

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 August 17, 95 Fee Received 364.00 R#7690
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 9-13-95
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

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: **Mallory Independent Elementary**
APPLICANT: Jannes Garbett
LOCATION: 6517 Market, Boone County, Kentucky
ZONING: Suburban Residential Two/Small Community (SR-2)
DATE: September 13, 1995

The applicant is requesting a Conditional Use Permit to allow the development of a kindergarten and elementary school within the existing Petersburg Community Center which was formerly used as Petersburg Elementary. The facility is located on Market Street in downtown Petersburg (See Sheet #1). The request would allow for the teaching and tutoring of six (6) kindergarten children in the morning and six (6) elementary children in the afternoon.

Article 20, Section 2012, Item 4 permits the operation of schools with a Conditional Use Permit. In addition to the seven criteria the Board must use to determine the appropriateness of a Conditional Use Permit, the Board must 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 surrounded by residential uses on property which is zoned Suburban Residential Two/Small Community (SR-2/SC). (See Sheet #2)

The 1995 Boone County Comprehensive Plan identifies that preservation of the historical buildings of Petersburg should be a prime objective. Small commercial services within the town should be provided and designed to reinforce and retain the small town character of Petersburg.

Staff Concerns

1. Staff believes the Board should examine the number of children and determine whether a limit should be established.
2. Staff believes that there should be no changes to the character of the building as part of this application, such as signage.

Conclusion

Staff believes that the proposed use will be harmonious with and in accordance with the County's Comprehensive Plan. In addition, Staff believes that because the building was originally designed and operated as a school that it is appropriate to be reused as a school.

