

APPLICATION FORM

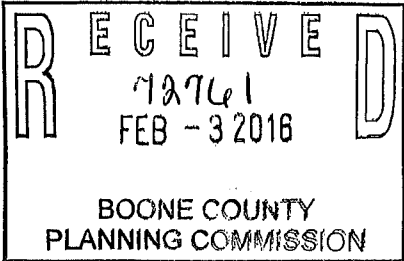
ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION

**FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED**  
(See Boone County Zoning Regulations)

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

1. Name of Project Girard
2. Location of Project 12 Girard
3. Total Acreage of Site .68
4. Current Zoning of Site C-2
5. Proposed Zoning (Classification being requested) C-2 / SC
6. Proposed Uses (please specify each use)  
Single Family
7. Names of Applicant(s) Barr M Mantel  
Phone No. 502 256 4323 Fax No. 859 486 6326 E-Mail bmmentel@yahoo.com
8. Address of Applicant(s) 3526 Millhouse Indef, Ky 41031  
Indef City Ky State 41031 Zip
9. Name of Property Owner(s) K BARR INVESTMENTS LLC  
Phone No. Same Fax No. 859 486 6326 E-Mail bmmentel@yahoo.com
10. Address of Property Owner(s) Same  
City State Zip
11. Proposed Building Intensities (please specify) Use Existing Building
12. Are there any existing buildings on the site? NO  
How many? 0
13. Deed Book 1063 Page No. 45 Group No. 208
14. Are you also applying for:  
NO Conditional Use Permit to obtain ability for exclusive use  
NO Dimensional Variance
15. Have you submitted a Concept Development Plan? as a Family Residence
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
- Florence Public Services Dept.
- Duke Energy
- Sanitation District #1
- Cincinnati Bell
- Owen Electric Cooperative, Inc.
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)



**ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2**

- \_\_\_\_\_ 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: \_\_\_\_\_

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

19. **ORIGINAL Property Owner's Signature** Brian M. Manter / KBar Investment LLC  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**ORIGINAL Applicant's Signature** Brian M. Manter / KBar Investment LLC  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**SECTION B** (To be completed by BCPC Staff)

1. Date Received 2/3/16
2. Review Fee \$1,592.00 R# 72761 - fee per KPC according to KTW
3. Check what has been submitted:
  - Application
  - Fee
  - Legal Description
  - \_\_\_\_\_ Concept Development Plan
  - Address of Adjoining Property Owners
  - \_\_\_\_\_ Number of Copies of Plan Received\*\*
4. Date Application is **Administratively Complete** as Defined in KRS 100.211
5. Staff Reviewer KEVIN WALL
6. Committee Chairman GREG BREITZ
7. Scheduled Public Hearing Date 3/2/16
8. Boone County Planning Commission Action:
  - Approval** 4/6/16
  - \_\_\_\_\_ Approval with Conditions
  - \_\_\_\_\_ Denial
9. Other: \_\_\_\_\_ Resolution # \_\_\_\_\_

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
www.boonecountyky.org - Web Page

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

**ADDENDUM TO ZONING MAP AMENDMENT OR  
CONCEPT DEVELOPMENT PLAN APPLICATION  
CURRENTLY UNDER REVIEW BY THE BOONE COUNTY PLANNING COMMISSION**

**Waiver of 60 Day Time Requirement by Originator  
for Final Planning Commission Action**

1. Name of Project Girard
2. Location of Project 12 Girard
3. Names of Applicant(s) Barr M Mantel - KBarr Investments LLC  
Phone No 513 296 4323 Fax No. 359 486 6326 E-Mail bmmantel@yahoo.com
4. Address of Applicant(s) 3526 Mill House Blvd  
Independence Ky 41051  
City State Zip
5. Name of Property Owner(s) Barr M Mantel / KBarr Investments LLC

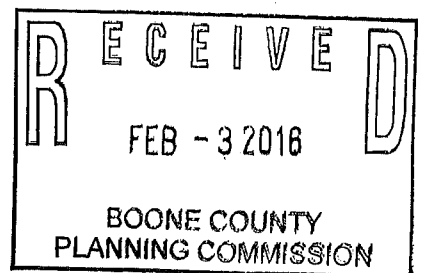
In accordance with the provisions in KRS 100.211, the applicant(s) and property owner(s) or originators above, hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment and/or Concept Development Plan\* application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on April 7th 2016  
May 5th 2016

6. ORIGINAL Property Owner's Signature Barr M Mantel / KBarr Investments LLC  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature Barr M Mantel / KBarr Investments LLC  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**Note:**

\*The 60-day time limit applies to Concept Development Plan applications if the site was originally subject to a Zoning Map Amendment request as part of an individual request, county-wide Zoning Update or a land use/zoning study or plan.



# EXHIBIT

“A”

## STAFF REPORT

Request of **Barr M. Manter (applicant)** for **K Barr Investments, LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for an approximate 0.68 acre site located at 12 Girard Street, Florence, Kentucky. The request is for a zone change to allow the property to be used as a single family residence in addition to C-2 uses.

March 2, 2016

### PROPOSAL AND BACKGROUND

This request is for a zone change from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for an approximate 0.68 acre tract located at 12 Girard Street in Florence. The purpose of the zone change is to allow the existing structure to be used exclusively as a detached single family residence in addition to the normal C-2 zone uses already permitted for the site.

Detached single family residences are not permitted in the C-2 zone, although dwelling units that are accessory to an on-site business are permitted. Additionally, "multi-family and/or attached dwelling units" are permitted as a conditional use. This site and the adjoining properties have been zoned C-2 since 1980.

The existing building is comprised of a one and a half story frame residence with a later addition. The site contains an asphalt parking area, which spans almost the entire width of the street frontage, and a post for a pole style sign (the sign cabinet itself has been removed). The building formerly contained a business called "Cavanaugh Sewing Center" and reportedly contained an accessory dwelling as well. The current owner stated that the property was sold approximately two to three years ago, and then the entire structure was illegally converted to a detached, single family residence. This conversion included the removal of a storefront window and doorway on the addition. The current owner purchased the property as a foreclosure a few months ago.

### ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the site include the following.

- A. An apartment complex is located to the north (FMS).
- B. A row of detached single family residences is located to the west along the north side of Girard Street between the subject property and Lloyd Avenue (SR-1 and C-2). The four detached single family residences to the immediate west are within the C-2 zone.

- C. A combination of a detached single family residence, a duplex, and several commercial buildings are located to the east along the north side of Girard Street between the subject property and Main Street (C-2 and FMS).
- D. Several commercial/office buildings, a church, and a commercial/multi-family residential structure are located along the south side of Girard Street between Center Street and Main Street (C-2 and FMS).

### SITE CHARACTERISTICS

The site contains approximately 0.68 acres and has approximately 90 feet of frontage along Girard Street. Improvements on the site include the previously mentioned building, which has an approximate 1,800 square foot footprint, parking area, and sign post. The site has a deep back yard that spans approximately 285 feet from the building to the rear property line. The back yard contains mature tree cover.

### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Suburban Residential" (SR) uses. This designation is described as "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision."

