

## Boone County OKs 334-acre development

 BY MARK HANSEL • [MHANSEL@NKY.COM](mailto:MHANSEL@NKY.COM) • NOVEMBER 23, 2010

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An overflow crowd filled the Boone County Fiscal Courtroom on Tuesday night as its members addressed two high-profile issues.

In unanimous votes, Fiscal Court approved zone changes that will allow a major development project in Hebron to go forward and amended the county's concealed carry law.

Despite strong opposition from many local residents, including retired grocer Bob Flick and Boone County School Board member Ed Massey, Fiscal Court approved the development project with only one minor condition.

The issue has been a hot topic since an overflow crowd attended a public hearing

before the Boone County Planning Commission in July.

The Planning Commission voted to recommend approval of the zone changes but added 21 conditions, which were agreed to by the developer, in September.

Fiscal Court has the final say on zoning changes.

Representatives for the developer, the Toeppen Cos., spoke first and outlined the details of the 864-unit mixed-use project.

The development, which will be called Rivers Pointe Estates, will be located on North Bend Road near Stahl Road and could take up to 30 years to complete.

"It's my belief, this is exactly why (planning development overlay) zoning is put in place," said Hunter Gee, of project planner Smith Gee Studio.

The overlay will allow the developer considerable latitude within the 334-acre site, which it says is necessary for a project of this scale.

"The days of the standard subdivision may be over," John Toeppen, president of Toeppen Builders said. "I believe Boone County (will be) fortunate to have this type of community."

Flick said the zone changes would set a dangerous precedent.

"Whatever happens here is the new law for the county," he said.

Flick owns a home on Stahl Road adjacent to a portion of the project designated for multi-family housing. If developed as proposed, Flick said the 23 buildings housing more than 150 families would ruin his quality of life.

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Massey said the project will place an additional burden on the school system and criticized the developer for not meeting with school board members as he requested.

Unlike the public hearing in July, at which discussion was dominated by opponents of the project, several people at Tuesday's meeting spoke in favor of it.

"In these tough economic times Boone County should welcome this development," Bernie Kunkel of Walton said.

In the end, Fiscal Court sided with those who support the development.

"I realize we are not going to make everyone in this room happy tonight," Commissioner Cathy Flaig said, "but I recommend approval."

Flaig cited the need for economic growth in the county and said the loss of construction-related jobs has contributed to the high unemployment rate in the region.

Fiscal Court members added a condition that would free the county from any costs associated with a traffic light that might be installed at the entrance to the project.

Keith Noel, an attorney representing Flick, expressed disappointment that Fiscal Court members did not address his client's concerns before they voted.

"It shocks me that none of the four members of the Fiscal Court even thought enough of (Flick's) position to open up a discussion on the issue," Noel said. "It's a sad day when community members are put in the position of having to sue their own county to have their property rights protected."

Noel said that while litigation is a possibility, he acknowledged that it might be cost-prohibitive.

Judge-executive Gary Moore said he understood the concerns of those opposed to the project, but felt the planning commission had addressed most of them.

Fiscal Court also unanimously approved revisions to its concealed carry ordinance that will expand the number of county buildings where concealed weapons are allowed.

Perhaps because Fiscal Court members had indicated strong support for the measure in previous discussions, there was little discussion and no opposition to the measure.

County buildings where concealed carry will now be permitted include the Administrative Building, the Parks and Recreation Building, the Public Works Building, the animal shelter, all golf course buildings and any other county buildings where a restriction note is not posted.

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