

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

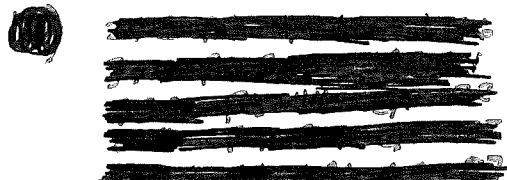
FEB 16 2005

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone [X] Florence [ ] Walton [ ] Union [ ]
2. (Check One) [X] Conditional Use Permit [ ] Variance [ ] Appeal [ ]
3. Applicant's Name Kentoboo Baptist Church
Phone Number 371-8891 Fax No. 371-8969
Applicant's Address 634 Kentaboo Avenue
Florence Kentucky 41042
4. Description of Request: Conditional use change for Fellowship
5. Name of Development Fellowship Hall
6. Location of Development 7035 Curtis Avenue
Florence, Kentucky 41042
7. Acreage Under Review 1.83
8. Lot Number and Name of Subdivision (if part of a subdivision)
Erlanger Heights
9. Owner of Property Kentoboo Baptist Church
Phone Number of Owner 568-5578
10. Address of Property Owner 634 Kentaboo Avenue
Florence Kentucky 41042
11. Proposed Use(s) on Site Church Offices/Fellowship Hall/Youth Center
12. Total Square Footage of Existing and/or Proposed Buildings 15,000
13. Current Zoning on Property SR2
14. Deed Book [redacted] Page No. [redacted] Group No. [redacted]
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Conceptual
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.

DB PC
845 695
:94 210
Group #
2034B

Applicant's Signature: Phillip Boston Chairman of Trustees
Property Owner's Signature: Phillip Boston Chairman of Trustees



(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 2-16-05 Fee Received <sup>\$</sup> 681.00 RA# 41479
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
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  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page

**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

APPLICANT: Kento-Boo Baptist Church

LOCATION: South side of Curtis Avenue between 7035 and 7051 Curtis Avenue, Florence, Kentucky

ZONING: Suburban Residential Two (SR-2)

DATE: March 9, 2005

### Proposal

Kento-Boo Baptist Church is requesting a Conditional Use Permit to allow the relocation of a curb cut on Curtis Avenue and the construction of a 15,000 square foot Fellowship Hall. The submitted Concept Development Plan indicates that the Fellowship Hall is being proposed between 7035 and 7051 Curtis Avenue and that the existing curb cut which serves the church's overflow parking lot is being moved approximately 32 feet to the southwest (measured centerline to centerline). The submitted building elevations indicate that the Fellowship Hall is 20' high and will be constructed with brick and stone and a standing seam metal roof.

### Applicable Regulations

Article 2, Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment and Zoning Appeal is to grant conditional use permits as specified by the zoning order.

Article 9, Section 933 of the Boone County Zoning Regulations permits "Churches, synagogues, temples and other places of religious assembly for worship" as a conditional use within a Suburban Residential Two (SR-2) district.

Article 30, Section 3007 of the Boone County Zoning Regulations states that "property involving a conditional use and/or variance shall be subject to the Boone County Planning Commission Site Plan review and approval if required by an individual zoning district."

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 943 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings For all Conditional Uses):

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;

2. 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;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 9, Section 943 of the Boone County Zoning Regulations allows churches as a conditional use in the SR-2 district if the proposed facility meets all the requirements:

- a. the activity is an integral and subordinate function of a permitted use; or
- b. the activity will not contradict the compact, but single-family character of the district; and
- 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.

#### Relationship to the Comprehensive Plan

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question for "Suburban Residential" uses. This designation is described as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision."

The Land Use Element (Florence Central Area, p. 162) states the following regarding this area:

- A. "Overall, a mixing of uses can be accommodated within the City of Florence and the existing residential communities can be protected if proper buffers and design are incorporated into the developments."

The following Future Land Use Development Guideline from the 2000 Boone County Comprehensive Plan applies to the application:

- A. "Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects ..." (Buffering, p. 159).

Surrounding Land Uses and Zoning (From Proposed Fellowship Hall)

- North: Single-Family Residential Dwellings on Curtis Ave. (SR-2)  
South: Kento-Boo Baptist Church Parking Lot (SR-2)  
East: Kento-Boo Baptist Church Office (SR-2)  
West: Single-Family Residential Dwelling on Curtis Ave. (SR-2)

Site History (Church Campus)

- 06/13/85 – The Florence Board of Adjustment approved a Conditional Use Permit allowing the church parking lot to be enlarged. The Board imposed the following conditions: (1) The width of the driveway (aisles) must be 13 feet; (2) All parking stalls must be a minimum of 10' x 20'; (3) Blacktop or concrete surfacing will be provided; (4) Adequate erosion control measures will be taken; (5) Wheel blocks will be installed per the Public Works Director; and (6) The parking lot will be completed within 30 days.
- 01/21/86 – The Florence Board of Adjustment approved a Conditional Use Permit which modified the June 13, 1985 approval. The parking lot addition had to be constructed by June 30, 1986.
- 07/08/87 – The Florence Board of Adjustment approved a Conditional Use Permit for a 16,484 square foot building addition on the western facade, parking lot modifications, and the construction of a new parking lot across Kentaboo Avenue (see Concept Plan). The Board imposed the condition that proper design and landscaping, sidewalks on Kentaboo Avenue, and the adequacy of public facilities needed to be addressed by Staff during Site Plan Review.
- 06/13/90 – The Florence Board of Adjustment approved a Conditional Use Permit allowing the size of a free-standing sign to be increased from 16 square feet to 24 square feet.

- 01/20/00 – The Florence Board of Adjustment approved a Conditional Use Permit which converted a single-family residence located at 7035 Curtis Avenue into a church office. The Board imposed the following conditions: (1) The building will resemble a single-family residence; (2) There will be no additional parking; (3) There will be a small plaque which indicates the building Kento-Boo Baptist Church Office; and (4) There will be no day care in the building unless a Conditional Use Permit is approved by the Board of Adjustment.
- 12/11/03 – The Florence Board of Adjustment approved a Conditional Use Permit to allow the construction of a 10,000 square foot addition onto the eastern building facade. The Board imposed the following conditions: (1) The size is limited to 10,000 square feet with only a new basement and a new first floor (no second floor); (2) There is to be no additional lighting other than by the doors; (3) The city engineer and the adjoining property owners to the rear are to be notified of the Major Site Plan for construction and the review meeting; (4) The remaining portion of the rear yard (area behind the existing parking lot, existing church, and proposed addition) is to be screened with one large tree per 35 linear feet. The large trees need to be selected from Plant List A, B, or D from the Boone County Zoning Regulations and need to meet the minimum installation size standards; (5) The addition is to be used for Sunday School and educational purposes and is not to act as a sanctuary; (6) There is to be no additional signage; (7) There is to be no additional access (curb cuts); and (8) Construction materials are to be as presented.

#### Site Characteristics

The church campus is approximately 3.87 acres in area and has buildings which front on Kentaboo Avenue and Curtis Avenue. The part of the campus located on the north side of Kentaboo Avenue includes a 12,172 square foot church, a 47 stall parking lot, and two single-family residential dwellings. The part of the campus located on the south side of Kentaboo Avenue and south side of Curtis Avenue contains a parsonage, church office, and an 80 stall parking lot. The proposed Fellowship Hall is located on an approximate 0.51 acre area between the church office and 7051 Curtis Avenue.

#### Staff Comments

1. The Applicant has provided a letter (see attachments) that indicates that the Fellowship Hall area on the main level of the building will be used for church dinners, some meetings, and occasional wedding receptions by church members. No wedding reception will go past 12:00 a.m. and no alcohol will be served on the premises. The remainder of the building will contain the church business offices, classrooms, restrooms, a kitchen, mechanical and storage space. The letter specifically states that the church has no intention of running a nursery school or daycare from the proposed building.

2. Staff would like the Applicant to explain how the current church office building (7035 Curtis Avenue) will be used if this application is approved.
3. The Applicant has provided elevation drawings of the building (see attachments). Staff has the following concerns regarding building design:
  - A. The use of the low pitch (3/12) roof with a single ridge, gable design emphasizes the relatively larger size/width of the footprint, and results in a fairly utilitarian aesthetic. Staff's recommendation is to provide a hipped roof design and/or to add gables or other secondary elements to reduce the apparent scale and improve the aesthetics of the larger, lower pitch roof planes (an alternate material such as dimensional shingles may then be an appropriate option); an increase in the roof pitch will likely be necessary;
  - B. The use of the stone veneer panel in the middle of the front facade along with the lack of openings (windows/doors) is inconsistent with the surrounding residential character. Staff's recommendation is to better integrate the use of the stone into this facade (or eliminate it all together) and to add proportionate, architectural grade windows into the front facade. Recognizing that the stone is the background for the cross, another option is to provide a different color brick for this background in lieu of the stone, which would still act as a background but not provide such a high degree of contrast from a textural standpoint. Another option would be to jog the stone panel forward from the remainder of the facade 1 to 2 feet (or more) to provide a three dimensional break, and add complimentary stone detailing into the flanking brick areas. The use of masonry detailing on the structure as a whole would also help to reduce its apparent scale.
4. Staff is concerned about the potential impacts of site lighting because there are adjoining residential properties. If the application is approved, Staff recommends that only shielded wall packs should be allowed on site. In addition, a photometric plan will need to be submitted with the Site Plan which complies with Section 3316 and Figure 33.5 of the Boone County Zoning Regulations.
5. If the project is approved, Staff recommends a condition which would require a Street Frontage Landscape Buffer (see Section 3620 of the Boone County Zoning Regulations) to be installed between 7033 and 7051 Curtis Avenue. In addition, Staff recommends that Buffer Yard B (see Section 3645 of the Boone County Zoning Regulations) should be installed on the side property line which adjoins 7051 Curtis Avenue.
6. Staff would like to point out that Kento-Boo Baptist Church has Conditional Use Permits to build the following improvements onto their existing facility at 634 Kentaboo Avenue:

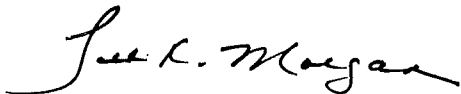
- A. A 16,484 square foot addition was approved on the western building facade. This addition was approved by the Florence Board of Adjustment on July 8, 1987. To date the church has only built a 4,800 square sanctuary from this approval. The church could build the remaining 11,684 square feet onto the western building facade at any time.
- B. A 10,000 square foot addition onto the eastern building facade. This addition was approved by the Florence Board of Adjustment on December 11, 2003 (see Site History).

