

<p style="text-align: center;">CONDITIONAL USE PERMIT STAFF REPORT</p>	<p style="text-align: center;">City-County Planning Commission 1141 State Street Bowling Green, Kentucky 42101 (270) 842-1953</p>
<p><u>Docket Number:</u> 2011-C-01</p> <p><u>Public Hearing Date:</u> March 10, 2010</p> <p><u>Pre-Application Conference:</u> January 24, 2010</p>	<p><u>Property Owner:</u> Barbara E. Corbitt</p> <p><u>Address:</u> 1721 Lennox Way Bowling Green, KY 42101-4541</p>
<p><u>Location of Proposed Conditional Use Permit:</u> 1721 Lennox Way</p> <p><u>Acreage or Square Footage of Tract:</u> .41 Acres (18,028 Square Feet)</p> <p><u>PVA Parcel Numbers:</u> 041C-35-076</p>	<p><u>Site District:</u> Urban Density Development District</p> <p><u>Focal Point:</u> 107- 3B Grider Pond</p> <p><u>Characteristics:</u> Residential. Low density, single family residential. Substantial undeveloped land remains.</p> <p><u>Flood Plain:</u> The property is not located in the 100-year flood area according to FEMA map # 21227 CO 304 E.</p>
<p><u>Traffic Considerations:</u> The property has frontage on Lennox Way, a County maintained urban roadway with fifty (50) feet of right-of-way and thirty (30) feet of pavement width.</p>	<p><u>Existing Land Use:</u> Residential</p> <p><u>Zoning History:</u> AG (Agriculture) is the original zoning. The property was rezoned from AG (Agriculture) to R-1 (Single Family Residential) in 1967. In 2001, the property was zoned to RM-2 (Two-Family Residential) from R-1 (Single Family Residential).</p>

DESCRIPTION OF REQUEST

The applicant is requesting a Conditional Use Permit for a hair salon. The hair salon will have one stylist station with an all purpose chair / shampoo bowl. The applicant has set the hours of operation for the proposed hair salon (Home Occupation) to be 9:00 A.M. to 5:00 P.M., Monday through Friday. (See attached maps).

ZONING ORDINANCE REFERENCE

Article: 5.2.2

RESIDENTIAL USE CATEGORIES

5.2.2.A.4.B.(6) A Conditional Use Permit is required in order to have a hair salon (Home Occupation) on property zoned RM-2 (Two - Family Residential).

- The hair salon will be operated from 9:00 A.M. to 5:00 P.M., Monday through Friday.
- The applicant must meet all requirements of the Barren River District Health Department.

CONDITIONAL USE PERMIT FINDINGS

Section 3.8.4 of the Zoning Ordinance states that an application for a Conditional Use Permit shall be approved if, and only if, the application demonstrates for the proposed use/development that:

- A. Granting the conditional use permit does not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance;
- B. Will be consistent with the "intent" statement for the district in which it is located;
- C. Will be compatible with existing uses adjacent to and near the property;
- D. Will not be hazardous, detrimental or disturbing to present surrounding land uses due to noise, glare, smoke, dust, odor, fumes, or other general nuisance;
- E. Will not otherwise adversely affect the development of the general neighborhood or of the district in which the use is proposed;
- F. Will be consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property;
- G. Will have adequate water and sewer supply, storm water facilities, transportation facilities, waste disposal and other public services;
- H. Will be developed in a way that will preserve and incorporate any important natural features of the site; and
- I. Will conform to any specific criteria or conditions specified for that use elsewhere in the Zoning Ordinance.

MOTIONS

MOTION TO **APPROVE** THE **CONDITIONAL USE PERMIT** REQUEST:

I make the motion to **approve** the Conditional Use Permit, Docket # 2011-C-01, for a hair salon at 1721 Lennox Way with the following condition:

1. The hair salon will be operated from 9:00 A.M. to 5:00 P.M., Monday through Friday.
2. The applicant must meet all requirements of the Barren River District Health Department.

The testimony presented in this public hearing has shown that the use:

- Is not detrimental to the public health, safety or welfare in the zone in which it is proposed,
- Will not contribute toward an overburdening of municipal services,
- Will not result in increased traffic congestion, additional parking problems, substantial increase in population density, environmental problems or constitute a nuisance, and
- Otherwise meets the requirements of the Zoning Ordinance.

OR

MOTION TO **DENY** THE **CONDITIONAL USE PERMIT**:

I make the motion to **deny** the Conditional Use Permit, Docket # 2011-C-01, for a hair salon at 1721 Lennox Way with the following conditions:

Choose one or more appropriate finding(s).

- The use **would** be detrimental to the public health, safety or welfare in the zone in which it is proposed.
- The use **will** contribute toward an overburdening of municipal services.
- The use **will** result in increased traffic congestion, additional parking problems, substantial increase in population density, environmental problems or constitute a nuisance.
- The use **does not** meet the requirements of the Zoning Ordinance.