

3449 Surfway Rd
(issued 3/18/93)

DEC 30 1992

REVIEW NO. _____

APPLICATION FORM

ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Development _____
2. Location of Development 800 Queens Court, Erlanger, Kentucky
3. Total Acreage of Site .747 acres
4. Current Zoning ~~SR-2~~ SR-2
5. Proposed Zoning (classification being requested) I-1
6. Proposed Uses (please specify each use) _____

7. Name of Applicant(s) Earl A. Franks
Phone Number(s) Home - 342-9696 office 261-9608
8. Address of Applicant(s) 38 Sanders Drive
Florence, Kentucky 41042
City State Zip
9. Name of Property Owner(s) Johnson Street Properties, Inc.
Phone Number(s) 261-9608
10. Address of Property Owner(s) 428 Madison Avenue, Covington, Ky.
City State Zip
11. Proposed Building Intensities (please specify) _____

12. Are there any existing buildings on the site? yes
How many? One
13. Deed Book 492 Page No. 270 Group No. 2022
14. Have you had a pre-application meeting with BCPC staff? yes
15. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- _____ Boone County Water and Sewer District
- _____ Florence Water and Sewer Commission
- _____ Union Light Heat and Power
- _____ Cincinnati Bell
- _____ Owen County Rural Electric
- _____ Boone County Road Department
- _____ Kentucky Transportation Cabinet
- _____ City of Florence Public Works Department
- _____ City of Walton Public Works Department
- _____ Northern Kentucky Health District
- _____ U.S. Soil Conservation Service
- _____ Local School District
- _____ Local Fire District
- _____ Other: _____

(COMPLETE OTHER SIDE OF APPLICATION)

EXHIBIT "A"

STAFF REPORT

REQUEST OF EARL A. FRANKS (APPLICANT) FOR JOHNSON STREET PROPERTIES, INC. (OWNER) FOR A ZONING MAP AMENDMENT ON A 0.747 ACRE SITE LOCATED AT 800 QUEENS COURT, BOONE COUNTY, KENTUCKY.
THE REQUEST IS TO REZONE THE SITE FROM SUBURBAN RESIDENTIAL TWO (SR-2) TO INDUSTRIAL ONE (I-1).

February 24, 1993

The property in question was used as the old Point Pleasant Fire Station before the station was relocated to the north side of Turfway Road when the road was extended to connect with Dolwick Drive. This fire station when built was located in a residential area which later developed to the northwest into an industrial area with the development of Circleport and Mineola Industrial Park (See Sheet 1).

Surrounding Zoning and Land Uses (See Sheet 2)

Northwest:	Mineola Industrial Park zoned I-1
Southwest:	Mary Queen of Heaven Church zoned PF
Southeast:	Cherry Hill Subdivision and Saratoga Place Apartment zoned SR-2
Northeast:	Circleport Industrial Park zoned I-1

Relationship to the Comprehensive Plan

The 1990 Boone County Comprehensive Plan Land Use Text does not specifically address this area of Turfway Road. In addition, this area is just outside of the Houston-Donaldson Study area boundary and therefore, is not mentioned within this study. The Land Use Map does indicate that the future land use for this site should be Suburban Density which would allow for apartments like those within Saratoga Place. No concept plan was submitted with this rezoning because the applicant does not have a proposed use for the property.

The Goals and Objectives section of the Comprehensive Plan indicate that industrial development shall be encouraged to locate near railroads, highways and airports.

Site Characteristics

There is an existing 2400 square foot building located on the .747 acre lot which used to serve as the Point Pleasant Fire Station. The lot is surrounded on three sides by dense mature trees. Access to this site is from Queens Way to Queens Court which is a oneway street which empties into Turfway Road. Queens Way serves as the access drive for the Saratoga Place Apartment complex which is located approximately 150 feet to the southeast of the applicant site. The topography of the site rises approximately 30 feet from Turfway Road to the Saratoga Apartment complex and is at the same grade as the new fire station on the opposite side of Turfway Road. Turfway Road serves as a primary access to the industrial complexes to the northwest of the site.

