

STAFF REPORTREQUEST OF COLUMBIA SUSSEX CORPORATION
FOR A ZONING MAP AMENDMENT FOR 1.55 ACRES
LOCATED ON SUSSEX DRIVE, FLORENCE, KENTUCKY

MAY 25, 1988

Applicant is requesting a Zoning Map Amendment from Office Two (O-2) to Urban Residential Two (UR-2) for a 1.55 acre site, located on the north side of Sussex Drive, Florence, for the purpose of developing multi-family housing. The 1.55 acre site is a portion of a 4.35 acre tract, of which 2.8 acres is currently zoned UR-2 (Figure I).

Surrounding Land Uses and Zoning

Northwest of the 4.35 acre site are the Carrage House Apartments (zoned UR-2). Northeast of the site are several single-family homes in the Fairfield Subdivision. These homes are located on the south side of Burk Avenue, and are zoned Suburban Residential One (SR-1).

South of the site is an abandoned parking lot and a bowling alley (the Florence Bowl). This area is zoned O-2.

Southwest of the site, on the opposite side of Sussex Drive, is an office building in the O-2 zone.

Existing Features of the Site

The 1.55 acre site is heavily wooded with mature trees. Many of the trees are 40 or more feet in height and 2-3 feet in diameter. The site has approximately 40 feet difference in elevation from the high point near Sussex Drive to the low point near the center of the site.

The site is bi-sected by a small creek that flows from south to north. An 8 inch city sanitary sewer line parallels the creek.

1986 Comprehensive Plan

This request must be reviewed on the basis of its relationship to the 1986 Boone County Comprehensive Plan. The Plan's "Future Land Use Map" (Figure II) indicates future use of the site is borderline medium density residential (three to eight dwelling units per acre) and high density residential (greater than eight units per acre).

The Comprehensive Plan's Goals and Objectives generally states that the county should provide a broad range of housing types, residential development should be judged primarily on the basis of density with only secondary consideration given to housing

unit type, and progression of housing density shall be encouraged, but adequate buffering of high density development must occur when adjacent to low density housing (p. G-2). In addition, the Goals and Objectives state that residential development shall be adequately served by public infrastructure, including coordination of existing and planned street systems, and convenient access to major streets for high density development (p. G-2).

The Comprehensive Plan's "Housing Element" further addresses locational characteristics which make certain areas of the county suitable for various types and densities of housing units (pp. H-17 thru H-19). In summary, the Housing Element echoes the Goals and Objectives in that higher density housing should be located with good access to major thoroughfares and provide adequate buffering when a transition of land use intensities is not provided.

The Comprehensive Plan's "Land Use Element" (Section D-4, Florence Area) states that pockets of undeveloped residential land within the city should develop compatibly with the surrounding existing development. The Land Use Element further states that infilling of higher density residential should only occur where the high density use can serve as a buffer between industrial or commercial areas and single-family areas (p. L-29).

Concept Development Plan

The proposed Concept Development Plan (Figure III) indicates seven twelve-unit apartment buildings on the 4.35 acre tract. Two of the proposed apartment buildings are shown on the 1.55 acre site under review. The proposed plan indicates access to the site will be from a street or driveway connection between Canterbury Drive and Sussex Drive. The locations of several large existing trees are identified on the plan. A 15 foot wide buffer of evergreen trees is proposed between the existing residential area and the proposed parking lot. The plan also indicates an existing sanitary sewer easement, the existing creek, and a proposed storm water detention area.

Staff Concerns

1. Buffering: The adjacent single-family residential area must be adequately buffered from any proposed higher density use. The removal of existing vegetation on the site (and the adjacent 2.8 acres) will have a significant impact upon the adjacent single-family neighborhood, so extreme care to preserve existing vegetation wherever possible is warranted. Careful placement of the proposed buildings and parking areas may be necessary to assure preservation of the greatest possible amount of existing vegetation.

2. Roadway Access and Coordination: The subject property abuts an existing private roadway (Canterbury Drive) through the Carriage House Apartments. Extension of this roadway through to Sussex Drive may serve as a logical extension of the existing roadway network.

Conclusion

The major issues regarding this request are its relationship to the Comprehensive Plan, appropriate buffering of established residential neighborhoods, and coordination of the existing roadway network. If the Planning Commission and Florence City Council should approve this request, the 1986 Boone County Comprehensive Plan need not be amended.



