

ORDINANCE 2023-13

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, A REQUEST, WITH A CONDITION OF DINSMORE HOMESTEAD FOUNDATION INC, PER BARBARA BARDES (APPLICANT) FOR DINSMORE HOMESTEAD FOUNDATION INC, PER BARBARA BARDES AND COUNTY OF BOONE, PER JEFF EARLYWINE, COUNTY ADMINISTRATOR (OWNERS) FOR A ZONING MAP AMENDMENT FROM CONSERVATION (CONS) TO CONSERVATION/PLANNED DEVELOPMENT (CONS/PD) FOR AN APPROXIMATE 9.2 ACRE AREA LOCATED ALONG THE NORTHWEST SIDE OF BURLINGTON PIKE, BETWEEN MIDDLE CREEK ROAD AND BELLEVIEW ROAD, APPROXIMATELY 650 FEET SOUTHWEST OF MIDDLE CREEK ROAD, AND BEING PART OF THE PROPERTIES LOCATED AT 5656 BURLINGTON PIKE AND 5700 BURLINGTON PIKE, 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 Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, 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 of Fact recommending approval, with a Condition, for the Zoning Map Amendment.

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 recommended for approval, with a condition, this Zoning Map Amendment being a zone change from Conservation (CONS) to Conservation/Planned Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Conservation (CONS) zone is more particularly described in DEED BOOKS:/PAGE NOS: 387/45, and 986/751 (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 a Condition, for a Zoning Map Amendment request are the Findings of Fact, and Condition, 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 recommended approval for this request based on the Findings of Fact and Condition 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 8th day of June 2023

Second Reading the 27th day of June 2023

Adopted this 27th day of June 2023 Yes 4 No 0



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

ATTEST:



Shona Schulkers,
Fiscal Court Clerk