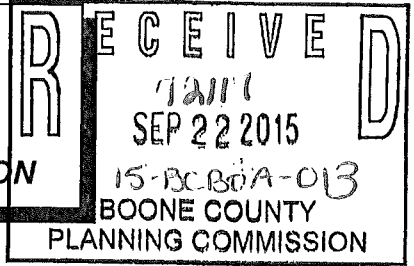


APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
1. Boone _____ Florence _____ Walton _____ Union _____
 2. (Check One)
 Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
 3. Applicant's Name Richard and Kelly Bowlin
Applicant's Address 6766 McVillie Rd.
Burlington KY 41005
City State Zip
Phone Number 743-0714 Fax No. _____ E-Mail _____
 4. Description of Request: Garage - Mechanics
 5. Name of Development _____
 6. Location of Development 6766 McVillie Road
 7. Acreage Under Review Approximate 1.0
 8. Lot Number and Name of Subdivision (if part of a subdivision) _____
 9. Owner of Property Richard and Kelly Bowlin
Address of Property Owner 6766 McVillie Rd.
 10. Burlington KY 41005
City State Zip
Phone Number 393-4925 Fax No. _____ E-Mail lo8chere@le.rbe@gmail.com
 11. Proposed Use(s) on Site Garage - Mechanics
 12. Total Square Footage of Existing and/or Proposed Buildings _____
 13. Current Zoning on Property SR-1/5C
 14. Deed Book 1030 Page No. 405 Group No. 2035
 15. Is the site subject to a zone change? _____
If yes, give date of approval _____
 16. Have you submitted a Site Plan with this request? _____
 17. Have you submitted a list of adjoining property owners with this request? _____
 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: Richard & Kelly Bowlin
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Richard & Kelly Bowlin
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 9/22/15 Fee Received \$782.00 Receipt # 72117
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date 10/14/15
5. Board Action:
10/14/15 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 10/14/15 Meeting
MINUTES + CLUR
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

APPLICANTS: Richard and Kelly Bowlin

LOCATION: 6766 McVile Road, Boone County, Kentucky

ZONING: Suburban Residential One/Small Community Overlay (SR-1/SC)

DATE: October 14, 2015

PROPOSAL

The applicants are requesting a Conditional Use Permit to allow a commercial automotive repair facility to operate out of an existing garage on their property. The garage is approximately 2,410 square feet in area and is located to the northeast of their home. The garage currently contains two automotive service bays and two storage bays. Access to the garage is provided from a single lane driveway that connects to McVile Road.

The applicants provided a business plan, which is attached to the Staff Report. Highlights from the letter include the following:

- Business Hours are Monday through Saturday from 8:30 AM to 5:00 PM.
- The driveway that serves the garage will be upgraded to 20 feet in width (blacktop surface). An Encroachment Permit has been obtained from Kentucky Transportation Cabinet to allow the widening in the state right-of-way.
- Parking will be added near the garage for up to three vehicles.
- No vehicles shall be parked on the grass during business hours.
- The garage will be upgraded to comply with Building Code.
- They have a rollback truck to tow broken down vehicles back to the garage.
- Two 55 gallon waste fluid drums will be kept onsite to collect oil and other fluids. A company will pick up the barrels as needed. The barrels will be kept on a secondary confinement skid.
- Scrap metal will be sold to a local metal recycler.
- Trash will be disposed of by Best Way.

APPLICABLE ZONING REGULATIONS

Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional use permits as specified by the zoning order.

The Board needs to evaluate the request as it relates to the criteria necessary for granting Conditional Uses as stated in Sections 262 & 2012 of the Boone County Zoning Regulations.

Findings listed in Section 262 (General Standards Applicable to All Conditional Uses):

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.

Section 2012 of the Boone County Zoning Regulations indicates that automotive repair facilities may be appropriate in the SC district provided that:

- A. the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;
- B. the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district;
- C. historical and architectural characteristics are protected from inappropriate alteration to existing structures and new buildings are sensitive to the established character of the SC overlay. Additions and structural alterations will be reviewed for conformance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Article 40 of the Boone County Zoning Regulations defines an automotive repair facility as a business establishment that repairs, rebuilds, reconditions, or services automobiles or automotive parts, including but not limited to any of the following activities: body and paint work; engine repair or rebuilding; installation, repair, or reconditioning of tires, brakes, transmissions, mufflers, automotive electrical or air conditioning systems, automotive upholstery, or automotive glass, all on an individual vehicle basis; changing of oil, other fluids, and filters; emissions testing and vehicle inspections.

Article 40 of the Boone County Zoning Regulations defines a junkyard as the storage, salvaging, and sale of secondhand materials or old dilapidated machinery. Materials include motor vehicles, mobile homes, trailers, machinery, appliances, furniture, rags, rubber, building materials, and scrap iron. The presence of two or more nonoperational motor vehicles on a lot for a time period exceeding thirty (30) days shall constitute evidence regarding the establishment of a junk yard. An automobile wrecking yard is considered as a junkyard.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Boone County Comprehensive Plan's 2035 Future Land Use Plan designates the site in question for Rural Lands (RL) uses. 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".

The following passages from the Land Use Element relate to the request:

- A. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between unlike land uses; however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible (Future Land Use Development Guidelines, Buffering, pp. 162-163).
- B. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system. Connections between and within commercial and industrial developments allow for more efficient provision of transit service (Future Land Use Development Guidelines, Access Management, pg. 163).

