

**EXHIBIT "A"**

## STAFF REPORT

Request of **The City of Walton** to consider an amendment to the Walton Zoning Map as a result of the annexation of an approximate 13.5 acre tract located on the north side of KY 1292 (Beaver Road) near International Industrial Park, Boone County, Kentucky. The request involves recommending a zoning classification for the site based upon annexation into the City of Walton. The site is currently zoned Suburban Residential One (SR-1) and is owned by Vaston and Mary Catherine Brooks.

March 26, 1997

In accordance with Kentucky Law (KRS 81A.420(3) and KRS 100.209) the City of Walton 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 Suburban Residential One (SR-1) zoning on the property and its relationship to the Comprehensive Plan. The approximate 13.5 acre tract is owned by Vaston and Mary Catherine Brooks and is located on the north side of Beaver Road (Ky 1292), Boone County, Kentucky. (See Sheet #1)

### Surrounding Zoning and Land Uses (See Sheet #2)

- North: Interstate 71/75.
- East: Sturgeon - Wood Subdivision (Skyway Drive) zoned Suburban Residential One (SR-1).
- South: Carpenter property zoned Industrial One (I-1) and the Stephenson, King and Brinkman properties zoned Suburban Residential One (SR-1).
- West: Jeffreys Estate Subdivision zoned Suburban Residential One (SR-1).

### Relationship to the Comprehensive Plan

The adopted 1995 Boone County Comprehensive Plan and Future Land Use Map indicate that this area remain as Rural Density Residential (RD) which is defined as:

"Low density residential uses of up to one dwelling unit per acre, which are not part of a formal subdivision."

Staff Review

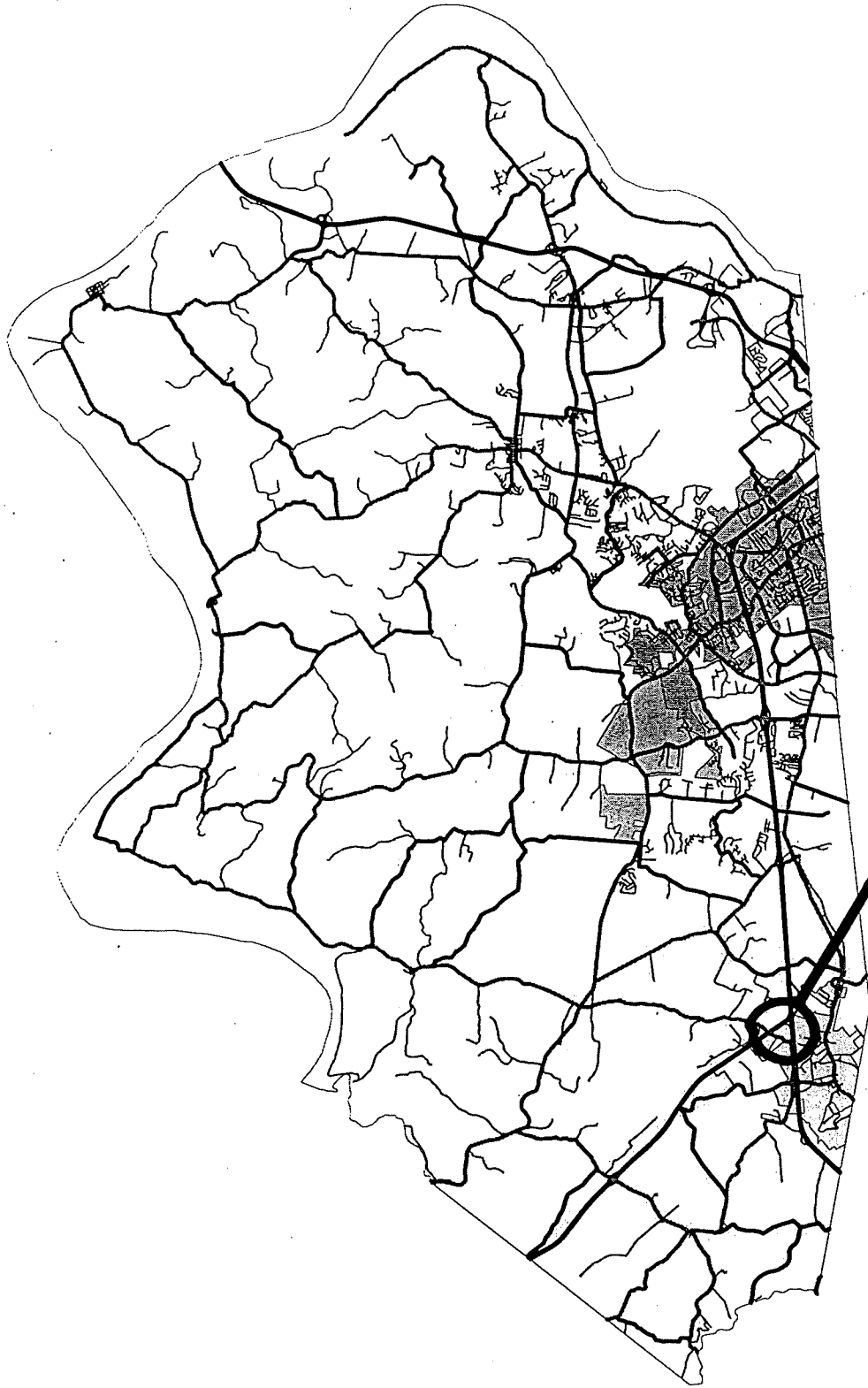
Staff believes that the annexation of this property, in and of itself, into the City of Walton does not necessitate a change in the current zoning classification of Suburban Residential One (SR-1). If a change in the zoning classification is desired by the property owner, a formal application must be made to the Boone County Planning Commission and a recommendation to the City of Walton. Water is available along Beaver Road and will be able to service the Brooks property.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mitchell A. Light". The signature is written in a cursive style with a large initial "M".

