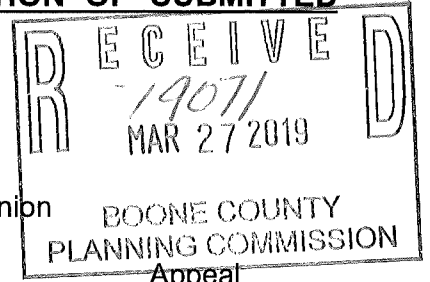


APPLICATION FORM

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 [X] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [X] Variance _____ Appeal _____
3. Applicant's Name Joyce Robinson Foundation
Applicant's Address 10310 Dixie Hwy Florence Ky 41042
4. Description of Request: Growth and expansion of Zion Christian Academy
5. Name of Development Zion Christian Academy
6. Location of Development 10310 Dixie Hwy Florence, Ky 41042
7. Acreage Under Review 3.0
8. Lot Number and Name of Subdivision (if part of a subdivision) Deed Book 877 pg 331
9. Owner of Property Joyce Robinson Foundation
Address of Property Owner 10310 Dixie Hwy, Florence, Ky 41042
10. City State Zip
11. Phone Number (859) 371-6593 Fax No. E-Mail info@gpcck.com
12. Proposed Use(s) on Site Fellowship Hall
13. Total Square Footage of Existing and/or Proposed Buildings
14. Current Zoning on Property I-1
15. Deed Book 877 Page No. 331 Group No. 2058
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.

ORIGINAL Property Owner's Signature: [Signature] - Vice Pres. Joyce Robinson Foundation

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

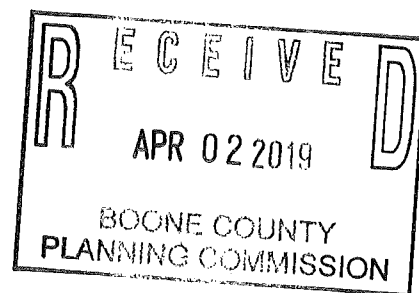
Existing Building(s) use on 10310 Dixie Hwy. Florence KY, 41042

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Our proposed buildings will be for the growth and expansion of Church ministries. These buildings will house classrooms and fellowship space for our students and families. The Fellowship hall building will be constructed in the summer of 2019.

- The **Fellowship hall** and **Church** do not use the existing or proposed buildings simultaneously.
- 111 parking spots available at 10310 Dixie Hwy. Florence Ky, 41042



STAFF REPORT

#2

APPLICANT: The Joyce Robinson Foundation, per Jody Cuzick

LOCATION: 10310 Dixie Highway, Unincorporated Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: May 8, 2019

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit for the purpose of constructing a 6,000 square foot fellowship hall on an approximate 4.2 acre property located at 10310 Dixie Highway.

SITE HISTORY

- 1993 The Boone County Planning Commission approved a Major Site Plan for a 2,982 square foot church building to be placed on the site in question (11/3/93).
- 1995 The Boone Board of Adjustment approved a Conditional Use Permit allowing a day care facility within the existing church facility (BCBOA 95-009).
- 1996 The area to the west of the site in question was rezoned from SR-2 to C-1 (R-96-004-A and Ord. No. 920.329).
- 2001 The Boone County Planning Commission approved a Minor Site Plan allowing for a modular classroom to be placed on the site in question (7/5/01).
- 2005 The Boone County Planning Commission approved a Major Site Plan to change an existing pole barn to a youth recreation building, add parking spaces, and relocate a curb cut (11/29/05).
- 2006 On August 2, 2006, the Boone County Planning Commission approved: (1) a zoning map amendment changing the southern portion of the site in question from I-2 to I-1; and (2) a Conditional Use Permit to allow the expansion of a church parking lot and other church activities, subject to the condition that the development and use of the property shall follow the submitted Concept Development Plan. Additionally, uses on the property shall be limited to church related functions as explained by the applicant to the Zone Change Committee (worship services, Bible study, Sunday School classes, religious oriented events, picnics in the outdoor lawn area, and the like) and the existing school. R-06-019-A). On October 3, 2006, the Boone Fiscal Court adopted Ordinance 06-16, concurring with the Planning Commission's recommendation/action.

- 2006 The area to the west of the site in question was: (1) rezoned from C-1 to UR-1; and (2) approved for a Change in Concept Development Plan (R-06-022-A and Ord. No. 06-19).
- 2008 The area to the west of the site in question was rezoned from C-1 to C-3 (R-07-021-A and Ord. No. 08-02).
- 2018 The Boone Board of Adjustment approved a Conditional Use Permit allowing a dog kennel with day care, boarding, training, indoor swimming, and grooming on the property located to the north of the site in question (BCBOA 18-012).

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the intent of the zoning order.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 1133 of the Boone County Zoning Regulations.
1. Findings listed in Section 262 (Findings for all Conditional Uses):
 - a. 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;
 - b. 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;
 - c. Will not be hazardous to existing or future neighboring uses;
 - d. 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;
 - e. 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;

- f. 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;
 - g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.
2. Criteria listed in Section 1133 of the Boone County Zoning Regulations (I-1 district):
- a. The activity is provided primarily in support of and obtains its trade from the employees of the district, or
 - b. The activity is of integral relation to the purpose of the district;
 - b. The use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and
 - d. Provided the arrangement of uses, buildings or structures is mutually compatible with the organization or permitted and accessory uses to be protected in the district.
- C. Section 1133 of the Boone County Zoning Regulations identifies: Churches, synagogues, temples and other places of religious assembly for worship as a Conditional Use within the Industrial One (I-1) zone.
- D. Section 1130 of the Boone County Zoning Regulations states that "The purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district. This zoning classification can range from a compact multi-level office development on several acres to an

extensive mixed office/warehouse/distribution development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.”

- E. Section 4000 of the Boone County Zoning Regulations defines a church as follows: “A facility used primarily for religious worship services of an assembly nature that may secondarily provide social or community services such as counseling, child care, senior services, and educational programs. For the purposes of this order, synagogues, temples, and other places of religious assembly for worship, regardless of the terminology used by a specific faith or denomination, are considered churches pursuant to this definition. A facility which is generally used for purposes other than religious worship services may be classified as a church if religious services are conducted within it in at a frequency and/or intensity greater than other, non-religious assemblies that are permitted in the same district as accessory uses.”

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The 2010 Boone County Comprehensive Plan's 2035 Future Land Use Plan designates the site in question for “Industrial” and “Commercial” uses. These designations are defined as follows:

Industrial - Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses

Commercial - Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.

- B. The following 2017 Boone County Comprehensive Plan's Goals & Objectives apply to the application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).

Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).

Development shall attempt to utilize existing topography and vegetation (including

mature trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).

Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned (Economy Goal B, Objective 5).

- C. Dixie Highway is identified as an arterial roadway providing for two-way traffic within two driving lanes (one lane in each direction). There are no sidewalks along Dixie Highway.

SITE CHARACTERISTICS

- A. The approximate 4.2 acre property is located along the east side of Dixie Highway, across from Frank Duke Boulevard.
- B. The site is currently occupied by a church facility and a 114 space off-street parking area.
- C. Access to the site is provided from two curb cuts onto Dixie Highway. The southernmost curb cut is a full access while the northernmost curb cut is restricted to right-turn-in and right-turn out movements.
- D. Topography of the site slopes from 950 MSL, at Dixie Highway, to 930 MSL, at the railroad. The site slopes down at a grade of 6%.
- E. There is an existing mature tree line along the east and west property lines.

