

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

- 1. Name of Project
2. Location of Project 492 Maher Rd, Walton, Ky 41094
3. Total Acreage of Site 41.8145 (ac)
4. Current Zoning of Site Industrial - 12 Acres Residential - 29 Acres
5. Proposed Zoning (Classification being requested) All Residential
6. Proposed Uses (please specify each use) House Building

- 7. Names of Applicant(s) Lawrence & Mary Lou Howe
Phone Number 371-4357 Fax No.

- 8. Address of Applicant(s) 492 Maher Rd,
Walton Ky 41094
City State Zip

- 9. Name of Property Owner(s) Lawrence & Mary Lou Howe 41094
Phone Number 371-4357 Fax No.

- 10. Address of Property Owner(s) 492 Maher Rd,
Walton Ky 41094
City State Zip

- 11. Proposed Building Intensities (please specify) 2 1/2 houses Per Acre

- 12. Are there any existing buildings on the site? yes
How many? 2 BARN'S

- 13. Deed Book 211 Page No. 512 Group No. 2058

- 14. Are you also applying for:
Conditional Use Permit
Dimensional Variance

- 15. Have you submitted a Concept Development Plan?

- 16. Have you had a pre-application meeting with BCPC Staff?

- 17. Please check the following organizations/agencies which you have discussed the proposed development within 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 Public Works Department
Kentucky Transportation Cabinet
City of Florence Public Services Department
Boone County Building Department

EXHIBIT "A"

STAFF REPORT

Request of Lawrence Howe and Mary Lou Howe (owners) to consider a Zoning Map Amendment for an approximate 9.6 acre tract located at 492 Maher Road, Boone County, Kentucky. The request is for a zone change from Industrial One (I-1) to Rural Suburban (RS).

April 23, 1997

Location

The site is located north of Maher Road, approximately three-fourths of a mile east of Dixie Highway at 492 Maher Road in unincorporated Boone County, Kentucky (see Location Map).

History

The site in question has been zoned Industrial One (I-1) since 1980. On June 15, 1994, the Boone County Planning Commission was scheduled to hear a Zoning Map Amendment request of John McCausland, of Buchanan Development, for Lawrence and Mary Lou Howe and Lawrence and Frannie Lawson. The request was to rezone a 214-acre site lying in both Boone County and Kenton County from Rural Suburban (RS) and Industrial One (I-1) to Residential One (R1-F). A concept development plan was submitted indicating 406 detached single-family lots. The application was withdrawn.

Request/Concept Development Plan

The applicant is proposing to rezone the 9.6 acre tract of land from Industrial One (I-1) to Residential Suburban (RS). A concept plan has not been submitted. The applicant proposes a single-family residential development at a density of 2.5 houses per acre for an undetermined portion of a 41.8 acre tract of land. The applicant proposes to construct a street in the vicinity of the existing driveway to access the site.

Zoning

The Industrial One (I-1) Zone principally permits a variety of commercial, office, and industrial uses. The purpose of the Industrial One (I-1) Zone is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. The maximum intensity of all uses in an Industrial One (I-1) Zone shall not exceed 25,000 square feet of gross floor area per acre.

The requested Rural Suburban (RS) Zone principally permits various detached single-family dwelling units and several agricultural uses. The purpose of the Rural Suburban (RS) Zone is to provide a residential environment whose dwelling types and densities are typical of a low suburban character. The maximum intensity in the Rural Suburban (RS) Zone is three (3) dwelling units per net acre.

Surrounding Zoning and Land Uses (see Zoning Map)

- North: North of the site, extending to Mt. Zion Road, is vacant land. A portion of this land is being developed currently and portions of this land are proposed to be developed as an extension of the Enterprise V Industrial Park. This area is zoned Industrial One (I-1).
- South: Single-family residential dwellings, including the recently developed Stacy Acres Subdivision, and farmland, exist to the south along Maher Road. This area is zoned Rural Suburban Estate (RSE) and Rural Suburban (RS).
- East: Single-family residential dwellings and farmland exist east of the site into Kenton County. This land is zoned Rural Suburban Estate (RSE). Land further east into Kenton County is zoned and identified in the Kenton County Comprehensive Plan for agricultural and residential development.
- West: Single-family residential dwellings and farmland extend west of the property, along Maher Road, to Dixie Highway. This land is zoned Rural Suburban Estate (RSE).

