

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 3-23-95 Fee Received 466.00 R#6224
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 4-12-95
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

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: **Braxtons Cleaners Inc.**
APPLICANT: **Carl H Cummins**
LOCATION: Taylor Drive, Boone County
ZONING: Commercial Two (C-2)
DATE: April 12, 1995

The applicant is requesting a variance of the front yard setback to allow a 8,320 square feet laundry and drycleaning facility with retail outlet and production plant to be constructed behind the existing Flick's IGA and Walgreens (See Sheet #1). The Boone County Zoning Regulations require that a building located within a Commercial Two (C-2) zoning district have a 75 feet front yard building setback. The proposed front yard variance would reduce this setback from the required 75 feet to 65 feet (See Sheet #2). The applicant has indicated that the reduction is necessary to allow the entrance of the building to be visible from the adjoining Flick's IGA/Walgreens parking lot and Taylor Drive. In addition, the applicant has indicated that the building needs to have a depth of 80 feet to allow room for equipment and to allow a driveway at the rear of the building.

Conclusion

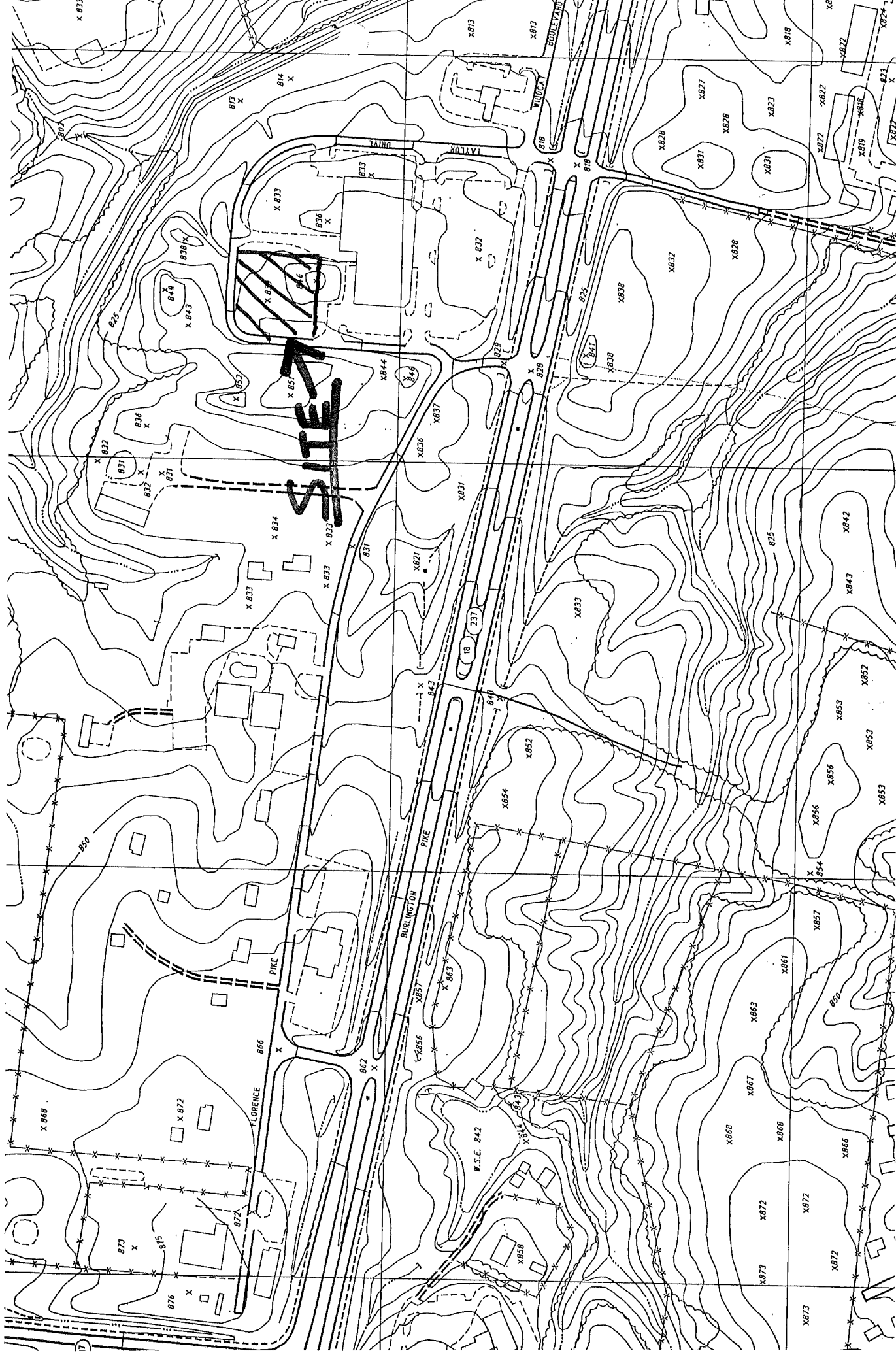
Staff believes that the proposed Variance will have little or no impact on the public health, safety, or welfare nor will it change the essential character of the area. The Board should determine whether the Variance will cause a nuisance or a hazard to the public and whether it will allow an unreasonable circumvention of the requirements of the Zoning Regulations.

