

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

Fees

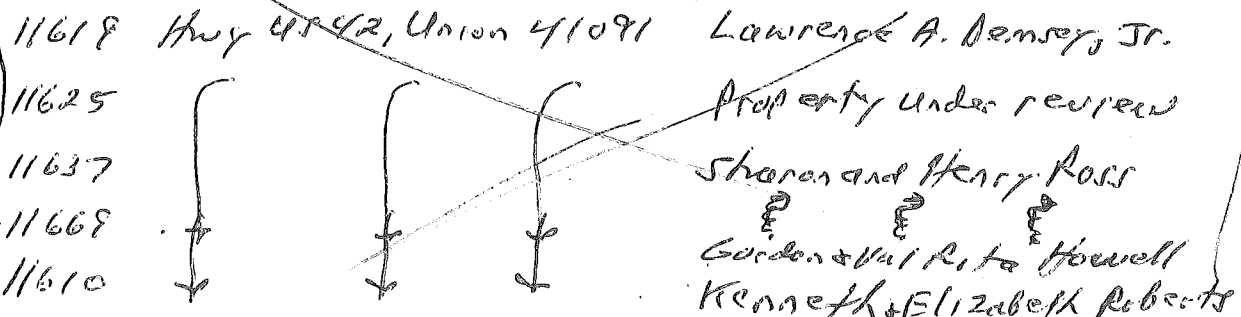
Base	200
Pub	75
4 Ad'owners	20
CLAR	21

} \$ 316

1. (Check One) Boone _____ Florence _____ Walton _____ Union
2. (Check One) Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name Arnold Hayes
Phone Number (606) 586-6316
Applicant's Address 6238 Burlington Pike
Burlington, Ky 41005
City State Zip
4. Description of Request: To allow the applicant to run a professional taxidermy business along with the sale of leather crafts and novelties.
5. Name of Development Presently known as "Moore's Boat Shop"
6. Location of Development 11625 Hwy 4542, Union 41091
(Next to Beacon Life Restaurant and motel)
7. Acreage Under Review .4 acre
8. Lot Number and Name of Subdivision (if part of a subdivision)
Not applicable
9. Owner of Property Daniel D. Tackett
Phone Number 1-615-694-4540
10. Address of Property Owner 8009 Wilnoty Drive
Knoxville, Tenn 37931
City State Zip
11. Proposed Use(s) On Site Same as No. 4 above
12. Total Square Footage of Existing and/or Proposed Buildings
Existing square footage is 1053 (27' x 39'). No change planned
13. Current Zoning on Property A-2/SC
14. Deed Book 460 Page No. 133 Group No. 2068
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? see below
18. Applicant's Signature: Arnold B. Hayes
19. Property Owner's Signature: Danny D. Tackett

See back page

1646 Strayhorn Lane
Saywell, Mo 65758



SECTION B

(To be completed by Boone County Planning Commission Staff)

- 1. Date Received 6-19-92
- 2. Fee Received 316.00
- 3. Is application complete? Yes No
- 4. Staff Reviewer Ann Moore
- 5. Scheduled Board Action Date July 8, 1992
- 6. Board Action:
 - Approval
 - Approved with Conditions (See #7)
 - Disapproved (See #8)
- 7. Conditions: See #7
- 8. Reasons for Disapproval:

BCPC:7/11/88

Adjoining property owners (4 of them)

- #7 11618 Hwy 4592 Lawrence R. Sr & Mary Damprey
next to 2 of Eastern Ave
Elmore, NY 41008
- #8 11637 Hwy 4592 Sharon & Henry Ross
Union, NY 41081
- #10 11668 Hwy 4592 Gordon & Val Rae Howell
next to 1696 Straws Cove
Fayetteville, Ohio 45118
- #20 11600 Hwy 4592 Kenneth & Elizabeth Roberts

STAFF REPORT

#5

DEVELOPMENT: taxidermy and the sale of leather crafts and novelties
APPLICANT: Arnold Hayes
LOCATION: 11625 U.S. 42, Boone County, Kentucky
ZONING: Agricultural Estate/Small Community (A-2/SC)
DATE: July 8, 1992

REMARKS:

The applicant is seeking a Conditional Use Permit to allow a professional taxidermy business and the sale of leather crafts and novelties. The site is located at 11625 U.S. 42, Boone County, Kentucky. The property is zoned Agricultural Estates/Small Community (A-2/SC) and is owned by Daniel D. Tackett.

The building on this site was previously used for a bait business. The Moore's Bait Shop is no longer in operation and the building has been vacant since mid 1991.

Article 6, Section 623 of the 1991 Boone County Zoning Regulations lists "Roadside stands, farmers mart and similar sales uses of agricultural and related products including specialty crafts and foods (Site Plan Review required" (p. 28) as a permitted Conditional Use.

The Board may consider whether the Conditional Use at the proposed location:

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

The Boone County Comprehensive Plan Future Land Use Map indicates this site to be Rural Density Residential (RD). RD is defined as "residential uses that do not exceed one dwelling unit per acre." (p. 199)

The New Haven Area is described further in the text of the Comprehensive Plan:

"Development in this area should occur in the form of Rural Density Residential subdivisions along U.S. 42, KY 338, and Hicks Pike." (p. 217)

"Development of this section of the county is dependent upon the Richwood Interchange, the impacts of the Mt. Zion Road Interchange of Union, and the availability of public sewer service." (p. 217)

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 area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be adequately served 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 any such services;

The applicant has indicated to Staff that the site presently has two cisterns. One cistern is being used for water service. The applicant is currently working with the Northern Kentucky Health District to alter the second cistern for use as a holding tank for an individual on-site septic system.

5. Will create excessive additional requirements at the public cost for public facilities and services will not be created or be detrimental to the economic welfare of the community;
6. Will involve uses, activities, process, materials, equipment and conditions of and operation that will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor;
7. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public thoroughfares.

At the present time, vehicles can enter the site from any point along the lot frontage from U.S. 42. This lack of a designated curb cut does not meet the minimum requirements of the Zoning Regulations.

The Board must also consider specific criteria which apply to Conditional Uses in A-2 zoning districts:

- a. The activity is an integral and subordinate function of a permitted use; or
- b. The activity will not contradict the low density character of the district; and

The maximum intensity of development in an SR-1 zoning district is four unites per acre. The proposed Conditional Use does not exceed this requirement.

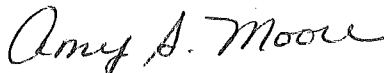
- c. The arrangement of uses, buildings, or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

STAFF CONCERNS:

1. Staff would like to ensure that an adequate septic system is provided for the site. The Board may want to consider requiring the applicant to submit approval by the Northern Kentucky Health District prior to building occupancy.
2. If the Conditional Use Permit is approved, the applicant will be required to receive Site Plan approval from the Boone County Planning Commission.

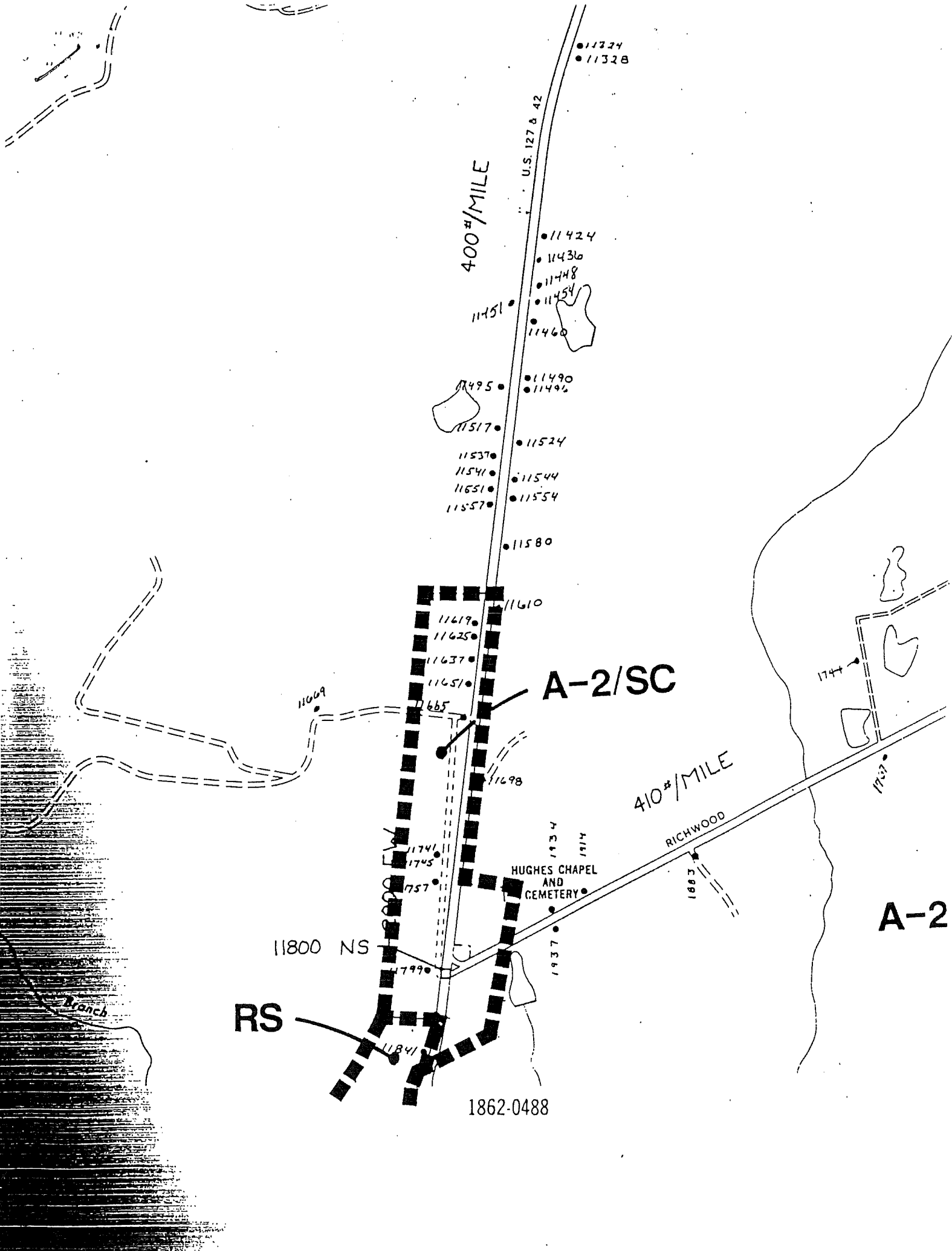
Attached to the Staff Report is a copy of a portion of the 1991 Boone County Zoning Map illustrating the location of the site. Also attached is a letter written of behalf of the property owner.

Respectfully submitted,



Amy S. Moore
Planner II

ASM:kat



•11324
•11328

400#/MILE

U.S. 127 & 42

•11424
•11436
•11448
•11454
•11460

11451

11495
11517

•11490
•11496

•11524

11537
11541
11544
11551
11557

•11544
•11554

•11580

11610

A-2/SC

410#/MILE

RICHWOOD

HUGHES CHAPEL AND CEMETERY

A-2

RS

11800 NS

1862-0488

Branch



June 18, 1992

Kevin P. Costello
Assistant Director, Zoning Administrator
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

Dear Kevin:

I am representing Mr. Daniel Tackett in the sale of his property on 11625 Highway US 42, Union, presently known as "Moore's Bait Shop." The bait business is no longer in operation and the building has been vacant since mid 1991.

Mr. Arnold Hayes has agreed to purchase the above building and land and use it to run a taxidermy business along with the sale of leather goods and novelties. No exterior changes to the existing building is planned at this time.

I am requesting you to ascertain what is required for Mr. Hayes to operate his proposed business from the subject property on Highway US 42. I filled out the attached application form to give you sufficient data. A picture of subject property is also attached for your reference.

Please advise me if the proposed business will fit the existing zoning, or, if it will not, what should our next step be in order to comply with Boone County's zoning regulations. I can be reached at (606) 525-6777. Our address is Century 21 Garner & Krumpelman, 7308 Dixie Highway, Florence, Kentucky 41042.

Thank you.

Sincerely yours,
Harry Gauspohl
Harry Gauspohl
Century 21 Garner & Krumpelman

Encl.

HWG/jw

COPY

NO. 92-BCBOA-014-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Daniel D. Tackett
8009 Wilnoty Drive
Knoxville, Tenn. 37931

2. ADDRESS OF PROPERTY

11625 Hwy U.S. 42
Union, KY 41091

3.

NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)
N/A

DEED BOOK: 460

PAGE NO.: 133

GROUP NO.:2068

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

- Zoning Map Amendment from _____ to _____ Conditional Use Permit
- Development Plan Conditional Zoning Condition
- Subdivision Plat (unrecorded) Other: (Specify)
- Variance

5. 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
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

Amy S. Moore
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

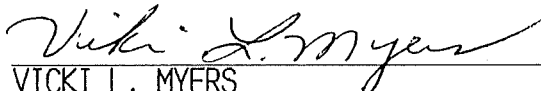
Subscribed, sworn to, and acknowledge before me by Amy S. Moore
on behalf of the Boone County Planning Commission this 15th day
of September, 1992.


VICKI L. MYERS
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:


VICKI L. MYERS
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

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

BCPC 01/89

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of July 8, 1992, (Certificate of Land Use Restriction #92-BCBOA-014-A), for Daniel D. Tackett, property owner.

The Conditional Use Permit was approved subjected to the following conditions:

"Mr. Ryan moved that the Conditional Use Permit be granted and that a period of up to two years be allowed to improve the parking lot."

"Mr. Gauspohl stated that he was told that the Health Department talked to Mr. Tackett and told him there was no problem to run a line to the inactive tank. He stated that they can get this in writing from the Health Department."

"Mr. Ryan added a condition that they get the letter form the Health Department as described by Mr. Gauspohl. They are to have adequate septic system and provided a copy of the Health Department permit to the Planning Commission."

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 460 PAGE NO. 133 Group No. 2068