The following passage from the Belleview/McVile geographic area relates to the request:

- C. Belleview and McVile proper should function as neighborhood centers for the surrounding area. The communities in this general area of Boone County have experienced some growth, in the form of the Kelly School in Belleview and the firehouse. Additional new local-scale commercial services may develop; existing buildings should be restored or replaced to meet the towns' residential and commercial needs. The cemeteries on KY 18 will hinder any development in that area, thus any growth should occur south or east of the towns. Overall, this section should experience slow residential growth along the major roads of the area, with neo-traditional residential or continuing agricultural uses on the river bottoms. Any commercial development in this area should occur within the town center of Belleview and McVile and not along the roadways outside the towns. These two towns present an excellent opportunity for residential to expand in a neo-traditional manner, as described for Petersburg. This development must carefully be carried out so that typical subdivision development does not alter the character of the area. With proper development in this fashion, the towns can become centers of activity for western Boone County (Belleview/McVile, pp. 182-183).

The following passage from the Business Activity Element relates to the request:

- A. The various small communities should continue to serve the commercial needs of their surrounding areas, and any regulations or incentives that affect these areas should be designed to support small businesses. New businesses, as they are constructed or as existing structures are remodeled, should be developed with sensitivity to the historical character as well as the current character of the area. Tourism in the County should increase as a result of improvements to Big Bone Lick State Park, impacts of casino gaming in Indiana, and the increase in recent years of heritage tourism in Boone County. This industry is significant since Boone County consistently ranks near the top in the State in tourism dollars generated. Planning principles which guide commercial development in the more developed parts of the county should not be ignored. The Small Community of Burlington, for example, should be revitalized in terms of its commercial opportunities, especially those day-time services which would be available to the many users of the county seat. However, this redevelopment should be done with attention paid to existing traffic, parking, and pedestrian patterns. The 2000 Union Town Plan will provide concepts for other small communities in the path of new development (Recommended Areas of Commercial Activity).

The following Goals & Objectives relate to the application:

- A. Boone County businesses are developed in appropriate locations and are compatible with their surrounding area (Business Activity, Goal).

SURROUNDING LAND USES & ZONING

North: Single-Family Residential Dwelling (SR-1/SC)

South: Single-Family Residential Dwelling (SR-1/SC)

East: Approximate 5.2 Acre Undeveloped Parcel Owned by Belleview Baptist Church (SR-1/SC)

West: Kelly Elementary School (SR-1/SC)

SITE CHARACTERISTICS

The approximate 1 acre site is located on the east side of McVilleville Road and has approximately 200 feet of road frontage. The site contains a single-family residential dwelling, detached garage, swimming pool, and garden shed. A temporary camper is currently located on the site. The camper will be removed later this year once contractors finish repairing fire damage to the house. Access to the house and garage are provided from separate driveways that connect to McVilleville Road.

STAFF COMMENTS

1. On December 4, 2014, Planning Commission Staff issued a Zoning Permit allowing a 40' x 40' garage addition. The Permit indicates that garage is not to be used for commercial purposes (see attachments).
2. On July 26, 2015, Staff sent the applicant a Zoning Violation notice regarding the subject property (see attachments).

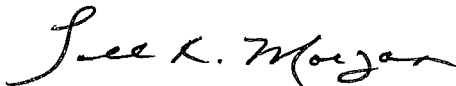
3. Staff would like the applicant to address the following questions:
 - A. When did business activities start from the garage?
 - B. How many employees work out of the garage? How many of these employees live on site?
 - C. What are the dimensions of the rollback truck? Where will the rollback truck be kept?
 - D. How many vehicles are typically waiting to be repaired or picked up at any given time?
 - E. Is any additional lighting proposed on the exterior of the building or parking lot?
4. The Board needs to analyze the Conditional Use Permit criteria and passages from the Boone County Comprehensive Plan before acting on the request.
5. Staff has the following concerns regarding the request:
 - A. The business operation is noisy. Business activities were taking place when Staff was taking pictures and noise associated with the garage could be heard from the adjoining properties to the north, south, and west. The adjoining properties to the north and south are single-family residential dwellings.
 - B. The Boone County Zoning Regulations require a commercial two bay garage to provide a minimum of 4 parking spaces (2 spaces per service bay). However, while taking pictures, Staff observed 8 vehicles in the garage driveway and another one being repaired inside the garage. The applicants' business plan indicates that they will be installing parking near the garage for up to three vehicles.
 - C. The applicants indicated that vehicles will not be parked in the grass during business hours. Section 3149 of the Boone County Zoning Regulations requires all vehicle parking to occur on a paved surface.
6. Staff recommends the following conditions if the request is approved:
 - A. Business Hours shall be limited as follows:
 - Monday through Saturday – 8:30 AM to 5:00 PM
 - Sunday – Closed for business.
 - B. Auto body, paint work, and vehicle impounding shall be prohibited.
 - C. Commercial vehicle repairs shall only be permitted in two northernmost garage bays. The other 2 bays can be used for part storage, scrap material storage, fluid storage, office work, etc.
 - D. All vehicle repairs shall be made inside the garage.
 - E. No vehicle shall be stored outside in a disassembled state.
 - F. Outside display of vehicle accessories is prohibited.

- G. There shall be no outside storage of parts, tires, scrap materials, or fluids that are associated with the business.
 - H. The business shall not be operated as a junkyard (see definition in Article 40 of the Boone County Zoning Regulations).
 - I. No vehicles shall be sold from the property.
 - J. Parking lot lighting shall be prohibited.
 - K. Business signage shall be limited to the building mounted sign that already exists on the garage. A Sign Permit will need to be obtained if the sign is more than 6 square feet in area.
 - L. All vehicles associated with the business shall be parked in paved, striped stalls at all times.
 - M. Street frontage landscaping shall be required between the garage/parking area and McVile Road right-of-way. The trees shall be 6' evergreens and selected from Plant List D of the Boone County Zoning Regulations.
 - N. A condition requiring a certain amount of parking (minimum of 4 spaces is required with the first stall being a van accessible handicapped stall) and setting the maximum number of vehicles that can be waiting to be repaired or picked up at any given time.
 - O. A condition regarding the rollback truck.
 - P. A condition requiring repairs to be made with the garage bays closed.
7. A Major Site Plan will be required if the Conditional Use Permit is approved.