If the new Fellowship Hall is approved, Staff recommends that the remaining square footage which has not been constructed under these Conditional Use Permits shall become null and void.

#### Conclusion

KRS 100.237 and Sections 220 of the Boone County Zoning Regulations gives the Florence Board of Adjustment and Zoning Appeals the authority to grant the request for a Conditional Use Permit.

Respectfully submitted,

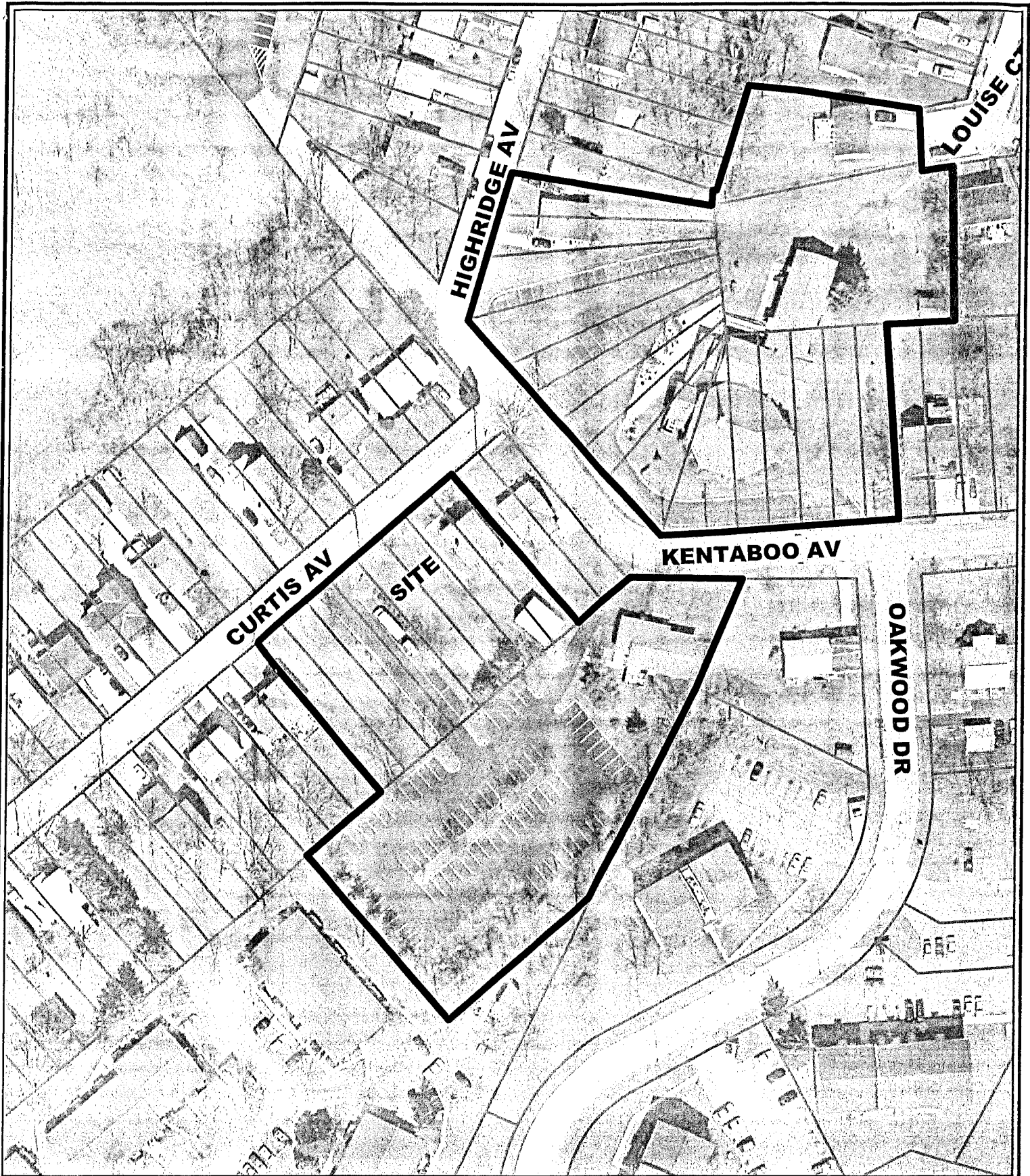


Todd K. Morgan, AICP  
Planner, Zoning Services

TKM/dw

#### Attachments

- Exhibit A – Aerial Map/Site Vicinity Map
- Exhibit B – Letters From Applicant
- Exhibit C – Concept Development Plan (Site Plan)
- Exhibit D – Concept Development Plan (Elevation Drawings)
- Exhibit E – Concept Development Plan (Interior Floor Plans)
- Exhibit F – Zoning Map
- Exhibit G – Future Land Use Map
- Exhibit H – 07/08/87 Kento-Boo Baptist Concept Plan
- Exhibit I – 04/25/89 Site Plan
- Exhibit J – 12/11/03 Florence B.O.A. Meeting Minutes
- Exhibit K – Application

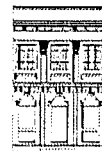


# Kento-Boo Baptist Aerial Map



1 inch equals 100 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
March 1, 2005



**PURPOSE OF FACILITY**

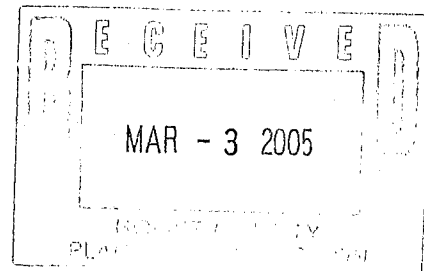
The proposed use for this facility will be primarily fellowship space with the intended use being church dinners, meetings and on occasion, church members might utilize the facility for a wedding reception, but not past midnight. Consistent with Church By-laws and Doctrine, alcohol/drug related substances are prohibited on all church property at all times.

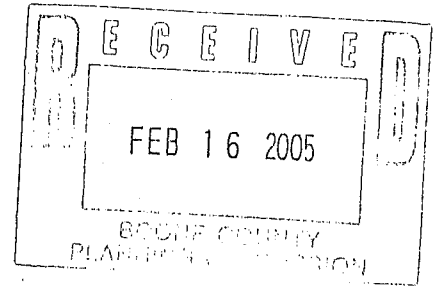
There will be Sunday School classrooms used for Sunday Bible Studies. These studies will include a youth assembly area that our Youth Pastor will use for Bible Studies and related activities. We do not have any intention of having a nursery or daycare operation in the building.

The design and location of the Sunday School rooms are such that noise from the central area in the building will be at a minimum. The majority of these activities occur during the hours of 8:00 a.m. to 3:00 p.m. and evening services are generally concluded by 9:00 p.m.

The Church business offices will also be located in the building with the primary hours of operation being 9:00 a.m. until 3:00 p.m., Monday through Friday. There will not be any simultaneous use with our property and sanctuary located across the street.

The landscaping and color scheme of the building will be consistent with recommendations made by the Board and subsequent State/County/City entities.





Kentoboo Baptist Church  
634 Kentoboo Drive  
Florence, Kentucky 41042  
February 15, 2005

Mr. Todd Morgan  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

Dear Mr. Morgan:

The Conditional Use Permit issued in 2004 for an addition to our sanctuary is currently abandoned as it would not meet the needs of our church.

We are currently seeking approval of a new building on a different area of the church property as a solution to our projected needs.

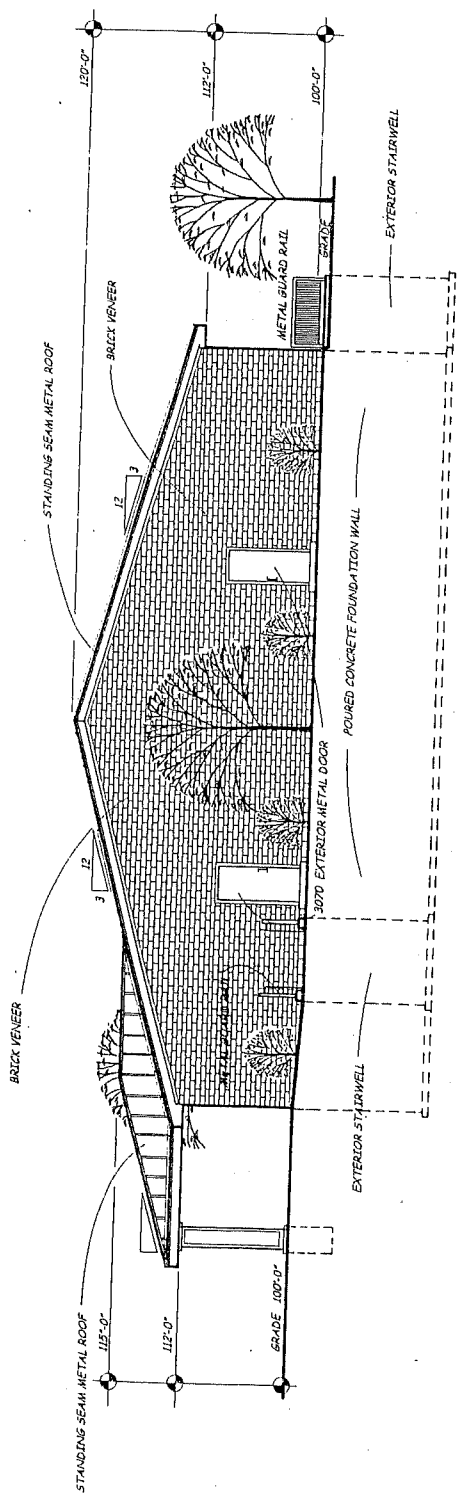
If additional information is needed, please advise me at your earliest convenience.

Sincerely,

A handwritten signature in cursive script that reads "Phil Beetem".

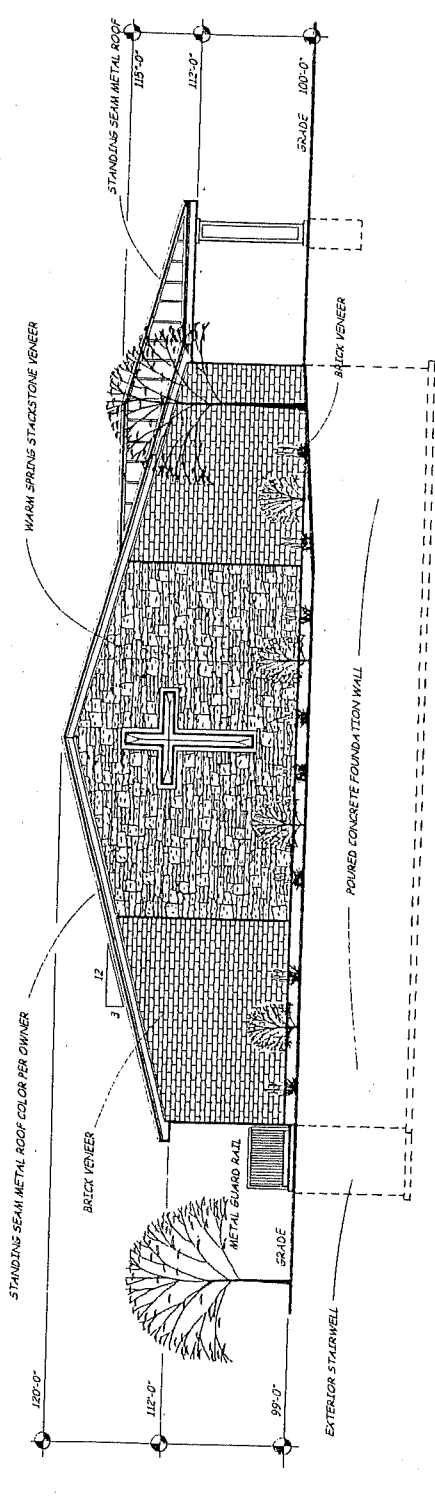
Phil Beetem, Chairman  
Kentoboo Baptist Church  
Board of Trustees





**SOUTH ELEVATION**

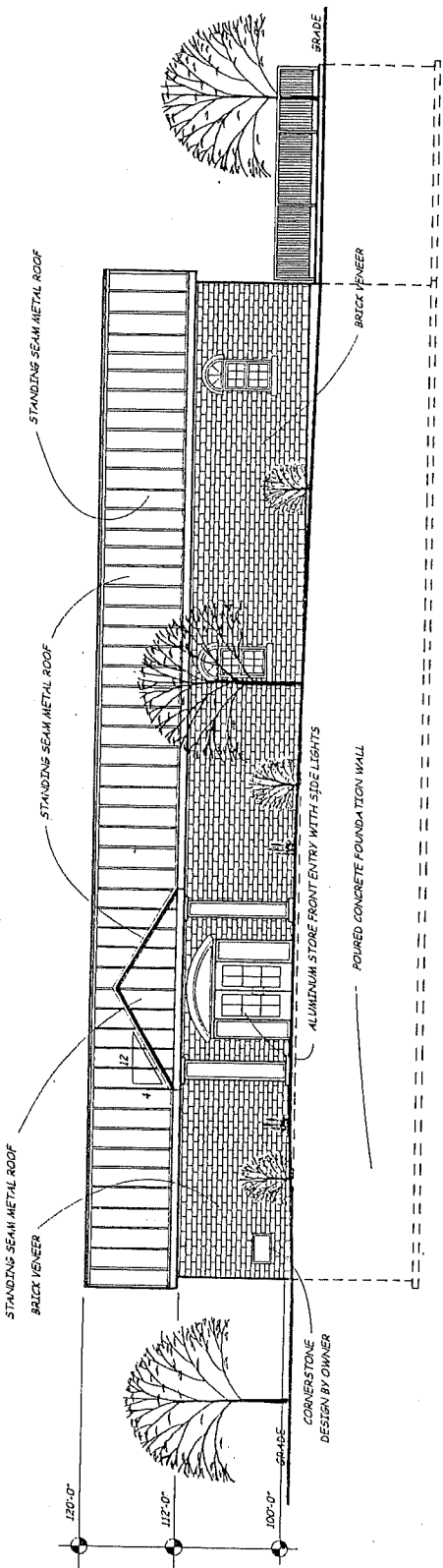
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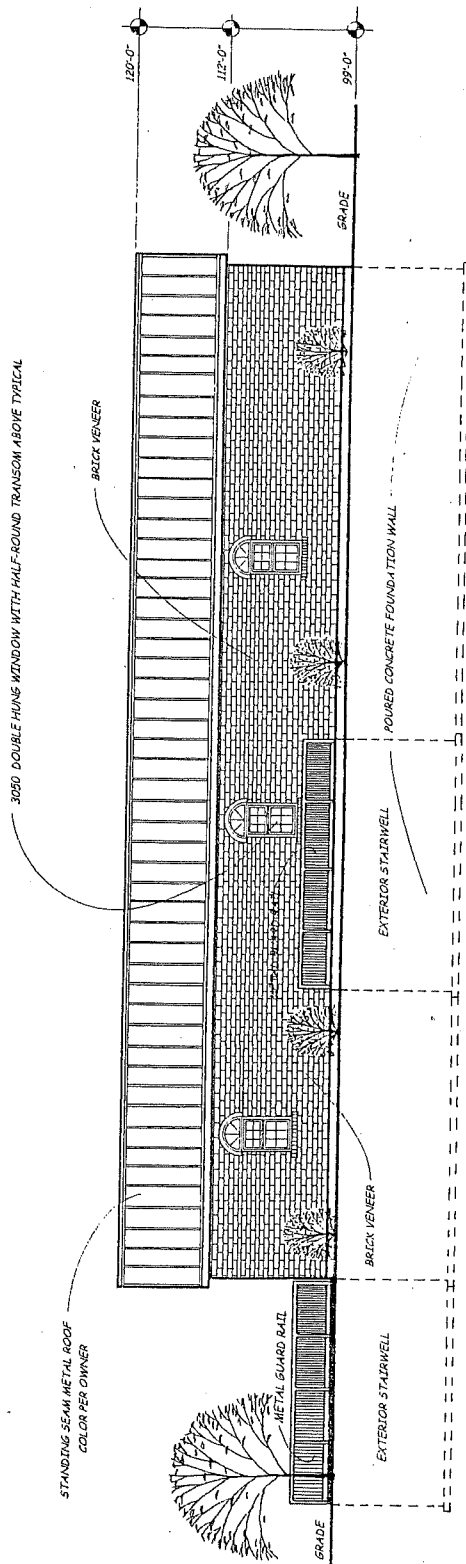
**NORTH ELEVATION**

SCALE: 1/8" = 1'-0"

