

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

RECEIVED

SEP 15 1995

BOONE COUNTY  
PLANNING COMMISSION

(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 Stanley A. Hastings DVM  
Phone Number 606-371-1878 Fax No. 606-342-225-2#2  
Applicant's Address 799 Mt. Zion Rd. 727-2046  
Florence KY 41042  
City State Zip
4. Description of Request: I would like to have  
a veterinary clinic in the existing phone  
company building - this is a permitted use
5. Name of Development Union Pet Clinic
6. Location of Development U.S. Route 42 Box 507
7. Acreage Under Review .334 acres
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Jan M. Hastings  
Phone Number of Owner 371-1878
10. Address of Property Owner 799 Mt. Zion Rd.  
Florence KY 41042  
City State Zip
11. Proposed Use(s) on Site  
Veterinary Clinic - ~~XXXXXXXXXX~~
12. Total Square Footage of Existing and/or Proposed Buildings  
780 sq. ft with a basement
13. Current Zoning on Property R315C 2046
14. Deed Book 283 Page No. 210 Group No. Tax ID # 52-40 + 41
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?
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: Stanley A. Hastings  
Property Owner's Signature: Jan M. Hastings

(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 Sept 15, 1995 Fee Received 370.<sup>00</sup> R#7986
2. Is application complete?  Yes  No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date Oct 11, 95
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:           **Union Pet Clinic**

APPLICANT:             Stanley A. Hastings

LOCATION:                U.S. 42 (Cincinnati Bell Switching Station), Union, Kentucky

ZONING:                 Rural Suburban/Small Community (RS/SC)

DATE:                    October 11, 1995

The applicant is requesting a Conditional Use Permit to allow the development of a veterinary clinic in the existing Cincinnati Bell Switching Station. This site is located on the west side of U.S. 42 approximately 1,200 feet from the intersection with Mt. Zion and Hathaway Roads (See Map #1). The proposal would use the existing 780 square foot building and would add additional parking to the rear of the building which would adjoin the existing parking lot (See Map #2).

Article 20, Section 2012 of the Boone County Zoning Regulations permits the development of veterinary services and pet grooming but not including the boarding of animals. In addition to the seven criteria the Board must use to determine the appropriateness of a Conditional Use Permit the Board must also consider the following:

- a) the activity is an 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;

### Surrounding Land Uses and Zoning (See Sheet # 3)

North:           Single-family residence zoned RS/SC

South:          Single-family residence zoned RS/SC

East:           Farm land zoned RS/SC

West:           Farm land zoned Agricultural Estate (A-2)

The 1995 Boone County Comprehensive Plan Future Land Use Map indicates Commercial land use for the land area which fronts along of U.S. 42. The text of the Land Use Element does not specifically mention the site, however it does discuss the City of Union as a whole stating that:

In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, the opening of the Mt. Zion Road interchange, and proposed improvements to U.S 42.

The majority of the commercial activity in this area should be limited to the Union city center, anchored by Hathaway Road and U.S. 42 intersection to the north, the Frogtown Road and U.S. 42 intersection to the south and new City Hall to the east with intermittent, small-scaled commercial uses along this portion of Mt. Zion Road. The small community overlay district should be created, to incorporate this entire area and be utilized to encourage the development of a centralized, downtown area that coincides with the final alignment of U.S. 42.

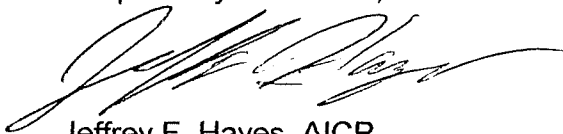
Staff Concerns:

1. If the Conditional Use Permit is approved the applicant would be required to undergo Site Plan Review for the parking lot addition and to provide proof of approval for a septic system from the appropriate agency.
2. Staff believes that any type of signage for this site should be of a monument type and small in size and height.
3. The Board should consider requiring a buffer along the north property line to screen the parking from the nearest residence.

Conclusion

Staff believes that the proposed use if properly buffered will provide a service which is integral to and necessary for the City of Union. Because of the increasing residential population within the City of Union and surrounding area the demand for this type of facility will increase. The Board should judge the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the two criteria for a Conditional Use within a Small Community Overlay District.

