

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations).

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's Name HERITAGE ASSEMBLY OF GOD, INC.  
Phone Number (606) 525-1124  
Applicant's Address 7216 U.S. 42  
FLORENCE, KY 41042  
City State Zip
- 4. Description of Request: TO COMPLETE A DRIVE WAY  
ACCESS TO RUSSELL ST. FROM PARKING LOT IN  
ORDER ENTRANCE AND EXIT TO SCHOOL SAFER CONDITIONS
- 5. Name of Development HERITAGE ASSEMBLY OF GOD, INC.
- 6. Location of Development 7216 U.S. 42  
FLORENCE, KY 41042
- 7. Acreage Under Review 12 ACRES (7216 US 42)
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
- 9. Owner of Property HERITAGE ASSEMBLY OF GOD, INC. DEED BOOK 364 PAGE 151, BOOK 282 PAGE 141, BOOK 359 PAGE 5 & BOOK 407 PAGE 24  
Phone Number (606) 525-1124
- 10. Address of Property Owner 7216 U.S. 42  
FLORENCE, KY 41042  
City State Zip
- 11. Proposed Use(s) On Site ACCESS AND EGRESS TO  
PARKING LOTS
- 12. Total Square Footage of Existing and/or Proposed Buildings  
N/A
- 13. Current Zoning on Property \_\_\_\_\_
- 14. Deed Book SEE LETTER Page No. \_\_\_\_\_ Group No. \_\_\_\_\_
- 15. Is the site subject to a zone change? No  
If yes, give date of approval N/A
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? \_\_\_\_\_
- 18. Applicant's Signature: J. O. AM
- 19. Property Owner's Signature: J. O. AM, TREASURER  
HERITAGE ASSEMBLY OF GOD, INC.

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received \_\_\_\_\_
2. Fee Received \_\_\_\_\_
3. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
4. Staff Reviewer \_\_\_\_\_
5. Scheduled Board Action Date \_\_\_\_\_
6. Board Action:  
\_\_\_\_\_ Approval  
\_\_\_\_\_ Approved with Conditions (See #7)  
\_\_\_\_\_ Disapproved (See #8) *12/9/92*
7. Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Reasons for Disapproval: *- See minutes -*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## STAFF REPORT

DEVELOPMENT: Heritage Assembly of God, Inc.  
APPLICANT: Heritage Assembly of God, Inc.  
LOCATION: 7216 US 42, Florence, Kentucky  
ZONING: Suburban Residential Two (SR-2)  
DATE: October 14, 1992

## REMARKS:

The applicant is seeking a Conditional Use Permit to allow for the completion of a driveway access to Russell Street from the parking lot. The site is located at 7216 U.S. 42, Florence, Kentucky. The church property is zoned Office One (O-1) along U.S. 42 and Suburban Residential Two (SR-2) to the rear of the property and is owned by the Heritage Assembly of God, Inc.

There is a long history concerning a past Conditional Use Permit from Heritage Assembly of God that requested approval for the expansion of existing educational facilities. That Conditional Use Permit was approved by the Florence Board of Adjustment on September 9, 1987 with the following special conditions:

1. That all parking lots and roadways be paved.
2. That all surface water from parking areas and roadways drain away from the properties that front on Russell Street, subject to approval of the Boone County Planning Commission's engineer.
3. That any parking lot to the west towards Russell Street have a curb around it.

Failure to comply with the above cited Zoning Regulations and special conditions or to activate this permitted use within two (2) years after date of approval shall render this permit null and void and to no effect.

At the present time all of these conditions have not been met. On April 9, 1991 a letter (see attached) was sent to Vernel Perry to alert him that the Technical Committee of the Boone County Planning Commission has agreed "to allow you six (6) months to complete all paving on southern most parking lot, *driveway exit to Russell Street*, loop around new building addition, the curb around the parking lot and to install a concrete headwall on stormwater outlet." Since that time the headwall has been installed, but the other items have not been completed. There was also a misunderstanding about the Russell Street connector driveway with the Planning Commission initially believing this was part of the original Conditional Use Permit for the expansion of the educational facilities. It is now the position of the Planning Commission that permission for the Russell Street driveway connector had never been granted and that the church will have to apply for another Conditional Use Permit for a this driveway extension. This application then is specifically for the Russell Street driveway connector.

The following reviews the criteria that the Board must use to judge all Conditional Use Permit requests:

1. The activity will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or zoning order.
2. The activity 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 area. The proposed paved driveway would be an improvement over the gravel drive and access to US 42 presently being used by the church. This gravel driveway was not approved on the original Conditional Use Permit for the expansion of the educational facilities.
3. The activity will not be hazardous to existing or future neighboring uses. Staff has concerns about the continued storm drainage problem that was created due to the grading for the Russell Street connector.
4. The activity will be adequately served by essential public facilities and services.
5. Excessive additional requirements at the public cost for public facilities and services will not be created or be detrimental to the economic welfare of the community. Staff does not anticipate any additional requirements at the public cost.
6. The proposed use will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor. Staff is concerned about the possible need for a buffer for the residence adjacent to the new access on Russell Street.
7. The vehicular approaches to the property will be designed so as not to create an interference with traffic on surrounding public thoroughfares.

The Board must also consider specific criteria which apply to Conditional Uses in SR-2 zoning districts:

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

Suggested Conditions:

Staff suggests that the past unmet conditions be met specifically;

1. That all parking lots and roadways be paved,
2. That all surface water from parking areas and roadways drain away from the properties that front on Russell Street, subject to approval of the Boone County Planning Commission's engineer.
3. That any parking lot to the west towards Russell Street have a curb around it.

Also, staff recommends that the gravel drive to US 42 be removed and the area seeded and strawed.

Attached is a copy of the site plan for the Russell Street Connector. Under K.R.S. Chapter 100, the Board of Adjustment has the authority to approve a Site Plan in conjunction with a Conditional Use Permit. Staff has reviewed the submitted Site Plan and has requested two revisions:

The applicant needs to provide proposed grading contours on the plan, and relocate the proposed stormwater headwall further from adjacent property along U.S. 42 to avoid having to do work on that adjacent property. Should the applicant sufficiently address these items by the meeting time, staff would recommend approval of the Site Plan under the Boone County Zoning Regulations.

