

BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
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SECTION B (To be completed by the Boone County Planning
Commission Staff)

1. Date Received June 23, 94 Fee Received 966.00 R# 4180
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date July 13
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: See Minutes

7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

DEVELOPMENT: Merrell's Truck Sales
 APPLICANT: Rick Merrell
 LOCATION: 21 Shelby Street, Florence, KY
 ZONING: Commercial Two (C-2)
 DATE: July 13, 1994

The applicant is requesting a Conditional Use Permit and Variance to construct an approximately 2500 square foot building located on a lot at the southwest corner of Shelby Street and Montgomery Street (see sheet #1). The request is to allow the sale of trucks and a detail shop. In addition, the applicant is requesting a Variance with two variations. One variation has the building located only three (3) feet from the rear property line and the other has the building located 10 feet from the rear property line (see sheet #2 & 3). The Boone County Zoning Regulations require a rear yard setback of twenty (20) feet. There are two existing structures located on the property which would be demolished and the site would have access from Montgomery Street.

The proposed use is permitted with a conditional use by the Boone County Zoning Regulations in Article 10, Section 1023, Item 6: Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises. In determining the appropriateness of the use the Board must also consider:

- a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service;
- b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center;
- c) the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district:

Surrounding Land Uses and Zoning (see sheet # 4)

North: Residence zoned Commercial Two (C-2)
 South: Florence Elementary zoned Public Facilities (PF)
 East: Hair salon zoned Commercial Two (C-2)
 West: Residence zoned Commercial Two (C-2)

The 1990 Boone County Comprehensive Plan indicates the area as Commercial and the text describes the Florence Main Street area as follows:

The city contains a valuable asset in its Main Street area. With careful planning and protection, development of old Stringtown could transform this area into a pedestrian-oriented center. A detailed study should be conducted to examine the future of this area in terms of the revitalization of historic buildings, the appearance of the corridor, and the interaction of pedestrian and vehicular traffic.

Staff Concerns:

1. Staff is concerned about the visual appearance the proposed use will create along Shelby Street and the general Main Street area. Shelby Street is a major cut through connection to Dixie Highway and US 42. The buildings located on this road are largely intact, spaced close together and located in close proximity to the road. The image that is presented to the driving public is one of an older more compact district with a character that is different than most areas of Florence. Therefore, special consideration should be given to the fact that the applicants site which is located on a corner lot would create a break in the building line with the removal of the existing building. This would alter the character of the area by creating an opening in the dense, compact spacing of the buildings along Shelby Street.


Therefore, staff would recommend that landscaping be explored along the perimeter of the site to soften the visual appearance that a row of trucks would present to the public right-of-way. In addition, a minimum five (5) feet landscape area should be provided along Montgomery and Shelby Streets.

2. The Board should also examine what type of free-standing sign is appropriate for this site. The Boone County Zoning Regulations permit a sign of 100 square feet in size and 25 feet in height which staff believes is not necessary for the low speed found on Shelby Street. Therefore, limits should be established as to the size, height, and design of the sign.
3. This site will be required to go through the Major Site Plan Review procedure.
4. Staff believes that any night lighting should be for security only and not for advertising or drawing attention to the trucks to be sold. In addition, staff questions the hours of operation and whether limits should be established.

Conclusion

The applicant's site is zoned Commercial Two (C-2) which would principally permit uses that could contribute to much higher volumes of traffic than the proposed use. However, the applicant's request has to be determined by following the criteria the Board must use to judge each conditional use and variance request. It should be determined whether the use 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.

Respectfully Submitted,


Jeffrey F. Hayes
Planner I

ASPHALT PARKING LOT

97'-5"

GREEN SPACE

10'-0"

3'

3'

VARIANCE REQUESTED 17'

PROPOSED BLDG

OFFICE

SALES AREA

EXIST. BLDG.

EXIST. BLDG.

C-2

128'-0"

3'

5'

10'-0"

R.W.

CONCRETE SIDEWALK

SHELBY ST.

MONTGOMERY ST.

29'-0"

25'-0"

74'-0"

EXIST. ASPHALT PARKING LOT

C-2

EXIST. BLDG.



