



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 2-21-94 Fee Received \$382.00 RA 9216
2. Is application complete?  Yes  No
3. Staff Reviewer J. Mitchell a. L. H.
4. Scheduled Board Action Date 3/13/96
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:** Boone Video

**APPLICANT:** Lonnie Skerchock

**LOCATION:** 6034 Jefferson St., Boone County, Kentucky

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

**DATE:** March 13, 1996

The applicant is requesting a Conditional Use Permit to allow the development of a video rental store. This store would also include video repair services, tanning beds and the sale of utility trailers. The existing building currently is utilized by Boone Outdoors, a lawn and garden equipment dealership. The applicant's site is located at the corner of Jefferson Street and Torrid Street (See Map #1). The single-family homes which surround the applicant's site are zoned Suburban Residential Two/Small Community (SR-2/SC) (See Map #2).

Article 20 of the Boone County Zoning Regulations permits the development of video store with a Conditional Use Permit within a Small Community Overlay District. The intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. This article creates an overlay district which may be established in areas appropriate for use as small community centers. The Board must use the following criteria in addition to the seven criteria used to judge a Conditional Use Permit.

- 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;

The 1995 Boone County Comprehensive Plan Future Land Use Map indicates that the applicant's site is Suburban Density Residential. The Land Use Text indicates that Burlington proper should continue to experience growth-related pressures. The influence of residential subdivisions in the surrounding areas, and the associated traffic, will necessitate improved traffic controls and management, particularly at Ky 18 and KY 338. Central Burlington includes a National Register Historic District. Historically important structures should be protected from development pressures, or be subject to appropriate adaptive re-use to retain the character of central Burlington.

The existing building on the site is approximately 1,700 square feet in size with six parking spaces along Torrid Street. There is parking along the front of the building and room to expand the parking on the 6,450 square feet lot to the rear (See Map #3).

Staff Concerns:

1. The Board should determine if a limit should be established on the maximum number of utility trailers or other items which may be stored outside. Staff believes that the existing area which is fenced and utilized for storage of the lawn and garden equipment is appropriate for the display of trailers.
2. The Board may want to consider the hours of operation of the facility to determine if any restrictions should be applied.
3. Staff believes that the Board should establish restriction on the size and height of the signs for the site. Currently, the site contains several different building mounted signs, but no free-standing signs. The building mounted signs staff believes should be cleaned up with just one building mounted sign per building face. A free-standing sign would likely obstructed motorist views because the site is located at the intersection of Torrid and Jefferson Streets and therefore, staff would recommend against any free-standing sign.

Conclusion:

