

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 DAVID F. HAMMER JEFF HAMMER
Phone Number 586-9860 631-8300(wk) 586-9757
Applicant's Address 6201 RIDWOOD CT. 3039 MERRIE DR
BURLINGTON, KY 41005 HEBRON, KY 41048
City State Zip
- 4. Description of Request: Request approval for a conditional Use for a C-2 Zone, i.e., Churches, synagogues, temples, and other places of worship. (Section 1023, B.C. Zoning Regs)
- 5. Name of Development Burl Park Square
- 6. Location of Development 2608 Burlington Pike
- 7. Acreage Under Review N/A
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
Burl Park Subdivision
- 9. Owner of Property Burlington Reality Dev. Co., Inc.
Phone Number 586-7734
- 10. Address of Property Owner 5991 Carlton Dr. P.O. Box 339
Burlington, KY 41005
City State Zip
- 11. Proposed Use(s) On Site Administration offices for church. Worship services on Sunday.
- 12. Total Square Footage of Existing and/or Proposed Buildings
1500 s.f.
- 13. Current Zoning on Property C-2
- 14. Deed Book 142 Page No. 108 Group No. 2025
- 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 F. Hammer
- 19. Property Owner's Signature: [Signature]

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received _____
2. Fee Received _____
3. Is application complete? Yes _____ No
4. Staff Reviewer Jeff Hayes
5. Scheduled Board Action Date Jan 13, 1993
6. Board Action:
_____ Approval
 Approved with Conditions (See #7)
_____ Disapproved (See #8)
7. Conditions: See Minutes

8. Reasons for Disapproval: _____

STAFF REPORT

DEVELOPMENT: Church At Burl Park Square
APPLICANT: David Hammer
LOCATION: 2608 Burlington Pike, Boone County, Kentucky
ZONING: Commercial Two (C-2)
DATE: January 13, 1993

The applicant is requesting a Conditional Use Permit to allow a church as a tenant within the Burl Park Square. This church would be located at 2608 Burlington Pike in Burlington, KY. The property is zoned Commercial Two (C-2) and is owned by Burlington Realty Development Company Inc. (See Sheet 1).

Article 10, Section 1023 allows churches, synagogues, temples and other places of religious assembly for worship upon approval of a Conditional Use Permit.

The church will occupy approximately 1500 square foot of space within Burl Park Square for use as a worship service on Wednesdays and Sundays (See Sheet 2). In addition, the space will be used for classrooms and administrative offices. The applicant is projecting around fifty five (55) people for Sunday worship services. These services will be held in the morning hours when the majority of the businesses within the strip center will be closed. On Wednesdays the applicant is projecting around fifteen (15) people during the evening hours which will have some overlap with the hours of operation of the other tenants within the strip center. The land uses and zoning surrounding the shopping center include (See Sheet 2):

North:	Burl Park Apartments - UR-2
South:	residence owned by Edwin Kirkpatrick - C-2 Burlington Cemetery - PF
East:	Shell Station - C-3
West:	Provident Bank - UR-2

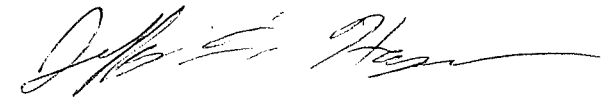
The 1990 Boone County Future Land Use Map shows this area as commercial, but the Comprehensive Plan text makes no specific mention of this site for churches in general. The shopping center has been established for several years and the applicants request will not alter the design or appearance of the center. Burl Park Square is well served by Burlington Pike with two separate access point and has adequate public facilities to serve the proposed use. The limited hours of operation for worship services will only partially overlap with some existing tenants within the building, and therefore should cause minimal impact to traffic and the existing supply of parking within the strip center (See Sheet 2).

The following reviews the standards for Conditional Uses:

