

BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION

RECEIVED
87299
NOV 02 2022
BOONE COUNTY
PLANNING COMMISSION

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are submitted.

Site Plan Review is not granted by the appropriate Board of Adjustment

006

An application consists of all fees paid in full, submitted drawings, and a completed application form

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: LES KUIKEL
Address: 1624 Burlington Pike, suite C & D
Florence Ky 41042
City State Zip Code
Phone Number: 513-765-0768 Fax Number: 888-224-9810
Email: Admin@healthyadultdayhealthcare.com
lkuike@gmail.com
4. Description of Request: Conditional use change to allow an adult Daycare center
5. Name of Development: Healthy Adult Day Health Care.
6. Location of Development: 7705 U.S Hwy 42
Florence Ky 41042
City State Zip Code
7. Acreage Under Review: 0.92
8. Lot Number and Name of Subdivision (if part of a subdivision):
061.05-24-015.00 and 061.05-24-016.00
9. Current Owner: Angela L. Greene.
Address: 7705 US Hwy 42
Florence Ky 41042
City State Zip Code
Phone Number: 859-525-0500 Fax Number: _____
Email: _____

10. Proposed Use(s) on Site: Adult Day Care Center.
11. Total Square Footage of Existing and/or Proposed Buildings: _____
12. Current Zoning: Commercial - O-1/UR2/PD/PO
13. 1041 490 2042
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: 
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

Board of Adjustment
Form 2

1. Proposed Use(s) on Site: Adult Day Care Center.

2. Total Square Footage of Existing and/or Proposed Buildings: _____

3. Current Zoning: Commercial - O-1/UR2/PD/PO

4. 1041 490 2042
Deed Book Page Group Number

5. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

6. Have you submitted a Site Plan with this request: Yes No

7. Have you submitted a list of adjoining property owners with this request: Yes No

8. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Bourne County Zoning Regulations

ORIGINAL Property Owner's Signature: 
(Faxed, Photocopied or Scan)

ORIGINAL Applicant's Signature: 
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 11/2/22 Fee Received: \$1116 Receipt #: 87299
2. Is application complete:
3. Staff Reviewer: Toad Morgan
4. Scheduled Board Action Date: 11/30/22
5. Board Action: _____

 Approved
 Approved with Conditions (see #6)
 Denial (See #7)
6. Conditions of Approval: SEE STAFF COMMENT D.
IN STAFF REPORT AND C.L.U.R.

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

**APPLICATION FOR A SPECIAL BUSINESS MEETING/PUBLIC HEARING
BOONE COUNTY PLANNING COMMISSION and BOARD OF ADJUSTMENT**

An application consists of all fees paid in full, submitted drawings (if required),
and a completed application form.

An application for a Special Business Meeting/Public Hearing is not guaranteed.
If the Special Business Meeting/Public Hearing cannot be arranged,
the application fee will be refunded to the applicant.



SECTION A: (To be completed by applicant)

1. Name of Project: Adult Day care

2. Location of Project: 7705 US 42 WY
Florence Ky 41042
City State Zip Code

3. Applicant: Lee Kuikel
Address: 1624 Burlington Pike, suite C & D
Florence Ky 41042
City State Zip Code

Phone Number: 513-765-0768 Fax Number: 888-224-9810

Email: _____

4. What Board are you requesting a Special Business Meeting or Public Hearing (check one):
 Boone County Planning Commission
 Board of Adjustment (Name: Florence Board of Adjustments)

5. Reason For Request:
conditional use to allow an Adult Daycare.

6. What type of application is being considered for action:
Conditional Use Permit

7. Has the application been previously submitted:
 Yes No

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 11/4/22 Fee Received: \$1000 Receipt #: 87321

2. Is application complete: Yes No

3. Date of scheduled Special Business Meeting or Public Hearing: 11/30/22

4. Scheduled Board Action Date: _____

5. Action taken at Special Business Meeting or Public Hearing:

_____ Approved

_____ Approved with Conditions (see #6)

_____ Denial (See #7)

6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: Lee Kuikel for Healthy Adult Day Healthcare

LOCATION: 7705 US 42

ZONING: Office One/Urban Residential Two/Planned Development/Parkway Corridor Study Overlay (O-1/UR-2/PD/PO)

DATE: November 30, 2022

PROPOSAL

The applicant is requesting a Conditional Use Permit to allow an adult daycare to occupy the subject property. The applicant informed Staff of the following:

- A. No interior or exterior changes are proposed to the building.
- B. The facility would care for a maximum of ten (10) adults at any given time.
- C. The proposed days and hours of operation are Monday-Friday, from 8:00 A.M. to 5:00 P.M.
- D. A maximum of six (6) employees would work from the facility at any given time. One (1) caregiver would supervise five (5) adults.
- E. Two (2) company vehicles (standards vans) will be parked in the lot.
- F. The business currently operates at 1624 Burlington Pike, Florence, Kentucky. The business will move to the subject property if the Conditional Use Permit is approved.

