

**UNION BOARD OF ADJUSTMENT
UNION CITY BUILDING
1843 MT. ZION ROAD, UNION, KENTUCKY
BUSINESS MEETING
April 19, 2010
6:30 P.M.**

Mr. Terrill Kidwell, Chairman, called the meeting to order at 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Terrill Kidwell, Chairman
Mr. Andrew Rosen
Mrs. Pamela Sayers

All members were present

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Approval of the Minutes:

Mr. Kidwell stated that the Board members received copies of the Minutes of the Union Board of Adjustment Meeting of March 22, 2010. Mr. Rosen made a motion to accept the minutes as written and Mrs. Sayers seconded the motion. Mr. Kidwell asked for a vote and it carried unanimously.

Agenda Items:

1. **Request of the Florence Christian Church for a Conditional Use Permit to extend the time limit that a church and Monday to Friday daycare can operate on property located at 9779 Old Union Road, Union, Kentucky. The property is currently zoned Rural Suburban Estates/Union Town Overlay (RSE/UTO).**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mrs. Diane Zehr, Senior Pastor at Florence Christian Church, said the church's Planning Committee has met the last couple of months to determine when they are going to build the permanent facility located at the corner of US 42 and Sweet Harmony Lane. They are working on bank loans and are planning a second capital campaign this fall. They are planning on building the permanent facility. She also introduced Ms. Julie Linville, the Director of the Day Care Center.

Mr. Kidwell asked if the hours of operation would remain the same for the current location. Mrs. Zehr replied "yes".

Mr. Rosen asked if there had been any problems at the current location. Mrs. Zehr replied that they left a coffee pot on one time and a fire truck came to the site.

Mr. Morgan asked Mrs. Zehr if any grading work had been performed at the future location. He said he was bringing this up because the Major Site Plan that was approved on July 25, 2008 is only valid for two years unless the construction process was started. The Zoning Administrator can grant a one year extension of the Site Plan approval but the extension must be approved before the two year time limit expires.

Mr. Rosen asked if the septic system was holding. Mrs. Zehr replied "yes".

Mr. Kidwell asked for clarification regarding the proposal. Mr. Morgan replied that the proposal would allow the building to be used as a church and Monday to Friday daycare until such time the building and parking lot were demolished. The Board could also consider a condition which limited the church and daycare uses until such time that Florence Christian Church vacated the property.

Mr. Wilson stated that the language in the Staff Report would allow a church and daycare use to be ongoing until such time that the building and parking lot were demolished. Florence Christian could build their permanent facility and another church could move into this location.

Mr. Morgan said a suggested condition could be that the church and Monday to Friday daycare can operate on the property until such time that Florence Christian Church vacates the property.

Mr. Rosen asked if the Board just wanted to extend the time limit for another couple of years. Mr. Morgan said that wouldn't be his preference because the church is leasing the property month to month and he wants to give them the flexibility to remain at this location in the event that they do not build their permanent facility. This is third time they have been before the Union Board of Adjustment for the subject location.

Ms. Linville asked if they can grant a specific conditional use, such as church facilities and a licensed child care. Mr. Wilson said those uses have already been approved and the application is to allow those use to remain for a specified time. The application indicates that the use will continue until such time that the current user (Florence Christian Church) vacates the premises or the building is demolished.

Mr. Rosen made a motion to approve the project with the following conditions: (1) The church and day care use can continue on the property until such time that Florence Christian Church vacates the premises; (2) The Monday to Friday daycare can care for up to 49 children at any given time; (3) The Monday to Friday day care can operate from 6:30 A.M. through 6:00 P.M.; and (4) There shall be no church activities on the site after 9:30 P.M. Mrs. Sayers seconded the motion. Mr. Kidwell asked for a vote and it carried unanimously.

Mr. Kidwell made a motion to adjourn the meeting and Mr. Rosen seconded the motion. Mr. Kidwell asked for a vote and it passed unanimously. The meeting adjourned at 6:47 P.M.

APPROVED

Terrill Kidwell, Chairman

Attest:

Todd K. Morgan, AICP
Senior Planner, Zoning Services