

**ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION**

Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Name of Project: Park View Estates Subdivision
2. Location of Project: 9692 Camp Ernst Road
3. Total Acreage of Project: 20.20+/-Acres (Remainder)
4. Current Zoning of Property: RSE Rural Suburban Estates
5. Proposed Zoning of Property (classification being requested): RSE Rural Suburban Estates
6. Proposed Use(s) (specify each use):
Same use as existing - Request to adding two additional Lots
7. Proposed Building Intensities (specify for each building):
N/A
8. Are you applying for any of the following (check all that apply):
 Conditional Use Permit Variance
9. Current Owner: Great Development Properties
Address: 3180 Burlington Pike
Burlington Kentucky 41005
City State Zip Code
Phone Number: 859-393-1424 Fax Number: N/A
Email: tessiefinke@gandtexcavartions.com
10. Applicant: Great Development Properties
Address: 3180 Burlington Pike
Burlington Kentucky 41005
City State Zip Code
Phone Number: 859-393-1424 Fax Number: N/A
Email: tessiefinke@gandtexcavartions.com and markrosenberger@bayerbecker.com
11. Are there any existing buildings on the site: Yes No
If yes, indicate how many: _____

12. ✓ 1199 ✓ 1 ✓ 2046
Deed Book Page Number Group Number

13. Have you had a pre-application meeting with the BCPC staff: Yes No

14. Have you submitted a Concept Development Plan: Yes No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input checked="" type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input checked="" type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

16. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on September 19th, 2024

Property Owner's Signature:

Agc Fike Pres.

Applicant's Signature:

Agc Fike Pres.

EXHIBIT

“A”

STAFF REPORT

#2

Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Residential Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

August 21, 2024

REQUEST

- A. The request is for a Change in an Approved Concept Development Plan for an approximate 20 acre area located at the terminus of Maverick Boulevard. The proposal is to increase the number of detached single-family residential lots from twelve (12) to fourteen (14).

SITE HISTORY

- Prior to 1938 Based on information contained in the Boone County GIS, approximately half of the site was used for agricultural purposes.
- 1981 - 1974 Based on information contained in the Boone County GIS, the first building was constructed on the site.
- 1981 - 1985 Based on information contained in the Boone County GIS, additional buildings were constructed on the site.
- 1986 Sarah M. Kloeker submitted a Zoning Map Amendment application changing an approximate 52 acre area of the site in question from RSE and A-2 to A-1. On October 1, 1986, the Boone County Planning Commission recommended approval of the request, subject to the condition that the site be limited to a maximum of four (4) mobile homes (R-37-86). On November 4, 1986, the Boone County Fiscal Court adopted Ordinance Number 920.100, approving the request, subject to the condition as recommended by the planning commission.
- 1985 - 1990 Based on information contained in the Boone County GIS, the building which has an address of 9692 Camp Ernst Road was built.
- 1992 As part of the 1992 county-wide zoning update, an approximate 495 foot deep area of the site, fronting Camp Ernst Road, was rezoned from A-1 to RSE.
- 1992 - 1994 Based on information contained in the Boone County GIS, the building which has an address of 9694 camp Ernst Road was built.
- 2021 On March 23, 2021, Boone Fiscal Court adopted Ordinance Number 2021-08, changing the zoning of the site in question from A-1 to RSE to allow for the

changing the zoning of the site in question from A-1 to RSE to allow for the development of a thirty-two (32) lot detached single-family residential subdivision (R-21-004-A).

- 2021 On June 25, 2021, the Boone County Planning Commission approved a Preliminary Plat for a thirty-two (32) lot detached single-family residential subdivision (Park View Estates).
- 2021 On November 12, 2021, the Boone County Planning Commission approved a Grading Permit for Park View Estates – Phase 1.
- 2022 On August 1, 2022, the Boone County Planning Commission approved an Improvement Plan for Park View Estates – Phase 1.
- 2022 On December 16, 2022, the Boone County Planning Commission approved a Final Plat for Park View Estates – Section 1 (17 lots).
- 2023 On February 6, 2023, the Boone County Planning Commission approved a Final Plat for Park View Estates – Section 2 (1 lot).
- 2023 On December 20, 2023, the Boone County Planning Commission approved an Improvement Plan for Park View Estates – Phase 2.

APPLICABLE REGULATIONS

- A. Section 311 of the Boone County Zoning Regulations states that major amendments to the terms of an approved Zoning Map Amendment, including a Concept Development Plan, that involve substantial or significant changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect must be submitted to the Planning Commission and shall conform to the procedure and as it was originally approved.
- B. Section 901.A of the Boone County Zoning Regulations states that Rural Suburban Estates should be located where there may be a limited feasibility, desire, or need for providing or requiring all infrastructure normal to support a suburban or urban neighborhood. The purpose of the Rural Suburban Estates district is to provide a residential environment whose dwelling types and densities are typical of a semi-suburban character. Such districts will be located on lands adjacent to established urban areas, but which are not suitable for larger scale or more densely developed suburban or urban residential use.
- C. Section 3111 of the Boone County Zoning Regulations states that the maximum intensity of the RSE district is one (1) dwelling unit per acre, that the minimum size of a lot within the RSE district is forty thousand (40,000) square feet, and the minimum frontage within the RSE district is one hundred (100) feet unless the lot is served by public water and sanitary sewers when the minimum frontage will be eighty (80) feet.

SITE CHARACTERISTICS

- A. The approximate 20 acre area is located at the terminus of Maverick Boulevard.
- B. The site is currently vacant and approved to be developed with twelve (12) detached single-family residential dwellings.
- C. Access is to be provided by extending Maverick Boulevard to the north.
- D. Topographically, the site has/is being graded for the future approved development.

ADJACENT LAND USES AND ZONES

- North: Vacant/undeveloped land (A-2)
- South: Single-family (Park View Estates Estates) (RSE)
- East: Vacant/undeveloped land (Woodvale Subdivision) (SR-1)
- West: Single-family (A-2 and RSE)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for "Suburban Density Residential" uses, which is described as single family housing of up to four units per acre.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
 - 1. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).
 - 2. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
 - 3. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 - 4. The needs of an aging population (e.g., access to services, transportation, and support networks) shall be acknowledged and addressed (Demographics Goal A, Objective 2).
 - 5. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 - 6. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs (Demographics Goal B, Objective 1).
 - 7. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).

8. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density (Demographics Goal B, Objective 4).
 9. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features (Demographics Goal B, Objective 8).
- C. Maverick Boulevard is a county maintained local street providing for two way traffic within two driving lanes.

R-21-004-A CONCEPT DEVELOPMENT PLAN

- A. The previously submitted Concept Development Plan, which includes the site in question, indicated the construction of 32 detached single-family residential dwellings.
- B. The following conditions were adopted as part of the zoning map amendment approval:
 1. Development shall follow the Revised Concept Plan received by the Boone County Planning Commission on January 14, 2021, except as modified by the conditions contained herein.
 2. The following Principally Permitted Uses shall be prohibited:
 - a. Farms of tobacco, fiber, cash grain, fruits, tree nuts, vegetables, or other field crops.
 - b. Farms of no predominant crops, including range and grassland pastures, horticultural specialties, apiary farms, and other agricultural and related activities.
 - c. Farms and ranches of dairy production, livestock including cattle, hogs, sheep, goats, horses or similar, poultry or other fowls.
 - d. Wildlife preserve sanctuaries, habitats, cultures and related activities.
 3. Any safety measures that are required for the new street entrance, via an encroachment permit, shall be implemented by the developer prior to the construction entrance being used.

STAFF COMMENTS

- A. All of the proposed lots meet the minimum lot area and lot frontage of the RSE district.
- B. The inclusion of the two (2) additional lots increases the intensity of the overall development from 0.64 units/acre to 0.68 units/acre.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and Boone Fiscal Court in terms of Articles 2 and 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Michael D. Schwartz
Director, Zoning Services

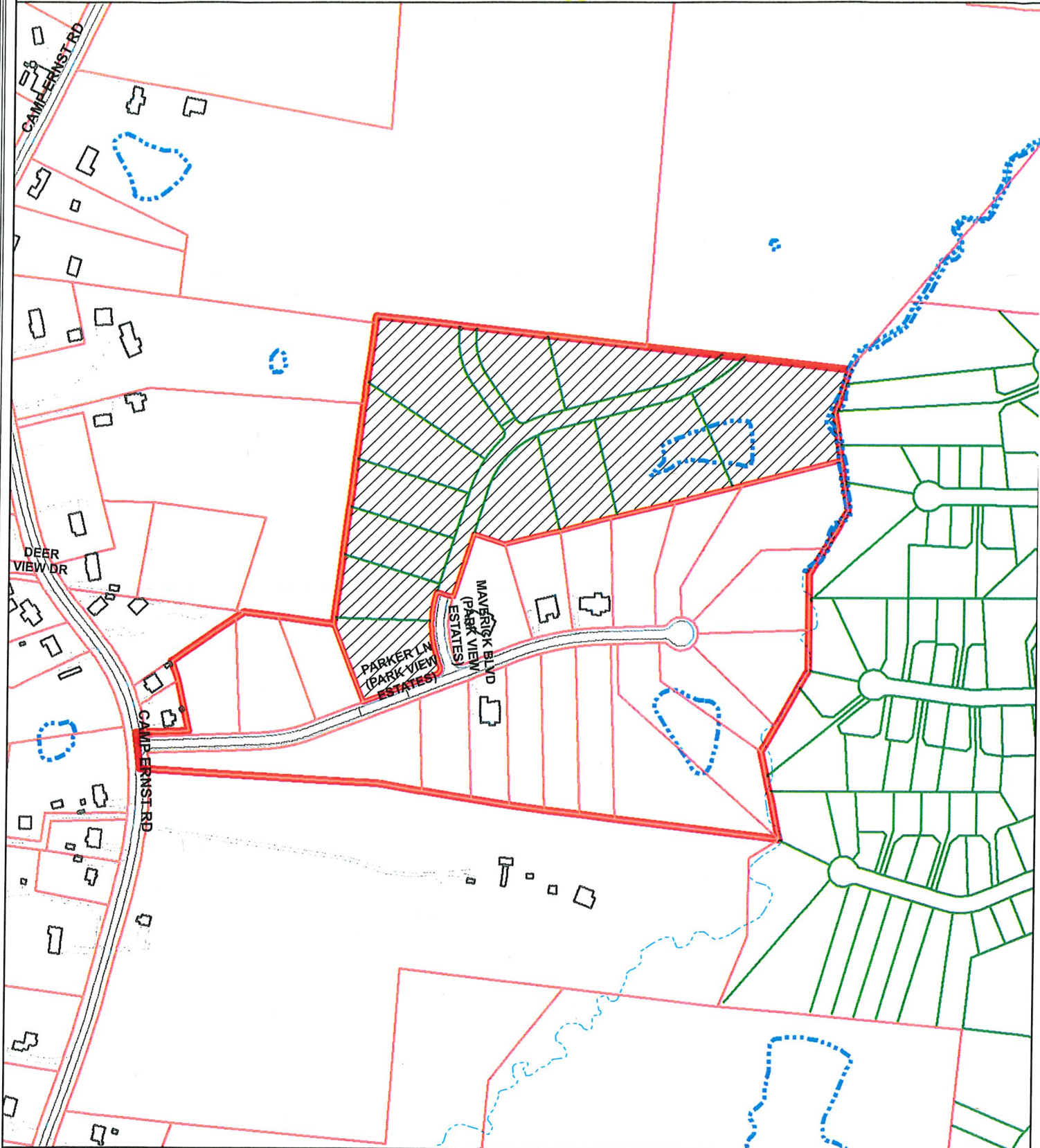
MDS/ss

Attachments:

- *Vicinity Map
- *Aerial Map
- *Topographic Map
- *Zoning Map
- *Proposed Concept Plan Lot Layout
- *Existing/Proposed Concept Plan Lot Layout
- *Application
- *Project Narrative
- *Concept Development Plan

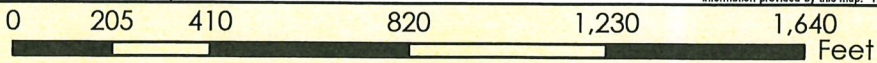
Vicinity Map

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2022

ArcMap Document: *.mxd

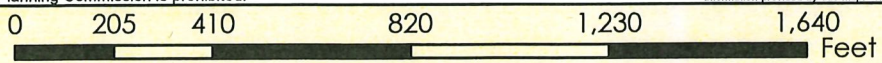
Aerial Map

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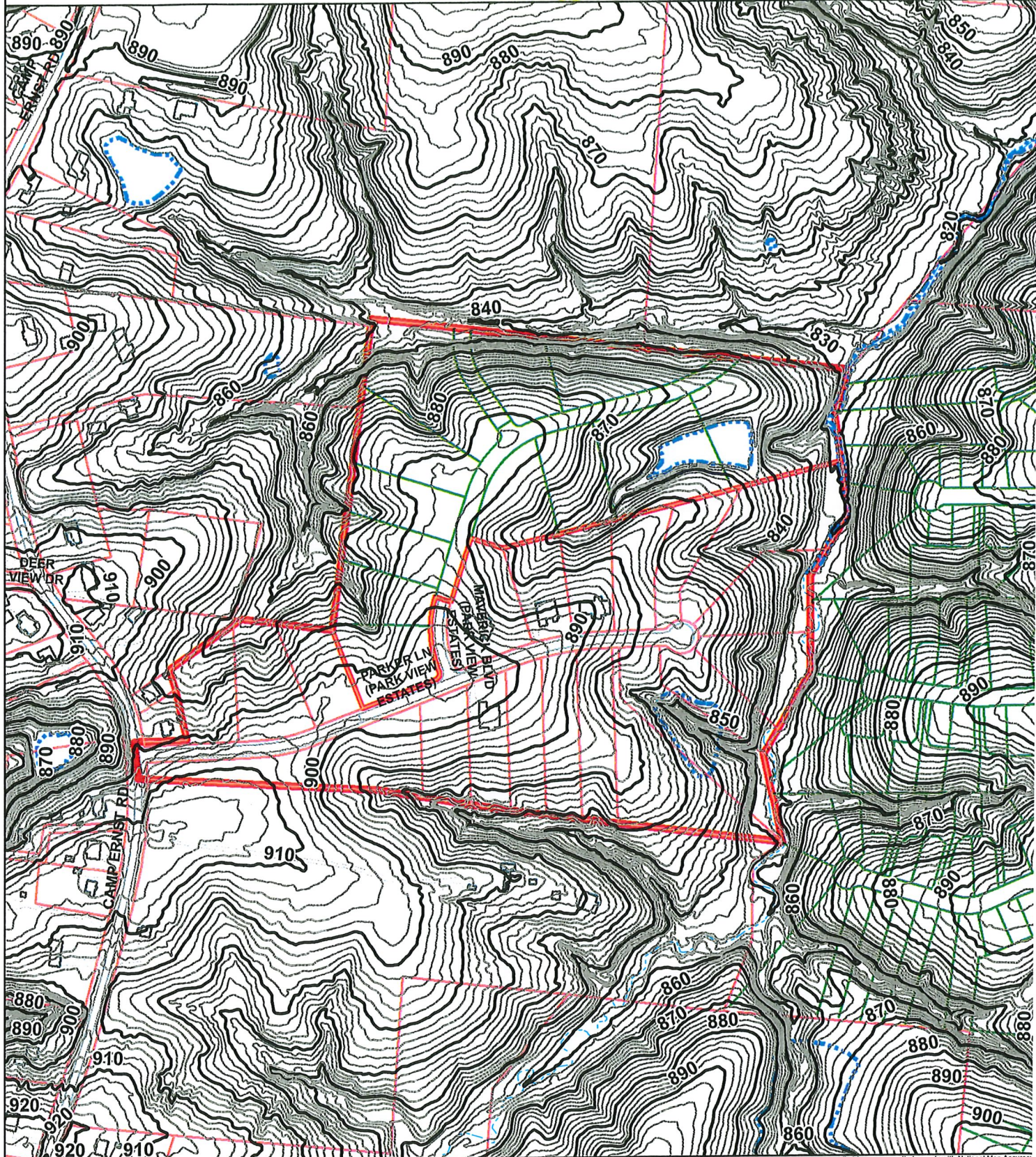
Boone County GIS - Putting Northern Kentucky on the Map



Map File: F:\mxd\Boone GIS 1113
ArcMap Document: *.mxd

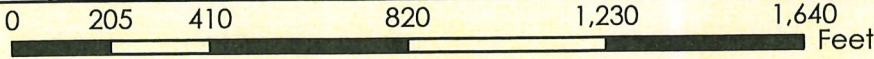
Topographic Map

www.boonecountygis.com



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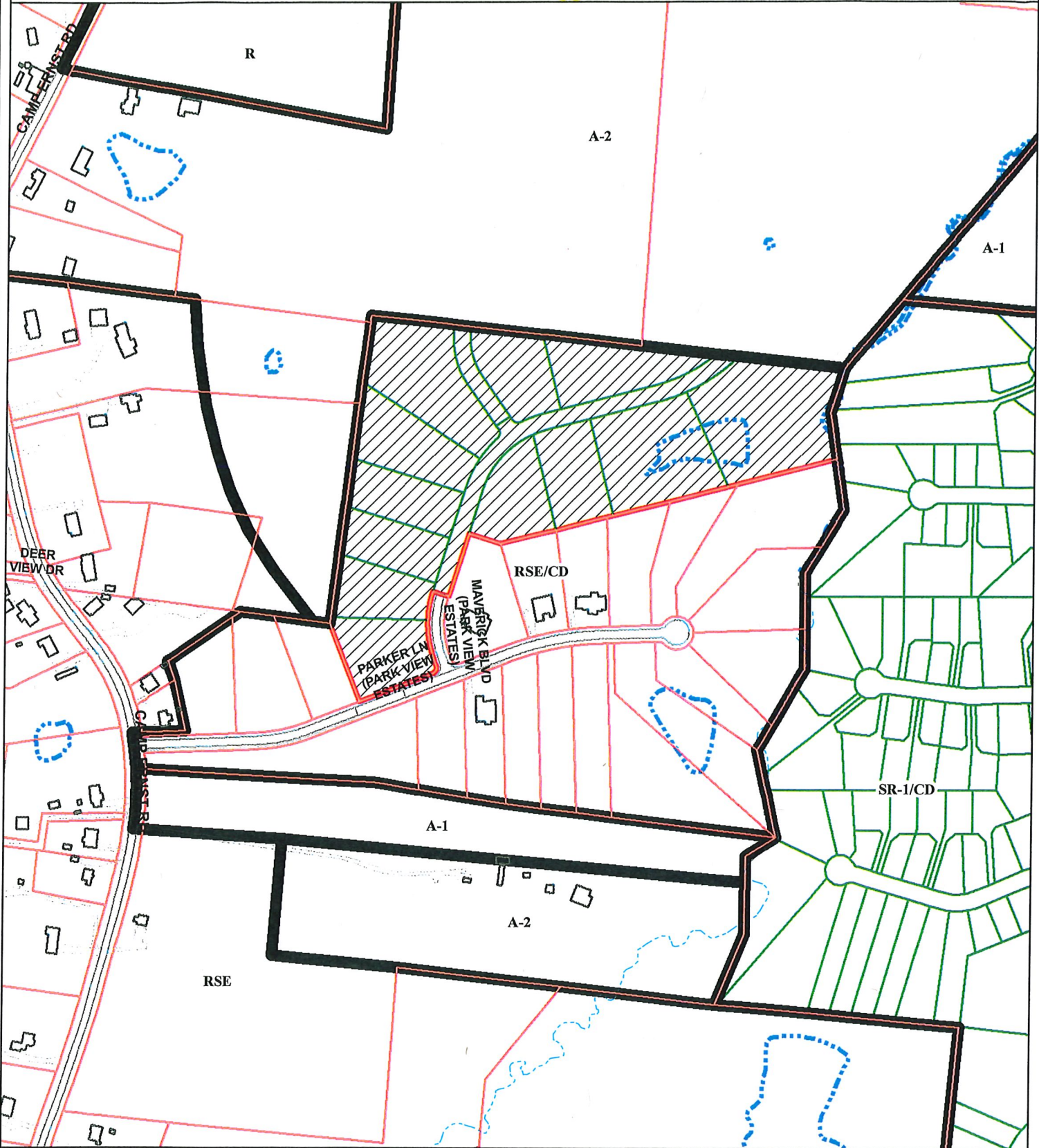


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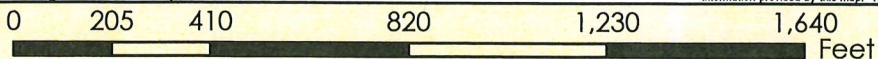
Zoning Map

www.boonecountygis.com

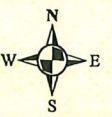


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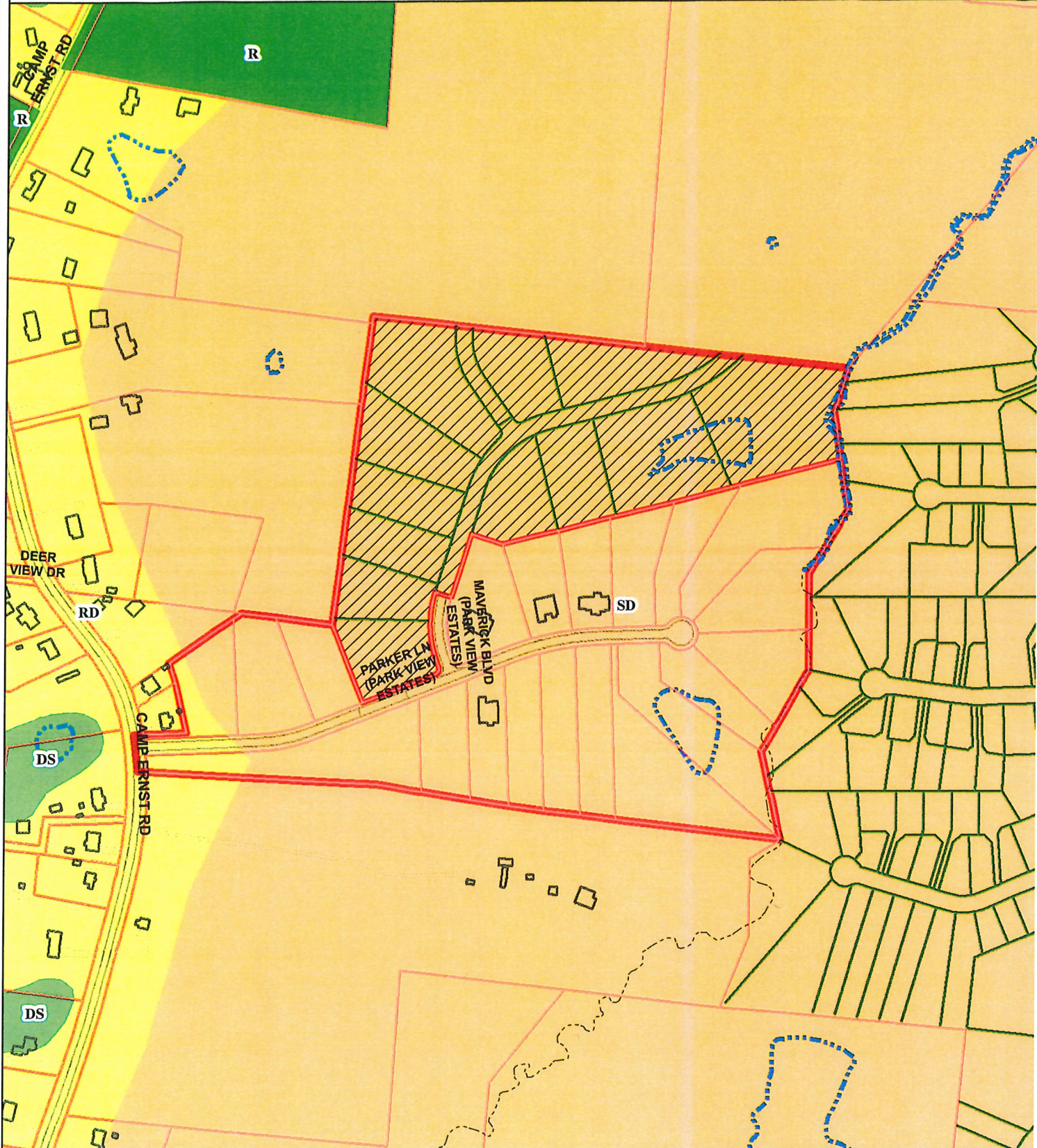
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2022

