

APPLICATION FORM

**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**

C R U V R

MAY - 3 2005

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 THE MCKNIGHT GROUP (MATT DAVIS)
 Phone Number 614-875-1655 Fax No. (614)-875-7006
 Applicant's Address 3351 McPOWELL Rd
GLOVE CITY Ohio 43123
 City State Zip
- 4. Description of Request: ADDITION of a Youth + OFFICE ADDITION
AND ADDITIONAL PARKING
- 5. Name of Development GRACE Fellowship Church
- 6. Location of Development WEST SIDE of EXISTING BUILDING
- 7. Acreage Under Review 11.98
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
- 9. Owner of Property GRACE Fellowship Church
 Phone Number of Owner 859-371-7880
- 10. Address of Property Owner FLORENCE Ky 41042
 City State Zip
- 11. Proposed Use(s) on Site Church
- 12. Total Square Footage of Existing and/or Proposed Buildings 45,467 sq. FT.
- 13. Current Zoning on Property RS / A2
- 14. Deed Book 625 Page No. 89 Group No. 2047
- 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? 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: [Signature]

Property Owner's Signature: [Signature] 5/3/05

**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 5-3-05 Fee Received \$569.00 *\$529.00 RT# 42266*
2. Is application complete? _____ Yes _____ No *\$40.00 RT# 42267*
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action: Approved
6/20/05 Approved with Conditions (See #6)
_____ Denial (See #7)
6. Conditions of Approval: SEE 6/20/05 U.B.O.A.
MEETING MINUTES

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 - 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: The McKnight Group
DEVELOPMENT: Grace Fellowship Church
LOCATION: 9379 Gunpowder Road, Boone County, Kentucky
ZONING: Agricultural Estate (A-2) & Rural Suburban (RS)
DATE: June 20, 2005

Proposal

The McKnight Group is requesting a Conditional Use Permit to allow building and parking additions to be constructed on the rear of Grace Fellowship Church. The approximate 12 acre site is located at 9379 Gunpowder Road and is split zoned Agricultural Estate (A-2) and Rural Suburban (RS).

The submitted Concept Development Plan (see attachments) indicates that a 22,380 square foot building addition and 116 new parking spaces are being proposed on the rear of the facility. The construction of building addition will require the removal of 108 parking stalls. If the Concept Plan is approved as submitted, the facility will be 45,467 square feet in area and contain 310 parking spaces.

Site History

9/11/96 – The Boone County Board of Adjustment approved a Conditional Use Permit for a 17,000 square foot church, 8,000 square foot Recreational Center, and 363 parking spaces. The facilities were proposed adjacent to and behind an existing house. The Board of Adjustment imposed the following conditions on the request:

1. The building shall not exceed 17,000 square feet as presented;
2. Screening needs to be provided and the parking lots cannot be closer than 50 feet to a property line;
3. The building needs to be constructed of masonry material; and
4. The church sign is to be monument in style and shall not exceed 32 square feet.

5/20/02 – The applicant submitted a Conditional Use Permit to modify the 09/11/96 conditions of approval. The submitted Concept Development Plan showed a 44,940 square foot church, 317 parking stalls, and a softball field. The Union Board of Adjustment approved the request with the following conditions:

1. The total square footage of the building is to be no greater than 27,000 square feet;
2. The number of parking spaces is limited to three hundred and seventeen;
3. There is to be a six-foot tall cedar fence for the length of the improvements (building and parking) on the south side of the property and it is to be five feet back from the property line on the church side;
4. The five feet between the fence and the property line is to be seeded;
5. The softball field is limited to church use only; no leagues, no lights, no dirt diamond, no fence;
6. The maximum height of any light standard on the parking lot shall not exceed twelve feet;
7. Cutoff shields must be provided on all light standards on the parking lot;
8. A photometric plan will be required during Site Plan Review. The average foot candle measurements permitted for the parking lot will be 3.6 and along all property lines will be 1.0 or less;
9. The architecture of the building is based on the conceptual rendering. The back of the building can be made of a different material (metal) to allow for expansion of the west wall.
10. The applicant is to work with the state or county to improve the sight distance of the egress point;
11. A Major site Plan is required;
12. The applicant is to talk to the applicable state agency about replacing and upgrading the bridge that crosses Gunpowder Creek; and
13. The landscaping buffer on the northern property line will be twenty feet wide and will run approximately 560 linear feet between the rear of the parking lot and the bend in the church driveway. The buffer is to contain five evergreen trees and one deciduous tree per 100 linear feet. In addition, a three foot tall berm is required.

10/17/02 – The Boone County Planning Commission approves a Major Site Plan for a 26,395 square foot church with 302 parking stalls.

Applicable Regulations

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

Article 6, Section 623 of the Boone County Zoning Regulations permits "churches, synagogues, temples and other places of religious assembly for worship" as a conditional use within the Agricultural Estate (A-2) zoning district.

Article 9, Section 923 of the Boone County Zoning Regulations permits "churches, synagogues, temples and other places of religious assembly for worship" as a conditional use within the Rural Suburban (RS) 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, 623, and 923 of the Boone County Zoning Regulations.