MAR - 2 2005



**WEST ELEVATION**  
**SCALE: 1/8" = 1'-0"**

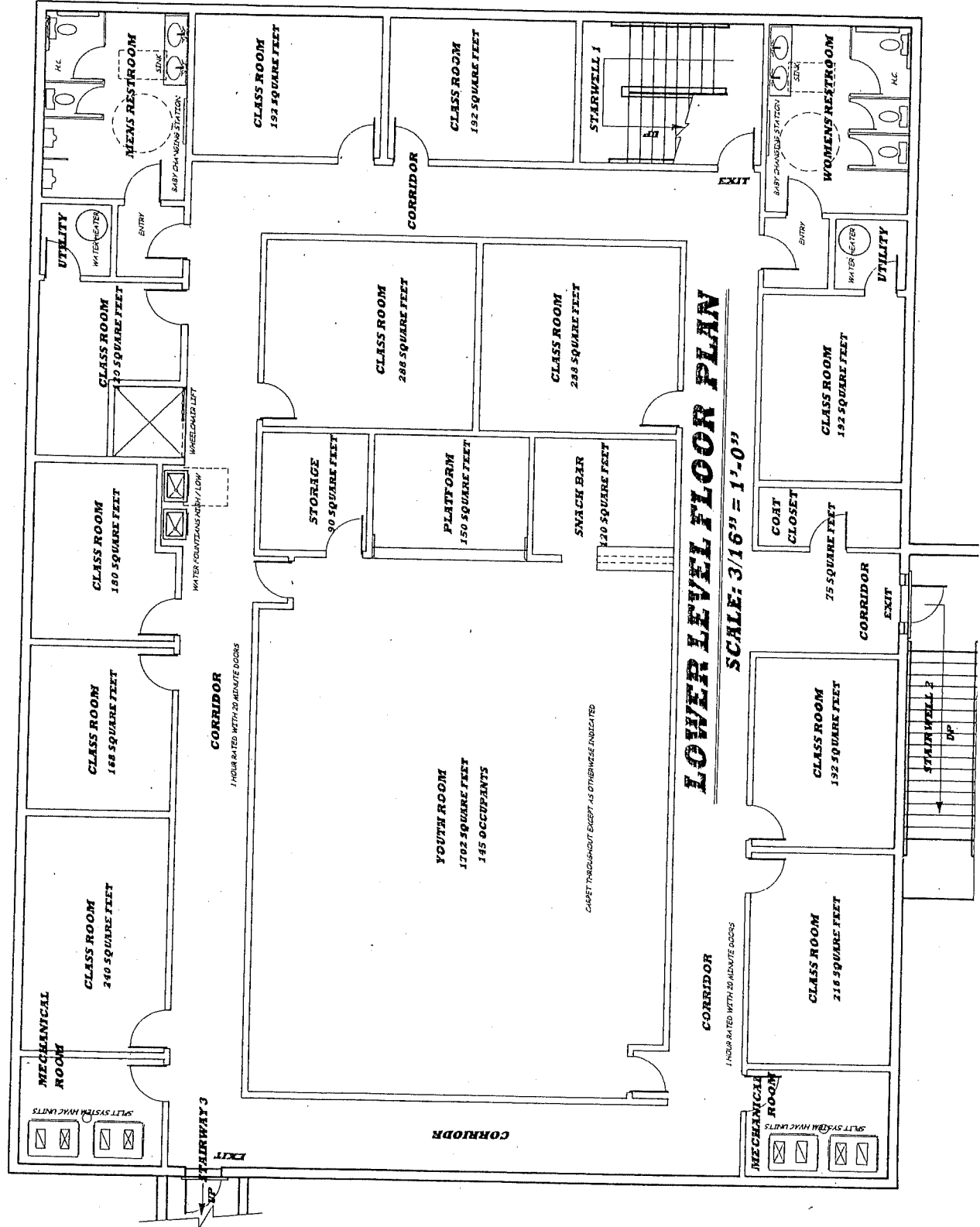


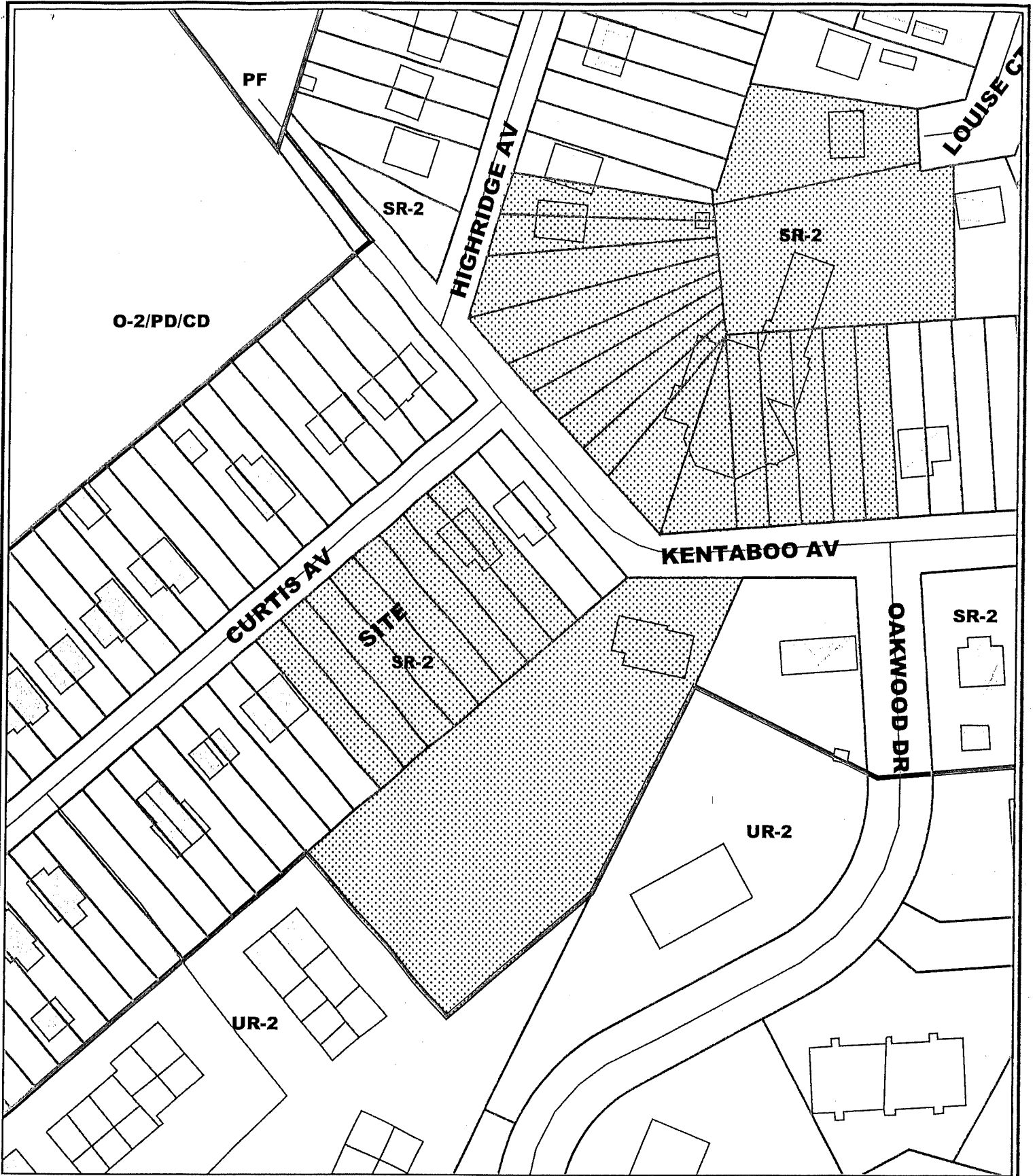
**EAST ELEVATION**  
**SCALE: 1/8" = 1'-0"**

MAR - 2 2005



ENTORBO BAPTIST CHURCH 634 KENTBOO AVENUE FLORENCE, KENTUCKY 41042 PHONE: (859) 371-8889		PROPOSED ADMINISTRATIVE CENTER AND FELLOWSHIP HALL CURTIS AVENUE FLORENCE, KENTUCKY		PASTOR: REVEREND STAN COLE		BUILDING CHAIRMAN: PHIL REEVEM	
DATE	01/15/04	DESIGNED BY	P. BERTSH	DRAWN BY	D. BRIDGHT	REVISION	
SCALE	1/8" = 1'-0"	RELEASE DATE	01/17/04	FILE NAME	ENTORBO	JOB NUMBER	
SHEET NUMBER		A-4					





# Kento-Boo Baptist Zoning Map

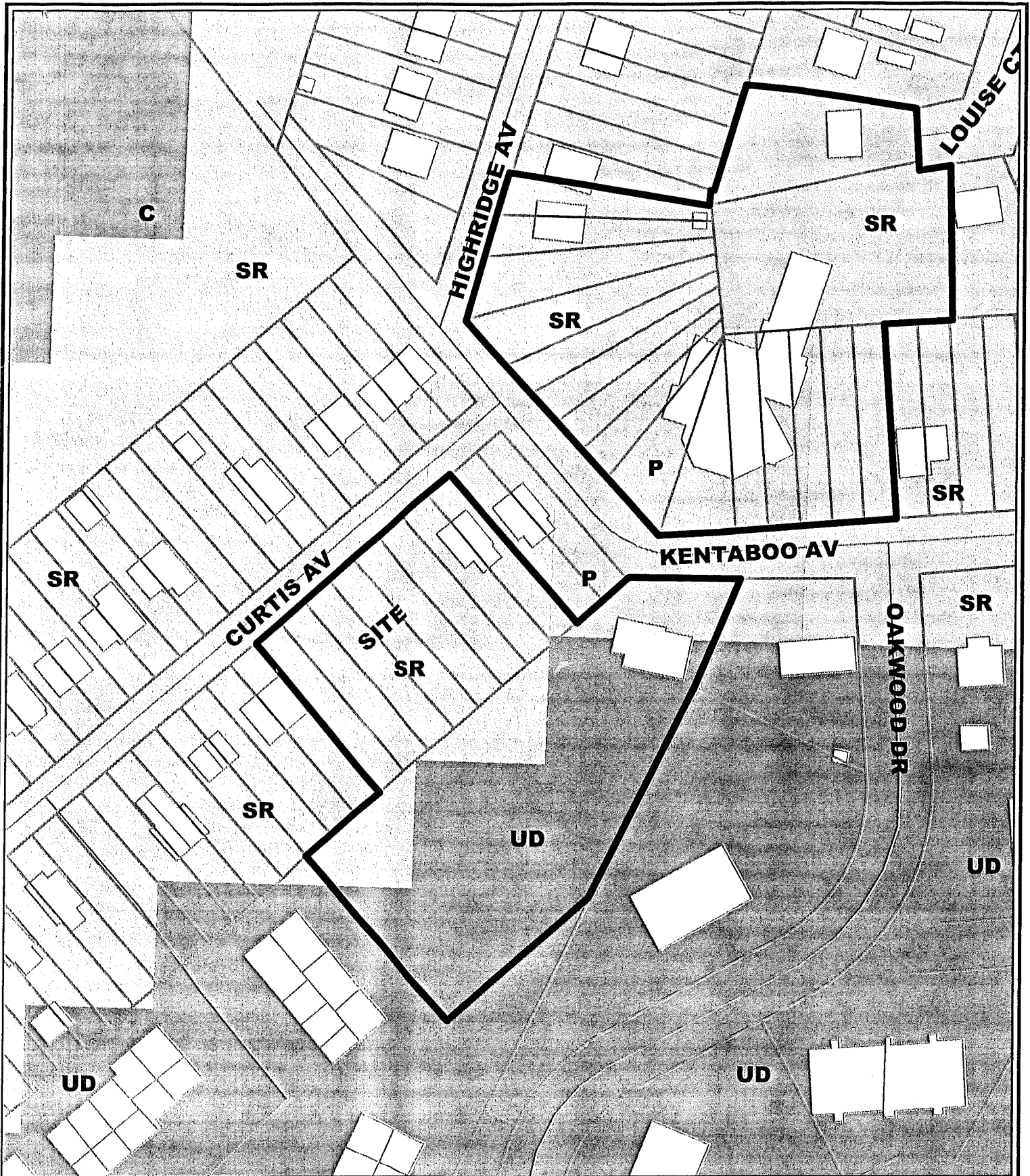
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1 inch equals 100 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
March 1, 2005