Sincerely,



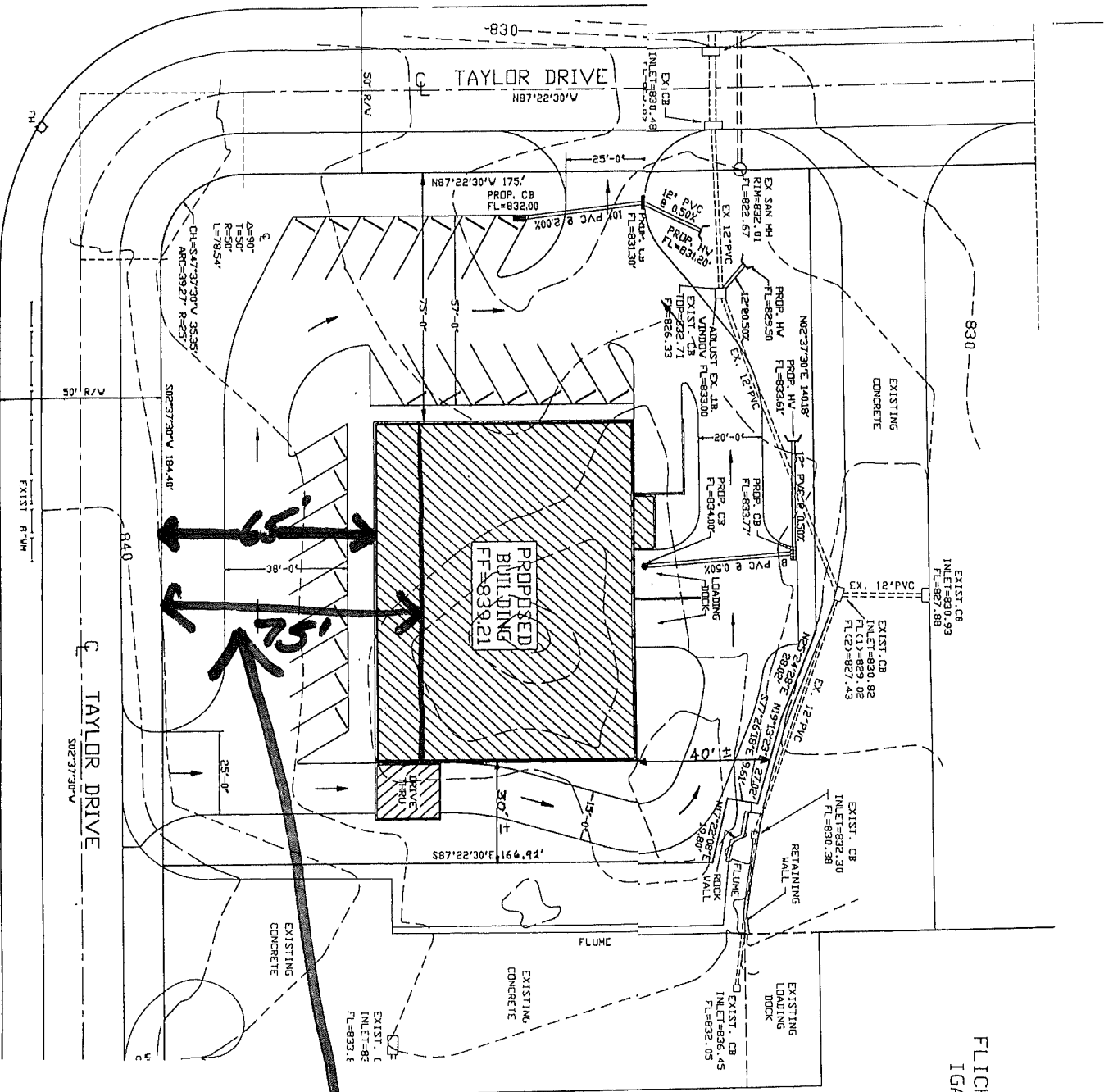
Jeffrey F. Hayes
Planner

JFH\par



LOCATION MAP

SHEET #1



FLICK'S
IGA

SHEET #2

**REQUIRED
SETBACK**

W

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Robert A. Flick
1717 Stall Road
Hebron, Kentucky 41048

2. ADDRESS OF PROPERTY

Taylor Drive
Boone County, Kentucky 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Braxton's Cleaners

DEED BOOK: 279

PAGE NO.: 282

GROUP NO.: 2025

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

- | | | | |
|-------------------------------------|---|--------------------------|------------------------|
| <input type="checkbox"/> | Zoning Map Amendment
from ___ to ___ | <input type="checkbox"/> | Conditional Use Permit |
| <input type="checkbox"/> | Development Plan | <input type="checkbox"/> | Conditional Zoning |
| <input type="checkbox"/> | Subdivision Plat
(Unrecorded) | <input type="checkbox"/> | Other: |
| <input checked="" type="checkbox"/> | 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

Jeffrey F. Hayes
SIGNATURE OF COMPLETING OFFICIAL

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

RECEIVED

1995 JUN -5 A 8:45

JEFFREY W. ROUSE
BOONE COUNTY CLERK

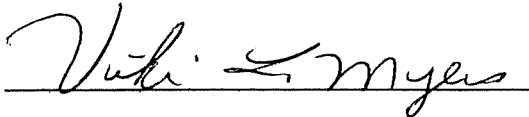
