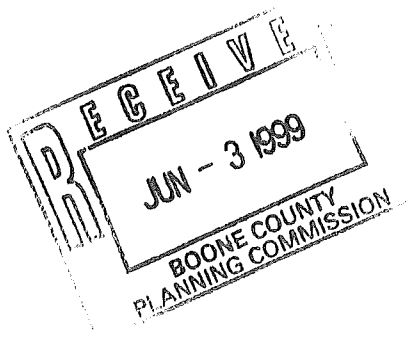


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APPLICATION FORM

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) Boone [checked] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [checked] Variance _____ Appeal _____ Change in Non-Conforming Use _____
3. Applicant's Name STEVEN V. KING Phone Number 586-8398 Fax No. _____ Applicant's Address 2527 FLAGSTONE CT. BURLINGTON KY 41005
4. Description of Request: SHED 15 3 FEET FROM PROPERTY LINE
5. Name of Development KINGSGATE
6. Location of Development BURLINGTON, KY
7. Acreage Under Review 0.39
8. Lot Number and Name of Subdivision (if part of a subdivision) LOT 133 KINGSGATE
9. Owner of Property STEVEN V. KING Phone Number of Owner 586-8398 Address of Property Owner 2527 FLAGSTONE CT BURLINGTON KY 41005
10.
11. Proposed Use(s) on Site STORAGE OF LAWN TRACTOR NECESSARY FOR ACCESSIBILITY (PERMANENT/PARTIAL 18%)
12. Total Square Footage of Existing and/or Proposed Buildings 120
13. Current Zoning on Property RESIDENTIAL
14. Deed Book 484 Page No. 4 Group No. 3097 2030
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: [Signature]

Property Owner's Signature: [Signature]

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 6-3-99 Fee Received BY 26.0 R# 20750
2. Is application complete? Yes No
3. Staff Reviewer Mark Jordan
4. Scheduled Board Action Date July 14, 1999
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: Steven V. King

LOCATION: Lot 133 of the Kingsgate Crossing Subdivision, 2527 Flagstone Court, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: July 14, 1999

Proposal

The applicant is requesting a Variance to allow a reduction of the rear and right side yard setbacks for a 120 square foot detached storage shed on Lot 133 of the Kingsgate Crossing Subdivision, Boone County, Kentucky. The Boone County Zoning Regulations require a minimum rear yard and side yard setback of 5 feet for any detached structure in a Suburban Residential One (SR-1) zoning district. The 120 square foot detached utility shed is currently under construction, and was inadvertently constructed in violation of the 5 foot minimum setback requirement. The enclosed drawing presented by the applicant depicts that the shed is located 3 feet from the rear property line, and 3 feet from the right side property line, for an encroachment of 2 feet on the right rear and the right side yards. If the Variance is granted, the result will be a smaller rear yard and side yard setback. The Variance will not affect the front or left side yard setbacks or the appearance of the residence from Flagstone Court.

Action by Board of Adjustment and Zoning Appeals

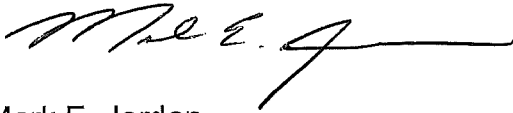
The Board of Adjustment and Zoning Appeals has the power to hear and decide on applications for Variances. A Variance is defined as a departure from dimensional terms of the zoning regulation pertaining to height, width, or location of structures, and the size of open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.247.

Variances are appropriate by reason of exception 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 a reasonable capacity to make use of the land in a manner equivalent to the use permitted other land owners 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.

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 reduce the rear yard and right side yard setback for the 120 sq. ft. detached storage shed on Lot 133 of the Kingsgate Crossing Subdivision, Boone County, Kentucky. The applicant's proposal must be determined by the criteria listed in K.R.S. 100.241 to 100.247.

