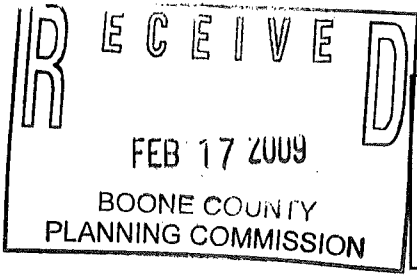


09-BCBA-002-A



APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- 1. (Check One) Boone _____ Florence _____ Walton _____ Union _____
- 2. (Check One) Conditional Use Permit _____ Variance _____ Appeal _____
_____ Change in Non-Conforming Use
- 3. Applicant's Name LEESA SANDERS
Phone Number 586-4880 Fax No. _____
Applicant's Address 8375 EAST BEND RD.
BURLINGTON KY 41005
City State Zip
- 4. Description of Request: DOG GROOMING 4-6 A DAY
PICK-UP AND DELIVERY. NO DROP OFF.
- 5. Name of Development _____
- 6. Location of Development _____
- 7. Acreage Under Review 6.1
- 8. Lot Number and Name of Subdivision (if part of a subdivision) _____
- 9. Owner of Property SUZANNE REVACK
Address of Property Owner 8375 EAST BEND RD. Phone No. 586-4880
- 10. BURLINGTON KY 41005
City State Zip
- 11. Proposed Use(s) on Site DOG GROOMING
- 12. Total Square Footage of Existing and/or Proposed Buildings 1730 SQ FEET
- 13. Current Zoning on Property A2 + SR-1
- 14. Deed Book 781 Page No. 94 Group No. 2028
- 15. Is the site subject to a zone change? NO
If yes, give date of approval _____
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: Suzanne Revack
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Leesa Sanders
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 2/17/09 Fee Received \$732⁰⁰ R#58710
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: SEE 3/11/09 BCBOA
MEETING MINUTES
7. Reasons for Denial: _____

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

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

STAFF REPORT

APPLICANT: Leesa Sanders
LOCATION: 8375 East Bend Road, Boone County, Kentucky
ZONING: Agricultural Estate (A-2) and Suburban Residential One (SR-1)
DATE: March 11, 2009

Proposal

The applicant is requesting a Conditional Use Permit so she can operate a dog grooming business out of her residence. The submitted letter of explanation indicates that the hours of operation will be Monday to Friday from 8:00 a.m. to 4:00 p.m. Approximately 4 to 6 dogs will be groomed per day and all animals will be picked up and delivered back to their owners. There will be no customer pick-ups, drop-offs, or commercial boarding (see attachments).

Site Characteristics

The approximate 6.1 acre flag lot is located on the northeast side of East Bend Road and contains a single-family residential dwelling. Access to the dwelling is provided from an approximate 1,200 foot long gravel driveway that connects to East Bend Road. The topography of the parcel falls from approximately 820 feet above sea level at East Bend Road to 780 feet above sea level at the rear property line. The rear property line is screened with mature deciduous trees.

Applicable Regulations

Article 2, Section 220 of the Boone County Zoning Regulations states that one duty of the Board of Adjustment and Zoning Appeals is to act on Conditional Use Permit applications.

Section 623 of the Boone County Zoning Regulations lists "commercial kennels" as a conditional use in the Agricultural Estate (A-2) zoning district. The property must be at least 5 acres in size and is subject to Site Plan review.

Section 4000 of the Boone County Zoning Regulations defines a kennel as "a lot or a facility in which four (4) or more domesticated animals greater than four (4) months of age are maintained for commercial purposes. Commercial purposes include the grooming, breeding, boarding, training, raising, and selling of domesticated animals.

The Board should evaluate the applicant's request for a Conditional Use Permit as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 623 of the Boone County Zoning Regulations.

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;

2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 6, Section 623 of the Boone County Zoning Regulations allows commercial kennels and dog grooming (minimum 5 acres) as a conditional use in the A-2 district provided that:

- A. The activity is an integral part of the agricultural or residential use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district; or
- B. The activity is necessary to provide the specified public service for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district; and
- C. Provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Relationship to the Comprehensive Plan

The 2005 Boone County Comprehensive Plan's "2030 Future Land Use Plan" designates the site in question as Rural Lands (RL). This designation is described as "wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision."

