

**CAMPBELL COUNTY & MUNICIPAL BOARD OF ADJUSTMENTS  
MINUTES OF THE  
AUGUST 15, 2023  
MEETING**

**MEMBERS PRESENT:**

Mr. Justin Verst, Chair  
Mr. John Fessler  
Mr. Michael Williams  
Mr. Hutch Johnson  
Mr. Joseph Williams

**MEMBERS ABSENT:**

Ms. Jessica Hurley

**STAFF PRESENT:**

Mr. Matt Smith, Legal Counsel  
Mr. Kirk Hunter, Principal Planner  
Ms. Kaytlin Lake, Clerk

Meeting was called to order by Mr. Verst at 6:30 PM. The Pledge of Allegiance was recited. The clerk called the roll, and a quorum was found.

Mr. Verst then asked for approval of the minutes from the July 18<sup>th</sup>, 2023 meeting. Mr. Michael Williams moved to accept the minutes which was seconded by Mr. Johnson. The clerk called the roll; Mr. Verst abstained, but all others present voted in favor. The minutes were approved.

Mr. Verst then introduced case BA-23-011 as a continuation of old business. The applicant was the Highland Country Club at Blossom Lane in Southgate, KY, and the request was for variances for setback distance and screening requirements. Mr. Verst noted that he was absent at the previous meeting when this case was first presented, but he had reviewed the minutes and felt up to speed on the case.

Mr. Verst asked Mr. Hunter if staff had any additional comments or updates. Mr. Hunter said he put in a different recommendation at the end [of the Staff Report], adjusted the request, and changed the wording of the request for the legal notice to include a variance for the screening requirement per discussion at the last meeting.

Mr. Hunter gave the Staff Report and mentioned that legal notice was published online via the LINKnky Reader.

**STAFF REPORT:**

**Considerations:**

The applicant is requesting variances for setback and screening requirements for the

construction of materials storage area comprised of precast block walls.

The site is at one of two Blossom Lane frontages of the Highland Country Club Golf Course. The Golf course is approximately seventy-six (76) acres in size. It is located in the City of Southgate. Blossom lane is a County-maintained road. This site is located in the Residential One-E (R-1E) Zone.



Figure 1: 2023 Aerial - EagleView

The golf course is a conditional use in the zone. The use as materials storage is considered a *customary accessory use* to a golf course. The surrounding properties are exclusively single-family residential. Southgate's city boundary abuts both Fort Thomas and Unincorporated County municipal boundaries at this location. The residences directly across the street from this site on Brushwood Drive are within the City of Fort Thomas.

The Southgate Zoning Ordinance Article X, Section 10.1 classifies the area within the Residential-One E (R-1E) Zone with the following minimum setback distances:

| Description:              | R-1E Regulations Require: |
|---------------------------|---------------------------|
| Minimum Lot Area:         | 22,500 square feet        |
| Minimum Lot Width:        | 150 feet                  |
| Minimum Front Yard Depth: | 50 feet                   |
| Minimum Side Yard Width:  | 50 feet                   |
| Minimum Rear Yard Depth:  | 50 feet                   |
| Maximum Building Height:  | 35 feet                   |

The Development Controls for the R-1E Zone are as follows:

1. Off-street parking and loading and unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
4. Where any yard of any conditional use permitted in this zone abuts property in a single-family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this ordinance shall be required.

Screening area requirements are detailed in Section 9.17:

**A. SCREENING AREA REQUIREMENTS:** All screening areas shall be approved by the Zoning Administrator (or Planning and Zoning Commission, where required by this ordinance) according to a submitted site plan as regulated by the applicable requirements of Section 9.19 of this ordinance. Screening areas shall be designed, provided, and maintained according to the following:

