

Application Deadlines
 1/17 for 2/8 mtg
 2/14 for 3/8 mtg
 4/18 for 5/3
 5/23 for 6/14

**BOARD OF ADJUSTMENT
 BOONE COUNTY PLANNING COMMISSION**

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

022

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

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: Jamie N Ornburn
 Address: 8563 Cranbrook Way
Florence KY 41042
 City State Zip Code

Phone Number: (859) 609-3983 Fax Number: _____

Email: jornburn@gmail.com

4. Description of Request:
I am a chiropractor and want to be able to serve clients in my home. I anticipate working 2-5pm Tues and Friday

5. Name of Development: Silver Creek Subdivision / Balanced Chiropractic Wellness, LLC

6. Location of Development: 8563 Cranbrook Way
Florence KY 41042
 City State Zip Code

7. Acreage Under Review: 9100 sq ft / 0.21 acres

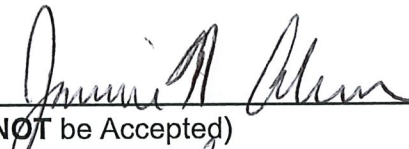
8. Lot Number and Name of Subdivision (if part of a subdivision):
Lot No 237, Silver Creek Subdivision, Section Eight

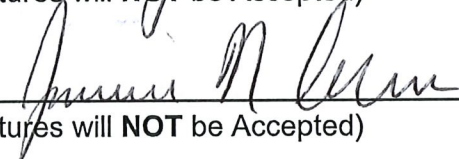
9. Current Owner: Jamie N Ornburn
 Address: 8563 Cranbrook Way
Florence KY 41042
 City State Zip Code

Phone Number: (859) 609-3983 Fax Number: _____

Email: jornburn@gmail.com

10. Proposed Use(s) on Site: Provide chiropractic services in my home.
11. Total Square Footage of Existing and/or Proposed Buildings: 1858 finished 876 unfinished
12. Current Zoning: Residential
13. 915 955 840 663 3925 2039
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. 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: 
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 5-23-23 Fee Received: 816.00 Receipt #: 88460

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 6/14/2023

5. Board Action: 6/14/2023

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
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#7

APPLICANT: Jamie Ornburn

LOCATION: 8563 Cranbrook Way, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: June 14, 2023

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow a Home Business (chiropractor) to be conducted out of the existing single-family residential dwelling.

SITE HISTORY

1999-

2022 Based on information contained in the Boone County GIS, the site was developed.

1999 On February 24, 1999, the Boone County Planning Commission staff approved a Final Plat for Silver Creek Subdivision, Section 8, creating the lot in question.

1999 On December 23, 1999, the Boone County Planning Commission staff approved a zoning permit to allow the construction of a detached single-family residential dwelling on the site.

APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations which may be suitable only if specific locations in the district and only if certain conditions are met.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 205.H of the Boone County Zoning Regulations.
1. Findings listed in Section 205.H (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 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 any such services.
- e. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.
 - f. Will 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 designed as not to create an interference with traffic on surrounding public thoroughfares.
- C. Section 903.A of the Boone County Zoning Regulations states that the purpose of the Suburban Residential One district is to provide a low density, residential environment whose dwelling types and densities are typical of a suburban character. It is also to provide limited or passive and active recreational uses that are appropriate to the permitted uses in the district. Suburban Residential One districts will be located on lands within established urban areas where adequate infrastructure facilities and services are available or proposed.
- D. Section 4000 of the Boone County Zoning Regulations defines 'Home Business' and 'Home Occupation' as follows:
1. Home Business: A limited business activity that is incidental and secondary to the primary use of the principal dwelling unit, that is at a scale greater than a home occupation, and is conducted in conformance with the home business requirements of these regulations.
 2. Home Occupation: A limited business activity that is incidental and secondary to the primary use of the principal dwelling unit and that is conducted in conformance with the home occupation requirements of this order.
- E. Section 3142.A.1 of the Boone County Zoning Regulations provides for the following supplemental regulations/standards for 'Home Businesses':
1. The use is conducted entirely within a dwelling or in an accessory structure.
 2. Other than members of the household residing on the premises, no more than one (1) person who is not a member of the household residing on the premises, may be engaged in the operation of the home business.
 3. On site sales or services shall be limited to products and services related to the home business.
 4. There shall be no change in the exterior appearance of the building or premises, to evidence that such property is used for a home business.
 5. No home business shall result in exterior evidence of such use being conducted by reason of atmospheric pollution, light flashes, glare, odors, noise, or vibration, discernable from abutting properties.

6. There shall be no pickup or delivery by business related commercial vehicles, except for U.S. mail and standard UPS/FedEx sized vehicles.
7. There shall be no outdoor display or storage of goods, equipment, or services that are associated with the home business.
8. No new entrance or separate driveway shall be permitted for the home business.
9. No commercial vehicle associated with the home business shall be permitted on the premises, except within a completely enclosed garage.
10. Signage shall be regulated by ARTICLE 34.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Suburban Density Residential” uses which is described as single family housing of up to four units per acre.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
 1. Mixing of residential and other land uses shall be encouraged where appropriate (Overall Goal A, Objective 2).
 2. 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).
 3. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 4. 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).
 5. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
 6. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).
 7. Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).
 8. Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems (Economy Goal B, Objective 2).
 9. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).
- C. Cranbrook Way is a County maintained local cul-de-sac street, providing for two way traffic within two driving lanes. A sidewalk exists on both sides of the roadway.

SITE CHARACTERISTICS

- A. The approximate 0.2 acre area is located along the northeast side of Cranbrook Way,

approximately 330 feet southeast of Thunder Ridge Drive.

- B. The site has sixty-five (65) feet of frontage along Cranbrook Way.
- C. Access to the site is provided by one curb cut onto Cranbrook Way.
- D. The site is currently occupied by a detached, two-story, residential structure with an attached two-car garage.
- E. The existing driveway extends approximately thirty-one (31) feet from Cranbrook Way, accommodating two (2) cars.
- F. Topographically, the site slopes upward from east to west at an average grade of 8%.

SURROUNDING LAND USES AND ZONING

North: Single-family residential dwellings (SR-1)
South: Single-family residential dwellings (SR-1)
East: Single-family residential dwellings (SR-1)
West: Single-family residential dwellings (SR-1)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to provide chiropractic services in the existing house, two (2) days a week in the afternoons.

STAFF COMMENTS

- A. Home Businesses were added as a Conditional Use to many of the residential zoning districts as part of the 2020 Zoning Update.
- B. On-street parking is allowed on the south side of the street.
- C. Should the Board take action to approve the submitted request, Staff is suggesting the following conditions be considered as part of that action:
 - 1. The home business shall only operate between the hours of 8:00 am and 9:00 pm, seven days a week.
 - 2. There shall be no employees, other than those members of the household residing on the premises.
 - 3. The Conditional Use Permit is only for chiropractic services and any other home business activity shall be approved by the Board of Adjustment.
 - 4. The home business shall meet all of the requirements of Section 3142.A.1 of the zoning regulations.

CONCLUSION

- A. KRS 100.237 and Section 202.C of the Boone County Zoning Regulations give the Boone County Board of Adjustment the authority to act on the Conditional Use Permit request.

Respectfully Submitted,



Michael D. Schwartz
Director, Zoning Services

MDS/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Concept Development Plan

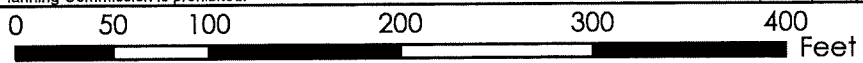
Vicinity Map

www.boonecountygis.com



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1 inch = 100 feet



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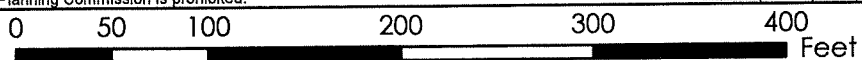
Aerial Map

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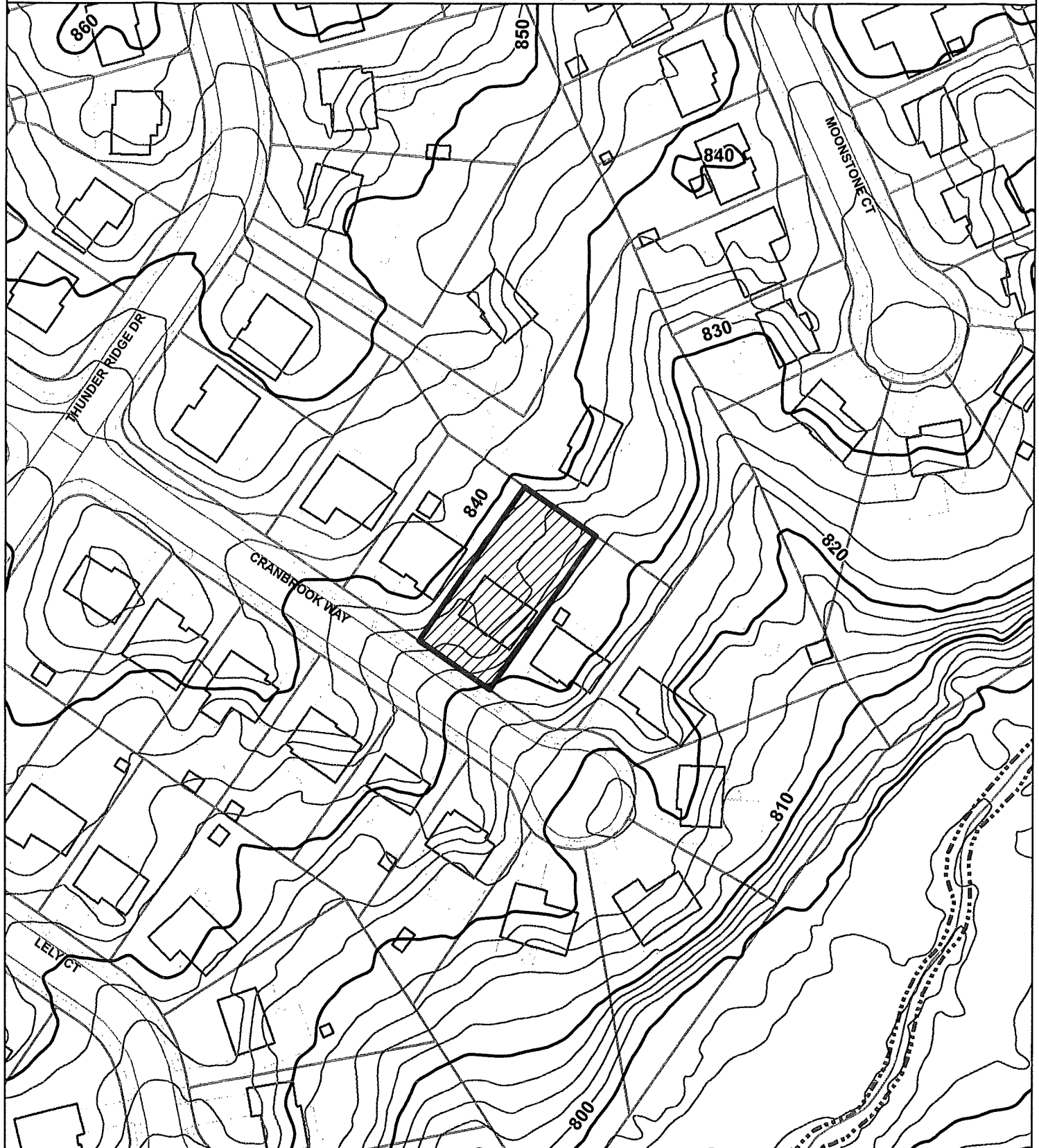


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ArchMap Document: *.mxd

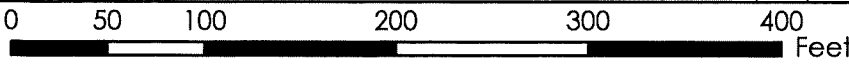
Topographic Map

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Map Created: xx/xx/2021

Boone County GIS
ArcMap Document: *.mxd

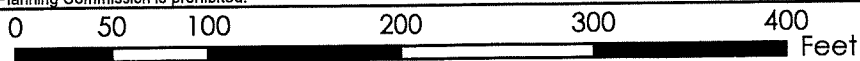
Zoning Map

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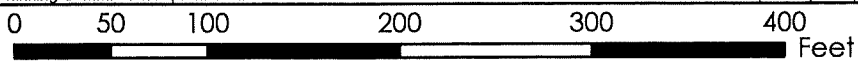
2040 Future Land Use Map

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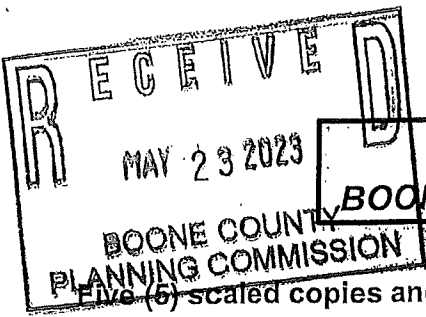
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Map File: 1.mxd
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BOONE COUNTY PLANNING COMMISSION**

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2. Check One Conditional Use Permit Variance Appeal
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Florence KY 41042
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Lot No 237, Silver Creek Subdivision, Section Eight

9. Current Owner: Jamie N Ornburn

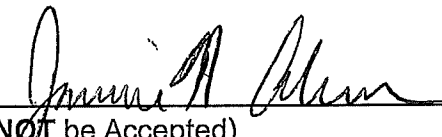
Address: 8563 Cranbrook Way

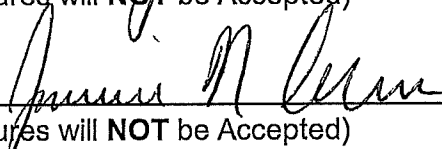
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Deed Book Page Group Number
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If yes, date of approval: _____
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ORIGINAL Applicant's Signature: 
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SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 5-23-23 Fee Received: 316.00 Receipt #: 88460

2. Is application complete: _____

3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

5. Board Action: _____

- _____ Approved
- _____ Approved with Conditions (see #6)
- _____ Denial (See #7)

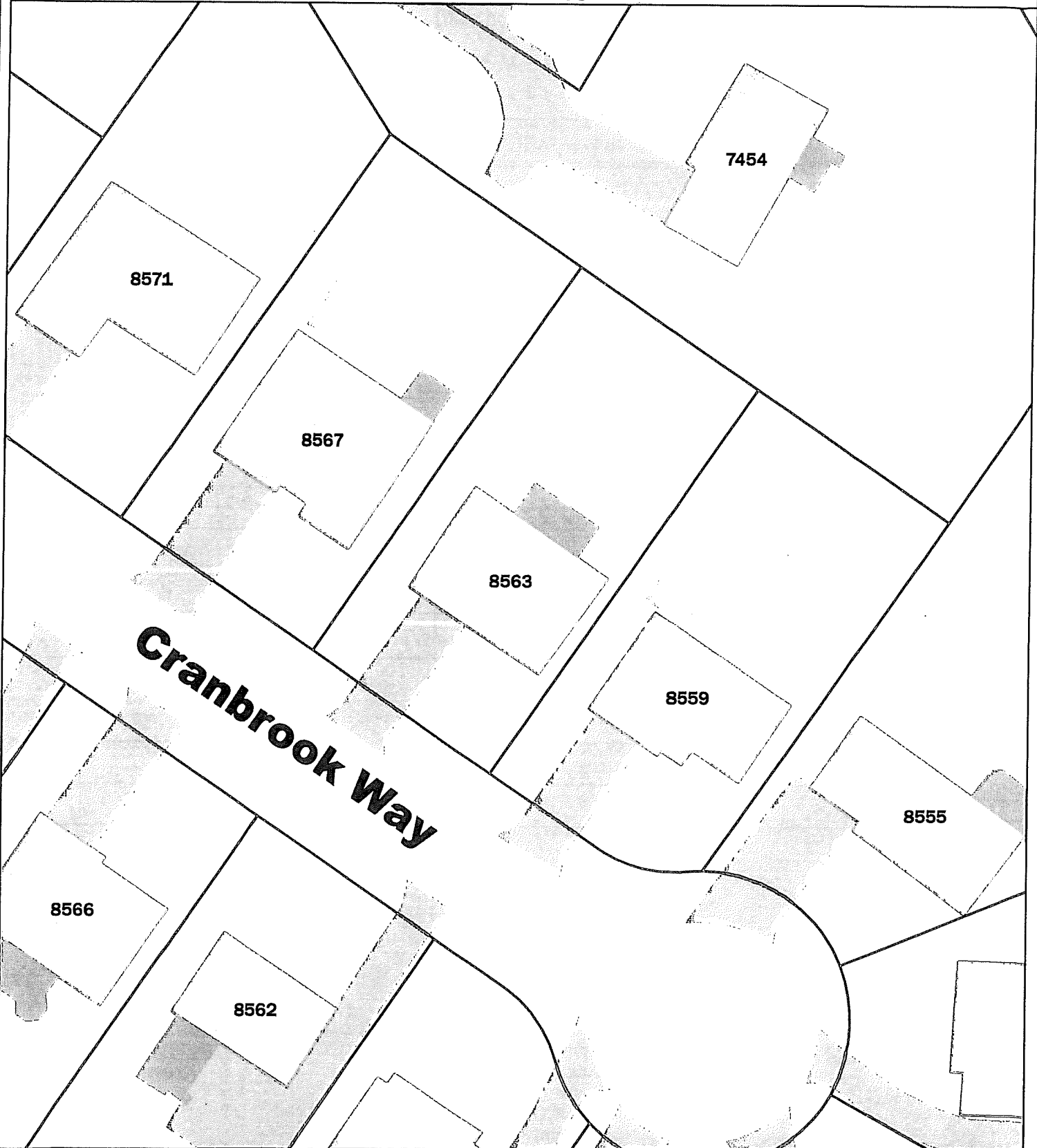
6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
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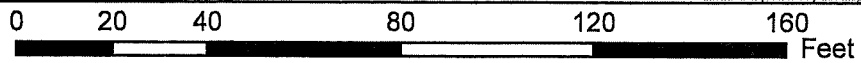
Boone County GIS Map

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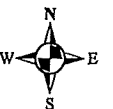


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1 inch = 40 feet



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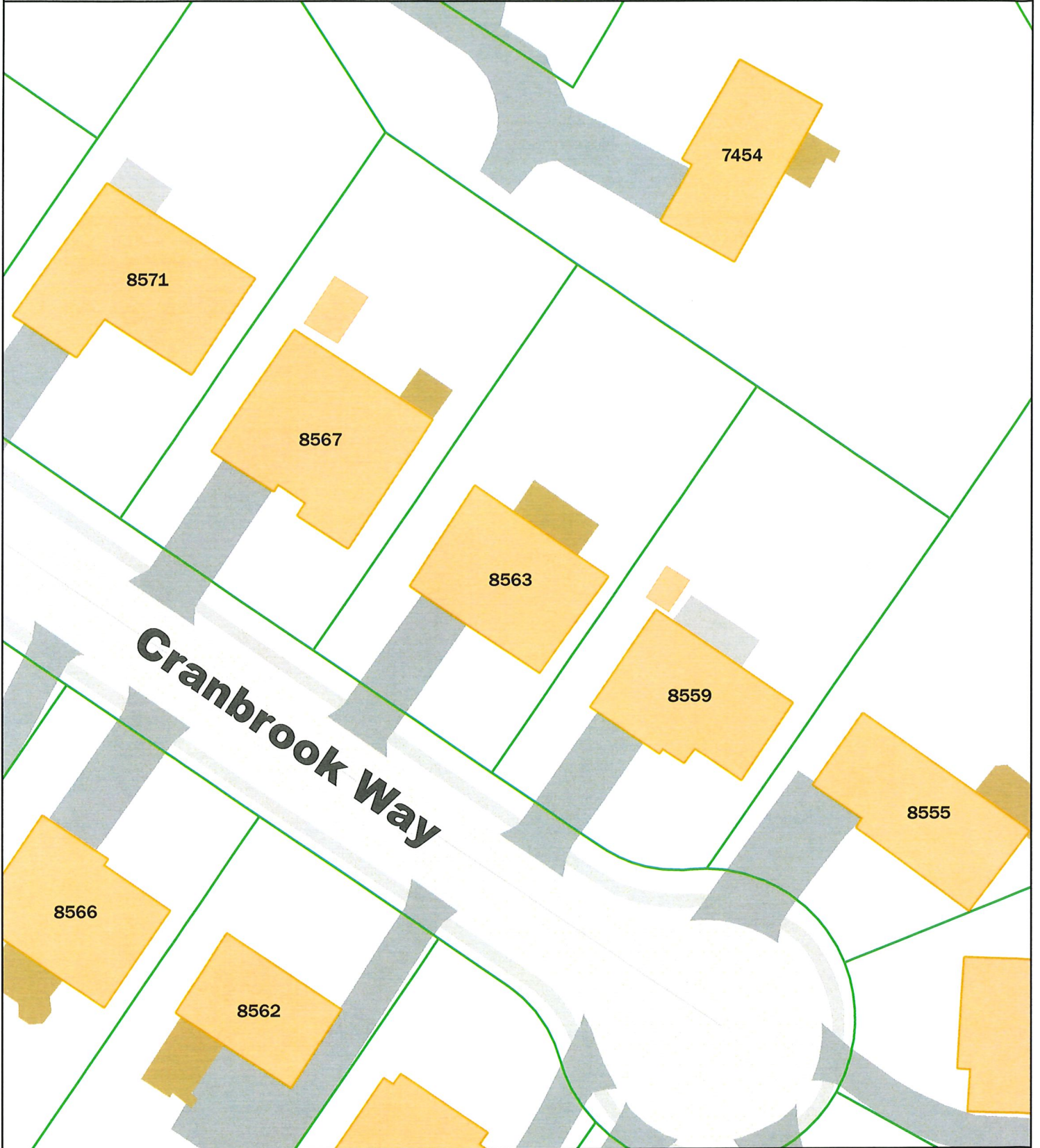
Hello and thank you for considering my request for a conditional use permit. My name is Dr. Jamie Ornburn and I am a chiropractor. I have lived in Florence since 2008 and have recently decided that I would like to see patients in my home part time. I anticipate to open up my home two days a week on Tuesday and Friday, totaling 6 hours/week. My clientele is primarily pregnant and post partum women and children. I will have no more than 2 additional vehicles at my residence at a time: one for the patient receiving services and one for the following patient. If there happens to be a need for a third vehicle there is ample street parking adjacent to my property as well. However, I anticipate keeping the patients' vehicles parked in my driveway.

Thank you,

Dr. Jamie Ornburn, DC.

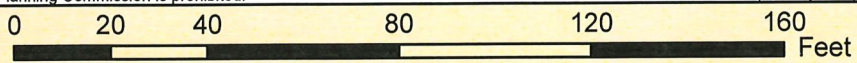
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CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Jamie Ornburn
8563 Cranbrook Way
Florence, KY 41042

2. ADDRESS OF PROPERTY
8563 Cranbrook Way
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Balanced Chiropractic Wellness LLC

4. DEED BOOK 955 PAGE NO. 663 GROUP NO. 2039

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

Zoning Map Amendment:
From _____ To _____

Conditional Use Permit

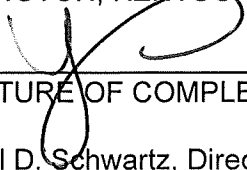
Development Plan Conditional Zoning

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



SIGNATURE OF COMPLETING OFFICIAL

Michael D. Schwartz, Director, Zoning Services
Name and Title of Completing Official

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 15th day of June, 2023.

Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:



Nicole Dierna
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.)