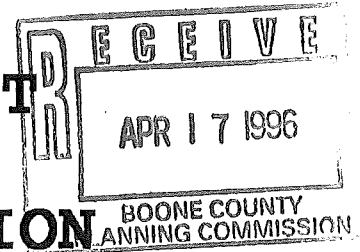


APPLICATION FORM
**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION**



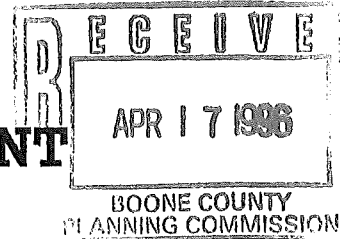
(See Boone County Zoning Regulations)

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 Raymond Erpenbeck Consulting Engineers
Phone Number 727-4200 Fax No. 342-5852
Applicant's Address 4205 Dixie Highway
Elsmere KY 41018
City State Zip
4. Description of Request: Conditional Use Permit for Property
Zoned I-2 Use car lot for sales only
5. Name of Development n/a
6. Location of Development Northwest Corner of the Intersection of
U.S. 25 and Industrial Road
7. Acreage Under Review 0.46 AC
8. Lot Number and Name of Subdivision (if part of a subdivision)
n/a
9. Owner of Property Frederick H. Nebel
Phone Number of Owner _____
10. Address of Property Owner 4745 South Atlantic Avenue #206
Ponce Inlet FL 32019
City State Zip
11. Proposed Use(s) on Site Used car lot
12. Total Square Footage of Existing and/or Proposed Buildings
1,120 SF
13. Current Zoning on Property I-2
14. Deed Book 564 Page No. 126 Group No. _____
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? _____
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: Raymond Erpenbeck
Property Owner's Signature: Wayne Demmond

(over)

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 Raymond Erpenbeck Consulting Engineers
Phone Number 727-4200 Fax No. 342-5852
Applicant's Address 4205 Dixie Highway
Elsmere KY 41018
City State Zip
4. Description of Request: Dimensional Variance; Side Yard 20' required,
12' requested; Rear Yard 30' required, 12' requested
5. Name of Development n/a
6. Location of Development Northwest Corner of the Intersection of
U.S. 25 and Industrial Road
7. Acreage Under Review 0.46 AC
8. Lot Number and Name of Subdivision (if part of a subdivision)
n/a
9. Owner of Property Frederick H. Nebel
Phone Number of Owner _____
10. Address of Property Owner 4745 South Atlantic Avenue #206
Ponce Inlet FL 32019
City State Zip
11. Proposed Use(s) on Site Used car lot
12. Total Square Footage of Existing and/or Proposed Buildings
1,120 SF
13. Current Zoning on Property I-2
14. Deed Book 564 Page No. 126 Group No. _____
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? _____
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: Raymond Erpenbeck
Property Owner's Signature: Wayne Dammond

(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 April 17, 1996 Fee Received 1420.00 R#1814
2. Is application complete? X Yes _____ No 99.00 R#
3. Staff Reviewer Jef S. Hayes
4. Scheduled Board Action Date June 12, '96 10195
5. Board Action:
_____ **Approved**
_____ **Approved with Conditions (See #6)**
_____ **Denial (See #7)**
6. Conditions of Approval: _____

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: **Automobile Dealership**

APPLICANT: Raymond Erpenbeck Consulting Engineers

LOCATION: NW Corner of U.S. 25 and Industrial Road, Boone County,
Kentucky

ZONING: Industrial Two (I-2)

DATE: May 8, 1996

The applicant is proposing to develop a used auto dealership on a .46 acre tract on an abandoned lot located on the northwest corner of U.S. 25 and Industrial Road (See Map #1). In addition, to the requested Conditional Use Permit the applicant is requesting a Variance for the side and rear setbacks. The applicant is requesting a reduction in the rear yard setback from 30 feet to 12 feet and a reduction in the side yard setback from 20 feet to 12 feet.

Article 11 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 within an Industrial Two zoning district with a Conditional Use Permit. The Board must use the following criteria in addition to the seven criteria 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 uses of the district;
- d) provide the arrangement of uses, buildings or structures in mutually compatible with the organization of permitted and accessory uses to be protected in the district.

