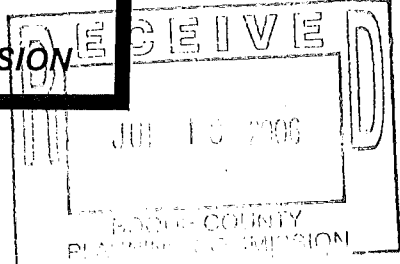


06-BeBoA-011-A

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 Blake Helms, HiFive Design Group  
Phone Number (513) 336-9280 Fax No. (513) 336-0196  
Applicant's Address 202 West Main St. Mason 45040

4. Description of Request: Addition to existing worship facility.  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Name of Development Vineyard Christian Church

6. Location of Development 7101 Pleasant Valley Road,  
Florence, KY 41042

7. Acreage Under Review 13.83 Ac

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

9. Owner of Property \_\_\_\_\_

10. Phone Number of Owner (859) 689-0777

11. Address of Property Owner \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

12. Proposed Use(s) on Site Worship Facility, half-day  
pre-school, 3 days per week, mornings only

13. Total Square Footage of Existing and/or Proposed Buildings 63,970 TOTAL SF.

14. Current Zoning on Property RSE

15. Deed Book 285 Page No. 245 Group No. 2038A

16. Is the site subject to a zone change? No

17. If yes, give date of approval \_\_\_\_\_

18. Have you submitted a Site Plan with this request? YES

19. Have you submitted a list of adjoining property owners with this request? YES

20. 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: Blake E. Helms

Property Owner's Signature: Cliff Wick  
Cliff Wick Executive Pastor

**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 7-18-06 Fee Received \$621.50 R# 50793
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
\_\_\_\_\_ **Approved**  
8/9/06 **Approved with Conditions (See #6)**  
\_\_\_\_\_ **Denial (See #7)**
6. Conditions of Approval: SEE 8/9/06 B.C.P.O.A.  
Meeting Minutes  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
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: Hi Five Design Group for Vineyard Christian Church  
LOCATION: 7101 Pleasant Valley Road, Boone County, Kentucky  
ZONING: Rural Suburban Estates (RSE)  
DATE: August 9, 2006

### Proposal

The Applicant is requesting a Conditional Use Permit to allow Vineyard Christian Church to construct a 41,675 square foot building addition with 282 additional parking spaces on the approximate 14 acre lot. The submitted Concept Plans show that the building addition will be constructed onto the southeastern and southwestern facades of the building and will include a new 900 seat sanctuary, Sunday School classrooms, restrooms, and storage areas. The parking lot addition is shown in the southeastern and southwestern portions of the approximate 14 acre lot. The request also includes the operation of a half day preschool (day care).

If the application is approved, the square footage of the facility will increase from 24,915 square feet to 63,940 square feet and the overall parking on site will increase to 487 spaces.

### Site History

- 7/15/98 – The Boone County Board of Adjustment approved a Conditional Use Permit to allow the construction of an approximate 30,500 square foot church with 360 parking stalls on the approximate 14 acre parcel. The Board imposed four conditions of approval on the development (see attachments). Although it is not a listed condition, the July 15, 1998 meeting minutes expressly call out that a day care facility could not operate out the church.
- 3/30/99 – A Major Site Plan application is approved for the construction of a 25,400 square foot church and 243 parking stalls. The grading and landscaping plans show that 5' to 8' tall berms would be installed where proposed improvements would adjoin or align with residential areas. The proposed berms adjoining Pebble Creek were later changed to additional landscaping due to storm water issues.

### 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 the zoning order, with such additional safeguards as will uphold the intent of the order.

Article 9, Section 913 of the Boone County Zoning Regulations permits churches as a conditional use within the Rural Suburban Estates (RSE) zoning district.

