

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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
3. Applicant's Name Len Riegler Blacktop, Inc.
4. Description of Request: Conditional Use request for a 4,400±SF building addition to the Point Pleasant Church of Christ with associated parking expansion and utility work
5. Name of Development Point Pleasant Church of Christ
6. Location of Development 3259 Point Pleasant Road Hebron, KY 41048
7. Acreage Under Review 3 ACRES out of 23.86
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property Point Pleasant Church of Christ, Inc.
10. Address of Property Owner 3259 Point Pleasant Road Hebron KY 41048
11. Proposed Use(s) on Site Church Activities
12. Total Square Footage of Existing and/or Proposed Buildings 7800 SF
13. Current Zoning on Property A-2
14. Deed Book 1003 Page No. 489 Group No. 2014B
15. Is the site subject to a zone change? 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.

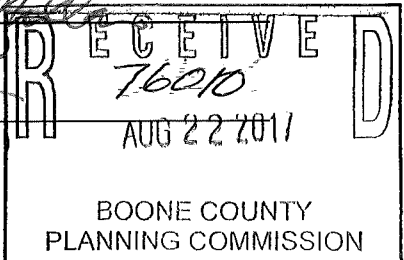
ORIGINAL Property Owner's Signature: [Signature]

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)



**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 8-22-17 Fee Received \$ 700.00 Receipt # 76010
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
9/13/17 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 9/13/17 Meeting Minutes
And CLR
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 - 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: Len Riegler Blacktop, Inc. for Point Pleasant Church of Christ

LOCATION: 3259 Point Pleasant Road, Boone County, Kentucky

ZONING: Agricultural Estate (A-2) and Employment Planned Development (EPD)

DATE: September 13, 2017

Proposal

A Conditional Use Permit application has been submitted to allow Point Pleasant Church of Christ to construct building and parking additions. The submitted plans show the following improvements are proposed:

1. A 4,400 square foot building addition is shown on the northeast side of the church and contains a new sanctuary and restrooms. The predominate building materials are metal siding and roofing. Some shingle roofing is also proposed.
2. A porte cochere is shown on the main building entrance.
3. A 48 stall parking lot addition is shown to the northwest of the existing parking lot. The parking addition would increase the church's parking to 85 stalls.
4. The driveway between Point Pleasant Road and church parking lots will be widened to 20'.
5. A storm water and detention area.

Applicable Regulations

Section 220 of the Boone County Zoning Regulations states that one duty of the Board of Adjustment and Zoning Appeals is to act on Conditional Use Permit applications.

The Board needs to evaluate the proposal as it relates to Conditional Use Permit criteria as stated in Sections 262 and 623 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.

Section 623 of the Boone County Zoning Regulations lists a church as a Conditional Use in the Agricultural Estate (A-2) zone. This use is subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided:

- a. The activity is an integral part of the agricultural or residential 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 residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient 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.

Section 3325 of the Boone County Zoning Regulations lists the parking requirement for a church as 1 space per 3 seats (that can be used simultaneously).

Relationship to the Comprehensive Plan

The 2010 Boone County Comprehensive Plan's "2035 Future Land Use Plan" designates the site for Public/Institutional (P), Business Park (BP), Rural Density Residential (RD) and Developmentally Sensitive (DS) uses. These designations are defined as follows:

Public/Institutional - "Government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc."

Business Park (BP) - "A mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses."

Developmentally Sensitive - "Areas that have an existing slope of twenty percent or greater for a height of 20 meters (67.6 feet), 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. In addition, developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance. 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 proposed project."

Rural Density Residential (RD) - "Low density residential uses of up to one dwelling unit per acre."

The following Future Land Use Development Guidelines found in the Land Use Element relate to the request:

- A. 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 (Buffering, pg. 162).
- B. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. 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 (Landscaping, pg. 163).
- C. 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 by increasing on-site infiltration is a method of managing runoff (Stormwater Management and Erosion control, pg. 163).
- D. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way (Access Management, pg. 163).

The following Goals and Objective relate to the request:

- 1. Existing vegetation shall be considered as both an important site characteristic and a community resource (Environment, Objective).
- 2. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system (Transportation, Objective).

Site Characteristics

The overall church campus is approximately 23.86 acres in area and is located on the north and west sides of Point Pleasant Road. The campus contains an approximate 3,400 square foot brick church, 48 parking stalls, and a single-family residential dwelling. Access to the church building and parking lot is provided from an approximate 10.5' wide asphalt driveway that connects to

Point Pleasant Road. Access to the house is provided from a gravel driveway that extends eastwards off of the asphalt drive. The property is well buffered from Point Pleasant Road and adjoining properties by mature deciduous trees. Boone County GIS shows the topography of the parcel falls from approximately 890 feet above sea level along the western property boundary to 674 feet above sea level at the northeast property boundary. The church has a monument sign at their entrance.

Staff Comments

1. All of the proposed improvements are located in the portion of the property that is zoned A-2.
2. The applicant and church informed Staff of the following:
 - A. The maximum occupancy of the new sanctuary will be 226 people.
 - B. The old sanctuary will be converted to a fellowship hall.
 - C. The new sanctuary and fellowship hall will not be used at the same time.

Based on the information provided, the parking requirement for the church will be 76 stalls (226/3). The submitted plans show that 85 parking stalls are proposed on site.

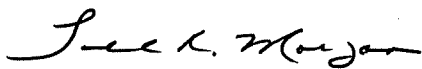
3. Staff sent out an agency memo regarding the application to Point Pleasant Fire Department and the County Engineer because Point Pleasant Road is approximately 16' wide across from the church entrance. Their comments are attached to the Staff Report.
4. Staff has the following questions for the applicant and church:
 - A. The church driveway provides access to an adjoining household and a cell tower. The plans shows that the proposed construction will impact the turn off to this house and alter the route to the cell tower. Have the access easement issues with these adjoining property owners been looked into?
 - B. Has the Health Department been contacted regarding septic approval? The Planning Commission will require an approval letter or inspection report if a Major Site Plan application is submitted for review.
5. Staff's is concerned that the metal building addition will not blend in well with the existing brick building. However, this concern is greatly minimized by the fact that the addition will not be visible from any public vantage point.
6. Staff recommends the following conditions if the request is approved:
 - A. The existing vegetation between the church building and Point Pleasant Road shall be preserved.
 - B. The landscaping strip between the existing and proposed parking lots shall be contain landscaping. One large tree or evergreen tree shall be required every 40'.

