

APPLICATION FOR ZONING ACTION

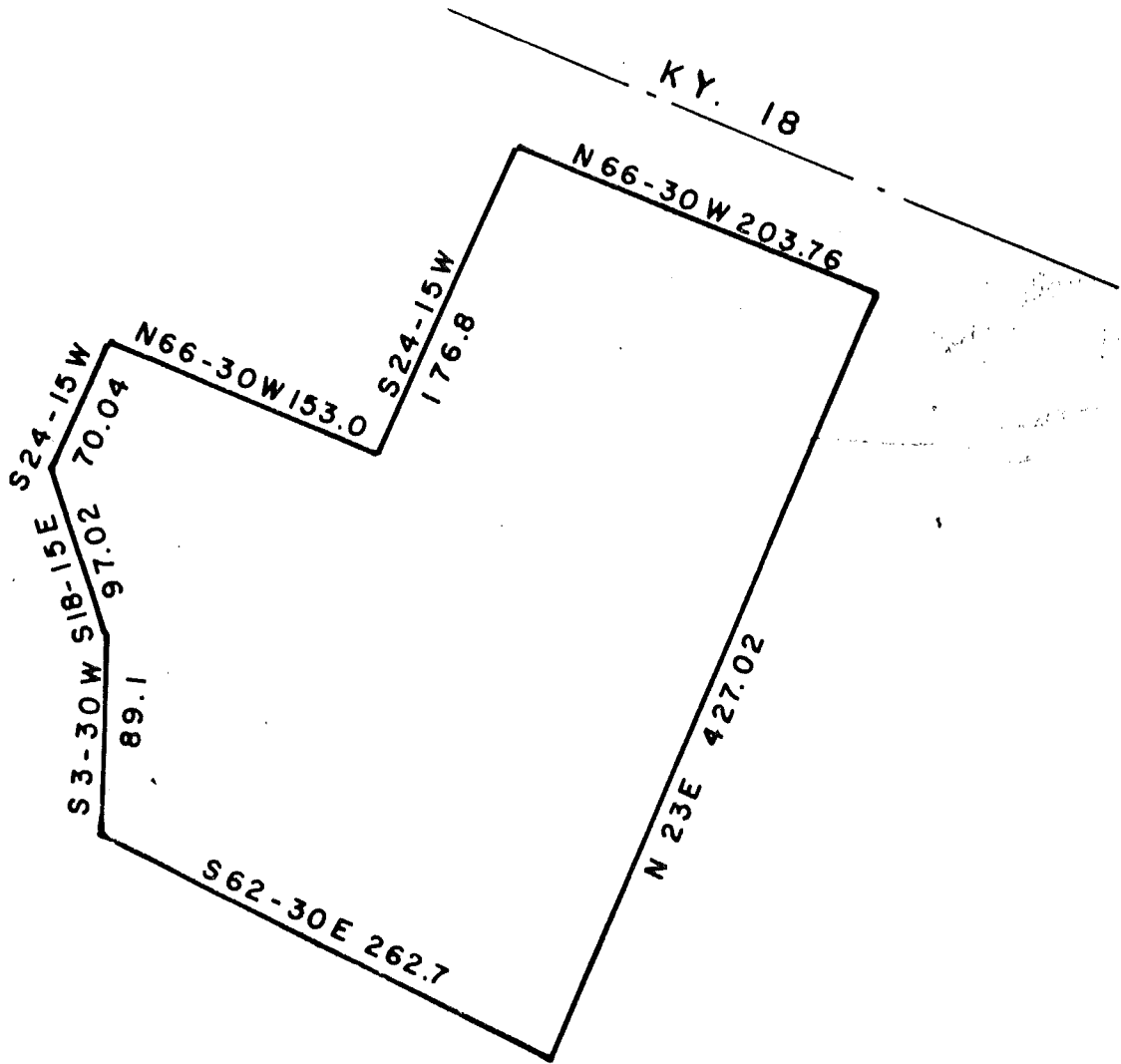
- FOR: Boone County Planning Commission City of Union Board of Adjustment
 City of Florence Board of Adjustment City of Walton Board of Adjustment
 Boone County Board of Adjustment Zoning Enforcement Officer
- FOR: Zoning Text Amendment Zoning Map Amendment
 Comprehensive Plan Change Preliminary Plat Approval
 Improvement Plat Approval Final Plat Approval
 Conditional Use Permit Site Plan Review
 Concept Development Plan Historic District Overlay
 Preliminary Development Plan Sign Permit
 Change of Non-Conforming Use Appeal or Variance
 Design Review Board Hearing and Certificate of Appropriateness

Applicant: Linnelle J. Eades - Mary R. Eades Owner Agent
Address: 8217 Burlington Lake Florence, Ky. 41042
Boone County Telephone: 525-6318
Location: Business 525-2020
Name of Owner: SAME AS ABOVE

Address of Owner: _____
Zone: SR-2 Area in Acres: 2.54
Description of Request: Please change from SR2 to C1

Owner's Signature: Linnelle J. Eades
Applicant's Signature: Mary R. Eades

FOR PLANNING COMMISSION USE:
Date application and fee of \$ 217.08 Received: September 2, 1981
Referred to: Boone County Planning Commission For Meeting Date: September 2, 1981
Action: Public Hearing Date: September 23, 1981
Committee Appointed: Mr. Webster, Chairman, Mr. Vaughn, Mr. Shafer
Mr. Godsey, Mr. Buse



PLAT OF 2.54 ACRE LINVILLE Y. EADES &
 MARY R. EADES TRACT
 8217 BURLINGTON PIKE FLORENCE KENTUCKY
 JULY 27, 1981 SCALE 1" = 100'

Zone Change Request by Linville and
Mary Eades for property located at
8217 Burlington Pike in Boone County

This is a zone change request by Linville and Mary Eades for a 2.54 acre tract they own at 8217 Burlington Pike and located on the south side of Kentucky Route 18, Burlington Pike about four-tenths of a mile west of Hopeful Road.

The applicant is requesting a zone change from the current Suburban Residential Two, SR-2 zoning to Commercial One, C-1. The current zoning of adjoining properties to the east and west is Suburban Residential Two, SR-2. To the south is current zoning of Suburban Residential One, SR-1 and Suburban Residential Two, SR-2. To the north across Ky. 18, is current zoning of Commercial Services, C-3.

The subject site has a current land use of residential and commercial. To the east and west is current use of residential. To the south is current land use of undeveloped. And to the north, across Ky. 18 is current land use of public/institutional, that being the Greenview Baptist Church.

The planned future land use of the subject site is Medium Density Residential according to the Land Use map of the Boone County Comprehensive Plan. The text of the Comprehensive Plan states, "Medium density residential development could include the expansion of existing developments in the Florence and Walton service areas. As the Florence service area is expanded, new medium density development is encouraged adjacent to subdivisions existing and committed south of Ky. 18 and west of Hopeful Road;..." Regarding the requested commercial use, "Neighborhood or convenience oriented commercial districts are much more broadly dispersed throughout the County. These districts should be located close to their consumer population and developed as "planned" districts to avoid "strip" development". The text goes on to say regarding development in this area, "The development corridor both north and south of Ky. 18 between Burlington and Florence is a crucial component of the overall land use element. This area is relatively undeveloped, yet is served by a four lane divided highway and planned between two urban centers. The area could easily become congested and overdeveloped if not well planned and coordinated. The impact of the Airport on this corridor must also be anticipated".

The applicant has submitted a Concept Development Plan. This plan provides for the continuance of and possible expansion of the existing uses of residential and commercial for the site. The smaller commercially used building will maintain retail and wholesale commercial of arts and crafts and ceramics, classes for the teaching of these trades, and other accessory uses related to the arts and ceramic uses. The other building is being used as a residence, and also houses additional classroom space, an office, workshop and storage for the existing commercial activities of the property. The only planned future expansion of existing uses shown on the Concept Plan is the area to the rear of the ceramics shop being planned as a future parking area. All other conditions are shown to remain in their existing state.

Water is currently supplied by a tie-in to the 8 inch County water line running across the front of the site.

Sanitary sewage disposal is currently provided by an on-site sanitary sewage disposal system.

Parking is currently provided with a total of 10 spaces. There are no plans to change the current surfacing of gravel to the asphalt or concrete surfacing required under the zoning regulations.


Under the Boone County Comprehensive Plan this site lies in an area of less than 30 for the Noise Exposure Forecast of aircraft operations at the Greater Cincinnati International Airport. This would mean that the site is suitable for residential uses as planned. However the zoning map identifies the subject site as being in the Airport Environs Overlay district. The district generally encompasses areas within the Noise Exposure Forecast level of 30 or higher. And according to this district single-family and multi-family uses are sensitive to these noise impacts of the Airport operations.

In my opinion, this request does not conform to the text or map of the Boone County Comprehensive Plan and would require other findings of fact to support a recommendation of approval.