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 913 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 913 of the Boone County Zoning Regulations permits in the RSE zone as a conditional use provided:

- a) The activity is an integral and subordinate function of a permitted agricultural, recreational, or residential use; or
- b) The activity will not contradict the semi-suburban, open space character of the district;
- c) Require or contribute to infrastructure need above that common of the district's permitted uses;
- d) Is of direct relation to and in support of the purpose of the district; and
- e) 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 33, Section 3325 of the Boone County Zoning Regulations states that the parking requirement for a church is one space for every 5 seats.

Relationship to the Comprehensive Plan

The 2005 Boone County Comprehensive Plan's "2030 Future Land Use Map" designates the site in question for "Suburban Residential" (SR) uses. This designation is described as "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision."

The following Future Land Use Development Guidelines from the 2005 Boone County Comprehensive Plan applies to the application:

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 140).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate . . .

Buffer areas should use and supplement existing site features where possible ("Buffering," pg. 141).

- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways . . .

Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 141).

- D. Developments in Boone County must recognize the potential impacts of stormwater runoff. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. One goal of local storm water programs should be to minimize the amount of storm water generated by decreasing the amount of pavement and encouraging green rooftops. Creating less runoff is a method of managing runoff ("Stormwater Management and Erosion Control," pg. 141).
- E. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use ("Design, Signs, and Historic Preservation," pg. 142).

#### Site Characteristics

The site has approximately 14 acres with approximately 255 feet of frontage on Pleasant Valley Road and approximately 685 feet of frontage on Camp Ernst Road. The site is developed with the existing 25,400 square foot church structure and the parking field surrounds the building, with the largest portion placed along the Pleasant Valley Road frontage. There is an access point on both Camp Ernst Road and Pleasant Valley Road. Berming and "installed" landscaping surround the existing improved area on the site. There is an existing tree line along the common boundary with Pebble Creek Subdivision, and some tree cover and a detention basin in the east part of the site. The elevations on the site range from approximately el 831 along both street frontages to approximately el 800 at the southeast corner of the site.

#### Surrounding Land Uses and Zoning

- A. A fraternal organization is located to the north across Pleasant Valley Road (RSE) and a pasture area is located to the north across Camp Ernst Road (SR-1).
- B. Pebble Creek Subdivision is located to the immediate south (SR-1/PD). A single family residence is located to the south of the site's Camp Ernst Road frontage (RSE; the subject site also wraps around the rear of this property).
- C. Several single family residences on estate lots are located to the east of the site's Pleasant Valley Road frontage (RSE; the subject site also wraps around the rear of these properties). A church is located further to the east (RSE).
- D. A single family residence and pasture area are located to the west across Camp Ernst Road (SR-1), and a County park is located to the southwest ®.

#### Staff Comments

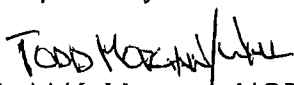
- 1. Staff would like the applicant to explain the maximum number of seats that would be occupied at any given time. The Concept Plan shows that the existing sanctuary can hold up to 500 people, while the proposed sanctuary can hold up to 900 people. Would the two sanctuary spaces ever be used simultaneously?

2. Staff would like the applicant to address the hours and times of the proposed daycare. Are any outside play areas being proposed?
3. The architectural design of the addition should be explained. In order to maintain a consistent scheme which appropriately relates to the existing structure and the neighboring properties, Staff recommends that the addition use the same basic cosmetics as the existing structure (same materials, colors, and detailing; comparable roof shapes/lines and massing).
4. Light fixtures need to have cut-off shields. All lighting needs to be directed downward and inwards toward the site. Staff recommends that the amount of measurable light for the new improvements be limited to less than one (1) footcandle at the interior edge of the buffer improvements (versus along the outer property boundary) to assure that lighting/glare impacts will be minimized. Also, unlike the light masts in the existing parking field, consideration should be given to limiting the height of the masts in the parking lot expansion area, such as to 15 feet maximum. There is a slide of the existing light poles in the PowerPoint slide show
5. Effective buffering is a primary concern of Staff's regarding this proposal, especially since the parking area is being expanded much closer to the adjoining residential lots along Pleasant Valley Road and to Pebble Creek Subdivision. As such, Staff recommends that the Board consider requiring undulating/meandering berming around the entire perimeter of the new parking area that would vary in height, but be at least 4 feet high at the lowest points (except for necessary drainage breaks). Staff recommends that plantings on and around the berms minimally include 5 evergreen trees and 2 deciduous trees per 100 linear feet (a variation of Buffer Yard B) where they adjoin existing plantings on the subject site that have screening qualities, and that the plantings be increased to Buffer Yard C (8 evergreen trees and 4 deciduous trees per 100 linear feet) where such plantings do not exist.
6. The parking lot is shown in the limits of the existing pond. For the applicant's information, the sub-grade will need to be properly prepared and constructed, and storm water must be managed in accordance with the County's regulations.

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.

