

APPLICATION FOR ZONING ACTION

TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: BROADWAY SIGN CO. Owner

Address: 6202 WHEHE RD. Agent

CINTI O 45237 Telephone: 531-7660

Location: U.S. 42 AND T. 75 FLORENCE

Name of Property Owner: BAGSHAW ENTERPRISES

Address of Property Owner: P.O. BOX 500, HILLSBORO, O. 45133

Zoning District: C-3 Area in Acres: _____

Deed Book: 357 Page Number: 215 Group Number: _____

Description of Request: INSTALL (1) 16'x16' DOUBLE FACED SIGN
86' ABOVE GRADE, ON EXISTING TWIN POLE STRUCTURE.
EXISTING HIGH-RISE SIGNS TO BE REMOVED.

Ex sign: (5x25)+(5x5) = 150 sq ft 161' high 256 sq ft

Applicant's Signature: [Signature]

Property Owner's Signature: [Signature]

FOR PLANNING COMMISSION USE ONLY

Application Fee: _____ Date Received: 5-22-87 By: TWB

Referred To: TWB Meeting Date: 6-10-87

Action Taken: _____ Date of Action: _____

STAFF REPORT

APPLICANT: Broadway Sign Company (agent for Bagshaw Enterprises - Kentucky Fried Chicken)

LOCATION: 8055 U.S. 42, Florence

ZONE: Commercial Services (C-3)

DATE: June 10, 1987

REMARKS:

The applicant is requesting a Variance in order to allow an 86 foot high sign with 256 square feet. The 0.70 acre site, located at 8055 U.S. 42 (formerly Crossroads Restaurant), is zoned Commercial Services (C-3) and is owned by Robert Bagshaw.

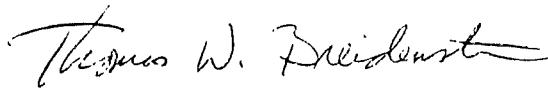
On May 18, 1987, Broadway Sign Company was issued sign permit #SP-F-41/87 which allowed 73.75 square feet of signage on an existing pole. A condition of the permit's approval was the removal of the "24 hour Restaurant" sign which advertised the Crossroads Restaurant. The existing restaurant sign is 61 feet high with 150 square feet. The owners, however, feel the need for a sign visible from the highway and have therefore applied for the Variance. Without the Variance, Kentucky Fried Chicken would be permitted a sign of up to 246 square feet and up to the existing height of 61 feet.

The following reviews the four criteria by which the Board must judge each Variance request:

1. The "awkward" location of the restaurant could be considered a special circumstance. Although it has high visibility from U.S. 42, it does not have direct accessibility. This circumstance is shared by Arby's (who has a high-rise sign) and by Ponderosa (which does not have a high-rise sign).
2. Strict application of the regulations would allow a 246 square foot sign at the established height of 61 feet. The Board must consider whether or not a sign of this size and height will allow a reasonable use of the property.
3. The special circumstance of visibility and accesibility is not the result of actions of the applicant.
4. Staff can find no reason that the Variance will adversely affect the public health and safety. However, staff is concernd that such a sign may be highly visible to a large number of residents in the area from their homes.

The applicant has been provided a list of these four criteria. Hopefully, their response will be available for the Board before the June 10 meeting.

