

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-10-2025**

AN ORDINANCE ADOPTING AND APPROVING A CHANGE OF CONCEPT DEVELOPMENT PLAN AND VARIANCES IN A COMMERCIAL SERVICES (C-3) DISTRICT, FOR AN APPROXIMATE 0.56 ACRE AREA LOCATED AT 7303 TURFWAY ROAD, FLORENCE, KENTUCKY, TO ALLOW THE DEVELOPMENT OF A 543 SQUARE FOOT DRIVE-THROUGH ONLY COFFEE SHOP AND A 277 SQUARE FOOT REMOTE STORAGE/COOLER ACCESSORY STRUCTURE AND VARIANCES TO: (1) REDUCE THE FRONT YARD SETBACK FROM FIFTY (50) FEET TO THIRTY SEVEN (37) FEET; AND (2) REDUCE THE BUFFER YARD WIDTH FROM TEN (10) FEET TO SEVEN (7) FEET ALONG THE WEST PROPERTY LINE, FIVE (5) FEET ALONG THE SOUTH PROPERTY LINE, AND EIGHT (8) FEET ALONG THE EAST PROPERTY LINE. (BREW TEAM KY, 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-25-10-A recommended approval, with conditions, for a change of Concept Development Plan and Variances, 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 Brew Team KY, LLC (Applicant) for Massive 2.0, LLC (Owner) for a change of Concept Development Plan and Variances in a Commercial Services (C-3) district, for an approximate 0.56 acre area located at 7303 Turfway Road, Florence, Kentucky, to allow the development of a 543 square foot drive-through only coffee shop and a 277 square foot remote storage/cooler accessory structure and Variances to: (1) reduce the front yard setback from fifty (50) feet to thirty seven (37) feet; and (2) reduce the buffer yard width from ten (10) feet to seven (7) feet along the west property line, five (5) feet along the south property line, and eight (8) feet along the east property line, 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 change in Concept Development Plan and Variances for this subject property.

SECTION II

The approval of this Concept Development Plan and Variances 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-25-010-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-25-010-A, marked Exhibit "B", and attached hereto.

SECTION IV

In addition to those conditions set forth in the recommendation of the Boone County Planning Commission, this approval of the City of Florence, Kentucky, through its City Council, shall be and is hereby subject to the additional conditions that have been agreed to in writing by the property owner/applicant as shown on Exhibit "C", a copy of which is attached and incorporated herein by reference.

SECTION V

If the approval for this change of Concept Development Plan and Variances 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 VI

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

PASSED AND APPROVED ON FIRST READING THIS 22nd DAY OF APRIL 2025.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED
THIS 13th DAY OF MAY 2025.

APPROVED:

/s/ Julie M. Aubuchon
Julie M. Aubuchon, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk