

REVIEW NO. _____

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations).

SECTION A (To be completed by applicant)

1. (Check One) ☒ Boone ☒ Florence ☐ Walton ☐ Union
2. (Check One) ☐ Conditional Use Permit ☒ Variance ☐ Appeal
☐ Change in Non-Conforming Use
3. Applicant's Name RALPH E. DUSING
Phone Number 491-8400
Applicant's Address 4 HIGHWAY AVENUE
LUDLOW KY 41016
City State Zip
4. Description of Request: VARIANCE FROM SECTION 1824
WIDTH OF ACCESS DRIVEWAY FOR ONE WAY TRAFFIC FROM
14 FEET TO 12' AS SHOWN ON SHEET 1 OF 4
5. Name of Development MAIN STREET MINI CENTER
6. Location of Development 225 MAIN ST. FLORENCE KENTUCKY
7. Acreage Under Review 1.08
8. Lot Number and Name of Subdivision (if part of a subdivision)
PARCEL #1 & #2 GROUP 2043A BOOK 402 PAGE 187 BOOK 403 PAGE 41
9. Owner of Property RICHARD LOHRE
Phone Number 331-9429
10. Address of Property Owner 1000 DORIEL AVE
VILLA HILLS KY 41016
City State Zip
11. Proposed Use(s) On Site OFFICE / RETAIL
12. Total Square Footage of Existing and/or Proposed Buildings
UP/DOWN 11,160 / 9040 = 4520 UPPER LEVEL 4520 LOWER LEVEL
13. Current Zoning on Property C-2
14. Deed Book 402/403 Page No. 187/41 Group No. 2043A
15. Is the site subject to a zone change? NO
If yes, give date of approval _____
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. Applicant's Signature: Ralph E. Dusing
19. Property Owner's Signature: Mrs. Richard Lore

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PAGE 2

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 6-19-89
2. Fee Received \$205.00 CE 7/11/89
3. Is application complete? X Yes _____ No
4. Staff Reviewer PAUL R. MILLER
5. Scheduled Board Action Date _____
6. Board Action:
X Approval
X Approved With Conditions (See #7)
_____ Disapproved (See #8)
7. Conditions: 1) ENTRANCE DRIVE MARKED W/ "ONE-WAY" ARROW 2) TRAFFIC SIGN POSTED
STATING "EMPLOYEES ONLY" 3) BUILDING MOUNTED "DO NOT ENTER" SIGN POSTED AT DRIVE
IN REAR PARKING LOT 4) BUILDING MOUNTED "CAUTION - 2 WAY TRAFFIC" SIGN POSTED
IN FRONT PARKING LOT AT EAST END OF BUILDING. 5) THESE CHANGES BE PUT ON SITE PLAN FOR STAFF.
8. Reasons For Disapproval: _____

BCPC:7/11/88

STAFF REPORT

#1

DEVELOPMENT: Main Street Mini-Center
APPLICANT: Ralph E. Dusing
LOCATION: 225 Main Street, Florence, Kentucky
ZONING: Commercial Two (C-2)
DATE: July 12, 1989

REMARKS:

The applicant is requesting a Variance in the minimum width for a proposed driveway aisle. The 1.08 acre site is located on the south side of Main Street, between Lynn Street and Dortha Avenue, Florence, Kentucky. The property is zoned Commercial Two (C-2) and is owned by Richard Lohre.

The applicant is seeking a reduction in the minimum 14 foot width for a one-way drive to 12 feet, or a 2 foot Variance. The proposed driveway is to be located on the west side of a building addition to the existing Main Street Mini-Center. The one-way drive would be used to access the rear parking lot and dumpster.

The Board must make the following considerations in determining the findings necessary for granting Variances:

1. The Board must consider whether the requested Variance arises from special circumstances which do not generally apply to the general vicinity, or in the same zone. The special circumstance of this request is that there is insufficient space between the edge of the building addition to be constructed and the property line to permit a 14 foot wide drive.
2. The strict application of the zoning regulations would prevent the applicant from building a drive in the proposed location, or would necessitate reducing the size of the new building addition to allow for a 14 foot wide driveway. This would not deprive the applicant of the reasonable use of the land, in that access to the rear parking lot can be achieved by a drive on the eastern side of the existing building, and would not create an unnecessary hardship on the applicant.
3. The special circumstance identified above is the result of the actions of the applicant taken subsequent to the adoption of the zoning regulations, in that the applicant chose to plan for a building addition of such a size that a 14 foot wide driveway becomes impossible.

