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REQUEST OF W.G. AND W.H. MOORE FOR A
ZONING MAP AMENDMENT FROM
AGRICULTURAL ESTATE (A-2) TO
SUBURBAN RESIDENTIAL ONE (SR-1)
AUGUST 26, 1987

This is a request of W.G. and W.H. Moore to change the zone on a 35.3 acre tract from Agricultural Estate (A-2) to Suburban Residential One (SR-1). The site is located on the south side of Conner Road and east of Limaburg Road in Boone County, Kentucky. The parcel to be rezoned is situated 500 feet from Conner Road, and the applicant intends to develop as part of a subdivision. A preliminary plan incorporating the zone change request area was approved by the Boone County Planning Commission June 3, 1987.

Surrounding Land Uses and Zoning

The surrounding land use south of Conner Road is agricultural and woodland with single-family residences along Conner Road. Across Conner Road to the north are single-family residential uses. The surrounding zoning includes Rural Suburban (RS) on the 500 foot deep strip of property along Conner Road that is owned by the applicant. Zoning to the east, south, and west is Agricultural Estate (A-2).

Natural Features of the Site

The site currently supports agricultural uses, including an orchard. Central farm buildings and a house exist immediately north of the parcel to be rezoned. The site slopes gradually to the south where a small stream is located. This corner of the site contains some dense woodland. Soils present on the site include Avonburg Silt Loam (Av) usually found in level conditions, Jessup Silt Loam (JeD) found on 12 to 20 percent slopes, and two types of Rossmoyne Silt Loam (RsB and RsC) found on 0 to 12 percent slopes.

Relationship to Comprehensive Plan

The Future Land Use Map depicts the area as future Low Density Residential Uses. The Land Use Element that mentions the future growth of the Hebron area on page L-12:

"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 and KY 237."

The Housing Element, page H-20, also notes the future residential growth in the Hebron area:

"This area is a rapidly developing part of the county. The construction of new KY 18, new KY 237, and I-275 has committed the area to continued growth in the form of low and medium density housing. The topography is favorable for development and all population projections indicate a significant growth in the area. A new elementary school to be built at KY 237 and KY 18, instead of on Camp Ernst Road, may shift some residential growth from the Union area."

One of the objectives of the Housing Element, on page G-2, states:

"7. Residential development plans shall insure the continuity of the interior street system with the system already built or planned in the neighboring areas, as well as provide for the coordination of this local system with the major transportation network."

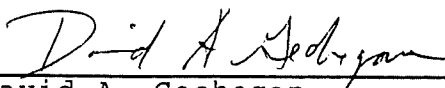
Applicant's Plans and Staff Concerns

The applicant has submitted a tentative Preliminary Plat with this request to serve as an indication of the applicant's overall intentions for the site. A letter has been submitted that indicates a maximum of approximately 3 dwelling units per acre which corresponds to the Low Density Residential Future Land Use of up to 3 units per acre for the site. The applicant has indicated that if a sanitary sewage treatment plant is not constructed, lots will be one acre or larger in size.

A logical future connection to the Harms property to the southwest could provide a connection to another potential subdivision tract and/or a street connection between Conner Road and Limaburg Road.

Conclusion

This zone change request would allow a higher density of residential uses near the public facilities and services present in the Hebron area. Should the request be approved by the Boone County Planning Commission and the Boone County Fiscal Court, the Future Land Use Map would not need to be adjusted.



David A. Geohagan,
Planner/Plans Examiner

DAG:mcb

CECIL CONNER

S 45° 30' W
231'

SCALE 1"=300'

STANLEY AYLOR

VICINITY MAP
SCALE 1"=2000'

S 44° 45' E 2090.50'

PARCEL
TO BE
REZONED
35.3 AC.

N 70° 28' 30" W

2325.38'

CONNER H.S.

CONNER LANE

SITE

RICHARD HARRIS
AND SON

SIM TARDEN

A2

BEGIN

N 45° 30' E 1240.36'

R3

MOORE

S 44° 45' E
500'

CONNER LANE

PARCEL TO BE REZONED

THE MOORE PROPERTY
HEBRON, BOONE CO., KENTUCKY
Scale 1"=300' August 4, 1987

Viox & Viox, P.S.C.
CIVIL ENGINEERS & LAND SURVEYORS
ERLANGER, KENTUCKY



APPLICATION FOR ZONING ACTION

TO:

- | | |
|---|---|
| <input type="checkbox"/> Boone County Planning Commission | <input type="checkbox"/> City of Union Board of Adjustment |
| <input type="checkbox"/> City of Florence Board of Adjustment | <input type="checkbox"/> City of Walton Board of Adjustment |
| <input type="checkbox"/> Boone County Board of Adjustment | <input type="checkbox"/> Zoning Enforcement Officer |

FOR:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Comprehensive Plan Change | <input type="checkbox"/> Planned Development Overlay Change |
| <input type="checkbox"/> Preliminary Plat Review | <input type="checkbox"/> Improvement Plat Review |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final or Deed Plat Review |
| <input type="checkbox"/> Concept Development Plan Change | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Historic District Overlay |
| <input type="checkbox"/> Change of Non-Conforming Use | <input type="checkbox"/> Appeal or Variance |
| <input type="checkbox"/> Design Review Board and Certificate of Appropriateness | <input type="checkbox"/> Sign or Zoning Permit |

Applicant: W.G. AND W.H. MOORE Owner

Agent

Address: 2722 BULLITTSBURG CHURCH ROAD

BURLINGTON, Ky. 41005

Telephone: 689-7034

Location: CONNER LANE, HEBRON

Name of Property Owner: SAME

Address of Property Owner: SAME

Zoning District: A-2 Area in Acres: 35.3 Ac

Deed Book: 199 Page Number: 493 Group Number: _____

Description of Request: REZONE FROM A-2 TO SR-1

FOR RESIDENTIAL SUBDIVISION

Applicant's Signature: William Moore

Property Owner's Signature: William Moore

Application Fee: \$461.20 FOR PLANNING COMMISSION USE ONLY Date Received: 8-5-87 BY: YMB

Referred To: Kevin Costello D. Geohagan Meeting Date: 4:10pm. A/B. 8/5/87

Action Taken: Approved Date of Action: 9/2/87
2/ Conditions

EXHIBIT "A"



JAMES H. VIOX, III, P.E.
KY. REG. NO. 6880
KY. LAND SURVEYOR NO. 797

WILLIAM R. VIOX, P.E.
KY. REG. NO. 9209
KY. LAND SURVEYOR NO. 1781

DESCRIPTION
Parcel to be Rezoned

A parcel of land lying near the southeasterly side of Conner Lane in Boone County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being S 44-45 E - 500 feet from the most northeasterly corner of W.G. and W.H. Moore, said point also being in the southwesterly line of Jim and Jeanette Tanner and running thence:

S 44-45 E a distance of 2090.50 feet, to a point, thence
S 45-30 W a distance of 231.00 feet, to a point, thence
N 70-28-30 W a distance of 2325.38 feet, to a point, thence
N 45-30 E a distance of 1240.36 feet, to the place of
beginning and containing 35.3 acres more or less.

7/6/87

EXHIBIT "B"

Mr. Viox turned the Chair over to Mr. Barry Neltner who introduced the last item on the agenda:

5. Applicant: W. G. and W. H. Moore (owners)
Request: Zoning Map Amendment

This was a Public Hearing on a request of W. G. and W. H. Moore (owners) for a Zoning Map Amendment for a 35.3-acre site located off Conner Lane, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Suburban Residential One (SR-1). The intended use is a residential subdivision.

Staff Member, Dave Geohegan, presented the Staff Report (see Staff Report).

Mr. Neltner asked the applicant for his comments at this time.

Mr. Jim Viox, representing the Moores, presented the Preliminary Plat for the site. He noted that the applicant has submitted an Improvement Plan for a portion of the site. He stated that the applicant felt that the neighbors on Conners Lane may be concerned by an application to increase the density of the site. He stated that the Improvement Plan is in agreement with the Preliminary Plat and current zoning classification of A-2. He noted that the A-2 Zone permits one dwelling unit per two acres. The Comprehensive Plan designates the area for single-family use, not to exceed three units per acre. The applicant wants to be in conformance with the Comprehensive Plan. Mr. Jim Viox noted the allowable uses in the A-2 Zone. The applicant is requesting a change to the Suburban Residential One (SR-1) Zone, which is the classification most closely related to the Comprehensive Plan designation of no more than three units per acre. He noted the topography of the area and the configuration of the site. He noted that a Concept Development Plan is not required, but the applicants want to indicate their intentions. The applicants want to develop a subdivision. They intend to build the infrastructure to support the subdivision and are aware that if the lots are less than one acre in size they will be required to construct a sewer system. They do not intend to reduce the size of the lots in Phase I.

Mr. Neltner asked if the owners wished to comment, or if there was anyone present who wished to speak in behalf of the request or in opposition to it. There being no response, he asked if there were any comments from the Commission.

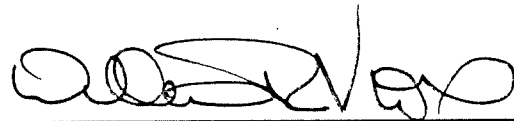
Mr. Geohegan noted that the site in question is adjacent to a parcel with frontage on Limaburg Road (known as the Harms property), which could be subdivided in the future. In the interest of the intent of the Subdivision Regulations and the Comprehensive Plan, he suggested that a future connection be provided between the two sites.

Mr. Jim Viox indicated the location of the Harms property on a diagram and stated that he believed the applicants are willing to consider the issue of a future connection between the two properties on the Preliminary Plat. At this time, they are only addressing the zone change request.

Mr. Neltner asked if there were any further comments or questions. There being none, he stated that this request will be on the agenda for the Business Meeting on September 2, 1987 at 8 P.M..

Hearing no further comments or questions, Mr. Neltner closed this Public Hearing.

APPROVED:



William Viox
Chairman of the Technical Committee

ATTEST:



Jan Hancock
Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

September 2, 1987 8:00 P.M.

Mr. Paul Kroger, Chairman, called the meeting to order.

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett
Mr. Fred Burch
Mr. Lawrence Collins
Mr. Donald Davis
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Michael Hemmer
Mr. Rector Jones
Mr. Paul Kroger, Chairman
Mr. Don McMillian
Mr. Barry Neltner
Mr. Floyd Sharp
Mrs. Carol Smith
Mr. William Viox

COMMISSION MEMBERS NOT PRESENT:

Mr. David Martin, Vice Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Kroger noted that each member had received a copy of the Minutes of the Business Meeting of August 19, 1987 and the Public Hearing held August 26, 1987 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 August 19, 1987 and the Public Hearings of August 26, 1987 be approved. Mrs. Smith seconded the motion and it carried unanimously.

5. Zoning Map Amendment

A request of James G. Woltermann (agent for Ronald G. Joseph) for Eugene Stephenson et al (owners) for a Zoning Map Amendment for a site located at 8137-8152 Burlington Pike. The 4.62-acre site is zoned Commercial Two (C-2) and Suburban Residential One (SR-1) and a portion of the site is located in the City of Florence, and in unincorporated Boone County. The request is to change the zone to Commercial Services (C-3) for a Hyundai automobile dealership.

Mr. Gerald Newton, Director, read the Committee Report which recommended deferral until the September 16, 1987 Business Meeting based upon the applicant's request. (See Committee Report and letter from the applicant dated September 2, 1987.)

The Chairman asked if there were any comments or questions.

There being no discussion, Mr. Viox moved that the request be deferred until the September 16, 1987 Business Meeting as recommended in the Committee Report. Mr. Jones seconded the motion and it carried unanimously.

6. Zoning Map Amendment

A request of W. G. and W. H. Moore (owners) for a Zoning Map Amendment for a 35.3-acre site located off Conner Lane, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Suburban Residential One (SR-1). The intended use is a residential subdivision.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval based on the findings of fact, but subject to conditions (see Committee Report).

Staff Member, Dave Geohegan, submitted to the Chairman a copy of a letter indicating the applicant's agreement to the conditions noted. Chairman Kroger read the letter from Mr. James H. Viox written in behalf of the applicant. A copy is on file in the Staff Office.

Chairman Kroger asked if there were any comments or questions from the audience. There being no response, he asked if there were any comments from the Commission.

There being no discussion, Mr. Jones moved that the request be approved based on the Staff and Committee Reports. Mr. Collins seconded the motion. Mr. William Viox stated that he would abstain from voting as his company represents the applicant.

All voting members were in favor of the motion and it carried.

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Larry Barnett, Chairman

DATE: September 2, 1987

RE: Request of W.G. and W.H. Moore (owners) for a Zoning Map Amendment for a 35.3 acre site located off Conner Lane, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Suburban Residential One (SR-1). The intended use is a residential subdivision.

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment based upon the following findings of fact and the following conditions which are intended to clarify the applicant's plans as presented at the August 26, 1987 Public Hearing.

FINDINGS OF FACT

The requested Zoning Map Amendment is in conformance with the Boone County Comprehensive Plan which indicates future Low Density Residential uses for the area. The Plan also notes the future growth of the Hebron area because of its increase in public facilities and services and its location. The Comprehensive Plan also calls for locating higher density uses where they can benefit from public services. Specific references are made to the Boone County Comprehensive Plan in the Staff Report.

CONDITIONS

1. The applicant had indicated at the August 26, 1987 Public Hearing that the density of any residential subdivision constructed on the 35.3 acre site would not exceed three dwelling units per acre. The Committee recommends this as a condition.
2. The applicant shall provide for, in subsequent subdivision plan reviews, a logical street connection to the property to the southwest currently known as the Harms property. This street connection shall not be required if the Harms property develops for other than residential uses.

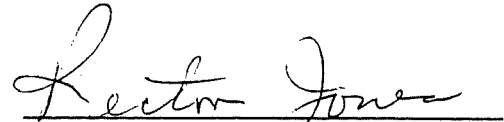
(Signatures follow on page 2)

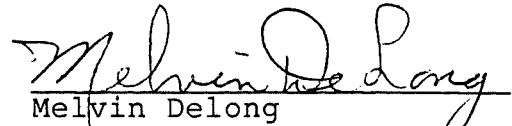
Larry Barnett, Chairman

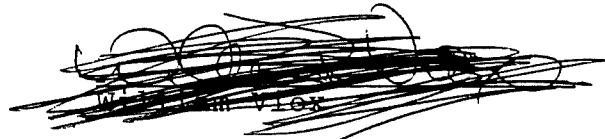

Donald Davis


Fred Burch

jdh


Rector Jones


Melvin DeLong


~~William V. Fox~~



VIOX & VIOX, P.S.C.

CONSULTING ENGINEERS & SURVEYORS

488 ERLANGER ROAD

ERLANGER, KENTUCKY 41018

PHONE: (606) 727 - 3293

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KY. REG. NO. 9209

KY. LAND SURVEYOR NO. 1781

September 2, 1987

Boone County Commission
P.O. Box 97
Burlington, Kentucky 41005

attn. Gerald A. Newton, Director

RE: Moore Zone Change, Conner Lane

Dear Mr. Newton:

This is to inform you that the applicant for the Moore zone change agrees with the conditions outlined in the Committee Report of this date.

I hope this is sufficient for your needs.

Yours truly,

James H. Viox, III, P.E.

ORDINANCE 920.132

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATES (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), FOR A 35.3 ACRE SITE GENERALLY LOCATED OFF CONNER LANE, BOONE COUNTY, KENTUCKY, AS REQUESTED BY W.G. AND W.H. MOORE (OWNERS) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSION VIA RESOLUTION R-52-87.

WHEREAS, the Boone County Planning Commission received a request for approval for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 35.3 acre site generally located off Conner Lane, Boone County, Kentucky, which is more particularly described below; and,

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby recommended for approval, this Zoning Map Amendment being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 35.3 acre site generally located off Conner Lane, Boone County, Kentucky. The real estate which is the subject of this zone change recommendation is more particularly described in attached "Exhibit A."

SECTION II

That as a basis for the recommendation of approval of the zone change 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 Ordinance and marked as "Exhibit B."

The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit C."

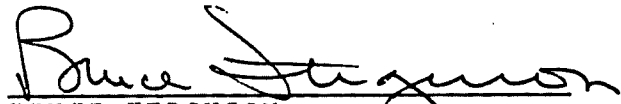
SECTION III

This recommended zoning classification is subject to the committee report setting forth certain terms or conditions as part of a Concept Development Plan which, to be enforceable, should be agreed upon and to by the property owner.

THAT, this ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced, seconded and given First Reading on the 22nd day of September, 1987.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 20th day of October, 1987, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.


BRUCE FERGUSON
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:


R. SCOTT KIMMICH
FISCAL COURT CLERK

SUBMITTED BY:


LARRY CRIGLER
BOONE COUNTY ATTORNEY

11-12-87
DATE PUBLISHED