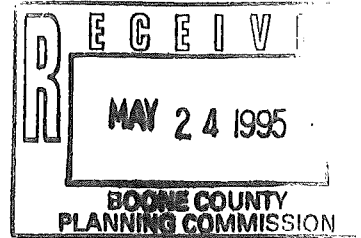


APPLICATION FORM
**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION**

(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 Robert L. & Nancy E. Swartzel
 Phone Number 606-341-7980 Fax No. _____
 Applicant's Address 1 Woodrun
Edgewood Ky 41017
 City State Zip
4. Description of Request: Open a bed & breakfast inn at 5825 Jefferson
Burlington, Ky. Initially, there would be one suite on 1st floor. Later
we might want to expand to 2nd floor with 1 or 2 bedrooms. My in-laws
(Bob & Jean Brames) currently live there & will function as innkeepers
5. Name of Development _____
6. Location of Development 5825 Jefferson, Burlington, Ky 41005
7. Acreage Under Review 1 1/2
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Robert L. & Nancy E. Swartzel
 Phone Number of Owner 606-341-7980
10. Address of Property Owner 1 Woodrun
Edgewood Ky 41017
 City State Zip
11. Proposed Use(s) on Site Bed & Breakfast inn
retail shop (currently have conditional
use permit for this)
12. Total Square Footage of Existing and/or Proposed Buildings
2000
13. Current Zoning on Property SC overlay district
14. Deed Book 468 Page No. 164 Group No. ~~3018~~ 2024
15. Is the site subject to a zone change? yes
 If yes, give date of approval 10/91?
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: Robert L. Swartzel Nancy Swartzel
 Property Owner's Signature: Robert L. Swartzel Nancy Swartzel

(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 5/24/95 Fee Received \$331.00 R# 6816
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 7-12-95
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: Bed and Breakfast

APPLICANT: Robert and Nancy Swartzel

LOCATION: 5825 Jefferson Street, Boone County

ZONING: Suburban Residential Two/Small Community Overlay (SR-2/SC)

DATE: June 14, 1995

The applicant is requesting a Conditional Use Permit to allow the development of a Bed and Breakfast within an existing single-family home. The home is located on the south side of Jefferson Street adjacent to the Boone County Fair Grounds (See Sheet #1 and 2). The approximately 1.4 site also contains retail shops within a portion of the house for the purpose of selling crafts and antiques.

Article 20, Section 2012 of the Boone County Zoning Regulations permit the development of a Bed and Breakfast with a Conditional Use Permit. In addition to the seven criteria the Board must use to determine the appropriateness of a Conditional Use Permit the Board must also consider the following:

- a) the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;
- b) the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district:

Surrounding Land Uses and Zoning (See Sheet # 3)

North: Single-family residences zoned SR-2/SC

South: Vacant undeveloped land zoned SR-2/SC

East: Single-family home zoned SR-2/SC

West: Boone County Fair Grounds zoned Public Facilities (PF)

Site History

The applicant received a Conditional Use for the retail sales of crafts and antiques in November of 1991. This retail sales only occupied a small portion of the existing house and occur primarily during weekends when the Burlington Market is held at the Boone County Fair Grounds. The Board did not impose any conditions on this use.

The 1995 Boone County Comprehensive Plan discusses the general character and needs of Burlington within the Land Use Text of the Plan.

Historically important structures should be protected from development pressures, or be subject to appropriate adaptive re-use to retain the character of central Burlington. As Boone County grows, there will be a greater need for public facilities and services.

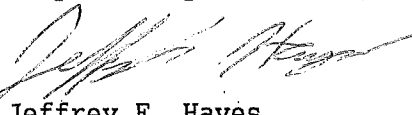
Staff Concerns:

1. The parking area is currently unpaved and provides parking for ten (10) cars. Normally it is necessary to pave all parking and circulation areas. However, because of nature of the retail sales and the fact that the project was located within a Small Community Overlay the Zoning Administrator at the time determined that the lot did not need to be paved. However, staff believes that the entrance to the site should be paved because of the potential hazard with cars trying to pull out of the site and spinning in the gravel.
2. Staff believes that any future addition to the building for the purpose of expansion to the Bed and Breakfast should be sensitive to the character and history of the building and the area.
3. The Board should determine if it is necessary to establish a limit on the number of bedrooms which could be created within the existing structure or added thru subsequent additions.

Conclusion

The Board should judge the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the two criteria for a Conditional Use within an Small Community Overlay. Staff believes that proposed use would be harmonious and appropriate with the character of the area if future additions are sensitive to the existing character of the building.

