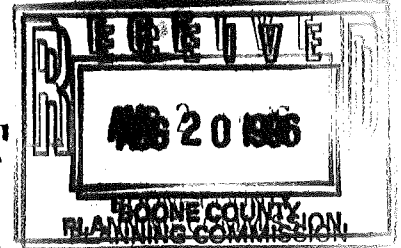


APPLICATION FORM
**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION**



(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 Louis L. Lavender
 Phone Number 341-2284 Fax No. _____
 Applicant's Address 3004 Belle Meade
Edgewood Ky. 41017
 City State Zip
4. Description of Request: _____

5. Name of Development n/a
6. Location of Development Northwest corner of the intersection
U.S. 25 and Industrial Road
7. Acreage Under Review 0.46 acres
8. Lot Number and Name of Subdivision (if part of a subdivision)
n/a
9. Owner of Property Mr. and Mrs. Louis L. Lavender
 Phone Number of Owner 341-2284
10. Address of Property Owner 3004 Belle Meade
Edgewood Ky. 41017
 City State Zip
11. Proposed Use(s) on Site used car and truck sales
12. Total Square Footage of Existing and/or Proposed Buildings
1,120 SF
13. Current Zoning on Property I-2
14. Deed Book 613 Page No. 303 Group No. 2049-A
15. Is the site subject to a zone change? No
 If yes, give date of approval n/a
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: Louis L. Lavender
 Property Owner's Signature: Louis L. Lavender

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 August 20, 1996 Fee Received 626.00 *Ret 11154*
- 2. Is application complete? Yes _____ No _____
- 3. Staff Reviewer [Signature]
- 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: Used Car Lot and Truck Sales

APPLICANT: Louis L. Lavender

LOCATION: Northwest corner of U.S. 25 & Industrial Road
Boone County

ZONING: Industrial Two (I-2)

DATE: September 11, 1996

The applicant is requesting a Conditional Use Permit to allow used car and truck sales on a .46 acre tract located on the northwest corner of the intersection of U.S. 25 and Industrial Road, Boone County, Kentucky (Sheet 1-Location). The property is currently zoned Industrial Two (I-2).

Article 11, Section 1143, of the Boone County Zoning Regulations permits the sales and services of new and used motor vehicles including tires, batteries and accessories, automobile repair and auto body services including junkyards, wrecking or other storage as conditional uses within an Industrial Two zone. The Board must use the following criteria from Section 1143 in addition to the seven criteria (General Standards Applicable to All Conditional Uses, Section 262, BCZR) used to judge a Conditional Use Permit.

- 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 used of the district;
- d.) Provide the arrangement of used, buildings or structures in mutually compatible with the organization of permitted and accessory uses to be protected in the district.

The surrounding zoning on the west side of U.S. 25 is Industrial Two. The surrounding zoning on the east side of U.S. 25 is Industrial One. Star Bank is located directly north of the site. The Florence Fire House is located southeast of the site. A used car dealership is located south of the site across Industrial Road (Sheet 2-Zoning).

The 1995 Boone County Comprehensive Plan's Future Land Use Map indicates the applicant's site as Commercial. The Land Use Text does not make any specific mention of this particular site.

Concept Development Plan

The applicant's plan includes a 1120 square foot building located on the northwest portion of the site with a rear yard setback of 30 feet and a side yard setback of 20 feet. A 10 foot screening area is shown around the entire perimeter of the site along with the use of the two existing curb cuts. Twenty three parking spaces have been designated. The applicant has indicated that the use would include the sales of used cars and trucks only. The display of the automobiles is to be on a paved surface in front of the proposed building along U.S. 25 and Industrial Road (Sheet 3-Concept Development Plan).

Staff Concerns and Comments

1. If the Board approves the Conditional Use Permit, a Site Plan Review will be required by the Boone County Planning Commission Staff before development is to occur.
2. The Board should determine whether it is necessary to make as a condition, that the site shall be for the sales of vehicles only and that the repair of or storage of vehicles is not permitted.
3. The applicant should indicate what is the difference if any between a 10 foot screening area and a 10 foot planting area. The applicant also needs to indicate what will be used in these 10 foot screening areas including types of materials, shapes, sizes, heights, and quantities.

Conclusion

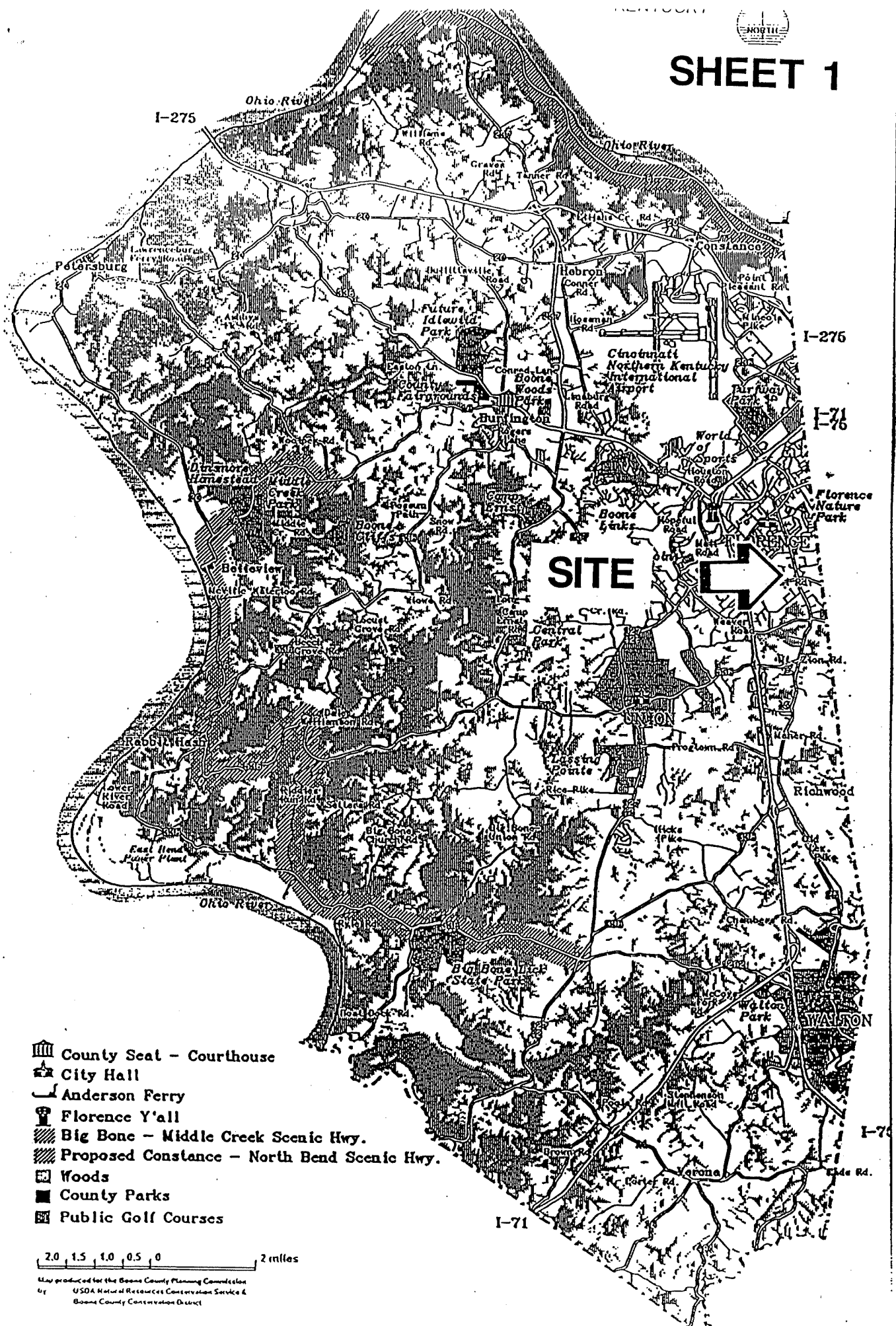
Staff believes that the proposed car dealership, if developed as shown on the submitted Concept Development Plan, will be harmonious with the surrounding uses in this industrial zone. The Board should base its decision on the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the four criteria for a Conditional Use within an Industrial Two Zoning district.










