

REQUEST OF WALT RAMEY (APPLICANT) FOR MR. & MRS. LENORE C. SURFACE (OWNERS)
FOR A ZONING MAP AMENDMENT FROM SUBURBAN RESIDENTIAL TWO (SR-2)
TO COMMERCIAL ONE (C-1) AND TO CONSIDER A
CONDITIONAL USE PERMIT AND VARIANCE IN BUFFER REQUIREMENT
January 27, 1988

The applicant, Walt Ramey, is requesting a Zoning Map Amendment for a 0.55 acre site from Suburban Residential Two (SR-2) to Commercial One (C-1) to allow a glass shop. The Conditional Use request is to allow the construction of service bays for the installation of glass/windows in automobiles within the Commercial One (C-1) zone.

The Variance request is for a reduction of the side yard buffer requirement when a Commercial One (C-1) zoning district adjoins a residential zone. The proposed use would utilize a portion of an existing house as well as a building addition.

Surrounding Land Uses and Zoning

The current use of the property is for a single-family residence. Immediately east of the site is Dave Lipp's Pool Shop which is zoned Commercial One (C-1). Property to the south is vacant and is also zoned Commercial One (C-1). Property to the west currently contains a single-family use and is zoned Suburban Residential Two (SR-2). Across KY 18 to the north is Simon and Fischer Honda and the Greenview Baptist Church. Both properties are zoned Commercial Services (C-3).

Site Features

The 0.55 acre site currently contains a one-story frame house, a garage, and a shed. The site is accessed by its own curb cut on KY 18 and a gravel drive. The site is situated 5 to 10 feet lower than KY 18 and slopes gradually to the southwest. There are several very large Maple trees and a large Spruce tree on the property. Soils on the site include two types of Rossmoyne Silt Loam (RsB and RsC) which normally exist on 0-12 percent slopes. There is limited risk of erosion.

Relationship to Comprehensive Plan

The Boone County Comprehensive Plan Land Use Map depicts the site as future commercial land uses. In addition, the text of the Plan addresses the site and the future location of commercial uses in Boone County.

Page L-15 of the Land Use Element addresses development of the KY 18 area:

"The Mall Road area will continue to grow as a regional shopping area and its spill over onto US 42, KY 18, and Houston Road will be evident, thus, needs to be substantially controlled. Commercial growth on KY 18 will be primarily interchange related. Houston Road lies very close to the future runway so it must be carefully developed in a light commercial, light industrial manner. The existing residential homes fronting on KY 18 will become small commercial areas. The use of interconnecting parking lots or frontage roads on this section of KY 18 is critically important to the success of any development and trafficability on this portion of KY 18."

Conditional Use Request

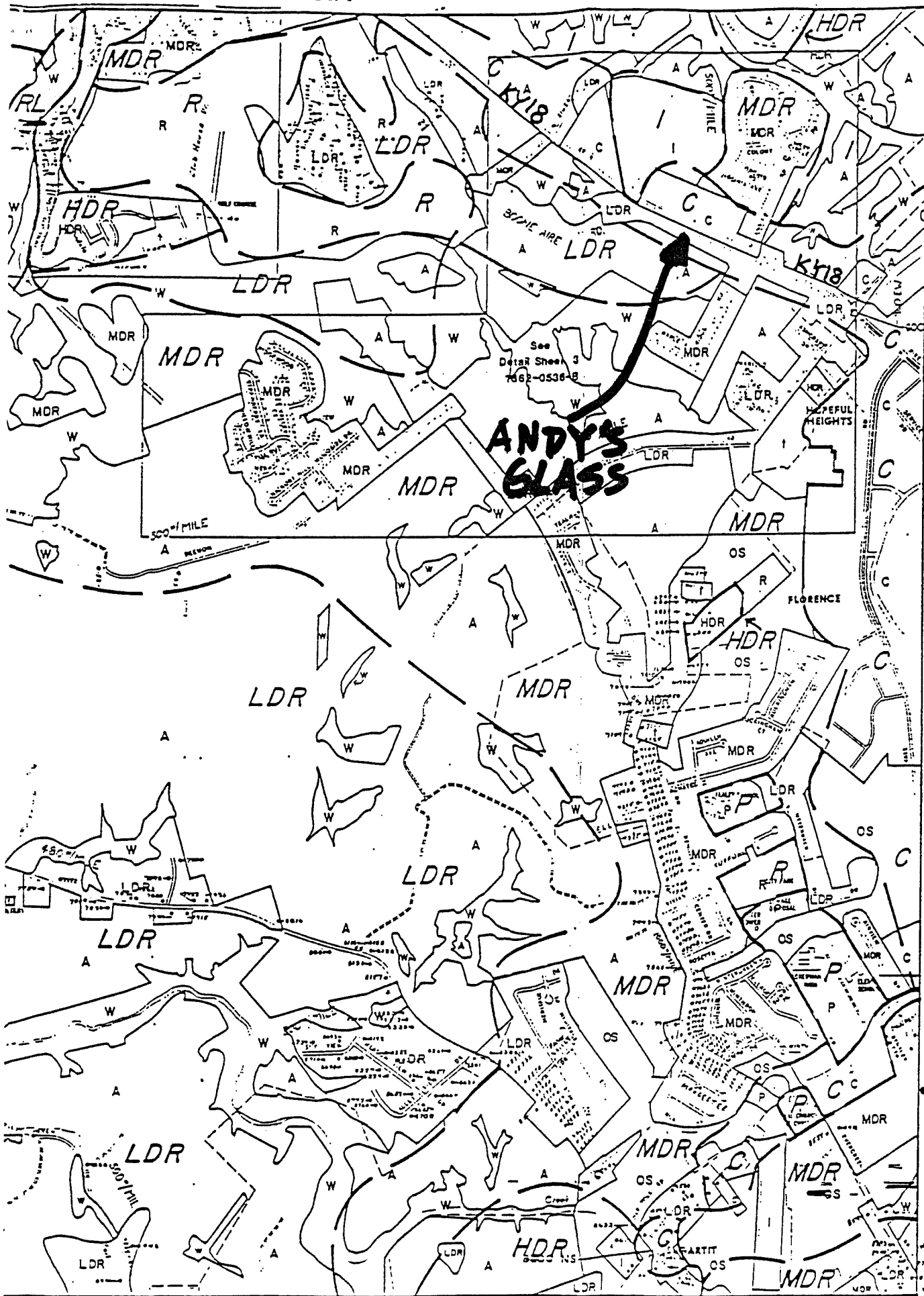
In addition to the Zoning Map Amendment, the applicant is requesting a Conditional Use Permit to allow the service of installing windows in automobiles within the requested Commercial One (C-1) zone. The request is reviewed in terms of the seven criteria used to grant Conditional Use Permits.

1. The Boone County Comprehensive Plan Future Land Use Map indicates commercial usage of the property, but does not specify the type of commercial use envisioned. The plan also calls for commercial development along KY 18 to coordinate with residential development so that the area does not become merely a strip extending out of Florence.
2. The development of the site could be designed to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity. Items such as architecture, vegetation, lighting, and parking would need to be addressed in more detail.
3. Staff has found no reason that the proposed use would be hazardous to existing or future neighboring uses.
4. The site will be adequately served by essential public facilities with the exception of sanitary sewerage. The developer would need to provide alternative methods until sewerage is available to the site.
5. The request will require addressing traffic circulation impact on KY 18, and may require some improvements.
6. The applicant has indicated to staff that the requested use would not involve any activities that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
7. The vehicular approaches to the property, as well as pertinent frontage road issues, would need to be designed appropriately.

Variance Request

The applicant is also requesting a Variance in the required buffer area when a C-1 zone adjoins a residential zone. This is a result of the existing driveway being adjacent to the residential property to the west. In order to upgrade the driveway at its present location, it would be at the property line and would therefore not contain the required buffer area. The Variance request is reviewed in terms of the four findings of fact needed to grant a Variance.

1. Many of the other properties along the south side of KY 18, both zoned commercially and residentially, have driveways at their property lines.



**ANDY'S
GLASS**

**1986
FUTURE
LAND
USE
MAP.**

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: WALT RAMEY (ANDY'S GLASS SHOP) Owner
 Address: 1620 BURLINGTON PK FLORENCE KY, 41042 Agent
 Telephone: 371-9993

Location: 1041 BURLINGTON PIKE, FLORENCE, KY 41042

Name of Property Owner: MR & MRS LENORE C. SURFACE

Address of Property Owner: 1041 BURLINGTON PK, FLORENCE

Zoning District: SR-2 Area in Acres: _____

Deed Book: 358 Page Number: 295 Group Number: 2032

Description of Request: SEEKING ZONING MAP AMENDMENT TO C-1 TO ALLOW FOR GLASS REPLACEMENT BUSINESS ON SITE, ALSO REQUESTING A CONDITIONAL USE AND VARIANCES AND BUFFER REQUIREMENTS AS NEEDED

Applicant's Signature: Walt Ramey

Property Owner's Signature: X H S Surface X Lenore C. Surface

Application Fee: Carried Over from FOR PLANNING COMMISSION USE ONLY Date Received: 12/16/87 By: Dave

Referred To: DAVE G. Meeting Date: 12/16/87 NB. 12/16/87

Action Taken: Approved w/conditions Date of Action: 2/3/88

EXHIBIT "A"

of Sixty-Three Thousand Five Hundred (\$63,500.00) Dollars,
the receipt whereof is hereby acknowledged, do(es) hereby bargain, sell and convey to
Harris Lee Surface and Lenore C. Surface, his wife, as joint tenants, their

heirs and assigns forever, the following described real estate, lying and being in Boone County, Kentucky to-wit:
Grantor Mailing Address 1041 Burlington Pike, Florence, Ky. 41042 Group No. 2032
Property Address 1041 Burlington Pike Plat Book Page

Located generally on the south side of Kentucky 18, .4 mile west of Hopeful Road and described thus:

Beginning at the intersection of the west line of the Wm. J. Mautz 3.16 acre tract (DB 84, page 420) with the centerline of Kentucky Rt. 18; thence with part of said west line S. 24-15 W. 176.8 feet; thence on a line partitioning said tract S. 66-30 E 153 feet, N. 24-15 E. 176.8 feet to the centerline of Kentucky Rt. 18; thence along the said centerline N. 66-30 W 153 feet to the beginning. Containing .612 acres and subject to legal highways.

Being the same property conveyed to John E. Cronin, by deed from Floyd W. Dringenburg and Ruth M. Dringenburg, his wife, dated July 26, 1977, and recorded in Deed Book 233, page 273, of the Boone County Clerk's records at Burlington, Kentucky.

Being the same property conveyed to the Grantor(s) by
by deed dated _____ day of _____, 19____ and recorded in Deed Book _____ Page _____, in the
office of the Clerk of the Boone County Court, Burlington, Kentucky.
Together with all the privileges and appurtenances to the same belonging. To have and to hold the same to the said
Harris Lee Surface and Lenore C. Surface, his wife, as joint tenants, their

heirs and assigns forever, with covenants of general warranty.
IN WITNESS whereof the said John E. Cronin and Rosemary Cronin, his wife,

signed at their hands this 30th day of December, 1986

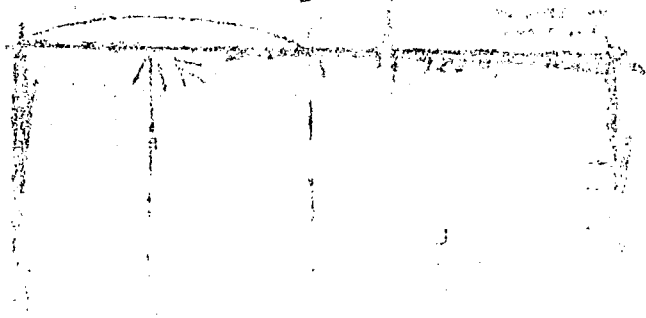


EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #3
January 27, 1988

Page 1

Chairman Viox opened the Public Hearing for the third item on the Agenda:

3. Applicant: Walt Ramey for Mr. and Mrs. Lenore C. Surface
Request: Zoning Map Amendment

This was a Public Hearing on the request of Walt Ramey (applicant) for Mr. and Mrs. Lenore C. Surface (owners) for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial One (C-1) and for a Conditional Use Permit and Variance in buffer requirement to allow a glass shop and installation of automobile windows. The 0.55-acre site is located at 1041 Burlington Pike, Boone County, Kentucky.

Staff Member, Dave Geohegan, presented the Staff Report which included a slide presentation (see Staff Report). Mr. Geohegan stated that on the Concept Development Plan the proposed building addition is within 13 feet of the rear property line. The minimum setback is 20 feet and a Variance would be need in this regard, or a modification needs to be made through Site Plan review. This information was no contained in the Staff Report.

Chairman Viox asked the applicant for his comments.

Mr. Ramey distributed to the Commission a booklet entitled, "Zone Change, Conditional Use Permit, Variance -- Proposal in Regards to the Property Located at 1041 Burlington Pike, Florence, KY 41042". Mr. Ramey reviewed the information contained in the booklet. He added that this location will be used to dispatch service trucks throughout the area with only 20% of their work taking place on the site. He stated that they will participate with the county in the construction of a parallel service road. He stated that this site does not lend itself to residential use due to the other uses in the area and the traffic. He stated that they will try to preserve as many trees as possible on the site and will provide adequate buffering. The site has city water and its own sanitation system. They will provide additional facilities as required. They will create no public costs, an no smoke, fumes or odors. They will temporarily use the existing access to KY 18. Mr. Ramey displayed a picture of a facility similar to the one which will be on this site. They will use the existing four rooms of the house and remove the rest. He stated that the requested Variance is needed due to the location of the existing driveway and the topography.

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 if there were any questions.

Dr. Richard Brogue stated that he owns an office building next to Dave Lipp's and also property to the rear of this site. He stated that some of his questions are from Mr. Kine, an adjacent property owner who was unable to attend this meeting. Dr. Brogue stated that when he moved into his property three years ago, he was informed by the Highway Department that he could not move his driveway as this was a limited access highway. Dr. Brogue asked if the site, in consideration of the setbacks and the parking area, could provide proper drainage of the sewage and septic systems. He stated that Mr. Kine is concerned about buffering of the driveway on this site, which is next to his driveway. Dr. Brogue also questioned where automobiles being repaired on the site would be stored.

Mr. Ramey stated that they never store cars. He indicated on a drawing the location of the existing septic system and stated that they are willing to install whatever is necessary -- including a holding tank covered by a service contract. He stated that they are planning to plant pine trees to the rear of the site as a buffer, and also on the side of the property.

There being no further comments, Chairman Viox asked if there were any questions from the Commission.

In response to a question from Mr. Neltner, Mr. Ramey stated that the four employees indicated also includes those working off-site. He added that all service done on the site would be inside the building. He stated that they are not considering access through Mr. Lipp's property as they have their own entrance and they see no reason why their access should be taken away.

Mr. DeLong stated that he would like to see the service road started now. He added that he is concerned by the Variance needed to the rear of the site. Mr. DeLong asked if there would still be adequate parking if the service road were put in now.

Mr. Geohegan stated that adequate parking would still be available.

In response to a question from Mr. Damstrom regarding the amount of noise on the site, Mr. Jerry Deters (owner of Andy's Glass Shop) stated that they do not anticipate there being any noise and the largest piece of equipment on the site would be a vacuum sweeper.

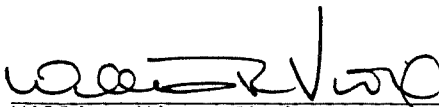
Mr. McMillian raised questions regarding the dispatching of the trucks. Mr. Deters stated that the trucks are dispatched whenever they are needed, and there are only two trucks involved. He added that there would only be five to ten trips per day. He added, in response to a question from Mrs. Bushelman, that their materials are delivered by nothing larger than a half-ton pick-up truck.

Mr. Collins asked Mr. Deters if he would be willing to give right-of-way of this property to the other property owners for the service road. Mr. Deters stated that he would be agreeable to this.

Chairman Viox advised Mr. Ramey to contact the Health Department in regard to the sanitation systems as their rules have changed recently.

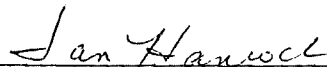
There being no further discussion, Chairman Viox advised that this item will be on the Agenda for the Business Meeting on February 3, 1988 at 8 P.M. and closed this Public Hearing.

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.

Miss Lisa Roberts stated that a trailer would not benefit the adjoining property owners and would lower their property values. Mrs. P. J. Schneider agreed with her comments.

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

Mr. Barnett stated that he did not sign the Committee Report as he does not agree with it. He added that the Comprehensive Plan calls for the area to be agricultural in nature.

Staff Member, Tom Breidenstein, stated that the Comprehensive Plan calls for low density residential development in the area, which would be up to three dwelling units per acre.

Mr. Barnett stated that one home on a 60-acre tract is low density development. He stated that the applicant has agreed to limit development to one mobile home, with the possibility of removal, which is less offensive than a small house that does not fit in with the character of the area. Mr. Barnett stated that he would be in favor of the request, provided that the mobile home was removed when a permanent home was built. Mr. Greene agreed with his comments.

Chairman Viox asked for a roll call vote on the motion made by Mr. McMillian to deny the request which found Mr. Burch, Mr. DeLong, Mr. McMillian, Mr. Moore, Mr. Neltner, Mr. Rush, Mr. Sharp, Mrs. Smith and Mr. Viox in favor. Mr. Barnett, Mrs. Bushelman, Mr. Collins and Mr. Greene were opposed. And Mr. Damstrom, a new Commissioner, not voting. The motion carried.

3. Zoning Map Amendment

A request of Walt Ramey (applicant) for Mr. and Mrs. Lenore C. Surface (owners) for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial One (C-1) and for a Conditional Use Permit and Variance in buffer requirement to allow a glass shop and installation of automobile windows. The 0.55-acre site is located at 1041 Burlington Pike, Boone County, Kentucky.

Staff Member, Dave Geohegan, read the Committee Report which recommended approval of the Zoning Map Amendment and Conditional Use requests based on the findings of fact, but subject to conditions (see Committee Report). The applicant has submitted a letter withdrawing the request for a Variance.

Mr. McMillian moved that the request be granted based on the findings of fact in the Committee Report and subject to the conditions noted. Mr. Burch seconded the motion.

Mr. Ramey stated that they are withdrawing their request for a Variance based on their meeting with the State Highway Department. He stated that they will meet the conditions contained in the Committee Report and are agreeable to those conditions.

There being no further discussion, Chairman Viox asked for a vote on the motion made by Mr. McMillian and it carried unanimously.

4. Zoning Map Amendment

A request of Mitchel Wade (owner) for a Zoning Map Amendment for property located at 10247 Squire Drive, Boone County, Kentucky. The 5-acre site is located south of Mt. Zion Road and just east of I-75. The request is to rezone the 5-acre site from Suburban Residential One (SR-1) to Commercial Services (C-3).

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

Mr. Collins moved that the request be denied based on the Committee Report. Mr. Damstrom seconded the motion.

Chairman Viox asked the applicant if he wished to comment.

Mr. Wade stated that he is a disabled Vietnam Veteran and that denial of this request affects his livelihood. He stated that the site is useless as residential property.

Mr. Gerald Sanfous asked that the request be denied. He stated that Mr. Wade knew the land could not be built on when he bought it.

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

Mrs. Bushelman asked if the auto repair shop represented a livelihood or a hobby for Mr. Wade.

Mr. Wade stated that it is a livelihood.

There being no further discussion, Chairman Viox asked for a vote on the motion made by Mr. Collins to deny the request and it carried unanimously.

5. Zoning Map Amendment

A request of Fred Kissel (agent) for Carter Lumber Co. (owner) for a Zoning Map Amendment to expand an existing business at 10060 Dixie Highway, Boone County, Kentucky. The request is to rezone the 8.6-acre site from Industrial One (I-1) to Commercial Services (C-3).

Staff Member, Kevin Costello, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He noted that the applicant is being asked to agree to include these items as part of the Concept Development Plan.

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Carol Smith, Chairwoman

DATE: February 3, 1988

RE: Request of Walt Ramey (applicant) for Mr. and Mrs. Lenore C. Surface (owners) for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial One (C-1) and for a Conditional Use Permit and Variance in buffer requirement to allow a glass shop and installation of automobile windows. The 0.55 acre site is located at 1041 Burlington Pike, Boone County, Kentucky.

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment and Conditional use requests based upon the following findings of fact and with the following conditions. The applicant has submitted a letter withdrawing the request for a Variance. The applicant is being asked to agree to include the items included under the Conditions section as part of the Concept Development Plan in order to clarify the plan as presented at the 1/27/88 Public Hearing.

Findings of Fact

1. The requested Zoning Map Amendment is in agreement with the 1986 Boone County Comprehensive Plan. The Future Land Use Map indicates commercial usage for the site, and the text of the Land Use Element describes the future commercial usage of existing residential areas on KY 18. Specific references to the Comprehensive Plan are made in the Staff Report dated 1/27/88. The Committee also believes that the requested type of use and the requested Conditional Use correlate well with the nature of residential and auto-related commercial development occurring along the KY 18 corridor. As reviewed in the Staff Report, and further clarified by the conditions below, the Committee believes that the request meets the seven criteria found in Section 263 of the Boone County Zoning Regulations for evaluating Conditional Use requests.
2. The existing zoning classification of Suburban Residential Two (SR-2) is inappropriate to reflect the recent growth patterns of the area and the proximity of KY 18 and associated commercial uses and zoning. The proposed zoning classification of Commercial One (C-1) is appropriate to reflect development and zoning on adjacent parcels, as well as the immediate frontage on KY 18.

Conditions

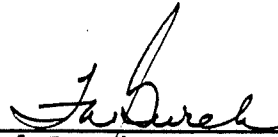
1. The Committee would like to note that the applicant has submitted a letter withdrawing the request for a Variance in buffer requirement. As a result, the proposed driveway for the site will have to be a minimum of 20 feet from the west property line.
2. The proposed access drive to the site shall be designated a Temporary Access Point under Section 1758A of the Boone County Access Management Regulations. At such time as the site is provided an alternate means of access, the proposed curb cut can be required to be closed by the Planning Commission.
3. The applicant or owner/developer shall be required to construct, as part of the site development, a driveway or frontage road connection to property to the east on KY 18. Details are to be finalized at subsequent review stages. The owner of this site shall also participate in future access to property to the west at such time as that property undergoes a change in use. If a driveway connection or frontage road connection becomes desirable at that time, the owner of this site will be required to construct the connection to the west property line.
4. No paging systems or loud speakers shall be utilized on the site. Also, during subsequent review stages, detailed lighting plans shall be required that eliminate lighting overflow onto adjacent property or onto the KY 18 right-of-way.
5. The site shall be limited to one building-mounted sign.
6. A detailed landscaping plan shall be supplied at site plan review that contains the following:
 - a) The 18 inch Spruce tree shall be retained along with as many as possible of the other existing trees through site design.
 - b) A substantial mixture of both evergreen and ornamental trees and shrubs shall be planted around the proposed building, the parking area, and along the KY 18 right-of-way. Such trees shall be at least 2 inches in caliper, and the shrubs shall be at least 3 feet in height, except where driver visibility is restricted.
 - c) The 20 foot buffer area required along the west edge of the site shall be planted with two staggered rows of 8 foot evergreen trees spaced 15 feet on center.

Conditions - Continued

7. The development shall be required to connect to a public sanitary sewer system at such time as such a system becomes available to the site. All other interim forms of sewage treatment will need to conform to the requirements of the respective Health Department.

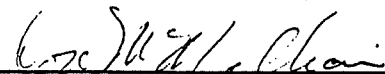


Carol Smith, Chairwoman



Fred Burch

Rector Jones



Donald McMillian



Larry Barnett

CS:mcb

2/3/88

Boone Co. Planning & Zoning Commission

RE: TO ANDY'S CLASS VARIANCE REQUEST

Dear Members,

I do hereby withdraw our request for a variance in regard to the placement of our driveway located on the west side of our submitted site plan.

The reason for our withdrawal of this variance is as follows. The Highway Dept has determined that our drive can be moved 20' off of the property line with no problem to access to RT 18.

Respectfully

Walt Ramey

R-7-88

ORDINANCE 920.140

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 SUBURBAN RESIDENTIAL TWO (SR-2) TO COMMERCIAL ONE (C-1) FOR AN 0.55 ACRE SITE LOCATED AT 1041 BURLINGTON PIKE, BOONE COUNTY, KENTUCKY, AS REQUESTED BY WALT RAMEY (APPLICANT) FOR MR. AND MRS. LENORE C. SURFACE (OWNERS) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSION VIA RESOLUTION (R-7-88). (A CONDITIONAL USE PERMIT IS ALSO RECOMMENDED FOR APPROVAL WITH CONDITIONS THROUGH THIS REQUEST. THE INTENDED USE IS A GLASS SHOP AND INSTALLATION OF AUTOMOBILE WINDOWS).

WHEREAS, the Boone County Planning Commission received a request for approval with conditions for a Zoning Map Amendment to the Boone County zoning map and such Zoning Map Amendment being a zone change from Suburban Residential Two (Sr-2) to Commercial One (C-1) for an 0.55 acre site located at 1041 Burlington Pike, 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 approval with conditions for the zoning map amendment.

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 approval with conditions, this Zoning Map Amendment being a zone change from Suburban Residential Two (Sr-2) to Commercial One (C-1) for an 0.55 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The real estate which is the subject of this zoning map amendment recommendation for approval with conditions is more particularly described in attached "Exhibit A".

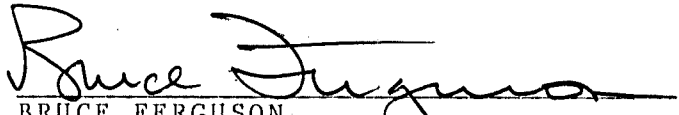
SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning and Zoning Commission as set forth in its Minutes and official records for this zone change request, and the finding of facts of the Boone County Fiscal Court, if any, and any conditions and/or stipulations mandated by the Boone County Fiscal Court, if any, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in this Ordinance (ATTACHED - EXHIBITS "B" AND "C").

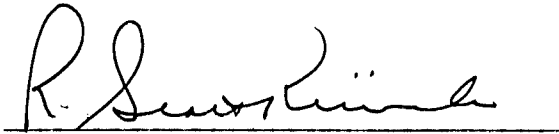
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced, seconded and given First Reading on the 8th day of March, 1988.

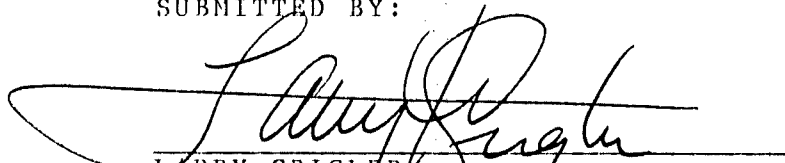
Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 5th day of April, 1988, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be 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

April 20, 1988
DATE PUBLISHED