

APPLICATION FORM

**ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION**

(See Boone County Zoning Regulations)  
**SECTION A** (To be completed by applicant)

1. Name of Project SEARS & WALLACE PROPERTY
2. Location of Project S.R. 20 HERRON KY.
3. Total Acreage of Site 57.80 A
4. Current Zoning of Site SR-1
5. Proposed Zoning (Classification being requested) I-1
6. Proposed Uses (please specify each use) INDUSTRIAL USES - PRIMARYLY  
OFFICE / DISTRIBUTION + OFFICE / WAREHOUSE
7. Names of Applicant(s) PAUL HERRER DEVELOPMENT CO. II / MIKE HARRIS
8. Phone Number 341-8300 Fax No. 341-6817
9. Address of Applicant(s) 250 GRANDVIEW DR.  
FORT MITCHELL, KY 41017  
City State Zip
10. Name of Property Owner(s) BY OPTION
11. Phone Number 341-8300 Fax No. 341-6817
12. Address of Property Owner(s) 250 GRANDVIEW DR.  
FORT MITCHELL, KY 41017  
City State Zip
13. Proposed Building Intensities (please specify) 750,000 - 900,000 SF  
SEE SITE DEV. STUDIES 1 & 2
14. Are there any existing buildings on the site?  
How many? 4 FARM BUILDINGS / HORSES
15. Deed Book \_\_\_\_\_ Page No. \_\_\_\_\_ Group No. \_\_\_\_\_
16. Are you also applying for:  
NO Conditional Use Permit SEE ATTACHED PLAT  
NO Dimensional Variance
17. Have you submitted a Concept Development Plan? YES
18. Have you had a pre-application meeting with BCPC Staff? YES (KEVIN COSTELLO)
19. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department

EXHIBIT  
“A”

## STAFF REPORT

Request of Paul Hemmer Development Co. IV/MikeHargis (owner by option) to consider a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 54.8 acre tract located on the north side of KY 20, approximately 120 feet west of Ada Lane/KY 20 intersection, Boone County, Kentucky.

May 24, 2000

### Request

The applicant's proposal is to change the existing zoning classification from Suburban Residential One (SR-1) to Industrial One (I-1) for "Industrial Uses-Primarily Office/Distribution & Office/Warehouse" with proposed building intensities of up to 900,000 square feet. The applicant has supplied two (2) concept development plans for the purpose of showing the development along the existing KY 20 and a possible relocation of KY 20.

### Site Characteristics

The site consists of 54.8 acres lying on the north side of Petersburg Road (KY 20) extending to the right-of-way of I-275. The majority of the Wallace property is wooded. The Sears property is and has been a working farm and is therefore relatively flat and open. These properties drain toward Ada Lane to the east and I-275 to the north.

### Surrounding Zoning and Land Uses

- North: I-275, residential property fronting on Elijah Creek Road currently zoned Agricultural Estate (A-2), and the Airpark International Subdivision currently zoned Industrial One/Concept Development (I-1/CD)
- East: The Ada Gross Subdivision with residences along Ada Lane currently zoned Suburban Residential One (SR-1)
- South: Rural property along Petersburg Road (KY 20) currently zoned Suburban Residential One (SR-1) as well as the Stephenson Color Photo property zoned Commercial Two and Industrial One (I-1) since 1980
- West: Parcels owned by Dallas, Eggleston, and the Kenton County Airport Board currently zoned Suburban Residential One (SR-1)

### Relationship to the Boone County Comprehensive Plan

The Future Land Use Map shows the subject property as Transportation (T). This classification is defined in the adopted Comprehensive Plan as:

Transportation: "Airports, major four lane roads, interstates, and interchanges."

The Land Use Element within the 1995 Boone County Comprehensive Plan only refers to this general area by stating:

"In the event that the proposed 3<sup>rd</sup> north-south runway is not constructed, the Hossman Road area between KY 20 and KY 237 is planned for a Business Park district that should reflect an office campus environment. This development would require reconstruction of the northern end of Hossman Road; at the intersection with KY 20, the roadway would extend southward, eliminating the two existing ninety degree turns and reconnecting with Hossman Road as it borders the airport."

The Business Activity Element within the 1995 Boone County Comprehensive Plan refers to this area in the following:

"Property on the north side of KY 20 and near existing and planned Airport runways should be developed with a planned combination of industrial and office uses if existing and future land uses are properly buffered from adjoining uses. The area surrounding the Airport and Airport property should be closely examined to explore industrial and office development opportunities."

The recently adopted 2000 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. Proper future growth management for Boone County is implemented ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Proper design principles shall be applied in development ("Overall," Objective 3).
- D. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed ("Overall," Objective 4).
- E. ***A public process of visioning, which shall include the selection of specific areas of Boone County, shall be pursued as a means of recommending a theme or character for future land use planning and development design ("Overall," Objective 5).***
- F. Boone County shall have a sustainable economy that both restores and protects the environment and also brings forth innovation and prosperity with meaningful employment opportunities for all its citizens ("Economy," Goal).

- G. Employment opportunities shall be encouraged for the citizens of Boone County ("Economy," Objective 1).
- H. Base industries-(agriculture, mining and manufacturing activities) and non-base industries (education, commerce, service, health, government, etc.) Shall be promoted in suitable locations exemplifying how the county is a vital part of a strong regional, metropolitan economy ("Economy," Objective 2).
- I. The benefits of an international airport shall be optimized to promote appropriate economic development ("Economy," Objective 3).
- J. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- K. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage ("Business Activity," Objective).
- L. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future Industrial development must be located where infrastructure exists or is planned. Future Industrial districts shall be identified in advance of residential development so that the potential impacts are known and can be addressed ("Business Activity," Industrial Objective 1).
- M. Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals or other regulatory agencies. ("Business Activity," Industrial Objective 2).

**Staff Concerns/Comments**

- 1. Even at maximum build out of the requested 900,000 square feet on the 54.8 acres, the building intensity would only be approximately 16,424 square feet/acre. The maximum building intensity permitted in the Industrial One (I-1) zone is 25,000 square feet/acre.
- 2. Airport expansion directly affects the type and location of development in this part of Boone County.

3. Staff is confident that the applicant proposes to develop this property in a similar manner to the Airpark International subdivision and would agree to allowing Staff review of the building(s) facades as part of the Major Site Plan Review.
4. With regard to the proximity of this project to the established residential neighborhoods, staff is concerned about issues such as site lighting, even though the entire subdivision may be purchased by the airport in the near future.
5. Staff received a letter from Dale Huber, Deputy Director of Aviation, regarding this project. This letter is attached to the Staff Report.
6. If approved, the Future Land Use Map would not need to be altered.

### Conclusion

The Boone County Planning Commission and the Boone County Fiscal Court must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment.

