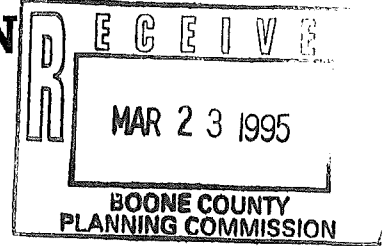


APPLICATION FORM  
**BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION**

(See Boone County Zoning Regulations)



**SECTION A** (To be completed by applicant)

- (Check One)  
1. Boone  Florence  Walton  Union  
(Check One)  
2.  Conditional Use Permit  Variance  Appeal  
 Change in Non-Conforming Use  
3. Applicant's Name George Whitlow dba Hands of Florence  
Phone Number 371-1212 Fax No. 282-0423  
Applicant's Address 6507 Dixie Hwy  
Florence KY 41042  
City State Zip  
4. Description of Request: 25 Foot building set back variance  
\_\_\_\_\_  
\_\_\_\_\_  
5. Name of Development Hands of Florence  
6. Location of Development 4 Sandens Drive  
\_\_\_\_\_  
7. Acreage Under Review \_\_\_\_\_  
8. Lot Number and Name of Subdivision (if part of a subdivision)  
Lots 184 + 185 Nonpaniel Park  
9. Owner of Property Same  
Phone Number of Owner Same  
10. Address of Property Owner \_\_\_\_\_  
\_\_\_\_\_  
City State Zip  
11. Proposed Use(s) on Site Storage  
\_\_\_\_\_  
\_\_\_\_\_  
12. Total Square Footage of Existing and/or Proposed Buildings  
3000 Sq. Ft  
13. Current Zoning on Property C-2  
14. Deed Book 377 Page No. 298 Group No. 2043A  
15. Is the site subject to a zone change? no Yes  
If yes, give date of approval 1987  
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. I, or we, understand and agree that this application and  
drawing(s) are being filed in accordance with the Boone County  
Zoning Regulations.  
Applicant's Signature: George W. Whitlow  
Property Owner's Signature: Same

(over)

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

**SECTION B** (To be completed by the Boone County Planning  
Commission Staff)

1. Date Received 3/23/95 Fee Received \$506.00 R# 6215
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
\_\_\_\_\_ **Approved**  
\_\_\_\_\_ **Approved with Conditions (See #6)**  
\_\_\_\_\_ **Denial (See #7)**
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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: **Honda of Florence**  
APPLICANT: **George Whitton, dba Honda of Florence**  
LOCATION: **4 Sanders Drive, Florence**  
ZONING: **Commercial Two (C-2)**  
DATE: **April 12, 1995**

The applicant is requesting a Variance to the rear yard setback for the vacant piece of property which is located south of the applicant's existing Honda of Florence building (See Sheet #1). The applicant is requesting the Variance because the City of Florence will be relocating the utility lines which are currently located on Dixie Highway to the rear of the properties which front on U.S. 25. For the City to be able to relocate the utility lines then need to have a 25 feet easement. This easement would run thorough the applicant's vacant parcel.


The City of Florence approved a Zoning Map Amendment in August of 1987 which gave the applicant the right to develop a 1,500 square feet (maximum) storage building (See Sheet #2). Because this future storage building will adjoin a residential zone the building will be required to be located fifty (50) feet from the south property line. The easement which the City needs to relocate the utility lines to the rear of the properties which front along Dixie Highway is 24 feet. The location of this easement would require that the applicant move the future storage building 25 feet closer to the south property line to be located outside of the needed utility easement. Therefore, the applicant is requesting a 25 feet Variance to the building setback required by the Boone County Zoning Regulations.

The City required the applicant, as part of the zone change, to construct the future building out of brick, limit its use to storage only, and plant landscaping along the south property line within a required 25 feet buffer area. In addition, other conditions were applied which can be found in Exhibit A. All of these conditions will still apply even if the Variance is approved.

## Conclusion

Staff believes that the proposed Variance will have little or no impact on the public health, safety, or welfare nor will it change the essential character of the area. The Board should determine whether the Variance will cause a nuisance or a hazard to the public and whether it will allow an unreasonable circumvention of the requirements of the Zoning Regulations. Staff believes that the conditions as imposed as part of the Zoning Map Amendment are sufficient to mitigate any possible impacts that the Variance will create.


