

FEB 11 1993

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 Concepts Real Estate  
Phone Number 282-8000  
Applicant's Address 7415 Burlington Dr.  
Floresville Ky  
City State Zip
4. Description of Request: 52572 A3000
5. Name of Development DAVID HILLS
6. Location of Development Union Ky 40060 US#92
7. Acreage Under Review 12
8. Lot Number and Name of Subdivision (if part of a subdivision)  
D.N.A.
9. Owner of Property DAVID HILLS  
Phone Number 384-3030
10. Address of Property Owner 10484, Big Stone Rd  
Union Ky 41091  
City State Zip
11. Proposed Use(s) On Site OFFICE BLDG.
12. Total Square Footage of Existing and/or Proposed Buildings  
1050
13. Current Zoning on Property SR A3000
14. Deed Book 487 Page No. 246 Group No. 2046
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: [Signature]
19. Property Owner's Signature: [Signature]

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 2-11-93
2. Fee Received \$ 321.00 R#8559
3. Is application complete?  Yes  No
4. Staff Reviewer Jeff Hayes
5. Scheduled Board Action Date 2-17-93
6. Board Action:  
 Approval  
 Approved with Conditions. (See #7)  
 Disapproved (See #8)
7. Conditions: That four of the parking spaces  
be located in the rear ~~of the building~~ behind  
the building
8. Reasons for Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# STAFF REPORT

DEVELOPMENT: CONCEPTS REAL ESTATE  
APPLICANT: DAVID HILS  
LOCATION: 9960 U.S. 42, Union, Kentucky  
ZONING: RURAL SUBURBAN/SMALL COMMUNITY (RS/SC)  
DATE: MARCH 17, 1993

The applicant is requesting a Conditional Use Permit for a real estate office. This office would be located at 9960 U.S. 42 Union, KY (See Sheet 1). The property is zoned Rural Suburban/Small Community Overlay RS/SC and is owned by David Hils.

Article 20, Section 2012, Item 2 principally permits real estate offices as a conditional use within a Small Community Overlay District.

The proposed use will consist of a 1050 square foot building on an approximately .05 acre tract and will have 8 parking spaces (See Sheet 2). The use is to be located in an existing house which has been rehabbed for the applicant's office.

## Surrounding Zoning and Land Uses

North:	Doll's Dairy Bar - RS
South:	PNC Bank - RS
East:	Commercial uses - RS
West:	Undeveloped land - A-2

The 1990 Boone County Comprehensive Plan indicates that commercial activity in this area should be limited to Union proper, in the vicinity of the Hathaway Road and U.S. 42 intersection. Also, any commercial development should be local in scale. This real estate office is in keeping with this small community scale and will serve the needs of the existing and future residents. Special attention should be made to provide adequate distance between the parking area and the roadway for landscaping. Landscaping will compliment the small town character of Union.

The Board must also consider specific criteria which apply to Conditional Uses in a Small Community Overlay zone:

- a) The activity is of integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;

- b) The arrangement of use, building or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district;


Staff Concerns

1. Staff is concerned with the location of the parking area and the appearance that it will create without sufficient landscaping. Staff feels that a better location would be to the rear of the building to screen the parking from the road.
2. If the parking is to remain the way that it is designed, the plan would not meet the parking isle width requirements of the Boone County Zoning Regulations. The current width is 18 feet while the regulations require a 24 foot parking isle. This narrow parking isle width will create problems for the user of this proposed real estate office.

Conclusion

Staff feels that the proposed use will be compatible with the small community character of Union and will improve the appearance of the existing residence. However, the parking and landscaping are issues that should be address to further complement and improve the character and appearance of Union.