Jim Sturdevant,
Plans Examiner/Planner

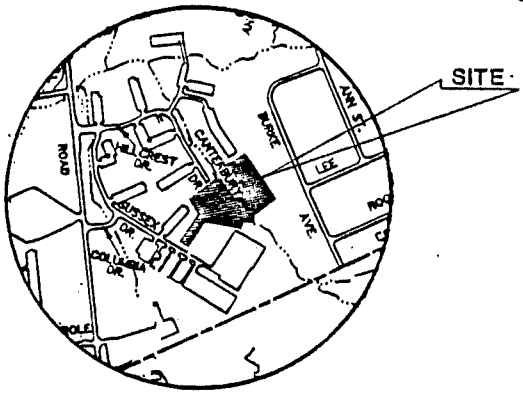
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Attachments

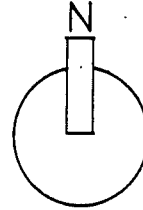
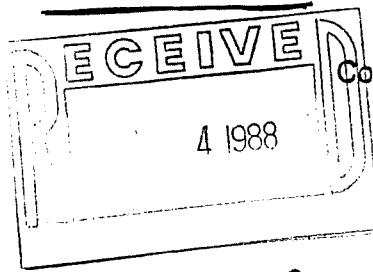
COLUMBIA SUSSEX
FIGURE I

PLAT OF SURVEY • ZONE
AMENDMENT APPLICATION
0-2 TO UR-2

A PORTION OF LOT 3 OF THE
Columbia Sussex Corporation, Inc. Property
7505 SUSSEX DRIVE, FLORENCE, KENTUCKY