Sincerely,

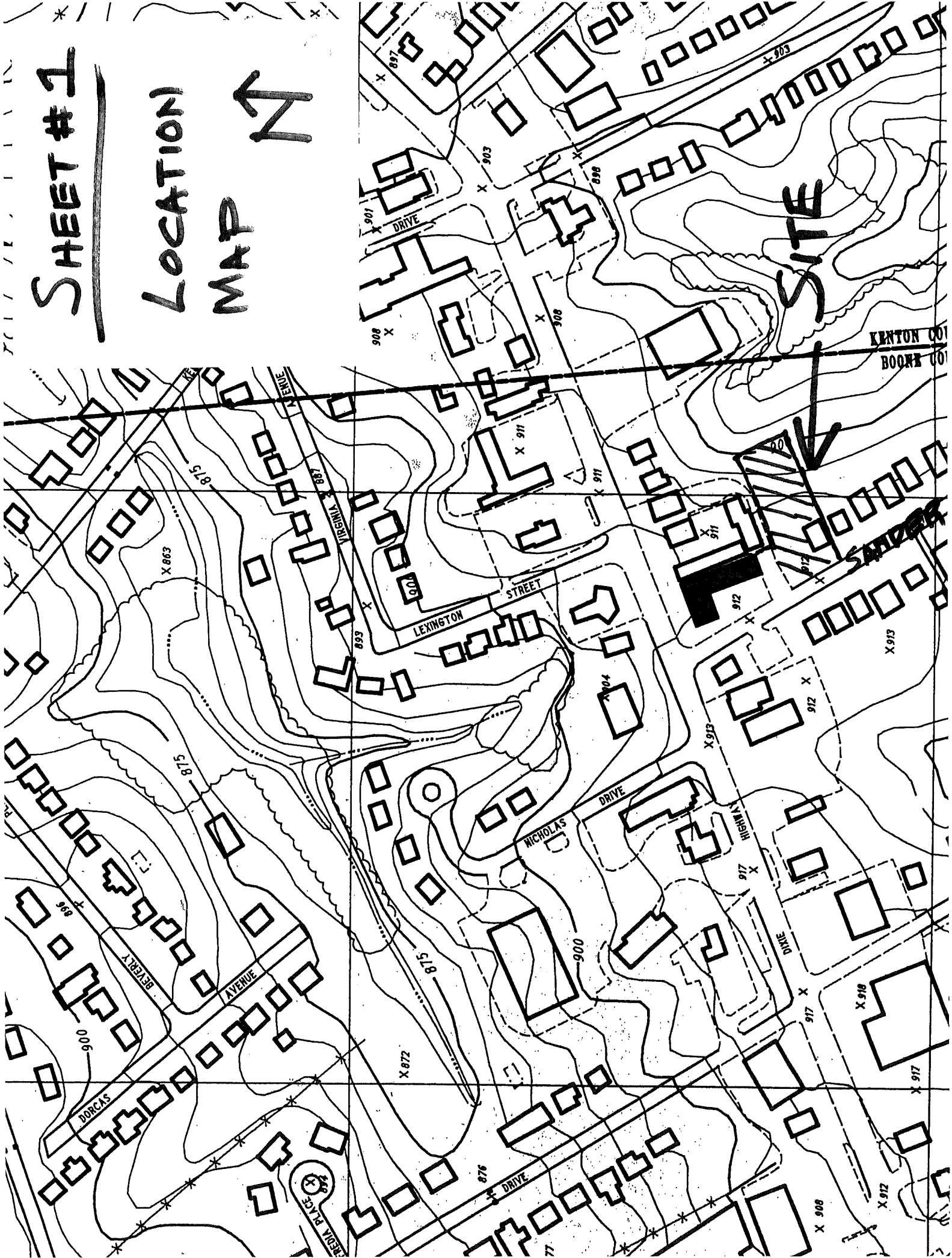
  
Jeffrey F. Hayes  
Planner

JFH\par

SHEET # 1

LOCATION

MAP 



COMMITTEE REPORT

EXHIBIT A

TO: Boone County Planning Commission

FROM: Melvin DeLong, Chairman

DATE: June 3, 1987

RE: Request of George Whitton (owner by contract) for a Zoning Map Amendment on a 0.54 acre tract located directly south of HONda of Florence (U.S. 25) and east of Sanders Drive, Florence, Kentucky. The request is to rezone the site from Suburban Residential Two (SR-2) to Commercial Two (C-2). The intended use is a parking lot and storage facility.

