

REQUEST OF BYRON V. GRIFFITH AND WANDA L. GRIFFITH  
FOR A ZONING MAP AMENDMENT FROM MOBILE HOME PARK (MHP)  
TO COMMERCIAL SERVICES THREE (C-3)

This is a Zoning Map Amendment request by Byron V. and Wanda L. Griffith (applicant and present owners) for the Richwood Motel to change the existing zoning for a 1.117 acre parcel from Mobile Home Park, MHP to Commercial Services Three, C-3. The site is located on the southwest corner of U.S. 25 and Frogtown Road in Boone County. The intent of the application is to obtain correct zoning that would permit expansion of the motel establishment. The site had undergone a zoning map amendment in June of 1979 for the same purpose. The change was from R-3 zoning to Limited Planned Development for the purpose of constructing an additional motel building. However, in the Boone County Zoning Regulations enacted in 1980, the site was zoned MHP.

SURROUNDING LAND USES AND ZONING

The surrounding land uses in the area consist of commercial to the north (Bruening Bearings, Inc.), and northeast (Richwood Restaurant and Lounge), single family residential to the east and south, and a mobile home park to the west. The existing zoning adjacent to the site is Commercial Services Three (C-3) to the north, northeast, and south, Agricultural Estate (A-2) to the east, and Mobile Home Park (MHP) to the west. To the northwest is a Suburban Residential One (SR-1) zoning district that is currently wooded.

NATURAL FEATURES OF THE SITE

The site slopes gently to west and south. The western portion of the site, which contains the existing motel, is elevated above Frogtown Road. Sanitary sewer service is provided by a package treatment plant in the mobile home park west of the site.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1986 Boone County Comprehensive Plan refers to the area in the following manner:

Page G-3 describes objectives of the Business Activity Element.

"Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space."

"Highway services shall be located in close proximity to major highway interchanges for maximum convenience and economy to the motoring public. (However, they should not be located so close to interchanges that they congest the traffic movements at these points of access.)"

Page L-21 describes the land use of the area.

#### D-5 Mt. Zion Area

"The Mt. Zion area is bisected by U.S. 25, a major direction of growth from the Florence urban center. The fact that it runs parallel between I-75 and the railway makes it an ideal transportation connector. It also connects Walton and Florence. Because of the various land uses along U.S. 25, it will carry a wide selection of traffic types. For this reason any traffic intensive or truck-oriented uses should locate near connections to the interstate."

#### D-6 Richwood Area

"The Richwood area will be developed primarily as both industrial and highway related commercial, with medium and low density residential occurring along Richwood Road and Chambers Lane. Commercial interchange development currently exists at the I-75/Richwood exit and will likely continue in this area. The commercial development should move east to U.S. 25 and encompass a portion of that area."

The 1986 Boone County Comprehensive Plan land use map indicates future commercial use of the site. In summary, the 1986 Comprehensive Plan calls for a mixture of predominantly industrial and commercial uses in the U.S. 25 corridor. These uses should be located on sites consistent with their trade areas and the transportation network.

### CONCEPT DEVELOPMENT PLAN

The site currently contains one motel building with 12 units and a residential building also utilized as the motel office. The Concept Development Plan indicates a second motel building with six units. As shown on the plan, the rear of the proposed building would be oriented to Frogtown Road. The existing drive on U.S. 25 would be utilized for access.

### SPECIAL CONCERNS


1. An alternate orientation of the building may be more appropriate so that the rear of the proposed building does not face a public roadway. Depending on the orientation and

setback of the building, appropriate landscaping will need to be determined since the site is at an intersection of future importance in Boone County.

2. Staff feels that the applicant should agree as part of the concept plan to not utilize the existing house for a use other than motel office or residence.

#### CONCLUSION

The above request and Concept Development Plan should be evaluated in terms of the 1986 Boone County Comprehensive Plan and the adjacent land uses. The developments visual impact on the intersection area also needs to be considered. Should the request be approved by the Boone County Fiscal Court, the 1986 Boone County Comprehensive Plan Land Use Map will not have to be amended.