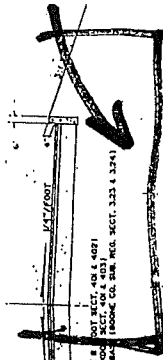
Respectfully Submitted,



Dean E. Niemeyer  
Planning Assistant

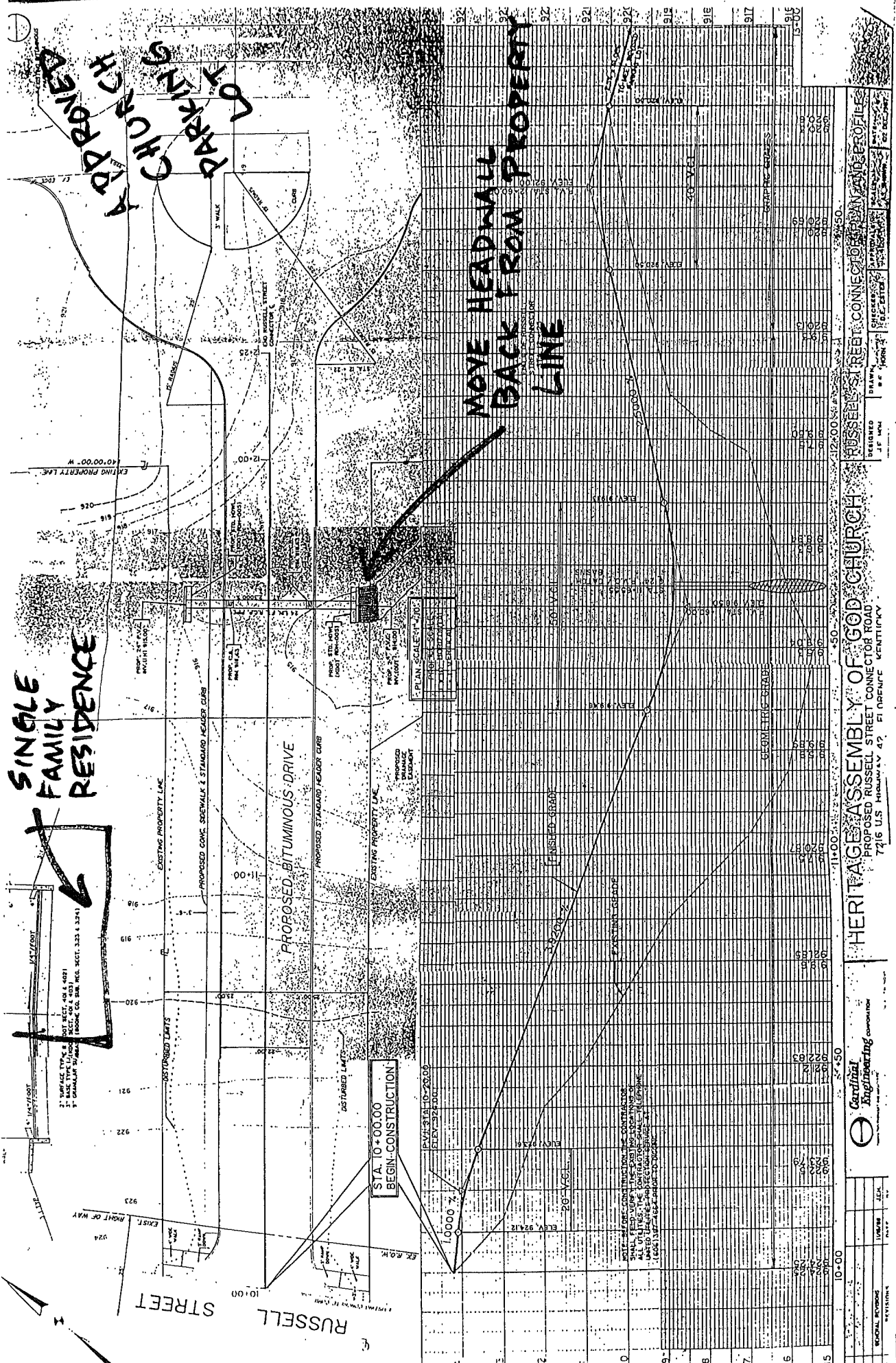
DEN:par

**SINGLE FAMILY RESIDENCE**



**ADJACENT CHURCH LOT PARKING**

**MOVE HEADWALL BACK FROM PROPERTY LINE**



**HERITAGE ASSEMBLY OF GOD CHURCH**  
 PROPOSED RUSSELL STREET CONNECTOR ROAD  
 7216 U.S. Highway 42, FLORENCE, KENTUCKY

**RUSSELL STREET CONNECTOR ROAD**

**Cardinal Engineering**  
 CONSULTING ENGINEERS  
 1000 W. Main Street, Suite 100  
 Louisville, KY 40202  
 (502) 582-1234

NO.	DATE	REVISION
1	10/15/10	ISSUED FOR PERMITS
2	11/10/10	REVISED PER COMMENTS
3	12/15/10	REVISED PER COMMENTS
4	01/15/11	REVISED PER COMMENTS
5	02/15/11	REVISED PER COMMENTS
6	03/15/11	REVISED PER COMMENTS
7	04/15/11	REVISED PER COMMENTS
8	05/15/11	REVISED PER COMMENTS
9	06/15/11	REVISED PER COMMENTS
10	07/15/11	REVISED PER COMMENTS
11	08/15/11	REVISED PER COMMENTS
12	09/15/11	REVISED PER COMMENTS
13	10/15/11	REVISED PER COMMENTS
14	11/15/11	REVISED PER COMMENTS
15	12/15/11	REVISED PER COMMENTS

DESIGNED BY: J.P. WHELAN  
 CHECKED BY: J.P. WHELAN  
 DRAWN BY: J.P. WHELAN  
 DATE: 12/15/10