Respectfully Submitted,

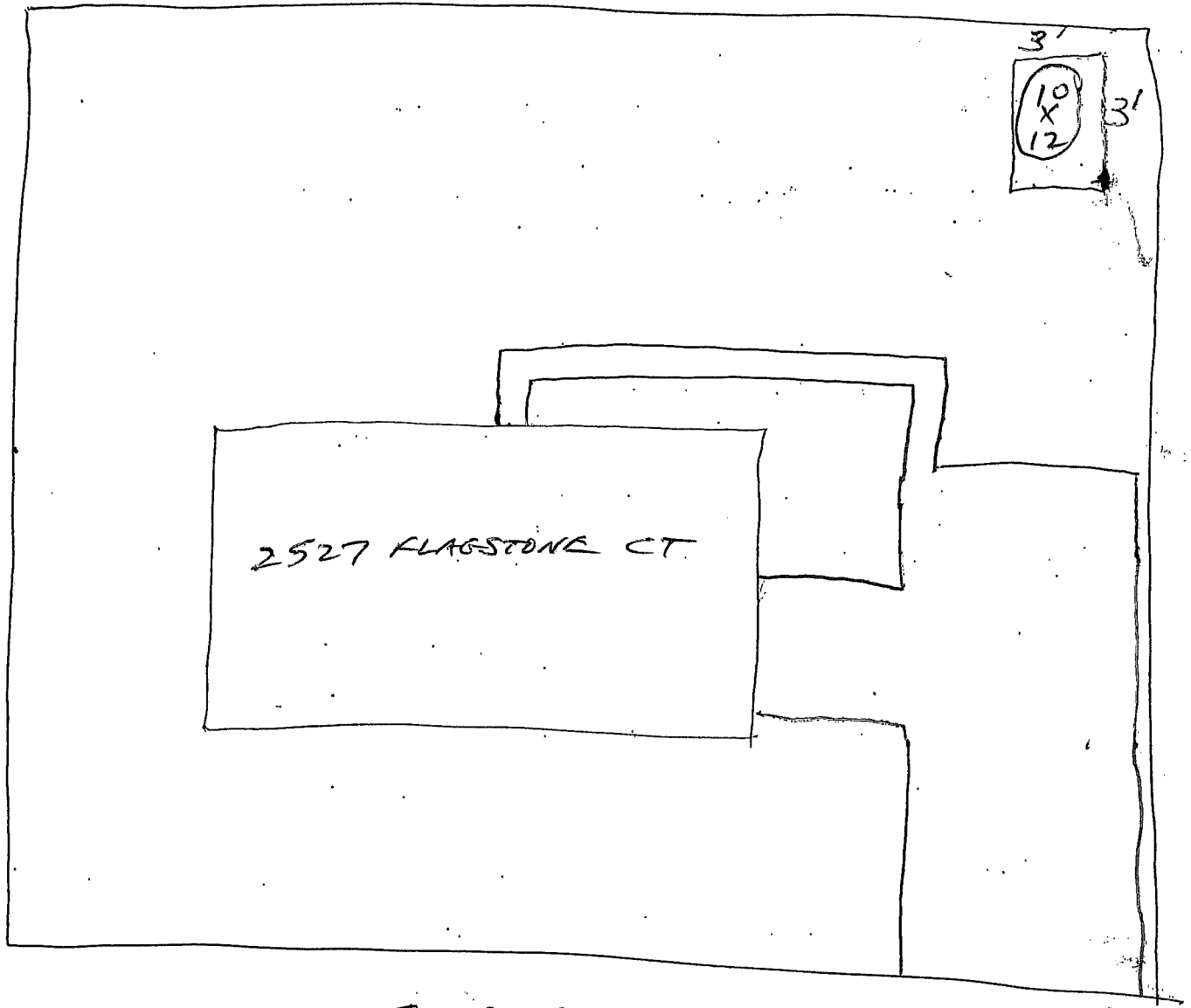


Mark E. Jordan
Planner

MEJ\pr

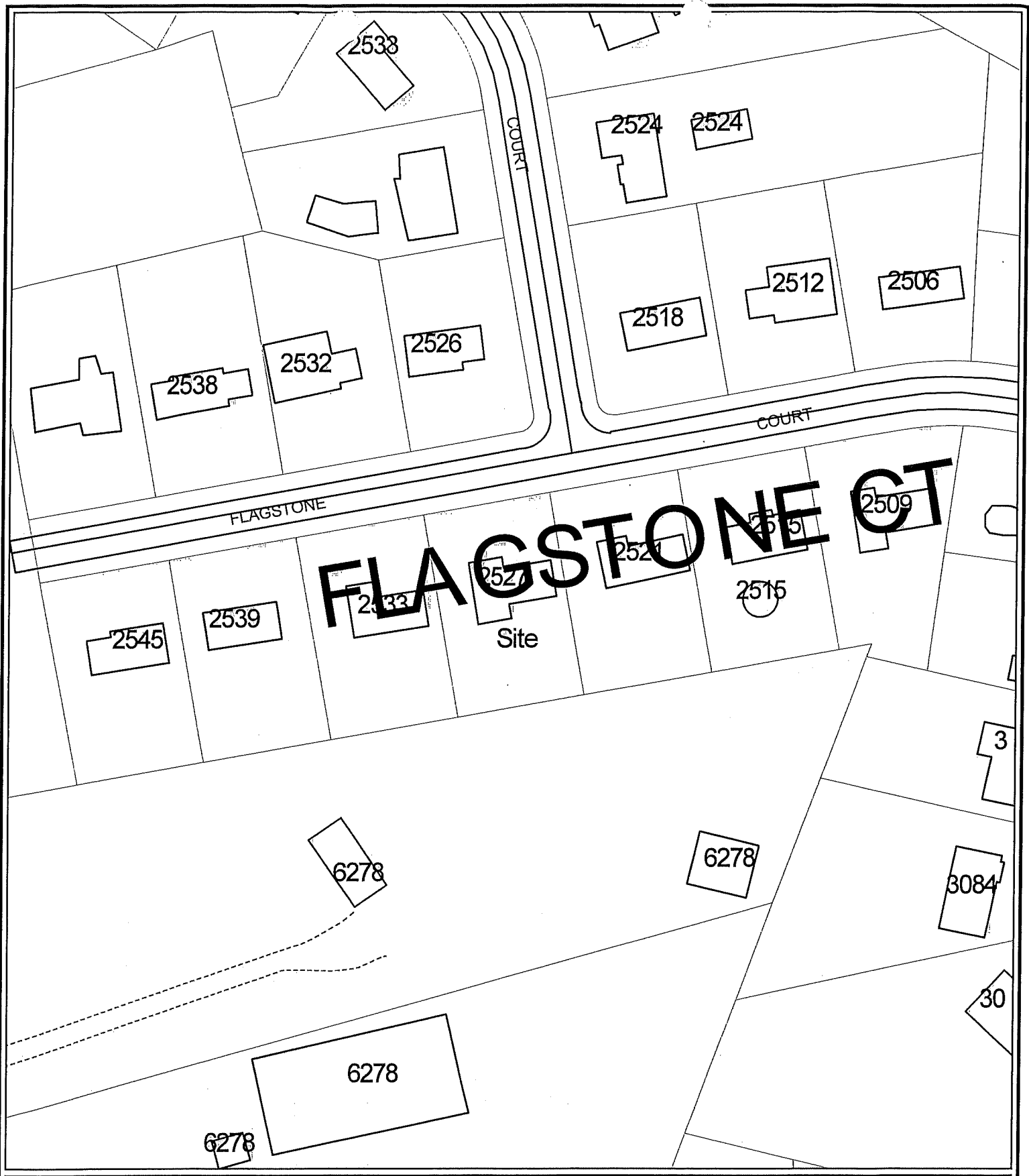
Attachments

- Site Location Map
- Zoning Map
- Plot Plan with 10x12 detached storage shed



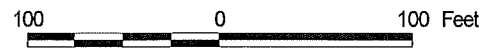
SITE PLAN

SCALE - 1 INCH = FEET



Site Location Map

2527 Flagstone Court



1 inch equals 100 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 9, 1999



STAFF REPORT

APPLICANT: Jeff Caldwell on behalf of Toyota Motor Manufacturing North America

LOCATION: Lots 3, 4, and 5 of Circleport III Business Center, 25 Atlantic Avenue, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: July 14, 1999

Proposal

The applicant is requesting a Variance to allow an increase in height for a proposed building addition to match the existing building on Lots 3, 4, and 5 of the Circleport III Business Center, Boone County, Kentucky. The Boone County Zoning Regulations permit a maximum building height of 50 feet in an Industrial One (I-1) zoning district. The applicant is proposing a height of 60 feet, which will exist of four (4) floors that match the existing building, with no mechanical penthouse or clearstory windows. The site is the Corporate Headquarters for Toyota Manufacturing North America, and was originally built to be the Cincinnati Bell Technical Center, and has a height of 72 feet, including a mechanical penthouse and clearstory windows. The buildings overall height will be shorter than the existing building, approximately 60 feet above grade. If the Variance is granted, the result will be a departure from the dimensional terms pertaining to the height.

