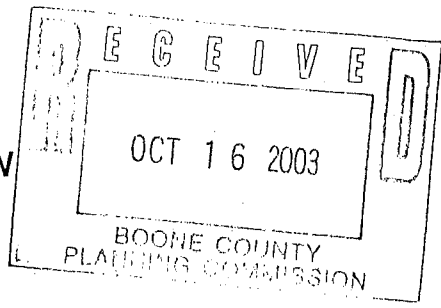


APPLICATION FORM

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION



APPLICATION FORM

(See Boone County  
Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project City of Florence Zone Change/Annexation
- 2. Location of Project 8205 Pleasant Valley Road
- 3. Total Acreage of Site .29
- 4. Current Zoning of Site A-2
- 5. Proposed Zoning (Classification being requested) SR-1
- 6. Proposed Uses (please specify each use) Maintain single family usage
- 7. Names of Applicant(s) City of Florence, Kentucky  
Phone Number 859-647-8177 Fax No. 859-647-5411
- 8. Address of Applicant(s) 8100 Ewing Blvd.  
City State Zip Florence, KY 41042
- 9. Name of Property Owner(s) Jack & Alpha Steele  
Phone Number 859-525-1755 Fax No. N/A
- 10. Address of Property Owner(s) 8205 Pleasant Valley Road  
City State Zip Florence, KY 41042
- 11. Proposed Building Intensities (please specify) No change
- 12. Are there any existing buildings on the site? Yes  
How many? 1
- 13. Deed Book Page No. Group No. 187 Page no. 590 Group No. 2038
- 14. Are you also applying for:  
 Conditional Use Permit  
 Dimensional Variance
- 15. Have you submitted a Concept Development Plan? No
- 16. Have you had a pre-application meeting with BCPC Staff? No
- 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:  
 Boone County Water District  
 Florence Water and Sewer Dept.  
 Cinergy/U.L.H.&P. Co.  
 Sanitation District #1  
 Cincinnati Bell  
 Owen County Rural Electric  
 Boone County Public Works Department  
 Kentucky Transportation Cabinet  
 City of Florence Public Services Department  
 Boone County Building Department

(over)

ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2

- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other:

18. Project Jurisdiction/Location  
 Unincorporated Boone County  Walton  
 Florence  Union

19. Applicant's Signature *Drew & Whalen*  
Property Owner's Signature *Josh Steele* *Alpha Steele* 9-20-03  
9-25-03

SECTION B (To be completed by BCPC Staff)

1. Date Received 10-16-03
2. Review Fee N/A
3. Check what has been submitted:  
 Application  
 Fee  
 Legal Description  
 Concept Development Plan  
 Address of Adjoining Property Owners  
 Number of copies of plan received\*\*
4. Is application complete? Yes  No
5. Staff Reviewer PATY BACHMAN
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date \_\_\_\_\_
8. Boone County Planning Commission Action:  
 Approval  
 Approval with Conditions  
 Denial
9. Other: \_\_\_\_\_

\*\* Five (5) Copies Are Required

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 - Web Page

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

EXHIBIT

“A”

## STAFF REPORT

The request of The City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of The City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

November 19, 2003

### REQUEST

The applicant has requested a Zone Change from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for two lots, located at 8205 and 8213 Pleasant Valley Road, currently in unincorporated Boone County. The Zone Change is requested in conjunction with a request to the City of Florence for the annexation of the two lots. The Zone Change would allow the property owners at 8205 Pleasant Valley Road to be able to erect a roof structure over the existing concrete platform adjoining the house in the front yard. Section 3123 of the Boone County Zoning Regulations states that

“open structures, such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections which occupy space three (3) or more feet above the general ground level of the yard shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard (p. 31.9).”

Under the current zoning classification, the front yard setback requirement of 60 feet could not be met if a roof structure were to be erected over the existing concrete platform.

### SITE CHARACTERISTICS:

The topography of the parcels in question is sloping. Elevations range from 842 feet above sea level at the southeast corner of 8213 Pleasant Valley Road to about 822 feet above sea level at the northwest corner of 8205 Pleasant Valley Road. The parcels slope downward toward a pond, adjoining the properties on the west. There is a house on each lot, as well as a driveway providing access onto Pleasant Valley Road. Both lots feature mature landscaping.

ADJACENT LAND USES:

- **North, Northwest:** A vacant lot and a single-family residence, each with the same owner, located on two frontage lots on Pleasant Valley Road, not a part of a subdivision, zoned Agricultural Estate (A-2)
- **South** Single-family residence, located on a frontage lot on Pleasant Valley Road, not a part of a subdivision, zoned Agricultural Estate (A-2)
- **East** Agricultural Property with frontage on Pleasant Valley Road, part of parcel of over 200 acres, zoned Suburban Residential One/Planned Development (SR-1/PD) and Rural Suburban (RS)
- **West, Southwest:** Pleasant Valley Acres, a subdivision of single-family homes, zoned Agricultural Estate (A-2) and Suburban Residential One/Planned Development/Concept Development (SR-1/PD/CD)

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Future Land Use Map of the 2000 Boone County Comprehensive Plan designates the property as Suburban Residential, which allows

"single-family housing of up to four units per acre. This classification also includes any low-density or estate residential developed as a subdivision (p. 158 '2000 Existing and Future Land Use Classifications')."

The Future Land Use Text states the following regarding the Pleasant Valley-West Florence area, in which the parcels are located:

- A. "This section of Boone County includes some of the western growth areas of Florence, including Mall Road and KY 18. It also contains some of the most rapidly growing residential areas in the county, particularly from KY 18 south to Union (p. 163, 'Pleasant Valley-West Florence Area')."

- B. " The large area between Hopeful Road and Oakbrook Road, south of KY 18 to Pleasant Valley Road, should develop in a Suburban Residential fashion. The area must develop with local access and limited access collector road connections as a high priority. These should include the connection of Oakbrook Road to Pebble Creek Road; Beemon Lane to Pleasant Valley Road; Cayton Road to Pleasant Valley Road; and an east-west connector between Pleasant Valley Road and Hopeful Church Road, south of Stonegate Meadows. These connector road extensions should not allow parking or driveway access in order to facilitate the movement of traffic through the area and should include multi-modal elements such as pedestrian paths and bike lanes and bus stops (p. 163, 'Pleasant Valley-West Florence Area')."
- C. "The remaining portions of this section of Boone County should develop in a Suburban Residential manner. Major subdivisions in the area should provide internal connector roads with no driveway access or parking. Improvements to Fowler Creek Road and Bridges over Gunpowder Creek could provide connections from subdivisions along U.S. 42 and Pleasant Valley Road. The Kentucky Transportation Cabinet is currently conducting a scoping study for the KY 237 and KY 536 corridors (p. 164, 'Pleasant Valley-West Florence Area')."

The following quotes, taken from the Housing Element, are applicable to this site:

- A. "The factors that will help fuel growth in this area include the improvement (expand from two to five lanes) of U.S. 42 from Florence to the new Ryle High School and Gray Middle School near Frogtown Road; the extension of water and sanitary sewer lines; access to the interstate highway system; and the vast amount of developable land. The Union Town Plan sets the stage for development in this area when the new U.S. 42 is constructed around the year 2002 and sanitary sewer becomes widely available around the year 2006 (p. 88, 'Union-West Florence Area')."
- B. "The undeveloped land on the southwest quadrant of KY 18 and KY 237 would be an excellent site for a transit-oriented, mixed use planned development. New subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments and adjacent developments to promote safe and easy transportation access (p. 87, 'Florence-Burlington Area')."

These quotes from the Goals and Objectives of the 2000 Comprehensive Plan apply:

- A. "Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhoods ('Overall' Objective 1, p. 4)."

- B. "Proper design principles shall be applied in development ('Overall' Objective 3, p. 4)."
- C. "Future growth shall be accompanied by adequate infrastructure and services ('Overall' Objective 6, p. 4)."
- D. "Boone County shall strive to achieve both a diversity and balance in land use ('Overall' Objective 6, p. 4)."
- E. "The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ('Population' Goal, p. 5)."
- F. "New development or redevelopment within Boone County is designed, constructed, and operated in such a way that the quality of the existing physical environment and social environment are protected and enhanced. Development within Boone County preserves and promotes a better quality of life (Environment' Goal, p. 5)."
- G. "A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ('Housing' Objective 1, p. 9)."
- H. "The maintenance of sound existing housing, as well as the rehabilitation of deteriorating housing, shall be encouraged ('Housing' Objective 3, p. 9)."

#### STAFF COMMENTS/CONCERNS

1. The Boone County Planning Commission and Florence City Council will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues raised in this review include the following:
  - A. The Future Land Use Map designates the property as "Suburban Residential," allowing a density of development of up to 4 dwelling units per acre. The Land Use Text states that the general area in which the two parcels in question are located is an area of high growth. It notes that road connections from Cayton Road to Pleasant Valley Road and from Hopeful Church Road to Pleasant Valley Road are of great importance. Driveway access and parking should not be permitted on these connector roads.
  - B. The Housing Element similarly notes that the general vicinity will grow due to improvements to U.S. 42, extension of water and sewer lines, the proximity to the interstate, and the fact that there is a large amount of land to be developed. The Element calls for street connections between subdivisions to provide safe access management.

2. The lots in question are non-conforming lots in an Agricultural Estate (A-2) zoning district. Each lot is approximately 13,000 square feet in area. The minimum lot size in an A-2 zone is 80,000 square feet. Through the proposed zone change, the two lots would become conforming lots, as the minimum lot size in the Suburban Residential One (SR-1) zone is 8,000 square feet for single-family residences.

### CONCLUSION

The Boone County Planning Commission and the Florence City Council must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment. The Future Land Use Map will not need to be changed if the request is approved.

Respectfully Submitted,

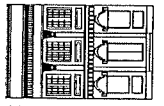
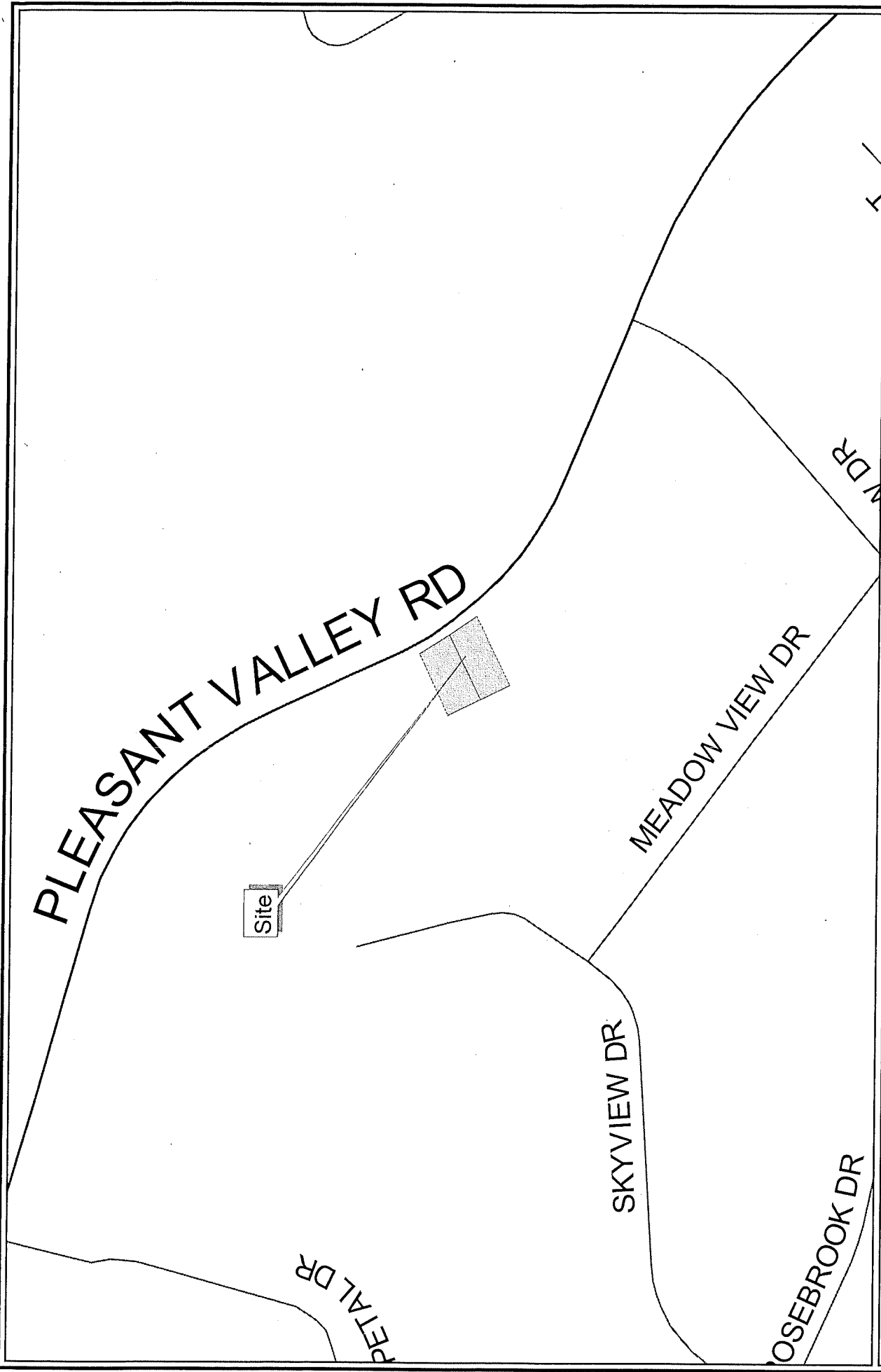