1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,
2. The existing zoning classification is inappropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the areas character.

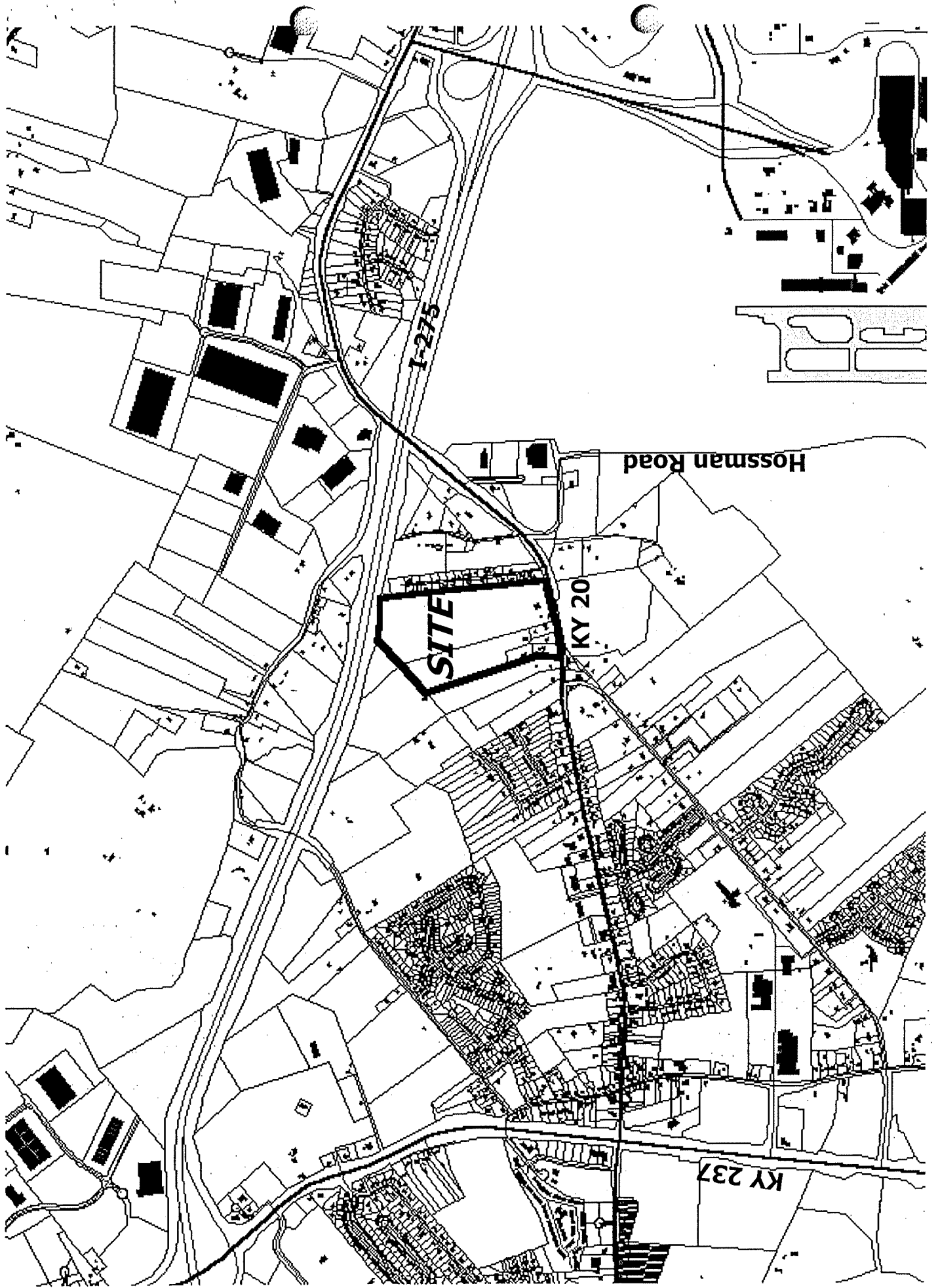
Respectfully Submitted,

  
Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer

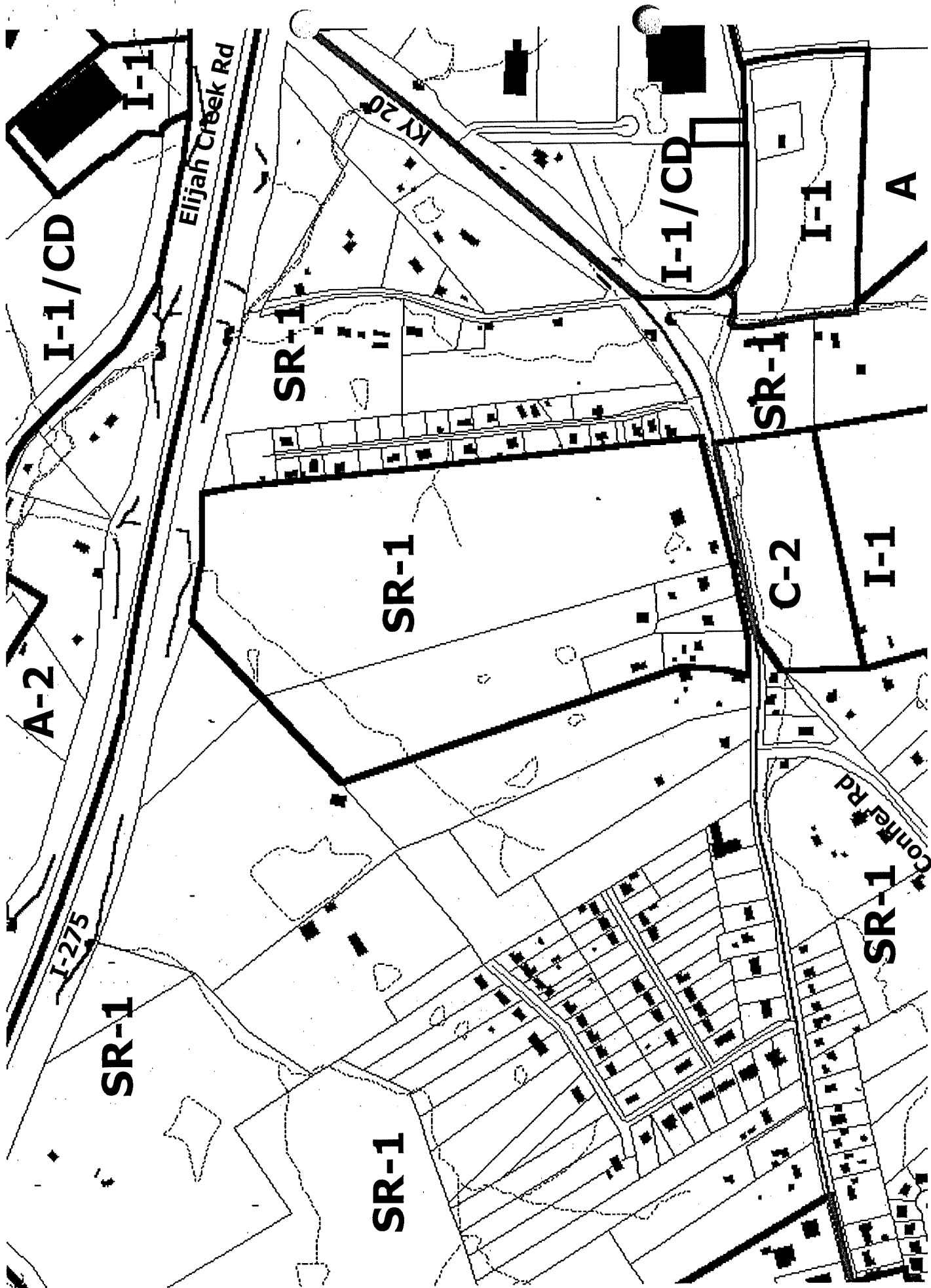
MAL/pr

### Attachments:

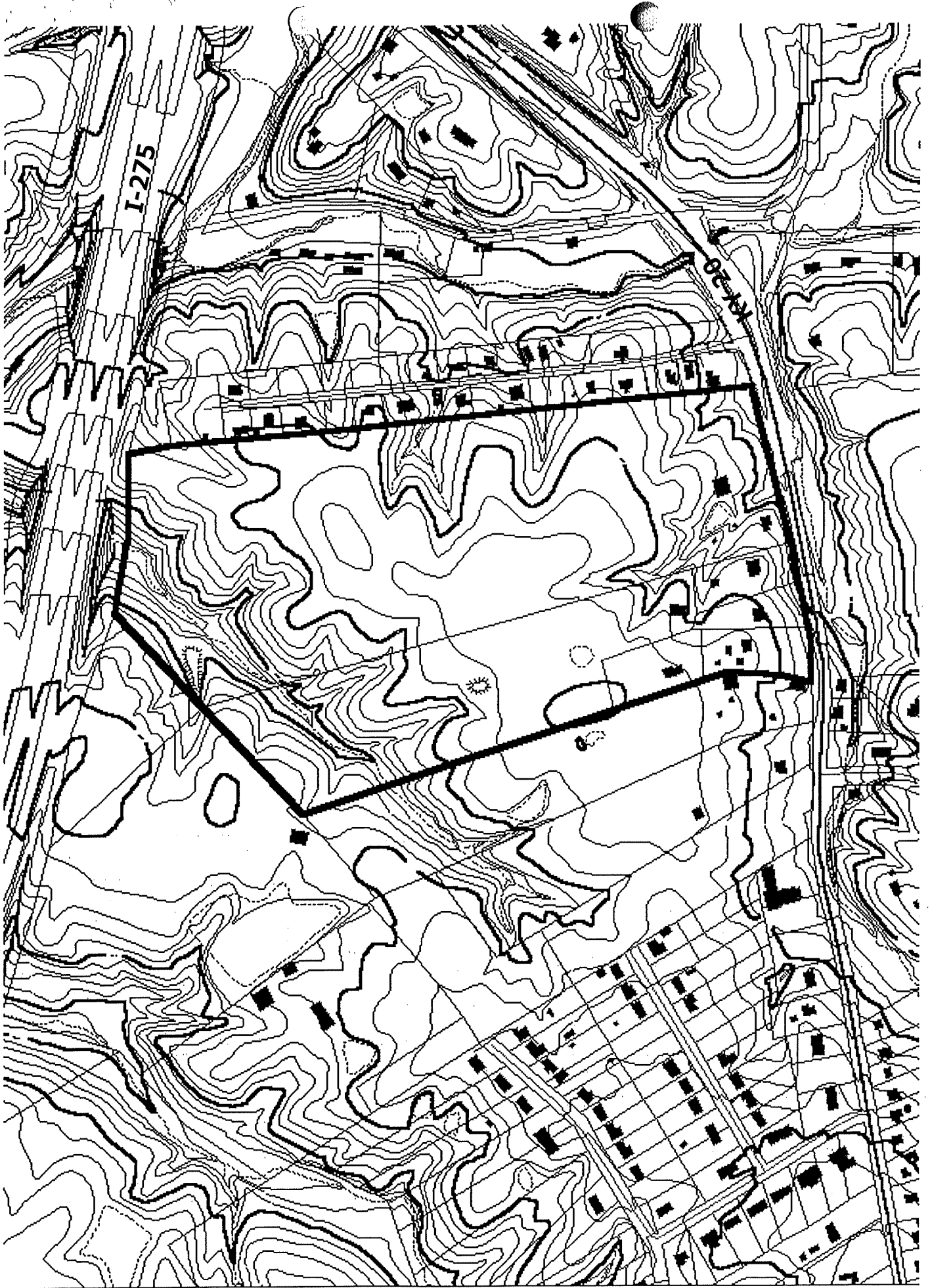
- Vicinity Map
- Zoning Map
- Existing Topography
- Concept Development Plan
- Letter from Dale Huber, Deputy Director of Aviation
- Application