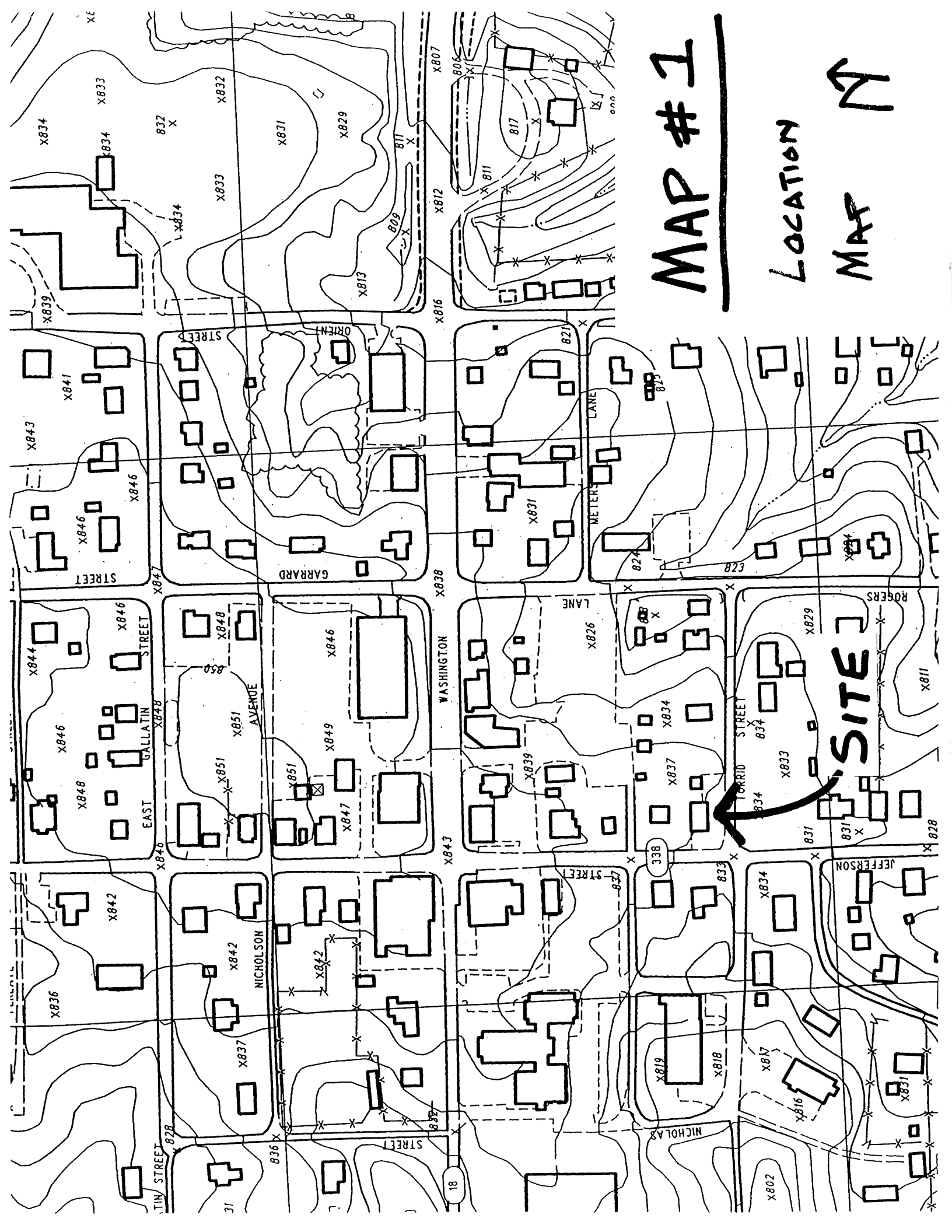
Staff believes that the proposed use is compatible and harmonious with the surrounding Small Community uses and that the proposed commercial use will be more consistent with the established residential character of the area. The Board should judge the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the two criteria for a Conditional Use within an Small Community Overlay District.

