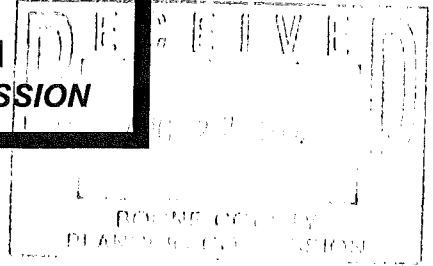


APPLICATION FORM

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) [checked] Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name ENTERPRISE RENT-A-CAR
Phone Number (513) 956-3800 Fax No. (513) 956-3811
Applicant's Address 3670 PARK 42 DRIVE
CINCINNATI OH 45241
City State Zip
4. Description of Request: TO BE GRANTED ISSUANCE OF A
CONDITIONAL USE PERMIT FROM THE FLORENCE BOARD
OF ADJUSTMENT FOR AUTOMOBILE RENTAL (35-40 CARS)
5. Name of Development FLORENCE CENTER
6. Location of Development 8075 CONNECTOR DRIVE, FLORENCE KY 41042
7. Acreage Under Review N/A
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property FLORENCE CENTER ASSOCIATES, LLC
Phone Number of Owner 513.588.1000 10.
Address of Property Owner 4334 GLENDALE MILFORD RD.
City CINCINNATI State OHIO Zip 45242
11. Proposed Use(s) on Site AUTOMOBILE RENTAL (35-40 CARS)
12. Total Square Footage of Existing and/or Proposed Buildings 1440 SQ. FT.
13. Current Zoning on Property C2
14. Deed Book 332/342 Page No. 222-226/94 Group No. 2040A
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?
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] AREA DAILY RENTAL INC. ENTERPRISE RENT-A-CAR

Property Owner's Signature: [Signature] PRESIDENT ASSOCIATED LAND GROUP, INC., AGENT.

(over)

600.00
75.00
60.00
21.00
756.00

**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 8-22-01 Fee Received \$756.00 (R# 28827)
2. Is application complete? Yes Yes _____ No _____
3. Staff Reviewer _____
4. Scheduled Board Action Date 9-12-01
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: SEE MEETING MINUTES
7. Reasons for Denial: _____

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail**

www.boonecountyky.org

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: Enterprise Rent-A-Car
LOCATION: 8075 Connector Drive, Florence, KY
ZONING: Commercial Two (C-2)
DATE: September 12, 2001

Proposal

The Applicant is requesting a Conditional Use Permit in order to operate a car rental facility at 8075 Connector Drive, Florence, Kentucky. The 1,440 square foot lease space is located within the 76,320 square foot Florence Square Shopping Center. The shopping center is located on a 10.92 acre site and is zoned Commercial Two (C-2). The submitted application states that Enterprise would like permission to have 35 to 40 rental cars on-site.

Applicable Regulations

Article 10, Section 1023 of the Boone County Zoning Regulations permits small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises.

Article 33, Section 3325 of the Boone County Zoning Regulations requires four parking stalls per 1,000 square feet of floor area for the first 30,000 square feet of the strip center and 3 parking spaces per 1,000 square feet of floor area thereafter. One parking stall is also required for each automobile used in the business.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 1023 of the Boone County Zoning Regulations.

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;

5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 10, Section 1023 of the Boone County Zoning Regulations allows small scale sales or leasing of new and used motor vehicles (up to 50 vehicles) provided that:

- 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.

Relationship to the Comprehensive Plan

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element (Florence Commercial Area, p. 162) states the following regarding this area:

- A. "The Mall Road area should continue to develop as a regionally-oriented commercial district. This regionally-oriented growth should be confined to Mall Road and Houston Road, and should not expand on to U.S. 42 or KY 18, or Hopeful Church Road."

