

REQUEST OF QUENTIN R. AND MARCIA C. CAMPBELL FOR A
ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATE/SMALL COMMUNITY
(RSE/SC) TO AGRICULTURE (A-1).

JANUARY 25, 1989

This is a request to rezone a 4.6 acre portion of a ± 20 acre site located at 11891 Big Bone Road, Boone County, Kentucky. The owners Quentin R. and Marcia C. Campbell are requesting a Zoning Map Amendment from Rural Suburban Estate/Small Community (RSE/SC) to Agriculture (A-1) to allow a single-wide mobile home for a residence. The mobile home is existing on the site and became a Zoning Enforcement issue in October of 1988. The intention of the owner, Quentin Campbell, is to use the mobile home as his mother's residence. The property is currently zoned Rural Suburban Estate/Small Community (RSE/SC) and Agriculture (A-1) with the A-1 zoning located at the rear of the site. The request is to extend the A-1 zoning district approximately 150 feet south to include the location of the existing mobile home. A descriptive plat has been submitted by the applicant and is attached to this report.

SURROUNDING LAND USES AND ZONING

The surrounding area is rural in character. The rear of the site and land to the north consists of steep, wooded hillsides zoned Agriculture (A-1). About 800 feet to the east is a single family residence on a wooded lot that is zoned Rural Suburban Estates/Small Community (RSE/SC). Also within this zoning district is an approved Parkview Subdivision consisting of 14 lots southeast of the site. The first house is currently under construction in that subdivision. South of the site is a single-family residence on Big Bone Road, and across Big Bone Road is an abandoned residence and the Big Bone State Park maintenance garage. To the west, still within the RSE/SC zoning district, is a single-family residence on a large wooded lot. This residence is visible from the mobile home site.

SITE CHARACTERISTICS

The overall 20 acre property includes a steep, wooded slope that rises from Big Bone Road to a ridge at the center of the property. The existing Campbell residence and the mobile home, as well as adjacent residences to the east and west are located on this ridge. The rear of the site slopes steeply to the north and is heavily wooded. Soils present on the site include two types of Eden silty clay loam, EdD2 and EdE2 usually found on 12 to 20 percent and 20 to 35 percent slopes respectively. Both types of soil represent severe hazard of erosion.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1986 Boone County Comprehensive Plan Future Land Use Map depicts the site as Rural Lands and Developmentally Sensitive, borderline to Low Density Residential along Big Bone Road and KY 338.

The Land Use Element text on page L-11 contains the following observations on the Big Bone area:

"The Big Bone section has few areas of developable land that are readily accessible while most of its development has occurred in land areas with developmental restrictions."

=====

Page H-7 of the Housing Element introduces discussion on mobile homes:

"The unincorporated area of the county shows small percentages of multi-family and duplexes, but contains nearly all of the mobile homes in the county. This may indicate that mobile homes are acting as an alternative to the more expensive single family homes in the rural areas, while duplexes and townhomes are the alternative in the urbanized areas."

Page H-8 addresses placement of mobile homes:

"The only high-density residential uses that should occur outside of urbanizing areas are either mobile home parks which help lessen the proliferation of isolated trailers or planned developments with adequate infrastructure. Separate mobile homes have presented a problem of inefficient and sometimes illegal land use in the rural areas, and since they are increasing rapidly in number, efforts should be made to ensure that these mobile homes conform to basic health and safety considerations. The most efficient way to do this is to concentrate most of the mobile homes in parks. This applies mainly to the rural western and southern portions of the county."

Page H-21 generally describes the Central Housing Area in which Big Bone lies:

"This area contains much rough terrain and wooded areas, but is readily accessible to the urbanized eastern parts of the county, and also to the rapidly developing Burlington-Hebron-Florence area. The central area should experience light density residential growth around the major roads."

The following Goals and Objectives for the Housing Element pertain to the request:

Goal:

To ensure that safe, decent, and sanitary housing exist for all Boone County residents.

Objectives:

1. A broad range of housing opportunities (eg. size, type) shall be provided at locations which meet the needs and desires of household.
5. In order to offer the citizens of Boone County maximum choice in living environment, residential development plans shall be judged primarily on the basis of density (dwelling units per acre) with only secondary consideration given to type of structure.

