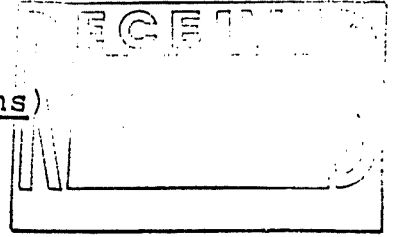


APPLICATION FORM

ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION  
(See Boone County Zoning Regulations)



SECTION A (To be completed by applicant)

1. Name of Development Boone Acres
2. Location of Development Route 25 1/2 mi North of Frogtown Rd.
3. Total Acreage of Site 14.8
4. Current Zoning S.R. 1 Suburban Residential 1
5. Proposed Zoning (classification being requested) M.H.P.  
Mobile Home Park
6. Proposed Uses (please specify each use)  
Mobile Home Park Rental lots, Managers office, childrens play area,  
Boat & Camper storage (outside), maintenance barn.
7. Name of Applicant(s) Roy B. Schweitzer, Trustee  
Phone Number(s) 761-4980 **FAX** 761-0418
8. Address of Applicant(s) 325 Clark Road (P.O. Box 15426  
Cincinnati OH 45215  
City State Zip
9. Name of Property Owner(s) As Above  
Phone Number(s) \_\_\_\_\_
10. Address of Property Owner(s) \_\_\_\_\_  
City State Zip
11. Proposed Building Intensities (please specify) \_\_\_\_\_  
6.0 units per acre gross (Mobile Homes)
12. Are there any existing buildings on the site? yes  
How many? 2 ( 1 barn - 1 residence)
13. Deed Book 414 Page No. 1 Group No. 2058
14. Have you had a pre-application meeting with BCPC staff? yes-K. Costello
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
- Boone County Local School District
- Local Fire District Chief, Don Roberts Florence
- Other: \_\_\_\_\_

(COMPLETE OTHER SIDE OF APPLICATION)

EXHIBIT "A"

## STAFF REPORT

#1

### REQUEST OF ROY B. SCHWEITZER, TRUSTEE (OWNER) FOR A ZONING MAP AMENDMENT ON A 14.8 ACRE SITE LOCATED ON THE WEST SIDE OF U.S. 25, NORTH OF MAHER ROAD, BOONE COUNTY, KENTUCKY

April 4, 1990

This is a request to rezone a 14.8 acre parcel from Suburban Residential One (SR-1) to Mobile Home Park (MHP). The applicant intends to develop 75 mobile home lots, a play yard, storage/maintenance area, and to connect an existing house into the park office and manager residence. The submitted Concept Development Plan proposes a 25 foot wide street on a 50 foot right-of-way. The proposed street is approximately 1,930 feet in length. The front of the development is proposed for double-wide mobile home spaces. The requested gross density is five units per acre. Water service is available along U.S. 25 while sanitary sewerage may require easements to reach the Kentucky Aire and I-75 Rest Stop force main into the Wolfpen Outfall Sewer in Kenton County.

#### SITE CHARACTERISTICS AND SURROUNDINGS

The site currently contains a single-family residence and agricultural land. The site has been used as a borrow area for the construction of the new I-75 Rest Stop parking areas. The center of the site is used to contain several ponds. The site extends from U.S. 25 to I-75 on the west.

To the north of the site is another agricultural property with an existing residence. This property has roughly the same shape and size as the subject tract. It is zoned Suburban Residential One (SR-1). To the east of the Schweitzer tract, across U.S. 25 is residential and vacant property, zoned Industrial One (I-1) south of the site, along U.S. 25, is additional residential and vacant land, zoned Suburban Residential One (SR-1). Also south of the site is the expanded north bound I-75 rest stop parking lot. The construction of this facility borrowed fill dirt from the Schweitzer tract. The rest stop property, as well as wooded property across I-75, is zoned Suburban Residential One (SR-1).