Zone Change Request
Linville and Mary Eades
Page 3

If the Commission and its committee would consider a recommendation of approval and the legislative body would eventually approve this request, it would be necessary to change the text and map as follows:

1. Change the map to Commercial from Medium Density Residential for the site.
2. Change Tables 1, 2, and 4 of the text of the Comprehensive Plan by subtracting the total number of acres for the site from Residential (Medium Density) and adding the same amount to Commercial and adjusting any associated figures in these tables.
3. I would also recommend the wording under the heading for "Commercial" land use beginning on page 3.7 and under "Burlington-Florence Corridor" includes a statement saying that, Commercial development could additionally occur in areas impacted by the operations of the Greater Cincinnati International Airport as determined in the Transportation Plan element of this Plan".


Alvin "Chip" Block
Zoning Enforcement Officer
and Staff Assistant

September 23, 1981

ACB:mf

BOONE COUNTY PLANNING COMMISSION
MINUTES OF PUBLIC HEARINGS SEPTEMBER 23, 1981
Florence City Building

The meeting was called to order by Chairman Kroger. Members present were Mr. Buse, Mr. Godsey, Mr. Hasselbring, Mr. Leicht, Mr. Shafer, Mr. Viox, Mr. Webster, and Chairman Kroger. Also present were Mr. Block, Mr. Clark and Mr. Wilson.

PUBLIC HEARING #1

The public hearing was held to consider the request of Linville and Mary Eades for a zone change from SR-2 to C-1 for a 2.54 acre tract located at 8217 Burlington Pike. This property was located on the map by Mr. Block and he read his report which was accepted and made a part of the minutes. Mr. Block, in his report, stated that there are two buildings on this site, one for commercial uses and the other to be used as a residence. In answer to a question by Chairman Kroger, Mr. Wilson stated that if the property would be rezoned to C-1 and Mr. & Mrs. Eades decided to discontinue the operation of their ceramics business, they would be able to do so and still maintain their residence on this property since the residence was there prior to the new Zoning Regulations going into effect and would be considered pre-existing, non-conforming use. Mr. Wilson further explained that if the Eades would tear the existing house down and build another house, it could be a problem, but they could sell the existing house as a pre-existing, non-conforming use.

Mrs. Eades stated that the driveway and parking lot are not paved and that they have been there since they bought the property. Mrs. Eades further stated that they have not blacktopped the parking lot because the people next door have a problem with the water coming off of Kentucky 18 and the gravel absorbs the water. Mr. Wilson stated that the driveway and the parking lot were there before the new Zoning Regulations went into effect and are also pre-existing, non-conforming use and do not have to be paved, however, if they would enlarge the driveway or parking lot, then they would have to pave it because you cannot enlarge a pre-existing, non-conforming use.

No one was present in opposition to this zone change. There being no further discussion, this public hearing was declared closed.

PUBLIC HEARING #2

The public hearing was held to consider the request of Paul Vesper for a zone change from SR-2 to O-1 for a 3 acre tract located on Kentucky Route 18. This property was located on the map by Mr. Block and he read his report which was accepted and made a part of the minutes. Mr. Frederick Wolnitzek, architect, was present on behalf of this request and stated that a concept development plan has been submitted for this request and that it indicates three proposed buildings but only one building will be developed initially with approximately 3500 square feet on the ground floor with the second floor to be developed at a later date. Mr. Wolnitzek further stated that the parking area would be paved with either blacktop or concrete. Mr. Wolnitzek also pointed out that the sewer system proposed is an on-site treatment plant discharging into the Route 18 surface drainage swale. Mr. Wolnitzek further stated that they have discussed with The Drees Company the possibility of connecting to the OakBrook sewer system. Chairman Kroger then read a letter to the Planning Commission from The Drees Company regarding this request. This letter was accepted and made a part of the minutes. Mr. Wolnitzek also pointed out that the proposed building would be a Pediatrics Office and would maintain the residential character of the area and that the traffic generated would be compatible with the residential area.

Dr. Vesper (father of the applicant) was also present on behalf of this request and stated that there are approximately 500 dwellings in the OakBrook Subdivision and that this development would serve and improve this area. Dr. Vester further stated that they would work with Dr. Leathers and The Drees Company.

Mrs. Leathers was present and pointed out that on the concept development plan part of the driveway is shown on her property. Mr. Wolnitzek stated that the corner line separating Dr. Vesper's property from Dr. Leather's property falls directly on the curb cut and that he thought the driveway could be used for both properties. In answer to a question by Chairman Kroger, Dr. Leathers stated that he does not plan to develop his property until sometime in the future. Mr. Wilson stated that if Dr. Leathers does not want to develop his property, then the driveway will have to be moved.

Mr. Viox stated that he is opposed to the sewage treatment plant, as proposed, discharging into the Route 18 drainage swale and would be in favor of some other solution.

