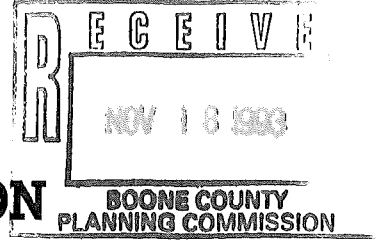


APPLICATION FORM
**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION**



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. (Check One) Boone _____ Florence _____ Walton _____ Union _____
 (Check One)
2. _____ Conditional Use Permit _____ Variance _____ Appeal _____
 Change in Non-Conforming Use
3. Applicant's Name DAVID M. & SCOTT K. SALADIN
 Phone Number (606) 586-1039 or 1045 Fax No. _____
 Applicant's Address 2268 Kyle Dr.
HEBRON Ky 41048
 City State Zip
4. Description of Request: SEE ATTACHED DRAWINGS AND NOTES, PROPERTY TO BE USED BY SMALL UNEMPLOYMENT CONSTRUCTION CO. FOR STORAGE OF SMALL TOOLS, SMALL EQUIPMENT AND VEHICLES NOT BEING USED ON JOB (26000 LB LIMIT) AND AT TIMES, PARKING FOR FOUR EMPLOYEES. MOUND WORKING HOURS 9:00 AM TO 3:00 PM MON-FRI.
5. Name of Development 1820 CONRAD LANE
6. Location of Development BURLINGTON, KY.
7. Acreage Under Review 1.25 ACRES
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot # 15 LOFTIN SUBDIVISION
9. Owner of Property PAUL T. & BELINDA G. MC CAULY
 Phone Number of Owner (606) 371-7753
10. Address of Property Owner 5853 LINDAVUE RD.
BURLINGTON KY 41005
 City State Zip
11. Proposed Use(s) on Site SEE & ABOVE AND ATTACHED DRAWINGS.
12. Total Square Footage of Existing and/or Proposed Buildings
RESIDENCE 980, EXIST. GARAGE 1400, STORE BLDG 208 TOTAL 2788 SF.
13. Current Zoning on Property R5
14. Deed Book 406 Page No. 221 Group No. 2019
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? YES
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: [Signature]
 Property Owner's Signature: [Signature]

(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 11-18-93 Fee Received 366.⁰⁰ R#2690
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 12-2-93
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: Construction Company
APPLICANT: David & Scott Saladin
LOCATION: 1820 Conrad Lane
ZONING: Rural Suburban (RS-1)
DATE: December 8, 1993

The applicant is requesting a Change in Non-Conforming Use to allow the site to be used for a small construction company that installs underground piping. The site will primarily be used to store small tools, small equipment and vehicles that are not being used on job sites. In addition, there may be up to four (4) spaces used for employee parking (see sheet #1).

The site which is located off of Conrad Lane on a 1.25 acre tract of land is currently used for a multiple number of uses (see sheet #2), and contains an existing residence and a two bay garage. The rear portion of the site is used for outside storage of miscellaneous parts and junk, and there are trucks and equipment which are sometimes stored on the site.

Article 34, Section 273 of the Boone County Zoning Regulations permits the Board of Adjustment 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.

In addition, 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.

Surrounding Land Uses and Zoning (see sheet #3)

North: Vacant wooded area zoned RS
South: Residences and Dartmouth Woods Sub. zoned SR-1
East: Residences zoned RS
West: Residences zoned RS

The Boone County Comprehensive Plan text does not make specific mention of the site. However, the future land use map indicates that the area should develop as suburban density residential with industrial to the northeast of the site.