In that the proposed drive is for internal traffic circulation on the site and to be used by employees and service trucks only, granting the requested Variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Should the Board grant the requested Variance, the Staff recommends the following conditions of approval:

1. The entrance to the drive shall be marked with a one-way arrow, and a traffic sign shall be posted stating "Employees Only." Further, a building-mounted "Do Not Enter" sign shall be posted at the driveway in the rear parking area.
2. A building-mounted sign reading "Caution: Two-Way Traffic" shall be posted in the front parking lot at the existing driveway on the east side of the building.
3. These changes shall be indicated on a Site Plan and 5 copies shall be submitted to the Staff for inclusion in the Boards of Adjustment and Boone County Planning Commission files.

Attached to this report is a copy of a Site Plan submitted with this application.

Respectfully submitted,

Paul R. Miller
Plans Examiner/Planner

PRM:hs

WELLINGTON

VARIANCE

SITE PLAN

7-12-89

EXISTING PROPOSED SPACES
FRONT 27' 4" x 23'
SIDE 10' 4" x 15'
REAR 31' 4" x 15'

PROPOSED PARKING SPACES
FRONT 33' 4" x 23'
SIDE 9' 4" x 15'
REAR 31' 4" x 15'

ENTRANCE ONLY

PROPOSED DRIVE
12' CLEAR 12' WIDE

BUILDING ADDITION

TO U.S. 28/42

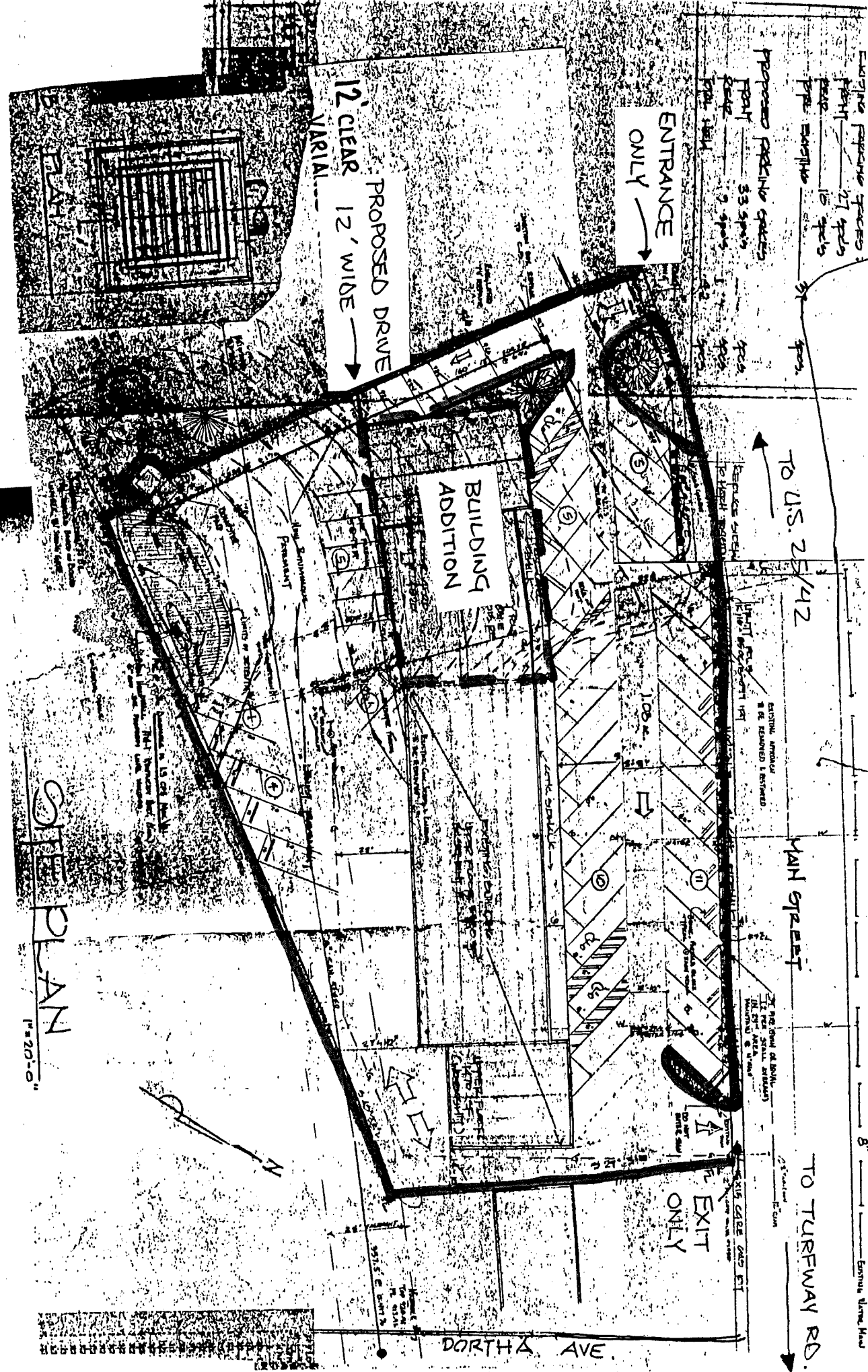
MAIN STREET

TO TURFWAY RD.

DORTCH AVE

SITE PLAN

1" = 20' - 0"



CITY OF FLORENCE
BOARD OF ADJUSTMENT
July 12, 1989 - 7:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Chairman Holland
Mrs. Meihaus
Mrs. Ward
Mr. White

BOARD MEMBERS NOT PRESENT:

None.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Holland called the meeting to order at 7:30 P.M..

Approval of the Minutes:

The Chairman stated that each member had received a copy of the Minutes of the Board of Adjustment Meeting of June 14, 1989 and asked if there were any comments or corrections.

There being no changes to the Minutes, Chairman Holland moved that they be approved as mailed. Mr. White seconded the motion and it carried unanimously.

AGENDA ITEM:

1. The request of Ralph E. Dusing for a Variance in the minimum width for a proposed driveway aisle. The 1.08-acre site is located at 225 Main Street, Florence, Kentucky. The property is zoned Commercial Two (C-2) and is owned by Richard Lohre.

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Ralph Dusing, Beckman Construction Company in Ludlow, stated that they are aware of the recommendations made by the Staff and are in agreement. One of the financial reasons they are asking for the additional two feet is that it equals 100 extra square feet upstairs which projected over the life of the lease, times the rent and number of years, it allows about \$10,000 extra to be spent on the parking lot and facade. They will redo the facade with a new four-foot area in bronze with new signage. The parking lot will be paved with new bumpers and there will be landscaping.

