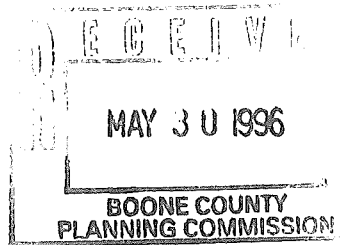


APPLICATION FORM
**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION**

(See Boone County Zoning Regulations)



SECTION A (To be completed by applicant)

- (Check One)
1. Boone Florence Walton X Union
- (Check One)
2. X Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant's Name Janet Beck
 Phone Number 384-1313 Fax No.
 Applicant's Address 1705 Mt. Zion Road
 Union Kentucky 41091
 City State Zip
4. Description of Request: Conditional use permit to operate
daycare within SR-1 district
5. Name of Development "Littlest Angels Learning Center (Daycare)"
6. Location of Development 1705 Mt. Zion Road, Union, Kentucky 41091
7. Acreage Under Review 1.8116
8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
9. Owner of Property Janet Beck GERY DUSING 371-6220
 Phone Number of Owner 384-1313 FAK 371-8341
10. Address of Property Owner 1705 Mt. Zion Road
 Union Kentucky 41091
 City State Zip
11. Proposed Use(s) on Site Existing residence to be used for daycare,
drop off parking on side, employee parking in rear, three fenced in areas
immediately behind for outdoor play area
12. Total Square Footage of Existing and/or Proposed Buildings
3460 sf
13. Current Zoning on Property SR-1 *
14. Deed Book 584 Page No. 272 * Group No. 3255-2056
15. Is the site subject to a zone change? no
 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? 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: Janet L. Beck
 Property Owner's Signature: Janet L. Beck

* and Deed Book 379, Page 285 and
 Deed Book 391, Page 180

(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 May 31, 1996 Fee Received 510.⁰⁰ R# 10298
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 6-25-96
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: See Minutes

7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

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

DEVELOPMENT: Littlest Angles Learning Center

APPLICANT: Janet Beck

LOCATION: 1705 Mt. Zion Road, Union, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: June 25, 1996

The applicant is requesting a Conditional Use Permit to allow the development of a day care facility within an existing single family home. The site is located on the south side of Mt. Zion Road next to the Ivy Pond Subdivision (See Map #1). The home is approximately 3,460 square feet in size including the basement. The site is served by public water and sanitary sewer. The home is situated on an approximate 1.81 acre site which adjoins the Ivy Pond Subdivision on two sides.

The applicant's Concept Plan shows parking for eight (8) customers and parking for eleven (11) employees along the west and rear of the site. The driveway to the house would be widened to accommodate two-way traffic. The home's garage would be enclosed and incorporated as part of the daycare facility. There are several fenced-in play areas indicated behind the house and landscaping shown around the parking and play areas (See Map #2).

Article 9, of the Boone County Zoning Regulations, permits the development of nursery or day care centers within a Suburban Residential One (SR-1) zoning district with a Conditional Use Permit. The Board must use the following criteria in addition to the seven criteria used to judge a Conditional Use Permit.

- a) the activity is an integral and subordinate function of a permitted use;
- 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.

Surrounding Land Uses and Zoning (See Sheet #4)

North:	Single family homes zoned Suburban Residential One (SR-1)
South:	Ivy Pond Subdivision zoned Suburban Residential One (SR-1)
East:	Ivy Pond Subdivision zoned Suburban Residential One (SR-1)
West:	Single family homes zoned Suburban Residential One (SR-1)

The 1995 Boone County Comprehensive Plan Future Land Use Map indicates the applicant's site as Suburban Density Residential. The Land Use Text makes no specific mention to the applicant's site other than to mention that improvements to Mt. Zion Road, between Union city center and the interchange, should be accompanied by water and sewer improvements to accommodate the anticipated residential growth.

