

RECEIVED
APR 20 2005

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

(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 Richard P. Snyder
Phone Number 586 2534 Fax No. _____
Applicant's Address 8723 E. Bend Rd.
 Burlington Ky 41005
 City State Zip
4. Description of Request: Conditional use permit to operate auto restoration - repair garage at above address
5. Name of Development Waterloo International Motors
6. Location of Development 8723 E. Bend Rd. Burlington, Ky 41005
7. Acreage Under Review 1.0 Acre.
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Richard P. Snyder
Phone Number of Owner 586 2534
10. Address of Property Owner 8723 E. Bend Rd.
 Burlington Ky 41005
 City State Zip
11. Proposed Use(s) on Site Auto Repair Garage
12. Total Square Footage of Existing and/or Proposed Buildings 1,228 sq ft
13. Current Zoning on Property A-2, S.C.
14. Deed Book 304 Page No. 80 Group No. 2035
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: Richard P. Snyder
Property Owner's Signature: Richard P. Snyder

(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 9/21/95 Fee Received \$376.00 R# 8025
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date Oct 11 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: **Repair Garage**

APPLICANT: Richard P. Snyder

LOCATION: 8773 East Bend Road, Boone County

ZONING: Agricultural One/Small Community (A-1/SC)

DATE: October 11, 1995

The applicant is requesting a Conditional Use Permit to allow the operation of an auto restoration and repair garage out of an existing garage located on his property. The applicant's site is located off of East Bend Road just north of Waterloo Road (See Map #1). The approximate 1 acre site contains an approximately 1,800 square foot garage and a residence (See Map #2). The applicant has indicated that he has used the garage for work on his own cars as a hobby, but has had response from people who want him to work on their cars in the area.

Article 20, Section 2012 of the Boone County Zoning Regulations permits the development of maintenance, and repair facilities for vehicles with a Conditional Use Permit within the Commercial Two (C-2) zoning district. 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;
- c) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service;
- d) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and
- e) the arrangement of uses, buildings or structures will be 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: Undeveloped land zoned Agricultural One (A-1)
- South: Single family homes zoned Agricultural One/Small Community (A-1/SC)
- East: Single family homes zoned Agricultural One/Small Community (A-1/SC)
- West: Single family homes zoned Agricultural One/Small Community (A-1/SC)

The 1995 Boone County Comprehensive Plan does not specifically mention this site. However, the Future Land Use Map indicates the land use for the area as Rural Density Residential. This land use classification establishes densities at one dwelling unit per acre. The Land Use Text does identify the small community of Waterloo receiving some small residential growth.

Staff Concerns:

1. The Board should examine the hours of operation for the facility and determine whether limits should be established.
2. All vehicles will be required to be located on a paved surface therefore, if the conditional use is permitted the applicant would be required to undergo Site Plan Review.
3. Landscaping should be installed along the west property line to properly screen the facility. This could be reviewed during the Site Plan Review procedure.
4. Staff believes that limits should be established on the number of automobiles which can be worked on and stored on the property. In addition, the number of employees should be established so that the scope and scale of the operation does not grow to where it could create negative impacts in the neighborhood.
5. Staff believes that a sign should not be permitted for the site which identifies the facility.
6. Staff believes that outside storage of auto parts and body parts should not be permitted or be limited to certain areas.

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 the scale and scope of the operation are kept small in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeffrey F. Hayes", written in a cursive style.

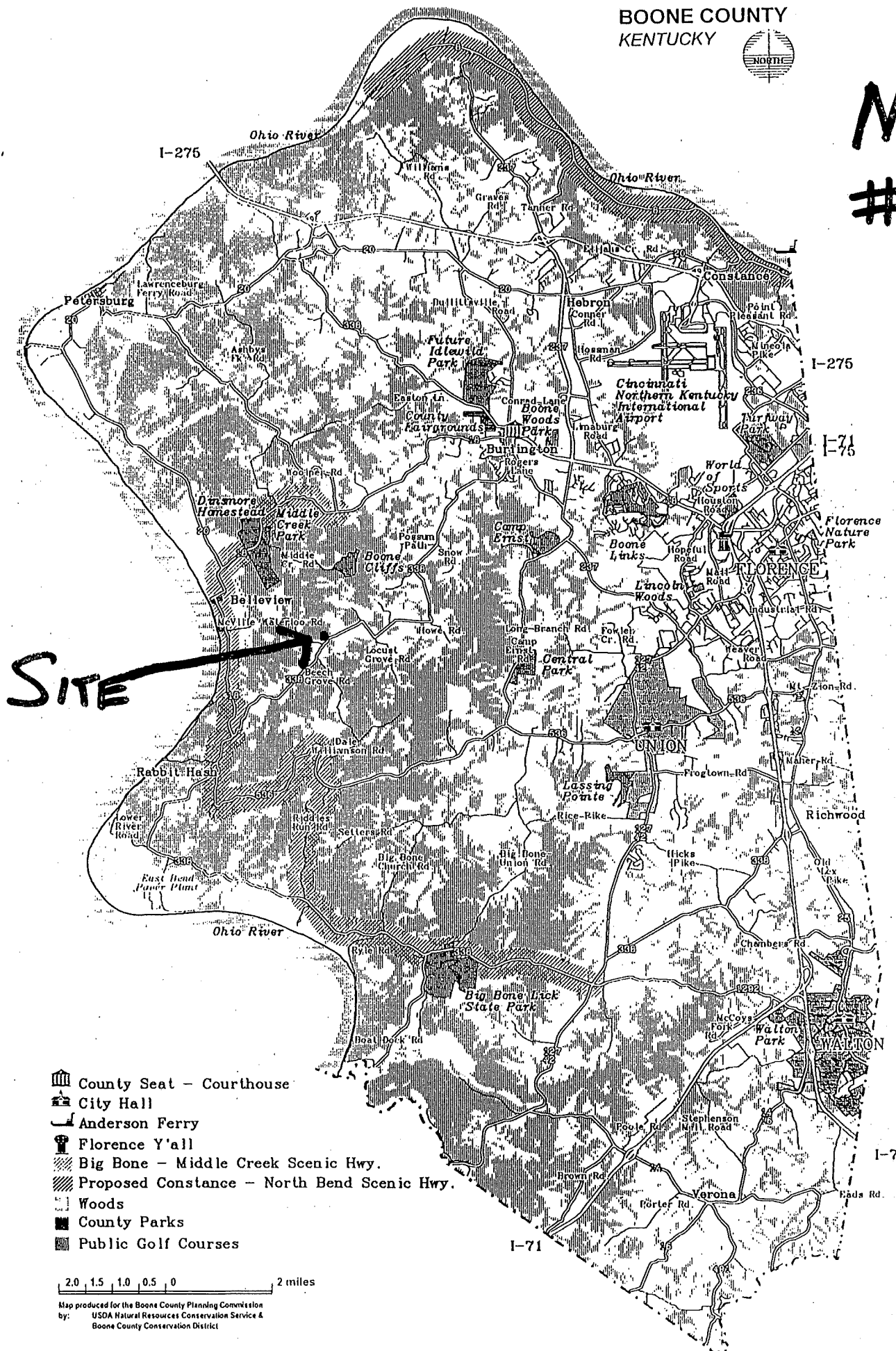
Jeffrey F. Hayes
Planner

JFH\par

BOONE COUNTY
KENTUCKY

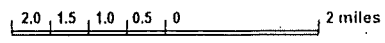


MAP
#1



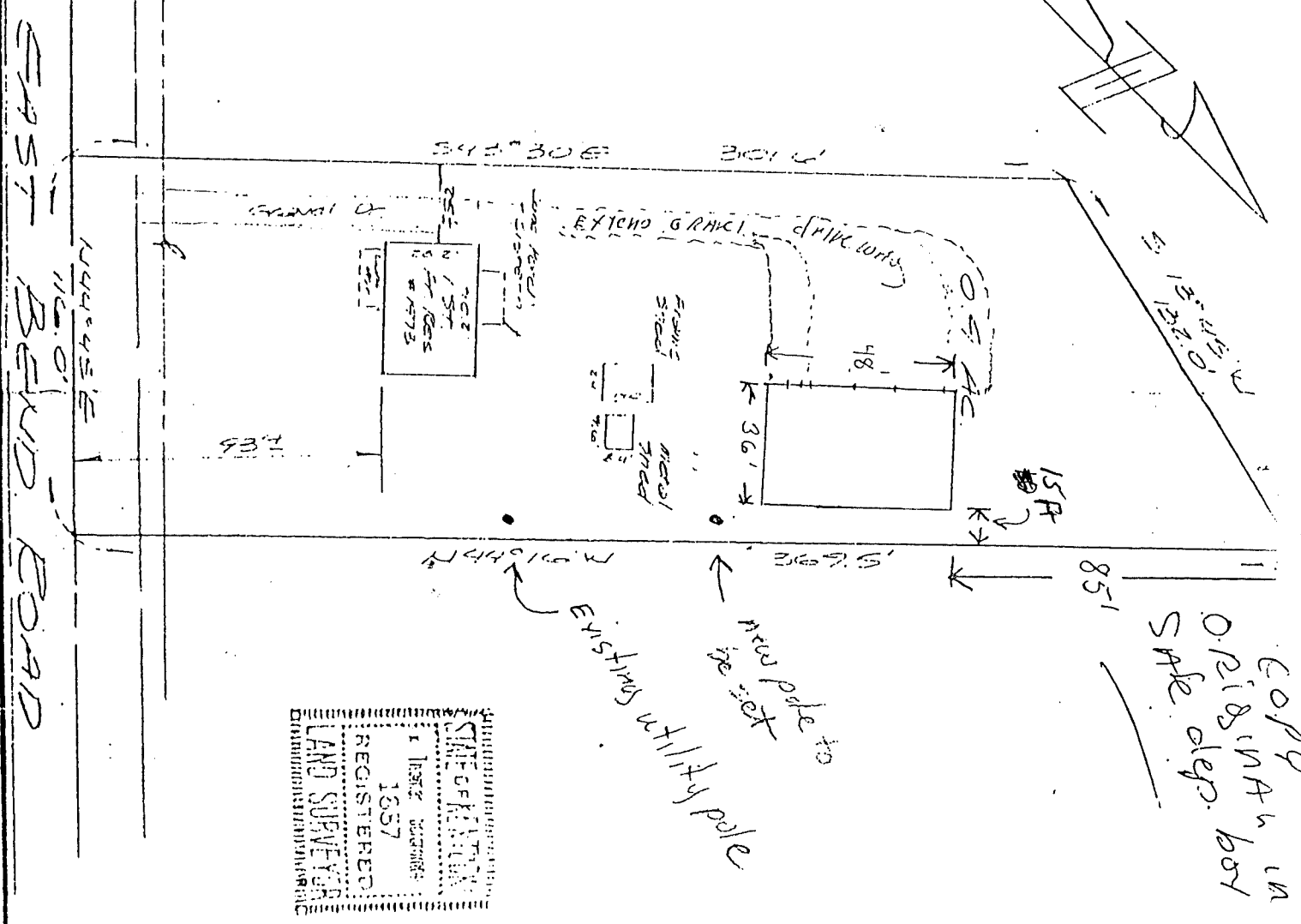
SITE

- County Seat - Courthouse
- City Hall
- Anderson Ferry
- Florence Y'all
- Big Bone - Middle Creek Scenic Hwy.
- Proposed Constance - North Bend Scenic Hwy.
- Woods
- County Parks
- Public Golf Courses



Map produced for the Boone County Planning Commission
by: USDA Natural Resources Conservation Service &
Boone County Conservation District

NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA. THIS DETERMINATION HAS BEEN MADE FROM A PERSONAL REVIEW OF FLOOD MAP NO. 210013-0003-A DATED DECEMBER 2, 1977.



CLIENT: SNEYDER, INC. & MANUFACTURING
 SNEYDER 8993 E. Bend Road
 STRFET ADDRESS: ~~1993~~ E. Bend Road
 CITY OR VILLAGE: Burlington
 TOWNSHIP:
 COUNTY: Boone
 STATE: Kentucky
 PLAT NAME:

LOT NUMBER
 PLAT BOOK
 PAGE:
 ORDER NO.: NK-1020

MAP #2

This survey made for and at the instance of:
 Cowger & Miller Mortgage Co., Inc.
 & Northern Kentucky Title, Inc.

