

RECEIVED
NOV 19 1992

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 JOHN A. CUMMINS
Phone Number 552 BECKLIDGE DR. 341-0511
Applicant's Address 352 BECKLIDGE DR.
EDGEWOOD KY 41017
City State Zip
4. Description of Request: ~~Change of lot model~~
USE CAR LOT. SECURE CONDITIONAL USE PERMIT
5. Name of Development CUMMINS COLLECTIBLE CARS
6. Location of Development 13 DOROTHA
FLORENCE KY
7. Acreage Under Review 5/7
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property JOHN A. & MARY SUE CUMMINS
Phone Number 341-0511
10. Address of Property Owner 552 BECKLIDGE DR.
EDGEWOOD KY 41017
City State Zip
11. Proposed Use(s) On Site CLASSIC & LATE MODEL
USE CAR LOT
12. Total Square Footage of Existing and/or Proposed Buildings CLASSIC
EXISTING BLDG - 600. PROPOSED BLDG - 840 - CLOTH ROOM
13. Current Zoning on Property C-2
14. Deed Book 490 Page No. 62 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: John A. Cummins
19. Property Owner's Signature: John A. Cummins

SECTION B

(To be completed by Boone County Planning Commission Staff)

- 1. Date Received _____
- 2. Fee Received _____
- 3. Is application complete? Yes _____ No
- 4. Staff Reviewer Jeff Hayes
- 5. Scheduled Board Action Date Dec 9, 92
- 6. Board Action:
 - Approval
 - Approved with Conditions. (See #7)
 - Disapproved (See #8)
- 7. Conditions: _____

- 8. Reasons for Disapproval: _____

DEVELOPMENT: Cummins Collectable Car Sales
APPLICANT: John A. Cummins
LOCATION: 13 Dortha Avenue, Florence, KY
ZONING: Commercial Two (C-2)
DATE: December 9, 1992

REMARKS:

The applicant is requesting a Conditional Use Permit to allow a classic and late model used car lot on a .75 acre tract of land located at 13 Dortha Avenue and Dixie Highway in Florence, Kentucky. This property is zoned Commercial Two (C-2) and is owned by John Cummins.

The owner wants to develop this parcel as a used car lot which would primarily have used cars from 1986 on and classical cars which would be used as a draw to the property. The classical cars would be located within the proposed 840 square foot building addition. The Boone County Zoning Regulations indicate that small scale sales or leasing of new and used motor vehicles requiring storage of no more than fifty (50) vehicles on the premises can be permitted with the approval of a Conditional Use Permit.

The following reviews the seven criteria the Board must use to judge each conditional use request:

1. Will be harmonious with and in accordance with the general objective of the County comprehensive plan, a specific corridor plan and or the zoning order. This use is compatible with the land use map and text which states that commercial development should remain near arterial roads.
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area. The surrounding uses are commercial except to the rear of applicant's property which is residential.
3. Will be hazardous to existing or future neighboring uses. Staff foresees no hazards to neighboring uses.

4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. Staff sees no public facilities and infrastructure as adequate.
5. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community. Staff foresees no excessive impact.
6. Will involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odor. Staff foresees no adverse affect to persons or property owners.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Staff foresees any traffic impact as being minimal.

