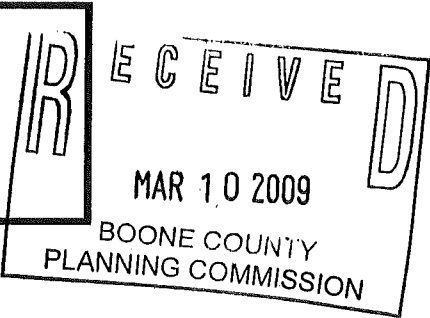


09-BCBOA-004-A

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)

- 1.  Boone  Florence  Walton  Union

(Check One)

- 2.  Conditional Use Permit  Variance  Appeal  
 Change in Non-Conforming Use

- 3. Applicant's Name: Bogie and Putt-Putt Properties, LLC  
Phone Number: 859-653-3199 Fax No. \_\_\_\_\_  
Applicant's Address: 4221 Alexandria Pike  
Alexandria KY 41076  
City State Zip

- 1. Description of Request: Application for Conditional Use as a Kennel pursuant to the 2006-2008 Zoning Regulations, Article Eleven (11), Section 1133(13). Article 40 of the Zoning Regulations defines "kennel" as "A lot or facility in which four (4) or more domesticated animal greater than four (4) months of age are maintained for commercial purposes. Commercial purposes include the grooming, breeding, boarding, training, raising, and selling domesticated animals." Applicant is seeking utilize the Industrial One (I-1) premises as a Daycare Facility for Dogs nine (9) weeks and older, Training Facility for dogs nine (9) weeks and older, and Boarding Facility for dogs nine (9) weeks and older and Pet Grooming Facility. Applicant additionally intends to sell of Pet related merchandise including, but not limited to, food, treats, toys, and grooming supplies.

- 2. Name of Development Mineola Industrial Park
- 3. Location of Development 1211 Cox Avenue, Erlanger, Kentucky 41018
- 4. Acreage Under Review \_\_\_\_\_

- 5. Lot Number and Name of Subdivision (if part of a subdivision)  
Lot 1C Section 4 Mineola Industrial Park (71-37)

- 6. Owner of Property Bogie & Putt-Putt Properties, LLC  
Address of Property Owner 4221 Alexandria Pike Phone No. 859-653-3199  
Alexandria KY 41076  
City State Zip

- 7. Proposed Use(s) on Site: Indoor and Outdoor Daycare Facility for Dogs nine (9) weeks and older, Training Facility for dogs nine (9) weeks and older, Boarding Facility for dogs nine (9) weeks and older, Pet Grooming Facility and Sale of Pet related merchandise including, but not limited to, pet food, pet toys, and pet grooming products.

- 9. Total Square Footage of Existing and/or Proposed Buildings 27,500
- 10. Current Zoning on Property Industrial One (I-1)
- 11. Deed Book 960 Page No. 801 Group No. 1338 2022

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

12. Is the site subject to a Zoning Change? No  
If yes, give date of approval \_\_\_\_\_
13. Have you submitted a Site Plan with this Request? No
14. Have you submitted a list of adjoining property owners with this request? Yes
15. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

**Bogie & Putt-Putt Properties, LLC**

**ORIGINAL Property Owner's Signature:** \_\_\_\_\_

By: Mr. John Griffin

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**Bogie & Putt-Putt Properties, LLC**

**ORIGINAL Applicant's Signature:** \_\_\_\_\_

By: Mr. John Griffin

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 3**

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

1. Date Received 3/10/09 Fee Received \$1080.00 RA 58012
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action: \_\_\_\_\_

4/8/09 **Approved**  
**Approved with Conditions** (See #6)  
**Denial** (See #7)

6. Conditions of Approval: SEE 4/8/09 BCB0A  
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@boonecountky.org - E-mail  
www.boonecountky.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: Bogie and Putt-Putt Properties, LLC

LOCATION: 1211 Cox Avenue, Boone County, Kentucky

ZONING: Industrial-One (I-1)

DATE: April 8, 2009

### PROPOSAL

A Conditional Use Permit application has been submitted to allow a kennel operation with dog training, day care, boarding, grooming, and accessory sales of merchandise at 1211 Cox Avenue, Boone County, Kentucky. The owner of the business, Karen Abell, has provided a business summary and spec sheets which list the following business operations:

#### Daily (approximate)

Grooming - 10 dogs

Private Training - 8 to 10 dogs

Dog Training Classes - 16 dogs divided between 2 classes (8 classes per week)

Day Care - 30 dogs

Boarding - 24 dogs

#### Biweekly (approximate)

Socials - 3 groups of 10 dogs for one-hour (offered 2 times biweekly)

Plans have been submitted showing the interior and exterior layouts for the proposed business (see attachments). The interior plan shows that the business will initially occupy about half of the office/warehouse and that it may expand into the remainder of the building at a future date. The exterior plans show that an approximate 16,060 square foot area will be fenced off to the west of the building. The area will be fenced with 6' to 8' foot tall security fencing and will secure two play areas and walking track.

### SITE HISTORY

9/7/88 - The Boone County Planning Commission approved a 5,115 square foot addition onto the back of the building. The approved plan shows that the building will be 24,587 square feet in area after the addition is constructed.

6/16/99 - The Boone County Planning Commission recommended approval of a 140' monopole communication tower to the Kentucky Public Service Commission.

### APPLICABLE REGULATIONS

Section 1133 of the Boone County Zoning Regulations permits "kennels for household pets" as a Conditional Use in the Industrial One (I-1) district.

Section 4000 of the Boone County Zoning Regulations defines a kennel as a lot or a facility in which four (4) or more domesticated animals greater than four (4) months of age are maintained for commercial purposes. Commercial purposes include the grooming, breeding, boarding, training, raising, and selling of domesticated animals.

Section 3645 of the Boone County Zoning Regulations states that Buffer Yard B is required between a developing property which is zoned I-1 and adjoining property which is zoned C-1.

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

The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 & 1133 of the 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.

Section 1133 of the Boone County Zoning Regulations allows "kennels for household pets" as Conditional Uses in the Industrial One (I-1) district provided that:

- a. the activity is provided primarily in support of and obtains its trade from the employees of the district; or
- b. the activity is of integral relation to the purpose of the district;
- c. the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and
- d. provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

### RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's "2030 Future Land Use Plan" designates the site in question for "Industrial" uses. This designation is defined as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

The following Goals and Objectives relate to the application:

- A. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas" (Business Activity, Goal).

