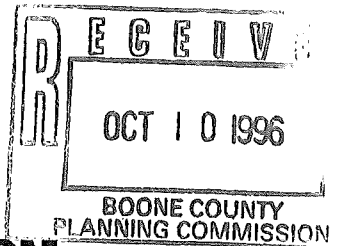


APPLICATION FORM
**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION**



(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 Michael S. Dickey
Phone Number 727-4488 Fax No. _____
Applicant's Address 3663 Turkeyfoot Road
Erlanger, Kentucky 41018
City State Zip
4. Description of Request: Duplex dwelling units with garages
on two separate lots, as described below
5. Name of Development N/A
6. Location of Development Lots 5 and 7 of Scott Subdivision
of Shenandoah Drive in Florence (see attached deed and plat)
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lots 5 and 7, Scott Subdivision
9. Owner of Property Michael S. Dickey and Jeffrey A. Herold
Phone Number of Owner 727-4488
10. Address of Property Owner (same as above)
City State Zip
11. Proposed Use(s) on Site Duplexes
12. Total Square Footage of Existing and/or Proposed Buildings
Lot 5: 20,844 SF Lot 7: 20,948 SF
13. Current Zoning on Property SR-2
14. Deed Book 614 Page No. 157 Group No. 2043A
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. 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: [Signature]
Property Owner's Signature: [Signature]

(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 10-10-94 Fee Received \$494.00/11687
2. Is application complete? Yes Yes _____ No _____
3. Staff Reviewer [Signature]
4. Scheduled Board Action Date _____
5. Board Action:
_____ **Approved**
X _____ **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: Scott Subdivision Lots 5 & 7

APPLICANT: Michael S. Dickey

LOCATION: Shenandoah Drive, Florence, KY

ZONING: Suburban Residential Two (SR-2)

DATE: November 13, 1996

The applicant is requesting a Conditional Use Permit to allow two duplex dwelling units on two (2) one-half (1/2) acre lots located on Shenandoah Drive, Florence, Kentucky (Sheet 1-Location Map).

Article 9 "Residential Districts," Section 943 of the Boone County Zoning Regulations, permits duplex dwelling units in the City of Florence as a Conditional Use within Suburban Residential Two Districts. "The Board must use the following criteria from Sections 943 in addition to the seven criteria in Section 262 of the Boone County Zoning Regulations, used to judge a Conditional Use Permit."

Section 943

- a.) The activity is an integral and subordinate function of a permitted use;
- b.) The activity will not contradict the compact, but single family character of the district; and
- c.) the arrangement of uses, building or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

Surrounding Land Uses and Zoning (Sheet 2- Zoning Map)

The site is immediately surrounded by single family houses to the south, east, and west and two fourplex units directly across the street to the north. This area is zoned Suburban Residential Two (SR-2). Down the street, west of the site, at the corner of Shenandoah Drive and Dixie Highway is Nationwide General Rental Center and Jack and Jill Child Care Center, both zoned Commercial Two (C-2). The Walnut Creek Apartments, zoned Urban Residential Two (UR-2), are located at the other end of Shenandoah Drive, east of the site.

Relationship to the Comprehensive Plan

The 1995 Boone County Comprehensive Plan's Future Land Use Map indicates the site's future land use classification as "Suburban Density Residential" and is defined as single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision.

This particular site is not specifically mentioned or described in the Land Use Section of the Comprehensive Plan.

Site Plan

(Sheet 3-Site Plan)

The site contains two adjacent lots (5 & 7). Each lot's dimensions are approximately 100' x 210', (21,000 sq. ft.). The minimum lot size for a duplex in a Suburban Residential Two (SR-2) district in the City of Florence is 15,000 sq. ft. The minimum front and rear yard setbacks are 30 feet from the property lines. The side yard setbacks are a minimum of five feet on one side and a total of 15 feet for both side yard setbacks combined. The applicant's site plan shows a 30' front yard setback and a 26.5' side yard setback on each side for each unit. Each lot has two 15' driveways that terminate behind each duplex where the attached garages are located.

Staff Concerns and Comments

1. Staff reminds the applicant that duplex units built in the Florence city limits must be reviewed through the Major Site Plan Review process.