Staff Comments

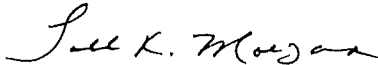
1. The subject property is split zoned Agricultural Estate (A-2) and Suburban Residential One (SR-1). The Zoning Administrator determined that the applicant could apply for a Conditional Use Permit because the subject property is greater than 5 acres in area and the dog grooming activity will take place in the A-2 zone.
2. The gravel driveway which serves the house is approximately 1,200 feet long and 12 to 14 feet wide. The driveway width and surface are not an issue because the applicant will be picking up and dropping off all the dogs that she grooms.

3. The subject house is not visible from East Bend Road or any adjoining households.
4. Staff recommends that the following conditions should be imposed on the approval:
 - A. The applicant will pick up and drop off all dogs that are to be groomed.
 - B. There will be no commercial boarding of animals on the property.

Conclusion

K.R.S. 100.237 and Section 220 of the Boone County Zoning Regulations and gives the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

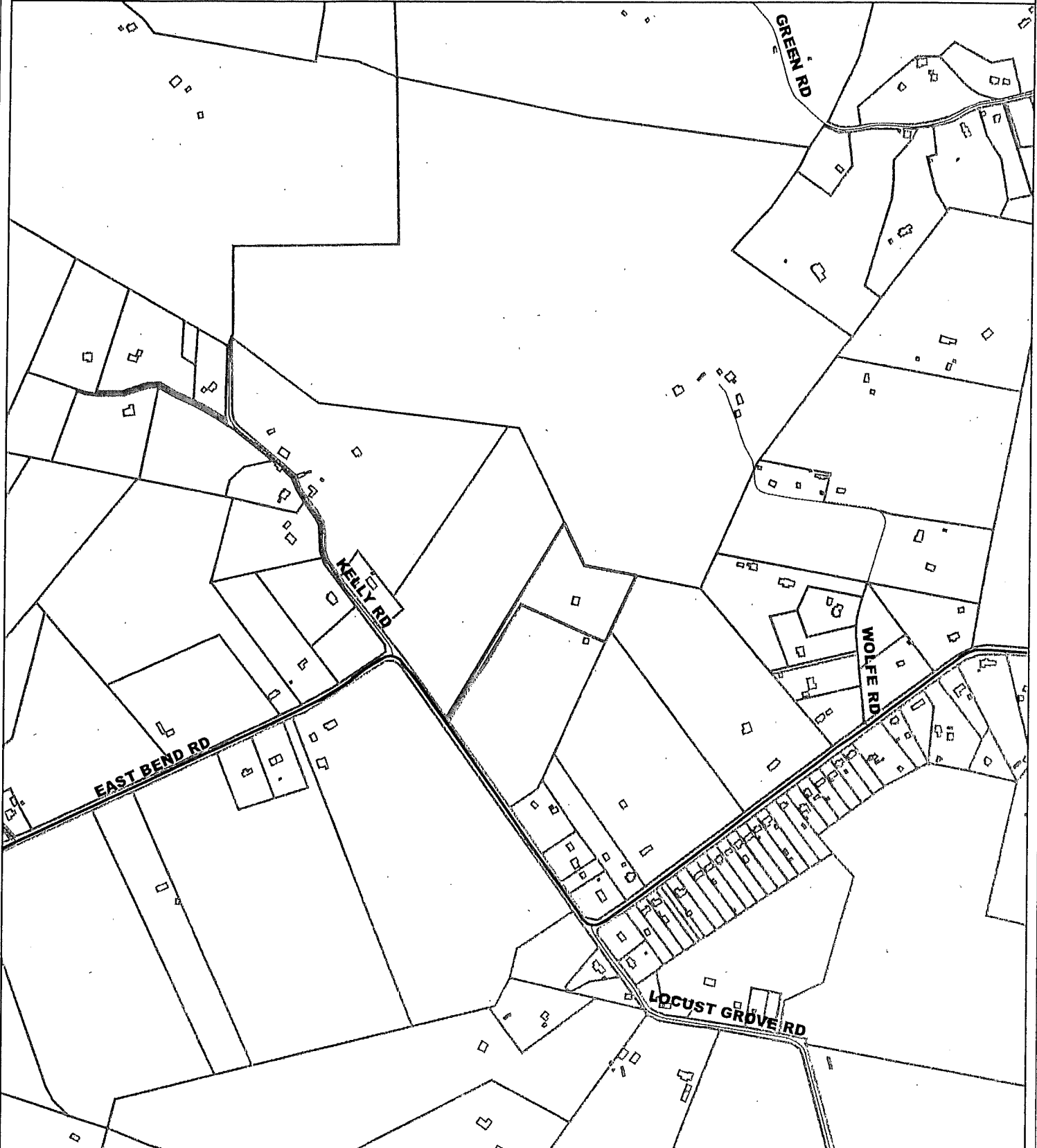
TKM/pr

Attachments

- *Site Vicinity Map
- *Letter from Applicant
- *Aerial Map
- *Zoning Map
- *Future Land Use Map
- *Application

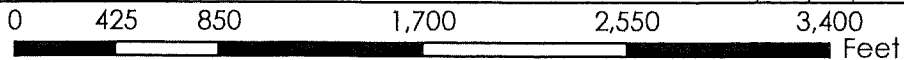
SITE VICINITY MAP

www.boonecountygis.com



Copyright 2009 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch equals 800 feet



