

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 BEAVER LICK PENTECOSTAL CHURCH
Phone Number 428-1218 485-4551 Fax No. _____
Applicant's Address Box 2869 BEAVER RD.
2877 UNION KY 41091
City State Zip
4. Description of Request: APPROVAL FOR CHURCH to
change use from residential use to use as a church.
5. Name of Development BEAVER LICK PENTECOSTAL CHURCH
6. Location of Development PO BOX 2869 BEAVER RD.
UNION, KY 41091
7. Acreage Under Review 3/4
8. Lot Number and Name of Subdivision (if part of a subdivision)
6 BIG BONE SUBDIVISION
9. Owner of Property PATSY SHACKLEFORD
Phone Number of Owner 485-4551
10. Address of Property Owner P.O. Box 2859 BEAVER RD.
UNION KY 41091
City State Zip
11. Proposed Use(s) on Site CHURCH
12. Total Square Footage of Existing and/or Proposed Buildings
1200 Proposed - 1800
13. Current Zoning on Property A-2
14. Deed Book 525 Page No. 193 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. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.
Applicant's Signature: Floyd W. Rice
Property Owner's Signature: Patsy Shackelford

(over)

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 Aug 24, 94 Fee Received 366.00 RJ#4705
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 9-14-94
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: SEE T
7. Reasons for Denial: See Minutes

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: Church

APPLICANT: Beaverlick Pentecostal Church

LOCATION: 2869 Beaver Road, Boone County, Kentucky

ZONING: Rural Suburban Estates/Small Community (RSE/SC)

DATE: September 14, 1994

The applicant is requesting a Conditional Use Permit to allow an existing mobile home to be used for a church on a .75 acre site. The site is located approximately one mile east of the Big Bone State Park on the south side of Beaver Road (See Sheet #1).

The proposed use is permitted as a conditional use by the Boone County Zoning Regulations in Article 9, Section 913, Item 4: Churches, synagogues, temples and other places of religious assembly for worship. In determining the appropriateness of the use the Board must also consider:

- a) the activity is an integral and subordinate function of a permitted agricultural, recreational, or residential use;
- b) the activity will not contradict the semi-rural, open space character of the district;
- c) require or contribute to infrastructure need above that common of the district's permitted uses;
- d) is of direct relation to and in support of the purpose of the district;
- e) the arrangement of uses, buildings or structures will be compatible with the organization of permitted uses to protected in the district.

In addition, the use is located within a Small Community Overlay District which permits commercial, multi-family residential, public facilities uses with a Conditional Use Permit. When reviewing a Conditional Use Permit within a Small Community Overlay District the Board should also consider the following:

- a) the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;
- b) the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district.

The property is zoned Rural Suburban Estates/Small Community (RSE/SC) and is surrounded by the same zoning on all sides (See Sheet #2). The applicant's site is adjoined on the east and west side by single-family residences and by vacant undeveloped property to the north and south.

The applicant is proposing to utilize the existing mobile home and add an additional 600 square feet for a total of 1800 square feet for the church facility. The parking would be provided in front of and behind the existing building with overflow parking being provide on the property to the east if needed (See Sheet #3). The 1990 Boone County Comprehensive Plan does not make any specific mention to this area. Although, the Future Land Use Map does indicates the area as Rural Density Residential which establishes a residential density not to exceed one dwelling unit per acre.

Staff Concerns:

1. Staff believes that the proposed use will require more infrastructure needs than what is common for the permitted uses within the district. In addition, staff believes the arrangement of the building and parking will have a substantial negative visual impact and will not be compatible with the existing permitted uses within the area.
2. Staff questions whether the applicant's existing building would comply with State building code requirements to allow a church to be housed within the mobile home. In addition, staff questions how the sanitary sewer for the proposed church will be handled and believes that proof should be provided by the appropriate State agency that the existing septic system is adequate or that an adequate system could be installed.
3. Staff believes that if the Conditional Use Permit is granted that limits should be established as to the maximum future size of the church building, the number of members, the number of parking spaces, and the hours and days of operation.
4. The Board should also examine whether a free-standing sign is needed or appropriate for this site. The Boone County Zoning Regulations permit a sign of 32 square feet in size with no height limit established.
5. This site will be required to go through the Major Site Plan Review procedure if a Conditional Use Permit is granted.
6. Staff believes that any lighting that is used for the site should be for security only and be directed away from the adjoining residences if possible.
7. Staff believes that the proposed church facility will have a substantial visual impact to the adjoining residences because of the large amounts of pavement that will be required by the Boone County Zoning Regulations for the parking areas. In addition, staff believes that the narrowness of the lot and the position of the house will prevent adequate buffering and landscaping to be installed to properly screen the parking areas.