Respectfully Submitted,



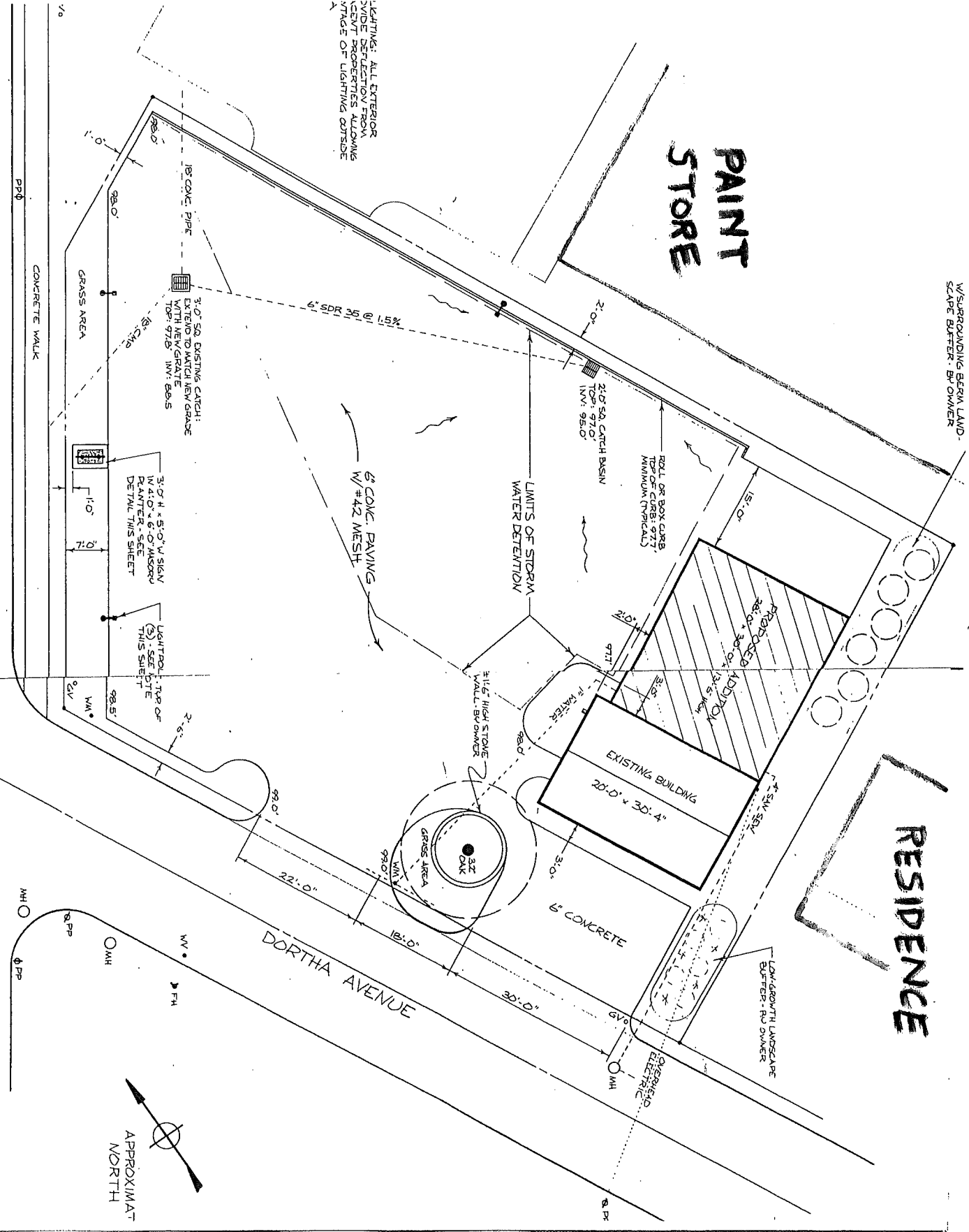
Jeffrey F. Hayes
Planner I

W/SURROUNDING AGRIC. LAND
SCAPE BUFFER - BY OWNER

**PAINT
STORE**

RESIDENCE

LIGHTING: ALL EXTERIOR
SHOULD BE DEFLECTED FROM
ADJACENT PROPERTIES ALLOWING
W/AGE OF LIGHTING OUTSIDE



DIXIE HWY



COPY

NO. 92-FBOA-010

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

John A. and Mary Sue Cummins
552 Beckridge Drive
Edgewood, Kentucky 41017

2. ADDRESS OF PROPERTY

13 Dorotha
Florence, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Cummins Collectible Cars

DEED BOOK: 490

PAGE NO.: 62

GROUP NO.: 2043 A

4. TYPE OF RESTRICTION (S) (Check all that apply)

<input type="checkbox"/>	Zoning Map Amendment from _____ to _____	<input checked="" type="checkbox"/>	Conditional Use Permit
<input type="checkbox"/>	Development Plan	<input type="checkbox"/>	Conditional Zoning Condition
<input type="checkbox"/>	Subdivision Plat (unrecorded)	<input type="checkbox"/>	Other: (Specify)
<input type="checkbox"/>	Variance		

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

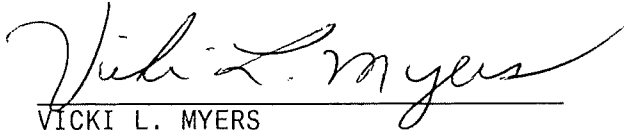

SIGNATURE OF COMPLETING OFFICIAL

Jeffrey F. Hayes/Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey F. Hayes on
behalf of the Boone County Planning Commission this 10th day
of June, 1993.

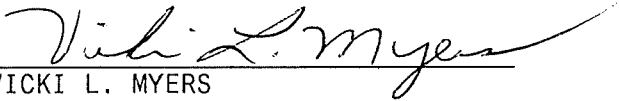


VICKI L. MYERS
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:



VICKI L. MYERS
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of December 9, 1992, (Certificate of Land Use Restriction # 92-FBOA-010), for John A and Mary Sue Cummins, property owner.

The following conditions apply:

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 490 PAGE NO. 62 Group No. 2043A