Surrounding Land Uses and Zoning

North: Commercial Strip Centers (C-2)

South: Florence Antique Mall, Hern Marine, Builders Cabinet (C-3/CD)

East: La-Z-Boy, Snuggly's Mattress, Valvoline (C-2)

West: Paddock Club Apartments (UR-1)

Staff Comments

1. The Applicant's submitted Concept Plan does not reveal where they intend to park the rental cars. It is also not clear if the 35 to 40 cars they have proposed includes returned vehicles.
2. The Florence Board of Adjustment has approved two other Conditional Use Permits for car rental facilities in the Florence Center Shopping Center. On April 8, 1992, the Board approved a request at 8103 Connector Drive. This approval allowed Enterprise-Rent-A-Car to have 25 rental cars behind the building at any given time. On April 8, 1998, the Board approved a request at 8107 Connector Drive. This approval allowed Premier Car Rental to have 20 automobiles on-site at any given time. It is possible that other rental car businesses could move back into these lease spaces and operate under the existing conditions.
3. The Applicant furnished a chart which shows the existing businesses in the 76,320 square foot Florence Center. The required number of parking stalls for the center is 261 stalls. One additional parking stall will also be required for each rental car that is approved. The aerial map that Staff has prepared indicates that the center has approximately 479 parking stalls.

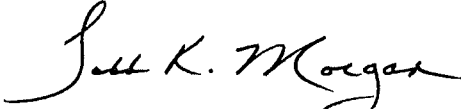
Conclusion

KRS 100.237 and Sections 260 and 1023 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Conditional Use Permit. It is Staff's opinion that the granting the Conditional Use Permit will not change the essential character of the area if some Conditions of Approval are imposed. Staff recommends the following conditions:

1. There is to be no on-site repair of vehicles (oil changes or repairs);
2. No advertisements (streamers, balloons, signs) shall be placed on the rental cars;
3. All rental cars and returned vehicles must be kept behind the building;
4. The business shall have no more than 25 rental cars (including returns) on-site at any given time.
5. The Enterprise-Rental Car Stalls shall be appropriately marked.

6. A Minor Site Plan will need to be approved by the Boone County Planning Commission which shows the stripped stalls in the strip-center parking lot, a parking stall calculation chart, and the reserved stalls for the Enterprise-Rent-A-Car business.

