

**Taylor Mill Board of Adjustment Meeting 2/1/01  
7:00p.m.**

1. Roll Call
2. Confirmation Of Quorum
3. Approval Of Minutes
4. Public Hearing TM-2000-0070
  - a. Confirmation of Notification
  - b. Declaration of Conflicts
  - c. Declaration of Site Visits
  - d. Professional staff report-Diane Collins  
-Questions by Board Members
  - e. Zoning Administrator Report With Witnesses  
-Questions by Board Members
  - f. Applicant Report With Witnesses  
-Questions by Board Members
  - g. Interested Parties Report  
-Questions by Board Members
  - h. Closing Statements-Applicant & Zoning Administrator
  - i. Discussion by Board Members
  - j. Motion/Second-Regarding Findings of Fact
5. Public Hearing-TM-2000-0070
6. Adjournment

**CITY OF TAYLOR MILL  
BOARD OF ADJUSTMENT MEETING  
FEBRUARY 1, 2001**

Chairman, Paul Maxfield called the meeting to order at 7:00 p.m. The Administrative Secretary called the roll.

Paula Tretter	Here
Jack Osterhage	Absent
Paul Maxfield	Here
Sherry Doggett	Absent
John Lucas	Here
Lee Flischel	Here

Paul Maxfield confirmed a quorum.

Motion to table the approval of the minutes from the October 26, 2000 meeting until the next scheduled meeting by John Lucas. Paula Tretter made a second.

**MOTION CARRIED**

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

Paul Maxfield confirmed notification. Diane Collins stated that all parties involved had been notified.

Paul Maxfield asked if anyone had a conflict.

[Jack Osterhage present at 7:05 p.m.]

**STAFF REPORT**

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

Ms. Collins stated that the difference in the last meeting where the application for a variance was denied is the Masonic Homes went from 44 single family homes to 42 and the from a 15' variance to a 10' variance.

Paul Maxfield asked Ms. Collins if the City of Taylor Mill Commission had approved the conceptual plan for this development. Ms. Collins stated that this had been done. Mr. Maxfield was in receipt of a letter by Jill Bailey stating that there had been approval by the Commission. Mr. Maxfield asked if the rest of the plans were the same. Ms. Collins stated that it was the same with the exceptions of the changes above. Also, Chief Halpin had been consulted on the variance request to determine if that was adequate distance for

emergencies. Chief Halpin had no problem with the distance. The 25' wide streets with on street parking on one side was also acceptable.

Lou Noll, to be appointed to the Board of Adjustments, asked if Sandman and Honeysuckle Drives were dedicated streets. Ms. Collins confirmed that they were. Mr. Noll had a problem with Honeysuckle being widened to 24' instead of 25'. Ms. Collins replied that the Masonic Homes do not have to widen the street. It is being done at the cost of the Masonic Homes and the regulation states that the street can be widened from 20' – 25'. On street parking requires a widening of 25', but there will be no on street parking on Honeysuckle.

## **APPLICANT REPORT**

Mark Guilfoyle spoke on the comments made by Diane Collins. The concerns that had been expressed prior to this meeting have been addressed.

Jim Mims gave an overview of the project. I would like to thank each of you for your time in hearing this matter again. When we met the last time, we heard what you had to say about the concerns about this project. The most key and important issue tonight is the consideration of this project. Contrasting the 84 units, 42 buildings, that we are proposing with the well over 300 units that could be constructed on this site under the current zoning regulations, assuming that we would fully develop the tract. I think when you look at the project as we proposed it and you think about the development tract as apartments being well over 300, you will come to the conclusion that the proposal that is in front of the board tonight that the variance represents what we would consider to the benefit of the public health and welfare. However, we understand that the board is concerned about reducing the yard by 15' and we then considered our options. We eliminated 2 buildings and widened the space between the buildings to 20'. We have agreed to conform to all subdivision regulations.

Jack Osterhage asked if the new diagram has the two less buildings indicated on it. Mr. Mims stated that it does. Jack Osterhage asked how realistic is it that if this project was not approved that nothing would be developed on that property. Mr. Mims stated that Taylor Mill is a very dynamic part of the commonwealth and it would be realistic to think that this property would not be developed.

Paul Maxfield stated that it is his understanding that they would not expand past 42 buildings. Jim Mims stated that this is a binding plan and what has been proposed is what they are intending to build. There may have to be small adjustments while building but nothing major.

Jack Osterhage asked about the suit against the Board of Adjustments on the last denial of a variance. Mark Guilfoyle answered by stating that the law suit has been dropped and he has not intention of going to court.

