

APPLICATION FOR ZONING ACTION

TO: Boone County Planning Commission City of Union Board of Adjustment
 City of Florence Board of Adjustment City of Walton Board of Adjustment
 Boone County Board of Adjustment Zoning Enforcement Officer

FOR: Zoning Text Amendment Zoning Map Amendment
 Comprehensive Plan Change Preliminary Plat Approval
 Improvement Plat Approval Final Plat or Deed Plat
 Conditional Use Permit Site Plan Review
 Concept Development Plan Historic District Overlay
 Preliminary Development Plan Sign Permit or Zoning Permit
 Change of Non-Conforming Use Appeal or Variance
 Design Review Board Hearing and Certificate of Appropriateness

Applicant: Walton Volunteer Fire Dept, Inc. Owner
Address: No 35~~72~~ North Main St at Church St. Agent
Telephone: 485-7439

Location: Lots 4, 5, 6 and 7, High School Court, Walton, Ky
Name of Owner: same as above applicant
Address of Owner: same
Zone: SR-1 Area in Acres: 1.10 M/L
Deed Book: 29 Page No.: 602 Group No: _____

Description of Request: To rezone property above to Public Facilities District; to permit construction of new fire house. To replace one destroyed by fire.
Date: 10/2/82 Owner's Signature: Walton Vol Fire Dept (Chief)
Applicant's Signature: Ronald W. McEntyre (Chief)

FOR PLANNING COMMISSION USE: 250.00 fee
50.00 publication deposit
40.00 adjoining property owner
22.00 PER ACRE
Application date and fee of \$ 362.00 Received: October 3, 1983
Referred to: Boone Co. Planning Comm For Meeting Date: _____
Action: _____ Date: _____

ZONE CHANGE REQUEST BY WALTON
VOLUNTEER FIRE DEPARTMENT FOR
PROPERTY ON HIGH SCHOOL COURT IN WALTON

This is a request for a zoning change to the map of the City of Walton for a more or less 1.1 acre tract located on High School Court, in the City of Walton. This request is to change the current zoning of Suburban Residential One, SR-1 to Public Facilities, PF, for this tract. The application indicates that this is to permit, if the zoning is changed, the construction of a firehouse on the site.

Adjoining properties to the north, south, and west are zoned Suburban Residential One, SR-1. To the east is current zoning of Commercial Two, C-2.

The Land Use Plan Map of the Boone County Comprehensive Plan indicates the planned future land use of this tract is Medium Density Residential. Land to the east facing on Main Street is planned as Commercial. While all adjoining land to the north, south, and west is planned as Medium Density Residential. The text of the Plan regarding the residential states on page 3.5 and page 3.12 in the Plan, "Medium density development is planned in Walton east of I-75, west of US 25, and south of Chambers Road. Service area expansion would accommodate new development west of I-75, beyond the high density development planned. (3.5) Major residential development is planned east of I-75 in the northwest part of the existing City, and northwest of the I-75/KY 14-16 interchange. The latter development includes high density residential use on KY 1292 with access to I-75. (3-12) Regarding a planned Public Facility use the text of the Comprehensive Plan on pages 3.8, 3.13, 5.4, and 5.7 states, "Public/Institutional land uses in Walton are also expected to remain as they currently exist. Both the high school and city building in Walton have adequate land for expansion of their facilities. (3.8) Expanded recreational areas and public facilities are also planned to complement development of the community. (3.13) The Walton municipal complex on US 25 has adjacent lands available for expansion of facilities. This site is planned to be adequate for future public service facilities. (5.4) Other community, social, or cultural facilities should be located in close proximity to populations which are sufficient to justify development of such facilities. (5.7)

The current land use of this tract is undeveloped with the occasional use of a public use for fund raising functions of the Fire Department, who is indicated as the property owner. Current land use of all adjoining tracts is residential.


Both water and sanitary sewage disposal could be available through public mains of the City of Walton in the area.

PAGE TWO
ZONE CHANGE REQUEST OF
WALTON VOLUNTEER FIRE DEPARTMENT

The subject property fronts High School Court, a City street, having about 20 foot of surface width and maintained in good condition. The site lies about 300 feet west of the intersection of High School Court and Main Street (U.S. 25).

A conceptual Development Plan was submitted showing a building generally having around 6400 square feet with a concrete apron across the front of the building to the street pavement for vehicular access. There is also shown a dance floor location to the northwest of the planned building location.

Since this request is for a public/institutional use, if this request is recommended for approval by this Commission to the City of Walton, I would recommend the Land Use Map be changed to Public/Institutional from Medium Density Residential. If found to be consistent with the above noted references to the text no necessary changes to Comprehensive Plan Text.



Alvin "Chip" Block
Zoning Enforcement Officer

sr

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

OCTOBER 19, 1983

9:00 P.M.

Chairman Kroger called the meeting to order at 9:05 P.M.. Thirteen (13) members were present. Mr. Felty, Mr. Jones and Mrs. Smith were absent. Staff members present were Mr. Lynn, Mr. Wilson, Mr. Jenkins and Mrs. Baker. Mr. Block was absent. Mr. Godsey moved to correct the minutes of September 28, 1983 which incorrectly stated that the Walton Volunteer Fire Department Public Hearing would be scheduled for October 21, 1983 to the correct date of October 19, 1983. Mr. Jones seconded. The motion carried unanimously. Mr. Godsey moved to approve the minutes of October 5, 1983. Mr. Buse seconded. The motion carried unanimously.

COMMUNICATIONS:

Chairman Kroger stated that there was correspondence from O.K.I. and other communciation that would be made a matter of the agenda.

BILLS:

Mr. Godsey moved that staff's salaries and benefits be paid. Mr. McMillian seconded. The motion carried unanimously.

REPORTS:

Due to Mr. Block's absence no Enforcement Officer's Report was given. The Commission reviewed the Convenience Plat Report. Chairman Kroger read a letter from Mr. Mathis, attorney for the City of Walton, asking for the fee to be waived on three (3) convenience plats submitted by the City of Walton. Discussion followed. Mr. McMillian moved to waive the fee. Mr. Jones seconded. Discussion followed pertaining to the Commission's professional fees involved. Mr. Barnett moved to amend the motion and waive the fee excluding the hard costs incurred by the Commission. Mr. Buse seconded, the motion carried unanimously.

Chairman Kroger proceeded to the request of Walton Volunteer Fire Department, Inc. for a Zoning Map Amendment from its present zone of Suburban Residential One (SR-1) to Public Facility (PF), located at High School Court, Walton, Ky. on a 1.1 acre site.

Mr. Lynn identified the area in question and read the Enforcement Officer's Report. Mrs. Baker read the Committee Report recommending approval. Chairman Kroger asked if there was anyone in behalf of the request. Mr. Thorton, member of the Volunteer Fire Department, stepped forward and submitted two (2) exhibits; (1) Documents of personal contact with the adjoining property owners on High School Court and; (2) A synopsis of the use of the property, its purchase and proposed uses. Mr. Thorton stated that his comments stand which he presented at the Public Hearing.

Chairman Kroger asked if there was anyone in opposition. Mrs. Adams stated that her feeling were the same as stated during the Public Hearing; the safety of the children; parking on High School Court; visibility onto Main Street and the property values decreasing. Mrs. Gibson expressed her concern of the visibility pulling out onto Main Street and her concern of the noise level of the siren. Mr. Thorton stated it was required by the State Fire Marshall that the siren be exercised once in every twenty four (24) hours. He continued that the siren is on a clock and is exercised at 12:00 noon every day. Mr. Thorton pointed out the siren's purpose is to alert people and when the building is constructed the siren will be moved to the back, but the noise level would remain the same.

Chairman Kroger asked for further comments. No one responded.

Mr. Mitchell moved by Resolution to grant the request based on the findings of fact contained in the Committee Report and that the recommendation be forwarded to Walton City Council. Mr. Collins seconded. Mr. Davis abstained due to being Chairman of the Fire District. Mr. Buse stated that in his opinion the site should be seen in order for the Commission to give a recommendation. He continued that without seeing the site he would probably have to vote against the request and felt that action should be postponed until they have an opportunity to observe the site. Mr. Barnett stated that he agreed with Mr. Buse and felt the Commission needed more time. Mr. Green stated that the location of the fire department lends itself to the best needs of the City. He continued that if the fire department is moved out further from the City it would increase the response time of the volunteers and would create as much if not more confusion than the central location on High School Court. Mr. Green felt that the City of Walton would in the future make any necessary improvements of the roads. Mr. Hasselbring stated that the fire department would not be before the Commission if not for an act of nature or god. He felt the fire department had adequately investigated other properties for the location of the fire department and that this was the best location. He stated that he would not have signed the Committee Report if he had not felt the Commission had enough information on which to base a recommendation. Mr. Buse stated that he agreed with Mr. Hasselbring, but that he felt he could not vote without

first viewing the location. Mr. Buse moved to table action on the request. Mr. Barnett seconded. A roll call vote of nine (9) no; three (3) yes. Mr. Davis abstained. The motion was defeated. Chairman Kroger pointed out that the motion for a favorable review was still on the floor. Chairman Kroger asked if there was any further comments. No one responded. Chairman Kroger stated that there was a necessity for a fire department and possibly the fire department and City could work with the State to have flashing light installed at Main Street and High School Court. Mr. Kroger felt that the fire department and the community it serves should improve that quality of life in trying to compromise and understand either others needs and problems associated with all agencies, the fire department, the City along with the citizens that make up that community.

Chairman Kroger stated that there was a motion and a second for favorable review. A roll call vote was taken. Mr. Barnett voted "no" due to not have enough information or viewing the site. Mr. Buse "passed" due to not having adequate time to view the site. The vote carried, 10 yes, 2 no, Mr. Davis abstained due to being Chairman of the Fire District.

Mr. Mitchell moved to waive the fee excluding hard costs incurred by the Planning Commission for the Walton Volunteer Fire Department request. Mr. Jones seconded, the motion carried unanimously.

Chairman Kroger informed the applicant that the recommendation would be forwarded to the City of Walton in two (2) weeks.

Chairman Kroger proceeded to the request of Robert Millay, agent for B & J. Development for Site Plan Review for property located at Florence Square, Mall Rd., Florence, for the construction of a retail commercial building. Mr. Lynn read the Enforcement Officer's Report. Mrs. Baker read the committee report recommending approval. Mr. Viox moved to approve the site plan based on committee and staff reports. Mr. McMillian seconded. Mr. Buse abstained, although he is not involved in this particular piece of property he has had business relations with B & J Development. Mr. Collins expressed concern of the road affecting the retirement center. A representative of the request stated the project would not in any way affect the retirement center. Mr. Jenkins stated he and Mr. Block discussed the request and he found no problem with the request. The motion carried unanimously. Mr. Buse abstained.

Mr. Viox moved to go into Executive session to discuss hiring personnel. Mr. Buse seconded. The vote carried unanimously.

Mr. Viox moved to leave Executive session. Mr. Buse seconded. The vote carried unanimously. The Commission returned from Executive session, Mr. Wilson stated for the minutes the discussion in Executive session related to employing consultants to do a study of the Turfway Road Interchange and the area that may be impacted by that interchange. Mr. Collins moved that Gartner Burdick Bauer-Nilsen be hired to do the study and the the Planning Commission Director be authorized to enter into a contract with said firm to study the Turfway Price Pike interchange and the area impacted by that Interchange and that it be done at a price not to exceed \$10,500.00 and that a contract be drawn by the Planning Commission's attorney to specify those terms. Mr. Viox seconded. The vote carried unanimously.

Mr. Estes, of the Waltonian, stated his objection to the Executive Session to hire a public consultant for a governmental body. Chairman Kroger stated he respected Mr. Estes statements.

Mr. Greene moved that a letter be sent to property owners in the study area to notify them of the study, and that a public legal notice in the newspaper of the study being conducted. Mr. Mitchell seconded, the vote carried unanimously.

Mr. Viox expressed his desire for a more detailed presentation with possibly slides depicting the areas in question during public hearing and meeting. Discussion followed. Mr. Viox moved that the Planning Commission purchase a 35 mm camera capable of performing quality work and that the Commission pay not more than \$250.00 for the camera. Mr. Green seconded, the motion carried unanimously.

Chairman Kroger proceeded to new business. Mr. Buse moved to set the following Public Hearings for November 30, 1983. Mr. Hasselbring seconded, the vote carried unanimously.

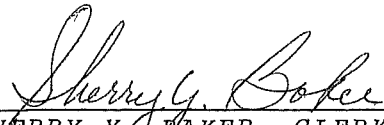
- (1). The request of Thomas R. Dunn, Agent for a Zoning Map Amendment from its present zone of Rural Suburban Estates (RSE) to Public Facility (PF) for property located at the southside of Longbrance Road, Union, Ky. on a 2.001 acre site.
- (2). The request of Thomas R. Dunn, Agent for a Zoning Map Amendment from its present zone of Rural Suburban Estates (RSE) to Public Facility (PF) for property located at the west side of Graves Road, Hebron, Ky. on a 1. acre site.
- (3). The request of Shell Oil Company for a zoning map amendment from its present zone of Urban Residential Two (UR-2) to Commercial Three (C-3) on property located at 8104 Highway 42, Florence, Ky. on a 1.5066 acre site.

Chairman Kroger referred to Committee the request of Bill Shehan, owner, for a Site Plan Review for property located at U.S. 25 and Mt. Zion Rd., Boone County, Ky., on a 1.7 acre site, for the construction of a retail pools and supply store in a Commercial Services (C-3) zoning district.

Mr. Viox moved for adjournment. Mr. Jones seconded, the motion carried unanimously.

Chairman Kroger adjourned the meeting at 11:00 P.M..

RESPECTFULLY SUBMITTED:



SHERRY Y. BAKER, CLERK

APPROVED: _____

CHAIRMAN

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING

OCTOBER 19, 1983

7:30 P.M.

Chairman Kroger called the Public Hearing to order at 7:30 P.M. for the request of Walton Volunteer Fire Department Inc. for a Zoning Map Amendment from its present zone of Suburban Residential One (SR-1) to Public Facility (PF), located at High School Court, Walton, Ky. on a 1.1 acre site.

Mr. Lynn located the property on the map and read the Enforcement Officer's Report. Chairman Kroger asked if there was anyone present in behalf of the request. Mr. Jess Thorton, member of the Walton Volunteer Fire Department, stepped forward and stated that the property was purchased in 1955 by the Walton Volunteer Fire Department Inc. for the purpose of training and a future fire station. Mr. Thorton stated a building was erected on the site in 1956, designated and used as Fire Station No. 2. He continued that Fire Station No. 2 responds for all structural fires. Mr. Thorton stated that the new structure proposed will have a setback of 45 feet as the buildings immediately adjacent East and West. He felt the building would be of attractive design. He stated the entrance to High School Court with the 105 foot ramp at the front of the building would be a great improvement compared to the present entrance of a right angle for the fire equipment. Mr. Thorton stated the emergency vehicles would exist onto Main Street during all calls with the exception of any emergencies on High School Court or Central Avenue. He pointed out the distance from the property line to Main Street is 310 feet. He stated that his understanding was that approximately half of the 310 feet is residential and the remaining balance is considered Commercial, and the fire department would be running through Commercial zoning with their equipment. Mr. Thorton stated there is good visibility at the corner of High School Court and Main Street and would be no problem pulling onto Main Street. He pointed out there would be adequate off-street parking for all members responding to alarms or any functions at this location. He concluded that the building as constructed would be available for civic and private functions with appropriate restrictions.

Chairman Kroger asked if there was anyone else in behalf of the request. Mr. Jack Ravenscraft, owner of Walton Bowling Lanes, stated he felt the proposed property was a good location for a fire house, would improve the area and allow off-street parking that the fire department had not previously had. He stated he was

in favor of the request. Mrs. Shirley Johnson, Insurance Agent, stated that Walton would lose their Fire Protection Class if the fire department was not constructed as soon as possible. She pointed out, a Class which the fire department has worked very hard for and asked the Commission to vote in favor of the request. Chairman Kroger asked if there was anyone else in behalf of the request. No one responded. Chairman Kroger asked if there was anyone in opposition.

Mr. James Nobel stepped forward and stated the neighbors greatest concern was for the safety of the children. Mr. Nobel expressed his concern of the firemen responding to fires at a greater rate of speed than normal traffic. He felt the width of the street would cause a problem, and that the fire trucks would have to pull upon a curb or sidewalk where children would be playing in order to pass on coming vehicles. Mrs. Nobel stated there is a visibility problem leaving High School Court due to Dr. Huey's office being on the corner and having to pull out onto Main Street to see past the building. She also stated the garage on the property is run down and the fire department uses the property for firemen's picnics. Mrs. Adams stated there is no on street parking and during fire department functions, vehicles are parked in residents yards. Mrs. Frost expressed her concern of traffic and safety of the children and that construction of the fire department would decrease the value of the residents property.

Chairman Kroger asked if anyone else was in opposition. No one responded. Chairman Kroger asked if there was anyone else in behalf of the request. Mr. Whalen stated he drove 40 foot tractor trailers in and out of High School and had no problems due to the width of the street. Mr. Nobel stated that many cars were hit while parked on the street. Mr. Nobel continued that if the trucks broke the sidewalk in front of his house, and he would not prove it, he would be responsible for replacing the sidewalk. He pointed out that trucks have dropped off of the road damaging the gutters and causing the water to force down onto the street. Mrs. Nobel asked why the land was sole where the previous firehouse was located, which she felt was the ideal spot to rebuild. Mr. Taylor stated the State Fire Marshall would not approve the location because when the fire trucks pulled out they would be sitting directly on the railroad tracks. Mr. Taylor pointed out that by a recent City Ordinance passed, on-street parking is prohibited on High School Court. He continued that most of the children live down the street, which the fire department would not travel, unless there was an emergency on that street. Mrs. Adams stated the children come up the street and play in neighbors yards and they also play on the firehouse property. Mr. Ravenscraft stated the visibility onto Main Street is clear at this location than anyother in town. He stated the residents should be concerned as to whether they had a fire department, rather than where the children will play. He stated that he felt the fire department would improve the neighborhood, not deteriorate it. Mr. Nobel stated there were many children within 100 feet of where the fire trucks would be pulling and that there were many obstructions of sign and poles

blocking vision onto Main Street. Mr. Taylor stated the fire trucks sit higher enabling better visibility.

Chairman Kroger asked if the Commission had any comments. Mr. Davis stated as Chairman of the fire district, the Boone Fire Protection District No. 1 as a body voted to endorse the request. In response to Mr. Buse, Mr. Thorton stated with the new construction there would be approximately fifty (50) parking spaces provided and that the present building would be maintained. In response to Mr. Buse, Mr. Jones of the Walton City Council stated that the City's attorney advised the Council not to express an opinion until the Planning Commission has made their recommendation. In response to Mr. Barnett, Mr. Thorton stated the street is adequate to support the weight of the fire trucks and it is presently carrying commercial trucks such as tractor trailers. He continued that he had no knowledge of any plans of the City upgrading the street. Mr. Taylor stated that High School Court was completely resurfaced and sidewalks installed two years ago. In response to Mr. Viox, Mr. Thorton stated the fire department had no plans to install flashing lights to allow the fire trucks to pull out onto Main Street or High School Court. He continued that it would be the States responsibility to install such lights. Mr. Thornton felt that the fire whistle would alert the residents that the fire trucks would be pulling out. In response to Mr. Hasselbring, Mr. Thorton stated that the fire and rescue calls average approximately 360 calls per year and that he had no knowledge of any vehicle or personal injury occurring intransit to an emergency call. He pointed out that there would be adequate space for the children to play on the fire departments property, of which there were not denied in the past. Mr. McMillian expressed his concern of the location of the firehouse due to the narrowness of the street and the excess speed of the volunteers responding to the calls. Mr. McMillian stated he would like more thought given to the location of the firehouse and asked if the fire department had checked into purchasing property in an existing industrial zone. Mr. Thorton stated there was no property available within the city limits and that the property they investigated costs approximately \$30,000.00 per acre. Mrs. Johnson stated if the fire department is moved out of the City limits it would hurt the town and businesses. At Mr. Kroger's request, Mr. Jenkins pointed out on the map Industrial property within the city limits. Mr. Kroger stated that he felt a developer of industrial property would welcome a fire department and might possibly donate property to make the property more viable for industrial development. Mr. Taylor pointed out it would be very costly to make the property accessible. Mrs. Johnson pointed out that if the fire department moved out of town the city would lose it's fire protection class. Mr. Taylor stated that if the fire department moved out of town it would double the response time of the volunteers and that High School Court was a central location. In response to Mr. Mitchell, Mr. Thorton stated at the existing location there is only the width of the sidewalk before pulling out onto Main Street.

Chairman Kroger asked that both parties for opposition and in behalf of the request give a summarizing statement.

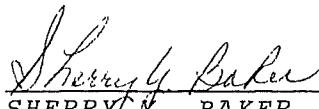
Mr. Thorton stated that the fire department members felt the new station would add to the City of Walton. He continued that the building would be attractive and the children could still play on the lot. He stated the existing concret dance floor would be maintained, off-street parking upgraded and exist onto the street would be improved with the construction of the 105 foot exist for the equipment to make the turn. He continued that the width of the street is adequate and now handles commercial traffic and the the corner of High School Court and Main Street is open for good visibility due to the height of the equipment. In response to Mr. McMillian, Mr. Thorton stated the fire department has architects drawings and bids on construction and it was not necessary for public bid. Mrs. Johnson stated the building the fire equip-ment is now housed does not have adequate heat to prevent the pumps from freezing.

Mr. Nobel, in opposition, stated that Walton needs a fire department but expressed concern of the children's safety. He stated the property in question had previously been vandalized and the only way the children could play on the property was if they would report anyone vandalizing the property.

Chairman Kroger asked if there were any further comments. No one responded. Chairman Kroger stated the Commission would take a recess between the Public Hearing and the Business Meeting to allow the Committee to make a recommendation if possible.

Chairman Kroger closed the Public Hearing at 8:45 P.M.

RESPECTFULLY SUBMITTED:



SHERRY G. BAKER, CLERK

APPROVED: _____

CHAIRMAN

COMMITTEE REPORT

TO: BOONE COUNTY PLANNING COMMISSION

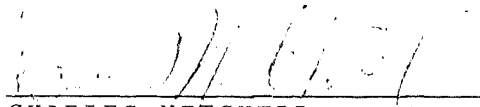
FROM: CHARLES MITCHELL, CHAIRMAN

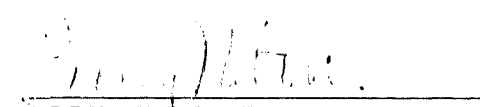
RE: REQUEST OF WALTON VOLUNTEER FIRE DEPARTMENT
FOR A ZONE CHANGE REQUEST.


CONCLUSION:

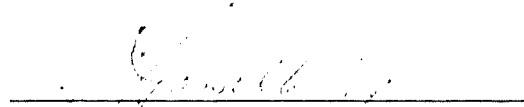
The Committee recommends approval with the following findings of fact:

1. Sufficient economical and social changes to ~~this property~~ ^{the area} in question have occurred.
2. While Public and institutional land were expected to remain the same, the unexpected has occurred directly affecting the future Public facility uses within Walton.
3. While sufficient land is available for PF use on U.S. 25 at the former municipal complex. It has been shown that this land is not conducive to the location of a Fire House.
4. Development of the property under question has been shown to be in proximity to population and infrastructure necessitating such development.


CHARLES MITCHELL


BARRY NELTNER


LAWRENCE COLLINS


SCOTT HASSELBRING

CAROL SMITH

R.N. GREENE



CONTRACT LIMIT LINE - SLOPE TO FRONT OR SIDE

FLOOR SUB. 1-6"

APPROX. LOCATION OF DANCE FLOOR
 Full 35' x 35' IN DANCE FLOOR & B.O.C. AT CURB HEIGHT.

NOTE:
 ELEVATIONS SHOWN ARE IN INCHES AND ARE BEARING TO 100' SHOT BY RON BIDDLE.
 EXISTING GRADES SHOWN TO NEW GRADES SHOWN TO 100'

WALTON VOL. FIRE DEPT. BLDG.
 WALTON KENTUCKY
 PARTIAL SITE PLAN
 SCALE 1" = 10'-0"

DRAWN BY: JDM
 DATE: 9-28-89
 REVISED

WARD & TAYLOR
 Architects
 710 West Main Street
 Louisville, Kentucky
 40202

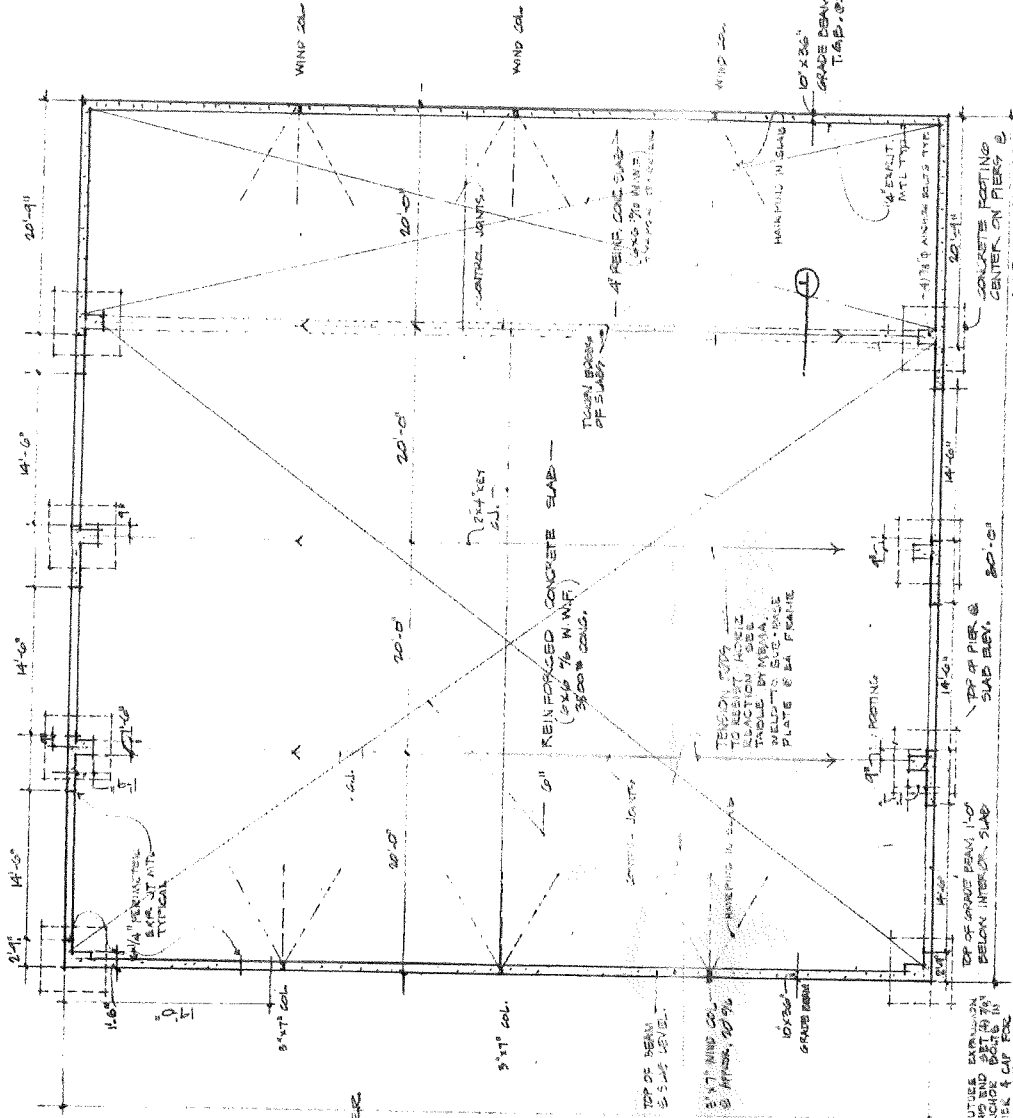
12" CONC. HEAD WALLS WITH CHANGEL EDGES & DRAINAGE
 12" CONC. SLAB WITH 1" CONC. SLAB

EDGE OF PAVEMENT

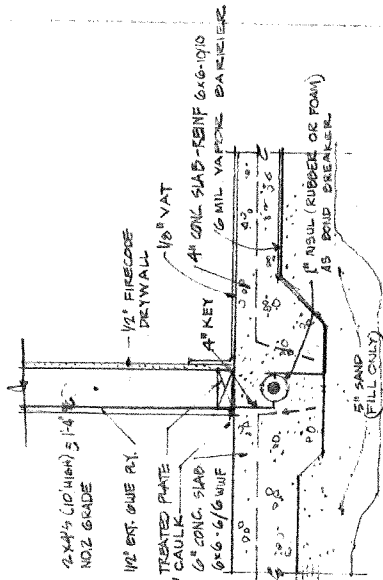
FOUNDATION PLAN

DATE 9-28-83
DRAWN BY: RLD/JT
REVISED.

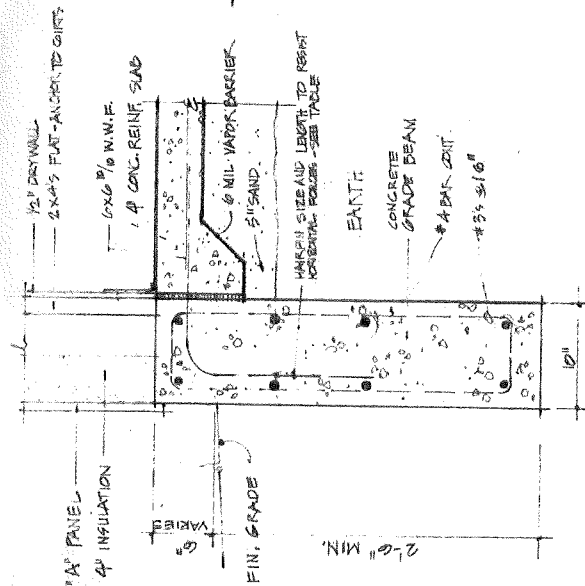
WARD & TAYLOR ARCHITECTS 710 West Main Street Louisville, Kentucky 40202



FOUNDATION SLAB PLAN
SCALE 1/8" = 1'-0"



SLAB EDGE DETAIL (1)
SCALE 1/2" = 1'-0"



GRADE BEAM DETAIL (2)
SCALE 1/2" = 1'-0"