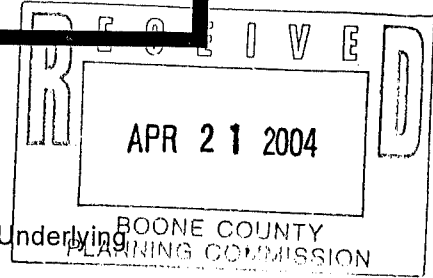


APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project Whitestone Links
- 3. Location of Project Boone Aire Road
- 4. Total Acreage of Site 17.5± ac.
- 5. Current Zoning SR-2/PD/CD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) February 24, 1988
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) _____
- 8. Proposed Uses (please specify each use) Single Family Detached Homes
- 9. Proposed Building Intensities (please specify) 4.85± du/ac
- 10. Have you submitted a Concept Development Plan? Yes
- 11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance
- 12. Name of Applicant(s) Grand Communities, Ltd.
Phone Number (859) 341-4709 Fax No. (859) 344-7000
- 13. Address of Applicant(s) 2670 Chancellor Drive, Suite 300
Crestview Hills, KY 41017
City State Zip
- 14. Name of Property Owner(s) U.S. Bank, Tr. Attn. Laurie Carr
Phone Number (513) 632-5546 Fax No. (513) 632-4653
- 15. Address of Property Owner(s) P.O. Box 1118, CN-OH-W7-RE
Cincinnati, OH 45201
City State Zip
- 16. Are there any existing buildings on the site? No
How many? _____
- 17. Deed Book D775 Page No. 619 Group No. 2032/Boone
- 18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

EXHIBIT

“A”

STAFF REPORT

Request of Grand Communities, Ltd. (applicant) for U.S. Bank Trustee, Attn. Laurie Carr (owner) for a Change in an Approved Concept Development Plan for an approximate 17.5 acre lot located on the south side of Boone Aire Road, approximately 75 feet west of the Boone Aire Road/Glen Arbor Drive intersection and approximately 100 feet east of the Boone Aire Road/South Zig Zag Road intersection, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Suburban Residential Two/Planned Development (SR-2/PD) zone to allow a subdivision for detached single family residences.

May 19, 2004

REQUEST AND SITE HISTORY

The applicant has requested a Change in an Approved Concept Development Plan for a 17.59 acre parcel located to the north and east of the Boone Links golf course and located to the west of The Links subdivision. The property in question was subject to a zone change in 1988, from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD). Additionally, the applicant requested a Zone Change for the subject property in January of 2004, which was denied. The following chart compares the two previous Concept Development Plans with the current application:

	Approved Concept Development Plan	Concept Development Plan-January 2004	Proposed Concept Development Plan
<i>Acreage under review</i>	17.59	17.59	17.59
<i>Type of building to be constructed</i>	single-family attached homes (condominiums)	single-family attached homes (condominiums)	detached single-family residences
<i>Total number of units</i>	Fiscal Court approved 90	187 proposed	85 proposed
<i>Total number of buildings</i>	26	14	85

	Approved Concept Development Plan	Concept Development Plan-January 2004	Proposed Concept Development Plan
<i>Size of typical building footprint</i>	6,000 square feet	8,250 square feet	No houses were drawn in on the plan. Minimum lot size is 4,000 square feet.
<i>Overall density of development</i>	5.12 dwelling units per acre	10.63 dwelling units per acre	4.83 dwelling units per acre
<i>Access management</i>	Driveway shown at 25 feet. Existing driveway was to be repaved and widened.	Driveway shown at 18 feet wide in original proposal and at location of existing driveway. Applicant agreed to widen drive to 24 feet with curb and gutter per the request of the Zone Change Committee	Existing driveway would be vacated. One street would serve as the sole access point on Boone Aire Road. The street is located about 300 feet east of the intersection of Boone Aire and Zig Zag Road and about 515 feet west of the intersection of Boone Aire and Glen Arbor Drive.

	Approved Concept Development Plan	Concept Development Plan-January 2004	Proposed Concept Development Plan
<i>Front yard setback</i>	Ranges from 110-210 feet, as measured from Boone Aire Road (Measurement is taken for the whole property).	About 195 feet from Boone Aire Road (Measurement is taken for the whole property).	Minimum of 20 feet (Measurement is taken per lot).
<i>Rear yard setback</i>	110-150 feet (Measurement is taken for the whole property.)	90-140 feet (Measurement is taken for the whole property).	Minimum of 25 feet (Measurement is taken per lot).
<i>Side yard setback</i>	50-60 feet on the east side, adjoining the Links subdivision (Measurement is taken for the whole property). 20-215 feet on the west side, adjoining the golf course (Measurement is taken for the whole property).	30-75 feet on the east side, adjoining the Links subdivision (Measurement is taken for the whole property). 30-190 feet on the west side, adjoining the golf course (Measurement is taken for the whole property).	Combined total of 10 feet between the two sides. Zero foot side yard setback on one side is possible (Measurement is taken per lot).
<i>Open space</i>	10.96 acres	8.2 acres	4.03 acres. The applicant intends to donate this open space to Boone County to be used for the golf course.

A copy of the approved Concept Development Plan from 1988 and the Committee Report for the 1988 Zone Change are attached. Additionally, a copy of the Concept Development Plan from January of 2004 and the accompanying Committee report are attached.

The applicant is requesting a patio home subdivision. Article 40 of the Boone County Zoning Regulations defines patio homes as follows:

"A single family dwelling unit, situated on a typically reduced width lot, with a reduced or no side yard setback on one side of the lot to facilitate better overall use of the lot and to incorporate some aspects of cluster style developments within Conventional Subdivisions (p. 40.16)"

The current request features 4.03 acres of open space. A 75 foot to 80 foot-wide buffer is provided on the south property boundaries where the site adjoins the golf course. On the west property boundary, a buffer ranging from 20 feet to 175 feet is provided. The line of mature trees located along the western property boundaries is to be preserved, as is the tree cover located along the southern property boundaries. A detention basin is proposed in the northwest corner of the site.

SITE CHARACTERISTICS

The site's topography is hilly. Elevations range from 794 feet above sea level to 868 feet above sea level. The site is nearly level at an approximately 4.5 acre portion in the east and central section of the site, where it adjoins the eastern property boundary. Slopes in this portion vary from 1 percent to 6 percent. From this ridge top the ground slopes downward, with grades ranging from 19 percent to 33 percent. A drainage ditch runs the length of the Boone Aire road frontage, which is about 410 feet. Just to the west of the property is a creek, located in the Boone Links golf course. Most of the site is heavily wooded, although the central portion of the site has been cleared. While there currently are no buildings on the site, the clubhouse of the Boone Links golf course was once located on the property. An existing driveway that is lined with mature trees is located on the western property boundaries. There are sanitary sewer lines to the east and south of the site, in The Links subdivision and in the golf course. The proposed sanitary sewer line for the property would connect into a line in the golf course, located near the 7 tee. A 12-inch water line runs along Boone Aire Road.

ADJACENT LAND USES

- **North:** Three single-family residences on a 5.08-acre lot, 1.08 acre lot, and a 0.47-acre lot, not part of a formal subdivision, with street frontage on Boone Aire Road, zoned Urban Residential One (UR-1)

- Two single-family residences, part of the Sallee subdivision on Zig Zag Road, zoned Suburban Residential One (SR-1)
- **South:** Boone Links golf course, 193.59 acres, zoned both Recreation (R) and Suburban Residential One (SR-1)
 - **East:** The Links subdivision of single-family detached homes, zoned Suburban Residential One (SR-1)
 - **West** Boone Links golf course, 193.59 acres, zoned both Recreation (R) and Suburban Residential One (SR-1)
- The Links subdivision of single-family detached homes, zoned Suburban Residential One (SR-1)
- The Boone Aire Condominiums, on a 1.46-acre parcel, zoned Urban Residential One (UR-1)

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the majority of the site as "High Suburban Density Residential," which is described as follows:

" Single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development and also pertains to mobile home parks (p. 158, '2000 Existing and Future Land Use Classifications')."

An approximately 2-acre portion of the site, located along the eastern property boundary is designated "Suburban Residential." This is defined 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 (p. 158, '2000 Existing and Future Land Use Classifications')."

The Land Use Element provides the following quotes that are applicable to the site:

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

B. "The large area between Hopeful Road and Oakbrook Road, south of KY 18 to Pleasant Valley Road, should develop in a Suburban Residential fashion. The area must develop with local access and limited access collector road connections as a high priority (p. 163 'Pleasant Valley-West Florence Area)."

C. "The remaining portions of this section of Boone County should develop in a Suburban Residential manner. Major subdivisions in this area should provide internal connector roads with no driveway access or parking (p. 163 'Pleasant Valley-West Florence Area)."

The Land Use Element's Future Land Use Development Guidelines provide the following general statements that 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 (pg. 158, 'Utilization of Existing Vegetation and Topography')."

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. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate (pg. 159, 'Buffering')."

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. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping also helps to purify the air of harmful pollutants, reducing health impacts (p. 159, 'Landscaping')."

D. "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 (pg. 159, 'Access Management')."

The Housing Element provides the following remarks relating to the general area:

A. "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 (p. 82, 'Housing Types')."

B. "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 should be incentives for true 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 (p. 85 'Open Space Subdivision Design')."

C. "The undeveloped land on the southwest quadrant of KY 18 and KY 237 would be an excellent site for a transit-oriented, mixed use planned development. New subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments and adjacent developments to promote safe and easy transportation access. Overall, the KY 18 corridor represents a prime opportunity to promote high density residential uses in a transit-oriented corridor (p. 87 'Florence-Burlington Area')."

D. "It is important that the construction of new residential development that would be built in areas that impacted by high airport noise levels (65 DNL plus) should have stipulations that would mandate that builders in these developments construct their buildings with materials that would greatly reduce excess noise from the outside. The general guidelines for new residential construction within 65 DNL or greater that it should be built with enough sound insulation to provide an outdoor to indoor Noise Level Reduction (NLR) of at least 30 decibels and 35 decibels if the outside area is within 70 DNL (p. 86, 'Airport Noise Impacts on New Residential Development')."

Figures from the 2000 U.S. Census indicate that the population of the traffic zone which the site is located was 7,611, as shown in Table 2.15 of the Population Element of the Boone County Comprehensive Plan. By the year 2010 the population of the traffic zone is projected to be 9,437 and 12,788 by the year 2020, reflecting a 24% increase in population from 2000-2010 and a 68% percent increase from 1980 to 2020.

The following pertinent statements are taken from the Goals and Objectives of the 2000 Boone County Comprehensive Plan:

A. "Proper design principles shall be applied in development ('Overall' Objective 3, p.4)."

B. "Future growth shall be accompanied by adequate infrastructure and services ('Overall' Objective 4, p.4)."

C. "The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ('Population' Goal, p. 5)."

D. "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. 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, p. 6)."

E. "A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ('Housing' Objective 1, p. 9)."

F. "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, p. 9)."

G. "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, p. 9)."

H. "Airport noise levels are among those legitimate land use impacts to be evaluated when new residential development is proposed. New residential development shall not occur in areas with existing or proposed noise levels of 65 DNL or higher as identified on official Noise Exposure Maps adopted and approved by the Kenton County Airport Board and the Federal Aviation Administration, unless acceptable measures are taken by builders to reduce adverse noise impacts ('Housing' Objective 7, p. 9)."

I. "New or redeveloped residential areas shall be designed to establish clearly defined neighborhoods with a mix of retail, public, and recreational uses. Established neighborhoods shall be protected and enhanced and deteriorated neighborhoods shall be regenerated ('Housing' Objective 9, p. 9)."

J. "Mixed use, higher density neighborhoods shall be encouraged to locate at proposed mass transit stations near commercial districts and public facilities (i.e. parks) and also have convenient access to major streets and highways ('Housing' Objective 10, p. 9)."

K. "Clustering (increasing net density while not altering overall gross usable density) shall be promoted by appropriate incentives in order to preserve green space, scenic views, other identified significant site features, and land for public facilities or recreation. The usability of green space shall not in itself guarantee an increase of density. Clustered housing or open space subdivisions shall be permitted not only in planned developments but in appropriately designed subdivisions under conventional zoning ('Housing' Objective 12, p. 10)."

L. "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, p. 10)."

M. "Land acquisition for parks and open space creation shall be used to preserve scenic and natural areas of significant and unique qualities and provide activity centers close to or within established and developing residential areas. This land acquisition should be done in a timely manner to avoid increased land costs and loss of potential recreational land to private uses. Major view sheds shall be mapped to help identify scenic and natural areas that should be preserved ('Recreation and Open Space' Objective 1, p. 10)."

O. "Recreation areas shall be centrally located in their service areas and easily and safely accessible to the population groups they are designed to serve ('Recreation and Open Space' Objective 4, p. 10)."

STAFF COMMENTS / CONCERNS

1. The Boone County Planning Commission and Boone County Fiscal Court will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues raised in this review include the following:

- A. The majority of the site is designated as High Suburban Density Residential in the Future Land Use Map, allowing up to 8 dwelling units per acre. A small portion of the site is designated as Suburban Residential, allowing up to four single-family residences per acre. The Land Use Element indicates that the area in which the property is located is one of the most rapidly growing areas in the county. Further, the Element notes that the area between Hopeful Road and Oakbrook Road is appropriate for suburban residential development and, it calls for road connections between developments.

B. The Housing Element discusses the potential benefits of true open space housing design, noting that decreased costs in site clearing and public improvement costs are incentives for this type of development. The intensity of development for the entire subdivision should be considered and the impact that the development will have on public services.

C. The Goals and Objectives similarly recommend that a variety of housing opportunities be provided for Boone County Residents. Higher density neighborhoods should be located next to commercial districts or public facilities. The clustering of residential developments is encouraged to increase open space. Land with great slopes should be considered for use as open space or parks.

2. Article 15 of the Boone County Zoning Regulations stipulates that Concept Development Plans in Planned Development Zoning Districts are evaluated according to the provisions of Section 1514. The following comments represent an evaluation according to these criteria:

1. Mixed Use Development and Pedestrian Orientation-The development does not provide a mix of land uses, as only single-family residences would be developed in the proposed subdivision.

While the proposed plan indicates that sidewalks are to be provided on both sides of the two streets shown in the plan, no other provisions are made to increase the pedestrian friendliness of the site. A sidewalk connection or pedestrian trail to the adjoining Boone Links golf course could be a concession to pedestrian use. Additionally, the site's proposed green space could lend itself easily to foot traffic. The existing driveway could be converted to a trail. Sidewalk connection is provided to the Boone Aire Road frontage. There currently is no sidewalk along this section of Boone Aire Road.

2. Compatibility of Uses-The proposed subdivision features detached single-family residences, and it adjoins a subdivision of detached single-family residences. However, the Links subdivision is 53 acres and contains 96 total lots, for an overall density of 1.8 dwelling units per acre. The density of the proposed development is 4.83 dwelling units per acre. While this figure is greater than that of the adjoining Links subdivision, it is less than the density of the approved Concept Development Plan, which is 5.12 dwelling units per acre. It is also less than that of the condominium units that adjoin the golf course to the west. Additionally, the zoning of the adjoining property to the

north is Urban Residential One (UR-1), which would allow up to 12 dwelling units per acre. Thus, the proposed subdivision would provide a transition in density.

The setbacks proposed on the Concept Development Plan are less than what has been implemented in the adjoining Links subdivision. The zoning of the Links subdivision, Suburban Residential One (SR-1), requires a minimum setback of 30 feet from the rear property boundary. The actual rear yard setbacks appear to range from 39 feet to 70 feet, as measured from aerial photographs of the property. The lots proposed in the Concept Development Plan would be a minimum of 50 feet in width. The adjoining lots on Glen Arbor Drive range from about 120 feet to 175 feet as measured at the front setback line. Twelve houses in the proposed Whitestone Links subdivision back up to the rear yards of the 4 adjoining houses on Glen Arbor Drive. Thus, a ratio of 3 houses in the proposed subdivision to 1 house on the adjoining Glen Arbor Drive could be applied.

3. Open Space- With regard to open space, Section 1514 of the Zoning Regulations states "Useable open space, in an amount over and above setback areas and open areas required by the underlying zone, shall be provided." The applicant proposes 4.01 acres of open space, located at the shared property boundaries with the golf course. No open space is required for conventional subdivisions in the Suburban Residential Two (SR-2) zoning district. The proposed open space adjoining the southernmost lots in the subdivision ranges from 50 feet to 120 feet in width, as measured from the rear lot lines of the southernmost lots. The open space that adjoins the westernmost lots ranges from 20 feet in width to 215 feet in width as measured from the rear of the westernmost lots. The applicant has offered this space to the County to be used for the golf course.

4. Multi-Modal Transportation System- No special concessions have been made to accommodate multi-modal transportation on the proposed plan. While the plan features sidewalks on both sides of the proposed street to allow pedestrian circulation, sidewalks are a requirement of the Boone County Subdivision Regulations. The applicant indicates that the street layout would allow for the circulation of school buses.

