

AGENDA FOR THE BOARD OF ADJUSTMENT MEETING

February 10, 2020

- I. **CALL TO ORDER** - The Chair will call the meeting to order at 1:30 p.m. in the Council Chambers, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The Chair will announce that the minutes of the January 13, 2020 meeting will be considered at this time.

III. **PUBLIC HEARING ON ZONING APPEALS**

- A. **Swearing of Witnesses** - The Chair will announce that any applicant or objector to any appeal before the Board who plans to speak will be sworn in at this time.
- B. **Sounding the Agenda** - In order to expedite completion of agenda items, the Chair will sound the agenda with regard to any postponements, withdrawals, and items requiring no discussion.
- C. **Conditional Use**

1. **PLN-BOA-20-00001: PVO LLC** – requests a conditional use for a home-based business (lash extensions and microblading) in a Single Family (R-1C) zone, on property located at 218 Jesselin Drive, (Council District 4).

The Staff Recommends: Disapproval, for the following reasons:

- a. While the proposed use is likely less intense than that of a full-service salon, the proposed activities (facials, lash extensions, waxing, and microdermabrasion) are services that typically may be provided at a beauty parlor. As such, it is appropriate to consider these services as substantially similar to a beauty parlor, which is first permitted on a limited basis in the Professional Office (P-1) zone, and is specifically excluded from consideration as a home-based business by Article 1-11 of the Zoning Ordinance.

2. **PLN-BOA-20-00002: Diamond Ponds** – requests a conditional use to expand an existing plant nursery in an Agricultural Rural (A-R) zone on property located at 4440 Athens Boonesboro Road, (Council District 12).

The Staff Recommends: Approval, for the following reasons:

- a. Construction of the proposed pole barn should not adversely affect the subject or surrounding properties. The plant nursery and landscaping operations have taken place on this property for many years and the barn will be used as additional storage of materials by existing employees, during the existing hours of operation.
- b. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval, is made subject to the following conditions:

1. Construction and use of the proposed pole barn shall be in accordance with the submitted application materials and site plan.
2. All necessary permits and/or approvals shall be obtained from the Division of Building Inspection, prior to construction.
3. The four proposed parking spaces and access drives shall be graveled or paved and otherwise improved in accordance with the recommendations of the Division of Traffic Engineering. Improvements to the access drive shall extend for a distance of at least 50' from the front property line.

D. **Administrative Appeal**

1. **PLN-BOA-20-00006: Pensacola Park Neighborhood Association** – requests an administrative appeal to contest the Division of Planning's approval of the Final Development Plan and Final Record Plat subdividing 1847 Nicholasville Road; and the Division of Building Inspection's issuance of construction permits within the defined Infill & Redevelopment Area in a Planned Neighborhood Residential/Historic Overlay (R-3/H-1) zone, on property located at 86, 90, 94 and 98 Penmoken Park, (Council District 3).

The Staff will present a "fact sheet" for the Board's review prior to the applicant's presentation.

- IV. **BOARD ITEMS** - The Chair will announce that any items a Board member wishes to present will be heard at this time.

- V. **STAFF ITEMS** - The Chair will announce that any items a Staff member wishes to present will be heard at this time.
- VI. **NEXT MEETING DATE** - The Chair will announce that the next meeting date will be March 9, 2020, at 1:30 p.m.
- VII. **ADJOURNMENT** - If there is no further business, the Chair will declare the meeting adjourned.