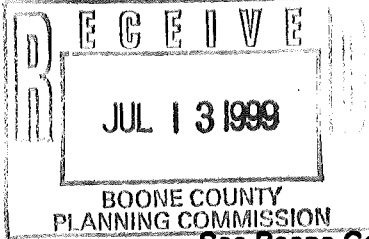


APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One) 1. X Boone ... Florence ... Walton ... Union
(Check One) 2. Conditional Use Permit X Variance Appeal
3. Applicant's Name Design Build Services - * CERALD F. DUSING, ATTORNEY (Below)
Phone Number 781-1776 Fax No. 781-1766
Applicant's Address 12 Highland Avenue Ft. Thomas KY 41075
4. Description of Request: Request rear yard variance to construct 40x100 office addition due to 100 ft. front yard subdivision requirement
5. Name of Development King Tool Office Addition
6. Location of Development 1338 Cox Avenue Boone County, KY 41018
7. Acreage Under Review 3.34
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 4 Mineola Industrial Park Section III
9. Owner of Property King Tool Company
Phone Number of Owner 525-1799 10.
Address of Property Owner Boone County KY 41018
City State Zip
11. Proposed Use(s) on Site Construct 40x100 office addition
12. Total Square Footage of Existing and/or Proposed Buildings Bdg. A-29, 400sf / Bdg. B-14, 42
13. Current Zoning on Property I-1
14. Deed Book 530 Page No. 49 Group No. 1309 2022
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? 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: [Handwritten Signature]

Property Owner's Signature: Robert E. King

(over)

* CERALD F. DUSING
% ADAMS, STEINER, WOLTERSMANN & DUSING
PO Box 861
Covington, Ky 41012
ph: 291 7270
fx: 291 7902

**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 July 13, 99 Fee Received 526.⁰⁰ R# 21232
- 2. Is application complete? _____ Yes _____ No
- 3. Staff Reviewer _____
- 4. Scheduled Board Action Date _____
- 5. Board Action:
 - _____ **Approved**
 - _____ **Approved with Conditions (See #6)**
 - _____ **Denial (See #7)**
- 6. Conditions of Approval: #1 - The applicant must provide landscaping at the rear of the property, subject to staff 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: Gerald F. Dusing on behalf of Design Build Services

LOCATION: Lot 4, Section III, Mineola Industrial Park, 1338 Cox Avenue
Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: August 11, 1999

Proposal

The applicant is requesting a Variance to allow a reduction in the rear yard setback for a 4,000 square foot office addition on Lot 4, Section III, of the Mineola Industrial Park, Boone County, Kentucky. The Boone County Zoning Regulations require a minimum rear yard setback in the Industrial One (I-1) zoning district of 30'. The enclosed drawing presented by the applicant depicts the location of the proposed addition at 14' - 5" from the rear property line, for a requested Variance of 15' - 5". If the Variance is granted, the result will be a smaller rear yard setback. The variance will not affect the front or side yard setbacks or the appearance of the building from Cox Avenue.

Action by Board of Adjustment and Zoning Appeals

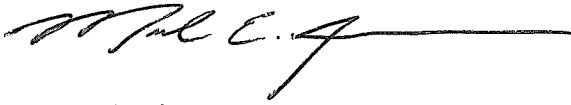
The Board of Adjustment and Zoning Appeals has the power to hear and decide on applications for Variances. A Variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to height, width, or location of structures, and the size of open spaces where such departure 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 reduce the rear yard setback for the proposed 4,000 square foot addition on Lot 4, Section III of the Mineola Industrial Park, 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,