1. Where vegetative and/or topographic conditions that provide a natural screening and buffer exist prior to development of properties in question, every effort shall be made to retain such conditions. In such cases additional screening may not be required, provided that provision is made for maintenance of such condition to the satisfaction of the County.
2. Wherever screening is required in this ordinance, all trees shall be evergreen.
3. All trees shall be a minimum of six (6) feet in height one year after growing seasons, unless otherwise required according to the submitted site plan.
4. All hedges shall be a minimum of three (3) feet in height when planted unless otherwise required according to the submitted site plan.
5. All trees, shrubs, and, other planting materials shall be living plants (not artificial) and shall be suitable to the Northern Kentucky Area and the specific conditions of the site in question, such as but not limited to soil conditions, slopes, reduction of noise pollution, maintenance necessary, and the type of screening needed. The County may require review of the proposed screening plan from the U.S. Soil Conservation Service, the Campbell County Agricultural Extension Service.
6. Screening areas are to be provided within the required minimum yard setbacks as required in each district's regulation.
7. In the case where a zoning map change occurs resulting in adjacency to a different zoning district that was previously the case, and where development has already occurred on property in the unchanged district, required additional setbacks and screening requirements (as required in each district's regulations) shall be provided for the property in the district where the zone change occurred.

**B. PROVISION AND MAINTENANCE:** Required screening areas shall be provided as a condition of development by the owner and/or developer. All required screening (including the planting of trees and other vegetation) shall be maintained by the property owner.

**C. INCLUSION OF SITE PLAN AND/OR SUBDIVISION IMPROVEMENT DRAWINGS:** Areas to be set aside as screening areas shall be identified on the required site plans, as regulated in Section 9.19, and where applicable, on the improvement drawings as regulated by the subdivision regulations. Sufficient bond, adequate to cover the required improvements as determined by

the County may be required to be posted. It shall be unlawful to occupy any premises unless the required screening has been installed in accordance with the requirements as provided herein.

A review of public records finds that no previous requests for a variance have been submitted for this site.

The applicant has provided a site plan showing the placement of the proposed materials storage area to be approximately twenty (20) feet from the property line.

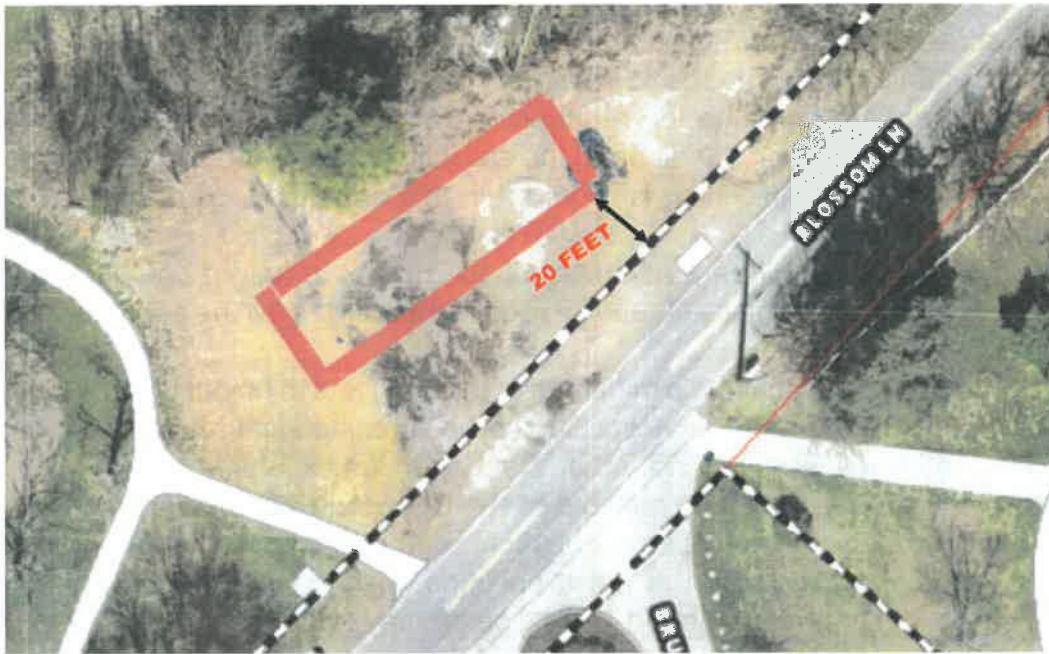


Figure 2: LinkGIS

The yard slopes down considerably at the site, preventing the facility to be located further back.



Figure 3: LinkGIS

The applicant has provided this image of the type proposed storage bins that would be placed at the site:



*Figure 4: Photo Provided by Applicant*

The Development Controls for the R-1E zone require outdoor storage of any material only within enclosed containers. They also require a ten-foot wide screening area. See appendix for screening area requirements.



