

APPLICATION FOR ZONING ACTION

TO:  Boone County Planning Commission  City of Union Board of Adjustment  
 City of Florence Board of Adjustment  City of Walton Board of Adjustment  
 Boone County Board of Adjustment  Zoning Enforcement Officer

FDR:  Zoning Text Amendment  Zoning Map Amendment  
 Comprehensive Plan Change  Preliminary Plat Approval  
 Improvement Plat Approval  Final Plat or Deed Plat  
 Conditional Use Permit  Site Plan Review  
 Concept Development Plan  Historic District Overlay  
 Preliminary Development Plan  Sign Permit or Zoning Permit  
 Change of Non-Conforming Use  Appeal or Variance  
 Design Review Board Hearing and Certificate of Appropriateness

Applicant: LARRY BAKER  Owner  
Address: 1450 WaterWorks Rd.  Agent

Newport, Ky 41071 Telephone: 781-4348 or 331-9195

Location: Hathaway Rd (West of Riddlos Run) Union

Name of Property Owner: James Baum

Address of Property Owner: ~~Rt#1 Hathaway Rd~~ 2872 Riverview Dr. Hebron

Zone: A-1 Area in Acres: 4.28

Deed Book: 313 Page No.: 31 Group No: 2053

Description of Request: To place mobile home on said property.

4-25-84 Property Owner's Signature: James Baum  
Date 5-9-84 Applicant's Signature: Larry W Baker

FOR PLANNING COMMISSION USE: 700.00 Fee 50.00 Pub Deposit 12.00  
Application date and fee of \$ 162.00 Received: May 22, 1984

Referred to: \_\_\_\_\_ For Meeting Date: 6/13/84

Action: \_\_\_\_\_ Date: \_\_\_\_\_

BOARD of ADJUSTMENT and ZONING APPEALS

CHECKLIST

I. GENERAL INFORMATION

Applicant's Name: Larry Baker ( agent) for property owned by

Interest in Property: James Baum

Location and/or Address of the Property: Located along Hathaway Road being about 4000 feet east of its intersection of Riddles Run Road

Deed Book: 157 Page Number: 116 Group Number: 2053

Request of the Applicant: Permission through a Conditional Use Permit to place a mobile home onto an existing 4.28 acre tract.

Present Zoning and Affected Sections of the Regulations: Zoned Agriculture, A-1 found on Pages 6-1 and 6-2 Being Sections 610 through 616 of the Boone County Zoning Order; Specifically requested under section 613.

Present Use of the Subject Property and the Adjoining property: Presently the subject property is not being used. To the north and the south is adjoining agricultural uses. To the east is residential and agricultural land uses. To the west is current agricultural and undeveloped land uses.

CONDITIONAL USE REQUESTS:

1. *Zoning of the Adjoining Properties:* All adjoining properties are currently zoned <sup>Agriculture</sup> Agriculture, A-1 both on their side of the road but on the opposite side of the road.  

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2. *Future Land Use of the Subject Property and the Adjoining Properties:* The Boone County Comprehensive Plan shows a planned future land use of agriculture for the property along with all adjoining properties. This request would not conflict with the Comprehensive Plan land use category.  

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3. *The Site Plan Submitted and What Does it Show:* A site plan was submitted and shows the location of the mobile home proposed for the tract. A copy of the plan in a reduced form is attached.  

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4. *Conditions to the Request if Granted:* If approved the following:
  1. That the copy of the on-site sewage disposal system approval is provided for the Board records, before anyone moves into the mobile home.

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5. *Special Characteristics of the Site and/or the Request:* It should be noted that only a small amount of mobile homes exist along this road. But nearby to the property (to the west) are a greater number of mobile homes. I plan to have more specific numbers for the Board at the meeting.  

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BOONE COUNTY BOARD OF ADJUSTMENT

MINUTES

JUNE 13, 1984 6:30 P.M.

Chairman Whitton called the Meeting to order at 6:30 P.M.. Mrs. Ryan called roll. Four (4) members present. Mr. Nevel was absent. All staff members present. Mr. Ryan moved to approve the minutes of May 9, 1984. Mr. Houston seconded, the motion carried unanimously.

Chairman Whitton proceeded to the request of Ronald Baker, applicant for property owned by William Roden, for a Conditional Use Permit to allow the placement of two mobile homes on a parcel of land located 1/16th of a mile off of Hathaway Road on Victory School House Road, Union, Boone County, Kentucky, in an Agriculture (A-1) zoning district.

Mr. Block stated that his Enforcement Officer's Report was the same as the last meetings with the exception of the surveyors drawing of the land and the associated parcels for the two requested mobile homes. He continued that has been submitted and the Board has received a copy. Mr. Block stated the location of the mobile homes are in conformance with the zoning regulations and one of the mobile homes on the 5.04 acre tract or 5 acre tract could be associated to the farm and be permitted under the farming regulations. Mr. Block stated they do meet all the setbacks of the zone and his only other concern with the request is that the Board should receive a copy of the onsite sewage disposal permit that would be issued for the mobile home for the protection of the environment. Chairman Whitton asked Board members if they had any questions for Mr. Baker. Mr. Ryan moved that the Conditional Use Permit be granted subject to the Board receiving a copy of the sewage disposal permit for the file; Vice Archambault seconded. Mr. Baker stated he had talked with the Board of Health, and as soon as the permit is received, a copy would be submitted.

