

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
MARCH 12, 2014
6:00 P.M.**

Mr. George Whitton called the meeting to order at 6:02 P.M.

BOARD MEMBERS PRESENT:

Mr. George Whitton
Mr. Richard Miller
Mr. Bradley Shipe
Mrs. Phyllis Sparks

BOARD MEMBERS NOT PRESENT:

Mrs. Sherry Hempfling

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

APPROVAL OF MINUTES

Mr. Whitton stated that the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of January 8, 2014. He asked if there were any comments or corrections. There being no changes, Mr. Shipe moved that they be approved as written and Mrs. Sparks seconded the motion. Mr. Miller said he would abstain because he was not present at the last meeting. Mr. Whitton called for a vote and it carried unanimously.

ACTION ON REVIEWS

- 1. Request of Ryan Hillenbrand for Urb's Garage for a Conditional Use Permit to allow used vehicle sales. The approximate 2 acre tract is located at 5880 Jefferson Street, Boone County, Kentucky and is currently zoned Industrial One (I-1).**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mr. Miller asked what would happen if some right-of-way was taken from the Hillenbrand property for the future road project? He asked if the vehicle display area against Jefferson Street would be eliminated? Mr. Morgan replied that it would depend on how much right-of-way was taken. The Planning Commission would allow them to use the same general area as long as the new parking spaces and driveway aisles were designed properly.

Mr. Ryan Hillenbrand stated he was the applicant and offered to answer any questions.

Mr. Whitton said one of the recommended conditions would limit the number of vehicles that could be sold at any given time to six (6). He asked for Hillenbrand if he had any issue with that? Mr. Hillenbrand said that was not an issue. He probably does not see a scenario where they would have two (2) or three (3) vehicles at any given time.

Mr. Shipe asked Mr. Hillenbrand if he had any issue with limit the vehicle advertisement to a 11" x 17" piece of paper? Mr. Hillenbrand said he is comfortable with that because it would allow him to use a typical for sale sign and he could add the price, phone number, and some general information.

Mr. Whitton asked if anybody in the audience wanted to speak regarding the application?

Mr. Craig Sparks said he and his wife, Sally, own the property at 5873 Garrard Street. Their property is located right at the corner of Temperate Street and Garrard Street. They came here this evening because they wanted more information regarding the request. Their biggest concern was vehicles would be displayed at the vacant corner of Temperate Street and Garrard Street. After hearing the presentation they believe the request is a reasonable because there would be few vehicles for sale and they would be displayed in Urb's existing parking lot. His only question is if the grass area at the corner of Temperate Street and Garrard Street could be used to display vehicles? Mr. Morgan responded that Mr. Hillenbrand would need to apply for another Conditional Use Permit in order to do that. Another public hearing would be held and all the adjoining property owners would be notified. Mr. Sparks asked if Urb's Garage owns that property? Mr. Morgan responded the Hillenbrand family owns the property.

Mr. Whitton asked if anybody else in the audience would like to speak regarding the application. There was no response.

Mr. Whitton asked for a motion. Mr. Miller made a motion to approve the application with the following conditions:

- 1. No more than six (6) vehicles shall be for sale on the lot at any given time. All vehicles displayed for sale shall be kept in one of the two areas shown on the submitted aerial map.**
- 2. Automobiles, light-pick up trucks, and vans are the only types of vehicles that can be sold from the site. Commercial and/or industrial vehicles, recreational vehicles, or equipment shall not be sold.**
- 3. All vehicles for sale shall be displayed in Urb's parking lot and shall not be located in a County or State right-of-way.**
- 4. No vehicle shall be displayed for sale in a disassembled state.**
- 5. For sale advertisement on any vehicle shall be limited to a 11" x 17" piece of paper.**

Mrs. Sparks seconded the motion. Mr. Whitton called for the vote and it carried unanimously.

ADJOURNMENT

Mr. Whitton asked for motion to adjourn the meeting. Mr. Shipe made the motion to adjourn and Mr. Miller seconded the motion. Mr. Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:19 p.m.

APPROVED

Mr. George Whitton, Chairman

ATTEST:

**Todd K. Morgan, AICP
Senior Planner, Zoning Services**