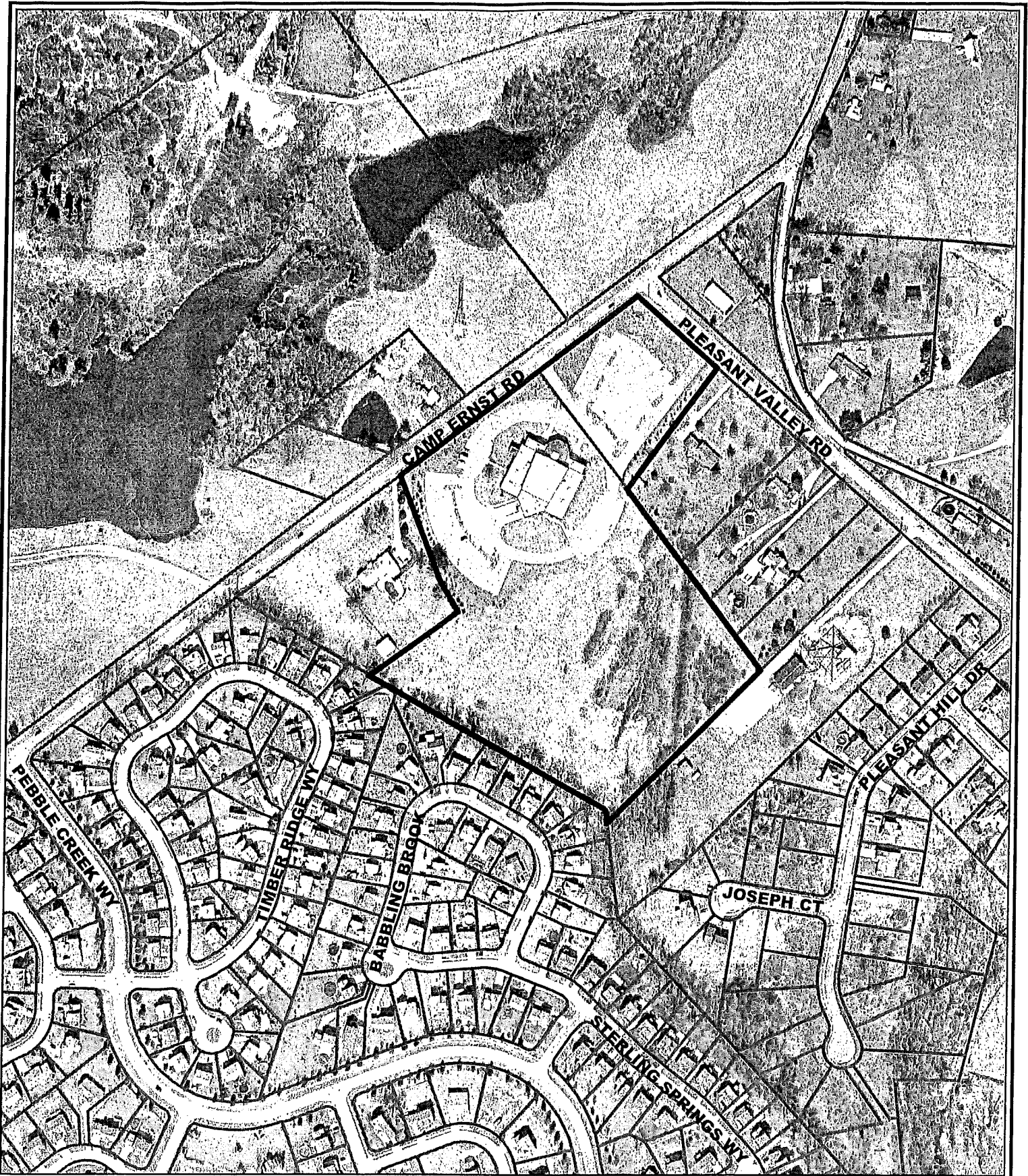
Respectfully submitted,

  
Todd K. Morgan, AICP  
Senior Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Aerial Map
- Exhibit B – Concept Development Plan (Overall)
- Exhibit C – Concept Development Plan (Building Layout)
- Exhibit D – Zoning Map
