

BOARD OF ADJUSTMENT AND ZONING APPEALS

CHECKLIST

I. General Information

1. Applicant's name: DR. JOHN MIRACLE

Interest in property: OWNER

2. Location and/or address of property: CORNER OF BURLINGTON PIKE AND UTZ DRIVE (THE OLD SHELL STATION)

Deed book and page number: BOOK: 152 PAGE: 462 Group: ?

3. Request of the applicant: REQUEST FOR A CONDITIONAL USE PERMIT TO PERMIT AN AUTOMOBILE SALES AND RENTAL FACILITY

4. Present zoning of subject property including page number and section number(s) of the Zoning Order (Ordinance): PRESENTLY ZONED COMMERCIAL TWO, C-2 BEING SECTIONS 920 THROUGH 926 ON PAGES 9-3 THROUGH 9-6

5. Present use of the subject property: PRESENTLY NOT IN USE.

Present use of the adjoining properties: TO THE NORTH AND EAST IS CURRENT RESIDENTIAL. TO THE WEST IS COMMERCIAL (VERA ANGEL REALTY). TO THE SOUTH IS UNDEVELOPED.

## II. Conditional Use Requests

1. Zoning of the adjoining properties: To THE NORTH IS CURRENT SR-2, SUBURBAN RESIDENTIAL TWO-ZONING. To THE SOUTH, EAST, AND WEST IS CURRENT C-2, COMMERCIAL TWO.
2. Future land use of the subject property and adjoining properties according to the Comprehensive Plan: SUBJECT PROPERTY IS, AS ARE PROPERTIES TO THE SOUTH AND WEST, PLANNED AS COMMERCIAL. To THE NORTH AND EAST IS PLANNED MEDIUM DENSITY RESIDENTIAL
3. Was a site plan submitted, and if it was, does it conform to the zoning regulations? YES, AND A MAXIMUM OF 26 VEHICLES ARE SHOWN TO BE STORED FOR THE USE.
4. What, if any, conditions are recommended if the conditional use is granted? 1. ALL PARKING SPACES SHALL BE 10 FOOT BY 20 FOOT WITH 2 WAY CIRCULATION DRIVES AS 24 FEET.
5. What, if any, special characteristics of the request and/or site should be noted? EXISTING BUILDING IS TO BE USED SOLELY FOR OFFICE USE. NO SIGNS ARE PLANNED FOR IN THIS REQUEST. THERE ARE NO PLANS TO REPAIR OR WORK ON VEHICLES IN THIS PLAN.

FLORENCE BOARD OF ADJUSTMENTS

MINUTES

APRIL 13, 1983

6:45 P.M.

Chairman Holland called the meeting to order at 6:50 P.M. Four members were present. Members of the Staff present were Mr. Block, Mr. Wilson, Ms. Sullivan and Mrs. Baker. Mr. Holland asked for comments pertaining to the minutes of March 9, 1983. Mr. Wilson noted a correction to be made concerning Mr. Jenkins statement on page two, stating in Mr. Jenkins opinion there were problems with the change in site plan, should read there were no problems with the change in site plan. Mr. Holland moved to accept the minutes with the correction, Mr. Bolton seconded; the vote carried unanimously.

Chairman Holland proceeded to the request of Dr. John Miracle for a Conditional Use Permit for an automobile sales and rental on property located at Ky. 18 and Utz Drive, Florence, Kentucky, in a Commercial Two (C-2) Zoning District. Chairman Thomas asked if a representative was present. On behalf of Dr. Miracle, Mr. Ed Drennon stepped forward and stated the property would be leased to Avis Rent-a-Car. Mr. Drennon stated that Avis will be selling to the public used cars, one to two years old, and will not lease cars from this location. He stated there would be approximately 20 to 25 cars on the site, the hours of business will be: Monday and Wednesday, 9:00 A.M. - 9:00 P.M.; Tuesday, Thursday and Friday, 9:00 A.M. - 6:00 P.M. and Saturday, 10:00 A.M. - 4:00 P.M., closed Sundays. Mr. Drennon stated all repairs will be done at the airport. He continued that the building will be redesigned to have men and women's bathrooms inside the structure, no additional or excavating will be done at the site. Mr. Drennon stated it was Dr. Miracle's intention to open his Medical Practice on the site in the future. Mr. Drennon stated that the applicant wanted to reopen the doors to the structure to enable the washing of the automobiles to be sold. Chairman Holland asked if there was anyone present in opposition to the request. Mr. Harry Dearwater stepped forward and stated he was not in opposition to the request but expressed concern as to the undeveloped lot being paved in the future and causing a water problem on his property. Mr. Drennon stated there were no plans to develop the lot at the present, but maybe in the future. Mr. Block stated if the lots were to be developed, the plans would have to be submitted to the Enforcement Officer for review. In response to Mr. Bolton's question, Mr. Drennon stated that the undeveloped lot was zoned Commercial Two and also belonged to Dr. Miracle. In response to Mrs. Lannigan's question, Mr. Drennon stated the only cars brought to the site will be for selling, no customers will drop off rental cars. Mr. Schrieber moved to grant

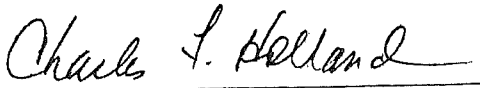
the request with the conditions that the doors be returned to their original state; no blacktopping of the undeveloped lot without submitting plans to the Enforcement Officer; no automobile repairs on the site; retail sales only for used cars, no rental sales and all parking spaces be 10X 20 feet, Mrs. Lannigan seconded. The vote carried unanimously.

Chairman Holland inquired as to the status of Knights Inn Sign. Ms. Sullivan stated the denial from the Planning Commission was forwarded to the City Council and appeared on their agenda. She continued that the City Council referred the matter to the Public Works and they will make a report to the next City Council meeting. Discussion followed.

Mr. Wilson stated he would prepare a letter to the City Council and Public Works asking of the status of Knights Inn proposal. Mrs. Sullivan asked if the City followed the recommendation of the Planning Commission and there is no due process hearing, does the Board of Adjustment take further action. Mr. Wilson stated if final action is taken and Knights Inn is found to be in violation, then the Enforcement Officer can proceed.

Chairman Holland asked if there were any further questions. No one responded. Mr. Holland moved to adjourn, Mr. Schrieber seconded; the vote carried unanimously. The meeting adjourned at 7:35 P.M.

RESPECTFULLY SUBMITTED:

  
CLERK

APPROVED: \_\_\_\_\_

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CHAIRMAN