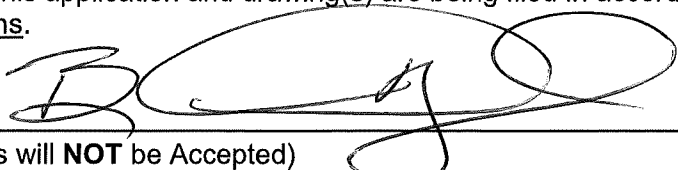



Welding

10. Proposed Use(s) on Site: _____
11. Total Square Footage of Existing and/or Proposed Buildings: 2,700 Sq/Ft / 36,000 Sq/Ft
12. Current Zoning: I-1/CD
13. 1168 / 1052 / 1104 952 / 407 / 71 ~~5236~~ 2080
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: 
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

ORIGINAL Applicant's Signature: 
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

SECTION B: (To be completed by Planning Commission staff)

- 1. Date Received: 6/28/23 Fee Received: \$966 Receipt #: 88726
- 2. Is application complete: ✓
- 3. Staff Reviewer: Todd Morgan
- 4. Scheduled Board Action Date: 7/31/23
- 5. Board Action: _____

- Approved
- Approved with Conditions (see #6)
- Denial (See #7)

6. Conditions of Approval: SEE 7/31/23 Meeting Minutes
AND C.L.U.R.

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#1

APPLICANT: Steve Berling for Fields Welding

LOCATION: 149 Mullen Drive (Lots 14-16 of North Walton Commerce Park), Walton, KY

ZONING: Industrial One (I-1)

DATE: July 31, 2023

PROPOSAL

The applicant has submitted a variance to reduce the road frontage requirement to allow Fields Welding to have four access points on Mullen Drive. Final Plats show the overall site has 666.94 feet of frontage on Mullen Drive. The request is to reduce the road frontage requirement required to have four curb cuts from 1,500 feet to 666.94 feet.

The submitted plan shows that Fields Welding is planning to construct a 36,000 square foot addition (300' x 120') onto the northwest side of their building and that two new access points are proposed on Mullen Drive.

PURPOSE OF THE ACCESS POINTS (FROM NORTHWEST TO SOUTHEAST)

1. The proposed access point to the side of the building addition will allow semi-trucks to access the 25-ton crane behind the building. One or two trucks are expected to use this access point per week.
2. The proposed access point ties directly into the addition and will be used by smaller trucks to get steel out of the building. The access point will be used about once a day.
3. The existing access point is used to get steel in and out of the building and to the 10-ton crane. This access point is used by trucks about once or twice per day.
4. The existing access point serves the employee parking lot. This lot can also be used to store steel and trailers.

PERTINENT SITE HISTORY

1. On March 9, 2022, a Major Site Plan application was submitted to allow Field Welding to construct a new parking lot with a access on Mullen Drive. A Variance was not needed because Fields Welding met the road frontage requirement (501') to have two access points on Mullen Drive.
2. On May 19, 2023, a Major Site Plan application was submitted to allow the construction of the building addition. The applicant was made aware that a Variance needed to be approved to allow the four curb cuts.

APPLICABLE REGULATIONS

- A. Section 202 C. of the Boone County Zoning Regulations states one duty of the Board of Adjustment is to hear and act on variance applications.

- B. Section 204 of the Boone County Zoning Regulations defines a variance as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 204 of the Boone County Zoning Regulations.
1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - (a.) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (b.) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - (c.) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
 2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.
- D. Section 1102 of the Boone County Zoning Regulations states that “The purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district. This zoning classification can range from a compact multi-level office development on several acres to an extensive mixed office/warehouse/distribution

development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.”

- E. Section 3221 of the Boone County Zoning Regulations states that a proposed development is permitted one access point for each 500 feet of site frontage.
- F. Section 3222 of the Boone County Zoning Regulations states that access point on opposite sides of arterial, collector, and subcollector roadways shall be located opposite one another. If not, so located turning movement restrictions may be imposed as determined necessary by the Planning Commission.
- G. Section 3322 of the Boone County Zoning Regulations states that any parking area shall be designed in such a manner that that any vehicle leaving or entering the parking area from or into a public or private street, shall be traveling in a forward motion.

SITE CHARACTERISTICS

- A. The overall Fields Welding site (lot 14-16 of North Walton Commerce Park) is 9.1868 acres in area and is located on the southwest side of Mullen Drive.
- B. The site has 666.94 feet of street frontage on Mullen Drive.
- C. The property contains a 23,500 square foot fabrication warehouse and two accessory parking lots. Each parking lot has its own access point on Mullen Drive.
- D. The back of the site is heavily wooded with mature deciduous trees and a retention pond exists on the rear of lot 16.
- E. Boone County G.I.S. shows the topography of the site falls from 922 feet above sea level at the northwest property corner to 880 feet above sea level where the retention pond exists near the southeast property boundary.

SURROUNDING LAND USES AND ZONING

- Northeast: Mullen Drive, Balance Dynamics, Tempflex, and Best Sanitizers (I-1)
- Northwest: Airgas (I-1)
- Southeast: Single-Family Residential Dwellings Fronting on Rocky Pointe Court (SR-1)
- Southwest: Undeveloped Lot Fronting on Mullen Drive (I-1)

STAFF COMMENTS

- A. Staff received a letter Mayor Brown wrote to Boone County Public Works on 4/11/23. The letter recommends that Boone County Public Works approve the new access points.

- B. Rob Franxman, the County Engineer, sent Michael Schwartz an email on 6/1/23 indicating that the City of Walton will make the decision on whether the curb cuts are allowed or not. Typically, vehicle backing movements are not permitted in a public right-of-way.
- C. Staff took pictures from the existing and proposed curb cuts and noted that there is excellent sight distance.
- D. The Board needs to analyze the variance criteria before acting on the request.

CONCLUSION

- A. KRS 100.237 and 100.241 and Section 202 of the Boone County Zoning Regulations give the Walton Board of Adjustment and Zoning Appeals the authority to act on the application.

Respectfully Submitted,



Todd K. Morgan, AICP
Senior Planner

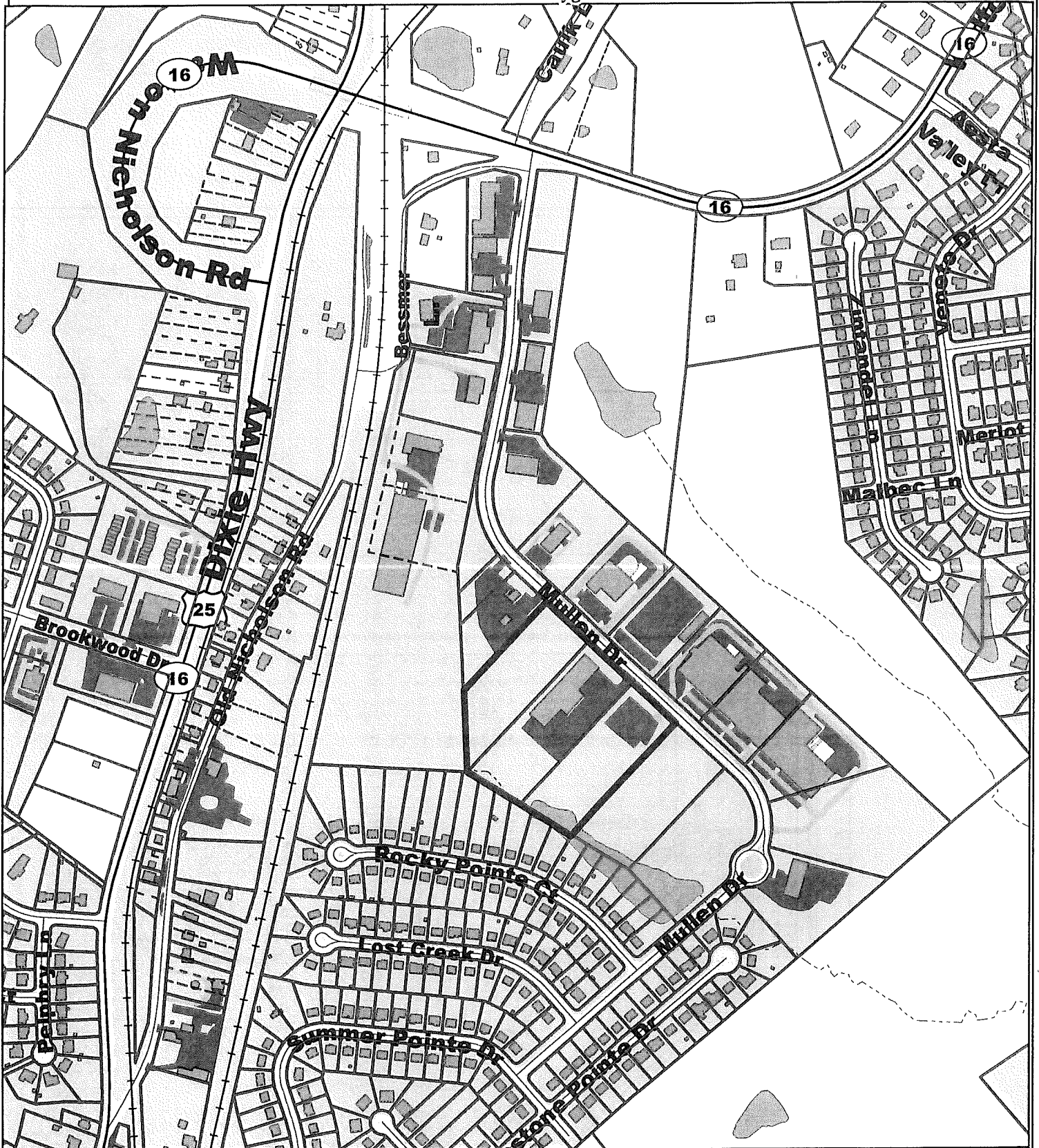
TKM/ss

Attachments

- *Site Vicinity Map
- *Concept Development Plan
- *Zoning Map
- *2023 Aerial Map
- *Topographical Map
- *4/11/23 Letter from Mayor Brown to Boone County Public Works
- *6/1/23 Email from Rob Franxman to Michael Schwartz
- *Application

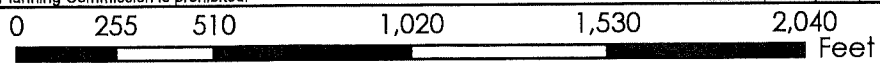
SITE VICINITY MAP

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

ArcMap Document: *.mxd

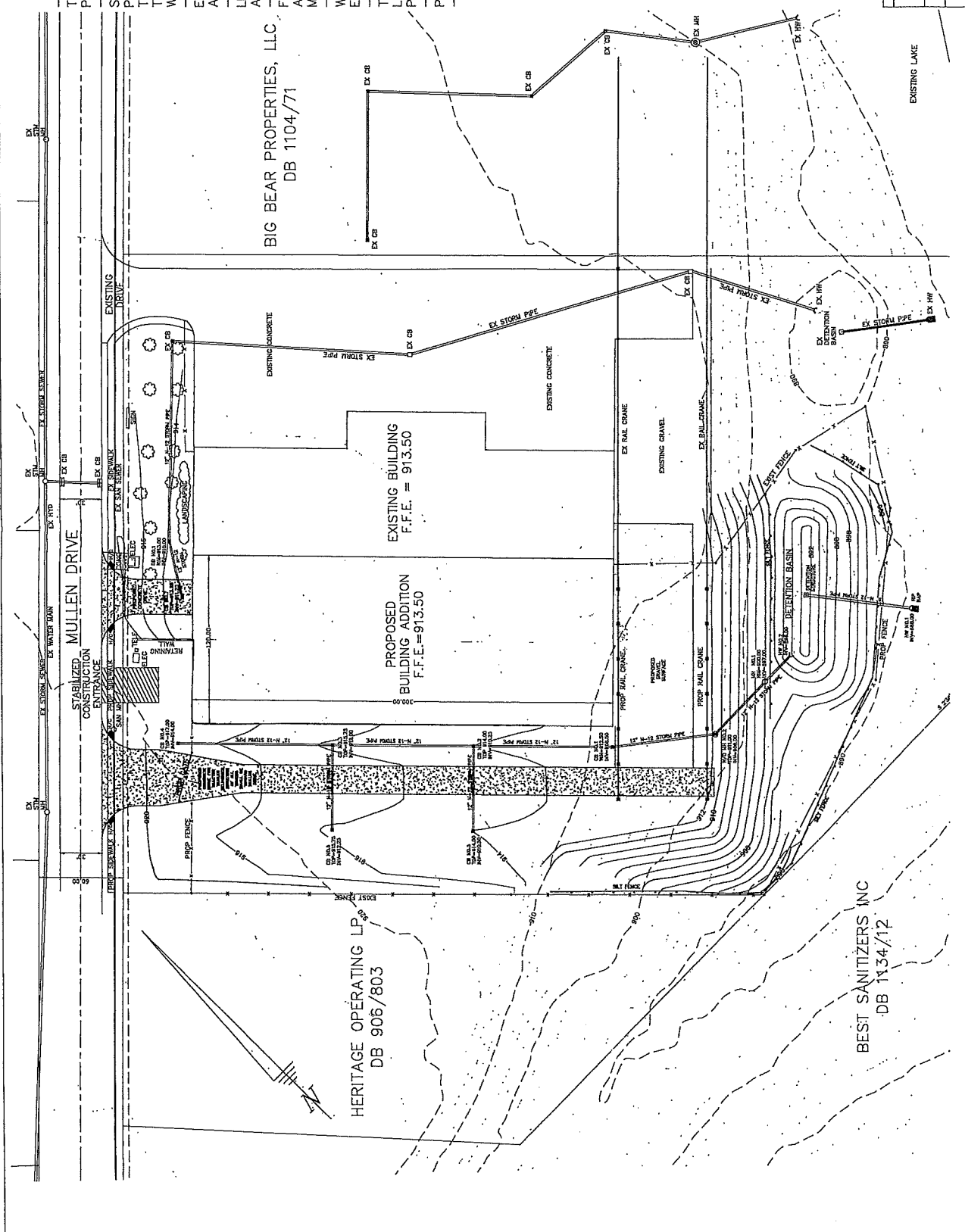
NOTES

- THERE SHALL BE NO EXTERIOR TRASH ENCLOSURES WITH THIS PLAN.
- AN ENCROACHMENT PERMIT SHALL BE OBTAINED FOR ALL PROPOSED ACCESS POINTS FROM THE CITY OF WALTON THROUGH THE BOONE COUNTY PUBLIC WORKS DEPARTMENT.
- THERE WILL BE NO ADDITIONAL EMPLOYEES WITH THE PROPOSED ADDITION.
- THERE WILL BE NO EXTERIOR LIGHTING WITH THE PROPOSED ADDITION.
- THE GRAVEL SURFACE AREA IS FOR CRANE MAINTENANCE ONLY AND SHALL NOT BE USED FOR MATERIAL STORAGE.
- WATER AND SANITARY SERVICES WILL BE PROVIDED THROUGH THE EXISTING BUILDING.
- OWNER SHALL GRANT ACCESS TO THE CITY OF WALTON FOR LONG-TERM INSPECTION OF POST-CONSTRUCTION BMPs.
- STORM INLETS SHALL BE PROTECTED PER DETAIL
- PARKING
- REQUIRED: 59 SPACES
(TOTAL SF = 58,500)
- PROVIDED: 66 SPACES
(EXISTING BUILDING + ADDITIONAL LOT)



FIELDS WELDING
 148 MULLEN DRIVE
 WALTON, KENTUCKY

PROJECT: MULDEN DRIVE	DATE: 11/14/12
ENGINEER: FIELDS WELDING	SCALE: AS SHOWN
PROJECT NO: 12-001	DATE: 11/14/12
PROJECT: MULDEN DRIVE	SCALE: AS SHOWN
ENGINEER: FIELDS WELDING	SCALE: AS SHOWN
PROJECT NO: 12-001	DATE: 11/14/12

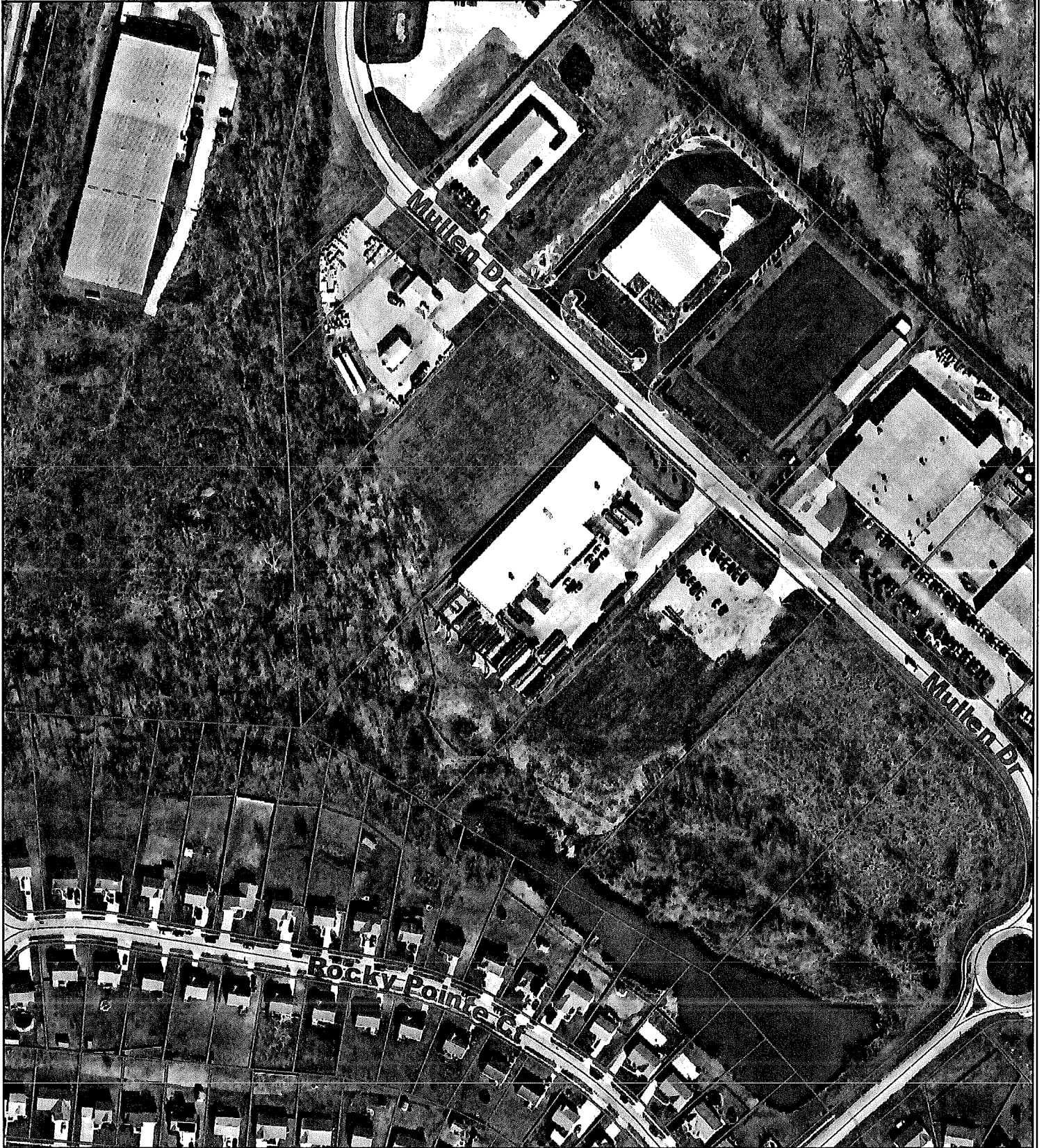


BEST SANITIZERS INC
 DB 1134/12

EXISTING LAKE

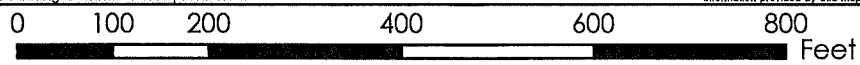
2023 AERIAL MAP

www.boonecountygis.com

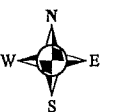


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1 inch = 200 feet



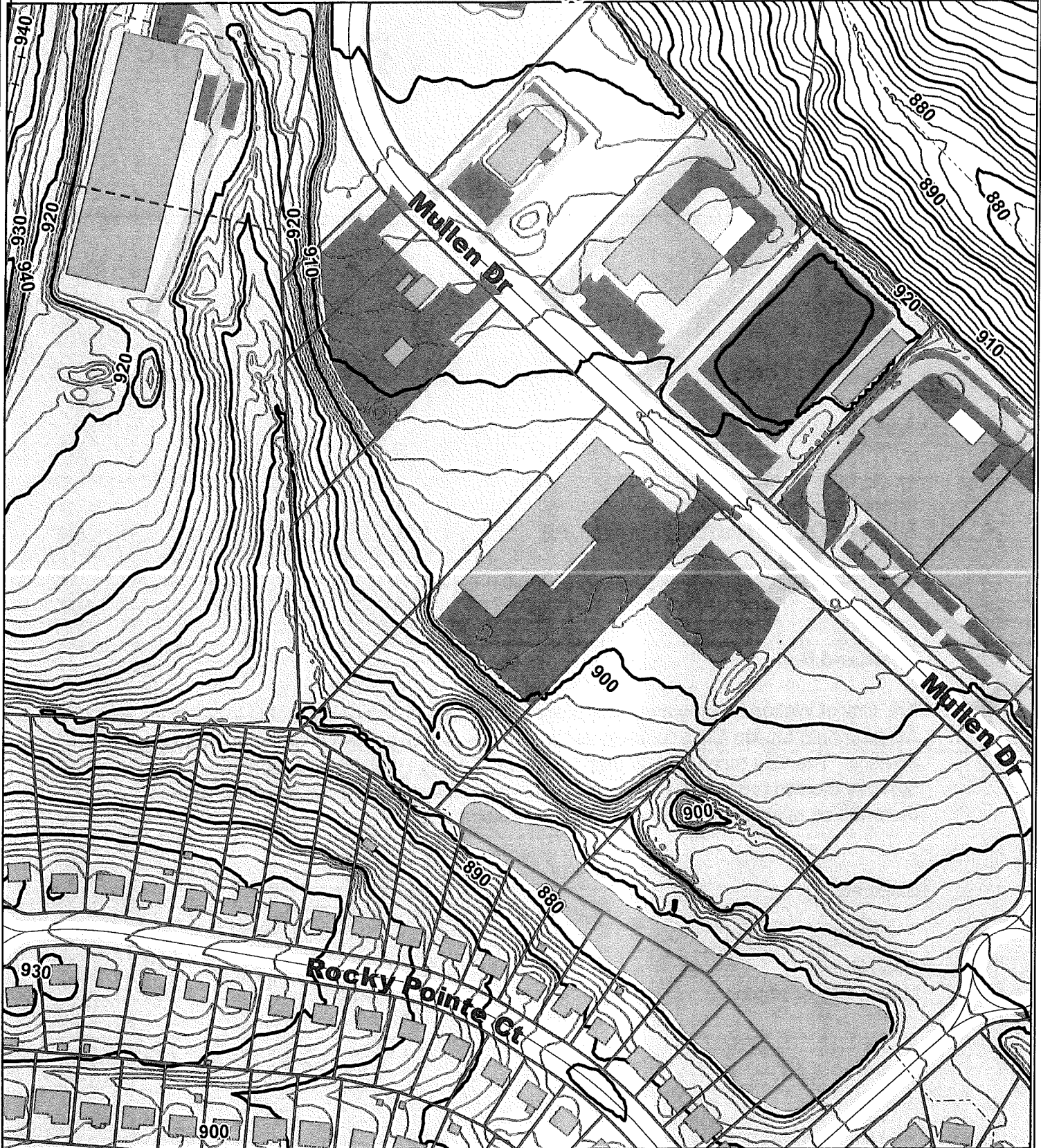
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: x/h/2020

Made With & Edited by ArcGIS 10.8.1
ArcMap Document: *.mxd

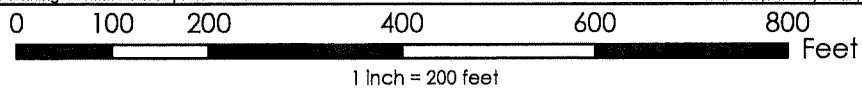
TOPOGRAPHICAL MAP

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

Boone County GIS
ArcMap Document: *.mxd



"The Place to Be"

Visit Our Website
www.cityofwalton.org

April 11, 2023

Boone County Public Works
Attention: Daniel Rice/Rob Franxman, PE

Re: Field Welding Access Drives onto Mullen Drive

Daniel and Rob

The City of Walton has reviewed the proposed access drives of the Fields Welding Addition onto Mullen Drive for steel delivery to the proposed 25-ton crane and building addition. The City recommends that the Boone County Public Works Department approve the two proposed access drives including the driveway widths as we believe there will be minimal effect to the traffic on Mullen Drive.

Sincerely

Gabe Brown
Mayor, City of Walton

Michael Schwartz

From: Robert Franxman
Sent: Thursday, June 1, 2023 2:49 PM
To: Michael Schwartz
Subject: RE: Field's Welding - 149 Mullen Drive

Michael,

Couple comments.

Thanks,
Rob

- It appears there will be 3 access points under 500 feet of frontage. Ultimately this is the City of Walton's decision to allow or not.
- Not sure the purpose of the center access point. It appears this could be a tractor trailer dock. Typically backing in from the public street would not be allowed.

From: Michael Schwartz <mschwartz@boonecountyky.org>
Sent: Tuesday, May 30, 2023 4:47 AM
To: Robert Franxman <rfranxman@boonecountyky.org>; gregensburger@cityofwalton.org
Subject: FW: Field's Welding - 149 Mullen Drive

Please review and provide comments to me no later than **Thursday, June 1, 2023**.

If no comments are received by **Thursday, June 1, 2023**, we will assume that the plans meet with your approval.

Michael D. Schwartz
Director, Zoning Services



BOONE COUNTY
PLANNING COMMISSION

2950 Washington Street, Room 317
Burlington, Kentucky 41005
(P) 859-334-2196 (F) 859-334-2264

From: Michael Schwartz
Sent: Monday, May 22, 2023 3:50 AM
To: Paul Stephenson <Pstephenson@boonecountyky.org>; Mark Martin <mmartin@boonecountyky.org>; Alison Chadwell <alison@aspire-eng.com>; Robert Franxman <rfranxman@boonecountyky.org>; Daniel Menetrey <dmenetrey@boonecountyky.org>; gregensburger@cityofwalton.org; Matt Bogen <mbogen@cardinalengineering.net>; joey.vest@waltonfireky.com; charlie.alexander@waltonfireky.com
Subject: Field's Welding - 149 Mullen Drive

We are in receipt of the above referenced Major Site Plan.

Please review and forward you comments to me.

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
88726
JUN 28 2023
BOONE COUNTY
PLANNING COMMISSION

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

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

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: Steve Berling
Address: 1671 Park Road - Suite One
Fort Wright KY 41011
City State Zip Code
Phone Number: 859-331-9191 Fax Number: 859-344-7422
Email: steveberling@fuse.net

4. Description of Request:
~~Asking for a variance from Section 3221.A.2 to allow for addition curb cuts on Mullen Drive.~~

5. Name of Development: Fields Welding
6. Location of Development: 149 Mullen Drive
Walton KY 41094
City State Zip Code

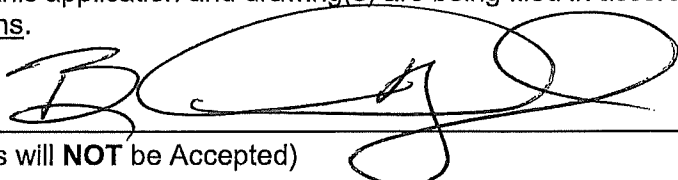
7. Acreage Under Review: 3.00 Acres

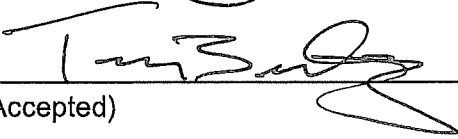
8. Lot Number and Name of Subdivision (if part of a subdivision):
Lot No. 14 of Section No. 9 of North Walton Commerce Park

9. Current Owner: Big Bear Properties
Address: 149 Mullen Drive
Walton KY 41094
City State Zip Code
Phone Number: 859-356-8564 Fax Number: _____
Email: Dianne@fieldswelding.com

10. Proposed Use(s) on Site: Welding
11. Total Square Footage of Existing and/or Proposed Buildings: 2,700 Sq/Ft / 36,000 Sq/Ft
12. Current Zoning: I-1/CD
13.

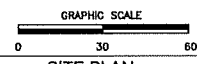
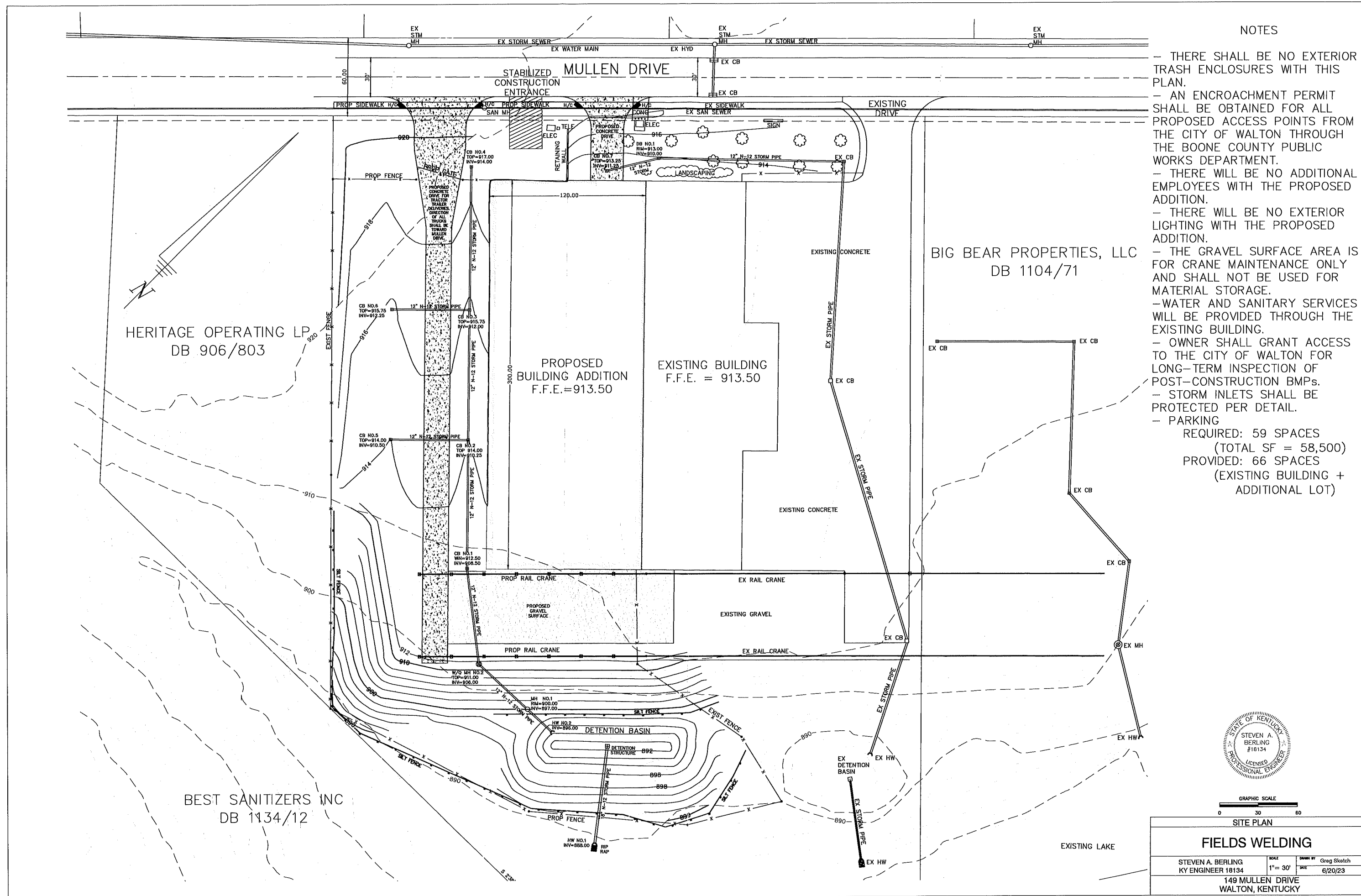
<u>1168</u>	<u>952</u>	<u>5236</u>
Deed Book	Page	Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: 
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: 
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

NOTES

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- PARKING
 REQUIRED: 59 SPACES
 (TOTAL SF = 58,500)
 PROVIDED: 66 SPACES
 (EXISTING BUILDING + ADDITIONAL LOT)



SITE PLAN		
FIELDS WELDING		
STEVEN A. BERLING KY ENGINEER 18134	SCALE 1" = 30'	DRAWN BY Greg Sketch
149 MULLEN DRIVE WALTON, KENTUCKY		DATE 6/20/23

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Big Bear Properties
149 Mullen Dr
Walton, KY 41094

- 2. ADDRESS OF PROPERTY
149 Mullen Dr
Walton, KY 41094
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Fields Welding

- 4. DEED BOOK 1168 PAGE NO. 952 GROUP NO. 2080
DEED BOOK 1052 PAGE NO. 407 GROUP NO. 2080
DEED BOOK 1104 PAGE NO. 71 GROUP NO. 2080

- 5. TYPE OF RESTRICTION(S) (Check all that apply)

 Zoning Map Amendment: Conditional Use Permit
From _____ To _____

 Development Plan Conditional Zoning

 Subdivision Plat Other:
(Not Recorded)

 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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, AICP, Senior Planner
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 2nd day of August, 2023.

Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:

Nicole Dierna
Nicole Dierna
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
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 Variance approved by the Walton Board of Adjustment and in accordance with the current zoning in effect as of July 31, 2023, Certificate of Land Use Restriction (#23-WBOA-001-A), for Big Bear Properties, Property Owner(s).

The following conditions will apply:

1. All delivery trucks coming to the site outside of work hours shall park in the 25-ton crane driveway that will be constructed to the northwest of the building addition. As a result, the fence and gate that is proposed in this driveway shall be located far enough back to allow after hours parking for two or more trucks.
2. The existing semi-truck delivery driveway shall be widened to approximately 40' in width to assist trucks with backing into the site from Mullen Drive.
3. Directional signs are required at all four access points to guide truck traffic. The signs shall be approved through the Sign Permit application process.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 1168
DEED BOOK 1052
DEED BOOK 1104

PAGE NO. 952
PAGE NO. 407
PAGE NO. 71

GROUP NO. 2080
GROUP NO. 2080
GROUP NO. 2080