

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 8-25-88
2. Fee Received \$ 231.00
3. Is application complete? _____ Yes No
4. Staff Reviewer PAUL R. MILLER
5. Scheduled Board Action Date SEPT. 14, 1988
6. Board Action:
_____ Approval
_____ Approved With Conditions (See #7)
_____ Disapproved (See #8)
7. Conditions: _____

8. Reasons For Disapproval: _____

PROPERTY OWNER
SIG.
NO. COPIES OF DEED
ADJOINING PROP.
OWNERS

BCPC:7/11/88

STAFF REPORT

DEVELOPMENT: Marshall Dodge South building addition
APPLICANT: Robert G. Marshall
LOCATION: 6613 Dixie Highway, Florence, Kentucky
ZONING: Commercial Two (C-2)
DATE: September 14, 1988

REMARKS:

The applicant is requesting a Conditional Use Permit for a building addition to an existing building on a used car sales lot. The addition would be used to expand the office and establish two service bays. The 0.6 acre site is located at 6613 on the south side of U.S. 25 (Dixie Highway) in Florence, Kentucky, and is zoned Commercial Two (C-2). The property is currently owned by Robert G. Marshall.

The current use of this site has pre-existing status, thus no prior Conditional Use Permit is in force for the used car lot. The use was originally Walter Scotthorn Motors, which was established in the 1950's. Use of the site was for the sale of used cars. In January of 1985, Marshall Dodge South leased the site, and then purchased the site in January of 1988. The current and proposed use of the site does not include repair or maintenance work on cars. The submitted Site Plan also indicates that a 6 foot high privacy fence with a gate to access the alley will be constructed to buffer the used car lot from adjoining residential uses to the south.

Surrounding Zoning and Land Uses

north: C-2; commercial establishments are in place across Dixie Highway
south: SR-2; single family residences
east: C-2; Northern Kentucky Auto Parts
west: C-2; Cox and Son Painting

The following reviews the general standards applicable to all Conditional Uses in the County:

1. The 1986 Boone County Comprehensive Plan Future Land Use Map indicates the future use of this property to be Medium Density Residential (three to eight dwelling units per area). The Land Use Element of the Plan makes the following statements about the general area:

"This section contains three interchanges, the Northern Kentucky Industrial Park, and much of the residential areas of Florence. These three factors

are, and will continue to be, both growth keys and development restrictions... Commercial development in this section will remain near the arterial roads or close to the interstate. This consumer service and traffic oriented developments must be contained to specific areas adjacent to the arterials and interstate... The city contains a valuable asset in its Main Street area. With careful planning and protection, development of the old Stringtown could transform this area into a pedestrian oriented center much like what is planned for the area just discussed (US 42 from Mall Road to Tanners Lane)... In summary, growth in this section must be balanced among three major land users, commercial, industrial and residential development. Growth in one must be tempered by the location and existence of the other two (pp. L-18 to L-20)."

Given these statements, the Board must determine if the expansion of the conditionally permitted used car lot would be harmonious and in accordance with the objectives of the Comprehensive Plan.

2. The proposed building addition would be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and would not change the essential character of the same area.
3. The proposed building addition would not be hazardous to existing or future neighboring uses.
4. The proposed building addition would be served adequately by essential public facilities and services.
5. The proposed building addition would not create additional requirements at the public cost for public facilities and services, and would not be detrimental to the economic welfare of the community.
6. The proposed building addition would not involve uses that would be detrimental to the general welfare.

In addition, the Board must consider standards applicable to Conditional Uses in Commercial Two districts:

1. The Board must determine if the expansion of the used car lot by the proposed building addition would further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center.
2. The arrangement of the proposed structure will be mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Staff Concerns

1. Currently a large elm tree is located close to the edge of the proposed construction. The 1986 Boone County Comprehensive Plan Environment Element speaks of the need to preserve existing trees in the highly urbanized portions of the County. The Staff recommends as a Condition of Approval that the elm tree be maintained, with limited trimming of branches during construction of the building addition. *WILLING TO CONTACT PROPERTY OWNER*
2. Currently, work on cars is limited to "cleaning up," that is, washing, waxing, and cleaning of interiors. The Staff recommends as a Condition of Approval that this activity be allowed to continue, and that no automobile repair or maintenance be conducted on the site.

Conclusion

Should the Board grant this Conditional Use Permit, the current use of the subject property would be brought into compliance with the current Boone County Zoning Regulations, which allows the sale of used cars as Conditional Use in the Commercial Two zone.