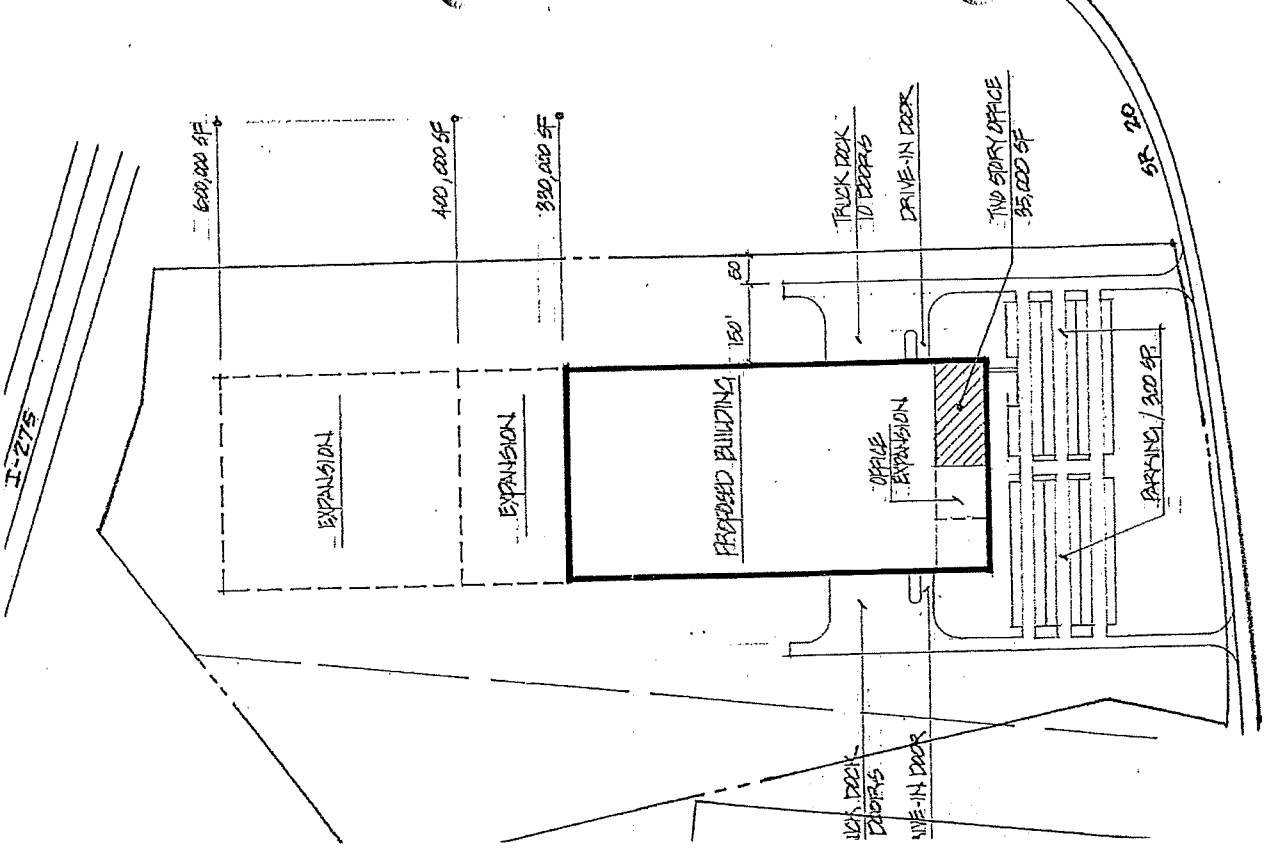
**VICINITY MAP**



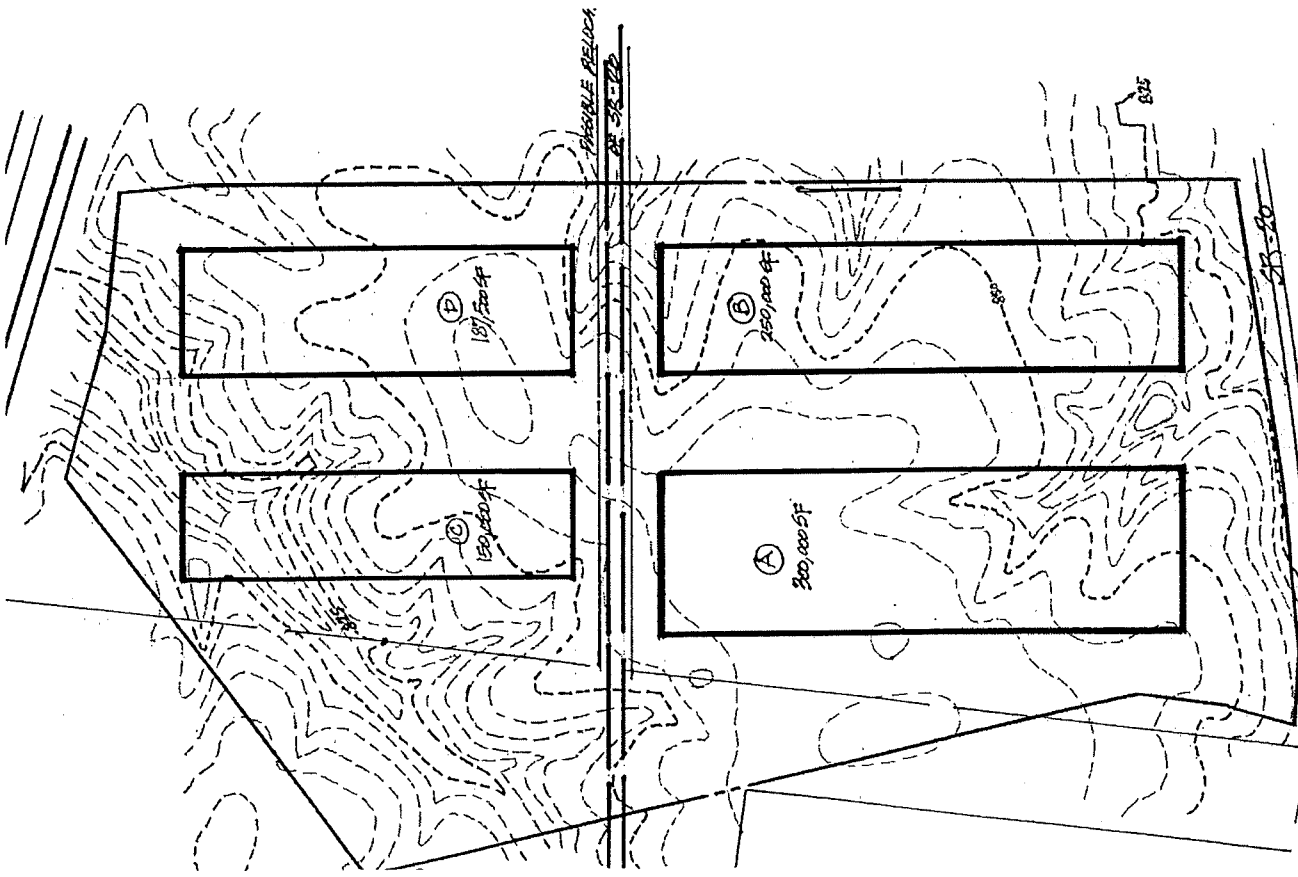
**ZONING MAP**



**EXISTING SITE TOPOGRAPHY**



**SITE DEVELOPMENT STUDY - 2**  
 SCALE = 1" = 200'  
 GEARS/VALLEE - RT. 20



**SITE DEVELOPMENT STUDY - 1**  
 SCALE = 1" = 200'  
 GEARS/VALLEE - RT. 20



**CINCINNATI/NORTHERN KENTUCKY INTERNATIONAL AIRPORT**

P.O. BOX 752000 CINCINNATI, OH 45275-2000 (606) 767-3151 FAX (606) 767-3080

May 16, 2000

May 19 2000

Mr. Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

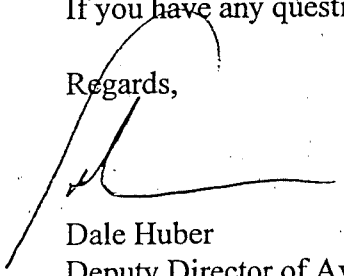
Dear Mr. Light:

Thank you for your recent letter concerning a Zoning Map Amendment on a 54.8-acre tract located proximate to Route 20 and Ada Lane in Boone County, Kentucky.

