

APPLICATION FORM  
**BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION**

JUN 22 1993

(See Boone County Zoning Regulations)

**SECTION A** (To be completed by applicant)

- (Check One)
1.  Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- (Check One)
2. \_\_\_\_\_ Conditional Use Permit ~~\_\_\_\_\_~~ Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
 Change in Non-Conforming Use \_\_\_\_\_
3. Applicant's Name William E. Glass  
Phone Number 252-0231 or 525-6053 Fax No. \_\_\_\_\_  
Applicant's Address 10693 Dixie Hwy  
WALTON KY 41074  
City State Zip
4. Description of Request: This property approved  
for used car sales
5. Name of Development Grubbs Sub.
6. Location of Development 1000' North of FROGTOWN Rd.  
on US-25
7. Acreage Under Review Lot # 7 225x200
8. Lot Number and Name of Subdivision (if part of a subdivision)  
LOT # 7 GRUBBS Subdivision
9. Owner of Property William E. Glass  
Phone Number of Owner 252-0231 or 525-6053
10. Address of Property Owner 10693 Dixie Hwy  
WALTON KY 41074  
City State Zip
11. Proposed Use(s) on Site Used Car Lot  
Presently has truck cap & camper sales
12. Total Square Footage of Existing and/or Proposed Buildings  
House 24x22, Garage 20'x30' Office 12'x18'
13. Current Zoning on Property ~~RS~~ SR-1
14. Deed Book 114 Page No. 266 Group No. 202
15. Is the site subject to a zone change? see item 13  
If yes, give date of approval \_\_\_\_\_
16. Have you submitted a Site Plan with this request?
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: William E. Glass  
Property Owner's Signature: William E. Glass

(over)

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

**SECTION B** (To be completed by the Boone County Planning  
Commission Staff)

1. Date Received June 22, 93 Fee Received 356<sup>00</sup> R# 1663
2. Is application complete? Yes Yes \_\_\_\_\_ No \_\_\_\_\_
3. Staff Reviewer [Signature]
4. Scheduled Board Action Date 9/8/93 -
5. Board Action:  
 Approved  
 Approved with Conditions (See #6)  
 Denial (See #7)
6. Conditions of Approval: see attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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: Grubbs Sub.  
APPLICANT: William E. Glass  
LOCATION: 10693 Dixie Highway, U.S. 25  
ZONING: Suburban Residential One (SR-1)  
DATE: July 14, 1993

The applicant is requesting a change in a Non-Conforming Use to allow the sale of automobiles on a one plus acre tract located at 10693 Dixie Highway, Boone County, Kentucky (see Sheet #1). The property is zoned Suburban Residential One (SR-1) and is owned by the applicant-William E. Glass.

ARTICLE 2, SECTION 273 reads as follows:

Change from One Nonconforming Use to Another

The Board of Adjustments and Zoning Appeals shall have the power to hear and decide on applications to permit a change from one nonconforming use to another.

The Board shall not permit such a change unless the new nonconforming use is as equally or more compatible with permitted uses in the district in which it is located as the existing nonconforming use. Application for change of nonconforming use shall conform to the procedures and requirements for appeals as specified in Secitons 245-254, inclusive, of this order and Kentucky Revised Statutes, Section 100.253.

The Board shall not allow any changed nonconforming use to be increased or enlarged, nor extended to occupy a greater area of land than was occupied by the original nonconforming use. In permitting such change, the Board may require appropriate conditions and safeguards in accord with other provisions of this order.

The site is presently being used by the applicant for truck cap and camper sales. The applicant reports that this site was previously used for Dixie Used Cars. Applicant states that he intends to move the mobile home and tool shed presently on the site.

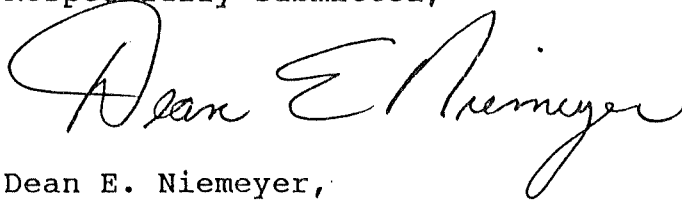
### Staff Concerns

Staff believes that used car sales would be "as equally or more compatible with permitted uses in the district." Staff concerns are about how many cars the applicant intends to have on the lot; where will they

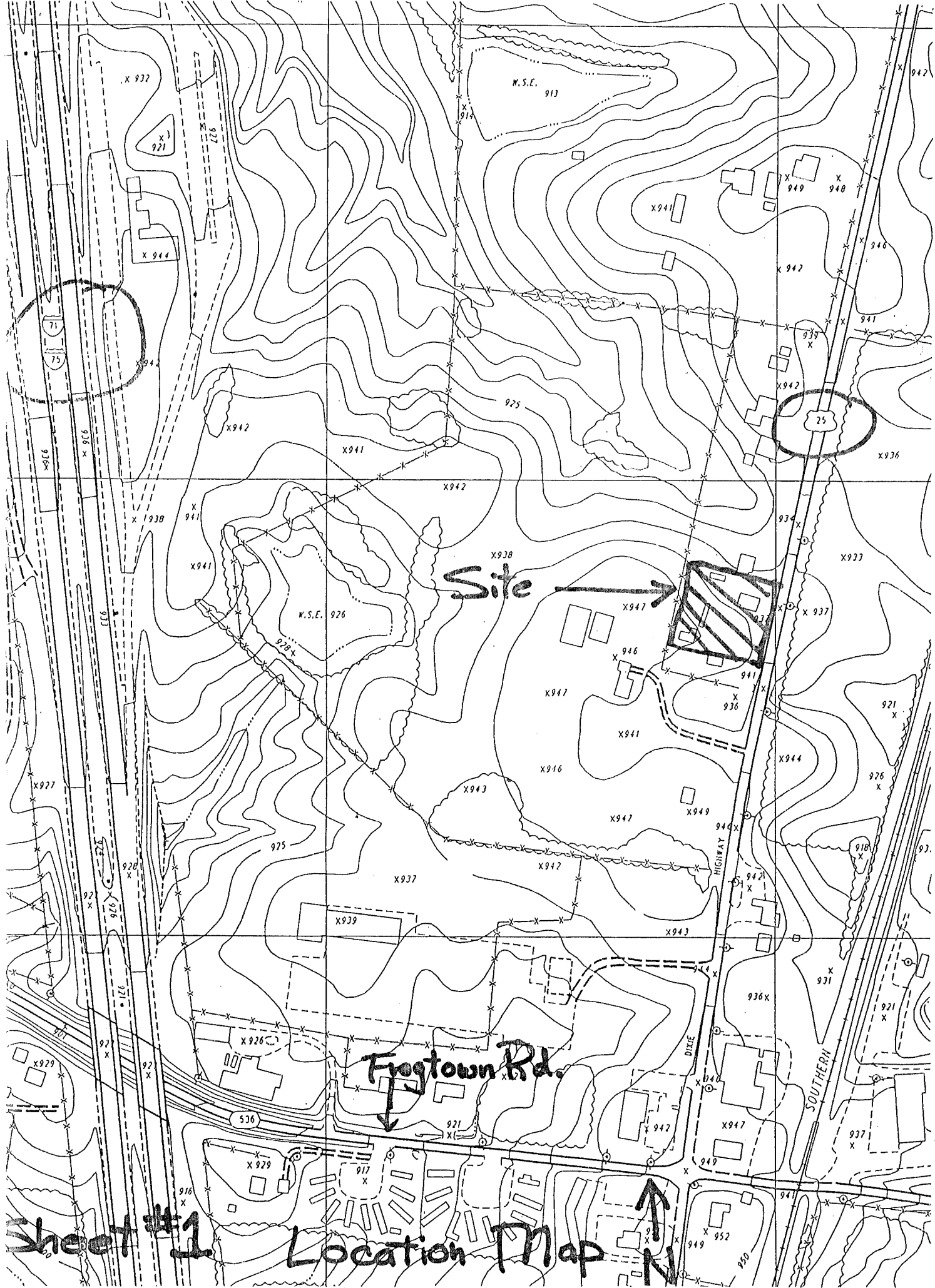
Page 2

be situated; and does the applicant intend to have a car repair business on the site also? The applicant's drawing of the site (see Sheet #3) shows the buildings but not the fenced in area. Does the applicant intend to have the used cars behind in the fenced in area? Staff believes applicant should clarify these questions about his intentions.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dean E. Niemeyer". The signature is written in black ink and is positioned to the right of the typed name.