Findings listed in Section 262:

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 6, Section 623 of the Boone County Zoning Regulations allows churches as a conditional use in the A-2 district provided that:

- A. The activity is an integral part of the agricultural or residential use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district; or
- B. The activity is necessary to provide the specified public service for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district;
- C. Provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Article 9, Section 923 of the Boone County Zoning Regulations allows churches as a conditional use in the RS district provided that:

- A. The activity is an integral and subordinate function of a permitted recreational or residential use; or
- B. The activity will not contradict the semi-rural character of the district;
- C. Require or contribute to infrastructure needs above than common to the permitted uses of the district;
- D. is of direct relation to and in support of the purpose of the district; and,
- E. 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 majority of the site for "Suburban Residential" uses and smaller portions of the site for "Urban Density Residential" uses. These designations are described as follows:

Suburban Residential – "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."

Urban Density Residential – "attached housing, generally condominiums or apartments, of over 8 dwelling units per acre.

Surrounding Land Uses and Zoning

North: Plantation Pointe (RPD/CD)

South: Single-Family Residential (A-2 & RS)

East: Gunpowder Rd. & Single-Family Residential Fronting on Sunnybrook Dr. (SR-1)

West: Future Section of Plantation Pointe (RPD/CD)

Site Characteristics

The approximate 12 acre site contains a 23,087 square foot church and 302 parking stalls. The southeastern portion of the site contains a grass recreational area which immediately adjoins Gunpowder Creek. Access to the church is provided from a long asphalt driveway which connects to Gunpowder Road. The driveway contains one ingress lane and two egress lanes. The rear portion of the property where the parking lot addition is proposed contains areas which are sparsely vegetated and areas which are heavily wooded. The topography of the parcel varies from flat, rolling, to steep (see attached topographical map).

Staff Comments

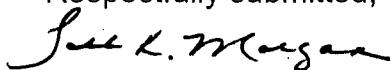
1. The Union Board of Adjustment needs to issue another Conditional Use Permit for the following reasons:
 - A. There is a condition of approval which limits Grace Fellowship Church to a 27,000 square foot building. The proposal is for a 45,467 square foot building;
 - B. The proposed parking lot layout shown on the Concept Plan is substantially different from the May 20, 2002 Concept Plan (see attachments). Although the number of parking stalls is not being raised over the 317 stall threshold which was imposed by the Board, the rear parking lot is getting much closer to the rear property line. As a result, the Board must approve the revised parking lot layout.
2. The applicant has provided a rendering of the rear building elevation (see attachments). This rendering shows that the rear elevation is constructed mostly of glass and an E.I.F.S. finish and will be consistent in appearance with the front and side building elevations.
3. The applicant has indicated that the building addition will be used primarily for office space, children bible study classrooms, and children worship services (see attached floor plans).
4. Staff would like the applicant to address the church's hours of operation.
5. Staff is concerned that the scale of the building is inconsistent with the adjoining single-family and multi-family structures. The exterior dimensions of the building will become 312 feet in length and 180 feet in width if the addition is approved.

6. Staff is concerned about the traffic impact that the church will have on Gunpowder Road. The submitted Concept Development Plan indicates that seating in the church is increasing from 1,085 seats (approved Site Plan figure) to 1,458 seats.
7. Site lighting is a concern because the site adjoins some single-family residences and some multi-family sections of Plantation Pointe (see attachments). If the Board grants approval of the request, Staff recommends the following conditions regarding site lighting:
 - A. The maximum height of any proposed light standard shall not exceed 12 feet.
 - B. Cutoff shields must be provided on all light standards;
 - C. A photometric plan will be required during the Site Plan Review process. The average foot candle measurements for the parking lot cannot exceed 3.6. The footcandle measurements at the property lines cannot exceed 1.0.
8. If the Board approves the request, Staff recommends the following landscaping conditions:
 - A. A 40' wide landscape buffer will be required along the rear property line. This buffer will contain a 3' foot berm and 5 deciduous trees and 8 evergreen trees per 100 linear feet.
 - B. Twenty foot wide landscape buffers will be required along the sides of the parking lot addition. These buffers will contain a three foot berm and five evergreen trees and one deciduous tree per 100 linear feet.
9. If the Board grants approval of the request, a Major Site Plan application will need to be submitted to the Boone County Planning Commission. This plan will address building intensity, driveway and parking requirements, landscaping, storm water management, etc.

Conclusion

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

Respectfully submitted,



Todd K. Morgan, AICP
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Development Plan
- Exhibit C – Artist Rendering
- Exhibit D – Floor Plans
- Exhibit E – Building Elevations
- Exhibit F – Aerial Map
- Exhibit G – Zoning Map
- Exhibit H – Future Land Use Map
- Exhibit I – Topographical Map
- Exhibit J – 2002 Concept Development Plan
- Exhibit K – Plantation Pointe Preliminary Plan
- Exhibit L – Application