The Land Use Element provides the following quotes that relate to the proposal and/or general area ("1. Florence Central," pg. 166).

- A. The City of Florence developed from an aggregate of residential subdivisions, and is the main population concentration of Boone County. Florence did not develop in the traditional manner of cities, with established areas of concentrated commercial, industrial, and residential uses; instead, the uses were intermixed. For instance, the city's central business district is not in a precise location, but rather is a combination of suburban business districts. This factor, above all others, has molded Florence into a suburban city.

The city contains a valuable asset in its Main Street area. The Florence Main Street Zoning Study, which was adopted by the City in 1994, identifies the uniqueness of this area and ways of improving the vitality and visual appearance of Main Street. With careful planning and protection, development of old Stringtown could transform this area into a pedestrian-oriented center. The City of Florence has helped the area by constructing a streetscape and addressing utility issues. The zoning study should be reexamined in the near future to determine the effectiveness of the study

and whether the scope of the study should be expanded to incorporate additional areas within the Main Street Study. New buildings in the study area must be designed and located to reinforce the area's character identified in the Study.

- B. As described in the Housing Element, the condition of older housing in Florence should be specifically addressed. Florence should continue to enforce codes affecting the condition of properties in residential areas and in older business districts. Minimum standards are needed for building maintenance and design purposes.
- C. Overall, a mixing of uses can be accommodated within the City of Florence and the existing residential communities can be protected if proper buffers and design are incorporated into the developments.
- D. In summary, growth in this section of Boone County must be balanced among three major land users, commercial, industrial, and residential development. Growth in one land use must consider the location of existing and planned developments of the other two.

The Land Use Element's Future Land Use Development Guidelines provide the following general comments 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. True Open Space subdivision design should be considered to blend new subdivisions in with areas that have a rural character ("Utilization of Existing Vegetation and Topography," pp. 161 and 162).
- 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 open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. ("Buffering," pp. 162 and 163).

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

Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 163).

- D. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention ("Design, Signs, and Historic Preservation," pg. 164).

The Population Element outlines population estimates based on OKI transportation analysis zone "regions." The population of the "Florence" region where the subject site is located is estimated to change to 32,385 in 2020, and to 34,153 in 2030.

The Housing Element states the following regarding the general area.

- A. A variety of housing opportunities within the established urban areas and within developing areas would encourage some of the higher income residents to reside there and thus encourage mixing of different income levels. Therefore, single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural or suburban areas ("Housing Needs," pg. 79).
- B. Housing stock that has redeeming qualities or that can be rehabilitated without much effort or expense should be retained. Additional residential development should reinforce this existing housing stock wherever possible. In some cases, existing houses should be incorporated into new subdivision design. There are concentrations of older housing stock in need of restoration or rehabilitation in many of the established small communities, including areas like Belleview-McVille, Burlington, Constance, Hebron, Petersburg, Stringtown, Taylorsport, Union, Verona, and Walton ("Existing Supply," pg. 79).
- C. There will likely be a major transition in ownership patterns for the houses of subdivisions built during the 1950s and 1960s, with an accompanying trend of remodeling and renovation to better serve the needs of the new owners. A plan should be conducted by the Planning Commission and City of Florence that

inventories and determines methods of keeping good maintenance and vitality in these older single-family subdivisions. This plan should include a detailed survey of housing stock, property valuation survey, analysis of landlords and property ownership, and the length of residency. Any infill housing that occurs should fit in with the existing character of the area. The plan must contain specific implementation steps to be taken to keep neighborhoods clean, well kept, and safe ("Florence/U.S. 25 Corridor," pg. 84).

The 2010 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements.

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- C. Proper design principles shall be applied in development ("Overall," Objective 3).
- D. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained, and improved as needed ("Overall," Objective 4).
- E. Boone County shall strive to achieve both a diversity and balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner ("Overall," Objective 6).
- F. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. Development design should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Objective 2).
- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Objective 9).
- I. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).

- J. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage ("Business Activity," Objective).
- K. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces ("Commercial [Retail and Office]," Objective 1).
- L. The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ("Commercial [Retail and Office]," Objective 2).
- M. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- N. Housing supply in Boone County shall be balanced against present and planned commercial, industrial, and education needs. Primary and Secondary education capacity shall be evaluated during housing development review ("Housing," Objective 4).
- O. In order to offer the citizens of Boone County maximum choice in living environment, residential developments shall be judged primarily on the impact on infrastructure, buffering, and development design with only secondary consideration given to the type of dwelling units ("Housing," Objective 5).
- P. 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).
- Q. Mixed use, higher density neighborhoods shall be encouraged near existing or proposed mass transit areas, commercial districts, and public facilities (i.e. parks) and also have convenient access to major streets and highways ("Housing," Objective 10).

### STAFF COMMENTS

The governing bodies need to determine whether the proposal is in agreement with the 2010 Boone County Comprehensive Plan or fulfills one of the alternate statutory findings for a zone change. The Comprehensive Plan's Future Land Use Map designates the site as "Suburban Residential," which is described as "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision." The Land Use Element discusses the Main Street area and old Stringtown ("1. Florence Central," pg. 166), and the Housing Element states "single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural or suburban areas" ("Housing Needs," pg. 79) and "housing stock that has redeeming qualities or that can be rehabilitated without much effort or expense should be retained" ("Existing Supply," pg. 79).

As outlined in the "Adjacent Land Uses and Zoning" section above, there is a variety of existing residential and non-residential uses along this section of Girard Street, including several detached single family residences. The governing bodies should evaluate the proposal relative to the surrounding uses and the "Intent" of the Small Community overlay zone stated in Section 2000 of the zoning regulations, which is as follows:

The intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well.

The integration and variety of land uses found in small community centers often cannot practically be accommodated by the other basic zoning districts established by this order. This article creates an overlay district which may be established in areas appropriate for use as small community centers.

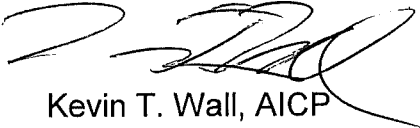
Staff also recommends that the governing bodies review the uses permitted in the Small Community overlay zone (attached) to determine whether any normally permitted activities are inappropriate at this location. With some exceptions, the uses permitted in the SC overlay zone are similar to the C-2 zone. Josh Wice, Business & Community Development Director for the City of Florence, stated that City staff had no immediate concerns with the proposal.

