

ck. # 1859

REVIEW NO. _____

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 FRANKIE DILL
Phone Number 606-525-9970
Applicant's Address 7 MIRIAM DR.
FLORENCE KY 41042
City State Zip
- 4. Description of Request: conditional use permit to
open a type II day care, up to but not
more than 12 children.
- 5. Name of Development _____
- 6. Location of Development 7 MIRIAM DR Flo. Ky.
- 7. Acreage Under Review 150 X 80 ft.
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
63 Town & Country Subdivision
- 9. Owner of Property FRANKIE DILL
Phone Number 606-525-9970
- 10. Address of Property Owner 7 MIRIAM DR Flo. Ky-41042
FLORENCE KY 41042
City State Zip
- 11. Proposed Use(s) On Site TYPE II DAY CARE
- 12. Total Square Footage of Existing and/or Proposed Buildings _____
- 13. Current Zoning on Property SR-2
- 14. Deed Book 332 Page No. 138 Group No. 731
- 15. Is the site subject to a zone change? _____
If yes, give date of approval _____
- 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: Frankie Dill
- 19. Property Owner's Signature: Frankie Dill

BOONE COUNTY
PLANNING COMMISSION

DEC 15 1992
RECEIVE

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 Jeff Hayes
- 5. Scheduled Board Action Date Jan 13, 93
- 6. Board Action:
_____ Approval
_____ Approved with Conditions (See #7)
 _____ Disapproved (See #8)
- 7. Conditions: _____

- 8. Reasons for Disapproval: See Minutes

STAFF REPORT

DEVELOPMENT: Day Care Center
APPLICANT: Frankie Dill
LOCATION: 7 Miriam Drive, Florence, Kentucky
ZONING: Suburban Residential Two (SR-2)
DATE: January 13, 1993

The applicant is requesting a Conditional Use Permit to allow for a Type II Day Care which will not exceed more than 12 children. This day care center would be located within the existing house which would still be used as the applicants residence at 7 Miriam Drive in Florence, Kentucky. This property is owned by Frankie Dill (See Sheet 1).

The applicants home is located in the Town and County Subdivision which is zoned Suburban Residential Two (SR-2) (See Sheet 2). The lot is 80 feet wide by 150 feet in length with lots and homes of similar size surrounding it. The home is setback approximately 40 feet from Miriam Drive.

The applicant's proposed day care center would be required to have six (6) parking spaces plus one (1) handicap space. In addition, the Boone County Zoning Regulations would prohibit any vehicle from backing into the right-of-way. This amount of parking, would require the entire front yard to be a paved surface. In Staff's opinion, the amount of parking required would be out of character with the neighborhood and would not be harmonious to the adjoining residences without substantial landscaping. Existing parking on Miriam Drive is already inadequate and any additional parking on the street caused by this day care could create more of a traffic and parking problem.

Staff questions how the parking will be accommodated and as to which direction the vehicles will be oriented. Staff is concerned about the vehicle's headlights shining into adjoining residences in the early morning hours and the evening hours. Also, staff sees a concern from the noise of children playing which may be considered a nuisance by some residences. The applicant has indicated that their will be one certified employee. However, Staff is unclear as to the total number of employees during the hours of operation.

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

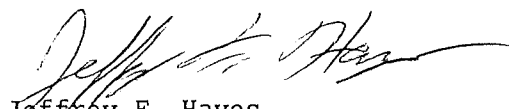
- a. The activity is an integral and subordinate function of a permitted use.
- b. The activity will not contradict the compact, but single family character of the district. Staff believes that because of the limited size of the front yard the activity will contradict the single family character of the neighborhood.

- c. The arrangements of uses, building or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

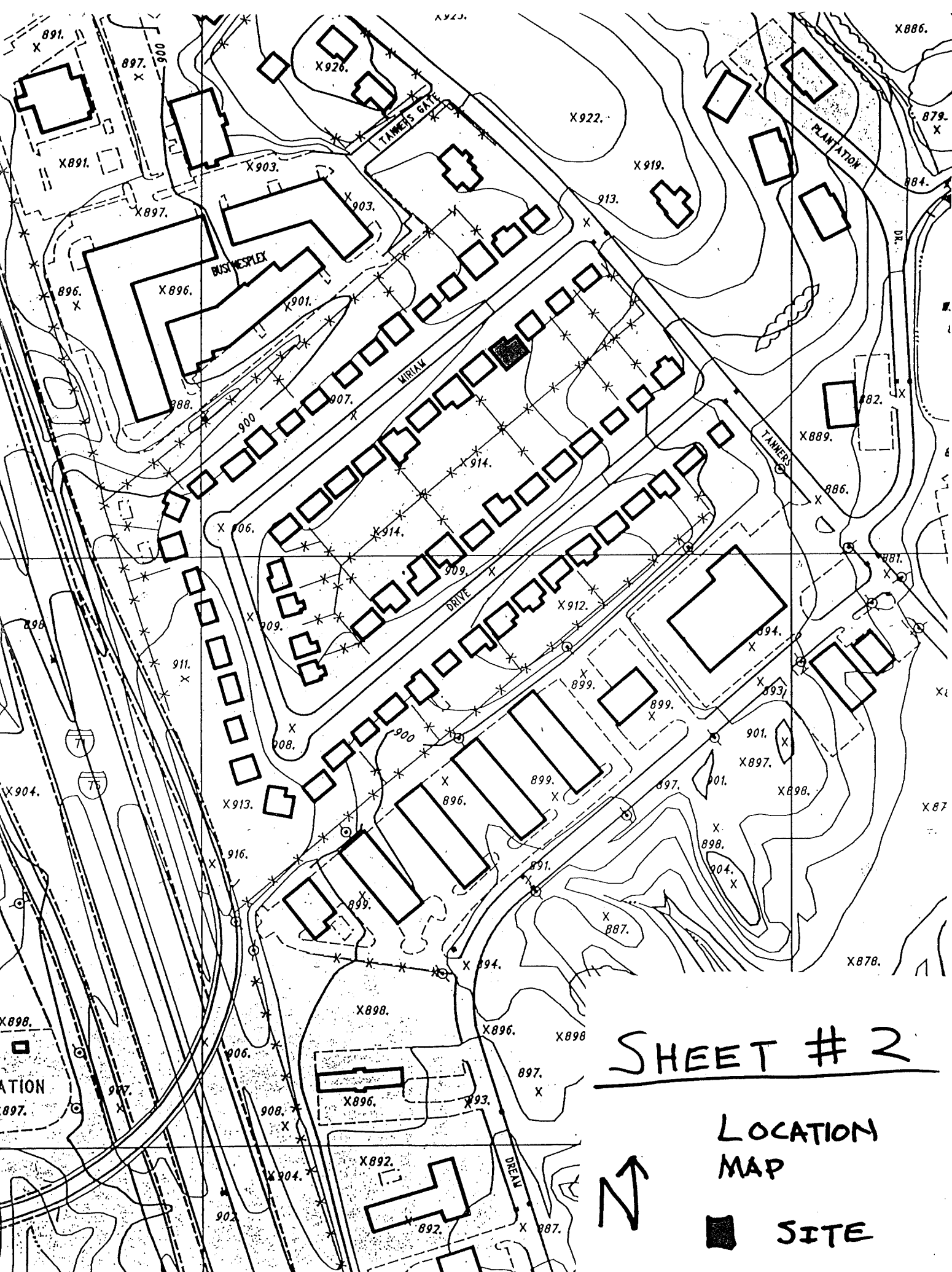
STAFF CONCERNS:

1. As indicated earlier in this Staff Report, Staff is concerned with the visual impact that the required parking will have on the neighborhood.
2. Staff is concerned about landscaping to soften the appearance of the parking area and to block the vehicle headlights from shining onto adjoining residences. Therefore, Staff recommends that if the Permit is granted that substantial landscaping be required to alleviate these concerns.
3. Staff is also concerned as to the hours of operation. The applicant has indicated that the hours would be from 6:00 A.M. to 6:00 P.M., therefore, Staff recommends that the Board establish these hours or similar hours of operation as a condition, if the request is approved.
4. Because of the limited size of the site Staff is concerned that even if the Permit was granted that the site would not conform to the Boone County Zoning Regulations parking and access requirements.
5. The applicant has indicated that she would install a privacy fence to the rear and west property line if necessary. Staff feels that if the Permit is granted the fence should be established as a condition of approval (See Sheet 3).

Respectfully Submitted,




Jeffrey F. Hayes
Planner I



SHEET # 2

LOCATION
MAP



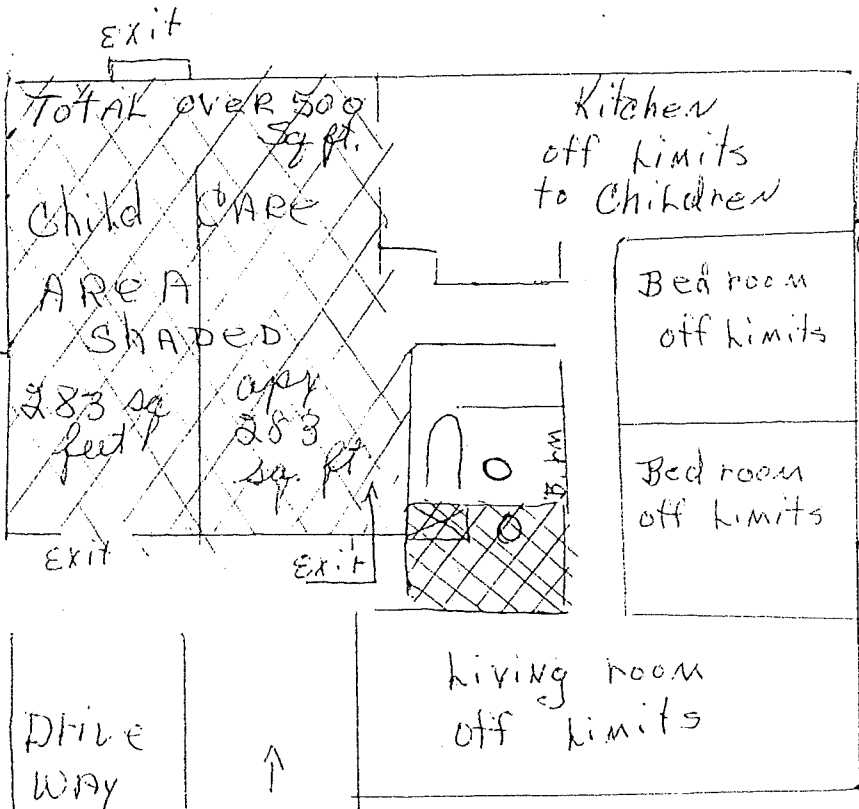
 SITE

Chain Link 4 ft.

apx. 60 X 60 YARD
PLAY AREA

Privacy fence

Chain Link 4 ft.



SHEET # 3

SITE
PLAN

7 Miriam Drive
 Lot 63 Town & Country Subdivision Plat Book 5 Page 36
 Deed Book 332 Page 138 Recorded in Boone County
 Group 731