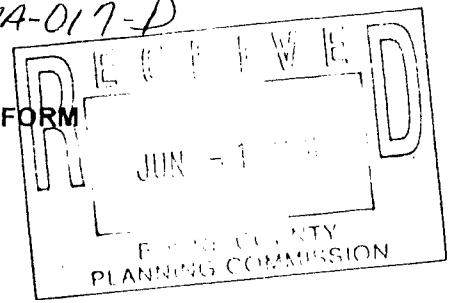


01-ZMA-017-D

ZONING MAP AMENDMENT APPLICATION FORM



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Project Jurisdiction/Location

BOONE	FLORENCE	WALTON ✓	UNION
-------	----------	----------	-------

2. Names of Applicant(s)

Applicant	GATEWAY DEVELOPMENT, INC.		
Phone Number	363-1640		
Fax No.	356-2797		
Applicant's Address	12146 PERCIVAL RD., WALTON, KY 41094		
City	State	Zip	

3. Name of Property Owner(s)

Owner of Property	S.A.		
Owner's Address	S.A.		
Phone Number	S.A.		
City	State	Zip	

4. Name of Project

SHAWALTER GREEN SUBDIVISION
-----------------------------

5. Location of Project

EXTENSION OF EXISTING SHAWALTER GREEN SUB. - HIGH STREET, WALTON, KY.
---

6. Acreage

Acreage Under Review	10.2	Acreage of Site	10.2
----------------------	------	-----------------	------

7. Current Zoning of Site

AZ
----

8. Proposed Zoning (Classification being requested)

SR-1 / SR-2
-------------

9. Proposed Uses (please specify each use)

SINGLE FAMILY RESIDENCES
DUPLEXES

10. Proposed Building Intensities (please specify)

SEE CONCEPTUAL DEVELOPMENT PLAN
---------------------------------

11. Are there any existing buildings on the site?

yes	no <input checked="" type="checkbox"/>	How many?
-----	--	-----------

12. Parcel Information

Deed Book	Page No.	Group No
-----------	----------	----------

13. Are you also applying for:

Conditional Use Permit <input checked="" type="checkbox"/> No	Dimensional Variance <input checked="" type="checkbox"/> No
---	---

14. Have you submitted a Concept Development Plan?

yes <input checked="" type="checkbox"/>	no
---	----

15. Have you had a pre-application meeting with BCPC Staff?

yes <input checked="" type="checkbox"/>	no
---	----

16. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

✓	<del>Boone County</del> Water and Sewer District ..... CITY OF WALTON .....
	Florence Water and Sewer Commission.....
	Union Light Heat and Power
	Cincinnati Bell
	Owen County Rural Electric
✓	<del>Boone County</del> Public Works Department ..... CITY OF WALTON .....
	Kentucky Transportation Department
	City of Florence, Public Services Department
	Boone County Building Department
	Northern Kentucky Health Department.....
	U.S. Soil Conservation Service
	Local School District
	Local Fire District
	Other

EXHIBIT  
“A”

## STAFF REPORT

Request of **Gateway Development, Inc. (owner)** to consider a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) for a 10.2 acre site located on the north side of High Street, south side of Church Street, at the northern terminus Showalter Tract, and at the eastern terminus of Rebecca Court, Walton, Kentucky. The request is for a zone change to allow single family residences and duplexes.

June 27, 2001

### Request

First and foremost, the applicant has informed Staff that they do not wish to pursue duplexes as part of this request.

The applicant is proposing 33 lots on approximately 10.2 acres located next to the existing Showalter Trace Subdivision for "single family residences." Eleven (11) of the proposed lots are shown fronting on High Street. Showalter Trace will be extended connecting High Street to Church Street. Rebecca Court will extend into a cul-de-sac.

Public water and sanitary sewer service are available through the first phase of Showalter Trace and along High Street (see attached letter from Mayor Trzop). Storm water runoff will have to be detained as per the Boone County Subdivision Regulations and will be reviewed at the Preliminary Plat and Improvement Plan.

This property lies within the City of Walton and therefore the Planning Commission recommendation will be forwarded, in the form of a resolution, to City of Walton.

### Surrounding Zoning and Land Uses

- North: Property along Church Street zoned Agricultural Estate (A-2) and property across Church Street zoned Recreation (R).
- East: Property zoned Agricultural Estate (A-2).
- South: Existing single family residences along High Street zoned Suburban Residential One (SR-1).
- West: The existing Showalter Trace Subdivision zoned Suburban Residential One (SR-1).

**Relationship to the Boone County Comprehensive Plan**

The Future Land Use Map shows the subject property as Suburban Residential (SR). This classification is defined in the adopted Comprehensive Plan as:

Suburban Residential: "Single family housing of up to four units per acre. This classification also includes any low density or estate residential development as a formal subdivision."

The Land Use Element within the 2000 Boone County Comprehensive Plan only refers to this general area by stating:

"The City of Walton is being surrounded by industrial development and zoning to the north, south, and west of the City. Therefore, to ensure the integrity of the central portion of Walton, the area from the former Turner Fishing Lake to Boone Lakes should have a land use designation of Suburban Residential. This would allow the central portion of Walton to experience residential growth in response to the employment growth and utility expansion in the area."

The adopted 2000 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. Proper future growth management for Boone County is implemented ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- D. Proper design principles shall be applied in development ("Overall," Objective 3).
- E. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed ("Overall," Objective 4).
- F. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. Boone County's development policies shall provide equal opportunity for the establishment of a balanced population regardless of age, race, or socio-economic status ("Population," Objective).

- H. Safe, environmentally sound, and sanitary housing exists for all Boone County residents ("Housing," Goal).
- I. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- J. No housing policy shall have the effect of causing discrimination against any person on the basis of age, race, color, religion, sex, familial status, disability, or national origin ("Housing," Objective 2).
- K. The maintenance of sound existing housing, as well as, the rehabilitation of deteriorating housing shall be encouraged ("Housing," Objective 3).
- L. In order to offer the citizens of Boone County maximum choice in living environment, residential development shall be judged primarily on density, impact on infrastructure, and development design with only secondary consideration given to the type of dwelling unit ("Housing," Objective 5).
- M. Residential development shall be regulated as to basic health and safety considerations, including: a) proper connections to appropriate public water and sanitary sewer service, sewage disposal units, and telephone and electric lines, and b) properly designed and constructed storm water drainage according to location and use ("Housing," Objective 6).
- N. The interior street system of new residential developments shall insure continuity with adjacent built or planned neighboring areas. Residential developments shall be encouraged to provide interconnections between sections of their developments and with adjacent developments to promote safe and easy transportation access and a sense of neighborhood interaction. Based on certified traffic analysis, collector and sub-collector streets shall be evaluated to determine design without individual lot or driveway access. Lot and home buyers shall have access to approved plans regarding future connections. The interior street system shall also coordinate with and continue the evolving multi-modal transportation system (pedestrian and bicycle facilities, mass transit stops) ("Housing," Objective 8).
- O. Residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing density and design planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access, and significant site features ("Housing," Objective 13).

**Staff Concerns/Comments**

- 1. Staff suggests a condition eliminating duplex dwelling units.

2. If approved, the Future Land Use Map would not need to be altered.

**Conclusion**

The Boone County Planning Commission and the City of Walton must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment.

1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,
2. The existing zoning classification is inappropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the areas character.

Respectfully Submitted,

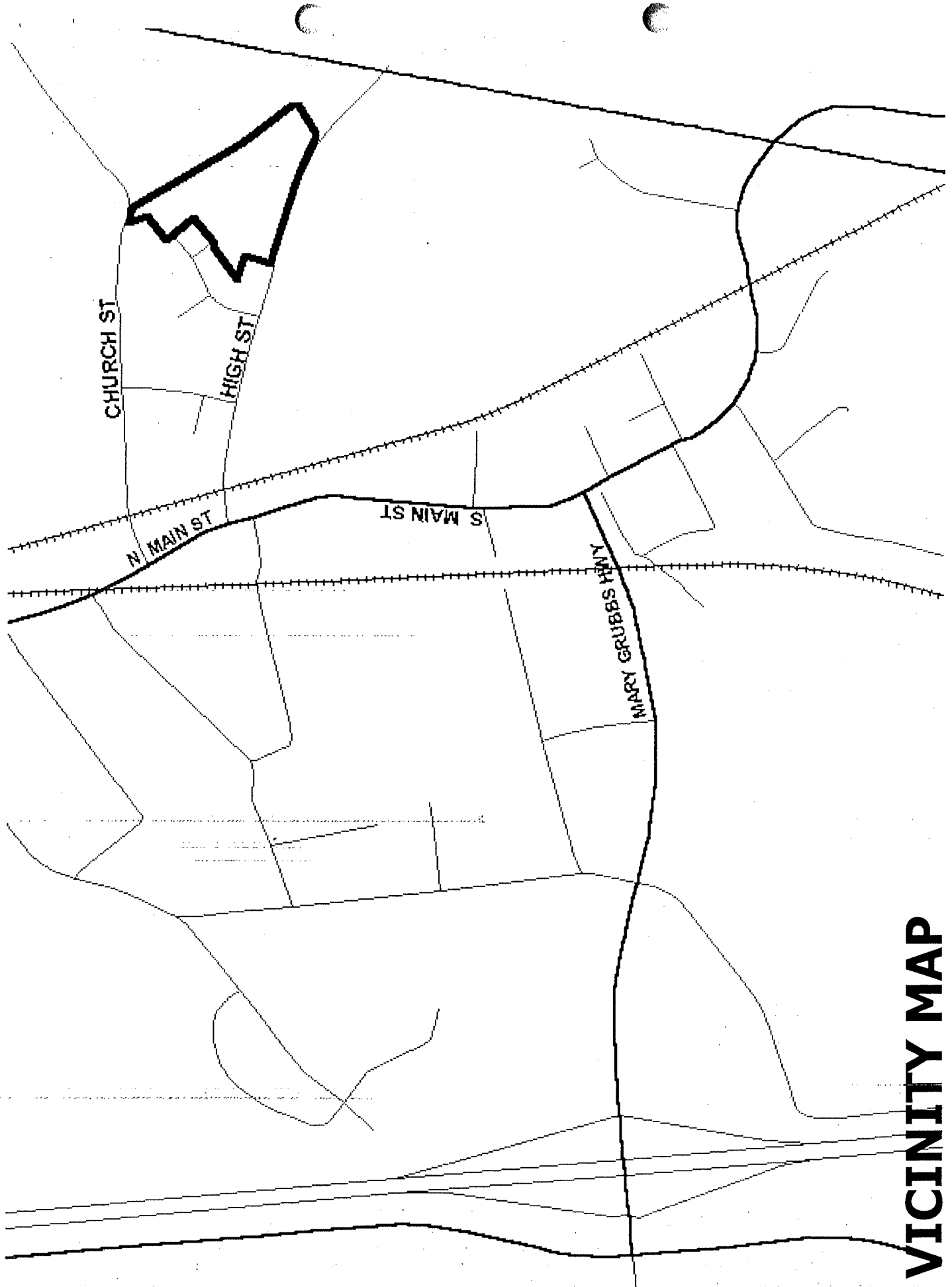


Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer

MAL/pr

Attachments:

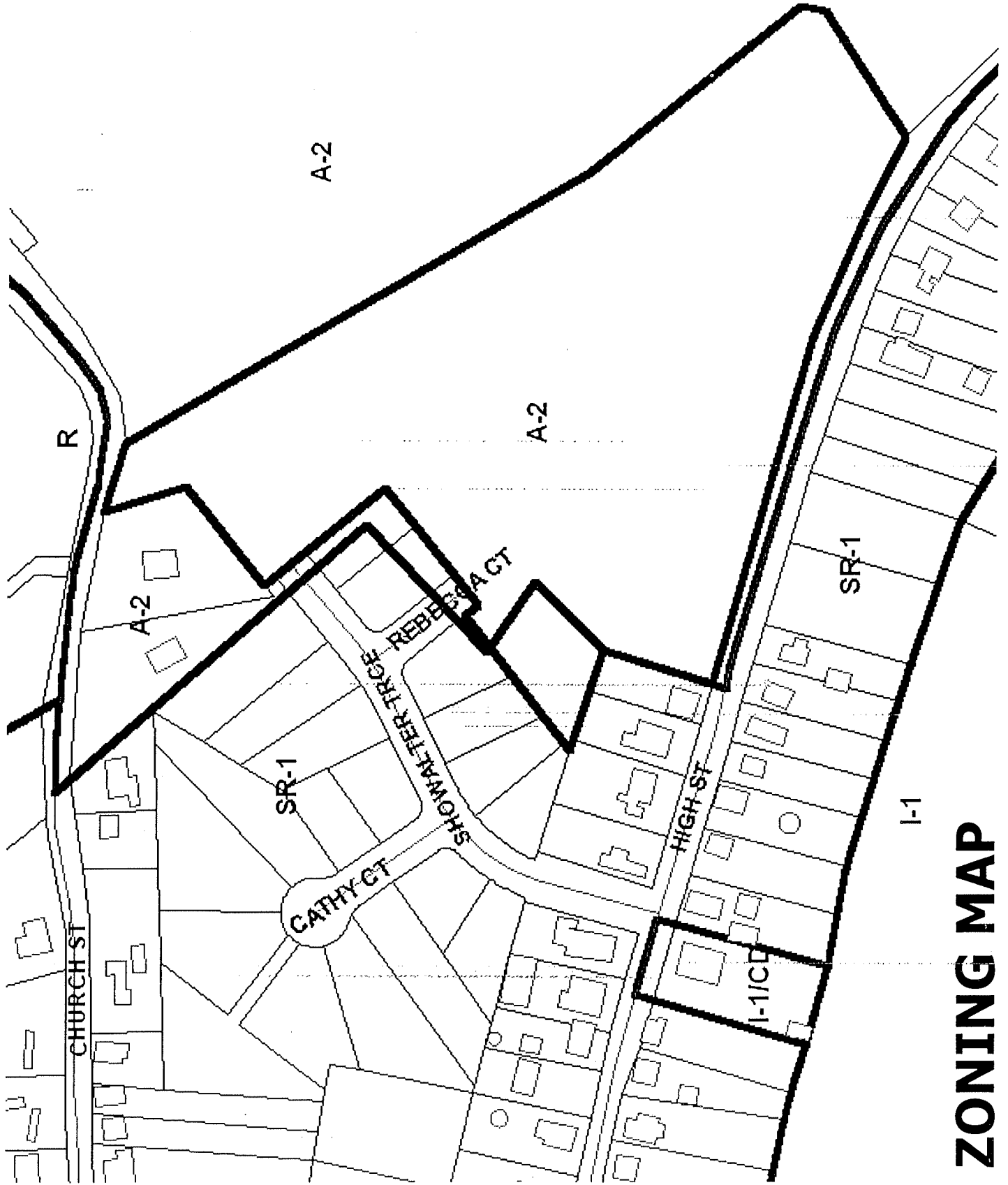
- Vicinity Map
- Aerial Photograph
- Zoning Map
- Concept Development Plan
- Future Land Use Map
- Existing Topography & Drainage
- Letter from Mayor Phillip W. Trzop
- Application



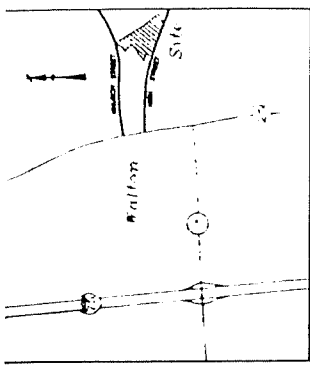
**VICINITY MAP**



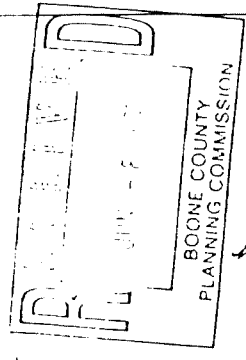
AERIAL PHOTOGRAPH



# ZONING MAP



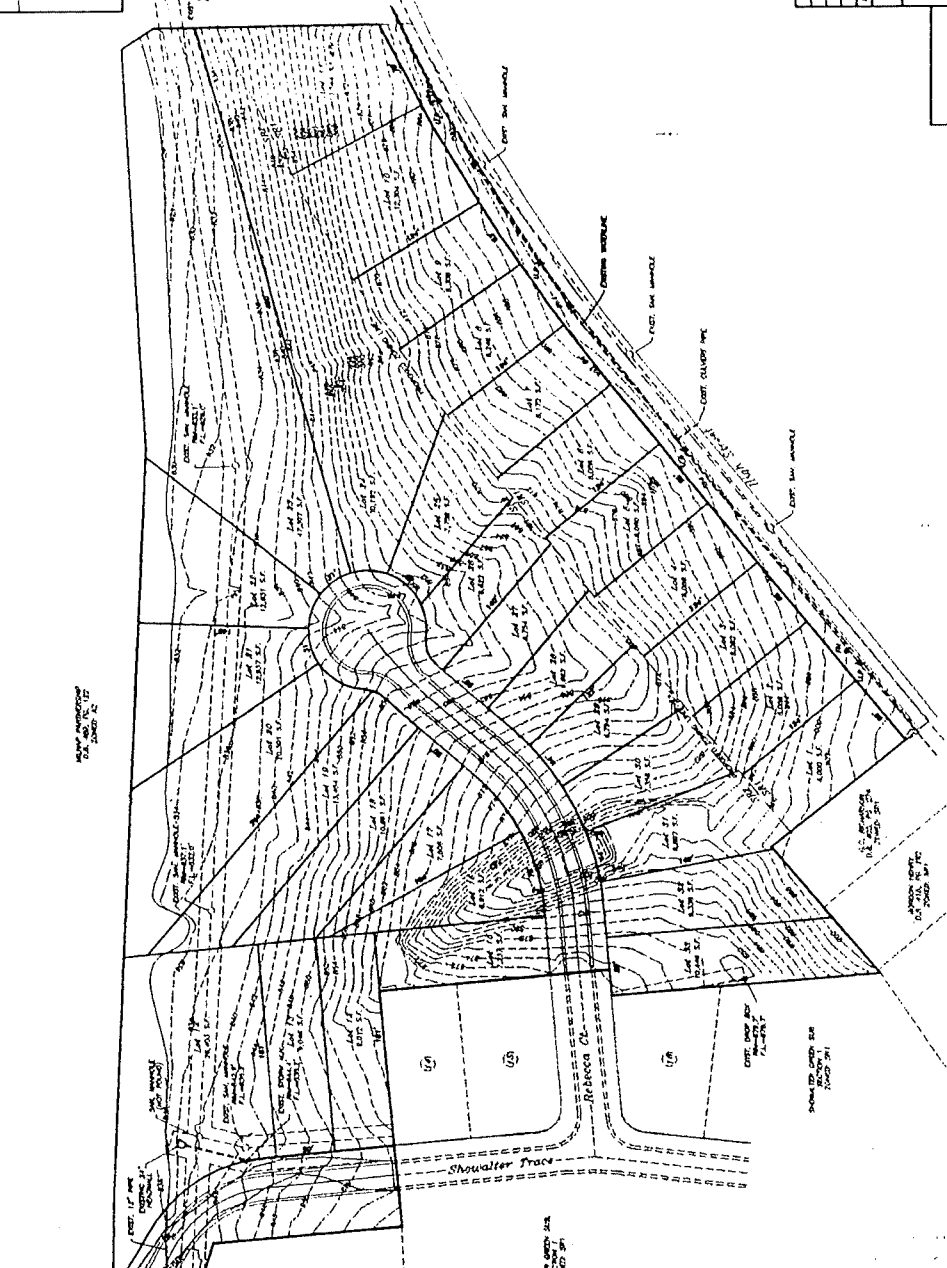
Vicinity Map  
4125



NO.	DATE	REVISIONS

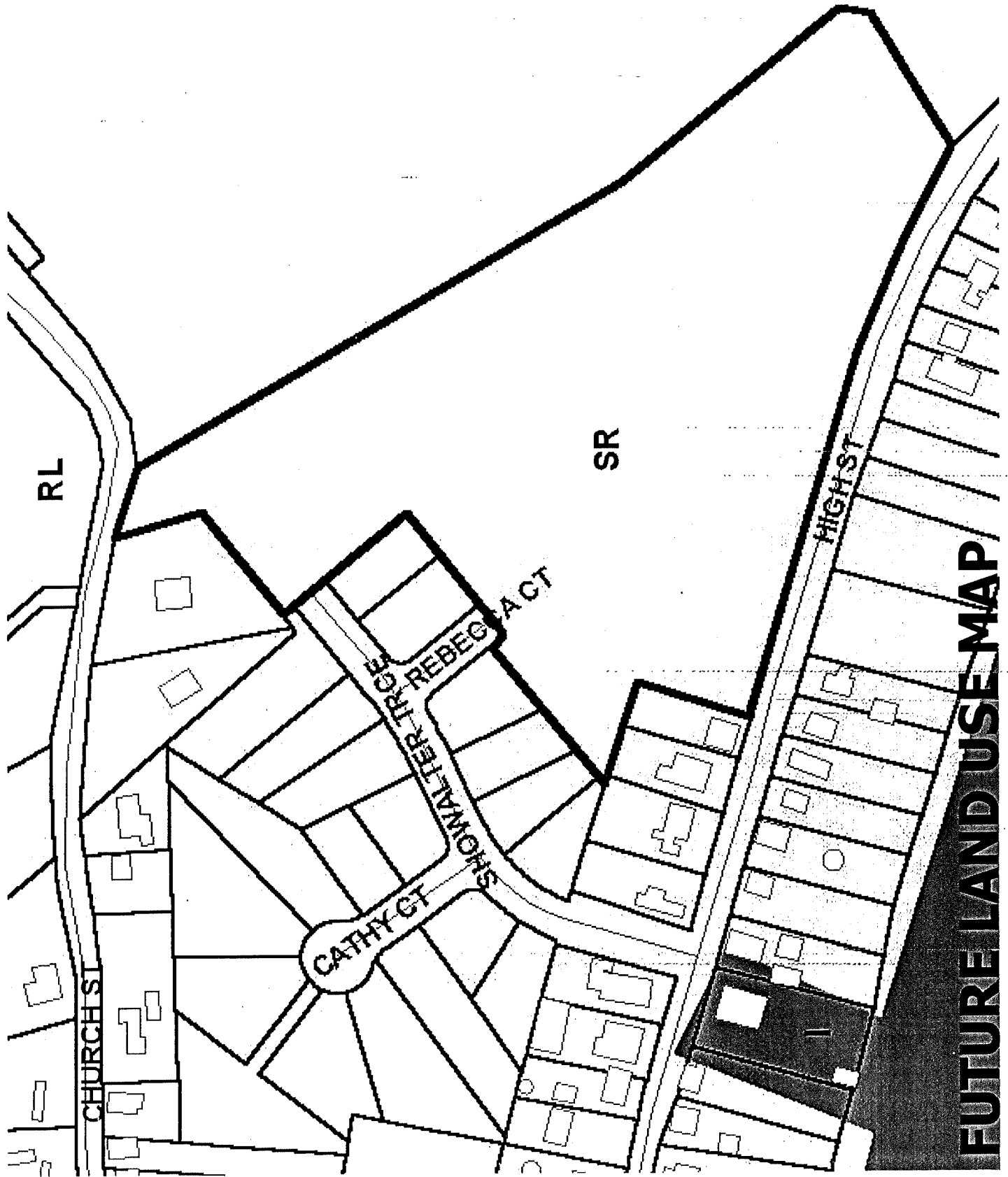
Gateway Development, Inc.  
 Showalter Green Subdivision  
 Conceptual Development Plan  
 Walton, Kentucky

Prepared by	BRICKS & MASS, INC.
Checked by	BRICKS & MASS, INC.
Drawn by	BRICKS & MASS, INC.
Date	APRIL 20, 1987
Scale	AS SHOWN
Project No.	87-001
Sheet No.	1 of 1



- PROJECT NOTES:**
1. PRELIMINARY PLAN. ALL INFORMATION IS BASED ON RECORD PLANS AND FIELD SURVEY. THE CLIENT HAS BEEN ADVISED OF THIS AND HAS ACCEPTED THE PLAN.
  2. THIS PROJECT AND IS NOT SUBJECT TO PLANNING BOARD OR PERMITS.
  3. ALL CONCEPTS ARE SUBJECT TO THE BOONE COUNTY PLANNING COMMISSION AND THE CITY OF WALTON.
  4. THE ACCOUNTANT SHOULD BE PROVIDED BY BRICKS & MASS, INC.

# CONCEPT DEVELOPMENT PLAN



RL

SR

CHURCH ST

HIGH ST

CATHY CT

SHMALTZER TRG  
REBEG ACT

**FUTURE LAND USE MAP**



# EXISTING TOPOGRAPHY & DRAINAGE

# City of Walton

*Phillip W. Trzop*  
Mayor

*"The Place to Be"*

Visit Our Website  
[www.cityofwalton.org](http://www.cityofwalton.org)

June 23, 2001

Mr. Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer  
2995 Washington Street  
Burlington, Kentucky 41005

RE: Gateway Developemt, Inc.

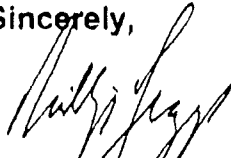
Dear Mitch:

The City has reviewed the Concept Development Plan for the above referenced project regarding a zone change for construction of detached single-family dwelling units ONLY. Currently the City of Walton has the sewer and water available to serve this site located within the City Limits of Walton.

Due to the location and nature of this zone change, City Council is looking forward to the Planning Commisions recommendations on this development.

If you need additional information please feel free to call me.

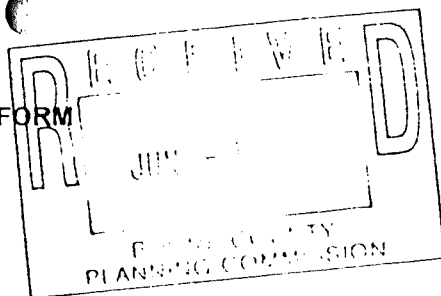
Sincerely,



Phillip W. Trzop

gateway/JB

ZONING MAP AMENDMENT APPLICATION FORM



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Project Jurisdiction/Location

BOONE	FLORENCE	WALTON ✓	UNION
-------	----------	----------	-------

2. Names of Applicant(s)

Applicant	GATEWAY DEVELOPMENT, INC.		
Phone Number	363-1640		
Fax No.	356-2797		
Applicant's Address	12146 PERCIVAL RD., WALTON, KY 41094		
City	State	Zip	

3. Name of Property Owner(s)

Owner of Property	S.A.		
Owner's Address	S.A.		
Phone Number	S.A.		
City	State	Zip	

4. Name of Project

SHOWALTER GREEN SUBDIVISION
-----------------------------

5. Location of Project

EXTENSION OF EXISTING SHOWALTER GREEN SUB. - HIGH STREET, WALTON, KY.
---

6. Acreage

Acreage Under Review	10.2	Acreage of Site	10.2
----------------------	------	-----------------	------

7. Current Zoning of Site

AZ
----

8. Proposed Zoning (Classification being requested)

SR-1 / SR-2
-------------

9. Proposed Uses (please specify each use)

SINGLE FAMILY RESIDENCES  
 DUPLEXES

10. Proposed Building Intensities (please specify)

SEE CONCEPTUAL DEVELOPMENT PLAN

11. Are there any existing buildings on the site?

yes  no  How many?

12. Parcel Information

Deed Book Page No. Group No

13. Are you also applying for:

Conditional Use Permit NO Dimensional Variance NO

14. Have you submitted a Concept Development Plan?

yes  no

15. Have you had a pre-application meeting with BCPC Staff?

yes  no

16. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

<input checked="" type="checkbox"/>	<del>Boone County</del> Water and Sewer District	CITY OF WALTON
<input type="checkbox"/>	Florence Water and Sewer Commission	
<input type="checkbox"/>	Union Light Heat and Power	
<input type="checkbox"/>	Cincinnati Bell	
<input type="checkbox"/>	Owen County Rural Electric	
<input checked="" type="checkbox"/>	<del>Boone County</del> Public Works Department	CITY OF WALTON
<input type="checkbox"/>	Kentucky Transportation Department	
<input type="checkbox"/>	City of Florence, Public Services Department	
<input type="checkbox"/>	Boone County Building Department	
<input type="checkbox"/>	Northern Kentucky Health Department	
<input type="checkbox"/>	U.S. Soil Conservation Service	
<input type="checkbox"/>	Local School District	
<input type="checkbox"/>	Local Fire District	
<input type="checkbox"/>	Other	

17. Applicant's Signature: *Judy Wells, President - Gateway East*  
 Property Owner's Signature: *Judy Wells, DBA Gateway Development*

SECTION B (To be completed by BCPC Staff)

1. Date Received

month	<i>June</i>	day	<i>1</i>	year	<i>2001</i>
-------	-------------	-----	----------	------	-------------

2. Fee Received

yes	<i>#1168.00 R# 27955</i>	no
-----	--------------------------	----

3. Check what has been submitted:

<input checked="" type="checkbox"/>	Application
<input checked="" type="checkbox"/>	Fee
<input checked="" type="checkbox"/>	Legal Discription
<input checked="" type="checkbox"/>	Concept Development Plan
<input checked="" type="checkbox"/>	Address of Adjoining Property Owners
<input checked="" type="checkbox"/>	Number of copies of plan received**

4. Is application complete?

yes	<input checked="" type="checkbox"/>	no
-----	-------------------------------------	----

5. Staff Reviewer

<i>MICHAEL LIGHT</i>
----------------------

6. Committee Chairman

<i>MARK HICKS</i>
-------------------

7. Scheduled Public Hearing Date

8. Boone County Planning Commission Action:

Approved	Approved with Conditions	Denial
----------	--------------------------	--------

9. Other:

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\*\* Five (5) Copies Are Required

**Public Hearing Item No. 2:**

**Commission Members Present:** Mr. Barlow, Mr. Caddell – Chairman. Mr. Chaney – Vice Chairman, Mr. Hicks – Temporary Presiding Officer, Mrs. Kegley, Mr. McMillian, Mr. Reynolds, Mr. Ries, Mr. Schwenke, Mr. White, and Mr. Zimmer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

The Chairman introduced the second item on the Agenda:

1. **Applicant:** Gateway Development, Inc. (owner)  
**Request:** Zoning Map Amendment

**The request of Gateway Development, Inc. (owner) to consider a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) for a 10.2 acre site on the north side of High Street, south of Church Street, at the northern terminus of Showalter Trace, and at the eastern terminus of Rebecca Court, Walton, Kentucky. The request is for a zone change to allow single-family residences and duplexes.**

Staff Member Mitch Light noted a letter received from Judy Wells, President, Gateway Enterprises (see Exhibit 1). He stated that Ms. Wells informed Staff that they do not wish to pursue duplexes as part of this application.

Chairman Caddell read Ms. Wells' letter which stated that the request for duplexes has been omitted from the application. He asked for clarification. Ms. Wells responded that there are a couple of large lots on the cul-de-sac and the Mayor and City Council were concerned as to how they would be maintained. She stated that they have addressed those concerns and have omitted the duplexes. Chairman Caddell stated that he believes Ms. Wells means that they want to delete the duplexes. Ms. Wells agreed.

Mr. Light presented the Staff Report which included a power point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Ms. Judy Wells, 12146 Percival Road, Walton, offered to answer any questions.

The Chairman asked if there was anyone present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition to the request or having questions. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Chaney questioned the price range of the homes and asked if they will be like the homes in existing Showalter Trace. Ms. Wells responded that they are proposing three-bedroom ranches on crawl spaces with a one car garage, and possibly a full basement. They will try to keep the homes under \$100,000 because there is a need for that type of housing in Walton. There may also be bi-levels with three bedrooms.

Mr. Chaney stated that he is concerned about the lots that front on High Street. He is concerned about the design and the number of driveways. Ms. Wells responded that instead of eleven driveways, they can have two driveways adjoin each other and have one large opening.

Mr. Hicks questioned why they need the SR-2 zone when they are under four units per acre. Mr. Light responded that they requested the SR-2 zone because they want to get another lot or two to help cover the costs involved in crossing the creek. They were going to put a cul-de-sac there, but the city wants the connection, which is shown as "future". Ms. Wells stated that the lots on High Street are SR-1 and the other lots are SR-2. She stated that there is a very old bridge on Church Street that the railroad is going to widen. City Council is concerned that there will not be an alternate way for the residents to get out and wants the through street to come out on Church Street. It will be very expensive to put in the through street and they are trying to pick up a couple of lots to help pay for it. Mr. Hicks questioned why they could not do those lots in the SR-1 zone. Mr. Light responded that it is due to the lot sizes and frontage requirements.

Ms. Wells reviewed the plan in regard to the location of the unmaintained areas to be dedicated to the city and where they will put in the through road.

Mr. Hicks questioned limiting the number of lots. Mr. Light responded that the SR-1 is along High Street. Mrs. Wells stated that eleven lots are SR-1 and the rest are SR-2.

Mr. Hicks asked if the Concept Development Plan presented is the one they are submitting since they will be doing some things differently on the lots that were to be duplexes. Ms. Wells responded that one of those lots may be used for storm water detention. Mr. Light stated that Phase I has storm water management and so will this phase, but they have not shown it. He stated that they are locked in at thirty-three lots and cannot add lots at the Preliminary Plat Stage.

Mr. Hicks questioned the classification of High Street. He is concerned that it will pick up more traffic with the bridge. Mr. Light responded that there has been talk about widening that bridge for the eight years that he has been here. He stated that the road has local traffic, even though it connects to Kenton County. There is not really a lot of traffic on that road. Mr. Hicks stated that even if they double up the driveways on High Street, there will still be the same amount of cars going onto the road and it will be more congested. He is concerned that the traffic is not being kept on a cul-de-sac rather than having lots front on High Street. He has a problem with SR-1 that adjoins AG that adjoins SR-2.

Mr. McMillian stated that putting all the driveways on High Street will be a bad situation. He stated that they should redo the design and get those lots onto the cul-de-sac. There should be another road in the development. He understands that everything is expensive, but all those curb cuts on High Street are not good.

Mr. Zimmer questioned the dashed/dotted lines on the northeast parcel down by the creek. Mr. Light responded that they are the sanitary sewer line and sanitary sewer easement. Mr. Zimmer questioned if there is enough room between them and the parcels on the east side of the cul-de-sac to build a house. Mr. Light responded that the plan is conceptual and he has not scaled it. He stated that the lots have to be buildable. They have to meet the setbacks. The applicant will not be permitted to create a lot of non-buildable parcels that have to go to the Board of Adjustment for Variances. Mr. Zimmer responded that there is a possibility that they would have to get Variances for those lots because they are not big enough to build a house on. Mr. Light responded that this is a concept – the lots have to be buildable. Mr. Zimmer stated that this will be discussed further in Committee.

Mr. Zimmer questioned the dotted line running along the new portion of Showalter Trace. Mr. Light advised that it is the storm sewer.

Ms. Wells stated that the lots Mr. Zimmer is concerned about are lots 21 and 22. She stated that they are 145 feet deep and it will be tight – but she believes there is room for the houses, which are twenty-six feet deep. Mr. Wall stated that the setbacks are thirty feet.

In response to a question from Mr. Zimmer, Mr. Light indicated the parallel easements in the upper left hand corner of the slide. Mr. Zimmer questioned the strip of property that no one will maintain. Ms. Wells responded that they propose dedicating it to the city, but it has not been accepted yet.

Mr. Zimmer asked that a larger copy of the Concept Plan be brought to the Committee Meeting.

Mr. Zimmer asked if access would need to be provided to maintain the storm water detention facility if the plan is modified and it is in the long narrow lot. Mr. Light responded "yes" and stated that access could come off High Street or the cul-de-sac because it is a flag lot in Phase I. The City of Walton does not allow the use of flag lots for residential homes, but has allowed the use of them for maintenance.

Mr. Zimmer stated that he is concerned that there are a lot of holes in the Concept Development Plan. He stated that the issues that have been raised will be discussed further in Committee.

Mr. Zimmer asked if the stream is a blue line stream. Ms. Wells responded "yes". Mr. Jerry Keith, engineer with Hicks & Mann, who will be doing the engineering and design of the project, stated that he does not believe it is a blue line stream or even an intermittent blue line stream.

Mr. Zimmer asked if the cul-de-sac is large enough for buses. Mr. Keith responded that it is as large as other cul-de-sacs that have been constructed in the last few years. Ms. Wells stated that the cul-de-sac will not be any smaller than the cul-de-sac in the first phase (Kathy Court). Kathy Court is too short for buses to turn around. Mr. Zimmer asked if buses will want to go down this new cul-de-sac. Ms. Wells stated that buses could turn around on Rebecca Court, but she does not know if they would want to go down the cul-de-sac. Mr. Zimmer stated that a lot of the cul-de-sacs in Boone County are not adequately sized for buses. He suggested the applicant communicate with Walton-Verona School District in this regard.

Mr. Zimmer stated that he is also concerned about the SR-1/SR-2 issue and the driveways on High Street. He explained to the applicant that the Committee members can only work with what they are shown. He stated that the applicant might want to think about the comments and work on the plan before it gets to Committee.

Mr. Keith reviewed the topography of the site. He stated that the property falls steeply from High Street. He does not know that they can build a road to minimum standards that would go up and access High Street. The road would not be economically feasible. He stated that it would be difficult to access the lots on High Street from the to-be-constructed Rebecca Court.

Ms. Wells stated that the non-profit agency (Home Properties) that did the first phase has been dissolved and the city is left with half a development. She stated that the city wants the property to be developed, but does not want another incline street. Showalter Trace is an incline street and there have been problems with buses and with cars getting stuck when it snows. She stated that the street they are bringing out at Church Street is level. She noted that the railroad is talking about redoing the bridge in 2003.

Mr. Chaney stated that he is a director of Home Properties and it has not been dissolved. Mr. Wells responded that Kitty Flagg announced on June 14, 2001 that it has been dissolved. Mr. Chaney stated that it has not been dissolved legally and may not be dissolved. He stated that Ms. Flagg is retiring and they are trying to determine the future of the organization.

Mr. Zimmer asked if sidewalks are part of the Concept Development Plan. Mr. Light responded "yes" and noted that there are sidewalks in Phase I. Mr. Zimmer responded that it does not look like there are sidewalks going up the hill. Mr. Light stated that Home Properties was supposed to put the sidewalks in, but there are 150 feet on both sides of the entrance that do not have sidewalks and that issue is still being addressed. There will be sidewalks there.


Mr. McMillian questioned the detention area being on top of the sewer line. Mr. Keith responded that it is early in the project and they do not have a firm plan. The detention pond will be in that area and they will work with the sewer line when they design it. Mr. Light stated that if they encroach into any easements, they will have to get permission from the easement holders.

Mr. McMillian commented that what we are seeing is not what we are getting.

Mr. Ries stated that he is concerned about the access on High Street. He stated that Rebecca Court could be moved to the right with another street extended off of it that connects with the new street to allow access for the lots on High Street to be on Rebecca Court, and have the new street connect all the other lots. He also feels that the drawing needs to be looked at further.

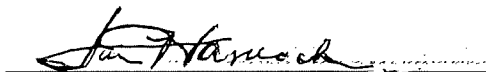
There being no further comments, the Chairman stated that the Committee Meeting for this item will be on July 11, 2001 at 4 PM in the Fiscal Courtroom on the second floor. This item will be on the Agenda for the Business Meeting on July 18, 2001 at 7:30 PM. The Chairman closed this Public Hearing at 7:45 PM.

**APPROVED:**



**Arnold Caddell, Chairman**

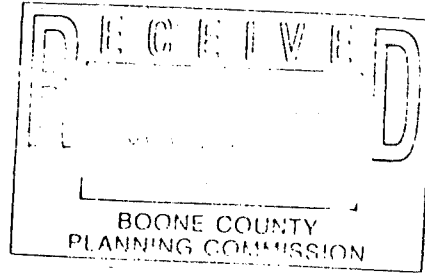
Attest:



**Jan Hancock, Recording Secretary**

Exhibits –

- 1 Letter from Judy Wells, President, Gateway Enterprises



June 26, 2001

Boone Co. Planning Commission  
ATTN: Mitch Light

RE: Showalter Green

In regards to the zoning application made by Gateway Enterprises, Inc. the request for duplex lots has been omitted from the zoning application.

Any questions please call. Thank You.

Sincerely,

A handwritten signature in cursive script, appearing to read "Judy Wells".

Judy Wells  
President

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
July 18, 2001  
7:30 P.M.**

---

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:30 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Barlow  
Mr. Arnold Caddell, Chairman  
Mr. W. Thomas Chaney, Vice Chairman  
Mr. Mark Hicks, Temporary Presiding Officer  
Mrs. Janet Kegley  
Mr. Richard Knock  
Mr. Don McMillian  
Mr. Robert Newman  
Mrs. Susan Poston  
Mr. Bob Schwenke  
Mr. Earl White  
Mrs. Lisa Wilson, Secretary/Treasurer  
Mr. David Zimmer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Charlie Reynolds  
Mr. Robert Ries

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Patty Bachman, Planner  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO  
Mr. Todd Morgan, AICP, Planner  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

want, and eliminating approximately 60% of the uses in the Public Facilities district. He stated that it seems that the recommendation is to change the property to O-1 and make it a commercial district. Mr. Zimmer agreed.

Mr. Newman stated that the property was changed to PF and we are basically changing it back to C-2. We are going back to what we originally wanted. He does not feel that that goes against the Comprehensive Plan.

Chairman Caddell stated that Condition #9 clearly states that the developer would not have to put in the turn lane on Kingsgate Drive, which currently has a great deal of residential traffic, prior to the development of Lot #2 or Lot #3. He stated that the street that will be developed through the middle of this property could be connected to a series of commercial pieces of property that go on up through the connector road and there could be all the commercial traffic in the still-to-be-developed First Financial Plaza property and the Gold Star Chili development connecting to this street –but still not having the right turn lane because this developer has not chosen to develop Lot #2 or Lot #3. Mr. Newman questioned what the reason would be for the turn lane if there was a road going through the property for Gold Star Chili and First Financial Plaza as the traffic would be geared to going behind and to the light – so the turn lane would not be needed. He stated that the reason for the turn lane is for safety when either of the two front lots develops. He stated that there was no assurance from Gold Star or Mr. David that that property would be developed, therefore, there would not be the through street from Kingsgate into a traffic light. That is the reason for the turn lane. Chairman Caddell responded that he would not agree from a planning perspective.

There being no further discussion, the Chairman asked for a roll call vote on the motion made by Mr. Hicks to approve the request based on the Committee Report. The vote found Mrs. Kegley, Mr. Knock, Mr. McMillian, Mr. Newman, Mrs. Poston, Mr. Schwenke, Mr. White, Mr. Hicks, and Mr. Chaney in favor. Mr. Barlow, Mr. Zimmer, Mrs. Wilson, and Chairman Caddell were opposed. The motion carried by a vote of 9 to 4.

**3. Zoning Map Amendment**

**The request of Gateway Development, Inc. (owner) to consider a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) for a 10.2 acre site on the north side of High Street, south of Church Street, at the northern terminus of Showalter Trace, and at the eastern terminus of Rebecca Court, Walton, Kentucky. The request is for a zone change to allow single-family residences and duplexes.**

Staff Member Mitch Light presented the Committee Report which recommended denial of the request based on the Findings of Fact (see Committee Report).

Mr. Chaney stated that he would not participate in regard to this request due to a conflict of interest.

There being no discussion, Mr. Hicks moved to deny the request based on the Committee Report. Mr. McMillian seconded the motion. A vote on the motion found Mr. Barlow, Mr. Knock, Mr. McMillian, Mr. Newman, Mrs. Poston, Mr. Schwenke, Mr. Zimmer, Mrs. Wilson, Mr. Hicks, and Chairman Caddell in favor. Mrs. Kegley and Mr. White were opposed. Mr. Chaney abstained from voting. The motion carried by a vote of 10 to 2.

4. Zoning Map Amendment

**The request of PBS&J (applicant) for Industrial Developments International (owner) to consider an application for a Zoning Map Amendment from Industrial One (I-1) to Commercial Four (C-4) for an 11.142 acre site on the west side of North Bend Road, between the North Bend Road/Worldwide Boulevard intersection and the I-275/North Bend Road interchange, Boone County, Kentucky. The request is for a zone change to allow commercial uses.**

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact (see Committee Report). The property owner has signed the letter agreeing to the conditions.

Mr. Hicks moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report. Mr. Zimmer seconded the motion.

Mr. Newman questioned lighting. Mr. Zimmer responded that lighting was not discussed. Mr. Hicks stated that the development is sandwiched in between a big road and a big warehouse. Mr. Costello stated that there are standard requirements, but noted that the road sets back and the buildings set back.

Mr. Zimmer stated that they were hurried in Committee as the applicant needed to attend the Board of Adjustment Meeting. The Committee tried to conclude the discussion to get the application in front of the Planning Commission this evening, but there are some things that still need to be discussed. He referred to Condition #4 and stated that he does not remember a condition that had the Kentucky Department of Transportation warranting sidewalks. Mr. Light responded that he faxed the revised conditions to Mr. Zimmer. Mr. Light stated that since the Committee Meeting, the applicant received a letter from Forrest Rankin that says they will be putting in crosswalks at KY 237/Worldwide Boulevard and probably across KY 237 to SouthPark and across SouthPark when it is warranted. The crosswalk would be in the public right-of-way and not on the Worldwide Boulevard end. Mr. Zimmer stated that there are two different issues. In Committee, they talked about an internal crosswalk across Worldwide Boulevard and that is not in the conditions at all. He stated that the crosswalk on Worldwide Boulevard is on the north side. If a crosswalk goes in at KY 237 across Worldwide Boulevard and someone comes from the building north of the sidewalk on Worldwide Boulevard, walks along the sidewalk and crosses at the crosswalk on Worldwide Boulevard – he will be in the gutter. He stated that the discussion about safe passage across Worldwide Boulevard was to allow people

**EXHIBIT**  
**“B”**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

**TO:** Boone County Planning Commission

**FROM:** Mark Hicks, Chairman

**DATE:** July 18, 2001

**RE:** Request of Gateway Development, Inc. (owner) to consider a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) for a 10.2 acre site located on the north side of High Street, south side of Church Street, at the northern terminus Showalter Tract, and at the eastern terminus of Rebecca Court, Walton, Kentucky.

### REMARKS:

We, the Committee, recommend denial of this request based upon the following findings of fact:

#### Findings of Fact

1. The Applicant has not specifically demonstrated that the proposed zoning classification of Suburban Residential Two (SR-2), which allows up to eight (8) units per acre, is in agreement with the 2000 Boone County Comprehensive Plan, which recommends Suburban Residential (SR) of up to Four (4) units per acre.
2. The Committee has not identified any facts which legitimately support a finding that the existing zoning classification of Agricultural Estate (A-2) is inappropriate and that the proposed zoning classification of Suburban Residential Two (SR-2) is appropriate.
3. The map amendment request may appear to be in agreement with the adopted Comprehensive Plan and its Future Land Use Map, however the Comprehensive Plan is a 25 year projection. The Land Use Element is very clear regarding the 25 year planning horizon and that the Comprehensive Plan is required to be updated every five years. The intent is to manage the location and timing of the various types of development, to assure adequate and fiscally responsible provision of infrastructure and public services in order to assure that adjoining land uses are compatible, and to assure that negative impacts to the environment are minimized.
4. The Applicant has not explored design alternatives recommended by the Committee, such as extending Rebecca Court to High Street or only requesting the Suburban Residential One (SR-1) zoning classification, which is an extension of the existing zoning of the subject site and adjoining properties.

5. The Applicant has not identified any facts which would lead to a finding that there have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character nor has the Applicant provided any such facts.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Plan Committee Vote.

Public Hearing Item No. 2:

**Commission Members Present:** Mr. Barlow, Mr. Caddell – Chairman, Mr. Chaney – Vice Chairman, Mr. Hicks – Temporary Presiding Officer, Mrs. Kegley, Mr. McMillian, Mr. Reynolds, Mr. Ries, Mr. Schwenke, Mr. White, and Mr. Zimmer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

The Chairman introduced the second item on the Agenda:

1. **Applicant:** Gateway Development, Inc. (owner)  
**Request:** Zoning Map Amendment

**The request of Gateway Development, Inc. (owner) to consider a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) for a 10.2 acre site on the north side of High Street, south of Church Street, at the northern terminus of Showalter Trace, and at the eastern terminus of Rebecca Court, Walton, Kentucky. The request is for a zone change to allow single-family residences and duplexes.**

Staff Member Mitch Light noted a letter received from Judy Wells, President, Gateway Enterprises (see Exhibit 1). He stated that Ms. Wells informed Staff that they do not wish to pursue duplexes as part of this application.

Chairman Caddell read Ms. Wells' letter which stated that the request for duplexes has been omitted from the application. He asked for clarification. Ms. Wells responded that there are a couple of large lots on the cul-de-sac and the Mayor and City Council were concerned as to how they would be maintained. She stated that they have addressed those concerns and have omitted the duplexes. Chairman Caddell stated that he believes Ms. Wells means that they want to delete the duplexes. Ms. Wells agreed.

Mr. Light presented the Staff Report which included a power point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Ms. Judy Wells, 12146 Percival Road, Walton, offered to answer any questions.

The Chairman asked if there was anyone present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition to the request or having questions. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Chaney questioned the price range of the homes and asked if they will be like the homes in existing Showalter Trace. Ms. Wells responded that they are proposing three-bedroom ranches on crawl spaces with a one car garage, and possibly a full basement. They will try to keep the homes under \$100,000 because there is a need for that type of housing in Walton. There may also be bi-levels with three bedrooms.

Mr. Chaney stated that he is concerned about the lots that front on High Street. He is concerned about the design and the number of driveways. Ms. Wells responded that instead of eleven driveways, they can have two driveways adjoin each other and have one large opening.

Mr. Hicks questioned why they need the SR-2 zone when they are under four units per acre. Mr. Light responded that they requested the SR-2 zone because they want to get another lot or two to help cover the costs involved in crossing the creek. They were going to put a cul-de-sac there, but the city wants the connection, which is shown as "future". Ms. Wells stated that the lots on High Street are SR-1 and the other lots are SR-2. She stated that there is a very old bridge on Church Street that the railroad is going to widen. City Council is concerned that there will not be an alternate way for the residents to get out and wants the through street to come out on Church Street. It will be very expensive to put in the through street and they are trying to pick up a couple of lots to help pay for it. Mr. Hicks questioned why they could not do those lots in the SR-1 zone. Mr. Light responded that it is due to the lot sizes and frontage requirements.

Ms. Wells reviewed the plan in regard to the location of the unmaintained areas to be dedicated to the city and where they will put in the through road.

Mr. Hicks questioned limiting the number of lots. Mr. Light responded that the SR-1 is along High Street. Mrs. Wells stated that eleven lots are SR-1 and the rest are SR-2.

Mr. Hicks asked if the Concept Development Plan presented is the one they are submitting since they will be doing some things differently on the lots that were to be duplexes. Ms. Wells responded that one of those lots may be used for storm water detention. Mr. Light stated that Phase I has storm water management and so will this phase, but they have not shown it. He stated that they are locked in at thirty-three lots and cannot add lots at the Preliminary Plat Stage.

Mr. Hicks questioned the classification of High Street. He is concerned that it will pick up more traffic with the bridge. Mr. Light responded that there has been talk about widening that bridge for the eight years that he has been here. He stated that the road has local traffic, even though it connects to Kenton County. There is not really a lot of traffic on that road. Mr. Hicks stated that even if they double up the driveways on High Street, there will still be the same amount of cars going onto the road and it will be more congested. He is concerned that the traffic is not being kept on a cul-de-sac rather than having lots front on High Street. He has a problem with SR-1 that adjoins AG that adjoins SR-2.

Mr. McMillian stated that putting all the driveways on High Street will be a bad situation. He stated that they should redo the design and get those lots onto the cul-de-sac. There should be another road in the development. He understands that everything is expensive, but all those curb cuts on High Street are not good.

Mr. Zimmer questioned the dashed/dotted lines on the northeast parcel down by the creek. Mr. Light responded that they are the sanitary sewer line and sanitary sewer easement. Mr. Zimmer questioned if there is enough room between them and the parcels on the east side of the cul-de-sac to build a house. Mr. Light responded that the plan is conceptual and he has not scaled it. He stated that the lots have to be buildable. They have to meet the setbacks. The applicant will not be permitted to create a lot of non-buildable parcels that have to go to the Board of Adjustment for Variances. Mr. Zimmer responded that there is a possibility that they would have to get Variances for those lots because they are not big enough to build a house on. Mr. Light responded that this is a concept – the lots have to be buildable. Mr. Zimmer stated that this will be discussed further in Committee.

Mr. Zimmer questioned the dotted line running along the new portion of Showalter Trace. Mr. Light advised that it is the storm sewer.

Ms. Wells stated that the lots Mr. Zimmer is concerned about are lots 21 and 22. She stated that they are 145 feet deep and it be will tight – but she believes there is room for the houses, which are twenty-six feet deep. Mr. Wall stated that the setbacks are thirty feet.

In response to a question from Mr. Zimmer, Mr. Light indicated the parallel easements in the upper left hand corner of the slide. Mr. Zimmer questioned the strip of property that no one will maintain. Ms. Wells responded that they propose dedicating it to the city, but it has not been accepted yet.

Mr. Zimmer asked that a larger copy of the Concept Plan be brought to the Committee Meeting.

Mr. Zimmer asked if access would need to be provided to maintain the storm water detention facility if the plan is modified and it is in the long narrow lot. Mr. Light responded "yes" and stated that access could come off High Street or the cul-de-sac because it is a flag lot in Phase I. The City of Walton does not allow the use of flag lots for residential homes, but has allowed the use of them for maintenance.

Mr. Zimmer stated that he is concerned that there are a lot of holes in the Concept Development Plan. He stated that the issues that have been raised will be discussed further in Committee.

Mr. Zimmer asked if the stream is a blue line stream. Ms. Wells responded "yes". Mr. Jerry Keith, engineer with Hicks & Mann, who will be doing the engineering and design of the project, stated that he does not believe it is a blue line stream or even an intermittent blue line stream.

Mr. Zimmer asked if the cul-de-sac is large enough for buses. Mr. Keith responded that it is as large as other cul-de-sacs that have been constructed in the last few years. Ms. Wells stated that the cul-de-sac will not be any smaller than the cul-de-sac in the first phase (Kathy Court). Kathy Court is too short for buses to turn around. Mr. Zimmer asked if buses will want to go down this new cul-de-sac. Ms. Wells stated that buses could turn around on Rebecca Court, but she does not know if they would want to go down the cul-de-sac. Mr. Zimmer stated that a lot of the cul-de-sacs in Boone County are not adequately sized for buses. He suggested the applicant communicate with Walton-Verona School District in this regard.

Mr. Zimmer stated that he is also concerned about the SR-1/SR-2 issue and the driveways on High Street. He explained to the applicant that the Committee members can only work with what they are shown. He stated that the applicant might want to think about the comments and work on the plan before it gets to Committee.

Mr. Keith reviewed the topography of the site. He stated that the property falls steeply from High Street. He does not know that they can build a road to minimum standards that would go up and access High Street. The road would not be economically feasible. He stated that it would be difficult to access the lots on High Street from the to-be-constructed Rebecca Court.

Ms. Wells stated that the non-profit agency (Home Properties) that did the first phase has been dissolved and the city is left with half a development. She stated that the city wants the property to be developed, but does not want another incline street. Showalter Trace is an incline street and there have been problems with buses and with cars getting stuck when it snows. She stated that the street they are bringing out at Church Street is level. She noted that the railroad is talking about redoing the bridge in 2003.

Mr. Chaney stated that he is a director of Home Properties and it has not been dissolved. Mr. Wells responded that Kitty Flagg announced on June 14, 2001 that it has been dissolved. Mr. Chaney stated that it has not been dissolved legally and may not be dissolved. He stated that Ms. Flagg is retiring and they are trying to determine the future of the organization.

Mr. Zimmer asked if sidewalks are part of the Concept Development Plan. Mr. Light responded "yes" and noted that there are sidewalks in Phase I. Mr. Zimmer responded that it does not look like there are sidewalks going up the hill. Mr. Light stated that Home Properties was supposed to put the sidewalks in, but there are 150 feet on both sides of the entrance that do not have sidewalks and that issue is still being addressed. There will be sidewalks there.


Mr. McMillian questioned the detention area being on top of the sewer line. Mr. Keith responded that it is early in the project and they do not have a firm plan. The detention pond will be in that area and they will work with the sewer line when they design it. Mr. Light stated that if they encroach into any easements, they will have to get permission from the easement holders.

Mr. McMillian commented that what we are seeing is not what we are getting.

Mr. Ries stated that he is concerned about the access on High Street. He stated that Rebecca Court could be moved to the right with another street extended off of it that connects with the new street to allow access for the lots on High Street to be on Rebecca Court, and have the new street connect all the other lots. He also feels that the drawing needs to be looked at further.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on July 11, 2001 at 4 PM in the Fiscal Courtroom on the second floor. This item will be on the Agenda for the Business Meeting on July 18, 2001 at 7:30 PM. The Chairman closed this Public Hearing at 7:45 PM.

APPROVED:

  
Arnold Caddell, Chairman

Attest:

  
Jan Hancock, Recording Secretary

Exhibits -

- 1 Letter from Judy Wells, President, Gateway Enterprises

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Mark Hicks, Committee Chairman

DATE: July 11, 2001

RE: Request of **Gateway Development, Inc. (owner)** to consider an application for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) for a 10.2 acre site located on the north side of High Street, south side of Church Street, at the northern terminus Showalter Tract, and at the eastern terminus of Rebecca Court, Walton, Kentucky. The request is for a zone change to allow single family residences and duplexes.

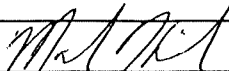
### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

Gateway Development, Inc.

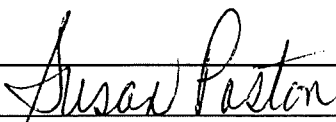
July 11, 2001

  
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**Mark Hicks, Chairman**

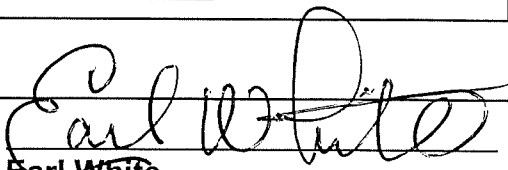
For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____
Deferred	_____		

\_\_\_\_\_  
**Bob Newman**

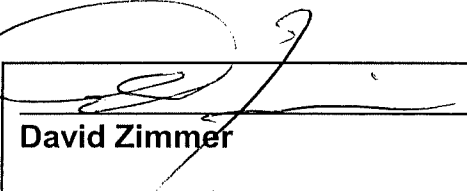
For	_____	Against	_____
Abstain	_____	Absent	<input checked="" type="checkbox"/>
Deferred	_____		

  
\_\_\_\_\_  
**Susan Poston**

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____
Deferred	_____		

  
\_\_\_\_\_  
**Earl White**

For	_____	Against	<input checked="" type="checkbox"/>
Abstain	_____	Absent	_____
Deferred	_____		

  
\_\_\_\_\_  
**David Zimmer**

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____
Deferred	_____		

\_\_\_\_\_  
**Randy Barlow (Alternate)\***

For	_____	Against	_____
Abstain	_____	Absent	_____
Deferred	_____		

\_\_\_\_\_  
**Don McMillian (Alternate)\***

For	_____	Against	_____
Abstain	_____	Absent	_____
Deferred	_____		

TOTAL:    DEFERRED   3   FOR   1   AGAINST    ABSTAIN  
  1   ABSENT

# SUPPORTING INFORMATION

## LEGAL DESCRIPTION FOR ZONE CHANGE

### PARCEL TO BE RE-ZONED TO SR-1

Beginning at a mag nail in the center of High Street at a corner of Milnap Partnership (D.B. 469, Pg. 122); thence leaving said road with the line of Milnap, N 57° 46' 06" E --- 167.35 feet to a point; thence with seven (7) new made lines partitioning the property the following calls: N 59° 20' 03" W --- 166.05 feet to a point; N 62° 40' 48" W --- 114.59 feet to a point; N 66° 16' 45" W --- 80.30 feet to a point; N 68° 59' 31" W --- 79.62 feet to a point; N 70° 37' 44" W --- 92.19 feet to a point; N 70° 38' 49" W --- 121.93 feet to a point; N 70° 58' 50" W --- 186.05 feet to a point in the east property line of G.C. Richardson (D.B. 405, PG. 276); thence with the east line of Richardson S 20° 04' 42" W --- 149.00 feet to a mag nail in the center of High Street; thence with the center of said street, S 70° 58' 50" E --- 188.37 feet to a point; thence S 70° 38' 49" E --- 121.47 feet to a point; thence S 70° 37' 44" E --- 90.04 feet to a point; thence S 68° 59' 31" E --- 73.96 feet to a point; thence S 66° 16' 45" E --- 72.09 feet to a point; thence S 62° 40' 48" E --- 105.55 feet to a point; thence S 59° 20' 03" E --- 85.46 feet to The Place of Beginning containing 2.70 Acres more or less exclusive of all right of ways and easements of record.

## LEGAL DESCRIPTION FOR ZONE CHANGE

### PARCEL TO BE RE-ZONED TO SR-2

Beginning at a set mag nail in the center of Church Street at a corner of John Ingram (D.B. 331, PG. 208); thence leaving said road with the line of Ingram, S 13° 33' 40" E --- 131.81 feet to a post; thence S 54° 04' 02" W --- 160.50 feet to an iron pin, a corner of Lot 13 of Showalter Green, Section 1, (Slide 564B); thence with lines of Showalter Green, S 36° 33' 00" E --- 199.78 feet to an iron pin; thence S 53° 33' 58" W --- 194.00 feet to an iron pin; thence N 36° 26' 02" W --- 22.46 feet to an iron pin; thence S 54° 04' 46" W --- 226.30 feet to a post in the line of Jack Rouse (D.B. 460, PG. 115); thence with the line of Rouse, Gordon Henry (D.B. 415, PG. 262) and G.C. Richardson (D.B. 405, PG. 276), S 71° 36' 15" E --- 140.42 feet to a corner post; thence with the east line of Richardson S 20° 04' 42" W --- 19.99 feet to point in the east line of Richardson; thence with seven (7) new made lines partitioning the property the following calls: S 70° 58' 50" E --- 186.05 feet to a point; S 70° 38' 49" E --- 121.93 feet to a point; S 70° 37' 44" E --- 92.19 feet to a point; S 68° 59' 31" E --- 79.62 feet to a point; S 66° 16' 45" E --- 80.30 feet to a point; S 62° 40' 48" E --- 114.59 feet to a point; S 59° 20' 03" E --- 166.05 feet to a point in the west property line of Milnap Partnership (D.B. 469, Pg. 122); Thence with the lines of Milnap Partnership N 57° 46' 06" E --- 52.76 feet to a post; thence N 25° 40' 13" E --- 31.69 feet to a 24" Walnut; thence N 34° 58' 46" W --- 340.32 feet to a post; thence N 28° 53' 44" W --- 621.61 feet to an iron pin; thence N 30° 13' 46" W --- 121.00 feet to a mag nail in the center of Church Street; thence with the center of said road, N 72° 09' 21" W --- 69.30 feet to The Place of Beginning containing 7.50 Acres more or less exclusive of all right of ways and easements of record.