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

MAL\par



**SITE**

16500 0 16500 Feet N

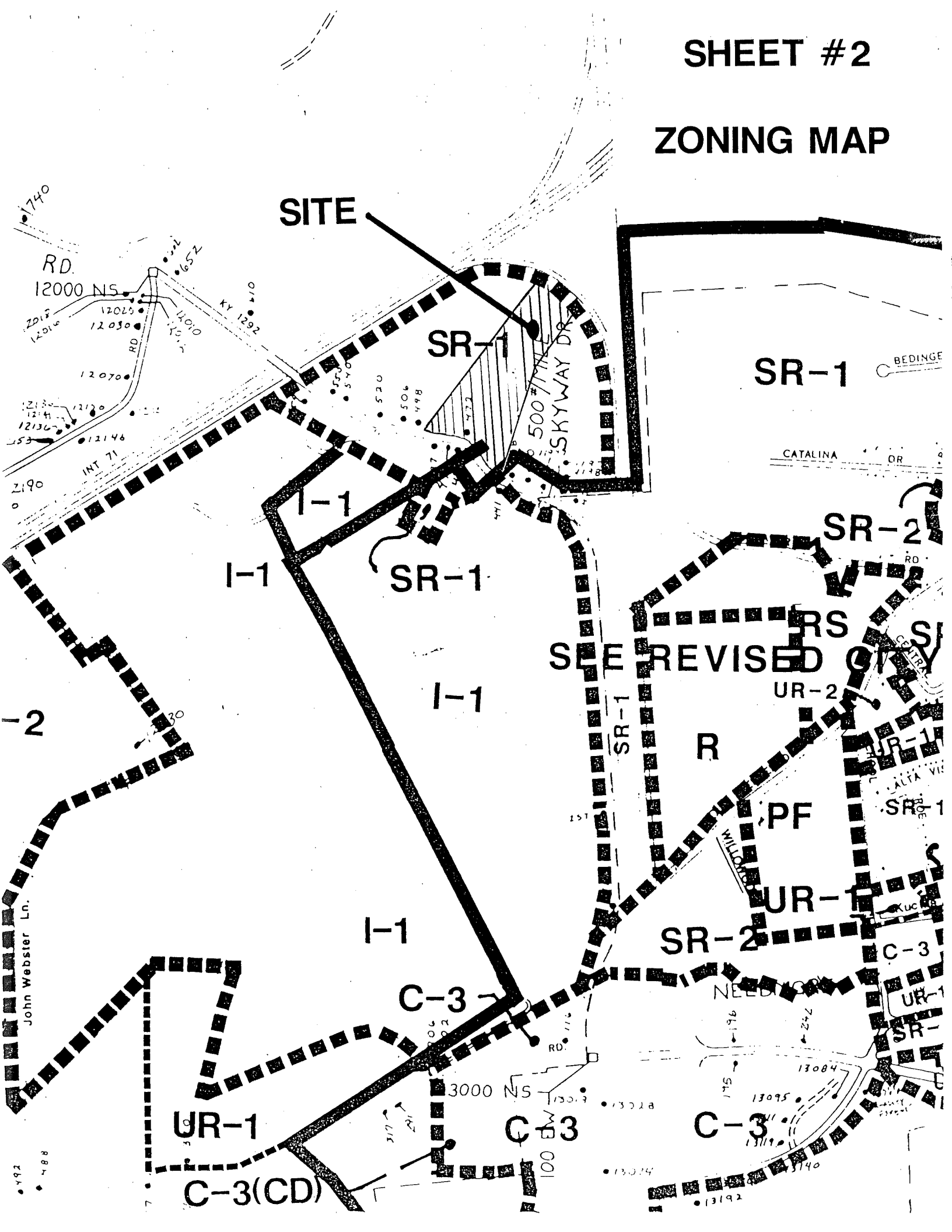
