

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 April 4, 1996 Fee Received 438.00 R#9664
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 5-8-96
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: Florence Church of Christ

APPLICANT: Florence Church of Christ

LOCATION: South side of Boone Aire Drive, Boone County, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: May 8, 1996

The applicant is requesting a Conditional Use Permit to develop a church on a vacant 8.249 acre site. The applicant has provide a Concept Plan of how the church would be situated on the site. The church would have a sanctuary large enough to accommodate at least 250 worshipers, a fellowship hall, and classrooms. The site is large enough to allow expansion which is proposed for the site. No secondary use beyond church or church related activities are planned for the site at this time. The property is located on the south side of Boone Aire Drive near the Florence end of Boone Aire Drive (See Map #1).

Article 9, of the Boone County Zoning Regulations, permit the development of churches, synagogues, temples and other places of religious assembly for worship within a Suburban Residential One (SR-1) zoning district with a Conditional Use Permit. The Board must use the following criteria in addition to the seven criteria used to judge a Conditional Use Permit.

- a) the activity is an integral and subordinate function of a permitted use;
- b) the activity will not contradict the low density character of the district;
- 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.

Surrounding Land Uses and Zoning (See Sheet #2)

North: Single family residence and vacant land zoned Urban Residential One (UR-1) and Utz Dentist Office zoned Office One (O-1)

- South: Vacant land zoned Suburban Residential One (SR-1)
- East: Single family homes zoned Office One (O-1) and Suburban Residential One (SR-1) and Commercial business zoned Commercial Services (C-3)
- West: Single-family home and Oakbrook Subdivision the Links zoned Suburban Residential One (SR-1)

The 1995 Boone County Comprehensive Plan Future Land Use Map indicates the applicant's site as High Suburban Density Residential. The 1997 Airport Noise Contours Map shows the site within the 65 Ldn noise contour. The Land Use Text does not make any specific mention of the applicant's site.

Concept Development Plan See Map #3

The applicant's Concept Plan shows the general location of the church which would be between 15,000 and 20,000 square feet in size for the first phase. There would also be ample room for expansion of this church. The site would have access off of Boone Aire Drive near its intersection with KY 18. This section of Boone Aire Drive is a narrow two lane road with a sharp curve at either end of the site. The site contains 8.249 acres of land and has approximately 270 feet of road frontage along Boone Aire Drive. The site drops between 20 and 25 feet from Boone Aire Drive to a small creek which runs thru the front portion of the site. This creek valley contains a significant amount of vegetation. The remaining portion of the site is a hilltop with trees along the property lines.

Staff Concerns

1. Because of the importance of the trees to the surrounding properties, staff believes that every attempt should be made to retain as many trees as possible. The only trees that would appear to need to be removed are for the construction of the driveway to the church.
2. Site Plan Review will be required for the development of the site if the Board approves the Conditional Use Permit.
3. The Board should determine if a limit needs to be established on the size of the church. The current condition of Boone Aire Drive is poor and sight distances are inadequate along the applicant's street frontage. In addition, a hazardous traffic situation existing currently and would be compounded at the eastern intersection with KY 18 by the additional traffic. A traffic light and additional intersection improvements are necessary to address the safety issues of this intersection. Staff believes that the safety issues with the intersection and the poor sight distances with the church driveway should be addressed before additional traffic compounds the problem.

4. The Board should examine the design and materials to be used for the building and determine if the building is appropriate to the residential homes which surround the applicant's site.

