

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

NOV 18 11:00 AM 2003 2B TOP

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- (Check One) 1. X Boone Florence Walton Union
2. Conditional Use Permit X Variance Appeal
3. Applicant's Name CINCINNATI UNITED CONTRACTORS, INC
4. Description of Request: PLEASE SEE ATTACHED LETTER
5. Name of Development KERRY OF FLORENCE
6. Location of Development 6149 & 6199 HOPEFUL CHURCH ROAD
7. Acreage Under Review 4.1013 ACRES
8. Lot Number and Name of Subdivision (if part of a subdivision) 061.00-00-107.00 & 061.00-00-114.00
9. Owner of Property BRUCE A. KRONE, TRUSTEE
10. Address of Property Owner CINCINNATI OHIO 45202
11. Proposed Use(s) on Site SALES, AUTOMOTIVE REPAIR, AND LEASE OF NEW AND USED MOTOR VEHICLES - PLEASE SEE ATTACHED LETTER
12. Total Square Footage of Existing and/or Proposed Buildings
13. Current Zoning on Property C-3
14. Deed Book 6301587 Page No. 140 & 265 Group No. 2040A
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Jonathan R. Asthaid

Property Owner's Signature: [Signature]

BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 7-24-03 Fee Received \$ 2021.00 R# 36018
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
TRM 9-10-03 Approved (SEE EXPLANATION & MEETING MINUTES)  
\_\_\_\_\_ Approved with Conditions (See #6)  
[REDACTED] Denial (See #7).
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: [REDACTED]  
\_\_\_\_\_  
\_\_\_\_\_

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page

**NOTE:** See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

## STAFF REPORT

APPLICANT: Cincinnati United Contractors  
LOCATION: 8053 Burlington Pike, Boone County & Florence, Kentucky  
ZONING: Commercial Services (C-3)  
DATE: September 10, 2003

### Proposal

Cincinnati United Contractors is requesting six variances on a vacant parcel of land which is becoming part of Kerry Nissan/Mazda/Hyundai dealership at 8053 Burlington Pike. The 4.1013 acre property fronts on the east side of Hopeful Church Road, across from Chancellor Court, and is located within Unincorporated Boone County and the City of Florence. The applicant is seeking the following variances in each jurisdiction:

### Unincorporated Boone County

- (1) Allow a reduction in the 275 foot spacing requirement between adjacent driveways on an arterial street (Hopeful Church Road). The Concept Plan indicates that a new curb cut is proposed on the southwestern portion of the vacant lot. The proposed curb cut is located 88 feet from an existing curb cut that serves the Hopeful Lutheran Church Cemetery.
- (2) Allow the 1,500 foot road frontage requirement, which is required for a development to have four curb cuts, to be reduced to 980 feet. The submitted Concept Plan indicates that the development will have one curb cut in Unincorporated Boone County. The County G.I.S. System shows that the development has approximately 260 feet of road frontage along Hopeful Church Road, which is located in Unincorporated Boone County.
- (3) Allow reductions of the Vehicular Use Area (VUA) parking islands dimensions as follows:
  - A. Reduce overall square footage of four VUA islands from 600 square feet to 147, 336, 316, and 0 square feet respectively.
  - B. Reduce the width of the islands beneath the 9 foot standard.

### City of Florence

- (1) Allow a reduction in the 275 foot spacing requirement between adjacent driveways on an arterial street (Hopeful Church Road). The Concept Plan indicates that a new curb cut is proposed on the northwestern portion of the vacant lot. The proposed curb cut is located 58 feet from an existing curb cut that serves the Kerry dealerships.
- (2) Allow the 1,500 foot road frontage requirement, which is required for a development to have four curb cuts, to be reduced to 980 feet. The submitted Concept Plan indicates that the development will have three curb cuts in the City of Florence. The County G.I.S. system shows that the development has approximately 720 feet of road frontage along Hopeful Church Road, which is located in the City of Florence.

- (3) Allow reductions of the Vehicular Use Area (VUA) parking islands dimensions as follows:
- A. Reduce overall square footage of four VUA islands from 600 square feet to 231, 237, 310 and 211 square feet respectively.
  - B. Reduce the width of two of the islands beneath the 10 foot standard.

#### Applicable Regulations

Section 3210 of the Boone County Zoning Regulations defines Hopeful Church Road as an arterial roadway.

Section 3215 and Table 32.1 of the Boone County Zoning Regulations states that adjacent driveways on an arterial roadway shall be spaced no less than 275 feet apart.

Section 3221 of the Boone County Zoning Regulations states that "where the frontage of a tract of land is greater than 500 feet, an additional access point is permitted for each additional 500 feet of frontage, provide all access points are otherwise in compliance with all applicable sections of these regulations.

Section 3222 of the Boone County Zoning Regulations states that access points on opposite sides of arterial and collector roadways shall be located opposite each other. If not so located, turning movements restrictions may be imposed as determined necessary by the Planning Commission.

Section 3223 of the Boone County Zoning Regulations states that "whenever the use of a parcel of land changes the existing access point(s) shall become void. The Planning Commission may require the reconstruction, relocation, or closure of the access point(s), based on the new property use. Any such new or reauthorized access point must be in compliance with all applicable sections of this regulation, and may require the submission of a traffic study in accordance with Section 3240 of this Order."

Section 3625 of the Boone County Zoning Regulations (City of Florence Landscaping Regulations) states that the minimum size of a VUA area shall be 10 feet in width and 200 square feet in area.

Section 3625 of the Boone County Zoning Regulations (City of Florence Landscaping Regulations) states that VUA areas that are a minimum of 600 square feet in area will be required if rows of parking are unbroken for 180 linear feet or more.

Section 3725 of the Boone County Zoning Regulations (Boone County Landscaping Regulations) states that the minimum size of a VUA area shall be 9 feet in width and 17 feet in length.

Section 3725 of the Boone County Zoning Regulations (Boone County Landscaping Regulations) states that VUA areas are required when parking adjoins each other at or near right angles.

Section 3725 of the Boone County Zoning Regulations (Boone County Landscaping Regulations) states that VUA areas that are a minimum of 600 square feet in area will be required if rows of parking are unbroken for 180 linear feet or more.

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
  - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
  - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

#### Site Characteristics and Zoning

The 4.1013 acre lot is currently vacant and is zoned Commercial Services (C-3). The property has four existing access points that used to serve a mobile home park and concrete plant. The grade of the property is fairly level. However, there is an approximate 6 to 10 foot change in grade between the existing Kerry Dealership lots and the proposed lot.

#### Adjoining Land Uses and Zoning

North: Kerry Nissan, Mazda, Hyundai Dealerships (C-3)

South: Hopeful Lutheran Church Cemetery & Church (PF)

East: Willis Music & Fitworks/LaRosa's Strip Center (C-2)

West: Hopeful Church Rd, Chancellor Dr, Toyota Towne (C-3), and Single-Family Residential Dwellings (SR-1)

#### Staff Comments

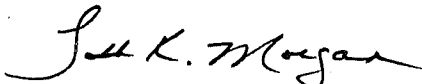
1. Staff wants to remind the Boards and the public that car dealerships are permitted in the Commercial Services (C-3) zone. The Boards are reviewing the requested variances and not the car dealership use.

2. Section 3223 of the Boone County Zoning Regulations states that four existing curb cuts on the 4.1013 acre property will become void when the property redevelops. Unless the Boards grant variances, the new or reauthorized curb cuts will need to be in compliance with the zoning regulations. In addition, encroachment permits will be required from the Kentucky Transportation Cabinet.
3. Staff talked with Ed Thompson, with the Kentucky Transportation Cabinet, in regard to the proposed curb cuts and their spacing from adjoining curb cuts. Mr. Thompson indicated that the Transportation Cabinet would probably approve encroachment permits for the curb cuts as they are shown on the plan. However, they will require some lane striping to ensure safe turning movements.
4. Staff is concerned that the curb cut which is proposed on the northern portion (City of Florence) of the 4.1013 acre property could impact public safety. This proposed curb cut is 58 feet from an existing curb cut that serves the Kerry dealerships. It is foreseeable that motorists will try to exit these two curb cuts at the same time and that their individual turning movements could conflict with one another. Staff believes that this spacing issue could be further compounded by the posted speed limit (40 mile per hour) on Hopeful Church Road, the presence of Chancellor Court and the Toyota Towne curb cut across the street (see Section 3222 of the zoning regulations), and the fact the Hopeful Church Road has multiple lane transitions between the subject property and the KY 18/Hopeful Church Road intersection. Staff believes that the applicant could grade the site and/or adjoining property, redesign the parking lot layout, and readily use the existing curb cut to better accommodate tractor trailer (car carrier) circulation. In addition to these technical factors, Staff has not identified that any hardship exists.
5. Staff is concerned that the applicant's request to reduce to the Vehicular Use Area (VUA) islands seems like an unreasonable circumvention of the zoning regulations. Staff does not see how the strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. In addition, it appears that all the landscaping regulations could be readily met.

#### Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals and Florence Board of Adjustment and Zoning Appeals the authority to grant the requested variances.

Respectfully submitted,

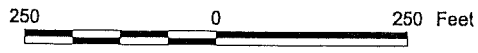
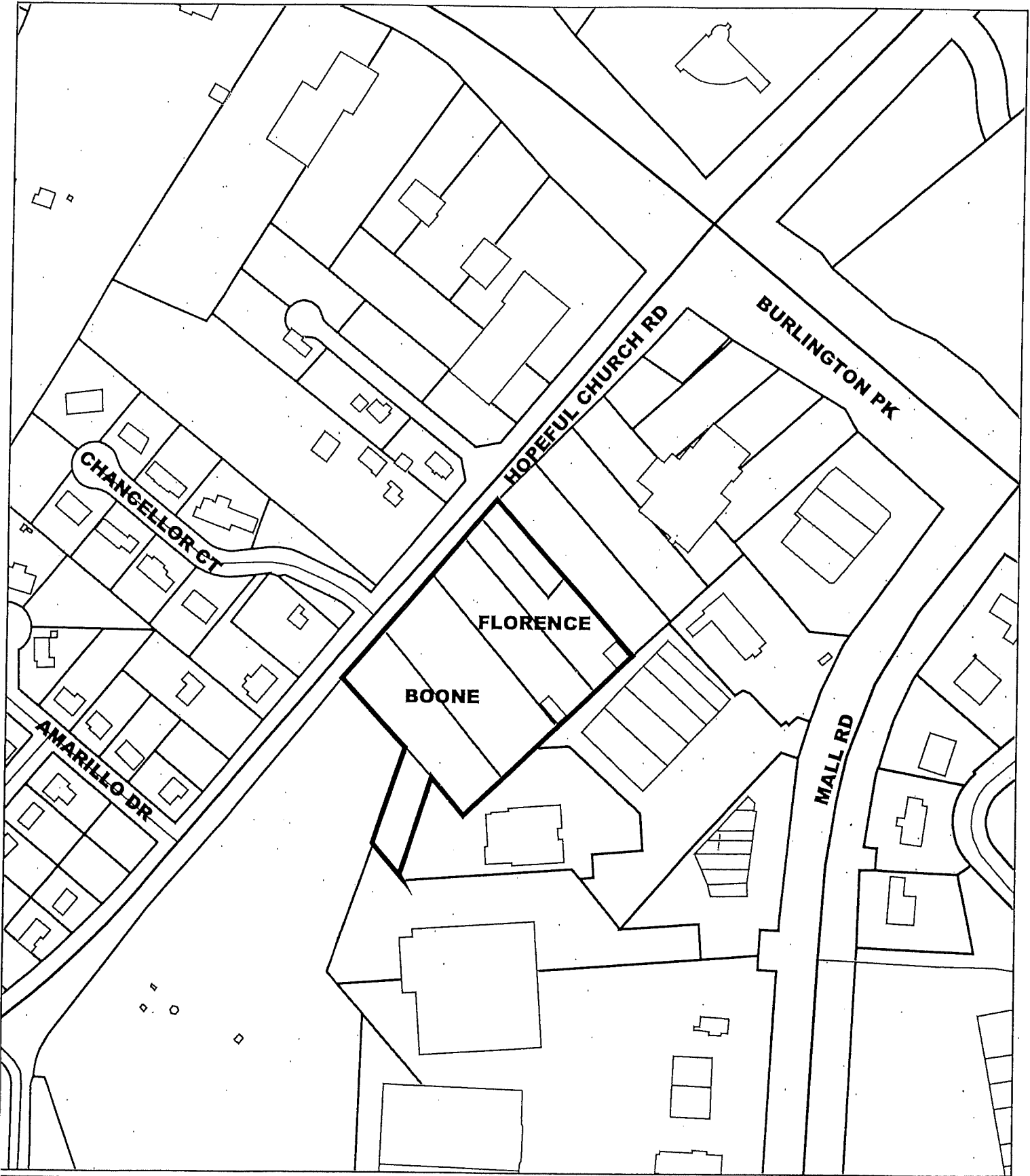


