

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. Boone Florence Walton Union
(Check One) 2. Conditional Use Permit Variance Appeal
3. Applicant's Name SMITHS HIGH TECH AUTOMOTIVE SERVICE INC
Phone Number 586-8999 Fax No.
Applicant's Address 2321 BURLINGTON PIKE
BURLINGTON Ky 41005
4. Description of Request: TO CONSTRUCT EXPANSION OF FACILITY INCLUDING CONNECTION TO S. ORIENT ST
5. Name of Development SMITHS HIGH TECH AUTOMOTIVE
6. Location of Development SAME AS ABOVE
7. Acreage Under Review 1.3 AC
8. Lot Number and Name of Subdivision (if part of a subdivision) NA
9. Owner of Property SAME AS ABOVE
Phone Number of Owner
Address of Property Owner
10. City State Zip
11. Proposed Use(s) on Site AUTO REPAIR & TOWING
12. Total Square Footage of Existing and/or Proposed Buildings NA
13. Current Zoning on Property C-2
14. Deed Book Page No. Group No.
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? GRADING PLAN
17. Have you submitted a list of adjoining property owners with this request?
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:

Property Owner's Signature: [Handwritten Signature]

[Handwritten Signature]

BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2

3/1/00
2000, 1/1/00
2000, 1/1/00

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

1. Date Received June 17, 99 Fee Received \$ 544.00 R# 20932
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: _____

7. Reasons for Denial: Not in conformance with Comprehensive
Plan does not fit in with the character of
old Burlington

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: Raymon Wayne Smith on behalf of Smith's High Tech Automotive
LOCATION: 2821 Burlington Pike, Boone County, Kentucky
ZONING: Commercial Two (C-2)
DATE: July 14, 1999

Proposal

The applicant is requesting a Conditional Use Permit to allow an expansion of parking at the current location, along with a connecting entrance to South Orient Street. The 1.3 acre site is the current location of Smith's High Tech Automotive Service, Inc. The existing building is approximately 6,000 square feet, and is currently utilized for repair of vehicles. The applicant is proposing 97 additional parking spaces to be located adjacent to the existing rear parking area. A majority of the proposed parking is a gravel surface area (85 spaces total), along with twelve (12) concrete pavement parking spaces that are to be utilized as employee parking adjacent to the proposed South Orient Street entrance. The plan also indicates that a fence will be erected around the perimeters of the proposed expansion.

The property was subject to a Conditional Use Permit application and approval on May 8, 1996. The request was approved by the Boone County Board of Adjustment and Zoning Appeals, subject to the conditions listed in the May 8, 1996 minutes of the meeting. The minutes indicate that the Conditional Use Permit was approved, subject to the following conditions - (1) Staff concerns would be addressed at Site Plan Review; (2) a limit of 25 cars parked outside; (3) a monument sign would be permitted, not to exceed 100 square feet; (4) hours of operation would be 8 a.m. - 6 p.m. and closed on Sunday; (5) a metal building with brick and glass in front; and (6) landscaping and screening for the adjacent property owners (See copy of Staff Report and Boone County Board of Adjustment and Zoning Appeals minutes dated May 8, 1996).

Article 10, Section 1023 of the Boone County Zoning Regulations permits automotive repair facilities with a Commercial Two district (C-2) as a Conditional Use. The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit stated in Section 262 and the following criteria from Section 1023 of the Boone County Zoning Regulations:

Conditional Uses and Criteria

- 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

North: North Orient Street: zoned SR-2/SC
South: South Orient Street: zoned SR-2/SC
East: 2791 Burlington Pike (part of subject property): zoned C-2
West: Metts Lane: zoned SR-2/SC

Relationship to the Comprehensive Plan

The Land Use Element of the Comprehensive Plan for this immediate area states; in part:

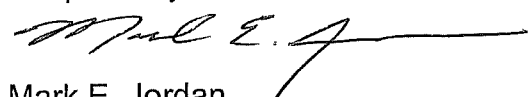
C-3: Burlington - KY 18 area .

"A comprehensive Burlington Plan should be finalized that addresses the unique transportation, parking, public facilities, historic preservation, and subdivision characteristics of the area. Until then, commercial development along KY 18 and the KY 237 intersection should be discouraged in order to protect the remaining downtown Burlington businesses". (pg 221)

Conclusion:

The subject site is zoned Commercial Two (C-2), which allows an automotive repair facility as a Conditional Use. The applicant's proposal must be determined by the seven (7) criteria the Boone County Board of Adjustment and Zoning Appeals must use to determine each Conditional Use request. It should be determined whether the use will create a hazardous situation to the surrounding properties, and whether this proposed use is harmonious and appropriate with the existing or intended character of the general vicinity.

