

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(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 Gene Thompson
Phone Number 659-7431 (H) 689-7822 (W)
Applicant's Address 1973 West Dr.
Nebron Ky 41048
City State Zip
- 4. Description of Request: CONDITIONAL USE PERMIT TO ALLOW
A USED CAR LOT
- 5. Name of Development Roberts & Thompson used Cars
- 6. Location of Development Highway 20 & 237, NE CORNER
- 7. Acreage Under Review 1.5 ACRES
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
- 9. Owner of Property Gene Thompson
Phone Number 659-7431
- 10. Address of Property Owner 1973 West Dr.
Nebron Ky 41048
City State Zip
- 11. Proposed Use(s) On Site USED CAR LOT
- 12. Total Square Footage of Existing and/or Proposed Buildings
15,000
- 13. Current Zoning on Property C-2
- 14. Deed Book 134 + 170 Page No. 66 + 176 Group No. 2006
- 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? NO
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. Applicant's Signature: Gene Thompson
- 19. Property Owner's Signature: Gene Thompson

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received _____
2. Fee Received _____
3. Is application complete? _____ Yes _____ No
4. Staff Reviewer _____
5. Scheduled Board Action Date _____
6. Board Action:
_____ Approval
_____ Approved With Conditions (See #7)
_____ Disapproved (See #8)
7. Conditions: _____

8. Reasons For Disapproval: _____

BCPC:7/11/88

FEE :
\$ 150.00
65.00
28.00
243.00
65.00 # 4 / PROPERTY OWNER
7

STAFF REPORT

DEVELOPMENT: used car sales lot

APPLICANT: Gene Thompson

LOCATION: northeast corner of KY 20/KY 237 intersection, Boone County, Kentucky

ZONING: Commercial Two (C-2)

DATE: November 9, 1988

REMARKS:

The applicant is seeking a Conditional Use Permit to allow the establishment of a used car sales lot. The 1.5 acre site is located at the northeast corner of the KY 20/KY 237 intersection in Hebron, Boone County. The property is zoned Commercial Two (C-2) and is owned by Gene Thompson (owner by option).

Surrounding Zoning and Land Uses:

north: C-2; undeveloped

south: C-2/PD; undeveloped

east: C-2/SC; a grocery store (Flick's IGA), gas station, and commercial center

west: C-2; across KY 237 is a commercial center with gas station, convenience store, video rental store, etc.

The following reviews the general criteria applicable to all Conditional Uses in the county:

1. The 1986 Boone County Comprehensive Plan Future Land Use Map shows the future use of this property to be Commercial. The Land Use Element of the Plan makes the following statements about the general area:

"Much of this area will experience rapid growth in commercial, residential, and industrial land uses. Many keys of growth are located within this area. These include the airport interchange, a new post office, a school complex, I-275 and KY 237 interchange, and the intersection of KY 20 with KY 237... The established center of Hebron will be split by the two growth keys on each side of it (Post Office and KY 237 and KY 20 interchange). Therefore, unless extreme care is taken the Limaburg Road and KY 20 intersection will degrade... The intersection area of KY 20 and KY 237 should remain largely open for residential growth with some commercial development. The land area between old and new KY 237 should become commercially developed while also providing a location for a new fire station and other community services (p. L-12)."

The Business Activity Element states:

"The town of Hebron will add additional commercial development along KY 20 as the area grows in population. The existing commercial center will probably not expand too much, though, because the new highways, I-275 and KY 237, have passed it by. Commercial development in Hebron will center around new KY 237 (pp. B-14, 15)."

The subject property is prime for Commercial development. The Board must take care in determining if the proposed used car lot is the appropriate use to locate on the site.

2. The concept plan submitted with this application shows pavement for the used car sales being placed in front of the existing single family residence on the site, with access by a single 20 foot wide drive on KY 20. This lot will sit approximately 4 feet higher than KY 20. The proposed use may be harmonious and appropriate in appearance with the existing and intended character of the general vicinity if care is taken to provide adequate landscaping screening between the proposed lot and the road, and between the subject property and adjoining properties. The essential character of the area would not be changed by the proposed use.
3. The used car sales lot would not be hazardous to existing or future neighboring uses if appropriate measures are taken to minimize visual and traffic impacts.
4. The proposed use would be adequately served by essential public facilities.
5. The proposed used car sales lot would not create excessive additional requirements for public facilities and services.
6. The proposed use could be detrimental to persons or the general welfare if care is not taken to minimize visual impacts and glare from the lot.
7. The proposed access to the site would not interfere with traffic on KY if adequate site distance is provided at the access point and the placement of the drive meets the intent of the 1986 Boone County Zoning Regulations Access Management Regulations.

