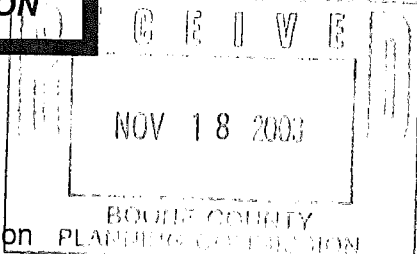


APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



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

(Check One) 1. [X] Boone [] Florence [] Walton [] Union []

(Check One) 2. [] Conditional Use Permit [] Variance [] Appeal [] Change in Non-Conforming Use

3. Applicant's Name: DON MARKESEBEY CONTRACTOR INC. Phone Number: 859-746-9004 Fax No: 859-746-9005 Applicant's Address: #2 GIRARD ST, FLORENCE KY 41042

4. Description of Request: PERMISSION TO CONSTRUCT NEW CHURCH Addition LARGER THAN EXISTING

5. Name of Development: SOUTH FORK CHRISTIAN CHURCH

6. Location of Development: 14896 South Fork Rd - East Side of South Fork Rd 0.60 mile NW of US 42 in Boone Cnty.

7. Acreage Under Review: 1.904 ACRES

8. Lot Number and Name of Subdivision (if part of a subdivision)

9. Owner of Property: SOUTH FORK CHRISTIAN CHURCH - JOE JONES - ELDER Phone Number of Owner: 859-649-5535

10. Address of Property Owner: 1395 - Hwy 2850, VERONA KY 41092

11. Proposed Use(s) on Site: Church

12. Total Square Footage of Existing and/or Proposed Buildings: 12,390 sq ft

13. Current Zoning on Property: A-1 / A-2

14. Deed Book: 244 Page No: 176 Group No: 2074 2nd deed BR 244 Pg 176

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.

Applicant's Signature: Don Markesebey (Pres)

Property Owner's Signature: Joe Jones

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 11-18-03 Fee Received \$ 519.00 # 37206
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
12-10-03 Approved
12-10-03 Approved with Conditions (See #6)
Denial (See #7).
6. Conditions of Approval: SEE 12/10/03
B.C.B.O.A. MEETING MINUTES
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 - 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: Don Markesbery Contractor, Inc. for South Fork Christian Church

LOCATION: 14896 South Fork Church Road, Boone County, Kentucky

ZONING: Agriculture (A-1) & Agricultural Estate (A-2)

DATE: December 10, 2003

Proposal

The applicant has requested a Conditional Use Permit to allow the construction of an addition onto the south facade of South Fork Christian Church. The addition will consist of a 5,040 square foot basement, which will be used as a Fellowship Hall and storage area, and a 5,040 square foot first floor, which will be used as a 300 seat Sanctuary. The addition will be added onto the existing 2,310 square foot Church.

The proposed addition is replacing a 2,560 square foot wing that was torn down in early November. The submitted Concept Development Plan shows that the proposed addition will be situated 14' feet further away from S. Fork Church Road than the old church wing.

Site Characteristics

The approximate 4 acre parcel is split zoned Agriculture (A-1) and Agricultural Estate (A-2). However, the entire church (existing building & proposed addition) is located entirely within the A-1 zoning district. The church campus also contains a Pastor's residence to the north of the building, a cemetery to the south of the building, and a gravel parking lot and cemetery across South Fork Church Road.

The topography where the addition is proposed is level to rolling. However, the overall topography of the parcel is severe. The elevation falls from approximately 590 feet above sea level at the northeast property line to 500 feet above sea level at the southwest property line. The back half of the property is heavily wooded with deciduous trees.

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 uses as specified in this zoning order, with such additional safeguards as will uphold the intent of the order.

Article 6, Section 613 of the Boone County Zoning Regulations permits "churches, synagogues, temples, and other places of religious assembly for worship" as conditional uses within the Agricultural (A-1) zoning district.

Article 30, Section 3007 of the Boone County Zoning Regulations states that "property involving a conditional use and/or variance shall be subject to the Boone County Planning Commission Site Plan review and approval if required by an individual zoning district."

The Board should evaluate the applicant's request for a Conditional Use Permit as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 613 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings For All Conditional Use Permits):

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 6, Section 613 of the Boone County Zoning Regulations allows "churches" as conditional uses in the A-1 district provided that:

- a. the activity is an integral part of the agricultural use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district; or
- b. the activity is necessary to provide the specified public service for the character of the activity does not overpower, transcend or conflict with the principal purpose of the district; and
- c. provided the arrangement of use, building or structure is mutually 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 as a mixture of "Public/Institutional", "Rural Lands", and "Developmentally Sensitive" uses. However, the entire area where the church is proposed is forecasted for "Public/Institutional" uses. The three classifications are described as follows:

Public/Institutional (P) – "Government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc."

Rural Lands (RL) – "Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision."

Developmentally Sensitive (DS) – "Areas that have an existing slope of twenty percent or greater for a height of 20 meters, or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's stability and visual character. Any development on land identified as Developmentally Sensitive must be carefully assessed by the developer and the Planning Commission to determine the ability of the land to support the project."

The following Future Land Use Development Guideline from the 2000 Boone County Comprehensive Plan applies to the application:

- A. Developments in Boone County must recognize the potential impacts of storm water runoff. Developments must design and incorporate adequate provisions for the channelization and control of the rate of storm water flow on and from the site (Storm Water Management and Erosion Control, p. 159).
- B. Developments in Boone County should give consideration to the overall design of the project. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County (Design, Signs, and Historic Preservation, p. 160).

Surrounding Land Uses and Zoning

North: Vacant 12 Acre Parcel (A-1/A-2)

South: Single-Family Residence (A-2)

East: Vacant 18 Acre Parcel (A-2)

West: S. Fork Church Road, Church Parking Lot, and Single-Family Residence (A-1)

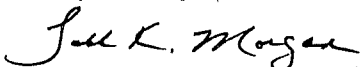
Staff Comments

1. The applicant has provided Staff with elevation drawings of the proposed addition (see attachments). While the elevations provide a picture of what the building will look like, they do not delineate the dominant building material. Staff would like the applicant to address the dominant building material and indicate how it will correlate with the existing building. Staff's recommends that the church (building and roof) should have an integral appearance when it is completed.
2. Staff would like to note that the existing church building is a non-conforming structure because it does not meet the 80 foot front yard requirement. However, a change of non-conforming use application was not required because the proposed building will sit back 14 feet further from South Fork Church Road than the portion of the building that was torn down.
3. The parking requirement for a church with 300 seats is 60 stalls. The applicant has provided documentation that their gravel parking lot across the street can accommodate up to 75 vehicles.
4. Staff would like the applicant to explain if any site lighting is being proposed.
5. A Major Site Plan will need to be submitted if the Board grants the Conditional Use Permit. The Site Plan will need to address setbacks, existing and proposed grades, storm water detention, etc.

Conclusion

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,

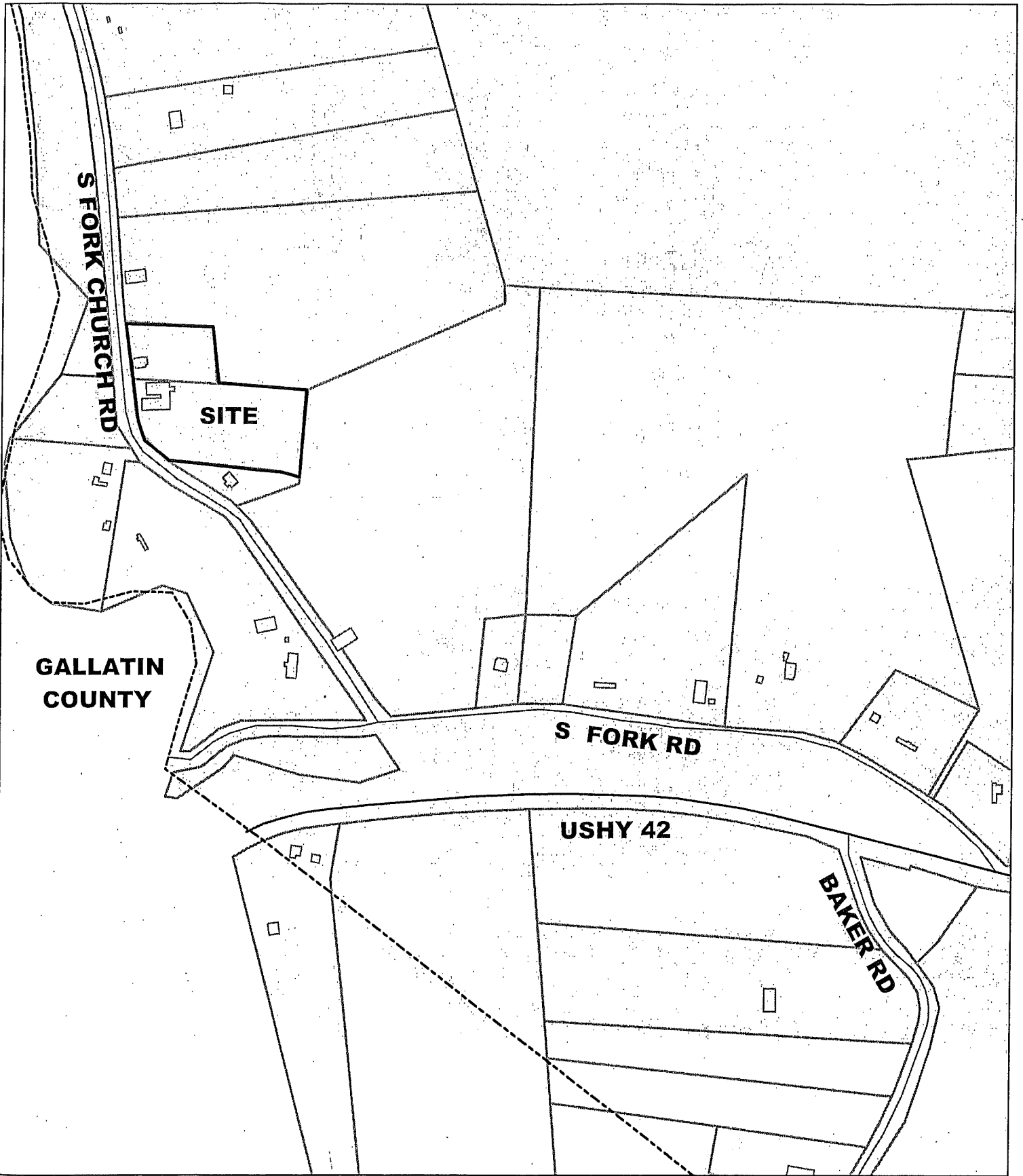


Todd K. Morgan, AICP
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Development Plan (Building)
- Exhibit C – Concept Development Plan (Gravel Parking Lot Across Street)
- Exhibit D – Elevations Drawings
- Exhibit E – Aerial Map
- Exhibit F – Zoning Map
- Exhibit G – Future Land Use Map
- Exhibit H – Topographical Map
- Exhibit I – Application



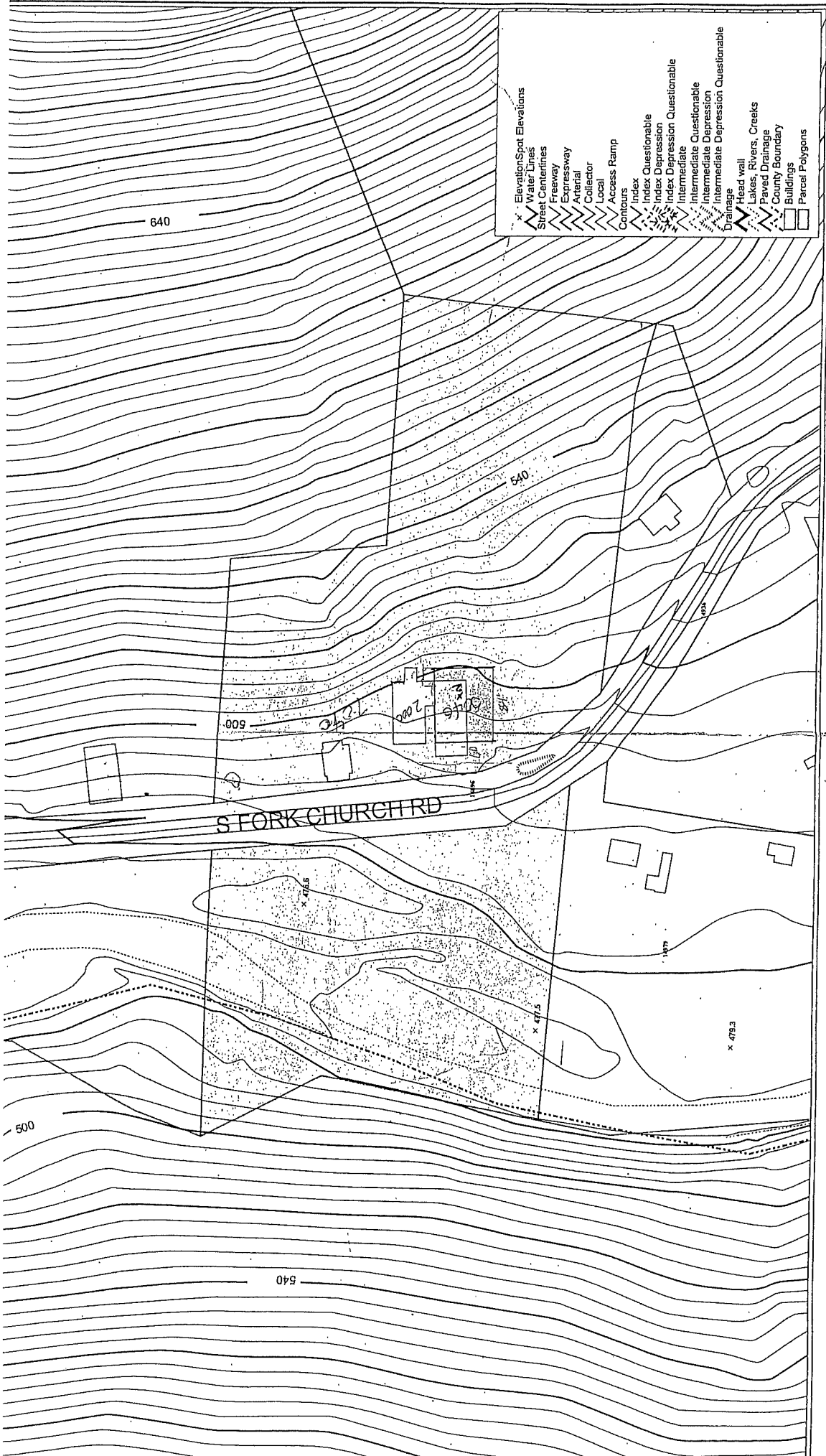
S. Fork Christian Church Site Vicinity Map



1 inch equals 400 feet

Produced by the
Boone County Planning Commission
GIS Services Division
December 3, 2003

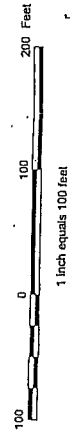




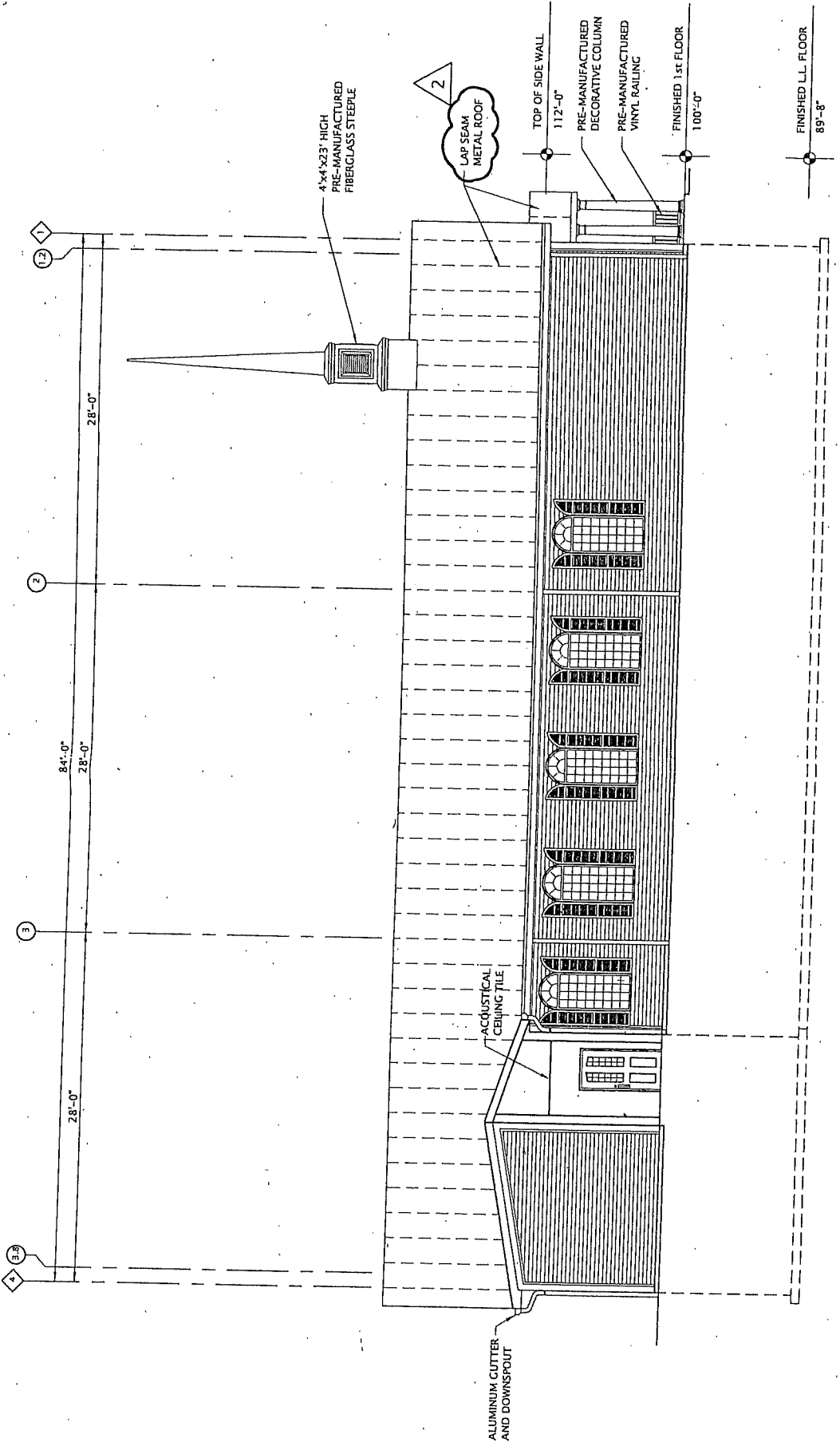
- x - Elevation Spot Elevations
- Water Lines
- Street Centerlines
- Freeway
- Expressway
- Arterial
- Collector
- Local
- Access Ramp
- Contours
- Index
- Index Questionable
- Index Depression
- Index Depression Questionable
- Intermediate
- Intermediate Questionable
- Intermediate Depression
- Intermediate Depression Questionable
- Drainage
- Head wall
- Lakes, Rivers, Creeks
- Paved Drainage
- County Boundary
- Buildings
- Parcel Polygons



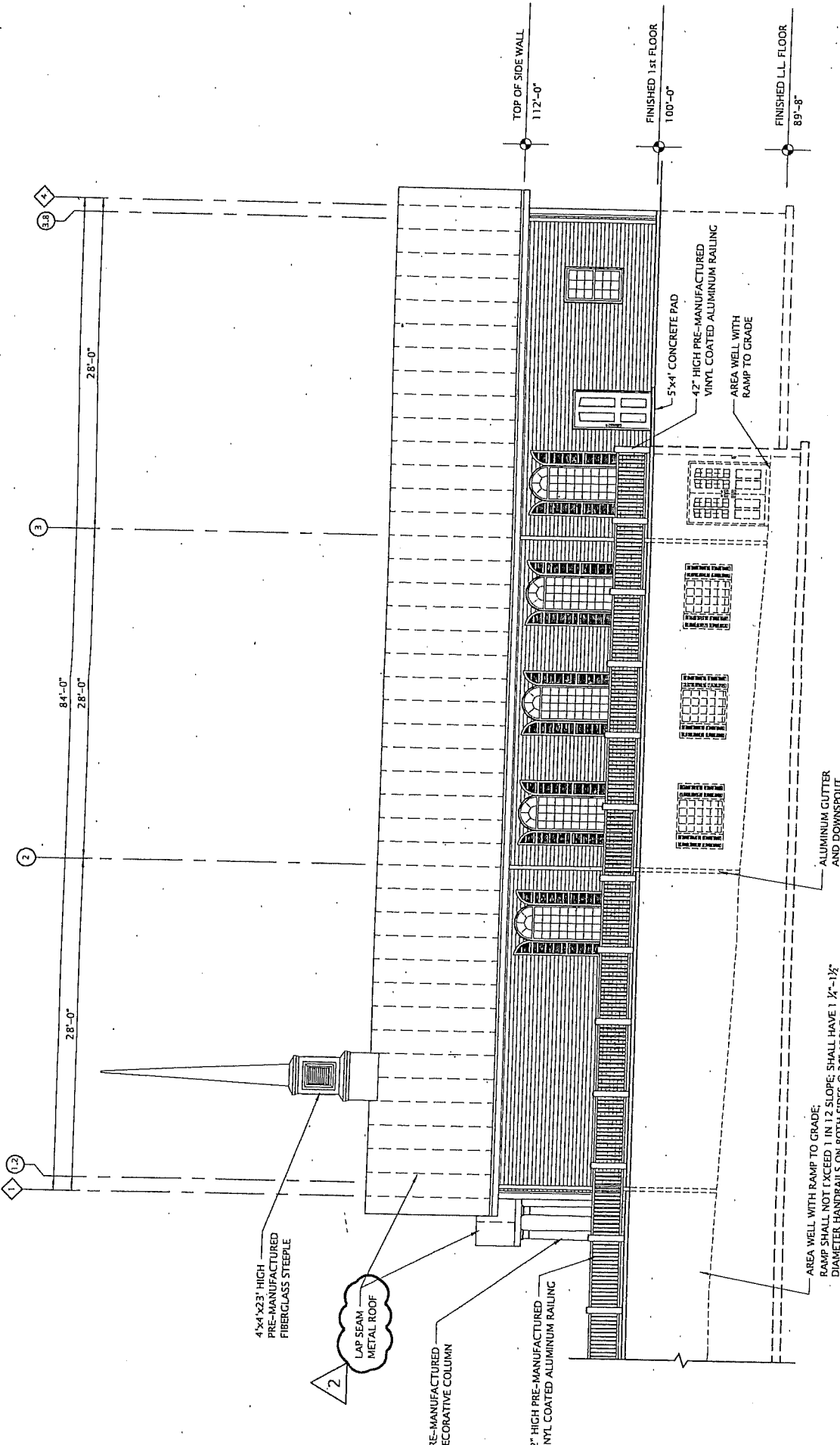
Produced by the
Boone County Planning Commission
GIS Services Division
September 22, 2003



Southfork Christian Church



4 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

AREA WELL WITH RAMP TO GRADE;
RAMP SHALL NOT EXCEED 1 IN 12 SLOPE; SHALL HAVE 1 1/2" - 1 1/2"
DIAMETER HANDRAILS ON BOTH SIDES @ 36" ABOVE RAMP
AND SHALL HAVE 5' LONG LANDING FOR EVERY 30' OF RAMP

4'x4'x23' HIGH
PRE-MANUFACTURED
FIBERGLASS STEEPLE

LAP SEAM
METAL ROOF

PRE-MANUFACTURED
DECORATIVE COLUMN

42' HIGH PRE-MANUFACTURED
VINYL COATED ALUMINUM RAILING

5'x4' CONCRETE PAD
42' HIGH PRE-MANUFACTURED
VINYL COATED ALUMINUM RAILING

AREA WELL WITH
RAMP TO GRADE

ALUMINUM GUTTER
AND DOWNSPOUT

TOP OF SIDE WALL
112'-0"

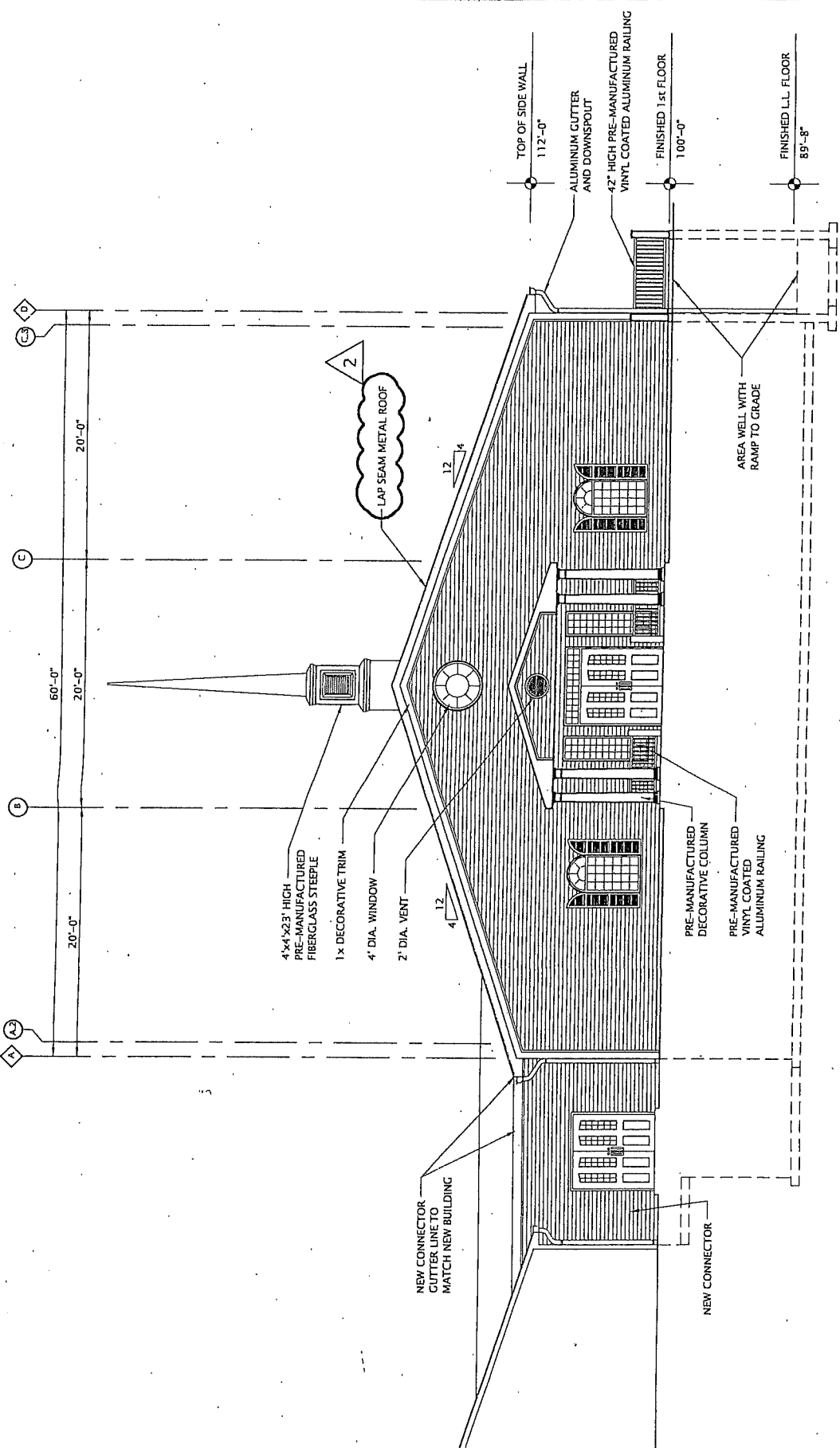
FINISHED 1st FLOOR
100'-0"

FINISHED LL FLOOR
89'-8"

28'-0"

84'-0"
28'-0"

28'-0"



1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



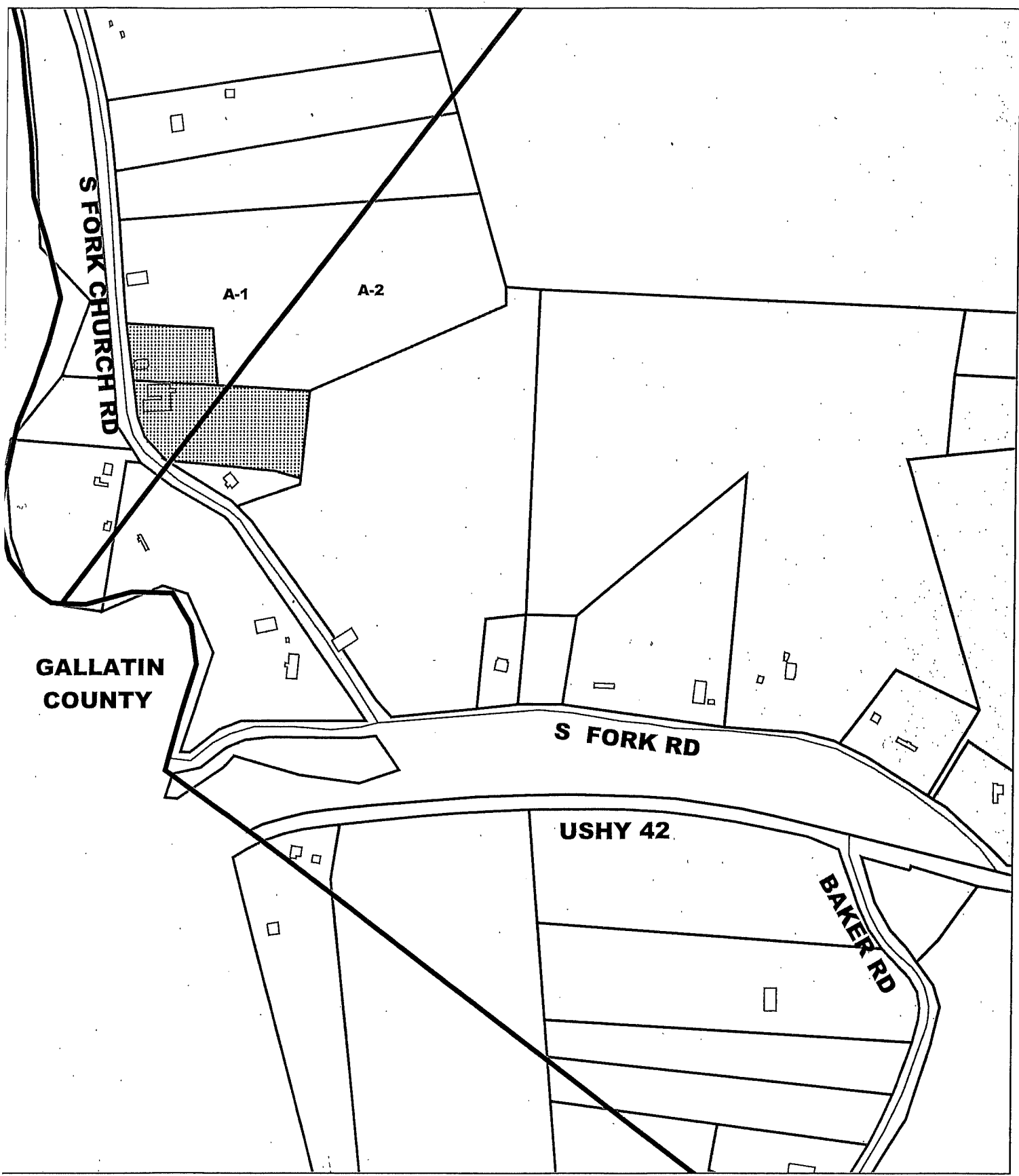
150 0 150 Feet

1 inch equals 150 feet

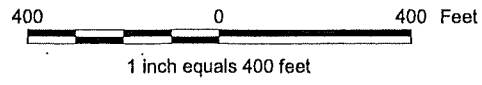
Produced by the
Boone County Planning Commission
GIS Services Division
December 3, 2003



