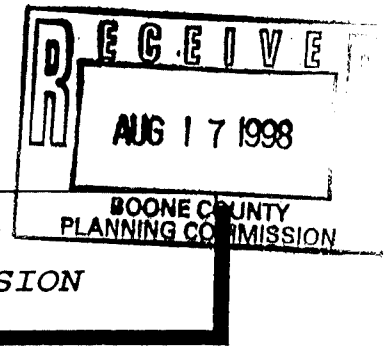


APPLICATION FORM



ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

- 1. Name of Project WHITSON PROPERTY
2. Location of Project 7828 - 7850 U.S. 42 at INDUSTRIAL ROAD
3. Total Acreage of Site 1.621 ACRES
4. Current Zoning of Site O2/PD
5. Proposed Zoning (Classification being requested) C-2
6. Proposed Uses (please specify each use) 6,400 sq. ft. STRIP SHOPPING CENTER AND FRISCH'S RESTAURANT ARE CURRENTLY ON THE PROPERTY. THE BUILDINGS ARE TO REMAIN - NO CHANGE.
7. Names of Applicant(s) GEORGE M. WHITSON, c/o ADAMS, BROOKING & STEPNER, ATTN: GERALD F. DUSING
8. Address of Applicant(s) c/o ADAMS, BROOKING & STEPNER, 40 WEST PIKE STREET COVINGTON, KY 41012-0861
9. Name of Property Owner(s) GEORGE M. WHITSON and SHIRLEE J. WHITSON
10. Address of Property Owner(s) SAME AS ABOVE
11. Proposed Building Intensities (please specify) EXISTING FIVE (5) STORE STRIP SHOPPING CENTER AND EXISTING FRISCH'S RESTAURANT
12. Are there any existing buildings on the site? YES
13. Deed Book s 186 and 195 Page No.s 524 and 344 Group No. 364
14. Are you also applying for: (LOTS 1 and 2, TANNER PLAT AS RECORDED IN PLAT BOOK 9, PAGE 38)
15. Have you submitted a Concept Development Plan? NO
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 and Sewer District
Florence Water and Sewer Commission
Union Light Heat and Power
Cincinnati Bell
Owen County Rural Electric
Boone County Public Works Department
Kentucky Transportation Cabinet
City of Florence Public Services Department
Boone County Building Department

EXHIBIT "A"

STAFF REPORT

The request of George M. Whitson (applicant) for George M. Whitson and Shirley J. Whitson (owners) to consider a Zoning Map Amendment from Office Two/Planned Development (O-2/PD) to Commercial Services/Planned Development (C-3/PD) for an approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky. The request is for a zone change to allow commercial uses within the existing structures.

September 23, 1998

Request

The applicant is requesting a change in the existing zoning classification of Office Two/Planned Development (O-2/PD) to the proposed zoning classification of Commercial Services/Planned Development (C-3/PD) for an approximate 2 acre parcel to allow uses permitted in the C-3 zone. No new buildings or additions are being requested with this application. As per the attached letter, the applicant is only asking for principally permitted C-2 uses, the present uses and the following C-3 uses, which have historically been present on the site:

5. Eating and drinking establishments including alcoholic beverages and drive-thru franchise style fast food facilities;
15. Convenience stores;

Site Characteristics

This site is located between King Drive and the Penn Station restaurant along U.S. 42. The subject property backs up to the undeveloped Monohan Subdivision and other properties fronting on Dream Street. The site is developed with a multi-unit retail center and a Frisch's restaurant. This site is located within the Parkway Corridor Study area which was adopted in 1986.

Surrounding Zoning and Land Uses (see sheet #2)

- North: Penn Station, Collett's Carry Out and Colonial Square (a 9,600 square foot office building approved April 1, 1998) currently zoned Office Two/Planned Development (O-2/PD).
- East: Across U.S. 42 - Speedway, Rally's and Fifth Third Bank currently zoned Commercial Services (C-3).

South: Across King Drive - Burger King currently zoned Commercial Services/Planned Development (C-3/PD).

West: Monohan property, Thomas property and other property fronting on Dream Street currently zoned Commercial Services/Planned Development (C-3/PD) and Office Two/Planned Development (O-2/PD).

Relationship to the Boone County Comprehensive Plan

The Future Land Use Map shows the subject property as Commercial (C) which is defined in the adopted Comprehensive Plan as:

"Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element within the 1995 Boone County Comprehensive Plan refers to this area generally by stating:

"A mixture of office, retail, commercial, recreation, and residential development is the goal."

Figure 5.3 (page 87) "Future Industrial and Commercial Development" designates this area to remain commercial.

The Business Activity Goal of the Business Activity Goals and Objectives section, on page 7, of the 1995 Boone County Comprehensive Plan states:

"Appropriate locations for business compatible with the surrounding area are provided in Boone County."

Objectives #1 and #3 of the Business Activity Goals and Objectives Section, on page 7, of the 1995 Boone County Comprehensive Plan state the following:

1. Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space.
3. Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting patterns and access.

Staff Comment

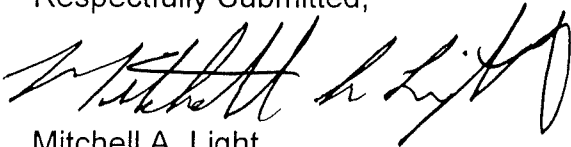
If approved, the Future Land Use would not need to be changed.

Conclusion

The Boone County Planning Commission and the City of Florence must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment.

1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,
2. The existing zoning classification is inappropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the areas character.

