

98-007

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) X Boone ... Florence ... Walton ... Union
2. (Check One) Conditional Use Permit X Variance ... Appeal
3. Applicant's Name Post, Buckley, Schuh & Jernigan, Inc.
4. Description of Request: Permission to place a 6' high fence in the front yard area.
5. Name of Development Park West International
6. Location of Development Between Graves Road & KY 237 along I-275
7. Acreage Under Review 3.075
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 5 of Section 1 of Park West International
9. Owner of Property Industrial Developments International
10. Suite 110
11. Proposed Use(s) on Site Tractor trailer parking lot
12. Total Square Footage of Existing and/or Proposed Buildings N/A
13. Current Zoning on Property I-1
14. Deed Book 651 Page No. 26 Group No. 2006
15. Is the site subject to a zone change? No
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: Drew S. [Signature] Assist. Proj. Mgr.

Property Owner's Signature: [Signature]

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ZONING APPEALS ACTION
APPLICATION
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SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 5-2-98 Fee Received \$500.00 R# 16411
2. Is application complete? Yes Yes _____ No _____
3. Staff Reviewer [Signature]
4. Scheduled Board Action Date 4/13/98
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

APPLICANT: Drew Squires (Post, Buckley, Schuh, & Jernigan, Inc.)
LOCATION: Lot 5, Section 1, Park West International, Boone County
ZONING: Industrial One (I-1)
DATE: May 13, 1998

Proposal

The applicant is requesting a Variance to allow a 6' high fence in the front yard of Lot 5, Section 1, in the Park West International Industrial Park. Park West International is located along the west side of North Bend Road, immediately north of Interstate 275. The site is located near the west end of Global Way. A Site Plan was approved for Skyway by the Boone County Planning Commission Staff on July 21, 1997. The site is used for the temporary storage of semi-truck trailers.

The Boone County Zoning Regulations permits fences in front yards in all zoning districts in unincorporated Boone County (Boone County Zoning Regulation - 37.9). Fences shall be permitted in front yards according to the following standards:

1. No fence can be taller than three (3) feet.
2. Fences shall be of a decorative design, (chain link, barded wire, stock wire, chicken wire and similar type fences are not permitted) and shall be designed to have an opacity of fifty (50) percent or more. Certain design elements, such as posts or masonry with architectural details, can be up to four (4) feet tall.
3. No fence can be located within a public right-of-way nor can it be located in an area which will obstruct the sight triangle for any motorist or pedestrian as defined in Article 32.

Action by the Board of Adjustment and Zoning Appeals

The Board of Adjustment and Zoning Appeals has the power to hear and decide on applications for variances. A variance is defined as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.47.

Variances are appropriate by reason of exceptional narrowness, shallowness, or unusual shape of a site on the effective date of the zoning regulations or amendment thereof or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of the site. The literal enforcement of the above dimensional terms of the zoning regulation would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same zone. The dimensional terms pertaining to height, width and location involve such items as structures, parking space stalls, driveway aisles, and landscaped buffers and signs. Lot frontages, the size of yards, and open spaces refer to minimum yard dimensions such as building setbacks.

Staff Concerns\Comments

1. The applicant should indicate what types of materials will be use in the construction of the fence. Chain link fencing is not an option and is not subject to any variances of the Boone County Zoning Regulations.

Conclusion

K.R.S. 100.241 gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Variance to increase the height of a fence in the front yard of Lot 5, Section 1, in the Park West International industrial park. It is Staffs' opinion that the proposed Variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations, if the supplemental standards are followed.