Respectfully Submitted,

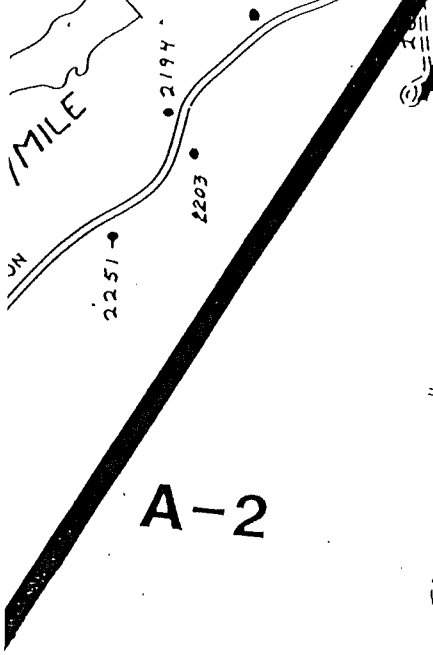
  
Jeffrey F. Hayes  
Planner I

JFH:par



CITY OF UNION

RSE

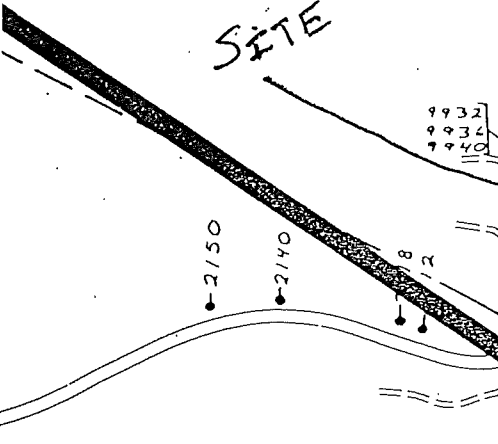


A-2

540' MILE

RSE

SITE



2150

2140

2000 EW

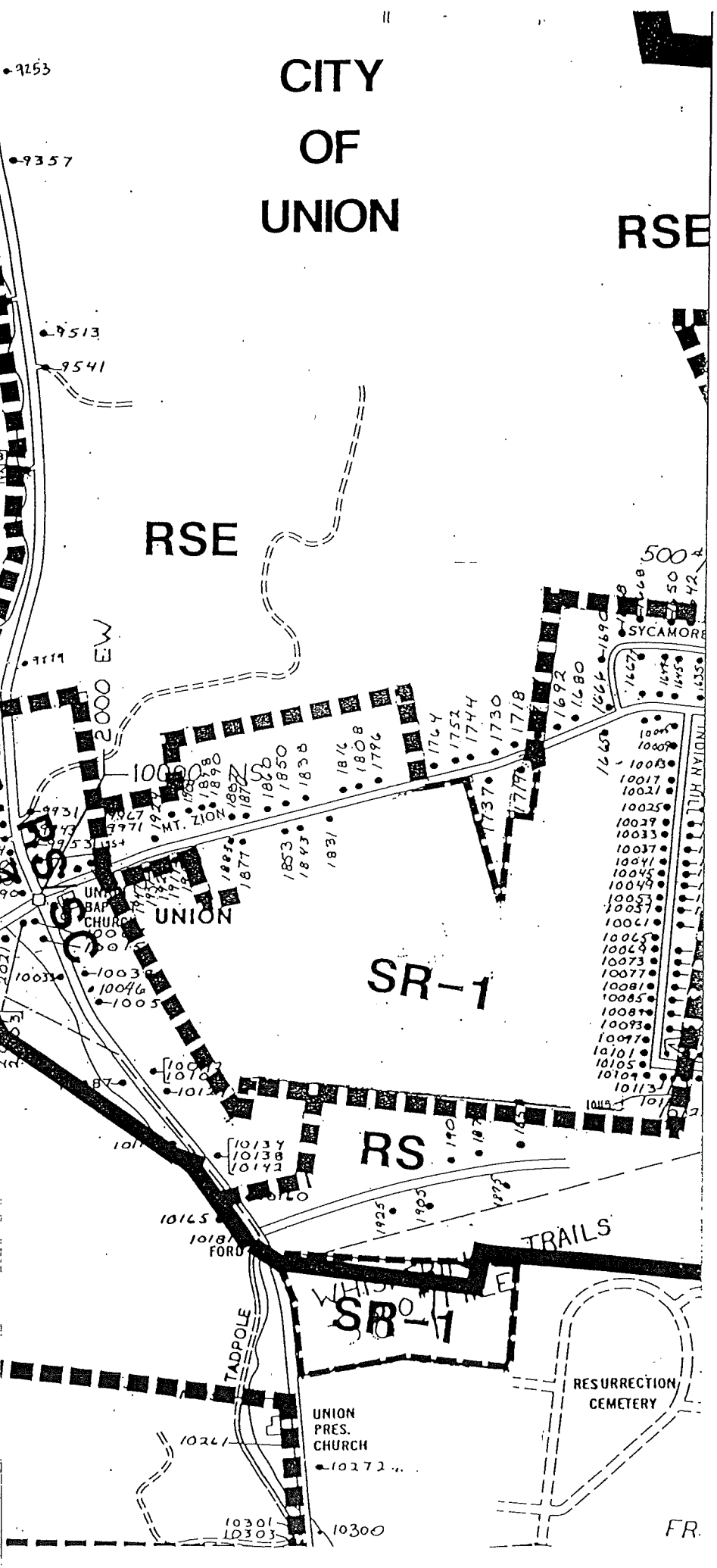
SR-1

RSE

RS

SHEET # 1

LOCATION & ZONING MAP



FR.

# COPY

NO. 93-UBOA-001

CERTIFICATE OF LAND USE RESTRICTION

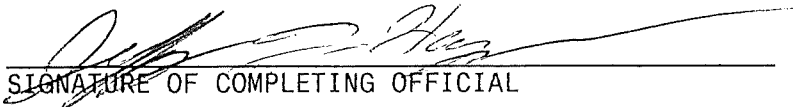
1. NAME AND ADDRESS OF PROPERTY OWNER (S)  
David Hils  
10484 Big Bone Road  
Union, Kentucky 41091
2. ADDRESS OF PROPERTY  
9960 U.S. 42  
Union, Kentucky 41091
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Concepts Real Estate

DEED BOOK: 487                      PAGE NO.: 240                      GROUP NO.: 2046

4. TYPE OF RESTRICTION (S) (Check all that apply)
- |               |   |               |                                 |
|---------------|---|---------------|---------------------------------|
| <u>      </u> | Zoning Map Amendment<br>from <u>      </u> to <u>      </u> | <u>  X  </u>  | Conditional Use Permit          |
| <u>      </u> | Development Plan  | <u>      </u> | Conditional Zoning<br>Condition |
| <u>      </u> | Subdivision Plat<br>(unrecorded)                            | <u>      </u> | Other: (Specify)                |
| <u>      </u> | 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 23rd day  
of July, 1993.

*Patricia Russ*

\_\_\_\_\_  
PATRICIA RUSS  
NOTARY PUBLIC, State at Large

My commission Expires:

October 4th, 1993

This instrument was prepared for recording purposes only by:

*Patricia Russ*

\_\_\_\_\_  
PATRICIA RUSS  
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 Union Board of Adjustments and in accordance with the current zoning in effect as of March 17, 1993, (Certificate of Land Use Restriction # 93-UBOA-001 ), for David Hils , property owner.

Parking for employee's be located in the rear of the site.

The approved Conditional Use Permits well as the preceding conditions apply to the property described in: DEED BOOK 487 PAGE NO. 240 Group No. 2046