### SURROUNDING LAND USES & ZONING

Northeast: Cox Ave, Laser Graphic Systems, F.N. Sheppard and Co. (I-1)

Northwest: Bob Sumeral Tire (I-1)

Southeast: Turfway Road & Mary Queen of Heaven (PF/PD)

Southwest: Single-Family Residential Dwellings (C-1/PD) & Sumeral Tire (I-1/PD)

### SITE CHARACTERISTICS

The approximate 2.67 acre tract contains a 24,587 square foot office/warehouse, two parking lots with 32 spaces, and a 140' monopole communication tower. There is a large grass area to the west of the building that is fairly flat. A mature deciduous tree line exists along the northwest and southwest property lines. The topography of the property falls from approximately 890' above sea level at Turfway Road to approximately 870' above sea level at Cox Avenue.

### STAFF COMMENTS

1. Staff had the following questions for the business owner. She provided responses in a second spec sheet (see attachments).

- A. What are the days and hours of the proposed business operation?

#### Lobby Area

Monday - Friday - 6:30 a.m. to 6:30 p.m.

Saturday - 8:00 a.m. to 4:00 p.m.

Sunday - 4:00 p.m. to 6:00 p.m. (Boarding pick up only)

#### Training & Socials

Can go as late as 9:30 p.m.

#### Boarding

Dogs will be boarded on a nightly basis.

- B. How many people will be on the site at any given time (customers and employees)?

It is estimated that no more than 15-20 people will be on the site at the same time.

- C. How many dogs could be in the outside fence area at any given time?

Up to 18 dogs could be located in the fence area at any given time.

Play area 1 - 8 dogs  
Play area 2 - 8 dogs  
Walking Track - 2 dogs

- D. Will boarded, dogs be walked at night? If so, at what hours?

They will be in the designated potty areas, walked on the track, or let out in small groups in the play areas with direct supervision.

- E. Is any exterior lighting being proposed?

No additional sight lighting is being proposed.

2. Staff has the following comments regarding the proposal:

- A. The proposed business adjoins three single-family residential households (Sassin Realty has been converted to a residential use). These houses could experience noise impacts from barking dogs and lighting impacts if additional exterior lighting is proposed. The Board should analyze if the business will have detrimental impacts on these neighbors.
- B. Section 3645 of the Boone County Zoning Regulations states that Buffer Yard B is required between a developing property which is zoned I-1 and adjoining property which is zoned C-1. Buffer Yard B contains 5 evergreen trees, 6 large/medium/small trees, and 30 shrubs per 100 linear feet. The current buffer along the rear property line does not meet code because there are no evergreen trees.
- C. The Boone County Zoning Regulations does not have a parking requirement for a dog training facility and Staff did not find reliable standards for a business with a combination of kennels, grooming, and training. The Zoning Administrator determined that the use should have a parking standard of one parking space for every staff member and customer that can frequent the business at any given time. The existing parking lot currently contains 32 striped spaces and the business owner's spec sheet anticipates that no more than 20 people will frequent the business at any given time. Adequate parking may become an issue when the property owner leases the other half of the building at a future date. A Tenant Finish Permit application will need to be submitted to the Planning Commission showing how the tenant space will be setup and that appropriate parking standards will be met. It's possible that more parking may need to be added to the site before the rest of the building can be leased.

3. Staff recommends the following conditions if the request is approved:

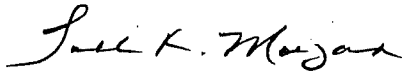
- A. No training classes or socials will go beyond 9:30 p.m.
- B. No additional exterior lighting shall be permitted.

- C. Six (6) evergreen trees shall be planted between the rear property line and the proposed fenced area.
- D. A Minor Site Plan shall be approved by the Boone County Planning before the outside play area fencing and any required landscaping is installed.

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

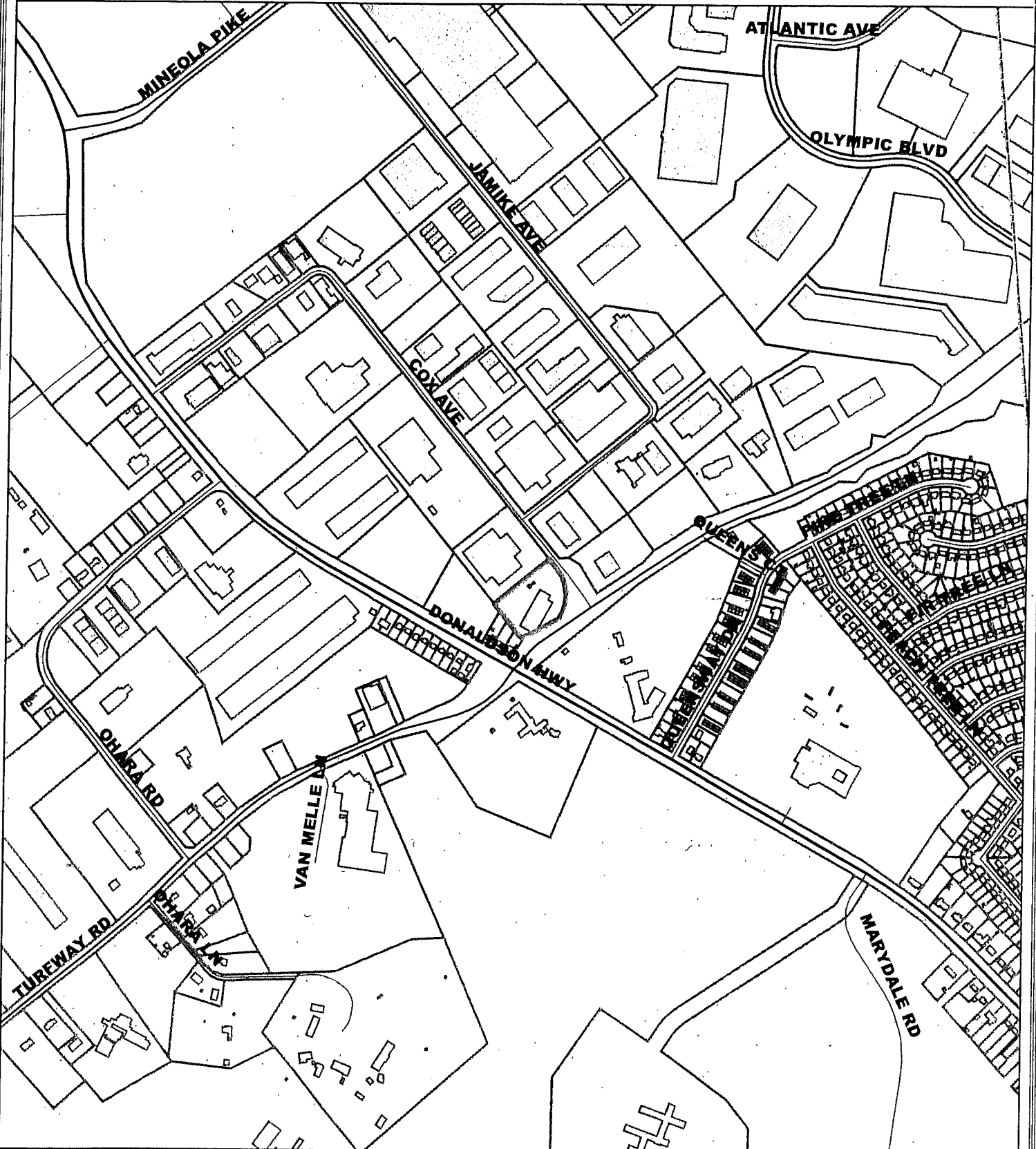
TKM/pr

Attachments

- \*Site Vicinity Map
- \*Business Summary
- \*Spec Sheets
- \*Interior Floor Plan
- \*Exterior Plan
- \*Conceptual Site Plan (Fence Area)
- \*Aerial Map
- \*Topographical Map
- \*Zoning Map
- \*Future Land Use Map
- \*Application

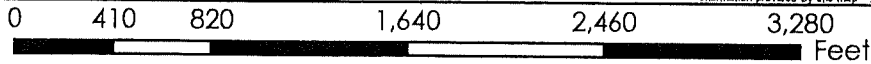
# SITE VICINITY MAP

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**Boone County GIS - Putting Northern Kentucky on the Map**



# **NEW BEGINNINGS**

## **K-9 TRAINING, LLC**

### **Business Summary**

#### **Overview**

New Beginning K-9 Training, LLC is positioned to be the premier dog training and care facility in Northern Kentucky. New Beginnings' unique to the area blend of qualified professionals, all positive science based methodology, innovative programs and services, and attention to customer service details places the company in a class beyond its limited competition.

#### **History**

New Beginnings K-9 Training, LLC is a thriving private training business that has shown impressive continuous growth, starting at part time in October, 2003. Since then client-only add on services such as dog walking and pet sitting have been in constant demand. Some areas of the business, such as pet sitting, have been so heavy that clients have been turned away. Given the heavy client demand, the call among clients for additional services, the strong community reputation, and the excellent professional reputation among veterinarians, it is time for New Beginnings K-9 Training to make the next move to a facility that allows the company to offer a great variety of services to a larger number of clients.

#### **Services**

New Beginnings K-9 Training, LLC will offer the following services:

##### Private Training (currently offered)

Private Training is one-on-one work for obedience and for behavioral problems. New Beginnings K-9 Training's experience with behavioral modification work is unparalleled in Northern Kentucky,

##### Dog Training Classes

Through classes New Beginnings K-9 Training will be able to extend its training services to a much larger audience, both by expanding the training offerings and by providing training in a financially accessible format for those that cannot afford private training. Classes will be a primary introduction for most clients to the services New Beginnings K-9 Training offers.

The company will offer basic level adult and puppy classes as well as a wide menu of specialty classes not otherwise seen in the area.

##### Socials

Owner attended Puppy Socials, Small Dog Socials, and Large Dog socials will offer clients a scheduled hour of controlled socialization in a private facility with experienced professionals. Puppy and Dog Socials not only offer a scheduled hour of play and interaction but helps to avoid common behavior problems from lack of socialization.



# **NEW BEGINNINGS**

## **K-9 TRAINING, LLC**

### Day Care

State of the art day care will provide hard working families and professionals a helping hand and piece of mind by giving them an alternative to leaving dogs home alone all day. Day care helps dogs avoid the common behavior problems associated with long hours alone-barking, chewing, destruction, and house soiling. This service is rapidly becoming a common and sought after service across the country, with facilities enjoying lengthy wait lists vying for space.

New Beginnings K-9 Training will be the first facility in Northern Kentucky to introduce a completely positive and structured approach to day care, employing only positive reinforcement techniques for training and management and to establish a bark free environment.

Dogs will enjoy daycare under constant direct supervision in indoor and outdoor play areas with a small staff to dog ratio. Dogs will also have a planned day that mixes play with downtime activities designed to foster a calm environment that dogs can enjoy on a daily basis without the behavioral side effects associated with free form day care models.

### Boarding

Boarding at New Beginnings will be indoor only boarding-at no time will dogs be boarded outdoors. Dogs will receive round the clock care and attention, exercise, mental stimulation, and play with downtime activities designed to foster a calm environment that dogs can enjoy on a daily basis. New Beginnings K-9 Training will offer an attractive alternative to impersonal, caged boarding facilities.

- There are no local facilities similar to the one planned by New Beginnings K-9 Training.

### **Client Base**

New Beginnings K-9 Training's clients are dog owners who want the best for their dogs. In this era of increasing awareness of dogs' roles as family members New Beginnings K-9 Training reaches out to owners seeking high level professional services.

### **The Owner**

Karen Abell brings thirteen years of studying the science of dog behavior and training to bear on every case. Karen's scientific approach to behavior modification coupled with strong teaching skills and a sincere dedication to clients and their goals has resulted in New Beginnings K-9 Training's well deserved reputation for successful resolution of obedience and behavior cases.

Karen has Bachelor's Degree in biology, is a member of the Association of Pet Dog Trainers and has taken classes with the industry's leaders such as Karen Pryor and Jean Donaldson, on topics ranging from learning theory to behavior modification to advanced training techniques. Committed to ongoing professional development and continuing education, Karen regularly attends conferences and seminars across the country, including the Association of Pet Dog Trainers annual conference and the Clicker Expo. Karen began her career well versed in traditional methodologies. A "crossover" trainer, she now offers exclusively dog friendly positive training, helping clients to enjoy the same success and results without the risk of side effects often associated with traditional approaches.



**NEW BEGINNINGS**  
**K-9 TRAINING, LLC**

**SPEC SHEET**

**Dog Numbers:**

Estimated Numbers of Dogs Per Category Per Day

Grooming- 10

Private Training- 8 to 10

Dog Training Classes- 16 dogs divided between 2 training classes per evening 8 dogs max per class.(8 training classes offered per week)

Day Care- 30

Boarding- 24 (only these dogs staying 24 hours)

Estimated Numbers of Dogs Per Category Offered Biweekly

Socials- 3 groups of 10 for one hour only-offered twice a week.

---

**Outdoor Fencing Material and Specs:**

The two outdoor play areas will be fenced in utilizing 6' or 8' high wooden privacy fencing. The outer perimeter of the two outdoor play areas will be an additional 6' to 8' high wooden privacy fence that will create an outer 8' wide walking track surrounding the two outdoor play areas.



# NEW BEGINNINGS K-9 TRAINING, LLC

## SPEC SHEET 2

Additional Exterior Lighting?

[Redacted] No

[Redacted]  
# of Dogs at any given time in outdoor play area + track?

- Track- 2 dogs at a time
- Outdoor Play area 1- 8 dogs at a time
- Outdoor Play area 2- 8 dogs at a time

Total possible dogs outdoors at one time= 18

[Redacted]  
Boarded dogs walked at night or in play areas?

- The boarded dogs will go out to the designated outdoor potty areas at night under direct supervision.
- The boarded dogs will be walked on leash at night within the walking track or be allowed off leash play in the play areas for brief periods of time in small groups under direct supervision.