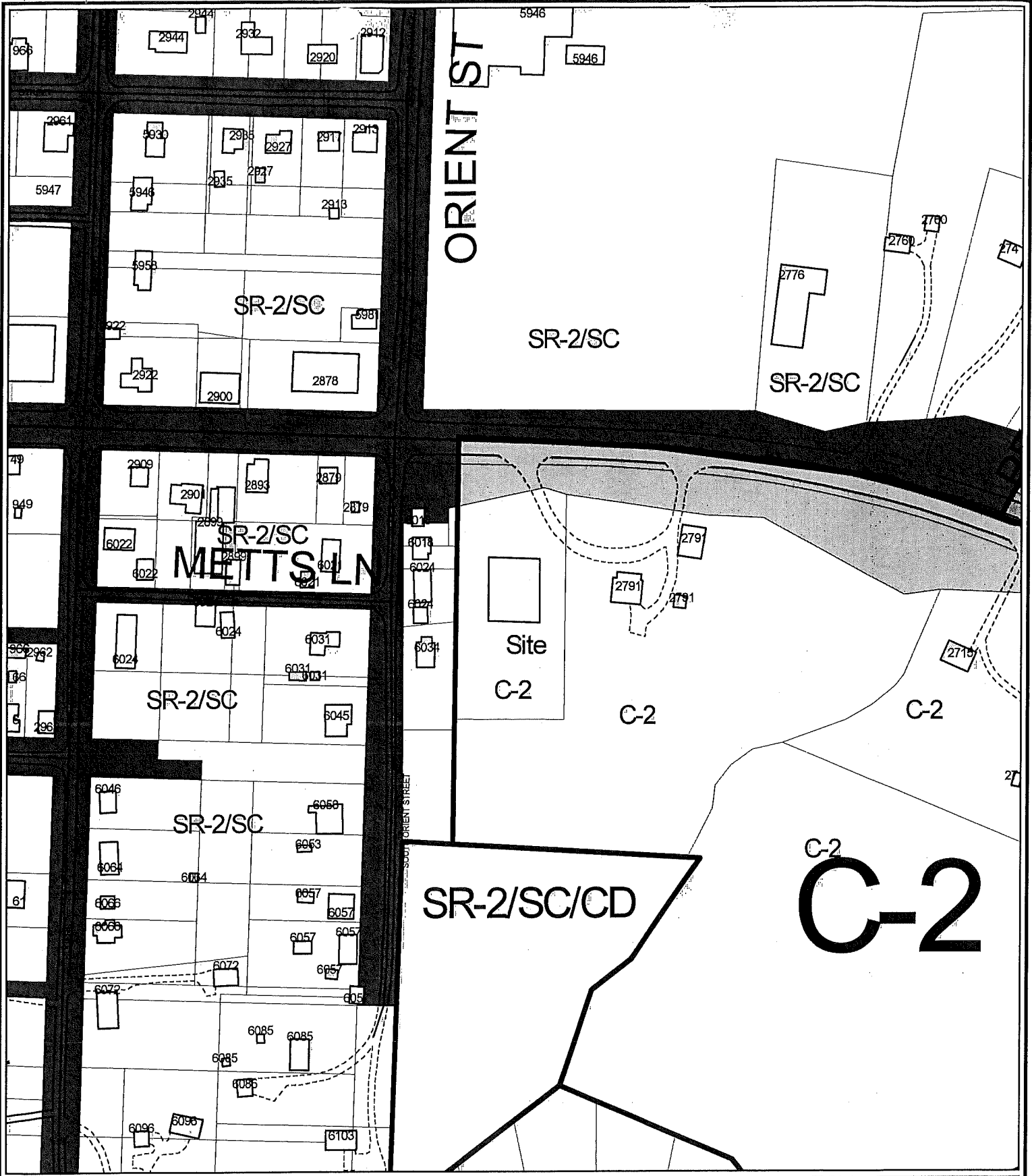
Respectfully Submitted,


Mark E. Jordan
Planner

MEJ\pr

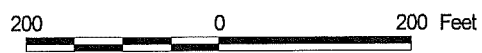
Attachments

- Site Vicinity Map
- Zoning Map
- Future Land Use Map
- Staff Report and Board of Adjustment and Zoning Appeals minutes dated May 8, 1996
- Grading Plan