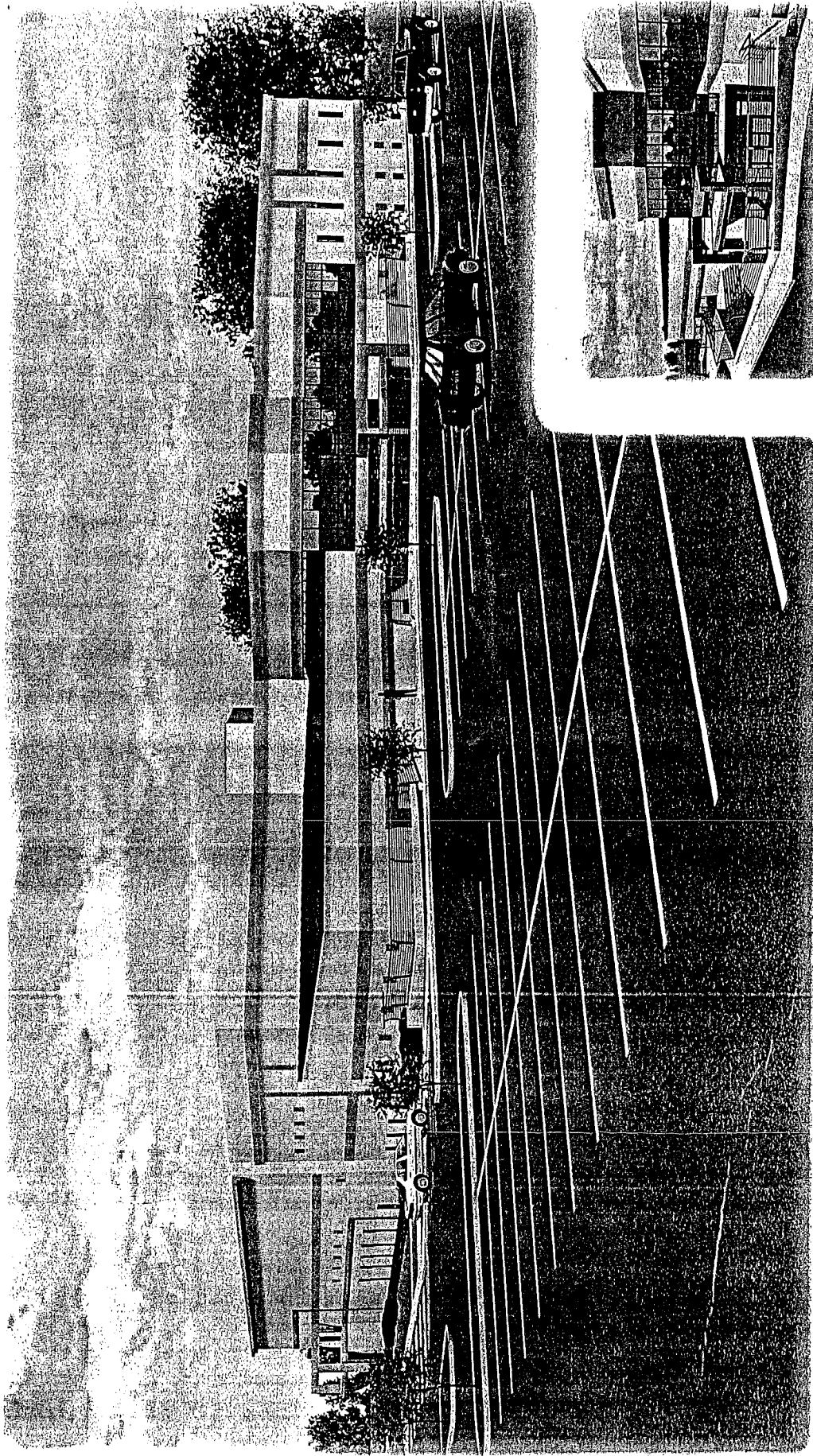


Grace Fellowship Church Site Vicinity Map



1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 June 13, 2005

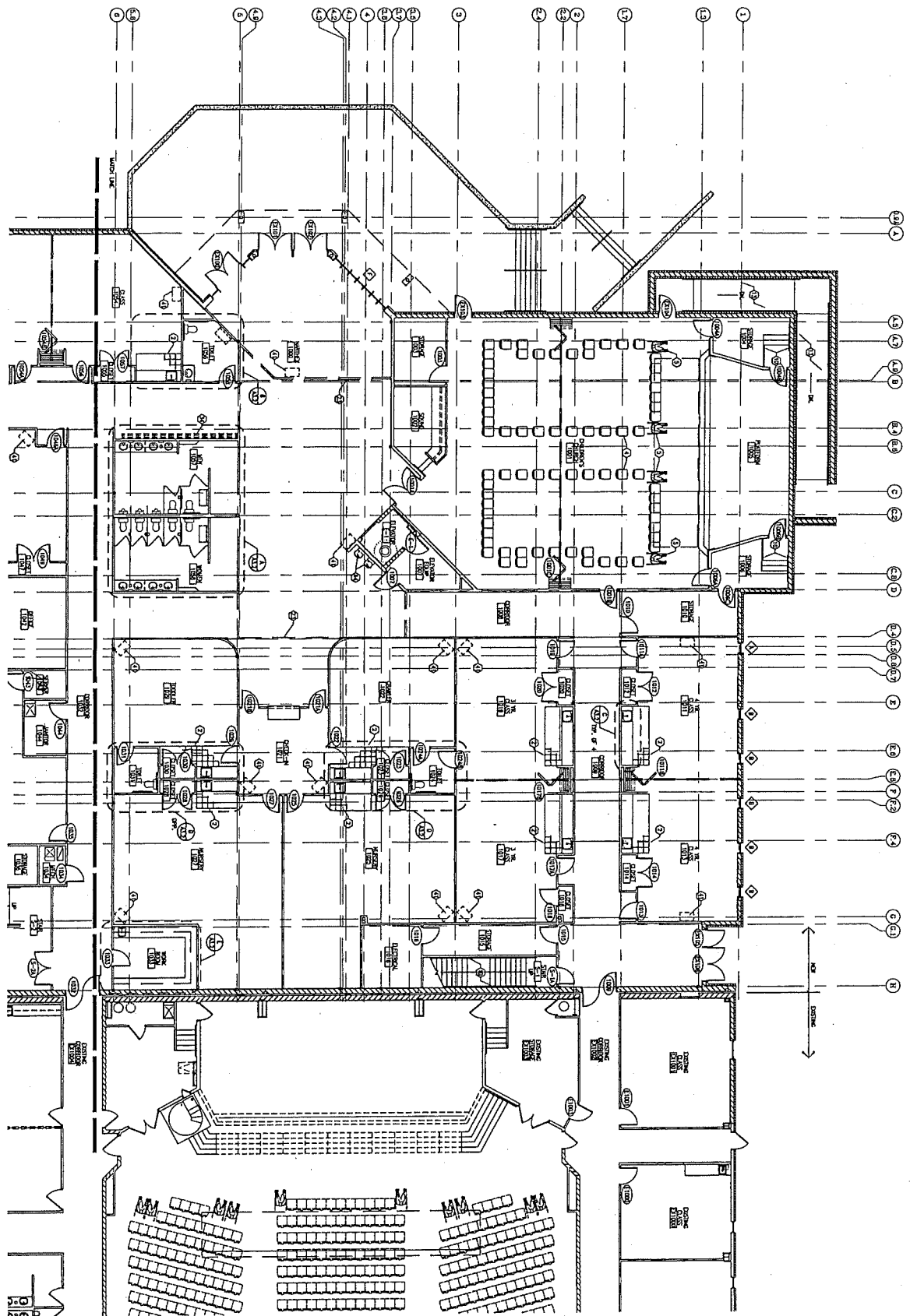






M
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McKnight
Group

McKnight & Hosterman Architects, Inc.

GRACE FELLOWSHIP CHURCH
FLORENCE, KENTUCKY NOVEMBER 14, 2004 201342




 A FIRST FLOOR PLAN