Site Characteristics

The site in question is vacant and is characterized by having a combination of woodlands and fields. The site is no longer being used for agricultural purposes. One dilapidated barn exists on the site. Wolf Pen Creek runs along the southern portion of the site. An existing dirt driveway provides access into the site (see Aerial Photo). The majority of the 9.6 acre tract of land is located on a ridge top (see Topography Map).

Relationship to the Comprehensive Plan

The Boone County Comprehensive Plan's Future Land Use Map indicates the parcel of land as Industrial which is defined as "Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses." Land to the south and west along Maher Road is identified as Rural Density Residential which is defined as "Low density residential uses of up to one dwelling unit per acre, which are not part of a formal subdivision."

The 1995 Boone County Comprehensive Plan identifies the site as part of the Mt. Zion Area and states the following regarding future development in the area:

Maher Road should not serve industrial traffic because of its design and its dangerous intersection with U.S. 25. Maher Road should remain an enclave of residential uses, and no industrial access should be provided along this road. Industrial uses abutting this residential area must be planned with adequate buffering for the existing and future residential development.

Objective #1, page 7, under the Industrial Goal in the 1995 Boone County Comprehensive Plan states the following:

Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Industrial districts shall be properly located in advance and thereby lessen any detrimental impact on future adjacent development.

The future Land Use Development Guidelines on page 210 of the 1995 Boone County Comprehensive Plan states the following regarding buffering:

Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline.

Staff Concerns and Comments

1. The proposed Rural Suburban (RS) Zoning is in agreement with the Boone County Comprehensive Plan identifying the site as part of the Mt. Zion Area because it states the following: Maher Road should not serve industrial traffic because of its design and its dangerous intersection with U.S. 25. Maher Road should remain an enclave of residential uses, and no industrial access should be provided along this road. Industrial uses abutting this residential area must be planned with adequate buffering for the existing and future residential development.

Due to topography, the site cannot be logically accessed from the Enterprise V Industrial Park located to the north of the site. Therefore, the only logical access point into the site is from Maher Road.

2. Staff is concerned about the congestion and the condition of Maher Road serving an increase in traffic. The Rural Suburban (RS) zone permits three (3) dwelling units per net acre. The acreage of land under consideration for a zone change is 9.6 acres. This tract of land could possibly be developed with twenty-seven (27) single-family lots. Although Maher Road is a straight road with few curves, it contains narrow pavement widths of approximately eighteen (18) feet.

Conclusion

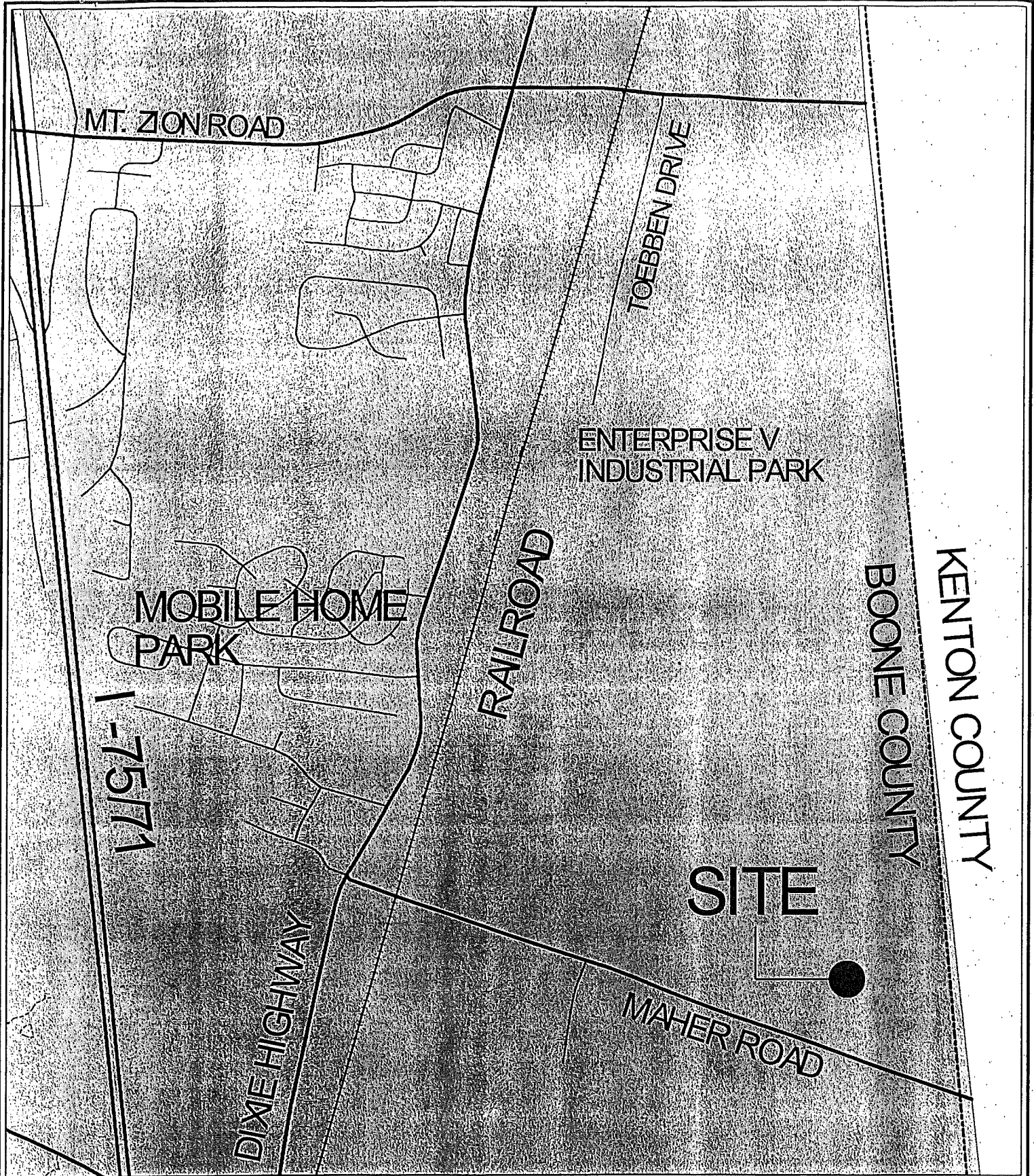
Should the Planning Commission recommend, and the Boone County Fiscal Court approve this request for a Zoning Map Amendment, the Boone County Comprehensive Plan's Future Land Use Map will need to be changed to reflect the residential use.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Huth", with a long horizontal flourish extending to the right.