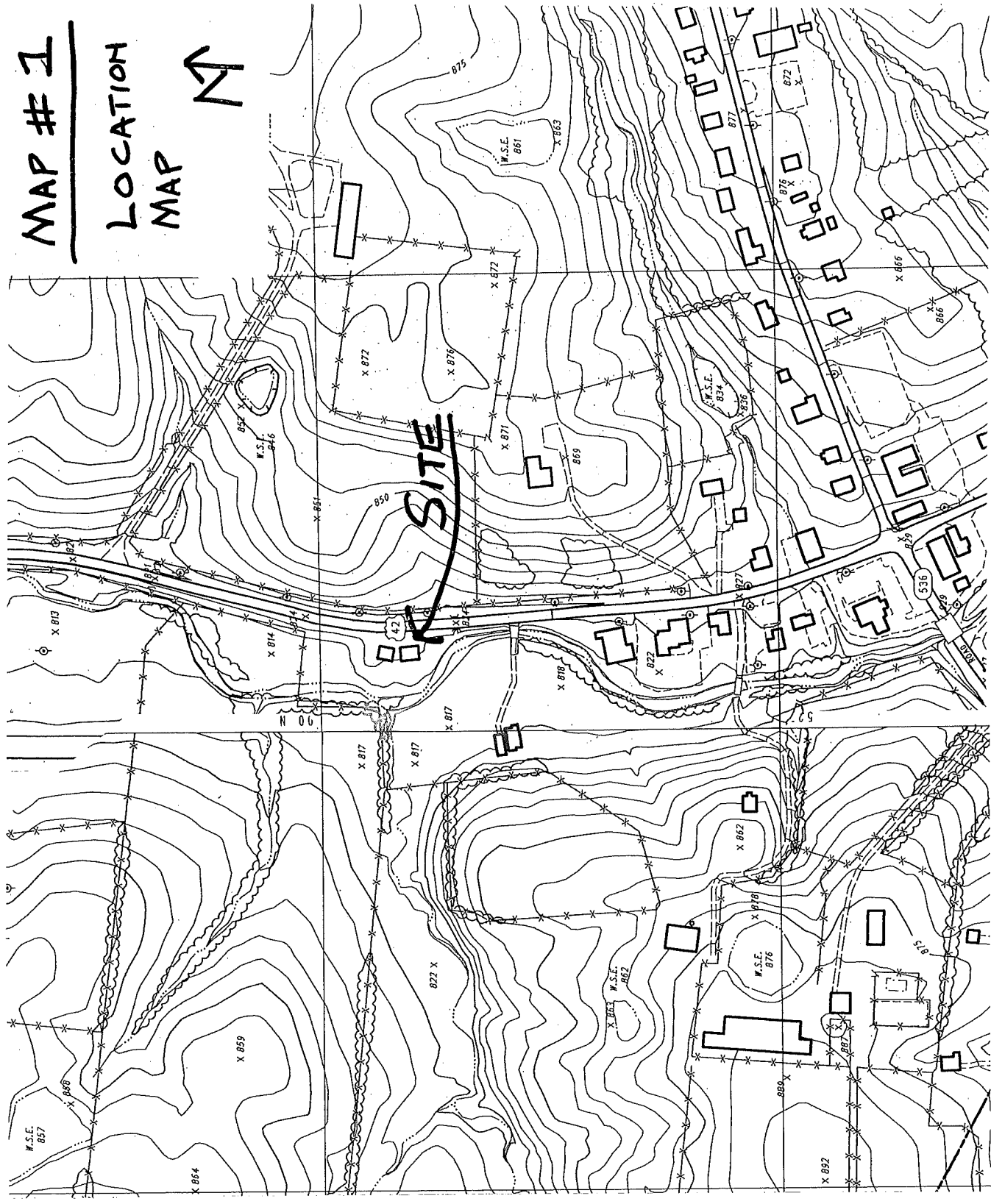
Respectfully Submitted,



Jeffrey F. Hayes, AICP  
Planner

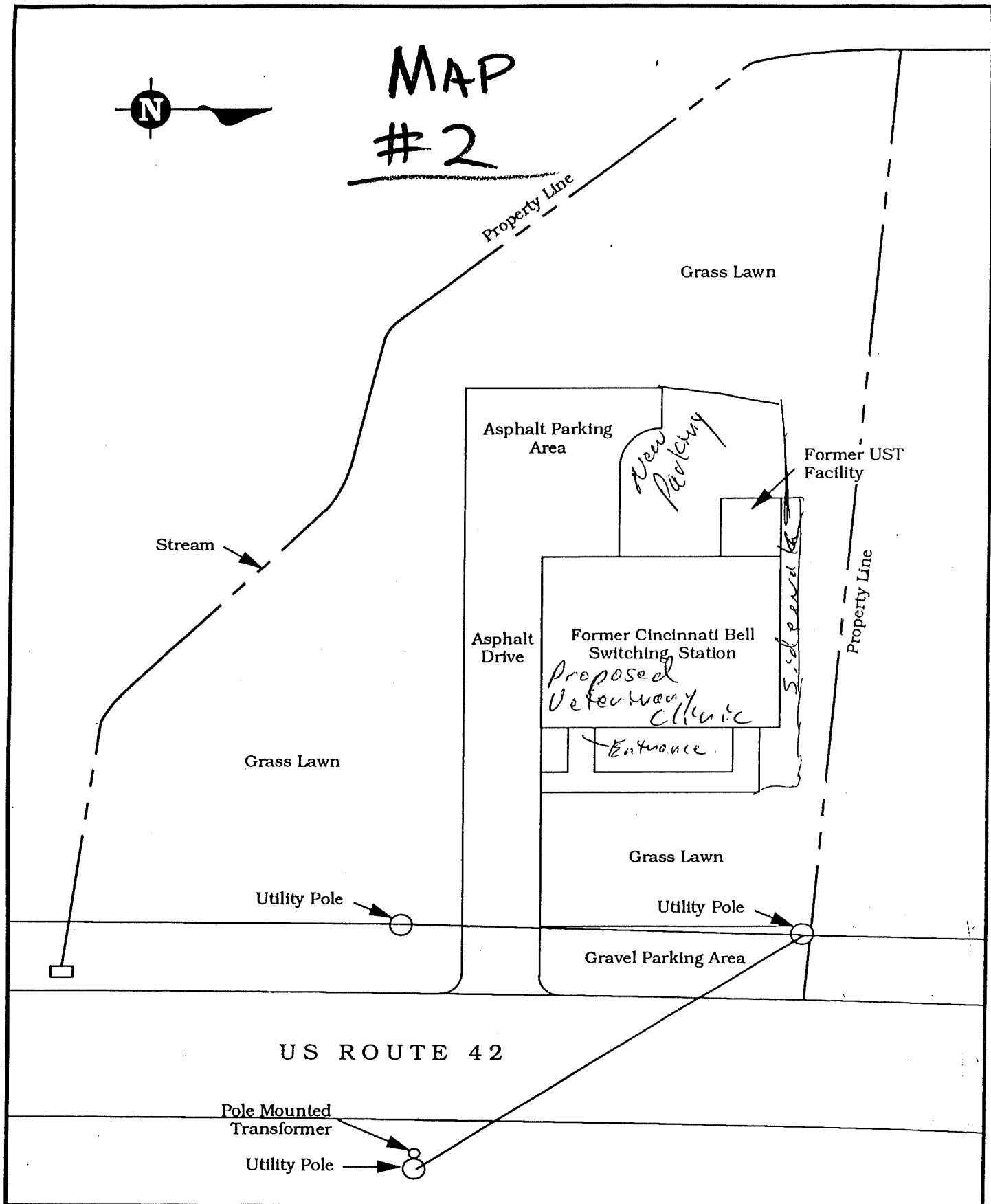
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MAP # 1  
LOCATION  
MAP





# MAP #2



Dr. Stanley Hastings  
Site Sketch  
Property at Box 507  
US Route 42 - Union, Kentucky

Figure 3



COPY

CLUR # 95-UBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Jan M. Hastings  
799 Mt. Zion Road  
Florence, Kentucky 41042

2. ADDRESS OF PROPERTY

U.S. Route 42 Box 507  
Union, Kentucky 41091

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Veterinary Clinic

DEED BOOK: 283

PAGE NO.: 210

GROUP NO.: 2046

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:

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

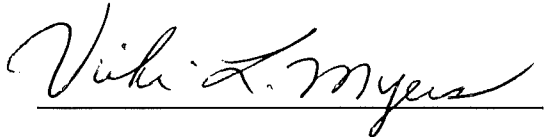
  
SIGNATURE OF COMPLETING OFFICIAL

Jeffrey Hayes, AICP/Planner  
Name and Title of Completing Official

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 11th day of October 1995.

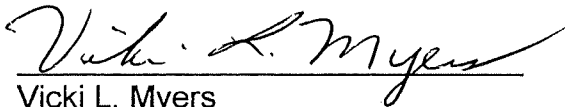


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:



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.)

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 October 11, 1995 (Certificate of Land Use Restriction # 95-UBOA-001-A), for Jan M. Hastings; property owner.

The following conditions will apply: (1). They go through Site Plan Review for the parking lot and get additional approval from the appropriate agencies for the septic system; (2), the sign is only on the building and of a small nature, or there be a small monument sign (3) it remains as an animal clinic; (4) the hours of operation are 8 A.M. to 6 P.M. (5) there is to be no animal boarding; (6) no parking out front -- parking only behind the building; and (7) no spillover lighting.

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

described in: DEED BOOK 283

PAGE NO. 210

Group No. 2046