

SECTION B

(To be completed by Boone County Planning Commission Staff)

- 1. Date Received 8/28/90
- 2. Fee Received \$116.00
- 3. Is application complete? Yes No
- 4. Staff Reviewer Clay A. Moore
- 5. Scheduled Board Action Date September 6, 1990
- 6. Board Action:
 - Approval
 - Approved With Conditions (See #7)
 - Disapproved (See #8)
- 7. Conditions: none
- 8. Reasons For Disapproval:

STAFF REPORT

Request of the Zion Baptist Church (applicant)
for a Conditional Use Permit to allow the construction
of a building addition. The approximately one-half acre
site is located at 35 Church Street, Walton, Kentucky.
The site is zoned Suburban Residential One (SR-1)
and is owned by the Zion Baptist Church.

SEPTEMBER 6, 1990

The applicant is seeking a Conditional Use Permit to construct a two-story, building addition to the rear of an existing church. The proposed project is to be located at 35 Church Street, Walton, Kentucky. The property is zoned Suburban Residential One (SR-1) and is owned by the Zion Baptist Church.

Article 8, Section 830 of the Boone County Zoning Regulations states that one Conditional Use permitted on any site zoned Suburban Residential One (SR-1) is "churches, synagogues, temples and other places of religious assembly for worship."

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

1. If granted, the Conditional Use 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.

The 1990 Boone County Comprehensive Plan refers to development in the this area of the City of Walton.

"The north and central portions of Walton should experience residential growth in response to the employment growth and utility expansion in the area." (p. 225)

The Land Use Map of the Plan indicates the future land use of this property to be Suburban Density Residential (no more than 4 dwelling units per acre).

The overall objective of the Plan states, "There is nothing inherently incompatible between the various broad categories of land use. Residential, commercial, industrial and institutional uses can co-exist..." (p. 1)

2. Staff feels that the building addition 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.
3. The church will not be hazardous to existing or future neighboring uses.
4. The property will be adequately served by essential public facilities and services.

5. No additional requirements at the public cost for public facilities and services should be created or be detrimental to the economic welfare of the community.
6. The church will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor.
7. Since no vehicular approaches to the property will be altered, no additional interference with traffic on surrounding public streets should be created.

The Board must also consider specific criteria which apply to Conditional Uses in SR-1 zoning districts:

- a. The activity is an integral and subordinate functions of a permitted use.
- b. The activity will not contradict the low density character of the district.
- c. The location of the proposed building addition that is illustrated on the attached drawing will be compatible with the organization of permitted and accessory uses to be protected in the district.

Staff Concern:

Staff is concerned with the limited number of parking spaces provided near the existing facility and how the building addition will affect the parking situation. If the church membership increases, additional parking may be necessary and worsen the current situation.

