

Zone Change Request by Riverview Estates,  
Inc. for property at the intersection of  
Kentucky 20 and Riverview Drive, Boone County

This zone change request is by Riverview Estates, Inc. for property located on the northeast and northwest corners of the intersection of Kentucky 20 and Riverview Drive, in Boone County. The total area of the two tracts requested to be rezoned is 2.6 acres.

The applicant is requesting a change from the current Suburban Residential One (SR-1) zoning to Commercial One (C-1) zoning. The current SR-1 zone permits single family detached and duplex residential housing, with a maximum intensity of four (4) dwelling units per acre. The requested C-1 zoning provides for the convenience goods and personal services required for daily living needs, with a maximum intensity of use of not more than 15,000 square feet of gross floor area per acre.

The current zoning of adjoining properties to the west, north and east is Suburban Residential One (SR-1). The current zoning south across Kentucky 20 is Commercial Services, (C-3) and Suburban Residential One (SR-1).

The current land use of the subject property is undeveloped. To the north and to the east is current land use of residential. To the south, across Kentucky 20, is a mixture of current land uses of commercial, residential, and undeveloped. And to the west, the adjoining property has current land use of undeveloped.

The land use map of the Boone County Comprehensive Plan shows the planned future land use of the site of Public/Institutional. The text of the Comprehensive Plan states "The dominant public/institutional land use planned to continue in the county is the Greater Cincinnati International Airport. The Airport plans to construct a new north-south runway east of existing facilities and is continuing a program of land acquisition to allow safe operation of the expanded facility. Land acquisition is reflected in the plan north and east of the I-275/Ky. 212 interchange, on Ky. 237 west of the Airport, and south to industrial development planned along Kentucky 18".

Future planned operations of the Airport could have some affect upon this property. According to the Airport Noise Contours (figure 4) found in the Comprehensive Plan, this property lies within the 30 NEF (Noise Exposure Forecast) level. This value is based upon two options, one based upon existing conditions and the other based upon the construction of a new north-south runway according to the Greater Cincinnati Airport Master Plan. The Comprehensive Plan states, "Future development must be planned to be compatible with airport operations at that time and in the future as facilities are expanded. The Plan further states,

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"Areas within the 30 NEF value are generally unsuitable for single-family residential use, but are appropriate for many commercial or industrial uses,

In this general area "Highway commercial development is anticipated at most interstate interchanges in Boone County...They also include I-275 interchanges with Kentucky 212 (including Airport oriented uses), Ky. 237, and Ky. 8.

The applicant has been required by the Planning Commission to submit a Concept Development Plan. This plan indicates separate development of the two sites. To the west of Riverview Drive and north of Ky. 20, the applicant proposes a neighborhood retail center containing 19,200 square feet on the 1.6 acre site. To the east of Riverview Drive and north of Ky. 20 is proposed to be a two story professional office building with 6000 square feet on each floor. Along the northern side of each of the sites is a planned screen buffering area attempting to screen this development from existing residential uses around this site.

Access to both sites, from Ky. 20, is planned to be by a twenty-five (25) foot access drive. Access to both sites from Riverview Drive is planned to be gained by a 20 foot wide driveway.

Water supply is planned to be provided through a private system to this development.

Sanitary sewage disposal is planned through a private on-site system. Any proposal for a private treatment system should be provided to the Boone County Health Department and the Boone County Water and Sewer District ~~from~~ their review and comments.  
*FOR (add)  
3-25-81*

In consideration of this request, the Commission should review the Concept Development Plan to insure that this development is appropriate for the site. Also, there is existingly planned Commercial to the south and west of this site.

And, finally, because this request is for a zone change to Commercial, it would be necessary to change the Land Use plan map to Commercial and appropriate areas in the Comprehensive Plan to reflect this change, if the legislative body would eventually approve the zone change.

Alyin "Chip" Block *Alyin "Chip" Block*  
Zoning Enforcement Officer  
and Staff Assistant  
March 25, 1981

BOONE COUNTY PLANNING COMMISSION  
MINUTES OF PUBLIC HEARINGS MARCH 25, 1981  
Florence City Building

The meeting was called to order by Mr. Godsey. Members present were Mr. Buse, Mr. Godsey, Mr. Ingram, Mr. Jones, Mr. Leicht, Mrs. Patrick, Mr. Tobergte, and Mr. Viox. Also present were Mr. Block, Mr. Clark and Mr. Wilson.

PUBLIC HEARING #1

The public hearing was held to consider the request of Riverview Estates, Inc. for a zone change from SR-1 to C-1 for a 2.6 acre tract located at Kentucky 20 and Riverview Drive. Mr. Block located this property on the map and read his report which was accepted and made a part of the minutes.

Mr. Howell Vincent, attorney, was present on behalf of the applicant, Dr. Ravenscraft. Dr. Ravenscraft and his wife are the principal stockholders in the corporation requesting this zone change. Mr. Vincent stated that the relocation of Kentucky Route 20 prompted Dr. Ravenscraft and his wife to request this zone change. Mr. Vincent then introduced Mr. Larry Dunavent who is the architect for this project.

Mr. Dunavent stated that the purpose of the applicant tonight was to show that significant external changes have occurred to the property which was originally platted in 1962, almost 20 years ago. Mr. Dunavent then displayed the concept development plan that has been prepared to show the development of these lots as proposed by Dr. Ravenscraft. Mr. Dunavent pointed out that before the relocation of Kentucky 20, the lots in question were located some 300 feet from the centerline of this road. After the relocation, they were immediately adjacent to the roadway. As pointed out by Mr. Dunavent, this made these lots undesirable for residential use. As Kentucky 20 was developed, so was Kentucky 212 connecting this road to I-275 and the Greater Cincinnati International Airport. A significant amount of commercial development took place in this area due to its proximity to the Greater Cincinnati International Airport. Mr. Dunavent reiterated Mr. Block's statement that this property falls within the 30 NEF (Noise Exposure Forecast) level which makes it unsuitable for residential use. Mr. Dunavent stated that under Boone County Zoning Regulations, this property is acceptable for commercial development. The proposed project would become a neighborhood convenience type center, and a

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professional office building. Mr. Dunavent pointed out that all of the requirements of the requested C-1 zone have been met in the preparation of this concept development plan. He explained the setbacks that would be observed and pointed out this greatly exceeds the C-1 requirement. Landscaping and screening would be used to enhance the visual aspect of this development. Mr. Dunavent also stated that the lighting would be shielded to protect the area residents. Mr. Dunavent informed the Commission that the primary access to this development would be by Kentucky Route 20 and would be located as far from Riverview Drive as feasible to minimize the traffic. A secondary access would be provided from Riverview Drive which would allow the residents to use this facility without traveling on Kentucky Route 20, however, the general public would use the access off Kentucky Route 20. The accesses meet all the requirements of the Kentucky Highway Department and the Boone County Road Department. Mr. Dunavent also pointed out that the nearest similar type of center is over five miles away, and with the projected price of gasoline in the near future, this development could become a real service to all the residents in the area. Should this zone change request receive favorable action by the Commission, Dr. Ravenscraft is willing and prepared to agree in writing to the concept development plan submitted.

Dr. Ravenscraft pointed out that the immediate adjacent property owners are Simpson, Utz, Anderson, Byrns and Schneider. Dr. Ravenscraft then submitted to the Commission a letter addressed to the Boone County Planning and Zoning Commission from Harold and Alice Schneider, adjoining property owners, stating that they do not object to this requested zone change. This letter was also signed by Mrs. Mattie Simpson, Mr. Charles Utz, Mrs. Kathleen Utz, and Mrs. Inell Anderson, adjoining property owners, with a notation that they agree with the letter. This letter was accepted and made a part of the minutes. Mr. Mike Volsing, another adjoining property owner, stated that he had no objection to the requested zone change.

Mr. Bob Ruberg, attorney, was present representing the residents of this area who are opposed to this zone change. Mr. Ruberg pointed out that this is the seventh time they have appeared before the Planning Commission regarding this same property. He then introduced several residents of this area and in response to his questions, their statements were as follows:

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Mrs. Betty Schafstall, 249 Riverview Drive, informed the Commission that when they purchased their property in 1962, they were told by Dr. and Mrs. Ravenscraft this would be the finest residential area in Boone County. Nothing was said about any lots being for commercial use. She then submitted to the Commission a petition containing 39 signatures of people who are opposed to this zone change. This petition was accepted and made a part of the minutes. She submitted a letter from Mr. and Mrs. Michael Foltz who purchased a lot in this subdivision in 1980. They indicate they are opposed to the commercial use proposed for these lots. As further explained in the letter which was accepted and made a part of the minutes, the Foltz deed contains restrictions against the commercial use of the lots in this subdivision. Mrs. Schafstall then presented some photographs showing the type of residences in this subdivision. Mrs. Schafstall stated that the approximate value of the homes in this area is from \$65,000 to \$200,000. Mrs. Schafstall also stated that there have been no changes of an economic nature, physical nature, social nature, or in the basic character of this area since 1980 when the new zoning ordinance was adopted. This area is completely residential and the residents do not want the type of services that are being proposed for this area. Mrs. Schafstall also pointed out that Mr. Volsing, who spoke in favor of the requested zone change, no longer lives in the subdivision. Mrs. Schafstall stated that Mr. Schneider, who wrote the letter on behalf of the requested zone change, lives in Florida. Mr. Utz does not live in the subdivision. The only person signing the letter living in the subdivision was Mrs. Anderson who also signed the petition in opposition to this request.

Mr. Robert Byrns, 103 Riverview Drive, who adjoins the property in question, stated that his property is the first house on the northwest side of this property. Mr. Byrns stated that when he purchased his property in 1966 he was verbally instructed regarding the deed restrictions by Dr. Ravenscraft. Mr. Byrns stated that he did not see any need for the type of shopping center proposed for this area. The last commercial entity in this area was Hunter-Hetzel Store seven or eight years ago which eventually deteriorated. Mr. Byrns stated that he saw no need for a commercial development in this area and did not think there were enough residents to support one. Mr. Byrns also stated that he felt the proposed commercial development would be inconsistent with the character

of the neighborhood. Mr. Byrns pointed out that the use of the area is now strictly residential and that the property being considered for rezoning is actually subdivision lots. Mr. Byrns informed the Commission that when he bought his property in 1966, Mrs. Ravenscraft told him he could buy any lot which was not previously purchased. This included the lots being considered for rezoning. Mr. Byrns also stated that there have been no changes of an economic nature, physical nature, social nature, or in the basic character of the area since the adoption of the new zoning ordinance in August of 1980.

Mr. Don Gorman, 243 Riverview Drive, stated that he purchased his home a year and a half ago. Mr. Gorman also stated that he felt the proposed strip center would be a detriment to this area and that it would not be consistent with the character of the neighborhood. Mr. Gorman also stated that he has recorded deed restrictions on his property similar to the Foltz deed which was shown to him by Mr. Ruberg. This copy of the Foltz deed was accepted and made a part of the minutes. Mr. Gorman also stated that there should be a dividing line between commercial and residential. He also stated that a new street was just added to this subdivision for residential purposes and that the proposed zone change to commercial at the other end of the subdivision would be inconsistent to the character of the area.

Mrs. Marion Pedicone, 218 Riverview Drive, informed the Commission that when they purchased their property in 1969, there were deed restrictions against commercial development. She further stated that approximately eight years ago, her ex-husband filed suit against Dr. Ravenscraft and received a judgment in the amount of \$3,000. Mrs. Pedicone stated that the relocation of Kentucky Highway 20 took place before she purchased her home in 1969 and the construction of Kentucky Highway 212 connecting this area with I-275 took place six or seven years ago. There has been no commercial development within 1000 feet of the area in question in recent years. Mr. Ruberg pointed out that all of the changes that have been presented by the applicant were made long before the adoption of the new zoning ordinances by Boone County. Mrs. Pedicone further stated that the proposed development would be totally inconsistent with the character of the area. She also stated that there are not enough residents to support a shopping area. Mrs. Pedicone further stated that the addition of two curb cuts on Kentucky 20 in close proximity to Riverview Drive would not alleviate the traffic condition but only make it more congested.

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Mr. Harry Thurman, 814 Pinehurst Drive, Fort Wright, Kentucky, an independent real estate appraiser, was present and stated that he has done appraisals for the Veterans Administration, Procter & Gamble, Coco Cola, Boone State Bank. Mr. Thurman stated that the value of the homes in this area is approximately \$90,000 and that a commercial development at the entrance to this subdivision would decrease the value of these homes by 10 to 20%. Mr. Thurman further stated that a commercial development of this type would be detrimental to the subdivision. Mr. Thurman also pointed out that there is not enough residential development to warrant any type of commercial development at this location. This is an intersection not an interchange and even the interchanges going to the airport do not have commercial development at this time. Mr. Thurman also stated that the construction of the proposed strip center would definitely have a detrimental effect on Mr. Byrns' property which is immediately adjacent to it.

Mr. Vincent stated that when Dr. Ravenscraft originally recorded his subdivision plat at the Boone County Clerk's office he did not put on any deed restrictions and he can convey any lot in the subdivision for commercial. Mr. Vincent also stated that there are 75 additional lots in the subdivision and this plat, if approved by the legislative body, would provide that those other 75 lots will convey the deed restrictions making the whole subdivision residential with the exception of the lots in question.

Mr. Ruberg stated that there is a similar case pending in the Boone Circuit Court regarding deed restrictions. He also pointed out that the residents are opposed to this requested zone change and filed a petition to that effect.

Mr. Terry Peace, 229 Riverview Drive, informed the Commission he purchased his property in 1979, and he is opposed to this zone change because of the additional traffic it would create. He stated that this subdivision has a country atmosphere and that his children ride their bikes on the street, which is a dead end street, and if this proposed shopping area is built there will be additional traffic, and possibly robberies in the area. Mr. Peace stated that he bought his home in this area because of the country atmosphere and that he is opposed to having a shopping center at the entrance to the subdivision.

Mr. Greene then raised the question as to whether the opposition to this zone change request would be opposed to the office building.

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Mr. Byrns stated that the residents would not be opposed to some sort of a professional type building adjacent to the subdivision if it is a daytime operation.

Mrs. Patrick stated that she felt a professional office building adjacent to this subdivision was a good idea. Mrs. Patrick also stated that the problem with a convenience type store and a laundromat would be that young people would tend to congregate at night. Mrs. Patrick said she felt that a professional office building would be better for this subdivision. Mrs. Patrick then asked Mr. Wilson if the Planning Commission could vote half and half on this zone change request. Mr. Wilson replied that the statutes say that the Planning Commission can make recommendations on the request before them. If the findings of fact would support being in favor of one and being against the other half, that would be a recommendation, and it could be done provided the findings were sufficient to warrant the recommendation. There being no further discussion, this public hearing was declared closed.

## PUBLIC HEARING #2

The public hearing was held to consider the request of George D. Whitton for a zone change from C-2 to C-3 for a 5.57 acre tract located on Mall Road in Florence. After locating this property on the map, Mr. Block read his report which was accepted and made a part of the minutes.

Mr. George Whitton, the owner of the property, was present on behalf of this request. Mr. Whitton explained that this property was purchased five years ago for use as an automobile dealership. Due to economic conditions, the automobile dealership was not put in at that time and when the new zoning regulations went into effect in 1980, this property no longer provided for an automobile dealership as a permitted use. Mr. Whitton stated that he has come up with an alternative that would provide the best use for this property. If you would compare it to what is permitted in a C-2 zone. Mr. Whitton further stated that in a C-2 zone, you are allowed all uses permitted in a C-1 zone and O-1 zone and this type of use could include a liquor store, a supermarket, discount store, department store, restaurant, a bar or a disco, a game arcade, an ice and roller skating rink, a bowling alley or a pool hall.

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In answer to a question from Mr. Buse, Mr. Viox stated that the buildings would be 10 feet high. There being no further discussion, this public hearing was declared closed.

The meeting adjourned at 9:45 p.m.

APPROVED: April 1, 1981 Respectfully submitted,

*Paul Shaffer*  
CHAIRMAN

*Mary Linn*  
CLERK

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY PLANNING COMMISSION  
MINUTES OF MEETING APRIL 1, 1981  
Florence City Building

The meeting was called to order by Chairman Kroger. Roll call was taken showing 13 members present, 2 absent. Those 2 absent being Mr. Vaughn and Mr. Viox. Also present were Mr. Block, Mr. Clark and Mr. Wilson.

Mr. Godsey moved the minutes of the meeting held on March 18, 1981, be approved as reviewed. Major Ewing seconded. Roll call vote of 13 for, 0 against, Motion passed.

Mr. Godsey moved the minutes of the public hearings held on March 25, 1981, be approved as reviewed. Mayor Ewing seconded. Roll call vote of 13 for, 0 against. Motion passed.

COMMUNICATIONS AND BILLS:

A bill was presented from Cincinnati Bell for \$72.24 for telephone service. A bill from the City of Florence for \$600.00 for office rent was presented. A bill from the City of Florence was presented for \$100.00 for photostat copies. A bill was presented from the Boone County Clerk for \$12.30 for variance notices. A bill from Vincent & Skees was presented for \$256.25 for professional services. Another bill from Vincent & Skees was presented for \$312.50 for professional services. A bill was presented from Olsten for \$606.25 for secretarial services. Mr. Clark submitted a bill for \$506.85 for professional services. The employees were to be paid and the clerk requested a total of \$74.25 for certified letters for the public hearings and Boards of Adjustment. Mr. Hasselbring moved these bills be paid. Mr. Jones seconded. Roll call vote of 13 for, 0 against, Motion passed.

Communications were received from the Boone County Fiscal Court (2), Vincent & Skees (3), and the City of Florence.

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

|  |           |
|--|-----------|
| Zoning permit and sign fees<br>turned in by Mr. Tobergte | \$ 365.00 |
| W. P. Butler Co,<br>Site Plan Approval                   | 174.00    |

- (5) 0.298 acre tract located on Dixie Highway, Florence, to be conveyed by Richard E. Lindner. Plat stamped by R. Thomas Abercrombie, L.S., and dated December 4, 1980.
- (6) 1.371 acre parcel located on Sycamore Lane, Boone County, to be conveyed by Harry Harms to Paul E. and Linda Hayes. Plat stamped by John W. Liver, L.S., and dated March 11, 1981.
- (7) 0.1865 acre tract located on Curtis Avenue, Florence, to be conveyed by Circle Realty Company. Plat stamped by William R. Viox, L.S., and dated March 30, 1981.
- (8) 0.1899 acre tract located on Curtis Avenue, Florence, to be conveyed by Circle Realty Company. Plat stamped by William R. Viox, L.S., and dated March 30, 1981.
- (9) 0.3205 acre tract located on Curtis Avenue, Florence, to be conveyed by Circle Realty Company. Plat stamped by William R. Viox, L.S., and dated March 30, 1981.

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

Mr. John Armentrout of the Northern Kentucky Area Development District was present and stated that the first phase of the Administrative Study he is conducting for the Planning Commission is now completed and a copy is being sent to each member of the Planning Commission. Mr. Armentrout stated that the first phase covers the organization of the Planning Commission, its functions, and its relationship to the legislative bodies. Mr. Armentrout further stated that he is now working on the second phase of the report which covers the operational procedures of the Commission in greater depth.

#### UNFINISHED BUSINESS:

The committee report was read, accepted and made a part of the minutes regarding the request of Riverview

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Estates for a zone change from SR-1 to C-1 for a 2.6 acre tract located on Kentucky Route 20 and Riverview Drive. Mr. Howell Vincent, attorney, was present on behalf of the applicant, Dr. Ravenscraft. Mr. Vincent stated that the relocation of Kentucky Route 20 prompted Dr. Ravenscraft to request this zone change. Mr. Vincent further stated that he felt the proposed neighborhood convenience type center and office building would be of great service to the community.

Mr. Bob Ruberg, attorney, was present representing the residents of Riverview Drive who are opposed to this zone change. Mr. Ruberg pointed out that the changes in Kentucky Route 20 that Mr. Vincent referred to took place eight or nine years ago and not since the new zoning regulations went into effect. Mr. Ruberg further stated that if the proposed convenience center is built at the intersection of Riverview Drive and Kentucky Route 20 it would greatly increase the traffic flow within this residential subdivision. Mr. Ruberg stated that this area is exclusively residential and that the changes that are being proposed are totally inconsistent with the character of the neighborhood and to make a change from SR-1 to C-1 would require some change to have taken place since the new zoning ordinance was adopted and that has not happened. Mr. Ruberg further stated to make this change it will be necessary to change the Comprehensive Plan, the Land Use Plan and the Zoning Ordinance and in his opinion there is no legal basis to do this under KRS Chapter 100, Section 213.

Mr. Shafer, committee chairman, stated that the committee felt that there was no real objection to the office building portion of the requested zone change but that there was great objection to the convenience shopping area being proposed. The committee was in favor of recommending approval for the office building but not for the convenience stores portion of this zone change.

In answer to a question by Mr. Tobergte, Mr. Wilson stated that Chapter 100 does not require a recommendation to be in whole for approval or denial but merely states that a recommendation will be forthcoming. Mr. Wilson further stated that if the Commission can define the area on the map and there are sufficient findings of fact to support the recommendation of approval for one area and a recommendation of denial for the other, it would be legal.

Mr. Shafer stated that the proposed office complex would serve as a buffer between a residential zone and the heavier commercial use surrounding the area. Mr. Shafer also stated that the committee felt that the area in question should be some sort of a business zone and that office would be the softest type of a business zone and that the convenience shopping strip would be the harshest type of a business zone for that area.

Mr. Wilson reiterated some of the things that were brought out at the public hearing, such as, the present zone is a residential zone and the applicant is requesting a concept development overlay to a commercial zone. Mr. Wilson pointed out that the comprehensive plan reflects that "areas within the 30 NEF value are generally unsuitable for single-family residential use, but are appropriate for many commercial or industrial uses". Mr. Wilson further stated that it was brought out at the public hearing that if the convenience shopping strip was built at the intersection of Kentucky Route 20 and Riverview Drive that there would be a second access cut from Kentucky Route 20 and there would be retail users of that access. The proposed retail center would abut an existing residential lot on which there is a single family residence (the Byrns property). Mr. Wilson stated that the Commission should consider the compatibility of the proposed retail shopping center to the existing residential area. Also to be taken into consideration, Mr. Wilson stated, is the fact that there are an additional 75 lots for residential use within that subdivision. Mr. Wilson further stated that as a precaution, on all zones changes, that it is his suggestion that the motion be made by resolution because KRS Chapter 100 states that "proceedings for amending zoning regulations shall be done in the same manner as the original enactment". The new zoning map was enacted by resolution, Mr. Wilson stated. Mr. Wilson further stated that any motion from now on should be by resolution and the resolution would incorporate the findings of fact.

Mr. Buse moved that by Resolution No. R-3-81 this Commission recommend to the Boone County Fiscal Court that that portion located on the east side of Riverview Drive consisting of one acre be approved for Commercial One (C-1) use based on the following findings of fact: (1) that the present zoning is inappropriate for the proper use of the land due to its adjacency to the airport and the noise factor created by that adjacency, (2) that the use as shown in the concept development plan is proper in an area adjacent to a residential subdivision and that it does not create a hazard of usage that

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would effect the continued use of the adjacent area for residential purposes and (3) the applicant has also agreed to follow the concept development plan for this site if the zone change is eventually approved by the legislative body. Mr. Shafer seconded. Roll call vote of 10 for, 3 against. Motion passed.

✓ Mr. Buse then moved that by Resolution No. R-4-81 ✓ this Commission recommend to the Boone County Fiscal Court that the zone change requested for the west side of Riverview Drive consisting of 1.6 acres be denied based on the following findings of fact: (1) that, while the present zoning is inappropriate for residential development due to its adjacency to the airport, we find that the type of commercial development presented in the concept development plan is inappropriate for use adjacent to a developed residential lot, (2) that it will result in an increase in traffic that will present hazards to the community and adjoining property owners, and (3) that the usage as shown on the concept development plan will make it difficult for residents adjacent thereto to maintain a strictly residential area. Mr. Shafer seconded. Roll call vote of 11 for, 2 against. Motion passed.

The committee report was read, accepted, and made a part of the minutes regarding the request of George D. Whitton for a zone change from C-2 to C-3 for a 5.57 acre tract located on Mall Road in Florence. Mr. George Whitton, owner of the property, was present on behalf of this request. Mr. Whitton pointed out that the C-2 zone allows for all uses currently permitted in the C-1 and O-1 zone. The current zoning would allow uses that would be more objectionable than what is being proposed, Mr. Whitton stated. Mr. Whitton further stated that permitted uses in the C-2 zone would be a discount store, a department store, a bar or a disco, a bowling alley, or a pool hall. Mr. Whitton pointed out that the security storage complex he is proposing would be attractive and would be compatible with the architecture that is currently being used on Mall Road. Mr. Whitton further stated that this type of operation would be quiet and without the disturbances you might have from some of the uses permitted in the C-2 zone. Mr. Whitton also pointed out that this operation would not contribute to the traffic problem on Mall Road. Mr. Whitton further stated that this type of operation would not add to the problem that exists with the Florence Water and Sewer facilities because usage would be minimal. Mr. Whitton stated that he is asking for a zone change from C-2 to C-3, not for a change from residential to commercial, and that this change would be in compliance with the comprehensive plan.

4. Request of W. P. Butler Company for Gravure Systems, Inc., for site plan approval for construction of a building at 7435 Empire Drive in the Florence Industrial Park. Mr. Mike Argus, architect for the W. P. Butler Company was present on behalf of this request and asked that the Commission waive the agenda adjustment fee in this case because the applicant was unaware that they had to come before the Planning Commission for site plan approval since the property was in the Florence Industrial Park. Chairman Shafer stated that the fee must be paid before any action will be taken on this request. Referred to committee of Mr. Greene, chairman, Mr. Viox, Mr. Tobergte, Mr. Leicht, and Mr. Hasselbring,

Mrs. Patrick then requested the chairman to address a letter to the Fiscal Court stating why the Planning Commission requires a concept development plan with a zone change request.

Mr. Buse stated that he felt the discussion of the Bylaws should be delayed until the Northern Kentucky Area Development District's Administrative Study is completed.

There being no further business, Mr. Buse moved the meeting be adjourned. Mr. Hasselbring seconded. Roll call vote of 11 for, 0 against. Motion passed and meeting adjourned at 10:25 p.m.

APPROVED: April 15, 1981

Respectfully submitted,

  
CHAIRMAN

  
CLERK

April 6, 1981

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

Dear Judge Ferguson:

This letter is written to advise you of the action taken by the Boone County Planning Commission in regards to the request of Riverview Estates, Inc., for a zone change.

At their meeting on April 1, 1981, the Commission voted 11 to 2 to recommend denial by Resolution No. R-4-81 of a zone change from SR-1 to C-1 for a 1.6 acre site to the west of Riverview Drive and north of Kentucky 20.

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

1. That, while the present zoning is inappropriate for residential development due to its adjacency to the airport, we find that the type of commercial development presented on the concept development plan is inappropriate for use adjacent to a developed residential lot.
2. That it will result in an increase in traffic that will present hazards to the community and adjoining property owners.
3. That the usage as shown on the concept development plan will make it difficult for residents adjacent thereto to maintain a strictly residential area.

Also taken into consideration was the report of the Enforcement Officer. A copy of this report, along with a copy of the minutes of this public hearing which was held on March 25, 1981, have been forwarded to your office under separate cover.

The Honorable Bruce Ferguson  
April 6, 1981  
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Enclosed with this letter is a copy of Resolution  
No. R-4-81.

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

With kindest regards,

Sincerely yours,

Paul E. Kroger  
Chairman

PEK:mf

Enclosure

cc: Riverview Estates, Inc.  
Box 260 Riverview Drive  
Hebron, Kentucky 41048