Patty Bachman  
Planner

PB/pr

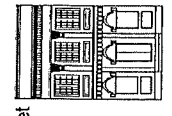
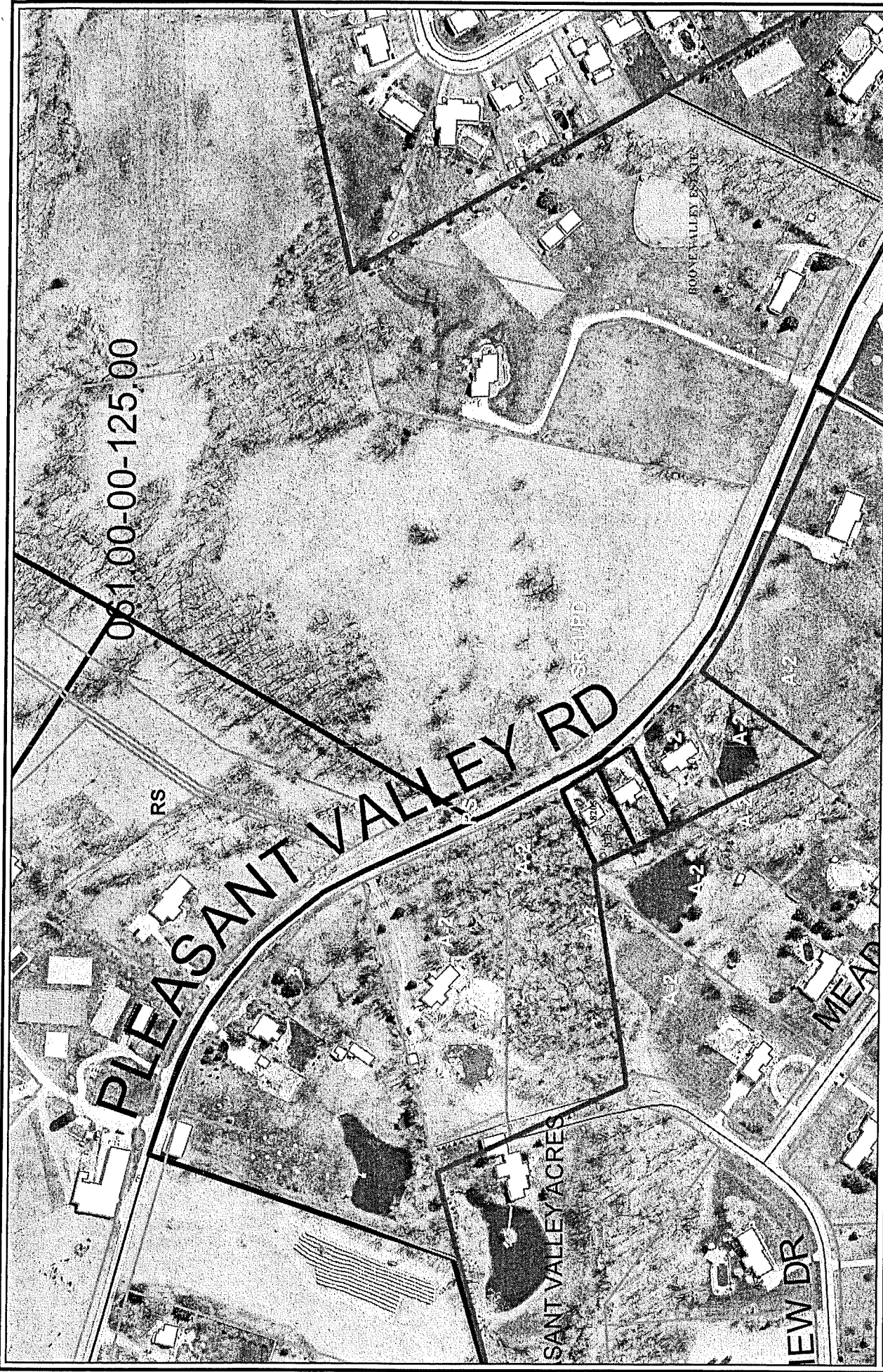
### Attachments:

- vicinity map
- aerial photos
- future land use map excerpt
- site topography
- application materials



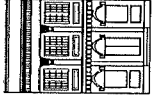
1 inch equals 300 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 November 17, 2003

# Pleasant Valley-Vicinity



1 inch equals 250 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 November 17, 2003

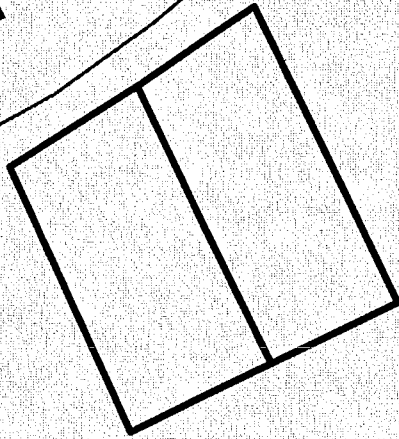
# Pleasant Valley Road-Zoning



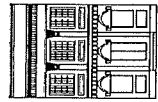
1 inch equals 50 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
November 17, 2003

# Pleasant Valley-Topography

# ALLEY RD



- Future Land Use**
- Rural Land (RL)
  - Developmentally Sensitive (DS)
  - Recreational(R)
  - Public/Institutional(P)
  - Commercial(C)
  - Business Parks(BP)
  - Industrial(I)
  - Rural Density Residential(RD)
  - Suburban Density Residential(SR)
  - High Suburban Density Residential(HSD)
  - Urban Density Residential(UD)
  - Transportation(T)
  - Water(H)

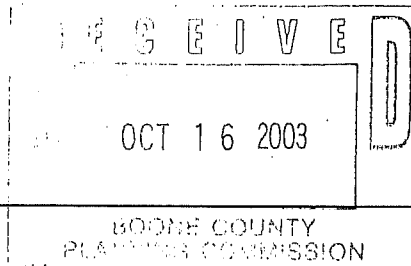


100 Feet



1 inch equals 100 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
November 17, 2003

## Pleasant Valley-Future Land Use



ADMINISTRATIVE DEPARTMENT  
Diane E. Whalen, Mayor

October 15, 2003

Mr. Kevin Wall, AICP  
Director of Zoning Services  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Dear Kevin:

On Tuesday evening, October 14, 2003 Florence City Council took first reading of Ordinance O-25-03 to annex the Jack and Alpha Steele property at 8205 Pleasant Valley Road and Ordinance O-26-03 to annex the Ronald and Virginia Rice property at 8213 Pleasant Valley Road. I have attached a copy of each ordinance for your reference.

As part of the annexation process, both property owners have requested that their zoning classification be changed from A-2 to SR-1. Therefore, I have enclosed a completed Zoning Map Amendment application form for each property. The City of Florence is requesting the zone changes in accordance with KRS 100.209 as the applicant on behalf of the property owners. Please begin the zone change process that includes holding the necessary public hearings for the above referenced request at the earliest possible date according to law.

I am also requesting that you notify me of the date and time of the public hearing date so I or another City representative can attend. If you have any questions please call me at 647-8177. Thank you in advance for your attention to this matter.

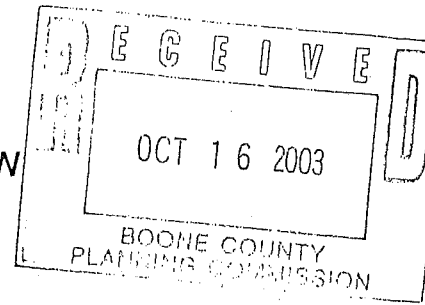
Sincerely,

A handwritten signature in cursive script that reads "Rick Lunnemann".

Richard J. Lunnemann  
Assistant City Coordinator/Community Development Director

APPLICATION FORM

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION



APPLICATION FORM

(See Boone County  
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project City of Florence Zone Change/Annexation
2. Location of Project 8205 Pleasant Valley Road
3. Total Acreage of Site .29
4. Current Zoning of Site A-2
5. Proposed Zoning (Classification being requested) SR-1
6. Proposed Uses (please specify each use) Maintain single family usage
7. Names of Applicant(s) City of Florence, Kentucky  
Phone Number 859-647-8177 Fax No. 859-647-5411
8. Address of Applicant(s) 8100 Ewing Blvd.  
City State Zip Florence, KY 41042
9. Name of Property Owner(s) Jack & Alpha Steele  
Phone Number 859-525-1755 Fax No. N/A
10. Address of Property Owner(s) 8205 Pleasant Valley Road  
City State Zip Florence, KY 41042
11. Proposed Building Intensities (please specify) No change
12. Are there any existing buildings on the site? Yes  
How many? 1
13. Deed Book Page No. Group No. 187 Page no. 590 Group No. 2038
14. Are you also applying for:  
 Conditional Use Permit  
 Dimensional Variance
15. Have you submitted a Concept Development Plan? No
16. Have you had a pre-application meeting with BCPC Staff? No
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:  
 Boone County Water District  
 Florence Water and Sewer Dept.  
 Cinergy/U.L.H.&P. Co.  
 Sanitation District #1  
 Cincinnati Bell  
 Owen County Rural Electric  
 Boone County Public Works Department  
 Kentucky Transportation Cabinet  
 City of Florence Public Services Department  
 Boone County Building Department

(over)

ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2

- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other:

18. Project Jurisdiction/Location  
 Unincorporated Boone County  Walton  
 Florence  Union

19. Applicant's Signature *Drew + Whalen*  
Property Owner's Signature *Jack Steele* *Alpha Steele* 9-20-03  
9-25-03

SECTION B (To be completed by BCPC Staff)

1. Date Received 10-16-03
2. Review Fee N/A
3. Check what has been submitted:  
 Application  
 Fee  
 Legal Description  
 Concept Development Plan  
 Address of Adjoining Property Owners  
 Number of copies of plan received\*\*
4. Is application complete?  Yes  No
5. Staff Reviewer PATTY BUCHANAN
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date \_\_\_\_\_
8. Boone County Planning Commission Action:  
 Approval  
 Approval with Conditions  
 Denial
9. Other: \_\_\_\_\_

\*\* Five (5) Copies Are Required

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
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(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
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NOTE: An application consists of all fees paid in full, submitted drawings and a completed application form.

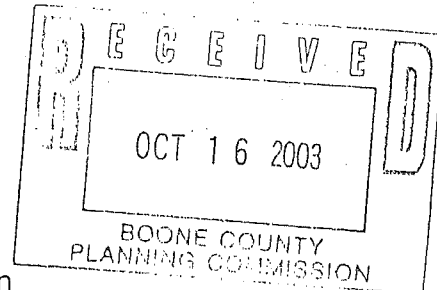
# APPLICATION FORM

## ZONING MAP AMENDMENT BOONE COUNTY PLANNING COMMISSION

### APPLICATION FORM

(See Boone County  
Zoning Regulations)

#### SECTION A (To be completed by applicant)



1. Name of Project City of Florence Zone Change/Annexation
2. Location of Project 8213 Pleasant Valley Road
3. Total Acreage of Site .28
4. Current Zoning of Site A-2
5. Proposed Zoning (Classification being requested) SR-1
6. Proposed Uses (please specify each use) Maintain single family usage
7. Names of Applicant(s) City of Florence, Kentucky  
Phone Number 859-647-8177 Fax No. 859-647-5411
8. Address of Applicant(s) 8100 Ewing Blvd.  
City State Zip Florence, KY 41042
9. Name of Property Owner(s) Ronald & Virginia Rice  
Phone Number 859-525-7133 Fax No. N/A
10. Address of Property Owner(s) 8213 Pleasant Valley Road  
City State Zip Florence, KY 41042
11. Proposed Building Intensities (please specify) No change
12. Are there any existing buildings on the site? Yes  
How many? 1
13. Deed Book Page No. Group No. 162 Page no. 77
14. Are you also applying for:  
 Conditional Use Permit  
 Dimensional Variance
15. Have you submitted a Concept Development Plan? No
16. Have you had a pre-application meeting with BCPC Staff? No
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:  
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 Cinergy/U.L.H.&P. Co.  
 Sanitation District #1  
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(over)

ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2

- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other:

18. Project Jurisdiction/Location  
 Unincorporated Boone County  Walton  
 Florence  Union

19. Applicant's Signature

*Deane & Whelan*  
*Ronald J Rice*

*Virginia Rice*

*9-26-03*

*9-25-03*

Property Owner's Signature

SECTION B (To be completed by BCPC Staff)

1. Date Received 10-16-03
2. Review Fee N/A
3. Check what has been submitted:  
 Application  
 Fee  
 Legal Description  
 Concept Development Plan  
 Address of Adjoining Property Owners  
 Number of copies of plan received\*\*
4. Is application complete?  Yes  No
5. Staff Reviewer PATTY BACHMAN
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date \_\_\_\_\_
8. Boone County Planning Commission Action:  
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 Approval with Conditions  
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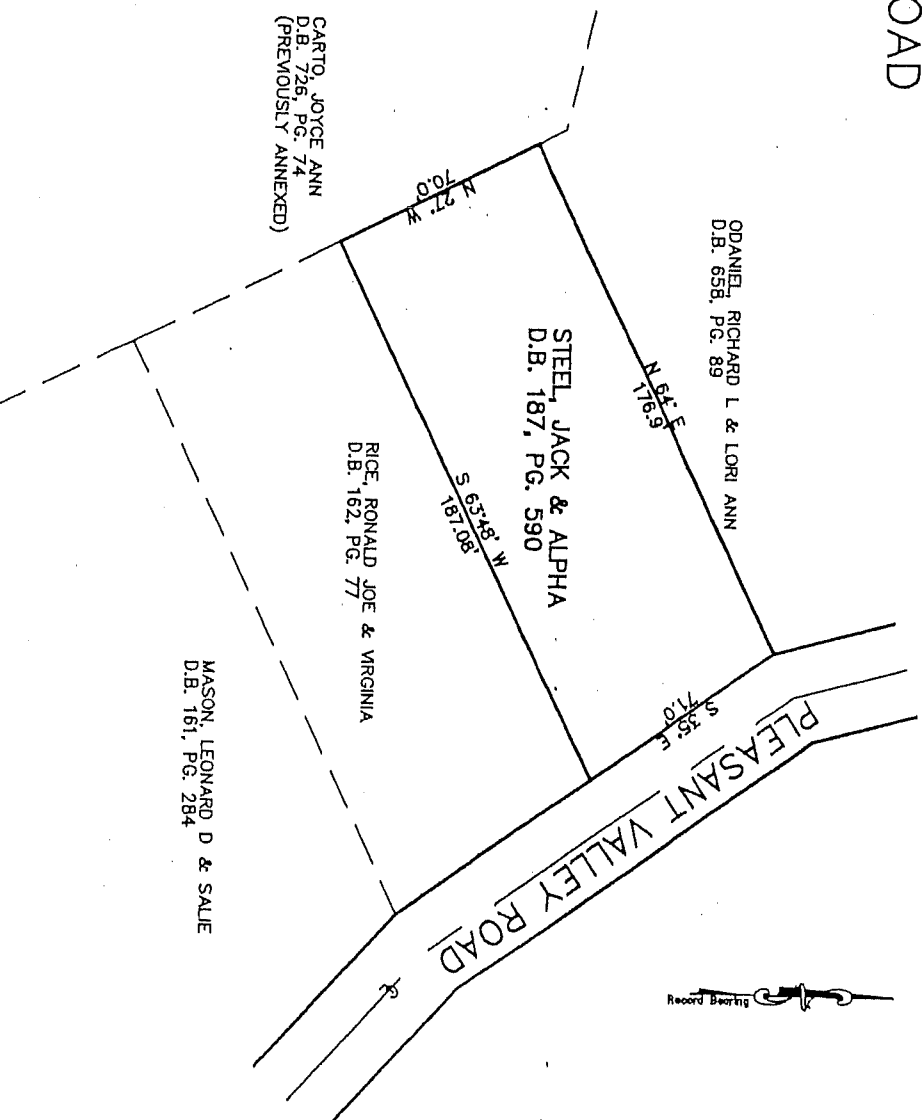
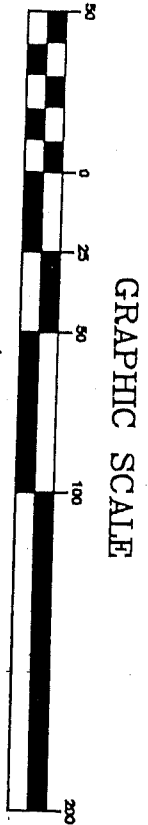
# PARCEL TO BE ANNEXED

PROPERTY OF JACK & ALPHA STEEL  
WEST SIDE OF PLEASANT VALLEY ROAD

SEPTEMBER 17, 2003

SCALE: 1"=50'

TOTAL AREA = 0.30 ACRE



**W VIOX & VIOX, INC.**  
Engineers • Surveyors • Landscape Architects  
466 Erlanger Road  
Erlanger, Kentucky 41018  
Tel: 859-727-3293  
Fax: 859-727-8452  
e-mail: [viox@kolnet](mailto:viox@kolnet)

ORDINANCE NO. 0-25-03

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY .29 ACRES LOCATED ON THE WEST SIDE OF PLEASANT VALLEY ROAD, ADJACENT TO THE CITY LIMITS. (STEELE PROPERTY)

WHEREAS, Jack Steele and Alpha Steele, being the owners of record of the hereinafter described territory (the "territory"), have requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owners have given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that prior to final action of annexation, the comprehensive plan and official zoning map of the City shall be amended to incorporate and establish zoning of Suburban Residential One (SR-1) with respect to the territory.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

**SECTION I**

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

**SECTION II**

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

**SECTION III**

The owners of record of the territory have filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

**SECTION IV**

Pursuant to K.R.S. 100.209(1) the comprehensive plan and official zoning map of the City shall be amended to establish zoning for the territory as Suburban Residential One (SR-1).

**SECTION V**

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

CITY OF FLORENCE, KENTUCKY

READING SUMMARY

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY .29 ACRES LOCATED ON THE WEST SIDE OF PLEASANT VALLEY ROAD, ADJACENT TO THE CITY LIMITS. (STEELE PROPERTY)

SUMMARY

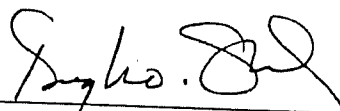
This Ordinance annexes and makes a part of the City a tract of approximately .29 acres located on the west side of Pleasant Valley Road, adjacent to the City limits.

This annexation is in response to a request by Jack Steele and Alpha Steele, the owners, to have the property become part of the City. The annexation will be complete upon second reading and publication of this Ordinance.

After annexation the .29 acre tract shall be zoned Suburban Residential One (SR-1).

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this \_\_\_ day of \_\_\_\_\_, 2003, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES, KBA#64730  
SKEES, WILSON & DILLON, PLLC  
7699 Ewing Blvd., P.O. Box 756  
Florence, KY 41042-0756  
Phone: (859) 371-7407  
Fax: (859) 371-9872



# VIOX & VIOX, INC.

Engineers · Surveyors · Landscape Architects

Since 1945

## DESCRIPTION PARCEL TO BE ANNEXED TO THE CITY OF FLORENCE

- Planning

A parcel of land situated in Boone County, Kentucky, lying on the west side of Pleasant Valley Road. Being the parcel recorded in Deed Book 187, Page 590 of the Boone County Clerk's records at Burlington, Kentucky, and being more particularly described as follows:

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Beginning at a stake in the right of way line of Pleasant Valley Road, the northeast corner of the tract conveyed to Warren Pierson by George Rehkamp Jr., (Deed Book 157, Page 181) and being a corner with O'Daniel; thence with said right of way South 35° East 71.0 feet to a point; thence South 63° 48' West 187.08 feet to a point; thence North 27° West 70.0 feet to a stone and post; thence with the line of O'Daniel North 64° East 176.9 feet to the beginning, containing 0.30 acres more or less.

- Surveying

EXHIBIT  
"A"

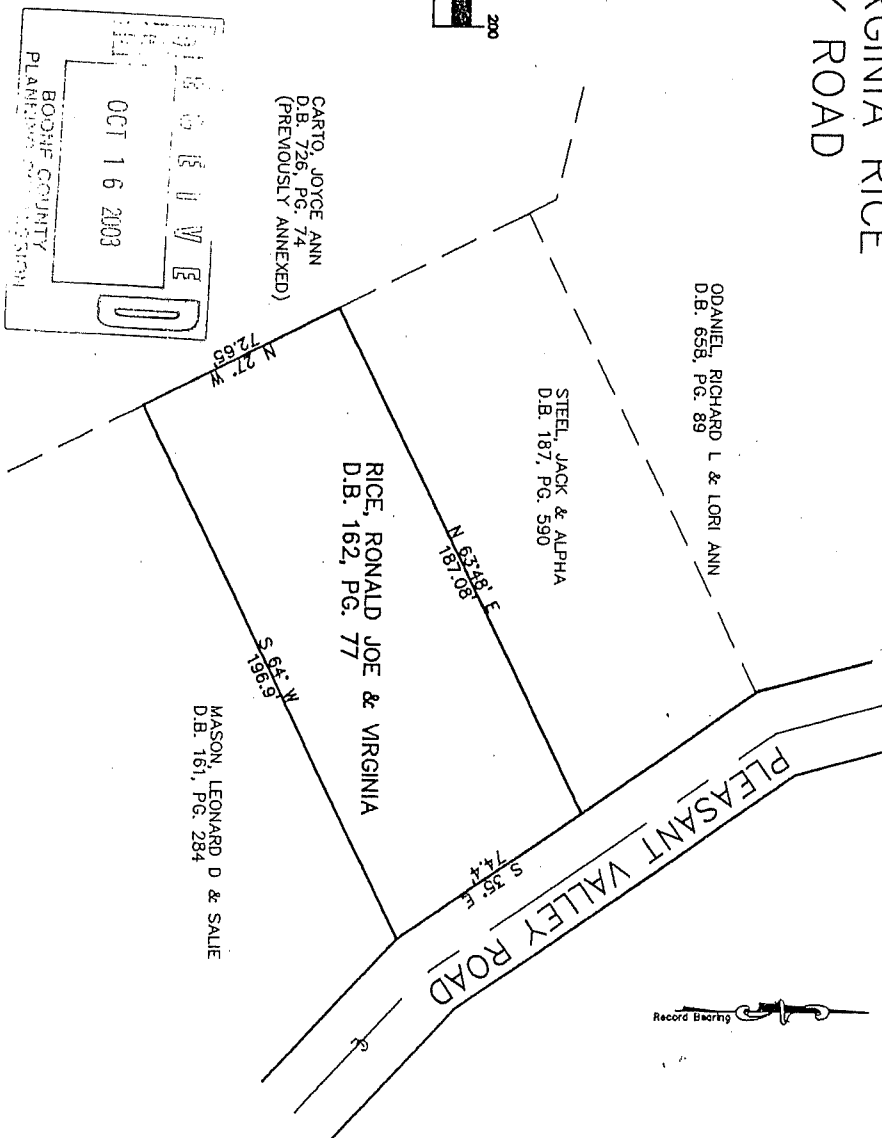
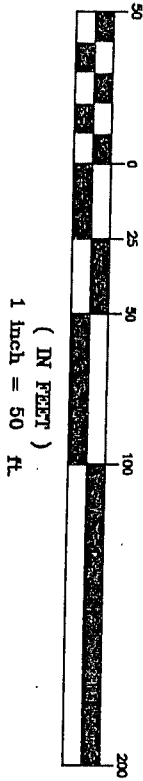
PARCEL TO BE REZONED  
 FROM A-2 TO SR-1  
 PROPERTY OF RONALD JOE & VIRGINIA RICE  
 WEST SIDE OF PLEASANT VALLEY ROAD

TOTAL AREA ≈ 0.30 ACRE

SEPTEMBER 17, 2003

SCALE: 1"=50'

GRAPHIC SCALE



**W VIOX & VIOX, INC.**  
 Engineers • Surveyors • Landscape Architects

466 Ehringer Road  
 Erlanger, Kentucky 41018  
 Tel: 859-727-3293  
 Fax: 859-727-8452  
 e-mail: viox@hkl.net

Record Keeping

## DEED

Know All Men By These Presents:

CLERK'S OFFICE  
SHORT FORM  
DEED

That Warren W. Pierson and Thelma Pierson, his wife

(for and in consideration of one (\$1.00) dollar and other valuable considerations to them paid by Ronald Joe Rice and Virginia G. Rice, his wife

the receipt whereof is hereby acknowledged, do hereby BARGAIN, SELL AND CONVEY to the said Ronald Joe Rice and Virginia G. Rice, his wife, with the right of survivorship, their

heirs and assigns forever, the following described Real Estate, in the City of \_\_\_\_\_

Boone  
County of ~~Meade~~ and Commonwealth of Kentucky, to wit \_\_\_\_\_

Group No. \_\_\_\_\_

Present Street Address \_\_\_\_\_

Plat No. \_\_\_\_\_

Lying and being in the State of Kentucky and County of Boone located on the west side of the Pleasant Valley Road (Burlington-Gunpowder Road) approximately 8/10 of a mile west of its intersection with U.S. Highway 42 and is described thus:

Beginning at a point in the center of Pleasant Valley Road said point being N 47° 04' W, 129.6 feet from the south east corner of the tract conveyed to the grantor by George Rehkamp, Jr.; thence with the North side of a lot previously conveyed to \_\_\_\_\_ S 64° W 196.9 feet to a stake; thence N 27° W 72.69 feet to a point; thence N 63° 48' E, 187.08 feet to a point in the center of Pleasant Valley Road; thence with the center of same S 35° E 74.4 feet to the beginning.

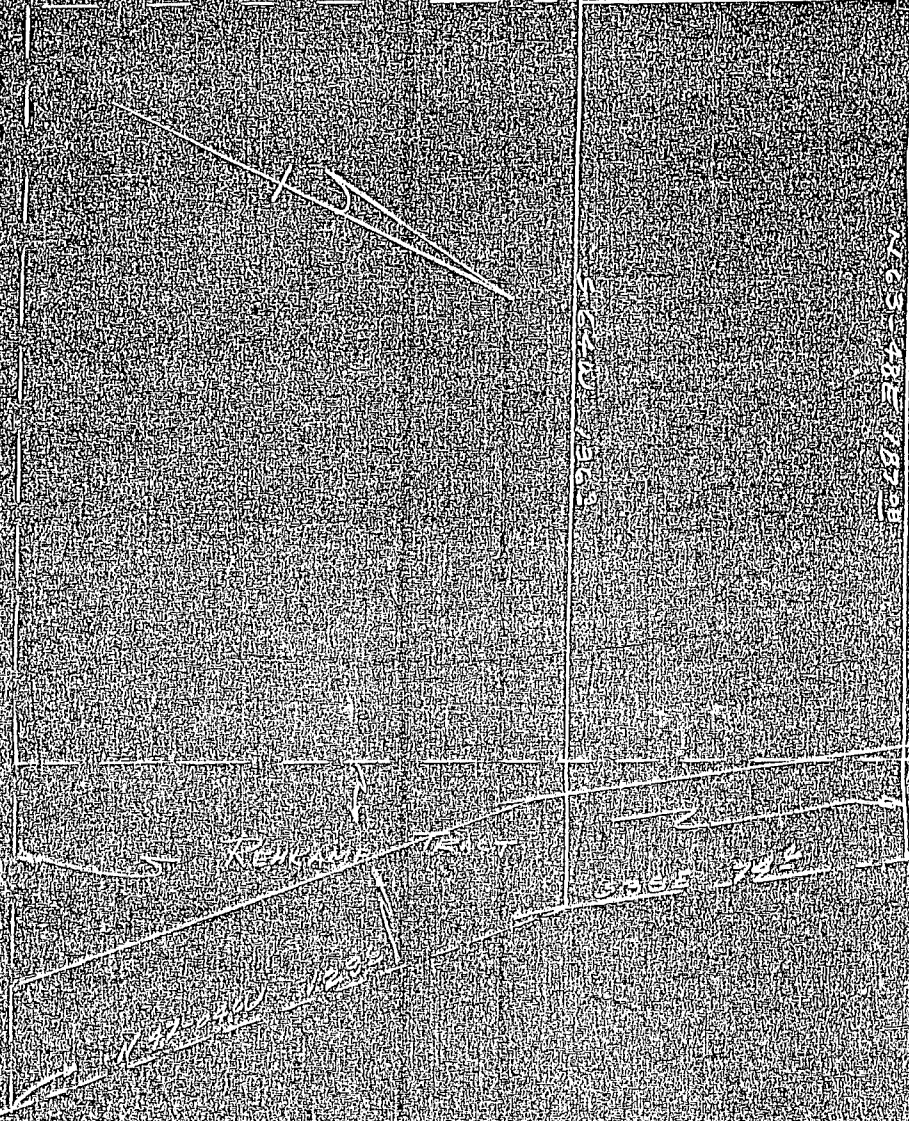
a part of  
being the same property conveyed to the grantors herein by deed from Dorothy Rehkamp and George Rehkamp, Jr., husband and wife, dated February 14, 1963 and recorded in Deed Book 157, page 181 of the Boone County Records, at Burlington, Kentucky, and from Edw. Palmer recorded in Deed Book 161 page 500 of the Boone County Records at Burlington, Ky.