 Scale: 1/8" = 1'-0"


 McKnight & Hosterman Architects, Inc.
 204342

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REVISIONS

NO.	DATE	BY	DESCRIPTION

FIRST FLOOR PLAN
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 DESIGNED BY
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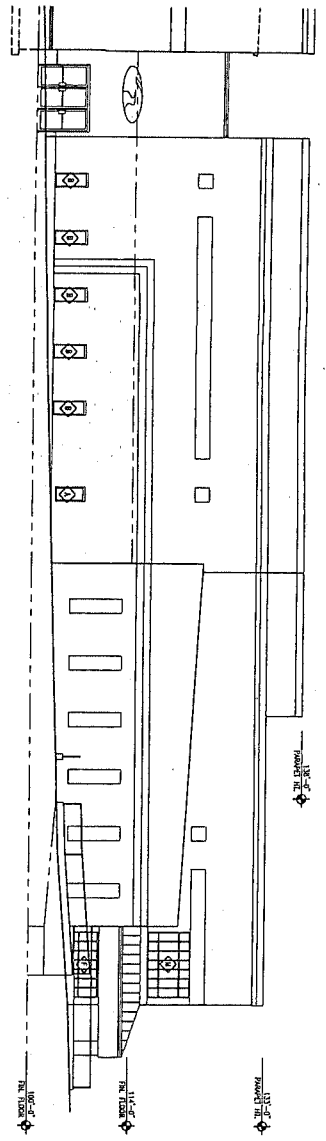
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 CONSTRUCTION

