

**COMMONWEALTH OF KENTUCKY  
COUNTY OF KENTON  
CITY OF ERLANGER  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF  
ERLANGER, COUNTY OF KENTON, AN AREA OF APPROXIMATELY  
1.26 ACRES, LOCATED AT 3208 DIXIE HIGHWAY, NORTH OF DIXIE  
HIGHWAY AND SOUTH OF THE RAILROAD IN  
ERLANGER, FROM CC (COMMUNITY COMMERCIAL) ZONE TO GI  
(GENERAL INDUSTRIAL) ZONE**

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**WHEREAS**, a request for a map amendment was submitted to the Kenton County Planning Commission by Daniel Woodward on behalf of Jerome E. Henke to change the above-described areas from Community Commercial Zone (CC) to General Industrial (GI); and

**WHEREAS**, PDS staff reviewed the application and recommended that the proposed map amendment be approved; and

**WHEREAS**, the Kenton County Planning Commission, upon reviewing the staff recommendations and after holding a public hearing on July 8, 2025, voted to recommend the zone change; and

**WHEREAS**, the Erlanger City Council has reviewed the record, including the recommendation from the Kenton County Planning Commission and PDS Staff, as well as the public hearing.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ERLANGER,  
COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY:**

**Section I**

That the Erlanger City Council hereby approves said Zoning Map Amendment, changing the zoning for a proposed map amendment to the Erlanger Zoning Ordinance changing an area of changing the property at 3208 Dixie Highway from CC (Community Commercial) Zone to GI (General Industrial) Zone, subject to the applicant agreeing to the following conditions:

1. Existing nonconforming site features regarding off-street parking design, required landscaping and character standards are remedied to the maximum extent practicable.

The aforementioned map amendment was recommended by the staff report for the Kenton County Planning Commission and the Kenton County Planning Commission. The

Erlanger City Council has reviewed the staff recommendation and the public hearing and adopts the zoning map amendment on the following bases:

1. The proposed map amendment, as conditioned, is generally in agreement with the adopted comprehensive plan. The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate. The original zoning classification in the previous zoning map was IP-1, an industrial zone, but was changed to CC, a commercial zone, with the adoption of the Z21 ordinance. The previous use and the current use are industrial and the recommended land use for the site is industrial.
2. The proposed map amendment will prevent potential difficulties associated with running a nonconforming business, such as restrictions on expansion and certain restrictions on structural alterations that result from the business being classified as a nonconforming use.
3. If a zone change is granted, all other nonconformities, such as site and design features must be remedied to the maximum extent practicable as a condition of approval. If approved, the following nonconformities should be remedied. Sufficient information should be submitted with permits to determine compliance with:

a. Section 10.17, B. of the Erlanger Zoning Ordinance states:

i. All required off-street parking areas, drive aisles, and driveways shall be paved with asphalt, concrete, permeable pavement, or other approved materials as determined in Appendix 15.03, Specifications for Paving of Off-Street Parking and Loading Areas.

ii. All drive aisles used to access dumpsters shall be paved with heavy duty asphalt or concrete consistent with the truck parking standards in Appendix 15.03.

iii. Except for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses, all parking spaces shall be striped or otherwise designated to clearly mark each space.

Off-street parking areas need to be adequately surfaced and appropriately striped with parking spaces that meet dimensional requirements and design.

b. Table 7.1, D. of the Erlanger Zoning Ordinance lists character standards for services, utilities, and minor accessories including:

i. All dumpster, trash, and recycling receptacle storage areas shall be located in the side or rear yard. Dumpsters shall be screened per Section 7.07, N.

c. Section 7.07, P. of the Erlanger Zoning Ordinance states:

i. All dumpsters, trash pads, and ground-mounted heating and cooling units shall be screened from residential uses, residential zones, and all adjacent public roads. This equipment shall use a six-foot-high solid fence or wall (if the type and location is permitted by the fence regulations) along with three small or medium evergreen shrubs per 10 lineal feet. The existing dumpster shall be appropriately screened

3. Based on testimony provided during the public hearing held on July 8, 2025.

## **Section II**

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

## **Section III**

That this Ordinance shall take effect and be in full force when passed, published and recorded according to the law.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

1<sup>st</sup> Reading - \_\_\_\_\_, 2025

2<sup>nd</sup> Reading - \_\_\_\_\_, 2025

Vote: \_\_\_\_\_, Yes, \_\_\_\_\_, No

City of Erlanger  
County of Kenton  
Commonwealth of Kentucky

By: \_\_\_\_\_

Jessica Fette  
Mayor

Attest:

\_\_\_\_\_  
Sherry Hoffman  
Clerk