

**PLEASE SEE RESOLUTION #R-99-020-D FOR
EXHIBITS A, B, AND C.**

Resolution
Of
The Boone County Fiscal Court

Resolution No. 99-236

A RESOLUTION OF THE BOONE COUNTY FISCAL COURT RECOMMENDING DENIAL FOR A REQUEST OF MARTIN MARIETTA MATERIALS, INC. (APPLICANT) FOR MARTIN MARIETTA MATERIALS, INC. (OPTION PENDING), BEDROCK INVESTMENT, LLC, SAWYER PLACE LLC, AND GUTTMAN ENTERPRISE LIMITED PARTNERSHIP (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURE (A-1), AGRICULTURAL ESTATE (A-2) AND COMMERCIAL SERVICES (C-3) TO INDUSTRIAL FOUR "SUBSURFACE MINING DISTRICT" (I-4), AND FOR A VARIANCE FROM SECTION 1189 "GEOGRAPHIC REQUIREMENTS", SUBSECTION 2 (3,000 FOOT SEPARATION REQUIREMENT BETWEEN THE PROPOSED I-4 ZONE AND CERTAIN TYPES OF RESIDENTIAL AREAS), ON AN APPROXIMATE 575 ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF I-275 AT THE PETERSBURG (KY 8) INTERCHANGE, AND ALONG BOTH SIDES OF GARRISON CREEK ROAD, BOONE COUNTY, KENTUCKY, RECOMMENDED UNANIMOUSLY FOR DENIAL BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION R-99-022-D.

WHEREAS, the Boone County Fiscal Court received a request for a Zoning map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Agriculture (A-1), Agricultural Estate (A-2) and Commercial Services (C-3) to Industrial Four "Subsurface Mining District" (I-4) and for a Variance from Section 1189 "Geographic requirements", Subsection 2 (3,000 foot separation requirement between the proposed I-4 zone and certain types of residential areas), on an approximate 575 acre site generally located on the north side of I-275 at the Petersburg (KY 8) Interchange, and along both sides of Garrison Creek Road, 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, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing made findings recommending denial for the Zoning Map Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:

SECTION I

That the request for a Zoning Map Amendment and Variance for the real estate which is more particularly described below shall be and is hereby recommended for denial, this Zoning Map Amendment being a zone change from Agriculture (A-1), Agricultural Estate (A-2) and Commercial Services (C-3) to Industrial Four "Subsurface Mining District" (I-4), and for a Variance from Section 1189 "Geographic requirements", Subsection 2 (3,000 foot separation requirement between the proposed I-4 zone and certain types of residential areas), on an approximate 575 acre site generally located on the north side of I-275 at the Petersburg (KY 8) Interchange, and along both sides of Garrison Creek Road, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in an Agriculture (A-1), Agricultural Estate (A-2) and Commercial Services (C-3) zone is more particularly described in DEED

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BOOKS 672, 667, 515, and 517, PAGE NOS. 180, 137, 258, 264 and 153, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

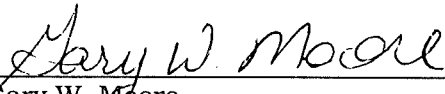
SECTION II

That as a basis for the recommendation of denial for a Zoning Map Amendment and Variance request are the findings of fact of the Boone County Planning commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked "Exhibit A".

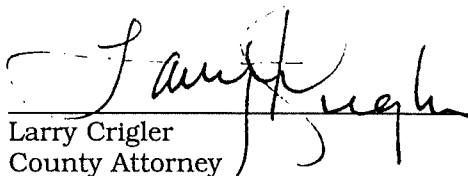
The Committee recommended denial for this request based on the findings of fact as set forth in the Committee Report and the Boone County Planning Commission business meeting minutes and marked as "Exhibit B".

SECTION III

Resolution of denial passed and approved on this 19 day of Oct., 1999.

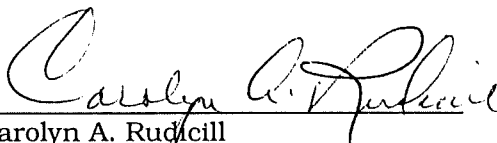


Gary W. Moore
County Judge-Executive



Larry Crigler
County Attorney

ATTEST:



Carolyn A. Rucicill
Fiscal Court Clerk