

#3  
BOONE COUNTY PLANNING & ZONING

PUBLIC HEARINGS

NOVEMBER 28, 1984

8:00 P.M.

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Chairman Kroger opened the Public Hearing on a request of John and Janice Hensley for a Zoning Map Amendment from current zoning of Agriculture Estate, A-2 to Agriculture, A-1 zoning for a 23.77 acre tract located on Ky. 18, Burlington Pike (about 4 miles west of Burlington), Boone County, Kentucky.

Staff Member Clay Shepherd presented the staff report and gave a slide presentation on the proposed request. Mr. Shepherd noted that adjoining properties to the north are zoned Agriculture, A 1 and Rural Suburban, RS, and to the east and south is zoned A-1 and to the west is zoned Rural Suburban, RS. Mr. Shepherd noted the current land use of adjoining property to the north is residential development and that all other surrounding land is used for agriculture purposes. Mr. Shepherd stated that Boone County Comprehensive Plan Land Use Map indicates a planned future land use of agriculture. Mr. Shepherd explained that currently there are no public utilities available on the property. Mr. Shepherd stated the application does not include a Concept Development Plan. Mr. Shepherd closed by stating that should the Commission recommend approval of the request, no changes would be necessary to the Boone County Comprehensive Plan Land Use Map.

Mr. John Hensley explained his plans to build a farm supply store with the structure being located approximately 50 to 60 feet from his home. Mr. Hensley noted that the nearest feed store is Bi-County CoOp which is approximately 19 miles.

Mr. Ray Crabtree, 4624 Burlington Pike, explained that normally the use of the land for the development of a feed store would not bother him but expressed concern that the subject property is adjacent to the site where there was a proposed gravel pit proposed. Mr. Crabtree expressed concern of spot zoning and setting a precedence.

Mr. John Walton, owner of adjacent property to the subject property, requested a clarification of the uses of A-1 as opposed to the A-2 zone. Director Lynn responded that the primary uses allowed in the A-1 that are not allowed in the A-2 zone would be the retail trade for sale of hay, grain, etc., and a roadside stand, commercial uses of garden plots and the other 12 uses as allowed in the A-2 zone.

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There was no other support, opposition or questions expressed from the audience.

Mr. Barnett inquired that in view of the adjoining properties being zoned A-2 why the subject property was zoned A-1. Mr. Barnett inquired if the applicant knew when the property was changed. Mr. Hensley stated he did not and questioned the same concerns as expressed by Mr. Barnett. Mr. Walton interjected that perhaps the property was changed back in 1980. Mr. Barnett inquired if tack would be sold from the proposed store. Mr. Hensley stated no equipment or tack would be sold. Mr. Lynn noted that equipment and vehicles are excluded.

There being no further questions or comments, Chairman Kroger closed the public hearing.

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING MINUTES

DECEMBER 5, 1984

9:15 P.M.

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Chairman Kroger called the meeting to order. Chairman Kroger explained the procedural format on zone change requests.

Roll call was taken by staff member Dee Ann Manley. 9 members present. Messrs. Buse, DeLong, Godsey, Greene, McMillian, and Mrs. Smith were absent. Chairman Kroger requested the record reflect that a quorum was attained through the efforts of Commission Member Davis taxiing stranded Commission member (due to inclement weather conditions) Martin and Commission Member Neltner to the Commission meeting. All staff members present. Atty. Dale Wilson was also present.

The Minutes of the Business Meeting of November 21, 1984 and of the Public Hearings of November 28, 1984 were presented for consideration. Secretary Jeanne Huddleson noted that on page 2, paragraph 1 of the Business Meeting Minutes should contain the word "concurred" at the end of the above noted paragraph.

Mr. Barnett moved that the Minutes of the Business Meeting of November 21, 1984 and of the Public Hearings of November 28, 1984 be approved with the noted addition of the Secretary. The motion was seconded by Mr. Davis. After discussion, the motion was carried unanimously.

Chairman Kroger noted the communications from Carroll Properties and from Melinda Arjay had been received.

