

ORDINANCE 2023-18

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF NORTHERN KENTUCKY AGGREGATES, INC., PER DENNIS GARRISON (APPLICANT) FOR TIMOTHY WILLIAM HITZFIELD, DANIEL LYNCH HITZFIELD, JOSEPH GERARD HITZFIELD, AND NANCY HITZFIELD (OWNERS) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN (RS) TO INDUSTRIAL THREE SURFACE MINING (I-3) FOR AN APPROXIMATE 32 ACRE AREA LOCATED AT 3989 BELLEVIEW 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 (RS) to Industrial Three Surface Mining (I-3) for an approximate 32 acre area located at 3989 Belleview 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 of Fact recommending approval, with Conditions, 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 approved, with conditions, this Zoning Map Amendment being a zone change from Rural Suburban (RS) to Industrial Three Surface Mining (I-3) for an approximate 32 acre area located at 3989 Belleview Road, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Rural Suburban (RS) zone is more particularly described in DEED BOOK: 1161, PAGE NO: 907 (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 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 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 22nd day of August 2023

Second Reading the 5th day of September 2023


Adopted this 5th day of September 2023

Yes 4 No 0



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

ATTEST:



Shona Schulkers,
Fiscal Court Clerk