

APPLICATION FOR ZONING ACTION

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

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

Applicant: Mack Development Owner
 Agent

Address: P.O. Box 1118
Cody, Wy. 82414 Telephone: 1-307-587-2271

Location: Dream Street

Name of Owner: J. Robert & Jo Anna West

Address of Owner: 240 Main Street Florence Ky

Zone: 0-2 Area in Acres: 2

Description of Request: site plan review for Super 8 Motel and Waffel House Resturant

Owner's Signature: [Signature] (agent)

Applicant's Signature: [Signature] (agent)

FOR PLANNING COMMISSION USE: 150.00
16.00

Date application and fee of \$ 166.00 Received: [Signature] April 19, 1985

Referred to: _____ For Meeting Date: _____

Action: _____ Date: _____

May 8, 1985

CONDITIONAL USE PERMIT REPORT:

Applicant: Mack Development
Location: Dream Street (on the east side adjoining Duff's Smorgasbord)
Zoned: Office Two, O-2

Remarks: The applicant is requesting a Conditional Use Permit for the construction of a 95 room motel on a two acre tract located on Dream Street. The plans for the property do not indicate the number of floors associated to this request.

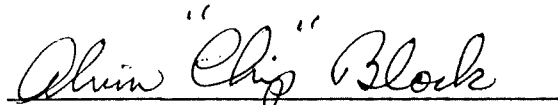
A total of 100 parking spaces have been allotted for the motel on the site. Another land use is planned for development on this site. That use is intended to be a restaurant with 1860 square feet and 13 parking spaces for this use. This restaurant requires approval by the Boone County Planning Commission under Site Plan Review.

As of the preparation of this report, the Planning Commission's Engineer had not reported his findings concerning this development plan. I will report at the meeting of his findings.

There are indicated landscaping areas on the plan before the Board. These have not been further addressed on the plans.

I would recommend that the Board review the Conditions and Criteria for the review of applications for Conditional Use Permits in the O-2 zoning district and the wording permitting a motel as a Conditional Use under Number 1 of that Section 1023 of the zoning regulations.

Respectfully submitted:



Alvin "Chip" Block
Planner

FLORENCE BOARD OF ADJUSTMENTS

MAY 8, 1985

8:00 P.M.

Chairman Holland called the Florence Board of Adjustment Meeting to order.

The roll call was taken by staff member Jeanne Huddleson. Four members present: Mrs. Lanigan, Messrs. White, Wilder and Chairman Holland.

The Board will consider the Minutes of previous meetings later in the meeting.

AGENDA ITEMS

Variance

A request for reconsideration of the Carl H. Cummins for a variance in the required setback for a building from the side street right-of-way line on a corner lot. The required setback is 37.5 feet and the request is for a seven (7) foot variance to a 30.5 feet. The request is for property at 7199-1 Turfway Road currently zoned Commercial Two, C-2.

Staff member Chip Block related the staff report was as presented at the previous April 10, 1985 meeting. Mr. Block noted the proposed canopy was not the first type of structure proposed for the protection of customers in the area and Mr. Block mentioned other examples in the Florence area. Mr. Block noted that also presented in the Board's material was a letter to the Board members which stated Mr. Cummins reasons for the request for the variance.

Chairman Holland inquired if the proposed request had not been discussed at the meeting of April 10, 1985. Mr. Block responded that was correct but at the previous meeting the applicant was unprepared to defend his request.

Mr. Larry Barnett, a member of the Boone County Planning Commission, representing Carl Cummins d/b/a The Cleaners, explained that the applicant had since discovered that he should have stated to the Board the reasons for the granting of the variance. Mr. Barnett directed the Board members to the correspondence from the applicant which contained four (4) reasons in response to Sect. 244 of the Zoning Regulations. Mr. Barnett also noted the plan, following the Board of Adjustment review, must also meet the site plan review of the Planning Commission with regard to the site plan elements. Mr. Barnett

noted that if the building were located on a normal lot the setback requirement would only be 10 ft. Mr. Barnett urged the Board to reconsider as the canopy is for the convenience of the customers of the dry cleaners and Mr. Barnett also noted there are other similar canopies in the county.

Chairman Holland inquired if the parking area would have to be rearranged to accommodate the proposed request.

Mr. Barnett stressed that the issue of the rearrangement of the traffic flow and the parking lot per se would all be subject to the elements of site plan review by the Planning Commission.

Mr. Block presented a slide presentation of the area and noted the span of 13 to 15 feet of driveway width before reaching the changed 45° angle parking.

Mr. Wilder inquired of the reasoning behind the 37.5 ft. setback requirement. Mr. Block explained the reasoning on a corner lot from a planning and zoning perspective is that you would not want to set out the normal side yard setback of 10' from the property line. Mr. Block also noted the 37.5 feet can provide for adequate ingress/egress, circulation, and access management.