*Figure 5: December 2006 Aerial – EagleView*

The site has been used continuously for many years as a storage and staging area for materials used on the golf course. The use predates the construction of the Ft. Thomas Overlook Subdivision and Brushwood Drive.

## Supporting Information

VARIANCES: Before any variance is granted, the Board of Adjustment must find that the granting of the variance 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 nuisance to the public. Such variance shall not be granted by the Board of Adjustment unless and until it can determine that:

- a. That the requested variance arises from special existing circumstances which do not generally apply to land in the general vicinity;
- b. That the manner in which the strict application of the provisions of the Zoning Ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant;
- c. That the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought;
- d. Reasons that the variance will not allow unreasonable circumstance of the requirements of the zoning regulations and will not alter the essential character of the neighborhood;
- e. That granting the variance requested will not confer on the applicant any special privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone;

## Applicant Comments:

*"Highland Country Club is looking to install a concrete pad with precast concrete wall blocks for our bulk material storage. This will be located on Highland property at the intersection of Blossom Lane and Brushwood Drive.*

*We are currently using this area for our sand, mulch, gravel storage but we are looking to improve the aesthetics of the area along with reducing waste from contamination. Attached with this statement will be pictures of what the area looks like now, overhead picture of where the concrete pad would be located, drawing of the dimensions and a picture of a similar material storage taken at Bzak landscaping.*

*It should be noted that Highland Country Club is not the only beneficiary of this. Often the sanitation district, road department and landscapers servicing the brushwood and fairway crossings subdivisions use this area to stage equipment and materials. We have also seen Riegler asphalt using this lot to install curbing along Blossom Lane, homeowners having seamless gutters rolled out and contractors working in the neighborhood using it for parking instead of parking along the streets. Highland Country Club has never had an issue with this shared usage. In fact, we are happy to help. It is a good location for these types of things and makes sense for everyone.*

*By building a concrete pad we will be able to maintain the area in a neater fashion for ourselves and the Blossom Lane residents. It will also create more room for our neighbors that would like to use it without getting in our way or contaminating our materials.*

*Those familiar with the neighborhood will remember that several years ago we removed the old chain link fence and brush that ran down blossom lane. Then we had a 1000 yard PVC white fence installed. This was a great improvement for both the country club*

*and the neighborhood. Now you get a nice golf course view driving down Blossom Lane and it is well kept with regular mowing and tree maintenance. I hope you would consider the money we have invested in improving the road when looking into this zoning. We are trying to continue to improve by reworking our bulk storage area and making it more accessible to the rest of the neighborhood and maintenance departments.”*

**Staff Comments:**

- The use as a materials storage area has been in place continually for more than a decade. The open storage of materials at this location is a pre-existing non-conforming use. The requested variance is an expansion of the use, but also includes accessory structures that have not previously been in place. The proposed structures would provide partially enclosed storage of the materials, an improvement over the existing situation. The storage facility has operated without screening the entire time. The screening requirements of the development controls would make it difficult for delivery vehicles to maneuver into the site.
- The requested variances arise from special circumstances, due to topography, which exist and do not generally apply to land in the general vicinity or in the same zone. The topography of the lot drops off significantly beyond this location, precluding the placement out of the minimum setback distance and narrowing access for vehicles delivering materials.
- The application of the provisions of this Ordinance would create unnecessary hardship on the applicant. The current arrangement creates significant materials loss due to dissimilar materials intermingling (contamination). The concrete storage bins solve this issue. The addition of the ten-foot wide screening requirement tightens the access for deliveries creating potential safety issues.
- The applicant is requesting this variance subsequent to the approval of these regulations.
- The essential character of the neighborhood is single-family residential and active recreational and this action is compatible with those uses.
- This variance would not be granting the applicant a special privilege.

**Summary of Applicants Request:**

The applicant is requesting:

1. A thirty-foot variance for the construction of a materials storage facility and reducing the fifty (50) foot setback to approximately twenty (20) feet.
2. A variance in screening requirements to allow safe access for delivery vehicles to the storage facilities.