[Redacted] Hours of operation per category?

### Services Below are Drop Off and Pick Up Services

- Grooming  
Monday-Friday 6:30am to 6:30pm
- Day Care-  
Monday-Friday 6:30am to 6:30pm  
Saturday 8:00am to 4:00pm
- Boarding-  
Monday-Friday 6:30am to 6:30pm  
Saturday 8:00am to 4:00pm  
Sunday 4:00pm to 6:00pm (Pick Up Only)

### Summary of Lobby Hours

Monday-Friday 6:30am to 6:30pm  
 Saturday 8:00am to 4:00pm  
 Sunday 4:00pm to 6:00pm (Boarding Pick Up Only)



# NEW BEGINNINGS

## K-9 TRAINING, LLC

Services Below are Time Scheduled Services – These service times are subject to change

- Private Training-  
Monday-Friday 8:00am to 6:00pm (Last appointment begins at 5pm)  
Saturday 8:00am to 4:00pm (Last appointment begins at 3pm)

\*One private training session per hour

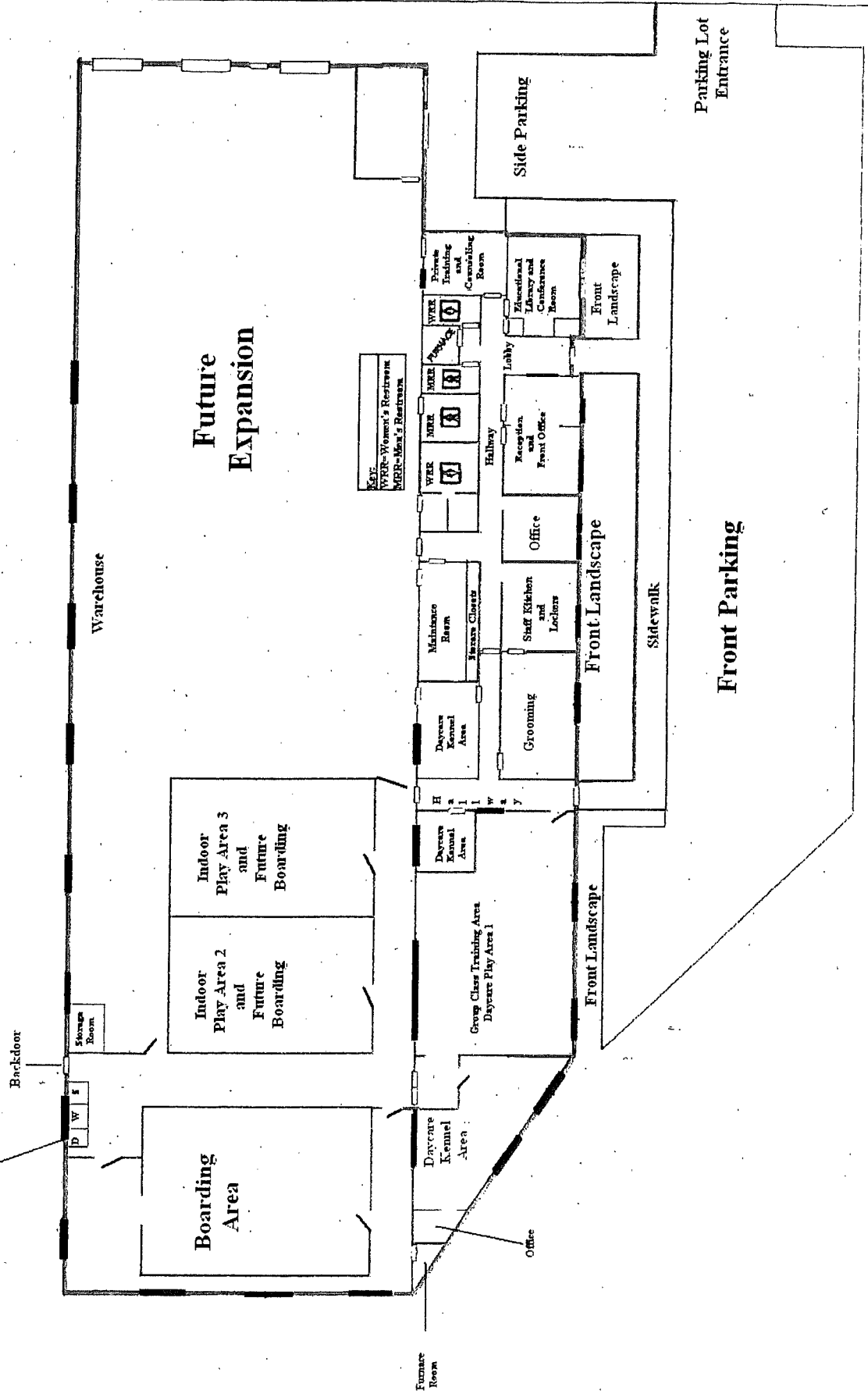
- Dog Training Classes-  
Monday-Wednesday Class #1 7:00pm to 8:00pm and Class # 2 8:30pm to 9:30pm  
Saturday Class #1 10:00am to 11:00am and Class # 2 2:00pm to 3:00pm

- Socials-  
Friday  
Puppy Group-6:30pm to 7:30pm  
Small Dog Group- 7:30pm to 8:30pm  
Large Dog Group- 8:30pm to 9:30pm

*Estimated # of PATRONS + Employees at any Given Time ?*

15-20

Key  
 D=Driver  
 W=Washer  
 S=Sink



**Future Expansion**

Warehouse

Backdoor

Storage Room

Boarding Area

Indoor Play Area 2 and Future Boarding

Indoor Play Area 3 and Future Boarding

Furnace Room

Daycare Kennel Area

Group Class Training Area  
Daycare Play Area 1

Daycare Kennel Area

Daycare Kennel Area

Maintenance Room

Staff Kitchen and Lockers

Grooming

Office

Reception and Front Office

Lobby

Executive Library and Conference Room

Front Landscape

Office

Front Landscape

Front Landscape

Sidewalk

Front Parking

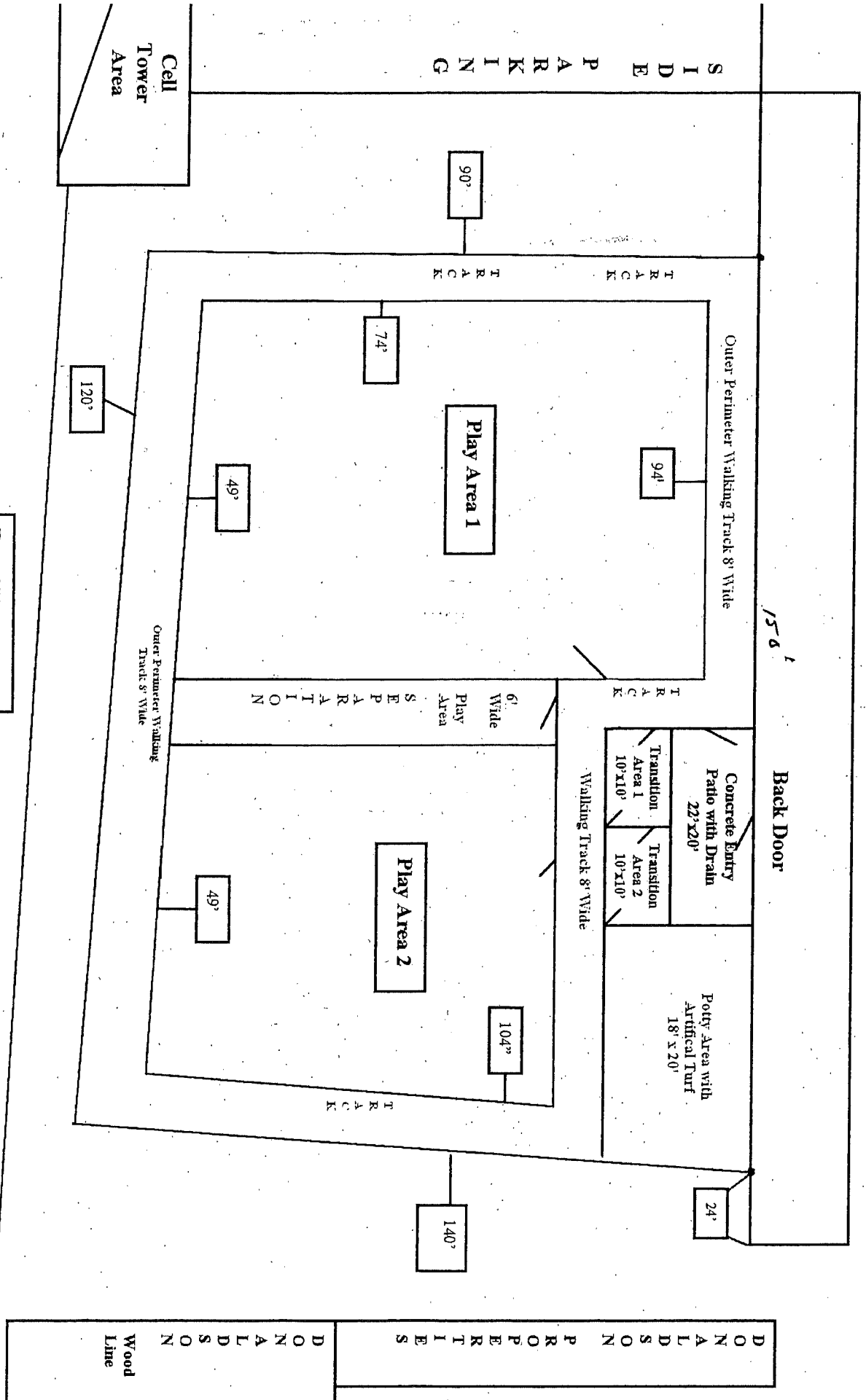
