

APPLICATION FOR ZONING ACTION

TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: TOYOTA MOTOR DISTRIBUTORS, INC. Owner
 Agent
 Address: c/o JAMES G. WOLTERMANN, ESQ. 421 Garrard Street,
Covington, Kentucky 41011 Telephone: (606) 291-7270

Location: Lot 5 and 6 Ashcraft Drive, Florence, Kentucky 41042

Name of Property Owner: Ronnie L. Troxell; Anna L. Troxell; William Green; Sue Carol Greer

Address of Property Owner: Troxell-6 Ashcraft Lane, Florence, KY 41042; Green-22- Surfwood

Zoning District: BOONE COUNTY Area in Acres: .75[±] Lane, Florence, KY 41042

Deed Book: 262/353 Page Number: 78/224 Group Number: 345

Description of Request: Zone change to C-3 Zone

Applicant's Signature: _____

Property Owner's Signature: _____ SEE OPTION AGREEMENT ATTACHED

Application Fee: \$397 FOR PLANNING COMMISSION USE ONLY Date Received: 4/30 By: JIM

Referred To: Jim Meeting Date: 5/27/87 Public Hearing

Action Taken: Approved Date of Action: 6/3/87

Mr. David Martin, Vice Chairman, opened the Public Hearing for the second item on the agenda:

2. Applicant: Toyota Motor Distributors, Inc. for William & Sue Green and Ronnie & Anna Troxell (owners)
Request: Zoning Map Amendment

This was a Public Hearing on the request of Toyota Motor Distributors, Inc. (applicant) for William & Sue Green and Ronnie & Anna Troxell (owners) for a Zoning Map Amendment on two parcels of land located north of Ashcraft Lane and west of Hopeful Road in Boone County, Kentucky. The 0.75-acre (approx.) site is zoned Suburban Residential Two (SR-2) and is being proposed to be Commercial Services (C-3). The intended use is to provide additional storage capacity for a future automobile dealership.

Staff Member, Jim Sturdevant, presented slides of the site and indicated that the Concept Development Plan for the Toyota dealership was approved by the Planning Commission in January, 1987. He stated that the applicant wished to discuss the Concept Development Plan.

Mr. Jack Gardtner of GBBN Architects and Engineers in Florence, Kentucky, presented the Concept Development Plan. He stated that the additional parcels would provide greater storage capacity for the facility. He noted that negotiations for the property had been completed. He indicated that the stipulations of the zone change granted in January, 1987 had been complied with, and the Staff's concerns had been addressed. He discussed the proposed buffer and also the water drainage system.

Staff Member, Jim Sturdevant, presented the Staff Report and noted the Comprehensive Plan recommendations for the area. He noted that attached to the Staff Report are copies of the Concept Development Plan and the Subdivision Plat. He noted the Staff's concerns expressed in the previous Staff Report, and also indicated the Staff's concerns regarding encroachment into an established residential neighborhood and access of commercial traffic onto a residential street -- especially one that is narrow.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission regarding this application.

Mr. Jack Gardtner stated that commercial intrusion into the residential neighborhood has already taken place by the zone change approved in January. He stated that the site does not lend itself to medium-density usage.

Mr. McMillian asked if provisions had been made to widen the street.

Mr. Gardtner stated that they recognize additional traffic may be generated and indicated that they would be willing to discuss the possibility of widening the street.

In response to a question from Mr. Jones, Mr. Woltermann stated that a franchisee will develop the project, probably in 1988. The owners have not made an agreement with a franchisee at this time.

Mr. DeLong indicated his concerns regarding commercial encroachment into a residential neighborhood, and general concerns regarding the socio-economic impact of such development this far south of Hopeful Road.

Vice Chairman Martin stated that this item will be on the agenda for the Business Meeting on June 3, 1987 at 8 P.M..

Hearing no further comments or questions, Mr. Martin closed this Public Hearing.

Vice Chairman Martin asked if there were any comments or questions regarding this request. There was no discussion.

Mr. DeLong moved that this request be deferred until July 1, 1987 for compliance or appropriate legal action should be taken. Mr. Davis seconded the motion.

