

ORDINANCE 2023-19

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF SL 1020 PETERSBURG ROAD LLC, PER HOLDEN SABATO (APPLICANT/OWNER) FOR: (1) A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO INDUSTRIAL ONE (I-1) AND A CHANGE OF CONCEPT DEVELOPMENT PLAN WITHIN AN EXISTING INDUSTRIAL ONE (I-1) DISTRICT; AND (2) A VARIANCE SUBJECT TO A CONDITION REDUCING THE CORNER SIDE YARD SETBACK FROM FIFTY (50) FEET TO TWENTY-EIGHT (28) FEET, FOR AN APPROXIMATE 6.46 ACRE AREA LOCATED AT 1020 PETERSBURG ROAD, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for (1) a Zoning Map Amendment from Commercial Two (C-2) to Industrial One (I-1) and a Change of Concept Development Plan within an existing Industrial One (I-1) district; and (2) a Variance reducing the corner side yard setback from fifty (50) feet to twenty-eight (28) feet, for an approximate 6.46 acre area located at 1020 Petersburg 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 and a Variance with a condition.

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 and Variance for the real estate which is more particularly described below shall be and is hereby approved, with conditions, this (1) a Zoning Map Amendment from Commercial Two (C-2) to Industrial One (I-1) and a Change of Concept Development Plan within an existing Industrial One (I-1) district; and (2) a Variance subject to a Condition reducing the corner side yard setback from fifty (50) feet to twenty-eight (28) feet, for an approximate 6.46 acre area located at 1020 Petersburg Road, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Commercial Two (C-2) zone is more particularly described in DEED BOOK: 1181, PAGE NO: 147 (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 (1) a Zoning Map Amendment from Commercial Two (C-2) to Industrial One (I-1) and a Change of Concept Development Plan within an existing Industrial One (I-1) district; and (2) a Variance subject to a Condition to reduce the corner side yard setback from fifty (50) feet to twenty-eight (28) feet, for an approximate 6.46 acre area located at 1020 Petersburg Road, 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 Ordinance and marked as "Exhibit A."

The Boone County Planning Commission recommended approval for these 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 5th day of September 2023


Second Reading the 19th day of September 2023

Adopted this 19th day of September 2023 Yes 4 No 0



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

ATTEST:



Shona Schulkers,
Fiscal Court Clerk