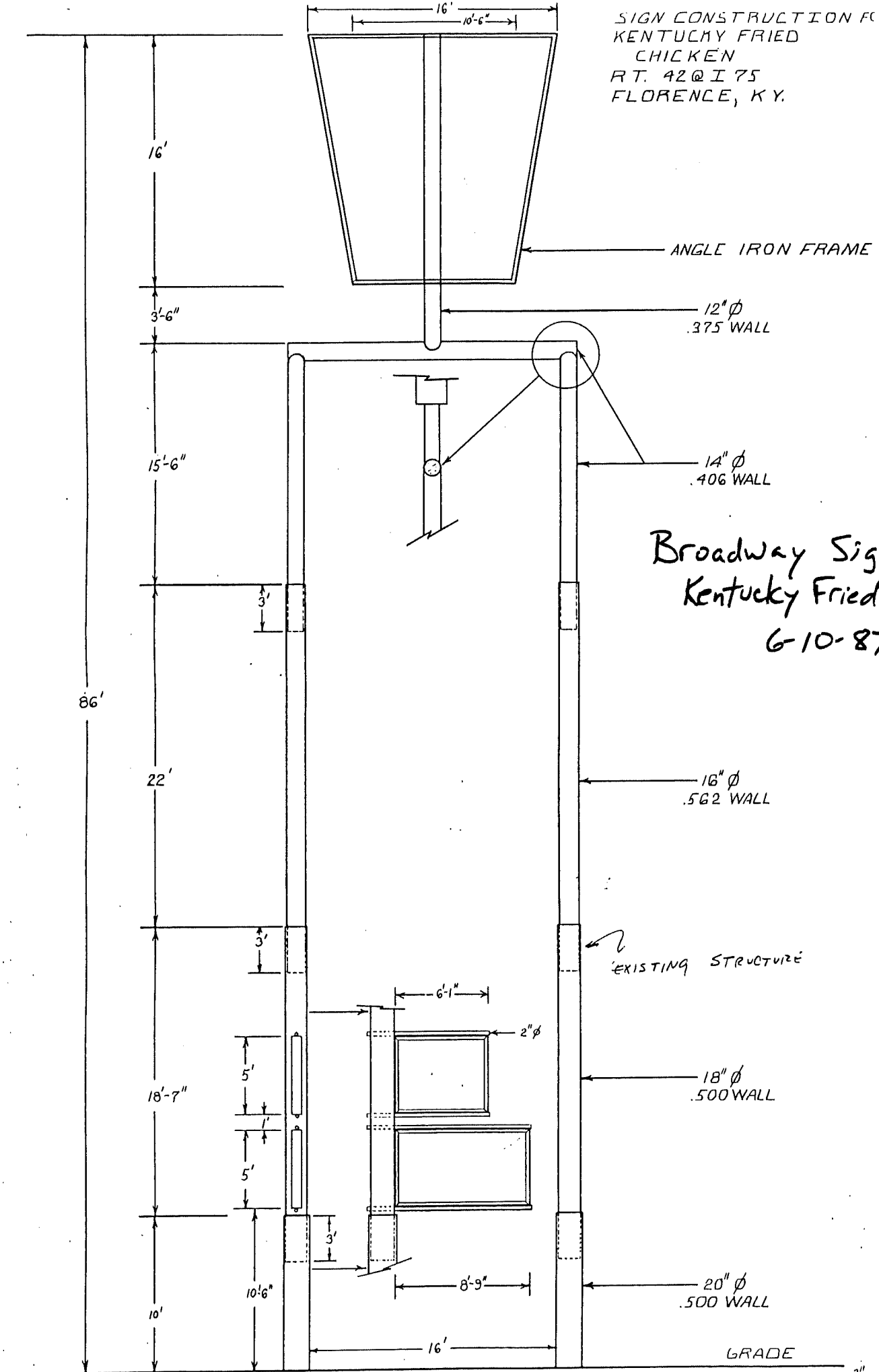
Respectfully submitted,

A handwritten signature in cursive script that reads "Thomas W. Breidenstein". The signature is written in dark ink and has a fluid, connected style.

Thomas W. Breidenstein,
Zoning Enforcement Officer

TWB:mcb

SIGN CONSTRUCTION FOR
KENTUCKY FRIED
CHICKEN
RT. 42 @ I 75
FLORENCE, KY.



ANGLE IRON FRAME

12" ϕ
.375 WALL

14" ϕ
.406 WALL

Broadway Sign /
Kentucky Fried Ch.
6-10-87

16" ϕ
.562 WALL

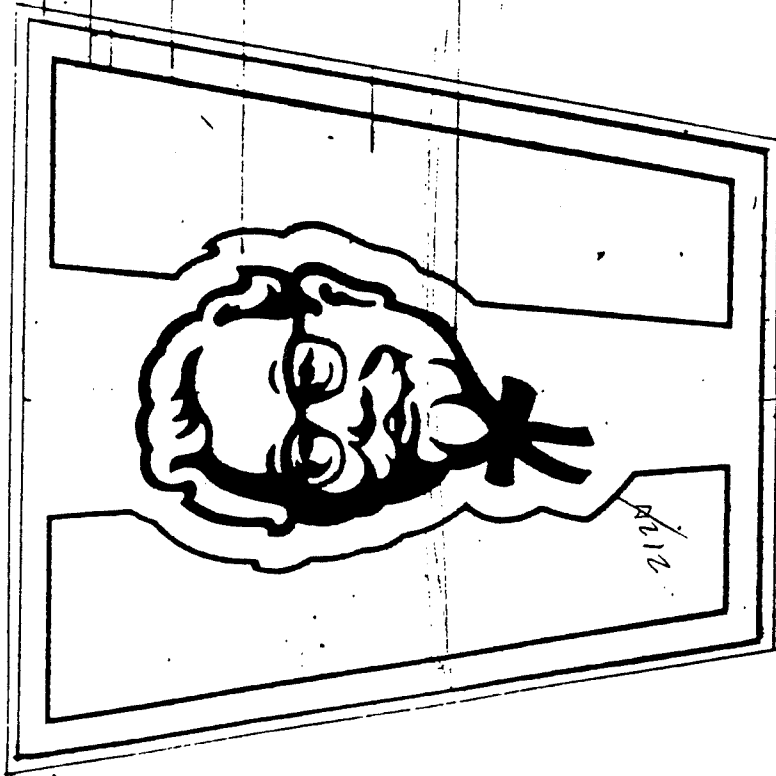
EXISTING STRUCTURE

18" ϕ
.500 WALL

20" ϕ
.500 WALL

GRADE

SCALE: 3/16"