Vice Chairman Martin stated that the Committee Report should be amended striking the words "indefinite deferral" and that deferral until July 1, 1987 be indicated. Mr. DeLong and Mr. Davis noted their agreement.

Commission members indicated their unanimous approval of the motion.

UNFINISHED BUSINESS:

1. Zoning Map Amendment

A 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 in 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.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval based on the findings of fact and subject to conditions (see Committee Report).

Vice Chairman Martin asked if the applicant wished to comment on the findings or the conditions.

Mr. Jim Woltermann, speaking in behalf of the applicant, stated that they are in agreement with the conditions indicated in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. Neltner asked if the storage building proposed for the site would be used for display purposes, to which Mr. Woltermann replied that it would be used for storage only.

There being no further discussion, Mr. Jones moved, seconded by Mr. DeLong, that the request be approved subject to the conditions indicated in the Committee Report and that a recommendation be sent to the City of Florence. The motion carried unanimously.

2. Zoning Map Amendment

A request of Toyota Motor Distributors, Inc. (applicant) for William and Sue Green & Ronnie and Anna Troxell (owners) for a Zoning Map Amendment on two parcels of land located north of Ashcraft Lane and west of Hopeful Road in Boone County, Kentucky. The 0.75-acre (approx.) site is zoned Suburban Residential Two (SR-2) and is being proposed to be Commercial Services (C-3). The intended use is to provide additional storage capacity for a future automobile dealership.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval based on the findings of fact and subject to conditions (see Committee Report).

Vice Chairman Martin asked if the applicant wished to comment on the findings or the conditions.

Mr. Jim Woltermann, speaking in behalf of the applicant, stated that they have submitted a new plan indicating that the access to Ashcraft Lane has been removed to comply with the Committee's recommendation. He added that they are agreeable to the conditions contained in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. DeLong stated that the residents of the area are concerned about the buffering, drainage, and lighting of the site. He asked the applicant to provide extra landscaping so that the residents will be protected.

Mr. Burch moved, seconded by Mr. Davis, that the request be approved as recommended in the Committee Report, subject to the conditions. He added that a resolution to this effect should be sent to the appropriate legislative body. The motion carried unanimously.

3. Zoning Map Amendment

A request of David A. Koenig (applicant) for Suburban Motors, Inc. (owner) for a Zoning Map Amendment on a 3.72-acre (approx.) site located at 6619 Dixie Highway in Florence, Kentucky. The request is to rezone the property from Commercial Two (C-2) and Suburban Residential Two (SR-2) to Commercial Services (C-3). The intended use is to expand the present automobile dealership.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval based on the findings of fact and subject to conditions (see Committee Report).

Vice Chairman Martin asked if the applicant wished to comment on the Committee Report.

Mr. David Koenig stated that they are agreeable to the conditions in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. Neltner stated that the applicant had indicated at the Public Hearing that he could not control where the trucks unloaded. He noted that one of the conditions indicated in the Committee Report is that unloading be controlled. He asked the applicant for his comments.

"EXHIBIT C"
COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Melvin Delong, Chairman

DATE: June 3, 1987

RE: Request of Toyota Motor Distributors, Inc. (applicant) for William and Sue Green and Ronnie and Anna Troxell (owners) for a Zoning Map Amendment on two parcels of land located north of Ashcraft Lane and west of Hopeful Road, Boone County, Kentucky. The + 0.75 acre site is zoned Suburban Residential Two (SR-2) and is being proposed to be Commercial Services (C-3). The intended use is to provide additional storage capacity for a future automobile dealership.

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment request based upon the following findings of fact and with the following conditions:

Findings of Fact

1. The proposed Zoning Map Amendment is an appropriate extension of the previously approved Commercial Services (C-3) zone for the 4.0 acre site to the north.
2. The proposed Zoning Map Amendment, if developed appropriately according to the conditions recommended by the Committee, will be in conformance with the Business Activities Element and Goals and Objectives of the 1986 Boone County Comprehensive Plan.

Conditions

1. That the same conditions outlined in the January 7, 1987, Committee Report for the 4.0 acre parcel be incorporated into the conditions for the present request.
2. That the proposed development not be permitted access to Ashcraft Lane at this time. Any future use of Ashcraft Lane for commercial access may require an additional public hearing.
3. That the applicant agree to provide additional landscaping and buffer plantings near the west side of the 0.75 acre site to provide additional protection for the remaining residence on the north side of Ashcraft Lane.