**Vicinity Map**

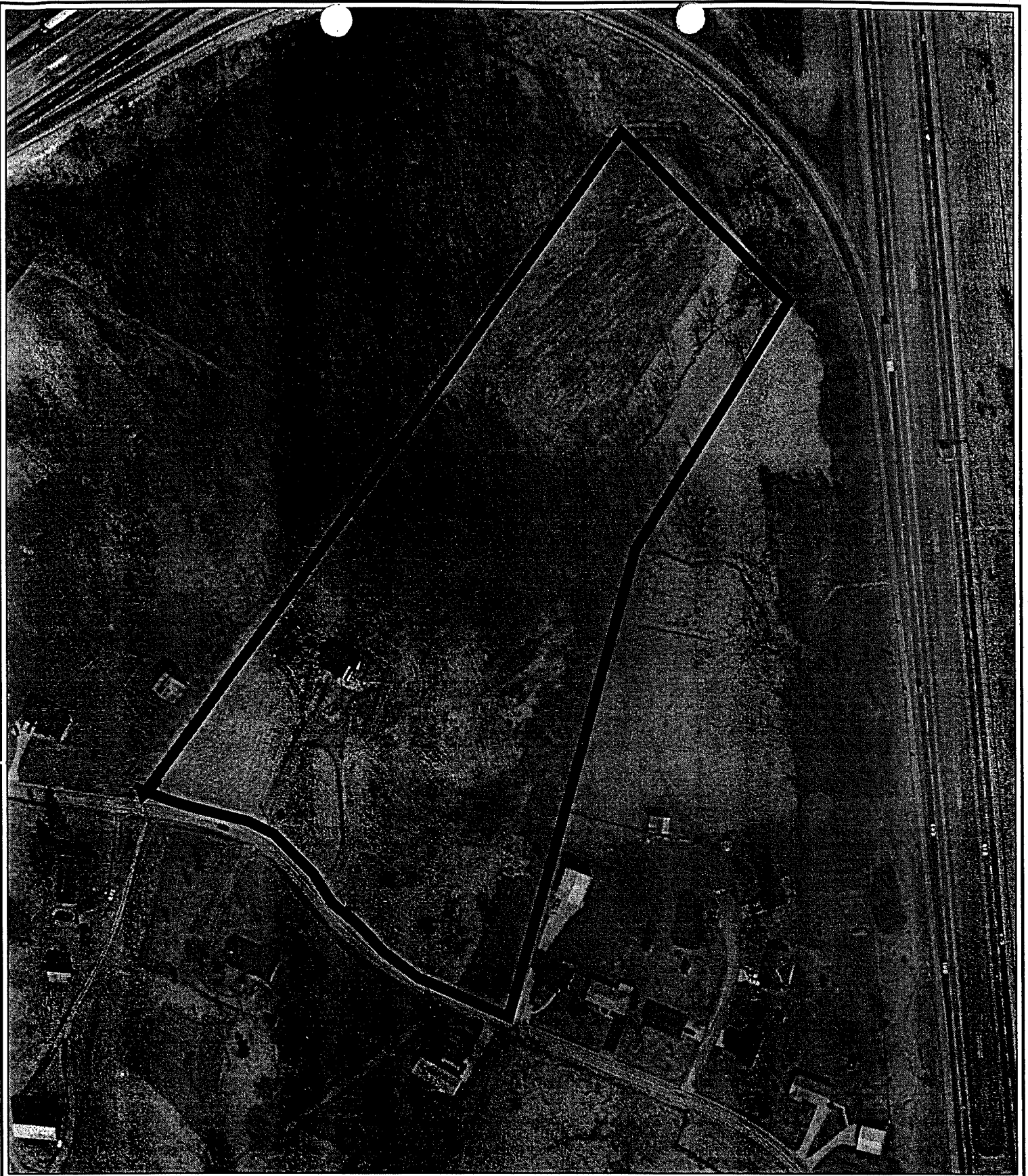
1 inch equals 16500 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
March 25, 1997



**SHEET #1**

ZONING MAP



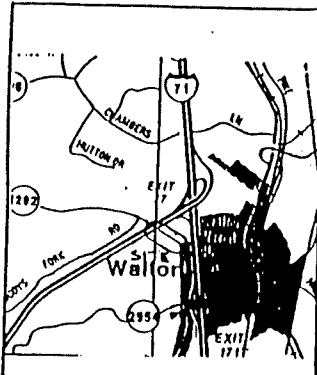


200 0 200 Feet

# City of Walton - Annexation

1 inch equals 200 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
March 26, 1997





VICINITY MAP

JEFFERYS ESTATE SUBDIVISION

VASTON AND MARY CATHERINE  
BROOKS

DB 697 PC 169  
13.5189 ACRES  
(excluding right of way)



AREA  
TO BE  
ANNEXED

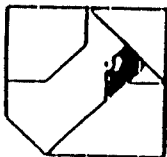
STURGEON-WOOD SUBDIVISION

LINE	DIRECTION	DISTANCE
L1	N68°13'55" W	69.25'
L2	N64°42'25" W	68.17'
L3	N57°43'55" W	71.66'
L4	N48°44'25" W	72.20'
L5	N42°11'25" W	124.31'
L6	N53°30'25" W	54.11'
L7	N68°58'25" W	53.46'
L8	N73°23'25" W	77.94'
L9	N81°31'55" W	95.87'

UNINCORPORATED BOONE COUNTY  
C-OF BEAVER ROAD  
WALTON CITY LIMIT  
WALTON CITY LIMIT  
BOONE COUNTY  
BOONE COUNTY  
A.C.T. 14515  
691.85'

EHMET HAYES  
DB 507 PC 286

NOTE: DRAWING PREPARED FROM EXISTING DEED.



CARDINAL  
ARCHITECTURE  
ENGINEERING  
LAND SURVEYING

CITY OF WALTON  
ANNEXATION DRAWING  
ORDINANCE NO. \_\_\_\_\_

ONE MOOCK ROAD  
WILDER, KENTUCKY  
41071 (606) 581-9600

DRAWN BY:  
KCH  
DATE:  
NOV. 1996  
SCALE:  
1" = 200'  
FILE NO.  
90-198

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
March 26, 1997  
7:00 P.M.

PUBLIC HEARINGS

Commission members present: Mrs. Arnett - Secretary/Treasurer, Mr. Brown, Mr. Caddell, Mr. McKinney - Chairman, Mr. McMillian, Mr. Millay, Mr. Neltner, Mr. Ries - Vice Chairman, Mr. Rush, Mrs. Schaffer, and Mrs. Smith.

Mr. Michael McKinney, Chairman, called the meeting to order at 7:05 P.M.. Following an explanation of the Public Hearing process, Mr. McKinney stated that the second item on the Agenda is an annexation request and it should be short. He asked that Item #2 be heard first:

2. Applicant: City of Walton

Request: Annexation

The request of the City of Walton to consider an amendment to the Walton Zoning Map as a result of the annexation of an approximate 13.5-acre tract located on the north side of KY 1292 (Beaver Road) near International Industrial Park, Boone County, Kentucky. The request involves recommending a zoning classification for the site based upon annexation into the City of Walton. The site is currently zoned Suburban Residential One (SR-1) and is owned by Vaston and Mary Catherine Brooks.

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

The Chairman asked if there was anyone present from the City of Walton who wished to speak. There being no response, he asked if there was anyone present who wished to speak in favor of the request.

Mrs. Lillian Brinkman, 473 Beaver Road, stated that she lives directly across from the subject site. She stated that she is selling her property and does not want anything done on this site to jeopardize the sale of her property. She questioned what is being done on the site.

Mr. McKinney advised that other discussion will be generated at the Committee Meeting and she can attend that meeting.

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

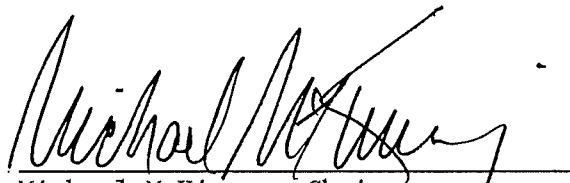
Mr. McMillian explained to Mrs. Brinkman that this request is for annexation and the Planning Commission does not know of anything going on the site at this time. Mrs. Brinkman indicated her disagreement. Mr. McMillian explained that probably something will go on the site -- but the current request is just for annexation to the City of Walton.

There being no further comments, Mr. McKinney advised that the Committee Meeting for this item will be on April 7, 1997 at 4 P.M. in the second floor conference room. This item will be on the Agenda for the Business Meeting on April 16, 1997 at 7:30 P.M..

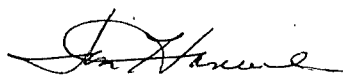
Counselor Wilson advised that no zone change is being proposed for this property at this time. Mr. Light stated that the property will remain SR-1 by the Planning Commission's recommendation to the City of Walton. He stated that the City of Walton does not plan to request a zone change for the property, but the current or future owner of the property could request a zone change and that request would require another Public Hearing. Mr. McKinney advised Mrs. Brinkman that she would be notified if that request were to occur.

There being no further discussion, the Chairman closed this Public Hearing.

APPROVED:

  
Michael McKinney, Chairman

Attest:

  
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
April 16, 1997  
7:30 P.M.

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Mr. Michael McKinney, Chairman, called the meeting to order at 7:38 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett, Secretary/Treasurer  
Mr. Larry Brown  
Mr. Arnold Caddell  
Mr. Mike McKinney, Chairman  
Mr. Don McMillian  
Mr. Bob Millay  
Mr. Barry Neltner  
Mr. Robert Ries, Vice Chairman  
Mr. Ralph Rush  
Mrs. Linda Schaffer  
Mrs. Carol Smith  
Mr. William Viox  
Mr. Earl White, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Fred Burch  
Mr. Phil Damstrom

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director  
Mr. Ed Coleman  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light  
Mr. Kevin Wall, AICP

Approval of the Minutes:

Mr. McKinney stated that each Commission member had received copies of the Minutes of the March 26, 1997 Public Hearings and the April 2, 1997 Business Meeting. 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. Arnett seconded the motion and it carried unanimously.

UNFINISHED BUSINESS:

1. Annexation

The request of the City of Walton to consider an amendment to the Walton Zoning Map as a result of the annexation of an approximate 13.5 acre tract located on the north side of KY 1292 (Beaver Road) near International Industrial Park, Boone County, Kentucky. The request involves recommending a zoning classification for the site based upon annexation into the City of Walton. The site is currently zoned Suburban Residential One (SR-1) and is owned by Vaston and Mary Catherine Brooks.

Staff Member Mitch Light presented the Committee Report which recommended that the current zoning not be changed as a result of annexation, based on the findings of fact (see Committee Report).

There being no discussion, Mr. McMillian moved to accept the Committee Report. Mrs. Ries seconded the motion and it carried unanimously.

2. Zoning Map Amendment

The request of The Drees Company (applicant) for Wayne Stamper, Lillie Stamper, James L. Barnes, and Carol Barnes (owners) for a Zoning Map Amendment from Agriculture (A-1) to Suburban Residential One (SR-1) for approximately 50 acres of the site, and approval of a Concept Development Plan for approximately 104 acres of the site that is zoned Residential Planned Development (RPD), both for a 154-acre site located between Williams Road and Thornwilde Drive, Boone County, Kentucky. The request is for a Zone Change and approval of a Concept Development Plan to allow a residential subdivision with single-family detached and single-family attached dwelling units, "Thornwilde Subdivision Addition".

Mr. Viox stated that he has a conflict of interest in regard to this request as Viox & Viox represents The Drees Company. He left the meeting at this time.

Staff Member Ed Coleman presented 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.

EXHIBIT "B"

### COMMITTEE REPORT

To: Boone County Planning Commission

From: Don McMillian, Chairman

Date: April 16, 1997

Re: Request of **The City of Walton** to consider an amendment to the Walton Zoning Map as a result of the annexation of an approximate 13.5 acre tract located on the north side of KY 1292 (Beaver Road) near International Industrial Park, Boone County, Kentucky. The request involves recommending a zoning classification for the site based upon annexation into the City of Walton. The site is currently zoned Suburban Residential One (SR-1) and is owned by Vaston and Mary Catherine Brooks.

**Remarks:**

We, the Committee, recommend that the current zoning of Suburban Residential One (SR-1) not be changed as a result of the annexation of the approximate 13.5 acre tract into the City of Walton. Based upon the following Findings of Fact, the Committee can find no impact from annexation upon the current zoning of the property or the surrounding property.

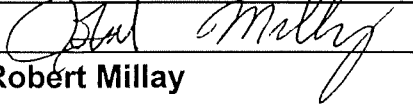
Findings of Fact:

1. The adopted 1995 Boone County Comprehensive Plan and Future Land Use Map indicate that this site is to remain Rural Density Residential (RD).
2. Water service is available along Beaver Road and will be able to serve the subject property.

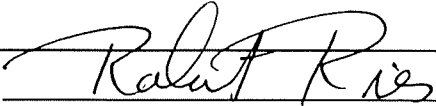
A copy of the Public Hearing minutes accompanies the Findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

<i>Don McMillian</i>			
<b>Don McMillian, Chairman</b>			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

<i>Arnold Caddell</i>			
<b>Arnold Caddell</b>			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

  
\_\_\_\_\_  
**Robert Millay**

For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

  
\_\_\_\_\_  
**Robert Ries**

For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

TOTAL: 4 FOR 0 AGAINST 0 ABSTAIN 0 ABSENT

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
March 26, 1997  
7:00 P.M.

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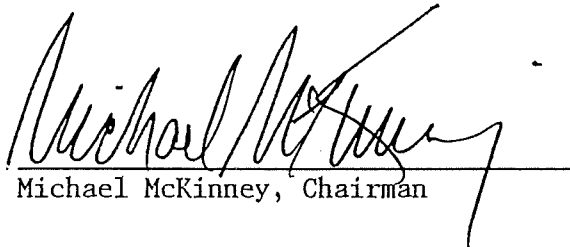
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There being no further discussion, the Chairman closed this Public Hearing.

APPROVED:

  
Michael McKinney, Chairman

Attest:

  
Jan Hancock, Recording Secretary

**CITY OF WALTON, KENTUCKY**  
**ORDINANCE NO. 1997-03**

AN ORDINANCE STATING THE INTENTION OF THE CITY OF WALTON, KENTUCKY TO ANNEX CERTAIN UNINCORPORATED TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF WALTON, KENTUCKY, AND PRESENTLY KNOWN AS KENTUCKY 1292 (BEAVER GRADE ROAD), AND THE VASTON AND MARY CATHERINE BROOKS PROPERTY.

**WHEREAS**, the City Council of the City of Walton, Kentucky desires to annex certain unincorporated territory contiguous to the present corporate limits of the city of Walton, Kentucky, presently known as Kentucky 1292 (Beaver Grade Road) and the Vaston and Mary Catherine Brooks property.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Walton as follows:

SECTION ONE

The City of Walton, Kentucky declares it desirable and states its intention to annex the unincorporated territory described in Exhibits A B, C and D, attached hereto and incorporated herein by reference as if fully set out herein.

SECTION TWO

In not less than sixty (60) days after the enactment of this Ordinance, if no petition in opposition to this proposal has been received by the Mayor in accordance with KRS 81A, the City of Walton, Kentucky may enact another Ordinance annexing to the City of Walton, Kentucky, the above described unincorporated territory. Thereupon, said territory shall become a part of the City of Walton, Kentucky for all purposes.

SECTION THREE

All ordinances, resolutions or parts thereof, in conflict herewith, are to the extent of such conflict, hereby repealed.

SECTION FOUR

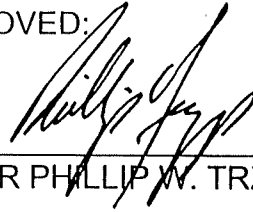
If any section, paragraph, or clause of this Ordinance be held by a proper court to be invalid, such invalidity shall not affect the remaining sections, paragraphs, or clauses, it being expressly declared that the remainder of such ordinance would have been passed despite such invalidity.

FIRST READING:           JANUARY 13, 1997  
SECOND READING:        2/10/1997

DATE OF PUBLICATION:

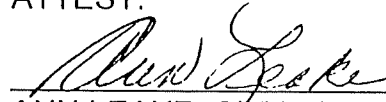
2/20/97

APPROVED:



MAYOR PHILLIP W. TRZOP

ATTEST:

  
ANN LEAKE, CITY CLERK

/Beaver

EXHIBIT A

ANNEXATION PARCEL DESCRIPTION  
KY. STATE ROUTE 1292  
(BEAVER GRADE ROAD)

Being located in the County of Boone, Commonwealth of Kentucky, and being located on the westerly side of the City of Walton, and being more particularly described as follows:

BEGINNING at a point in the existing Walton City Boundary, said point being located in the centerline of Kentucky State Route 1292 (Beaver Grade Road), said point being located S 15-41-33 W, approximately 20 feet from the common corner of Sturgeon and Woods Subdivision and Robert and Marie Stephenson's 13.8 acre tract described in Deed Book 242, Page 14 of the Boone County records in Burlington.

THENCE along the centerline of the 40 foot portion of the right of way of Kentucky Route 1292 the following calls:

N 68-13-55 W, 72.31 feet to a point;  
N 64-42-25 W, 90.00 feet to a point;  
N 57-43-55 W, 75.00 feet to a point;  
N 46-44-25 W, 75.00 feet to a point;  
N 42-11-25 W, 123.00 feet to a point;  
N 53-39-25 W, 50.00 feet to a point;  
N 66-58-25 W, 50.00 feet to a point;  
N 73-23-25 W, 75.00 feet to a point;  
N 81-31-55 W, 105.10 feet to a point, said point being located S 36-30-00 W, 25 feet from the common corner of Robert & Marie Stephenson's 13.8 acre tract and Jefferys Estates Subdivision as shown in Plat Book 15, Page 28;

THENCE continuing with the centerline of Ky. Route 1292 N 81-19-00 W, for a distance of approximately 411.32 feet to a point;

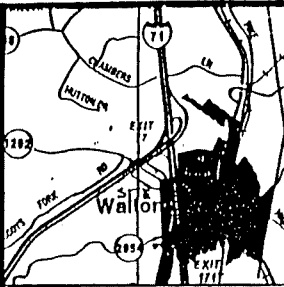
THENCE with the centerline of Ky. Route 1292 N 66-28-30 W, a distance of approximately 95.82 feet to a point; said point being the beginning of the 80 foot wide right of way;

THENCE with the centerline of the 80 foot Ky. Route 1292 right of way N 66-31-30 W, a distance of approximately 200.06 feet to a point;

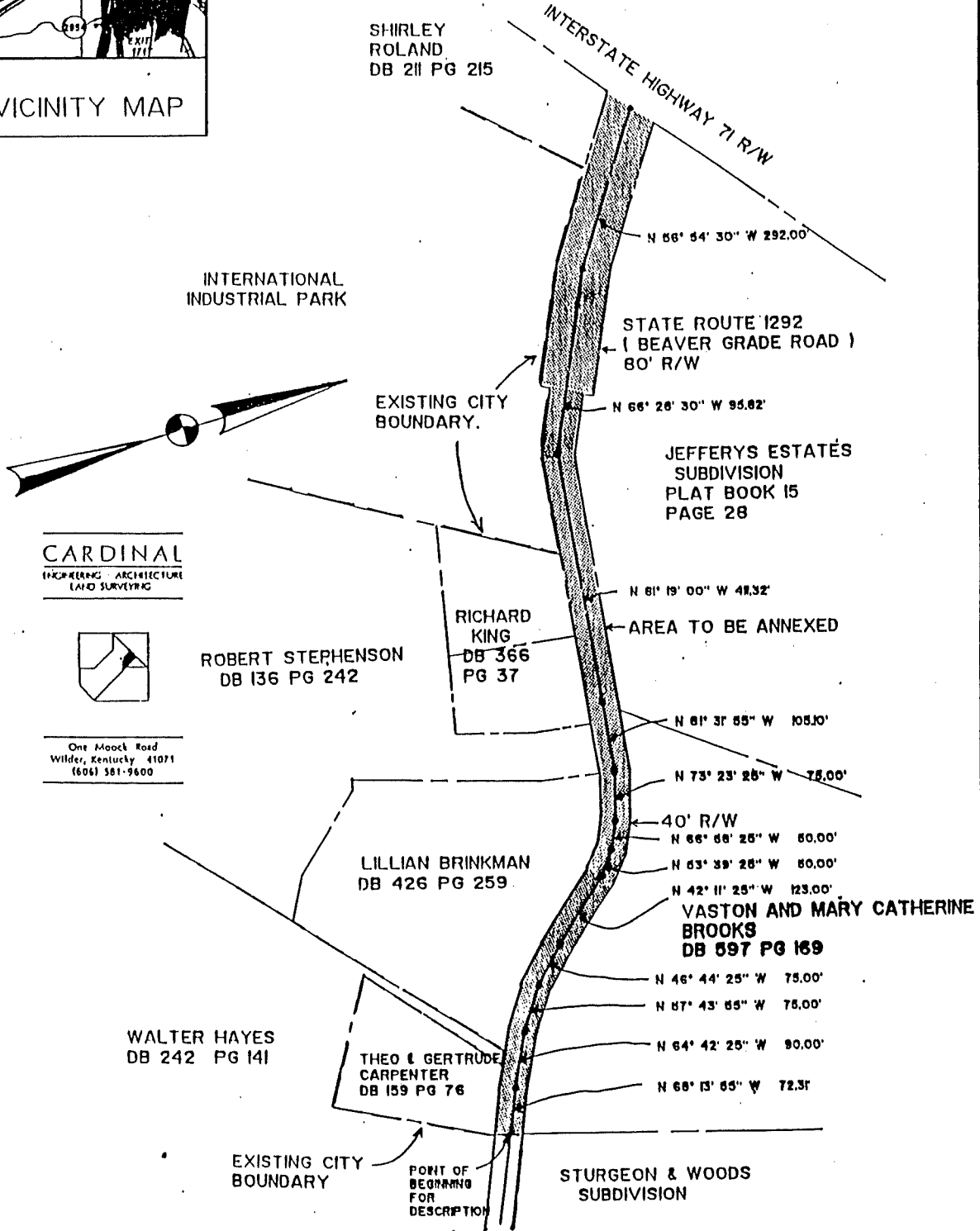
THENCE continuing with the centerline N 56-54-30 W, a distance of approximately 292 feet to a point in the southwesterly right of way of Kentucky Interstate Highway No. 71.

The above description has been prepared using the existing Deeds of Record, and does not represent a field survey of the described right of way parcel.

EXHIBIT B



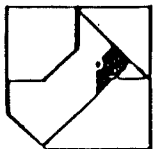
VICINITY MAP



**CARDINAL**  
ENGINEERING ARCHITECTURE  
LAND SURVEYING



One Moock Road  
Wilder, Kentucky 41071  
(606) 561-9600



**CARDINAL**  
ARCHITECTURE  
ENGINEERING  
LAND SURVEYING

CITY OF WALTON, KY.  
ANNEXATION DRAWING  
STATE ROUTE 1292 (BEAVER GRADE ROAD)

ONE MOOCK ROAD  
WILDER, KENTUCKY  
41071 (606) 561-9600

Drawn By:

JS

Date:

3-18-92

Scale:

1"=200'

File No.

EXHIBIT C

City of Walton  
Annexation Description  
Vaston and Mary Catherine Brooks Property

Being located in the County of Boone, Commonwealth of Kentucky, on the northerly side Beaver Road, and being the same property conveyed to Vaston and Mary Catherine Brooks by Deed Book 597 on Page 169 of the Boone County Clerk's records at Burlington, Kentucky, and being more particularly described as follows:

COMMENCING at a point in the centerline of Beaver Road, said point being a corner with the extended line of Lot 5 of the Sturgeon Wood Subdivision as recorded in Plat Book 6 on Page 48 of the Boone County Clerk's records at Burlington, Kentucky;

Thence, leaving said centerline, north  $15^{\circ}41'33''$  east, a distance of 20.11 feet to a point on the north right-of-way of Beaver Road, said point also being on the existing Walton City Limit Line and the REAL POINT OF BEGINNING;

Thence, with the north right-of-way of Beaver Road and the existing Walton City Limit Line, North  $68^{\circ}13'55''$  West, a distance of 69.25 feet to a point;

Thence, North  $64^{\circ}42'25''$  West, a distance of 88.17 feet to a point;

Thence, North  $57^{\circ}43'55''$  West, a distance of 71.86 feet to a point;

Thence, North  $46^{\circ}44'25''$  West, a distance of 72.28 feet to a point;

Thence, North  $42^{\circ}11'25''$  West, a distance of 124.21 feet to a point;

Thence, North  $53^{\circ}39'25''$  West, a distance of 54.34 feet to a point;

Thence, North  $66^{\circ}58'25''$  West, a distance of 53.46 feet to a point;

Thence, North  $73^{\circ}23'25''$  West, a distance of 77.54 feet to a point;

Thence, North  $81^{\circ}31'55''$  West, a distance of 95.87 feet to a point;

Thence, leaving the center of Beaver Road, with the line of the Jefferys Estate Subdivision as recorded in Plat Book 15 on Page 28 of the Boone County Clerk's records at Burlington, Kentucky, North  $36^{\circ}30'00''$  East, a distance of 1314.30 feet to a point in the right-of-way of Interstate 71 off ramp to Interstate 75 south;

Thence, with said right-of-way, South  $40^{\circ}33'26''$  East, a distance of 326.81 feet to a point;

Thence, continuing with said right-of-way, South 39°38'56" East, a distance of 29.74 feet to a point, said point being in the line of Lot 8 of the Sturgeon Wood Subdivision;

Thence, with said lot, South 26°16'49" West, a distance of 504.03 feet to a point;

Thence, with Lots 8, 7, 6, and 5 of the Sturgeon Wood Subdivision, South 15°41'33" West, a distance of 691.85 feet to the POINT OF BEGINNING;

Said description contains 13.5489 acres, more or less.

CERTIFICATION OF CITY CLERK

I, Ann Leake, hereby certify that I am the duly qualified City Clerk of the City of Walton, Kentucky, that the foregoing Ordinance is a true copy of an Ordinance given its first reading on January 13, 1997; given its second reading and enacted by said City Council on February 10, 1997; that Ordinance 1997-03 has been published as required by law; that said meetings were duly held in accordance with applicable requirements of Kentucky laws, including KRS 61.810, 61.815, 61.820 and 61.825; that a quorum was present at each of said meetings; that said Ordinance has not been modified, amended or repealed, and is now in full force and effect, and that Ordinance 1997-03 appears as a matter of public record in the City of Walton Ordinance Book.

IN WITNESS WHEREOF, I have hereto set my hand as City Clerk and the official seal of the City of Walton, Kentucky, on this February 20, 1997.



ANN LEAKE, CITY CLERK

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