

STAFF REPORT

REQUEST OF NEAL AND KAREN VENTURA
FOR A ZONING MAP AMENDMENT FROM
 AGRICULTURE ESTATES (A-2) TO AGRICULTURE (A-1)

May 25, 1988

This is a request of Neal and Karen Ventura for a Zoning Map Amendment from the existing zoning classification of Agriculture Estates (A-2) to Agriculture (A-1) to allow the placement of a double-wide mobile home. The approximately 23 acre site is located on the east side of Idlewild Road (at 4688 Idlewild Road), Boone County, approximately 2.5 miles north of Burlington, and immediately south of Woolper Creek. The property is owned by Neal and Karen Ventura.

Background

Previously, this property was subject to a Zoning Map Amendment application by the former owners, Cassius and Alberta Sullivan. Their 32.48 acre property, of which the 23 acres now owned by the Venturas was part, was considered for rezoning from Agriculture Estates (A-2) to Agriculture (A-1) on December 2, 1987. The Planning Commission approved the Zoning Map Amendment with the condition that "... only the property on which the applicants intend to place their mobile home be rezoned. This portion of the farm must be a minimum of five acres and must be contiguous to an existing A-1 zoning district." (Zone Change Review Committee Report, December 2, 1987) The end result was that a 7.325 acre lot on the east side of the property was rezoned A-1, on which a double-wide mobile home was placed. The remainder of the original 32.48 acre property, with some exceptions, was sold to the Venturas and is currently zoned A-2. The Venturas initially considered constructing a small house on their property and obtained building and sewage permits to that end. They decided against building a second house when projected costs exceeded their initial expectations. Subsequently, the Venturas wish to locate a double-wide mobile home on the property instead.

Surrounding Land Uses and Zoning

north:	A-1; some farm land, predominately woodland
south:	A-2; directly across Idlewild from the Ventura house is a single-family residence, behind which is woodland
east:	A-1; a 7.325 acre lot with an existing double-wide mobile home adjoins the property's west border, beyond is zoned A-2, with single family residences, including some mobile homes
west:	A-1; farmland, woodland, and single-family residences

Site Features

The subject property slopes up steeply from the road and sharply from the creek bed. The site for the proposed mobile home has only a slight slope. This site has an elevation of approximately 760 feet, as compared to the

creek bed at approximately 680 feet. Soils along the road and creek are of the Cythiana series with slopes limiting its uses to woodland. The eastern side of the site is composed of Nicholson series soils, suited to pasture, hay and small crop area. The central portion of the property is of Faywood series soils, which are suited to hay and pasture.

Currently, there is one two-story frame house on the property, a barn (in front of which the mobile home is proposed to be located) and an assortment of smaller out-buildings associated with the farm. The central portion of the site is used as a hay field, the gentle slopes have been pasture, and the steep slopes are wooded.

Relationship to Comprehensive Plan

The 1986 Boone County Comprehensive Plan Future Land Use Map indicates the future use of this property to be Low Density Residential along Idlewild Road (approximately 50% of the site), Developmentally Sensitive (slope greater than 20%) along Woolper Creek (approximately 25% of the site), and Rural Lands (agriculture, woodland, recreation, and one dwelling unit per two acres) for the remainder of the site (approximately 25%).

The Land Use Element of the Plan makes the following statement about the general area in which the Venturas' property is located:

"This section contains no real growth forces of its own but will nevertheless receive a population growth as the Burlington area becomes less of a rural community and more of a suburban area. The suburban growth around Burlington will push development in all directions. Therefore, KY 18 and Idlewild Road will become collector roads for new subdivisions. These subdivisions should be within a few miles of Burlington. Residential development along the roads should be set back off of the road to allow for future growth. A possible connector road could be developed between Idlewild Road and Burlington-Bullittsville Road. Such a road would provide an alternative route of travel away from the center of Burlington. The balance of land in this section will remain largely undeveloped and in agricultural uses (p. L-10)."

Two Housing objectives from the Plan read:

- "A broad range of housing opportunities (eg. size, type) shall be provided at locations which meet the needs and desires of household types.
- In order to offer the citizens of Boone County maximum choice in living environment, residential development plans shall be judged primarily on the basis of density (dwelling units per acre) with only secondary consideration given to type of structure (pp. G-1, 2)."