Respectfully Submitted,




Jeffrey F. Hayes, AICP  
Planner

JFH\par

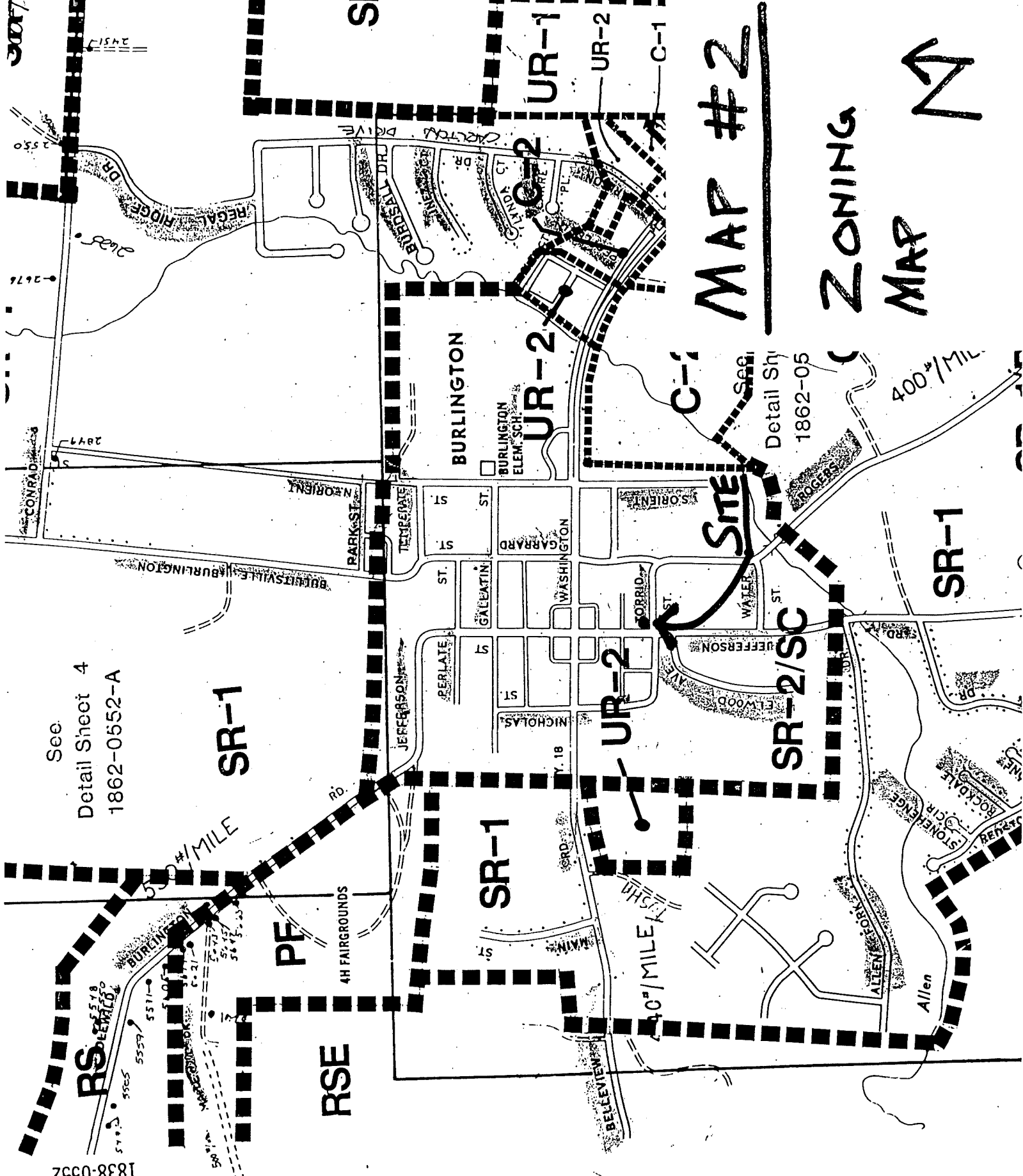


**MAP # 1**

LOCATION MAP 

**SITE**

Map grid and labels include:  
X834, X833, X832, X831, X829, X813, X812, X811, X810, X807, X806, X805, X804, X803, X802, X801, X800, X799, X798, X797, X796, X795, X794, X793, X792, X791, X790, X789, X788, X787, X786, X785, X784, X783, X782, X781, X780, X779, X778, X777, X776, X775, X774, X773, X772, X771, X770, X769, X768, X767, X766, X765, X764, X763, X762, X761, X760, X759, X758, X757, X756, X755, X754, X753, X752, X751, X750, X749, X748, X747, X746, X745, X744, X743, X742, X741, X740, X739, X738, X737, X736, X735, X734, X733, X732, X731, X730, X729, X728, X727, X726, X725, X724, X723, X722, X721, X720, X719, X718, X717, X716, X715, X714, X713, X712, X711, X710, X709, X708, X707, X706, X705, X704, X703, X702, X701, X700, X699, X698, X697, X696, X695, X694, X693, X692, X691, X690, X689, X688, X687, X686, X685, X684, X683, X682, X681, X680, X679, X678, X677, X676, X675, X674, X673, X672, X671, X670, X669, X668, X667, X666, X665, X664, X663, X662, X661, X660, X659, X658, X657, X656, X655, X654, X653, X652, X651, X650, X649, X648, X647, X646, X645, X644, X643, X642, X641, X640, X639, X638, X637, X636, X635, X634, X633, X632, X631, X630, X629, X628, X627, X626, X625, X624, X623, X622, X621, X620, X619, X618, X617, X616, X615, X614, X613, X612, X611, X610, X609, X608, X607, X606, X605, X604, X603, X602, X601, X600, X599, X598, X597, X596, X595, X594, X593, X592, X591, X590, X589, X588, X587, X586, X585, X584, X583, X582, X581, X580, X579, X578, X577, X576, X575, X574, X573, X572, X571, X570, X569, X568, X567, X566, X565, X564, X563, X562, X561, X560, X559, X558, X557, X556, X555, X554, X553, X552, X551, X550, X549, X548, X547, X546, X545, X544, X543, X542, X541, X540, X539, X538, X537, X536, X535, X534, X533, X532, X531, X530, X529, X528, X527, X526, X525, X524, X523, X522, X521, X520, X519, X518, X517, X516, X515, X514, X513, X512, X511, X510, X509, X508, X507, X506, X505, X504, X503, X502, X501, X500, X499, X498, X497, X496, X495, X494, X493, X492, X491, X490, X489, X488, X487, X486, X485, X484, X483, X482, X481, X480, X479, X478, X477, X476, X475, X474, X473, X472, X471, X470, X469, X468, X467, X466, X465, X464, X463, X462, X461, X460, X459, X458, X457, X456, X455, X454, X453, X452, X451, X450, X449, X448, X447, X446, X445, X444, X443, X442, X441, X440, X439, X438, X437, X436, X435, X434, X433, X432, X431, X430, X429, X428, X427, X426, X425, X424, X423, X422, X421, X420, X419, X418, X417, X416, X415, X414, X413, X412, X411, X410, X409, X408, X407, X406, X405, X404, X403, X402, X401, X400, X399, X398, X397, X396, X395, X394, X393, X392, X391, X390, X389, X388, X387, X386, X385, X384, X383, X382, X381, X380, X379, X378, X377, X376, X375, X374, X373, X372, X371, X370, X369, X368, X367, X366, X365, X364, X363, X362, X361, X360, X359, X358, X357, X356, X355, X354, X353, X352, X351, X350, X349, X348, X347, X346, X345, X344, X343, X342, X341, X340, X339, X338, X337, X336, X335, X334, X333, X332, X331, X330, X329, X328, X327, X326, X325, X324, X323, X322, X321, X320, X319, X318, X317, X316, X315, X314, X313, X312, X311, X310, X309, X308, X307, X306, X305, X304, X303, X302, X301, X300, X299, X298, X297, X296, X295, X294, X293, X292, X291, X290, X289, X288, X287, X286, X285, X284, X283, X282, X281, X280, X279, X278, X277, X276, X275, X274, X273, X272, X271, X270, X269, X268, X267, X266, X265, X264, X263, X262, X261, X260, X259, X258, X257, X256, X255, X254, X253, X252, X251, X250, X249, X248, X247, X246, X245, X244, X243, X242, X241, X240, X239, X238, X237, X236, X235, X234, X233, X232, X231, X230, X229, X228, X227, X226, X225, X224, X223, X222, X221, X220, X219, X218, X217, X216, X215, X214, X213, X212, X211, X210, X209, X208, X207, X206, X205, X204, X203, X202, X201, X200, X199, X198, X197, X196, X195, X194, X193, X192, X191, X190, X189, X188, X187, X186, X185, X184, X183, X182, X181, X180, X179, X178, X177, X176, X175, X174, X173, X172, X171, X170, X169, X168, X167, X166, X165, X164, X163, X162, X161, X160, X159, X158, X157, X156, X155, X154, X153, X152, X151, X150, X149, X148, X147, X146, X145, X144, X143, X142, X141, X140, X139, X138, X137, X136, X135, X134, X133, X132, X131, X130, X129, X128, X127, X126, X125, X124, X123, X122, X121, X120, X119, X118, X117, X116, X115, X114, X113, X112, X111, X110, X109, X108, X107, X106, X105, X104, X103, X102, X101, X100, X99, X98, X97, X96, X95, X94, X93, X92, X91, X90, X89, X88, X87, X86, X85, X84, X83, X82, X81, X80, X79, X78, X77, X76, X75, X74, X73, X72, X71, X70, X69, X68, X67, X66, X65, X64, X63, X62, X61, X60, X59, X58, X57, X56, X55, X54, X53, X52, X51, X50, X49, X48, X47, X46, X45, X44, X43, X42, X41, X40, X39, X38, X37, X36, X35, X34, X33, X32, X31, X30, X29, X28, X27, X26, X25, X24, X23, X22, X21, X20, X19, X18, X17, X16, X15, X14, X13, X12, X11, X10, X9, X8, X7, X6, X5, X4, X3, X2, X1, X0.



