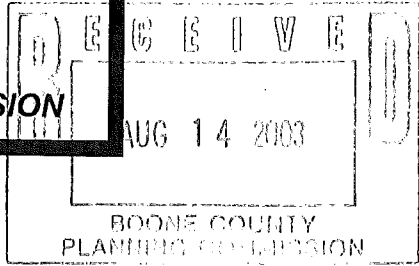


APPLICATION FORM

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 Joyce Robinson Foundation / The Gathering Place Church
Phone Number 859-371-6593 Fax No. 859-371-3603
Applicant's Address 10310 Dixie Hwy, Florence, Ky 41042
4. Description of Request: Conditional Use Permit for 1006.3 Dixie Hwy, to include 'Church Activities'
5. Name of Development
6. Location of Development
7. Acreage Under Review 1006.39 Dixie Highway, Florence, Ky (Boone Co.)
8. Lot Number and Name of Subdivision (if part of a subdivision) n/a
9. Owner of Property John David
Phone Number of Owner 859-802-9601
10. Address of Property Owner 852 Rosewood Dr., Villa Hills, Ky 41017
11. Proposed Use(s) on Site See attached list.
12. Total Square Footage of Existing and/or Proposed Buildings Approx. 4600 Sq. Feet
13. Current Zoning on Property C-1
14. Deed Book D833 Page No. 33-34 Group No. 2058
15. Is the site subject to a zone change? n/a
16. Have you submitted a Site Plan with this request? A plat
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.

Applicant's Signature: Joyce Robinson (signed)

Property Owner's Signature: X John B. Wif (signed)

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 8-14-03 Fee Received \$ 853.00 ~~# 36280~~
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
9-10-03 Approved  
\_\_\_\_\_ Approved with Conditions (See #6)  
\_\_\_\_\_ Denial (See #7).
6. Conditions of Approval: NONE  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

## STAFF REPORT

APPLICANT: Joyce Robinson Foundation/The Gathering Place Church

LOCATION: 10063 Dixie Highway, Boone County, Kentucky

ZONING: Commercial One (C-1)

DATE: September 10, 2003

### PROPOSAL

The applicant is requesting a Conditional Use Permit so a church can operate out of an existing 4,500 square foot building. The property is located at 10063 Dixie Highway and is zoned Commercial One (C-1). The applicant submitted a letter (see attachments) which indicates that the facility will be used for youth services. Their letter states that the old "Pasquales" side of the building (2,100 square feet) will be used as a fellowship, snack-bar, game room, and recreational area. The old "Video Village" side of the building (2,400 square feet) will be used as an auditorium for church services. The church services will be held between 5:30 - 8:30 p.m., on Wednesday and Sunday evenings. All of the youth activities will be supervised by adults.

### SITE HISTORY

1992 - A Site Plan (see attachment) was approved for a 4,500 square foot building and 43 parking stalls.

### APPLICABLE REGULATIONS

Article 2, Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment and Zoning appeals is "to grant conditional use permits as specified in this zoning order, with such additional safeguards as will uphold the intent of this order."

Article 10, Section 1013 of the Boone County Zoning Regulations permits "churches, synagogues, temples and other places of religious assembly for worship" as a conditional use within the Commercial One (C-1) district.

Article 33, Section 3325 of the Boone County Zoning Regulations states that churches and other places of religious assembly are required to provide one parking space for every five seats.

Article 33, Section 3325 of the Boone County Zoning Regulations states that miscellaneous assembly uses are required to provide one parking space for every four seats.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 1013 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings 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 10, Section 1013 of the Boone County Zoning Regulations allows churches, synagogues, temples and other places of religious assembly for worship in the Commercial One (C-1) district provided that:

- a. the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or
- b. the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; 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.

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question for "Commercial" uses. This designation is defined as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

#### SITE CHARACTERISTICS

The approximate 1 acre parcel fronts on Dixie Highway and contains a 4,500 square foot building, which is currently vacant.