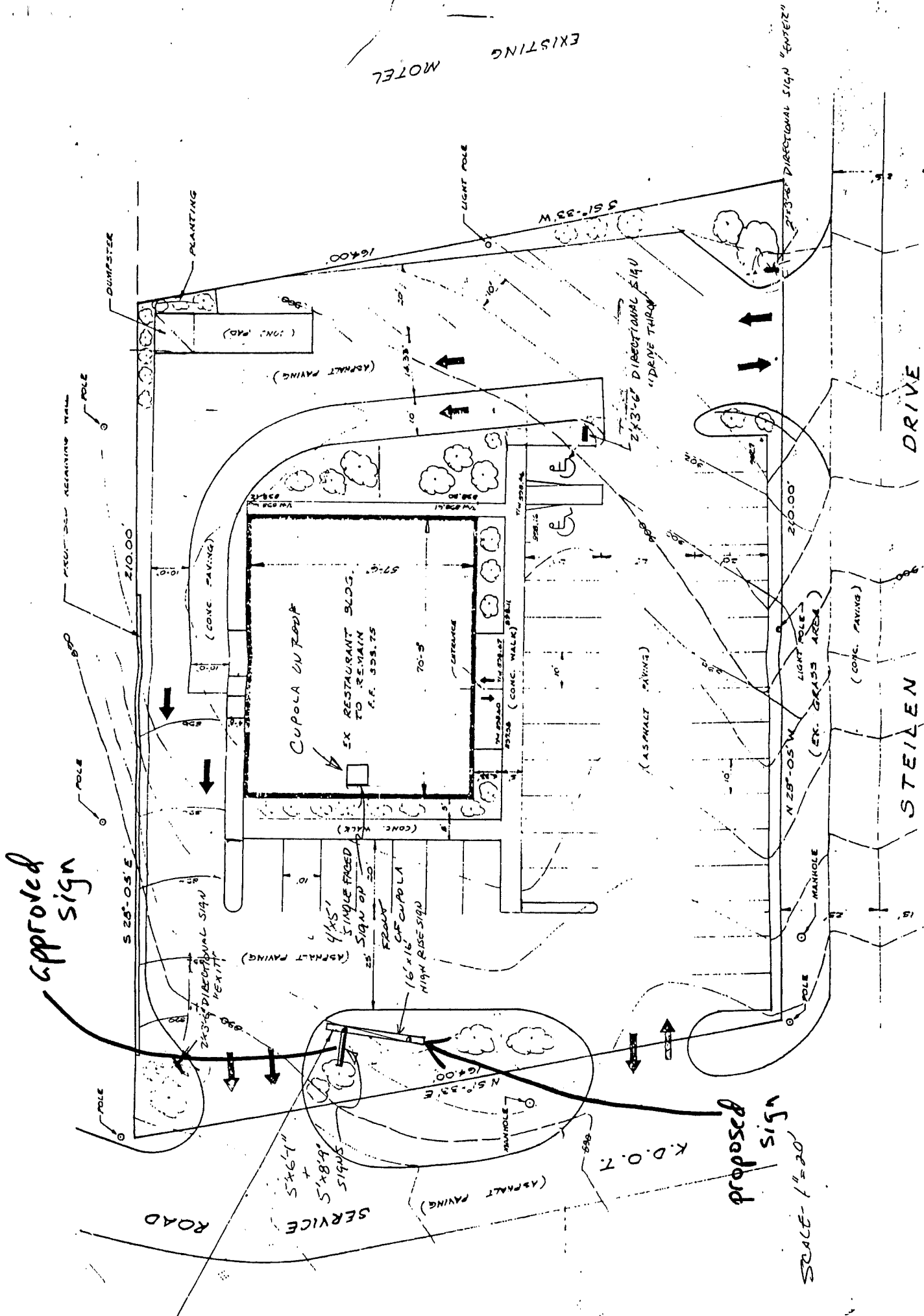
- 2 1/2" ABC RETAINER KFC BROWN
- *2418 BROWN 1" OUTLINE (OPAQUE)
- *20001 WHITE TRANSLUCENT BKGD.
- *20001 WHITE (TRANSLUCENT)
- *2283 RED (TRANSLUCENT)
- *2418 BROWN (OPAQUE)

Broadway Sign Co /
Kentucky Fried Chicken
6-10-87

Approved sign

proposed sign

SCALE - 1" = 20'



Broadway Sign / Kentucky Fried Chicken 6-10-87

CITY OF FLORENCE
BOARD OF ADJUSTMENT

June 10, 1987 - 7:30 P.M.

Chairman Holland called the meeting to order at 8:20 P.M..

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Chairman Holland
Mr. White

BOARD MEMBERS NOT PRESENT:

Ms. Lanigan
Mrs. Ward

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Holland stated that each member had received a copy of the Minutes of the Board of Adjustment Meeting of May 13, 1987. There being no comments or corrections; Mr. Ashcraft moved, seconded by Mr. White, that the Minutes be approved. The motion carried unanimously.

AGENDA ITEMS:

1. A request of Broadway Sign Company (agent for Bagshaw Enterprises - Kentucky Fried Chicken) for a Variance to allow a sign with 256 sq. ft. and 86 feet high. The 0.70-acre site, located at 8055 U.S. 42 in Florence, is zoned Commercial Services (C-3) and is owned by Mr. Robert Bagshaw.

Staff Member, Tom Breidenstein, presented the Staff Report and indicated that a slide presentation was available if needed (see Staff Report).

Mr. Bob Steffany, General Manager of Broadway Sign Company, stated that two other restaurants had been previously located at this site and they were unsuccessful. He stated that in order to be successful, they need to attract both the north and southbound traffic on I-75. He added that there is currently good visibility from I-75 South, but no visibility

from I-75 North. Mr. Steffany stated that the optimum height for the sign is 96 feet but, from a structural standpoint, 86 feet would be the maximum height of the sign. The sign is approximately 16' X 16', which is the standard height of a Kentucky Fried Chicken sign. The existing poles would be used and extended upward.

Mr. White stated that he was present when Country Kitchen Restaurant flagged their sign. He indicated that the sign was visible from both I-75 North and South at that time, but noted that the trees may have grown since that time. Mr. White stated that approximately 15 months ago, the Board granted a variance on the height of the sign for a storage facility whose sign was being blocked by the Country Kitchen sign. He indicated that the storage facility sign may be blocked again if the sign under discussion is moved. He added that he does not take issue with the size of the sign, but does not want to create a problem for the storage facility.

Chairman Holland asked if the owner of the storage facility had been notified of this hearing.

Staff Member, Tom Breidenstein, stated that the owner of the storage facility was not an adjoining property owner and was not notified.

Mr. Ashcraft asked if the Kentucky Fried Chicken sign would block the storage facility sign or if it would be above it.

Mr. Steffany replied that he did not know as he did not consider this when the sign was flagged.

Mr. Bob Bagshaw stated that he had never seen the storage facility sign from the highway. He added that the existing long sign on the poles would be taken down.