However, the Housing Element of the Plan also explains the need to control isolated mobile homes:

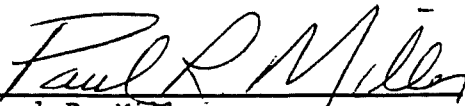
"The only high-density residential uses that should occur outside of urbanizing areas are either mobile home parks which help lessen the proliferation of isolated trailers or planned developments with adequate infrastructure. Separate mobile homes have presented a problem of inefficient and sometimes illegal land use in the rural areas, and since they are increasing rapidly in number, efforts should be made to insure that these mobile homes conform to basic health and safety considerations. The most efficient way to do this is to concentrate most of the mobile homes in parks. This applies mainly to the rural western and southern portions of the county (p. H-18)."

Staff Concerns

- 1) The change in zoning of this property would represent a reduction in residential density from A-2 to A-1 along the Burlington-Idlewild corridor. The proposed location for the mobile home would be the area of the Low Density Residential (1-3 units per acre) Future Land Use Classification. The result may be a proliferation of isolated mobile homes along this corridor, especially towards Burlington. There are existing A-1 zones immediately adjoining the property which would allow the placement of a mobile home without the necessity of a Zoning Map Amendment.
- 2) The proposed location for the double-wide mobile home is such that the unit may be highly visible along the length of the curve of Idlewild Road, possibly impacting the public's view if not adequately landscaped and meeting the proper setbacks.
- 3) The Boone County Planning Commission should evaluate this request according to the three categories for a Zone Change.

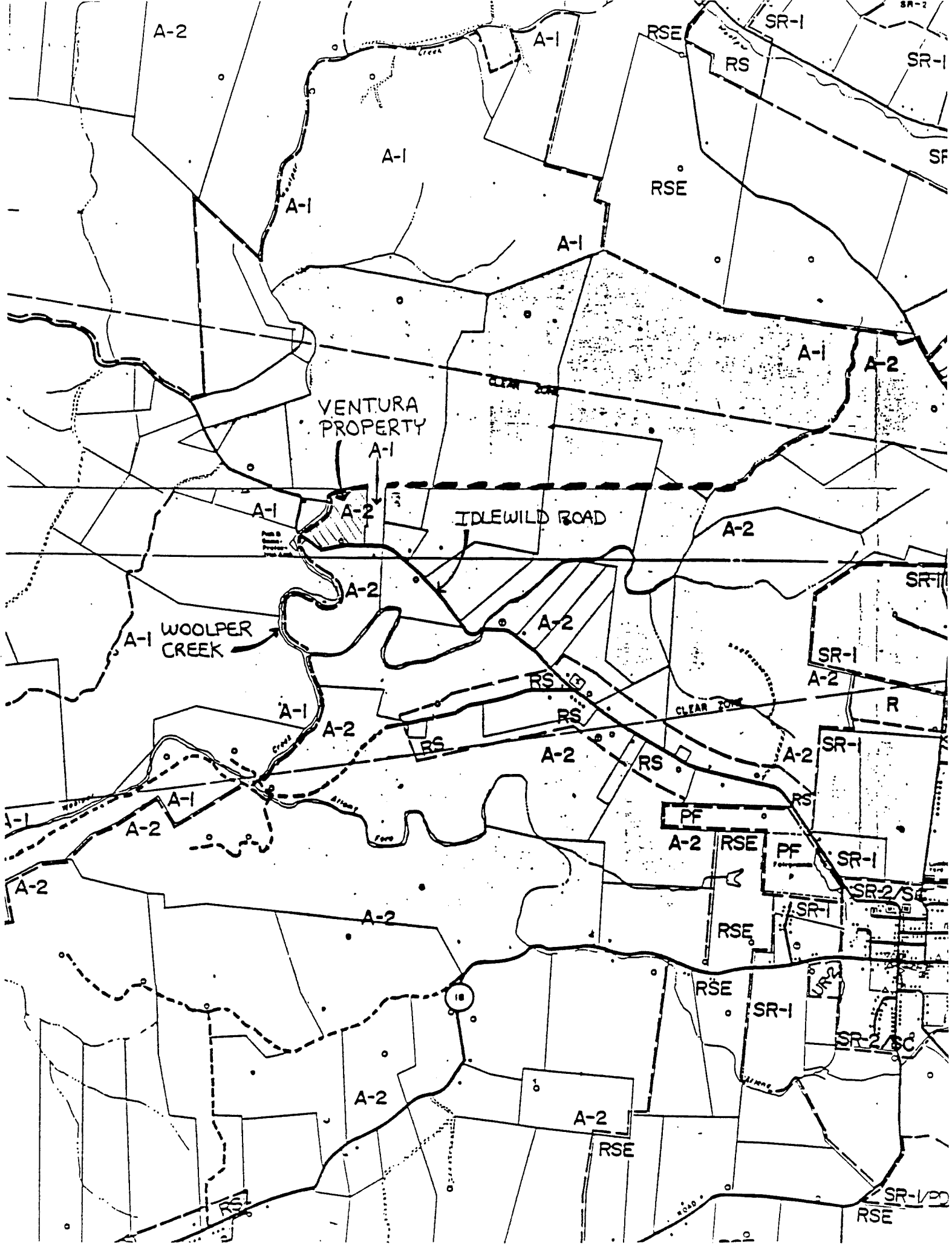
Conclusion

Should the Planning Commission recommend, and the Fiscal Court subsequently approve, this Zoning Map Amendment, the Boone County Comprehensive Plan will not need to be amended.


Paul R. Miller,
Plans Examiner/Planner

PRM:mcb

Attachments



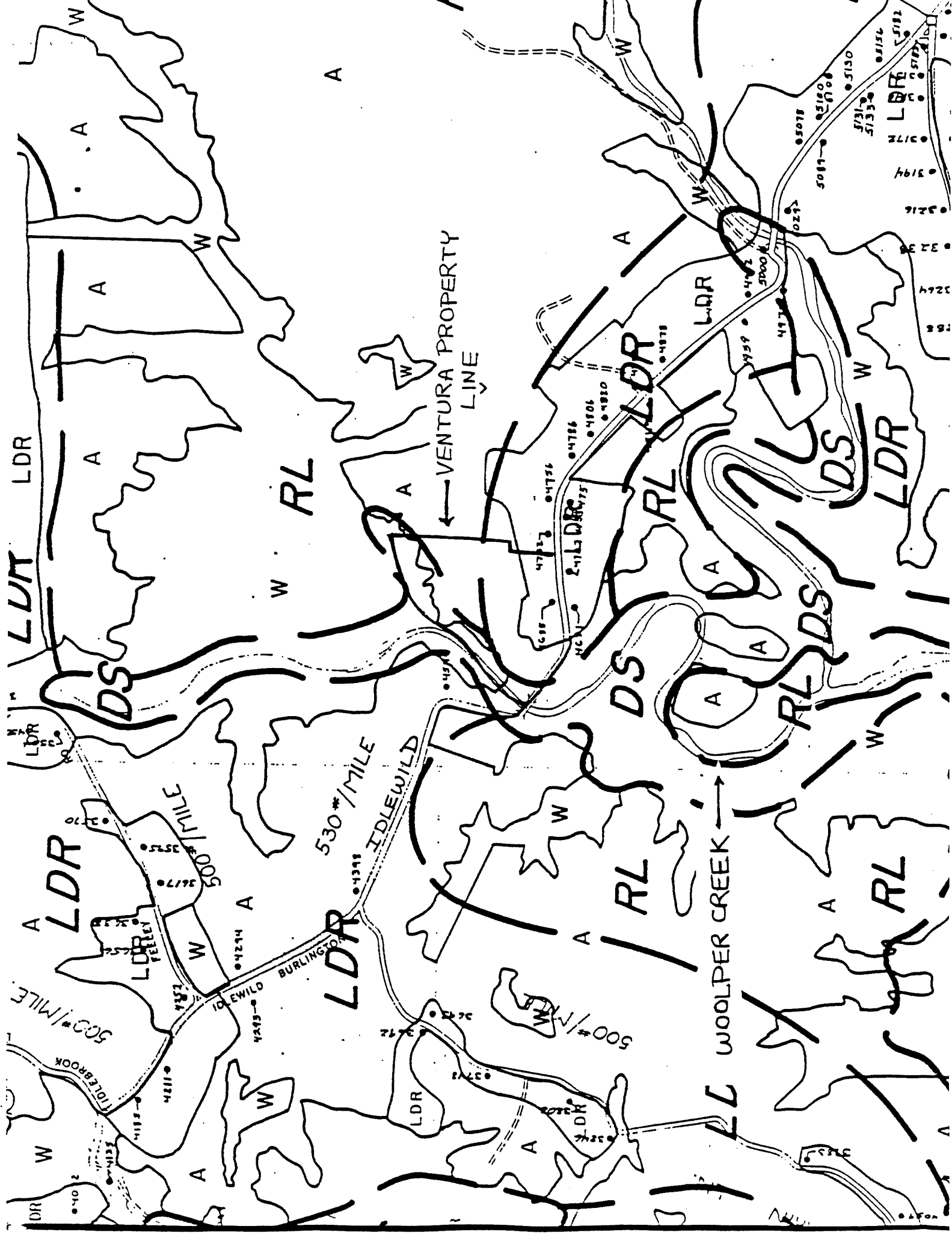
FEELEY ROAD

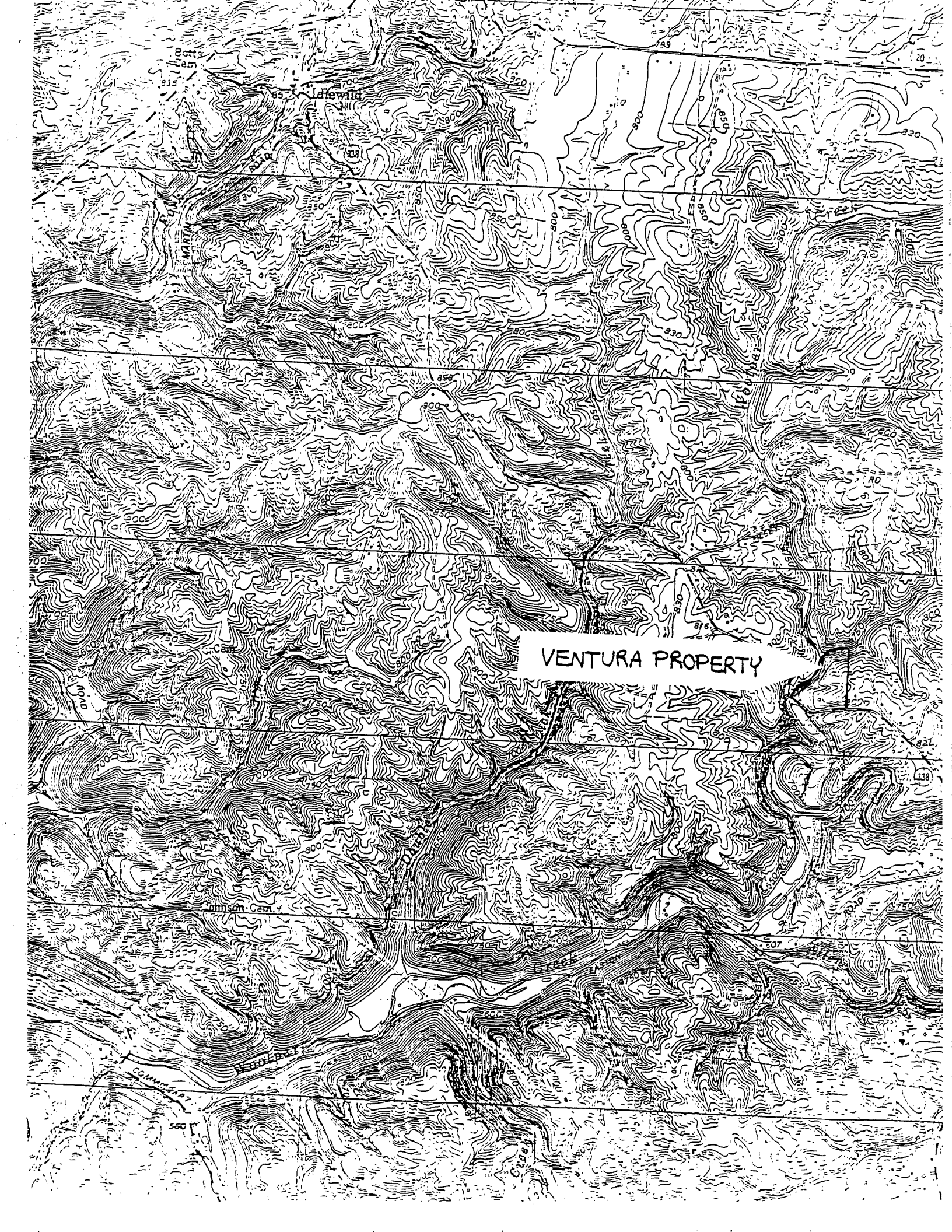
PROPOSED MOBILE
HOME SITE

VENTURA
HOUSE

IDLEWILD ROAD

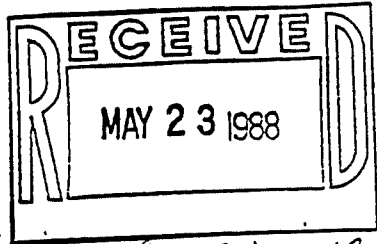
WOOLPER CREEK





VENTURA PROPERTY

7 May 20 1988



Dear Sirs:

I am writing concerning the property zone change of the property of Neal and Karen Ventura at 4688 Idlewild Road in Burlington. We cannot attend the hearing because of work obligations, but very much wanted to voice our opinions concerning this matter.

As an adjoining property owner to the above property we are strongly opposed to the changing of the zone. We feel it would result in the permanent devaluation of our property and other properties around us. We do not want to cause any bad feelings with our neighbors, but we feel we must protect the value of our property now and in the future.

We are also surprised and puzzled that this request is being considered, when it was denied by the Sullivans less than six months ago. Please consider the value of our home and our property again and deny this request.

Sincerely,
Martha Manourakis
4681 Idlewild Road
Burlington, Ky. 41005
586-5771

APPLICATION FOR ZONING ACTION

TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: Neal & Karen Ventura Owner

Address: 10046 Indian Hill Agent

Union, Ky 41091 Telephone: 384-4075

Location: 4688 Edelwild Road Burlington, Ky 41009

Name of Property Owner: Neal & Karen Ventura

Address of Property Owner: 10046 Indian Hill Union, Ky 41091

Zoning District: A-2 Area in Acres: ±25

Deed Book: 382 Page Number: 304 Group Number: 2018

Description of Request: Zoning Map Amendment to change zone from A-2 to A-1 to allow mobile home on property.

Applicant's Signature: Karen Ventura

Property Owner's Signature: Karen Ventura

FOR PLANNING COMMISSION USE ONLY

Application Fee: \$489⁰⁰ Date Received: 5/4/88 By: Joy H.

Referred To: _____ Meeting Date: N.B. 5/4/88

Action Taken: _____ Date of Action: _____

EXHIBIT "A"

Property Transfer Tax

\$ 115.00

Jerry W. Rouse, Clerk,

By Donna Collins DCWARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: THAT

CASSIUS LEE SULLIVAN, and his wife, ALBERTA SULLIVAN,

for and in consideration of ONE HUNDRED AND FIFTEEN THOUSAND and NO/100 (\$115,000.00) DOLLARS paid to them by

NEAL J. VENTURA and his wife, KAREN K. VENTURA,

the receipt whereof which is hereby acknowledged, do hereby bargain, sell and convey to

RETURN TO: NEAL J. VENTURA and his wife, KAREN K. VENTURA,

jointly, with remainder in fee simple to the survivor of either of them, his or her heirs and assigns forever,

the following described real estate, lying and being in Boone County, Kentucky to-wit:

Grantee Mailing Address: 10046 Indian Hill Dr, Union, Ky

Present Street Address: _____

GROUP NO. 2018

PARCEL I. That tract of land in Boone County, Kentucky, on the Petersburg and Burlington turnpike adjoining the lands of Haywood Wilks, J. E. Duncan and others and bounded thus: Beginning at a point in the center of covered bridge across main Woolper Creek, a corner with Newt Sullivan, thence up the creek N 45 E 42 poles thence N 16 poles to J. E. Duncan's corner at the mouth of Hughes Branch; thence up the branch N 7-3/4 E 14-1/2 poles to a hombeam and white walnut trees, lower corner of Lot No. 5 in the Mills Wilks land division then south 61-1/4 poles to a stone another corner of Lot No. 5 on the Pike then along with the center of Pike S. 76 W 20 poles N 57 W 29 poles to the beginning containing 9-3/4 acres, be the same more or less. Also another tract: Beginning at a point in the center of the Petersburg and Burlington Pike running East of a Walnut tree 40 steps more or less; thence North to a Locust tree about 120 steps; thence South to the place of beginning, containing 1/2 acre more or less.

PARCEL II Beginning at a stone a tract of land conveyed by James E. Duncan to Fannie Riley said stone is in a line of T. P. Grisler, thence with said line N 71 E 29.40 chains to a stone on a

branch a corner with J. J. Duncan, thence with a line of said Duncan down a branch S 50 W 12 chains S 73-3/4 W 14 chains, S 58-3/4 W 5.24 chains S 76-3/4 W 4.78 chains to a stone on said branch corner with Riley tract thence with her line north 1 E 13.33 chains to a gate post, thence N 4-3/4 W 8.01 chains to a stone N 44-1/4 E 4.75 chains to a stone thence S 87-1/4 E 5.61 chains to a stone thence N 4 E 10.60 chains to the beginning containing 97-1/2 acres being the same land conveyed to Cassius "Cad" Sullivan by deed dated May 9, 1933, and recorded at Deed Book 71, page 325, Boone County Court Clerk's Office, Burlington, Kentucky. Also a tract of land on the Petersburg and Burlington Pike beginning at a stone corner of Cassius Sullivan thence N 3 E 61-1/4 poles to Hughes Branch, corner of Fannie Riley, thence up a branch N 73 E 25-1/2 poles thence N 31 E 26 poles, thence N 65 E 4-1/4 poles, to a corner of Lou Easton, just above a water gap thence with her line S 3 W 109-1/4 poles to a corner of said Easton in the center of said pike thence down the pike W 35.12 poles thence S 78 W 9 poles to the place of beginning containing 23 acres, be the same more or less.

Also the right of passway over the lands herein conveyed, the said passway is to be the same as is now and has been in use for more than 25 years, said passway beginning at the Burlington Petersburg Pike, and in a northerly direction through the barn lot to first tract above described herein about one half mile, twenty feet wide.

THERE IS EXCEPTED OUT OF PARCEL II, approximately 90 acres previously conveyed by Cassius "Cad" Sullivan and his wife, Virgie L. Sullivan to Dallas Conrad, etc., by deed dated the 17th day of November, 1945, recorded at Deed Book 84, page 258, Boone County Clerk's records, at Burlington, Kentucky.

TITLE SOURCE: Being all of the same property conveyed to the Grantors by Deed dated October 30, 1964 and recorded in Deed Book 164, Page 492 of the Boone County Court Clerk's Records at Burlington, Kentucky.

LESS EXCEPTION

GROUP NO. 2018

7.325 Acres

Located in Boone County, Kentucky, lying on the north side of Kentucky 338 (Idlewild Road) approximately 2.5 miles northwest of Burlington and is described as follows:

Beginning at an P.k. nail in the centerline of Kentucky Highway 338 at the southwest corner of John W. Hawes (Deed Book 193, Page 583); thence along the centerline of the said road N 85 degrees 44'35"W 30.32 feet to a P.K. nail; thence along a new division of Cassius Lee Sullivan's property N 4 degrees 02'18"W 274.92 feet to an iron pin; thence N 78 degrees 37'42"E 40.56 feet to an iron pipe; thence N 1 degree 20'40"E 825.11 feet to a point in Hughes Branch in the common line of Sullivan and Stephen H. White (Deed Book 230, Page

239); thence with said line N 73 degrees 00'00"E 54.44 feet to a point; thence N 31 degrees 00'00" E 429.00 feet to a point; thence N 65 degrees 00'00" E 70.10 feet to a point in said branch corner of Lewis Gillespie (Deed Book 188, Page 581); thence with the common line of Sullivan and Gillespies 3 degrees 00'00"W 1180.61 feet to a post corner of Hawes; thence with Hawes S 73 degrees 54' 51"W 314.71 feet to a post; thence S 4 degrees 02'18"E 257.08 feet to the point of beginning containing 7.325 acres and subject to the legal right-of-way of Kentucky 338 and all easements of record.

Being a part of the same property (Parcel 2) conveyed to Cassius Lee Sullivan and Alberta Sullivan, his wife, by deed recorded in Deed Book 164, Page 492 in the Boone County Clerk's Office at Burlington, Kentucky.

This description was prepared from a new survey by Timothy R. McNeely, L.S. No. 2030, January 1988.

LESS EXCEPTION

0.102 Acres

Located in Boone County, Kentucky lying north of Kentucky Highway 338 (Idlewild Road) approximately 2.5 mile northwest of Burlington and is described as follows:

Beginning at an existing iron pin corner of Cassius Lee Sullivan's 7.325 acre division (Deed Book 380, Page 227), said point being N 4 degrees 02'18"W 274.92 feet from the centerline of Kentucky Highway 338; thence along a new division of Cassius Lee Sullivan's original Parcel No. 2 (Deed Book 164, Page 492) N 10 degrees 56'40"E 237.25 feet to an existing pipe in the westerly line of said 7.325 acre tract; thence with the lines of said tract S 1 degree 20'40"W 225.00 feet to an existing pipe; thence S 78 degrees 37'42"W 40.56 feet to the point of beginning containing 0.102 acre.

Being all of the same property conveyed to Cassius Lee Sullivan and Alberta Sullivan, his wife, by deed recorded in Deed Book 362, Page 300 in the Boone County Clerks Office at Burlington, Kentucky.

This description was prepared from a new survey by Timothy R. McNeely, L.S. No. 2030, January, 1988.

LESS EXCEPTION

GROUP NO. 2018

Being a tract of land lying on Petersburg and Burlington Turnpike Road in Boone County, Commonwealth of Kentucky.

BEGINNING at a point in the existing centerline of Petersburg and Burlington Turnpike, and also the southeast corner of a tract of land now or formerly owned by Cassius L. Sullivan, said point being the real point of beginning for the land herein described; thence N. 86 degrees 06' 29" W. along Cassius L. Sullivan's south property line and existing centerline of Petersburg and Burlington Turnpike Road, 263.66 feet to a point; thence N. 4 degrees 24' 12" W., 257.08 feet to a fence post; thence N. 73 degrees 32' 57" E. along a fence,

THIS INSTRUMENT PREPARED BY:

Michael T. McKinney

Michael T. McKinney
McEvoy and McKinney Law Offices
P. O. Box 688
2252 Burlington Pike
Burlington, Kentucky 41005
606/586-9955

STATE OF KENTUCKY.....)
 :SCT.
COUNTY OF BOONE.....)

I, Jerry W. Rouse, Clerk of the County Court in and for the County and State aforesaid, do certify that the foregoing instrument of writing from CASSIUS LEE SULLIVAN and his wife, ALBERTA SULLIVAN, to Neal J. Ventura and his wife, Karen K. Ventura, was this 4th day of April, 1988, produced to me, certified as above and lodged for record at 10:49 o'clock A. M.

Whereupon, the same with foregoing and this certificate have been duly recorded in my office.

Given under my hand this 4th day of April, 1988.

JERRY W. ROUSE, CLERK

BY: Donna Collins DC

RETURN TO:

2011-04-04 09:38

RECEIVED

1738 APR -4 AM 10:49

JERRY W. PETERSON
BOONE COUNTY CLERK

FILED _____ DAY OF _____

AT _____ M

RECORDED IN _____ BOOK

NO. 382 PAGE 304

James A. Jones

1350 pa

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

June 1, 1988

8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:00 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Rita Bushelman
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Rector Jones
Mr. Don McMillian
Mr. Charles Moore
Mr. Barry Neltner
Mr. Ralph Rush
Mr. Floyd Sharp
Mrs. Carol Smith
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Larry Barnett, Vice Chairman
Mr. Fred Burch
Mr. Lawrence Collins

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Business Meeting of May 18, 1988 and the Public Hearings of May 25, 1988 and June 1, 1988 and asked if there were any comments or corrections.

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

5. Zoning Map Amendment

The request of Columbia Sussex Corporation (owner) for a Zoning Map Amendment for a 1.55-acre site located on the north side of Sussex Drive, Florence, Kentucky. The site is presently zoned Office Two (O-2) and is requested to be rezoned Urban Residential Two (UR-2).

Mr. Gerald Newton, Director, read the Committee Report which recommended deferral of the request until the June 15, 1988 Business Meeting (see Committee Report).

There being no discussion, Mr. Moore moved that the request be deferred until the June 15, 1988 Business Meeting based on the Committee Report. Mr. Jones seconded the motion and it carried unanimously.

6. Zoning Map Amendment

The request of Neal and Karen Ventura (owners) for a Zoning Map Amendment from Agricultural Estates (A-2) to Agriculture (A-1). The 23.0-acre site (approximate) is located at 4688 Idlewild Road, Boone County, Kentucky.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the finds of fact, but subject to conditions (see Committee Report). Mr. Newton noted a correction to the Committee Report that the last line under Findings of Fact should read, "at the May 25, 1988 Public Hearing (not May 15, 1988 as written).

Mr. McMillian moved by resolution to the legislative body that the request be approved based on the findings of fact in the Committee Report and subject to the conditions. Mr. Damstrom seconded the motion.

Chairman Viox asked the applicant if she was agreeable to the conditions.

Karen Ventura stated that she was agreeable to the conditions, but asked that when her father dies that they be given time to sell the double-wide and get it off the property.

Mr. Newton stated that such time would be in accord with the conditions.

There being no further discussion, Chairman Viox asked for a vote on the motion made by Mr. McMillian and it carried unanimously.

7. Zoning Text Amendment

The request of the Boone County Fiscal Court to consider certain text amendments defining model homes and providing the classification of them in the 1986 Boone County Zoning Regulations.

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #4
May 25, 1988

Page 1

Chairman Viox opened the Public Hearing for the last item on the Agenda:

4. Applicant: Neal and Karen Ventura (owners)
Request: Zoning Map Amendment

This was a Public Hearing on the request of Neal and Karen Ventura (owners) for a Zoning Map Amendment from Agricultural Estates (A-2) to Agriculture (A-1). The 25.0-acre site (approx.) is located at 4688 Idlewild Road, Boone County, Kentucky.

Staff Member, Paul Miller, presented the first part of the Staff Report which included a slide presentation.

Chairman Viox asked for comments from the applicant.

Mr. Neal Ventura stated that they took over the farm about a month ago. There is a sale pending on their home in Union. His father-in-law, who is 81 years old and not in good health, lives on the farm, and is on a limited income and cannot afford to build a house. He distributed to the Commission pictures of the double-wide they want to put on the property to house the father-in-law. The double-wide would be at ground level as the father-in-law cannot manage steps. There would also be a porch. They have a building permit for a home and a sanitation permit has been obtained. They will put in excess leach lines. There will be no skirting of the double-wide.

Chairman Viox asked if there was anyone else present who wished to speak in regard to this request. There being no one, he asked if there were any comments from the Commission.

In response to questions from Mr. Moore, Mr. Ventura stated that he bought the farm from the Sullivans, who bought a double-wide and changed nine acres to the north of this site to A-1.

In response to questions from Mr. Neltner, Mr. Ventura stated that when the father-in-law dies or moves out, they could consider removing the double-wide at that time. He emphasized that the double-wide is for the father-in-law, not for them.

Mr. Sharp noted that if this request is approved, Mr. Ventura could put additional mobile homes on the site without rezoning.


Mr. Ventura stated that he is willing to limit himself to one mobile home.

At this time, Mr. Miller completed the Staff Report, noting the attached letter from an adjoining property owner (see Staff Report).

Chairman Viox stated that the letter will be made a part of the record.

There being no further discussion, the Chairman advised that this item will be on the Agenda for the Business Meeting on June 1, 1988 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

ATTEST:



Jan Hancock, Recording Secretary

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Committee Chairman

DATE: June 1, 1988

RE: Request of Neal and Karen Ventura (owners) for a Zoning Map Amendment from Agriculture Estates (A-2) to Agriculture (A-1). The 23.0 acre site (approximate) is located at 4688 Idlewild Road, Boone County, Kentucky.

REMARKS:

We, the Committee, recommend approval of the request based on the following findings of fact and subject to the following conditions.

Findings of Fact

1. The proposed zoning is in agreement with the 1986 Boone County Comprehensive Plan. The Future Land Use Map indicates the future uses of this property to be Low Density Residential, Rural Lands, and Developmentally Sensitive.
2. The proposed zoning classification and land use is consistent with the Housing Element, which suggests a broad range of housing opportunities at locations which meet the needs and desires of household types.
3. The proposed zoning classification is also compatible with the existing A-1 adjoining property.

The applicant is being asked to agree to include the following conditions as part of this zone change request in order to clarify the request as presented at the May 15, 1988, Public Hearing.

Conditions

1. The applicant shall be limited to one double-wide mobile home (similar to the one presented at the Public Hearing) on the entire 23 acre site until it is vacated by the applicant's father-in-law. At such time, said mobile home will be removed from the property.
2. The applicant shall be required to adequately landscape the portion of the double-wide mobile home where it can be viewed from Idlewild Road. The landscape features shall be a combination of trees and bushes.

Committee Report - Neal and Karen Ventura
June 1, 1988
Page Two

Fred Burch, Committee Chairman

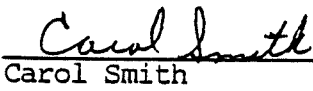


Rector Jones

Larry Barnett



Donald McMillan



Carol Smith

FB:mcb

R-30-88

Neena
8/2/88

ORDINANCE 920.157

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT FOR A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATES (A-2) TO AGRICULTURE (A-1) FOR A 23.0 ACRE SITE LOCATED AT 4688 IDLEWILD ROAD, BOONE COUNTY, KENTUCKY AS REQUESTED BY NEAL AND KAREN VENTURA (OWNERS) AND RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSION VIA RESOLUTION R-30-88.

WHEREAS, the Boone County Planning Commission received a request for approval for a Zoning Map Amendment to the Boone County zoning map and such Zoning Map Amendment being a zone change from Agricultural Estates (A-2) to Agriculture (A-1) for a 23.0 acre site located at 4688 Idlewild Road, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval for the zoning map amendment.

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

SECTION I

That the zoning map amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, this Zoning Map Amendment being a zone change from Agricultural Estates (A-2) to Agriculture (A-1) for a 23.0 acre site located at 4688 Idlewild Road, Boone County, Kentucky. The real estate which is the subject of this zoning map amendment recommendation for approval with conditions is more particularly described in attached "Exhibit A."

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning and Zoning Commission as set forth in its Minutes and official records for this zone change request, and the finding of facts of the Boone County Fiscal Court, if any, and and conditions and/or stipulations mandated by the Boone County Fiscal Court, if any, 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 (ATTACHED - EXHIBITS "B" AND "C")

ORDINANCE 920.157
PAGE 2

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 2nd day of August, 1988. Devised

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the _____ day of _____, 1988, 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
County Judge/Executive

ATTEST:

Jerry Rouse
County Clerk

Larry Crigler
County Attorney

Date Published