### CONCLUSION

The Boone County Planning Commission and the Florence City Council need to evaluate the application in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations,

the 2010 Boone County Comprehensive Plan, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,



Kevin T. Wall, AICP  
Director, Zoning Services

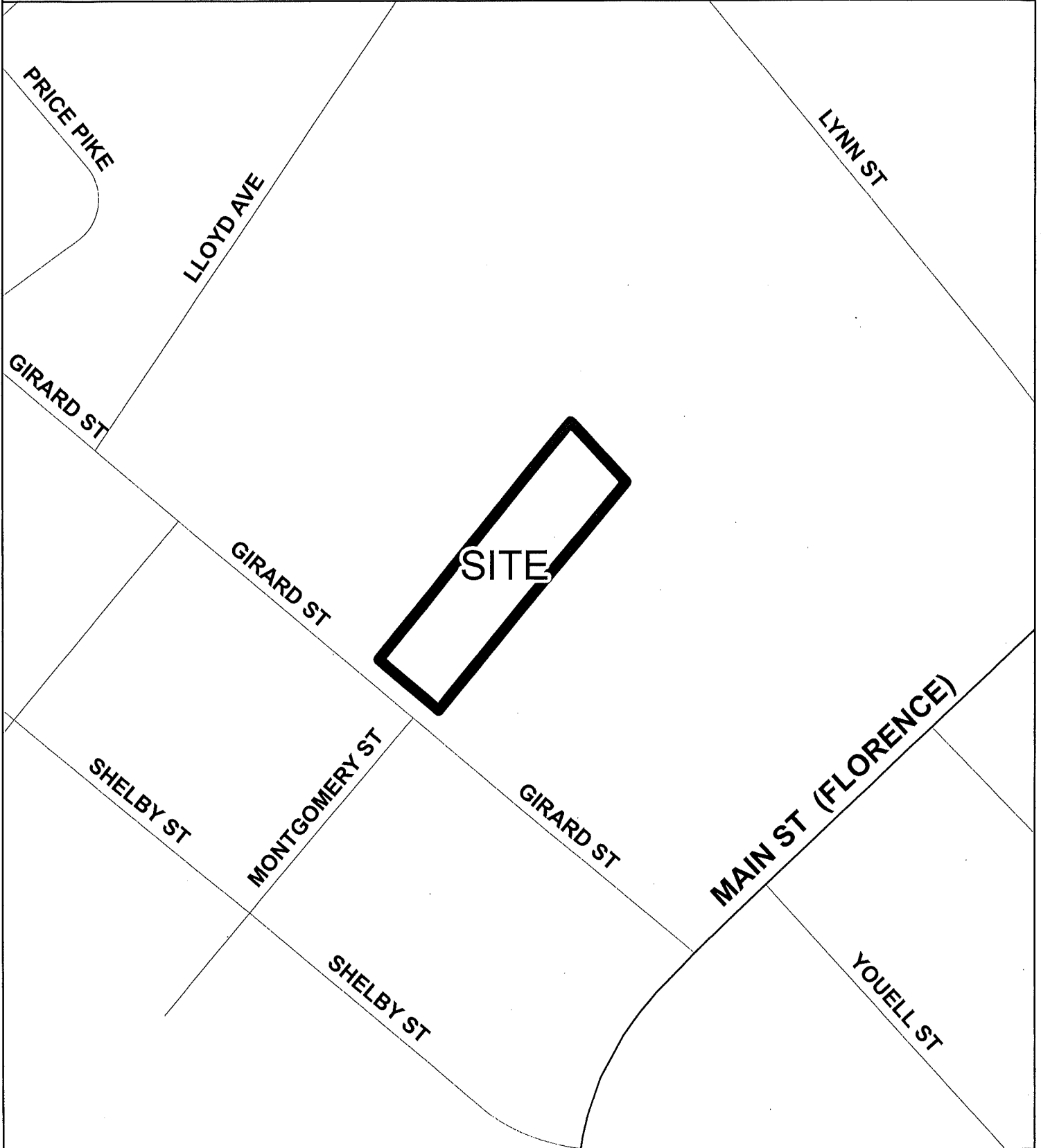
KTW/tlb

Attachments:

- Location Map
- Aerial Photograph with Zoning
- 2035 Future Land Use Map Excerpt
- Topographic Map
- Article 20 "Small Community Overlay District" of Boone County Zoning Regulations
- Application Materials

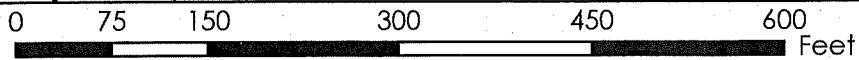
# Location - 12 Girard Street

www.boonecountygis.com



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1 inch = 151 feet



**Boone County GIS - Putting Northern Kentucky on the Map**



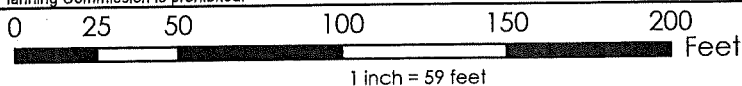
# Zoning

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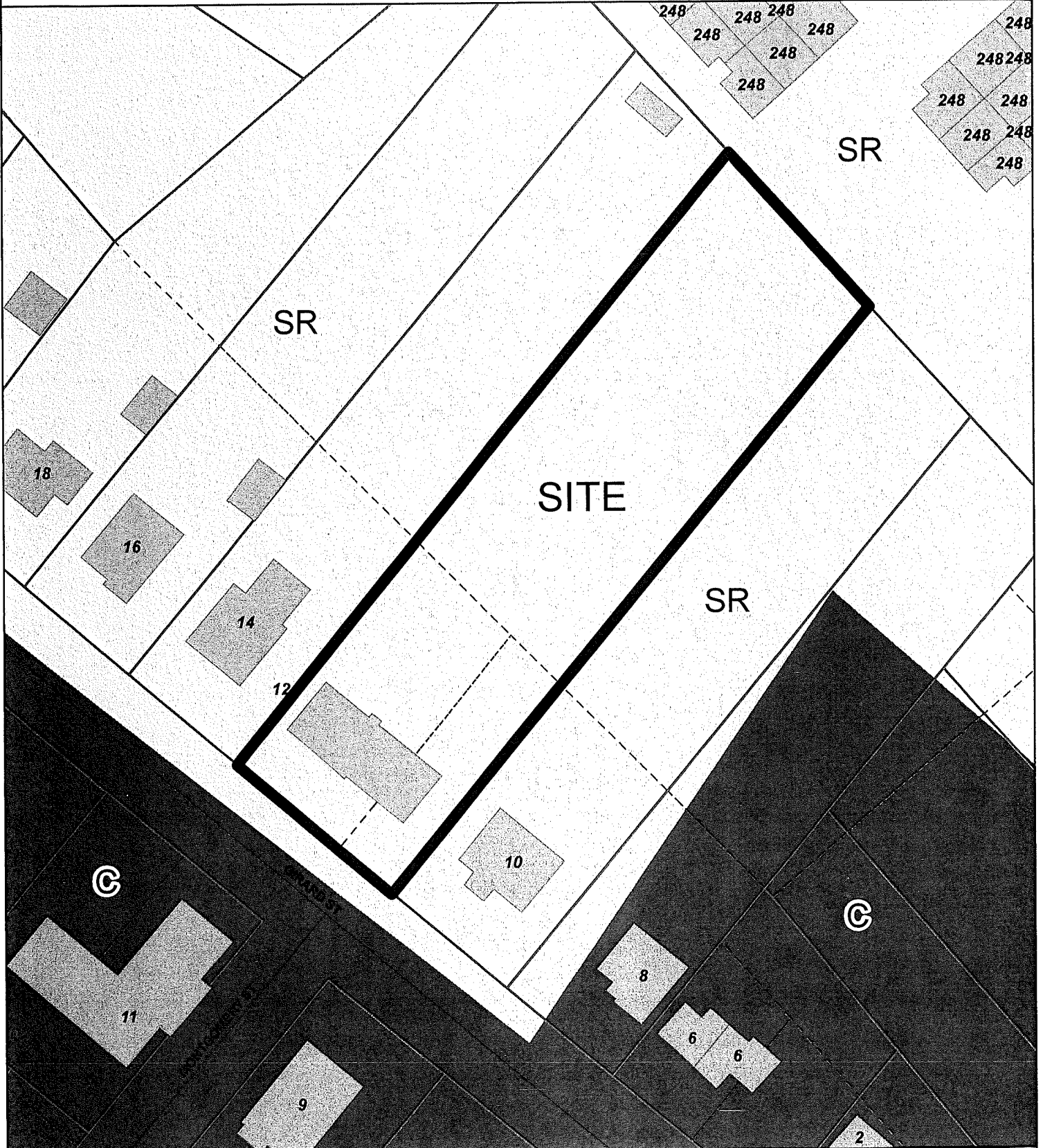
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2015

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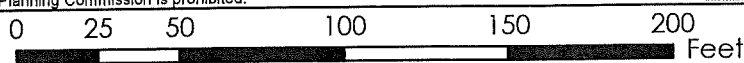
# Future Land Use

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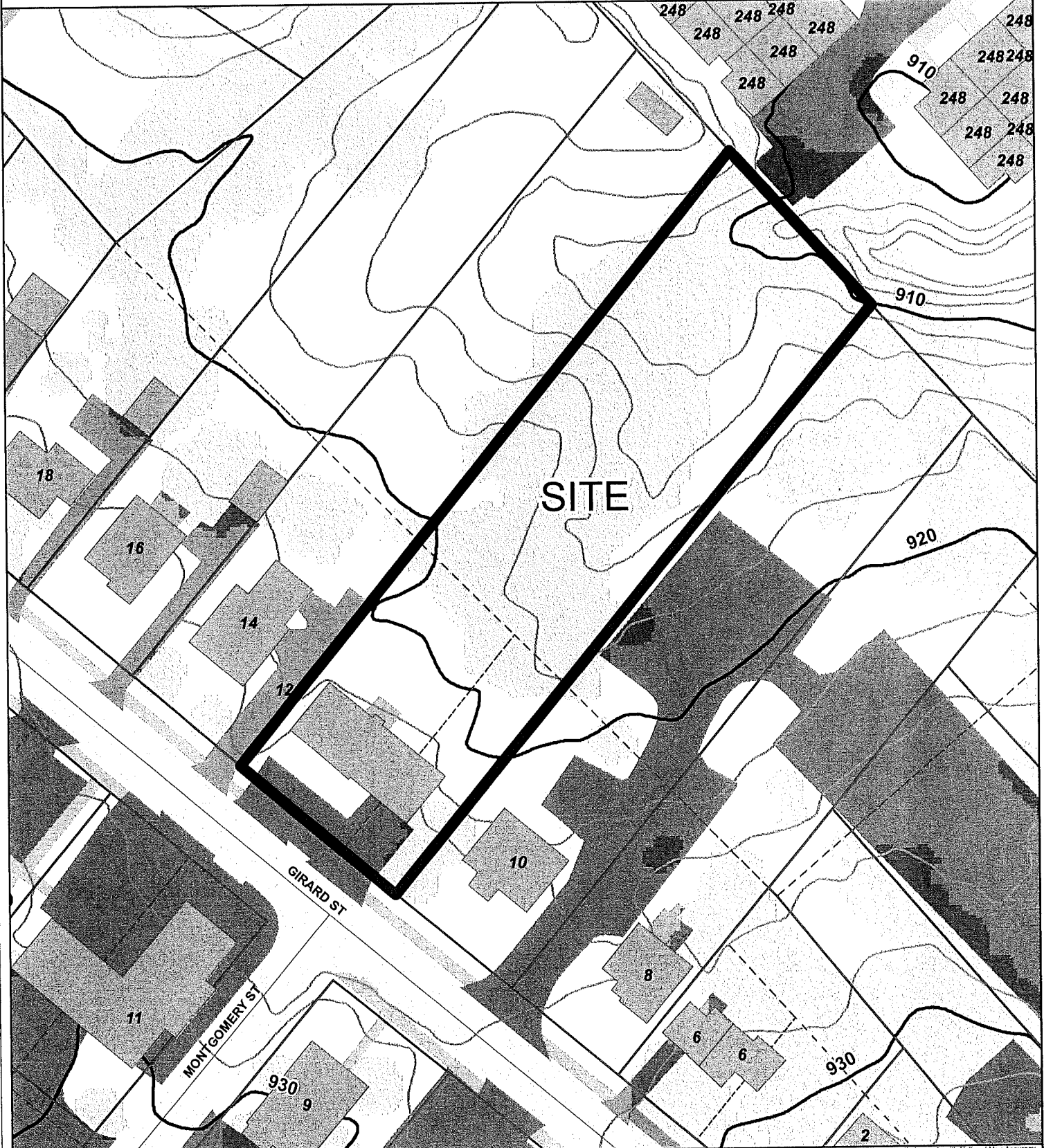
1 inch = 59 feet



**Boone County GIS - Putting Northern Kentucky on the Map**

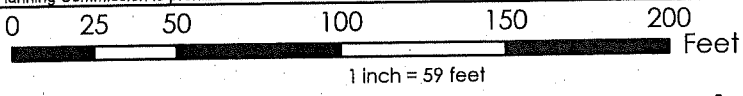
# Topography

www.boonecountygis.com

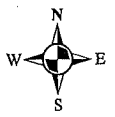


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**Boone County GIS - Putting Northern Kentucky on the Map**



Map Created: 01/01/2015

Boone County GIS  
ArcMap Document: BooneMap (file) mxd

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ARTICLE

20

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SMALL COMMUNITY OVERLAY DISTRICT

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**SECTION 2000**

**Intent**

The intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well.

The integration and variety of land uses found in small community centers often cannot practically be accommodated by the other basic zoning districts established by this order. This article creates an overlay district which may be established in areas appropriate for use as small community centers.

**SECTION 2010**

**Principally Permitted Uses**

1. All principally permitted uses of the basic underlying district(s);
2. Detached single family residences;
3. Bed and Breakfast Inns and hotels with four or less guest rooms;
4. Duplexes and multi-family residential units if the use is located within an existing building which requires no building additions which increase the square footage of the structure.

The following commercial uses are principally permitted if they are located within an existing building which is 2,500 square feet or smaller and requires ten or less parking spaces:

5. Eating and drinking places including alcoholic beverages, excluding franchise style fast food establishments;
6. Grocery stores and supermarkets, retail sales of meat, fish, seafood, dairy and poultry products, bakery, produce and specialty foods;
7. Liquor, beverage, drug and proprietary stores;
8. Banking services (excluding drive-thru facilities) savings and loan associations, credit unions and other credit services, title services, security brokers, dealers and finance companies;
9. Accounting, auditing and bookkeeping services;
10. Postal services, direct mail and advertising services;

11. Medical, dental or optical clinics;
12. Veterinary services and pet grooming services, but not including the boarding of animals;
13. Beauty and barber services and tanning salons;
14. Day care centers;
15. Motion pictures theaters, play houses, puppet shows and similar entertainment (indoors only);
16. Art, music and dancing schools, libraries and museums;
17. Apparel stores, general merchandise, mail ordering houses, shoe stores, specialty clothing or boutiques;
18. Jewelry stores and repair;
19. Household electronics sales;
20. Art, craft and hobby supplies and products, gifts and novelties;
21. Furniture, home furnishings antiques and used merchandise including furniture repair and upholstery;
22. Books, stationery, newspapers and magazines;
23. Florists excluding greenhouses;
24. Sporting goods including bicycles;
25. Hardware stores, retail sales of paint, glass and wallpaper stores, draperies, curtains, and floor coverings;
26. China, glassware and metal ware including repairs and services;
27. Photographic services;
28. Churches, synagogues, temples and other places of religious assembly for worship;
29. Professional services and professional offices to include legal, architecture, engineering, real estate, insurance, accounting, financial, travel agencies and similar type uses;
30. Dry cleaning services (excluding cleaning on site), shoe repair and tailoring;
31. Welfare and charitable services;
32. Funeral homes (excluding crematoriums), cemeteries or mausoleums;
33. Primary, elementary, middle and junior high, secondary, and high schools, community colleges, colleges and universities, vocational or trade schools, business colleges, and special training and schooling facilities;
34. Business associations and professional membership organizations including civic, social and fraternal organizations;
35. Art and craft galleries and similar exhibit space;
36. Aquariums, botanical gardens, and other natural exhibitions;
37. Passive open space;

38. Video stores;
39. Bike shops excluding exterior storage.

## **SECTION 2011**

### **Accessory Uses**

All accessory uses, buildings, and structures permitted in the basic, underlying district(s) are permitted in the SC overlay district. In addition, uses that are customarily and incidental to the uses permitted as principally permitted uses or conditional uses will also be permitted by right within the SC overlay district, including the following:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
  - a. Temporary exhibit spaces;
  - b. Aquariums, botanical gardens and other natural exhibitions;
  - c. Stages and similar assembly areas;
2. Dwelling units including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping and use of appropriate household pets;
3. Accessory dwelling units;
4. Signage (See Article 34);
5. Parking (See Article 33);
6. Temporary buildings incidental to construction;
7. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
8. Manufacturing, refinishing or production of crafts and household items sold on premises.

## **SECTION 2012**

### **Conditional Uses and Criteria**

The following uses and appropriate accessory uses may be permitted subject to the approval and conditions of the Board of Adjustment and Zoning Appeals provided that: a) the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center; b) the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district; and c) historical and architectural characteristics are protected from inappropriate alteration to existing structures and new buildings are sensitive to the established character of the SC overlay. Additions and structural alterations will be reviewed for conformance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

1. All conditional uses specified for the basic, underlying zoning district unless permitted as a principally permitted use by Section 2010;
2. Any use that requires a drive-through, pursuant to Section 3155;
3. Gasoline filling stations and automobile repair facilities and wash services for vehicles;
4. Dry cleaning services;
5. Garden and landscaping sales including florist greenhouses, lawn furniture and the like;
6. Funeral homes with crematoriums;
7. Motorcycles sales excluding outside storage;
8. Recreation centers, gymnasiums, clubs and similar athletic uses;
9. Police, fire, civil defense and other protective and related services;
10. The writing, publishing, and printing of newspapers, periodicals, and books;
11. Bed and Breakfast Inns and hotels with more than four guest rooms;
12. Franchise style fast food establishments;
13. Small-scaled workshop uses including small engine repair, fabrication, assembly, and repair of household goods and small electronic goods, excluding outside storage and uses that involve hazardous or toxic substances;
14. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(c).

The Principally Permitted uses number 5 through 39 shall be conditional uses if they are located within an existing building which is larger than 2,500 square feet, requires any major exterior alterations or additions which increase the size of use or structure, requires more than ten parking spaces, or requires the construction of a new building on a vacant lot.

#### **SECTION 2014**

##### **Intensity**

When the underlying zone is agricultural or residential, the maximum intensity for residential uses shall be 50 percent greater than that permitted by the underlying zone. When the underlying zone is not agricultural or residential, the maximum intensity for residential uses is 12 dwelling units per acre. There is no maximum building intensity for commercial, office, and public facility uses provided all other requirements of this order are met.

#### **SECTION 2015**

##### **Minimum Standards**

All permitted, accessory and conditional uses, buildings and structures in the SC overlay district are subject to the supplemental, parking and loading, landscaping and signage regulations of this order unless exempted by the Board of Adjustment and Zoning Appeals when literal conformance to such regulations would be to the detriment of the district. All uses in this article are subject to Site Plan Review as specified in Article 30, or Zoning Permits as specified in Article 4 of this Zoning Order as applicable.

Setback standards within the Small Community Overlay District shall be as follows:

Front Yard and Corner SideYard: The following requirements apply for residential structures when the underlying zone is agricultural or residential.

- A. The required front yard and corner side yard shall conform to the setbacks of adjacent principal structures on the same, respective street frontage;
- B. If no principal structure exists within 200 feet on the adjoining lots on the same street frontage, then the required front yard and corner side yard setbacks shall conform to the setbacks of adjacent principal structures across the respective street;
- C. If no principal structure exists within 200 feet on the adjoining lots on the same street frontage or across the street, then the front yard setback shall be 20 feet maximum and the corner side yard setback shall be one half of the front yard setback;

The required front yard for commercial, office, and public facility uses, and residential uses when the underlying zone is not agricultural or residential, shall be 20 feet maximum. The required corner side yard shall be one half of the front yard setback;

Side Yard: 5 feet minimum;

Rear Yard: 20 feet minimum when adjacent to private property; 10 feet minimum when adjacent to an alley.

Certain circumstances may arise where a modification in the setback is necessary or desired. When these situations occur a variance may be requested in accordance with the provisions of Article 2. All uses within the Small Community Overlay regardless of the underlying zoning designation shall be subject to the sign regulations found within Section 3446 of Article 34.

## **SECTION 2020**

### **Burlington Town Strategic Plan Design Standards**

Construction proposals in the SC overlay district that are within the Burlington Town Plan Strategic Plan area, and that require site plan review (major or minor), are subject to specified design standards contained in that Plan. The design standards are outlined in pages 17 through 19 of the Burlington Town Plan Strategic Plan in the sections entitled Site Layout, Architectural Details/Ornamentation for Existing Historic Buildings, Exterior Siding, Windows and Doors, Building Roofs, and New Construction and Additions. Review of construction proposals for compliance with these design standards shall be performed by the Planning Commission staff through the site plan procedure. Proposals subject to these standards shall submit architectural drawings as outlined in Section 3004, #21.

