

City of Taylor Mill
Board of Adjustment Meeting
October 26, 2000

Chairman, Paul Maxfield called the meeting to order at 7:00 p.m. In attendance were:

Sherry Doggett

Paula Kuehne

John Lucas

Jack Osterhage arrived at 7:25 p.m.

Public hearing regarding 5029 Sandmann Drive, Taylor Mill, Kentucky.

Paul Maxfield relayed to the audience the procedures of the meeting.

Jim Mims of Birch, Trautwein and Mims, 3001 Taylors Road, Louisville, Ky 40220, will be the primary spokesperson.

STAFF REPORT

Diane Collins of Northern Kentucky Area Planning Commission gave report. The report is attached for reference.

Paul Maxfield asked if the applicant will pay for the cost of widening Honeysuckle. Ms. Collins confirmed that the applicant assume all cost for the widening.

Paul Maxfield asked also if the applicant will have to submit a conceptual plan to the City Commission but will not have to appear before the Board of Adjustments as long as they build up to 308 dwelling units if they were 30ft apart.

Paul Maxfield relayed the position of the Board of Adjustments and the authority they have.

APPLICANT REPORT

Paul Maxfield asked Mr. Mims if he understood about presenting the City Commission with a conceptual plan. Mr. Mims stated he did.

John Lucas asked Mr. Mims to speak more about the development of the units.

Mr. Mims believes that this is a well thought out project. Stated the various options that were studied and presented the model of the building that is being proposed. Consideration was given to the area and the type of land that they would be building on and that is why Mr. Mims and company had elected to choose the type of duplex that was

presented. The development does meet the Kenton County Subdivision Regulations. There is no particular reason that the variance being sought is 15 ft is that the R1 zone only dictates 10 ft variance. The company believes that 15 ft would give the area a single family character.

Paul Maxfield asked Mr. Mims to go over the sketch that was present, specifically going over the usual subdivision standards, roadways and phases.

Mr. Mims stated the site is 24 acres and indicated where the surrounding roads such as Sandmann and Honeysuckle were in relation to property. The main access will be by Honeysuckle Road. Honeysuckle Road will be widened to the entrance and then transitioning that width back along Honeysuckle in a southerly direction until it returns to existing roadway width. At the entrance the design is open and uncluttered with buildings to maintain the look around the mansion. The mansion will be used as a clubhouse to the residents of this community. There will be a roadway that then branches off to the south and one to the west. The roadway will be 22 – 24 ft in width with sidewalks, curbs and gutters. Provided to the board calculations that demonstrate that everything is in compliance with regulations. Trails will be developed along with a damn system that will help contain the storm water on the property. Street lighting will be there but not sure if the lighting will be used through ULH&P or street lighting to meet the look of the village. Mr. Mims has been in touch with Kenton County Sanitation District and on the property a public sanitary system will need to be constructed. The property is surrounded by water lines and will be maintained as public water. The roadways however will not be public. This project will be phased. Some of the walking trails will be completed in phase I. Projection of total completion is 3 – 4 years. It is not their intention to build roadways and infrastructures and leave dormant until they sell units. The question was asked if straw bale barriers and silt fences were permanent. Mr. Mims said that they were intended only while that area is under construction.

Bob White of Quall Group, 11720 Main Street, Middletown, KY 40243, was introduced. Mr. White says that this project is driven by marketing. As the units are sold, then other units are built. Construction is not started until 50% of the phase is sold. There are 24 units in each phase. Mr. White stated that there are 4 other sites for these retirement villages. Sherry Doggett asked if all the other units were fully occupied. Hopkinsville is fully occupied with a waiting list. Bowling Green has one phase fully occupied and another phase half occupied.

John Lucas asked that if the variance is not granted, would there be less units. Mr. Mims stated that there would not be less units. The original plan submitted was for 88 units and now has been constructed to 84 units. A building with multiple stories may be an option then.

Paula Kuehne asked why the ordinance states that there must be 30 ft. variance and Mr. Mims is asking for 15 ft. Ms. Collins answered that the 30 ft. is in place for emergency

vehicles. Ms. Collins stated that the reason for agreeing with this plan is due to there being two egress per building in the retirement village.

Sherry Doggett asked for another map showing the surrounding streets. Jill Cain gave out a city map showing the surrounding streets.

Paul Maxfield asked what impact the new road construction would have on this project. Mr. Mims says that as far as they are aware, it does not.

CITIZEN INQUIRIES

Pam Winston (758 Honeysuckle)

Ms. Winston stated that the Mansion/Clubhouse was built by her great great grandfather around 1840. The family would like to preserve the house. Ms. Winston has pictures and passed them around to the Board members.

Patty Winston Suetkamp (750 Honeysuckle)

Ms. Suetkamp's property runs the entire length of the proposed village and she is concerned about the storm water problems.

Lisa Hughes (757 Honeysuckle)

Concerned about the traffic problems, will Honeysuckle residents get sewers due to this construction and will the development take the residents frontage.

Martin Taylor (5012 Sandmann)

Concerned about a lift station. He says that he is proposing to give permission to put a gravity station on his property.

Teresa Hatfield (738 Honeysuckle)

Are the residents going to get sewers? What happens if the retirement home does not sell all of its units? Mr. Maxfield states that the deed remains with the Masons.

Afton Kordenbrock (728 Winston Hill)

Stated that he would like to see a plan with roadway widths, etc. Would like for the Board of Adjustments to deny the variance request.

Susan Taylor (5014 Sandmann)

Inquired as to if this would be the end of the construction on this project if the variance was approved. Will there be fences? The traffic is a problem now, how will it be remedied. What about the walkers, there are no sidewalks now and the extra traffic would cause a hazard to them.

Lee Moening (723 Forest)

The fact is that when units are built so close together, the heat from another building that might catch on fire is a danger.

Mark Kreimborg (684 Ridgeway)

States he is concerned about proposed distance between units. This development will be the first thing you see when you enter Taylor Mill and he would like to keep a suburban look versus an urban look. Developing the buildings that close would supply an urban look. Mr. Kreimborg states that an alternative to this may be for the City to take over 10 acres for city use and the Masons build on the back property. The City would then refurbish the mansion to be a city building, adding the fire department to the back. Mr. Kreimborg would like to speak to the Masons regarding this proposal.

Karen Sweat (717 Winston Hill)

Is concerned about the traffic problems. She states that she has seen the first proposed plans and these plans are much different than the original plan. Asks for the Board to watch the plans that are proposed in the future.

Marie Robke (715 Honeysuckle)

If the developers widen Honeysuckle, where will the road frontage come from? Her property or the Feldman property.

Arthur Robke (715 Honeysuckle)

Inquires on whether there will be basements under the units. The sewer line comes up behind his property and is concerned where the sewer lines for that property will go. Wants to know if there will be any buildings directly across the street from him.

Bob Haake (714 Vincent)

Concerned about water run off and drainage. Concerned about the development looking like a housing project.

Jack Osterhage asked for clarification if the City Council approved this development. Paul Maxfield stated that the developers need to go back to the City Commission for formal approval. The Commission has seen part of the presentation and asked for further information.

Jill Cain explained that the Council had reviewed a brief introduction of what the project was, but has not seen a formal conceptual plan. The Commission would like the variance to state that the company must present a conceptual plan to the City Council.

Mr. Mims answered all the questions that was presented by the audience. The mansion will be preserved and used as an office/clubhouse. As far as storm drainage, all subdivision regulations will be met. The widening of Honeysuckle will go from Sandmann to the main entrance of the facility. The road will be widened to 24 ft and will take the right of way and pave towards the facility. Mr. Mims talked about where the sewer lines will be on the property. Mr. Mims also stated that they had no objection to extending the line a little farther on Honeysuckle so that the residents can have the lines extended to

their property. There is a restriction in the will to the property that states that the property must be used for the Masons only. The Masons will hold the deed to the property.

The Board took a break at 8:35 p.m. Reconvened at 8:47 p.m.

Mr. Kordenbrock had stated that there is an Indian burial site on the property. Jeanine Kreimbrink, an archeologist, has stated that the burial site is not located on this property. All fencing will remain the same. The developers are not opposed to adding sidewalks to Sandmann Drive. There will be no basements, only crawl spaces.

Mr. Mims stated that he would like to speak to the Mayor about his ideas.

FINAL DISCUSSION

John Lucas commented on the variance requests. He has some concerns about the grading and the effect it could have on health and safety in regards to fires. To allow the variance would be circumventing a law that is not merited in this situation. Motion – The Board of Adjustments received a variance application from the Masonic Homes of Northern Kentucky, City of Taylor Mill, Kenton County where there it was requested a variance of 30 feet minimum building separation requiring the building separation to be reduced to fifteen feet. And having heard the testimony here this evening that this board finds that the granting of this variance would allow for an unreasonable circumvention of the requirements of the zoning regulations and would affect the public safety, health and welfare and therefore respectfully resolve that this variance and this request for a variance application be denied. Sherry Doggett made a second.

Opposed were Ms. Kuehne and Mr. Osterhage.

Mr. Maxfield was to make the deciding vote. Mr. Maxfield stated that being the tie breaker I am struggling with this and have been struggling with this all night and I will state my position. We have an opportunity here where from the zoning stand point they could build 380 dwelling units and space them 30 feet apart and meet that part of the zoning regulations. On the other hand, what Mr. Lucas had outlined was very legitimate and in a very strict issue of distance between building there is alot of land there. I am agreeing and voting yes for the motion possibly for the wrong reason but I am voting yes for the motion because in the strict sense I agree with Mr. Lucas's interpretation even though in the bigger picture it could come back to haunt us because they could go 30 feet apart and build more buildings without coming before this board. So as it stands the motion did carry 3 to 2 and your request has been respectfully denied based on the reasons we discussed. For what is worth, our part is over with, the clause exists where the city commission has to go through the conceptual development review. It doesn't have to come to us first, it can go to them first because even if it were to pass tonight and you would have gotten what you were asking for tonight there would have been an condition any way where you couldn't have done anything until they reviewed and approved it and maybe there is a middle ground that works I don't know. That remains to be seen. I

appreciate everyone's time tonight, the applicants time and the neighbor's time. This is one of those tough issues with the growing community.

Minutes from the previous meeting were not available but will be at the next regularly scheduled meeting.

The Board members have copies of the Armstrong case appeal. Another hearing has to be held to hear all the evidence again. Mr. Maxfield asked that this case be held at a regular meeting, schedule for December. The fee for the Board could be waived since the case was being heard again. Jill Cain will check into that request.

Motion to adjourn by Ms. Kuehne and seconded by Mr. Osterhage. Meeting adjourned at 9:20 p.m.