Should the Conditional Use Permit be granted, the applicant would be required to submit a formal Site Plan to the Boone County Planning Commission and coordinate location of the access point with the State. The process of Site Plan Review would further examine the concerns covered by the above general criteria.

Additionally, there are specific criteria applicable to Conditional Uses in Commercial Two (C-2) districts:

1. A used car lot would not further add to creation of a compact, multi-purpose, and pedestrian-oriented commerce center in that the sale of used cars is not a pedestrian-oriented activity. New commercial developments at this site and at the surrounding undeveloped sites (the Planned

Development area in particular) should be reviewed with the goal of creating a compact, multi-purpose, pedestrian-oriented center in mind.

2. If properly designed, with particular attention given to screening, buffering, control of glare, and access management, a used car lot could be compatible with uses to be protected in the commercial district.

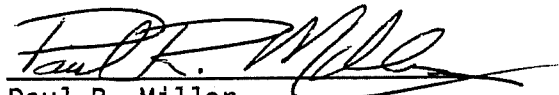
Staff Concerns

1. Staff is concerned with the potential visual impact and the impact of lighting associated with the used car lot on existing and future neighboring uses. Should the Board grant this Conditional Use Permit, Staff recommends as a condition of approval that a lighting plan and landscaping plan for the lot be submitted as part of a full Site Plan to be subject to approval by the Boone County Planning Commission.

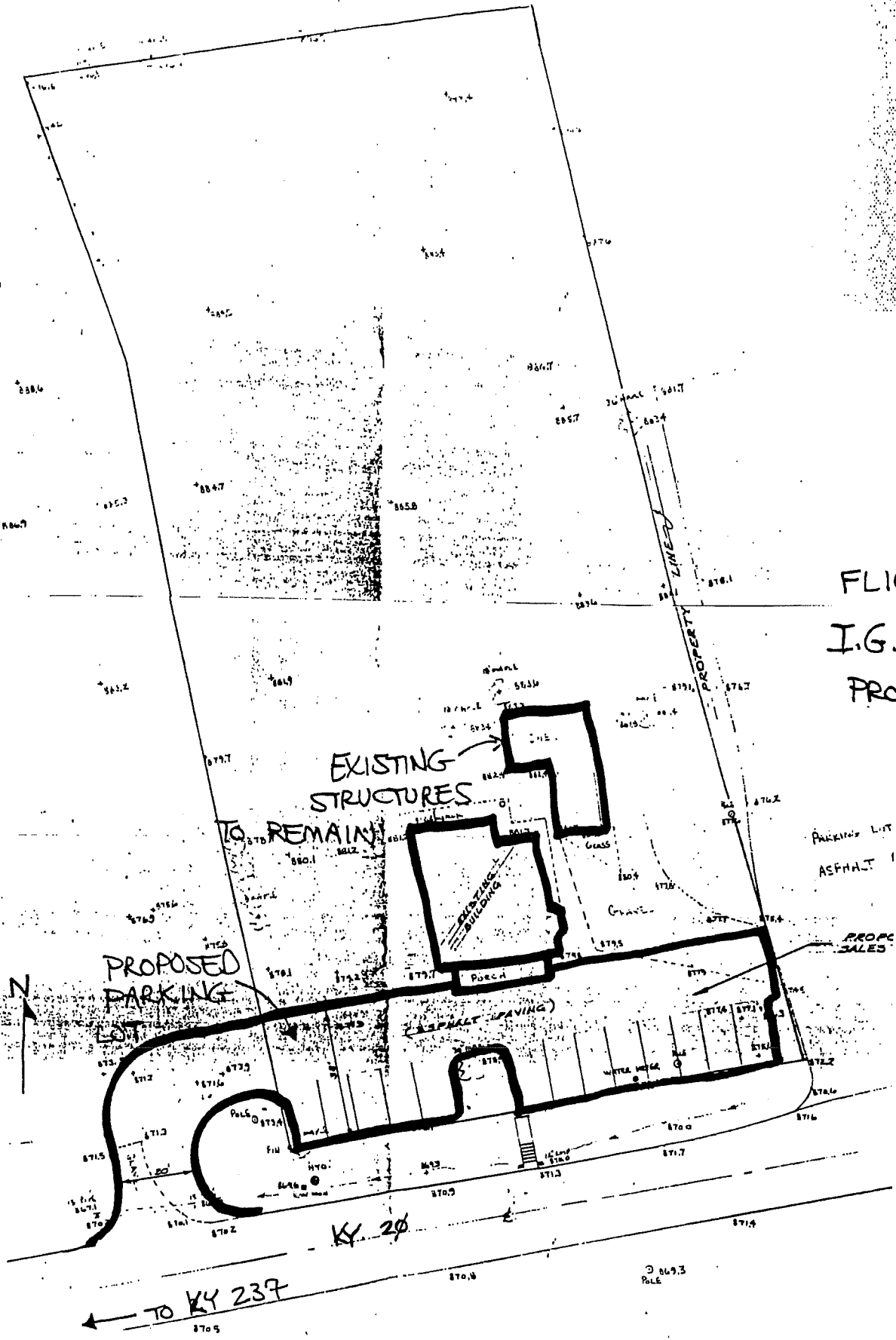
Again, should the Board grant this Conditional Use Permit, the applicant would be required to submit a Site Plan for Site Plan Review before the Boone County Planning Commission.