Chairman Holland stated that this request could be deferred until the Board of Adjustment Meeting in July in order to determine if the storage facility sign would be blocked. Chairman Holland added that another alternative would be to approve the request on the condition that the sign not block the storage facility sign.

Counselor Wilson indicated that problems could be created if the storage facility owner felt his sign was blocked, and the people at Kentucky Fried check felt that it was not blocked.

Mr. Ashcraft stated that the owners of the storage facility should be notified and given the opportunity to appear.

Counselor Wilson advised that even if the owners of the storage facility do come to the hearing, the same question may still exist -- is their sign being blocked or not?

Mr. Steffany suggested that they reflag their sign and pay particular attention to the storage facility sign. He asked if someone from the Board should be present at the flagging and Chairman Holland advised him to contact the Staff Office.

Mr. Babshaw asked if the flagging is done tomorrow and the storage facility sign is not blocked, would they have to wait thirty days for the next Board of Adjustment meeting to erect the sign.

Counselor Wilson stated that the owners of the storage facility will also have to decide whether or not there is interference.

Mr. Ashcraft moved, seconded by Mr. White, that this request be deferred until the July 8, 1987 Board of Adjustment Meeting. He asked that the owners of the storage facility be given notice of the hearing. Mr. Ashcraft also stated that there will be no fees charged to the applicant.

Chairman Holland asked for a roll call vote on the motion which found Mr. Ashcraft, Mr. White and Chairman Holland in favor. The motion carried unanimously.

Chairman Holland advised the applicant that the Board of Adjustment meeting on July 8, 1987 will begin at 7:30 P.M. and the fees will be waived at that time.

* * * *

2. A request of Empire Road Properties for a Conditional Use Permit to allow the cleansing, processing, and treatment of oily and non-hazardous water and other materials. The 10.5-acre site, located at 8045-59 Dixie Highway (Empire Industrial Park) is zoned Industrial One (I-1) and is owned by Empire Road Properties.

Staff Member, Tom Breidenstein, presented the Staff Report and stated that a slide presentation is available. He stated that he had spoken with Fluid Restoration Services and they have indicated that they want to provide as much information as possible; however, they had a prior commitment this evening and were unable to attend this meeting. They have indicated a desire to speak before the Board. Mr. Breidenstein noted a description of the proposed use of the site provided by the applicant and indicated a variety of Staff concerns regarding the chemicals which may be on the site. He added that the expanded information had only been received this week and Staff has not yet had an opportunity to talk to the fire department and other agencies. Staff had planned to visit the Fluid Restoration Services facility in Newport but found that it was used for storage only.

Chairman Holland asked where there is a facility which could be visited. Mr. Breidenstein advised him that the closest location would be Cleveland.

Mr. Dave Saunders, an agent with West Shell Realtors, stated that Fluid Restoration Services is willing to defer this request and to provide additional information.

Mr. White stated that the Board needs to see a list of everything that will be recycled at this location and an on-site inspection of the Cleveland site should be performed. He noted that there have been problems all over the United States in regard to recycling facilities. He requested that the application be deferred to obtain more information.

Chairman Holland suggested that a representative of the Florence Water and Sewer Department also visit another Fluid Restoration Services' site.

Staff Member, Tom Breidenstein, stated that he could meet with the Water and Sewer Department, and also the Fire Department, prior to the on-site inspection.

Mr. Ashcraft stated that he would like information regarding the financial stability of the company, the type of insurance they carry, and whether or not the products at the site are on the Environmental Protection Agency (EPA) hazardous material list. He added that the Board may need technical advice regarding this request.

Mr. White stated that the Fire Chief would be a good person to visit the site as he is up-to-date regarding issues of this type.

Mr. Holland advised Staff Member, Tom Breidenstein, that there would be no expense involved with the on-site visit.

Mr. Ashcraft added that the applicant should be requested to reimburse the Board and Staff for expenses incurred.

Counselor Wilson advised that once a list of the products involved is received, the Staff can send it to the State government and get their help. He added that if the Board is recommending a deferral, there is a time limit for Conditional Uses.

Mr. Dave Saunders stated that the applicant is interested in moving ahead as quickly as possible due to the availability of the space. He added that the building in Empire Industrial Park is available now and may not be available in sixty days. He stated that if a decision could be reached by July 8, 1987 that would benefit the situation.

Mr. White moved that Chief Roberts (preferably), Tom Breidenstein, and Chairman Holland visit the nearest facility run by Fluid Restoration Services for an on-site inspection and return with the necessary information. Also, that the Kenton and Boone County sanitation districts be notified for their input and participation. All expenses incurred will be the responsibility of the applicant.

Chairman Holland stated that the on-site visit should be made to a facility which is as similar as possible to the one proposed for the City of Florence.

In response to a request from Mr. Ashcraft, Mr. White amended his motion as follows: That the applicant also be required to furnish a financial statement, proof of liability insurance - including amounts of coverage and a statement of public liability in general, plus a complete list of all products that will be processed at the Florence facility. This list of products is to be furnished to the Staff at least ten days prior to the meeting at which the application is to be considered.

Chairman Holland asked if there was any further discussion; there being none, he seconded the motion made by Mr. White and it carried unanimously.

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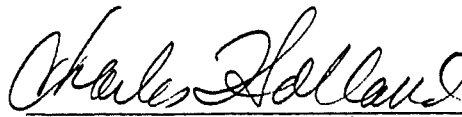
BOARD ITEMS:

1. Mr. Ashcraft noted that the meeting this evening started late due to the length of the Boone County Board of Adjustment Meeting and asked Mr. Breidenstein for his comments.