Respectfully submitted,

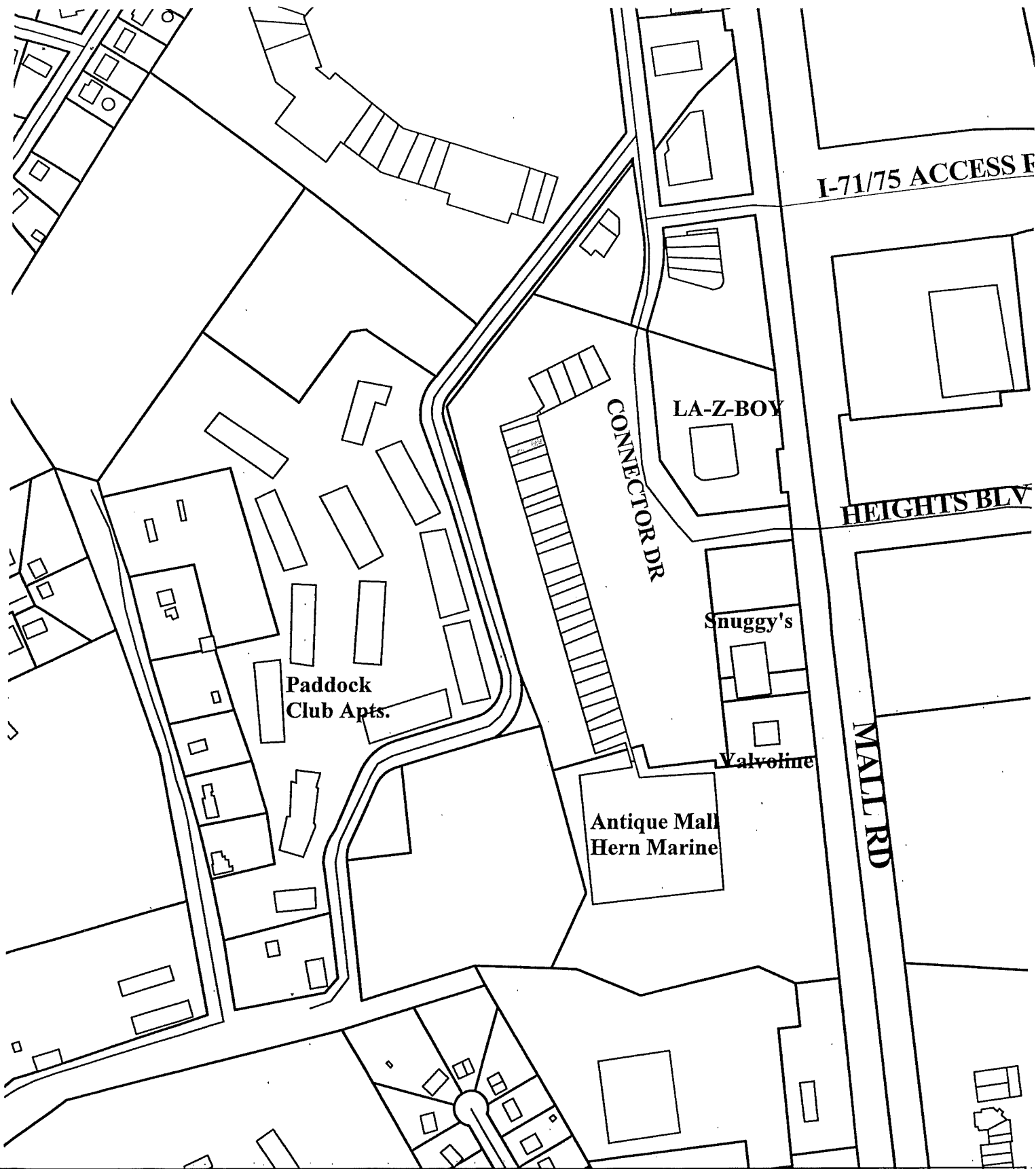


Todd K. Morgan, AICP
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Aerial Map
- Exhibit C – Zoning Map
- Exhibit D – Future Land Use Map
- Exhibit E - Lease Space Drawing
- Exhibit F – Application

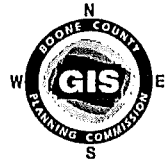
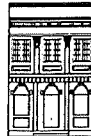


300 0 300 Feet



1 inch equals 300 feet

Produced by the
Boone County Planning Commission
GIS Services Division
September 6, 2001



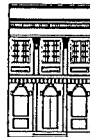
Enterprise Site Vicinity Map



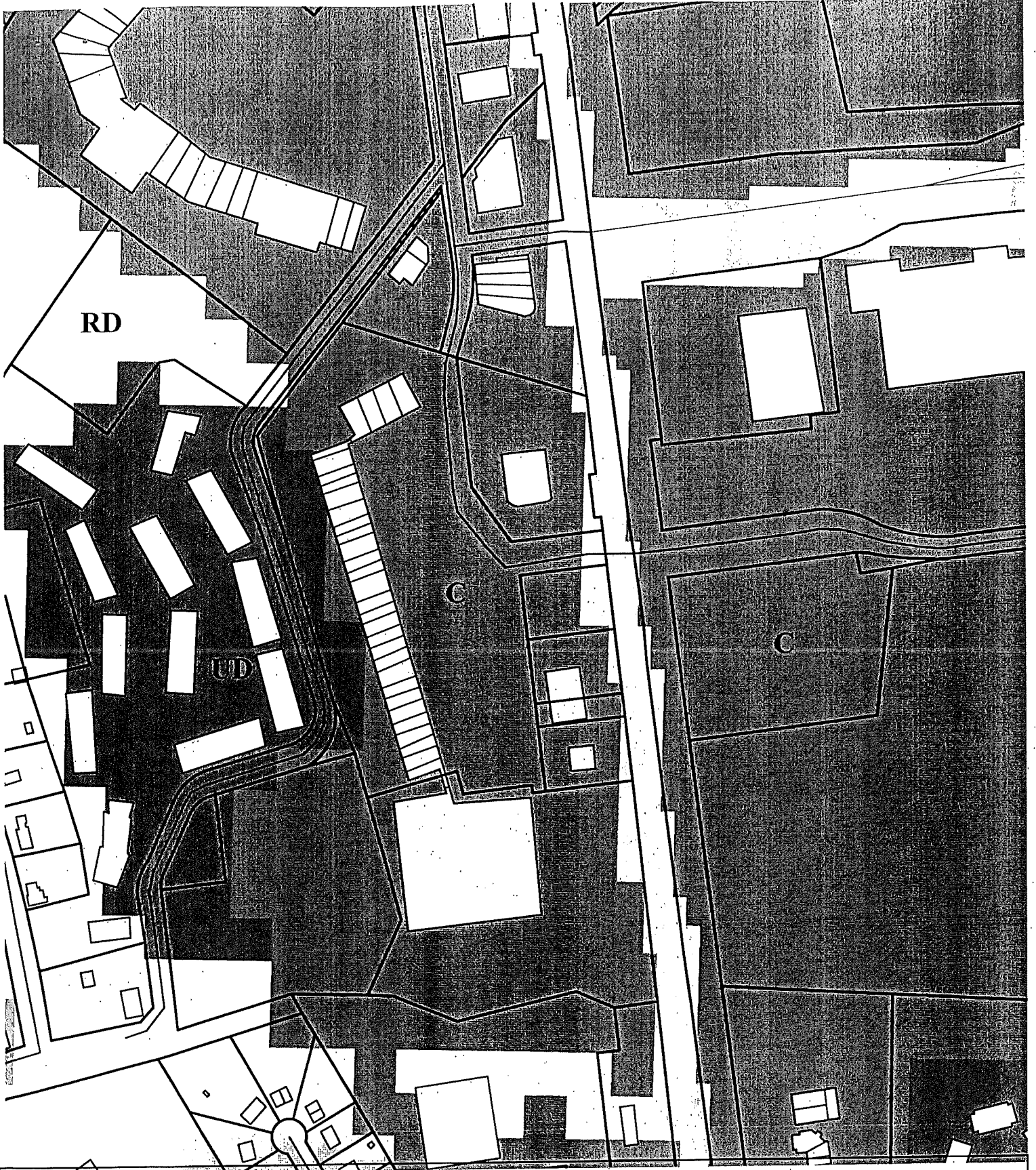
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1 inch equals 300 feet