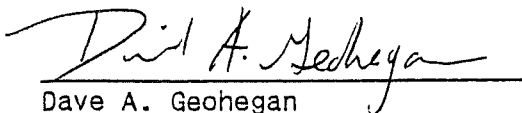
6. Residential development shall be regulated as to basic health and safety considerations, including: a) Proper connections to appropriate water supply, sewage disposal units, and telephone and electric lines, b) Properly designed and constructed storm drainage systems according to location and use."

STAFF CONCERNS

- 1) The Big Bone area is one of the several sections of Boone County that is experiencing large lot, single-family residential development on prominent hillsides. Because of the pronounced scenic views, the Boone County Planning Commission is considering conducting a county wide inventory of scenic hillsides within Boone County and examine ways to best utilize or protect appropriate scenic views. This mobile home site is visible to other ridge tops in the Big Bone area including the Campground and lake areas of the Big Bone Lick State Park when no leaves are present. The current zoning of the property would allow mobile homes on the lower, north slope of the site, while the proposed zone change would allow mobile homes on top of the ridge.
- 2) The proposed location of the mobile home near the existing house would make future subdivision of the Campbell property difficult because irregular property lines would be necessary for either the house or the mobile home to meet setback requirements in their respective zoning districts. Topography and location of the existing drive would require some type of irregular flag lot configuration in the event of a subdivision of the property.
- 3) Requirements of the Health Department would need to be met for sanitary sewage disposal on the site.

CONCLUSION

The Boone County Planning Commission needs to review this Zoning Map Amendment request in terms of three criteria listed in Article Three of the 1986 Boone County Zoning Regulations. Should the Boone County Planning Commission and Boone County Fiscal Court approve the request, no changes to the 1986 Boone County Comprehensive Plan would be necessary.



Dave A. Geohegan
Planner/Plans Examiner

NORMAN DOUGLAS ADAIR ON 40 Ashton Rd.
 11350 Big Bone Church Rd. FT. Mitchell, Ky.
 Union, Ky. 41091
 384-1084
 331-1975

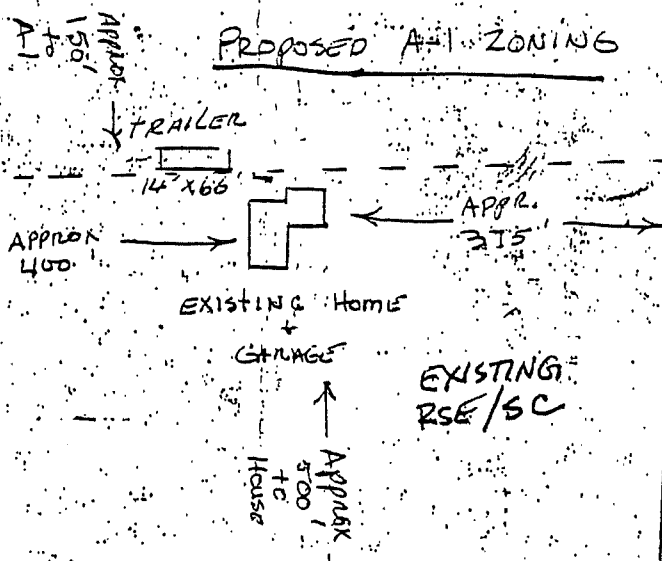
JAMES R. McHALE
 11958 Big Bone Rd.
 Union, Ky. 41091
 384-1022

CURRENT
 A-1 ZONING

RSE/SC

PROPOSED A-1 ZONING

ALL STEPHENSON (BUCK)
 11781 Big Bone Rd.
 Union, Ky. 41091
 887 G
 384-3129
 SPITE



STATE OF KENTUCKY
 PHILIP C. FICKS
 1770
 REGISTERED
 LAND SURVEYOR
 D. Moore Estate

SURVEY FOR DIVISION ~ J.D. MOORE ESTATE

SCALE: 1" = 200'
 APPROVED BY: D.B. AT 99.609
 DATE: 12 NOV. 75
 GROUND 2062

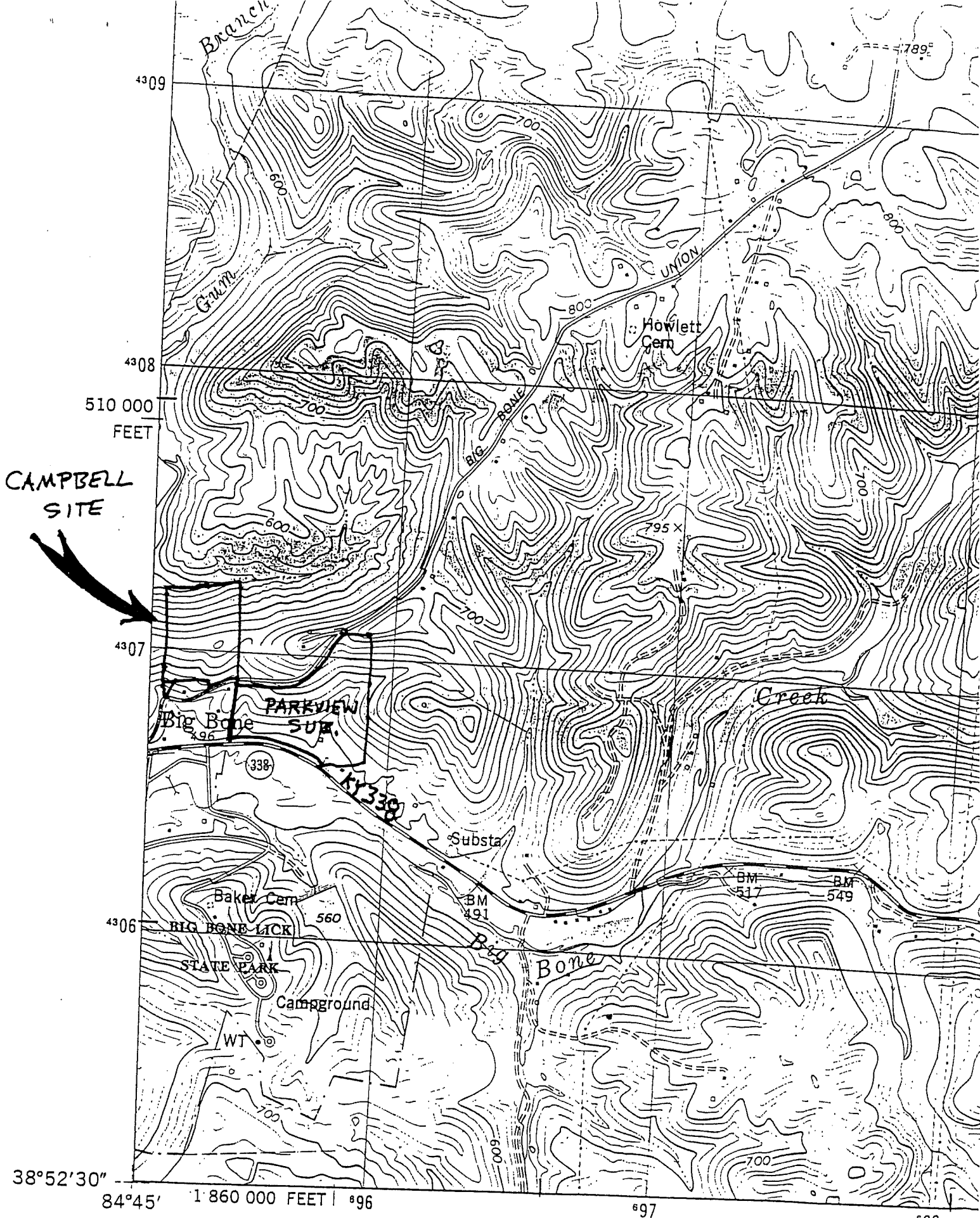
0.3 miles North-East of W. ST. RT. 338 on North side of
 Big Bone - Union Road - Boone County
 DRAWN BY: P.G.H.
 REVISED

JOHN OR ANN LOVELACE
 8884 Camp ERNST RD.
 Union, Ky. 41091
 384-3271

To Beaverlick

KY 338

KY 338



(PATRIOT)
4061 IV SE

Mapped, edited, and published by the Geological Survey
Control by USGS, NOS/NOAA, and Kentucky Department of Highways
Topography by photogrammetric methods from aerial photographs
taken 1949. Field checked 1950.

