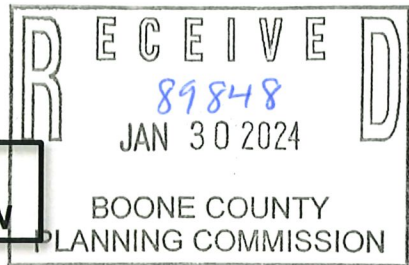


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



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

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: Robert J Lightner Foundation LLC
Address: 5194 Beaver Rd.
Union KY 41091
City State Zip Code
Phone Number: 859-586-5475 Fax Number: _____
Email: tony@pottersranch.org
4. Description of Request:
To build a new building
5. Name of Development: Family Life Center
6. Location of Development: 5194 Beaver Rd.
Union KY 41091
City State Zip Code
7. Acreage Under Review: 8
8. Lot Number and Name of Subdivision (if part of a subdivision):

9. Current Owner: Robert J Lightner Foundation LLC
Address: 5194 Beaver Rd.
Union KY 41091
City State Zip Code
Phone Number: 859-586-5475 Fax Number: _____
Email: tony@pottersranch.org

10. Proposed Use(s) on Site: gym, food service, and meeting space
11. Total Square Footage of Existing and/or Proposed Buildings: 20,250
12. Current Zoning: Recreational
13. 940 129 2060
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.

Property Owner's Signature:

Robert J. Lightner

Applicant's Signature:

[Signature]

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

1. Date Received: 1/30/2024 Fee Received: \$ 766 - Receipt #: 89848
2. Is application complete: _____
3. Staff Reviewer: M. Schwartz
4. Scheduled Board Action Date: 3/13/2024
5. Board Action: 3/13/2024

Approved
 Approved with Conditions (see #6)

Denial (See #7)
6. Conditions of Approval: See Attached, Minutes, & CWR

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

CONDITION OF APPROVAL

APPLICANT: Robert J Lightner Foundation LLC

LOCATION: Parcel Identification Number (PIDN) of 021.00-00-010.00 and being immediately east of 5194 Beaver Road

ZONING: Recreation (R)

DATE: March 13, 2024

1. A Major Site Plan application shall be processed with the Boone County Planning Commission, which shall meet the minimum requirements of the Boone County Zoning Regulations.

STAFF REPORT

#2

APPLICANT: Robert J Lightner Foundation LLC

LOCATION: Parcel Identification Number (PIDN) of 021.00-00-010.00 and being immediately east of 5194 Beaver Road

ZONING: Recreation (R)

DATE: March 13, 2024

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow the construction of a Family Life Center.

SITE HISTORY

- 1986 Based on information contained in the Boone County GIS, the site was zoned Recreation (R).
- 1992 On July 22, 1992, the Boone Board of Adjustment approved a Conditional Use Permit for a resident youth program and family life center on the adjacent property (BCBOA-92-015).
- 2001 On March 14, 2001, the Boone Board of Adjustment approved a Conditional Use Permit for an amphitheater, additional cabins, and a welcome center on the adjacent property (BCBOA-01-012).
- 2001 On May 9, 2001, the Boone Board of Adjustment approved a Conditional Use Permit to amend a condition of a previous approval (BCBOA-21-016).
- 1992-
2021 Several Site Plans have been approved by the Boone County Planning Commission staff.

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 grant conditional uses 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 700.A of the Boone County Zoning Regulations states that the purpose of the Recreation district is to identify, protect, and provide for the use of lands and structures for recreation activities. The purpose is further to ensure compatibility between the scale, extent, character, and location of these uses, surrounding development, local needs for recreation facilities, environmental suitability's, and the limits of supporting infrastructure.
- D. Section 505.1 of the Boone County Zoning Regulations identifies:
- 1. Recreation, Commercial as a conditional use within the R district.
 - 2. Religious Assembly as a permitted use within the R district.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for "Recreation" uses, which is described as public and commercial outdoor recreation including golf courses, parks, racetracks, private reserves, wooded areas that serve an established recreation use, etc.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
- 1. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).
 - 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. An evaluation of environmental factors identified in this Plan will be part of any development review process (Environment Goal A, Objective 1).
 6. Areas possessing unique environmental characteristics should be preserved, used as passive or active recreational areas, or appropriately incorporated into development design (Environment Goal A, Objective 2).
 7. Development design shall consider natural and ecological systems, such as wildlife habitats, air, soils, and water (Environment Goal A, Objective 6).
 8. 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).
 9. Parks and open space shall be used to preserve scenic and natural areas with significant and unique qualities and provide activity centers close to or within established and developing residential areas (Natural and Cultural Resources Goal A, Objective 1).
 10. Active Recreation areas and facilities shall be centrally located and easily and safely accessible to the population groups they are designed to serve. Active Transportation (bicycling and pedestrian) connections between parks and recreation facilities shall be encouraged (Natural and Cultural Resources Goal A, Objective 2).
 11. Marginal development land shall be considered for its value as open space, farmland, or recreation. The Ohio River shoreline shall be studied for its potential for recreational development that retains the ecological integrity of the river area and creates sustainable economic opportunities (Natural and Cultural Resources Goal A, Objective 3).
 12. Cultural resources in/on recreational or education facilities shall be protected and park areas that make use of existing cultural resources shall be encouraged (Natural and Cultural Resources Goal A, Objective 5).
 13. Education and recreation facilities shall be combined to provide the mutual benefits of service, safety, convenience, economy, and neighborhood scale (Natural and Cultural Resources Goal A, Objective 6).
 14. Agencies and organizations that administer parks, recreation, and natural areas in Boone County should coordinate programming and activities (Natural and Cultural Resources Goal A, Objective 7).
- C. Beaver Road is a state maintained arterial street, providing for two-way traffic within two (2) driving lanes. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 50 acre area is located approximately one hundred fifty (150) feet north of Beaver Road and approximately 2,500 feet west of Riddles Run Road.