Parking Lot Entrance

Side Parking

Cox Avenue

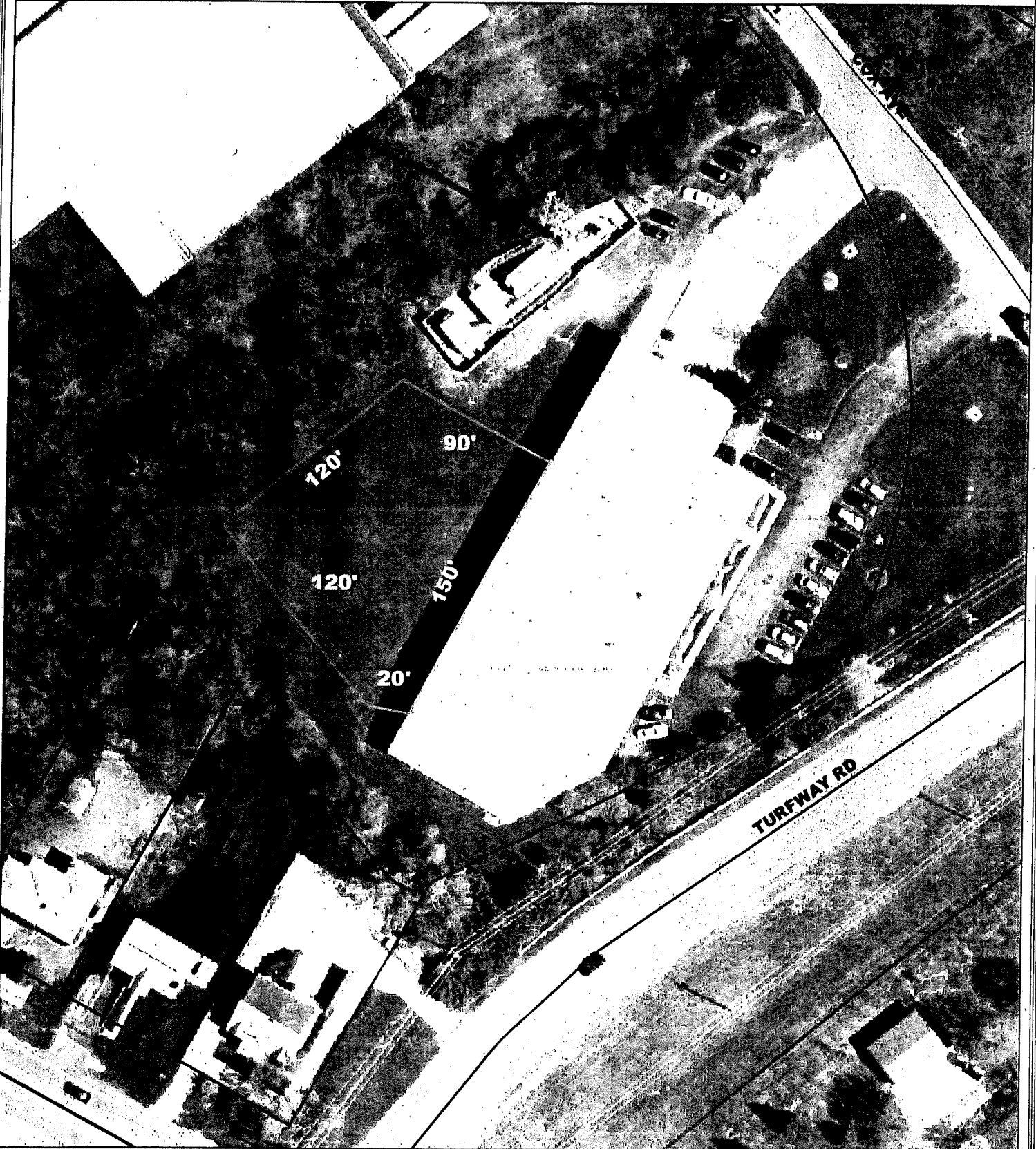
Turfway Road

# Outdoor Play Area Plan



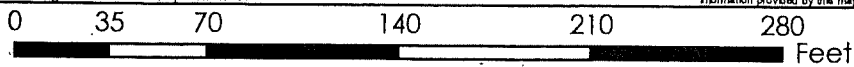
# CONCEPTUAL SITE PLAN

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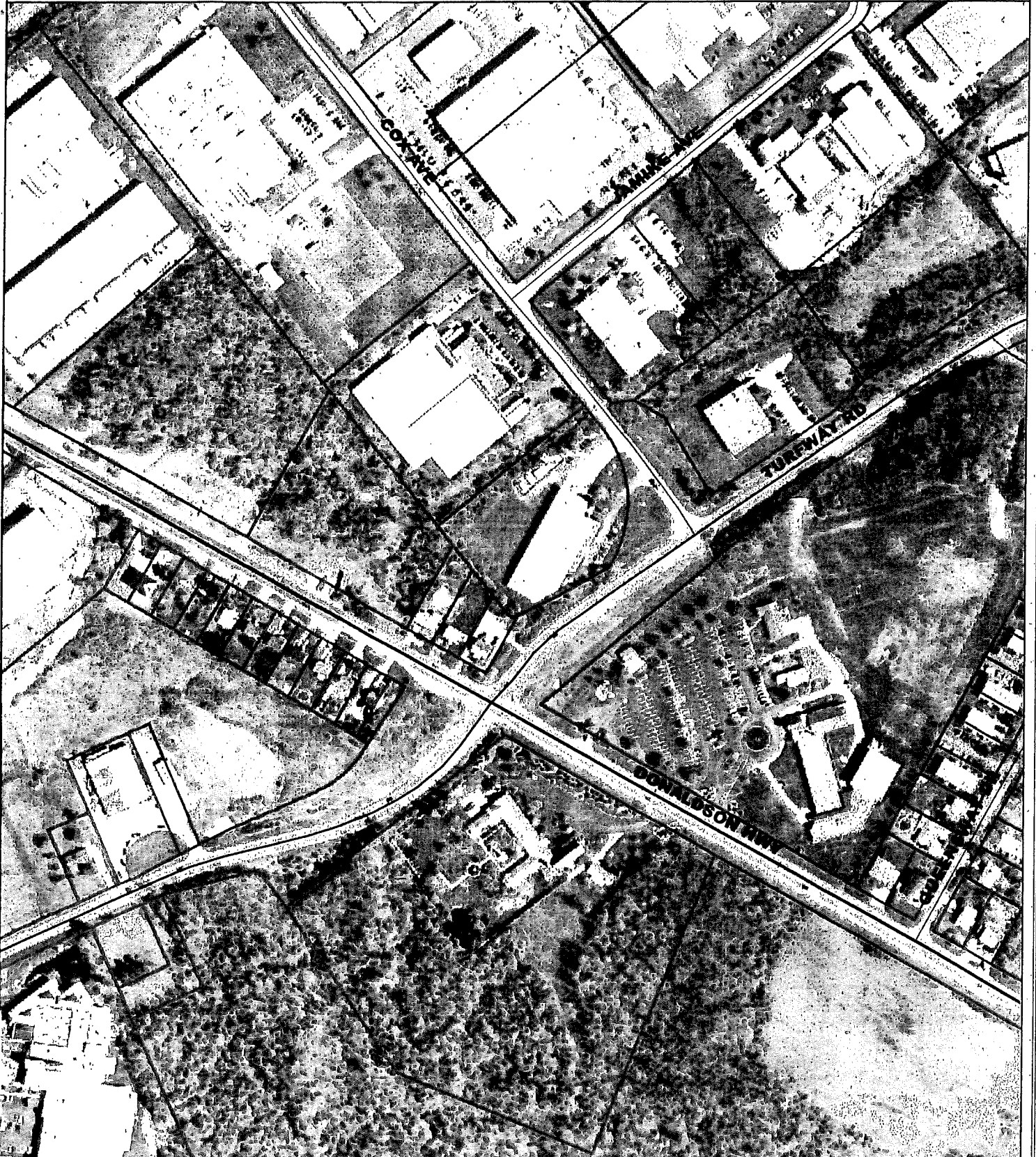
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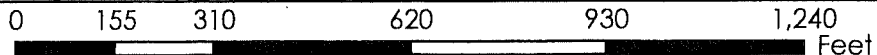
# AERIAL MAP

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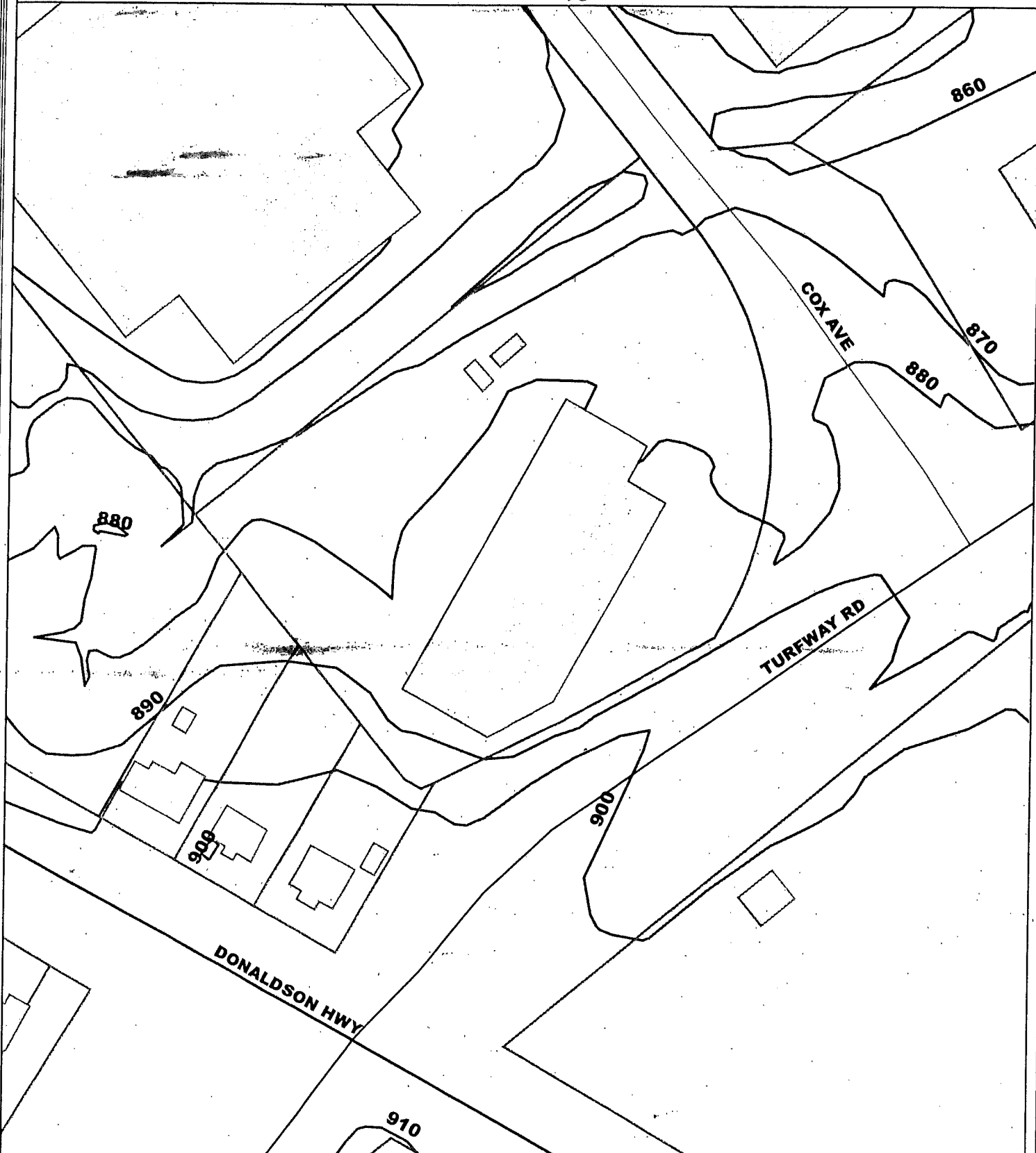
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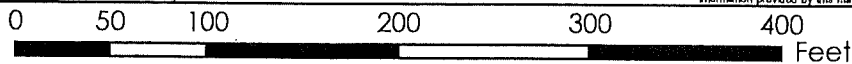
# TOPOGRAPHICAL MAP

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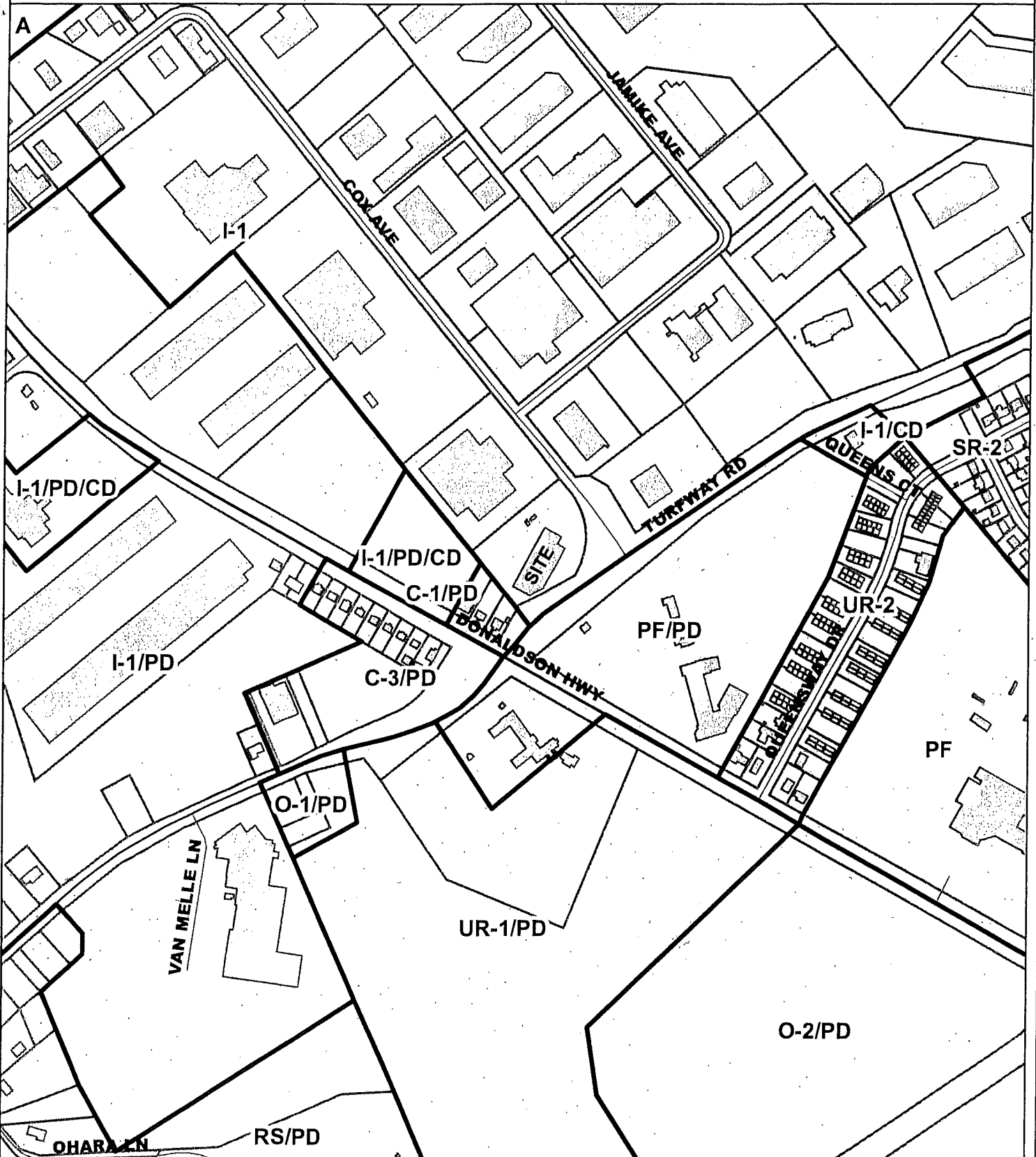
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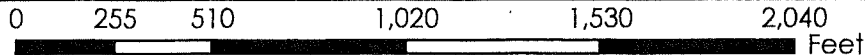
# ZONING MAP