- Exhibit E – Future Land Use Map
- Exhibit F – Topographical Map
- Exhibit G – 7/15/98 Conditions of Approval
- Exhibit H – Application



# Vineyard Christian Church Aerial Map

300 0 300 Feet

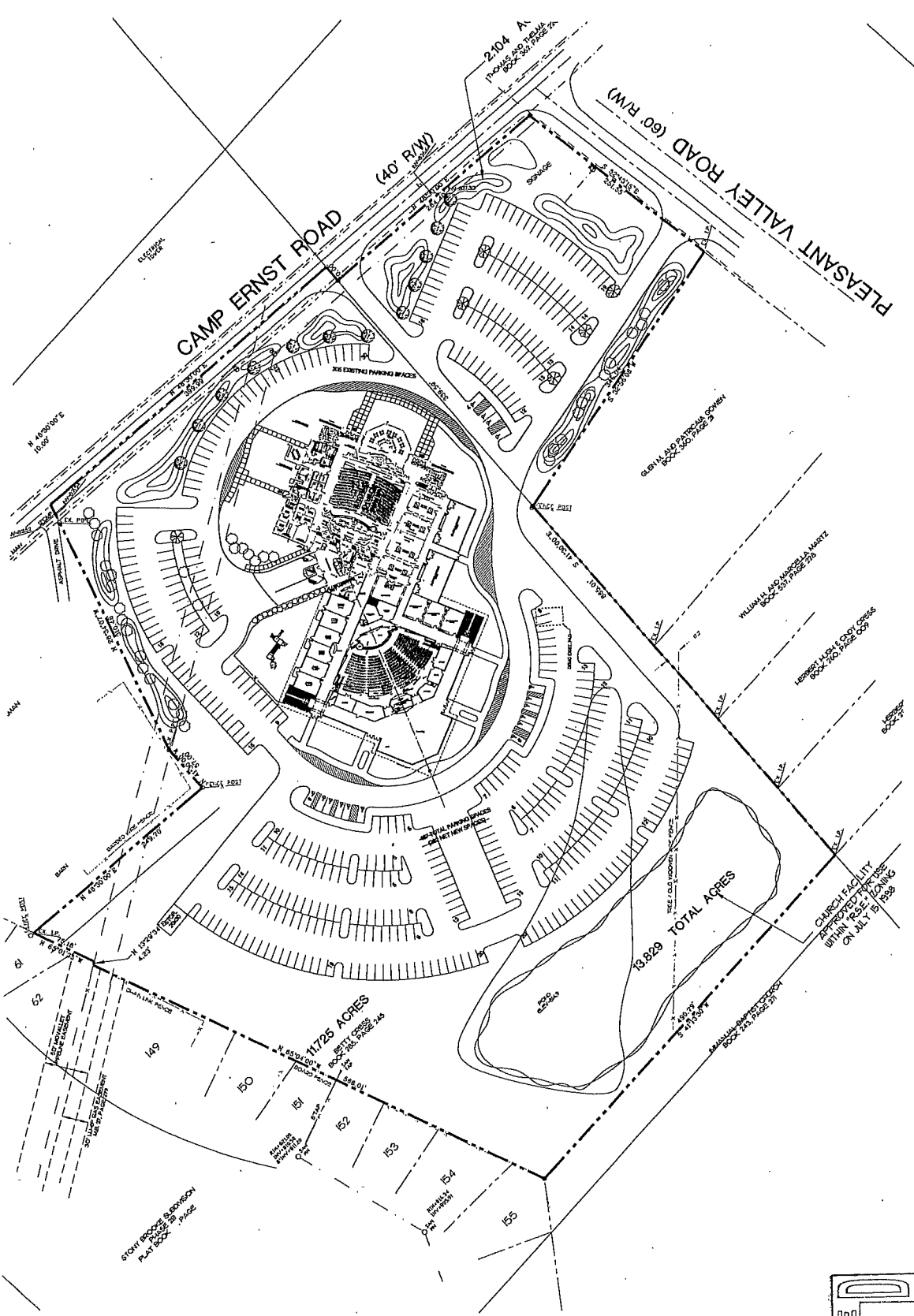
1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006