Mr. Barnett stated he would agree the requirement is reasonable but noted the subject variance is for an overhang canopy which would not adversely affect the traffic flow, parking or turnaround.

Mr. White inquired of the height of the canopy. Mr. Block noted a clearance of 8' is noted on the site plan. Mr. White inquired of supports. Mr. Barnett noted the structure would not have free-standing supports but would be attached to the building. Mr. Don Cummins explained the proposed canopy.

Mr. Wilder inquired of other landowners in the areas use of similar canopies. Mr. Hopper noted that throughout the same zoning district there are other canopy overhang uses.

Mr. Wilder noted that under the Zoning Regulations Sect. 243 if other landowners in the area have similar structures denial of the canopy would be denying the applicant of the reasonable use of his land.

Mr. Barnett stated the applicant does feel there is also the element of the uniqueness of the site.

There was no other audience support or opposition expressed.

Mr. Wilder moved that the Board grant the variance from the required 37.5 feet to 30.5 feet for the reason that by denying the variance would deprive the applicant of the reasonable capacity to make use of the land in a manner equivalent to other landowners in the same zoning district. Mr. Wilder noted that his motion was based on his interpretation of Sect. 243 on dimensional variances and assuming that canopies apply as well as buildings with regard to setback. The motion was seconded by Mr. White.

Chairman Holland directed other Board members to the previous staff report which indicated the applicant would not be denied reasonable use of the land as the business could have a window for drive-in service which would serve the same purpose.

Mr. White stated he would agree with the Chairman's notation and also noted that the applicant is doing it for the convenience of the customers.

After discussion, the motion carried unanimously.

Variance

A request of Clark Buttner for a variance in the required size of non-residential parking spaces from 10'x20' to a 9'x20' and in the width of a driveway serving these spaces from 24' to 23'. This request is for the Florence businessplex on Tanners Gate, off of Tanners Lane currently zoned Commercial Two, C-2.

Mr. Block presented building plans and indicated the areas involved in the request. Mr. Block presented the staff report which addressed the requirements of Sect. 244 for the criteria for granting Variances which is incorporated by reference. Mr. Block presented a slide presentation while noting the affected areas.

Mr. White commended staff member Chip Block for his presentation on the subject request.

Mr. Clark Buttner, of the W.P. Butler Company, explained the applicant's materials presented to the Board for their review of a listing of Responses to Variance Conditions and a listing of General Reasons for the Request. Mr. Buttner explained his responses to the four criteria elements for the granting of a variance. Mr. Buttner explained the condition on the subject site is basically the lack of space to provide additional parking. Mr. Buttner explained that the variance is needed because along the south side of the property (along Miriam Drive) the applicant falls short by actually one foot but with the addition of the retaining wall the needed footage is two feet, and Mr. Buttner explained that that is only along a certain portion of the south property line. Mr. Buttner explained the proposed wall was to act as a retaining wall and a screening wall in some sections.

Mr. White inquired of the water run-off. Mr. Block stated it would depend on how much water is going through to the drainage system between the houses and the Florence Businessplex. Mr. Block stated he does not get into the water run-off calculations for a variance request but the City of Florence engineers will get into those calculations as well as the Planning Commission. Mr. Buttner responded the wall would also contain "headers" in the face of the retaining wall which would absorb the run-off and also noted extensions of pipe and inlets to accommodate the additional run-off.

Chairman Holland suggested the areas of the request be addressed individually. Chairman Holland suggested the request on the parking variance be reviewed, and inquired of the reasoning for the request.

Mr. Buttner explained the need for additional parking as the demand for the type of use of the building has evolved to more of a office type use as opposed to the original intention of a small service type complex. Mr. Buttner stressed that the office use is considered a less intense use than the service type use. Mr. Buttner also stressed the site is very irregular.

Mr. Wilder inquired of the size of the Mall parking spaces. Mr. Block explained the Florence Mall spaces are 9'x20' and most of the Florence Square spaces are 9'x20' as well and that Central Hardware is 10'x20'. Chairman Holland noted the foregoing request is the third request to reduce the parking areas. Discussion followed on angle parking versus head-on parking designs.

Chairman Holland stated that he personally could not find any uniqueness on the site.

Mr. Buttner urged the Board to grant the variance as it would not cause extreme hardship to the surrounding area. Discussion followed of the new parking areas.

Chairman Holland stated that he would personally request the Board to deny the request for the variance on the parking spaces from 10'x20' to 9'x20'.

Mr. Wilder expressed concern of the second part of the variance request which would vary the width of the drive area from the required 24' to a requested 23' in that the 1' difference can make a tremendous difference in fire emergency equipment turnaround.

Chairman Holland stated his previous request was in the form of a motion.

Discussion followed of angle parking and straight-in types of parking.

The motion was seconded by Mr. Wilder. After discussion, the motion carried unanimously.