8. Staff is concerned if the site possess adequate sight distance when exiting the site.
9. Staff questions whether the proposed church within the mobile home is intended to be a temporary structure and site for the proposed church.

Conclusion

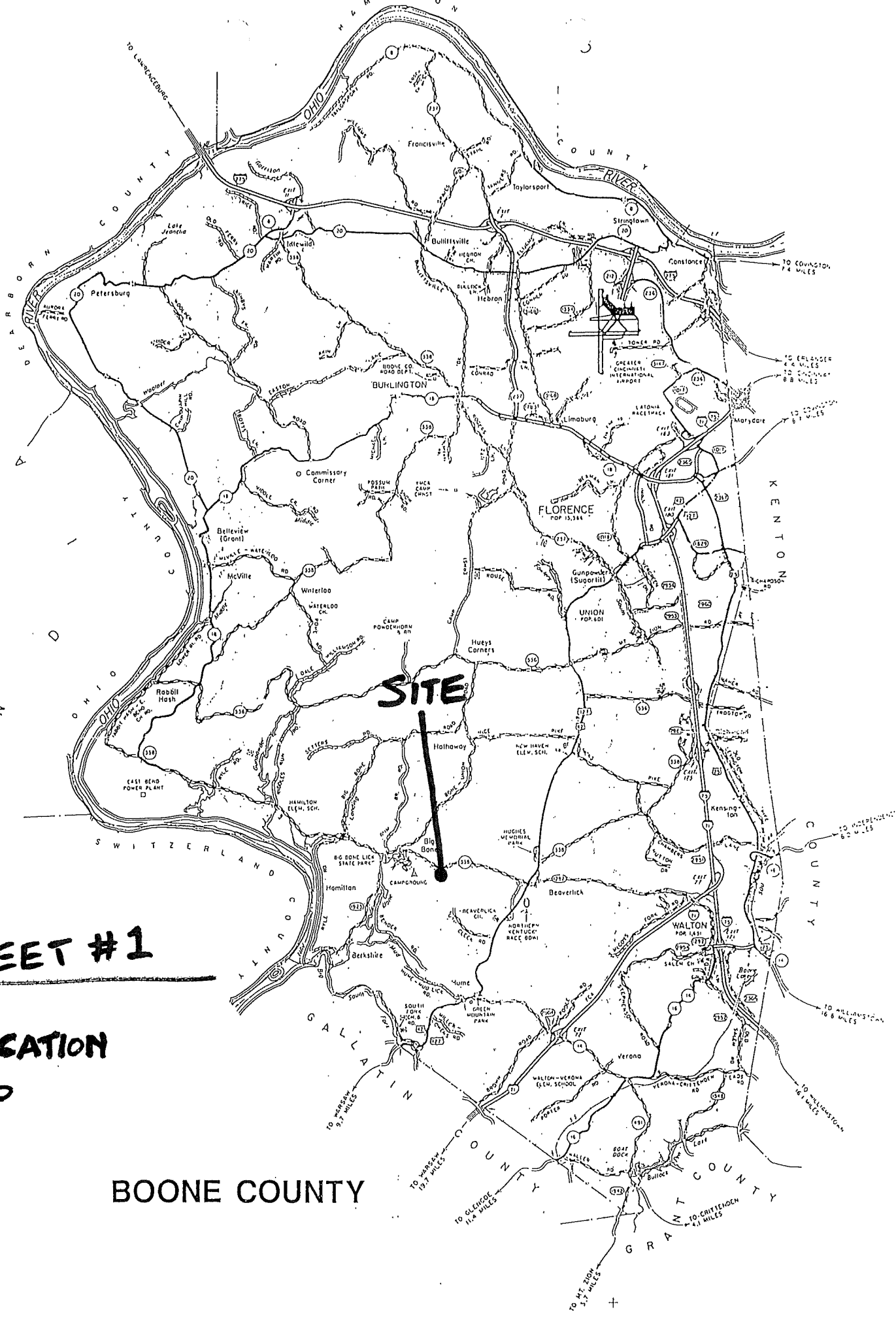
The applicant's request has to be determined by following the seven (7) criteria the Board must use to judge each conditional use permit as well as the five (5) criteria for Conditional Uses within a Rural Suburban Estates (RSE) zone and the two (2) criteria found within the Small Community Overlay District. It should be determined whether the use 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.