#### SURROUNDING LAND USES & ZONING

North: AmeriStop (C-1)

South: Vacant Parcel (C-3)

East: Dixie Highway & Carter Lumber (C-3)

West: Greenlawn Mobile Home Park (MHP)

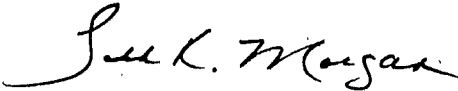
STAFF COMMENTS

1. Staff would like the applicant to explain how many times a week the building will be used by the youth.
2. Staff would like the applicant to explain if any exterior improvements are being proposed to the site (basketball goals, play areas, lighting, etc.). Staff is concerned that these type of improvements could impact the mobile home owners that adjoin the site.

Conclusion

KRS 100.237 and Section 220 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,

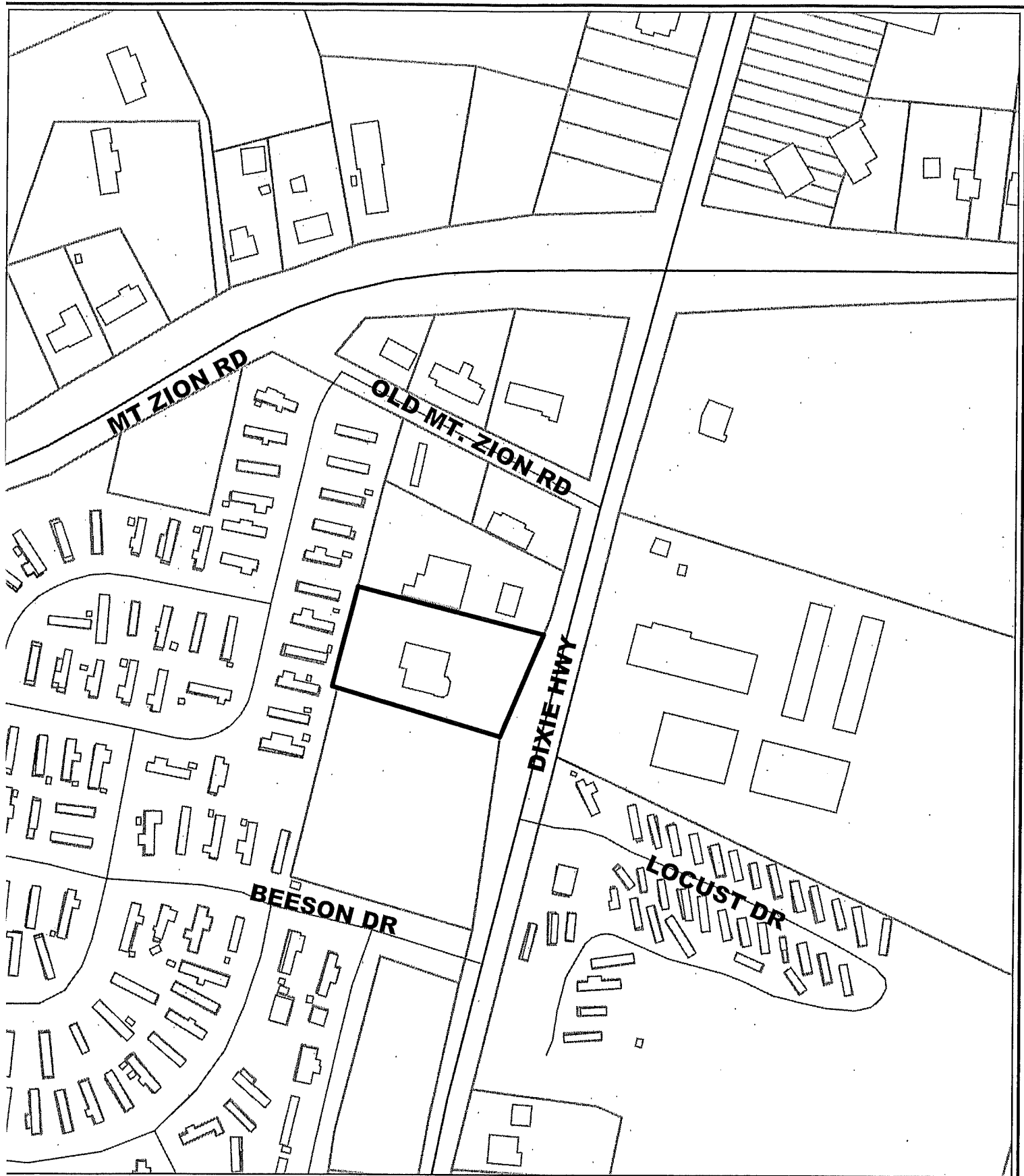


Todd K. Morgan, AICP  
Planner, Zoning Services

TKM/pr

Attachments

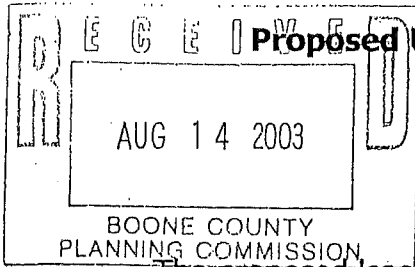
- Exhibit A – Site Vicinity Map
- Exhibit B – Letter From Applicant
- Exhibit C – Zoning Map
- Exhibit D – Future Land Use Map
- Exhibit E – Aerial Map
- Exhibit F – 1992 Site Plan
- Exhibit G – Application



1 inch equals 200 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 August 20, 2003



# GATHERING PLACE CHURCH SITE VICINITY MAP



**Proposed Use/Activities for 10063 Dixie Highway Property (revised)**

Submitted by The Gathering Place Church  
10310 Dixie Highway  
Florence, KY 41042

The proposed lease includes the entire building located at 10063 Dixie Highway.

The Gathering Place Church is dedicated to providing for the youth of our church and our surrounding community a place where they can build relationships, gather for recreational activity and be inspired in their faith.

**The building will be used as follows:**

The old "Pasquales" side will be used for an area of food and fellowship for the students. The old "Video Village" side will be used as an auditorium for church services which include teaching and music/worship.

**Recreational Activities:**

Supervised Outdoor Sports Activities including:

- Basketball
- Football

Supervised Indoor Activities including:

- Video Games
- Pool
- Air Hockey
- Games
- Drama Productions

Food Bar with snack items for sale (not for outside sales - this is for fund-raising)

Retail store for **students** to purchase items. This is used to raise funds for the program.

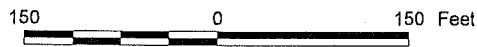
- Supplies
- T-shirts and other clothing items
- Music
- Books

The two sides of the building will have a connecting walkway.

**Church Services:**

Services will be held on: Wednesday Evening 5:30 - 8:30  
Sunday Evening 5:30- 8:30

