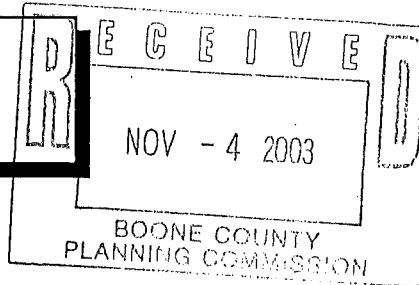


04-2ma-009A

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION



(See Boone County
Zoning Regulations)

SECTION A (To be completed by applicant)

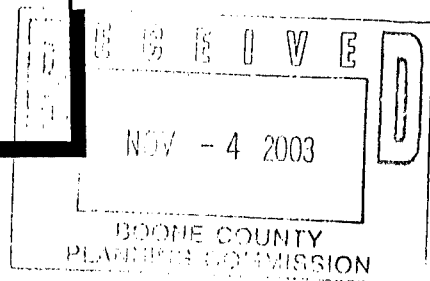
1. Name of Project Orleans South - Martin Extension
 2. Location of Project South of the existing Orleans South development. North
 3. Total Acreage of Site of Clarkson Ln. 15.3± acres
 4. Current Zoning of Site RSE
 5. Proposed Zoning (Classification being requested) SR-1
 6. Proposed Uses (please specify each use) Single Family Detached
-
7. Names of Applicant(s) Grand Communities, Ltd.
Phone Number 859-341-4709 Fax No. 859-344-7000
 8. Address of Applicant(s) 2670 Chancellor Dr. Suite 300
Crestview Hills KY 41017
City State Zip
 9. Name of Property Owner(s) Thelma Martin/Grand Communities, Ltd (see above)
Phone Number 859-384-3493 Fax No. _____
 10. Address of Property Owner(s) 2194 Clarkson Ln.
Union KY 41091
City State Zip
 11. Proposed Building Intensities (please specify) (see attached information)
 12. Are there any existing buildings on the site? No
How many? _____
 13. Deed Book 151 Page No. 293 Group No. 2046 also DB 792 Pg39
 14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
 15. Have you submitted a Concept Development Plan? With this application
 16. Have you had a pre-application meeting with BCPC Staff? Yes
 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Yes Boone County Water District
- Yes 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
- Yes City of Florence Public Services Department
- _____ Boone County Building Department

(over)

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Orleans North - Calhoun Extension
2. Location of Project East of Rampart. North of Longbranch Rd.
3. Total Acreage of Site 14.98
4. Current Zoning of Site RSE
5. Proposed Zoning (Classification being requested) SR-1
6. Proposed Uses (please specify each use) Detached Single Family

7. Names of Applicant(s) Grand Communities, Ltd.
Phone Number 859-341-4709 Fax No. 859-344-7000
8. Address of Applicant(s) 2670 Chancellor Dr. Suite 300
Crestview Hills KY 41017
City State Zip
9. Name of Property Owner(s) C.S. Calhoun
Phone Number 859-384-3031 Fax No. _____
10. Address of Property Owner(s) 9081 Fowler Creek Road
Union KY 41091
City State Zip
11. Proposed Building Intensities (please specify) (see attached information)

12. Are there any existing buildings on the site? No
How many? _____
13. Deed Book 597 Page No. 129 Group No. 2038A
14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
15. Have you submitted a Concept Development Plan? With this application
16. Have you had a pre-application meeting with BCPC Staff? Yes
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

EXHIBIT

“A”

STAFF REPORT

The request of **Grand Communities, Ltd. (applicant)** for **C.S. Calhoun (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and, the request **Grand Communities, Ltd. (applicant)** for **Thelma Martin and Grand Communities, Ltd. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single family developments (Orleans North and Orleans South).

December 3, 2003

REQUEST

The applicant has requested two different zone changes from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) to allow expansions to both the Orleans North and Orleans South subdivisions. These proposals are as follows.

Orleans North

This change is for a 14.98 acre area that consists of the northern and western portions of the 27 acre tract located at 9081 Fowler Creek Road (existing residence will remain on remaining property) and to the east of the St. Louis Boulevard/Rampart Way intersection in Orleans North. Access to this phase will be through an approved (and currently undeveloped) section of Orleans North via a new street that will intersect with Rampart Way just north of the St. Louis Boulevard/Rampart Way intersection. This phase consists of three local and cul-de-sac streets. Approximately 47 new lots are proposed (some lots shown on the Concept Development Plan are located both within an approved section of Orleans North and the zone change area). The lots are proposed to follow the minimum lot size and frontage requirements for the SR-1 zone (8,000 square feet and 65 feet respectively). An approximate 1.3 acre open space area which contains a detention basin is proposed in the eastern-most portion of the site near Fowler Creek Road.

Orleans South

This change is for a 15.3 acre area that consists of the northern and western portions of the approximate 43 acre tract located at 2194 Clarkston Lane, inclusive of a 0.8546 acre non-buildable tract that was previously acquired by the applicant. Access to this phase will be through an extension of Marais Drive, the main road from the rotary in Orleans South which runs southward by the patio home phase. This phase consists of two cul-de-sac streets. A small portion of the eastern area of the site will front directly on Marais Drive. Approximately 32 new lots are proposed (as with the other request, some lots shown on the Concept Development Plan are located both within an approved section of Orleans South and the zone change area). Consistent with the adjoining phase of Orleans South, the lots are proposed to have a minimum 10,000 square foot lot size and minimum 70 foot lot frontage.

Public water and sanitary sewer will be provided by the City of Florence for both sites upon annexation. Concept Development Plans for both proposals are attached. Both sites are proposed to follow the same architectural and landscape standards that were used for other phases of the Orleans development (attached).

SITE HISTORY

Zone changes from RSE to RS/PD and SR-1/PD for the adjoining Orleans development was conditionally approved in conjunction with annexation into the City of Florence in 1999 (Committee Report is attached). This approval was for a 347 acre area located on both the north and south sides of Longbranch Road (i.e., Orleans North and Orleans South).

ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the northern site include:

- A. The developing Orleans North Subdivision is located to the north and west (SR-1/PD).
- B. Several single family residences (including one on the remaining portion of the tract in question) are located to the east along the west side of Fowler Creek Road (RSE and SR-1), and two subdivisions of detached single family residences are located along the east side of Fowler Creek Road (Pleasant Valley Meadows, SR-1, and Farmview, SR-1/PD).

- C. Detached single family residences on estate style frontage lots are located to the south, along the north side of Longbranch Road (RSE).

The land uses and zoning adjacent to the southern site include:

- A. The developing Orleans South Subdivision is located to the north (RS/PD).
- B. Detached single family residences on estates style lots, a farm, and pastures are located to the immediate south and the east along Clarkston Lane, and along US 42 (RSE, RSE/UTO, and A-2/UTO).
- C. Agricultural land is located to the west and southwest (RSE).

SITE CHARACTERISTICS

The northern site is a 14.98 acre portion of a larger parcel which has frontage on Fowler Creek Road. The site is basically an open pasture which has rolling topography with a continuous slope towards Fowler Creek and Fowler Creek Road; the elevation in the middle portion of the rear of the property is 850, and the elevation near Fowler Creek is 770. The site contains a barn, and several fence lines and a large swale which contains rows of large trees; a cluster of trees is located in the eastern-most part of the site.

The southern site is a 15.3 acre portion of a larger parcel which has frontage on Clarkston Lane and a small non-buildable lot. The site is basically a slope which drains towards an existing lake that is along the east boundary of the zone change area. There are several swales which drain into the lake. The entire site has second generation tree growth - this growth is sparser in the central and eastern portions of the site and thicker in the western part of the site. The topography of the site ranges between approximately elevations 838 and 880. There are no structures on the site.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the entire southern site for Suburban Residential uses. The majority of the northern site is designated for Suburban Residential uses, with smaller areas in the eastern and northwestern portions of the site designated as Developmentally Sensitive. The Comprehensive Plan describes the Suburban Residential designation as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." The Developmentally Sensitive

classification is described in part as "areas that have an existing slope of twenty percent or greater for a height of 20 meters, or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's stability and visual character. In addition, developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance. Any development on land identified as Developmentally Sensitive must be carefully assessed by the developer and the Planning Commission to determine the ability of the land to support the proposed project. The land use priority for areas designated Developmentally Sensitive is preservation of the existing environment, as opposed to development of the land . . ."

The Land Use Element provides the following quotes that relate to the general area.

- 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 ("Pleasant Valley - West Florence Area," pg. 163).
- B. 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 Fowlers Creek Road and bridges over Gunpowder Creek could provide connections from subdivisions along U.S. 42 and Pleasant Valley Road to the Camp Ernst Road area; these connections should be aligned with existing or planned intersections on 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. It is recommended that the South Fork/Gunpowder Creek tributary valleys be utilized for Recreation purposes, including the provision of a greenway system along the creek corridors as adjoining areas are developed. The greenway system should provide for interconnecting pathways between subdivision destinations in the area as well as provide passive recreational facilities ("Pleasant Valley - West Florence Area," pg. 164).
- C. This section of Boone County contains the City of Union and a substantial portion of Hathaway Road and U.S. 42. In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and proposed improvements to U.S. 42. For these reasons, the 2000 Union Town Plan was prepared by the Boone County Planning Commission, City of Union, and Boone County Fiscal Court. The plan's recommendations are shown on the 2025 Future Land Use Map and also affect the Boone County Zoning Regulations. New subdivisions should be developed with connecting roads providing alternative routes for residential traffic and decreasing

the impact on major roadways. Road connections should include multi-modal elements such as pedestrian paths and bike lanes, and bus stops; Wetherington Boulevard is an example. Further road connections, that prohibit driveway access and street parking should occur between U.S. 42, Camp Ernst Road, Longbranch Road, and Hathaway Road. Hathaway Road needs special attention to protect this important east-west route. Water and sewer infrastructure should accompany such road connections and extensions as to prevent premature, estate-style residential development associated with sprawl, and to prevent frontage subdivisions that result in poor access management. Development proposals shall be carefully evaluated relative to the area-wide road network and any necessary contributions to the network ("Union Area," pg. 164).

- D. All major residential developments should provide recreational facilities, or other public facilities, through cooperative efforts between developers, legislative bodies, and other agencies/organizations. These facilities should be designed not only to serve the residents of the specific subdivision but, where appropriate, to serve surrounding populations in order to mitigate the impacts upon existing facilities. This section of Boone County should develop as a major population area, and sites for recreation and other public facilities should be planned and obtained before prime sites are no longer available or become too costly ("Union Area," pg. 164).

The Land Use Element provides the following general statements which relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 158).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments ("Buffering," pg. 159).

- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways . . .

Developments along major roadways in Boone County must include landscaping and/or the use of berms between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing uses ("Landscaping," pg. 159).

- D. Developments in Boone County must recognize the potential impacts of stormwater run off. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. Further, control and mitigation practices for erosion associated with developments must be provided. At a minimum, developments must seed and mulch all graded areas and provide siltation controls. Stormwater management and erosion control measures must be concurrent with site work in order to be effective ("Stormwater Management and Erosion Control," pg. 159).
- E. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system ("Access Management," pg. 159).
- F. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadway classification and function must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical

suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate. Public open space and recreation sites should be connected by bicycle and pedestrian paths where appropriate ("Transportation and Pedestrian Network," pp. 159 and 160).

- G. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention ("Designs, Signs, and Historic Preservation," pg. 160).

The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (both sites are in zone 889) is expected to increase from 5,229 in the year 2000 to 9,772 in 2010, and to 12,455 in 2020 (pp. 27-30).

The Business Activity Element makes the following statements that relate to the area at large.

- A. The land surrounding the U.S. 42 area, southwest of Florence, will experience additional commercial growth towards the City of Union, but should be done on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. The U.S. 42 corridor toward Union will have a mixture of commercial, office, institutional, public facility and residential uses. As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form instead of strip style commercial. The Union Town Center could be used as an example of planning efforts for other parts of the U.S. 42 corridor, as well as other corridors in Boone County. Ultimately, mixed use town centers should be developed at major crossroads throughout Boone County without commercial development along the roadways between the town centers ("Areas of Future Commercial Activity," pg. 71).

The Housing Element makes the following remarks which relate to the proposals or general area.

- A. The major reason for Boone County's rapid population growth is in-migration. Often the higher income or new population locates in the developing rural areas of the county. While this is practical because they are the ones who can afford an estate lifestyle and cost of transportation over greater distances, this spatial phenomenon maintains social divisions between the different segments of society. A variety of housing opportunities within the established urban areas and within developing areas would encourage some of the higher income residents to reside there and thus lessen the isolation of different segments of society. Therefore, single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural or suburban areas ("Population Needs," pg. 82).
- B. Although single-family homes are by far the most numerous, they are decreasing in their percentage of total Boone County housing. Most new construction of single-family housing will take place on the outer rings of growth. The Union area has a high percentage of single-family housing. Seventy-six percent of all units in Union were constructed between 1970 and 1990. Large lot areas, including Union, will see multi-family construction, although this higher density development should occur close to highway arterials and urban services, and be sensitively developed in terms of building height, setbacks, mass, and visual impact. Throughout Boone County, high density developments should be close to thoroughfares to achieve a gradation of densities and land uses outlined in the Future Land Use Plan ("Housing Types," pg. 82).
- C. High density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips. This serves a dual purpose in that woodland is becoming relatively scarce in the eastern uplands of the county, and these areas buffer different land uses. Housing densities should vary within the established developed areas, which is in agreement with the objective of land use selection based on housing densities rather than housing types. In order to support the densities needed to sustain mass transit (as proposed in OKI's Looking Ahead:2020 Metropolitan Plan), and to foster new affordable housing options, average minimum densities shall be encouraged for mixed-use, planned developments. This would allow a variety of housing types but also enable a logical progression of intensities. The highest residential densities would be in the activity centers of these mixed-use developments. These activity centers would also include neighborhood commercial, employment, and public uses, as well as transit stations or stops ("Housing Densities," pg. 84).

- D. The design of true open space housing development should be strongly encouraged, as an alternative to the conventional subdivision divided entirely into ownership lots. To accomplish this, densities within portions of a site can be increased while the overall intensity on the site can remain basically the same. Topography, vegetation, and public improvement costs reduction should be incentives for open space design. Provision should be made in the zoning and subdivision regulations for true open space design to occur under existing zoning. By increasing densities and clustering on portions of a site, these planned developments will preserve green space and/or provide space for public facility or recreation opportunities. The overall intensity of units per acre on the total site becomes the issue to consider when evaluating public services and relationship to the Future Land Use Map. All residential developments should be designed to preserve natural site features wherever possible ("Open Space Subdivision Design," pg. 85).
- E. The areas of greatest projected population growth are in the Florence-Richwood-Union-Burlington area, south along I-75, and in the Hebron-North River area. The western and southern sections of Boone County are projected to experience less population growth, thus, less of a housing need. As noted previously, there is a desire of the population to live in rural areas that are convenient to the centers of commercial activity. This suggests a continuation of the outward movement of housing construction from the Florence area. This movement is accelerated directionally by major thoroughfares such as KY 18, KY 237, and interstate interchanges. Residential development should occur near established urban or suburban areas, as opposed to leapfrogging to isolated areas, such as the western portion of the county. For residential development to occur in these outlying areas, adequate and proper infrastructure must be provided, and impact on the natural environment must be minimized. Development in established areas takes advantage of existing services and minimizes future strain on the transportation network. The Public Facilities Element shows the existing and planned water lines and other services which should influence the locations of new residential construction. The plans for sanitary sewerage for Boone County are of particular importance when high density residential development is reviewed ("Residential Areas," pg. 87).
- F. The factors that will help fuel growth in this area include the improvements (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. Areas west and south of the Union Town

Plan area, along U.S. 42, Hathaway Road, and Longbranch Road contain an existing agricultural, horse farm and estate residential character. Planning efforts, such as the Union Town Plan should be conducted in these areas. Street connections between developments and to arterials are critical in this central part of Boone County. The connections shown in the Union Town Plan need to be continued outside the study area to the next logical properties and arterial roadways ("Union-West Florence Area," pg. 88).

The 2000 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements.

- 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 neighborhood developments ("Overall," Objective 2).
- B. Proper design principles shall be applied in development ("Overall," Objective 3).
- C. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed ("Overall," Objective 4).
- D. Boone County shall strive to achieve both a diversity and balance in land use ("Overall," Objective 6).
- E. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- 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).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular shall minimize grading work as opposed to clearing the entire site, without unduly restricting the development. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).

- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- I. Safe, environmentally sound, and sanitary housing exists for all Boone County residents ("Housing," Goal).
- J. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- K. Housing supply in Boone County shall be balanced against present and planned commercial, industrial and education bases. Primary and Secondary education capacity shall be a component of housing development review ("Housing," Objective 4).
- L. In order to offer the citizens of Boone County maximum choice in living environment, residential development shall be judged primarily on density, impact on infrastructure, and development design with only secondary consideration given to the type of dwelling unit ("Housing," Objective 5).
- M. The interior street system of new residential developments shall insure continuity with adjacent built or planned neighboring areas. Residential developments shall be encouraged to provide interconnections between sections of their developments and with adjacent developments to promote safe and easy transportation access and a sense of neighborhood interaction. Based on certified traffic analysis, collector and sub-collector streets shall be evaluated to determine design without individual lot or driveway access. Lot and home buyers shall have access to approved plans regarding future connections. The interior street system shall also coordinate with and continue the evolving multi-modal transportation system (pedestrian and bicycle facilities, mass transit stops) ("Housing," Objective 8).
- N. Residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing density and design planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access, and significant site features ("Housing," Objective 13).
- O. Proper access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2nd Goal, Objective 3).

STAFF COMMENTS

1. The governing bodies will need to determine whether the proposal is in agreement with the Comprehensive Plan. As discussed above, the Future Land Use Map designates the majority of the northern site, and all of the southern site, for Suburban Residential uses, which is single family housing of up to four units per acre and any low density or estate residential developed as a formal subdivision. Smaller portions of the northern site are designated as Developmentally Sensitive.

As discussed in detail above, the Housing, Business Activity, and Land Use elements all discuss notable growth in the general area in at least one context. For example, the Land Use Element states "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" and "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 Fowlers Creek Road and bridges over Gunpowder Creek could provide connections from subdivisions along U.S. 42 and Pleasant Valley Road to the Camp Ernst Road area."

Further, the Population Element forecasts a substantial increase in population for the traffic zone in question, although the population forecast is for the zone at large and should not, in and of itself, be construed to endorse a particular land use or density on a specific parcel. The governing bodies will also need to consider whether the current zoning is inappropriate and the proposed zoning is appropriate, and whether there have been changes of an economic, physical, or social nature not anticipated in the comprehensive plan that substantially alter the area's character.

2. Staff's primary concern with both applications is their compatibility with the adjoining areas. Relative to this issue, Staff has the following comments.
 - A. Architectural and landscape guidelines have been submitted for both sites (the same set was submitted for both); these are largely the same guidelines that have been used in existing phases of Orleans pursuant to its conditions of zone change approval. Staff's only comment regarding the guidelines is that the landscape requirements should include large trees (evergreen and/or large canopy trees) in the front yard areas in addition to the foundation type plantings illustrated, as was done in the previously approved guidelines for comparable phases.

- B. There is existing tree cover on both sites. Where the tree cover on the northern site consists largely of tree lines along property and fence lines and in a major swale, virtually the entire southern site has tree cover. As outlined previously, several sections of the Comprehensive Plan advocate the retention of such vegetation.

Keeping this policy direction in mind relative to the northern site, which in some ways is an infill site based on recent development activity, Staff recommends that the existing tree line along the south property line (shared boundary with the adjoining frontage lots on Longbranch) be maintained and supplemented with mixed evergreen trees where necessary to create a continuous vegetative screen. Additionally, to minimize disturbance and follow the intent of the Developmentally Sensitive land use designation, the existing tree cover that is east of the detention basin within the proposed open space area should also be maintained.

The southern site is fundamentally different from the northern site relative to character and tree cover. The southern site is substantially surrounded by estate lots and agricultural uses, and the entire site has some level of tree cover. This tree cover, coupled with the sloping topography, currently provides a very definitive break between the lower density uses in the Clarkston Lane area and the current extent of Orleans South. In order to maintain some sense of this break as well as the estate character of the Clarkston Lane area, Staff recommends that a substantial no disturb zone be maintained along the lake front and possibly the south property line. This would entail the creation of an open space/conservation easement which would have a substantial width (such as 75 to 100 feet in width), and would likely mean that the lots in the affected area would need to be increased in size.

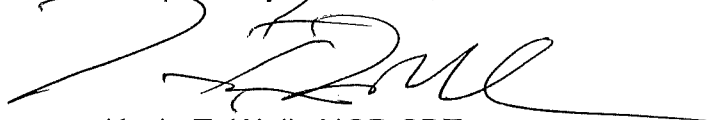
3. Several sections of the Comprehensive Plan discuss the need for street connections between adjoining areas. While no critical connections have been identified for the northern site (although access for the eastern part of the approved, undeveloped phase to the immediate north may be better served through the zone change area versus from Rampart Way), no such north/south connection exists between the southern site and the vast undeveloped area to the south and west. Thus, Staff recommends that a street connection be provided between the west side of the south end of the southern site to the Kahmann tract to the west - this connection would run in the proximity of the common property line shown for lots 320/321 and would facilitate a north/south connection to the undeveloped area to the south.

4. The proposals have been discussed with Gerald Turner, Director of Pupil Personnel, of Boone County Schools. He has stated that the attached letter dated January 16, 2003 from Bryan Blavatt, Superintendent, summarizes Boone County School's position on these applications.

CONCLUSION

These two applications need to be evaluated by the Boone County Planning Commission and the Florence City Council in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3, "Amendment" of the Boone County Zoning Regulations and the potential impacts on the existing and planned uses in the areas. The Future Land Use Map will not need to be amended if these requests are approved.

Respectfully submitted,



Kevin T. Wall, AICP CDT
Director, Zoning Services

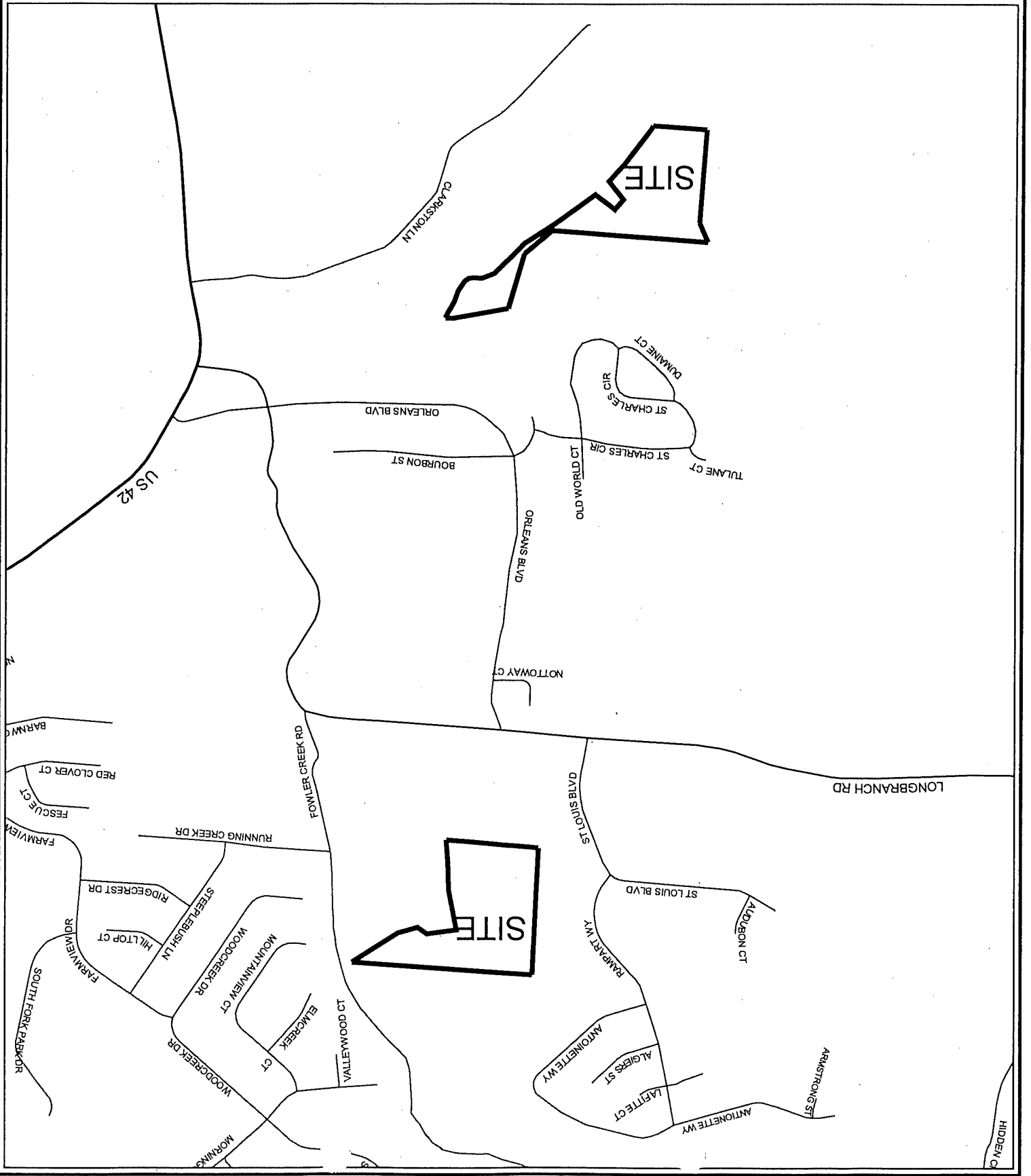
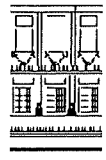
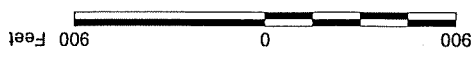
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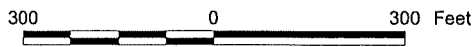
Attachments:

- location map for both sites
- aerial photo w/ zoning for northern site
- Future Land Use Map excerpt for northern site
- topographic map for northern site
- aerial photo w/ zoning for southern site
- Future Land Use Map excerpt for southern site
- topographic map for southern site
- 8/4/99 Committee Report for original Orleans ("Longbranch Park") zone change
- letter dated 1/16/03 from Bryan Blavatt, Superintendent, Boone County Schools
- letter dated 10/30/03 from Mayor Diane E. Whalen, City of Florence and supporting annexation ordinances
- application materials including Concept Development Plans for both sites

Location

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Boone County Planning Commission
GIS Services Division
November 12, 2003

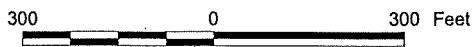
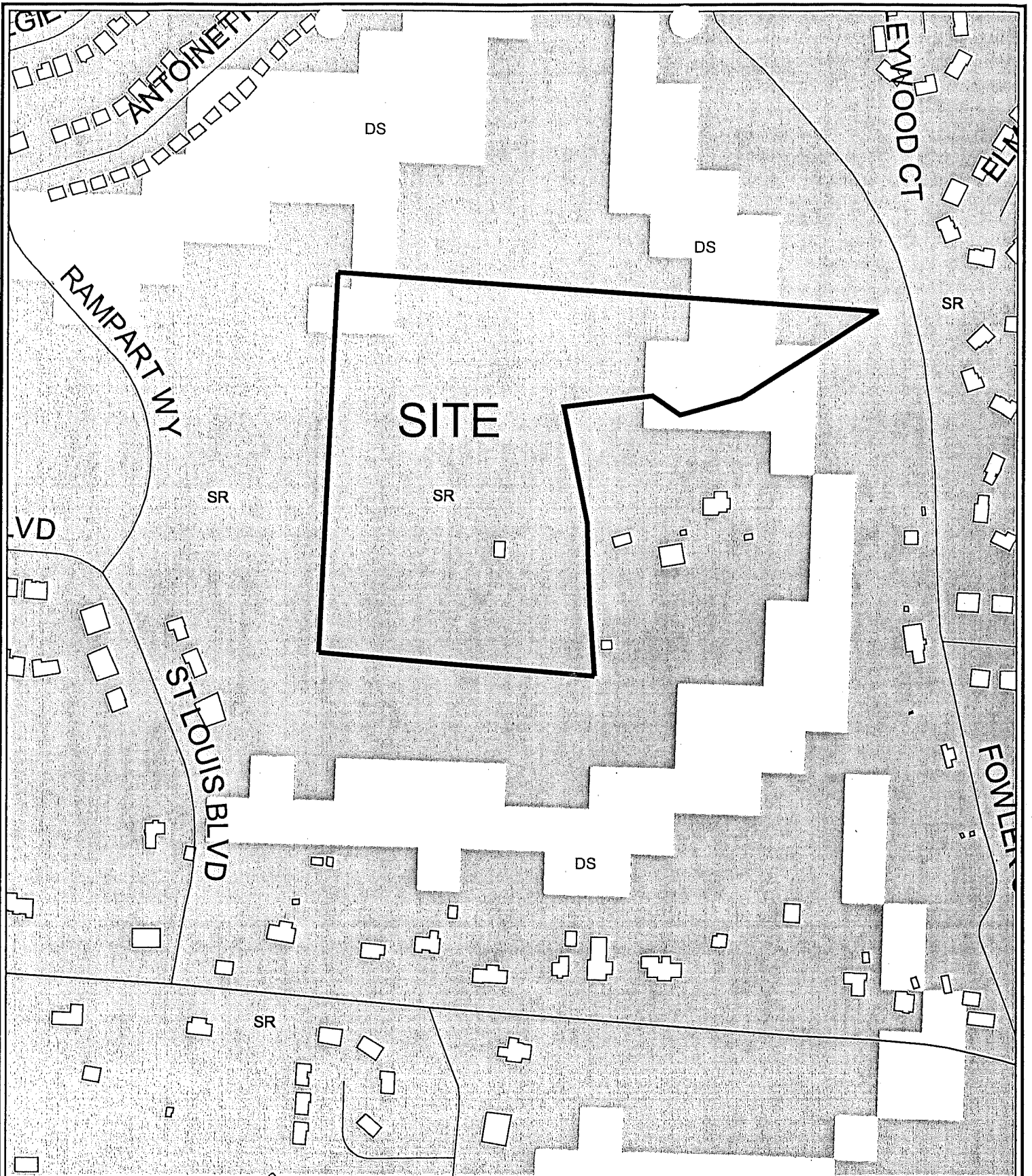




