

APPLICATION FOR ZONING ACTION

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

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

Applicant: Florence Baptist Church  Owner  
 Agent

Address: 283 Main St (ATTN: BUILDING COMMITTEE)

Florence, Ky. 41042 Telephone: 371-7141

Location: Florence, Ky. (SAME AS ABOVE)

Name of Owner: Florence Baptist Church

Address of Owner: 283 Main St., Florence, Ky. 41042

Zone: C-2 Area in Acres: 1.947

Description of Request: A VARIANCE TO PERMIT CONSTRUCTION OF AN ARRIVAL HOOD WITHIN 5'-0" OF FRONT PROPERTY LINE.

Owner's Signature: Florence Baptist Church

Date May 31, 1983 Applicant's Signature: by Ralph K. Jones, Trustee

FOR PLANNING COMMISSION USE: 100.00  
50.00 publication deposit

Application date and fee of \$ 150.00 Received: May 31, 1983

Referred to: \_\_\_\_\_ For Meeting Date: \_\_\_\_\_

Action: \_\_\_\_\_ Date: \_\_\_\_\_

Meeting Date: July 13, 1983

BOARD OF ADJUSTMENT AND ZONING APPEALS

CHECKLIST

I. General Information

1. Applicant's name: FLORENCE BAPTIST CHURCH

Interest in property: OWNER

2. Location and/or address of property: 283 MAIN STREET,  
FLORENCE

Deed book and page number: \_\_\_\_\_

3. Request of the applicant: TO PERMIT CONSTRUCTION OF  
A CANOPY/CARPORT TO WITHIN 5 FOOT OF THE  
FRONT PROPERTY LANE.

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

5. Present use of the subject property: CHURCH AND ASSOCIATED  
USES.

Present use of the adjoining properties: TO NORTH, SOUTH,  
AND EAST IS COMMERCIAL. TO THE WEST IS  
PUBLIC FACILITIES.

### III. Variance Requests

1. What variance is needed and what section of the Zoning Order (Ordinance) does it apply to? IN THE FRONT YARD SETBACK OF 75 FEET TO A REQUESTED 5 FEET AS REQUIRED BY TABLE ONE AND SECTION 926.
2. What could be the unique conditions justifying the variance? THE EXISTENCE OF THE ENTRANCE DRIVEWAY TO MORE OR LESS 10 FEET FROM THE PROPERTY LINE
3. What reasonable use of the land will be denied the applicant if the variance is not granted? IF DENIED THE PROPERTY WILL STILL BE SIMILAR IN NATURE TO OTHER PROPERTIES IN THE SAME ZONE
4. Has the applicant caused the unique conditions? NO, THE DRIVE EXISTED PRIOR TO THE CURRENT REGULATIONS
5. Will the variance be detrimental to the public welfare or preserve it and how? Will it alter the essential character of the neighborhood? IT WOULD NOT ESSENTIALLY BE DETRIMENTAL BUT WOULD GIVE THE LOOK OF A SMALLER SETBACK THAN 75 FEET, AS REQUIRED IN THE CURRENT C-2 ZONING. THE SITE CURRENTLY HAS A CANOPY BEING ABOUT 33 FEET FROM THE FRONT PROPERTY LINE.

FLORENCE BOARD OF ADJUSTMENT

MINUTES

JULY 13, 1983 7:30 P.M.

Chairman Holland called the meeting to order at 7:35 P.M. Four members were present; Mr. White was absent. Staff members present were, Mr. Wilson, Mr. Block and Mrs. Ryan. Chairman Holland moved to accept the minutes of June 8, 1983; Mr. Schrieber seconded. The vote carried unanimously.

Chairman Holland proceeded to the request of Florence Baptist Church for a Variance to permit construction of an arrival hood within five (5) feet of the front property line for property located at 283 Main Street, Florence, Kentucky in a Commercial Two (C-2) Zoning District. Mr. Block presented the Enforcement Officer's Report, and read Section 1725 of the zoning regulations pointing out that this required a 75' front yard setback which is the reason a Variance had been requested. Chairman Holland asked if anyone was present to represent Florence Baptist Church. Mr. Robert Zapp and Mr. Estelle Bruce stepped forward. Members of the Board reviewed the Site Plan and discussion followed. Chairman Holland asked for further questions; and he asked if anyone wished to speak in opposition. No one responded. Mr. Bolton made a motion that the Variance be granted to permit a 5' setback. In response to Mr. Bolton's question, Mr. Wilson replied that his membership in the church would not influence his vote as long as he had no financial interest in the church. Mrs. Lanigan seconded. The vote carried unanimously.