Per Section 18.6, A., 2., Notice: Notice of public hearing was given in accordance with Section 18.2 of the Campbell County Zoning Ordinance. ***A legal notice appeared in the LINK Reader advertising applicant's request and the hearing to be held on August 15, 2023. All adjoining property owners were sent a legal notice via US Postal service.***

According to Section 18.6, A., 4., the Board of Adjustment must find that the granting of the variance will be in harmony with the general purpose and intent of the Ordinance as well as the adopted Comprehensive Plan, and will not be injurious to the neighborhood, or otherwise, detrimental to the public welfare. **The use of the property is consistent with the adopted 2008 Comprehensive Plan.**

**Staff Recommendations:**

1. To approve the applicant's request for a front yard variance of thirty (30) feet for a materials storage facility.
2. To approve the applicant's request for a variance of screening area requirements with the following condition:
  - a. The screening area(s) may be reduced to five (5) feet in width;
  - b. The screening area(s) be located as recommended by the Board of Adjustments;
  - c. The entrance to the facility shall not be aligned with the intersection of Brushwood Drive; and
  - d. A site plan indicating the entrance and screening area be submitted to the Zoning Administrator for final approval.

**Basis for Recommendation**

1. In accordance with Section 18.2 of the Campbell county Zoning Ordinance, notice of public hearing was given.
2. In accordance with KRS 100.241 Variances, the board shall have the power to hear and decide on applications for variances. The board may impose any reasonable conditions or restrictions on any variance it decides to grant.
3. The evidence presented by the applicant and staff is such as to make a finding that:
  - a. The requirements for a variance have been met by the applicant for a variance and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  - b. The variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board considered whether:
    - i. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
    - ii. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
    - iii. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

- iv. The variance will not allow unreasonable circumvention of the requirements of the zoning regulations and will not alter the essential character of the neighborhood.
- v. The variance requested will not confer on the applicant any special privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone.

[end of Staff Report]

Mr. Michael Williams asked to confirm that no site plan was available for the screening requirement. Mr. Hunter responded that staff only had a site plan for the footprint of the storage bins, not the screening area.

Mr. Verst asked if the Board had any questions for staff.

Mr. Michael Williams brought up a question from the last meeting on whether or not 18-wheelers would have enough room to safely turn around in this area, and he asked if this issue had been resolved with the applicant. Mr. Hunter attempted to have the applicant answer this question, but Mr. Verst requested the applicant wait to see if there were any more questions specifically for staff before the floor was turned over to the applicant.

Mr. Michael Williams asked how the applicant would be denied reasonable use of the land. Mr. Hunter said that through discussions with the applicant, this is the only site on the property that this storage area could be placed. Mr. Verst said they could pose that question to the applicant as well.

Mr. Verst asked the applicant to officially come forward. He introduced himself as Jeff Brenneman, Superintendent of the Highland Country Club. Mr. Brenneman asked if any of the Board members had a chance to view the site in person since the last meeting. He said he had placed stakes out at the site to show the footprint of the project.

Mr. Brenneman said he really needed Brushwood Drive for the 18-wheelers to turn around in, referencing the staff recommendation that the entrance to the facility should not be aligned with the intersection of Brushwood Drive.

Mr. Brenneman asked Mr. Hunter if the main issue with this project was the designation of the bins as a "structure." Mr. Hunter said yes, this would be considered an accessory structure and have to meet setback requirements. Mr. Brenneman said that he had met with an engineer from Cardinal Engineering since the last meeting, and the engineer said that a "structure" needed to have a roof and drainage. Mr. Brenneman asked if that was true. Mr. Hunter said that was not necessarily true and that this project would be considered a customary accessory structure, just like a pool without a roof or an uncovered deck without drainage would both be considered customary accessory structures.

Mr. Brenneman then asked if being 4-feet high was the threshold for being considered a "structure." Mr. Hunter said that height of structures becomes an issue of obstruction of view which could fall under the fence ordinance.

Mr. Brenneman said that the engineer would have made the argument that this project is a retaining wall retaining his materials, not a "structure." He asked that if the threshold was 4-feet high to be considered a "structure," could he bury the blocks and concrete pads 6-inches below the ground to avoid the screening/setback requirements. Mr. Hunter responded that this 4-foot threshold is just when the County requires engineered design plans for retaining walls versus what would only be considered landscaping. Mr. Hunter was unsure if this project would be able to be considered a retaining wall.