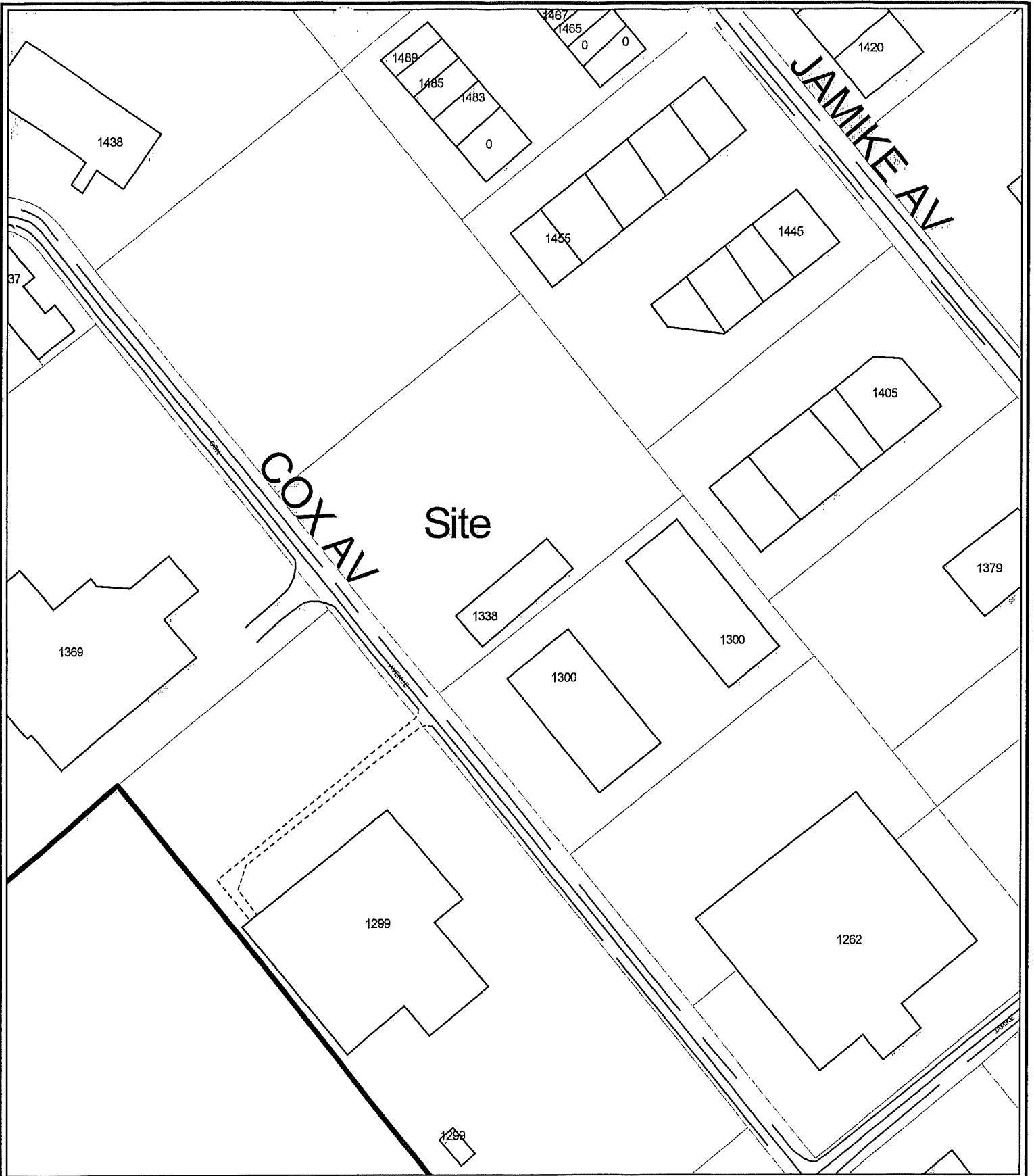


Mark E. Jordan
Planner

MEJ\pr

Attachments

- Site Location Map
- Zoning Map
- Elevation drawings
- Plot plan with proposed 4,000 square foot addition



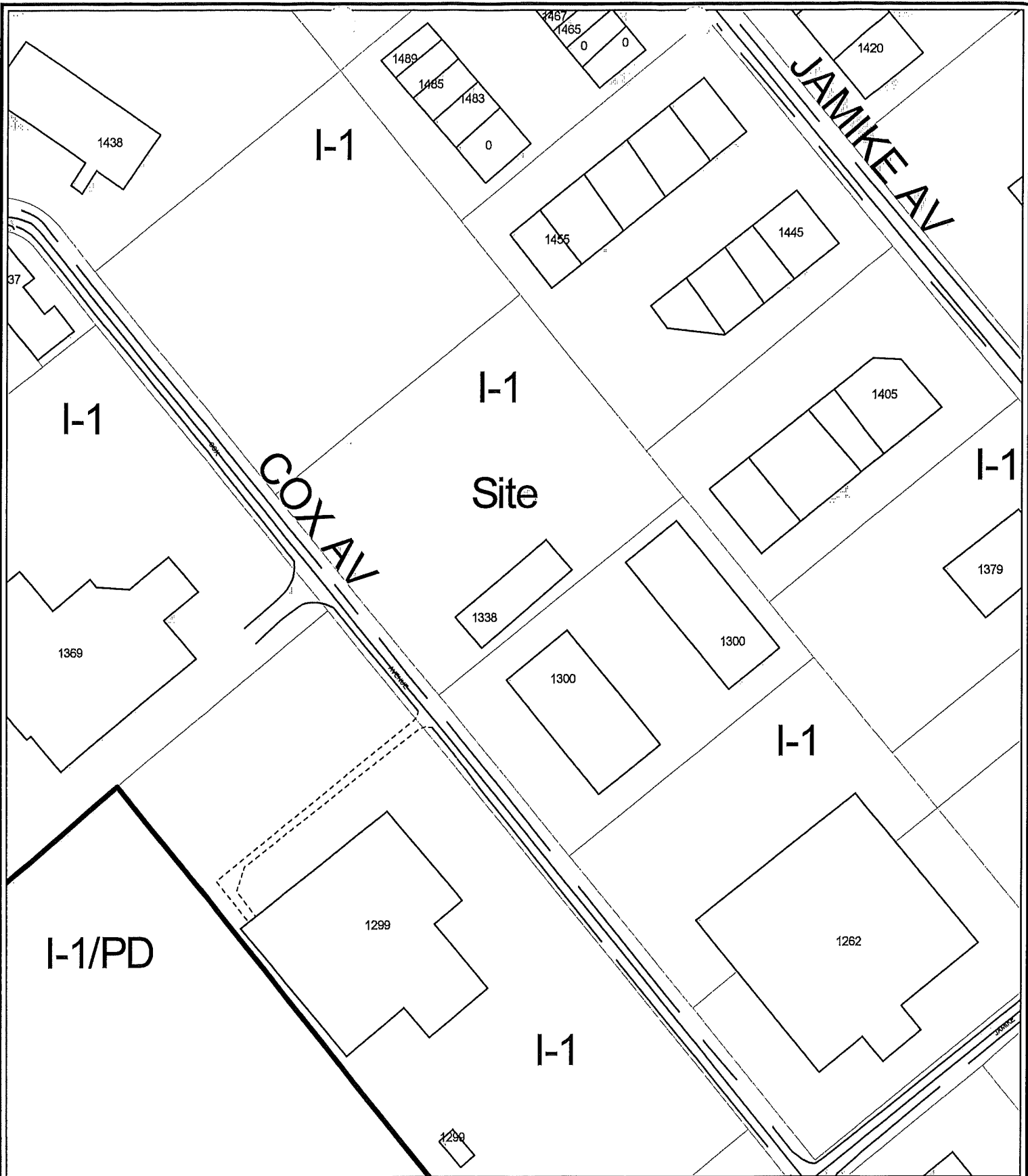
Site Location Map

1338 Cox Avenue

200 0 200 Feet

1 inch equals 200 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 August 3, 1999





Zoning Map

1338 Cox Avenue



1 inch equals 200 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 August 2, 1999



NOTES

1. LOCATION OF UTILITIES AND STRUCTURES, BOTH SURFACE AND SUB-SURFACE, ARE SHOWN ON THE PLANS FROM DATA AVAILABLE, AND ARE NOT NECESSARILY COMPLETE OR CORRECT. DURING CONSTRUCTION THE CONTRACTOR SHALL USE DILIGENCE IN PROTECTING FROM DAMAGE ALL EXISTING UTILITIES AND STRUCTURES WHETHER SHOWN ON THE PLANS OR NOT.
2. CONTRACTOR IS RESPONSIBLE FOR EXPOSING UNDERGROUND UTILITIES AS DIRECTED BY THE ENGINEER PRIOR TO CONSTRUCTION STAKING TO VERIFY EXACT DEPTHS OF UTILITIES.
3. UNDERGROUND UTILITIES AS SHOWN FROM INFORMATION FROM VARIOUS UTILITY COMPANIES. FOR FIELD INSPECTOR TO LOCATE UTILITIES AT TIME OF ACTUAL CONSTRUCTION, CALL KENTUCKY UNDERGROUND PROTECTION, INC. TWO (2) WORKING DAYS BEFORE YOU DIG (1-800-752-8007).

