

ORDINANCE NO. 2021 – 15

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF VIOX & VIOX (APPLICANT) FOR BONNIE J. LIVINGSTON AND WILLIAM REX LIVINGSTON (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO INDUSTRIAL TWO (I-2), AND A VARIANCE FROM THE BOONE COUNTY ZONING REGULATIONS, FOR THE APPROXIMATE 1.83 ACRE SITE LOCATED AT 8450 DIXIE HIGHWAY, AND THE EASTERNMOST, APPROXIMATELY 0.14 ACRES OF THE SITE LOCATED AT 149 MIKKELSEN DRIVE, BOONE COUNTY, KENTUCKY (APPROXIMATELY 1.97 ACRES TOTAL).

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 Suburban Residential One (SR-1) to Industrial Two (I-2) and a Variance from the Boone County Zoning Regulations for an approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total), 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 a 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 Suburban Residential One (SR-1) to Industrial Two (I-2) and a Variance from the Boone County Zoning Regulations for an approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total), Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOKS. 1154, 1154, PAGE NOS. 96-99, 100-103, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for this approval of a Zoning Map Amendment request and a 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 and same shall be and are hereby incorporated by reference as if fully set out in this Ordinance and are 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 same are 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 11th day of May, 2021

Second Reading - the 25th day of May, 2021

Adopted this 25th day of May, 2021. Yes 4 No 0


GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

Attest:


Sharon Burcham,
Fiscal Court Clerk