

EXHIBIT "A"

The Chairman introduced the last item on the Agenda:

3. The request of Judge/Executive Bruce Ferguson (applicant) for Bullittsville Baptist Church for a Zoning Map Amendment on a site located north of I-275 and south of Garrison Creek Road, Boone County, Kentucky. The request is to rezone the site from Agriculture (A-1) to Recreation (R) in order to correct a drafting error on the Zoning Map.

Staff Member, Greg Tulley, presented the Staff Report which included a slide presentation (see Staff Report).

The Chairman asked if there was anyone present who wished to speak in regard to this request. There was no response.

The Chairman then asked if there were any comments from the Commission.


In response to questions raised by Mr. Neltner, Mr. Tulley advised that the parcel currently indicated as "R" zoning would be indicated as A-2 zoning when the correction is made.

There being no further comments, the Chairman advised that this item will be on the Agenda for the Business Meeting on September ~~20~~⁶, 1989 at 8 P.M. and closed this public hearing.

Approved:

William R. Viox, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

September 6, 1989 8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett
Mrs. Rita Bushelman
Mr. Lawrence Collins
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. Fred Burch, Vice Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received copies of the Minutes of the Business Meeting of August 16, 1989, the Public Hearing of August 23, 1989, and Public Hearing Item #3 of September 6, 1989. He asked if there were any comments or corrections.

Mr. Barnett advised that the Minutes of Public Hearing Item #3, September 6, 1989, should indicate that this item will be on the Agenda for the Business Meeting on September 6, 1989, not September 20, 1989.

Mr. McMillian moved that the Minutes be approved as amended. Mrs. Smith seconded the motion and it carried unanimously.

The Chairman asked for a roll call vote on the motion made by Mr. Barnett which found Mr. Barnett, Mrs. Bushelman, Mr. Damstrom, Mr. DeLong, Mr. Greene, Mr. Jones, Mr. McMillian, Mr. Moore, Mr. Neltner, Mr. Rush, Mr. Sharp, Mrs. Smith, and Chairman Viox in favor. Mr. Collins was opposed. The motion carried.

4. Annexation Request by the City of Florence

The request of the City of Florence to determine the impact of annexation upon the current zoning of Lots #1, #2, #3, and #4 of Ashcraft Subdivision located off Ashcraft Drive and west of Hopeful Road, Boone County, Kentucky. The site is currently zoned Suburban Residential One (SR-1).

Mr. Gerald Newton, Director, referred to a draft of a Committee Report (see Committee Report), and noted that it would not be used.

Mr. Neltner moved that the request be deferred until the September 20, 1989 Business Meeting based on the Committee Report. Mr. Moore seconded the motion and it carried unanimously.

5. Zoning Map Amendment

The request of Judge/Executive Bruce Ferguson (applicant) for Bullittsville Baptist Church for a Zoning Map Amendment on a site located north of I-275 and south of Garrison Creek Road, Boone County, Kentucky. The request is to rezone a portion of the site from Agriculture (A-1) to Recreation (R) in order to correct a drafting error on the Zoning Map.

Mr. Gerald Newton, Director, read the Committee Report which recommended that the Zoning Map be corrected to indicate the proper zone (see Committee Report).

Mr. Barnett moved that the request be approved based on the Staff and Committee Reports. Mr. McMillian seconded the motion and it carried unanimously.

7. Site Plan Review

The request of Daniel J. Zalla (applicant) for BP America (owner) for Site Plan Review to renovate a Boron Oil Gas Station and construct a ProCare facility at Mall Road and KY 18, Florence, Kentucky. The 1.75-acre site is zoned Commercial Services (C-3).

Staff Member, Doug Powell, presented the Staff Report (see Staff Report).

Mr. Gerald Newton, Director, read the Committee Report which recommended deferral of the request until the October 4, 1989 Business Meeting based on the Staff Report (see Committee Report).

STAFF REPORT

#3

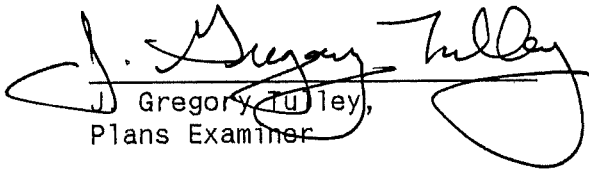
ZONING MAP AMENDMENT REQUEST BY
JUDGE/EXECUTIVE BRUCE FERGUSON FOR
PROPERTY OWNED BY NORTHERN KENTUCKY
BAPTIST ASSOCIATION.

SEPTEMBER 6, 1989

This is a request by Judge/Executive Bruce Ferguson for a Zoning Map Amendment to review and correct a Boone County Zoning Map drafting error on the zoning of 14.06 acres located north of I-275 and south of Garrison Creek Road, Boone County, Kentucky. The Boone County Zoning Map shows the property to be zoned Agricultural Estates (A-2).

The 1980 Boone County Zoning Map indicated a Recreation (R) zone in the wrong location. It was incorrectly located on an adjacent parcel to the east rather than on the 14.06 acre section near the center of the 122.09 acre parcel owned by Northern Kentucky Baptist Association. In the 1986 zoning update, this error had not been changed. It wasn't until further investigation that this drafting error was detected. Therefore, the current request is to amend the Boone County Zoning Map to reflect the change from Agricultural Estate (A-2) to the correct zoning of Recreation (R).

Attached to this report is a copy of a letter to Randall Jones of the Northern Kentucky Baptist Association, explaining the Commission's procedure for correcting the drafting error.


J. Gregory Tully,
Plans Examiner

JGT:kat

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON STREET

BURLINGTON, KENTUCKY 41005

(606) 334-2196

FAX (606) 334-2264

MR. WILLIAM R. VIOX
CHAIRMAN

MR. FRED BURCH
VICE CHAIRMAN

MRS. CAROL SMITH
SECRETARY-TREASURER

MR. GERALD A. NEWTON
DIRECTOR

MR. D. T. WILSON
ATTORNEY

August 23, 1989

Randall Jones
Northern Kentucky Baptist Association
3000 Riggs Avenue
Erlanger, KY. 41018

Dear Mr. Jones:

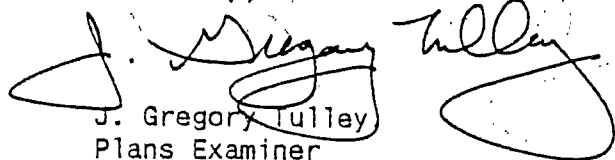
The purpose of this letter is to inform you of the process which has been selected to correct the Boone County Zoning Map as it relates to your 122.09 acre parcel of land located between the southern side of Garrison Creek Road about 1/4 mile west of Bullittsburg Church Road, and north of Interstate 275.

The 1980 Boone County Zoning Map indicated a Recreation (R) zone in the wrong location. It was incorrectly located on an adjacent parcel to the east rather than on the 14.06 acre section near the center of your property. In the 1986 zoning update, this error had not been changed. It wasn't until further investigation that this drafting error was detected.

Because the zoning map is an official document of the county, any change to the map must occur with the knowledge and approval of the Boone County Fiscal Court. However, because the error was one of drafting (in preparing the official zoning map), a resubmittal is not appropriate. The Commission will therefore be holding a public hearing on September 6, 1989, at 7:00 p.m. to officially recognize the error and to present the history. The Commission will then take action on the request in the form of a resolution to the Fiscal Court, which in turn will act to officially change the zoning map.

I realize that this procedure is one commonly referred to as "red-tape" but it really is the best process to follow to permanently correct the situation. If you have questions, please contact me at 334-2196.

Sincerely,


J. Gregory Tulley
Plans Examiner

JGT:kat

EXHIBIT "B" >

COMMITTEE REPORT

#5

TO: Boone County Planning Commission

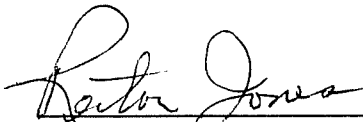
FROM: Rector Jones, Chairman

DATE: September 6, 1989

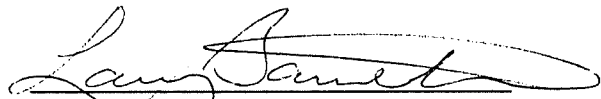
RE: Request of Judge/Executive Bruce Ferguson (applicant) for Bullittsville Baptist Church for a Zoning Map Amendment on a site located north of I-275 and south of Garrison Creek Road, Boone County, Kentucky. The request is to rezone a portion of the site from Agriculture (A-1) to Recreation (R) in order to correct a drafting error on the Zoning Map.

REMARKS:

We, the Committee, recommend the Boone County Zoning Map be corrected to indicate the proper zone of Recreation (R) for the 14.06 acres, located in the center of the property. This will correct an error to the map that occurred during the preparation of the 1980 Zoning Map.



Rector Jones, Chairman

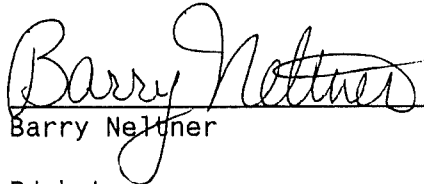


Larry Barnett

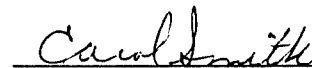
Fred Burch



Phil Damstrom



Barry Nettler



Carol Smith

RJ:kat

BCR 12-6-89

ORDINANCE 920.187

THE BOONE COUNTY FISCAL COURT HAS APPROVED A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH ORDINANCE BEING REQUESTED BY JUDGE-EXECUTIVE, BRUCE FERGUSON, (APPLICANT) FOR THE BULLITTSBURG BAPTIST CHURCH IN ORDER TO CORRECT A DRAFTING ERROR ON THE ZONING MAP, SUCH MAP AMENDMENT BEING A CORRECTION FROM AGRICULTURE (A-1) TO RECREATION (R) FOR A 14.06 ACRE PORTION OF THE SITE GENERALLY LOCATED NORTH OF I-275 AND SOUTH OF GARRISON CREEK ROAD, BOONE COUNTY, KENTUCKY.

ALL EXHIBITS, APPENDAGES AND FISCAL COURT MINUTES ARE ON FILE IN THE OFFICE OF THE COUNTY JUDGE-EXECUTIVE AND MAY BE REVIEWED BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M., MONDAY THROUGH FRIDAY, ADMINISTRATION BUILDING, SECOND FLOOR, BURLINGTON, KENTUCKY.