Airport Staff has had discussions on this matter with the applicant and at this time there is no objection to the Zoning Map Amendment. However, we would request that the applicant consult with us prior to implementation of any development plans. This will allow for appropriate accommodations of any Route 20 realignment and the Runway Protection Zone associated with Runway 17-35.

If you have any questions, please call me at 767-3152.

Regards,

  
Dale Huber  
Deputy Director of Aviation

DH/tsd

APPLICATION FORM

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)  
SECTION A (To be completed by applicant)

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How many? 4 FARM BUILDINGS / HOUSES
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NO Dimensional Variance
17. Have you submitted a Concept Development Plan? YES
18. Have you had a pre-application meeting with BCPC Staff? YES (KEVIN COSTELLO)
19. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
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- Boone County Public Works Department
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- City of Florence Public Services Department
- Boone County Building Department

**Public Hearing Item No. 2:**

**Commission Members Present:** Mrs. Arnett - Secretary/Treasurer, Mr. Barlow, Mr. Hicks, Mr. McMillian, Mr. Newman, Mrs. Poston, Mr. Reynolds, Mr. Ries – Temporary Presiding Officer, and Mr. White.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Todd Morgan, Planner.

**Legal Counsel Present:** Mr. Dale Wilson

Mr. Robert Ries, Temporary Presiding Officer introduced the second item on the Agenda:

1. **Applicant:** **Paul Hemmer Development Co. IV/Mike Hargis**  
**(owner by option)**

**Request:** **Zoning Map Amendment**

**The request of Paul Hemmer Development Co. IV/Mike Hargis (owner by option) to consider a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 54.8 acre tract on the north side of KY 20, approximately 120 feet west of the Ada Lane/KY 20 intersection, Boone County, Kentucky.**

Staff Member Mitch Light presented the Staff Report (see Staff Report). Slides were not shown due to a problem with the equipment.

Mr. Ries asked for the applicant's presentation.

Mike Hargis stated that they met with Staff. All utilities and infrastructure are in place. They have been coordinating with the airport and the Highway Department. The relocation of KY 20 is up in the air and they are showing two possible development scenarios. The development will be right next to the taxiway for the new runway. The airport has approved this use on this site.

This concluded the applicant's presentation.

Mr. Ries asked if there was anyone present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition to the request or having questions. There was no response.

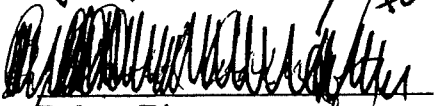
Mr. Ries asked if there were any comments or questions from the Commissioners.

Mr. Hicks stated that with airport expansion in the area, the Planning Commission will see more requests for zone changes to Industrial and Office. He noted that the C-2 area across the road is undeveloped. He stated that as the airport continues to expand, people will be bought out. He stated that the applicant is trying to show that SR-1 is not suitable in the area. Mr. Light responded "Not with a runway next to the site".

There being no further comments, Mr. Ries stated that the Committee Meeting for this item will be on June 1, 2000 at 5 P.M. in this room. This item will be on the Agenda for the Business Meeting on June 7, 2000 at 7:30 P.M..

Mr. Ries closed this Public Hearing.

**APPROVED:**

*W. F. Cheney for*  
  
Robert Ries  
Temporary Presiding Officer

**Attest:**



**Jan Hancock, Recording Secretary**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
June 3, 2000  
7:30 P.M.**

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Mr. Arnold Caddell, Chairman, called the meeting to order at 7:34 P.M..

**COMMISSION MEMBERS PRESENT:**

Mrs. Judy Arnett, Secretary/Treasurer  
Mr. Randy Barlow  
Mr. Arnold Caddell, Chairman  
Mr. W. Thomas Chaney, Vice Chairman  
Mr. Mark Hicks  
Mr. Richard Knock  
Mr. Don McMillian  
Mr. Robert Newman  
Mrs. Susan Poston  
Mr. Bob Schwenke  
Mr. Earl White  
Mrs. Lisa Wilson  
Mr. David Zimmer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Charlie Reynolds  
Mr. Robert Ries, Temporary Presiding Officer

**LEGAL COUNSEL PRESENT:**

Mr. Larry Dillon

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Jan Hancock, Secretary  
Mr. Mike Homer, Planner  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

3. **Zoning Map Amendment**

The request of **Thomas Breidenstein (applicant)** for **Hannah Marcum (owner)** to consider a Zoning Map Amendment from Rural Suburban (RS) to Industrial Two (I-2) for a 3.88 acre tract on the north side of Youell Road, approximately 750 feet east of the Limaburg Road/Youell Road intersection, Boone County, Kentucky. The request is for a zone change to allow industrial uses.

Staff Member Mike Homer presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to a condition (see Committee Report). The property owner has signed the letter agreeing to the condition.

There being no discussion, Mr. Chaney moved by resolution to Fiscal Court that the request be approved based on the Committee Report. Mr. Schwenke seconded the motion and it carried unanimously.

4. **Zoning Map Amendment**

The request of **Paul Hemmer Development Co. IV/Mike Hargis (owner by option)** to consider a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 54.8 acre tract on the north side of KY 20, approximately 120 feet west of the Ada Lane/KY 20 intersection, Boone County, Kentucky.

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

There being no discussion, Mr. Hicks moved by resolution to Fiscal Court that the request be approved based on the Committee Reports. Mr. McMillian seconded the motion and it carried unanimously.

5. **Wireless Communications Facility**

The request of **SprintCom, Inc. (applicant)** for **Hoquet/Meisel, LLC (owner)** to consider an application for a wireless telecommunications facility at 7567 Mall Road, Florence, Kentucky.

Chairman Caddell stated that this item is recommended for deferral to the June 21, 2000 Business Meeting at 7:30 P.M.. The Committee Meeting will be on June 21, 2000 at 6:30 P.M.. Mr. McMillian so moved. Mr. White seconded the motion and it carried unanimously.

Mr. Costello stated that the applicant will submit a written agreement to extending the time limitations.

**EXHIBIT**  
**“B”**

## COMMITTEE REPORT

**TO:** Boone County Planning Commission

**FROM:** Mark Hicks, Chairman

**DATE:** June 7, 2000

**RE:** Request of Paul Hemmer Development Co. IV/MikeHargis (owner by option) to consider a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 54.8 acre tract located on the north side of KY 20, approximately 120 feet west of Ada Lane/KY 20 intersection, Boone County, Kentucky.