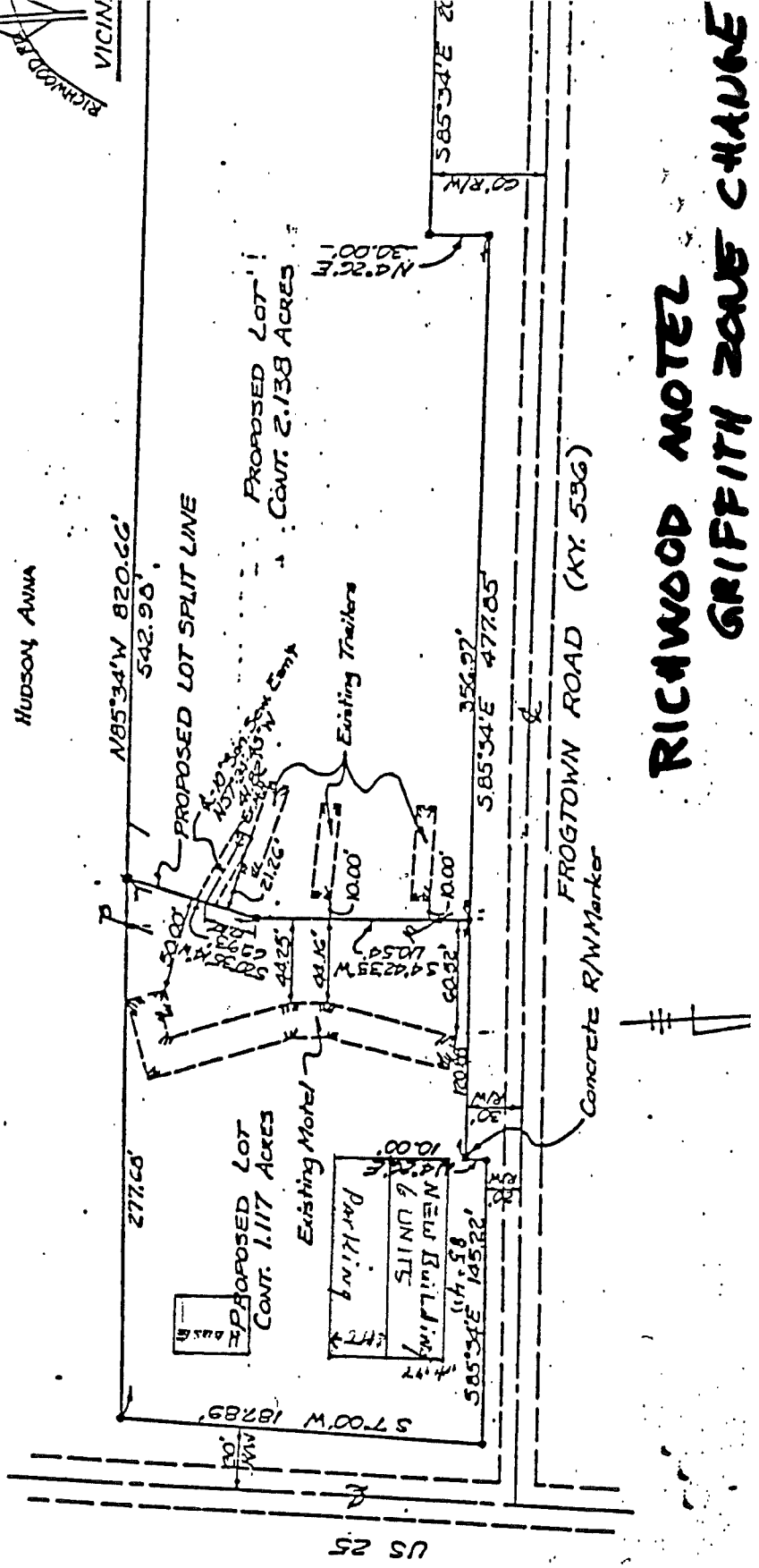
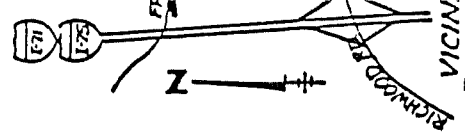
---