We hereby certify that this survey shows the improvement or improvements as located on the premises described, that the improvement or improvements are entirely within lot lines, and that there are no encroachments upon the premises described by the improvement; or improvements of any adjoining premises, except as noted.

NOTE This survey was prepared for IDENTIFICATION PURPOSES for the MORTGAGEE in connection with a new mortgage, and is not intended or represented to be a land or property line survey. No corners were set. Do not use for establishing fence or building lines. No responsibility is extended herein to the land owner or occupant.

BY: *Thomas Abercrombie*

Abercrombie & Associates, Inc.
 ENGINEERS - SURVEYORS
 CINCINNATI, OHIO

SCALE: 1"=50'	DRAWN: EC	CHECKED: TAA
DATE: 5-17-53	JOB NO.: 83-564	

EXHIBIT A

Sept. 20, 1995

Richard P. Snyder
8773 East Bend Rd.
Burlington, Ky. 41005

Boone County Planning & Zoning;

This is a request for a conditional use permit to operate an automobile repair facility at 8773 East Bend Rd., Burlington, Ky.

I own approximately one acre of land located about 500 ft. north of Waterloo Rd., on East Bend Rd. (Rt. 338). I plan to use an existing building erected in May of 1994. It is an all steel 36' x 48' structure and is located toward the rear of my property.

My intent is to operate on a part time basis (20 - 30 hrs. a week). The normal operating hours will be 9am to 6pm on the days that I choose to work, which will vary. There will be no sign for this business. I do not have, or plan to have a rest room or waiting room.

My work includes mechanical restoration on antique motor vehicles and general auto repair. No body work or painting will be performed. Most work is by appointment only.

My driveway and parking lot are crushed limestone gravel. The parking area in front of the garage is at least 50 ft. by 60 ft.

Personal vehicles are usually parked near the house where the driveway is about 20 ft. wide. Business vehicles are usually parked near the garage.


Under most circumstances there will not be more than 6 customers' vehicles on site, three vehicles inside the garage, and three more parked outside. All vehicles outside will be parked on gravel. There will be no employees, or plans to expand the business. I desire a relaxed and casual atmosphere.

I moved here to enjoy the rural atmosphere of this small community. In keeping with this concept, it is my intent to help preserve this lifestyle. I have very nice neighbors and respect there desire to enjoy this community also.

I respectfully ask you to consider this request, and grant me a permit.

Very Truly Yours,

Richard P. Snyder



COPY

CLUR # 95-BCBOA-019-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Richard P. Snyder
8773 East Bend Road
Burlington, Kentucky 41005

2. ADDRESS OF PROPERTY

8773 East Bend Road
Boone County, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Waterloo International Motors

DEED BOOK: 304

PAGE NO.: 80

GROUP NO.: 2035

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

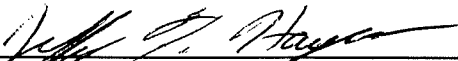
Subdivision Plat
(Unrecorded)

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

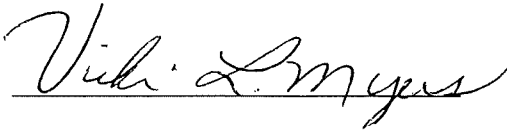
Jeffrey Hayes, AICP Planner

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 22st day of November 1995.

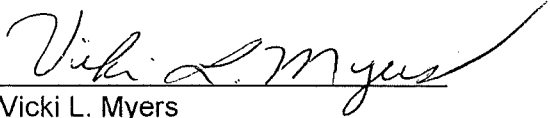


NOTARY PUBLIC, State at Large

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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of October 11, 1995 (Certificate of Land Use Restriction # 95-BCBOA-019-A), for Richard P. Snyder property owner.

The following conditions will apply: (1). There be no more than one employee, (2) no more than six customer cars parked outside and three inside, (3) landscaping is to be as negotiated in the Site Plan Review, (4) paving as determined by Site Plan Review, (5) hours of operation are from 9:00 A.M. to 6:00 P.M., (6) there will be no outside storage, (7) no sign, (8) no body work, and (9) no painting.

The approved Variance as well as the preceding conditions apply to the property

described in: DEED BOOK 561 PAGE NO. 125 Group No. 2072