

OTHER SUPPORTING INFORMATION

REQUEST OF MURIEL HURST FOR A ZONING MAP AMENDMENT FROM
SUBURBAN RESIDENTIAL ONE (SR-1) TO COMMERCIAL ONE (C-1)
January 27, 1988

This is a request of Muriel Hurst for a Zoning Map Amendment from the existing zoning classification of Suburban Residential One (SR-1) to Commercial One (C-1) to allow a crafts and flower shop. The 1.12 acre site, located on the north side of KY 20 east of Laurel Drive (at 1518 Petersburg Road, Hebron), is owned by Roger and Muriel Hurst.

Surrounding Land Uses and Zoning

All adjoining properties are zoned SR-1. The uses of these properties, as well as the zoning and land use of property in the area, are listed below:

- North: single family residential (Laurel Park Subdivision); farmland, woodland north of the subdivision
- South: single family residential; farmland behind line of houses along KY 20
- East: single family residential; Hebron Baptist Church 400 feet east on same side of KY 20; C-2 property at the intersection of Conner Road and KY 20, currently used residentially; I-1 property behind C-2, currently residential
- West: single family residential; T & G Industrial Subdivision 0.35 miles west (I-1); Southern Frontier Restaurant 0.3 miles west (C-1); the center of Hebron (Limaburg Road and KY 20) is 0.85 miles from Hurst property (C-2/SC)

Site Features

The Hurst property is divided into two parcels - the westernmost 0.46 acres is lot 5 of the Laurel Park Subdivision; the easternmost 0.66 acres is an out-parcel surrounded by the subdivision. Currently there is a single family residence on the larger parcel which serves as the home for the applicant (an accessory use in the C-1 zone is a "dwelling unit provided the building was originally designed for residential uses"). An old smoke house directly behind the house has been converted into the flower/craft shop. There is an above-ground swimming pool directly west of the shop on lot #5.

The house and shop are at a higher elevation than KY 20, giving the site good visibility. A narrow gravel driveway with good traffic visibility both east and west along KY 20 serves the site. The driveway climbs up from the street, between a series of mature trees, to a small gravel parking area. From the high point of the lot (the house location), the site drops down into a drainage area along the rear property line.

History of Site

On December 8, 1987, a Notice of Violation was written to the applicant for conducting an improper home occupation. Article 17, Section 1771, of the Boone County Zoning Regulations prohibits home businesses from being conducted out of accessory structures and prohibits any commodity from being sold. To allow the continued operation of the business, the applicant applied for the amendment.

In April, 1959, the Laurel Park Subdivision was recorded. The applicant's house and business are located on an out-parcel between lots 5 and 6 of this subdivision, and their swimming pool and future parking are located on lot 5. Both the out-parcel and lot 5 have recorded deed restrictions that read: "no business shall be operated on this lot." The Boone County Planning Commission in no way enforces this private restriction.

Relationship to Comprehensive Plan

The 1986 Boone County Comprehensive Plan Future Land Use Map indicates the future use of this property to be Medium Density Residential (three to eight dwelling units per acre). The Land Use Element of the Plan itself makes no specific references to the subject property. However, the text makes the following general statement about this section of this county:

"Much of this area will experience rapid growth in commercial, residential, and industrial land uses. Many keys of growth are located within this area. These include the airport interchange, a new post office, a school complex, I-275 and KY 237 interchange, and the intersection of KY 20 with KY 237." (p. L-12)

The text limits its discussion of future commercial developments to land north of the airport interchange, land bounded by KY 237, I-275 and Elijah Creek Road, the intersection of KY 20 and KY 237, the area between old and new KY 237, and land north of I-275 at the KY 237 interchange.

The Business Activities Element of the Plan makes the following statement:

"The town of Hebron will add additional commercial development along KY 20 as the area grows in population. The existing commercial center will probably not expand too much, though, because the new highways, I-275 and KY 237, have passed it by. Commercial development in Hebron will center around new KY 237." (p. B-14,15)

The Goals Element of the Plan lists the following objectives for commercial activity:

Objectives:

Compact, efficient development patterns shall be encouraged for commercial and industrial development by maintaining buffer space between uses.

Commercial

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.
2. Future commercial development shall be encouraged, whenever practicable, to occur in the form of shopping centers or other compact aggregations having an integrated design.

3. The mixing of commercial and non-commercial uses shall occur only in planned developments and replanned older areas where consideration can be given to minimizing harmful environmental influences.

4. Highway services shall be located in close proximity to major highway interchanges for maximum convenience and economy to the motoring public. (However, they should not be located so close to interchanges that they congest the traffic movements at these points of access.)"
(p. G-3)

Concept Development Plan

An informal Concept Development Plan has been submitted by the applicant. This plan shows property lines, building locations, and areas for customer parking. The plan also indicates a possible future addition to the 16 x 16 storage building currently being used as a crafts shop and a future expansion of an existing gravel parking area. The accessory building is labeled as a craft shop; however, the Concept Development Plan does not specifically limit the property to this use. Should this amendment be approved, staff would be able to determine proper landscaped buffers, driveway aisles, and proper setbacks with a formal site plan.

Conclusion

The Planning Commission must evaluate this request in terms of the purpose of the C-1 zoning district:

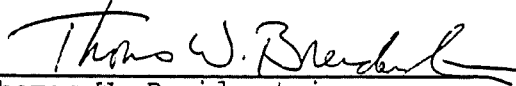
"The purpose of the commercial one district is to provide the convenience good and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area provided direct access from neighborhood collector roads or minor arterials. District facilities and plans will be organized to provide central and convenient collection of vehicles and pedestrians within the district's facilities and major shopping spaces." (p. 9-1, 1986 Boone County Zoning Regulations)

The Planning Commission must also judge the request on the basis of the following three criteria:

1. The Zoning Map Amendment is in agreement with the adopted Comprehensive Plan; or
2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the area's character.

Staff Report - Muriel Hurst
January 27, 1988
Page Four

Should the Commission recommend, and the Fiscal Court ultimately approve, this request, the Future Land Use Map will not need to be altered.



Thomas W. Breidenstein,
Zoning Enforcement Officer

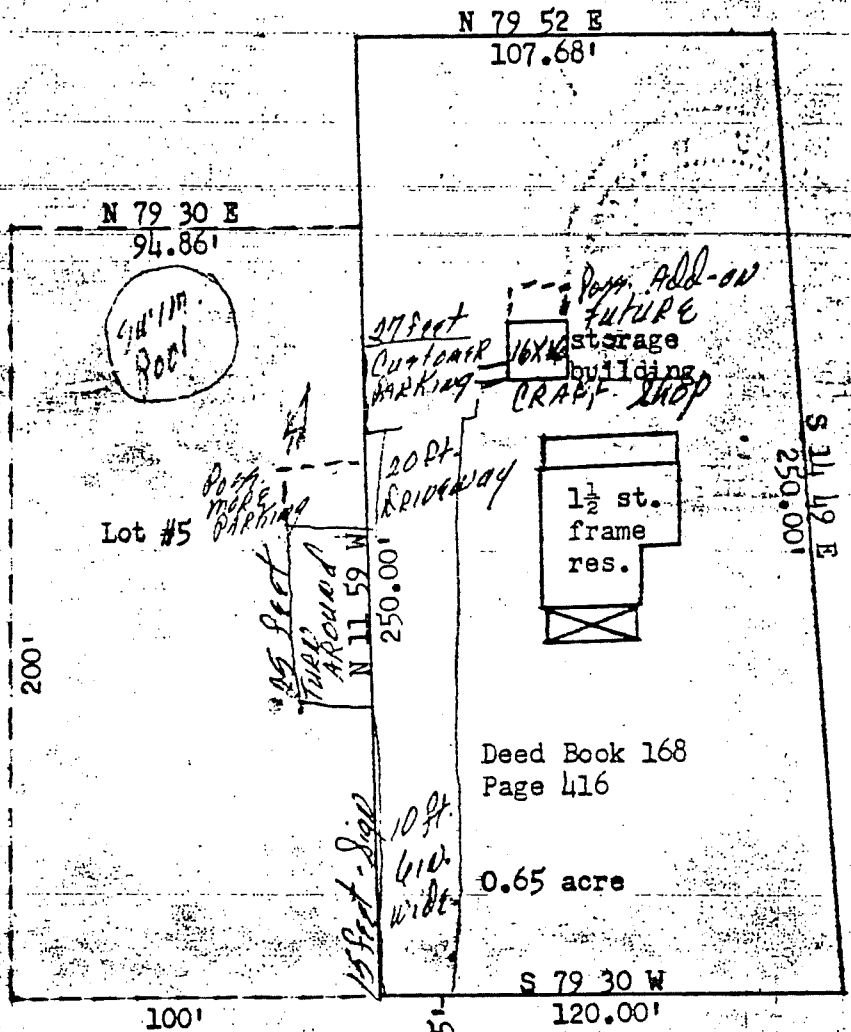
TWB:mcb

Lot No. 5 is in Laurel Park Subdivision
 Plat Book 5, page 15

MURIEL HURST

Zoning Map Amendment
 SR-1 to C-1

Public Hearing 1-27-88



Deed Book 168
 Page 416

0.65 acre

Centerline Ky. 20

To Hebron

Surveyor's Certificate
 I certify that I have surveyed the property shown hereon and that the dimensions are from a field survey completed on 9-2-87. All structures on the property are shown in their proper position with respect to the property lines.

Location of property by address:
 1518 Petersburg Road
 Hebron, Kentucky 41048

Drawing of a parcel of land as found in Deed Book 168, page 416 in conjunction with a field survey on 9-2-87.

Surveyed by Edwin G. Kirkpatrick, Registered Surveyor No. 873

Edwin G. Kirkpatrick

SCALE
 1"=50'

DRAWN BY EGK.
 REVISED

DATE APPROVED BY

-3-87

DRAWING NUMBER

4.

Boone County Kentucky ZONING MAP

LEGEND

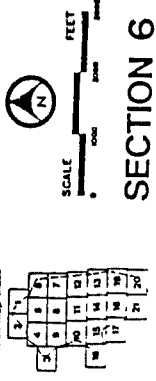
- A-1
- A-2
- RSE
- RS
- SR-1
- SR-2
- UR-1
- UR-2
- UR-3
- MHP
- R-1F
- C-1
- C-2
- C-3
- C-4
- O-1
- O-2
- I-1
- I-2
- I-3
- PF
- A
- /PD
- /SC
- /H
- (CD)

Revised AUGUST, 1988 Adopted 8/22/88

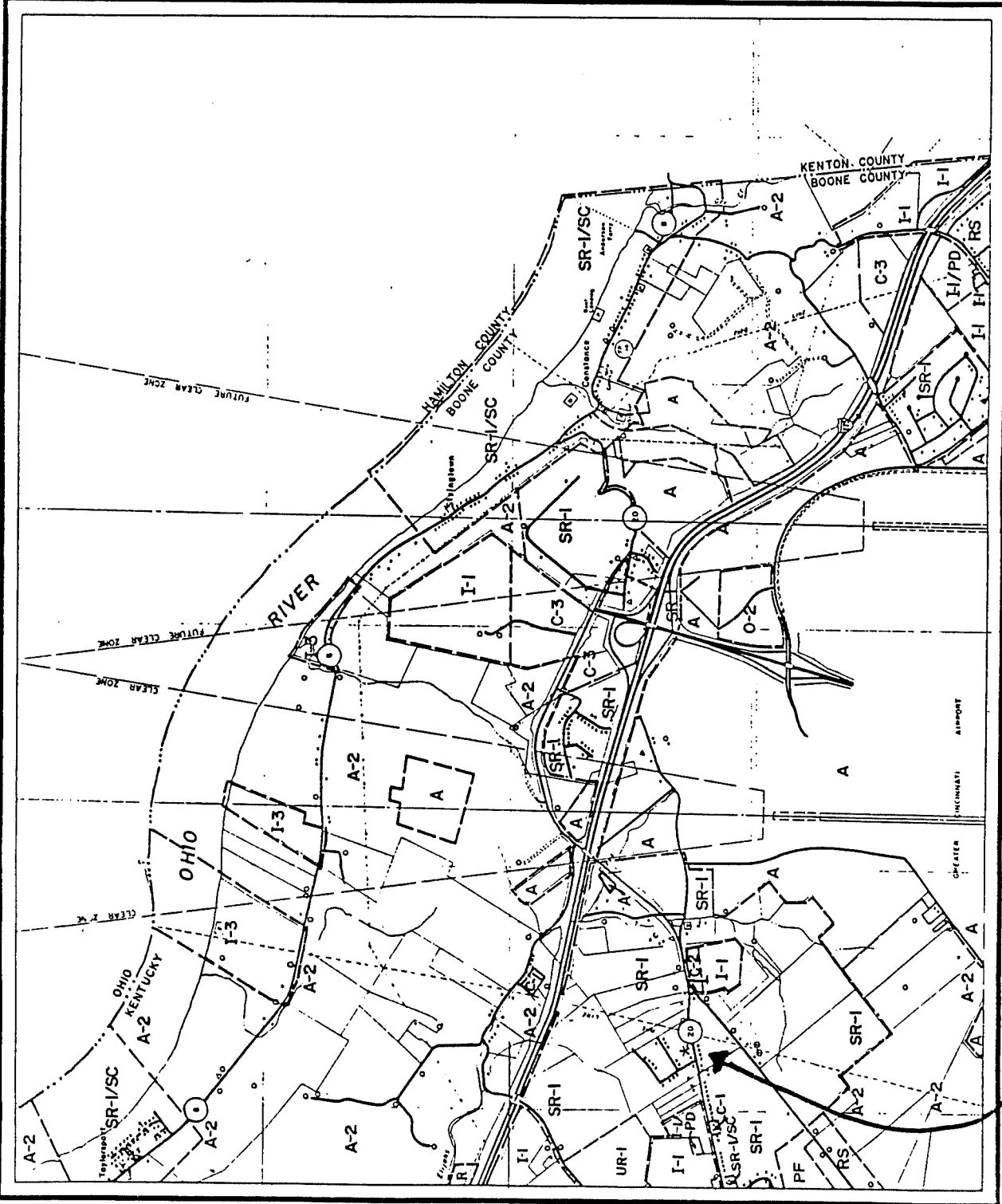
BOONE COUNTY Prepared by
Legislative Approval Drafting Commission
Legislative Drafting Commission, 100
Washington Street, Boone, Kentucky 40303

BASE MAP SOURCE: U.S. Geological Survey 7.5 Minute
Topographic Map (1960-1961), Kentucky
Department of Commerce, State Planning
and Policy (1963), Boone County Planning Commission
(1978).

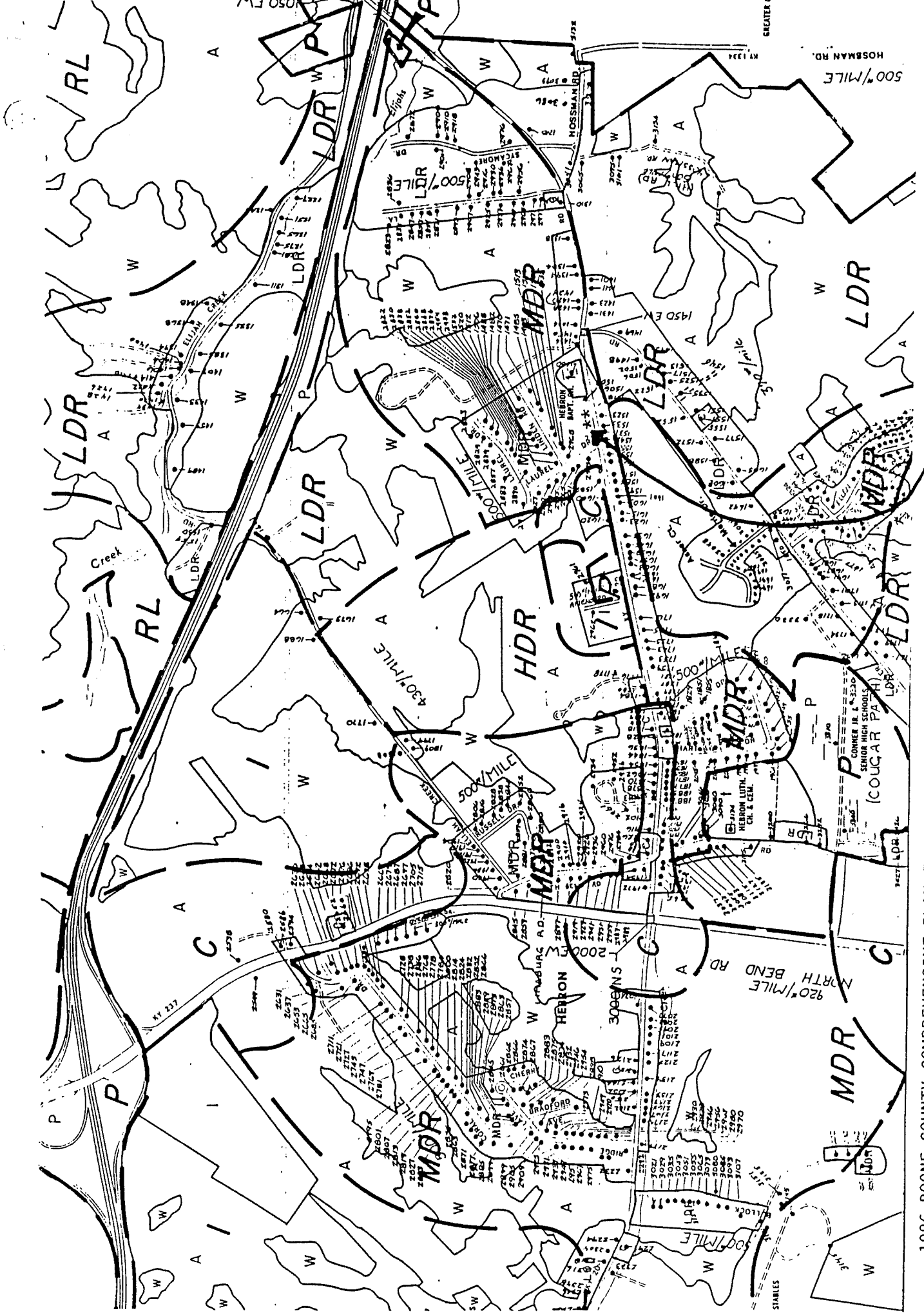
The preparation of this document was financed with
funds provided by the State of Kentucky under a grant from the
Department of Transportation, Statewide Planning
and Administration Program project of the
Southeastern Federal Highway Council.



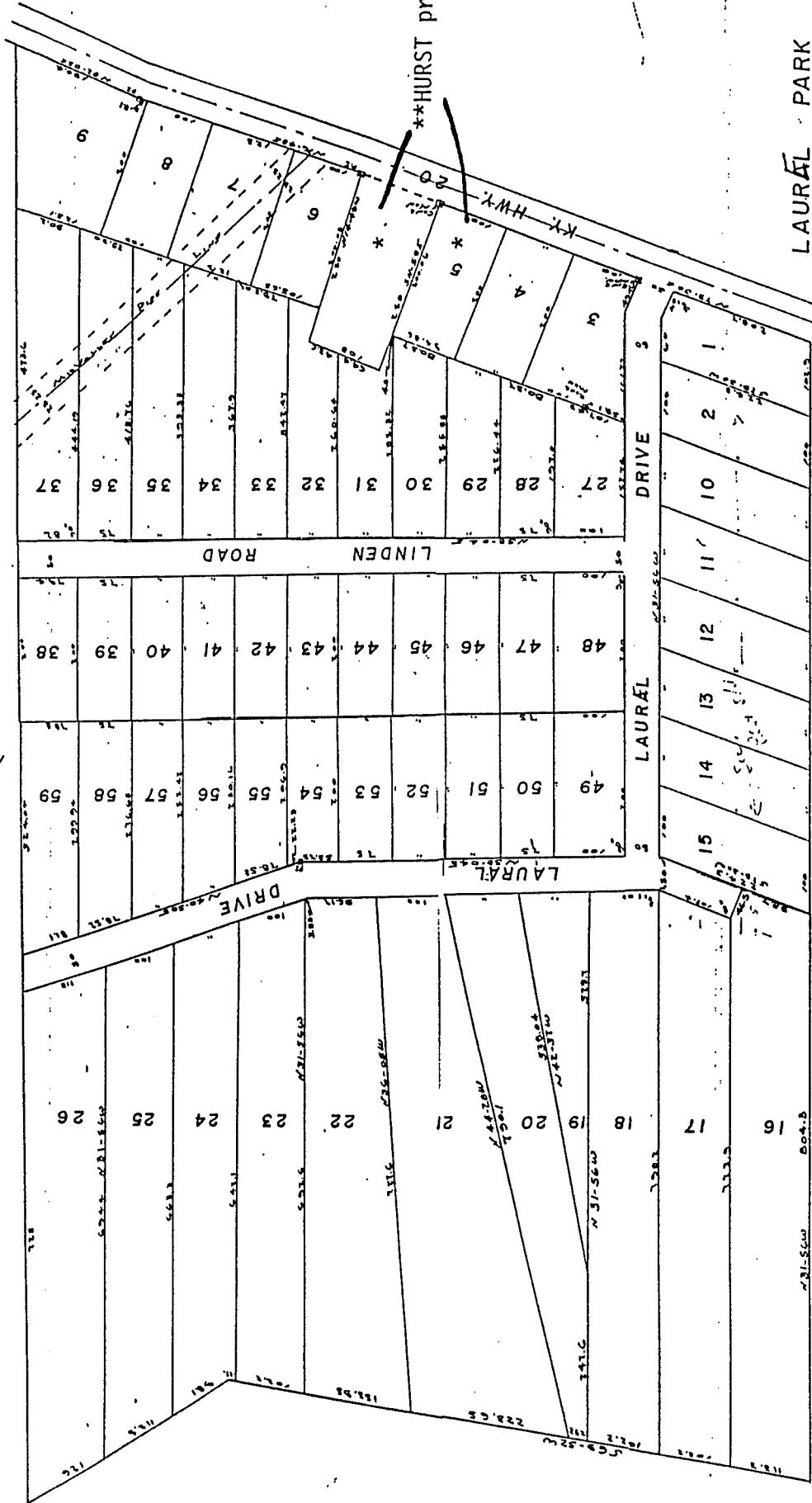
SECTION 6



* HURST PROPERTY



1986 BOONE COUNTY COMPREHENSIVE PLAN Future Land Use Map ** HURST property



LAUREL PARK
SUBDIVISION

CONNOR AND GAINES DEVELOPERS
HEBRON KENTUCKY
APRIL 13, 1959 SCALE 1"=100'
J.E. RANSON C.E.



ACKNOWLEDGMENT

I, C.D. BENSON, clerk of Boone County Court do hereby certify that this plat of LAUREL PARK SUBDIVISION was presented to me in my county by the above owners and acknowledged by them to be their act and deed on the 13th day of April, 1959.

C.D. Benson
CLERK

DEDICATION

We the undersigned owners of the land shown herein do hereby adopt and publish this plat of LAUREL PARK SUBDIVISION and dedicate the streets as shown herein to the use of the public, the same being a part of the same property conveyed to us by deed recorded in D.B. 125 P. 101.

Robert Connor
W. G. Gaines

D.C.

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: Muriel Hurst - Country Crafts Owner Agent

Address: 1518 Petersburg Rd, Hebron 489-5974 (h)
Ky. 41048 Telephone: 586-9202 (w)

Location: Rt 20 - Petersburg Rd 1 mile east of Hebron

Name of Property Owner: Roger & Muriel Hurst

Address of Property Owner: 1518 Petersburg Rd

Zoning District: Boone SR-1 Area in Acres: House & lot 0.65 - lot 5 - 100x200
(lot.) (house, & craft shop)

Deed Book: 375 - 375 Page Number: 274 - 61 Group Number: 657 - 657

Description of Request: Crafts & Flower Shop
From SR-1 to C-1 to allow Crafts & Flower Shop

Applicant's Signature: Muriel Hurst

Property Owner's Signature: Muriel Hurst - Roger Hurst

Application Fee: \$405.00 FOR PLANNING COMMISSION USE ONLY Date Received: 12/11/87 By: Dave G.

Referred To: _____ Meeting Date: N.B. 12/16/87 PH 1/27/88

Action Taken: _____ Date of Action: _____

EXHIBIT "A"

DEED

Know All Men By These Presents, BOOK 375 PAGE 276

CLERK'S OFFICE
SHORT FORM
DEED

PROPERTY TRANSFER TAX PAID \$ Ex.
JERRY W. ROUSE, CLERK DC

That PAULINE KENNEDY, widowed and unremarried

for and in consideration of One Dollar and other valuable consideration to them paid by the grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

ROGER HURST and MURIEL HURST, his wife, jointly with remainder in fee simple to the survivor of them, his or her

heirs and assigns forever, the following described Real Estate, in the City of _____

Boone
County of ~~Kentucky~~ and Commonwealth of Kentucky, to-wit:

Group No. 657

Present Street Address 1518 Petersburg Road, Hebron, Kentucky 41048 Plat No. -

Mailing Address 1518 Petersburg Road, Hebron, Kentucky 41048

Situated on the Northerly side of Kentucky State Route 20, East of Hebron, Boone County, Kentucky, and being lot 5 of Laurel Park Subdivision as recorded in the Boone County Clerk's Office, Burlington, Kentucky, and being in Plat Book 5, page 15 and more particularly described as follows: BEGINNING at a concrete monument and in the Northerly right of way line of Kentucky Highway #20 said point also being the Southeast corner of Lot 5 of Laurel Park Subdivision, said point also being North 79-30 East 538.7 feet from the West line of the original Dunnigan Farm, measured along said Northerly right of way line; thence from said place of beginning North 11-59 West 200.06 feet to a point; thence South 79-30 West 94.86 feet to a point; thence South 10-30 East 200.0 feet to a point in the Northerly right of way line of said Kentucky Highway #20; thence North 79-30 East along said Northerly right of way line of Kentucky Highway #20, 100.0 feet to the place of beginning containing 0.46 acres and subject to all legal rights of way.

This property is subject to the restrictions as recorded in Deed Book 135, Page 242, Boone County Court Records, Burlington, Kentucky.

Being the same property conveyed to MARTIN KENNEDY, SR., and PAULINE KENNEDY by deed dated August 5, 1968 and recorded in Deed Book 182, Page 99 of the Boone County Clerk's Office, Burlington, Kentucky. MARTIN KENNEDY, SR. died on April 15, 1978 and in accord with the survivorship clause in the aforementioned deed, title vested in PAULINE KENNEDY.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said

ROGER HURST and MURIEL HURST, his wife, jointly with remainder in fee simple to the survivor of them, his or her

heirs and assigns, forever, the Grantor her heirs, executors and administrators, HEREBY COVENANTING with the grantees their heirs and assigns, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that she will WARRANT AND DEFEND the same against all legal claims whatsoever.

PROPERTY TRANSFER TAX PAID \$ 22.00
JERRY W. ROUSE, CLERK B. Cope

Know All Men by these Presents:

BOOK 375 PAGE 61

That the Grantor..., Pauline Kennedy, an unmarried widow,

Value: \$22,000.00

for and in consideration of One Dollar (\$1.00) and other valuable considerations

to her paid by the Grantee. S herein the receipt whereof is hereby acknowledged, do hereby BARGAIN, SELL AND CONVEY to the Grantee. S, Roger E. Hurst and Muriel A. Hurst, husband and wife, with the right of survivorship, his or her

heirs and assigns forever, the following described Real Estate, to wit:

CITY OF _____ COUNTY OF BOONE

STATE OF KENTUCKY and known as 1518 Petersburg Road, Hebron, Kentucky 41048

The mailing address of the grantee Same

GROUP NO. 657

PLAT BOOK _____

Located generally on the North side of Kentucky State Highway # 20, East of Hebron, Boone County, Kentucky and more particularly described as follows: BEGINNING at a concrete monument and in the Northerly right of way line of Kentucky Highway # 20 said point also being the Southeast corner of Lot 5 of Laurel Park Subdivision, said point also being N 79-30 East 560.7 feet from the West line of the original Dunnigan Farm, measured along said Northerly right of way line; thence from said place of beginning North 12-0 West 250.0 feet to a point; thence North 79-30 East 108.0 feet to a point; thence South 13-15 East 250.0 feet to an iron pin in the Northerly right of way line of said highway, said point being the Southwest corner of Lot 6 of said Laurel Park Subdivision; thence South 79-30 West along the Northerly right of way line of said highway 120.0 feet to the place of beginning containing 0.66 acres and subject to any and all rights of way. Said lot lies between Lot 5 and Lot 6 of Laurel Park Subdivision as recorded in the Boone County Clerk's office in Plat Book 5, page 15.

Being the same property conveyed to Martin Kennedy, Sr. and Pauline Kennedy, husband and wife, with the right of survivorship, by deed from William G. Loze and Mary L. Loze dated September 8, 1965, and recorded in Deed Book 168, page 416 of the Boone County Clerk's records at Burlington, Kentucky. The said Martin Kennedy, Sr. died April 15, 1978, and by virtue of the survivorship clause title vested in Pauline Kennedy. SUBJECT to conditions, restrictions and easements of record, including restrictions contained in Deed Book 168 at page 416 of said County records.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging. TO HAVE AND TO HOLD the same to the said Roger E. Hurst and Muriel A. Hurst, husband and wife, with the right of survivorship, his or her

heirs and assigns forever, with COVENANTS OF GENERAL WARRANTY except real estate taxes for the year 1987 which are to be prorated as of this date.

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

January 27, 1988

PUBLIC HEARINGS

Mr. William Viox, Chairman, called the meeting to order at 7:00 P.M.

Mr. Viox welcomed Mr. Phil Damstrom, the newly appointed representative of the City of Union.

Mr. Viox explained the Public Hearing process to those present and introduced the first item on the agenda:

1. Applicant: Muriel Hurst
Request: Zoning Map Amendment

This was a Public Hearing on the request of Muriel Hurst for a Zoning Map Amendment to permit a craft and flower shop at 1518 Petersburg Road in Hebron, Kentucky. The request is to rezone two parcels totaling approximately 1.1 acres from Suburban Residential One (SR-1) to Commercial One (C-1).

Staff Member, Tom Breidenstein, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Viox asked the applicant for her comments.

Mrs. Hurst stated that they were not aware that a zone change was needed when they opened the craft shop. They did apply for a license. The shop is currently 16' X 16' and they do not intend to expand the shop into a large business.

Chairman Viox asked if there was anyone else present who wished to speak in behalf of the request. There being no one, he asked if there was anyone present in opposition to the request or anyone who had questions.

Marian Goodrich, property owner to the rear of the site, stated that she does not object to the craft shop. However, she is concerned that should the property be sold, then possibly another type of business could go on the site. She asked that the use be restricted to a craft shop. She stated that her neighbor has the same concerns.

Counselor Wilson advised that should the zone change to C-1 be granted, and if the Concept Development Plan is not restricted, then any one of the Principally Permitted Uses in the C-1 Zone could go on the site.

Chairman Viox asked if there were any comments or questions from the Commission.

Mr. Barnett advised the applicant that a Site Plan would be required and the necessary improvements, such as paving the driveway, could be costly.

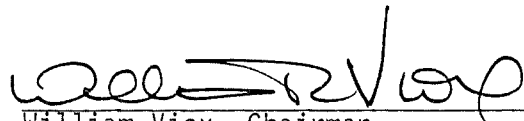
Mrs. Hurst stated that there are never more than two cars in the driveway at one time and indicated on the survey how they provide for turn-around. She stated that she and her sister had discussed the blacktopping of the driveway with their husbands. Mrs. Hurst added that if she were a neighbor, she would also want restrictions on the site.

Mrs. Rosalind Fryman, Mrs. Hurst's sister and partner in the craft shop, stated that Mr. Breidenstein had advised them that the driveway would need to be paved and they are agreeable to blacktopping it.

Chairman Viox asked if there were any further comments.

There being no further discussion, Chairman Viox announced that this request would be on the Agenda for the Business Meeting on February 3, 1988 and closed this Public Hearing.

APPROVED:



William Viox, Chairman

ATTEST:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

February 3, 1988 8:00 P.M.

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

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett, Vice Chairman
Mr. Fred Burch
Mrs. Rita Bushelman
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
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. Rector Jones

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Business Meeting of January 20, 1988 and the Public Hearings of January 27, 1988 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that the Minutes of the Business Meeting of January 20, 1988 and the Public Hearings of January 27, 1988 be approved as mailed. Mrs. Smith seconded the motion and it carried unanimously.

1. Zoning Map Amendment

A request of Muriel Hurst for a Zoning Map Amendment to permit a craft and flower shop at 1518 Petersburg Road, Boone County, Kentucky. The request is to rezone two parcels totaling approximately 1.1 acres from Suburban Residential One (SR-1) to Commercial One (C-1).

Staff Member, Kevin Costello, read the Committee Report which recommended denial of the request based on the findings of fact (see Committee Report).

Mr. McMillian moved that the request be denied based on the Committee Report. Mr. Burch seconded the motion.

In response to questions from the applicant, Mr. Costello clarified the Committee Report in regard to the intended character of the area. Chairman Viox and Mr. Costello discussed the Permitted Uses, Accessory Uses, and Conditional Uses in the SR-1 Zone in response to Mrs. Hurst's questions.

Chairman Viox asked if there were any further comments or questions or if there was anyone else present who wished to speak. There being no response, the Chairman asked for a vote on the motion made by Mr. McMillian and it carried unanimously.

2. Zoning Map Amendment

A request of William T. and Gina M. Gripshover (owners) for a Zoning Map Amendment for a 61.52-acre parcel located at 3269 Idlewild Road, Boone County, Kentucky in order to allow one mobile home. The request is to rezone the site from Agricultural Estate (A-2) to Agriculture (A-1).

Staff Member, Kevin Costello, read the Committee Report which recommended denial of the request based on the findings of fact (see Committee Report).

Mr. McMillian moved that the request be denied based on the Committee Report. Mrs. Smith seconded the motion.

Chairman Viox asked the applicants for their comments.

Mr. Robert Schroeder, representing the applicants, asked that the Commission not agree with the Committee Report. He stated that an alternative would be a small house on the property which would not be detrimental to the area. Mr. Schroeder added that the applicants are willing to comply with any restrictions placed on the property by the Commission.

Chairman Viox asked if a representative of those opposed to the request wished to summarize their position.

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Carol Smith, Chairwoman

DATE: February 3, 1988

RE: Request of Muriel Hurst for a Zoning Map Amendment to permit a craft and flower shop at 1518 Petersburg Road in Hebron, Kentucky. The request is to rezone two parcels totalling approximately 1.1 acres from Suburban Residential One (SR-1) to Commercial One (C-1).

REMARKS:


We, the Committee, recommend denial of the requested Zoning Map Amendment based upon the following findings of fact:

1. The proposed map amendment is not in agreement with the 1986 Boone County Comprehensive Plan which indicates that the future use of this property, and all adjoining properties, to be Medium Density Residential and not Commercial.
2. The current zoning classification of Suburban Residential One (SR-1) is appropriate, and Commercial One (C-1) zoning would be inappropriate based on current and future land uses and zoning in the area.
3. There have been no major changes of an economic, physical, or social nature not anticipated in the 1986 Boone County Comprehensive Plan that substantially alters the area's character.
4. The applicant has not sufficiently shown the land use reasons or facts necessary to grant a Zoning Map Amendment.

The Committee recognizes the applicant's desire to maintain a small commercial building in a proposed C-1 zone. The Committee is concerned that the proposed use, any future use, or even an expanded craft shop, could severely alter the intended character of the area. The Committee further hopes that the applicant not be discouraged from conducting business in Boone County and would suggest that the applicant investigate property in the Hebron area which is currently zoned for commercial uses to allow the proposed use.



Carol Smith, Chairwoman



Fred Burch

Rector Jones



Donald McMillian



Larry Barnett

CS:mc

R-4-88

RESOLUTION 03-88-01

A RESOLUTION REQUESTING A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO COMMERCIAL ONE (C-1) FOR A SITE LOCATED AT 1518 PETERSBURG ROAD, BOONE COUNTY, KENTUCKY, BEING REQUESTED BY MURIEL HURST (OWNER), THE INTENDED USE IS A CRAFT AND FLOWER SHOP. THE BOONE COUNTY PLANNING & ZONING COMMISSION IS RECOMMENDING DENIAL VIA PLANNING & ZONING RESOLUTION R-4-88.

WHEREAS, the Boone County Fiscal Court received a request for denial for a Zoning Map Amendment to the Boone County zoning map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Commercial One (C-1) for a site located at 1518 Petersburg 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 was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending denial of 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 denial, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Commercial One (C-1) for a site located at 1518 Petersburg Road, Boone County, Kentucky. The real estate which is the subject of this zoning map amendment recommendation for denial is more particularly described in attached "Exhibit A".

SECTION II

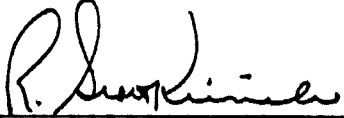
That as a basis for the recommendation of denial of the zoning map amendment request is the findings of fact of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit B" and "Exhibit C".

Introduced, seconded and given First Reading on the 8th
day of March, 1988, and on the same occasion
denied in open session by the Boone County Fiscal Court.



BRUCE FERGUSON
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:



R. SCOTT KIMMICH
FISCAL COURT CLERK

SUBMITTED BY:



LARRY CRIGLER
BOONE COUNTY ATTORNEY

March 8, 1988
DATE