Conclusion

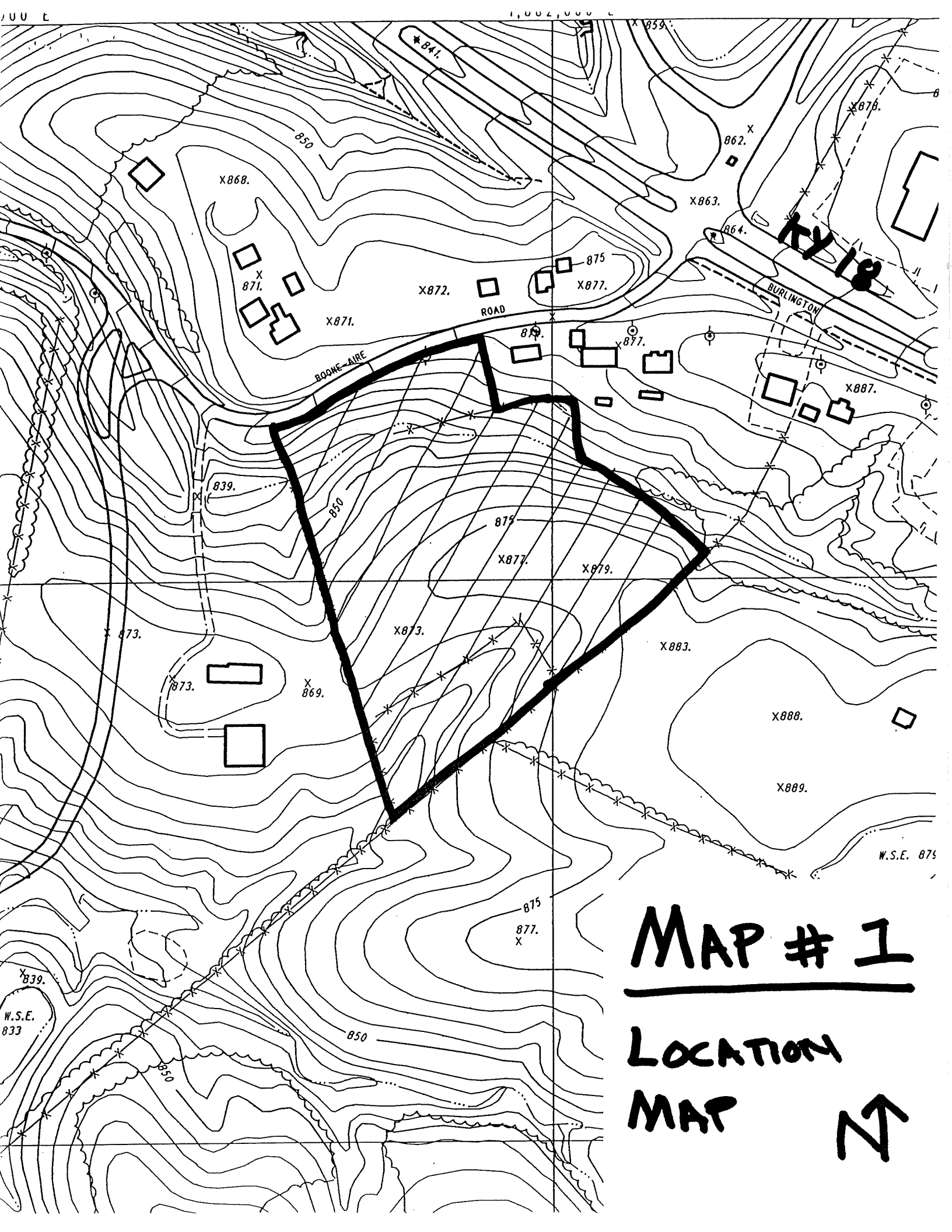
The Board should judge the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the three criteria for a Conditional Use within a Suburban Residential One (SR-1) zoning district. If appropriate road improvements are made and the church is designed with appropriate materials, staff believes that the church will not create any adverse impacts to the surrounding area.