PROPOSED EXPANSION FOR  
VINEYARD CHRISTIAN CHURCH - N. KENTUCKY

PROPOSED EXPANSION FOR  
VINEYARD CHRISTIAN CHURCH - N. KENTUCKY



487 TOTAL PARKING SPACES  
(282 NET NEW SPACES)

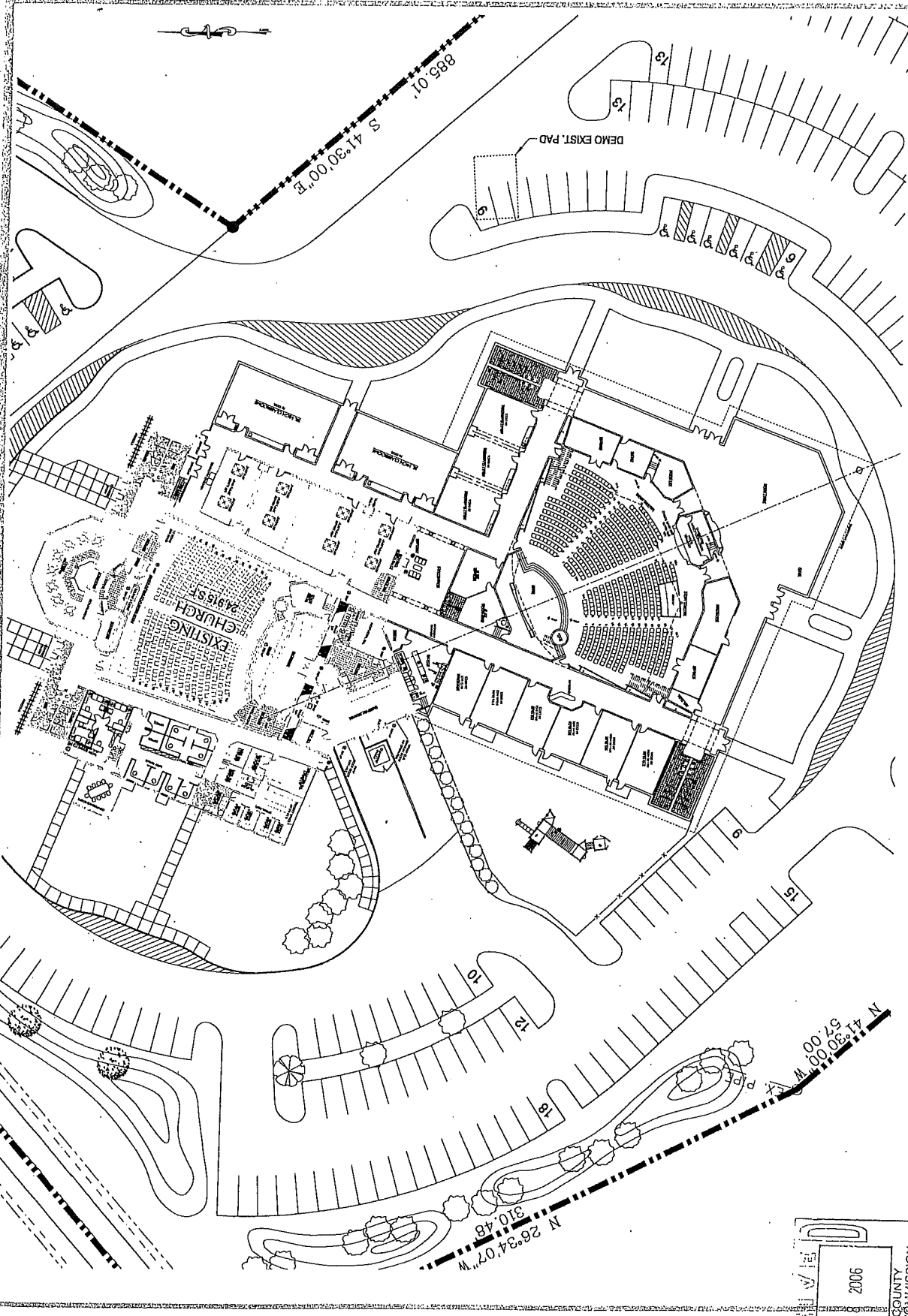
SCHEME "P"  
13,929 ACRES

SITE PLAN  
SCALE 1" = 40'

RECEIVED  
JUL 18 2006  
PLANNING DEPARTMENT  
PLANNING DEPARTMENT



PROPOSED EXPANSION FOR VINEYARD CHRISTIAN CHURCH - N. KENTUCKY



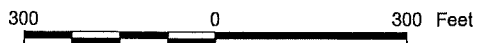
WORKSHOP & CLASSROOMS	34,435 SF
MEZZANINE	7,800 SF
EXISTING BUILDING RENOVATIONS	7,800 SF
AUDITORIUM	41,675 SF
EXISTING CHURCH	10,000 SF
EXISTING FACILITY	63,940 SF
RESULTING FACILITY	165,650 SF

FIRST FLOOR PLAN  
SCALE 1/8" = 1'-0"  
SCHEME "C"