Mr. Wilder moved that the Board deny the request for the variance from the required 24' feet to a requested 23' for the driveway of the Florence Businessplex in the interest of the public safety and welfare of the public. The motion was seconded by Mr. Holland. After discussion, the motion carried unanimously.

Mr. Buttner urged the Board to reconsider and noted the topography of the site and inquired if the developer could somehow work with the staff to try and solve their dilemma. Mr. Buttner stressed the need for the variance based on the site configuration, topography and others. Discussion followed of intensities, etc.

Chairman Holland explained the Board enforces the zoning regulations as they currently exist.

Conditional Use Permit

Request of Mack Development for a Conditional Use Permit to construct a motel on a 2.81 acre tract located on Dream Street, Florence, currently zoned Office Two, O-2.

Atty. Duane Vincent, represented Dr. Robert West, current owner of the subject property, stated that upon arrival at the meeting tonight he was advised by Counselor Wilson that Mr. Viox (City of Florence engineer) would like to meet with the applicant to discuss the future extension of King Street. Mr. Vincent noted the applicant does meet all the criteria for the conditional use permit at the present. Mr. Vincent explained the applicant does want to work with the City in the spirit of cooperation but that the applicant has a sale pending and an upcoming closing date of June 16, 1985. Mr. Vincent requested that considering the time limitations of his client would the Board hold a special meeting to allow the applicant to meet with Mr. Viox to attempt to address concerns and still meet their upcoming deadlines.

Counselor Wilson explained the matter came about in attempts to address the traffic flow problems in the Dream Street area. Mr. Wilson noted the planning bodies would be appreciative of Mr. Vincent's suggestion in the spirit of cooperation.

Chairman Holland inquired if Mr. Vincent was representing Mack Development. Mr. Vincent responded that is correct he is representing Dr. & Mrs. West as well as Mack Development. Chairman Holland inquired if Mr. Vincent was agreeing to waive any time limitations should an agreement not be reached. Mr. Vincent emphasized that the applicant is willing to work with the community but the issue was only recently brought to his atten-

tion, and he must protect the interest of the sale of his clients. Mr. Vincent again noted that the applicant could proceed at present as they do currently meet the requirements for the conditional use permit but in the spirit of cooperation will request to defer to allow the meetings with Mr. Viox as long as his client's rights are not jeopardized.

Discussion followed of the tentative dates for the special meeting and the time limitations of the involved parties.

Mr. Wilder moved that the Board table action on the proposed request until May 22, 1985 at 6:30 p.m. The motion was seconded by Mr. White. After discussion, the motion carried unanimously.

Administration

Chairman Holland moved that the Board to send a letter of proclamation of the Board's appreciation to former Planning Commission Director Charles Lynn. The motion was seconded by Mr. White. After discussion, the motion carried unanimously.

Chairman Holland inquired why the secretary had requested the Minutes be discussed later in the meeting. Ms. Huddleson responded that she had requested this as there are three sets of minutes for consideration and that each was done by a different party.

The Minutes of March 6, 1985 were considered. It was the general consensus of Board members present that although the Minutes of March 6th (Personnel Pool) did not reflect makers and seconds for each of the noted motions that subject motion were made and seconded, and that the minutes should so be approved. Chairman Holland accordingly moved that the Board accept the Minutes of March 6, 1985. The motion was seconded by Mr. Wilder. After discussion, the motion carried unanimously.

The Minutes of March 13, 1985 were considered (C. Block). Counselor Wilson related that staff member Jeanne Huddleson had noted to him that the discussion as previously discussed at the meeting of March 13 with regard to the "corrections" as proposed by Mr. Wilder on the Corporex hotel proposed for Turfway Road not being able to be made as the tapes did not indicate the suggested "corrections". Counselor Wilson noted the "corrections" were put on as conditions attached to the Conditional Use Permit and thus protecting the interests of the Board. Chairman Holland moved that the Board approve the minutes of March 13, 1985. The motion was seconded by Mr. Wilder. After discussion, the motion carried unanimously.

The Minutes of April 10, 1985 were considered (Archives W/P). Mr. Wilder moved that the Minutes of the meeting of April

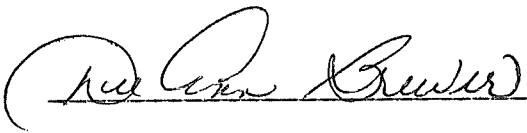
10, 1985 be approved as presented. The motion was seconded by Mr. Holland. After discussion, the motion carried unanimously.

Chairman Holland moved that the Board adjourn. The motion was seconded by Mr. White. After discussion, the motion carried unanimously.



CHARLES HOLLAND, Chairman

Attest:



FLORENCE BOARD OF ADJUSTMENTS

JUNE 13, 1985

7:00 P.M.