- B. The site is currently vacant, with the exception of several dirt paths.
- C. Access to the site is from a curb cut onto Beaver Road.
- D. A majority of the site is located within the 100-Year Floodplain of Gunpowder Creek, which forms the eastern boundary of the site.

SURROUNDING LAND USES AND ZONING

North: Potter's Ranch (R) and single-family residential/agricultural land (A-1)
South: Single-family residential/agricultural land (A-1)
East: Single-family residential/agricultural land (A-1)
West: Potter's Ranch (R)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to develop a family life center in the northeast portion of the site in question.
- B. The submitted Concept Development Plan indicates the following:
 - 1. Construction of a 19,680 square foot building to include meeting rooms and a gym.
 - 2. An off-street parking lot to accommodate eighty-seven (87) cars.
 - 3. Rerouting of some of the existing dirt paths.

STAFF COMMENTS

- A. The proposed building will be set back approximately one hundred forty-five (145) feet from the adjoining property line to the east.
- B. The proposed building will be approximately 1,500 feet from the nearest adjoining residential structure.
- C. Due to the scale of the submitted Concept Plan, a full evaluation against the zoning regulations could not be performed. However, this will be done at the Major Site Plan submittal stage.
- D. Should the Board take action to approve the Conditional Use Permit, the following condition should be considered as part of that action:
 - 1. A Major Site Plan application shall be processed with the Boone County Planning Commission, which shall meet the minimum requirements of the Boone County Zoning Regulations.

CONCLUSION

- A. KRS 100.237 and Section 202.C of the Boone County Zoning Regulations give the

Boone County Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit request.

Respectfully Submitted,



Michael D. Schwartz
Director, Zoning Services

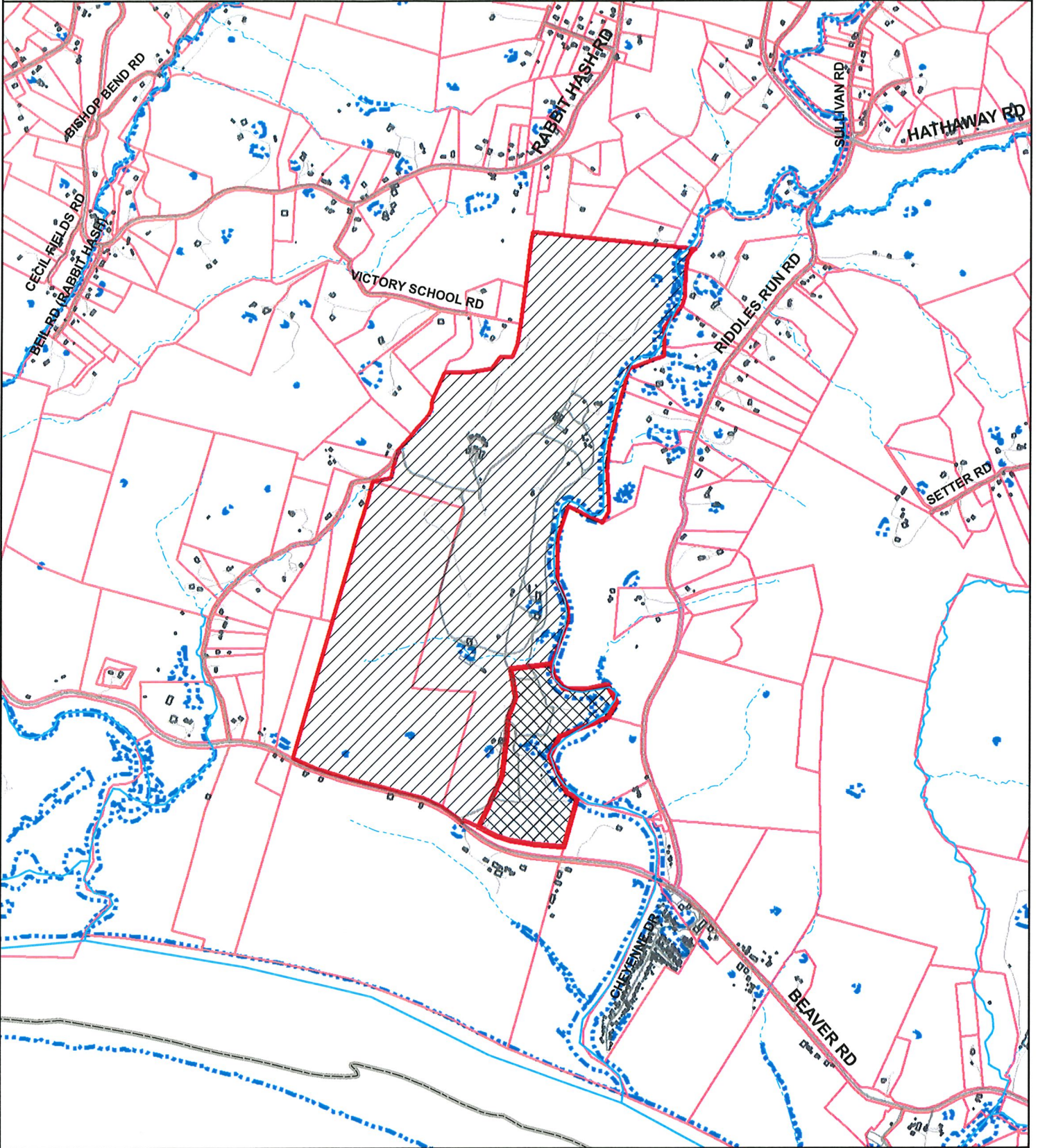
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Attachments

- *Overall Vicinity Map
- *Vicinity Map
- *Topographic and Floodplain Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Concept Development Plan

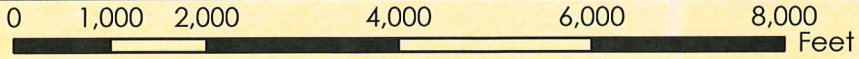
Overall Vicinity Map

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 2,000 feet



Boone County GIS - Putting Northern Kentucky on the Map

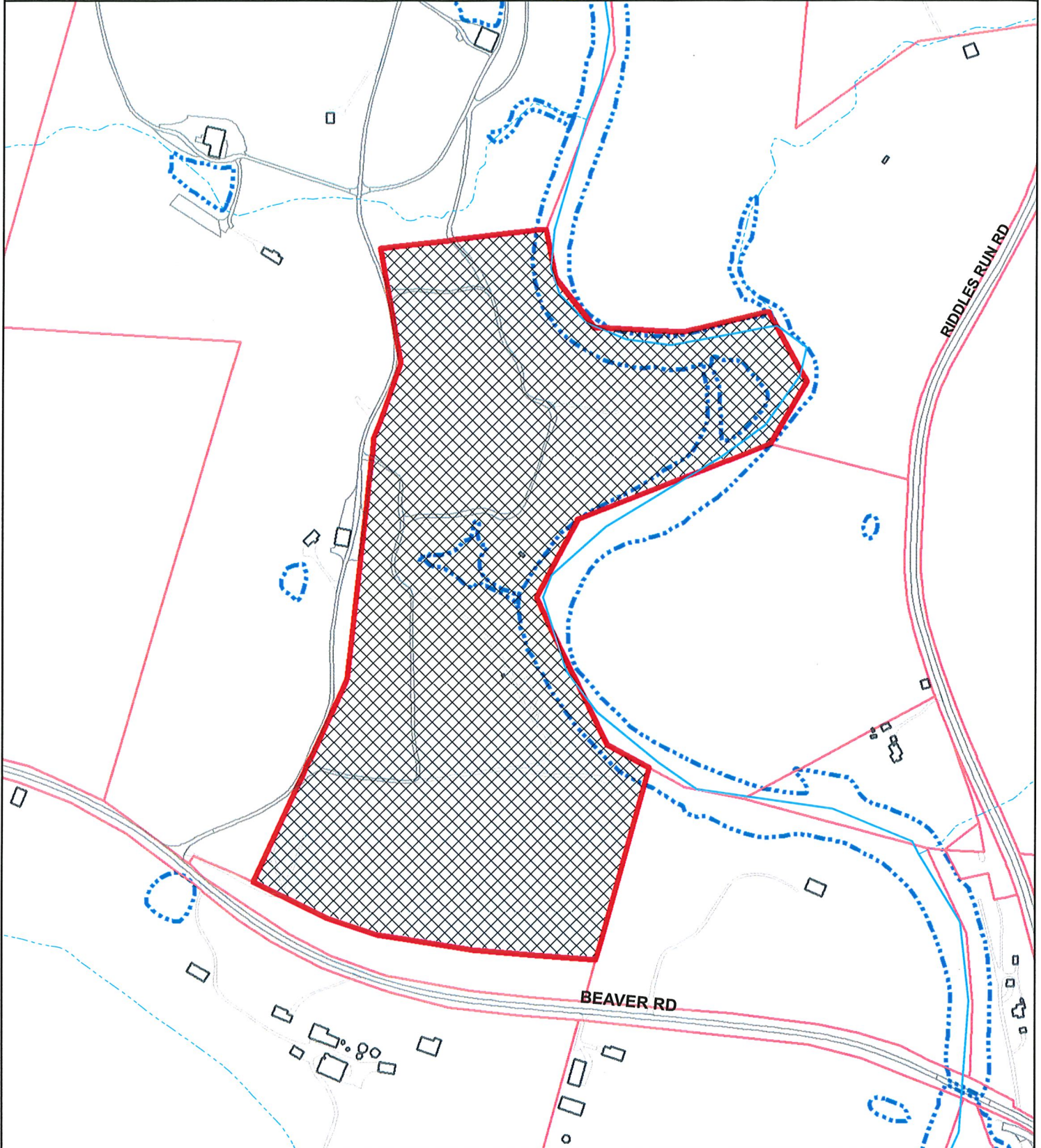


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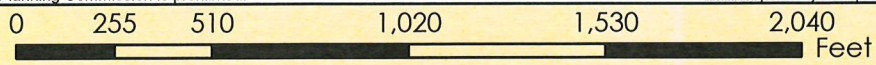
Vicinity Map

www.boonecountygis.com



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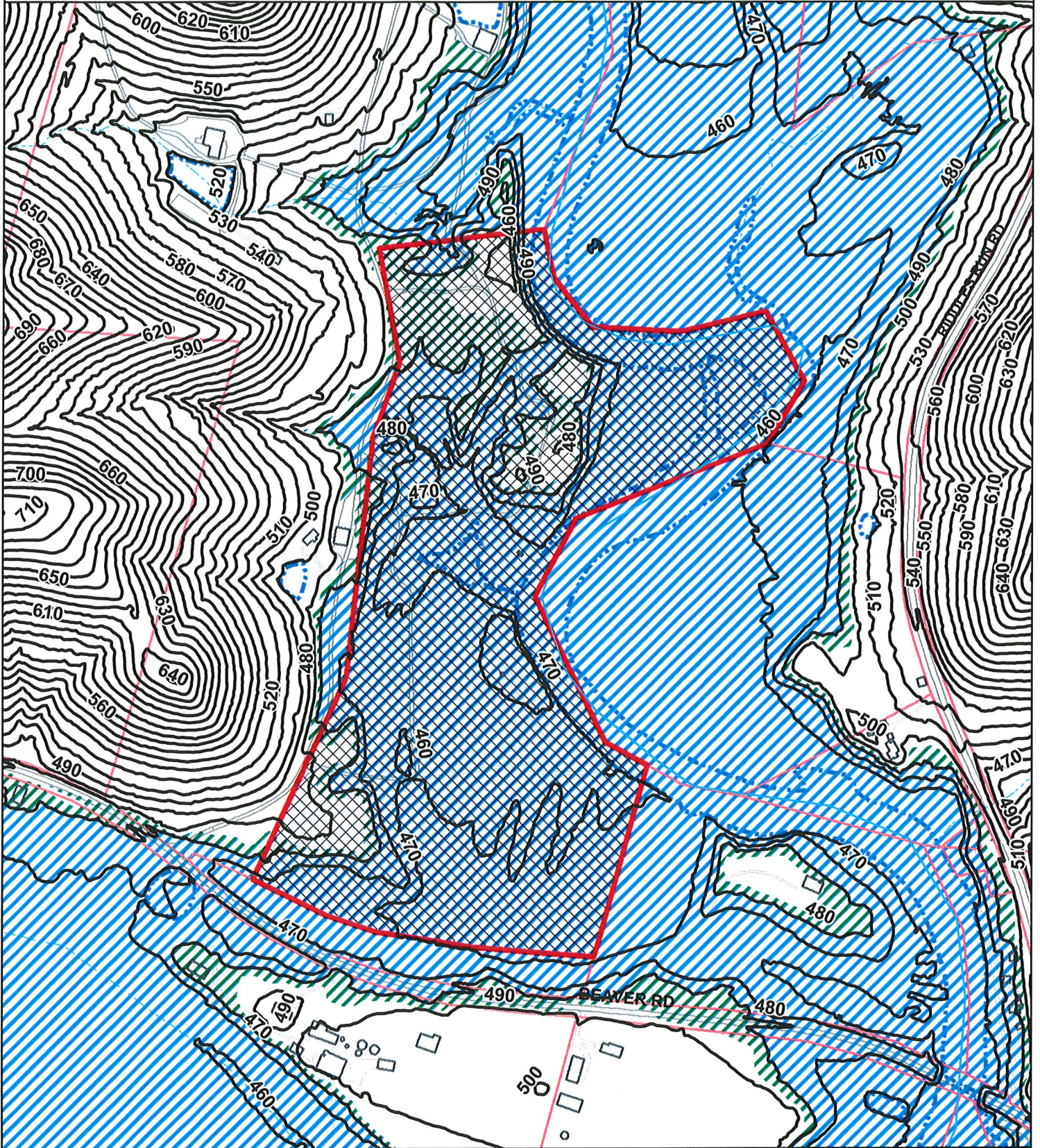


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Topographic and Floodplain Map

www.boonecountygis.com



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1 inch = 500 feet



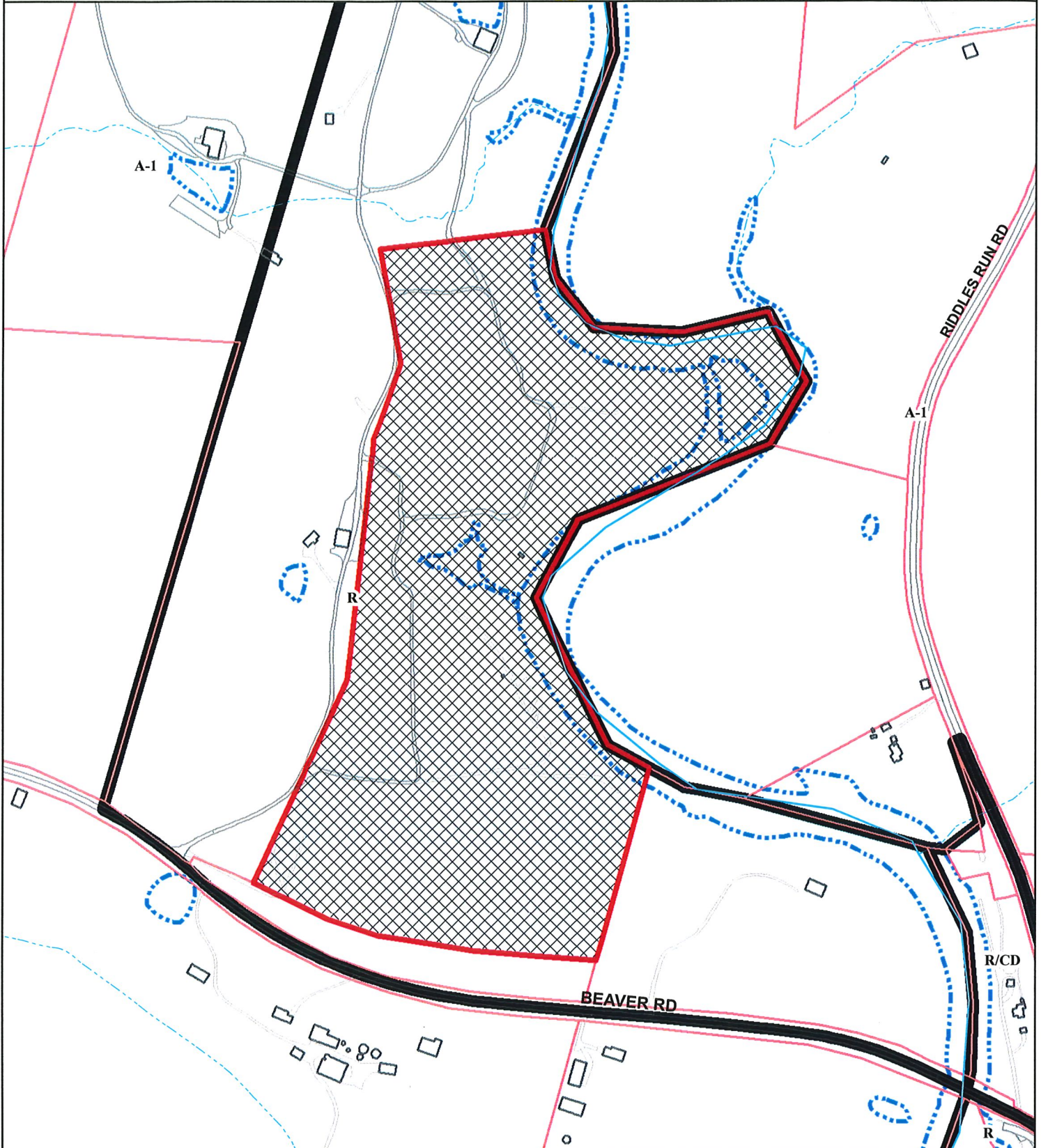
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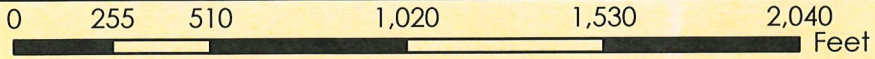
Zoning Map

www.boonecountygis.com



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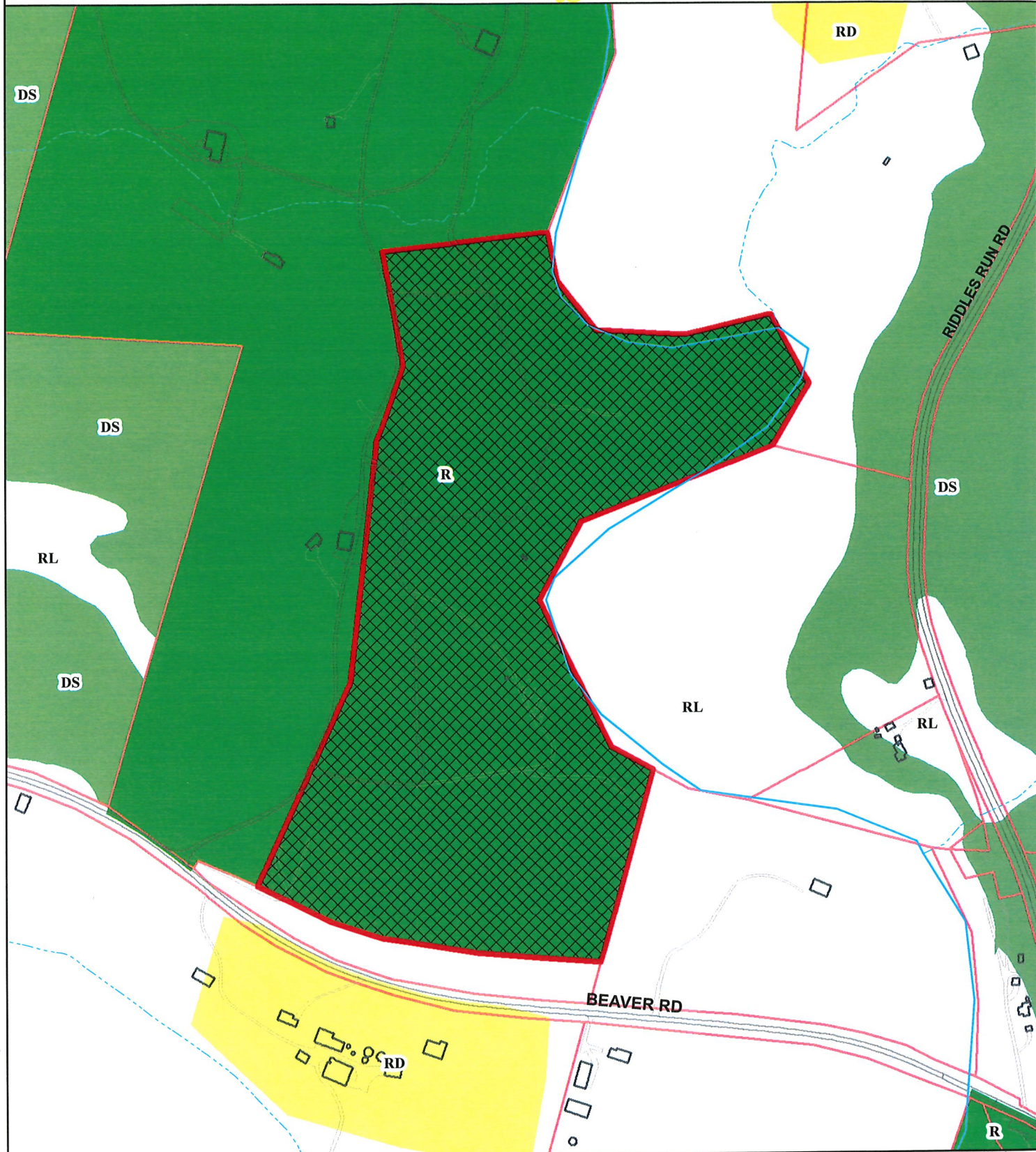


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Boone County GIS
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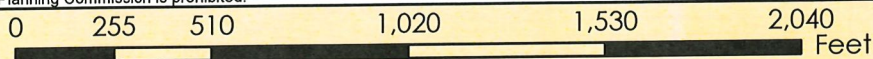
2040 Future Land Use Map

www.boonecountygis.com



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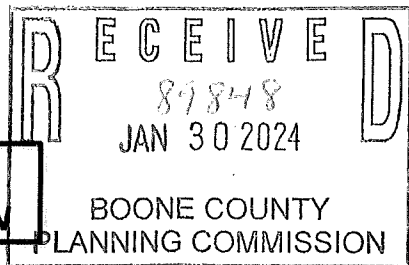
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Boone County GIS



State Plane 8 Kentucky North NAD 1983
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**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

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

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2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
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Phone Number: 859-586-5475 Fax Number: _____
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12. Current Zoning: Recreational
13. 940 129 2060
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
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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.

Property Owner's Signature:

Robert J. Lightner

Applicant's Signature:

[Signature]

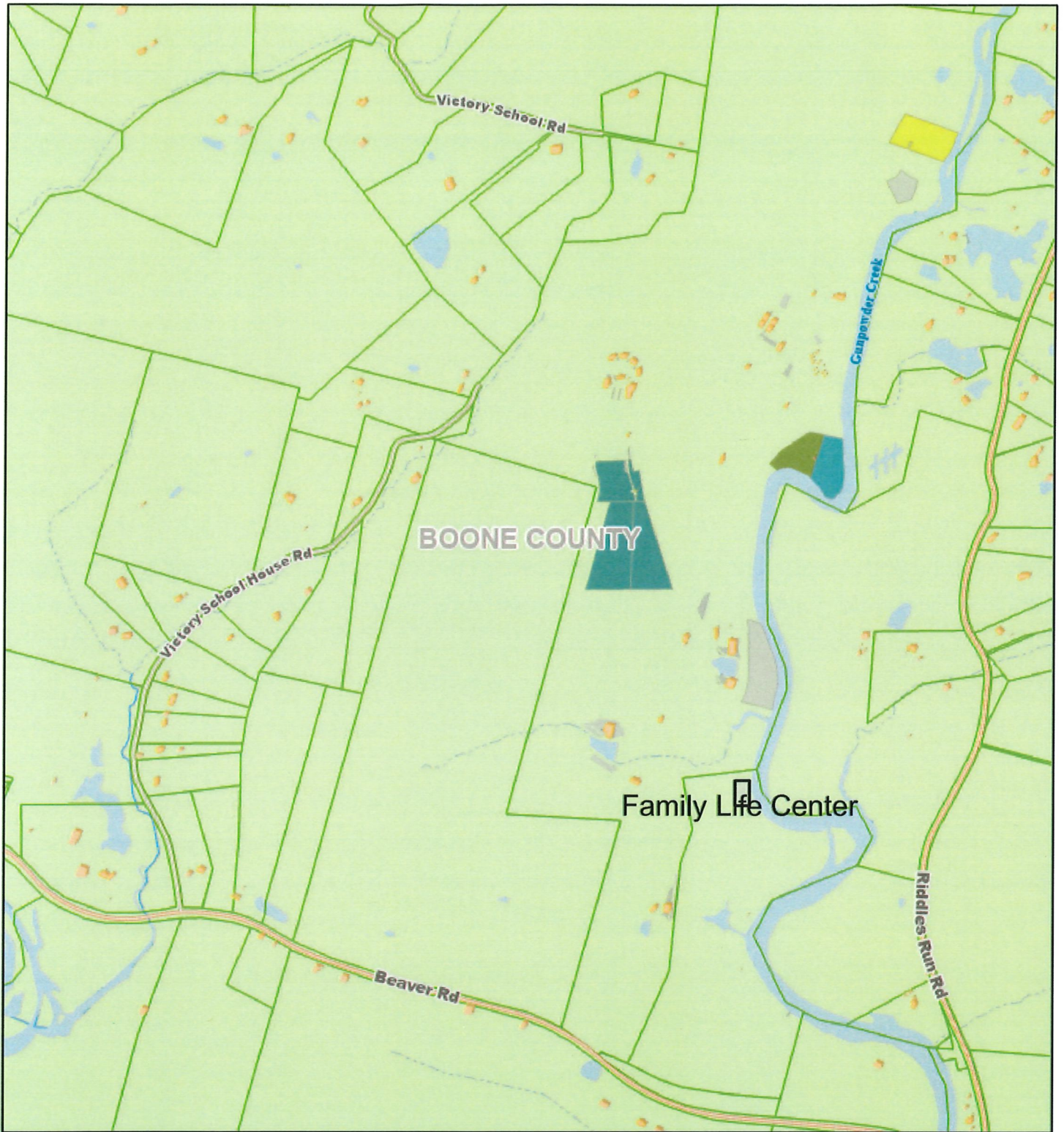
SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 1/30/2024 Fee Received: \$ 700 Receipt #: 89846
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
plancom@boonecountyky.org
www.boonecountyky.org

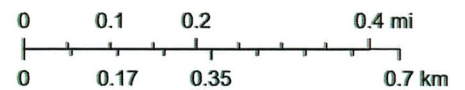
Boone County, Kentucky



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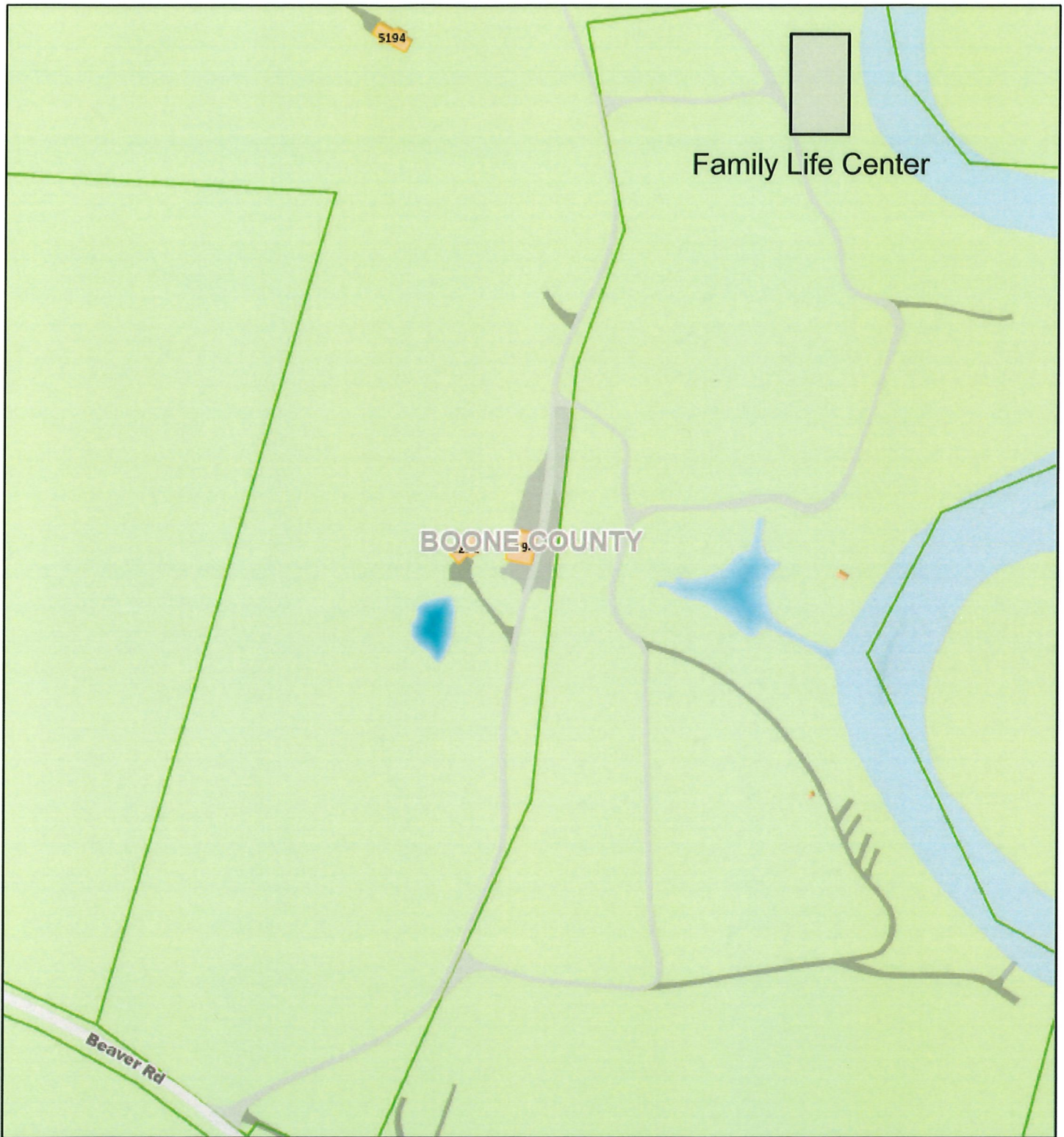
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|---------------------|---------------------|--------------------------------|
| Building Footprints | Recreation Features | Rope Course/Zip Line |
| Buildings | Boat Ramp | Street Centerlines |
| Tax Parcels | Dock | Minor Hwy |
| Parking Lots | Event Parking | Local Street |
| Asphalt | Fire Pit | Intermittent Blue Line Streams |
| Concrete | Fishing Spot | Perennial Blue Line Streams |
| Gravel | Paintball Field | Waterbodies (small scale) |
| | Picnic Area | |



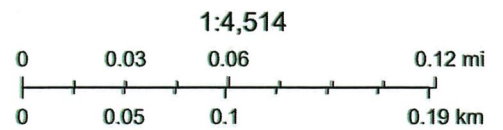
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Boone County, Kentucky



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| Building Footprints | Gravel | Roadways |
| Buildings | Exterior Features | Roadway |
| Tax Parcels | Driveway | Private Roadway |
| Deeded Parcels | Recreation Features | Perennial Blue Line Streams |
| Parking Lots | Boat Ramp | Waterbodies (large scale) |
| Asphalt | Street Centerlines | |
| | Minor Hwy | |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, GIS Services Division, Boone County Planning Commission

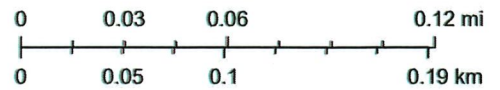
Boone County, Kentucky



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| Buildings | Exterior Features | Roadway |
| Tax Parcels | Driveway | Private Roadway |
| Deeded Parcels | Recreation Features | Perennial Blue Line Streams |
| Parking Lots | Boat Ramp | Waterbodies (large scale) |
| Asphalt | Street Centerlines | |
| | Minor Hwy | |



GIS Services Division, Boone County Planning Commission

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Robert J. Lightner Foundation LLC
5194 Beaver Rd
Union, KY 41091

- 2. ADDRESS OF PROPERTY
5194 Beaver Rd
Union, KY 41091

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Family Life Center

- 4. DEED BOOK 940 PAGE NO. 129 GROUP NO. 2060

- 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 14th day of March, 2024.

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.)

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 March 13, 2024, Certificate of Land Use Restriction (#24-BCBOA-009-A), for Robert J. Lightner Foundation LLC, Property Owner(s).

The following condition will apply:

1. A Major Site Plan application shall be processed with the Boone County Planning Commission, which shall meet the minimum requirements of the Boone County Zoning Regulations.

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

DEED BOOK 940

PAGE NO. 129

GROUP NO. 2060