Staff Concerns

1. Special consideration should be given to the hours of operation and the extent of this operation compared to the existing operation. Also, the appearance of this operation to the existing residences in the area and the future residences in Dartmouth Woods should be taken into consideration.
2. The site currently has areas which contain outside storage in the rear portion of the site. These areas are not screened from view of surrounding residences or Conrad Lane. Therefore, to make the site more conforming and compatible with the surrounding residential uses, screening should be installed which hides the view of outside storage and equipment from the adjoining residences and public right of way.
3. Staff is concerned that the outside storage will be on a gravel surface which would not be permitted if the use was not pre-existing. Therefore, staff would recommend that the area be paved in phases or at a minimum that the entrance driveway be paved to control dust and dirt onto Conrad Lane. This would require site plan review.
4. The use of the garage should be controlled and not permitted to become a garage for repairs of other vehicles or equipment not used for the proposed construction business. Also, consideration should be given to the existing residence and the possibility of this residence becoming an office and the impacts this may have.
5. Limits should be established on the number of automobiles and equipment that can be stored on the site. Also, all vehicles should be stored in either the side or rear of the site as far from Conrad Lane as possible and screen from view as much as possible.

Conclusion

Staff believes, that the proposed use of the site is similar to the existing use, however, because the location of this proposed business is within a residential neighborhood every consideration should be given to making this site more compatible with the surrounding residential properties. Proper screening, set hours of operations, improvements in the surfaces within the site and the careful location of equipment and storage would help to make the proposed use more compatible with the permitted uses within the RS zoning district.

Respectfully Submitted,

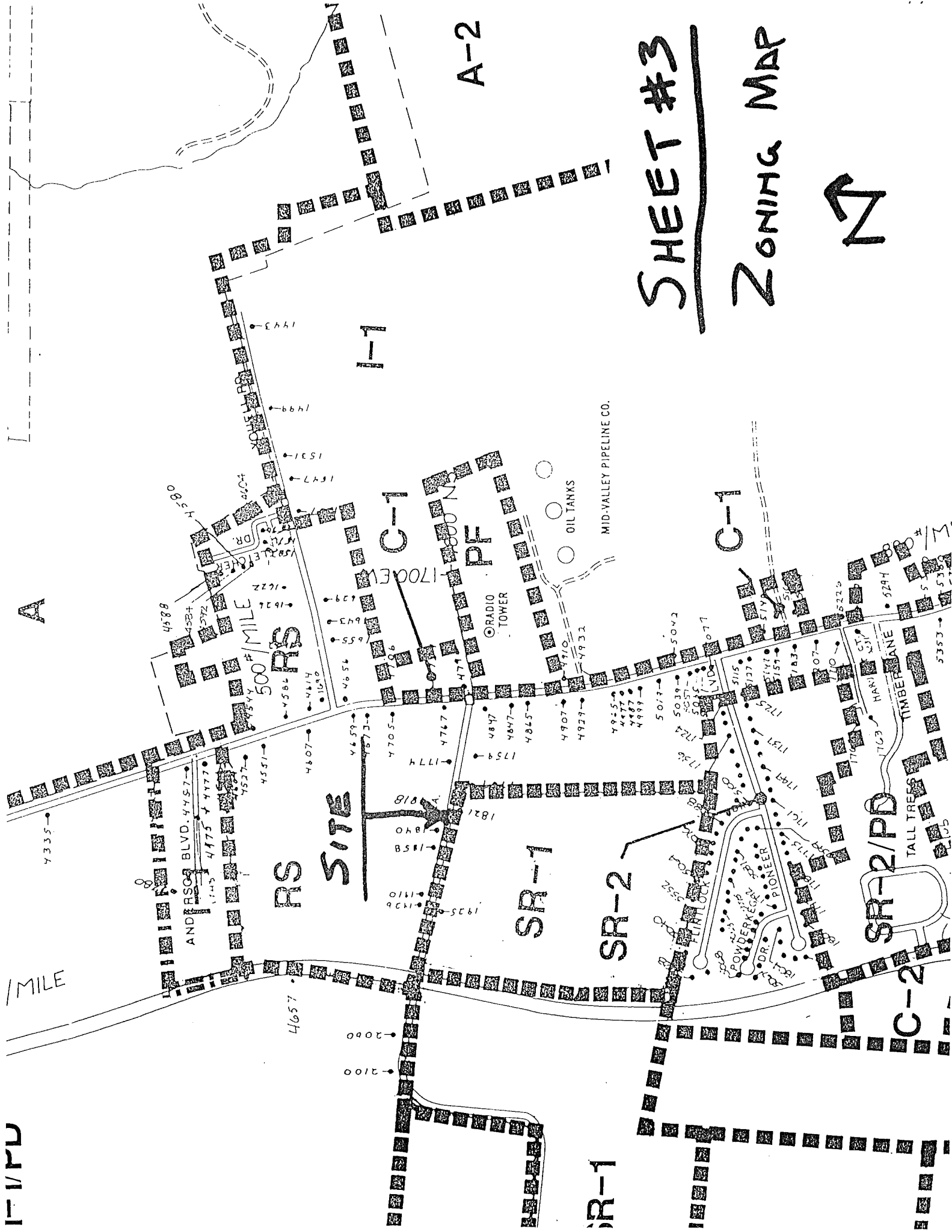

Jeffrey F. Hayes
Planner I

JFH\rct

1/4

1/4 MILE

A



SHEET #3

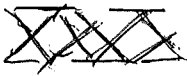
ZONING MAP



EXISTING FARM FENCE
 APPROX. PROPERTY LINE

EX. WOOD FENCE

LEGEND & EXPLANATIONS



IMMEDIATE ADDITIONAL STONE
 BOTH NORTH AND SOUTH SIDE

- [E] EMPLOYEE VEHICLES
- [VAN] SINGLE AXLE VAN
- [DZ] DUMP TRUCK SINGLE AXLE 26000# LIMIT
- [DP] 450C BULL DOZER - LANDSCAPE TYPE
- [6WAY] 6 WAY BLADE
- [H] 410C JOHN DEERE BACKHOE LOADER (NORMALLY ONLY 1 AT SHOP)
- [T] 2 TON LIMIT TRAILER (DRAG)

OFF GARAGE
 20 TONS EACH SAND & GRAVEL
 MISC PIPE STORAGE TO MASS' HIGH.
 (SEE DETAIL BELOW) PLANTING SCREEN USING DOUBLE ROWS OF 5'-6' EVERGREENS

① DOUBLE TAR & CHIP COAT. FIRST HOLE
 PROPOSED 6' HIGH CHAIN LINK FENCE WITH IVY.

PROPERTY AT 1820 CONRAD LN.
 BOONE CO. KY.

