

**WALTON BOARD OF ADJUSTMENT  
BUSINESS MEETING  
JULY 31, 2023  
6:00 P.M.**

Chairman Hincks called the meeting to order at 6:00 P.M.

**BOARD MEMBERS PRESENT**

Mr. David Hincks  
Mrs. Caitlin Fugate  
Ms. Barb Farrow  
Mr. Edward Sedor

**BOARD MEMBERS NOT PRESENT**

Mr. Steve Turner

**STAFF MEMBERS PRESENT**

Mr. Todd K. Morgan, AICP, Senior Planner

**LEGAL COUNSEL PRESENT**

Mr. Dale T. Wilson

**APPROVAL OF MINUTES**

Mr. Hincks stated the Board received copies of the minutes of the Walton Board of Adjustment meeting of September 19, 2022. He asked if there were any other comments or corrections. Ms. Farrow moved to approve the minutes and Mrs. Fugate seconded the motion. Mr. Hincks called for a vote and it carried unanimously.

**ACTION ON REVIEWS**

1. Request of Steve Berling for a Variance. The Variance would reduce the road frontage requirement to allow Fields Welding to have four access points on Mullen Drive. The approximate 9.19 acre site (lots 14-16 of North Walton Commerce Park) is located at 149 Mullen Drive, Walton, Kentucky and is currently zoned Industrial One (I-1).

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report).

Mrs. Fugate asked if trucks would continue to back up on Mullen Drive? Mr. Morgan replied that trucks are currently backing up in the right-of-way and that access point isn't proposed to change. The proposal would add two new curb cuts at least one of them will be used by semi-trucks and include backing motions in the right-of-way. Mayor Brown has written a letter in support of the application knowing the backing motions occur. This Board has to make the

decision if the Variance should be approved based on the applicable criteria found in the Staff Report. The County Engineer also wrote an email indicating that he will approve the Encroachment Permits if the Board grants the Variance.

Mr. Sedor asked if the County Engineer sees any problems with trucks backing in the Mullen Drive right-of-way? Mr. Morgan replied that Mr. Franxman's email indicates that truck backing typically isn't permitted on a county road but he will allow it on this city street if the Mayor and Walton Board of Adjustment are okay with it.

Mr. Morgan said his understanding is that people from Balance Dynamics Motorcycle Training have called and complained about the trucks backing up on Mullen Drive.

Mr. Sedor asked if the backing motions in the right-of-way can be eliminated with the proposed expansion? Mr. Steve Berling, with Berling Engineering, said he has been working with Fields Welding since it started on Mullen Drive. Trucks are currently backing up to a 10-ton crane and that will not change. The existing 30' wide access point isn't wide enough and trucks have issues getting in and out. Fields Welding is expanding and will have a 25-ton crane in the back. The proposed steel delivery access point will be made 40' wide. This will allow trucks to get in and out without damaging anything across the road. The semi-truck drivers are not Fields Welding employees and there can be a bad one every now and then. The business is growing and they need a 25-ton crane. Mullen Drive is 30' wide and is flat in the subject area. It's also easy to see in both directions. The proposed expansion will allow Fields Welding to stay in Walton and could bring 15 more employees. Three entrances would be permitted if each of the three lots was in separate ownership. The busiest access point is the employee parking lot. He offered to answer any questions.

Mr. Hincks asked the time of day the semi-trucks come in and out? Mr. Berling said he talked with Mr. Fields and they normally come in between 9:00 A.M. and 3:00 P.M. Mr. Hincks said he was concerned about since there is a residential subdivision at the end of Mullen Drive.

Mrs. Fugate asked what lot the addition is on? Mr. Berling responded that he believes it is on lot 14.

Mrs. Fugate asked if Mr. Berling and Mr. Fields felt the new driveway would allow trucks to easily back in and pull out? Mr. Berling responded that steel trucks will back into the new drive and will offload heavier steel on the 25-ton crane at the back of the building. The steel will then be fabricated and loaded in the building. The proposed 40' wide entrance will help eliminate any problems associated with backing in or pulling out. Trucks will always back in and pull out of the driveway. Mr. Berling also confirmed that the access point that ties directly into the building is back in and pull out. Mr. Morgan asked if that could be changed? Mr. Berling said it's impossible with the business operation. Mr. Berling said semi-trucks do not go through the building. They go in so far and come out. He added that steel isn't delivered every day.

Ms. Farrow asked for clarification that backing motions would occur into three of the four access points. Mr. Berling agreed. Mr. Morgan said the only exception is the employee parking/trailer storage lot.

Ms. Farrow said it sounds like the steel deliveries happen between 9:00 A.M. and 3:00 P.M. and asked how those would impact school busses. Mr. Berling said Mr. Fields understands the delivery timeframes better than he does. He added that semi-trucks only deliver steel a couple times per week and the only problem he is aware of is trucks rutting up properties across the street. He is not aware of any school bus issues.

A gentleman from the audience asked how wide the current entrance is. Mr. Berling responded that it is approximately 25' wide. He added they are aware of the backing issue and that's why they are asking for the new steel delivery driveway to be wider.

Mr. Sedor asked where steel is delivered now? Mr. Berling responded semi-trucks use the existing driveway that is located immediately to the southeast of the building. Trucks back into this driveway from Mullen Drive and offload the steel onto a crane.

Mr. Bernie Fields said he was the owner of Fields Welding and the business has been on Mullen Drive the last 7 years. He indicated that he is not aware of any conflicts between school busses and steel trucks. He cannot control deliveries and it's possible they can occur early in the morning, middle of the day, or late afternoon. They try to schedule deliveries but sometimes the trucks do not show at the designated time. They are open from 6:30 A.M. and close at 2:30 P.M. Sometimes they are open until 3:30 P.M. It all depends on the time of year and weather. They are starting earlier now because of the heat. Later in the year they will probably start at 7:00 A.M. A 3:00 P.M. delivery would be abnormal with their work hours right now. Most of the deliveries occur before lunch because they start early. Mr. Hincks said the school busses leave the school lot about 2:55 P.M.

Mr. Sedor said most interference would occur with Balance Dynamics, Best Sanitizers, and the residential neighbors. Mr. Morgan agreed. Mrs. Fugate said Best Sanitizers is open from 7:00 A.M. to 3:30 P.M. Their lunch break from 12:00-1:00 P.M.

Mr. Hincks asked if anybody else in the audience wanted to speak for or against the request?

Mr. Jesse Turner said he lived at 320 Rocky Pointe Court and Mullen Drive is their only way in and out of their subdivision. There are about 250 homes in the subdivision and there are a lot of trips in and out. The sidewalks in the industrial park are only on the Fields Welding side of Mullen Drive. As a result, trucks will be backing up over the sidewalks the residents use. This creates a hazard for adults and children that use the sidewalks. Sometimes the steel truck drivers show up at 7 or 8 P.M. and they park on the street in a no parking zone. These trucks impair sight distance into the curve to the north. Trucks can also miss the turn and travel further south into the circle. The circle was redesigned because of the trucks.

Mr. Robert Fornash said he lived at 328 Rocky Pointe Court. He takes his daughter to the daycare on Mullen Drive about 7:00 A.M. Another access point with backing motions on Mullen Drive creates more traffic and safety concerns, especially considering the proximity of the daycare. The backing motions can also make him late to work. The trucks like to park on Mullen Drive and back in the access point when the business opens. The truck parking creates sight-distance issues through the curve to the north. Mr. Berling said he doesn't think it would be a blind curve where the entrance is proposed. Amerigas is located closer to the curve. Mr. Fornash said people like to speed through there. Mr. Morgan reviewed the photos and the proposed access points. Mr. Berling said he believes that Fields Welding has good

sight and stopping distances through the curve. Talbert's Woodworking and the daycare may have sight distance issues. He cannot help that a daycare chose to go in an industrial park. Mr. Fornash said he has seen a dump truck leave tire marks on the road from hitting their brakes hard in the curve. He has also been held up multiple times by trucks backing up in the morning and has been written up at work over it. Mr. Berling said they are wanting to make a bigger and wider entrance so truck drivers have an easier time. They can also look at the existing entrance and possibly make it wider. They know they have a problem and are trying to make it better.

