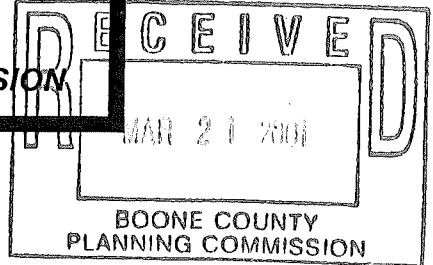


APPLICATION FORM

01-BOBOA 015 A

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



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

- (Check One)
- 1. Boone _____ Florence _____ Walton _____ Union _____
- (Check One)
- 2. Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
- 3. Applicant's Name JOSEPH R. SCHINDLER FOR VALVOLINE OIL COMPANY
Phone Number 859-357-7539 Fax No. 859-357-7099
Applicant's Address 3499 BLAZER PKWY. (L3N)
LEXINGTON KY 40509
City State Zip
- 4. Description of Request: CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A VALVOLINE INSTANT OIL FACILITY
- 5. Name of Development PART OF COX & TAYLOR SUBDIVISION
- 6. Location of Development LOT #5 OF 'COX & TAYLOR SUBDIVISION (VACANT LOT @ WILDCAT BLVD. TO BE SPLIT)
- 7. Acreage Under Review .67 ACRE PORTION OF A 1.42 ACRE PARCEL
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
LOT #5 COX & TAYLOR COMMERCIAL SUBDIVISION
- 9. Owner of Property HOME FURNITURE & APPLIANCE COMPANY (JOE BRANDEL)
Phone Number of Owner (812) 537-0619 10.
Address of Property Owner 20 EAST CENTER ST., LAWRENCEBURG, IN 47025
City State Zip
- 11. Proposed Use(s) on Site VALVOLINE INSTANT OIL CHANGE FACILITY
- 12. Total Square Footage of Existing and/or Proposed Buildings 1,591 SF
- 13. Current Zoning on Property C-2
- 14. Deed Book 417 Page No. 119 Group No. 2025
- 15. Is the site subject to a zone change? NO
If yes, give date of approval _____
- 16. Have you submitted a Site Plan with this request? CONCEPTUAL DRAWG. ONLY
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Joseph R. Schindler

Property Owner's Signature: REFER TO LETTER OF AUTHORIZATION ENCLOSED

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 3-21-01 Fee Received \$744.00 RA# 27143
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
_____ **Approved**
_____ **Approved with Conditions (See #6)**
_____ **Denial (See #7)**
6. Conditions of Approval: ① Applicant must obtain Subdivision Approval
② A SITE Plan must be approved by the BCPC staff
7. Reasons for Denial: _____

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail**

www.boonecountyky.org

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

APPLICANT: Joseph R. Schindler

LOCATION: Section 2, Lot 5 of Cox & Taylor Commercial Subdivision
(Wildcat Boulevard)
Boone County, Kentucky

ZONING: Commercial Two (C-2)

DATE: April 11, 2001

Proposal

The applicant is requesting a Conditional Use Permit in order to construct and operate a Valvoline Instant Oil Change facility on Section 2, Lot 5 of Cox and Taylor Subdivision. The .67 portion of the 1.42 acre parcel is located within a Commercial Two (C-2) District on Wildcat Boulevard. The proposed concept plan depicts a 1,591 square foot facility containing two (2) service bays. The applicant submitted Exhibits A through G as part of the application.

- Exhibit A - Letter from Joseph R. Schindler, Valvoline
- Exhibit B - Letter from Joseph D. Brandel, Owner, Brandel Home Furniture & Appliances
- Exhibit C - Concept plan
- Exhibit D - List of adjacent property owners
- Exhibit E - Site location map
- Exhibit F - Concept plan for White Castle (adjacent proposed use)
- Exhibit G - Property legal description

Applicable Regulations

Article 10, Section 1023 of the Boone County Zoning Regulations permits, "*Automotive repair facility and wash services for vehicles*" as a conditional use within a Commercial Two (C-2) district.

Article 40 of the Boone County Zoning Regulations defines an *Automobile Repair Facility* as, "A business establishment that repairs, rebuilds, reconditions, or services automobiles or automotive parts, including but not limited to any of the following activities: body and paint work; engine repair or rebuilding; installation, repair, or reconditioning of tires, brakes, transmissions, mufflers, automotive or air conditioning systems, automotive upholstery, or automotive glass, all on a individual vehicle basis: *changing of oil, other fluids, and filters*; emissions testing."

Article 30, Section 3007 of the Boone County Zoning Regulations states that ***“property involving a conditional use and/or variance shall be subject to the Boone County Planning Commission Site Plan review and approval if required by an individual zoning district.”***

Article 32, Section 3220 of the Boone County Zoning Regulations discusses the provisions for “Maintaining the Level of Service of the Roadway” and specifies, ***“The Planning Commission may require that all traffic requiring access to and from a development shall operate in such a manner as to not adversely affect the level of service of the roadway. Provisions for the present or future construction of a frontage road, restriction or channelization of turning movements, or other improvements may be required, as a condition of approval, in order to maintain the level of service of any adjacent roadway.”***

Article 32, Section 3236 of the Boone County Zoning Regulations discusses the provision of frontage roads and specifies, ***“As adjacent property develops, the landowner/developer shall be required to interconnect the individual portions of frontage roads as appropriate.”***

Article 37, Section 3745 of the Boone County Zoning Regulations requires buffer yards when one zoning district adjoins another zoning district. Table #1 under this heading requires a buffer of ten feet (10') feet where a Commercial One (C-2) district is adjacent to a another commercial district.

