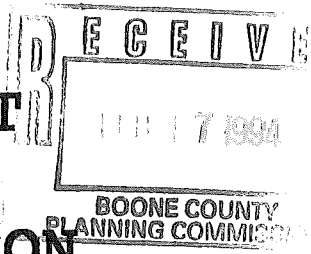


APPLICATION FORM
**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION**



(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 GREGORY LEE MYERS
 Phone Number (606) 485-6171 Fax No. _____
 Applicant's Address 128 S. MAIN ST.
WALTON KY 41094
City State Zip
4. Description of Request: TO LOCATE MYERS TRUCK & PARTS
AT 13316 SERVICE ROAD WALTON, KY 41094
5. Name of Development MYERS TRUCK & PARTS
6. Location of Development SERVICE RD. WALTON, KY
7. Acreage Under Review 2.16
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property EMPIRE GAS INC.
 Phone Number of Owner (606) 485-1133
10. Address of Property Owner 13316 SERVICE ROAD
WALTON KY 41094
City State Zip
11. Proposed Use(s) on Site PARTS SALES & REPAIRS
12. Total Square Footage of Existing and/or Proposed Buildings
BLOG 6250
13. Current Zoning on Property I-1
14. Deed Book 434 Page No. 218 Group No. 2082
15. Is the site subject to a zone change? _____
 If yes, give date of approval _____
16. Have you submitted a Site Plan with this request? Yes - Will Follow
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: _____
 Property Owner's Signature: William E. Evans
Empire Gas of Walton #430

(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 2/17/94 Fee Received 6/6.00/00
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
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: Meyers Truck and Parts
APPLICANT: Gregory Lee Meyers
LOCATION: 13316 Service Road, Boone County
ZONING: Industrial One (I-1)
DATE: March 9, 1994

The applicant is requesting a Conditional Use Permit to construct a 6,250 square foot building located on Service Road in Boone County, Kentucky (see sheet #1). The use would allow the sale of truck parts and the rebuilding of transmissions and rear ends for large trucks on a 2.16 acre tract of land (see sheet #2). The applicant's site is located within Boone County but is surrounded by the City of Walton. This particular parcel of property has not been annexed into the City of Walton.

The proposed use is permitted with a conditional use by the Boone County Zoning Regulations in Article 11, Section 1133, Item 5: Gasoline service stations and vehicle maintenance facilities. In determining the appropriateness of the use the Board must also consider:

- a) the activity is provided primarily in support of and obtains its trade from the employees of the district;
- b) the activity is of integral relation to the purpose of the district;
- c) the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district;
- d) provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Surrounding Land Uses and Zoning (see sheet # 3)

North: Empire Gas zoned (I-1)
South: Vacant property zoned Industrial One (I-1)
East: Vacant property zoned Industrial One (I-1)
West: Interstate 75/71 and Mills Fence zoned Commercial Three (C-3)

The Boone County Comprehensive Plan Future Land Use Map indicates the area as Industrial. The text does not specifically mention the site nor does it mention the area other than to say, that the Walton area should experience gradual commercial, residential, and industrial growth.

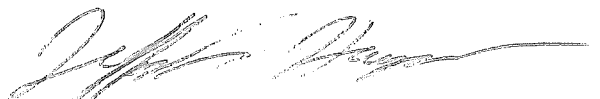
Staff Concerns:

1. The existing tree line which is located along Service Road should remain. This tree line creates a buffer between the proposed use and the public roadway.
2. Limits should be established on what and where items can be stored on the site to ensure that they are screened from public view.
3. This site will be required to go through the Major Site Plan Review procedure.
4. The retail sale of truck parts should be an incidental function of the business. This part of the proposed use should not be permitted to expand in scope or intensity to capitalize on the interstate exposure unless improvements are made on the Service Road. These improvements should include at a minimum upgrading the road to two lanes and improving the curves on the road.
5. Staff is concern with the current condition of Service Road and feels that special consideration should be given to the impact this use will have on this road.
6. The property will allow for ample expansion of this use on the site, therefore, staff believes that the scope of this business should be defined and possible limits be established which restricts the size and intensity of the business.
7. The Board should also examine what type of free-standing sign is appropriate for this site. The Boone County Zoning Regulations permit a sign of 150 square feet in size and 10 feet in height.