S. Fork Christian Church Aerial Map

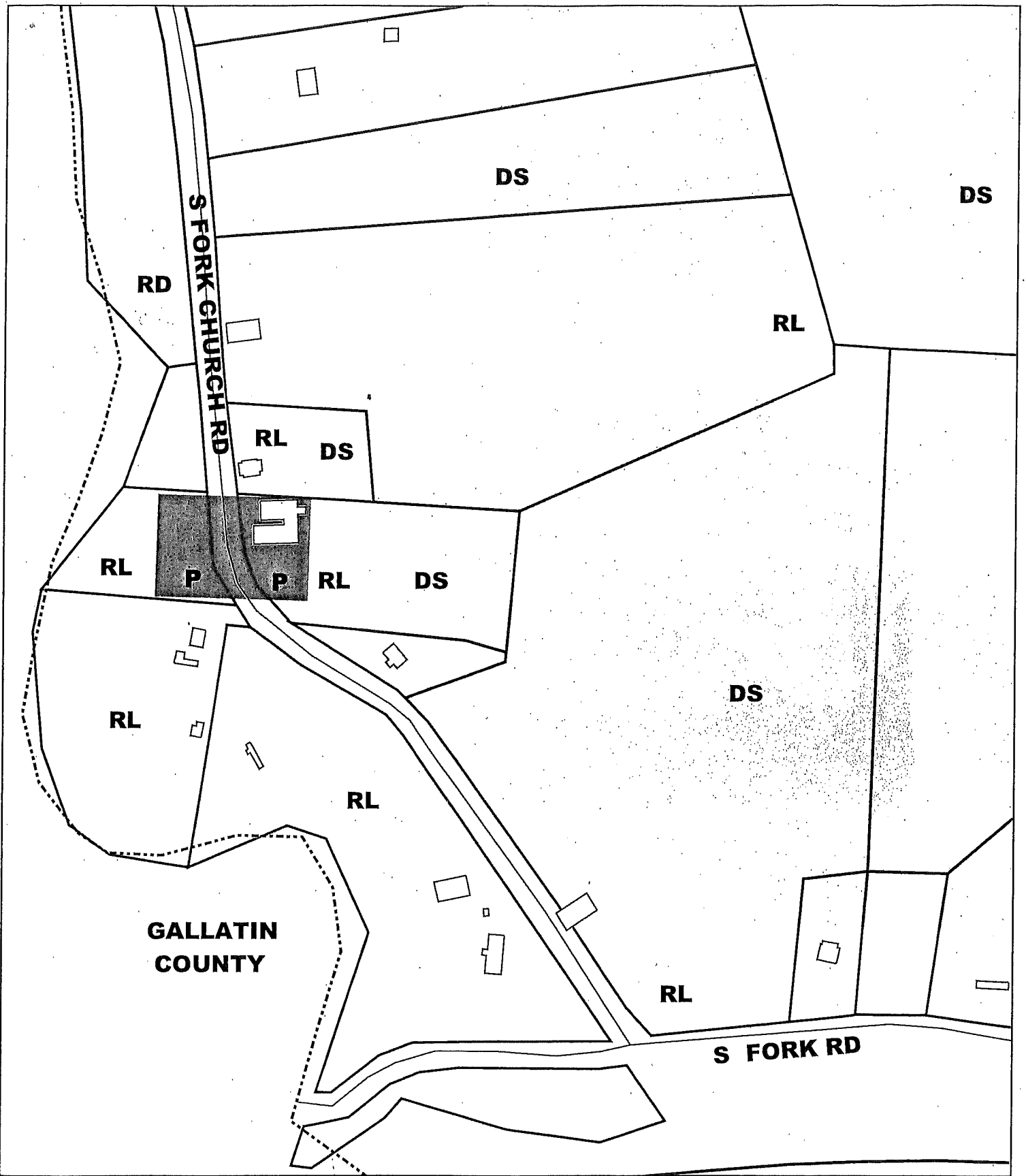


S. Fork Christian Church Zoning Map



Produced by the
Boone County Planning Commission
GIS Services Division
December 3, 2003





S. Fork Christian Church Future Land Use Map

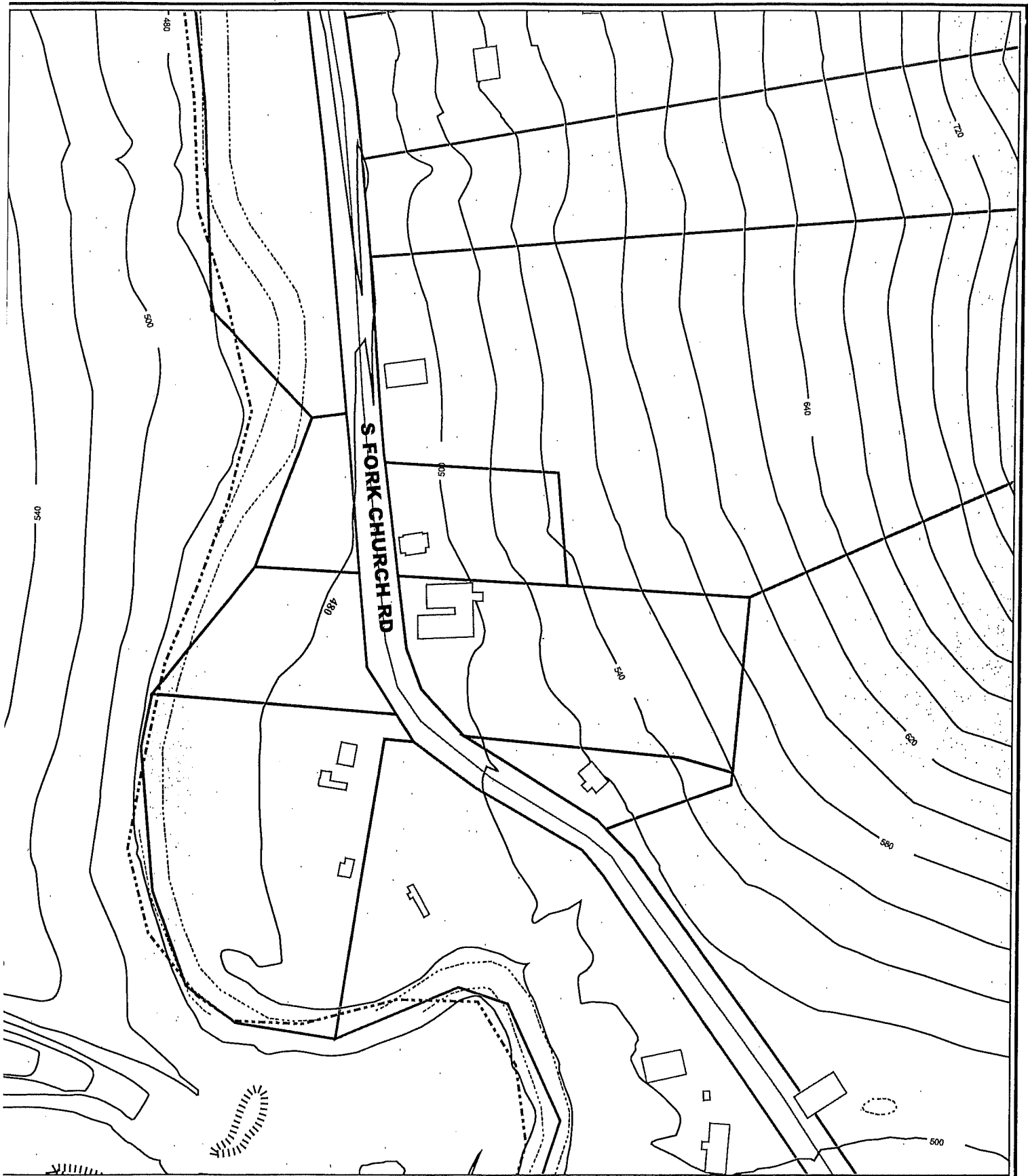
250 0 250 Feet



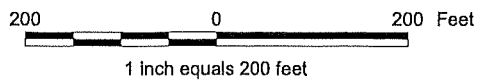
1 inch equals 250 feet

Produced by the
Boone County Planning Commission
GIS Services Division
December 3, 2003





S. Fork Christian Church Topographical Map

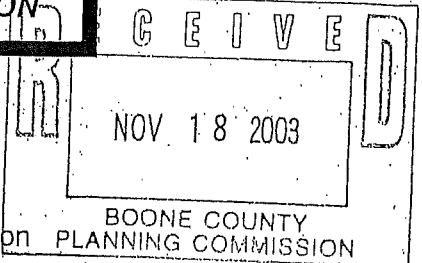


Produced by the
Boone County Planning Commission
GIS Services Division
December 4, 2003



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 DON MARKESBEY CONTRACTOR INC.
Phone Number 859-746-9004 Fax No. 859-746-9005
Applicant's Address # 2 GIRARD ST.
FLORENCE KY 41042
City State Zip
- 4. Description of Request: PERMISSION TO CONSTRUCT NEW CHURCH
ADDITION LARGER THAN EXISTING
- 5. Name of Development SOUTH FORK CHRISTIAN CHURCH
- 6. Location of Development 14896 SOUTH FORK RD - EAST SIDE OF SOUTH
FORK RD 0.60 MILE NW OF US 42 IN BOONE CNTY, KY
- 7. Acreage Under Review 1.904 ACRES
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
- 9. Owner of Property SOUTH FORK CHRISTIAN CHURCH - JOE JONES - ELDER
Phone Number of Owner 859-643-5535
- 10. Address of Property Owner 1395 - Hwy 2850
WHEELER KY 41092
City State Zip
- 11. Proposed Use(s) on Site Church
- 12. Total Square Footage of Existing and/or Proposed Buildings 12,390 #
- 13. Current Zoning on Property A-1 / A-2
- 14. Deed Book 244 Page No. 176 Group No. 2074 2nd deed BK 244 Pg 176 Grp 2074
- 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.

Applicant's Signature: Don Markesbey (Pres)
Property Owner's Signature: Joe Jones

COPY

CLUR #03-BCBOA-025-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

South Fork Christian Church
14896 South Fork Church Road
Verona, KY 41092

2. ADDRESS OF PROPERTY

14896 South Fork Church Road
Verona, KY 41092

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

South Fork Christian Church

4. DEED BOOK 244

PAGE NO. 176

GROUP NO. 2074

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

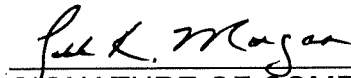
Subdivision Plat
(Not Recorded)

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



SIGNATURE OF COMPLETING OFFICIAL

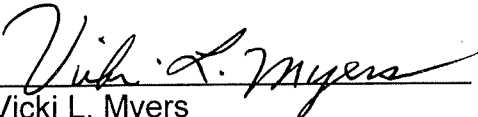
Todd K. Morgan, Planner, Zoning Services

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

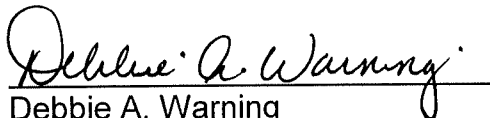
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 17 day of December, 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.)

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 December 10, 2003 Certificate of Land Use Restriction (#03-BCBOA-025-A), for South Fork Christian Church, Property Owner(s).

The following conditions will apply:

- 1) A Major Site Plan Review is required.
- 2) The parking spaces are to be defined with concrete wheel blocks.

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

DEED BOOK 244

PAGE NO. 176

GROUP NO. 2074