

APPLICATION FOR ZONING ACTION

TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: Flourna First Church of God Owner
 Address: 6767 Hopeful Rd Agent
 Telephone: 371-6785

Location: _____

Name of Property Owner: Corporation

Address of Property Owner: _____

Zoning District: SR-1 Area in Acres: 4.2

Deed Book: 272 Page Number: 99 Group Number: 2039

Description of Request: Sign for Church Hopeful Rd.

Applicant's Signature: _____

Property Owner's Signature: Russell K Vays / Pastor

FOR PLANNING COMMISSION USE ONLY
 Application Fee: 223.00 Date Received: 9-21-87 By: Jpy

Referred To: Tom Meeting Date: _____

Action Taken: _____ Date of Action: _____

STAFF REPORT

APPLICANT: Florence First Church of God - Rev. Russell K. Hays, Pastor

DEVELOPMENT: signage for new church

LOCATION: 6767 Hopeful Road, Boone County

ZONE: Suburban Residential One (SR-1)

DATE: September 9, 1987, 6:30 p.m.

REMARKS:

The applicant is requesting a Variance in the size of a free-standing sign from the permitted 16 square feet to 50 square feet. The 4.2 acre site, located at 6767 Hopeful Road, Boone County, is zoned Suburban Residential One (SR-1) and is owned by the Florence First Church of God.

Article 19, Section 1912 of the Boone County Zoning Regulations states that the maximum size of a sign for a place of worship is 16 square feet. Due to the nature of the site, the applicant feels that this size is not adequate.

The following reviews the four criteria the Board must use to judge each variance request:

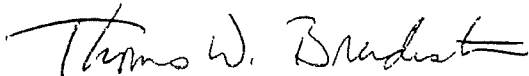
1. The special circumstances involved are the nature of Hopeful Road and speed limit. Because of the curves and hills along the road, as well as the speed of traffic along the road, the applicant feels that a 16 square foot sign would not adequately identify the church. All properties in the general vicinity share these special circumstances.
2. Strict application of the Zoning Regulations would allow a 16 square foot sign near the road and on the building. The Board should consider whether or not a sign mounted on this highly visible structure would adequately identify the site.
3. The special circumstances are not the result of the actions of the applicant.
4. If granted, the larger sign should not adversely affect the public health, safety, and welfare provided it does not block any traffic visibility. The Board should also consider the impact of a larger sign on the residential character of the area.

Staff Report - Florence First Church of God
September 9, 1987
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At the time of this writing, the applicant has not addressed these four criteria. By copy of this report, the applicant is being notified to be prepared to discuss these items at the next meeting.

Should the Board grant this request, staff would suggest that as a condition of approval, the direction and intensity of lights for the sign not create a nuisance to traffic or to the neighbors. Also, staff would suggest that the sign be placed at least 10 feet from the right-of-way to maintain traffic visibility.