Respectfully Submitted,

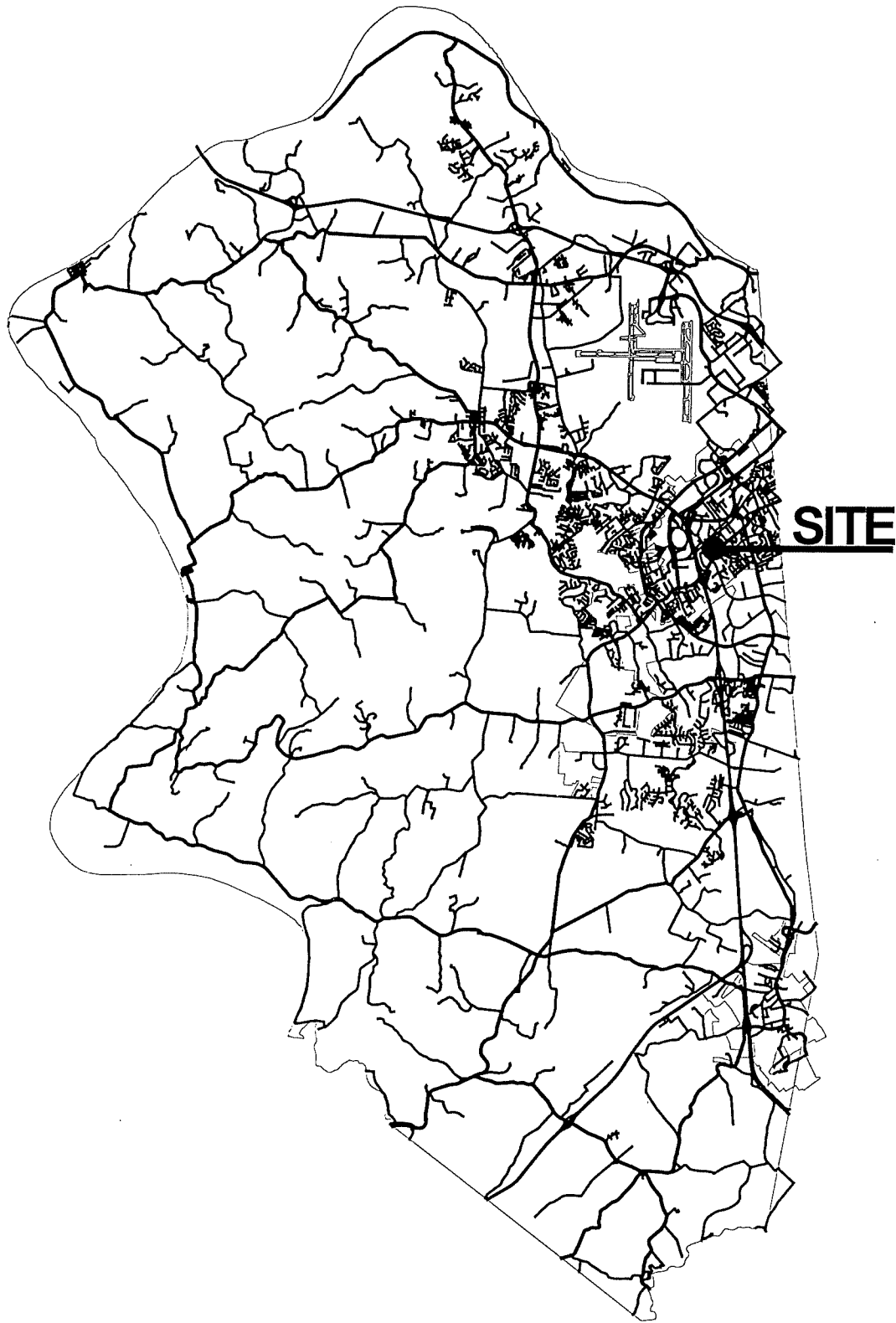


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

MAL/pr

Attachments

- Vicinity Map
- Surrounding Zoning and Land Uses
- Application
- Letter From Applicant

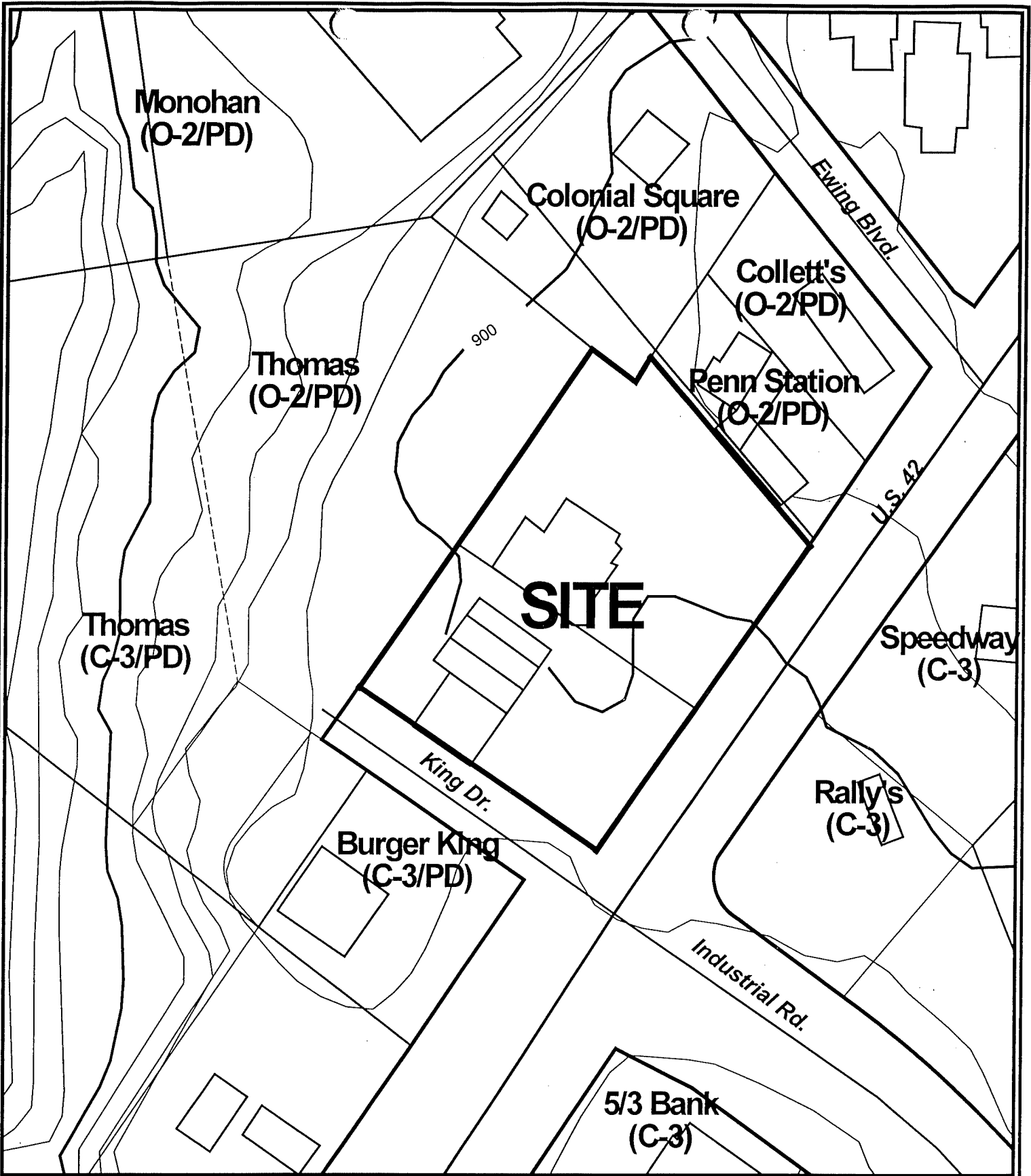


Vicinity Map Sheet #1

16300 0 16300 Feet

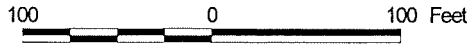
1 inch equals 16300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
September 22, 1998





Whitson ZMA

Sheet #2



1 inch equals 100 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 September 22, 1998



**ADAMS, BROOKING, STEPNER, WOLTERMANN & DUSING,
P.L.L.C.**

Attorneys and Counselors at Law

JOHN R. S. BROOKING * GREGORY S. SHUMATE *
DONALD L. STEPNER * J.S. "BROOK" BROOKING *
JAMES G. WOLTERMANN * STACEY L. GRAUS *
GERALD F. DUSING PAUL J. DARFEL *
MICHAEL M. SKETCH * LORI A. SCHLARMAN *
DENNIS R. WILLIAMS * CHANDRA S. BALDWIN *
JAMES R. KRUER * ROBERT D. DILTS *
JEFFREY C. MANDO * WESTON W. WORTHINGTON *
R. JEFFREY SCHLOSSER * JEFFREY A. STEPNER *
MARC D. DIETZ *

40 WEST PIKE STREET

P.O. BOX 861

COVINGTON, KENTUCKY 41012-0861

AREA CODE 606-291-7270

FAX 606-291-7902

6100 BURLINGTON PIKE - SUITE 344
P.O. BOX 376
FLORENCE, KENTUCKY 41012-0576
AREA CODE 606-371-6220
FAX 606-371-8341

1850 FEDERATED BUILDING
7 WEST SEVENTH STREET
CINCINNATI, OHIO 45202-2417
AREA CODE 513-241-7640

* ALSO ADMITTED IN OHIO
** ADMITTED ONLY IN OHIO

CHARLES S. ADAMS (1906-1971)
C. GORDON WALKER (1911-1967)

August 19, 1998

Via Fax No. 334-2264
Mr. Kevin T. Wall, Director
BOONE COUNTY PLANNING
COMMISSION
2995 Washington Street
Burlington, KY 41005

RE: **WHITSON PROPERTY**
7828-7850 US 42

Dear Kevin:

Per our telephone conversation, please change line item 5. "Proposed Zoning" in the above-referenced Application for Zoning Map Amendment from C-2 to C-3/PD.