Boone County GIS - Putting Northern Kentucky on the Map

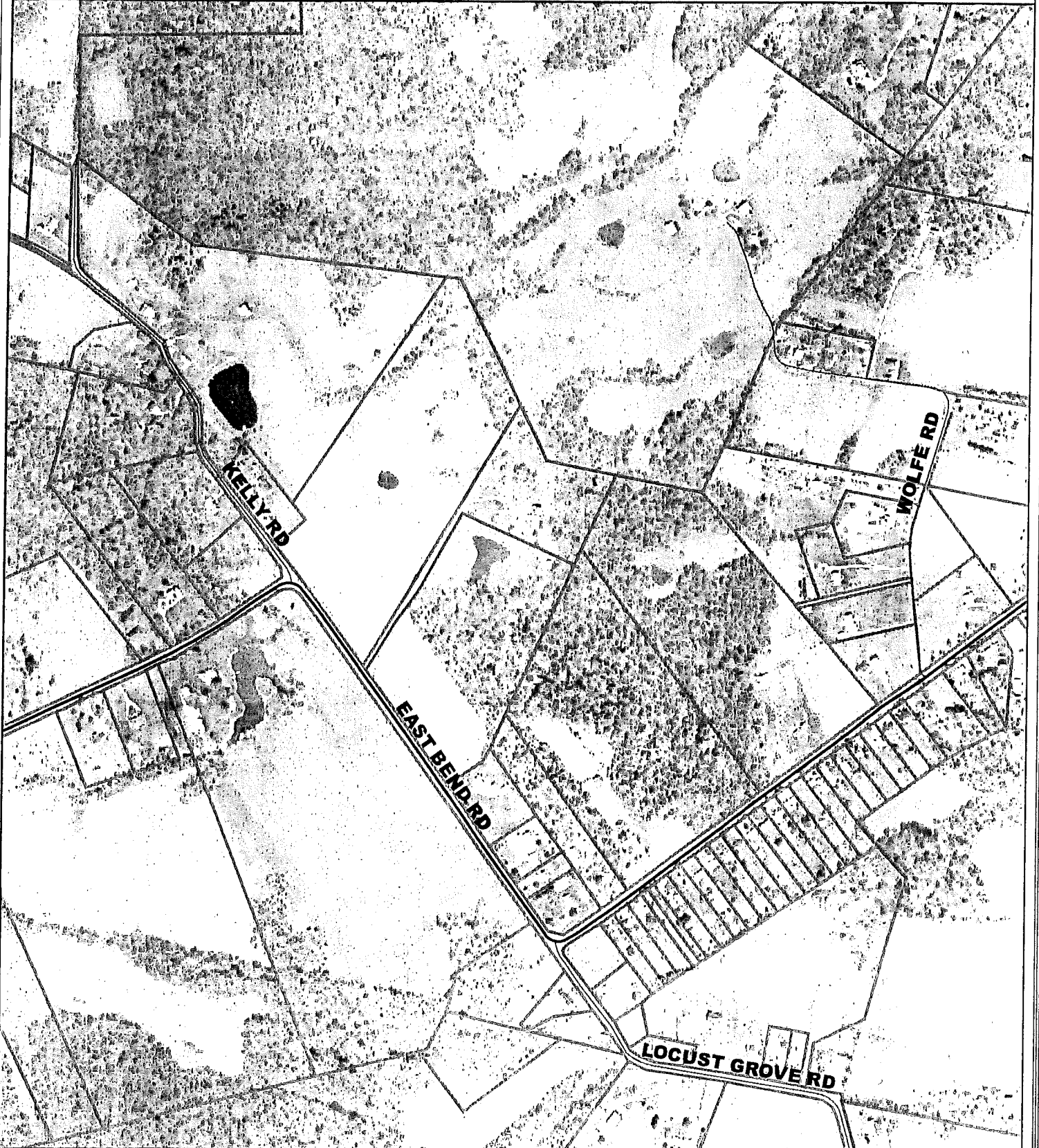


This is an in home dog grooming salon located at 8375 East Bend road Burlington Ky, 41005. The dog grooming area will be located in the basement of my home. Bathing will be done in bathroom tub for proper drainage into septic system.

The hours of operation would be Monday through Friday from 8:00 a.m. to 4:00 p.m. Approximately 4-6 dogs a day will be groomed which will be picked-up and delivered back to their homes. There will be no drop