7. The Board needs to consider the Conditional Use Permit criteria before acting on the request.

Conclusion

KRS 100.237 and Sections 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

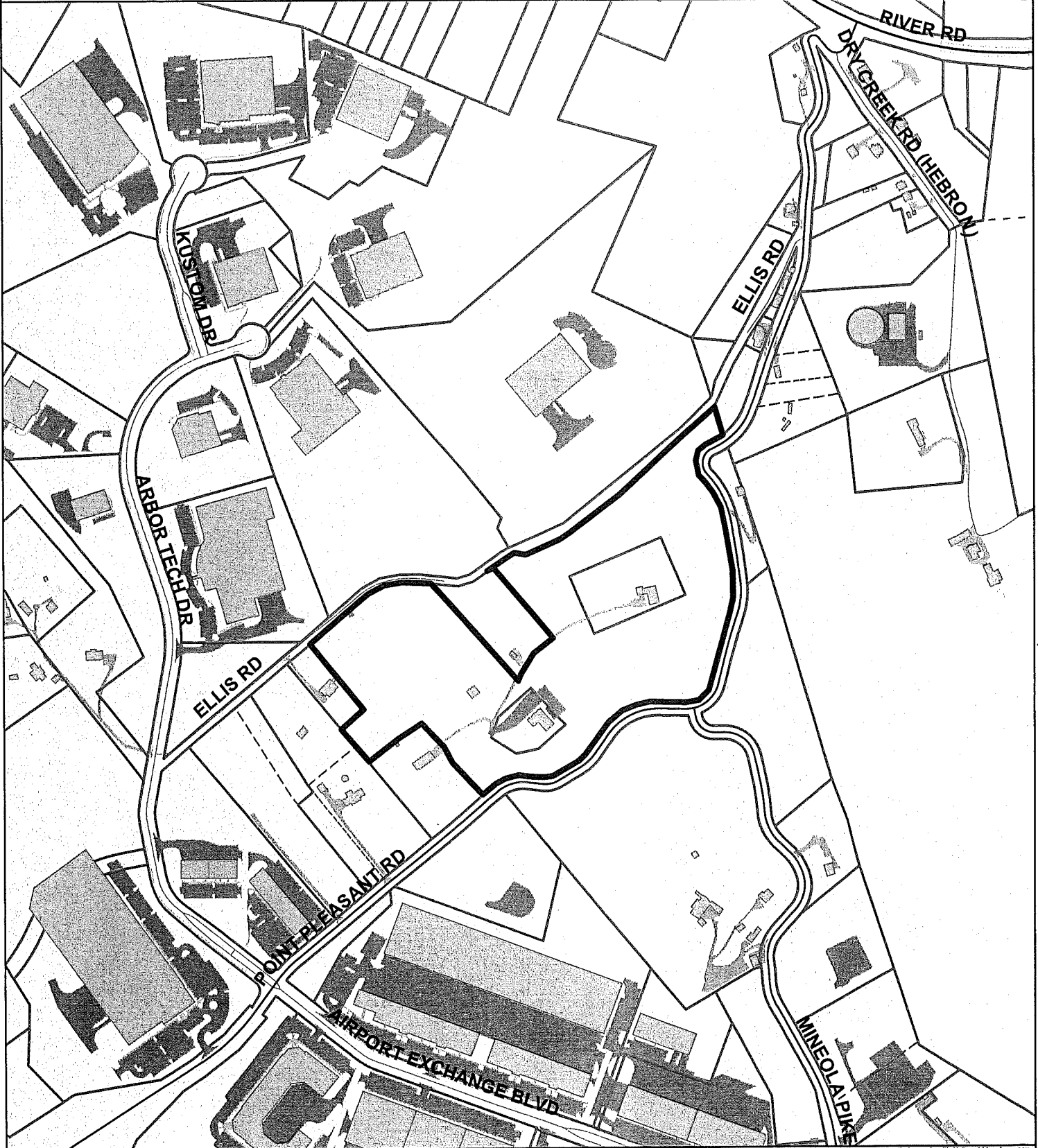
TKM/ss

Attachments

- *Site Vicinity Map
- *Proposed Plan
- *Floor Plan
- *Building Elevations
- *8/28/17 Agency Email
- *8/28/17 Email from Asst. Chief Seibel
- *9/8/17 Email from Scott Pennington
- *Zoning Map
- *2035 Future Land Use Map
- *Topographical Map
- *2016 Aerial Map
- *Application

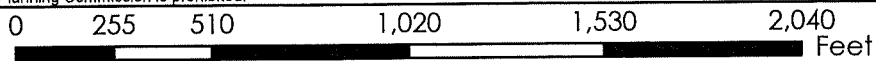
SITE VICINITY MAP

www.boonecountygis.com



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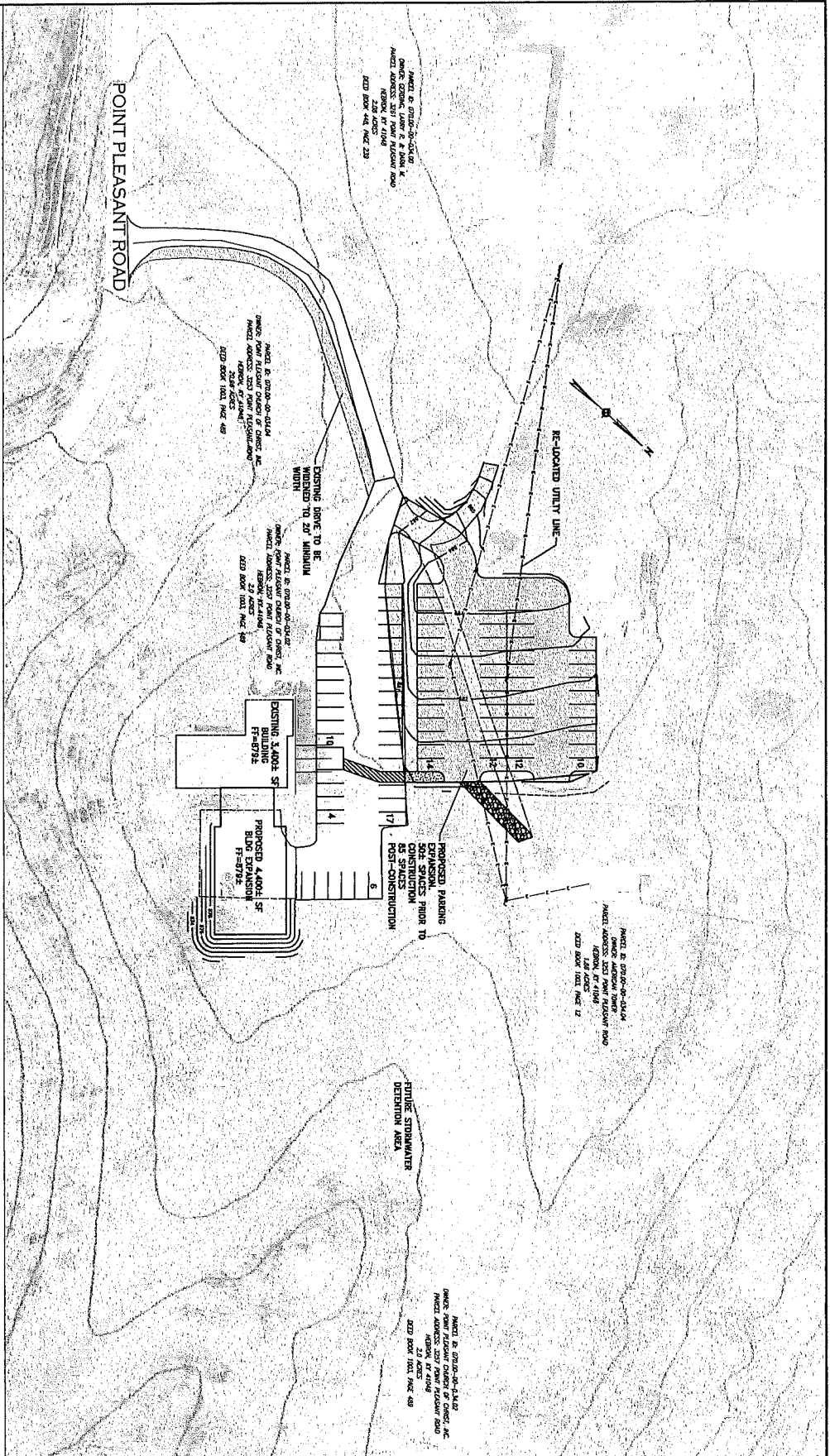


