

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

R E C E I V E D

JUN 20 2002

BOONE COUNTY
PLANNING COMMISSION

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

1. Name of Project Moss Veterinary Clinic
2. Location of Project Ridge Road, Florence (Behind Shell Station)
3. Total Acreage of Site Approx. .75 acres.
4. Current Zoning of Site _____
5. Proposed Zoning (Classification being requested) C-2
6. Proposed Uses (please specify each use) Veterinary Clinic, Dog Grooming, R&D Testing, Medical/Dental Lab, Physicians, Beauty/Barber Shop, Day Care, Accounting/Insurance/Real Estate Office.
7. Names of Applicant(s) Greg Schrand
Phone Number 859-485-9888 Fax No. 859-485-9090
8. Address of Applicant(s) 281 Richwood Road
Walton Kentucky 41094
City State Zip
9. Name of Property Owner(s) KKC Investors
Phone Number 859-485-9888 Fax No. 859-485-9090
10. Address of Property Owner(s) 281 Richwood Road
Walton, Kentucky 41094
City State Zip
11. Proposed Building Intensities (please specify) 1 Building
12. Are there any existing buildings on the site? No
How many? _____
13. Deed Book 398 Page No. 167 Group No. ~~365~~
14. Are you also applying for:
 Conditional Use Permit
No Dimensional Variance
15. Have you submitted a Concept Development Plan? No
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. 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 **Greg Schrand (applicant)** for **KKC Investors (owner)** for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial Two (C-2) for an approximate 0.75 acre tract located on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The request is for a zone change to allow a veterinary clinic and other commercial uses.

July 24, 2002

REQUEST

This request is for Zoning Map Amendment, changing the zoning of the subject property from Suburban Residential (SR-2) to Commercial Two (C-2). The applicant proposes construction of a 2,440 square foot veterinary clinic, constructed of masonry with wood trim. The applicant has indicated that an additional building will be constructed in the future to allow leasing of additional commercial space on this lot. Possible uses for this structure include dog grooming, research and development or product testing, a medical/dental lab, a physician's office, a beauty/barber shop, or an accounting/real estate office. Twenty four (24) parking spaces are to be provided on the southern parcel ("B"). A twenty-five foot wide buffer yard is indicated adjacent to the east, west, and south property lines. A landscape plan was not included with the application, nor was a sign package submitted with the Concept Development Plan.

The Concept Development Plan indicates that the applicant was requesting a change in zoning for parcels "C" and "B." However, parcel "C" was included in a Zoning Map Amendment in 1988, at which time the parcel's zoning was changed from Suburban Residential Two (SR-2) to Commercial Two (C-2). Thus parcel "C" will not be subject to a zone change, since the requested zoning (C-2) currently exists on this parcel. As shown on the Concept Development Plan, the buildings, which are located in parcel "C," are not subject to the requested change in zoning. There is only one improvement to be made to parcel "B," the lot for which the change in zoning is required: the applicant proposes creating 24 parking spaces on this lot.

SITE HISTORY

1988 - The Boone County Planning Commission approved a request to re-zone a 2.29 acre site, located at the southeast corner of Ridge Road and Kentucky 18, on September 21, 1988, changing the zoning from Suburban Residential Two (SR-2) to Commercial Two (C-2). Four parcels were included in the request. The northernmost parcel, "Parcel E," is the site of a Shell station and car wash. The applicant had no uses proposed on the other parcels. The Planning Commission approved the request, imposing five conditions upon the development. Among these conditions was one that "Parcel B," the southernmost parcel, remains SR-2 to provide a buffer between the commercial development and the commercially-zoned property. Additionally, the Planning

Commission required that the applicant provide right-of-way and construct a future frontage for a future road through the site if the property to the east were developed. The committee report, which details all the conditions, is attached. The Boone County Fiscal Court passed an ordinance allowing the zone change on November 8, 1988. The ordinance imposed the conditions that the Planning Commission had proposed.

SITE CHARACTERISTICS

The site's topography is flat, ranging from 914 feet in the extreme northwestern corner of the site to 908 feet in the southwestern corner. A stand of mature evergreens is located between 27 and 8 feet from the southern property line.

ADJACENT LAND USES

- **North:** The Shell gas station and carwash, zoned C-2.
- **South:** A single family residence, zoned C-2.
- **East:** Vacant land, zoned SR-2.
- **West:** A single-family residence, zoned C-1.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site as "Suburban Density Residential" in the southwest portion of the site. This is described in the Comprehensive Plan as follows:

"Single family housing of up to four units per acre. This classification also includes any low-density or estate residential developed as a subdivision (p. 158, '2000 Existing and Future Land Use Classifications')."

The southeastern portion of the site is designated as "Urban Density Residential," which is described as follows:

"Attached housing, generally condominiums or apartments, of over 8 dwelling units per acre (p. 158, '2000 Existing and Future Land Use Classifications')."

The northern portion of the parcel is designated as "Commercial," which is defined as follows:

"Retail, corporate, and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc (p. 158 '2000 Existing and Future Land Use Classifications')."

The Land Use Element provides the following quotes that are applicable to the site:

A. "This section of Boone County includes some of the western growth areas of Florence, including Mall Road and KY 18. It also contains some of the most rapidly growing residential areas in the county, particularly from KY 18 south to Union (p. 163 'Pleasant Valley-West Florence Area')."

B. "Hopeful Church Road should continue to serve as a residential corridor, and no commercial uses should occur past the KY 18 or US 42 frontage properties. The proposed commercial land uses on KY 18 should be planned with careful access management, including continuous parallel roadways. Development should create commercial clusters rather than strip centers which parallel KY 18. These commercial uses must also be designed to be compatible with existing and proposed residential developments along KY 18 (p. 163 'Pleasant Valley-West Florence Area')."

C. "The large area between Hopeful Road and Oakbrook Road, south of KY 18 to Pleasant Valley Road, should develop in a Suburban Residential fashion. The area must develop with local access and limited access collector road connections as a high priority (p. 163 'Pleasant Valley-West Florence Area')."

The Land Use Element's Future Land Use Development Guidelines provide the following general statements that relate to the proposal:

A. "Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate (pg. 159, 'Buffering')."

B. "Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping also helps to purify the air of harmful pollutants, reducing health impacts (p. 159, 'Landscaping')

C. "Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system (pg. 159, 'Access Management')."

D. "Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadway classification and function must be used in the planning for and designing of new developments. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths but should provide connections to adjoining uses where appropriate. Public open space and recreation sites should be connected by bicycle and pedestrian paths where appropriate (p. 159 'Transportation and Pedestrian Network')."

E. "Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify specific development, but should not be used as a means to compete for motorist attention (pg. 160, 'Design, Signs, and Historic Preservation')."

The Business Activity Element provides the following remarks relating to the general area:

A. "Commercial developments that occur in the KY 18 and US 42 corridors should be limited in scale (e.g. building, intensity, use, etc.) and clustered to serve growing residential neighborhoods. Planned Unit Developments should be encouraged so that commercial construction is incorporated within new residential areas. These commercial clusters should not function as an extension of Florence and Mall Road but as a distinct unit serving the Burlington and Union areas. This principle should apply to the Limaburg area and surrounding area as well. The commercial development in this area should coordinate closely with the projected high and medium density residential development to form a more coherent community rather than just a strip extending out of Florence. An example of this type of design is the Oakbrook Marketplace, which ties into the subdivision while serving a larger marketplace (p. 70, 'Areas of Commercial Activity')."

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

A. "Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments.

B. "Proper design principles shall be applied in development ("Overall" Objective 3, p.4)

C. "Future growth shall be accompanied by adequate infrastructure and services ("Overall" Objective 4, p.4)"

D. "Boone County shall strive to achieve both a diversity and balance in land use ('Overall' Objective 6, p. 4)."

E. "The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ('Population' Goal, p. 5)."

F. "New development or redevelopment within Boone County is designed, constructed, and operated in such as way that the quality of the existing physical environment and social environment are protected and enhanced. Development within Boone County preserves and promotes a better quality of life ('Environment' Goal, p. 5)."

G. "New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ('Environment' Physical Objective 2, p. 6)."

H. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ('Business Activity' Goal, p. 8)."

I. "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' Overall Objective, p. 8)."

J. "Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space (Business Activity, Commercial [Retail and Office] Objective 1, p. 8)."

K. "The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood ('Business Activity,' Commercial [Retail and Office] Objective 2, p. 8)."

L. "Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting, patterns, and access ('Business Activity,' Commercial [Retail and Office] Objective 2, p. 8)."

M. "Proper access to adjoining property shall be provided and/or retained when a property develops or redevelops ('Transportation' 2nd Goal, Objective 3, p. 14)

STAFF COMMENTS / CONCERNS

1. The Planning Commission and Boone County Fiscal Court will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues raised in this review include the following:

A. The Future Land Use Map classifies the area in which the site is located as appropriate for suburban density residential development. Furthermore, the Land Use Element also recommends that the area develop in a suburban residential fashion, with local access and limited access collector road connections as a high priority.

B. The Business Activity Element stipulates that commercial development along the KY 18 and US 42 corridor should be of a limited scale and should be clustered to serve residential neighborhoods. Planned Unit Developments are recommended for this area to enable businesses to serve new residential development.

2. The governing bodies will also need to consider the alternate findings for a zone change. The 1988 Zoning Map Amendment for the three parcels north of the site, allowing construction of the Shell station, imposed five conditions on the development of the site.
3. The design of the structure, which features masonry and wood and has an appearance similar to that of a residential structure, may help make it an appropriate transitional land use between commercial and residential land uses. The Land Use Element of the 2000 Boone County Comprehensive Plan notes in the section entitled, "Design, Signs, and Historic Preservation" that the design of a development should be a primary concern in its initial stages. New development should blend in with existing development. The design of the proposed clinic fits easily with the existing residential development to the south.

The Goals and Objectives for the Business Activity Element state that commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space. The proposed veterinary clinic would likely serve the needs of the Greenview subdivision, the residential development on Ridge Road, and other nearby residential areas. The Goals and Objectives further state that the mixing of commercial and non-commercial land uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The clinic would generate only limited traffic and noise. While a 25-foot buffer yard has been proposed at the southern property line, no design has been included for this buffer yard. No animals would be boarded overnight at the site.

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 criteria necessary for a Zoning Map Amendment. The Future Land Use Map will need to be changed if the request is approved.

Respectfully submitted,



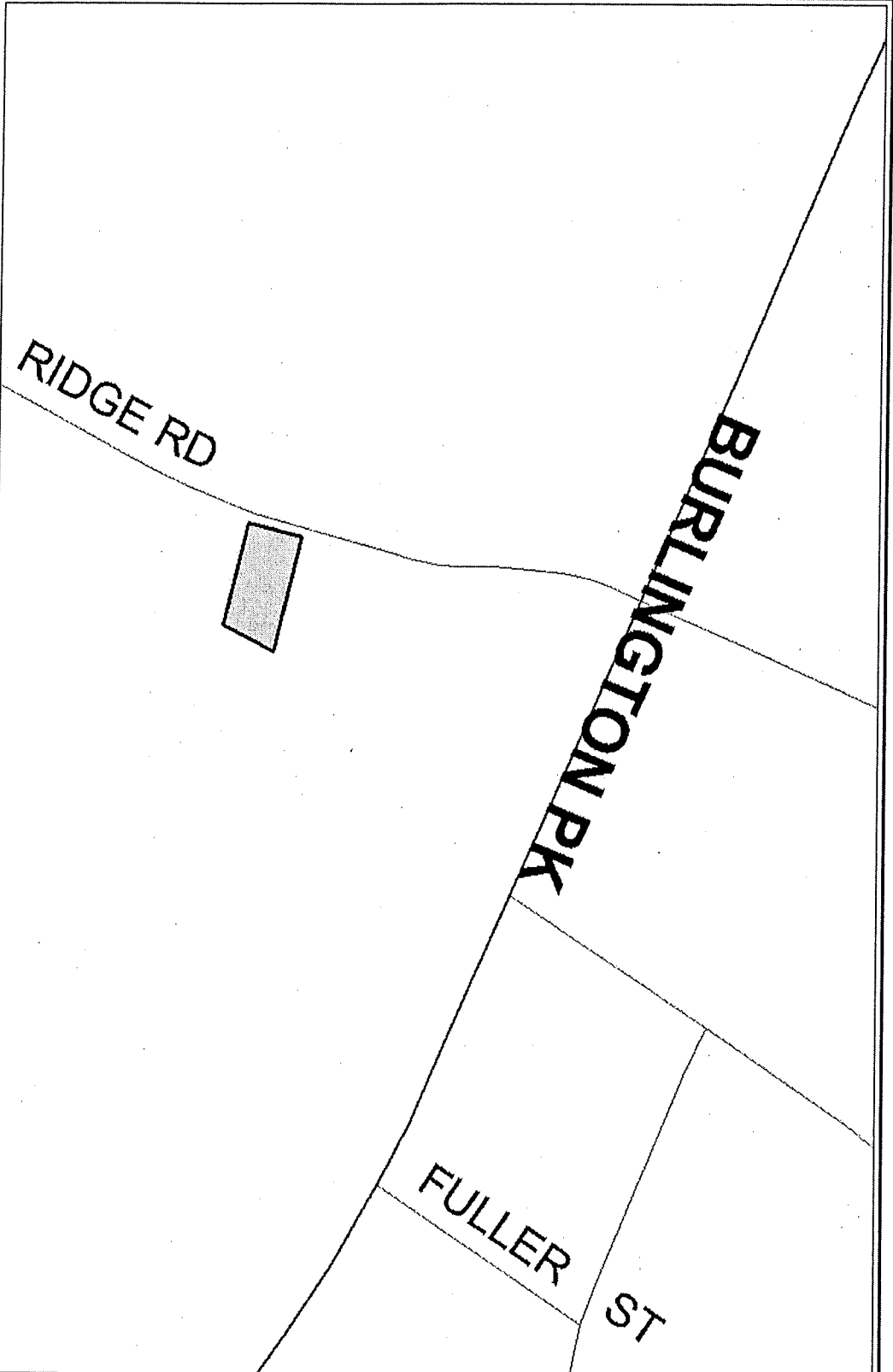
Patty Bachman
Planner

PB/pr

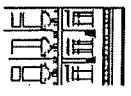
Attachments:

- vicinity map
- aerial photo w/zoning information
- future land use map excerpt
- site topography
- application materials including concept development plan
- committee report dated September 21, 1988

Moss Veterinary-Vicinity Map



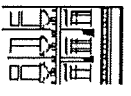
1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
July 24, 2002



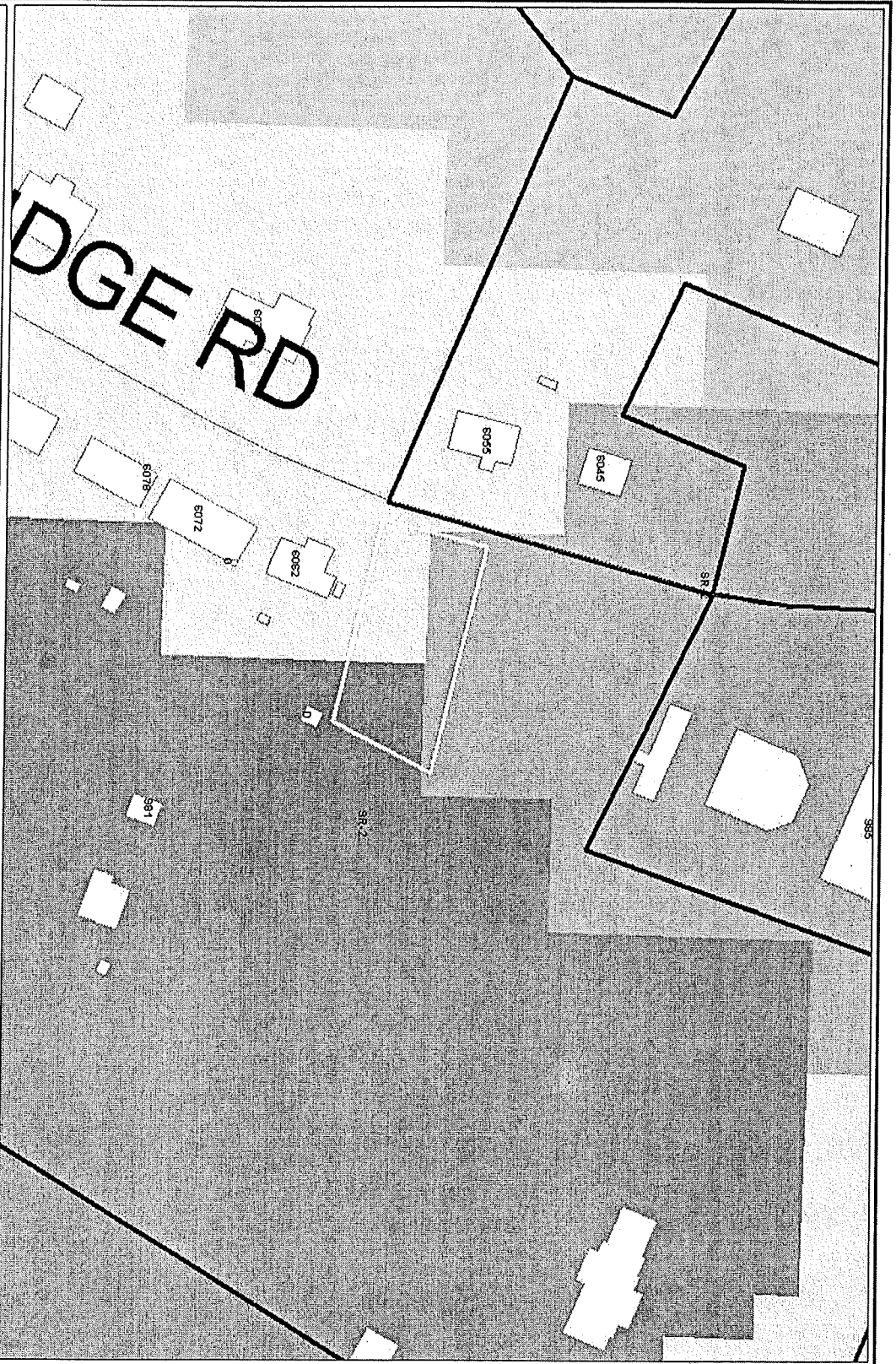
Moss Veterinary-Zoning



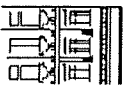
1 inch equals 100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
July 24, 2002



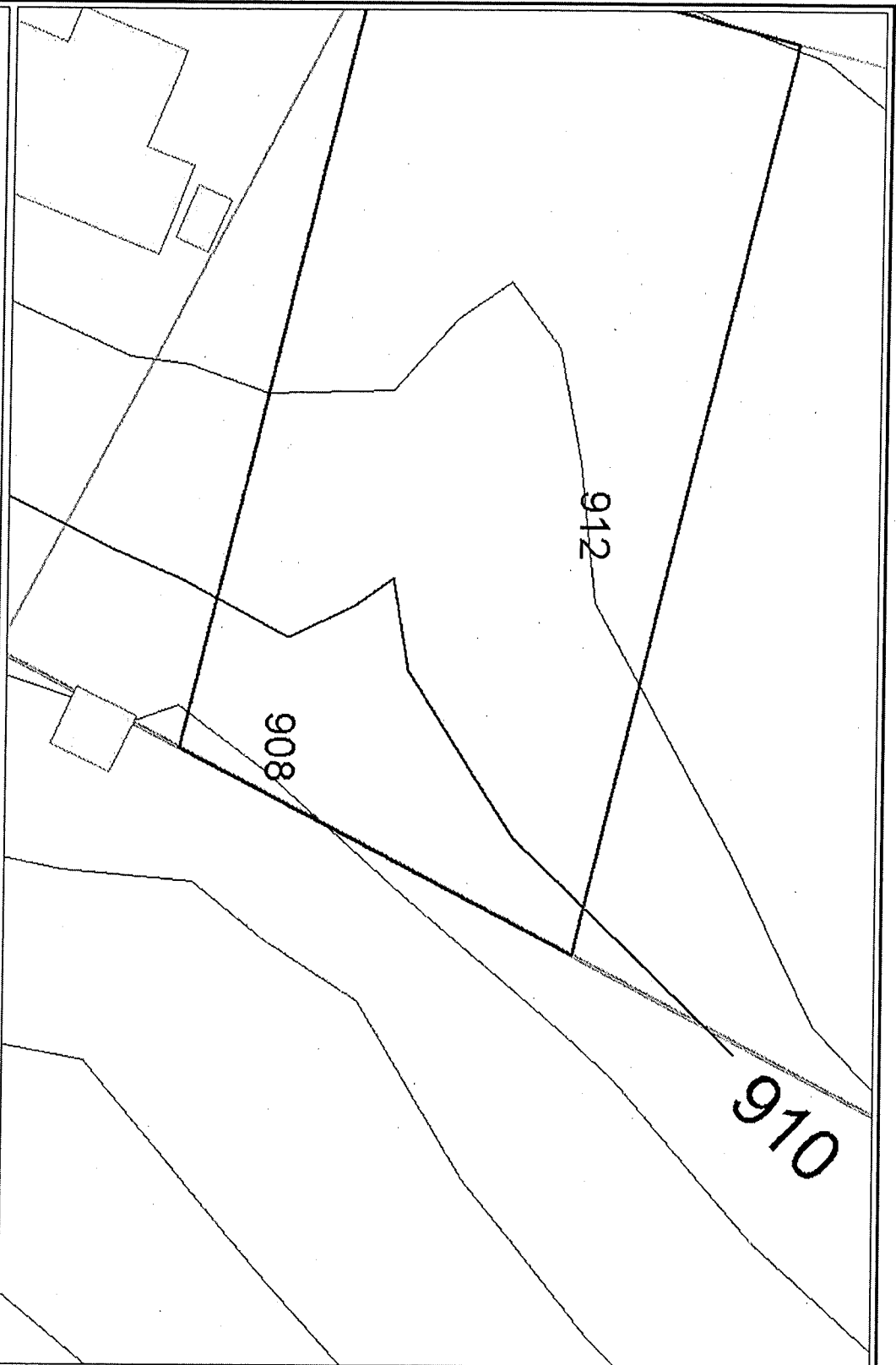
Moss Veterinary- Future Land Use Map



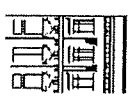
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Produced by the
Boone County Planning Commission
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July 24, 2002