David A. Geohegan  
Planner/Plans Examiner

DAG:mcb

SUBDIVISION  
 GRIFFITH  
 CITY  
 BOONE COUNTY  
 SCALE: 1" = 50'  
 ZONING

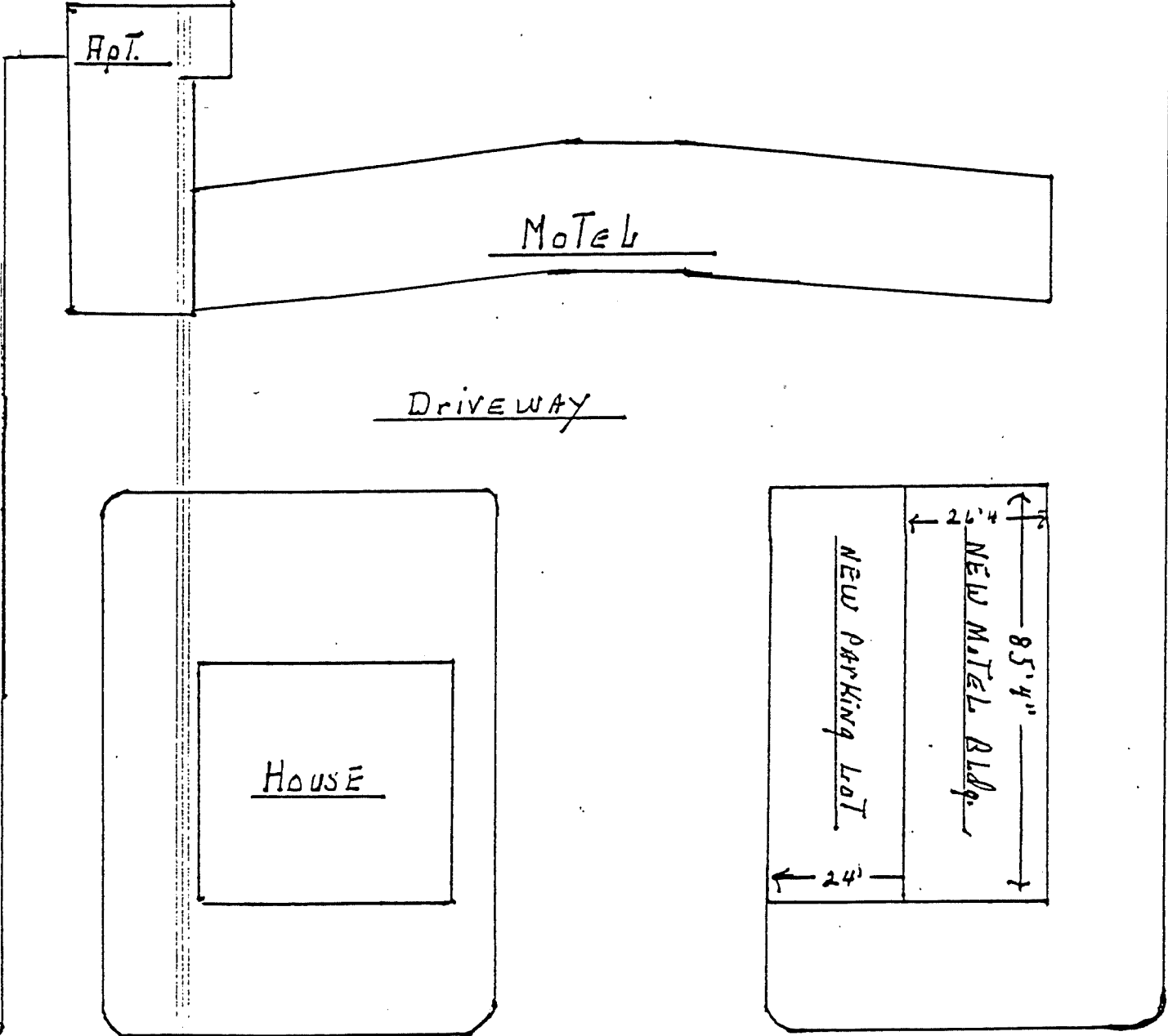
ACCEPTED AND APPROVED BY THE BOONE COUNTY PLANNING  
 COMMISSION ON THIS 20 DAY OF August, 1983.  
 BY [Signature]  
 CITY CLERK



**RICHWOOD MOTEL  
 GRIFFITH ZONE CHANGE**

Byron  
"JIM" Griffith  
341-8080

Richwood Motel  
WALTON, Ky.