Staff Member, Tom Breidenstein, stated that in the future if it appears that the Boone County Meeting will run late, he will reschedule one of the meetings.

2. Chairman Holland discussed the quarterly reports that used to be prepared for the Mayor. Chairman Holland asked Mr. Breidenstein to contact the Mayor to see if he wanted to continue receiving the quarterly reports or if the Minutes are sufficient. He added that if the Minutes are not sufficient, then quarterly reports will be provided.
3. Counselor Wilson advised that the Planning Commission is requesting the the compensation to the Board of Adjustment members for their monthly services be increased to a maximum amount of \$30 per month. He noted that this request is pending approval by the cities and fiscal court.

There being no further business to come before the Board, Chairman Holland moved, seconded by Mr. White that the meeting be adjourned. The meeting was adjourned by unanimous consent at 9:07 P.M..



Charles Holland, Chairman

Attest:



Jan Hancock, Recording Secretary

SUPPLEMENTARY
STAFF REPORT

APPLICANT: Broadway Sign Company
(agent for Bagshaw Enterprises - Kentucky
Fried Chicken)

LOCATION: 8055 U.S. 42, Florence, Kentucky

ZONE: Commercial Services (C-3)

DATE: July 8, 1987

REMARKS:

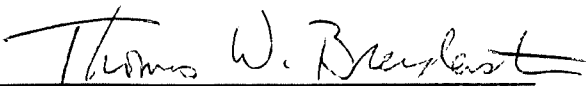
The applicant is requesting a Variance in order to allow an 86 foot high sign with 256 square feet. The 0.70 acre site, located at 8055 U.S. 42 (formerly Crossroads Restaurant and Country Kitchen Restaurant) is zoned Commercial Services (C-3) and is owned by Robert Bagshaw.

At the last meeting the Board expressed the concern that the proposed Kentucky Fried Chicken sign would block the Security Self Storage sign; therefore, the request was deferred until the situation could be more fully investigated. Security Self Storage has been notified of this request through registered mail.

On June 16, staff met a crew from the Broadway Sign Company at the Kentucky Fried Chicken site. A crane with a sign mock-up was raised to the proposed height. (Slides of this demonstration will be available at the July 8 meeting.)

Also, a topographic map of the area was studied. The elevation of the base of the Security Self Storage sign is approximately 910 feet. Since the sign is 60 feet high, the elevation of the top of the sign is 970 feet. The base of the Kentucky Fried Chicken sign is at 890 feet. The highest elevation for this 86 foot sign, therefore, would be 976 feet - 6 feet higher than the other sign. There will be approximately 10 feet of overlap between the top of the Security sign and the bottom of the Chicken sign. However, the "24 hour Restaurant" sign overlapped the middle of the Security sign.

Respectfully submitted,



Thomas W. Breidenstein
Zoning Enforcement Officer

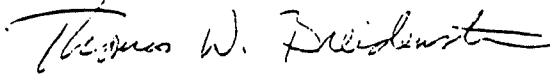
TWB/jdh

Board that the Country Kitchen sign blocks the applicants sign from South bound traffic and that the 10 foot variance is needed to eliminate this problem. Mr. White commented that the Country Kitchen sign could pose a problem. Chairman Holland asked if there was anyone in opposition to the request. No one responded. Chairman Holland moved to grant a variance of 10 feet which would be from a maximum height of 50 feet to 60 feet due to the topography of the land and the possibility of blockage by Country Kitchen's sign. Mr. White seconded, the motion carried unanimously.

Chairman Holland proceeded with the request of Rev. James E. Terry, Agent for Florence Church of God, for a Conditional Use Permit to allow the use of the educational building as a day care center, on a parcel of land located at 716 Hopeful Road, Florence, Kentucky, in a Suburban Residential One (SR-1) zoning district. Mr. Block presented the Enforcement Officer's Report. Chairman Holland asked if there was anyone present to speak in behalf of the request. Rev. Terry stepped forward to represent the request. Rev. Terry stated that several trips were made to Frankfort and that all specifications for a day care center were met and a license granted for 33 children. Rev. Terry stated the educational building was constructed for the purpose of a day care center but the past administration did not pursue the project at that time. Rev. Terry stated it was the desire of the church and it's Board members to proceed with this project at this time. In response to Chairman Holland, Mr. Block stated that the parking was in the back of the church. Chairman Holland asked if there was anyone in opposition to the request. Mr. James Gardner, 719 Hopeful Road, Florence, stepped forward in opposition of the request. Mr. Gardner stated that the church does not use the parking area properly. Mr. Gardner continued that there is already more than one day care center on Hopeful Road and four churches. Chairman Holland asked if there was a site plan available to show the problem, Mrs. Gardner stated there was a traffic problem and a noise problem. She continued that they would have to listen to them on Sunday morning, with a day care facility it would be noisy. Mr. Terry stated that they were not discussing Sunday, but that the day care would be from 6:30 A.M. to 6:00 P.M., Monday thru Friday. Mr. Gardner stated he felt it was too long for a day care, that they would completely be raising the children. At the request of Chairman Holland, Mr. Gardner stepped forward and illustrated the traffic problems on the site plan. Members of the Board reviewed the site plan. Mr. Gardner stated he was not against the church but the way the traffic situation was handled. Mr. Gardner pointed out that since the project for 250 houses was approved, every other piece of property is for sale; including his property if anyone wanted it. Rev. Terry illustrated on the site plan the drive to be used for day care, and pointed out the plans for the church entrance and exit drives. Rev. Terry stated the traffic situation only occurs for approximately 10 to 15 minutes on Sunday morning. Mr. Gardner expressed his concern that other request for business would be brought forth in this residential area if this request was approved. Rev. Terry pointed out that there were fourteen

The applicant has been provided a list of these four criteria. Hopefully, their response will be available for the Board before the June 10 meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Thomas W. Breidenstein". The signature is written in dark ink and is positioned above the typed name.