APPLICATION FORM

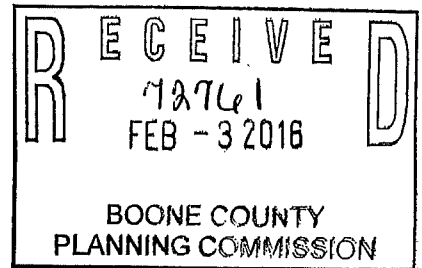
ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Girard
2. Location of Project 12 Girard
3. Total Acreage of Site .68
4. Current Zoning of Site C-2
5. Proposed Zoning (Classification being requested) C-2 / SC
6. Proposed Uses (please specify each use) Single Family
7. Names of Applicant(s) Barr M Mantel
8. Address of Applicant(s) 3526 Millhouse Indep, Ky 41051
9. Name of Property Owner(s) BARR INVESTMENTS LLC
10. Address of Property Owner(s) Same
11. Proposed Building Intensities (please specify) Use Existing Building
12. Are there any existing buildings on the site? NO
13. Deed Book 1063 Page No. 45 Group No. 208
14. Are you also applying for: NO Conditional Use Permit NO Dimensional Variance
15. Have you submitted a Concept Development Plan? as a Family Residence
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
Florence Public Services Dept.
Duke Energy
Sanitation District #1
Cincinnati Bell
Owen Electric Cooperative, Inc.
Boone County Public Works Department
Kentucky Transportation Cabinet
Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)



**ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2**

- \_\_\_\_\_ 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: \_\_\_\_\_

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

19. **ORIGINAL Property Owner's Signature** Barr M. Munter / KBar Investment LLC  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**ORIGINAL Applicant's Signature** Barr M. Munter / KBar Investment LLC  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**SECTION B** (To be completed by BCPC Staff)

1. Date Received 2/3/16
2. Review Fee \$1,592.00 RA# 72761 - See per KPC according to KTW
3. Check what has been submitted:
  - Application
  - Fee
  - Legal Description
  - \_\_\_\_\_ Concept Development Plan
  - Address of Adjoining Property Owners
  - \_\_\_\_\_ Number of Copies of Plan Received\*\*
4. Date Application is **Administratively Complete** as Defined in KRS 100.211
5. Staff Reviewer KEVIN WALL
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date 3/2/16
8. Boone County Planning Commission Action:
  - \_\_\_\_\_ **Approval**
  - \_\_\_\_\_ **Approval with Conditions**
  - \_\_\_\_\_ **Denial**
9. Other: \_\_\_\_\_ Resolution # \_\_\_\_\_

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
www.boonecountyky.org - Web Page

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

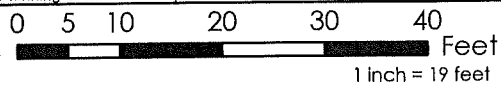
# Existing Site Improvements

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2015

Maple Pointe II created by Esri, SDD 1108  
ArcMap Document, BooneMap (ite).mxd



FORMER CAVANAUGH SEWING CENTER



02.16.2016

**EXHIBIT**

**“B”**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
MARCH 2, 2016  
7:30 P.M.**

---

**COMMISSION MEMBERS PRESENT:**

Mr. Matt Apke  
Mr. Randy Bessler  
Mr. Greg Breetz  
Mr. Kim Bunger, Secretary/Treasurer  
Mr. Mike Ford, Vice Chairman  
Mrs. Lori Heilman  
Mr. Mark Hicks  
Mrs. Janet Kegley  
Mr. Don McMillian  
Mr. Kim Patton  
Ms. Lisa Reeves  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Charlie Reynolds

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner  
Mr. Mitchell A. Light, Asst. Zoning Administrator

Chairman Rolfsen called the Public Hearing to order at 8:08 P.M. and introduced the first item on the Agenda:

**ZONING MAP AMENDMENT - Kevin Wall, Staff**

1. Request of **Barr M. Manter (applicant)** for **K Barr Investments, LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for an approximate 0.68 acre site located at 12 Girard Street, Florence, Kentucky. The request is for a zone change to allow the property to be used as a single family residence in addition to C-2 uses.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is located at 12 Girard Street in Florence and it is currently zoned Commercial Two (C-2). He described the surrounding zoning and land uses. The Future Land Use Map shows the site as Suburban Density Residential (SR). Mr. Wall showed photographs of the site and surrounding properties. The site used to have a sewing business located in the existing building. The proposal involves adding the Small Community Overlay (SC) district to the site in order to allow a single family residence. The existing zoning of Commercial Two (C-2) has been in place since 1980. It does not allow detached single family residences as a primary use. It does allow multi-family residential uses as a conditional use. It allows a dwelling unit as an accessory use if it is part of a business. The existing building is a 1.5 story frame residence with a parking area out front. The site also has a pole sign. The past owner converted the building to a single family residence apparently illegally. The current owner bought it as a foreclosure property a few months ago.

In terms of Staff Comments, Mr. Wall recommended that the Board look at the Small Community Overlay (SC) zoning district. He referred to the intent statement and the uses permitted in the SC Overlay District. He mentioned that Staff from the City of Florence had no immediate concerns. Mr. Wall concluded that the request must be reviewed in relation to the three criteria for granting a zone change and the proposed impacts.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with his presentation?

Mr. Barr Manter (applicant and owner) stated that the purpose of the request for rezoning is to accommodate the use as a residential dwelling. The feedback that he has received from multiple selling agents while marketing the property was that interested buyers liked the idea of having commercial within walking distance. The property exterior has been improved with new siding, roof and windows, which adds to the community. The interior has also been completely updated. He believed rezoning the property will contribute to mixing the area with residential properties. He also believed that the remodeling and renovations of the property will serve the new owners and the City of Florence and also achieve the diversity and balance the City would like to see in the land use (see Exhibit A).

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no one, Chairman Rolfsen asked if any of the Planning Commission Members had any questions or comments?

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: March 16, 2016

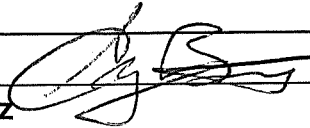
### ZONING MAP AMENDMENT - Janet Kegley, Chairwoman, Kevin Wall, Staff

1. Request of **Barr M. Manter (applicant)** for **K Barr Investments, LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for an approximate 0.68 acre site located at 12 Girard Street, Florence, Kentucky. The request is for a zone change to allow the property to be used as a single family residence in addition to C-2 uses.

### 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.

Manter/K Barr  
March 16, 2016

  
 \_\_\_\_\_  
**Greg Breetz**  
 For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

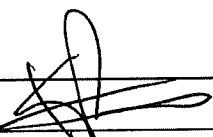
\_\_\_\_\_  
**Steve Turner**  
 For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Kim Bunger**  
 For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Randy Bessler (Alternate)**  
 For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_

\_\_\_\_\_  
**Janet Kegley, Chairwoman**  
 For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Lisa Heilman, (Alternate)**  
 For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

  
 \_\_\_\_\_  
**Kim Patton**  
 For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Mark Hicks (Alternate)**  
 For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

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

# SUPPORTING INFORMATION

1688

**MASTER COMMISSIONER DEED**  
Whereas, The Boone Circuit Court on

MAY 13, 2015 rendered a Judgment in the Action of

FIFTH THIRD MORTGAGE COMPANY  
PLAINTIFF(S)

vs { Case No. 15-CI-00216

MICHAEL DAVID YANCEY  
ASHLEY MARIE YANCEY  
DISCOVER BANK  
DEFENDANT(S)

directing the sale of the property hereby conveyed, which sale was accordingly made to K BARR INVESTMENTS, LLC for \$67,500.00 on SEPTEMBER 24, 2015, and was reported SEPTEMBER 24, 2015, by the Commissioner of this Court, and the Court on OCTOBER 6, 2015, confirmed that report, and directed the undersigned to convey to the Grantee herein named, the property hereinafter described.

Now, therefore, in consideration of these premises, the Commissioner of the Boone Circuit Court, hereby Aliens and Conveys unto: K BARR INVESTMENTS, LLC its successors and assigns forever

All the right, title and interest of all of the parties to the lawsuit involved herein who are before the Court including, but not limited to: FIFTH THIRD MORTGAGE COMPANY; MICHAEL DAVID YANCEY; ASHLEY MARIE YANCEY; DISCOVER BANK

In and to the following described Real Estate, in the City of FLORENCE, County of Boone and more particularly described as follows;

Group No. 208

The following described property located in the County of Boone, State of Kentucky, to-wit:

A parcel of land adjoining the rear line of Lot 9 of Cahill Subdivision in Florence, Boone County, Kentucky and described as follows:

Beginning at a point rear common corner of Lots 8 and 9 of Cahill Subdivision as recorded in Boone County records in Burlington, Kentucky; thence

1. N 37 E with the extension of common line between lots 8 and 9 of the Cahill Subdivision 218.13 feet to a point; thence
2. S 45 08' E 75.72 feet; thence
3. S 37 W 214.61 feet to the center of the outlet shown on the Cahill Subdivision Plot; thence
4. N 47 45' W with the rear line of Lot 9 of Cahill Subdivision, 75.33 feet to a point; thence to a point of beginning.

Boone County  
D1063 PG 45

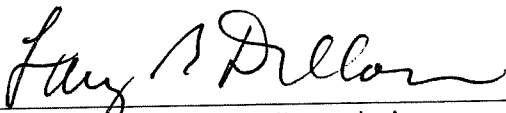
RETURN TO: pg 4

Also the western one half of the 30 foot wide outlet running to Girard Street as shown on the plot of Cahill Subdivision Plot being a strip of land 15' wide adjoining the Easterly line of Lot 9 for its length. Being the same property conveyed to Salcher Properties, LLC, a Kentucky Limited Liability Company, by deed Dated September 4, 2012, of record in Deed Book 1010, Page 232 and the same property conveyed to Judith Ann Roberts, as executrix of the Estate of Mildred Frances Cavanaugh by deed dated September 28, 2012 and the same property conveyed to Judith Ann Roberts and James A. Roberts, by Deed Dated June 3, 2005, of record in Deed Book 679, Page 247, all in the Office of the Clerk aforesaid. Being the same property conveyed to Michael David Yancey and Ashley Marie Yancey, husband and wife, by General Warranty Deed dated April 15, 2013, filed of record April 25, 2013 in Deed Book 1019, Page 670 in the Office of the Boone County Clerk. ✓


**TO HAVE AND TO HOLD SAID PROPERTY WITH APPURTENANCES unto the said K BARR INVESTMENTS, LLC its successors and assigns forever.**

THE SAID COMMISSIONER conveys all of the right, title and interest of the parties aforesaid in and to said property and warrants the title thereto so far as he is authorized by the judgment, orders and proceedings in said cause, and no further; but he does not bind himself personally by anything contained herein, in any event whatsoever.

Witness, the hand of the said Commissioner, this 8<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
Larry B. Dillon, Master Commissioner  
Gregory W. McDowell, Deputy Commissioner

Acknowledged, examined and approved in Open Court

  
\_\_\_\_\_  
Judge, Boone Circuit Court

10/8/2015  
\_\_\_\_\_  
Date

---

**COMMONWEALTH OF KENTUCKY, BOONE CIRCUIT COURT**

**FIFTH THIRD MORTGAGE COMPANY  
PLAINTIFF(S)**

**No. 15-CI-00216**

**VERSUS**

**MICHAEL DAVID YANCEY, ET AL  
DEFENDANT(S)**

I, **DIANNE MURRAY**, Clerk of the Boone Circuit Court, do hereby certify that this Deed, by the Commissioner of said Court, was this day, presented in open Court by the Commissioner, and was by him duly acknowledged to be his act and deed; and the said Deed, having been examined by the Court, was approved and confirmed, and so endorsed by the Judge, and ordered to be transmitted, and duly certified to the Clerk of the Boone County Court for record, which is now done accordingly.

Given under my hand, this 12 day of October, 2015.

ATTEST: Dianne Munnay  
Clerk of Boone Circuit Court

A. Breeden, Deputy Clerk

This Instrument Prepared By:

Larry B. Dillon

Larry B. Dillon, Master Commissioner  
Gregory W. McDowell, Deputy Commissioner  
Master Commissioner's Office  
Boone Circuit Court  
6025 Rogers Lane  
Burlington, Kentucky 41005

KENTUCKY CERTIFICATE/AFFIDAVIT

RETURN TO:

PROPERTY ADDRESS: 12 GIRARD STREET FLORENCE, KY 41042

GRANTEE (PURCHASER) KBAR Investments LLC

GRANTEE MAILING ADDRESS/IN-CARE-OF: 3526 Millhouse Blvd Tuleep.  
Ky 41056

GRANTOR (SELLER) COMMISSIONER, BOONE CIRCUIT COURT  
GRANTOR MAILING ADDRESS: 6025 Rogers Lane Burlington, Kentucky 41005

COMES NOW THE ABOVE-NAMED GRANTEE(S) AND GRANTOR(S) AND, AFTER BEING DULY CAUTIONED AND SWORN, STATE AS FOLLOWS:

1. THAT THE MAILING ADDRESSES FOR THE GRANTEE AND GRANTOR SET FORTH ABOVE ARE TRUE AND CORRECT.
2. THAT THE CONSIDERATION SET FORTH ABOVE IS THE FULL CONSIDERATION PAID FOR THE PROPERTY DESCRIBED ABOVE.

GRANTEE  
BY: Barr M. Mantel  
TITLE: owner  
PRINT NAME: BARR M. Mantel

[Signature]  
GRANTOR (SELLER)  
COMMISSIONER, BOONE CIRCUIT COURT

STATE OF KENTUCKY, COUNTY OF BOONE: SCT.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME THIS 8th DAY OF October, 2015 BY THE ABOVE NAMED GRANTOR, COMMISSIONER, OF THE BOONE CIRCUIT COURT.

MY COMMISSION EXPIRES:

KAREN ANGEL (Commission Expires: 9-17-2017 ID 494663)  
JESSICA SCHMIDT (TRUMP) (Commission Expires: 5-4-2016 ID 466043)

[Signature]  
NOTARY PUBLIC, STATE AT LARGE

STATE OF Ky, COUNTY OF Boone, SCT.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME THIS 19th DAY OF Nov, 2015, BY THE ABOVE GRANTEE(S)  
BARR M. Mantel

(Print Grantee(s) Name)

MY COMMISSION EXPIRES:

7-22-19

[Signature]  
NOTARY PUBLIC, STATE AT LARGE

Boone County  
D1063 PG 48

DOCUMENT # 689580  
RECORDED ON: NOVEMBER 19, 2015 10:47:18AM  
TOTAL FEES: \$20.00  
GROUP : 200  
COUNTY CLERK: KENNY BROWN  
COUNTY: BOONE COUNTY CLERK  
DEPUTY CLERK: BETH B.  
BOOK D1063 PAGES 45 - 48

Doc # 689580



To whom it may concern:

Enclosed please find a certified copy of **City of Florence, Kentucky Ordinance No. O-6-16:**

ORDINANCE NO. O-6-16:

AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO COMMERCIAL TWO/SMALL COMMUNITY (C-2/SC) FOR AN APPROXIMATE 0.68 ACRE SITE LOCATED AT 12 GIRARD STREET, FLORENCE, KENTUCKY, TO ALLOW THE PROPERTY TO BE USED AS A SINGLE FAMILY RESIDENCE IN ADDITION TO C-2 USES. (K. BARR INVESTMENTS, LLC PROPERTY)

The First Reading of Ordinance No. O-6-16 was held on the 24<sup>th</sup> Day of May, 2016.

The Second Reading of Ordinance No. O-6-16 was held on the 14<sup>th</sup> Day of June, 2016.

Ordinance No. O-6-16 was published in the *Boone County Recorder* on the 23<sup>rd</sup> Day of June, 2016 at which time the Ordinance became statutorily official.

Please contact me if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe A. Christofield", written over a horizontal line.

Joseph A. Christofield  
City Clerk  
Florence

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify the foregoing is a true and correct copy of Ordinance No. O-6-16 as same appears in the official records of my office.

Dated this 23<sup>rd</sup> day of June, 2016.

A handwritten signature in black ink, appearing to read "Joe A. Christofield", written over a horizontal line.  
Joseph A. Christofield

City Clerk

City of Florence

8100 Ewing Boulevard

Florence, KY 41042-7588

859-647-8178 (phone)

859-647-5411 (fax)

[joe.christofield@florence-ky.gov](mailto:joe.christofield@florence-ky.gov)

[www.florence-ky.gov](http://www.florence-ky.gov)

**CITY OF FLORENCE, KENTUCKY**  
**SUMMARY OF ORDINANCE NO. 0-6-16**

The City of Florence, Kentucky, enacted on second reading Ordinance No. on June 14, 2016. The title of this Ordinance is as follows:

**ORDINANCE NO. 0-6-16**


**AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO COMMERCIAL TWO/SMALL COMMUNITY (C-2/SC) FOR AN APPROXIMATE 0.68 ACRE SITE LOCATED AT 12 GIRARD STREET, FLORENCE, KENTUCKY, TO ALLOW THE PROPERTY TO BE USED AS A SINGLE FAMILY RESIDENCE IN ADDITION TO C-2 USES. (K. BARR INVESTMENTS, LLC PROPERTY)**

The effect of this Ordinance is to allow a zoning map amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for a 0.68 acre site located at 12 Girard Street, Florence, Kentucky, to allow the property to be used as a single family residence in addition to C-2 uses.

The full text of Ordinance No. 0-6-16, including its Exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, during regular office hours.

**CERTIFICATION**

I hereby certify that the foregoing is a summary of the contents of Ordinance No. and that it has been prepared by me on the 20<sup>th</sup> day of May, 2016, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.

  
\_\_\_\_\_  
HUGH O/SKEES  
SKEES, WILSON & NIEMABER, PLLC  
7699 Ewing Boulevard, P.O. Box 756  
Florence, Kentucky 41022-0756  
Phone: (859) 371-7407  
Fax: (859) 371-9872  
Email: [hskees@fuse.net](mailto:hskees@fuse.net)

ORDINANCE NO. 0-6-16

AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO COMMERCIAL TWO/SMALL COMMUNITY (C-2/SC) FOR AN APPROXIMATE 0.68 ACRE SITE LOCATED AT 12 GIRARD STREET, FLORENCE, KENTUCKY, TO ALLOW THE PROPERTY TO BE USED AS A SINGLE FAMILY RESIDENCE IN ADDITION TO C-2 USES. (K. BARR INVESTMENTS, LLC PROPERTY)

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

WHEREAS, the Boone County Planning Commission has recommended approval of a zoning map amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for a 0.68 acre site located at 12 Girard Street, Florence, Kentucky, to allow the property to be used as a single family residence in addition to C-2 uses.

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

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

**SECTION I**

That the zoning map amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for a 0.68 acre site located at 12 Girard Street, Florence, Kentucky, to allow the property to be used as a single family residence in addition to C-2 uses, shall be and is hereby approved.

The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be amended or changed to reflect the zoning map amendment for this subject property.

**SECTION II**

This approval of this zoning map amendment is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including the Committee Report made a part of that recommendation, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "B", and incorporated herein as if fully set out, this recommendation

being in the form of Resolution No. R-16-008-A of the Boone County Planning Commission along with the referenced Exhibits to that Resolution.

**SECTION III**

This approval is granted based upon the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the committee report of that Commission, which is attached and part of the Commission's Resolution No. R-16-008-A, marked Exhibit "B", and incorporated herein as if fully set out.

**SECTION IV**

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

**SECTION V**

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

PASSED AND APPROVED ON FIRST READING THIS 24<sup>th</sup> DAY OF May, 2016.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 14<sup>th</sup> DAY OF June, 2016.

APPROVED:

Deane E. Whalen  
MAYOR

ATTEST:

Joe C. St. John  
CITY CLERK

CITY OF FLORENCE, KENTUCKY  
PLANNING AND ZONING COMMITTEE

IN RE: **REPORT AND RECOMMENDATION - REQUEST OF BARR M. MANTER (APPLICANT) FOR K. BARR INVESTMENTS, LLC (OWNER) FOR A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO COMMERCIAL TWO/SMALL COMMUNITY (C-2/SC) FOR AN APPROXIMATE 0.68 ACRE SITE LOCATED AT 12 GIRARD STREET, FLORENCE, KENTUCKY, TO ALLOW THE PROPERTY TO BE USED AS A SINGLE FAMILY RESIDENCE IN ADDITION TO C-2 USES.**

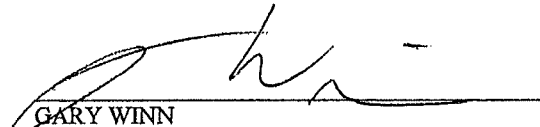
The Committee met in a regular meeting on May 9, 2016, at the Florence Government Center Building to consider Resolution No. R-16-008-A of the Boone County Planning Commission which recommended approval of the request described above. The Committee reviewed the record of proceedings before the Boone County Planning Commission, including said Resolution and the exhibits thereto, and the approved Minutes of the public hearing. The Committee determined that the record from the Boone County Planning Commission contains adequate information for consideration of the recommendation and that no need exists for an additional hearing before the City Council.

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

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

MEMBERS OF THE COMMITTEE:

  
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DR. JULIE METZGER AUBUCHON

  
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GARY WINN