The
 McKnight
 Group

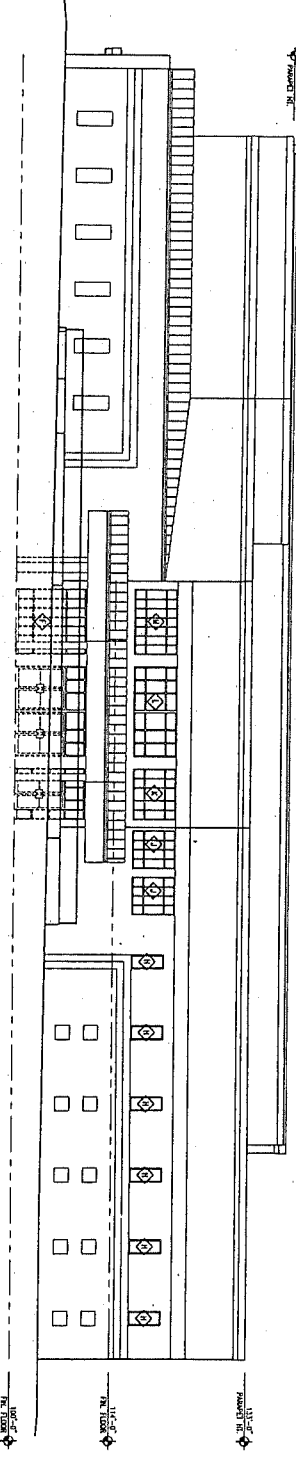


ADDITION TO:
**GRACE FELLOWSHIP
 CHURCH**
 9379 GUNPOWDER ROAD
 FLORENCE, KY 41042

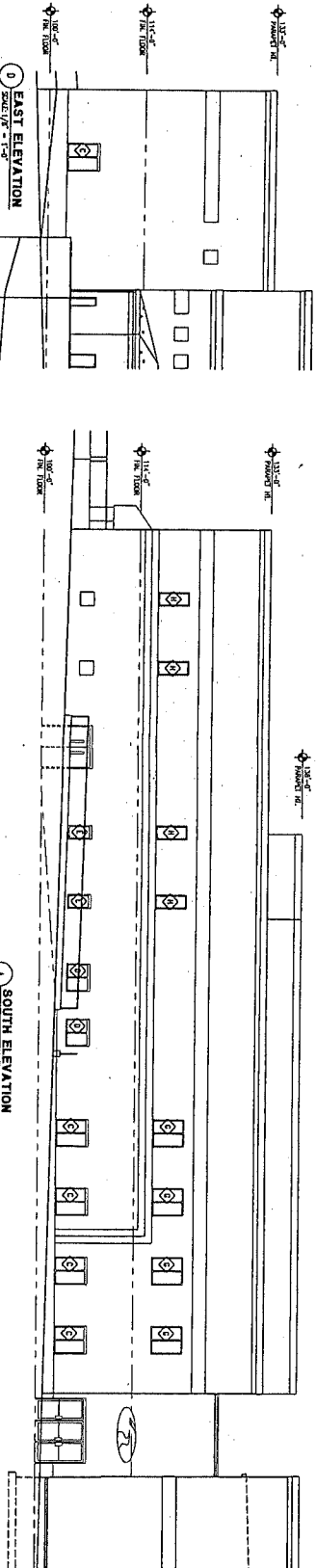
- EXTERIOR ARCH. NOTES**
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SCALE: 1/4" = 1'-0"



○ WEST ELEVATION
SCALE: 1/4" = 1'-0"



○ SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

○ EAST ELEVATION
SCALE: 1/4" = 1'-0"

M McKnight & Hosterman Architects, Inc.
204342

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EXTERIOR ELEVATIONS

DRAWING DATE

DESIGNED BY DATE

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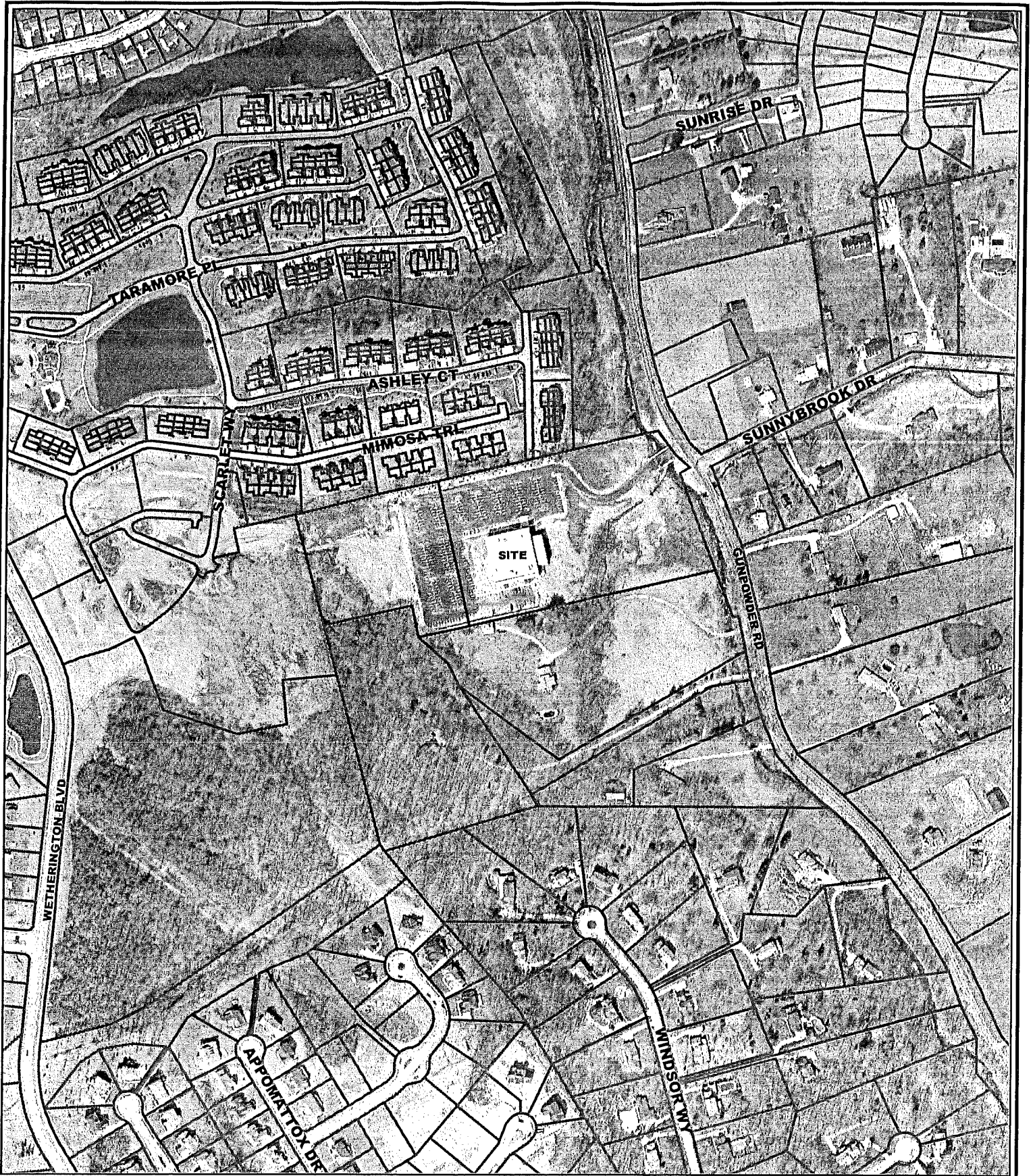
REVISIONS