Respectfully submitted,



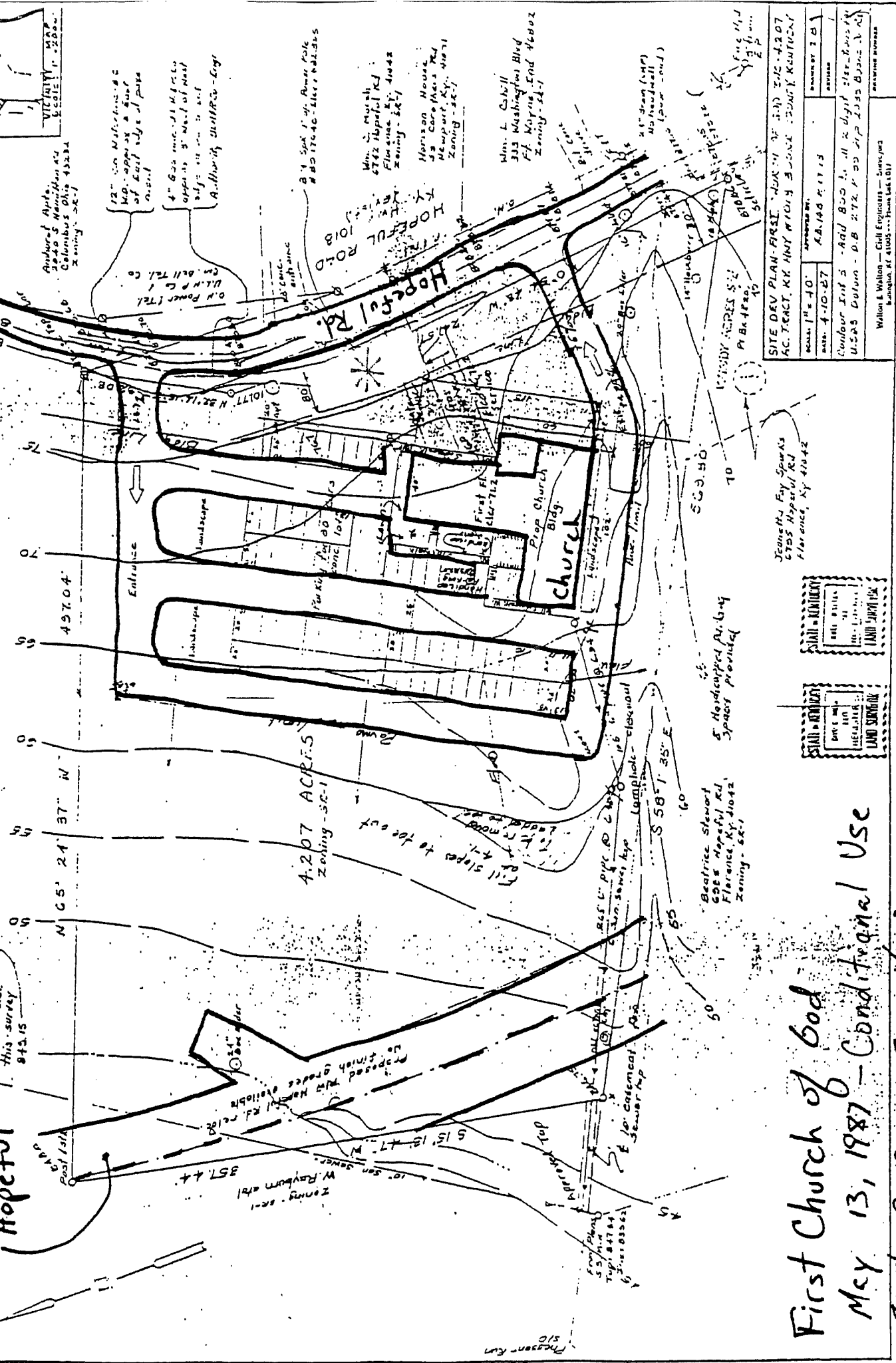
Thomas W. Breidenstein,
Zoning Enforcement Officer

TWB:mcb

* proposed sign location

relocated
Hopeful

S.S.M. Plans
Prepared by
Lino. 843.88
observed also
this survey
843.15

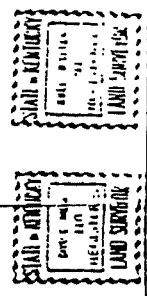


SITE DEV PLAN - FREE - JAN 24 1987 - 2:12 - 4:20
AC. TRACT, KY HWY 1013, BOONE COUNTY, KENTUCKY

SCALE: 1" = 40'	APPROVED BY:	DATE: 4-10-87	AD. 1984 4 11 13
DRAWN BY: J. B.		ADDRESS:	
CONTOUR INT 5' AND 800' IN 11' 2" DIGIT DIST. - 1000' IN U.S.G. Datum - D.B. 272.1' TO TIP 1055' ABOVE N. 0'			

Wilson & Wilson - Civil Engineers - Surveyors
Lexington, KY 40505 - Phone 484-1017

First Church of God
May 13, 1987 - Conditional Use



Jeanette Fay Sparks
6755 Hopeful Rd
Florence, KY 4042

Beatrice Stewart
608 Hopeful Rd
Florence, KY 4042
Zoning - SC-1

Wm. L. Cashell
333 Washington Blvd
Florence, KY 4042
Zoning - SC-1

Harrison House
49 Coalfield Rd
Florence, KY 4042
Zoning - SC-1

Architect: Apts.
3040 S Main St
Columbus Ohio 43224
Zoning - SC-1

12" on Main St. - SC
1/4" on Main St. - SC
of East edge of post
1/4" on Main St. - SC
4" 600' on Main St. - SC
appears to be 1/4" on Main
St. - SC
A. H. Smith - SC-1

