

STAFF REPORT

ANNEXATION REQUEST BY THE CITY OF FLORENCE FOR A 7.07 ACRE SITE OWNED BY GLENN F. BAIRD, M.D.

August 23, 1988

This is an annexation request by The City of Florence for a 7.07 acre site owned by Glenn F. Baird, M.D., located on the north side of Old U.S. 42 and west of Pleasant Valley Road, Boone County, Kentucky. The property is zoned Rural Suburban (RS) and is part of a larger tract or approximately +55 acres owned by the current land owner. The property owner is requesting the site to be annexed into the City of Florence. In accordance with Kentucky Law, (K.R.S. 81A.420 and K.R.S. 100.209, the City of Florence has requested that the Boone County Planning Commission hold a Public Hearing in order to make a recommendation regarding the effect of the annexation, if any, on the current zoning of the property. The existing uses are a single-family residence, a barn and two garages.

Surrounding Land Uses and Zoning

The surrounding land uses of the 7.07 acre site is low-density residential to the east and west. South of the site is agricultural and low-density residential. North of the site is vacant undeveloped agricultural use. Surrounding zoning of the site includes the following:

- North - Suburban Residential One (SR-1)
- South - Suburban Residential One (SR-1)
- East - Rural Suburban (RS)
- West - Rural Suburban (RS)

Relationship to the Comprehensive Plan

The Future Land Use map of the Boone County Comprehensive Plan indicates that the specific site and general area be developed as High-Density Residential (HDR). The text of the Land Use Element describes the general area of U.S. 42 and Pleasant Valley Road (pgs. L-14 and L-15).

"The intersection of U.S. 42 and Pleasant Valley Road will eventually become a prime commercial area to serve community needs in this area. A major residential development is planned along U.S. 42 from Pleasant Valley Road south towards Union. Known as the Farmview Subdivision, this huge residential development will greatly impact every public service and utility. The subdivision, which may increase the county's population by up to 10,000 persons, will need to contain commercially oriented developments, public areas and the necessary infrastructure to meet the residents needs. Every public service and utility needs to plan for the influx of individuals created by the proposed subdivision."

=====
"The U.S. 42 and Pleasant Valley area is already proposed for large planned residential developments. Additional schools will become necessary as a result."

"This immediate area should also contain some commercial activity to serve the large numbers of future residents. This commercial area should contain local goods and services, and grow independently of the Mall Road/U.S. 42 cluster in Florence. Regional commercial activity should remain in the Mall Road area."

"Additional local scale commercial goods and services with some office uses will occur in, and south of, the center of Union."

Proposed Uses

At this time the property owner has no defined development plan for the 7.07 acre site. The property owner is seeking this annexation request in order to obtain City of Florence water for his residence.

Staff Review

At this time, the staff believes that this annexation request will not have an effect on the current zoning of the 7.07 acre tract since the existing land uses will remain the same. Also, due to the size of the site, it is difficult to recommend any change in zoning since the 7.07 acre parcel is a part of a much larger +55 acre tract and no new uses are being proposed on the entire site.