1 inch = 500 feet



Boone County GIS - Putting Northern Kentucky on the Map





UTILITY AND EASEMENT NOTES
 ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION, DEPTH, AND SIZE OF UTILITIES ARE NOT GUARANTEED BY THE ENGINEER. THE ENGINEER IS NOT RESPONSIBLE FOR THE LOCATION, DEPTH, AND SIZE OF UTILITIES. THE ENGINEER IS NOT RESPONSIBLE FOR THE LOCATION, DEPTH, AND SIZE OF UTILITIES. THE ENGINEER IS NOT RESPONSIBLE FOR THE LOCATION, DEPTH, AND SIZE OF UTILITIES.

Kentucky 811
 Call 811 for Buried Lines
 800-488-8111

NOTES: SEEING RESIDENT AND EXISTING UTILITIES SHOWN ARE APPROXIMATE. THE ENGINEER IS NOT RESPONSIBLE FOR THE LOCATION, DEPTH, AND SIZE OF UTILITIES. THE ENGINEER IS NOT RESPONSIBLE FOR THE LOCATION, DEPTH, AND SIZE OF UTILITIES. THE ENGINEER IS NOT RESPONSIBLE FOR THE LOCATION, DEPTH, AND SIZE OF UTILITIES.

DATE	NO.	REVISION DESCRIPTION	BY	CHECKED	DATE	PROJECT INFORMATION	
						PROJECT NO.	CONCEPT PLAN FOR CONDITIONAL USE PERMIT
						C1	

POINT PLEASANT CHURCH OF CHRIST BUILDING ADDITION
 3259 POINT PLEASANT ROAD
 HEBRON, KY 41048

LEN RIEGLER BLACKTOP, INC. DESIGN BUILD SERVICES
 DANIEL M. RIEGLER, P.E.
 19 LENDALE DRIVE
 FLORENCE, KY 41042

Todd Morgan

From: Todd Morgan
Sent: Monday, August 28, 2017 9:45 AM
To: 'e.seibel@pointpleasantfire.org'; Scott Pennington
Subject: Point Pleasant Church of Christ
Attachments: Point Pleasant BOA Drawing 11x17.pdf; Point Pleasant Floor Plan and Elevations.pdf

Eric and Scott,

Point Pleasant Church of Christ has submitted a Conditional Use Permit application to allow building and parking expansions at 3259 Pont Pleasant Road. The submitted plans show:

1. An approximate 4,400 square foot building addition.
2. A 48 stall parking addition.
3. The main driveway aisle between Point Pleasant Road and the church parking lots will be widened to 20'.

The church informed me that the maximum occupancy in the new sanctuary will be 226 people. The old sanctuary will be used as a fellowship hall and will not be used concurrently with the new sanctuary.

Please review the proposed plans and let me know if you have any comments regarding the proposal. The Boone County Board of Adjustment will be acting on the Conditional Use Permit application on September 13, 2017, at 6:00 P.M.

Please call or email me if you have any questions.

Sincerely,

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

Todd Morgan

From: Eric Seibel <e.seibel@pointpleasantfire.org>
Sent: Monday, August 28, 2017 10:19 AM
To: Todd Morgan
Cc: Scott Pennington; Martin, Bill; Michael Giordano
Subject: Re: Point Pleasant Church of Christ

Todd,
Dan Riegler had contacted us prior (Aug. 8) to this with a basic plan and had asked our concerns. Below is the response we sent to him on August 10. Our concerns still remain.

