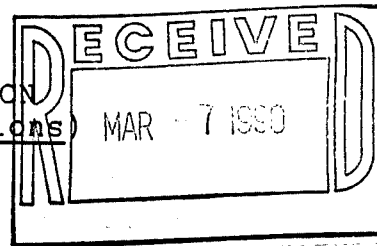


APPLICATION FORM

ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)



SECTION A (To be completed by applicant)

1. Name of Development N/A
2. Location of Development E. SD. LAWRENCEBURG FERRY RD., 1.2 MI. N. KY. 20
3. Total Acreage of Site 10.05 AC
4. Current Zoning I-3
5. Proposed Zoning (classification being requested) A-1
6. Proposed Uses (please specify each use) AGRICULTURE
7. Name of Applicant(s) JOHNNY R. ABDON
Phone Number(s) 1-901-376-8444
- * 8. Address of Applicant(s) P.O. Box 370, Highway 125 South
Middleton, Tennessee 38052
City State Zip
9. Name of Property Owner(s) SAME
Phone Number(s) _____
10. Address of Property Owner(s) _____
City State Zip
11. Proposed Building Intensities (please specify) N/A
12. Are there any existing buildings on the site? NO
How many? _____
13. Deed Book 321 Page No. 198 Group No. 2005
14. Have you had a pre-application meeting with BCPC staff? YES
15. Please check the following organizations/agencies which you have discussed the proposed development with in 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 Road Department
- _____ Kentucky Transportation Cabinet
- _____ City of Florence Public Works Department
- _____ City of Walton Public Works Department
- _____ Northern Kentucky Health District
- _____ U.S. Soil Conservation Service
- _____ Local School District
- _____ Local Fire District
- _____ Other: _____

(COMPLETE OTHER SIDE OF APPLICATION)

EXHIBIT "A"

**REQUEST OF JOHNNY R. ABDON (OWNER) FOR A
ZONING MAP AMENDMENT ON A 10.05 ACRE PARCEL
LOCATED ON LAWRENCEBURG FERRY ROAD**

March 28, 1990

This is a request of Johnny R. Abdon (owner) for a Zoning Map Amendment from Industrial Three (I-3) to Agriculture (A-1). The 10.05 acre site is located approximately 1.2 miles north of KY 20 on Lawrenceburg Ferry Road, Boone County, Kentucky. The site is adjacent to a 2.058 acre zoning map amendment from Industrial Three (I-3) to Agriculture (A-1) in 1984 by the same applicant and owner. The intended use is for agriculture, or possible future residential uses for both the 1984 and current requests.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 1986 Future Land Use Map indicates Developmentally Sensitive for most of the 10.05 acre site, with the remainder of the Abdon property being future Rural Lands. The 10.05 acre site is part of an approximately 38 acre property.

Page L-8 of the Land use Element contains the following passage:

"The extraction of gravel in this area along the Ohio River will continue but should not be encouraged north of Petersburg in order to leave this area open for eventual residential development. Gravel pits to the south of Petersburg will enlarge as resources are taken out of the area!"

SURROUNDING LAND USES AND ZONING

Lawrenceburg Ferry Road is surrounded by wooded property. To the south of the ±38 acre Abdon Farm is the Treasure Lake paylake facility. To the west of Lawrenceburg Ferry Road is Taylor Creek, which flows directly into the Ohio River. The mouth of this creek is the site of a 1983 zone change request from Industrial Three (I-3) to Agriculture (A-1), known as the Spoonaker request. Zoning to the north and east of the 10.05 acre site is Industrial Three (I-3) while all other adjacent zoning is Agriculture (A-1).

SITE CHARACTERISTICS

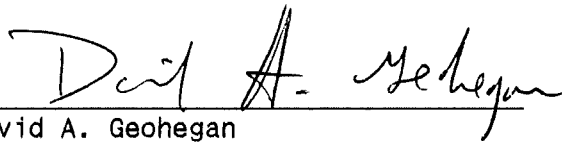
As easily seen on the attached topographic map, the site contains steep slopes, and is covered with scrub woods. An electric transmission line traverses the property. Soils present on the 10.05 acre site include Cynthiana flaggy silty clay loam (CyF) usually found on slopes of 20 to 50 percent; and Brashear silty clay loam (BrD) usually found on slopes of 12 to 20 percent. Both soils present a severe hazard of erosion. The geologic structure of the site is almost entirely composed of the Kope Formation according to the USGS Geologic Maps. If disturbed, the Kope Formation is very prone to slippage, slump, and catastrophic land slides.

