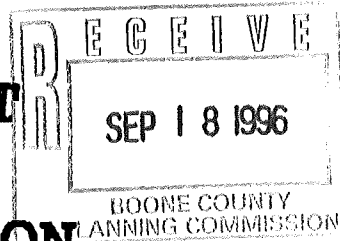


APPLICATION FORM
**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION**



(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 BLANE REESE
Phone Number 282-0040 Fax No. _____
Applicant's Address 22 COVERIDGE
FLORENCE City _____ State 11042 Zip
4. Description of Request: CONDITIONAL USE REQUEST
FOR USED CARS
5. Name of Development ITEM #6 - SECTION 1023
6. Location of Development 1938 PEERSBULLO ROAD
HEBRON
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property BILL Tipton
10. Phone Number of Owner 689-7014
Address of Property Owner 2883 WAITS ROAD
BURLINGTON City _____ State 11005 Zip
11. Proposed Use(s) on Site USED CAR LOT
12. Total Square Footage of Existing and/or Proposed Buildings _____
13. Current Zoning on Property C2-SC
14. Deed Book 372 Page No. 286 Group No. 2010
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? NO
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: Blane Reese
Property Owner's Signature: William Tipton

SECTION B (To be completed by the Boone County Planning
Commission Staff)

1. Date Received 9/18/94
2. Is application complete? Yes Fee Received \$370.00 RA#11457
3. Staff Reviewer [Signature] Yes _____ No _____
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: Chevron Service Station (Former)

APPLICANT: Blane Reese

LOCATION: 1938 Petersburg Road, Boone County, Kentucky

ZONING: Commercial Two/Small Community (C-2/SC)

DATE: October 9, 1996

The applicant is requesting a Conditional Use Permit to allow used car sales at 1938 Petersburg Road in Hebron (See Sheet 1). This site was formerly used as a Chevron Service Station. The applicant has indicated that no "major physical changes" are to be made to the site. The gasoline tanks and pumps will be removed, following EPA guidelines. The applicant has indicated that the building will be painted and used for the repair and/or preparation of the automobiles to be sold on the site. The site will no longer be used as a service station. A Concept Development Plan has not been submitted.

Article 10, Section 1023 of the Boone County Zoning Regulations, permits "small scale sales or leasing of new and used motor vehicles requiring the storage of no more than 50 vehicles on the premises", as a Conditional Use within a Commercial Two District. The Board must use the following criteria from Section 1023 in addition to the seven criteria in Section 262 of the Boone County Zoning Regulations before making a motion on the proposed Conditional Use Permit.

Section 1023

- a.) The activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or
- b.) The activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and
- c.) 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 2)

North: North of the site are single family residences zoned SR-1. The residence immediately adjacent to the property is also located within the C-2/SC district.

South: South of the site is a sports bar and a bank. Both are within the C-2/SC district.

East: East of the site is a newly constructed single story building containing five or six offices. This property is zoned C-2/SC.

West: West of the site is Flick's grocery store, zoned C-2/SC.

The 1995 Boone County Comprehensive Plan's Future Land Use Map indicates the applicant's site as Commercial. The Land Use Section of the Comprehensive Plan for the Hebron area does not specifically mention this particular site other than to say:

"Care should be taken to insure that new development not significantly impact, nor encroach upon the established residential character of central Hebron and KY 20, as shown on the Land Use Map", (p. 220).

Staff Concerns and Comments

1. Staff is concerned about the lack of curbs along Petersburg Road and Limaburg. Something needs to be placed between the roads and the property to establish a physical barrier, such as a sidewalk and curb.
2. Staff suggests that the applicant be required to submit a Major Site Plan for review by the Planning Commission Staff which should include the parking areas, the gasoline tank locations, proposed sidewalks, curbs, etc., new pavement, and any other proposed improvements to the site.

Conclusion

Staff believes that the proposed car dealership can be harmonious with the surrounding uses in this Commercial Two/Small Community zone by comparison with the former use. 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 three criteria for a Conditional Use within a Commercial Two/Small Community zoning district.

Respectfully Submitted,

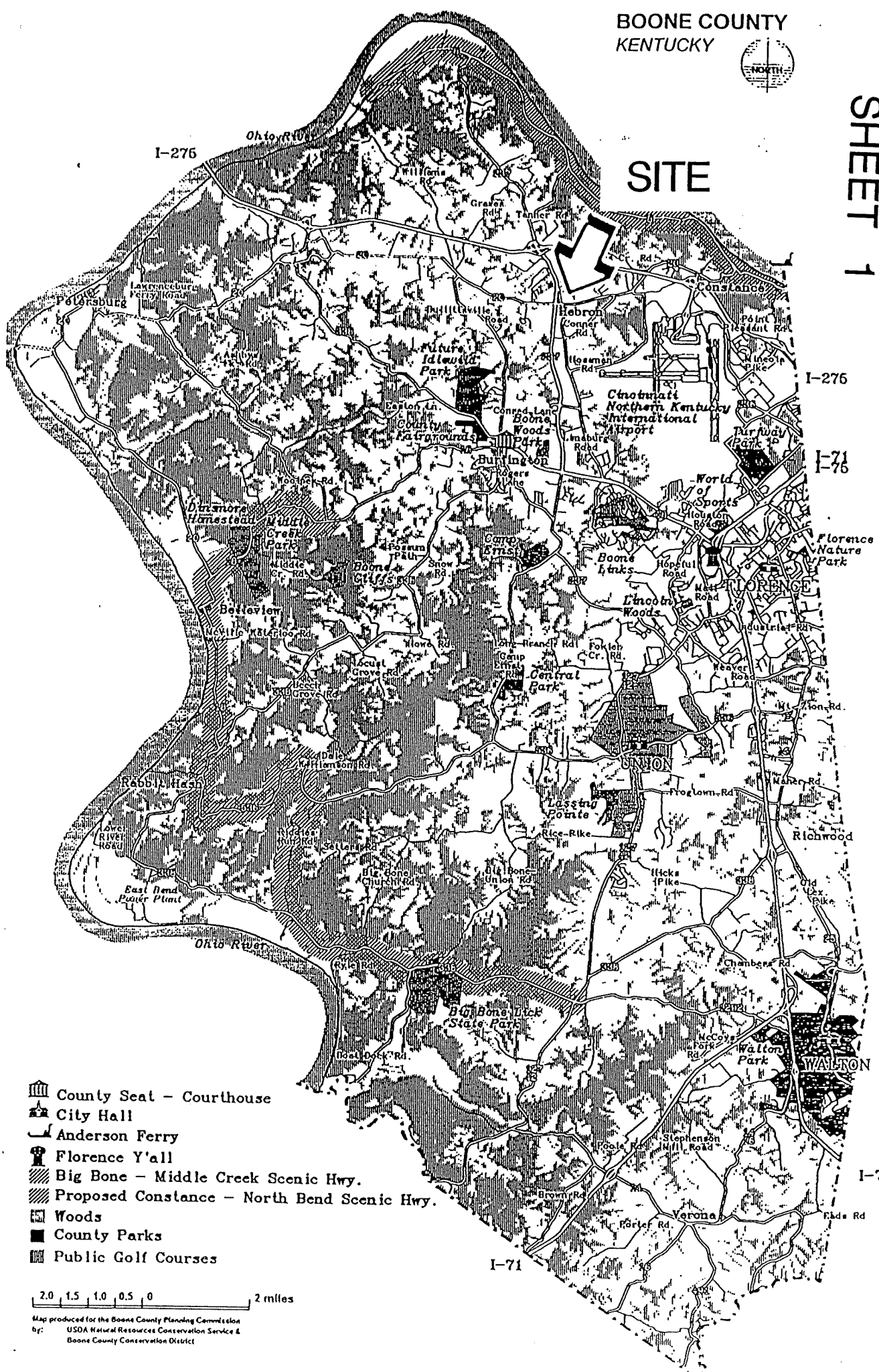


Edward Coleman
Planner

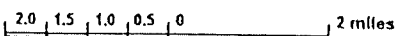
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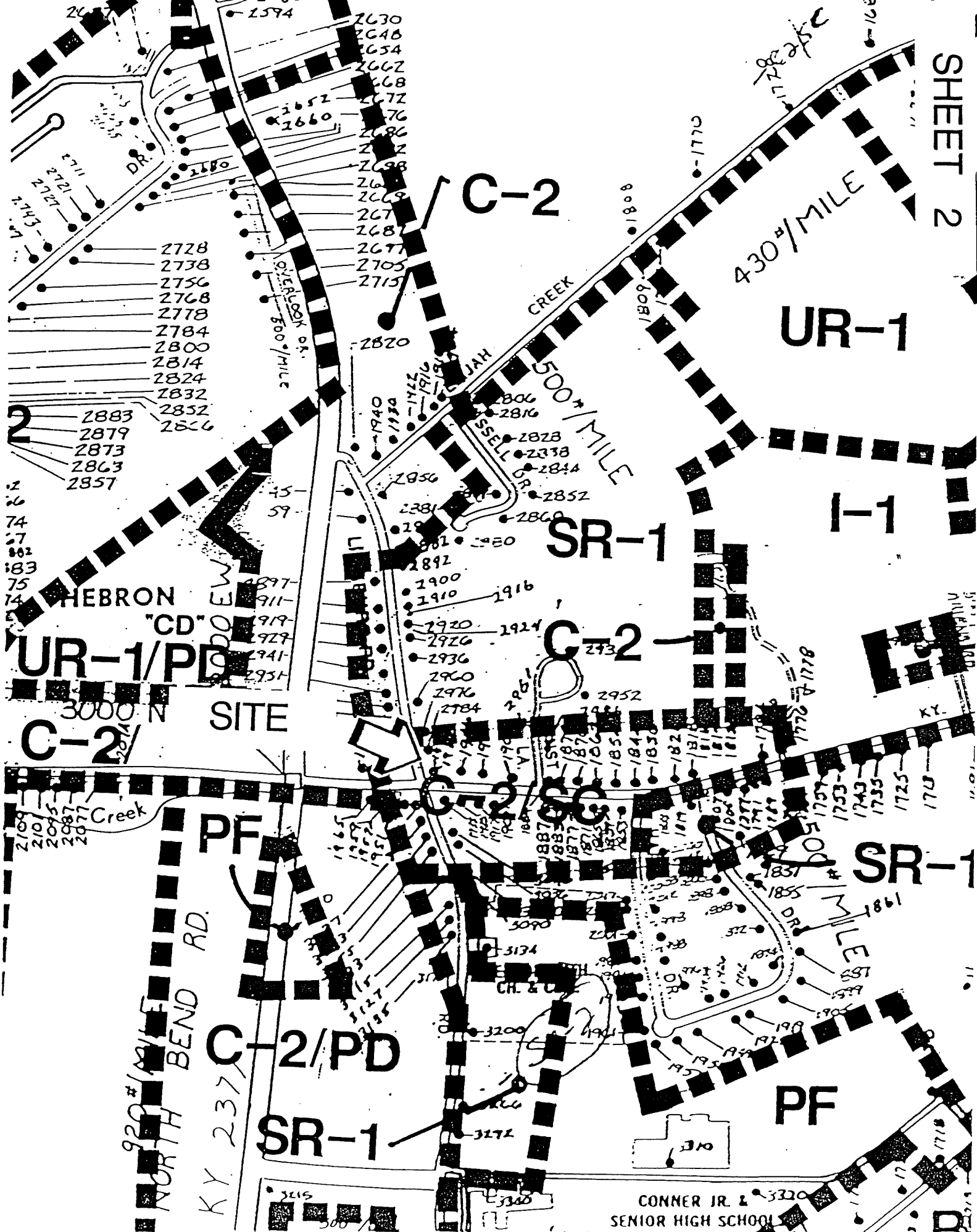
SITE



- 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



COPY

CLUR # 96- BCBOA-018-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Bill Tipton
2883 Watts Road
Burlington, Kentucky 41005

2. ADDRESS OF PROPERTY

1938 Petersburg Road
Hebron, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

DEED BOOK: 372

PAGE NO.: 286

GROUP NO.: 2010

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

Zoning Map Amendment: From _____ to _____ Conditional Use Permit

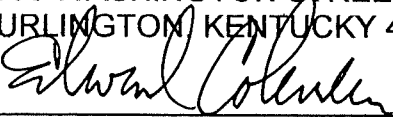
Development Plan Conditional Zoning

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



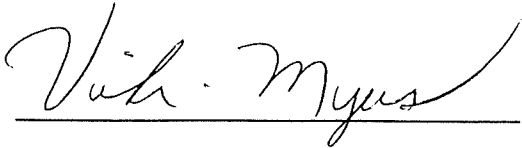
SIGNATURE OF COMPLETING OFFICIAL

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.

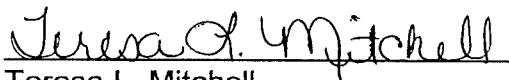


NOTARY PUBLIC, State at Large

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-018-A), for Bill Tipton , Property Owner.

The following conditions will apply: (1) Site Plan Review will be required. (2) The lighting be maintained as it is now, (3) Only the vehicles being sold on the site are allowed to be repaired or prepared for sale. No other vehicles can be brought in for repair or preparation.

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

described in: DEED BOOK 372 PAGE NO. 286 Group No. 2010