Topographic Map Moss Veterinary Clinic

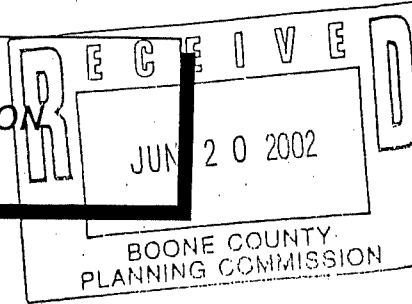


Produced by the
Boone County Planning Commission
GIS Services Division
July 18, 2002



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 Moss Veterinary Clinic
2. Location of Project Ridge Road, Florence (Behind Shell Station)
3. Total Acreage of Site Approx. .75 acres.
4. Current Zoning of Site _____
5. Proposed Zoning (Classification being requested) C-2
6. Proposed Uses (please specify each use) Veterinary Clinic, Dog Grooming, R&D Testing, Medical/Dental Lab, Physicians, Beauty/Barber Shop, Day Care, Accounting/Insurance/Real Estate Office.
7. Names of Applicant(s) Greg Schrand
Phone Number 859-485-9888 Fax No. 859-485-9090
8. Address of Applicant(s) 281 Richwood Road
Walton Kentucky 41094
City State Zip
9. Name of Property Owner(s) KKC Investors
Phone Number 859-485-9888 Fax No. 859-485-9090
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11. Proposed Building Intensities (please specify) 1 Building
12. Are there any existing buildings on the site? No
How many? _____
13. Deed Book 398 Page No. 167 Group No. ~~365~~
14. Are you also applying for:
 Conditional Use Permit
No Dimensional Variance
15. Have you submitted a Concept Development Plan? No
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. 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

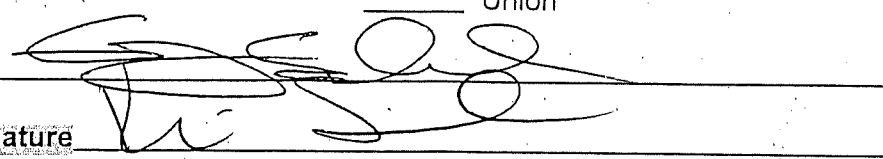
ZONING MAP AMENDMENT
APPLICATION
PAGE 2

- Northern Kentucky Health District
- U.S. Soil Conservation Service
- Local School District
- Local Fire District
- Other: _____

18. Project Jurisdiction/Location
- Unincorporated Boone County
 - Florence
 - Walton
 - Union

19. Applicant's Signature

Property Owner's Signature



SECTION B (To be completed by BCPC Staff)

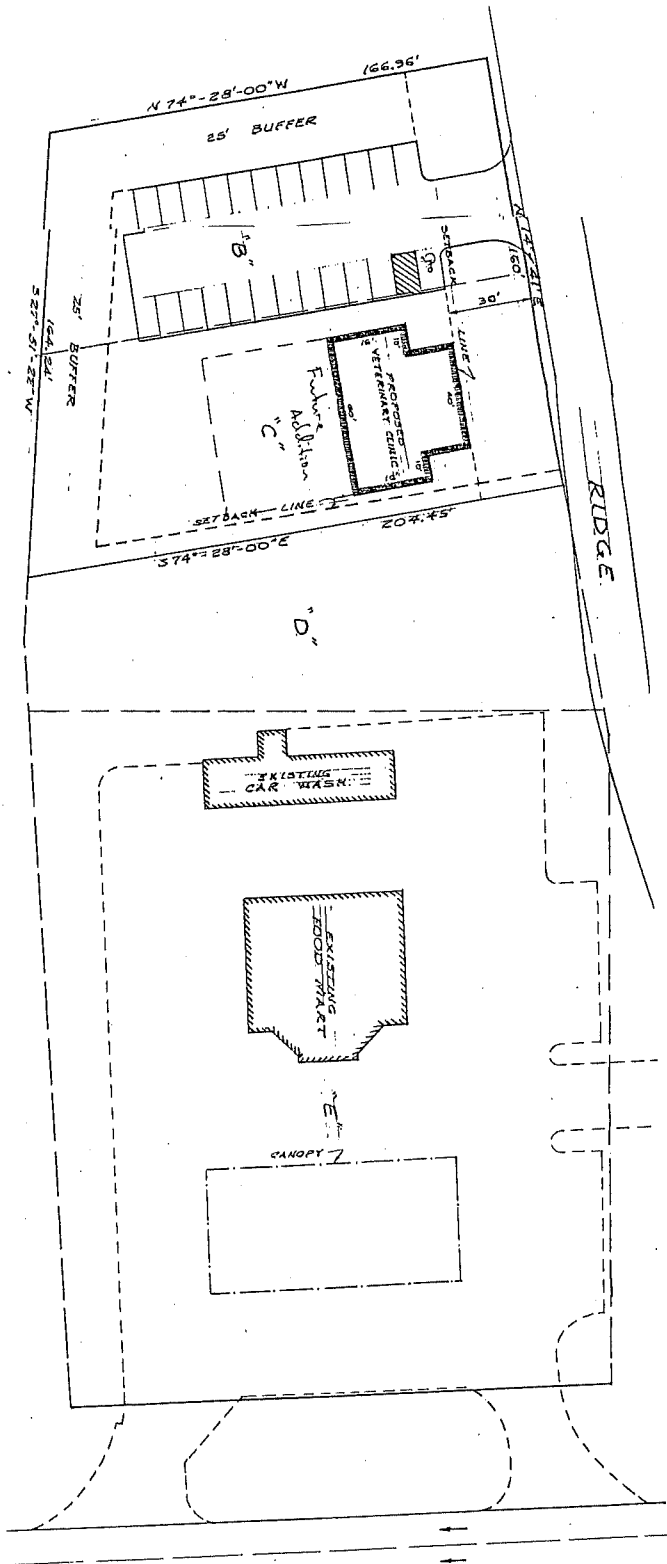
1. Date Received 6-20-02
2. Review Fee 1130.00 #31798
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer PATTY BACHMAN
6. Committee Chairman LISA WILSON
7. Scheduled Public Hearing Date _____
8. Boone County Planning Commission Action:
 - Approval
 - Approval with Conditions
 - Denial
9. Other: _____

** Five (5) Copies Are Required

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page

NOTE: An application consists of all fees paid in full, submitted drawings and a completed application form.

Concept Development Plan Hoss Veterinary Clinic



COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Donald McMillian, Chairman

DATE: September 21, 1988

RE: Request of Don Conrad (applicant) for Norman H. and Ruth Arlinghaus (owners) for a Zoning Map Amendment to rezone a site from Suburban Residential Two (SR-2) to Commercial Two (C-2) and for a Conditional Use Permit to operate a gasoline service station and a car wash. The site is located at the southeast corner of KY 18 and Ridge Road, Boone County, Kentucky.

REMARKS:

We the Committee, based upon the statements made and facts gathered at the July 27, 1988 Public Hearing, recommend approval of this Zoning Map Amendment. The application as presented is recommended for approval due to the following findings of fact and with the following conditions:

FINDINGS OF FACT

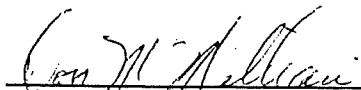
1. The proposal of a commercial development at this location, is in agreement with the 1986 Boone County Comprehensive Plan. The Future Land Use Map calling for medium density commercial developments in this area. References to the Comprehensive Plan are made in the Staff Report.
2. The Committee has also determined that this proposal meets the criteria for the issuance of a conditional use permit to operate a car wash and gasoline sales. The proposed conditional uses would not have a detrimental effect on the surrounding area if the following conditions and revisions occur.

