

**CITY OF FLORENCE, KENTUCKY  
ORDINANCE O-11-21**

**AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM SUBURBAN RESIDENTIAL TWO/PARKWAY CORRIDOR STUDY OVERLAY (SR-2/PO) TO COMMERCIAL TWO/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY OVERLAY (C-2/PD/PO) FOR THE NORTHERN, APPROXIMATE 1.3 ACRES OF THE PROPERTY LOCATED AT 7544 BURLINGTON PIKE, FLORENCE, KENTUCKY; AND A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY OVERLAY (C-2/PD/PO) ZONE FOR THE SOUTHERN, APPROXIMATE 1.23 ACRES OF THE PROPERTY LOCATED AT 7544 BURLINGTON PIKE, FLORENCE, KENTUCKY, TO ALLOW AN EATING AND DRINKING ESTABLISHMENT, DOG PARK, AND FOOD TRUCK PARKING. (MARSHALL LAND MANAGEMENT LLC)**

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

**WHEREAS**, the Boone County Planning Commission by Resolution No. R-21-015-A recommended approval for a zoning map amendment, and

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

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

**SECTION I**

That the request of Lee Richard Cahill (Applicant) for Marshall Land Management LLC (Owner) for a zoning map amendment from Suburban Residential Two/Parkway Corridor Study Overlay (SR-2/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the northern, approximate 1.3 acres of the property located at 7544 Burlington Pike, Florence, Kentucky; and for a Concept Development Plan in a Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) zone for the southern, approximate 1.23 acres of the property located at 7544 Burlington Pike, Florence, Kentucky, to allow an eating and drinking establishment, dog park, and food truck parking, shall be and is hereby approved.

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

## SECTION II

The approval of this zoning map amendment and Concept Development Plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit “B” and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-21-015-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

## SECTION III

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission’s Resolution No. R-21-015-A, marked Exhibit “B”, and attached hereto.

## SECTION IV

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

## SECTION V

This Ordinance shall be published by posting on the City’s internet website.

PASSED AND APPROVED ON FIRST READING THIS 10<sup>th</sup> DAY OF AUGUST, 2021.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 24<sup>th</sup> DAY OF AUGUST, 2021.

APPROVED:

/s/ Diane E. Whalen  
Diane E. Whalen, Mayor

ATTEST:

/s/ Melissa Kramer  
Melissa Kramer, City Clerk