Frog Town Rd.

U.S. 25

B.G. Griffith  
1956

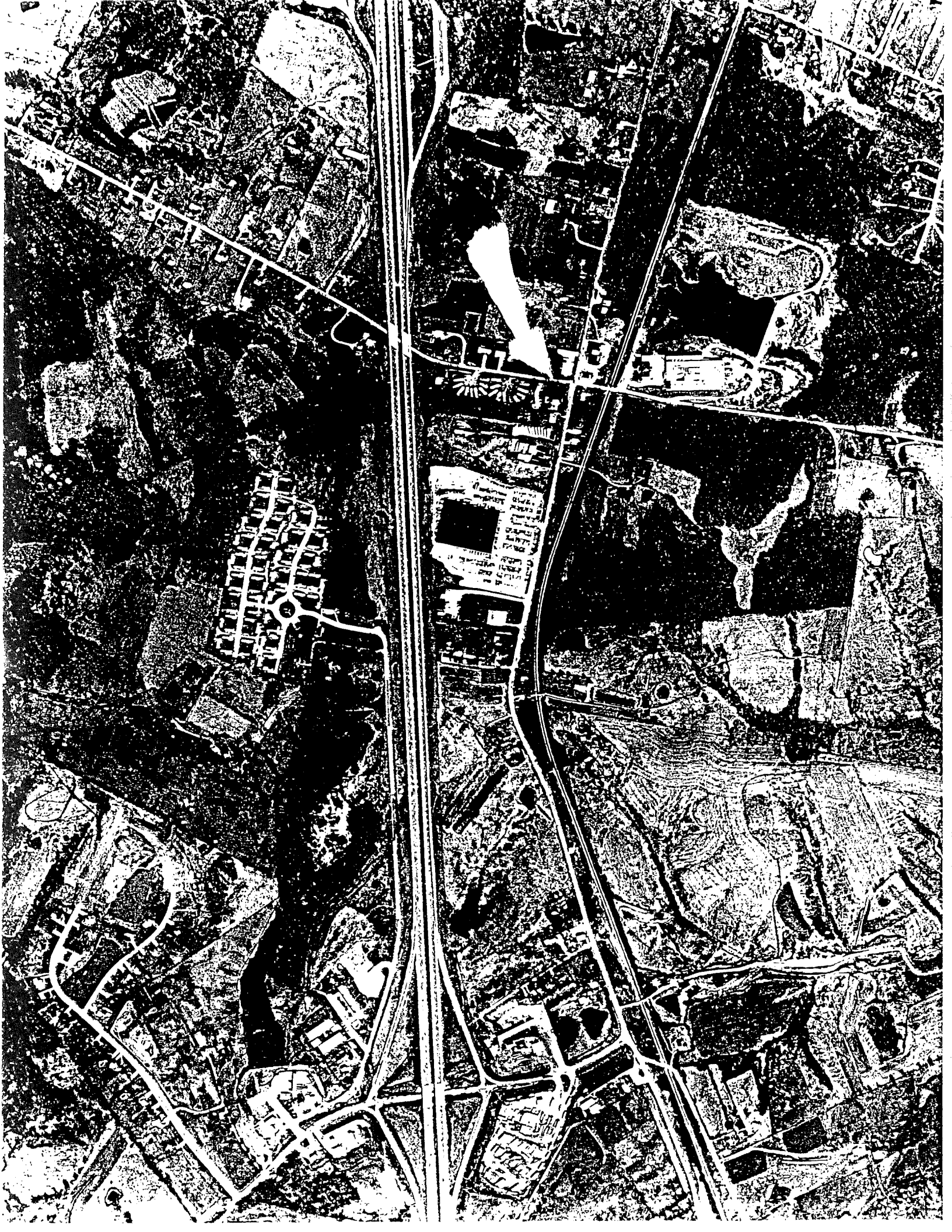


EXHIBIT "A"

Description of Motel Property

Beginning at an iron pin at the intersection of the westerly right-of-way line of U.S. 25 and the southerly right-of-way line of Frogtown Road, thence measuring along the westerly right-of-way line of U.S. 25, South  $7^{\circ}00'00''$  West, 187.89 feet to an iron pin; Thence leaving said right-of-way North  $85^{\circ}34'00''$  West 277.68 feet to an iron pin; Thence North  $20^{\circ}35'14''$  East 69.93 feet to an iron pin; Thence North  $4^{\circ}42'33''$  East 110.54 feet to an iron pin in the southerly right-of-way line of Frogtown Road; Thence continuing along said right-of-way South  $85^{\circ}34'00''$  East, 120.88 feet to a concrete right-of-way marker; Thence North  $4^{\circ}26'00''$  East, 10.00 feet; Thence South  $85^{\circ}34'00''$  East 145.22 feet to the point of beginning. The above described parcel of land contains an area of 1.117 Acres, more or less.

## Description of Sanitary Sewer Easement

Begin by measuring from a iron pin at the intersection of the westerly right-of-way line of U.S. 25 and the southerly right-of-way line of Frogtown Road, North  $85^{\circ}34'00''$  West, 145.22 feet along the southerly right-of-way line of Frogtown Road; thence South  $4^{\circ}26'00''$  West, 10.00 feet to a concrete right-of-way marker; thence North  $85^{\circ}34'00''$  West, 120.88 feet to an iron pin in the southerly right-of-way line of Frogtown Road; thence South  $4^{\circ}42'33''$  West, 110.54 feet to an iron pin; thence South  $20^{\circ}35'14''$  West 27.87 feet to the Point of Beginning. Thence measuring from said point of beginning thus found, along the centerline of a 10.00 foot wide sanitary easement, North  $57^{\circ}24'43''$  West 41.82 feet.

Mr. Sturdevant stated there would be one sign along the major thoroughfare.

Mr. Mike Cassidy stated he was a resident in Boone County and an employee for United Signs Company and stated Corporex had provided a good sign package for 16 acres. He stated Boone County has a good opportunity to put a program together to their best advantage. He discussed no pole signs in development, low ground monument signs for the public, he discussed problems on interstate signs. He stated Corporex has done an extensive amount of work on this program. Interstate signs are vital for overall program.

Mr. Martin asked for any further discussion. There being none, Public Hearing #1 was closed.

PUBLIC HEARING

1-28-87

#2

---

Vice-Chairman David Martin opened the Public Hearing on the Zoning Map Amendment request by Byron V. and Wanda L. Griffith (applicant and present owners) for the Richwood Motel to change the existing zoning for a 1.117 acre parcel from Mobile Home Park, MHP to Commercial Services Three, C-3. The site is located on the southwest corner of U.S. 25 and Frogtown Road in Boone County. The intent of the application is to obtain correct zoning that would permit expansion of the motel establishment. The site had undergone a zoning map amendment in June of 1979 for the same purpose. The change in 1979 was from R-3 zoning to Limited Planned Development for the purpose of constructing an additional motel building. However, in the Boone County Zoning Regulations enacted in 1980, the site was zoned MHP.

Staff member David Geohegan presented a brief history of the request along with a slide presentation and Staff Report. (See Staff Report)

Byron Griffith, Owner of Motel stated everything had been covered in the Staff Report and he had nothing else to add.

Mr. Martin asked if anyone in the audience had any questions on this request.

Ms. Tricia Morgan, resident of an adjoining mobile home park, asked if there was going to be any changes at the mobile home park.

Ms. Kim Kally, Boone County Recorder, wanted to know if this property had any mobile homes on the site. She also wanted to know how far back the new building would be and if this would involve a zone change. Mr. Martin stated there would be no zone change to any property other than the applicants. Mr. Griffith stated the building would be 85' X 24' and would be a one-story structure.

Mr. Martin inquired for any further discussion or comments.

