

MINUTES
BOONE COUNTY FISCAL COURT
September 27, 1994
5:30 P.M.

ITEM VI.

OLD BUSINESS

PORTION OF SECOND STREET - PUBLIC HEARING

Judge Lucas declared a Public Hearing open at 5:39 p.m. to receive comments concerning the closing of a portion of Second Street in Bellevue. Hearing no comments, Judge Lucas declared the Public Hearing closed at 5:40 p.m. Commissioner Campbell moved, seconded by Commissioner Patrick, to close the portion of Second Street beginning at a point and the right of way of Pike Street in the town of Bellevue; said point being the northwest corner of Lot #1 of said town plat; thence in an easterly direction along the northwest line of Lot #1 above described 154.0 feet to a point; thence in a perpendicular line to Lot #1 a distance of 50' to a point in the westerly line of Second Street; thence in a northerly direction along said line of said street a distance of 154.0 feet to a point and to the right of way line for Pike Street; thence in an easterly direction and a line perpendicular to the westerly line of Second Street, a distance of 50' to the point of beginning. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "B"

OLD NORTH BEND ROAD (OLD BURLINGTON PIKE) - PUBLIC HEARING

Mr. Collins advised this matter will be deferred as more research is needed.

ITEM VII.

ORDINANCES & RESOLUTIONS

ORDINANCE NO. 930.10 - KENTUCKY BUILDING CODE

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on First Reading Ordinance No. 930.10, an ordinance of the Boone County Fiscal Court adopting the Kentucky Building Code as promulgated in 815 K.A.R. 7:100, and adopting any subsequent editions of the Kentucky Building Code. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

ORDINANCE NO. 430.1C - CONTINENTAL WEB PRESS, INC.

Judge Lucas read a summary of Ordinance No. 430.1C and declared a Public Hearing open at 5:44 p.m. Hearing no comment from anyone present in the audience, Judge Lucas declared the Public Hearing closed at 5:45 p.m.

Commissioner Campbell moved, seconded by Commissioner Meihaus, to approve on Second Reading Ordinance No. 430.1C, an ordinance of the Boone County Fiscal Court ratifying the Development Agreement between the Boone County Fiscal Court and Continental Web Press, Inc., and authorizing a partial exemption from Ordinance 430.1A (Occupational License Tax Ordinance) to Continental Web Press. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C";

ORDINANCE NO. 920.287 - BREIDENSTEIN/SPERTI ESTATE

Judge Lucas read a summary of Ordinance No. 920.287 and declared a Public Hearing open at 5:46 p.m.

Mr. Thomas Breidenstein, attorney at law, presented an overview of the development, advising there will be a subcollector street, and in addition, 110 acres will be committed for passive recreation with parking at the top of the hill. Commissioner Meihaus asked that the developer save as many of the mature trees as possible and that Boone County Fiscal Court be considered as a recipient for the 110 acres. Mr. Breidenstein advised his client is discussing the recreational acreage with several public agencies and a decision has not been made at this time.

Hearing no further comment, Judge Lucas declared the Public Hearing closed at 6:00 p.m. Commissioner Campbell moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.287, an ordinance of the Boone County Fiscal Court recommending approval for a request of Thomas W. Breidenstein (Applicant) for the George S. Sperti Estate (Owner) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE) and Agriculture (A-1) to Suburban Residential One (SR-1) and Recreation (R) for an approximate 290 acre site generally located on the east side of Sperti Lane, Boone County, Kentucky, as

BOOK 162 PAGE 66

6625 Second Street
Bellevue Bottoms
Burlington, Kentucky 41005

June 28, 1994

Boone County Fiscal Court
Attention: County Judge-Executive
P. O. Box 900
Burlington, Kentucky 41005

Dear Judge-Executive:

RE: Petition to Close and
Declare Vacant Second Street
and Pike Street for Purchase

I am requesting your review and consideration to approve the closure of the section of Second Street directly in front of my residential property (Lot 1) to the corner at Pike Street, and that corner section of Pike Street to the end at Front Street from public access for residential use. See enclosed copy of the land survey showing the section of Second Street and Pike Street highlighted in yellow.

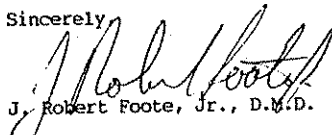
The segment of Second Street, directly in front of Lot 1 and what is now a dead end street serves no access to other properties. The function at present is a parking stall for my vehicle.

The segment of Pike Street as shown on the enclosed survey is physically not in existence due to a fall-in caused by a flood years ago. It is an eye sore.

In addition per the closure of the streets, I would like to purchase the respective sections mentioned above.

I look forward to hearing from you.

Sincerely,



J. Robert Foote, Jr., D.M.D.

Enclosure

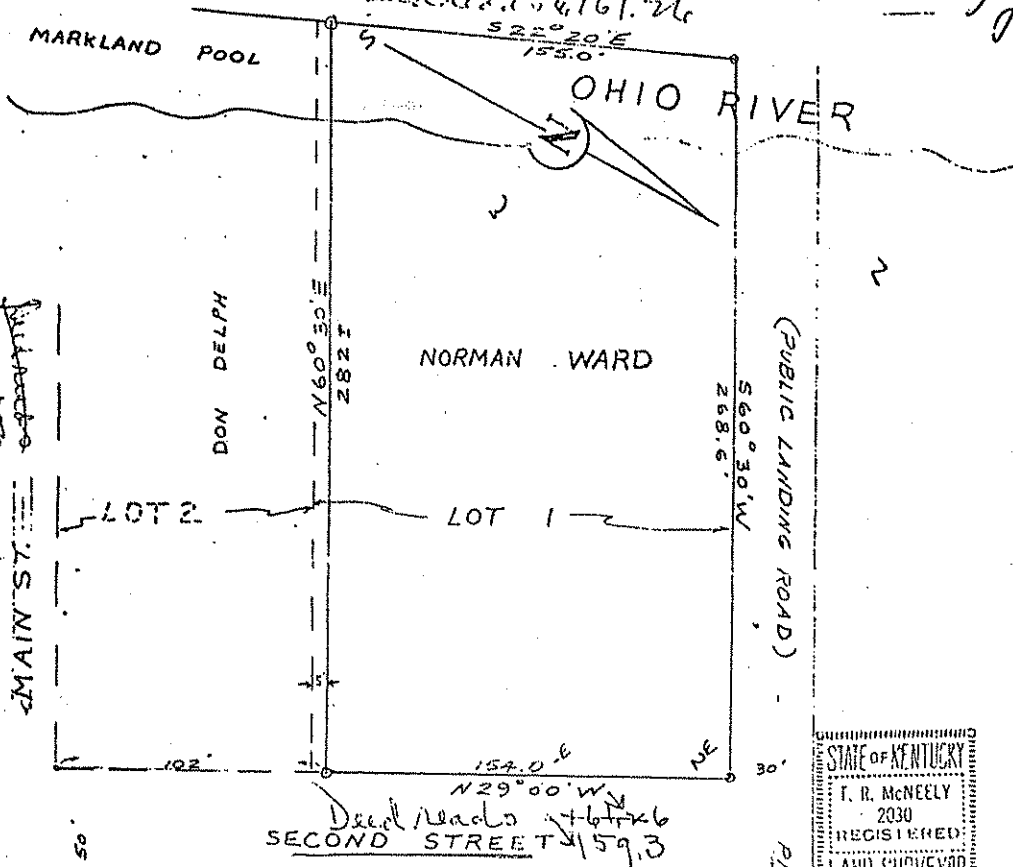
cc: Harvey Pelley
Road Department

Annal Hopkins

BOOK 162 PAGE 67

463 1/2 inches
FRONT 57
Deed reads 4, 161.26

Handwritten
Oliver's Copy



STATE OF KENTUCKY
 T. R. McNEELY
 2030
 REGISTERED
 LAND SURVEYOR

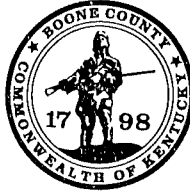
Tim R. McNeely
 REGISTERED LAND SURVEYOR
 2592 BELLEVUE RD.
 BURLINGTON, KY. 41005
 TELEPHONE 586-6497

SURVEY PLAT - NORMAN WARD PROPERTY
 PART OF LOT 1, TOWN OF BELLEVUE, KY.
 DEED BOOK 213, PAGE 85
 APRIL 11, 1979 REG. LAND SURVEYOR *Tim R. McNeely*

Survey actually made
11/11

SCALE 1" = 50'

HARVEY F. PELLEY
Director of Public Services
HAROLD L. CONGLETON
Field Superintendent



DEPARTMENT OF PUBLIC WORKS

5645 IDLEWILD ROAD
BURLINGTON, KY 41005
Phone: 606 586-5445
Fax: 606 586-5487

KENNETH R. LUCAS
County Judge - Executive

COMMISSIONERS:

IRENE PATRICK
District 1

SHIRLEY MEIHAUS
District 2

HAROLD L. CAMPBELL
District 3

September 8, 1994

OCT 7 1994

BOONE COUNTY PUBLIC WORKS

Kenneth Lucas, County Judge\Executive
P.O. Box 900
Burlington, Kentucky 41005

Re: Viewers Committee Report on the proposed closing of Pike and
Second Streets in Belleview, Ky.

Dear Sir;

We the undersigned members of a viewing committee which was
appointed to investigate the closing of a portion of the above
listed streets which adjoin the property of Dr. J.R. Foote,
submit the following report.

Based upon our observations and conversations with the Belleview
Fire Department, it is our recommendation that in the interest of
public safety, the Pike Street Right of Way remain open to the
public. The portion on Second Street in front of the Foote
property could be closed to the Pike Street Right of Way.
However, it is our recommendation that Boone County retain
utility easements upon this vacated right of way for private and
public utilities.

Respectfully submitted,

Timothy R. McNeely
Timothy McNeely, L.S.
Committee Member

Albert B. Ridner
Albert B. Ridner
Committee Member

*Mary Amos @
MyUnion.edu*

Harvey F. Pelley
Harvey F. Pelley
Director of Public Services\County Road Supervisor

cc: Jim Collins, County Administrator
File:KL-Belleview.001 "WORKING TO KEEP BOONE COUNTY TOPS IN KENTUCKY"

BELLEVUE - McVILLE FIRE DEPARTMENT

Mr. Harvey Pelley Public Works Director

Mr. Pelley it has been brought to my attention that a resident of Bellevue has requested the closing of a section of Pike street that is currently not being used. This section provides access to the river and with some improvement, could be a valuable asset to the citizens of Bellevue as a water supply source for fire fighting purposes. This access to the river could be developed similar to the one at Petersburg to provide rapid filling of tanker's. At this time I would like to encourage the Fiscal Court to keep this section of Pike street open.



Bill Birkle, Chief

Bellevue - McVille Fire Department

**PUBLIC HEARING
ROAD CLOSING**

The Boone County Fiscal Court at its meeting to be held Tuesday, September 27, 1994, 5:30 p.m., second floor courtroom, Administration Building, Burlington, Kentucky, will hold a Public Hearing and give consideration to CLOSING A PORTION OF SECOND STREET BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AND THE RIGHT OF WAY OF PIKE STREET IN THE TOWN OF BELLEVIEW; SAID POINT BEING THE NORTHWEST CORNER OF LOT #1 OF SAID TOWN PLAT; THENCE IN AN EASTERLY DIRECTION ALONG THE NORTHWEST LINE OF LOT #1 ABOVE DESCRIBED 154.0 FEET TO A POINT; THENCE IN A PERPENDICULAR LINE TO LOT #1 A DISTANCE OF 50' TO A POINT IN THE WESTERLY LINE OF SECOND STREET; THENCE IN A NORTHERLY DIRECTION ALONG SAID LINE OF SAID STREET A DISTANCE OF 154.0 FEET TO A POINT AND TO THE RIGHT OF WAY LINE FOR PIKE STREET; THENCE IN AN EASTERLY DIRECTION AND A LINE PERPENDICULAR TO THE WESTERLY LINE OF SECOND STREET, A DISTANCE OF 50' TO THE POINT OF BEGINNING.

AL COURT

IRENE PATRICK
Commissioner
District 1

SHIRLEY MEIHAUS
Commissioner
District 2

HAROLD L. CAMPBELL
Commissioner
District 3

TO: BOONE COUNTY RECORDER

FROM:


CAROLYN A. RUDICILL

FOR ISSUE: September 21, 1994

RE: P H/Portion 2nd St.

AFFIDAVIT AND COPY OF AD REQUIRED

BILL: P.O. #P9502375

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CAROLYN A. RUDICILL
FISCAL COURT CLERK
P9502375

MINUTES
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