Wm. S. Marsh
6742 Hopeful Rd
Florence, KY 4042
Zoning - SC-1

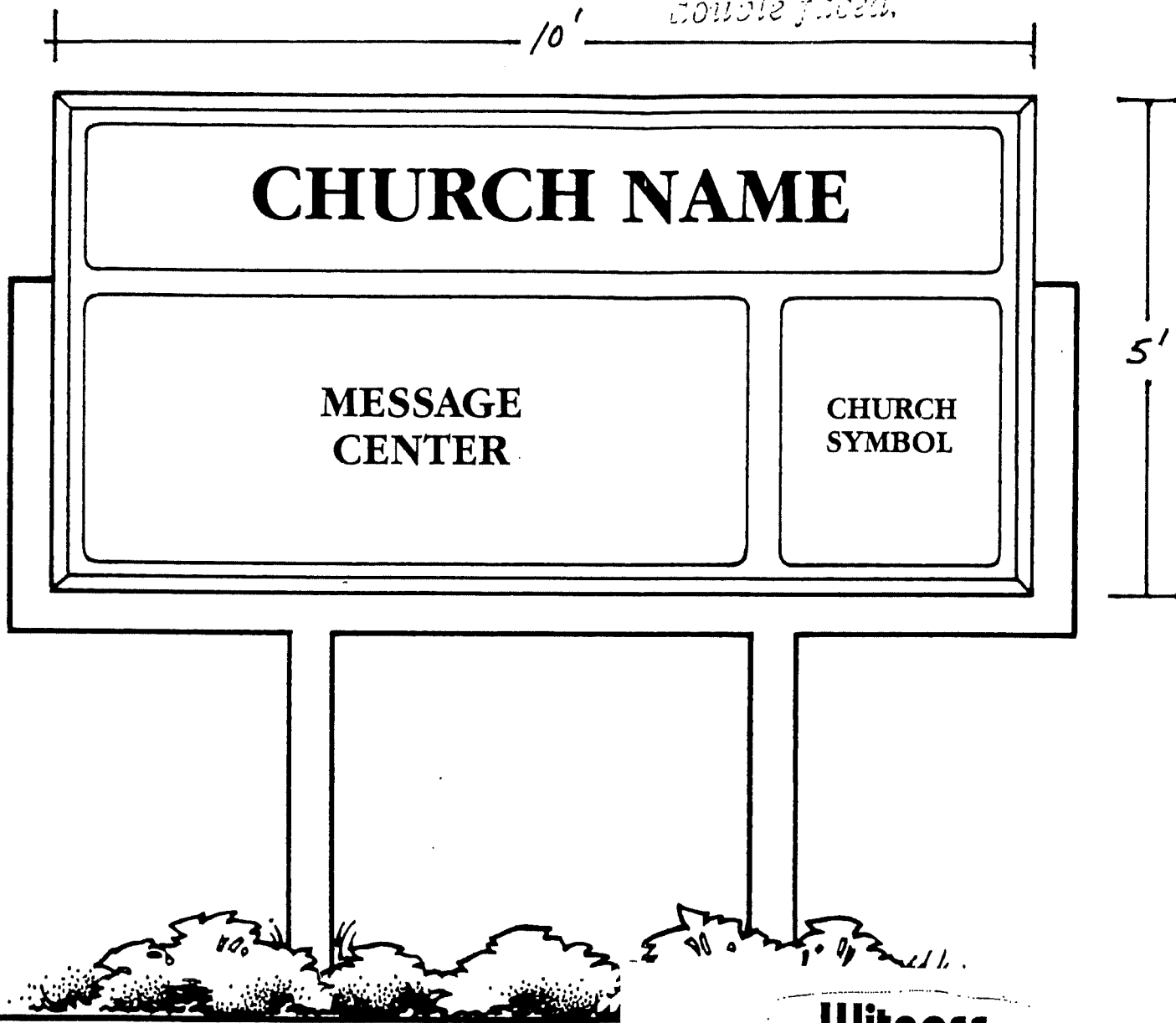
Fill slopes to the east
at 4-1-1
to 1/4" on Main St. - SC
to 1/4" on Main St. - SC
to 1/4" on Main St. - SC