together with all the PRIVILEGES AND APPURTENANCES to the same belonging TO HAVE AND TO HOLD the same to the said Ronald Joe Rice and Virginia G. Rice, his wife, with the right of survivorship, their

heirs and assigns forever, the Grantors, their  
COVENANTING with the grantees, their  
CLEAR, FREE AND UNINCUMBERED, and that they  
same against all legal claims whatsoever.heirs, executors and administrators, HEREBY  
heirs and assigns, that the TITLE so conveyed is  
will WARRANT AND DEFEND the

78

112-10 7005



PLAT OF LOTS TO BE CONVEYED  
 BY  
 MARY H. PERRY  
 MARCH 11, 1964

11-50

IN WITNESS WHEREOF The said Grantors Warren W. Pierson and Thelma Pierson, his wife,

hereunto set their hands this 3rd day of April in the year 1964



*Warren W. Pierson*  
*Thelma Pierson*

STATE OF KENTUCKY

COUNTY OF KENTON

son

I, Edw. J. Wilbers, Notary Public

in and for said County and State, do certify that the foregoing instrument of writing from Warren W. Pierson and Thelma Pierson, his wife

to Ronald Joe Rice and Virginia C. Rice, his wife was this day granted to me by the parties in said County and State, and then and there acknowledge by said Warren W. Pierson and Thelma Pierson, his wife

to be their last and best

Given under my hand and seal of office this 3rd day of April 1964 My commission expires the 3rd day of November 1965

Edw. J. Wilbers, Notary Public

COMMONWEALTH OF KENTUCKY

BOONE COUNTY O. D. BENSON

son

O. D. BENSON, Clerk of the County Court, for the aforesaid do hereby certify that this instrument of writing from WARREN W. PIERSON and THELMA PIERSON, his wife,

to RONALD JOE RICE and VIRGINIA C. RICE, his wife,

was this day presented to me in my office, by said Grantors, and acknowledged by certified as above, and this day left for record at 9:00 A. M.

Whereupon the same the foregoing certificate and this certificate were duly recorded in my office. Given under my hand this 7th day of April, 1964, in the year 1964.

O. D. BENSON, CLERK, W. D. HENDERSON, CLERK

*W. D. Henderson*

WARRANTY DEED

From Warren W. Pierson and Thelma Pierson

To Ronald Joe Rice and Virginia C. Rice

Clerk

DC

for Record 4/7/64

Filed in Deed Book No. 162 Page 77

GENERAL INDEX GROUP Index Clerk

Deed Prepared By T. Richard Hudry 111 E. 3rd St. Covington

*12/7/64*

**Public Hearing Item No. 2:**

**Commission Members Present:** Mr. Breetz, Mr. Bungler, Mrs. Kegley, Mr. Newman, Mrs. Poston - Vice Chairperson, Mr. Schwenke, and Mr. White.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; and Ms. Jan Hancock, Secretary.

**Legal Counsel Present:** Mr. Dale Wilson

Mrs. Poston introduced the last item on the Agenda:

2.     **Applicant:**     City of Florence for  
                          Jack Steele and Alpha Steele (owners)
- Applicant:**     City of Florence for  
                          Ronald Rice and Virginia Rice (owners)
- Requests:**     Zoning Map Amendments and Annexations

The request of the City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8205 Pleasant Valley Road, Boone County, Kentucky; and the request of the City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8313 Pleasant Valley Road, Boone County, Kentucky.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Mrs. Poston asked for the applicant's presentation.

Mr. Richard Lunnemann, Assistant City Coordinator/Community Development Director for the City of Florence, stated that the city is in the process of providing a minor water line extension in the vicinity of these two properties in order to complete a loop that is needed to improve water flow in the area. The property owners expressed a desire to receive the water and be annexed into the city and Mr. Steele indicated that he would like to add onto his property.

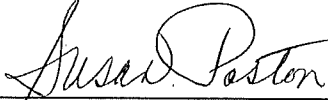
Mrs. Poston noted that there was no one else present in the audience and asked if there were any comments or questions from the Commissioners.

Mr. Newman questioned the addition to the Steele property. Mr. Lunnemann responded that Mr. Steele wants to build a covered porch, but it is a non-conforming lot and they do not meet the setback requirement. It is the city's desire to help the property owner get the desired zoning through the annexation and zoning process.

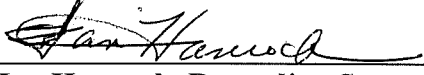
There being no further comments, the Mrs. Poston stated that the Committee Meeting for this item will be on December 3, 2003 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on December 17, 2003 at 6:30 P.M.

Mrs. Poston closed this Public Hearing at 9:10 PM.

**APPROVED:**

  
\_\_\_\_\_  
**Susan Poston, Vice Chairwoman**

**Attest:**

  
\_\_\_\_\_  
**Jan Hancock, Recording Secretary**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
December 17, 2003  
6:30 P.M.**

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Mr. Arnold Caddell, Chairman, called the meeting to order at 6:35 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Barlow  
Mr. Greg Breetz  
Mr. Kim Bunger  
Mr. Arnold Caddell, Chairman  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Robert Newman  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Charlie Reynolds  
Mr. Bob Schwenke  
Mr. Earl White  
Mrs. Lisa Wilson, Secretary/Treasurer

**COMMISSION MEMBER NOT PRESENT:**

Mr. Mark Hicks

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Patty Bachman, Planner  
Mr. David Geohegan, AICP – Director, Planning Services  
Ms. Jan Hancock, Secretary  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the December 3, 2003 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mrs. Kegley seconded the motion. A vote on the motion found all voting members in favor. Mr. Barlow, Mr. Breetz, and Mr. Schwenke were not yet present. The motion carried.

Chairman Caddell stated that the Commissioners received copies of the Minutes of the December 3, 2003 Public Hearings. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mr. Bunger seconded the motion. A vote on the motion found all voting members in favor. Mr. Barlow, Mr. Breetz, and Mr. Schwenke were not yet present. The motion carried.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment and Variance

The request of Eighteen, Ltd. (applicant) for Dennis C. Helmer, Gayle S. Helmer, David L. Helmer, and Sandra G. Helmer (owners) for a Zoning Map amendment from Residential One Family (R1F) to Professional Office One (O-1A) and a Variance from Section 3645 "Buffer Yards" of the Boone County Zoning Regulations to reduce the required Buffer Yard C in the rear yard area from 60 feet to 24.92 feet for a 0.8613-acre site on the southeast corner of the US 42/Dilcrest Drive intersection, Florence, Kentucky. The request is for a Zone Change and a Variance to allow an office development.

Chairman Caddell stated that there is a request to defer Agenda Item #1 to the January 7, 2004 Business Meeting at 7:00 PM. Mr. Reynolds so moved. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Breetz was not yet present. The motion carried.

2. Zoning Map Amendments and Annexation

The request of the City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8205 Pleasant Valley Road, Boone County, Kentucky; and the request of the City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8213 Pleasant Valley Road, Boone County, Kentucky.

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Findings of Fact (see Committee Report).

There being no discussion, **Mrs. Kegley moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Breetz was not yet present. The motion carried.**

3. Union Town Plan - The Drees Company/Harmony  
New U. S. 42

Staff Member Dave Geohegan stated that the Union Town Plan was predicated on a new road coming into the Union area and the new U.S. 42 is being completed. Almost every property owner in the area was involved in the process to create a product that satisfied everyone. All new zoning was created for the Union Town study area. The new zoning is restrictive in terms of design and how developments are to fit in with the character of the area, but it allows some higher density uses around the infrastructure and the town center. The idea was a mixed use town center with residential between it and the existing commercial developments in the north part of Union. He stated that the proposed project is all residential and had to follow the review process laid out for the residential and agricultural areas. There has not been much development occurring to this point because the utilities have not been there, especially the sanitary sewer. The Drees Company will work with the City of Union and Arlinghaus Builders for a temporary plant on Fowlers Creek to serve this development and the town center. Ultimately, the Sanitation District will take over the plant. The plant will be removed in a few years when the Western Regional Sanitation District Plant No. 1 is built in Belleview. He stated that the Long-Range Planning Committee is charged with reviewing the proposed development and deciding between the short review process and the long review process (similar to the Houston-Donaldson Study). He stated that the developer could (1) develop under the pre-existing zoning, (2) seek a zone change, or (3) say that the development meets the Union Town Plan and request the short review process, which avoids the Public Hearing associated with a zone change request. He stated that they started meeting with The Drees Company a year ago, but did not like the initial plan. The Drees Company came back with a second plan, and the judge and representatives from the City of Union were involved – but no one liked that plan either. The Drees Company started over several times in order to get to the current proposal. He stated that two weeks ago, the Long-Range Planning Committee went through the entire proposal and the information was sent out to all of the Commissioners. The Committee has met over the last two weeks to address issues in regard to the plan. The Committee worked cooperatively with the developer and went through the proposal item by item.

Mr. Knock, Committee Chairman, asked Mr. Geohegan to address how the proposal fits in with the cluster development. Mr. Geohegan explained that there were cluster regulations in the zoning regulations for about ten years, and they were recently replaced with the Open Space Subdivision Regulations. The concept is to allow the developer to use the property and achieve the allowable density by

EXHIBIT  
"B"

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: December 17, 2003

The request of The City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of The City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

### REMARKS

We, the Committee, recommend approval of the proposed Concept Development Plan, based upon the following findings of fact:

### FINDINGS OF FACT

1. The Committee has determined that the proposed Concept Development Plan is in agreement with the 2000 Boone County Comprehensive Plan. The Future Land Use Map designates the subject properties as "Suburban Residential," which allows a density of development of up to four (4) dwelling units per acre.

The Land Use Element states that the area between Oakbrook Road and Hopeful Road, to the south of KY 18, is suitable for Suburban Residential development. The Element calls for several road connections in this area, including a connection from Cayton Road to Pleasant Valley Road and an east-west connector road between Pleasant Valley Road and Hopeful Church Road, south of Stonegate Meadows subdivision.

The Housing Element echoes the guidelines noted in the Land Use Element, stating that the general area in which the lots are located is a likely area of growth in the future, due to improvements to US 42. It also calls for road connections, as stated above. While these points raised in the Comprehensive Plan do not apply to the proposal in the strictest sense, they provide further justification for the second criterion for a Zoning Map Amendment.

2. The Committee has concluded that the existing zoning of the two parcels in question is inappropriate and the proposed zoning is appropriate. The two parcels are non-conforming lots in the Agricultural Estates (A-2) zoning district. The minimum lot size in the A-2 zoning district is 80,000 square feet. Each lot is

approximately 13,000 square feet in area. Through the proposed zone change, the two lots would become conforming lots, as the minimum lot size in the Suburban Residential One (SR-1) zone is 8,000 square feet for single-family residences. Additionally, the property owners at 8205 Pleasant Valley Road have indicated that they wish to erect a roof structure over an existing concrete slab at the front of their house. In doing so the porch would be considered an architectural projection from the existing building. According to Section 3123 of the Boone County Zoning Regulations, the porch would be required to meet the minimum front yard setback requirements. This would not be possible under the existing zoning classification, as the minimum front yard setback in A-2 is 60 feet. Neither parcel currently meets this setback. The minimum front yard setback in SR-1 is 30 feet. Both lots could meet this setback requirement, even if a roof is erected over the concrete slab in the front yard of 8205 Pleasant Valley Road.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change Committee Vote.

**Public Hearing Item No. 2:**

**Commission Members Present:** Mr. Breetz, Mr. Bunger, Mrs. Kegley, Mr. Newman, Mrs. Poston - Vice Chairperson, Mr. Schwenke, and Mr. White.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; and Ms. Jan Hancock, Secretary.

**Legal Counsel Present:** Mr. Dale Wilson

Mrs. Poston introduced the last item on the Agenda:

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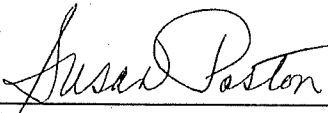
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There being no further comments, the Mrs. Poston stated that the Committee Meeting for this item will be on December 3, 2003 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on December 17, 2003 at 6:30 P.M.

Mrs. Poston closed this Public Hearing at 9:10 PM.

**APPROVED:**

  
\_\_\_\_\_  
Susan Poston, Vice Chairwoman

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 3, 2003

RE: The request of **The City of Florence** for **Jack Steele and Alpha Steele (owners)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of **The City of Florence** for **Ronald Rice and Virginia Rice (owners)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

*Kim Bunger*  
\_\_\_\_\_  
**Kim Bunger, Chairman**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*R Barlow*  
\_\_\_\_\_  
**Randy Barlow**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Greg Breetz*  
\_\_\_\_\_  
**Greg Breetz**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Janet R. Kegley*  
\_\_\_\_\_  
**Janet Kegley**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Susan Poston*  
\_\_\_\_\_  
**Susan Poston**

For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Charlie Reynolds(Alternate)\***

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

TOTAL: \_\_\_\_\_ DEFERRED 5 FOR PROJECT \_\_\_\_\_ ABSENT  
\_\_\_\_\_ AGAINST PROJECT \_\_\_\_\_ ABSTAIN

# SUPPORTING INFORMATION



# VIOX & VIOX, INC.

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Since 1945

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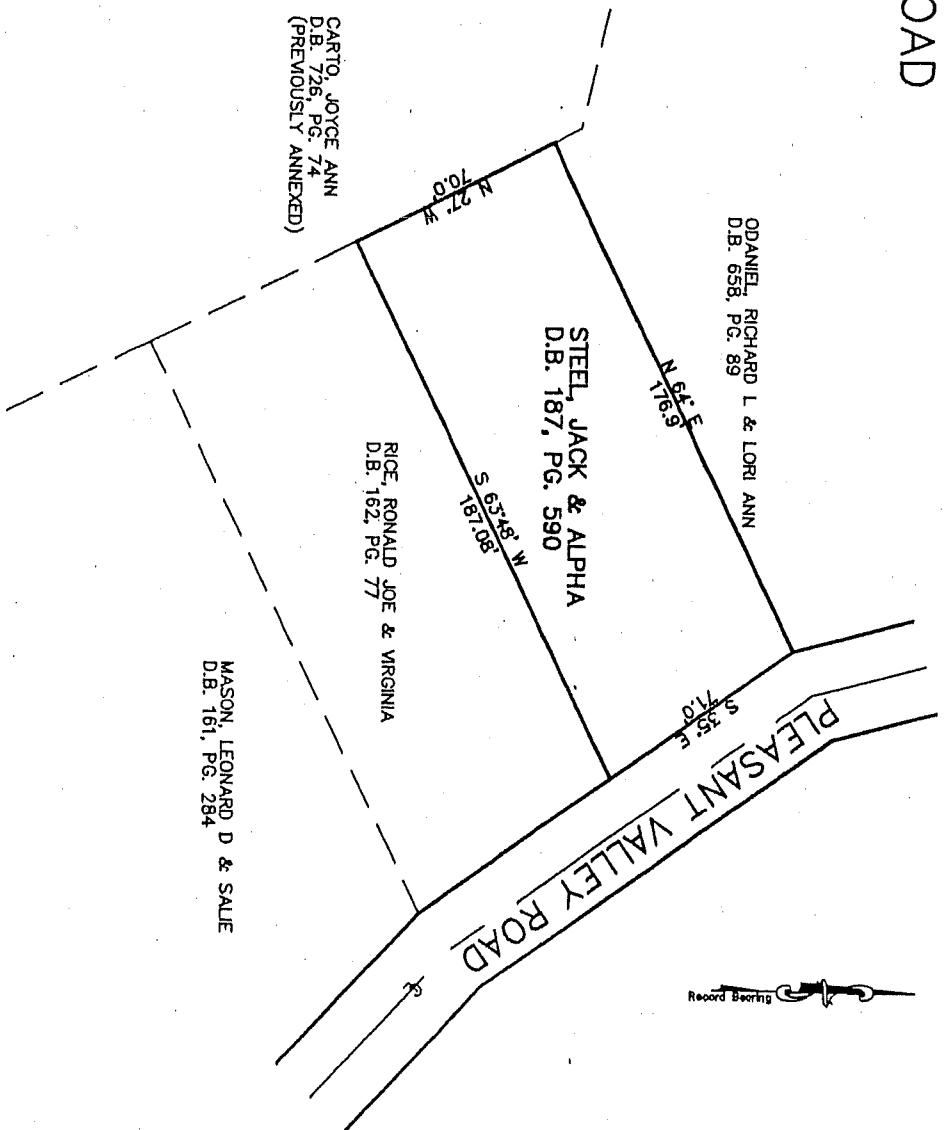
EXHIBIT  
"A"

PARCEL TO BE ANNEXED  
 PROPERTY OF JACK & ALPHA STEEL  
 WEST SIDE OF PLEASANT VALLEY ROAD  
 SEPTEMBER 17, 2003  
 SCALE: 1"=50'

TOTAL AREA = 0.30 ACRE



**W** VIOX & VIOX, INC.  
 Engineers • Surveyors • Landscape Architects  
 466 Erlanger Road  
 Erlanger, Kentucky 41018  
 Tel: 859-727-3293  
 Fax: 859-727-8452  
 e-mail: viox@nkol.net



CARTO, JOYCE ANN  
 D.B. 726, PG. 74  
 (PREVIOUSLY ANNEXED)



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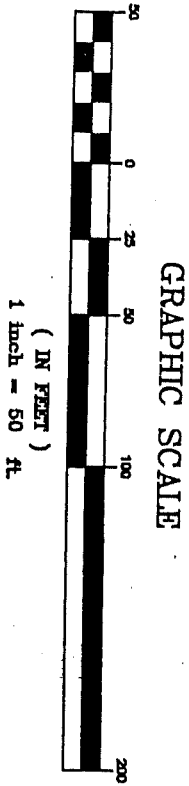
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# PARCEL TO BE ANNEXED

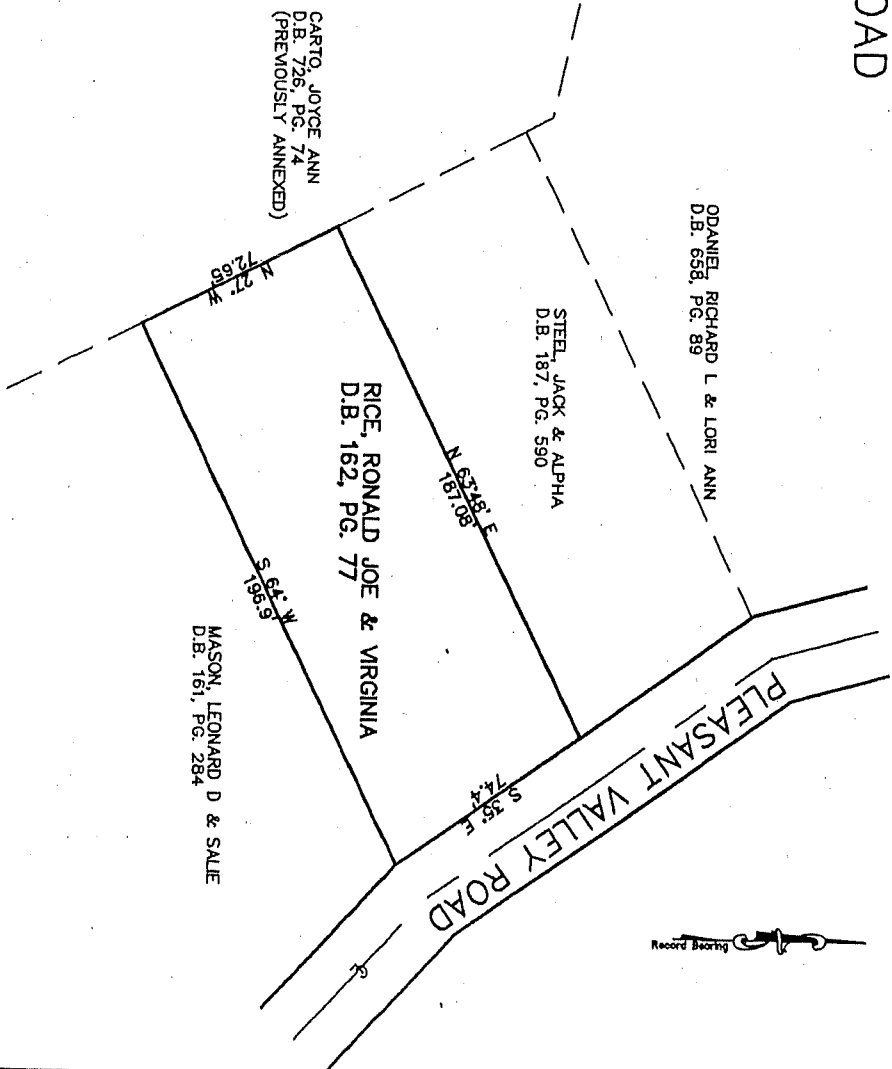
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WEST SIDE OF PLEASANT VALLEY ROAD

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SEPTEMBER 17, 2003  
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Fax: 859-727-9452  
e-mail: viox@vial.net



**ORDINANCE NO. 0-4-04**

**AN ORDINANCE ADOPTING AND APPROVING REZONING FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY, FOR A 0.30 ACRE SITE LOCATED AT 8213 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY. (RICE PROPERTY)**

WHEREAS, the City of Florence, Kentucky is a member of the county-wide planning unit with a county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission, by Resolution No. R-03-023, has recommended approval of the rezoning described above, and

WHEREAS, the City of Florence, Kentucky is the applicant for this rezoning in connection with its annexation of this property pursuant to KRS 100.209 and other applicable Kentucky law, and

WHEREAS, the recommendation for approval of the Boone County Planning Commission is based upon certain findings and conditions attached to its Resolution of Recommendation, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

**SECTION I**

That the requested zone change for the approximate 0.30 acre tract located at 8213 Pleasant Valley Road, Boone County, Kentucky, shall be and is hereby approved to rezone this property from its current zoning of Agricultural Estate (A-2) to Suburban Residential One (SR-1). This real estate which is the subject of this Ordinance and the zoning classification adopted herein is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky as is or shall be applicable to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning adopted herein.

**SECTION II**

This approval of this zoning map amendment is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including the Committee Report made a part of that recommendation, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "B", and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-03-023 of the Boone County Planning Commission along with the referenced Exhibits to that Resolution.

**SECTION III**

This approval of the zoning map amendment is granted based upon the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the Committee Report, which is attached and part of the Commission's Resolution No. R-03-023.

**SECTION IV**

The approximately 0.30 acre tract described herein is being annexed into the City of Florence, Kentucky and, pursuant to K.R.S. 100.209 (1), upon such annexation, shall be zoned Suburban Residential One (SR-1).

SECTION V

If this approval and the zoning map amendment adopted herein be held invalid, in whole or in part, by any Court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this Ordinance and they are intended to continue to have effect regardless of any invalidity relating to this particular Ordinance and the zoning map amendment for the approximate 0.30 acre tract herein.

SECTION VI

Publication of this Ordinance is hereby to be by summary publication in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 10<sup>th</sup> DAY OF February, 2004.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 24<sup>th</sup> DAY OF February, 2004.

APPROVED:

Deane E. White  
MAYOR

ATTEST:

Jessy A. Orfield  
CITY CLERK

**CITY OF FLORENCE, KENTUCKY**  
**SUMMARY OF ORDINANCE NO. 0-4-04**

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-4-04  
on February 24, 2004. The title of this Ordinance is as follows:

**ORDINANCE NO. 0-4-04**

**AN ORDINANCE ADOPTING AND APPROVING REZONING FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY, FOR A 0.30 ACRE SITE LOCATED AT 8213 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY. (RICE PROPERTY)**

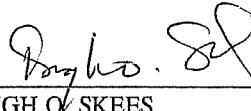
This Ordinance rezones the tract described in the Ordinance title to Suburban Residential One (SR-1). Under the provisions of K.R.S. 100.209(1), following the enactment of this Ordinance, the City will proceed to enact a separate Ordinance annexing the rezoned territory. Upon such annexation the rezoning will become effective.

This Ordinance incorporates the findings of the Boone County Planning Commission to the effect that this rezoning is in agreement with the Boone County Comprehensive Plan.

The full text of Ordinance No. 0-4-04, including its Exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, during regular office hours.

**CERTIFICATION**

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 0-4-04 and that it has been prepared by me on the 22<sup>nd</sup> day of January, 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



\_\_\_\_\_  
HUGH O. SKEES  
SKEES, WILSON & DILLON, PLLC  
7699 Ewing Boulevard, P.O. Box 756  
Florence, Kentucky 41042-0756  
(859) 371-7407

CITY OF FLORENCE, KENTUCKY  
PLANNING AND ZONING COMMITTEE

IN RE: REPORT AND RECOMMENDATION - REQUEST OF THE CITY OF FLORENCE (APPLICANT) FOR RONALD AND VIRGINIA RICE (OWNERS) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY, FOR A 0.30 ACRE SITE LOCATED AT 8213 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY.

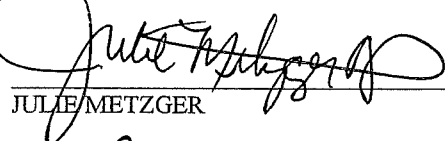
The Committee met in a special meeting on January 20, 2004, at the Florence Government Center building to consider Resolution No. R-03-023 of the Boone County Planning Commission which recommended approval of the request described above. The Committee reviewed the record of proceedings before the Boone County Planning Commission, including said Resolution and the exhibits thereto, and the approved Minutes of the public hearing. The Committee determined that the record from the Boone County Planning Commission contains adequate information for consideration of the recommendation and that no need exists for an additional hearing before the City Council.

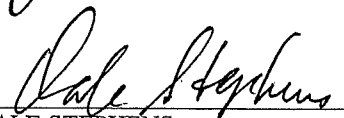
Further, the Committee determined that the recommendation for approval should be affirmed, based upon the findings contained in the record before the Boone County Planning Commission.

NOW, THEREFORE, the Planning and Zoning Committee recommends to the City Council of the City of Florence, Kentucky, as follows:

- a. That this matter be considered solely on the record before the Boone County Planning Commission and that no additional hearings be held; and
- b. That the recommendation of approval from the Boone County Planning Commission be affirmed.

