

APPLICATION FOR ZONING ACTION

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

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

Applicant: Dallas and Judith Sandlin Owner
 Agent

Address: 8111 U.S. 42
Florence, Kentucky Telephone: 371-3777

Location: 8111 U.S. 42, Florence, Kentucky

Name of Owner: Dallas and Judith Sandlin

Address of Owner: 8111 U.S. 42, Florence, Kentucky 41042

Zone: C-3 Area in Acres: .33

Deed Book: 159 Page No.: 411 Group No.: 287

Description of Request: Request a zone change from C-3 to O-2 for professional office building, to be used by attorneys in the conduct of their legal business in the City of Florence, Ky. Owner's Signature: Dallas Sandlin

Date 1/30/84 Applicant's Signature: Judy Sandlin

FOR PLANNING COMMISSION USE:

Application date and fee of \$ _____ Received: _____

Referred to: _____ For Meeting Date: _____

Action: _____ Date: _____

ZONE CHANGE REQUEST BY DALLAS AND
JUDITH SANDLIN FOR PROPERTY ON U.S. 42
FLORENCE

This is a zone change request for property at 8111 U.S. 42, Florence (being lot number 10 of the V. Parr Subdivision) owned by Dallas and Judith Sandlin. The request is to change the current zoning of Commercial Services, C-3, to Office Two, O-2, for the purpose of converting the current residence into a professional office building.

The current zoning of adjoining properties to the east and west is Commercial Services, C-3. To the south, across U.S. 42 is Urban Residential Two, UR-2. And to the north is current Suburban Residential One, SR-1, zoning.

The current land use of the subject tract is residential along with adjoining properties to the north, east, and west. To the south currently is a financial institution.

The Boone County Comprehensive Plan Land Use map indicates a planned future land use of Commercial for this tract. Adjoining tracts to the east and west are also planned Commercial. To the north is planned Medium Density Residential. And to the south is planned High Density Residential. Concerning the planned Commercial use this Commission must interpret whether this property is predominantly planned for office use or highway Commercial use. The text states:

Highway commercial development is anticipated at most interstate interchanges in Boone County. These include I-75 interchanges at KY 18, U.S. 42, KY 338/U.S. 25, and KY 14-16.....However, it further states much local and community office development will take place in neighborhood or community commercial centers, but several areas are planned for predominant office development. These include existing office developments in Florence on U.S. 42 south of U.S. 25, on U.S. 25 south of U.S. 42, on Industrial Road east of U.S. 42, on Tanners Lane west of U.S. 42, and at Mall Road and U.S. 42. (Page 3.7)


The applicant has provided a Concept Development Plan which indicates conversion of the existing building, with no additions, into the professional office. Maintenance of the existing parking area to the front will occur, with an additional parking area to the rear for six spaces. Access is by a 20 foot wide drive, with $\frac{1}{2}$ of the drive on the adjoining property on a proposed easement.

With the appropriate local approvals, public water and sanitary sewage utilities would and is available to the site.

It should be noted that this site's topography falls away from U.S. 42 with, storm water running toward the rear of the site toward the existing residential subdivision.

I would also like to note that there have been other recent rezoning requests in this area. Those were Dr. Vincent Rettay (from C-3 to C-1), Bankers Financial (from C-3 to C-1), and Shell Oil (from UR-2 to C-3).

Should this Commission decide to recommend approval there would be no necessary changes to the map or text due to the planned Commercial. However, the Commission and its Committee should insure that the site is planned Commercial and predominantly office development.

A handwritten signature in cursive script that reads "Alvin 'Chip' Block". The signature is written in dark ink and is positioned above a horizontal line.

Alvin "Chip" Block
Zoning Enforcement Officer
February 22, 1984

ACB/sr

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING

February 22, 1984

8:00 P.M.

Vice Chairman Neltner opened the Public Hearing at 8:31 P.M. to hear the request of Dallas and Judith Sandlin for a zoning Map Amendment from Commercial Three (C-3) to Office Two (O-2) zone for property located at 8111 U.S. 42, Florence, Ky. on a .33 + acre site.

Mr. Block presented the Enforcement Officer's Report and made a slide presentation.

