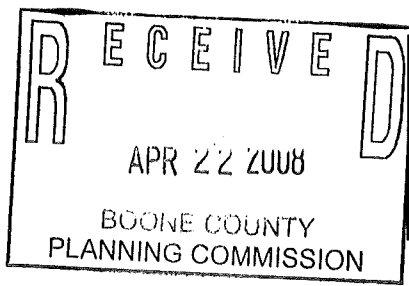


APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

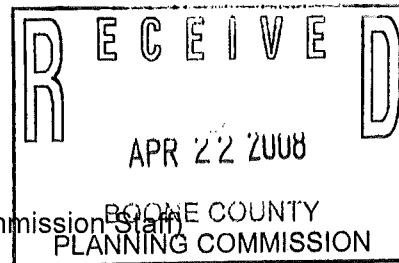
- 1. (Check One) Boone _____ Florence _____ Walton _____ Union _____
- 2. (Check One) Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
- 3. Applicant's Name ONE ELEVEN ENG & SUR. PLLC
Phone Number 859 363-9025 Fax No. 859 363-9125
Applicant's Address 5294 MADISON PIKE
INDEPENDENCE KY 41051
City State Zip
- 4. Description of Request: TO ALLOW SELF STORAGE IN A C-2 ZONE
- 5. Name of Development FLORENCE PIKE SELF STORAGE
- 6. Location of Development 1932 FLORENCE PIKE, BURLINGTON, KY 41005
1924 FLORENCE PIKE - 883/117
- 7. Acreage Under Review 6.3 ACRES TOTAL, 4.4 ACRES SELF STORAGE
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
LOTS 1 & 2 HARRIS SUBDIVISION
- 9. Owner of Property CHAD CARPENTER
Address of Property Owner P.O. BOX 151 Phone No. 486-3477
- 10. BURLINGTON KY 41005
City State Zip
- 11. Proposed Use(s) on Site SELF STORAGE AND RETAIL
- 12. Total Square Footage of Existing and/or Proposed Buildings 63,000 SF 16,622 SF
SELF STORAGE RETAIL
- 13. Current Zoning on Property C-2
- 14. Deed Book 883 & 866 Page No. 117 & 641 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? 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: [Signature]

Property Owner's Signature: [Signature]

(over)

**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 4-22-08 Fee Received 1,082.00 R 56125
2. Is application complete? Yes No
3. Staff Reviewer Todd Morgan
4. Scheduled Board Action Date _____
5. Board Action:
6/11/08 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 6/11/08 B.C.B.O.A. MEETING
MINUTES + C.L.U.R.
7. Reasons for Denial: _____

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
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: One Eleven Engineering and Surveying

LOCATION: 1924 & 1932 Florence Pike, Boone County, Kentucky

ZONING: Commercial Two (C-2)

DATE: May 14, 2008

PROPOSAL

The applicant has submitted a Conditional Use Permit application to allow a mini-storage warehouse facility to be constructed on a 4.35 acre flag lot. The submitted Concept Plan shows that a 250' long driveway (25' wide) would provide access to seven (7) storage buildings, a 1,200 square foot office, and a parking area. The storage buildings range between 6,000 and 14,250 square feet in area and their height and building materials have not been defined. The submitted plan also shows that buffering and fencing is being proposed around the site. The landscape buffers range from 25' in width along the Meadowood property line, to 13' +/- width along the front property line, to 10' in width along the side property lines. The front and rear buffers are shown with plantings and the side buffers are shown as grass areas. The fencing is shown as a mixture of decorative and chain link fencing which is 6' tall.

Staff would like to note that the proposed building intensity is 13,988.5 square feet of building per acre of land (60,850 square feet of building / 4.35 acres) and that the C-2 zone allows a maximum intensity of 15,000 square feet of building per acre of land.

APPLICABLE REGULATIONS

Article 10, Section 1023 of the Boone County Zoning Regulations lists mini-warehouses or storage facilities as Conditional Uses in the Commercial Two (C-2) district.

Article 2, Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to act on conditional uses permit applications, as specified by the zoning order.

The Board should evaluate the applicant's Conditional Use Permit request as it relates to the criteria listed in Sections 262 & 1023 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings for all Conditional Uses):

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 10, Section 1023 of the Boone County Zoning Regulations allows an mini-warehouses or storage facilities as Conditional Uses in the Commercial Two (C-2) district provided that:

- 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.

Section 3720 of the Boone County Zoning Regulations states the minimum required buffer along a street frontage is Buffer Yard A. Buffer Yard A is a minimum of 10' in width and three large trees or five small trees and 20 shrubs are required per 100 linear feet.

Section 3745 of the Boone County Zoning Regulations states that the buffer yard requirement between a developing C-2 property and adjoining C-2 property is a 10' wide grass strip.