BOONE COUNTY  
PLANNING COMMISSION  
JUL 1 2006

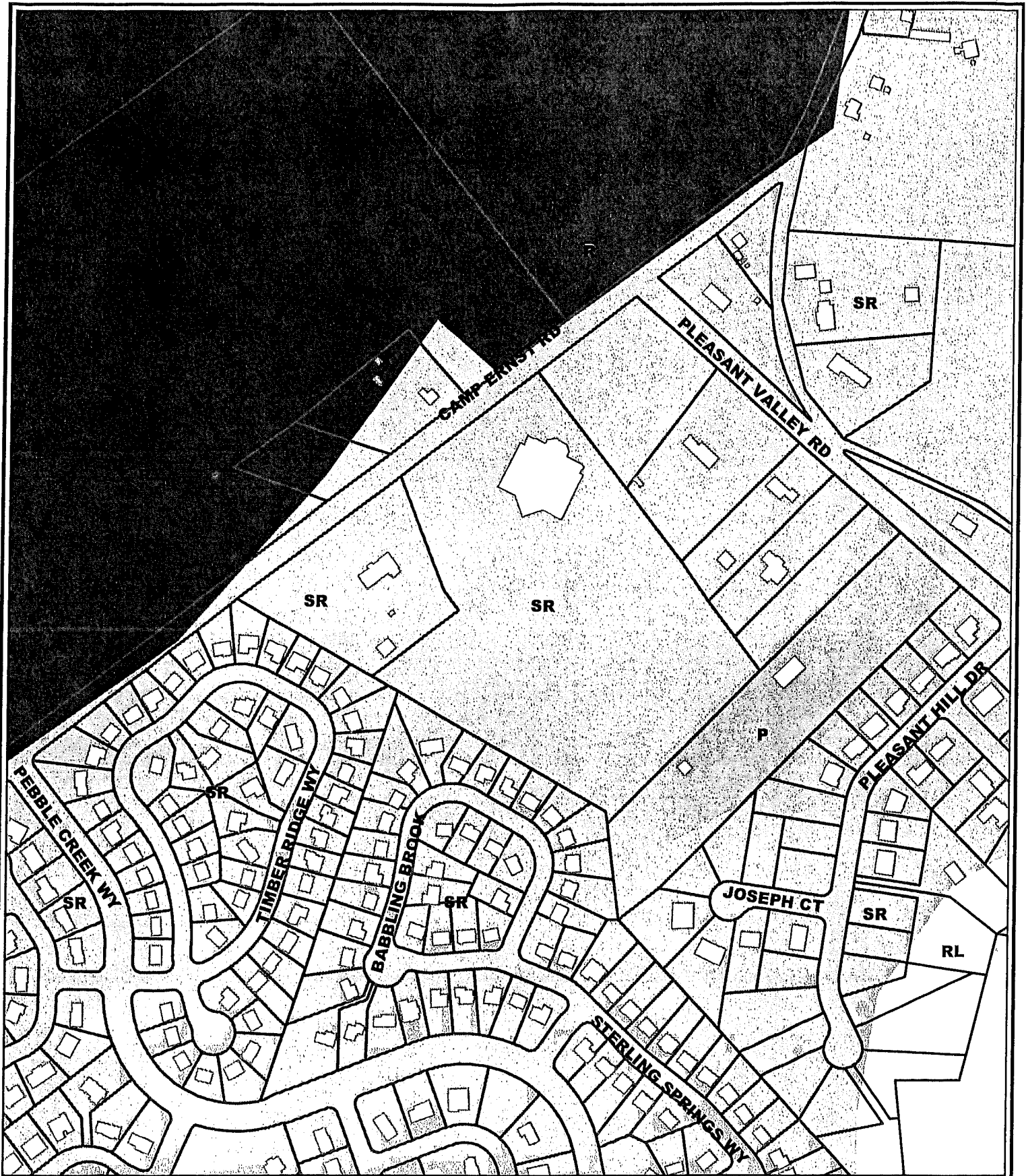


# Vineyard Christian Church Zoning Map



1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006





# Vineyard Christian Church Future Land Use Map

300 0 300 Feet



1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006





**Vineyard Christian Church  
Topographical Map**

200 0 200 Feet

1 inch equals 200 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 24, 2006



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 July 15, 1998 Certificate of Land Use Restriction (# 98 BCBOA -013-A), for Betty Cress & Thomas and Thelma Brown, Property Owners

The following conditions will apply: 1). Subject to Site Plan Review; (2) That there be down lighting and no lighting projected away from the site; (3) that it be quiet; (4) that there be screening adequate for the neighbors to have the quiet and peaceful use of their property, and the applicant will work with Boone County Planning Commission Staff during Site Plan Review for appropriate screening.