Conclusion

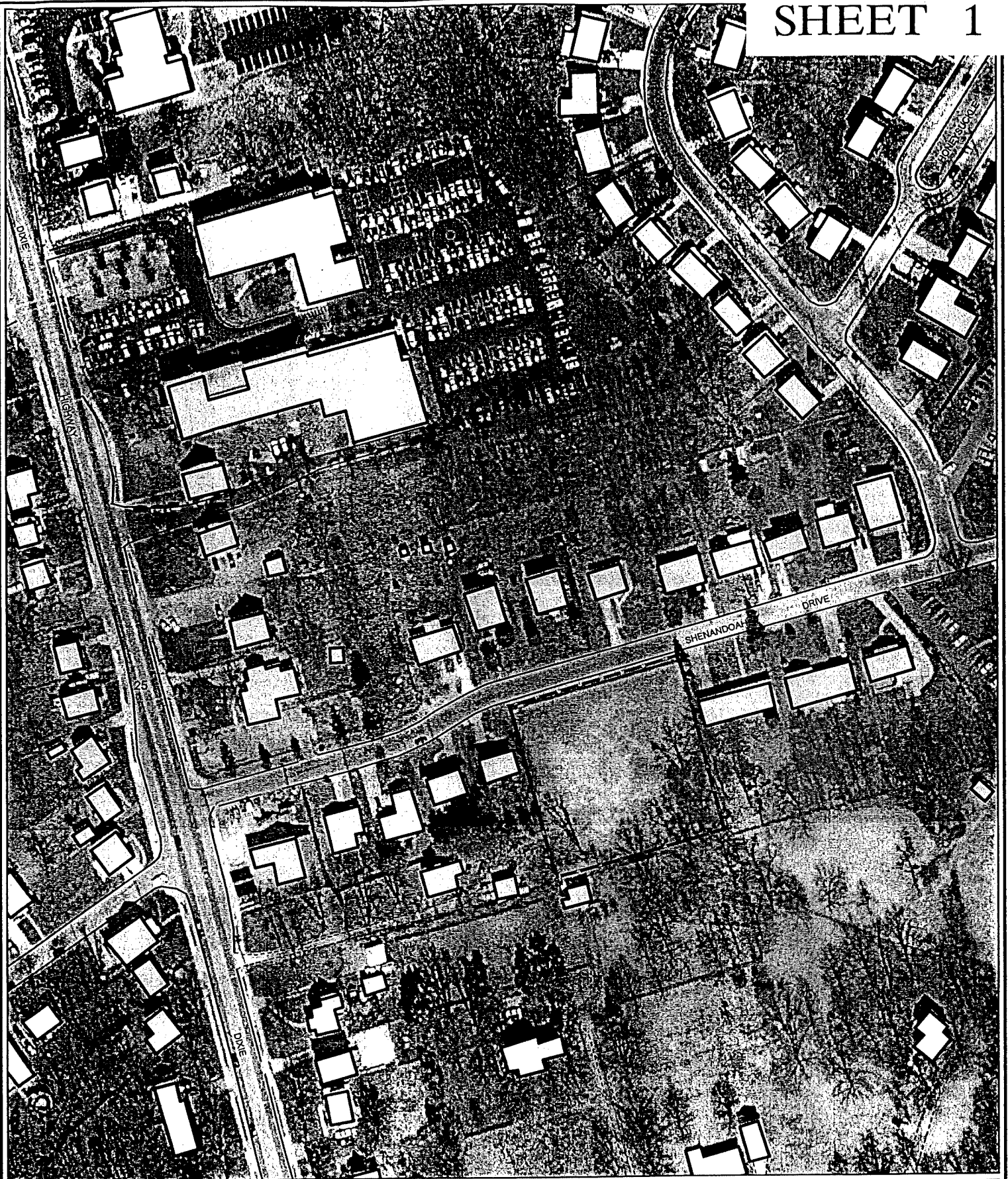
Staff believes that the two duplexes will be harmonious with surrounding area because the proposed use is consistent with the intent of Suburban Residential Two districts and that no adverse impact to the area will be created because the proposed use is actually less intensive (by half) than the fourplex units directly across the street. The Board should base its decision on the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the criteria for a Conditional Use within a Suburban Residential Two (SR-2) zoning district.

Respectfully Submitted,



Edward Coleman
Planner

EC\par



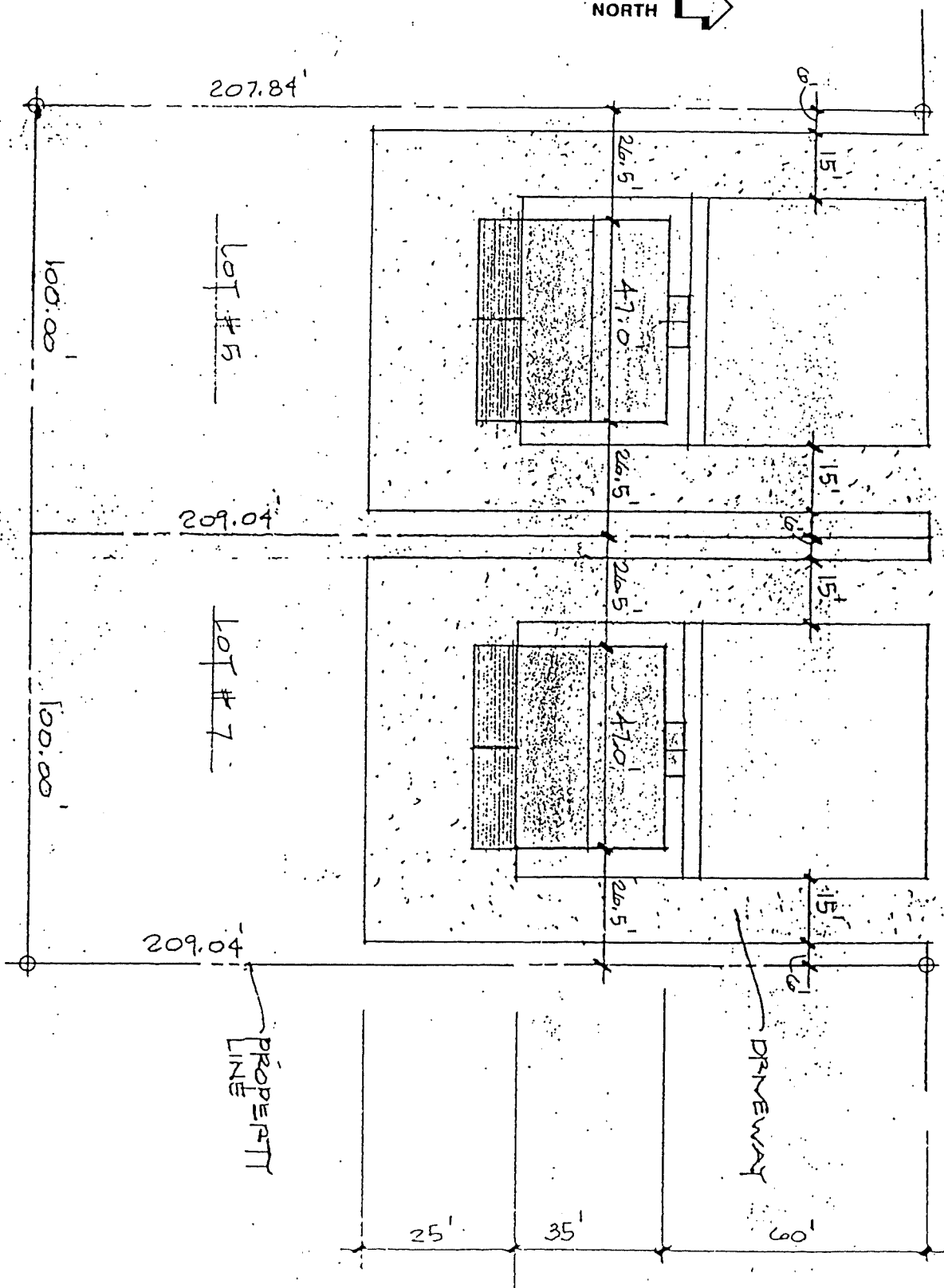
Shenandoah

Produced by the
Boone County Planning Commission
GIS Services Division
November 6, 1996





SHENANIPPOAH DRIVE



SITE PLAN ↑
1" = 30'-0"

COPY

CLUR # 96-FBOA-005-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Michael S. Dickey and Jeffrey A. Herold
3663 Turkeyfoot Road
Erlanger, Kentucky 41018
2. ADDRESS OF PROPERTY
Lots 5 and 7 Shenandoah Drive
Florence, Kentucky
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

DEED BOOK: 614

PAGE NO.: 157

GROUP NO.: 2043A

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: Site Plan
- 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



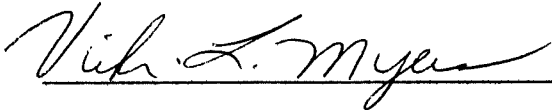
SIGNATURE OF COMPLETING OFFICIAL

Edward Coleman, Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Edward Coleman on behalf of the
Boone County Planning Commission this 20th day of December 1996.

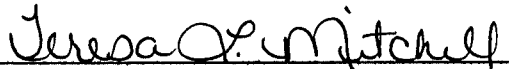


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:



Teresa L. Mitchell
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 November 13, 1996 Certificate of Land Use Restriction (# 96-FBOA-005-A), for Michael S. Dickey, property owner.

The following conditions will apply: (1). The duplex is to have two driveways only. (2). The house is to have the same setbacks as the adjoining houses. (3). The duplex is to be built with the same design and materials (brick veneer) as presented at the Public Hearing

The approved Conditional Use Permit as well as the preceding conditions apply to the property

described in: DEED BOOK 614

PAGE NO. 157

Group No. 2043A