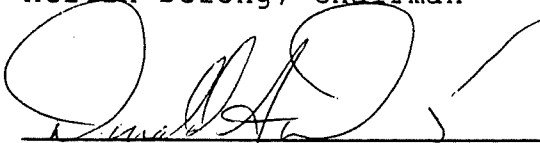
COMMITTEE REPORT

Toyota Motor Distributors, Inc., et.al.

June 3, 1987

Page Two

Melvin Delong, Chairman



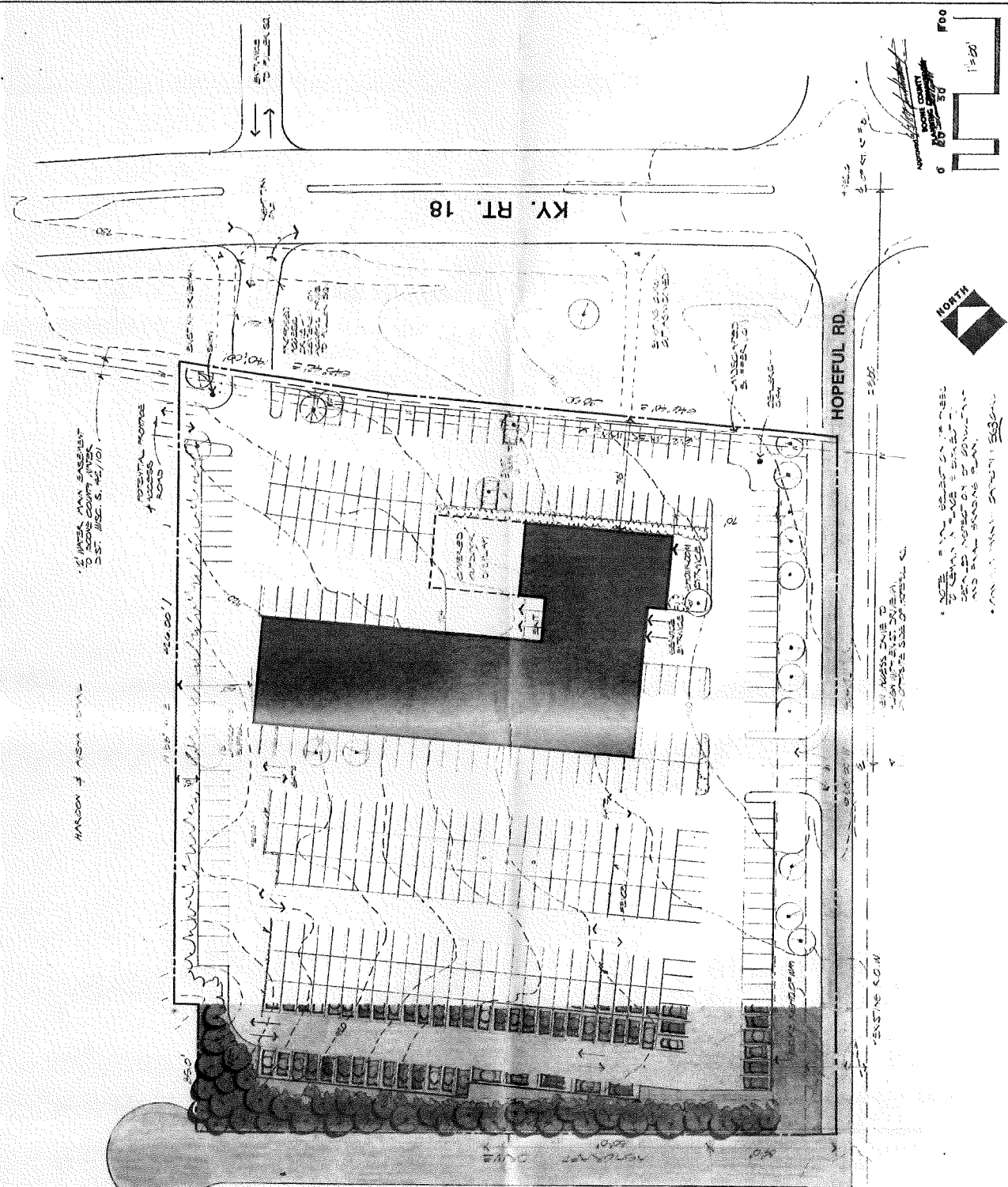
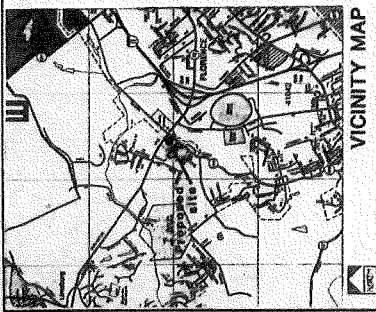
Donald Davis