Mr. Brenneman continued to address the Board saying that the screening requirement would be difficult for him to meet and not being at the intersection [of Blossom Lane and Brushwood Drive] would be difficult as well. Mr. Brenneman warned that the alternative to his request not being approved was for things to continue as-is. He ensured that he was open to suggestions, re-doing the plan, or reconfiguring the project as a retaining wall to save some money. Mr. Brenneman suggested that Mr. Hunter had approached the project incorrectly from the beginning, and it should have always been considered a retaining wall per Mr. Brenneman's engineer contact.

Mr. Michael Williams asked where the requirement to not be aligned with the intersection of Brushwood Drive originated. Mr. Brenneman said it was not his idea. Mr. Verst said he thought the requirement originated with staff in order to protect the view from the development across the street. Mr. Hunter confirmed that this was the reasoning. Mr. Michael Williams asked if this was just because someone didn't want to see the area when they pulled out of the street. Mr. Brenneman said that he assumes the residents would rather see what is being proposed versus what they see now.

Mr. Brenneman said his next move would be to just pour the concrete pads which he does not need permission for, and to store the materials on the concrete without the blocks to separate the piles.

Mr. Verst said the concern was that the request was to move this area closer to the street than normal *and* to not have it screened, so both evils were being put together. Mr. Verst made the comment that there were other locations to store the materials in the past as discussed at the previous meeting, but the country club sold those areas off for a profit. Mr. Verst said that typically with a variance to move something closer to the street, screening becomes even more important.

Mr. Verst asked the applicant if there were any other ways for the tractor-trailers to come in and deliver materials. Mr. Brenneman said they can bring straight trucks in there which he requests every time, but straight trucks do not always come.

Mr. Verst asked if the bins were turned around from facing the street and became their own screening, could dump trucks pull in from the side and turn around. Mr. Brenneman said he would have to consult a truck driver on the possibility.

Mr. Michael Williams revisited the requirement of the maintenance area to not align with the intersection of Brushwood Drive and asked again if it was just because the residents did not want to see the maintenance area when they pulled out of the neighborhood. Mr. Hunter said yes, the County requested that requirement because of complaints received.

Mr. Michael Williams asked how long Brushwood Drive had been there, and if any of the pre-existing locals had ever complained about the maintenance area. Mr. Hunter was unaware of any such historical complaints.

Mr. Verst asked if there had been any public comments on this case. Mr. Hunter said no, not from this application even though this was the second legal notice and letters sent to neighbors on the matter.

Mr. Johnson asked if we could find out if this project would be considered a structure or not with additional research. Mr. Hunter said it is a novel thought, and he wished he had heard about the idea before the meeting. Mr. Brenneman said he would love to see the issue investigated and find out if it could be considered a retaining wall.

Mr. Brenneman asked if these bins would be considered a structure or not given that the blocks are not permanent and can be picked up and moved with a phone call.

Mr. Johnson asked in the case that this was not considered a structure, would screening still be applicable.

Mr. Brenneman said that part of the area could be screened, especially by planting some trees wherever the trucks don't need the space, but he would still need Brushwood Lane to make it work.

Mr. Fessler mentioned that the maintenance area pre-existed Brushwood Drive, and the applicant's intent was to improve the area. Mr. Brenneman agreed with this.

Mr. Michael Williams said his only concern would be the tractor-trailers being able to safely turn around out there to which Mr. Brenneman said they do all the time. Mr. Michael Williams said in that case, he would be satisfied with the answer, and it would not be a reason for him to vote against this matter. However, he remained bothered by the baseless Brushwood Drive complaints and how unfairly they affected the applicant's request.

Mr. Verst said that if this was a permitted use, not being put so close to the road, and screening requirements were met, there would be no issue. However, while the bins would be more organized, they do begin to look more industrial, and they are being put rather close to the road. Mr. Verst said he didn't see how any of it could be screened while allowing access for tractor-trailers and space for the storage bins. Mr. Verst felt like the Board was being asked to grant a variance without a decent site plan showing what would and would not be possible in reference to the specific dimensions of the area. Mr. Verst felt it did not meet the level of preparedness the Board was used to and was not well-defined, even though he understands it would be a great benefit to the golf course.