CONDITIONS

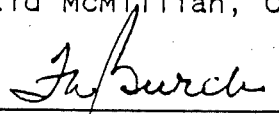
The applicant is being asked to agree to include these items as part of the Concept Development Plan and building uses and intensities presented to the Committee on August 1, and August 15, 1988 in order to clarify the plan presented at the July 27, 1988 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. The driveways onto KY 18 all be designated and so designed so as to be right-turn-in and right-turn-out only; the applicant to provide and maintain appropriate directional markings and signs; and, width shall be 18 feet.

- =====
2. Driveways on KY 18 are to be designated as temporary so that they may be removed or relocated (at the owner's expense) if an alternate access connection becomes available or the property redevelops.
 3. Ridge Road to be upgraded to County specifications by the applicant to the rear entrance of this development to accommodate increased traffic and the use of Ridge Road by delivery trucks.
 4. The applicant agrees to provide the right-of-way and construct a frontage road through the site when the adjoining property to the east is developed. The placement of this road will be located at the site plan review stage.
 5. The applicant agrees that only building mounted signs, and one free standing sign will be used. Directed lighting will be positioned so as not to shine onto adjoining property or KY 18. The proposed zoning district of C-2 will include Lots C, D, and E only. Lot B will remain SR-2 to serve as a distance buffer between the commercial use and residential use.
 6. Any change in, or additional use of, the site shall be reviewed by the Boone County Planning Commission Technical Committee and Staff, to determine if the proposed change constitutes a major or minor change in the approved Concept Development Plan. If it is determined that the proposed change is major in scope, then a public hearing for a Change in the Concept Development Plan shall be required.




Donald McMillian, Chairman



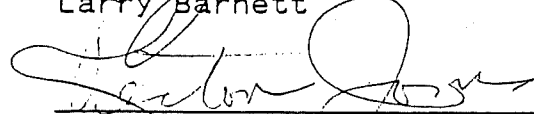
Fred Burch

Carol Smith

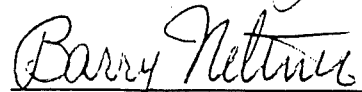
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Larry Barnett



Rector Jones



Barry Neltner

Public Hearing Item No. 2:

Commission Members Present: Mr. Barlow, Mr. Caddell, Mr. Hicks - Chairman, Mrs. Kegley, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Ries, Mr. Schwenke, Mr. White, and Mrs. Wilson - Secretary/Treasurer.

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

Legal Counsel Present: Mr. Larry Dillon

The Chairman introduced the second item on the Agenda:

Applicant: Greg Schrand for
KKC Investors (owner)

Request: Zoning Map Amendment

The request of Greg Schrand (applicant) for KKC Investors (owner) for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial Two (C-2) for an approximate 0.75 acre tract on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The request is for a zone change to allow a veterinary clinic and other commercial uses.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report). Ms. Bachman presented and reviewed the Concept Development Plan. In response to questions from Mr. Knock, she stated that Parcel B is the parking lot and the only parcel subject to this zone change application. Parcel C is already zoned C-2. The zone change for Parcel B is in order to allow the construction of a parking lot for the veterinary clinic. Mr. Kevin Costello, AICP, Executive Director, stated that a Public Hearing is scheduled for August 7, 2002 for the property across the street from this property.

The Chairman asked for the applicant's presentation.

Mr. Greg Schrand, 10578 US 42, Union, representing the owners of the property, stated that they were not actively marketing the property, but Jim Moss contacted him because he wants to build a veterinary clinic for his daughter who has finished veterinarian school. He stated that Mr. Moss felt that the use would fit well within the neighborhood as it is a low traffic use, the hours of operation are

primarily daytime with limited weekend hours, the business would be locally owned and operated, the type of proposed structure, and the zoning of the adjacent properties. He stated that there would be limited traffic on Ridge Road and they will maintain the existing 25-foot buffer and do additional landscaping. They will want a monument type sign. He offered to answer any questions.

The Chairman asked if there was anyone else present who wished to speak in favor of the request.

Mr. Jeff Knauer, 6072 Ridge Road, stated that he was present this evening to speak in regard to the application for the car wash that was deferred. He stated that they have two proposals coming at them at the same time. He stated that Ridge Road is a 10 – 12 foot wide no-outlet street with no curbs. It is difficult for two cars to pass. There are about twenty houses on the street and the road goes right up to the front yards. They get a lot of turnaround traffic in their driveway from the Shell station and there are a lot of test drives on the road from the used car lot (formerly an ice cream parlor) – creating more traffic on the street than might be expected. He is concerned about the increased traffic and the safety of his children playing in the yard. He stated that this area is a buffer between his house and the Shell station. The Lincoln-Mercury dealer took down a lot of trees and there is noise twenty-four hours a day – even when they are not open the telephone rings and he hears it over the PA system. He stated that they are concerned with their property value. He does not think all of these commercial uses will make his house attractive. He stated that his neighbors at 6062 Ridge Road (next to this parcel) have been told that their house will be zoned C-2. Mr. Knauer stated that he does not want to raise a family next to all of these commercial uses. He wants to keep Ridge Road a residential street. He is concerned about the noise. He has lived in his house for about eight years.

The Chairman asked if there was anyone else present who wished to speak in opposition to the request. There being no response, he asked if there were any comments or questions from the Commissioners.

In response to questions from Mrs. Wilson, Ms. Bachman stated that the only area currently zoned SR-2 on the Concept Development Plan is Parcel B and it is proposed for the parking lot only. Parcel C is zoned C-2. She stated that they could construct the veterinary clinic on Parcel C – but they need Parcel B for the parking.

Mr. Poe asked if any road improvements are planned. Ms. Bachman will research the information. Mr. Costello stated that when the Shell station was built, there was a requirement that the developer update the road to a point and what is out there now is what the County Engineer required at that time. He stated that Staff will do research to determine if other commitments were made. Mr. Poe stated that two cars cannot pass on the road. Mr. Costello agreed and stated that that is

why when Fiscal Court reviewed it a few years ago Shell had to upgrade it and the light was put in.

Mrs. Poston asked if it would be possible to get the parking on Lot C with the building. Mrs. Bachman responded that twenty-four parking spaces (9 feet wide by 18 feet long) are required and the applicant has expressed interest in building another building on Parcel C in the future. They could not get twenty-four parking spaces plus the additional required parking spaces for the new addition on Parcel C. Mrs. Poston questioned Lot D. Ms. Bachman stated that Parcel D is owned by Shell and they left it vacant for an access drive into the car wash, but the way the car wash was built it was not necessary and it is vacant today. Parcel D would be the best place for an access road if one were needed. Mrs. Poston asked if the condition stipulated that that was the only use for Parcel D – or could it be purchased and used for parking? Ms. Bachman advised that it could be purchased and used for parking. Chairman Hicks stated that Parcel D is not part of this application. Counselor Dillon stated that he has not seen the condition, but his understanding is that Parcel D is not involved in this application.

Mr. Ries stated that Parcels B and C are tied together since one is a parking lot for the other. Ms. Bach responded that given that Parcel B exists as parking for the land use proposed on Parcel C, they have to be considered together.

Mrs. Kegley asked if the treeline will be removed. Mr. Schrand responded that the treeline will stay and they are agreeable to that being a condition. He stated that only half of the lot is required for the parking. He stated that Lot C would probably work for the clinic and parking, but the building would have to be scaled back. He stated that the buyer wants to buy both lots and build a bigger building and have the twenty-for parking spaces.

Mr. McMillian noted Condition #4 of the September 21, 1988 Committee Report reads, "The applicant agrees to provide the right-of-way and construct a frontage road through the site when the adjoining property to the east is developed. The placement of this road will be located at the site plan review stage". Mr. McMillian questioned boarding of animals – if an animal is operated on, it would be kept until morning. Mr. Schrand responded that his understanding is that Mr. Moss's daughter would not do any kind of work that would require animals to stay overnight. Chairman Hicks asked Mr. Schrand to see that the buyer comes to the Committee Meeting to address that issue.

In response to Mr. McMillian's concern regarding Condition #4 of the 1988 Committee Report, Ms. Bachman stated that when the Site Plan for the Shell station was approved in 1988, the alignment of the road was placed on the Site Plan and Staff is attempting to locate that Site Plan.

Mr. Caddell asked if Parcels C and D are separately platted as subdivision lots. Ms. Bachman responded that they are platted individually.

Mr. Costello stated that Staff will verify the information regarding the access road for the Committee.


Mr. Newman asked if the square footage of the proposed clinic requires twenty-four parking spaces. Ms. Bachman responded "yes" and referred to Article 33 in the Zoning Regulations. She stated that the clinic is 2,400 square feet and that does not include the future addition. She stated that Page 33.11 of the Zoning Regulations lists the required parking spaces for medical and dental clinics. Mr. Light, the Assistant Zoning Administrator, agreed that the use is in that classification.

Ms. Wilson questioned the size of the future addition and how many parking spaces can fit on the site. Ms. Bachman will make the calculations and bring them to the Committee meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on August 7, 2002 at 4:00 PM. This item will be on the Agenda for the Business Meeting on August 21, 2002 at 7:30 PM.

The Chairman closed this Public Hearing at 8:52 PM.

APPROVED:



Mark Hicks, Chairman

Attest:


Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
August 21, 2002
7:30 P.M.**

Mr. Mark Hicks, Chairman, called the meeting to order at 7:30 PM.

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. Mark Hicks, Chairman
Mrs. Janet Kegley
Mr. Don McMillian
Mr. Robert Newman
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Bob Schwenke
Mr. Earl White
Mrs. Lisa Wilson, Secretary/Treasurer
Mr. David Zimmer

COMMISSION MEMBERS NOT PRESENT:

Mr. Arnold Caddell
Mr. Richard Knock, Temporary Presiding Officer
Mr. Robert Ries

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Patty Bachman, Planner
Mr. David Geohegan, AICP, Director of Planning Services
Ms. Jan Hancock, Secretary
Mr. Robert Jonas, AICP, GIS Specialist

Approval of the Minutes:

Chairman Hicks stated that the Commissioners received copies of the Minutes of the July 31, 2002 Public Hearing. He asked if there were any comments or corrections. There being no changes to the Minutes, Mrs. Poston moved that they be approved as mailed. Mr. McMillian seconded the motion and it carried unanimously.

Chairman Hicks stated that the Commissioners received copies of the Minutes of the August 7, 2002 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mrs. Wilson moved that they be approved as mailed. Mrs. Poston seconded the motion and it carried unanimously.

Chairman Hicks stated that the Commissioners received copies of the Minutes of the August 7, 2002 Public Hearing. He asked if there were any comments or corrections. There being no changes to the Minutes, Mrs. Wilson moved that they be approved as mailed. Mr. Barlow seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. **Change in Concept Development Plan**

The request of **Ralph E. Chaffin (applicant)** for **Clyde Jacob (owner)** for a **Concept Development Plan for an approximate one-half acre tract at 7700 US 42, Florence, Kentucky. The request is for a Concept Development Plan to allow an office use in an Office Two/Urban Residential One/Planned Development (O-2/UR-1/PD) Zone.**

The Chairman stated that Agenda Item #1 is recommended for deferral to the September 4, 2002 Business Meeting. Mr. White so moved. Mrs. Wilson seconded the motion and it carried unanimously.

2. **Zoning Map Amendment**

The request of **Greg Schrand (applicant)** for **KKC Investors (owner)** for a **Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial Two (C-2) for an approximate 0.75 acre tract on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The request is for a zone change to allow a veterinary clinic and other commercial uses.**

Mrs. Wilson stated that it was discussed at the Public Hearing that the request is for a zone change to allow a parking lot for a veterinary clinic – the request is not to allow “a veterinary clinic and other commercial uses”. She asked that the item description be amended. Chairman Hicks stated that the last sentence will be changed to read “The request is for a zone change to allow a parking lot”.

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

Mrs. Wilson moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report. Mr. White seconded the motion.

Mrs. Poston apologized for not attending the Zone Change Committee Meeting and stated that she is opposed to the request. She stated that the line between residential and commercial was drawn here and the existing zoning is not inappropriate for this parcel. Allowing this change is chipping away at the residential area. She stated that she may have been in favor if the building had been on this parcel, but she feels that the parking lot is inappropriate on this parcel.

Mr. Poe stated that road improvements were discussed at the Public Hearing, but were not brought up in the findings of fact except to say that it will not increase the volume of traffic. He stated that there was concern at the Public Hearing that the road was too narrow. He stated that he cannot vote in favor of the request, but would not be opposed if the road improvements were provided. Mr. Costello responded that the property to the north had a condition that the improvement had to occur when the improvement on the road occurred. On the lot where the structure is located, there is an agreement for them to widen the road up to the veterinary office – it is part of the original zone change. Mr. Poe questioned the road being widened. Mrs. Wilson stated that the Committee discussed this and the Committee members drove there to see how far the road was widened. Mr. Newman stated that the Committee discussed it at length. He also discussed this with three different residents who live back there and they do not want the road widened because if it were widened, it would take away from their small community and more traffic would go through there. His understanding is that the community does not want the road widened. Ms. Bachman reviewed pictures of the area with Mr. Poe. Mr. Poe stated that there was extensive discussion at the Public Hearing about traffic going to the intersection and waiting -- but if this is approved, there will be more cars coming from this parking lot plus potentially another three hundred cars from across the street. Mr. Costello advised that the application for the car wash has been withdrawn. Mr. Newman stated that across the street there are 3 – 4 homes and there was no complaint on the timing of the light from them.

Mr. Reynolds agreed with the comments made by Mrs. Poston and stated that he will vote against the request.

Mr. Zimmer asked Staff to read the three criteria for a granting a zone change. Ms. Bachman reviewed Section 308 of the Zoning Regulations. Mr. Costello stated that the criteria is (1) agreement with the Comprehensive Plan, (2) whether the existing zoning is inappropriate and the proposed zoning is more appropriate, and (3) if there have been changes of a physical, economic or social nature since the Comprehensive Plan was adopted that warrant changing the zoning. Mr. Zimmer

stated that he voted against the Committee Report because the request does not meet any of the three criteria. He stated that the existing zoning is appropriate. The Long-Range Plan kept the SR-2 zoning with the intent that it would be a buffer between the residential and commercial areas. The Comprehensive Plan points out that this parcel should be residential and buffer. There have been no economic or other conditions that have changed to warrant a zone change. He stated that the reason for the change is that the veterinary clinic with the parking lot will not fit on the commercial property without buying another commercial business. He will vote against it. He stated that there was considerable discussion in Committee about road improvements. The previous zone change in 1988 says that Ridge Road is to be upgraded to county specifications at the rear entrance to the development. He stated that the road improvements have occurred to the Shell Station. He does not feel that the road is adequate for what they want to serve off of it. He stated that there should be proper curb and gutter and street all the way back to the end of the commercial development. He stated that it was not to be upgraded all the way back to the residential parcel. He stated that the zone change request does not meet any of the three criteria and encouraged the Commissioners to vote against it.

Mr. McMillian agreed with Mr. Zimmer's comments. He stated that eventually the property on the other side will be developed and they will have to have curb, gutter and street on that side – and this side should be treated the same way.

Chairman Hicks stated that a veterinary clinic is a good buffer and there are worse commercial uses that could go in there – and looking at it that way, the current zoning is inappropriate. This is a less offensive commercial use next to the residences.

Mrs. Wilson stated that the request is just for a parking lot for the proposed facility that is already approved.

Mr. Newman stated that the applicant would be able to go ahead and put the veterinary clinic there and this little piece of property is zoned SR-2 and we want it to be buffer. A single-family residence could go on this parcel – but what kind of buffer would there be for that home? Day care could go on this parcel and then it would be a veterinary clinic, day care, and then a home. It makes more sense to have a veterinary clinic, parking lot, and a huge stand of trees.

Mr. White stated that the trees are to the side and are a good buffer between the residences and business. He stated that the road is wide at the beginning and to this property – but if you put curbs in, you also have to think about storm sewers and there are no storm sewers down that road.

Counselor Wilson reviewed the Committee's findings for recommending approval of the zone change (see Committee Report).

At this time, the Chairman asked for a roll call vote on the motion made by Mrs. Wilson which found Mr. Barlow, Mrs. Kegley, Mr. Newman, Mr. Poe, Mr. White, Mrs. Wilson, and Chairman Hicks in favor. Mr. McMillian, Mr. Reynolds, Mr.

Schwenke, Mr. Zimmer, and Mrs. Poston were opposed. The motion carried by a vote of 7 to 5.

3. Burlington Town Plan

The request of the Boone County Fiscal Court and the Long-Range Planning/Comp Plan Committee to present the Burlington Town Strategic Plan and to hear comments as recommended by the 2000 Boone County Comprehensive Plan. The 450-acre study area is generally bounded by Conrad Lane to the north, Allens Fork Drive to the south, Carlton Drive to the east, and Main Street to the west and is located in unincorporated Boone County.

Staff Member Bob Jonas presented the Committee Report which recommended approval of the Burlington Town Plan with the changes described in the Committee Report, based on the findings of fact.

There being no discussion, Mr. Schwenke moved by resolution to Boone County Fiscal Court that the Burlington Town Plan be adopted based on the Committee Report. Mr. Zimmer seconded the motion and it carried unanimously.

Mr. Zimmer stated that Staff did an excellent job on this. He thanked Staff and the Committee for their work. Mr. Newman agreed.

4. Presentation of Florence Bike/Pedestrian Plan – Dave Geohegan

Mr. Geohegan distributed to the Commissioners copies of the 2002 Florence Pedestrian & Bike Plan, which is an update of the Plan adopted ten years ago. Mr. Geohegan reviewed the handout, beginning with first section in regard to sidewalks. He stated that in 1997, the City of Florence put together a Committee (he was a member) that determined criteria to use to score different projects as to their importance. Each criteria was given specific weight (see Page 3) and the Final Recommended Priority List is on Page 5. He presented the second section in regard to the Bike Network. The last section includes three maps – (1) Pedestrian Attractors, (2) Florence Bike Districts, and (3) Florence Pedestrian System. Mr. Geohegan will present the Florence Bike/Pedestrian Plan to the City of Florence. He offered to answer any questions.

In response to a question from Mr. McMillian, Mr. Geohegan reviewed the proposed pedestrian walkway improvements between Mall Road and the Ewing Boulevard area and noted that the Mall Road Study is close to be completed. One of the consultant's recommendation was to build a roadway from Florence Mall over to the Ewing Boulevard area. If that does not happen, bicycles should be able to be accommodated on a separate path. He also reviewed the consultant's recommendation to change the structure of the road and allow eight million square feet of retail, office, and residential uses on Mall Road to create a dense style of development instead of suburban style with large setbacks. Following general discussion, Mr. Zimmer moved to forward the Florence Bike/Pedestrian Plan to the

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Lisa Wilson, Chairwoman

DATE: August 21, 2002

RE: Request of **Greg Schrand (applicant)** for **KKC Investors (owner)** for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial Two (C-2) for an approximate 0.75 acre tract located on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The request is for a zone change to allow a parking lot.

REMARKS

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

FINDINGS OF FACT

1. The Committee has determined that the proposed Zoning Map Amendment and the accompanying Concept Development Plan are in agreement with the 2000 Boone County Comprehensive Plan. The Future Land Use Map recommends that the northern portion of the parcel be developed for commercial land uses.

The Business Activity Element stipulates that commercial development along the KY 18 and US 42 corridor should be of a limited scale and should be clustered to serve residential neighborhoods. This property represents a land use that would serve adjoining residential districts such as the Greenview Subdivision, the Oakbrook Subdivision, and residences located along Ridge Road. Additionally, the Goals and Objectives of the Business Activity Element of Boone County Comprehensive Plan state that the mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses. As such, the design of the building which features brick and masonry and is similar in style to a single-family residence, will be an appropriate transitional use between the Shell station at the corner of Kentucky 18 and Ridge Road and the residences along Ridge Road.

2. The Committee has determined that the existing zoning category is inappropriate and that the proposed zoning category is appropriate for the site. While the proposed land use is of a commercial nature, it will not present an intensive increase in the volume of traffic along Ridge Road. The conditions presented in this document will serve to buffer the existing residential property from the proposed use, in that glare and noise will be reduced through the provision of limited lighting and the maintenance of the existing stand of mature evergreen trees at the rear of the site.

August 21, 2002

Schrand/KKC Investors/Burlington Pike & Ridge Road

3. The Committee has concluded that the following conditions are necessary for the purpose of satisfying the Goals, Objectives, and Policies stated in the 2000 Boone County Comprehensive Plan and the mitigation of any foreseeable problems that the proposal may create. The Applicant has signed a letter of agreement with these conditions and understands that the submitted Concept Development Plan along with these conditions serve as a basis for this recommendation.

CONDITIONS

1. Only bollard-style lighting fixtures will be used for the exterior lighting of the lot. No glare will leave the lot.
2. The existing tree line at the southern property line will remain intact and will be maintained in addition to the landscaping required under the Boone County Zoning Regulations.
3. The use of lot "B" as a parking lot is conditional upon and an accessory of the use of the office use of lot "C" for the following activities: veterinary clinic; dog grooming facility; research and development testing; medical/dental lab; physician's office; beauty/barber shop; day care; accounting, insurance, and/or real estate office.
4. Lots "B" and "C" of the Whaley's Baby Farm subdivision will be replatted as one parcel through a consolidation plat.

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. Attached is the signature page for the Zone Change Committee Vote.

Public Hearing Item No. 2:

Commission Members Present: Mr. Barlow, Mr. Caddell, Mr. Hicks - Chairman, Mrs. Kegley, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Ries, Mr. Schwenke, Mr. White, and Mrs. Wilson - Secretary/Treasurer.

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

Legal Counsel Present: Mr. Larry Dillon

The Chairman introduced the second item on the Agenda:

Applicant: Greg Schrand for
KKC Investors (owner)

Request: Zoning Map Amendment

The request of Greg Schrand (applicant) for KKC Investors (owner) for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial Two (C-2) for an approximate 0.75 acre tract on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The request is for a zone change to allow a veterinary clinic and other commercial uses.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report). Ms. Bachman presented and reviewed the Concept Development Plan. In response to questions from Mr. Knock, she stated that Parcel B is the parking lot and the only parcel subject to this zone change application. Parcel C is already zoned C-2. The zone change for Parcel B is in order to allow the construction of a parking lot for the veterinary clinic. Mr. Kevin Costello, AICP, Executive Director, stated that a Public Hearing is scheduled for August 7, 2002 for the property across the street from this property.

The Chairman asked for the applicant's presentation.

Mr. Greg Schrand, 10578 US 42, Union, representing the owners of the property, stated that they were not actively marketing the property, but Jim Moss contacted him because he wants to build a veterinary clinic for his daughter who has finished veterinarian school. He stated that Mr. Moss felt that the use would fit well within the neighborhood as it is a low traffic use, the hours of operation are

primarily daytime with limited weekend hours, the business would be locally owned and operated, the type of proposed structure, and the zoning of the adjacent properties. He stated that there would be limited traffic on Ridge Road and they will maintain the existing 25-foot buffer and do additional landscaping. They will want a monument type sign. He offered to answer any questions.

The Chairman asked if there was anyone else present who wished to speak in favor of the request.

Mr. Jeff Knauer, 6072 Ridge Road, stated that he was present this evening to speak in regard to the application for the car wash that was deferred. He stated that they have two proposals coming at them at the same time. He stated that Ridge Road is a 10 – 12 foot wide no-outlet street with no curbs. It is difficult for two cars to pass. There are about twenty houses on the street and the road goes right up to the front yards. They get a lot of turnaround traffic in their driveway from the Shell station and there are a lot of test drives on the road from the used car lot (formerly an ice cream parlor) – creating more traffic on the street than might be expected. He is concerned about the increased traffic and the safety of his children playing in the yard. He stated that this area is a buffer between his house and the Shell station. The Lincoln-Mercury dealer took down a lot of trees and there is noise twenty-four hours a day – even when they are not open the telephone rings and he hears it over the PA system. He stated that they are concerned with their property value. He does not think all of these commercial uses will make his house attractive. He stated that his neighbors at 6062 Ridge Road (next to this parcel) have been told that their house will be zoned C-2. Mr. Knauer stated that he does not want to raise a family next to all of these commercial uses. He wants to keep Ridge Road a residential street. He is concerned about the noise. He has lived in his house for about eight years.

The Chairman asked if there was anyone else present who wished to speak in opposition to the request. There being no response, he asked if there were any comments or questions from the Commissioners.

In response to questions from Mrs. Wilson, Ms. Bachman stated that the only area currently zoned SR-2 on the Concept Development Plan is Parcel B and it is proposed for the parking lot only. Parcel C is zoned C-2. She stated that they could construct the veterinary clinic on Parcel C – but they need Parcel B for the parking.

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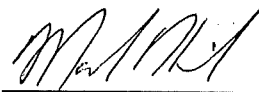
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Ms. Wilson questioned the size of the future addition and how many parking spaces can fit on the site. Ms. Bachman will make the calculations and bring them to the Committee meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on August 7, 2002 at 4:00 PM. This item will be on the Agenda for the Business Meeting on August 21, 2002 at 7:30 PM.

The Chairman closed this Public Hearing at 8:52 PM.

APPROVED:



Mark Hicks, Chairman

Attest:


Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Lisa Wilson, Chairwoman

DATE: August 7, 2002

RE Request of **Greg Schrand (applicant)** for **KKC Investors (owner)** for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial Two (C-2) for an approximate 0.75 acre tract located on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The request is for a zone change to allow a veterinary clinic and other commercial uses.

REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

August 7, 2002

Schrand/KKC Investors/Burlington Pike & Ridge Road

Lisa Wilson

Lisa Wilson, Chairwoman

For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

Bob Newman

Bob Newman

For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

Susan Poston

For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

Earl White

Earl White

For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

David Zimmer

David Zimmer

For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

Randy Barlow (Alternate)*

For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

Janet Kegley (Alternate)*

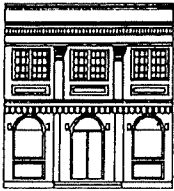
For _____ Against _____
 Abstain _____ Absent _____
 Deferred _____

TOTAL: ___ DEFERRED 3 FOR 1 AGAINST ___ ABSTAIN

1 ABSENT

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

August 13, 2002

Mr. Greg Schrand
281 Richwood Road
Walton, KY 41094

RE: Zoning Map Amendment for an approximate 0.75 acre tract located on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky

Dear Mr. Schrand:

The following conditions in conjunction with the Concept Development Plan, as agreed to by the Boone County Planning Commission's Zone Change Committee, serve as the basis for the Committee's recommendation of approval. If you, as the applicant, agree to the following conditions, please indicate so by signing at the space provided below, and return this letter to the Planning Commission Office by 5:00 P.M. Monday, August 19, 2002.

1. Only Bollard-style lighting fixtures will be used for the exterior lighting of the lot. No glare will leave the lot.
2. The existing tree line at the southern property line will remain intact and will be maintained in addition to the landscaping required under the Boone County Zoning Regulations.
3. The use of lot "B" as a parking lot is conditional upon and an accessory of the use of the office use of lot "C" for the following activities: veterinary clinic; dog grooming facility; research and development testing; medical/dental lab; physician's office; beauty/barber shop; day care; accounting, insurance, and/or real estate office.
4. Lots "B" and "C" of the Whaley's Baby Farm subdivision will be replatted as one parcel through a consolidation plat.

Sincerely,

Patty Bachman
Planner

MPB/pr

LEGAL DESCRIPTION

LOT Nos. "B" AND "C" IN THE RESUBDIVISION OF LOT No. ONE (1) OF WHALEY'S BABY FARM SUBDIVISION AS RECORDED IN PLAT BOOK No. 9 AT PAGE 39, GROUP 365 IN THE OFFICE OF THE BOONE COUNTY CLERK AT BURLINGTON, KY.; THE ORIGINAL PLAT OF SAID WHALEY'S BABY FARM SUBDIVISION BEING RECORDED IN PLAT BOOK NUMBER 2 AT PAGE 53 OF THE ABOVE MENTIONED RECORDS.

SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD, AND CONVEYANCE TO KENTUCKY TRANSPORTATION CABINET.

Ordinance
Of
The Boone County Fiscal Court

Ordinance No. 02-15

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF GREG SCHRAND (APPLICANT) FOR KKC INVESTORS (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL TWO (SR-2) TO COMMERCIAL TWO (C-2) ON AN APPROXIMATE 0.75 ACRE SITE GENERALLY LOCATED ON THE EAST SIDE OF RIDGE ROAD, BETWEEN THE PROPERTIES AT 985 BURLINGTON PIKE AND 6062 RIDGE ROAD, BOONE COUNTY, KENTUCKY, AS RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION (7-5), VIA RESOLUTION NO. R-02-017-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 Two (SR-2) to Commercial Two (C-2) on an approximate 0.75 acre site generally located on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, 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 Two (SR-2) to Commercial Two (C-2) on an approximate 0.75 acre site generally located on the east side of Ridge Road, between the properties at 985 Burlington Pike and 6062 Ridge Road, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential Two (SR-2) zone is more particularly described in DEED BOOK 398, PAGE NO. 167 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Ordinance
Of
The Boone County Fiscal Court

Ordinance No. 02-15

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 County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A."

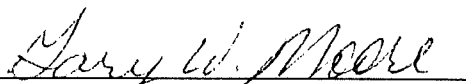
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and the Boone County Planning Commission Business Meeting minutes and marked as "Exhibit B."

SECTION III

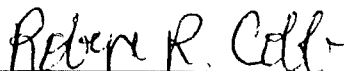
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

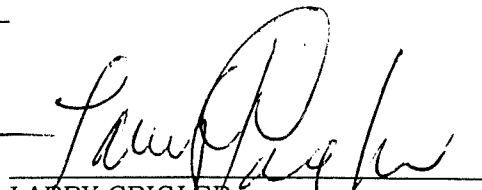
Introduced and given First Reading on the 1st day of October, 2002.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 22nd day of October, 2002, 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

10-31-02
DATE PUBLISHED