VICINITY MAP



ADJACENT
UR-2
CARRAGE HOUSE
APARTMENTS

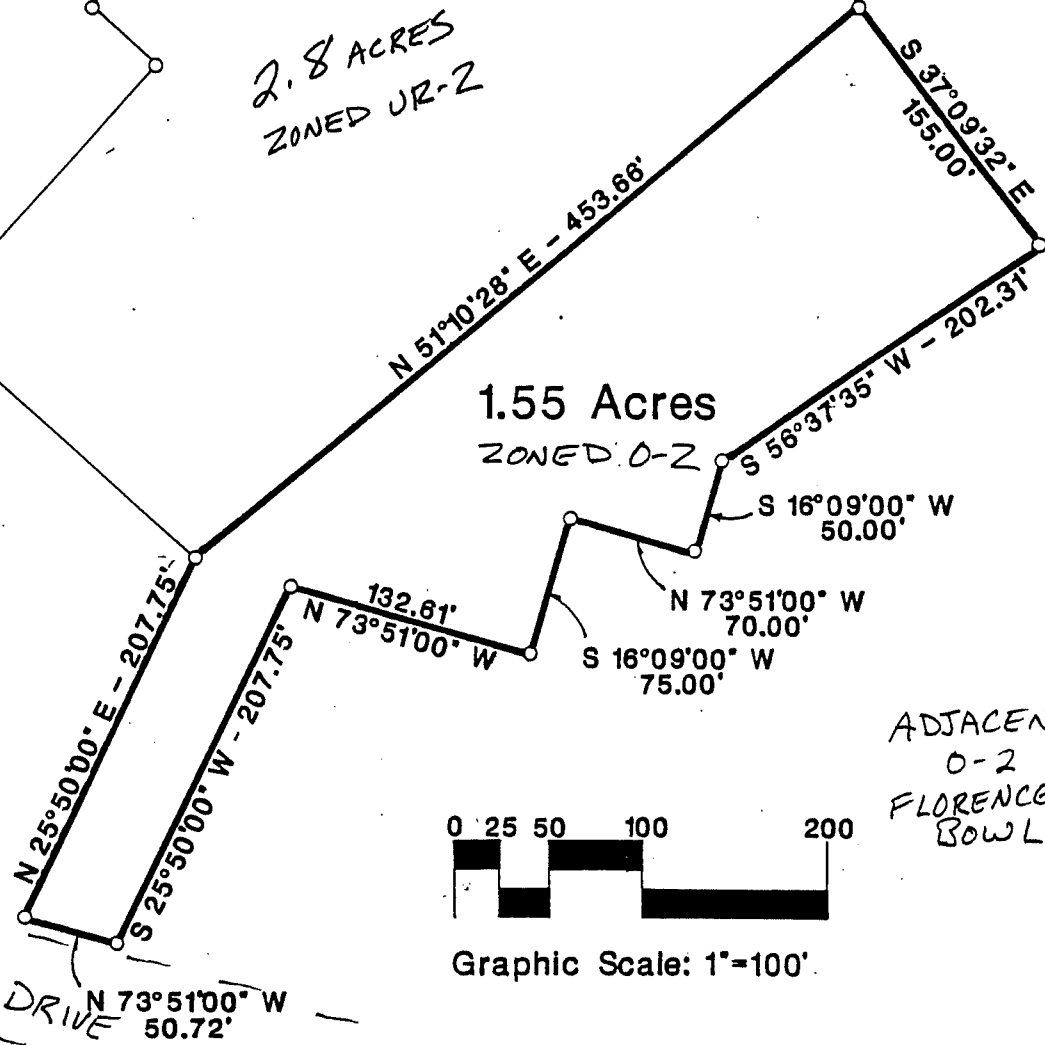
ADJACENT
SR-1
SINGLE FAMILY
SUBDIVISION

2.8 ACRES
ZONED UR-2

1.55 ACRES
ZONED O-2



AWC
5.3.88

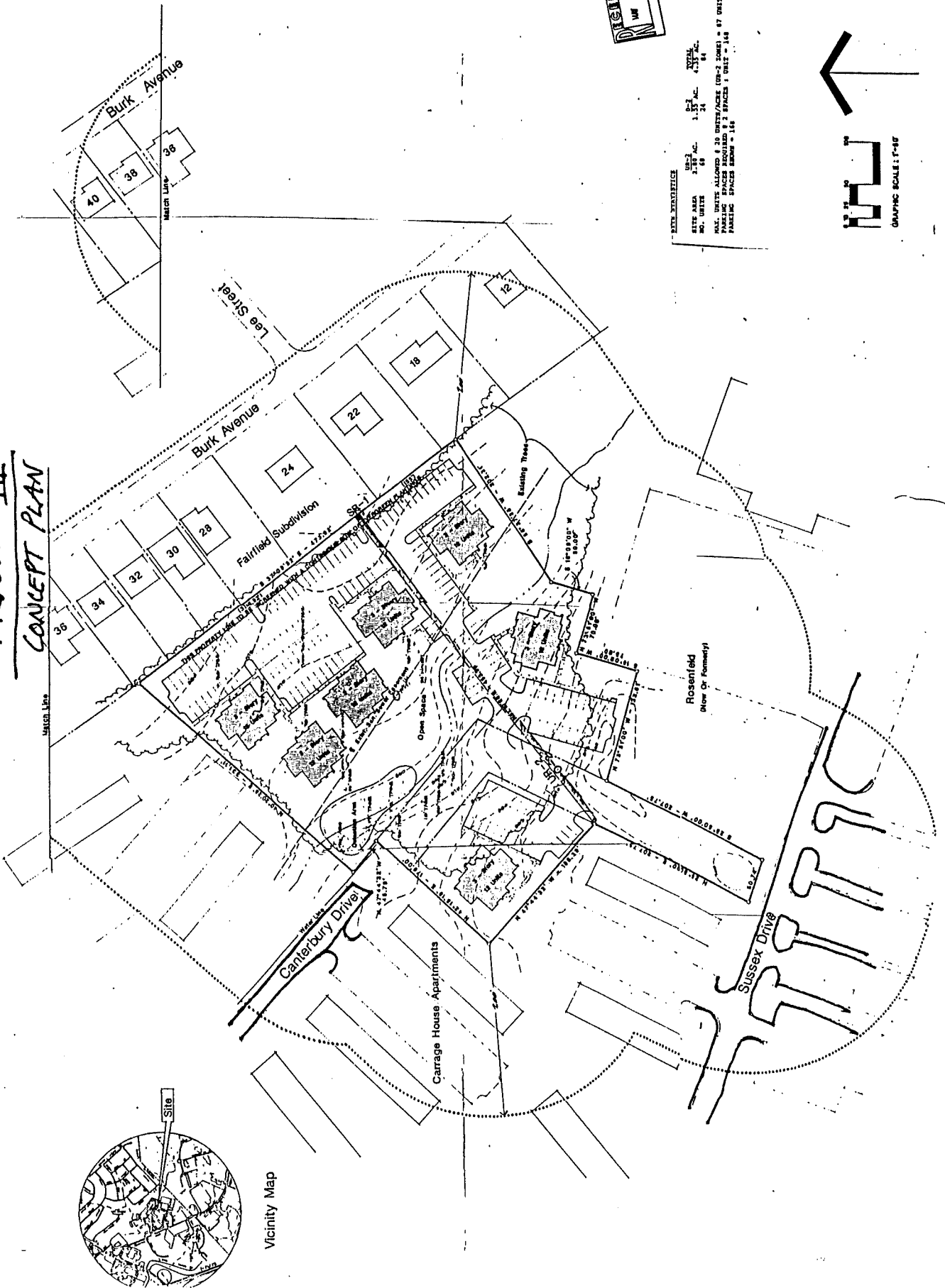


ADJACENT
O-2
FLORENCE
BOWL



Graphic Scale: 1"=100'

COLUMBIA SUSSEX
 FIGURE III
 CONCEPT PLAN



VANDERWERF
 AND
 ASSOCIATES
 875 Boulevard Drive
 Lexington, Kentucky

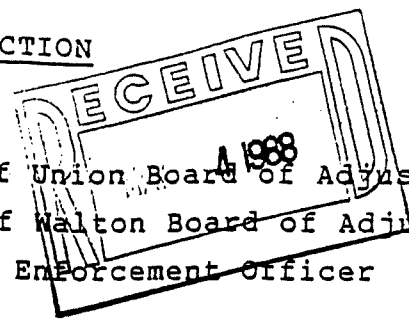
Endicott And Associates
 176 STONE ROAD, SUITE 200
 LEXINGTON, KENTUCKY 40503
 (606) 271-8830

CONCEPT DEVELOPMENT PLAN
 Columbia Sussex Corp. Inc. Subdivision
 LOT 3
 A PORTION OF 7505 SUSSEX DRIVE
 FLORENCE, KENTUCKY

