

BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2

SECTION B (To be completed by the Boone County Planning
Commission Staff)

1. Date Received OCT 22, 1993 Fee Received 121.00 R#2528
2. Is application complete? Yes No
3. Staff Reviewer Jeff James
4. Scheduled Board Action Date 11/10/93
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: See Minutes
7. Reasons for Denial:

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

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.

STAFF REPORT

DEVELOPMENT: Kinder Village
APPLICANT: Christ United Methodist Church
LOCATION: 1404 Boone Aire Drive
ZONING: Suburban Residential One (SR-1)
DATE: November 10, 1993

The applicant is requesting a to change the condition regarding hours of operation which was established when the Kinder Village Child Development Center, was granted a Conditional Use Permit on May 12, 1993. The Christ United Methodist Church, would like to use this facility to care for the member's children which are currently cared for in the churches nursery on Wednesday from 6:00 PM to 8:30 PM and on Sundays from 9:30 AM to 12:30 PM during their church services. The Board granted approval to the Development Center but established four (4) conditions. They were as follows:

1. Subject to Site Plan Review, and Staff's approval of the screening and berm to ensure that the neighbors will be adequately screened.
2. The hours of operation will be Monday thru Friday from 6:30 AM to 6:00 PM.
3. The playground will be maintained in the back and fenced in.
4. The parking will be designed as presented.

This facility has been in operation since early September of 1993 and received site plan approval in June of 1993.

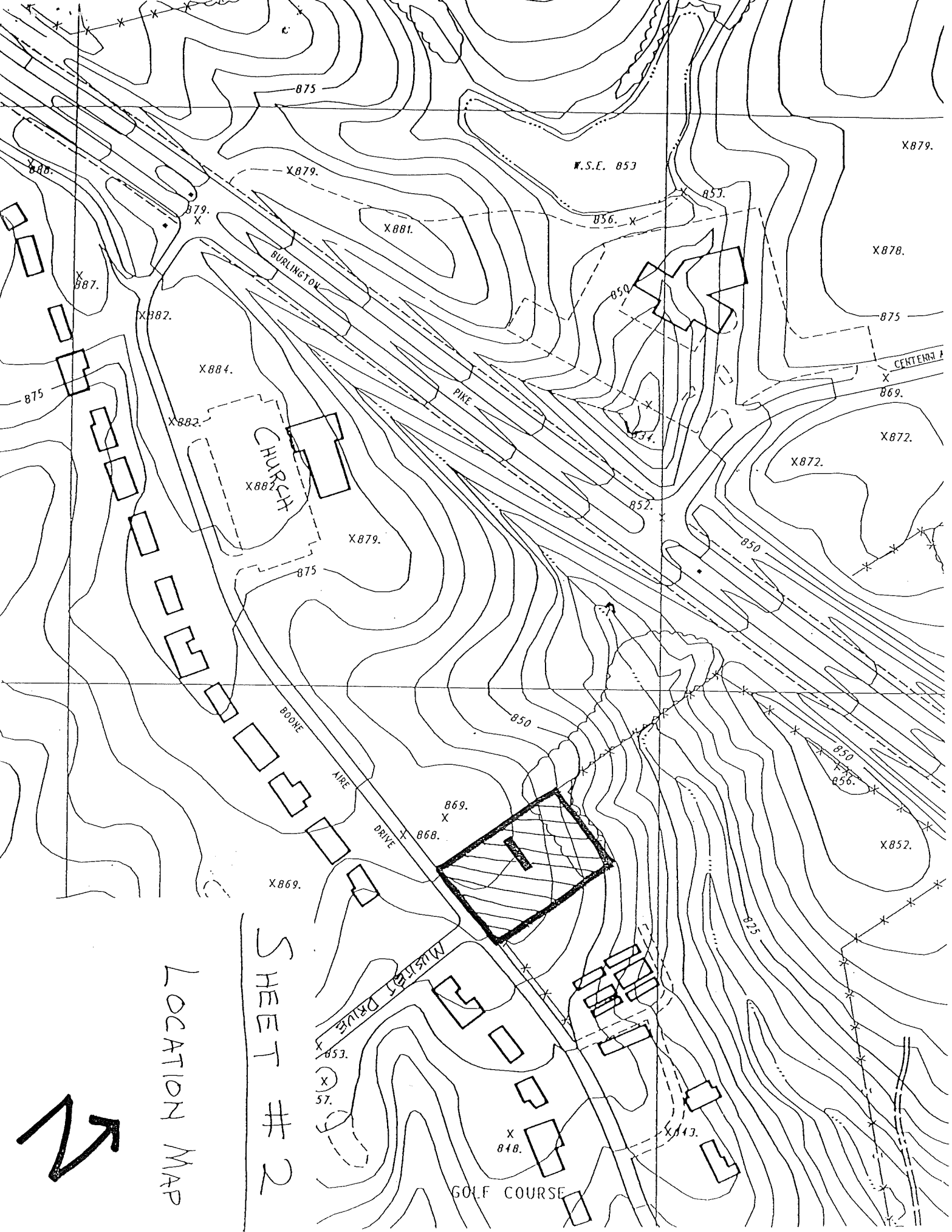
Conclusion

Staff feels that the Child Development Center is compatible, as it was built, with the neighborhood and the impact on surrounding residences is minimal. However, the expansion of the hours could create additional concerns and impacts that may effect surrounding residences. Therefore, special attention should be given to the activities and number of children that will be at this facility during the requested expanded hours.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I



LOCATION MAP

SHEET # 2

GOLF COURSE

CHURCH

BURLINGTON
PIKE

BOONE
AIRE
DRIVE

MUSTARD
DRIVE

W.S.E. 853

X879.

X878.

875

869.

X872.

X872.

X852.

869.
X

868.

X
848.

X
843.

(X)
57.

X881.

X879.

X882.

X884.

X882.

X882.

X879.

875

X869.

853.

856. X

850

854.

852.

850

850

850

856.

875

CENTER 1

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Katherine D. Nienaber
1440 Boone Aire Road
Florence, Kentucky 41042
- 2. ADDRESS OF PROPERTY
1440 Boone Aire Road
Florence, Kentucky 41042
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Christ United Methodist Church

DEED BOOK: 191 PAGE NO.: 117 GROUP NO.: 2032

4. TYPE OF RESTRICTION (S) (Check all that apply)
- | | | | |
|--------------------------|---|-------------------------------------|---|
| <input type="checkbox"/> | Zoning Map Amendment
from ___ to _____ | <input type="checkbox"/> | Conditional Use Permit |
| <input type="checkbox"/> | Development Plan | <input type="checkbox"/> | Conditional Zoning Condition |
| <input type="checkbox"/> | Subdivision Plat
(unrecorded) | <input checked="" type="checkbox"/> | Other: Modification of A
Previously approved
Conditional Use Permit |
| <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

RECEIVED
1994 JUN 27 P 3:04
JERRY W. ROUSE
BOONE COUNTY CLERK

Jeffery F. Hayes
SIGNATURE OF COMPLETING OFFICIAL

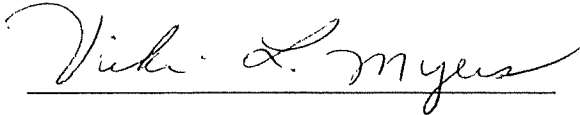
Jeffery F. Hayes, Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

Not
10.50 pd.

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffery F. Hayes on behalf
of the Boone County Planning Commission this 20th day
of January, 1994.

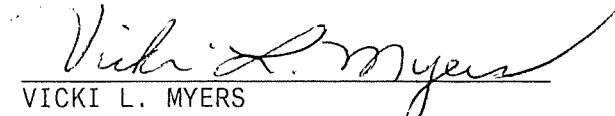


NOTARY PUBLIC, State at Large

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.)

CLUR# 93-BCBOA-023-ACONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Modification of a Previously Approved Conditional Use Permit as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of November 10th, 1993, (Certificate of Land Use Restriction # 93-BCBOA-023-A), for Katherine D. Nienaber, property owner.

The following conditions will apply: 1.) That the request be approved only for Wednesday evening from 6:00 P.M. to 8:30 P.M. with a two year time limit. The Sunday hours are not approved.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 191 PAGE NO. 117 Group No. 2032

State of Kentucky, County of Boone
 JERRY W. ROUSE, Clerk of the Boone County
 Court, do certify that the foregoing
~~Mrs.~~ was, on the 27 day of January
1994, at 3:04 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.

Given under my hand this 27 day of Jan
1994.

JERRY W. ROUSE, CLERK

By Jerry Rouse D.C.