Dan,
We will have to see more detailed building and site plans for specific and complete comments. Initially, I will advise the following:

1. Lot:
 1. I do not see concerns with lot as presented as long as vehicle park in the designated parking spots.
 2. I am concerned that it built large enough to accommodate all crowds, including overflow. Otherwise, we have problems with vehicles parking along curbs and blocking access.
 3. Also, we need to see the radius on curbs in the access out the back. There is still a house back there we need to protect.
2. Building:
 1. You are doubling the size of an assembly occupancy that is not sprinkled.
 2. Currently, the closest public hydrants are located at 1850 Airport Exchange (1249 ft away) and 1020 Arbor Tech Drive (1380 ft away).
 3. As you double the size of this building, this becomes a problem we must address more in depth.

Info	Contacts	Inspections	Prefire Plans	Fire Protection Systems	Files	Permits	Hazards	Actions
Fire Protection Systems								
Commercial > Assembly > Point Pleasant Church of Christ Hebron, KY 41048								
Closest Nearby Hydrants								
ID	Distance from Occupancy	Available Flow	Status	Type	Locati			
AIRP-1850-C-01	1249 ft.	1500 GPM	In Service		1850 Airport Exch			
AIRP-1850-C-02	1249 ft.	1500 GPM	In Service		1850 Airport Exch			
ARTE-1020-B	1380 ft.	1500 GPM	In Service		1020 Arbor Tech I			
ARTE-2000	1421 ft.	5134 GPM	In Service		2000 Arbor Tech I			

Eric J. Seibel

Asst. Chief

Point Pleasant Fire Protection District

3444 Turfway Road

Erlanger, KY 41018

O: (859) 283-2798

F: (859) 283-2104

www.pointpleasantfire.org

e.seibel@pointpleasantfire.org

On Mon, Aug 28, 2017 at 9:45 AM, Todd Morgan <TMorgan@boonecountyky.org> wrote:

Todd Morgan

From: Scott Pennington
Sent: Friday, September 08, 2017 8:51 AM
To: Todd Morgan
Subject: Point Pleasant Church of Christ

Todd,

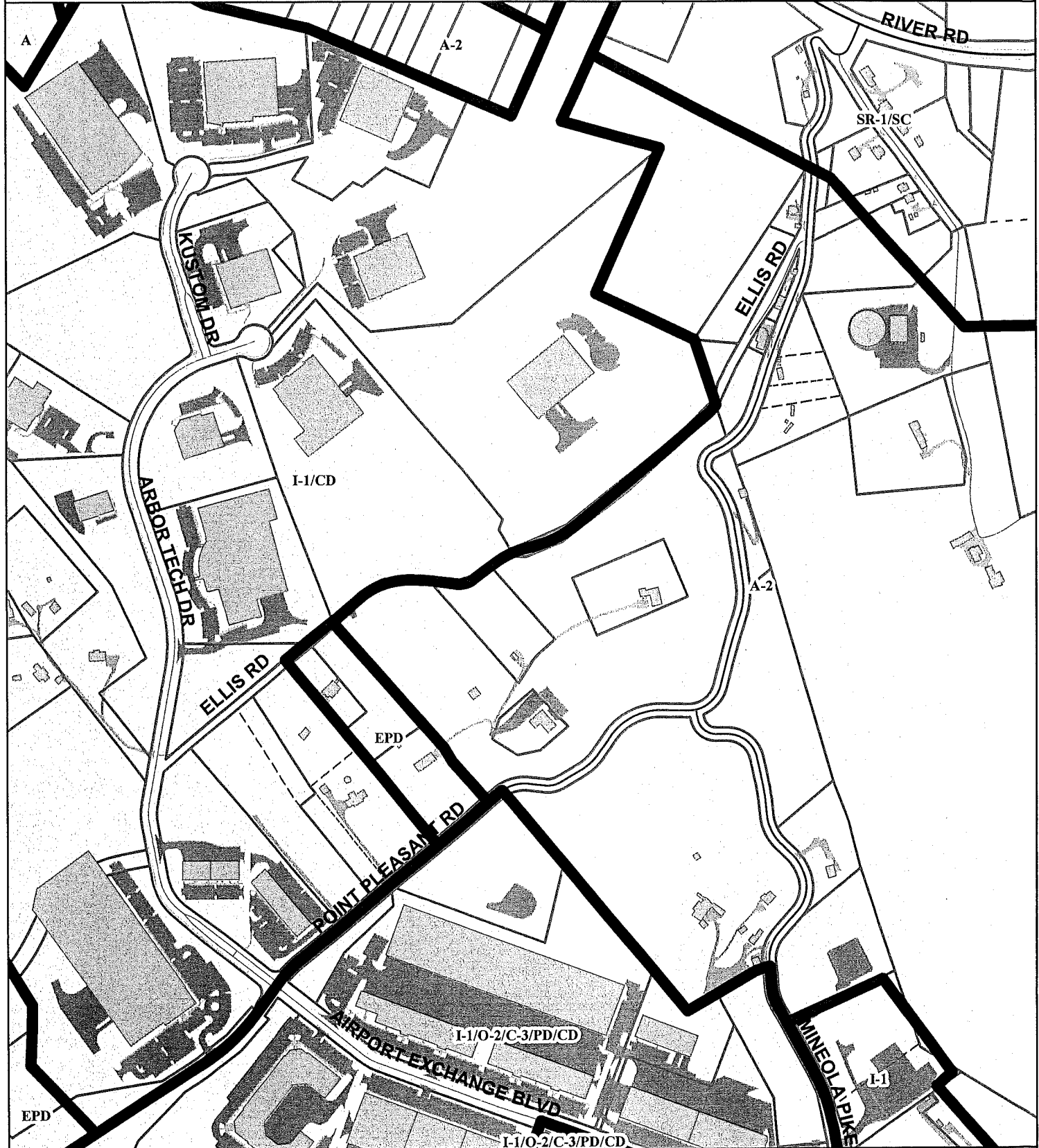
No comments on the expansion of the Point Pleasant Church of Christ other than the fact that they'll need an encroachment permit for the widening of the entrance at Point Pleasant.