Staff Concerns

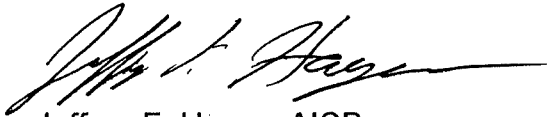
1. Site Plan Review will be required for the development of the parking on the site if the Board approves the Conditional Use Permit.
2. Staff believes that the home should remain a home in appearance rather than take on the appearance of a daycare. Therefore, staff would recommend that no exterior changes be made to the home (other than the garage) and that no signage be used for the site. If signage is permitted, staff believes, that a small monument style free-standing sign or building mounted sign which is no larger than six (6) square feet in size should be permitted.
3. Staff believes that the hours of operation should be established as well as the size of the facility. The applicant has indicated a maximum size of 80 children for the facility. The State agency that licenses daycare facilities will ultimately determine the maximum size of the facility which could be less or more than the 80 indicated by the applicant.
4. Additional landscaping or berming maybe necessary along the perimeter of the site. Staff believes that this issue can be determined during the Site Plan Review procedure.

5. The amount of Vehicle Trips generated by a daycare facility with a capacity of 80 children, would be approximately 372 trips per day. The peak hour average from 7 to 9 AM would be 65 and 66 vehicle trips from 4 to 6 PM. Staff believes that a significant amount of the vehicle trips generated by this facility would be cars which are already using Mt. Zion Road on their way to and from work. Therefore, the new traffic impact to Mt. Zion Road would be less than the numbers indicated above.

Conclusion

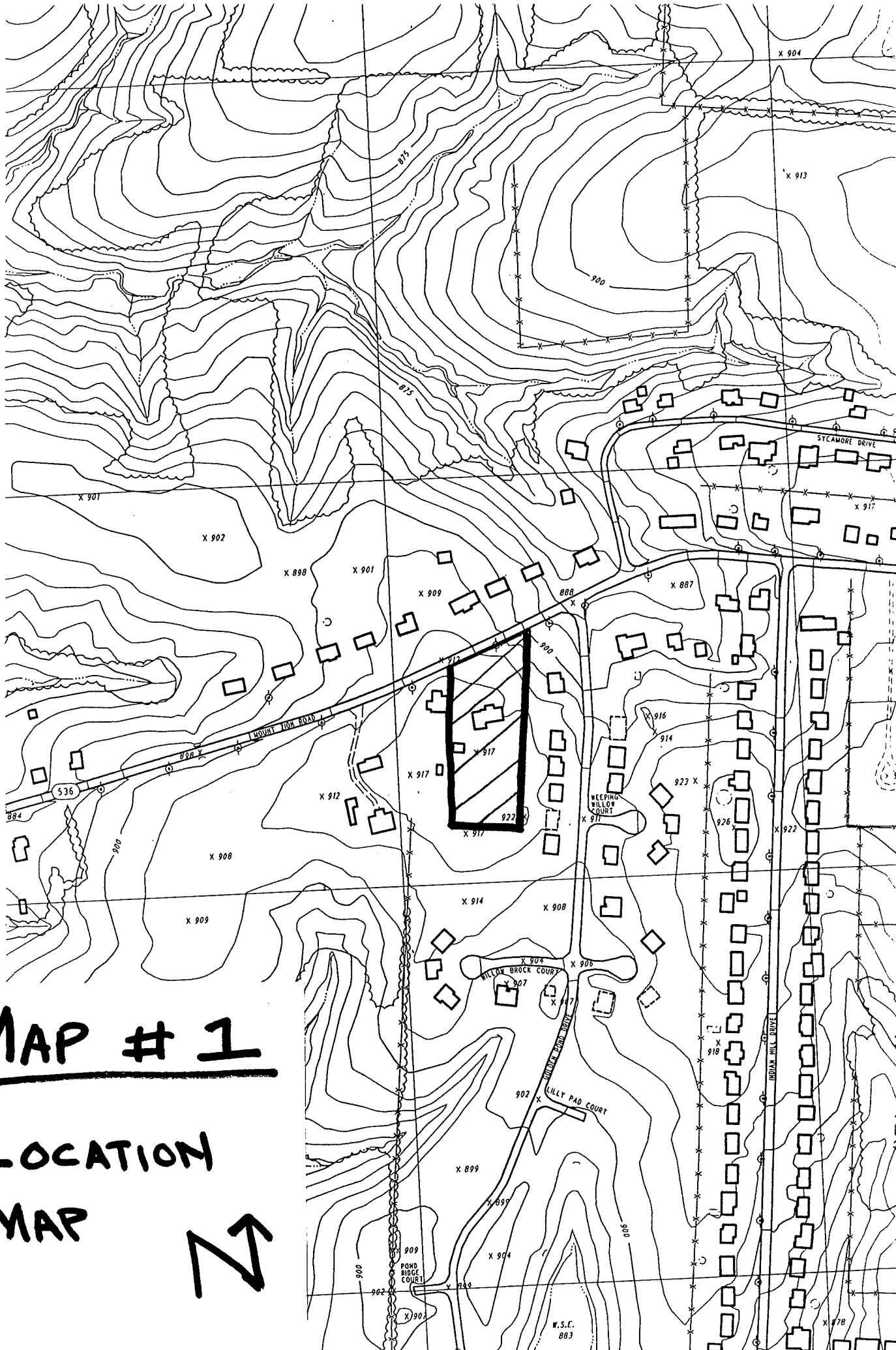
The Board should judge the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the three criteria for a Conditional Use within a SR-1 zone. Staff believes that the proposed use could be compatible if the appearance of the home is retained, landscaping is installed and the size of the facility does not grow beyond the size of the original house.