PRELIMINARY NOT FOR CONSTRUCTION

The McKnight Group

ADDITION TO GRACE FELLOWSHIP CHURCH

9379 GUNPOWDER ROAD
FLORENCE, KY 41042



Grace Fellowship Church Aerial Map

400 0 400 Feet

1 inch equals 400 feet
Produced by the
Boone County Planning Commission
GIS Services Division
June 13, 2005



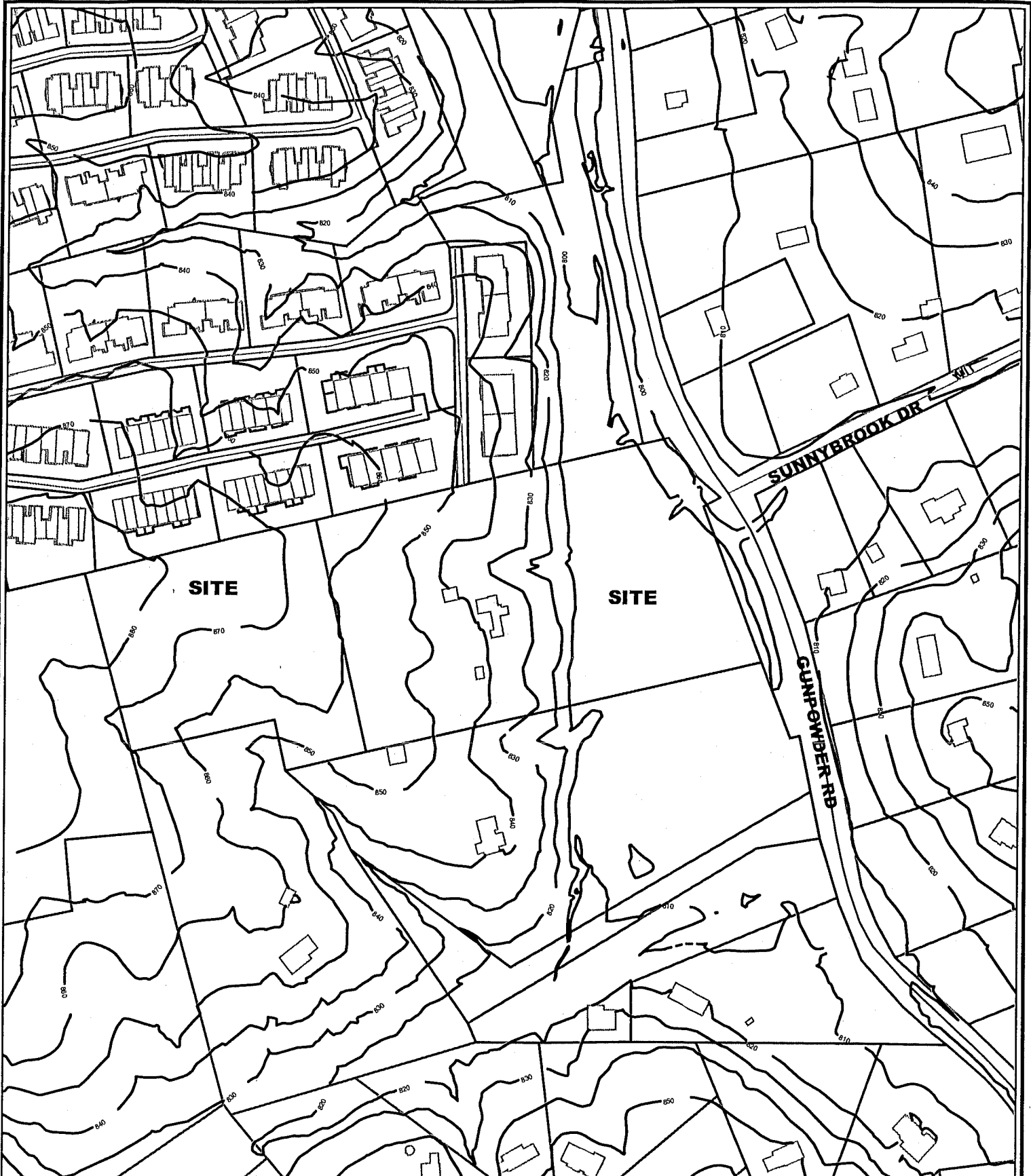


Grace Fellowship Church Future Land Use Map



1 inch equals 400 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 June 13, 2005





