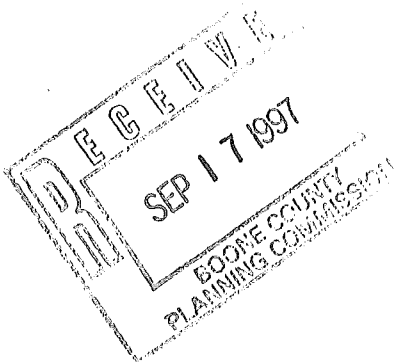


APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone [X] Florence [X] Walton [ ] Union [ ]
2. (Check One) [X] Conditional Use Permit [ ] Variance [ ] Appeal [ ]
3. Applicant's Name BRIAN GLOVER, Phone Number 525-7587, Fax No. 525-1333, Applicant's Address 8045A CONNECTOR DR., FLORENCE, KY 41042
4. Description of Request: Apply FOR A CONDITIONAL USE PERMIT TO ADD SPRAYED-ON BEDLINERS TO OUR CURRENT BUSINESS
5. Name of Development FLORENCE CENTER
6. Location of Development 8047 CONNECTOR DR., FLORENCE, KY 41042
7. Acreage Under Review N.A.
8. Lot Number and Name of Subdivision (if part of a subdivision) N.A.
9. Owner of Property ASSOCIATED LAND GROUP, Phone Number of Owner (513) 874-5360 = 3840 Woodridge Suite 8, Address of Property Owner FAIRFIELD OH 45014
11. Proposed Use(s) on Site TO USE AS A SPRAY AREA TO APPLY SPRAYED-ON BEDLINERS, SPACE WILL ALSO BE USED AS STORAGE + GARAGE SPACE.
12. Total Square Footage of Existing and/or Proposed Buildings 2880 sq. ft.
13. Current Zoning on Property C-2
14. Deed Book 332 Page No. 222 Group No. 1642-2040 A
15. Is the site subject to a zone change? NO
16. Have you submitted a Site Plan with this request? YES (A ROUGH DRAFT)
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: Brian Glover

Property Owner's Signature: SEE ATTACHED

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 9-17-97 Fee Received \$750.00 RA# 14720
2. Is application complete? Yes \_\_\_\_\_ No \_\_\_\_\_
3. Staff Reviewer Edward Coleman
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
 Approved  
 Approved with Conditions (See #6)  
 Denial (See #7)
6. Conditions of Approval: SEE MINUTES FROM FBOA DATE  
11/12/97
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

**APPLICANT:** Brian Glover/Pick-Ups Plus  
**LOCATION:** 8047 Connector Drive, Florence, Kentucky  
**ZONING:** Commercial Two (C-2)  
**DATE:** October 8, 1997

The applicant is requesting a Conditional Use Permit that would enable Pick-Ups Plus to install truck bedliners through the use of a spray-on application process. The process will be performed within the existing commercial building, in the tenant space adjacent with Pick-Ups Plus, upon the completion of necessary interior modifications.

Included is a copy of a letter from Kevin Wall, Zoning Administrator, dated August 29, 1997, with his interpretation of the proposed use within a Commercial Two (C-2) district. Mr. Wall indicated that the proposed use falls under a use category described as "automobile repair facilities" by the Boone County Zoning Regulations. Mr. Wall also explained that the applicant's proposed use is permitted in a Commercial Two (C-2) zone as a Conditional Use.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit in a Commercial Two (C-2) zoning district that is stated in Sections 262 and 1023 of the Boone County Zoning Regulations. An automotive repair facility is permitted as a Conditional Use in a Commercial Two (C-2) zoning district provided the Board finds the following:

- a) The activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or
- b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and
- 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.

Conclusion

K.R.S. 100.237 gives the Florence Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a Conditional Use Permit that would enable Pick-Ups Plus to install truck bedliners through the use of a spray-on application process. It is Staff's opinion that the proposed Conditional Use will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. It is Staffs' opinion that the requested use is an integral and subordinate function of the existing business.

Respectfully submitted,

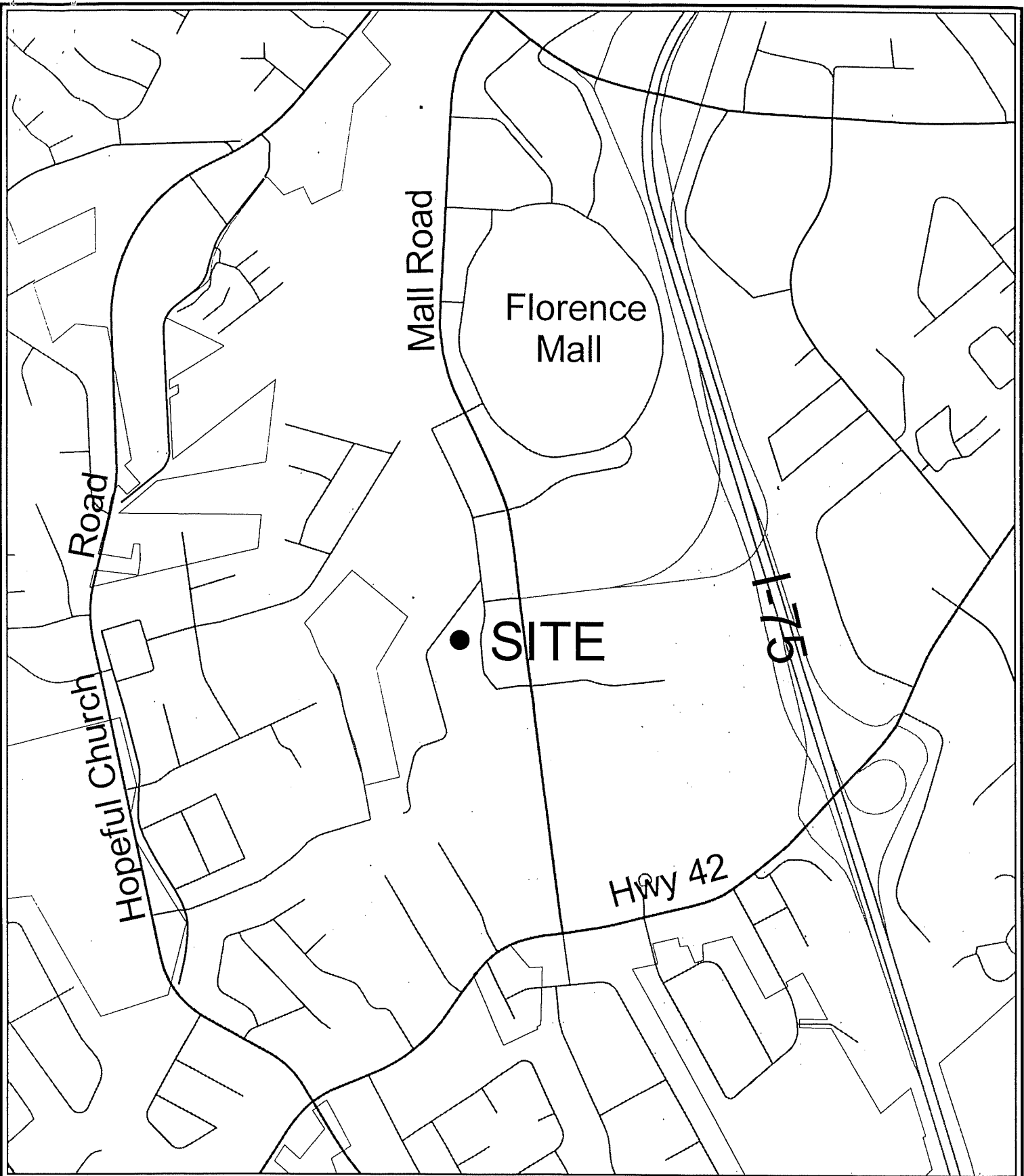
*Ed Coleman*

Edward Coleman  
Planner

EC\par

Attachments

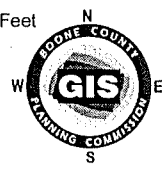
- Location Map
- Building Floor Plan
- Aerial Photo
- Zoning Administrator letter dated August 29, 1997



# Pick-Ups Plus

1100 0 1100 Feet

1 inch equals 1100 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
October 6, 1997





# Pick-Ups Plus

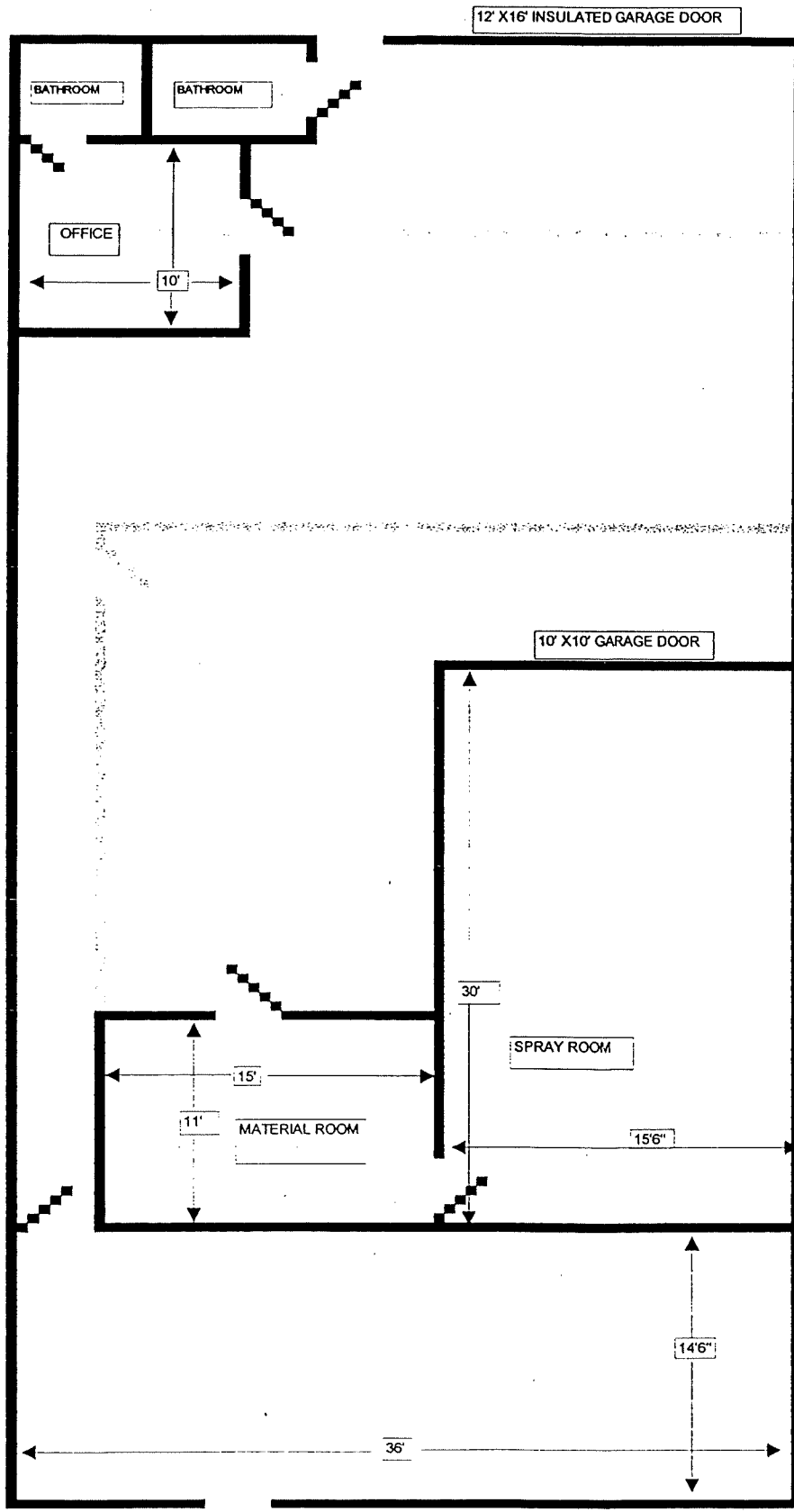
200 0 200 Feet



1 inch equals 200 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
October 6, 1997



BACK



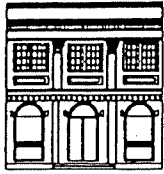
- Existing walls to be demolished
- New walls to be built
- New Garage Doors

CATHY  
MITCHELL

All Twp  
+  
LUBE

FRONT

# BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

August 29, 1997

Mr. Brian S. Glover, President  
Pick-Ups Plus  
8045A Connector Drive  
Florence, KY 41042

RE: Use of Tenant Space at 8047 Connector Drive, Florence, Kentucky, for Application of Spray Finishes to Vehicles; Commercial Two (C-2) Zone

Dear Mr. Glover:

In response to your inquiry, I am providing the following information.

First, 8047 Connector Drive is within a Commercial Two (C-2) zone. The use described in your letter (essentially a spray operation where a spray finish that functions as a permanent bed liner is applied to pick-up truck beds) falls under a use category described as "automobile repair facility" by the Boone County Zoning Regulations. The regulations define this use as "a business establishment that repairs, rebuilds, reconditions, or services automobiles or automotive parts, including but not limited to any of the following activities: body and paint work; engine repair or rebuilding; installation, repair, or reconditioning of tires, brakes, transmissions, mufflers, automotive electrical or air conditioning systems; automotive upholstery, or automotive glass, all on a individual vehicle basis; changing of oil, other fluids, and filters, emissions testing."

Automotive repair facilities are permitted in the C-2 zone as a Conditional Use. This means that a Conditional Use Permit (CUP) must be granted by the Board of Adjustment (BOA) before any permits may be approved to alter the space or before the use may be initiated. The CUP process involves a public hearing before the Board of Adjustment. The basic purpose of this process is to ensure that the use is appropriate for a given location. This process was not required for Pick-Ups Plus when it moved into the tenant space at 8045A Connector Drive because the same/very similar use had already been established by the prior tenant. In addition, the "automotive repair facility" use category was only recently created in the zoning regulations - prior to the creation of this single use category various types of automotive work were categorized somewhat differently from one another. Therefore, because you are now proposing to initiate/expand the vehicle repair/service use in a separate tenant space, the Conditional Use Permit is now necessary.

Mr. Brian S. Glover  
August 29, 1997  
Page 2

An application form and an information sheet which describes the necessary submittal materials are enclosed for your use. I suggest that you review these materials and then contact Ed Coleman, a planner in our office, with any specific questions. Ed handles all Board of Adjustment requests. The Board meets the second Wednesday of every month - the application submittal deadline for the October meeting (10/8/97) is Wednesday, September 17, 1997. Further, you should contact the Boone County Building Department and the Florence Fire Department regarding your proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin T. Wall". The signature is fluid and cursive, with a large initial "K" and "W".

Kevin T. Wall, AICP-CDT  
Director, Zoning Services

KTW/vlm

cc: Ed Coleman, Planner

COPY

CLUR # 97-FBOA-012-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Associated Land Group  
3840 Woodridge, Suite 8  
Farifield, Ohio 45014

2. ADDRESS OF PROPERTY

8045 A. Connector Drive  
Florence, Kentucky

3. NAME OF SUBDIVISION OR  
DEVELOPMENT (if applicable)

Pick-Ups Plus

DEED BOOK: 332

PAGE NO.:222

GROUP NO.:2040 A

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

Zoning Map Amendment:  
From \_\_\_\_\_ to \_\_\_\_\_

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat

Other:

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

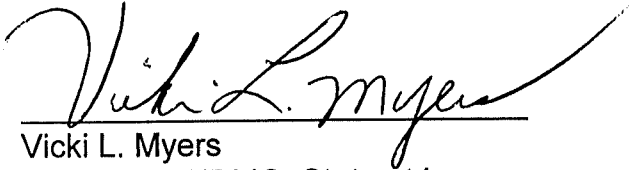
Edward Coleman, Planner

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 21<sup>st</sup> day of November 1997.

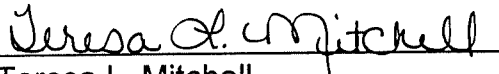


Vicki L. Myers  
NOTARY PUBLIC, State at Large

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 approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of November 12, 1997 Certificate of Land Use Restriction (# 97-FBOA-010-A), for Associated Land Group, property Owners

The following conditions will apply: 1). Conditional Use be granted, subject to the approval of the EPA concerning the ventilation system.

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

described in: DEED BOOK 332

PAGE NO. 222

Group No. 2040 A