Mr. Michael Williams noted for the record that no community members were in attendance to oppose the variance request.

Mr. Verst asked if there was a sign placed on the property advertising the meeting, and Mr. Hunter said no — notice was just the legal publication and letters to neighbors.

Mr. Brenneman asked if it was true that the Brushwood neighborhood was annexed to Ft. Thomas and not a part of Southgate. Mr. Hunter said that is correct.

Mr. Michael Williams said that he had never heard any complaints from locals about the maintenance area, and that his primary concern was about the semi-trucks and safety. However, he said he also saw what Mr. Verst was saying about the look of the area even though it is not the intent of the applicant to make it look bad. Mr. Michael Williams felt it was unfair to make their decision based on a few complaints from people on a newer street who don't want to see the area when they pull their car out.

Mr. Johnson said he doesn't disagree, but if this is a structure, there are rules that have to be followed and screening that would have to be implemented. However, if it is not a structure, then it would not have to be screened. He questioned whether the Board should table the discussion again in order to consult legal counsel and find out if this is indeed a structure or not.

Mr. Smith said he does not see how it can be considered anything other than a structure. He said it is an accessory use, and it is a structure.

Mr. Brenneman asked what the difference between a retaining wall and his project was. Mr. Smith replied that what the applicant was doing was building cubicles for storage of materials which is not the same as a traditional retaining wall. Mr. Brenneman rebutted that what he was doing was not permanent, though. Mr. Verst said a retaining wall is a permanent structure used to hold up soil, and the applicant is proposing outdoor storage of materials. Mr. Smith said the two things are different.

Mr. Johnson asked what the setback and permit requirements were for a retaining wall on a residential property and the difference between a retaining and landscaping wall. Mr. Verst said they would still need a permit for a retaining wall, but it does not have to meet building setbacks because it would be considered a part of the topography. Mr. Verst clarified that if the retaining wall was over 4-feet tall, it would need to be structurally designed. If it was under 4-feet, he said they may still be required to provide a site plan/permit depending on what they are doing with the property.

Mr. Hunter added that a retaining wall typically follows a grade, which does not apply to the applicant. The applicant's project would be an obstruction of view, and even if it was considered a "wall," it would fall under the fencing ordinance. That being said, a solid "wall" would not be permitted anyway. Mr. Hunter reiterated that the main difference

between a retaining wall and this structure was that no grade in the land was being changed or accommodated.

Mr. Verst said he thought it was very clear that this project would not fall under the definition of a retaining wall, and Mr. Smith agreed confirming that it would be considered an accessory use structure.

Mr. Smith asked if staff had a different interpretation. Mr. Hunter said at no point could he think of this as a retaining wall or fence. As for the argument that it would be temporary, mobile homes require zoning permits and, by nature, they are mobile. Mr. Brenneman brought up the argument from his engineer contact that a structure needs to have a roof and drainage, and Mr. Hunter said he had no idea where that idea came from.

Mr. Verst said he thinks the golf course is trying to do something that looks nice, but the practical matter of what they are trying to put in looks more industrial than the temporary piles of materials. He asked if the Board could find that this would not adversely alter the essential character of the general vicinity and would not cause a hazard or a nuisance to the public.

Mr. Michael Williams felt they could find it was not a hazard, but a nuisance depends on the definition. He did not feel this project would change the character of the area at all.

Mr. Joseph Williams said it was a matter of opinion because there are going to be piles there either way. He felt the piles would look better in contained structures and be an improvement over what is there now even if screening or lining up with the street couldn't happen. Mr. Michael Williams agreed.

Mr. Fessler asked how tall the project was planned to be. Mr. Brenneman said due to budget constraints, he can only go 8ft tall (2 blocks high, 4-feet tall each).

Mr. Fessler suggested a tarp being held up by bungee cords in front of the bins as a simple and cost-effective screening option. Mr. Brenneman said he could try.

Mr. Brenneman expressed that he was trying to go about this process the right way instead of asking for forgiveness after the fact because he is aware of the neighbor complaints. The alternatives would be to leave as is or pour a larger concrete pad so that his piles would not mix.

Mr. Michael Williams suggested that if the country club wants this project completed, Mr. Brenneman could appeal to them for more money in order to comply with the law. Mr. Brenneman said he could ask but that he was not hopeful that it would be successful. Mr. Brenneman said it would push the project further back geographically and require a bulldozer given the grade of the hill they are up against.