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

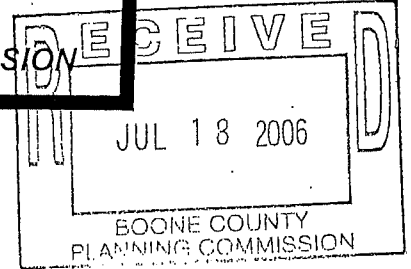
described in: DEED BOOK 285/362

PAGE NO. 245/220

Group No. 2038 A

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.  Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_

(Check One)

2.  Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_

3. Applicant's Name Blake Helms, HiFive Design Group  
Phone Number (513) 336-9280 Fax No. (513) 336-0196  
Applicant's Address 202 West Main St. Mason 45040

4. Description of Request: Addition to existing worship facility.

5. Name of Development Vineyard Christian Church

6. Location of Development 701 Pleasant Valley Road  
Florence, KY 41042

7. Acreage Under Review 13.83 Ac

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

9. Owner of Property \_\_\_\_\_

10. Phone Number of Owner (859) 689-0777

- Address of Property Owner \_\_\_\_\_

11. Proposed Use(s) on Site Worship Facility, half-day  
pre-school, 3 days per week, mornings only

12. Total Square Footage of Existing and/or Proposed Buildings 63,970 TOTAL SF.

13. Current Zoning on Property RSE

14. Deed Book 285 Page No. 245 Group No. 2038A

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

- If yes, give date of approval \_\_\_\_\_

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: Blake E. Helms

Property Owner's Signature: Cliff Wick

Cliff Wick Executive Pastor

COPY

CLUR #06-BCBOA-011-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Vineyard Christian Church  
7101 Pleasant Valley Road  
Florence, KY 41042
2. ADDRESS OF PROPERTY  
7101 Pleasant Valley Road  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Vineyard Christian Church
4. DEED BOOK 285      PAGE NO. 245      GROUP NO. 2038A
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

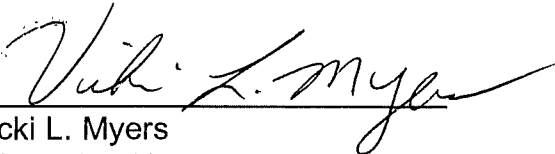
*Todd K. Morgan*  
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

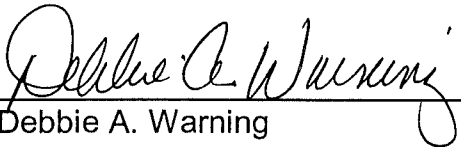
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 25 day of August, 2006.

  
\_\_\_\_\_  
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 Adjustment and in accordance with the current zoning in effect as of August 9, 2006 Certificate of Land Use Restriction (#06-BCBOA-011-A), for Vineyard Christian Church, Property Owner(s).

The following conditions will apply:

- 1) The maximum number of children allowed in the preschool/daycare is forty (40).
- 2) The preschool/daycare can operate 3 mornings per week from 8 AM to noon.
- 3) The preschool/daycare's playground area is to be fenced.
- 4) The cosmetics of the new building are to blend with the existing structure and 50% or greater of the building material is to be block.
- 5) The light poles are to be a maximum height of twenty (20) feet.
- 6) Twelve (12) evergreen trees per 100 linear feet will be staggered around the berm where it adjoins Mr. Thacker's property.
- 7) Other areas adjoining the proposed parking lot are required to have undulating/meandering berming that would vary in height, but be at least four (4) feet high at the lowest points (except for necessary drainage breaks) around the entire perimeter. Plantings on and around the berms shall minimally include five (5) evergreen trees and two (2) deciduous trees per one hundred (100) linear feet (a variation of Buffer Yard B) where they adjoin existing plantings on the subject site that have screening qualities, and that the plantings be increased to Buffer Yard C (8 evergreen trees and 4 deciduous trees per 100 linear feet) where such plantings do not exist.
- 8) The new parking lot is to outlet to the detention basin and yard boxes are to be provided between the berms and property lines where needed according to finished grades.
- 9) Curfew time for the parking lot lights is to be 10 PM.

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

DEED BOOK 285 PAGE NO. 245 GROUP NO. 2038A