Attached to this report is a copy of a concept plan submitted by the applicant and a portion of the Future Land Use Map depicting the Hebron area.

Respectfully submitted,

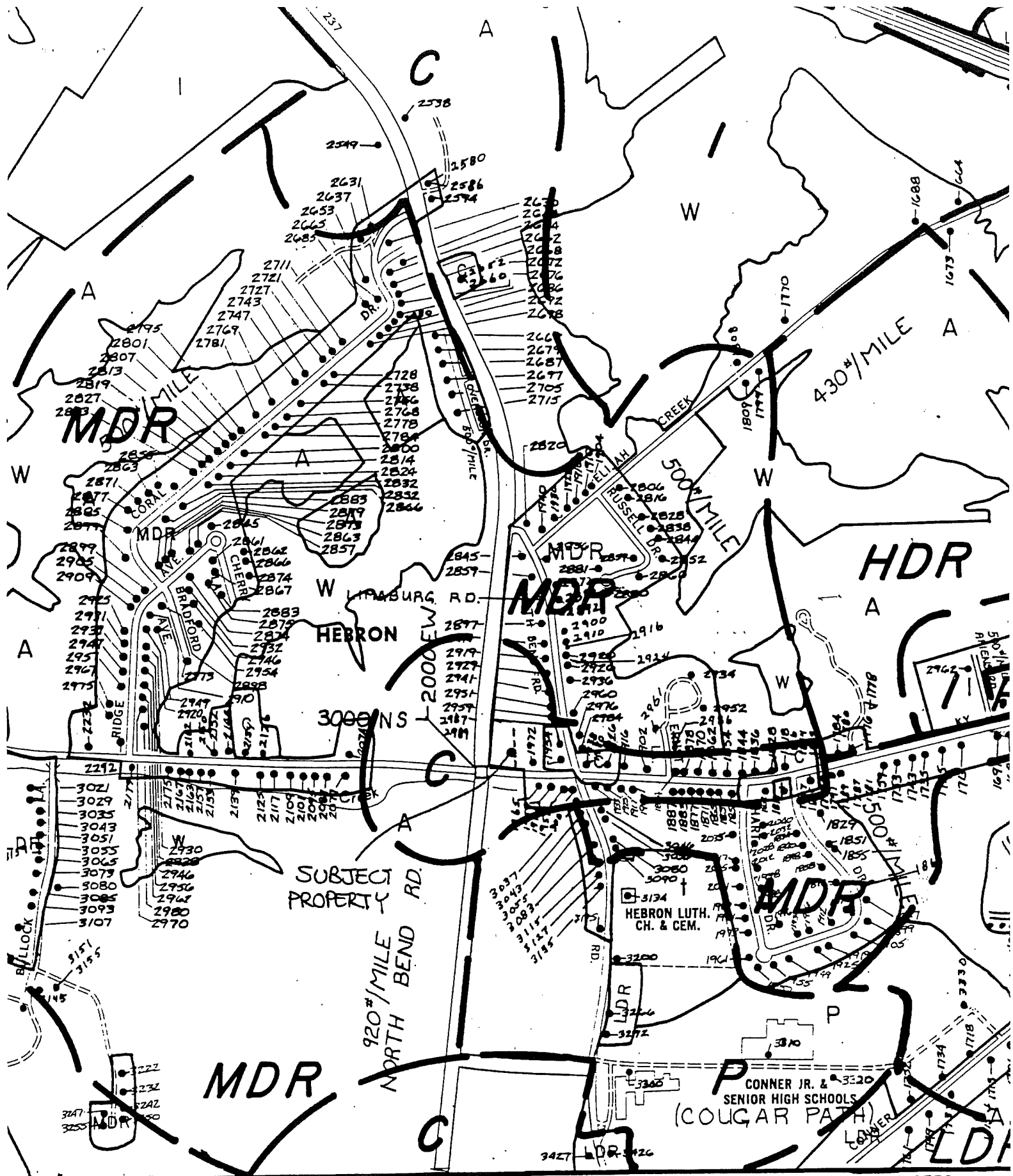


Paul R. Miller,
Plans Examiner/Planner



FLICKS
I.G. A.
PROPERTY

THOMPSON CONDITIONAL USE PERMIT
11-9-88
CONCEPT PLAN



BOONE COUNTY
BOARD OF ADJUSTMENT

November 9, 1988 - 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. I. A. Archambault
Mr. Dan Houston
Mr. Walt Ryan

BOARD MEMBERS NOT PRESENT:

Mr. Fred Nevel
Mr. George Whitton, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Archambault called the meeting to order at 6:35 P.M. and noted that each member had received a copy of the Minutes of the Boone County Board of Adjustment Meetings of September 14, 1988 and October 12, 1988. He asked if there were any comments or changes to the Minutes.

There being no changes to the Minutes, Mr. Ryan moved that they be approved as mailed. Mr. Houston seconded the motion and it carried unanimously.

AGENDA ITEMS:

1. The request of Gene Thompson for a Conditional Use Permit to allow the establishment of a used car sales lot. The 1.5-acre site is located at the northeast corner of the KY 20/KY 237 Intersection in Hebron, Boone County, Kentucky. The property is zoned Commercial Two (C-2) and is owned by Gene Thompson (owner by option).

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Gene Thompson stated that he and Terry Roberts have an option on these two pieces of property and want to put a used car lot on the site. He stated that Hebron is growing but does not have a used car lot. They believe the property is suitable for this use.