Attached is a copy of a Site Plan submitted by the applicant showing the location of the existing building and proposed building additions.

Respectfully submitted,



Paul R. Miller,
Plans Examiner/Planner

PRM:kat

DIXIE HIGHWAY

EXISTING 8" WATER LINE

EXISTING 25 FOOT

EXISTING BLACKTOP

OVERHEAD ELECTRIC AND TELEPHONE LINES

N 66.37 37 E 150.00'

DRAINAGE

EXISTING 8'-0" CONCRETE SIDEWALK-NO CURB

EXISTING NOTCH

101.3'

50'

100.00'

50'

99.4'

SIGN-10' TALL

LIGHT POLE

LIGHT POLE

LIGHT POLE

USED CAR STORAGE



86.16 20 58.6'

66.05 40 63.25'

2

3

4

99.4'

99.6'

3.80'

100.51 21'-10"

100.3'

100

6613

MARSHALL DODGE SOUTH

CONDITIONAL USE PERMIT

9-14-88

EXISTING ASPHALT PAVEMENT

EXISTING BUILDING

BUSHES AND TREES

EXISTING CONCRETE BUILDING

FIRST FLOOR ELEVATION-100.00'

41'-10 1/2"

CUSTOMER AND EMPLOYEE PARKING

7

8

9

28,177.5 SQUARE FEET

USED CAR STORAGE

96.3'

6615 COX PAINT

N 23 22.23 W 187.85'

NEW ADDITION
EAVE HEIGHT 117.00'

25'-0"

10

11

LOT 45

EXISTING ELM

LOT 44

DODGE SOUTH

PROPOSED ASPHALT PAVEMENT

CONTOUR

DRIVEWAYS

CITY OF FLORENCE
BOARD OF ADJUSTMENT

September 14, 1988 - 7:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Chairman Holland
Mrs. Meihaus
Mr. White

BOARD MEMBERS NOT PRESENT:

Mrs. Ward

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Holland called the meeting to order at 7:35 P.M..

The Chairman stated that each member had received a copy of the Minutes of the Board of Adjustment Meeting of July 13, 1988 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. Ashcraft moved that the Minutes be approved as mailed. Mrs. Meihaus seconded the motion and it carried unanimously.

AGENDA ITEM:

1. The request of Robert Marshall for a Conditional Use Permit to allow building addition to a used car sales lot. The 0.6-acre tract is located at 6613 Dixie Highway, Florence, and is zoned Commercial Two (C-2). This property is owned by Robert Marshall.

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report). He noted a correction to the Staff Report and Site Plan in that the adjoining property is a residence, it is not Cox & Sons Painters.

The Chairman asked the applicant for his comments at this time.

Mr. Bill Hub, architect, stated that also present in behalf of this request are Mr. Bob Marshall, the owner; and Mr. Terry Hughes, civil engineer.

Mr. Hub stated that Mr. Marshall purchased the property in January and wants to fix it up and improve its appearance. He will insulate the building and change the windows. He stated that the site will function better with the building addition. The addition is a metal building, which does not go deeply into the ground. The purpose of the paving is to access the building, not for parking. They do not believe that the minimal paving will seriously affect the tree. They are willing to contact Florence Nursery for their recommendation in regard to the tree. There will be minimal trimming of tree limbs. The building will be improved and they will do their best to preserve the tree.

Mr. Ashcraft noted that the work will still be limited to cleaning up the cars. He asked if the applicant would object to this condition.

Mr. Hub stated that Mr. Ashcraft was correct. He stated that there may be tire changing or something of that type. Mr. Hub added that the cars will not be brought in for repairs.

Mr. Marshall stated that there would be reconditioning of the used cars.

There being no further discussion, Mr. White moved that the request be approved subject to the condition that they are limited to the clean up of cars. There is to be no repairing of cars or heavy mechanical work. If at all possible, the tree is to be saved and the applicant is to contact the nursery for their recommendation in saving the tree. Mrs. Meihaus seconded the motion.

Mr. Ashcraft noted that there was no one present in opposition to the request.

There being no further discussion, Chairman Holland confirmed that there was no one present in opposition to the request, and asked for a roll call vote on the motion. The motion carried unanimously.

There being no further business to come before the Board, Chairman Holland moved that the meeting be adjourned. Mr. White seconded the motion. The meeting was adjourned by unanimous consent at 7:55 P.M..

APPROVED:


Charles F. Holland, Chairman

Attest:


Jan Hancock, Recording Secretary.