Respectfully Submitted,



Edward Coleman
Planner

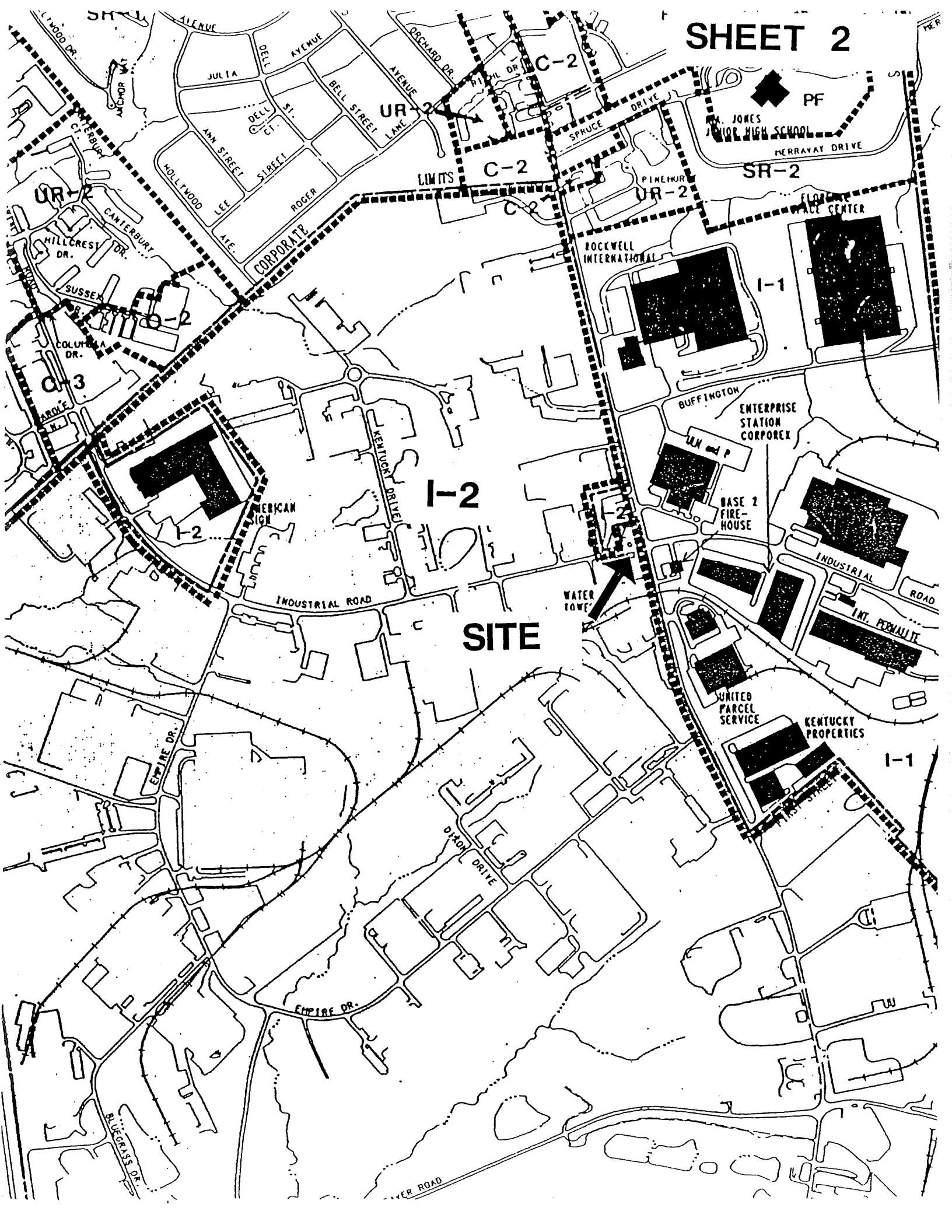
EC\par



-  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

2.0 1.5 1.0 0.5 0 2 miles

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



SITE

PF

M. JONES JUNIOR HIGH SCHOOL

SR-2

LIMITS C-2

C-2

ROCKWELL INTERNATIONAL

I-1

BUFFINGTON

ENTERPRISE STATION CORPOREX

BASE 2 FIRE-HOUSE

INDUSTRIAL

INDT. PARCEL SERVICE

UNITED PARCEL SERVICE

KENTUCKY PROPERTIES

I-1

WATER TOWER

INDUSTRIAL ROAD

AMERICAN SIGN

I-2

KENTUCKY DRIVE

CORPORATE

PINEHUR

UR-2

UR-2

C-2

AVENUE

JULIA

DELL

AVENUE

BELL STREET

LANE

ROGER

HOLLWOOD

LEE

STREET

STREET

UR-2

CANTERBURY

HILLCRESY DR.

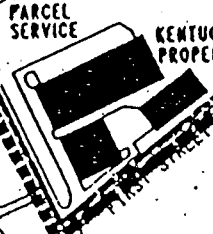
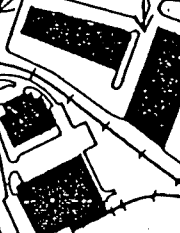
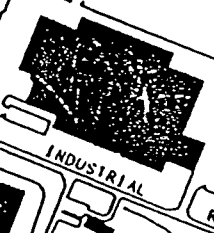
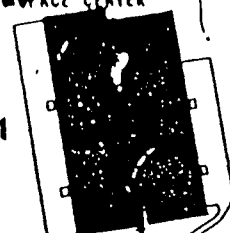
SUSSEX

COLUMBIA DR.

AROLE



I-2



EMPIRE DR.