Article 1, Section 155 of the Boone County Subdivision Regulations states, ***“Upon request to the designated Zoning Administrator, an applicant, developer, or property owner may seek a waiver of any subdivision regulation in this document based upon a written request. The Zoning Administrator shall review the individual request and grant a waiver under unusual or extreme circumstances, while still meeting the purpose and authority sections of this document.”***

Article 5 of the Boone County Subdivision Regulations states that, ***“A major division of land is a procedure, which involves the division of land in six (6) buildable lots or more from the parent tract, and where there is a need for either public or private street and utility improvements. A Preliminary Plat/Preliminary Development Plan, Improvement Plan, and Final Plat are required for this type of procedure.”***

Article 2, Section 200 (c) of the Boone County Subdivision Regulations, Resubdivision of Previously Recorded Lot. ***“If a subdivider or applicant wishes to resubdivide a previously recorded lot, the applicant may use a conveyance plat for one neighboring lot. If the lot in the subdivision has already been recorded on a Final Plat, then the applicant shall submit a conveyance plat for review and approval by the Boone County Planning Commission.”***

Article 3, Section 305 (g) of the Boone County Subdivision Regulations states, ***“that the arrangement of streets in a proposed subdivision or development shall make provision for the proper continuation of existing, proposed, or approved streets in adjoining areas, unless otherwise determined by the commission.”***

Article 3, Section 305 (h) of the Boone County Subdivision Regulations states, ***“The minimum right-of-way for a public street, measured from lot line to lot line, shall be as follows: For conventional subdivisions with local streets the right-of-way width is 50 feet.”***

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit stated in Section 262 and the following criteria from Section 1023 of the Boone County Zoning Regulations:

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 10, Section 1023 of the Boone County Zoning Regulations allows auto repair facilities and wash services as a conditional use in the C-2 district if the proposed facility meets all of the following requirements:

- a. The activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or
- b. The activity will further add to, not detract from, the creation of a compact, multi-purpose, and pedestrian oriented commerce center; and
- c. The arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Surrounding Land Uses and Zoning

Property adjacent to the site is zoned either Commercial Two (C-2) or Commercial Services (C-3). A vacant lot and Little Miracles Child Development Center is located to the north of the property and is zoned Commercial Two (C-2). To the east of the site are Performance Body Repair and Carroll's Auto Service which are zoned Commercial Services (C-3). Burlington Pike and Wendy's are located to the south and are zoned Commercial Two (C-2). Bank One, zoned Commercial Two (C-2), is located to the west.

Staff Concerns/Comments

1. The applicant submitted a hand-drawn concept plan with his conditional use permit application which makes it difficult to determine whether the plan will meet the certain requirements of the Boone County Zoning Regulations and if additional conditions should be considered by the Boone County Board of Adjustment and Appeals, should the

Board decide to approve the request. However, It is important to note that the applicant is subject to site plan approval by the Boone County Planning Commission accordance with Article 30, Section 3007 of the Boone County Zoning Regulations. The required site plan review will address appropriate parking, buffering, landscaping, signage, etc. Upon review of the submitted concept plan it appears that the applicant is missing the ten (10) foot yard wide buffer area on the western portion of the site as required by Article 37, Section 3745 (Table #1) of the Boone County Zoning Regulations.

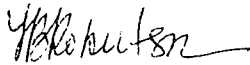
2. The concept plan for the proposed use depicts re-subdivision of an existing lot (Lot 5) approved by the Boone County Planning Commission as part of the Cox and Taylor Subdivision, Section 2 on September 9, 1989. As this is the case, it is unknown whether the planning commission would approve the division of the lot as it is currently shown on the concept plan or if the lot would have to be reconfigured to meet the requirements of the Boone County Subdivision Regulations. Therefore, a plat resubdividing the property must be submitted to and approved by the Boone County Planning Commission.
3. In addition, the concept plan submitted by the applicant shows the extension of Wildcat Boulevard to serve the proposed use. At the present time the frontage road only serves a portion of the lot and will have to be extended in order to provide adequate ingress and egress to the site in accordance with the submitted concept plan. Therefore, the applicant must submit improvement plans for extension of the road, obtain approval from the Boone County Planning Commission, and construct the remaining portion of Wildcat Boulevard in accordance with the Boone County Subdivision Regulations.
4. It is also important to note that the final plat approved by the Planning Commission depicts the right-of-way for Wildcat Boulevard as thirty-five feet (35'). In accordance with Article 3, Section 305 of the Boone County Subdivision Regulations, the right-of-way for this local street must be at least fifty feet (50'). Either additional right-of-way should be dedicated for the new lot or a waiver of the requirements obtained from the Zoning Administrator in accordance with Article 1, Section 155 of the Boone County Subdivision Regulations.
5. The applicant has not specified the construction materials to be used for the proposed Valvoline oil change facility. Therefore, in order for the use to be compatible with existing uses in the area it is recommended that the building be constructed with materials consistent with surrounding land uses located on Wildcat Boulevard and Taylor Lane.

Conclusion

KRS 100.237 and Sections 260 and 1023 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to grant a conditional use permit to operate a Valvoline Instant Oil Change facility in the Commercial Two (C-2) district. It is the staff's opinion that the proposed use will not be incompatible with or detrimental to the existing character of the area, not create a need for additional public facilities or services, or be hazardous to adjacent uses if developed in accordance with applicable sections of the Boone County Zoning Regulations and Boone County Subdivision Regulations. Therefore, should the board consider approval of this request, it is recommended that the following conditions of approval apply:

1. the applicant must obtain subdivision approval for the proposed lot from the Boone County Planning Commission in accordance with KRS 100.277 and the Boone County Subdivision Regulations,
2. Wildcat Boulevard is extended and improved in accordance with the Boone County Subdivision Regulations including the dedication of additional right-of-way or a waiver obtained from the Zoning Administrator,
3. the required ten foot (10') buffer yards are installed in accordance with Article 37, Section 3745 of the Boone County Zoning Regulations.
4. the proposed building should be constructed of materials consistent in appearance (not concrete block) with adjacent commercial structures in order for the building to be mutually compatible with permitted and accessory uses located on adjacent lots within this district. Architectural grade/faced concrete masonry units (CMU) are a potential alternative to concrete block or brick. Staff design review should be included as part of the site plan approval process, and
5. a site plan depicting appropriate buffer yards, landscaping, parking, signage, etc, must be reviewed and approved by the staff of the Boone County Planning Commission in accordance with Article 30 of the Boone County Zoning Regulations.

