

ORDINANCE 2022-23

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF BRG REALTY GROUP LLC, PER ROBERT CROSWELL (APPLICANT) FOR HEBRON FIRE PROTECTION DISTRICT, PER FRANK TEPE (OWNER) FOR A ZONING MAP AMENDMENT/CHANGE OF CONCEPT DEVELOPMENT PLAN FROM PUBLIC FACILITY (PF) DISTRICT TO COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT FOR AN APPROXIMATE 0.63 AREA LOCATED IN THE SOUTHWEST PORTION OF THE PROPERTY AT 3120 NORTH BEND ROAD, BOONE COUNTY, KENTUCKY AND A REQUEST OF BRG REALTY GROUP LLC, PER ROBERT CROSWELL (APPLICANT) FOR MARY ANN WOLFE TRUST (OWNER) FOR A CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 16 ACRE AREA LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH BEND ROAD WITH COUGAR PATH, BOONE COUNTY, KENTUCKY (AREA 3).

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment/Change of Concept Development Plan from Public Facility (PF) district to Commercial Two/Planned Development (C-2/PD) district for an approximate 0.63 area located in the southwest portion of the property at 3120 North Bend Road, Boone County, Kentucky and for a Concept Development Plan for an approximate 16 acre area located at the northeast corner of the intersection of North Bend Road with Cougar Path, Boone County, Kentucky, 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 of Fact recommending approval, with Conditions, for the Zoning Map Amendment/Change in Concept Development Plan and Concept Development Plan.

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

Section One

That the request for Zoning Map Amendment/Change in Concept Development Plan and Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment/Change of Concept Development Plan from Public Facility (PF) district to Commercial Two/Planned Development (C-2/PD) district for an approximate 0.63 area located in the southwest portion of the property at 3120 North Bend Road, Boone County, Kentucky and for a Concept Development Plan for an approximate 16 acre area located at the northeast corner of the intersection of North Bend Road with Cougar Path, Boone County, Kentucky. The real estate which is subject to all requests are described in DEED BOOK: 714, PAGE NO: 70 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for the recommendation of approval, with Conditions, for a Zoning Map Amendment/Change of Concept Development Plan from Public Facility (PF) district to Commercial Two/Planned Development (C-2/PD) district for an approximate 0.63 area located in the southwest portion of the property at 3120 North Bend Road, Boone County, Kentucky and a

Concept Development Plan for an approximate 16 acre area located at the northeast corner of the intersection of North Bend Road with Cougar Path, Boone County, Kentucky, 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 Resolution and marked as "Exhibit A."

The Boone County Planning Commission Committee recommended approval for the requests 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 27th day of September, 2022

Second Reading the 11th day of October, 2022

Adopted this 11th day of October, 2022 Yes 4 No 0


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

ATTEST:


Shona Schulkers,
Fiscal Court Clerk