Jack Osterhage asked if the Masonic Homes had spoke to Chief Halpin about the plan. Jim Mims stated that they had and the Fire Chief was ok with the 20' variance and the width of the roadway being 25'.

Paul Maxfield asked for clarification on parking. Jim Mims confirmed that there are driveways and garages. The on street parking would be for visitors and there should not be a need for on street parking.

Jack Osterhage asked if this development would be comparible to St. Charles. Mark Guilfoyle stated that it is.

Lou Noll questioned the statement that he had read about there being 90 additional parking spaces. Mr. Mims stated that there will be additional spaces at the clubhouse for visitors. The chosen mode of travel would be walking. Internal sidewalks will be in the development. Diane Collins stated that the 97 parking spaces include the garages, driveways and the additional parking at the clubhouse.

Larry Leis – the architect of the Masonic Homes – looking forward to building this development.

Bob White – Quail Group – spoke on other similar projects.

Lou Noll asked if the homes were individually owned or owned by the Masonic Homes. Bob White stated that they pay an entry fee and monthly payments for maintenance. If the person decides to move, they will receive 82% of the original entry fee.

Jack Osterhage inquired if there is anybody on site. Bob White says there is someone currently living in the mansion who is interested in staying on the premises. The details of the caretaker will be discussed later.

## **CITIZEN INQUIRIES**

Patty Winston Suedkamp – 750 Honeysuckle – Will there be any natural screening proposed from the back of the buildings against my property? Jim Mims answered that the trees will be left and a landscape plan will also be submitted as part of the construction plans. Ms. Suedkamp is concerned about the water runoff. Mr. Maxfield stated that there are requirements that the developers will need to follow. Will there be sidewalks installed from the project to Remkes? Jim Mims stated that there is no intention of adding a sidewalk to Remkes.

Jack Osterhage asked who would address the screening. Ms. Collins stated that Russell Cloyd will make the decision on the landscaping. Lou Noll asked for the correct zoning of this property. Ms. Collins stated that the design is PUD.

Art Robke lives across the street from the Masonic Homes and is concerned about the widening of Honeysuckle. Will the extra pavement be taken from his property? The traffic problem also needs to be looked into. Mr. Maxfield said that any traffic concerns should be brought before the City Commission.

### **CLOSING REMARKS**

Jim Mims responds to the storm water management inquiry by saying that there will be a "levy" on the property that will retain water and release the water slowly. Also, if the Farm would want to build a sidewalk from their facility to Remkes, the Masonic Homes would be willing to extend a sidewalk to connect to the Farm. There will be internal sidewalks in the village. Mr. Mims says that the widening of Honeysuckle would come off of the Feldman side. Ms. Collins responded by saying that if Honeysuckle would ever be improved, the road would need to be center and some of the widening would be taken from Mr. Robke's property. The City Engineer would have the final say on the right of ways.

### **FINAL DISCUSSION**

Paul Maxfield explained that at the last meeting the issue was a 15' variance and now the variance request is 20'.

Lee Flischel has no problem with the variance if the Fire Chief does not and the fact that the developers came back with the necessary changes is good. The traffic issue will probably be far less with this construction than a bigger construction.

John Lucas says that he respects the alternative presented by the Masonic Homes. The current request is a fair compromise.

Paul Maxfield states that is how he feels about this project and feels comfortable with the variance.

Lee Flischel makes a motion to grant the dimensional variance. Jack Osterhage asked if he could make the motion since he has been present at the past meetings. Motion to find that the variance would not adversely affect the public health, safety and welfare and grant the variance without altering the essential characters of the general vicinity. Grant the variance would not cause a hazard or nuisance to the public and would not allow an unreasonable circumvention of the requirement of the zoning regulations for the City of Taylor Mill. Therefore, I do move that we grant the variance as requested for a 20' variance between buildings. Mr. Flischel withdraws his original motion. John Lucas asked what the plan unit development meant. Paul Maxfield compared a PUD as Remkes development. Ms. Collins stated that if the property is altered after this variance is granted that they would need to come back before the board. Lou Noll disagreed. Paul Maxfield disagreed with Lou Noll. A condition can be made that if there is any additions

that the developer would need to come before the board. Mr. Osterhage does not want to put a condition onto the motion. Second made by Paula Tretter.

MOTION CARRIED

Motion to adjourn the meeting by John Lucas. Second made by Paula Tretter. Meeting adjourned at 8:15 p.m.