ArcMap Document: *.mxd

2040 Future Land Use Map

www.boonecountygis.com



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0 205 410 820 1,230 1,640 Feet

1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

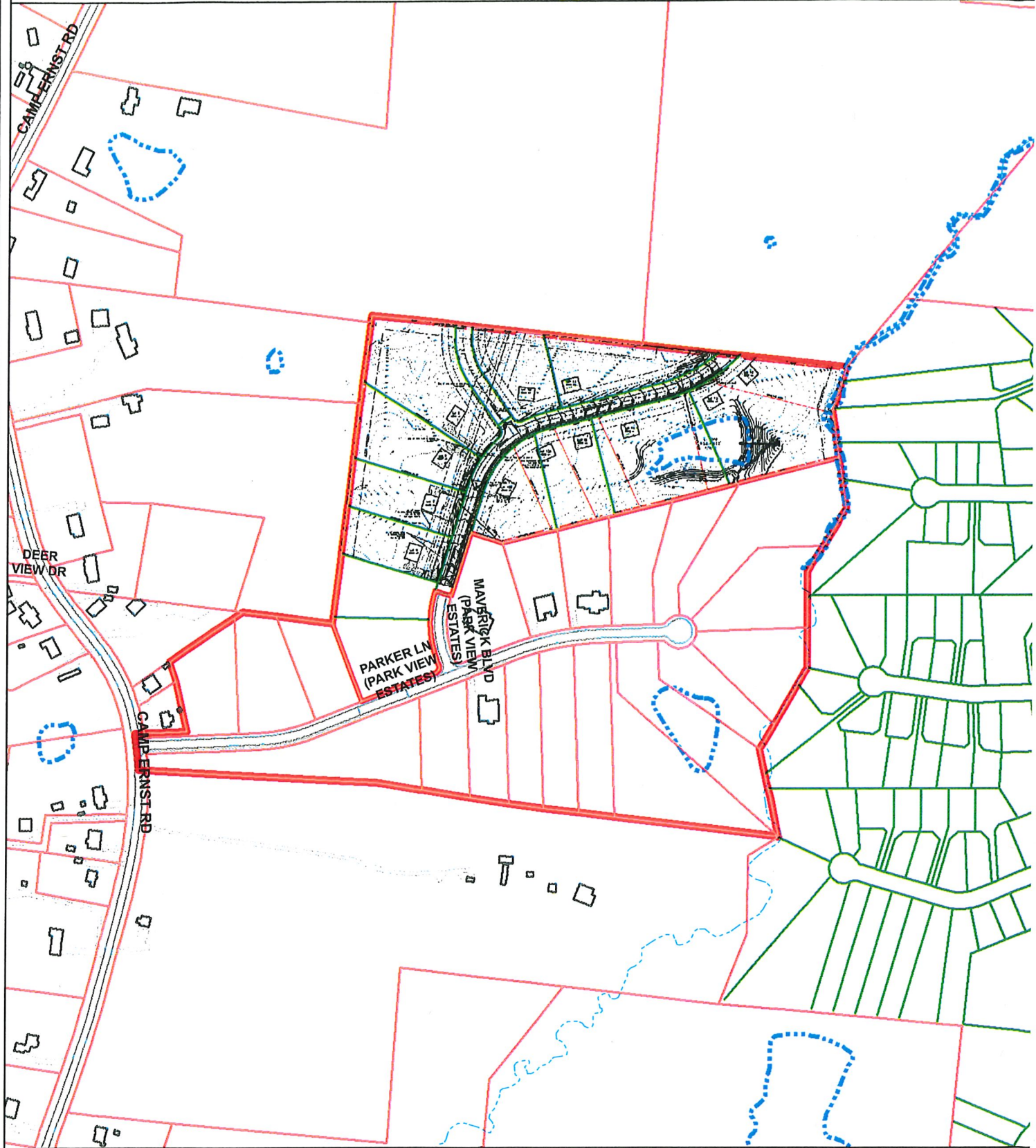


Map Created: xx/xx/2022

Boone County GIS
ArcMap Document: *.mxd

Existing/Proposed Concept Plan Lot Layout

www.boonecountygis.com



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0 205 410 820 1,230 1,640 Feet

1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: xx/xx/2022

Boone County GIS
ArcMap Document: *.mxd

12. 1199 1 2046
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13. Have you had a pre-application meeting with the BCPC staff: Yes No

14. Have you submitted a Concept Development Plan: Yes No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input checked="" type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input checked="" type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

16. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on September 19th, 2024

Property Owner's Signature:

Agc Fish Pres.

Applicant's Signature:

Agc Fish Pres.

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 7/2/24 Fee Received: \$2219⁰⁰ Receipt #: 90832
2. Number of Copies Received: _____
3. Has the following been submitted (check all that apply):
- Completed Application
 - Concept Development Plan
 - Legal Description
 - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: _____
6. Committee Chairperson: _____
7. Scheduled Public Hearing Date: _____
8. Boone County Planning Commission Action: _____ Date of Action: _____
- _____ Approved
- _____ Approved with Conditions
- _____ Denial
- _____ Other
9. Resolution Number: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountky.org
www.boonecountky.org

Project Overview and zoning request

On January 6th, 2021, Great Development Properties Inc. requested a map amendment to change the property 's zoning designation from Agriculture (A-1) and Rural Suburban Estates (RSE) to all Rural Suburban Estates (RSE) zone. The zoning became official at the March 23, 2021, Fiscal Court meeting. It included the rezoning of 32 single family with an overall density of 0.65 units per acre.

Great Development Properties Inc. started construction in late 2021 and recorded lots in late 2022 for Section One. Currently Great Development Properties Inc is starting on the next Phase of construction. With this next phase of construction, it has been determined that an additional two lots could be added to the thirty-two approved lots. After a full boundary and topographic survey, it became clear that the two lots could be added.

All aspects and conditions of the original 2021 amendment will remain in effect, and the current zoning would not be compromised. The increase would change lot yield from 0.65 units per acre to 0.69 units per acre.

A pre-application meeting was held via email and phone call with the Boone County Planning Commission staff on 5-20-24.

Great Development Properties Inc requests the Boone County Planning Commission approve this revision as presented.

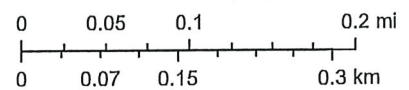
PARK VIEW ESTATES AERIAL



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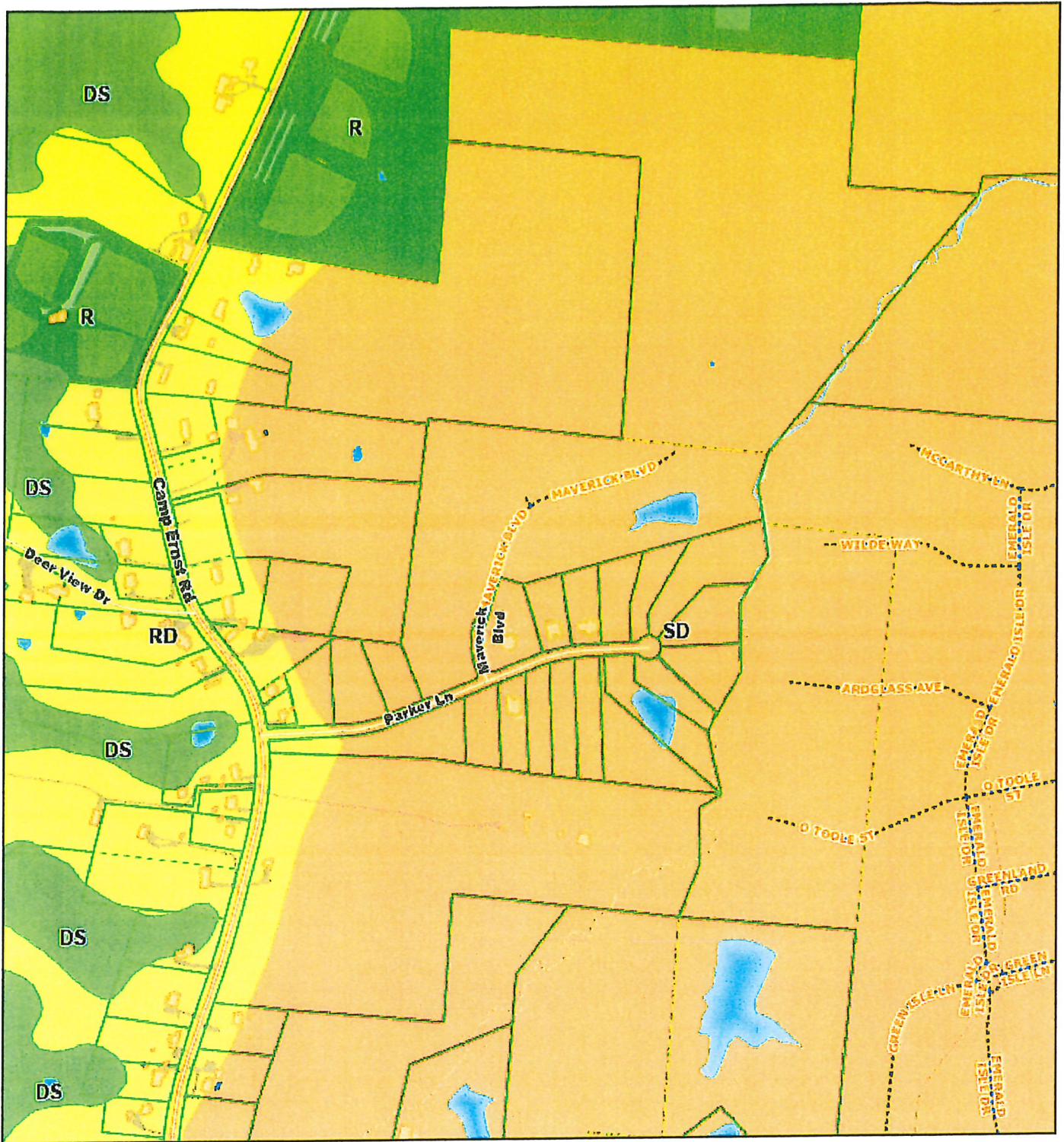
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- | | | |
|---------------------|---------------------|--------------------------------|
| Building Footprints | Swimming Pool | Dock |
| Buildings | Patio | Dugout |
| Tax Parcels | Driveway | Platted Streets |
| Lot Lines | Sidewalk | Street Centerlines |
| Parking Lots | Walking Trail | Minor Hwy |
| Asphalt | Recreation Features | Local Street |
| Gravel | Baseball Field | Intermittent Blue Line Streams |
| Exterior Features | Batting Cage | Waterbodies (large scale) |
| Deck | | |



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, GIS Services Division, Boone County Planning Commission

