the zoning ordinance. Section 11.1, F., of the Independence Zoning Ordinance uses clear and unambiguous language when setting forth regulations for paving of any new off-street parking areas.

Result of BOA Action: The applicant is permitted to establish a nature preserve (park) with 10 foot landscape buffers, a 15 foot building setback, and a 15 foot drive aisle as submitted and presented at the public hearing, subject to the conditions of the variance approval and any required zoning and building permits.



BOA2004-0002



Building	Roads	Utilities	Topography
Building	Paved Road	Sewer	Index Contour
Pool	Unpaved Road	Sewer Structure	Intermediate Contour
Tank	Bridges	Water Pipe	Creek / Stream
Concrete Pad	Paved Parking	Water Hydrant	River / Lake
Recreation	Unpaved Parking		
Ball Fields	Railroad		
Playground/General Rec			
Tree/Green			
	Boundaries		
	Parcel		
	Zoning		

1 inch equals 583 feet

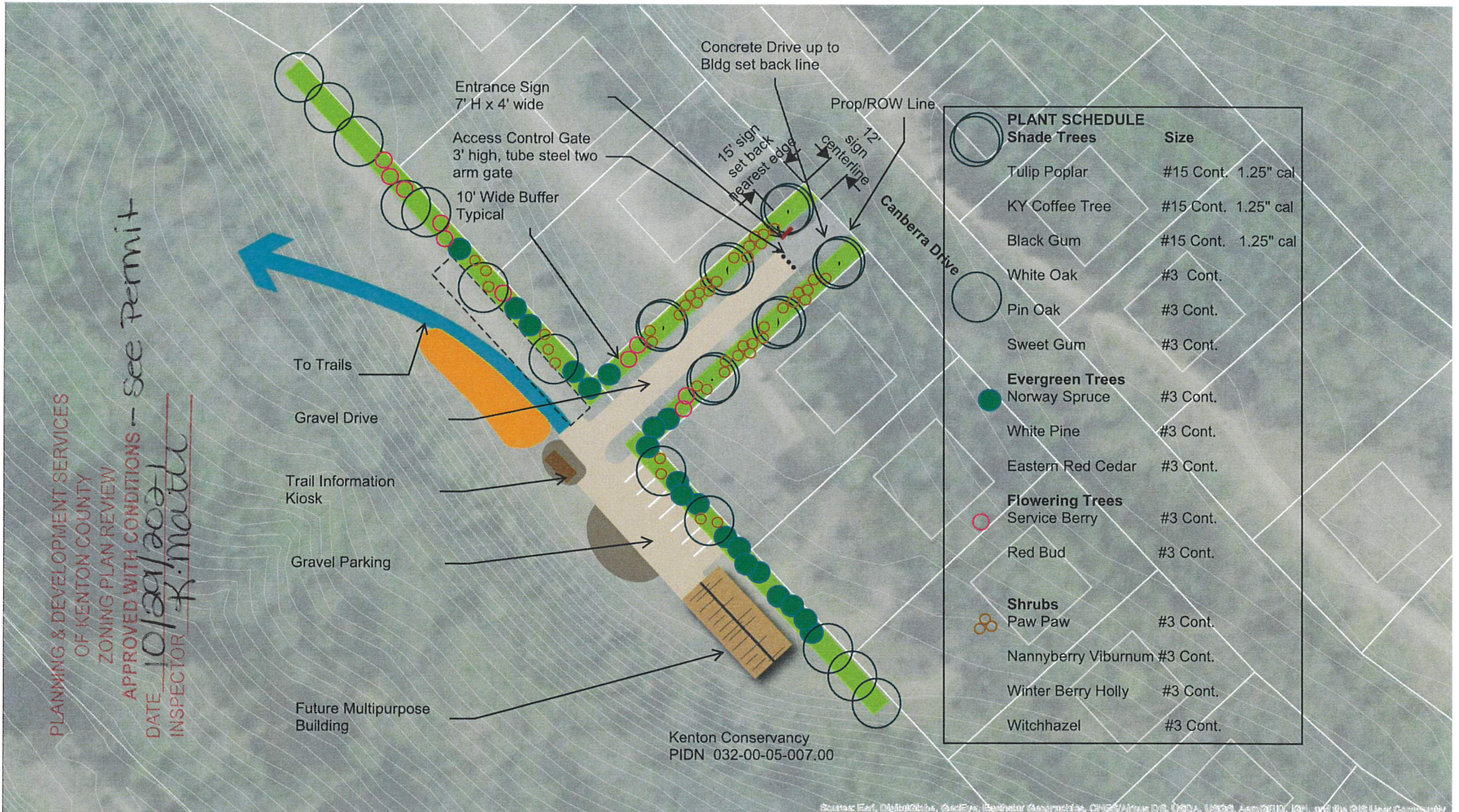
0 145 290 580 Feet

2332 Royal Drive
 Fort Mitchell, KY 41017
 859.331.8980
 Office hours M-F 8-5
www.linkgis.org

Parcel data provided by CCPVA,
 PCPVA and LINK GIS.

Date: 5/28/2020

This GIS data are deemed reliable and every effort has been made to ensure their accuracy. They are, however, provided "as is" without warranty of correctness, timeliness, reliability, or completeness. Map elements do not represent a legal survey of land. Use of these data for any purpose should be with an acknowledgement of their limitations, including the fact that they are dynamic in nature and in a constant state of maintenance. Field investigation may be necessary.



Brushy Fork Preserve
 93a Canberra Drive
 Independence, KY

Brushy Fork - Hub Planting

The Kenton Conservancy
 1840 Simon Kenton Way
 Suite 3400
 Covington, KY 41011- 2999