Todd K. Morgan, AICP  
Planner, Zoning Services

TKM/dw

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Applications and Letters Describing Requests
- Exhibit C – Concept Plan
- Exhibit D – Zoning Map
- Exhibit E – Aerial Map
- Exhibit F – Topographical Map



1 inch equals 250 feet

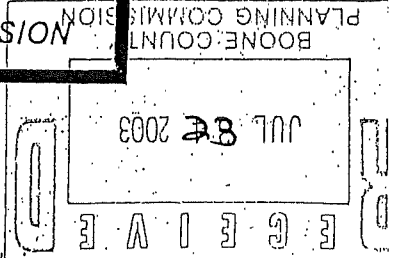
# Cincinnati United Contractors Site Vicinity Map

Produced by the  
Boone County Planning Commission  
GIS Services Division  
September 4, 2003



APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations  
SECTION A (To be completed by applicant)

- 1. (Check One)  
 Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- 2. (Check One)  
\_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use
- 3. Applicant's Name CINCINNATI UNITED CONTRACTORS, INC.  
Phone Number 513-677-0060 Fax No. 513-677-1121  
Applicant's Address P.O. Box 509  
MASON OHIO 45040  
City State Zip
- 4. Description of Request: PLEASE SEE ATTACHED LETTER
- 5. Name of Development KERRY OF FLORENCE
- 6. Location of Development 6149 & 6199 HOPEFUL CHURCH ROAD
- 7. Acreage Under Review 4.1013 ACRES
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
061.00-00-107.00 & 061.00-00-114.00
- 9. Owner of Property BRUCE A. KRONE, TRUSTEE  
Phone Number of Owner 513-241-1234
- 10. Address of Property Owner CINCINNATI OHIO 45202  
City State Zip
- 11. Proposed Use(s) on Site SALES, AUTOMOTIVE REPAIR, AND LEASE OF NEW AND USED MOTOR VEHICLES - PLEASE SEE ATTACHED LETTER
- 12. Total Square Footage of Existing and/or Proposed Buildings \_\_\_\_\_
- 13. Current Zoning on Property C-3
- 14. Deed Book 630 & 587 Page No. 140 & 265 Group No. \_\_\_\_\_
- 15. Is the site subject to a zone change? No  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Jonathan R. Bothard

Property Owner's Signature: [Signature]



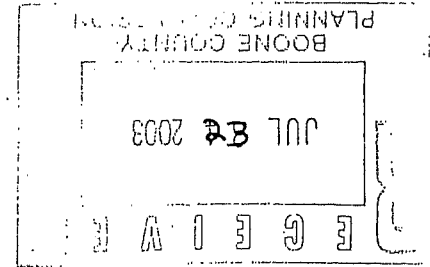
Cincinnati United Contractors, Inc.

Exceeding All Your Expectations

July 23, 2003

Boone County Board of Adjustment  
C/o Mr. Todd K. Morgan, AICP  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

Re: Kerry of Florence Automotive  
6149 and 6199 Hopeful Church Road  
Florence, Kentucky



To Whom It May Concern:

Cincinnati United Contractors, Inc., on behalf of Kerry of Florence, requests inclusion on the agenda for the Boone County Board of Adjustment and Zoning Appeals meeting scheduled for August 13, 2003. At this time we are requesting the Board to grant the following variances to the Boone County Zoning Resolution:

- Variance A: Variance to Section 3215, Table 32.1 requiring a minimum spacing between adjacent driveways of 275 feet for an arterial roadway. The arterial roadway in question is Hopeful Church Road (KY 1018).
- Variance B: Variance to Section 3221.2 requiring 1,500 feet of street frontage to allow four (4) access points from the subject property and adjacent developed property onto Hopeful Church Road.
- Variance C: Variance to Section 3725.4 requiring "Planting areas that are a minimum of 600 square feet will be required if rows of parking are unbroken for 180 linear feet or more".

During discussions with Mr. Todd Morgan with the Boone County Planning Commission, the site being considered consists of an existing developed site and a site containing new development. The attached drawings denote the two (2) sites accordingly. The corporation line between the City of Florence and Boone County divides the site of new development. The portion of the site contained within Boone County meets the requirements of Section 3725.4 of the Boone County Zoning Resolution.