Respectfully submitted,



Lara B. Robertson, AICP

Attachments

- Exhibit A - Letter from Joseph R. Schindler, Valvoline
- Exhibit B - Letter from Joseph D. Brandel, Owner, Brandel Home Furniture & Appliances
- Exhibit C - Concept plan
- Exhibit D - List of adjacent property owners
- Exhibit E - Site location map
- Exhibit F - Concept plan for White Castle (adjacent proposed use)
- Exhibit G - Property legal description
- Exhibit H - Zoning Map
- Exhibit I - Aerial Photograph
- Exhibit J - Approved Plat, Section 2, Lot 5 of Cox & Taylor Subdivision

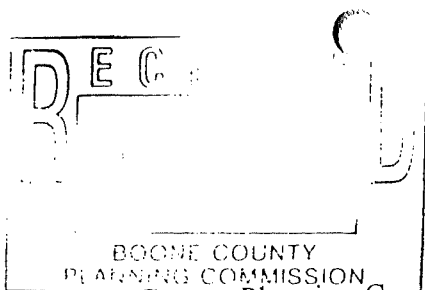


Exhibit A

March 20, 2001

BOONE COUNTY
PLANNING COMMISSION
Boone County Planning Commission
2995 Washington Street
Burlington, KY
Attn. Todd Morgan

Re: Valvoline Instant Oil Change
Wildcat Boulevard
Burlington, KY

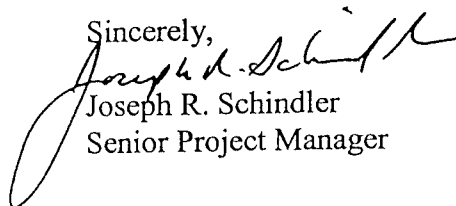
Dear Todd:

Thank you for taking time out of your busy schedule to provide guidance on the development process for our proposed Valvoline Instant Oil Change in Burlington, KY. Attached for your handling, is an application for a Conditional Use Permit to construct and operate the proposed facility. All the pertinent information specified for submittal with the application is attached including the application fee.

I look forward to confirmation of the submittal being placed on the April 11th planning commission agenda. I will not be able to attend the meeting and have arranged for Jim Deselms, with Land Use Inc., to represent Valvoline in this process. His address is PO Box 764 Bolivar, OH 44612 and he can be reached at 330-874-4469.

We anticipate a favorable review and are excited about the opportunity to present the community with our premium products and service. Should you have questions, comments, or concerns you may reach me at 859-357-7539.

Sincerely,



Joseph R. Schindler
Senior Project Manager

Cc: John Baldwin
Jim Deselms w/atth.
Larry Deweese
Sandy Fite
Steve Lynn



Exhibit B

557 W. EADS PARKWAY (HIGHWAY 50, WEST)

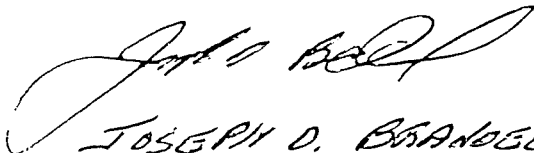
LAWRENCEBURG, INDIANA 47025 • PHONE 537-0610
(FAX) 1-812-537-0634

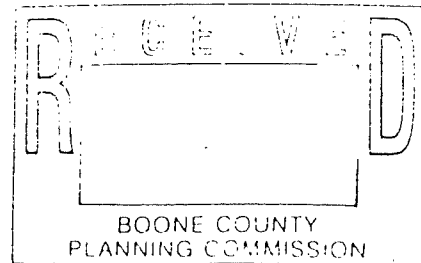
3/19/01

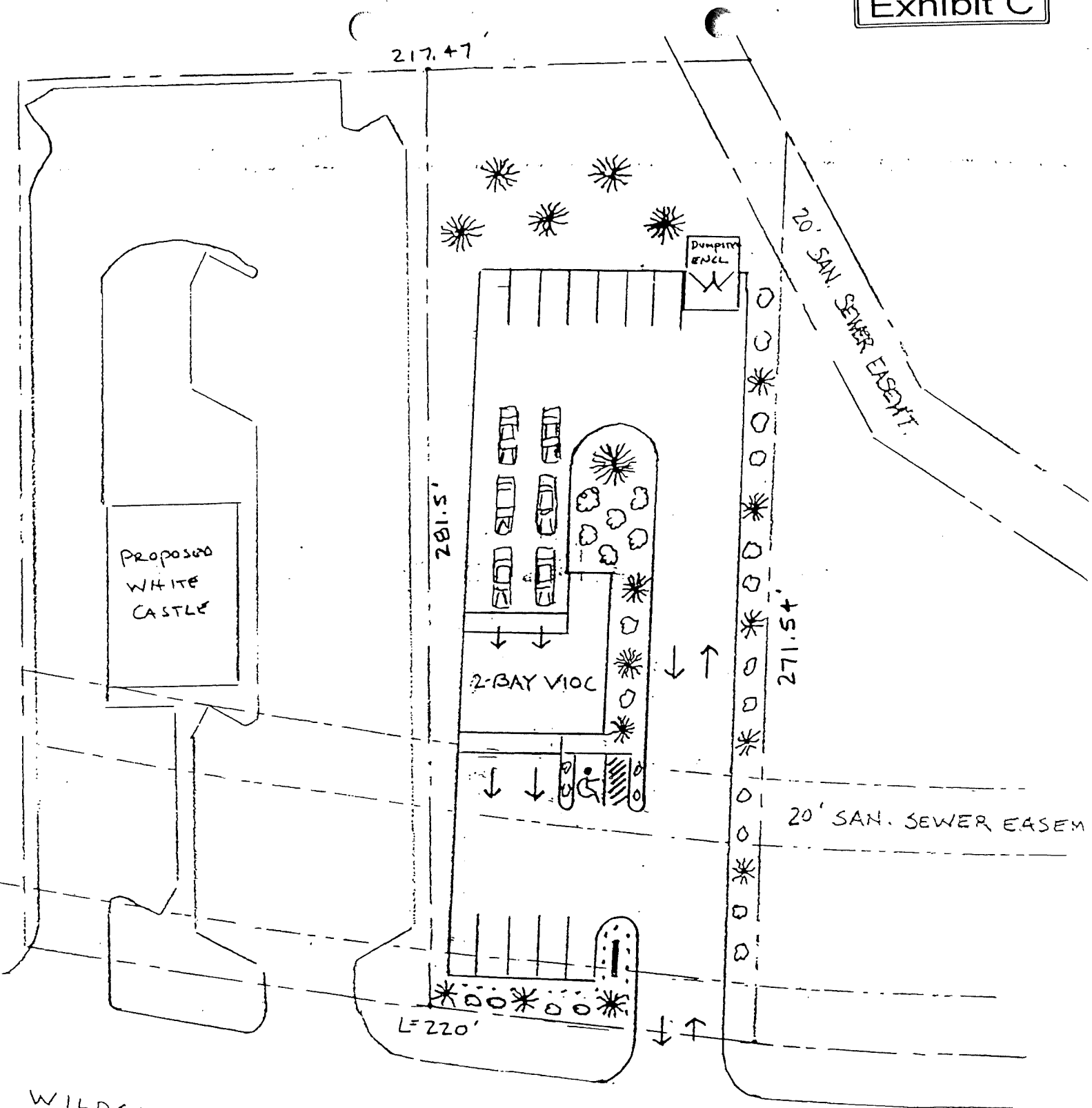
ASHLAND INC.,

YOU HEREBY HAVE MY PERMISSION TO
APPLY FOR A CONDITIONAL USE PERMIT
FOR A VALVOLINE INSTANT OIL CHANGE
ON PORTION OF LOT 5 TAYLOR COM. SUBDIVISION,
100' FRONTAGE ON WILDCAT, BEGINNING AT
FRONT RIGHT CORNER.

RESPECTFULLY,

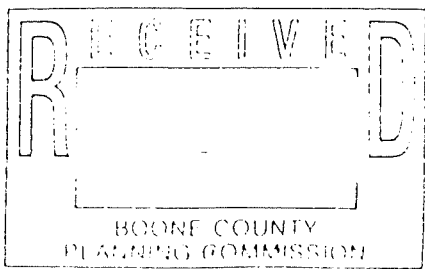

JOSEPH D. BRANDEL
TREASURER / OWNER





WILDCAT BLVD.

VALVOLINE INSTANT OIL CHANGE
 RT. 13 E WILDCAT RD
 BURLINGTON, KY
 SCALE 1" = 40'
 CONCEPTUAL DRWG.

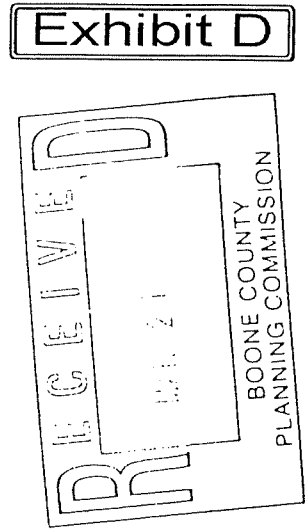


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 ACCOUNT # 672180 PROPERTY # 01 F12 View Comments

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 ADDRESS 10 WEST BROAD ST SUITE 2300 DEED BOOK # 296 -146
 C/S ZIP COLUMBUS, OH 43215-3400 DATE OF SALE 00/00
 PREV OWN MORTGAGE # -
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 DESCRIPT 1.22 AC ON KY 18 DATE ASSESSED 12/31/00

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FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
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HOMESTEAD N			

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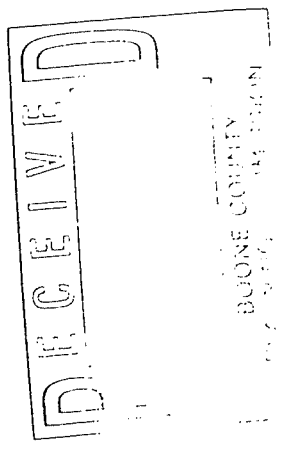


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 ACCOUNT # 950300 PROPERTY # 02 TAX DIST 06

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 ADDRESS 20 EAST CENTER ST DEED BOOK # 417 -119
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 PREV OWN MORTGAGE # -
 PROP LOC - DATE INSPECTED 07/28/00 BY CFR
 DESCRIPT LOT 5 SEC 2 COX AND TAYLOR DATE ASSESSED 01/01/96

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HOMESTEAD N			

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 ACCOUNT SEARCH SCREEN



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F1 Help

F4 Property Record

Work File

F2 Next Property #

F6 Assmt Dates

F3 Prev Property #

ACCOUNT # 950300 PROPERTY # 01

F12 View Comments

TAX DIST 06

NAME 1 HOME FURNITURE & APPLIANCE CO.

MAP # 049.00-00-048.09

NAME 2

SALE PRICE

ADDRESS 20 EAST CENTER ST

DEED BOOK # 417 -114

C/S ZIP LAWRENCEBURG, IN 47025

DATE OF SALE 00/00

PREV OWN

MORTGAGE # -

PROP LOC -

DATE INSPECTED 03/15/01 BY CAM

DESCRIPT LOT 6 SEC 2 COX AND TAYLOR

DATE ASSESSED 12/31/00

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FIRE	AC	TANG .45	AG	OTHER	INT .25	
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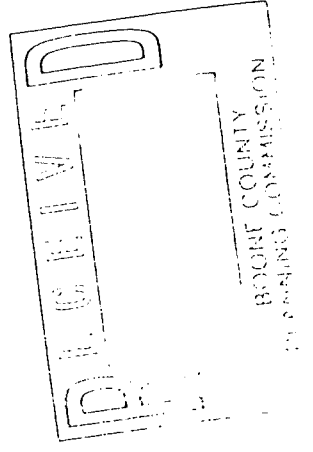


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HOMESTEAD N			

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Work File

F2 Next Property #

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ACCOUNT # 449700 PROPERTY # 03

TAX DIST 06

NAME 1 GRESS, HERBERT

MAP # 49-23A,23B

NAME 2

SALE PRICE

ADDRESS 7456 CAMP ERNST RD

DEED BOOK # 213 -363

C/S ZIP BURLINGTON, KY 41005

DATE OF SALE 00/00

PREV OWN

MORTGAGE # 205-634

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DATE INSPECTED 05/16/97 BY DWT

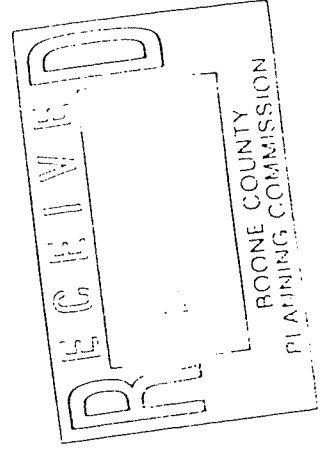
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DATE ASSESSED 05/16/97

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HOMESTEAD N			

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ACCOUNT SEARCH SCREEN



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F1 Help

F4 Property Record
F6 Assmt Dates

Work File

F2 Next Property #

F3 Prev Property #

F12 View Comments

ACCOUNT # 701900 PROPERTY # 01

TAX DIST 06

NAME 1 FRISCH'S RESTAURANTS INC MAP # 049.00-00-046.08

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ADDRESS 2800 GILBERT AVE DEED BOOK # 527 -186

C/S ZIP CINCINNATI, OH 45206 DATE OF SALE 00/00

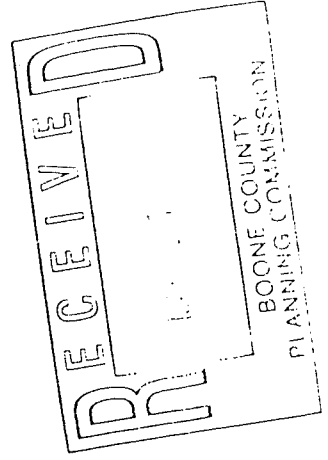
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PROP LOC -KY 18 DATE INSPECTED 03/09/01 BY CFR

DESCRIPT 1.3958 AC ON KY 18 DATE ASSESSED 12/31/00

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HOMESTEAD N			

PRESS ENTER FOR
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INQUIRE SCREEN

F1 Help

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Work File

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F3 Prev Property #

ACCOUNT # 518800 PROPERTY # 04

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TAX DIST 06

NAME 1 DETERS COMPANY

MAP # 049.00-00-046.09

NAME 2 WENDYS

SALE PRICE

ADDRESS PO BOX 336

DEED BOOK # 563 -230

C/S ZIP FLORENCE, KY 41042

DATE OF SALE 00/00

PREV OWN

MORTGAGE # -

PROP LOC 1739-PATRICK DR

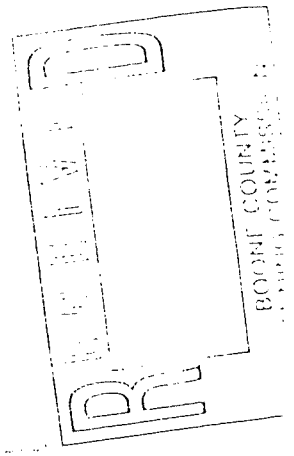
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DATE ASSESSED 12/31/00

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FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	725,000 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD N			

PRESS ENTER FOR
ACCOUNT SEARCH SCREEN

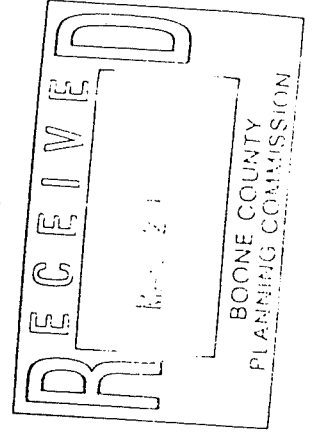


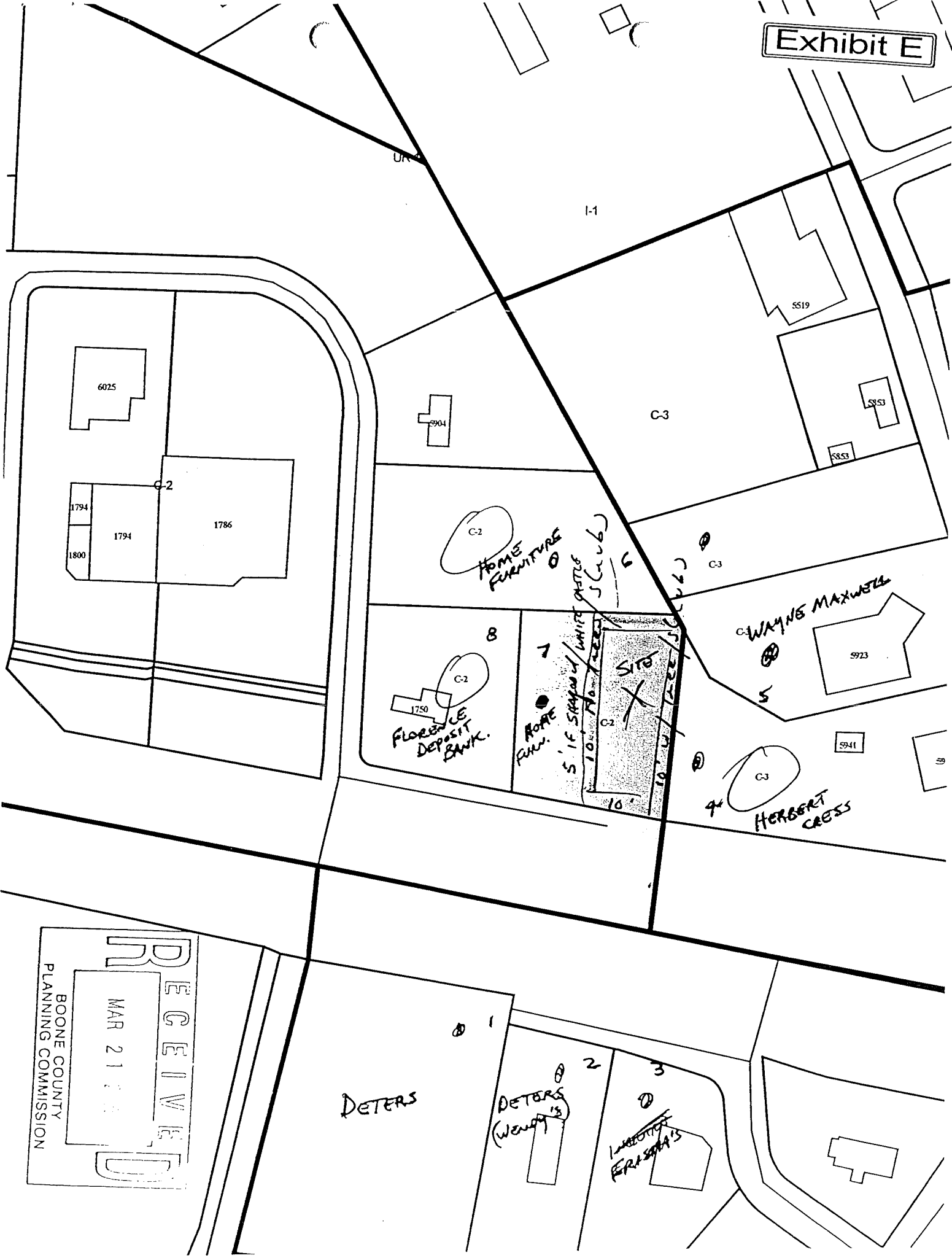
INQUIRE SCREEN F1 Help
 F4 Property Record Work File F2 Next Property #
 F6 Assmt Dates F3 Prev Property #
 ACCOUNT # 518900 PROPERTY # 01 F12 View Comments
 TAX DIST 06

NAME 1 DETERS COMPANY MAP # 049.00-00-046.03
 NAME 2 SALE PRICE
 ADDRESS 7230 TURFWAY RD DEED BOOK # 597 -195
 C/S ZIP FLORENCE, KY 41042 DATE OF SALE 00/00
 PREV OWN MORTGAGE # 597-199
 PROP LOC -KY 18 DATE INSPECTED 03/09/01 BY CFR
 DESCRIPT 1.8678 AC ON KY 18 (590/146) DATE ASSESSED 12/31/00

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	325,000 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

PRESS ENTER FOR
 ACCOUNT SEARCH SCREEN





RECEIVED
 MAR 21 1953
 BOONE COUNTY
 PLANNING COMMISSION

6025

1794

1800

1794

1786

5904

C-2

1750

C-2

8

7

6

C-3

5

C. WAYNE MAXWELL

5923

5941

4

HERBERT CRESS

DETERS

DETERS
(WENIG'S)

FRASER'S



EXHIBIT A TO
CONTRACT TO PURCHASE DATED FEBRUARY 1, 2001 BETWEEN PURCHASER AND JOE
BRANDEL HOME FURNITURE AND APPLIANCES, INC.

Legal Description of Land:

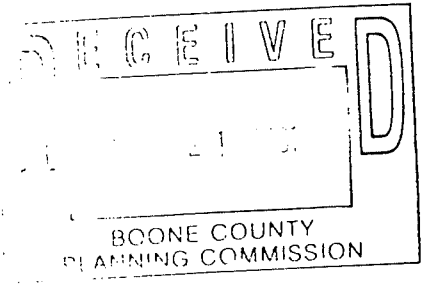
Being a portion of the below described property, of which an approximate area comprising of 100' X 281.5' is to be conveyed to Purchaser. Actual square footage to be determined by an accurate survey of the Property.

Being a portion of Lot No. Five (5) of the Cox & Taylor Commercial Subdivision, Section 2, as shown on plat recorded in Plat Book 103-A in the office of the Boone County Clerk at Burlington, Kentucky, and described as follows:

Beginning at a point in the northeasterly right-of-way line of Wildcat Boulevard, said point also being the most southeasterly corner of Lot 4, Cox & Taylor Commercial Subdivision, Section 1, and running thence:

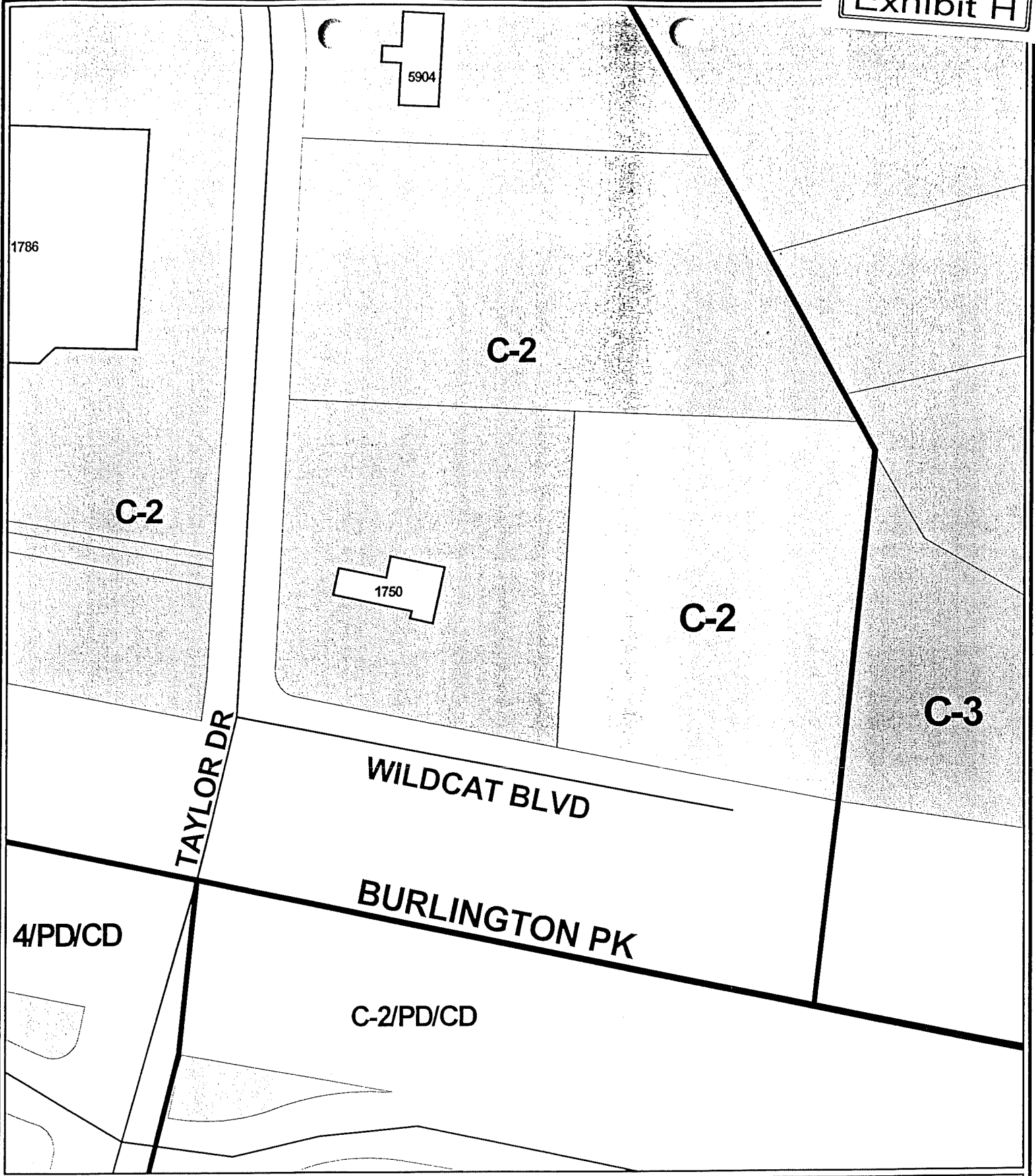
N. 2-37-30 E., along the dividing line between Lots 4 and 5 of the aforementioned subdivision, a distance of 259.45 feet, to a point; thence

S. 87-22-30 E., a distance of 217.47 feet, to a point; thence S. 29-03-17 E., a distance of 24.77 feet, to a point; thence S. 5-21-30 W., a distance of 271.54 feet, to a point; thence N. 78-47 W., a distance of 220 feet, to the place of beginning, and containing 1.42 acres more or less.

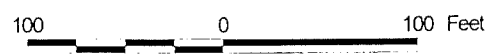


Drawing of Land:

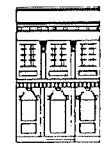
See attached

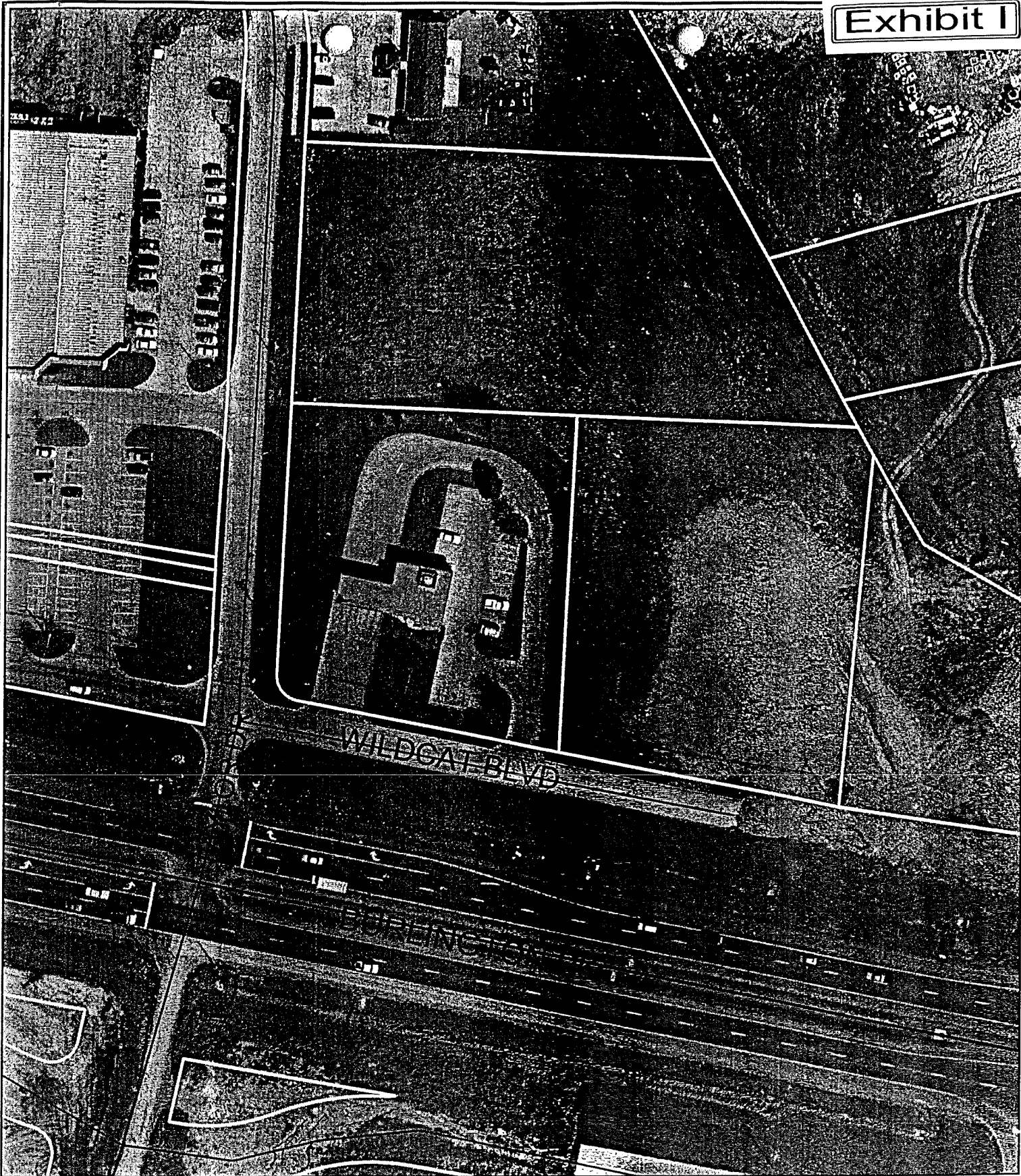


Valvoline



1 inch equals 100 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 March 30, 2001

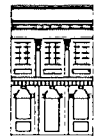




Valvoline



1 inch equals 100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 30, 2001



6
1.72 Ac.

TAYLOR DRIVE (PREVIOUSLY
N 2°37'30"E

200'

S 87°22'30"E 437.47'

217.47'

220'

225'

S 2°37'30"W 259.45'

5
1.42 Ac.

TRACT LINE, PG. 255, PG. 7, PG. 8, PG. 9, PG. 10

COX & TAYLOR
COMMERCIAL SUBDIVISION
SECTION 1

20' SANITARY SEWER EASEMENT

15' WATER MAIN EASEMENT

17' U.L.H. & P. EASEMENT

N 78°47'W 247.78'

220'

WILDCAT BLVD. (PREVIOUSLY DEDICATED)

152.22'

N 11°13'E 102.75'

120' KDOT

KY. 18
N 78°47'W

LAND SURVEYOR'S CERTIFICATE

"I certify that this plot has been prepared by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

DATE

OWNED BY CURRENT DISTRICTS.

COPY

CLUR #01-BCBOA-015-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Home Furniture & Appliance Company
20 East Center Street
Lawrenceburg, IN 47025

2. ADDRESS OF PROPERTY

Wildcat Blvd.
Burlington, KY 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Valvoline Instant Oil Change

4. DEED BOOK 417

PAGE NO. 119

GROUP NO. 2025

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

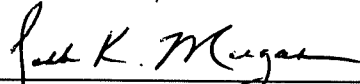
Subdivision Plat
(Not Recorded)

Other:

Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services
Name and Title of Completing Official

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Boone Board of Adjustments and in accordance with the current zoning in effect as of May 9, 2001 Certificate of Land Use Restriction (#01-BCBOA-015-A), for Home Furniture & Appliance Company, Property Owner(s).

The following conditions will apply:

- 1) The applicant must obtain subdivision approval for the proposed lot from the Boone County Planning Commission in accordance with KRS 100.277 and the *Boone County Subdivision Regulations*.
- 2) Wildcat Boulevard is to be extended and improved in accordance with the *Boone County Subdivision Regulations*, including the dedication of additional right-of-way or a Waiver is obtained from the Zoning Administrator.
- 3) The required ten-foot buffer yards are to be installed in accordance with Article 37, Section 3745 of the *Boone County Zoning Regulations*.
- 4) The proposed building is to be constructed of materials consistent in appearance (not concrete block) with adjacent commercial structures in order for the building to be mutually compatible with permitted and accessory uses located on adjacent lots within the district. Architectural grade/faced concrete masonry units (CMU) are a potential alternative to concrete block or brick. Staff Design Review is included as part of the Site Plan approval process.
- 5) A Site Plan is required depicting appropriate buffer yards, landscaping, parking, signage, etc. and must be review and approved by Staff in accordance with Article 30 of the *Boone County Zoning Regulations*.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: