

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. [X] Conditional Use Permit [] Variance [] Appeal [] Change in Non-Conforming Use

3. Applicant's Name FIRST CHURCH OF CHRIST
Phone Number (859) 586-4673 Fax No. (859) 586-4673
Applicant's Address 6080 CAMP ERNST ROAD
BURLINGTON KY 41005
City State Zip

4. Description of Request: CONDITIONAL USE PERMIT FOR PARKING LOT

5. Name of Development N/A

6. Location of Development N/A

7. Acreage Under Review Less than an acre of a 21 Acre Site

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

9. Owner of Property FIRST CHURCH OF CHRIST (CHRISTIAN)

Phone Number of Owner (859) 586-4673

10. Address of Property Owner 6080 CAMP ERNST ROAD

BURLINGTON KY 41005
City State Zip

11. Proposed Use(s) on Site Extension of parking lot - parishoner parking

12. Total Square Footage of Existing and/or Proposed Buildings N/A

13. Current Zoning on Property SR-1

14. Deed Book 409 Page No. 209 Group No. 2031

15. Is the site subject to a zone change? NO

If yes, give date of approval N/A

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: [Signature]

Property Owner's Signature: Kevin C. Driess Assistant Business Manager

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 8-18-04 Fee Received \$625.00 RH 39935
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:

9-8-04 Approved
9-8-04 Approved with Conditions (See #6)

Denial (See #7).
6. Conditions of Approval: SEE 9-8-04 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: First Church of Christ
LOCATION: 6080 Camp Ernst Road, Boone County, Kentucky
ZONING: Suburban Residential One (SR-1)
DATE: September 8, 2004

Proposal

First Church of Christ is requesting a Conditional Use Permit to allow 105 additional parking stalls on the church campus. The Applicant has submitted a letter and Concept Development Plan (see attachments) which indicate that they are seeking approval to:

- a. Construct 95 stalls onto their eastern parking lot; and
- b. Keep 10 parking stalls which were erroneously constructed onto their western parking lot (parking lot which immediately adjoins Camp Ernst Road).

Board of Adjustment History

- 3/8/89 – The Boone County Board of Adjustment approved a Conditional Use Permit to allow the construction of a 23,000 square foot church
- 7/12/00 – The Boone County Board of Adjustment approved a Conditional Use Permit to allow the construction of a 65,900 square foot Christian Education Building and 121 new parking stalls.

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 a Suburban Residential One (SR-1) 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.”

Article 30, Section 3314 of the Boone County Zoning Regulations states that “all parking and loading areas set forth in Sections 3311 and 3325, including driveways, aisles, vehicle storage, outdoor storage, and vehicle circulation areas shall be improved with either asphalt concrete or portland cement concrete to provide a durable and dust free surface.”

Article 33, Section 3325 of the Boone County Zoning Regulations states that churches are required to provide one parking stall for every 5 seats.

Article 33, Section 3325 of the Boone County Zoning Regulations states that the maximum number of parking stalls permitted on a site is 30% greater than the required minimum number, unless a parking study is approved by the Zoning Administrator.

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 933 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 9, Section 933 of the Boone County Zoning Regulations allows churches as a conditional use in the SR-1 district if the proposed facility meets all the requirements:

- 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.

Relationship to the Comprehensive Plan

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question for "Public/Institutional" and "Suburban Residential" uses. These designations are described as follows:

Public/Institutional – "government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc."

Suburban Residential – "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: Boone County Extension Office (PF)
- South: Willow Bend Subdivision & FAA Property (SR-2)
- East: Burgundy Hills Apartments (SR-2/PD)
- West: Camp Ernst Road & Ammon Landscaping (SR-2/PD)

Site Characteristics

The approximate 22 acre church campus fronts on Camp Ernst Road. Access to the church is provided from two curb cuts on Camp Ernst Road and a driveway which connects to Patrick Drive and KY 18. The church campus currently contains a 87,264 square foot building, 537 parking stalls (includes the 10 that were erroneously constructed), and a maintenance barn. The topography of the overall site ranges from 870 feet above sea level along Camp Ernst Road to 820 feet above sea level at the northeast property line (see topographical map). However, the area where the 95 additional parking stalls are being proposed is relatively flat. The proposed 95 stall parking area is buffered by substantial deciduous tree lines that exist along the north, south, and east property lines.

Staff Comments

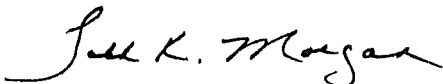
1. The Applicant's letter and Concept Development Plan (see attachments) indicates that they want to add 95 additional parking stalls onto their eastern parking lot and want to keep 10 parking stalls which were erroneously constructed onto their western parking lot. The church parking lots will contain 632 parking spaces if the Board grants approval of the request.
2. The church's seating capacity is 2,553. Based on this seating capacity, the church's minimum parking requirement is 511 stalls. The maximum number of stalls permitted on site is 665 stalls.
3. Staff would like the Applicant to explain if any site lighting is being proposed in the new parking lot. If light poles are proposed, Staff recommends the following conditions:

- A. The light poles must match the other light poles on site.
 - B. 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. 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 driveway aisle and parking stall requirements, grading, storm water detention, lighting, etc.

Conclusion

KRS 100.237 and Sections 260 and 933 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,

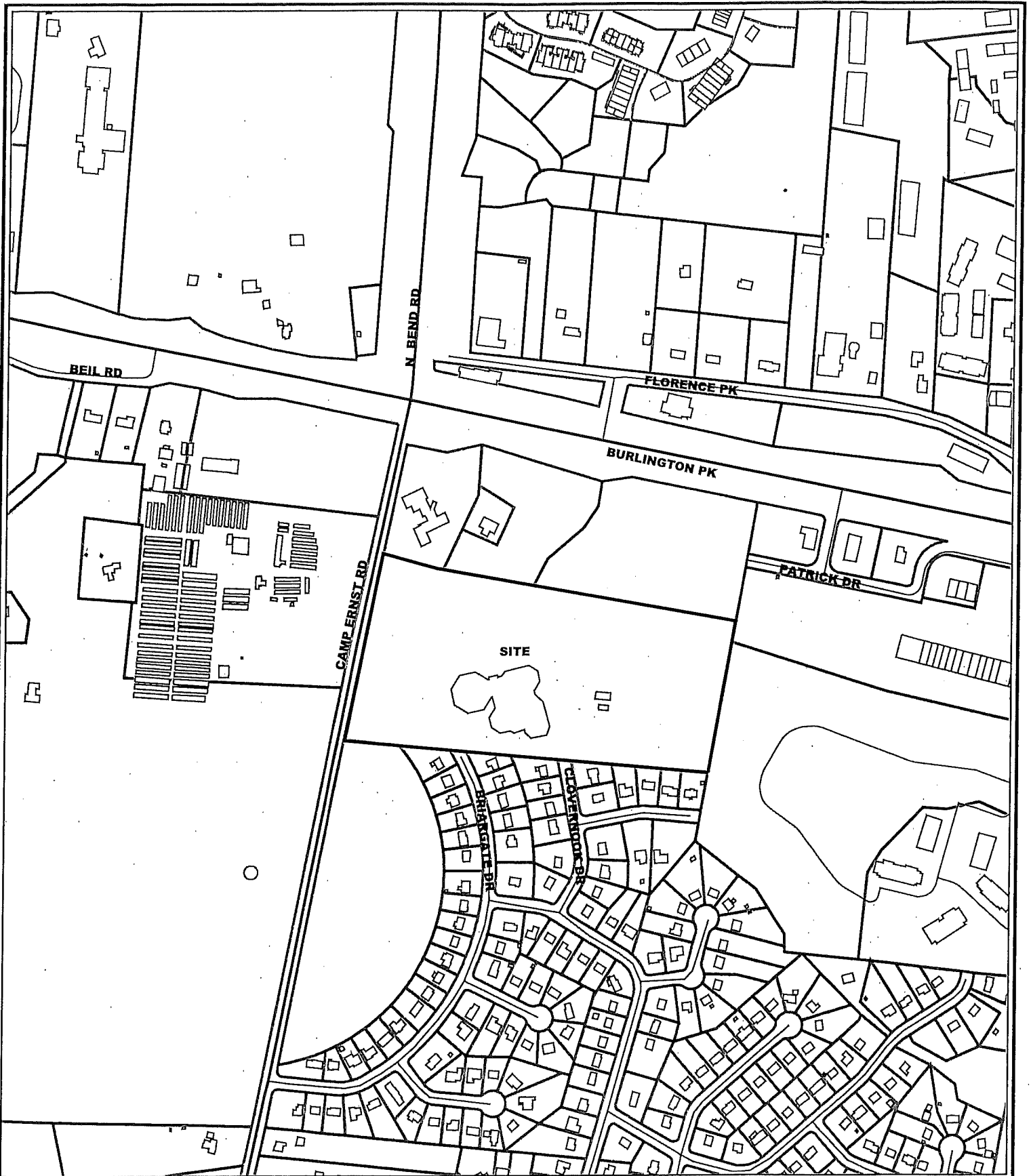


Todd K. Morgan, AICP
Planner, Zoning Services

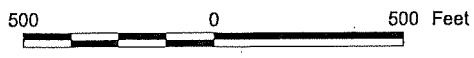
TKM/pr

Attachments

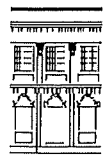
- Exhibit A – Site Vicinity Map
- Exhibit B – Letter From Applicant
- Exhibit C – Concept Development Plan
- Exhibit D – Zoning Map
- Exhibit E – Future Land Use Map
- Exhibit F – Topographical Map
- Exhibit G – Aerial Map
- Exhibit H – Application



**First Church of Christ
Site Vicinity Map**



1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 August 26, 2004





September 2, 2004

Todd Morgan
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

Dear Todd,

This letter amends a similar letter dated August 26, 2004. Apparently I failed to bring a revised drawing to your attention in July, 2001. That drawing reflected a modification of our original intent for the parking lot closest to Camp Ernst Road. The total parking spaces in our submitted plan in March was 527. After the modification, this number increased to 537. These additional 10 spaces were added to the South west corner of the parking lot close to Hwy237. Seven of them form an extra row facing North/South. Three were added to the extreme Western row. The additional spaces are visible on the drawing recently faxed to you from Mike Bishop. Would you please incorporate into the meeting on September 8 the opportunity for us to rectify this previous modification? I apologize for this matter. Since most of my working life was with an agency that did not need the approval of Planning and Zoning I apparently forget where I am working.

The capacity for seating at First Church of Christ is as follows based on our present building usage plan:

Worship Center	1250
Worship Center classroom 6	18
Garden Center classrooms	260
First Center classrooms 101-110	440
Orchard Center assembly areas	300
Stage One	285
TOTAL ONE TIME SEATING CAPACITY	2553

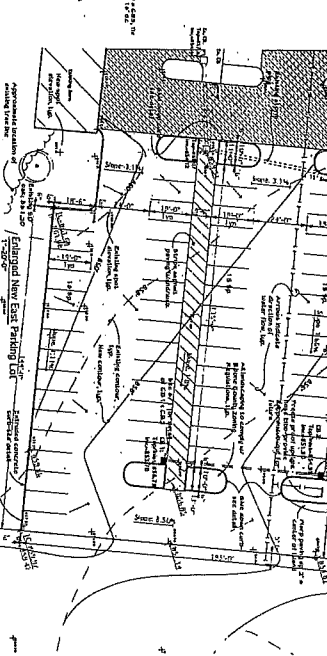
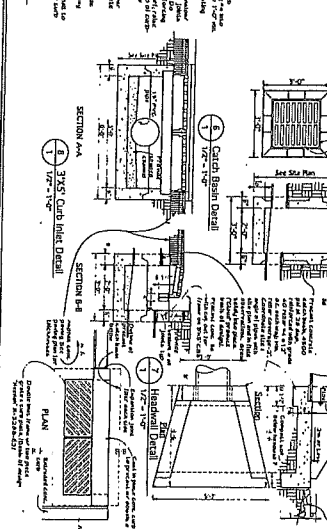
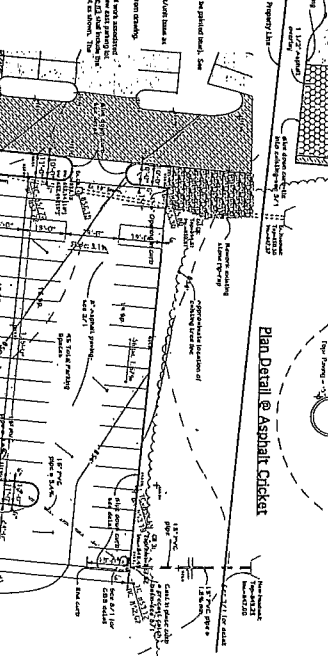
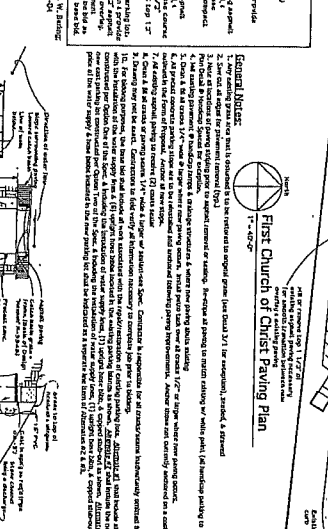
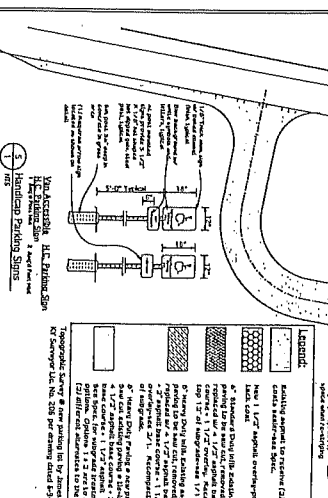
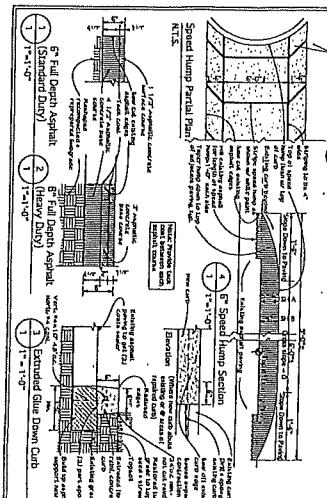
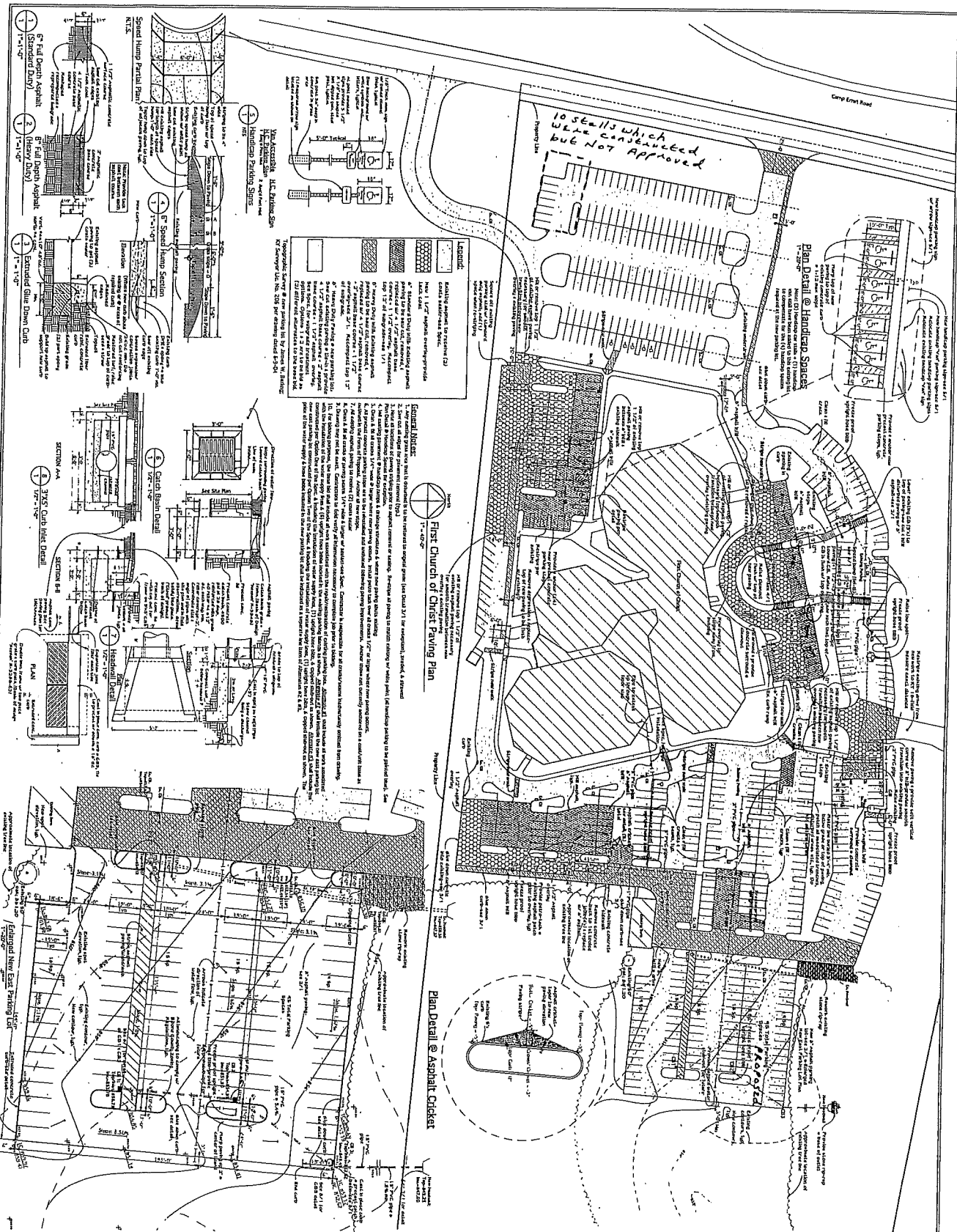
We currently have 537 parking spaces. We are proposing 95 new spaces. We also park at the Farmers Market and Extension Center and shuttle people to First Church. Thank you for your assistance in completing the necessary steps for approval of our plans. If you need anything further, please let me know.

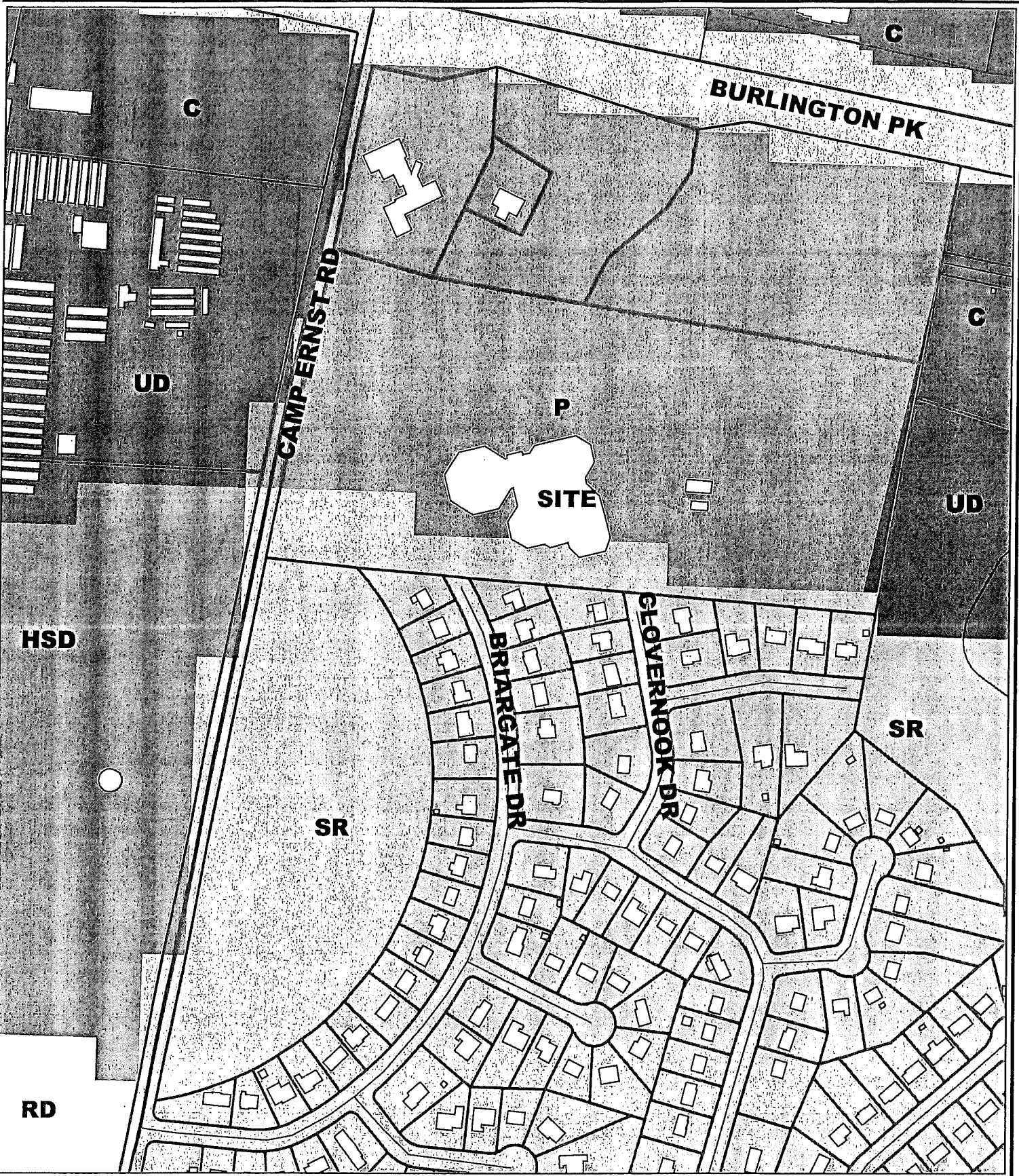
Sincerely,

A handwritten signature in cursive script that reads "Gary C. Griesser".