**MAP #2**

**ZONING**

**MAP**



See.  
Detail Sheet 4  
1862-0552-A

1838-0592

**SR-1**

**SR-1**

**UR-2**

**UR-2**

**UR-1**

**UR-2**

**C-1**

**C-1**

**SITE**

**SR-2/SC**

**SR-1**

**RS**

**PF**

**RSE**

**BURLINGTON**

**BURLINGTON ELEM. SCH.**

Detail Sh  
1862-05

400' / MILE

Allen

2550  
2576  
2877

CONRAD

BURLINGTON

See.  
Detail Sheet 4  
1862-0552-A

500' / MILE

5558  
5559  
5571

1838-0592

**S**

PARK ST

TREMAYNE ST

JEFFERSON ST

WASHINGTON ST

GARRARD ST

WATER ST

ROGERS ST

ROBERTSON ST

JEFFERSON ST

PERLATE ST

GALLETIN ST

NICHOLAS ST

WASHINGTON ST

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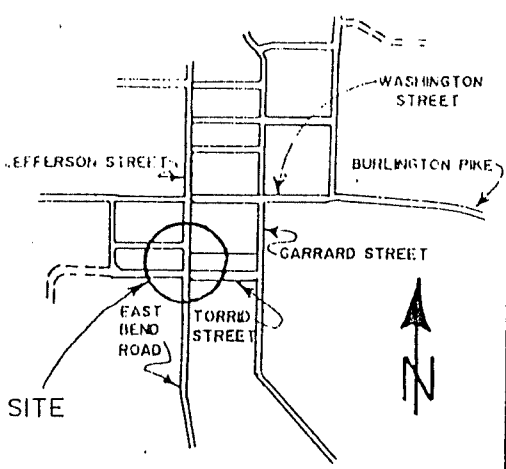
ROBERTSON ST

I DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN.

*J. E. Hoh, Jr.* 7-24-91  
JOSEPH E. HOH, JR. S. 2567 DATE



JEFFERSON STREET 70'R/W



VICINITY MAP

TORRID STREET 60' R/W

P K SET

5.58 50.00

I P SET

5.54

3.01

EXISTING BUILDING NO. 6043 JEFFERSON D.B. 406 PAGE 277

MAP #3

CONCRETE DOCK

CANOPY

STK SET 3.06'

129.00'

129.00'

EXISTING ASPHALT PARKING LOT

I P SET

50.00

I P SET

COPY

CLUR # 96-BCBOA-003-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)  
Lonnie A. Skerchock  
3390 Feeley Road  
Burlington, Kentucky 41005
2. ADDRESS OF PROPERTY  
6034 Jefferson Street  
Burlington, Kentucky 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Boone Video

DEED BOOK: 406

PAGE NO.: 277

GROUP NO.: 2030

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

Zoning Map Amendment:  
From \_\_\_ to \_\_\_

Conditional Use Permit

Development Plan

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

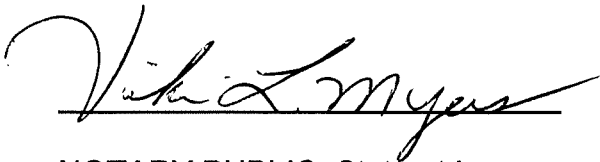
  
SIGNATURE OF COMPLETING OFFICIAL

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 13th day of March 1996.

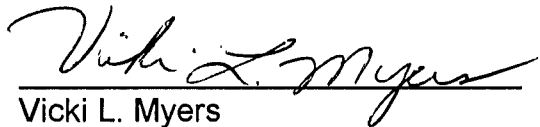


NOTARY PUBLIC, State at Large

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 March 13, 1996 (Certificate of Land Use Restriction # 96-BCBOA-003-A), for Lonnie A. Skerchock Property Owner.

The following conditions will apply: (1).All trailers be in the fenced-in area, (2) there be no more than one sign per side of the building, and (3) the hours of operation to be from 9 A. M. to 11 P.M. on Fridays and Saturdays and from 9 A. M. to 10 P.M. on all other days.

The approved Conditional Use Permit as well as the preceding conditions apply to the property

described in: DEED BOOK 406

PAGE NO. 277

Group No. 2030