5. Preservation of Existing Site Features-The narrative that the applicant submitted with the plan states that the existing trees located along the western property boundary will be saved. Additionally, the areas designated as open space will not be disturbed. These areas feature mature trees. Further, the applicant notes that whenever possible, areas that are not cleared for grading or geotechnical stability will be left in their current, natural state. The perimeter of the site that does not adjoin single-family residences will be buffered by the natural ground cover that exists currently

6. Landscaping-This standard requires that "substantial landscaping be provided with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site." The applicant has indicated that mature trees will be preserved and

that a standard landscaping package will be offered for all the buildings, including one tree in the front yard and foundation plantings. This plan features one evergreen or shade tree, 6-8 feet in height; 3 evergreen shrubs, 18-20 inches tall; 4 deciduous shrubs, 15-20 inches in height; and three non-woody plants, such as lirioppe, coriopsis, hosta, and daylilies. No formal landscaping plan has been proposed for common areas.

7. Architecture- Section 1514 requires that a consistent architectural theme be provided in planned developments. The applicant has submitted elevations of likely housing types to be built in the subdivision. The facades of these buildings appear to be brick with siding. Garages are all located in the front of the houses. Some of the proposed houses are split level homes; others are ranch houses. There are some elevations that feature front porches. The submitted elevations depict attached garages, located in the front of the house, while the accompanying narrative notes that the homes will include a mix of one and two car garages, some of which are attached and some of which are detached.

8. Historic and Prehistoric Features- To staff's knowledge, there are no such features on this site.

9. Signage- No signage package has been proposed.

10. Transportation Connections and Entry Points- Sidewalk connection is provided to Boone Aire Road.

11. Conformance with the Comprehensive Plan- This is discussed above.

3. The Boone County Planning Commission imposed the following conditions on the approval of the site's 1988 Zone Change, which are applicable to this request:

- " 1. The proposed development shall incorporate a 50-foot buffer yard setback from the east property line adjoining the single family-Forest Greens subdivision. In order to accomplish this and to lessen the overall development impact on the topography, the overall density of the proposed development shall be adjusted to ninety (90) units on the 17.6-acre site."

Under the proposed Concept Development Plan, this setback has been reduced to 30 feet.

- "6. The owner of the development shall participate in improvements necessary to Boone Aire Road as determined by the County Road Engineers. These improvements would be designed to improve sight distance at the curve near the site's eastern edge. This could require a sight easement for the maintenance of low-level vegetation or the future dedication of right-of-way to permit road widening or straightening."

This issue has not been addressed through the proposed Concept Development Plan. Sight distances as required through Table 32.4 of the Boone County Zoning Regulations cannot be met. The Table indicates that for a turning vehicle on a 2-lane road with an operating speed of 25 miles per hour, a passenger car must be able to see a distance of 300 feet. A car turning out of the intersection of the subdivision's proposed Street "A" and Boone Aire Road would not meet this distance if it were heading eastbound. This minimum distance can be met for a car heading westbound out of the proposed development. However, the speed of traffic on Boone Aire Road frequently exceeds the posted 25 miles per hour.

The Boone County Engineer reviewed the plan and had no comments.

- "8. Full documentation of available sanitary sewer service shall be provided at the Preliminary Development Plan Review."

The proposed Concept Development Plan indicates that sanitary sewer lines in the subdivision would tie into an existing line in the Boone Links golf course. The plan has been sent to Sanitation District #1, whose comments will be forwarded to the Zone Change Committee.

4. The Boone County Fiscal Court imposed additional conditions upon its approval of the 1988 Concept Development Plan. Among these conditions, which are taken from the Fiscal Court minutes of May 3, 1988, the following are applicable:

- "3. "That a two car garage is required for each unit and there will be no more than three floors exposed to public view including the basement."

As noted above, the applicant has indicated that some of the homes will feature one car garages rather than two car garages. The elevations submitted with the narrative suggest that the homes will be no more than two storeys.

6. "The developer will improve sight distance at Old Boone Aire Road to conform to the report presented by County Road Supervisor Harvey Pelley, which shall become an exhibit to these minutes and an attachment to the ordinance as a condition for the zone change."

This issue is addressed above.

5. Copies of the proposed plan have been sent to Florence Fire Department, who had no comments. As noted previously, comments from Sanitation District # 1 will be forwarded to the Zone Change Committee. The Kentucky Transportation Cabinet, Division of Highways, had no comments about the plan.
6. Staff has sent a copy of the site plan and the narrative accompanying the application materials to the staff of Boone Links golf course. Any forthcoming comments will be forwarded to the Zone Change Committee.
6. The subject site is currently located outside the 65 DNL contour, according to the Kenton County Airport Board's adopted Noise Exposure Map. Currently, alternate flight trials are being tested. The Kenton County Airport Board is also currently updating the Part 150 Noise Study, which may or may not affect the subject site. A letter from the Deputy Director of Aviation of the Cincinnati/Northern Kentucky International Airport, dated January 2, 2004, is attached. The proposed plan was discussed with Barb Schempf of the Cincinnati/Northern Kentucky International Airport, who noted that the information in the letter is accurate at this date.

CONCLUSION

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

Respectfully submitted,

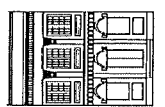
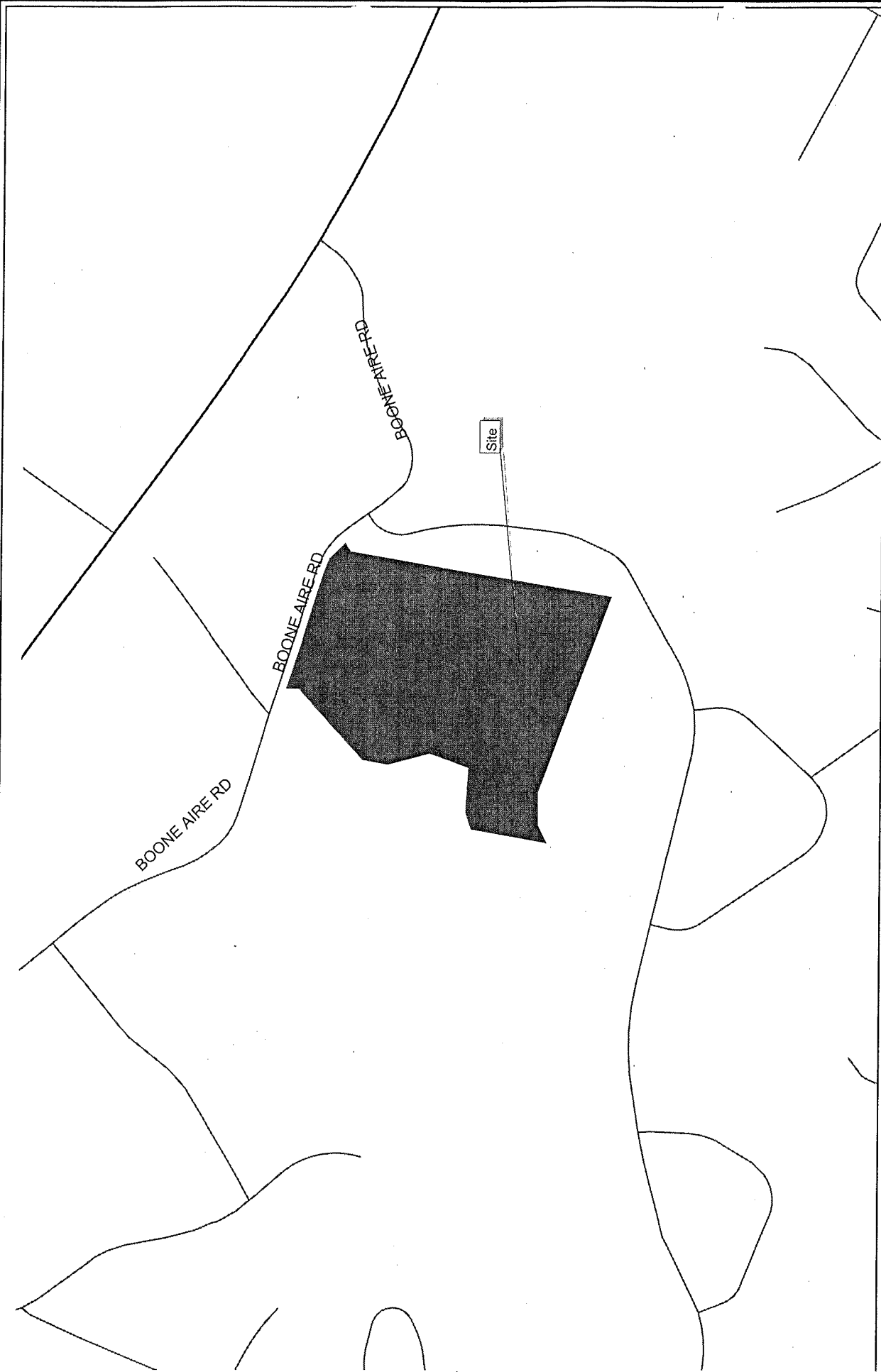


Patty Bachman
Planner

PB/pr

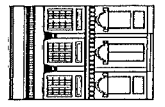
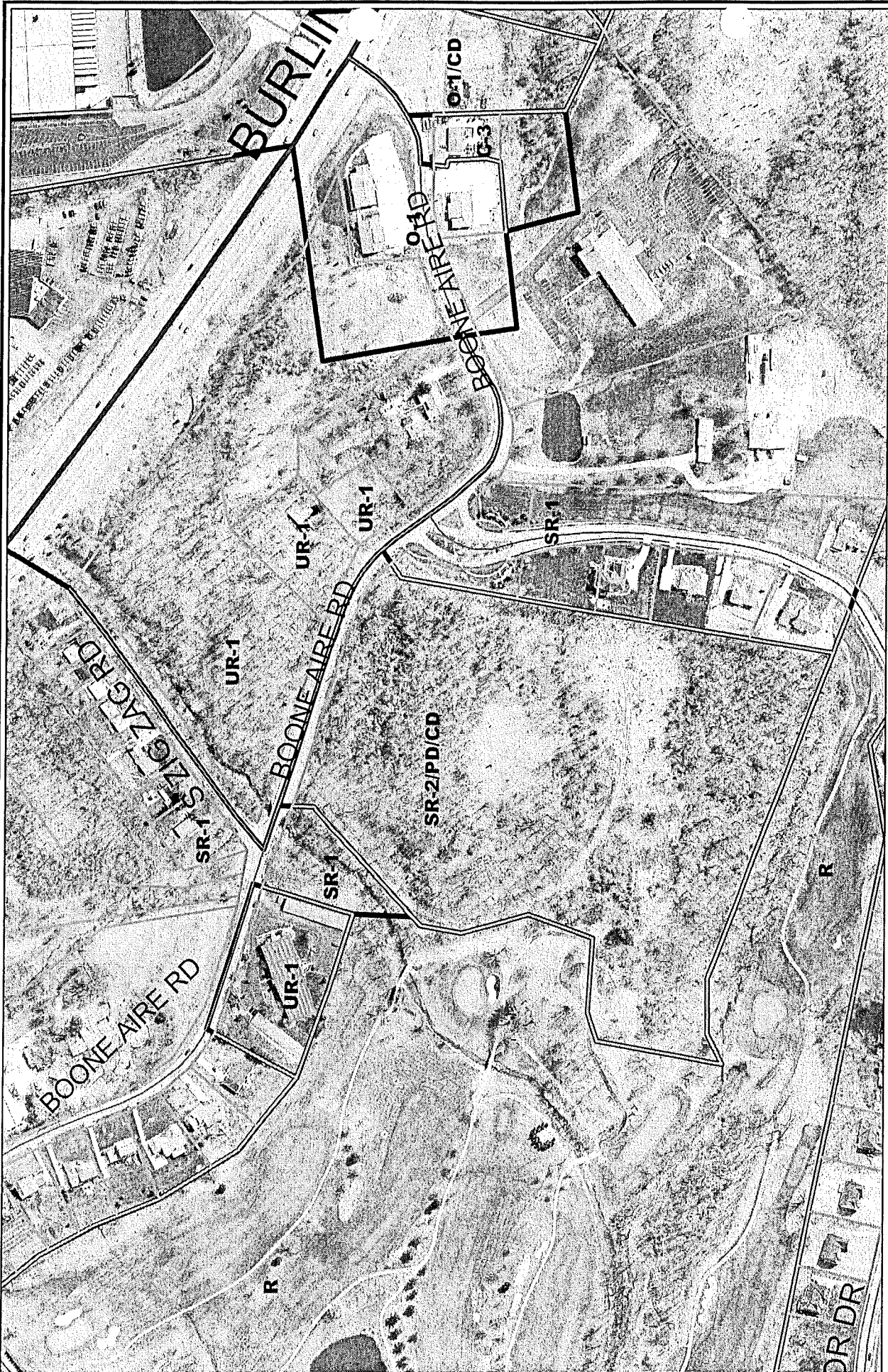
Attachments:

- vicinity map
- aerial photo w/zoning information
- future land use map excerpt
- site topography
- application materials including concept development plan and development narrative from applicant
- elevations of homes
- landscaping plan
- committee report dated March 2, 1988 and approved Concept Development Plan
- committee report dated March 3, 2004
- minutes from Boone County Fiscal court, dated May 3, 1988
- letter from Cincinnati/Northern Kentucky Airport, dated January 4, 2004
- Table 32.3 of the Boone County Zoning Regulations



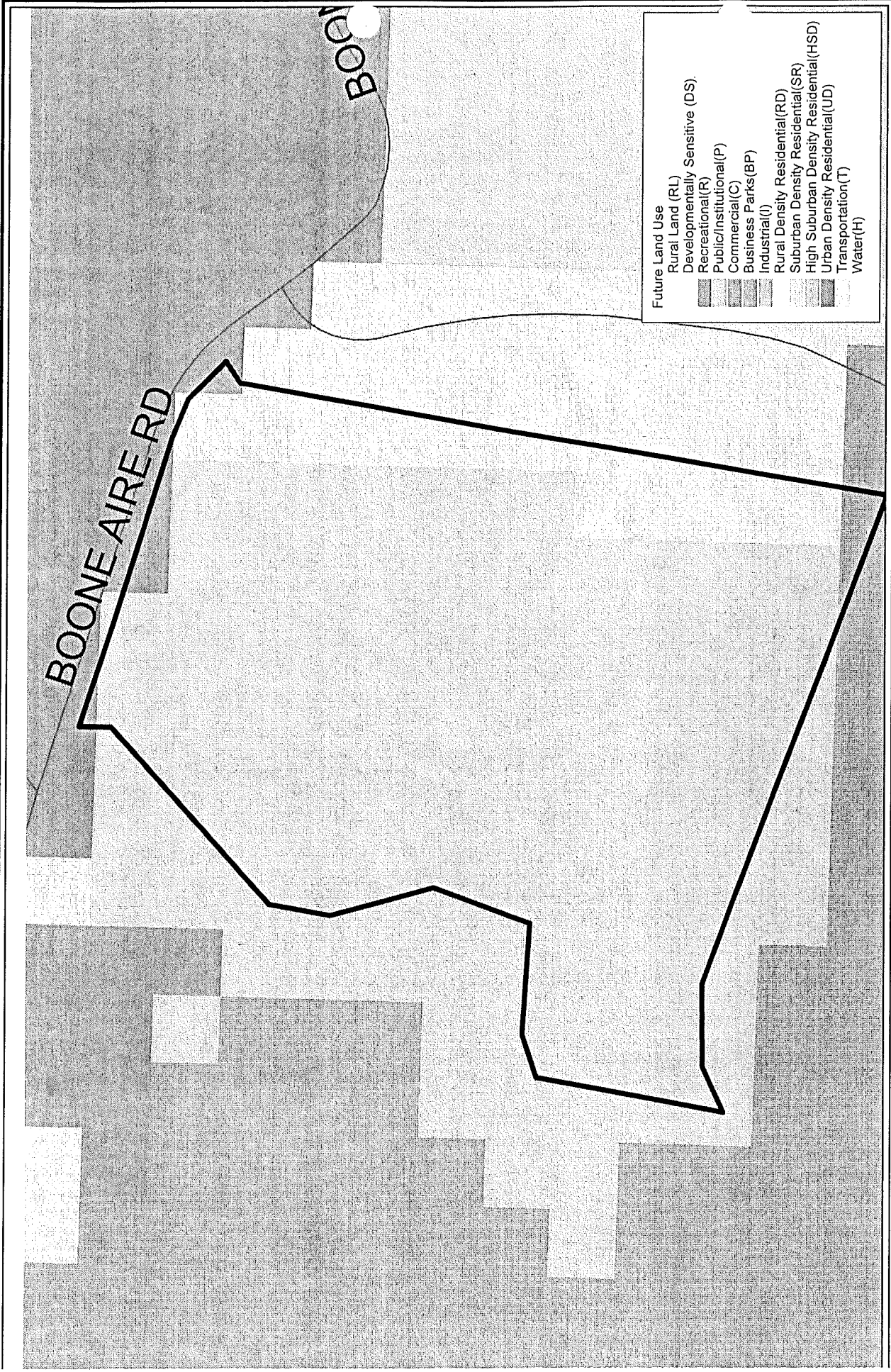
1 inch equals 500 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 17, 2004

Whitestone Links-Vicinity

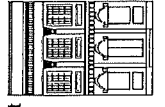


1 inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 May 17, 2004

Whitestone Links-Zoning

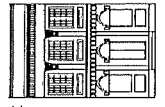
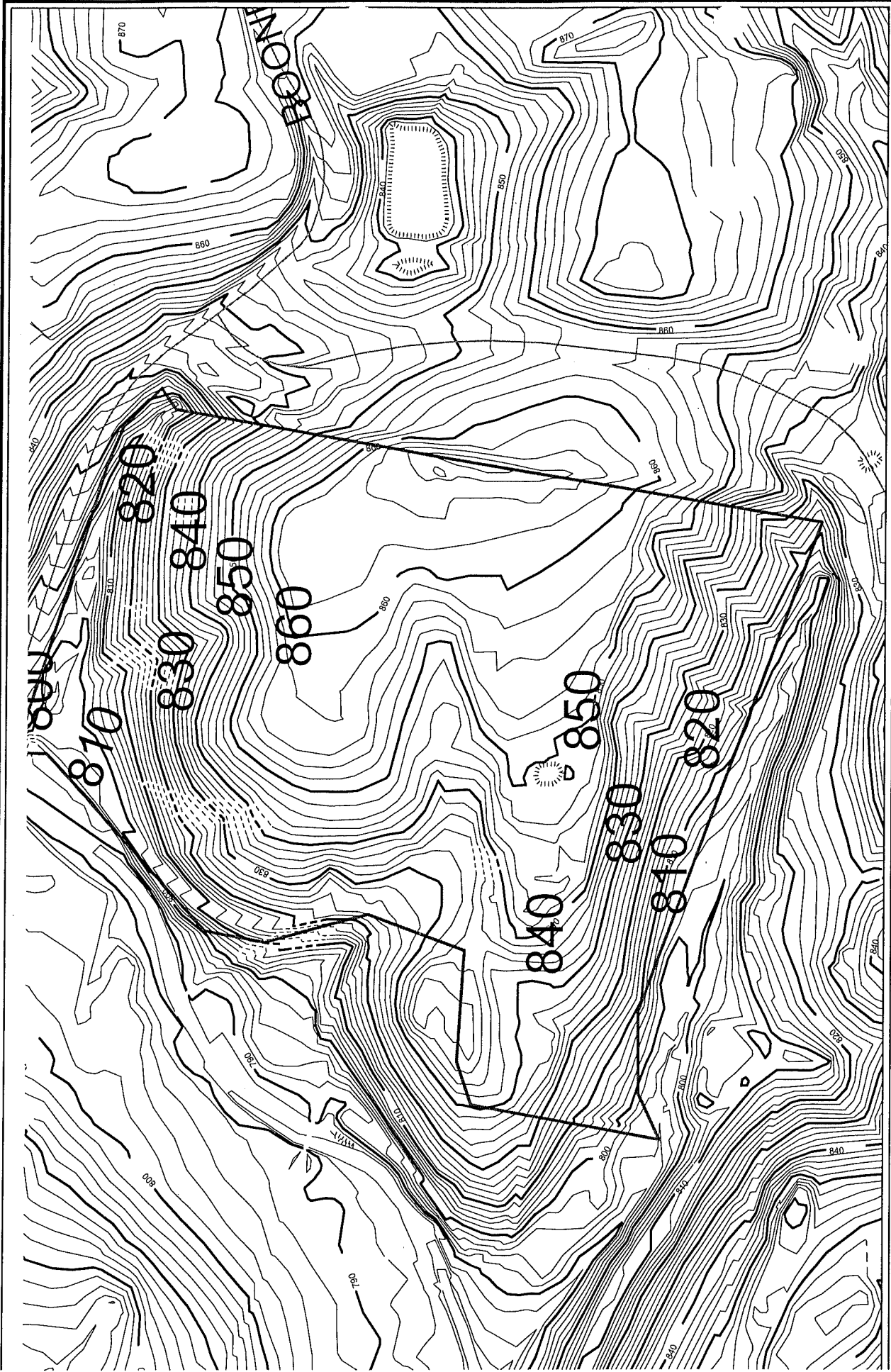


- Future Land Use**
- Rural Land (RL)
 - Developmentally Sensitive (DS)
 - Recreational (R)
 - Public/Institutional (P)
 - Commercial (C)
 - Business Parks (BP)
 - Industrial (I)
 - Rural Density Residential (RD)
 - Suburban Density Residential (SR)
 - High Suburban Density Residential (HSD)
 - Urban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



Produced by the
Boone County Planning Commission
GIS Services Division
May 17, 2004

Whitestone Links-Future Land Use

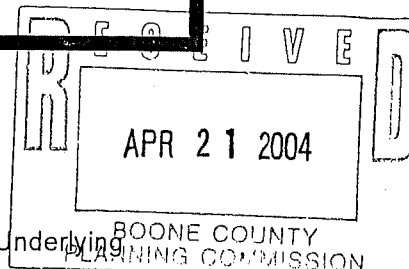


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1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 17, 2004

Whitestone Links-Contour Map

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project Whitestone Links
- 3. Location of Project Boone Aire Road
- 4. Total Acreage of Site 17.5± ac.
- 5. Current Zoning SR-2/PD/CD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) February 24, 1988
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) _____
- 8. Proposed Uses (please specify each use) Single Family Detached Homes
- 9. Proposed Building Intensities (please specify) 4.85± du/ac
- 10. Have you submitted a Concept Development Plan? Yes
- 11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance
- 12. Name of Applicant(s) Grand Communities, Ltd.
Phone Number (859) 341-4709 Fax No. (859) 344-7000
- 13. Address of Applicant(s) 2670 Chancellor Drive, Suite 300
Crestview Hills, KY 41017
City State Zip
- 14. Name of Property Owner(s) U.S. Bank, Tr. Attn. Laurie Carr
Phone Number (513) 632-5546 Fax No. (513) 632-4653
- 15. Address of Property Owner(s) P.O. Box 1118, CN-OH-W7-RE
Cincinnati, OH 45201
City State Zip
- 16. Are there any existing buildings on the site? No
How many? _____
- 17. Deed Book D775 Page No. 619 Group No. 2032/Boone
- 18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

Concept Development Plan
Page 2

19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water District
- Florence Water and Sewer Dept.
- Cinery/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
- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: _____

20. Concept Development Plan Jurisdiction/Location

- Unincorporated Boone County
- Florence
- Walton Union

Grand Communities, Ltd.

M. Larry Sprague
Vice President
General Development Partner

21. Applicant's Signature(s)

22. Property Owner's Signature(s)

By: *Steven Wilhelm*
U.S. Bank NA TR. BY: STEVEN WILHELM
Steven Wilhelm

SECTION B (To be completed by BCPC Staff)

1. Date Received 4-20-04 Fee Received 1651.00 # 38528
2. Check what has been submitted:
 - Application Fee Legal Description
 - Concept Development Plan Addresses of Adjoining Property Owners
 - 5 No. of copies of plan received **
3. Is application complete? YES NO
4. Staff Reviewer PATTY BACHMAN
5. Committee Chairperson _____
6. Scheduled Public Hearing Date _____
7. Boone County Planning Commission Action:
 - Approved
 - Approved With Conditions
 - Denied
8. Other: _____

** Five (5) Copies 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: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.

Whitestone Links Subdivision

Request to for new Concept Development Plan

Grand Communities, Ltd., respectfully submits this application for a Concept Development Plan review for 17.5 acres of land zones SR-2/PD/CD on Boone Aire Road west of Glen Arbor Drive. The property is bordered by Boone Links Golf Course to the south and west, vacant property zoned UR-1 to the north, and a single-family subdivision zoned SR-1 to the east. The 2000 Boone County Comprehensive Plan identifies this subject area to be developed at 4-8 units per acre. The land use plan identifies surrounding densities to range from 4 units per acre to more than 8 units per acre. More specifically, the North side of Boone Aire Road is planned for greater than 8 units per acre, the golf course is planned to remain open space, and the single family subdivision is planned to be less than 4 units per acre.

There was a previous rezoning request on the subject property in 1988/1989 resulting in the re-zoning of this property to SR-2/PD to permit the construction of 92± town homes accessed off a private street system. Market conditions have changed since the previous plan was approved resulting in town homes becoming a less desirable housing form. Due to the abnormal amount of time that has passed since this re-zoning was granted, and also due in part to the length of time the subject property has been available for sale on the open market, it seems reasonable to deduce that the previously approved plan is not appropriate nor economically feasible given current market conditions in the area.

A separate re-zoning request on this property was initiated in December 2003, and ultimately denied to rezone this property to UR-1 with a density of 10.6 units per acre in April 2004. The project was to include Fischer Attached Homes' Gallery collection. This product is not substantially dissimilar from an exterior standpoint to a town home as it features private entrances for all units, and it includes garages for some units.

Comprehensive Plan

The 2000 Boone County Comprehensive Plan identifies this parcel as ideal for development at 4-8 units per acre. This plan is shown at an approximate gross density of 4.85 du/ac. The product to be built on this property complies with the housing portion of the Comprehensive Plan providing quality built housing at an affordable price to current and future residents of Boone County.

Zoning

The zoning on this property is SR-2/PD. We are proposing a subdivision that meets the standards of the by-right SR-2 greenspace development requirements in the Boone County Zoning Ordinance. The plan as submitted requires a change in the Concept Development Plan to permit single-family detached residences on this property. If this

property were not previously encumbered with the PD designation, this property could be developed per this plan simply with Preliminary Plat approval.

Plan Description

The proposed plan is to be accessed from Boone Aire Road by a public street to be constructed within a 50' right-of-way to the standards of the Boone County Subdivision Regulations. The public street pattern then forms a loop road at the crest of the hill with a central cul-de-sac. The loop street pattern is ideal from an emergency access and public transportation standpoint (school busses do not need to turn around). The developer will construct sidewalks as required by the Boone County Subdivision Regulations including a pedestrian link (via the sidewalk system) to the project's entrance on Boone Aire Road.

The lots proposed meet the open space development requirements with a minimum lot size of 4,000 square feet. Dimensionally, we propose slightly different setbacks than are permitted, we wish to increase the front setback to 20', and where the homes backup to The Links Subdivision, we propose a rear yard setback of not less than 30'. This proposal honors the buffer yard that would have been required if the property were have been re-zoned to UR-1 as was previously applied for.

The subdivision plan utilizes existing utility lines whose capacity exceeds the requirements of this development. All roads are to be constructed to Boone County design specifications.

Grand Communities, Ltd.
Whitestone Links Subdivision PD Standards

1. Mixed Use Development and Pedestrian Circulation

- Due to the size and nature of this neighborhood site, mixed uses are not practical. This site will be developed as Single Family Residential.
- Pedestrian Circulation will be provided by a network of sidewalks to be located within the dedicated right of way. This network will connect the community to Boone Aire Road.

2. Compatibility of Uses

- The development to the East of this site is Single Family Residential. The development to the West and South of this site is open space/golf course, and the land to the North is planned for in the Land Use Plan and zoned for development at greater than eight units per acre.
- The land use plan indicates that this site should be developed as Residential with a density between 4-8 units per acre.
- This site is proposed to be developed with Single Family Residential at a gross density of approximately 4.85 units per acre. This density is slightly higher than the density to the East while significantly lower than what is planned North of this site.

3. Open Space

- Open Space is provided on the land West and South of this site where it is adjacent to the Golf Course.
- Providing this area as open space benefits the community by clustering more green area where the green already exists.
- The 2000 Comprehensive Plan states previous studies' open space objectives promote the donation of land for the enhancement of the open space network.
- The 2000 Comprehensive Plan states that the private development community should be encouraged to satisfy the needs of the development population.
- The 2000 Comprehensive Plan calls for the County to set aside land for the future expansion of parks.
- The location of this green space will satisfy these points of the comprehensive plan. Furthermore, Grand Communities would like to donate the land being reserved as open space to Boone County for the future needs of the Golf Course.

Grand Communities, Ltd.
Whitestone Links Subdivision PD Standards

4. *Multi-Modal Transportation System*

- Because of the relatively small nature of this development, large scale multi-modal systems have not been incorporated in this design.
- The proposed concept plan allows for a circular vehicular pattern to accommodate the efficient movement of public buses and/or emergency equipment if access is desired/needed.
- This development will include sidewalks to promote pedestrian circulation within the development.

5. *Preservation of Existing Site Features*

- A previous application put great emphasis on saving the tree lines access drive that is located on the West side of this site (directly adjacent to the Golf Course). It is our intent is to save these trees with this plan unless geotechnical difficulties are encountered that would require their removal. That is not foreseen at this time.
- Clearing and grading will occur within the limits of the grading as shown on the accompanying plan excepting any building pad areas not shown as cleared, these areas will be cleared as necessary to build a home.
- Areas not cleared for grading or for geotechnical stability will be left natural. Underbrush and selective clearing may take place as needed for the health of the environmental community.

6. *Landscaping*

- The fronts of all buildings will be planted in accordance with a standard landscaping package, typically including one tree in the front yard area, and foundation plantings.
- The perimeter of the development that is not directly adjacent to similar single-family uses will be primarily buffered by natural ground cover as it exists in the field today.

7. *Architecture*

- The theme of the exterior designs for the homes within surrounding Whitestone Links is largely Midwest traditional and/or transitional in style with regionally and locally influenced architectural forms and elements.
- The style and massing the homes in adjacent development along Boone Aire Road, Zig Zag Road, and within The Links Subdivision includes a mix of ranch style, one and a half story, two story homes, and multi-level condominiums.
- The surrounding homes include a mix of one and two car garages, some are attached while others are detached.
- The architectural themes and elements of the surrounding homes will be included in this development.

Grand Communities, Ltd.
Whitestone Links Subdivision PD Standards

- Homes are to have a mix of exterior finishes limited to stone, brick, stucco, and siding (horizontal or vertical) in any combination.
- Homes will have attached one or two car garages.
- Roof designs are to be similar to those seen in the area, they are to include gables, hips, dormers, dutch hip, and shed with pitches ranging from 3:12 through 12:12 with composition shingles.

8. Historic and Prehistoric Features

- This development plan represents the re-development of a parcel that has been used within the last 50 years as the club house for a Golf Club. Because of this level of disturbance, it is highly unlikely that the site still contains and prehistoric features.
- The existing tree lines access drive will be retained to the extent possible. This is the only feature on this site that offers clues as to its previous uses.

9. Signage

- There will be an entry monument and accompanying signage.
- Signage within the development will be restricted to traffic and governmental signage, and temporary marketing signage.

10. Transportation Connections and Entry Points

- There is no land surrounding this property that is undeveloped and would require a stub street connection.
- Pedestrian pathways, in the form of sidewalks, will provide pedestrian access to the outside of the site via the entrance drive down to Boone Aire Road.
- As previously noted, interior circulation is provided by a circular street system, ideal for emergency vehicles and public transportation (such as school busses)

11. Conformance with the Comprehensive Plan

- This plan complies with the Comprehensive Plan.
- The Comprehensive Plan has planned this are to be developed as residential at 4-8 units per acre.
- This application accommodates the plan at the low end of the planned density. To permit a higher density, an alternative product must be employed. Such products have not historically been acceptable on this property.
- This project utilizes existing infrastructure permitting a more equitable and efficient use of these facilities.

Parkland

H.O.M.E.S

Elmhurst



Elevation A



Elevation B



Elevation C



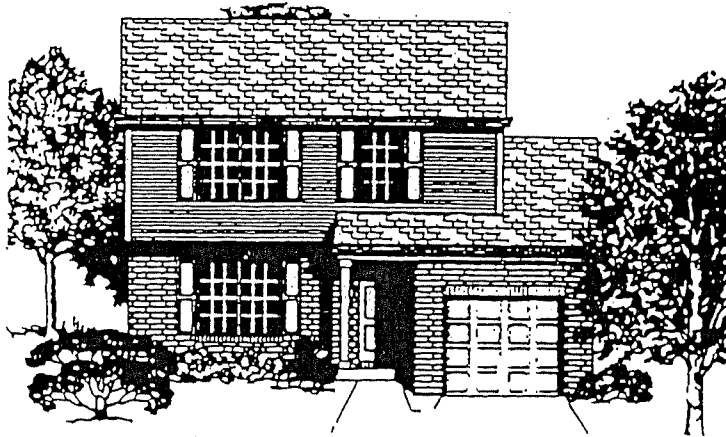
Parkland

H.O.M.E.S

Hartford



Elevation A



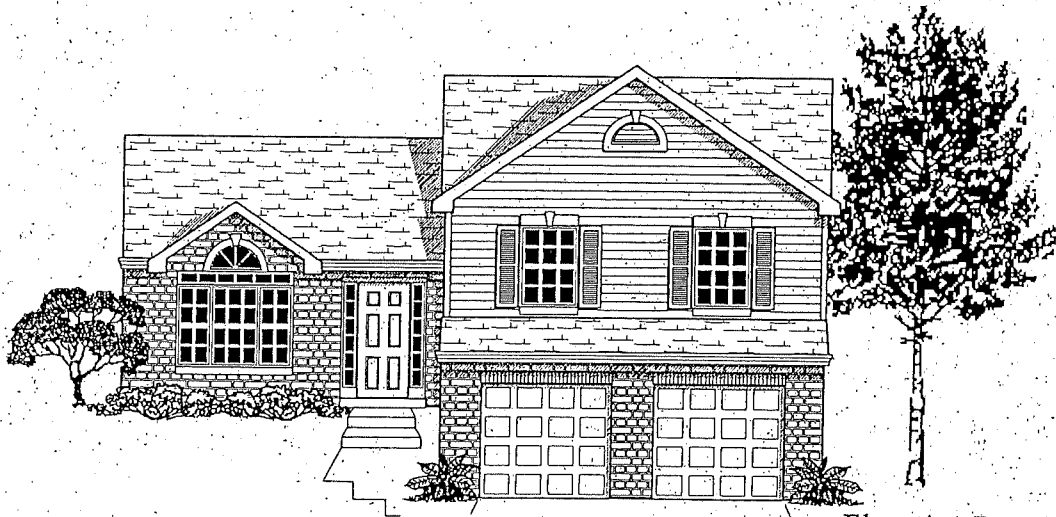
Elevation B



Sheffield



Elevation A



Elevation B

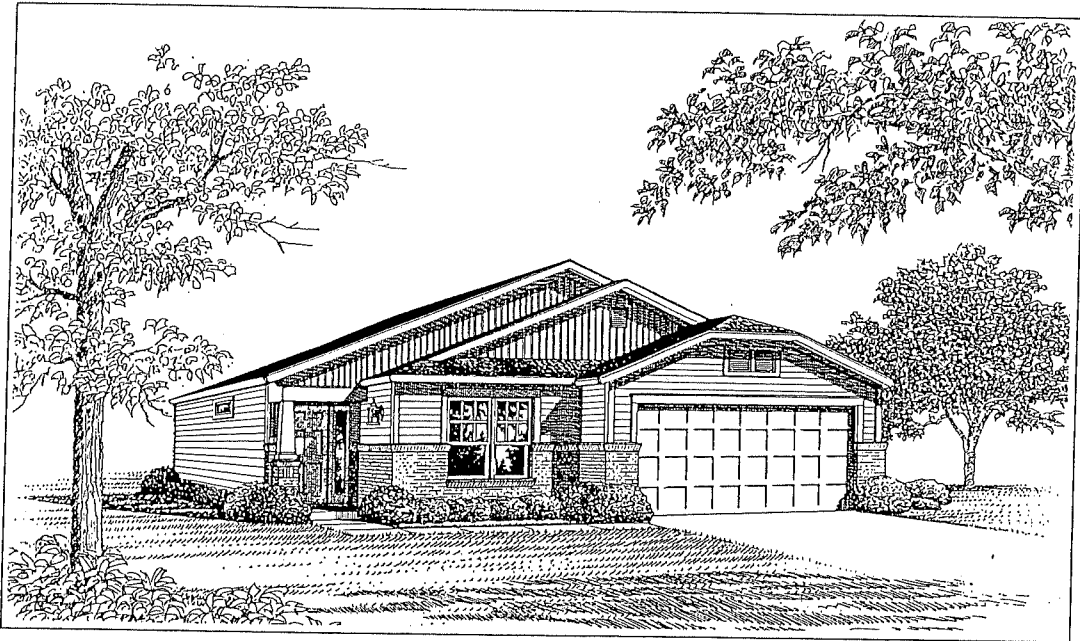


Elevation C

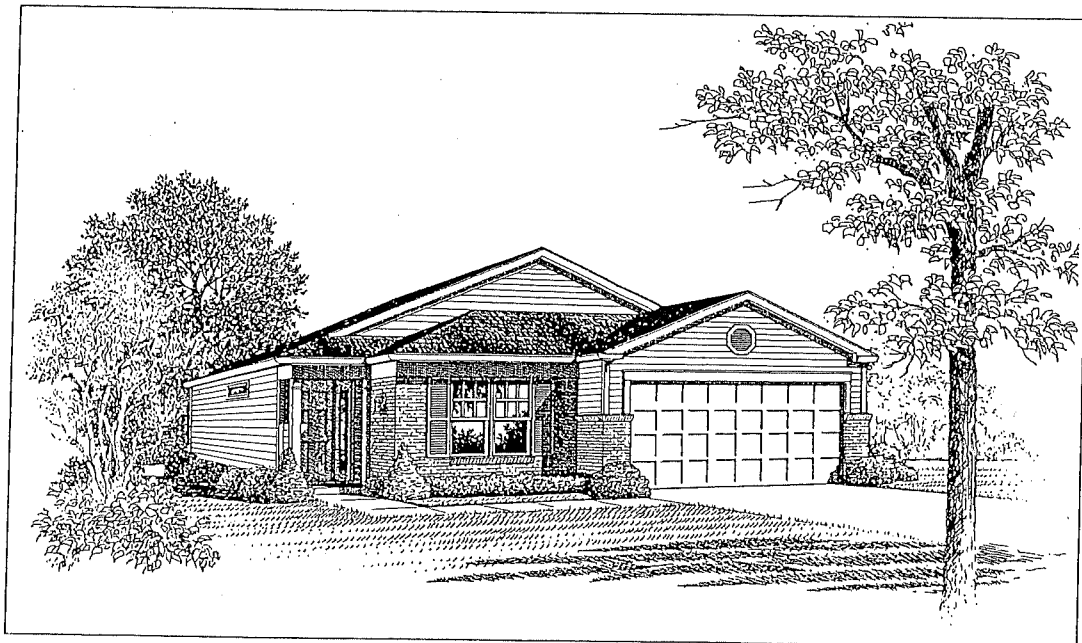
by

 **Parkland**
H • O • M • E • S


**MAPLE STREET
HOMES**
A Fischer Group Company



EXTERIOR DESIGN A



EXTERIOR DESIGN B

THE BRIDGETOWN



West Haven



Elevation A



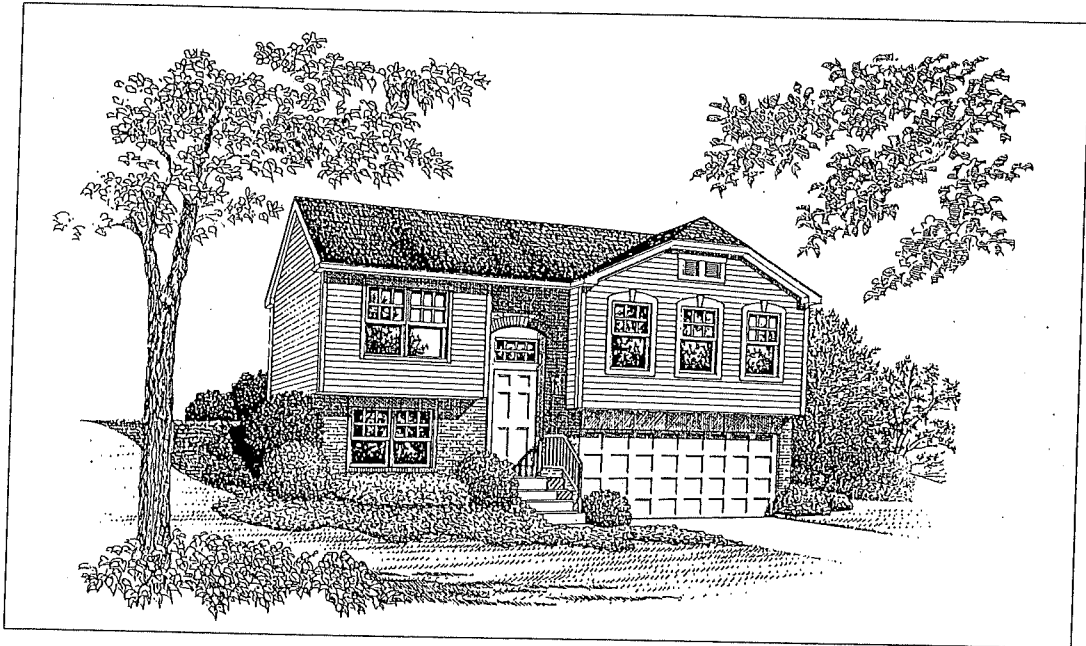
Elevation B



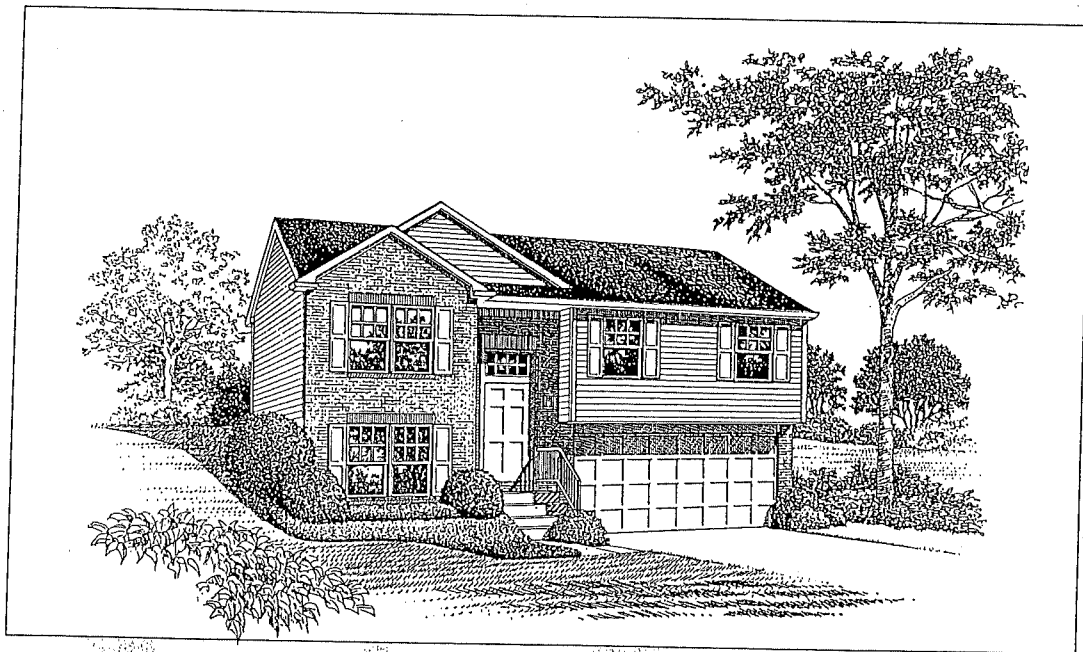
Elevation C

by

 **Parkland**
H • O • M • E • S



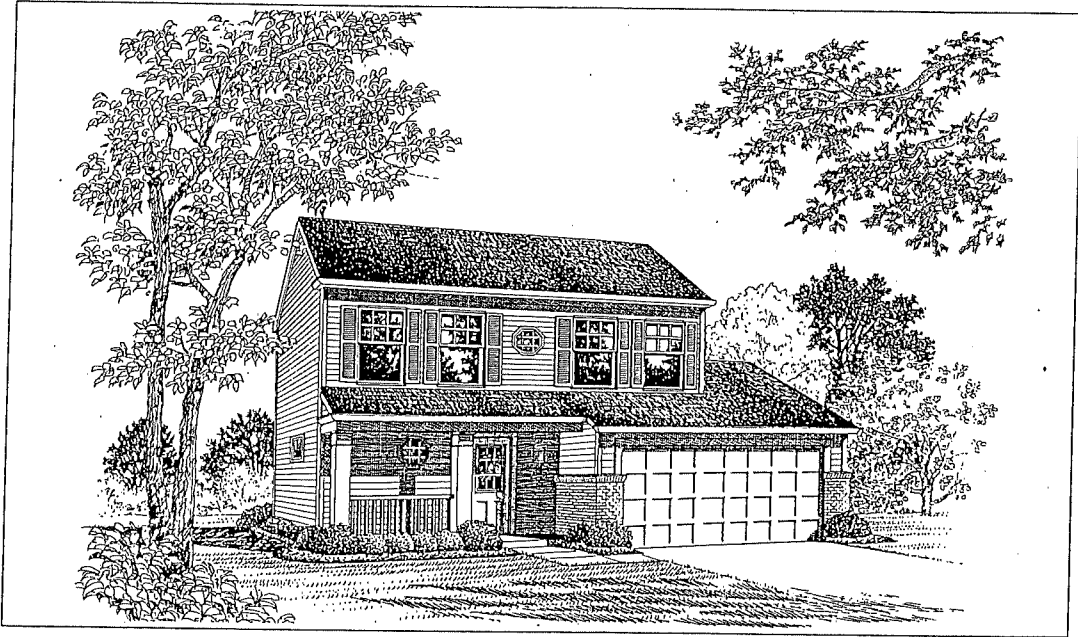
EXTERIOR DESIGN B



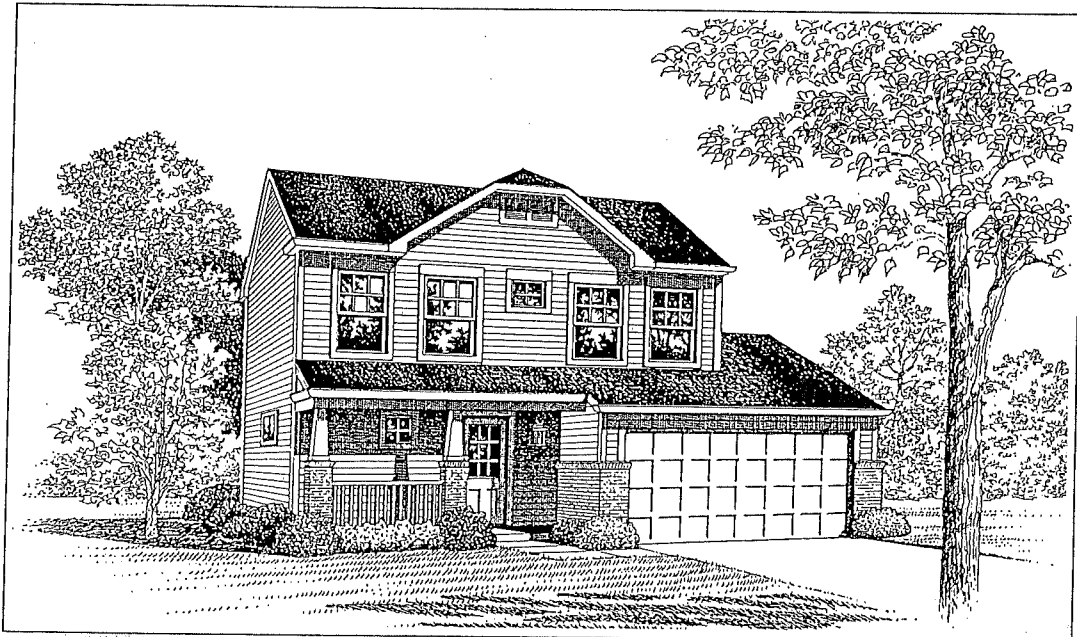
EXTERIOR DESIGN C



MAPLE STREET
HOMES
A Fischer Group Company



EXTERIOR DESIGN A



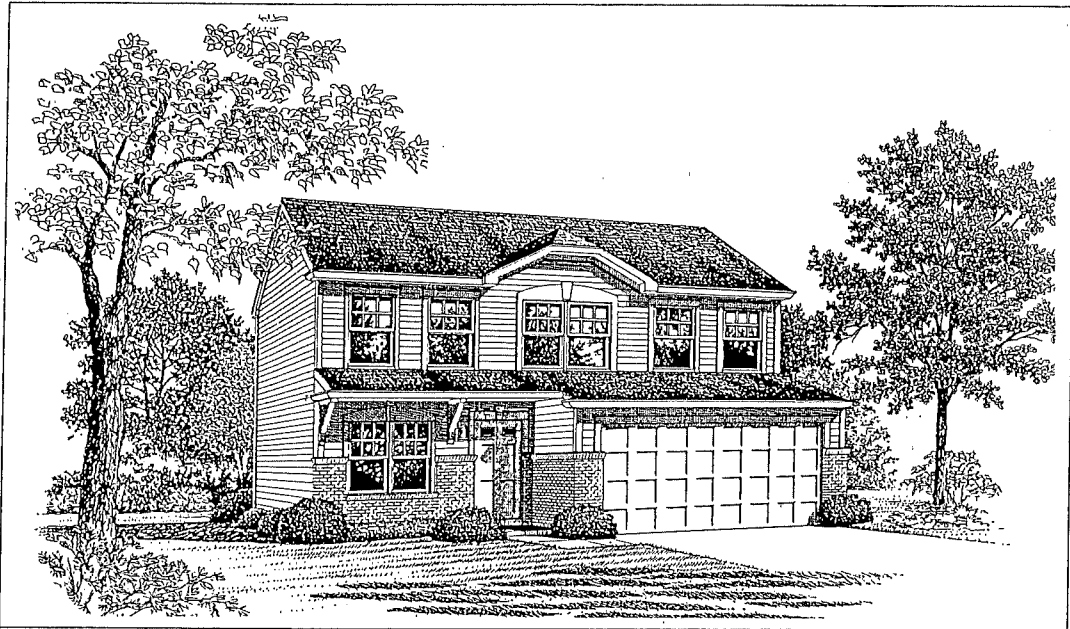
EXTERIOR DESIGN B

THE DANVILLE

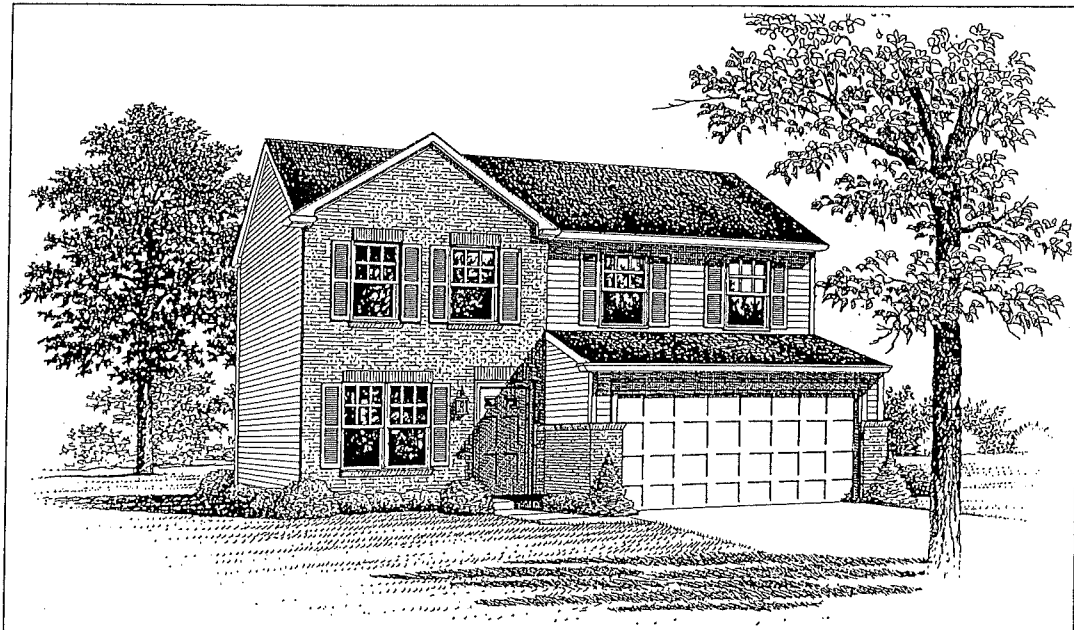




**MAPLE STREET
HOMES**
A Fischer Group Company



EXTERIOR DESIGN A

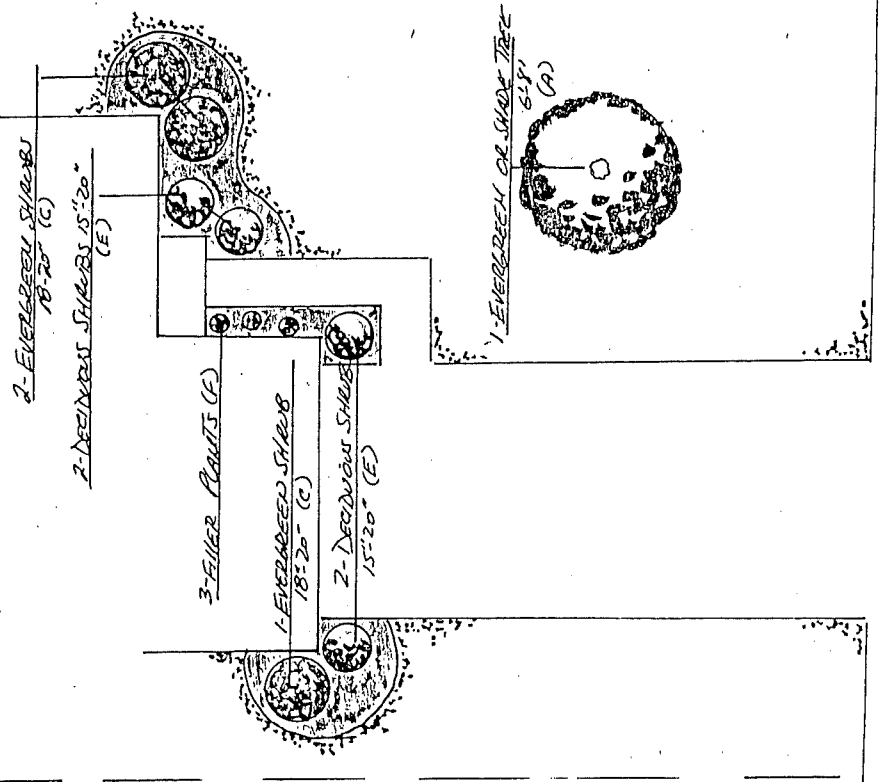


EXTERIOR DESIGN B

THE LEXINGTON



1	A	6'-8' TALL EVERGREEN OR 1 1/2" CAL. SHADE TREE, SUCH AS; SPRUCE, ARBORVITAE, PINE, MAPLE, ASH, OAK.
3	C	18"-20" EVERGREEN SHRUBS, SUCH AS; TAXUS, JUNIPER, BOXWOOD, BIRDS NEST SPALICE
4	E	15"-20" DECIDUOUS SHRUBS, SUCH AS; SPIREA, AZALEA, FORGYTHIA, BURNING BUSH.
3	F	SPACE FILLER PLANTS, SUCH AS; LIRIOPE, COREOPSIS, HOSTA DAYLILY, IRIS.



R E C E I V E D
 APR 21 2004
 BOONE COUNTY
 PLANNING COMMISSION

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

RE: Request of Dr. Robert M. DeCarvalho (owner) for a Zoning Map Amendment on a 17.6 acre site located south of Boone Aire Road, Boone County, Kentucky. The request is to rezone the property from Recreation (R) and Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD). The intended use is a Fountaincrest townhouse development.

DATE: March 2, 1988

REMARKS:

We, the Committee, recommend approval of the request based upon the following findings of fact and with the following conditions:

Findings of Fact:

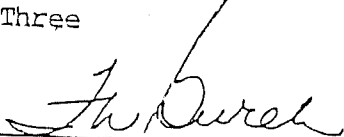
1. Although the 1986 Future Land Use Map depicts the site as Low Density Residential uses, the site is borderline to designated Medium Density Residential future land use, and the text of the Boone County Comprehensive Plan supports the proposed type of development in the subject area. The Housing Element calls for medium density to be the predominant residential development in the KY 18 corridor, and that this development should not occur directly on KY 18, but with easy access to it. The Housing Element also refers to a future increase in multi-family construction in the Florence-Burlington-Hebron area. The Committee believes that the proposed development would accomplish a progression of intensities from low density development on the east to high density development on the west, as called for in the objectives of the Housing Element. Specific references to the Comprehensive Plan are made in the Staff Report.
2. The Committee believes that the existing zoning of Recreation (R) and Suburban Residential One (SR-1) are inappropriate to reflect realistic development in light of the site's unique access and topography. The Committee does believe, however, that the proposed zoning of Suburban Residential Two/Planned Development (SR-2/PD) is appropriate to allow a planned development for the entire site that incorporates the natural hillsides and vegetation on the perimeter of the site, as well as achieving a gradation of densities from low density residential to high density residential land uses.

Conditions:

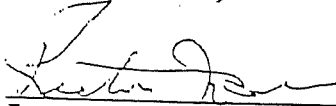
The Applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan as presented at the February 24, 1988 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. The proposed development shall incorporate a 50 foot buffer yard setback from the east property line adjoining the single-family Forrest Greens Subdivision. In order to accomplish this and to lessen the overall development impact on the topography, the overall density of the proposed development shall be adjusted to ninety (90) units on the 17.6 acre site.
2. All Preliminary Development and Site Plans submitted for this development shall be first reviewed by the Boone County Planning Commission's Technical Committee to determine their consistency with the Concept Development Plan as modified by these conditions. Any submittal proposing a major change from the modified Concept Development Plan or other submitted information will require a Public Hearing as determined by the Technical Committee.
3. The slides depicting similar architecture and landscaping that were presented by the Applicant at the February 24, 1988 Public Hearing shall constitute a part of the Concept Development Plan. Detailed architecture and landscaping plans shall be submitted as part of the Preliminary Development Plan and Site Plan Review stages. These plans shall be reviewed by the Boone County Planning Commission's Technical Committee as to their consistency with the submitted slides.
4. The entirety of the proposed recreation facilities shall be constructed during the first phase of the development.
5. As indicated at the February 24, 1988 Public Hearing, all townhouse units within the development will be for-sale units.
6. The owner of the development shall participate in improvements necessary to Boone Aire Road as determined by the County Road Engineers. These improvements would be designed to improve sight distance at the curve near the site's eastern edge. This could require a sight easement for maintenance of low level vegetation or the future dedication of right-of-way to permit road widening or straightening.
7. The owner of the development shall participate financially in the construction of a future left-turn lane from west-bound KY 18 to the east end of Boone Aire Road.
8. Full documentation of available sanitary sewer service shall be provided at Preliminary Development Plan Review.

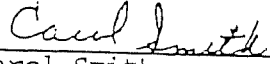
Committee Report - Dr. DeCarvalho
March 2, 1988
Page Three



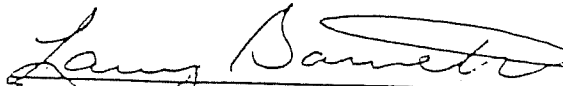
Fred Burch, Chairman



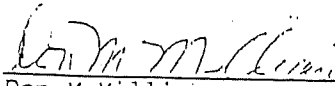
Rector Jones



Carol Smith



Larry Barnett



Don McMillian

DAG:kam

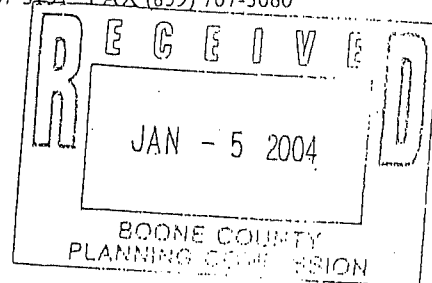


CINCINNATI/NORTHERN KENTUCKY INTERNATIONAL AIRPORT

P.O. BOX 752000 CINCINNATI, OH 45275-2000 (859) 767-3151 FAX (859) 767-3080

January 2, 2004

Ms. Patty Bachman
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005



Dear Ms. Bachman:

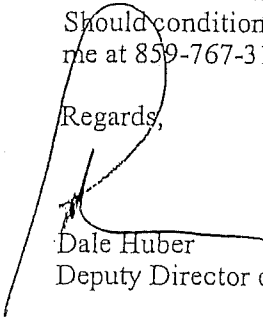
Airport Board staff has reviewed the Concept Development Plan and supporting documents for Condominiums on Boone Aire Road.

The following comments are offered:

- A. The proposed development is not in the current annual noise contour for the Cincinnati/Northern Kentucky International Airport.
- B. The proposed development is affected by a noise contour produced to evaluate alternative runway use for night time air traffic. However, this test is only one of at least a half dozen that are currently being flown. All of these tests will be evaluated in the recently initiated Part 150 noise study.
- C. At this time it is unknown which operational test will be recommended for implementation.
- D. Given this series of unknowns and the fact that the current noise contour is close to the proposed development, the developer may wish to consider funding the incorporation of some level of sound insulation capability into the structures during construction.

Should conditions relative to this issue change or if you have additional questions, please feel free to contact me at 859-767-3152.

Regards,


Dale Huber
Deputy Director of Aviation

DH:ksc

EXHIBIT
"B"

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: June 16, 2004

RE: Request of **Grand Communities, Ltd. (applicant)** for **U.S. Bank Trustee, Attn. Laurie Carr (owner)** for a Change in an Approved Concept Development Plan for an approximate 17.5 acre lot located on the south side of Boone Aire Road, approximately 75 feet west of the Boone Aire Road/Glen Arbor Drive intersection and approximately 100 feet east of the Boone Aire Road/South Zig Zag Road intersection, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Suburban Residential Two/Planned Development (SR-2/PD) zone to allow a subdivision for detached single family residences.

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment request based upon the following findings of fact and with the following conditions:

FINDINGS OF FACT

1. The Committee has determined that the proposed Change in an Approved Concept Development Plan is in agreement with the 2000 Boone County Comprehensive Plan, due to the following reasons:
 - A. The Future Land Use Map designates the majority of the site as High Suburban Density Residential, allowing up to 8 dwelling units per acre. The definition of High Suburban Density Residential, as stated in the 2000 Boone County Comprehensive Plan Existing and Future Land Use Classifications, indicates that High Suburban Density Residential development is single-family housing and/or attached housing. This type of development allows condominiums, townhomes, and zero-lot line development. The previously approved Concept Development Plan entailed the construction of 90 dwelling units on the 17.59 acre site, amounting to an overall density of 5.12 dwelling units per acre. The density falls within the 8 dwelling units per acre permitted under the High Suburban Residential land use classification. The proposed Concept Development Plan indicates that 85 units would be constructed on the site, for an overall density of 4.83 dwelling units per acre, which would also fall under the High Suburban Residential land use classification.
 - B. The Future Land Use Development Guidelines of the Land Use Element note that prior to development of a site, an inventory should be taken of existing natural features to determine if these features should be preserved ("Utilization of Existing Vegetation and Topography," p. 158).

Objective #2 of the "Physical" Section of the Environment Element similarly recommends that sites are developed with the preservation of the site's existing character and topography in mind and that the physical assets of the site are emphasized. Objective #3 of the "Social" Section of the Environment Element states that, as a result of the inventory of the site, land with unique environmental features shall be preserved and used for recreational opportunities or incorporated into the site design. Objective #4 of the Social Section of the Environment Element indicates that existing vegetation is important to the site and to the community's welfare. The proposed Concept Development Plan would entail the preservation of much of the existing tree cover currently found on the site. Further, the Development Guidelines encourage the use of green belts, landscaping, and building setbacks to minimize the impact of developing land uses upon adjoining properties ("Buffering," "Landscaping," p. 159). A landscaping package to be developed on individual lots was submitted with the Concept Development Plan. Additionally, the recommended conditions entail an increased rear-yard building setback of 50 feet for the houses located on the eastern property boundary, as well as supplementation of the existing tree cover with Buffer Yard "C."

- C. The Housing Element discusses the growth of multi-family housing in Boone County, stating that it should be located close to urban services and to thoroughfares to allow gradation in density and land uses. The approved Concept Development Plan for the property amounts to the gradation between Suburban Residential and Urban Residential development, because it offers separation of the Urban Residential One zoning across Boone Aire and to the west of the site, adjoining the golf course, from the Suburban Residential One zoning found in the Links subdivision to the east and the south of the site. The proposed Concept Development Plan would be a comparable gradation of density, as its density is similar to that of the approved Concept Development Plan. Because the proposed Plan features single-family detached housing rather than the single-family attached housing depicted in the previously approved Concept Development Plan, it would allow a more gradual transition in land uses from the large-lot single-family detached housing of the Links Subdivision to the multi-family attached housing of the Boone Links condominiums and the development that would be permitted for the adjoining UR-1 property to the north. Objective #5 of the Housing Element notes that residential development should be evaluated first based on its impact on the existing infrastructure and on its overall

density rather than the type of housing proposed. The impact to the infrastructure would be similar to that of the approved Concept Development Plan. Objective #7 of the Housing Element notes that measures must be taken to reduce airport noise for housing that is constructed at the 65 DNL contour or higher. The most recent adopted Noise Exposure Map does not indicate that the property lies within the 65 DNL noise contour. However, the Kenton County Airport Board is currently updating the Part 150 Noise Study, which may or may not affect the subject site. The Applicant has agreed to construct all the houses on the site with insulation to the noise standard as required for the 65 DNL contour per Section 3196 of the Boone County Zoning Regulations.

2. The Committee has concluded that the proposed Concept Development Plan, with the attached conditions noted below, generally fulfills the applicable requirements outlined in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations.
3. 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 and the requirements of Article 15 of the Zoning Regulations. 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 owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The required rear yard building setback will be increased to 50 feet for the proposed houses on the east property boundary adjoining the residences on Glen Arbor Drive. Additionally, there will be a minimum 20 foot setback for accessory structures located on the lots on the east property boundary adjoining Glen Arbor Drive.
2. The existing tree cover located on the east property boundary will be retained. Where there are gaps in tree cover along this property boundary, the plantings as stipulated for Buffer Yard "C" will be required. The buffer yard will be located in a landscaping easement that is to be recorded in the Final Plat. Staff will evaluate the need for additional buffer yard plantings during the review of the Improvement Plan or Grading Plan if a separate Grading Plan is submitted. Further, the disturbed limits of the property shall be limited to preserve the existing tree cover on the periphery of the site.

3. All houses constructed on the site will be insulated to the noise standard as required for the 65 DNL contour per Section 3196 of the Boone County Zoning Regulations.
4. The open space adjoining the golf course property on the west and south property boundaries shall be donated to the Boone County Fiscal Court. If the Fiscal Court refuses the property, a Homeowner's Association shall be formed to maintain the property.
5. There will be a minimum of three (3) off-street parking spaces provided for each house. In the event that a house is constructed with a one-car garage, two side-by-side parking spaces (i.e. a driveway and a parking pad) will be provided along with the garage.
6. Sight distances for the proposed streets will be met as required per Table 32.4 of the Boone County Zoning Regulations.

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

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A

May 19, 2004
7:30 P.M.

PUBLIC HEARING

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bungler, Mr. Caddell – Chairman, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. White, and Mrs. Wilson – Secretary/Treasurer.

Staff Members Present: Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; 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 7:30 PM and introduced the first item on the Agenda:

Applicant: Grand Communities, Ltd. for
U. S. Bank Trustee, Attn. Laurie Carr (owner)

Request: Change in Approved Concept Development Plan

The request of Grand Communities, Ltd. (applicant) for U. S. Bank Trustee, Attn: Laurie Carr (owner) for a Change in an Approved Concept Development Plan for an approximate 17.5 acre lot located on the south side of Boone Aire Road, approximately 75 feet west of the Boone Aire Road/Glen Arbor Drive intersection and approximately 100 feet east of the Boone Aire Road/South Zig Zag Road intersection, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Suburban Residential Two/Planned Development (SR-2/PD) zone to allow a subdivision for detached single-family residences.

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

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Mr. Larry Sprague, Vice President of Fischer Development Company, which is the General Partner of Grand Communities Limited, stated that Staff presented a comprehensive review of the proposal and the history of the previous request for this property. He stated that they are requesting a Change in an Approved Concept Development Plan for the property under the existing SR-2/PD zoning classification. They are proposing detached single-family homes on individual building lots. He stated that this is an area of mixed UR-1 and SR-1 zoning and is located within about 500 feet of the O-1 zone. He stated that there is a mixture of housing types in the area. There is a mixture of zoning classifications on the Future Land Use Map. They believe the proposal complies with the Future Land Use Map, it is within the density range set forth for this property, and the proposed Site Plan is appropriate for the site. The density is lower than the currently approved plan for the site. The street layout and lot arrangement fits the topography of the site. He stated that they will be able to preserve some of the more mature trees, particularly along the western border of the site and the driveway area, which was of previous concern. He stated that sight distance is important -- safety is important -- and they believe they can meet the sight distance standards. Their Consulting Engineer has spoken with County Engineer Greg Sketch and they agreed that the location of the entrance is the best place for it to be and they will be able to meet the sight distance standards. He stated that the featured builder in Whitestone Links will be Parkland Homes and the owner of Parkland Homes, Chuck Berling, is present and will discuss the housing types. Mr. Sprague offered to answer any questions.

Mr. Chuck Berling with Parkland Homes stated that this development will be comparable to Ridgefield Subdivision off Elijah Creek Road. The lots are similar in size. He stated that they probably would not use zero lot lines, and typically uses 5-foot sideyards. The price range in Ridgefield is \$115,000 to \$175,000 and the price ranges would probably be similar in this development. Mr. Berling offered to answer any questions. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition to the request.

Mr. Lloyd Friend, 1549 Trophy Court in The Links Subdivision, stated that he is on the Homeowners Board of The Links. Mr. Friend read and submitted his written comments and reviewed the attached data obtained from the PVA office (see Exhibit 1).

Mr. Leonard Ushenski, 7056 Glen Arbor (Lot #10), stated that his property will be right next to the proposed development and he will be looking at it. He agreed with the comments made by Mr. Friend. He is concerned about the size and value of the homes. He stated that the driveway going into the development is not large enough. He does not approve of the request as proposed.

Mr. Dale Spada, 7104 Glen Arbor, stated that he owns the first and second lots going into The Links. He is opposed, as he was last time, because the distance between his lot in the back and the proposed development is not enough and the development will affect his property value. His main concern is the distance from his property to the development. Traffic is also a major concern. If the houses are right behind his property, with no ordinance on what can be put in the yards, he will have a swimming pool right there.

The Chairman asked if there was anyone else present who wished to speak in regard to this request. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. Knock stated that Staff spoke to the 300-foot sight distance, which is based on the 25 MPH speed limit. He asked if 25 MPH is the speed limit on the road. Ms. Bachman responded "yes", but that when she was out there putting up the sign, the traffic seemed to be passing at speeds greater than 25 MPH. She could check with the police to see if there are records on speeding incidences there.

Mr. McMillian asked if the detention area is in the green space and taking up part of the grass. He stated that the designs show a lot of two-story houses, which likely means there will be children in the area. He asked if they are building the streets big enough for school buses to turn around and questioned how they will accommodate children playing in the area. Mr. Sprague reviewed the Power Point presentation and indicated Boone Aire Road and the proposed entrance. He indicated the location of the proposed detention basin. He stated that the detention basin is down over the hill in a drainage area. The drainage basin is in the open space area. He stated that they built a loop street to make it easy for the school bus. He does not think the school bus will go down the little cul-de-sac. He believes that the school bus will come into the development and make a loop and go back out. Mr. McMillian questioned the amount of green space. Mr. Sprague responded that there is 4.4 acres of green space, which is 22% of the site, and in Planned Development 20% open space is sufficient. Mr. McMillian questioned how many acres of the open space is taken up by the detention pond. Mr. Sprague responded "two thousand square feet". Ms. Bachman stated that she left the detention pond out of her figures on open space and came up with 4.01 acres. Mr. McMillian stated that there is no place for the children to play – do they plan on the children playing in the street? Mr. Sprague responded "no" and stated that he believes the children would play in their own yards. He stated that the development does not have an amenity package and the open space is primarily preservation of green area for the benefit of the total community. Mr. McMillian stated that five feet on either side of the house is not much space for the children. Mr. Sprague responded that there are no playfields or active recreational facilities planned for this development. It is a 17-acre development. It is a rather small development and they are not proposing a large amenity package. The eighty-five homes will not support a nice amenity package. Mr.

McMillian questioned how many children there will be in the development. Mr. Berling responded that they typically have pretty many children since this is considered entry-level housing. The houses have their own private yards and typically the swing sets go in the backyard. He stated that the density of children would typically be high. Mr. McMillian responded that the front yard and the backyard are not very large, and the sideyards are five feet wide. Mr. Berling stated that typically the backyards will be 40' – 100'. Mr. McMillian stated that if they have 1.5 children per house, that is a lot of children in an area with no place to go. Mr. Berling stated that the children can play in their backyards or go to a playground.

Mr. Barlow stated that there is a green area on the south side. The lots on the east side of the property do not look very deep and there does not appear to be a buffer or setback of any significance there. Ms. Bachman responded that there is a 30-foot backyard setback from the rear property line to the back of the house. The rear property line abuts the houses on Glen Arbor Drive. She stated that there is no buffering requirement for subdivisions adjoining subdivisions. Mr. Reynolds questioned there being no requirement for buffer on the eastern property boundary when the Planning Commission previously indicated that it was to be 50 feet (March 2, 1988 Committee Report, Condition #2). Ms. Bachman responded that with SR-2 adjoining SR-1, there would be no requirement for buffer yard, but there was a requirement for a 50-foot buffer in the 1988 approved Concept Development Plan.

Mr. White stated that he is concerned about a 4,000 square foot lot on the eastern property line. He questioned what type of house could be built on a 4,000 square foot lot. Mr. Berling responded that any of the houses shown (see Parkland Homes attached to the Staff Report) could be built on those lots. Most of the houses are 25' – 30' deep, and with a 20-foot setback, that takes up 50 feet of the lot. The lots are 80 feet deep, which leaves 30 feet. He stated that the rear yard setback is a minimum and does not mean the houses will be placed there – it just means the houses cannot be placed beyond that point.

Mr. Poe questioned the width and length of the 4,000 square foot lots. He asked why the applicant does not incorporate the 50-foot buffer yard requested in 1988. Mr. Berling responded that a 4,000 square foot lot would be 50 feet wide and 80 feet deep. Mr. Sprague stated that in the Subdivision Regulations under Open Space – Cluster Zoning provisions it says that the buffer yard requirement is the same rear yard requirement of the adjoining zone, which is SR-1. Therefore, the rear yard requirement is 30 feet. Mr. Poe stated that there was a condition for a 50-foot buffer. Mr. Sprague responded that those homes were townhomes and most planning commissions make a differentiation between attached homes and single-family homes. He believes this Planning Commission also makes that differentiation. He stated that this is single-family homes next to single-family homes and they are treating it that way instead of treating it as single-family homes adjacent to multi-family homes.

Mr. Poe stated that there will be less green space left with this proposal than what was proposed last time. Mr. Sprague responded that the open space calculations relate to how open space is computed. In a single-family subdivision, the yards are not computed as open space – but in a townhome or multi-family development, the yards are considered open space.

Mr. Newman stated that the proposal has come a long way, but the entrance is not in a good place and he is concerned about the four or five homes on Glen Arbor that will have thirteen homes backing into them. He asked if there is a way to rework those thirteen homes so that they will not be right in the backyards of the properties on Glen Arbor, which are extremely nice homes. Mr. Sprague stated that what Mr. Newman is suggesting would be a setback.

Mrs. Poston questioned insulation of the proposed homes in consideration of airport noise. Mr. Berling responded that insulation is dictated by the sound contours and the Airport Board. They have done sound insulation packages before and, if it is required here, they will do it. It is above and beyond what they typically do – such as a storm door or insulation in the attic. Mrs. Poston stated that when the proposal for the condominiums was made, it was emphasized that there would be additional soundproofing of those units. Mr. Berling responded “if it is required, that is what we will do”. Mrs. Poston asked if it is not something they do as a standard. Mr. Berling responded that they have a standard package they put in their homes and in certain areas additional measures are taken.

Mr. Bunger stated that on a previous application it was pointed out that there is an on-going study and at this point a determination has not been made as to what the results would be for this site. He stated that the determination may not be made for two years and questioned how sound will be addressed so that the homes built in the first two years will meet the standard. Mr. Berling responded that if there is any question whatsoever, they put the same package in all of the houses. He stated “if it appears some of the house will need it, we will do it for all the houses”. Mr. Bunger asked who would make that determination. Mr. Berling responded that for Ridgefield Subdivision, the determination was made by Staff. He believes there were concerns and they agreed to do it for all the houses there. Mr. Wall stated that he believes it was a condition of the zone change for Orchard Estates, but he is not aware of it being a condition for Ridgefield

Mr. McMillian questioned fencing. He stated that there are five lots backing up to one lot on Glen Arbor and questioned if there is any distinction between where one lot stops and the other lot starts. Mr. Berling responded that there is an existing tree line there that will stay. He stated that they will not put up fencing, but the people who buy the houses can put up fencing if they want. Mr. McMillian stated that there will be five houses with children up against someone else's lot and questioned how the children will know where to play and keep on

their own 30-foot lot? How will children stay off the adjoining property when they don't know where it starts? Mr. Berling responded that a fence is not part of the plans at this point and they will not put up a fence unless it is a condition. Mr. Knock stated that keeping the children off the adjoining property is a matter of parental discipline.

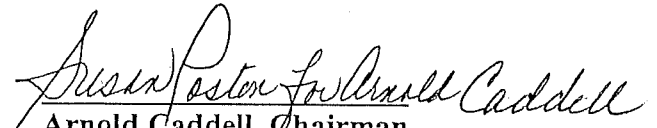
Mr. Breetz questioned how many houses will have two-car garages and how many will have single car garages. Mr. Berling responded that about 25% of the people will choose one-car garages and 75% will choose two-car garages. People will have a choice when the houses are built.

In response to questions from Mr. Breetz, Ms. Bachman stated that the front yard setbacks would be a minimum of 20 feet and there will be sidewalks on both sides.

Mr. Breetz questioned the width of the driveways and the availability of offstreet parking. Mr. Berling responded that some of the houses would have one parking space in the driveway and one in the garage. There would be a 25-foot street with parking on one side. He stated that 75% of the houses will have four off-street parking spaces. The houses could have a parking pad which would give them an additional off-street parking space. He stated that they have not had problems with parking in Ridgefield and it is representative of this type of housing.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on June 2, 2004 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on June 16, 2004 at 7:00 PM. The Chairman closed this Public Hearing at 8:35 PM.

APPROVED:


Arnold Caddell, Chairman

Attest:

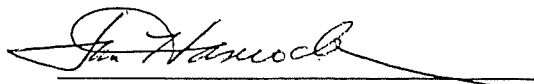

Jan Hancock, Recording Secretary

Exhibit –

1. Comments and attachments submitted by Lloyd Friend

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: June 2, 2004

RE: Request of **Grand Communities, Ltd. (applicant)** for **U.S. Bank Trustee, Attn. Laurie Carr (owner)** for a Change in an Approved Concept Development Plan for an approximate 17.5 acre lot located on the south side of Boone Aire Road, approximately 75 feet west of the Boone Aire Road/Glen Arbor Drive intersection and approximately 100 feet east of the Boone Aire Road/South Zig Zag Road intersection, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Suburban Residential Two/Planned Development (SR-2/PD) zone to allow a subdivision for detached single family residences.

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.

June 2, 2004

Grand Communities/Boone Aire Road

Susan Poston

Susan Poston, Chairwoman

For Project Absent
 Against Project
 Abstain Deferred

Randy Barlow

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

Janet Kegley

Janet Kegley

For Project Absent
 Against Project
 Abstain Deferred

Charlie Reynolds

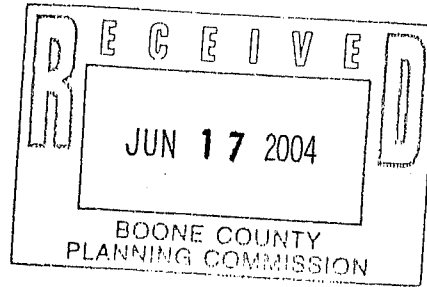
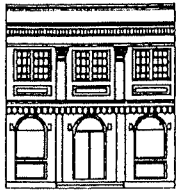
Charlie Reynolds(Alternate)*

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

June 8, 2003

Mr. Steven Wilhem
Vice President and Trust Office
US Bank Trust, NA
P.O. Box 1118, CN-OH-W7-RE
Cincinnati, OH 45201

RE: Recommended Conditions of Approval for Proposed Concept Development Plan,
Whitestone Links at Boone Aire Road, Boone County, Kentucky

Dear Mr. Wilhelm:

The following conditions, in conjunction with the Concept Development Plan, as agreed to by the Boone County Planning Commission's Zone Change Committee, serve as the basis for the Committee's recommendation of approval. If you agree to the following conditions, please indicate so by signing at the space provided below, and return this letter to the Planning Commission Office by 5:00 P.M. Monday, June 14, 2004.

1. The required rear yard building setback will be increased to 50 feet for the proposed houses on the east property boundary adjoining the residences on Glen Arbor Drive. Additionally, there will be a minimum 20 foot setback for accessory structures located on the lots on the east property boundary adjoining Glen Arbor Drive.
2. The existing tree cover located on the east property boundary will be retained. Where there are gaps in tree cover along this property boundary, the plantings as stipulated for Buffer Yard "C" will be required. The buffer yard will be located in a landscaping easement that is to be recorded in the Final Plat. Staff will evaluate the need for additional buffer yard plantings during the review of the Improvement Plan or Grading Plan if a separate Grading Plan is submitted. Further, the disturbed limits of the property shall be limited to preserve the existing tree cover on the periphery of the site.
3. All houses constructed on the site will be insulated to the noise standard as required for the 65 DNL contour per Section 3196 of the Boone County Zoning Regulations.
4. The open space adjoining the golf course property on the west and south property boundaries shall be donated to the Boone County Fiscal Court. If the Fiscal Court refuses the property, a Homeowner's Association shall be formed to maintain the property.
5. There will be a minimum of three (3) off-street parking spaces provided for each house. In the event that a house is constructed with a one-car garage, two side-by-side parking spaces (i.e. a driveway and a parking pad) will be provided along with the garage.

Mr. Steven Wilhem
June 8, 2004
Page 2

6. Sight distances for the proposed streets will be met as required per Table 32.4 of the Boone County Zoning Regulations.

Sincerely,

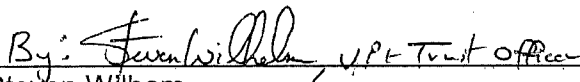


Patty Bachman
Planner

MPB/pr

Agreement

I, the authorized representative for the property owner, agree to the above-listed conditions of approval for the requested Change in Concept Development Plan for property located on Boone Aire Road, approximately 300 feet east of the intersection of Zig Zag Road and Boone Aire Road.
U.S. Bank, N.A.

By:  U.P. Trust Officer
Steven Wilhem,
Authorized Representative for the Property Owner

5/14/04
(Date)

DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT THE HUNTINGTON NATIONAL BANK (fka The Huntington Bank, Inc.), TRUSTEE FOR THE BENEFIT OF RICHARD J. MENKE, U/A DATED OCTOBER 28, 1994,

for and in consideration of -----\$1.00-----

to it paid by the grantee herein, the receipt of which is acknowledged, does bargain, sell and convey to:

FIRSTAR BANK, N.A., SUCCESSOR TRUSTEE OF THE RICHARD J. MENKE IRA DATED OCTOBER 28, 1994, its

successors and assigns forever, the following described real estate, in the County of Boone and Commonwealth of Kentucky, to-wit:

PRESENT STREET ADDRESS: Boone Aire Road, Florence, KY 41042

GROUP NO. 2032/BOONE

DEED-00-3

Situated in Boone County, Kentucky, lying along the south side of Boone Aire Road, (Old Ky. 18), and east of Boone-Aire Golf Course and being more particularly described as follows:

Beginning at a point in the center of Boone Aire Road, formerly Ky. Route 18; said point being approximately 40 feet east of Boone Aire Road's crossing of the right branch of Gunpowder Creek approximately one and one-half miles west of Florence, Kentucky; thence along the center of Boone Aire Road S 71-41 E 157.76 feet to a point; thence S 72-49 E. 286.94 feet along the center of Boone Aire Road to a point; thence S 67-39 E 62.41 feet along the center of Boone Aire Road to a point; thence S 59-13 E 50.32 feet along the center of Boone Aire Road to a point; thence S 50-11 E 50.24 feet to a point in the center of Boone Aire Road; thence along the Grantor's easterly property line S 56-24 W 75.11 feet; thence S 10-14 W 379.60 feet; S 9-43 W 586.27 feet to a point corner to the Grantor; thence along the southerly property line of the Grantor N. 69-33 W 768.16 feet; S 89-29 W 120.86 feet; S 64-39 W 73.33 feet to the southwesterly corner of the Grantor; thence along the westerly property line of the Grantor N 10-30-12 E 281.86 feet; N. 71-28 E 66.32 feet; S 86-16-56 E 162.86 feet; N. 20-23-25 E 150.97 feet; N 15-11 W 155.32 feet; N 10-24-34 E 91.21 feet; N 51-11 E 347.40 feet to a point, said point being the beginning of a circular arc with a chord 62.01 feet in length bearing N. 11-10 W; thence along said arc a distance of 76.17 feet to a point; said point being the end of said circular arc; thence N 18-19 E 27.02 feet to the point of beginning.

Containing 17.5900 acres,

Subject to easements, restrictions and covenants of record.

Being the same property conveyed to The Huntington Bank, Inc., Trustee for the Benefit of Richard J. Menke, by deed dated June 15, 1995 and recorded in Deed Book 578, page 273 in the office of the Boone County Clerk at Burlington, Kentucky.

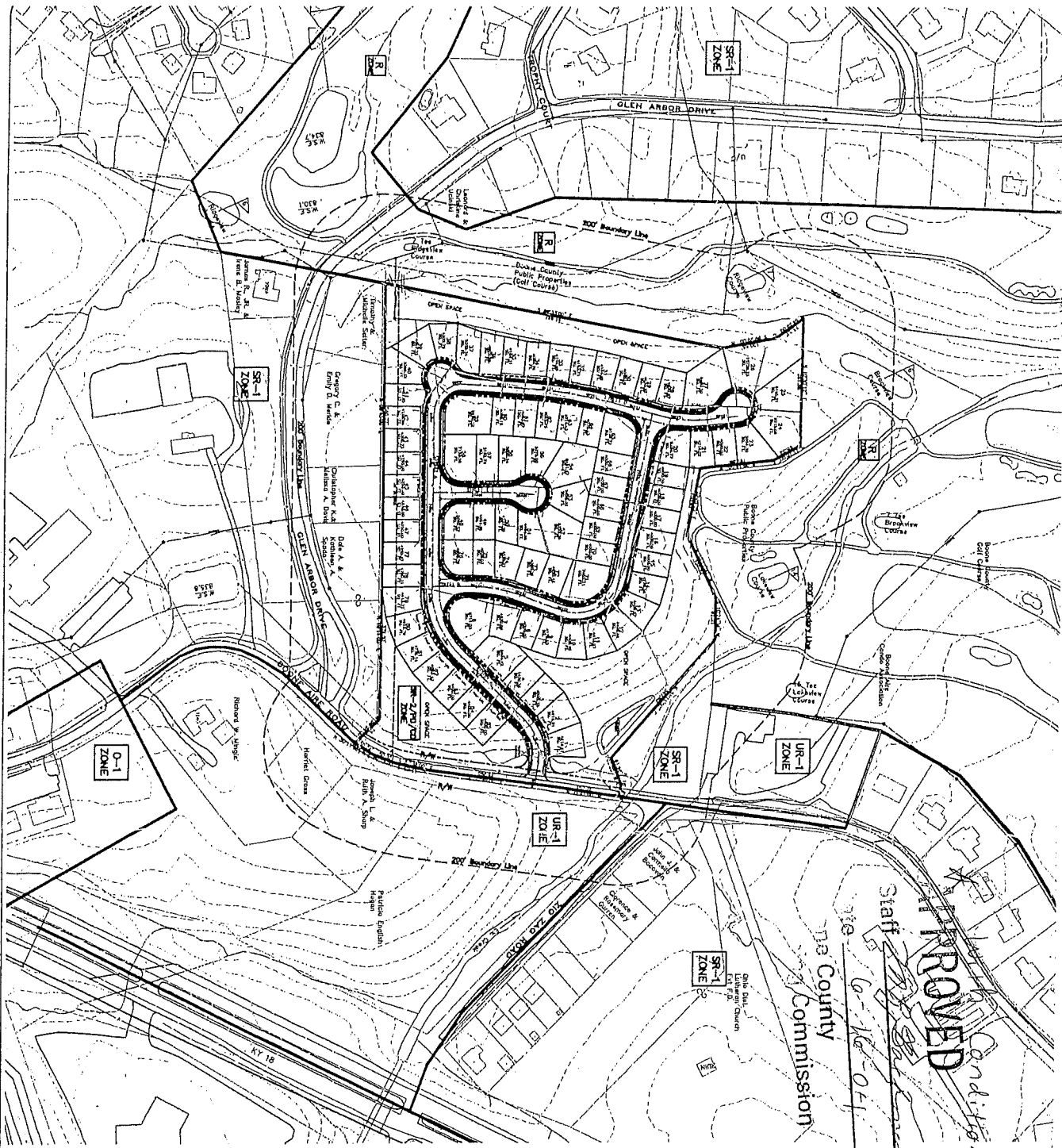
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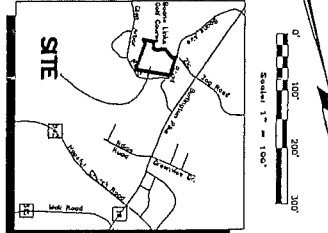
RETURN TO
Athena, etc

Back

Back to the Home Page



APPROVED
 Conditions
 Staff
 Boone County
 Commission



Zoning Legend
 R = Residential
 SR-1 = Suburban Residential One
 SR-2 = Suburban Residential Two
 PD = Planned Development
 UR-1 = Urban Residential One
 UR-2 = Urban Residential Two
 CD = Concept Development Plan

Utility Information
 Water = Boone County Water Department
 Sewer = Southern District No. 1
 Electric/Gas = U. L. H. & P.
 Telephone = Cincinnati Bell
 Storm Sewer = Boone County (if public)

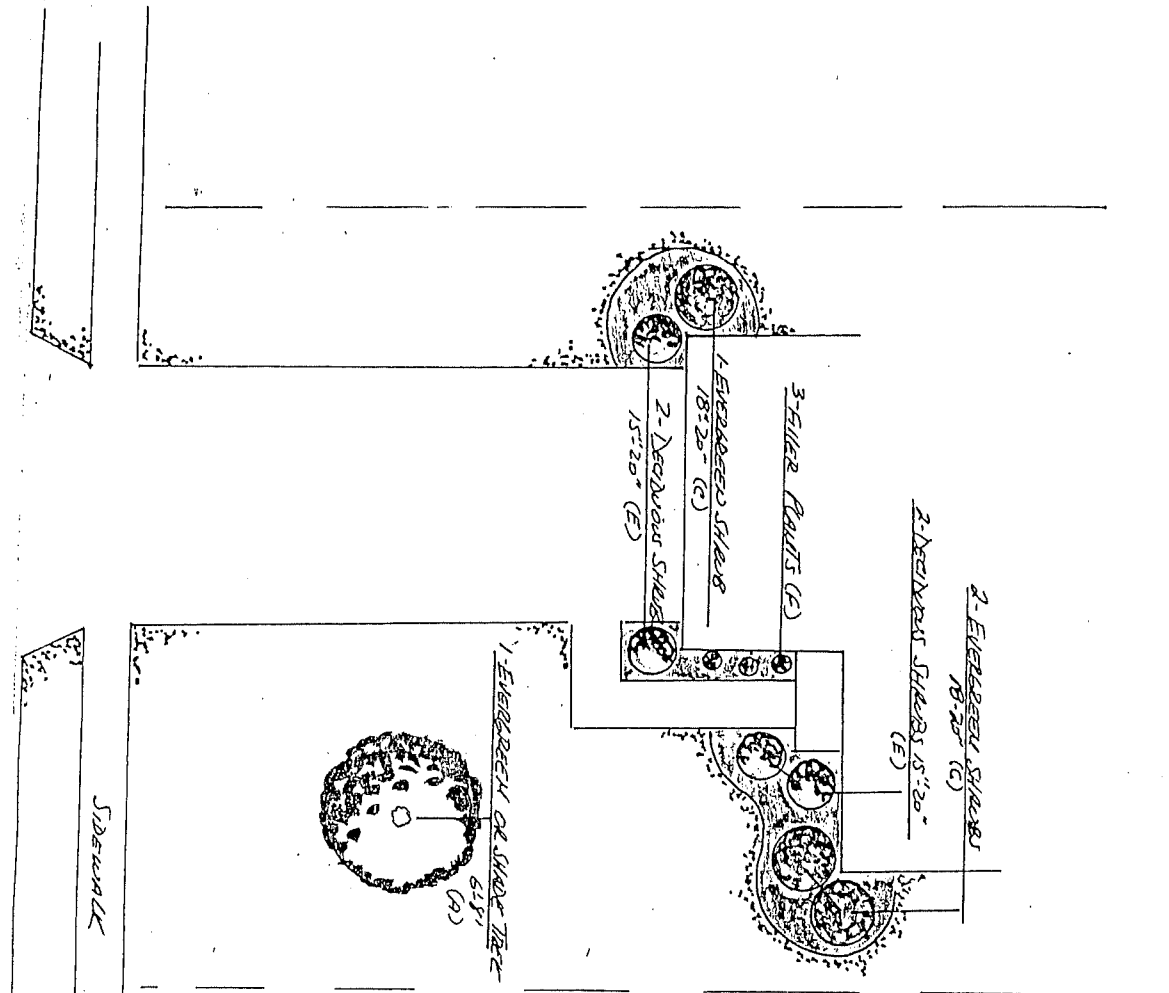
Site Information
 1. Owner: US Bank Trustee
 PO Box 1118
 Cincinnati, Ohio 45201
 2. Developer: Canal Communities, Ltd.
 2570 Chancelor Drive, Suite 300
 Oakway Mills, KY 41017
 (525) 541-4705
 3. Total Site Area: 17.58 acres
 Open Space Area: 4.03 acres (23.1%)
 4. Zoning: SR-2/PD/CD (6 du/acre)
 Suburban Residential Two / Planned Development

1. Lot Size: 4,000 SF min.
Min Frontage: 50'
2. Proposed No. of Lots: 85
3. Proposed Density: 4.83 du/acre
4. Proposed Use: Single Family Residential
5. Proposed Building Height: 2 Stories
(Less than 35 feet)
6. Site not in Flood Plain
7. Signage type and location yet to be determined
8. Construction schedule yet to be determined
9. Landscaping plan to conform with current Boone County zoning regulations
10. Yard Setbacks: Front- 20' Min.
Sides- 0-10' Min. Total
Rear- 25' Min.
11. Street width (back of curb/lock of curb):
Street A, B, C, D = 25 feet
12. Soil Types: A-D = Less than 12-20 percent slope
E-G = 20-30 percent slope
H-I = 30-40 percent slope
J-K = 40-50 percent slope
L-M = 50-60 percent slope
N-O = 60-70 percent slope
P-Q = 70-80 percent slope
R-S = 80-90 percent slope
T-U = 90-100 percent slope
V-W = 100-110 percent slope
X-Y = 110-120 percent slope
Z = 120-130 percent slope

WHITESTONE LINKS
 Concept Development Plan
 Boone Aire Road
 Boone County, Kentucky

THE SERVER GROUP
 201 W. Madison Street
 Terre Haute, IN 47725
 812-537-2145
 Fax 812-537-4901
 Toll Free 1-888-537-2145
 www.theservergroup.com
 theserver@servergroup.com

Date:	April 20, 2004
Scale:	1" = 100'
Job No.:	2003018
No.:	Sheet
Revision:	
Date:	
Author:	
Checked:	
Drawn:	
Project:	
Client:	



1 A	6'-8' TALL EVERGREEN OR 1 1/2" CAL. SHADE TREE, SUCH AS; SPRUCE, ARBORVITAE, PINE, MAPLE, RGH, OAK.
3 C	18" - 20" EVERGREEN SHRUBS, SUCH AS; TAXUS, JUNIPER, BOXWOOD, BIRDS NEST SPRUCE
4 E	15" - 20" DECIDUOUS SHRUBS, SUCH AS; SPIREA, AZALEA, FORSYTHIA, BURNING BUSH.
3 F	SPACE FILLER PLANTS, SUCH AS; LIRIOPE, COREOPSIS, HOSTA, DAYLILY, IRIS.

RECEIVED
APR 21 2004
BOONE COUNTY
PLANNING COMMISSION

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom #203 (2nd Floor)
Burlington, Kentucky
Tuesday, July 27, 2004
5:30 P.M.

the promotion for Andrea Atwood in the Finance Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM V.

ORDINANCES & RESOLUTIONS

Second Reading and Adoption – Union Square (One Way Roadway)

Commissioner Flaig moved, seconded by Commissioner Moore, to approve the second reading and adopt Ordinance 04-08 of the Boone County Fiscal Court establishing Union Square as a one-way roadway with traffic to travel thereon in a counter-clockwise direction. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Second Reading and Adoption for Boelscher and Lane Zoning Amendments

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the second reading and adopt Ordinance 04-09 of the Boone County Fiscal Court approving the request of Victor L. Boelscher and Mary A. Lane (owners) for two zoning map amendments, the first one being a zone change from agriculture (A-1) to agricultural estate (A-2) for 7.8 acres of the site, and the second one being a zone change from suburban residential one (SR-1) to agricultural estate (A-2) for 5.1 acres of the site, both for a total 12.9 acre site located at 8496, 8538 and 8554 East Bend Road, Boone County, Kentucky. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

First Reading for Grand Communities, Ltd. Zoning Change

A First Reading by the Fiscal Court Clerk and presentation was given to the court by Patty Bachman, regarding an ordinance of the Boone County Fiscal Court to approve, with conditions, a request of Grand Communities, Ltd. (applicant) for U.S. Bank trustee, attn: Laurie Carr (owner) for a change in an approved concept development plan in a suburban residential two/planned development (SR-2/PD) zone for an approximate 17.5 acre tract generally located on the south side of Boone Aire Road, approximately 75 feet west of the Boone Aire Road/Glen Arbor Drive intersection and approximately 100 feet east of the Boone Aire Road/South Zig Zag Road intersection, Boone County, Kentucky. A Second Reading is slated for the August 24, 2004 meeting at 5:30 p.m.

First Reading for Durward Fryar, Pearl Fryar, Tom Fryar and Theresa Fryar Zoning Change

A First Reading by the Fiscal Court Clerk and presentation was given to the court by Mitch Light, regarding an ordinance of the Boone County Fiscal Court approving, with conditions, a request of Durward Fryar, Pearl Jean Fryar, Tom Fryar and Theresa Fryar (owners) for a zoning map amendment, such zoning map amendment being a zone change from rural suburban estates (RSE) to rural suburban (RS) for 18.77 acres of a 24.24 acre site located at 3200 and 3290 Bullittsville Road, Boone County, Kentucky.

Resolution – Annual Permit Fee

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 04-146 of the Boone County Fiscal Court implementing an annual permit fee for employees within the airline transportation industry who are based or domiciled in Boone County, Kentucky from the Cincinnati/Northern Kentucky International Airport. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom #203 (2nd Floor)
Burlington, Kentucky
Tuesday, August 24, 2004
5:30 P.M.

ITEM I.**CALL TO ORDER**

Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.

Present: Gary W. Moore, County Judge/Executive
Cathy H. Flaig, Commissioner, District 1
Charles E. Kenner, Commissioner, District 2
Terri Moore, Commissioner, District 3
J.R. Schrand, County Attorney
Jeff Smith, Assistant County Attorney

Staff: Lisa Buerkley, County Treasurer
Shawn Cox, Community Relations Director
Robin Curry, Assistant County Administrator
Col. Les Hill, Sheriff's Department
Melanie M. Morris, Executive Assistant
James E. Parsons, County Administrator/Deputy Judge-Executive
Michele Roberts, Fiscal Court Clerk
Greg Sketch, County Engineer

ITEM II.**APPROVAL OF MINUTES**

Commissioner Moore moved, seconded by Commissioner Flaig, to approve the Minutes from the meeting of August 3, 2004. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM III.**DELEGATIONS**

None.

ITEM IV.**PERSONNEL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 04-154 approving the action of Gary W. Moore, County Judge/Executive, approving the appointment of Dwayne M. Wellman II to the position of Arboretum Technician in the Parks Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 04-155 approving the action of Gary W. Moore, County Judge/Executive, approving the appointment of Leah Black to the position of Permit Clerk in the Building Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 04-156 approving the action of Gary W. Moore, County Judge/Executive, approving the promotion of Larry Burns to the position of Truck Driver/Operator in the Public Works Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom #203 (2nd Floor)
Burlington, Kentucky
Tuesday, August 24, 2004
5:30 P.M.

ITEM V.**ORDINANCES & RESOLUTIONS****Second Reading and Adoption for Statement of Goals and Objectives 2005 Comprehensive Plan**

Fiscal Court Clerk Michele Roberts, was called on to do the second reading of the resolution adopting the Statement of Goals and Objectives 2005 Comprehensive Plan.

County Administrator James Parsons reviewed the process for the adoption of the Goals and Objectives and highlighted the change in the "Industrial Section" as recommended by the League of Kentucky Property Owners. He went on to inform the Court that this proposed change has been brought to the attention of the three cities and they will be asked to also make this change in order to keep the Goals and Objectives consistent throughout the four legislative bodies.

Judge Moore then opened up the meeting for discussion.

Brett Gaspard from the League of Kentucky Property Owners addressed the court and thanked them for their consideration of their changes. Mr. Gaspard also requested that additional changes still be made prior to adoption. These additional changes were reviewed by Mr. Gaspard and were submitted in writing to the court via fax on 8/24.

After discussion the court on a motion by Commissioner Kenner and second by Commissioner Moore voted to table the Second Reading and Adoption of the 2005 Goals and Objectives until the September 28, 2004 5:30 p.m. meeting. There will be further discussion with the cities on the proposed changes.

Second Reading and Adoption of Grand Communities Ltd. Zone Change

Fiscal Court Clerk, Michele Roberts was called on to do the second reading of the ordinance for the adoption of the Grand Communities Ltd. Zone Change.

Judge Moore outlined the protocol for presenting to the fiscal court and that the issue was to vote for or against the Planning Commission recommendation.

Larry Sprague represented Grand Communities in the arguments for the development and recognized Chuck Berling, Jim Gorman and Steve Feldman as other representatives in attendance in support of the proposal.

Mr. Sprague requested a change in the concept development plan in the existing zone from attached single family town homes to detached single family houses. He went on to note that the plan is within the current land use plan and conforms with the current zoning he also reviewed the agreed to conditions from the Planning Commission which are part of the record.

At the end of Mr. Sprague's presentation James Parsons reviewed a letter to Community Development Director Shawn Cox outlining the conditions to the zone change and a discussion surrounding a street light for the entrance to the development from Boone Aire Road.

The issue of brick wrap on the houses was addressed by Chuck Berling, lots 36-46 and lots 76-77 would be subject to the brick wrap and two car garage restrictions and all homes would be insulated to a 65 DNL zone requirement.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
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Burlington, Kentucky
Tuesday, August 24, 2004
5:30 P.M.

Lloyd Friend represented the Links Homeowners Association in the arguments against the development citing a negative impact on the surrounding community this type of development would have and argued for the original intent of the zone change, that being town homes or condominiums and their amenities.

There being no other discussion Judge Moore prefaced the call for a vote by citing his difficulty in supporting the proposed development due to its dramatic departure from the 1988 approved zone change. That change was granted in connection with a concept development plan that called for a multi-family development in the form of condominiums or town homes and the amenities that accompany such a development. He went on to comment that single family detached housing is not what was envisioned when the change was made in 1988 and this type of development is not compatible with the surrounding area.

Judge Moore then called for a motion from the court.

Commissioner Flaig moved to deny the zone change proposed by Grand Communities Ltd and in his second Commissioner Kenner commented that he agreed with Judge Moore that this is not in line with the 1988 change and approval.

Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Krupps-Hahn, LLC Resolution

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 04-157 of the Boone County Fiscal Court authorizing the issuance of not to exceed \$1,600,000 principal amount of industrial building revenue bonds Series 2004. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

FY04 Annual Financial Presentation

Lisa Buerkley and Tom Lawry gave a Powerpoint presentation on the Fiscal Year 04 Annual Financial Report.

Ad Valorem Tax Rates for 2004

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 04-158 of the Boone County Fiscal Court establishing the 2004 Ad Valorem tax rates for Boone County, Kentucky. The tax rates were kept the same as the previous year. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM VI.

JUDGE'S REPORT

None.

ITEM VII.

OLD BUSINESS

None.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom #203 (2nd Floor)
Burlington, Kentucky
Tuesday, August 24, 2004
5:30 P.M.

ITEM VIII.**ADMINISTRATIVE MATTERS****Resolution – Jeffrey S. Smith to Northern Kentucky Area Development Board of Directors**

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 04-159 of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Jeffrey S. Smith to the Northern Kentucky Area Development District Board of Directors. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Resolution – Southeastern Equipment Company

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 04-160, a resolution awarding the bid for a rubber tire loader to Southeastern Equipment Company. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Resolution – Catholic Social Services Funding

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 04-161, a resolution approving the increase in allocations of Mental Health Funding for Catholic Social Services. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM IX.**NEW BUSINESS**

Judge Moore announced that a bid from Shaun Alexander and Durran Alexander had been received for the TriCity YMCA. A proposal will be put together and presented to the court after further negotiations.

ITEM X.**FISCAL MATTERS**

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Prepaid Invoice Reports dated 08-06-04 and 08-13-04 and an invoice report dated 08-20-04. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Flaig, to accept the Sheriff's Department 2003 Boone County Tax Settlement. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0)

Commissioner Moore moved, seconded by Commissioner Kenner, to approve the Monthly Financial Report for July 2004. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM XI.**ADJOURNMENT**

Commissioner Kenner moved, seconded by Commissioner Moore, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0). The meeting was adjourned at 7:55 p.m.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom #203 (2nd Floor)
Burlington, Kentucky
Tuesday, August 24, 2004
5:30 P.M.

CLERK CERTIFICATION

I, Michele Roberts, having been appointed to the office of Fiscal Court Clerk, do hereby certify that this is a true and accurate record of the actions taken by the Boone County Fiscal Court at the meeting of August 24, 2004.



Michele Roberts
Fiscal Court Clerk

Date: 8-25-04

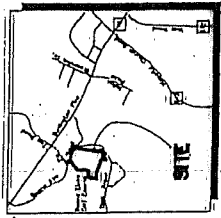
Concept Development Plan Proposed in January, 2004

BOONE COUNTY
PLANNING COMMISSION
DEC - 2 2003

THE LINKS AT WHITESTONE Concept Development Plan Boone County, Kentucky

LAND DEVELOPMENT CONSULTANTS, LLC
101 W. Walnut St.
Boone, KY 40309
812-335-2115
812-335-2116
www.landdevco.com

THE SURVEYOR
101 W. Walnut St.
Boone, KY 40309
812-335-2115
812-335-2116
www.surveyor.com



Yachats, Mo. by the Sea

- Zoning Legend**
- R - Residential
 - SR-1 - Single-Family Residential One Acre
 - SR-2 - Single-Family Residential Two Acre
 - PD - Planned Development
 - UG-1 - Urban General Use
 - UG-2 - Urban Residential One
 - UG-3 - Urban Residential Two
 - CD - Concept Development Plan

Utilities Information

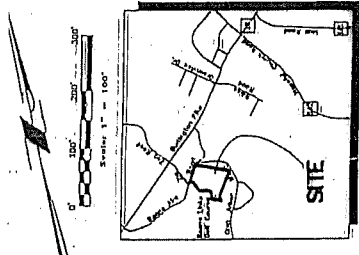
Water - Boone County Water Department
Sewer - Boone County Water Dept. No. 1
Electric - U.S. K. Electric
Telephone - Cincinnati Bell
Storm Sewer - Boone County (if public)

Site Information

1. Owners: US Bank Trustee
Boone County, KY 40301
2. Developer: Grand Communities, LLC
2075 Oldham Dr., Suite 300
Crestview Hills, KY 41017
3. Area: 17.23 acres
4. Current Zoning: SR-2/70/CD (P. 41/acre)
5. Proposed Zoning: UG-1 (12.41/acre)
6. Proposed No. of Units: 187 Units
(3 - 14-Unit Buildings)
(1 - 5-Unit Building)
7. Proposed Density: 10.85 du/acre
8. Proposed Uses: Condominiums
9. Proposed Building Height: 3 Stories
(Not Over 35 feet)
10. SR-1 not in Flood Plain
11. Slope type and location yet to be determined
12. Construction schedule yet to be determined
13. Landscaping plan to conform with current Boone County Zoning Regulations
14. Total Site Area = 17.23 acres
Total Impervious Area = 3.23 acres
Total Open Space = 14.00 acres
15. Vehicular Use Area = 20370.00 sq. ft. = 4.68 acres
16. Total Units = 187
Parking Spaces Required = 374 (3 per unit)
Parking Spaces Provided = 128 spaces
374 - 128 = 246
17. Street Width (Depth of curb/Back of curb):
Street A = Ex. 18 ft. with (along cur. front)
Street B, C, A, (Ramp) = 27 feet

Date:	Dec-24-2003
Drawn:	J. L. L. L.
App. No.:	2003-001
Scale:	1" = 300'
Sheet:	1 of 1

Proposed Concept Development Plan



Map of Boone County, Kentucky showing the location of the project site.

- Zoning Legend**
- R = Recreational
 - SR-1 = Suburban Residential One
 - SR-2 = Suburban Residential Two
 - PD = Planned Development
 - UR-1 = Urban Residential One
 - UR-2 = Urban Residential Two
 - CD = Concept Development Plan

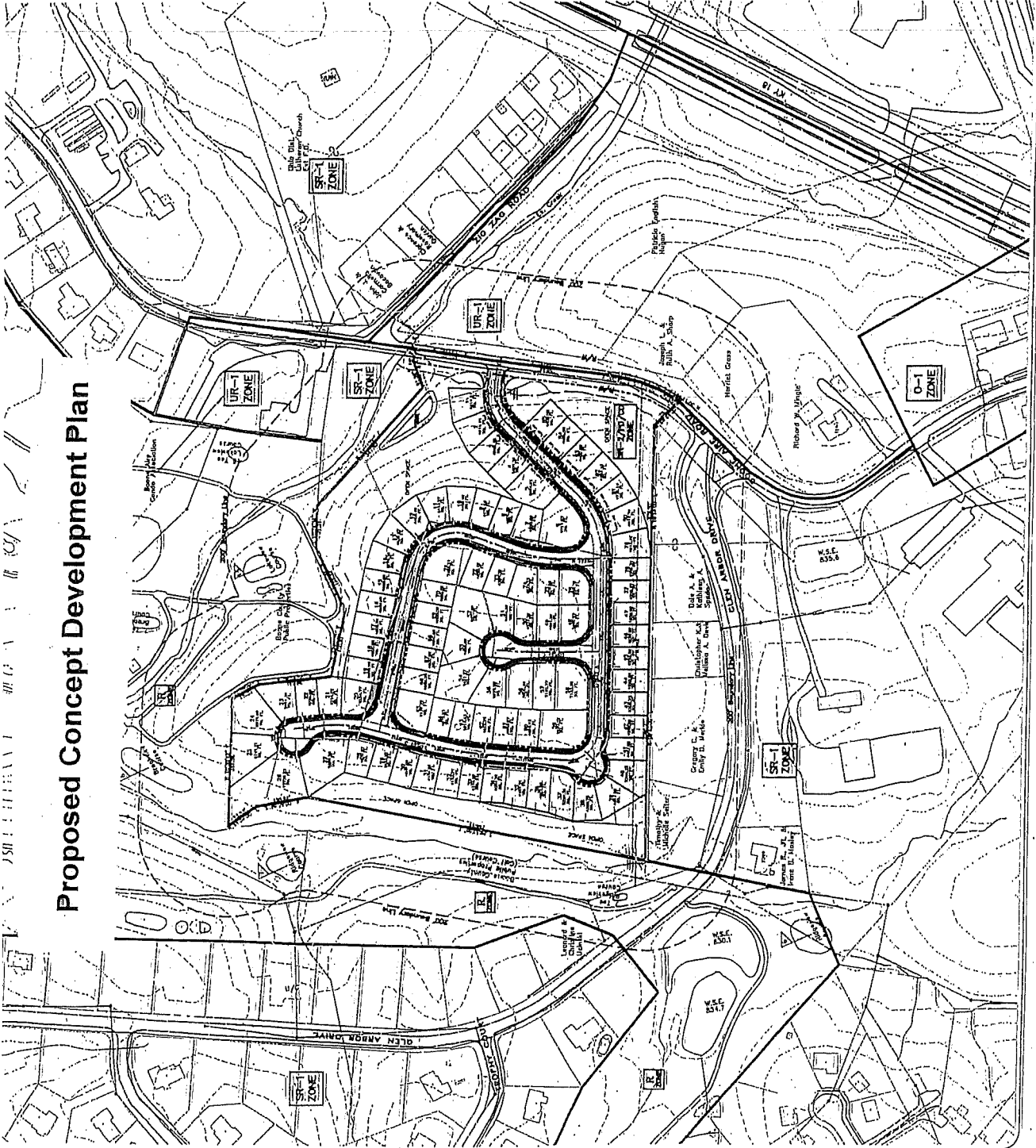
Utilities Information

Water = Boone County Water Department
 Sewer = Sandston District No. 1
 Electric/Gas = U. L. H. & P.
 Telephone = Cincinnati Bell
 Storm Sewer = Boone County (if public)

Site Information

1. Owner: US Bank Trusts
 PO Box 1118
 Cincinnati, Ohio 45201
2. Developer: Grand Communities, Inc.
 2670 Chestnut Drive, Suite 300
 Crestview Hills, KY 41017
 (859) 311-1709
3. Total Site Area: 17.59 acres
 Open Space Area: 4.63 acres (26.31%)
4. Zoning: SR-2/PD/CD (8 ac/acre) / Planned Development
 Suburban Residential Two / Planned Development
5. Lot Size: 4,000 SF min.
 Min Frontage: 30'
6. Proposed No. of Lots: 85
7. Proposed Density: 4.83 du/acre
8. Proposed Use: Single Family Residential
9. Proposed Building Height: 2 Stories
 (less than 35 feet)
10. Site not in Flood Plain

11. Signage type and location yet to be determined
12. Construction schedule yet to be determined
13. Landscaping plan to conform with current Boone County Zoning Regulations
14. Yard setbacks: Front= 20' Min.
 Side= 5'-10' Min. Total
 Rear= 25' Min.
15. Street Width (back of curb/back of curb):
 Street A, B, C, D = 25 feet
16. Soil Types: Jd1 - Jctssup Silt Loam, 12-20 percent slopes
 Jct1 - Jctssup Silt Loam, 0-5 percent slopes
 Bdc - Resomypne Sil Loam, 0-12 percent slopes



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 Website: www.the-survey.com

WHITESTONE LINKS
 Concept Development Plan
 Boone County, Kentucky

Date:	April 20, 2004
Scale:	1" = 100'
Job No.:	040404
Revision:	
Drawn:	
Checked:	
Approved:	

	Approved Concept Development Plan	Concept Development Plan-January 2004	Proposed Concept Development Plan
<i>Acreage under review</i>	17.59	17.59	17.59
<i>Type of building to be constructed</i>	single-family attached homes (condominiums)	single-family attached homes (condominiums)	detached single-family residences
<i>Total number of units</i>	Fiscal Court approved 90	187 proposed	85 proposed
<i>Total number of buildings</i>	26	14	85
<i>Size of typical building footprint</i>	6,000 square feet	8,250 square feet	No houses were drawn in on the plan. Minimum lot size is 4,000 square feet.
<i>Overall density of development</i>	5.12 dwelling units per acre	10.63 dwelling units per acre	4.83 dwelling units per acre
<i>Access management</i>	Driveway shown at 25 feet. Existing driveway was to be repaved and widened.	Driveway shown at 18 feet wide in original proposal and at location of existing driveway. Applicant agreed to widen drive to 24 feet with curb and gutter per the request of the Zone Change Committee	Existing driveway would be vacated. One street would serve as the sole access point on Boone Aire Road. The street is located about 300 feet east of the intersection of Boone Aire and Zig Zag Road and about 515 feet west of the intersection of Boone Aire and Glen Arbor Drive.

	Approved Concept Development Plan	Concept Development Plan-January 2004	Proposed Concept Development Plan
<i>Front yard setback</i>	Ranges from 110-210 feet, as measured from Boone Aire Road (Measurement is taken for the whole property).	About 195 feet from Boone Aire Road (Measurement is taken for the whole property).	Minimum of 20 feet (Measurement is taken per lot).
<i>Rear yard setback</i>	110-150 feet (Measurement is taken for the whole property.)	90-140 feet (Measurement is taken for the whole property).	Minimum of 25 feet (Measurement is taken per lot).
<i>Side yard setback</i>	50-60 feet on the east side, adjoining the Links subdivision (Measurement is taken for the whole property). 20-215 feet on the west side, adjoining the golf course (Measurement is taken for the whole property).	30-75 feet on the east side, adjoining the Links subdivision (Measurement is taken for the whole property). 30-190 feet on the west side, adjoining the golf course (Measurement is taken for the whole property).	Combined total of 10 feet between the two sides. Zero foot side yard setback on one side is possible (Measurement is taken per lot).
<i>Open space</i>	10.96 acres	8.2 acres	4.03 acres. The applicant intends to donate this open space to Boone County to be used for the golf course.