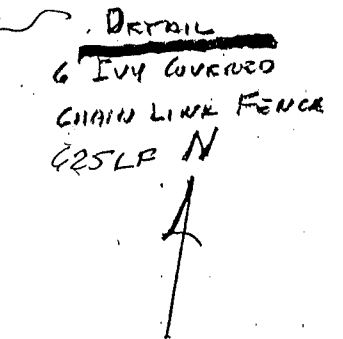
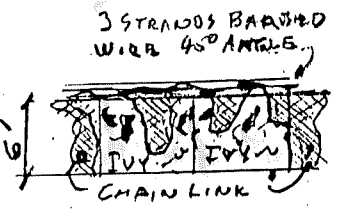
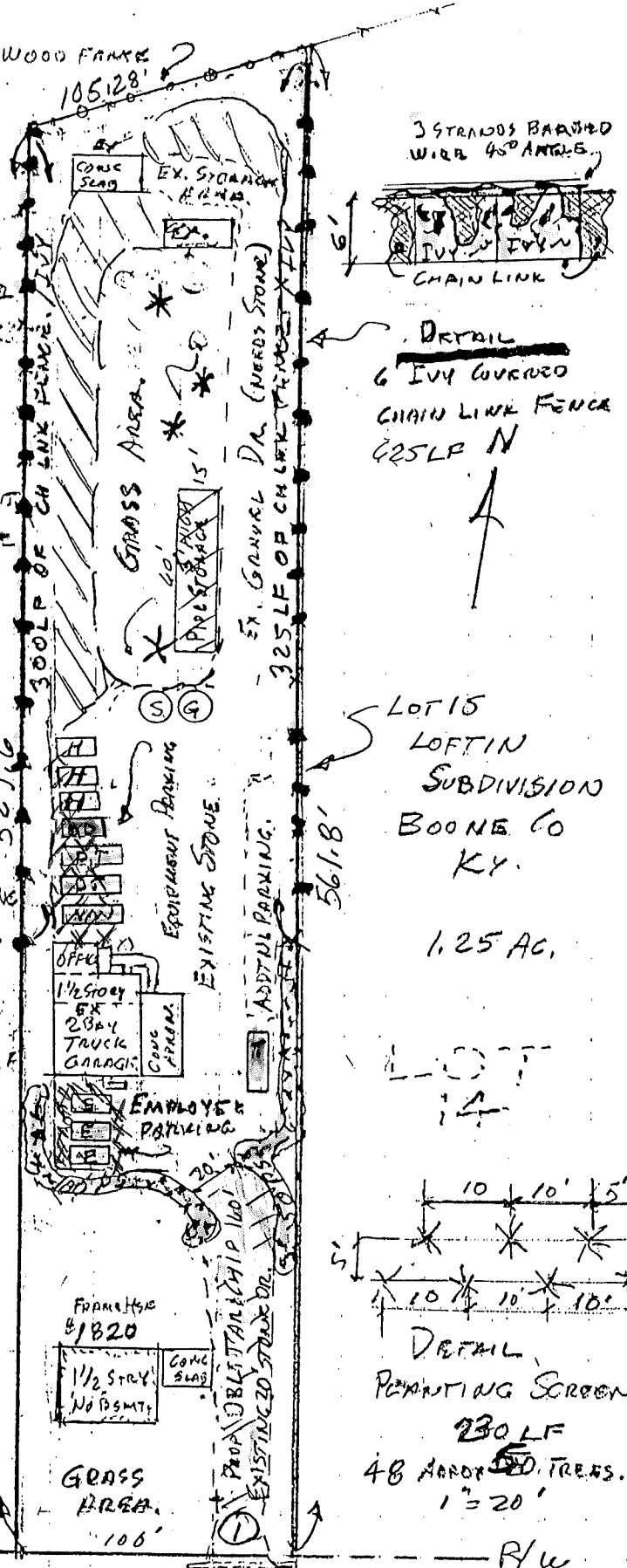
MIKE SALADIN
 2268 Kyle Dr.
 Hebron, KY 41048

(DAVID M. & SCOTT K. SALADIN)

586-1038 or 1045

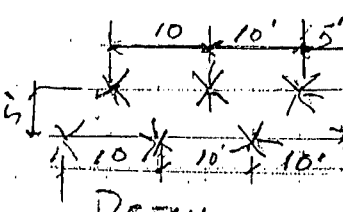
APPROX SCALE 1" = 60'

11-06-93 REV. 12-22-93



LOT 15
 LOFT IN
 SUBDIVISION
 BOONE CO
 KY.
 1.25 AC.

LOT 14



CONRAD (BITM. PUNT.) LANE EP.
 ← TO KY 237 TO LINABURG RD. →

1820 CONRAD LN.
 RATES FOR ALL ESTIMATES.
 INCLUDING MATERIAL AND LABOR.

1-6-94

- 1) DOUBLE TAR & CHIP. - PAUL MICHAELS PAVING \$4.00/SY.
- 2) 6' HIGH CHAIN LINK FENCE WITH 3 STRANDS BARBED WIRE.
 MILL FENCE CO. \$7.30/LF - FENCE NOT NEEDED ON REAR PROPERTY LINE
- 3) FLORENCE NURSERY - INCLUDES 1 YEAR GUARANTEE
 (17.00/LF) WHITE PINE 5' HIGH \$85.00/TREE (MAY NOT BE TALL ENOUGH)
 (21.00/LF) " " 6' HIGH \$105.00/TREE

BOSTON IVY FOR CHAIN LINK FENCE \$1.75/PLANT = 3.50/LF

- 4) CRUSHED LIMESTONE - JAY E. HARRIS CO. \$12.00/TON DOES NOT INCLUDE
 WASTING EXCESS SOIL CUT FROM SUBGRADE - IF ANY
 TONNAGE BASED ON AMOUNT REQUIRED FOR PARKING
 VEHICLES & EQUIPMENT NEXT TO GARAGE, ONLY.

1) DBL TAR & CHIP. $\frac{160LF \times 22LF}{95\%} = 391.11 SY = 390 SY$

$390 SY @ \$4.00/SY = \$1,560.00$

2) FENCE, (SEE PLAN) $(300' + 325') @ \$7.30/LF = \$4,562.50$
625 LF

3) LANDSCAPING - IVY FOR FENCE @ 6" OC
 $\frac{625 LF}{.5' OC} = 1250 PLANTS @ 1.70 = \$2,125.00$

PINE. 230 LF OF DOUBLE ROW PINES
 10' OC EACH ROW = 5' OC AVERAGE
 $\frac{230 LF}{5} + 2 = 48 TREES.$

5' HIGH 48 TREES @ \$85.00 = a) 4,080.00
 -OR-
 6' HIGH 48 TREES @ 105.00 = b) 5,040.00

4) CRUSHED LIMESTONE 165 TONS @ 12.00 = \$1,980.00

TOTALS. 1) THRU 4, a) 14,307.50
 " " 4, b) OR 15,267.50

COPY

NO. 94-BCBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Paul T and Belinda G McCarthy
5853 Limaburg Road
Burlington, Kentucky 41005

2. ADDRESS OF PROPERTY

1820 Conrad Lane
Hebron, Kentucky 41048

3.

NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)
David and Scott Saladin

DEED BOOK: 406

PAGE NO.: 221

GROUP NO.: 2019

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

_____ Zoning Map Amendment
from ___ to _____

_____ Conditional Use Permit

_____ Development Plan

_____ Conditional Zoning
Condition

_____ Subdivision Plat

X

Other: Change in 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

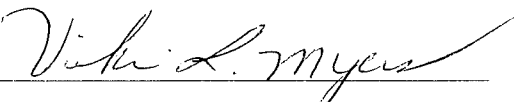

SIGNATURE OF COMPLETING OFFICIAL

Jeffery F. Hayes, 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 Jeffery F. Hayes on behalf
of the Boone County Planning Commission this 18th day
of July, 1994.

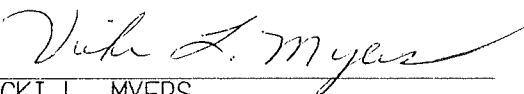


NOTARY PUBLIC, State at Large

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 Non-Conforming Use as approved by the Boone Board of Adjustments and in accordance with the current zoning in effect as of January 12, 1994, (Certificate of Land Use Restriction # 94-BCBOA-001-A), for Paul and Belinda McCarthy, property owner.

The Change In Non-Conforming Use be granted with the following conditions. (1). There would be no repair of vehicles other than company vehicles in the garage and it will not be a commercial repair garage; (2). That the tar and chip, green shrubbery around the parking area, and gravel in the parking area at the front and rear of the building will be done by Spring, 1994; and (3). The fence will be done with ivy no later than July 1, 1995.

The approved Change in Non-Conforming Use as well as the preceding conditions apply to the property described in: DEED BOOK 406 PAGE NO. 221 Group No. 2019