Grace Fellowship Church Topographical Map

250 0 250 Feet

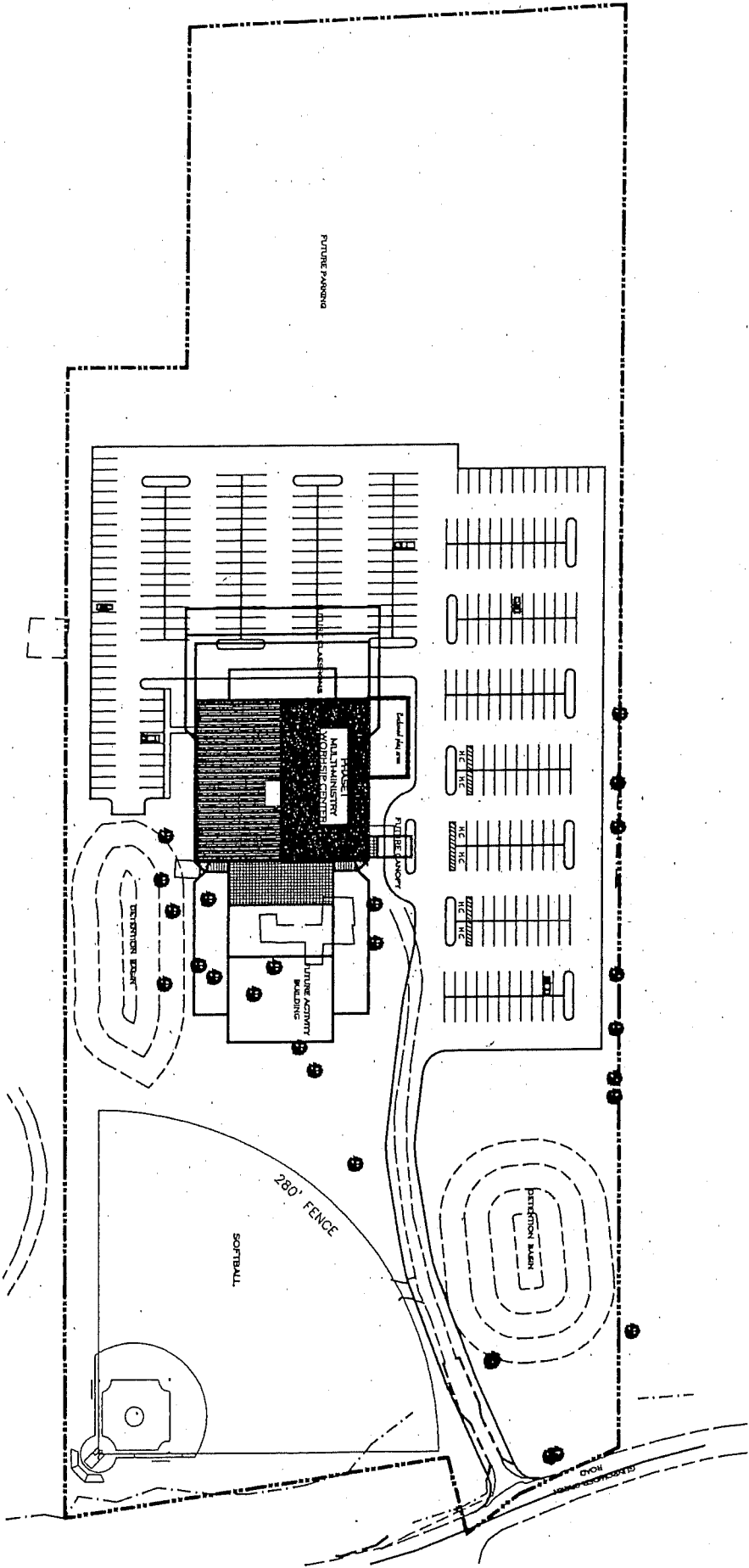
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 GIS Services Division
 June 14, 2005





McKnight & Hosterman Architects, Inc

2002 CONCEPT PLAN



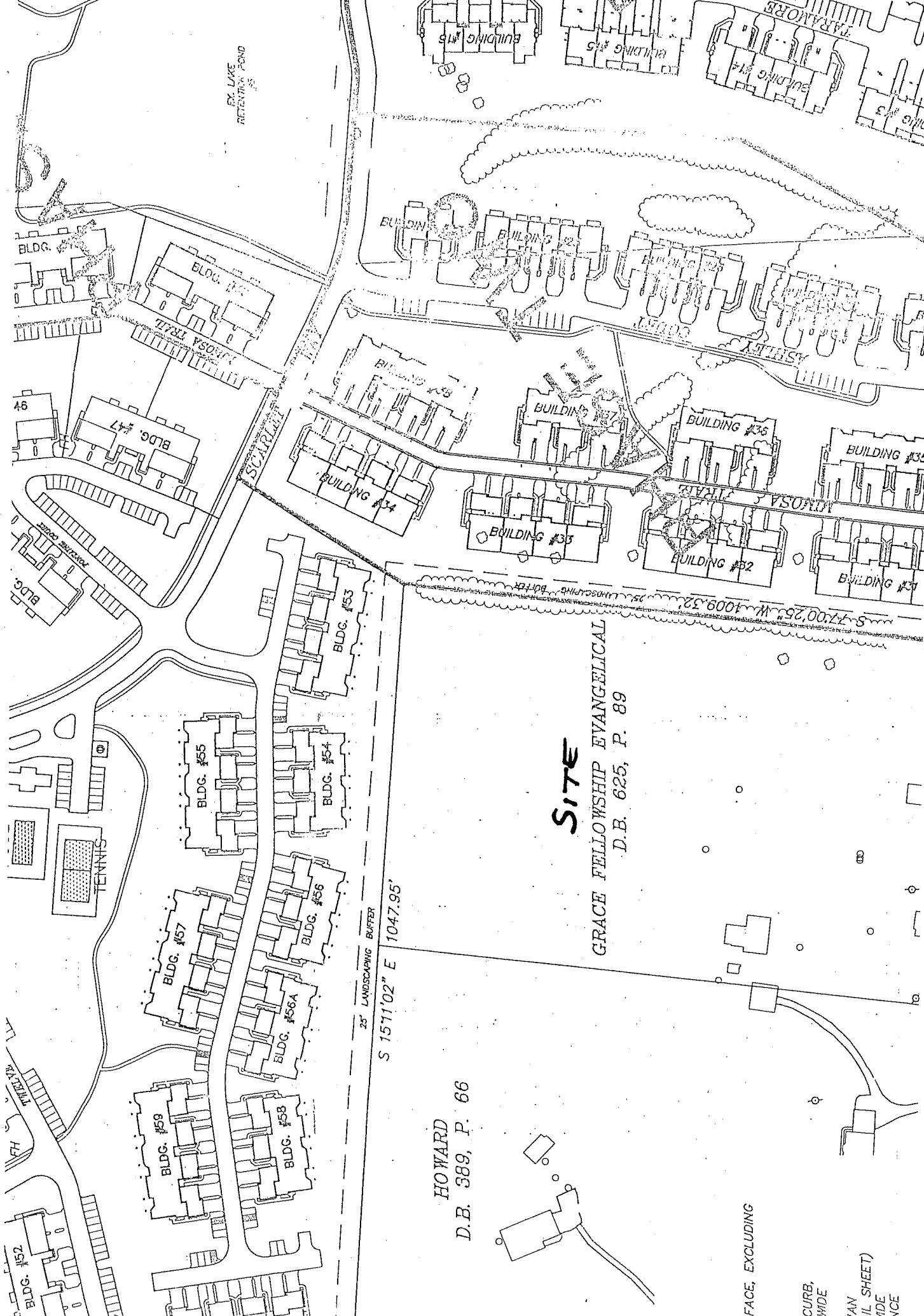
MASTER SITE PLAN

SCALE: 1" = 40'

342 PARKING SPACES
INCLUDING 6 H.C. SPACE (1 VAN/1055842)

GRACE FELLOWSHIP CHURCH

FLORENCE, NY APRIL 18, 2002 COMM. NO. 200233



BLD. RETENTION POND

SCARLETT

25' LANDSCAPING BUFFER

S 1571'02" E 1047.95'

SITE
 GRACE FELLOWSHIP EVANGELICAL
 D.B. 625, P. 89

HOWARD
 D.B. 389, P. 66

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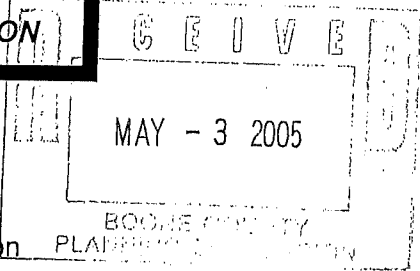
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APPLICATION FORM

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BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations

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- 10. Address of Property Owner FLORENCE City Ky State 41042 Zip
- 11. Proposed Use(s) on Site Church
- 12. Total Square Footage of Existing and/or Proposed Buildings 45,467 sq. ft.
- 13. Current Zoning on Property RS / A2
- 14. Deed Book 625 Page No. 89 Group No. 2047
- 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? 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: [Signature]

Property Owner's Signature: [Signature] 5/3/05

COPY

CLUR #05-UBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Grace Fellowship Church
9379 Gunpowder Road
Florence, KY 41042

- 2. ADDRESS OF PROPERTY
9379 Gunpowder Road
Union, KY 41091
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Grace Fellowship Church

- 4. DEED BOOK 625 . PAGE NO. 89 GROUP NO. 2047

- 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



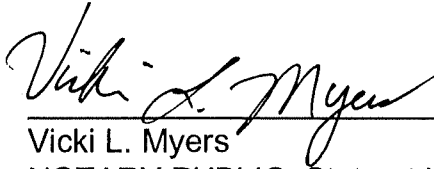
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

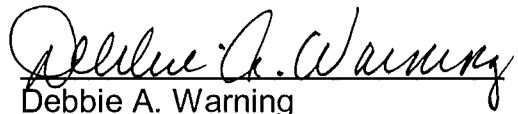
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 24 day of June, 2005.



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 Union Board of Adjustments and in accordance with the current zoning in effect as of June 20, 2005 Certificate of Land Use Restriction (#05-UBOA-001-A), for Grace Fellowship Church, Property Owner(s).

The following conditions will apply:

- 1) The tree missing from the original approval is to be replaced.
- 2) There are to be no entrances other than the existing driveway to and from the church.
- 3) The maximum height of any proposed light standard shall not exceed 12 feet.
- 4) Cutoff shields must be provided on all light standards.
- 5) A photometric plan will be required during the Site Plan Review process. The average foot candle measurements for the parking lot cannot exceed 3.6 and foot candle measurements at the property lines cannot exceed 1.0.
- 6) A 40-foot wide landscape buffer will be required along the rear property line and will contain a 3-foot berm and 5 deciduous trees and 8 evergreen trees per 100 linear feet.
- 7) Twenty-foot wide landscape buffers will be required along the sides of the parking lot addition and will contain a 3-foot berm and 5 evergreen trees and one deciduous tree per 100 linear feet.
- 8) There is to be no public assembly activities on the property after 11 PM.
- 9) The building elevations are to be consistent with what was presented at the 6/20/05 Union Board of Adjustment meeting.
- 10) All conditions from the May 20, 2002 approval not affected by the new conditions will remain in effect.
- 11) The garbage container is to be moved to the southernmost corner of the southern access point to the new parking lot and it is to be fenced and gated as it is now. The dumpster may face in any direction the church chooses.

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