

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone [checked] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
2. (Check One) Conditional Use Permit [checked] Variance \_\_\_\_\_ Appeal \_\_\_\_\_
3. Applicant's Name Florence Alliance Church, Phone Number 525-2993, Fax No. SAME, Applicant's Address 980 Cayton Rd., Florence KY 41042
4. Description of Request: Construct 5,200 SF addition to church w/ added parking (SEE attached letter)
5. Name of Development \_\_\_\_\_
6. Location of Development \_\_\_\_\_
7. Acreage Under Review 4.2
8. Lot Number and Name of Subdivision (if part of a subdivision) NA
9. Owner of Property Ohio Valley District of CMA, Inc, Phone Number of Owner 513-733-4833, Address of Property Owner Cincinnati OH 45241
11. Proposed Use(s) on Site New Sanctuary/Fellowship Hall See Attachment
12. Total Square Footage of Existing and/or Proposed Buildings 5,222 See attached
13. Current Zoning on Property SR-1
14. Deed Book 496 Page No. 15 Group No. 2032
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Yes
17. Have you submitted a list of adjoining property owners with this request? Yes
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

282-9187 Rick Kuehaer Build. Committee

Applicant's Signature: F. William Shutt II

Property Owner's Signature: F. William Shutt II (Pastor)



## STAFF REPORT

APPLICANT: Florence Alliance Church  
LOCATION: 980 Cayton Road, Boone County, Kentucky  
ZONING: Suburban Residential One (SR-1)  
DATE: July 31, 2002

### Proposal

Florence Alliance Church is requesting a Conditional Use Permit to allow the construction of 20,605 square feet of building additions and 110 parking stalls at 980 Cayton Road, Boone County, Kentucky. The property currently contains a 2,490 square foot Pastor's residence, a 2,759 square foot Church, a 2,293 square foot pole barn that is used for storage, and 27 parking stalls.

The submitted Concept Development Plan shows that the following improvements are proposed:

### Phase 2 (Planned Construction Date is 2002)

- A 5,222 two-story square foot addition is proposed off of the eastern side of the Church. The addition will be used as a Sanctuary and Fellowship Hall.
- The construction of 32 parking stalls.

### Phase 3 (Future Construction)

- A 7,263 square foot multi-purpose facility (gym, stage, locker rooms) is proposed in front of the existing church.
- The construction 51 parking stalls.

### Phase 4 (Future Construction)

- A 8,120 square foot sanctuary is proposed to connect to the multi-purpose facility.
- The 2,490 square foot Pastor's Residence is to be demolished.
- The construction of 27 parking stalls.

### Site History

On October 14, 1992, the Boone County Board of Adjustment approved a Conditional Use Permit to allow an existing house and garage to be used as a Pastor's residence and a Church. There was a condition imposed that stated that Donald Road would not be accessed (see attachments).

Applicable Regulations

Article 9, Section 933 of the Boone County Zoning Regulations permits "churches, synagogues, temples and other places of religious assembly for worship" as a conditional use within the Suburban Residential One (SR-1) zoning district.

The Board needs to evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 933 of the Boone County Zoning Regulations.

Findings listed in Section 262 (General Standards for all Conditional Uses):

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 9, Section 933 of the Boone County Zoning Regulations allows churches as a Conditional Use in the SR-1 district provided that:

- a. the activity is an integral and subordinate function of a permitted use; or
- b. the activity will not contradict the low density character of the district; and
- c. the arrangement of uses, buildings, or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

Article 30, Section 3007 of the Boone County Zoning Regulations states that property involving a Conditional Use Permit and/or Variance shall be subject to Site Plan review and approval if required by an individual zoning district.

#### Relationship to the Comprehensive Plan

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the existing buildings for Public/Institutional uses. This designation is described as government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc. The undeveloped portion of the site is forecasted for Suburban Residential uses. This designation is described as "single-family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision."

#### Surrounding Land Uses and Zoning

North: Single-Family Dwelling Fronting on KY 18 & Hopeful Heights Subdivision (SR-1)

South: Cayton Road & Single-Family Residential Dwellings (SR-1 & UR-1)

East: Hopeful Heights Subdivision (SR-1)

West: Persimmon Grove Subdivision (SR-1)

#### Staff Comments

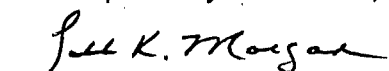
1. Staff contacted Boone County Public Works in regard to the Phase 3 and 4 parking lot improvements because portions of these lots are located within an unimproved section of the Donald Drive right-of-way (see Site Vicinity & Aerial Map). Boone County Public Works researched the issue and found that this section of Donald Drive is still a dedicated right-of-way. If the Board approves the request, Staff recommends a condition which requires the right-of-way to be vacated by Boone County Fiscal Court before any Phase 3 or 4 parking lot improvements are made.
2. Staff is concerned about the location of the Phase 3 and 4 parking lot because it is heavily wooded and adjoins an established residential area. The proposal would level the existing vegetation and would place a commercial style parking lot adjacent to a residential area.
3. If the Board grants approval of the request, Staff would recommend the following landscaping conditions:
  - A. A 10' wide buffer (Buffer Yard A) will be installed along the front property line when Phase 3 or 4 is developed.
  - B. All existing vegetation (trees and shrubs) within 20' of the property lines must be preserved.