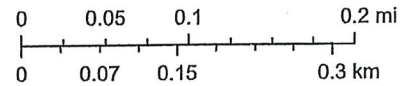
2040 FUTURE LAND USE



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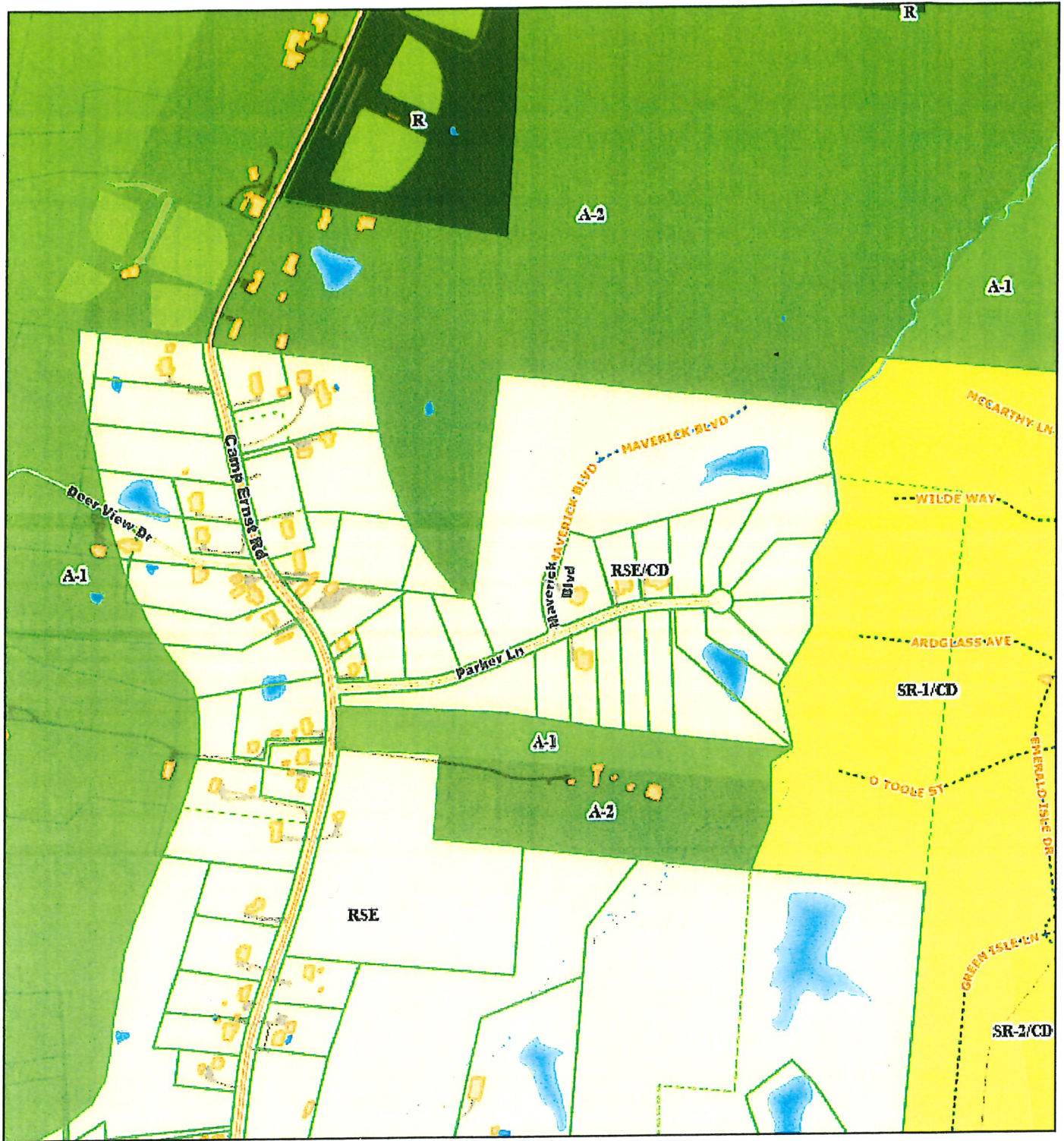
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| Building Footprints | Swimming Pool | Dugout |
| Buildings | Patio | Soccer Field |
| Tax Parcels | Driveway | Platted Streets |
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| Asphalt | Recreation Features | Local Street |
| Gravel | Baseball Field | Intermittent Blue Line Streams |
| Exterior Features | Batting Cage | Waterbodies (large scale) |
| Deck | Dock | |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, GIS Services Division, Boone County Planning Commission

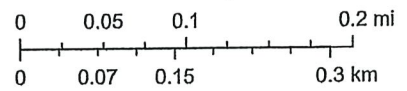
Zoning Map



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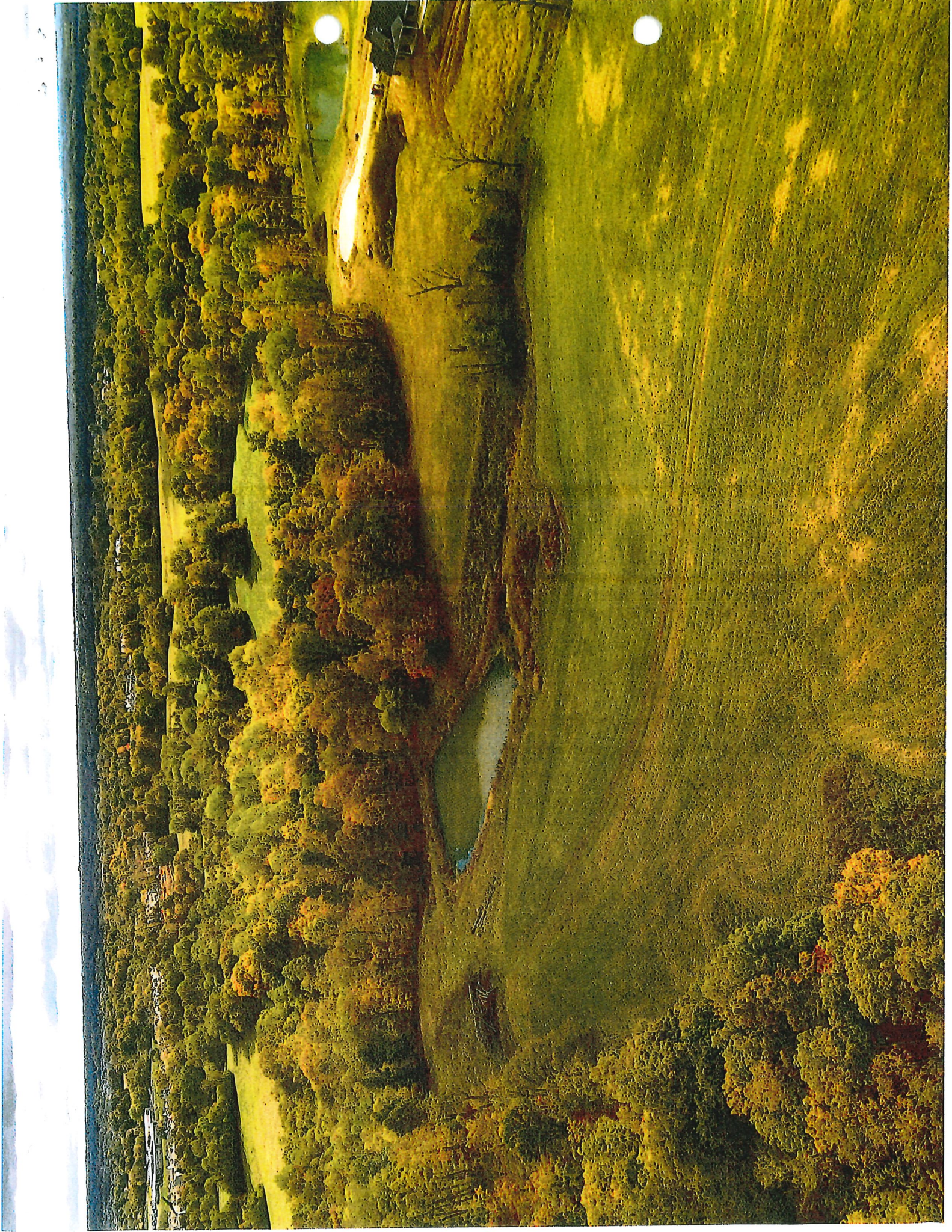
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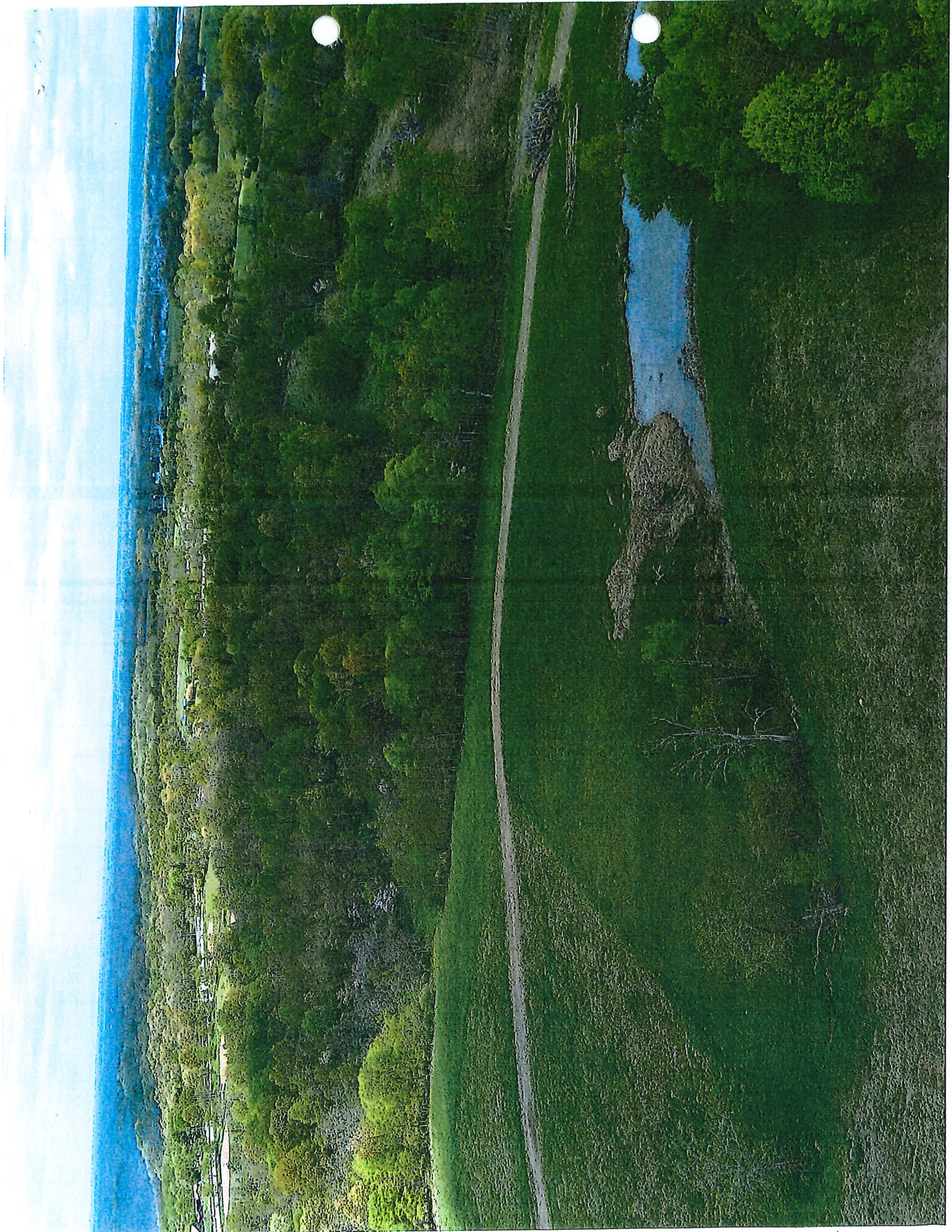
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| Deck | | |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, GIS Services Division, Boone County Planning Commission







**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
AUGUST 21, 2024
7:30 P.M.**

Chairman Rolfsen opened the Public Hearings at 7:30 p.m. and welcomed the audience to the Planning Commission's August 21, 2024 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Ms. Lauren Elliott, Planner

Chairman Rolfsen introduced the second Agenda item first:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

2. Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of

Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The 20 acre site is located at the terminus of Maverick Boulevard. The site is currently vacant and is anticipated to be developed with single-family detached residential dwellings. The site is currently zoned RSE as a result of a Zoning Map Amendment request approved by the Boone County Fiscal Court back in 2021. The 2040 Future Land Use Map designates the site for Suburban Density Residential (SD) uses. Pages 3-4 of the Staff Report include references to the Comprehensive Plan. Mr. Schwartz showed photographs of the site and adjoining properties. The proposal is to change the number of detached single family lots from 12 to 14. All of the proposed lots meet the minimum lot area size and frontage in a RSE zoning district. With the two additional lots, the density is increased from 0.64 units per acre to 0.68 units per acre. It is a minimal difference but it is necessary to review because it is an increase.

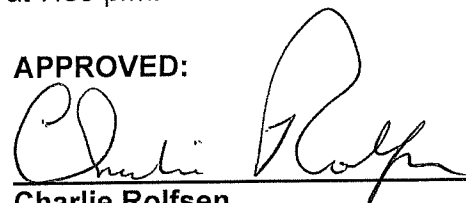
Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Mark Rosenberger, Bayer Becker Engineers, stated that after sizing the detention lot, it became apparent that they could add 2 more lots. He is available to answer any questions. Mr. Rosenberger noted that Mr. Finke is on his way to the meeting to support the project.

Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions? Seeing no one, Chairman Rolfsen asked if the Commissioners had any questions or comments?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 4, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on September 18, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:35 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
SEPTEMBER 18, 2024
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and introduced Boy Scout Troop #724 from Burlington's First Church of Christ. The Troop was present in order to fulfill the Troop's Citizenship and Community Merit Badge. The Troop led the Pledge of Allegiance. Chairman Rolfsen then welcomed the audience to the Planning Commission's September 18, 2024 Business Meeting.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Dr. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mr. Eric Richardson
Mr. Bob Schwenke
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the September 4, 2024 Business Meeting and Public Hearings. He asked if there were any comments or corrections?

Mr. Harper moved to approve the Minutes with one correction on Page 4 of the September 4, 2024 Business Meeting Minutes. The phrase "and it passed unanimously" should be deleted in Paragraph 4. Mr. Turner seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS

CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

1. Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact and a Condition for the Change in Concept Development Plan. He stated that the Committee voted unanimously with Mrs. Kegley, Mr. Lunnemann, Mr. Harper and Mr. Hincks voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no further comment, **Mr. Harper moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Change in Concept Development Plan based upon the Committee Report and the Findings of Fact and one Condition. Mrs. Goetting seconded the motion and it passed unanimously.**

TECHNICAL/DESIGN REVIEW, Rick Lunnemann, Chairman, Michael Schwartz, Staff

2. Turfway Commons – 4999 Houston Road

Staff Member, Michael Schwartz, referred to a PowerPoint presentation. The request is for Design Review. He showed drawings that included the dock bay, man door and paint colors. He stated that the Committee met prior to the Business Meeting and unanimously recommended approval with a provision that the door shall be painted to match the color of the horizontal brick (brownish color).

Mr. Lunnemann moved to approve the request as submitted and with the one condition. Mr. Hincks seconded the motion and it passed unanimously.

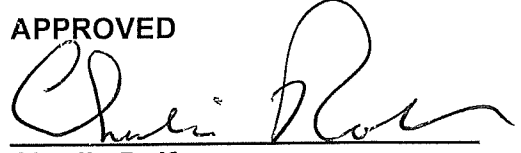
EXECUTIVE DIRECTOR'S REPORT:

No Report

ADJOURNMENT:

There being no further business to come before the Planning Commission, **Mr. Bessler move to adjourn the meeting. Dr. Clark seconded the motion and it passed unanimously. The meeting was adjourned at 7:09 P.M.**

APPROVED



Charlie Rolfsen
Charlie Rolfsen
Chairman

ATTEST:



Kevin P. Costello, AICP
Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Steve Harper, Chair

DATE: September 18, 2024

RE: Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Residential Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

REMARKS:

1. 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 finding of fact and conditions, if deemed necessary, to complete the Committee Report.
2. We, the Committee, recommend approval of the above referenced Zoning Map Amendment/Change of Concept Development Plan/Variance based on the following findings of fact:

FINDINGS OF FACT:

1. The Committee concluded that the proposed change of concept development plan is consistent with previous actions taken by the Boone County Planning Commission and the Boone Fiscal Court.

On March 23, 2021, the Boone Fiscal Court adopted Ordinance Number 2021-08, which changed the zoning of the site from A-1 to RSE, subject to 3 conditions. The pertinent condition states that development shall follow the revised concept plan.

The submitted application is thus required because the revised concept plan showed twelve lots and the current proposal is for fourteen lots.

2. The Committee concluded that the proposed change of concept development plan is in agreement with the 2040 Future Land Use Map of Our Boone County – Plan 2040 which identifies the site for Suburban Density Residential uses.

The proposed change of concept development plan would allow the development of detached single-family residential dwellings at an intensity of 0.68 units per acre.

3. The Committee concluded that the attached condition is necessary to achieve consistency with the Our Boone County Plan 2040. The Committee also concluded that the attached condition is necessary to mitigate any foreseeable community impacts that may be created by the development. The Committee concluded that the attached condition, which was approved as part of the original zoning map amendment is

necessary to provide for accurate record keeping. The property owner has signed a letter demonstrating agreement with the condition:

CONDITION:

1. The following Principally Permitted Uses shall be prohibited:
 - a. Farms of tobacco, fiber, cash grain, fruits, tree nuts, vegetables, or other field crops.
 - b. Farms of no predominant crops, including range and grassland pastures, horticultural specialties, apiary farms, and other agricultural and related activities.
 - c. Farms and ranches of dairy production, livestock including cattle, hogs, sheep, goats, horses or similar, poultry or other fowls.
 - d. Wildlife preserve sanctuaries, habitats, cultures and related activities.

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/Concept Development Plan Committee Vote.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

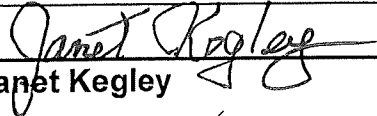
TO: Boone County Planning Commission
FROM: Steve Harper, Chairman
DATE: September 4, 2024

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.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

1. Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

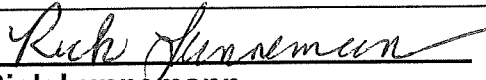


Janet Kegley

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Corrin Gulick

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

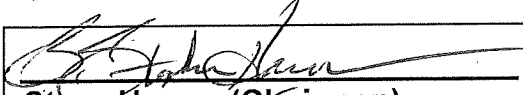


Rick Lunnemann

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Kathy Clark (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

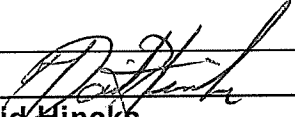


Steve Harper (Chairman)

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____



David Hincks

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Jackie Steele (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____

TOTAL: _____ DEFERRED 4 FOR PROJECT 1 ABSENT
 _____ AGAINST PROJECT _____ ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
AUGUST 21, 2024
7:30 P.M.**

Chairman Rolfsen opened the Public Hearings at 7:30 p.m. and welcomed the audience to the Planning Commission's August 21, 2024 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Ms. Lauren Elliott, Planner

Chairman Rolfsen introduced the second Agenda item first:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

2. Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of

Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The 20 acre site is located at the terminus of Maverick Boulevard. The site is currently vacant and is anticipated to be developed with single-family detached residential dwellings. The site is currently zoned RSE as a result of a Zoning Map Amendment request approved by the Boone County Fiscal Court back in 2021. The 2040 Future Land Use Map designates the site for Suburban Density Residential (SD) uses. Pages 3-4 of the Staff Report include references to the Comprehensive Plan. Mr. Schwartz showed photographs of the site and adjoining properties. The proposal is to change the number of detached single family lots from 12 to 14. All of the proposed lots meet the minimum lot area size and frontage in a RSE zoning district. With the two additional lots, the density is increased from 0.64 units per acre to 0.68 units per acre. It is a minimal difference but it is necessary to review because it is an increase.

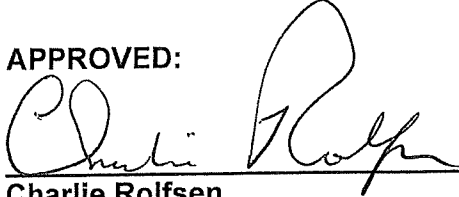
Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Mark Rosenberger, Bayer Becker Engineers, stated that after sizing the detention lot, it became apparent that they could add 2 more lots. He is available to answer any questions. Mr. Rosenberger noted that Mr. Finke is on his way to the meeting to support the project.

Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions? Seeing no one, Chairman Rolfsen asked if the Commissioners had any questions or comments?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 4, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on September 18, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:35 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
AUGUST 21, 2024
7:30 P.M.**

Chairman Rolfsen opened the Public Hearings at 7:30 p.m. and welcomed the audience to the Planning Commission's August 21, 2024 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Ms. Lauren Elliott, Planner

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CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

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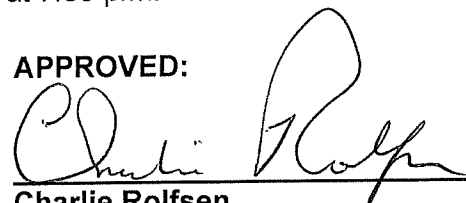
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APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
SEPTEMBER 18, 2024
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and introduced Boy Scout Troop #724 from Burlington's First Church of Christ. The Troop was present in order to fulfill the Troop's Citizenship and Community Merit Badge. The Troop led the Pledge of Allegiance. Chairman Rolfsen then welcomed the audience to the Planning Commission's September 18, 2024 Business Meeting.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Dr. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mr. Eric Richardson
Mr. Bob Schwenke
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the September 4, 2024 Business Meeting and Public Hearings. He asked if there were any comments or corrections?

Mr. Harper moved to approve the Minutes with one correction on Page 4 of the September 4, 2024 Business Meeting Minutes. The phrase "and it passed unanimously" should be deleted in Paragraph 4. Mr. Turner seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS

CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

1. Request of **Great Development Properties, per George Finke (applicant/owner)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact and a Condition for the Change in Concept Development Plan. He stated that the Committee voted unanimously with Mrs. Kegley, Mr. Lunnemann, Mr. Harper and Mr. Hincks voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no further comment, **Mr. Harper moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Change in Concept Development Plan based upon the Committee Report and the Findings of Fact and one Condition. Mrs. Goetting seconded the motion and it passed unanimously.**

TECHNICAL/DESIGN REVIEW, Rick Lunnemann, Chairman, Michael Schwartz, Staff

2. Turfway Commons – 4999 Houston Road

Staff Member, Michael Schwartz, referred to a PowerPoint presentation. The request is for Design Review. He showed drawings that included the dock bay, man door and paint colors. He stated that the Committee met prior to the Business Meeting and unanimously recommended approval with a provision that the door shall be painted to match the color of the horizontal brick (brownish color).

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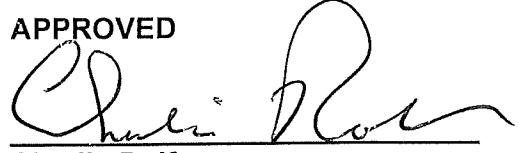
EXECUTIVE DIRECTOR'S REPORT:

No Report

ADJOURNMENT:

There being no further business to come before the Planning Commission, **Mr. Bessler move to adjourn the meeting. Dr. Clark seconded the motion and it passed unanimously. The meeting was adjourned at 7:09 P.M.**

APPROVED



Charlie Rolfsen
Charlie Rolfsen
Chairman

ATTEST:



Kevin P. Costello, AICP
Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION

DOCUMENT NO: 911823
RECORDED: December 13, 2022 02:05:00 PM
TOTAL FEES: \$46.00
COUNTY CLERK: JUSTIN CRIGLER
DEPUTY CLERK: MICHELLE EICKHOFF
COUNTY: BOONE COUNTY
BOOK: D1199 PAGES: 1-5
GROUP ID: 2046

CORRECTIVE DEED

KNOW ALL MEN BY THESE PRESENTS:

That **SMOKY ACRES, LLC, a Kentucky limited liability company**, its successors and assigns, for and in consideration of -- \$1,500,000.00 -- and other good and valuable consideration to it paid by the Grantee herein, the receipt of which is hereby acknowledged, does bargain, sell and convey to:

GREAT DEVELOPMENT PROPERTIES, Inc., a Kentucky corporation,

it's successors and assigns forever, the following described real estate, in the County of Boone and Commonwealth of Kentucky, to-wit:

Present Street Address: 9696 Camp Ernst Rd, Burlington, KY
Tax Bill Address: 3180 Burlington Pike Burlington, KY, 41005

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to easements and restrictions of record.

Being ~~a part of~~ the same property conveyed to the Grantor herein recorded in Deed Book 976, Page 562 ✓ of the Boone County Clerk's records in Burlington, Kentucky. This deed corrects deed recorded in Deed Book 1165 page 514. ✓

THIS DEED IS BEING RECORDED TO CORRECT THE GROUP NUMBER ON THE LEGAL DESCRIPTION TO GROUP 2046 AND FOR NO OTHER PURPOSE.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging. TO HAVE AND TO HOLD the same to the said

Great Development Properties, Inc, a Kentucky corporation, it's

successors and assigns forever, the Grantor, its successors and assigns, HEREBY COVENANTING with the Grantee, its heirs and that the TITLE so conveyed is CLEAR, FREE AND UNENCUMBERED and that it will WARRANT AND DEFEND the same against all legal claims whatsoever.

RETURN TO: PG 2

IN WITNESS WHEREOF, the said Grantor, **Smoky Acres, LLC.**, by and through Ted B. Kloeker, its Manager, pursuant to authorizing Resolution hereunto sets hands, this 12th day of December, 2022.

SMOKY ACRES, LLC.

Ted B. Kloeker Smoky Acres LLC mgr
By: Ted B. Kloeker, Manager

STATE OF KENTUCKY

COUNTY OF ~~KENTON~~ Boone

12th The foregoing instrument was acknowledged before me this day of December, 2022, **SMOKY ACRES, LLC**, a **Kentucky limited liability company** by and through Ted B. Kloeker, Manager, pursuant to authorizing resolution.

Jessie J. Jones
NOTARY PUBLIC
COMM. EXPIRES: 1-28-23 614845

This Instrument Prepared By:

RETURN TO:

Paul J. Darpel
PAUL J. DARPEL
Attorney-at-Law
25 Crestview Hills Mall Rd., Suite 104
Crestview Hills, Kentucky 41017



CERTIFICATION

Smoky Acres LLC, Grantor herein, at the address of 11996 Decker Lane, Walton, Kentucky and Great Development Properties, Inc., a Kentucky corporation, Grantee herein, at the address of 3180 Burlington Pike Burlington, Kentucky 41005 do hereby certify, pursuant to KRS Chapter 382, that consideration in the amount of \$ 1,500,000.00 is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

GRANTEE:

Great Development Properties, Inc., a Kentucky corporation

George Finke Pres.
George Finke, President

GRANTOR:

Smoky Acres, LLC

Ted B. Kloeker Smoky Acres LLC mgr.
Ted B. Kloeker, Manager

STATE OF KENTUCKY

COUNTY OF KENTON

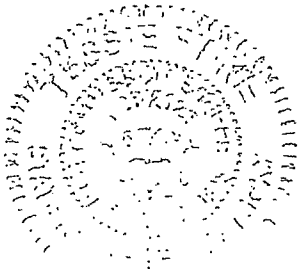
Subscribed and sworn to before me this 13 day of December, 2022 Great Development Properties, Inc, a Kentucky corporation, by and through George Finke, President, pursuant to authorizing resolution.

[Signature]
NOTARY PUBLIC
COMM. EXPIRES: Nov. 23, 2025
Notary # 39576

STATE OF KENTUCKY

COUNTY OF ~~KENTON~~ Boone

Subscribed and sworn to before me this 12th day of December, 2022 Smoky Acres, LLC, a Kentucky limited liability company by and through Ted B. Kloeker, its Manager, pursuant to authorizing resolution.



[Signature]
NOTARY PUBLIC
COMM. EXPIRES: 1-28-23 614845

EXHIBIT "A"
Legal Description
Group 2046

TRACT I

Being about 44.2 Acres lying East of Camp Ernest Road (Burlington-Union Road) and being the remaining acreage of the former B.F. Sawyer Farm, and described more particularly by Noel Walton, C.E., as a result of a survey on February 15, 1956, as follows:

Located generally about .4 mile East of the Burlington-Union Road at a point .7 mile North of the Grange Hall Road intersection, and described thus: Beginning at the Northwest corner of the tract of 21 acres and 35 poles conveyed to B.F. Sawyer as Parcel #3, in D.B. 44, Page 163, of the Boone County Clerk's records at Burlington, Ky.; thence with the North line of said tract South 89 1/2° East 102.6 poles to a stone; thence South 1/2° West 33.33 poles to a point in a line of a tract of .45 acres 3 rods and 28 poles described as Parcel #2, in D.B. 44, page 163; thence with the North line of said tract and due East 643.5 feet to a point in Long Branch; thence up said branch South 43° West 37.5 poles, South 32° W. 46 poles to a Sugar Tree on said branch; thence along a passway North 89 1/4° West 640 feet to a corner with a tract of 22 acres conveyed by Sawyer to Crisler (now W. Banks and John Dnechle, D.B. 105/401); thence with the East line of said tract North 3° East 1166 feet to a point in the South line of said first named tract of 21 acres and 35 poles (D.B. 44/163); thence with said line North 89° West 823 feet to a corner of said tract; thence North 1/2° West 33.33 poles to the beginning, containing 44.2 acres.

Also the following passway running from the South line of the above described tract in a westerly direction along the projection of the said South line to the Union-Burlington Road. Said passway is approximately 20 feet in width and runs along the said projection a distance of 2100 feet or sufficient to intersect the said road.

The above land is all of the 21 acre and 35 pole tract being Parcel #3; and a part of the 45 acre 3 rod and 28 pole tract being Parcel #2; conveyed to B.F. Sawyer by Robert Adams and wife, Nannie Adams, by deed dated August 29, 1899, and recorded in D.B. 44, Page 163, of the Boone County Clerk's Records at Burlington, Ky; less out-conveyances to D.H. Crisler, in D.B. 51/70 and to J.C. Love in D.B. 50/325, and easements to Mid-Valley Pipe line Co., in D.B. 93/374 and 93/376.

Being part of the same property conveyed to B.F. Sawyer by deed of Robert Adams, et ex., dated 8/29/1899 and recorded in DB. 44/163 and more particularly referred to above.

B.F. Sawyer, a.k.a. Benjamin F. Sawyer, died in Dayton, Ohio, on 11/25/1911 and a copy of his will admitted to probate in Butler County, Ohio, is of record in W.B. 14/243 in the records of the Boone County Court at Burlington, Kentucky.

Under that will (paragraph #6), his Executrix was given power of sale, but with the written consent of his heirs. That power was never exercised, and the Estate has long since been closed and terminated.

By this conveyance, all the heirs-at-law of Benjamin F. Sawyer join in conveying the decedent's entire interest to the grantees.

TRACT II

Being a 51.73 Ac. tract as surveyed by N. Walton, C.E., on December 16, 1964, adjoining Cyril G. Kloeker on the S. at the "old road" (said road formerly separating this acreage from the 44.2 Ac. Kloeker tract) and being a part of the 80 Ac. + Crisler tract shown on the County Assessor Plat No. 40, parcel #22 and described as follows:

Located generally on the E. side of the Burlington-Union Road about 3 mile N. of its intersection with Kentucky Highway #536 at Huey's corner (the Union Hathaway Road) and described particularly thus: Beginning at a point in the E. line of

EXHIBIT "A"

Legal Description

Group 2046

said Burlington-Union Road (15' from centerline), said point of beginning 629.1' S.E. as measured along a line 15" from the centerline of said road and parallel thereto of its intersection with the N. line of the original Crisler Farm Property (said N. line is now (1964) the N. line on the R. McCormick (DB 95/271) property); thence running back said line on said road N. 1° 45' W. 112.0' to a corner with a block of lots conveyed out of said Crisler farm property (DB 152/207); thence leaving said road and running with lines of said lots N. 88° 15' E. 135.0'; N 12° 31' W. 154.44'; N. 21° 43' W. 61.4' to a point; thence passing through a 10" walnut tree N. 55° 47' E. 264.4" to a point at a 20" Walnut tree in said a N. line of said Crisler Farm Property; thence running with lines of said property S. 83° 20' E. 276.5' to a post and stone; thence N 7° 00' E. 934.1" to corner with R. Sandfoss in the N. edge of the old road.; thence S. 83° 20' E. and researching the center of said old road at a curve at approximately 400" and running along the general course of said old road, a total distance of 1429.0" to a point therein a corner with the property of C. Kloeker (DB:124/190) in the center of a fork of Long Branch Creek; thence S. and up said branch, crossing and re-crossing it with the general direction of the center thereof S. 16° 30' W. 138.9'. S. 8° E. 294.0' S. 31° 30' W. 272.0'; S. 0° 5' W. 289.3'; S. 30° 10' W. 278.0'; S. 12° 10' E. 267.0' to a point in E. line of the original W. W. Crisler farm property tract (DB 40/537); thence on a line partitioning said farm property E. 83° W. 800.00'; (N 80° 45' W. 417') N. 86° 50' W. 695.0' to the place of beginning containing 51.73 Ac. and subject to legal highways and rights-of-way.

The above property is subject to a grant to the Mid-Valley Pipe line Company (DB 92/445) and others (MISC.BK. 27/281) for purposes of construction of oil and gas and utility lines.

The above property comprises a part of the original Crisler farm dating from 1829 as added to, and subtracted from, all as shown on records of the Boone County Court at Burlington, Kentucky.

Date: July 2, 2024
Description: Zoning Description
Location: Boone County, Kentucky



Situated in Boone County, Kentucky, and located on the North side of Parker Lane, being part of the lands of Great Development Properties, Inc. as conveyed in Deed Book 1199, Page 1 of the Boone County Clerk's records at Burlington, Kentucky and more particularly described as follows:

Beginning at the southwesterly corner of a 51.73 acre tract conveyed to Great Development Properties, Inc. on the northerly right-of-way line of said Parker Lane, said point being the True Point of Beginning:

thence, from the True Point of Beginning thus found, leaving the northerly right-of-way of said Parker Lane, and with the easterly line of Douglas W. Dodson, North 21° 07' 51" West, 250.96 feet to the southeast corner of Jacklynn & Adam Grubbs;

thence, with the easterly line of said Jacklynn & Adam Grubbs, North 07° 05' 46" East, 934.10 feet;

thence, with the southerly line of Charles & Judith Haynes, South 83° 29' 32" East, 1429.00 feet to the westerly line of Longbranch Development Inc;

thence, with the westerly line of said Longbranch Development Inc for the following two (2) courses:

1. thence, South 17° 07' 45" West, 138.90 feet;
2. thence, South 08° 04' 13" East, 140.37 feet to the northeast corner of Park View Estates Subdivision Section One;

thence, departing the westerly line of said Longbranch Development Inc and with the northerly lines of said Park View Estates Subdivision Section One and Parkview Estates Section Two, South 75° 58' 07" West, 1036.64 feet to the northeast corner of Behne Family Trust Agreement;

thence, with the northerly line of said Behne Family Trust Agreement, North 72° 52' 03" West, 100.00 feet to the northwest corner of said Behne Family Trust Agreement;

thence, with the westerly line of said Behne Family Trust Agreement, South 17° 07' 57" West, 171.94 feet;

thence, departing the westerly line of said Behne Family Trust Agreement, North 72° 52' 03" West, 50.00 feet;

thence, with the southerly line of Great Development Properties, Inc for the following five (5) courses:

1. thence, South 17° 07' 57" West, 25.09 feet;
2. thence, with a curve to the left, having a central angle of 38° 15' 48", a radius of 325.00 feet, an arc length of 217.04 feet, and a chord bearing South 01° 59' 57" East, 213.03 feet;
3. thence, South 21° 07' 51" East, 10.32 feet;
4. thence, with a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet, and a chord bearing South 23° 52' 09" West, 28.28 feet;
5. thence, South 68° 52' 09" West, 231.71 feet to the True Point of Beginning, containing 20.2 acres, more or less, and subject to all easements and rights-of-way of record;

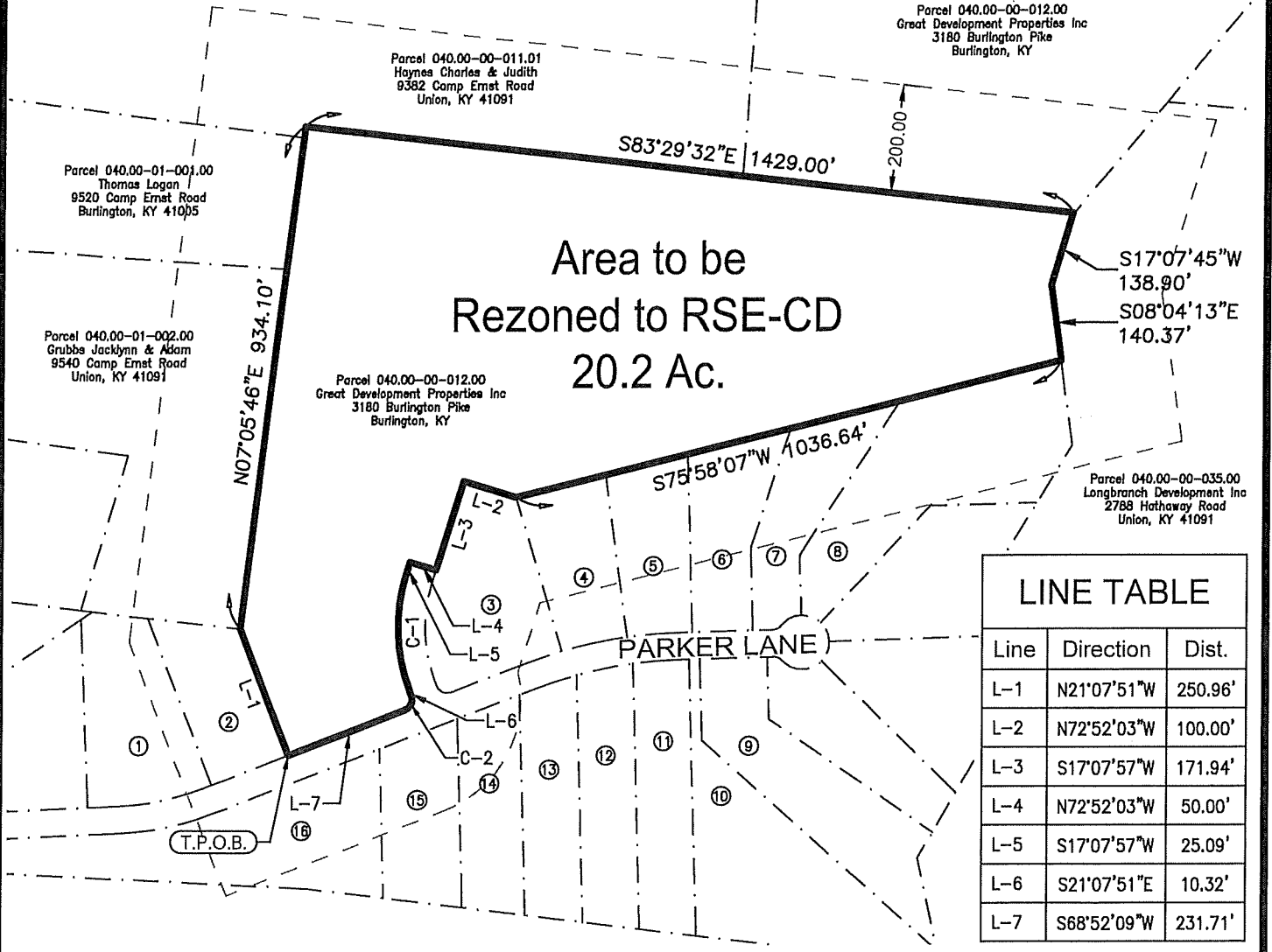
The above description was prepared from deeds and plats of record only and does not represent a boundary survey per 201 KAR 18:150 and is not intended for land transfer.

- ① Parcel 040.00-03-002.00 Logadon Built Homes LLC 10749 Seattle Slaw Drive Union, KY 41091
- ② Parcel 040.00-03-003.00 Dodson Douglas W 5206 Minuteman Court Mason, OH 45040
- ③ Parcel 040.00-03-018.00 Behne Family Trust 13190 Guyana Street Venice, FL 34294
- ④ Parcel 040.00-03-017.00 Rytlewski Johnathan 2130 Beaver Road Union, KY 41091
- ⑤ Parcel 040.00-03-018.00 Wolf Michael 2916 Parker Lane Union, KY 41091
- ⑥ Parcel 040.00-03-019.00 Lageman Paul A & Sandra J Revocable Trust 2401 Water Tower Drive Hebron, KY 41048

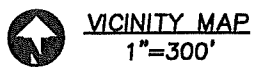
- ⑦ Parcel 040.00-03-020.00 Great Development Properties Inc 3180 Burlington Pike Burlington, KY 41005
- ⑧ Parcel 040.00-03-021.00 Great Development Properties Inc 3180 Burlington Pike Burlington, KY 41005
- ⑨ Parcel 040.00-03-025.00 Great Development Properties Inc 3180 Burlington Pike Burlington, KY 41005
- ⑩ Parcel 040.00-03-028.00 Great Development Properties Inc 3180 Burlington Pike Burlington, KY 41005
- ⑪ Parcel 040.00-03-027.00 Great Development Properties Inc 3180 Burlington Pike Burlington, KY 41005

- ⑫ Parcel 040.00-03-028.00 Logadon Built Homes LLC 10749 Seattle Slaw Drive Union, KY 41091
- ⑬ Parcel 040.00-03-029.00 Shaffli Shana D 1187 Thornberry Court Florence, KY 41042
- ⑭ Parcel 040.00-03-030.00 Degrande Sean Thomas 2925 Parker Lane Union, KY 41091
- ⑮ Parcel 040.00-03-031.00 Logadon Built Homes 10749 Seattle Slaw Drive Union, KY 41091
- ⑯ Parcel 040.00-00-012.00 Great Development Properties Inc 3180 Burlington Pike Burlington, KY 41005

CURVE TABLE				
Curve	Delta	Radius	Length	Chord
C-1	38°15'48"	325.00'	217.04'	S01°59'57"E 213.03'
C-2	90°00'00"	20.00'	31.42'	S23°52'09"W 28.28'



LINE TABLE		
Line	Direction	Dist.
L-1	N21°07'51"W	250.96'
L-2	N72°52'03"W	100.00'
L-3	S17°07'57"W	171.94'
L-4	N72°52'03"W	50.00'
L-5	S17°07'57"W	25.09'
L-6	S21°07'51"E	10.32'
L-7	S68°52'09"W	231.71'



This plat is not representative of a boundary survey.

Drawing:	20-0030 RSE ZONE
Scale:	1"=300'
Drawn by:	JMH
Checked By:	MAR
Issue Date:	07-02-24

PARK VIEW ESTATES
 9696 Camp Ernst Road
 Union, KY 41091
 Boone County

AREA TO BE REZONED

www.bayerbecker.com
 209 Grandview Drive
 Fort Mitchell, KY 41017 - 859.261.1113



BOONE COUNTY PLANNING COMMISSION

www.boonecountky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountky.org

September 5, 2024

George Finke
Great Development Properties
3180 Burlington Pike
Burlington, Kentucky 41005

RE: Request of Great Development Properties, per George Finke (applicant/owner) for a Change of Concept Development Plan in a Residential Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to increase the number of lots from twelve (12) to fourteen (14).

Dear Mr. Finke:

The following represents the recommended condition of approval for the above referenced application as discussed by the Planning Commission at their September 4, 2024 meeting. As you verbally agreed to these conditions at that meeting, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office no later than September 13, 2024.

CONDITION

1. The following Principally Permitted Uses shall be prohibited:
 - a. Farms of tobacco, fiber, cash grain, fruits, tree nuts, vegetables, or other field crops.
 - b. Farms of no predominant crops, including range and grassland pastures, horticultural specialties, apiary farms, and other agricultural and related activities.
 - c. Farms and ranches of dairy production, livestock including cattle, hogs, sheep, goats, horses or similar, poultry or other fowls.
 - d. Wildlife preserve sanctuaries, habitats, cultures and related activities.

Sincerely,

Michael D. Schwartz
Director, Zoning Services

Park View Estates
September 5, 2024
Page 2

MDS/ss

AGREEMENT

We, the property owner/developer of the approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky, agree to the condition listed herein for the above referenced Change of Concept Development Plan.

Max Zib
Great Development Properties (Applicant/Owner)

9.16.24
Date

ORDINANCE 2024-32

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING A REQUEST, WITH CONDITIONS, OF GREAT DEVELOPMENT PROPERTIES, PER GEORGE FINKE (APPLICANT/OWNER) FOR A CHANGE OF CONCEPT DEVELOPMENT PLAN IN A RURAL SUBURBAN ESTATES (RSE) DISTRICT, FOR AN APPROXIMATE 20 ACRE AREA LOCATED AT 9692 CAMP ERNST ROAD, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Change of Concept Development Plan in a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst 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 a Condition, for the Change of Concept Development Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

That the request for a Change of Concept Development Plan for the real estate which is more particularly described below is approved, with a Condition, for a Rural Suburban Estates (RSE) district, for an approximate 20 acre area located at 9692 Camp Ernst Road, Boone County, Kentucky. The real estate, which is the subject of this request for a Change of Concept Development Plan is more particularly described in DEED BOOK: 1199, PAGE NO: 1 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for approval, with a Condition, for a Change of Concept Development Plan request are the Findings of Fact and a Condition 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 1."

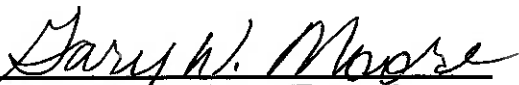
Section Three

This Ordinance shall be in effect and in full force from and after its passage, publication and adoption, according to law.

First Reading the 5th day of November 2024

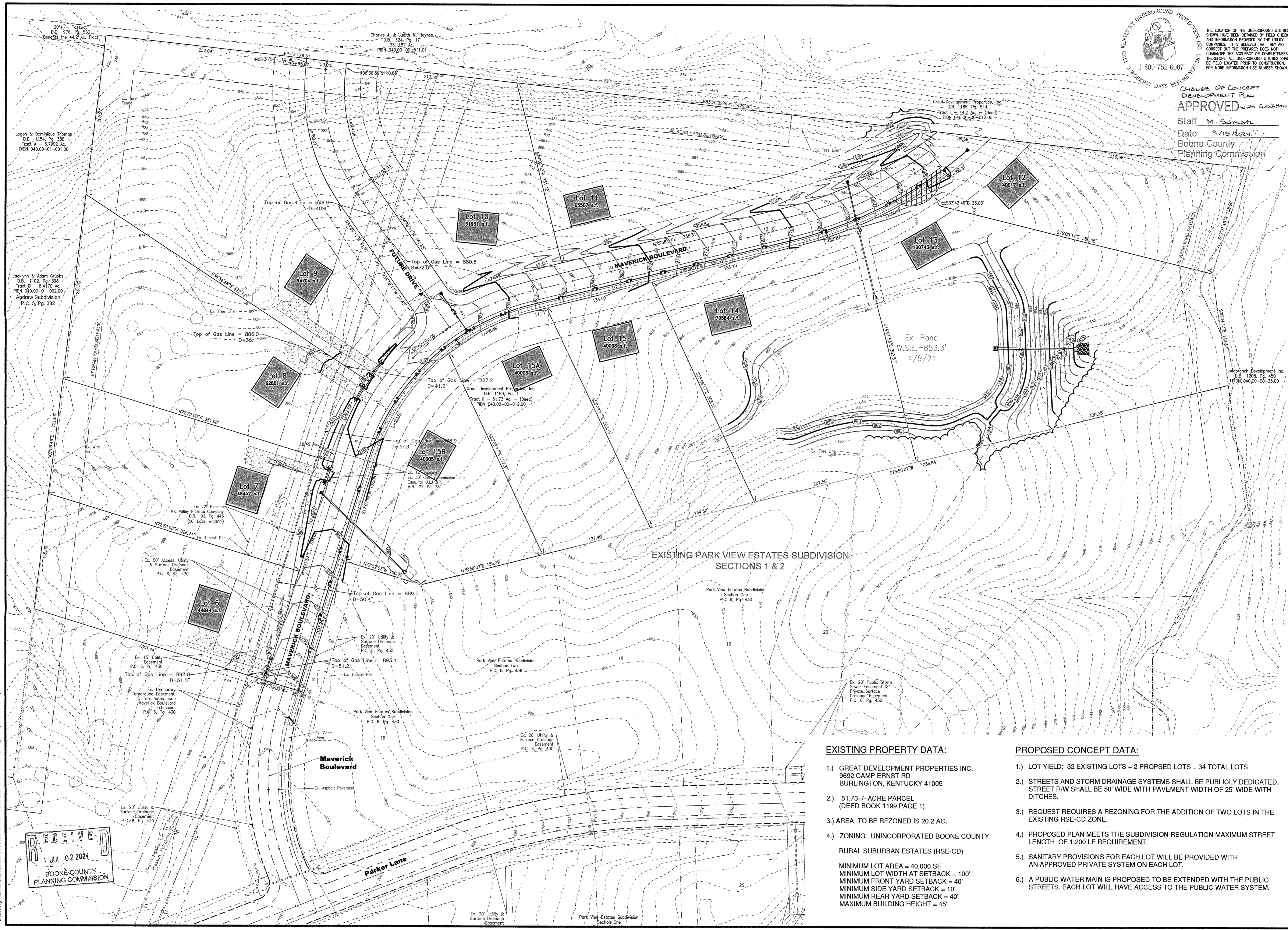
Second Reading the 19th day of November 2024