Conclusion

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

Respectfully submitted,



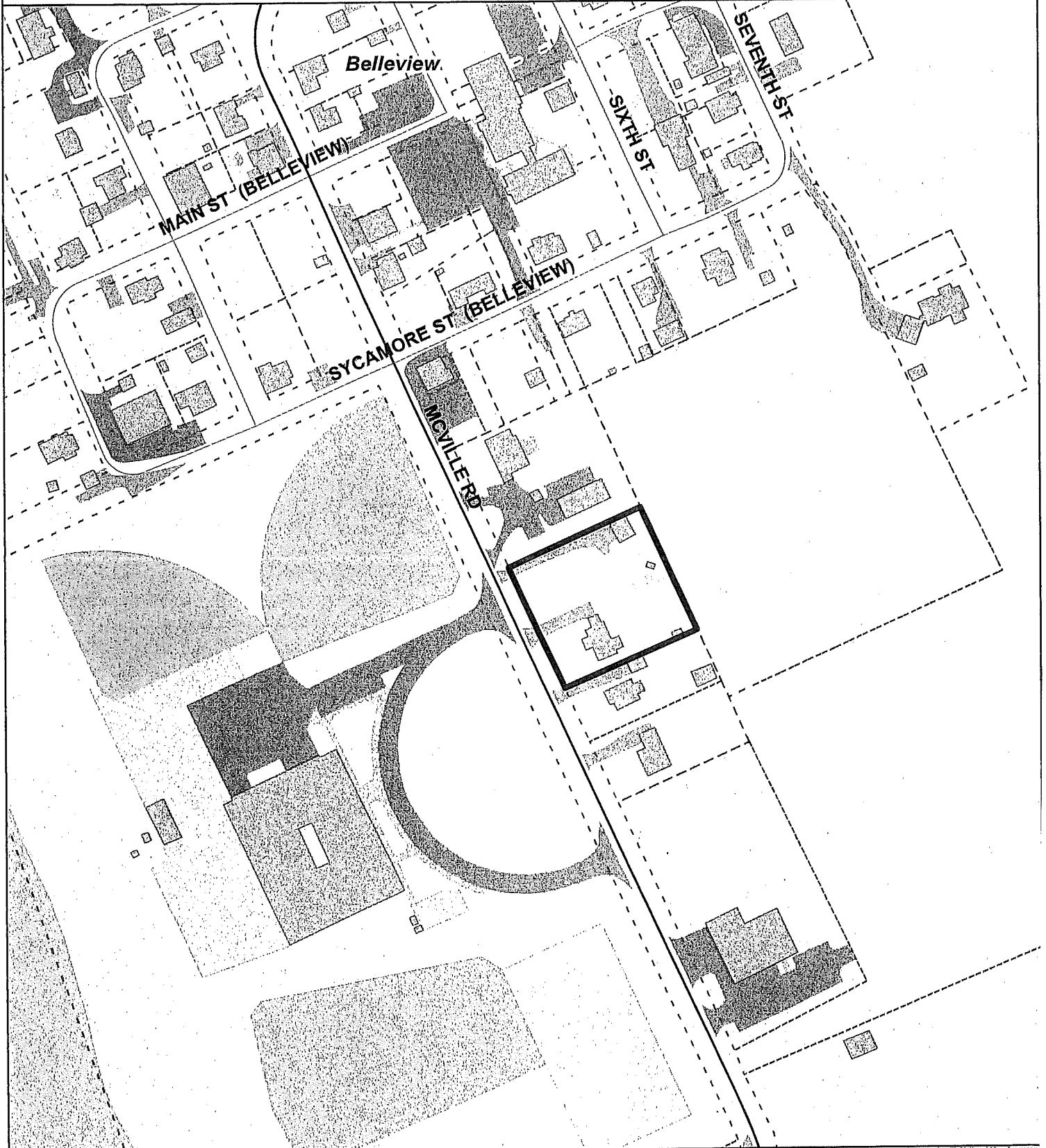
Todd K. Morgan, AICP
Senior Planner, Zoning Services

Attachments

- *Site Vicinity Map
- *Conceptual Site Plan
- *Business Plan
- *2012 Aerial Map
- *Zoning Map
- *Topographical Map
- *Future Land Use Map
- *12/4/14 Zoning Permit
- *7/26/15 Zoning Violation Letter
- *Application

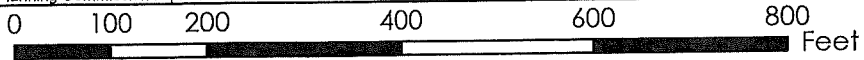
SITE VICINITY MAP

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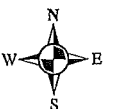
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Boone County GIS - Putting Northern Kentucky on the Map



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6720

Garage

GARAGE ADDITION

20' 20' 20'

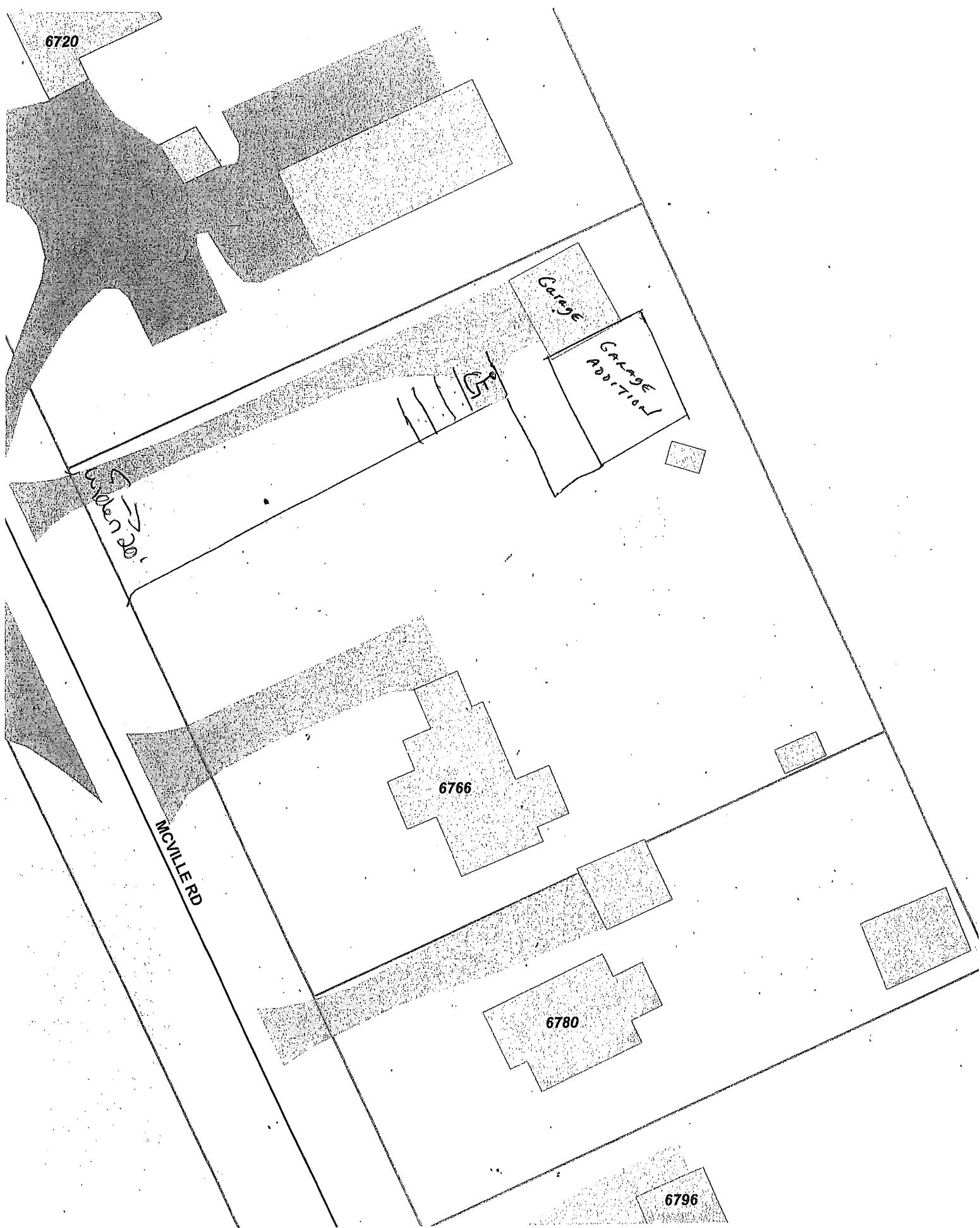
6766

MCVILLERD

6780

6796

Conceptual Site plan





Business Plan for Rick's Garage and Towing, LLC

The Rick's Garage and Towing, LLC business plan consists of how we will construct and run our business.

OWNERS:

Richard and Kelly Bowlin III

6766 McVile Rd.

Burlington, KY 41005

859-393-4925

68chevelle.rb@gmail.com

General Company Description and Plan

Rick's Garage and Towing, LLC will be located in Burlington, KY also known as Belleview Bottoms. Our business will be a full service mechanic garage. We have one large garage that was recently connected. We will have two car lifts, a working area, and inside storage for parts.

We will be open 6 days a week, Monday – Saturday from 8:30 am – 5:00 pm.

Improvements to property:

We plan on expanding the garage driveway from its current width to 20 ft. The driveway will be blacktop and we will be adding parking near the garage for up to 3 vehicles. There will be no parking on the grass during business hours. We already have our performance bond and encroachment permit to expand the driveway.

Our garage building will have a fire rating of 1 hour. There is over 5 ft. from property line, and the garage is made of blocks. We will add a 3 ft. drywall wall to the gable of the building. I have spoken with Mark Martin from the Building Dept. and he believes this will be achieved easily.

We have a 2002 International 4300 rollback truck to tow customer's vehicle that break down to the garage.

Disposal

As we collect oil and other fluids we will have a couple of 55 gallon metal drums onsite to hold the fluids until we get a business out of Cincinnati Environmental Enterprises to pick up the barrels. We will also have the barrels on a secondary confident skid. We will sell all metal left over from the parts to a local metal recycler. All trash will be disposed of with the current trash hauler. (Best Way)

Mission Statement:

Our mission is to provide you with the very best service that can be possibly be given.

Honesty and Integrity - These are the most important things we need to have when repairing our customer's automobiles.

We will never sell or repair anything on your car that you don't need.

We will always go the extra step when it comes to taking care of our customers.

We want to be your full-service local auto repair facility.

We treat our customers like we want to be treated.

Company Goals and Objectives: Maintain current high levels of customer service and user satisfaction decrease vehicle downtime for preventive maintenance and routine repairs. We also want to be a great neighbor and a community partner.

Experience

Rick Bowlin III has been working in garages for many years, as a young man he worked in a family member's garage in Belleview. Rick attended the Boone County Vocational school during high school, studying Diesel Mechanics. He was also a seasonal with Boone County Fleet/ Public Works during high school. Rick attended the University of Northwestern and graduated with a degree in Diesel Mechanic and Business. Rick then worked at Allstate Peterbuilt then tire discounters, then the Boone County Fleet Maintenance.