1 Inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 12, 2003



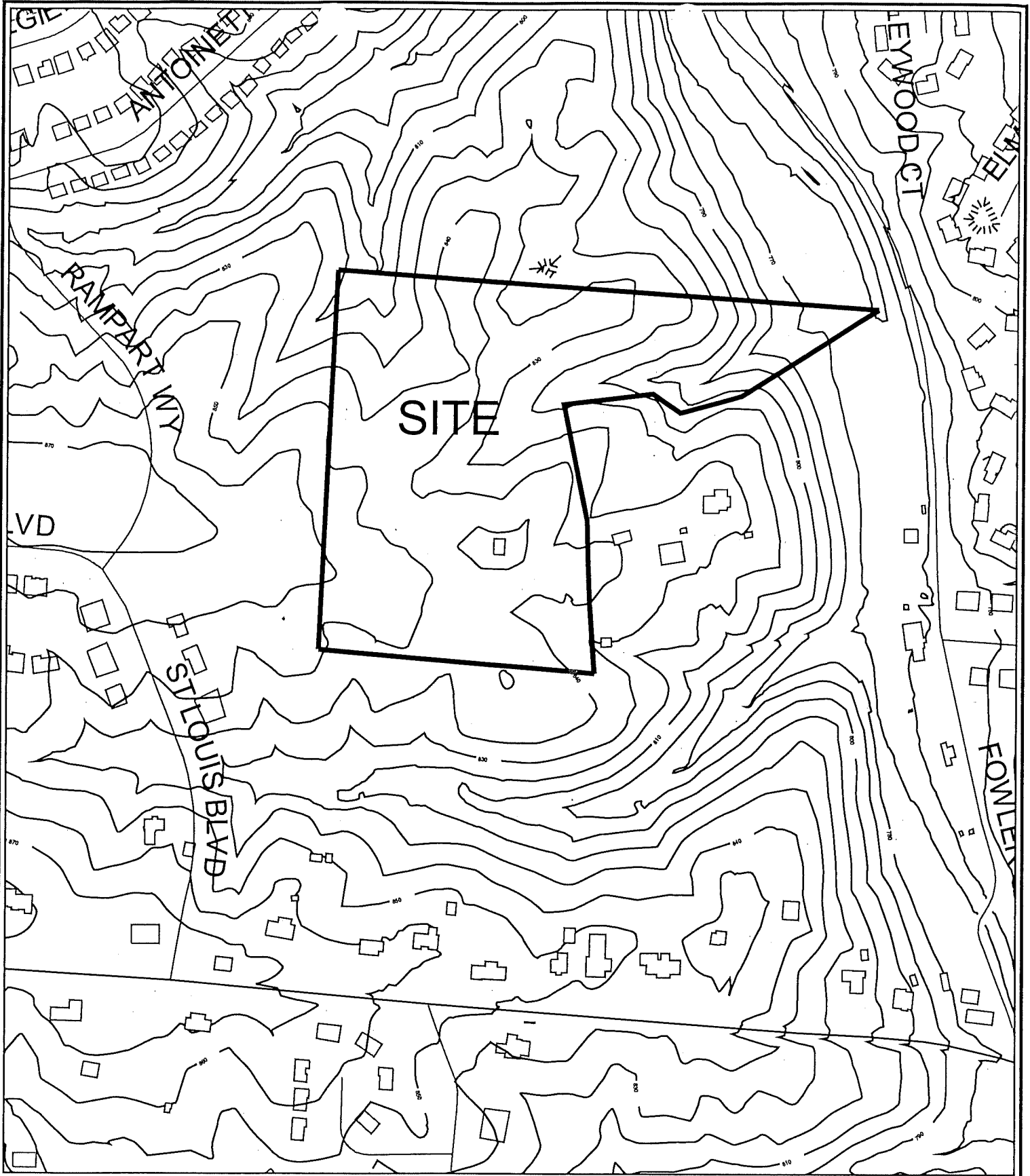
Zoning - North



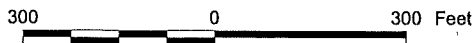
Future Land Use - North

1 inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 12, 2003





Topography - North

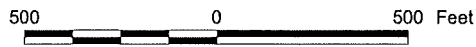


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Boone County Planning Commission
GIS Services Division
November 12, 2003



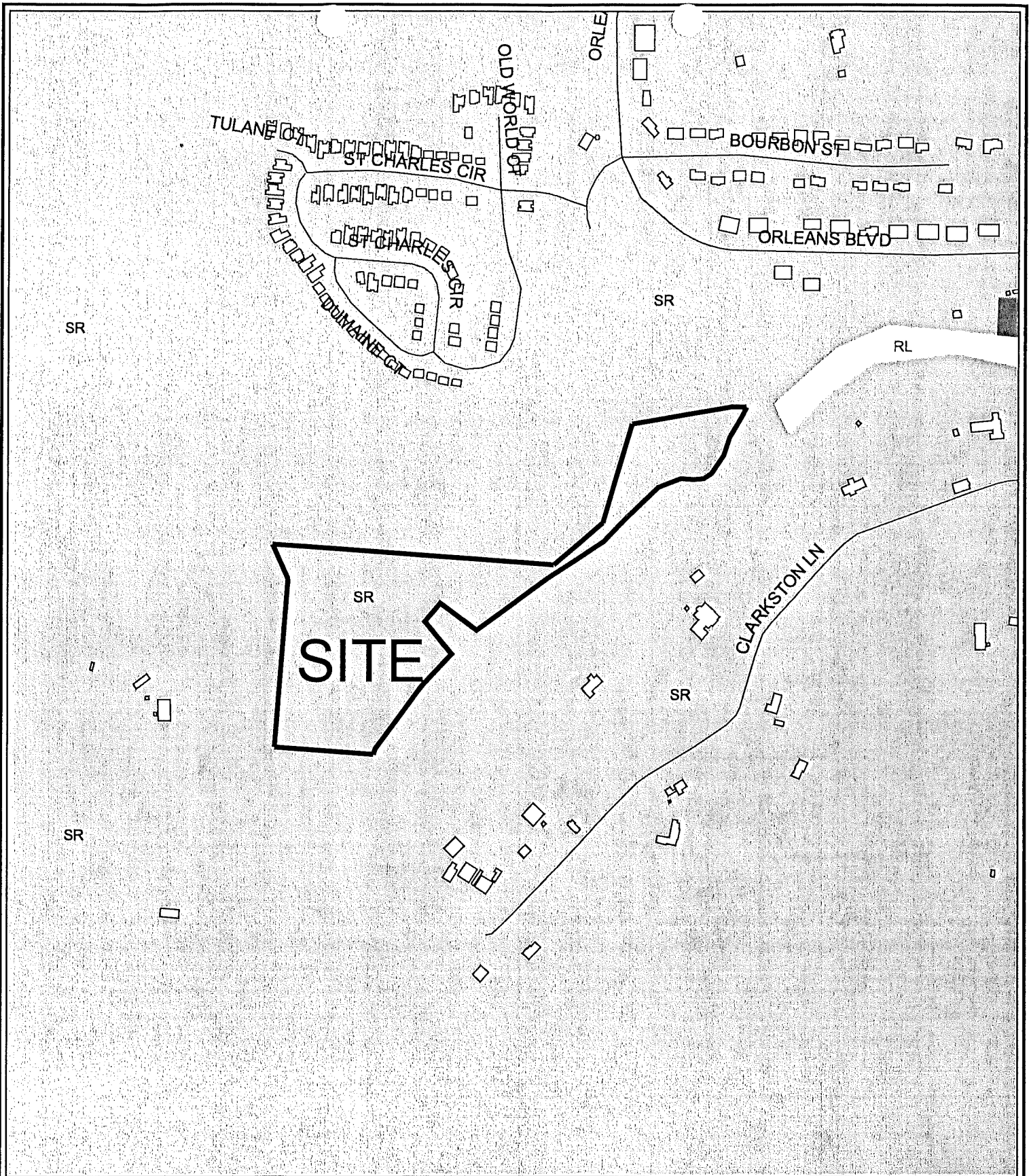


Zoning - South



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 Boone County Planning Commission
 GIS Services Division
 November 12, 2003



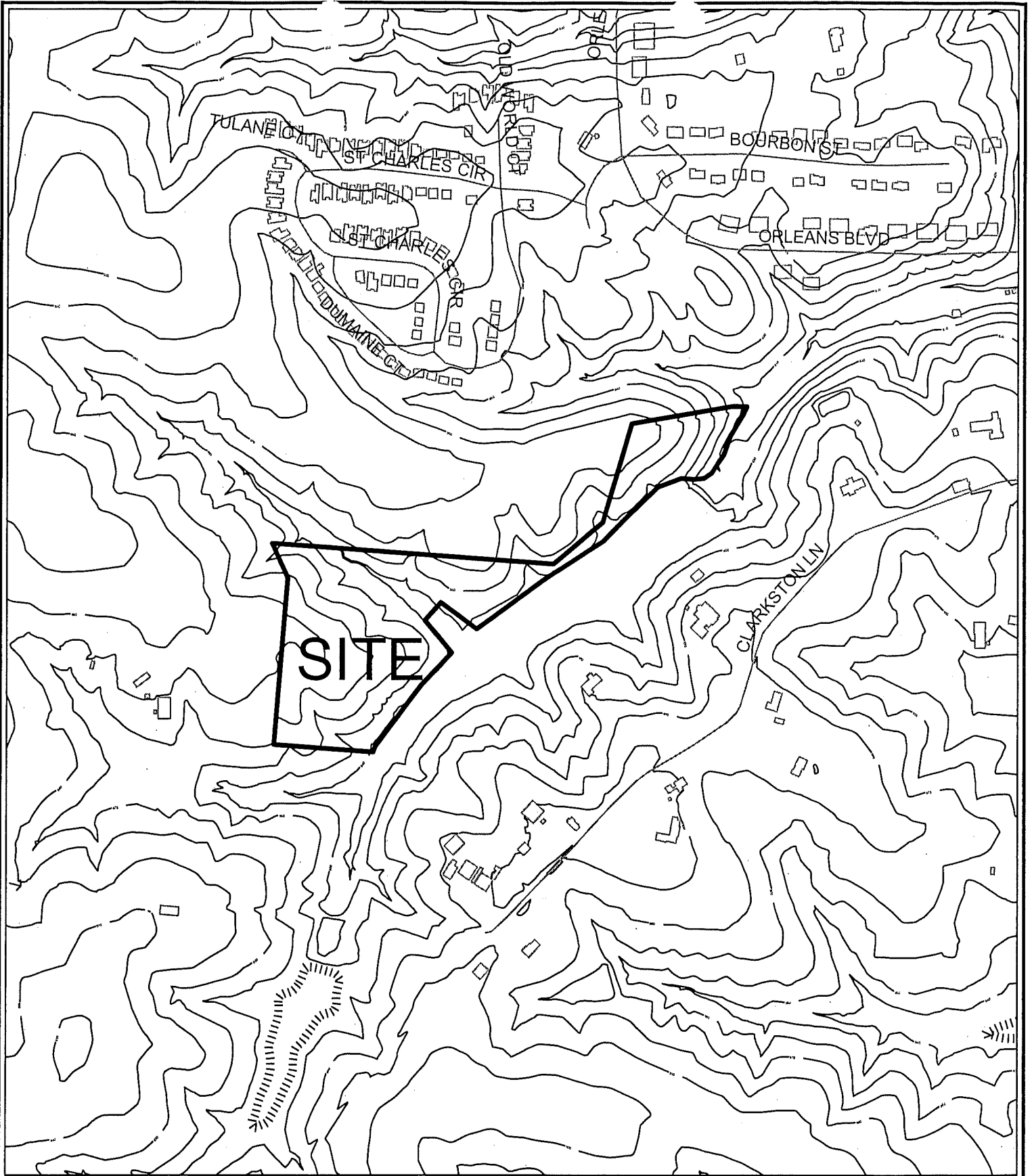


500 0 500 Feet

1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 12, 2003



Future Land Use - South



500 0 500 Feet

Topography - South

1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 12, 2003



COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Phil Damstrom, Chairman
Zone Change Committee

DATE: August 4, 1999

RE: Request of the City of Florence to consider Zoning Map Amendments from Rural Suburban Estates (RSE) to Rural Suburban/Planned Development (RS/PD), Suburban Residential One (SR-1), Suburban Residential One/Planned Development (SR-1/PD) and Public Facilities (PF), in conjunction with the annexation of real property into the City of Florence, for real property that is located on the north side of Longbranch Road approximately 1,900 feet west of the Longbranch Road/Fowler Creek Road intersection, Boone County, Kentucky, and for real property that is located on the west side of Longbranch Road at 2087 Longbranch Road and along the south side of Longbranch Road approximately 1,100 feet west of the Longbranch Road/Fowler Creek Road intersection, Boone County, Kentucky. The request involves approximately 367 acres that are owned by John Harkrader, Melisa Harkrader, PVR Development, Ltd., Jeffrey T. Zembrodt, Charles Rawling, Wilma Jo Myers, Four J's & Associates, LLC, Tom Schreiber, Mary Ellen Schreiber, Fred Kahmann, et al., Mary Robbins, and the City of Florence.

REMARKS:

We, the Committee, recommend approval of the above referenced Zoning Map Amendments based on the following findings of fact.

1. The Committee has concluded that the request is in agreement with the Comprehensive Plan. Specific findings that support this conclusion include:
 - A. The Future Land Use Map designates the majority of the site on the north side of Longbranch Road as "Suburban Residential" (SR). This designation is described as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." All of the proposed zone changes on the north side of Longbranch Road, except for the 7.8 acre tract owned by the City itself, involve single family housing which is four units per acre or less. The text of the Land Use Element ("Area C-4: Camp Ernst Area," pg. 223) also states that this area should develop in a Suburban Residential manner.

- B. The Future Land Use Map designates the site on the south side of Longbranch Road as "Rural Density Residential" (RD). This designation is described as "low density residential uses of up to one dwelling unit per acre, which are not part of a formal subdivision." However, the text of the Land Use Element ("Area C-5: Union Area," pg. 223) states that "the residential development east of the north/south alignment of US 42 should generally be Suburban Residential density, and the residential development west of the north/south alignment of US 42 should be Rural Density Residential until adequate infrastructure and public services are available . . ." Based on this language, the Committee has concluded that the proposed Suburban Residential uses are appropriate in this area because all public utilities and services (public water, sewer, storm water, street maintenance, etc.) will be provided from the City of Florence due to the pending annexation, and road improvements will be provided as discussed below, thus, "adequate infrastructure and public services" will be available.

This part of the Land Use Element continues by stating "this region may be suitable for high density development but is dependent on a relocation of KY 237 to this area. New subdivisions should be developed with connecting roads providing alternative routes for residential traffic and decreasing the impact on major roadways . . ." Although a "relocated KY 237" is not proposed at this time and may not be feasible due to recent subdivision activity in the Pleasant Valley Road area, the Committee has concluded that the proposed subcollector system, proposed improvements to the Longbranch Road/US 42 intersection, and proposed improvements to Longbranch Road between US 42 and Longbranch Park South fulfill the essential purpose of these provisions.

- C. The creek areas in and around the northern section of the site are designated as "Developmentally Sensitive" (DS). These areas are proposed to be used for open space and recreational purposes.
- D. In a discussion regarding road connections in the general area in question, the Land Use Element ("Area C-5: Union Area," pg. 223) also states "water and sewer infrastructure should accompany such road connections and extensions as to prevent premature, estate-style residential development associated with sprawl, and to prevent frontage subdivisions that result in poor access management." The proposal provides water and sewer infrastructure and road connections which help prevent a development design indicative of sprawling estate-style development and frontage subdivisions.

- E. Based on the commitments made by the City of Florence regarding the overall development design (7/28/99 letter from Mayor Whalen attached as Exhibit A and 7/28/99 letter from Henry Fischer attached as Exhibit B), the Committee has concluded that the proposal effectively fulfills the Future Land Use Development Guidelines outlined on pages 210 to 212 of the Land Use Element. The Committee considers these commitments to be part of the Concept Development Plan, and as such, are to be construed as binding elements of the Concept Development Plan.
- F. The Committee has concluded that the proposal is in conformance with the applicable provisions of the Housing Element. Specific references to the Housing Element are outlined in the Staff Report for this application. In general terms, the Committee has concluded that the residential growth proposed in this application was contemplated by the Housing Element for the South Florence-Union area.
- G. The Committee has concluded that the area in question has been targeted for water main construction by the Comprehensive Plan, and in turn, suburban style residential development. This conclusion is based on the Future Land Use Map and Land Use Element text as discussed above, coupled with the fact that the Public Facilities Element ("Water Distribution, Boone County," pg. 156) states "other future areas of (water) main construction include Graves Road, Elijah's Creek Road, KY 237, Camp Ernst Road, **Longbranch Road** (emphasis added), US 42, Pleasant Valley Road, Frogtown Road, and the Cayton Road area west of Florence."
- H. The Committee has concluded that the proposal is in conformance with the applicable provisions of the Recreation Element. Specific references to the Recreation Element are outlined in the Staff Report for this application. The application includes hiker/biker paths, public open space areas, and a future public park that will be jointly developed by the developer and the City of Florence. In addition, the Land Use Element ("Area C-4: Camp Ernst Area," pg. 223) states "it is recommended that the South Fork/Gunpowder Creek tributary valleys be utilized for Recreation purposes, including the provision of a greenway system along the creek corridors as adjoining areas are developed. The greenway system should provide for interconnecting pathways between subdivision destinations in the area as well as provide passive recreational opportunities." The proposal includes these recreation and open space elements sought by the Land Use Element.

- I. The Committee has concluded that the proposal, along with the commitments outlined in Exhibit A and Exhibit B, generally fulfill the applicable Comprehensive Plan Goals and Objectives. Specific Goals and Objectives are outlined in the Staff Report for this application.
2. Because the area in question is subject to annexation by the City of Florence and all municipal services will be provided, the Committee has concluded that there have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the area's character. In particular, the Committee recognizes that it is generally not cost effective to provide full municipal services to residential uses with a gross density of one unit per acre or less, such as that permitted by the current Rural Suburban Estates (RSE) zoning.
3. The overall application includes a Zoning Map Amendment from RSE to Public Facilities (PF) for an approximate 7.8 acre tract located at the juncture of Fowler Creek and the South Fork of Gunpowder Creek, at the north end of the annexation area, and south/west of Pleasant Valley Meadows Subdivision. This tract is owned by the City of Florence and currently contains a sanitary sewer pump station. When considering that the City plans to use this parcel for a park and/or other municipal purposes, the Committee has concluded that the existing residential zoning classification for this tract is inappropriate and that the proposed Public Facilities zoning classification is appropriate.
4. The Committee has concluded that the Concept Development Plan for the proposed RS/PD and SR-1/PD zones effectively fulfill the requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations. In particular, the Committee has concluded that the discussion and commitments outlined in Exhibit A and Exhibit B have effectively remedied the concerns expressed in the Staff Report and at the Public Hearing regarding compliance with the standards in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations.
5. In accordance with the request by the City of Florence and KRS 100.209(1), the Committee recommends that the Comprehensive Plan for the area in question be amended to reflect the Zoning Map Amendments that are recommended for approval herein. Because the Committee has already concluded that the proposed Zoning Map Amendments are in agreement with the existing 1995 Boone County Comprehensive Plan, this amendment merely involves clarifying, or refining, the Comprehensive Plan as it relates to the site on the south side of Longbranch Road. As noted under paragraph 1.B above, the Future Land Use Map designates the southern site for Rural Density Residential uses, and the Land Use Element states that this area should develop as "Rural Density Residential until adequate infrastructure and public services are available." As explained above, adequate infrastructure and public services are now available due to the pending annexation, thus, Suburban Residential uses are now appropriate.

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.

Phil Damstrom
Phil Damstrom, Chairman

For	___	Against	<input checked="" type="checkbox"/>
Abstain	___	Absent	___

W. Thomas Chaney
W. Thomas Chaney

For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___

Mark Hicks
Mark Hicks

For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___

Bob Newman
Bob Newman

For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___

Lisa Wilson
Lisa Wilson

For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___

TOTAL:	<u>4</u>	FOR	<u>1</u>	AGAINST	<u>—</u>	ABSTAIN	<u>—</u>	ABSENT
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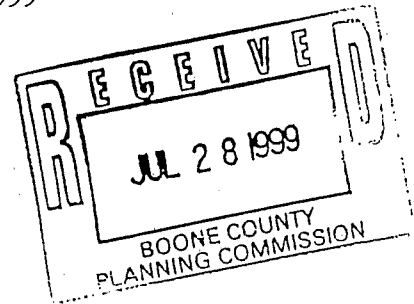
EXHIBIT A

City of Florence



OFFICE OF THE MAYOR

July 28, 1999



Mr. Arnold Caddell, Chairman
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

Dear Mr. Caddell:

I am writing this letter regarding our annexation/rezoning proposal for the Longbranch Road territory as submitted to you on May 3, 1999. As you know, pursuant to KRS 100.209(1), you have held the required public hearings and are in the process of making your recommendations to the City for the City's decision to amend the comprehensive plan and change the zoning for this property. I, along with Jeff Koenig, City Coordinator, attended the public hearing and the first committee meeting on this proposal.

The City of Florence's professional staff, including Jeff Koenig, City Coordinator, Hugh Skees, City Attorney, and Viox & Viox, City Engineers, have thoroughly reviewed the zoning proposed in the City's application and the comments and criticisms that are part of the public record to date in your public hearing and review process.

At the outset it is important to note that the traditional analysis of whether this application is in compliance with the comprehensive plan is not the legal test because this property was not a part of the City at the time the comprehensive plan was adopted and, under the special provisions of KRS 100.209(1) involving annexations, the City is authorized to amend the comprehensive plan and change the zoning classification for newly annexed territory. With this in mind, the following comments on the existing record are offered to assist the Commission in making its recommendation as to the comprehensive plan amendment and zone change.

The evidence presented clearly shows that adequate infrastructure and public services are available. The Longbranch Road property under question will be annexed to the City of Florence. This was not foreseen in the 1995 Comprehensive Plan update and is a major change in status for this area. The City of Florence is committed to the requirement of a high level of infrastructure and full urban public services for the annexed lands. The development proposals submitted have detailed the provision of public water service, sanitary sewers, street improvements, bicycle pathways, storm water management improvements, landscaping and parks.

July 28, 1999
Page 2

The City will provide fire and rescue service, police protection, snow removal, street and infrastructure repair and public park improvements and maintenance. The City of Florence is the only municipality in the Northern Kentucky area which operates a storm water utility financed by user fees and appropriations. Storm water detention, retention, and run off will be managed through this utility.

The City's decision to annex these lands into the City and provide them with full urban services indicates that the existing Rural Suburban Estate (RSE) zoning is now inappropriate. Zoning and allowable residential densities must be commensurate and consistent with the level of infrastructure and urban public services provided by local government. To do less promotes sprawl and fiscal inefficiency. The proposed zoning is appropriate given location and compatibility with surrounding developments such as Farmview, Pleasant Valley Meadows, Plantation Pointe residential and commercial, Union Village residential and commercial and proposed Hearthstone. It is worthwhile to note that the commercial property that now exists at the entrance of both Plantation Pointe and Union Village into US 42 represents both a Comprehensive Plan change and a zone change that was made since the 1995 Comprehensive Plan update and is a material change in this area.

Amendment of the comprehensive plan by the City in connection with this annexation is supported by the fact that there have been major unanticipated changes of an economic, physical or social nature within the area involved which have substantially altered the basic character of the area since the last Comprehensive Plan update in 1995. One of the most significant unanticipated changes to this area includes the zone change for Plantation Pointe which includes substantial commercial zoning along US 42, a rezoning and development of Union Station, including commercial zoning along US 42 and Suburban Residential zoning for the balance of the property. Already developed in Union Station are a major grocery store, a bank and a public library, along with other incidental shops. The land use change, zone change and construction of Erpenbeck Elementary School in Plantation Pointe and the development of Southfork Park by the City of Florence are also important changes in this area. All of this infrastructure improvement is within a mile of the annexed lands. Moreover, the growth rate in the area to the southwest of the City and overall Boone County has been greater than anticipated. Major traffic improvements to US 42 are finally funded, its alignment has been selected and construction is now scheduled.

The City staff believes that the plan as submitted is compatible with existing and future uses. The surrounding uses are single family homes and farm lands which are likely to be single-family development in the future. The City staff believes that the open space commitment at the southern entrance to Longbranch Park South and other open space commitments throughout the development plan are examples of how this plan is sensitive to surrounding uses.

July 28, 1999

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It is worth noting that the City is not required to submit a concept plan at all in this type of zone change. It would have been sufficient simply to submit a designation of SR-1/PD for Longbranch Park north and RSPD for Longbranch Park South with no detailed plan and no development standards. This approach, in fact, has been done by legislative bodies in Boone County in the past and has received a recommendation of approval by the Boone County Planning Commission. However, the City elected to submit the Concept Plan and Concept Plan Narrative to assist the Planning Commission in its review. The Planning Staff and Committee posed questions regarding the completeness of the plan under the planned development standards of the zoning ordinance. Although the City believes the plan and narrative more than adequately address the standards, the City offers the following response to the issues raised.

Mixed Use Development and Pedestrian Orientation. The City recognizes the need to provide for adequate pedestrian walkways and pathway system. As previously explained to the Committee by developer, the City is working with this developer and others to connect a pedestrian circulation system that will connect the City's existing park and the proposed park in Longbranch Park. The City is committed to providing both pedestrian and bikeway access within the annexed lands and will work with the County to make connections where possible.

Open Space. The City and the developer are committed to the development of a public park within Longbranch Park. It is noteworthy that the City has a large public park under development at Southfork Park that is also close to this development and, with the cooperation already offered by two of the property owners/developers, these two parks will be connected by a walkway system. The City, as in the past, will cooperate with the County in the coordination of the development of this park system, including the potential hiker/biker system described in the Staff Report.

Multi-Modal Transportation. The City believes in mass transit and actively supports TANK. The City will make every effort to meet with TANK and the School District when appropriate to address bus stop needs in the annexed lands.

Preservation of Existing Site Features. The City staff agrees with the Commission staff's comment in item D-5 of page 17 of the Commission's Staff Report.

Landscaping. The City encourages landscaping improvements, and its staff will review common area landscaping plans as they are developed in more detail by the developer.

Architecture. The City staff is confident that the developer will select an overall theme and architectural style that is compatible with the area and environment as their plans proceed.

July 28, 1999

Page 4

Historic and Prehistoric Features. The City of Florence is a leader in historic preservation and will continue to work with the historic preservation planner as the development of annexed lands proceeds.

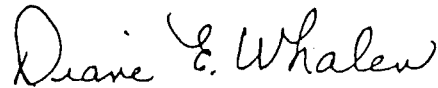
Signage. The City will encourage that all signage be consistent with the architectural style chosen for the development.

Transportation Connections and Entry Points. The City staff agrees with item 10 on page 19 of the Commission's Staff Report on the application in question.

In addition to the foregoing, the City has received the specific commitments contained in the attached letter from the developer/owners in direct response to concerns raised by the Planning Commission staff and Planning Commission members in the record to-date.

I plan to attend the Committee meeting on July 28, 1999, to discuss these matters with the Committee.

Sincerely yours,



DIANE E. WHALEN, MAYOR
CITY OF FLORENCE, KENTUCKY

cc: Kevin P. Costello, AICP, Executive Director
Mr. Phil Damstrom

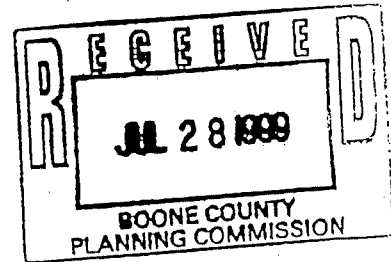
EXHIBIT B

FISCHER DEVELOPMENT COMPANY

FD

July 28, 1999

The Honorable Diane E. Whalen, Mayor
City of Florence, Kentucky
8100 Ewing Boulevard
Florence, KY 41042-7588



Dear Mayor Whalen:

The following is an outline of the specific commitments that the developers of Longbranch Park are willing to make on Longbranch Park to the City of Florence in the event the City of Florence deems these items to be appropriate:

A. Roadway and traffic management commitments

1. We will pay for a traffic signal at US 42 and Longbranch Road, if and when the State of Kentucky will allow such a traffic signal to be installed, in order to improve the safety of this intersection.
2. On Longbranch Road between US 42 and the southernmost entrance of Longbranch Park North we will pay for improvements in the vertical alignment of Longbranch Road as it approaches US 42. The purpose of this change in alignment is to allow a car on Longbranch Road at this intersection to be more level as it waits at the intersection, thus improving its ease of pulling out onto US 42. We will also pay for a left turn lane from Longbranch Road into Longbranch Park South. This commitment will be met when the City/County gives permission to make these improvements and when the City/County obtain any additional right-of-way that is needed to make these improvements. The developer will also cooperate with the City/County in an effort to generally improve traffic flow in this area.
3. In order to improve the traffic flow and traffic capacity of the main street going through Longbranch Park South which connects to Longbranch Park Road on both ends, the developer will do the following:
 - a. We will add a 25' street section (back-of-curb to back-of-curb) as an alternate street section design for this street. This alternate section will have a vertical curb and will have no parking.