Action by Board of Adjustment and Zoning Appeals

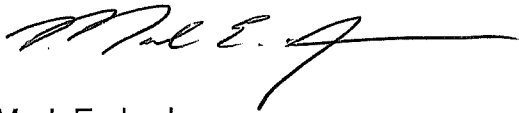
The Board of Adjustment and Zoning Appeals has the power to hear and decide on applications for Variances. A Variance is defined as a departure from dimensional terms of the zoning regulation pertaining to height, width, or location of structures, and the size of open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.247.

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 a reasonable capacity to make use of the land in a manner equivalent to the use permitted other land owners 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.

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 for a proposed building addition from 50 feet to 60 feet on Lots 3, 4, and 5 of the Circleport III Business Center. The applicant's proposal must be evaluated by the criteria listed in K.R.S. 100.241 to 100.247.

Respectfully Submitted,

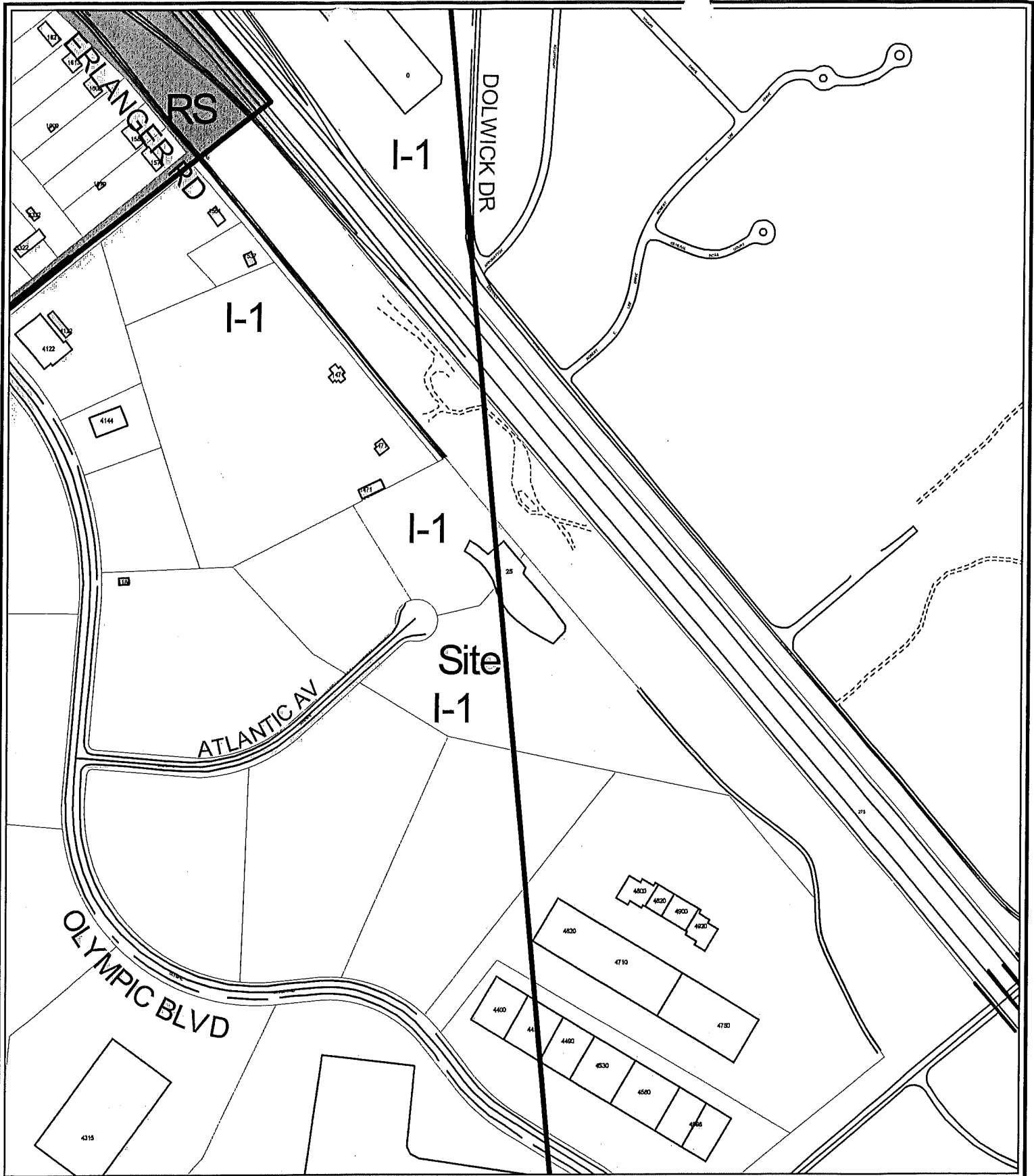


Mark E. Jordan
Planner

MEJ/pr

Attachments

- Site Vicinity Map
- Zoning Map
- Applicant's Narrative
- Prototype of existing and proposed building with addition
- Site Plan
- Elevation Drawings



Zoning Map

25 Atlantic Avenue

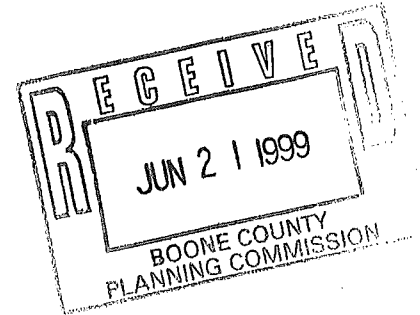


1 inch equals 400 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 9, 1999



June 21, 1999

Board of Adjustments
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Subject: Building Height Variance Request for Toyota Headquarters Expansion,
25 Atlantic Avenue, Boone County, KY 41018: Zoned: Industrial One (I-1)

Dear Board of Adjustments,

Toyota Motor Manufacturing North America needs to expand their Corporate Headquarters Building and are requesting a variance beyond the 50 foot height limit requirements of Boone County Zoning Regulations for Zone Industrial One (I-1).

Please recall the building was built to be the Cincinnati Bell Technical Center. Cincinnati Bell received a variance to build the building to it's current height. The Existing building includes a mechanical penthouse and a clearstory window section over the center atrium that rises approximately 72 feet above grade.

Toyota's expansion is proposed to be four floors that match the existing building except with no mechanical penthouse or clearstory windows. The Building's overall height will be shorter than the existing building or approximately 60 feet above grade. At the time of this writing has been reviewed and verbally approved by the CirclePort III Design Review Board.