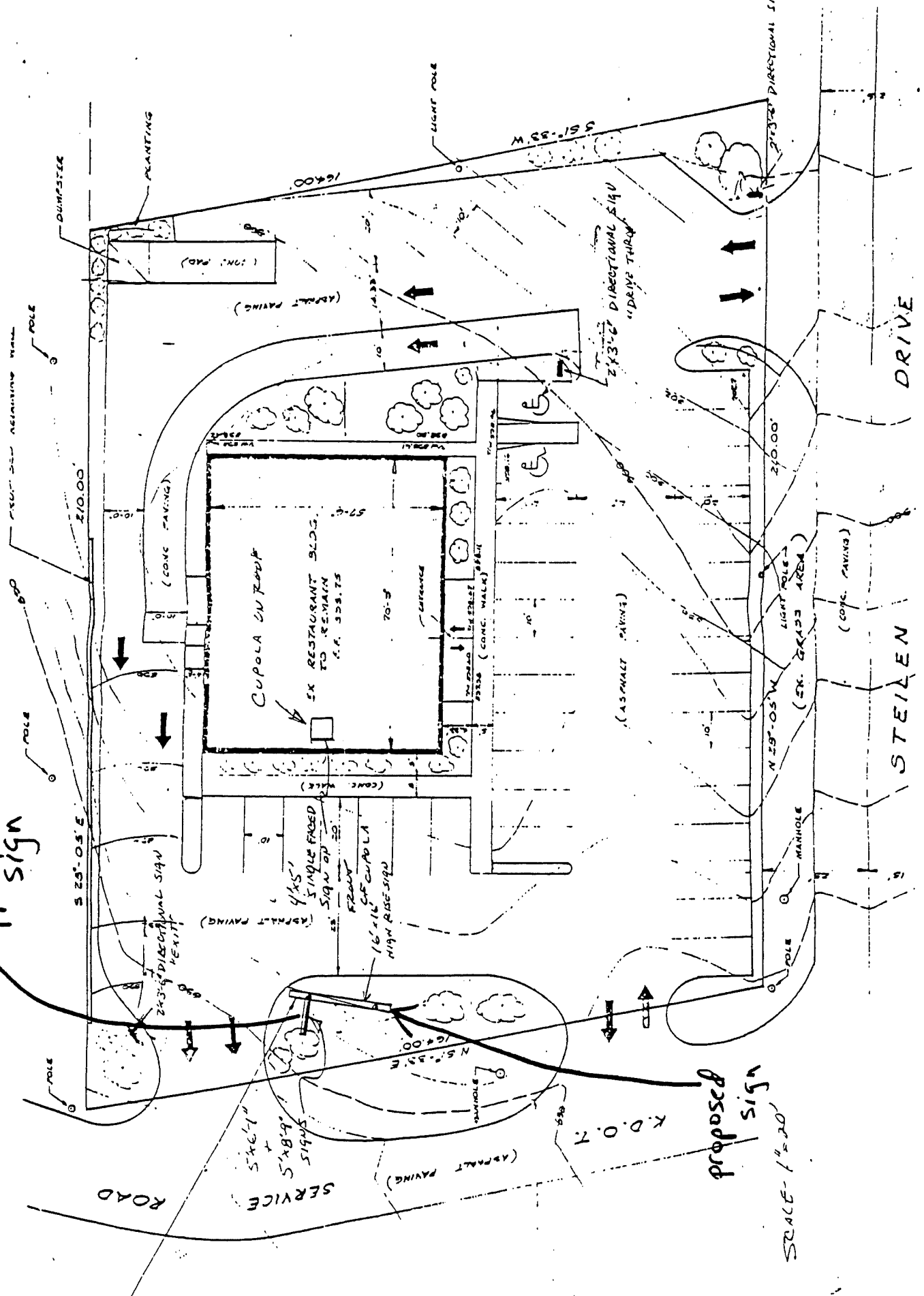
Thomas W. Breidenstein,
Zoning Enforcement Officer

TWB:mcb

EXISTING MOTEL

Approved sign

proposed sign



Broadway Sign / Kentucky Fried Chicken 6-10-87

CITY OF FLORENCE
BOARD OF ADJUSTMENT

July 8, 1987 - 8:30 P.M.

Chairman Holland called the meeting to order.

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Chairman Holland
Ms. Lanigan
Mrs. Ward
Mr. White

BOARD MEMBERS NOT PRESENT:

None

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Holland stated that each member had received a copy of the Minutes of the Board of Adjustment Meeting of June 10, 1987. There being no comments or corrections; Mr. White moved, seconded by Mrs. Ward, that the Minutes be approved. The motion carried unanimously.

AGENDA ITEMS:

1. A request of Empire Road Properties for a Conditional Use Permit to allow the cleansing, processing, and treatment of oil and non-hazardous water and other materials. The 10.5-acre site is located at 8045-59 Dixie Highway and is zoned Industrial One (I-1). The proposed use will be located in Building F of the Empire Industrial Park.

Staff Member, Jim Sturdevant, presented the Staff Report prepared by Tom Breidenstein. He indicated that the applicant has requested indefinite deferral of this request. Staff recommends a time limit be placed on this requested deferral. (see Staff Report)

Mr. White moved that this request be denied on the basis that the applicant has not addressed any of the concerns raised at the last meeting of the Board. Mr. Ashcraft seconded the motion.

Chairman Holland asked if there was anyone present representing the applicant or if there were any comments or questions regarding this request. There was no discussion.