At this time, Mr. Miller completed the Staff Report.

Mr. Archambault asked if there were any further comments.

Mr. Thompson stated that they would be cleaning up the lot, getting rid of the bushes and trees. The main house would remain, but the garages and shelters would be torn down.

Mr. Archambault questioned if there would be painting and maintenance done on the cars.

Mr. Thompson advised that they would not be doing painting or body shop work. They would be washing the cars. They would buy the cars at auction ready to sell.

In response to a question from Mr. Houston, Mr. Miller advised that this site would be limited to fifty cars.

Mr. Ryan asked the applicant if he had a problem with the buffering and lighting of the site. Mr. Terry Roberts stated that they did not. Mr. Archambault noted that there are no immediate neighbors to the site.

Mr. Bob Flick stated that he had considered this property for a self-service gas station and a post office and had been told that he would have to put up trees to buffer the back of the site. He stated that he assumed this would be addressed in Site Plan Review.


There being no further comments, Mr. Houston moved that the Conditional Use Permit be granted subject to the condition that it meets the requirements of Site Plan Review as conducted by the Staff. Mr. Ryan seconded the motion and it carried unanimously.

There being no further business to come before the Board, the meeting was adjourned by unanimous consent at 7:10 P.M..

APPROVED.


I. A. Archambault

ATTEST:


Jan Hancock, Recording Secretary