Respectfully Submitted,

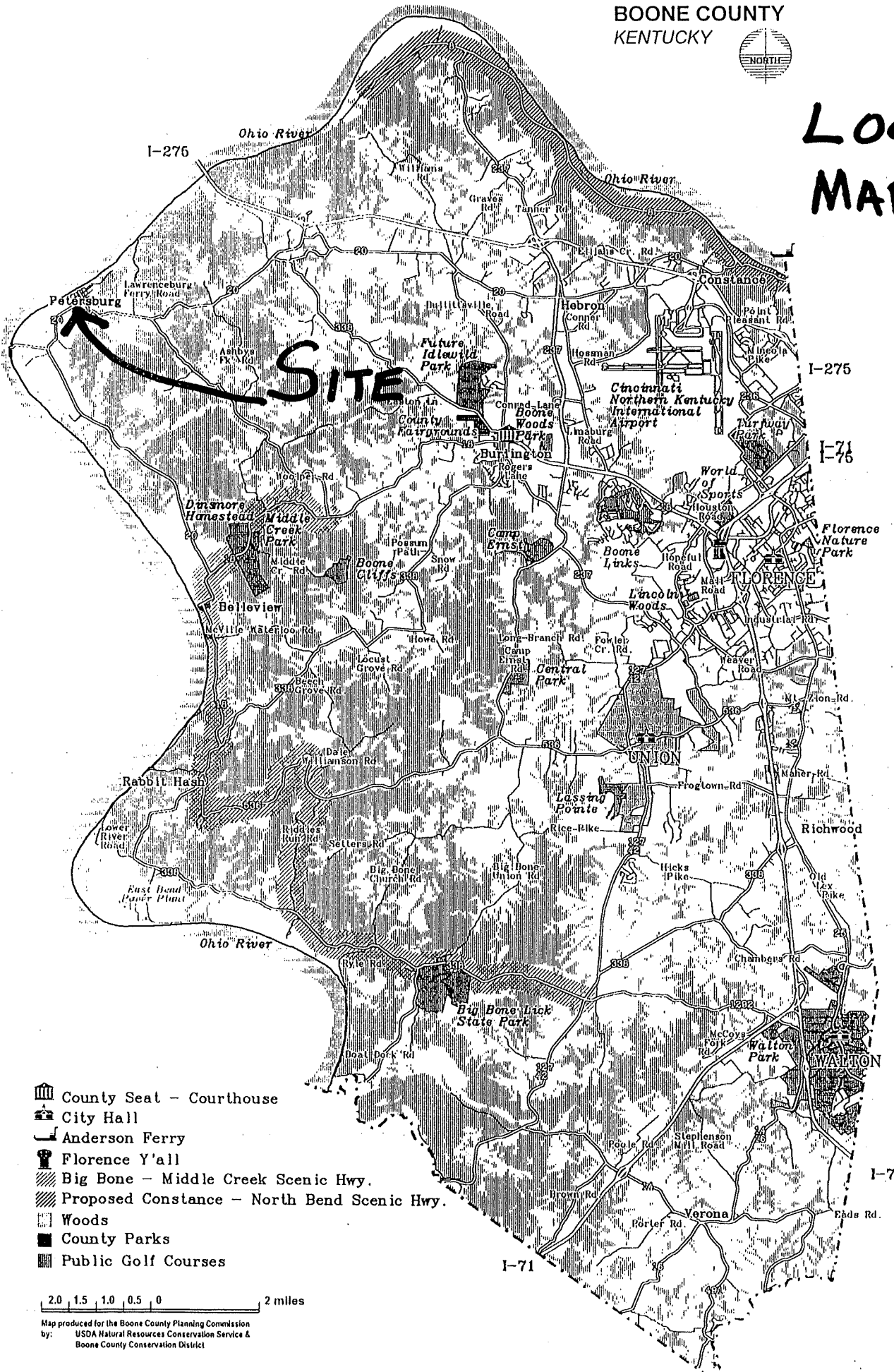











Jeffrey F. Hayes, AICP
Planner

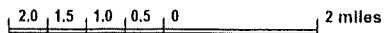
JFH\par



LOCATION MAP



-  County Seat - Courthouse
-  City Hall
-  Anderson Ferry
-  Florence Y'all
-  Big Bone - Middle Creek Scenic Hwy.
-  Proposed Constance - North Bend Scenic Hwy.
-  Woods
-  County Parks
-  Public Golf Courses



Map produced for the Boone County Planning Commission
by: USDA Natural Resources Conservation Service &
Boone County Conservation District

SHEET #2

ZONING MAP



PARKING AREA

INDIANA & MICHIGAN ELECTRIC CO
TANNERS CREEK PLANT

21 | 22

28 | 27

28 | 27

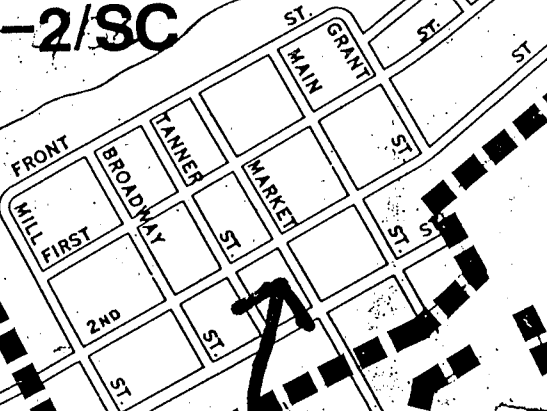
See
Detail Sheet 3
1814-0568-A

SR-2/SC

DEARBORN
BOONE

PETERSBURG
RS

RS



RSE

SITE

PETERSBURG
CEMETERY

KY. 20

MILE

I-3

6158

6124

6300

6260

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COPY

CLUR # 95-BCBOA-016-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Boone County Public Properties
2950 East Washington Street
Burlington, Kentucky 41005

2. ADDRESS OF PROPERTY

6517 Market Street
Petersburg, Kentucky 41080

3. NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)

Mallory Independent Elementary

DEED BOOK: 379

PAGE NO.: 282

GROUP NO.: 2011

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

Zoning Map Amendment
from to

Conditional Use Permit

Development Plan
Change in Concept Development

Conditional Zoning

Subdivision Plat
(Unrecorded)

Other:

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

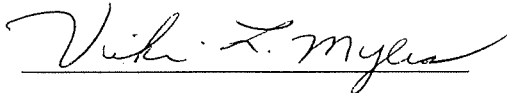
Jeffrey Hayes, AICP Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey Hayes on behalf of the Boone
County Planning Commission this 8th day of November 1995.

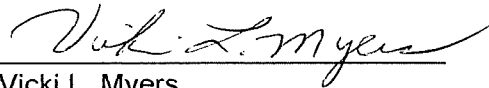


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

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# 95-BCBOA-016-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Boone Board of Adjustments and in accordance with the current zoning in effect as of September 13, 1995 (Certificate of Land Use Restriction # 95-BCBOA-016-A), for Boone County Public Properties, property owner.

The following conditions will apply: NO CONDITIONS

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 379 PAGE NO. 282 Group No. 2011