Mr. Patrick Blevins said he lived at 324 Rocky Pointe Court. He believes the trucks coming out of the site will scrape up against the new Tempflex facility across the street. He also has concerns about more dirt and debris coming into the lake that is between the industrial park and residential neighborhood. Mr. Berling said they will be adding silt fencing and detaining storm water and will get all necessary approvals. They believe having a 40' wide entrance will eliminate all issues with the adjoining properties across Mullen Drive.

Mr. Sedor asked if the trucks can be scheduled so they don't come in early in the morning?

Mrs. Fugate asked if the access points can be signed so the truck drivers know where to go? She also asked if the truck drivers could pull into the new driveway and park if they arrive before or after business hours? This would eliminate tractor trailers from parking on the road. Mr. Berling said they could add signage and make it so multiple trucks could park in the driveway behind the sidewalk. Mr. Hincks asked what the signs would look like? Mr. Morgan said code allow 5' tall, 6 square foot directionals at curb cuts and 5' tall, 10 square foot directional inside parking lots.

Mrs. Fugate asked for the silt fences to be checked regularly and to be maintained. The pond is used by the residents and their children frequently. People want the lake to stay clean.

Mr. Hincks asked if that access point has to be gated for security reasons? Mr. Berling said the fencing could be pushed back towards the crane to allow multiple trucks to park. A gentleman asked if trucks would block the other access point that ties directly into the building. Mr. Berling said those trucks park inside the building. Mr. Fields said the purpose of that access is for straight trucks to pick up short materials that are 20' or less in length.

Mr. Blevins said he has concerns about trucks running all night. Mr. Berling said he understands the concern but added that vegetation will be added to the rear of the site.

Mrs. Fugate asked if the existing steel delivery access point will continue to be used? Mr. Berling and Mr. Fields said it will because it is used to access to 10-ton crane. She asked if the new driveway could be used as a waiting area for all delivery trucks that arrive outside business hours? They stated the driveway could be used that way.

Mr. Hincks asked if anybody else wanted to speak? Ms. Amy Long said she lived at 309 Old Nicholson Road. She asked if they were agreeable to widening the existing steel delivery access point? Mr. Berling and Mr. Fields said they could look into that.

Mrs. Fugate asked if the two cranes will connect? Mr. Fields said they will not connect. There will be a gap between them.

Mrs. Fugate asked when he planned on starting construction. Mr. Fields indicated that it depends on interest rates. It might be a year or two.

Ms. Farrow moved to approve the application with the following conditions:

1. All delivery trucks coming to the site outside of work hours shall park in the 25-ton crane driveway that will be constructed to the northwest of the building addition. As a result, the fence and gate that is proposed in this driveway shall be located far enough back to allow after hours parking for two or more trucks.
2. The existing semi-truck delivery driveway shall be widened to approximately 40' in width to assist trucks with backing into the site from Mullen Drive.
3. Directional signs are required at all four access points to guide truck traffic. The signs shall be approved through the Sign Permit application process.

Mr. Sedor seconded the motion. Mr. Hincks called for the vote and it carried unanimously.

**OTHER**

Mr. Hincks asked if anybody had anything else to discuss and nobody replied.

**ADJOURNMENT**

Mrs. Fugate made a motion to adjourn the meeting and Ms. Farrow seconded the motion. Mr. Hincks called for the vote and the meeting was adjourned by unanimous consent at 7:00 P.M.

**APPROVED**

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**Mr. David Hincks**

**ATTEST:**

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**Todd K. Morgan, AICP**  
**Senior Planner**