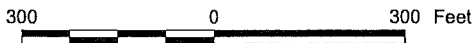
Gary C. Griesser
Business Manager

cc: Robert Ehmet Hayes



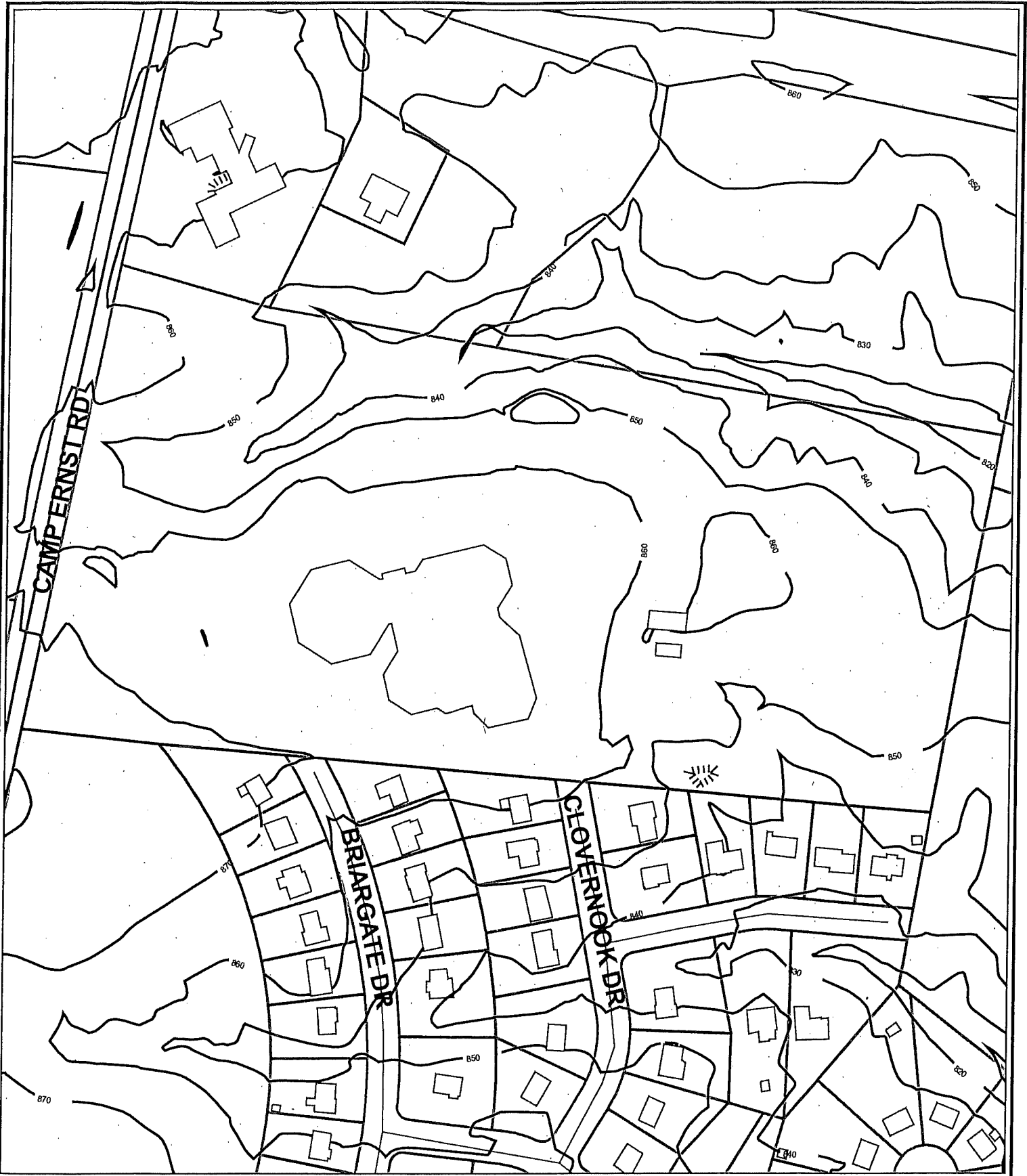


First Church of Christ Future Land Use Map



1 inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 August 26, 2004





First Church of Christ Topographical Map

200 0 200 Feet

1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
September 2, 2004





First Church of Christ Aerial Map

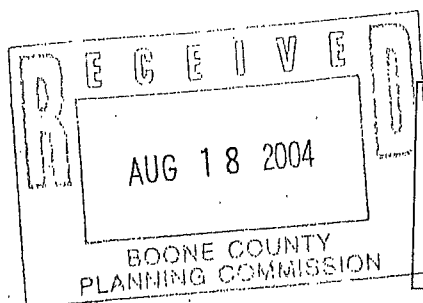
400 0 400 Feet



1 inch equals 400 feet
Produced by the
Boone County Planning Commission
GIS Services Division
August 26, 2004



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. [x] Conditional Use Permit [] Variance [] Appeal [] Change in Non-Conforming Use

3. Applicant's Name FIRST CHURCH OF CHRIST
Phone Number (859) 586-4673 Fax No. (859) 586-4673
Applicant's Address 6080 CAMP ERNST ROAD
BURLINGTON KY 41005
City State Zip

4. Description of Request: CONDITIONAL USE PERMIT FOR PARKING LOT

5. Name of Development N/A

6. Location of Development N/A

7. Acreage Under Review Less than an acre OF a 21 Acre SITE

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

9. Owner of Property FIRST CHURCH OF CHRIST (CHRISTIAN)

Phone Number of Owner (859) 586-4673

10. Address of Property Owner 6080 CAMP ERNST ROAD
BURLINGTON KY 41005
City State Zip

11. Proposed Use(s) on Site Extension of parking lot - parishoner parking

12. Total Square Footage of Existing and/or Proposed Buildings N/A

13. Current Zoning on Property SR-1

14. Deed Book 409 Page No. 209 Group No. 2031

15. Is the site subject to a zone change? NO

If yes, give date of approval N/A