Kelly Bowlin

From: Brannon, Mark (KYTC-D06) <Mark.Brannon@ky.gov>
Sent: Monday, September 14, 2015 2:16 PM
To: Kelly Bowlin
Subject: RE: 6766 McVille Application for Encroachment permit

I received the permit. The permit should be mailed out already or soon.

Mark Brannon
District 6 Permits Department
Engineer Tech III

From: Kelly Bowlin [<mailto:Kbowlin@boonecountyky.org>]
Sent: Monday, September 14, 2015 8:32 AM
To: Brannon, Mark (KYTC-D06)
Subject: FW: 6766 McVille Application for Encroachment permit

Mark,
I sent you this on Aug. 28th. Is this what you were waiting for?
Kelly

From: Kelly Bowlin
Sent: Friday, August 28, 2015 2:53 PM
To: mark.brannon@ky.gov
Subject: RE: 6766 McVille Application for Encroachment permit

Mark,
I hope this is what you needed.

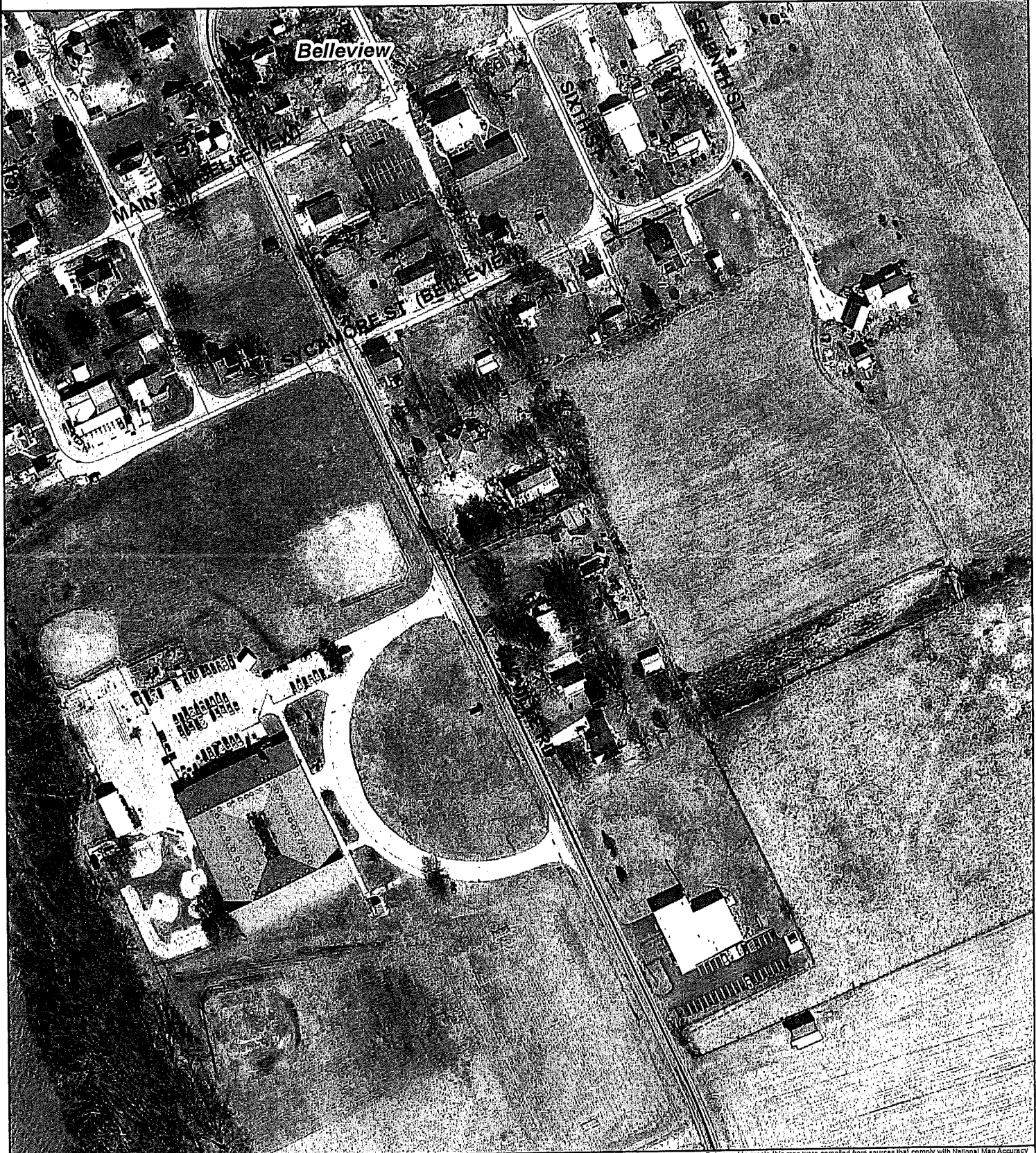
Thanks,
Kelly

From: Kelly Bowlin
Sent: Wednesday, August 26, 2015 12:43 PM
To: mark.brannon@ky.gov
Subject: 6766 McVille Application for Encroachment permit

Mark,
Attached is my application for an encroachment permit.
Please let me know if you need anything else.
Thanks,
Kelly Bowlin