# Kento-Boo Baptist Future Land Use Map

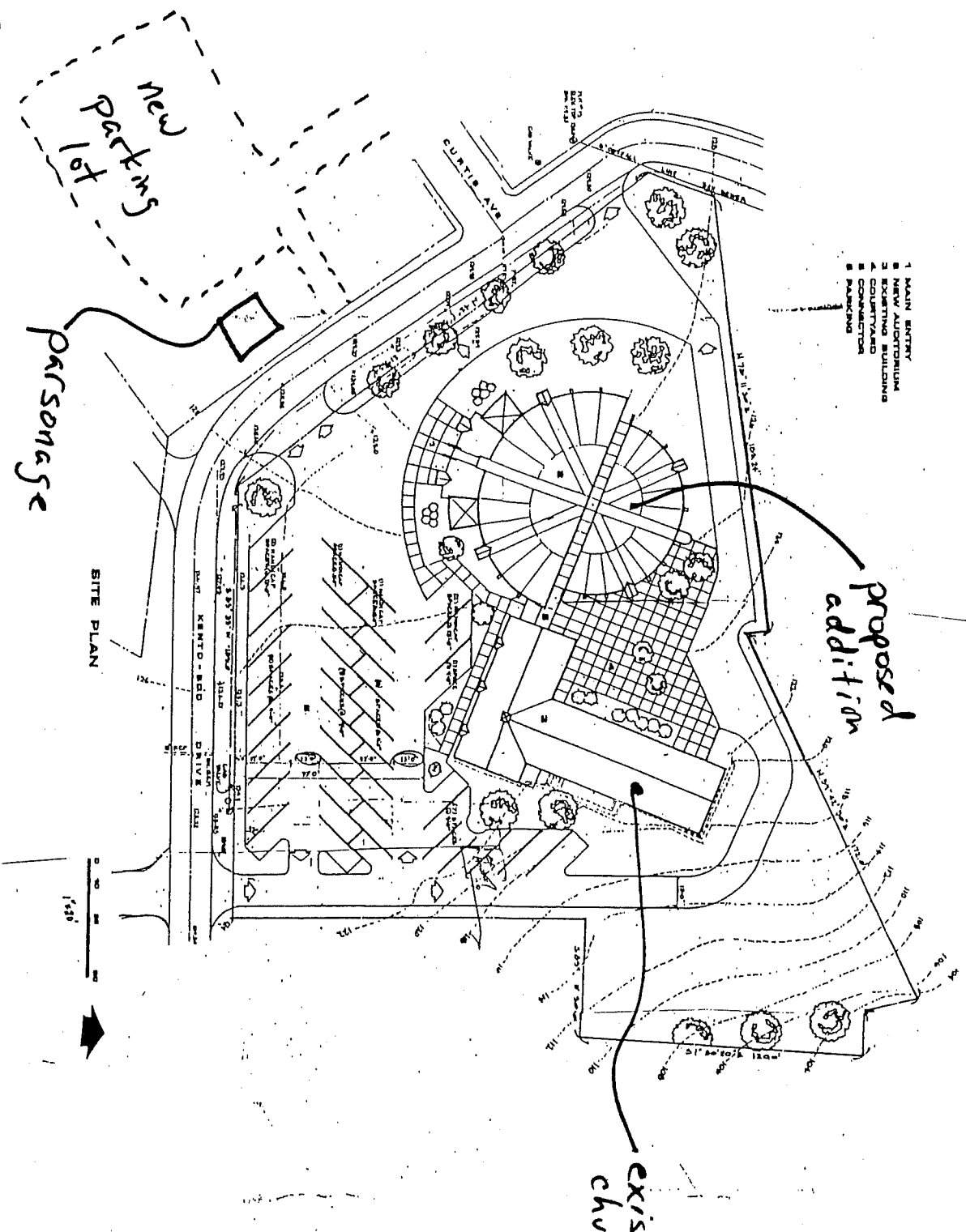
100 0 100 Feet

1 inch equals 100 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
March 1, 2005



# D. Brigham Roberts - Kento-Boo Baptist Church 7-8-87



- 1 MAIN ENTRY
- 2 NEW AUDITORIUM
- 3 EXISTING BUILDING
- 4 COLLECTOR
- 5 CONNECTOR
- 6 PARKING

proposed addition

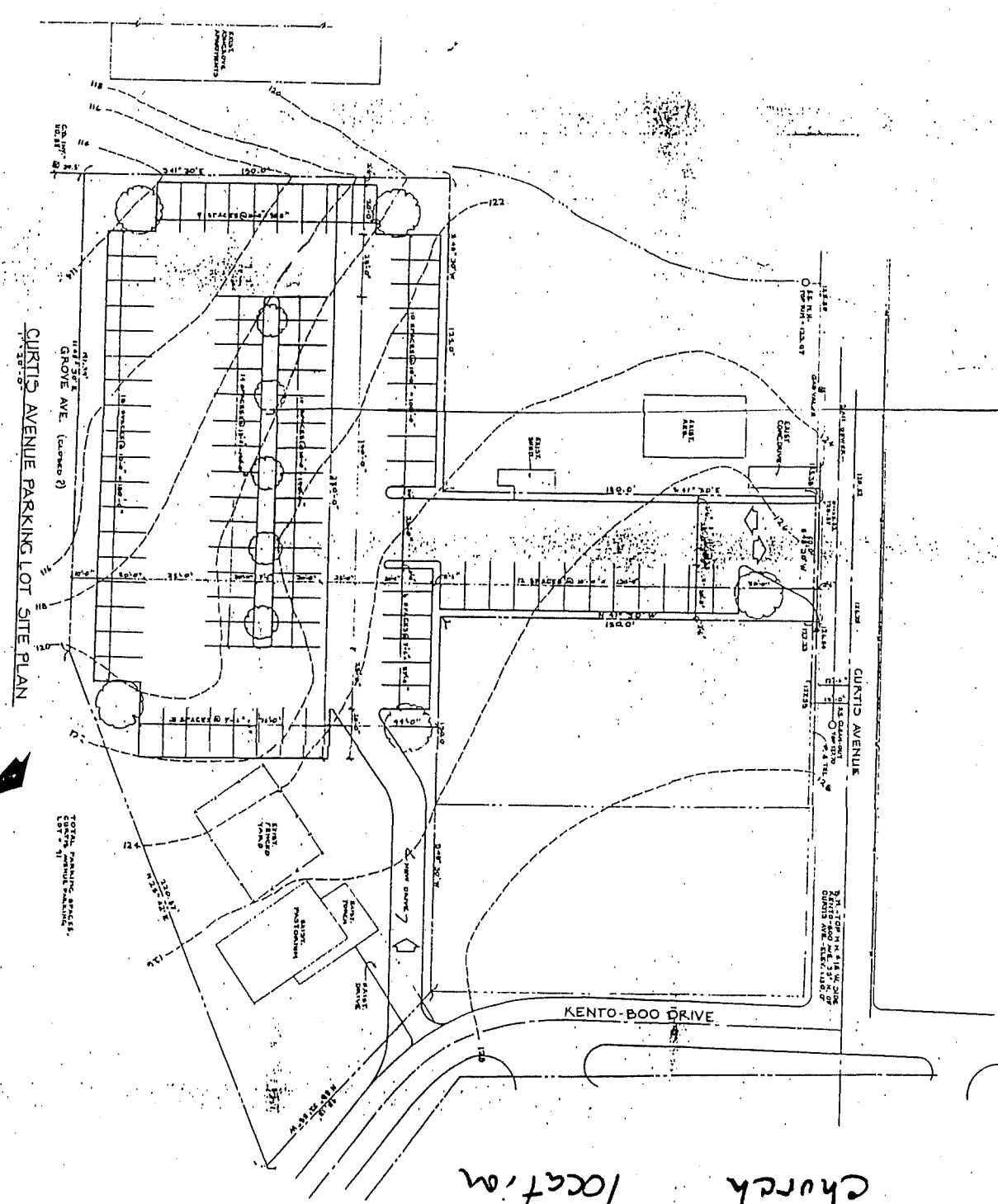
existing church

<b>BUILDING AREA</b>	
FOOTPRINT	2221 S.F.
PERIMETER	1288 S.F.
TOTAL	3509 S.F.
<b>SEATING CAPACITY</b>	
EXISTING	420
NEW	130
TOTAL	550
<b>PARKING REQUIREMENTS</b>	
RECOMMENDED	130
AVAILABLE	130
DEFICIT	0

