

MAY 20 1992

REVIEW NO. 92-BCBOA 015

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(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 Robert J. Lightner Foundation, Inc.
Phone Number 606-371-3256
Applicant's Address 7536 U.S. 42, Suite 3-B
Florence, Ky. 41042
City State Zip
- 4. Description of Request: To develop a resident youth program for boys from dysfunctional homes and a Family Life Center for seminars and retreats.
- 5. Name of Development Youth Ranch & Family Life Center of Boone Co.
- 6. Location of Development Hwy. 338, Victory School House Rd.
- 7. Acreage Under Review 380
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
- 9. Owner of Property ROBERT J. LIGHTNER FOUNDATION, INC.
Phone Number 606-282-6054
- 10. Address of Property Owner 7536 U.S. 42, SUITE 3-B
FLORENCE KY. 41042
City State Zip
- 11. Proposed Use(s) On Site RESIDENT YOUTH & DIRECTORS, YOUTH CAMPS, SEMINARS, AND FARM PROGRAM.
- 12. Total Square Footage of Existing and/or Proposed Buildings
10,000 to 12,000 sq. ft.
- 13. Current Zoning on Property A-1 & R
- 14. Deed Book 334 Page No. 57 Group No. 2060
- 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, CONCEPTUAL.
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. Applicant's Signature: *Robert J. Lightner*
- 19. Property Owner's Signature: *Robert J. Lightner*

* TOTAL SITE PLAN REVIEW AND APPLICATION WILL FOLLOW.

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 5-20-92
2. Fee Received \$371.00 R7409
3. Is application complete? Yes No
4. Staff Reviewer _____
5. Scheduled Board Action Date _____
6. Board Action:
 Approval
 Approved with Conditions (See #7)
 Disapproved (See #8)
7. Conditions: _____

8. Reasons for Disapproval: _____

*Youth Ranch
and
Family Life Center
of Boone County, KY
7536 Hwy 42, Florence, KY 41042
(606)-525-7114*

PROPERTY OWNERS ADJOINING THE ROBERT J. LIGHTNER FOUNDATION PROPERTY
ON HWY. #338. SUBMITTED FOR THE BOONE COUNTY PLANNING COMMISSION.

ARMSTRONG, LINDA & HERMAN ALLEN JR. & NORMA NANTZ & CLEO ALLEN
11517 VICTORY SCHOOL HOUSE RD.
UNION, KY. 41091

HENSLEY, RENDELL R. & BARBARA L.
695 WISCHER DR.
TAYLOR MILL, KY. 41015

MICHAELS, ROBERT L. & SUSANNE REED
5601 RABBIT HASH RD.
UNION, KY. 41091

WILLIAMSON, D. DALE & DOROTHY F.
5353 RABBIT HASH RD.
UNION, KY. 41091

BAYNUM, TIMOTHY R. & SHERRY L.
4649 RABBIT HASH RD.
UNION, KY. 41091

PALMER, ETHEL
2124 SAND RUN RD.
HEBRON, KY. 41048

RYLE BROS.
5613 RABBIT HASH RD.
UNION, KY. 41091

BOWMAN, VINCENT L. JR. & CATHY S.
11252 VICTORY SCHOOL HOUSE RD.
UNION, KY. 41091

RAINBOW FARMS, INC.
865 RICHWOOD ROAD
WALTON, KY. 41094

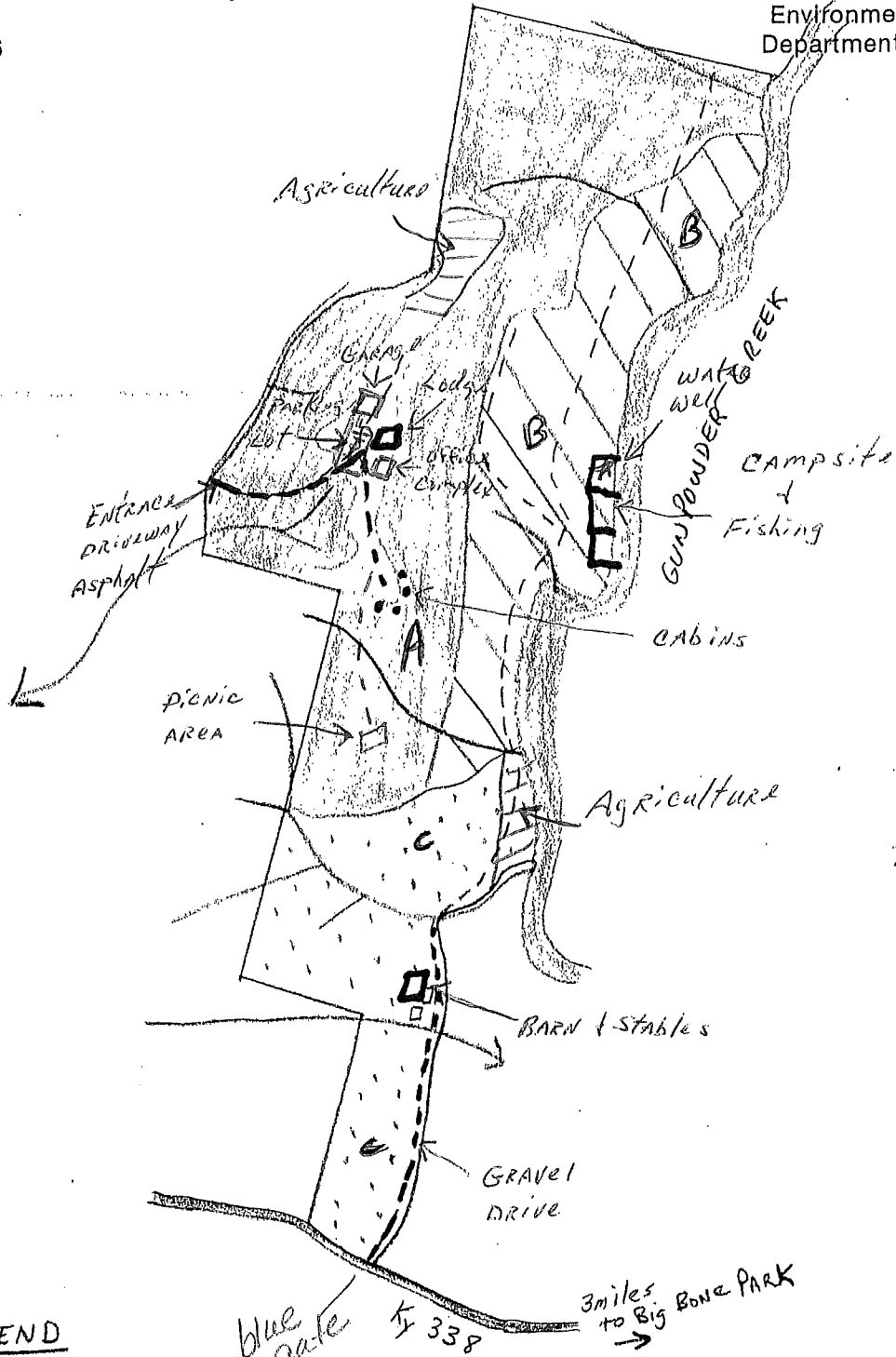
ARRASMITH, W. R.
10485 RIDDLES RUN RD.
UNION, KY. 41091

PORTER, ROBERT L. JR. & CONSTANCE
12679 HUTTON DRIVE
WALTON, KY. 41094

CONCEPTUAL SITE PLAN

Kentucky Division of Forestry
Form M-5
Rev. 9-1-86

Natural Resources and
Environmental Protection Cabinet
Department for Natural Resources



*NOTE!
Hiking + Horse
TRAILS will be
Layed out throughout
The property!

- LEGEND**
- PROPERTY LINE
 - STREAM OR DRAIN
 - FARM ROAD
 - STRUCTURE
 - AREA A = left wooded
 - B = left wooded
 - C = used as pasture

Forestland Map	
Name	Robert J. Lightner Foundation
Address	7536 U.S. 42 Florence, KY 41042
	Boone County, Kentucky
Project	FSP 4 Code No. 221
Examined By	Ron Meyer & Steve Crabtree
Date	03/04 04/07/82
Photo No.	sketch Acres 350

STAFF REPORT

#2

DEVELOPMENT: Residential Youth Program and a Family Life Center

APPLICANT: Robert J. Lightner Foundation, Inc.

LOCATION: Located off Beaver Road (KY 338) and Victory School House Road, Boone County, Kentucky

ZONING: Agriculture One (A-1) and Recreation (R)

DATE: June 10, 1992

REMARKS:

The applicant is seeking a Conditional Use Permit to develop and operate a resident youth program and a Family Life Center. The 380 acre site has frontage on both Beaver Road (KY 338) and Victory Schoolhouse Road in Boone County, Kentucky. The property is zoned Agriculture One (A-1) and Recreation (R) and is owned by the Robert J. Lightner Foundation.

A conceptual plan of the proposed development has been submitted by the applicant. Although the first 3 items will be constructed initially, the development may ultimately contain:

1. one lodge (containing a 2,500 square foot meeting room, kitchen/dining area, 5 bedrooms for youth residents, 3 bedrooms for resident instructors and 2 apartments for administrative staff and their families),
2. parking lot for approximately 20 automobiles,
3. small office building for administrative work,
4. garage,
5. picnic area,
6. several camp sites and cabins, and
7. barn and stables.

Some horse trails and agricultural uses will also be conducted on the site.

The applicant has stated residents on the site will include ten (10) boys from dysfunctional homes and three (3) resident instructors. Two (2) additional administrative personnel and their families will also live on the site to assist with the resident youth program and the Family Life Center.

Article 6, Section 613 of the Boone County Zoning Regulations lists "Public and commercial recreation" as a permitted Conditional Use. The Zoning Administrator has determined that the proposed uses fall into this category.

The Board may consider whether the Conditional Use at the proposed location:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or zoning order;

The Boone County Comprehensive Plan Future Land Use Map indicates this site to be Rural Lands (RL), and Developmentally Sensitive (DS).

The RL designation "is intended for areas which should remain in rural character and includes agricultural uses, woodlands, recreation uses, and residential uses that do not exceed one dwelling unit per two areas. The Rural Lands designation was applied to areas which are not expected to experience significant development within the twenty-five year planning horizon due to insufficient growth factors such as lack of demand, existing or planned public or private utilities, and adequate transportation networks." (p. 198)

The DS "classification was established in the 1986 Boone County Comprehensive Plan and is intended to designate areas which are potentially sensitive to development... Any development or 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. The land use priority for areas designated Developmentally Sensitive is preservation of the existing environment, as opposed to development of the land." (p. 199)

The Big Bone Area is described further in the text of the Comprehensive Plan:

"Due to the major creeks and tributaries, much of the land in this section is Developmentally Sensitive and should be protected from development. Most of the growth in this area should be of a Rural Density residential nature. Some recreational uses may develop based on the amenities of Gunpowder Creek." (p. 208-209)

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 area;

The applicant has stressed that much of the site will be undisturbed and remain in its existing state. The development concept relies to a great degree on a natural setting.

3. Will not be hazardous to existing or future neighboring uses;
4. Will be adequately served 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;

An elevated water tank will provide water to the facility. The applicant has also proposed placing a sanitary sewer treatment facility on the site. The system must be approved by the Northern Kentucky Health District and meet any other applicable regulations. The Zoning Regulations do not have any regulations concerning a system such as this.

5. Will create excessive additional requirements at the public cost for public facilities and services will not be created or be detrimental to the economic welfare of the community;
6. Will involve uses, activities, process, materials, equipment and conditions of and operation that will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor;
7. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public thoroughfares.

Due to the topography of the site, the applicant has proposed to access the site via Victory Schoolhouse Road. In its present state, the road is only approximately 12 to 14 feet wide. The applicant and the Staff have discussed the proposed development with Harvey Pelley, Boone County Public Works Department. Mr. Pelley has indicated to the Staff that the County would work with the applicant to improve the road if the need arises in the future.

The Board must also consider specific criteria which apply to Conditional Uses in A-1 zoning districts:

- a. The activity is an integral part of the agricultural 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 character of the activity does not overpower, transcend 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.

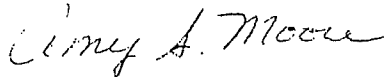
STAFF CONCERNS:

1. The DS designated portions of the site are located along the hillside on the eastern portion of the site. The conceptual site plan indicates that these areas will be left wooded. Staff would like to be assured that these areas will remain permanently undisturbed.

2. Victory Schoolhouse Road is presently a relatively narrow thoroughfare. Staff would like to be assured that the applicant is willing to work with the Boone County Planning Commission and Boone County Fiscal Court to solve any transportation problems that may occur.
3. The applicant must receive the appropriate approval prior to the construction of the sewer treatment facility. Staff would like to receive copies of the permits once they are obtained.
4. There are at least two cemeteries currently on the site. Staff would like to ensure that the preservation of the cemeteries occurs per the Boone County Zoning Regulations.
5. The applicant is aware that the Planning Commission must approve a Site Plan for the development prior to any construction occurring.

Attached to the Staff Report is a conceptual site plan for the proposed development.

Respectfully Submitted,



Amy S. Moore
Planner I

COPY

NO. 92-BCBOA-015-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Robert J. Lightner Foundation, Inc.
7536 U.S. 42, Suite 3-B
Florence, KY 41042
2. ADDRESS OF PROPERTY
Hwy. 338 & Victory School House Rd.
Union, KY
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Youth Ranch & Family Life Ctr.

DEED BOOK: 334

PAGE NO.: 57

GROUP NO.: 2060

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

<input type="checkbox"/>	Zoning Map Amendment from _____ to _____	<input checked="" type="checkbox"/>	Conditional Use Permit
<input type="checkbox"/>	Development Plan	<input type="checkbox"/>	Conditional Zoning Condition
<input type="checkbox"/>	Subdivision Plat (unrecorded)	<input type="checkbox"/>	Other: (Specify)
<input type="checkbox"/>	Variance		

5. 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

Amy S. Moore

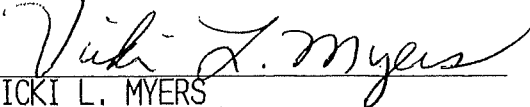
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

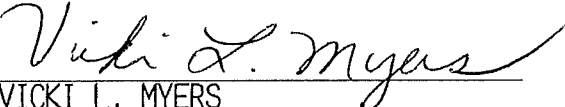
Subscribed, sworn to, and acknowledge before me by Amy S. Moore
on behalf of the Boone County Planning Commission this 15th day
of September, 1992.


VICKI L. MYERS
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:


VICKI L. MYERS
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.)

BCPC 01/89

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of July 22, 1992, (Certificate of Land Use Restriction #92-BCBOA-015-A), for Robert J. Lightner Foundation, Inc., property owner.

The Conditional Use Permit is approved subject to the following conditions:

1. That not more than ten boys be in residence at one time. These boys are to be from dysfunctional homes. These boys are in addition to any children that would be with the instructors and administrative staff.
2. That the developmentally sensitive areas as designated by the Planning Commission remain permanently undisturbed.
3. That the preservation of the cemeteries on the site occur as per the Zoning Regulations.
4. That not more than five cabins be on the site.
5. That the applicant is willing to work with the Boone County Planning Commission and Fiscal Court to solve any transportation problems that occur on Victory School House Road.
6. That a copy of the Health Permit be provided to the Boone County Planning Commission for the sewer treatment plant.
7. That no more than 300 people be in attendance at special meetings with the exception being the grand opening and dedications.

Mrs. Millar amended her motion to include a Condition #8 that a list of boys on the property be provided to the Staff at different intervals.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 334 PAGE NO. 57 Group No. 2060