SURROUNDING LAND USES AND ZONING

North: Dog grooming business (Doggie Paddles - under construction) (I-1 and I-2)

South: A single-family residential dwelling and C&J Trucking (I-1)

East: Norfolk-Southern Railroad, a building products distributor (Blue Linx), and a food distributor (Crossett Company) (I-2)

West: Dollar General store, Family Dollar store, O'Reilly Auto Parts store, and vacant land (C-1 and C-3)

STAFF COMMENTS

- A. The submitted site plan indicates the following:
 - 1. Construction of a 6,000 square foot (100' x 60') fellowship hall building
 - 2. Continued use of the existing church buildings
 - 3. Continued use of the existing off-street parking area and access

4. Provision for a Buffer Yard A (minimum 10 foot width) along the north, east, and west property lines

CONCLUSION

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

Respectfully Submitted,



Michael D. Schwartz
Planner

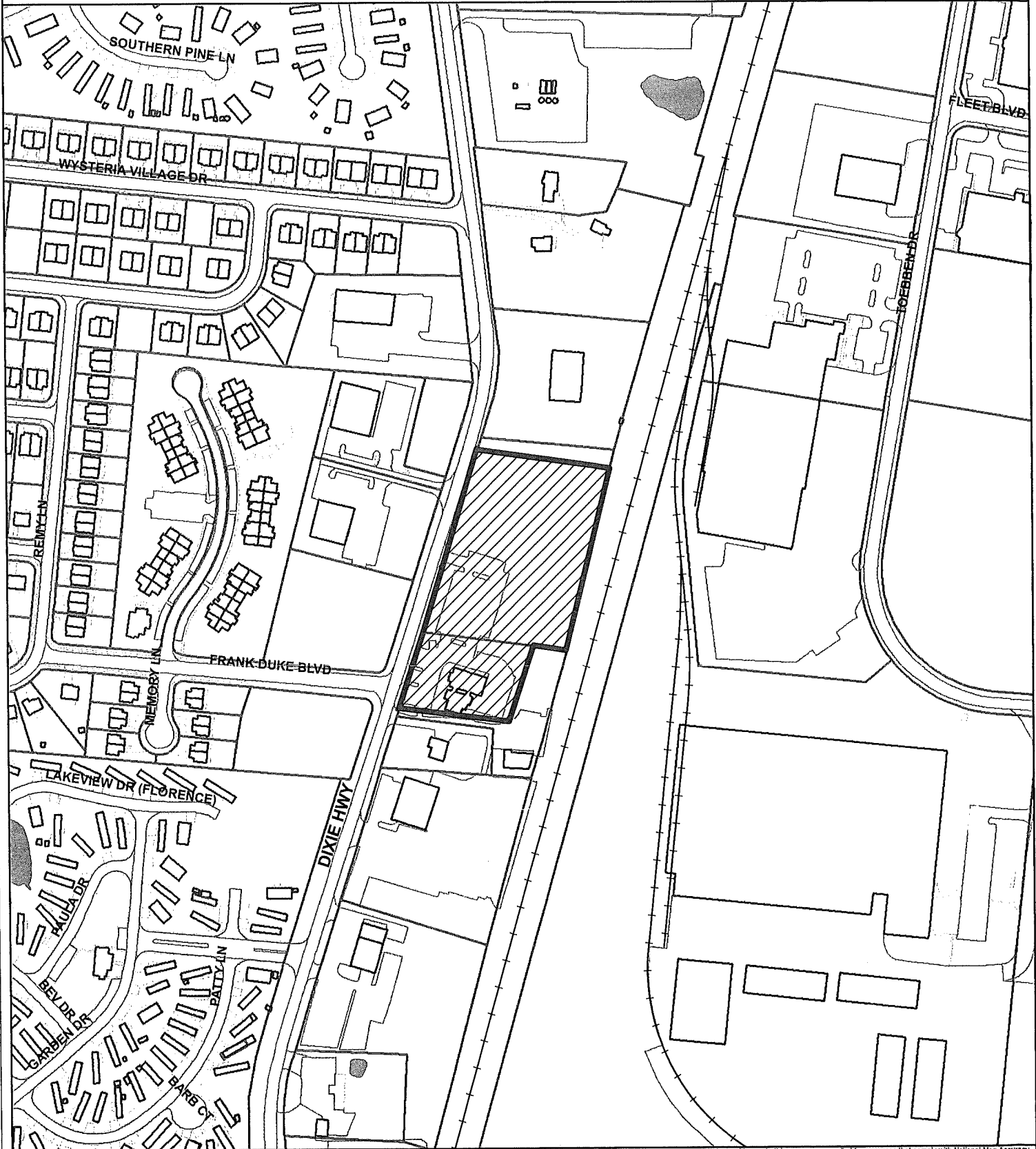
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Attachments