The surrounding Land Uses and Zoning is Industrial Two (I-2). Star Bank is located to the North, the Florence Fire House to the southeast and a used car dealership to the south (See Sheet #2)

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

Concept Development Plan

The applicant's auto dealership would include a building 1,120 square feet in size which would be tucked in the northwest corner of the site. This building addition would require two setback variances mentioned above (See Sheet #3). There are two existing curb cut to the site. One access in on U. S. 25 and the other in on Industrial Road. The applicant has indicated that the use would only include the sales of used cars and not the repairs of vehicles. The display of the automobiles would be on a paved surface in front of the proposed building.


Staff Concerns

1. Site Plan Review will be required for the development of the site if the Board approves the Conditional Use Permit.
2. The Board should determine if a condition is necessary to hold the applicant to the sale of vehicles only and not permit repairs or storage of vehicles.
3. Staff believes that the Board should review the color of the building to determine if it will be appropriate for this area.
4. Staff believes that landscaping should be required along the two street frontages. A minimum of five (5) feet should be required. In addition, the Board should determine if landscaping is necessary along the two property lines where the Variances are requested.

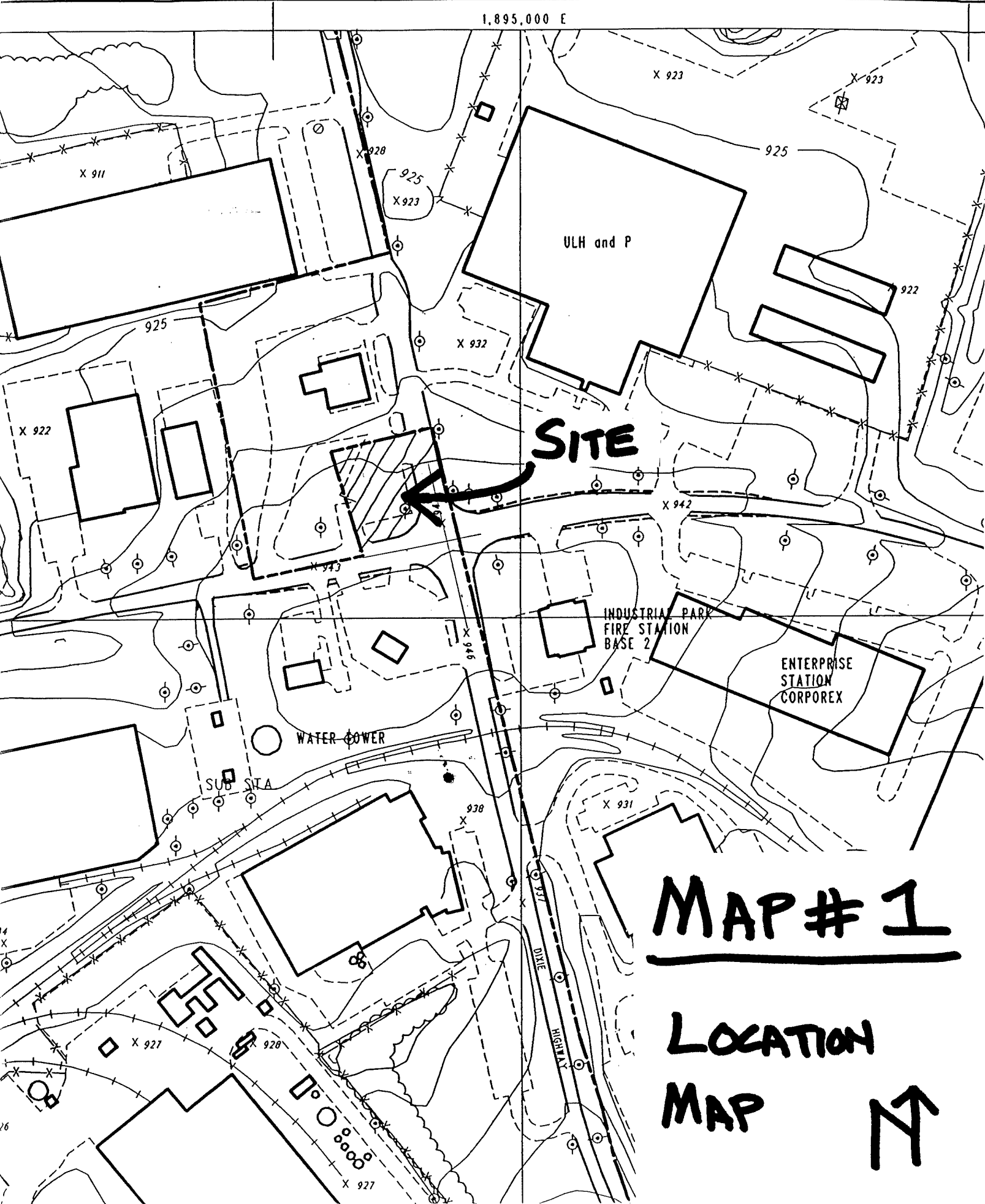
Conclusion

Staff believes, that the proposed car dealership will be harmonious with the surrounding industrial uses. 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 four criteria for a Conditional Use within a Industrial Two zoning district.

Respectfully Submitted,


Jeffrey F. Hayes, AICP
Planner

1,895,000 E



SITE

MAP # 1

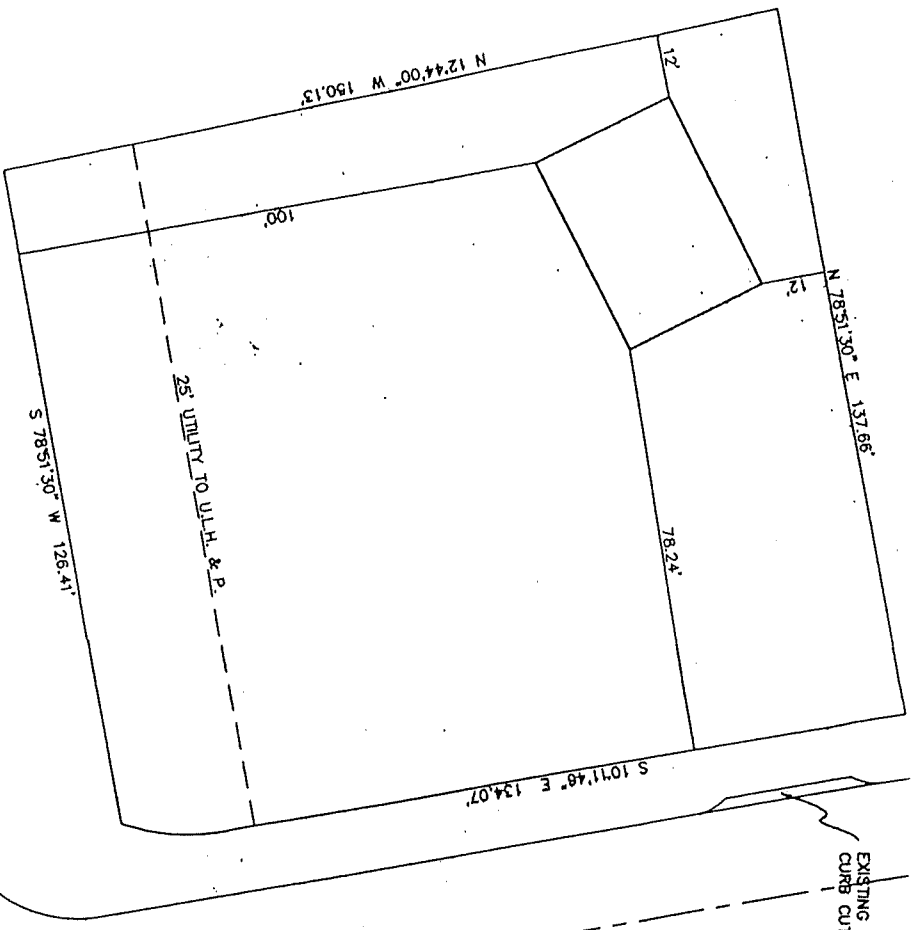
**LOCATION
MAP**



IEBEL

EXISTING CURB CUT

INDUSTRIAL ROAD (KY 1829)



EXISTING CURB CUT

U.S. 25

U.L.H.
(EXIS)

- ZONE: I-2
- FRONT SETBACK: 1
- SIDE SETBACK: 20'
- REAR SETBACK: 3x
- MAXIMUM BLDG. HI

MAP#3

CONTACT : PATRICIA A. COFF