CUA HYLIUD

EX. FH
TOP=892.26

General Notes

Drawing Notes

No.	Revision/Issue	Date

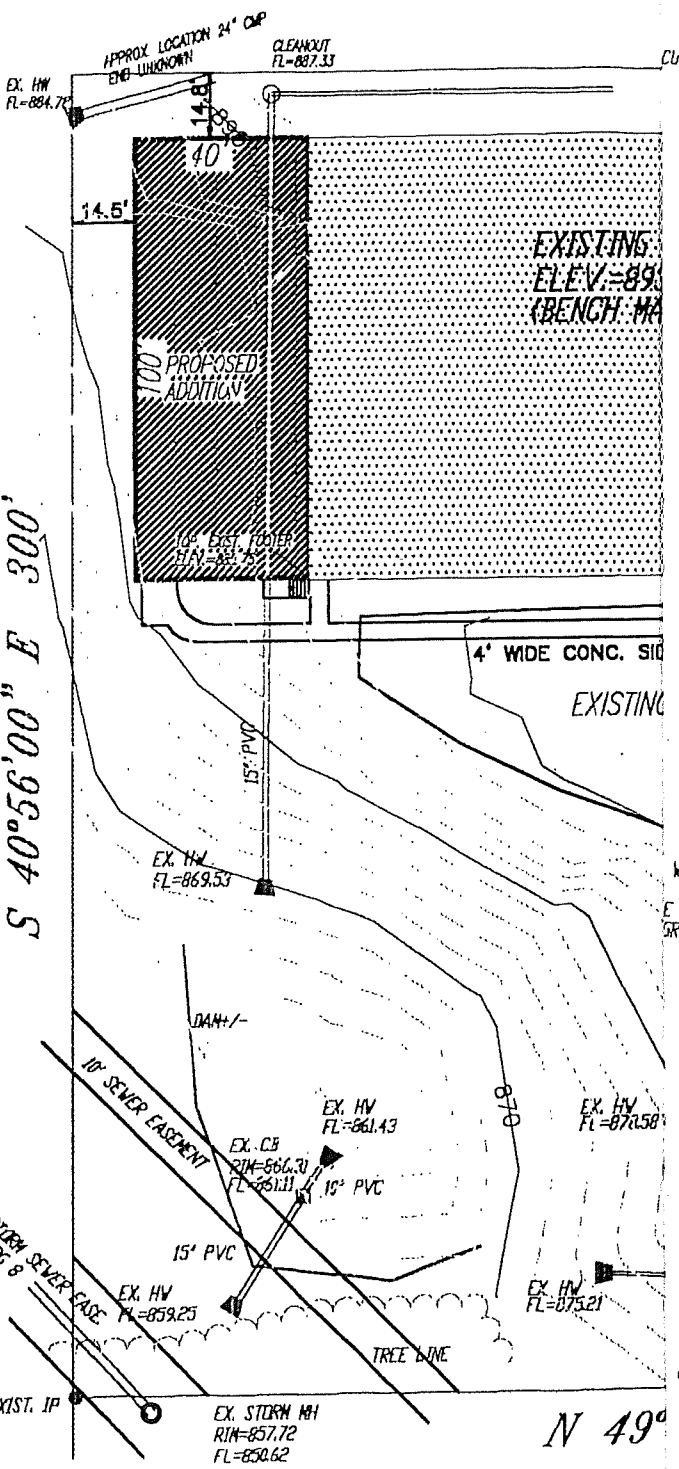
**DESIGN
BUILD
SERVICES**

DESIGN BUILD SERVICES, INCORPORATED
12 HIGHLAND AVENUE FT. THOMAS, KY
(502) 791-1772

AN ADDITION TO

KING TOOL

Drawn By: GZ	Sheet:
Date: 6/25/99	SITE
Scale: 1" = 20'-0"	TOPO



CUT

EXIST. WATER MAIN

EXIST. FH
TOP=894.84

E
SKULLAND

EX. SANL MH
RIM=889.73
FL=888.63

CUT

N 49°

S 40°56'00" E 300'

24" STORM SEWER EASE
PG 21 PG 8

10" SEWER EASEMENT

TREE LINE

8.70

EX. STORM MH
RIM=857.72
FL=858.62

EX. HW
FL=859.25

EX. CB
RIM=866.30
FL=861.11

EX. HW
FL=861.43

EX. HW
FL=872.58

EX. HW
FL=875.21

EX. HW
FL=869.53

EX. HW
FL=884.72

APPROX. LOCATION 24" CMP
END UNKNOWN

CLEAROUT
FL=887.33

14.5'

40'

