

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
NOVEMBER 9, 2016
6:00 P.M.**

Mr. Whitton called the meeting to order at 6:10 P.M.

BOARD MEMBERS PRESENT:

Mr. George Whitton, Chairman
Mrs. Sherry Hempfling
Mr. Richard Miller
Mr. Chris Vaught

BOARD MEMBERS ABSENT:

Mr. Bradley Shipe

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

APPROVAL OF MINUTES

Mr. Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of October 12, 2016. He asked if there were any comments or corrections? There being no changes, Mr. Miller moved that they be approved as written and Mr. Vaught seconded the motion. Mr. Whitton called for the vote and it carried unanimously.

ACTION ON REVIEWS

- 1. Request of Rider's Automotive for a Conditional Use Permit to allow an automotive repair facility in a Commercial One (C-1) zoning district. The approximate 0.9 acre site is currently located at 10055 Dixie Highway, Boone County, Kentucky.**

Mr. Whitton said the request was tabled at the last meeting. He asked for a motion to bring the request off the table. Mr. Vaught made a motion to bring the request off the table and Mr. Miller seconded it. Mr. Whitton called for the vote and it carried unanimously.

Mr. Whitton said Staff has provided the Board with copies of the applicants updated plans (see Exhibits 1-3). He asked if the applicants would come up to the microphone and review them with the Board.

Mrs. Amy Rider said she would start with the revised plan that shows the building and parking layout (Exhibit 1). This plan shows traffic flow, the location of parking spaces and garage bays, and a concrete walkway in front of the office. Mr. Troy Walling said the three bays on the front of the building will be the only ones visible to the public. The building will also have four bays on the rear and two larger truck bays on the side. These 6 bays will

be accessed from the fenced lot.

Mr. Miller asked if the floor plan (Exhibit 2) was drawn correctly? He only sees three garage bays on the rear elevation? Mr. Walling and Mrs. Rider said it was drawn incorrectly. There should be a fourth garage bay.

Mrs. Rider said she also put together a packet of information (Exhibit 3). The blue flowchart shows where various vehicles will park and which garage bays will be used. She knows one of the Board's concerns is the appearance of the proposed facility based on their existing business location. The flowchart shows that small jobs, such as oil changes and tire rotations, will be performed in the front three bays. Larger jobs, such as engine and transmission repairs, will be performed in the rear garage bays. FedEx truck and other large truck repairs will be made in the side bays because of the oversized doors. Vehicles that are towed for mechanical repairs will be kept in the front parking lot and vehicles that are towed for accident repairs will be kept in the rear lot. No vehicle will remain on the lot for no more than 14 days. They will not be holding any impounded vehicles on this lot. They will be taken to an approved lot in Walton. They will probably be eliminating truck and trailer rentals from this location because Uhaul wants them visible from the road for advertisement. She understands the zoning regulations only allow Uhauls to be stored in the side or rear yard in a C-1 zoning district. The plan shows that the fence will be relocated to the front corner of the building. This will screen everything being stored in the side and rear lots from view.

Mrs. Rider said the third page of the packet shows the brick and stone colors they want to use on the building. The second page is a rough concept of what the front and side of the building will look like. It includes a legend with numbered building materials. The fourth and fifth pages show the shingles and split face block they want to use. The office will be constructed with an aluminum and glass storefront with a matching glass door. All the garage doors on the front will be aluminum with glass panels. No mechanical units will be placed on the roof of the building. The building materials on the side and rear will match the front of the building.

Mr. Miller asked for clarification that the bays would not be used as drive throughs? Mrs. Rider indicated that was correct. She added that customers would not be permitted to drive behind the fence and that all tow and service trucks would be kept in the rear storage lot at night.

Mr. Miller asked for clarification about what parts of the parking lot were being paved or resurfaced? Mrs. Rider said the concrete in the back lot is in very good condition. Mr. Walling said most of the lot is already surfaced with asphalt or concrete. There are two small areas that contain gravel. One of the areas is in the rear storage lot and the other is where the gas pumps were located. These two gravel areas will be paved.

Mr. Vaught asked them to address the nonconforming freestanding sign. Mrs. Rider said they would probably keep it and fill in the panels. They are also considering putting in something that would be lower to the ground. She will speak with the Planning Commission if they go that route. She is not a big fan of the existing sign but they may have to use it for awhile so they can save some money.

Mr. Miller said it seems they are complying with all the Staff recommended conditions, except for letters K. and P.

Mr. Morgan asked if the side of the building that was being shown was oriented towards Archways? Mr. Walling said it was. Mr. Morgan said the rendering shows the entire gable area will be block. He asked if that was correct? Mr. Walling said they will probably use a hipped roof design and if they do that area will be shingled. Mr. Miller said that would change the number from a 4 to a 3. Mr. Walling said the change may be needed because the proposed building is deeper than the one shown in the rendering. As a result, a hipped roof design may be needed because of the span. The split face block will remain in the gable area if they do gabled roof.

Mr. Miller asked Mr. Morgan if the proposed rendering was complying with Staff Comment 6S? Mr. Morgan said the rendering and building materials would comply with the condition. He added that Planning Commission Staff would verify the building was being constructed per any conditions at the time Site Plan and Building Permit applications were submitted for review. Mr. Walling said there will be some differences because their building will be deeper and not as wide as the building shown in the rendering.

Mr. Morgan said he wants to remind everyone that the applicants drew up a rough Concept Plan and there could be some changes when an engineered plan is drawn up. It is possible that they could lose some parking if their parking spaces or driveway aisles do not meet code. All those fine details will be worked out when the Site Plan application is submitted for review. Mr. Miller agreed and added that one of the recommended conditions would require the parking lot to be striped off and comply with the code.

Mr. Morgan asked if the relocated fence could be a privacy fence? He showed a picture and explained that the existing fence was chainlink with PVC slats. Mrs. Rider said they would update the fence with new slats. She has concerns about doing a wood or vinyl privacy fence because they want use a remote button to open and close it. She believes this type of setup will require a chainlink fence. Mr. Whitton asked for confirmation that they would update the slats? Mrs. Rider said they would.

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

- 1. No auto body or paint work shall be performed on site.**
- 2. All car repairs shall be made inside the building.**
- 3. Vehicles shall not be left outside on blocks or in a disassembled state.**
- 4. Vehicle impounding shall be prohibited.**
- 5. The business shall not be operated as a junkyard (see definition in Article 40 of the Boone County Zoning Regulations).**
- 6. Truck rental, trailer rental, and the retail sale of motor fuels shall be prohibited.**
- 7. The rear and side storage lots shall be enclosed with a fence per the submitted exhibit. Any chain linking fencing visible from the front parking lot shall contain new PVC slats. Any such PVC slats shall be maintained and kept new in appearance.**

8. All tow trucks and service trucks shall be stored behind the building.
9. No vehicle shall be stored in the parking/storage lot for more than fourteen days.
10. Outside display or storage of car parts or accessories is prohibited.
11. The entire parking lot shall be surfaced with asphalt on concrete. The improved parking lot shall not contain any gravel surfacing.
12. The entire parking lot shall be striped and be in compliance with the Boone County Zoning Regulations. All vehicles parked on site shall be placed in striped parking stalls.
13. The landscaping buffer along the rear property shall comply with the Buffer Yard C landscaping requirements that are found in the Boone County Zoning Regulations.
14. Large shrubs from Plan List C shall be installed in the island between the two curb cuts.
15. All proposed signs shall be manufactured by a professional sign company.
16. All proposed lighting shall be directed downwards and inwards toward the subject site.
17. The building shall generally be constructed per the submitted rendering and building materials packet. Modifications can be made to the building as discussed by the applicants and Board at the 11/9/16 Boone County Board of Adjustment meeting.

Mr. Vaught seconded the motion. Mr. Whitton called for a vote. The motion carried 4-0.

ADJOURNMENT

Mr. Whitton asked for motion to adjourn the meeting. Mr. Vaught made a motion to adjourn and Mr. Miller seconded the motion. Mr. Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:33 p.m.

APPROVED

Mr. George Whitton, Chairman

ATTEST:

Todd K. Morgan, AICP
Senior Planner

Exhibits

1. Revised Preliminary Plan
2. Proposed Floor Plan
3. Packet with Parking Flowchart, Building Rendering, and Building Materials