- C. A 20' wide buffer (Buffer Yard B) will be installed where new buildings or parking lot improvements adjoin the property line. Existing trees and shrubs will be credited towards these buffer yard requirements.
3. Staff is concerned about site lighting due to the proximity of the site to residential areas. If the Board grants approval of the request, Staff recommends the following conditions regarding site lighting:
    - A. The maximum height of any proposed light standard shall not exceed 10 feet.
    - B. Cutoff shields must be provided on all light standards;
    - C. A photometric plan will be required during the Site Plan Review process. The average foot candle measurements permitted for the parking lot will be 3.6 and along all property lines will be 1.0 or less.
  4. The exterior building renderings that have been submitted for Phase 2 indicate that the addition will be constructed with vinyl siding and asphalt shingles. These are the same materials that exist on the current building. The Board needs to determine if these are appropriate materials for the addition. Many of the adjoining homes in Persimmon Grove and Hopeful Heights Subdivision are brick construction.
  5. Staff is concerned that no exterior building renderings have been submitted for Phases 3 and 4. Staff believes that these buildings should use materials that are appropriate for residential adjacency because they will have a dominant presence on Hopeful Church Road and Cayton Road. If the Board grants approval of these Phases, Staff suggests a condition be imposed which requires these buildings to be constructed with at least 60% brick or stone.
  6. If the Board grants approval of the request, a Major Site Plan application will need to be submitted to the Boone County Planning Commission. This plan will address building square footage, driveway and parking requirements, landscaping, storm water detention, etc.

#### Conclusion

KRS 100.237 and Sections 260 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Conditional Use Permit.

Respectfully submitted,

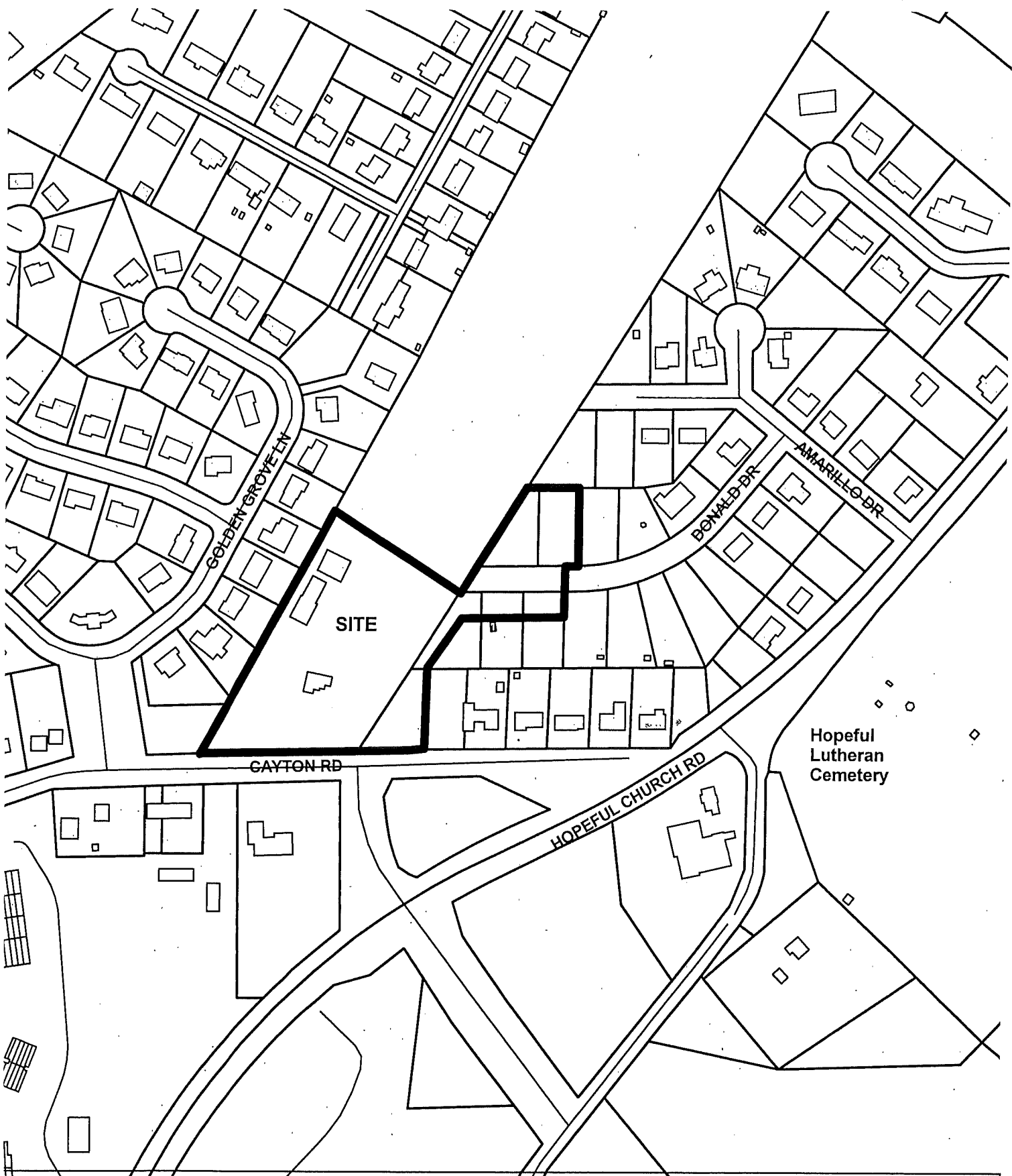


Todd K. Morgan, AICP  
Planner, Zoning Services

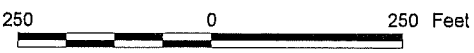
TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Letter From Applicant
- Exhibit C – Concept Development Plan
- Exhibit D – Phase 2 Elevation Drawings
- Exhibit E – Zoning Map
- Exhibit F – Future Land Use Map
- Exhibit G – Aerial Map
- Exhibit H – Topographical Map
- Exhibit I – 1992 Conditions of Approval
- Exhibit J – Application

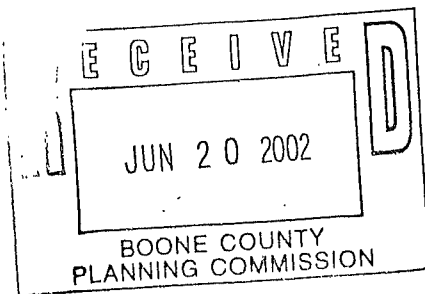


# Florence Alliance Church Site Vicinity Map



1 inch equals 250 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 June 24, 2002





**Florence Alliance Church  
980 Cayton Road  
Florence**

**Phase 1 (existing)**

House	2490 sf.	Pastor's residence
Church	2759 sf.	
Pole Barn	2293 sf.	Mowers, chairs, tables
Parking	25 plus 2 handicapped = 27	

**Phase 2 (to be built August 2002)**

Two-story addition	5222 sf.	Sanctuary over Fellowship Hall Max Use: Sanctuary 199, Nursery 12, Toddlers 12 = 223
Parking	27 existing + 32 proposed = 59	

**Phase 3 (future)**

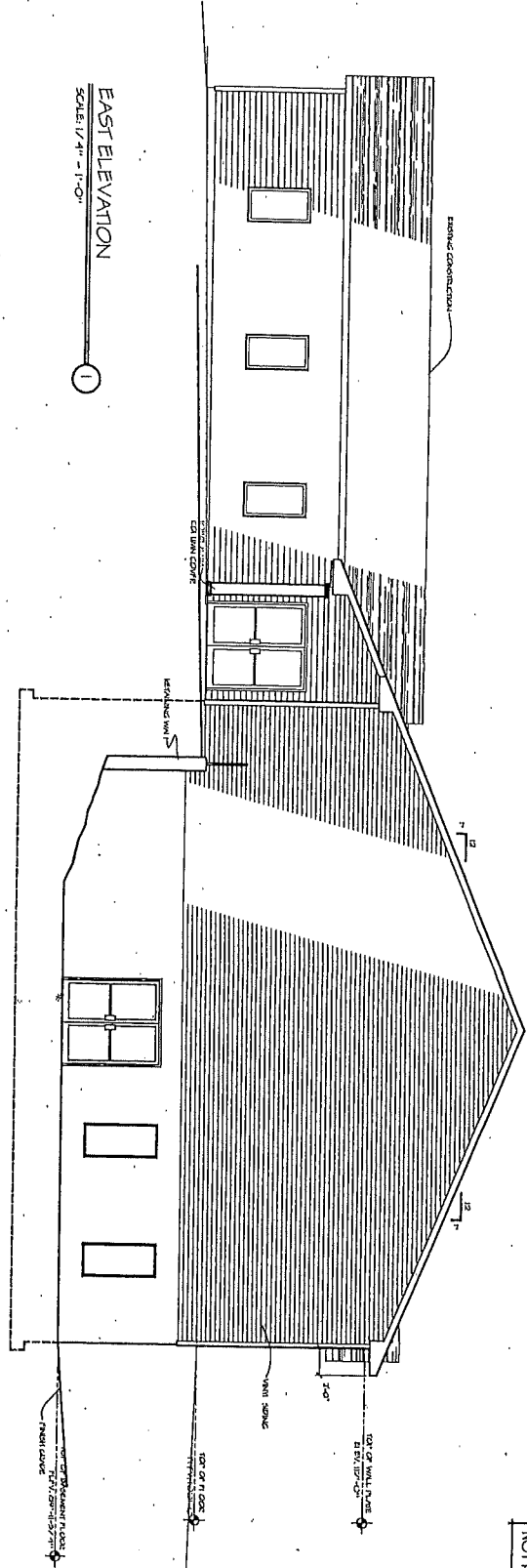
Multipurpose facility	7263 sf.	Gym, stage, locker rooms. Capacity 300 max
Parking	59 prior plus 51 additional = 120	

**Phase 4 (future)**

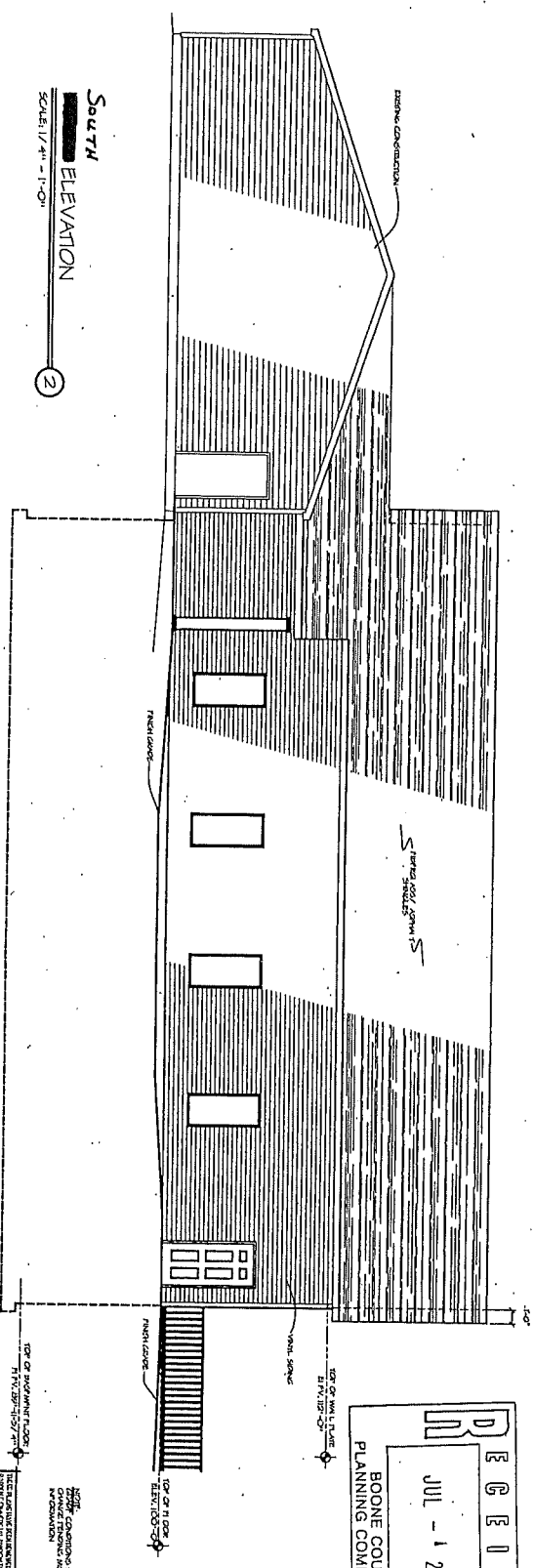
New Sanctuary	8120 sf.	450 seat worship center, foyer, offices Capacity 450, Nursery 26, Toddlers 26 = 502
Parking	120 prior plus 27 additional = 147	



PRELIMINARY DESIGN  
NOT FOR CONSTRUCTION



EAST ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



RECEIVED  
JUL - 1 2002  
BOONE COUNTY  
PLANNING COMMISSION

**IMPORTANT NOTICE**  
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NO.	REVISION	DATE
1	REVISED PER ARCHITECT'S COMMENTS	4-18-02 CAM
2	REVISED PER ARCHITECT'S COMMENTS	5/19/02 CAM
3	REVISED PER ARCHITECT'S COMMENTS	6/27/02 CAM

DESIGNED BY: [Name]  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: [Date]