Produced by the
Boone County Planning Commission
GIS Services Division
September 6, 2001



Enterprise Zoning Map



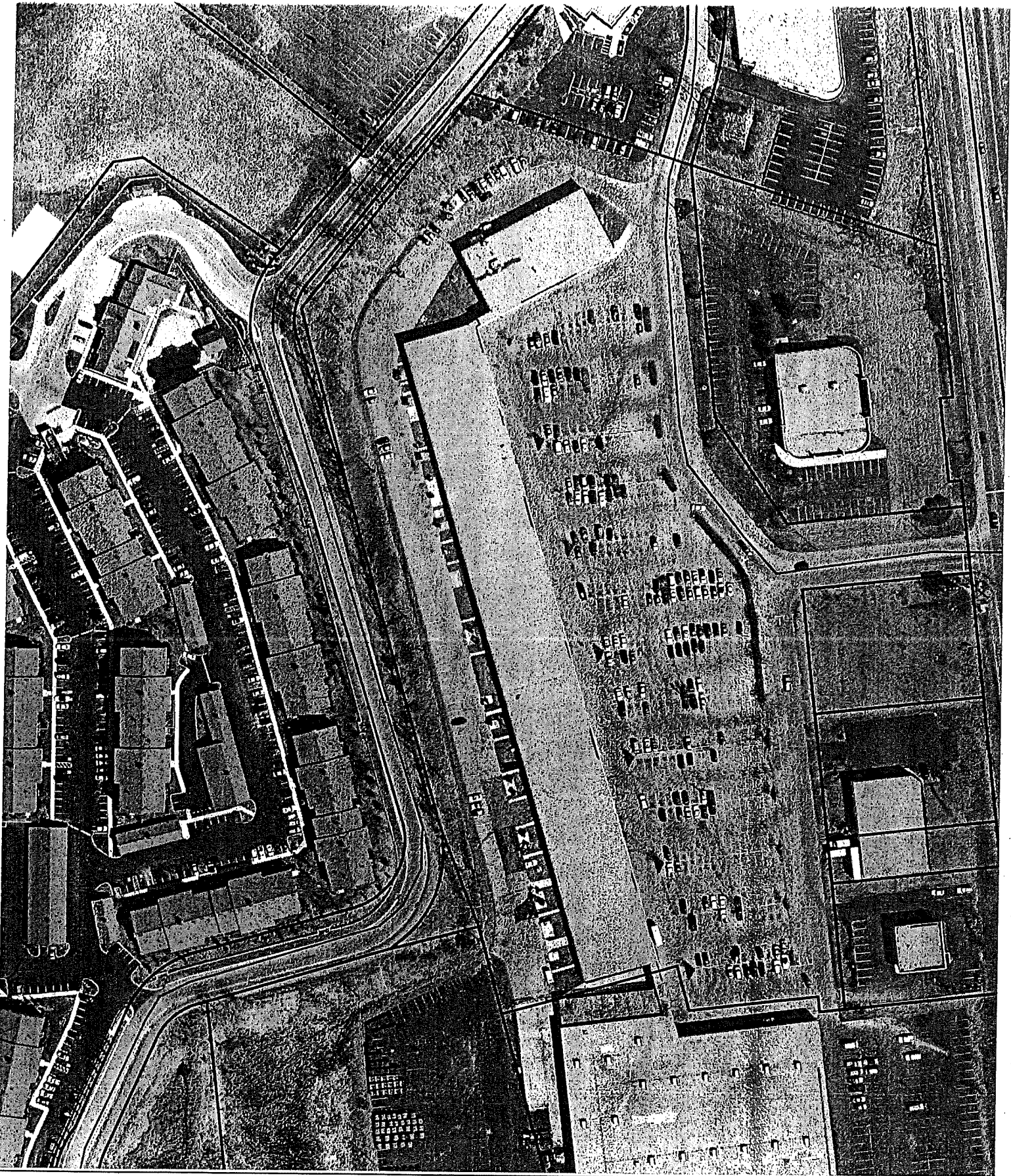
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1 inch equals 300 feet