KENTO-BOO BAPTIST CHURCH 54 KENTO-BOO AVENUE, PLAINFIELD, KENTUCKY 40362		D. BRIGHAM ROBERTS ARCHITECT & ASSOC. INC. 3126 Dixie Hwy. • Erlanger, Kentucky 606-341-4000 41018	
DATE: JUNE 12, 1987	SCALE: AS SHOWN	DESIGNED BY: [Signature]	DRAWN BY: [Signature]

(1)

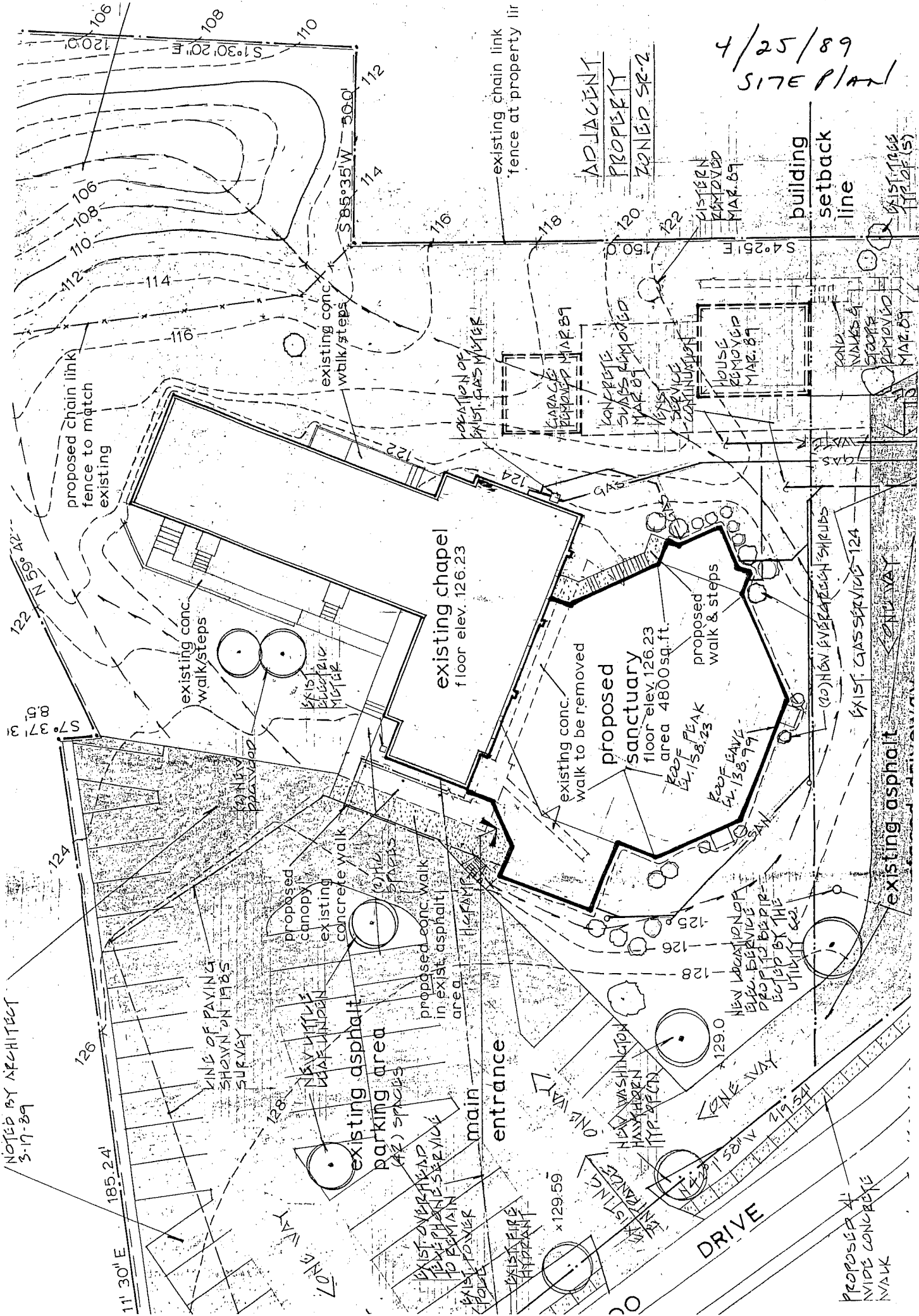
D. Brigham Roberts - Kento-Boo Baptist Church 7-8-87



Church location

SHEET SP-2 CURTIS AVENUE PARKING LOT SITE PLAN REVIEW	Title <b>KENTO-BOO BAPTIST CHURCH</b> 634 KENTO-BOO AVENUE, FLORENCE, KENTUCKY, 41042	No. / revision / / /	date / / /	<b>D. BRIGHAM ROBERTS</b> <b>ARCHITECT &amp; ASSOC. INC.</b> 3126 Dixie Hwy. • Erlanger, Kentucky 606-341-4000 41018	
	Description <b>CURTIS AVENUE PARKING LOT SITE PLAN</b>	drawn by RWB	date JUNE 12, 1967		

4/25/89  
SITE PLAN



NOTED BY ARCHITECT  
3-17-89

57° 37' 30"

122° N 59° 42'

111° 30' E  
120° 0'

110° 0'

112° 0'

114° 0'

116° 0'

118° 0'

120° 0'

122° 0'

124° 0'

126° 0'

128° 0'

130° 0'

132° 0'

S 85° 35' W 500'

S 1° 30' 20" E 120'

S 85° 35' W 500'

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3. **The request of Kento-Boo Baptist Church for a Conditional Use Permit to allow the construction of an addition to the existing church located at 634 Kentaboo Avenue, Florence, Kentucky. The property is currently zoned Suburban Residential Two (SR-2).**

Staff Member Todd Morgan presented the Staff Report which included a review of the attachments (see Staff Report).

The Chairman asked for the applicant's presentation.

Pastor Thomas Stanley Cole, who lives across the street from the church, stated that he has been the Pastor for almost twenty years. The church started on this site in 1944 and has continued there since that time. He stated that architect Brigham Roberts drew a plan for them in 1987, but the cost was greater than what they had been told and they were not able to build that building. The existing sanctuary/worship center was built, but they now need additional space for education and fellowship. Fellowship is an integral part of their services and they currently have no fellowship space. They hired McKnight to create a building plan. The approval granted previously was for the Brigham Roberts plan, which was on the west side of the church in what is now the parking lot. They would not need those parking spaces with the new plan.

In response to questions from Mr. Pieper, Pastor Cole stated that the addition would be for Sunday school and education. Mr. Sparks asked if it will just be Sunday school, or do they have plans for a school. Pastor Cole responded that they are not in a position at this time to have a school and, if that were to occur in ten or twenty years, it would be a whole different proposal. Right now, they just need space for Sunday school classes. Mr. Schneider questioned the hours. Pastor Cole responded that Sunday school is from 9:30 AM to 10:30 AM and there are evening classes for children on Wednesday evening from about 6:45 PM to 8 PM and on Sunday evening from 6 PM to 7 PM while adults worship.

In response to a question from Mrs. Schaffer, Pastor Cole stated that the existing sanctuary is 9,400 square feet. Mrs. Schaffer asked if it is part of the 16,484 square feet approved in 1987. Mr. Morgan responded that the plan is missing from the office and he cannot determine exactly what was built as the new addition out front. Pastor Cole responded that it was built from an entirely different plan and it is shaped like an octagon to take up less space. The plans for the sanctuary were approved in 1987. Mrs. Schaffer stated that 16,484 square feet was approved in 1987, but they built an approximate 10,000 square foot building. In 1987, they had the existing church and the additional 10,000 square feet. She stated that the question is whether the proposed addition is too big for the lot and if it infringes on the residential uses. Mr. Morgan stated that the addition granted in 1987 was for 16,484 square feet. Mrs. Schaffer stated that the majority of that Conditional Use Permit has been used.

Mr. Dale Taylor, Vice President of the McKnight Group, stated that they did not add 9,400 square feet in 1987. The pre-existing building was there and they built the sanctuary in 1987 – the 10,000 square feet includes the building that was there.

Mr. Schneider asked if any of the space will be available as a reception hall or banquet facility. Pastor Cole responded that the education space would be able to serve as a banquet area for the church family. They may have gatherings in the Fellowship Hall, but will not offer the facilities for receptions outside of the church family. Mr. Schneider stated that he was asking in regard to additional hours of use. Pastor Cole responded that they start on Sunday at 9:30 AM and have a break in the afternoon for two or three hours and they have choir practices. Other than Sunday, the only time the church is in operation is Wednesday evening unless there is a revival or special-call meeting. There will not be any additional use of the building other than what they use it for now.

Mrs. Schaffer stated that the 15,880 square foot addition they are requesting is larger than the existing 12,172 square foot building. Pastor Cole responded that the additional space is vertical. Mr. Taylor stated that the second floor would be the largest. Pastor Cole stated that the measurements are attached to the Staff Report (see Addendum to Conditional Use Permit Application, which is attached hereto as Exhibit 2).

Mr. Pieper questioned Staff Comment #8 and the term "E.I.F.S.". Mr. Taylor responded that it is a synthetic stucco type material that looks like stucco. He stated that the darker area shown on the plan is brick. Pastor Cole stated that the materials match what they have now.