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In answer to a question by Chairman Kroger, Mr. Wolnitzek stated that they would prefer to connect with the OakBrook sewer system but that when they met with The Drees Company to discuss this possibility, it was their feeling that both the Vesper property and the Leathers property should be developed at the same time and Dr. Leathers indicated he does not want to develop his property until sometime in the future. In answer to a question by Mr. Shafer, Chairman Kroger stated that approvals for the sewer system would have to be obtained from the State Department of Natural Resources and the Boone County Water and Sewer Department. In answer to a question by Chairman Kroger, Mr. Wilson stated that the Commission does have the right to consider infrastructure but that in this case you are going from a heavier use (SR-2 zone allows eight dwelling units per acre) to a lighter use and all that would be required would be approval from the Boone County Water and Sewer Department. There being no further discussion, this public hearing was declared closed.

The meeting adjourned at 8:50 p.m.

APPROVED: _____

Respectfully submitted,

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY PLANNING COMMISSION
MINUTES OF MEETING OCTOBER 7, 1981
Florence City Building

The meeting was called to order by Chairman Kroger. Roll call was taken showing 14 members present, 1 absent. That 1 absent being Mr. Vaughn. Also present were Mr. Block, Mr. Clark and Mr. Wilson.

Mr. Godsey moved the minutes of the meeting held on September 16, 1981, and the minutes of the public hearings held on September 23, 1981, be approved as reviewed. Mr. Shafer seconded. Roll call vote of 14 for, 0 against. Motion passed.

COMMUNICATIONS AND BILLS;

Communications were received from Vincent & Skees, Boone County Fire Chief's Association, Boone County Fiscal Court, and State of Kentucky Commerce Cabinet.

A bill was presented from Cincinnati Bell for \$72.24 for telephone service. Bills from the City of Florence were presented for \$300.00 for rent and \$100 for photostat copies. A bill from the Boone County Recorder was presented for \$519.87 for notices of public hearings. A bill from Jerry Rouse was presented for \$31.00 for recording fees. A bill from Northern Kentucky Typewriter was presented for \$25.00 for typewriter service, a bill from the Village Square Office Products was presented for \$17.42 for paper, A bill from Vincent & Skees was presented for \$387.50 for professional services. A bill from Olsten Temporary Services was presented for \$896.88 for secretarial services. Mr. Block submitted a bill for \$62.05 for auto expense and Mr. Clark submitted a bill for \$278.40 for professional services. The employees were to be paid and the clerk requested a total of \$35.00 for postage. Mr. Shafer moved these bills be paid. Mr. Jones seconded. Roll call vote of 14, for 0 against. Motion passed.

The following receipts were accepted and given to Mr. Godsey for deposit:

Zoning and sign permit fees	\$ 565.00
turned in by Mr. Tobergte	

Drees Final Plat	\$ 65.00
James Ransom Engineering Final Plat	\$ 55.00
James A. Dressman, III Convenience Plat	\$ 25.00
Michael A. Schleper B.C. Board of Adj. Hearing	\$ 165.00
Larry Burcham Zoning Order	\$ 10.00
Ginger Day B.C. Board of Adj. Hearing	\$ 162.00
A. J. Williamson Final Plat	\$ 88.50
Rabbit Hash Iron Works B.C. Board of Adj. Hearing	\$ 50.00
American Sign Sign Permits	\$ 100.00
Shoney's Sign Permit	\$ 50.00
Charles Utz B.C. Board of Adj. Hearing	\$ 50.00
A. J. Williamson Preliminary Plat	\$ 134.05
Kinman Co. Realtors Zoning Order	\$ 10.00
J. W. Berling Subdivision Regulations	\$ 10.00
Camden Homes, Inc. Site Plan Review Application plus Adjustment of Agenda fee	\$ 353.80

Becky McGlasson Convenience Plat	\$ 25.00
Jim Huff Realty Zoning Order	\$ 10.00
Scott Trimble U.S.G.S. maps	\$ 6.00
Cliff Robson Zoning Order	\$ 10.00
Rick Wolnitzek Zoning Order	\$ 10.00
Glen Kelly Maps	\$ 2.00
Jerry Foltz Zoning Order	\$ 10.00

REPORTS OF OFFICERS:

Mr. Godsey gave the treasurer's report showing a current balance of \$ 1,841.98 in the checking account and a balance of \$ 2,445.55 in the savings account. This report was accepted and made a part of the minutes.

Mr. Rieger reported he issued building permits 3331 through 3350 for total construction costs of \$1,033,950.00. Mr. Tobergte reported he issued building permits 3860 through 3884 for total construction costs of \$670,022.00.

The progress report from the Enforcement Officer was read, accepted, and made a part of the minutes.

Mr. Clark informed the Commission he has reviewed and approved for signature 6 convenience plats. These plats are as follows:

- (1) 0.1033 acre tract located on Dream Street, Florence, to be conveyed by J. Robert & Joanne West to Shoney's Inc. Plat stamped by John W. Liver L.S., and dated August 28, 1981.
- (2) 0.284 acre tract located on Beaver Road (Ky. 1292) Boone County to be conveyed by Longs Land Limited to City of Walton. Plat stamped by Walter L. Bowman L.S., and dated March 20, 1981.
- (3) 3.0 acre tract located on Ky. 536, Boone County, to be conveyed by Sutherland Estate. Plat stamped by David G. Walton L.S., and dated June 26, 1981.
- (4) A 4.097 acre tract located on Old Mudlick Road, Boone County, to be conveyed by Stephen L. Robertson. Plat stamped by John W. Liver, L.S., and dated September 10, 1981.
- (5) 2.048 acre tract located on Kentucky 338, Boone County to be conveyed by Dora Jones to Brian Hagadorn. Plat stamped by A. J. Williamson L.S., and dated September 10, 1981.
- (6) 0.415 acre tract located on Hebron-Limaburg Road, Boone County, to be conveyed by Val Court Townhomes to Home Owners Association. Plat stamped by James W. Berling L.S., and dated September 28, 1981.

This report was accepted and made a part of the minutes.

UNFINISHED BUSINESS:

The committee report was read, accepted and made a part of the minutes regarding the request of Linville and Mary Eades for a zone change from SR-2 to C-1 for a 2.54 acre tract located at 8217 Burlington. Pike. Mr. Godsey stated that he did not sign the committee report because he is not in favor of the zone change because it would constitute spot zoning.

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Mr. Tobergte then moved by Resolution R-26-81 that a letter be sent to the Fiscal Court recommending approval of this zone change based upon the findings of fact contained in the committee report. Mr. Miller seconded. Roll call vote of 13 for, 0 against. Mr. Godsey did not vote. Motion passed. Mr. Tobergte then moved by Resolution R-27-81 that if this zone change is approved by the Fiscal Court, that the Comprehensive Plan and its Land Use Map be amended to reflect this zone change. Mrs. Patrick seconded. Roll call vote of 14 for, 0 against. Motion passed.

Regarding the request of Paul Vesper for a zone change from SR-2 to O-1 for a 3 acre tract located on Kentucky 18, Chairman Kroger read a letter received from Frederick Wolnitzek requesting this item be deferred until the meeting of October 21, 1981 in order to give them time to revise their concept development plan to show a change from the sewage treatment plant to a gravity sewer into the Oakbrook sewer system. Mr. Buse moved to defer this request until the meeting of October 21, 1981. Mr. Godsey seconded. Roll call vote of 14 for, 0 against.

The committee and staff reports were read, accepted and made a part of the minutes regarding the request of Charles Hall for site plan approval for construction of two workshop buildings and one free standing sign on a 1.78 acre tract located at 847 Constance Road in a C-3 zone. Mr. Buse moved to defer this request until the meeting of October 21, 1981. Mr. Shafer seconded. Roll call vote of 14 for, 0 against. Motion passed. Mr. Buse's motion was based on the staff report.

The committee and staff reports were read, accepted and made a part of the minutes regarding the request of Don Martin for site plan approval for construction of an auto body shop on a 1.451 acre site located on Mt. Zion Road in a C-3 zone. Mr. Godsey moved to defer this request until the meeting of October 21, 1981. Mr. Buse seconded. Chairman Kroger stated that the staff recommended deferral because the site plan submitted by Mr. Martin was not the same as the one submitted to the Board of Adjustment on April 22, 1981 for a variance request and it was Mr. Block's opinion that Mr. Martin should present the new site plan to the Board of Adjustment for their approval before the Planning Commission takes action on his request. In answer to a question by Mr. Viox, Mr. Block stated that he received the revised site plan on October 5, 1981. Mr. Hasselbring stated that the site plan,

which was revised twice, was not submitted in time for the committee to adequately review it. Mr. Clark stated that he was not involved in the staff decision and it was his opinion that the variance granted was a dimensional variance and that Mr. Martin had complied with the other requirements of the zoning regulations. Mr. Wilson stated that unless the minutes of the Board of Adjustment show that the Board's decision was based on the site plan as submitted, Mr. Martin should not have to go back to the Board of Adjustment for approval. In answer to a question by Chairman Kroger, Mr. Block stated that it was his opinion that Mr. Martin should go back to the Board of Adjustment because the revised site plan submitted by Mr. Martin on October 5, 1981 shows the west side property line as 33 feet but the Board of Adjustment approved a variance for 35 feet on the west property line and the revised site plan does not comply with the variance as approved. Mr. Block further stated that on the revised site plan the building is completely turned around and the parking area has been changed from the rear of the property to the front and side of the property. In answer to a question by Chairman Kroger, Mr. Wilson stated that the Board of Adjustment has to have four findings, one of which is that the variance will not alter the character of the neighborhood, and in considering these things, they may look at where parking lots or bays will be located. Mr. Viox stated that he felt Mr. Martin should go back to the Board of Adjustment with the revised site plan. Mr. Hasselbring, the committee chairman, stated that Mr. Martin turned the building around 90° and when he did that it was off 2 feet from what was approved by the Board of Adjustment. Mr. Hasselbring further stated that the building does have bays and the bays have been changed and in the case of an automobile garage this could be considered a major change and therefore the committee recommended this item be deferred until October 21, 1981. Roll call vote was taken on the motion to defer showing 14 for, 0 against. Motion passed.

NEW BUSINESS:

The following request was read, accepted, and referred to committee for review:

1. Request of Camden Development, Inc. by their agent Eugene R. Weber, for site plan approval for an addition to an existing building located at Woodspoint Drive and State Route 18 in a C-3 zone. Referred to committee of Mr. Leicht, Chairman, Mr. Viox, Mr. Tobergte, Mr. Hasselbring and Mr. Greene.

Mr. Vincent Barth was present and referred to a site plan that was approved by the Planning Commission on March 4, 1981 for CMS, Inc. Mr. Barth asked the Commission if the site plan for CMS, Inc. showed a curb cut onto Route 20. Mr. Block stated that the curb cut onto Route 20 is a temporary curb cut and will be closed up when construction is completed. Mr. Barth further stated that he wanted to know if CMS, Inc. had obtained approval from the State Highway Department for the curb cut. Mr. Greene suggested that Mr. Barth contact the State Highway Department regarding the curb cut. Chairman Kroger stated that the staff should find out exactly what has occurred on this site and report back to the Commission at the next meeting.

Chairman Kroger directed Mr. Block to set up the procedure for the issuance of mobile home decals prior to January 1, 1982.

Chairman Kroger informed the Commission that the Administrative Committee has placed an ad in The Cincinnati Enquirer for the position of Planner. Mr. Greene questioned whether this matter had been brought before the Commission. Mr. Shafer then moved to advertise for the position of Planner. Mr. Godsey seconded. Roll call vote of 12 for, 1 against. Mr. Greene was opposed. Mrs. Patrick had left the meeting.

Mr. Block passed out to the Commission copies of his report on the Lubrecht Industrial Park and Commerce Park West. Mr. Block also requested the Commission consider setting a deadline for submission of revised site plans in order to give the staff and the committee adequate time to review the plans prior to the meeting. Mr. Block suggested the Thursday prior to the Planning Commission meeting in order to give the staff four working days to review the plans. Mr. Buse moved to adopt the proposal as submitted by Mr. Block. Mr. Viox seconded. In answer to a question by Mr. Wilson, Chairman Kroger stated that this would be considered "Administrative Procedure". Mr. Block stated that a notice to this effect

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would be posted on the bulletin board in the Planning Commission office. In answer to a question by Mr. Greene, Mr. Block stated that the agenda for the unfinished business meeting is prepared at least nine days prior to the meeting in order for it to be publicized in the Boone County Recorder and therefore an item would be on the agenda even though the revised plans were not submitted in time. Mr. Viox suggested that the item be deleted from the agenda if the plans are not submitted on time. Mr. Viox further stated that if the plans are submitted on Thursday it would give the committee enough time to review them. Chairman Kroger stated that since the Planning Commission office closes at noon on Thursday, it might be better to make the deadline noon Friday. Mr. Buse then moved to set the deadline of noon Friday, prior to the meeting of the Planning Commission for the submission of revised site plans. Mr. Viox seconded. Roll call vote of 13 for, 0 against. Motion passed.

Mr. Webster advised the Commission that he will be out of town for the next two weeks and would like to be removed as chairman of the Vesper zone change. Chairman Kroger then asked Mr. Buse to chair the committee to review the Vesper zone change.

There was some discussion regarding the violations in the Lubrecht Industrial Park and Commerce Park West Industrial Subdivision as outlined in Mr. Block's report. Mr. Buse stated that he felt it was the duty of the Enforcement Officer to notify the people of the violation and take the necessary action. Mr. Viox who is the chairman of the committee investigating these violations stated that he wanted to send a letter to the people involved, outlining the violations, and asking them what they intended to do about them. Mr. Wilson stated that he would work with Mr. Block and Mr. Viox to draft a letter and send it to the people involved.