Respectfully Submitted,



Jeffrey F. Hayes, AICP
Planner

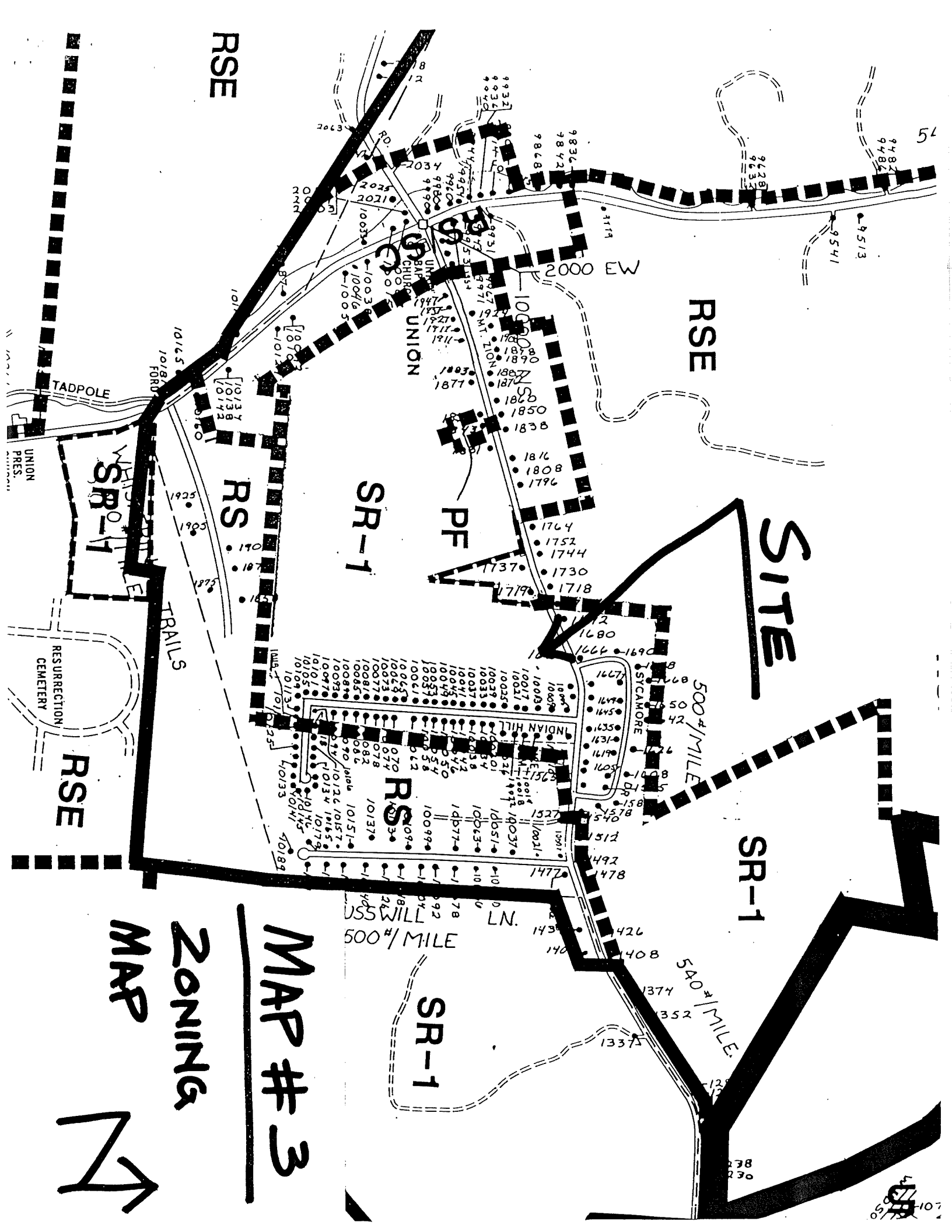
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MAP # 1