Section 3755 of the Boone County Zoning Regulations states that fences are permitted in the rear and side yards of a commercial zone at a maximum height of 8 feet. Decorative fences (chain link, barbed wire, stock wire, chicken wire and similar type fences are not permitted) are allowed in the front yard at a maximum height of 4 feet and are required to have an opacity of 50% or less.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's "2030 Future Land Use Plan" designates the site in question for "Commercial" and "Urban Density Residential" uses. These designations are defined as follows:

Commercial - "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

Urban Density Residential - "Attached housing, generally condominiums or apartments, of over 8 dwelling units per acre."

The Land Use Element makes the following statements regarding the general area:

- A. The intersection area of KY 18 and KY 237 is a high visibility area that already has an office orientation. The Kentucky Transportation Cabinet plans an urban interchange for this location, where KY 18 would be a free-flowing route, and KY 237 would have an elevated intersection over the top of KY 18. Because of the central location, and the importance of the area, and the urban nature of the future road system, this area may be more suitable for a mix of office and commercial, rather than residential. Proposed development at this high visibility, central location should not be all retail, and should be comprised of at least one-half office. A developer that proposes this concept on the northwest corner must show that it fits with the school uses near the site and does not create traffic issues in this area. Access Management is critical in this area, in fact access to KY 18 and KY 237 will be limited by the future ramp construction. A land use, infrastructure, and architecture study should be conducted for this urban interchange area.
- B. The area bound by KY 18 to the south, KY 237 to the west, Limaburg Road to the east and Conrad Lane to the north currently contains a variety of land uses. This area should continue to develop in a residential fashion, providing low to high density housing opportunities. A future major branch of the Boone County Public Library in place of existing commercial uses will change the character of this corridor, and should be complimented by new office development on the same side of KY 18. Area residential development should be linked to the library by direct pedestrian and traffic connections.

The following Goals & Objectives apply to the application:

- A. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas" (Business Activity, Goal).
- B. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage (Business Activity, Objectives).

SURROUNDING LAND USES & ZONING

North: Meadowood Townhomes (SR-1/PD, C-2, and O-2)

South: Linnemann Funeral Home (C-2)

East: Florence Baptist Temple (C-2)

West: Single-Family Residential Dwellings (C-2)

SITE CHARACTERISTICS

The proposed 4.35 acre site is shown with two flag lot panhandles connecting to Florence Pike. The proposed driveway is located at 1924 Florence Pike and the office, parking area, and 7 storage buildings are located at 1932 Florence Pike. The existing house, barn, and trees (see aerial map) located at 1932 Florence Pike would be cleared to accommodate the development. The topography of the site falls from approximately 862' above sea level at the access point to 840' above sea level at the northeast property line. A water main exists on the north side of Florence Pike and sanitary sewer mains exist in Meadowood and the south side of Florence Pike.

STAFF COMMENTS

1. The 1.91 acre lot to the east of the proposed driveway is not part of the Conditional Use Permit application. The applicant has informed Staff that this lot will be developed with a speculative C-2 use.
2. Staff received a letter from the County Administrator regarding the request (see attachments). The letter expresses concern about the compatibility of the use in the "Oakbrook area".
3. Staff received a letter from Burlington Fire Protection District regarding the project (see attachments). The letter points out that at least two fire hydrants will be required on the subject property and that the driveways need to be designed to handle the weight and turning movements of their largest fire truck.
4. Staff has attached the current KY 237 right-of-way plans to the Staff Report. These plans show that an urban interchange will be constructed at the KY 237/KY 18 intersection (KY 237 will be elevated above KY 18). The portion of Florence Pike next to Linnemann Funeral Home is to be removed to accommodate a new right hand turn lane. Access to Florence Pike will be provided from Taylor Drive and a new road which aligns with McGrath Lane (across from Burger King).
5. Staff has the following questions for the applicant:
 - A. What are the proposed building materials and building heights?
 - B. Where is lighting being proposed? How tall are the light poles and fixtures?
 - C. Will the other flag lot panhandle (current residential driveway) be used for access? If not, is the driveway going to be removed?
 - D. Will someone work at the facility at all times?
6. Staff has the following comments:
 - A. Staff has the same concerns as the County Administration regarding the project. Most, if not all, of the projects that have been constructed in this area over the last 10 years have been constructed of brick. In addition, the KY 237 project will promote further commercial development and activity on Florence Pike. There is also concern that the project currently adjoins Meadowood and single-family residential dwellings.
 - B. The Board may want to consider tabling the request until more information is provided regarding the building materials. The applicant should also see how Burlington Fire's comments will affect the site layout.
 - C. Before acting on the request, the Board needs to consider the findings for granting a Conditional Use Permit.
7. Staff recommends the following conditions if the request is approved:
 - A. Building Materials

Office Building - The front and side facades shall be constructed of at least 65% brick, stone, or other architectural masonry (such as split faced CMU with an integral color and not painted). At least two architectural grade windows shall be provided on each of the front and sides facades to break up the building. No metal siding is permitted on the front and rear facades. A minimum 4/12 pitched roof shall be provided that is constructed with an earth tone standing seam metal roof.

Storage Buildings - The sides of the buildings should be constructed with brick, stone, or other architectural masonry that match the office building. Roofs that have a definitive pitched design or a finished parapet design must be provided. Pitched roofs shall be constructed with an earth tone standing seam metal roof that matches the office building.

- B. All proposed lighting shall be directed downwards and inwards towards the subject site. The overall height of light poles and fixtures shall not exceed 20 feet.

Lighting in the flag lot panhandle shall be limited to one light pole at the proposed access point. A cut-off shield needs to be provided to prevent direct illumination on the Harris property.

- C. Outside storage shall be prohibited in the development.

- D. The gravel driveway which currently provides access to 1932 Florence Pike shall be removed when the house is demolished.

- E. Landscaping

A. West Side of Flag Lot Panhandle - A 10' wide buffer shall be provided between the driveway and Harris property line. 3 evergreen trees (6' tall at planting) and 20 large shrubs (Plant List C) shall be planted in this buffer per 100 linear feet.

B. Front Property Line - A 15' wide buffer shall be provided along the front property line. This buffer shall contain 8 evergreen trees and 4 large/medium/or small trees per 100 linear feet.

C. Side Property Lines - Buffer Yard A (10' wide) shall be installed along the side property lines. Buffer Yard A contains 3 large trees or 5 small trees and 20 shrubs per 100 linear feet.

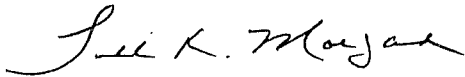
D. Rear Property Line - Buffer Yard C (25' wide) shall be provided along the rear property line. Buffer Yard C contains 8 evergreen trees and 4 large/medium/or small trees per 100 linear feet.

- F. Fencing - All fencing shall be limited to 6' in height and shall be decorative fencing or chain link coated with a dark colored vinyl coating. All fencing shall be located behind the buffer yards. No fencing shall be permitted in the flag lot panhandle.

Conclusion

KRS 100.237 and Section 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/dw

Attachments

- *Aerial Map
- *Concept Plan
- *Zoning Map
- *Topographical Map
- *Future Land Use Map
- *Letter From County Administrator
- *Letter From Burlington Fire
- *KY 237/KY 18 Plans
- *Meadowood Concept Plan
- *Application

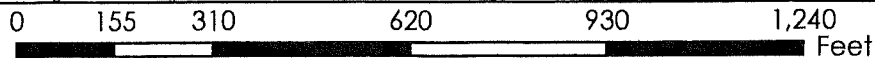
AERIAL MAP

www.boonecountygis.com



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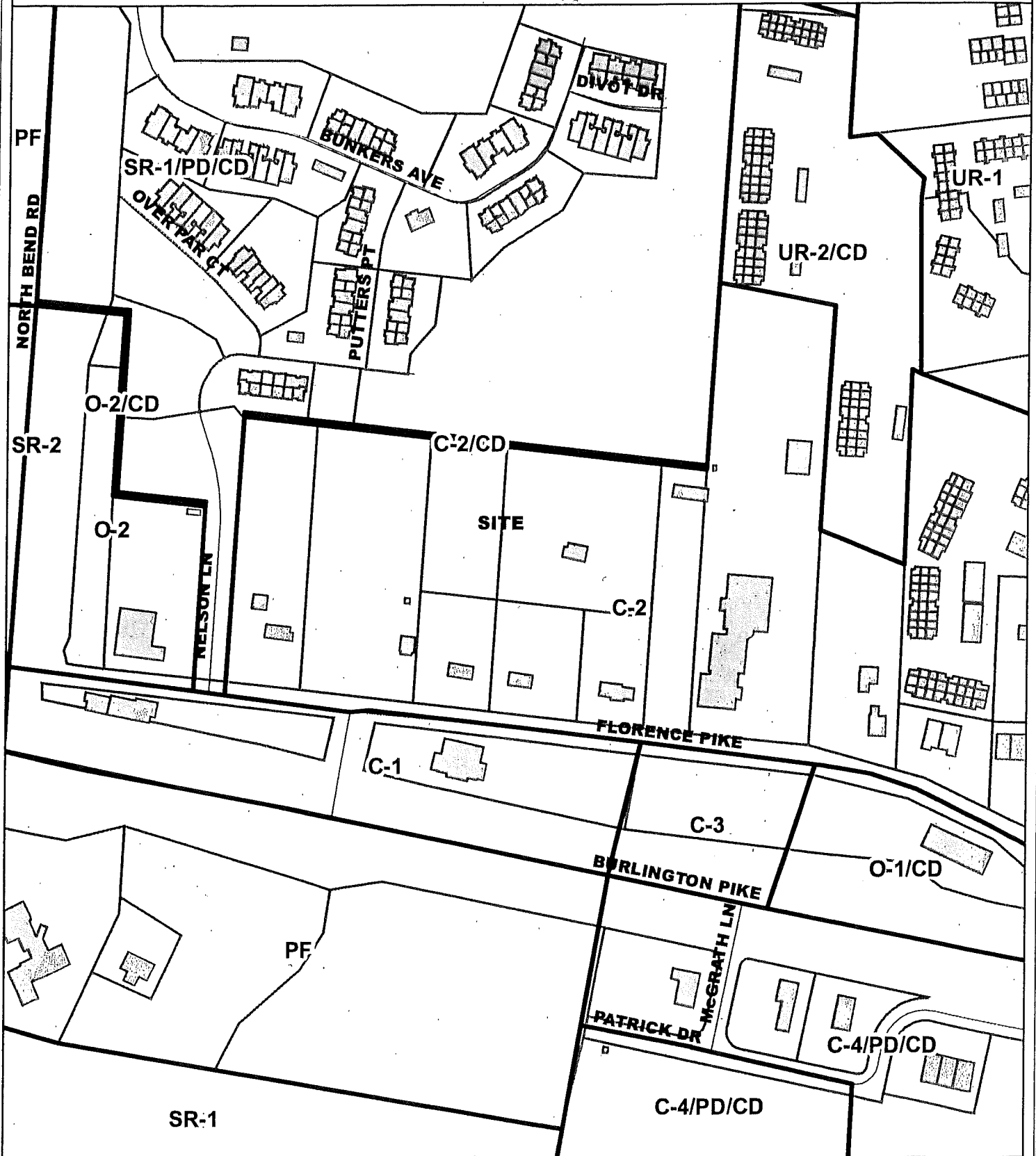
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS asserts no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

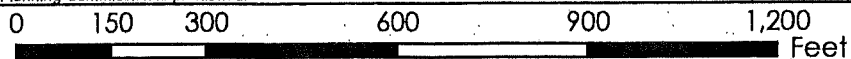
ZONING MAP

www.boonecountygis.com



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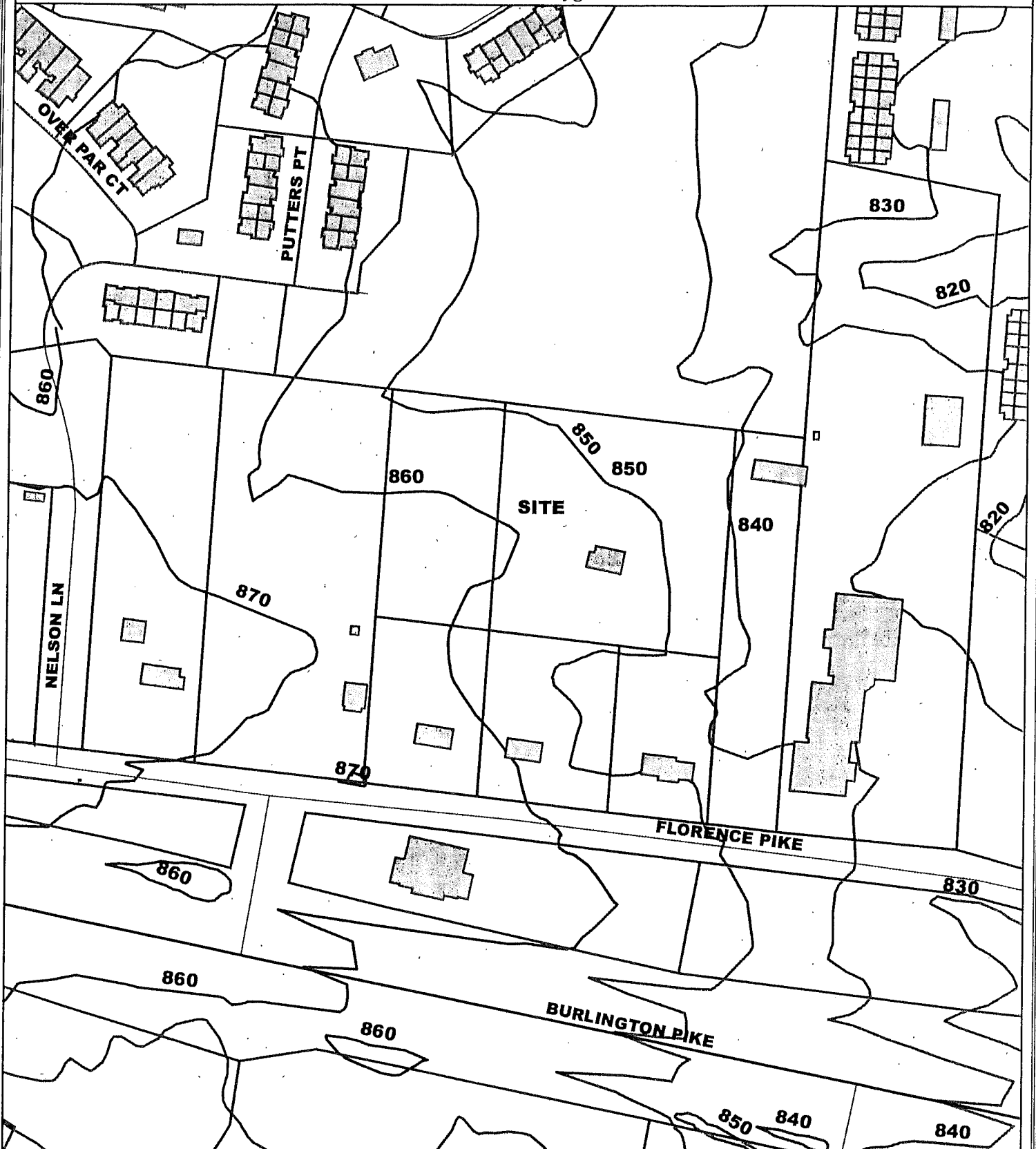
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Boone County GIS - Putting Northern Kentucky on the Map

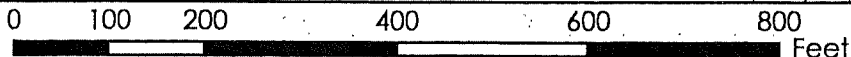
TOPOGRAPHICAL MAP

www.boonecountygis.com



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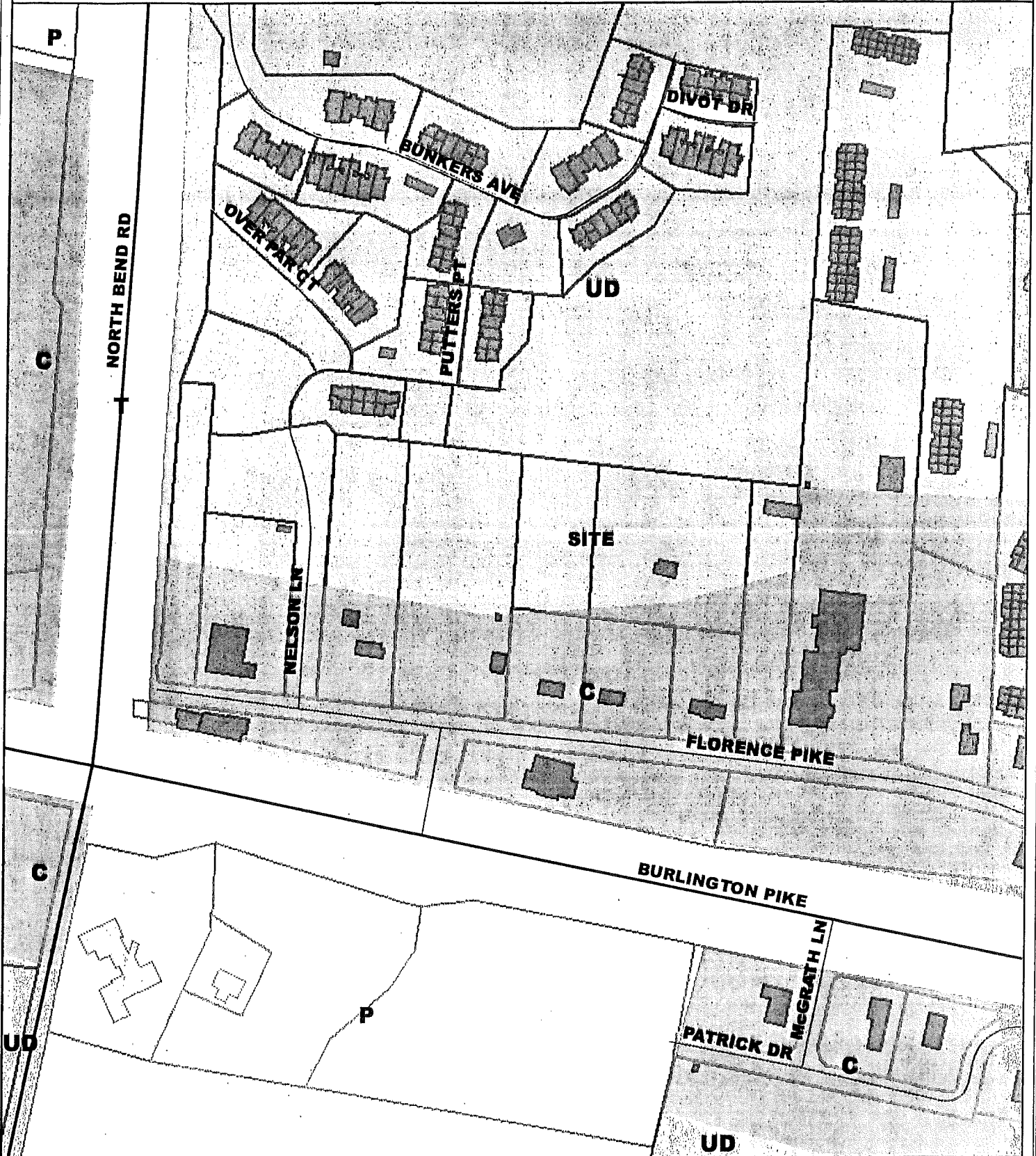
1 inch equals 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

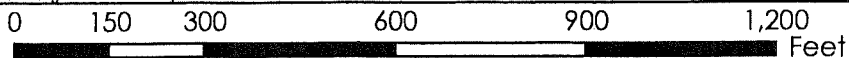
FUTURE LAND USE MAP

www.boonecountygis.com



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1 inch equals 300 feet



Boone County GIS - Putting Northern Kentucky on the Map



GARY W. MOORE
County Judge/Executive
(859) 334-2242

JEFFREY S. EARLYWINE
County Administrator
(859) 334-2242



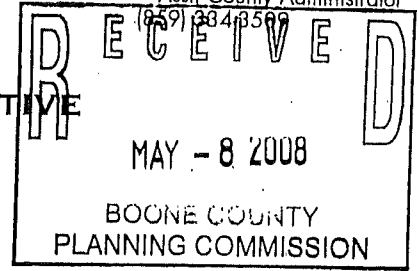
ROBIN D. CURRY
Asst. County Administrator
(859) 334-2245

M. TIMOTHY WILLIAMS
Asst. County Administrator
(859) 334-3569

OFFICES OF THE COUNTY JUDGE/EXECUTIVE

www.BooneCountyKy.org

P.O. Box 900
Burlington, KY 41005
FAX (859) 334-3105



May 7, 2008

Todd Morgan
Senior Planner
Boone County Planning Commission
2950 Washington Street
Burlington, KY 41005

RE: Conditional Use application – 1924/1932 Florence Pike

Dear Todd:

I am writing to you on behalf of the Boone County Fiscal Court in order to relay a few thoughts concerning the proposed Florence Pike Self Storage project in Oak Brook. Speaking on behalf of the Administration, we have several reservations regarding this project that I would like to enumerate.

The project is proposed at 1924 and 1932 Florence Pike and is proposed by Chad and Sheila Carpenter, 1932 Florence Pike, and contains approximately 6.3 acres. The applicant is proposing a conditional use under the Commercial Two (C-2) Zone for a Self-Storage business. The seven buildings will range between 6,000 and 14,000 square feet.

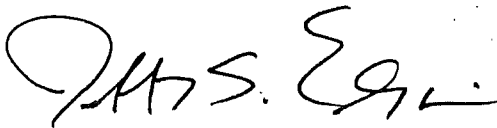
We see a general incompatibility with the proposed use and the surrounding property. As you are aware, the Oak Brook area has been developing into a retail hub the last ten years and the quality of construction in the area has improved significantly. Most if not all of the new buildings have been constructed with brick façades and attractive parapets. New construction to the south and east of the proposed site are brick buildings with a neo-colonial style. Both of these buildings as well as the church on Florence Pike experience a great deal of customer traffic and lend to the visibility of this site. Along with these buildings, the site is also adjacent to the Fairways condominium development on the north side of the property. As evidenced by the attached pictures, the proposed self-storage buildings will be highly visible from this development and are, in our opinion, incompatible with the current use at Fairways. Finally, the proposed urban interchange and overpass at KY 18 and KY 237 will make this facility highly visible to passing traffic.



In summary, if you look at not only the existing development in the Oak Brook corridor (e.g. the new Boone County Public Library), as well as the potential development/redevelopment of the area, inserting a mini-warehouse into the corridor would not be in the best interest of future development, encourage additional capital investment in this area or enhance property values for existing development.

A representative from the Administration will be in attendance to enter our comments and make them part of the official record. If you have any questions regarding our concerns, please do not hesitate to contact me at 334-2282. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "J.S. Earlywine". The signature is written in a cursive, somewhat stylized font.

Jeffery S. Earlywine
County Administrator

Cc: Judge Executive Gary W. Moore and Fiscal Court Commissioners
Tim Williams, Assistant County Administrator

MEMORANDUM

TO: Todd Morgan, AICP
Senior Planner, BCPC

FROM: Shaun Klaserner
Assistant Chief, BFPD

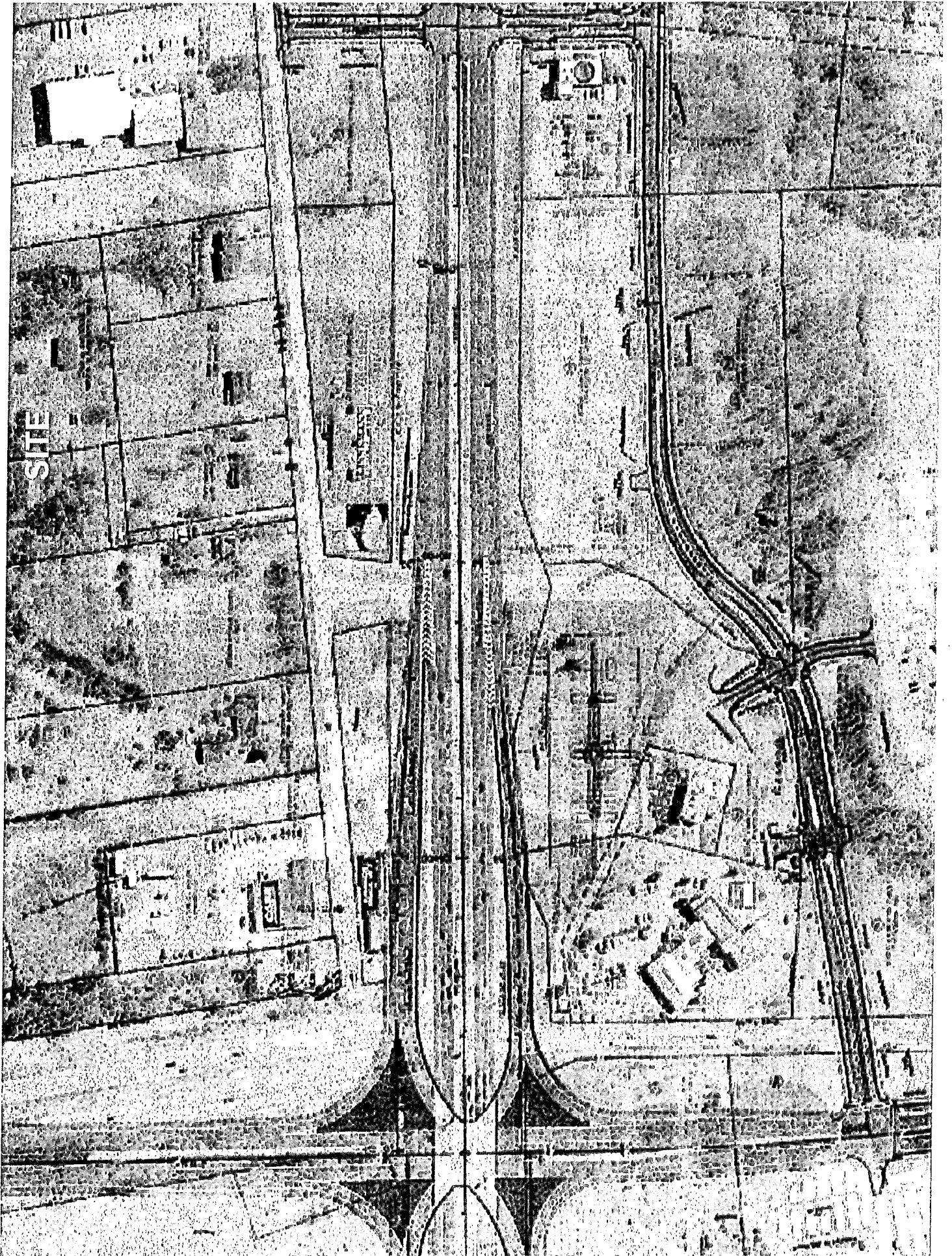
RE: Florence Pike Self Storage

DATE: Tuesday, May 06, 2008

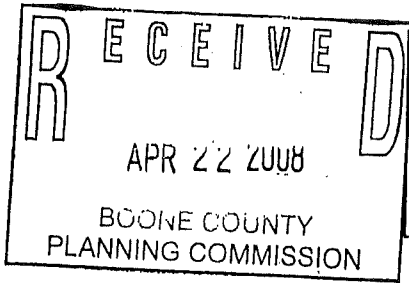
After a careful review of the proposed Florence Pike Self Storage complex I have 2 questions regarding the concept plan.

1. In reference to the 2005 Boone County Subdivision Regulations, page 3.20 Section 320, subsection a) Water Systems and Fire Hydrants it states that "Fire hydrants should be located no further than 250 feet from any building site, as determined by the applicable setbacks". In reviewing the plan I noticed that the driveway leading into the complex is more than 250 feet in length and since self storage complexes create numerous unknowns for fire departments we will be requiring at least 2 fire hydrants on the property. The location of these hydrants will be determined once a site plan is submitted. The developer of this property should understand the need for fire hydrants in the very beginning and plan for there expense. ***Does the developer plan on providing fire hydrants on the site in accordance with the Boone County Subdivision Regulations?***
2. ***Will the streets within the development be able to hold the largest fire apparatus that we currently own and will this truck be able to maneuver within the complex?*** The apparatus is a 100' ladder truck that weights 55,000 pounds and is 42' long.

In closing, the development should not have any adverse affects on the response ability of the District. If you should have any further comments or questions, please feel free to ask.



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 [checked] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [checked] Variance _____ Appeal _____ Change in Non-Conforming Use _____
3. Applicant's Name ONE ELEVEN ENG & SUP. PLLC
Phone Number 859 363-9025 Fax No. 859 363-9125
Applicant's Address 5294 MADISON PIKE
INDEPENDENCE KY 41051
City State Zip
4. Description of Request: TO ALLOW SELF STORAGE IN A C-2 ZONE
5. Name of Development FLORENCE PIKE SELF STORAGE
6. Location of Development 1932 FLORENCE PIKE, BURLINGTON, KY 41005
1924 FLORENCE PIKE
7. Acreage Under Review 6.3 ACRES TOTAL, 4.4 ACRES SELF STORAGE
8. Lot Number and Name of Subdivision (if part of a subdivision)
LOTS 1 & 2 HARRIS SUBDIVISION
9. Owner of Property CHAD CARPENTER
Address of Property Owner P.O. BOX 151 Phone No. 486-3437
10. BURLINGTON KY 41005
City State Zip
11. Proposed Use(s) on Site SELF STORAGE AND RETAIL
12. Total Square Footage of Existing and/or Proposed Buildings 63,000 SF SELF STORAGE 16,622 SF RETAIL
13. Current Zoning on Property C-2
14. Deed Book 883 & 866 Page No. 117 & 641 Group No.
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: [Signature]
Property Owner's Signature: [Signature]

(over)

COPY

CLUR #08-BCBOA-010-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Chad Carpenter
P.O. Box 151
Burlington, KY 41005

2. ADDRESS OF PROPERTY

1924 & 1932 Florence Pike
Boone County, KY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Florence Pike Self Storage

4. DEED BOOKS & PAGES 883/117, 866/641

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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior 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 June 11, 2008 Certificate of Land Use Restriction (#08-BCBOA-010-A), for Chad Carpenter, Property Owner(s).

The following conditions will apply:

- 1) The buildings shall be constructed with the following materials:
 - A. Office Building – The front and sides shall be constructed of brick, stone or other architectural masonry (see renderings submitted at 6/11/08 BCBOA meeting for reference). At least two architectural grade windows shall be provided on each of the front and side facades to break up the building. A minimum 4/12 pitched roof shall be provided that is constructed with an earth tone standing seam metal roof.
 - B. Storage Buildings – All facades shall be constructed of brick, stone or other architectural masonry (see renderings submitted at 6/11/08 BCBOA meeting for reference). Roofs that have a definitive pitched design or a finished parapet design must be provided. Pitched roofs shall be constructed with an earth tone standing seam metal roof that matches the office building.
- 2) All proposed lighting shall be directed downwards and inwards towards the subject site. The overall height of light poles and fixtures shall not exceed 20 feet. Lighting in the flag lot panhandle shall be limited to one light pole at the proposed access point. A cut-off shield needs to be provided to prevent direct illumination on the Harris property.
- 3) Outside storage shall be prohibited in the development.

- 4) The gravel driveway which currently provides access to 1932 Florence Pike shall be removed when the house is demolished.
- 5) The following landscaping shall be provided on the property:
 - A. West Side of Flag Lot Panhandle – A 10' wide buffer shall be provided between the driveway and Harris property line. 3 evergreen trees (6' tall at planting) and 20 large shrubs (Plant List C) shall be planted in this buffer per 100 linear feet.
 - B. Front Property Line – A 15' wide buffer shall be provided along the front property line. This buffer shall contain 8 evergreen trees and 4 large/medium/or small trees per 100 linear feet.
 - C. Side Property Lines – Buffer Yard A (10' wide) shall be installed along the side property lines. Buffer Yard A contains 3 large trees or 5 small trees and 20 shrubs per 100 linear feet.
 - D. Rear Property Line – Buffer Yard C (25' wide) shall be provided along the rear property line. Buffer Yard C contains 8 evergreen trees and 4 large/medium/or small trees per 100 linear feet.
- 6) Fencing – All fencing shall be limited to 6' in height and shall be decorative fencing or chain link coated with a dark colored vinyl coating. All fencing shall be located behind the buffer yards. No fencing shall be permitted in the flag lot panhandle.

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

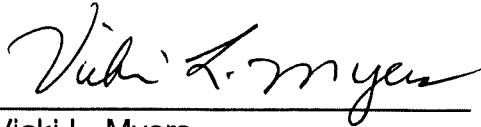
DEED BOOKS & PAGES 883/117, 866/641

GROUP NO. 2025

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

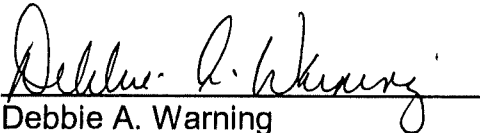
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 3 day of July, 2008.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2011

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

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