Ms. Evans questioned the number of classrooms being added. Pastor Cole responded that there will be five on the top floor, three in the basement, and another two will be constructed in the other area. There will also be a meeting room. They will construct two nursery rooms in the old Sanctuary. The Fellowship Hall will be in the back. They will use freestanding walls to create additional classrooms. The addition will add about fifteen rooms. Mr. Schneider asked if the nursery rooms will be used only during Sunday services. Pastor Cole responded that they are not planning to have daycare. Mr. Morgan stated that they would have to come back and specifically request daycare.

Mr. Pieper questioned additional lighting. Mr. Taylor responded that there would be no additional lighting other than a mason jar type security light at the door. Pastor Cole stated that they have some lighting on the back lot now that comes on at night as there has been some vandalism around the church and there was a break in last year. It is necessary to have alarm systems and adequate lighting in the back. Mr. Pieper stated that he is concerned about the Fulmer house. Pastor

Cole responded that the Fulmer house is adjacent to the church and there is a verbal agreement that when they sell the property they will sell it to the church.

Mrs. Schaffer questioned the height of the new addition. Pastor Cole responded that it is about the same height as the sanctuary. Mr. Taylor reviewed the elevations with the Board.

In response to a question from Mr. Sparks, Pastor Cole stated that there are two emergency exits in the sanctuary facing Kentaboo.

Ms. Evans asked if the classrooms are broken up by age group. Pastor Cole responded "yes" and stated that they go from nursery to senior high school and there are eleven or twelve adult classes. They also have college and career classes. The classes are all held Sunday morning and Sunday evening, and there are classes for children on Wednesday evening while their parents worship. Their Board stipulates the optimum amount of space needed for a child to study and learn.

Ms. Evans questioned when the church will outgrow the current site. Pastor Cole responded that they will outgrow the site within twenty years unless more property around the church becomes available. They have purchased four properties around them in the past few years. They purchased the house immediately behind the church and one next to the church. He indicated on the map the properties that the church has purchased. Mrs. Schaffer stated that they own the property to the north and asked if consideration was given to building the addition to the rear of the property where it would not have the same visual impact on the neighborhood as the proposed addition. Pastor Cole responded that they looked at that, but the parking would be compromised and they have to have adequate parking for the sanctuary space. Mrs. Schaffer questioned using the property adjacent to Louise Court that the church just purchased. Pastor Cole responded that there would not be room there because of the elevation. He stated that the McKnight Group surveyed the property and drew plans to show the best way to build to compliment the existing building and be the least expensive. He indicated the house the church purchased on Louise Court, which is currently rental property.

Mr. Morgan stated that the correct height for the building addition is 32 feet, which is even with the existing sanctuary.

Mr. Pieper questioned the reason for the fence on the east side. Mr. Taylor responded that it is to be a good neighbor. The fence is six feet tall and adjacent to the Fulmer property.

Mrs. Schaffer questioned the outside dimensions of the building. Mr. Raul Demesa responded that the addition is an odd shape. Mr. Taylor stated that it is at least 100 feet long and at the widest point it is fifty to sixty feet. Pastor Cole

stated that the Oakwood Apartments across the street are taller than the church, so the addition will not look out of place. There is multi-family housing all around the church.

Mr. Pieper asked if the excavation will be extensive. Mr. Taylor responded "yes". He stated that because they are building a basement and OSHA requires them to dig back far enough so that there will not be a cave in. The excavation will be extensive initially. They will not do excavation on the west side of the parking lot, but will probably resurface the parking lot. Pastor Cole stated that there will be an adequate construction barrier to address runoff. Mr. Taylor stated that they will submit an Erosion Plan. They plan to start construction in April.

The Chairman asked if anyone else wished to speak regarding this request.

Jim and Tia Coy stated that they own the property to the far east on Louise Court. They stated that there is major water runoff from the church property that goes onto Louise Court. There is a problem with the water causing ice and many of the neighbors have fallen. The existing facility does not adequately address water runoff. Mr. Taylor stated that there is a retention pond and water has to leave the property at the same rate as if there was no building there. Mrs. Coy stated that the water runs to a little catch basin and overflows into their front yard causing a lot of soil erosion. Their property is lower than the church. She stated that they are concerned about how large the building will be. Mr. Coy questioned how close the building would be to their house. Mrs. Coy stated that the existing facility is not sufficient and sometimes the water looks like a major river. Pastor Cole stated that city approved the retention pond and headwall when it was built. He indicated the headwall and the pipe that goes out onto the street. He stated that the city has a drain across the street and the water from the church property runs across the street. The people who previously owned the Coy house had terrible water problems before the church built the retention pond. He stated that the retention pond is adequate, but there is no storm drain at the end of the retention pond. Mrs. Coy stated that there is one now, but it is not adequate and the water comes out so fast it looks like a river. Mr. Sparks stated that the water from the retention pond should not go across the street. He stated that if there is a problem with the water now, there will be more runoff with the addition. Mr. Taylor responded that they have to retain the water as though there was no building on the property. Mr. Morgan stated that the Boone County Subdivision Regulations require that every drop of impervious area be accounted for and post-development conditions have to remain the same – but that was not the case years back. He stated that the city and county engineers will also review the storm system. Ms. Evans stated that the new regulations may improve the runoff situation. Mr. Taylor stated that the state is very strict and there are several layers of review. There is no need to oversize the detention pond. Ms. Evans stated that the Board has a responsibility to make sure that the situation is not made worse. Mr. Taylor responded that in order to do that, the Board would have to review all of the calculations – which is why there is a state engineer and state review of the

calculations. Ms. Evans stated that she would think that the church would want to be a good neighbor and improve the situation when they are addressing this issue. Pastor Cole responded that water from the church property goes into the catch basin and through a small pipe out to Louise Court where the city put a drain. The water on the side of the Coy house does not come off the church property. With the way the church has the terrace built, water cannot go on the Coy property. Mrs. Coy stated that the water is coming out of the drain – the drain is small and the city only put it in because she kept hounding them. Mr. Taylor stated that he is not an engineer, but the plan will be submitted to the state and the state will tell them the size of the facility. Mrs. Coy stated that they want the church to have the addition, but want their property to be affected as little as possible. Pastor Cole stated that from what the neighbors are saying, the water is coming out of the retention pond and out onto the street and then turning back onto the Coy property. He stated that the church will not cause them any more water problems and will try to correct the problem. Mrs. Coy stated that the only water they have a problem with is coming off the church property. Mr. Sparks stated that the existing detention pond is creating a problem and if they build this building there will be more runoff. Mr. Taylor responded that they will redesign the detention pond and make it adequate for the additional hard surface. Mrs. Coy asked if there will be landscaping to help catch the water. Mr. Taylor responded “yes”. Pastor Cole stated that other properties besides the church are putting water on the street. He stated that the Coys have never contacted the church about the water. Mr. Morgan stated that the building addition would require Major Site Plan Review and the detention area will be modified to account for the new impervious area. It will be reviewed by Mr. Viox and Mr. Sketch. Mr. Pieper asked if the Coys can be notified of any modifications. Mr. Morgan stated that he will advise them when the Site Plan comes in – but the engineering is complex. He suggested they contact Florence Public Services in regard to the problem with the drain. Mr. Taylor stated that they will give the Coys a copy of the Site Plan and the calculations and the Coys can hire an engineer to verify it if they wish. Mrs. Coy responded that they are not able to do that. Mr. Sparks suggested that they contact Florence City Council. Mr. Morgan recommended that they start with Florence Public Works. Mrs. Coy stated that the water is backing up before it gets to the drain -- it goes over top of the routing area and under the fence. Mr. Taylor suggested that the Coys explain to the city that they have a concern about the new construction at the church and ask for verification that the storm water measures proposed are adequate. Counselor Wilson stated that the Coys can be notified when the Project Review Committee reviews the Site Plan and they can attend if they wish. He stated that the engineers should determine if there is an existing problem and address whether this addition will compound it. Mr. Pieper agreed.

The Chairman asked if there was anyone else present who wished to speak. There was no response.

Mrs. Schaffer stated that she is concerned about the size of the addition in a residential area. She stated that two floors might be too much. Pastor Cole stated that the apartment complex across the street has three floors and those buildings are taller than the church. He stated that the church is growing and there is a commitment to have adequate space. He stated that Mrs. Coy is saying that the water is coming out so fast that it is going over the splash area and the fence line is catching the leaves. He stated that they will remove the leaves.

Mrs. Schaffer stated that the addition is 15,880 square feet. She stated that the church has acquired other properties and has indicated they will likely be back later for other buildings. The elevations in the rear are 120 and 115 and there is a possibility of expansion towards the rear. She stated that the addition is too much square footage. Mr. Taylor responded that McKnight is a church specialist and determined that the church needs fellowship space, youth space, and Sunday School space based on their current needs and for the next five years. They looked at a twenty-year projection and their Master Plan shows demolishing and rebuilding a structure. If they move the structure, the traffic flow would not work. There are also issues of getting the materials in there. This is the best building for the church's immediate needs, traffic flow, and future plans.

Ms. Evans asked if they foresee a continuing increase and questioned what type of parking would be needed at that point. She is concerned that they are outgrowing the site. Mr. Taylor responded that if that happens, they can manage by having two services on Sunday. He stated that projecting the growth of the church is difficult. Pastor Cole stated that it would probably be 15 – 20 years before they are ready to move from the site because of growth.