In response to questions from Mr. White, Mr. Dusing added that there are two businesses behind this site. The driveway will say "employees only", but it will also be used by the garbage truck. He added that very few people go to the upholstery shop at the back. There is also a roofing shop in the back and Richard Lohre is the owner.

In response to questions from Mrs. Meihaus, Mr. Dusing stated that the existing driveway is 14'10" wide. There is no problem with circulation the way it is laid out. There is 12 feet between the property line and the corner of the building. The driveway will be up to the property line, and about two feet from the England's house. Their gutter overhangs the property line.

Mr. Dusing and Mr. Lohre reviewed the plan with Mrs. Meihaus and other Board members.

Mr. Dusing stated that the gutters are twenty feet high and will not be knocked off by the garbage truck. He added that the adjacent property owners were notified of this request.

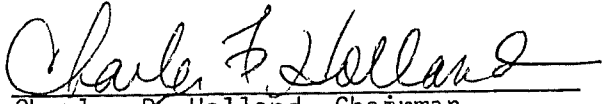
Mr. Lohre stated that the England's are in favor of the idea because they do not have a driveway back there now.

Chairman Holland noted that there was no one present in opposition to the request.

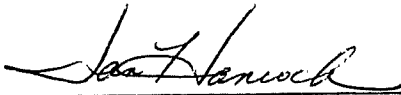
There being no further discussion, Chairman Holland moved that the Variance reducing the driveway aisle from 14 feet to 12 feet be granted subject to the five conditions indicated in the Staff Report: (1) That the entrance to the drive be marked with a one-way arrow. (2) That a traffic sign be posted stating "Employees Only". (3) That a building-mounted "Do Not Enter" sign be posted at the driveway in the rear parking area. (4) That a building-mounted sign reading, "Caution: Two-Way Traffic" be posted in the front parking lot at the existing driveway on the east side of the building. (5) That these changes be indicated on a Site Plan and five copies submitted to the Staff for inclusion in the Board of Adjustment and Boone County Planning Commission Files. Mrs. Meihaus seconded the motion and it carried unanimously.

There being no further business to come before the Board, Chairman Holland moved that the meeting be adjourned. Mrs. Meihaus seconded the motion. The meeting was adjourned by unanimous consent.

APPROVED:


Charles R. Holland, Chairman
F.

Attest:


Jan Hancock, Recording Secretary