Respectfully submitted,



Kevin P. Costello
Assistant Director/Senior Planner

KPC/bds

U.S. 42

8

9

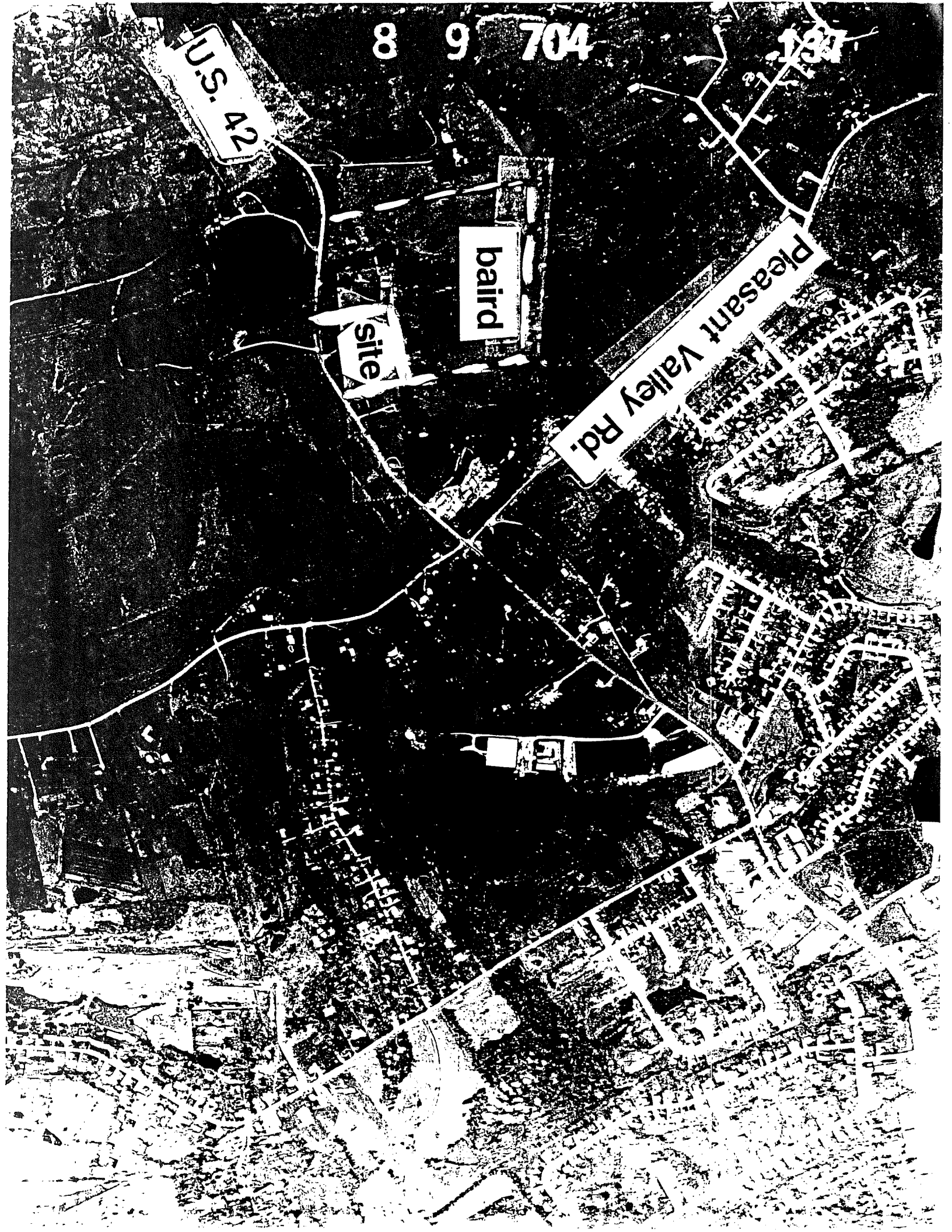
704

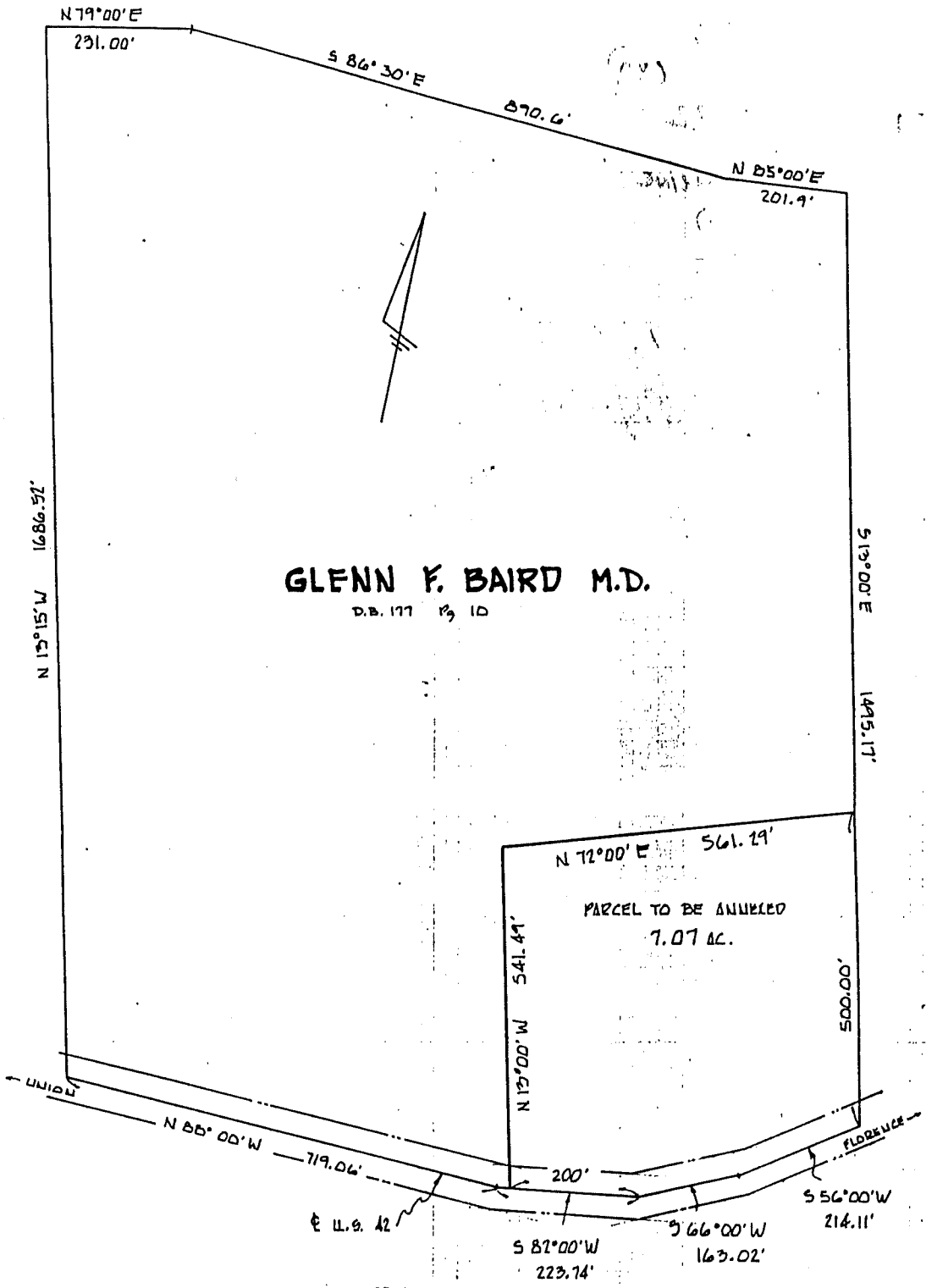
137

site

baird

Pleasant Valley Rd.





PARCEL TO BE ANNEXED TO THE CITY OF FLORENCE, KY.

PREPARED BY:
 VIOX AND VIOX, P.S.C.
 Civil Engineers & Land Surveyors
 Erlanger, Ky.

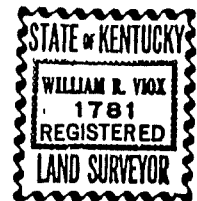


EXHIBIT "A"



VIOX & VIOX, P.S.C.

CONSULTING ENGINEERS & SURVEYORS

466 ERLANGER ROAD

ERLANGER, KENTUCKY 41018

PHONE: (606) 727 - 3283

JAMES H. VIOX, III, P.E.
KY. REG. NO. 6880
KY. LAND SURVEYOR NO. 797

WILLIAM R. VIOX, P.E.
KY. REG. NO. 9209
KY. LAND SURVEYOR NO. 1781

DESCRIPTION

Parcel to be Annexed to the City of Florence, Ky.
Glenn F. Baird Property

A parcel of land lying on the northwesterly side of U. S. 42 and adjacent to the present northwesterly City Limits line of the City of Florence, Boone County, Kentucky and being more particularly described as follows:

BEGINNING at a point in the centerline of U.S. 42 (also the present northwesterly City Limits line of the City of Florence), said point also being the most southeasterly corner of Glenn F. and Hannah H. Baird (D.B. 177, pg. 10. Boone County Clerk's Records, Burlington), and running thence:

S 56-00 W, along the centerline of U.S. 42, a distance of 214.11 feet, to a point, thence
S 66-00 W, continuing along the centerline of U.S. 42, a distance of 163.02 feet, to a point, thence
S 82-00 W, a distance of 200 feet, to a point, thence
N 13-00 W, a distance of 541.49 feet, to a point, thence
N 72-00 E, a distance of 561.29 feet, to a point, thence
S 13-00 E, a distance of 500 feet, to the place of beginning, and containing 7.07 acres more or less.

5/9/88

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #5
August 24, 1988

Page 1

Mr. Barnett introduced the next item on the Agenda:

5. Applicant: City of Florence
Request: Annexation

This was a Public Hearing on a request of the City of Florence to annex a 7.07-acre site owned by Dr. Glenn F. Baird and located on the north side of old U.S. 42 and west of Pleasant Valley Road, Boone County, Kentucky. The site is zoned Rural Suburban (RS). A Public Hearing is being requested to determine the impact of annexation upon the current zoning.

Staff Member, Kevin Costello, presented the Staff Report (see Staff Report).

Mr. Barnett noted that Dr. Baird was present and asked if he wished to comment. Dr. Baird stated that he had no comments.

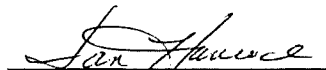
Mr. Barnett asked if anyone else wished to speak in regard to this request.

There being no comments or questions, Mr. Barnett advised that this item will be on the Agenda for the Business Meeting on September 7 at 8 P.M. and closed this Public Hearing.

APPROVED:


Larry Barnett, Vice Chairman

ATTEST:


Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

September 7, 1988 8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:20 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett, Vice Chairman
Mr. Fred Burch
Mrs. Rita Bushelman
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
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:

None.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Business Meeting of August 17, 1988 and the Public Hearings of August 24, 1988 and asked if there were any comments or corrections.

Mrs. Bushelman noted a correction to Public Hearing Item #2, the request of Raymond Erpenbeck for DBS Corporation and KSK Enterprises. The developer is "Mr. Schreiber", not Mr. Schroeder.

There being no further corrections, Mr. McMillian moved that the Minutes of the Public Hearings be approved as amended and that the Minutes of the Business Meeting be approved. Mrs. Smith seconded the motion and it carried unanimously.

In response to questions from the Chairman, Mr. Newton advised that utilities are addressed at the Preliminary Plat stage. Water and sewer must be provided to the lots before development is approved. Permits will not be issued without the utilities.

Mr. Damstrom noted his concerns for fire protection at the higher density if there is no city water.

Mr. Schmidt stated that he was on the Fire Department for 18 years. The area is in a Zone 10 with higher insurance rates. He noted that there is no water and Walton is 7 miles away. Florence is 4 miles.

Ms. Cathleen Cook stated that it has not been established who authorized the sewer line to be built. She stated that it is convenient that the line is there and now the applicant wants rezoning.

Mr. Newton advised that it is a Kenton County line built in response to the need to serve the industrial development in the Richwood area. The Commission did not authorize the line.

There being no further discussion, Chairman Viox asked for a vote on the motion made by Mr. Moore which found Mr. Barnett, Mr. Burch, Mr. Greene, Mr. Jones, Mr. McMillian, Mr. Moore, Mr. Neltner, Mrs. Smith, and Chairman Viox in favor. Mrs. Bushelman, Mr. Collins, Mr. Damstrom, Mr. DeLong, Mr. Rush, and Mr. Sharp were opposed. The motion carried by a vote of 9 to 6.

6. Annexation Request by the City of Florence

The request of the City of Florence to annex a 7.07-acre site owned by Dr. Glenn F. Baird and located on the north side of old US 42 and west of Pleasant Valley Road, Boone County, Kentucky. The site is zoned Rural Suburban (RS). A Public Hearing has been held to determine the impact of annexation upon the current zoning.

Mr. Gerald Newton, Director, read the Committee Report which indicated there would be no effect upon the current zoning based on the findings of fact (see Committee Report).

The Chairman asked if there was anyone present from the City of Florence who wished to speak. There being no one, Mr. Collins moved that the request be approved based on the Committee Report. Mr. Burch seconded the motion and it carried unanimously.

EXHIBIT "C"

COMMITTEE REPORT

6

TO: Boone County Planning Commission

FROM: Rector Jones, Chairman

DATE: September 7, 1988

RE: Request of the City of Florence to annex a 7.07 acre site owned by Dr. Glenn F. Baird and located on the north side of old U.S. 42 and west of Pleasant Valley Road, Boone County, Kentucky. The site is zoned Rural Suburban (RS). A Public Hearing has been held to determine the impact of annexation upon the current zoning.

REMARKS:

We, the Committee, recommend that the current zoning of Rural Suburban (RS) on the 7.07 acre site not be changed based upon the following findings of fact. This Annexation request has no effect on the current zoning of the 7.07 acre panel.

FINDINGS OF FACT

1. Due to the small size of the parcel, it is difficult to recommend any change in zoning since the 7.07 acre parcel is a part of a much larger \pm 55 acre tract and no new uses are being proposed on the entire site. The existing single-family residential use on the property will remain at this time.
2. The current zoning of the site is compatible with the zoning and land uses of the adjoining properties.
3. At this time, the applicant is requesting annexation in order to obtain City of Florence water for his residence only. In addition, the improvements to U.S. 42 have not been completed and these improvements will affect the entire 55 acre tract in the future.

Rector Jones
Rector Jones, Chairman

Larry Barnett
Larry Barnett

Fred Burch
Fred Burch

Donald McMillian

Barry Nettner
Barry Nettner

Carol Smith
Carol Smith

KPC:kat

R-47-88

P.C.

ORDINANCE NO. 0-27-88

AN ORDINANCE STATING THE INTENTION OF THE CITY OF FLORENCE, KENTUCKY, TO ANNEX CERTAIN TERRITORY LOCATED ON THE NORTHERLY SIDE OF U.S. HIGHWAY 42, ADJACENT TO THE PRESENT WESTERLY CITY LIMITS; AND SPECIFYING THE ZONING CLASSIFICATION FOR SUCH PROPERTY AFTER ANNEXATION. (BAIRD PROPERTY)

WHEREAS, Glenn Baird and Hanna Baird, husband and wife, being the owners of record of certain unincorporated territory adjacent to the City of Florence, Kentucky, have made a written request that the City annex such territory pursuant to Chapter 81A of the Kentucky Revised Statutes, and

WHEREAS, these owners have waived the provisions of KRS 81A.460 and have consented to and requested immediate annexation of this unincorporated territory, and

WHEREAS, the City of Florence, Kentucky, has requested a recommendation from the Boone County Planning Commission, a county-wide planning unit, established pursuant to Chapter 100 of the Kentucky Revised Statutes, concerning the zoning classification of this territory upon annexation in accordance with Chapter 81A, and

WHEREAS, by Resolution No. R-47-88 the Boone County Planning Commission has recommended that such territory retain its current zoning classification of Rural Suburban (RS) upon annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

SECTION I

That the City finds that the hereinafter described unincorporated territory meets the requirements of KRS 81A.410 and is as follows: (a) is contiguous to the boundaries of the City of Florence, Kentucky, and; (b) is urban in character and suitable for development for urban purposes without unreasonable delay, and; (c) is not included within the boundary of another incorporated city.

SECTION II

The City of Florence, Kentucky, hereby declares that it is desirable to annex the unincorporated territory described herein and hereby states its intention to annex such territory.

SECTION III

The boundary of the unincorporated territory to be annexed, consisting of approximately a 7 acre tract, is more particularly described in Exhibit "A", and shown on the Plat, Exhibit "B", which are attached hereto and incorporated herein by reference.

SECTION IV


That the recommendation of the Boone County Planning Commission as to the zoning classification for the subject territory upon annexation is hereby adopted and approved, and the zoning classification after annexation shall remain the same as its current zoning classification, which is Rural Suburban (RS).

That upon annexation, the zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, and shows its boundaries shall be amended or changed to reflect the zoning classification for that territory described herein as set out above.

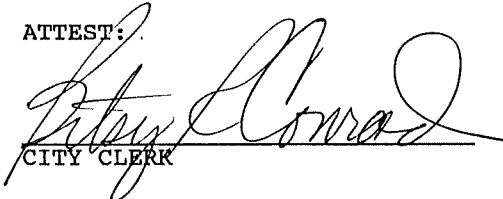
PASSED AND APPROVED ON FIRST READING THIS 11th DAY OF October, 1988.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 25th DAY OF October, 1988.

APPROVED:


MAYOR

ATTEST:


CITY CLERK



JAMES H. VIOX, III, P.E.
KY. REG. NO. 6880
KY. LAND SURVEYOR NO. 797

WILLIAM R. VIOX, P.E.
KY. REG. NO. 9209
KY. LAND SURVEYOR NO. 1781

DESCRIPTION

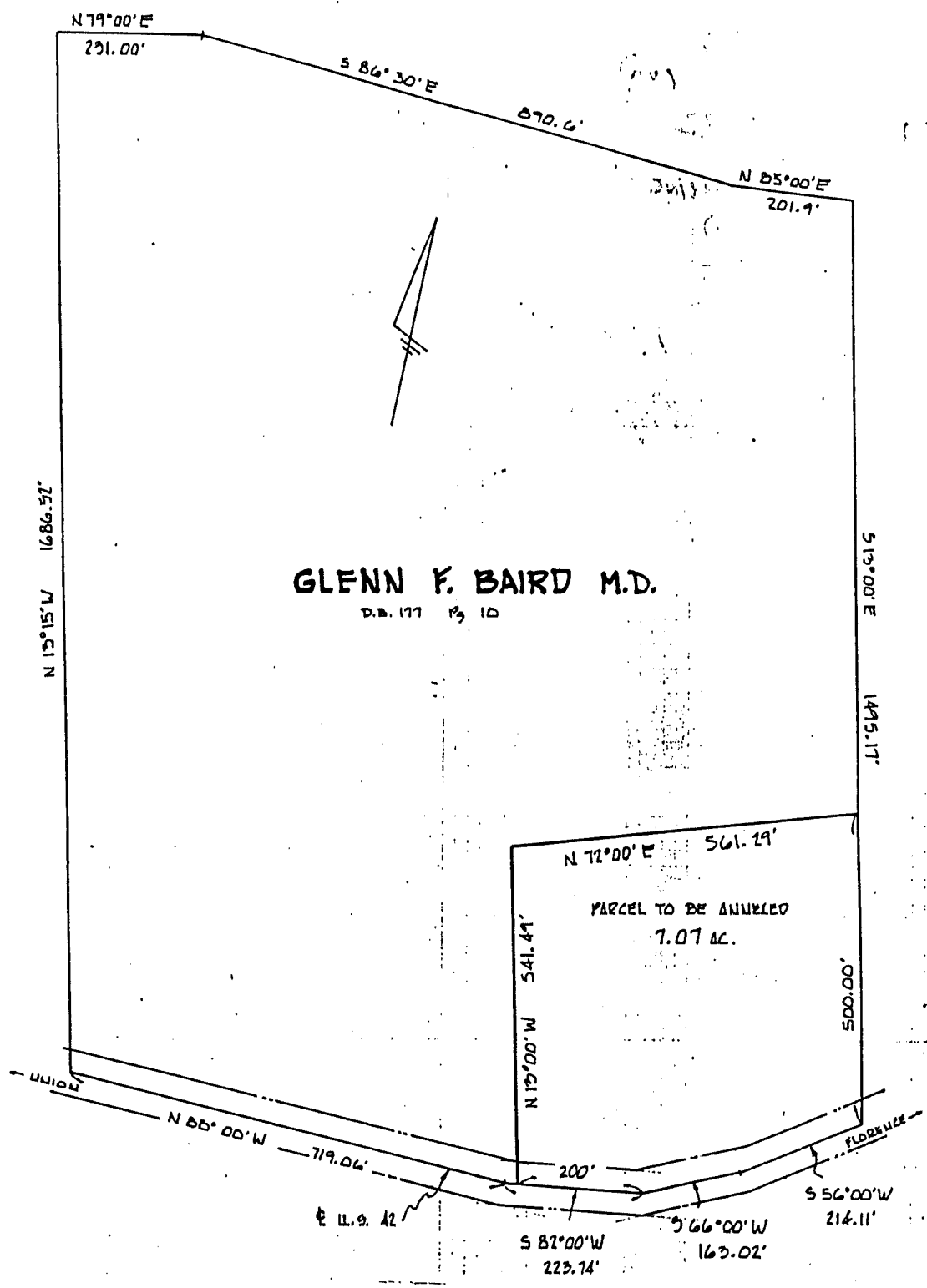
Parcel to be Annexed to the City of Florence, Ky.
Glenn F. Baird Property

A parcel of land lying on the northwesterly side of U. S. 42 and adjacent to the present northwesterly City Limits line of the City of Florence, Boone County, Kentucky and being more particularly described as follows:

BEGINNING at a point in the centerline of U.S. 42 (also the present northwesterly City Limits line of the City of Florence), said point also being the most southeasterly corner of Glenn F. and Hannah H. Baird (D.B. 177, pg. 10. Boone County Clerk's Records, Burlington), and running thence:

S 56-00 W, along the centerline of U.S. 42, a distance of 214.11 feet, to a point, thence
S 66-00 W, continuing along the centerline of U.S. 42, a distance of 163.02 feet, to a point, thence
S 82-00 W, a distance of 200 feet, to a point, thence
N 13-00 W, a distance of 541.49 feet, to a point, thence
N 72-00 E, a distance of 561.29 feet, to a point, thence
S 13-00 E, a distance of 500 feet, to the place of beginning, and containing 7.07 acres more or less.

5/9/88



PARCEL TO BE ANNEXED TO THE CITY OF FLORENCE, KY.

PREPARED BY:
 VIOX AND VIOX, P.S.C.
 Civil Engineers & Land Surveyors
 Erlanger, Ky.