**garden**  
COMMERCIAL DIVISION  
980 CANTON RD  
FLORENCE, KY  
41042

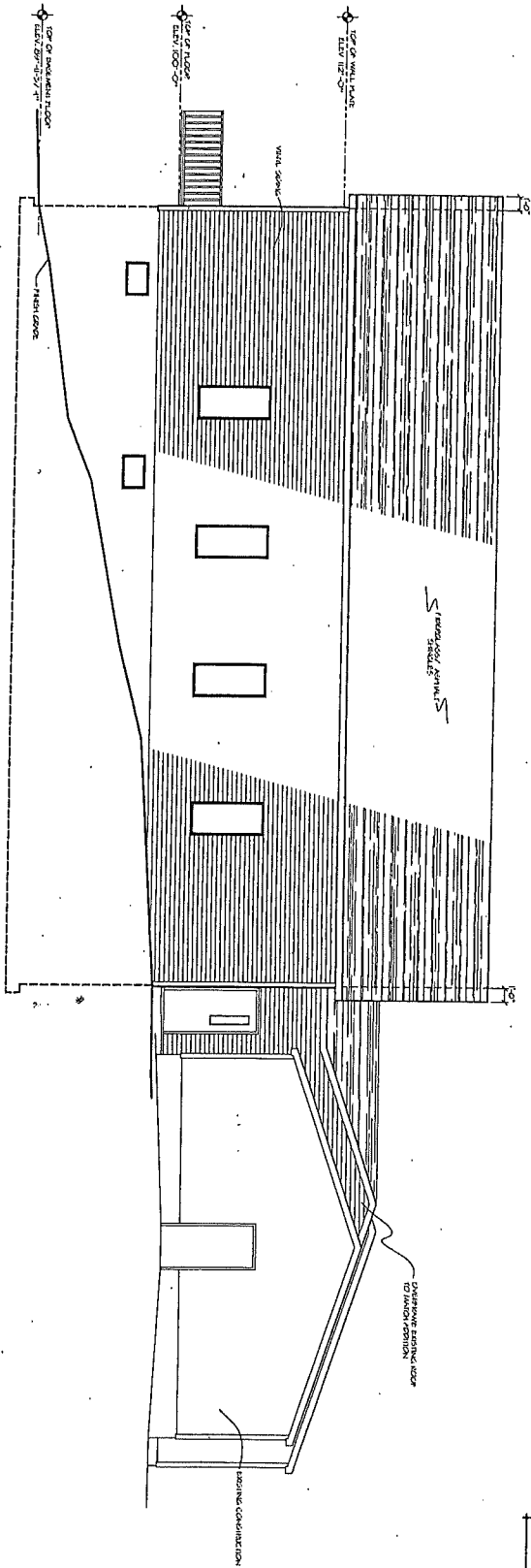
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CLIENT: FLORENCE ALLIANCE CHURCH  
ADDRESS: 980 CANTON RD, FLORENCE, KY 41042

DATE: [Date]  
SCALE: [Scale]  
SHEET: [Number]

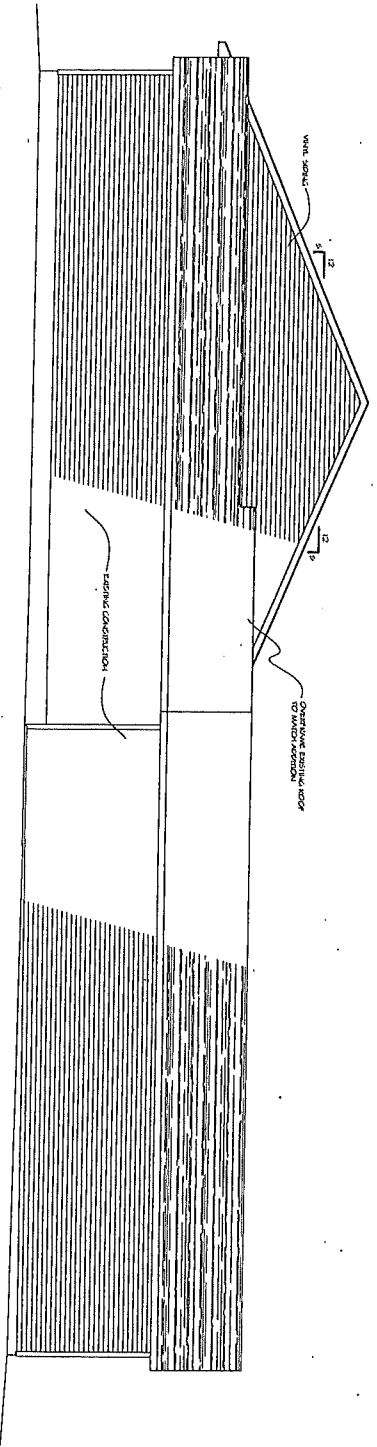
PROJECT NO.: 2006.02  
DRAWING NO.: A-1  
SHEET NO.: 1 OF 2

PRELIMINARY DESIGN  
NOT FOR CONSTRUCTION

R. Frandsen, P. E.  
1100 N. Main, New York, NY 10017



North  
ELEVATIONS  
SCALE: 1/4" = 1'-0"



West  
ELEVATIONS  
SCALE: 1/4" = 1'-0"

PLEASE TAKE CARE TO VERIFY ALL DIMENSIONS AND ELEVATIONS OF ALL WORK  
SHOWN ON THESE PLANS BEFORE CONSTRUCTION BEGINS.  
IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE ARCHITECT.  
NO PART OF THESE PLANS ARE TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

**IMPORTANT NOTICE**

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT IS STRICTLY PROHIBITED.

DATE: \_\_\_\_\_

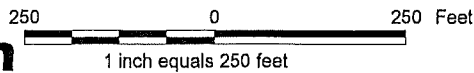
PROJECT NO: \_\_\_\_\_

SCALE: \_\_\_\_\_

PROJECT TITLE	FLORENCE ALLIANCE CHURCH
PROJECT LOCATION	980 CAYTON RD FLORENCE, KY 41042
CLIENT	TRIP PERROS BUILDINGS
DATE	
ELEVATIONS	
DATE	2006.02
PROJECT NO	A-2
SCALE	SHEET 2 OF 2

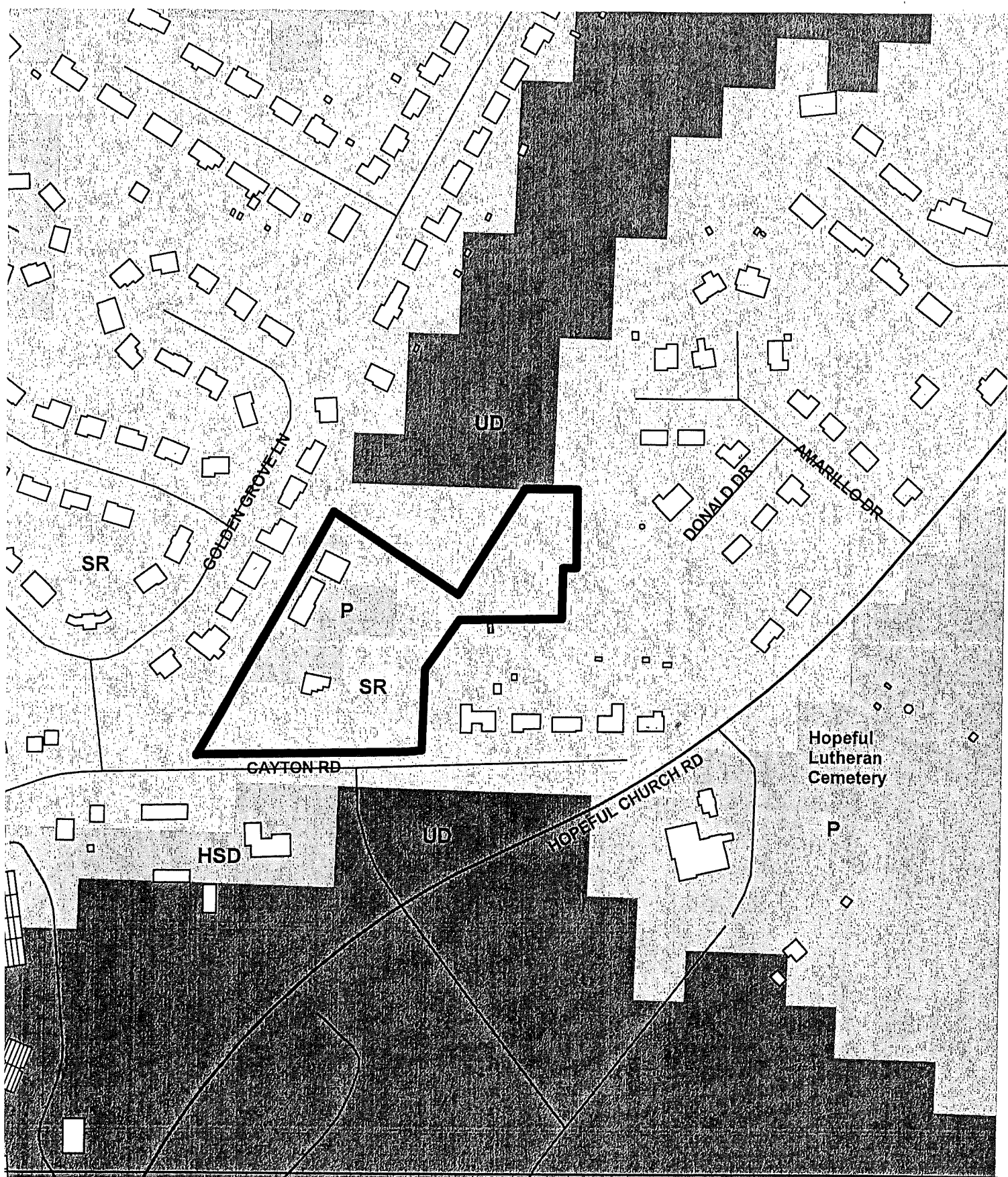


# Florence Alliance Church Zoning Map

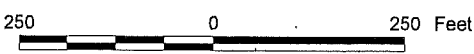


Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 25, 2002



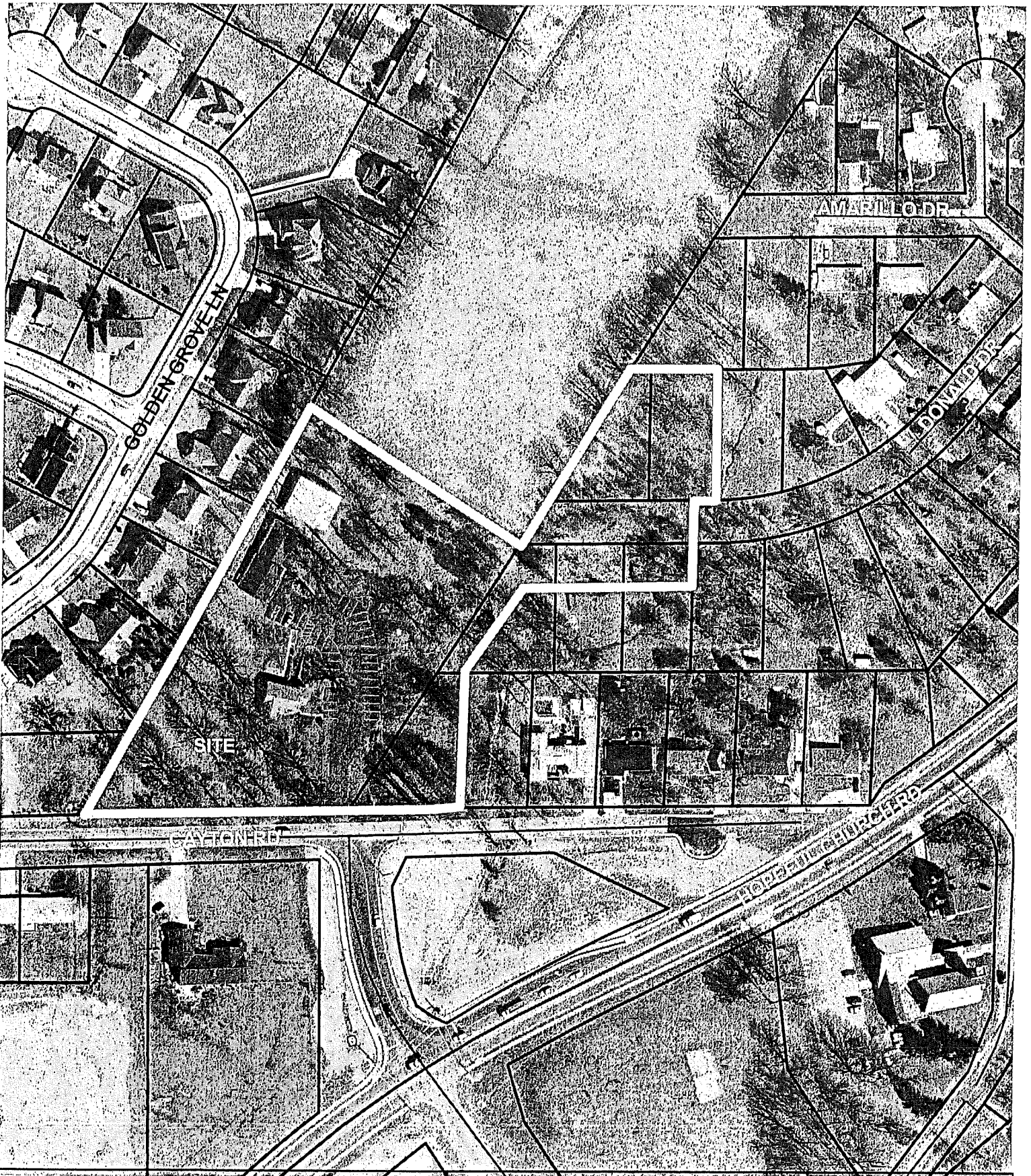


# Florence Alliance Church Future Land Map

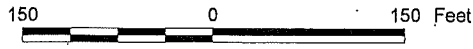


1 inch equals 250 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 June 24, 2002