Applicant agrees to be limited to the following uses:

The principally permitted uses of the C-2 zoning district;

The present uses;

The following uses from the C-3 zone, which have historically been present on the site:

5. Eating and drinking establishments including alcoholic beverages and with drive-thru franchise style fast food facilities (Frisch's with drive-thru);

Mr. Kevin T. Wall, Director
BOONE COUNTY PLANNING
COMMISSION
August 19, 1998
Page Two

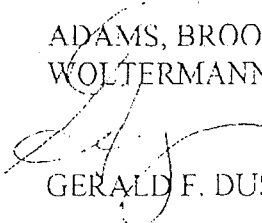
15. Convenience stores.

As we discussed, this C-3/PD category is necessitated by the fact that the site is not contiguous to an existing C-2 zoning map district and C-2 requires a minimum 2 acre zone. The site was historically C-2 but is only 1.621 acres and is contiguous to a C-3 zone.

Thank you for your kind attention.

Very truly yours,

ADAMS, BROOKING, STEPNER,
WOLTERMANN & DUSING

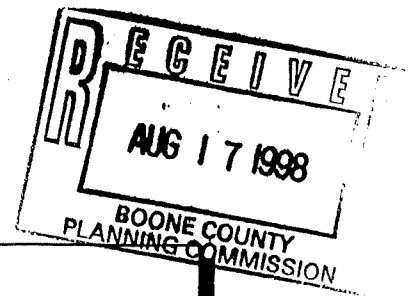


GERALD F. DUSING

GFD:vam

Cc: Via Fax No. (941) 472-8038
Mr. George Whitson

APPLICATION FORM



ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

1. Name of Project WHITSON PROPERTY
2. Location of Project 7828 - 7850 U.S. 42 at INDUSTRIAL ROAD
3. Total Acreage of Site 1.621 ACRES
4. Current Zoning of Site OZ/PD
5. Proposed Zoning (Classification being requested) C-2
6. Proposed Uses (please specify each use) 6,400 sq. ft. STRIP SHOPPING CENTER AND FRISCH'S RESTAURANT ARE CURRENTLY ON THE PROPERTY. THE BUILDINGS ARE TO REMAIN - NO CHANGE.
7. Names of Applicant(s) GEORGE M. WHITSON, c/o ADAMS, BROOKING & STEPNER, ATTN: GERALD F. DUSING
Phone Number (606) 291-7270 Fax No. (606) 291-7902
8. Address of Applicant(s) c/o ADAMS, BROOKING & STEPNER, 40 WEST PIKE STREET COVINGTON, KY 41012-0861
City State Zip
9. Name of Property Owner(s) GEORGE M. WHITSON and SHIRLEE J. WHITSON
Phone Number SAME AS ABOVE Fax No. SAME AS ABOVE
10. Address of Property Owner(s) SAME AS ABOVE
City State Zip
11. Proposed Building Intensities (please specify) EXISTING FIVE (5) STORE STRIP SHOPPING CENTER AND EXISTING FRISCH'S RESTAURANT
12. Are there any existing buildings on the site? YES
How many? TWO (2) - STRIP SHOPPING CENTER & FRISCH'S RESTAURANT
13. Deed Book s 186 and 195 Page No.s 524 and 344 Group No. 364
14. Are you also applying for: RESPECTIVELY
Conditional Use Permit (LOTS 1 and 2, TANNER PLAT AS RECORDED IN PLAT BOOK 9, PAGE 38)
Dimensional Variance
15. Have you submitted a Concept Development Plan? NO
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 and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department

PUBLIC HEARING ITEM NO. 3:

Commission members present: Mrs. Arnett, Secretary/Treasurer, Mr. Damstrom, Mr. Hicks, Mr. McKinney, Mr. McMillian, Mr. Millay - Chairman, Mr. Neltner - Vice Chairman, Mr. Newman, Mr. Ries, Mr. Rush, Mrs. Schaffer, Mrs. Smith, and Mr. White.

Chairman Millay introduced the third item on the Agenda:

3. Applicant: George M. Whitson for
George M. Whitson and Shirlee J. Whitson (owners)
Request: Zoning Map Amendment

The request of George M. Whitson (applicant) for George M. Whitson and Shirlee J. Whitson (owners) to consider a Zoning Map Amendment from Office Two/Planned Development (O-2/PD) to Commercial Services/Planned Development (C-3/PD) for an approximate 1.6 acre tract at 7828 - 7850 U.S. 42, Florence, Kentucky. The request is for a zone change to allow commercial uses within the existing structures.

Staff Member Mitch Light presented the Staff Report which included a slide presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Attorney Gerald Dusing, present on behalf of Mr. George Whitson, submitted a four-page packet of information (see Exhibit 2, 9/23/98). Mr. Dusing stated that Mr. Whitson has owned the site since 1970 and this application is to clear up a situation that is a prejudice to Mr. Whitson. Mr. Dusing explained that many years ago (1970's), the property was zoned B-6 (Interchange Commercial -- which was the most intensive use at that time). Mr. Whitson is the owner of the site and leases it to Frisch's. The strip center was built and there was a convenience store and dry cleaner there in 1986. Mr. Whitson then got a letter from the Planning Commission regarding the Parkway Corridor Study area and he was notified of a Public Hearing (see letter in the packet from Christopher Cribaro, Planner, dated February 11, 1986). Mr. Dusing referred to the map in the packet and noted that the Parkway Corridor Study Area is outlined on the map. The Whitson property where Industrial Road intersects with U.S. 42 on the north side of U.S. 42 was proposed to be zoned C-3 -- so Mr. Whitson wrote to the Planning Commission saying "that's fine" and he did not attend the Public Hearing. In 1996 or 1997, information was provided by someone at the Planning Commission that the property was zoned C-2, which was acceptable to Mr. Whitson. In 1997, Dairy Mart moved out and Ray Merkel marketed the property as C-2. He leased the property to the tobacco store. When the tobacco store went to get their permit, no one knew what they were -- they have beer, tobacco,

and they cash checks. The Zoning Administrator, Kevin Wall, tried to decide exactly what they are -- and then they found out the property is zoned O-1. They do not know how that happened. They have figured out with Staff's assistance that somewhere in the Parkway Corridor Overlay, which he cannot find, the property ended up O-1. Mr. Dusing stated that the property should never have been zoned O-1 and they do not want O-1 zoning. O-1 makes everything on the property a pre-existing non-conforming use.

Mr. Dusing stated that the reason they are here is to get back to C-2 zoning -- but they cannot be C-2. Mr. Dusing referred to the slide presentation. He stated that he has figured out, with the help of Kevin Wall, that in the Zoning Ordinance the minimum size of a freestanding C-2 zone is two acres -- but they are only 1.6 acres. They are surrounded by C-3, but there is no contiguous C-2. Therefore, they are now asking for C-3 with a PD Overlay to give assurance that they will not go in with a gas station without asking for a zone change. All they want is what is already there. The PD Overlay ties them down to the details of what is there and anything new requires approval. He stated that they are asking for the C-2 uses, which they can do under C-3. They want to be able to put back a convenience store there like Dairy Mart and Frisch's -- which is a drive-thru but also a sit-down restaurant. Mr. Dusing stated that they meet all of the criteria for the Comprehensive Plan and the criteria for a zone change because the existing zoning is inappropriate.

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

The Chairman asked if there were any comments or questions from the Planning Commission.

Mr. Costello stated that the current zoning is O-2/PD, not O-1 as stated by Mr. Dusing. Mr. Whitson agreed. Mr. Costello added that when the Parkway Corridor Study was envisioned in the mid-1980's, there would have been some effort towards office uses. The City Building was contemplated to move to Ewing Boulevard. He stated that the property behind this strip center is zoned O-2/PD and the Planning Commission and the City of Florence in the Parkway Corridor Study saw the potential for properties along Dixie Highway to develop for office or service related uses.

Mr. Neltner stated that the applicant indicated the desire to make the property available for a convenience store. He commented that today there is a blur between "convenience store and gas pumps" and "gas stations with little convenience stores". He asked if they were willing to omit the gasoline. Mr. Whitson responded "absolutely" and added that there is no way gas pumps could go there.

Chairman Millay asked if there was anyone else present who wished to comment.

Mrs. Schaffer questioned the tobacco mart coming before the Planning Commission previously. Mr. Dusing stated that his involvement was in front of City Council. He stated that the legal issue was whether it was a pawn shop or not because a pawn shop is allowed in C-2 but not in O-2. They went through the City of Florence and cleared that up, and that is when they discovered the site was zoned O-2 and not C-2.

Mrs. Schaffer stated that she thought they were before the Planning Commission previously. Mr. Wall stated that there was an issue before City Council and also the Occupational License issue. They had to put up a bond with the city for a pawn shop.

Mrs. Schaffer stated that they have asked for a PD and are willing to limit the uses -- but with a PD they can increase the density.

Mr. Dusing stated that they would agree to a condition that what is there is permitted and if they want to make a material change it would require legislative action. Mrs. Schaffer questioned the maximum density.

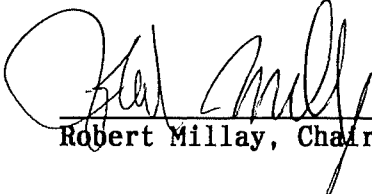
Counselor Wilson explained that all they are asking for is approval of the structures as they exist. He stated that for an increase in density, they would have to come back before the Planning Commission.

Mr. Whitson stated that they are asking for zoning consistent with the characteristics of the site.

There being no further comments, Chairman Millay stated that the Committee Meeting for this item will be on October 1, 1998 at 5 PM in the second floor conference room. This item will be on the Agenda for the Business Meeting on October 7, 1998 at 7:30 PM.


The Chairman closed this Public Hearing.

APPROVED:



Robert Millay, Chairman

Attest:



Jan Hancock, Recording Secretary

EXHIBIT 2
9/23/98
P.H. #3

January 18, 1986

The Boone County Planning Commission
P. O. Box 697
Burlington, Kentucky 41005

Attention: Mr. Christopher Cribaro
Planner

Subject: Proposed Parkway Corridor between
U.S. 42 and KY. 18
Florence, Kentucky

Gentlemen:

Unfortunately, I will not be able to attend the public hearing in connection with subject proposal on Feb. 26, 1986.

The purpose of this letter, however, is to advise you of my support for this project.

I have very much appreciated your efforts to coordinate with and keep informed property owners who may be affected by this proposed project with the two (2) previous meetings held at the Florence City Offices.

If I can be of assistance in any way, please do not hesitate to call on me.

Sincerely yours,

George M. Whitson

GMW/BW

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON SQUARE

BURLINGTON, KENTUCKY 41005

334-2196

MR. P. E. KROGER
CHAIRMAN
MR. B. NELTNER
VICE CHAIRMAN
MR. L. BARNETT
SECRETARY-TREASURER
MR. GERALD A. NEWTON
DIRECTOR
MR. D. T. WILSON
ATTORNEY
MR. J. C. JENKINS
ENGINEER
MR. KEVIN P. COSTELLO
ASSISTANT DIRECTOR/
SENIOR PLANNER
MR. RALPH HOPPER
PLANS EXAMINER/
ZONING ENFORCEMENT OFFICER
MR. JAMES STURDEVANT
PLANS EXAMINER/PLANNER
MR. CHRISTOPHER CRIBARO
PLANNER
MR. DAVID GEOHEGAN
PLANNING INTERN
MRS. DEE ANN BREWER
ADMINISTRATIVE ASSISTANT
MRS. JOY HACKER
SECRETARY

MEMBERS—

MR. F. BURCH
MR. L. COLLINS
MR. D. A. DAVIS
MR. M. DELONG
MR. R. N. GREENE
MR. M. HEMMER
MR. R. JONES
MR. D. MARTIN
MR. D. McMILLIAN
MR. H. SLUSHER
MRS. C. SMITH
MR. W. R. VIOX

February 11, 1986

Dear Property Owner:

Notice is hereby given that the Boone County Planning Commission will hold a public hearing regarding the Parkway Corridor Study for a Zoning Map Amendment from the current zoning districts of Commercial Services, (C-3), Suburban Residential Two (SR-2), Urban Residential Two (UR-2), Commercial Two (C-2), and Office One (O-1) to the proposed zoning districts for Office Two/Urban Residential One/Planned Development Overlay (O-2/UR-1/PD Overlay), Office Two/Planned Development Overlay (O-2/PD Overlay), Commercial Services/Planned Development Overlay (C-3/PD Overlay), Public Facilities/Office Two/Planned Development Overlay (PF/O-2/PD Overlay), and Commercial Two/Planned Development Overlay (C-2/PD Overlay).

The general boundaries of the Parkway Corridor Study Area are: I-75 on the north and west, US 42 on the south, the Shelby/Main Street corridor on the east to the south of KY 18 (Burlington Pike) and to US 42, and Thomas Street/JoAnn Drive/Claxton Drive on the east to the north of KY 18 (Burlington Pike) to I-75.

We are required by law to notify you as an affected property owner of this request for a Zoning Map Amendment and inform you that this Public Hearing will be held on Wednesday, February 26, 1986 at 8:00 P.M., in the third floor auditorium of the Boone County Administration Building, Burlington, Kentucky.

Enclosed is a description of the Public Hearing that is to be held. All interested persons are invited to attend and be heard.

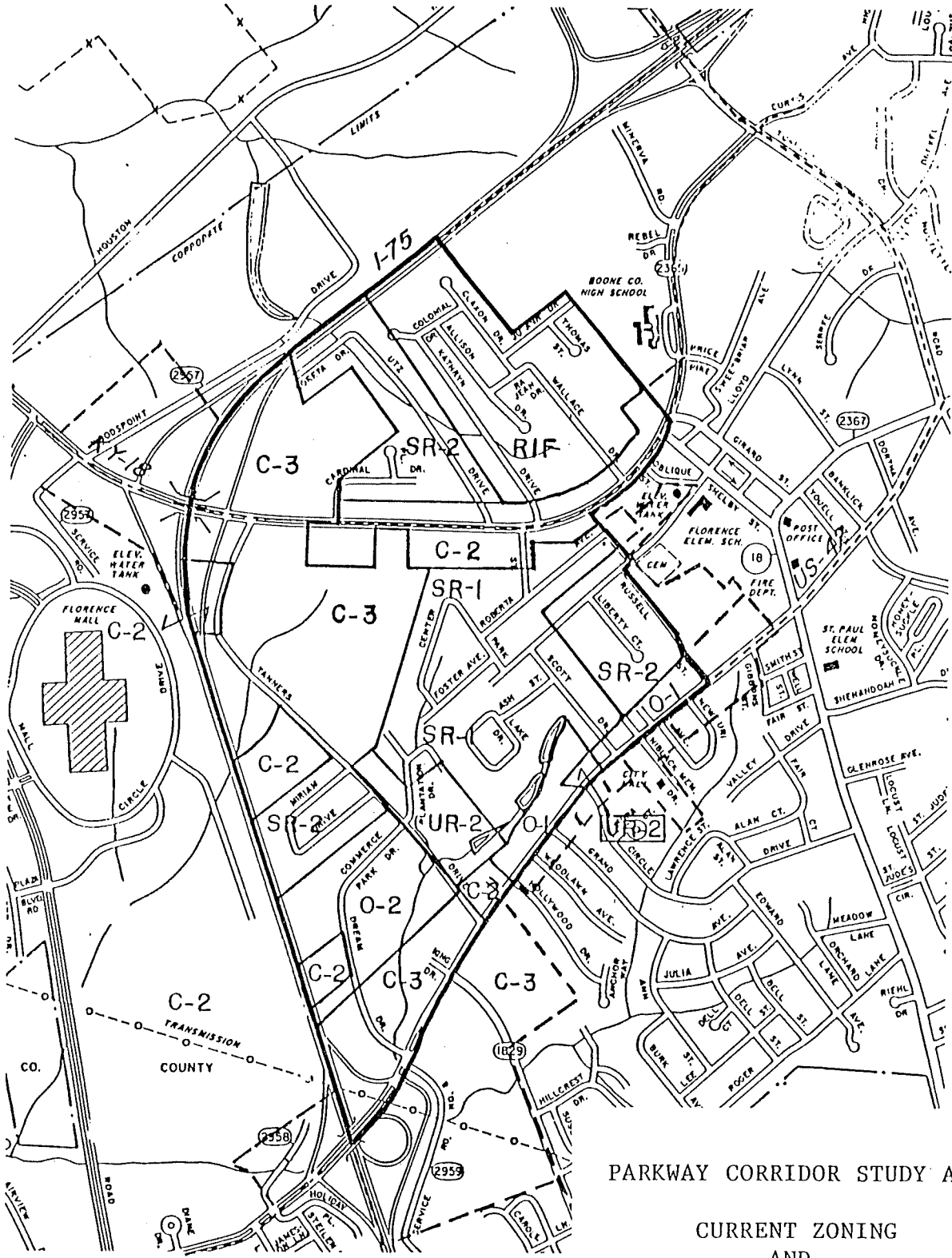
Sincerely,



Christopher Cribaro
Planner

Enclosure

CC:jh



PARKWAY CORRIDOR STUDY AREA:
 CURRENT ZONING
 AND
 STREET MAP

BOONE COUNTY PLANNING COMMISSION

FLORENCE CITY BUILDING
7431 U.S. 42
FLORENCE, KENTUCKY 41042
371-7703

T. B. ANGEL, JR., D.V.M.
CHAIRMAN

MR. J. F. SHAFFER
VICE CHAIRMAN

T. L. LEATHERS, D.M.D.
SECRETARY-TREASURER

MR. D. L. VINCENT
ATTORNEY

MRS. J. L. COOK
CLERK

MEMBERS

MR. C. D. ASHCRAFT
MR. W. R. ELLIS
MAYOR C. M. EWING
MR. R. O. GODSEY
MR. R. KIRBY
MR. W. K. MCBEE
MR. G. McELROY
MR. C. PATRICK
MR. J. E. SCHAEFER
MR. A. A. SERRATT
MR. P. C. SIMPSON
MR. R. VAUGHN

August 24, 1970

Mr. George Whitson
1706 Imperial Lane
Findlay, Ohio 45840

Dear Mr. Whitson:

This letter is written in regards to your request for an interchange district permit.

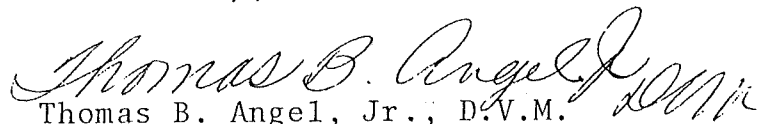
The Planning Commission at its last regular meeting voted unanimously to grant the request for an interchange district permit.

Enclosed under separate cover, the use permit is being forwarded to your office.

If I can be of any further help to you in any way, please do not hesitate to contact me.

With kindest regards,

Yours truly,


Thomas B. Angel, Jr., D.V.M.
Chairman

TBA:jlc

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
November 4, 1998
7 P.M.

Mr. Robert Millay, Chairman, called the meeting to order at 7:02 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett, Secretary/Treasurer
Mr. Arnold Caddell
Mr. Phil Damstrom
Mr. Mark Hicks
Mr. Mike McKinney
Mr. Don McMillian
Mr. Bob Millay, Chairman
Mr. Barry Neltner, Vice Chairman
Mr. Ralph Rush
Mrs. Linda Schaffer
Mrs. Carol Smith
Mr. William Viox
Mr. Earl White, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Robert Newman
Mr. Robert Ries

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. David Doerger
Ms. Jan Hancock, Secretary
Mr. Mitch Light
Mr. Kevin Wall, AICP

Mr. Rush moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mr. McMillian seconded the motion. A vote on the motion found all voting members in favor. Mr. Caddell abstained due to his relationship with Heritage Bank. The motion carried.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment

The request of George M. Whitson (applicant) for George M. Whitson and Shirlee J. Whitson (owners) to consider a Zoning Map Amendment from Office Two/Planned Development (O-2/PD) to Commercial Services/Planned Development (C-3/PD) for an approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky. The request is for a zone change to allow commercial uses within the existing structures.

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report).

Mr. White moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports. Mr. Neltner seconded the motion.

Chairman Millay asked if there were any comments or questions.

Mrs. Schaffer asked for clarification regarding the conditions. Mr. Light stated that there is already a restaurant on the site with a drive-thru (Frisch's) and it would be principally permitted. Convenience stores without gas pumps would also be principally permitted. Mrs. Schaffer asked if they are the acceptable uses and everything else is not acceptable. Mr. Light responded "no". Mrs. Schaffer asked if the conditions allow the C-2 uses, except for gas stations. Mr. Light explained that what is currently on the site is being allowed so that those uses do not become non-conforming uses. Mrs. Schaffer stated that additional language is needed for the conditions. Mr. Costello agreed.

Mr. Costello suggested that the motion be amended so that there is no confusion. He suggested the wording "The uses for the site shall be limited to" and then continuing with the numbered items under conditions in the Staff Report. Mr. White so amended his motion. Mr. Neltner seconded the motion as amended and it carried unanimously.

Counselor Wilson stated that the applicant will need to sign off on the amendment.

2. Design Review - St. Henry High School, 3755 Scheben Drive

Chairman Millay stated that he would not participate in regard to this item due to his relationship with St. Henry High School. He asked Mr. Neltner to chair the meeting and left the room at this time.

EXHIBIT "B"

AMENDED AT THE NOVEMBER 4, 1998 BUSINESS MEETING

#1

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: November 4, 1998

RE: The request of **George M. Whitson (applicant)** for **George M. Whitson and Shirley J. Whitson (owners)** to consider a Zoning Map Amendment from Office Two/Planned Development (O-2/PD) to Commercial Services/Planned Development (C-3/PD) for an approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky. The request is for a zone change to allow commercial uses within the existing structures.

REMARKS:

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

Findings of Fact

1. The adopted 1995 Boone County Comprehensive Plan and Future Land Use Map indicate that this site is to remain Commercial (C).
2. There have been changes of an economic, physical, of social nature not anticipated in the adopted Comprehensive Plan that substantially alter the areas character.

Conditions

The following uses are the only uses approved for the approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky.

1. Eating and drinking establishments including alcoholic beverages and drive-thru franchise style fast food facilities;
2. Convenience stores without Gasoline pumping facilities;
3. The principally permitted C-2 uses excluding:
 - a. Gasoline filling stations;
4. The present uses which include:
 - a. Beauty and barber services and tanning salons;

- b. Liquor, beverage, drug and proprietary stores;
- c. Business and personal credit services and title services;
- 5. An increase in the density on the site, or redevelopment of the existing improvements, will require a new public hearing.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

Barry Neltner

Barry Neltner, Chairman

For _____ Against _____
Abstain _____ Absent _____

Arnold Caddell

Arnold Caddell

For _____ Against _____
Abstain _____ Absent _____

Phil Damstrom

Phil Damstrom

For _____ Against _____
Abstain _____ Absent _____

William R. Viox

William R. Viox

For _____ Against _____
Abstain _____ Absent _____

Earl White

Earl White

For _____ Against _____
Abstain _____ Absent _____

TOTAL: 5 FOR — AGAINST — ABSTAIN — ABSENT

PUBLIC HEARING ITEM NO. 3:

Commission members present: Mrs. Arnett, Secretary/Treasurer, Mr. Damstrom, Mr. Hicks, Mr. McKinney, Mr. McMillian, Mr. Millay - Chairman, Mr. Neltner - Vice Chairman, Mr. Newman, Mr. Ries, Mr. Rush, Mrs. Schaffer, Mrs. Smith, and Mr. White.

Chairman Millay introduced the third item on the Agenda:

3. Applicant: George M. Whitson for
George M. Whitson and Shirlee J. Whitson (owners)
Request: Zoning Map Amendment

The request of George M. Whitson (applicant) for George M. Whitson and Shirlee J. Whitson (owners) to consider a Zoning Map Amendment from Office Two/Planned Development (O-2/PD) to Commercial Services/Planned Development (C-3/PD) for an approximate 1.6 acre tract at 7828 - 7850 U.S. 42, Florence, Kentucky. The request is for a zone change to allow commercial uses within the existing structures.

Staff Member Mitch Light presented the Staff Report which included a slide presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Attorney Gerald Dusing, present on behalf of Mr. George Whitson, submitted a four-page packet of information (see Exhibit 2, 9/23/98). Mr. Dusing stated that Mr. Whitson has owned the site since 1970 and this application is to clear up a situation that is a prejudice to Mr. Whitson. Mr. Dusing explained that many years ago (1970's), the property was zoned B-6 (Interchange Commercial -- which was the most intensive use at that time). Mr. Whitson is the owner of the site and leases it to Frisch's. The strip center was built and there was a convenience store and dry cleaner there in 1986. Mr. Whitson then got a letter from the Planning Commission regarding the Parkway Corridor Study area and he was notified of a Public Hearing (see letter in the packet from Christopher Cribaro, Planner, dated February 11, 1986). Mr. Dusing referred to the map in the packet and noted that the Parkway Corridor Study Area is outlined on the map. The Whitson property where Industrial Road intersects with U.S. 42 on the north side of U.S. 42 was proposed to be zoned C-3 -- so Mr. Whitson wrote to the Planning Commission saying "that's fine" and he did not attend the Public Hearing. In 1996 or 1997, information was provided by someone at the Planning Commission that the property was zoned C-2, which was acceptable to Mr. Whitson. In 1997, Dairy Mart moved out and Ray Merkel marketed the property as C-2. He leased the property to the tobacco store. When the tobacco store went to get their permit, no one knew what they were -- they have beer, tobacco,

and they cash checks. The Zoning Administrator, Kevin Wall, tried to decide exactly what they are -- and then they found out the property is zoned O-1. They do not know how that happened. They have figured out with Staff's assistance that somewhere in the Parkway Corridor Overlay, which he cannot find, the property ended up O-1. Mr. Dusing stated that the property should never have been zoned O-1 and they do not want O-1 zoning. O-1 makes everything on the property a pre-existing non-conforming use.

Mr. Dusing stated that the reason they are here is to get back to C-2 zoning -- but they cannot be C-2. Mr. Dusing referred to the slide presentation. He stated that he has figured out, with the help of Kevin Wall, that in the Zoning Ordinance the minimum size of a freestanding C-2 zone is two acres -- but they are only 1.6 acres. They are surrounded by C-3, but there is no contiguous C-2. Therefore, they are now asking for C-3 with a PD Overlay to give assurance that they will not go in with a gas station without asking for a zone change. All they want is what is already there. The PD Overlay ties them down to the details of what is there and anything new requires approval. He stated that they are asking for the C-2 uses, which they can do under C-3. They want to be able to put back a convenience store there like Dairy Mart and Frisch's -- which is a drive-thru but also a sit-down restaurant. Mr. Dusing stated that they meet all of the criteria for the Comprehensive Plan and the criteria for a zone change because the existing zoning is inappropriate.

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

The Chairman asked if there were any comments or questions from the Planning Commission.

Mr. Costello stated that the current zoning is O-2/PD, not O-1 as stated by Mr. Dusing. Mr. Whitson agreed. Mr. Costello added that when the Parkway Corridor Study was envisioned in the mid-1980's, there would have been some effort towards office uses. The City Building was contemplated to move to Ewing Boulevard. He stated that the property behind this strip center is zoned O-2/PD and the Planning Commission and the City of Florence in the Parkway Corridor Study saw the potential for properties along Dixie Highway to develop for office or service related uses.

Mr. Neltner stated that the applicant indicated the desire to make the property available for a convenience store. He commented that today there is a blur between "convenience store and gas pumps" and "gas stations with little convenience stores". He asked if they were willing to omit the gasoline. Mr. Whitson responded "absolutely" and added that there is no way gas pumps could go there.

Chairman Millay asked if there was anyone else present who wished to comment.

Mrs. Schaffer questioned the tobacco mart coming before the Planning Commission previously. Mr. Dusing stated that his involvement was in front of City Council. He stated that the legal issue was whether it was a pawn shop or not because a pawn shop is allowed in C-2 but not in O-2. They went through the City of Florence and cleared that up, and that is when they discovered the site was zoned O-2 and not C-2.

Mrs. Schaffer stated that she thought they were before the Planning Commission previously. Mr. Wall stated that there was an issue before City Council and also the Occupational License issue. They had to put up a bond with the city for a pawn shop.

Mrs. Schaffer stated that they have asked for a PD and are willing to limit the uses -- but with a PD they can increase the density.

Mr. Dusing stated that they would agree to a condition that what is there is permitted and if they want to make a material change it would require legislative action. Mrs. Schaffer questioned the maximum density.

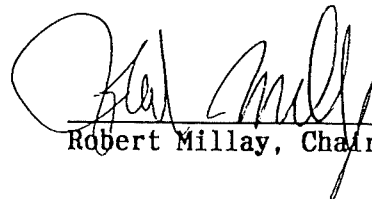
Counselor Wilson explained that all they are asking for is approval of the structures as they exist. He stated that for an increase in density, they would have to come back before the Planning Commission.

Mr. Whitson stated that they are asking for zoning consistent with the characteristics of the site.

There being no further comments, Chairman Millay stated that the Committee Meeting for this item will be on October 1, 1998 at 5 PM in the second floor conference room. This item will be on the Agenda for the Business Meeting on October 7, 1998 at 7:30 PM.

The Chairman closed this Public Hearing.

APPROVED:


Robert Millay, Chairman

Attest:



Jan Hancock, Recording Secretary

EXHIBIT 2
9/23/98
P.H. #3

January 18, 1986

The Boone County Planning Commission
P. O. Box 697
Burlington, Kentucky 41005

Attention: Mr. Christopher Cribaro
Planner

Subject: Proposed Parkway Corridor between
U.S. 42 and KY. 18
Florence, Kentucky

Gentlemen:

Unfortunately, I will not be able to attend the public hearing in connection with subject proposal on Feb. 26, 1986.

The purpose of this letter, however, is to advise you of my support for this project.

I have very much appreciated your efforts to coordinate with and keep informed property owners who may be affected by this proposed project with the two (2) previous meetings held at the Florence City Offices.

If I can be of assistance in any way, please do not hesitate to call on me.

Sincerely yours,

George M. Whitson

GMW/sw

BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON SQUARE

BURLINGTON, KENTUCKY 41005

334-2196

February 11, 1986

MR. P. E. KROGER
CHAIRMAN
MR. B. NELTNER
VICE CHAIRMAN
MR. L. BARNETT
SECRETARY-TREASURER
MR. GERALD A. NEWTON
DIRECTOR

MR. D. T. WILSON
ATTORNEY
MR. J. C. JENKINS
ENGINEER
MR. KEVIN P. COSTELLO
ASSISTANT DIRECTOR/
SENIOR PLANNER
MR. RALPH HOPPER
PLANS EXAMINER/
ZONING ENFORCEMENT OFFICER
MR. JAMES STURDEVANT
PLANS EXAMINER/PLANNER
MR. CHRISTOPHER CRIBARO
PLANNER
MR. DAVID GEOHEGAN
PLANNING INTERN
MRS. DEE ANN BREWER
ADMINISTRATIVE ASSISTANT
MRS. JOY HACKER
SECRETARY

MEMBERS—

MR. F. BURCH
MR. L. COLLINS
MR. D. A. DAVIS
MR. M. DELONG
MR. R. N. GREENE
MR. M. HEMMER
MR. R. JONES
MR. D. MARTIN
MR. D. McMILLIAN
MR. H. SLUSHER
MRS. C. SMITH
MR. W. R. VIOX

Dear Property Owner:

Notice is hereby given that the Boone County Planning Commission will hold a public hearing regarding the Parkway Corridor Study for a Zoning Map Amendment from the current zoning districts of Commercial Services, (C-3), Suburban Residential Two (SR-2), Urban Residential Two (UR-2), Commercial Two (C-2), and Office One (O-1) to the proposed zoning districts for Office Two/Urban Residential One/Planned Development Overlay (O-2/UR-1/PD Overlay), Office Two/Planned Development Overlay (O-2/PD Overlay), Commercial Services/Planned Development Overlay (C-3/PD Overlay), Public Facilities/Office Two/Planned Development Overlay (PF/O-2/PD Overlay), and Commercial Two/Planned Development Overlay (C-2/PD Overlay).

The general boundaries of the Parkway Corridor Study Area are: I-75 on the north and west, US 42 on the south, the Shelby/Main Street corridor on the east to the south of KY 18 (Burlington Pike) and to US 42, and Thomas Street/JoAnn Drive/Claxton Drive on the east to the north of KY 18 (Burlington Pike) to I-75.

We are required by law to notify you as an affected property owner of this request for a Zoning Map Amendment and inform you that this Public Hearing will be held on Wednesday, February 26, 1986 at 8:00 P.M., in the third floor auditorium of the Boone County Administration Building, Burlington, Kentucky.

Enclosed is a description of the Public Hearing that is to be held. All interested persons are invited to attend and be heard.

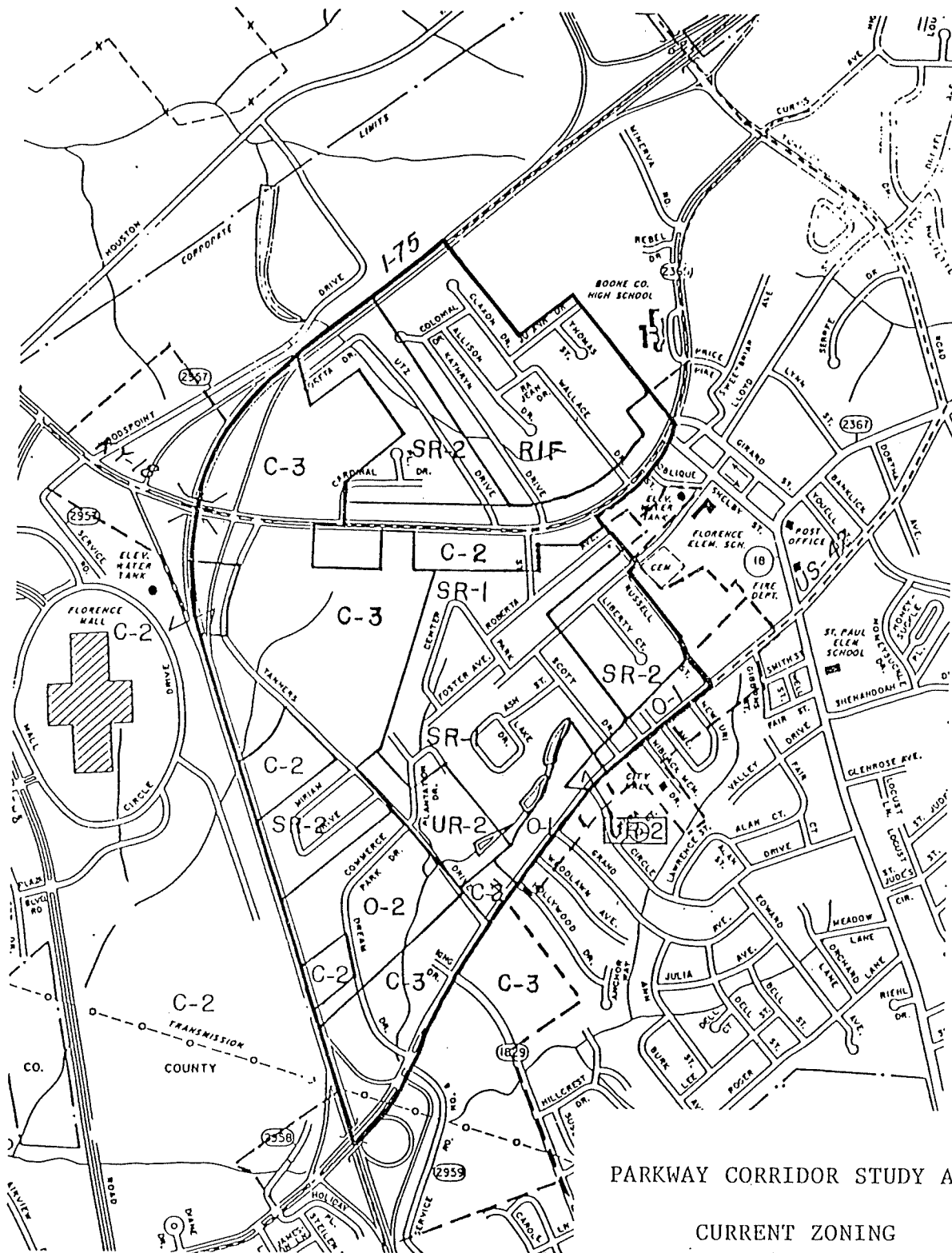
Sincerely,



Christopher Cribaro
Planner

Enclosure

CC:jh



PARKWAY CORRIDOR STUDY AREA:
 CURRENT ZONING
 AND
 STREET MAP

ONE COUNTY PLANNING COMMISSION

FLORENCE CITY BUILDING

7431 U.S. 42

FLORENCE, KENTUCKY 41042

371-7703

T. B. ANGEL, JR., D.V.M.
CHAIRMAN

MR. J. F. SHAFFER
VICE CHAIRMAN

T. L. LEATHERS, D.M.D.
SECRETARY-TREASURER

MR. D. L. VINCENT
ATTORNEY

MRS. J. L. COOK
CLERK

MEMBERS

MR. C. D. ASHCRAFT

MR. W. R. ELLIS

MAYOR C. M. EWING

MR. R. O. GODSEY

MR. R. KIRBY

MR. W. K. MCBEE

MR. G. MCELROY

MR. C. PATRICK

MR. J. E. SCHAEFER

MR. A. A. SERRATT

MR. P. C. SIMPSON

MR. R. VAUGHN

August 24, 1970

Mr. George Whitson
1706 Imperial Lane
Findlay, Ohio 45840

Dear Mr. Whitson:

This letter is written in regards to your request for an interchange district permit.

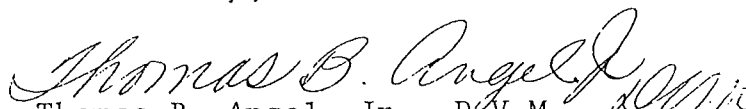
The Planning Commission at its last regular meeting voted unanimously to grant the request for an interchange district permit.

Enclosed under separate cover, the use permit is being forwarded to your office.

If I can be of any further help to you in any way, please do not hesitate to contact me.

With kindest regards,

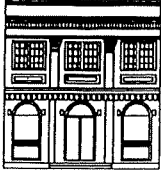
Yours truly,


Thomas B. Angel, Jr., D.V.M.
Chairman

TBA:jlc

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

October 30, 1998

Mr. Gerald F. Dusing
Adams, Brooking, Stepner, Woltermann & Dusing
40 West Pike Street
P.O. Box 861
Covington, KY 41012-7270

RE: Conditions of Approval for the Zoning Map Amendment

Dear Mr. Dusing:

The following represents the conditions of approval for the above referenced application as agreed by the Boone County Planning Commission's Zone Change Committee. If you as the applicant agree to these conditions please indicate so by providing your signature on the agreement stated at the end of this letter.

Conditions

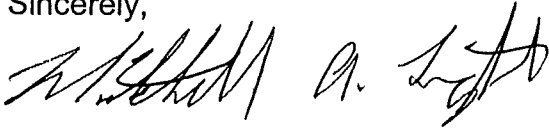
The following uses are the only uses approved for the approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky.

1. Eating and drinking establishments including alcoholic beverages and drive-thru franchise style fast food facilities;
2. Convenience stores without gasoline pumping facilities;
3. The principally permitted C-2 uses excluding:
 - a. Gasoline filling stations;
4. The present uses which include:
 - a. Beauty and barber services and tanning salons;
 - b. Liquor, beverage, drug and proprietary stores;
 - c. Business and personal credit services and title services;

Mr. Gerald F. Dusing
October 30, 1998
Page 2

5. An increase in the density on the site, or redevelopment of the existing improvements, will require a new public hearing.

Sincerely,

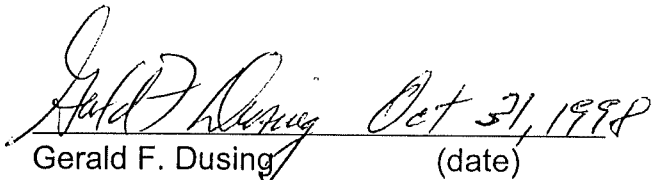


Mitchell A. Light
Asst. Zoning Administrator/Enf. Officer

MAL\pr

Agreement

I, Gerald F. Dusing, am duly authorized to act on behalf of the owners, George M. and Shirley J. Whitson, do hereby agree to the conditions of approval stated above for the Zoning Map Amendment for the approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky.



Gerald F. Dusing (date)
for George M. and Shirley J. Whitson (owners)

Know All Men by these Presents:

That the Grantor... G.S.W. COMPANY, INCORPORATED, a Kentucky Corporation,

for and in consideration of One (\$1.00) Dollar and other valuable considerations

to ^{it} paid by the Grantee... herein the receipt whereof is hereby acknowledged, do eshereby BARGAIN, SELL AND CONVEY to the Grantee... George M. Whitson and Shirlee J. Whitson 1706 Imperial Lane, Findlay, Ohio 45850, for their joint lives with remainde in fee simple to the survivor of them, his or her

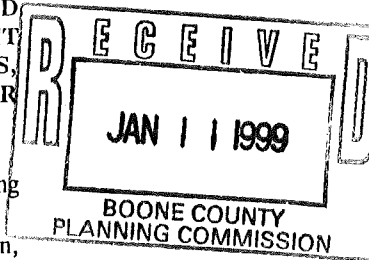
heirs and assigns forever, the following described Real Estate, to wit:

Lying and being in the State of Kentucky, County of Boone, and City of Florence, located on the northwest side of U.S. Highway 42, at its intersection with Industrial Road, and described thus: Being lot two (2) of Tanner Plat as recorded in Plat Book 9, at page 38 of the Boone County Clerk's records at Burlington, Kentucky. Being all of the property conveyed to the Grantor herein, G.S.W. Company, Incorporated, by deed dated the 12th day of November, 1970, and recorded in Deed Book 191 at page 240 of the Boone County Clerk's records at Burlington, Kentucky. Said property being subject to easements of record.

Planning Com

ORDINANCE NO. 0-28-98

AN ORDINANCE ADOPTING AND APPROVING A REZONING ON AN APPROXIMATE 1.6 ACRE SITE LOCATED AT 7828-7850 U.S. HIGHWAY 42 IN THE CITY OF FLORENCE, KENTUCKY, THIS REZONING BEING FROM OFFICE TWO/PLANNED DEVELOPMENT (0-2/PD) TO COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD) TO ALLOW COMMERCIAL USES WITHIN EXISTING STRUCTURES, WHICH IS ALSO SUBJECT TO AGREED CONDITIONS BY THE PROPERTY OWNER (WHITSON PROPERTY)



WHEREAS, the City of Florence, Kentucky is a member of a 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, with agreed conditions, of a zone change request for an approximate 1.6 acre site from Office Two/Planned Development (0-2/PD) to Commercial Services/Planned Development (C-3/PD) to allow commercial uses within existing structures at 7828-7850 U.S. Highway 42 in the City of Florence, Kentucky, and

WHEREAS, the recommendation of the Boone County Planning Commission is based upon certain findings attached to its Resolution of recommendation, all of 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 the requested zone change for the approximate 1.6 acre site located at 7828-7850 U.S. Highway 42 in Florence, Kentucky, shall be and is hereby approved to rezone this property from its current zoning of Office Two/Planned Development (0-2/PD) to Commercial Services/Planned Development (C-3/PD) to allow commercial uses within the existing structures, subject to agreed conditions as set forth in the planning commission recommendation. This real estate is more particularly described in Exhibit "A", attached hereto and incorporated herein as if fully set out. 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 of this 1.6 acres.

SECTION II

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-98-029-A, marked Exhibit "B", and incorporated herein as if fully set out.

SECTION III

If this approval for this zone change should 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 and comprehensive plan provisions as they are severable from this Ordinance and they are intended to continue to have effect regardless of any invalidity relating to this particular zone change approval.

SECTION IV

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

PASSED AND APPROVED ON FIRST READING THIS 8th DAY OF December, 1998.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 22nd DAY OF December, 1998.

APPROVED:

Evilyn McKelb
MAYOR

ATTEST:

Patricia Howard
CITY CLERK

Lying and being in the State of Kentucky, County of Boone, and City of Florence, located on the northwest side of U.S. Highway 42, at its intersection with Industrial Road, and described thus: Being lot two (2) of Tanner Plat as recorded in Plat Book 9, at page 38 of the Boone County Clerk's records at Burlington, Kentucky. Being all of the property conveyed to the Grantor herein, G.S.W. Company, Incorporated, by deed dated the 12th day of November, 1970, and recorded in Deed Book 191 at page 240 of the Boone County Clerk's records at Burlington, Kentucky. Said property being subject to easements of record.

EXHIBIT "A"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: November 4, 1998

RE: The request of George M. Whitson (applicant) for George M. Whitson and Shirley J. Whitson (owners) to consider a Zoning Map Amendment from Office Two/Planned Development (O-2/PD) to Commercial Services/Planned Development (C-3/PD) for an approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky. The request is for a zone change to allow commercial uses within the existing structures.

REMARKS:

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

Findings of Fact

1. The adopted 1995 Boone County Comprehensive Plan and Future Land Use Map indicate that this site is to remain Commercial (C).
2. There have been changes of an economic, physical, of social nature not anticipated in the adopted Comprehensive Plan that substantially alter the areas character.

Conditions

The following uses are the only uses approved for the approximate 1.6 acre tract at 7828-7850 U.S. 42, Florence, Kentucky.

1. Eating and drinking establishments including alcoholic beverages and drive-thru franchise style fast food facilities;
2. Convenience stores without Gasoline pumping facilities;
3. The principally permitted C-2 uses excluding:
 - a. Gasoline filling stations;
4. The present uses which include:
 - a. Beauty and barber services and tanning salons;

- b. Liquor, beverage, drug and proprietary stores;
 - c. Business and personal credit services and title services;
5. An increase in the density on the site, or redevelopment of the existing improvements, will require a new public hearing.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

Barry Neltner
Barry Neltner, Chairman

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

Arnold Caddell
Arnold Caddell

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

Phil Damstrom
Phil Damstrom

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

William R. Viox
William R. Viox

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

Earl White
Earl White

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

TOTAL:	<u>5</u>	FOR	<u>—</u>	AGAINST	<u>—</u>	ABSTAIN	<u>—</u>	ABSENT
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