55' on
Top 1013
6755 Hopeful Rd
Florence, KY 4042

55' on
Top 1013
6755 Hopeful Rd
Florence, KY 4042

Witness

*All signs are quoted
double faced.*

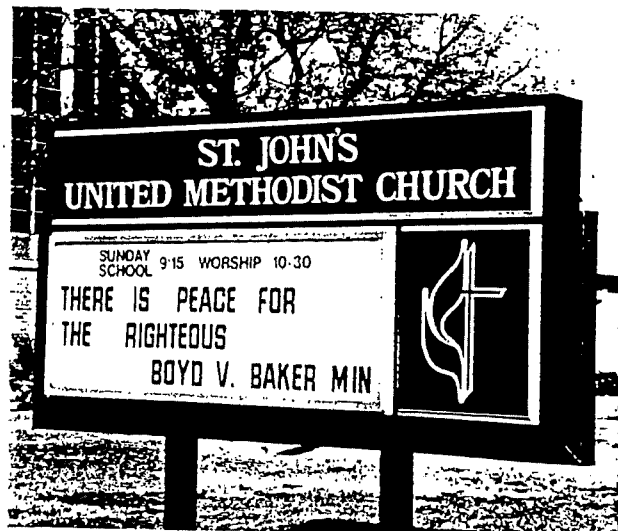


Witness

Pleasingly arranged within the traditional rectangle are your church's name, your choice of emblem, a panel providing four lines of four-inch changeable text. These three areas are clearly and colorfully visible from all directions. WITNESS conveys provocative and lively messages to viewers to read.

The J.M. STEWART

P.O. Box 2668, Sarasota, Fl
5454 East Sussex, Fresno, Cal



BOONE COUNTY
BOARD OF ADJUSTMENT

September 9, 1987 - 6:30 P.M.

Chairman Whitton called the meeting to order.

BOARD MEMBERS PRESENT:

Mr. I. A. Archambault
Mr. Dan Houston
Mr. Fred Nevel
Mr. Walt Ryan
Mr. George Whitton, Chairman

BOARD MEMBERS NOT PRESENT:

None

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Whitton stated that each member had received a copy of the Minutes of the Boone County Board of Adjustment Meeting of August 12, 1987 and asked if there were any comments or corrections.

There being no discussion, Mr. Ryan moved, seconded by Mr. Archambault, that the Minutes be approved. The motion carried unanimously.

AGENDA ITEMS:

1. A request of Florence First Church of God, Rev. Russell K. Hays, Pastor, for a Variance in the size of a free-standing sign from the permitted 16 sq. ft. to 50 sq. ft. The 4.2-acre site, located at 6767 Hopeful Road, Boone County, Kentucky, is Zoned Suburban Residential One (SR-1) and is owned by the Florence First Church of God.

Staff Member, Tom Breidenstein, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Whitton asked the applicant for his comments.

Rev. Russell Hays stated that they did not feel that the permitted sign was of adequate size. The proposed sign would have low-density lighting on both sides and changeable letters. They would like a 5' x 10' sign, but would appreciate even a 4' x 8' sign.

Chairman Whitton asked if there were any comments from the Commission or if there was anyone else present who wished to speak regarding this request.

In response to questions from the Commission, Rev. Hayes referred to a diagram of the proposed sign which was attached to the Staff Report. He stated that the lighting of the sign would be low-intensity and inside the sign, and would not blind a motorist. He stated that the sign had to be ordered and could be ordered any size or height the Commission wished. He stated that they will work with the Staff regarding the placement of the sign.

Mr. Archambault moved that the request for a Variance be granted for a 50 sq. ft. sign to be located approximately 10 feet off the right-of-way as directed by Staff. Mr. Nevel seconded the motion and it carried unanimously.

2. A request of Community Full Gospel Fellowship for a Conditional Use Permit and Site Plan Review to allow the construction of a new church. The 2.33-acre site, which is owned by Shirley Wohrley, is located at the northern end of Overlook Drive just south of the intersection of Coral Drive and KY 237, Hebron. The property is zoned Suburban Residential Two (SR-2).

Staff Member, Tom Breidenstein, presented the Staff Report which included a slide presentation (see Staff Report). He noted that should the Conditional Use Permit be approved, the Staff and the Staff's Engineer will continue the review of the Site Plan.

Chairman Whitton asked if there was a representative of the church present who wished to speak regarding this request.