Mr. Verst said he would be concerned about how steep the hill is and if that plan of action would cause a slope stability issue.

Mr. Verst said if the Board thinks this is a reasonable request and is the minimum variance needed to remedy the situation, he doesn't think screening in front of the bins is possible with the trucks. Mr. Verst added that if they were inclined to approve the request, the best they could probably do would be screening on the sides.

Mr. Joseph Williams asked the applicant if he tarps his piles. Mr. Brenneman replied only sometimes depending on the material. Mr. Brenneman said that a lot of golf courses have silos to store their materials. Ideally, he said, he would be able to keep his materials dry under a roof, but he will never get that budget approved.

Mr. Brenneman said it may be possible to get a chain link fence with ribbon woven through it to screen the bins when not in use.

Mr. Joseph Williams asked if it was more important to screen the structure or the materials. Mr. Verst said both are probably equally in need of screening given how close to the road they will be, and a fence would be just as obtrusive.

Mr. Johnson asked Mr. Brenneman to show on the maps provided in the Staff Report how the trucks maneuver the site currently.

Mr. Verst asked the Board to review the findings they would have to make in order to approve the request.

Mr. Verst said his initial concern was that it would alter the character of the neighborhood, but he realized that the maintenance area existed before, and it will continue to be a maintenance area that just looks different. The applicant is not asking for a variance on a new facility, just to modify a facility that has been in operation for decades. Mr. Johnson added that the alternative is the area remaining the same.

Mr. Michael Williams asked if there was anywhere else to put these material storage bins. Mr. Brenneman said unless someone can come up with something more creative, no. The other access points are at the end of the road where it dead-ends, and he has already been denied dumping the material in their parking lot because it has gotten so small. Therefore, within a reasonable budget, there is nowhere else to go with access for the vehicles.

Mr. Verst said this project is a customary item a golf course would reasonably expect to have for their operations. He asked if the Board denied the request, would they be creating an unnecessary hardship on the applicant. Mr. Michael Williams felt it would deny the golf course reasonable use of their land because the materials sustain the golf course.

Mr. Michael Williams also reiterated that he was not in favor of the requirement that the maintenance area not align with Brushwood Drive. Mr. Fessler agreed with this sentiment

saying that the trucks are going to be blocking the road no matter what – at least Brushwood gives them a way out. Mr. Verst said he has personally witnessed trucks turn around in that entrance.

Mr. Michael Williams asked how often tractor-trailers come up that road. Mr. Brenneman said there has been an increase since the Memorial Pointe development, but for the golf course, they get around 15 material deliveries per year.

Mr. Johnson asked how the deliveries were completed before the installation of Brushwood Drive. Mr. Brenneman said he wasn't sure. Mr. Verst said before Brushwood, there was an access trail there that was already in use since that land was owned by the golf course at the time.

Mr. Verst asked the Board if anyone was comfortable making a motion or if they needed to talk through the findings first. Mr. Fessler brought up the condition of the entrance to the facility not aligning with Brushwood, and the Board began to revise the Staff Recommendation conditions including the screening requirement.

The revised recommendation would be to 1.) approve the variance for the setback and 2.) approve the variance for screening conditional upon:

- a. The normal amount of screening required be provided but the location be adjusted to accommodate the large entrance necessary.
- b. A site plan indicating the entrance and screening area be submitted to the Zoning Administrator for final approval.

Mr. Joseph Williams moved to approve both variances as modified based on the Staff Report, findings through discussion at the meeting and input provided by the applicant. Mr. Fessler seconded the motion. No discussion. The clerk called the roll, and all present voted in favor. Motion carries and variances are approved.

Mr. Verst asked if there was any new business, and there was none.

Mr. Verst asked for the Administrator's Report, and Mr. Hunter and the Board discussed scheduling for upcoming meetings.

No further discussion. Mr. Johnson moved to adjourn the meeting, and Mr. Fessler seconded the motion. All voted in favor. Meeting adjourned at approximately 7:40 PM.

Respectfully Submitted,

Approved:

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Cindy Minter  
Director

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John Fessler  
Temporary Presiding Officer