The aforementioned Variance A and Variance B would allow motor vehicle delivery trucks to access the site of new development in a circulation pattern to reduce traffic congestion and disruption on Hopeful Church Road. The topography between the site of new development and the existing adjacent developed site does not allow for ease of vehicular circulation between the sites, especially for vehicle delivery trucks, without major disruption to traffic circulation paths and usability of the site for motor vehicle sale or lease display.

The last variance, Variance C, is being requested to allow for effective motor vehicle display and to reduce the amount of trees on the property. The presence of trees contributes to undesired bird and leaf droppings onto the motor vehicles, which are being displayed for sale or lease. If the variance is granted, the resulting vehicular use area would not adversely affect the public health, safety or welfare. The character of the vehicular use area in the general vicinity containing other commercial, retail, and motor

vehicle sales and repair establishments is similar in configuration to the requested variance approval. The proposed interior landscaping area is 7.84 percent of the overall site vehicular use area, which exceeds the Boone County Zoning Regulation requirement of 5 percent minimum interior landscape area by 50 percent.

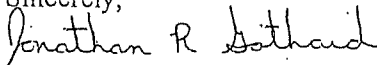
Attached please find the following items:

- One (1) completed Board of Adjustment and Zoning Appeal Action application.
- Three (3) copies of the Plat of Survey for the site of new development
- Three (3) copies of a 24" x 36" drawing of the Preliminary Site Plan indicating the proposed development/use of the property.
- Three (3) copies of an 11" x 17" drawing of the Preliminary Site Plan indicating the proposed development/use of the property.
- One (1) copy a typewritten list of all adjoining property owners including those located across any road, street, or highway.
- One (1) copy of the deeds for the site of new development – which is two (2) of the attached deeds denoted: "SITE OF NEW DEVELOPMENT"
- One (1) copy of the deed for the site of existing development – which is four (4) of the attached deeds
- One (1) check, number 18344, payable to the Boone County Planning Commission in the amount of \$2,071.00 for the Board of Adjustment variance fee. The following is the calculation used in determining the submitted fee:

(3) requested variances at \$650.00 per variance	=	\$	1,950.00
(1) legal ad publication	=	\$	100.00
(13) adjacent property owner notifications (this cost is shared with the City of Florence Board of Adjustment and was included with that application)			
(1) CLUR	=	\$	21.00
Total	=	\$	2,071.00

If you have any questions or concerns regarding the above, please contact me at your earliest convenience.

Sincerely,



Jonathan R. Gothard

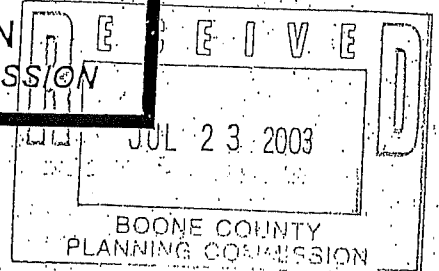
Cincinnati United Contractors, Inc.  
P.O. Box 509  
Mason, Ohio 45040

Encl.

Cc:	Bruce A. Krone	Eichel & Krone Co. L.P.A.
	Anne F. McBride, AICP	McBride Dale Clarion
	David Kubicki	CUC
	Tom Lemmel	CUC
	Dave Woodke	CUC
	File #195-4739	

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations  
SECTION A (To be completed by applicant)

(Check One)

1. \_\_\_\_\_ Boone  Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_

(Check One)

2. \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use

3. Applicant's Name CINCINNATI UNITED CONTRACTORS, INC.  
Phone Number 513-677-0060 Fax No. 513-677-1121  
Applicant's Address P.O. Box 509  
MASON OHIO 45040  
City State Zip

4. Description of Request: PLEASE SEE ATTACHED LETTER

5. Name of Development KERRY OF FLORENCE

6. Location of Development 6149 & 6199 HOPEFUL CHURCH ROAD

7. Acreage Under Review 4.1013 ACRES

8. Lot Number and Name of Subdivision (if part of a subdivision)

061.00-00-107.00 & 061.00-00-114.00

9. Owner of Property BRUCE A. KRONE, TRUSTEE

Phone Number of Owner 513-241-1234

10. Address of Property Owner CINCINNATI OHIO 45202  
City State Zip

11. Proposed Use(s) on Site SALES, AUTOMOTIVE REPAIR, AND LEASE OF NEW AND USED MOTOR VEHICLES - PLEASE SEE ATTACHED LETTER

12. Total Square Footage of Existing and/or Proposed Buildings \_\_\_\_\_

13. Current Zoning on Property C-3

14. Deed Book 630 & 587 Page No. 140 & 265 Group No. \_\_\_\_\_

15. Is the site subject to a zone change? No  
If yes, give date of approval \_\_\_\_\_

16. Have you submitted a Site Plan with this request? YES

17. Have you submitted a list of adjoining property owners with this request? YES

18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

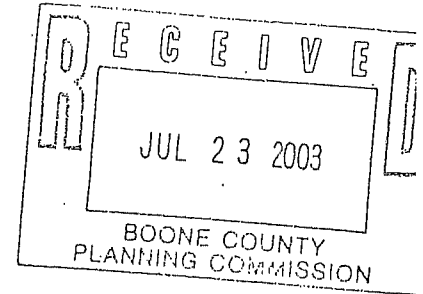
Applicant's Signature: Jonathan R. Gothard

Property Owner's Signature: [Signature]



July 23, 2003

City of Florence Board of Adjustment  
C/o Mr. Todd K. Morgan, AICP  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005



Re: Kerry of Florence Automotive  
6149 and 6199 Hopeful Church Road  
Florence, Kentucky

To Whom It May Concern:

Cincinnati United Contractors, Inc. on behalf of Kerry of Florence requests inclusion on the agenda for the City of Florence Board of Adjustment and Zoning Appeals meeting scheduled for August 13, 2003. At this time we are requesting the Board to grant the following variances to the Boone County Zoning Resolution:

- Variance A: Variance to Section 3215, Table 32.1 requiring a minimum spacing between adjacent driveways of 275 feet for an arterial roadway. The arterial roadway in question is Hopeful Church Road (KY 1018).
- Variance B: Variance to Section 3221.2 requiring 1,500 feet of street frontage to allow four (4) access points from the subject property and adjacent developed property onto Hopeful Church Road.
- Variance C: Variance to Section 3625.4 requiring "Planting areas that are a minimum of 600 square feet will be required if rows of parking are unbroken for 180 linear feet or more".

During discussions with Mr. Todd Morgan with the Boone County Planning Commission, the site being considered consists of an existing developed site and a site containing new development. The attached drawings denote the two (2) sites accordingly. The corporation line between the City of Florence and Boone County divides the site of new development. The portion of the site contained within the City of Florence meets the requirements of Section 3625.4 of the Boone County Zoning Resolution.

The aforementioned Variance A and Variance B would allow motor vehicle delivery trucks to access the site of new development in a circulation pattern to reduce traffic congestion and disruption on Hopeful Church Road. The topography between the site of new development and the existing adjacent developed site does not allow for ease of vehicular circulation between the sites, especially for vehicle delivery trucks, without major disruption to traffic circulation paths and usability of the site for motor vehicle sale or lease display.

The last variance, Variance C, is being requested to allow for effective motor vehicle display and to reduce the amount of trees on the property. The presence of trees contributes to undesired bird and leaf droppings onto the motor vehicles, which are being displayed for sale or lease. If the variance is granted, the resulting vehicular use area would not adversely affect the public health, safety or welfare. The character of the vehicular use area in the general vicinity containing other commercial, retail, and motor

vehicle sales and repair establishments is similar in configuration to the requested variance approval. The proposed interior landscaping area is 7.84 percent of the overall site vehicular use area, which exceeds the Boone County Zoning Regulation requirement of 5 percent minimum interior landscape area by 50 percent.

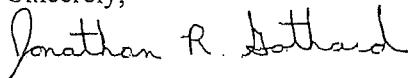
Attached please find the following items:

- One (1) completed Board of Adjustment and Zoning Appeal Action application.
- Three (3) copies of the Plat of Survey for the site of new development
- Three (3) copies of a 24" x 36" drawing of the Preliminary Site Plan indicating the proposed development/use of the property.
- Three (3) copies of an 11" x 17" drawing of the Preliminary Site Plan indicating the proposed development/use of the property.
- One (1) copy a typewritten list of all adjoining property owners including those located across any road, street, or highway.
- One (1) copy of the deeds for the site of new development – which is two (2) of the attached deeds denoted: "SITE OF NEW DEVELOPMENT"
- One (1) copy of the deed for the site of existing development – which is four (4) of the attached deeds
- One (1) check, number 18343, payable to the Boone County Planning Commission in the amount of \$2,175.00 for the Board of Adjustment variance fee. The following is the calculation used in determining the submitted fee:

(3) requested variances at \$650.00 per variance	=	\$	1,950.00
(1) legal ad publication	=	\$	100.00
(13) adjacent property owner notifications	=	\$	104.00
The above is a shared cost with Boone County Board of Adjustment			
(1) CLUR	=	\$	21.00
Total	=	\$	2,175.00

If you have any questions or concerns regarding the above, please contact me at your earliest convenience.

Sincerely,



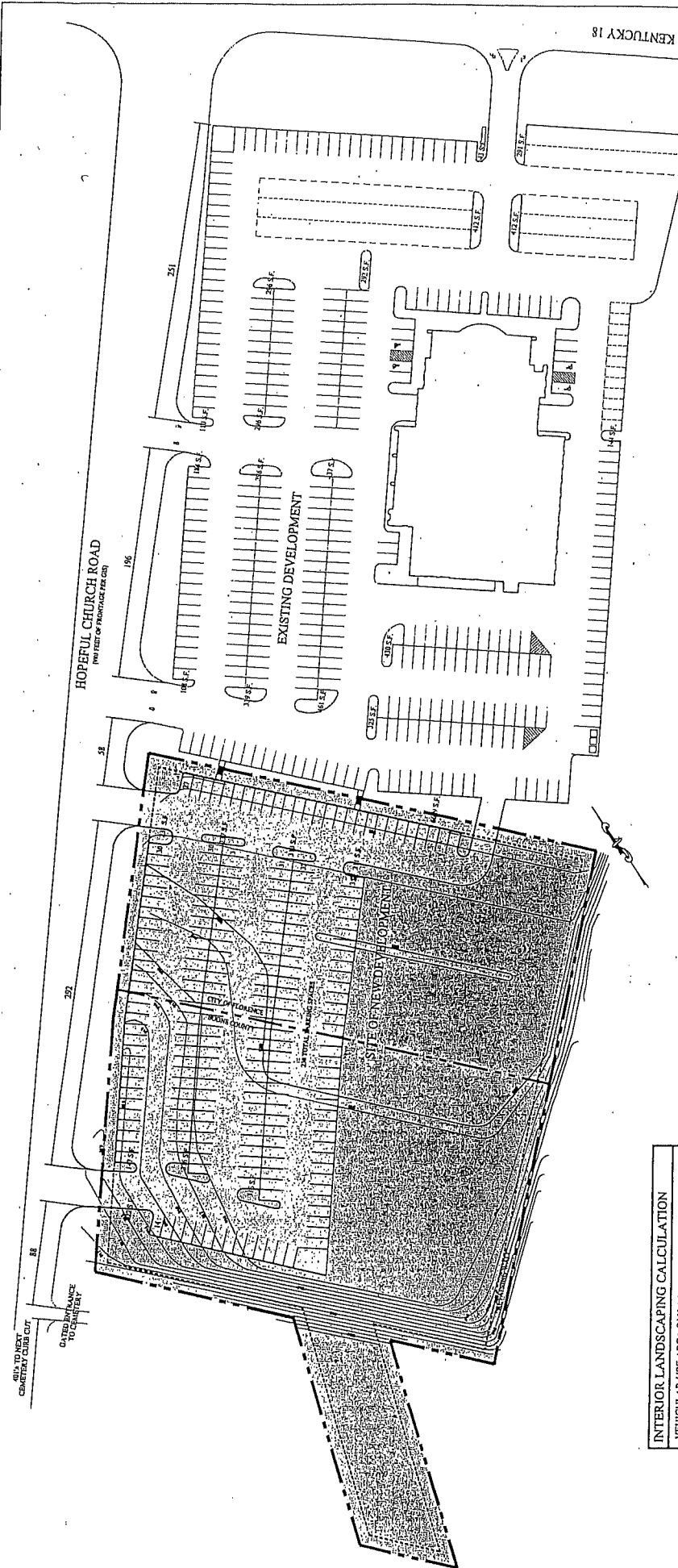
Jonathan R. Gothard

Cincinnati United Contractors, Inc.  
P.O. Box 509  
Mason, Ohio 45040

Encl.

Cc: Bruce A. Krone  
Anne F. McBride, AICP  
David Kubicki  
Tom Lemmel  
Dave Woodke  
File #195-4739

Eichel & Krone Co. L.P.A.  
McBride Dale Clarion  
CUC  
CUC  
CUC



PROPOSED FACILITY  
FOR :

# KERRY OF FLORENCE

IN  
FLORENCE, KY

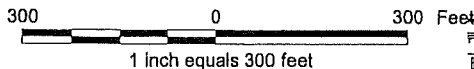
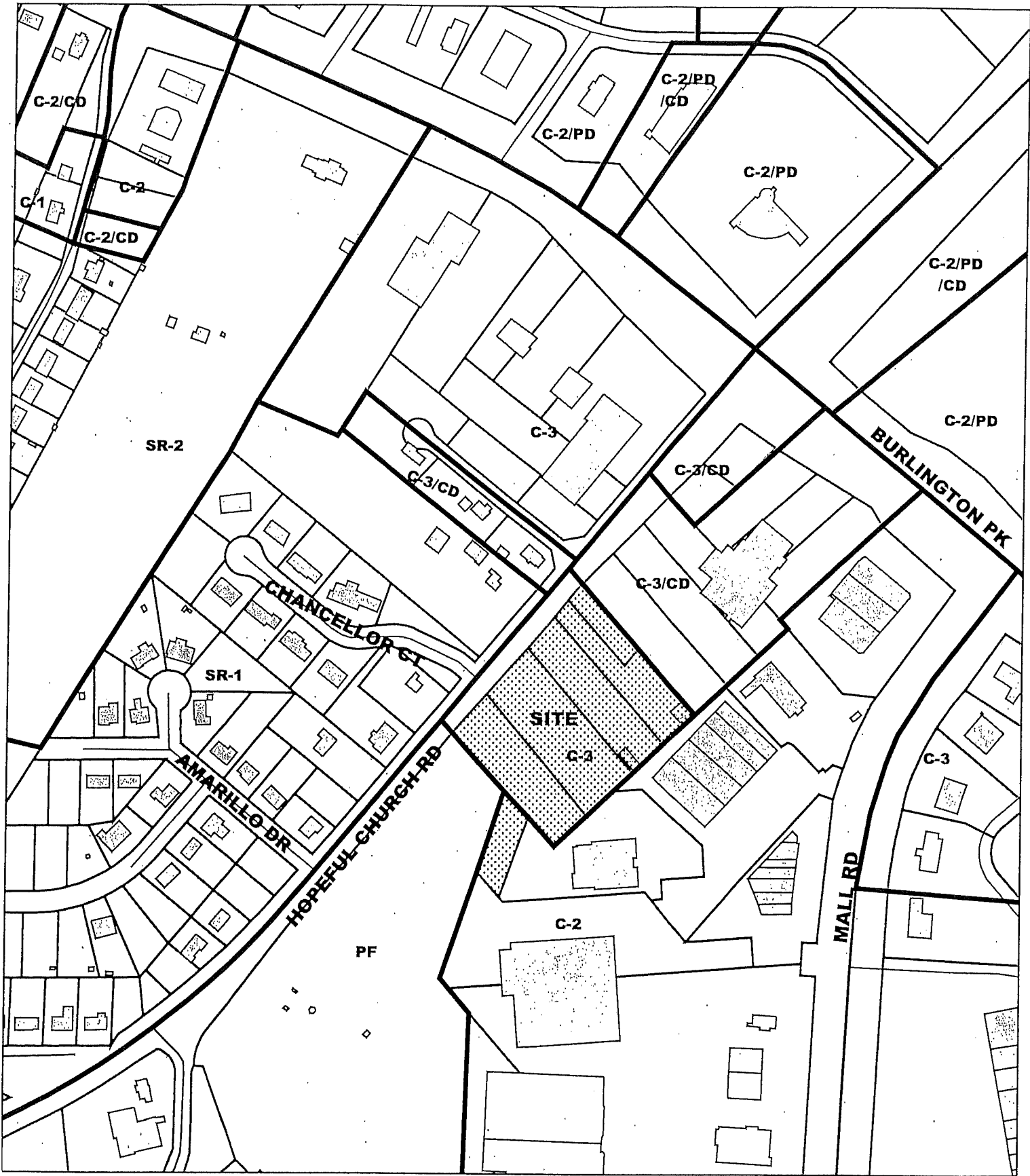
DESIGNED BY:

**BRUCE**  
Cincinnati United Contractors  
1511 UNION CEMETARY RD., LEVELAND, OHIO 45146  
PHONE (513) 763-1111  
FAX NO. (513) 767-3131  
CONTRACTORS • ARCHITECTS • DEVELOPERS • INVESTORS  
A-1 JACKSON TRAILWAYS AND THE EAST TOWN, PROPERTY OF CINCINNATI UNITED CONTRACTORS  
1511 UNION CEMETARY RD., LEVELAND, OHIO 45146  
PHONE (513) 763-1111  
FAX NO. (513) 767-3131

**INTERIOR LANDSCAPING CALCULATION**

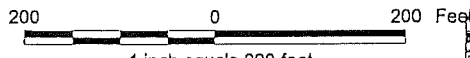
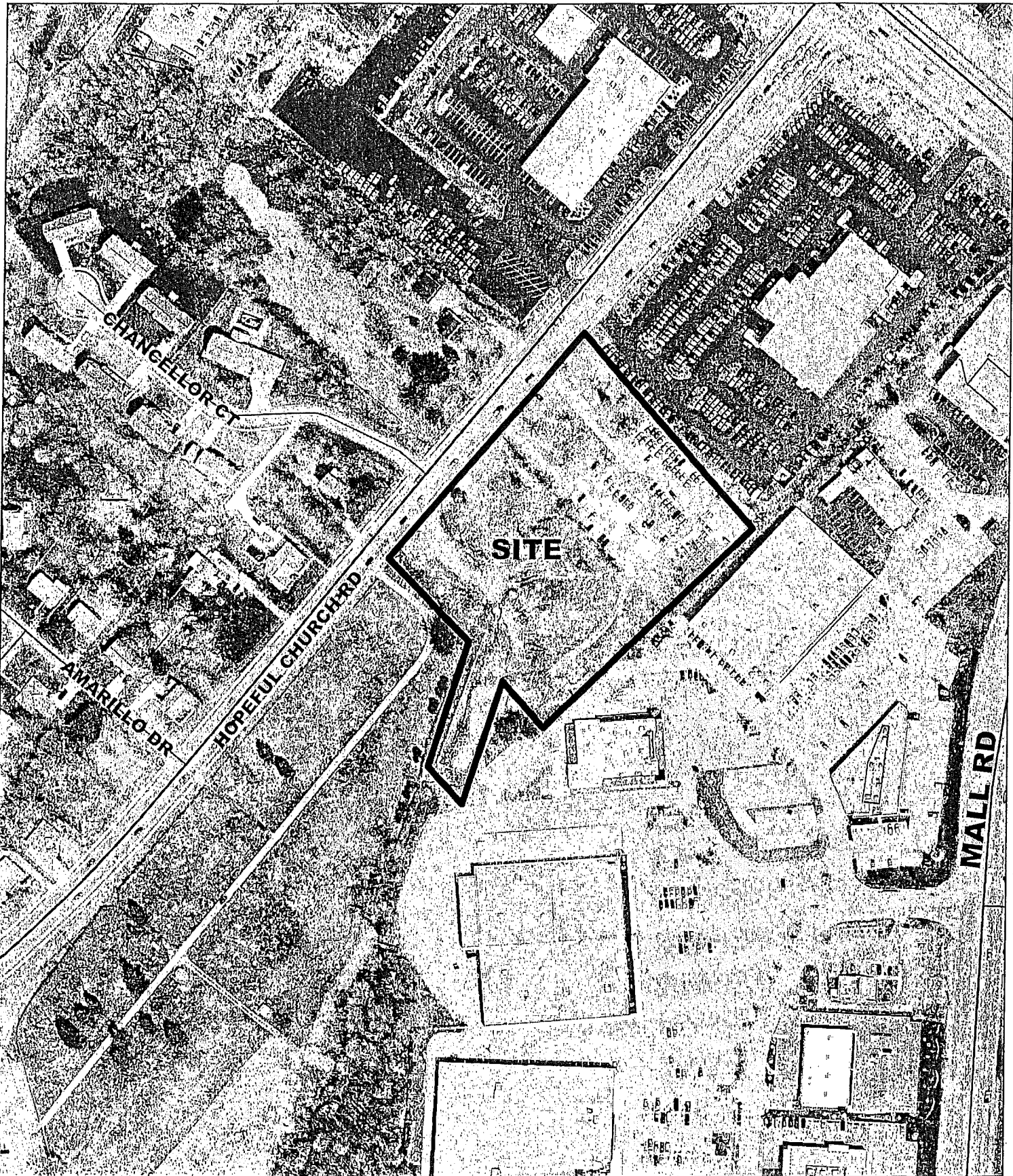
VEHICULAR USE AREA (V.U.A.)	= 168,452 S.F.
200,000 S.F. - 31,457 S.F. (BUILDING AREA)	= 8,423 S.F.
5% OF V.U.A.	= 8,423 S.F.
INTERIOR LANDSCAPE AREA PROVIDED	= 13,218 S.F.
THE AFOREMENTIONED AREA DOES NOT INCLUDE LANDSCAPE AREAS LESS THAN 200 SQUARE FEET	
ACTUAL PERCENTAGE OF V.U.A.	= 7.84%

PRELIMINARY SITE PLAN  
SCALE: 1" = 40'-0"  
SCHEME "F-0"



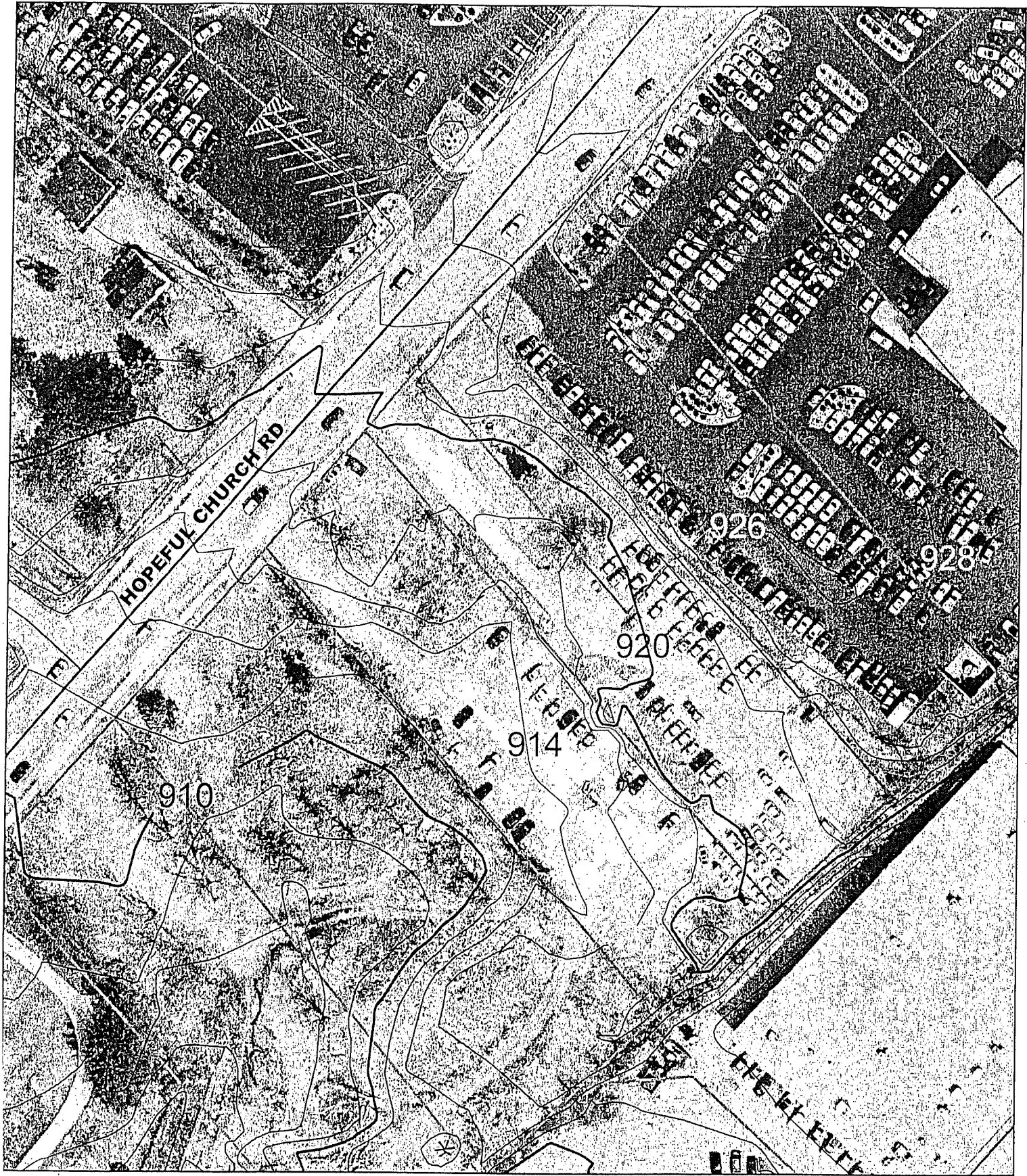
# Cincinnati United Contractors Zoning Map

Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 29, 2003



# Cincinnati United Contractors Aerial Map

Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 29, 2003



1 inch equals 80 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 September 4, 2003



# Cincinnati United Contractors Topographical Map

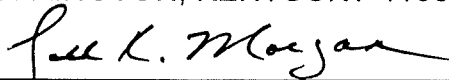
COPY

CLUR #03-BCBOA-017-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Bruce A. Krone, Trustee  
508 Atlas Bank Building  
524 Walnut Street  
Cincinnati, OH 45202
2. ADDRESS OF PROPERTY  
6149 & 6199 Hopeful Church Road  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Kerry of Florence
4. DEED BOOKS & PAGES 630/140, 587/265      GROUP NO. 2040A
5. TYPE OF RESTRICTION(S) (Check all that apply)
- Zoning Map Amendment:       Conditional Use Permit  
From     To
- Development Plan       Conditional Zoning
- Subdivision Plat       Other:  
(Not Recorded)
- X Variances (2)
6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005



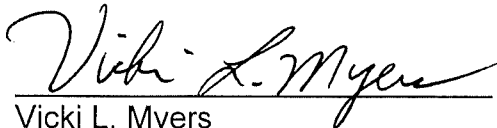
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

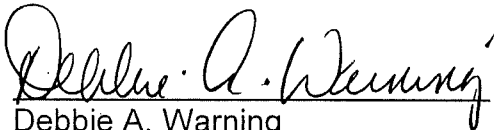
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 11 day of September, 2003.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variances (2) approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of September 10, 2003 Certificate of Land Use Restriction (#03-BCBOA-017-A), for Bruce A. Krone, Trustee, Property Owner(s).

The following conditions will apply:

No conditions.

The approved Variances (2) as well as the preceding conditions apply to the property described in:

DEED BOOKS & PAGES 630/140, 587/265

GROUP NO. 2040A

Variance #1 Allow a reduction in 275' spacing requirement between adjacent driveways on an arterial street

The Boone County Board Approved the Variance to allow a new curb on the southern portion of the 4.1013 acre property. The driveway spacing requirement was reduced from 275' to 88' (see Concept Plan)

Variance #2 Allow the 1,500 Road Frontage Requirement, which is required for a development to have four curb cuts, to be reduced to 980'

The Boone County Board of Adjustment's approval of Variance #1 brought the total number of permitted curb cuts up 3. The Florence Board of Adjustment later denied variances to allow the development to have four curb cuts.

Variance #3 Allow reductions of the Vehicular Use Area parking area dimensions

The Applicant withdrew this request at the meeting (see meeting minutes)