#### RELATIONSHIP TO COMPREHENSIVE PLAN

The 1986 Future Land Use Map indicates High Density Residential for the site and all adjacent property east of U.S. 25

The Housing Element contains the following passage on pages H-20 and H-21:

##### Florence-Walton Area

This area is projected to experience great population growth in the western area and some along I-75. The I-75 area is capable of supporting high density residential development, although open space buffers have to be provided because of the desirability of I-75 access to industrial and commercial interests. A proposed interchange at Mt. Zion Road will ensure very easy access to the area. Extensive residential development should not be permitted to the east of this new interchange because of Northern Kentucky

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Industrial Park traffic. A separation of residential and industrial traffic would avoid some of the traffic problems evident at the nearby &.S. 42 interchange.

The Housing Element Goals and Objectives recommend a broad range of housing opportunities at appropriate locations that are balanced against present and assumed commercial and industrial bases. The objectives also recommend that residential plans be judged primarily on gross density with secondary consideration given to the type of dwelling unit. High Density developments should occur in areas with immediate access to major streets, highways, commercial areas, and public facilities.

The following objectives also appear under the Housing Element Goals and Objectives:

7. Residential development plans shall insure the continuity of the interior street system with the system already built or planned in the neighboring areas, as well as provide for the coordination of this local system with the major transportation network.
12. Residential developments shall be designed in a manner which is compatible not only with the general housing character planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access.

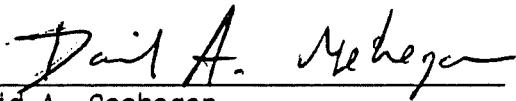
#### STAFF CONCERNS

1. The site adjoins the newly constructed northbound I-75 rest stop parking area. In fact, the rest stop is up wind of the site which translates into potential noise, dust, and smoke impacts because of increased truck traffic using the rest stop facility. Buffer yards can reduce sight and noise impacts on residential uses, however, dust and smoke impacts and the prevailing winds cannot be treated. The Commission should consider the amount of separation needed between proposed residential uses and a transportation facility.
2. The centerline of the proposed entrance to the site is approximately 150 feet north of the centerline of Maher Road. Even though this exceeds what would be required through the Boone County Subdivision Regulations, Staff believes that Sections 1740A, Provisions for Maintaining the Capacity of the Roadway, and 1752A, Coordination of Access Points, of the Boone County Access Management Regulations are not met. In addition, the proposed location of the street would create a non-conforming corner clearance for an existing curb cut on adjacent property. The existing intersection of Maher Road with U.S. 25 is dangerous because of limited sight visibility to the south and the existing travel speeds of vehicles on U.S. 25. In Staff's opinion, to add another traffic access point this close to Maher Road would adversely affect the safety and capacity of this portion of U.S. 25. The proposed street intersection with U.S. 25 should either be aligned with Maher Road to provide access to the subject site and property to the south, or should eventually straddle the north property as the adjacent property redevelops.

3. This development, if approved, would be the same land use and similar layout as the Old Lexington Pike Villa Mobile Home Park. One narrow parcel of land lies between these two sites. The shape of that parcel between two mobile home parks and adjacent to I-75, would suggest a similar future land use for that vacant parcel. The Schweitzer development must provide future street connecting or common street access to U.S. 25. Similarly, property to the south is shown as future High Density Residential on the Future Land Use Map and should be shown the same access considerations.
4. Landscaping along U.S. 25 and buffering along the south property line will need to be carefully considered. Existing trees around the proposed office/manager's residence should be retained.

#### CONCLUSION

The Planning Commission and Fiscal Court need to consider this request in terms of the three criteria necessary for a zoning map amendment and in light of the housing and industry development trends in the U.S. 25 corridor. The expanded rest stop facility must be considered for its impacts. Should the request be approved, the 1986 Comprehensive Plan Land Use Map need not be adjusted.