Dean E. Niemeyer,  
Planning Assistant



Sheet #1

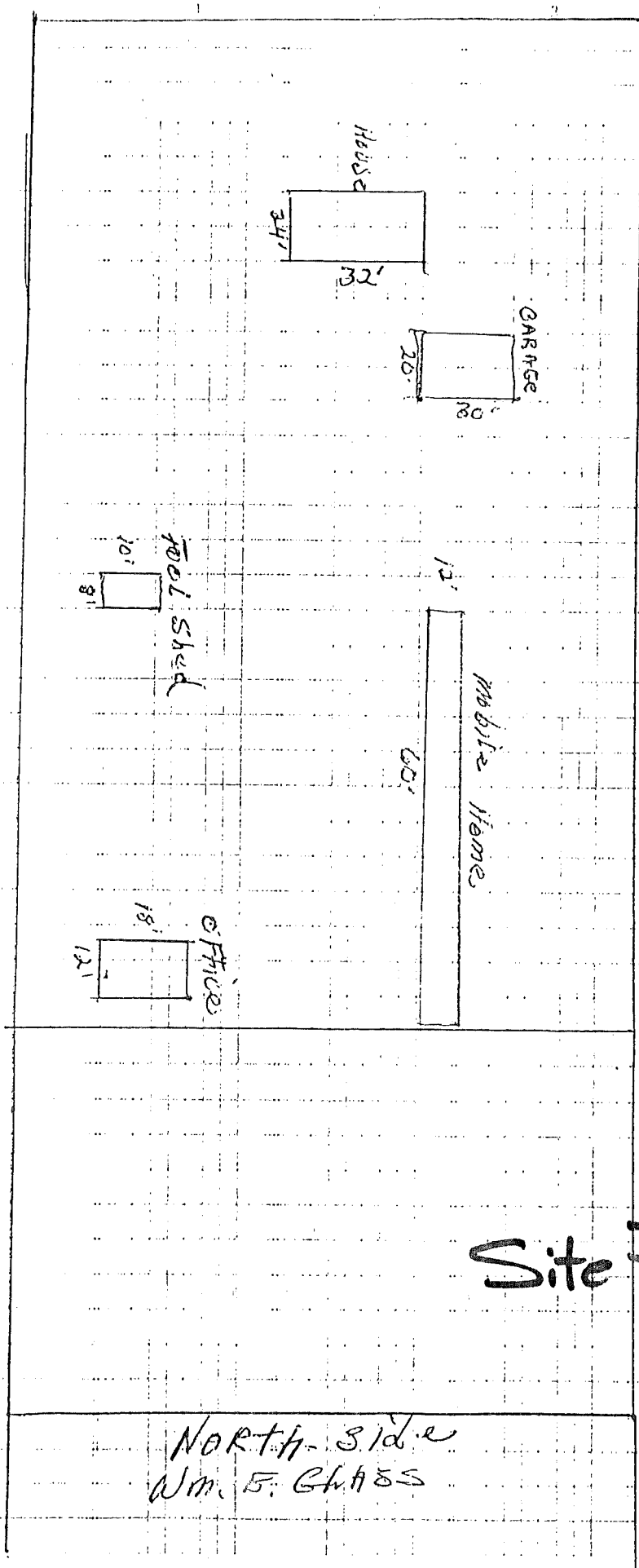
Location Map





10729 DIXIE Hwy  
WALTON, KY 41094

West side  
Florida Kebab



Site Plan

North side  
Wm. B. Glass

US 25

East side

8301 Dixie Hwy  
OWNERS