Adopted this 19th day of November 2024 Yes 4 No 0


**Gary W. Moore, Judge/Executive
Boone County Fiscal Court**

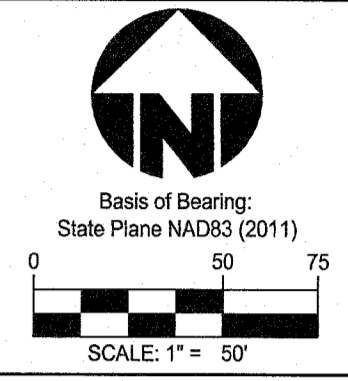
ATTEST:


**Shona Schulkers,
Fiscal Court Clerk**



THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN HAS BEEN OBTAINED BY FIELD CHECKS AND INFORMATION PROVIDED BY THE UTILITY COMPANIES. IT IS BELIEVED THAT THIS IS CORRECT BUT THE PREPARER DOES NOT WARRANT THE ACCURACY OR COMPLETENESS. THEREFORE, ALL UNDERGROUND UTILITIES SHALL BE FIELD LOCATED PRIOR TO CONSTRUCTION. FOR MORE INFORMATION USE NUMBER SHOWN.

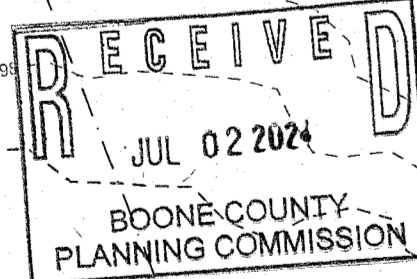
CHANGE OF CONCEPT DEVELOPMENT PLAN
APPROVED with Condition
 Staff: M. Schwantz
 Date: 9/18/2024
 Boone County Planning Commission



Logan & Dominique Thomas
 D.B. 1154, Pg. 388
 Tract A = 5.792 Ac.
 PDW 040.00-01-001.00

Jacklyn & Adam Graba
 D.B. 1152, Pg. 389
 Tract B = 5.4170 Ac.
 PDW 040.00-01-002.00
 Andrew Subdivision
 P.C. 5, Pg. 382

Plot Time: Jul 01, 2024 - 8:08am
 Drawing Name: 20-0030-CD-PH2.dwg - Layout Tab - Proposed 2 - Lot Addition Plan



EXISTING PARK VIEW ESTATES SUBDIVISION SECTIONS 1 & 2

- EXISTING PROPERTY DATA:**
- GREAT DEVELOPMENT PROPERTIES INC.
9692 CAMP ERNST RD
BURLINGTON, KENTUCKY 41005
 - 51.73+/- ACRE PARCEL
(DEED BOOK 1199 PAGE 1)
 - AREA TO BE REZONED IS 20.2 AC.
 - ZONING: UNINCORPORATED BOONE COUNTY
RURAL SUBURBAN ESTATES (RSE-CD)
MINIMUM LOT AREA = 40,000 SF
MINIMUM LOT WIDTH AT SETBACK = 100'
MINIMUM FRONT YARD SETBACK = 40'
MINIMUM SIDE YARD SETBACK = 10'
MINIMUM REAR YARD SETBACK = 40'
MAXIMUM BUILDING HEIGHT = 45'

- PROPOSED CONCEPT DATA:**
- LOT YIELD: 32 EXISTING LOTS + 2 PROPOSED LOTS = 34 TOTAL LOTS
 - STREETS AND STORM DRAINAGE SYSTEMS SHALL BE PUBLICLY DEDICATED. STREET R/W SHALL BE 50' WIDE WITH PAVEMENT WIDTH OF 25' WIDE WITH DITCHES.
 - REQUEST REQUIRES A REZONING FOR THE ADDITION OF TWO LOTS IN THE EXISTING RSE-CD ZONE.
 - PROPOSED PLAN MEETS THE SUBDIVISION REGULATION MAXIMUM STREET LENGTH OF 1,200 LF REQUIREMENT.
 - SANITARY PROVISIONS FOR EACH LOT WILL BE PROVIDED WITH AN APPROVED PRIVATE SYSTEM ON EACH LOT.
 - A PUBLIC WATER MAIN IS PROPOSED TO BE EXTENDED WITH THE PUBLIC STREETS. EACH LOT WILL HAVE ACCESS TO THE PUBLIC WATER SYSTEM.

Date	Drawn	CHK
7-2-24	CML	MAR
Item	Revision Description	
1	SUBMITTAL FOR 2-LOT ADDITION	

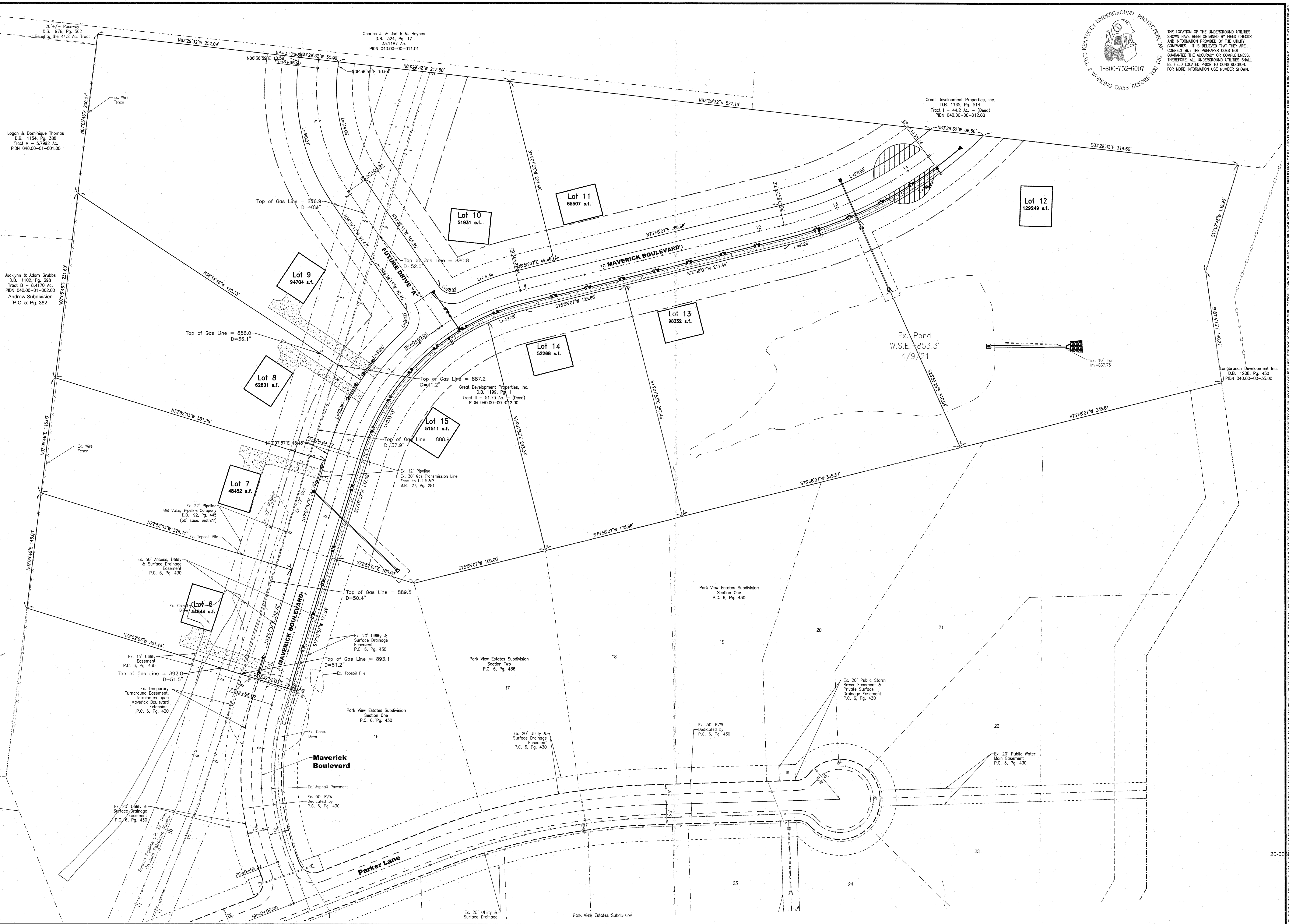
PARK VIEW ESTATES PHASE 2
 9692 CAMP ERNST ROAD
 BURLINGTON, KY 41001
 BOONE COUNTY

PROPOSED 2 - LOT ADDITION PLAN

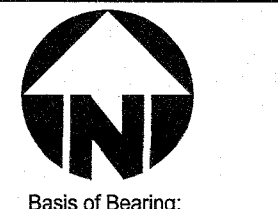
bayer becker
 www.bayerbecker.com
 209 Grandview Drive
 Fort Mitchell, KY 41017 - 659.261.1113

Drawing: 20-0030 CD PH2
 Drawn by: CML
 Checked by: MAR
 Issue Date: 7-2-24
 Sheet: **1/2**

Plot time: Jul 01, 2024 - 8:09am
 Drawing name: J:\2020\20-0030\CV\DWG\Phase 2\20-0030 CD PH2 Original Lot Lines.dwg - Layout Tab: Proposed 2 - Lot Addition



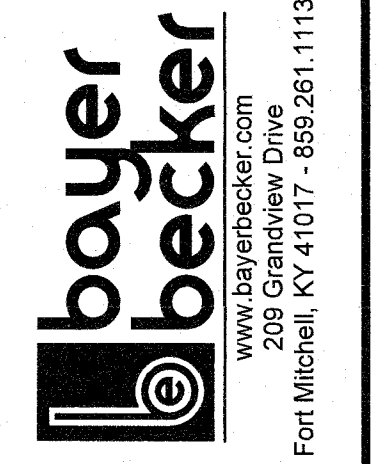
THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN HAVE BEEN OBTAINED BY FIELD CHECKS AND INFORMATION PROVIDED BY THE UTILITY COMPANIES. IT IS BELIEVED THAT THEY ARE CORRECT BUT THE PREPARED DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS. THEREFORE, ALL UNDERGROUND UTILITIES SHALL BE FIELD LOCATED PRIOR TO CONSTRUCTION. FOR MORE INFORMATION USE NUMBER SHOWN.



Basis of Bearing:
 State Plane NAD83 (2011)
 SCALE: 1" = 50'

Item	Revision Description	Date	Drawn	Chk
1	SUBMITTAL FOR PLOT ADDITION	7-2-24	CML	MARK

**PARK VIEW ESTATES
 PHASE 2**
 9696 CAMP ERNST ROAD
 UNION, KY 41091
 BOONE COUNTY



Drawing: 20-0030 PH2 ORIGINAL LOT LINES
 Drawn by: CML
 Checked By: MAR
 Issue Date: 7-2-24
 Sheet: 2/2

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