John Huth
Planner

JH\par

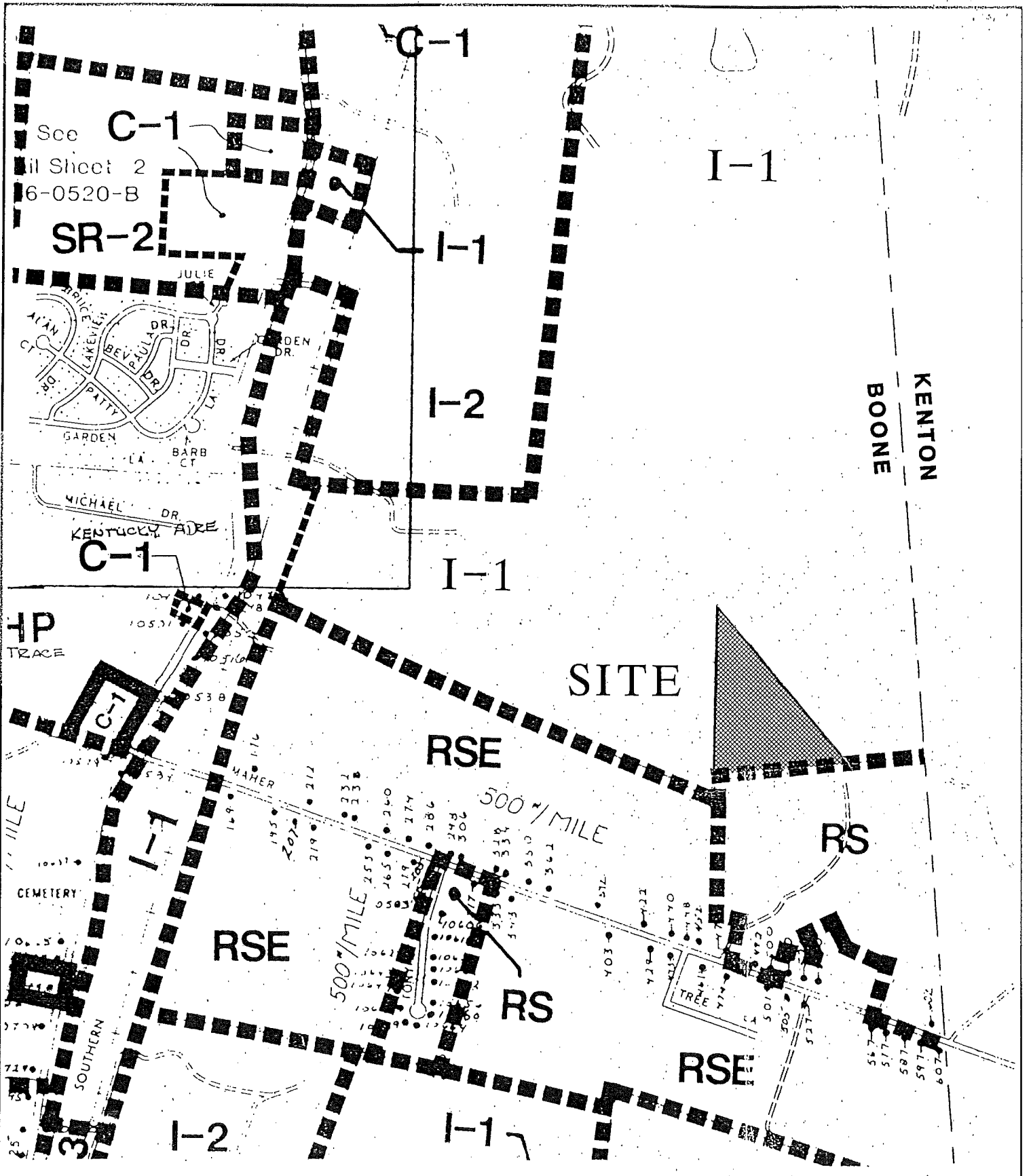


Lawrence Howe Zone Change
Location Map

1100 0 1100 Feet

1 inch equals 1100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 31, 1997





Lawrence Howe Zone Change
Zoning



SITE

BARN

DRIVEWAY

BARN

STACY
ACRES

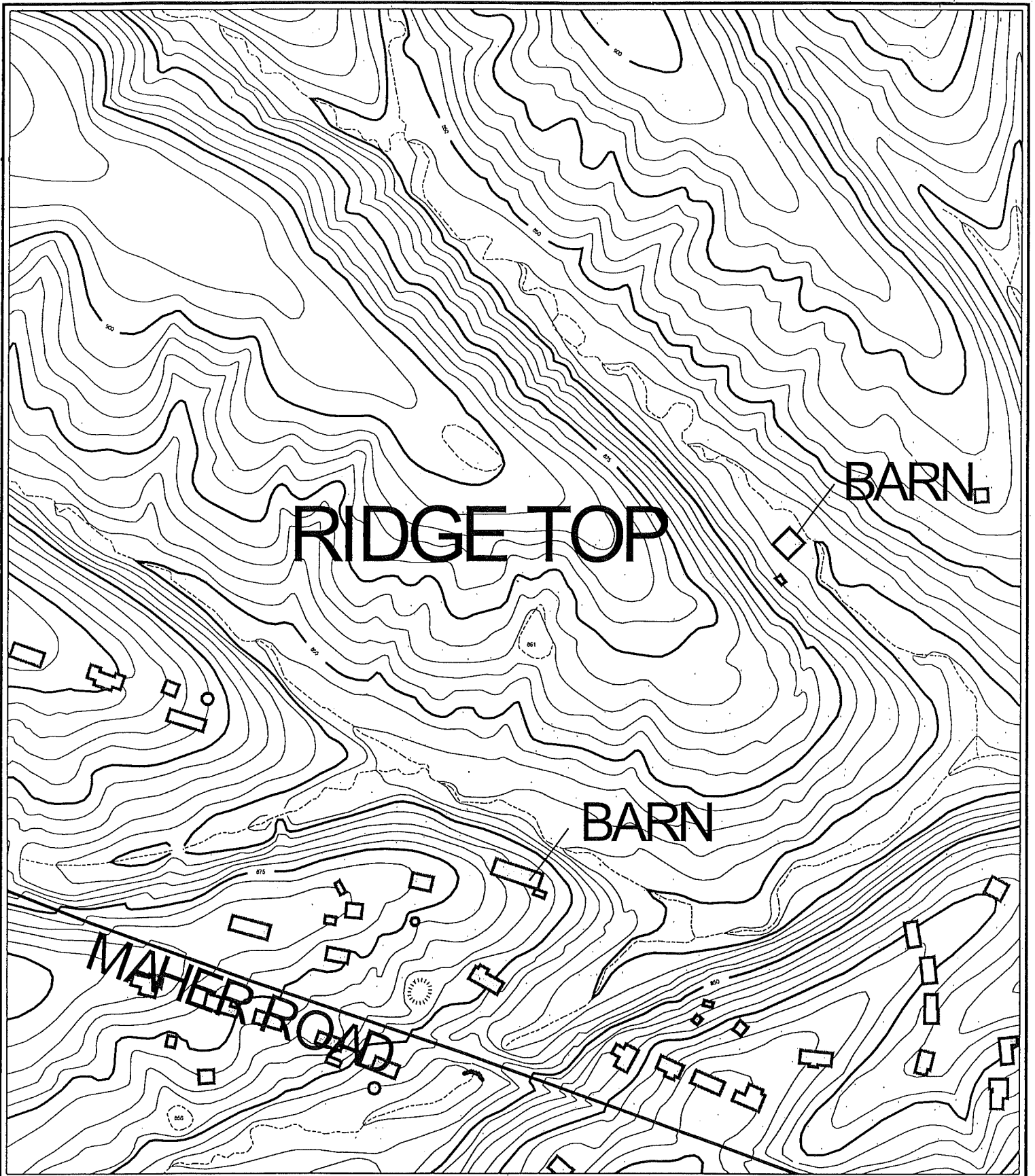
SMATHER ROAD

Lawrence Howe Zone Change Aerial Photo

200 0 200 Feet

1 Inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 31, 1997





Lawrence Howe Zone Change
Topography Map

300 0 300 Feet

1 inch equals 300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
April 3, 1997



BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
April 23, 1997
7:00 P.M.

PUBLIC HEARINGS

Commission members present: Mr. Brown, Mr. Burch, Mr. Caddell, Mr. McKinney - Chairman, Mr. McMillian, Mr. Millay, Mr. Neltner, Mr. Ries - Vice Chairman, Mr. Rush, Mrs. Schaffer, and Mr. Viox.

Mr. Michael McKinney, Chairman, called the meeting to order at 7 P.M.. Following an explanation of the Public Hearing process, Mr. McKinney advised that the Staff Member who was to present the first item was in a Committee Meeting and, therefore, the second item on the Agenda would be heard first:

2. Applicant: Lawrence Howe and Mary Lou Howe (owners)

Request: Zoning Map Amendment

The request of Lawrence Howe and Mary Lou Howe (owners) to consider a Zoning Map Amendment for an approximate 9.6 acre tract at 492 Maher Road, Boone County, Kentucky. The request is for a zone change from Industrial One (I-1) to Rural Suburban (RS).

Staff member John Huth presented the Staff Report which included a slide presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Lawrence Howe stated that he would not be putting anything on the nine and a half acres. He stated that it is steep ground and he is not going to develop it -- it will stay like it is.

The Chairman 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 to the request. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Neltner questioned why they are going through the zone change process if they plan to leave the land as it is. Mr. Huth stated that the applicant will use the 9.6 acres of land as back portions of single-family lots he intends to develop in the future. The applicant owns 41 acres along Maher Road and this land will be back portions of larger lots.

Mr. Caddell stated that the 9.6 acres of the 41 acres has not been identified, other than generally locating where it is. Mr. Huth stated that a legal description was provided at the application stage per the requirements. He stated that it is difficult to tell where the property is when you are at the site. He has received a recorded plat that identifies the site as being a triangular extension of the applicant's acreage. It is a portion that was not purchased by the developer of Enterprise IV Industrial Park (Toebben).

Mr. Costello stated that for the Committee, Staff will identify precisely where the parcel is relative to what is in the area to see how it impacts the remaining tracts and other uses in the area.

Mr. Caddell stated that there may be a neighbor who is opposed to the request, but does not know where the property is. He questioned hearing the request when the site has not been identified so that the public knows where it is. Mr. Huth stated that he has talked to a lot of the adjacent property owners and has described the property as being located at the back near the barn. A lot of the neighbors realize where the property is located. The property is woodlands and fields and there is no monument or homes out there, other than the barn, to help identify the site. He stated that the adjacent property owners he talked to did not have a problem with the zone change.

Mr. Viox stated that unless the other Commissioners want to go to the Zone Change Committee meeting, they will not know where the property is -- he does not know and he does not know how anyone else would know. He asked for further clarification as to why they are requesting the zone change if they are not going to do anything with the property. He asked if the site is served by utilities. He stated that there was nothing in the Staff Report about utilities.

Mr. Huth stated that he believes there is a sewer line that runs along the creek, which he believes serves Stacey Acres, as well as an extension of sewers for Enterprise IV.

Mr. Viox asked if the developer is willing to state for the record that when and if the land develops, there will be public sewers to serve these properties. He stated that this can be considered at the Committee level. He noted that there is no public water there.

The Chairman asked if there were any further comments.

Mrs. Schaffer agreed with Mr. Viox and commented that she is not sure what property is being considered. She asked if the triangular piece is the only parcel Mr. Howe owns that is zoned I-1. She asked if Mr. Howe owns any of the surrounding area that is contiguous.

Mr. Huth advised that this property is contiguous to Mr. Howe's property to the south zoned RS.

Mrs. Schaffer asked if this is the only parcel Mr. Howe owns zoned I-1. Mr. Howe responded "yes" and added that it is real rough land. Mrs. Schaffer asked if he owns any of the property to the east. Does he own property other than the 41 acres in the front? Mr. Howe responded "13 acres in Stacey Acres", which is on Maher Road. Mrs. Schaffer asked if that acreage is in front of the project. Mr. Howe responded "no".

Mr. Costello asked Mr. Huth to use our topographical maps and to work with Mr. Howe to show the location of Stacey Acres and where the zoning is. He asked Mr. Huth to provide this information to the Committee Members and to the rest of the Commissioners as a handout. Mrs. Schaffer questioned how much land Mr. Howe owns. Mr. Costello stated that that is very important and will also be identified on the map that is distributed.

Mr. Viox stated that he believes the area along Maher Road is more in tune with Residential, particularly if there is public sewer. He would not be in favor of developing without public sewer. He stated that he is not as concerned about public water as he is about public sewer and contamination of the streams. He stated that this is 9.6 acres of I-1 being changed to Residential. I-1 is desperately needed in Boone County for a tax base. He stated that he is concerned about losing 9.6 acres of I-1, although this property probably should be RS.

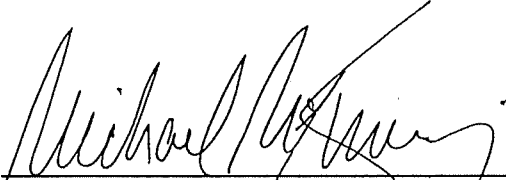
The Chairman asked if there were any further comments.

Mr. Dan McCormick, 10440 Travis Street in Stacey Acres, agreed that the county can use industrial land for funding and to serve the people -- but there are industrial areas impinging on residential areas and he would like this area considered as a buffer area to keep the industrial area separated from the residential area. He is afraid that Toebben has taken over a lot of this area and will put things in there that will be too close to his property. He referred to the aerial map and identified his property as the last house on the right hand side of Travis Street. He stated that he would be in favor of this property being residential to act as a buffer.

There being no further comments, Mr. McKinney stated that the Committee Meeting for this request will be on May 12, 1997 at 5:30 P.M. in the second floor conference room. This item will be on the agenda for the Business Meeting on May 21, 1997 at 7:30 P.M. in this room.

The Chairman closed this Public Hearing.

APPROVED:



Michael McKinney, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
June 18, 1997
7:30 P.M.

Mr. Michael McKinney, Chairman, called the meeting to order at 7:30 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett, Secretary/Treasurer
Mr. Larry Brown
Mr. Fred Burch
Mr. Arnold Caddell
Mr. Phil Damstrom
Mr. Mike McKinney, Chairman
Mr. Don McMillian
Mr. Bob Millay
Mr. Barry Neltner
Mr. Robert Ries, Vice Chairman
Mr. Ralph Rush
Mrs. Linda Schaffer
Mrs. Carol Smith
Mr. William Viox
Mr. Earl White, Temporary Presiding Officer

All members were present.

LEGAL COUNSEL PRESENT:

Mr. Larry Dillon

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Jan Hancock, Secretary
Mr. John Huth
Mr. Mitch Light

Approval of the Minutes:

Mr. McKinney stated that each Commission member had received copies of the Minutes of the May 28, 1997 Public Hearings, and the June 4, 1997 Business Meeting. 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. Rics seconded the motion and it carried unanimously.

UNFINISHED BUSINESS:

Mr. McKinney stated that Item #2 is recommended for deferral to the July 16, 1997 Business Meeting at 7:30 P.M.. Mr. Millay so moved. Mr. Caddell seconded the motion and it carried unanimously:

2. Zoning Map Amendment

The request of Al Neyer, Inc. (applicant) for Riverview Real Estate, LLC, Richard Kuchle, Marian Kuchle, and Martha Hollister (owners) to consider a Zoning Map Amendment for 155 acres located along both sides of Ellis Road and along the west side of Point Pleasant Road near Airport Exchange Boulevard, Boone County, Kentucky. The request is for a zone change from Agricultural Estate (A-2) and Employment Planned Development (EPD) to Industrial One (I-1) to allow an office/light industrial park, Riverview Business Park.

The Chairman introduced the first item on the Agenda:

1. Zoning Map Amendment

The request of Lawrence Howe and Mary Lou Howe (owners) to consider a Zoning Map Amendment for an approximate 9.6 acre tract at 492 Maher Road, Boone County, Kentucky. The request is for a zone change from Industrial One (I-1) to Rural Suburban (RS).

Staff Member John Huth presented the Committee Report which recommended approval of the request based on the findings of fact (see Committee Report).

Mr. Caddell moved by resolution to the Boone County Fiscal Court that the request be approved based on the Committee Report. Mr. McMillian seconded the motion.

Mrs. Schaffer asked for further comments on the Concept Development Plan.

Mr. Huth advised that the Concept Development Plan was for the 9.6 acres of land as the back portion of three lots of the entire site which is located to the south and is an extension of a seven-lot subdivision. The Planning Commission would just be approving the 9.6 acre section. There is a total of seven lots for the entire 49 acres.

Mrs. Schaffer stated that the density on the front portion would not be increased. Mr. Huth agreed.

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

3. Zoning Map Amendment

The request of Steven P. Harms and Tonia R. Harms (applicants) for Steven P. Harms, Tonia R. Harms, and Bermac Corporation (owners) to consider a Zoning Map Amendment for a 15.6 acre tract located immediately west of Orchard Estates Subdivision near Conner Road and Limaburg Road, Boone County, Kentucky. The request is for a zone change from Agricultural Estate (A-2) and Suburban Residential One (SR-1) to Suburban Residential Two (SR-2) to allow a residential subdivision for fifty one lots.

Mr. Viox stated that he had a conflict of interest in regard to this item and left the room at this time.

Staff Member John Huth presented the Committee Report which recommended approval of the request based on the findings of fact but subject to conditions (see Committee Report). Mrs. Schaffer was against the Committee Report.

Mr. Millay moved by resolution to the Boone County Fiscal Court to approve the request based on the Committee Report. Mr. McMillian seconded the motion.

Mr. Ries stated that it was indicated in the Public Hearing Minutes that in the years 1997, 2003, and 2011 this property would be in a noise impacted area -- but with the new runway planned for 2005, he believes it will be back in the noise contour. He noted that the Planning Commission turned down the Escue property about a year ago and it was in a less impacted area than this property. He questioned why a site so close to a future runway and in a noise impacted area at this time should be approved.

Mrs. Schaffer stated that the proposed project is not in agreement with the Comprehensive Plan and does not meet the criteria for a zone change. She noted that Staff says it is in agreement with the Comprehensive Plan. She stated that the zoning is not appropriate because of the noise and there have been no changes of an economic, physical, or social nature to change this site into a residential area. The site is less than 25 feet from the east/west runway and all of the planes at night come in there and take off from there. She does not know that many people visit homes at 4 A.M. to see how they are impacted by the noise. The north/south runway is within one-half mile or 2500 feet from this property. She stated that the airport buying this property should not be an issue with the Planning Commission. The Planning Commission should see that it is in agreement with the Comprehensive Plan or meets the other two criteria. She stated that this is not an appropriate use for this property and would not be fair to the people who would live there.

EXHIBIT "B"

COMMITTEE REPORT

To: Boone County Planning Commission

From: Arnold Caddell, Chairman

Date: June 18, 1997

Re: Request of **Lawrence Howe and Mary Lou Howe (owners)** to consider a Zoning Map Amendment for an approximate 9.6 acre tract located at 492 Maher Road, Boone County, Kentucky. The request is for a zone change from Industrial One (I-1) to Rural Suburban (RS).

Remarks:

We, the Committee, recommend approval of the above referenced request based upon the following findings of fact:

Findings of Fact:

1. The Committee has concluded that the proposed zone change from Industrial One (I-1) to Rural Suburban (RS) to allow a single-family residential development is in agreement with the text of the Land Use Element of the 1995 Boone County Comprehensive Plan. A general recommendation made for the Mt. Zion Area states that Maher Road should not serve industrial traffic because of its design and its dangerous intersection with U.S. 25. Maher Road should remain an enclave of residential uses, and no industrial access should be provided along this road.
2. The Committee also finds that due to the small scale of the site, it is best suited for residential use acting as a logical extension of the Rural Suburban (RS) zone district located south of the site in question.
3. The Committee finds that due to the topography, the site cannot be logically accessed from, or otherwise physically connected to, the Enterprise V Industrial Park located to the north of the site. Therefore, the only logical access point into the site is from Maher Road, and to conform to the 1995 Boone County Comprehensive Plan, it must be developed residentially.

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.

Arnold Caddell

Arnold Caddell, Chairman

For Against _____
Abstain _____ Absent _____

Don McMillian

Don McMillian

For Against _____
Abstain _____ Absent _____

Robert Millay

Robert Millay

For Against _____
Abstain _____ Absent _____

Linda Schaffer

For _____ Against _____
Abstain _____ Absent

TOTAL: 3 FOR _____ AGAINST _____ ABSTAIN 1 ABSENT

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
April 23, 1997
7:00 P.M.

PUBLIC HEARINGS

Commission members present: Mr. Brown, Mr. Burch, Mr. Caddell, Mr. McKinney - Chairman, Mr. McMillian, Mr. Millay, Mr. Neltner, Mr. Ries - Vice Chairman, Mr. Rush, Mrs. Schaffer, and Mr. Viox.

Mr. Michael McKinney, Chairman, called the meeting to order at 7 P.M.. Following an explanation of the Public Hearing process, Mr. McKinney advised that the Staff Member who was to present the first item was in a Committee Meeting and, therefore, the second item on the Agenda would be heard first:

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The Chairman asked for the applicant's presentation.

Mr. Lawrence Howe stated that he would not be putting anything on the nine and a half acres. He stated that it is steep ground and he is not going to develop it -- it will stay like it is.

The Chairman 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 to the request. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Neltner questioned why they are going through the zone change process if they plan to leave the land as it is. Mr. Huth stated that the applicant will use the 9.6 acres of land as back portions of single-family lots he intends to develop in the future. The applicant owns 41 acres along Maher Road and this land will be back portions of larger lots.

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There being no further comments, Mr. McKinney stated that the Committee Meeting for this request will be on May 12, 1997 at 5:30 P.M. in the second floor conference room. This item will be on the agenda for the Business Meeting on May 21, 1997 at 7:30 P.M. in this room.

The Chairman closed this Public Hearing.

APPROVED:



Michael McKinney, Chairman

Attest:



Jan Hancock, Recording Secretary

MINUTES
BOONE COUNTY FISCAL COURT
July 29, 1997
5:30 P.M.

Partnership (Owner) for a change in an approved Concept Development Plan, with conditions, in a Commercial Two/Planned Development (C-2/PD) zone for a 1.4 acre parcel generally located on Merchant Street, Merchant's Square Subdivision, Boone County, Kentucky, recommended unanimously by the Boone County Planning Commission via Resolution R-97-008-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C"

ORDINANCE NO. 920.349 - HOWE

Judge Lucas read a summary of Ordinance No. 920.349 and declared a Public Hearing open at 5:55 p.m. Hearing no comment, Judge Lucas declared the Public Hearing closed at 5:56 p.m.

Commissioner Meihaus moved, seconded by Commissioner Campbell, to approve on Second Reading Ordinance No. 920.349, an ordinance of the Boone County Fiscal Court to consider the request of Lawrence and Mary Lou Howe (Owners) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Industrial One (I-1) to Rural Suburban (RS) on an approximate 9.6 acre site located at 492 Maher Road, Boone County, Kentucky, recommended unanimously by the Boone County Planning Commission via Resolution R-97-011-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "D"

ORDINANCE NO. 07-97-01 - FIRE PREVENTION CODE

Judge Lucas presented for First Reading Ordinance No. 07-97-01, an ordinance establishing the minimum regulations governing the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices; and from conditions hazardous to life or property in the use or occupancy of buildings or premises; known as the Fire Prevention Code. Judge Lucas advised a Public Hearing and Second Reading will be advertised for the meeting of August 26th, which begins at 5:30 p.m.

**RESOLUTION NO. R-07-29-97-01 - OHIO-KENTUCKY-INDIANA REGIONAL
COUNCIL OF GOVERNMENTS**

Commissioner Campbell moved, seconded by Commissioner Meihaus, to approve Resolution No. R-07-29-97-01 - a resolution authorizing the Boone County Judge/Executive to enter into an agreement between the Ohio-Kentucky-Indiana Regional Council of Governments and Boone County, Kentucky. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "E"