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the intent of the zoning order.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 1113 of the Boone County Zoning Regulations.
 - 1. Findings listed in Section 262 (Findings for all Conditional Uses):
 - a. 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;
 - b. 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;

- c. Will not be hazardous to existing or future neighboring uses;
 - d. 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;
 - e. 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;
 - f. 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;
 - g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.
2. Criteria listed in Section 1113 of the Boone County Zoning Regulations (O-1 District):
- a. The activity is an integral and subordinate function of a permitted office use; or
 - b. The arrangement of uses, buildings, or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.
- C. Section 1110 of the Boone County Zoning Regulations states that “the purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed”.
- D. Section 1113 of the Boone County Zoning Regulations list day care centers as a Conditional Use in the Office One (O-1) zoning district.
- E. Section 3325 of the Boone County Zoning Regulations requires a daycare center to provide the following parking:

- 2 spaces per caregiver
- 1 space for every other employee working on site at the same time.
- 1 space for every company vehicle used in the business.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Commercial” uses which is described as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

The needs of an aging population (e.g., access to services, transportation, and support networks) shall be acknowledged and addressed (Demographics Goal A, Objective 2).

Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).

Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).

Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).

- C. The Land Use element text contains the following passage regarding the general area.

“The area east of I-75, north of U.S. 42, and south of KY 18 shall continue to be developed in a cohesive manner to form a city center for Florence. The Parkway Corridor Study, which was originally developed for this area, was updated and replaced by the Central Florence Strategic Plan in 2008. The intent of this plan was to further develop the city’s central neighborhoods and to link existing and/or planned business, civic, recreational, entertainment, and residential attributes of the study area together to create a vibrant, inter-related city center” (Florence Central Geographic Area, pg. 128).

RELATIONSHIP TO THE CENTRAL FLORENCE STRATEGIC PLAN, AN UPDATE OF THE PARKWAY CORRIDOR STUDY

- A. The subject property is located within area 6 of the study (see map on page 5.5).
- B. The plan concepts contain the following passage regarding area 6:

“Further develop the intermixed office and multi-family theme existing in the area; encourage multi-story buildings with smaller setbacks from U.S. 42, full brick structures with masonry detailing and complete, simple pitched roofs (gabled or hipped), with parking provided at the sides and rear” (page 6.2).

- C. The zoning process text for subarea 6 indicates that an intermixed combination of office and multi-family residential is recommended for the subarea (page 7.3).

The Zoning Administrator determined that use needed to be approved through the Conditional Use Permit process since daycares are a listed conditional use in the Office One (O-1) zone. A Tenant Finish Permit will need to be submitted to the Planning Commission if the Conditional Use Permit is approved to document that any Board of Adjustment conditions are being followed.

SITE CHARACTERISTICS

- A. The subject site is located on the southeast side of US 42 between Hollywood Drive and Woodland Avenue and is approximately 0.92 acre in area. Access is provided from Hollywood Drive and Woodland Avenue.
- B. The property currently contains an approximate 3,077 square foot law office building, which was originally constructed as a bank.
- C. The parking lot currently contains 19 striped parking stalls.
- D. The property is well landscaped.
- E. Public sidewalks exist along all three street frontages.

SURROUNDING LAND USES AND ZONING

- Northeast: ViewPoint and a single-family residential dwelling fronting on Woodland Ave (O-1/UR-2/PD/PO)
- Northwest: Mai Thai restaurant and single-family residential dwellings fronting on US 42 (O-2/UR-1/PD/PO)
- Southeast: Single-residential dwellings fronting on Hollywood Drive and Woodland Ave (O-1/UR-2/PD/PO and SR-1)
- Southwest: Hollywood Drive and Florence Veterinary Hospital (C-2/PD/PO)

STAFF COMMENTS

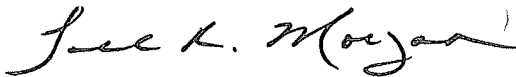
- A. Staff visited the applicant's website and learned that they were currently operating at 1624 Burlington Pike, Florence, KY. Staff printed some information from their website and attached it to the Staff Report.

- B. The Board needs to analyze the Conditional Use Permit criteria before acting on the request.
- C. Staff would like the applicant to address if any activities can occur outdoors.
- D. Staff recommends the following conditions if the request is approved:
- The facility shall care for a maximum of ten (10) adults at any given time.
 - Days and hours of operation are limited to Monday-Friday, from 8:00 A.M. to 5:00 P.M.
 - No more than (2) company vehicles (standards vans) shall be parked in the lot.

CONCLUSION

- A. KRS 100.237 and Section 220 of the Boone County Zoning Regulations give the Florence Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit application.

Respectfully Submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

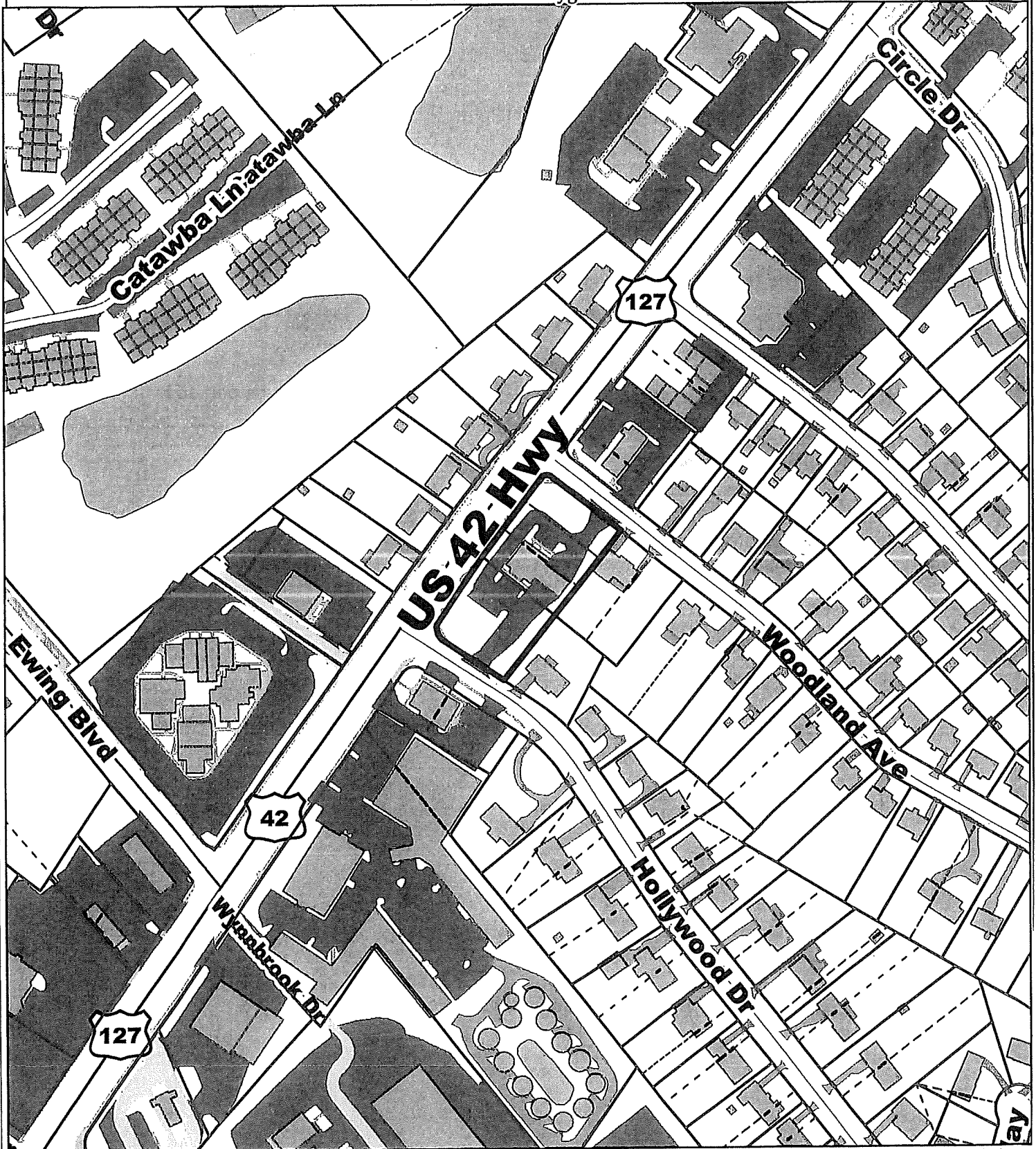
TKM/ss

Attachments

- *Site Vicinity Map
- *2020 Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Information from Health Adult Day Healthcare Website
- *Application

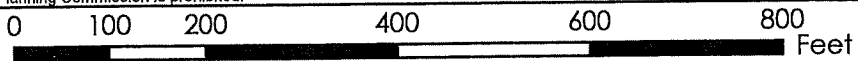
SITE VICINITY MAP

www.boonecountygis.com



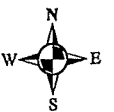
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Map Created: xx/xx/2020