Chairman Holland asked for a roll call vote on the motion made by Mr. White, which found Mr. Ashcraft, Ms. Lanigan, Mrs. Ward, Mr. White, and Chairman Holland in favor. The motion carried unanimously.

2. A request of Broadway Sign Company, agent for Bagshaw Enterprises - Kentucky Fried Chicken, for a Variance in order to allow an 86-foot high sign with 256 sq. ft.. The 0.7-acre site, located at 8055 U.S. 42 (formerly Crossroads Restaurant and Country Kitchen Restaurant) is zoned Commercial Services (C-3) and is owned by Robert Bagshaw.

Staff Member, Jim Sturdevant, presented the Staff Report prepared by Tom Breidenstein (see Staff Report). He stated that Mr. Ray Keeney, owner of Security Self-Storage, had indicated to Mr. Breidenstein in a telephone conversation that the new sign will not cause a problem.

Chairman Holland noted that the Staff Report indicates that the "24-Hour Restaurant" sign overlaps the Security Self-Storage sign.

Mr. Bob Steffany, representing Broadway Sign Company, advised that the "24-Hour Restaurant" sign has been removed. He stated that he was present when the new sign was flagged, which indicated that the Kentucky Fried Chicken sign would be above the Storage sign. He noted that Mr. Breidenstein took pictures of the flagging.

Chairman Holland noted that, based on the current ordinance limit of 40 feet, the applicant is requesting a variance of 46 feet.

Mr. Ashcraft moved that the Variance allowing an 86-foot high sign with 256 sq. ft. of signage space be granted. Mr. White seconded the motion.

Chairman Holland asked if there was anyone present who wished to speak regarding this application. There was no further discussion.

Chairman Holland asked for a roll call vote on the motion made by Mr. Ashcraft, which found Mr. Ashcraft, Ms. Lanigan, Mrs. Ward, Mr. White, and Chairman Holland in favor. The motion carried unanimously.

4. A request of David B. Roberts for Kento-Boo Baptist Church for a Conditional Use Permit and Site Plan Review to construct a 16,484 sq. ft. building addition to an existing church facility and expand an existing parking lot. The applicant is also requesting a Conditional Use Permit and Site Plan to construct a separate parking lot across the street from the church site for the purpose of serving the church use.

Staff Member, Tom Breidenstein, presented slides of the site and adjacent areas.

Mr. David Roberts presented the Site Plan and indicated the proposed changes to the church property. He stated that due to development in the area, they anticipate an increase in the church membership.

Chairman Holland noted a 9.5-foot high retaining wall planned for the site and asked Mr. Roberts for his comments.

Mr. Roberts stated that the retaining wall will be located toward the high ridge side. He stated that the wall will be used to accommodate the grades on the site, which he indicated on a diagram. He added that the wall is not a desirable design element, but is necessary if they are to have a two-story facility. In response to comments from Chairman Holland, Mr. Roberts indicated the start of the wall and that it gets steeper, to a height of approximately 9 feet, and then decreases in height.

Mr. White noted that there are many small children in the area and indicated his concerns for safety. He added that the wall will also create water problems.

Mr. Noel Walton noted the location of the retaining wall. He stated that the wall goes to a maximum height of 8.5 feet. He indicated the proposed plans for directing storm water and how the retention pond will be constructed. He stated that the pond will not be of any great depth.

Mr. Ashcraft stated that he did not want any ponding created, nor did he want to create a breeding ground.

Mr. Walton discussed how the water would be discharged from the pond and stated that the only time there would be any retention would be in the winter when the ground was frozen, and it would not be substantial.

Chairman Holland stated that he had problems in regard to the retaining wall. He asked the applicant if he agreed that the wall could pose a safety hazard unless there was a railing or fence on top of it.

Mr. Roberts stated that he definitely does agree with this statement. He added that it is the only design solution in consideration of the elevation of the sanctuary.

Mr. Ashcraft noted that the retaining wall and the retention pond have not been reviewed by the Safety Engineer.

Mr. Roberts agreed and stated that the Safety Engineer is out-of-town. He stated that the concerns raised by the Board are valid and they are willing to go before the Planning Commission for a full Staff review and recommendation.

Mr. White stated that the church is an asset to the community. He stated that there are concerns regarding the retaining wall and water retention. He asked the applicant if he would be willing to address these two situations with the Safety Engineer. Mr. Roberts replied that he would be willing to do so.

Staff Member, Jim Sturdevant, stated that the Staff has simultaneously reviewed the Site Plan and the use. He stated that if the Board is satisfied with the use and how it will affect the neighborhood in terms of additional traffic and aesthetics, then Staff's only concern is for review of the details of the Site Plan by the engineer.

Counselor Wilson stated that Mr. White is discussing a motion to approve the Conditional Use portion of the request subject to certain conditions, one being Site Plan Review, including Items #2, 3, and 4 of the Staff Report, being reviewed by the Staff. If agreement cannot be reached with the Staff, then the applicant would have to appear before this Board again.

Mr. Roberts indicated his agreement to the proposed motion discussed by Counselor Wilson.

Mr. White moved, seconded by Mr. Ashcraft, that the Conditional Use Permit be granted subject to the condition that Items #2, 3, and 4 are reviewed by the Staff and acceptable to the Staff.

Chairman Holland asked if there were any further comments or questions, or any further discussion regarding this matter.

There being no further discussion, Chairman Holland asked for a roll call vote on the motion which found Mr. Ashcraft, Ms. Lanigan, Mrs. Ward, Mr. White and Chairman Holland in favor. The motion carried unanimously.