### REMARKS:

We, the Committee, recommend approval of this request based upon the following findings of fact and with the following conditions:

#### Findings of Fact

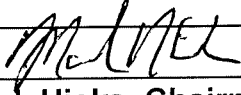
1. The Committee has concluded that the applicant has adequately demonstrated that the existing zoning classification of Suburban Residential One (SR-1) is inappropriate and that the proposed zoning classification of Industrial One (I-1) is appropriate.
2. The Committee has concluded that the map amendment request is in agreement with the adopted Comprehensive Plan and its Future Land Use Map.
3. The Committee has concluded that the attached conditions are necessary to mitigate any foreseeable impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

#### Conditions

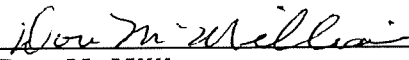
1. The architectural design of the proposed building(s) will be reviewed by Staff as part of the Major Site Plan.
2. No more than one (1) foot candle of illumination will be permitted to spill over from this property onto any adjoining properties. A Photometric Plan will be required as part of the Major Site Plan.
3. No public address system will be utilized by any future user(s) on the 54.8 acre tract.
4. A six (6) foot berm with landscaping along both sides of KY 20 will be required only if the road is relocated through this 54.8 acre tract. This will be reviewed as part of the Major Site Plan.

5. Landscaping along KY 20 (existing or proposed) will be reviewed as part of the Major Site Plan.
6. The future tenant(s) in the proposed development will be prohibited from having a business that performs any of the following Industrial One (I-1) activities:
  - a. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut. Also prohibited are the primary manufacture of meat and fish, which include the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
  - b. Textile mill products, including the primary manufacture of dyes, fibers, felt, and rubber goods;
  - c. The wholesale trade of groceries and related products in enclosed facilities, including animals and raw farm materials and products;
  - d. Automobile and truck rentals;
  - e. Truck stops;
  - f. Recycling centers;
  - g. Fire stations or fire related or protective services including rescue services;
  - h. Storage of explosives, fireworks, gas, or petroleum;
  - i. Blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining, or smelting;
  - j. Creosote treatment;
  - k. Distillation of bones, coal or wood;
  - l. Poultry and small game dressing and packing;
  - m. Bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
  - n. Wholesale vehicle sales or auctions;
  - o. Churches, synagogues, temples and other places of religious assembly for worship.

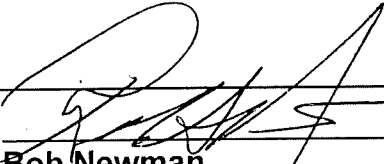
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

  
\_\_\_\_\_  
**Mark Hicks, Chairman**

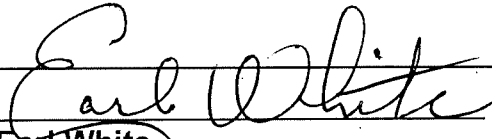
For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

  
\_\_\_\_\_  
**Don McMillian**

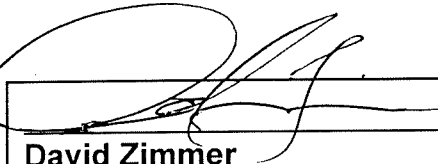
For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

  
\_\_\_\_\_  
**Bob Newman**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

  
\_\_\_\_\_  
**Earl White**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

  
\_\_\_\_\_  
**David Zimmer**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**TOTAL: 5 FOR — AGAINST — ABSTAIN — ABSENT**

**Public Hearing Item No. 2:**

**Commission Members Present:** Mrs. Arnett - Secretary/Treasurer, Mr. Barlow, Mr. Hicks, Mr. McMillian, Mr. Newman, Mrs. Poston, Mr. Reynolds, Mr. Ries – Temporary Presiding Officer, and Mr. White.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Todd Morgan, Planner.

**Legal Counsel Present:** Mr. Dale Wilson

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**(owner by option)**

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Mr. Ries asked for the applicant's presentation.

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This concluded the applicant's presentation.

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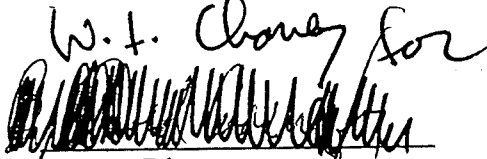
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There being no further comments, Mr. Ries stated that the Committee Meeting for this item will be on June 1, 2000 at 5 P.M. in this room. This item will be on the Agenda for the Business Meeting on June 7, 2000 at 7:30 P.M..

Mr. Ries closed this Public Hearing.

**APPROVED:**

*W. F. Choney for*  
  
**Robert Ries**  
**Temporary Presiding Officer**

**Attest:**

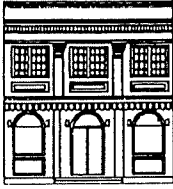


**Jan Hancock, Recording Secretary**

# SUPPORTING INFORMATION

# BOONE COUNTY PLANNING COMMISSION

---



2995 Washington Street • Burlington, KY 41005

[www.boonecountyky.org](http://www.boonecountyky.org)

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: [plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

June 6, 2000

Mr. Michael Hargis  
Paul Hemmer Development Co.  
541 Buttermilk Pike  
Covington, KY 41017

RE: Conditions of Approval for the request of **Paul Hemmer Development Co. IV/Mike Hargis (owner by option)** to consider a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 54.8 acre tract located on the north side of KY 20, approximately 120 feet west of Ada Lane/KY 20 intersection, Boone County, Kentucky.

Dear Mr. Hargis:

The following represents the conditions of approval for the above referenced application as agreed by the Boone County Planning Commission's Zone Change/Concept Plan Committee. If you agree to these conditions, please indicate so by providing the signature of the property owner on the agreement stated at the end of this letter.

## Conditions

1. The architectural design of the proposed building(s) will be reviewed by Staff as part of the Major Site Plan.
2. No more than one (1) foot candle of illumination will be permitted to spill over from this property onto any adjoining properties. A Photometric Plan will be required as part of the Major Site Plan.
3. No public address system will be utilized by any future user(s) on the 54.8 acre tract.
4. A six (6) foot berm with landscaping along both sides of KY 20 will be required only if the road is relocated through this 54.8 acre tract. This will be reviewed as part of the Major Site Plan.

