

**BOARD OF ADJUSTMENT  
BOONE COUNTY PLANNING COMMISSION**

**RECEIVED**  
920000  
MAY 19 2025  
92628  
BOONE COUNTY  
PLANNING COMMISSION

One (1) scaled copy and one (1) 11 x 17 reduction of submitted drawings are required.

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

002

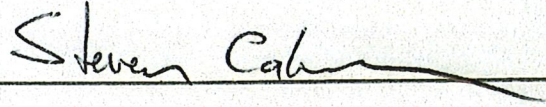
An application consists of all fees paid in full, submitted drawings, and a completed application form

**SECTION A:** (To be completed by applicant)

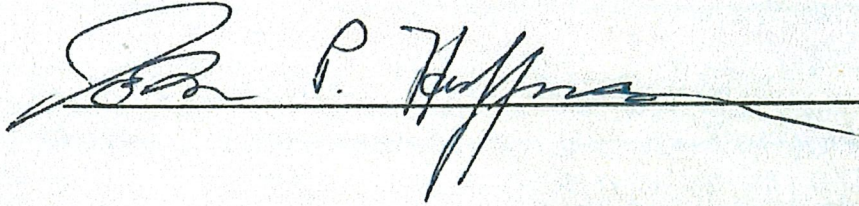
1. Check One  Boone  Florence  Walton  Union
2. Check One  Conditional Use Permit  Variance  Appeal  
 Change in Non-Conforming Use
3. Applicant: John Huffman  
Address: 2550 Schmidt Lane  
Crescent Springs Kentucky 41017  
City State Zip Code  
Phone Number: (859) 801-9343 Fax Number: N/A  
Email: jjp.huffman@gmail.com
4. Description of Request:  
Reducing the buffer yard from 10' to 8' along the driveway between the Burger King Parcel.
5. Name of Development: Everhome Suites Florence
6. Location of Development: King Drive  
Florence Kentucky 41042  
City State Zip Code
7. Acreage Under Review: 4.531
8. Lot Number and Name of Subdivision (if part of a subdivision):  
\_\_\_\_\_
9. Current Owner: GNS Properties LLC  
Address: PO Box 1445  
Whitefish Montana 59937  
City State Zip Code  
Phone Number: 406-890-4544 Fax Number: N/A  
Email: steven@gnslandgroup.com

10. Proposed Use(s) on Site: \_\_\_\_\_ Hotel Site
11. Total Square Footage of Existing and/or Proposed Buildings: \_\_\_\_\_ 57,830 Gross Sqft
12. Current Zoning: \_\_\_\_\_ O-2/PD/PO & C-3/PD/PO
13. \_\_\_\_\_ 1210 ✓ \_\_\_\_\_ 195 ✓ \_\_\_\_\_ 364 2041A ✓  
Deed Book Page Group Number
14. Is the site subject to a zone change:  Yes  No  
If yes, date of approval: \_\_\_\_\_
15. Have you submitted a Site Plan with this request:  Yes  No
16. Have you submitted a list of adjoining property owners with this request:  Yes  No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Property Owner's Signature:



Applicant's Signature:



**SECTION B:** (To be completed by Planning Commission staff)

1. Date Received: 5/19/25 Fee Received: \$966<sup>00</sup> Receipt #: 92628

2. Is application complete: \_\_\_\_\_

3. Staff Reviewer: Stan Sig

4. Scheduled Board Action Date: 6/11/25

5. Board Action: 3-0 in favor

- Approved
- Approved with Conditions (see #6)
- Denial (See #7)

6. Conditions of Approval: None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
Phone: 859-334-2196  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

## STAFF REPORT

#1

APPLICANT: GNS Properties LLC, per John Huffman (applicant)  
LOCATION: 10 King Drive, Florence, Kentucky  
ZONING: Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO) & Office Two/Planned Development/Parkway Corridor Study (O-2/PD/PO)  
DATE: June 11, 2025

### PROPOSAL

- A. The applicant is requesting a single Variance to reduce the street tree buffer yard from ten (10) feet to eight (8) feet.

### SITE HISTORY

2025 On March 13, 2025, the Boone County Planning Commission received an application for a Major Site Plan to permit a 4-story, 114 rooms hotel.

### APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- B. Section 4000 of the Boone County Zoning Regulations defines a variance as a departure from 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.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 204.D and 204.E of the Boone County Zoning Regulations.
1. Findings listed in Section 204.D and 204.E:
    - a. 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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
      - (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
      - (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would

create an unnecessary hardship on the applicant;

(3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

b. 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.

D. Section 3620 of the Boone County Zoning Regulations states that when a use adjoins a street, regardless of whether it is public or private, landscaping shall be required from Buffer Yard A (See Table 36-2). This landscaping is not required to be placed in a linear design, but shall be required to be dispersed throughout the street frontage and not clustered entirely at the ends of the property. This landscaping will provide screening for vehicular use areas, while also allowing flexibility for uses which require high visibility from street frontages. The required shrubs from Plant List C and E can be reduced by fifty percent (50%) if the buffer yard width is increased from 10 feet to twenty (20) feet and can be eliminated if the buffer yard area is increased to thirty (30) feet. However, in all cases the trees required from Plant List A, B, C, or D shall still be required.

#### SITE CHARACTERISTICS

- A. The approximate 4.5-acre site is located at the terminus of King Drive approximately 225 feet west of US Highway 42.
- B. The site is currently vacant and heavily vegetated.
- C. There is an existing water main along the southwest side of King Drive and an existing sanitary sewer main that runs through the property.
- D. Topographically, the high point of the site is near the eastern boundary line at an elevation of approximately 900 feet and slopes toward the west at an average of approximately 10% grade.

#### SURROUNDING LAND USES AND ZONING

North: Office Building & Magnolia Springs Senior Living O-2/PD/PO

South: Vacant Properties (C-3/PD/PO)

East: Commercial strip center (C-3/PD/PO)

West: Vacant Properties & Hotel (C-3/PD/PO)

#### PROPOSED DEVELOPMENT

- A. The applicant is proposing an entrance extending from King Drive to a 4-story, 114 room hotel.

- B. The extension of the alignment of King Drive would reduce the buffer yard down to eight (8) feet.

STAFF COMMENTS

- A. A curve could allow the entrance drive to be shifted north so that the buffer could be met. The proposed design, without the curve, allows for a continuous extension of King Drive.
- B. Eight (8) feet should still allow for the required landscaping plantings required by the Boone County Zoning Regulations.

CONCLUSION

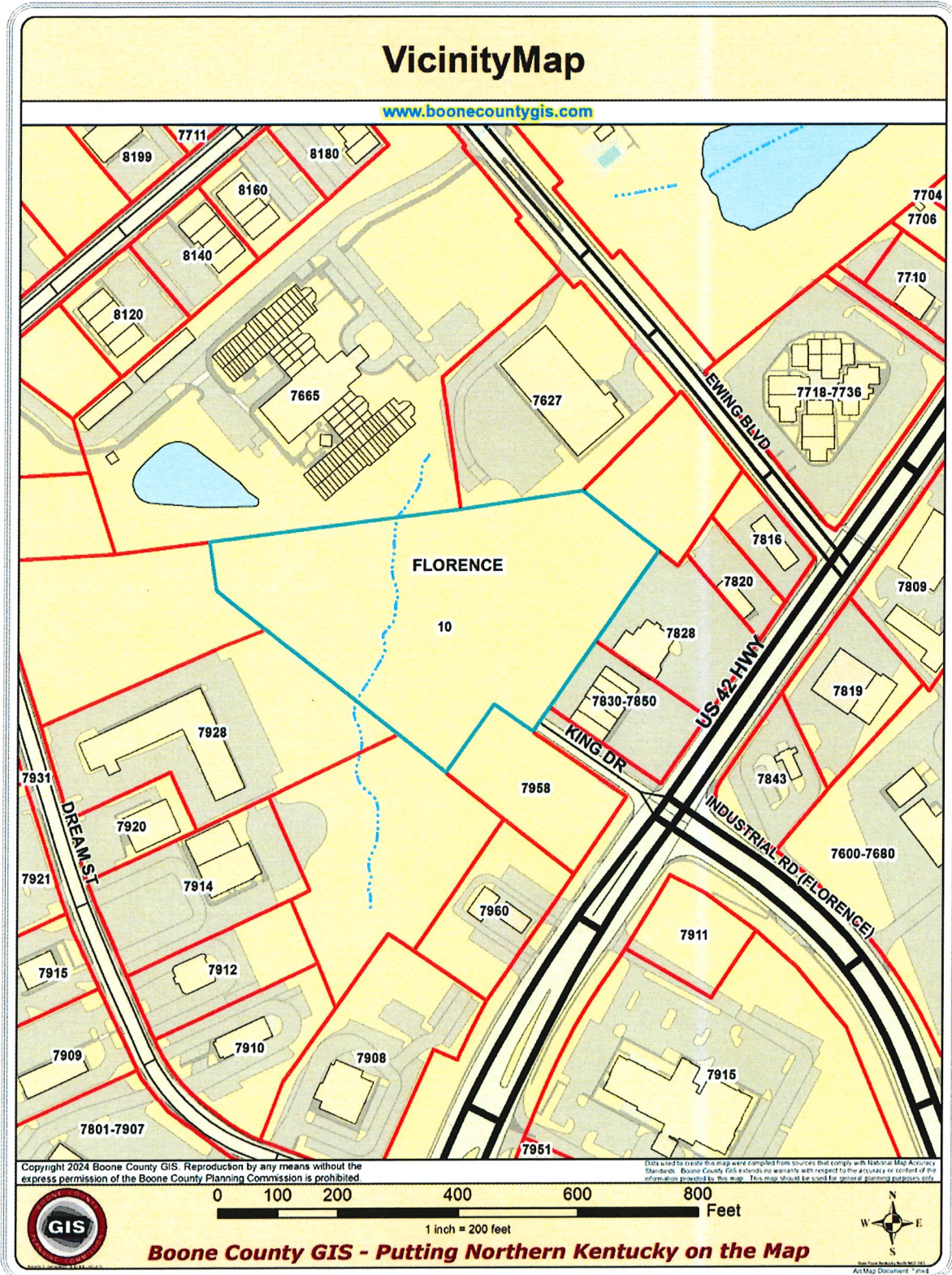
- A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Florence Board of Adjustment and Zoning Appeals the authority to act on the request.
- B. Sections 204.D and 204.E of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets these criteria.

Respectfully submitted,

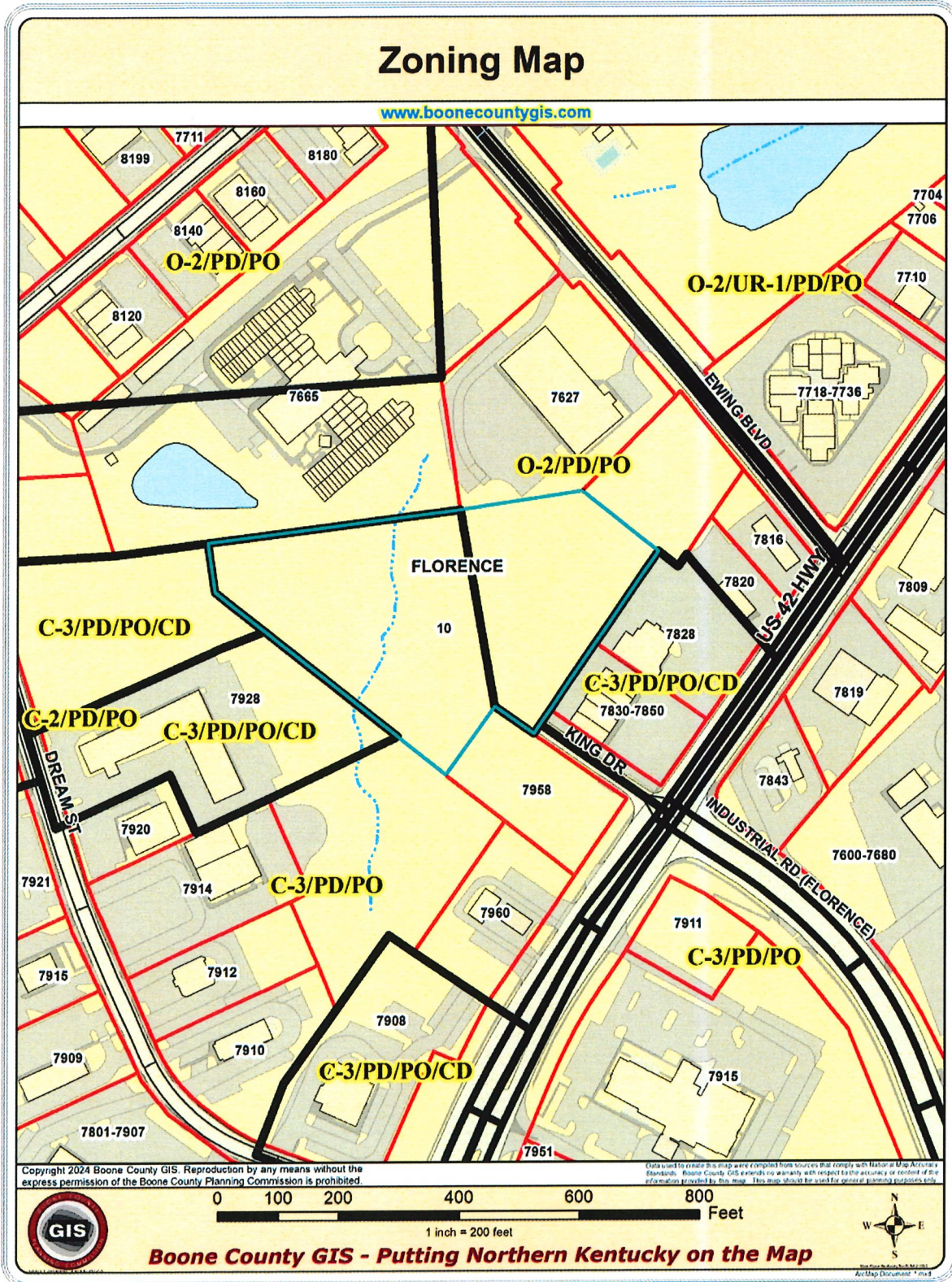


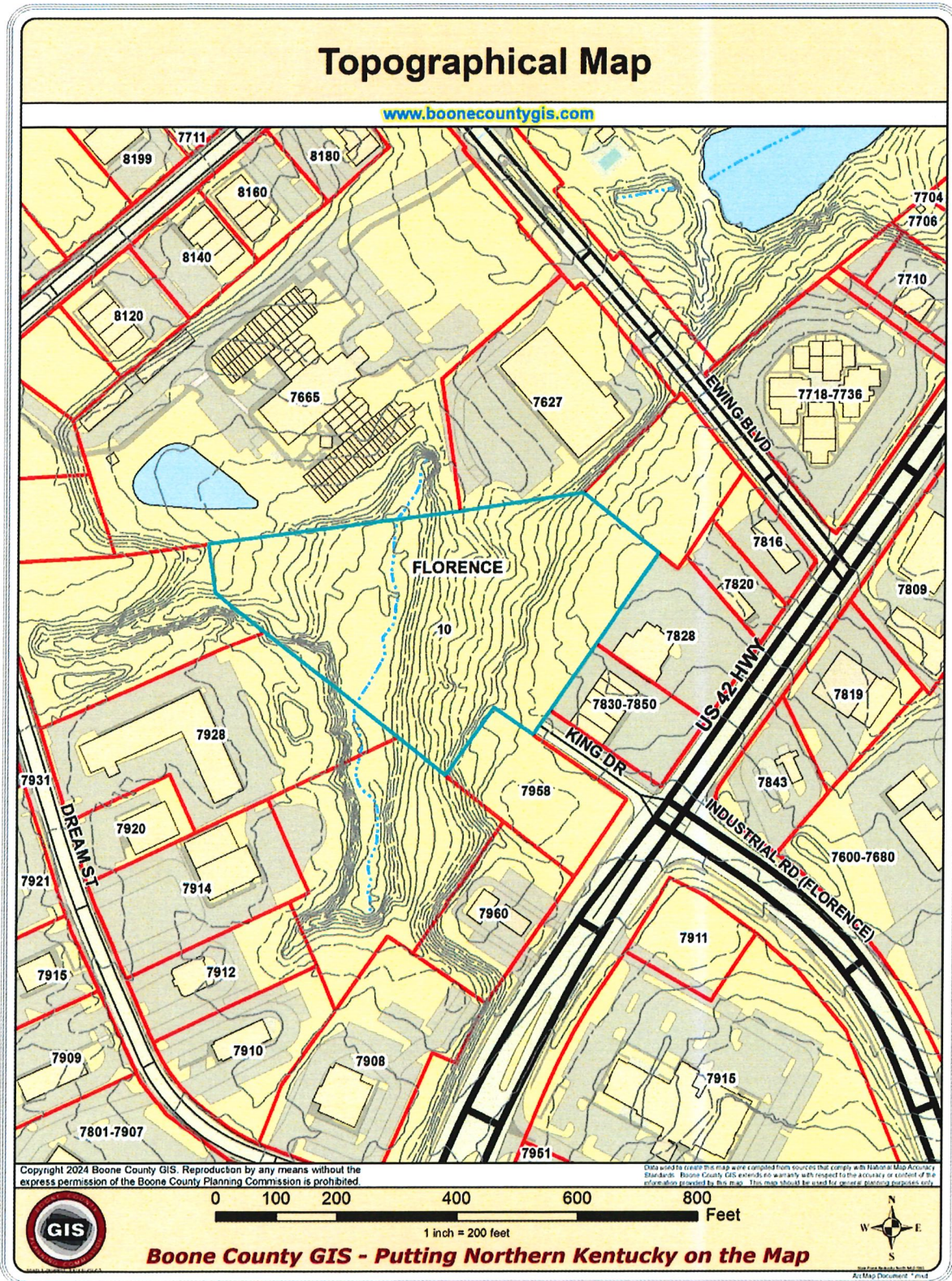
Steven C. Lilly, PLS  
Planner, Zoning Services

SCL/ss











Board of Adjustment  
Page 2

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13. 

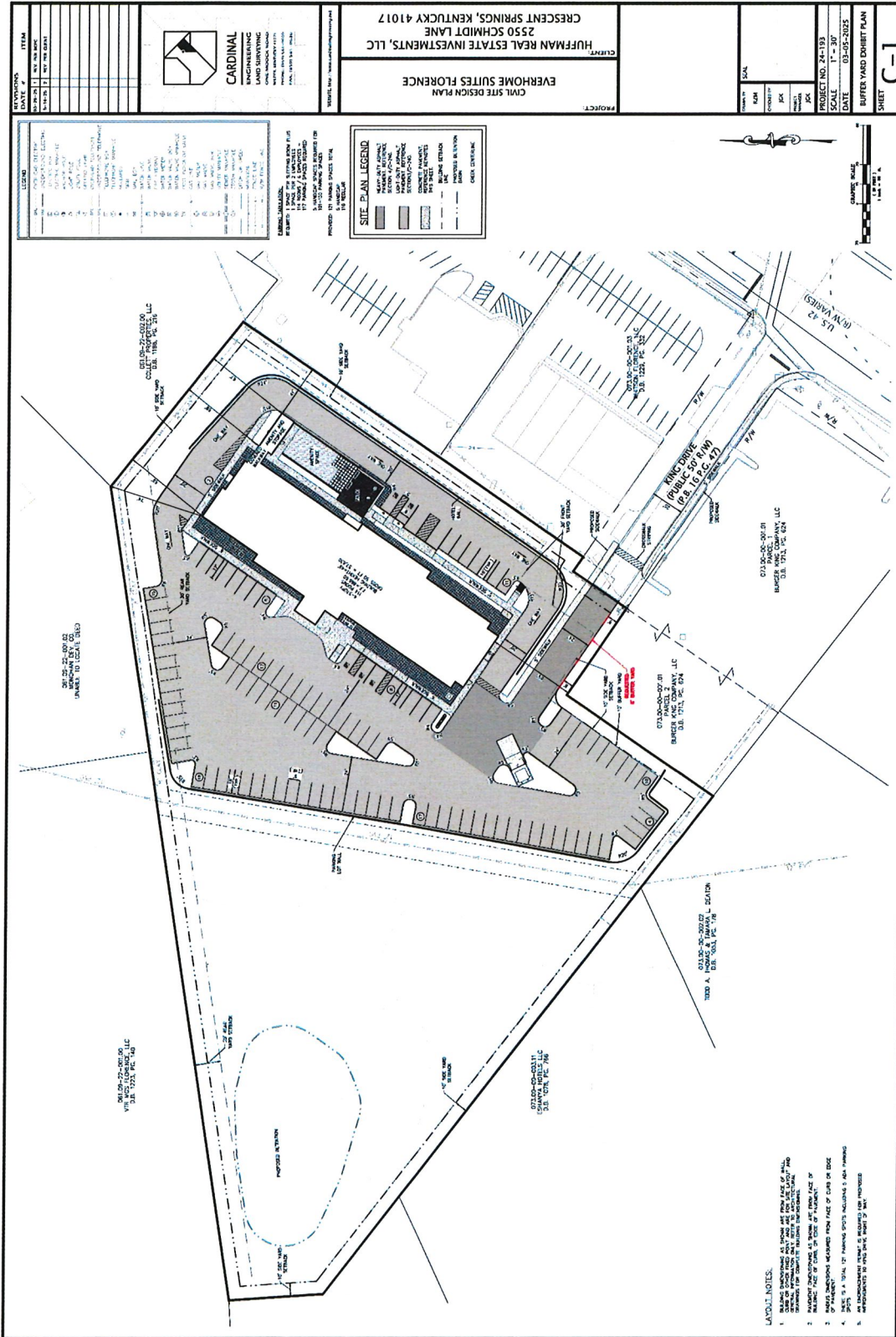
<u>1210</u>	<u>195</u>	<u>364</u>
Deed Book	Page	Group Number
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If yes, date of approval: \_\_\_\_\_
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Property Owner's Signature:

Steven Cahoon

Applicant's Signature:

John P. Hoffman







CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
GNS Properties LLC  
P.O. Box 1445  
Whitefish, MT 59937

2. ADDRESS OF PROPERTY  
King Dr  
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Everhome Suites

4. DEED BOOK 1210                      PAGE NO. 195                      GROUP NO. 2041A

5. TYPE OF RESTRICTION(S) (Check all that apply)

- Zoning Map Amendment: From \_\_\_\_\_ To \_\_\_\_\_
- Conditional Use Permit
- Development Plan
- Conditional Zoning
- Subdivision Plat (Not Recorded)
- Other:
- Variance

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  
2950 WASHINGTON STREET, ROOM 317  
P.O. BOX 958  
BURLINGTON, KENTUCKY 41005

  
\_\_\_\_\_  
SIGNATURE OF COMPLETING OFFICIAL

Steven C. Lilly, Planner  
\_\_\_\_\_  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Steven C. Lilly on behalf of the Boone  
County Planning Commission this 12<sup>th</sup> day of June, 2025.



Treva L. Beagle  
Notary ID KYNP37603  
NOTARY PUBLIC, State at Large

My commission Expires:  
November 12, 2025

This instrument was prepared for recording purposes only by:



Nicole Dierna  
Boone County Planning Commission  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

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