Produced by the
Boone County Planning Commission
GIS Services Division
September 6, 2001



Enterprise Future Land Use Map

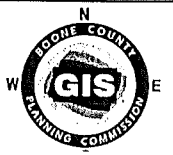
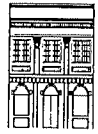


Enterprise Aerial Map

150 0 150 Feet



1 inch equals 150 feet
Produced by the
Boone County Planning Commission
GIS Services Division
September 7, 2004



FLORENCE CENTER Florence, Kentucky

March 2001

Photo's Closet 8133 (40'x80')	Club Tan 8131 (32'x80')	Vacant 8125/8127 (42'x80')	Hell Beauty Supply 8123 (30'x80')	Instant Refund 8121 (18'x80')	Play It Again Sports 8119/B (36'x80')	Liberty Mutual 8117 (18'x80')	Michael's Hair 8115 (27'x80')	A&J Art Gallery 8111/8113 (45'x80')	Florence Chiropractic 8109 (18'x80')	Budget Rent-A-Car 8107 (18'x80')	Rip N Stitch 8105 (18'x80')	KCI 8103 (18'x80')	Michael's College 8101 (72'x80')	KCI 8095 (72'x80')	KCI 8095 (36'x80')	Once Upon A Child 8085/B (36'x80')	Once Upon A Child 8087 (36'x80')	Hostess Bakery 8085/A (36'x80')	Loan Zone 8079 (18'x80')	TFE Temps 8077/B (18'x80')	City Financial 8077/A (18'x80')	Vacant 8075 (18'x80')	H&R Block 8073 (24'x80')	Red Wing Shoes 8071 (24'x80')
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Occupied Spaces

Tenant	Address	Sq. Ft.	Tenant	Address	Sq. Ft.
A & J Art Gallery	8111/8113	3,600	Pick Ups Plus	8045/A	3,280
All Tune & Lube	8045/B	3,920	Plato's Closet	8133	3,200
Back Pain Chiropractic	8109	1,440	Play It Again Sports	8119/B	2,880
Budget Rent-A-Car	8107	1,440	Red Wing Shoes	8071	1,920
Cathay Kitchen	8049	2,880	Rip N Stitch	8105	1,440
Club Tan	8131	2,560	TFE Temps	8077/B	1,440
City Financial	8077/A	1,440			14,160
H & R Block	8073	1,920			
Heil Beauty Supply	8123	2,400			
Hostess	8085/A	2,880			
Instant Refund	8121	1,440			
KCI Educational Services	8069/8103/8095	12,000			
Loan Zone	8079	1,440			
Liberty Mutual	8117	1,440			
Michael's College of Hair Design	8101	5,760			
Michael's Hair	8115	2,160			
Once Upon A Child	8085/B-8087	5,760			
Pick Ups Plus	8047	2,880			
		56,560			

Occupied Spaces

Address	Sq. Ft.
8045/A	3,280
8133	3,200
8119/B	2,880
8071	1,920
8105	1,440
8077/B	1,440
	14,160