Mr. Viox addressed the applicant and asked him if he had decided on the architect of the building. The applicant responded that he had talked to someone, but had not yet decided. Mr. Viox also asked what the surface was planned for parking. Mr. Griffith stated it would be concrete. Mr. Viox asked about the sewage. Mr. Griffith stated it would be serviced through the treatment plant at the mobile home site.

Mr. Martin asked for any further questions or comments. He stated this request would have action taken upon it on February 4, 1987. With there being no further discussion, the Public Hearing #2 was closed.

#### PUBLIC HEARING

#3

---

Vice-Chairman David Martin opened the Public Hearing on the Zoning Map Amendment request by Paul J. Kahmann Developer, Inc. (owner) for a Zoning Map Amendment to change the existing zoning of a 8.48 acre parcel from Rural Suburban (RS) to Suburban Residential One (SR-1). The site is located on the southwest side of Pleasant Valley Road at a midpoint between U.S. 42 and Camp Ernst Road, Boone County, Kentucky. The 8.48 acre parcel will be part of a larger tract of land which will eventually be divided into 67 single-family lots.

Mr. Kevin Costello stated the Concept Development Plan was illustrated on the easel to the left and the area of 8.48 acres was rather simple. The applicant would like to move current zone RS zone line which stands approximately 500 ft. from Pleasant Valley Road. Mr. Costello continued to present the Staff Report. (See Staff Report)

Mr. Martin asked if there was anything further from the Staff at this time. He then asked if there was anyone in the

## BOONE COUNTY PLANNING COMMISSION

## BUSINESS MEETING

FEBRUARY 4, 1987

8:00 P.M.

-----  
 -----

Chairman Kroger called the Business Meeting to order. Roll call was taken by staff member Barbara Reffitt. 12 members were present. Absent: Messrs. Burch, Martin and Slusher. All staff members were present. Atty. Dale Wilson was also present.

Minutes of the January 21, 1987 Business Meeting and the January 28, 1987 Public Hearing were considered. Mr. Rector Jones made a motion that the minutes be approved. Mr. William Viox seconded the motion. There being no further discussion, the motion carried unanimously.

Administration

Chairman Kroger inquired of bills to be paid. Mrs. Reffitt read bills to be paid: Staff Salaries and Benefits, \$2,334.53; Greg Sketch (engineer), \$332.50; Skees and Wilson, \$1,666.66; Tower Services Corp. (Harvey Pelley), \$500.00; County Employee Retirement System, \$915.84; Kentucky State Treasurer, \$490.10; Mileage, \$218.28; The Boone County Recorder (Legal Notices), \$863.65; Univ. of Kentucky - Ky. Geo. Survey (maps), \$71.25; Dixie Vending, \$9.00; American Planning Association, \$97.00; American Planning Association, \$87.00; Pflum, Klausmeier, & Wagner, \$1,420.00; GRW Engineers, Inc., \$500.00; EDM Business Interiors (office supplies), \$11.20; Jerry Rouse, County Clerk (recording fees), \$163.00; American Assoc. for State & Local History, \$195.60; H-Q Services & Offices (zone regs diskette), \$22.00; Ohio Blue Print, \$96.90; for a total of bills to be paid \$9,994.51. The bills paid were; Ky. State Treasurer (1-21-87), \$1,663.54; Ky. State Treasurer (1-21-87), \$40.03; Huntington Bank (People's Deposit), \$1,608.64; Huntington Bank, \$1,848.58; Staff Salaries (1-12-87 through 1-30-87), \$7,129.27; Joy Hacker (reimburse for gift for M. Cox), \$32.93; Mathis, Dallas, Frohlich (refund fees), \$167.00; Boone Co. Fiscal Court (Ordinance #19), \$311.86, for a grand total of \$22,796.36. Mr. Jones moved that all bills be paid as presented. The motion was seconded by Mr. Viox. The motion carried unanimously.

Chairman Kroger noted the Zoning Officer's Report; the Convenience Plat Report; and Building Permits for the Commission's review and comment. Hearing no questions or comments

3. The proposed Zone is consistent with Article 19, Section 1950 "Special Sign Districts" of the 1986 Boone County Zoning Regulations.

4. The attached document, "Commonwealth Park Special Sign District" reflects minor revisions to the document as presented at the January 28, 1987 Public Hearing, and discussed with the Committee at our meeting of February 2, 1987. These revisions reflect suggested improvements and clarifications to the document, and do not substantially alter its purpose, intent, or effect.

#### Conditions

1. That the applicant agree that any free standing or ground mounted signs proposed for parcel "F" (the area fronting Turfway Road within Steeplechase Drive) undergo review by the Planning Commission via the Commonwealth Park Sign Review Board.

2. That the two proposed interstate highway oriented sign structures be installed on tapered poles, painted and textured similar to the color and texture of the Hilton building.

3. That any modifications to the proposed document, required for approval from the appropriate legislative body, be reflected in a revised document submitted for the Commission's records.

4. That the Special Sign District, if approved, be properly recorded within the restrictive covenants, or deed restrictions for Commonwealth Park and with the office of the Boone County Clerk.

Chairman Kroger asked Mr. Fay if he did agree with all conditions. He stated yes. Motion was made by Mr. Viox for approval by Resolution to be sent to Florence. Mr. Jones seconded the motion. The motion carried unanimously.

#### Zoning Map Amendment - Fred Burch, Chairman; Dave Geohegan, Staff

Request of Byron and Wanda Griffith (owner) for a Zoning Map Amendment on a 1.117 acre site located at the intersection of U.S. 25 and Frogtown Road (KY 536), Boone County Kentucky. The request is to rezone the property from Mobile Home Park (MHP) to Commercial Services (C-3).

Mr. Gerald Newton read the Committee Report and recommended approval based upon the following findings of fact and conditions:

### Findings of Fact

1. The map amendment is in agreement with the 1986 Boone County Comprehensive Plan.

2. The existing zoning classification is not consistent with the existing use of the property. The proposed zoning classification is appropriate for the existing and planned use of the property.

### Conditions

1. The proposed six unit building will be oriented so that the rear of the building does not face Frogtown Road or U.S. 25.

2. The existing trees along Frogtown Road will be retained.

3. Landscaping, as indicated on any future site plan, will include healthy, 4 foot white pines to screen the proposed building and parking area from Frogtown Road and U.S. 25. These pines will be planted 10 feet apart and staggered in two rows.

Chairman Kroger asked Mr. Byron Griffith if he agreed with the conditions in the Committee Report. Mr. Griffith stated yes.

Chairman Kroger referred to the Commission for further discussion.

Mr. Viox moved that the request be granted by Resolution to the Boone County Fiscal Court. Mr. Collins seconded the motion. Motion carried unanimously.

### Zoning Map Amendment - William Viox, Chairman; Kevin Costello, Staff

Request of Paul J. Kahmann Development, Inc. (owner) for a Zoning Map Amendment located on the southwest side of Pleasant Valley Road, Boone County, Kentucky. The 8.48 acre site is currently zoned Rural Suburban (RS) and the request is to rezone the property Suburban Residential One (SR-1). The intended use is for the development of the Spring Garden Estates Subdivision.

Mr. Gerald Newton requested approval be made based on the Findings of Fact and subject to the conditions below:

### Findings of Fact

1. The proposed zone change request, the average density per acre for the entire subdivision (2.1 dwelling units per acre) and the submitted Concept Development Plan is consistent with the

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

DATE: February 4, 1987

RE: Request of Byron and Wanda Griffith (owner) for a Zoning Map Amendment on a 1.117 acre site located at the intersection of U.S. 25 and Frogtown Road (KY 536), Boone County, Kentucky. The request is to rezone the property from Mobile Home Park (MHP) to Commercial Services (C-3).

## REMARKS:

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

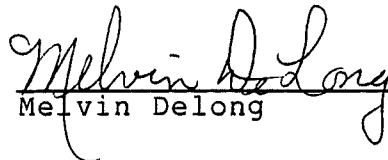
Findings of Fact

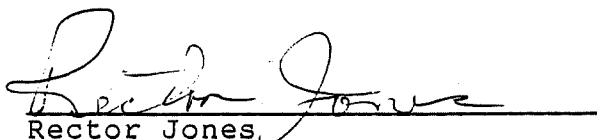
1. The map amendment is in agreement with the 1986 Boone County Comprehensive Plan.
2. The existing zoning classification is not consistent with the existing use of the property. The proposed zoning classification is appropriate for the existing and planned use of the property.

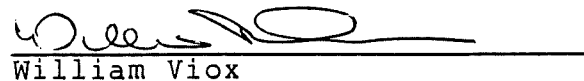
Conditions

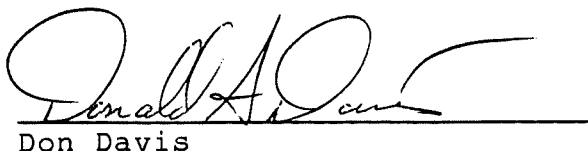
1. The proposed six unit building will be oriented so that the rear of the building does not face Frogtown Road or U.S. 25.
2. The existing trees along Frogtown Road will be retained.
3. Landscaping, as indicated on any future site plan, will include healthy, 4 foot white pines to screen the proposed building and parking area from Frogtown Road and U.S. 25. These pines will be planted 10 feet apart and staggered in two rows.

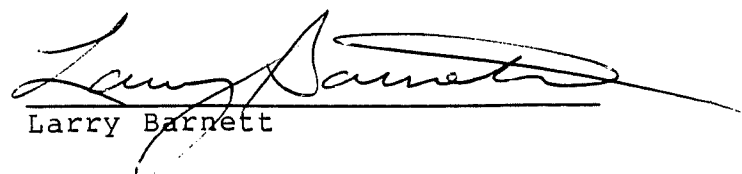
\_\_\_\_\_  
Fred Burch, Chairman

  
\_\_\_\_\_  
Melvin Delong

  
\_\_\_\_\_  
Rector Jones

  
\_\_\_\_\_  
William Viox

  
\_\_\_\_\_  
Don Davis

  
\_\_\_\_\_  
Larry Barnett

BOONE COUNTY FISCAL COURT

ORDINANCE NO. 920.108

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, FOR A 1.117 ACRE SITE SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM MOBILE HOME PARK (MHP) TO COMMERCIAL SERVICES (C-3) FOR PROPERTY LOCATED AT THE INTERSECTION OF U.S. 25 AND FROGTOWN ROAD (KY 536), BOONE COUNTY, KENTUCKY, AS REQUESTED BY BYRON AND WANDA GRIFFITH (OWNERS) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSION VIA RESOLUTION R-07-87.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a Map Amendment for a zone change from Mobile Home Park (MHP) to Commercial Services (C-3) for certain real estate which is more particularly described below, and;

WHEREAS, the Boone County Fiscal Court has recognized the conducted Public Hearing by the Boone County Planning Commission, serving as a due process trial-type hearing, and its findings of fact recommending approval of the zone change request, and;

WHEREAS, the Fiscal Court of Boone County, Kentucky, deems it necessary to enact this Ordinance, to preserve and protect the health, safety and convenience of the inhabitants of Boone County pursuant to the the Fiscal Court's authority under KRS 67.083 and Chapter 100 of the Kentucky Revised Statutes.

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

SECTION I

That the zone change for the real estte which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from Mobile Home Park (MHP) to Commercial Services (C-3). The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

See attached legal description which is incorporated by reference as if fully set out herein.  
(ATTACHMENT - EXHIBIT "A")

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in this Ordinance.  
(ATTACHMENT - EXHIBIT "B")

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

Introduced, seconded and given First Reading on the 3rd day of March, 1987.

Adopted by the Fiscal Court of Boone County after Second Reading at a Regular Meeting on the 7th day of April, 1987, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.

Bruce Ferguson  
Bruce Ferguson  
Boone County Judge/Executive

ATTEST:

Jerry W. Rouse  
Jerry W. Rouse  
Boone County Clerk

Submitted by:

Larry Crigler  
Larry Crigler  
Boone County Attorney

DATE PUBLISHED: 07/02/87