A-1

EXISTING ZONING

Branch

A-1

A-2

Gum

To HATHAWAY UN

A-2

CAMPBELL SITE

BIG BONE

A-1

A-2

RSE/SC

PARKVIEW SUBDIVISION (14 LOTS)

Big Bone

338

RSE/SC

To BEAVERLICK

MHP

FC-13

R

R

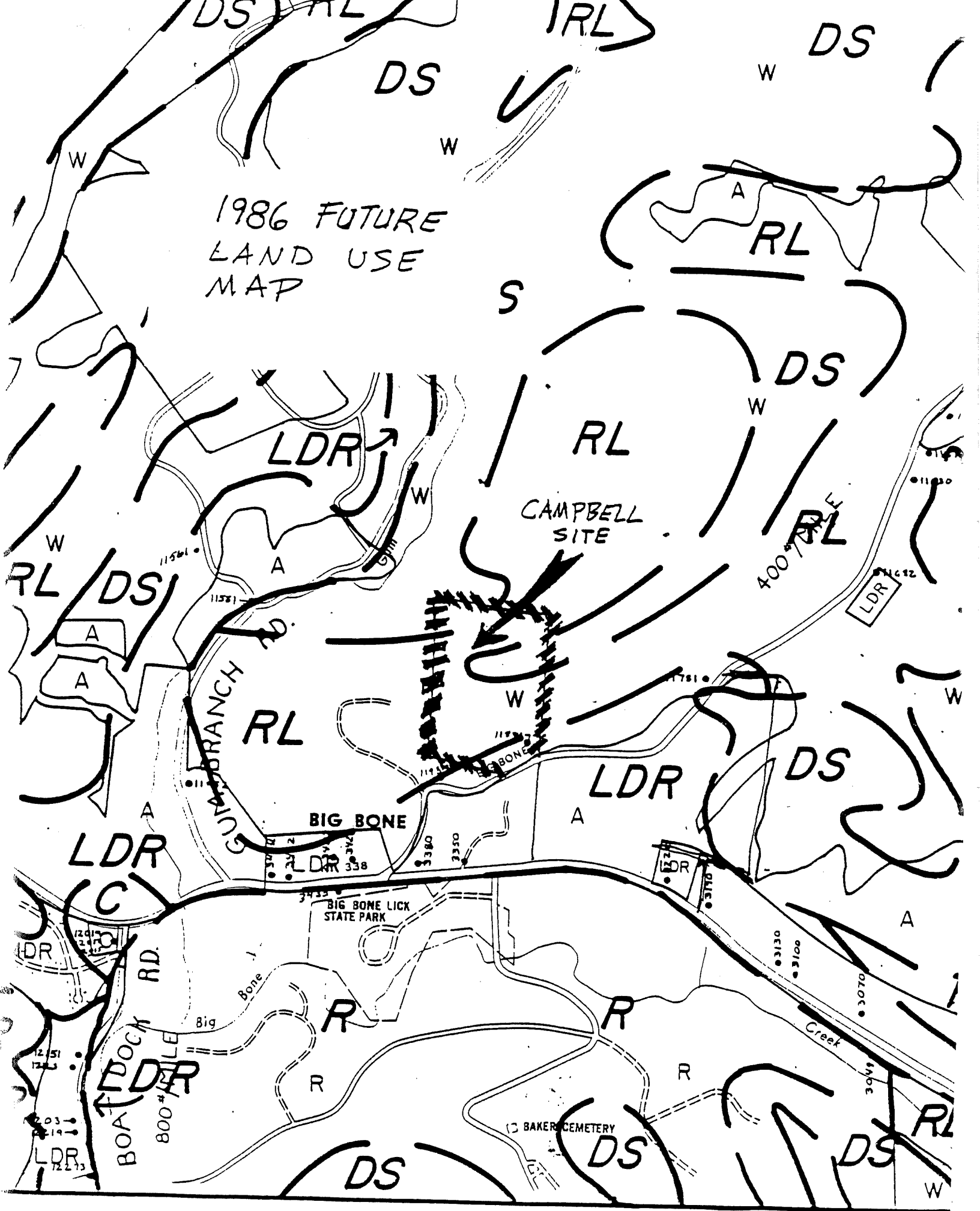
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P Big Bone State Park

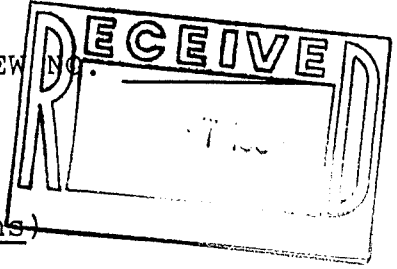
R

A-2

1986 FUTURE
LAND USE
MAP



REVIEW NO.



