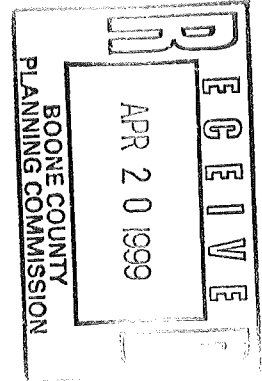


APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone _____ Florence _____ Walton Union
2. (Check One) x Conditional Use Permit _____ Variance _____ Appeal
Change in Non-Conforming Use
3. Applicant's Name McKnight & Hostrman Architects, Inc.
Phone Number (614) 875-1689 Fax No. (614) 875-7006
Applicant's Address 3351 McDowell Road
Grove City, Ohio 43123
City State Zip
4. Description of Request: Permit to build an additional church structure on existing property.
5. Name of Development Union Baptist Church
6. Location of Development 1985 Mount Zion Road, Union, KY 41091
7. Acreage Under Review 3.9731
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Union Baptist Church
Phone Number of Owner (606) 384-3855
Address of Property Owner Union, Kentucky 41091
City State Zip
11. Proposed Use(s) on Site Church
12. Total Square Footage of Existing and/or Proposed Buildings 10,600
13. Current Zoning on Property RS-SC
14. Deed Book 082 Page No. 242 Group No. 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: [Handwritten Signature]

Property Owner's Signature: [Handwritten Signature]

(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 4/20/99 Fee Received \$68.00 R 20198
- 2. Is application complete? Yes No
- 3. Staff Reviewer Mark Jordan
- 4. Scheduled Board Action Date _____
- 5. Board Action:
 - _____ **Approved**
 - _____ **Approved with Conditions (See #6)**
 - _____ **Denial (See #7)**
- 6. Conditions of Approval: _____
- 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: Union Baptist Church

APPLICANT: McKnight and Hosterman Architects, Inc., on behalf of Union Baptist Church

LOCATION: 1985 Mt. Zion Road, Union, Kentucky

ZONING: Rural Suburban/Small Community (RS/SC)

DATE: May 20, 1999

The applicant is requesting a Conditional Use Permit to allow the construction of an additional church structure on a 3.9731 acre site located along Hwy 42 and Mt. Zion Road in Union, Kentucky. The proposed 10,600 Sq. ft. +/- addition will be attached to the present church building, and consists of a 48 x 25 foyer area, a 88 x 58 500 seat congregation area, two (2) 16 x 20 classrooms, and a 50 x 25 platform/choir seating area (See Enclosed Plans).

Article 2, Section 220 of the Boone County Zoning Regulations states that the Board of Adjustments and Zoning Appeals shall have the authority to grant Conditional Use Permits and may prescribe appropriate conditions and safeguards as part of the terms under which a Conditional Use Permit is granted.

Article 2, Section 262 of the Boone County Zoning Regulations outlines the general standards applicable to all Conditional Uses. The Board should consider whether or not, the intended use:

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 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 any such services;
5. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community;
6. Will 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 designed as not to create an interference with traffic on surrounding public thoroughfares.

Article 9 "Residential Districts", Section 923 of the Boone County Zoning Regulations, permits churches in a Rural Suburban-Small Community (RS-SC) zoning district as a conditional use (Site Plan Review is required).

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit, stated in Section 262 and the following criteria from Section 923 of the Boone County Zoning Regulations:

Section 923

- a.) the activity is an integral and subordinate function of a permitted recreational or residential use;
- 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 1995 Boone County Comprehensive Plan's Future Land Use Map indicates the subject property and surrounding area as "Commercial" (C) and "Rural Density Residential" (RD) which are defined and classified as follows:

Rural Density Residential (RD)

Low density residential uses of up to one dwelling unit per acre, which are not part of a formal subdivision.

Commercial (C)

Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.

Surrounding Land Uses and Zoning

The site is surrounded by older single family residences along Mt. Zion Road, and general commercial locations along Hwy 42. These surrounding properties, as well as the subject property, are zoned Rural Suburban/Small Community (RS/SC). The subject property has frontage on Mt. Zion Road and Hwy 42. The current parking area has access off of Mt. Zion Road. The proposed parking area will interconnect with the present, and will have access via Hwy 42.

Staff Concerns/Comments/Requirements

1. If the request is approved by the Board, the applicant will be required to submit a Site Plan for review by the Boone County Planning Commission Staff.
2. Staff is concerned with traffic issues with the addition of 78 parking spaces, and the close proximity to the intersection of Mt. Zion Road and Hwy 42. If any new vehicle trips are anticipated for the combined AM and PM services, the stacking of vehicles onto Mt. Zion Road and Hwy 42 is strongly discouraged.

Respectfully Submitted,

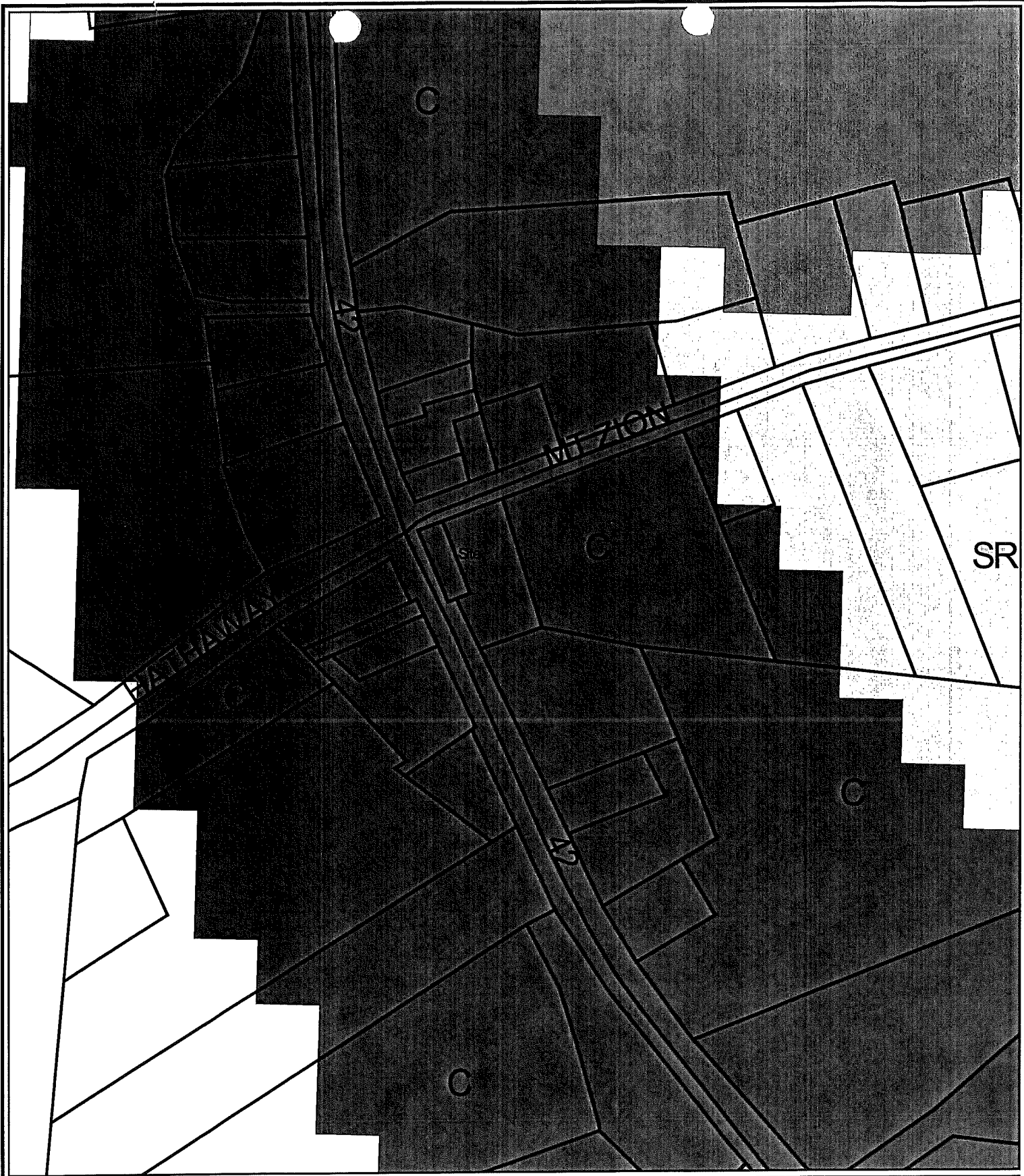


Mark E. Jordan
Planner

MEJ\pr

Attachments

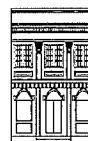
- Zoning Map
- Future Land Use Map
- Proposed Site Plan/Floor Plan/Elevation drawings

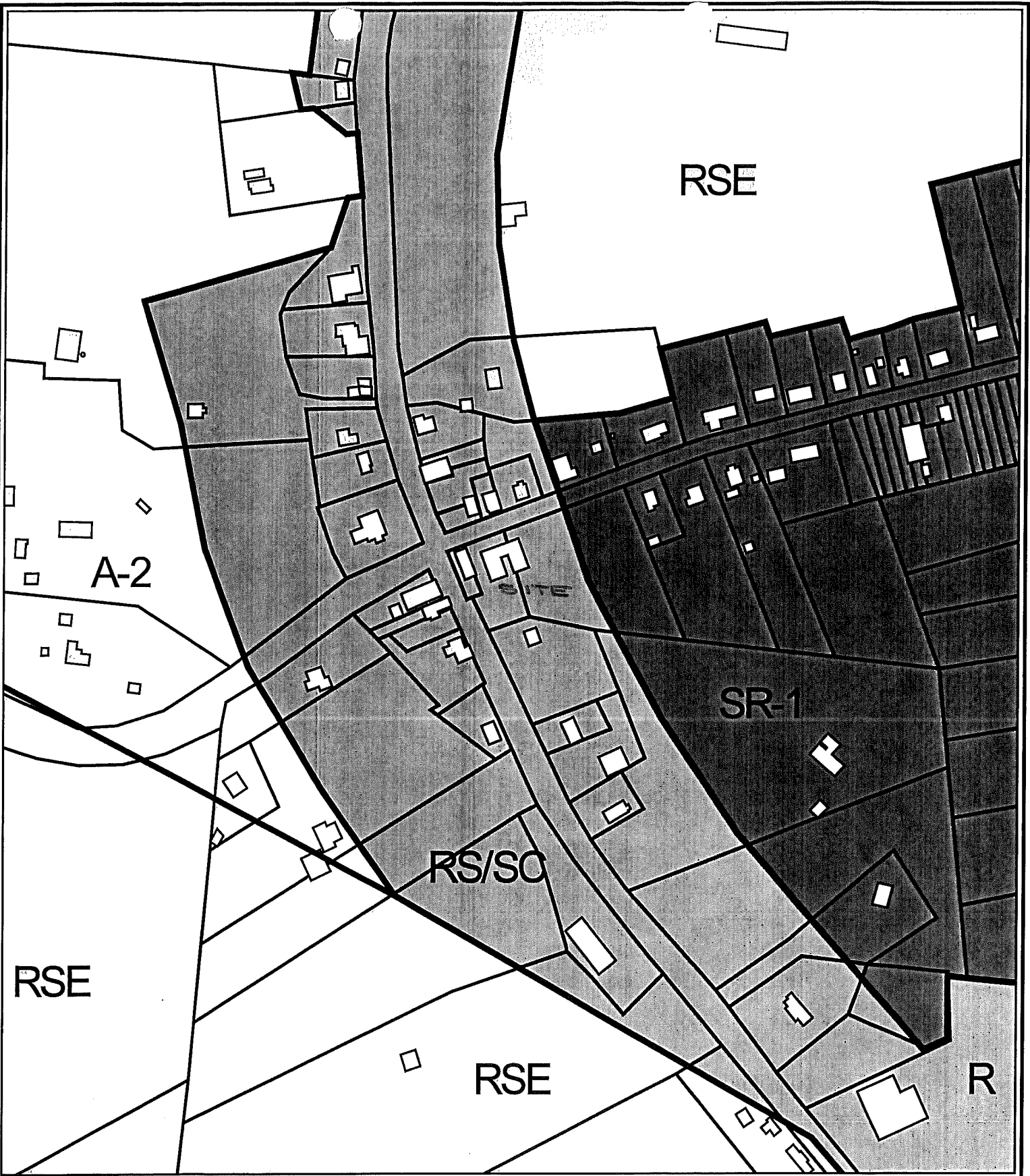


**Future Land Use Map
1985 Mt. Zion Road**

200 0 200 Feet

1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 14, 1999



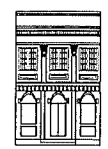


Zoning Map

1985 Mt. Zion Road

300 0 300 Feet

1 inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 May 14, 1999



COPY

CLUR # 99-UBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Union Baptist Church
1985 Mt. Zion Road
Union, Kentucky 41091

2. ADDRESS OF PROPERTY

1985 Mt. Zion Road
Union, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Union Baptist Church Addition

DEED BK.:82

PAGE NO.:242

GROUP NO.:2056

4. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment: From _____ To _____ Conditional Use Permit

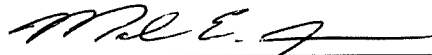
Development Plan Conditional Zoning

Subdivision Plat (Not Recorded) 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

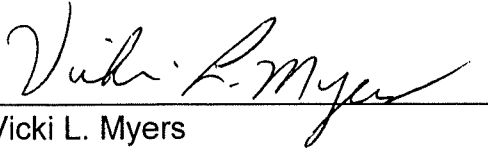
Mark Jordan, Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

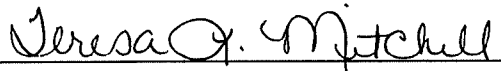
Subscribed, sworn to, and acknowledge before me by Mark Jordan, on behalf of the
Boone County Planning Commission this 2nd day of June, 1999.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

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 approved by the Union Board of Adjustments and in accordance with the current zoning in effect as of May 20, 1999 Certificate of Land Use Restriction (# 99-UBOA-001-A), for Union Baptist Church, Property Owners.

The following conditions will apply: (1): That the owners apply and comply with site plan approval.

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

described in: DEED BOOK 82

PAGE NO. 242

Group No. 2056