Chairman Holland called the meeting to order. The roll call was taken by Staff Member Jeanne Huddleson. Four members present: Messrs. Bolton, White, Wilder and Chairman Holland. Counselor Dale Wilson was also present.

The Board considered the Minutes of the Florence Board of Adjustment Meeting of May 8, 1985. Chairman Holland moved the Board approve the Minutes as distributed. The motion was seconded by Mr. White. After discussion, the motion carried unanimously.

The Board considered the Minutes of the Special Meeting of the Florence Board of Adjustment held on May 22, 1985. Mr. White moved that the Board approve the Minutes as received. The motion was seconded by Chairman Holland. After discussion, the motion carried unanimously.

Dimensional Variance

The request of David Hils for a Variance in the required front yard setback for a one (1) acre tract located at the corner of Steinberg Drive and Connector Drive, currently zoned Commercial Two, C-2. This request is to permit a variance in the required 75 foot front yard of a C-2 zone to a requested 37.5 foot front yard.

Staff member Chip Block presented a slide presentation and staff report which stated the purpose of the request was to permit the construction of a commercial building on the site. Mr. Block addressed in his report the requirement of Sect. 244 concerning the reasons for the granting of a Variance as follows:

1. A unique condition that might be used by the Board would be the existence of the High Intensity power lines that cross the southern half of the site.
2. By strict application of the setback the applicant would have 3,500 square feet of buildable land area but the lot contains 1.10 acres which could permit up to 19,800 square feet of floor area (of a multi-storied structure type).
3. The remaining parcel is a parcel of a larger farm tract and the condition referred to in #1 is a pre-existing unique condition and is not the result of the actions taken since the adoption of the zoning regulations.
4. I find no reasons that preserve the public welfare or safety in this request but with Steinberg's maintaining a 37.5 foot setback from Connector Drive and the Midway Center building maintaining a 20 foot setback, the proposed; 37.5 foot setback would not change the essential character of this area.

Mr. Block reminded Board members that an adjacent site had recently been granted a variance to 37.5 feet (Chip Tappan, a/k/a Midway Center) for the reason of the powerline location on the site. Mr. Block noted he had included in the Board's materials correspondence received from the applicant setting forth the applicant's reasons for the granting of the variance.

Mr. Paul Meyrose, Architect, stated he was in charge of the architectural design on the one-story building and explained the plans for a retail structure of a box-glass type building, with a gambrel area, extensive landscape and a patio area containing a sculpture.

Chairman Holland noted that under strict application would only allow 3,500 sq. ft. of building area.

Mr. Wilder inquired of what lies behind the proposed building area. Mr. Block explained from the drawing that was attached to the staff report that the "black area" is the drive leading back to another undeveloped tract and that across from that approximately 20 to 30 feet is the beginning of the P. R. Duke Development. Mr. Wilder inquired if the drive as referenced by Mr. Block would be a county-owned road or a drive. Mr. Block responded the road is access to the property owner to the rear of the proposed site. Mr. Wilder inquired how far the building would be from the drive. Mr. Block responded there is only a 10 foot requirement of side yard setback and the applicant is proposing to maintain that.

Counselor Wilson noted the 37.5 foot distance is from the existing property line and not from the curb of Connector Drive which would allow actually another 12.5 foot distance of the right-of-way portion of Connector Drive and thus making the actual distance from the curb approximately 50 feet. Mr. Meyrose indicated on the artist rendering drawing.

Mr. Wilder inquired of the width of the driveway opening. Mr. Meyrose responded the one-way entrance would be 20 feet and the two-way entrance/exit would be 25 foot wide.

There was no audience support or opposition expressed.

Mr. White moved that the Board approve the variance in the minimum required front yard setback of 75 feet to 37.5 feet for property located on the west corner of Steinberg Drive and Connector Drive based on the uniqueness of the site of the High Intensity Powerline easement. The motion was seconded by Chairman Holland. After discussion, the motion carried unanimously.

Change of Non-Conforming Use

The request of Thomas L. & Elizabeth O'Daniel for a Change of Non-Conforming Use for an approximate 1/3 acre tract located at 7435 U.S. Highway 42, ;currently zoned Office One, O-1. This request is to permit the use of the property as additional parking area for the Florence Nursery. This proeprty has been previously used for residential purposes.

Staff member Chip Block presented a slide presentation and staff report on the request which stated the request for the change is to permit a property previously used for a resident to be converted into additional parking for the adjoining Florence Floral and Nursery business. Mr. Block noted the staff report contained the questions that the staff felt were left unanswered by the request such as would the site maintain its access off of U.S. 42 or would it be connected to the existing lot or both?; and how quickly is the site to be surfaced and provisions to be made for the storm water runoff? Mr. Block noted that the property has already been graded and the applicant was unaware of the necessity of obtaining permits and work was subsequently halted by the zoning enforcement officer. Mr. Block noted in response to the notice of violation the applicant has made the subject application. Mr. Block noted there is no landscaping between the adjacent house and the proposed parking lot and that is a recommendation of the staff according to regulations. Mr. Block expressed concern of the creation of three access points within 150 foot of frontage out on to U.S. 42 and stated he would recommend that one of the driveway entrance points be eliminated which issue had not been addressed by the applicant.