off or pick-ups from customers at anytime. There will be only two people on-site during work hours, the home owner and the salon owner. The applicant specializes in dog grooming only, no boarding of animals will take place. All dogs will remain indoors while at the property for grooming services.

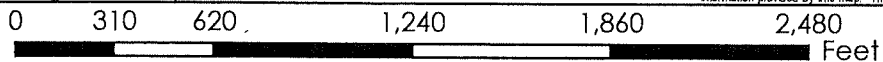
AERIAL MAP

www.boonecountygis.com



Copyright 2009 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

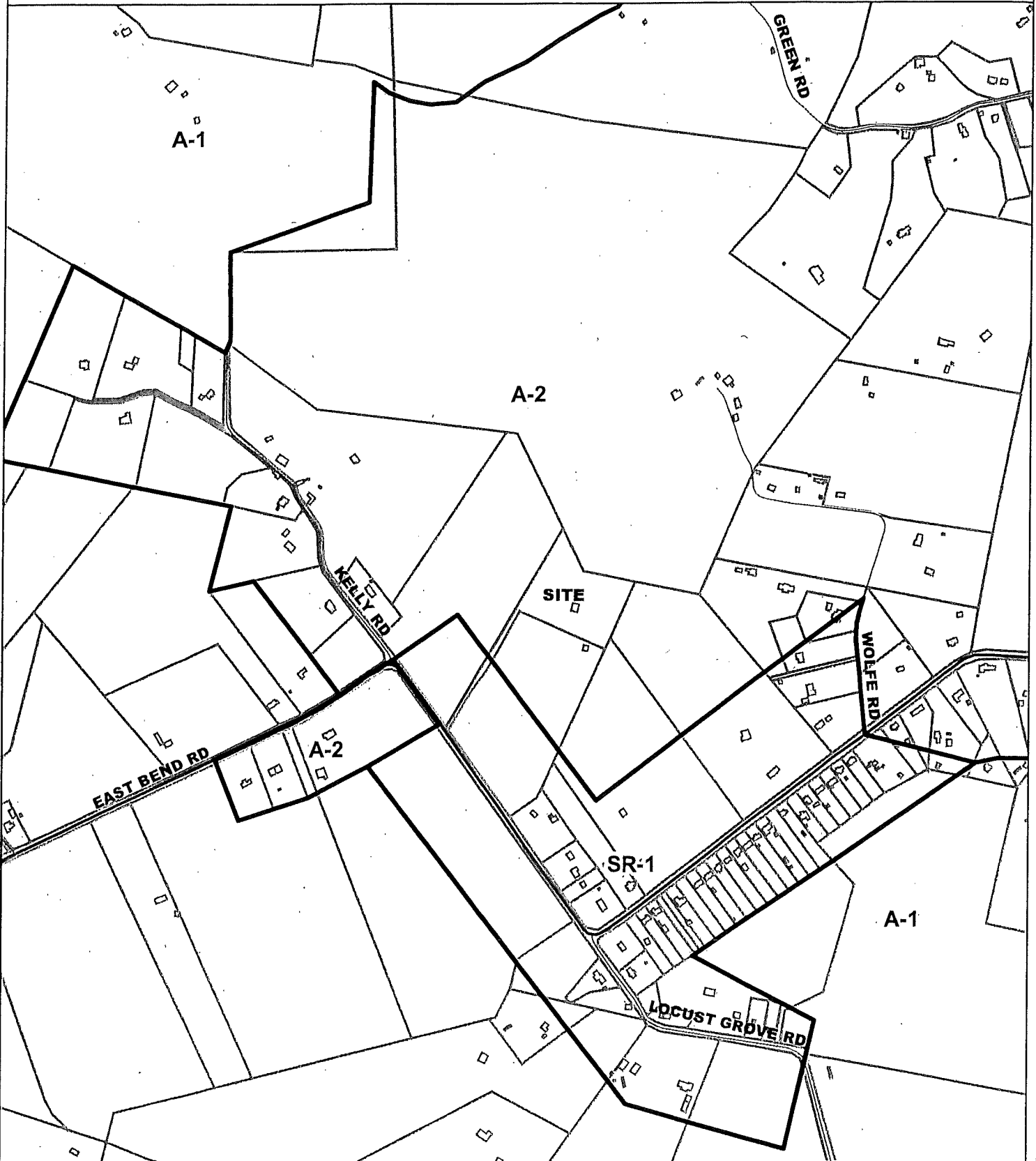
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

