

PV

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 SILVER CREEK SUBDIVISION
- 2. Location of Project NORTH AT THUNDER RIDGE DRIVE
- 3. Total Acreage of Site 6.0
- 4. Current Zoning of Site PF
- 5. Proposed Zoning (Classification being requested) SR-1

6. Proposed Uses (please specify each use) SINGLE FAMILY-DETACHED

7. Names of Applicant(s) RAYMOND ERPENBECK CONSULTING ENGINEERS
Phone Number 727-4200 Fax No. 342-5852

8. Address of Applicant(s) 4205 DIXIE HIGHWAY
EDGEWOOD KY 41018
City State Zip

9. Name of Property Owner(s) ARLINGHAUS BUILDERS, INC.
Phone Number _____ Fax No. _____

10. Address of Property Owner(s) 142 BARNWOOD DR.
EDGEWOOD KY 41017
City State Zip

11. Proposed Building Intensities (please specify) _____
4.0 D.U.A.

12. Are there any existing buildings on the site? _____
How many? 1

13. Deed Book 439 Page No. 220 Group No. 2038

14. Are you also applying for:
_____ Conditional Use Permit
_____ Dimensional Variance

15. Have you submitted a Concept Development Plan? See Silver Creek Pre. Plan

16. Have you had a pre-application meeting with BCPC Staff? _____

17. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- YES Boone County Water and Sewer District
- NA Florence Water and Sewer Commission
- YES Union Light Heat and Power
- YES Cincinnati Bell
- YES Owen County Rural Electric
- YES Boone County Public Works Department

(over)

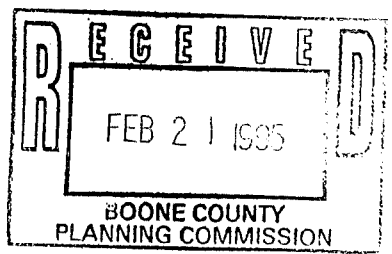


EXHIBIT "A"

STAFF REPORT

Request of Raymond Erpenbeck Consulting Engineers (applicant) for Arlinghaus Builders, Inc. (owner) for a Zoning Map Amendment from Public Facilities (PF) to Suburban Residential One (SR-1), for a six acre site located north of Thunder Ridge Drive, Boone County, Kentucky. The request is to allow up to four residential dwelling units per acre.

March 29, 1995

This is a request for a Zoning Map Amendment for approximately six (6) acres within the Silver Creek Subdivision. The request is to change the existing radio tower site, which is currently being relocated, from Public Facilities (PF) to Suburban Residential One (SR-1). The radio tower is relocating to a site off Fowler Creek Road.

Surrounding Zoning and Land Uses (See Sheet #1)

North: Silver Creek Subdivision zoned Suburban Residential One (SR-1)
South: Silver Creek Subdivision zoned Suburban Residential One (SR-1)
East: Silver Creek Subdivision zoned Suburban Residential One (SR-1)
West: Silver Creek Subdivision zoned Suburban Residential One (SR-1)

Site History and Characteristics (See Sheet #2)

The Boone County Planning Commission approved a Preliminary Plat for the Silver Creek Subdivision on April 24, 1993 which consisted of 74.9 acres. That approval included the approximately six (6) acres zoned Public Facilities (PF).

On August 17, 1994 the Boone County Planning Commission recommended approval to the Boone County Fiscal Court for the rezoning of approximately ten (10) acres along Fowler Creek Road to Public Facilities (PF) for the relocation of the radio tower due to the expiration of the lease on the Arlinghaus property. The Boone County Fiscal Court approved the zone change and construction is underway for the radio tower along Fowler Creek Road.

The Phase One Improvement Plan for the Silver Creek Subdivision was approved on October 6, 1993.

Relationship to the Comprehensive Plan (See Sheet #3)

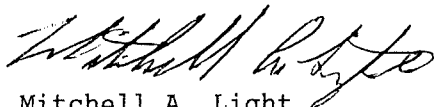
The Land Use Element of the 1990 Boone County Comprehensive Plan defines this area as High Suburban Density (HSD) which is "residential uses that do not exceed six (6) dwelling units per acre."

Conclusion

The Boone County Planning Commission should evaluate this request for a Zoning Map Amendment on the criteria presented in Article 3, Section 308 of the Boone County Zoning Regulations.

1. The request is in agreement with the adopted Comprehensive Plan.
2. A Preliminary Plat has already been approved including this property.
3. Once the radio tower is dismantled, the existing zoning classification will be inappropriate and the proposed zoning classification is appropriate in that the entire area will be consistent.

Respectfully submitted,



Mitchell A. Light
Asst. Zoning Administrator/Enf. Officer

MAL\par

RSE

SR-1/PD

RS

SR-1

SR-1

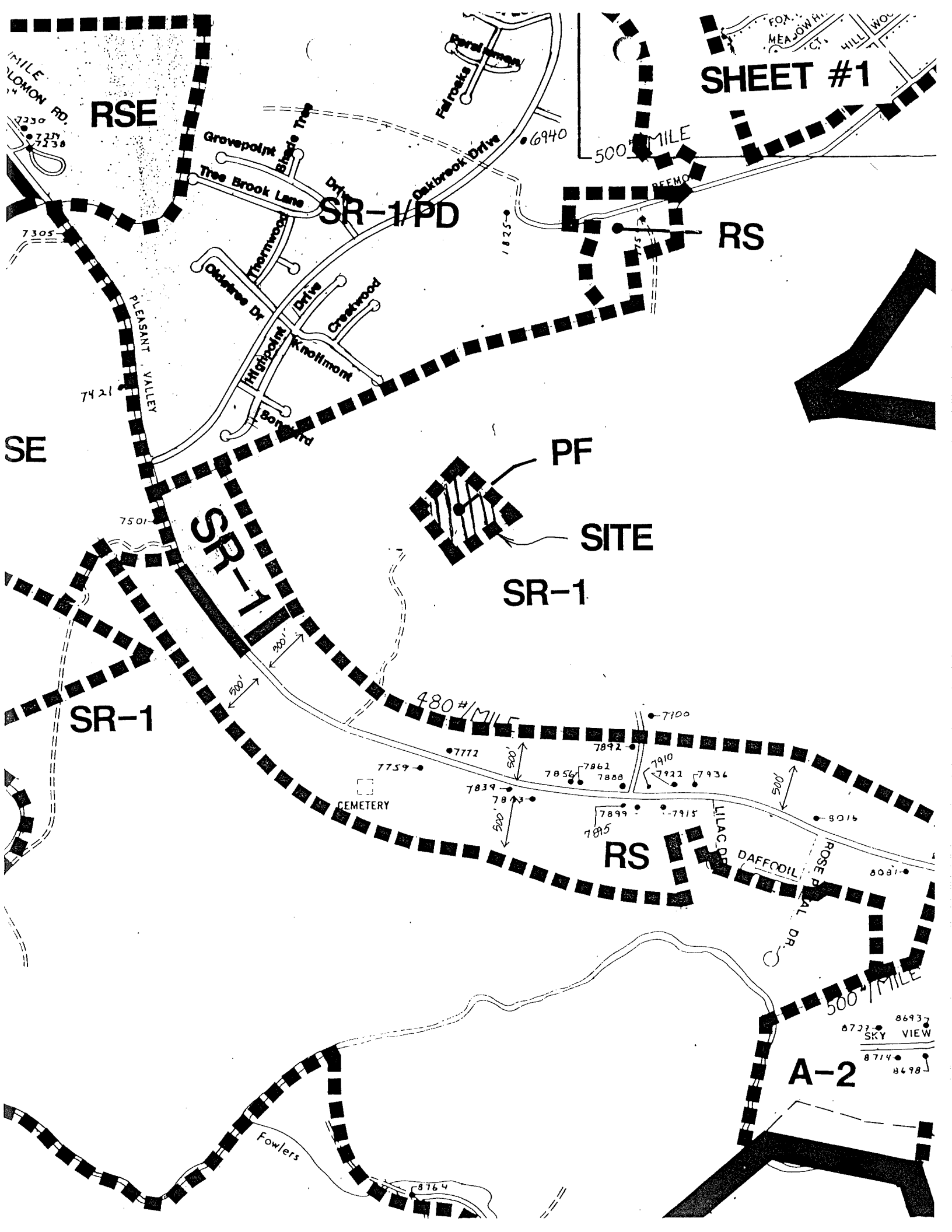
SITE

PF

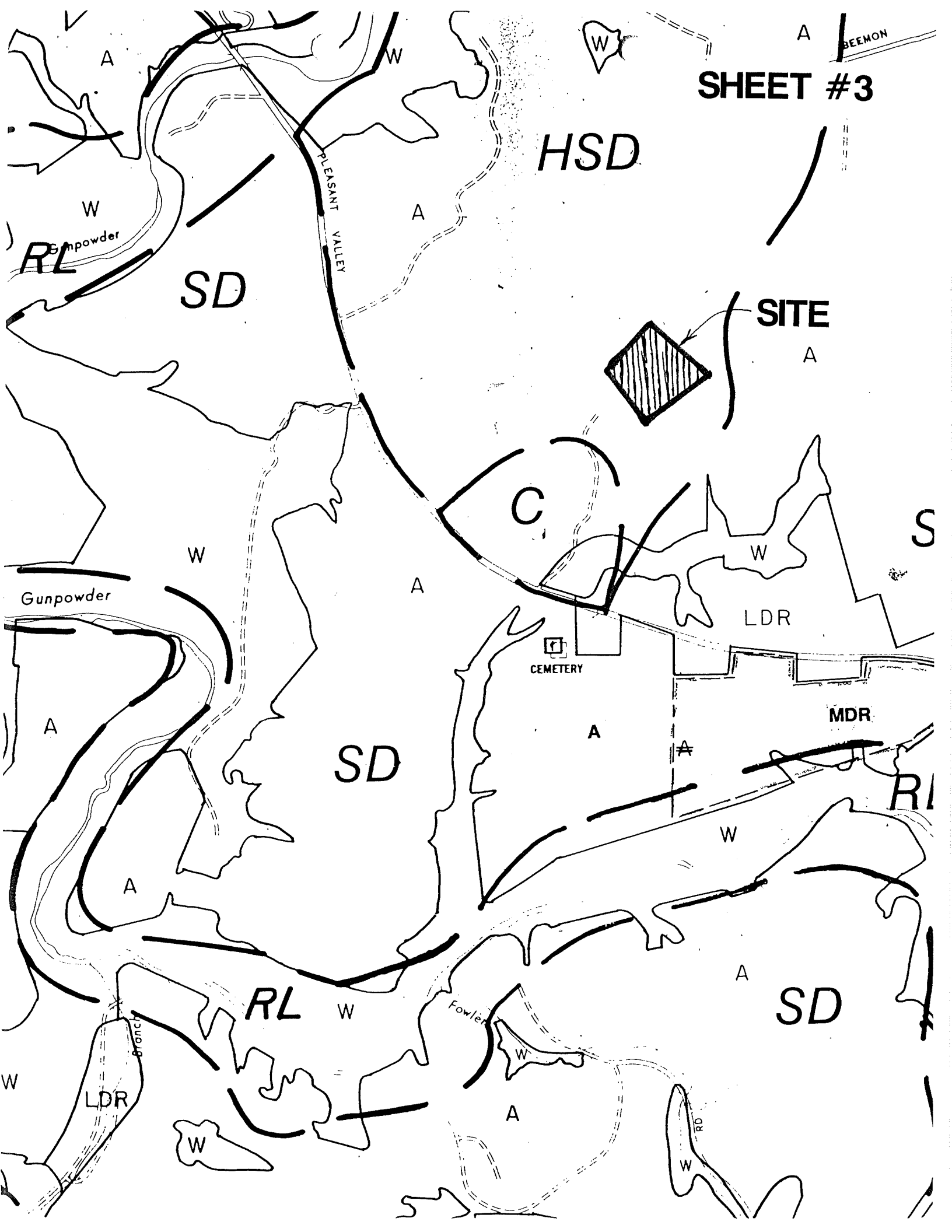
SR-1

RS

A-2



SHEET #3



PUBLIC HEARING ITEM NO. 2:

Commission members present: Mr. Burch - Vice Chairman, Mr. McMillian, Mr. Millay, Mr. Neltner, Mr. Ries, Mrs. Schaffer, Mrs. Smith - Secretary/Treasurer, and Mr. White.

Mr. Burch introduced the second item on the Agenda:

2. Applicant: Raymond Erpenbeck Consulting Engineers for
Arlinghaus Builders, Inc. (owner)
Request: Zoning Map Amendment

The request of Raymond Erpenbeck Consulting Engineers (applicant) for Arlinghaus Builders, Inc. (owner) for a Zoning Map Amendment from Public Facilities (PF) to Suburban Residential One (SR-1) for a six-acre site located north of Thunder Ridge Drive, Boone County, Kentucky. The request is to allow up to four residential dwelling units per acre.

Staff Member Mitch Light presented the Staff Report which included a slide presentation (see Staff Report).

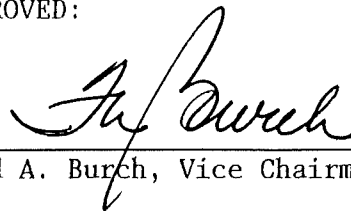
Mr. Burch asked for the applicant's presentation.

Mr. Bob Schroeder, Arlinghaus Builders, stated that the property is in the middle of a subdivision. A ten-year lease for a radio tower on the property expired last year. The tower will be removed, or has been removed. He stated that residential is a more appropriate use and meets all of the qualifications for a zone change.

Mr. Burch asked if there was anyone else present who wished to speak in regard to this request. There being no response, he asked if there were any comments or questions from the Commission. There being none, Mr. Burch stated that the Committee Meeting for this item will be on April 10, 1995 at 4 P.M. in the second floor conference room of the Administration Building. This item will be on the Agenda for the Business Meeting on April 19, 1995 at 8 P.M. on the third floor of the Administration Building.

Mr. Burch closed this Public Hearing.

APPROVED:



Fred A. Burch, Vice Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING
BOONE COUNTY ADMINISTRATION BUILDING
April 19, 1995
8:00 P.M.

The following Minutes are a partial record of the meeting, beginning with Agenda Item No. 3. The Minutes for Item No. 1 and deferral for Items 2, 8, and 9 were prepared and approved during the meeting.

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. Phil Damstrom
Mr. Robert Kirby, Jr.
Mr. Mike McKinney
Mr. Don McMillian
Mr. Bob Millay
Mr. Barry Neltner
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Linda Schaffer
Mrs. Carol Smith, Secretary/Treasurer
Mr. William Viox, Chairman
Mr. Earl White

COMMISSION MEMBERS NOT PRESENT:

Mr. William Bailey
Mr. Fred Burch, Vice Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. Dave Geohegan, AICP
Mr. Jeff Hayes
Ms. Jan Hancock, Secretary
Mr. Mitch Light
Mr. Kevin Wall, AICP

5. Zoning Map Amendment

The request of Raymond Erpenbeck Consulting Engineers (applicant) for Arlinghaus Builders, Inc. (owner) for a Zoning Map Amendment from Public Facilities (PF) to Suburban Residential One (SR-1) for a six-acre site located north of Thunder Ridge Drive, Boone County, Kentucky. The request is to allow up to four residential dwelling units per acre.

Staff Member Mitch Light read the Committee Report which recommended approval of the request based on the findings of fact (see Committee Report).

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

6. Zoning Map Amendment

The request of Raymond Erpenbeck Consulting Engineers (applicant) for Arlinghaus Builders, Inc. (owner) for a Zoning Map Amendment from Commercial Two (C-2) to Suburban Residential Two/Small Community (SR-2/SC) for a 2.5-acre site located on the east side of South Orient Street (Burlington), Boone County, Kentucky. The request is to allow up to eight residential dwelling units per acre.

Staff Member Kevin Wall read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He advised that the applicant has signed the letter agreeing to the conditions.

Mr. Damstrom moved by resolution to the Boone County Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. McMillian seconded the motion.

Mrs. Schaffer questioned the total number of dwelling units. Mr. Wall advised that there would be a total of 14.

Mr. Neltner asked for a vote on the motion made by Mr. Damstrom and it carried unanimously.

7. Zoning Map Amendment

The request of Thomas W. Breidenstein (applicant) for Richwood Land Company (owner) for a Zoning Map Amendment to establish a Special Sign District on a 6.14-acre site located at the northeast quadrant of I-75/Richwood Road, Boone County, Kentucky. The site is currently zoned Commercial Services (C-3).

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Robert Millay, Chairman

DATE: April 19, 1995

RE: Request of Raymond Erpenbeck Consulting Engineers (applicant) for Arlinghaus Builders, Inc. (owner) for a Zoning Map Amendment from Public Facilities (PF) to Suburban Residential One (SR-1), for a six acre site located north of Thunder Ridge Drive, Boone County, Kentucky. The request is to allow up to four residential dwelling units per acre.

REMARKS:


We, the Committee, recommend approval based on the following Findings of Fact:

1. The request is in agreement with the 1990 Comprehensive Plan and the Goals and Objectives of the 1995 Comprehensive Plan.
2. A Preliminary Plat was approved on April 21, 1993 which included this site.


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.



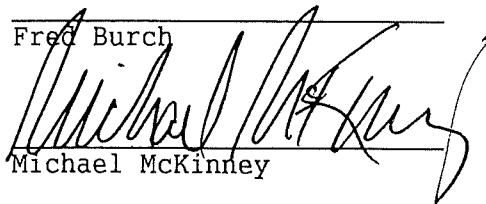
 Robert Millay, Chairman



 Barry Neftner



 Phil Damstrom



 Michael McKinney

 William Bailey

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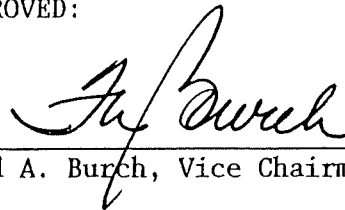
Mr. Burch asked for the applicant's presentation.

Mr. Bob Schroeder, Arlinghaus Builders, stated that the property is in the middle of a subdivision. A ten-year lease for a radio tower on the property expired last year. The tower will be removed, or has been removed. He stated that residential is a more appropriate use and meets all of the qualifications for a zone change.

Mr. Burch asked if there was anyone else present who wished to speak in regard to this request. There being no response, he asked if there were any comments or questions from the Commission. There being none, Mr. Burch stated that the Committee Meeting for this item will be on April 10, 1995 at 4 P.M. in the second floor conference room of the Administration Building. This item will be on the Agenda for the Business Meeting on April 19, 1995 at 8 P.M. on the third floor of the Administration Building.

Mr. Burch closed this Public Hearing.

APPROVED:



Fred A. Burch, Vice Chairman

Attest:



Jan Hancock, Recording Secretary

MINUTES
BOONE COUNTY FISCAL COURT
June 27, 1995
5:30 P.M.

ITEM V. JUDGE'S REPORT

APPOINTMENTS

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve the reappointments of I. A. Archambault, II, Dan Houston, Walt Ryan, and George Whitton to the Boone County Zoning Appeals & Adjustment Board. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Patrick moved, seconded by Commissioner Meihaus, to approve the appointment of Richard Bass to the Petersburg Fire Protection District Board. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Campbell moved, seconded by Commissioner Meihaus, to approve the reappointment of Arnold Caddell to the Boone County Police Merit Board. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Meihaus moved, seconded by Commissioner Campbell, to approve the reappointment of Lois Skirvin to the NKADD Council on Aging. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Meihaus moved, seconded by Commissioner Campbell, to approve the appointment of Jack Gartner to the Transit Authority of Northern Kentucky (TANK) Board. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

ITEM VI. ADMINISTRATIVE UPDATES

BIG BONE LANDING/CHANGES

Commissioner Patrick moved, seconded by Commissioner Meihaus, to approve the Management Plan for the Big Bone Landing Marina and Campground with requested changes in rate structure for the 1995 season and to authorize the execution of the Supplemental Agreement No. 1 to the Department of the Army Lease relating to liability coverage for insurance purposes. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibits "B" & "C"

ITEM VII. ORDINANCES & RESOLUTIONS

RESOLUTION NO. R-06-27-95-04, BOONE COUNTY WATER & SEWER DISTRICT
SANITATION DISTRICT NO. 1 OF CAMPBELL AND KENTON COUNTIES

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve Resolution No. R-06-27-95-04, a resolution approving a lease between the Boone County Water & Sewer District and the County of Boone, Kentucky, relating to the sewer system now owned and operated by the Boone County Water And Sewer District, approving an agreement between the Boone County Water And Sewer District, Sanitation District No. 1 Of Campbell and Kenton Counties and the County of Boone, Kentucky, relating to such sewer system, ratifying actions taken with respect to the lease and the agreement and authorizing the execution of various documents related to the lease. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "D"

ORDINANCE 920.308 - ERPENBECK/ARLINGHAUS BUILDERS, INC.

Judge Lucas presented Ordinance No. 920.308 and declared a Public Hearing open at 5:58 p.m. Hearing no objection, Judge Lucas closed the Public Hearing at 5:59 p.m.

Commissioner Meihaus moved, seconded by Commissioner Campbell, to approve on Second Reading Ordinance 920.308, an ordinance of the Boone County Fiscal Court to consider the request of Raymond Erpenbeck Consulting Engineers (Applicant) for Arlinghaus Builders, Inc. (Owner) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Public Facilities (PF) to Suburban Residential One (SR-1) for a 6 acre site, generally located north of Thunder Ridge Drive, Boone County, Kentucky, as recommended unanimously by the Boone County Planning Commission via Resolution R-95-017-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "E"

ORDINANCE 920.309 - ERPENBECK/ARLINGHAUS BUILDERS, INC.

Judge Lucas presented Ordinance No. 920.309 and declared a Public Hearing open at 6:00 p.m. Subsequent to discussion, Judge Lucas closed the Public Hearing at 6:11 p.m.

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve, with two additional conditions, on Second Reading Ordinance No. 920.309, an ordinance of the Boone County Fiscal Court to consider the request of Raymond Erpenbeck Consulting Engineers (Applicant) for Arlinghaus Builders, Inc. (Owners) for a Zoning Map Amendment, such Zoning Map