MEMBERS OF THE COMMITTEE:

  
\_\_\_\_\_  
JULIE METZGER

  
\_\_\_\_\_  
DALE STEPHENS



# VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

Since 1945

## DESCRIPTION PARCEL TO BE ANNEXED TO THE CITY OF FLORENCE

- Planning

A parcel of land situated in Boone County, Kentucky, lying on the west side of Pleasant Valley Road. Being the parcel recorded in Deed Book 162, Page 77 of the Boone County Clerk's records at Burlington, Kentucky, and being more particularly described as follows:

- Design

Beginning at a point in the center of Pleasant Valley Road said point being North  $47^{\circ} 04'$  West, 129.6 feet to the eastern most corner of said parcel, a corner with Mason; thence with the North line of Mason South  $64^{\circ}$  West, 196.9 feet to a stake; thence North  $27^{\circ}$  West, 72.65 feet to a point; thence North  $63^{\circ} 48'$  East, 187.08 feet to a point in the center of Pleasant Valley Road; thence with the center of the same South  $35^{\circ}$  East 74.4 feet to the beginning, containing 0.30 acres more or less.

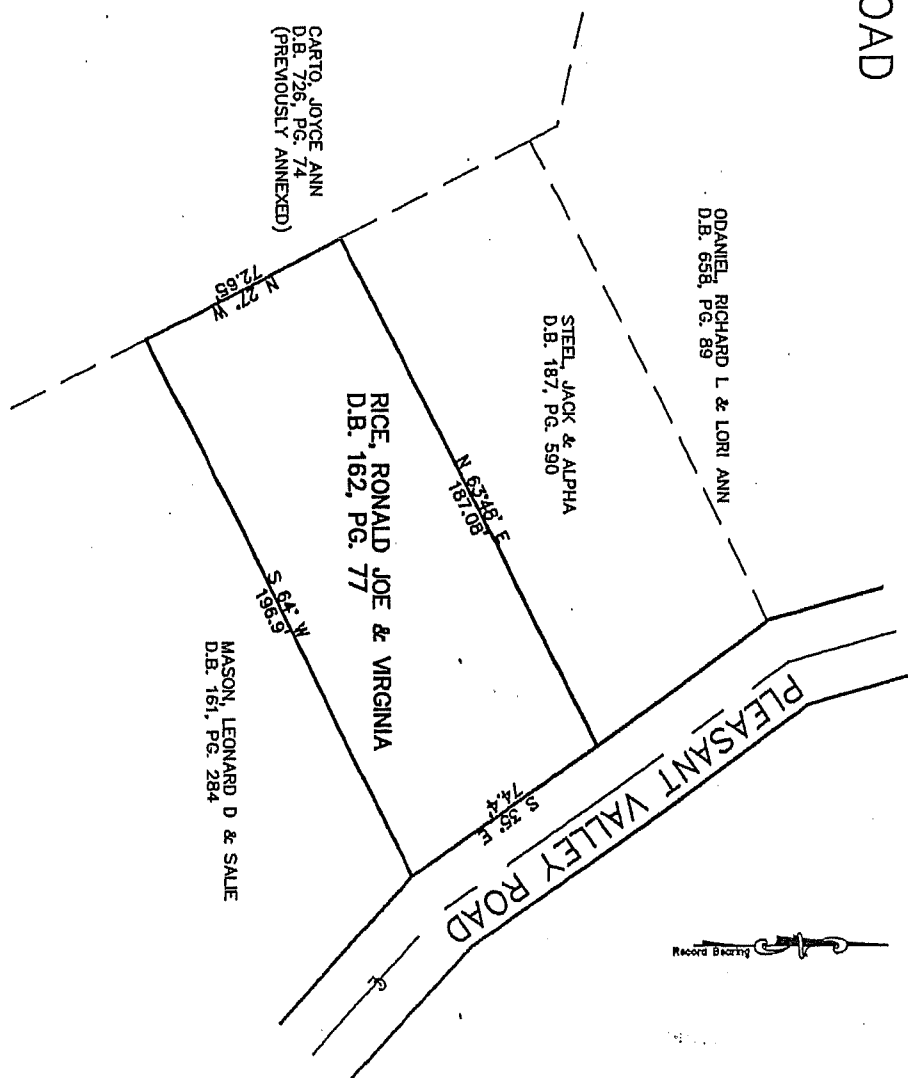
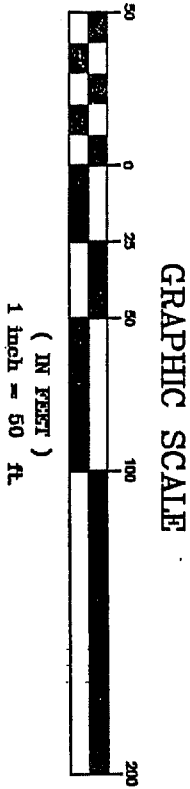
- Surveying

EXHIBIT  
"A"

PARCEL TO BE ANNEXED  
 PROPERTY OF RONALD JOE & VIRGINIA RICE  
 WEST SIDE OF PLEASANT VALLEY ROAD

TOTAL AREA = 0.30 ACRE

SEPTEMBER 17, 2003  
 SCALE: 1"=50'



**W** VIOX & VIOX, INC.  
 Engineers • Surveyors • Landscape Architects  
 466 Erlanger Road  
 Erlanger, Kentucky 41018  
 Tel: 859-777-3293  
 Fax: 859-727-8452  
 e-mail: viox@nkolnet

EXHIBIT

“B”

## RESOLUTION R-03-023-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A REQUEST OF THE CITY OF FLORENCE (APPLICANT) FOR JACK AND ALPHA STEELE (OWNERS) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1) IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR A 0.30 ACRE SITE LOCATED AT 8205 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY; AND THE REQUEST OF THE CITY OF FLORENCE (APPLICANT) FOR RONALD AND VIRGINIA RICE (OWNERS) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1) IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR A 0.30 ACRE SITE LOCATED AT 8213 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for two Zoning Map Amendments to the Boone County Zoning Map, and such Zoning Map Amendments being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval for the Zoning Map Amendments.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:**

### **SECTION I**

That the request for two Zoning Map Amendments for the real estate which is more particularly described below shall be and is hereby recommended for approval, these Zoning Map Amendments being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property

into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky. The real estate which is the subject of these requests for two Zoning Map Amendments in an Agricultural Estate (A-2) zone are more particularly described in DEED BOOKS 187 and 162, PAGE NOS. 590 and 77, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

## SECTION II

That as a basis for the recommendation of approval for two Zoning Map Amendment requests are the findings of fact 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 Resolution and marked as "Exhibit A."

The Planning Commission recommended approval for this request based on the findings of fact as set forth in a report and marked as "Exhibit B."

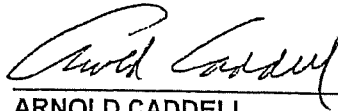
## SECTION III

That a copy of this Resolution recommending approval for two Zoning Map Amendments for a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having

jurisdiction over the property for its action on the recommendation of the Boone County  
Planning Commission.

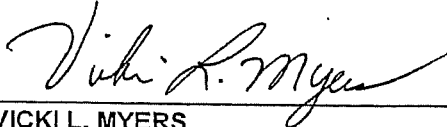
PASSED AND APPROVED ON THIS 7TH DAY OF JANUARY, 2004.

APPROVED:



ARNOLD CADDELL  
CHAIRMAN

ATTEST:



VICKI L. MYERS  
MANAGER, ADMINISTRATIVE SERVICES

AC:vlm

Public Hearing Item No. 2:

Commission Members Present: Mr. Breetz, Mr. Bungler, Mrs. Kegley, Mr. Newman, Mrs. Poston - Vice Chairperson, Mr. Schwenke, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; and Ms. Jan Hancock, Secretary.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Poston introduced the last item on the Agenda:

2. Applicant: City of Florence for Jack Steele and Alpha Steele (owners)

Applicant: City of Florence for Ronald Rice and Virginia Rice (owners)

Requests: Zoning Map Amendments and Annexations

The request of the City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8205 Pleasant Valley Road, Boone County, Kentucky; and the request of the City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8313 Pleasant Valley Road, Boone County, Kentucky.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Mrs. Poston asked for the applicant's presentation.

Mr. Richard Lunnemann, Assistant City Coordinator/Community Development Director for the City of Florence, stated that the city is in the process of providing a minor water line extension in the vicinity of these two properties in order to complete a loop that is needed to improve water flow in the area. The property owners expressed a desire to receive the water and be annexed into the city and Mr. Steele indicated that he would like to add onto his property.

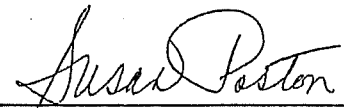
Mrs. Poston noted that there was no one else present in the audience and asked if there were any comments or questions from the Commissioners.

Mr. Newman questioned the addition to the Steele property. Mr. Lunnemann responded that Mr. Steele wants to build a covered porch, but it is a non-conforming lot and they do not meet the setback requirement. It is the city's desire to help the property owner get the desired zoning through the annexation and zoning process.

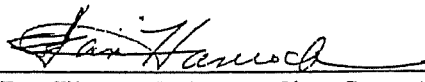
There being no further comments, the Mrs. Poston stated that the Committee Meeting for this item will be on December 3, 2003 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on December 17, 2003 at 6:30 P.M.

Mrs. Poston closed this Public Hearing at 9:10 PM.

**APPROVED:**

  
\_\_\_\_\_  
Susan Poston, Vice Chairwoman

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: December 17, 2003

The request of The City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of The City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

### REMARKS

We, the Committee, recommend approval of the proposed Concept Development Plan, based upon the following findings of fact:

### FINDINGS OF FACT

1. The Committee has determined that the proposed Concept Development Plan is in agreement with the 2000 Boone County Comprehensive Plan. The Future Land Use Map designates the subject properties as "Suburban Residential," which allows a density of development of up to four (4) dwelling units per acre.

The Land Use Element states that the area between Oakbrook Road and Hopeful Road, to the south of KY 18, is suitable for Suburban Residential development. The Element calls for several road connections in this area, including a connection from Cayton Road to Pleasant Valley Road and an east-west connector road between Pleasant Valley Road and Hopeful Church Road, south of Stonegate Meadows subdivision.

The Housing Element echoes the guidelines noted in the Land Use Element, stating that the general area in which the lots are located is a likely area of growth in the future, due to improvements to US 42. It also calls for road connections, as stated above. While these points raised in the Comprehensive Plan do not apply to the proposal in the strictest sense, they provide further justification for the second criterion for a Zoning Map Amendment.

2. The Committee has concluded that the existing zoning of the two parcels in question is inappropriate and the proposed zoning is appropriate. The two parcels are non-conforming lots in the Agricultural Estates (A-2) zoning district. The minimum lot size in the A-2 zoning district is 80,000 square feet. Each lot is

approximately 13,000 square feet in area. Through the proposed zone change, the two lots would become conforming lots, as the minimum lot size in the Suburban Residential One (SR-1) zone is 8,000 square feet for single-family residences. Additionally, the property owners at 8205 Pleasant Valley Road have indicated that they wish to erect a roof structure over an existing concrete slab at the front of their house. In doing so the porch would be considered an architectural projection from the existing building. According to Section 3123 of the Boone County Zoning Regulations, the porch would be required to meet the minimum front yard setback requirements. This would not be possible under the existing zoning classification, as the minimum front yard setback in A-2 is 60 feet. Neither parcel currently meets this setback. The minimum front yard setback in SR-1 is 30 feet. Both lots could meet this setback requirement, even if a roof is erected over the concrete slab in the front yard of 8205 Pleasant Valley Road.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change Committee Vote.

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 3, 2003

RE: The request of The City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of The City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

*Kim Bunger*  
\_\_\_\_\_  
**Kim Bunger, Chairman**

For Project  Absent   
Against Project   
Abstain  Deferred

*R Barlow*  
\_\_\_\_\_  
**Randy Barlow**

For Project  Absent   
Against Project   
Abstain  Deferred

*Greg Breetz*  
\_\_\_\_\_  
**Greg Breetz**

For Project  Absent   
Against Project   
Abstain  Deferred

*Janet R. Kegley*  
\_\_\_\_\_  
**Janet Kegley**

For Project  Absent   
Against Project   
Abstain  Deferred

*Susan Poston*  
\_\_\_\_\_  
**Susan Poston**

For Project  Absent   
Against Project   
Abstain  Deferred

\_\_\_\_\_  
**Charlie Reynolds(Alternate)\***

For Project  Absent   
Against Project   
Abstain  Deferred

TOTAL:  DEFERRED 5 FOR PROJECT  ABSENT  
 AGAINST PROJECT  ABSTAIN

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the December 3, 2003 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mrs. Kegley seconded the motion. A vote on the motion found all voting members in favor. Mr. Barlow, Mr. Breetz, and Mr. Schwenke were not yet present. The motion carried.

Chairman Caddell stated that the Commissioners received copies of the Minutes of the December 3, 2003 Public Hearings. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mr. Bunger seconded the motion. A vote on the motion found all voting members in favor. Mr. Barlow, Mr. Breetz, and Mr. Schwenke were not yet present. The motion carried.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment and Variance

The request of Eighteen, Ltd. (applicant) for Dennis C. Helmer, Gayle S. Helmer, David L. Helmer, and Sandra G. Helmer (owners) for a Zoning Map amendment from Residential One Family (R1F) to Professional Office One (O-1A) and a Variance from Section 3645 "Buffer Yards" of the Boone County Zoning Regulations to reduce the required Buffer Yard C in the rear yard area from 60 feet to 24.92 feet for a 0.8613-acre site on the southeast corner of the US 42/Dilcrest Drive intersection, Florence, Kentucky. The request is for a Zone Change and a Variance to allow an office development.

Chairman Caddell stated that there is a request to defer Agenda Item #1 to the January 7, 2004 Business Meeting at 7:00 PM. Mr. Reynolds so moved. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Breetz was not yet present. The motion carried.