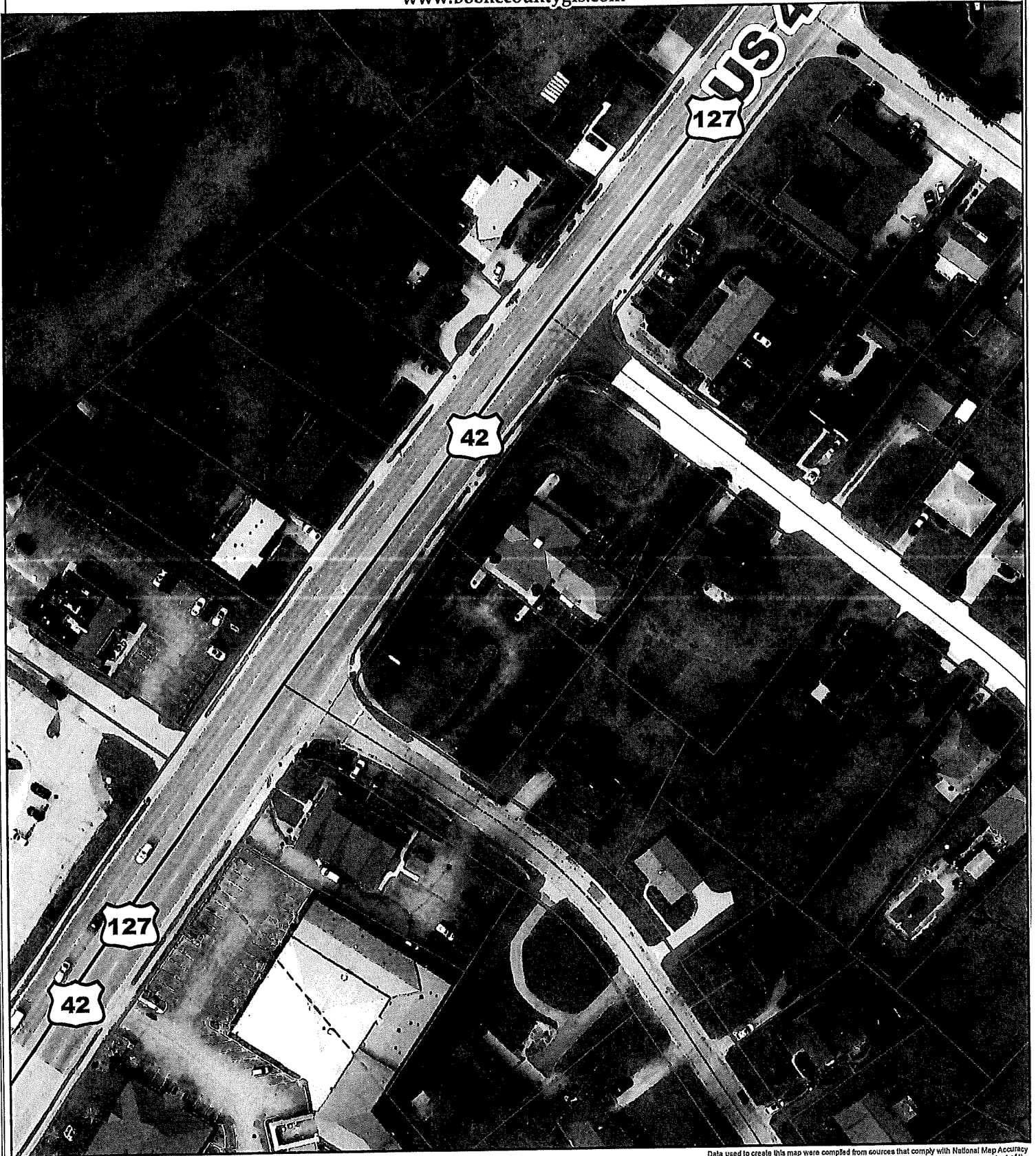
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With Plans & Maps by Earthlink LLC
ArcMap Document: *.mxd