- *Vicinity Map
- *Aerial Map
- *Zoning Map
- *Topographical Map
- *2035 Future Land Use Map
- *Application
- *Concept Development Plan

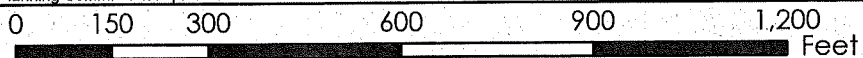
Vicinity Map

www.boonecountygis.com



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1 inch = 300 feet



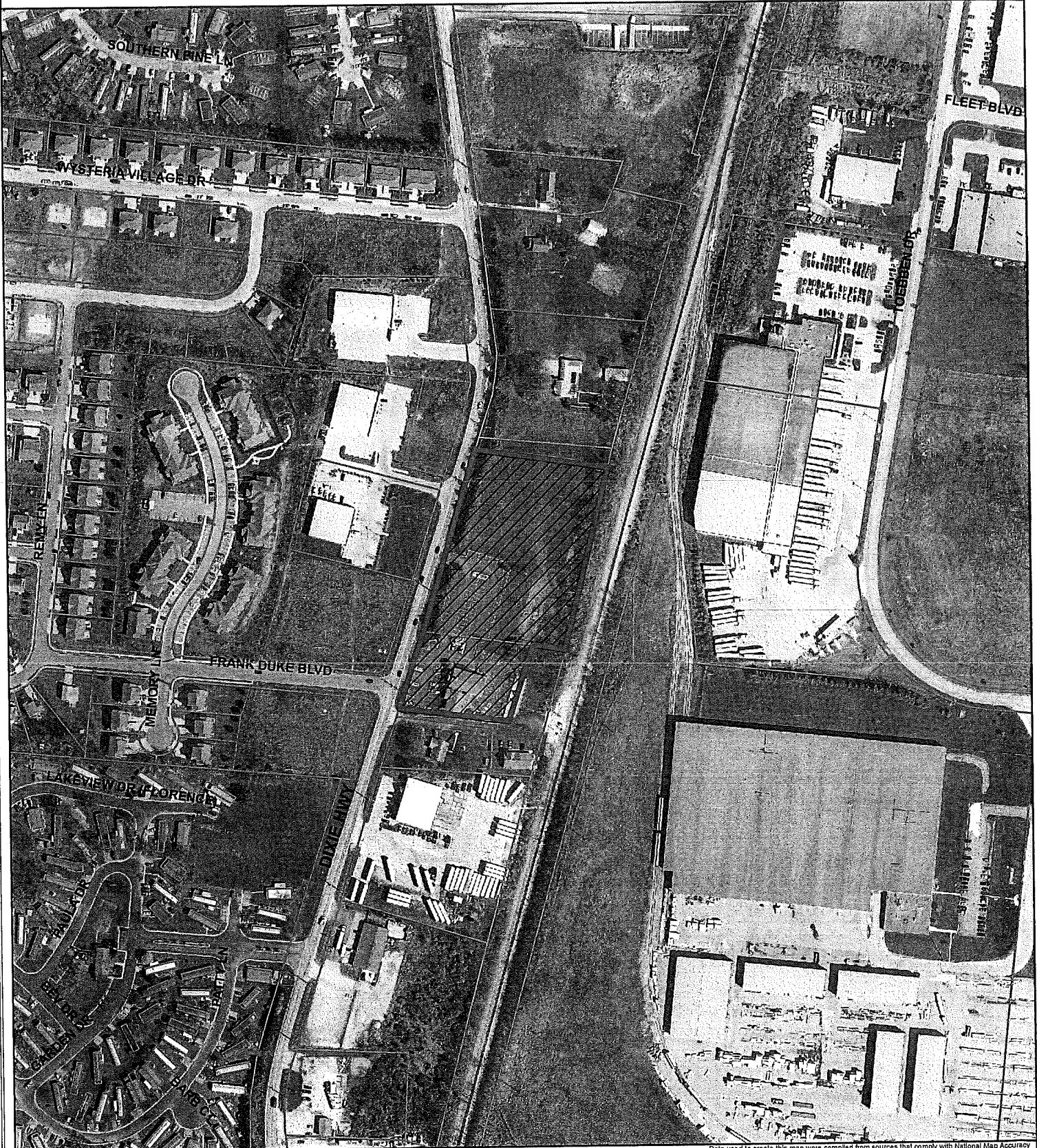
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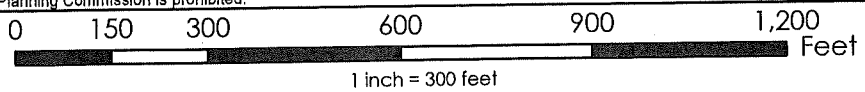
Aerial Map

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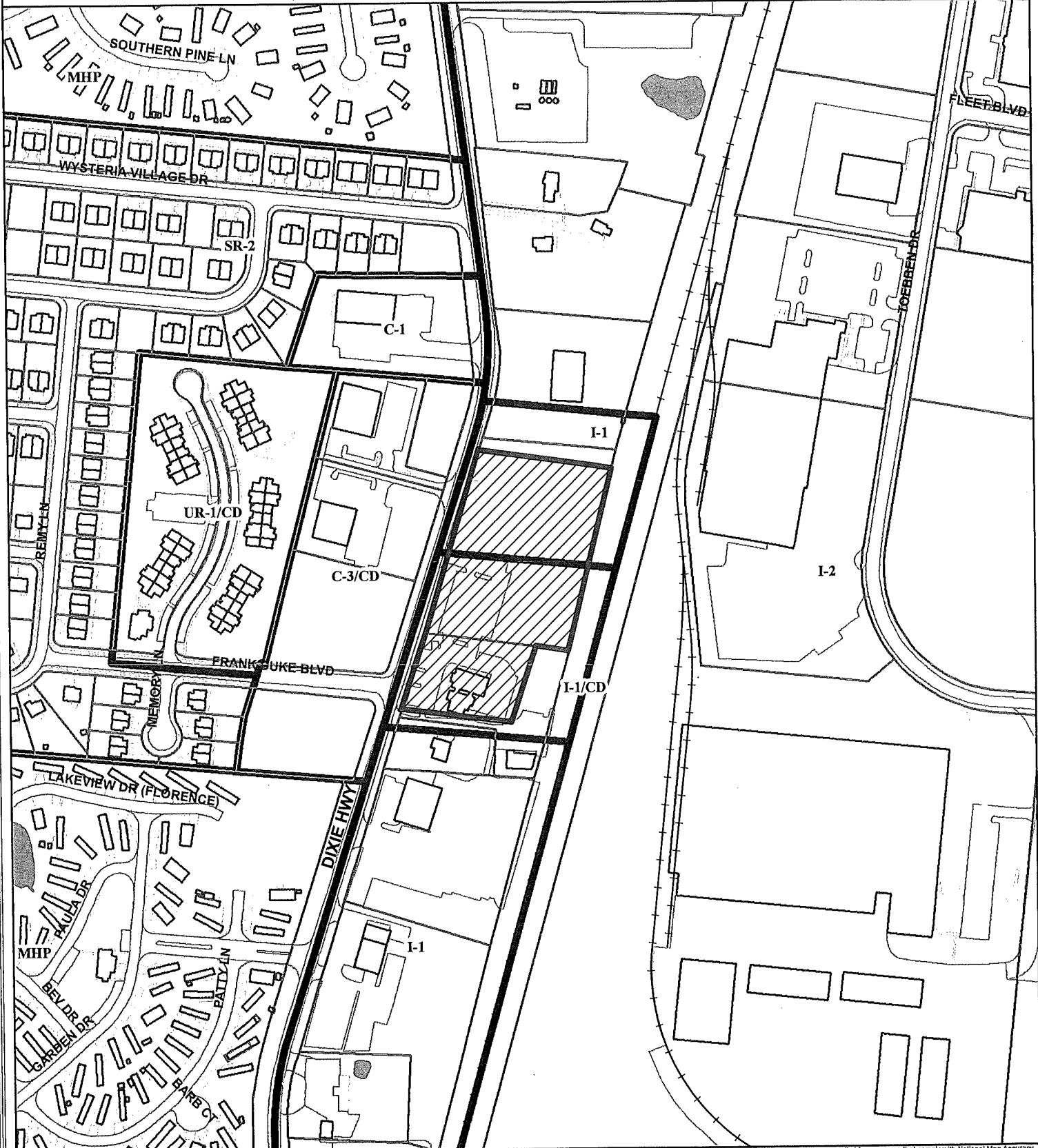
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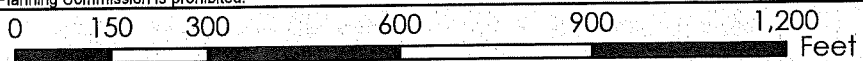
Zoning Map

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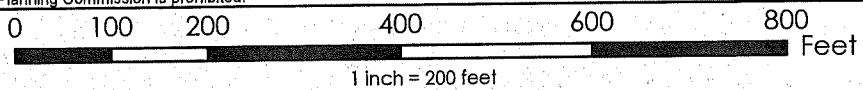
Topographical Map

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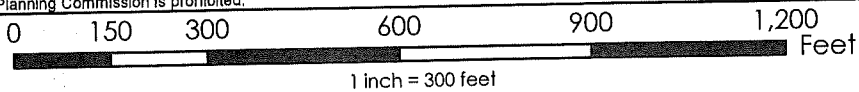
2035 Future Land Use Map

www.boonecountygis.com



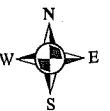
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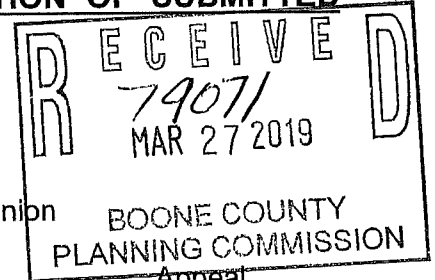
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APPLICATION FORM

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ORIGINAL Property Owner's Signature: [Signature] - Vice Pres. Joyce Robinson Foundation

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**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 3-27-19 Fee Received \$1,082.⁰⁰ Receipt # 79071
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

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.

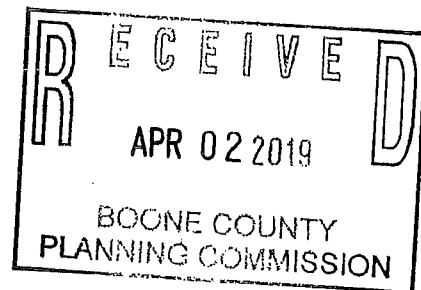
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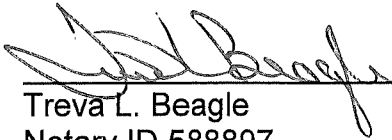


COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz

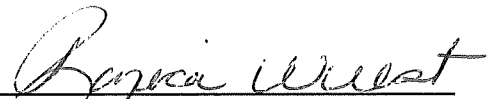
on behalf of the Boone County Planning Commission this 9 day of May, 2019.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

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.)