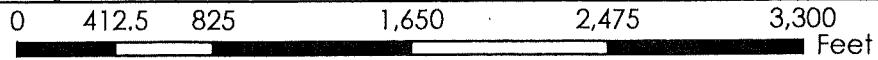
ZONING MAP

www.boonecountygis.com



Copyright 2009 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

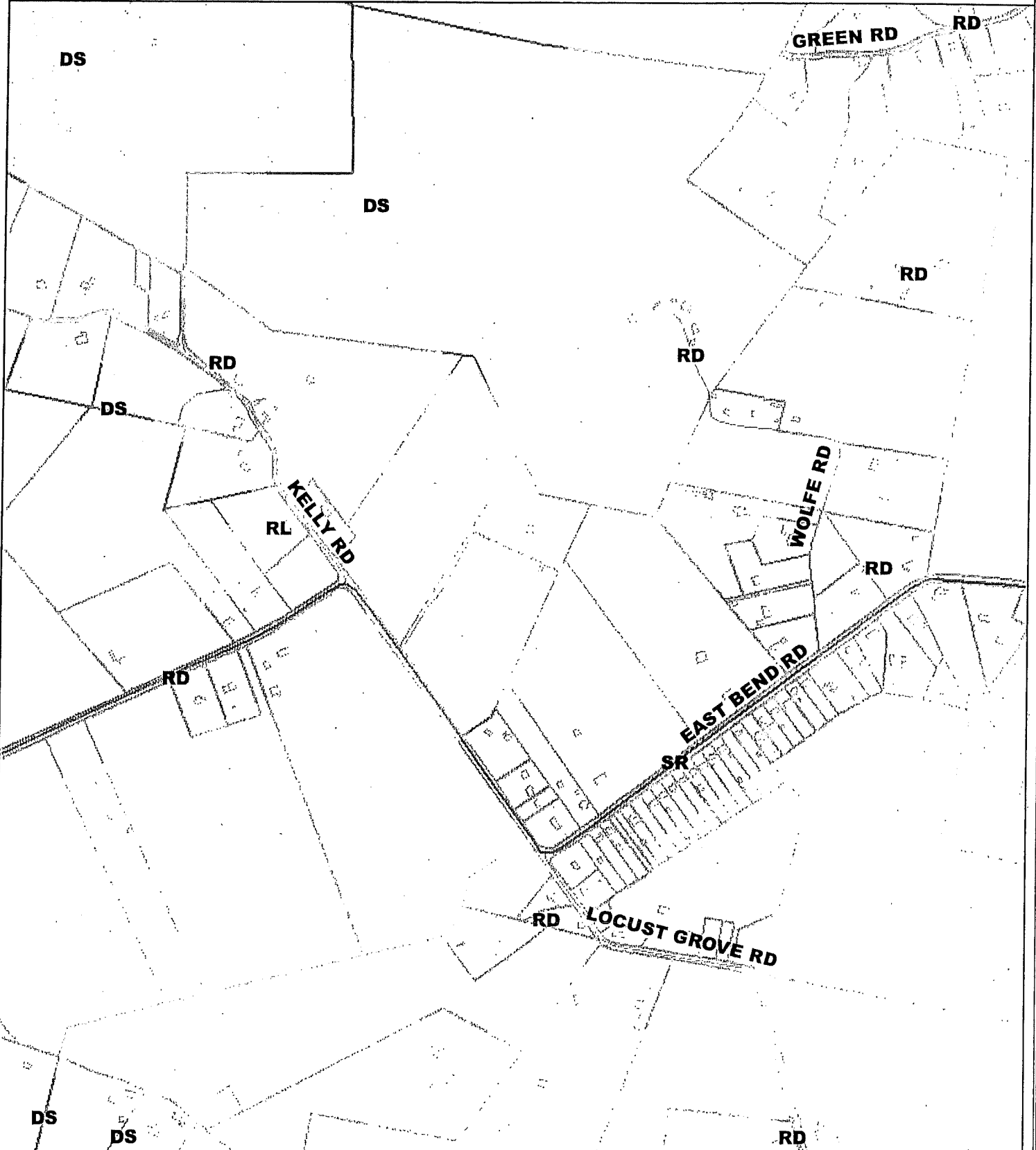
Date used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

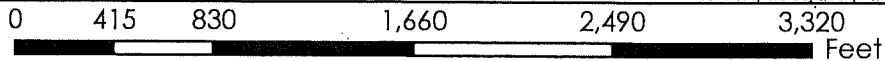
FUTURE LAND USE MAP

www.boonecountygis.com

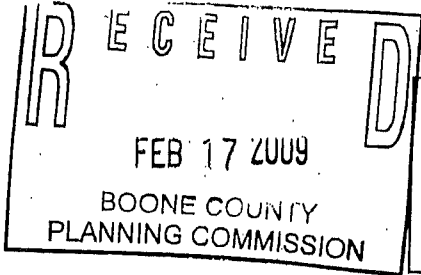


Copyright 2009 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map



APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone [checked] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [checked] Variance _____ Appeal _____
3. Applicant's Name LEESA SANDERS Phone Number 586-4880 Fax No. Applicant's Address 8375 EAST BEND RD. BURLINGTON KY 41005
4. Description of Request: DOG GROOMING, 4-6 A DAY PICK-UP AND DELIVERY. NO DROP OFF.
5. Name of Development
6. Location of Development
7. Acreage Under Review 6.1
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property SUZANNE REVACK Address of Property Owner 8375 EAST BEND RD. Burlington KY 41005 Phone No. 586-4880
10. City State Zip
11. Proposed Use(s) on Site DOG GROOMING
12. Total Square Footage of Existing and/or Proposed Buildings 1730 SQ FEET
13. Current Zoning on Property A2 + SR-1
14. Deed Book 781 Page No. 94 Group No. 2028
15. Is the site subject to a zone change? NO
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: Suzanne Revack (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Leesa Sanders (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

COPY

CLUR #09-BCBOA-002-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Suzanne Revack
8375 East Bend Road
Burlington, KY 41005

2. ADDRESS OF PROPERTY

8375 East Bend Road
Burlington, KY 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

4. DEED BOOK 781

PAGE NO. 94

GROUP NO. 2028

5. TYPE OF RESTRICTION(S) (Check all that apply)

___ Zoning Map Amendment:
From ___ To ___

X Conditional Use Permit

___ Development Plan

___ Conditional Zoning

___ Subdivision Plat
(Not Recorded)

___ Other:

___ Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

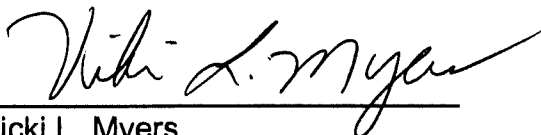
Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 19 day of March, 2009.



Vicki L. Myers
Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2011

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Debbie A. Warning
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of March 11, 2009 Certificate of Land Use Restriction (#09-BCBOA-002-A), for Suzanne Revack, Property Owner(s).

The following conditions will apply:

- 1) The applicant will pick up and drop off all dogs that are to be groomed.
- 2) There will be no commercial boarding of animals on the property.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOK 781

PAGE NO. 94

GROUP NO. 2028