REMARKS:

We, the Committee, recommend approval based upon the following findings of fact and subject to the conditions below.

FINDINGS OF FACT

1. The submitted Concept Development Plan and zone change request is consistent or in agreement with the text of the 1986 Boone County Comprehensive Plan.

"Since the immediate Florence area figures so prominently in the county's commercial activity, this region has the momentum to continue dominating construction of commercial structures."

Also, the Comprehensive Plan suggests that compact, efficient development patterns with appropriate buffer space between uses shall be encouraged. The Comprehensive Plan mentions that commercial uses shall be located at strategic locations or next to trade areas or parking areas. The mixing of commercial and non-commercial uses shall occur in replanned older areas. References to the Comprehensive Plan are made in the Staff Report.

2. The proposed zoning classification (C-2) is appropriate because of its close proximity to Dixie Highway and to existing commercial land uses and the nearby C-2 zoning district.

CONDITIONS

1. The proposed building shall be a maximum of 1,500 square feet (excluding the basement) and shall only be used for storage purposes.
2. The applicant shall be required to petition the appropriate legislative body to abandon or relocate the existing alley.
3. The applicant shall be required to brick the proposed storage facility in order to have a residential appearance.
4. The existing residence shall not be removed and be limited to residential use only.
5. Outside storage of motorcycle vehicles shall be confined to the proposed concrete pad and only be allowed during normal business hours.
6. The two proposed parking spaces located closest to Sanders Drive shall be eliminated for safety reasons. The area shall be landscaped with trees and may include a driveway connection to the proposed parking lot.
7. The applicant shall be limited to testing repaired motorcycle vehicles in the alley and not on Sanders Drive during normal business hours.
8. Landscaping features at a minimum will include 4-6 foot White Pine trees and the existing Holly trees. Additional landscaping features may be required at Site Plan Review stage in order to protect the neighboring residential land uses.
9. Lighting on the 0.54 acre site will be limited to building mounted on the storage facility.

CONCLUSION

The Committee wishes to emphasize the need to properly screen this development and protect the neighboring residential uses. The Committee appreciates the applicant's desire to expand its present business and to improve circulations both within the development and on Sanders Drive. The Committee would like the applicant to work with the staff and the City of Florence in finalizing plans to improve the site and continue making the general area suitable for residential living.

(Signatures follow on page 3.)



RECEIVED

NO.95-FBOA-002-A

1995 MAY 31 A 8:35

50  
10-NR

JERRY W. ROUSE  
BOONE COUNTY CLERK

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

George Whitton  
6507 Dixie Highway  
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

4 Sanders Drive  
Florence, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Honda of Florence

DEED BOOK: 377

PAGE NO.: 298

GROUP NO.: 2043 A

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

           Zoning Map Amendment from     to                Conditional Use Permit

           Development Plan            Conditional Zoning

           Subdivision Plat (Unrecorded)            Other:

  X   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

*Jeffrey F. Hayes*  
SIGNATURE OF COMPLETING OFFICIAL

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

CLUR# 95-FBOA-002-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of April 12, 1995, (Certificate of Land Use Restriction # 95-FBOA-0021-A), for George Whitton, property owner.

No Conditions

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 377 PAGE NO. 298 Group No. 2043A

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey Hayes on behalf of the Boone County Planning Commission this 17th day of May, 1995.

Vicki L. Myers

NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:

Vicki L. Myers

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.)

State of Kentucky, County of Boone  
JERRY W. ROUSE, Clerk of the Boone County Court, do certify that the foregoing Misc. was, on the 31 day of May

1995, at 8:35 A. M, lodged in my office for record, and that it has been duly recorded in my said office, together with this and the certificate thereon endorsed.

Given under my hand this 31 day of May 1995.

JERRY W. ROUSE, CLERK

By Jerry Rouse D.C.