Thank you.

Scott D. Pennington, P.E.
County Engineer/Director of Public Works
Boone County Public Works
spennington@boonecountyky.org
(O) 859-334-3600

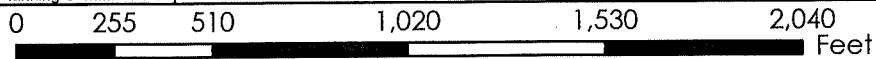
ZONING MAP

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1 inch = 500 feet



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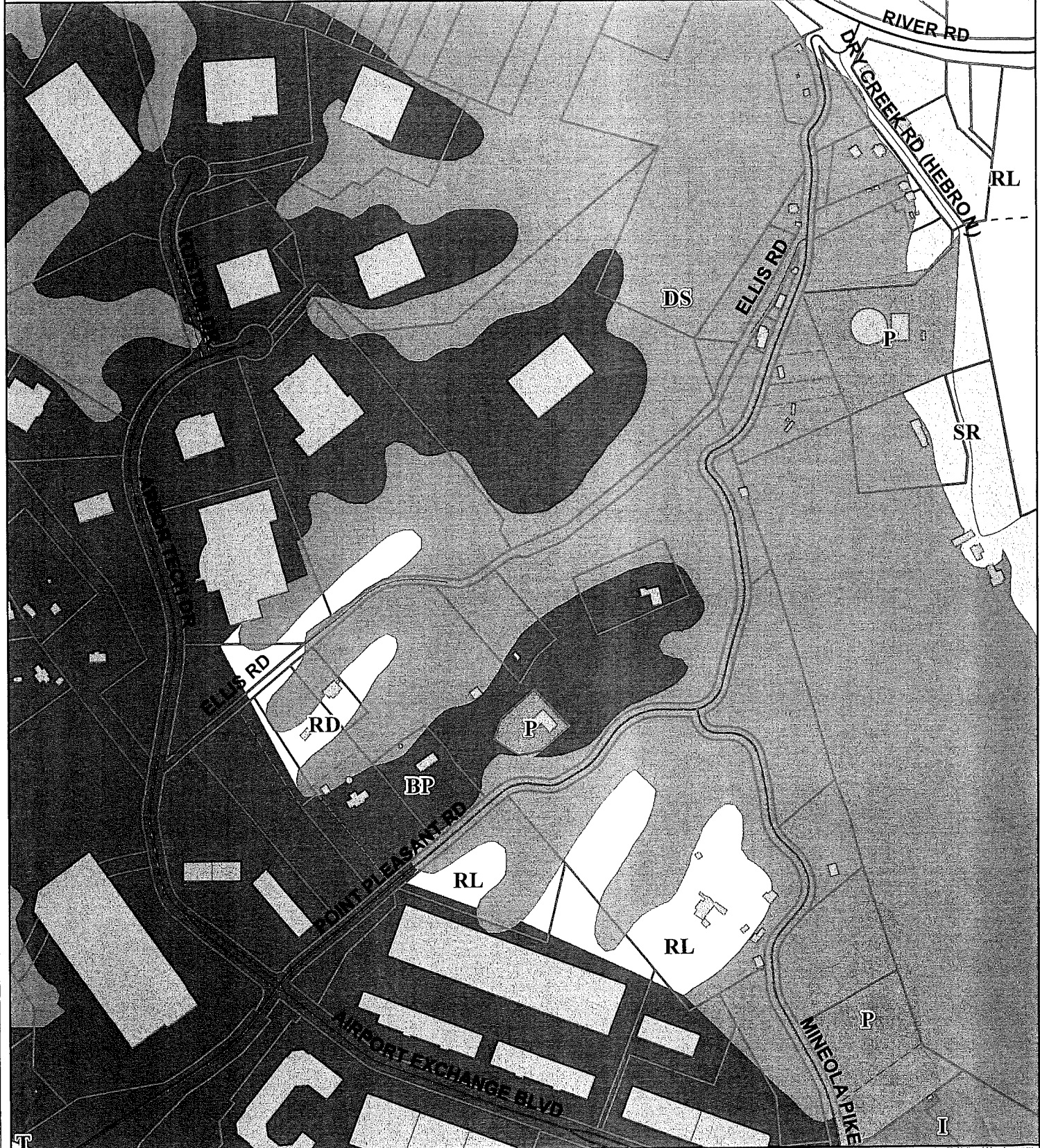