Respectfully Submitted,



Jeffrey F. Hayes
Planner

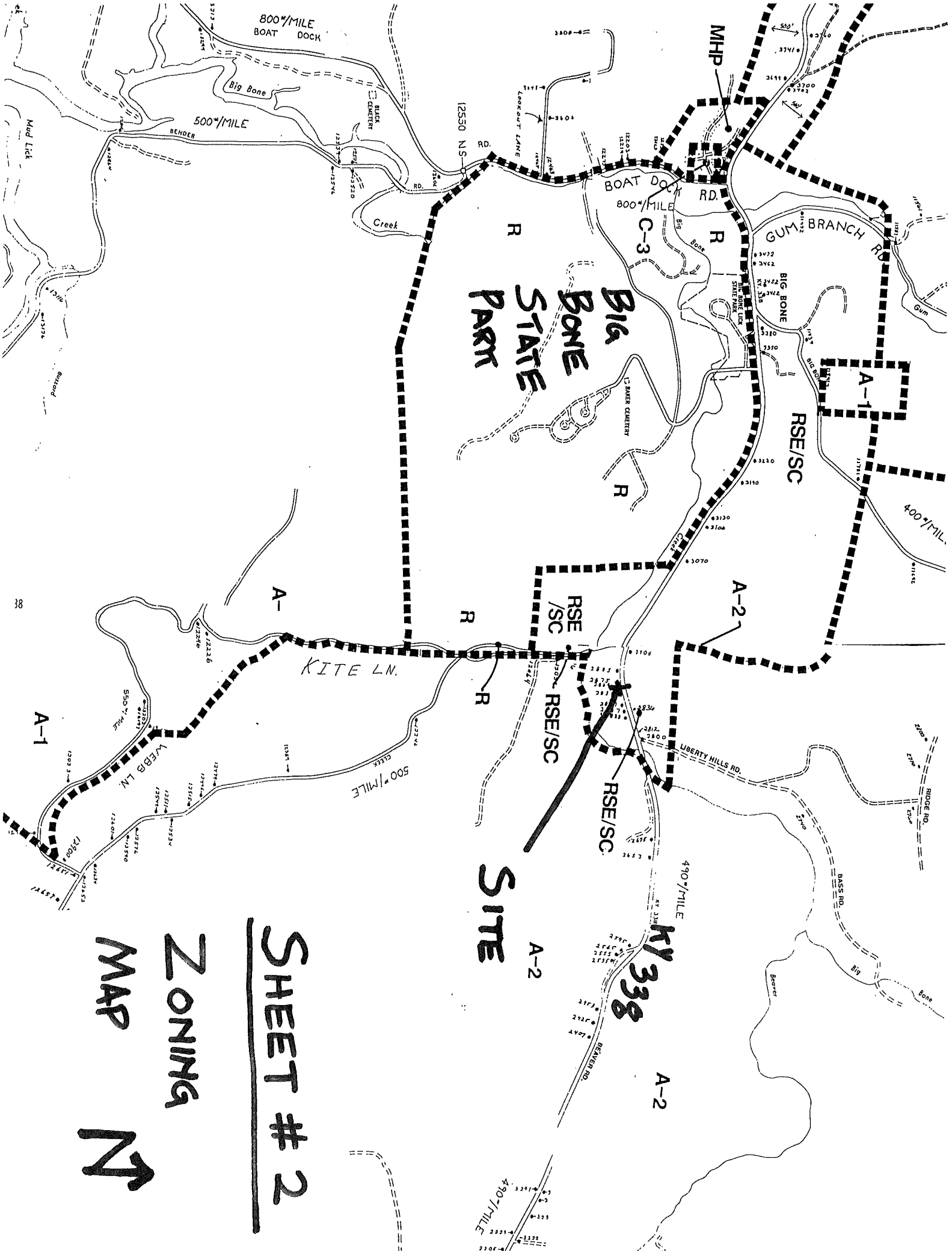
JFH\par



SHEET #1

**LOCATION
MAP**

BOONE COUNTY



BIG BONE STATE PARK

SITE

RY 338

SHEET # 2
ZONING
MAP



38

North

West

BEAVER Rd

HWY 338

EAST

SHEET # 3

2859
BEAVER Rd

□ sign

PARKING

BEAVER Wick
Pentecostal Church

PARKING

PARKING

PARKING
IF
NEEDED

AND
MORE

South

MR. MRS. O. SHACKLEFORD
2859 BEAVER RD
UNION, KY 41091