Ms. Evans questioned the comment that they selected this site because in the future they may have to demolish part of the building and rebuild it. Pastor Cole explained that the next addition would be by demolishing the old church and building around where it is now. They would demolish the old church and add a few thousand square feet to the new church. They would expect to do this in 15 – 20 years.

In response to a question from Mr. Sparks, Mr. Taylor stated that the church is required to have 80 parking stalls and they have 127. The parking is oversized.

Mrs. Schaffer questioned reducing the square footage or eliminating the second floor of the addition. Pastor Cole responded that if the space is reduced, there would be no use in granting the permit as it would not make sense to build.

Mr. Pieper stated that the apartments are existing and he does not see the addition as that much of an impact. Pastor Cole stated that across the street is the five-story office park building and they are planning another building. He does not think the single-family homes will exist there much longer. Mr. Sparks stated that the addition will be thirty feet tall. Pastor Cole responded that it will be that tall

on the backside, but on the front side most of the building will be underground. Mr. Sparks stated that he is concerned about a thirty-foot building being next to a house. Mrs. Schaffer stated that the report said the addition was 20'1" tall. Mr. Demesa explained that per the Building Code, they take the high point of the building and the low point of the building and figure an average, which is 20'1". He stated that the purpose of the parapet is to hide the mechanicals.

In response to a question from Ms. Evans, Mr. Taylor stated that the basement level has an open area for another elevator, restrooms, and breakout rooms. The main level has nursery rooms, fellowship area, restrooms, and a kitchen. The third floor is all classrooms. Ms. Evans asked if the breakout rooms could be utilized as classrooms. Mr. Taylor responded that they could with movable walls. He stated that any change to the floor plan would impact the ministry of the church greatly. The church needs the ministry space to meet the needs of the neighborhood. Ms. Evans questioned where they are now holding Sunday school classes. Pastor Cole responded that they are held in the existing structure, but it is very crowded.

Mr. Sparks questioned when construction would start. Pastor Cole responded that it would start in April due to weather conditions and would be completed about eleven months later.

There being no further discussion, Mr. Pieper moved to grant the Conditional Use Permit with the conditions that (1) there be no additional lighting other than by the doors; (2) the city engineer and the Coys be notified of the Final Plans for construction; (3) rear yard screening is to be per Staff Comment #7. Mr. Morgan stated that he will contact the Coys in regard to the Project Review Meeting.

Mrs. Schaffer asked Mr. Pieper to amend the motion limiting the size to 10,000 square feet with only a new basement and a new first floor (no second floor). Pastor Cole responded that there would not be any use to spend the money to put up a building that is not adequate for their growth. Mr. Pieper did not make this amendment.

Mrs. Schaffer asked that the following conditions be added (4) the addition is to be for Sunday school and educational purposes and not act as a sanctuary; (5) no additional signage; (6) no additional access; (7) construction materials are to be as presented; and (8) the property owners are to be notified of the Review Meeting. Mr. Pieper so amended the motion. The motion was not seconded.

**Mrs. Schaffer moved to grant the Conditional Use Permit with the conditions that (1) size is limited to 10,000 square feet with only a new basement and a new first floor (no second floor); (2) there is to be no additional lighting other than by the doors; (3) the city engineer and the Coys are to be notified of the Major Site Plan for construction; (4) rear yard screening is to be per Staff Comment #7; (5) the addition is to be for Sunday school and educational**

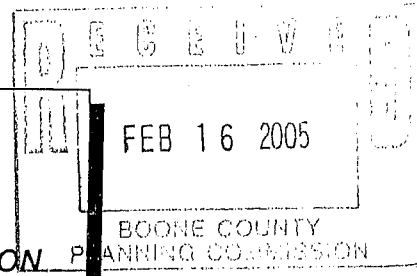
purposes and not act as a sanctuary; (6) no additional signage; (7) no additional access; (8) construction materials are to be as presented; and (9) the property owners are to be notified of the Review Meeting. Mr. Sparks seconded the motion. A vote on the motion found Mrs. Schaffer, Ms. Evans, and Mr. Sparks in favor. Mr. Schneider and Mr. Pieper were opposed. The motion carried by a vote of 3 to 2. Mr. Morgan will contact the Coys in regard to the Project Review Meeting.

Mr. Taylor stated that the Board is looking out for the neighborhood, but there was no one from the neighborhood here to object. Counselor Wilson advised that it does not matter if no one from the neighborhood is present, the Board is looking at the adjacent uses. Mr. Taylor asked for clarification so that he could speak logically to the church as this action has shut down the growth of the church. Mr. Morgan explained that the church is a Conditional Use. Churches can ask for any square footage but, because they are in a residential zone, they may impact adjoining property owners and applications are reviewed on a case-by-case basis. Counselor Wilson advised that the Board has not said that they will not allow this church to grow – the Board had one plan and the present circumstances in front of it and acted on that plan. Mr. Morgan stated that the church could build to the west under the previous approval and also has this evening's approval to the east. Mrs. Schaffer commented that she did not realize this and thought that plan was misplaced. Mr. Morgan responded that it is misplaced and he does not know exactly what has been built. Mr. Taylor stated that 16,000 square feet was approved in 1987 and they did not built that. Mr. Demesa stated that they built approximately 4,500 square feet, which is the sanctuary, out of the 16,000 square feet approved. Mr. Taylor stated that they have 12,000 square feet of the 1987 approval left. Mr. Sparks commented that the Board would only have needed to approve 5,000 more square feet on the west side and that may have passed. Mrs. Schaffer stated that she misunderstood about the 16,000 square feet and thought this plan was a replacement. Mr. Morgan stated that the expansion on the west was approved and the new application was on the east side – however, if they expand in both directions they may have no place to park.

**Other:**

Ms. Evans asked if the deck approved last month on the Leadbeater property has been constructed. Mr. Morgan stated that Mr. Leadbeater got a permit and had thirty days from that date to construct the deck. He will go out to the site tomorrow and see if the deck has been constructed.

APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- 1. (Check One) Boone [X] Florence [ ] Walton [ ] Union [ ]
2. (Check One) [X] Conditional Use Permit [ ] Variance [ ] Appeal [ ]
3. Applicant's Name Kentoboo Baptist Church
Phone Number 371-8891 Fax No. 371-8969
Applicant's Address 634 Kentaboo Avenue
Florence Kentucky 41042
4. Description of Request: Conditional use change for Fellowship
5. Name of Development Fellowship Hall
6. Location of Development 7035 Curtis Avenue
Florence, Kentucky 41042
7. Acreage Under Review 1.83
8. Lot Number and Name of Subdivision (if part of a subdivision)
Erlanger Heights
9. Owner of Property Kentoboo Baptist Church
Phone Number of Owner 568-5578
10. Address of Property Owner 634 Kentaboo Avenue
Florence Kentucky 41042
11. Proposed Use(s) on Site Church Offices/Fellowship Hall/Youth Center
12. Total Square Footage of Existing and/or Proposed Buildings 15,000
13. Current Zoning on Property SR2
14. Deed Book 845\* Page No. 694\* # 495/218 Group No. 87/126 136
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Conceptual
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: Kellye Zoster Chairman of Trustees

Property Owner's Signature: Kellye Zoster Chairman of Trustees

14) 298 PG 83 GR 87 & 136
339 PG 309 GR 94
339 PG 44 GR 122 (over)
298 PG 87 GR 122

COPY

CLUR #05-FBOA-003-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Kento-Boo Baptist Church  
634 Kentaboo Avenue  
Florence, KY 41042
2. ADDRESS OF PROPERTY  
Curtis Avenue  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Kento-Boo Baptist Church
4. DEED BOOKS & PAGE NOS. 845/695, 694/210      GROUP NO. 2034B
5. TYPE OF RESTRICTION(S) (Check all that apply)
- Zoning Map Amendment:  
From \_\_\_\_\_ To \_\_\_\_\_
- Conditional Use Permit
- Development Plan       Conditional Zoning
- Subdivision Plat  
(Not Recorded)       Other:
- Variance
6. 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

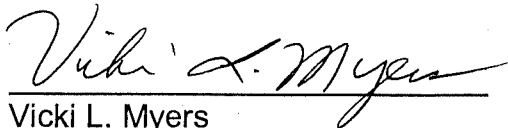
  
\_\_\_\_\_  
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 16<sup>th</sup> day of March, 2005.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
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 approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of March 9, 2005 Certificate of Land Use Restriction (#05-FBOA-003-A), for Kento-Boo Baptist Church, Property Owner(s).

The following conditions will apply:

- 1) The building is limited to a fellowship hall for Sunday School, offices, meetings and receptions.
- 2) There is to be no alcohol served.
- 3) No events are to go past midnight.
- 4) There is to be no nursery or daycare.
- 5) The building design will be brick and stone with the stone recessed 4" or the use of other masonry detailing, a 4/12 pitched roof, the highest point is to be no more that twenty feet, the roof is to be muted colors.
- 6) A Photometric Plan is to be submitted to comply with Section 3316 of the Boone County Zoning Regulations.
- 7) Street Frontage Landscape Buffer (see Section 3620 of the Boone County Zoning Regulations) is to be installed between 7033 and 7051 Curtis Avenue and Buffer Yard B (see Section 3645 of the Boone County Zoning Regulations) is to be installed on the side property line which adjoins 7051 Curtis Avenue.
- 8) There is to be no additional signage.
- 9) The remaining square footage that has not been constructed under previous Conditional Use Permits is null and void (the remaining 11,684 square feet on the western building façade that was approved July 8, 1987 and 10,000 square feet on the eastern building façade approved on December 11, 2003).
- 10) The Conditional Use Permit approved January 20, 2000 is revoked and the house will be for single-family residential use only.

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