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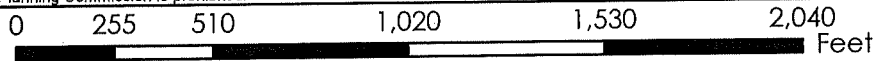
2035 FUTURE LAND USE MAP

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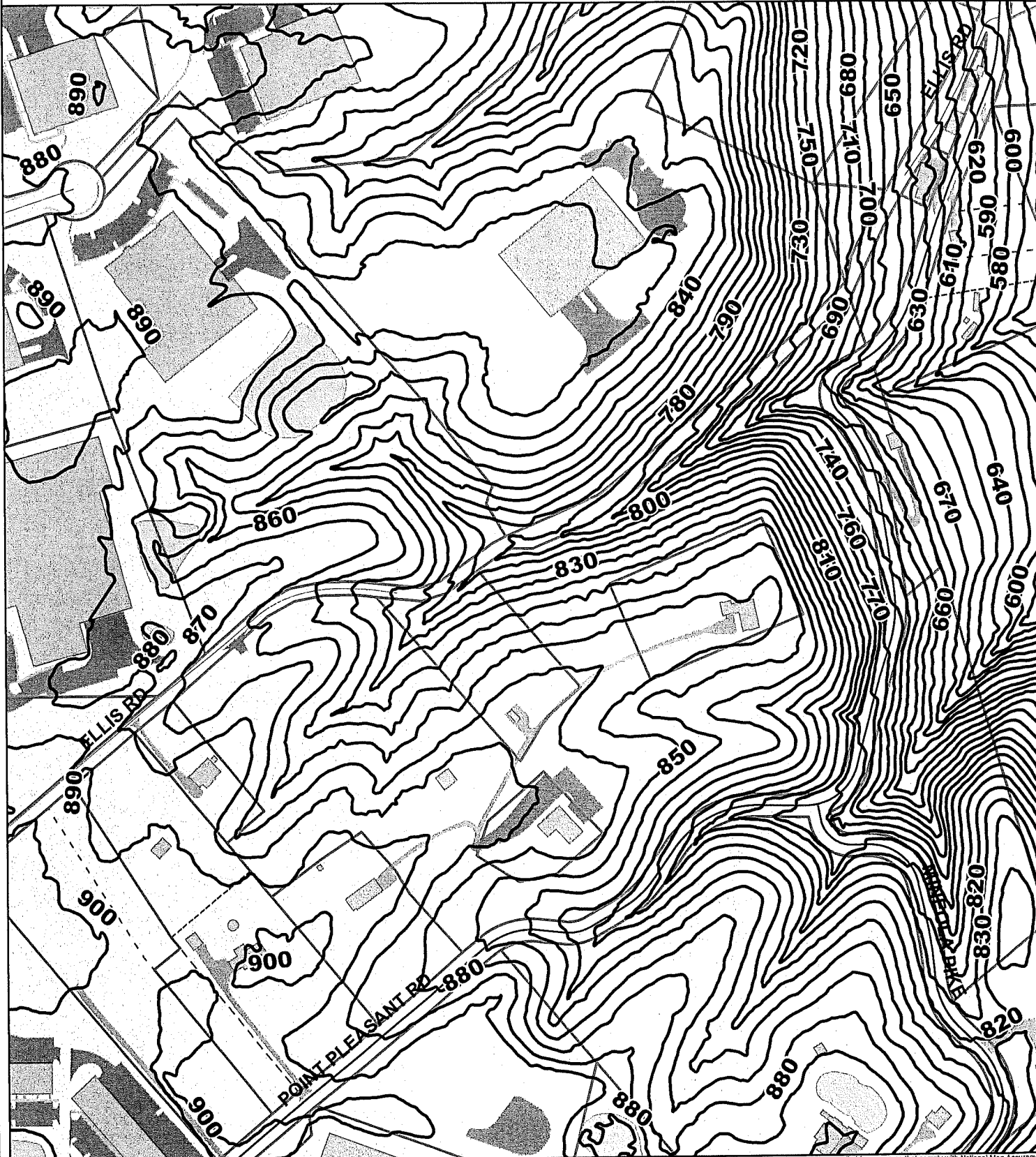