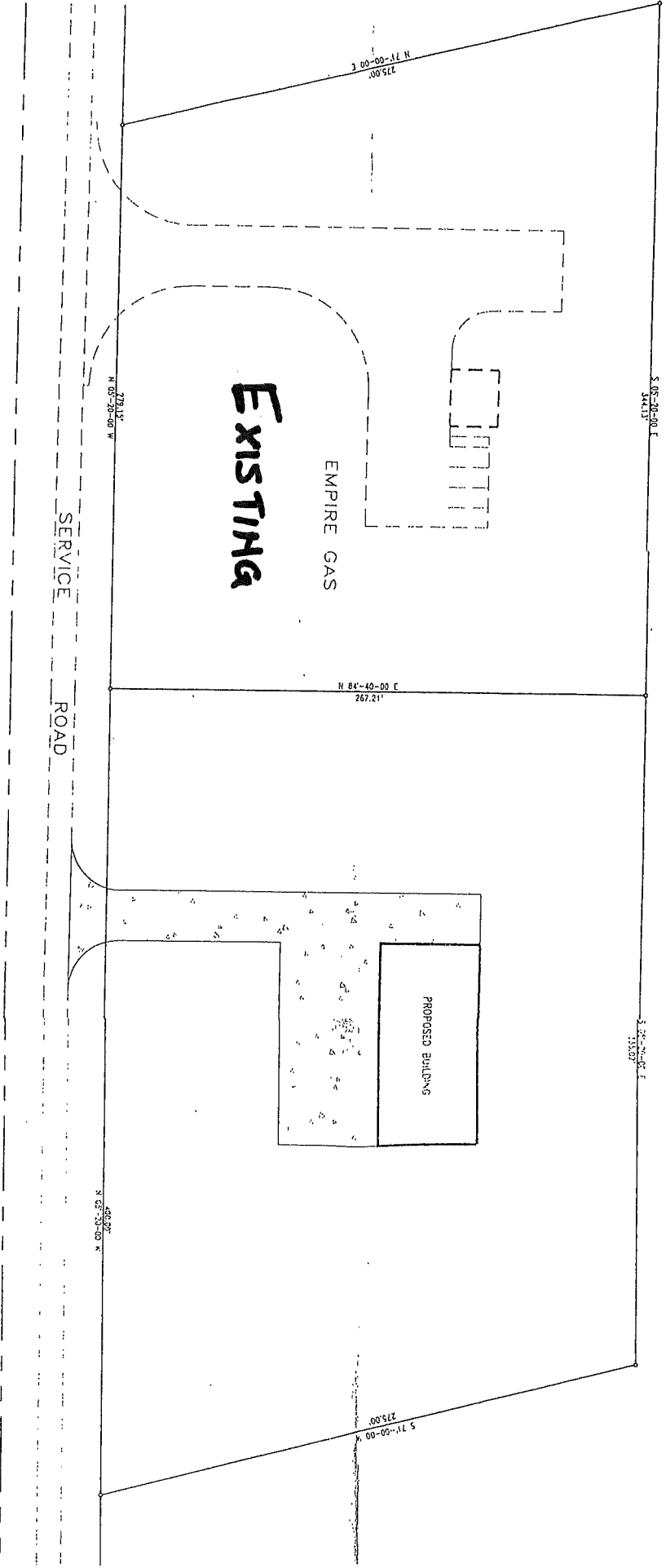
Conclusion

The applicant's site is zoned Industrial One (I-1) which would principally permit uses that could contribute to much higher volumes of traffic than the proposed use. However, the applicant's proposal shall be determined by following the seven criteria the Board must use to judge each conditional use request. It should be determined whether the use will create a hazardous situation due to the existing condition of the road and whether this proposed use is harmonious and appropriate with the existing or intended character of the general vicinity.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I



SHEET #2
CONCEPT PLAN



I-75/71