Mr. Tom O'Daniel, applicant, presented plans which he stated indicated the proposed landscaping and which also addressed water retention and distribution.

The Board and Mr. Block reviewed the presented plans.

Chairman Holland noted the "white house" had been for sale. Mr. O'Daniel responded the house had been for sale for quite some time. Chairman Holland inquired of the recommended change on entrance/exits proposed by staff. Mr. O'Daniel stated the recommendation could be met as the Florence Nursery has a large entrance/exit and that adequate exits could be provided. Chairman Holland inquired of why the 3 access points would be a problem. Mr. Block responded that the access management provision according to zoning regulations permits the review of the access points. Mr. Block expressed concern of three access points within 150 feet and a street that intersects and expressed potential traffic flow problems.

Chairman Holland inquired if Mr. Block had a preference as to which ingress/egress point should be eliminated. Mr. Block responded and suggested the middle entrance/exit be removed. Mr. O'Daniel noted the new parking area is proposed to be employee

parking. Mr. O'Daniel stated if he had a preference he would suggest the newly proposed entrance be eliminated. Mr. Block stated he would have no problem with eliminating the suggested entrance/exist according to Mr. O'Daniel.

Chairman Holland inquired if the surfacing of the additional parking area would be a problem. Mr. O'Daniel stated there is no problem with blacktopping and they would like to provide direction of the "water back toward the other driveway" to allow the surface water to be retained for use by Florence Nursery for water distribution through grading the site for flow toward the back of the property.

Mr. Wilder moved that the Board grant the change of Non-Conforming Use for property located at 7435 Dixie Highway with the conditions that: 1) landscaping as in the proposed plan 2) that the residential (newly proposed) entrance/exit be eliminated 3) and for the lot to paved as soon as possible.

Chairman Holland stated he thought the run-off calculations would be addressed by the Public Works of the City of Florence. Mr. Block stated the Chairman was correct in his assumption. Mr. Block requested the applicant attest to his agreement of taking all storm water from the parking lot and directing it along the concrete swale for deposit into a sistern for later water distribution. Mr. O'Daniel assured his agreement to address the water run off and Mr. O'Daniel stated he does plan to put a swale in to direct the water on back on the site.

Mr. Bolton inquired if the lot could only be used for a parking lot under the change of non-conforming use. Counselor Wilson responded that if the applicant would wish to change the use to another non-conforming use the applicant would be subject to another Board review.

The motion was seconded by Mr. Bolton. After discussion, the motion carried unanimously.

Sign Variance

The request of Remke's Market by their agent United Signs, Inc. for a variance in the permitted number of building mounted signs for one business for a 4.6589 acre tract located at the corner of U.S. 25 (Dixie Highway) and Manderlay, currently zoned Commercial Two, C-2. This request is to permit a total of five building mounted signs instead of the one permitted sign for a business.

Staff member Chip Block presented a slide presentation and staff report on the subject and surrounding area. Mr. Block stated from his reort that the applicant is requesting five buidling mounted signs instead of the permitted one large

building mounted sign. Mr. Block stated the factors required by Sect. 244 permitting the approval of variances is that: he could find no unique conditions on the site warranting the need for a variance; that strict application of the regulations would permit the business 322.5 square feet of sign area; that the conditions found would have been directly or indirectly affected by actions to develop the property; and that he could find no reasons why the request would preserve the public welfare and safety; and that the request could change the character by permitting additional signage, where existing businesses have only one building mounted sign per frontage. Mr. Block also noted that additionally the building is permitted one free-standing sign.

Mr. Doug Millikin, United Signs, Inc. representative, stated the applicant is allowed 322.5 sq. ft. of signage and that for a major grocery store of this type the applicant has desired the placement of three smaller signs totalling 200+ square footage overall of signage. Mr. Milliking related that the earlier request was for a total of five signs which had subsequently been reduced to 3 signs and that the applicant was willing to trade their free-standing sign in lieu of the approval of the three requested signs.

Mr. Block clarified the requested signs would be 3'x10' on the bakery sign, a 4'x8' on the Super Valu sign, and 140 ft. total sign area on the Remke's sign.

Counselor Wilson clarified that the applicant under the current regulations could have 322.5 square footage of signage and additionally a free-standing sign (up to 250 sq. ft. of signage). Mr. Block confirmed Mr. Wilson's clarification.

Mr. Wilder stated it is a familiar situation and the applicant seemed willing to compromise and that he had "no problem" with the variance request.

Mr. Bolton recollected that a previous variance had been granted on the subject property. Mr. Block related a rear yard setback variance had been granted.

