

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

MAY 19 1993

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. (Check One)
 Boone Florence Walton Union
 (Check One)
2. Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant's Name Robert W. Eubank
 Phone Number 371-4553 Fax No. _____
 Applicant's Address 10135 DIXIE HWY
FLORENCE KY 41042
 City State Zip
4. Description of Request: TO UTILIZE MY C-1
SETBACKS OF 5' ON SIDES. WE NEED A
VARIANCE ON THE LANDSCAPE BUFFER NOW IN
AFFECT.
5. Name of Development _____
6. Location of Development _____
7. Acreage Under Review No
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property ABOVE
 Phone Number of Owner _____
10. Address of Property Owner ABOVE
 City State Zip
11. Proposed Use(s) on Site No Change
 City State Zip
12. Total Square Footage of Existing and/or Proposed Buildings
960 sq ft. Existing / ADDITION OF 1820 sq ft.
13. Current Zoning on Property C-1
14. Deed Book 304 Page No. 309 Group No. 2058
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. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.
 Applicant's Signature: Robert W. Eubank
 Property Owner's Signature: Robert W. Eubank

(over)

BOARD OF ADJUSTMENT AND
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APPLICATION
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SECTION B (To be completed by the Boone County Planning
Commission Staff)

1. Date Received 5-19-93 Fee Received 461.⁰⁰ R¹ 1401
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 6-9-93
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: See Minutes

7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

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

DEVELOPMENT: B & E

APPLICANT: Robert W. Eubank

LOCATION: 10135 Dixie Highway
ZONING: Commercial One (C-1)

DATE: June 9, 1993

The applicant is requesting a Variance to permit the construction of an 1820 square foot building addition within the required landscape buffer. The current 960 square foot building is located off of US 25 on an approximately .25 acre site (see sheet #1). The property is owned by Robert W. Eubank.

Article 31, of the Boone County Zoning Regulations requires a 20 foot buffer between residential uses and a C-1 zone. Greenlawn Mobile Home Park is located to the west and south of the applicants property and therefore, requires a 20 foot buffer to the south and west property lines. The applicant is requesting to use 15 feet of the required 20 foot buffer on the south property line (see sheet #2).

Surrounding Zoning and Land Uses (see sheet #3)

North: Hair Salon zoned C-1
South: Greenlawn Mobile Home Parks zoned MPH
East: Car Wash and Laundry Mat zoned C-1
West: Greenlawn Mobile Home Park zoned MHP

There is an existing line of pine trees approximately 8-12 feet in height which provide partial screening along the south property line on the Greenlawn MHP property. The distance between the mobile homes and the proposed building addition is approximately 100 feet. Therefore, the reduction of the bufferyard would have little impact on the adjoining residential homes to the south.

Staff Concern

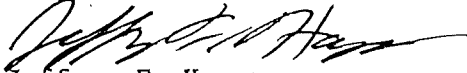
1. The zoning regulations require 1 parking space per 250 square feet of gross floor area. The applicant's proposed building addition will total 2780 square feet and will require 11 parking spaces. Staff believes, that these parking spaces cannot be accommodated on the site as proposed. Therefore, the size of the building addition will have to be reduced or a waiver reducing the required number of parking spaces will be needed from the Zoning Administrator.

2. If this variance is granted a row of 6 feet high, 10 feet on center, pine trees should be planted along the applicants south property line. This row of pines combined with the existing row would create an effective screen.
3. Site Plan review will be required for any addition that is proposed to be build.

Conclusion

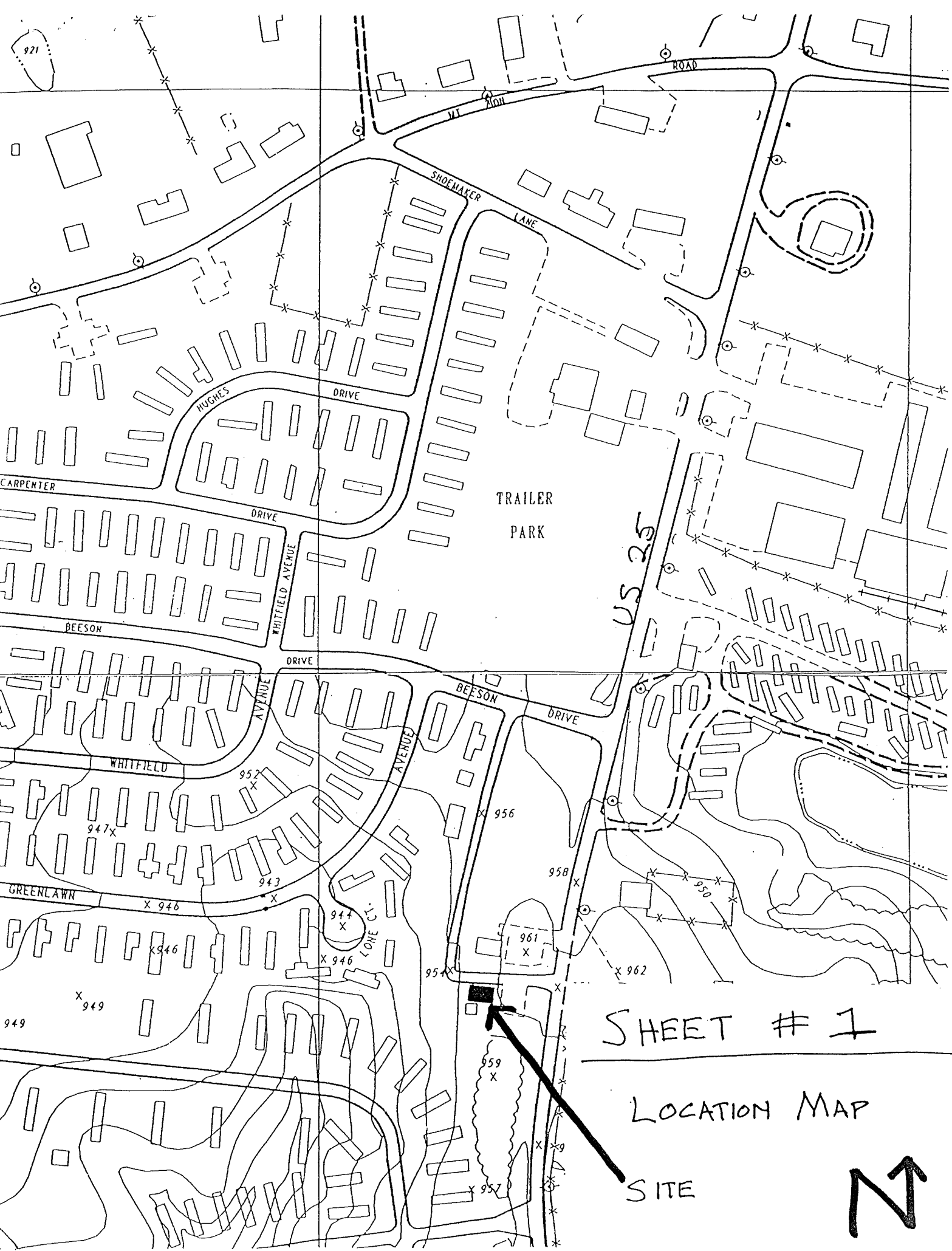
Staff believes that the proposed variance will have little impact on the character of the area and will not cause a hazard or a nuisance to the public if proper screening is planted to buffer the residences to the south.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I

JFH\par



921

ROAD

SHOEMAKER LANE

HUGHES DRIVE

CARPENTER DRIVE

DRIVE

TRAILER PARK

US 25

BEESON DRIVE

WHITFIELD AVENUE

DRIVE

BEESON DRIVE

DRIVE

WHITFIELD AVENUE

952

956

958

950

947

943

946

944

954

961

962

946

949

959

957

SHEET # 1

LOCATION MAP

SITE



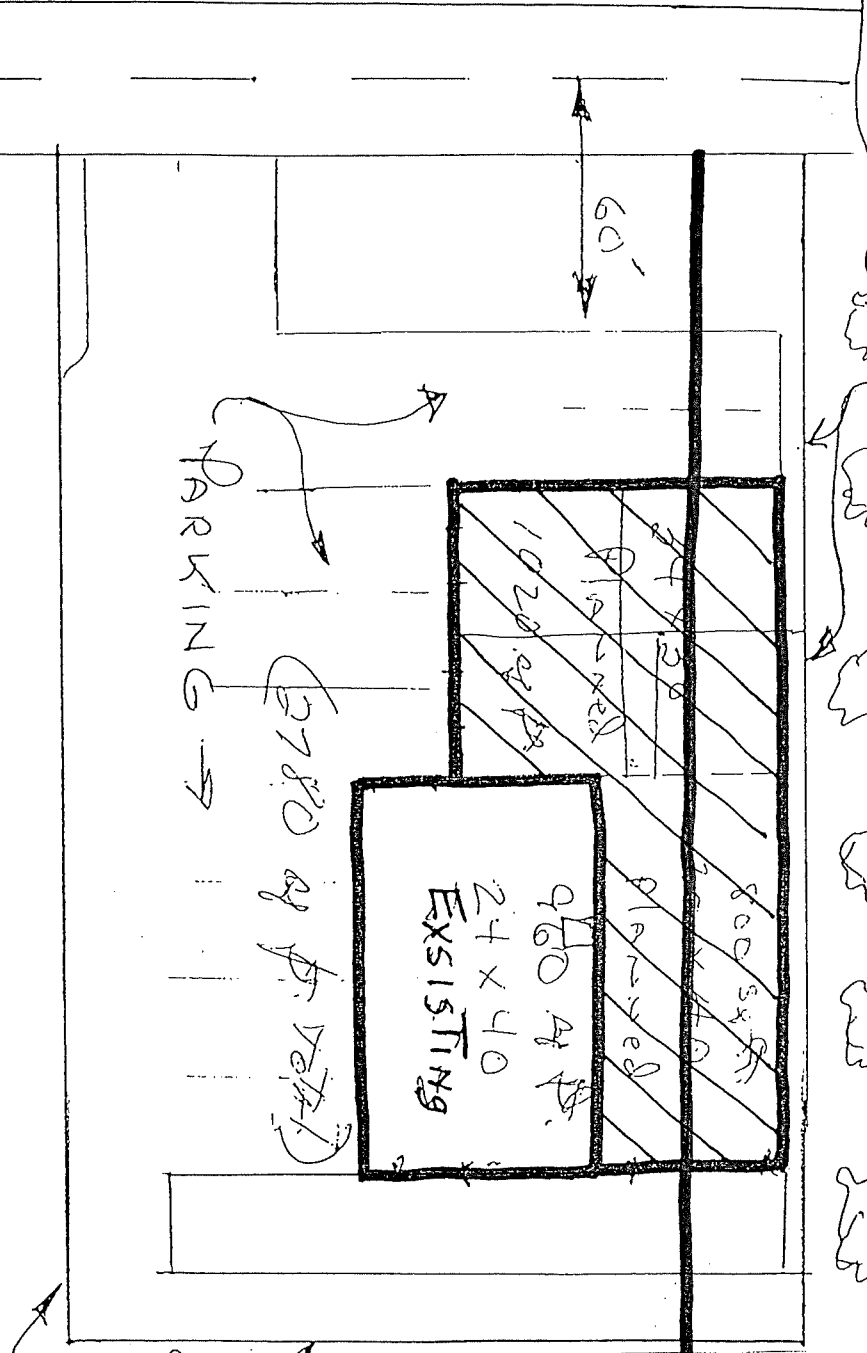
KODNEY LAIN
445 Bristow
INDEPENDENCE, KY.
41051

C-1
Zone

US 25

C-1
Zone

Cornie Marshall
10127 DIXIE
FLORENCE, KY
41042



Existing
Pine
Trees

Ph

MHP
Zone

RAWN ASSOC
PINE CIRCLE
H.

PARKING

(3780 sq ft)

24 x 40
EXISTING

APPROXIMATE
BUFFER
REQUIRED

SHEET # 2

SITE PLAN

ADDITION



COPY

NO. 93-BCBOA-011

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Robert W. Eubank
10135 Dixie Highway
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

10135 Dixie Highway
Florence, Kentucky 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

DEED BOOK: 304

PAGE NO.: 309

GROUP NO.: 2058

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)

X 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


SIGNATURE OF COMPLETING OFFICIAL

Jeffrey F. Hayes/Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of June 9th, 1993, (Certificate of Land Use Restriction # 93-BCBOA-011), for Robert W. Eubank, property owner.

The Variance be granted subject to the following conditions:

1. Subject to Site Plan Review, that the Zoning Administrator work out the parking spaces, and that the screening be provided as described in the Staff Report.

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 304 PAGE NO. 309 Group No. 2058