

Staff Report

Board of Adjustment Hearing: August 15, 2023

Case Number: CUP 23-05
Applicant: West Marts LLC
Location: 206 Winchester St
Request: Conditional Use Permit
First (Ground) Floor Apartments (2 units)
Zoning: B-2 Commercial
Application Date: July 21, 2023
Legal Notification: August 1, 2023
Staff Site Visit: August 10, 2023



Proposal:

Applicant requests a Conditional Use Permit to operate two apartment units on the first (ground) level floor in existing commercial structures where the first floor has been vacant for two consecutive years.

Background:

Parcel # 026-50-24-001.00

Owner: West Marts LLC

Existing Structures: Two story building and a one-story commercial structure with five (5) garage bays.

Existing front setback to residence (approximate) from Winchester St: 30 ft

Closest neighboring residential structure (approximate): 250 ft

Ingress/Egress: There is an existing entrance from Winchester Dr.

Parking: There is parking on paved areas surrounding the existing structure.

Is the structure located within the 1% annual regulatory floodplain? No.



- FIRE SAFETY: Residential space is subject to fire safety requirements. House contains smoke alarms. There are multiple exterior entrances to the structure.
- CAPACITY: 2 bedrooms
- RENTAL SEASON: Year-round
- SITE EVALUATION FOR ON-SITE SEWAGE DISPOSAL SYSTEM: Wastewater disposal: City sewer.
- AGRICULTURAL USE OF PROPERTY: N/A



STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of this conditional use application for two apartment units on the first (ground) level floor in existing commercial structures where the first floor has been vacant for two consecutive years as the use is an allowable conditional use in the B-2 Commercial Zone and will not negatively affect the general health, safety, welfare of the community.

Condition 1: Designated parking areas shall be sufficient to accommodate the maximum capacity and shall not encroach on any public right-of-way.

Condition 2: Applicant is subject to annual inspection by the Bourbon County Joint Planning Office.

Condition 3: Should a violation be issued; applicant will be subject to revocation of the conditional use permit as determined by the Bourbon County Board of Adjustment.

Condition 4: Any expansion of this use will require an additional conditional use permit application.