DATE 4-1-84
 DRAWN 2/21/84
 CHECKED
 REVISED

SHEET

APPLICATION FOR ZONING ACTION



TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: COLUMBIA SUSSEX CORPORATION, (formerly Columbia Development Corporation, Inc.) Owner Agent

Address: 207 Grandview Drive, Ft. Mitchell, KY 41017

Telephone: 331-0091

Location: Sussex Drive, Florence, KY

Name of Property Owner: Columbia Sussex Corporation

Address of Property Owner: 207 Grandview Drive, Ft. Mitchell, KY

Zoning District: 0-2 Area in Acres: 1.55

Deed Book: 208 Page Number: 591 Group Number: 2042

Description of Request: Applicant owns a 4.35 acre parcel, 1.55 acres of which is zoned 0-2, with the remainder zoned UR-2. Applicant requests a map amendment to change the zoning of the 1.55 acres from 0-2 to UR-2, to cause the entire parcel to have the same zoning.

Applicant's Signature: *Walter Jones*

Property Owner's Signature: *Walter Jones President*

Application Fee: \$399.20 FOR PLANNING COMMISSION USE ONLY Date Received: 5-4-88 By: AA/MB

Referred To: *J* Meeting Date: 5-4-88 New Business

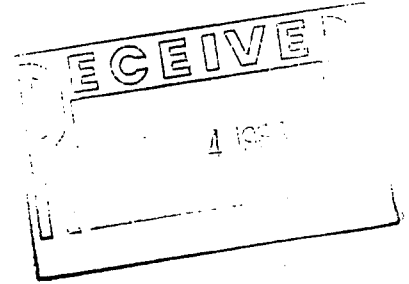
Action Taken: Approved Date of Action: 6-15-88

EXHIBIT "A"

ENDICOTT AND ASSOCIATES
CIVIL ENGINEERS AND LAND SURVEYORS
176 STONE ROAD • SUITE 200
LEXINGTON, KENTUCKY 40503

PHONE (606) 277-8320

May 4, 1988



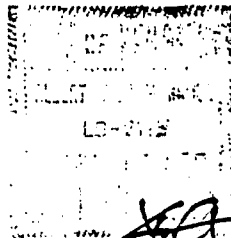
BOUNDARY DESCRIPTION
Zone Map Amendment Application
A Portion of 7505 Sussex Drive
0-2 to UR-2

Beginning at a point in the southern line of the Fairfield Subdivision at the intersection of the 0-2/UR-2 zone boundary line, thence with said line of Fairfield S 37° 09' 32" E, 155.00 feet to a point; thence leaving Fairfield S 56° 37' 35" W, 202.31 feet to a point; thence S 16° 09' 00" W, 50.00 feet to a point; thence N 73° 51' 00" W, 70.00 feet to a point; thence S 16° 09' 00" W, 75.00 feet to a point; thence N 73° 51' 00" W, 132.61 feet to a point; thence S 25° 50' 00" W, 207.75 feet to a point in the north line of Sussex Drive; thence with said north line of Sussex N 73° 51' 00" W, 50.72 feet to a point; thence leaving Sussex Drive N 25° 50' 00" E, 207.75 feet to a point, said point being on the 0-2/UR-2 Zone Division Line; thence with said zone line N 51° 10' 28" E, 453.66 feet to the Point of Beginning and containing 1.55 acres.

ENDICOTT AND ASSOCIATES

AGROSS

Albert W. Gross, P.E., L.S.



AGROSS
5.3.88

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

June 15, 1988

8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:10 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett, Vice Chairman
Mr. Fred Burch
Mrs. Rita Bushelman
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Rector Jones
Mr. Don McMillian
Mr. Barry Neltner
Mr. Ralph Rush
Mr. Floyd Sharp
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Charles Moore
Mrs. Carol Smith

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Business Meeting of June 1, 1988 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved. Mrs. Bushelman seconded the motion and it carried unanimously.

Counselor Wilson advised that in order to determine whether another Public Hearing is needed, the Commission needs to know the extent of the changes. If new data not brought out at the Public Hearing is involved, then a new Public Hearing would be required.

Mr. Jim Berling, engineer for the development, stated that the changes are extensive and would probably require another Public Hearing.

Chairman Viox stated that there would be a five or ten minute recess to allow the Committee time to meet.

Following a five-minute recess, the meeting resumed at 8:25 P.M..

Mr. Jones, Chairman of the Committee, stated that the applicant has the option of withdrawing the request or continuing with the Committee Report as written.

Mr. Duncan stated that they withdraw the application with the intent to return with a Concept Plan incorporating the changes to meet the concerns expressed by the Committee and the public.

2. Zoning Map Amendment

The request of Columbia Sussex Corporation (owner) for a Zoning Map Amendment for a 1.55-acre site located on the north side of Sussex Drive, Florence, Kentucky. The site is presently zoned Office Two (O-2) and is requested to be rezoned Urban Residential Two (UR-2).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to four conditions (see Committee Report).

Mr. Nick Benson, representing Columbia Sussex Corporation, stated that they will include the four items requested as part of their Concept Development Plan. They are agreeable to the conditions.

Chairman Viox asked if there was a representative of the neighborhood present or if there were any comments from the audience.

There being no further discussion, Mr. Barnett moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports. Mr. Jones seconded the motion.

Mr. Neltner asked if the six-foot high fence referred to in the conditions would be a privacy fence made of boards or a chainlink fence.

Mr. Barnett stated that this point was discussed in the Committee meeting and they were able to see pros and cons of both types of fence.

Mr. Benson stated that in their discussion with the neighbors, there was concern expressed about trespassing and they told them they would put up a six-foot high chainlink fence.

There being no further discussion, Chairman Viox asked for a vote on the motion made by Mr. Barnett and it carried unanimously.

3. Site Plan Review

The request of Paul Barbro (applicant) for Frisch's Restaurant, Inc. (owner) for Site Plan Review to construct a second drive-thru facility and make parking lot improvements on a 1-acre site located at Turfway Road and KY 18, Florence, Kentucky. The site is zoned Commercial Services (C-3).

Staff Member, Jim Sturdevant, presented the Staff Report (see Staff Report).

Mr. Kevin Costello read the Committee Report which recommended approval based on the Staff Report.

There being no discussion, Mr. Jones moved that the request be approved based on the Staff and Committee Reports. Mr. Rush seconded the motion and it carried unanimously.

4. Site Plan Review

The request of Ronald Erpenbeck (applicant) for Schwartz & Schwartz Enterprise, Inc. (owner) for Site Plan Review to make parking lot improvements on a 1.78-acre site located at 7009 Dixie Highway, Florence, Kentucky. The site is zoned Commercial Two (C-2).

Staff Member, Paul Miller, presented the Staff Report which recommended deferral of the request (see Staff Report).

Mr. Kevin Costello read the Committee Report which recommended deferral based on the Staff Report.

Mr. McMillian moved that the request be deferred based on the Staff and Committee Reports. Mr. Neltner seconded the motion.

Mr. DeLong asked that the request be deferred until a specific date.

Mr. Costello advised that the letter from the applicant requested deferral until the July 6, 1988 Business Meeting.

There being no further discussion, Chairman Viox asked for a vote on the motion made by Mr. McMillian and it carried unanimously.

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #3
May 25, 1988

Page 1

Chairman Viox opened the Public Hearing for the third item on the Agenda:

3. Applicant: Columbia Sussex Corporation (owner)
Request: Zoning Map Amendment

This was a Public Hearing on the request of Columbia Sussex Corporation (owner) for a Zoning Map Amendment for a 1.55-acre site located on the north side of Sussex Drive, Florence, Kentucky. The site is presently zoned Office Two (O-2) and is requested to be rezoned Urban Residential Two (UR-2).

Staff Member, Jim Sturdevant, presented the first part of the Staff Report which included a slide presentation.

Chairman Viox asked for comments from a representative of the applicant.

Mr. Nick Benson, stated that he is the attorney for Columbia Sussex Corporation and a member of the Board of Directors. He stated that Columbia Sussex Corporation is one of the largest companies in Northern Kentucky and is headquartered in Fort Mitchell. Mr. Young, the sole shareholder, has become interested in apartments. He noted that the proposed development will be similar to the Commons development on Dixie Highway. He stated that this is a 4.35-acre tract and the Carriage House Apartments are next door. There is a zoning line dividing the 4.35-acre parcel, leaving a 1.55-acre tract zoned O-2. They want to unify the zoning to develop the parcel. They believe an apartment development to be more appropriate than an office development as most of the area is currently zoned for apartments and the Carriage House Apartments are next door. He noted the location of the site and stated that it is not well suited to office space as it has no visibility from a major artery. They plan sixty apartments for the parcel currently zoned for apartments, and another 24 units, which would be two buildings of twelve units each, on the smaller parcel. They will be two-bedroom units of about 800 square feet each. They are asking for a zone change on the 1.55-acre tract. He added that the Staff Report indicates two problems — one of which is the traffic situation. He noted that the street through the Carriage House Apartments runs dead and they are willing to provide a connector road. He stated that the traffic impact of 24 units with a new connector road will not be a problem. He stated that these will not be Section 8 apartments. He noted the adjacent land uses and stated that the Carriage House Apartments will not be affected by this development, Florence Bowl will not object, and Northern Kentucky Gymnastics is not opposed. They are proposing a

15-foot green belt along the rear property line toward Burk Drive. Based on a concern of one of the residents, they will install a six-foot chainlink fence to control trespassing. He noted that 90% of their property is bordered by people who are not opposed. Mr. Benson advised that the law indicates that a change of a socioeconomic nature, or if the area was improperly zoned originally, are bases for a zone change. He stated that the splitting up of a four-acre parcel under one ownership was improper and they are trying to get the entire tract zoned the same way.

Chairman Viox asked if there was anyone else present who wished to speak in favor of the request. There being no one, he asked if there was anyone present in opposition or if there were any questions.

Mr. Paul Reynolds, an attorney, stated that he is the grandson of one of the residents of Burk Drive, Mrs. Lipscomb. He stated that he has reviewed the Concept Plan and they intend to remove everything except for 15 feet of growth. He noted that there is only a one and one-half acre parcel not zoned for apartment buildings. He stated that if the Commission wants to give them the two apartment buildings, then as a trade-off they should agree to leave some trees against the Burk Avenue property and provide a greater buffer zone. He noted that the Carriage House Apartments left a 50-foot buffer and it is not entirely visible. He stated that the traffic increased and there were people walking through the yards. There was also a lot of noise from people starting cars at 5 a.m.. He stated that an office parking lot is not used at 5 a.m. and the parking is mostly 9 a.m. to 5 p.m.. The property owners are concerned about the noise and the concrete. He stated that the neighbors would object to anything that would increase the noise and the number of buildings.

Mr. Eric Johnson, a resident of Burk Avenue, stated that everyone on Burke Street would appreciate there being more green space and the development being moved up closer to Sussex Drive. The people on Burk Street enjoy the woods.

In response to questions from Mr. Reynolds, Mr. Jerry Vanderweeer, an engineer with Endicott & Associates, stated that he is the architect for the project. He stated that the site is very steep and they do not want the parking lot below the structure it is serving. There will be a bridge from the lot to the middle building. He stated that there is a sanitary sewer easement running through the property that prohibits them from moving the units closer to the creek. He stated that they could possibly provide a 25-foot buffer between the lot and the existing houses.

Chairman Viox asked if there were any further comments.

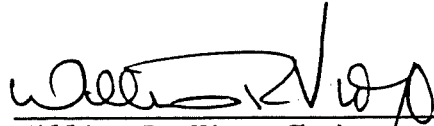
Mr. Barnett asked if there could be an additional 25 feet of buffer area. He noted that there is no provision for the fencing.

Mr. Benson stated that they will add the fencing to the plan. He stated that the matter of the fence was raised during their discussion with the Lipscombs. He stated that he did not know if it would be possible to provide 50 feet of buffer area. He stated that the architect will work on this and report to the committee.

At this time, Mr. Sturdevant completed the Staff Report (see Staff Report).

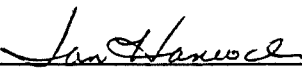
There being no further discussion, Chairman Viox advised that this item will be on the Agenda for the Business Meeting on June 1, 1988 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

ATTEST:



Jan Hancock, Recording Secretary

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Larry Barnett, Committee Chairman

DATE: June 15, 1988

RE: Request of Columbia Sussex Corporation (owner) for a Zoning Map Amendment for a 1.55 acre site located on the north side of Sussex Drive, Florence, Kentucky. The site is presently zoned Office Two (O-2) and is requested to be rezoned Urban Residential Two (UR-2).

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 requested zone change is in conformance with the 1986 Boone County Comprehensive Plan's "Future Land Use Map" which indicates future development of high density residential for the subject property.
2. If developed in accordance with the conditions recommended below, the Zoning Map Amendment will be consistent with "Housing Element" of the Plan and goals relative to infilling of higher density housing adjacent to established single-family neighborhoods. Further references to the Comprehensive Plan are outlined in the Staff Report.

Conditions


The applicant is being asked to agree to include these items as part of the Concept Development Plan as presented at the May 25, 1988, Public Hearing. Further, these conditions are intended to clarify the suitable uses and arrangement for development of the presented plan.


1. That the applicant agree to provide a fence, a minimum of 6 feet in height, along the northeast property line adjacent to the existing neighborhood of single-family homes.
2. That the applicant agree to widen the 15 foot wide landscaped buffer zone to 25 feet in width.
3. That the applicant agree to provide a detailed landscaping plan with the Site Plan for review of the proposed development. This landscaping plan shall include details for vegetation to be planted in the 25 foot wide landscaped buffer zone and to identify existing trees and vegetation that will be retained within the development. Furthermore, the location of parking areas and arrangement of buildings shall be designed to assure retention of a significant amount of existing vegetation to help soften the impact of the development on the adjacent neighborhood.

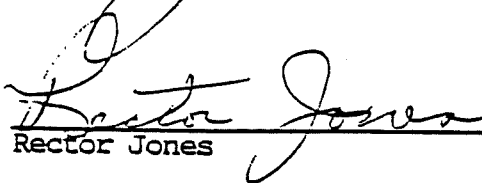
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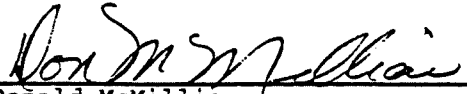
Conditions - Continued

4. Any future changes to the proposed Concept Development Plan as presented at the May 25, 1988, Public Hearing must be reviewed by the Commission's Technical Committee to determine if such changes constitute major or minor changes to the approved plan. If such changes are determined to be major, another Public Hearing on a revised Concept Development Plan will be required.


Larry Barnett, Committee Chairman


Fred Burch


Rector Jones


Donald McMillian

Carol Smith

LB:mcb

VANDERBILT
AND
ASSOCIATES

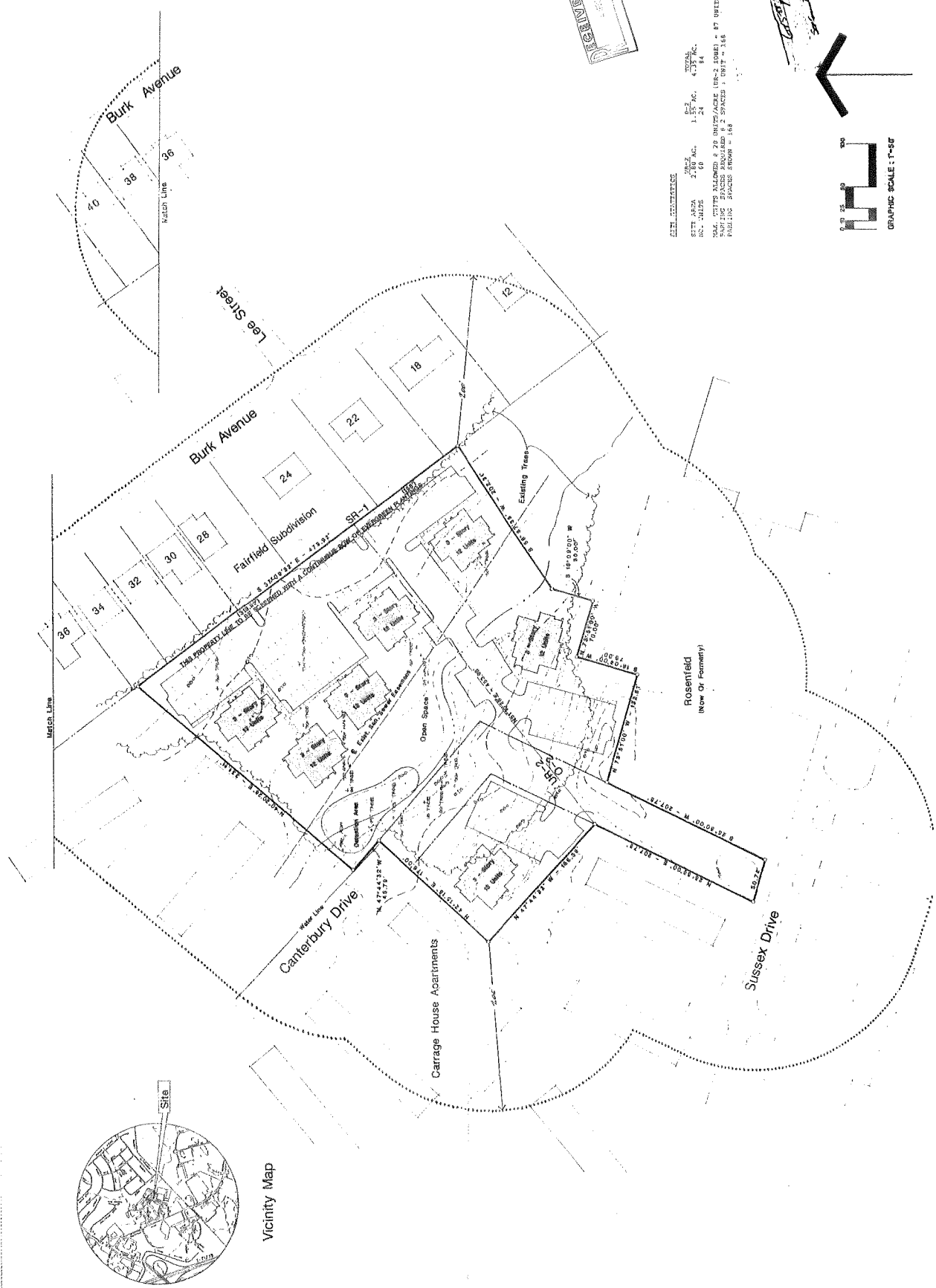
274 Quail Creek
Lexington, Kentucky

Endicott And Associates
CIVIL ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTS
176 STONE ROAD, SUITE 200
LEXINGTON, KENTUCKY 40503
(609) 277-9320

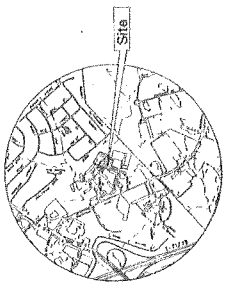
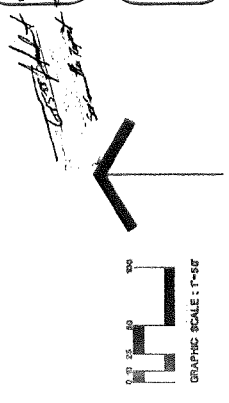
CONCEPT DEVELOPMENT PLAN
Columbia Sussex Corp Inc. Subdivision
LOT 3
A PORTION OF 7505 SUSSEX DRIVE
FLORENCE, KENTUCKY

DATE: 11/10/09
DRAWN: SAC/ALP
CHECKED: [Signature]
REVISED:

SHEET



GEN. DIMENSIONS
 SET AREA: 2.00 AC. 1.00 AC. 1.00 AC.
 SET WIDTH: 6.0 2.4 4.4
 SET HEIGHT: 6.0 2.4 4.4
 TOTAL WIDTH: 16.80' W
 TOTAL HEIGHT: 16.80' W
 TOTAL AREA: 283.68 SQ. FT.
 TOTAL VOLUME: 168.00 CU. YD.
 TOTAL WEIGHT: 168.00 TONS
 TOTAL SPACES: 168
 TOTAL SPACES: 168
 TOTAL SPACES: 168



Vicinity Map

ORDINANCE NO. 0-22-88

AN ORDINANCE ADOPTING AND APPROVING A REZONING OF CERTAIN REAL ESTATE LOCATED IN THE CITY OF FLORENCE, KENTUCKY, SUCH ZONE CHANGE BEING FOR A 1.55 ACRE TRACT LOCATED IN THE CITY LIMITS, GENERALLY, ON THE EAST SIDE OF INDUSTRIAL ROAD, THIS ZONE CHANGE BEING FROM ITS PRESENT ZONE OF OFFICE TWO, (O-2), TO AN URBAN RESIDENTIAL TWO, (UR-2) ZONE, SUBJECT TO A CONCEPT DEVELOPMENT PLAN. (COLUMBIA SUSSEX)

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

WHEREAS, the Boone County Planning Commission has recommended that a requested zone change for 1.55 acres, within the city limits of Florence, Kentucky, be granted, subject to an agreed Concept Development Plan, this zone change being from the current zoning of Office Two, (O-2), to an Urban Residential Two, (UR-2) zoning classification, and

WHEREAS, the recommendation from the Boone County Planning Commission is based upon certain findings which have been reviewed by the City Council of Florence, Kentucky.

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

SECTION I

That a 1.55 acre tract presently located in the City of Florence, Kentucky which is presently zoned Office Two, (O-2), located generally on the east side of Industrial Road, shall be and the same is hereby rezoned to an Urban Residential Two, (UR-2) zoning classification, subject to an agreed Concept Development Plan, such real estate being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference as if fully set out.

SECTION II

That the zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning of the real estate set forth herein.

SECTION III

That the recommendation of the Boone County Planning Commission regarding this zone change matter shall be and is

hereby adopted and approved by the City Council of Florence, Kentucky, which accepts the findings of the Boone County Planning Commission for this zone change.

SECTION IV

That this rezoning is subject to the conditions and provisions of the zone change request, including the development plan as presented before the Boone County Planning Commission and those conditions agreed to by the applicant/property owner before the Commission as well as this City Council of Florence, Kentucky. This zone change is conditioned upon the foregoing as provisions agreed to as part of the development plan.

SECTION V

That in the event the rezoning of this property would be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this rezoning on this particular piece of property, and are intended to continue to have effect irregardless of any invalidity relating to this particular rezoning.

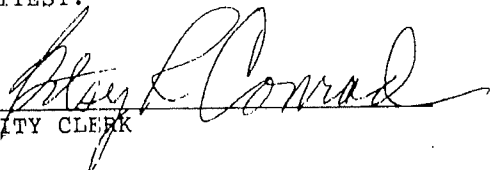
PASSED AND APPROVED ON FIRST READING THIS 23rd DAY OF August, 1988.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 1st DAY OF September, 1988.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-22-88

The City of Florence, Kentucky enacted Ordinance No. 0-22-88 on September 13, 1988. The title of said Ordinance is as follows:

ORDINANCE NO. 0-22-88

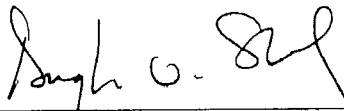
AN ORDINANCE ADOPTING AND APPROVING A REZONING OF CERTAIN REAL ESTATE LOCATED IN THE CITY OF FLORENCE, KENTUCKY, SUCH ZONE CHANGE BEING FOR A 1.55 ACRE TRACT LOCATED IN THE CITY LIMITS, GENERALLY, ON THE EAST SIDE OF INDUSTRIAL ROAD, THIS ZONE CHANGE BEING FROM ITS PRESENT ZONE OF OFFICE TWO, (O-2), TO AN URBAN RESIDENTIAL TWO, (UR-2) ZONE, SUBJECT TO A CONCEPT DEVELOPMENT PLAN. (COLUMBIA SUSSEX)

This Ordinance rezones real estate consisting of a 1.55 acre tract located on the east side of Industrial Road from Office Two, (O-2), to Urban Residential Two, (UR-2). This rezoning is subject to a concept development plan.

The full text of Ordinance No. 0-22-88 is available for examination in the office of the City Clerk of the City of Florence, Kentucky in the Florence Municipal Building, 7431 U. S. Highway 42 at Niblack Drive, Florence, Kentucky.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 0-22-88 and that it has been prepared by me and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



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