STAFF CONCERNS

- 1) Most of the site is Developmentally Sensitive , for slope and soil reasons. Any future residential development should respect this condition, and try to preserve existing stabilizing vegetation.
- 2) Future residential access onto Lawrenceburg Ferry Road should be carefully placed because of several blind curves that exist.
- 3) Staff believes that the entire Lawrenceburg Ferry Road area, currently zoned for extractive industry, should be evaluated during the five year update of the Boone County Zoning Regulations in order to avoid future truck traffic on unsuitable roads, and to avoid damage to the Developmentally Sensitive hillsides.

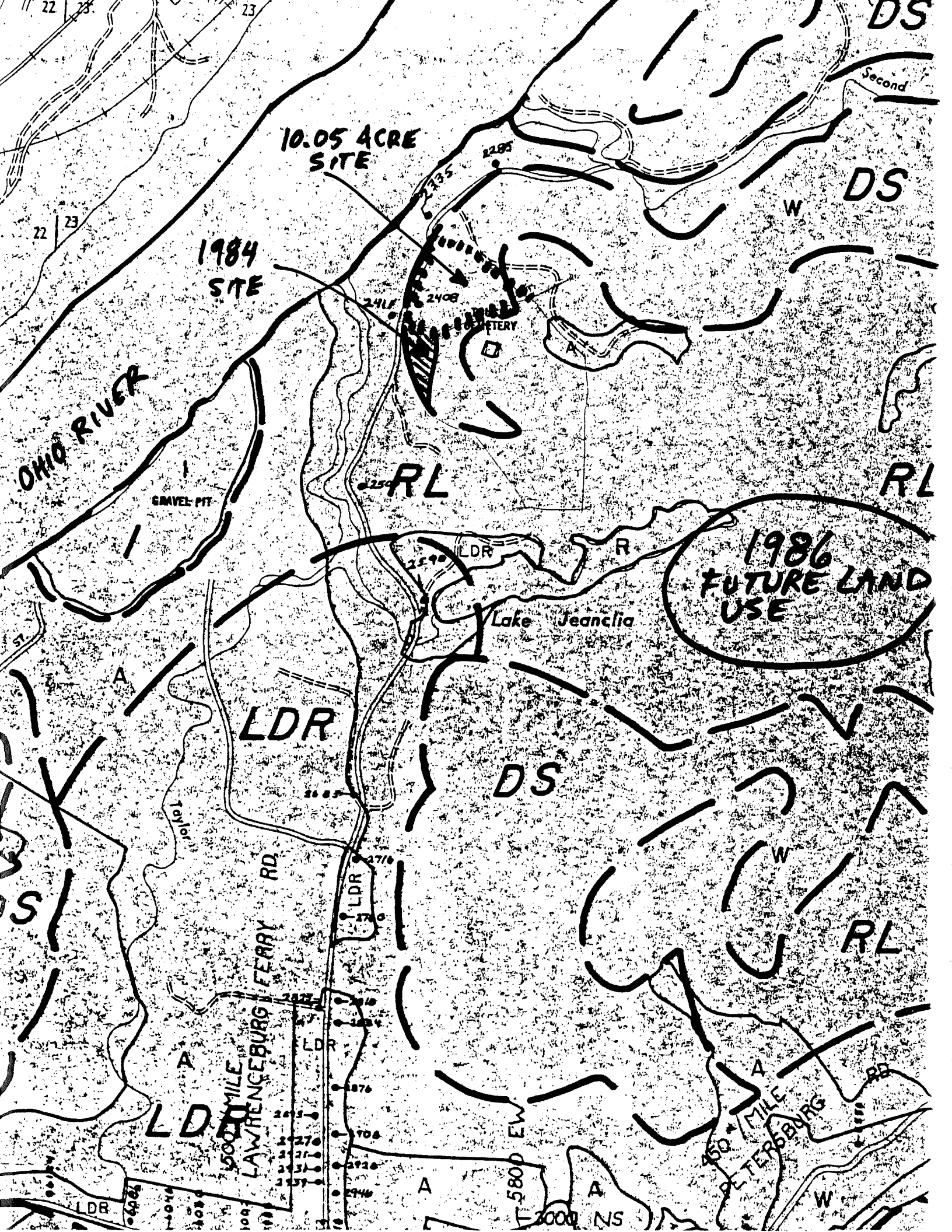
CONCLUSION

The Planning Commission and Fiscal Court must examine this request in terms of the three requirements necessary for a zone change and in light of the future incompatibility of extractive industry uses and residential uses in the Lawrenceburg Ferry Road area. Should this request be approved, no change will be necessary to the Comprehensive Plan Land Use Map.



David A. Geohegan
Planner / Plans Examiner III

DAG/GVS:jdh

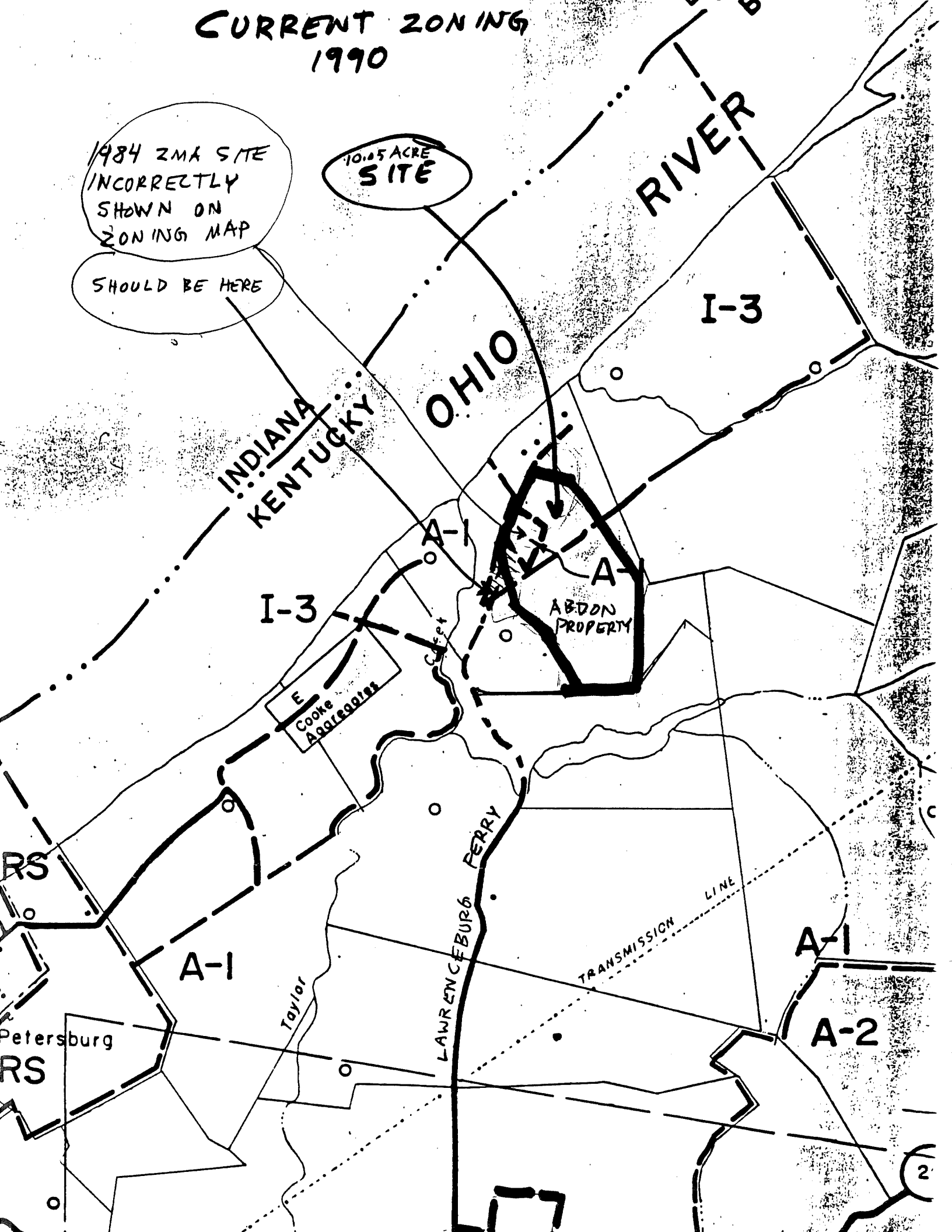


CURRENT ZONING 1990

1984 ZMA SITE
INCORRECTLY
SHOWN ON
ZONING MAP

10.65 ACRE
SITE

SHOULD BE HERE



BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #5
March 28, 1990

Page 1

Mr. Burch introduced the last item on the Agenda:

5. Applicant: Johnny R. Abdon (owner)
Request: Zoning Map Amendment

This was a Public Hearing on the request of Johnny R. Abdon (owner) for a Zoning Map Amendment on a 10.05-acre site located east of Lawrenceburg Ferry Road and approximately 1.2 miles north of KY 20, Boone County, Kentucky. The request is to rezone the site from Industrial Three (I-3) to Agriculture (A-1).

Staff Member, Dave Geohegan, presented the Staff Report which included a slide presentation (see Staff Report).

Arlene Jones, representing the applicant, stated that Mr. Abdon wants to sell the property for home sites. The A-1 Zone would restrict it to 5-acre sites and the environment could be protected with A-1 zoning.

Mr. Burch asked if there was anyone else present who wished to speak for or against the request or if there were any questions.

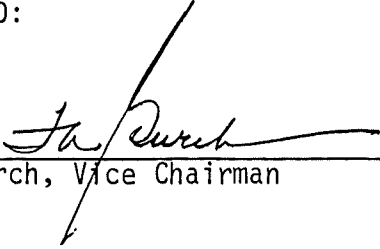
Mr. Bill Bishop questioned whose property was involved.

Mr. Burch advised that there are maps in the record room that show ownership.

Mr. Bishop reviewed the location of his property with Mr. Geohegan.

There being no further comments, Mr. Burch advised that this item will be on the Agenda for the Business Meeting on April 4, 1990 at 8 P.M. and closed this Public Hearing.

APPROVED:



Fred Burch, Vice Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

April 4, 1990

8:00 P.M.

Mr. Barry Neltner, Temporary Presiding Officer, called the meeting to order at 9:10 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Collins
Mr. Phil Damstrom
Mr. R. N. Greene
Mr. Robert Kirby, Jr.
Mr. Don McMillian
Mr. Barry Neltner, Temporary Presiding Officer
Mr. Thurman Owens
Mr. Ralph Rush
Mr. Floyd Sharp

COMMISSION MEMBERS NOT PRESENT:

Mr. Larry Barnett
Mr. Fred Burch, Vice Chairman
Mr. Melvin DeLong
Mr. Rector Jones
Mrs. Carol Smith
Mr. William Viox, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Neltner noted that each member had received copies of the Minutes of the Business Meeting of March 21, 1990 and the Public Hearings of March 21 and March 28, 1990. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Collins seconded the motion and it carried unanimously.

6. Zoning Map Amendment

The request of James K. Sterling (applicant) for Walton Church of Christ (owner) for a Zoning Map Amendment on a 2.96-acre site located at 12300 Dixie Highway, Walton, Kentucky. The request is to rezone the site from Rural Suburban (RS) and Agricultural Estate (A-2) to Urban Residential One (UR-1).

Mr. Costello read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). Mr. Costello stated that there was no letter signed by the applicant agreeing to the conditions as he could not be reached.

Mr. Gardner, representing the applicant, stated that he was unable to contact the applicant. He stated that the applicant has no problem with the first condition, but believes that if he could produce additional facts he could show why the second condition is not practical. He asked if the matter could be deferred to allow them to meet with the Committee again.

Mr. James Sterling stated that it may be better to put the street on the southern border of the property. He noted that the street as shown may not border the adjoining property to the east and he does not want to sign a condition saying that he will build an easement to the property if the road does not border the property.

Counselor Wilson stated that the Commission may not be able to resolve this issue at this time as the adjoining property owner is not present.

Mr. McMillian moved that the request be deferred until the April 18, 1990 Business Meeting. Mr. Greene seconded the motion and it carried unanimously. Mr. Costello noted that the deferral is within the time limitations.

7. Zoning Map Amendment

The request of Johnny R. Abdon (owner) for a Zoning Map Amendment on a 10.05-acre site located east of Lawrenceburg Ferry Road, approximately 1.2 miles north of KY 20, Boone County, Kentucky. The request is to rezone the site from Industrial Three (I-3) to Agriculture (A-1).

Mr. Costello read the Committee Report which recommended approval of the request based on the findings of fact, without conditions (see Committee Report).

There being no discussion, Mr. Greene moved that the request be approved based on the Committee Report. Mr. Collins seconded the motion and it carried unanimously.

EXHIBIT "B"

COMMITTEE REPORT

#7

TO: Boone County Planning Commission

FROM: Carol Smith, Committee Chairwoman

DATE: April 4, 1990

RE: Request of Johnny R. Abdon (owner) for a Zoning Map Amendment on a 10.05 acre site located east of Lawrenceburg Ferry Road and approximately 1.2 miles north of KY 20, Boone County, Kentucky. The request is to rezone the site from Industrial Three (I-3) to Agriculture (A-1).

REMARKS:

We, the Committee, recommend approval of the request based upon the following findings of fact.

FINDINGS OF FACT

1. The requested Agriculture (A-1) zoning is in conformance with the 1986 Boone County Comprehensive Plan. The 1986 Future Land Use Map indicates Developmentally Sensitive for the 10.05 acre site. Five acre homesites can be consistent with that designation. The Land Use Text for the Petersburg area recommends that future extractive industry be conducted south of that town, therefore, the Industrial Three (I-3) zoning is no longer consistent with the Comprehensive Plan. Specific references are made in the Staff Report.
2. The current zoning of Industrial Three (I-3) is not appropriate for the site because of the Kope formation, steep slopes, soil conditions and poor road system present. The proposed zoning of Agriculture (A-1) is appropriate to allow sensitive residential development or limited agriculture on the 10.05 acre site.


Carol Smith, Committee Chairwoman

Fred Burch

Rector Jones


Barry Neltner

Larry Barnett


Floyd Sharp

CS:jdh

MINUTES
BOONE COUNTY FISCAL COURT
MAY 22, 1990
5:30 P.M.

Commissioner Patrick moved, seconded by Commissioner Meihaus, to approve the appointment of Patty Birkle to replace Jesse Talbott on the Petersburg Fire Protection District, said term to expire May 31, 1990. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

Commissioner Davis moved, seconded by Commissioner Patrick, to approve the appointment of Robert L. Walton to the Burlington Fire Protection District, to fill the vacancy created due to the resignation of Harold Congleton, said term to expire May 31, 1991. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

Commissioner Meihaus moved, seconded by Commissioner Davis, to approve the reappointment of Greg Coldiron to the Northern Kentucky Convention & Visitors Bureau, said term to expire July 31, 1993. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

Commissioner Patrick moved, seconded from the chair, to appoint Commissioner Donald Davis to the Northern Kentucky Port Authority. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

Commissioner Davis moved, seconded by Commissioner Meihaus, to approve the appointment of Robert Zapp to the Northern Kentucky Port Authority, said term to expire May 31, 1994. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

Commissioner Patrick moved, seconded by Commissioner Davis, to approve the reappointment of Jean Abernathy to the Northern Kentucky Area Development District Health Services Council, said term to expire June 30, 1992. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

ITEM V.

ORDINANCES & RESOLUTIONS

ORDINANCE 920.200 - ABDON

Commissioner Patrick moved, seconded by Commissioner Meihaus, to approve on Second Reading Ordinance 920.200, an ordinance of the Boone County Fiscal Court recommending approval for a zoning map amendment to the Boone County, Kentucky Zoning Map, such map amendment being requested by Johnny R. Abdon (owner) and such map amendment being a zone change from Industrial Three (I-3) to Agriculture (A-1) for a 10.05 acre parcel generally located east of Lawrenceburg Ferry Road and approximately 1.2 miles north of Kentucky 20, Boone County, Kentucky as recommended by the Boone County Planning Commission via Resolution R-10-90.

Commissioner Davis commented that he had spoken informally with Arlene Jones, who was representing the applicant, and it was his understanding there would be no mobile homes placed on the property and this would become a deed restriction for the future.

Judge Ferguson called for a vote on the motion, ALL VOTED AYE. (Exhibit "E")

ORDINANCE 920.206 - HORIZON HOUSE

Commissioner Patrick moved, seconded by Commissioner Meihaus, to approve on First Reading Ordinance 920.206, an ordinance of the Boone County Fiscal Court recommending approval for a zoning map amendment to the Boone County, Kentucky Zoning Map, such map amendment being requested by Horizon House and William Marsh (owners) and such map amendment being a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for a 2.45 acre site located at 6772 and 6742 Hopeful Road, Boone County, Kentucky, as recommended unanimously by the Boone County Planning