Respectfully Submitted,



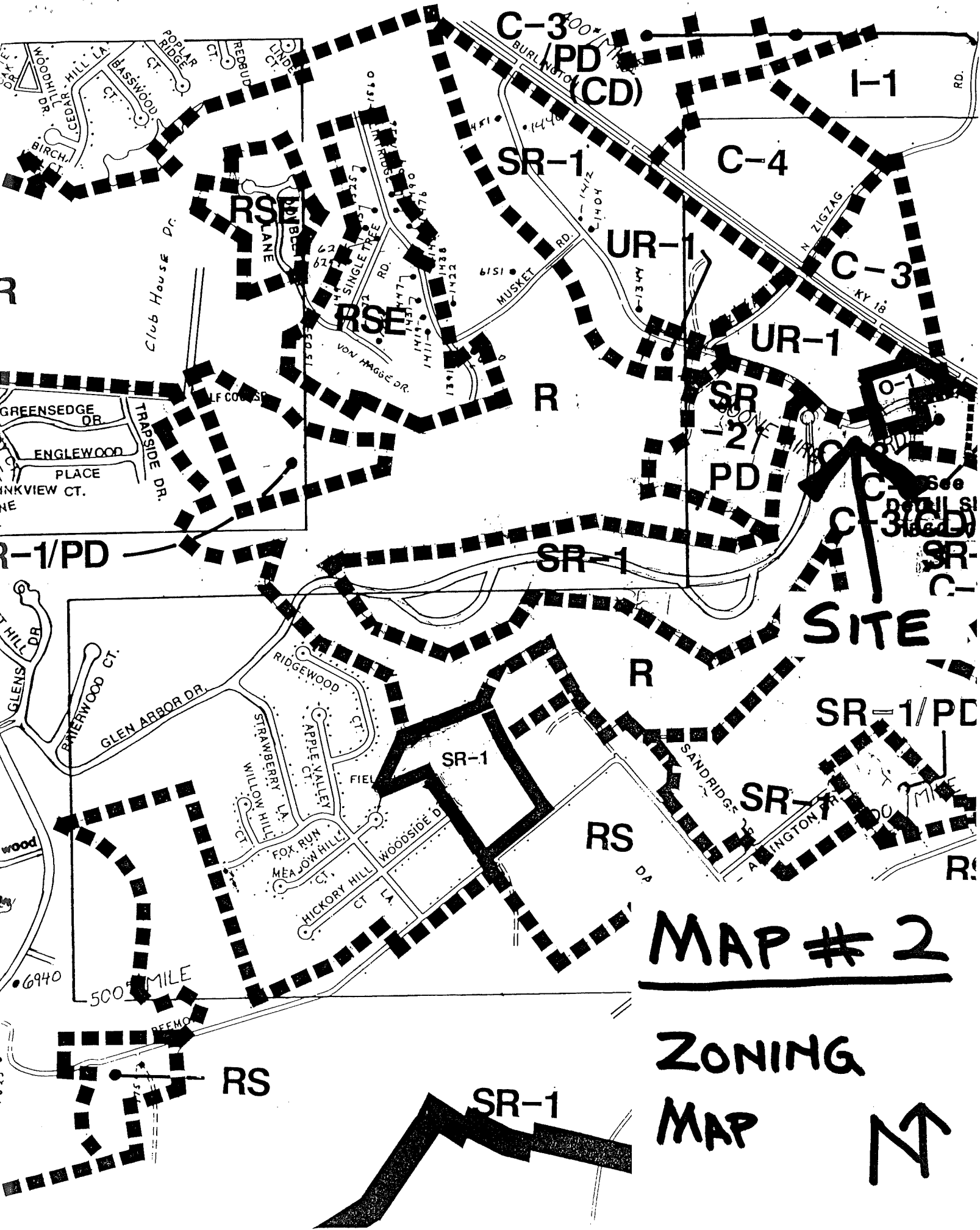
Jeffrey F. Hayes, AICP
Planner

JFH\par



MAP # 1

LOCATION
MAP ↗



MAP # 2

**ZONING
MAP**



BOONE AIRE RD.

BOONE AIRE RD.

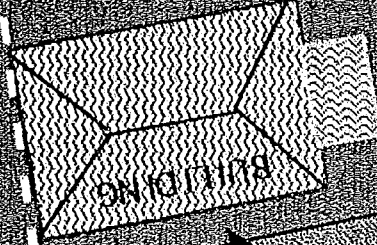
DEFLECTION
BASIN



PARKING AREA

GREENHILL

HOUSE PARKING
EXPANSION BUILDING



15,000-20,000 SQ. FT
BUILDING IN THE FIRST
PHASE

MAP #
3

COPY

CLUR # 96-BCBOA-005-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Arlene Akin Jones
3688 Akin Lane
Burlington, Kentucky 41005
2. ADDRESS OF PROPERTY
Boone Aire Road
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Florence Church of Christ

DEED BOOK: 377

PAGE NO.: 190

GROUP NO.:2032

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

Zoning Map Amendment:
From ___ to ___

Conditional Use Permit

Development Plan

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

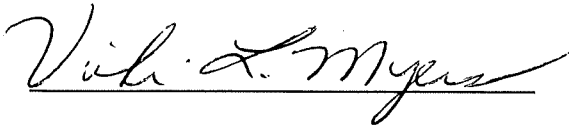

SIGNATURE OF COMPLETING OFFICIAL

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 21st day of June 1996.

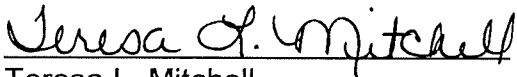


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:



Teresa L. Mitchell
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 May 8, 1996 Certificate of Land Use Restriction (#96-BCBOA-005-A), for Arlene Akin Jones, property owner.

The following conditions will apply: (1) The site goes through Site Plan Review, (2) The building materials be compatible with the area and that a metal building is not permitted in areas where it is visible to residential properties of public rights-of-way. (3) Screening be addressed at Site Plan Review, to include the property to the west and the nearest residential properties.

The approved Conditional Use Permit as well as the preceding conditions apply to the property

described in: DEED BOOK 377 PAGE NO. 190 Group No. 2032