2. Zoning Map Amendments and Annexation

The request of the City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8205 Pleasant Valley Road, Boone County, Kentucky; and the request of the City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8213 Pleasant Valley Road, Boone County, Kentucky.

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Findings of Fact (see Committee Report).

There being no discussion, Mrs. Kegley moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Breetz was not yet present. The motion carried.

3. Union Town Plan - The Drees Company/Harmony  
New U. S. 42

Staff Member Dave Geohegan stated that the Union Town Plan was predicated on a new road coming into the Union area and the new U.S. 42 is being completed. Almost every property owner in the area was involved in the process to create a product that satisfied everyone. All new zoning was created for the Union Town study area. The new zoning is restrictive in terms of design and how developments are to fit in with the character of the area, but it allows some higher density uses around the infrastructure and the town center. The idea was a mixed use town center with residential between it and the existing commercial developments in the north part of Union. He stated that the proposed project is all residential and had to follow the review process laid out for the residential and agricultural areas. There has not been much development occurring to this point because the utilities have not been there, especially the sanitary sewer. The Drees Company will work with the City of Union and Arlinghaus Builders for a temporary plant on Fowlers Creek to serve this development and the town center. Ultimately, the Sanitation District will take over the plant. The plant will be removed in a few years when the Western Regional Sanitation District Plant No. 1 is built in Belleview. He stated that the Long-Range Planning Committee is charged with reviewing the proposed development and deciding between the short review process and the long review process (similar to the Houston-Donaldson Study). He stated that the developer could (1) develop under the pre-existing zoning, (2) seek a zone change, or (3) say that the development meets the Union Town Plan and request the short review process, which avoids the Public Hearing associated with a zone change request. He stated that they started meeting with The Drees Company a year ago, but did not like the initial plan. The Drees Company came back with a second plan, and the judge and representatives from the City of Union were involved – but no one liked that plan either. The Drees Company started over several times in order to get to the current proposal. He stated that two weeks ago, the Long-Range Planning Committee went through the entire proposal and the information was sent out to all of the Commissioners. The Committee has met over the last two weeks to address issues in regard to the plan. The Committee worked cooperatively with the developer and went through the proposal item by item.

Mr. Knock, Committee Chairman, asked Mr. Geohegan to address how the proposal fits in with the cluster development. Mr. Geohegan explained that there were cluster regulations in the zoning regulations for about ten years, and they were recently replaced with the Open Space Subdivision Regulations. The concept is to allow the developer to use the property and achieve the allowable density by

June 4, 2004

**VIA FIRST CLASS MAIL:**

Boone County Judge/Executive Gary Moore  
P.O. Box 900  
Burlington, KY 41005

Kevin Costello, Executive Director  
(C/o) Vicki Myers  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Bob Townsend, Director  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Peter Glenn, Project Manager  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Police Chief Tom Kathman  
Florence Police Department  
Florence Government Center  
Florence, KY 41042

Fire/EMS Chief Jim McMillen  
Florence Fire/EMS Department  
Fire Station 3, 1152 Weaver Road  
Florence, KY 41042

Director  
Boone Co. Public Safety Communications Center  
Florence Government Center  
Florence, KY 41042

Boone Co. Property Valuation Administrator Ron Burch  
P.O. Box 388  
Burlington, KY 41005

Jim Key, Chief Building Official  
Boone County Building Inspection Office  
5958 Garrard Street  
Burlington, KY 41005

Bill Viox, City Engineer  
Viox & Viox Inc.  
466 Erlanger Road  
Erlanger, KY 41018

Ronald & Virginia Rice  
8213 Pleasant Valley Road  
Florence, KY 41042

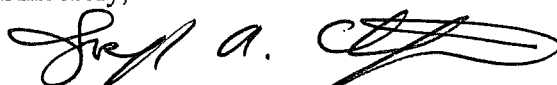
Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. 0-4-04 adopting and approving the rezoning from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property, for a 0.30-acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky (Rice Property).

First reading of Ordinance No. 0-4-04 was held on the 10<sup>th</sup> Day of February 2004. Second reading was held on 24<sup>th</sup> Day of February 2004, and the full Ordinance was published in the *Boone County Recorder* on 4<sup>th</sup> of March 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,



Joseph A. Christofield, City Clerk

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of 0-4-04 as same appears in the official records of my office.

Dated this 7<sup>th</sup> day of June, 2004.

  
 Florence City Clerk

**ORDINANCE NO. 0-5-04**

**AN ORDINANCE ADOPTING AND APPROVING REZONING FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY, FOR A 0.30 ACRE SITE LOCATED AT 8205 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY. (STEELE PROPERTY)**

WHEREAS, the City of Florence, Kentucky is a member of the county-wide planning unit with a county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission, by Resolution No. R-03-023, has recommended approval of the rezoning described above, and

WHEREAS, the City of Florence, Kentucky is the applicant for this rezoning in connection with its annexation of this property pursuant to KRS 100.209 and other applicable Kentucky law, and

WHEREAS, the recommendation for approval of the Boone County Planning Commission is based upon certain findings and conditions attached to its Resolution of Recommendation, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

**SECTION I**

That the requested zone change for the approximate 0.30 acre tract located at 8205 Pleasant Valley Road, Boone County, Kentucky, shall be and is hereby approved to rezone this property from its current zoning of Agricultural Estate (A-2) to Suburban Residential One (SR-1). This real estate which is the subject of this Ordinance and the zoning classification adopted herein is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky as is or shall be applicable to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning adopted herein.

**SECTION II**

This approval of this zoning map amendment is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including the Committee Report made a part of that recommendation, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "B", and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-03-023 of the Boone County Planning Commission along with the referenced Exhibits to that Resolution.

**SECTION III**

This approval of the zoning map amendment is granted based upon the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the Committee Report, which is attached and part of the Commission's Resolution No. R-03-023.

**SECTION IV**

The approximately 0.30 acre tract described herein is being annexed into the City of Florence, Kentucky and, pursuant to K.R.S. 100.209 (1), upon such annexation, shall be zoned Suburban Residential One (SR-1).

**SECTION V**

If this approval and the zoning map amendment adopted herein be held invalid, in whole or in part, by any Court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this Ordinance and they are intended to continue to have effect regardless of any invalidity relating to this particular Ordinance and the zoning map amendment for the approximate 0.30 acre tract herein.

**SECTION VI**

Publication of this Ordinance is hereby to be by summary publication in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 10<sup>th</sup> DAY OF February, 2004.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 24<sup>th</sup> DAY OF February, 2004.

APPROVED:

Deane E. Whalen  
MAYOR

ATTEST:

Paul A. Orlowski  
CITY CLERK

**CITY OF FLORENCE, KENTUCKY**  
**SUMMARY OF ORDINANCE NO. 0-5-04**

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-5-04  
on February 24, 2004. The title of this Ordinance is as follows:

**ORDINANCE NO. 0-5-04**

**AN ORDINANCE ADOPTING AND APPROVING REZONING FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY, FOR A 0.30 ACRE SITE LOCATED AT 8205 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY. (STEELE PROPERTY)**

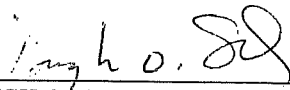
This Ordinance rezones the tract described in the Ordinance title to Suburban Residential One (SR-1). Under the provisions of K.R.S. 100.209(1), following the enactment of this Ordinance, the City will proceed to enact a separate Ordinance annexing the rezoned territory. Upon such annexation the rezoning will become effective.

This Ordinance incorporates the findings of the Boone County Planning Commission to the effect that this rezoning is in agreement with the Boone County Comprehensive Plan.

The full text of Ordinance No. 0-5-04, including its Exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, during regular office hours.

**CERTIFICATION**

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 0-5-04 and that it has been prepared by me on the 22<sup>nd</sup> day of January, 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.

  
\_\_\_\_\_  
HUGH O. SKEES  
SKEES, WILSON & DILLON, PLLC  
7699 Ewing Boulevard, P.O. Box 756  
Florence, Kentucky 41042-0756  
(859) 371-7407

CITY OF FLORENCE, KENTUCKY  
PLANNING AND ZONING COMMITTEE

IN RE: REPORT AND RECOMMENDATION - REQUEST OF THE CITY OF FLORENCE (APPLICANT) FOR JACK AND ALPHA STEELE (OWNERS) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY, FOR A 0.30 ACRE SITE LOCATED AT 8205 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY.

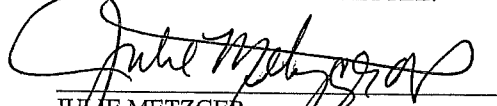
The Committee met in a special meeting on January 20, 2004, at the Florence Government Center building to consider Resolution No. R-03-023 of the Boone County Planning Commission which recommended approval of the request described above. The Committee reviewed the record of proceedings before the Boone County Planning Commission, including said Resolution and the exhibits thereto, and the approved Minutes of the public hearing. The Committee determined that the record from the Boone County Planning Commission contains adequate information for consideration of the recommendation and that no need exists for an additional hearing before the City Council.

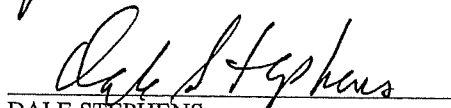
Further, the Committee determined that the recommendation for approval should be affirmed, based upon the findings contained in the record before the Boone County Planning Commission.

NOW, THEREFORE, the Planning and Zoning Committee recommends to the City Council of the City of Florence, Kentucky, as follows:

- a. That this matter be considered solely on the record before the Boone County Planning Commission and that no additional hearings be held; and
- b. That the recommendation of approval from the Boone County Planning Commission be affirmed.

MEMBERS OF THE COMMITTEE:

  
\_\_\_\_\_  
JULIE METZGER

  
\_\_\_\_\_  
DALE STEPHENS



# VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

Since 1945

## DESCRIPTION PARCEL TO BE ANNEXED TO THE CITY OF FLORENCE

- Planning

A parcel of land situated in Boone County, Kentucky, lying on the west side of Pleasant Valley Road. Being the parcel recorded in Deed Book 187, Page 590 of the Boone County Clerk's records at Burlington, Kentucky, and being more particularly described as follows:

- Design

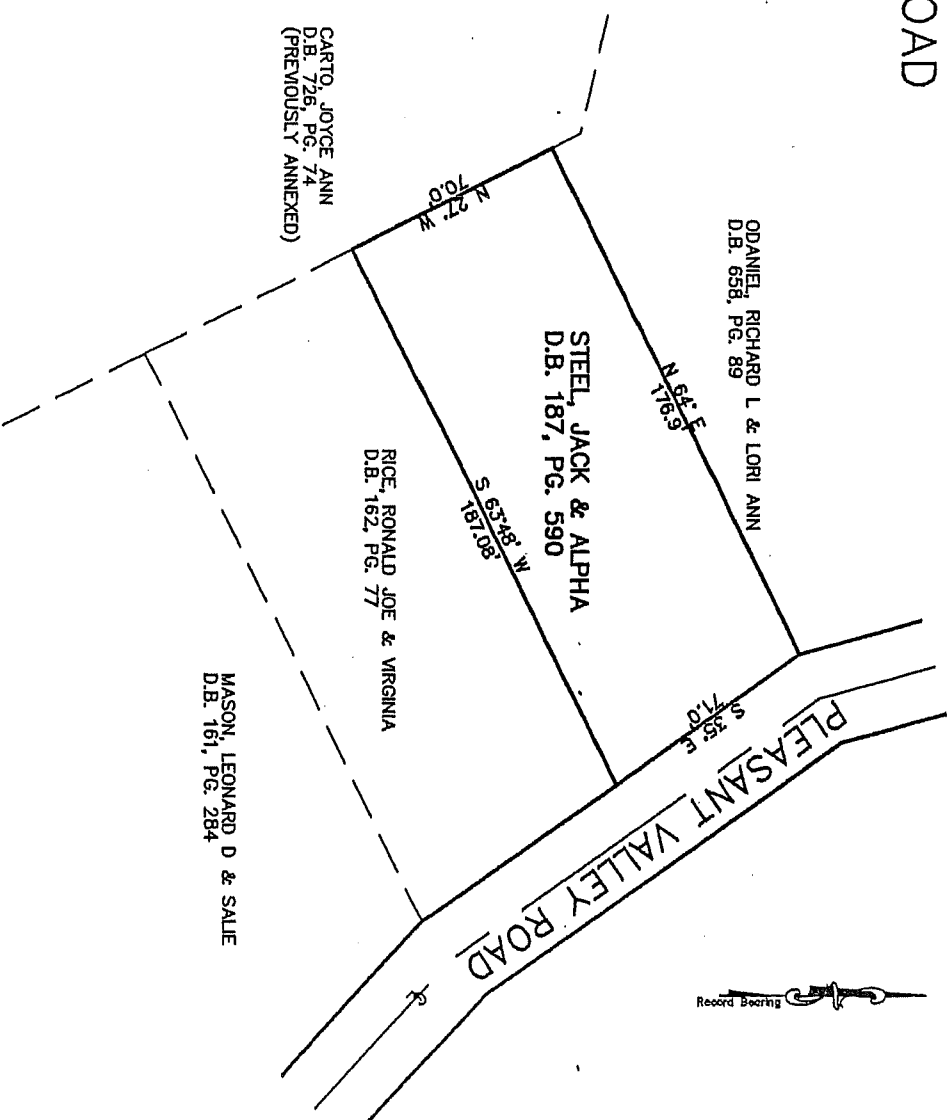
Beginning at a stake in the right of way line of Pleasant Valley Road, the northeast corner of the tract conveyed to Warren Pierson by George Rehkamp Jr., (Deed Book 157, Page 181) and being a corner with O'Daniel; thence with said right of way South 35° East 71.0 feet to a point; thence South 63° 48' West 187.08 feet to a point; thence North 27° West 70.0 feet to a stone and post; thence with the line of O'Daniel North 64° East 176.9 feet to the beginning, containing 0.30 acres more or less.

- Surveying

EXHIBIT  
"A"

PARCEL TO BE ANNEXED  
 PROPERTY OF JACK & ALPHA STEEL  
 WEST SIDE OF PLEASANT VALLEY ROAD  
 SEPTEMBER 17, 2003  
 SCALE: 1"=50'

TOTAL AREA = 0.30 ACRE



**W VIOX & VIOX, INC.**  
 Engineers • Surveyors • Landscape Architects  
 466 Erlanger Road  
 Erlanger, Kentucky 41018  
 Tel: 859-727-3293  
 Fax: 859-727-8452  
 e-mail: [viox@kolnet.net](mailto:viox@kolnet.net)

EXHIBIT  
"B"

RESOLUTION R-03-023-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A REQUEST OF THE CITY OF FLORENCE (APPLICANT) FOR JACK AND ALPHA STEELE (OWNERS) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1) IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR A 0.30 ACRE SITE LOCATED AT 8205 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY; AND THE REQUEST OF THE CITY OF FLORENCE (APPLICANT) FOR RONALD AND VIRGINIA RICE (OWNERS) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1) IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR A 0.30 ACRE SITE LOCATED AT 8213 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for two Zoning Map Amendments to the Boone County Zoning Map, and such Zoning Map Amendments being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval for the Zoning Map Amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

**SECTION I**

That the request for two Zoning Map Amendments for the real estate which is more particularly described below shall be and is hereby recommended for approval, these Zoning Map Amendments being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property

into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky. The real estate which is the subject of these requests for two Zoning Map Amendments in an Agricultural Estate (A-2) zone are more particularly described in DEED BOOKS 187 and 162, PAGE NOS. 590 and 77, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

## SECTION II

That as a basis for the recommendation of approval for two Zoning Map Amendment requests are the findings of fact 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 Resolution and marked as "Exhibit A."

The Planning Commission recommended approval for this request based on the findings of fact as set forth in a report and marked as "Exhibit B."

## SECTION III

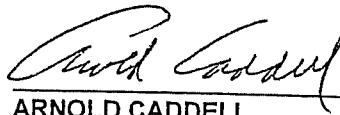
That a copy of this Resolution recommending approval for two Zoning Map Amendments for a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having

BOONE COUNTY PLANNING COMMISSION  
RESOLUTION R-03-023-A  
PAGE THREE

jurisdiction over the property for its action on the recommendation of the Boone County  
Planning Commission.

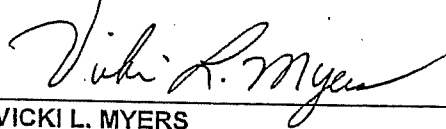
PASSED AND APPROVED ON THIS 7TH DAY OF JANUARY, 2004.

APPROVED:



ARNOLD CADDELL  
CHAIRMAN

ATTEST:



VICKI L. MYERS  
MANAGER, ADMINISTRATIVE SERVICES

AC:vlm

Public Hearing Item No. 2:

Commission Members Present: Mr. Breetz, Mr. Bunger, Mrs. Kegley, Mr. Newman, Mrs. Poston - Vice Chairperson, Mr. Schwenke, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; and Ms. Jan Hancock, Secretary.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Poston introduced the last item on the Agenda:

2.     **Applicant:**     City of Florence for  
                          Jack Steele and Alpha Steele (owners)
- Applicant:**     City of Florence for  
                          Ronald Rice and Virginia Rice (owners)
- Requests:**     Zoning Map Amendments and Annexations

The request of the City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8205 Pleasant Valley Road, Boone County, Kentucky; and the request of the City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8313 Pleasant Valley Road, Boone County, Kentucky.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Mrs. Poston asked for the applicant's presentation.

Mr. Richard Lunnemann, Assistant City Coordinator/Community Development Director for the City of Florence, stated that the city is in the process of providing a minor water line extension in the vicinity of these two properties in order to complete a loop that is needed to improve water flow in the area. The property owners expressed a desire to receive the water and be annexed into the city and Mr. Steele indicated that he would like to add onto his property.

Mrs. Poston noted that there was no one else present in the audience and asked if there were any comments or questions from the Commissioners.

Mr. Newman questioned the addition to the Steele property. Mr. Lunnemann responded that Mr. Steele wants to build a covered porch, but it is a non-conforming lot and they do not meet the setback requirement. It is the city's desire to help the property owner get the desired zoning through the annexation and zoning process.

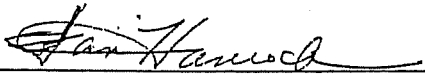
There being no further comments, the Mrs. Poston stated that the Committee Meeting for this item will be on December 3, 2003 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on December 17, 2003 at 6:30 P.M.

Mrs. Poston closed this Public Hearing at 9:10 PM.

APPROVED:

  
\_\_\_\_\_  
Susan Poston, Vice Chairwoman

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: December 17, 2003

The request of The City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of The City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

### REMARKS

We, the Committee, recommend approval of the proposed Concept Development Plan, based upon the following findings of fact:

### FINDINGS OF FACT

1. The Committee has determined that the proposed Concept Development Plan is in agreement with the 2000 Boone County Comprehensive Plan. The Future Land Use Map designates the subject properties as "Suburban Residential," which allows a density of development of up to four (4) dwelling units per acre.

The Land Use Element states that the area between Oakbrook Road and Hopeful Road, to the south of KY 18, is suitable for Suburban Residential development. The Element calls for several road connections in this area, including a connection from Cayton Road to Pleasant Valley Road and an east-west connector road between Pleasant Valley Road and Hopeful Church Road, south of Stonegate Meadows subdivision.

The Housing Element echoes the guidelines noted in the Land Use Element, stating that the general area in which the lots are located is a likely area of growth in the future, due to improvements to US 42. It also calls for road connections, as stated above. While these points raised in the Comprehensive Plan do not apply to the proposal in the strictest sense, they provide further justification for the second criterion for a Zoning Map Amendment.

2. The Committee has concluded that the existing zoning of the two parcels in question is inappropriate and the proposed zoning is appropriate. The two parcels are non-conforming lots in the Agricultural Estates (A-2) zoning district. The minimum lot size in the A-2 zoning district is 80,000 square feet. Each lot is

approximately 13,000 square feet in area. Through the proposed zone change, the two lots would become conforming lots, as the minimum lot size in the Suburban Residential One (SR-1) zone is 8,000 square feet for single-family residences. Additionally, the property owners at 8205 Pleasant Valley Road have indicated that they wish to erect a roof structure over an existing concrete slab at the front of their house. In doing so the porch would be considered an architectural projection from the existing building. According to Section 3123 of the Boone County Zoning Regulations, the porch would be required to meet the minimum front yard setback requirements. This would not be possible under the existing zoning classification, as the minimum front yard setback in A-2 is 60 feet. Neither parcel currently meets this setback. The minimum front yard setback in SR-1 is 30 feet. Both lots could meet this setback requirement, even if a roof is erected over the concrete slab in the front yard of 8205 Pleasant Valley Road.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change Committee Vote.

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 3, 2003

RE: The request of The City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky; and, the request of The City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a 0.30 acre site located at 8213 Pleasant Valley Road, Boone County, Kentucky.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

*Kim Bunger*  
\_\_\_\_\_  
**Kim Bunger, Chairman**

For Project  Absent   
Against Project   
Abstain  Deferred

*R Barlow*  
\_\_\_\_\_  
**Randy Barlow**

For Project  Absent   
Against Project   
Abstain  Deferred

*Greg Breetz*  
\_\_\_\_\_  
**Greg Breetz**

For Project  Absent   
Against Project   
Abstain  Deferred

*Janet Kegley*  
\_\_\_\_\_  
**Janet Kegley**

For Project  Absent   
Against Project   
Abstain  Deferred

*Susan Poston*  
\_\_\_\_\_  
**Susan Poston**

For Project  Absent   
Against Project   
Abstain  Deferred

\_\_\_\_\_  
**Charlie Reynolds(Alternate)\***

For Project  Absent   
Against Project   
Abstain  Deferred

TOTAL:  DEFERRED 5 FOR PROJECT  ABSENT  
 AGAINST PROJECT  ABSTAIN

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the December 3, 2003 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mrs. Kegley seconded the motion. A vote on the motion found all voting members in favor. Mr. Barlow, Mr. Breetz, and Mr. Schwenke were not yet present. The motion carried.

Chairman Caddell stated that the Commissioners received copies of the Minutes of the December 3, 2003 Public Hearings. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mr. Bunger seconded the motion. A vote on the motion found all voting members in favor. Mr. Barlow, Mr. Breetz, and Mr. Schwenke were not yet present. The motion carried.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment and Variance

The request of Eighteen, Ltd. (applicant) for Dennis C. Helmer, Gayle S. Helmer, David L. Helmer, and Sandra G. Helmer (owners) for a Zoning Map amendment from Residential One Family (R1F) to Professional Office One (O-1A) and a Variance from Section 3645 "Buffer Yards" of the Boone County Zoning Regulations to reduce the required Buffer Yard C in the rear yard area from 60 feet to 24.92 feet for a 0.8613-acre site on the southeast corner of the US 42/Dilcrest Drive intersection, Florence, Kentucky. The request is for a Zone Change and a Variance to allow an office development.

Chairman Caddell stated that there is a request to defer Agenda Item #1 to the January 7, 2004 Business Meeting at 7:00 PM. Mr. Reynolds so moved. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Breetz was not yet present. The motion carried.

2. Zoning Map Amendments and Annexation

The request of the City of Florence for Jack Steele and Alpha Steele (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8205 Pleasant Valley Road, Boone County, Kentucky; and the request of the City of Florence for Ronald Rice and Virginia Rice (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for a 0.30-acre site at 8213 Pleasant Valley Road, Boone County, Kentucky.

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Findings of Fact (see Committee Report).

There being no discussion, Mrs. Kegley moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Breetz was not yet present. The motion carried.

3. Union Town Plan - The Drees Company/Harmony  
New U. S. 42

Staff Member Dave Geohegan stated that the Union Town Plan was predicated on a new road coming into the Union area and the new U.S. 42 is being completed. Almost every property owner in the area was involved in the process to create a product that satisfied everyone. All new zoning was created for the Union Town study area. The new zoning is restrictive in terms of design and how developments are to fit in with the character of the area, but it allows some higher density uses around the infrastructure and the town center. The idea was a mixed use town center with residential between it and the existing commercial developments in the north part of Union. He stated that the proposed project is all residential and had to follow the review process laid out for the residential and agricultural areas. There has not been much development occurring to this point because the utilities have not been there, especially the sanitary sewer. The Drees Company will work with the City of Union and Arlinghaus Builders for a temporary plant on Fowlers Creek to serve this development and the town center. Ultimately, the Sanitation District will take over the plant. The plant will be removed in a few years when the Western Regional Sanitation District Plant No. 1 is built in Belleview. He stated that the Long-Range Planning Committee is charged with reviewing the proposed development and deciding between the short review process and the long review process (similar to the Houston-Donaldson Study). He stated that the developer could (1) develop under the pre-existing zoning, (2) seek a zone change, or (3) say that the development meets the Union Town Plan and request the short review process, which avoids the Public Hearing associated with a zone change request. He stated that they started meeting with The Drees Company a year ago, but did not like the initial plan. The Drees Company came back with a second plan, and the judge and representatives from the City of Union were involved – but no one liked that plan either. The Drees Company started over several times in order to get to the current proposal. He stated that two weeks ago, the Long-Range Planning Committee went through the entire proposal and the information was sent out to all of the Commissioners. The Committee has met over the last two weeks to address issues in regard to the plan. The Committee worked cooperatively with the developer and went through the proposal item by item.

Mr. Knock, Committee Chairman, asked Mr. Geohegan to address how the proposal fits in with the cluster development. Mr. Geohegan explained that there were cluster regulations in the zoning regulations for about ten years, and they were recently replaced with the Open Space Subdivision Regulations. The concept is to allow the developer to use the property and achieve the allowable density by

June 4, 2004

**VIA FIRST CLASS MAIL:**

Boone County Judge/Executive Gary Moore  
P.O. Box 900  
Burlington, KY 41005

Kevin Costello, Executive Director  
(C/o) Vicki Myers  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Bob Townsend, Director  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Peter Glenn, Project Manager  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Police Chief Tom Kathman  
Florence Police Department  
Florence Government Center  
Florence, KY 41042

Fire/EMS Chief Jim McMillen  
Florence Fire/EMS Department  
Fire Station 3, 1152 Weaver Road  
Florence, KY 41042

Director  
Boone Co. Public Safety Communications Center  
Florence Government Center  
Florence, KY 41042

Boone Co. Property Valuation Administrator Ron Burch  
P.O. Box 388  
Burlington, KY 41005

Jim Key, Chief Building Official  
Boone County Building Inspection Office  
5958 Garrard Street  
Burlington, KY 41005

Bill Viox, City Engineer  
Viox & Viox Inc.  
466 Erlanger Road  
Erlanger, KY 41018

Jack & Alpha Steele  
8205 Pleasant Valley Road  
Florence, KY 41042

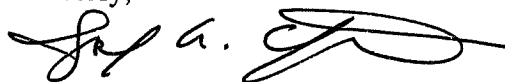
Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. 0-5-04 adopting and approving the rezoning from Agricultural Estate (A-2) to Suburban Residential One (SR-1), in conjunction with the annexation of real property, for a 0.30-acre site located at 8205 Pleasant Valley Road, Boone County, Kentucky (Steele Property).

First reading of Ordinance No. 0-5-04 was held on the 10<sup>th</sup> Day of February 2004. Second reading was held on 24<sup>th</sup> Day of February 2004, and the full Ordinance was published in the *Boone County Recorder* on 4<sup>th</sup> of March 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,



Joseph A. Christofield, City Clerk

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of 0-5-04 as same appears in the official records of my office.

Dated this 7<sup>th</sup> day of June, 2004.

Joseph A. Christofield  
Florence City Clerk