

## ORDINANCE 2022-19

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF JAMES ELLIOTT PROPERTY MANAGEMENT LLC, PER JAMES ELLIOTT (APPLICATE AND OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO INDUSTRIAL ONE (I-1) AND A VARIANCE REDUCING THE WIDTH OF A DRIVEWAY FROM TWENTY-FOUR (24) FEET TO A MINIMUM OF SIXTEEN (16) FEET FOR AN APPROXIMATE 16.7 ACRE AREA LOCATED AT 10486 DIXIE HIGHWAY AND 176 MAHER ROAD, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE) to Industrial One (I-1) and a Variance reducing the width of a driveway from twenty-four (24) feet to a minimum of sixteen (16) feet for an approximate 16.7 acre area located at 10486 Dixie Highway and 176 Maher 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 and made findings recommending approval, with conditions, for the Zoning Map Amendment and Variance.

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

### **Section One**

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved, with conditions, this Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE) to Industrial One (I-1) and a Variance reducing the width of a driveway from twenty-four (24) feet to a minimum of sixteen (16) feet for an approximate 16.7 acre area located at 10486 Dixie Highway and 176 Maher Road, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Rural Suburban Estates (RSE) zone is more particularly described in DEED BOOK. 1151, PAGE NO. 815 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

### **Section Two**

That as a basis for this approval for a Zoning Map Amendment request and Variance 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."

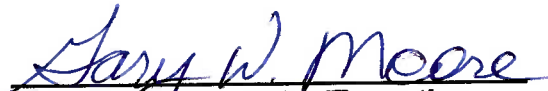
**Section Three**

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

**First Reading the 26<sup>th</sup> day of July, 2022**

**Second Reading the 9<sup>th</sup> day of August, 2022**

**Adopted this 9<sup>th</sup> day of August, 2022      Yes   4      No   0**

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

**ATTEST:**

  
**Shona Schulkers,  
Fiscal Court Clerk**