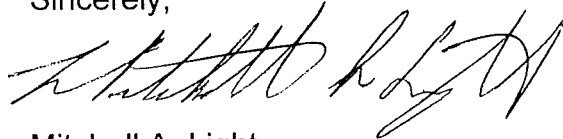
Mr. Michael Hargis  
Paul Hemmer Development Co.  
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5. Landscaping along KY 20 (existing or proposed) will be reviewed as part of the Major Site Plan.
6. The future tenant(s) in the proposed development will be prohibited from having a business that performs any of the following Industrial One (I-1) activities:
  - a. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut. Also prohibited are the primary manufacture of meat and fish, which include the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
  - b. Textile mill products, including the primary manufacture of dyes, fibers, felt, and rubber goods;
  - c. The wholesale trade of groceries and related products in enclosed facilities, including animals and raw farm materials and products;
  - d. Automobile and truck rentals;
  - e. Truck stops;
  - f. Recycling centers;
  - g. Fire stations or fire related or protective services including rescue services;
  - h. Storage of explosives, fireworks, gas, or petroleum;
  - i. Blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining, or smelting;
  - j. Creosote treatment;
  - k. Distillation of bones, coal or wood;
  - l. Poultry and small game dressing and packing;

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- m. Bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- n. Wholesale vehicle sales or auctions;
- o. Churches, synagogues, temples and other places of religious assembly for worship.

Sincerely,

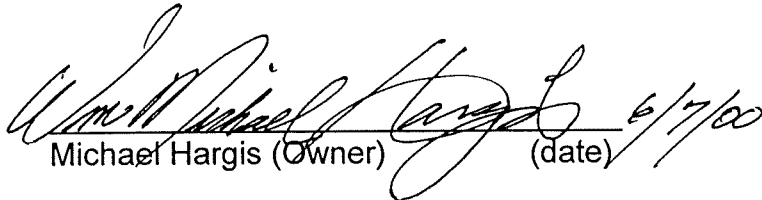


Mitchell A. Light  
Asst. Zoning Administrator/Enf. Officer

MAL\pr

Agreement

I, Michael Hargis, do hereby agree to the conditions of approval stated above for the Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 54.8 acre tract located on the north side of KY 20, approximately 120 feet west of Ada Lane/KY 20 intersection, Boone County, Kentucky.



Michael Hargis (Owner) (date) 6/7/00



# VIOX & VIOX, INC.

Consulting Engineers & Surveyors

## DESCRIPTION OF 54.80 ACRES TO BE REZONED

- Planning

Located in Boone County, Kentucky, lying on the north side of Kentucky Highway 20, 139 feet west of Ada Lane and is more particularly described as follows:

Beginning at a point in the north right-of-way line of Kentucky Highway 20, said point being 139 feet west of the centerline of Ada Lane and also being the westerly line of the Gross Land Division; thence with said right-of-way line S 75-33-44 W 552.36 feet to a point; thence S 78-55-00 W 343.54 feet to a point; thence S 88-17-25 W 133.74 feet to a point; thence N 10-18-56 E 134.81 feet to a point; thence N 02-39-56 E 166.00 feet to a point; thence N 18-29-42 W 1511.28 feet to a point; thence N 47-46-04 E 496.28 feet to a point; thence N 46-49-45 E 435.75 feet to a point in the southerly right-of-way line of I-275; thence with said right-of-way line S 79-56-21 E 285.64 feet to a point; thence S 89-48-03 W 258.85 feet to a point; thence leaving said right-of-way line S 10-46-13 E 141.97 feet to a point; thence S 05-50-43 E 1977.44 feet to the point of beginning containing 54.80 acres more or less.

- Design

- Surveying

I-275

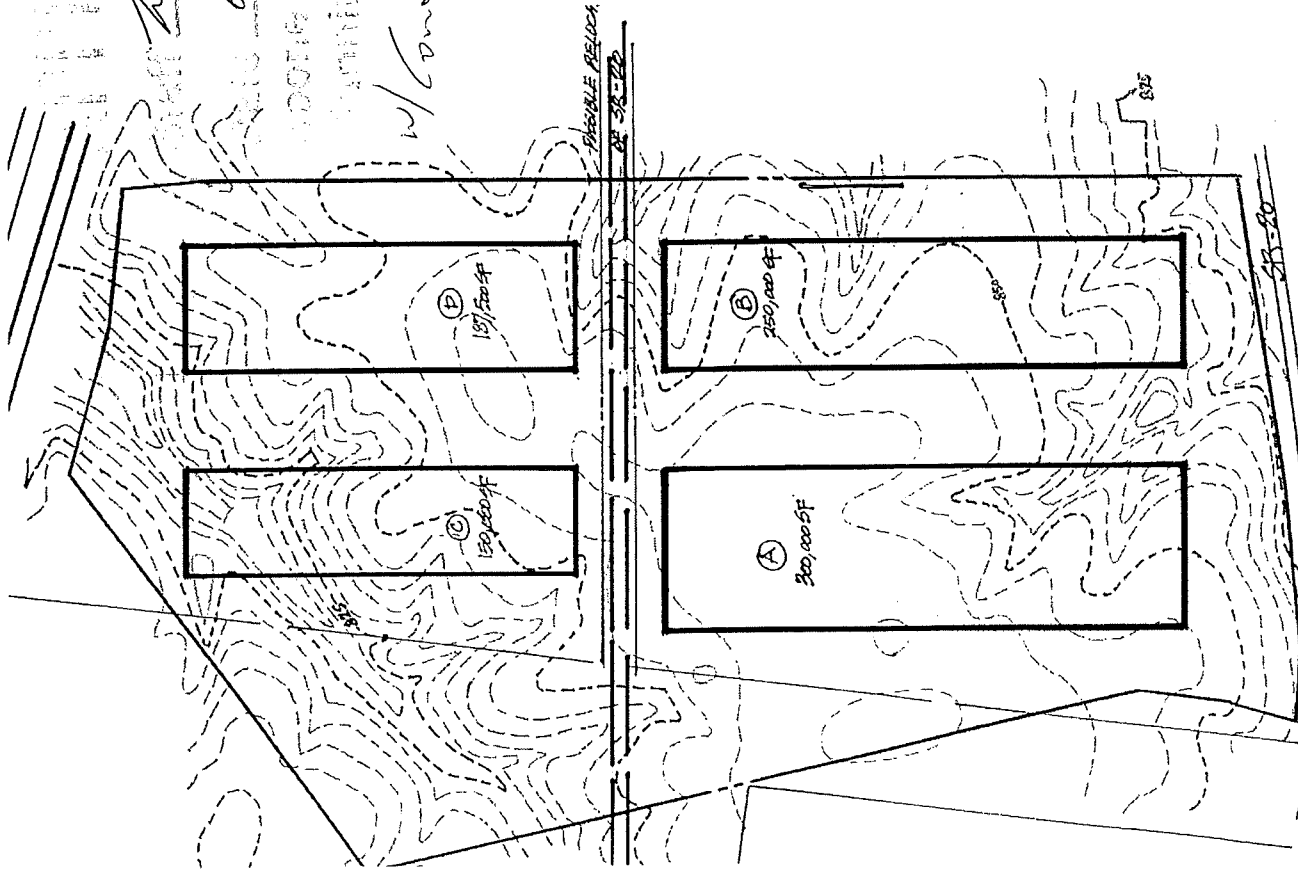
Robert R. Lyda

6/7/2000

Rock County Planning Commission

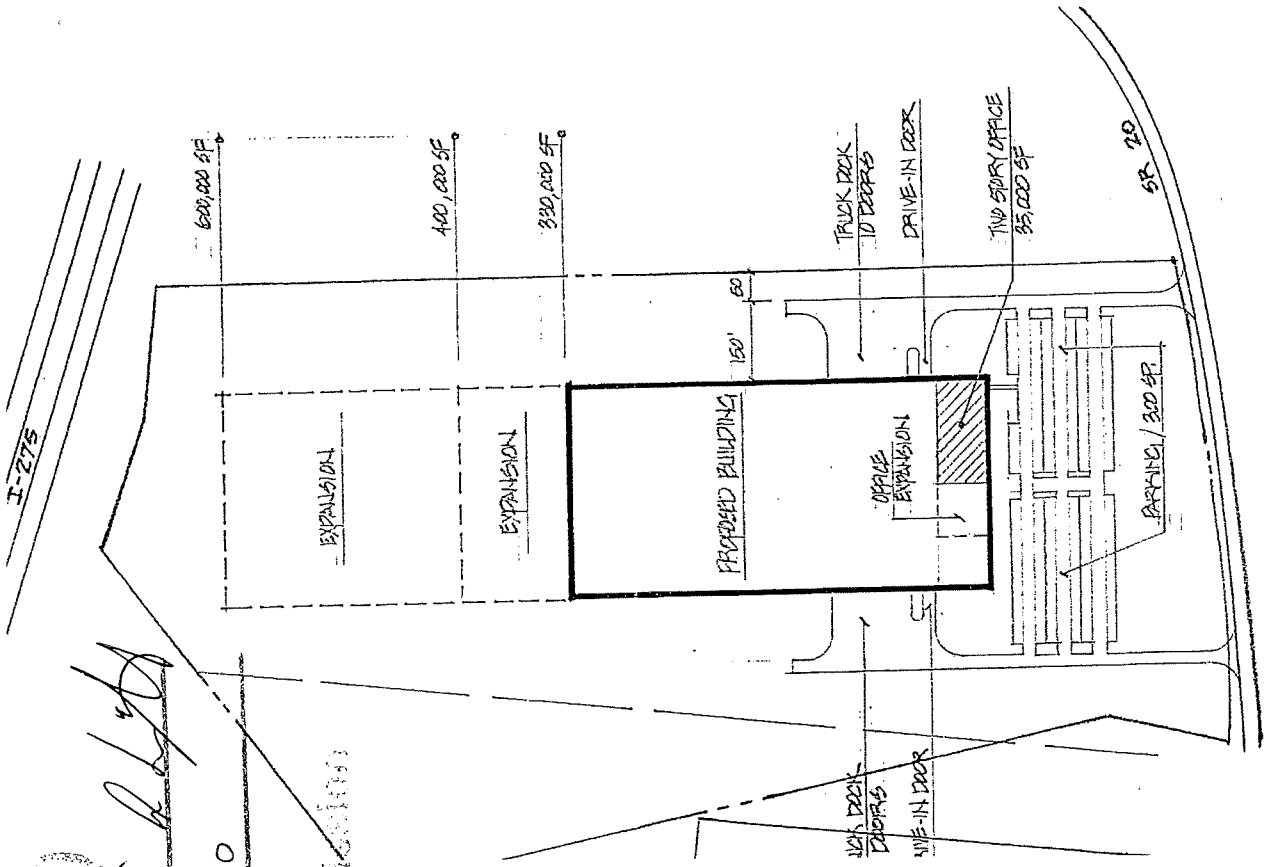
w/conditions

PERMITS REQUIRED BY SR-72



# SITE DEVELOPMENT STUDY-1

SCALE = 1" = 200' SEARS/WALLACE ~ RT. 20



# SITE DEVELOPMENT STUDY-2

SCALE = 1" = 200' SEARS/WALLACE ~ RT. 20



**Ordinance**  
**Of**  
**The Boone County Fiscal Court**

**Ordinance No. 2000-17**

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF PAUL HEMMER DEVELOPMENT CO. IV / MIKE HARGIS (OWNER BY OPTION) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO INDUSTRIAL ONE (I-1) ON A 54.8 ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF KY 20, APPROXIMATELY 120 FEET WEST OF THE ADA LANE/KY 20 INTERSECTION, BOONE COUNTY, KENTUCKY, AS RECOMMENDED UNANIMOUSLY BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION NO. R-00-015-A.

**WHEREAS**, the Boone County Fiscal Court received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) on a 54.8 acre site generally located on the north side of KY 20, approximately 120 feet west of the Ada Lane/KY 20 intersection, Boone County, Kentucky, which is more particularly described below; and,

**WHEREAS**, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:**

**SECTION I**

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment being a Zone Change from Suburban Residential One (SR-1) to Industrial One (I-1) on a 54.8 acre site generally located on the north side of KY 20, approximately 120 feet west of the Ada Lane/KY 20 intersection, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOKS 169, 405, 311, 238 and 169; PAGE NOS. 41, 268, 14, 180 and 210, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**SECTION II**

That as a basis for the recommendation of approval for a Zoning Map Amendment request are the findings of fact and conditions of the Boone

**Ordinance**  
**Of**  
**The Boone County Fiscal Court**

**Ordinance No. 2000-17**

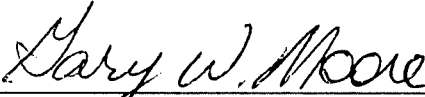
County Planning Commission as set forth in its minutes and official records for this request shall be and is hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A", except that condition 6 (0) is eliminated.

**SECTION III**

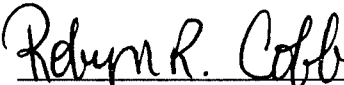
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced and given First Reading on the 11<sup>th</sup> day of July, 2000.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 18<sup>th</sup> day of July, 2000, and on the same occasion signed in open session by the County Judge-Executive as evidence of his approval, attested by the County Fiscal Court Clerk and declared to be in full force and effect.

  
\_\_\_\_\_  
GARY W. MOORE  
BOONE COUNTY JUDGE-EXECUTIVE

ATTEST:

  
\_\_\_\_\_  
ROBYN R. COBB  
FISCAL COURT CLERK

  
\_\_\_\_\_  
LARRY CRIGLER  
BOONE COUNTY ATTORNEY

7-27-00  
\_\_\_\_\_  
DATE PUBLISHED