There was no audience support or opposition expressed.

Chairman Holland inquired of the signage for the adjacent strip store of the Scanlon pharmacy. Mr. Millikin stated that in previous discussions with Mr. Scanlon it was indicated that Mr. Scanlon did not see the need for additional signage for his location.

Mr. White moved that the Board grant the sign variance request for the Remke's Market at the corner of U. S. 25 and Manderlay on the conditions that the applicant goes from the requested five individual signs to three individual signs, and

the applicant stays within the 322.5 foot signage total, and with the trade of the applicant's free-standing permitted sign. The motion was seconded by Mr. Bolton. After discussion, the motion carried unanimously.

Mr. Block requested Mr. Millikin of United Signs allow the staff to keep the plans submitted the evening of the meeting as they were an update of signs for the subject property. Mr. Millikin obliged.

Conditional Use Permit

The request of Kenta-Boo Baptist Church for a Conditional Use Permit for a 1.546 acre tract located at the corner of Kenta-Boo, Highridge, and Curtis Avenues, currently zoned Suburban Residential Two, SR-2. This request is to permit the expansion of the existing parking lot for the church.

Mr. Block presented a slide presentation and staff report on the subject and surrounding area. Mr. Block explained the applicants are requesting a Conditional Use Permit to allow the enlargement of their existing parking lot. Mr. Block stated several areas of the plan (copy attached to the staff report) would need to be answered before the Board should take action. Mr. Block noted the areas of concern to be the width of the driveway and the size of the parking stalls, the type of surfacing proposed, and the width of the access drive on to Kenta-Boo, and also soil erosion control measures to be taken by the applicant.

Mr. Glenn Wiley, representing the Kenta-Boo Church, stated he was present for Board questions.

Chairman Holland inquired of the width of the driveway and the size of the parking stalls to be provided. Mr. Block noted the parking spaces should be 10'x20' if 45° angle parking is provided. Chairman Holland asked the representative if he was aware of that requirement. Mr. Wiley responded he was aware of that requirement. Mr. Wiley stated that congregation members have been parking on the grass area. Chairman Holland noted that if the Board should grant the request that gravel would not be permitted but that the parking area would rather have to be blacktopped or made of concrete.

Mr. Bolton inquired of what would be put along the grass area to prevent the congregation members from driving over the grass and on to the street. Staff member Ralph Hopper noted that through conversations with Mr. Webster that concrete wheel blocks were intended to be placed along the parking lot edge to prevent and reroute the cars through the parking area to exit.

Mr. Wilder expressed concern of the showing of a 30-foot wide driveway entrance. Mr. Block noted that the depth of the

parking stalls must be a minimum of 20 feet and that from the edge of the end parking space there must be 13 foot for a one-way drive. Mr. Wilder noted the indication was for 35' and Mr. Block confirmed the 35' figure. Mr. Wilder noted his drawing indicated 30'.

Mr. Wilder inquired of soil erosion control measures to be taken. Mr. Block expressed concern of the property being right next to a storm water drain and expressed concern of the water runoff from the parking area. Mr. Block stated that because of the necessary information not being indicated or presented it would appear that if the Board did approve the permit this evening it would be with a number of conditions and Mr. Block stated he would feel more comfortable with the receipt of revised site plan which would address the specifically expressed concerns. Mr. Block related he had tried to contact the church to advise them of the deficiencies prior to the meeting but to no avail. Mr. Wiley noted the pastor has been out of town.

Counselor Wilson inquired of the type of soil erosion control measures Mr. Block would recommend. Mr. Block responded he would recommend the placement of straw bales on the exposed areas that will not be used for parking areas and seeding of the areas.

Mr. Bolton suggested the Board table the request for the Conditional Use Permit. Mr. Wiley expressed concern of a delay from the point of the church's welfare as neighborhood children are riding bikes and destroying the rock and gravel pile already located on the site and that the church had hoped to be able to proceed with the distribution of the gravel/rock pile. Mr. Wiley noted the property next door is also owned by the church.

Mr. White inquired if the gravel was the correct kind of gravel base for surfacing. Mr. Wiley responded the gravel was "610". Mr. White expressed concern of the 610 gravel used as a base for the blacktop surfacing.

There was no audience support or opposition expressed.

Mr. Bolton moved that the Board grant the Conditional Use Permit with the applicant's agreement to the provisions of the width of the the drive being 13 feet each way and parking stalls to be 10'x20', and the provision that blacktop or concrete surfacing will be provided, and that soil erosion measures of the placement of straw bales and seeding will be taken, and that the drawing indications of 30' should be extended to 35', and subject to review of the Public Works Director with regard to the placement of wheel blocks, as well as all other minimum zoning regulation requirements.