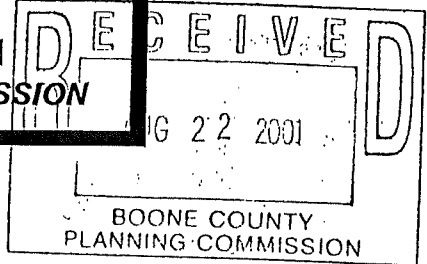
Vacant Spaces

Address	Sq. Ft.
8075	1,440
8125/8127	3,360
	4,800
	88,000
	76,320
	164,320

Cathay Kitchen 8049 (36'x80')
Pick Ups Plus 8047 (36'x80')
All Tune & Lube 8045/B (49'x80')
Pick Ups Plus 8045/A (41'x80')

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
 Change in Non-Conforming Use

3. Applicant's Name ENTERPRISE RENT-A-CAR
Phone Number (513) 956-3800 Fax No. (513) 956-3811
Applicant's Address 3670 PARK 42 DRIVE
CINCINNATI OH 45241
City State Zip

4. Description of Request: TO BE GRANTED ISSUANCE OF A
CONDITIONAL USE PERMIT FROM THE FLORENCE BOARD
OF ADJUSTMENT FOR AUTOMOBILE RENTAL (35-40 CARS)

5. Name of Development FLORENCE CENTER

6. Location of Development 8075 CONNECTOR DRIVE, FLORENCE KY 41042

7. Acreage Under Review N/A

8. Lot Number and Name of Subdivision (if part of a subdivision)

9. Owner of Property FLORENCE CENTER ASSOCIATES, LLC

Phone Number of Owner 513.588.1000 10.

Address of Property Owner 4334 GLENDALE MILFORD RD.

City CINCINNATI State OHIO Zip 45242

11. Proposed Use(s) on Site AUTOMOBILE RENTAL (35-40 CARS)

12. Total Square Footage of Existing and/or Proposed Buildings 1440 SQ. FT.

13. Current Zoning on Property C2

14. Deed Book 332/342 Page No. 222-226/94 Group No. 1642

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?

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:

AREA DAILY RENTAL NOR
ENTERPRISE RENT-A-CAR

Property Owner's Signature:

PRESIDENT
ASSOCIATED LAND GROUP, INC., AGENT.

(over)

600.00
75.00
60.00
21.00
756.00

COPY

CLUR #01-FBOA-010-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Florence Center Associates, LLC
4334 Glendale Milford Road
Cincinnati, OH 45242

2. ADDRESS OF PROPERTY

8075 Connector Drive
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Enterprise Rent-A-Car

4. DEED BOOKS and PAGES 332/222, 342/94

GROUP NO. 2040A

5. 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

6. 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

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services
Name and Title of Completing Official

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of September 12, 2001 Certificate of Land Use Restriction (#01-FBOA-010-A), for Florence Center Associates, L.L.C., Property Owner(s).

The following conditions will apply:

- 1) The prior Conditional Use Permit at 8103 Connector Drive is moved to 8075 Connector Drive.
- 2) No on-site repair of vehicles (oil changes or repairs).
- 3) No advertisements (streamers, balloons, signs) on the rental cars.
- 4) All rental cars and returned vehicles must be kept behind the building.
- 5) No more than twenty-five rental cars (including returns) may be on the site at any given time.
- 6) The twenty-five Enterprise Rent-a-Car stalls shall be appropriately marked and used.
- 7) Only pick-ups and drops-offs are allowed in the parking area in front of the facility.
- 8) Site Plan approval is required.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

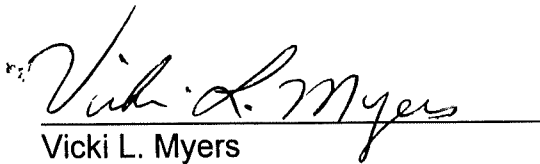
DEED BOOKS and PAGES 332/222, 342/94

GROUP NO. 2040A

COMMONWEALTH OF KENTUCKY

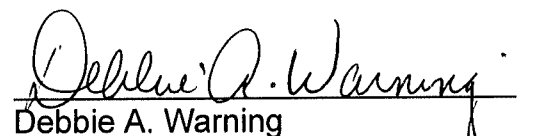
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 25 day of September, 2001.


Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

This instrument was prepared for recording purposes only by:


Debbie A. Warning
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.)