

ORDINANCE NO. 2021 - 35

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING WITH CONDITIONS, A REQUEST OF TIM GREIVE (APPLICANT) FOR BOB SUMEREL TIRE CO (OWNER) FOR A CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE/PLANNED DEVELOPMENT/HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (I-1/PD/HDO) ZONE FOR A 2.835 ACRE SITE LOCATED ON THE NORTH SIDE OF DONALDSON HIGHWAY, APPROXIMATELY 240 FEET WEST OF TURFWAY ROAD AND IMMEDIATELY WEST OF THE PROPERTY AT 1212 DONALDSON HIGHWAY, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO PERMIT A TRUCK TIRE STORAGE LOT.

WHEREAS, the Boone County Planning Commission received a request for a Change in Approved Concept Development Plan in an Industrial One/Planned Development/Houston-Donaldson Study Corridor Overlay (I-1/PD/HDO) zone for a 2.835 acre site located on the north side of Donaldson Highway, approximately 240 feet west of Turfway Road and immediately west of the property at 1212 Donaldson Highway, 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 Change in Approved 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 a Change in Approved Concept Development Plan in an Industrial One/Planned Development/Houston-Donaldson Study Corridor Overlay (I-1/PD/HDO) zone for a 2.835 acre site located on the north side of Donaldson Highway, approximately 240 feet west of Turfway Road and immediately west of the property at 1212 Donaldson Highway, Boone County, Kentucky. The real estate, which is the subject of this request for a Change in Approved Concept Development Plan Amendment and is more particularly described in DEED BOOK. 312, PAGE NO. 39 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for this approval for a Change in Approved Concept Development Plan request are the findings of fact, with 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 are marked as "Exhibit A."

The Boone County Planning Commission Committee recommended approval for this request 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 26th day of oct 2021

Second Reading - the 9th day of oct, 2021

Adopted this 9th day of October, 2021. Yes No


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

Attest:


Shona Schulkers,
Fiscal Court Clerk