Staff Concerns

1. Access to the site is currently through the Saratoga Place Apartment complex because Queens Court is a one way street that prohibits access from Turfway Road. Therefore, Staff believes that if the zone change request is granted access should be from Turfway Road and not through the apartment complex.
2. Staff is concerned that if the zone change request is granted that some of the permitted uses may not be appropriate because of the abutting residential.
3. Staff is concerned whether or not an industrial use would meet the current setback requirements for an I-1 zone without a variance.

Conclusion

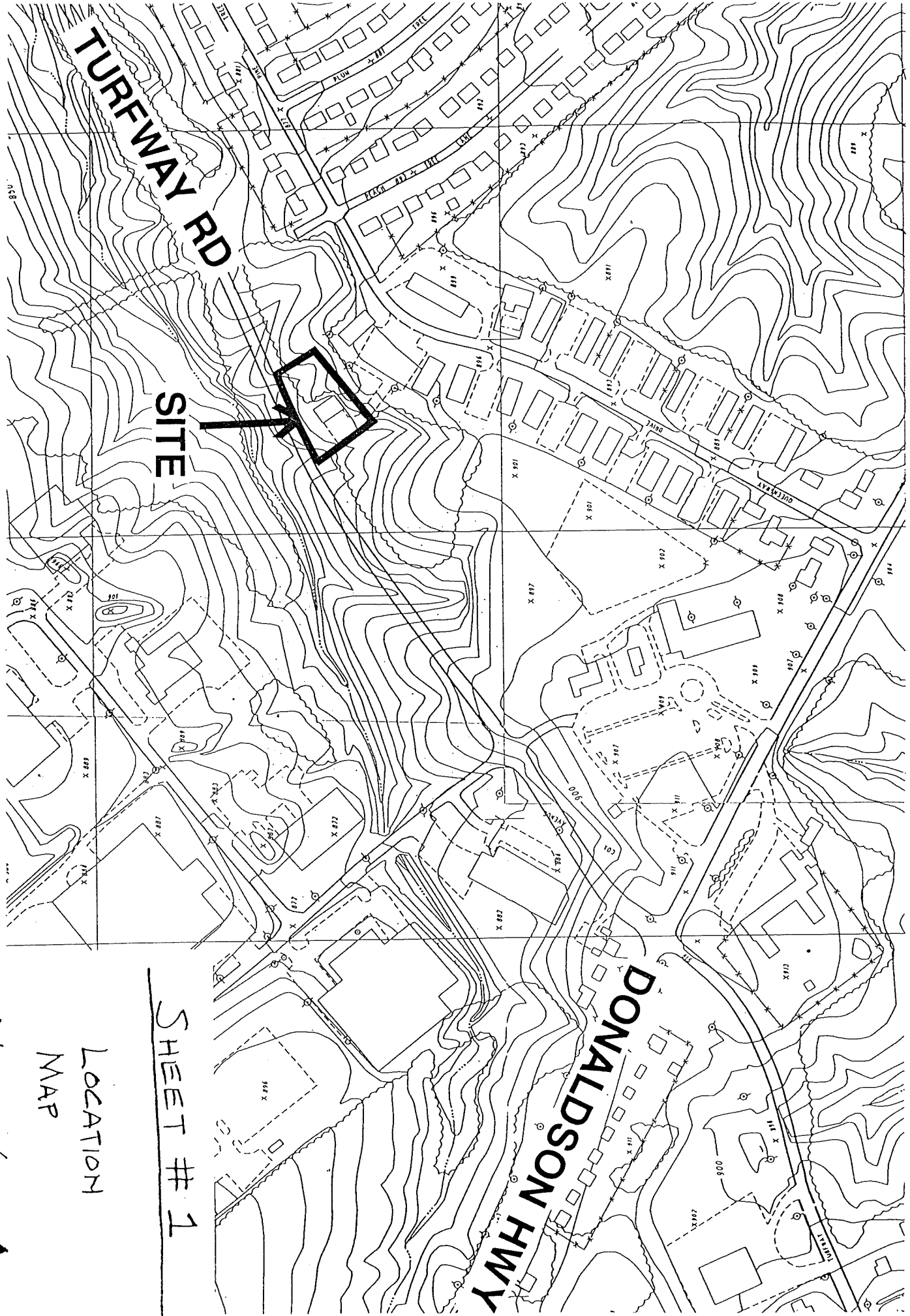
In conclusion, the proposed Zoning Map Amendment request is not in agreement with the future land use map of the Boone County Comprehensive Plan. Therefore, this request would require a change in the future land use map and the Boone County Zoning Map from Suburban Residential Two (SR-2) to Industrial One (I-1) should the request be granted by the Boone County Fiscal Court.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I

JFH:par



SHEET # 1

LOCATION
MAP



**SECTION 1130
INDUSTRIAL ONE (I-1)**

The purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which are generally based in low rise structures, and of which require direct accessibility to regional transportation systems. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts will be organized to provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amount of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district.

This zoning classification can range from a compact multi-level office development on several acres to an extensive mixed office/warehouse/distribution development that fits into many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.

SECTION 1131**Principally Permitted Uses**

Permitted are the wholesale manufacture, distribution and assembly of:

1. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
2. Textile mill products except primary manufacture of dyes, fibers, felt, rubber goods;
3. Apparel and other finished products made from fabrics, leather and similar materials except primary manufacture of rubber;
4. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
5. Furniture and fixtures;
6. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
7. Printing industries;
8. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
9. Soaps and other detergents;
10. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
11. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;

12. Electric and electronic equipment;
13. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.

Also permitted are:

14. Technology and research centers including medical and hospital research establishments;
15. Educational and governmental institutions;
16. Wholesale trade of automobile accessories and parts;
17. Wholesale trade of drugs, drug proprietaries and sundries;
18. Wholesale trade of dry goods and apparel;
19. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
20. Wholesale trade of electrical and electronic parts;
21. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
22. Wholesale trade of small machinery, equipment and supplies except transportation or farm vehicles;
23. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
24. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
25. Window cleaning, disinfecting, exterminating and other dwelling and building services;
26. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
27. Research, development and testing services;
28. Detective and protective services;
29. Photo finishing and other photographic laboratories;
30. Electrical repair and armature rewinding services;
31. Reupholstery and furniture repairing and refinishing services;
32. Scientific research services and laboratories;
33. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;

34. Postal services;
35. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
36. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
37. Freight forwarding, packing and crating services;
38. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
39. Equipment rental and leasing services including automobiles and trucks;
40. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
41. Manufacture of plastic products but not the primary manufacture of plastics;
42. Welding shops for the repair of industrial machinery and heavy equipment;
43. Truck stops;
44. Recycling centers;
45. All principally permitted uses of an Office Two (O-2) district;
46. Fire stations or fire related or protective services including rescue services.

SECTION 1132

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to the purpose of the district including:

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Play lots or tot lots, playfields or athletic fields, recreation centers, gymnasiums, clubs and other athletic uses and structures;
 - f. Swimming beaches and swimming pools;
 - g. Picnicking, hiking areas, exercise trails and other recreational uses;
 - h. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
2. The administration management, stenographic reproductions, research, sales (including industrial sales, exhibit or display) and any related or integral office use or activity of the permitted use;

80 ARTICLE 11

3. Railroad right-of-way including switching and marshalling trackage and freight terminals;
4. Marine freight terminals;
5. Employment services;
6. Directional and incidental signage (See Article 34);
7. Parking (See Article 33);
8. Temporary buildings incidental to construction only;
9. Outside storage of equipment and materials subject to appropriate screening as approved by the Zoning Administrator;
10. Food service for office, manufacturing or distribution uses.

SECTION 1133

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is provided primarily in support of and obtains its trade from the employees of the district; or b) the activity is of integral relation to the purpose of the district; c) the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and d) provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district:

1. Uses involving the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;
 - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
 - d. creosote treatment;
 - e. distillation of bones, coal or wood;
 - f. enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - i. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

2. Poultry and small game dressing and packing;
3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;

4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
5. Gasoline service stations and vehicle maintenance facilities;
6. Eating and drinking establishments including alcoholic beverages and with drive-thru facilities;
Eating and drinking establishments including alcoholic beverages and entertainment (CITY OF FLORENCE ONLY);
7. Banking and credit union services (including drive-thru facilities);
8. Labor unions and similar labor associations;
9. Nursery and child care centers;
10. Hotels and motels;
11. Commercial recreation such as recreational centers, gymnasium, bowling centers, roller skating rinks, miniature golf courses, golf driving ranges and other similar recreational uses;
12. Wholesale vehicle sales or auctions;
13. Churches, synagogues, temples and other places of religious assembly for worship.

SECTION 1134

Intensity

The maximum intensity of all uses in an Industrial One district shall not exceed 25,000 square feet of gross floor area per acre.

SECTION 1135

Minimum Size

The minimum size and extent of an Industrial One district, including all the contiguous private property so designated, shall not be less than five (5) acres.

SECTION 1136

Applicable Performance Standards

Each development in the Industrial One district shall meet the following applicable performance standards:

General: No land or structure in an I-1 district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable condition which may affect any other property, including, but not limited to a) noise, b) vibration or shock, c) air pollution, d) dust control, e) heat, f) lighting, signs, g) parking and loading areas, h) landscaping & buffering, i) building design, j) placement of dumpsters and outdoor storage facilities, and k) roof types and shapes.

1. Noise:

- a. No industrial noise perceptible above the general noise level at any property line of the immediate site shall be permitted;
- b. Train and vehicular movements concerned with loading and unloading operations or other service to a site shall be regulated so as not to constitute a nuisance. Under no circumstances shall heavy vehicular or train movement serving the property be conducted in such a manner or during such hours as to disrupt or interfere with the use of neighboring residentially zoned properties.

2. Vibration or shock:

No vibration or shock perceptible to a person of normal sensibilities at the property line shall be permitted.

3. Air pollution:

Any use producing smoke, gas, dust, odor, fumes, aerosols, particulates, products of combustion, or any other atmospheric pollutant, shall be conducted within a completely enclosed building; and no dissemination of such products outside the building shall be permitted.

4. Dust control:

All ground areas not covered by structures shall be landscaped or surfaces with concrete, asphaltic concrete, asphalt oil, or other comparable dust-free surfacing and shall be maintained in good condition, free of weeds, dust, trash and other debris, and shall be properly drained and graded.

5. Heat:

No heat perceptible to a person of normal sensibilities shall be perceptible at the property line.

6. Lighting:

The source of illumination of any kind within the property shall not be visible beyond the property line or in accordance with Article 31 of this Zoning Order.

7. Signs:

Permitted signs: Signs shall be limited to those identifying the uses conducted on the site, or as necessary for directional purposes, or to advertise the sale or rental of the specific property on which the sign is displayed. (See Article 34 of this Zoning Order)

8. Parking and Loading Areas:

All off street parking shall be provided in accordance with Article 33 of this Zoning Order. In addition, no parking facility or loading area shall be closer than twenty-five (25) feet to any lot line that is adjacent to residentially zoned property.

9. Landscaping and Buffering:

- a. Open belt - The minimum landscaped area between any storage, service, parking, or loading area and the district boundary abutting a residential district shall be 25 feet. This area shall be designated an "open belt" and landscaped. This open belt shall not be used for storage, service, parking, loading, or other industrial use;
- b. Screening fence - A solid masonry fence, at least six feet high but not more than eight feet high, shall be erected if deemed appropriate by the Boone County Planning Commission to screen the conflicting uses along all site property lines abutting the district zone boundary, if the abutting zone permits a residential use.

10. Building Design:

- a. Buildings shall be constructed of masonry brick, stone, or block (excluding plain concrete block),

architectural steel and glass, or precast concrete panels of a design compatible with surrounding buildings and adjoining zoning districts;

- b. Design of all buildings shall be compatible in form, textures and colors, consistent with a campus-like setting;
- c. Where a rear or side elevation of a structure is adjacent to or across the street from a residential district, the facade shall be articulated through architectural design, change in building materials, use of berms and/or landscaping in order to avoid the monotonous view of a flat, lineal and unbroken facade.

11. Placement of Dumpsters and Outdoor Storage Facilities:

All outdoor storage facilities and trash receptacles, shall be enclosed by a fence, wall, and/or landscaping not less than five feet high, and shall be screened from view of adjacent residential or institutional properties and public rights-of-way.

12. Roof Types and Shapes:

Roof types and shapes should be designed in accordance with the design of surrounding buildings. Every effort should be made to screen mechanical equipment or utility equipment located on building roofs in commercial office and industrial zones and visible from public view from a public street.

All principally permitted, accessory, and conditional uses, building and structures in this district are subject to the above standards, as well as other applicable Articles of this Zoning Order including Articles 30, 31, 33, and 34. In addition, uses in this district are subject to any local, state, or federal law regulating nuisances and the environment and any conditions as set forth by the local and state health boards.

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARINGS

February 24, 1993 - 7:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 7 P.M.. Following an explanation of the Public Hearing process, the Chairman introduced the first item on the Agenda:

1. Applicant: Earl A. Franks for
Johnson Street Properties, Inc. (owner)
Request: Zoning Map Amendment

The request of Earl A. Franks (applicant) for Johnson Street Properties, Inc. (owner) for a Zoning Map Amendment on a 0.747-acre site at 800 Queens Court, Boone County, Kentucky. The request is to rezone the site from Suburban Residential Two (SR-2) to Industrial One (I-1).

Staff Member Jeff Hayes presented the Staff Report which included a slide presentation (see Staff Report). Mr. Hayes provided the Commission with an aerial photograph of the site and surrounding areas.

Chairman Viox asked for comments from the applicant.

Anne McBee, attorney representing Johnson Street Properties, Inc.; the applicant, Mr. Earl Franks; and also Mr. Matt Franks and Mr. Larry Franks, stated that the former Point Pleasant Fire Department building is on the subject site. The building is not conducive to residential use. She stated that one of the concerns was the access to the site through the Saratoga Place Apartments. On the state plans for the road there are two curb cuts and there is access to the property from Turfway Road. In regard to some of the Permitted Uses not being applied to the site, she stated that her clients are unable to use the property as it is zoned; but if the zone change is granted, her clients would be willing to meet with the Staff and, prior to entering into a lease with someone else, they would be willing to get approval to be sure the use would not be harmful to the apartment complex. In regard to the setback requirements, she stated that she believes they meet the setback requirements but, if not, they will apply for a Variance. She stated that there is a fire department across the street and another one is not needed on this site. She stated that if the site were used residentially, there would be children playing on the corner of Turfway Road and Queens Court, which is not feasible. Ms. McBee requested approval of the application.

Chairman Viox asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was

anyone present who wished to speak in opposition or to ask questions. There being no response, the Chairman asked if there were any comments or questions from the Commission.


Mrs. Smith questioned the proposed use of the site.

Mr. Matt Franks stated that they do not have a use at this time. They have had some inquiries but have told people that they could not discuss a lease until they get a zone change. None of the inquiries have been for uses that would emit noxious fumes, create odors, or be a nuisance.

Mr. McMillian questioned if they intend to use the existing building. Ms. McBee advised that they do.


There being no further comments, Chairman Viox stated that this item will be on the Agenda for the Business Meeting on March 3, 1993 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING

March 17, 1993 - 8:00 P.M.

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

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. William Bailey
Mr. Fred Burch, Vice Chairman
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Robert Kirby, Jr.
Mr. Gayle McElroy
Mr. Don McMillian
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mrs. Carol Smith

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Approval of the Minutes:

Chairman Viox stated that each Commission member had received copies of the Minutes of the Public Hearings of March 3, 1993 and March 10, 1993 and the Business Meeting of March 3, 1993. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Ries seconded the motion and it carried unanimously.

Chairman Viox asked for a roll call vote on the motion made by Mr. Kirby which found Mr. Burch, Mr. Damstrom, Mr. Greene, Mr. Kirby, Mr. McElroy, Mr. McMillian, Mr. Ries, Mr. Rush, and Chairman Viox in favor. Mrs. Arnett, Mr. Bailey, Mr. DeLong, Mr. Neltner, and Mr. Owens were opposed. The motion carried by a vote of 9 to 5.

5. Zoning Map Amendment

The request of Earl A. Franks (applicant) for Johnson Street Properties, Inc. (owner) for a Zoning Map Amendment on a 0.747-acre site at 800 Queens Court, Boone County, Kentucky. The request is to rezone the site from Suburban Residential Two (SR-2) to Industrial One (I-1).

Staff Member Jeff Hayes presented the Committee Report using the overhead slide projector. Mr. Hayes stated that the applicant has signed the letter agreeing to the conditions. Mr. Rush, Committee Chairman, stated that the Committee recommends approval of the request based on the findings of fact, but subject to two conditions (see Committee Report).

Mr. Rush moved that the request be approved based on the Staff and Committee Reports, including the conditions. Mr. Burch seconded the motion.

Mr. DeLong stated that it is a one-way street out from Queens Apartments and questioned what needs to be done to make it a two-way street. Mr. Hayes advised that they have an agreement from the state to make it a two-way street, and there is an additional curb cut from Turfway Road.

Mr. DeLong stated that it is 50 feet from the curb cut to the road. He questioned how there can be two access points besides the road access point onto Turfway. Chairman Viox advised that it is a state highway and they were given those access points when the road was built.

Mr. Hayes stated that there is no curb cut now for this site off of Turfway Road other than Queens Court and they have the right to another curb cut off Turfway Road.

Mr. Kirby questioned if the condition is telling them to get the other access off of Turfway Road. Mr. Hayes explained that the condition is not establishing another curb cut. It is saying that Queens Court is to become a two-way street.

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

6. Zoning Map Amendment

The request of J. J. Miller (applicant) for John Hopkins (owner) for a Zoning Map Amendment on a 69-acre site at 3787 Bullittsville Road, Boone County, Kentucky. The request is to rezone the site from rural Suburban Estates (RSE) to Rural Suburban (RS) in order to allow 92 lots in Brentwood Subdivision.

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Ralph Rush, Chairman

DATE: March 17, 1993

REMARKS: Request of Earl A. Franks (applicant) for Johnson Street Properties, Inc (owner) for a Zoning Map Amendment for a 0.747 acre tract located off 800 Queens Court, Boone County, Kentucky. The request is to rezone the site from Suburban Residential Two (SR-2) to Industrial One (I-1).

REMARKS:

We the Committee, recommend approval of the request based upon the following findings of fact and with the following condition:

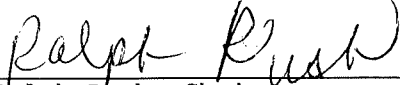
Findings of Fact

1. The existing zoning is inappropriate for a residential use because of its close proximity to industrial uses and because it fronts Turfway Road.
2. This area has seen substantial development with the growth of Circleport and Mineola Industrial Park's which have alter the basic character of the area.
3. The Goals and Objectives section of the Comprehensive Plan indicate that industrial development shall be encouraged to locate near railroads, highways and airports.


Conditions

1. Any proposed use for this site will not create any dangerous, injurious, noxious, or otherwise objectionable condition which may affect any other property, including, but not limited to a) noise, b) vibration or shock, c) air pollution, d) dust control, e) heat, f) lighting, signs, g) parking and loading areas, h) landscaping & buffering, i) building design, j) placement of dumpsters and outdoor storage facilities, and k) roof types and shapes that would not be compatible with the neighboring residential areas.
2. That access to the site be from Turfway Road.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.




Ralph Rush, Chairman



Fred Burch



Phil Damstrom

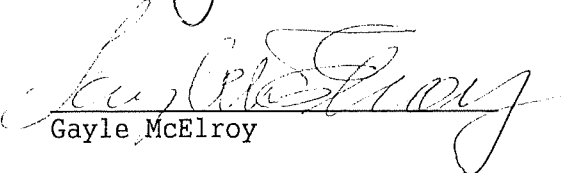


Thurman Owens



Barry Neltner

Carol Smith



Gayle McElroy

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARINGS

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APPROVED:



William R. Viox, Chairman

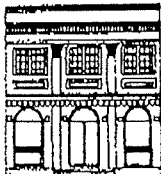
Attest:



Jan Hancock, Recording Secretary

Please fax signed copy back to 334-2264.
Thanks Jeff

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005
606-334-2196 FAX 606-334-2264

March 16, 1993

Mr. Earl Franks
Johnson Street Properties, Inc.
428 Madison Avenue
Covington, Kentucky 41011

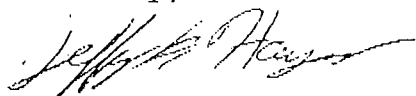
RE: Conditions of Approval for the Earl A. Franks/Johnson Street
Properties, Inc. Request

Dear Mr. Franks:

The following represents the conditions being discussed by the Zone Change Committee. If you, as the applicant will agree to these conditions, please indicate so by signing your name at the space indicated at the end of this letter and returning it to our office by 12:00 p.m. Wednesday, March 17, 1993.

1. Any proposed use for this site will not create any dangerous, injurious, noxious, or otherwise objectionable condition which may affect any other property, including, but not limited to a) noise, b) vibration or shock, c) air pollution, d) dust control, e) heat, f) lighting, signs, g) parking and loading areas, h) landscaping & buffering, i) building design, j) placement of dumpsters and outdoor storage facilities, and k) roof types and shapes that would not be compatible with the neighboring residential areas.
2. That access to the site be from Turfway Road.

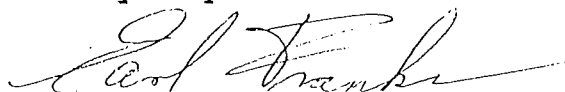
Sincerely,



Jeffrey F. Hayes
Planner I

JFH:par

I, the applicant, agree to the above listed conditions for approval of my request for the Johnson Street Properties, Inc.



Boone County Recorder

May 12, 1993

LEGAL SUMMARY ORDINANCE NO. 920.250

The Boone County Fiscal Court at its meeting held Tuesday, April 27, 1993, at 5:00 P.M., Second Floor Courtroom, Administration Building, Burlington, Kentucky, gave Second Reading and adopted the following ordinance.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL FOR A REQUEST OF EARL A. FRANKS (APPLICANT) FOR JOHNSON STREET PROPERTIES, INC. (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL TWO (SR-2) TO INDUSTRIAL ONE (I-1) FOR A 0.747 ACRE SITE LOCATED AT 800 QUEENS COURT, BOONE COUNTY, KENTUCKY, AS RECOMMENDED UNANIMOUSLY BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION NO. R-93-013-A.

I hereby certify that the above summary of said Ordinance has been written in such a manner as to inform the public of the context of same. A copy of said Ordinance is on file in the office of the County Judge/Executive and may be reviewed between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Administration Building, second floor, Burlington, Kentucky.

ATTEST:

CAROLYN A. RUDICILL
FISCAL COURT CLERK
P.O. #FC 66413

KENNETH R. LUCAS
COUNTY JUDGE/EXECUTIVE

LARRY CRIGLER
COUNTY ATTORNEY