- b. We will agree to work with the City Engineer to develop appropriate signage and alignment improvements on Longbranch Road and on this street to channel traffic from Longbranch Road onto this street, thus relieving traffic from the section of Longbranch Road that runs parallel and next to Fowler Fork Creek.
 - c. Frontage lots along this road and resulting driveway curb cuts will be limited to the eastern side of this road. We will commit to no more than 25 lots fronting on this road. These lots will be a minimum of 100' wide and will have a minimum 50' front setback. These provisions will provide a more estate type setting along this road and cut down on the number of curb cuts. If the City desires and to the extent practical, we will have one curb cut serve two lots and will design the driveways in this situation in such a fashion as to allow cars to turn around on the lot and pull onto the street, thus minimizing back-up movements onto this road (see Exhibit A for an example).
 - d. We will offer to build a round-about at the major intersection in this part of the development as shown on Exhibit B. This design feature will serve as a visual interest item, will channel traffic and provide turn movements and will act as a traffic calming device in this development.
 - e. We will build an eyebrow design feature as shown on Exhibit B. This feature will eliminate four lots from fronting on this street and add visual interest to the streetscape.
 - f. We will limit the points of internal roadway intersections onto this street, as shown on Exhibit B. This limitation improves traffic capacity and flow on this street.
 - g. The bridge and this roadway will be built before the first home is occupied in Longbranch Park North, thus providing high quality construction traffic access and resident access to Longbranch Park North before any residents live in Longbranch Park North.
4. We will widen Longbranch Road to 24' of width between the north end of Longbranch Park South and the southeastern entrance of Longbranch Park North. We will include intersection design features at the City Engineer's direction that will improve traffic flow as described in 3.b. above.
 5. In Longbranch Park North, in addition to the design commitments already made regarding the subcollector road depicted on the concept plan, we will make these commitments in regards to the section of this roadway between Longbranch Road and the Area 5 recreation open space. We will:

- a. Generally follow the alignment and design depicted on Exhibit C.
- b. Limit the frontage lots and lot curb cuts to five. The lots in this area will have a minimum of 100' frontage and 50' setbacks. The design shown in Exhibit C and these commitments will offer a very high park-like aesthetic quality to this entrance and will offer superior traffic flow capacity.

A. Recreation

1. We will build an 8' wide paved hiker/biker path from the bridge at the southern most entrance to the development, running along the main street through the development to Longbranch Road, then west along Longbranch Road to the southeastern entrance to Longbranch Park North, then follow the subcollector going north into Longbranch Park North, past Recreation Open Space 5, and ending at the beginning of Area J and the existing gravel driveway. There is one 250' section of this hiker/biker path along Longbranch Road between Longbranch Park North and Longbranch Park South that will require the City or County to acquire additional right-of-way or an easement to build this section of hiker/biker path. This feature will supply superior walking and bicycle interconnection between Longbranch Park South and North and provide for the possibility of connecting this hiker/biker path into other parts of the projected Boone County/Florence hiker/biker system.
2. Conditioned upon the dedication of that part of Fowler Creek Road north of Running Creek Drive to non-vehicular pedestrian and bicycle traffic and the paving of this part of the hiker/biker system by the City/County, we will do the following:
 - a. From the lake, we will pave the existing gravel driveway that extends from the lake at Recreation Area 5 down to Fowler Creek Road.
 - b. We will cause a sidewalk to be built from Fowler Creek Road to Pleasant Valley Meadows Drive, as depicted on Exhibit C. This paved pathway will provide an important pedestrian interconnection.
3. The City and the developer plan to jointly design and equip a city park in Area 5 as depicted on the Longbranch Park Concept Plan. It is anticipated that recreation will be an important amenity in Longbranch Park for its residents.

A. Bus Stops

We will commit to work with the City and TANK to determine the stated need and address at the preliminary plan stage.

The Honorable Diane E. Whalen
July 28, 1998
Page 4

B. Storm Water

1. We are committed to full compliance with the Boone County storm water management requirements and those of the Florence Water & Sewer Commission, including detention.
2. A further commitment is made to attenuate the 100 year runoff rate by an additional 10% below current requirements for the total site. The result will be that the storm water impact post-development will be below the pre-development impact.
3. The City of Florence is one of the few Northern Kentucky jurisdictions that has a storm water utility and associated maintenance capability. The current and future residents of the area can have the confidence that detention facilities and retention structures will be completely maintained over the long term.

A. Landscape Design Guidelines

We are committed to cooperating with the City to derive the design guidelines at the preliminary plan stage, as was done at Plantation Pointe. We have presented typical entry feature designs which indicate the scale of the expected improvements.

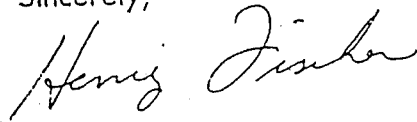
B. Architectural Design Guidelines

We are committed to cooperating with the City to derive appropriate design guidelines at the preliminary plan stage, as was done at Plantation Pointe. We have presented typical housing examples earlier.

We are committed to developing a high quality community in Longbranch Park for our customers and your city. We believe the above listed items reinforce that commitment.

Thank you for your interest in our development.

Sincerely,



Henry Fischer, President
Representing the Developers of Longbranch Park:
Fischer Development Company
Tom Schreiber
Miller Developers

7/28/99

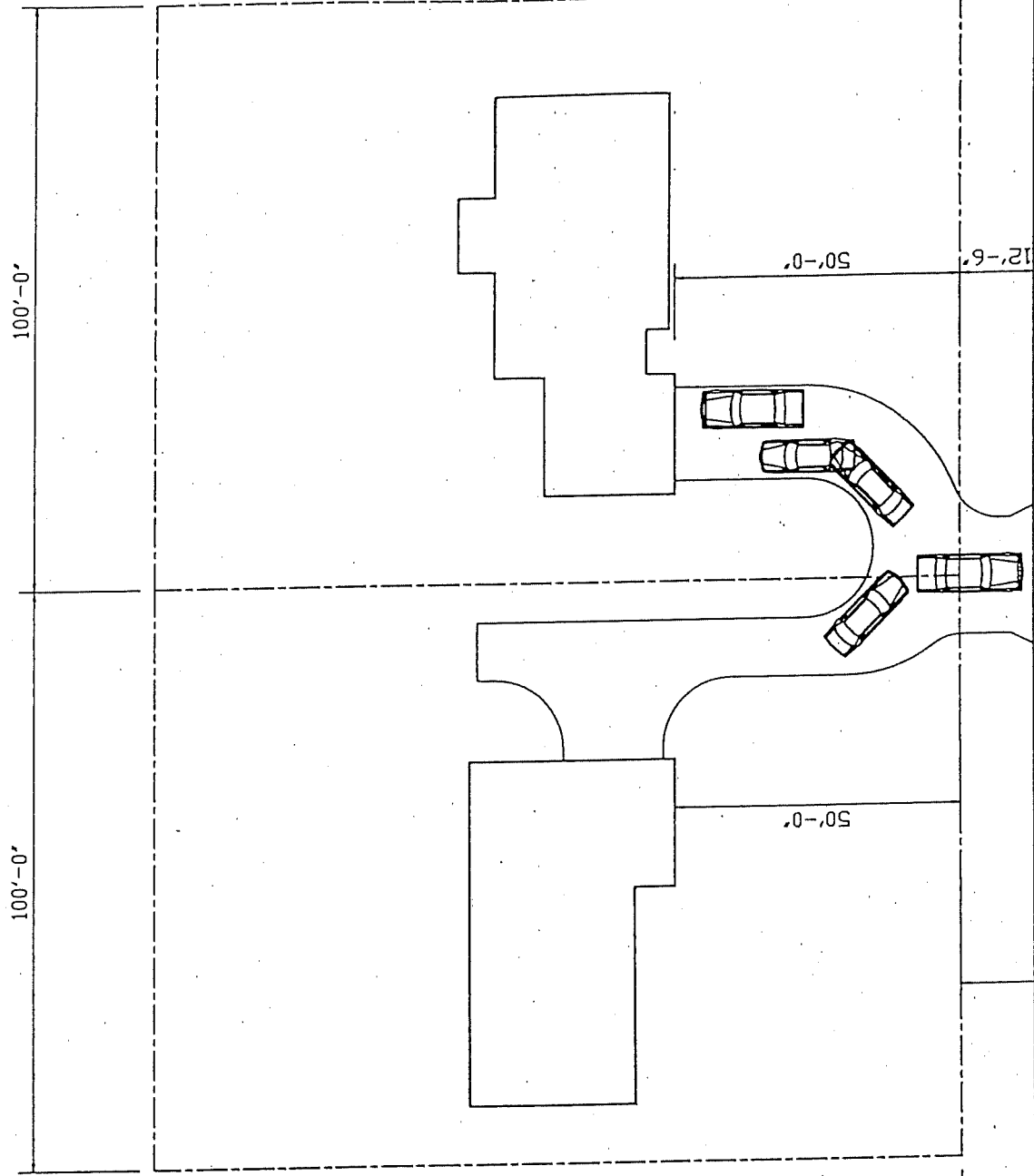
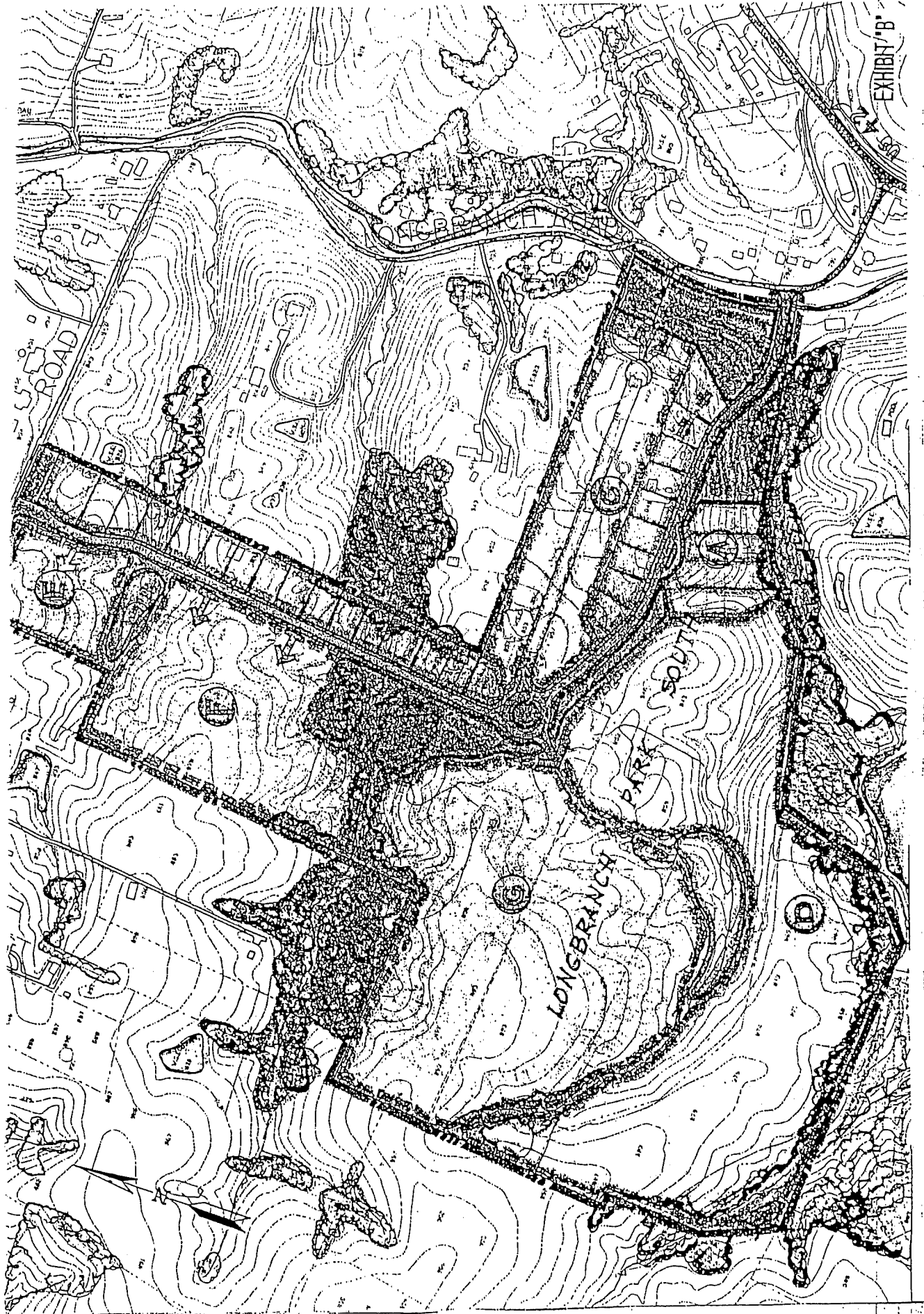
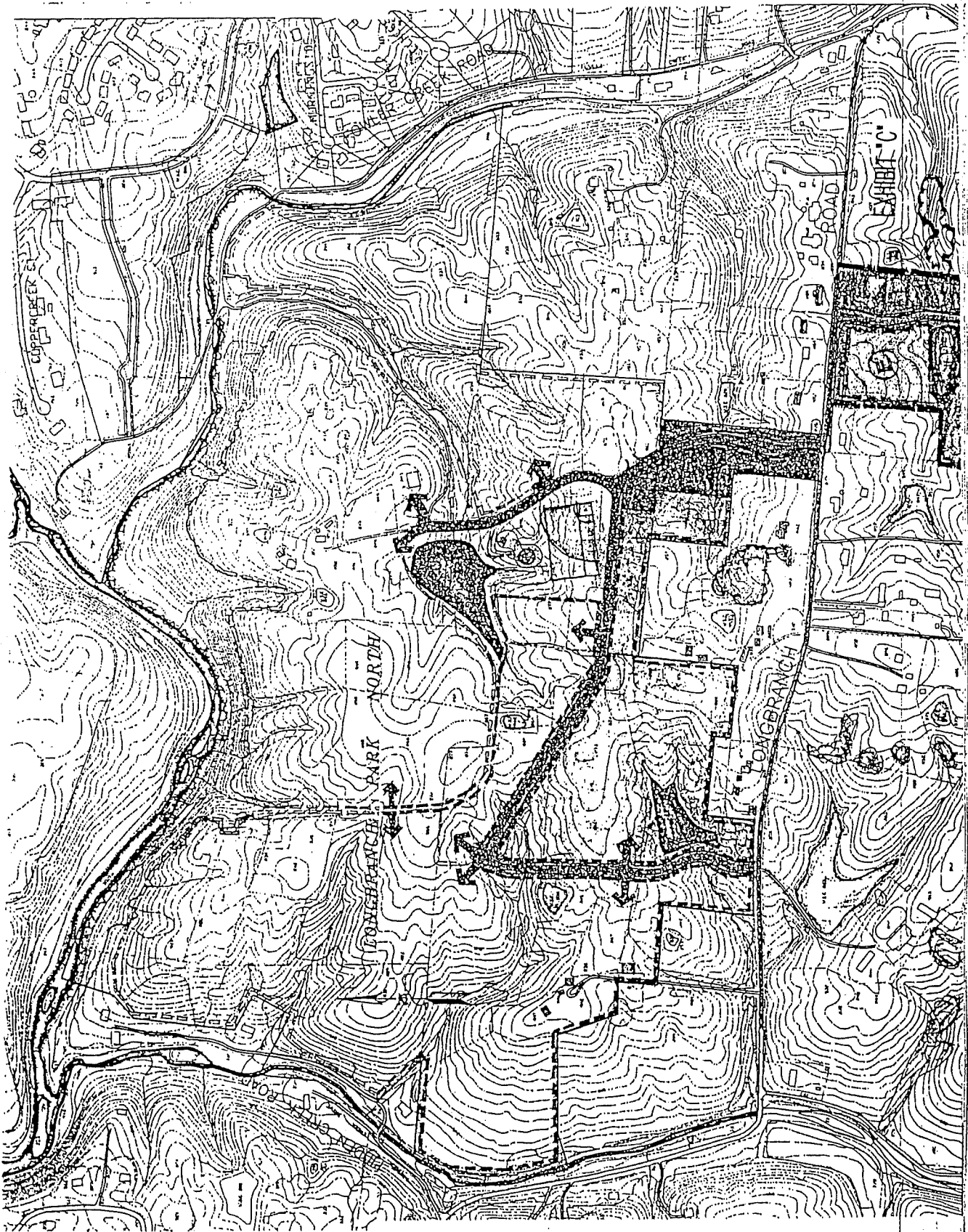


EXHIBIT "A"
C.W.

12'-6"	25'-0"	12'-6"	50'-0"	R/W	12'-6"
12'-6"	25'-0"	12'-6"	50'-0"		12'-6"





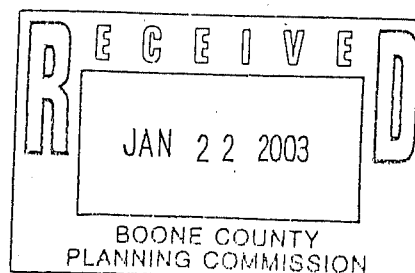
BRYAN A. BLAVATT
Superintendent of Schools

8330 U.S. 42
Florence, KY 41042
Phone: (859) 283-1003
Fax: (859) 282-2376
www.boone.k12.ky.us

BOONE COUNTY SCHOOLS

January 16, 2003

Mr. Kevin Costello
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Dear Kevin,

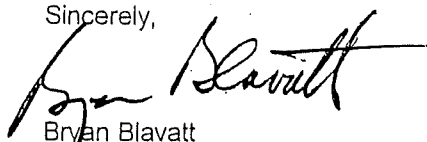
At the outset, I would like to personally thank you and the Planning Commission for all the assistance you have provided to Boone County Schools in the past. We look forward to the continuation of the high level of collaboration between the Planning Commission and Boone County Schools that has taken place over the last several years. While I do not believe the school district needs to communicate with the Commission on every housing plan that is proposed, there are a few concerns related to the development of large housing projects that obviate comment and could be addressed in the Comprehensive Plan.

As you know, the school district recognizes and is supportive of continued growth within Boone County. However, the future development of large subdivisions will place an increased strain on the infrastructure of the school district. We believe that the Planning Commission needs to work with developers to move towards slow 'build out' plans, rather than massive immediate development. This would allow the district to phase in the increased costs of dealing with these large developments and provide a more natural growth pattern. Moreover, we suggest that the Planning Commission make it part of the conditions relative to zone change that the developer provide land for possible use by the school district. This would provide for the necessary future infrastructure to handle the student growth related to the development and offer a true selling point for the development.

Another point of concern is related to approval of individual developments that start as of small tracts of land and are later aggregated into a larger development. It is problematic that developers will propose a small subdivision grows into a large development, however, many times contiguous tracts are purchased in quick succession. This leaves the school district uninformed and ill prepared to take the necessary steps. Please encourage the Commission to review these multi-tracts. If at all possible, we would recommend applying the same criteria for these plans as you would a large development.

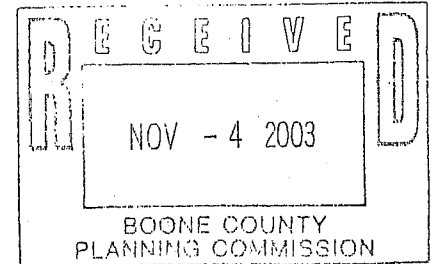
As always, thank you for your consideration. With your help, new large and multi-tract zone changes will be structured so that the School System can respond proactively. If you have further questions, please feel free to call me.

Sincerely,


Bryan Blavatt
Superintendent of Schools

October 30, 2003

Kevin P. Costello, AICP
Executive Director
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005\



In Re: City of Florence Annexation/Rezoning Under KRS 100.209
For the Martin Property and Calhoun Property

Dear Kevin:

Attached is a copy of Ordinance 0-29-03 (Grand Communities Limited, Martin Property) and Ordinance 0-30-03 (Calhoun Property) by which the City of Florence intends to annex each of the properties. First reading of each of these ordinances occurred on October 28, 2003 with unanimous approval from those members of City Council present. Exhibit "B" of Ordinance 0-29-03 indicates that the Grand Communities LTD/Martin Property consists of 15.3 acres while Exhibit "B" of Ordinance 0-30-03 indicates that the Calhoun property is 14.986 acres. The City has elected to follow the procedure of KRS 100.209 to consider a comprehensive plan and zoning map amendment to change the zoning prior to annexation. In each case, the intended zoning following annexation is to be SR-1.

Also attached is an application for rezoning from the property owners and developer.

The City requests that the Planning Commission, following the procedure of KRS 100.209, hold the necessary hearings and make a recommendation with respect to the zoning application.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Diane E. Whalen".

Diane E. Whalen
Mayor

ORDINANCE NO. 0-29-03

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 15.3 ACRES LOCATED ON THE NORTH SIDE OF CLARKSON LANE, WEST OF U. S. HIGHWAY 42, ADJACENT TO THE CITY LIMITS. (GRAND COMMUNITIES, LTD/MARTIN PROPERTY)

WHEREAS, Grand Properties, LTD, David W. Martin, Debra L. Martin and Thelma Martin, 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:



VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

OCTOBER 20, 2003

DESCRIPTION OF 15.3 +/- ACRES TO BE ANNEXED BY THE CITY OF FLORENCE

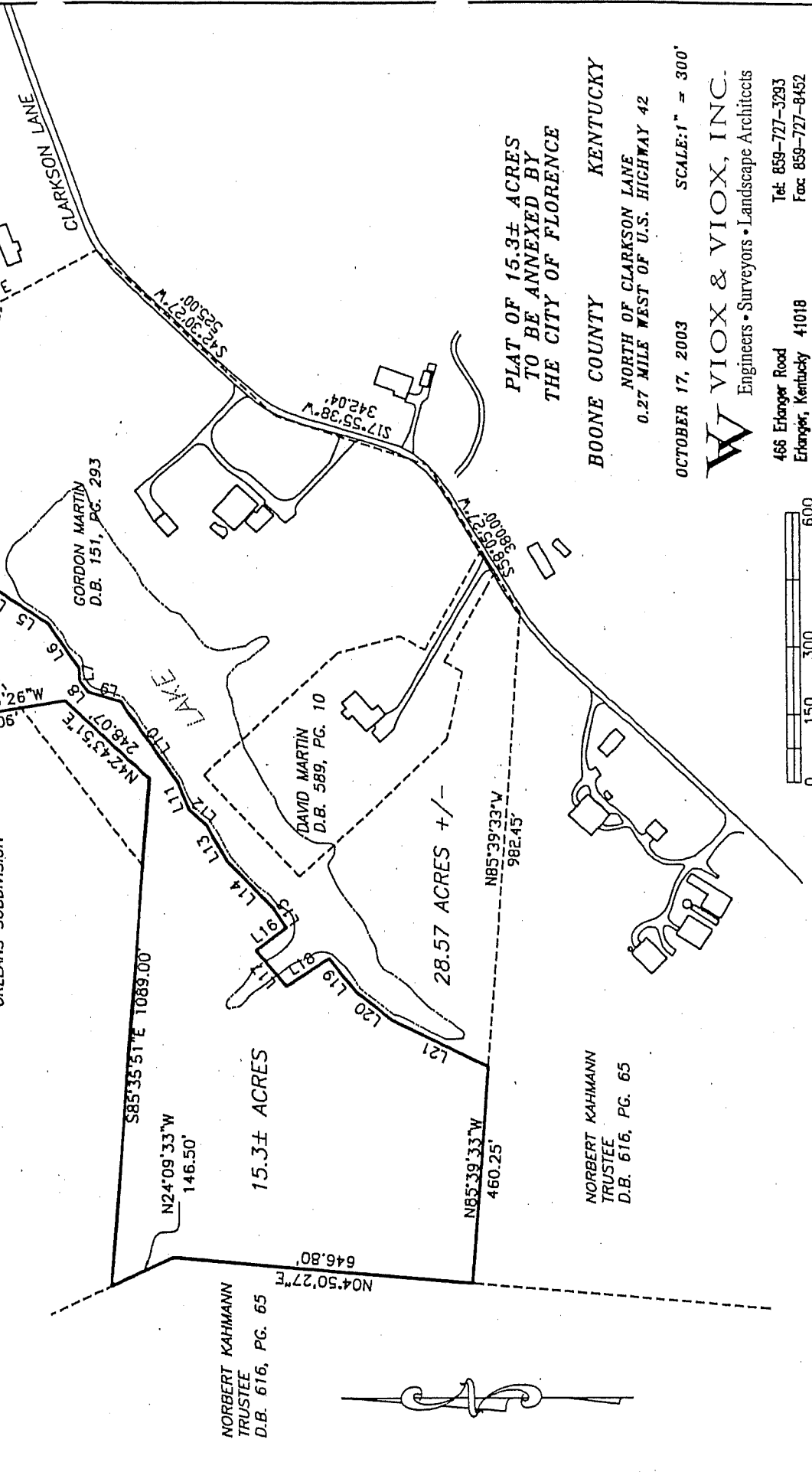
Located in Boone County, Kentucky, lying on the north side of Clarkson Lane, approximately 0.27 mile west of U.S. Highway 42 and is more particularly described as follows:

Beginning at a point at the common corner of Orleans Subdivision and Norbert Kahmann Trustee (Deed Book 616, page 85); thence S 85-35-51- E a distance of 1089.00' to a point; thence N 42-43-51- E a distance of 248.07' to a point; thence N 08-56-26- W a distance of 298.06' to a point; thence N 80-09-09- E a distance of 556.50' to a point; thence S 34-58-59- W a distance of 190.26' to a point; thence S 74-37-22- W a distance of 68.20' to a point; thence S 54-25-04- W a distance of 93.98' to a point; thence S 34-26-14- W a distance of 61.61' to a point; thence S 33-10-51- W a distance of 86.15' to a point; thence S 54-56-16- W a distance of 118.69' to a point; thence S 86-59-27- W a distance of 28.55' to a point; thence S 50-44-44- W a distance of 31.97' to a point; thence S 15-51-43- W a distance of 72.05' to a point; thence S 55-08-50- W a distance of 212.05' to a point; thence S 65-54-38- W a distance of 65.11' to a point; thence S 42-18-34- W a distance of 51.50' to a point; thence S 60-28-13- W a distance of 88.98' to a point; thence S 45-57-31- W a distance of 139.45' to a point; thence S 57-25-34- W a distance of 51.81' to a point; thence N 37-37-13- W a distance of 80.05' to a point; thence S 50-17-47- W a distance of 99.65' to a point; thence S 33-35-27- E a distance of 107.61' to a point; thence S 50-51-56- W a distance of 93.03' to a point; thence S 38-18-11- W a distance of 95.85' to a point; thence S 25-33-13- W a distance of 235.10' to a point; thence N 85-39-33- W a distance of 460.25' to a point; thence N 04-50-27- E a distance of 646.80' to a point; thence N 24-09-33- W a distance of 146.50' to the point of beginning containing 15.3 +/- acres.

LINE	BEARING	DISTANCE
L1	S34°58'59"V	190.26'
L2	S74°37'22"V	68.20'
L3	S54°25'04"V	93.98'
L4	S34°26'14"V	61.61'
L5	S33°10'51"V	86.15'
L6	S54°56'16"V	118.69'
L7	S86°59'27"V	28.55'
L8	S50°44'44"V	31.97'
L9	S15°51'43"V	72.05'
L10	S55°08'50"V	212.05'
L11	S65°54'38"V	65.11'

LINE	BEARING	DISTANCE
L12	S42°18'34"V	51.50'
L13	S60°28'13"V	88.98'
L14	S45°57'31"V	139.45'
L15	S57°29'34"V	51.81'
L16	N37°37'13"V	80.05'
L17	S50°17'47"V	99.65'
L18	S33°35'27"E	107.61'
L19	S50°51'56"V	93.03'
L20	S38°18'11"V	95.85'
L21	S25°33'13"V	235.10'

ORLEANS SUBDIVISION



NORBERT KAHMANN TRUSTEE
D.B. 616, PG. 65

15.3± ACRES

28.57 ACRES +/-

NORBERT KAHMANN TRUSTEE
D.B. 616, PG. 65

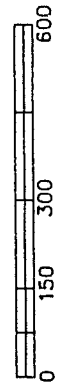
PLAT OF 15.3± ACRES
TO BE ANNEXED BY
THE CITY OF FLORENCE

BOONE COUNTY KENTUCKY
NORTH OF CLARKSON LANE
0.27 MILE WEST OF U.S. HIGHWAY 42

OCTOBER 17, 2003 SCALE: 1" = 300'

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

466 Erlanger Road
Erlanger, Kentucky 41018
Tel: 859-727-3293
Fax: 859-727-8452
e-mail: vvo@viox.com



ORDINANCE NO. D-30-03

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 14.9816 ACRES LOCATED ON THE WEST OF FOWLER CREEK ROAD AND EAST OF ST. LOUIS BOULEVARD, ADJACENT TO THE CITY LIMITS. (CALHOUN PROPERTY)

WHEREAS, C. S. Calhoun, being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has 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

Said parcel contains 14.9816 acres.