10.50 N.P.

18

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey Hayes on behalf
of the Boone County Planning Commission this 30th day
of May, 1995.

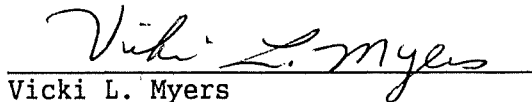


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

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.)

CLUR# 95-BCBOA-006-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Boone Board of Adjustments and in accordance with the current zoning in effect as of April 12, 1995, (Certificate of Land Use Restriction # 95-BCBOA-006-A), for Robert A. Flick, property owner.

NO CONDITIONS

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 279 PAGE NO. 282 Group No. 2025

State of Kentucky, County of Boone
JERRY W. ROUSE, Clerk of the Boone County
Court, do certify that the foregoing
Misc. was, on the 5 day of June
1995, at 8:45 A. M, lodged in my office
for record, and that it has been duly recorded in
my said office, together with this and the
certificate thereon endorsed.
Given under my hand this 5 day of June
1995.
JERRY W. ROUSE, CLERK
By Jerry Rouse D.C.

STAFF REPORT

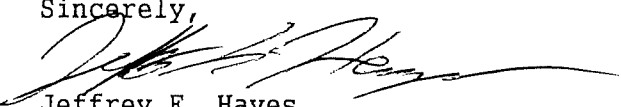
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Sincerely,



Jeffrey F. Hayes
Planner

JFH\par