

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

OR: 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: JACK E GINN Owner Agent

Address: 5 BEVERLY PLACE

FLORENCE, KY 41042 Telephone: 371-2178

Location: 1078 RIVER RD

Name of Owner: JACK E GINN

Address of Owner: 5 BEVERLY PL

Zone: Rural Suburban Estate, RSE Area in Acres: 3.04 AC

Deed Book: 314 Page No.: 275 Group No: 1149

Description of Request: to replace a 12x60 mobile home with a 14x70 mobile home

Owner's Signature: Jack E Ginn
Date 7/29/83 Applicant's Signature: Jack E Ginn

FOR PLANNING COMMISSION USE: 50.00
50.00 pub. dep.

Application date and fee of \$ 100.00 Received: July 29, 1983

Referred to: Boone Co. Board of Adj. For Meeting Date: August 10, 1983

Action: _____ Date: _____

Meeting Date: August 10, 1983

BOARD OF ADJUSTMENT AND ZONING APPEALS

CHECKLIST

I. General Information

1. Applicant's name: JACK E. GINN
Interest in property: OWNER
2. Location and/or address of property: 1078 RIVER ROAD
(BEING ABOUT 4/10 OF A MILE NORTH OF RABBIT HASH.)
Deed book and page number: BOOK: 223 PAGE: 320 GROUP: 1149
3. Request of the applicant: TO PERMIT A REPLACEMENT OF
AN EXISTING 12 FOOT by 60 FOOT MOBILE HOME WITH A NEWER
14 FOOT by 70 FOOT MOBILE HOME UNDER A REQUEST FOR
A CHANGE OF NON-CONFORMING USE
4. Present zoning of subject property including page number and
section number(s) of the Zoning Order (Ordinance): RURAL SUBURBAN
ESTATE, RSE BEING SECTIONS 800 A THROUGH B16 FOUND ON PAGES
8-1 AND 8-2 ALSO INVOLVING SECTION 284 ON PAGES 2-7 AND 2-8
5. Present use of the subject property: PRESENTLY RESIDENTIAL

Present use of the adjoining properties: TO THE NORTH AND
SOUTH IS RESIDENTIAL. TO THE EAST IS UNDEVELOPED. AND TO
THE WEST IS THE OHIO RIVER.

BOONE COUNTY BOARD OF ADJUSTMENT

MINUTES

AUGUST 10, 1983

6:30 P.M.

Mr. Ryan, Acting Chairman, called the meeting to order at 6:30 P.M.. Three members were present; Vice Chairman Archambault and Mr. Whitton were absent. Staff members present were Mr. Wilson and Mrs. Ryan. Ms. Sullivan and Mr. Block were absent. Mr. Ryan made a motion to accept the minutes of July 20, 1983 and July 23, 1983; Mr. Nevel seconded. The vote to approve the minutes was unanimous.

Mr. Ryan proceeded with the request of Shoemaker Auto Body, Inc. for a variance for an addition to the Body Shop on a parcel of land located at 123 Shoemaker Lane, Florence, Boone County, Kentucky, in a Commercial Services (C-3) Zoning District. Mr. Wilson presented the Enforcement Officer's Report.

Mr. Mel Shoemaker and Mr. John Frye stepped forward representing Shoemaker Auto Body, Inc. Members of the Board reviewed the site plan. In response to Mr. Ryan, Mr. Frye replied a 5' side yard variance was needed in order to have an adequate work room to do sheetmetal work. Mr. Ryan asked who the adjoining property owner was and if he was notified of this request. Mr. Wilson pointed out as this is a request for a variance, adjoining property owners are not notified; but notification of the request was placed in the paper. Mr. Frye stated Mr. Ehlen did speak with Mr. Bill Shehan, the adjoining property owner, and that Mr. Shehan is aware the addition is being built. Mr. Frye further stated he did not know if Mr. Shehan was aware that a variance was requested. In response to Mr. Ryan, Mr. Wilson stated as part of the condition to grant the request, a letter for our files be received from Mr. Shehan stating that he has no objections to the variance; or the request could be deferred and a meeting scheduled when Mr. Shehan could be present. Mr. Frye stated he would not want to defer as the variance was needed in order to obtain site plan approval from the Planning Commission at their meeting of August 17, 1983.

Mr. Frye stated Mr. Ehlen informed him the building needed to setback 75' from the road and that a front yard variance was also needed from 75' to 73' in order to maintain a straight line with the existing building due to the angle of the road. Mr. Wilson stated this could be included in the request as the newspaper notification did not state a specific variance request.

In response to Mr. Nevel, Mr. Frye stated that adequate parking spaces would be maintained and lined. With the unique condition being in order to have an adequate amount of work room, a 5' side yard variance, provided that the adjacent property owner provide the Board a letter in writing stating that he has no objection with this request, and a front yard variance from 75' to 73', the unique condition being the angle of the road, Mr. Nevel made a motion to grant the variances; Mr. Houston seconded. The motion carried unanimously.

Mr. Wilson stated to Mr. Frye a letter for the file would be required signed by Mr. Shehan and witnessed stating he has no objection to the 5' side yard variance. Mr. Frye stated a letter would be brought in for the files.

Mr. Ryan proceeded with the request of Jack E. Ginn for a Change of Non-Conforming Use to allow the replacement of a smaller mobile home with a larger one on a parcel of land located on River Road, Boone County, Kentucky, in a Rural Suburban Estate, RSE, Zoning District. Mr. Wilson presented the Enforcement Officer's Report.

In response to Mr. Ryan, Mrs. Ginn replied she wanted to replace the present mobile home with a new one; and that her nearest neighbors were mobile homes.

Mr. Wilson pointed out that under the Kentucky Statue regarding this Board of Adjustments cannot allow the enlargement or extension of a non-conforming use on this beyond the scope and area of its operation at the time the regulations are passed, but the Board can allow a change to another non-conforming use that is in the same or more restrictive classification. Discussion followed.

Mr. Ryan asked if anyone was present in opposition, or if there were any comments from the Board. Mr. Nevel made a motion to approve the request; Mr. Houston seconded. The motion carried unanimously.

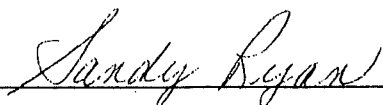
Mrs. Ginn stated she felt the requirement for a non-conforming use be more publicized as most people were unaware of this requirement. Members of the Board directed Mrs. Ginn to contact Mr. Conrad Tobergte for any further information she needed in the placement of the new mobile home.

Mr. Ryan and members of the Board proceeded to the review of the site plan for Robert Sturgeon for a used car lot at the corner of Highways 16 and 491, Verona, Kentucky. Discussion followed. Mr. Nevel made a motion to approve the site plan; Mr. Houston seconded. The motion carried unanimously.

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BOONE COUNTY BOARD OF ADJUSTMENT
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Mr. Nevel made a motion to adjourn; Mr. Houston seconded.
The motion carried unanimously. The meeting adjourned at
6:55 P.M..

RESPECTFULLY SUBMITTED



SANDY RYAN, CLERK

APPROVED: _____

VICE CHAIRMAN