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: Kevin C. Dineen

Property Owner's Signature: Kevin C. Dineen, ASSISTANT BUSINESS MANAGER

COPY

CLUR #04-BCBOA-029-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
First Church of Christ
6080 Camp Ernst Road
Burlington, KY 41005
2. ADDRESS OF PROPERTY
6080 Camp Ernst Road
Burlington, KY 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
First Church of Christ
4. DEED BOOK 409 PAGE NO. 209 GROUP NO. 2031
5. TYPE OF RESTRICTION(S) (Check all that apply)
- ___ Zoning Map Amendment: X Conditional Use Permit
 From ___ To
- ___ Development Plan ___ Conditional Zoning
- ___ Subdivision Plat ___ Other:
 (Not Recorded)
- ___ 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

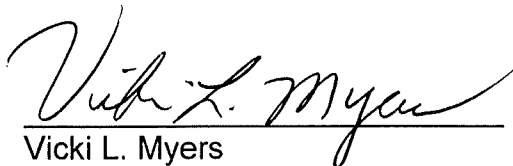
Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

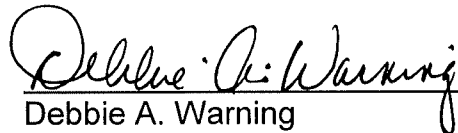
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 14 day of September, 2004.



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 September 8, 2004 Certificate of Land Use Restriction (#04-BCBOA-029-A), for First Church of Christ, Property Owner(s).

The following conditions will apply:

- 1) The proposed light poles are to match the existing light poles on the site.
- 2) A photometric plan is to be submitted 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.
- 3) A Major Site Plan application is to be submitted to the Boone County Planning Commission that addresses driveway aisle and parking stall requirements, grading, storm water detention, lighting and all other Site Plan requirements.

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

DEED BOOK 409

PAGE NO. 209

GROUP NO. 2031