Mr. Ron Neal, pastor of the church, stated that they would save as many of the trees as possible at the rear of the site where the lot will be totally wooded, except where thinned for a picnic area. He stated that they would improve the site and remove debris currently on the site. He stated that they are currently located near Hebron Hardware where they began as a mission church. They have outgrown their present facility.

Chairman Whitton questioned the provision of a buffer area between the church and the adjacent residences.

Rev. Neal stated that they could address that concern by changing the parking lot. He noted on the plan that 400+ feet of wooded area would remain.

Mr. Nevel questioned the drainage of the site, including where the black-topped area will drain.

Rev. Neal noted the grading that is proposed for the site and indicated drainage into the sewer system off Coral Drive. He stated that the site has been designed to taper towards the front corner.

Mr. Nevel asked what provision will be made to ensure that there is not runoff into the rear yards on Coral Drive. He added that he did not see the drainage issue addressed on the Site Plan.

Rev. Neal indicated that there will be a curb on the parking lot to control the runoff.

Mr. Briedenstein stated that the Staff's Engineer is aware of the need for curbing and channeling of the storm water. He stated that he and the Staff's Engineer will visit the site.

In response to questions from Mr. Ryan, Rev. Neal stated that the church is in the process of buying the property, pending approval of the Conditional Use Permit. Plans are being drawn for the church.

Chairman Whitton asked if there was anyone else who wished to speak in favor of the request. There was no response. The Chairman then asked if there was anyone present in opposition to the request.

Mr. Melvin Ayler stated that he owns property parallel to the site. He noted that Overlook Drive is a narrow roadway. He stated that Rev. Neal had indicated to him that they were almost sure that they would have access off S.R. 237 near the bank. Mr. Ayler contacted the Highway Department and was advised that such access could not be obtained. He stated that there is drainage of the septic system through Coral Drive. Mr. Ayler stated that there would be no room for expansion of the church. He asked what would happen if the church were to be left vacant in the future. He noted that drainage and sewerage would be a problem and that the church would lower property values in the area.

Mr. Dwight Bray, a civil engineer and a resident of Coral Drive, stated that they are concerned about the sewerage.

Rev. Neal stated that a perk test had been done which indicated that there would not be a problem at the site. He again indicated the proposed grading of the site.

Mr. Dennis Riley, 2692 Coral Drive, stated that he was an adjacent property owner and asked why he was not notified of this meeting.

Counselor Wilson stated that the applicant provides the list of abutting property owners and the Commission sends out the notices in accordance with that list.

Rev. Neal stated that they had researched the addresses at the court house, and the Savings Association was indicated as Mr. Riley's address. Mr. Briedenstein stated that Mr. Riley's notice had been sent to the Savings Association and was signed for by them.

Mr. Riley stated that there is a drop right where the church is planning to put their septic system, which will be right behind his house. He noted that both sides of the lot taper.

Mr. Ronald McGough, a resident of Coral Drive, stated that the planned access to the church site will cause accidents. He stated that he is concerned about the traffic and the sewerage.

Mr. John Vanlierop, a resident of Coral Drive, stated that he agrees with the comments made regarding the traffic situation. He added that the road is too narrow to permit emergency vehicles.

Mrs. Ellen Ayler stated that the road is dead-ended and that two cars cannot pass on it.

Mrs. Vanlierop asked why a church would be permitted in a residential area.

Chairman Whitton advised that a church is a Conditional Use in a Residential Zone, which means that the Board could approve a church in this zoning district.


Counselor Wilson stated that a Conditional Use is a type of use that may or may not be appropriate in a given area. The Board must make this determination based on the information presented. He noted that deed restrictions are a private matter and the Board cannot consider them.

Mr. Archambault stated that he would like to visit the site. Mr. Archambault moved that this request be tabled until the October Board of Adjustment Meeting and that in the meantime the site be visited by the Board. Mr. Ryan seconded the motion and it carried unanimously.

Chairman Whitton advised that a spokesperson from both sides should be selected in order to advise the interested parties when the Board will visit the site so that they may be present. Mr. Dwight Bray and Mr. William McGough will be spokespersons and notify the groups.

There being no further business to come before the Board, Mr. Archambault moved, seconded by Mr. Nevel, that the meeting be adjourned. The meeting was adjourned by unanimous consent at 7:20 P.M..

APPROVED:



George D. Whitton, Chairman

ATTEST:



Jan Hancock, Recording Secretary