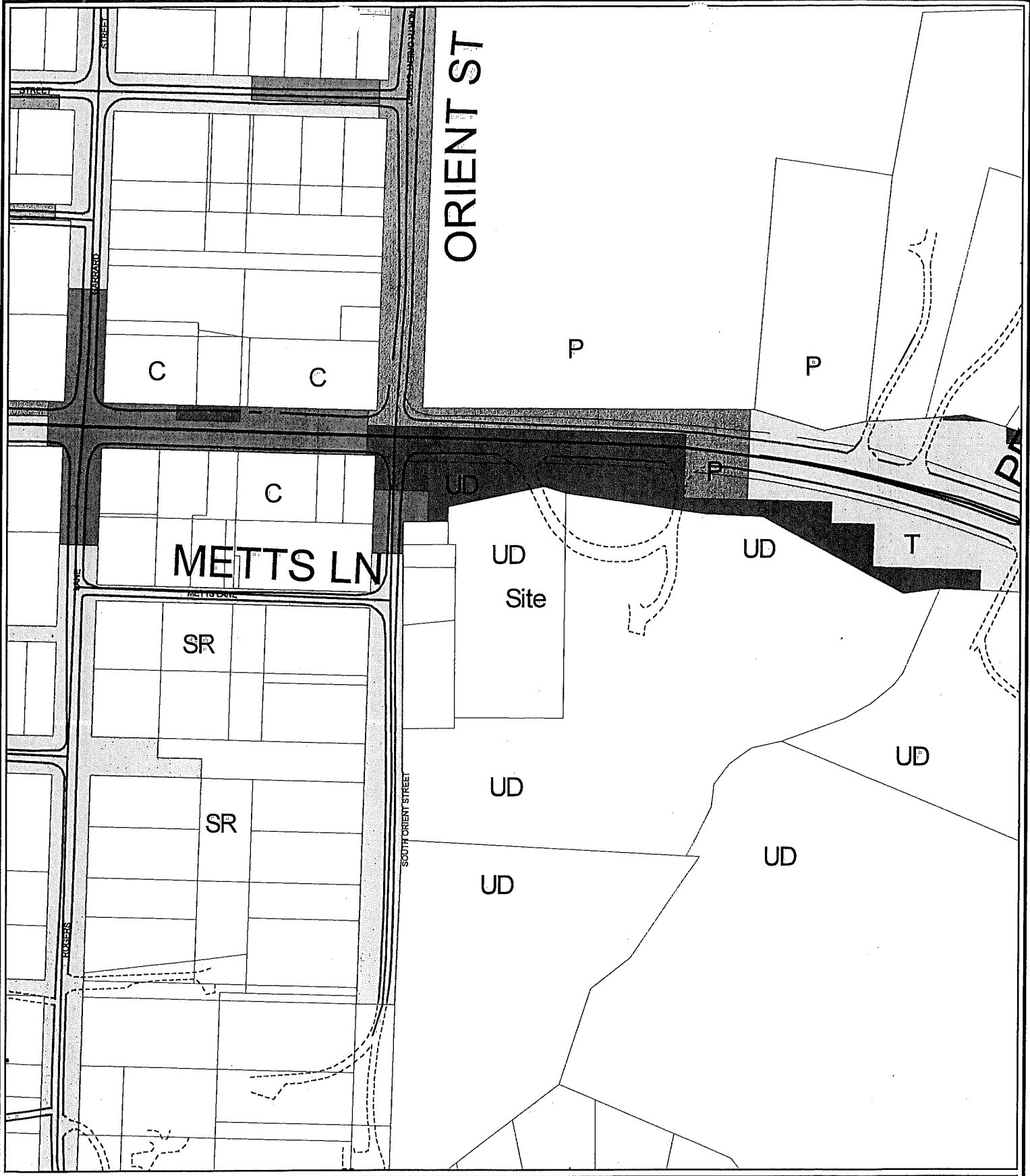
Zoning Map

2821 Burlington Pike



1 inch equals 200 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 9, 1999





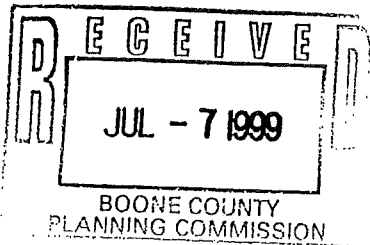
Future Land Use Map

2821 Burlington Pike



1 inch equals 200 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 9, 1999





William & Sarah Garrison
6018 S. Orient Street
Burlington, Ky.
July 5, 1999

Boone County Planning Commission:

Notice was received concerning request by Raymon Wayne Smith for a Conditional Use Permit for expansion of a parking area with connecting street entrance.

We strongly object to this request. Reasons being:

- Street is in no condition for the use of heavy trucks continually coming and going. When it rains the street becomes muddy and slick. During dry weather the dust rolls into our house causing severe allergy problems.
- Trucks will be going in and out at all times during the night causing neighborhood disturbance.
- Wrecked cars will be brought in creating a junk yard in the neighborhood.

In closing we trust that the zoning board will reject this request.

Sincerely,
Property Owners
William and Sarah Garrison