Rector Jones

Fred Burch

William Viox

Larry Barnett



CONCEPT DEVELOPMENT PLAN

ALL DIMENSIONS TO BE CHECKED AGAINST THE RECORD PLANS AND THE EXISTING CONDITIONS. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES. THE PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT.

GRBN
 GEORGE R. BROWN, INC.
 CIVIL ENGINEERS & ARCHITECTS
 1111 N. 10TH ST., SUITE 100
 FLORENCE, KY 40302
 PHONE: 502-441-1111
 FAX: 502-441-1112
 WWW: WWW.GRBN.COM

Project: Toyota Dealership / Florence, Ky.
 Date: 11/11/11
 Scale: 1/8" = 1'-0"

Job Number: 1111
 Client: Toyota Dealership / Florence, Ky.
 Date: 11/11/11
 Scale: 1/8" = 1'-0"

ORDINANCE 920.122

AN ORDINANCE OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING REQUESTED BY TOYOTA MOTOR DISTRIBUTORS, INC. (APPLICANT) FOR WILLIAM AND SUE GREEN AND RONNIE AND ANNA TROXELL (OWNERS) AND SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL TWO (SR-2) TO COMMERCIAL SERVICES (C-3) FOR A 0.75 ACRE SITE LOCATED NORTH OF ASHCRAFT LANE AND WEST OF HOPEFUL ROAD, BOONE COUNTY, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE BOONE COUNTY FISCAL COURT, BURLINGTON, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for approval for a Zoning Map Amendment to the Boone County zoning map requested by Toyota Motor Distributors, Inc. (applicant) for William and Sue Green and Ronnie and Anna Troxell (owners) and such Zoning Map Amendment being a zone change from Suburban Residential Two (Sr-2) to Commercial Services (C-3) for a 0.75 Acre site located north of Ashcraft Lane and west of Hopeful Road, Boone County, Kentucky which is more particularly described below, and

WHEREAS, the Boone County Planning Commission has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval of the zone change request.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby recommended for approval this Zoning Map Amendment being a zone change from Suburban Residential Two (SR-2) to Commercial Services (C-3) for a 0.75 acre site located north of Ashcraft Lane and west of Hopeful Road, Boone County, Kentucky. The real estate which is the subject of this zone change recommendation is more particularly described in attached "Exhibit A."

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning and Zoning Commission as set forth in its Minutes and official records for this zone change request, and the finding of facts of the Boone County Fiscal Court, if any, and any conditions and/or stipulations mandated by the Boone County Fiscal Court, if any, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in this Ordinance. (ATTACHED - EXHIBITS "B" AND "C").

SECTION III

That a copy of this Ordinance recommending approval of a Zoning Map Amendment for a zone change from Suburban Residential Two (SR-2) to Commercial Services (C-3) for 0.75 acre site located north of Ashcraft Lane and west of Hopeful Road, Boone County, Kentucky, shall be forwarded to the Boone County Fiscal Court, Burlington, Kentucky having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

THAT, this Ordinance shall take effect and being full force passed, published and recorded according to law.

Introduced, seconded and given First Reading on the _____ day of _____, 1987.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the _____ day of _____, 1987, and on the same occassion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone county Fiscal Court Clerk and declared to be in full force and effect.

BRUCE S. FERGUSON
COUNTY JUDGE/EXECUTIVE

ATTEST:

JERRY ROUSE
COUNTY CLERK

LARRY CRIGLER
COUNTY ATTORNEY

DATE