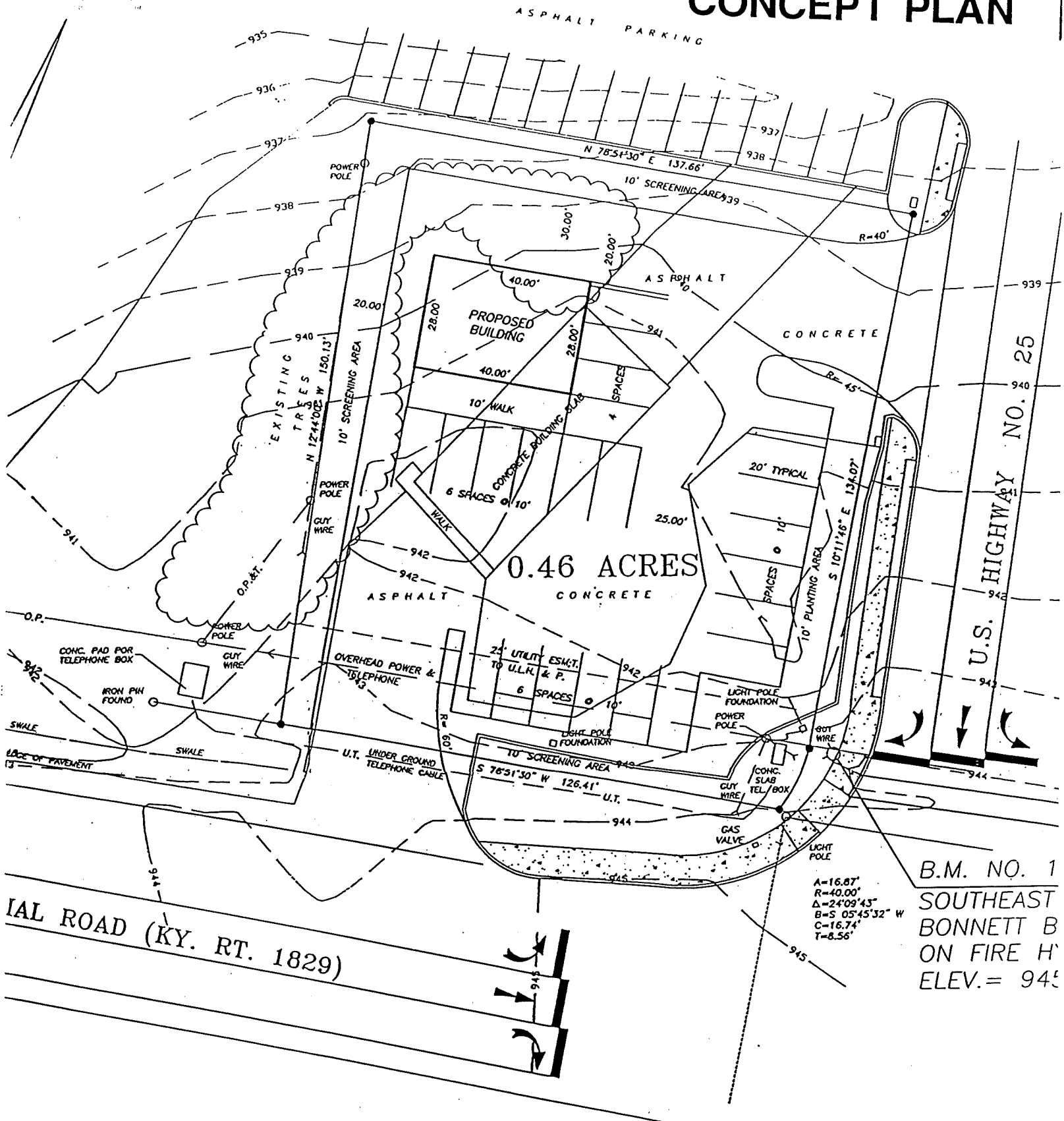
INDT. DRIVE

EMPIRE DR.

BUCKEASS DR.