Chairman Kroger stated that the Goodyear Store on Mall Road in Florence was using a miniature blimp as a promotional tool this past week and Mr. Block asked them to remove it because it was in violation of the zoning regulations. Chairman Kroger stated that the Commission might want to consider allowing this type of thing on a temporary basis. Mr. Wilson stated that the Goodyear promotion was a six day thing and that the Commission might want to consider a conditional use type permit with a time limit to allow this type of thing in the future.

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There being no further business, Mr. Shafer moved this meeting be adjourned. Mr. Jones seconded. Roll call vote of 13 for, 0 against. Motion passed and meeting adjourned at 10:20 p.m.

APPROVED: _____

CHAIRMAN

Respectfully submitted,

CLERK

BOONE COUNTY PLANNING COMMISSION

October 9, 1981

The Honorable Bruce Ferguson
Boone County Judge/Executive
Boone County Court House
Burlington, Kentucky 41005

Dear Judge Ferguson:

This letter is written to advise you of the action taken by the Boone County Planning Commission in regards to the request of Linville and Mary Eades for a zone change.

At their meeting of October 7, 1981, the Commission voted unanimously, with one member not voting, to recommend approval by Resolution No. R-26-81 of this zone change from SR-2 to C-1 for a 2.54 acre tract located at 8217 Burlington Pike.

This action was taken upon hearing the recommendation of the committee which included the following findings of fact:

1. The current use of the property is commercial and residential and this zone change would change a pre-existing non-conforming use as currently shown on the zoning map and in the zoning regulations to a conforming use.
2. The property is shown to be within the Airport Environs Overlay Zoning District. As indicated in the text of the Boone County Zoning Order, this district generally encompasses areas within the Noise Exposure Forecast level of 30 or higher and according to this district, single-family and multi-family uses are sensitive to these noise impacts of the Airport operations.

Also taken into consideration was the report of the Enforcement Officer. A copy of this

The Honorable Bruce Ferguson
October 9, 1981
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report, along with a copy of the minutes of the public hearing which was held on September 23, 1981, have been forwarded to your office under separate cover.

The Commission also voted unanimously by Resolution No. R-27-81 that upon final approval of this zone change by the Fiscal Court, if given, the necessary changes are to be made to the Comprehensive Plan text and Land Use Map and should be so authorized by the Fiscal Court. Enclosed are copies of the above mentioned resolutions.

If you desire any further information or have any questions concerning this action, please contact us.

Sincerely,

Paul E. Kroger
Chairman

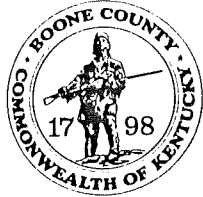
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Enclosures

cc: Linville and Mary Eades
8217 Burlington Pike
Florence, Ky. 41042

R-26-81

• AGRICULTURE •
• PROGRESS & PROSPERITY •
• TRANSPORTATION •
• COMMERCE & INDUSTRY •



KENNETH LUCAS
COMMISSIONER

IRENE PATRICK
COMMISSIONER

JOHN WEAVER
COMMISSIONER

BRUCE FERGUSON
COUNTY JUDGE/EXECUTIVE

TELEPHONE (606) 586-6101

COUNTY OF BOONE

WASHINGTON SQUARE • BURLINGTON, KENTUCKY 41005

November 18, 1981

Mr. Paul Kroger, Chairman
BOONE COUNTY PLANNING COMMISSION
P.O. Box 457
Florence, Kentucky 41042

Dear Paul:

The Boone County Fiscal Court, at its meeting of November 3rd, voted unanimously to approve the zone change, as recommended by the Planning & Zoning Commission by Resolution No. R-26-81 and Resolution No. R-27-81, for a 2.54 acre tract located at 8217 Burlington Pike, as requested by Linville and Mary Eades.

The First Reading of Ordinances No. 920.22 and 920.23 took place 10/20/81; the Second Reading took place 11/03/81; effective date of these Ordinances will be the published date of 11/12/81.

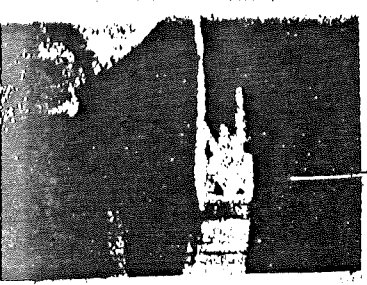
Should you have any questions relative to the above Ordinance, please contact me.