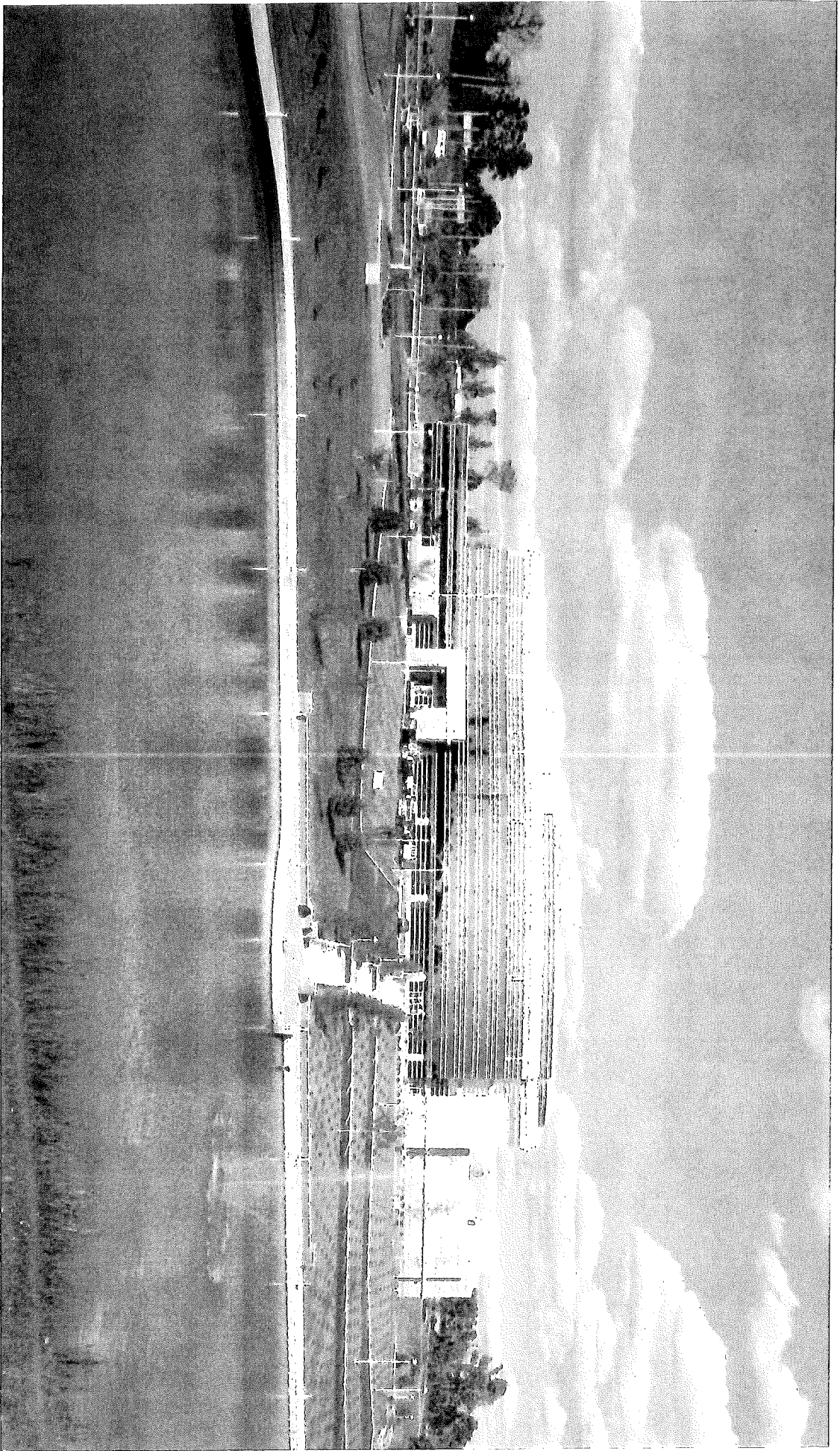
The expansion meets all site plan requirements and will be buffered from adjacent residences (nonconforming I-1 use) to the West by additional landscape above and beyond the extensive berms and landscaping that currently exists. Toyota desires to be a good neighbor.

Favorable approval of this variance request will be greatly appreciated and will result in a successful expansion of Toyota's Headquarters.

