

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING OCTOBER 27, 1982

Zone Change Request by Bankers Financial Corporation for property on U.S. Highway 42, Florence.

This is a zone change request by the owner, Bankers Financial Corporation for property at 8121 U.S. Highway 42, Florence. This request is to change the current zoning of Commercial Services, C-3, to Commercial One, C-1, for the 0.3056 acre tract for the purposes of a financial institution.

The current land use of the subject property is an unused residential building. To the north, east, and south is current residential use. To the west is current commercial-office use.

The adjoining property to the north is currently zoned UR-2 Urban Residential Two. To the east is Commercial Services, C-3. To the south is County zoning of Suburban Residential One, SR-1. And to the west is property zoned Commercial One, C-1.

The planned future land use of the property according to the Land Use map of the Boone County Comprehensive Plan is Commercial. According to the text of the Plan on page 3.7, "Highway commercial development is anticipated at most interstate interchanges in Boone County. These include I-75 interchanges at KY 18, U.S. 42, KY 338/U.S. 25, and KY 14-16. Also "Much local and community office development will take place in neighborhood or community commercial centers, but several areas are planned for predominant office development. These include existing office developments in Florence on U.S. 42 south of U.S. 25, on U.S. 25 south of U.S. 42, on Industrial Road east of U.S. 42, on Tanners Lane west of U.S. 42, and at Mall Road and U.S. 42."

In addition on page 3.12 the Plan states, "The Florence Mall area is planned for complete commercial/office development as it matures as a regional center."

A concept Development Plan has been submitted showing a proposal to remodel the existing structure on the site to a financial institution use. Additionally to the rear will be developed a parking area for nine vehicles. The attached garage will be opened for drive-thru to the parking area and for a drive up teller window. At this point I would like to point out that this drive thru will only be 10 to 12 feet wide, which does not meet the zoning regulations. Prior to a Site Plan Review approval this must be corrected to a minimum of 24 feet of surface width for two way traffic.

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Water and Sanitary Sewage disposal is available through the appropriate mains of the City of Florence. Plan for their use should be submitted to the Florence Water and Sewer Department for their review.

Access to the site will use the existing entrance widened to 22 feet. This also will need to be increased to the required 24 feet of surface width.

In my opinion, the Commission must review the text of the Comprehensive Plan to determine the requests' compliance to the Plan. If found to be within the Planning area for office development, it would then comply with the Plan map and text and not require any changes to the Plan.

PRESENTED: 10-27-82

Alvin "Chip" Block

Alvin "Chip" Block
Zoning Enforcement Officer

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

OCTOBER 27, 1982

8:00 P.M.

BOONE COUNTY ADMINISTRATION BUILDING

Chairman Kroger called the Public Hearing to order at 8:05 P.M.. Eleven (11) members were present: Messrs. Buse, Conkle, Hasselbring, Smith were absent. Staff members present were Ms. Sullivan and Mr. Wilson.

Chairman Kroger noted that four (4) items originally appeared on the agenda for the Public Hearing. Chairman Kroger then proceeded with the evening's agenda.

PUBLIC HEARING #1

ZONING MAP AMENDMENT, requested by Orville Saylor, to change a 5.28 acre site, located at KY 338, Boone County, Kentucky. The requested change is from Agriculture Two (A-2), to Rural Suburban Estates, (RSE). Ms. Sullivan presented the Enforcement Officer's Report.

Chairman Kroger asked if there was anyone present that would like to say anything in favor of the proposed zone change.

Mr. Orville Saylor stepped forward and said that he planned to build two (2) homes immediately facing Richwood Road with 1400 sq. ft. lots. In later years, he plans an earth shelter home facing farm land in the rear.

Chairman Kroger asked if there was anyone in the audience opposed to this zone change. No one spoke. He asked if any of the Board members had any comments or remarks. There were none. He declared the Public Hearing closed.

PUBLIC HEARING # 2

ZONING MAP AMENDMENT, requested by Ida Pearl Sebree, owner, for a change on a 1.0 ± acre site, located on KY 18, 300 feet East of Carlton Drive, Burlington, Boone County, Kentucky. The requested change is from Urban Residential Two, (UR-2) and Commercial Services, (C-3) to Commercial One, (C-1) to permit physician and dental services. Ms. Sullivan read the Enforcement Officer's report and located the property on the map.

Chairman Kroger asked if the owner or an agent for the request was present.

Mr. James Berling, Engineer for Mrs. Sebree, acknowledged his presence and stated he had nothing to add.

Chairman Kroger asked if anyone was present in opposition, No one spoke. He asked if the Board members had any questions or comments,

Mr. Viox commented that the Staff report seemed to fall between a Concept Plan and a Development Plan. He stated that he felt that a Concept Plan had been turned in and there was no necessity for a Development Plan. He expressed objection to the wording of the report.

Chairman Kroger asked for any further comments.

In response to a question from Ms. Sullivan, Chairman Kroger stated that the Commission had not taken a position on cuts on State Highways, since the State regulated that matter exclusively.

Chairman Kroger asked for any further comments,

Bob Kirby asked if the change to (C-1) affected the full depth of the property; Ms. Sullivan indicated that the entire tract was affected.

Mr. Shafer questioned Staff's comment regarding "strip" shopping centers noted in the Enforcement Officer's Report. He inquired as to what factors should be used to determine what constitutes a "strip development".

Chairman Kroger said that he deduced that what Mr. Block intended to say, was that possibly, if the Commission deemed the project not to be a strip center, then it would not constitute a strip center.

The Chairman noted that the charge is to the lay committee to review the project to make an evaluation of the matter,

Chairman Kroger noted that this as well as the previous request would be on the agenda for final action on November 3, 1982.

Asking for further comments and hearing none, Chairman Kroger declared the Public Hearing closed.

PUBLIC HEARING # 3

ZONING MAP AMENDMENT, requested by Bankers Financial Corporation to recommend a zone change on a 0.3056 acre site, located at 8121 U.S. 42, Florence, Boone County, Kentucky. The requested change is from Commercial Services, (C-3)

to Commercial One, (C-1). Ms. Sullivan located the property on a map and read the Enforcement Officer's report.

Chairman Kroger asked if there was a representative of Bankers Financial present that would care to make a comment.

Mike McCoy, Secretary of Banker's Financial, stated that the interest was to move a present office in Covington to Florence.

Chairman Kroger asked if anyone else in the audience or the Commission wished to speak in behalf, or in opposition, to the request.

Mr. Viox stated that he objected to the portion of the Staff's report addressing specifics of driveway size. He said the Concept Plan's purpose is to point out to the applicant a deficiency in meeting those dimensions, but not to get specific about driveway sizes.

Chairman Kroger hearing no further comments or questions declared the Public Hearing closed, noting that action would be taken at the November 3, 1982 meeting.

In response to Mr. McCoy's question, Mr. Wilson explained the purpose of the Concept Development Plan requirement.

Chairman Kroger then declared the Public Hearing closed.

PUBLIC HEARING # 4

Chairman Kroger then opened a Public Hearing for the purpose of discussion of zone changes from Suburban Residential One (SR-1) to Residential One Family (R1F) for designated areas within the following platted subdivisions located in the City of Florence, Boone County: Buckingham Woods, Circle Park, Colonial Estates, Deters, Dilcrest, J.B. Herring, Lincoln Woods, Pheasant Run, Spring Meadows, Williamsburg West.

Chairman Kroger noted that the proposal was the culmination of Mr. Jones' desire to rectify a problem which arose as a result of the development of the Comprehensive Plan, and the development of the County Zoning Ordinance. He noted that KZF had indicated that little change would occur to the makeup of Florence's subdivisions as a result of the plans; Mr. Jones and others in the City realized that there had been changes which became evident only after the new zoning regulations were adopted.

Ms. Sullivan stated that the purpose of the R1F zoning was to protect the owners of single-family homes who purchased with the expectation that existing zoning would exclude multi-family developments with the platted subdivision. The Committee had established criteria to evaluate subdivisions with the City of Florence.

First, the area had to include a minimum of 5 acres, Second, only platted subdivisions were considered and it was understood that the boundary lines of the existing zoning district would be maintained. Third, that the majority of the average lots meet the R1F guidelines as set out in the ordinance. The Committee decided to eliminate set back requirements since very few if any of the subdivisions under study met them. The fourth criteria was that the area had been zoned R-1 and R-2 under the prior zoning ordinance. The Committee also looked to construction or authorization of multi-family units since August 1, 1980, and to the existence of such units prior to that date. The Committee examined the conformance of the proposed zoning to the Comprehensive Plan. Every single subdivision platted in the City of Florence was examined, in order that none would be excluded from consideration. From a windshield inspection made by the Staff, the Committee determined how many and what kind of multi-family development had taken place within the subdivision and the intergration of the units into subdivision's single family character. A matrix was developed to determine how the subdivisions fell within these criteria and the R1F guidelines. The result of the evaluation process was the recommendation that the final subdivision be rezoned R1F. Buckingham Woods, Circle Park, Colonial Estates, Deters, Dilcrest, J.B. Herring, Lincoln Woods, Pheasant Run, Spring Meadows, Williamsburg West.

Ms. Sullivan pointed out that one reason why J.B. Herring and the Deters subdivisions had been included was because of their geographic inclusion in larger subdivisions which were recommended for rezoning. Ms. Sullivan stated that a description of the areas to be rezoned had been published on two separate occasions, constituting the best notice available under the circumstances.

Mr. Viox asked if the developers of the subdivisions had been notified.

Ms. Sullivan said that the Committee had decided not to contact the parties.

Mr. Viox expressed concern that some developers who do not live in the County might not have had notice of the rezoning activity. Mr. Viox noted his fear of repercussions from developers for lack of notice of the Public Hearing. He said that although Mr. Votel did not have many lots left in Buckingham Woods, in Pheasant Run, Mr. Butler had approximately 60 lots vacant in another subdivision. Mr. Viox stated that he was in favor of R1F, but felt that someone who owns 60 lots should be notified of a proposed zone change.

Chairman Kroger stated that Staff should prepare written designation of what is included and what is not included in the proposed rezoning project.

General discussion concerning the creation of pre-existing nonconforming uses by approval of zone changes followed.

Chairman Kroger stated that he would like to review the subdivisions individually for comments or problems. With respect to J.B. Herring and Colonial Estates, Chairman Kroger noted that the four family was an illegal use from the beginning, but that the problem would have to be addressed.

Chairman Kroger asked if there were problems in Spring Meadows, other than the existing multi-unit dwellings pointed out by Mr. Collins. There were no comments. No were there comments on Circle Park or Dilcrest.

With regard to Williamsburg West, Mr. Collins asked if the Storer Cable property was included.

Chairman Kroger replied that Storer was on Old Toll Road and was included, except for the front portion of the property rezoned for Storer to Commercial two (C-2). That area would not be changed.

Pheasant Run Subdivision was next considered. No comments were made.

Mr. Barnett asked if the City of Florence was in agreement with the Committees recommendations. Ms. Sullivan said that the representatives of the City, Mr. Bailey, Mr. Osborne and Mr. Janken had reviewed the preliminary recommendations. Chairman Kroger, in response to Mr. Barnett's question, stated that the recommendations would be made to the City of Florence, and that the City could make changes if they wished; that the City could, if they wished, conduct an independant Public Hearing. Ms. Sullivan said that the initial recommendations made by the City had been considered by the Committee in making its recommendations. Mr. Collins inquired whether or not the zoning change would affect home occupations: Chairman Kroger said he did not think zoning was or would be used to control home occupations.

Chairman Kroger invited members to direct their comments regarding the project to the Staff during the upcoming week, and declared the Public Hearing closed at 9:38 P.M..

APPROVED: _____

Respectfully submitted,

CHAIRMAN

Sherry G. Baker

CLERK

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING MINUTES

NOVEMBER 3, 1982

8:00 P.M.

BOONE COUNTY ADMINISTRATION BUILDING

Chairman Kroger called the meeting to order at 8:05 P.M. Nine (9) members were present: Messrs. Buse, Conkle, Hasselbring, Ingram, Jones and Smith were absent. Staff members present were Ms. Sullivan, Mr. Wilson and Mr. Block.

Chairman Kroger called for approval of the minutes of October 20, 1982 meeting and also of the Public Hearing of October 27, 1982. Mr. Godsey moved that the minutes of the Public Hearing of October 27, 1982 be approved as stands, and that minutes of October 20, 1982 be corrected to include the names of members absent. Mr. Viox seconded, the vote carried unanimously.

COMMUNICATIONS AND BILLS:

Mrs. Baker noted that one communication had been received from the Robert McGraw and Co. concerning renewal of an insurance policy. Chairman Kroger accepted the communication and said action would be taken.

The following bills were presented: Budget Print Center, \$8.00 for copies; Jerry Rouse, Recording, \$30.00; Petty Cash, \$50.00; Alvin Block, \$60.18 mileage; Staff salaries and benefits, \$3,056.46. Mr. McMillian moved that the bills be paid, Mr. Shafer seconded; the vote carried unanimously.

REPORTS:

Mr. Godsey presented the Treasurer's Report. Balance on hand October 6, 1982, \$29,119.30 in the checking account; \$526.08 in savings; in certificates of deposit, \$20,000.00.

For the City of Florence, William Rieger, Building Inspector issued permits 3553 thru 3571 during October for a total of \$494,614.00, estimated construction costs. Boone County

Building Inspector, Conrad Tobergte, issued 23 permits for total construction costs of \$686,519.00. Mr. Tobergte issued zoning and sign permits in the county totalling \$450.00 for the month of October.

Chairman Kroger proceeded to the request of Bankers Financial Corporation to recommend a zone change on a 0.3056 acre site, located at 8121 U.S. 42, Florence, Boone County, Kentucky. The requested change is from Commercial Services, (C-3), to Commercial One, (C-1) in order to permit operation of a financial institution. Mr. Block identified the project location. Chairman Kroger asked if a representative was present. Mr. Mike McCoy, Assistant Secretary-Treasurer of Bankers Financial, stepped forward and stated the intent of the company to move an office from Covington to Florence. Chairman Kroger asked if there was anyone present in opposition. No one responded. Chairman Kroger asked for the Committee report. The Committee report, read by Sherry Baker, Clerk, recommended that the request be denied. Chairman Kroger asked if Mr. McCoy would like to make a rebuttal to the report. Mr. McCoy stated that he was not sure why the request was denied. He felt that a change from a C-3 to C-1 was a change to less restrictive zoning. Chairman Kroger asked for comments from the members of the Commission. No one responded. At Chairman Krogers request, Mrs. Baker re-read the report. Chairman Kroger asked for further comments. Mr. Greene stated that in agreement with Mr. McCoy, he felt that the C-1 zone was the lesser of the two evils. Mr. Wilson asked Mr. Block to outline the area where the nearest C-1 zone is located: Mr. Block indicated a C-1 zone adjoining on the southwest side. Chairman Kroger asked for further comments from Commission, audience or Staff. Ms. Sullivan stated that with the interchange being such a dominant factor in the area, that the Commission might wish to review what the C-3 zoning in the interchange area permits; i.e. hotels and larger types of business operations, etc.. Ms. Sullivan stated that the adjoining C-1 property is a large corner lot with access to Sycamore Drive. She expressed concern that should each home along U.S. 42 request and receive a zone change, the zoning character of the area would be significantly changed. General discussion followed. Mr. Viox noted that the C-3 zoning provides for bigger projects but that the types of services the applicant intends to provide should be permitted somewhere near the interchange. Mr. Greene agreed. Chairman Kroger asked Mr. Block how many houses were between White Castle and the property in question. Mr. Block stated that there were approximately 5 houses all zoned C-3. Chairman Kroger stated his opinion that a C-3

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zone was overwhelming for that particular area. Chairman Kroger stated that he felt no obligation to maintain the integrity of the C-3 zone in this area. Mr. Viox asked if the applicant had estimated the amount of daily in and out traffic. Mr. McCoy stated most of the company's business was done by telephone, the only time people would come would be to make deposits or loan closings. He estimated that no more than two automobiles would be in the lot at one time. Mr. Godsey expressed his concern for safety with the people backing out onto U.S. 42. Mr. McCoy stated that they were considering eliminating the drive-thru and putting a parking lot in the rear so that customers could turn around before pulling onto the highway. Ms. Sullivan expressed concern that rezoning the entire strip of homes to C-1 would be inconsistent with interchange land uses. Mr. Shafer stated his opinion that the area was not conducive to a C-1 zone. Mr. Shafer moved, by Resolution R222-82 based on the Committee and Staff report, that the request be denied and that the City council so be informed. Mr. McMillian seconded. A roll call vote was taken: 6 for and 3 against. Members voting against the denial were: Mr. Greene, Mr. Kroger and Mr. Viox. The motion passed.

Chairman Kroger next addressed the request of Westhorn Company, agent for Queen City Storage, for Site Plan Review for property located on Tanners Lane, Florence, Boone County, Kentucky, zoned Commercial Three, (C-3) on a 3.4 acre site. Mr. Block read the Enforcement Officer's Report. Chairman Kroger asked Mr. Jenkins, Commission Engineer, for his report. In response to the Chairman's query, the Committee Report was read by Ms. Baker, Clerk, recommending action on the matter be deferred. Chairman Kroger asked if a representative of Westhorn Company was present. Mr. Bernard Horn, President, stepped forward and stated that he was aware the retention pond was not on Westhorn's property, but that one of the contingencies on the purchase from '76 Truck Stop was that their Engineers design a holding pond sufficient to handle water from the '76 parking lot and the Westhorn development. The company knew that a retention pond would be necessary. Designs for the pond had been sent from Chicago and Westhorn had accepted them. Mr. Horn noted that he realized that Mr. Jenkins had not had that information, but that he had all the documentation that the Commission might wish, and could provide a letter from '76 stating the terms of the agreement. Mr. Horn stated that he had not known the requirements for this stage of the review process. He stated that he had gone through the requirements, item by item, and there was nothing in them that he or his Engineer was aware of saying that complete engineering drawings for the size of the sewer and the cut were needed at this stage of the review. He gave assurance that he and Mr. David Walton, representing his company as Engineer, would conform and meet with the engineering requirements of the County for handling of storm water. He stated

that the size was in conformance to all regulations listed on the sheet he had received from Mr. Block. Horn stated again that he had not been made aware of the requirements for Site Plan Review. Chairman Kroger asked Mr. Block to confirm his statement that there was nothing in the file indicating an agreement between Westhorn and 76 regarding the retention pond. Mr. Block stated that to his knowledge there was no such agreement. Chairman Kroger acknowledged that this was a "package deal" but asked if all the necessary documents affecting the retention pond, i.e. ownership and the permission from the owners to place that pond on their property, could come together prior to leaving the Planning Commission. Mr. Horn stated that he would be glad to get approval with such a contingency. He offered to call Chicago and have a letter prepared. He stated again that he had not come prepared since he had not been told what information was necessary. He stated that he had no problem with the retention pond, since it was a contingency upon purchase of the property. For the record, Mr. Jenkins read the requirements of the Site Plan Review as set out in the zoning ordinance. Mr. Horn asked Mr. Block if he had a copy of the sheet he had given him. Mr. Block stated that he had given Mr. Horn a copy of the same sheet Mr. Jenkins had read from. Mr. Horn said that he stood corrected, but stated again that he had not known that he would need this information for a Site Plan Review. He thought it necessary only to acquire a building permit. Chairman Kroger noted that Site Plan Review was the first stage toward getting a building permit, stating that the Committee's request was honorable in recommending deferral rather than denial to allow time to provide the necessary information. Mr. McMillian moved that action on the request be deferred for two weeks. Mr. Viox seconded. Chairman Kroger asked Mr. Horn if two weeks would be sufficient. Mr. Horn replied that it would. Chairman Kroger asked Mr. David Walton if two weeks would be sufficient: Mr. Walton replied affirmatively. Chairman Kroger hearing no further questions, called for the vote. The motion carried unanimously.

Chairman Kroger proceeded to the next item on the agenda: The request of Cisco Construction Inc., agent for Kentucky Land Co., (Perkins) for a Site Plan Review on property located at 7501 Woodspoint Drive, Florence, Boone County, Kentucky, zoned Commercial Three (C-3) on a 1.62 acre site. Mr. Block read the Enforcement Officer's Report. Chairman Kroger asked if Mr. Jenkins had reviewed this request. Mr. Jenkins indicated that he had reviewed the submission and wished to note that the plat had been prepared by an Ohio Engineer, Mr. John Sansolone,

but bore a Kentucky Stamp, but no signature. Chairman Kroger asked for the Committee's report: Mrs. Baker read the report which recommended approval based upon its review and Staff's report. Chairman Kroger asked if a representative of Cisco Construction was present. The representative, Mr. James Cucinotto, stepped forward and stated the purpose of the addition was to provide additional seating and that he thought the problem with the Kentucky seal had been taken care of. Mr. Block stated that a revised plan bearing the proper seal had been submitted. Mr. Viox moved that the request be granted. Mr. McMillian seconded. The motion carried unanimously.

Chairman Kroger proceeded to the request of K & H Corporation, Option Holder, for Improvement Plan Approval by the Fairwinds Subdivision located on Hebron- Limaburg Road, with the nearest intersection at Val Court Drive, Boone County, Kentucky, zoned Urban Residential One, (UR-1), on a 1.62 acre site. Mr. Jenkins read his report recommending approval on the condition that every effort be made to hook up to the Boone County Sewer System. Mrs. Baker read the Committee report which recommended approval based on review and Staff's report. Chairman Kroger stated that he had talked with K & H and they are interested and willing, provided all the agreements and arrangements can be met, to tie into the County system. Mr. Viox noted that they had a letter from the State authorizing a package plant if necessary. Mr. Viox noted that he would abstain from action on the matter because he is engineer for the project. Mr. Shafer moved, based on Staff and Committee reports that the Improvement Plan be approved. Mr. McMillian seconded. The motion passed unanimously, with Mr. Viox abstaining.

Chairman Kroger moved to the next item on the agenda, the request of Ida Pearl Sebree, owner, to recommend a zone change on a 1.0 + acre site, located on KY 18, 300 feet East of Carlton Drive, Burlington, Boone County, Kentucky. The requested change is from Urban Residential Two, (UR-2), and Commercial Services (C-3), to Commercial One, (C-1), to permit physician and dental services. Mr. Block located property on map and read Enforcement Officer's report. Chairman Kroger asked for the reading of the Committee's report. Mrs. Baker read the Committee report which recommended approval based on review and the Staff report. Chairman Kroger recognized Mrs. Sebree as being present in the audience. Mr. Shafer noted that the findings of fact should be included in Committee's report. Mr. McMillian moved by Resolution R-23-82 that the change be recommended to the Fiscal Court with a stipulation of the findings of fact. Mr. Viox seconded. The

motion carried unanimously.

Chairman Kroger proceeded with the request of Orville Saylor to recommend a zone change on a 5.28 acre site, located on KY 338, Boone County, Kentucky. The requested change was from Agriculture Two, (A-2), to Rural Suburban Estates, (RSE). Mr. Block read the Enforcement Officer's Report. Mrs. Baker read the Committee's Report which recommended approval of the request based on review and the Staff report. Chairman Kroger recognized Mr. Saylor in the audience and asked for comments. Mr. Godsey stated that the findings of facts, upon which the Committee had based its recommendation were noted in Mr. Block's report. Mr. Godsey moved by Resolution R-24-82 that, based on the facts established in the Staff report presented by Mr. Block, that the recommendation be forwarded to the Fiscal Court. Mr. McMillian seconded. The motion carried unanimously.

Chairman Kroger stated that action on the final item on the agenda, the Residential One Family Zoning (R1F), would be deferred until the meeting on November 17, 1982. Chairman Kroger proceeded new business concerning the Commission's support of recreational development at Boone Woods Park. He mentioned that the communication from the McGraw Company was regarding renewal of an Insurance Policy; the premium would be approximately \$1,400.00. Everyone agreed to renew policy. Mr. Shafer by Resolution R-25-82 moved that Sherry Y. Baker, Clerk of the Boone County Planning Commission, be designated as Custodian of the official records. Mr. McMillian seconded. The motion carried unanimously. Mr. Godsey, Secretary-Treasurer was presented with check and cash collected by Staff from October 26, 1982 thru November 3, 1982 in the amount of \$370.10. Mr. Godsey presented a letter from Fiscal Court which indicated that the Planning Commission was to be involved to an undetermined extent in implementation of a street numbering project. Chairman Kroger noted that further consideration would have to be made by the Commission of the scope of the Commission's involvement before any final letters to residents were mailed out. Mr. Jenkins stated that he had the Kitzmiller project plans which had been given conditional approval on Site Plan Review. Mr. Shafer moved for adjournment. Mr. Viox seconded.

The meeting adjourned at 9:39 P.M.

APPROVED: _____

Respectfully submitted,

CHAIRMAN

CLERK

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING MINUTES

NOVEMBER 17, 1982 8:00 P.M.

BOONE COUNTY ADMINISTRATION BUILDING

Vice Chairman Shafer called the meeting to order at 8:05 P.M. Twelve (12) members were present: Messrs. Kroger, Viox and Ingram were absent. Staff members present were Mr. Block Mr. Jenkins, Ms. Sullivan and Mr. Wilson.

Mr. Godsey moved that the minutes of the meeting of November 3, 1982 be approved. Mr. Hasselbring seconded the motion, the vote carried unanimously.

COMMUNICATIONS:

There were three (3) communications: from OKI; Westhorn Company; City of Florence.

REPORTS:

Mr. Block presented the Enforcement Officer's Report.

SALARIES AND BENEFITS:

Mr. Godsey entered a motion to pay Staff salaries and benefits. Mr. Jones Seconded. The vote carried unanimously.

UNFINISHED BUSINESS:

The first item on the agenda was the request of Westhorn Company, Agent for Queen City Storage, for a Site Plan Review on property located on Tanners Lane, Florence, Boone County, Kentucky, zoned Commercial Three (C-3) on a 3.4 acre site. Vice Chairman Shafer read a letter from Westhorn Company requesting deferral of the Site Plan Review until December 1, 1982, and also waived the forty (40) day limitation. Mrs. Smith made the Motion to defer action on the Westhorn Site Plan Review until December 1, 1982. Mr. Collins seconded

the motion, the vote carried unanimously.

Vice Chairman Shafer proceeded to the zoned change from Suburban Residential One (SR-1) to Residential One Family (R1F) for designated areas within the City of Florence, Boone County. Mr. Jones entered a motion to defer action until December 1, 1982 in order that a final meeting could be held with City representatives. Mr. Greene seconded the motion; the vote carried unanimously.

NEW BUSINESS:

The first item accepted as new business was the request of Robert and Delores Hammons for a Site Plan Review on property located on the Southeast corner of the intersection of U.S. 42 and U.S. 25, Florence, Boone County, Kentucky, zoned Commercial Two (C-2) on 21,800 sq. ft. lot.

The seconded item accepted as new business was the request of W.P. Butler Company, for a Site Plan Review on property located on Tanners Lane, Boone County, Florence, Kentucky, zoned Commercial Two (C-2) on a 7 acre site.