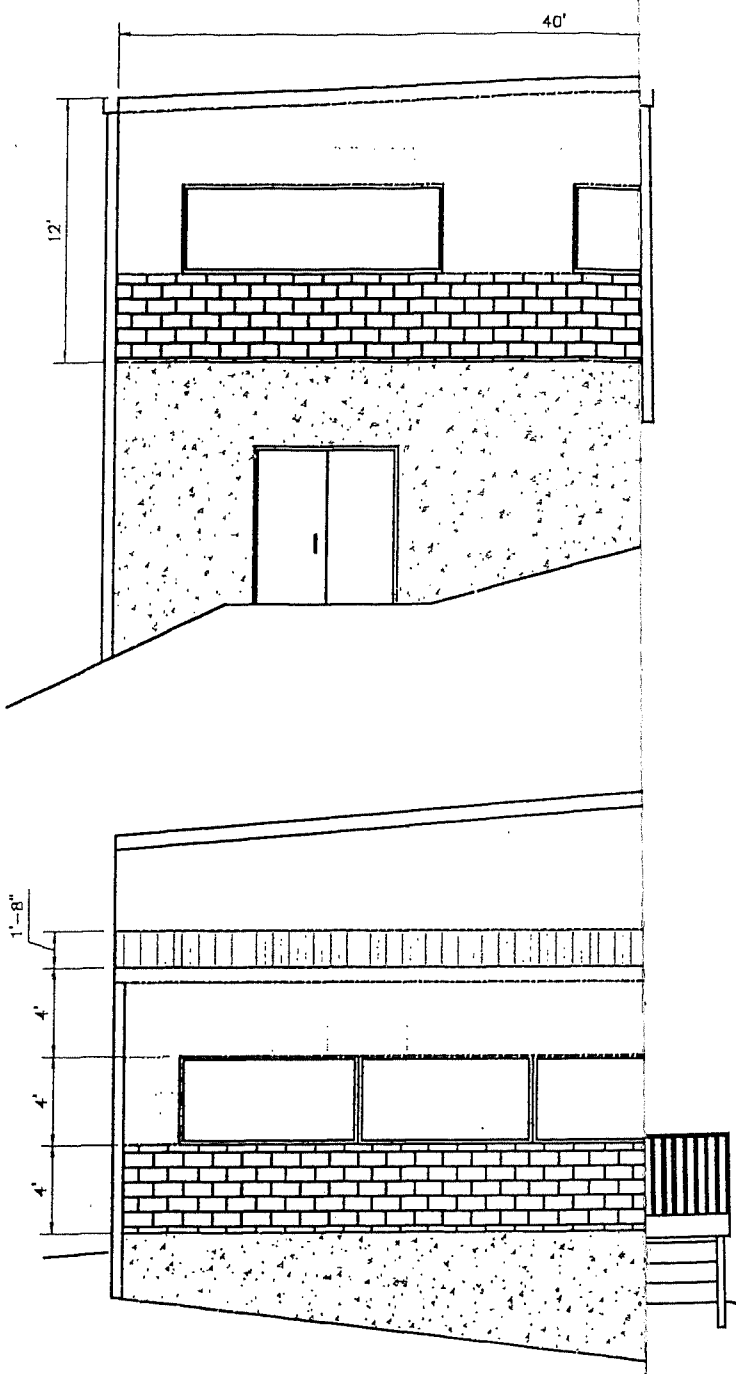
PROPOSED
ADDITION

10" EXIST. TOWER
DIA=36" AS 1"

4' WIDE CONC. SIDEWALK

EXISTING

EXIST. IP



General Notes

Drawing Notes

No.	Revision/Issue	Date

**DESIGN
BUILD
SERVICES**

DESIGN BUILD SERVICES, INCORPORATED
12 HIGHLAND AVENUE FT. THOMAS, KY
(606) 791-1776

**ADDITION TO
KING TOOL CO.**
COX AV.
ERLANGER, KY 41018

Drawn By GZ	Sheet A-3
Date 2/4/98	ELEVATIONS
Scale 1/4" = 1'-0"	

COPY

9-2-99

CLUR # 99-BCBOA-015-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

King Tool Company
1338 Cox Ave
Boone County, Kentucky 41018

2. ADDRESS OF PROPERTY

1338 Cox Ave
Boone County, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

King Tool Office Addition

3. DEED Bk# 530

PAGE # 49

GROUP # 2022

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

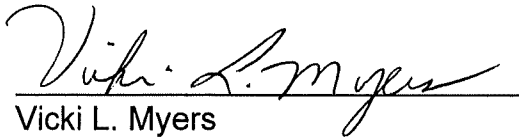

SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

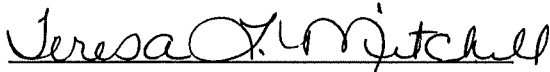
Subscribed, sworn to, and acknowledge before me by Mark Jordan, on behalf of the
Boone County Planning Commission this 10th day of September 1999.



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 September 2, 1999 Certificate of Land Use Restriction (# 99-BCBOA-015-A), for King Tool Office Addition, Property Owners.

The following conditions will apply: (1): That the applicant submit a landscaping plan subject to Staff approval (2) the building be built as shown in the drawing.

The approved Variance well as the preceding conditions apply to the property described in: DEED BOOK 530 PAGE NO. 49 Group No. 2022