

ORDINANCE 2022-09

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF CHOICE ENGINEERING, PER MICHAEL SEEGER (APPLICANT) FOR EM-A-NON ACRES LIMITED PARTNER, DENNIS AND MARGARET DAVIS, DON AND RITA DAVIS AND RICHARD AND SARAH RUTH DAVIS (OWNERS) FOR (1) ZONING MAP AMENDMENT FROM EMPLOYMENT PLANNED DEVELOPMENT (EPD) AND COMMERCIAL SERVICES (C-3) TO PUBLIC FACILITIES/PLANNED DEVELOPMENT (PF/PD), AND A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN EPD DISTRICT FOR AN APPROXIMATE 33 ACRE AREA LOCATED AT THE TERMINUS OF DAVIS LANE, BOONE COUNTY, KENTUCKY (AREA 1); (2) A ZONING MAP AMENDMENT FROM EMPLOYMENT PLANNED DEVELOPMENT (EPD) TO C-3, AND A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN EPD DISTRICT FOR AN APPROXIMATE 12 ACRE AREA LOCATED AT THE SOUTHEAST AND SOUTHWEST CORNERS OF THE INTERSECTION OF RICHWOOD ROAD WITH GRAND NATIONAL BOULEVARD, INCLUDING THE PROPERTIES LOCATED AT 460, 468 AND 476 DAVIS LANE, BOONE COUNTY, KENTUCKY (AREA 2); AND (3) A ZONING MAP AMENDMENT FROM EMPLOYMENT PLANNED DEVELOPMENT (EPD) TO PUBLIC FACILITIES (PF) FOR AN APPROXIMATE 6 ACRE AREA LOCATED ALONG THE SOUTHWEST SIDE OF GRAND NATIONAL BOULEVARD, BETWEEN RICHWOOD ROAD AND OVERLAND RIDGE, APPROXIMATELY 700 FEET SOUTHEAST OF RICHWOOD ROAD, BOONE COUNTY, KENTUCKY (AREA 3).

WHEREAS, the Boone County Planning Commission received a request for a (1) Zoning Map Amendment from Employment Planned Development (EPD) and Commercial Services (C-3) to Public Facilities/Planned Development (PF/PD), and a Change in an Approved Concept Development Plan in an EPD district for an approximate 33 acre area located at the terminus of Davis Lane, Boone County, Kentucky (Area 1); (2) a Zoning Map Amendment from Employment Planned Development (EPD) to C-3, and a Change in an Approved Concept Development Plan in an EPD district for an approximate 12 acre area located at the southeast and southwest corners of the intersection of Richwood Road with Grand National Boulevard, including the properties located at 460, 468 and 476 Davis Lane, Boone County, Kentucky (Area 2); and (3) a Zoning Map Amendment from Employment Planned Development (EPD) to Public Facilities (PF) for an approximate 6 acre area located along the southwest side of Grand National Boulevard, between Richwood Road and Overland Ridge, approximately 700 feet southeast of Richwood Road, Boone County, Kentucky (Area 3), which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for unincorporated Boone County, Kentucky, 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 Amendments and a Change in an Approved Concept Development Plans.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

That the request for Zoning Map Amendments and Change in an Approved Concept Development Plans for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this (1) Zoning Map Amendment from Employment Planned Development (EPD) and Commercial Services (C-3) to Public Facilities/Planned

Development (PF/PD), and a Change in an Approved Concept Development Plan in an EPD district for an approximate 33 acre area located at the terminus of Davis Lane, Boone County, Kentucky (Area 1); (2) a Zoning Map Amendment from Employment Planned Development (EPD) to C-3, and a Change in an Approved Concept Development Plan in an EPD district for an approximate 12 acre area located at the southeast and southwest corners of the intersection of Richwood Road with Grand National Boulevard, including the properties located at 460, 468 and 476 Davis Lane, Boone County, Kentucky (Area 2); and (3) a Zoning Map Amendment from Employment Planned Development (EPD) to Public Facilities (PF) for an approximate 6 acre area located along the southwest side of Grand National Boulevard, between Richwood Road and Overland Ridge, approximately 700 feet southeast of Richwood Road, Boone County, Kentucky (Area 3). The real estate which is subject to all requests are described in DEED BOOKS/PAGE NOS. 498/302, 282/80, 1147/529, 282/78, 282/82, 216/635, 216/637 and 282/80 respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for this approval for Zoning Map Amendments and Change in an Approved Concept Development Plans request are the findings of fact, and conditions, 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 Ordinance and marked as "Exhibit A."

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

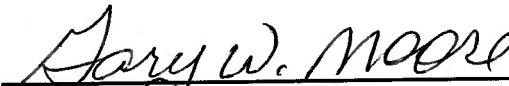
Section Three

This Ordinance shall be in effect and in full force from and after its passage, publication and adoptions, according to law.

First Reading the 26th day of April, 2022

Second Reading the 10th day of May, 2022

Adopted this 10th day of May, 2022 Yes 4 No 0


**Gary W. Moore, Judge/Executive
Boone County Fiscal Court**

ATTEST:


**Shona Schulkers,
Fiscal Court Clerk**