Chairman Holland proceeded with the request of Taco Bell for a Conditional Use Permit to construct a 28' X 53' frame Taco Bell Restaurant with a drive thru, on a parcel of land located on Mall Road, Florence, Kentucky, in a Commercial Two (C-2) Zoning District. Mr. Block presented the Enforcement Officer's Report. Chairman Holland asked if anyone was present to speak for Taco Bell. Mr. Terry Dozier stepped forward to represent Taco Bell. General discussion and review of the Site Plan followed. Mr. Block pointed out a sign 24' high and 78 square feet was included (a free standing advertising sign) at the Northeast corner of the site closest to the Central Hardware side driveway. He noted that it did conform with the zoning regulations and could also be approved tonight. There were no building mounted signs included, and he continued that the applicant was aware that a separate sign permit would be required at a later date. The granting of a Conditional Use on the site precluded only the application for a free standing sign. In response to a question, Mr. Block pointed out that according to Section 923 of the zoning regulations, drive through franchise food chains were a conditional use in the C-2 zone. In response to Mr. Bolton Mr. Block noted that a parcel of property lies between this site and Chuck E. Cheese. Mr. Dozier stated that this would be an open undeveloped

lot, and maintained to allow for future lessees, or owners of adjoining property between Chuck E. Cheese a second access route. Chairman Holland asked if there were conditions to be placed on the request, if there were further questions, and if anyone were present in opposition. No one responded. Mr. Schrieber made a motion that a Conditional Use Permit be granted, and a permit for a free standing sign 24' high and 78 square feet be approved and included in the permit. Chairman Holland seconded. The vote carried unanimously.

Mr. Bolton asked if the plans would now go to the building inspector. Mr. Block stated that a copy of the plans would be sent to the City of Florence.

Chairman Holland proceeded with the request of Hap-py Time Pools for a Conditional Use Permit to allow garden and landscape sales, spa and pool display, lawn furniture, decks, fencing, seasonal shrubs, plants and tree sales on a parcel of land located at 7544 Burlington Pike, Florence, Kentucky in a Commercial Two (C-2) Zoning District. Mr. Block stated he received a telephone call from a lady this afternoon representing Hap-py Time Pools. She indicated that the applicant preferred to have the request deferred until the next meeting in order to have a fully completed Site Plan prepared and delivered to the Board for review. Mr. Dale Eggleston stepped forward on behalf of Hap-py Time Pools. He stated Viox & Viox were to draw the plans and that they were not available for the work at this time. In response to Mr. Block Mr. Eggleston stated that Mr. Walton is asking for a deferral with a time limit waiver. Chairman Holland asked that a letter be sent to Hap-py Time Pools advising Mr. Walton of the Board meeting which will be August 10, 1983. The matter was deferred at the request of the applicant since the application is not complete as Site Plan has not been fully submitted and the applicant had agreed to waive the time limit.

Chairman Holland asked if there was any additional business before the Board. Mr. Schrieber asked about the legality of the new sign on the Budgetel Motel since they have four signs on the outside of the building. Mr. Block stated he would check on the matter and report at the next Board meeting. Mr. Block recalled to the Board the questions brought up in the past regarding local information signs, and stated that the Staff is reviewing those and is in contact with the City of Florence regarding possible provisions for some type of directional signage to businesses off of the main highway.

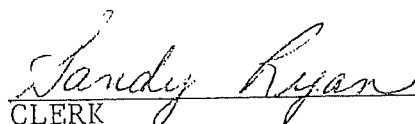
Mr. Bolton moved to adjourn the meeting; Mrs. Lanigan seconded. The meeting adjourned at 8:07 P.M.

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

RESPECTFULLY SUBMITTED:

  
\_\_\_\_\_

CHAIRMAN

  
\_\_\_\_\_

CLERK