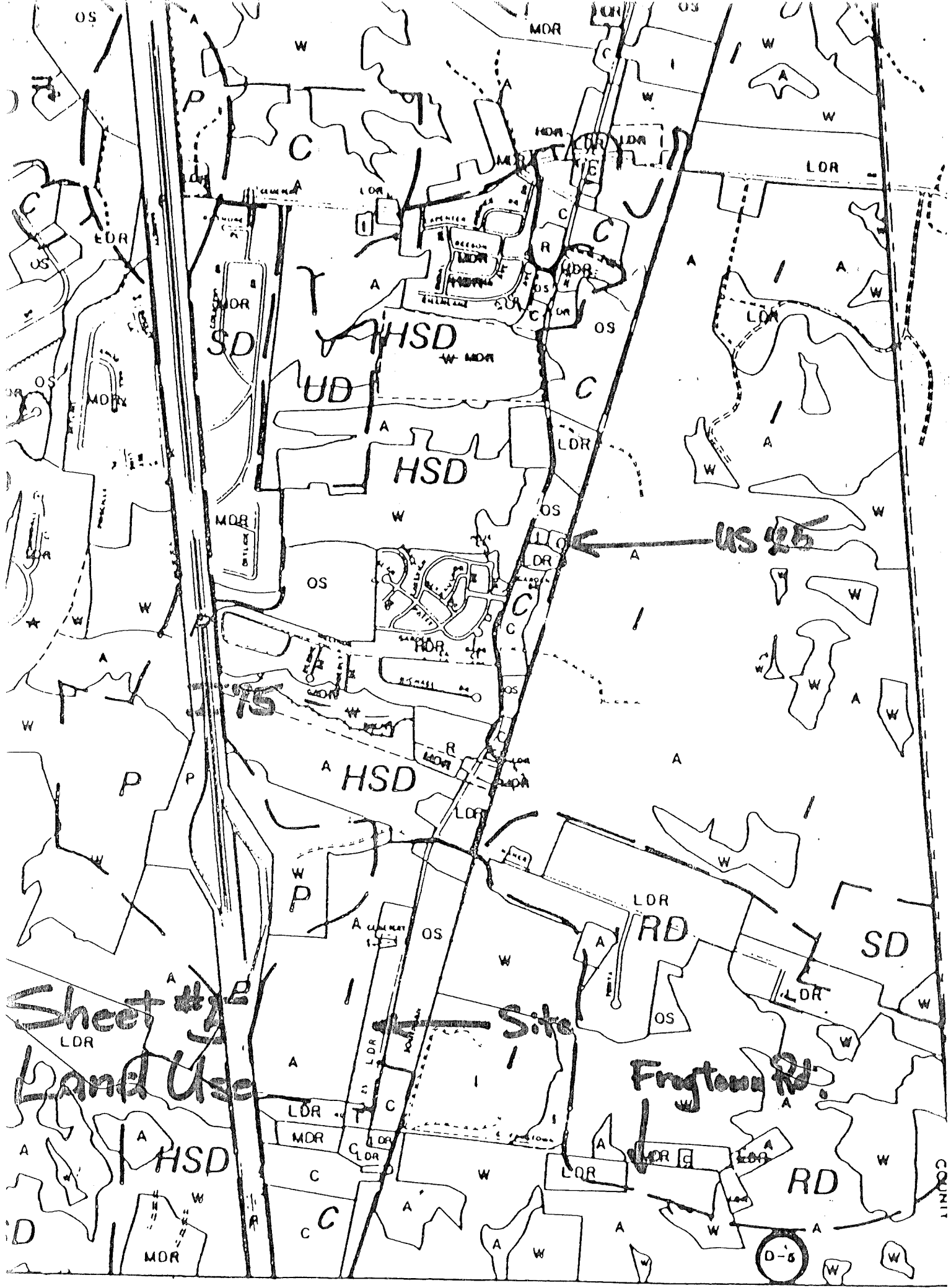
B12 CARO - WILSON WAY P1B6  
Florence KY

Notes: 10/20/21

Sheet #3

GARAGE IS EQUIPPED WITH TOOLS FOR CAR REPAIR  
MOBILE HOME WILL BE MOVED  
TOOL-SHED WILL BE MOVED  
THIS LOT WAS PREVIOUSLY USED FOR DIXIE USED CARS.

Sheet #4



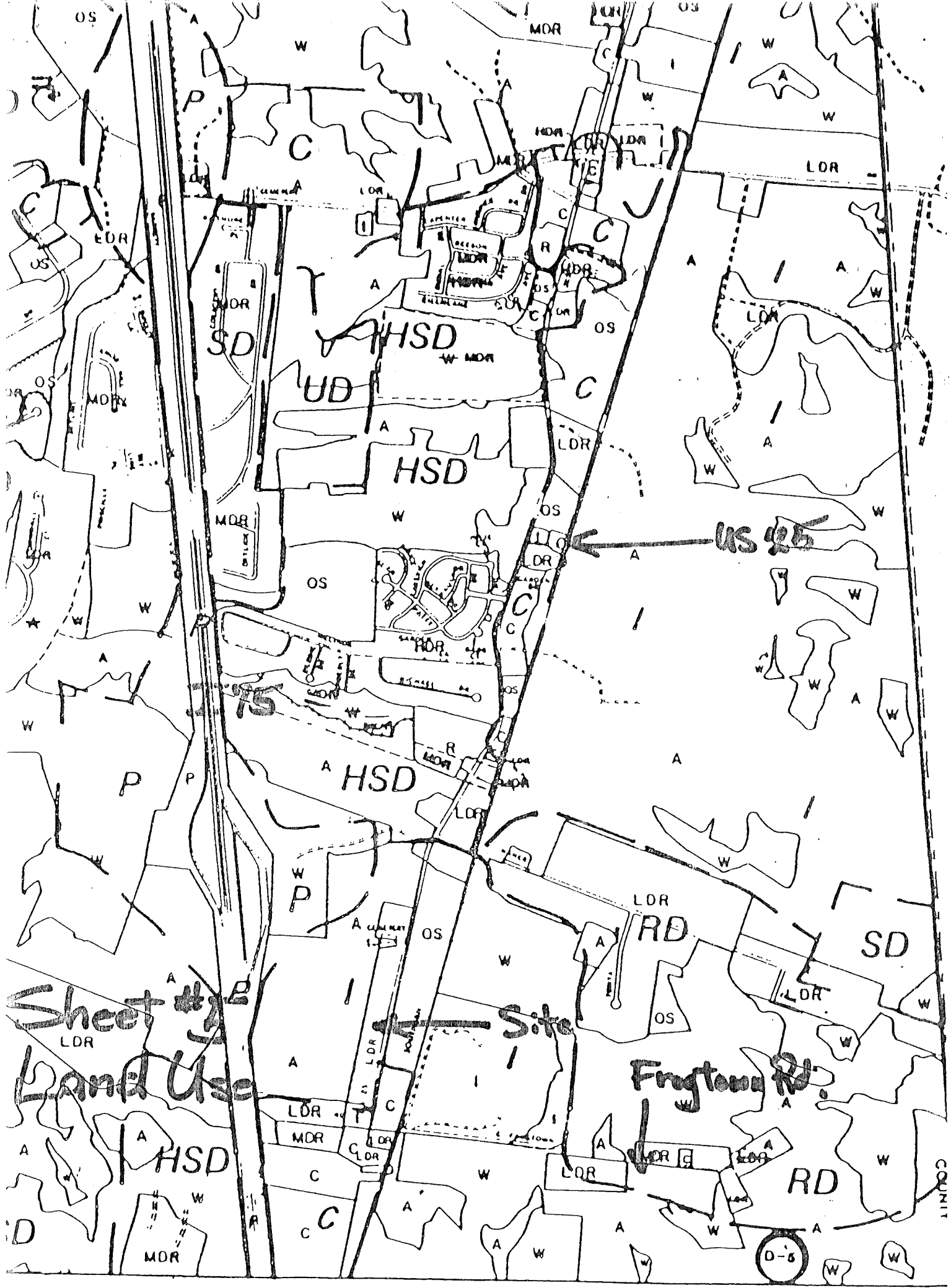
Sheet #1  
Land Use

Site

Frytown Rd.

D-8

COUNTY



# COPY

NO.93-BCBOA-019-A

## CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)  
William E. Glass  
10693 Dixie Highway  
Walton, Kentucky 41094
2. ADDRESS OF PROPERTY  
10693 Dixie Highway  
Boone County, Kentucky
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
\_\_\_\_\_

DEED BOOK: 114

PAGE NO.: 266

GROUP NO.: 2058

4. TYPE OF RESTRICTION (S) (Check all that apply)
- |       |   |          |  |
|-------|---|----------|--|
| _____ | Zoning Map Amendment<br>from ___ to _____ | _____    | Conditional Use Permit                 |
| _____ | Development Plan                          | _____    | Conditional Zoning<br>Condition        |
| _____ | Subdivision Plat<br>(unrecorded)          | <u>X</u> | Other: Change in<br>Non-Conforming Use |
| _____ | 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

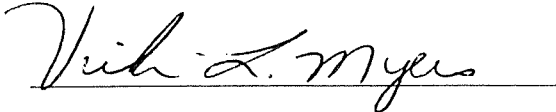
  
\_\_\_\_\_  
SIGNATURE OF COMPLETING OFFICIAL

Dean Niemeyer, Planner 1  
\_\_\_\_\_  
NAME AND TITLE OF COMPLETING OFFICIAL  
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Dean Niemeier on behalf  
of the Boone County Planning Commission this 3rd day  
of January, 1994.



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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Change in a Non-Conforming Use

as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of September 8, 1993, (Certificate of Land Use Restriction # 93-BCBOA-019-A), for William E. Glass, property owner.

The following conditions apply:

The approved Change in a Non-Conforming Use as well as the preceding conditions apply to the property described in: DEED BOOK 114 PAGE NO. 266 Group No. 2058