Respectfully Submitted,

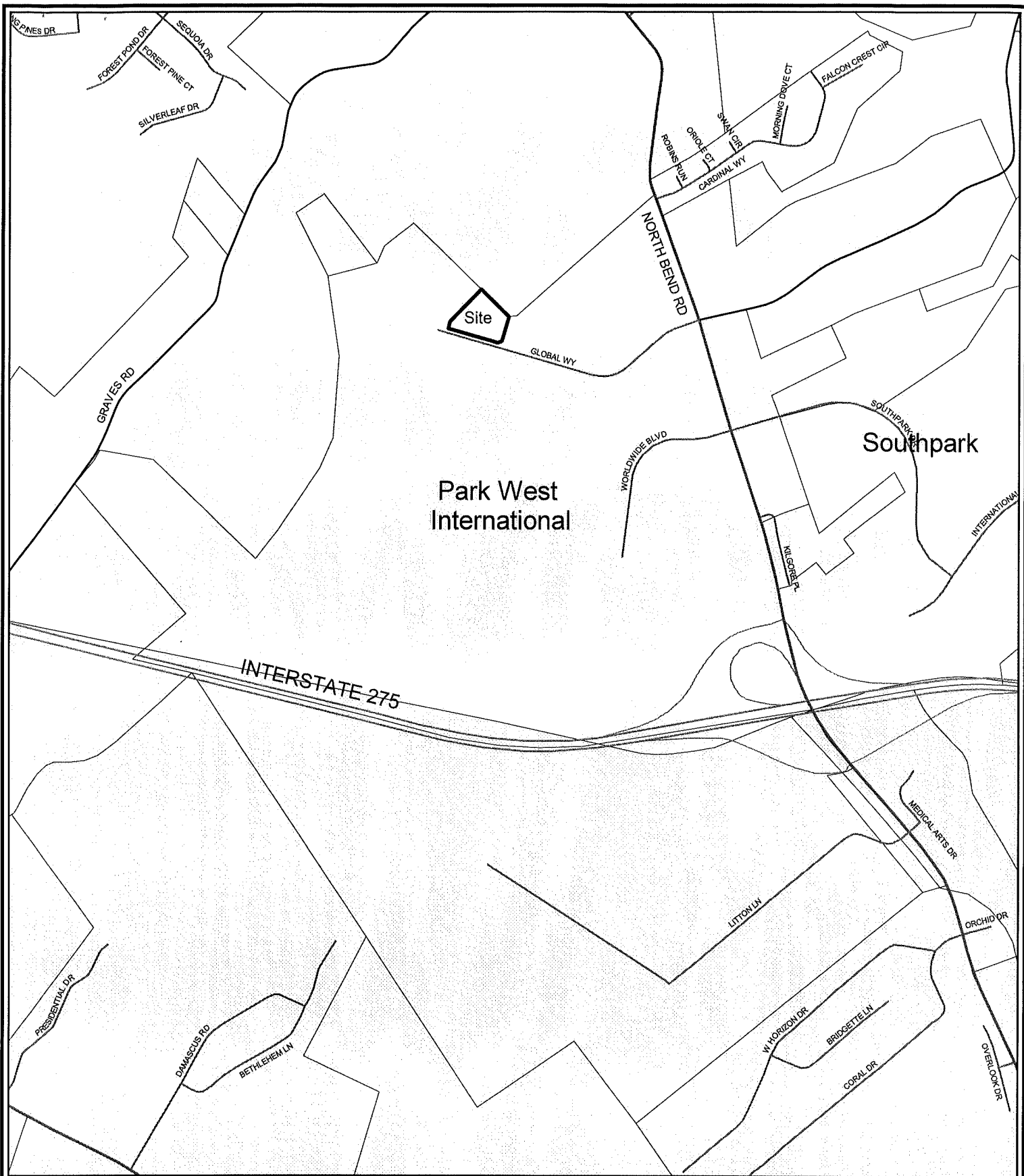


Edward Coleman
Planner

EC\pr

Attachments

- Location Map
- Approved Site Plan/
Proposed Fence Location

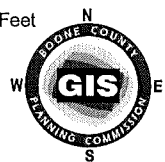


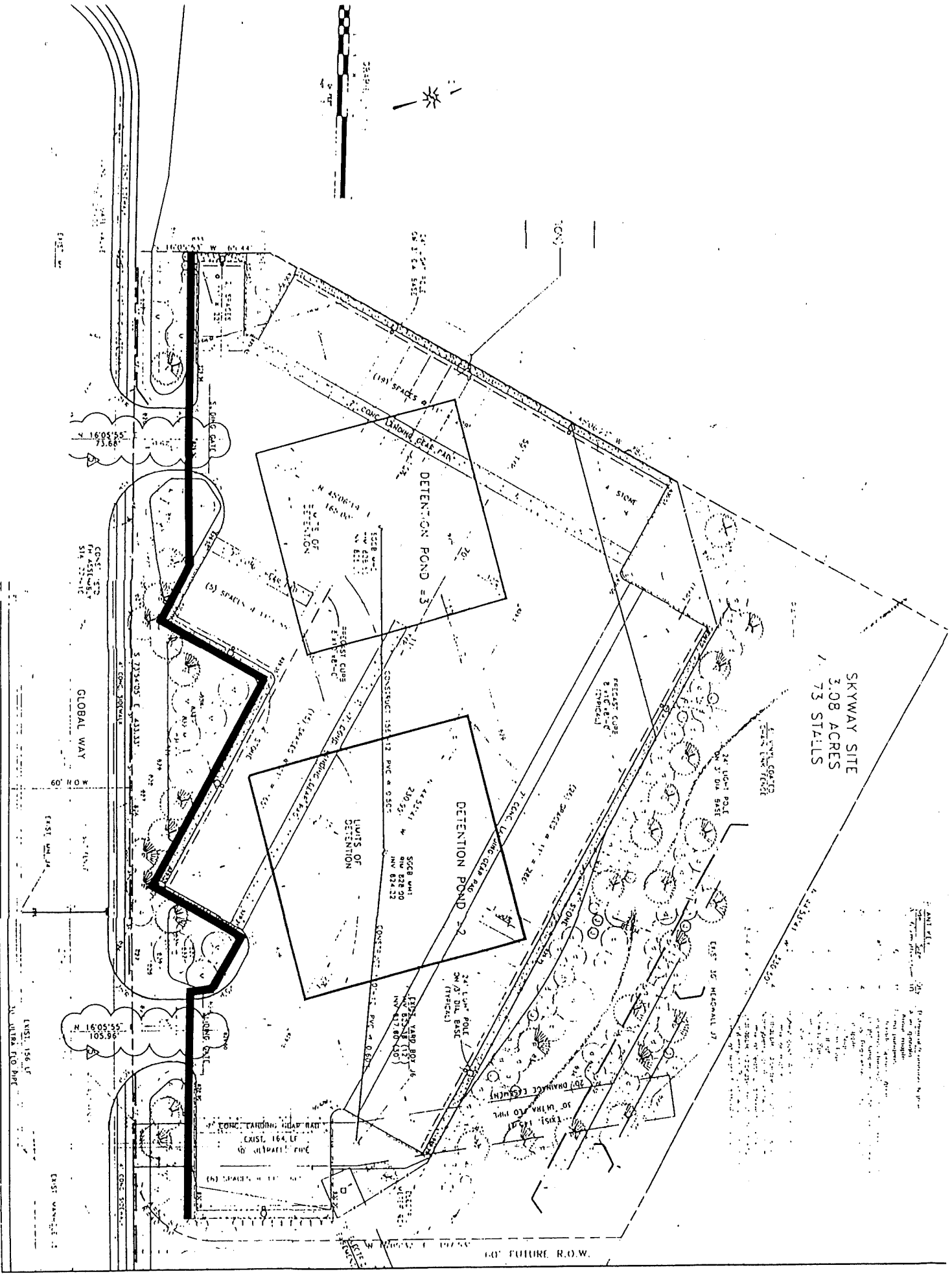
Skyway Park West International

1100 0 1100 Feet



1 inch equals 1100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 4, 1998





SKYWAY SITE
3.08 ACRES
73 STALLS

GLOBAL WAY

60' FUTURE R.O.W.

PARK WEST INTERNATIONAL

AWWA 2000

ENGINEER
EH&A

DEVELOPER
Industrial Developments International

NO	DATE	REVISION MADE	BY
1	10/1/01	ALIGNED LANDING AREA	EH&A
2	10/1/01	ADDED DETENTION POND #2 AND #3	EH&A
3	10/1/01	ADDED CONCRETE LANDING GEAR PADS	EH&A
4	10/1/01	ADDED UTILITY LINES AND MANHOLE CENTERS	EH&A
5	10/1/01	ADDED STALLS AND STALL SPACING	EH&A

COPY

CLUR # 98-BCBOA-007-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Industrial Developments International
1840 Airport Exchange Blvd. Suite 110
Erlanger, Kentucky 41018

ADDRESS OF PROPERTY
Graves and KY 237
Hebron, Kentucky 41048

3. NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)
Park West International

DEED BOOK: 651

PAGE NO.:26

GROUP NO.:2006

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

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

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



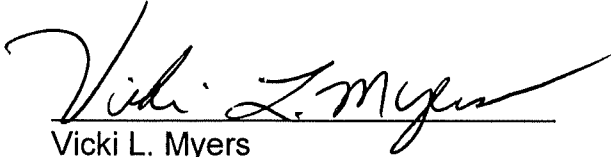
SIGNATURE OF COMPLETING OFFICIAL

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 15th day of June 1998.

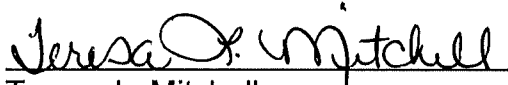


Vicki L. Myers
NOTARY PUBLIC, State at Large

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.)