EVER ROAD

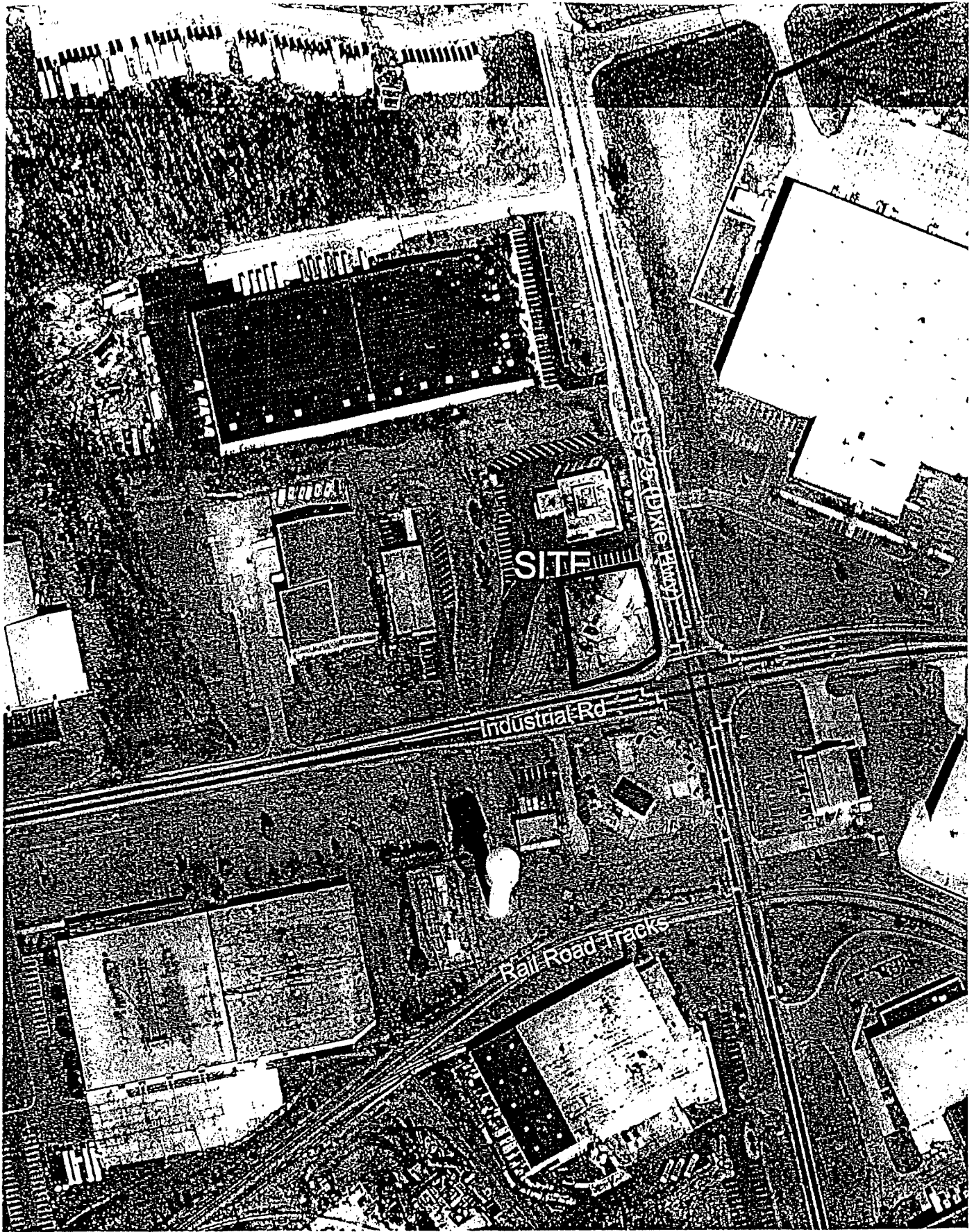
CONCEPT PLAN



A=16.87'
R=40.00'
Δ=24°09'45"
B=S 05°45'32" W
C=16.74'
T=8.56'

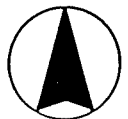
B.M. NO. 1
SOUTHEAST
BONNETT B
ON FIRE H'
ELEV.= 945

IAL ROAD (KY. RT. 1829)



Lavender

200 0 200 Feet



Boone County Planning Commission - GIS Services Division

COPY

CLUR # 96- BCBOA-017-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Louis L. Lavender
3004 Belle Meade
Edgewood, Kentucky 41017

2. ADDRESS OF PROPERTY

U.S. 25 and Industrial Rd.
Boone County, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

DEED BOOK: 613

PAGE NO.: 303

GROUP NO.: 2049A

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

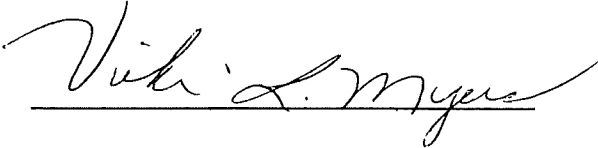
Edward Coleman, Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Edward Coleman on behalf of the
Boone County Planning Commission this 9th day of October 1996.

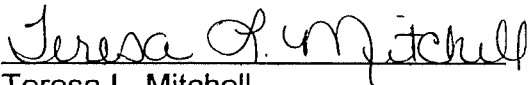


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:



Teresa L. Mitchell
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 9, 1996 Certificate of Land Use Restriction (# 96-BCBOA-017-A), for Louis L. Lavender, Property Owner.

The following conditions will apply: (1) Site Plan Review will be required. (2) The sale of vehicles will only be allowed, no repairs or storage of vehicles. (3) Landscaping will be required along the two street frontages.

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

described in: DEED BOOK 613

PAGE NO. 303

Group No. 2049A