Chairman Whitton asked if there was anyone present wishing to speak in opposition. No one responded. The motion carried unanimously. Chairman Whitton advised Mr. Baker that the Conditional Use Permit is granted with the only condition being the submittal of a copy of the sewage disposal permit.

Chairman Whitton proceeded to the request of Larry Baker, Agent for property owned by James Baum, for a Conditional Use Permit to allow the placement of a mobile home on a parcel of land located on Hathaway Road, West of Riddles Run, Union, Boone County, Kentucky, in an Agriculture (A-1) zoning District.

Mr. Block presented his Enforcement Officer's Report.

Mr. Larry Baker stepped forward and handed out pictures for the Board's review of the trailers and of the property where it would be located.

In response to Chairman Whitton, Mr. Baker pointed out the areas he had drawn in on the surveyors drawing of the property.

In response to Vice Chairman Archambault, Mr. Baker stated that Mr. Walton drew the plat of the property. Mr. Baker stated he had just located the trailer and driveway on the property and that his figures may be a little off scale.

Chairman Whitton asked Mr. Block if he could use this drawing to assure Mr. Bakers compliance with the regulations.

Mr. Block stated "yes" and continued when the original application was made, he went down and visited the site.

Mr. Baker stated the mobile home would be located 200 feet off of the road and due to the topography would not be visible from the road.

Mr. Block stated he did not want to commit the applicant to any time frame, but that Mr. Baker had mentioned that the mobile home was only a temporary residence until they build a house on the property.

Mr. Baker stated he is hoping in the furture to purchase an additional 5 acres of property for the construction of a home.

Chairman Whitton asked the Board members if they had any questions for Mr. Baker.

Vice Chairman Archambault moved that the Conditional Use Permit be granted with the condition that a copy of the sewage disposal permit be received; Mr. Ryan seconded. Chairman Whitton called for further discussion. No one responded. The motion carried unanimously. Chairman Whitton advised Mr. Baker that the Conditional Use Permit is with the condition that a sewage disposal permit is obtained.

Chairman Whitton proceeded to the request of Mary Jane Cent and M. Eileen Dooling for a Conditional Use Permit to allow the operation of an eating and drinking establishment (restaurant) and a gift shop, on a parcel ofland located in Petersburg, Kentucky, in a Suburban Residential Two (SR-1) zoning district.

Mr. Block passed out to the Board the site plan for review. Mr. Block noted the parking areas are 9' X 20' and would be required to be 10' X 20'. He stated they would still comply with the minimum number of required spaces for a restaurant facility at that location. Mr. Block stated within the Small Community overlay zone the Board has the right to not have to meet the setbacks of the SR-2 zones. Mr. Block outlined Article 16 of the zoning

regulations.

Chairman Whitton asked if there was anything Mrs. Cent would like to add.

Mrs. Cent stated they would be glad to answer any questions.

Chairman Whitton asked the Board members if they had any questions for the applicant.

Vice Chairman Archambault asked if they were going to have a restaurant and serve liquor. Mrs. Cent replied "yes". In response to Vice Chairman Archambault, Mrs. Cent stated there were no restaurants in Petersburg now.

Mr. Lynn stated for the record, he received a call from Mrs. David Holdcraft, an adjoining property owner, and she stated her opposition to a bar. He continued she may not have understood the operation would be a restaurant serving alcoholic beverage.

Chairman Whitton asked if there was anyone present to speak in opposition of the request. No one responded.

Mr. Andrew Piaskowy, 118 W St. Covington, Architect, stated he would like to emphasize they were stressing restaurant and that the lounge and bar area would supplement the restaurant operation. He continued they were intending to serve dinners; it is not meant to be a strip bar with nightly entertainment.

Chairman Whitton called for any other questions from Board members.

Mr. Ryan asked when they anticipated opening. Mr. Piaskowy stated they were waiting to install the primary services into the building.

Mrs. Cent stated she felt the earliest date of opening would be in the spring. In response to Mr. Ryan, Mrs. Cent stated they lived in Covington.

Mr. Block read into the record, a letter received by Mrs. Cent from the Natural Resources and Environmental Cabinet, Dept. of Environmental Protection, pertaining to her sewage disposal application.

Chairman Whitton stated he would entertain a motion.

Mr. Ryan moved that the Conditional Use Permit be granted with the condition that a copy of the sewage disposal

permit be received; Mr. Houston seconded.

Mr. Whitton asked for further discussion, no one responded.

The motion carried unanimously.

Vice Chairman Archambault moved for adjournment. Mr. Ryan seconded. The meeting adjourned at 6:32 P.M.

RESPECTFULLY SUBMITTED:

*Sandra G. Ryan / Clerk*  
SANDRA G. RYAN, CLERK

*Sherry V. Baker / Clerk*  
SHERRY V. BAKER, CLERK

APPROVED: \_\_\_\_\_

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GEORGE D. WHITTON  
CHAIRMAN