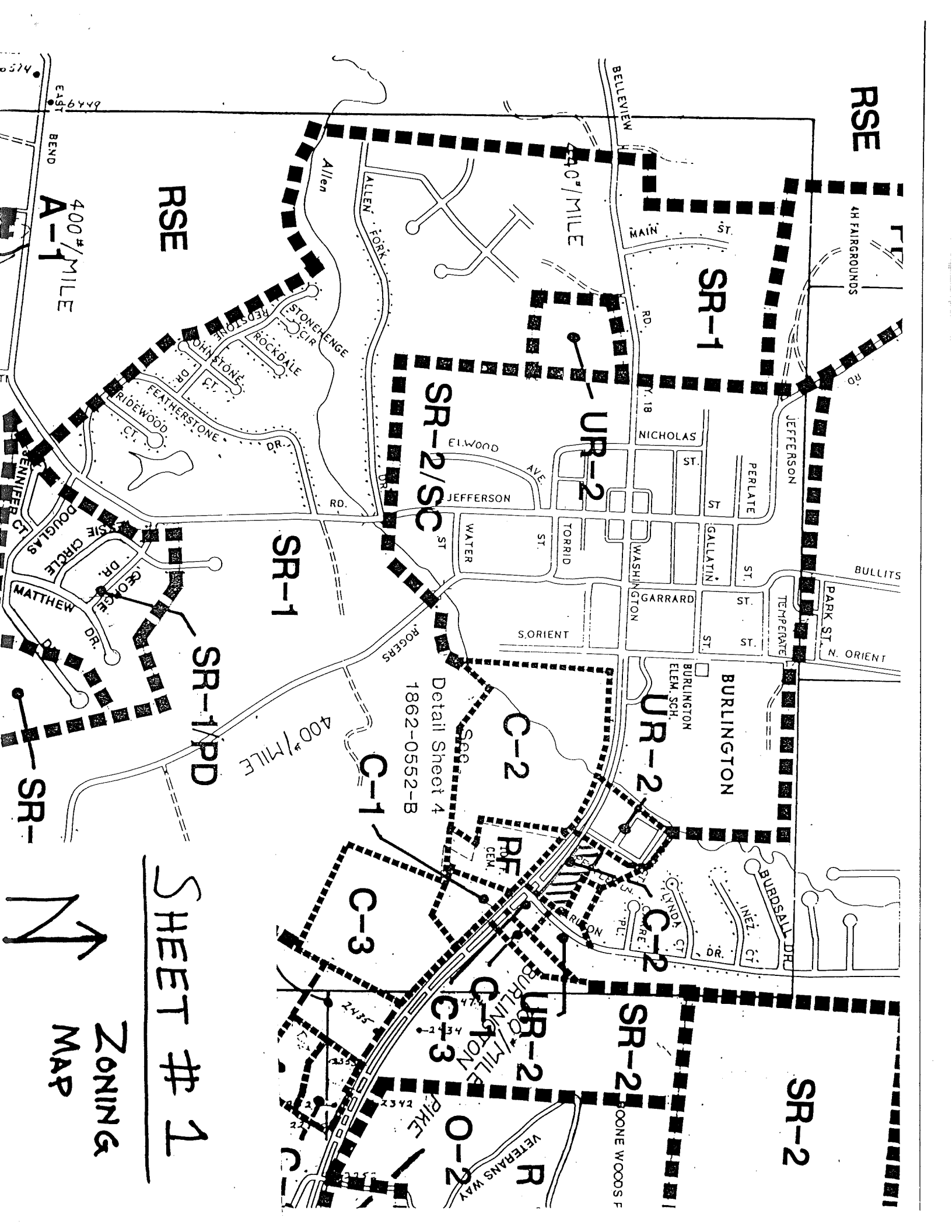
- a. Church activities further add to the creation of a compact, multi-purpose and pedestrian oriented commerce center.
- b. The arrangement of the use will be mutually compatible with the organization of permitted uses to be protected in this district.

The applicant has indicated that this church will provide seating for a maximum of fifty five (55) people. The parking requirements of the Boone County Zoning Regulations require that churches provide one (1) space per five (5) seats which would require this church to provide 11 spaces. Currently, there are 31 existing parking spaces (See Sheet 2) located within Phase A & B of Burl Park Square. Even though a commercial use of 1500 square feet would require only 6 spaces, Staff believe that parking will be sufficient because of the differing hours of operation.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I



RSE

RSE

SR-1

SR-2/SC

UR-2

SR-1

SR-1/PPD

C-2

UR-2

C-1

C-3

UR-2

SR-2

SR-2

O-2

R

SHEET # 1

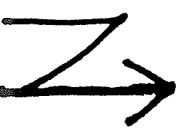
ZONING
MAP

Detail Sheet 4
1862-0552-B

400' / MILE

400' / MILE

400' / MILE



4H FAIRGROUNDS

BULLITS

PARK ST.
N. ORIENT

BURLINGTON

BURLINGTON
ELEM. SCH.

BURDALL DR.

JINEZ CT.

LYNDA CT.

WILSON

BURLINGTON

BURLINGTON

BURLINGTON

BURLINGTON

BURLINGTON

JEFFERSON

TEMPERATE

PERLATE

GALLATIN

WASHINGTON

GARRARD

TORRID

WATER

JEFFERSON

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BELLEVUE

MAIN

RD.

NICHOLAS

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Allen

ALLEN FORK

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EAST BEND

SENIOR

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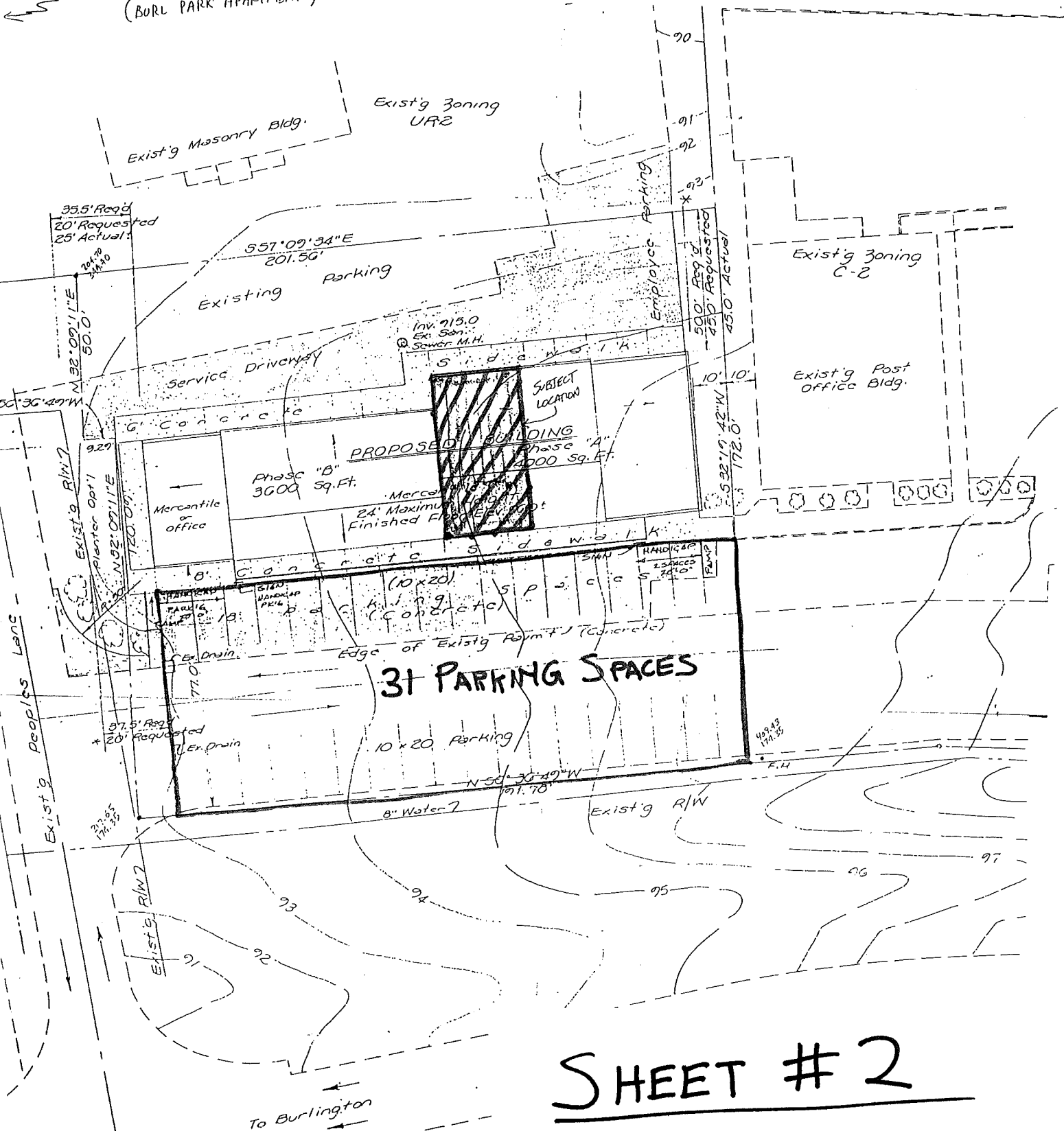
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DR.

(BURL PARK APARTMENTS)



SHEET # 2

KY 18

SITE PLAN



SITE

COPY

NO. 93-BCBOA-002

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Burlington Realty Development Company, Inc.
5991 Carlton Drive P.O. Box 339
Burlington, Kentucky 41005
2. ADDRESS OF PROPERTY
2608 Burlington Pike
Burlington, Kentucky 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Burl Park Square

DEED BOOK: 142

PAGE NO.: 108

GROUP NO.: 2025

4. TYPE OF RESTRICTION (S) (Check all that apply)
- | | | |
|--|-------------------------------------|------------------------------|
| _____ Zoning Map Amendment from _____ to _____ | <input checked="" type="checkbox"/> | 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


SIGNATURE OF COMPLETING OFFICIAL

Jeffrey F. Hayes/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 Jeffrey F. Hayes
on behalf of the Boone County Planning Commission this 6th day
of April, 1993.


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.)

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 January 13, 1992, (Certificate of Land Use Restriction # 93-BCBOA-002), for Burlington Reality Development Company, Inc., property owner.

The Conditional Use Permit be granted with the condition that there be a maximum seating of 55 people.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 142 PAGE NO. 108 Group No. 2025