

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 Ronald G. Meadows, Hixson Architects
Phone Number 513-771-5700
Applicant's Address 25 Merchant Street, Suite 400
Cincinnati, Ohio 45246
City State Zip
- 4. Description of Request: Applicant would like to use 9' x 19' parking stalls in the referenced shopping center. This reduced size is requested in order that more space may be allotted to landscaped areas.
- 5. Name of Development The Village at the Mall
- 6. Location of Development Mall Road Florence, Kentucky
- 7. Acreage Under Review 11.0746
- 8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
- 9. Owner of Property B & J Development Company
Phone Number 513-721-2744
- 10. Address of Property Owner 212 East Third Street
Cincinnati, Ohio 45202
City State Zip
- 11. Proposed Use(s) On Site Shopping Center - Retail
- 12. Total Square Footage of Existing and/or Proposed Buildings 116,250
- 13. Current Zoning on Property C-2
- 14. Deed Book 211 Page No. 411 Group No. 2040
- 15. Is the site subject to a zone change? No
If yes, give date of approval N/A
- 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: Ronald G. Meadows
- 19. Property Owner's Signature: Thomas L. Williams

Thomas L. Williams, General Partner

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 11-21-89
2. Fee Received \$193.00 (7205)
3. Is application complete? Yes No
4. Staff Reviewer J. GREGORY TULLY
5. Scheduled Board Action Date _____
6. Board Action:
 Approval
 Approved With Conditions (See #7)
 Disapproved (See #8)
7. Conditions: _____

8. Reasons For Disapproval: _____

BCPC:7/11/88

STAFF REPORT

#1

DEVELOPMENT: Village at the Mall
APPLICANT: Hixon Architects
LOCATION: Mall Road, Florence, Kentucky
ZONING: Commercial Two (C-2)
DATE: December 13, 1989
REMARKS:

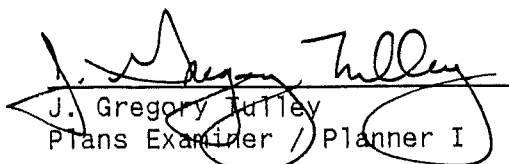
The applicant is seeking a Variance to allow a reduction in the size of parking stalls. The 11.07 acre site is located just north of the Florence Mall on Mall Road. The property is zoned Commercial Two (C-2) and is owned by B & J Development Company. All the surrounding land use is zoned Commercial Two (C-2), with the exception of Performance Nissan to the northwest, which is zoned Commercial Services (C-3).

The applicant is requesting a Variance to allow a reduction in the parking stall size from the required 10' X 20' to 9' X 19'. This reduced size is requested in order that more space be allotted to landscape areas.

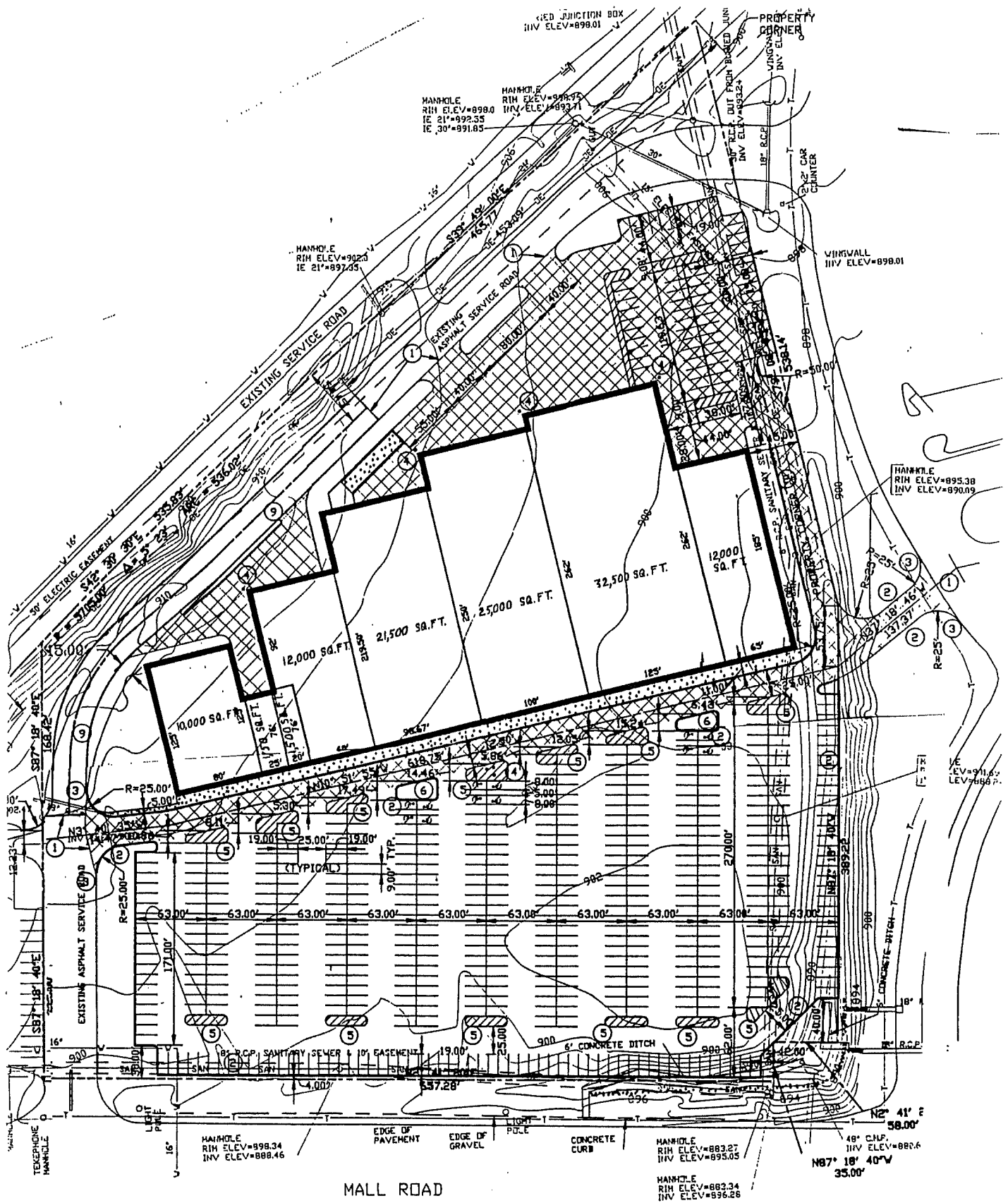
The Board must make certain considerations on determining the findings necessary for granting Variances in the City of Florence. These are addressed below.