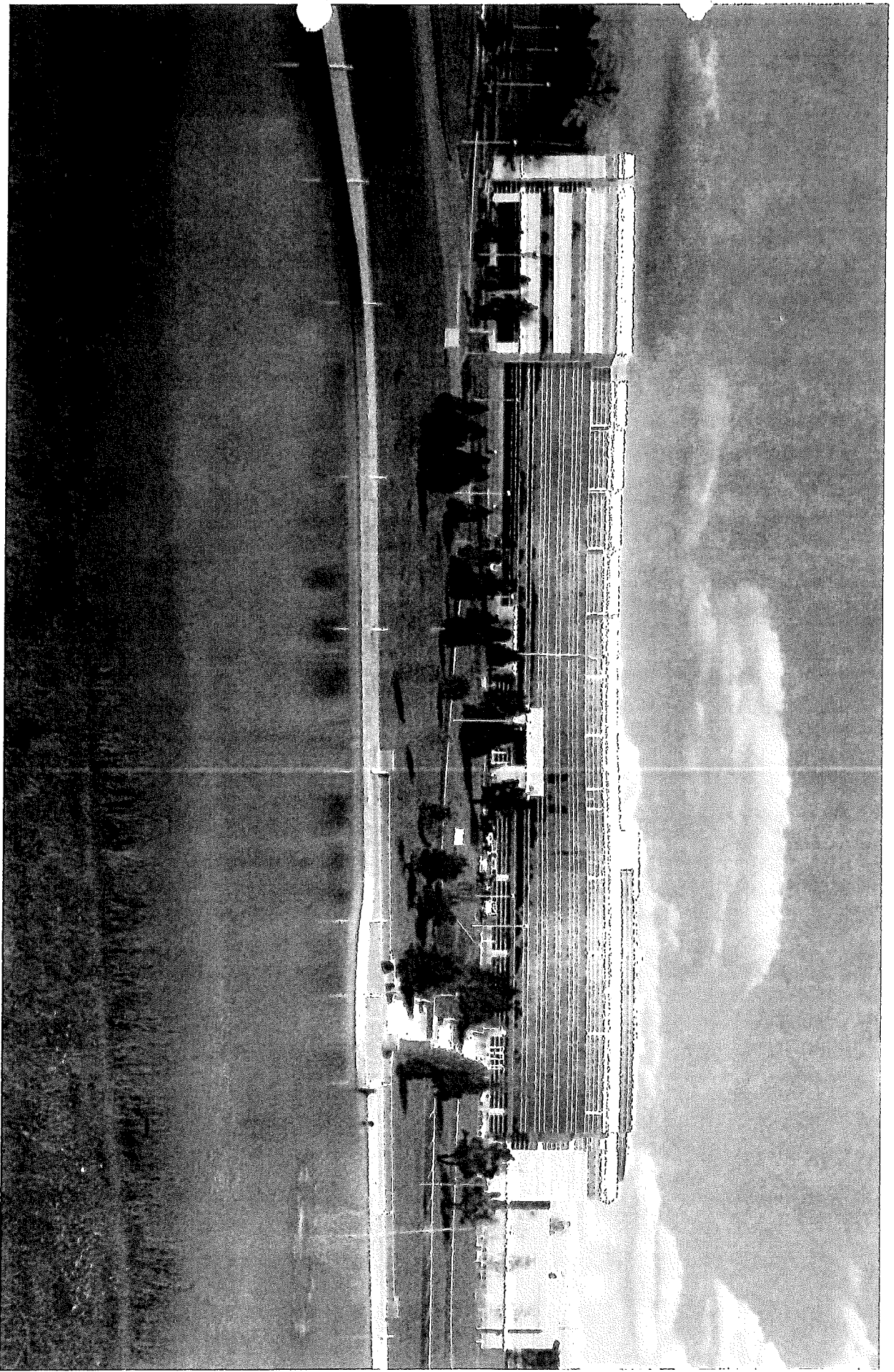
Respectfully submitted,

Joseph H. Morgan, Architect
Manager, Corporate Commercial Division

cc: Kevin Wall (BCPZ), Jeff Caldwell (TMMNA)



Wisconsin



BRANDON

7-14-99

COPY

CLUR # 99-BCBOA-011-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Steven V. King
2527 Flagstone Ct.
Burlington, Kentucky 41005

- 2. ADDRESS OF PROPERTY
2527 Flagstone Ct
Burlington, Kentucky 41005

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

- 3. DEED Bk# 484 PAGE # 4 GROUP # 2030

- 4. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment: Conditional Use Permit
From _____ To _____
 Development Plan Conditional Zoning
 Subdivision Plat Other:
(Not Recorded)
 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



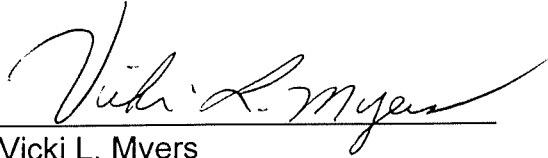
SIGNATURE OF COMPLETING OFFICIAL

Mark Jordan, Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

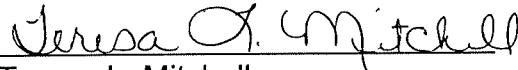
Subscribed, sworn to, and acknowledge before me by Mark Jordan, on behalf of the
Boone County Planning Commission this 8th day of September 1999.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

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 Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of July 14, 1999 Certificate of Land Use Restriction (# 99-BCBOA-011-A), for Steven V. King, Property Owner(s).

The following conditions will apply: No Conditions

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 484 PAGE NO. 4 Group No. 2030