Staff Member, Jim Sturdevant, presented the Staff Report regarding the second part of this application. He noted that a reduced copy of the proposed layout of the parking lot is attached to the Staff Report. He stated that the applicant has adequately addressed Staff's concerns regarding the alignment of accesses. He noted Staff's concerns for adequate buffering and landscaping of the parking lot as it is surrounded by residential uses.

Mr. Ashcraft asked how many parking spaces will be provided by the additional parking lot.

Staff Member, Jim Sturdevant, indicated that there are 92 spaces in the lot. Mr. Roberts added that their maximum capacity is 632, and they have a combined requirement for parking according to Planning Commission standards of 127 spaces. They are providing 130 spaces.

Following a review of the Site Plan by the Board Members, Mr. White questioned the width of the driveway onto Curtis Avenue.

Mr. Roberts stated that standard width for two-way traffic is 25 feet. Mr. White asked if they had considered one-way traffic, possibly using one driveway to enter and the other to exit the parking lot.

Mr. Roberts indicated that this would create traffic congestion. He added that the parking lot patrol person may be able to deal with the traffic at the beginning and end of services if there is a congestion problem on Curtis Avenue.

Mr. White stated that the people who live in the house next to the parking lot are in California. Their garage is three or four feet onto the church's property.

Mr. Roberts stated that, if the people will provide a letter authorizing the church to demolish the structure, they will do so. He added that the parking lot will have hard-surface paving and neighborhood children will be permitted to play on the lot.

Chairman Holland asked if there was anyone else present who wished to comment regarding this request.

Mr. Rod Dew representing Cargo Industries, the managing general partner for Ashgrove Apartments, stated that they are opposed to the parking lot as it will take out a wooded area that abuts the apartments. He added that if the parking lot is permitted, an adequate buffer needs to be provided.

Chairman Holland asked how many residents would be affected by the proposed parking lot.

Mr. Dew stated that two buildings would be affected, with 8 to 12 residents in each. He suggested that the plantings be 8 to 10 feet high and added that large fir or pine trees would not need to be planted as closely as other types of trees.

Mr. Roberts stated that there are plans for perimeter planting of the parking lot and indicated the proposed locations of plantings on a drawing.

Mr. White stated that Curtis Avenue is a speedway and that the traffic count is high.

Mr. Ashcraft added that the wide approach to the parking lot may be inviting to teenagers. Mr. White agreed that he is also concerned about the 25-foot wide entrance.

Following discussion, Mr. Ashcraft moved that the Conditional Use Permit be granted for the parking lot provided that the following conditions are met: 1) that the parking lot be buffered by plantings that affect all abutting property owners; 2) that the driveway off Curtis Avenue be limited to 20-foot width with parallel parking permitted; and 3) that asphalt or concrete be used. Mr. White seconded the motion.

Staff Member, Jim Sturdevant, asked if Mr. Ashcraft was referring to a 20-foot driveway with 10 feet for parking. Mr. Ashcraft replied that he was not.

Following additional review of the Site Plan and discussion, Mr. Ashcraft amended his motion. Mr. Ashcraft moved that the Conditional Use Permit be granted for the parking lot subject to the following conditions: 1) that the parking lot be buffered by plantings that affect all abutting property owners; 2) that the driveway off Curtis Avenue be limited to 20-foot width, with a 10-foot parallel parking zone on the east side coming in off Curtis Avenue; and 3) that asphalt or concrete be used. Mr. White seconded the motion.

Chairman Holland asked if there was any further discussion; there being none, he asked for a roll call vote on the motion which found Mr. Ashcraft, Ms. Lanigan, Mrs. Ward, Mr. White and Chairman Holland in favor. The motion carried unanimously.

3. A request of St. Paul Catholic Church and School for a Conditional Use Permit to allow the construction of classroom and stairway additions to an existing school building. The 4.9-acre site is located at 7301 Dixie Highway and is zoned Commercial Two (C-2).

Staff Member, Tom Breidenstein, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Mike Duncan, Parish Council Chairman at St. Paul, stated that he is a resident of Florence and an attorney in the area. He reviewed the proposed additions and stated that they will not be losing any parking spaces. The stairway addition to the rear is due to fire and safety requirements of the Kentucky Building Code. They are not actually adding to the number of classrooms, but providing a better environment. He noted that there are currently three temporary classrooms in the undercroft. Handicapped entrances will be provided on both of the main floors. He stated that computer capabilities are limited at this time and they want to install a computer lab.

Mr. Duncan noted that the site is currently zoned Commercial Two and probably should be zoned Public Facilities. He requested approval of the application based on the findings of fact in the Staff Report.

Chairman Holland asked if the additions would interfere with the circulation pattern of the buses.

Mr. Duncan indicated the circulation pattern around the school and stated that they definitely would not want to interfere with the traffic flow. He also presented a drawing indicating the proposed changes and noted that the achitecture will be compatible with the existing buildings.

Chairman Holland asked if there was anyone present in opposition to this application or if there was any further discussion.

There being no further discussion, Chairman Holland moved that the Conditional Use Permit be granted for all four items - a stairwell in the front, a stairwell to the rear, additional classrooms in the front, and additional classrooms on top of the boiler rooms. Ms. Lanigan seconded the motion.

Chairman Holland asked for a roll call vote on the motion which found Mr. Ashcraft, Ms. Lanigan, Mrs. Ward, Mr. White and Chairman Holland in favor. The motion carried unanimously.

There being no further business to come before the Board, Chairman Holland moved, seconded by Mr. White, that the meeting be adjourned. The meeting was adjourned by unanimous consent at 10:32 P.M..


Charles Holland, Chairman

Attest:


Jan Hancock, Recording Secretary