LOCATION
MAP





RSE

RSE

SITE

SR-1

PF

RS

SP-1

RSE

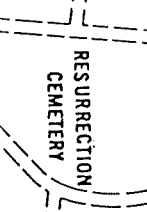
SR-1

SR-1

MAP # 3

ZONING

MAP



TADPOLE

UNION PRES.

FORB

TRAILS

RESURRECTION CEMETERY

INDIAN HILL

SYCAMORE

USS WILL LN.

500' MILE

540' MILE

2000 EW

UNION PRES. CHURCH

INDIAN HILL

SYCAMORE

USS WILL LN.

500' MILE

540' MILE

2000 EW

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CLUR # 96- UBOA-002-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)
Janet Beck
1705 Mt. Zion Road
Union, Kentucky 41091
2. ADDRESS OF PROPERTY
1705 Mt. Zion Road
Union, Kentucky
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
"Littlest Angels Learning Center"

DEED BOOK: 584

PAGE NO.: 272

GROUP NO.: 2056

4. TYPE OF RESTRICTION (S) (Check all that apply)
- Zoning Map Amendment: From to Conditional Use Permit
- Development Plan Conditional Zoning
- Subdivision Plat (Unrecorded) Other:
- Variance
5. 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

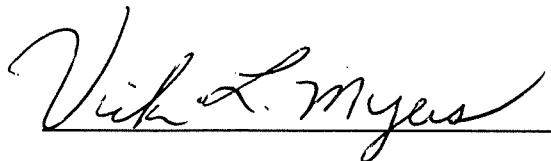

SIGNATURE OF COMPLETING OFFICIAL

Jeffrey F. Hayes, AICP/Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey F. Hayes on behalf of the
Boone County Planning Commission this 14th day of August 1996.

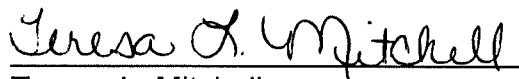


NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 1999

This instrument was prepared for recording purposes only by:



Teresa L. Mitchell
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 as approved by the Union County Board of Adjustments and in accordance with the current zoning in effect as of June 25, 1996 Certificate of Land Use Restriction (# 96-UBOA-002-A), for Janet Beck, property owner.

The following conditions will apply: (1). Site Plan Review and approval is required (2). That the lighting on the parking lots stay on the parking lots and not interfere with anyone else's property. (3). The sign is to be no larger than 6 square feet and can be out in the front yard and not affixed to the house. (4). The hours of operation are to be 6:30 A.M. to 6:30 P.M. (5) No more than 80 children which is the total whether they are drop off or day care. (6) That the parking spaces be moved to the rear of the facility behind the play area and a turning ability be provided. (7). That the plantings on the west side be maintained even though the parking will not be there. (8) That the buffer for the sound be on the east, west, and south sides around the perimeter of the facility. The trees would be a minimum height of six feet at planting. (9) The house is not to be enlarged. The only use is to be a day care center and there are not to be any more than 80 children. (10) There is to be no other entrance or exit other than on Mt. Zion Road. (11) They will put in a 4' - 5' fence. (12). The trees, shrubbery, and fence are to be maintained. (13). That a sign be posted: NO STOPPING OR DROP-OFF IN THE DRIVEWAY.

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

described in: DEED BOOK 584

PAGE NO. 272

Group No. 2056