

APR 6 1993

APPLICATION FORM
ZONING MAP AMENDMENT

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Richard Tool Manufacturing Co.
2. Location of Project South of Ky. 16 & East of Southern Railroad
3. Total Acreage of Site 2.0118 Ac.
4. Current Zoning of Site A-2
5. Proposed Zoning (Classification being requested) I-1
6. Proposed Uses (please specify each use) Manufacturing of light/small tools for commercial use
IEi for electronic firms such as GE, IBM, 3M
7. Names of Applicant(s) Hicks & Mann Inc. Phillip G. Hicks
- Phone Number 824-5231 Fax No. 824-9881
8. Address of Applicant(s) P.O. Box 9
Williamstown, Va. 41097
City State Zip
9. Name of Property Owner(s) Albert R. Richard
- Phone Number (407) 283-4140 Fax No. _____
10. Address of Property Owner(s) 7 Pineapple Lane
Stuart Florida 34996
City State Zip
11. Proposed Building Intensities (please specify) B-10 Maximum Employees for small tools for commercial use
IEi Electronics Firms such as GE, IBM, 3M etc.
one building 30x100 Approx size.
12. Are there any existing buildings on the site? NO
How many? _____
13. Deed Book 416 Page No. 166 Group No. 2080
14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. 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 Public Works Department

(over)

EXHIBIT "A"

STAFF REPORT

Request of Hicks & Mann, Inc. (applicant) for Albert R. Richard (owner) for a Zoning Map Amendment on a 2.011 acre site located south of Walton-Nicholson Road and east of the Southern Railroad line, Boone County, Kentucky. The request is to rezone the Site from Agricultural Estate (A-2) to Industrial One (I-1).

April 28, 1993

An earlier application was withdraw by the applicant on February 3, 1993 for this same property because of to many uncertainty with the conditions that had been established by the Committee. The applicant has since reapplied for a Zone Change to permit the development of a 3000 square foot Richard Tool Manufacturing Company to manufacture light/small tools. The 2.0118 acre property is located north of the existing Murphy-Catton Woodworking building, east of the Southern Railroad and south of Kentucky 16 Walton, Kentucky (See Sheet 1).

Surrounding Zoning and Land Uses (See Sheet 2)

North:	Residences zoned A-2 and RS
South:	Murphy-Catton Woodworking zoned I-1
East:	Active agricultural land zoned A-2
West:	Southern Railroad and residences zoned SR-1, RS and C-2

Relationship to the Comprehensive Plan

The 1990 Boone County Comprehensive Plan Land Use Map indicates the future land use for this site as Industrial. The location of the two (2) plus acre tract is adjacent to an existing I-1 zone to the south. The text of the Comprehensive Plan refers to this area in a general way stating "that the Walton area should experience gradual commercial, residential, and industrial growth." In addition, "industrial development is suitable east of Mary Grubb Highway to the Boone County Line."

The Goals and Objectives section of the Comprehensive Plan indicates how and where industrial uses should develop on Page 5 which states:

1. Industries shall be organized in clusters or similarly grouped to permit benefits of agglomeration and reduce traffic congestion in other areas.
2. Industrial development shall be encouraged to locate near railroads, highways, and airports.

Further Goals and Objectives are given on Page 3 regarding proper transportation systems:

2. Proper access to adjoining property should be provided and/or retained when a property develops or redevelops.
3. Roadway shall be widened and improved where appropriate.

Concept Development Plan

The applicant would like to rezone the two (2) plus acre tract of land to permit the construction of a 3000 square foot building (See Sheet 3) for the use of manufacturing light and small tools for commercial use for electronic firms. This use is projected to employ around 8-10 employees. The site would require extensive regrading to accommodate the proposed use and would require a septic system to be installed to serve the site.

Access to the site will involve the utilization of the deadend street which currently is only wide enough to accommodate one way traffic. Depending on the amount of traffic that this proposed use generates and any future expansions that maybe added, access will present a problem.

Site Characteristics

Currently, the site is served by a 10 inch water line and utilities but, not by public sewer. The proposed building would be of similar size and use to the existing Murphy-Catton Woodworking building which is located on Walton-Nicholson Pike. This road is a deadend street of varying pavement widths (from 12 to 18 feet) with access from Kentucky 16. There also exists an emergency access which crosses over the Southern Railroad and is restricted for emergency vehicles only by an agreement with the Railroad and the Boone County Fiscal Court. Heavy vegetation consisting of mature trees borders the site to the east and west with the north property line containing a view into the site. The site is part of a small valley which includes the Murphy-Catton Woodworking building. The surrounding land uses are 15-20 feet above where the proposed building would be located with the railroad forming the west property line. The railroad tracks are approximately 10-20 feet above the floor elevation of the proposed building.

Staff Concerns

1. Access to the site is limited and inadequate with pavement of varying widths and two sharp curves which cannot accommodate truck traffic (See Sheet 3). Additional traffic would compound an already inadequate and unsafe road. To accommodate additional traffic which this proposed use would create would require at minimum the widening of and straightening of Walton-Nicholson Pike to permit two way traffic in a safe and efficient manner.
2. A large utility pole would have to be relocated to permit widening of the existing road.

3. Staff is concerned about the view from Kentucky 16 and the adjoining residences to the north and feels that heavy vegetation preferably evergreens would be needed to screen industrial uses from the existing residences.
4. The emergency access doesn't currently permit a continuous turning radius for an emergency vehicle and therefore would need to be improved to permit such a movement.
5. Staff is concerned that the site is not currently served by public sewer which could hinder further development within the area.

Conclusion

In conclusion, the proposed zone change and Concept Development Plan should be evaluated in terms of meeting the goals and objectives of the Boone County Comprehensive Plan. Also, access to this site is a key issue concerning this request. The request would require a change in the Boone County Zoning Map from Agricultural Estates (A-2) to Industrial One (I-1) should the request be granted by the Boone County Fiscal Court.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I

Chairman Viox introduced the fourth item on the Agenda:

4. Applicant: Hicks & Mann, Inc. for
Albert R. Richard (owner)
Request: Zoning Map Amendment

The request of Hicks & Mann, Inc. (applicant) for Albert R. Richard (owner) for a Zoning Map Amendment on a 2.011-acre site located south of Walton-Nicholson Road, east of the Southern Railroad line, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Industrial One (I-1).

Staff Member Jeff Hayes presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Jerry Yates with Hicks & Mann, Inc. stated that he has contacted Harvey Pelley and they will address the Commission's concerns in regard to upgrading and widening the road. They are assuming the screening will be to the north boundary line of the property. There is an existing 14-foot easement going to the property to the east. Mr. Richard has downsized the building to about 40' x 60'. They are working on a concrete block structure and have plans to expand another 40' x 60'. There will be about three employees to start. There is a possibility that, as the business grows, they will take down the wall and the building will be 40' x 120'. The only truck traffic will be UPS. The tools they manufacture are small, high-tech tools. The residue will go into a holding tank and be pumped out by a licensed person for recycling.


There was no one else present.

Mr. McMillian stated that the site sits down from any houses and he does not know how they can screen to satisfy anybody. He has seen the tools they manufacture, and they are very small.

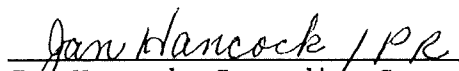
There being no further comments, Chairman Viox stated that the Committee for this request will meet on May 10, 1993 at 7 P.M. in the Staff Office. This item will be on the Agenda for the Business Meeting on May 19, 1993 at 8 P.M..

Chairman Viox closed this Public Hearing.

APPROVED:


William R. Viox, Chairman

Attest:


Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING

May 19, 1993 - 8:00 P.M.

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

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. William Bailey
Mr. Fred Burch, Vice Chairman
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Robert Kirby, Jr.
Mr. Gayle McElroy
Mr. Don McMillian
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Carol Smith
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

None.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Approval of the Minutes:

Chairman Viox stated that each Commission member had received a copy of the Minutes of the Business Meeting of May 5, 1993. 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. Mrs. Smith seconded the motion and it carried unanimously.

5. Zoning Map Amendment

The request of Hicks & Mann, Inc. (applicant) for Albert R. Richard (owner) for a Zoning Map Amendment on a 2.011-acre site located south of Walton-Nicholson Road and east of the Southern Railroad line, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Industrial One (I-1).

Mr. Hayes displayed the Committee Report using the overhead projector (see Committee Report). The Committee recommended approval of the request based on the findings of fact, subject to conditions.

Mr. McMillian moved by Resolution to the Fiscal Court that the request be approved with conditions, based on the Committee Report. Mr. Greene seconded the motion and it carried unanimously.

6. Site Plan Review

The request of David S. Hils (owner) for Site Plan Review to convert an existing residential structure at 9960 U.S. 42, Union, Kentucky, to commercial use. The 0.435-acre site is zoned Rural Suburban/Small Community Overlay (RS/SC).

Using the overhead projector, Staff Member Jeff Hayes presented the Staff Report. The request meets the minimum requirements and Staff recommended approval (see Staff Report). A Conditional Use Permit has been granted by the Board of Adjustment.

Mr. McMillian presented the Committee Report which recommended approval of the request based on the Staff Report (see Committee Report).

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

7. Site Plan Review

The request of CEI Engineering Associates, Inc. (applicant) for Tineb Associates & TRP Associates (owners) for Site Plan Review to construct three building additions and make additional site improvements at 4949 Houston Road, Florence, Kentucky. The 14.8814-acre site is zoned Commercial Two/Planned Development (C-2/PD).

Staff Member Dave Geohegan presented the Staff Report using the overhead projector. The plan meets the minimum requirements and Staff recommended approval (see Staff Report). The site is currently undergoing Design Review.

Mr. Geohegan presented the Committee Report which recommended approval of the request based upon the Staff Report (see Committee Report).

EXHIBIT "B"

COMMITTEE REPORT

DEVELOPMENT: Boone County Planning Commission

FROM: Carol Smith, Chairperson

DATE: May 19, 1993

REMARKS: Request of Hicks & Mann, Inc. (applicant) for Albert R. Richard (owner) for a Zoning Map Amendment on a 2.011 acre site located south of Walton-Nicholson Road and east of the Southern Railroad line, Boone County, Kentucky. The request is to rezone the Site from Agricultural Estate (A-2) to Industrial One (I-1).

REMARKS:

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

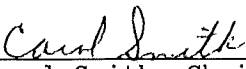
Findings of Fact

1. The request is in conformance with the 1990 Boone County Comprehensive Plan, specifically the land use element of the plan which recommends industrial use for this property. In addition, the Goals and Objectives section of the Comprehensive Plan indicate that industrial development shall be encouraged to locate near railroads and highways.
2. In the Committee's opinion, industrial zoning is appropriate because it is in conformance with the Comprehensive Plan and because of the adjoining industrial zoning to the south. Furthermore, the scale of the proposed industrial use will have little impact on neighboring residences with proper screening.

Conditions

1. Improve the emergency access to promote a continuous turning radius for emergency vehicles to the south.
2. A double staggered row of pine trees shall be planted ten (10) feet on center six (6) feet in height along the north property line to sufficiently screen the proposed use from adjoining residences.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.



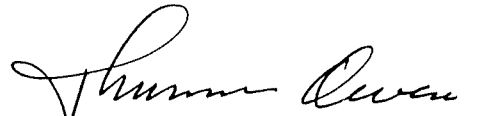
Carol Smith, Chairperson



Fred Burch



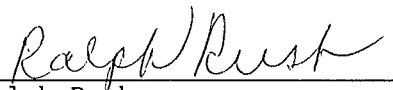
Phil Damstrom



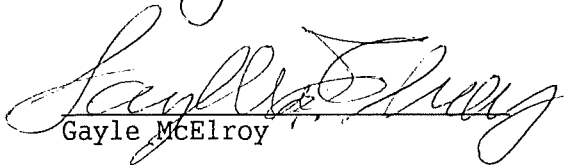
Thurman Owens



Barry Neltner



Ralph Rush



Gayle McElroy

Boone County Recorder

June 30, 1993

LEGAL SUMMARY
ORDINANCE NO. 920.258

The Boone County Fiscal Court at its meeting held Tuesday, June 22, 1993, at 5:00 P.M., Second Floor Courtroom, Administration Building, Burlington, Kentucky, gave Second Reading and adopted the following ordinance.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL FOR A REQUEST OF HICKS & MANN, INC. (APPLICANT) FOR ALBERT R. RICHARD (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) TO INDUSTRIAL ONE (I-1) FOR A 2.011 ACRE SITE GENERALLY LOCATED SOUTH OF WALTON-NICHOLSON ROAD AND EAST OF THE SOUTHERN RAILROAD LINE, BOONE COUNTY, KENTUCKY, AS RECOMMENDED UNANIMOUSLY BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION R-93-025-A.

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 is 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 67417

KENNETH R. LUCAS
COUNTY JUDGE/EXECUTIVE

LARRY CRIGLER
COUNTY ATTORNEY