Staff Member Dee Ann Manley read the following bills into the record to be paid: Staff salaries and benefits, \$7,094.45; Boone County Recorder, \$873.21; Kelly Services, Inc., \$161.00; B. C. Printing, \$34.30; Radio Shack, \$31.41; The Picture Place, \$11.25; Scot Business Machines, Co., \$360.00; and Archives Word Processing, \$323.00. Bills totalling: \$8,871.60. Mr. Jones moved that the bills be paid as presented. The motion was seconded by Mr. Barnett. After discussion, the motion carried unanimously.

REPORTS

Chairman Kroger noted that the Enforcement Officer's Report, the Building Inspector's Reports and Convenience Plats Report were distributed for Commission members review. There was no discussion or comment on the distributed reports.

Site Plan Review

A request of Dr. John E. Miracle, P.S.C. (property owner) for Site Plan Review to construct a two-store office building on a 1.21 more or less acre tract located on Burlington Pike, (across from Boone County High School) Florence in a Commercial Two, C-2 zoning district.

Staff Member Clay Shepherd presented the staff report on the request which stated the purpose for the site plan. Mr. Shepherd stated that access into the development would be off of Ky. 18 with available parking on the site to include 38 regular parking spaces and 4 handicapped parking spaces and the parking and drive surface to be concrete or blacktop material with the pedestrian walk to be concrete. Mr. Shepherd stated that both water and sanitary sewage utilities are available from current mains adjoining the property. Mr. Shepherd noted that soil erosion control will be provided by the contractor in the form of a barrier of straw bales along the east portions of the property along with three detention areas. Mr. Shepherd described landscaping between the development and Ky. 18 and noted a minimum of 15 feet of existing tree lines would remain for the purpose of screening the development from adjoining residential areas. Mr. Shepherd stated the Planning Commission Engineer was currently reviewing the plan to ensure the development conforms to the elements of the zoning regulations by the Engineer's review. Mr. Shepherd closed by stating that, in his opinion, the request does conform to the minimum standards of Boone County zoning regulations found in Article 14, Site Plan Review and Section 920-926.

Engineer Jim Jenkins stated that he had reviewed the subject Site Plan and would only like to recommend that the curbing area around the parking area be continuous. Mr. Jenkins noted the only other concern he had was of the adjoining sanitary sewer connection.

Mr. Viox clarified that the applicant is purchasing the property from the adjacent property owner who will be providing the access to the public sewer system. Mr. Jenkins noted the drawing indicated proposed sewer. Mr. Viox stated the tap would be the indicated manhole.

Director Lynn presented the Committee report on the Site Plan Review which stated the Committee recommended approval based upon the staff and engineer's review and report.

Chairman Kroger inquired of Dr. Miracle had any problem with the additional curbing to be provided per the suggestion of the Planning Commission Engineer. Dr. Miracle responded there would be no problem.

Mr. Barnett moved that the Site Plan be approved inclusive of the Engineer's recommendation for continuous curbing, and based upon the Committee, staff and engineer's reports. The motion was seconded by Mr. Jones.

Mr. Viox noted that he wished to abstain on the site plan request for reasons of business affiliations. Mr. Viox noted as the Engineer of the proposed project that curbing was put in the areas of retention and could foresee no problem with tying the curbing in continuously.

Ayes: Messrs. Barnett, Collins, Davis, Jones, Martin, Slusher, Neltner and Chairman Kroger.

Abstain: Mr. Viox.

#### Site Plan Review

A request of Pilot Contracting Corporation (agent) for Metroweb, Inc., (owner) for Site Plan Review to construct a building addition and lot grading on their property located on the northwest corner of Cox Avenue and Jamike Avenue, Boone County, containing more or less than six acres and being zoned Industrial One, I-1.

Staff Member Clay Shepherd stated the staff wished to recommend deferral of action on the proposed site plan as a revised Site Plan drawing on the request had not yet been received.

Mr. Lynn stated the Committee Report recommended deferral on the site plan based upon the reports of the staff and engineer.

Mr. Barnett moved that the Commission defer action on the proposed Site Plan until the application is complete. The motion was seconded by Mr. Neltner. After discussion, the motion carried unanimously.

Chairman Kroger declared a change in the order of the Agenda to accommodate members of the audience.

#### Zoning Map Amendment

A request of John and Janice Hensley for a Zoning Map Amendment from the current zoning of Agriculture Estate, A-2 and Rural Suburban to Agriculture, A-1 zoning for a 23.77 acre tract located on Ky. 18, Burlington Pike (about 4 miles west of Burlington), Boone County, Kentucky.

Staff member Chip Block noted the location of the subject property is along the south side of Ky. 18. Mr. Block noted that the Boone County Comprehensive Plan Land Use map indicates the subject property was planned for agricultural land use and is environmentally sensitive, and that should the Commission recommend approval to the Fiscal Court no changes to the text or land use map would be necessary. Mr. Shepherd noted that the addition of "Rural Suburban" should be added to the item's explanation on the Commission Agenda.

The Commission and secretaries so noted.

Mr. Lynn stated that the Committee Report recommended approval for the zone change from Agricultural Estate and Rural Suburban to Agricultural, A-1, based upon the following findings of fact: That the request is in conformance with the Boone County Comprehensive Plan and no changes in the Plan will be necessary, and that since the zoning district does not require a Concept Development Plan none had been submitted. Mr. Lynn (reading from the Committee Report) stated the Committee wishes to stress that the zone change should not be interpreted as a precedent for commercial zoning of the area, and was based on the applicant's intention to maintain the integrity of the area's agricultural environment and the Committee shares the applicant's intention to preserve the area's agricultural environment. The Committee Report was signed by Messrs. Barnett, Viox, Davis and Jones.

Mr. Hensley stated that Article 13 of Section 6-11 of the Zoning Regulations states exactly the purpose for which Mr. Hensley applied for the zoning map amendment.

Mr. Wilson noted that Article 13 as mentioned by Mr. Hensley is the use expressed at the public hearing on the matter which is the use that is permitted in the A-1 district but not the A-2 which permits retail trade for the sale of hay, grain, and etc.

Chairman Kroger requested Counselor Wilson read the Article aloud. Counselor Wilson read: "Item 13 under Section 6-11 is retail trade for the sale of hay, grain, feed and other farm and garden supplies excluding equipment and vehicles" and noted the use could be one of the principally permitted uses in the A-1 zone.

Chairman Kroger inquired if the applicant wished to stipulate that the only use of the subject property was Item 13 and if the applicant wished to exclude the other permitted uses of the district. Mr. Hensley stated more or less that to be the case as that is the use for which he pursued the zoning map amendment. Chairman Kroger noted that if the applicant stipulated that that use of the other permitted uses under A-1 would require another Commission review. Mr. Block noted that at present the applicant does have a single-family residence on the property and currently do some farming of the area, and accordingly would not, in all probability, to exclude the other permitted uses allowed in the A-1 zone.

Mr. Hensley assured the Commission that the purpose stated on the zoning map amendment application is the sole intended use of the subject property, and even more specifically Item 13 of the Zoning Regulations Sect. 6-11.

There was no other support or opposition expressed from the audience.

Commission Member Neltner noted that last week a letter was given to him by Chairman Kroger which was thought at that time to be relative to community input for the Boone County Comprehensive Plan Update. Mr. Neltner stated that the letter addresses the proposed zoning map amendment issue, and wished to advise fellow Commission members of that. Mr. Neltner read the letter aloud which was addressed to Commission Member Neltner and Members of the Planning and Zoning Commission as follows:

"Wednesday, you will be looking at a zone change Agricultural Two to A-1 for a feed store. Please leave our neighborhood alone. There is plenty of place for business east of Burlington. All a man has to do is ask for a zone change. It is not fair. At least make him wait until after the Comprehensive Plan review is complete. Signed, A Concerned Citizen."

Chairman Kroger stated the record show the letter was incorporated and made a part of the file on the zoning map amendment.

Mr. Viox moved that the Commission by Resolution approve the Zoning Map Amendment for a 23.77 acre tract located on Ky. 18, Burlington Pike, Boone County, Kentucky, based upon the staff and committee reports and that a letter be sent to the Fiscal Court so advising of the Commission's recommendation. The motion was seconded by Mr. Barnett. After discussion, the motion carried unanimously.

Chairman Kroger explained the zoning map amendment would now proceed to the Fiscal Court for final decision.

#### Zoning Map Amendment

A request of John J. Blackburn (agent) for Harold O. and Alice Schneider (property owners) for a Zoning Map Amendment from Suburban Residential ne, SR-1 to Commercial Services, C-3 for a more or less 0.62 tract located north of and adjacent to the intersection of relocated Ky. 1334, Youell Road and Ky. 20, Constance Road, Boone County.

Staff member Chip Block presented a brief staff report which described the location of the proposed zoning map amendment. Mr. Block described the current zoning of the area. Mr. Block noted from the staff report as presented on November 28, 1984 that the planned future use for the subject property of Public/Institutional for the subject tract while to the north, west and south is planned Commercial.

Mr. Lynn stated that the Committee Report recommended deferral for two weeks (to December 19, 1984) by the Commission on the proposed zoning map amendment to allow additional time for study of changes that have occurred in the area.

Mr. Blackburn noted the expressed wishes of the Committee on the subject proposed zoning map amendment. Chairman Kroger inquired if time was running on the zoning map amendment. Mr. Lynn noted the time was running from November 7, 1984 and that action would need to be taken on the proposed zoning map amendment at the December 19th Business Meeting of the Commission if at all possible.

Mr. Barnett moved that the Commission defer action on the proposed zoning map amendment for property at the intersection of Ky. 1334 and Ky. 20 in Boone County, Kentucky until December 19, 1984. The motion was seconded by Mr. Neltner.

Mr. Viox stated he would abstain on the proposed zoning map amendment as his engineering firm did the underlying topo of the area, and accordingly wished to abstain.

Mr. Lee Schafstall, representing the residents of adjacent Riverview Estates Subdivision, inquired if postponement to an even later date would be acceptable as he and his wife as representatives of area residents would be unable to attend the Business Meeting of December 19, 1984. Chairman Kroger stated as due process mandates the Commission proceed on the request hopefully at the December 19, 1984 Business Meeting, and in that regard the Commission would be unable to oblige Mr. Schafstall's request. Mrs. Schafstall inquired if they could be advised of exactly what time they would need to be present for the subject zoning map amendment on the agenda. Chairman Kroger stated he would hold to the Agenda for the item on the calendar of December 19, 1984.

Ayes: Messrs. Barnett, Collins, Davis, Jones, Martin, Slusher, Neltner and Chairman Kroger.

Abstain: Mr. Viox.

Chairman Kroger suggested the parties be notified by telephone call as to notification of probable agenda time on the proposed zoning map amendment.

#### Preliminary Plat Review

A request of George Finke (owner) for Preliminary Plat Review for the Chris-Chad Subdivision, Walton for lots on 13.58 acres in a Suburban Residential One, SR-1 zoning district.

Staff Member Chip Block presented the staff report on the proposed request which stated that due to technical questions concerning the provision of sidewalks in the subdivision and what the proposed land use(s) are for the proposed lots, staff would recommend the Commission defer action until the next regular meeting of the Planning Commission to allow the applicant to respond to the expressed issues.

Discussion followed of time limitations, and upcoming Commission meeting agendas.

Mr. Barnett moved that the Commission defer action until January 2, 1985 based upon the recommendation of staff to allow issues to be addressed by the applicant for a complete application. The motion was seconded by Mr. Davis.

Mr. Viox inquired of legal counsel the repercussion of denial of the request. Mr. Wilson stated that denial would necessitate a good reason for doing so as under the Subdivision plans if the applicant meets the regulations, they are entitled to approval as the regulations are administrative and no discretion is allowed. Mr. Viox inquired if the Chairman Kroger noted that the recommendation from staff was to defer as the application currently does not meet the regulations. Mr. Block concurred that currently the applicant does not meet the regulations and noted the Commission can approve, disapprove or approve subject to modification within 3 meetings. Mr. Viox inquired of the things that were lacking. Mr. Block stated sidewalks on both sides of the street and the provision or statement pertaining to the use of the lots, i.e., residential, two-family were lacking. Mr. Wilson inquired if the applicant was advised of the two aspects of the site plan lacking. Mr. Block stated that a letter was sent out on November 29, 1984 advising the applicant of the needed information, and that to date no response had been received from the applicant. Mr. Viox stated he just hates to see agenda items deferred for that length of time. Discussion followed of what the zoning in the area allowed with regard to single-family or duplex dwellings. Mr. Block noted that only one lot size would be permissible for the use of duplex dwellings. Mr. Viox suggested that the Commission approve the preliminary plat with the comment that sidewalks be provided and approve same.

Mr. Barnett stated his concurrence with the suggestion as expressed by Mr. Viox. Mr. Barnett withdrew his motion to defer action on the proposed zoning map amendment. Mr. Davis withdrew his second on the motion on the floor.

Chairman Kroger noted that approval of a preliminary plat is the most important aspect of the planning procedure as it is the sum and substance of the subdivision regulations. Chairman Kroger stated that a preliminary plat in proper form is the document by which the Commission acts in the future. Chairman Kroger stated expressed concern of acting on a document that is incomplete. Mr. Barnett inquired if approval could be granted with conditions. Chairman Kroger noted it had been the policy not to approve with conditions at the preliminary plat stage.

Mr. Slusher, as representative of the City of Walton, stated that as it is the middle of winter which would not permit the applicant to proceed in all likelihood, and based upon the recommendations of the staff he would suggest the Commission go with the recommendations of staff.

Mr. Viox inquired if the preliminary plat addresses the sidewalk issue. Mr. Wilson recalled that if his memory serves him correctly the provision of sidewalks is an item that the Commission "may waive". Mr. Block stated that Sect. 400(t) "The Commission may waive the above requirements. The other requirements are: that for other parts of the County, other than the City of Florence, sidewalks shall be provided according to the following standards; if it is considered a local street then sidewalks would be required on both sides." Mr. Viox noted that he can wait until January 2nd to act on this item but he still feels the sidewalks should be on both sides.

Mr. Martin inquired if the subdivision was an existing subdivision already and inquired of the current provision of sidewalks in the area. Mr. Block responded there are no sidewalks currently provided in the area. Mr. Martin inquired if sidewalks were required when the original subdivision was put in. Mr. Block stated he would have to research that inquiry.

Discussion followed on subject of waivers in rural and in urban areas. Mr. Block noted the plan proposes 43 lots on 13 acres. Discussion followed of the density and the zoning limitations.

Mr. Collins made a motion that the Commission defer action on the preliminary plat review for the Chris-Chad Subdivision until January 2, 1985. The motion was seconded by Mr. Slusher.

After discussion, a roll call vote was taken on the motion.  
Ayes: Messrs. Collins, Davis, Jones, Neltner, Martin, Slusher, and Chairman Kroger.  
Nay: Messrs. Barnett and Viox.

Motion passes by a vote of 7-2.

#### Preliminary and Improvement Plat

A request of R. C. Durr (property owner) by James Berling (agent) for Preliminary and Improvement Plat approval for seven lots on 12.18 acres of land on the west side of Industrial Road, Florence in a Commercial Services, C-3 zone.

Staff member Chip Block stated that information regarding the number of technical questions on the plat had been answered and proceeded to present a verbal report on the request in which he noted the request is for 7 lots on the acreage being provided by one street to be called "Safeway Drive" and leading in off of Industrial Road. Mr. Block stated that the information clarified the expressed concerns of the staff Engineer and are to the Engineer's satisfaction as to access and buildable land area. Mr. Block stated that the staff would recommend approval and the applicant has been made aware of the City of Florence subdivision

December 5, 1984

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requirements, sidewalks, and the applicant has made a verbal commitment over the phone to provide sidewalks and had attempted to get written documentation stipulation their commitment to the staff which was not attained.

Mr. Lynn stated the Committee Report recommends approval based upon the staff and engineer's reports.

Engineer Jenkins stated the concern that he had was on particular Lot 4 which was to be serviced by a "service road" as indicated on the plat and if that road would be a dedicated public road. Mr. Jenkins clarified that as Lot 4 of the Preliminary Plat fronted on that road this caused his concern. Mr. Jenkins stated that Mr. Berling (agent) had advised and assured him that the road would be a dedicated road.

Mr. Viox moved that the Commission approve the Preliminary and Improvement Plat for seven lots on 12.18 acres of land on the west side of Industrial Road, Florence in a Commercial Services, C-3 zone. The motion was seconded by Mr. Barnett.

Mr. Block reported that he had been in contact with Mr. Berling who in turn contacted Mr. Durr (property owner) who stated he would be willing to provide sidewalks.

Chairman Kroger expressed concern of the commitment not being in written form. Chairman Kroger inquired if approval should be granted conditionally.

Mr. Viox amended his motion to include the condition that the sidewalks be placed and that the road as expressed to Mr. Jenkins be a public dedicated right-of-way. Mr. Barnett noted that he thought Mr. Jenkins was satisfied that the road would be adequately provided. Mr. Jenkins stated he had no reason to dispute the word of the applicant's agent nor contact with the Kentucky Department of Transportation.

Mr. Martin stated that so as to treat all plat approvals with the same fairness, and although verbal communication from the applicant had been received, he would suggest that the Commission defer action on the preliminary and improvement plat. Mr. Wilson noted that one distinction may be the fact of verbal contact. Mr. Slusher stated that it is his feeling that no verbal commitments should be accepted. Discussion followed. Mr. Neltner inquired of the time frame limitations. Mr. Lynn stated that action must be taken by the 3rd consecutive meeting. Mr. Block advised the applicant was notified on November 29, 1984 of the deficiencies.

After discussion, a roll call vote was taken on the motion.

Ayes: Messrs. Barnett and Viox.

Nays: Messrs. Collins, Davis, Jones, Martin, Slusher, Neltner, and Chairman Kroger.

Motion fails by a vote of 2-7.

Mr. Collins moved that the Commission defer action until January 2, 1985 on the preliminary and improvement plat for seven lots on a 12.18 acres of land on the west side of Industrial Road, Florence. The motion was seconded by Mr. Neltner.

Chairman Kroger suggested that the plat be reviewed at the December 19, 1984 meeting of the Planning Commission.

After discussion, a roll call vote was taken on the motion.

Ayes: Messrs. Collins, Davis, Jones, Martin, Slusher, Neltner and Chairman Kroger.

Nays: Messrs. Barnett and Viox.

#### Zoning Map Amendment

A request of Burlington Realty and Development Company, Inc., for a Zoning Map Amendment from the current zoning of Urban Residential Two, UR-2 to Commercial Two, C-2 for a 0.719 acre tract located on the north side of KY. 18, Burlington Pike, Boone County.

Staff member Chip Block presented the staff report on the proposed zoning map amendment. Mr. Block stated the current zoning of the property and described the zoning of adjoining properties. Mr. Block stated the planned future land use of the property is commercial along with adjoining properties to the west and to the east. Mr. Block closed by stating that should the Commission recommend approval of the zoning map amendment no changes to the text or map would be necessary as the proposed zoning is in conformance to the Boone County Comprehensive Plan.

Mr. Lynn stated the Committee Report recommends that an approval recommendation be forwarded to the Boone County Fiscal Court for the request based on the facts that the request is in conformance with the Boone County Comprehensive Plan Land Use map and text which indicates a planned land use of commercial for the subject property and that the original zoning of UR-2 is inappropriate for the subject tract because it lies between two other commercial uses. Mr. Lynn stated the Committee also include the recommendation that the submitted concept development plan subject to the applicant agreeing to make the plan a part of the condition to the granting of the zone change.

There was audience support or opposition expressed as only staff and Commission members were present, nor was the applicant present.

Mr. Barnett moved that the Commission approve the zoning map amendment for a 0.719 acre tract located on the north side of Ky. 18, Burlington Pike and that the Fiscal Court be so notified of the Commission's recommendation. The motion was seconded by Mr. Jones. After discussion, the motion carried unanimously.

Chairman Kroger noted that there was a request relating to the proposed Zoning Map Amendment by Mr. Kirby for a waiver of the fees and costs. Chairman Kroger inquired if the Committee had a recommendation with regard to the waiver of fees and costs.

Mr. Lynn stated the Committee recommended that all fees and costs be waived excluding the "hard costs" of the publication process of the zoning map amendment and those costs incurred by staff to review the zoning map amendment request.

Mr. Barnett moved that the Commission waive all but the fees as identified by Director Lynn. The motion was seconded by Mr. Collins. After discussion, the motion carried unanimously.

#### NEW BUSINESS

##### Site Plan Review

(1) A request of Steffen's Tool Crib, Inc., for Site Plan Review for the construction of an addition on property located on U. S. Highway 42 in Florence, Kentucky, in a Commercial Two, C-2 zoning district. Chairman Kroger noted that Mr. Greene is Committee Chairman.

Chairman Kroger referred the Site Plan Review to Committee for additional study and review.

##### Zoning Map Amendments

(2) A request of Boone County Public Library District Board of Trustees for a Zoning Map Amendment from the current zoning of Office One, O-1 to Public Facilities, PF, for a .4 acre tract located at 7425 U.S. Highway 42, Kentucky.

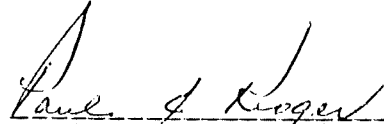
(3) A request of E. Andre' Busald and Charles T. Moore (agents) for Progressive Investment Corporation for a Zoning Map Amendment from Suburban Residential One, SR-1 to Recreation, R for a 17.59 acre tract owned by Dr. Gary Shearer, located generally on the southwest side of Old. Ky. 18, Boone Aire Road, Boone County.

Chairman Kroger appointed Mr. Jones as Committee Chairman on the Zoning Map Amendments, New Business Items (2) and (3).

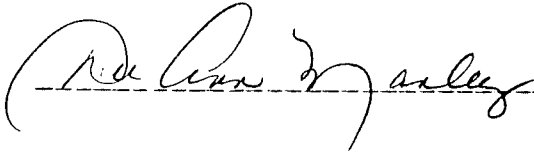
Director Lynn advised that the request of the Boone County Public Library District Board did not meet the deadline for publication of public hearing for December 19, 1984. Mr. Lynn stated the applicant was so advised the public hearing date would, in all probability, be January 23, 1985, and that the applicant stated there would not be a problem with waiting until January 23, 1985 for public hearing.

Mr. Davis Moved that the Commission set the public hearing dates for the proposed Zoning Map Amendments for January 23, 1985. The motion was seconded by Mr. Barnett. After discussion, the motion carried unanimously.

Mr. Neltner moved that the Commission adjourn.

  
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Paul Kroger, Chairman

Attest:

  
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COMMITTEE REPORT

TO: BOONE COUNTY PLANNING COMMISSION

FROM: MELVIN DELONG, Chairman

DATE: DECEMBER 5, 1984

RE: Request of Burlington Realty and Development Company, Inc., for a Zoning Map Amendment from the current zoning of Urban Residential Two, UR-2 to Commercial Two, C-2 for a 0.719 acre tract located on the north side of KY. 18, Burlington Pike, Boone County.

REMARKS: We, the Committee, recommend to the Commission that an approval recommendation be forwarded to the Boone County Fiscal Court for this request based upon the following findings of fact:

1. That this request conforms with the Boone County Comprehensive Plan Land Use map and text which indicates a planned land use of Commercial for this property.

2. That the original zoning of UR-2 is inappropriate for this tract because it lies between two other commercial uses.


We the Committee, also include in this recommendation the submitted Concept Development Plan subject to the applicant agreeing to make the Plan a part of a condition to the granting of this zone change.

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MELVIN DELONG, Chairman

  
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DON DAVIS

  
\_\_\_\_\_  
LARRY BARNETT

\_\_\_\_\_  
R. L. BUSE, JR.

  
\_\_\_\_\_  
R. A. JONES

  
\_\_\_\_\_  
BILL VIOX



SOURCES		ACQUISITION	
NO.	DATE	NO.	DATE
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