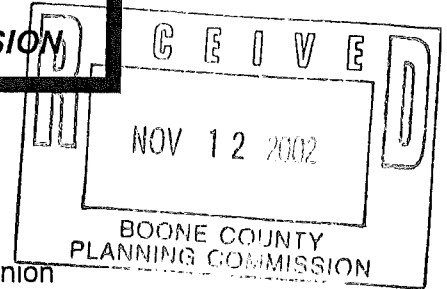


APPLICATION FORM

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)
- Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
  - (Check One)  
 Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use
  - Applicant's Name T & T Properties LLC or Steele's Hardware  
Phone Number 534-5900 Fax No. 534-5902 T.H.  
Applicant's Address 2502 Burlington Pl.  
Burlington Ky 41005  
City State Zip
  - Description of Request: Permission to run an automobile repair shop in the old Burlington Firehouse
  - Name of Development Old Burlington Firehouse
  - Location of Development 3026 Torrid St.  
Burlington, Ky
  - Acreage Under Review .8376
  - Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
  - Owner of Property Burlington Fire Dept.  
Phone Number of Owner 586-6161 Chris Biddle
  - Address of Property Owner Burlington Ky 41005  
City State Zip
  - Proposed Use(s) on Site Automotive repair shop & possibly rental to another tenant not yet determined.
  - Total Square Footage of Existing and/or Proposed Buildings 9180 sq. ft.
  - Current Zoning on Property SR2/SC
  - Deed Book 728 Page No. 187 Group No. 2029
  - Is the site subject to a zone change? No  
If yes, give date of approval \_\_\_\_\_
  - Have you submitted a Site Plan with this request? Yes
  - Have you submitted a list of adjoining property owners with this request? Yes
  - 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: Jacqueline M Steele, Treasurer

Property Owner's Signature: David E. Biddle Chief  
Burlington S. P. D.

**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 11-12-02 Fee Received \$577.00 RA# 33474
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
\_\_\_\_\_ **Approved**  
12-11-02 **Approved with Conditions (See #6)**  
\_\_\_\_\_ **Denial (See #7)**
6. Conditions of Approval: SEE 12-11-02 BCBOA  
MEETING MINUTES  
\_\_\_\_\_  
\_\_\_\_\_
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](http://www.boonecountyky.org) - Web Page**

**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: J & J Properties, LLC  
LOCATION: 3026 Torrid Street, Boone County, KY  
ZONING: Suburban Residential Two/Small Community Overlay (SR-2/SC)  
DATE: December 11, 2002

### Proposal

The Applicants are requesting a Conditional Use Permit to allow an automotive repair shop and other principally permitted uses of the Small Community Overlay (SC) district to operate in the former Burlington Firehouse. The property is located at 3026 Torrid Street, Boone County, Kentucky and is zoned Suburban Residential Two/Small Community Overlay (SR-2/SC).

The Applicants Concept Development Plan and letter of explanation indicate that they are planning to operate a tire business (Steele's Hometown Tire) out of the 9,180 square foot building. They are also seeking the flexibility to lease up to 3,000 square feet of the building to a future tenant. This tenant would be able to operate a business which is listed as a principally permitted use (numbers 5-35) in the SC district.

### Applicable Regulations

Article 2, Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional use permits as specified by the zoning order.

Article 20, Section 2012 of the Boone County Zoning Regulations permits "gasoline filling stations and automobile repair facilities and wash services for vehicles" as a conditional use within the Small Community Overlay (SC) district.

Article 40, Section 4000 of the Boone County Zoning Regulations defines an automotive 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 electrical or air conditioning systems, automotive upholstery, or automotive glass, all on an 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 33, Section 3312 of the Boone County Zoning Regulations states that "all parking areas shall be stripped to facilitate movement into and out of the parking stalls."

Article 33, Section 3314 of the Boone County Zoning Regulations states that "all parking and loading areas set forth in Sections 3311 and 3325, including driveways, aisles, vehicle storage, outdoor storage, and vehicle circulation areas shall be improved with either asphalt concrete or portland cement concrete to provide a durable and dust free surface."

Article 33, Section 3325 of the Boone County Zoning Regulations requires two parking stalls per service bay, 1 stall per 250 square feet of office space or storage space, and 1 stall per company car.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 2012 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 the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 20, Section 2012 of the Boone County Zoning Regulations allows dental offices, professional services, and appropriate accessories as a conditional use in the SC district provided that:

- a. the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;

- b. the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district; and
- c. historical and architectural characteristics are protected from inappropriate alteration to existing structures and new buildings are sensitive to the established character of the SC overlay. Additions and structural alterations will be reviewed for conformance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

#### Relationship to the Comprehensive Plan

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question as a mixture of "Suburban Residential" and "Public/Institutional" uses. These designations are described as follows:

Suburban Residential – "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision."

Public/Institutional – "Government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc."

The Land Use Element (Burlington Area, p. 169) states the following regarding this area:

- A. "Central Burlington includes a National Register Historic District. Historically important structures should be protected from development pressures, or be subject to appropriate adaptive reuse to retain the character of central Burlington."

#### Surrounding Land Uses and Zoning

North: Burlington Baptist Church (SR-2/SC)

South: Burlington Pentecostal, Barber Shop, and Single Family Residential (SR-2/SC)

East: Single Family Residential (SR-2/SC)

West: Burlington Baptist Church (SR-2/SC)

#### Staff Comments

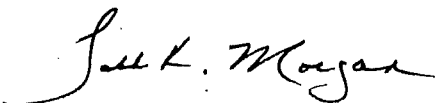
1. Staff's understanding is that the Applicants are not proposing any exterior building improvements at this time.
2. If the application is approved, Staff recommends the following conditions:
  - a. The parking lot will be paved and striped in accordance with the zoning regulations;
  - b. No outside storage of any kind will be permitted on the site;

- c. Any future exterior expansions (building or parking) will need to be approved by the Boone County Board of Adjustment; and
  - d. The rear yard shall be screened with Buffer Yard C. This buffer is a minimum of 25' wide and contains 8 evergreens and 4 large trees per 100 linear feet. The eastern property line shall be screened with a 5' wide hedge row. The southwestern portion of the site shall contain another landscape island. This island will be similar in size to the existing landscape island and will contain at least 1 large tree and some shrubbery.
3. The Board needs to review the principally permitted uses (numbers 5-35) of the SC district (see attachments) to determine which uses would be appropriate in the 3,000 square foot lease space.
  4. The Board needs to analyze if the proposed businesses will be operated and maintained so that they are harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

Conclusion

KRS 100.237 and Sections 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Conditional Use Permit.

Respectfully submitted,

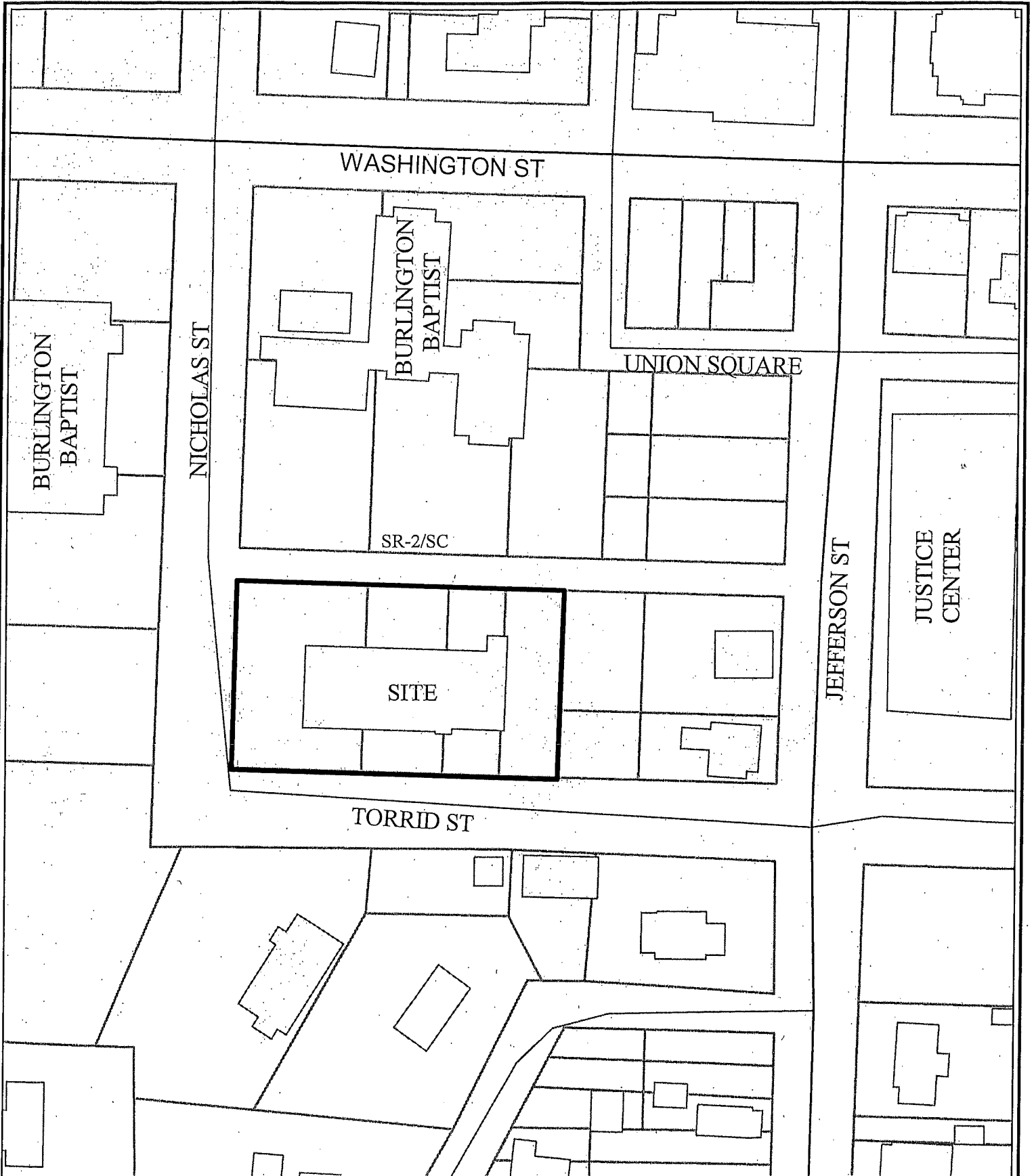


Todd K. Morgan, AICP  
Planner, Zoning Services

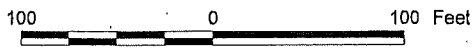
TKM/pr

Attachments

- Exhibit A – Site Vicinity & Zoning Map
- Exhibit B – Letter From Applicant
- Exhibit C – Concept Development Plan
- Exhibit D – Aerial Map
- Exhibit E – Future Land Use Map
- Exhibit F – SC Regulations
- Exhibit G – Application



**3026 Torrid Street  
Site Vicinity & Zoning Map**



1 inch equals 100 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
November 25, 2002



November 15, 2002

Jackie Steele

J & J Properties / Steele's Hometown Tire & Auto Service, Inc.

2505 Burlington Pike

Burlington, KY. 41005

Todd Morgan

Boone County Planning & Zoning

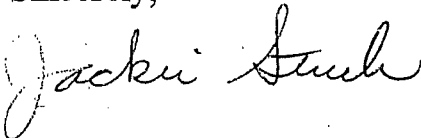
2995 Washington St.

Burlington, KY. 41005

Dear Todd,

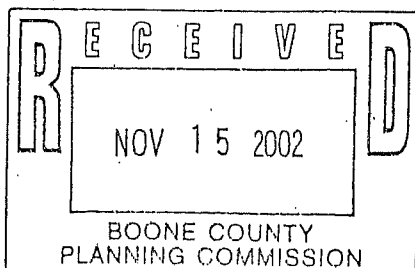
Concerning the application for a conditional use permit for the Old Burlington Firehouse location, rental of approximately 3000 sq. ft. of the building would be to any potential tenant that would meet the criteria for principally permitted uses under Section 2010, otherwise that potential tenant would be required to seek their own conditional use permit for the type of use they are proposing.

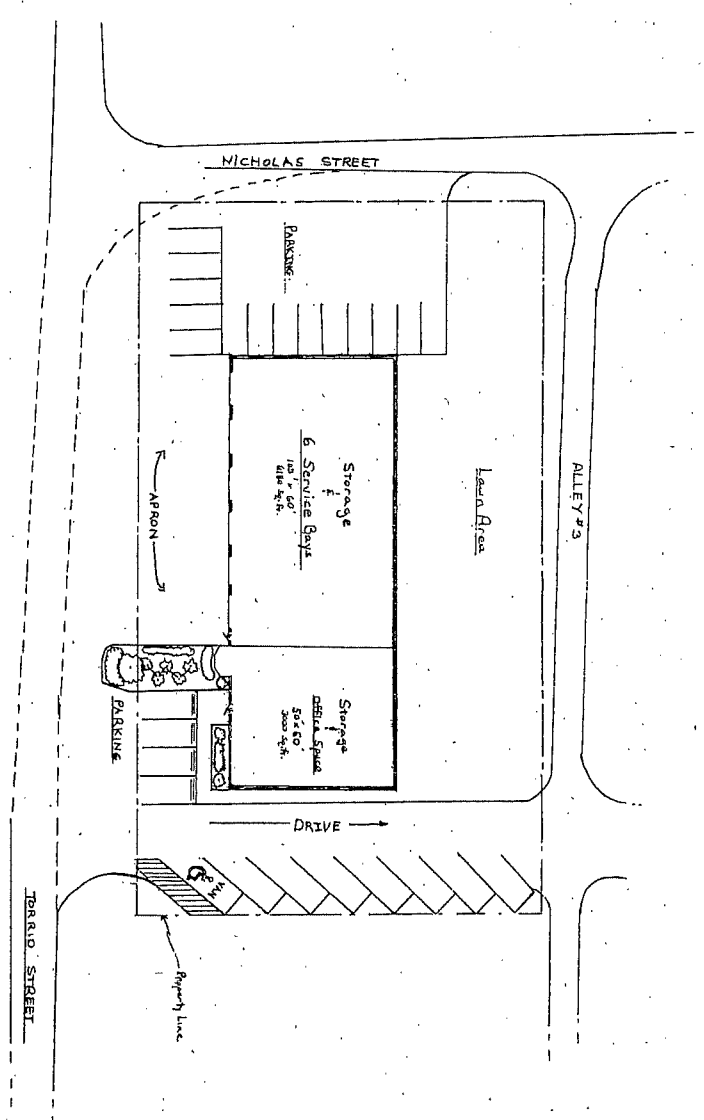
Sincerely,



Jackie Steele

393-9269

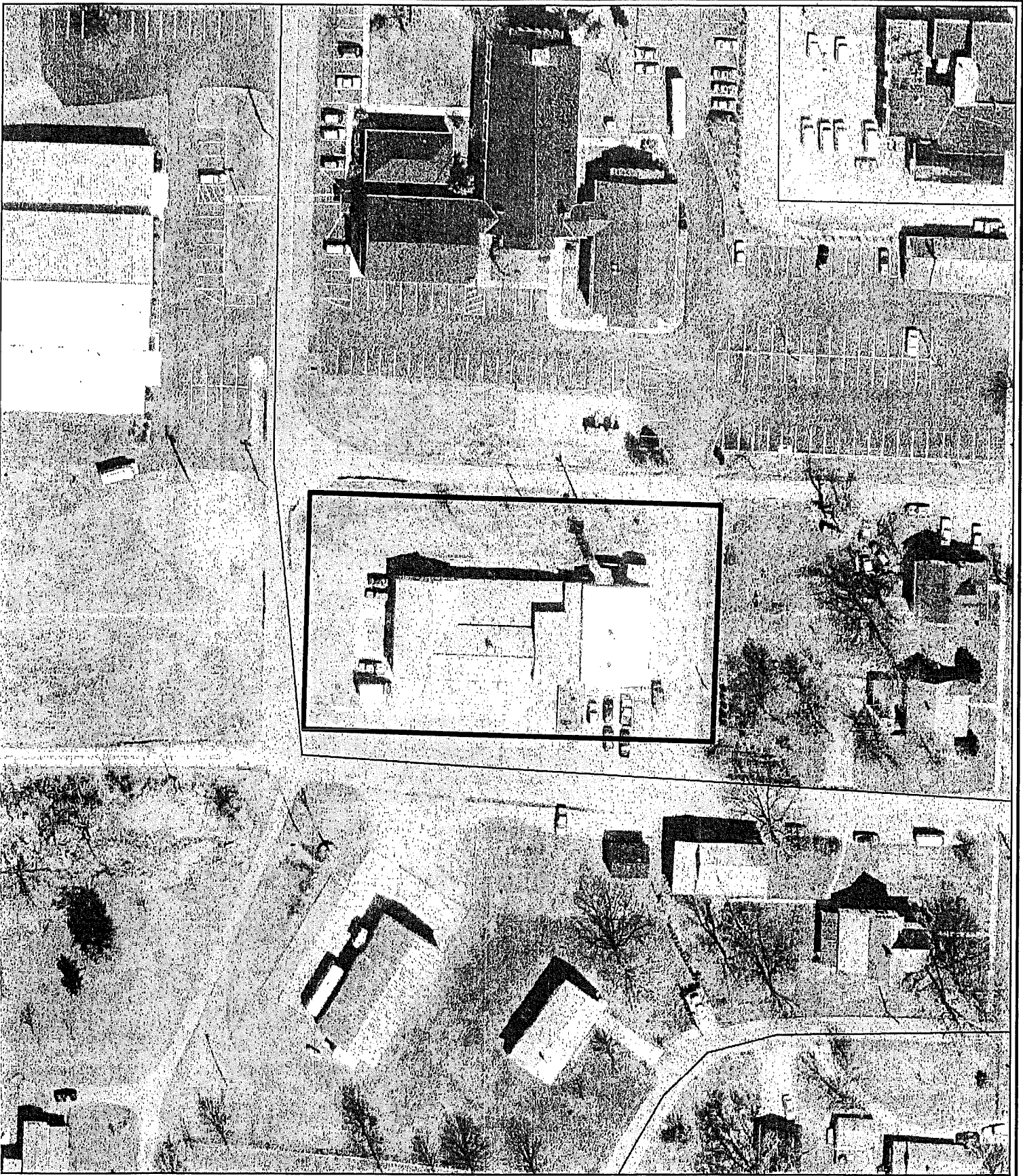




**SITE PLAN**  
 SCALE: 1" = 20'-0"  
 Area: 8076 sq. ft.  
 Zone: SDC/SC  
 All required utilities are shown  
 Parking Provided: 26  
 Trucks Required: 30

Steele's Hardware Tire Auto Service  
 3026 Tarrid St. Burlington, Ky

**RECEIVED**  
 NOV 15 2002  
 BOONE COUNTY  
 PLANNING COMMISSION

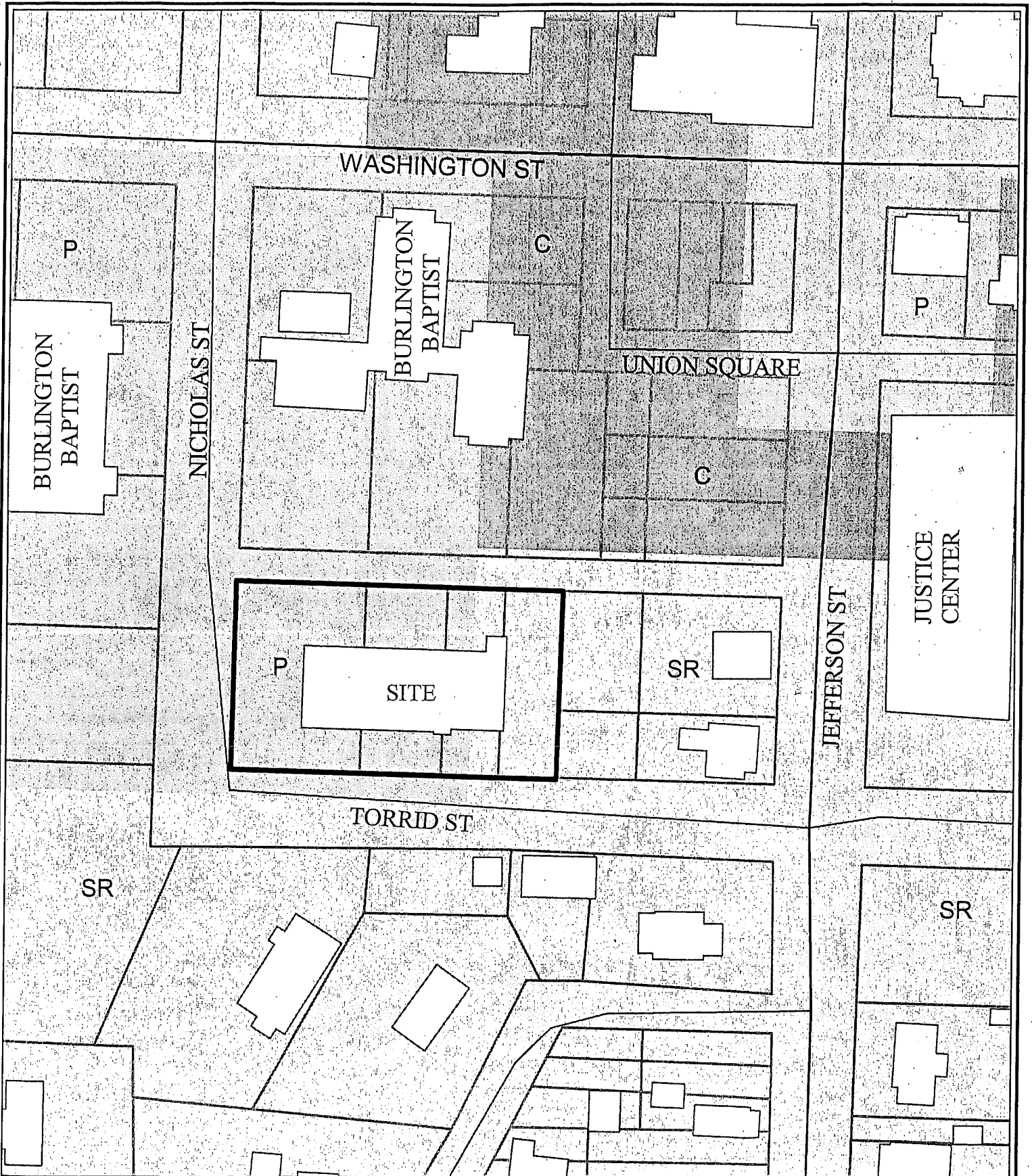


# 3026 Torrid Street Aerial Map

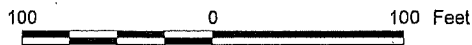
80 0 80 Feet

1 inch equals 80 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
November 25, 2002





# 3026 Torrid Street Future Land Use Map



1 inch equals 100 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 November 25, 2002



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## ARTICLE

20

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### SMALL COMMUNITY OVERLAY DISTRICT

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#### SECTION 2000

##### Intent

The intent of this article is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well.

The integration and variety of land uses found in small community centers often cannot practically be accommodated by the other basic zoning districts established by this order. This article creates an overlay district which may be established in areas appropriate for use as small community centers.

#### SECTION 2010

##### Principally Permitted Uses

1. All principally permitted uses of the basic underlying district(s);
2. Detached single family residences;
3. Bed and Breakfast Inns with four or less guest rooms;
4. Duplexes and multi-family residential units if the use is located within an existing building which requires no building additions which increase the square footage of the structure.

The following commercial uses are principally permitted if they are located within an existing building which is 2,500 square feet or smaller and requires ten or less parking spaces:

5. Eating and drinking places including alcoholic beverages;
6. Grocery stores and supermarkets, retail sales of meat, fish, seafood, dairy and poultry products, bakery, produce and speciality foods;

7. Research, development and testing service of an office nature;
8. Liquor, beverage, drug and proprietary stores;
9. Banking services (excluding drive-thru facilities) savings and loan associations, credit unions and other credit services, title services, security brokers, dealers and finance companies;
10. Accounting, auditing and bookkeeping services;
11. Postal services, direct mail and advertising services;
12. Physician, dental, and optical goods and services, medical clinics and specialists, laboratory and out patient services and drug store;
13. Veterinary services and pet grooming services, but not including the boarding of animals;
14. Beauty and barber services and tanning salons;
15. Nursery and day care centers;
16. Motion pictures theaters, play houses, puppet shows and similar entertainment (indoors only);
17. Art, music and dancing schools, libraries and museums;
18. Apparel stores, general merchandise, mail ordering houses, shoe stores, specialty clothing or boutiques;
19. Jewelry stores and repair;
20. Radio, t.v., music supplies, cameras, photographic supplies;
21. Art, craft and hobby supplies and products, gifts and novelties;
22. Furniture, home furnishings antiques and used merchandise including furniture repair and upholstery;
23. Books, stationery, newspapers and magazines;
24. Florists excluding greenhouses;
25. Sporting goods including bicycles;
26. Hardware stores, retail sales of paint, glass and wallpaper stores, draperies, curtains, and floor coverings;
27. Household appliances china, glassware and metal ware including repairs and services;
28. Photographic services;
29. Churches, synagogues, temples and other places of religious assembly for worship;

30. Professional services and professional offices to include legal, architecture, engineering, real estate, insurance, accounting, financial, travel agencies and similar type uses;
31. Dry cleaning services (excluding cleaning on site), shoe repair and tailoring;
32. Welfare and charitable services;
33. Funeral homes (excluding crematoriums), cemeteries or mausoleums;
34. Primary, elementary, secondary schools, colleges and universities, vocational or trade schools and special training and schooling facilities;
35. Business associations and professional membership organizations including civic, social and fraternal organizations;

## **SECTION 2011**

### **Accessory Uses**

All accessory uses, buildings, and structures permitted in the basic, underlying district(s) are permitted in the SC overlay district. In addition, uses that are customarily and incidental to the uses permitted as principally permitted uses or conditional uses will also be permitted by right within the SC overlay district, including the following:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
  - a. Temporary exhibit spaces;
  - b. Aquariums, botanical gardens and other natural exhibitions;
  - c. Stages and similar assembly areas;
2. Dwelling units including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping and use of appropriate household pets;
3. Accessory dwelling units;
4. Signage (See Article 34);
5. Parking (See Article 33);
6. Temporary buildings incidental to construction;

7. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
8. Manufacturing, refinishing or production of crafts and household items sold on premises.

## **SECTION 2012**

### **Conditional Uses and Criteria**

The following uses and appropriate accessory uses may be permitted subject to the approval and conditions of the Board of Adjustment and Zoning Appeals provided that: a) the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center; b) the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district; and c) historical and architectural characteristics are protected from inappropriate alteration to existing structures and new buildings are sensitive to the established character of the SC overlay. Additions and structural alterations will be reviewed for conformance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

1. All conditional uses specified for the basic, underlying zoning district unless permitted as a principally permitted use by Section 2010;
2. Any use that requires a drive-thru, pursuant to Section 3155;
3. Gasoline filling stations and automobile repair facilities and wash services for vehicles;
4. Dry cleaning services;
5. Garden and landscaping sales including florist greenhouses, lawn furniture and the like;
6. Funeral homes with crematoriums;
7. Motorcycles sales or bike shops excluding outside storage;
8. Recreation centers, gymnasiums, clubs and similar athletic uses;
9. Police, fire, civil defense and other protective and related services;
10. The writing, publishing, and printing of newspapers, periodicals, and books;
11. Bed and Breakfast Inns with more than four guest rooms;

The Principally Permitted uses number 5 thru 35 shall be conditional uses if they are located within an existing building which is larger than 2,500 square feet, requires any major exterior alterations or additions which increase the size of use or structure, requires more than ten parking spaces, or requires the construction of a new building on a vacant lot.

## **SECTION 2014**

### **Intensity**

The maximum intensity for uses principally permitted by the SC overlay district shall be 12 dwelling units per acre for residential uses and 12,000 square feet of building area per acre for all other uses listed. The intensity of conditional uses in the SC overlay district shall be subject to approval of the Board of Adjustment and Zoning Appeals.

## **SECTION 2015**

### **Minimum Standards**

All permitted, accessory and conditional uses, buildings and structures in the SC overlay district are subject to the supplemental, parking and loading, landscaping and signage regulations of this order unless exempted by the Board of Adjustment and Zoning Appeals when literal conformance to such regulations would be to the detriment of the district. All uses in this article are subject to Site Plan Review as specified in Article 30, or Zoning Permits as specified in Article 4 of this Zoning Order as applicable.

Setback standards within the Small Community Overlay District shall be as follows:

Front Yard: 20 feet maximum, however, existing buildings which are located further than 20 feet from the front property line shall be permitted to construct an addition which is consistent with the existing building setback on the subject lot, or if no structure exists on the lot, those on immediately adjacent lots on the same side of the street;

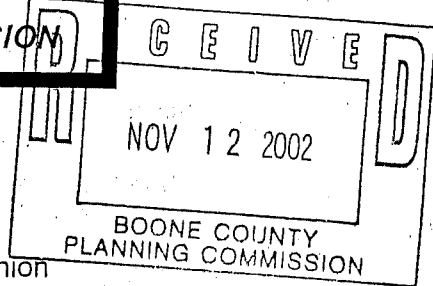
Side Yard: 10 feet minimum

Rear Yard: 20 feet minimum

Certain circumstances may arise where an increase in the setback is necessary or desired. When these situations occur a Variance may be granted in accordance with the provision of Article 2. All uses within the Small Community Overlay regardless of the underlying zoning designation shall be subject to the sign regulations found within Section 3446 of Article 34.

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION



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

- 1. (Check One)  Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- 2. (Check One)  Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
- 3. Applicant's Name J & T Properties LLC or Steele's Hardware  
Phone Number 534-5900 Fax No. 534-5902 Title \_\_\_\_\_  
Applicant's Address 2502 Burlington Pl.  
Burlington Ky 41005  
City State Zip
- 4. Description of Request: Permission to run an automotive repair shop in the old Burlington Firehouse
- 5. Name of Development Old Burlington Firehouse
- 6. Location of Development 3026 Torrid St. Burlington, Ky
- 7. Acreage Under Review .8376
- 8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
- 9. Owner of Property Burlington Fire Dept.  
Phone Number of Owner 586-6161 Chret Biddle
- 10. Address of Property Owner Burlington Ky 41005  
City State Zip
- 11. Proposed Use(s) on Site Automotive repair shop & possibly rental to another tenant not yet determined.
- 12. Total Square Footage of Existing and/or Proposed Buildings 9180 sq. ft.
- 13. Current Zoning on Property SR2/SC
- 14. Deed Book 728 Page No. 187 Group No. 2029
- 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? Yes
- 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: Jacqueline M Steele, Treasurer

Property Owner's Signature: David E. Biddle Chief  
Burlington S. P. D.

COPY

CLUR #02-BCBOA-029-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Burlington Fire Department  
6050 Fire House Drive  
Burlington, KY 41005
  
2. ADDRESS OF PROPERTY  
3026 Torrid Street  
Burlington, KY 41005
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
\_\_\_\_\_
  
4. DEED BOOK 728                      PAGE NO. 187                      GROUP NO. 2029
  
5. TYPE OF RESTRICTION(S) (Check all that apply)  
  
 Zoning Map Amendment:                       Conditional Use Permit  
    From      To       
  
 Development Plan                                       Conditional Zoning  
  
 Subdivision Plat     Other:  
    (Not Recorded)  
  
 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 County Board of Adjustments and in accordance with the current zoning in effect as of December 11, 2002 Certificate of Land Use Restriction (#02-BCBOA-029-A), for Burlington Fire Department, Property Owner(s).

The following conditions will apply:

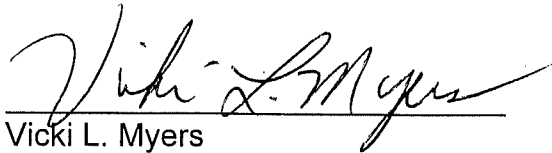
- 1) No exterior building improvements are allowed with this approval.
- 2) The parking lot is to be paved and striped in accordance with the *Boone County Zoning Regulations*.
- 3) No outside storage of any kind permitted on the site with the exception of cars waiting for repairs, a waste oil storage container, and a used anti-freeze storage container.
- 4) Any future expansions (building or parking) will need to be approved by the Boone County Board of Adjustment.
- 5) The rear yard shall be screened with Buffer Yard C. This buffer is a minimum of 25' wide and contains 8 evergreens and 4 large trees per 100 linear feet. The eastern property line shall be screened with 5' wide hedge row. The southwestern portion of the site shall contain another landscape island. This island will be similar in size to the existing landscape island and will contain at least 1 large tree and some shrubbery.
- 6) The principally permitted uses (numbers 5-35) of the SC district will be permitted in the 3,000 square foot lease space.
- 7) The proposed businesses will be operated and maintained so that they are harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

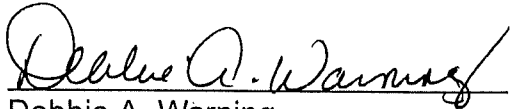
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 18 day of December, 2002.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)