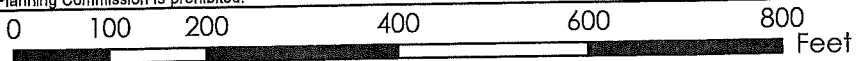
2012 AERIAL MAP

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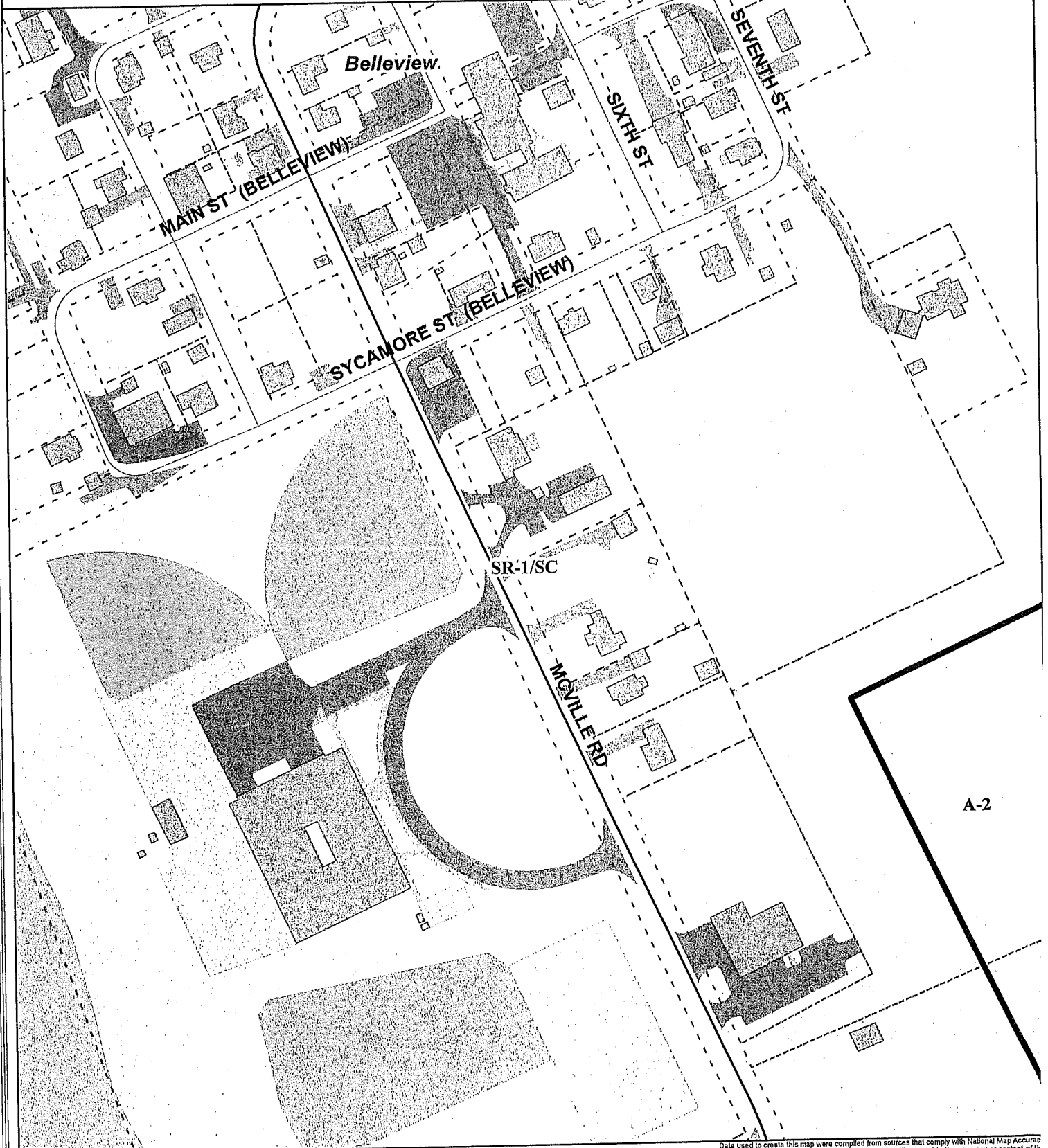
Boone County GIS - Putting Northern Kentucky on the Map

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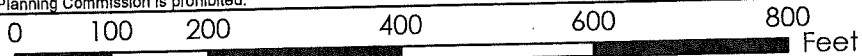
ZONING MAP

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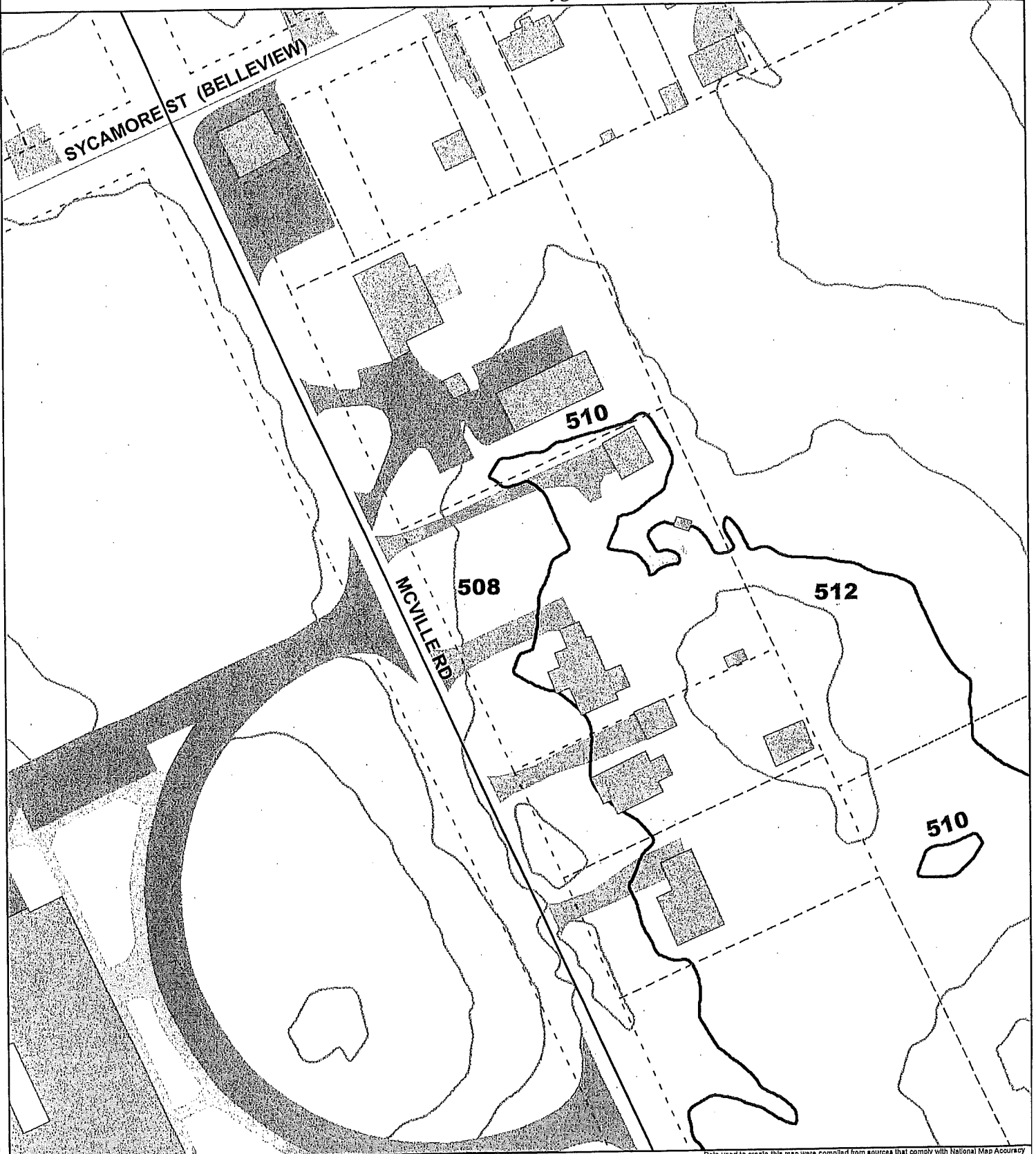


Boone County GIS
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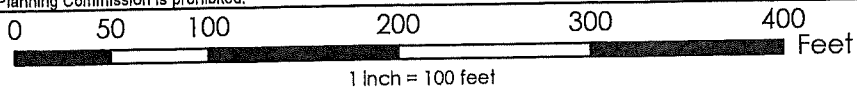
TOPOGRAPHICAL MAP

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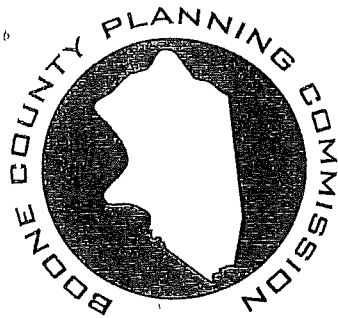


Boone County GIS - Putting Northern Kentucky on the Map



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Map Document: BooneMap (file).mxd



BOONE COUNTY PLANNING COMMISSION

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www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

July 26, 2015

Richard Bowlin III
6766 McVile Road
Burlington, KY 41005

RE: Violation of the *Boone County Zoning Regulations*, 6766 McVile Road,
Boone County, Kentucky PIDN 010.14-01-004.00

Dear Mr. Bowlin:

The Zoning Services Division of the Boone County Planning Commission has observed parking on the grass and a large commercial vehicle (tow truck) stored at 6766 McVile Road, Boone County, Kentucky. This property is located within a Suburban Residential One/Small Community Overlay (SR-1/SC) zone. This is in violation of Article 31, Section 3149 of the *Boone County Zoning Regulations*, which states that:

"Automotive vehicles shall be parked or stored on a paved surface."

"Vehicles larger than a full size pick-up or full size van (larger than one ton), or commercial style vehicles, trailers, implements, and equipment regardless of size such as dump trucks, tow trucks, Bobcat style implements, and trailers carrying lawn service equipment, shall not be stored or parked within residential zones."

Therefore, you are required to resolve this situation immediately.

Thank you for your cooperation.

Sincerely,

Mitchell A. Light
Asst. Zoning Administrator/Zoning Enforcement Officer

MAL/tlb

BUILDING ADDRESS OR LOCATION: 6766 McVillie

NOTICE

I certify that what is submitted is true and accurate and I or we understand and agree that all construction work will be performed in accordance with this Zoning Permit Application, the Boone County Zoning Regulations and the Boone County Subdivision Regulations.

NAME AND ADDRESS OF APPLICANT (PLEASE PRINT): Richard Bowlin

APPLICANT'S SIGNATURE: [Signature]
As Authorized by Property Owner

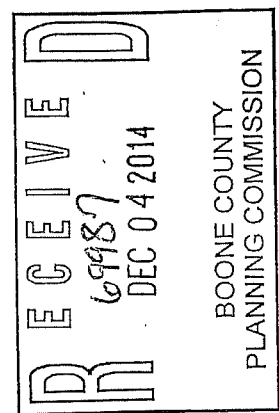
DATE 12-4-14 PHONE NUMBER: [Signature]

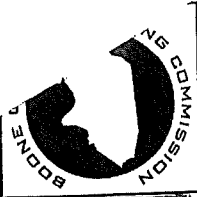
This Portion of the Application to be Completed
the Boone County Planning Commission

Zoning <u>SR-1</u>	Date <u>12/4/14</u>	Fee	\$90.00	Farm Exempt
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied		\$45.00	(No Fee)
Staff Reviewer <u>RA Jones</u>	Address <u>6766 McVillie Rd</u>			
Subdivision				
Lot #	Section #	Block/Phase #		

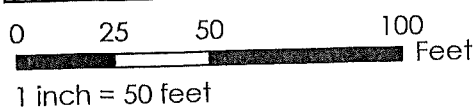
Type of Improvement	
<input type="checkbox"/> Single Family Residence	<input checked="" type="checkbox"/> Detached Garage
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage Addition
<input type="checkbox"/> Three Family	<input type="checkbox"/> Porch or Deck
<input type="checkbox"/> Apartment (# units)	<input type="checkbox"/> Barn or Shed
<input type="checkbox"/> Townhouse (# units)	<input type="checkbox"/> Swimming Pool
<input type="checkbox"/> Mobile Home	<input type="checkbox"/> Tenant Finish
<input type="checkbox"/> Residential Addition	<input type="checkbox"/> Other:
Jurisdiction	
<input checked="" type="checkbox"/> Boone County	<input type="checkbox"/> Florence
<input type="checkbox"/> Walton	<input type="checkbox"/> Union
Post Office	
<input checked="" type="checkbox"/> Burlington (41005)	<input type="checkbox"/> Florence (41042)
<input type="checkbox"/> Walton (41094)	<input type="checkbox"/> Union (41091)
<input type="checkbox"/> Hebron (41048)	<input type="checkbox"/> Verona (41092)
<input type="checkbox"/> Petersburg (41080)	<input type="checkbox"/> Erlanger (41018)
<input type="checkbox"/> Crittenden (41030)	<input type="checkbox"/> Independence (41051)
Group # <u>2035</u>	Census Tract # <u>705.02</u>

Not for commercial use.

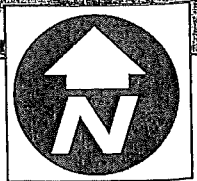




BOONE COUNTY PLANNING COMMISSION



Boone County Planning Commission
Planning Services Division



APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION	RECEIVED 72117 SEP 22 2015 BOONE COUNTY PLANNING COMMISSION
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FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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 Richard and Kelly Bowlin
 Applicant's Address 6766 McVile Rd.
Burlington City KY State 41005 Zip
4. Phone Number 743-0714 Fax No. _____ E-Mail _____
 Description of Request: Garage - Mechanics
5. Name of Development _____
6. Location of Development 6766 McVile Road
7. Acreage Under Review Approximate 1.0
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Richard and Kelly Bowlin
 Address of Property Owner 6766 McVile Rd.
10. Burlington City KY State 41005 Zip
 Phone Number 393-4925 Fax No. _____ E-Mail l8cheyelle.rbe@gmail.com
11. Proposed Use(s) on Site Garage - Mechanics
12. Total Square Footage of Existing and/or Proposed Buildings _____
13. Current Zoning on Property SR-1/5C
14. Deed Book 1030 Page No. 405 Group No. 2035
15. Is the site subject to a zone change? _____
 If yes, give date of approval _____
16. Have you submitted a Site Plan with this request? _____
17. Have you submitted a list of adjoining property owners with this request? _____
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: Kelly R Bowlin
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Kelly R Bowlin
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

COPY

CLUR #15-BCBOA-013-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Richard & Kelly Bowlin
6766 McVille Road
Burlington, KY 41005

2. ADDRESS OF PROPERTY

6766 McVille Road
Burlington, KY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Rick's Garage

4. DEED BOOK 1030 PAGE NO. 405 GROUP NO. 2035

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

Zoning Map Amendment: Conditional Use Permit
From To

Development Plan Conditional Zoning

Subdivision Plat Other:
(Not Recorded)

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
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

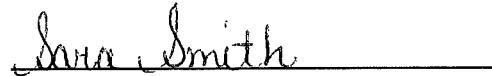
on behalf of the Boone County Planning Commission this 14 day of October, 2015.



Vicki L. Myers
Vicki L. Myers
Notary ID 438411
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2019

This instrument was prepared for recording purposes only by:



Sara Smith
Sara Smith
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 Adjustment and in accordance with the current zoning in effect as of October 14, 2015 Certificate of Land Use Restriction (#15-BCBOA -013-A), for Richard and Kelly Bowlin, Property Owner(s).

The following conditions will apply:

1. Business Hours shall be limited as follows:
 - Monday through Saturday – 8:30 AM to 5:00 PM
 - Sunday – Closed for business
2. Auto body, paint work, and vehicle impounding shall be prohibited.
3. Commercial vehicle repairs shall only be permitted in two northernmost garage bays. The other 2 bays can be used for part storage, scrap material storage, fluid storage, office work, etc..
4. All vehicle repairs shall be made inside the garage.
5. No vehicle shall be stored outside in a disassembled state.
6. Outside display of vehicle accessories is prohibited.
7. There shall be no outside storage of parts, tires, scrap materials, or fluids that are associated with the business.
8. The business shall not be operated as a junkyard (see definition in Article 40 of the Boone County Zoning Regulations).
9. No vehicles shall be sold from the property.
10. Parking lot lighting shall be prohibited.
11. Business signage shall be limited to the building mounted sign that already exists on the garage. A Sign Permit will need to be obtained if the sign is more than 6 square feet in area.

12. All vehicles associated with the business shall be parked in paved, striped stalls at all times.
13. Street frontage landscaping shall be required between the garage/parking area and McVile Road right-of-way. The trees shall be 6' evergreens and selected from Plant List D of the Boone County Zoning Regulations.
14. The commercial repair garage shall have a minimum of 4 parking stalls and a maximum of 8 parking stalls (with the first stall being a van accessible handicapped stall). The number of vehicles waiting to be repaired or picked up at any given time shall not exceed the number of striped parking stalls on site.
15. The rollback truck shall be parked inside one of the garage bays at the end of business hours.
16. The garage doors shall be closed while vehicle repairs of any kind are being made inside the garage to reduce noise pollution.
17. The applicants shall contact the Division of Water and EPA to verify if permits are required from those agencies. Prior to Site Plan approval, the applicants shall provide Planning Commission Staff with a letter or email identifying which Permits are required from those agencies.

The approved conditional use permit, as well as the preceding conditions, apply to the property described in:

DEED BOOK 1030

PAGE NO. 405

GROUP NO. 2035