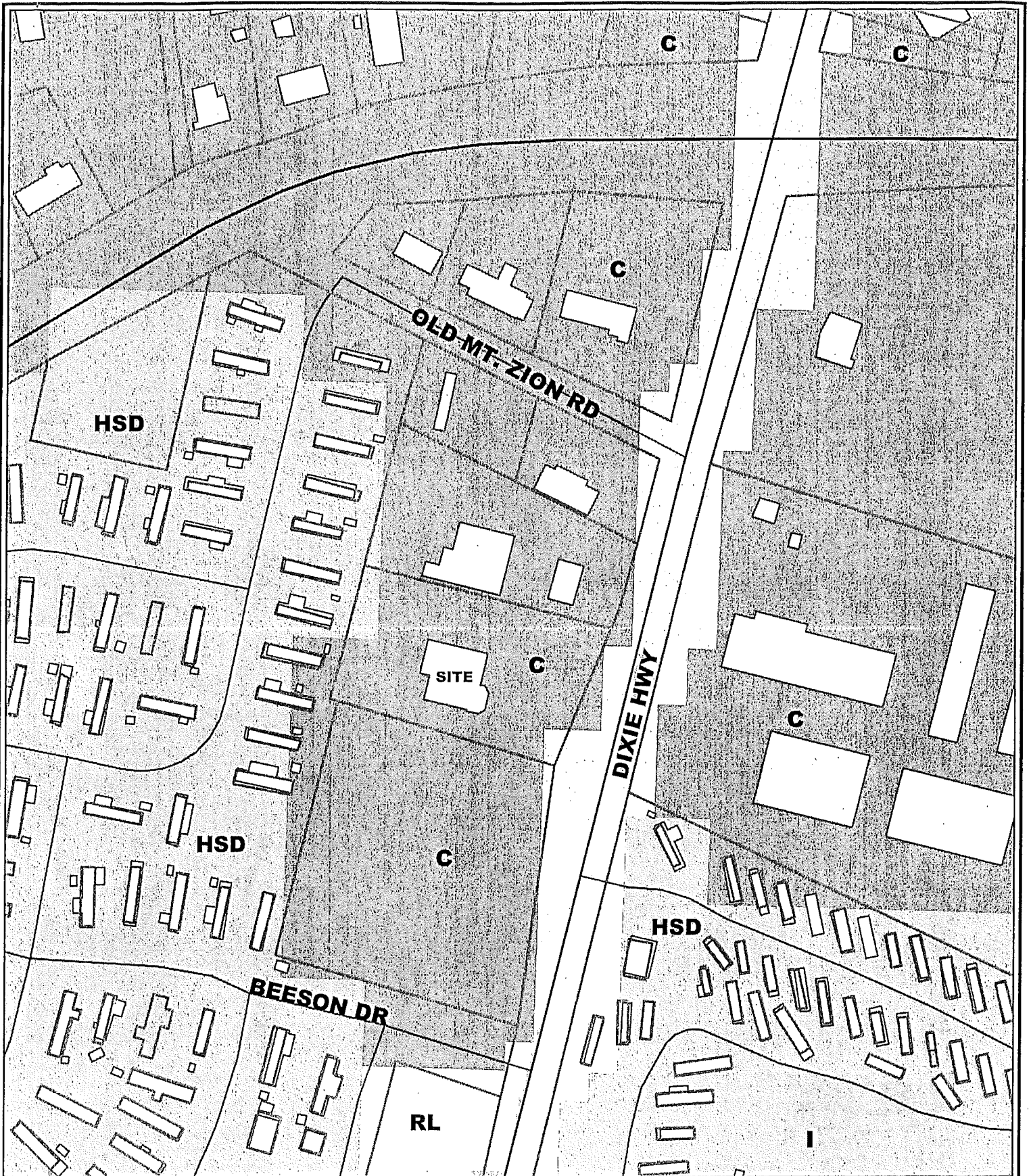
\*other services to held during special church events (such as revival or Vacation Bible School etc..)



1 inch equals 150 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 August 20, 2003



# GATHERING PLACE CHURCH ZONING MAP

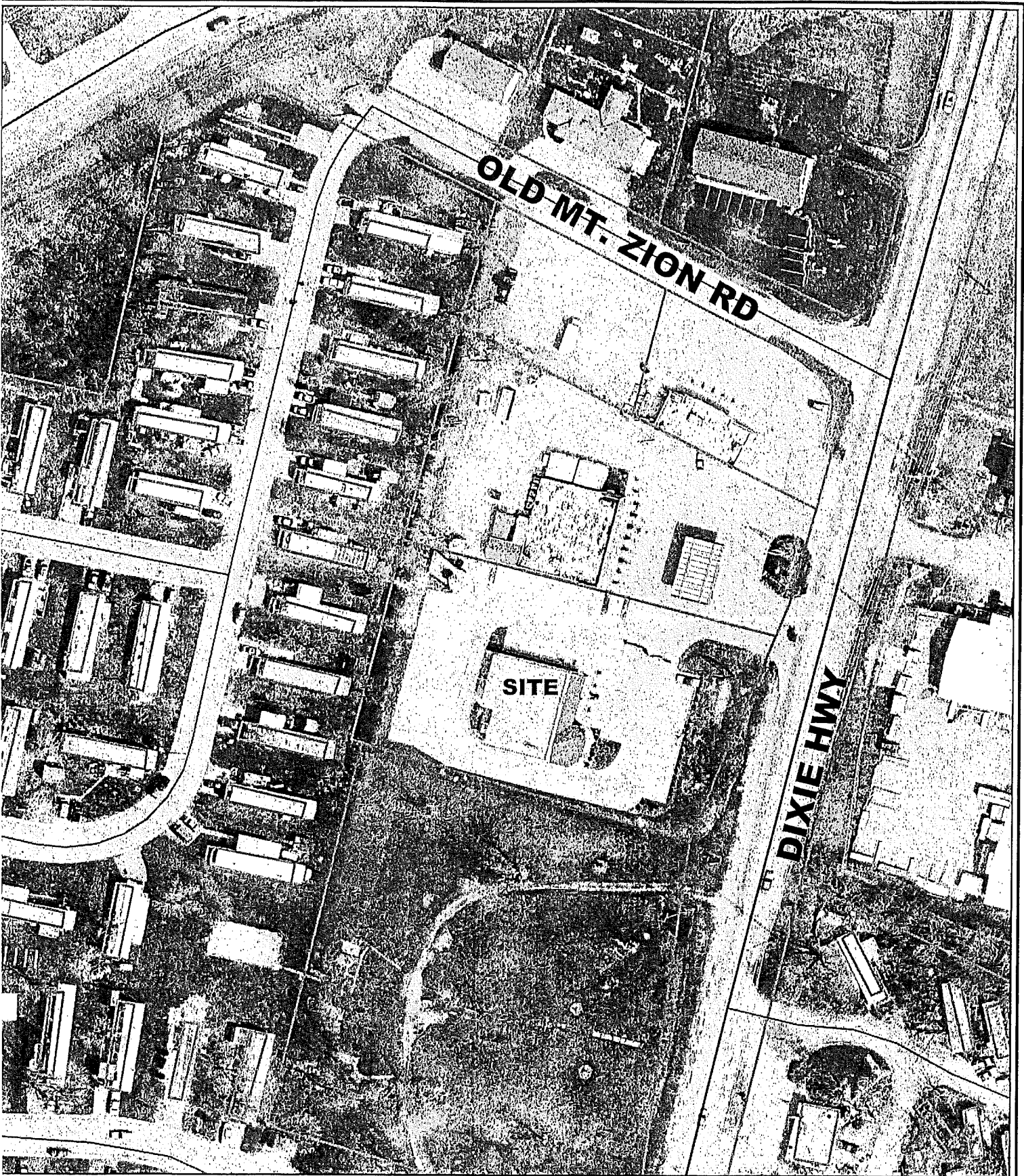


150 0 150 Feet

1 inch equals 150 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 August 20, 2003



# GATHERING PLACE CHURCH FUTURE LAND USE MAP



100 0 100 Feet

1 inch equals 100 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
August 20, 2003



# GATHERING PLACE CHURCH AERIAL MAP

STORM INLET BOX  
TOP 961.0  
INV. 959.5  
Q=3.0 C.F.S.

N 12° 30' E 158.91'

VE SCREEN BUFFER - VIBURNUM 4'-6" HIGH

18'-6" HIGH WHITE PINES ON 10' CENTER

EXISTING SWALE

OVERHEAD ELECTRIC

GRAVEL AREA

ASPHALT

GABELLA  
C-1

EXIST BUILDING  
F.F. 961.5

PIZZA AMERISTOP

WALK

ASPHALT

ACCESS

ASPHALT

GAS PUMPS

559.6 CANOPY

JOINT ACCESS  
PER KDOT

EXIST. ASPHALT

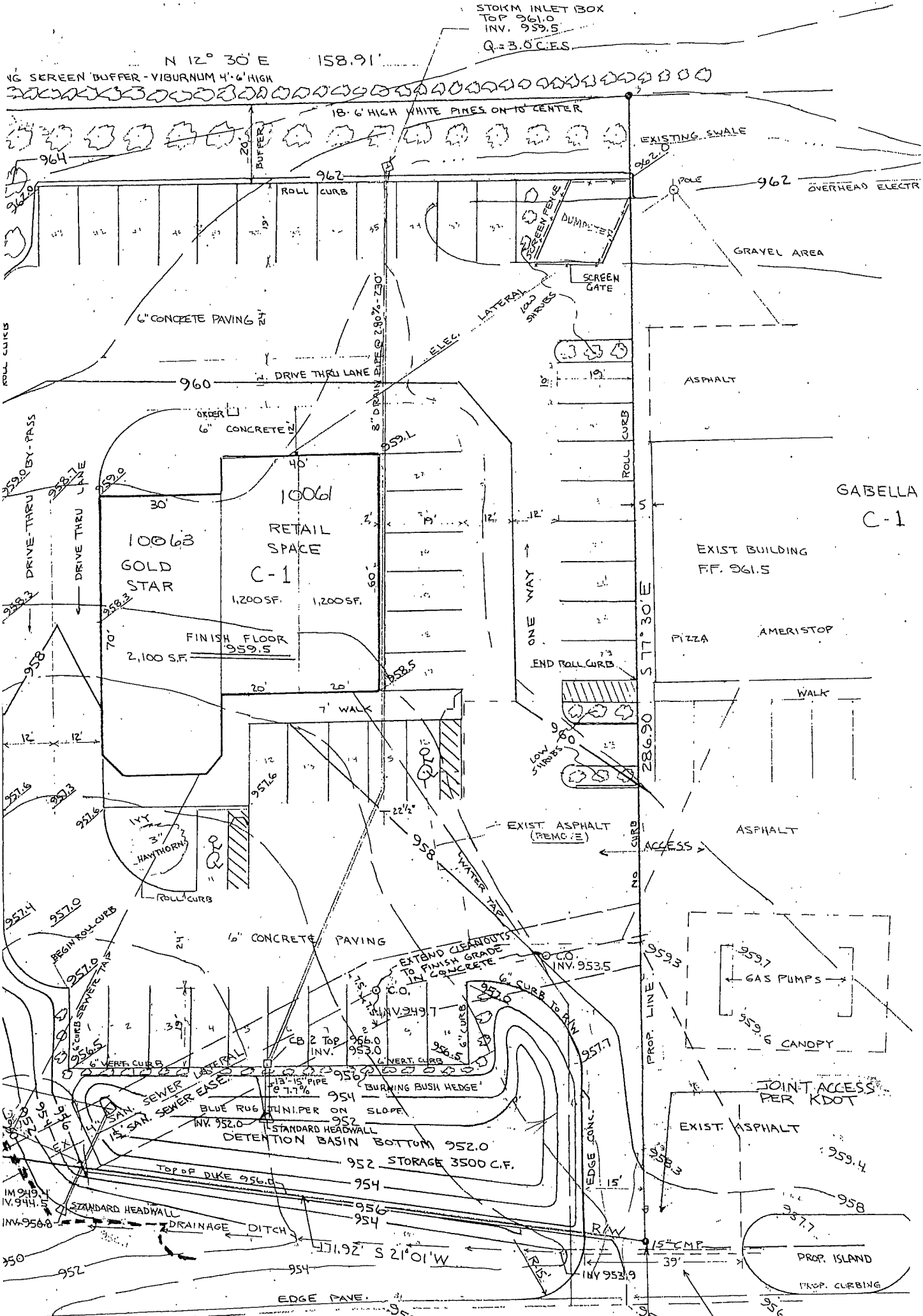
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PROP. ISLAND

PROP. CURBING



ROLL CURBS

DRIVE THRU BY-PASS

DRIVE THRU LANE

IVY HAWTHORN

BEGIN ROLL-OFFS

SEWER EASEMENT

STANDARD HEADWALL

WATER MAIN

6" CONCRETE PAVING

DRIVE THRU LANE

ORDER 6" CONCRETE

10063 GOLD STAR

1006d RETAIL SPACE C-1

FINISH FLOOR 959.5

2,100 S.F.

1,200 S.F.

1,200 S.F.

7' WALK

6" CONCRETE PAVING

EXTEND CLEAROUTS TO FINISH GRADE IN CONCRETE

TO C.O. INV. 953.5

TO C.O. INV. 949.7

CB 2 TOP INV. 966.0

INV. 953.0

VERT. CURB

13'-15" PIPE @ 7.7%

STANDARD HEADWALL

DETECTION BASIN BOTTOM 952.0

952 STORAGE 3500 C.F.

TOP OF DIKE 956.0

STANDARD HEADWALL

DRAINAGE DITCH

EDGE PAVE.

LATERAL 1000 STRINGS

ELEC.

8" DRAIN PIPE @ 2.80% Z30

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DUMPER

SCREEN GATE

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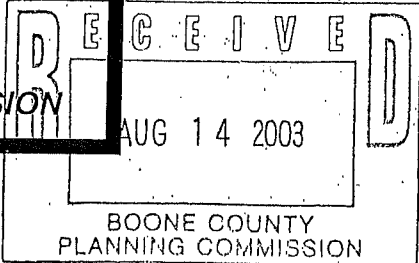
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APPLICATION FORM

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 \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- 2. (Check One)  Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
- 3. Applicant's Name Joyce Robinson Foundation / The Gathering Place Church  
Phone Number 859-371-6593 Fax No. 859-371-5603  
Applicant's Address 10310 Dixie Hwy.  
Florence, KY 41042  
City State Zip
- 4. Description of Request: Conditional Use Permit for 10063 Dixie Hwy.  
to include "Church Activities"
- 5. Name of Development \_\_\_\_\_
- 6. Location of Development \_\_\_\_\_
- 7. Acreage Under Review 10063 Dixie Highway, Florence, Ky (Boone Co.)
- 8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
- 9. Owner of Property John David  
Phone Number of Owner 859-802-9601
- 10. Address of Property Owner 852 Rosewood Dr.  
Villa Hills, Ky. 41017  
City State Zip
- 11. Proposed Use(s) on Site See attached list.
- 12. Total Square Footage of Existing and/or Proposed Buildings Approx. 4000 sq feet
- 13. Current Zoning on Property C-1
- 14. Deed Book D833 Page No. 33-34 Group No. 2058
- 15. Is the site subject to a zone change? N/A  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? A plat
- 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.

Applicant's Signature Joyce Robinson (Comptroller)

Property Owner's Signature: X John David

COPY

CLUR #03-BCBOA-016-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
John David  
852 Rosewood Drive  
Villa Hills, KY 41017
2. ADDRESS OF PROPERTY  
10310 Dixie Highway  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
The Gathering Place Church
4. DEED BOOK 833                      PAGES 33-34                      GROUP NO. 2058
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

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 September 10, 2003 Certificate of Land Use Restriction (#03-BCBOA-016-A), for John David, Property Owner(s).

The following conditions will apply:

No conditions.

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

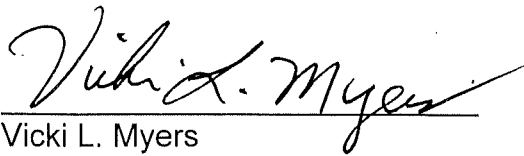
DEED BOOK 833

PAGE NO. 33-34 GROUP NO. 2058

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

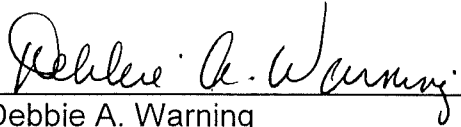
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 11 day of September, 2003.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

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.)