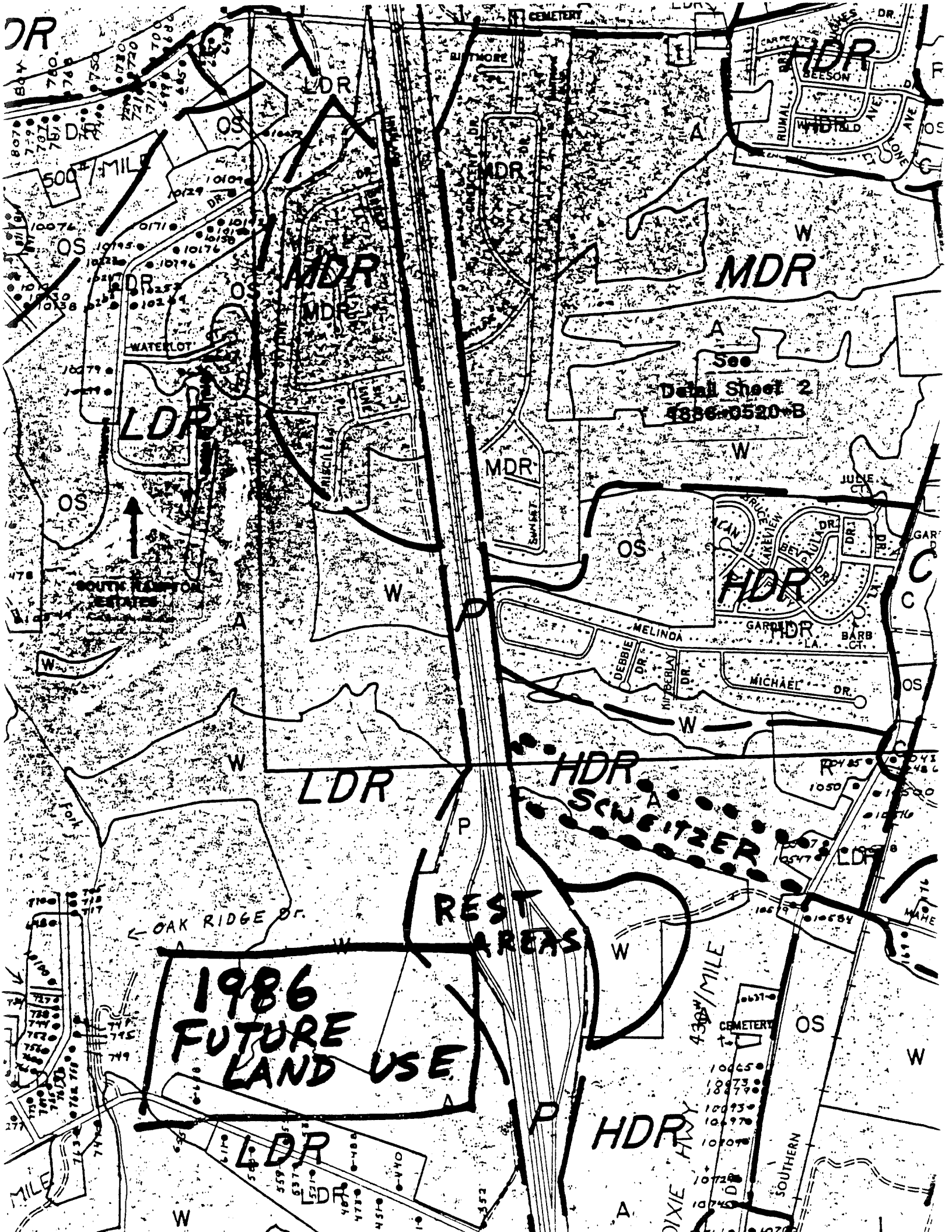


David A. Geohegan  
Planner / Plans Examiner III

DAG:jdh







CEMETERY

HDR  
BEESON  
RUMAL  
WINDY  
AVE  
AVE  
ONE

MDR

Detail Sheet 2  
4886-0520-B

HDR  
GARDNER  
BARB  
LA.

HDR  
SCHAFNER

1986  
FUTURE  
LAND USE

REST  
AREAS

HDR

430' / MILE

CEMETERY

SOUTHERN

DIXIE HWY

DR

500' / MILE

MILE

SOUTH PLANTATION  
ESTATES

OAK RIDGE DR.

WATERLOT

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BOONE COUNTY PLANNING COMMISSION

Public Hearings

April 4, 1990  
7:00 P.M.

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Mr. Barry Neltner, Temporary Presiding Officer, called the meeting to order at 7:00 P.M.. Following an explanation of the Public Hearing process, Mr. Neltner introduced the first item on the agenda:

1. Applicant: Roy B. Schweitzer (owner)  
Request: Zoning Map Amendment

The request of Roy B. Schweitzer (owner) for a Zoning Map Amendment on a 14.8-acre site located on the west side of U.S. 25 near Maher Road, Boone County, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Mobile Home Park (MHP).

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

Mr. Neltner asked the applicant for his comments at this time.

Mr. Joseph Hoh, of Cardinal Engineering Company, representing the owners, stated that the site is about 300 feet wide and 2,200 feet deep, extending from U.S. 25 to I-75. They intend to locate seventy-five mobile homes on the site. He indicated on a large drawing the relationship of the site to U.S. 25 and I-75, and the location of Maher Road. The drawing indicated how the mobile homes would be placed on the site. The existing house is to be maintained as an office. He also indicated a play area, as well as a boat a camper storage area for the use of the residents. The play area would be fenced and provided with basketball courts, swing sets, etc.. A detention basin would be provided at the south end of the site. There would be a heavily screened area with berm along I-75, which will also protect the site from dust and dirt. He noted the location of the rest area to be about 700 feet from the site. There is a sanitary sewer line proposed through the site. Water, gas, and electric are available and adequate to serve the development, and Mr. Hoh has letter to this effect from the utilities. Mr. Hoh stated that the site falls from U.S. 25 to I-75, which is accentuated by burrow for fill. They hope that this will also act as a buffer for the site. Mr. Hoh presented a drawing of the Highway Department's Plan for the area indicating the location of the rest stop, their site, the proposed buffer areas, and the detention pond. He indicated the proximity of Old Lexington Pike Mobile Homes to this development and stated that it is a similar development. He added that they are not able to line up their

entrance road directly with Maher Road on their own property and have submitted the plan with the entrance road shown in the center of the project, meeting the minimum separation requirement as outlined in the regulations.

Mr. Steve Schweitzer of Cincinnati, Ohio stated that there is a great demand for additional mobile home spaces in the community.

Mr. Hoh added that he has visited each of the mobile home parks in the neighborhood. The older parks are completely filled with very few spaces available and Old Lexington Pike Villa is rapidly working on filling up their spaces. He stated that there is definitely a need in the community. He stated that where they have shown the entrance road affords the best sight distance both north and south. He added that they have provided a deceleration lane on their property on the north side for people headed south.

Mr. Roy Schweitzer stated that there is a need in the area for medium-priced housing. The present parks are nearly full. He displayed a model of the proposed development.

Mr. Neltner asked if there was anyone else present who wished to speak either for or against this request. There being no response, he asked if there were any comments from the Commissioners.

Mr. McMillian questioned why the playground was at the front of the site near the highway, noting his concern for the safety of the children.

Mr. Hoh stated that it is due to the excavation. He noted that the topography is steep and the area around the house tends to be flatter and more usable for play areas. He added that it will be fenced and far enough removed from the traffic so as not to be a hazard to the children.

Mr. Kirby stated that he has had rental property and play areas are better located near the management office. He questioned the lot sizes.

Mr. Hoh stated that the lots for the mobile home units are 40' x 125' and meet the minimum requirement.

Mr. Neltner questioned why the lots to the front are larger than those further back.

Mr. Hoh stated that the property is narrow and the road is not exactly in the center due to the existing building and the entrance. They felt that having a few 50' wide lots for the double-wide units which are shallower would add variety.

Mr. Neltner questioned the turning radius and if it would accommodate a 70' or 80' trailer. He noted that they may be backed out into the street and then backed into place.

Mr. Hoh stated that the entrance meets the Subdivision Regulations. They would not expect the trailers to be brought in and turned around. He stated that it is a 50' in diameter cul-de-sac and they can accommodate these movements if it will make the project work.

Mr. Neltner noted that the trees shown on the drawing appear to be on the other side of the property line.

Mr. Hoh stated that they are existing trees and that there is an orchard next to the site.

Mr. Collins questioned if there are trailers down off of Druffel Drive.


Mr. Roy Schweitzer stated that there are no trailers back there. Mr. Hoh stated that the property is in the name of Schue.

Mr. Geohegan advised that there is a gravel drive which does not appear to be maintained.

Mr. Collins commented that he believed there were trailers off of Druffel Drive.

There being no further comments, Mr. Neltner stated that this item will be on the Agenda for the Business Meeting on April 18, 1990 at 8 P.M. and closed this Public Hearing.

APPROVED:

  
\_\_\_\_\_  
Barry Neltner  
Temporary Presiding Officer

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

April 18, 1990

8:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 8:10 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Fred Burch, Vice Chairman  
Mr. Phil Damstrom  
Mr. Melvin DeLong  
Mr. R. N. Greene  
Mr. Robert Kirby, Jr.  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Thurman Owens  
Mr. Ralph Rush  
Mr. Floyd Sharp  
Mrs. Carol Smith  
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Larry Barnett  
Mr. Lawrence Collins  
Mr. Rector Jones

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Public Hearings and Business Meeting of April 4, 1990 and asked if there were any comments or corrections.

Mr. Neltner noted that on Page 5 of the Minutes of the Business Meeting, his reply to Mr. Kirby's question was intended to indicate that the wall and the fence on top should be constructed in such a way that the line of sight would be consistent across the back of the property. Mr. Kirby stated that this was his understanding.

Mr. McMillian moved that the Minutes of the Business Meeting be approved as amended and the Minutes of the Public Hearings be approved as written. Mrs. Smith seconded the motion and it carried unanimously.

Mr. McMillian moved that the request be deferred until the May 2, 1990 Business Meeting based on the Committee Report. Mr. DeLong seconded the motion and it carried unanimously.

2. Zoning Map Amendment

The request of George and Arlene Trumble (owners) for a Zoning Map Amendment on a 53-acre site located off Hutton Drive, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Agriculture (A-1) in order to allow one mobile home.

Mr. Kevin Costello, Acting Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to one condition (see Committee Report). The applicant has agreed to the condition by letter dated April 17, 1990.

There being no discussion, Mr. McMillian moved by resolution to the Fiscal Court that the request be approved based on the Committee Report, including the condition. Mrs. Greene seconded the motion and it carried unanimously.

3. Zoning Map Amendment

The request of James K. Sterling (applicant) for Walton Church of Christ (owner) for a Zoning Map Amendment on a 2.96-acre site located at 12300 Dixie Highway, Walton, Kentucky. The request is to rezone the site from Rural Suburban (RS) and Agricultural Estate (A-2) to Urban Residential One (UR-1)

Mr. Kevin Costello, Acting Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to one condition (see Committee Report). The applicant has agreed to the condition by letter dated April 17, 1990.

There being no discussion, Mr. Kirby moved by resolution to the Walton City Council that the request be approved based on the Committee Report, including the condition. Mr. Neltner seconded the motion and it carried unanimously.

4. Zoning Map Amendment

The request of Roy B. Schweitzer (owner) for a Zoning Map Amendment on a 14.8-acre site located on the west side of U.S. 25 near Maher Road, Boone County, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Mobile Home Park (MHP).

Mr. Kevin Costello, Acting Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant has agreed to the conditions by letter dated April 17, 1990.

There being no discussion, Mr. Greene moved that the request be approved based on the Committee Report, including the conditions. Mrs. Smith seconded the motion and it carried unanimously.

5. Zoning Map Amendment.

The request of James R. Rice, Jr. (owner) for a Zoning Map Amendment on a 3.34-acre site located on the north side of KY 14 and east of I-71, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Commercial Services (C-3) in order to allow an auto body shop.

Mr. Kevin Costello, Acting Director, read the Committee Report which recommended denial of the request based on the findings of fact (see Committee Report).

There being no discussion, Mr. McMillian moved that the request be denied based on the Committee Report. Mr. Neltner seconded the motion.

Chairman Viox asked if there was anyone present in behalf of the applicant. Mr. Rice was present but did not wish to speak.

Chairman Viox asked for a vote on the motion made by Mr. McMillian and it carried unanimously.

7. The request of Nick Zimmerman (applicant) for Investors Ten (owner) for a Zoning Map Amendment on a 161.4-acre site located west of Triple Crown Country Club Subdivision, south of Frogtown Road, and north of Richwood Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban (RS) and Agricultural Estate (A-2) to Suburban Residential One (SR-1).

Mr. Kevin Costello, Acting Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant has agreed to the conditions by letter dated April 18, 1990.

There being no discussion, Mr. Kirby moved by resolution to the Boone County Fiscal Court that the request be approved based on the Committee Report, including the conditions. Mr. Sharp seconded the motion.

Mr. Rush questioned the development intensity -- would there be large clusters of development. Mr. Costello advised that it is single-family detached housing, not condominiums. Mr. Berling agreed.

There being no further questions, Chairman Viox asked for a vote on the motion made by Mr. Kirby and it carried unanimously.

EXHIBIT "B"

## COMMITTEE REPORT

#4

TO: Boone County Planning Commission

FROM: Barry Neltner, Committee Chairman

DATE: April 18, 1990

RE: Request of Roy B. Schweitzer (owner) for a Zoning Map Amendment on a 14.8 acre site located on the west side of U.S. 25 near Maher Road, Boone County, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Mobile Home Park (MHP).

### REMARKS:

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

### FINDINGS OF FACT

1. The request is in conformance with the 1986 Boone County Comprehensive Plan. The 1986 Future Land Use Map indicates High Density Residential development for the site and surroundings. The existing mobile home parks to the north are also indicated as High Density Residential. The Committee believes that the request is consistent with the Housing Element Goals and Objectives in that the proposed development would provide employee housing for the commercial and industrial uses throughout the U.S. 25 corridor. In the Committee's opinion, the request also is compatible with the general housing character planned for the area and is appropriate for the shape of the 14.88 acre property, the condition of the site, and the suitability of adjacent lands to the north for access. Specific references are made in the April 4, 1990 Staff Report.
2. The Committee believes that the existing zoning of Suburban Residential One (SR-1) is inappropriate to reflect the overall character of the area between U.S. 25 and I-75. Within this area have been recent zone changes and changes to the Comprehensive Plan to allow industrial uses to the south. The northbound rest stop has been expanded, adding to the noise pollution in the area, and the area has experienced additional mobile home construction immediately for the north. The narrow-shaped property located between a cluster of mobile home parks, interstate facilities and developing industrial areas, is not suitable for development permitted by the SR-1 zone.

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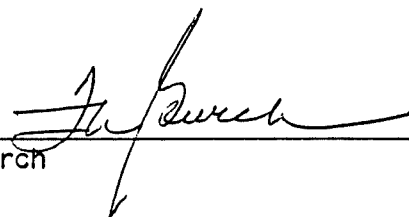
The proposed zoning of Mobile Home Park (MHP) is appropriate to allow the narrow property to develop in a manner consistent with nearby developments, and provide an opportunity for the property to create an access network to the existing mobile home park cluster to the north.

CONDITIONS

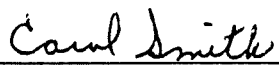
1. Access to the development from U.S. 25 shall consist of a temporary curb cut under Section 1758 of the Boone County Access Management Regulations. This temporary access shall be located to within approximately five feet of the southern property line in order to minimize the offset of centerline alignment with Maher Road at approximately 15 feet. The entrance drive, indicated by the applicant to be a private drive in the Mobile Home Park, shall be 20 feet in width in order to keep the centerline as close to the Maher Road centerline as possible. This temporary access point shall be closed and physically relocated and redesigned at such time as property to the north of the site develops or in the possible event of a mobile home park development to the south. Future access should straddle the north property line to serve this 14.88 acre site and future development of property to the north or should straddle the south property line in alignment with Maher Road. This development shall reserve the necessary strip of property to enable either of the above, which shall be designated at Site Plan Review. That future entrance drive shall meet the width and specification requirements to serve the proposed number of lots on both properties and may be required to include a deceleration lane on U.S. 25. Should the future entrance drive be proposed as a public street, the developer of the 14.88 acre site shall be required to dedicate the respective portion of property.
2. The existing gravel drive access north of the house, shall be removed to prevent further usage.
3. The development shall include provisions for future drive access to adjacent properties near the depth of the proposed location of the play yard.
4. As indicated by the applicant, berms and high tree plantings shall be installed near I-75 and along the south property line as needed. Sight-line drawings and view cross sections shall be submitted at Site Plan Review to help determine height and density of buffer needed. The buffer at I-75 shall be designed also to minimize interstate sound impact on this residential development.

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5. Existing mature trees near the manager's residence shall be retained where possible.
  6. The proposed play area shall be relocated to approximately the mid-point of the development.

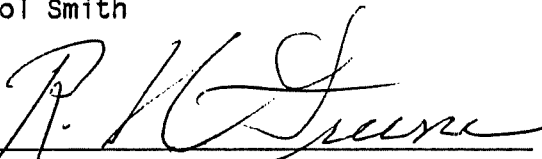
  
\_\_\_\_\_  
Barry Neltner, Committee Chairman

  
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Fred Burch

\_\_\_\_\_  
Rector Jones

  
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Carol Smith

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Larry Barnett

  
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R.N. Greene

BN:jdh

Boone County Recorder

05 - 30 - 90

B.C. Ord. # 920.203

Resolution # R-13-90

Roy B. Schweitzer

**LEGAL NOTICE  
ORDINANCE NO. 920.203**

The Boone County Fiscal Court at its meeting to be held Tuesday, June 12th, 1990, at 10:00 A.M., third floor courtroom, Administration Building, Burlington, Kentucky, will hold a Public Hearing and give consideration to the Second Reading and adoption of the following ordinance.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL FOR A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY ZONING MAP, SUCH MAP AMENDMENT BEING REQUESTED BY ROY B. SCHWEITZER (OWNER) AND SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO MOBILE HOME PARK (MHP) FOR A 14.8 ACRE PARCEL GENERALLY LOCATED ON THE WEST SIDE OF U.S. 25 NEAR MAHER ROAD, BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION R-13-90 UNANIMOUSLY.

I hereby certify that the above summary of said Ordinance has been written in such a manner as to inform the public of the context of same. A copy of said Ordinance, all exhibits, appendages and fiscal court minutes are on file in the office of the County Judge/Executive and may be reviewed between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Administration Building, second floor, Burlington, Kentucky.

ATTEST:

CAROLYN A. RUDICILL  
FISCAL COURT CLERK  
P.O. #FC 33242

BRUCE FERGUSON  
COUNTY JUDGE/EXECUTIVE

LARRY CRIGLER  
COUNTY ATTORNEY