SHEET #2
SITE PLAN

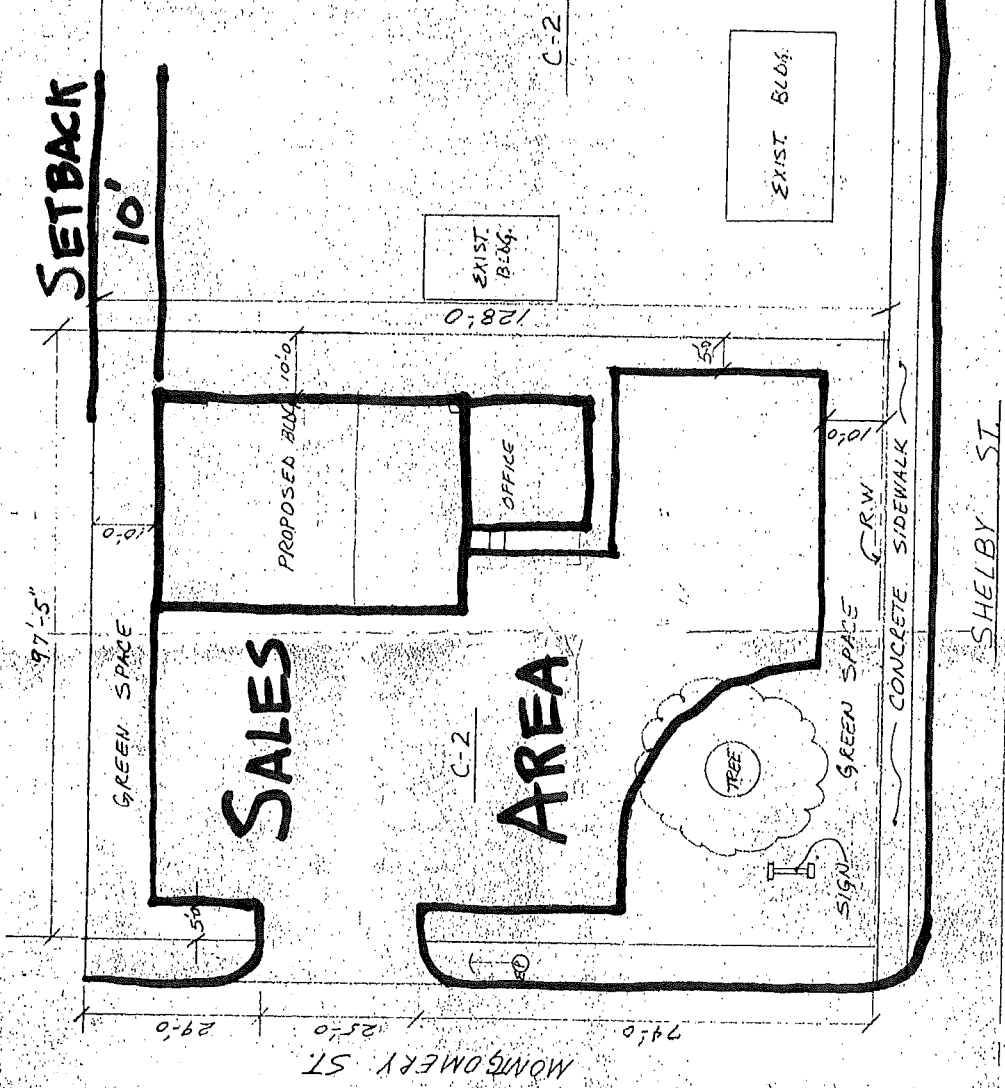
- 1) ZONE
- 2) USE
- 3) TOTAL
- 4) BLDG. F.O.
- 5) /
- 6) /

VARIANCE REQUESTED 10'

SETBACK 10'

- NOTE
- 1) ZONE C-2
 - 2) USE OFFICE
 - 3) TOTAL SITE 128' x 297' 5"
 - 4) BLDG. OFFICE
 - 5) PARKING 10' x 10'
 - 6)

ASPHALT PARKING LOT



EXIST. ASPHALT PARKING LOT

C-2

EXIST. BLDG.

SHELBY ST.

MONTGOMERY ST.

SHEET #3

SITE PLAN