With kindest regards,

Bruce Ferguson
County Judge/Executive

BF:rm

RECEIVED
NOV 20 1981
BOONE COUNTY
PLANNING COMMISSION



the Conner Senior High School the recent dedication of Kentucky officials were on hand at the

awarded to R. C. Durr Co. of the project, which took two years to

Staff photo by Mary Ann Rozar

Help plan high school reunion

It's about that time for the Boone County High School class of 1972 to reunite.

Graduates of that year interested in organizing a 10-year reunion are asked to contact Dr. Charles Kemner at 371-0183.

gram along with students from Ockerman Junior High School.

The names of the Ockerman students ran several weeks ago.

The following students qualified for the program by scoring at or above the 97 percentile on national achievement tests. They will be invited to take the ACT test at the University of Kentucky and may also qualify to enroll in advanced academic classes at various universities.

From R.A. Jones are: Diana Cornett, Michelle Vogelpohl, Neil Robinson and Kathy Dixon.

The Conner students are: Patrick Miller, Melissa Roadcup, Kevin Vines, Angelia Barnes, Stephanie Arnett, Susan Cantrell, Sam Claypole, Mike Dragon, Kathleen Griffith, Tyler Kelly, Denise Parker, Rusty Pennington, Robin Kinman, Shawn Woodwall, Doug Crigler, Rod Vesper, Joey Hogan, David Roberts, Kim Wilson, Charles Doan, Scott McNay, Tim Powell, Michele Roberts, Stephen Toles, Darin Lawrence and Jolee

September's rate was 6.5 percent compared with 7.1 percent in August, according to the state Department for Human Resources.

The rate for September 1980 was 6.3 percent.

"This was the eighth consecutive month in which the rate has declined," said Dr. Grady Stumbo, DHR secretary.

lucky area. Unemployment increased from 6.5 percent of the work force to 6.7 percent. In Boone County, however, the rate was 6.3 percent, the same rate reported in both Kenton and Campbell counties.

Robertson County posted the area's unemployment rate at 14.7 percent, and Carroll County had the lowest at 4 percent.

ORDINANCE NO. 920.22

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL TWO TO COMMERCIAL ONE LOCATED AT 8217 BURLINGTON PIKE.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning Commission for a map amendment for a zone change from Suburban Residential Two to Commercial One 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 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 Fiscal Court's authority under KRS 67.063 and Chapter 100 of the Kentucky Revised Statutes.

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

SECTION 1

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from Suburban Residential Two to Commercial One. The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

SECTION 2

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 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.

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 20th day of October, 1981.

Adopted by the Fiscal Court of Boone County after second reading at a regular meeting on the 3rd day of Nov., 1981, 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
Boone County Judge/Executive

ATTEST:
JERRY W. ROUSE
Boone County Clerk

Submitted by:
LARRY CRIGLER
County Attorney

on Kentucky, to the highest bidder, at public auction on Monday, the 30th day of November

Boone County Fiscal Court
R18-31

ORDINANCE NO. 920.23

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN OF BOONE COUNTY, KENTUCKY, TO BE CONSISTENT WITH A ZONE CHANGE FROM (SR-2) to (C-1) ZONE FOR PROPERTY LOCATED AT 8217 BURLINGTON PIKE.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning Commission for an amendment to the Comprehensive Plan for a zone change from Suburban Residential Two to Commercial One 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 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 Fiscal Court's authority under KRS 67.063 and Chapter 100 of the Kentucky Revised Statutes.

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

SECTION 1

That the Boone County Comprehensive Plan shall be and the same is hereby amended for the purpose of making the comprehensive plan consistent with the zone change and map amendment that has been approved by the Boone County Fiscal Court and the amendment to the Boone County Comprehensive Plan which is the subject of this Ordinance is as follows:

1) Change the map to Commercial from Medium Density Residential for the site.

2) Change Tables (1), (2) and (4) of the text of the Comprehensive Plan by subtracting the total number of acres for the site from Residential (Medium Density) and adding the same amount to Commercial and adjusting any associated figures in these tables.

3) I would also recommend the wording under the heading for "Commercial" land use beginning on page 3, 7, and under "Burlington-Florence Corridor" includes a statement saying that, Commercial development could additionally occur in areas impacted by the operations of the Greater Cincinnati International Airport as determined in the Transportation Plan element of this Plan.

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 20th day of October, 1981.

Adopted by the Fiscal Court of Boone County after second reading at a regular meeting on the 3rd day of November, 1981, 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
Boone County Judge/Executive

ATTEST:
JERRY W. ROUSE
Boone County Clerk

Submitted by:
LARRY CRIGLER
County Attorney

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