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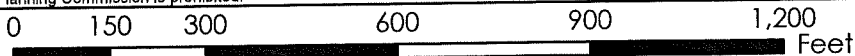
TOPOGRAPHICAL MAP

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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map



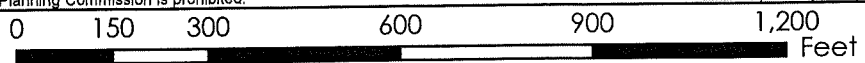
2016 AERIAL MAP

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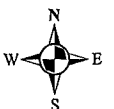


1 inch = 300 feet



Map Created: 07/01/2013

Boone County GIS - Putting Northern Kentucky on the Map



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ArcMap Document: BooneMap (file).mxd

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

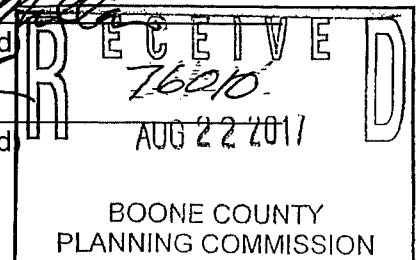
SECTION A (To be completed by applicant)

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2. (Check One) Conditional Use Permit Variance Appeal
3. Applicant's Name Len Riegler Blacktop, Inc.
4. Description of Request: Conditional Use request for a 4,400±SF building addition to the Point Pleasant Church of Christ with associated parking expansion and utility work
5. Name of Development Point Pleasant Church of Christ
6. Location of Development 3259 Point Pleasant Road Hebron, KY 41048
7. Acreage Under Review 3 ACRES out of 23.86
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
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10. Address of Property Owner 3259 Point Pleasant Road Hebron KY 41048
11. Proposed Use(s) on Site Church Activities
12. Total Square Footage of Existing and/or Proposed Buildings 7800 SF
13. Current Zoning on Property A-2
14. Deed Book 1003 Page No. 489 Group No. 2014B
15. Is the site subject to a zone change? 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.

ORIGINAL Property Owner's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)



(Copy)

CLUR #17-BCBOA-012-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Point Pleasant Church of Christ, Inc.
3259 Point Pleasant Road
Hebron, KY 41048
- 2. ADDRESS OF PROPERTY
3259 Point Pleasant Road
Hebron, KY 41048
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Point Pleasant Church of Christ

4. DEED BOOK 1003 PAGE NO. 489 GROUP NO. 2014B

- 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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, AICP – Senior Planner
Name and Title of Completing Official

COPY

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

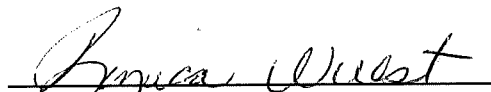
on behalf of the Boone County Planning Commission this 14 day of September, 2017.



Treva L. Beagle
Notary ID 499309
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2017

This instrument was prepared for recording purposes only by:



Ronica Wuest
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
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 Board of Adjustment and in accordance with the current zoning in effect as of September 13, 2017 Certificate of Land Use Restriction (#17-BCBOA-012-A), for Point Pleasant Church of Christ, Inc., Property Owner(s).

The following conditions will apply:

1. The existing vegetation between the church building and Point Pleasant Road shall be preserved.
2. The landscaping strip between the existing and proposed parking lots shall contain landscaping. One large tree or evergreen tree shall be required every 40'.

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

DEED BOOK 1003

PAGE NO. 489

GROUP NO. 2014B