The third item accepted as new business was the request of Edward J. Beiting Jr., Agent for Albert Moffett, Inc., for a Site Plan Review on property located on Walton-Verona School Road., Boone County, Walton, Kentucky, zoned Urban Residential One (UR-1) on a 2.13 acre site.

The fourth item accepted as new business was the request of Winslow and Barry Baker, for a Site Plan Review on property located at 8076 U.S. 42, Boone County, Florence, Kentucky, zoned Commercial Services Three (C-3) on a 3.022 acre site.

Vice Chairman Shafer assigned each of these items to appropriate committees.

The next new business on the agenda was the request of Winslow and Barry Baker, for a zone change from Commercial Services Three (C-3) to Commercial Two (C-2) on property located at 8076 and 8074 U.S. 42, Boone County, Florence, Kentucky on a 3.022 acre site. Mr. Buse entered a motion for a Public Hearing on December 15, 1982 at 7:00 P.M. prior to the regularly scheduled meeting. Mr. Greene seconded the motion carried unanimously. Mr. Godsey commented that he did not like changing the time of the meeting due to the fact that members might have prior commitments.

The next item accepted as new business was the request of Raymond Erpenbeck, Agent for Buten Brother Builders, Inc., for a Subdivision Improvement Plan Approval for property located on Sunnybrook Drive, Boone County, Kentucky, zoned Suburban Residential One (SR-1) on a 5.5 acre site.

Next accepted was the request of Walt Ramey, Agent for Todd Fischer, for Preliminary Plat Approval for property located off of Highridge Avenue, Boone County, Florence, Kentucky, zoned Suburban Residential Two (SR-2) on a 7.61 acre site.

Vice Chairman Shafer assigned each request appropriate committees.

Vice Chairman Shafer, noting that all agenda items had been presented, asked for business from the floor.

Mr. Robert Greene stepped forward to introduce Mr. Calvin Ferguson, President of Bankers Financial and his son-in-law Mike McCoy also an officer of Bankers Financial. Mr. Greene stated that he himself was an officer and stockholder of Bankers Financial. Mr. Greene asked that the Commission reconsider its denial of November 3, 1982 of the zone change request of Bankers Financial for property located at 8121 U.S. 42 Florence, Kentucky on the south side of U.S. 42. Mr. Greene noted that the property in question is one of a series of seven single family residences between White Castle and Sycamore Drive. The parcel is presently zoned C-3, except for the corner property which was rezoned in 1981 to C-1. Mr. Greene stated that his client had been in business in Covington, Ky. for 11 years, and had decided to move his operation to Florence about a year ago since he and his son-in-law moved to Walton, Ky. When the property in question became available, his clients thought the area was appropriate for their business, since other financial institutions were located nearby. The parties received approval of the Department of Banking, after some expense and delay, to move the business from Covington, to Florence. A license has been issued to do business as the Florence location. The parties, Mr. Green stated, had not considered rezoning to be an obstacle to the move since the adjacent property had been previously rezoned to C-1. Mr. Greene noted that there had been no opposition to the change at the Public Hearing. Still, the request considered by Mr. Godsey's Committee was denied. Mr. Greene asked the Commission to reconsider that action, in consideration of the fact that this particular property is more suitable for C-1 than for C-3 zoning. He noted that the lot in question, like that of the corner property is 70 feet wide, 187 feet deep, since

the widening of U.S. 42 cut their depth. The five houses to the east lie in a different subdivision; their lots are 50 feet or less wide. The lots are less than 300 feet deep. He stressed that the greater frontage of the lot in question should be a factor considered in favor of the zone change. He noted that the property was not suitable for C-3 usage, as it is too small. He stated that adequate ingress and egress onto U.S. 42, could be arranged, as could suitable parking. The two lots on which Dr. Rettay's clinic is located and this lot are the only 3 lots of Shamrock Hill Subdivision that front on U.S. 42. When Dr. Rettay decided to move his practice to the lot at Sycamore and 42, he was confronted with a residential use deed restriction. Since he initially intended to purchase this lot as well as the two on the corner he obtained a release of the restriction to permit professional or office uses on the three lots. Mr. Greene pointed out that that lot could not be used for a C-3 purpose unless that same type of release were obtained from the property owners. He again noted that the parcel of land is too small to ever accommodate C-3 uses and is further encumbered by this deed restriction property. He stated that the proposed use is the least intrusive to the neighborhood. Implementation of the project would require improvement of access, provision for parking, and the placement of a sign. Mr. Greene requested that in light of this information, the Commission move to reconsider the matter. He offered to meet with the Committee and present expert testimony from developers that the property is not going to be developed for C-3 use.

Vice Chairman Shafer asked for any comments from the Commission. Mr. Wilson noted the impact and procedure for reconsideration. Mr. Godsey entered a motion for a rehearing of the request of Bankers Financial; Mr. Jones seconded the motion. Vice Chairman Shafer asked for discussion; there was no response. The vote carried unanimously. Vice Chairman Shafer stated that the matter would be reconsidered at the next meeting, December 1, 1982, and asked staff to notify adjacent property owners of the reconsideration. Mr. Godsey will Chair the Committee for the purpose of review.

Vice Chairman Shafer asked if anyone present had business before the Commission. Mr. Mike Hargis, architect for the W.P. Butler Co., and Mr. Roger Wade stepped forward to request a Special Meeting of the Commission to hear the request for Site Plan Review previously accepted by the Commission as new business. In response to Vice Chairman Shafer's query, Mr. Hargis stated that he was aware of the Special Meeting charge.

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING MINUTES
NOVEMBER 17, 1982
PAGE FIVE

Mr. Winslow Baker stepped forward and also asked for a Special Meeting to hear his request for Site Plan of property located at 8076 U.S. 42, Boone County, Kentucky. Vice Chairman stated that he would also be assessed the fee. Mr. Baker stated his understanding of the charge. Vice Chairman Shafer appointed Mr. Collins as Chairman of the Site Plan Committee to review the two requests. Mr. Buse noted his abstention from participation on the Committee reviewing the W. P. Butler project since he has interest in a company which holds a mortgage on the property.

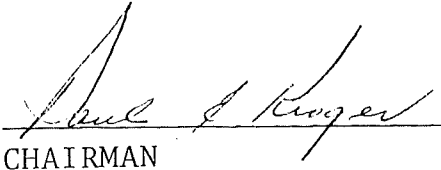
Vice Chairman Shafer asked for comments for or against the request for a Special Meeting to be held on Tuesday, November 23, 1982. There was no response. Vice Chairman Shafer stated that a Special Meeting for W.P. Butler Co. would be held at 8:00 P.M., Tuesday, November 23, 1982. A Special Meeting would be held for Winslow Baker at 8:30 O.M., Tuesday, November 23, 1982.

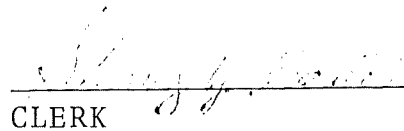
Vice Chairman Shafer asked for any further business from the Floor. Hearing no response, Vice Chairman Shafer asked for any comments from the Commission or Staff. Mr. Block asked for a clarification of the Temporary Commercial Display Regulation. General discussion followed.

Mr. Buse moved for adjournment. Mr. Davis seconded. Meeting adjourned at 9:15 P.M.

APPROVED: 12-1-82

Respectfully Submitted,


CHAIRMAN


CLERK

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING MINUTES

DECEMBER 1, 1982

8:00 P.M.

BOONE COUNTY ADMINISTRATION BUILDING

Chairman Kroger called the meeting to order at 8:05 P.M.. Twelve (12) members were present. Messrs. Buse, Davis and Mrs. Smith were absent. Staff members present were Ms. Sullivan, Mr. Wilson, Mr. Jenkins and Mr. Block.

At Chairman Kroger's request for action of November 17, 1982 meeting and also of the two (2) Special Meeting minutes of November 23, 1982. Mr. Godsey moved that the minutes of November 17, 1982 meeting and of the Special Meetings of November 23, 1982 be approved. Mr. Collins seconded the motion. The vote carried unanimously.

COMMUNICATIONS:

NONE

BILLS:

Mrs. Baker presented the following bills: Madison Office Supplies, \$39.62; Boone County Finance Department, \$90.20 for photocopies; Sayre & Son, \$7.25 for name plate; City of Florence, \$3,254.18 for rebate; Shillitos \$42.15 for calculator; Staff salary and benefits, \$3,169.09; and Petty Cash, \$100.00. Mr. Jones moved that the bills be paid: Mr. Godsey seconded and the vote carried unanimously.

REPORTS:

Mr. Godsey presented the Treasurer's Report. Balance on hand December 1, 1982, \$5,466.63 in checking account; \$8,526.08 in savings; in certificates of deposit, \$20,000.00.

For the City of Florence, William Rieger, Building Inspector, issued permits 3572 thru 3589 during November for a total

of \$566,431.00 estimated construction costs. Boone County Building Inspector Conrad Tobergte issued 19 permits for total construction costs of \$5,514,313.00. Mr. Tobergte issued zoning and sign permits in the county totalling \$480.00 for the month of November, 1982.

Mr. Kroger summarized the Convenience Plat Report submitted by Mr. Jenkins and stated a copy of said report would be enclosed with the next mailing to the Commissioners.

Chairman Kroger proceeded to the agenda, and first considered the zone change from Suburban Residential One (SR-1) to Residential One Family (R1F) for designated areas within the following platted subdivisions located in the City of Florence: Buckingham Woods, Circle Park, Colonial Estates, Deters, Dilcrest, J.B. Herring, Lincoln Woods, Pheasant Run, Spring Meadows, Williamsburn West. Chairman Kroger inquired as to whether a new Public Hearing would be required. Ms. Sullivan stated that there had been no additions to the recommended R1F areas since the Public Hearing, but that there had been some deletions. Ms. Sullivan suggested that a list of the lots included in the rezoning area be attached with the Resolution. Chairman Kroger expressed concern that deletion of any lots might cause repercussion later from people who would like to see such lots included in the rezoning. Ms. Sullivan said the lots had not been individually identified to this point and that the lots being deleted had never been intended for inclusion. Chairman Kroger asked for comments from the members. No one responded. Chairman Kroger asked if anyone felt another public hearing should be held, or if the Commission was ready to act by Resolution. Mr. Shafer moved by Resolution that the zone change from SR-1 to R1F be recommended to the City of Florence Common Council. He stated that the findings of fact upon which the Resolution was based were that the original zoning was in error for these areas and that the new R1F zoning reflected the original intention of the Comprehensive Plan. Mr. Jones seconded the motion. Mr. Wilson noted that the Resolution include criteria developed and used by the Committee in developing the rezoning recommendation. Chairman Kroger asked for further discussion. No one responded. The vote carried unanimously.

The next item considered was the request of Bankers Financial Corporation to recommend a zone change from Commercial Services Three (C-3) to Commercial One (C-1) on a 0.3056 acre site, located at 8121 U.S. 42 Florence, Boone County, Kentucky. Chairman Kroger noted that this was a reconsideration of the request and asked that the Enforcement Officer's and Committee report be read. Mr. Godsey stated that there was no new Committee report. Mr. Block

read the Enforcement Officer's Report, pointing out the location of the property on a map. Chairman Kroger asked if anyone present represented Bankers Financial. Mr. Robert Greene stepped forward and introduced Mr. Calvin Ferguson, President of Bankers Financial and Mike McCoy, an officer of Bankers Financial. Mr. Greene thanked the Commission for the opportunity to present the request again. Mr. Greene stated that Bankers Financial is a parent corporation of which VFC Financial Plan is a subsidiary. He continued that Bankers Financial is a licensed real estate mortgage brokerage company. Further, VFC Financial Plan currently holds a license as an Industrial Loan Company; and recently acquired a license to operate a financial institution at the location on U.S. 42 as a new consumer loan company. All approvals have been arranged, this zone change is the only holdup, he noted, recalling that the matter had come before the Commission approximately one (1) month ago and the request had been denied. Mr. Greene stated his intentions to present the following three (3) arguments for the request: (1) Area is improperly zoned C-3; (2) A deed restriction precludes C-3 zone development of the parcel; and (3) The integrity of C-3 zone has already been breached by the amendment made for the Chiropractic Clinic. Mr. Greene surrendered the floor to Mr. Charles Bateson, a planning consultant, who presented a drawing of which illustrated existing use of structures in the area. Mr. Bateson first noted the area was not large enough for the development of C-3 uses. He said that two acres of land would have to be acquired for C-3 zone use, and in order to do that a minimum of six (6) lots would have to be acquired at a cost of approximately \$360,000.00 Mr. Bateson felt that a line was meant to be drawn to permit small office uses in the area which would be in keeping with the Comprehensive Plan. Mr. Greene addressed the deed restrictions affecting the property, noting that Shamrock Hill Subdivision is restricted to a single-family dwelling. The subdivision property owners signed a document on lots 44, 45 and 46 which would permit professional and office occupancy. Dr. Rettay, owner of the Clinic at the corner of U.S. 42 and Sycamore Dr., had originally planned to acquire all three lots, but did not acquire lot 46, the lot is now owned by Bankers Financial. This lot 46 is released for professional and office occupancy but cannot be used for C-3 zoning purposes unless further released by property owners. Since lots 44 and 45 have already been rezoned to C-1, Mr. Greene stated that lot 46 should also be included in C-1 zoning. As a result of the deed restrictions, C-1 zoning represents the highest commercial use in which the property can be realistically used. Mr. Bateson addressed the third issue which he stated was the breach of zoning integrity resulting from the change to C-1 zoning of lots 44 and 45. Mr. Bateson noted that although the area is mostly zoned C-3, it is predominately developed to the C-1 uses, even though no rezoning has been done. Bankers

Financial is not asking for a change in conditions but a lessening of type of use permitted which conforms with other uses in the immediate area. Mr. Bateson felt that with the Sycamore end of the block being zoned C-1, the Commission could still develop the remaining areas as the Commission saw fit. Mr. Bateson stated that the breach was not solely attributable to the rezoning of Dr. Rettay's property, but also to the other C-1 uses in the area. Mr. Bateson submitted that this fact was another reason to change Bankers Financial property to C-1. Mr. Greene stepped forward and brought to the Commission's attention the findings of fact made in conjunction with the rezoning of lots 44 and 45 (Carroll property), now known as Dr. Rettay's Chiropractic Clinic. Mr. Greene noted that the findings of fact made for the Carroll request could be easily attached to the Committee Report on Bankers Financial with the exception of a statement pertaining to access onto Sycamore Drive. Mr. Greene stated that as Mr. Bateson pointed out, the Commission has some flexibility to make adjustments in the area now and he felt it would be reasonable for an adjustment to be made now to include Bankers Financial in the C-1 zone. Mr. Greene thanked the Commission and offered to answer any questions. Chairman Kroger asked if anyone else would like to speak in behalf of the request, noting that all adjoining property owners had been duly notified. Chairman Kroger asked if any of the members had any questions for Mr. Greene. Mrs. Baker reread the Committee Report submitted by Mr. Godsey at the request of Vice-Chairman Shafer. The Vice-Chairman stated that no breach of zoning had occurred and noted that the current uses, ie. Convenient, Shamrock Liquor, etc, were pre-existing-nonconforming uses. The Vice Chairman stated that deed restrictions were not a valid argument since the Commission cannot look at such considerations in determining the use of the land. Mr. Shafer stated that concerning the Chiropractic Clinic on the corner being "softer" use, the purpose of the rezoning was to buffer Sycamore Drive. Mr. Viox stated that he felt the Commission did not realize how difficult it was to get a developer to purchase 4 or 6 single family residences and demolish them for construction. The only purpose of such zoning is to reserve that area for long term future development. Mr. Viox stated that a home could be successfully remodeled for commercial use, and that he felt Bankers Financial was in a position to do so in a way that would enhance the community. He stated that he was in favor of the zone change.

Chairman Kroger asked for further comments. Mr. Barnett stated that the cost of buying 3 or 4 of the single family homes would be high, but that he felt it was not a consideration in this matter. Mr. Barnett asked Mr. Bateson if the planner suggested that the Commission rezone all of the single family residents in the strip to C-1. Mr. Bateson replied that he

did not suggest that all the single family residences be rezoned, noting that when and if other residences sold, the Commission would then have to decide the appropriate zoning. Mr. Barnett expressed concern that the area would produce a strip of small C-1 businesses instead of the C-3 uses as intended in the Comprehensive Plan, uses that would be compatible with the interchange location. Mr. Hasselbring noted that the Staff report had indicated that the size of the driveway did not comply with regulations, and the report itself had not made a recommendation. Further, the Comprehensive Plan is rather general as to what commercial activity is envisioned for the area. Mr. Shafer commented that when the Comprehensive Plan was developed in 1978 and 1979, that the areas around the expressway were meant for heavier commercial uses. The other side of the expressway had been planned, from Wildwood Motel to the intersection of U.S. 42 and U.S. 25 on both sides of U.S. 42 for daylight type office uses. He distinguished the rezoning of the corner lot as an attempt to keep traffic to a minimum. Mr. Shafer stated that he would be in favor of softer zoning for land abutting a residential street in order to minimize traffic. Mr. Shafer requested that the Commission consider the long term picture, and not just grant request as they come in. He noted that when the plan had been proposed in 78/79, the intersection was thoroughly studied for future development potential. He said that in his opinion no significant unanticipated changes had occurred in this area sufficient to justify a zone change for the property. Mr. Jones asked when the Carroll property was rezoned. Chairman Kroger replied that it had been after the adoption of the current Comprehensive Plan. Mr. Viox moved by Resolution R-22-82 to approve the request based on the following findings of fact. (1) Request for use as an office would be in accordance with the Comprehensive Plan; (2) The request for C-1 Zone would allow softer commercial uses than those permitted in the current C-3 zone and would be more compatible with residential land use in the adjacent subdivision; (3) The utilities are available to the site. Mr. Viox included the instruction that a letter be sent to the City of Florence recommending the change. Mr. Jones seconded the motion, adding that if the Commission had rezoned the adjacent property to C-1 he could not see denying the request of Bankers Financial. Mr. Shafer objected to the findings of fact made in conjunction with the resolution, noting that he felt that it was only Mr. Viox's interpretation of the Comprehensive Plan that the offices could be placed in the area. Mr. Shafer's interpretation was just the opposite, that offices were not a permitted use. Mr. Shafer felt the finding of fact was strictly an interpretation. He further pointed out the second finding of fact could pertain to any business in the City because residential lots often abut businesses. Mr. Shafer stated that he did not consider the second item a valid finding of fact in this

particular case. The fourth finding pertaining to utilities, he noted, covers the entire city. Mr. Shafer stated that if the request is based on these findings of fact, the entire City would have to be rezoned since the facts fit the entire map. Mr. Greene stated that even if the findings of fact fit the entire map, they certainly also fit this parcel of land and by virtue of that they are applicable. Mr. Godsey stated that the concern of the original Committee was where to place boundaries. Mr. Shafer stated that a large amount of land could be developed on both side of U.S. 42 into office projects using the same set of facts. Mr. Shafer didn't feel that the Commission or the community wanted that section of U.S. 42 developed as an office strip. Mr. Shafer stated it would be very hard to say no to any other request based on this precedent. Mr. R.L. Greene stated that he didn't feel the Commission or Community would be happy with Commercial Three (C-3) zoning on the site and that the Commission was lucky to have a financial institution on said property because there is already confusion on this particular stretch of land. Mr. Greene stated that he would rather see an office complex than a restaurant or hotel. Mr. Hasselbring stated his understanding of Mr. Shafer's concerns and suggested that Mr. Viox and Mr. Jones consider amending the motion to be more specific in their findings of facts. There was no response. Mr. Greene stated that across the road from the site there is really not much land to be developed. Mr. Greene commented that the Life Federal building across the street was a remodeled home which was an asset to the Community. Mr. Greene noted that Bankers Financial would meet the requirements regarding the driveway. Mr. Shafer asked of the project would require a Board of Adjustments hearing. Mr. Wilson noted that the applicant had been modifying it and advised that they would have to conform to regulations affecting the drive through window. And had indicate at the Public Hearing that the window would probably be removed. Chairman Kroger asked that the minutes include the agreement with the applicant that the drive-in window would be removed if it could not be brought into compliance with the zoning regulations. Chairman Kroger called for a vote. The motion passed nine (9) for; three (3) against. Members voting no on the motion were: Mr. Barnett, Mr. Collins and Mr. Shafer. Chairman Kroger stated that a Resolution recommending the change would be submitted to the Florence Common Council.

Chairman Kroger proceeded to the request of Walt Ramey, Agent for Todd Fischer, for preliminary plat approval for a 7.61 acre site located off of Highridge Ave., Boone County, Florence, Kentucky, zoned Suburban Residential Two (SR-2). Mr. Jenkins, Staff Engineer, stated that he had reviewed the plat and found it in conformance with the regulations, recommending approval with

the note that the applicant would have to meet with Florence Water and Sewage Department. Since the specifications attached herein are unnecessary for this stage of the review and do not conform with the City of Florence requirements, Mr. Jenkins recommended that the additional material be deleted from the Commission's consideration. At the Chairman's request, Ms. Baker read the Committee Report which recommended approval. Mr. Viox moved that the request be granted based on staff and Committee Report, adding that sheets 2, 3 and 4 were to be removed from the application. Mr. Godsey seconded, the vote carried unanimously.

Chairman Kroger proceeded to the request of Raymond Erpenbeck, Agent for Buten Brother Builders, Inc., for Improvement Plan Approval for a 5.5 acre site located on Sunnybrook Drive, Boone County, Kentucky, zoned suburban Residential One (SR-1). Mr. Jenkins reported that he had talked to Mr. Viox and Mr. Erpenbeck, agent for Buten Brothers'. They applied approximately 1 year ago at the Kentucky Department of Natural Resources for a permit to discharge from the Waste Treatment Plant and are now waiting for final approval. Mr. Jenkins recommended approval with the understanding that approval was contingent upon final approval from the Kentucky Department of Natural Resources. At the Chairman's request Ms. Baker read the Committee report which recommended approval. Mr. Viox noted that Mr. Erpenbeck had contacted Boone County Water and Sewer District and had received discharge approval September 1981, and Final Plans were submitted September 1982. Mr. Viox moved that the request be approved based on Staff and Committee report and that Mr. Erpenbeck had contacted Boone County Water and Sewer District. Mr. Godsey seconded, the vote carried unanimously.

Chairman Kroger proceeded to the request of Edward J. Beiting Jr., Agent for Albert Moffett, Inc., for a Site Plan Review of a 2.13 acre site located on Walton-Verona School Rd., Boone County, Walton, Kentucky, zoned Urban Residential One (UR-1). Mr. Block read the Enforcement Officer's report. Ms. Baker read the Committee report recommending approval. Mr. Viox abstained. Chairman Kroger asked for further comments; no one responded. Mr. McMillian moved to recommend approval. Mr. Greene seconded, the vote carried unanimously.

Chairman Kroger proceeded to the request of Robert and Delores Hammons for a Site Plan Review of a 21,800 sq. ft. lot located on the Southeast corner of the intersection of U.S. 42 and U.S. 25, Florence Boone County, Kentucky, zoned Commercial Two (C-2). Mr. Block read the Enforcement Officer's Report. Ms. Baker read the Committee Report recommending approval. Mr. Godsey expressed concern for traffic safety at the intersection. Mr. McMillian moved to recommend approval of the request. Mr. Hasselbring

seconded, the vote carried unanimously.

Chairman Kroger proceeded to the request of Westhorn Company, Agent for Queen City Storage, for Site Plan Review of a 3.4 acre site located on Tanners Lane, Florence, Boone County, Kentucky, zoned Commercial Three (C-3). Chairman Kroger asked for the Enforcement Officer's Report. Mr. Block stated, since his report of November 3, 1982 he has received no additional information. Mr. Jenkins noted that the request had been deferred due to lack of information on storm water drainage. Mr. Jenkins stated that he had reviewed the new plans with Mr. Berling that evening and that Mr. Jenkins was satisfied with the proposed storm water drainage. Mr. Jenkins recommended approval. Mr. Berling, Engineer for Westhorn, stated that he became the Engineer on the project 10 days ago and had revised the plans. Mr. Berling had met with the Engineer for Water and Sewage Commission and discovered that official approval could not be made prior to this Planning Commission meeting. Chairman Kroger asked Mr. Berling if he was the Engineer of record and if all the drawings submitted were his work. Mr. Berling acknowledged that he was project engineer. Chairman Kroger requested that the previous Enforcement Officer's Report and the previous Committee Report be read. Ms. Sullivan noted that the Committee had not had a chance to review the new plans prior to the meeting. Mr. Kroger asked to Mr. Jenkins whether or not the inadequacy of the plans which he had noted at their first submission had been corrected. Mr. Jenkins stated that all problems had been resolved. Chairman Kroger asked Mr. Block if he felt all aspects of the application was complete. Mr. Block stated that they were. Mr. Viox asked for a five (5) minute recess in order to give the Committee time to review the new plans. Mr. Collins stated that he felt the plans should be brought in early enough to give the Committee sufficient time to review the plans. Mr. Godsey entered a motion to defer action on the Westhorn request until the 15th of December, 1982. Mr. Shafer seconded the motion, the vote carried unanimously.

Mr. McMillian inquired about the money due the Commission members promised by Judge Roberts. Chairman Kroger stated that he would check into the matter and report back at the December 15, 1982.

Mr. Shafer entered a motion for adjournment, Mr. Godsey seconded. The meeting adjourned at 10:30 P.M..

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING MINUTES
DECEMBER 1, 1982
PAGE NINE

APPROVED: 12-15-82

RESPECTFULLY SUBMITTED:

CHAIRMAN

CLERK

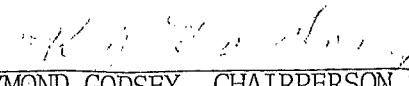
MEMORANDUM

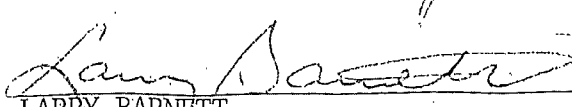
TO: BOONE COUNTY PLANNING COMMISSION

FROM: RAYMOND GODSEY, CHAIRPERSON
ZONING MAP AMENDMENTS

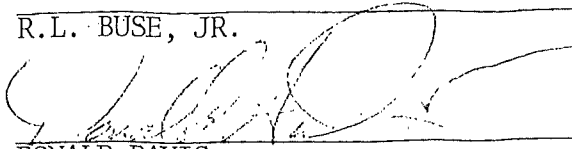
RE: Request of Bankers Financial Corporation to recommend a zone change on a 0.3056 acre site, located at 8121 U.S. 42 Florence, Boone County, Kentucky. The requested change is from Commercial Services, (C-3), to Commercial One, (C-1).

Based on the fact that C-3 zoning is most compatible with the interchange nearby, and that no significant change in the area is anticipated and that C-3 zoning is in conformance with the Comprehensive Plan for the area and based as well on the staff report, we recommend that the request be denied.


RAYMOND GODSEY, CHAIRPERSON


LARRY BARNETT

R.L. BUSE, JR.


DONALD DAVIS

