

R SEP 24 1992 **D**
R E C E I V E D

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 FLORENCE ALLIANCE CHURCH.
Phone Number (606) 342-5566
Applicant's Address P.O. Box 564
Florence, KY 41042
City State Zip
4. Description of Request: We plan to use the 980 Cayton Road property for our church. The existing brick house would be used to house our pastor, the other existing buildings would be remodeled for a church.
5. Name of Development _____
6. Location of Development _____
7. Acreage Under Review 5.12 acres
8. Lot Number and Name of Subdivision (if part of a subdivision)
3.12 acres plus lots 1, 35, 36, 37, 38, & 39 on closed Donald Road.
9. Owner of Property Robert & Patsy Grant, Howard & Helen Courtney
Phone Number 341-0500 371-8612
10. Address of Property Owner 1415 Boone Aire Rd
Florence KY 41042
City State Zip
11. Proposed Use(s) On Site Continued residential use. Use as church.
12. Total Square Footage of Existing and/or Proposed Buildings
Existing brick ranch 1,300 ft2, 3 Car Garage 1,250 ft2, Pole Bldg 2,300 ft2
13. Current Zoning on Property SRL
14. Deed Book 96 Page No. 495 Group No. _____
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
17. Have you submitted a list of adjoining property owners with this request? Yes
18. Applicant's Signature: David W. [unclear]
19. Property Owner's Signature: Patsy Grant, Robert Grant, Howard & Helen Courtney

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 9-24-92
2. Fee Received 401.00
3. Is application complete? Yes No
4. Staff Reviewer Dean E. Niemeyer
5. Scheduled Board Action Date Oct. 14, 1992
6. Board Action:
 Approval
 Approved with Conditions (See #7)
 Disapproved (See #8)
7. Conditions: granted subject to Site Plan Review; that Donald Road which is now closed not be accessed; that the house be used as a parsonage; the barn be used for the church; the parking be worked out between the staff & applicant. The driveway would be widened & conditions set forth by Site Plan Review
8. Reasons for Disapproval: _____

STAFF REPORT

DEVELOPMENT: Florence Alliance Church
 APPLICANT: Florence Alliance Church
 LOCATION: 980 Cayton Road, Boone County, Kentucky
 ZONING: Suburban Residential One (SR-1)
 DATE: October 14, 1992
 REMARKS:

The applicant is seeking a Conditional Use Permit to allow existing buildings on the site to be used as a church and pastor's home. The site is to be located at 980 Cayton Road Boone County, Kentucky. The property is zoned Suburban Residential One (SR-1) and is owned by Robert and Patsy Grant and Howard and Helen Courtney.

The following reviews the criteria that the Board must use to judge all Conditional Use Permit requests:

1. The activity 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. Article 33. Off-Street Parking and Loading Facilities of the *Boone County Zoning Regulations*; Section 3300 General Requirements; Item 2. states:

The provisions of this Article, except where there is a change in use, shall not apply to any existing building or structure. Where there is a change of use, there shall be provided as many of such spaces as may be required by this order.

Section 3325 Parking Space Requirements states:

Public Facilities

Churches and other places of religious assembly.
 1.00 spaces per five seats.

The applicant's attached site plan shows planned added parking. Total parking should meet the above requirements.

2. The activity 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 proposes to remodel a barn-like structure into a church building. It should not alter the essential character of the area.

3. The activity will not be hazardous to existing or future neighboring uses. Staff doesn't see any hazards to nearby uses with this change.
4. The activity will be adequately served by essential public facilities and services.
5. 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. Staff does not anticipate any additional requirements at the public cost.
6. The proposed use will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor. Staff does not anticipate such problems with this change in use.
7. The vehicular approaches to the property will be designed so as not to create an interference with traffic on surrounding public thoroughfares. Article 32, Transportation Management Regulations of the *Boone County Zoning Regulations* states:

Change in Property Use

Whenever the use of a parcel of land changes, or two or more parcels of land are assembled under one purpose, plan, entity, or usage, the existing access permit(s) shall become void. The Planning Commission may require the reconstruction, relocation, or closure of the access point(s), based on the new property use. Any such new or reauthorized access point must be in compliance with all applicable sections of this regulation, and may require the submission of a traffic study.

The existing access to the property is basically a single lane drive way. Staff has concerns that with the change of use there will be an increase of traffic through this access point resulting in the possible need to expand the access and driveway. The applicant has not proposed to alter existing vehicular approaches to the property.

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

- a. The activity is an integral and subordinate function of a permitted use; or
- b. The activity will not contradict the low density character of the district; and
- c. The arrangement of uses, buildings, or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

If this Conditional Use is permitted, applicant will have to apply to the Boone County Planning Commission for a Site Plan Review. An informal site plan is attached.

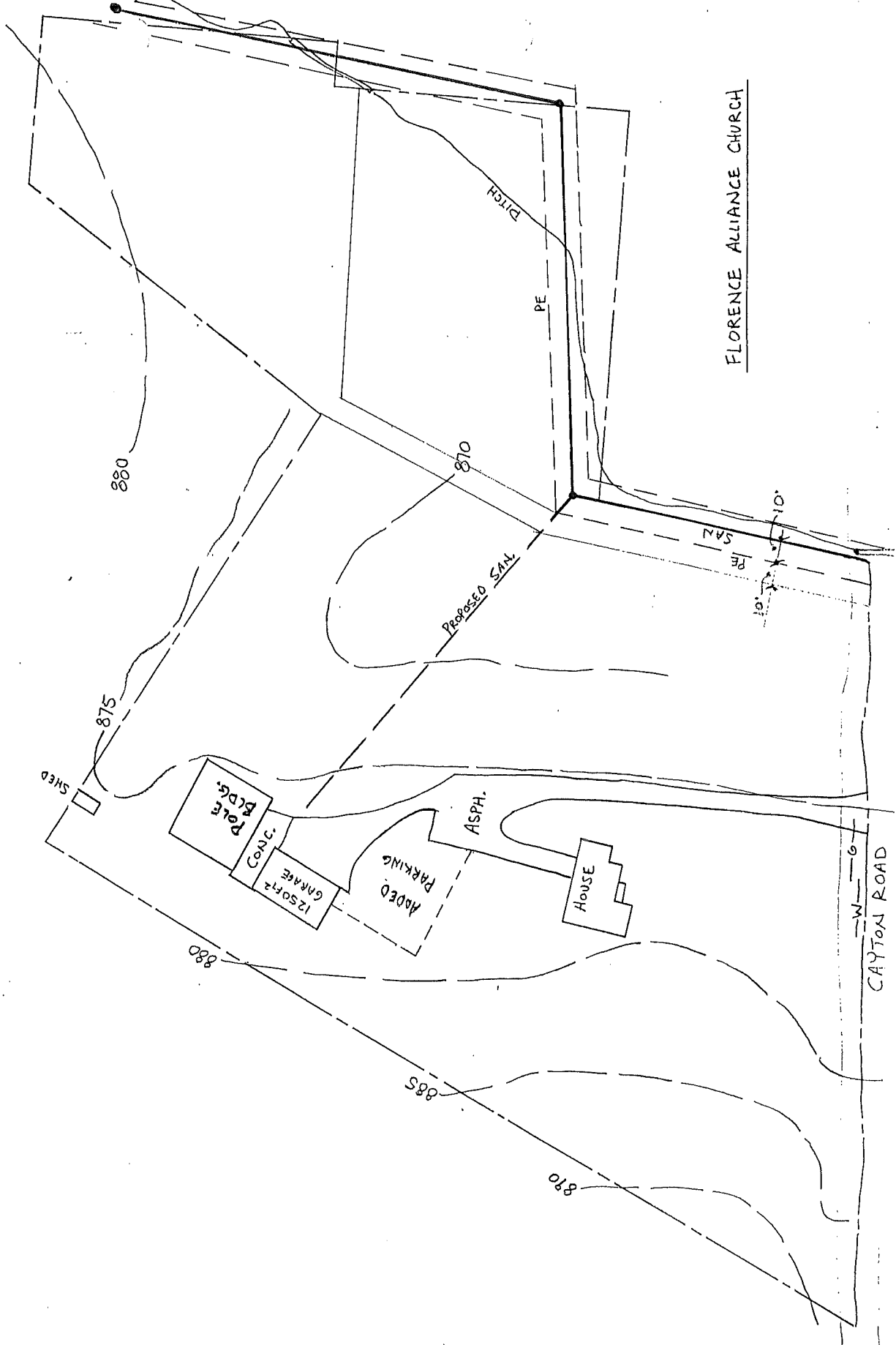
Respectfully Submitted,

A handwritten signature in black ink that reads "D. A. Niemeyer for". The signature is written in a cursive style with a long horizontal stroke at the end.

Dean E. Niemeyer
Planning Assistant

DEN:par

FLORENCE ALLIANCE CHURCH



CAYTON ROAD
W-6

880

875

880

870

885

890

PE SAN

10.0'

SHED

POLE BLDG.

3.70x5

1250 sq ft GARAGE

ADDED PARKING

ASPH.

HOUSE

DITCH

PE

PROPOSED SAN

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Robert and Patsy Grant, Howard and Helen Courtney
1415 Boone Aire Rd
Florence, Kentucky 41042
- 2. ADDRESS OF PROPERTY
980 Cayton Road
Boone County, Kentucky
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Florence Alliance Church

DEED BOOK: 96

PAGE NO.: 495

GROUP NO.: 2032

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

- Zoning Map Amendment from _____ to _____ Conditional Use Permit
- Development Plan Conditional Zoning Condition
- Subdivision Plat (unrecorded) Other: (Specify)
- 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

RECEIVED
 1992 DEC 16 P 2:44
 JERRY W. ROUSE
 BOONE COUNTY CLERK

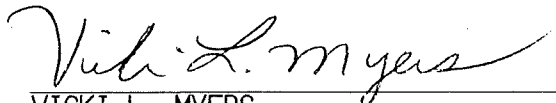
David A. Sedgeman for
SIGNATURE OF COMPLETING OFFICIAL

Dean E. Niemeyer/Planning Assistant
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Dean E. Niemeyer
on behalf of the Boone County Planning Commission this 16th day
of December, 1992.

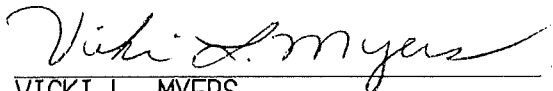


VICKI L. MYERS
NOTARY PUBLIC, State at Large

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 October 14, 1992, (Certificate of Land Use Restriction #92-BCBOA-021-A), for Florence Alliance Church, property owner.

The Conditional Use Permit be granted subject to Site Plan Review by the Planning Commission; that Donald Road, which is now closed, not be accessed; that the house be used as a parsonage; the barn be used for the church; and the parking be worked out between the Staff and the applicant. The driveway would be widened with the conditions set forth by Site Plan Review. Any deviation from this would have to come back before the Board.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 96 PAGE NO. 495 Group No. 2032

State of Kentucky, County of Boone
JERRY W. ROUSE, Clerk of the Boone County Court, do certify that the foregoing Deed was, on the 16th day of December 1992, at 2:44 P.M., lodged in my office for record, and that it has been duly recorded in my said office, together with this and the certificate thereon endorsed. He Given under my hand this 16th day of Dec 1992.

JERRY W. ROUSE, CLERK
By Jerry Rouse D.C.