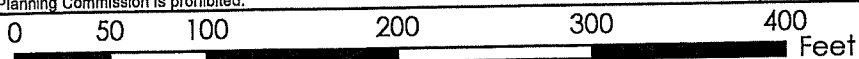
2020 AERIAL MAP

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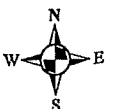
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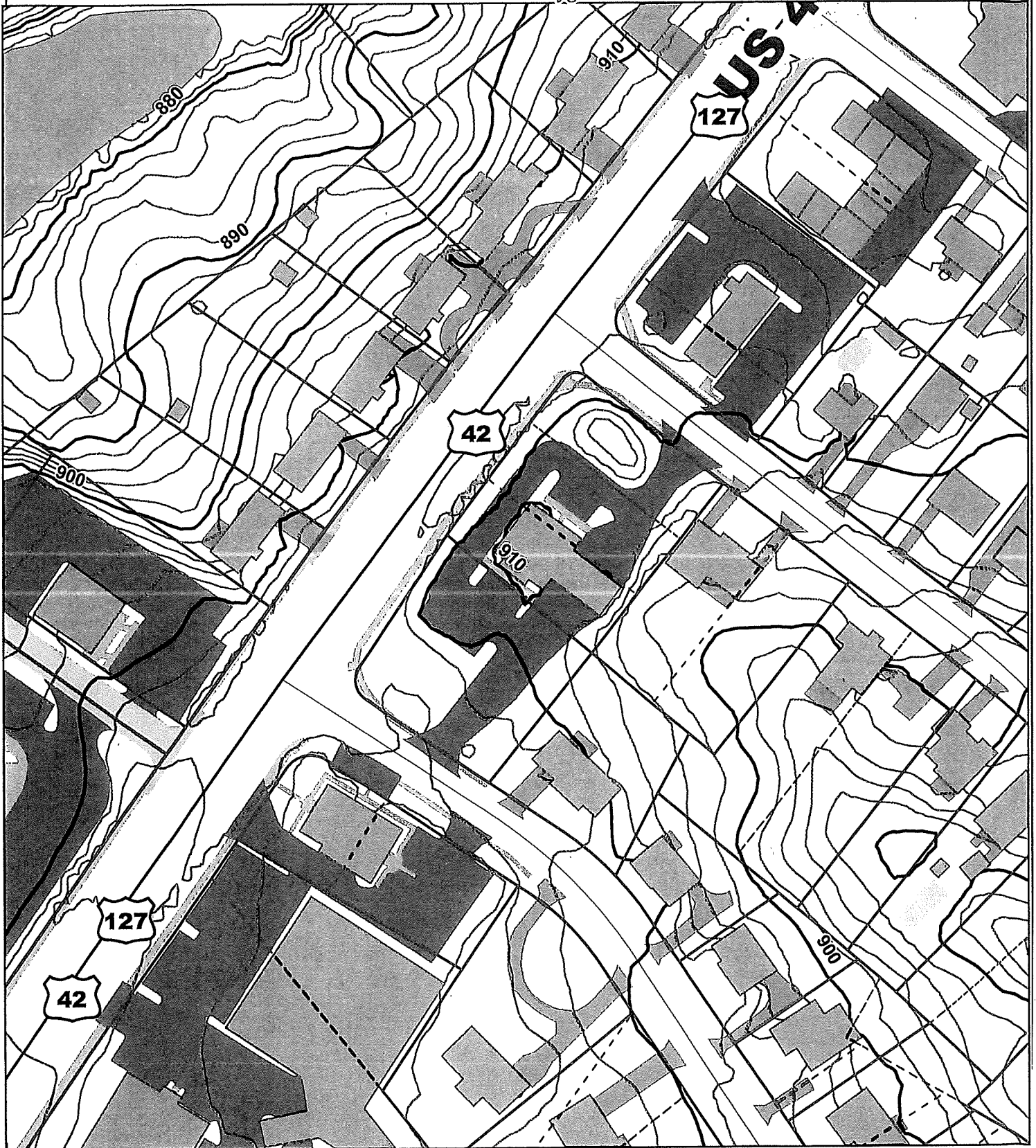


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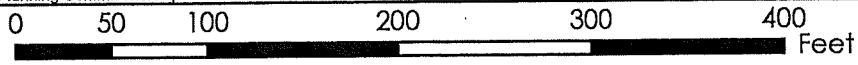
TOPOGRAPHICAL MAP

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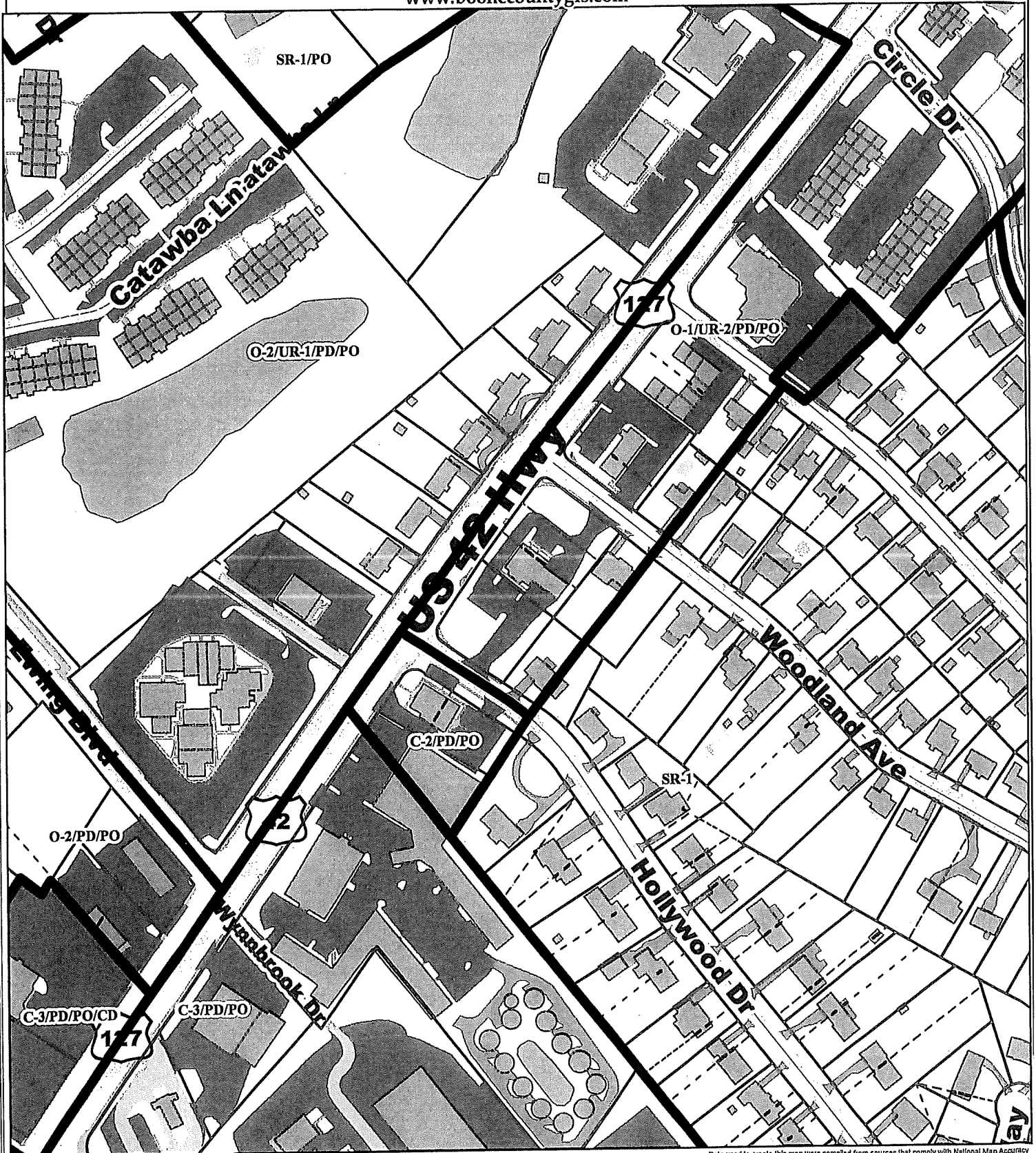


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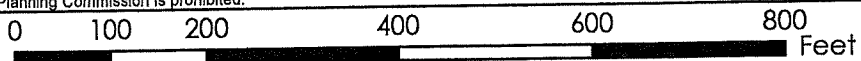
ZONING MAP

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1 inch = 200 feet

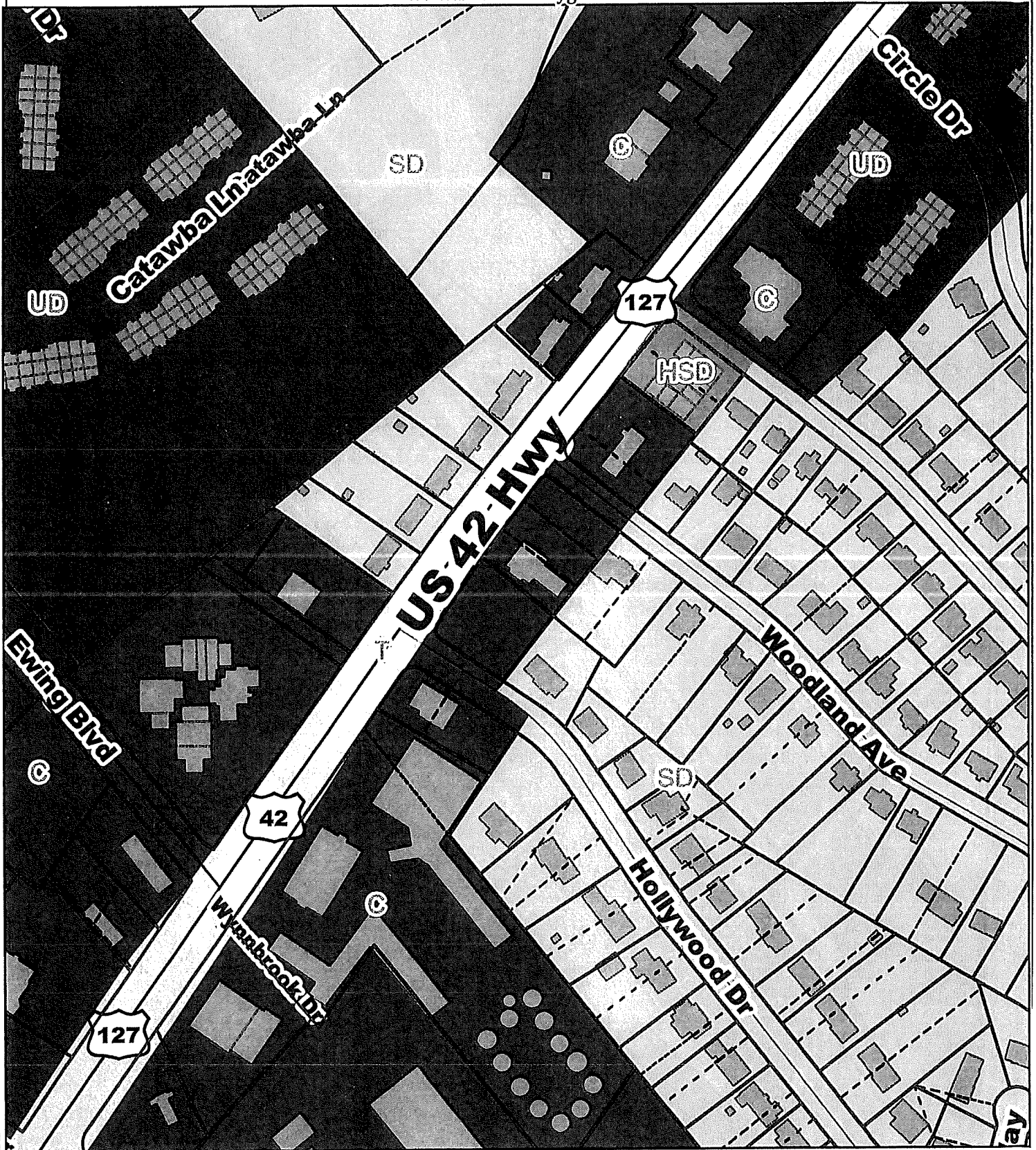


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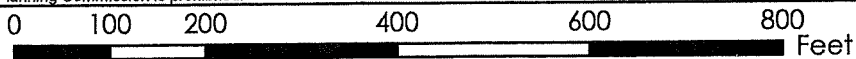
2040 FUTURE LAND USE MAP

www.boonecountygis.com



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English

HEALTHY

ADULT DAY HEALTHCARE

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[RESOURCES](#)

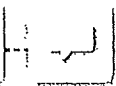
[CONTACT US](#)



About Us

[Home](#) » [About Us](#)

[Contact us](#)



We deliver outstanding health care services for your loved ones' improved quality of life.

Who We Are

Established 2021, **Healthy Adult Day Healthcare** is an alternative to institutional care when families need help caring for their family member or a loved one but cannot afford assisted living or choose to care for one at home.



Healthy ADHC offers mental, social, and physical stimulation and activities for adults who have lost some independence because of physical or cognitive impairments or chronic health conditions. ADCs are different from senior community centers that attract the more self-reliant, independent, and mobile older adults.

At daycare, one can expect to receive meals, activities, and care for households where the family caregiver cannot provide care at home during the daytime. Also, Healthy ADHC services, a medical model, was overseen by RN for monitoring participant health. Participants attend the day center. And Nonmedical attendant care or personal service is provided at the participant's home.

Contact us

Mission Statement

It is our mission to be your go-to choice for flexible and customizable Adult Day Care services. We also aim to promote your integrity and independence through the services we provide.

Vision Statement

We envision our Adult Day Care Center to be a model through the compassionate, genuine, and excellent services we provide.

Our Goal

The goal of the Adult Day Care Center is to help keep adults at their homes as long as possible by offering companionship and care for our participants and relief for their caregivers during the day.

We strive to provide all of your health care needs. For questions or concerns, you may **send us a message** or give us a call at **859-817-9894**.

Contact us

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

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Site Plan Review is not granted by the appropriate Board of Adjustment

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2. Check One Conditional Use Permit Variance Appeal
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City State Zip Code
Phone Number: 513-765-0768 Fax Number: 888-224-9810
Email: Admin@healthyadultdayhealthcare.com
lkuike@gmail.com
4. Description of Request: Conditional use change to allow an adult Daycare center
5. Name of Development: Healthy Adult Day Health Care.
6. Location of Development: 7705 U.S Hwy 42
Florence Ky 41042
City State Zip Code
7. Acreage Under Review: 0.92
8. Lot Number and Name of Subdivision (if part of a subdivision):
061.05-24-015.00 and 061.05-24-016.00
9. Current Owner: Angela L. Greene.
Address: 7705 US Hwy 42
Florence Ky 41042
City State Zip Code
Phone Number: 859-525-0500 Fax Number: _____
Email: _____

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Angela L. Greene
7705 US Highway 42
Florence, KY 41042

- 2. ADDRESS OF PROPERTY
7705 US Highway 42
Florence, KY 41042

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Healthy Adult Day Health Care

- 4. DEED BOOK 1041 PAGE NO. 490 GROUP NO. 2042

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment:
From _____ To _____ Conditional Use Permit
 Development Plan Conditional Zoning
 Subdivision Plat Other:
(Not Recorded)
 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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



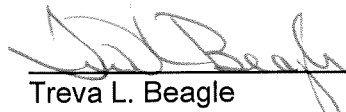
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, AICP, Senior Planner
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 1st day of December, 2022.



Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:



Nicole Dierna
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
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 Adjustment and in accordance with the current zoning in effect as of November 30, 2022, Certificate of Land Use Restriction (#22-FBOA-006-A), for Angela L. Greene, Property Owner(s).

The following conditions will apply:

- 1.) The facility shall care for a maximum of ten (10) adults at any given time.
- 2.) Days and hours of operation are limited to Monday-Friday, from 8:00 AM to 5:00 PM.
- 3.) No more than two (2) company vehicles (standard vans) shall be parked in the lot.

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

DEED BOOK 1041

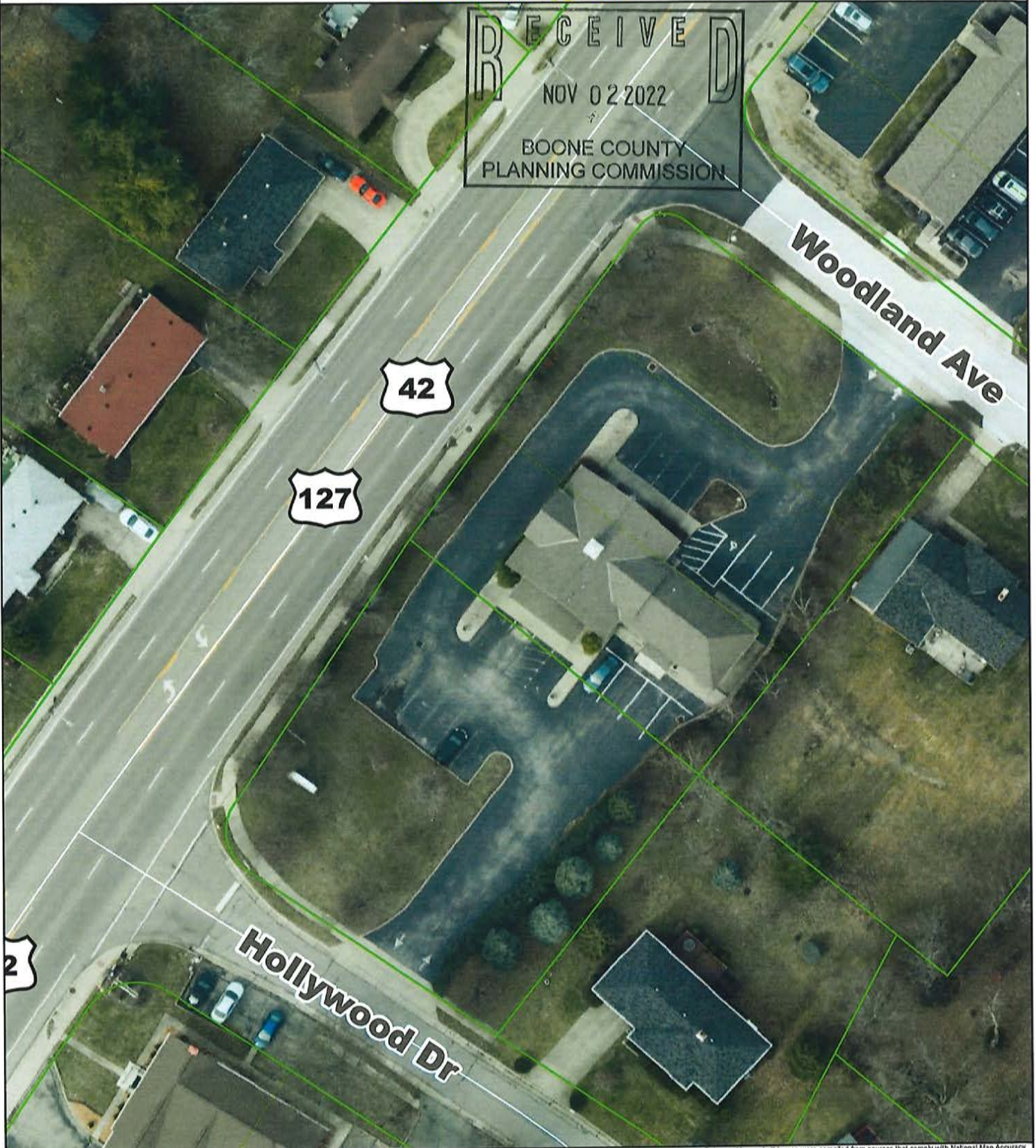
PAGE NO. 490

GROUP NO. 2042

7705 US 42

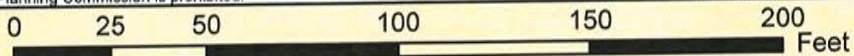
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1 inch = 50 feet



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