Vice Chairman Neltner asked if there was anyone in behalf of the request. Mr. Don Knapmeyer stepped forward and stated that he and Mr. Bill Wilder were the attorney's representing Mr. and Mrs. Sandlin. Mr. Knapmeyer stated that he and Mr. Wilder have an option to purchase for the use of law offices. He stated that he talked to the residents on both sides and they expressed no opposition to an office at this location. He stated he looked at many properties and that this property lends itself favorably to offices. He noted for many years there has been no commercial three zoning in this stretch due to the shape of the lots being 50 feet wide and running 200 feet in depth. The price of these properties run the price per acre between \$240,000 and \$300,000 per acre. Mr. Knapmeyer stated at that price it's going to take a powerful company to afford that property. He felt with the traffic situation the office would not cause a higher traffic count. He stated that Dr. Retay and Bankers Financial have sucessfully rezoned and have offices similar to law offices with the approximate amount of traffic load. He stated it appears the area is going to professional offices rather than Commercial Three.

Mr. Bill Wilder stepped forward, stating he was a Florence Attorney located on Sussex Dr. and that he and Mr. Knapmeyer hold the option to purchase the property if the rezoning is such to change to professional law offices. He continued there has been a change in the block of houses, there is White Castle and other houses have been changed in that particular area. He stated the Sandlin's have owned the property for 22 years which they bought as a residence and did not anticipate the interchange. Mr. Sandlin has enlarged the house considerably and it lends itself to professional offices. Mr. Wilder stated that when the house as bought it was not in the City of Florence and the interchange was not there, the Sandlin's got caught up in the quote "progress". He continued that about the only thing a 50 foot lot would lend itself to is offices. He pointed out there is a social and economic change in that particular area. He continued there has been such a turmoil for people that have been there for

22 years and have been locked in. The only way to utilize the property other than living in it is to have it for use of offices. Mr. Wilder stated that based upon those changes is the reason he asks that the zone change be granted.

Vice Chairman Neltner asked if there was any opposition. No one responded. Mr. Viox stated that there appear to be several houses redone into office. Mr. Knapmeyer stated that two at the west end. Mr. Viox asked if they plan to take out any trees. Mr. Knapmeyer stated just the small trees, the larger decorative type shrubbery will be relocated out front. He stated they might cut a tree out front and replace it with shrubbery. In response to Mr. Viox, Mr. Wilder stated there will be a common driveway easement with the neighbors, Mr. Brockman, a common share entrance and exit. He stated in front of the building is a couple of parking space which they will not be using but that Mr. Brockman could use. He stated they have a friendly agreement pertaining to the easement. Mr. Wilder stated there were already four (4) motels and a gas station and its saturated with Commercial Three on the interchange. He stated there is a tremendous amount of traffic and the area cannot handle anymore fast food type operations, but professional offices would lend less traffic. Mr. Viox asked if the neighbors were thinking more in terms of office or commercial three use of the common entrance. Mr. Knapmeyer stated the neighbors next to White Castle are elderly and plan to stay a residence. He continued that Mr. Brockman is here tonight and should speak for himself.

Mr. Ken Brockman 8113 U.S. 42, stated he was not against the request and is not asking to change to Commercial Three zoning. He only wanted a light easement for them to go in and out. Mr. Viox stated that suppose McDonald's wanted to buy Mr. Brockman's lot and the neighbors and use that common entrance, that would definitely change the curb cut. Mr. Brockman stated that at one time Wendy's was interested, but located on Dream Street. He stated there was surveying next door but he didn't know for what. Mr. Viox asked if Mr. Knapmeyer was planning to change the outside of the building. Mr. Knapmeyer stated he would change the lighting, shrubs and possibly the entrance and railing. He stated it is rather appealing for offices. Mr. Viox stated that Bankers Financial and Retay's parking is in the rear and it didn't seem to change the character of the neighbors backyards. He also stated that these types of operations would have no after hour activities that would disturb the neighbors.

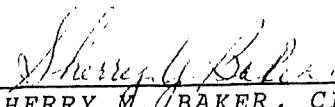
Mrs. Dottie Brockman, daughter-in-law and realtor for the Brockmans stated that she felt a 50 foot lot would not go Commercial with the price. She stated she recommended to the Brockmans to go along with the Sandlins request and that the Brockman's property would probably be some type of office use. Mr. Jones asked if they were all 50 foot lots. Mr. Barnett stated he thought Banker's Financial was larger. Mr. Knapmeyer stated there are 4 lots between Brockman and the bank which are all 50 foot lots. Mr. Wilder stated they were all 50 foot lots. The Commission took a few minutes to review the plat. In response to Mr. McMillian, Mr. Knapmeyer stated he didn't know how old the property was. Mr. McMillian expressed concern of a possibly fire hazzard. Mr. Knapmeyer stated they would

change the carpeting and possibly the walls but didn't feel there business is the type to warrant a fire hazzard. He stated the house has vinyl siding. Mr. Barnett stated if a change was made at this location it seems that the commission commits themselves to other properties in that stretch and that there could be a problem with the common easement. Mr. Knapmeyer stated he thought in terms of a restaurant going in there and felt they could handle the ingress and egress in such a way that there wouldn't be a problem and it might help both of them. He stated he didn't see any major problem.

Vice Chairman Neltner asked for further comments. Hearing none, Vice Chairman Neltner informed the applicant that action would be taken on the request March 7, 1984 at 8:00 P.M.

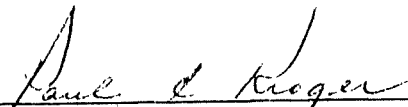
Vice Chairman Neltner closed the Public Hearing at 9:06 P.M.

RESPECTFULLY SUBMITTED:



SHERRY V. BAKER, CLERK

APPROVED: 3-7-84



PAUL E. KROGER, CHAIRMAN

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

MARCH 7, 1984

8:00 P.M.

Chairman Kroger called the meeting to order at 8:25 P.M.. Fourteen (14) members were present; Mr. Godsey was absent. Staff members present were Mr. Lynn, Mr. Block, Mr. Jenkins, Mr. Wilson, Mrs. Ryan and Mrs. Baker.

Chairman Kroger stated he would change the order of the Agenda and addressed the item pertaining to the Turfway Interchange. Mr. Barnett moved to defer action on the Turfway Interchange Study until March 21, 1984. Mr. Buse seconded. The vote carried unanimously. In response to Mr. Eisenman, Chairman Kroger stated if he needed more information that he be in contact with GBBN concerning the traffic study.

Chairman Kroger asked if there were any questions pertaining to the minutes of February 15, 1984 and February 22, 1984. Mr. Viox moved to approve the minutes of February 15, 1984 and February 22, 1984 as reviewed. Mr. Buse seconded. The motion carried unanimously.

BILLS:

Mrs. Baker presented the following bills: John R. Greene, 3rd quarter supplies, 244.63; GBBN, Interchange Study, 2,000.00; Morris & Bressler, accounting services, 310.00; Lanlor Office Supplies, 3rd quarter supplies; 97.72; B.C. Printing, envelopes, 48.60; Madison Office supplies, supplies, 67.20, Lanlor Office Supplies, 3rd quarter supplies, 76.29; Boone County Recorder, publication fees, 441.43; Boone County Finance, hospitalization, 695.02; Boone County Finance, postage, 454.20; picture place, film & developing, 18.87; Burlington Post Office, box rental, 7.00; Boone County Finance, xerox, 363.72; Staff salaries and benefits. Mrs. Smith moved that the bills be paid; Mr. Buse seconded. The vote carried unanimously.

COMMUNICATIONS:

Chairman Kroger stated there were two communications received which pertains to items of new business and will be addressed at that time.

REPORTS:

Mr. Barnett presented the Treasurer's Report stating the

balance on hand as of February 29, 1984 in all accounts of \$45,808.09. The income for the month of February was \$5,773.00 and disbursements were \$16,759.21. Mr. Barnett stated the disbursements included the payment to GBBN for the Turfway Study in the amount of \$6,500.00. Mr. Lynn stated this was a partial payment, the total contract is for \$10,000.00.

The Commission reviewed the Enforcement Officer's Report and the Convenience Plat Report. Chairman Kroger asked if there were any comments. No one responded.

Mrs. Baker read the Building Inspector's Report stating that for the City of Florence, William Rieger, Building Inspector issued permits 3920 thru 3931 during February for a total of \$128,768.00 estimated construction costs. Boone County Building Inspector, Conrad Tobergte, issued 17 permits for total construction costs of \$589,672.00. Mr. Tobergte issued zoning and sign permits in the county totalling \$225.00 for the month of February.

Chairman Kroger proceeded to the items on the Agenda. Chairman Kroger recognized Mr. Deters. Mr. Deters stated his concern of a comment made during the Public Hearing for the Turfway Interchange of any further meeting with developers. Chairman Kroger assured Mr. Deters that he did not agree to any further meetings with any developers. Mr. Wilson pointed out that Mr. Eisenman did want to meet with the gentleman that did the traffic study in order to determine how they arrived at their calculations.

Chairman Kroger proceeded to the first item of the Agenda, the request of Lumex, Inc. d/b/a Chi-Chi's Mexican Restaurants, for Site Plan Review on property located at Florence Plaza, Mall Road/Plaza Blvd., Florence zoned Commercial Two (C-2) on a 2.334 acre site.

Mr. Block presented the Site Plan Review Report. Mr. Block pointed out that revised plans were received from Chi-Chi's showing the relocation of the driveway and also the catch basin on the site. Mr. Jenkins stated that the storm water drainage is adequate for the site. Mr. John Wally, representing Chi-Chi's stated they relocated the basin according to recommendations and the drainage plan should be complete. Mr. Jenkins stated he was satisfied. Mr. Lynn read the Committee Report which recommended approval. Chairman Kroger asked for further comments. No one responded. Mr. Viox moved that the request be granted based on Staff's and Committee's reports. Mr. Greene seconded. The motion carried unanimously.

Chairman Kroger moved to a New Business item, the request of E. Andre' Busald, Agent for George Rehkamp for a zoning map amendment for property located generally along the east side of Pleasant Valley Road, from Suburban Residential One (SR-1) to Public Facility (PF) zone on a 6.108 acre site for the purpose of the Florence Broadcasting Incorporated Radio Tower.

Mr. E. Andre' Busald stepped forward and stated he was representing Mr. John Pierce. He continued that in dealing with the FAA and FCC there are specific deadlines that must be met and requested a special meeting for March 22, 1984 for both a Public Hearing and a Business Meeting in which action could also be taken the same night. Discussion followed pertaining to legal notifications, and the possibility of taking action on the same night of the Public Hearing. Mr. Buse moved to schedule a special Public Hearing and Special Meeting for March 22, 1984 at 8:00 P.M. Mr. Viox seconded. The vote carried unanimously.

Chairman Kroger proceeded to the Old Business, the request of Arnold Caddell, for Site Plan Review on property located on Mall Road, Florence, zoned Commercial Two (C-2) on a 1.28 acre site, for the purpose of an addition onto Bonanza Steakhouse.

Mr. Block presented the Enforcement Officer's Report. Mr. Jenkins stated there was no problem, it was a room addition. Mr. Lynn read the committee report which recommended approval. Chairman Kroger asked for comments. No one responded. Mr. Jones moved that the request be granted based on Staff and Committee reports. Mr. McMillian seconded. Mr. Viox abstained due to Engineering involvement. The vote carried unanimously.

Chairman Kroger proceeded to the request of Beckman-Broering Inc., for Site Plan Review on property located on the north side of Ky, 18, approximately 200 feet West of Greenview Road, Boone County, zoned Commercial Services (C-3) on a 3.17 acre site, for the purpose of a new automobile dealership.

Mr. Block presented his Site Plan Review Report, and added that all parking and driveway locations are to be asphalt or concrete. Mr. Lynn read the Committee Report. Chairman Kroger asked if there was anyone to represent the applicant. Mr. Bob Beckman stepped forward and stated there would be no problem to increase the grade pitch to drain the water back to the holding pond. Mr. Jenkins stated he talked with Mr. Berling and he stated that there would be no problem to change the type of berm to direct the flow back to the retention pond. Mr. Jenkins stated that he was just concerned before of the water runoff during a heavy rain. Mr. Buse expressed concern of inadequate screening for the residential area. Discussion followed pertaining to landscaping alternatives. Mr. Beckman agreed to increase the berm height to 4 feet and the landscaping height to 2 feet, for a total height of 6 feet. Mr. Viox moved that the request be granted based on the Staff and Committee Report with the revision stated by the applicant which gives a total height for screening of 6 feet. Mr. Greene seconded. The motion carried unanimously.

Chairman Kroger proceeded to the request of Pilot Contracting for Site Plan Review on property located at the corner of U.S. Highway 25 and Manderlay Dr., Florence, zoned Commercial Two (C-2) on a 5 acre site.

Mr. Block presented his Site Plan Review Report. Mr. Lynn read the Committee Report which unless the storm water drainage is addressed on the site, they recommend denial. Chairman Kroger asked if there was a representative of Pilot Contracting present. No one responded. In response to Chairman Kroger, Mr. Jenkins stated his report also expresses concern of the storm water run-off, and that the problem should be addressed. In response to Chairman Kroger, Mr. Lynn stated that the applicant through the City of Florence has been contacted pertaining to the storm water run-off problem.

Mr. Collins pointed out that the residential area to the rear is Residential One Family (R1F) zone not Suburban Residential One (SR-1).

Chairman Kroger asked for further comments. Mr. DeLong moved that the request be denied based on Staff and Committee Report. Mrs. Smith seconded. The motion carried unanimously.

Chairman Kroger proceeded to the request of Dallas and Judith Sandlin for a zoning map amendment from Commercial Three (C-3) to Office Two (O-2) zone for property located at 8111 U.S. 42, Florence, Ky. on a .33 ± acre site.

Mr. Block presented his Enforcement Officer's Report. Mr. Lynn read the Committee Report which recommended approval. Chairman Kroger asked Mr. Knapmeyer if he had any comments. Mr. Knapmeyer stated that he agreed with the Committee Report. Mr. Davis expressed concern of the driveway easement and the possibility of it being used by a future commercial development. Mr. McMillian expressed concern of the building being a possible fire hazard. Mr. Barnett expressed concern of the Commission committing itself to zoning the property between this request and White Castle to an Office Use, and felt it should be addressed by the Committee Report. Mr. Viox pointed out that his business is in a remodeled house and that professionals that remodel a home become an asset to the community and can fit into a residential or commercial community. He stated he was in favor of the request. Mr. Greene agreed with Mr. Viox and added that the Office Two zoning is better for the area in question, he felt a commercial three business would further complicate the traffic situation. Chairman Kroger stated that the area should be reviewed in the light of the changes that have occurred in the block and felt that the best zone for the area is to enter into the office zone.

Mr. Davis stated that he agreed with Chairman Kroger and Mr. Viox of the use of the building, but was still concerned of the easement on the adjoining property and if a restaurant were to be constructed on the adjoining property it could lead to a real problem. In response to Chairman Kroger, Mr. Knapmeyer stated the easement was owned by the adjoining property. Mr. Barnett stated a solution would be to change the entire stretch to office zoning. Chairman Kroger stated that it could be possible but it would have to be a separate hearing. In response to Mr. Buse, Mr. Knapmeyer stated he has an option on the easement if the zoning is approved. In response to Mr. Buse, Mr. Block stated if the adjoining property submits a site plan the easement could be utilized by both properties without violation to the zoning regulations. Chairman Kroger asked for further comments. No one responded. Mr. Buse moved by Resolution that the request be recommended for approval based on the findings of fact contained in the Committee Report with the added finding of fact that the complexion of the area has changed from primarily commercial to a mix of commercial and office. This land use pattern is both reasonable and desirable. Mr. Buse stated that the recommendation be forwarded to the Common Council of the City of Florence. Mr. Collins seconded. Chairman Kroger asked if there was further discussion. Mr. Barnett stated that during the changes of the other properties in the area, the vote to change those properties was not precedence to change any contiguous property. Mr. Neltner stated that he felt some provision should be made to change the surrounding properties and if there is not, then he felt it inappropriate to rezone the .3 acre site to office two. Mr. Davis pointed out that the other two properties rezoned were the only two with 100 foot lots, which was part of the reasoning of the rezoning. Mr. Viox stated that Section 1771 of the zoning regulations permits home occupations, and basically someone could have an office in their home, he continued that he had no problem with zoning small strips to office use. Chairman Kroger called for further comments. No one responded. The motion carried 9 yes; 4 no, 1 abstained. Messrs. Davis, Jones, McMillian and Neltner voted "no". Mr. Martin abstained due to not being familiar with the request and a new member of the Planning Commission. Mr. Viox moved by Resolution that the Land Use Map be changed from Commercial Services (C-3) to Office Two (O-2) if the recommendation of approval is adopted by the Common Council of Florence. Mrs. Smith seconded. The vote carried unanimously.

Chairman Kroger proceeded to the request of Raymond and Kathleen Carrara for a zoning map amendment from its present zone of Agriculture One (A-1) to Rural Suburban Estates (RSE) for property located at 3289 Peel Road, Burlington, Kentucky on a 6.6 acre site.

Mr. Block presented his Enforcement Officer's Report.

Mr. Lynn read the Committee Report which recommended approval. Chairman Kroger asked if Mr. Carrara had any comments. Mr. Carrara stated he was in agreement with the Committee Report. Chairman Kroger asked if the Commission members had any comments. No one responded. Chairman Kroger asked if there was anyone in opposition to the request. No one responded. Mr. McMillian moved by Resolution that the request be recommended for approval based on the findings and facts and conditions contained in the Committee Report and forwarded to the Boone Fiscal Court. Mr. Jones seconded. Mr. Buse questioned the wording in the committee report pertaining to the division of the land. Chairman Kroger stated to Mr. Carrara that the condition states that the land can be divided once and only once, meaning only into two (2) tracts. Mr. Carrara stated that he understood and agreed to the condition. Mr. Carrara stated the existing tract is 6.6 acres and will be broken into approximately a 3.6 acre and 3. acre tracts. He stated that he had no intention of changing the general scheme of the area, only to build an additional home. Mr. Carrara illustrated the existing structures and future structures on the site by a sketch prepared by Mr. Carrara.

Chairman Kroger stated there was a motion and second on the floor and called for further discussion. No one responded. The motion carried unanimously.

Chairman Kroger proceeded to the request of Marshall H. Thomas for a zoning map amendment for property located at 15 Locust St., Florence, Ky. from Suburban Residential Two (SR-2) to Commercial Two (C-2) on a 4466 sq. ft. site.

Mr. Block presented his Enforcement Officers Report. Mr. Lynn read the Committee Report which recommended approval. Chairman Kroger asked if Mr. Thomas or a representative was present. No one responded. Chairman Kroger asked if there was anyone in opposition. No one responded. Chairman Kroger asked if any of the members of the Commission had any comments. Mr. Barnett questioned the lack of a Concept Development Plan. In response to Chairman Kroger, Mr. Block stated Mr. Thomas has not requested a waiver of Concept Development Plan, but a waiver of the fee, and there is nothing in the minutes of the Public Hearing waiving the Concept Development. In response to Mr. Barnett, Mr. Wilson stated that the Commission has the right to request or waive a concept development plan. Mr. Barnett stated that the purpose of the concept development plan was a controlling factor to the public for obtaining information what type of use would be in a particular zone. He continued in this particular case is also is a controlling factor that would effect that property on the corner and that a concept development plan should be required. Mr. Buse stated that he agreed with Mr. Barnett, he continued when the concept development plan was adopted it was in order to be able to make sure that the development in that zone was appropriate in that area. He stated that this is an area that there is some concern of the type of development. He stated that he felt the concept development should not be waived in this request. Mr. Jones pointed out that the property was previously zoned business and due to Mr. Thomas being out of town had no idea the zoning had been changed. Mr. Block read

a letter from Mr. Thomas in which he stated he was absent at the time of the rezoning.

Mr. Viox pointed out that at the Public Hearing it was stated that you could not ask for a concept development plan on property than is already zoned and at the time he felt it would not help to ask for only half of a concept development plan. Mr. Buse expressed his concern of waiving the concept development with the legislation before the general assembly to eliminate the concept development plan. He stated that he felt it was bad timing. Mr. Lynn stated that the bill has been tabled and he felt the next concern will be that there was some discussion of defining the concept development plan. Discussion followed. Mr. Barnett moved that the request be deferred until March 21, 1984 and that the applicant be contacted, and that he should submit a concept development plan before the March 21, 1984 meeting. Mr. Buse seconded. Mr. McMillian expressed concern that the application was accepted by Staff without a concept development plan. Chairman Kroger stated that possibly the applicant felt a concept plan was not necessary. He stated that he was questioned by members of the Fiscal Court of waiving a concept development plan and Chairman Kroger stated he did not know of the Commission ever waiving a concept development plan. Discussion followed. Mr. Wilson stated that it was up to the Committee assigned to the request, to determine after the Public Hearing, what information would be needed to make a recommendation to the Commission. Chairman Kroger stated there is a motion and second on the floor. The motion carried unanimously.

Chairman Kroger proceeded to the items of New Business, stating that the following items were referred to Committee:

The request of James N. Gray Construction Co., Inc., Agent for Litton Unit Handling Systems, for Site Plan Review for property located at Litton Lane, Hebron on a 20 acre site, zoned Industrial One (I-1).

The request of Gulf Oil Refining and Market Co. Inc., owners, for Site Plan Review for property located at I-75 and U.S. 42, Florence, Kentucky on a 1 + acre site, zoned Commercial Three (C-3).

The request of Hamill & McKinney, Architects, Agents for White Castle Systems Inc., for site plan review for property located at the SW corner of U.S. 42 and LaCresta Dr., Florence on a 1 acre site, zoned Commercial Three (C-3).

Chairman Kroger stated that a Public Hearing date must be set for the following items:

The request of Bob Hasekoester, Owner, for a zoning map amendment for property located at 7400 Dixie Highway, Florence, Kentucky from Residential to Commercial on a tract under 7,000 sq. ft. Applicant has request a waiver in concept development plan.

The request of Tim Timberman or Lanny R. Holbrook's Associates, Agents for S.A.K.Inc. and Myron Johnson and Charlotte Johnson, for a zoning map amendment from Commercial Two (C-2) to Commercial Services (C-3) on two lots located at 7855 Tanners Lane, and the adjacent lot, for the purpose of an extension of the development of Timberman Mazda Car Dealership onto the adjacent lot. (The applicant has requested a waiver of the Concept Development Plan).

The Request of James A. Gallenstein, for a zoning map amendment on property located at 7449 Burlington Pike, Florence, from its present zone of Suburban Residential One and Commercial Two to Commercial Two on a 2.2718 acre site.

Chairman Kroger read a letter pertaining to Ray Merkle request in which the owners of the property appointed Mr. Merkle as Agent for the Zoning Map Amendment.

Mr. Viox moved that a Public Hearing date be set for March 28, 1984 at 7:30 P.M.. Mrs. Smith seconded. Mr. DeLong asked that the Chairman of the Administrative Committee review the waiving of concept development plans. Discussion followed pertaining to waiving of concept development plans. The motion carried unanimously.

Mr. McMillian questioned an item on the Zoning Enforcement Officer's Report, concerning property owned by Mr. Combs in the City of Walton and asked which weekends Mr. Block inspected the property. Mr. Block stated he inspected the site the last two preceding weekends and observed no indication of a violation. Mr. Block stated he observed two (2) cabs, which are under the two (2) ton limitation, but no trailers. Mr. McMillian stated that he has observed the trailers on the site. In response to Mr. McMillian, Mr. Block stated the cabs are not in violation provided they are being used as personal transportation to and from work and that he could find no information negative or positive to that effect. Mr. McMillian strongly disagreed with Mr. Block and stated that he lives near the site and has observed the tractor trailer which at times blocks the street and are worked on at the site. He stated that the City of Walton is greatly concerned over the situation and that possibly Mr. Block should attend the Walton City Council meeting and explain his interpretation of the regulation.

Mr. Buse expressed concern of plans being submitted to the Commission at the last minute not allowing the Committee enough time to make a proper recommendation. He stated it was unfair to the Commission and staff and that it was his understanding it was a policy that all information must be submitted by Friday noon before the meeting. Mr. Buse stated if Staff can not adhere to the policy, perhaps it should be made a regulation.

C O M M I T T E E R E P O R T

TO: BOONE COUNTY PLANNING COMMISSION

DATE: MARCH 7, 1984

FROM: CAROL SMITH, CHAIRMAN

SUBJECT: Request of Dallas and Judith Sandlin for a zoning map amendment from Commercial Three (C-3) to Office Two (O-2) for property located at 8111 U.S. 42, Florence, Ky. on a .33 + acre site.

CONCLUSION:

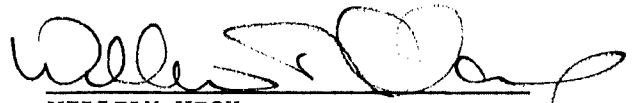
The Committee recommends that approval be recommended to the City of Florence for this request based upon the following findings of fact:

1. That this request does conform to the Boone County Comprehensive Plan due to its proximity to the intersection of Mall Road and U.S. 42 and the planned predominant land use of office around this intersection as anticipated in the plan.
2. This proposed Office Two zoning will have less detrimental effect on the adjoining residential zoning along Mary's Court to the rear of this tract than the current Commercial Services, C-3 zone.


We also recommend that the Concept Development Plan be included as a condition to the granting of this request, should that be the ultimate decision of this body.



CAROL SMITH, CHAIRMAN




WILLIAM VIOX



LAWRENCE COLLINS

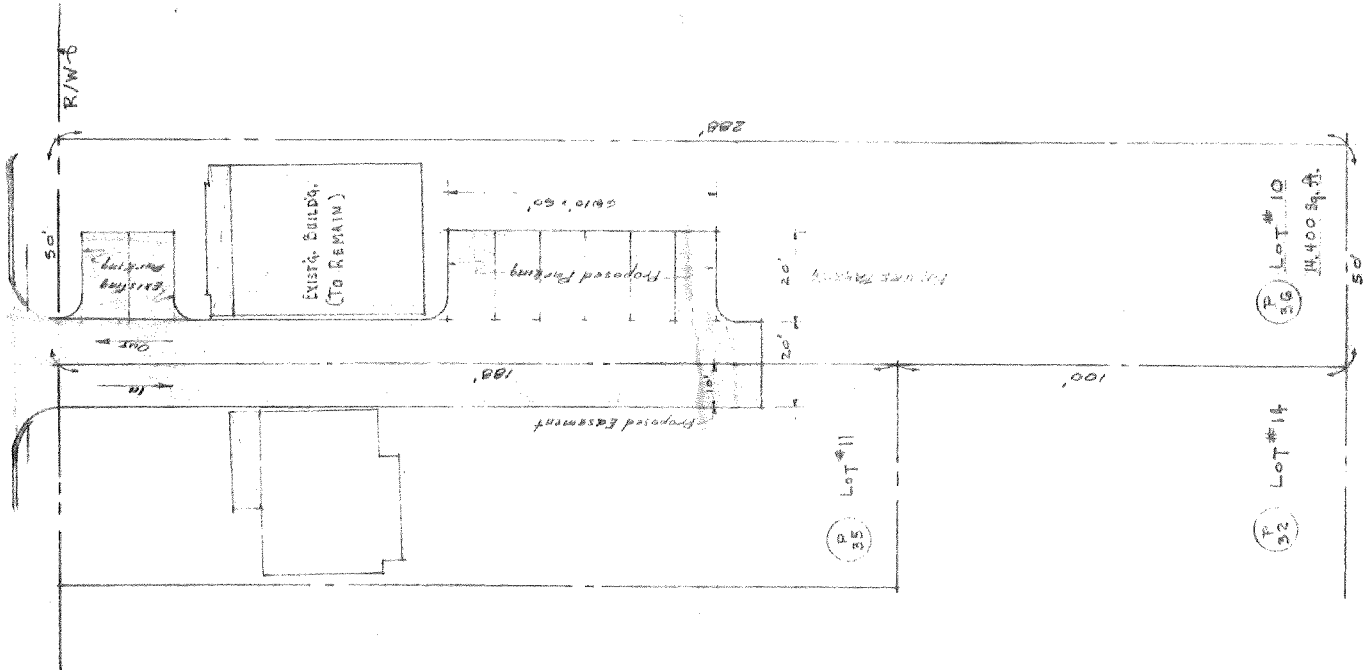


CHARLIE MITCHELL

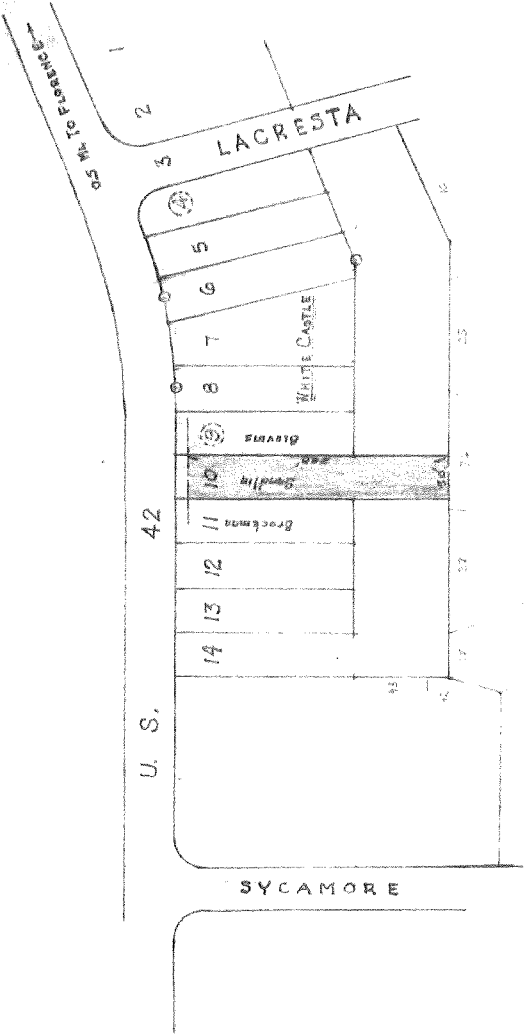


R.N. GREENE

U. S. 42



PLOT PLAN 1"=20'



VICINITY MAP 1"=100'

LOT # 10

EXISTING ZONE	C-3	COMMERCIAL SERVICE
PROPOSED ZONE	O-2	OFFICE TWO