1. The requested Variance must arise from special circumstances that do not generally apply to the general vicinity or same zone. Staff can not determine any special circumstances. This request arises from the applicants desire for additional landscaping, yet they have not indicated the increased percentage if 9 X 19 stalls are used verses the required 10 X 20.
2. Strict application of the zoning regulations would require the applicant to use 10 X 20 stalls. With 9 X 19 they have approximately 200 more spaces than what the code requires.
3. It can be argued that the above mentioned circumstance is the result of actions of the applicant since the number of required parking spaces is based open the square footage of the building.
4. If granted, staff does not feel that the public health, safety, or general welfare will be adversely affected or the essential character of the general vicinity will be altered.

Respectfully submitted,


J. Gregory Tuttle
Plans Examiner / Planner I

JGT:kat




SITE DEVELOPMENT PLAN
 SCALE 1"=50'

VILLAGE AT THE MALL
 PARKING STALL VARIANCE

CITY OF FLORENCE
BOARD OF ADJUSTMENT

December 13, 1989 - 7:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Mrs. Meihaus
Mrs. Ward
Mr. White

BOARD MEMBERS NOT PRESENT:

Chairman Holland

LEGAL COUNSEL PRESENT:

None.

Mr. White called the meeting to order at 7:30 P.M..

Approval of the Minutes:

Mr. White stated that each member had received a copy of the Minutes of the Board of Adjustment Meeting of October 11, 1989 and asked if there were any comments or corrections.

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

AGENDA ITEM:

1. The request of B & J Development Company (owner) for a Variance to allow a reduction in the size of parking stalls. The 11.07-acre site is located just north of Mall Road. The property is zoned Commercial Two (C-2) with the exception of Performance Nissan to the northwest, which is zoned Commercial Services (C-3).

Staff Member, Greg Tulley, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. White asked if there was anyone present who wished to speak in behalf of the request. Mr. Ron Meadows of Hixson Company, the architects, was present.

Mr. Ashcraft questioned if there would be too few parking spaces if the landscaping were done.

Mr. Meadows stated that they are trying to get five parking spaces per thousand foot for leasing purposes. He added that they have shown an additional 20-foot greenbelt along the entrance to the service road from Mall Road.

Mr. Ashcraft questioned if they would still comply with the zoning requirements with the additional landscaping.

Mr. Hixson advised that they would comply with the zoning requirements, but would have less than five spaces per thousand which is needed for marketability. He added that the 9' x 19' spaces seem to occur more and more and be accepted countrywide. He added that they generally recommend 10' x 20' spaces in grocery store areas where there are carts. However, in this situation, there will be shops -- possibly drug stores, clothing stores, shoe stores -- but not grocery stores. He added that they will be adjusting the grade and resurfacing the service road. He noted that K-Mart across the street, which was formerly Zayre's, has 9' x 19' spaces.

Mr. White noted that there was no one else present in the audience to speak in regard to this request.

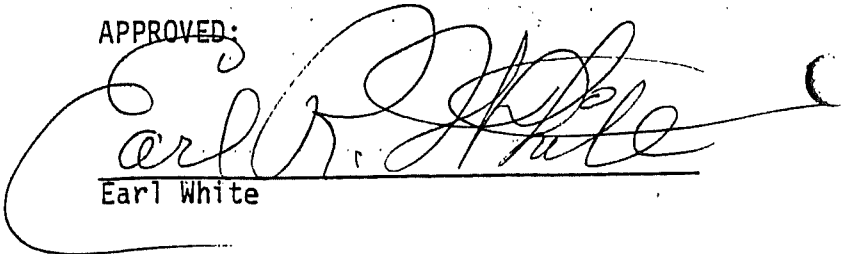
Mrs. Meihaus moved that the Variance be granted from the 10' x 20' spaces to 9' x 19' spaces. Mrs. Ward seconded the motion and it carried unanimously.

Other Business:

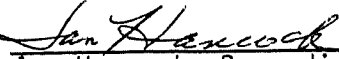
Mrs. Meihaus advised that this was her last Board Meeting. Mrs. Ashcraft complimented her on her work with the Board and wished her well. Mr. White added that she will be a good Commissioner.

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

APPROVED:


Earl White

Attest:


Jan Hancock, Recording Clerk