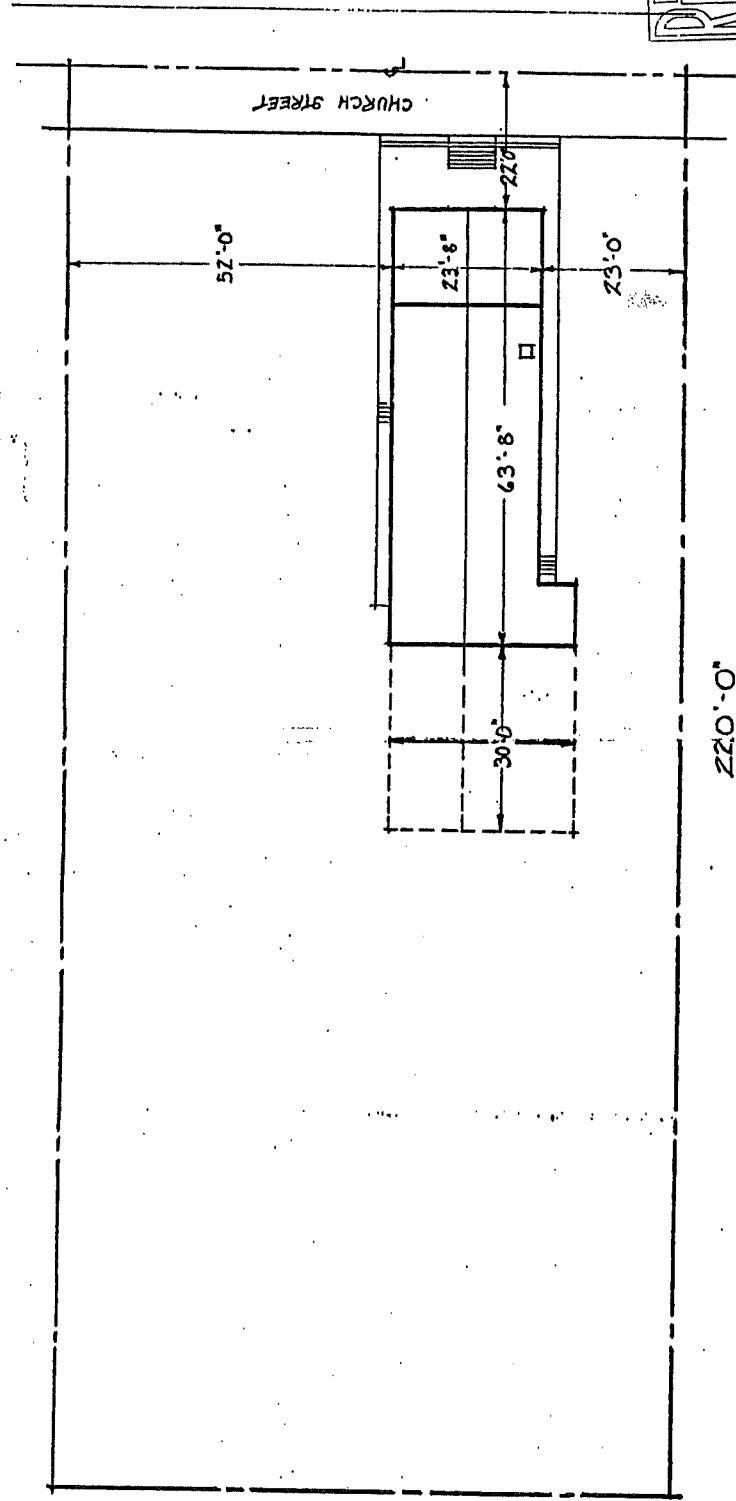
Usually, if a Conditional Use Permit is granted, the applicant then has to proceed with the Site Plan Review process through the Boone County Planning Commission. If a request is relatively small, the Board of Adjustment may not require this formal review but an in-house review of the Site Plan by Staff. This authority is granted to the Board in Article 2, Section 262, of the Boone County Zoning Regulations. It states that "The Board may require the applicant to submit a site plan as detailed in Article 14, Section 1402 of these regulations." The Boone County Zoning Administrator is of the opinion that this development is of the scale that does not require Site Plan Review.

Attached to this report is a drawing of the existing facility and the location of the proposed building addition.

Respectfully Submitted,

Amy S. Moore
Plans Examiner/Planner I

ASM:kat



RECEIVE
 AUG 14 1990

ADDITION TO ZION BAPT. CHURCH
35 CHURCH ST. WALTON, KY

SCALE: 1" = 20' 0" APPROVED BY _____
 DATE: 8/2/90 DRAWN BY: M/JH

DRAWING NUMBER
 /

CARL M. PARKER
 (800) 448-0716



GENERAL CONTRACTORS
 14143 Brown Road
 Verona, Kentucky 41092

981-1864-1127

98:8

WALTON BOARD OF ADJUSTMENT
BUSINESS MEETING

September 6, 1990 - 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Earl Abshire
Mr. Maynard Meadows
Mr. Wally Wireman, Chairman

LEGAL COUNCIL PRESENT:

Mr. Dale Wilson

The meeting was called to order by Chairman Wireman at 6:30 P.M.

AGENDA ITEMS:

1. Request of the Zion Baptist Church (applicant) for a Conditional Use Permit to allow the construction of a building addition. The approximately one-half acre site is located at 35 Church Street, Walton, Kentucky. The site is zoned Suburban Residential One (SR-1) and is owned by the Zion Baptist Church.

Staff member, Amy Moore, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Wireman stated that members of the church were in favor of this request and asked if there was anyone present who was opposed to the request. Nobody was present who opposed the request.

Counselor Wilson then explained why this Conditional Use Permit was necessary. He explained that in various zones there are both permitted and conditional uses. Churches and the expansion of churches are a Conditional Use in this particular zone. A Conditional Use Permit has to be presented before this Board to see if the proposed use is what is intended for or suitable for this particular area. He went on to say that if the Board is concerned about something in particular, they have the right to impose reasonable conditions. They may or may not be demanding on what they think is appropriate.

Ms. Moore stated that the Board has the option to not require formal Site Plan Review which means that it would not have to be presented as new business to the Boone County Planning Commission and be voted on by the entire Planning Commission. The church could bring their Site Plan into the Planning Commission's office so Staff could review the Plan to make sure that it meets the zoning regulations. This would be a more informal review by the Staff instead of the formal review and vote before the Planning Commission. If the Board feels that this is a small enough addition to not warrant Site Plan Review, they could vote to waive this requirement.

Chairman Wireman asked if the City of Walton had any comments concerning the proposed project.

Mr. Phil Trzop, Building Inspector for the City of Walton, then reviewed the proposed project.

Mr. Meadows stated that he felt that presently there is adequate parking at the church. He then asked if there was enough space on the property to construct additional parking if needed? Chairman Wireman agreed that there was sufficient space on the property. He then explained that his concern wasn't of the nature that would require any additional conditions since he has known the members of the church and felt that they would do what was needed.

Chairman Wireman then asked about the utilities that served the property.

In response, Mr. Trzop stated that they had recently reviewed the water service to the building with the church's contractor, Mr. Carl Parker. The church plans to alter the existing water lines and it would probably have better service than presently exists. Since only two restroom facilities would be added, the sewer system would not be affected. Mr. Trzop felt that the utilities would not be affected.

Mr. Abshire then commented on the parking issue again. He stated that he felt that there was ample space behind the church for additional parking if it became necessary.

One of the church members asked if the drainage that runs from the railroad through the valley behind the church had been reviewed.

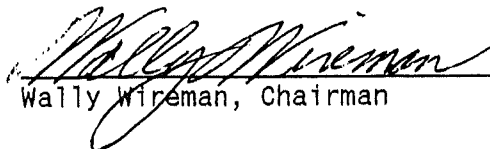
Mr. Wireman asked if the City of Walton had looked into that issue.

Mr. Trzop stated that he felt that as long as grading was only done for the building addition, the natural flow of the drainage would not be interrupted. He stated that it may become a problem if an additional parking lot is constructed behind the building at some future point in time. At that time, Site Plan Review by the Planning Commission would probably be necessary.

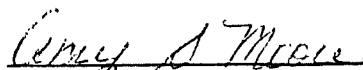
Mr. Abshire moved that the Conditional Use Permit be granted based on the Staff Report and that the formal Site Plan Review requirement by the Boone County Planning Commission be waived. Mr. Meadows seconded the motion and it carried unanimously.

There being no further business to come before the Board, Chairman Wireman moved that the meeting be adjourned. Mr. Abshire seconded the motion and it carried unanimously.

APPROVED:


Wally Wireman, Chairman

Attest:


Amy S. Moore, Plans Examiner/Planner I