

ZONING MAP AMENDMENT REQUEST BY TOYOTA MOTOR
DISTRIBUTORS, INC., FOR PROPERTY LOCATED AT THE
NORTHWEST CORNER OF HOPEFUL ROAD AND ASHCRAFT LANE,
BOONE COUNTY, KENTUCKY

This request is for a Zoning Map Amendment from Suburban Residential One (SR-1) to Commercial Services (C-3). The subject + 0.75 acre parcel is a combination of two contiguous lots located at the northwest corner of Hopeful Road and Ashcraft Lane, Boone County, Kentucky. These properties are also known as lots 5 and 6, Ashcraft Subdivision (Plat Book 2, Page 52) as recorded in the office of the Boone County Clerk. The proposed use of the site is for expansion of a new car dealership for which the Planning Commission recommended approval of a zone change on an adjacent four acre parcel on January 7, 1987.

SURROUNDING LAND USES AND ZONING

East of the subject site, across Hopeful Road, is the Florence Church of God and sever single-family residences in the C-3 zone. South and west of the site there exists five single-family residences in the Ashcraft Subdivision (zoned SR-1).

North of the subject parcel is the 4.0 acre tract for which the applicant received a zone change from Commercial Two (C-2) and SR-1 to C-3 for the purpose of developing a new automobile dealership.

SITE FEATURES

The site is relatively level, sloping toward the west where it forms the headward end of a drainage swale that feeds into a tributary of Gunpowder Creek. There is a pair of small lakes downstrea from the subject site. There is a wooded fence now located on the north side of lots 5 and 6. Water and sewer service are available to the site.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1986 Boone County Comprehensive Plan refers to the area in the following manner:

FUTURE LAND USE MAP: Medium Density Residential for the 0.7 acre site.

BUSINESS ACTIVITY

I. Page G-3

Goal:

To provide appropriate locations for industries or businesses compatible with others located in the county.

Objectives:

Compact, efficient development patterns shall be encouraged for commercial and industrial development by maintaining buffer space between uses.

Commercial

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.

2. Future commercial development shall be encouraged, whenever possible, to occur in the form of shopping centers or other compact aggregations having an integrated design.

3. The mixing of commercial and non-commercial uses shall occur only in planned developments and replanned older areas where consideration can be given to minimizing harmful environmental influences.

II. Page B-14

"Many problems with the location and arrangement of commercial enterprises have emerged, however, especially along KY 18 and Route 42. Along KY 18 in the I-75/Mall Road/Houston Road area, there are many traffic problems that can be worsened by adding commercial access points."

III. Page L-15

"The Mall Road area will continue to grow as a regional shopping area and its spill over onto U.S. 42, KY 18, and Houston Road will be evident, thus, needs to be substantially controlled. Commercial growth on KY 18 will be primarily interchange related."

"The existing residential homes fronting on KY 18 will become small commercial areas. The use of interconnecting parking lots or frontage roads on this section of KY 18 is critically important to the success of any development and trafficability on this portion of KY 18."

IV. Page PF-11

"The extension of the Florence sewerage system west along Burlington Pike commits the area to intensive development in the very near future."

In summary, the 1986 Boone County Comprehensive Plan emphasizes the need for careful development of property along KY

18, primarily for traffic reasons. This is especially important near major intersections such as Hopeful Road and KY 18 where additional access points and turning movements can complicate existing problems or create new ones if not carefully constructed. The Plan also generally calls for compact, efficient commercial development patterns by providing buffer space between different uses.

TOYOTA DEALERSHIP CONCEPT DEVELOPMENT PLAN

The Concept Plan submitted with this application indicates the same basic automobile dealership layout as the approved Concept Development Plan for the 4.0 acre site which was approved in January. The major difference in the latest Concept Plan is that the parking area has been extended onto the 0.75 acre site to provide parking for an additional 32 cars (357 total), and two access driveways to Ashcraft Lane have been proposed from the extended parking lot. The revised Concept Plan also indicates 15 foot and 25 foot wide landscaped buffer areas along the west and south property lines, respectively, that a proposed access drive to Hopeful Road has been moved 100 feet farther from KY Hwy. 18, additional landscaping at the northeast corner of the site, and a future storm water retention basin at the southwest corner of the site, all of which were conditions of the January 7, 1987, approval.

SPECIAL CONCERNS


In addition to the concerns raised in the previous Staff Report for the 4.0 acre site, which the applicant had agreed to address, staff has additional concerns regarding the proposed expansion of the business:

1. The proposed expansion will encroach into an established residential neighborhood, rather than simply abutting it.
2. Ashcraft Drive has a 35 foot right-of-way with a pavement width of 10 feet. The two proposed access drives from the automobile dealership, by regulation, must be a minimum of 20 feet in width. Staff believes that it is inappropriate to permit commercial traffic access through a purely residential street, especially one of inadequate pavement width (the Boone County Subdivision Regulations require a minimum right-of-way width of 50 feet and pavement width of 25 feet for "local streets").

CONCLUSION

The major issues concerning this Zoning Map Amendment request are its relationship to the Comprehensive Plan, the criteria or findings of fact required for a zone change, and whether the proposed expansion of the business can occur in a manner more sensitive to the surrounding land uses than the previously approved plan.

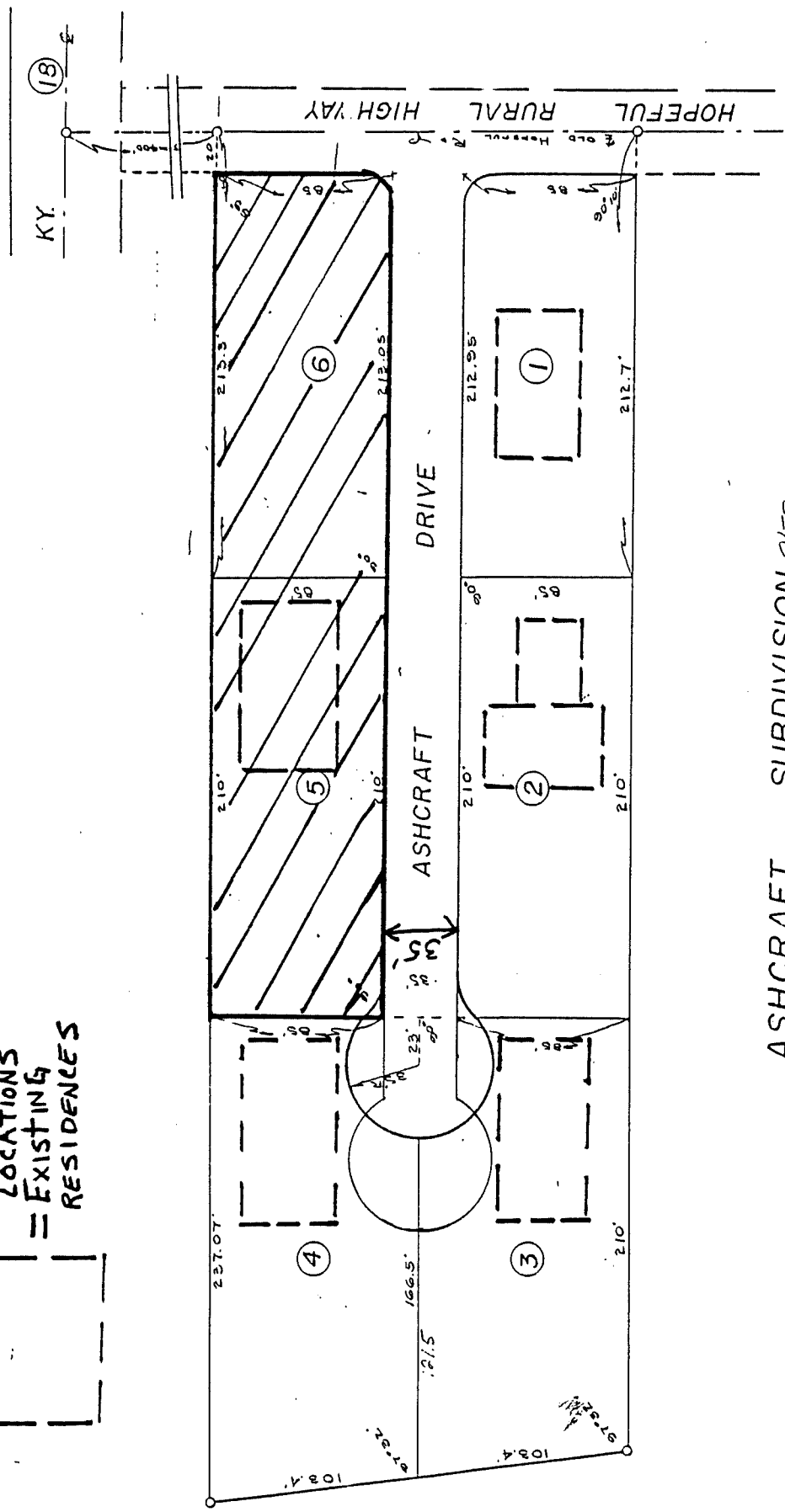
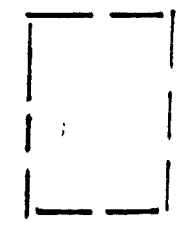
Should the Planning Commission and Boone County Fiscal Court approve this request, the 1986 Boone County Comprehensive Plan, "Future Land Use Map" must be amended to indicate future commercial land use for the area of the subject 0.75 acre site.



Jim Sturdevant,
Plans Examiner/Planner

JS:mcb

APPROXIMATE
LOCATIONS
= EXISTING
RESIDENCES



ASHCRAFT of SUBDIVISION 2/52
3 Acre tract of Edrington land

REQUEST OF THE CITY OF FLORENCE TO ANNEX 1.733 ACRES
OWNED (THROUGH OPTION) BY TOYOTA MOTOR DISTRIBUTORS, INC.

JULY 22, 1987

The City of Florence has requested annexation of a 1.733 acre site located adjacent to the northwest corner of Hopeful Road and Ashcraft Drive, Boone County, Kentucky. The site is divided into three parcels under separate ownership; however, the owner of Parcel One (see attached plat), Toyota Motor Distributors, Inc., has secured purchase options upon Parcels Two and Three. At the present, Parcel One is zoned Commercial Services (C-3) with an approved Concept Development Plan: Parcels Two and Three are zoned Suburban Residential One (SR-1).

History of the Site

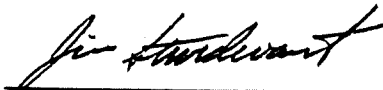
On January 7, 1987, the Boone County Planning Commission recommended approval of a Zoning Map Amendment, with conditions, for a 4.0 acre site located at the southwest corner of Burlington Pike (KY Hwy. 18) and Hopeful Road. A portion (3 acres) of this 4 acre site was previously zoned Commercial Two (C-2) and is located within the Florence City Limits, while the remainder (1.0 acres) was previously zoned Suburban Residential One (SR-1) and is located within unincorporated Boone County. On March 10, 1987, and April 7, 1987, respectively, the City of Florence and Boone County Fiscal Court approved rezoning of the parcels within their jurisdiction to a Commercial Services (C-3) zone for the purpose of allowing Toyota Motor Distributors, Inc. to establish a new automobile dealership on the 4 acre site.

Subsequent to the above described zoning actions, Toyota Motor Distributors, Inc. acquired option agreements for two parcels of land adjacent to the one acre parcel which is within unincorporated Boone County. On June 3, 1987, the Boone County Planning Commission recommended approval to the Boone County Fiscal Court, with conditions, of a Zoning Map Amendment request, from SR-1 to C-3, for the additional property adjacent to the proposed new automobile dealership. However, Toyota Motor Distributors, Inc. has requested the City of Florence annex the 1.733 acres under Toyota's control. Toyota has subsequently requested the Boone County Fiscal Court to defer action on their zone change request.

Findings of Fact

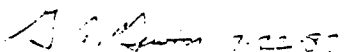
The subject site has been the subject of two Zoning Map Amendment requests over the previous year. This request for annexation is construed by staff to be an attempt by Toyota Motor Distributors, Inc. to consolidate one planned use and development under a single local jurisdictional authority. The C-3 zoning of parcel One, with its attached Concept Development Plan, Findings of Fact, and Conditions, was found to be in agreement with the

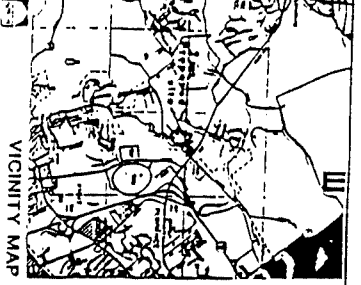
1986 Boone County Comprehensive Plan by the Boone County Planning Commission and the Boone County Fiscal Court on April 7, 1987. The proposed C-3 zoning of Parcels Two and Three, with its attached Concept Development Plan, Findings of Fact, and Conditions, was found to be in agreement with the 1986 Boone County Comprehensive Plan by the Boone County Planning Commission, which thus recommended approval on 6/3/87. Consequently, staff cannot find any reason or finding that the annexation request would necessitate a change in the present C-3 zoning of Parcel One. However, based upon the Concept Development Plan, Findings of Fact, and Conditions approved by the Boone County Planning Commission and agreed to by Toyota Motor Distributors, Inc., staff believes that annexation of Parcels Two and Three gives sufficient cause to change the zoning on these parcels from SR-1 to C-3 at the time these parcels are annexed into the City of Florence. Staff recommends that the Concept Development Plan and conditions as approved by the Boone County Planning Commission 6/3/87 be maintained.



Jim Sturdevant,
Plans Examiner/Planner

JS:mcb



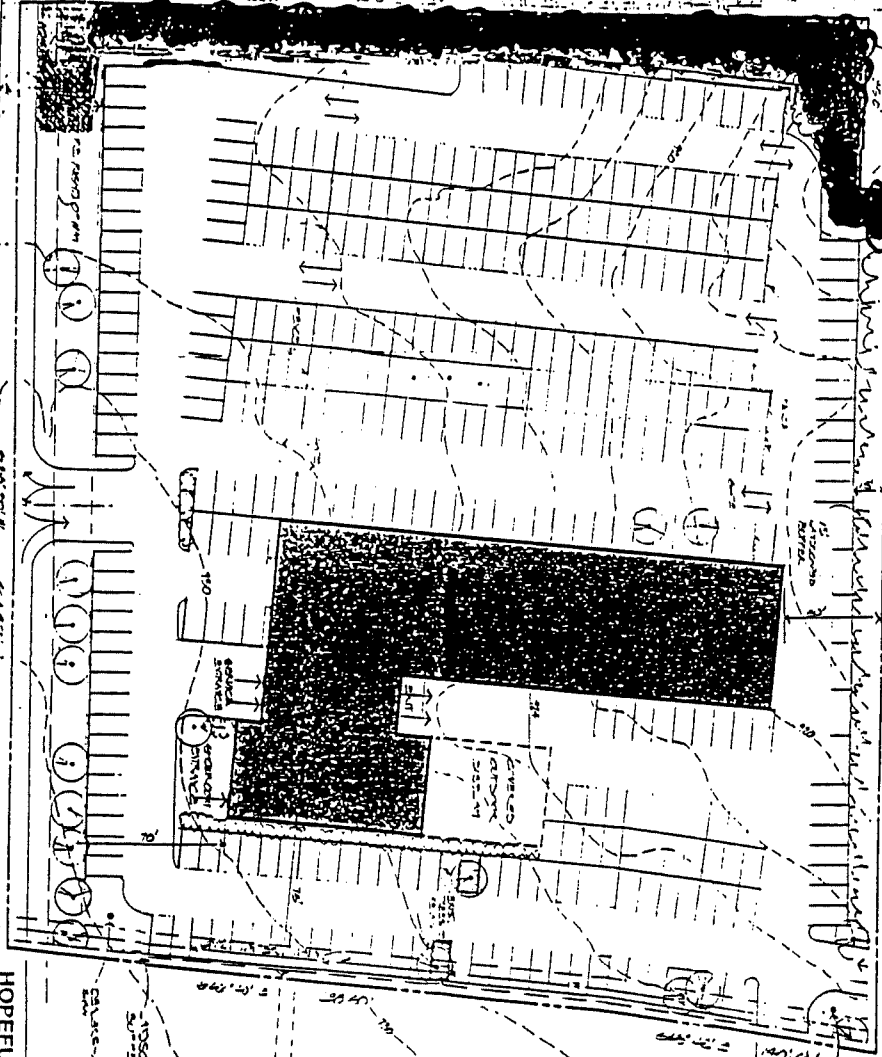


VICINITY MAP

6/3/89 Concept Plan
Toyota

MAJOR FUTURE ROAD

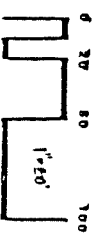
IF THIS NEW SCHEDULE TO ADD COME WITH 25' EDC & 40' W.



NOTE: FINAL COLLECTION OF FEES TO BE PAID IN ACCORDANCE TO THE CITY OF FLORENCE AND THE DEVELOPMENT PLAN.



CONCEPT DEVELOPMENT PLAN



HOPEFUL RD.

KY. RT. 18

Toyota Dealership / Florence, Ky.	
Client:	Toyota
Project:	Toyota Dealership
Date:	6/3/89

Scale:	1" = 50'
Author:	[Signature]
Check:	[Signature]
Date:	6/3/89

GBBN
 Civil, Survey & Engineering Inc. 1000 W. 10th Street, Florence, KY 40304
 606-785-1111

EXHIBIT "A"

PARCEL ONE

Situated along the southwest side of Burlington Pike and along the northwest side of Hopeful Road in Boone County, Kentucky, and being more particularly described as follows:

BEGINNING at a pin in the northwest right of way line of Hopeful Road 20 feet from center line, said pin being S 38-53 W 157.40 feet from the center of Burlington Pike (Kentucky Highway No. 18); thence with said right of way line S 38-53 W 380.10 feet to a pin at the southeast corner of the Ashcraft Subdivision (Plat Book 2, Page 52); thence with the northeast line of said subdivision and with the southwest line of Arnold Easton (Deed Book 156, Page 248), N 51-19 W 418.26 feet to a post; thence with the southeast line of Haroon Ismail (Deed Book 344, Page 155), N 39-38 E 99.07 feet to a pin and N 39-17 E 324.62 feet to a post in the southwest right of way line of Burlington Pike (Kentucky Highway No. 18); thence with said right of way S 43-24 E 140.00 feet to a post and S 46-17 E 277.00 feet to the place of beginning.

CONTAINING 3.820 acres tract.

112
/

PARCEL TWO

GROUP NUMBER: 345

Lying and being in the County of Boone, State of Kentucky, located on the north side of a 35 foot wide dedicated drive and east of Hopeful Road near its intersection with Kentucky Highway 18 and is described thus: Beginning at a stake in the north right of way of a 35 feet dedicated drive the common corner with Lot 6, said stake being North 51-40 West, 213.05 feet from the center line of Hopeful Road; thence with the right of way line of said drive North 51-40 West, 210.0 feet to a stake, corner with Lot 4; thence with the line of Lot 4 North 38-20 East, 85.0 feet to a stake; thence South 51-40 East, 210.0 feet to a stake, corner with Lot 6; thence with the line of Lot 6 South 38-20 West, 85.0 feet to the beginning and being Lot 5 of the Ashcraft Subdivision as shown in Plat Book 4, Page 35, and Plat Book 2, Page 52 of the Boone County Clerk's records at Burlington, Kentucky. Subject to rights of public in any legal highways.

112
P

PARCEL THREE

GROUP NUMBER: 345

All of Lot Six (6) of the Ashcraft Subdivision of three acre tract Edrington Land as shown in Plat Book 2, Page 52 of the Boone County Clerk's records at Burlington, Kentucky.

Mr. David Martin, Vice Chairman, opened the Public Hearing for the second item on the agenda:

2. Applicant: Toyota Motor Distributors, Inc. for William & Sue Green and Ronnie & Anna Troxell (owners)
Request: Zoning Map Amendment

This was a Public Hearing on the request of Toyota Motor Distributors, Inc. (applicant) for William & Sue Green and Ronnie & Anna Troxell (owners) for a Zoning Map Amendment on two parcels of land located north of Ashcraft Lane and west of Hopeful Road in Boone County, Kentucky. The 0.75-acre (approx.) site is zoned Suburban Residential Two (SR-2) and is being proposed to be Commercial Services (C-3). The intended use is to provide additional storage capacity for a future automobile dealership.

Staff Member, Jim Sturdevant, presented slides of the site and indicated that the Concept Development Plan for the Toyota dealership was approved by the Planning Commission in January, 1987. He stated that the applicant wished to discuss the Concept Development Plan.

Mr. Jack Gardtner of GBBN Architects and Engineers in Florence, Kentucky, presented the Concept Development Plan. He stated that the additional parcels would provide greater storage capacity for the facility. He noted that negotiations for the property had been completed. He indicated that the stipulations of the zone change granted in January, 1987 had been complied with, and the Staff's concerns had been addressed. He discussed the proposed buffer and also the water drainage system.

Staff Member, Jim Sturdevant, presented the Staff Report and noted the Comprehensive Plan recommendations for the area. He noted that attached to the Staff Report are copies of the Concept Development Plan and the Subdivision Plat. He noted the Staff's concerns expressed in the previous Staff Report, and also indicated the Staff's concerns regarding encroachment into an established residential neighborhood and access of commercial traffic onto a residential street -- especially one that is narrow.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission regarding this application.

Mr. Jack Gardtner stated that commercial intrusion into the residential neighborhood has already taken place by the zone change approved in January. He stated that the site does not lend itself to medium-density usage.

112
/

Mr. McMillian asked if provisions had been made to widen the street.

Mr. Gardtner stated that they recognize additional traffic may be generated and indicated that they would be willing to discuss the possibility of widening the street.

In response to a question from Mr. Jones, Mr. Woltermann stated that a franchisee will develop the project, probably in 1988. The owners have not made an agreement with a franchisee at this time.

Mr. DeLong indicated his concerns regarding commercial encroachment into a residential neighborhood, and general concerns regarding the socio-economic impact of such development this far south of Hopeful Road.

Vice Chairman Martin stated that this item will be on the agenda for the Business Meeting on June 3, 1987 at 8 P.M..

Hearing no further comments or questions, Mr. Martin closed this Public Hearing.

188

Vice Chairman Martin asked if there were any comments or questions regarding this request. There was no discussion.

Mr. DeLong moved that this request be deferred until July 1, 1987 for compliance or appropriate legal action should be taken. Mr. Davis seconded the motion.

Vice Chairman Martin stated that the Committee Report should be amended striking the words "indefinite deferral" and that deferral until July 1, 1987 be indicated. Mr. DeLong and Mr. Davis noted their agreement.

Commission members indicated their unanimous approval of the motion.

UNFINISHED BUSINESS:

1. Zoning Map Amendment

A request of George Whitton (owner by contract) for a Zoning Map Amendment on a 0.54-acre tract located directly south of Honda of Florence (U.S. 25) and east of Sanders Drive in Florence, Kentucky. The request is to rezone the site from Suburban Residential Two (SR-2) to Commercial Two (C-2). The intended use is a parking lot and storage facility.

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

Vice Chairman Martin asked if the applicant wished to comment on the findings or the conditions.

Mr. Jim Woltermann, speaking in behalf of the applicant, stated that they are in agreement with the conditions indicated in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. Neltner asked if the storage building proposed for the site would be used for display purposes, to which Mr. Woltermann replied that it would be used for storage only.

There being no further discussion, Mr. Jones moved, seconded by Mr. DeLong, that the request be approved subject to the conditions indicated in the Committee Report and that a recommendation be sent to the City of Florence. The motion carried unanimously.

2. Zoning Map Amendment

A request of Toyota Motor Distributors, Inc. (applicant) for William and Sue Green & Ronnie and Anna Troxell (owners) for a Zoning Map Amendment on two parcels of land located north of Ashcraft Lane and west of Hopeful Road in Boone County, Kentucky. The 0.75-acre (approx.) site is zoned Suburban Residential Two (SR-2) and is being proposed to be Commercial Services (C-3). The intended use is to provide additional storage capacity for a future automobile dealership.

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

Vice Chairman Martin asked if the applicant wished to comment on the findings or the conditions.

Mr. Jim Woltermann, speaking in behalf of the applicant, stated that they have submitted a new plan indicating that the access to Ashcraft Lane has been removed to comply with the Committee's recommendation. He added that they are agreeable to the conditions contained in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. DeLong stated that the residents of the area are concerned about the buffering, drainage, and lighting of the site. He asked the applicant to provide extra landscaping so that the residents will be protected.

Mr. Burch moved, seconded by Mr. Davis, that the request be approved as recommended in the Committee Report, subject to the conditions. He added that a resolution to this effect should be sent to the appropriate legislative body. The motion carried unanimously.

3. Zoning Map Amendment

A request of David A. Koenig (applicant) for Suburban Motors, Inc. (owner) for a Zoning Map Amendment on a 3.72-acre (approx.) site located at 6619 Dixie Highway in Florence, Kentucky. The request is to rezone the property from Commercial Two (C-2) and Suburban Residential Two (SR-2) to Commercial Services (C-3). The intended use is to expand the present automobile dealership.

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

Vice Chairman Martin asked if the applicant wished to comment on the Committee Report.

Mr. David Koenig stated that they are agreeable to the conditions in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. Neltner stated that the applicant had indicated at the Public Hearing that he could not control where the trucks unloaded. He noted that one of the conditions indicated in the Committee Report is that unloading be controlled. He asked the applicant for his comments.

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING ITEM #4
July 22, 1987

Page 1

Mr. David Martin, Vice Chairman, opened the Public Hearing for the fourth item on the agenda:

4. Applicant: The City of Florence
Request: Annexations

This was a Public Hearing on a request of the City of Florence to annex properties located outside the incorporated city limits. The purpose of the request is to hold a Public Hearing for each request to determine the effect of annexation on zoning and to make a recommendation on the most appropriate zoning classification for each site. The following property owners and properties are involved:

- (a) Toyota Motors Distributors, Inc. (approx. 1.78 acres)
- (b) Donald E. Harms (Dilcrest Subdivision) (11.07 acres)

Staff Member, Jim Sturdevant, presented the Staff Report for (a) Toyota Motors Distributors, Inc. (see Staff Report).

Vice Chairman Martin asked if there was anyone present from the City of Florence who wished to speak regarding this application. There was no one present. He then asked if there were any comments or questions from the floor or the Commission regarding this request. There was no discussion.

Vice Chairman Martin stated that this request will be on the agenda for the Business Meeting on August 5, 1987 at 8 P.M..

Hearing no comments or questions, Mr. Martin closed the Public Hearing on Part (a) of this request.

Staff Member, Dave Geohagan, presented the Staff Report for (b) Donald E. Harms (Dilcrest Subdivision) (see Staff Report).

Vice Chairman Martin asked if there were any comments or questions regarding this application. There was no discussion.

Vice Chairman Martin stated that this request will be on the agenda for the Business Meeting on August 5, 1987 at 8 P.M..

Hearing no comments or questions, Mr. Martin closed the Public Hearing on Part (b) of this request.

4. Annexations for the City of Florence

A request of the City of Florence to annex properties located outside the incorporated city limits. The purpose of the request is to hold a Public Hearing for each request to determine the effect of annexation on zoning and to make a recommendation on the most appropriate zoning classification for each site. The following property owners and properties are involved:

- (a) Toyota Motors Distributors, Inc. (approx. 1.78 acres)
- (b) Donald E. Harms (Dilcrest Subdivision) (11.07 acres)

Mr. Gerald Newton, Director, read the Committee Report for (a) Toyota Motors Distributors, Inc. which indicated that the annexation request will not affect the current Commercial Services (C-3) zoning of Parcel One, but will affect the current Suburban Residential One (SR-1) zoning of Parcel Two and Parcel Three. The Committee recommended that Parcel Two and Parcel Three be rezoned to Commercial Services (C-3) at the time of annexation based on the findings of fact and the committee's recommendations. (See Committee Report)

The Chairman asked if there were any questions or comments regarding the Committee Report, or if there was a representative of the City of Florence present who wished to speak.

There being no discussion, Mr. Davis moved by resolution that the current C-3 zoning of Parcel One be maintained, and that the zoning of Parcel Two and Parcel Three be changed to Commercial Services (C-3) at the time of annexation as recommended in the Committee Report. Mr. DeLong seconded the motion and it carried unanimously.

Mr. Gerald Newton, Director, read the Committee Report for (b) Donald E. Harms (Dilcrest Subdivision) which recommended that the annexation request will not affect the current zoning of Suburban Residential One (SR-1) for the site, based on the Staff Report for the July 22, 1987 Public Hearing (see Committee Report).

In response to a question from the Chairman, Mr. Newton confirmed that the correct size of the site is 10.78 acres.

The Chairman asked if there were any questions or comments concerning the Committee Report.

There being no discussion, Mr. DeLong moved by resolution that the City of Florence be notified that the annexation request will not affect the current zoning of the site. Mrs. Smith seconded the motion and it carried unanimously.

R-48-87

ORDINANCE NO. 0-38-87

AN ORDINANCE STATING THE INTENTION OF THE CITY OF FLORENCE, KENTUCKY TO ANNEX CERTAIN TERRITORY LOCATED NEAR THE NORTHWEST CORNER OF HOPEFUL ROAD AND ASHCRAFT DRIVE, FLORENCE, KENTUCKY, AND ADOPTING THE RECOMMENDATION OF THE BOONE COUNTY PLANNING COMMISSION REGARDING THE ZONING CLASSIFICATION OF THAT PROPERTY, SUBJECT TO A CONCEPT DEVELOPMENT PLAN. (TOYOTA MOTOR DISTRIBUTORS INC.)

WHEREAS, Toyota Motor Distributors, Inc., and Ronnie L. Troxell and Anna L. Troxell, being the owners of certain territory adjacent to the City of Florence, Kentucky have made a written request that the City annex such territory, and

WHEREAS, there are no resident voters (or any other persons) living in such territory and the owners have waived the time period for protest of K.R.S. 81A.420(2) and (3) and

WHEREAS, said owners have waived the provisions of K.R.S. 81A.460 and have consented to and requested immediate annexation of the territory, and

WHEREAS, the City of Florence, Kentucky has requested a recommendation from the Boone County Planning Commission, a county-wide planning unit established pursuant to Chapter 100 of the Kentucky Revised Statutes, concerning the zoning classification of the territory upon annexation in accordance with K.R.S. 81A.420(1), and

WHEREAS, by Resolution No. R-48-87, the Boone County Planning Commission has recommended that such territory retain its current zoning classification in part and a portion of it be rezoned upon annexation.

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

SECTION I

The City finds that the hereinafter described unincorporated territory is as follows:

(a.) Is contiguous to the boundaries of the City of Florence, Kentucky, and

(b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and

(c.) Is not included within the boundary of another incorporated city.

SECTION II

The City hereby declares that it is desirable to annex such unincorporated territory and hereby states its intention to annex such territory.

SECTION III

The boundary of the territory to be annexed consisting of Parcel One, Parcel Two and Parcel Three, is more particularly described in Exhibit "A" and shown on the Plat which is Exhibit "B", both of which are attached hereto, and incorporated herein by reference.

SECTION IV

The time periods for protest of K.R.S. 81A.460 having been duly waived, the City shall proceed to annex such territory immediately upon enactment and publication of this Ordinance.

SECTION V

That the recommendation of the Boone County Planning Commission to continue the current zoning classification for Parcel One of Commercial Services (C-3) and to change the zoning classification of Parcels Two and Three to Commercial Services (C-3) from their current zoning of Suburban Residential One (SR-1) is hereby adopted and approved and the zoning classification after annexation shall be Commercial Services (C-3) for all three parcels, subject to the agreed Concept Development Plan.

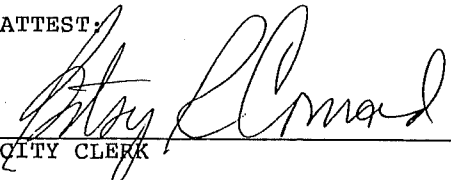
PASSED AND APPROVED ON FIRST READING THIS 1st DAY OF September, 1987.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 10th DAY OF September, 1987.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

R-48-87

ORDINANCE NO. 0-42-87

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY LOCATED NEAR THE NORTHWEST CORNER OF HOPEFUL ROAD AND ASHCRAFT DRIVE TO THE CITY OF FLORENCE, KENTUCKY AND ADOPTING THE RECOMMENDATION OF THE BOONE COUNTY PLANNING COMMISSION FOR THE ZONING CLASSIFICATION OF SUCH TERRITORY AFTER ANNEXATION. (TOYOTA MOTOR DISTRIBUTORS, INC.)

WHEREAS, the City has previously enacted Ordinance No. 0-38-87 stating its intention to annex the hereinafter described unincorporated territory, and

WHEREAS, all of the owners of such territory have duly waived the time period for protest of K.R.S. 81A.420(2) and (3) and such owners have duly waived the provisions of K.R.S. 81A.460, and such owners have consented to annexation and requested that the annexation proceed immediately, and

WHEREAS, pursuant to the recommendation of the Boone County Planning Commission under K.R.S. 81A.420(1) the portion of such territory identified as Parcel One of Exhibit "A", shall retain its current zoning classification of Commercial Services (C-3) and the portion of such territory identified as Parcels Two and Three of Exhibit "A" shall, upon annexation have its zoning classification changed to Commercial Services (C-3) from the current zoning of Suburban Residential One (SR-1).

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

SECTION I

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

SECTION II

That the zoning classification of such territory annexed herein after annexation, shall be Commercial Services (C-3) for all three parcels subject to an agreed Concept Development Plan.

SECTION III

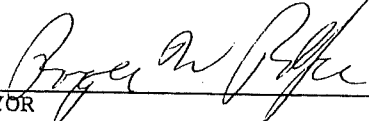
That following the enactment and publication of this

Ordinance, such territory shall become a part of the City of Florence, Kentucky for all purposes.

PASSED AND APPROVED ON FIRST READING THIS 10th DAY OF September, 1987.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 15 DAY OF Sept, 1987.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

PARCEL ONE

Situated along the southwest side of Burlington Pike and along the northwest side of Hopeful Road in Boone County, Kentucky, and being more particularly described as follows:

BEGINNING at a pin in the northwest right of way line of Hopeful Road 20 feet from center line, said pin being S 38-53 W 157.40 feet from the center of Burlington Pike (Kentucky Highway No. 18); thence with said right of way line S 38-53 W 380.10 feet to a pin at the southeast corner of the Ashcraft Subdivision (Plat Book 2, Page 52); thence with the northeast line of said subdivision and with the southwest line of Arnold Easton (Deed Book 156, Page 248), N 51-19 W 418.26 feet to a post; thence with the southeast line of Haroon Ismail (Deed Book 344, Page 155), N 39-38 E 99.07 feet to a pin and N 39-17 E 324.62 feet to a post in the southwest right of way line of Burlington Pike (Kentucky Highway No. 18); thence with said right of way S 43-24 E 140.00 feet to a post and S 46-17 E 277.00 feet to the place of beginning.

CONTAINING 3.820 acres tract.

PARCEL TWO

GROUP NUMBER: 345

Lying and being in the County of Boone, State of Kentucky, located on the north side of a 35 foot wide dedicated drive and east of Hopeful Road near its intersection with Kentucky Highway 18 and is described thus: Beginning at a stake in the north right of way of a 35 feet dedicated drive the common corner with Lot 6, said stake being North 51-40 West, 213.05 feet from the center line of Hopeful Road; thence with the right of way line of said drive North 51-40 West, 210.0 feet to a stake, corner with Lot 4; thence with the line of Lot 4 North 38-20 East, 85.0 feet to a stake; thence South 51-40 East, 210.0 feet to a stake, corner with Lot 6; thence with the line of Lot 6 South 38-20 West, 85.0 feet to the beginning and being Lot 5 of the Ashcraft Subdivision as shown in Plat Book 4, Page 35, and Plat Book 2, Page 52 of the Boone County Clerk's records at Burlington, Kentucky. Subject to rights of public in any legal highways.

PARCEL THREE

GROUP NUMBER: 345

All of Lot Six (6) of the Ashcraft Subdivision of three acre tract Edrington Land as shown in Plat Book 2, Page 52 of the Boone County Clerk's records at Burlington, Kentucky.

HOPKINS ROAD

85.0'

193.3'

210.0'

ZONED C-3

N51°19'W 418.26'

ZONED C-3

BOX
CI'

OLD LIMITS

S58°53'W 388.10'

N31°19'E 324.12'

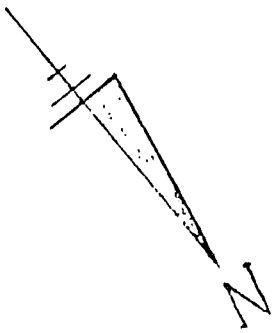
S46°17'E 277.00'

S43°24'E 140.00'

NEW CITY LIMITS
OLD CITY LIMITS

MAP-ZONING
TOYOTA

BURLINGTON PIKE KY. NO 18



ASHCRAFT DRIVE

NEW LIMITS

173.3'

210.0'

BEV

ZONED C-3

BOONE COUNTY

CITY OF FIOR

N51°19'W 418.26'

ZONED C-3

OLD LIMITS