# Florence Alliance Church Aerial Map



1 inch equals 150 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 24, 2002





SITE

# Florence Alliance Church Topographical Map



1 inch equals 200 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 2, 2002



CONDITIONS OF APPROVAL

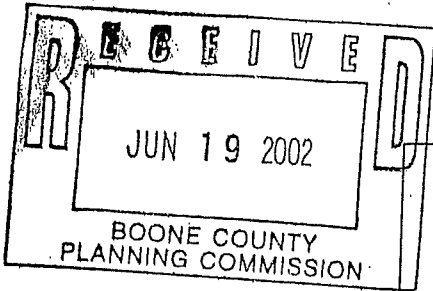
The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of October 14, 1992, (Certificate of Land Use Restriction #92-BCBOA-021-A ), for Florence Alliance Church, property owner.

The Conditional Use Permit be granted subject to Site Plan Review by the Planning Commission; that Donald Road, which is now closed, not be accessed; that the house be used as a parsonage; the barn be used for the church; and the parking be worked out between the Staff and the applicant. The driveway would be widened with the conditions set forth by Site Plan Review. Any deviation from this would have to come back before the Board.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 96 PAGE NO. 495 Group No. 2032

State of Kentucky, County of Boone  
JERRY W. ROUSE, Clerk of the Boone County  
Court, do certify that the foregoing  
Deed was, on the 16<sup>th</sup> day of  
December  
1992, at 2:44 P.M., lodged in my office  
for record, and that it has been duly recorded in  
my said office, together with this and the  
certificate thereon endorsed. He  
Given under my hand this 16 day of Dec  
1992.

JERRY W. ROUSE, CLERK  
By Jerry Rouse D.C.



APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone [checked] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
2. (Check One) Conditional Use Permit [checked] Variance \_\_\_\_\_ Appeal \_\_\_\_\_
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11. Proposed Use(s) on Site New Sanctuary/Fellowship Hall See Attachment
12. Total Square Footage of Existing and/or Proposed Buildings 5,222 See attached
13. Current Zoning on Property SR-1
14. Deed Book 496 Page No. 15 Group No. 2032
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Yes
17. Have you submitted a list of adjoining property owners with this request? Yes.
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

282-9187 Rick Kirchner Build. Committee

Applicant's Signature: F. William Shutt II

Property Owner's Signature: F. William Shutt II (Pastor)

COPY

CLUR #02-BCBOA-010-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Florence Alliance Church  
980 Cayton Road  
Florence, KY 41042
  
- 2. ADDRESS OF PROPERTY  
980 Cayton Road  
Florence, KY 41042
  
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Florence Alliance Church
  
- 4. DEED BOOK 496                      PAGE NO. 15                      GROUP NO. 2032
  
- 5. TYPE OF RESTRICTION(S) (Check all that apply)  
 Zoning Map Amendment:  
    From      To                            Conditional Use Permit  
 Development Plan                       Conditional Zoning  
 Subdivision Plat  
    (Not Recorded)                       Other:  
 Variance
  
- 6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005

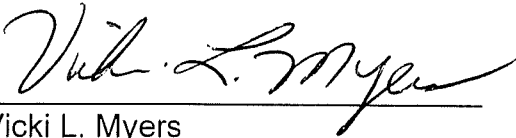
*Todd K. Morgan*  
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

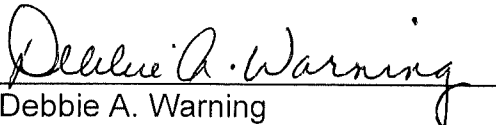
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 23 day of August, 2002.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of August 14, 2002 Certificate of Land Use Restriction ( #02-BCBOA-010-A), for Florence Alliance Church, Property Owner(s).

The following conditions will apply:

- 1) A 10-foot wide buffer (Buffer Yard A) will be installed along the front property line when Phase 3 or 4 is developed.
- 2) All existing vegetation (trees and shrubs) within twenty feet of the property lines must be preserved.
- 3) A twenty-foot wide buffer (Buffer Yard B) will be installed where new buildings or parking lot improvements adjoin the property line. Existing trees and shrubs will be credited towards these buffer yard requirements.
- 4) The maximum height of any proposed light standard shall not exceed ten feet.
- 5) Cutoff shields must be provided on all light standards.
- 6) A photometric plan will be required during Site Plan Review process. The average foot candle measurements permitted for the parking lot will be 3.6 and along all property lines will be 1.0 or less.
- 7) A Major Site Plan application will need to be submitted to the Boone County Planning Commission that addresses building square footage, driveway and parking requirements, landscaping, storm water detention, etc.
- 8) The building addition is to be constructed with at least 60% (sixty percent) brick.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: