

City of Taylor Mill

*5225 Taylor Mill Road
Taylor Mill, Kentucky 41015*



Mayor Mark Kreimborg
Ed Meece, City Administrator
Cheryl Niehues, City Clerk
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T.D.D. Accessible

BOARD OF ADJUSTMENTS MEETING
AGENDA FOR FEBRUARY 5, 1998
7:00 P.M.

CALL TO ORDER:

MINUTES: Approval of the minutes from the December 4, 1997 meeting.

OLD BUSINESS:

NEW BUSINESS:

PUBLIC HEARING #1: 722 Bonnie Drive
(Request for a variance at the above address from the minimum requirements of section 10.3, paragraph D, subsection 3 of the Taylor Mill Zoning Ordinance).

ADJOURNMENT:

Taylor'd With Pride



Police Department
Chief Steve Knauf
Phone (606) 581-1192
Fax (606) 581-0220



Fire Department
Chief Dennis Halpin
Phone (606) 581-6565
Fax (606) 581-6568



Public Works Department
Tom Robke, Director
Phone (606) 581-3359

**MINUTES OF THE TAYLOR MILL
BOARD OF ADJUSTMENTS
FEBRUARY 5, 1998
7:00 P.M.**

Chairman Maxfield called the meeting to order at 7:15 p.m. The Secretary called the role.

Paul Maxfield, Chairman	Present
Cary Bushman	Present
Sherry Doggett	Absent
Leo Dolan	Present
Lee Flischel	Present
Paula Tretter Kuehne	Absent
John Lucas	Present

Mr. Flischel made a motion to accept the minutes of the December 4, 1997 meeting. Mr. Lucas made a second. All members present were in favor of the motion as presented.

Motion Passed.

There being no Old or New Business, Chairman Maxfield opened the public hearing portion of the meeting.

PUBLIC HEARING #1

722 Bonnie Drive, Taylor Mill, Kentucky
Request to grant a variance from the minimum requirements of section 10.3, paragraph D, subsection 3 of the Taylor Mill Zoning Ordinance.

Mr. Bruce Gurley of 722 Bonnie Drive (applicant) was present, and indicated that he would like to develop flag lots on the aforementioned property and was unable to do so due to language within the Taylor Mill Zoning Code.

Mr. Wichman indicated that some zones within the Zoning Code have the following language: Minimum lot width at minimum building setback line. Therefore, precluding the development of flag lots.

Chairman Maxfield asked if this language was included in various zones by accident or by design. Mr. Wichman indicated that he believed it was not intentional to have this language vary from the other zones.

B.O.A. minutes 02/05/98

Mr. Gurley was in disagreement with Mr. Withrow's interpretation of the language and indicated that the minimum lot width at minimum building setback line did not indicate that flag lots could not be constructed within the zone. Mr. Gurley further indicated that Taylor Mill had several properties developed as flag lots already.

Mr. Wichman indicated that the Northern Kentucky Area Planning Commission would like all of our zones to be consistent. Therefore, we would need to delete the at minimum language to allow flag lots or add the at minimum language to disallow flag lots. He further indicated that the inconsistency was pointed out by the NKAPC when reviewing plans for the development of Phase V and VI of the Taylor Creek Subdivision.

Mr. Gurley indicated that he wanted to build flag lots on this property and due to the adverse topography it was the most appropriate use. He indicated that he had a contract on the property and needed to resolve the issue quickly, and that the lots and their development will meet the Kenton County Subdivision Regulations.

Mr. Gurley felt that the language "minimum lot width at minimum setback line" was an attempt to control wedge, fan or pie-shaped lots not flag lots.

Ms. Cain informed the Board of Adjustment members that the Taylor Mill City Commission had authorized her to file a text amendment prohibiting flag lots from all zones with the city limits by including the language "minimum lot width at minimum setback line" in all zones.

Mr. Gurley explained to the Board that he currently had two (2) 70' lots platted, and that he resided in the same neighborhood and understood that there were several residents who had concerns regarding storm water management. In an effort to control water from his property he is proposing to build the two (2) homes as far away from the hillside as possible. He indicated that he would spend extra money in the development of the land to insure that the surrounding residents' water problem was not increased.

Mr. Estes indicated that Mr. Gurley would need to control the volume of water and the speed. Therefore, the water needs to be slowed down and/or re-directed.

Mr. Gurley indicated that he was planning on building a 3" or 4" earth berm, and that it would be constructed in a manner that it won't have standing water. He also will attempt to retain water at the rear of the lot. However, he would like to push water under the sidewalk in front of the house so that the water can get to the street easily. He further indicated that there was a road that accessed the cemetery, adjacent to the property, with a dam and a pipe underneath it that he was willing to fix. Mr. Gurley stated it was his intent to leave the property primarily undisturbed.

B.O.A. minutes 02/05/98

Several neighbors expressed their concern about additional storm water runoff from the development of these two homes. They are as follows:

Bob Haake, 714 Vincent Drive, indicated that he gets five (5) inches of water in his back yard, and that Mr. and Mrs. Moore get more water than that in their home. He expressed his concern about the property owners being adversely effected, and that the City was not financially able to provide or implement any storm water management practices.

Mr. Ed Freeman, 718 Vincent Drive, submitted pictures of their flooded property for the Board of Adjustments to look at. They included pictures of the concrete channel in their back yard. They expressed concern about any additional development and the impact on their home.

Carol Moore, 716 Vincent Drive, indicated that their home has flooded four (4) times, and that they fear more homes will increase the problem and the amount of water they receive. She said that they have always had a water problem in her backyard.

Mr. Withrow, Building Inspector, arrived at 8:00 p.m.

Bert Moore, 724 Bonnie, wanted to know if the curve of the street will be effected. Mr. Gurley explained to Mr. Moore that he would not be making any changes to Bonnie Drive. He further outlined the proposed ingress/egress points of the development.

Mr. Bushman expressed his concerns over the water problem and asked Mr. Estes to give the Board his opinion of the water problem and the necessary measures to insure there will be no additional problems.

Mr. Estes explained the deficient stormwater/sewer system, and expressed concern about building two (2) more homes in the area. He indicated that they should be small homes and that the property should be able to detain water. However, he felt a detention pond was not feasible.

Mr. Maxfield and Mr. Estes discussed the advantage of building one home in the area verses two based upon surface runoff calculations, and both indicated that an increase in pervious area will create more water problems.

Mr. Lucas made a motion to deny Mr. Gurley's request for a variance based upon the fact that it would adversely effect the health, safety, and welfare of the public; that it would alter abutting real estate and property values; and that it would add to the current storm water problem in the area. Mr. Bushman made a second. The Secretary called the roll.

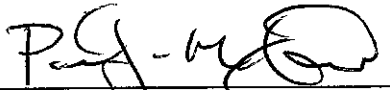
B.O.A. minutes 02/05/98

Paul Maxfield, Chairman	Yes
Cary Bushman	Yes
Leo Dolan	Yes
Lee Flischel	Yes
John Lucas	Yes

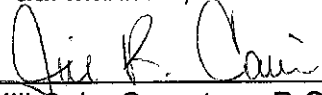
MOTION CARRIED

There being no further business a motion was made, and seconded, to adjourn.

The meeting adjourned at 8:30 p.m.



Paul Maxfield, Chairman



Jill Cain, Secretary, B.O.A.
(City Administrative Officer)