Mr. Bolton inquired if a completion date could be added to the motion. Counselor Wilson stated that would be permissible. Mr. Bolton inquired if a six months completion date would be acceptable. Mr. Wiley responded that would be acceptable. Chairman Holland suggested a 30 day completion date, and asked if Mr. Wiley could agree as the authorized representative for the church. Mr. Wiley stated he is authorized to speak in regards to the subject matter. The motion was seconded by Mr. White. After discussion, the motion carried unanimously.

Conditional Use Permit

The request of Grace Episcopal Church for a Conditional Use Permit for a 0.134 acre tract located at 13 Lloyd Avenue, currently zoned Suburban Residential One, SR-1. This request is to permit the expansion of the existing parking lot for the church.

Staff member Chip Block presented a slide presentation and the staff report. Mr. Block explained the applicant is requesting the permit to allow the enlargement of the existing parking area to permit an additional 12 off-street parking spaces. Mr. Block stated the plan proposes one-way service from Sweetbriar (Price Pike) through their existing lot and to the new lot with all traffic designed to exit onto Lloyd Avenue when the lot is in use. Mr. Block noted asphalt surfacing is proposed. Mr. Block stated the staff is concerned that all traffic will exit onto Lloyd Avenue and that prior to this application all traffic exited onto Price Pike and Sweetbriar and that with the application the traffic is proposed to be directed onto a largely residential street. Mr. Block report contained a condition that should the Board grant the request that access barriers be erected to block through traffic during times that the lot is not in use to prevent it from becoming a traffic problem or a shortcut route.

Rev. Michael P. Milliken, Rector of the Grace Episcopal Church, stated his agreement of access barriers to be provided when the lot is not in use.

Chairman Holland inquired if the applicant felt he would be creating a problem by the exit on to Lloyd Avenue which is a residential street. Rev. Milliken stated that he does not really expect those parking in the existing lot to exit through the Lloyd Avenue exit but rather to continue exiting onto Price Pike.

Mr. Wilder inquired of the width of the parking spaces to be provided. Rev. Milliken stated they would be in conformance.

Mr. Garland Huff, 16 Lloyd Avenue, inquired if the drive was to be an exit only. Rev. Milliken responded yes. Mr. Huff inquired of the width of the exit. Rev. Milliken responded his understanding was that it was to be 25 feet. Mr. Wilder noted

the drawing indicated 14 feet and that the drawing was very small. Mr. Huff inquired if the exit drive was to be opposite his drive. Rev. Milliken responded that the exit drive would be located up and would probably be "in-between there".

Discussion followed of the required driveway widths and parking space size requirements.

Mr. Huff stated his continuing opposition to the Conditional Use Permit and concern that the traffic would be exiting a great deal on to Lloyd in efforts to avoid the traffic lights on Price Pike.

Rev. Milliken noted that barriers would be provided and the parking area would only be open on Sunday. Rev. Milliken noted that the barrier recommendation from the contractor had been for the placement of concrete posts and a chain to be extended across to block traffic when not in use.

Mr. Huff expressed urged the residential area be preserved.

Mr. White noted there is a terrific water run-off problem in the area at present and expressed concern of additional runoff and the sewers being able to accommodate the additional runoff. Mr. White suggested the area along Lloyd be grassed and the placement of the additional parking spaces with entrance and exit through the existing entrance/exit.

Rev. Milliken stated the engineers had advised him that the water runoff does not flow in the Lloyd Avenue direction but rather back towards the rectory. Mr. White again expressed concern of the water runoff inevitably going to Lloyd Avenue.

Discussion followed of water runoff.

Numerous residents expressed their opposition to the Conditional Use Permit application.

Counselor Wilson cautioned the audience to speak individually for the sake of the record.

Mrs. Ruth Flickinger, area resident along Lloyd Avenue, expressed concern of additional traffic onto Lloyd Avenue and stated her wishes that the traffic would be directed to entrance and exit on Price Pike.

Mr. Ray Benoit, area resident, stated opposition to the Conditional Use Permit and noted the water sewer pipe runs along his land and that he currently has problems. Mr. Benoit expressed concern of the water runoff problem.

Mr. Bolton inquired if the Reverend would be amenable to the suggestion of the green area along Lloyd Avenue. Rev. Milliken stated he was just looking at the proposal.

Mr. Wilder presented a solution and indicated the solution to Rev. Milliken that the parking area be placed along the parsonage home and the placement of a green area and exit back onto Price Pike. Mr. Block reviewed the suggestion and noted the dimensions. Mr. Hopper noted that turnaround space would also be needed to be provided.

Following the discussion of the solution the applicant would have a reduction in parking spaces to approximately 8 and a depth of 110 foot and a 3 foot area along the property line and the beginning of the parking area for landscaping.

Chairman Holland inquired if the Reverend was sure if he would like to tear up the land for only 8 additional parking spaces. Rev. Milliken stated he was unsure.

Rev. Milliken inquired the applicant withdraws the application the could resubmit with the proposed suggestions of Board members and the audience input, and could resubmit revised plan.

Counselor Wilson noted that if the applicant wishes to look at the possibility of revised plans the Reverend would do well to request the Board to defer action to allow the applicant to revise if so desired. Mr. Wilson noted that if the applicant withdraws then a new application would need to be submitted.

Rev. Milliken stated the intention was to gain additional parking spaces and not so much so the additional exit. Rev. Milliken suggested the Board defer action to allow him to relay the results of the meeting to the Board of Directors of the church.

Mr. White suggested the Church Board might consider tying into the storm water drainage system and suggested Rev. Milliken check with the Public Works department for direction.

Mr. Wilder inquired if the next Board of Adjustment meeting would be advertised in the paper. Mr. Block responded the notice would not be published in the paper and suggested the concerned parties check with the planning office as to the date and time of the next Board of Adjustment meeting.

Mr. White moved that the Board defer action on the Conditional Use Permit for property on Lloyd Avenue, Florence and known as the Grace Episcopal Church, in a SR-1 zone district, until the next Florence Board of Adjustment Meeting of July 10, 1985. The motion was seconded by Chairman Holland. After discussion, the motion carried unanimously.

Conditional Use Permit

The request of Mack Development for a Conditional Use Permit for a 1.57 acre tract located on the west side of Dream Street, currently zoned Office Two, O-2. This request is to permit the construction of a motel with a total of 90 units.

Staff Member Chip Block presented a slide presentation and staff report on the subject and surrounding area. Mr. Block explained the applicant is requesting the permit to construct a motel on Dream Street between Dalton Georgia Carpet Outlet and the Auto Bath Car Wash. Mr. Block stated the plan calls for the construction of an eighty (80) unit motel with 91 off-street parking spaces to be provided on the 1.57 acre tract. Mr. Block stated that associated to the motel is a pool. Mr. Block noted access to the site is planned by a driveway cut onto the adjoining Dalton Georgia driveway and a secondary access for emergency use is proposed off of Dream Street. Mr. Block directed the Board to Sect. 1023 of the zoning regulations which provides the criteria to be used for Board approval. Mr. Block closed by stating should the Board decide to approve the Conditional Use Permit he would have no conditions to be included in the Permit. Mr. Block also noted that according to the Boone County Comprehensive Plan the area is planned for commercial purposes.

Atty. Michael Sketch of the firm of Adams, Brooking and Stepner, representing Motel 6, stated the plan had been reviewed by the Planning Commission. Mr. Sketch related that the one request of the City of Florence was the proposed fire lane.

Mr. Wilder requested elevation drawings. Mr. Wilder reviewed same.

Mr. Sketch noted the only other concern expressed by the City of Florence may be the possible widening of Dream Street.

Chairman Holland inquired if Mr. Block had a chance to review the plan. Mr. Block stated he had seen the presented plan and the project conforms to minimum zoning regulations with regard to setbacks, parking spaces, and that storm water drainage which was addressed by the City of Florence Public Works committee.

Counselor Wilson noted the project had required a zone change procedure and that the project had been before Florence City Council for review and that the plan is part of the development plan previously presented. Mr. Sketch verified Mr. Wilson's informative notation. Mr. Wilson further explained that part of the development of the site was the suggestion of access management to be provided by a joint entrance/exit with the carpet outlet adjacent to the subject property.

Discussion followed of the width of the drive areas. Mr. Sketch noted a fence is to be provided around the property.

Mr. Sketch stated the height is to be three-stories. Mr. Wilder noted an area of concern with regard to the transport of fire equipment. Mr. Sketch advised Mr. Wilder that the Fire Chief had reviewed the plans and that the plans had been revised at the Public Works stage.

There was no audience support or opposition expressed.

Mr. Wilder inquired of a "standpipe system" and continued to review the plans.

Roger Rolfes, Mayor of the City of Florence, stated his recollection was that the Fire Chief had made no reference to a standpipe system, and that the structure was to be sprinkled.

Mr. Sketch noted the parking spaces are all to be according to the zoning requirements. Mr. Sketch related that Motel 6 is a national chain of motels.

Chairman Holland noted the use seems to be an intense use of the site.

Mr. White moved that the Board grant the Conditional Use Permit for Motel 6 to construct a motel on Dream Street between Dalton Georgia Carpet Outlet and the Auto Bath Car Wash, and the understanding the building will not be over three stories as per according to the site plan. The motion was seconded by Mr. Wilder. After discussion, the motion carried unanimously.

-- Mr. Wilder departed from the meeting.--

Administration

Mr. Bolton inquired if the duplexes on T Street were wide enough. Mr. Block responded yes.

Chairman Holland moved that the meeting adjourn. The motion was seconded by Mr. Bolton. The motion carried unanimously.



Charles Holland, Chairman

Attest: