

**FLORENCE BOARD OF ADJUSTMENT
FLORENCE GOVERNMENT CENTER
BUSINESS MEETING
FEBRUARY 12, 2020
7:00 P.M.**

Mr. Pieper called the meeting to order at 7:00 P.M.

BOARD MEMBERS PRESENT

Mr. Timothy Pieper, Chairman
Ms. Lois Evans, Vice-Chairwoman
Mr. Kenny Vaught

BOARD MEMBERS NOT PRESENT

Mrs. Linda Schaffer
Ms. Dee Begley

LEGAL COUNSEL PRESENT

None

APPROVAL OF THE MINUTES

Mr. Pieper stated the Board members received copies of the minutes of the Florence Board of Adjustment meeting of January 15, 2020. He asked if there were any comments or corrections? Ms. Evans made a motion to approve the minutes as written and Mr. Vaught seconded the motion. Mr. Pieper called for a vote and it carried unanimously.

AGENDA ITEMS

1. **Request of Tim and Ryan Baeten for a Conditional Use Permit. The Conditional Use Permit is to allow a window tinting business to occupy the former All State claim service tenant space. The approximate 0.35 acre site is located at 7130 Price Pike, Florence, Kentucky and is zoned Commercial Two (C-2).**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report). Both Ms. Begley and Mr. Wilson, legal counsel, arrived at the meeting during the Staff presentation.

Mr. Ryan Baeten said he would start by addressing the questions found in the Staff Report.

- A. Are all tinting services scheduled?** The vast majority of the appointments are scheduled. People normally call him to get a quote and he sets them up with an appointment. It normally takes an hour and half to two hours to complete the job. He would accept a walk in if he has availability. He would say 80% of his business is done by appointment.
- B. What are the proposed business hours?** Business hours are Monday - Friday from 8:00 A.M. to 5:00 PM. One of those days, probably Wednesday, he will stay open until 7:00 P.M. Saturday hours will be 9:00 A.M. - 12:00 P.M. The business will be closed on Sundays.

- C. Are any improvements proposed to the building exterior?** No improvements are proposed other than signage. They will be a tenant in the building. Mr. Morgan told Mr. Baeten to contact him before he ordered the signs. Exterior signs are subject to sign permitting.
- D. Will any equipment/tools be stored outside?** They don't do work outside. All of his tools are hand held sized so they are easy to store inside the building.
- E. Could any vehicles stay on-site overnight? If so, would these vehicles be stored in the parking lot or inside the garage bays?** It's possible somebody could leave a car overnight. They could store any such vehicle in one of the two garage bays. Ms. Evans asked if they would abide by that? Mr. Baeten said he would.
- F. Are vehicle tinting services limited to automobiles and light trucks?** Yes. Mr. Morgan asked if they could work on a box truck. Mr. Baeten said probably not because he wouldn't work on them if they didn't fit in the garage bays.
- G. The submitted floor plan shows that 2 other businesses (U-drive and Paragon) are located in the building. Can these businesses be described?** Mr. Tim Baeten said Paragon drug screening is one tenant. Their hours are Monday - Friday from 9:00 A.M. - 5:00 P.M. The other tenant is U-drive driving school and their listed business hours are Monday - Friday from 12:30 P.M. - 5:30 P.M. However, the website says they can take people driving anytime during the day. It appears that they pick the trainees up. They have been on-site a couple times and have never seen anyone from either business.

Ms. Evans asked if he operated the business at any other location? Mr. Baeten said he didn't.

Mr. Piper asked if any additional lighting was proposed? Mr. Baeten said lights already exist on the building so he is not planning on adding any additional lights.

Mr. Pieper asked if the tinting process involves chemicals or a film? Mr. Baeten said it's a film that comes on a roll. Mr. Pieper asked if any chemicals are used in the process. Mr. Baeten replied Windex and similar solvents.

Ms. Begley asked if there was any possibility that they would tint a box truck if it fit in a garage bay? Mr. Ryan Baeten said he would probably tint a box truck if the laws allowed it and it fit in the bay. There are some laws that prohibit specific vehicles from being tinted. He would never tint a vehicle outside because of wind and debris in the air.

Ms. Begley asked about their lease? The 2007 minutes said that the last business had a 15 year lease. Mr. Ryan Baeten said he was going to sign a one year lease. Mr. Morgan said the Conditional Use Permit would run with the land if it gets approved. The 2007 conditions and new conditions would apply to any claims inspections or window tinting repair business that occupied the building. He asked the applicant if any changes were

proposed to the building to verify that no other 2007 conditions needed to be changed.

Mr. Pieper asked if the Board had any other questions? There was no response. Mr. Pieper asked if someone wanted to make a motion?

Ms. Begley made a motion to approve the request with the following conditions:

1. The auto repair facility shall be limited to claim inspections or window tinting.
2. There shall be no outdoor repairs or storage of equipment or tools.
3. The parking lot shall be re-stripped per the 1/3/08 approved Major Site Plan.
4. Vehicles waiting to be repaired shall not be parked in the parking lot overnight. They shall be kept inside one of the two garage bays.

Mr. Pieper asked if she would be agreeable to adding another condition which limited tinting services to automobiles and light trucks. Ms. Begley said she would amend her motion to include that as a fifth condition.

Ms. Evans seconded the motion. Mr. Piper called for the vote and it carried unanimously.

OTHER

No other business was discussed.

ADJOURNMENT

Mr. Pieper asked for a motion to adjourn. Ms. Begley so moved and Mrs. Evans seconded the motion. Mr. Pieper called for a vote and the meeting adjourned by unanimous consent at 7:27 P.M.

APPROVED

Timothy L. Pieper, Chairman

ATTEST:

Todd K. Morgan, AICP
Senior Planner, Zoning Services