APPLICATION FORM

ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Development Property of Quentin R. + Marcia C. Campbell
2. Location of Development Big Bone, Ky., 0.3 mile north on Big Bone Rd.
3. Total Acreage of Site 20 Acres
4. Current Zoning Residential Estates
5. Proposed Zoning (classification being requested) A-1 Amendment
6. Proposed Uses (please specify each use) A-1 Amendment of 4-6 Acres to allow for 1 each mobile home for retired mother's residence.
7. Name of Applicant(s) Quentin R. Campbell + Marcia C. Campbell
8. Address of Applicant(s) 11891 Big Bone Rd.
9. Name of Property Owner(s) Quentin R. Campbell + Marcia C. Campbell
10. Address of Property Owner(s) 11891 Big Bone Rd.
11. Proposed Building Intensities (please specify) Amendment to A-1 to allow 1 each mobile home behind my existing residence.
12. Are there any existing buildings on the site? YES
13. Deed Book # 47 Page No. 609 Group No. 2062
14. Have you had a pre-application meeting with BCPC staff? YES
15. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water and Sewer District
Florence Water and Sewer Commission
Union Light Heat and Power
Cincinnati Bell
Owen County Rural Electric
Boone County Road Department
Kentucky Transportation Cabinet
City of Florence Public Works Department
City of Walton Public Works Department
Northern Kentucky Health District
U.S. Soil Conservation Service
Local School District
Local Fire District
Other:

(COMPLETE OTHER SIDE OF APPLICATION)

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON STREET

BURLINGTON, KENTUCKY 41005

334-2196

MR. WILLIAM R. VIOX
CHAIRMAN

MR. FRED BURCH
VICE CHAIRMAN

MRS. CAROL SMITH
SECRETARY-TREASURER

MR. GERALD A. NEWTON
DIRECTOR

MR. D. T. WILSON
ATTORNEY

February 6, 1989

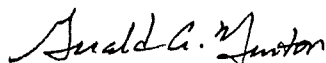
Honorable Bruce Ferguson
Boone County Judge/Executive
P.O. Box 900
Burlington, Kentucky 41005

Dear Judge Ferguson:

At the February 1, 1989 Business Meeting the Commission voted unanimously to recommend approval for the request of Quentin R. Campbell and Marcia C. Campbell (owners) for a Zoning Map Amendment for a four acre portion of a property located at 11891 Big Bone Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban Estate / Small Community Overlay (RSE/SC) to Agriculture (A-1) to allow a mobile home to remain on the site.

The Public Hearing was held on January 25, 1989 and the court should carefully review minutes of that public hearing. A copy of the Committee Report is attached for your review. The signed resolution (R-10-89), cover letter, and full packet will be forwarded to you immediately after our next business meeting held on February 15, 1989. This project is subject to the 90 day time limitation which makes the deadline May 2, 1989.

Sincerely,



Gerald A. Newton
Director

GAN:jdh

Attachment

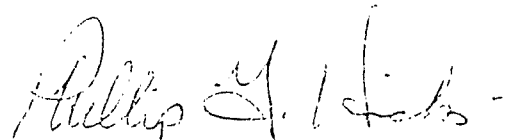
EXHIBIT "A"

LEGAL DESCRIPTION

The following is a description of a parcel of ground lying and being on the North side of Big Bone-Union Road, 0.3 miles North-East of Kentucky State Route 338 near Big Bone Park in Boone County, Kentucky and more particularly described as follows:

Beginning at a spike in the center of Big Bone-Union Road and a corner to A.L. Stephenson; thence with Stephenson's line N 4° 58' E -- 887.6 feet to a post in the line of Norman Douglas Adair; thence with Adair's line N 77° 51' W -- 214.3 feet to a 15" Oak; thence N 80° 18' W -- 190.3 feet to a 6" Oak; thence N 81° 34' W -- 368.5 feet to a 8" dead tree; thence N 83° 02' W -- 97.3 feet to a steel post; thence with a new made line of the J.D. Moore Estate, S 0° 07' E -- 1260.9 feet to a spike in the center of the Big Bone-Union Road; thence with the center of said road, N 70° 21' E -- 64.5 feet to a spike a corner to Vernon Lovelace; thence with Lovelace's line N 22° 42' E -- 147.2 feet to a post; thence S 80° 16' E -- 382.5 feet to a spike in the center of the Big Bone-Union Road; thence with the same N 59° 42' E -- 200.0 feet; thence N 62° 00' E -- 60.0 feet; thence N 78° 42' E -- 59.8 feet to the place of beginning containing 20.00 Acres more or less exclusive of all legal right of ways of Big Bone-Union Road.

The above description is in accordance with a survey made by the undersigned on the 12 November 1975.



PHILLIP G. HICKS
Registered Land Surveyor
No. # 1770

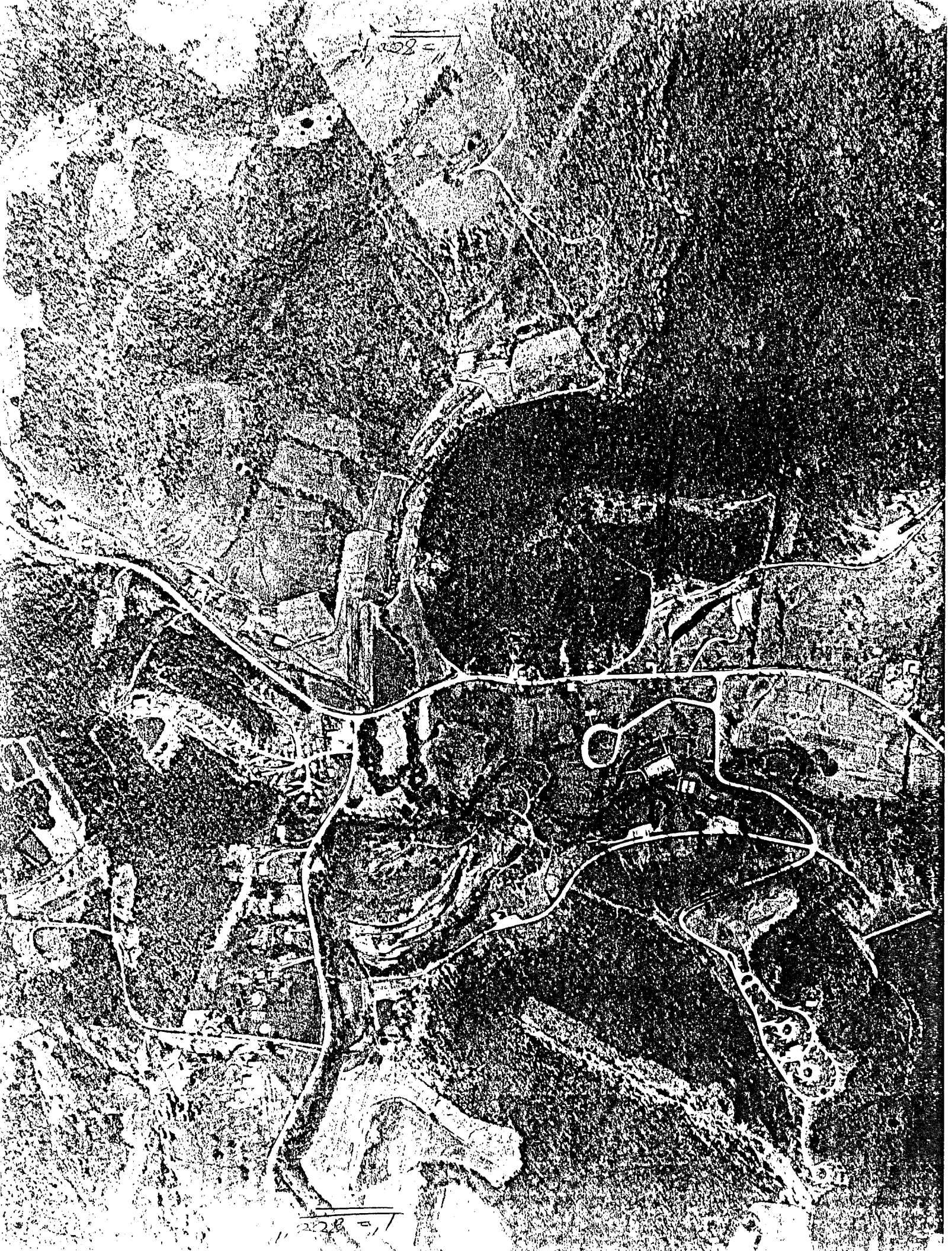


EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #6
January 25, 1989

Page 1

Chairman Viox introduced the next item on the Agenda:

6. Applicant: Quentin R. Campbell and Marcia C. Campbell (owners)
Request: Zoning Map Amendment

This was a Public Hearing on the request of Quentin R. Campbell and Marcia C. Campbell (owners) for a Zoning Map Amendment for a four-acre portion of a property located at 11891 Big Bone Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban Estate/Small Community Overlay (RSE/SC) to Agricultural One (A-1) to allow a mobile home to remain on the site.

Staff Member, Dave Geohegan, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Quentin Campbell, owner of the twenty-acre tract, stated that he is asking for an extension of the A-1 Zone for about four acres on the back of his property. When he bought the property, a mobile home was allowed, but there was a zone change between 1975 and 1988 that he did not know about. He was overseas during that time. He wants only one trailer for his mother's private use. He is not asking for any change to the front of his property.

At this time, Mr. Geohegan completed the Staff Report.

The Chairman asked if there was anyone else present who wished to speak in regard to this request or if there were any questions.

There being no further comments, the Chairman stated that this item will be on the Agenda for the Business Meeting on February 1, 1989 at 8 P.M. and closed this Public Hearing.

APPROVED:


William R. Viox, Chairman

Attest:


Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

February 1, 1989

8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Fred Burch, Vice Chairman
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Rector Jones
Mr. Don McMillian
Mr. Charles Moore
Mr. Barry Neltner
Mr. Ralph Rush
Mr. Floyd Sharp
Mrs. Carol Smith
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Larry Barnett
Mrs. Rita Bushelman
Mr. Melvin DeLong
Mr. R. N. Greene

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received copies of the Minutes of the Business Meeting of January 18, 1989, and the Public Hearings of January 25, 1989 and February 1, 1989. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Jones seconded the motion and it carried unanimously.

9. Preliminary Development Plan Review and Site Plan Review

The request of James W. Berling (applicant) for Charles Deters (owner) for Preliminary Development Plan Review and Site Plan Review to construct a 7,440 sq. ft. retail building, car wash and fuel pumps located at Hopeful Road and U.S. 42, Florence, Kentucky. The 1.50-acre site is zoned Commercial Two/Planned Development (C-2/PD).

Staff Member, Doug Powell, presented the Staff Report (see Staff Report).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the Staff Report.

There being no discussion, Mr. Jones moved that the request be approved based on the Staff and Committee Reports. Mr. Burch seconded the motion and it carried unanimously.

6. Zoning Map Amendment

The request of Quentin R. Campbell and Marcia C. Campbell (owners) for a Zoning Map Amendment for a four-acre portion of a property located at 11891 Big Bone Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban Estate/Small Community Overlay (RSE/SC) to Agriculture (A-1) to allow a mobile home to remain on the site.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). Mr. Newton stated that there is a letter on file, signed by Mr. Campbell, agreeing to the conditions.

There being no discussion, Mr. Collins moved by resolution to the Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. McMillian seconded the motion and it carried unanimously.

8. Site Plan Review

The request of Harley B. Fisk (applicant) for Harold Lewis (owner) for Site Plan Review to construct one commercial building on a 3.5-acre site located on the west side of U.S. 25, Florence, Kentucky. The site is zoned Commercial Two (C-2).

Staff Member, Dave Geohegan, presented the Staff Report (see Staff Report).

Mr. Gerald Newton, Director, read the Committee Report which recommended denial of the request (see Committee Report).

The Chairman asked Mr. Fisk if he wished to comment at this time.

EXHIBIT "C"

P G

COMMITTEE REPORT

#6

TO: Boone County Planning Commission

FROM: Rector Jones, Chairman

DATE: February 1, 1989

RE: Request of Quentin R. Campbell and Marcia C. Campbell (owners) for a Zoning Map Amendment for a four acre portion of a property located at 11891 Big Bone Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban Estate/Small Community Overlay (RSE/SC) to Agricultural One (A-1) to allow a mobile home to remain on the site.

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment request based upon the following findings of fact, and with the following conditions:

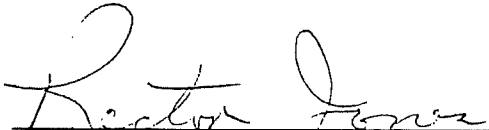
FINDINGS OF FACT

1. The requested zoning of Agricultural (A-1) is consistent with the Boone County Comprehensive Plan. The Future Land Use Map recommends Rural Lands and Developmentally Sensitive designations for the site. The Committee also believes that the request, as presented, helps provide a broad range of housing opportunities to meet the needs of households without adversely impacting surrounding properties, as called for in the Comprehensive Plan. The Comprehensive Plan also indicates that mobile homes act as an alternative to the more expensive single-family homes in rural areas. The Committee believes that because of topography of the site, and the secluded nature of the site, the requested zoning allows the applicant to properly locate the mobile home away from Developmentally Sensitive areas.


CONDITIONS

The applicants' are being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the January 25, 1989 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. The applicant shall be limited to one mobile home on the 4.6 acre portion of the Campbell property being requested for a map amendment. At such time as the mobile home is vacated by the applicants' mother/mother-in-law, said mobile home will be removed from the property.
2. The mobile home shall meet all applicable Health Department regulations.



Rector Jones, Chairman



Fred Burch



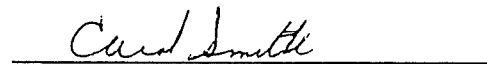
Barry Neltner

RJ:jdh

Larry Barnett



Phil Damstrom



Carol Smith

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON STREET

BURLINGTON, KENTUCKY 41005

334-2196

MR. WILLIAM R. VIOX
CHAIRMAN

MR. FRED BURCH
VICE CHAIRMAN

MRS. CAROL SMITH
SECRETARY-TREASURER

MR. GERALD A. NEWTON
DIRECTOR

MR. D. T. WILSON
ATTORNEY

January 31, 1989

Quentin R. and Marcia C. Campbell
11891 Big Bone Road
Union, Kentucky 41091


RE: Conditions of approval for the Quentin R. and Marcia C. Campbell Zoning Map Amendment request.

Dear Quentin and Marcia Campbell:

The following represents possible conditions being discussed by the Zone Change Committee. If you, as the applicant, will agree to these conditions, please indicate so by signing your name at the end of this form and returning it to our office by 3:00 p.m., Wednesday, Zone Change, 1989.

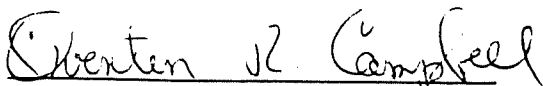
1. The applicant shall be limited to one mobile home on the 4.6 acre portion of the Campbell property being requested for a map amendment. At such time as the mobile home is vacated by the applicants' mother/mother-in-law, said mobile home will be removed from the property.
2. The mobile home shall meet all applicable Health Department regulations.

Sincerely,


David A. Geohegan
Planner/Plans Examiner

DAG:jdh

I, the applicant, agree to the above listed conditions for approval of my request for a Zoning Map Amendment from Rural Suburban Estate/Small Community (RSE/SC) to Agriculture (A-1) on a ± 4.6 acre site located at 11891 Big Bone Road.


Quentin and Marcia Campbell

ORDINANCE 920.175

R-10-89

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES/SMALL COMMUNITY (RSE/RC) TO AGRICULTURE (A-1) FOR A FOUR (4) ACRE PORTION OF PROPERTY LOCATED AT 11891 BIG BONE ROAD, BOONE COUNTY, KENTUCKY, AS REQUESTED BY QUENTIN R. CAMPBELL AND MARCIA C. CAMPBELL (OWNERS) AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION R-10-89.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County zoning map and such Zoning Map Amendment being a zone change from Rural Suburban Estates/Small Community (RSE/RC) to Agriculture (A-1) for a four (4) acre portion of property located at 11891 Big Bone Road, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval for the zoning map amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the zoning map amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, this Zoning map Amendment being a zone change from Rural Suburban Estates/Small Community (RSE/SC) to Agriculture (A-1) for a four (4) acre portion of property located at 11891 Big Bone Road, Boone County, Kentucky. The real estate which is the subject of this zoning map amendment recommendation for approval is more particularly described in attached "Exhibit A."

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning and Zoning Commission as set forth in its Minutes and official records for this zone change request, and the finding of facts of the Boone County Fiscal Court, if any, and any conditions and/or stipulations mandated by the Boone County Fiscal Court, if any, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in the Ordinance (ATTACHED - EXHIBITS "B" AND "C")

That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced, seconded and given First Reading on the
21st day of February, 19 89.

Adopted by the Fiscal Court of Boone County after Second
Reading at a regular meeting on the seventeenth day of
March, 19 89, and on the same occasion signed
in open session by the County Judge/Executive as evidence of his
approval, attested under seal by the County Fiscal Court Clerk
and declared to be in full force and effect.

Bruce Ferguson
BRUCE FERGUSON
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

R. Scott Kimmich
R. SCOTT KIMMICH
FISCAL COURT CLERK

SUBMITTED BY:

Larry Crigler
LARRY CRIGLER
BOONE COUNTY ATTORNEY

Mar. 22, '89
DATE PUBLISHED