Being part of the property conveyed to C.S. Calhoun in Deed Book 597 Page 129 and recorded at the Boone County Clerk's records at Burlington.

Parcel to be annexed into the City of Florence
Area = 14.9816 Acres.

Lying adjacent to the City of Florence, County of Boone, west of Fowler Creek Road and east of St. Louis Boulevard, more particularly described as follows:

Beginning at a recovered 5/8" rebar with plastic cap (PLS #2930) at the southwest corner of C.S. Calhoun (D.B. 597 P.G. 129, Tract One), in the north line of Sid D. & Sheryl A. Walters (D.B. 226 P.G. 81) and the southeast corner of Grand Communities Ltd. (D.B. 851 P.G. 66);

Thence with the common line of said Calhoun and Grand Communities Ltd. and the existing City of Florence Boundary for two (2) calls:

North 02°47'05" East, passing a recovered 5/8" steel rebar (PLS #2930) at 869.90, a total distance of 874.90 feet to an existing fence post;

South 86°06'57" East a, passing a recovered 5/8" steel rebar (PLS #2930) at 1207.27, a total distance of 1262.27 feet to a point in the center of Fowler Creek;

Thence leaving the center of Fowler Creek and through the lands of the grantor along a new division line for eight (8) calls:

South 57°45'25" West a distance of 376.33 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 74°23'40" West a distance of 145.36 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

North 55°16'10" West a distance of 77.65 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 83°11'26" West a distance of 207.25 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 11°27'08" East a distance of 275.83 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 01°12'03" East a distance of 85.34 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 02°14'13" East a distance of 105.42 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

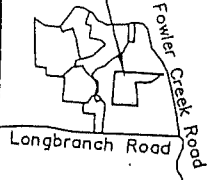
South 04°07'09" East a distance of 159.18 feet to a recovered t-post in the north line of Diane M. DiFonzo (D.B. 703 P.G. 196);

Thence with the north line of said DiFonzo and Ira Kenneth & Dorothy T. Perkins (D.B. 193 P.G. 136), North 85°21'55" West a distance of 272.12 feet to the common corner of said Perkins and Keith & Connie McDine (D.B. 481 P.G. 166);

Thence with said McDine, James S. & Doretta M. Wilson (D.B. 194 P.G. 640) and Sid D. & Sheryl A. Walters (D.B. 226 P.G. 81), North 85°28'47" West a distance of 376.00 feet to the POINT OF BEGINNING.

237

SITE



VICINITY MAP
SCALE: 1" = 2000'

I hereby certify that I am a duly qualified and Licensed Kentucky Surveyor in accordance with KRS 32.0 and that this plat depicts a survey performed by me, under my direct supervision, in accordance with the Code of Professional Practice and Conduct for Professional Engineers and Professional Surveyors, by the method of random traverse on JULY 17, 2003. The unadjusted precision ratio of the traverse was 1:37,068 and was not adjusted for closure. The survey shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class. This plat meets or exceeds the minimum requirements of 201 KAR 18.150.

Joseph G. Kramer P.L.S. 3663 Date
NOTE: PIN SET is a 1/2" rebar with plastic cap stamped "J.G.K. KY 3663"

GROUP #2038A

ORLEANS-NORTH SUBDIVISION SECTION 1

EXISTING CITY OF FLORENCE BOUNDARY

SID D. & SHERYL A. WALTERS D.B. 226 P.G. 81

POINT OF BEGINNING

JAMES S. & DORETTA M. WILSON D.B. 194 P.G. 640

KEITH & CONNIE MCDINE D.B. 481 P.G. 166

IRA KENNETH & DOROTHY T. PERKINS D.B. 193 P.G. 136

DIANE M. DIFONZO D.B. 703 P.G. 196

MICHAEL J. & KAREN VERST D.B. 614 P.G. 108

JAMES RYAN FRANKS D.B. 607 P.G. 36

5/8" REBAR WITH PLASTIC CAP PLS#2930

GRAND COMMUNITIES, LTD D.B. 851 P.G. 66

5/8" REBAR WITH PLASTIC CAP 5' FROM CORNER PLS#2930

EXISTING CITY OF FLORENCE BOUNDARY

PARCEL TO BE ANNEXED
AREA=14.9816 ACRES

GRAND COMMUNITIES, LTD D.B. 851 P.G. 66

C.S. CALHOUN D.B. 597 P.G. 129 TRACT ONE

EXISTING CITY OF FLORENCE BOUNDARY

NEW DIVISION LINE AND CITY BOUNDARY

LINE	BEARING	LENGTH
L1	S 74°23'40" W	145.36'
L2	N 55°16'10" W	77.65'
L3	S 83°11'26" W	207.25'
L4	S 11°27'08" E	275.83'
L5	S 01°12'03" E	85.34'
L6	S 02°14'13" E	105.42'
L7	S 04°07'09" E	159.18'

C.S. CALHOUN D.B. 597 P.G. 129 TRACT TWO

WILLIAM P. & LINDA F. HOLLIS D.B. 853 P.G. 796

WILLIAM P. & LINDA F. HOLLIS D.B. 853 P.G. 793

EDWARD & FRANCES KNOX D.B. 201 P.G. 118

ADAM S. HOLTMAN D.B. 800 P.G. 452

JAMES P. & PAULEY A. BOONER D.B. 809 P.G. 17

EXISTING CITY OF FLORENCE BOUNDARY
FOWLER CREEK ROAD

FOWLER CREEK

PROJECT MANAGER:

JGK

DRAWN BY:

JJP

DATE:

07-18-03

SCALE:

1" = 200'

FILE NO.

03-192

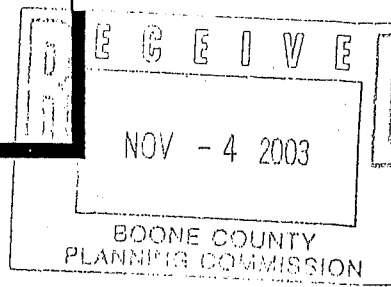
ANNEXATION PLAT
for
GRAND COMMUNITIES, LTD
2670 Chancellor Drive, Suite 300
Crestview Hills, Kentucky 41047

CARDINAL
ARCHITECTURE
ENGINEERING
LAND SURVEYING

ONE MOOCK ROAD
WILDER, KENTUCKY
41071 (859) 581-9600

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Orleans North - Calhoun Extension
 2. Location of Project East of Rampart. North of Longbranch Rd.
 3. Total Acreage of Site 14.98
 4. Current Zoning of Site RSE
 5. Proposed Zoning (Classification being requested) SR-1
 6. Proposed Uses (please specify each use) Detached Single Family
-
7. Names of Applicant(s) Grand Communities, Ltd.
Phone Number 859-341-4709 Fax No. 859-344-7000
 8. Address of Applicant(s) 2670 Chancellor Dr. Suite 300
Crestview Hills KY 41017
City State Zip
 9. Name of Property Owner(s) C.S. Calhoun
Phone Number 859-384-3031 Fax No. _____
 10. Address of Property Owner(s) 9081 Fowler Creek Road
Union KY 41091
City State Zip
 11. Proposed Building Intensities (please specify) (see attached information)
-
12. Are there any existing buildings on the site? No
How many? _____
 13. Deed Book 597 Page No. 129 Group No. 2038A
 14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
 15. Have you submitted a Concept Development Plan? With this application
 16. Have you had a pre-application meeting with BCPC Staff? Yes
 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
- Yes 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
- Yes City of Florence Public Services Department
- Boone County Building Department

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 See Intent to Annex Union
Grand Communities, Ltd.
19. Applicant's Signature M. Larry Sprague
Property Owner's Signature C.S. Calhoun
M. Larry Sprague, VP Land Acquisition & Development
Fischer Development Company, General Partner
C.S. Calhoun

SECTION B (To be completed by BCPC Staff)

1. Date Received 11-4-03
2. Review Fee \$ 1429.00 RA 37098
3. Check what has been submitted:
 Application
 Fee
 Legal Description
 Concept Development Plan
 Address of Adjoining Property Owners
5 Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer KEVIN WALKER
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@boonecountky.org - E-mail
www.boonecountky.org - Web Page

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



FISCHER DEVELOPMENT COMPANY
A Fischer Group Company

Narrative for Calhoun Property Rezoning

Grand Communities, Ltd., is requesting 14.9 acres of land adjacent to the Orleans North development be re-zoned to an SR-1 classification pursuant to the City of Florence resolution declaring an Intent to Annex this property with this anticipated zoning. The property will serve as an extension to the existing Orleans North development, but will propose a new set of development standards not currently implemented in the Orleans project. The development standards for the SR-1 amendment will be consistent with the SR-1 zone as written in the Boone County Zoning Ordinance. These development standards are necessary for the product that our home building entity, Fischer Homes, intends to build on this section.

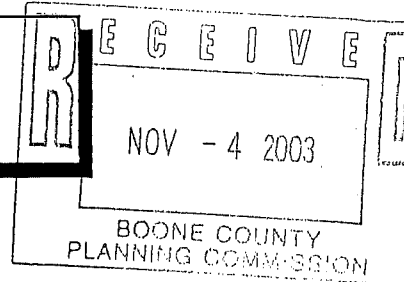
The architectural style and detail of the homes we propose to develop on this property will be the same product line built in the "Magnolia Trace" neighborhood in nearby Plantation Pointe. The homes typically sit in a minimum 65' lot with the smallest lot being 8,000. Architectural details style will be the same as already approved in the Orleans development; sample elevations of this product line are included in this application. Also included is a landscape typical for the existing Phase D, we intend to landscape these homes in a similar fashion.

The land in question is being proposed to be annexed to the City of Florence and an intent to annex has been passed by Council stating this. The property, upon development, will be served by the City of Florence central utilities, and public roads will be maintained as such. This site has sole vehicular access through the existing Orleans development.

This addition to Orleans will be part of the existing home owners association and will enjoy the same common open space and community facilities as the existing homes in Orleans North. This addition will add over 1 acre of common open space to the existing Orleans open space network.

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION



(See Boone County
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Orleans South - Martin Extension
 2. Location of Project South of the existing Orleans South development. North
 3. Total Acreage of Site of Clarkson Ln. 15.3± acres
 4. Current Zoning of Site RSE
 5. Proposed Zoning (Classification being requested) SR-1
 6. Proposed Uses (please specify each use) Single Family Detached
-
7. Names of Applicant(s) Grand Communities, Ltd.
Phone Number 859-341-4709 Fax No. 859-344-7000
 8. Address of Applicant(s) 2670 Chancellor Dr. Suite 300
Crestview Hills KY 41017
City State Zip
 9. Name of Property Owner(s) Thelma Martin/Grand Communities, Ltd (see above)
Phone Number 859-384-3493 Fax No. _____
 10. Address of Property Owner(s) 2194 Clarkson Ln.
Union KY 41091
City State Zip
 11. Proposed Building Intensities (please specify) (see attached information)
-
12. Are there any existing buildings on the site? No
How many? _____
 13. Deed Book 151 Page No. 293 Group No. 2046 also DB 792 Pg39
 14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
 15. Have you submitted a Concept Development Plan? With this application
 16. Have you had a pre-application meeting with BCPC Staff? Yes
 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Yes Boone County Water District
- Yes 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
- Yes 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
 - Florence See Intent to Annex
 - Walton
 - Union

19. Applicant's Signature _____ *M. Larry Sprague* Grand Communities, Ltd.
 Property Owner's Signature _____ *Thelma Martin* Fischer Development Company, General Partner
 M. Larry Sprague, VP Land Acquisition & Development
 Fischer Development Company, General Partner

SECTION B (To be completed by BCPC Staff)

1. Date Received 11-4-03
2. Review Fee \$1336.00 ~~12# 37097~~
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - 5 Number of copies of plan received**
4. Is application complete? Yes _____ No _____
5. Staff Reviewer KELLY WALKER
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.



FISCHER DEVELOPMENT COMPANY
A Fischer Group Company

Narrative for Martin Property Rezoning

Grand Communities, Ltd., is requesting 15.3 acres of land adjacent to the Orleans South development be re-zoned to an SR-1 classification pursuant to the City of Florence resolution declaring an Intent to Annex this property with this anticipated zoning. The property will serve as a logical extension of the existing Phase D of the approved Orleans development. Our intent is to comply with the development standards of the existing Orleans development as they relate to Phase D.

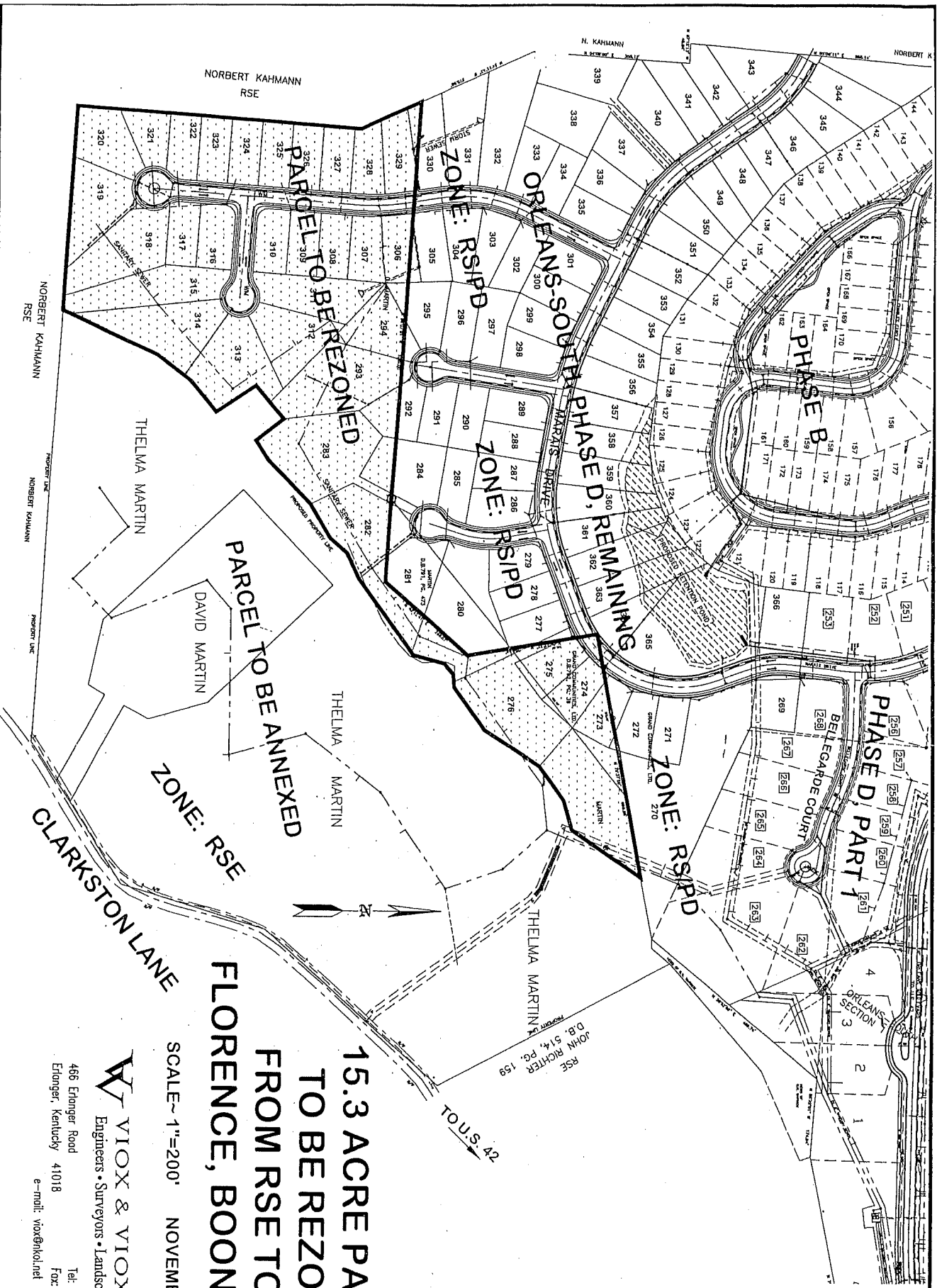
The first section of Phase D is currently being constructed, this proposed amendment will serve as an extension of the second section of Phase D. Access to the portion of the Martin property located North of the large lake has become difficult, and therefore, it more logically follows that this land would be better served as part of the Orleans development than remaining in Martin ownership. The large lake will remain in Martin ownership.

The land in question is being proposed to be annexed to the City of Florence and an intent has been passed by Council stating this intent. The property, upon development, will be served by the City of Florence central utilities, and public roads will be maintained as such. Currently, this site has sole access through the existing Orleans development, however, there is potential access through the existing PUD to property to the West.

The housing product that will be built on this rezoned property will be the Founder's line of homes as built by our home building entity, Fischer Homes. This is the same product line that Fischer homes has been building on Bourbon Street. Sample elevations of this product line are included in this application. Also included is a landscape typical for the existing Phase D.

This addition to Orleans will be part of the existing home owners association and will enjoy the same common open space and community facilities as the existing homes in Orleans South.

NOBERT KAHMANN RSE



**15.3 ACRE PARCEL
TO BE REZONED
FROM RSE TO SR-1
FLORENCE, BOONE CO., KY**

SCALE ~ 1" = 200' NOVEMBER 3, 2003

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

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

ARCHITECTURAL THEME AND DESIGN GUIDELINES FOR ORLEANS, LONGBRANCH ROAD, FLORENCE KENTUCKY

BOONE COUNTY
PLANNING COMMISSION
REQUIREMENTS

A consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variation within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic. The use of architectural guidelines is required for multi-phased projects.

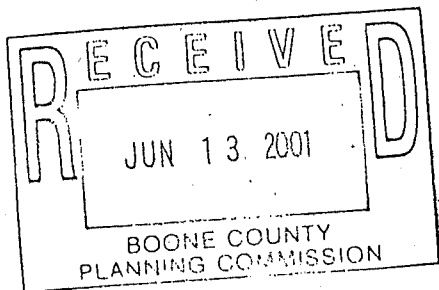
THEME

The theme of the exterior designs for the homes of Orleans shall be largely Midwest traditional and / or transitional in style with regionally and locally influenced architectural forms and elements. The exteriors will compliment the existing homes along Longbranch Road and neighboring communities such as Magnolia Trace at Plantation Point, Farmview, Union Village and Pleasant Valley Meadows by incorporating similar exterior housing styles, massing, exterior veneers, fenestration pattern, roof designs and detailing.

The house massing and exteriors seen adjacent to the site includes one, one and a half and two story designs along with split foyers and tri-levels. Although mainly Midwest traditional in character which is defined by fundamental massing, simplified roof geometry and the high usage of masonry veneers and siding, many of the adjacent homes incorporate some additional eclectic elements that may be found in the following home styles of the United States. These styles include Colonial, Georgian, Neo-Classical, Craftsman, Tudor and Neo-French Eclectic.

Garages in the description above range anywhere in the description from no garages to detached garages, attached and integral garages, varying in size from one car to multiple car. Garage doors predominately face the street.

Based on this analysis and requirements stated above the following architectural guidelines have been developed for Orleans.



ARCHITECTURAL GUIDELINES

- Exterior Design
 - Midwest traditional / transitional
- Massing
 - One story
 - One and a half story
 - Two story
 - Split foyer
 - Tri-level
- Exterior Veneer
 - Masonry
 - Brick
 - Stone
 - Stucco
 - Siding
 - Horizontal
 - Vertical
 - Combination of the above
- Garage
 - Size
 - Two or more
 - Approach
 - Front
 - Side
 - Rear
 - Integration into building envelope
 - Attached
 - Integral
 - Detached
- Roof Designs
 - Types
 - Gables
 - Hips
 - Dormers
 - Dutch hip
 - Shed
 - Pitches
 - 4:12 through 12:12
 - Material
 - Composition shingles

- Exterior trim and details
 - Broad range of traditional windows and door details
 - Various width of overhangs
 - Brick and stone detailing
 - Use of trim, louvered and raised panel shutters adjacent to windows
 - Gable vents

- Other Design Elements (may be found on some but not all homes)
 - Porches
 - Decks
 - Screened in porches
 - Sun rooms

GABLE VENT WITH
EXTENDED OVERHANG

CORONAL HEAD
PEDIMENT

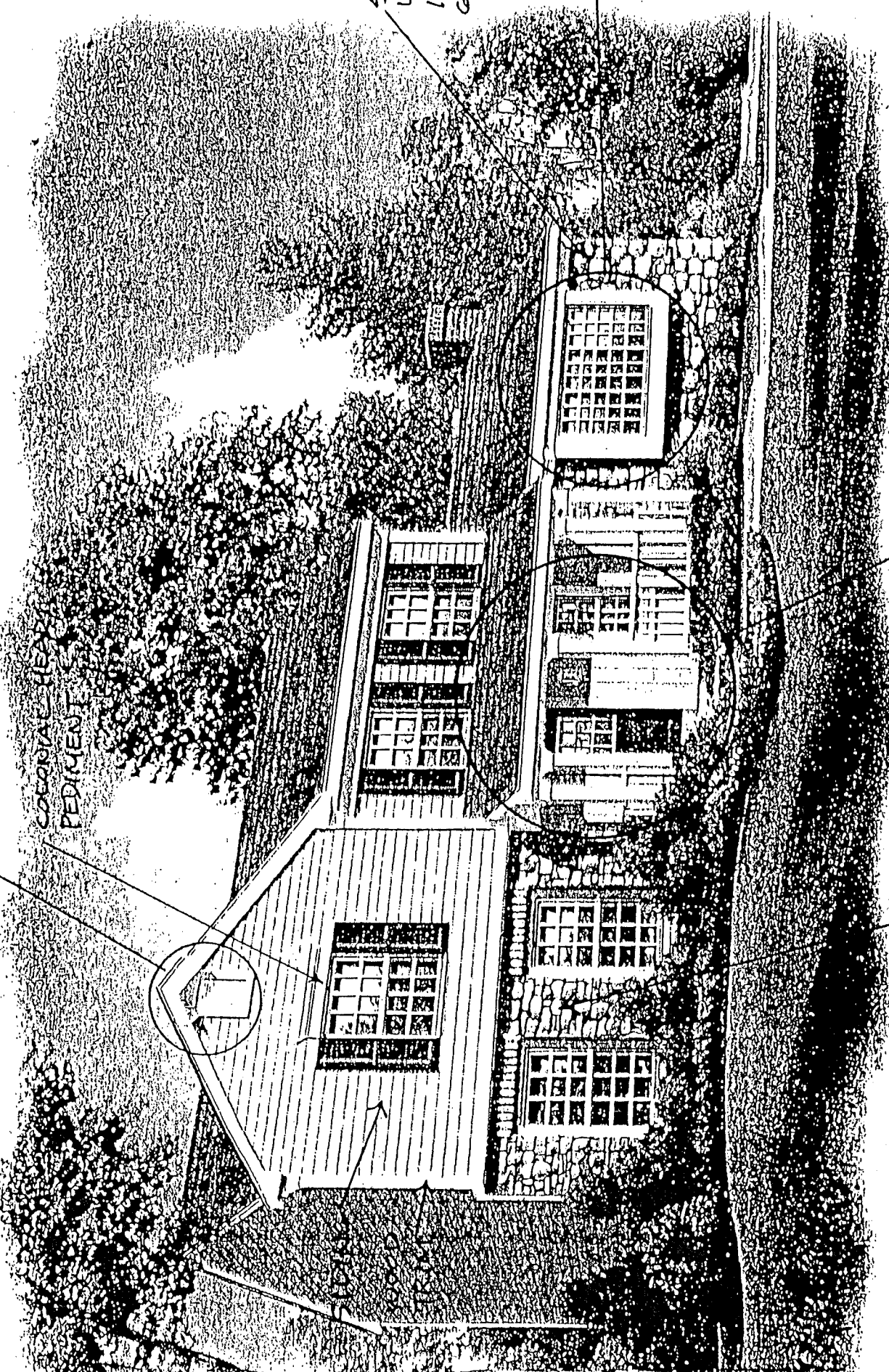
SIDE
LOADED
INTEGRAL
GARAGE

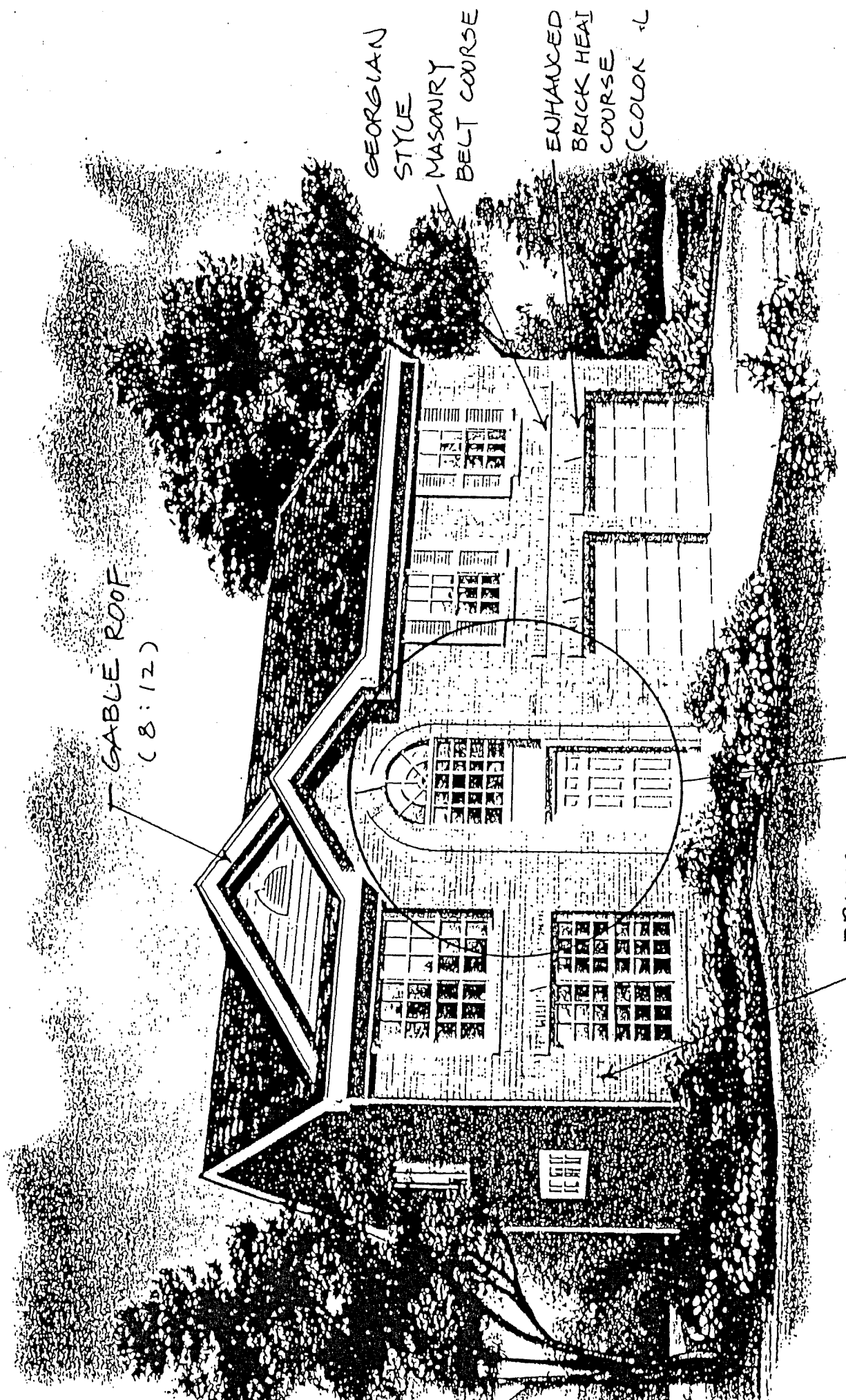
BOX
BA
WINDOW

FRONT PORCH WITH
SHED ROOF

STONE VENEER

MIDWEST TRANSITIONAL STYLE





GABLE ROOF
(8:12)

GEORGIAN
STYLE
MASONRY
BELT COURSE

ENHANCED
BRICK HEAD
COURSE
(COLOR)

TRANSITIONAL TWO STORY
ENTRY FEATURE

BRICK

MIDWEST TRANSITIONAL STYLE



GRIDED WINDOW PATTERN WITH
TRADITIONAL WINDOW HEAD AND
RAISED PANEL SHUTTERS

HALF ROUND
GABLE VENT

GABLE
ROOF
(8:12)

KEYSTONE
LINTEL
(COL 1/4)

SIDING

SHED
ROOF
(8:12)

BRICK VENEER

TRANSITIONAL TWO STORY ENTRY
FEATURE WITH BRICK DETAILING

MIDWEST TRANSITIONAL STYLE



GABLE ROOF
(6:12)

SIDING

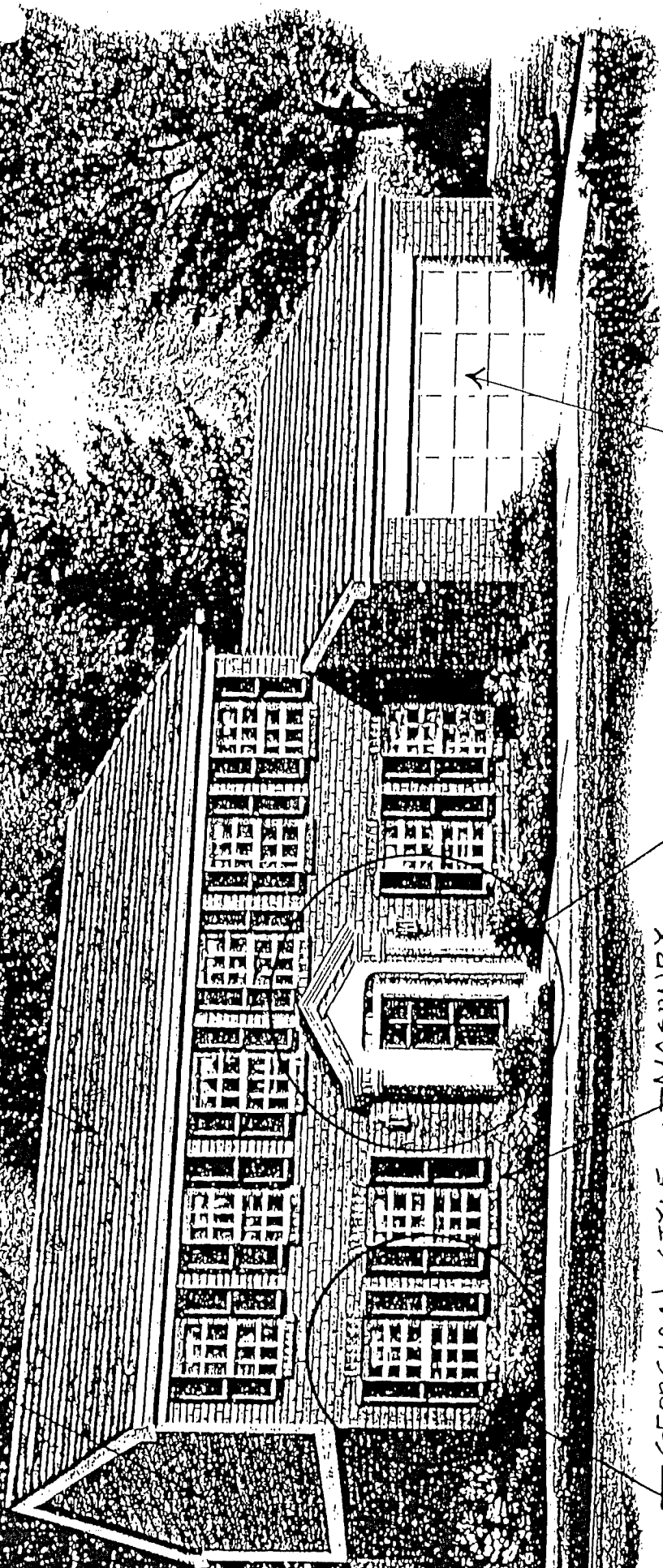
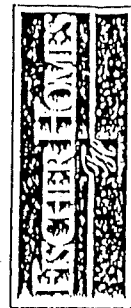
ATTACHED FRONT
LOADED GARAGE

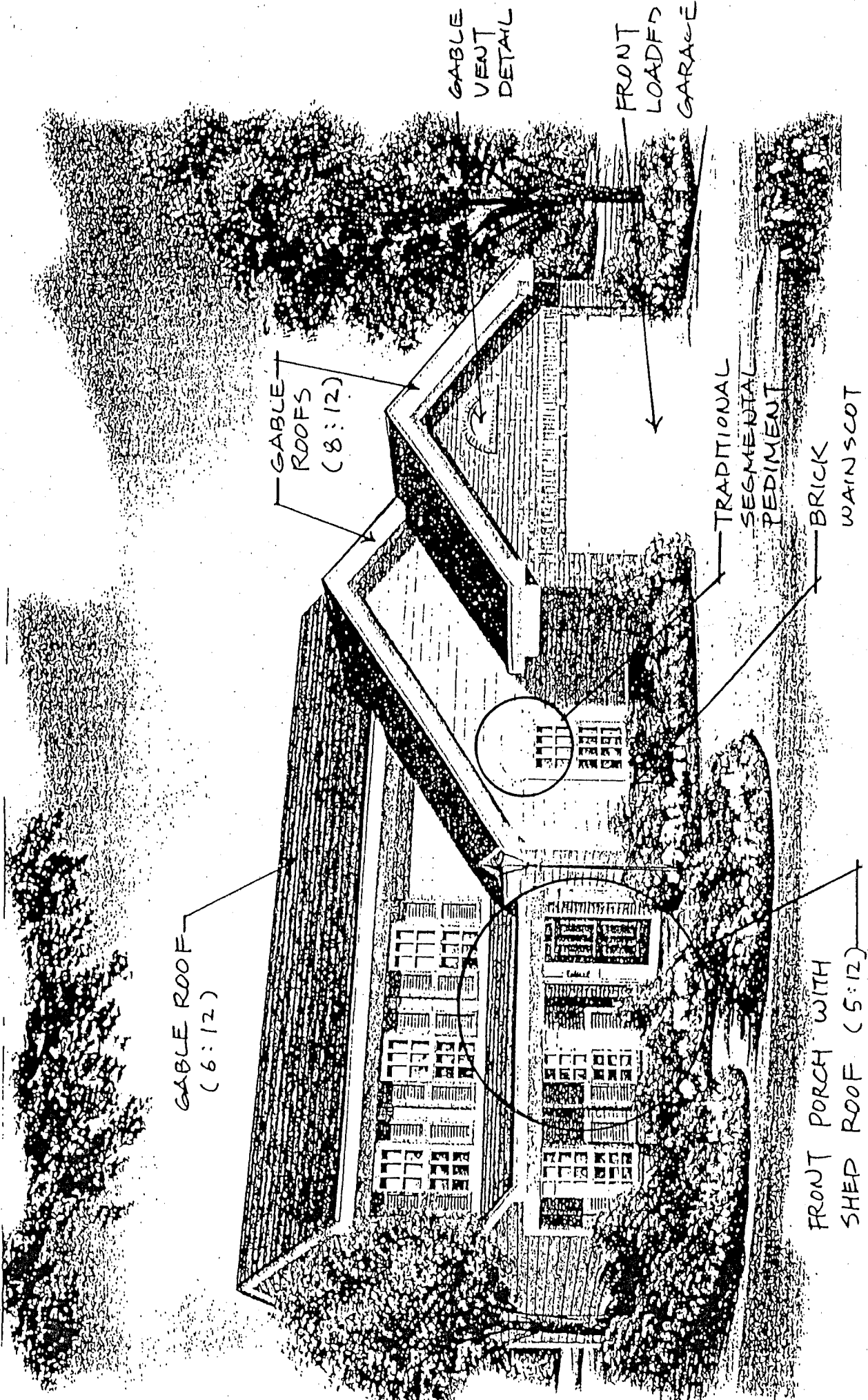
NEOTRADITIONAL
TRIANGULAR
DOOR PEDIMENT

GEORGIAN STYLE
STACKED DIVIDED LITE
WINDOWS WITH KEY CUT SOLDIER
HEAD COURSE AND SHUTTERS

MIDWEST
TRADITIONAL
STYLE

THE JEFFERSON





GABLE ROOF
(6:12)

GABLE
ROOFS
(8:12)

GABLE
VENT
DETAIL

FRONT
LOADOFF
GARAGE

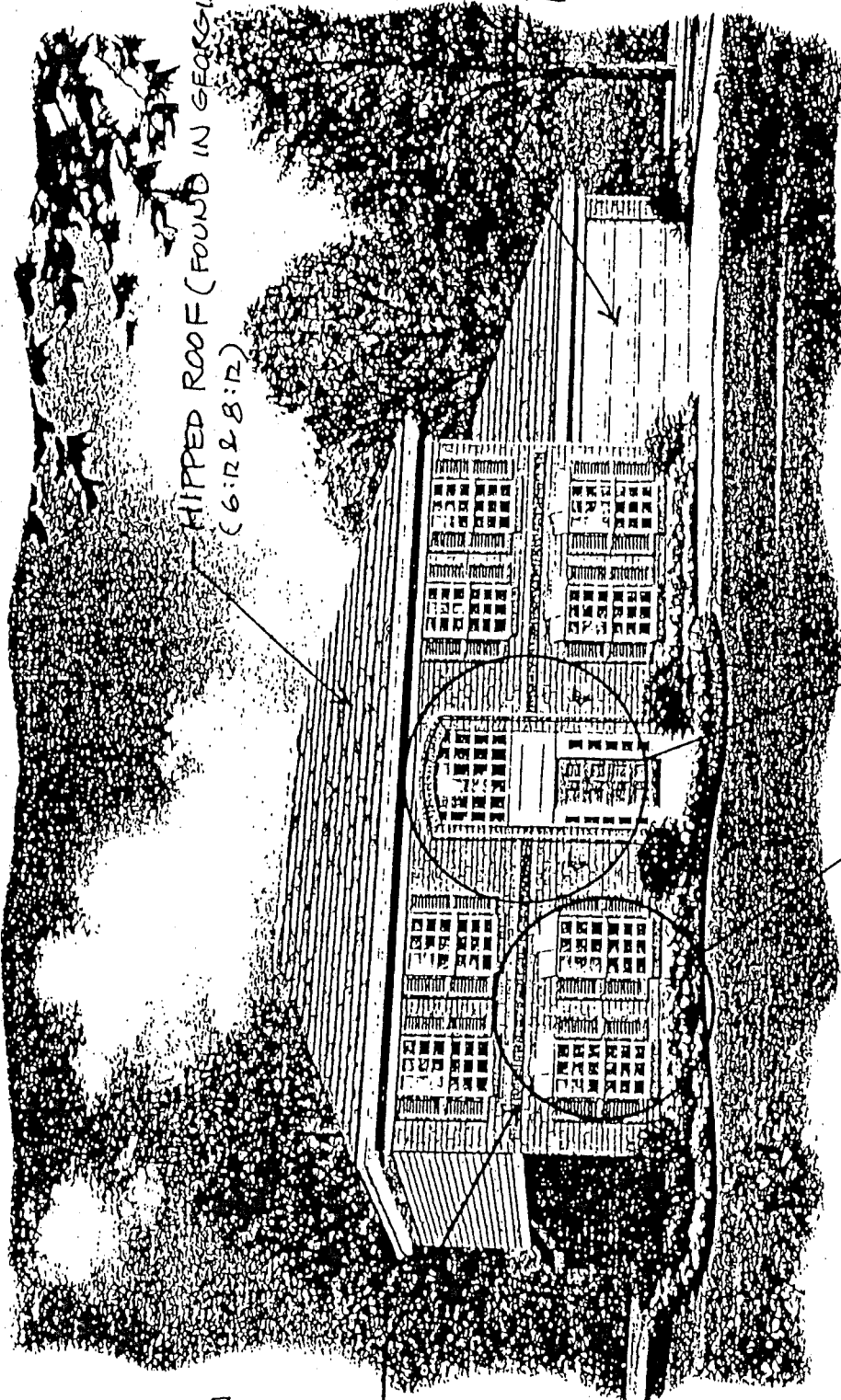
TRADITIONAL
SEGMENTAL
PEDIMENT

BRICK
WAINSCOT

FRONT PORCH WITH
SHEP ROOF (5:12)



MIDWEST TRANSITIONAL STYLE



HIPPED ROOF (FOUND IN GEORGIAN STYLE)
(6:12 & 8:12)

ATTACHED FRONT
LOADED GARAGE

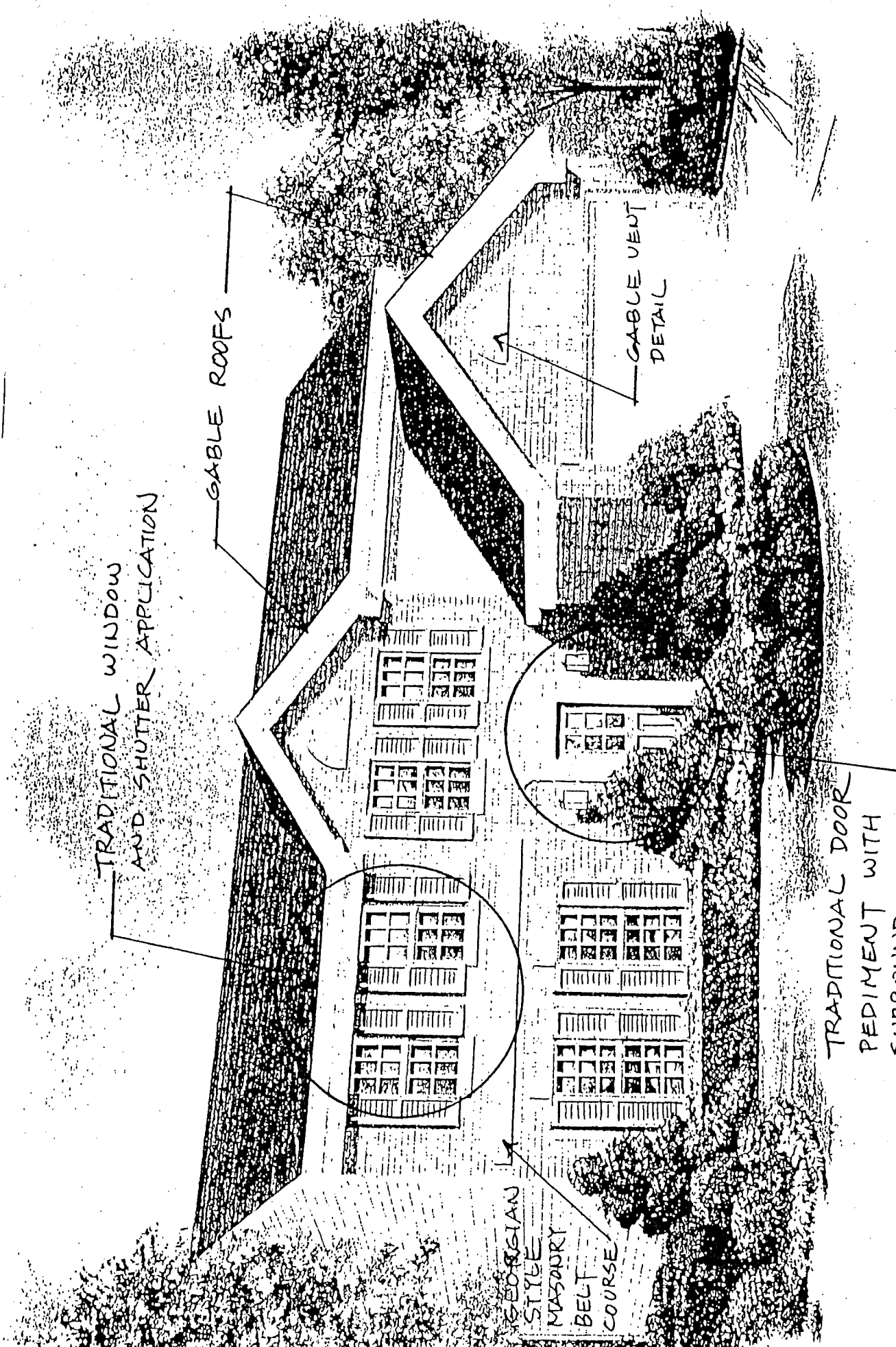
TRANSITIONAL TWO STORY ENTRY FEATURE

"GEORGIAN
STYLE"
MASONRY
BELT
COURSE

GEORGIAN STYLE STACKED DIVIDED
LITE WINDOWS WITH GUT STONE
PEDIMENT AND LOUVER SHUTTERS

MIDWEST TRADITIONAL STYLE





TRADITIONAL WINDOW AND SHUTTER APPLICATION

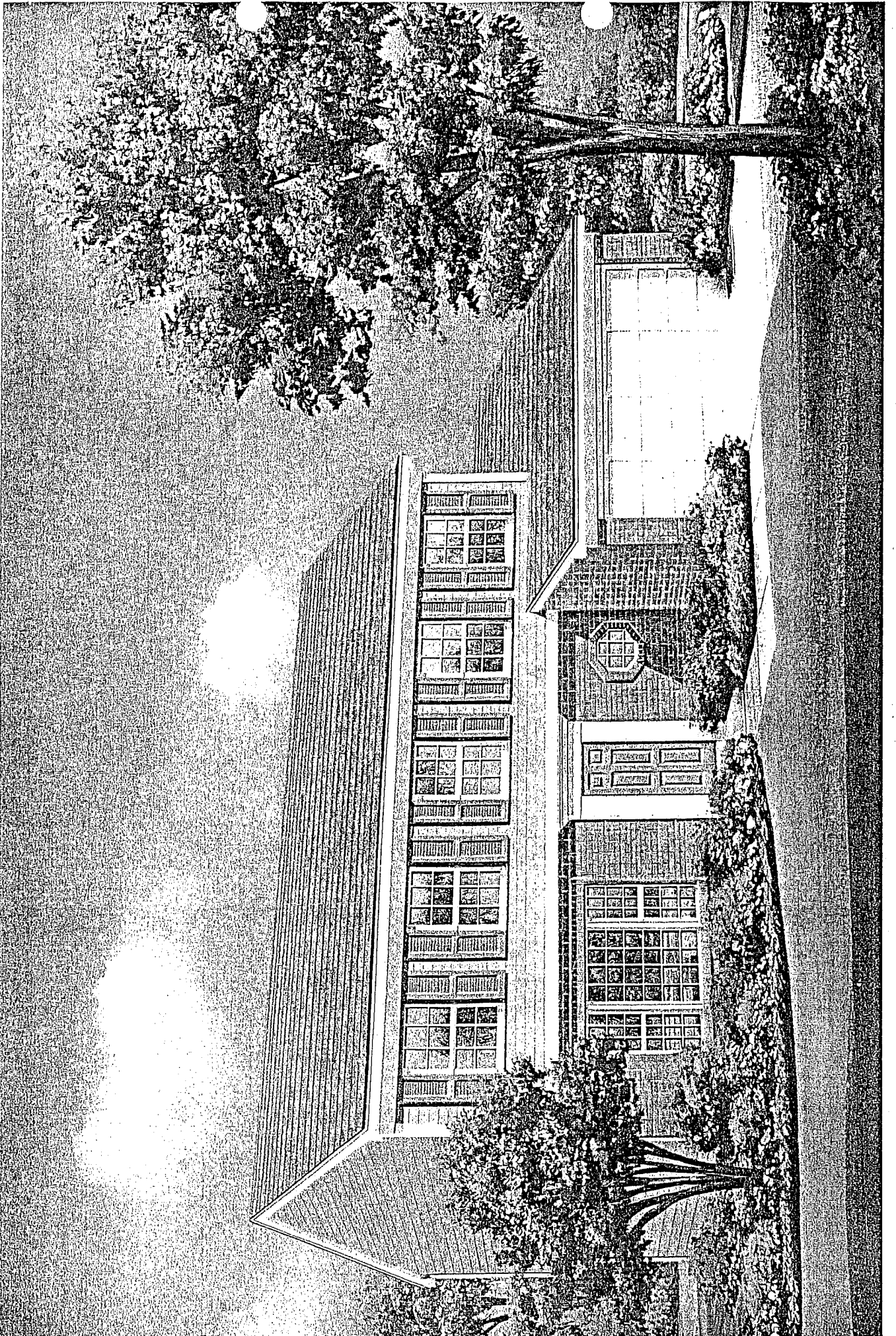
GABLE ROOFS

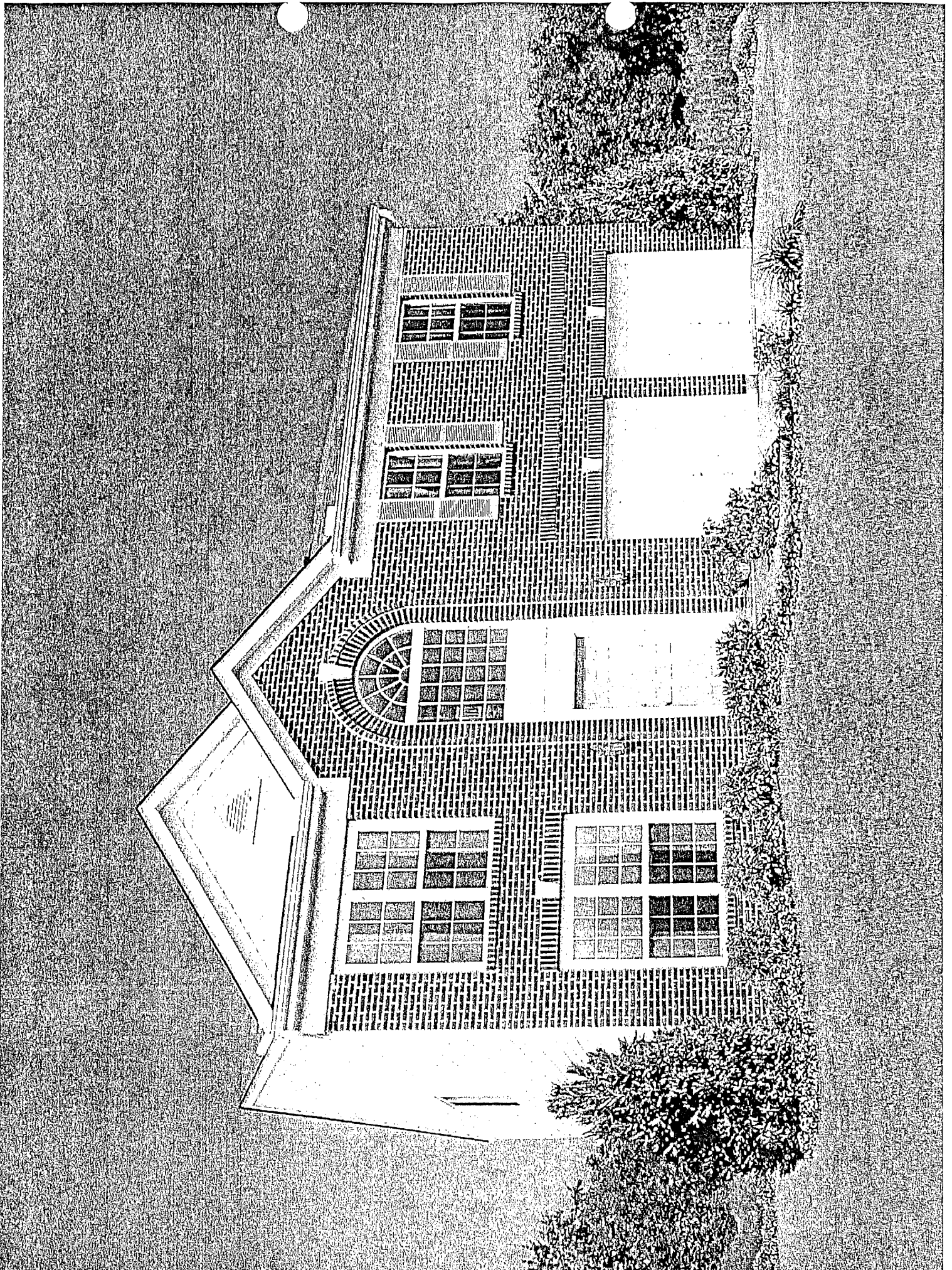
GABLE VENT DETAIL

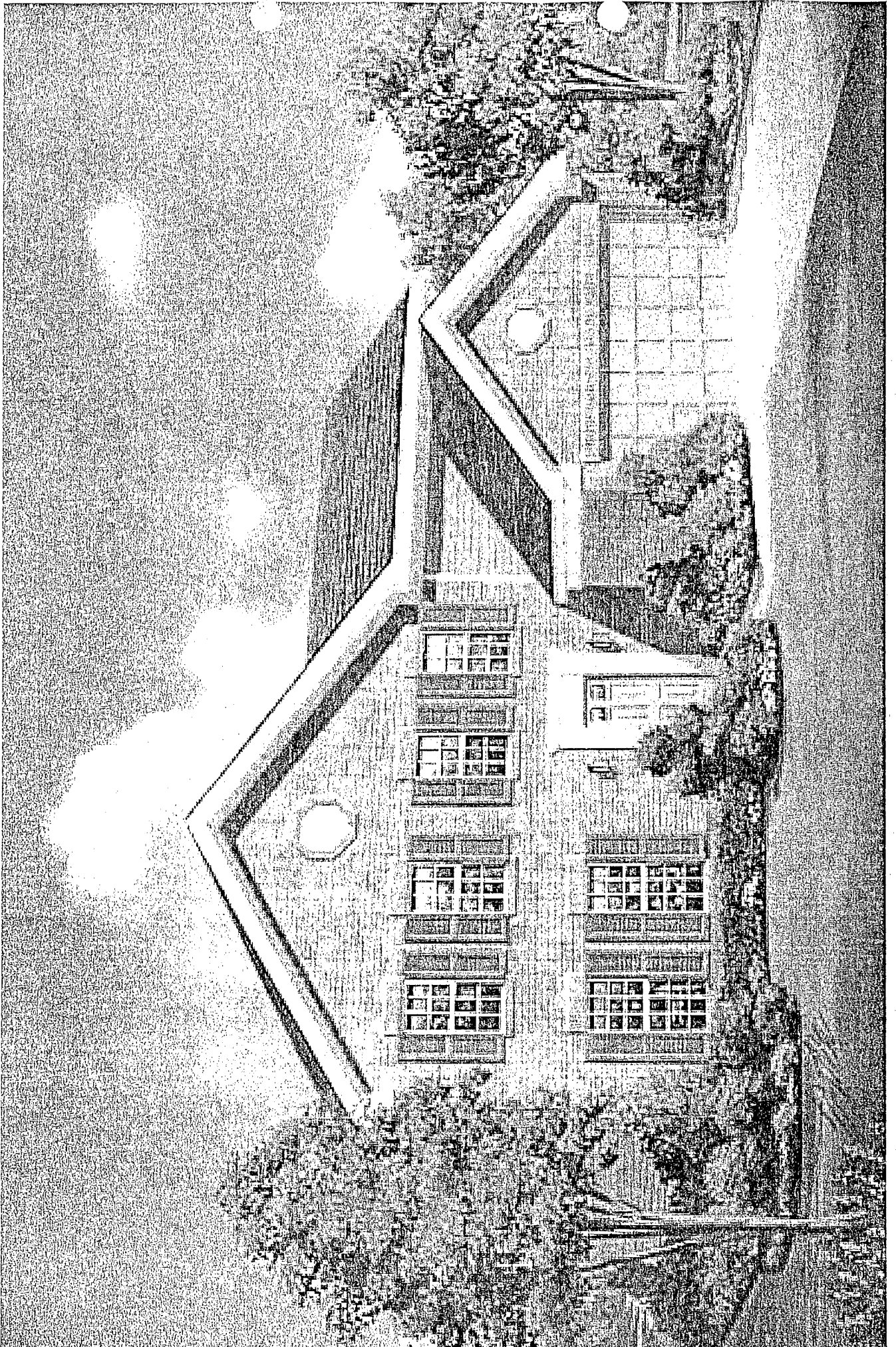
TRADITIONAL DOOR PEDIMENT WITH SURROUND

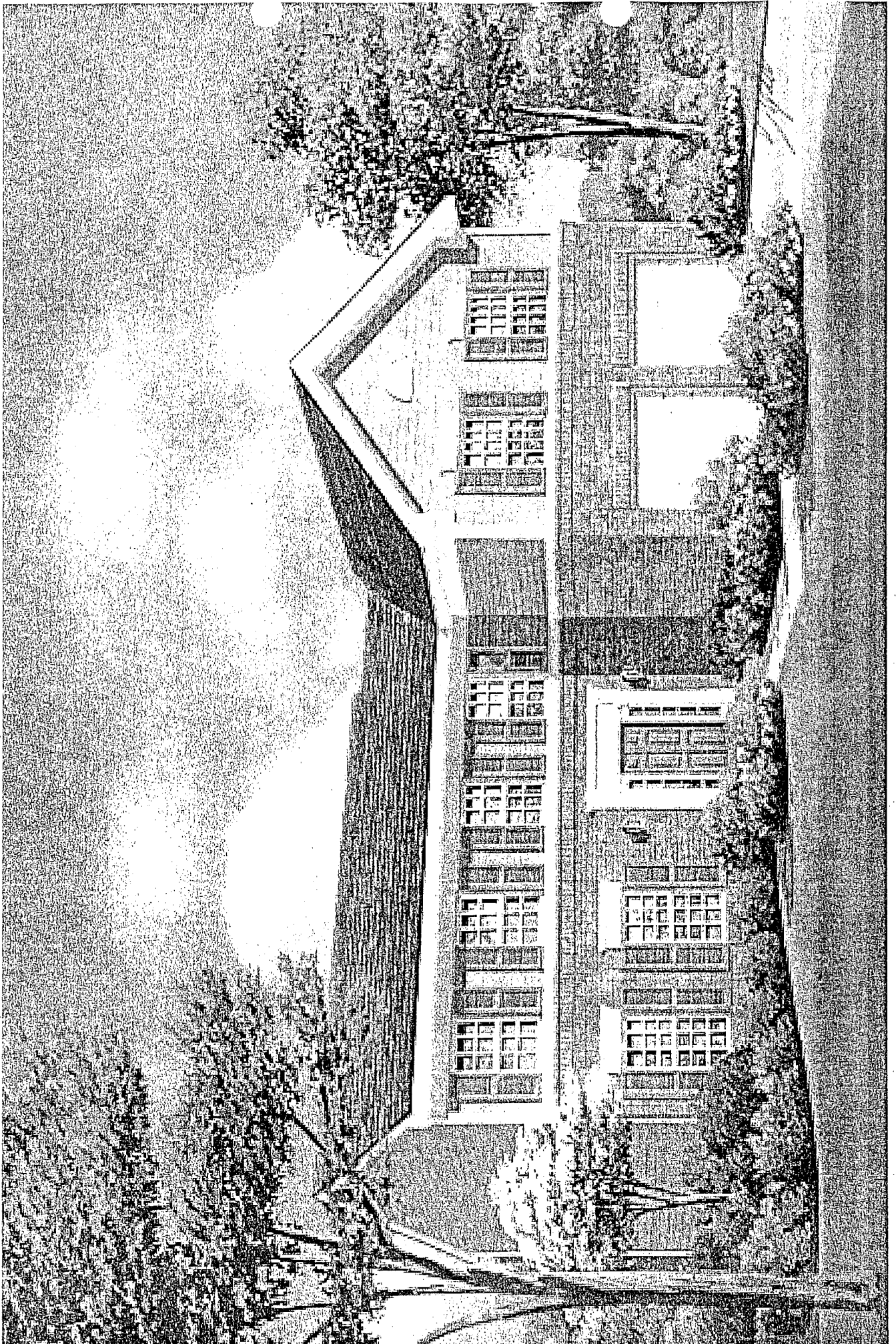
GEORGIAN STYLE MASONRY BELT COURSE

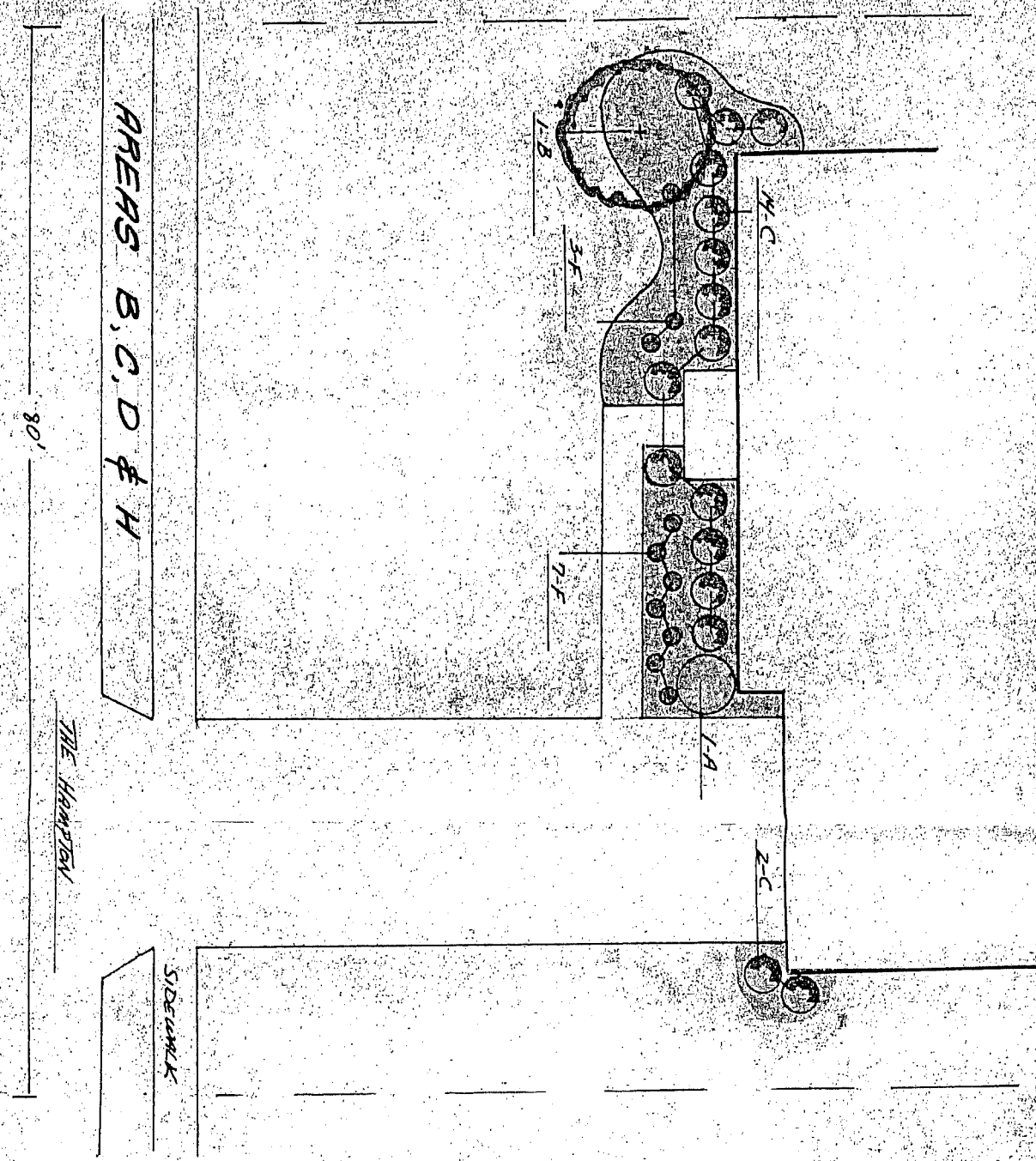
MIDWEST TRADITIONAL STYLE











PLANT LEGEND

1	A	6'-8' TALL EVERGREEN OR SHADE TREE (NORWAY SPRUCE, EMERALD GREEN ARBORVITAE, HEMLOCK, PINE, MAPLE, ASH, OAK)
1	B	6' TALL ORNAMENTAL (DOGWOOD, CRABAPPLE, ORNAMENTAL PEAR, PLUM, CHERRY)
16	C	12" - 18" EVERGREEN SHRUBS (TAXUS MEDIA, JUNIPER GOLD CREST, BIRDS NEST SPRUCE, BOXWOOD)
10	F	SPACE FILLERS (LIRIOPE, COREOPSIS, HOSTA LILY, DAY LILY, IRIS)

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
December 3, 2003
7:30 P.M.**

PUBLIC HEARINGS

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bungler, Mr. Caddell – Chairman, Mr. Hicks, Mrs. Kegley, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Todd Morgan, Planner; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:31 PM and introduced the first item on the Agenda:

Applicant: **Grand Communities, Ltd. for
C. S. Calhoun (owner)
Thelma Martin and Grand Communities, Ltd. (owners)**

Request: **Zoning Map Amendments and Annexation**

The request of **Grand Communities, Ltd. (applicant)** for **C. S. Calhoun (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 14.98-acre western and northern portions of the approximate 27-acre tract located at 9081 Fowler Creek Road, Boone County Kentucky; and the request of **Grand Communities, Ltd. (applicant)** for **Thelma Martin and Grand Communities, Ltd. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 15.3-acre western and northern portions of the approximate 43-acre tract located at 2194 Clarkson Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single-family developments (Orleans North and Orleans South).

Following an explanation of the Public Hearing process, the Chairman asked the applicant to proceed with their presentation prior to the Staff Report as Mr. Wall had been delayed.

Mr. Larry Sprague, Vice President of Fischer Development Company, the general partner of Grand Communities Ltd., stated that the request is for two zone changes for small additions to the Orleans development in the City of Florence. Using Staff's Power Point presentation, he stated that the addition to Orleans North is 14.98 acres accessed through St. Louis Boulevard. He indicated the surrounding land uses including the city park and an undeveloped area approved for 50-foot or larger lots. The request is to rezone the parcel to SR-1 and annex it into the City of Florence. They are proposing single-family lots on the subject parcel with a minimum of 65-foot lot widths. The open space will coordinate with the open space the existing development has along Fowler Creek. The proposed development will be part of the HOA and tied into the Orleans Development and 1.3 acres of additional open space will be added to the open space in the development. The open space in the back is land that will be given to the City of Florence. Mr. Sprague then reviewed the Development Plan for Orleans South noting the access via Orleans Boulevard. He stated that there is a rotary with a large fountain and Marais Drive intersects at the rotary. They are requesting SR-1 zoning for the approximate 15-acre site, which is an irregular shape. They have been working with the Martin family, who have annexed their property and the lake into the City of Florence. As part of their agreement, Mr. Martin bought sewer through the Orleans property to his property and is developing it in large tracts in keeping with the existing homes. He stated that the plan for the subject parcel is minimum lot widths of 70 feet and many will be larger. They have committed to Mr. Martin and to the City of Florence that the lots that back up to the lake will be substantially larger and have more expensive homes that take advantage of the lake view and compliment the large expensive homes planned for the Martin property. Mr. Sprague asked to address the Staff Recommendations after the presentation of the Staff Report. This concluded the applicant's presentation.

Staff Member Kevin Wall presented the Staff Report which included a review of the attachments and a Power Point presentation (see Staff Report).

Mr. Sprague addressed the Staff Comments. He stated that they meant to include the architectural and landscape guidelines and will submit them right away (Staff Comment 2A). In response to Staff Comment 2B, he reviewed an exhibit board showing Orleans North and stated that he does not know why they need a buffer between single-family uses. No buffering was required in the area indicated on the exhibit when they developed the rest of the development. He stated that they have not looked at the tree line, but it is their position that they would want to save it unless they need to get under the drip line with grading or improvements, which would affect the trees. He stated that there is a natural barrier of a large ravine on the adjacent site. They do not have a problem with preserving the trees

on the hillside. They want to build the detention basin and do the necessary grading for it and the outfall structure. In regard to Orleans South, he stated that the exhibit shows the lake and the existing large homes. The Martin property has been annexed into the City of Florence. Mr. Martin intends to subdivide his property into large lots for large homes and is in the process of extending sanitary sewer from the Orleans Development to serve those homes. It is in the commitment with Mr. Martin for the purchase of the property, and a commitment to the City of Florence, that the homes they build on the lake will be substantially larger and more expensive (\$300,000 - \$400,000 minimum) than the homes generally in Orleans and they expect to be able to market them with lake views. In order to sewer the area, they have to build a sanitary sewer that parallels the bank of the lake (as shown on the plan) and there would be a 40-foot swath for the construction of that sewer. They are not comfortable with any condition requiring a conservation or tree preservation zone there. They want to save some of the trees there and make the sites attractive – but they need to open up the lake views as part of the price of the property they are purchasing. Prohibiting lake views for those homes would be a significant taking of value of the property. In regard to Staff Comment 3, Mr. Sprague stated that the street connection required as part of the Orleans plan approval and a connection on the subject parcel would go into the same property and end up at the intersection. They are not comfortable with the connection and it will decrease the value of the homes that they build there. They are concerned about future impacts on their residents from a street connection there. He stated that the existing street connection is sufficient. Orleans is 350 – 400 acres already and this application expands it by thirty acres, which is not a significant increase in the total development. The applicant concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in regard to this application.

Mr. Tom Mersh, a resident of Clarkston Road, noted the applicant's comments about opening up the wooded area to get a better view of the lake and stated that it is not a heavily wooded area and there is a lot of room between the trees. The lake is down at the bottom and the houses are up at the top and they will have a good view. Cutting down the trees will cause soil loss and there will not be a watershed. He asked that the houses and lots on the Martin property be as large as possible. Chairman Caddell responded that the Martin property is not part of this application, but Mr. Fischer stated in his presentation that they are committed to building larger homes on the lots that back up to the Martin property. He stated that the lots are proposed on the plan.

Mr. Bob Reykum, a resident of Elm Creek Court, reviewed the exhibit in regard to Orleans North and questioned what is existing, what portion will be annexed, distance from the creek, if the bike path will continue, if there will be green space, and other issues. Mr. Wall reviewed the exhibit with Mr. Reykum and referred him to the approved Concept Plan for the Orleans development that is attached to

the Staff Report. Chairman Caddell suggested that he attend the Committee Meeting and contact Staff in regard to scaling distances and measurements.

Mr. Leonard Workovsky, 1812 Mountain View Court, questioned what will happen to the road for this development and Fowler Creek Road. Mr. Wall responded that this property does not access Fowler Creek Road, but he did see some survey work going on out there. Mr. Workovsky asked if they are going to bring a road in. Chairman Caddell responded that the Planning Commission does not have an answer for that question.

Mr. Poe questioned the length of the proposed road without the cut proposed in the Staff Report. Mr. Wall responded that in discussion with Staff Member Dave Geohegan, the idea was to promote more connectivity. He stated that Staff is aware that it is the same large tract. He will find out the length of the road and provide the information to the Committee. Mr. Poe stated that several years ago, the School District asked for connector streets. Mr. Wall stated that in the area of Union Village/Plantation Point the interconnections that were required through the zone change process are starting to work well and there would be a lot of long side trips if they had not been required nine years ago.

Mrs. Poston questioned the size of Orleans total development. Mr. Wall responded that North and South combined is 347 acres plus the two approximate 15-acre parcels. Mrs. Poston asked if they have made any concessions with the schools. Mr. Wall responded that a land contribution or set-aside has not occurred to date. Mrs. Poston stated that she was surprised that not much was said about the schools. Mr. Wall responded that he spoke with Gerald Turner, but both of these are relatively small pieces (47 lots on the north and 32 lots on the south) and they do not have that great an impact by themselves. Mr. Poe agreed but stated that in the future with these areas and additional parcels it will be necessary to look at a potential land set-aside. He stated that the plan for the area is a school on the Ryle campus to help with overflow from Erpenbeck. As Orleans develops to Pleasant Valley and with the changes and large parcels developing in the future, there will be a need for a school in that area and the Committee needs to look at that.


Mr. Schwenke stated that the Kahmann property is a working livestock farm that has been there for a long time. They have Holstein cows that weigh a ton and fencing should be discussed to see what the working farm feels should be there. Fencing should be discussed at Committee as a safety issue.

Mr. Norbert Kahmann, 2318 Clarkston Lane, stated that there is no connection into the dairy farm now. He agreed that the fencing is a serious situation.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 7, 2004 at 5 PM in this room. This item will be on the Agenda for the Business Meeting on January 21, 2004 at 7:00 PM.

The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
January 21, 2004
7:00 P.M.**

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS NOT PRESENT:

Mrs. Janet Kegley
Mr. Robert Newman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Patty Bachman, Planner
Ms. Jan Hancock, Secretary
Mr. Mitch Light, Assistant Zoning Administrator/ZEO
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

2. Zoning Map Amendment & Change in Approved Concept Development Plan

The request of Florence Executive Centre, LLC (applicant) for Firststar Bank, trustee (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Commercial Two (C-2) to Urban Residential One (UR-1) and a Change in an Approved Concept Development Plan for a 2.277 acre tract located to the east and southeast of 11 School Road and north of 60, 64, and 68 Bud's Pleasure Court, and east of 75 Cami Court, Walton, Kentucky. The request is for a zone change and Change in Concept Development Plan to allow an expansion of an existing apartment development (Walton Ridge Apartments).

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The applicant has signed the letter agreeing to the conditions.

Mr. Costello stated that Condition #1 in the Committee Report should be amended to read "If the current property owner acquires the adjoining property to the north east, a secondary entrance shall be explored, provided that the land uses on adjoining properties are compatible". Mr. Dale McPherson agreed with the correction.

Mr. Breetz moved by resolution to the City of Walton that the request be approved based on the Committee Report as amended. Mrs. Poston seconded the motion.

Mr. Breetz stated that there was concern at the Public Hearing about the access steps and the Committee determined that the applicant had provided access along the right-of-way that was more conducive to the public than private steps constructed through the property would be. Mr. McMillian responded that a sidewalk was required anyway. Mr. Breetz stated that the sidewalk was built by the applicant. He stated that there was concern about the steps becoming a public access route and the Committee determined that it is better to have the public route out in the right-of-way and not through the property.

There being no further comments, the Chairman asked for a vote on the motion made by Mr. Breetz **and it carried unanimously.**

3. Zoning Map Amendments and Annexation

The request of Grand Communities, Ltd. (applicant) for C. S. Calhoun (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 14.98-acre western and northern portions of the approximate 27-acre tract located at 9801 Fowler Creek Road, Boone County Kentucky; and the request of Grand Communities, Ltd.

(applicant) for Thelma Martin and Grand Communities, Ltd. (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 15.3-acre western and northern portions of the approximate 43-acre tract located at 2194 Clarkson Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single-family developments (Orleans North and Orleans South).

Staff Member Kevin Wall presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owners have signed the letter agreeing to the conditions.

There being no discussion, **Mr. Bunger moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mr. White seconded the motion and it carried unanimously.**

4. Zoning Map Amendment

The request of James W. Berling (applicant) for Crestview Lakes Villa, LLC (owner) for a Zoning Map Amendment from Mobile Home Park (MHP) to Industrial One (I-1) for a 0.1725 acre tract located immediately to the north of Crestview Lakes Villa maintenance garage, immediately to the east of 1401 Fountain Drive, and immediately to the west of 5627, 5631, 5635, 5639 and 5643 Hazel Drive, Boone County, Kentucky. The request is for a zone change to allow an expansion of an existing industrial building at 1401 Fountain Drive, Boone County, Kentucky.

The Chairman stated that Agenda Item #4 is recommended for deferral to the February 4, 2004 Business Meeting at 7:00 PM. Mr. White so moved. Mrs. Poston seconded the motion and it carried unanimously.

**5. Technical/Design Review Penske Truck Leasing
O'Hara Road**

Staff Member Mitch Light presented the Design Review Request for Penske Truck Leasing. He passed around area maps in regard to the location of the site. He reviewed the history of the site and stated that on January 5, 2000 Rollins Leasing was approved for the Short Review Process – but Rollins did not apply for Site Plan or Design Review. Penske Truck Leasing purchased Rollins Leasing and now wants to locate on the site. The Site Plan is currently under review and revisions need to be submitted. The Short Review Process has been approved for the site and the Planning Commission is currently reviewing the building, but not the signage. Mr. Light presented a rendering of the proposed split-faced block building with

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: January 21, 2004

RE: The request of **Grand Communities, Ltd. (applicant)** for **C.S. Calhoun (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and, the request **Grand Communities, Ltd. (applicant)** for **Thelma Martin and Grand Communities, Ltd. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single family developments (Orleans North and Orleans South).

REMARKS:

We, the Committee, recommend approval of the above referenced requests based on the following findings of fact and with the following conditions.

FINDINGS OF FACT

1. The Committee has concluded that the requests are in agreement with the 2000 Boone County Comprehensive Plan for the following reasons.
 - A. The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the entire southern site (Martin/Grand Communities site), and the vast majority of the northern site (Calhoun site) for Suburban Residential uses. The Comprehensive Plan describes the Suburban Residential designation as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." Both proposals involve the expansion of existing subdivisions for detached single family residences, and the proposed density for the southern site is approximately 2.1 units per acre and the proposed density for the northern site is approximately 3.1 units per acre.

- B. The Land Use Element acknowledges that there will be notable residential growth in the overall area that includes the two sites by stating "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" ("Pleasant Valley - West Florence Area," pg. 163) and "this section of Boone County contains the City of Union and a substantial portion of Hathaway Road and U.S. 42. In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and proposed improvements to U.S. 42" ("Union Area," pg. 164). The Land Use Element reinforces the designation on the Future Land Use Map by stating "the remaining portions of this section of Boone County should develop in a Suburban Residential manner" ("Pleasant Valley - West Florence Area," pg. 164).
- C. The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (both sites are in zone 889) is expected to increase from 5,229 in the year 2000 to 9,772 in 2010, and to 12,455 in 2020 (pp. 27-30). While these projections do not specify planned land uses, they do acknowledge considerable residential growth in the area and reinforce the direction given by the Future Land Use Map and Land Use Element.
- D. The Committee has concluded that the proposal, with the agreed conditions outlined below, demonstrate agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

Both Sites

1. The landscape guidelines/vignette drawings shall be amended to require at least two trees in the front yard areas of the individual home lots (in addition to the foundation plantings), consistent with the guidelines used for prior phases of the Orleans development.

Martin/Grand Communities Site

2. As many existing trees as possible and reasonable shall be retained along the entire lake frontage area, acknowledging that a sanitary sewer main and homes with some degree of lake views are to be constructed in this area. Engineered grading plans shall be reviewed by the Zone Change Committee for compliance with this condition through the initial Grading Plan application, or Improvement Plan application if a separate Grading Plan is not submitted.

Calhoun Site

3. All healthy trees along the common property line with the adjoining properties that front on Longbranch Road (along the southern property line of the subject tract) shall be retained.
4. The existing tree cover which is east of the proposed detention area shall be retained.

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/Concept Plan Committee Vote.

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
December 3, 2003
7:30 P.M.

PUBLIC HEARINGS

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. Hicks, Mrs. Kegley, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Todd Morgan, Planner; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:31 PM and introduced the first item on the Agenda:

Applicant: Grand Communities, Ltd. for
C. S. Calhoun (owner)
Thelma Martin and Grand Communities, Ltd. (owners)

Request: Zoning Map Amendments and Annexation

The request of Grand Communities, Ltd. (applicant) for C. S. Calhoun (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 14.98-acre western and northern portions of the approximate 27-acre tract located at 9081 Fowler Creek Road, Boone County Kentucky; and the request of Grand Communities, Ltd. (applicant) for Thelma Martin and Grand Communities, Ltd. (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 15.3-acre western and northern portions of the approximate 43-acre tract located at 2194 Clarkson Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single-family developments (Orleans North and Orleans South).

Following an explanation of the Public Hearing process, the Chairman asked the applicant to proceed with their presentation prior to the Staff Report as Mr. Wall had been delayed.

Mr. Larry Sprague, Vice President of Fischer Development Company, the general partner of Grand Communities Ltd., stated that the request is for two zone changes for small additions to the Orleans development in the City of Florence. Using Staff's Power Point presentation, he stated that the addition to Orleans North is 14.98 acres accessed through St. Louis Boulevard. He indicated the surrounding land uses including the city park and an undeveloped area approved for 50-foot or larger lots. The request is to rezone the parcel to SR-1 and annex it into the City of Florence. They are proposing single-family lots on the subject parcel with a minimum of 65-foot lot widths. The open space will coordinate with the open space the existing development has along Fowler Creek. The proposed development will be part of the HOA and tied into the Orleans Development and 1.3 acres of additional open space will be added to the open space in the development. The open space in the back is land that will be given to the City of Florence. Mr. Sprague then reviewed the Development Plan for Orleans South noting the access via Orleans Boulevard. He stated that there is a rotary with a large fountain and Marais Drive intersects at the rotary. They are requesting SR-1 zoning for the approximate 15-acre site, which is an irregular shape. They have been working with the Martin family, who have annexed their property and the lake into the City of Florence. As part of their agreement, Mr. Martin bought sewer through the Orleans property to his property and is developing it in large tracts in keeping with the existing homes. He stated that the plan for the subject parcel is minimum lot widths of 70 feet and many will be larger. They have committed to Mr. Martin and to the City of Florence that the lots that back up to the lake will be substantially larger and have more expensive homes that take advantage of the lake view and compliment the large expensive homes planned for the Martin property. Mr. Sprague asked to address the Staff Recommendations after the presentation of the Staff Report. This concluded the applicant's presentation.

Staff Member Kevin Wall presented the Staff Report which included a review of the attachments and a Power Point presentation (see Staff Report).

Mr. Sprague addressed the Staff Comments. He stated that they meant to include the architectural and landscape guidelines and will submit them right away (Staff Comment 2A). In response to Staff Comment 2B, he reviewed an exhibit board showing Orleans North and stated that he does not know why they need a buffer between single-family uses. No buffering was required in the area indicated on the exhibit when they developed the rest of the development. He stated that they have not looked at the tree line, but it is their position that they would want to save it unless they need to get under the drip line with grading or improvements, which would affect the trees. He stated that there is a natural barrier of a large ravine on the adjacent site. They do not have a problem with preserving the trees

on the hillside. They want to build the detention basin and do the necessary grading for it and the outfall structure. In regard to Orleans South, he stated that the exhibit shows the lake and the existing large homes. The Martin property has been annexed into the City of Florence. Mr. Martin intends to subdivide his property into large lots for large homes and is in the process of extending sanitary sewer from the Orleans Development to serve those homes. It is in the commitment with Mr. Martin for the purchase of the property, and a commitment to the City of Florence, that the homes they build on the lake will be substantially larger and more expensive (\$300,000 - \$400,000 minimum) than the homes generally in Orleans and they expect to be able to market them with lake views. In order to sewer the area, they have to build a sanitary sewer that parallels the bank of the lake (as shown on the plan) and there would be a 40-foot swath for the construction of that sewer. They are not comfortable with any condition requiring a conservation or tree preservation zone there. They want to save some of the trees there and make the sites attractive – but they need to open up the lake views as part of the price of the property they are purchasing. Prohibiting lake views for those homes would be a significant taking of value of the property. In regard to Staff Comment 3, Mr. Sprague stated that the street connection required as part of the Orleans plan approval and a connection on the subject parcel would go into the same property and end up at the intersection. They are not comfortable with the connection and it will decrease the value of the homes that they build there. They are concerned about future impacts on their residents from a street connection there. He stated that the existing street connection is sufficient. Orleans is 350 – 400 acres already and this application expands it by thirty acres, which is not a significant increase in the total development. The applicant concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in regard to this application.

Mr. Tom Mersh, a resident of Clarkston Road, noted the applicant's comments about opening up the wooded area to get a better view of the lake and stated that it is not a heavily wooded area and there is a lot of room between the trees. The lake is down at the bottom and the houses are up at the top and they will have a good view. Cutting down the trees will cause soil loss and there will not be a watershed. He asked that the houses and lots on the Martin property be as large as possible. Chairman Caddell responded that the Martin property is not part of this application, but Mr. Fischer stated in his presentation that they are committed to building larger homes on the lots that back up to the Martin property. He stated that the lots are proposed on the plan.

Mr. Bob Reykum, a resident of Elm Creek Court, reviewed the exhibit in regard to Orleans North and questioned what is existing, what portion will be annexed, distance from the creek, if the bike path will continue, if there will be green space, and other issues. Mr. Wall reviewed the exhibit with Mr. Reykum and referred him to the approved Concept Plan for the Orleans development that is attached to

the Staff Report. Chairman Caddell suggested that he attend the Committee Meeting and contact Staff in regard to scaling distances and measurements.

Mr. Leonard Workovsky, 1812 Mountain View Court, questioned what will happen to the road for this development and Fowler Creek Road. Mr. Wall responded that this property does not access Fowler Creek Road, but he did see some survey work going on out there. Mr. Workovsky asked if they are going to bring a road in. Chairman Caddell responded that the Planning Commission does not have an answer for that question.

Mr. Poe questioned the length of the proposed road without the cut proposed in the Staff Report. Mr. Wall responded that in discussion with Staff Member Dave Geohegan, the idea was to promote more connectivity. He stated that Staff is aware that it is the same large tract. He will find out the length of the road and provide the information to the Committee. Mr. Poe stated that several years ago, the School District asked for connector streets. Mr. Wall stated that in the area of Union Village/Plantation Point the interconnections that were required through the zone change process are starting to work well and there would be a lot of long side trips if they had not been required nine years ago.

Mrs. Poston questioned the size of Orleans total development. Mr. Wall responded that North and South combined is 347 acres plus the two approximate 15-acre parcels. Mrs. Poston asked if they have made any concessions with the schools. Mr. Wall responded that a land contribution or set-aside has not occurred to date. Mrs. Poston stated that she was surprised that not much was said about the schools. Mr. Wall responded that he spoke with Gerald Turner, but both of these are relatively small pieces (47 lots on the north and 32 lots on the south) and they do not have that great an impact by themselves. Mr. Poe agreed but stated that in the future with these areas and additional parcels it will be necessary to look at a potential land set-aside. He stated that the plan for the area is a school on the Ryle campus to help with overflow from Erpenbeck. As Orleans develops to Pleasant Valley and with the changes and large parcels developing in the future, there will be a need for a school in that area and the Committee needs to look at that.


Mr. Schwenke stated that the Kahmann property is a working livestock farm that has been there for a long time. They have Holstein cows that weigh a ton and fencing should be discussed to see what the working farm feels should be there. Fencing should be discussed at Committee as a safety issue.

Mr. Norbert Kahmann, 2318 Clarkston Lane, stated that there is no connection into the dairy farm now. He agreed that the fencing is a serious situation.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 7, 2004 at 5 PM in this room. This item will be on the Agenda for the Business Meeting on January 21, 2004 at 7:00 PM.

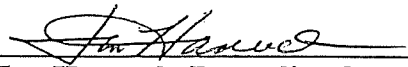
The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: January 7, 2004

RE: The request of **Grand Communities, Ltd. (applicant)** for **C.S. Calhoun (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and, the request **Grand Communities, Ltd. (applicant)** for **Thelma Martin and Grand Communities, Ltd. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single family developments (Orleans North and Orleans South).

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.

Janet Kegley

Janet Kegley, Chairwoman
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Randy Barlow
For Project _____ Absent
Against Project _____
Abstain _____ Deferred _____

Greg Breetz

Greg Breetz
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Kim Bunger

Kim Bunger
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Susan Poston

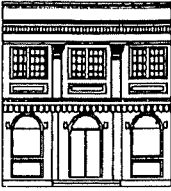
Susan Poston
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Charlie Reynolds(Alternate)*
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 4 FOR PROJECT _____ / ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

January 12, 2004

Mr. M. Larry Sprague, Mrs. Thelma Martin,
Mr. C.S. Calhoun
c/o Fischer Development Company
2670 Chancellor Drive, Suite 300
Crestview Hills, KY 41017

FAX: 344-7000

RE: Recommended Conditions of Approval for Orleans Zone Changes at 2194 Clarkston Lane (Martin/Grand Communities Properties) and 9081 Fowler Creek Road (Calhoun Property), Boone County, Kentucky

Dear Mr. Sprague, Mr. Calhoun, and Mrs. Martin:

The following represents the conditions of approval for the above referenced applications as recommended by the Planning Commission's Zone Change Committee at their January 7, 2004 meeting. If you, as the property owners or authorized property owner representative, agree to these conditions, please so indicate by signing in the space provided at the end of this letter, and return the original letter to the Planning Commission's office by Friday, January 16, 2004.

CONDITIONS

Both Sites

1. The landscape guidelines/vignette drawings shall be amended to require at least two trees in the front yard areas of the individual home lots (in addition to the foundation plantings), consistent with the guidelines used for prior phases of the Orleans development.

Martin/Grand Communities Site

2. As many existing trees as possible and reasonable shall be retained along the entire lake frontage area, acknowledging that a sanitary sewer main and homes with some degree of lake views are to be constructed in this area. Engineered grading plans shall be reviewed by the Zone Change Committee for compliance with this condition through the initial Grading Plan application, or Improvement Plan application if a separate Grading Plan is not submitted.

Mr. M. Larry Sprague, Mrs. Thelma Martin,
Mr. C.S. Calhoun
January 12, 2004
Page 2

Calhoun Site

3. All healthy trees along the common property line with the adjoining properties that front on Longbranch Road (along the southern property line of the subject tract) shall be retained.
4. The existing tree cover which is east of the proposed detention area shall be retained.

Sincerely,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

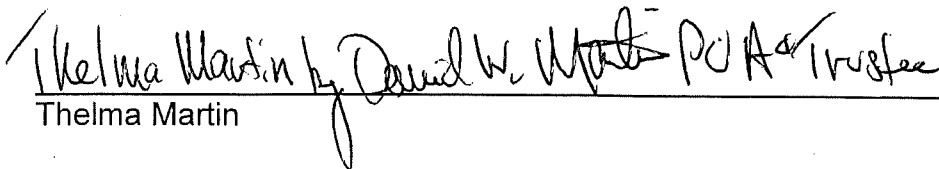
AGREEMENT

We, the property owners or authorized property owner representative of the real estate at 9081 Fowler Creek Road and 2194 Clarkston Lane, including the 0.8546 lot to the north of 2194 Clarkston Lane, Boone County, Kentucky agree to the conditions listed herein for the above referenced Zoning Map Amendment applications.


Grand Communities, Ltd



M. Larry Sprague, V.P. Fischer Dev. Co. General Partner Date 1-16-04
Authorized Representative for Grand Communities, Ltd.



Thelma Martin Date 1/16/2004
PCA Trustee



C.S. Calhoun Date 1-15-04

ORDINANCE NO. 0-29-03

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 15.3 ACRES LOCATED ON THE NORTH SIDE OF CLARKSON LANE, WEST OF U. S. HIGHWAY 42, ADJACENT TO THE CITY LIMITS. (GRAND COMMUNITIES, LTD/MARTIN PROPERTY)

WHEREAS, Grand Properties, LTD, David W. Martin, Debra L. Martin and Thelma Martin, 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:



OCTOBER 20, 2003

DESCRIPTION OF 15.3 +/- ACRES
TO BE ANNEXED BY
THE CITY OF FLORENCE

Located in Boone County, Kentucky, lying on the north side of Clarkson Lane, approximately 0.27 mile west of U.S. Highway 42 and is more particularly described as follows:

Beginning at a point at the common corner of Orleans Subdivision and Norbert Kahmann Trustee (Deed Book 616, page 85); thence S 85-35-51- E a distance of 1089.00' to a point; thence N 42-43-51- E a distance of 248.07' to a point; thence N 08-56-26- W a distance of 298.06' to a point; thence N 80-09-09- E a distance of 556.50' to a point; thence S 34-58-59- W a distance of 190.26' to a point; thence S 74-37-22- W a distance of 68.20' to a point; thence S 54-25-04- W a distance of 93.98' to a point; thence S 34-26-14- W a distance of 61.61' to a point; thence S 33-10-51- W a distance of 86.15' to a point; thence S 54-56-16- W a distance of 118.69' to a point; thence S 86-59-27- W a distance of 28.55' to a point; thence S 50-44-44- W a distance of 31.97' to a point; thence S 15-51-43- W a distance of 72.05' to a point; thence S 55-08-50- W a distance of 212.05' to a point; thence S 65-54-38- W a distance of 65.11' to a point; thence S 42-18-34- W a distance of 51.50' to a point; thence S 60-28-13- W a distance of 88.98' to a point; thence S 45-57-31- W a distance of 139.45' to a point; thence S 57-25-34- W a distance of 51.81' to a point; thence N 37-37-13- W a distance of 80.05' to a point; thence S 50-17-47- W a distance of 99.65' to a point; thence S 33-35-27- E a distance of 107.61' to a point; thence S 50-51-56- W a distance of 93.03' to a point; thence S 38-18-11- W a distance of 95.85' to a point; thence S 25-33-13- W a distance of 235.10' to a point; thence N 85-39-33- W a distance of 460.25' to a point; thence N 04-50-27- E a distance of 646.80' to a point; thence N 24-09-33- W a distance of 146.50' to the point of beginning containing 15.3 +/- acres.

LINE	BEARING	DISTANCE
L1	S34°58'59"V	190.26'
L2	S74°37'22"V	68.20'
L3	S54°25'04"V	93.98'
L4	S34°26'14"V	61.61'
L5	S33°10'51"V	86.15'
L6	S54°56'16"V	118.69'
L7	S86°59'27"V	28.55'
L8	S50°44'44"V	31.97'
L9	S15°51'43"V	72.05'
L10	S55°08'50"V	212.05'
L11	S65°54'38"V	65.11'

LINE	BEARING	DISTANCE
L12	S42°18'34"V	51.50'
L13	S60°28'13"V	88.98'
L14	S45°37'31"V	139.45'
L15	S57°25'34"V	51.81'
L16	N37°37'13"V	80.05'
L17	S50°17'47"V	99.65'
L18	S33°35'27"E	107.61'
L19	S50°51'56"V	93.03'
L20	S38°18'11"V	95.85'
L21	S25°33'13"V	235.10'

ORLEANS SUBDIVISION

S85°35'51"E 1089.00'

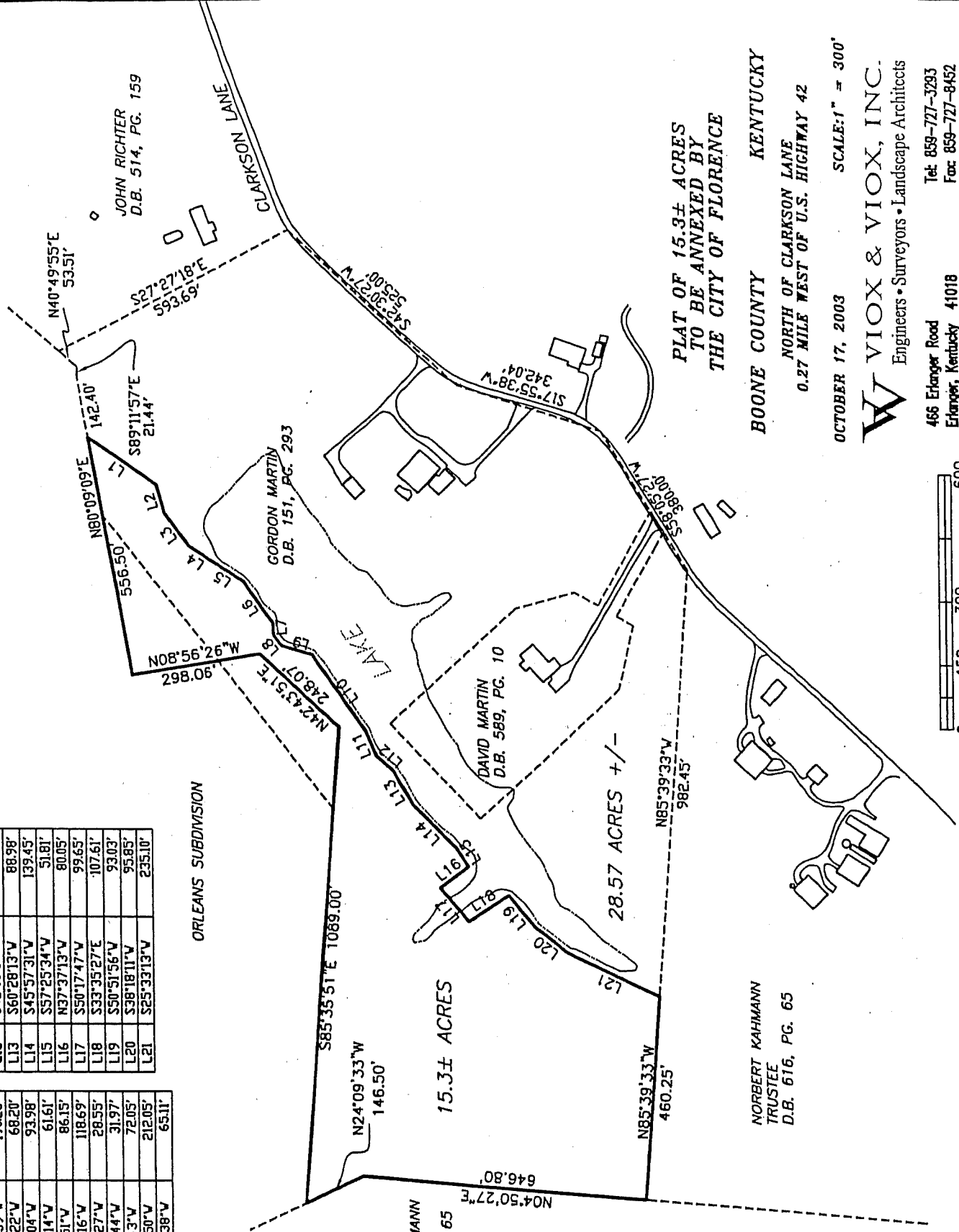
N24°09'33"W
146.50'

15.3± ACRES

NORBERT KAHMANN
TRUSTEE
D.B. 616, PG. 65

28.57 ACRES +/-

NORBERT KAHMANN
TRUSTEE
D.B. 616, PG. 65



PLAT OF 15.3± ACRES
TO BE ANNEXED BY
THE CITY OF FLORENCE

BOONE COUNTY KENTUCKY
NORTH OF CLARKSON LANE
0.27 MILE WEST OF U.S. HIGHWAY 42

OCTOBER 17, 2003 SCALE: 1" = 300'

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

466 Eranger Road
Eranger, Kentucky 41018
Tel: 859-727-3293
Fax: 859-727-8452
e-mail: viox@nkol.net

ORDINANCE NO. 0-30-03

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 14.9816 ACRES LOCATED ON THE WEST OF FOWLER CREEK ROAD AND EAST OF ST. LOUIS BOULEVARD, ADJACENT TO THE CITY LIMITS. (CALHOUN PROPERTY)

WHEREAS, C. S. Calhoun, being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has 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

Said parcel contains 14.9816 acres.

Being part of the property conveyed to C.S. Calhoun in Deed Book 597 Page 129 and recorded at the Boone County Clerk's records at Burlington.

Parcel to be annexed into the City of Florence
Area = 14.9816 Acres.

Lying adjacent to the City of Florence, County of Boone, west of Fowler Creek Road and east of St. Louis Boulevard, more particularly described as follows:

Beginning at a recovered 5/8" rebar with plastic cap (PLS #2930) at the southwest corner of C.S. Calhoun (D.B. 597 P.G. 129, Tract One), in the north line of Sid D. & Sheryl A. Walters (D.B. 226 P.G. 81) and the southeast corner of Grand Communities Ltd. (D.B. 851 P.G. 66);

Thence with the common line of said Calhoun and Grand Communities Ltd. and the existing City of Florence Boundary for two (2) calls:

North 02°47'05" East, passing a recovered 5/8" steel rebar (PLS #2930) at 869.90, a total distance of 874.90 feet to an existing fence post;

South 86°06'57" East a, passing a recovered 5/8" steel rebar (PLS #2930) at 1207.27, a total distance of 1262.27 feet to a point in the center of Fowler Creek;

Thence leaving the center of Fowler Creek and through the lands of the grantor along a new division line for eight (8) calls:

South 57°45'25" West a distance of 376.33 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 74°23'40" West a distance of 145.36 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

North 55°16'10" West a distance of 77.65 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 83°11'26" West a distance of 207.25 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 11°27'08" East a distance of 275.83 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 01°12'03" East a distance of 85.34 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 02°14'13" East a distance of 105.42 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

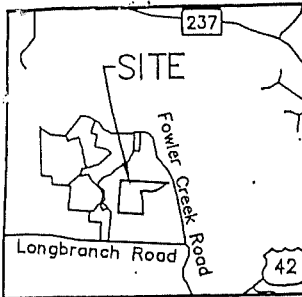
South 04°07'09" East a distance of 159.18 feet to a recovered t-post in the north line of Diane M. DiFonzo (D.B. 703 P.G. 196);

Thence with the north line of said DiFonzo and Ira Kenneth & Dorothy T. Perkins (D.B. 193 P.G. 136), North 85°21'55" West a distance of 272.12 feet to the common corner of said Perkins and Keith & Connie McDine (D.B. 481 P.G. 166);

Thence with said McDine, James S. & Doretta M. Wilson (D.B. 194 P.G. 640) and Sid D. & Sheryl A. Walters (D.B. 226 P.G. 81), North 85°28'47" West a distance of 376.00 feet to the POINT OF BEGINNING.

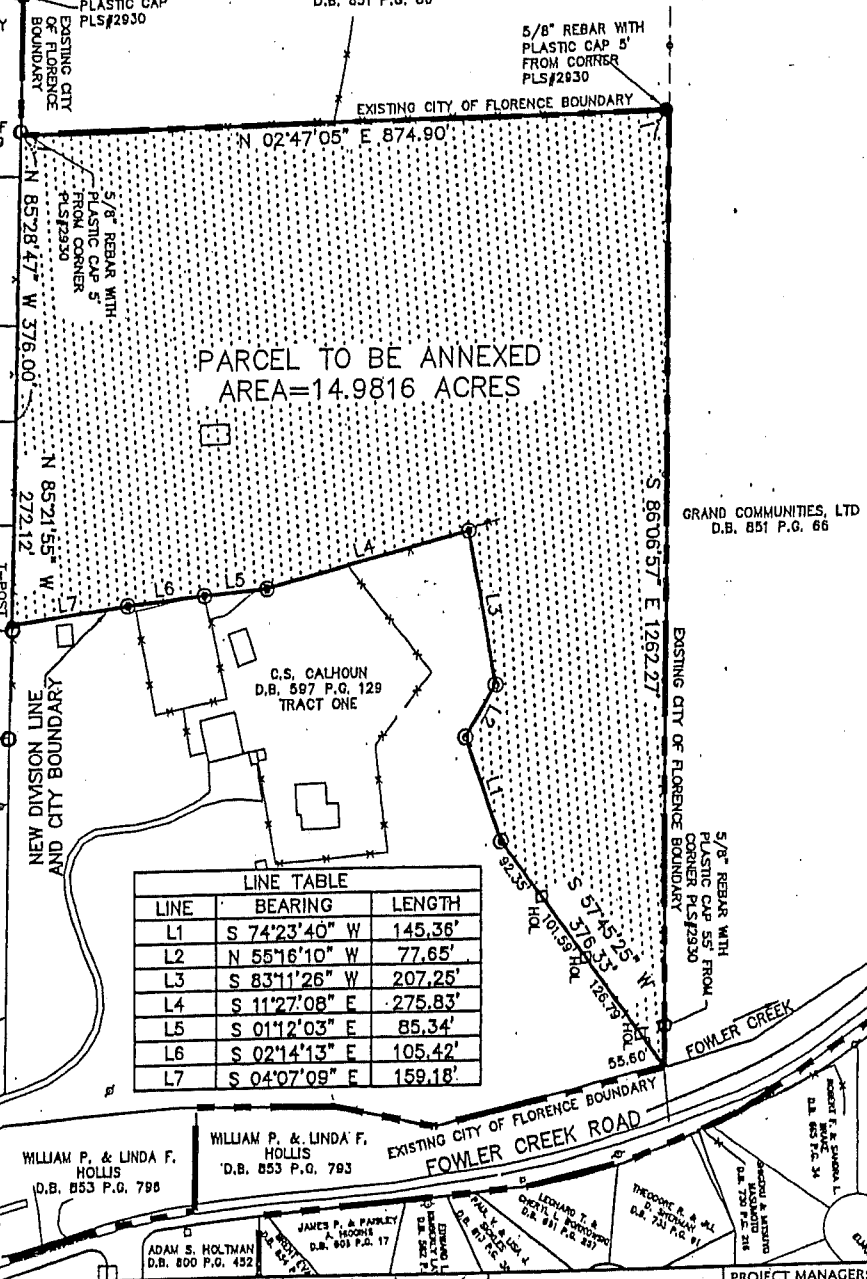
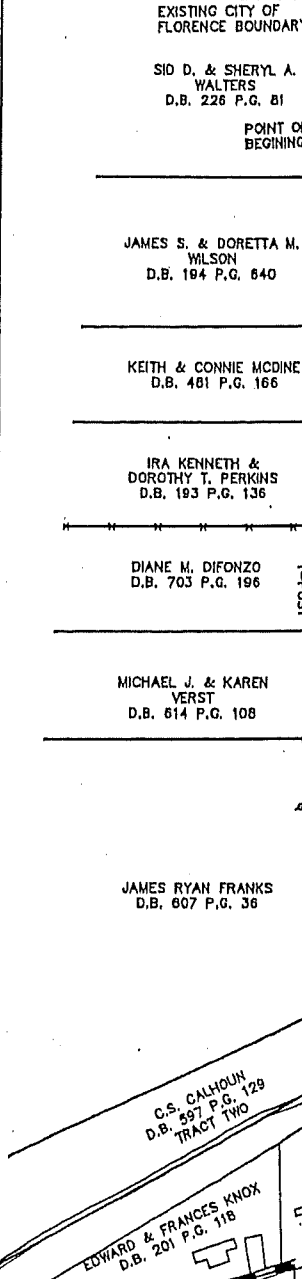
I hereby certify that I am a duly qualified and Licensed Kentucky Surveyor in accordance with KRS 322 and that this plat depicts a survey performed by me, or under my direct supervision, in accordance with the Code of Professional Practice and Conduct for Professional Engineers and Professional Surveyors, by the method of random traverse on JULY 17, 2003. The unadjusted precision ratio of the traverse was 1:37,068 and was not adjusted for closure. The survey shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class. This plat meets or exceeds the minimum requirements of 201 KAR 18.150.

Joseph G. Kramer P.L.S. 3663 Date
 NOTE: Ⓞ PIN SET is a 1/2" rebar with plastic cap stamped "J.G.K. KY 3663"



VICINITY MAP
 SCALE: 1" = 2000'

GROUP #2038A



LINE	BEARING	LENGTH
L1	S 74°23'40" W	145.36'
L2	N 55°16'10" W	77.65'
L3	S 83°11'26" W	207.25'
L4	S 11°27'08" E	275.83'
L5	S 01°12'03" E	85.34'
L6	S 02°14'13" E	105.42'
L7	S 04°07'09" E	159.18'

CARDINAL
 ARCHITECTURE
 ENGINEERING
 LAND SURVEYING

ANNEXATION PLAT
 for
 GRAND COMMUNITIES, LTD
 2670 Chancellor Drive, Suite 300
 Crestview Hills, Kentucky 41047

ONE MOOCK ROAD
 WILDER, KENTUCKY
 41071 (859) 581-9600

PROJECT MANAGER:
 JGK
 DRAWN BY:
 JJP
 DATE:
 07-18-03
 SCALE:
 1" = 200'
 FILE NO.
 03-192

ORDINANCE NO. 0-7-04

AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT, IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR A PARCEL OF APPROXIMATELY 15.3 ACRES LOCATED ON THE NORTH SIDE OF CLARKSTON LANE, WEST OF U.S. HIGHWAY 42, ADJACENT TO THE CITY LIMITS, TO ALLOW THE EXPANSION OF EXISTING DETACHED, SINGLE-FAMILY DEVELOPMENTS. (GRAND COMMUNITIES, LTD./MARTIN 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 has recommended approval of the request described above to the City of Florence and the Planning and Zoning Committee of the City has issued its report in support thereof, and

WHEREAS, the Boone County Planning Commission recommendation for approval is based upon certain findings 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 request of Grand Communities, Ltd.(applicant) for Thelma Martin and Grand Communities, Ltd. (owners) for a Zoning Map Amendment, in conjunction with the annexation of real property into the City of Florence, for the approximate 15.3 acres located on the north side of Clarkston Lane, west of U.S. Highway 42, to rezone the site from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) shall be and is hereby approved to allow the expansion of existing detached, single-family developments (Orleans South). The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be designated to reflect the approval of this rezoning for this subject property.

SECTION II

The approval of this rezoning 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-04-005-A of the Boone County Planning Commission along with the referenced exhibits to that Resolution.

SECTION III

This approval is granted based on the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the Committee Report of that Commission, which is attached and part of the Commission's Resolution No. R-04-005-A, marked Exhibit "B" hereto.

SECTION IV

If this approval for this rezoning shall 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 or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

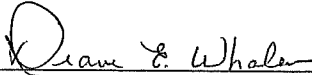
SECTION V

Pursuant to KRS 100.209(1) this rezoning shall become effective upon final passage and publication of Ordinance No. 0-29-03 which annexes real property into the City of Florence.

PASSED AND APPROVED ON FIRST READING THIS 9th DAY OF MARCH, 2004.

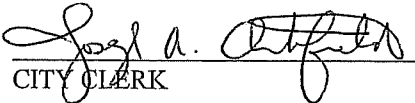
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 16th DAY OF MARCH, 2004.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-7-04

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-7-04 on 3-16, 2004. The title of this Ordinance is as follows:

ORDINANCE NO. 0-7-04

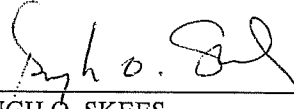
AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT, IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR A PARCEL OF APPROXIMATELY 15.3 ACRES LOCATED ON THE NORTH SIDE OF CLARKSTON LANE, WEST OF U.S. HIGHWAY 42, ADJACENT TO THE CITY LIMITS, TO ALLOW THE EXPANSION OF EXISTING DETACHED, SINGLE-FAMILY DEVELOPMENTS. (GRAND COMMUNITIES, LTD./MARTIN PROPERTY)

The effect of this Ordinance is to allow a zoning map amendment, in conjunction with the annexation of real property, described in the title of the Ordinance, into the City of Florence, to rezone the site from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), to allow the expansion of existing detached, single-family developments (Orleans South). Pursuant to KRS 100.209(1) this rezoning shall become effective upon final passage and publication of Ordinance No. 0-29-03 which annexes real property into the City of Florence.

The full text of Ordinance No. 0-7-04, 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. 0-7-04 and that it has been prepared by me on the 17th day of February, 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
Phone: (859) 371-7407

EXHIBIT

“A”



VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

OCTOBER 20, 2003

DESCRIPTION OF 15.3 +/- ACRES TO BE ANNEXED BY THE CITY OF FLORENCE

Located in Boone County, Kentucky, lying on the north side of Clarkson Lane, approximately 0.27 mile west of U.S. Highway 42 and is more particularly described as follows:

Beginning at a point at the common corner of Orleans Subdivision and Norbert Kahmann Trustee (Deed Book 616, page 85); thence S 85-35-51- E a distance of 1089.00' to a point; thence N 42-43-51- E a distance of 248.07' to a point; thence N 08-56-26- W a distance of 298.06' to a point; thence N 80-09-09- E a distance of 556.50' to a point; thence S 34-58-59- W a distance of 190.26' to a point; thence S 74-37-22- W a distance of 68.20' to a point; thence S 54-25-04- W a distance of 93.98' to a point; thence S 34-26-14- W a distance of 61.61' to a point; thence S 33-10-51- W a distance of 86.15' to a point; thence S 54-56-16- W a distance of 118.69' to a point; thence S 86-59-27- W a distance of 28.55' to a point; thence S 50-44-44- W a distance of 31.97' to a point; thence S 15-51-43- W a distance of 72.05' to a point; thence S 55-08-50- W a distance of 212.05' to a point; thence S 65-54-38- W a distance of 65.11' to a point; thence S 42-18-34- W a distance of 51.50' to a point; thence S 60-28-13- W a distance of 88.98' to a point; thence S 45-57-31- W a distance of 139.45' to a point; thence S 57-25-34- W a distance of 51.81' to a point; thence N 37-37-13- W a distance of 80.05' to a point; thence S 50-17-47- W a distance of 99.65' to a point; thence S 33-35-27- E a distance of 107.61' to a point; thence S 50-51-56- W a distance of 93.03' to a point; thence S 38-18-11- W a distance of 95.85' to a point; thence S 25-33-13- W a distance of 235.10' to a point; thence N 85-39-33- W a distance of 460.25' to a point; thence N 04-50-27- E a distance of 646.80' to a point; thence N 24-09-33- W a distance of 146.50' to the point of beginning containing 15.3 +/- acres.

EXHIBIT
“B”

RESOLUTION R-04-005-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF GRAND COMMUNITIES, LTD. (APPLICANT) FOR C.S. CALHOUN (OWNER) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR THE 14.98 ACRE WESTERN AND NORTHERN PORTIONS OF THE APPROXIMATE 27 ACRE TRACT LOCATED AT 9081 FOWLER CREEK ROAD, BOONE COUNTY, KENTUCKY; AND FOR THE REQUEST OF GRAND COMMUNITIES, LTD. (APPLICANT) FOR THELMA MARTIN AND GRAND COMMUNITIES, LTD. (OWNERS) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR THE 15.3 ACRE WESTERN AND NORTHERN PORTIONS OF THE APPROXIMATE 43 ACRE TRACT LOCATED AT 2194 CLARKSTON LANE, INCLUDING A 0.8546 ACRE TRACT LOCATED IMMEDIATELY NORTH OF THE PROPERTY AT 2194 CLARKSTON LANE, 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 Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, 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, with conditions, 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, with conditions, these Zoning Map Amendments being a zone change from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. The real estate which is the subject of these requests for two Zoning Map Amendments in a Rural Suburban Estates (RSE) zone are more particularly described in DEED BOOK 587, PAGE NO. 129 for the C.S. Calhoun tract and in DEED BOOKS 151 AND 792, PAGE NOS. 293 AND 39, respectively for the Thelma Martin tract (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, with conditions, for two Zoning Map Amendment requests are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

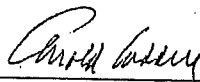
The Planning Commission recommended approval for this request based on the findings of fact and conditions as set forth in a report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for two Zoning Map Amendments for a zone change from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, 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 4TH DAY OF FEBRUARY, 2004.

APPROVED:



ARNOLD CADDELL
CHAIRMAN

ATTEST:



VICKI L. MYERS
MANAGER, ADMINISTRATIVE SERVICES

AC:vlm

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: January 21, 2004

RE: The request of Grand Communities, Ltd. (applicant) for C.S. Calhoun (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and, the request Grand Communities, Ltd. (applicant) for Thelma Martin and Grand Communities, Ltd. (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single family developments (Orleans North and Orleans South).

REMARKS:

We, the Committee, recommend approval of the above referenced requests based on the following findings of fact and with the following conditions.

FINDINGS OF FACT

1. The Committee has concluded that the requests are in agreement with the 2000 Boone County Comprehensive Plan for the following reasons.
 - A. The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the entire southern site (Martin/Grand Communities site), and the vast majority of the northern site (Calhoun site) for Suburban Residential uses. The Comprehensive Plan describes the Suburban Residential designation as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." Both proposals involve the expansion of existing subdivisions for detached single family residences, and the proposed density for the southern site is approximately 2.1 units per acre and the proposed density for the northern site is approximately 3.1 units per acre.

- B. The Land Use Element acknowledges that there will be notable residential growth in the overall area that includes the two sites by stating "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" ("Pleasant Valley - West Florence Area," pg. 163) and "this section of Boone County contains the City of Union and a substantial portion of Hathaway Road and U.S. 42. In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and proposed improvements to U.S. 42" ("Union Area," pg. 164). The Land Use Element reinforces the designation on the Future Land Use Map by stating "the remaining portions of this section of Boone County should develop in a Suburban Residential manner" ("Pleasant Valley - West Florence Area," pg. 164).
- C. The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (both sites are in zone 889) is expected to increase from 5,229 in the year 2000 to 9,772 in 2010, and to 12,455 in 2020 (pp. 27-30). While these projections do not specify planned land uses, they do acknowledge considerable residential growth in the area and reinforce the direction given by the Future Land Use Map and Land Use Element.
- D. The Committee has concluded that the proposal, with the agreed conditions outlined below, demonstrate agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

Both Sites

1. The landscape guidelines/vignette drawings shall be amended to require at least two trees in the front yard areas of the individual home lots (in addition to the foundation plantings), consistent with the guidelines used for prior phases of the Orleans development.

Martin/Grand Communities Site

2. As many existing trees as possible and reasonable shall be retained along the entire lake frontage area, acknowledging that a sanitary sewer main and homes with some degree of lake views are to be constructed in this area. Engineered grading plans shall be reviewed by the Zone Change Committee for compliance with this condition through the initial Grading Plan application, or Improvement Plan application if a separate Grading Plan is not submitted.

Calhoun Site

3. All healthy trees along the common property line with the adjoining properties that front on Longbranch Road (along the southern property line of the subject tract) shall be retained.
4. The existing tree cover which is east of the proposed detention area shall be retained.

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/Concept Plan Committee Vote.

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A

December 3, 2003

7:30 P.M.

PUBLIC HEARINGS

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. Hicks, Mrs. Kegley, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Todd Morgan, Planner; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:31 PM and introduced the first item on the Agenda:

Applicant: Grand Communities, Ltd. for
C. S. Calhoun (owner)
Thelma Martin and Grand Communities, Ltd. (owners)

Request: Zoning Map Amendments and Annexation

The request of Grand Communities, Ltd. (applicant) for C. S. Calhoun (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 14.98-acre western and northern portions of the approximate 27-acre tract located at 9081 Fowler Creek Road, Boone County Kentucky; and the request of Grand Communities, Ltd. (applicant) for Thelma Martin and Grand Communities, Ltd. (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 15.3-acre western and northern portions of the approximate 43-acre tract located at 2194 Clarkson Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single-family developments (Orleans North and Orleans South).

Following an explanation of the Public Hearing process, the Chairman asked the applicant to proceed with their presentation prior to the Staff Report as Mr. Wall had been delayed.

Mr. Larry Sprague, Vice President of Fischer Development Company, the general partner of Grand Communities Ltd., stated that the request is for two zone changes for small additions to the Orleans development in the City of Florence. Using Staff's Power Point presentation, he stated that the addition to Orleans North is 14.98 acres accessed through St. Louis Boulevard. He indicated the surrounding land uses including the city park and an undeveloped area approved for 50-foot or larger lots. The request is to rezone the parcel to SR-1 and annex it into the City of Florence. They are proposing single-family lots on the subject parcel with a minimum of 65-foot lot widths. The open space will coordinate with the open space the existing development has along Fowler Creek. The proposed development will be part of the HOA and tied into the Orleans Development and 1.3 acres of additional open space will be added to the open space in the development. The open space in the back is land that will be given to the City of Florence. Mr. Sprague then reviewed the Development Plan for Orleans South noting the access via Orleans Boulevard. He stated that there is a rotary with a large fountain and Marais Drive intersects at the rotary. They are requesting SR-1 zoning for the approximate 15-acre site, which is an irregular shape. They have been working with the Martin family, who have annexed their property and the lake into the City of Florence. As part of their agreement, Mr. Martin bought sewer through the Orleans property to his property and is developing it in large tracts in keeping with the existing homes. He stated that the plan for the subject parcel is minimum lot widths of 70 feet and many will be larger. They have committed to Mr. Martin and to the City of Florence that the lots that back up to the lake will be substantially larger and have more expensive homes that take advantage of the lake view and compliment the large expensive homes planned for the Martin property. Mr. Sprague asked to address the Staff Recommendations after the presentation of the Staff Report. This concluded the applicant's presentation.

Staff Member Kevin Wall presented the Staff Report which included a review of the attachments and a Power Point presentation (see Staff Report).

Mr. Sprague addressed the Staff Comments. He stated that they meant to include the architectural and landscape guidelines and will submit them right away (Staff Comment 2A). In response to Staff Comment 2B, he reviewed an exhibit board showing Orleans North and stated that he does not know why they need a buffer between single-family uses. No buffering was required in the area indicated on the exhibit when they developed the rest of the development. He stated that they have not looked at the tree line, but it is their position that they would want to save it unless they need to get under the drip line with grading or improvements, which would affect the trees. He stated that there is a natural barrier of a large ravine on the adjacent site. They do not have a problem with preserving the trees

on the hillside. They want to build the detention basin and do the necessary grading for it and the outfall structure. In regard to Orleans South, he stated that the exhibit shows the lake and the existing large homes. The Martin property has been annexed into the City of Florence. Mr. Martin intends to subdivide his property into large lots for large homes and is in the process of extending sanitary sewer from the Orleans Development to serve those homes. It is in the commitment with Mr. Martin for the purchase of the property, and a commitment to the City of Florence, that the homes they build on the lake will be substantially larger and more expensive (\$300,000 - \$400,000 minimum) than the homes generally in Orleans and they expect to be able to market them with lake views. In order to sewer the area, they have to build a sanitary sewer that parallels the bank of the lake (as shown on the plan) and there would be a 40-foot swath for the construction of that sewer. They are not comfortable with any condition requiring a conservation or tree preservation zone there. They want to save some of the trees there and make the sites attractive – but they need to open up the lake views as part of the price of the property they are purchasing. Prohibiting lake views for those homes would be a significant taking of value of the property. In regard to Staff Comment 3, Mr. Sprague stated that the street connection required as part of the Orleans plan approval and a connection on the subject parcel would go into the same property and end up at the intersection. They are not comfortable with the connection and it will decrease the value of the homes that they build there. They are concerned about future impacts on their residents from a street connection there. He stated that the existing street connection is sufficient. Orleans is 350 – 400 acres already and this application expands it by thirty acres, which is not a significant increase in the total development. The applicant concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in regard to this application.

Mr. Tom Mersh, a resident of Clarkston Road, noted the applicant's comments about opening up the wooded area to get a better view of the lake and stated that it is not a heavily wooded area and there is a lot of room between the trees. The lake is down at the bottom and the houses are up at the top and they will have a good view. Cutting down the trees will cause soil loss and there will not be a watershed. He asked that the houses and lots on the Martin property be as large as possible. Chairman Caddell responded that the Martin property is not part of this application, but Mr. Fischer stated in his presentation that they are committed to building larger homes on the lots that back up to the Martin property. He stated that the lots are proposed on the plan.

Mr. Bob Reykum, a resident of Elm Creek Court, reviewed the exhibit in regard to Orleans North and questioned what is existing, what portion will be annexed, distance from the creek, if the bike path will continue, if there will be green space, and other issues. Mr. Wall reviewed the exhibit with Mr. Reykum and referred him to the approved Concept Plan for the Orleans development that is attached to

the Staff Report. Chairman Caddell suggested that he attend the Committee Meeting and contact Staff in regard to scaling distances and measurements.

Mr. Leonard Workovsky, 1812 Mountain View Court, questioned what will happen to the road for this development and Fowler Creek Road. Mr. Wall responded that this property does not access Fowler Creek Road, but he did see some survey work going on out there. Mr. Workovsky asked if they are going to bring a road in. Chairman Caddell responded that the Planning Commission does not have an answer for that question.

Mr. Poe questioned the length of the proposed road without the cut proposed in the Staff Report. Mr. Wall responded that in discussion with Staff Member Dave Geohegan, the idea was to promote more connectivity. He stated that Staff is aware that it is the same large tract. He will find out the length of the road and provide the information to the Committee. Mr. Poe stated that several years ago, the School District asked for connector streets. Mr. Wall stated that in the area of Union Village/Plantation Point the interconnections that were required through the zone change process are starting to work well and there would be a lot of long side trips if they had not been required nine years ago.

Mrs. Poston questioned the size of Orleans total development. Mr. Wall responded that North and South combined is 347 acres plus the two approximate 15-acre parcels. Mrs. Poston asked if they have made any concessions with the schools. Mr. Wall responded that a land contribution or set-aside has not occurred to date. Mrs. Poston stated that she was surprised that not much was said about the schools. Mr. Wall responded that he spoke with Gerald Turner, but both of these are relatively small pieces (47 lots on the north and 32 lots on the south) and they do not have that great an impact by themselves. Mr. Poe agreed but stated that in the future with these areas and additional parcels it will be necessary to look at a potential land set-aside. He stated that the plan for the area is a school on the Ryle campus to help with overflow from Erpenbeck. As Orleans develops to Pleasant Valley and with the changes and large parcels developing in the future, there will be a need for a school in that area and the Committee needs to look at that.

Mr. Schwenke stated that the Kahmann property is a working livestock farm that has been there for a long time. They have Holstein cows that weigh a ton and fencing should be discussed to see what the working farm feels should be there. Fencing should be discussed at Committee as a safety issue.

Mr. Norbert Kahmann, 2318 Clarkston Lane, stated that there is no connection into the dairy farm now. He agreed that the fencing is a serious situation.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 7, 2004 at 5 PM in this room. This item will be on the Agenda for the Business Meeting on January 21, 2004 at 7:00 PM.

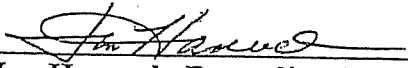
The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

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

Grand Communities, Ltd.
James Gorman
2670 Chancellor Drive
Crestview Hills, KY 41017

David & Debra Martin
2232 Clarkson Lane
Union, KY 41091

Thelma Martin
2194 Clarkson Lane
Union, KY 41091

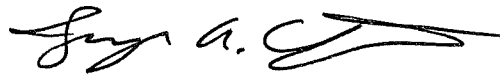
Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. 0-7-04 adopting and approving a zoning map amendment in conjunction with the annexation of real property into the City of Florence, for a parcel of approximately 15.3-acres located on the north side of Clarkston Lane, West of U. S. Highway 42, adjacent to the city limits to allow the expansion of existing detached, Single-Family Developments. (Grand Communities, Ltd./Martin Property)

First reading of Ordinance No. 0-7-04 was held on the 9th Day of March 2004. Second reading was held on 16th Day of March 2004, and the full Ordinance was published in the *Boone County Recorder* on 25th of March 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

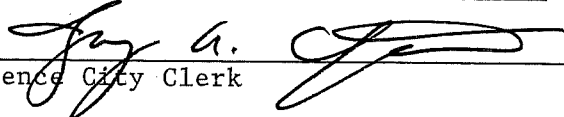
Sincerely,



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 0-7-04 as same appears in the official records of my office.

Dated this 7th day of June, 2004.


 Florence City Clerk

ORDINANCE NO. 0-8-04

AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT, IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, OF A PARCEL OF APPROXIMATELY 14.9816 ACRES LOCATED ON THE WEST OF FOWLER CREEK ROAD AND EAST OF ST. LOUIS BOULEVARD, ADJACENT TO THE CITY LIMITS, TO ALLOW THE EXPANSION OF EXISTING DETACHED, SINGLE-FAMILY DEVELOPMENTS. (GRAND COMMUNITIES, LTD./CALHOUN 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 has recommended approval of the request described above to the City of Florence and the Planning and Zoning Committee of the City has issued its report in support thereof, and

WHEREAS, the Boone County Planning Commission recommendation for approval is based upon certain findings 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 request of Grand Communities, Ltd.(applicant) for C.S. Calhoun (owner) for a Zoning Map Amendment, in conjunction with the annexation of real property into the City of Florence, for the approximate 14.9816 acres located on the west side of Fowler Creek Road and east of St. Louis Boulevard, to rezone the site from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), shall be and is hereby approved to allow the expansion of existing detached, single-family developments (Orleans North). The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be designated to reflect the approval of this rezoning for this subject property.

SECTION II

The approval of this rezoning 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-04-005-A of the Boone County Planning Commission along with the referenced exhibits to that Resolution.

SECTION III

This approval is granted based on the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the Committee Report of that Commission, which is attached and part of the Commission's Resolution No. R-04-005-A, marked Exhibit "B" hereto.

SECTION IV

If this approval for this rezoning shall 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 or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

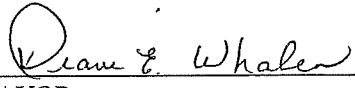
SECTION V

Pursuant to KRS 100.209(1) this rezoning shall become effective upon final passage and publication of Ordinance No. 0-30-03 which annexes real property into the City of Florence.

PASSED AND APPROVED ON FIRST READING THIS 9th DAY OF MARCH, 2004.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 16th DAY OF MARCH, 2004.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-8-04

0-8-04 The City of Florence, Kentucky, enacted on second reading Ordinance No. 3-16 on 3-16, 2004. The title of this Ordinance is as follows:

ORDINANCE NO. 0-8-04

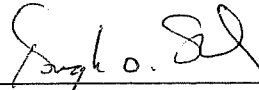
AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT, IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, OF A PARCEL OF APPROXIMATELY 14.9816 ACRES LOCATED ON THE WEST OF FOWLER CREEK ROAD AND EAST OF ST. LOUIS BOULEVARD, ADJACENT TO THE CITY LIMITS, TO ALLOW THE EXPANSION OF EXISTING DETACHED, SINGLE-FAMILY DEVELOPMENTS. (GRAND COMMUNITIES, LTD./CALHOUN PROPERTY)

The effect of this Ordinance is to allow a zoning map amendment, in conjunction with the annexation of real property, described in the title of the Ordinance, into the City of Florence, to rezone the site from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), to allow the expansion of existing detached, single-family developments (Orleans North). Pursuant to KRS 100.209(1) this rezoning shall become effective upon final passage and publication of Ordinance No. 0-30-03 which annexes real property into the City of Florence.

The full text of Ordinance No. 0-8-04, 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. 0-8-04 and that it has been prepared by me on the 15th day of February, 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
Phone: (859) 371-7407

EXHIBIT

“A”

Parcel to be annexed into the City of Florence
Area = 14.9816 Acres.

Lying adjacent to the City of Florence, County of Boone, west of Fowler Creek Road and east of St. Louis Boulevard, more particularly described as follows:

Beginning at a recovered 5/8" rebar with plastic cap (PLS #2930) at the southwest corner of C.S. Calhoun (D.B. 597 P.G. 129, Tract One), in the north line of Sid D. & Sheryl A. Walters (D.B. 226 P.G. 81) and the southeast corner of Grand Communities Ltd. (D.B. 851 P.G. 66);

Thence with the common line of said Calhoun and Grand Communities Ltd. and the existing City of Florence Boundary for two (2) calls:

North 02°47'05" East, passing a recovered 5/8" steel rebar (PLS #2930) at 869.90, a total distance of 874.90 feet to an existing fence post;

South 86°06'57" East a, passing a recovered 5/8" steel rebar (PLS #2930) at 1207.27, a total distance of 1262.27 feet to a point in the center of Fowler Creek;

Thence leaving the center of Fowler Creek and through the lands of the grantor along a new division line for eight (8) calls:

South 57°45'25" West a distance of 376.33 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 74°23'40" West a distance of 145.36 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

North 55°16'10" West a distance of 77.65 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 83°11'26" West a distance of 207.25 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 11°27'08" East a distance of 275.83 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 01°12'03" East a distance of 85.34 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 02°14'13" East a distance of 105.42 feet to a set 1/2" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 04°07'09" East a distance of 159.18 feet to a recovered t-post in the north line of Diane M. DiFonzo (D.B. 703 P.G. 196);

Thence with the north line of said DiFonzo and Ira Kenneth & Dorothy T. Perkins (D.B. 193 P.G. 136), North 85°21'55" West a distance of 272.12 feet to the common corner of said Perkins and Keith & Connie McDine (D.B. 481 P.G. 166);

Thence with said McDine, James S. & Doretta M. Wilson (D.B. 194 P.G. 640) and Sid D. & Sheryl A. Walters (D.B. 226 P.G. 81), North 85°28'47" West a distance of 376.00 feet to the POINT OF BEGINNING.

Said parcel contains 14.9816 acres.

Being part of the property conveyed to C.S. Calhoun in Deed Book 597 Page 129 and recorded at the Boone County Clerk's records at Burlington. Said herein description being the result of a field survey by Cardinal Engineering Corporation under the direct supervision of Joseph G. Kramer, PLS #3663 on July 17th, 2003. The bearings of this description are based on the North American Datum of 1983.

EXHIBIT

“B”

RESOLUTION R-04-005-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF GRAND COMMUNITIES, LTD. (APPLICANT) FOR C.S. CALHOUN (OWNER) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR THE 14.98 ACRE WESTERN AND NORTHERN PORTIONS OF THE APPROXIMATE 27 ACRE TRACT LOCATED AT 9081 FOWLER CREEK ROAD, BOONE COUNTY, KENTUCKY; AND FOR THE REQUEST OF GRAND COMMUNITIES, LTD. (APPLICANT) FOR THELMA MARTIN AND GRAND COMMUNITIES, LTD. (OWNERS) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1), IN CONJUNCTION WITH THE ANNEXATION OF REAL PROPERTY INTO THE CITY OF FLORENCE, FOR THE 15.3 ACRE WESTERN AND NORTHERN PORTIONS OF THE APPROXIMATE 43 ACRE TRACT LOCATED AT 2194 CLARKSTON LANE, INCLUDING A 0.8546 ACRE TRACT LOCATED IMMEDIATELY NORTH OF THE PROPERTY AT 2194 CLARKSTON LANE, 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 Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, 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, with conditions, 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, with conditions, these Zoning Map Amendments being a zone change from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. The real estate which is the subject of these requests for two Zoning Map Amendments in a Rural Suburban Estates (RSE) zone are more particularly described in DEED BOOK 587, PAGE NO. 129 for the C.S. Calhoun tract and in DEED BOOKS 151 AND 792, PAGE NOS. 293 AND 39, respectively for the Thelma Martin tract (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, with conditions, for two Zoning Map Amendment requests are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request 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 and conditions as set forth in a report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for two Zoning Map Amendments for a zone change from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, 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.

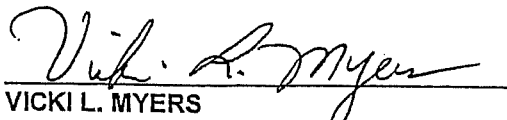
PASSED AND APPROVED ON THIS 4TH DAY OF FEBRUARY, 2004.

APPROVED:



ARNOLD CADDELL
CHAIRMAN

ATTEST:



VICKI L. MYERS
MANAGER, ADMINISTRATIVE SERVICES

AC:vlm

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: January 21, 2004

RE: The request of Grand Communities, Ltd. (applicant) for C.S. Calhoun (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 14.98 acre western and northern portions of the approximate 27 acre tract located at 9081 Fowler Creek Road, Boone County, Kentucky; and, the request Grand Communities, Ltd. (applicant) for Thelma Martin and Grand Communities, Ltd. (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1), in conjunction with the annexation of real property into the City of Florence, for the 15.3 acre western and northern portions of the approximate 43 acre tract located at 2194 Clarkston Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County, Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single family developments (Orleans North and Orleans South).

REMARKS:

We, the Committee, recommend approval of the above referenced requests based on the following findings of fact and with the following conditions.

FINDINGS OF FACT

1. The Committee has concluded that the requests are in agreement with the 2000 Boone County Comprehensive Plan for the following reasons.
 - A. The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the entire southern site (Martin/Grand Communities site), and the vast majority of the northern site (Calhoun site) for Suburban Residential uses. The Comprehensive Plan describes the Suburban Residential designation as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." Both proposals involve the expansion of existing subdivisions for detached single family residences, and the proposed density for the southern site is approximately 2.1 units per acre and the proposed density for the northern site is approximately 3.1 units per acre.

January 21, 2004

Grand Communities/Martin

- B. The Land Use Element acknowledges that there will be notable residential growth in the overall area that includes the two sites by stating "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" ("Pleasant Valley - West Florence Area," pg. 163) and "this section of Boone County contains the City of Union and a substantial portion of Hathaway Road and U.S. 42. In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and proposed improvements to U.S. 42" ("Union Area," pg. 164). The Land Use Element reinforces the designation on the Future Land Use Map by stating "the remaining portions of this section of Boone County should develop in a Suburban Residential manner" ("Pleasant Valley - West Florence Area," pg. 164).

 - C. The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (both sites are in zone 889) is expected to increase from 5,229 in the year 2000 to 9,772 in 2010, and to 12,455 in 2020 (pp. 27-30). While these projections do not specify planned land uses, they do acknowledge considerable residential growth in the area and reinforce the direction given by the Future Land Use Map and Land Use Element.

 - D. The Committee has concluded that the proposal, with the agreed conditions outlined below, demonstrate agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

Both Sites

- 1. The landscape guidelines/vignette drawings shall be amended to require at least two trees in the front yard areas of the individual home lots (in addition to the foundation plantings), consistent with the guidelines used for prior phases of the Orleans development.

Martin/Grand Communities Site

2. As many existing trees as possible and reasonable shall be retained along the entire lake frontage area, acknowledging that a sanitary sewer main and homes with some degree of lake views are to be constructed in this area. Engineered grading plans shall be reviewed by the Zone Change Committee for compliance with this condition through the initial Grading Plan application, or Improvement Plan application if a separate Grading Plan is not submitted.

Calhoun Site

3. All healthy trees along the common property line with the adjoining properties that front on Longbranch Road (along the southern property line of the subject tract) shall be retained.
4. The existing tree cover which is east of the proposed detention area shall be retained.

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/Concept Plan Committee Vote.

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
December 3, 2003
7:30 P.M.

PUBLIC HEARINGS

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. Hicks, Mrs. Kegley, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Todd Morgan, Planner; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:31 PM and introduced the first item on the Agenda:

Applicant: Grand Communities, Ltd. for
C. S. Calhoun (owner)
Thelma Martin and Grand Communities, Ltd. (owners)

Request: Zoning Map Amendments and Annexation

The request of Grand Communities, Ltd. (applicant) for C. S. Calhoun (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 14.98-acre western and northern portions of the approximate 27-acre tract located at 9081 Fowler Creek Road, Boone County Kentucky; and the request of Grand Communities, Ltd. (applicant) for Thelma Martin and Grand Communities, Ltd. (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) in conjunction with the annexation of real property into the City of Florence for the 15.3-acre western and northern portions of the approximate 43-acre tract located at 2194 Clarkson Lane, including a 0.8546 acre tract located immediately north of the property at 2194 Clarkston Lane, Boone County Kentucky. Both requests are for zone changes to allow the expansion of existing detached, single-family developments (Orleans North and Orleans South).

Following an explanation of the Public Hearing process, the Chairman asked the applicant to proceed with their presentation prior to the Staff Report as Mr. Wall had been delayed.

Mr. Larry Sprague, Vice President of Fischer Development Company, the general partner of Grand Communities Ltd., stated that the request is for two zone changes for small additions to the Orleans development in the City of Florence. Using Staff's Power Point presentation, he stated that the addition to Orleans North is 14.98 acres accessed through St. Louis Boulevard. He indicated the surrounding land uses including the city park and an undeveloped area approved for 50-foot or larger lots. The request is to rezone the parcel to SR-1 and annex it into the City of Florence. They are proposing single-family lots on the subject parcel with a minimum of 65-foot lot widths. The open space will coordinate with the open space the existing development has along Fowler Creek. The proposed development will be part of the HOA and tied into the Orleans Development and 1.3 acres of additional open space will be added to the open space in the development. The open space in the back is land that will be given to the City of Florence. Mr. Sprague then reviewed the Development Plan for Orleans South noting the access via Orleans Boulevard. He stated that there is a rotary with a large fountain and Marais Drive intersects at the rotary. They are requesting SR-1 zoning for the approximate 15-acre site, which is an irregular shape. They have been working with the Martin family, who have annexed their property and the lake into the City of Florence. As part of their agreement, Mr. Martin bought sewer through the Orleans property to his property and is developing it in large tracts in keeping with the existing homes. He stated that the plan for the subject parcel is minimum lot widths of 70 feet and many will be larger. They have committed to Mr. Martin and to the City of Florence that the lots that back up to the lake will be substantially larger and have more expensive homes that take advantage of the lake view and compliment the large expensive homes planned for the Martin property. Mr. Sprague asked to address the Staff Recommendations after the presentation of the Staff Report. This concluded the applicant's presentation.

Staff Member Kevin Wall presented the Staff Report which included a review of the attachments and a Power Point presentation (see Staff Report).

Mr. Sprague addressed the Staff Comments. He stated that they meant to include the architectural and landscape guidelines and will submit them right away (Staff Comment 2A). In response to Staff Comment 2B, he reviewed an exhibit board showing Orleans North and stated that he does not know why they need a buffer between single-family uses. No buffering was required in the area indicated on the exhibit when they developed the rest of the development. He stated that they have not looked at the tree line, but it is their position that they would want to save it unless they need to get under the drip line with grading or improvements, which would affect the trees. He stated that there is a natural barrier of a large ravine on the adjacent site. They do not have a problem with preserving the trees

on the hillside. They want to build the detention basin and do the necessary grading for it and the outfall structure. In regard to Orleans South, he stated that the exhibit shows the lake and the existing large homes. The Martin property has been annexed into the City of Florence. Mr. Martin intends to subdivide his property into large lots for large homes and is in the process of extending sanitary sewer from the Orleans Development to serve those homes. It is in the commitment with Mr. Martin for the purchase of the property, and a commitment to the City of Florence, that the homes they build on the lake will be substantially larger and more expensive (\$300,000 - \$400,000 minimum) than the homes generally in Orleans and they expect to be able to market them with lake views. In order to sewer the area, they have to build a sanitary sewer that parallels the bank of the lake (as shown on the plan) and there would be a 40-foot swath for the construction of that sewer. They are not comfortable with any condition requiring a conservation or tree preservation zone there. They want to save some of the trees there and make the sites attractive – but they need to open up the lake views as part of the price of the property they are purchasing. Prohibiting lake views for those homes would be a significant taking of value of the property. In regard to Staff Comment 3, Mr. Sprague stated that the street connection required as part of the Orleans plan approval and a connection on the subject parcel would go into the same property and end up at the intersection. They are not comfortable with the connection and it will decrease the value of the homes that they build there. They are concerned about future impacts on their residents from a street connection there. He stated that the existing street connection is sufficient. Orleans is 350 – 400 acres already and this application expands it by thirty acres, which is not a significant increase in the total development. The concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in regard to this application.

Mr. Tom Mersh, a resident of Clarkston Road, noted the applicant's comments about opening up the wooded area to get a better view of the lake and stated that it is not a heavily wooded area and there is a lot of room between the trees. The lake is down at the bottom and the houses are up at the top and they will have a good view. Cutting down the trees will cause soil loss and there will not be a watershed. He asked that the houses and lots on the Martin property be as large as possible. Chairman Caddell responded that the Martin property is not part of this application, but Mr. Fischer stated in his presentation that they are committed to building larger homes on the lots that back up to the Martin property. He stated that the lots are proposed on the plan.

Mr. Bob Reykum, a resident of Elm Creek Court, reviewed the exhibit in regard to Orleans North and questioned what is existing, what portion will be annexed, distance from the creek, if the bike path will continue, if there will be green space, and other issues. Mr. Wall reviewed the exhibit with Mr. Reykum and referred him to the approved Concept Plan for the Orleans development that is attached to

the Staff Report. Chairman Caddell suggested that he attend the Committee Meeting and contact Staff in regard to scaling distances and measurements.

Mr. Leonard Workovsky, 1812 Mountain View Court, questioned what will happen to the road for this development and Fowler Creek Road. Mr. Wall responded that this property does not access Fowler Creek Road, but he did see some survey work going on out there. Mr. Workovsky asked if they are going to bring a road in. Chairman Caddell responded that the Planning Commission does not have an answer for that question.

Mr. Poe questioned the length of the proposed road without the cut proposed in the Staff Report. Mr. Wall responded that in discussion with Staff Member Dave Geohagan, the idea was to promote more connectivity. He stated that Staff is aware that it is the same large tract. He will find out the length of the road and provide the information to the Committee. Mr. Poe stated that several years ago, the School District asked for connector streets. Mr. Wall stated that in the area of Union Village/Plantation Point the interconnections that were required through the zone change process are starting to work well and there would be a lot of long side trips if they had not been required nine years ago.

Mrs. Poston questioned the size of Orleans total development. Mr. Wall responded that North and South combined is 347 acres plus the two approximate 15-acre parcels. Mrs. Poston asked if they have made any concessions with the schools. Mr. Wall responded that a land contribution or set-aside has not occurred to date. Mrs. Poston stated that she was surprised that not much was said about the schools. Mr. Wall responded that he spoke with Gerald Turner, but both of these are relatively small pieces (47 lots on the north and 32 lots on the south) and they do not have that great an impact by themselves. Mr. Poe agreed but stated that in the future with these areas and additional parcels it will be necessary to look at a potential land set-aside. He stated that the plan for the area is a school on the Ryle campus to help with overflow from Erpenbeck. As Orleans develops to Pleasant Valley and with the changes and large parcels developing in the future, there will be a need for a school in that area and the Committee needs to look at that.

Mr. Schwenke stated that the Kahmann property is a working livestock farm that has been there for a long time. They have Holstein cows that weigh a ton and fencing should be discussed to see what the working farm feels should be there. Fencing should be discussed at Committee as a safety issue.

Mr. Norbert Kahmann, 2318 Clarkston Lane, stated that there is no connection into the dairy farm now. He agreed that the fencing is a serious situation.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 7, 2004 at 5 PM in this room. This item will be on the Agenda for the Business Meeting on January 21, 2004 at 7:00 PM.

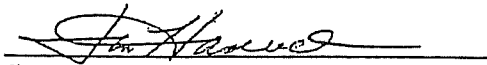
The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

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

Grand Communities, Ltd.
James Gorman
2670 Chancellor Drive
Crestview Hills, KY 41017

C. S. Calhoun
9081 Fowler Creek Road
Union, KY 41091

Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. 0-8-04 adopting and approving a zoning map amendment in conjunction with the annexation of real property into the City of Florence, for a parcel of approximately 14.9816-acres located on the west side of Fowler Creek Road and East of St. Louis Boulevard, adjacent to the city limits to allow the expansion of existing detached, Single-Family Developments. (Grand Communities, Ltd./Calhoun Property)

First reading of Ordinance No. 0-8-04 was held on the 9th Day of March 2004. Second reading was held on 16th Day of March 2004, and the full Ordinance was published in the *Boone County Recorder* on 25th 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 0-8-04 as same appears in the official records of my office.

Dated this 7th day of June, 2004.


 Florence City Clerk