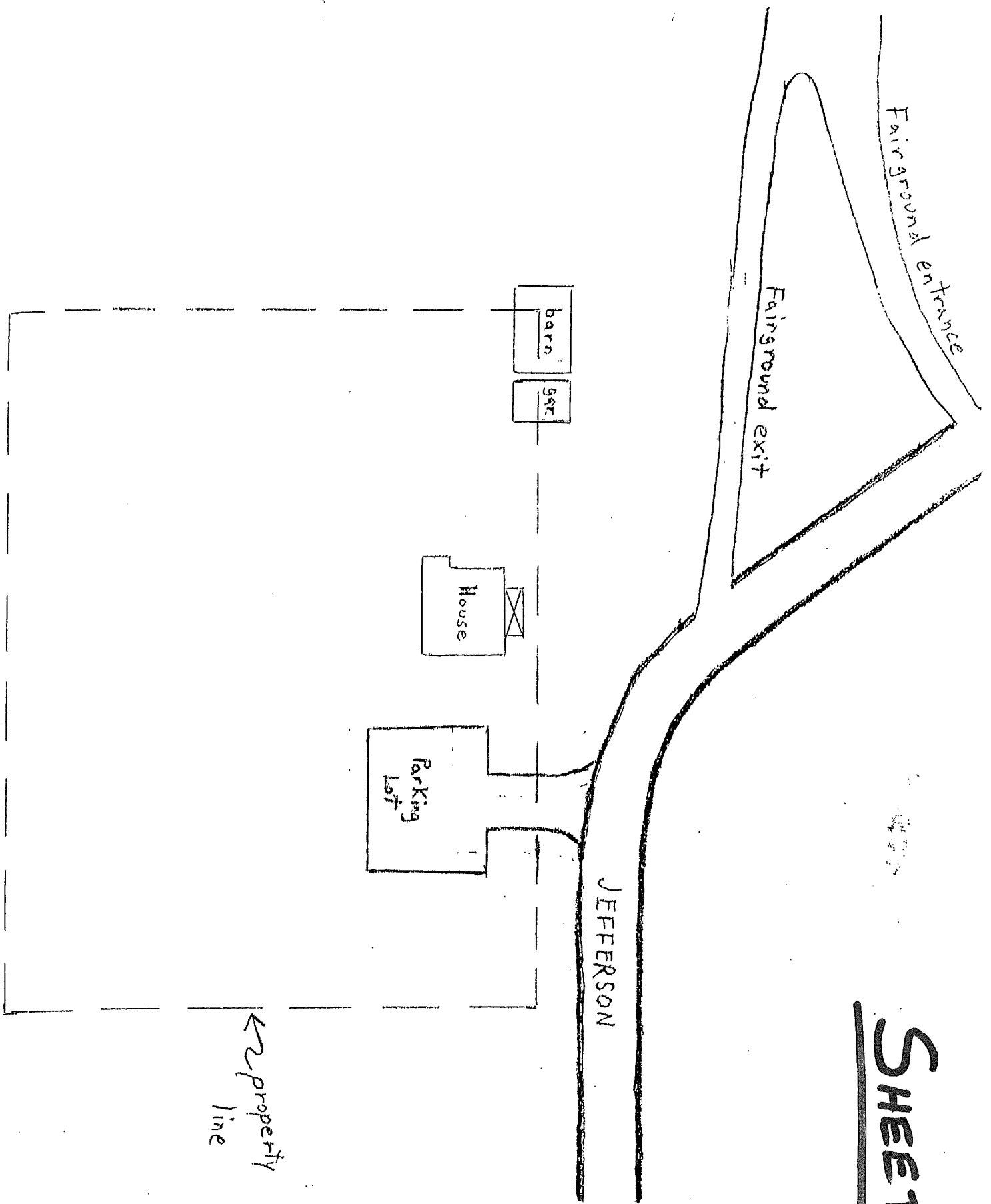
Respectfully Submitted,



Jeffrey F. Hayes
Planner

JFH\par

SHEET #2



COPY

CLUR # 95-BCBOA-008-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Robert L and Nancy E. Swartzel
1 Woodrun
Edgewood, Kentucky 41017
2. ADDRESS OF PROPERTY
5825 Jefferson
Boone County, Kentucky
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

DEED BOOK: 468

PAGE NO.: 164

GROUP NO.: 2024

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

Zoning Map Amendment
from ___ to ___

Conditional Use Permit

Development Plan
Change in Concept Development

Conditional Zoning

Subdivision Plat
(Unrecorded)

Other:

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

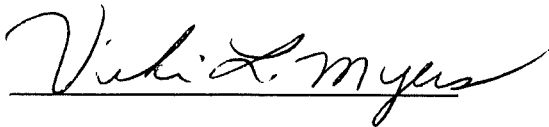

SIGNATURE OF COMPLETING OFFICIAL

Jeffrey Hayes, AICP/Planner
Name and Title of Completing Official

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 19th day of October, 1995.

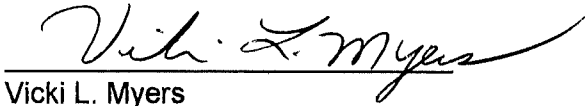


NOTARY PUBLIC, State at Large

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-008-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone Board of Adjustments and in accordance with the current zoning in effect as of July 12, 1995, (Certificate of Land Use Restriction # 95-BCBOA-008-A), for Robert L. And Nancy Swartzel, property owner.

The following conditions will apply: That the entranceway be paved and that there be a maximum of three bedrooms.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 468 PAGE NO. 164 Group No. 2024