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1 inch equals 500 feet

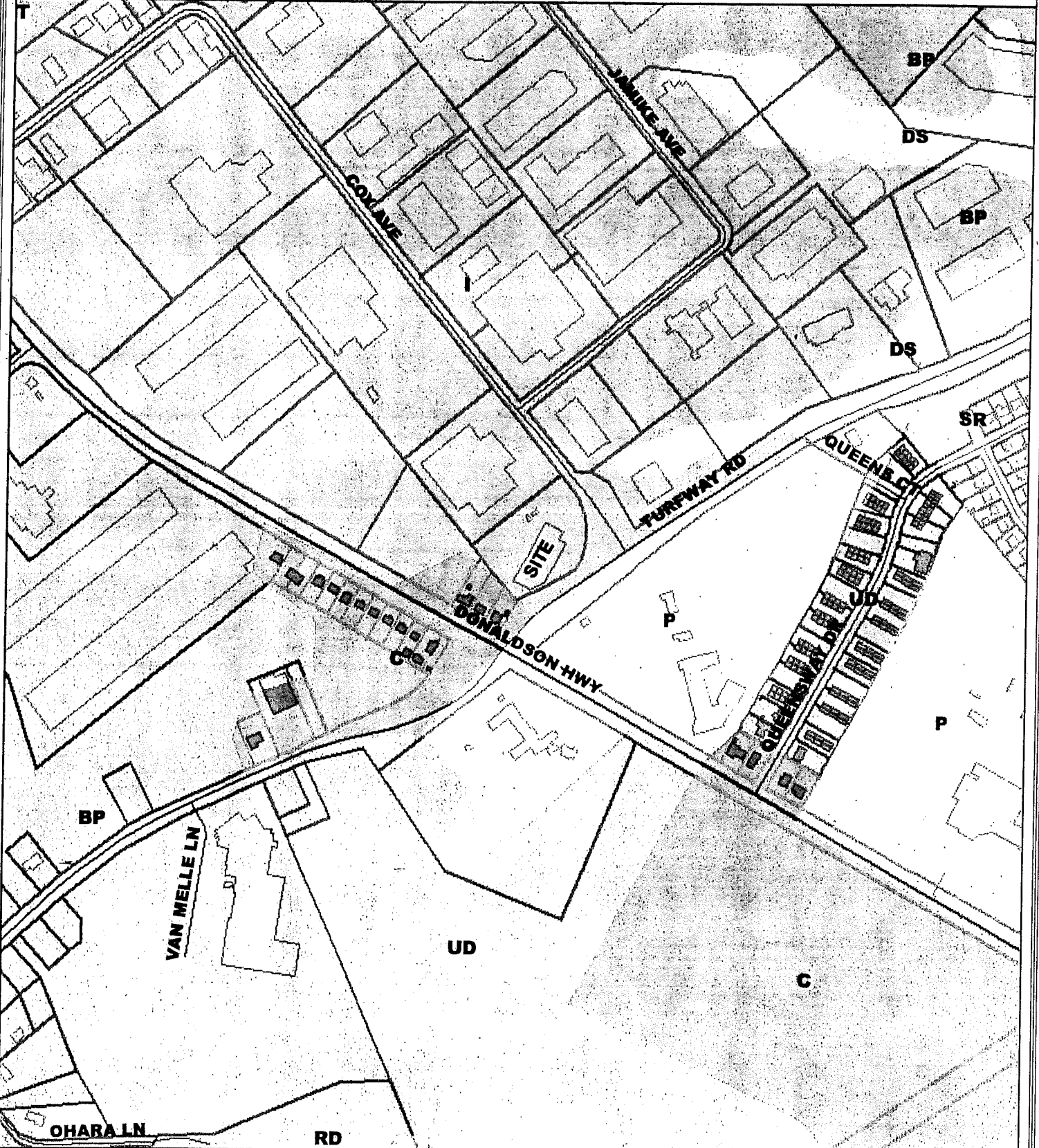


**Boone County GIS - Putting Northern Kentucky on the Map**



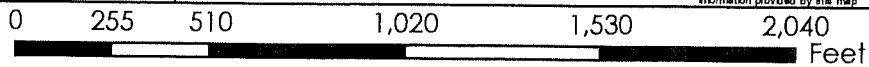
# FUTURE LAND USE MAP

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**Boone County GIS - Putting Northern Kentucky on the Map**



APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION

RECEIVED  
MAR 10 2009  
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: Bogie and Putt-Putt Properties, LLC  
Phone Number: 859-653-3199 Fax No. \_\_\_\_\_  
Applicant's Address: 4221 Alexandria Pike  
Alexandria KY 41076  
City State Zip

1. Description of Request: Application for Conditional Use as a Kennel pursuant to the 2006-2008 Zoning Regulations, Article Eleven (11), Section 11.33(13). Article 40 of the Zoning Regulations defines "kennel" as "A lot or facility in which four (4) or more domesticated animal greater than four (4) months of age are maintained for commercial purposes. Commercial purposes include the grooming, breeding, boarding, training, raising, and selling domesticated animals." Applicant is seeking utilize the Industrial One (I-1) premises as a Daycare Facility for Dogs nine (9) weeks and older, Training Facility for dogs nine (9) weeks and older, and Boarding Facility for dogs nine (9) weeks and older and Pet Grooming Facility. Applicant additionally intends to sell of Pet related merchandise including, but not limited to, food, treats, toys, and grooming supplies.

2. Name of Development Mineola Industrial Park  
3. Location of Development 1211 Cox Avenue, Erlanger, Kentucky 41018  
4. Acreage Under Review \_\_\_\_\_  
5. Lot Number and Name of Subdivision (if part of a subdivision)  
Lot 1C Section 4 Mineola Industrial Park (71-37)  
6. Owner of Property Bogie & Putt-Putt Properties, LLC  
Address of Property Owner 4221 Alexandria Pike Phone No. 859-653-3199  
Alexandria KY 41076  
City State Zip

7. Proposed Use(s) on Site: Indoor and Outdoor Daycare Facility for Dogs nine (9) weeks and older, Training Facility for dogs nine (9) weeks and older, Boarding Facility for dogs nine (9) weeks and older, Pet Grooming Facility and Sale of Pet related merchandise including, but not limited to, pet food, pet toys, and pet grooming products.

9. Total Square Footage of Existing and/or Proposed Buildings 27,500  
10. Current Zoning on Property Industrial One (I-1)  
11. Deed Book 960 Page No. 801 Group No. 1338

COPY

CLUR #09-BCBOA-004-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Bogie & Putt-Putt Properties, LLC  
4221 Alexandria Pike  
Alexandria, KY 41076
  
2. ADDRESS OF PROPERTY  
1211 Cox Avenue  
Erlanger, KY 41018
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Bogie & Putt-Putt Properties, LLC
  
4. DEED BOOK 960                      PAGE NO. 801                      GROUP NO. 2022
  
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

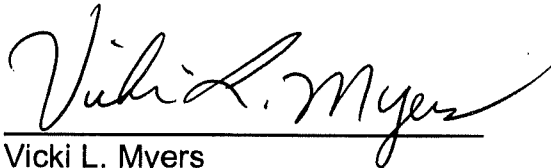
*Todd K. Morgan*  
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

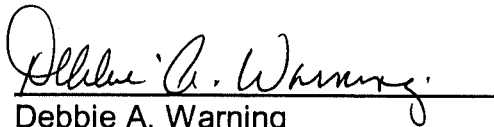
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 20 day of April, 2009.



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.)

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 April 8, 2009 Certificate of Land Use Restriction (#09-BCBOA-004-A), for Bogie & Putt-Putt Properties, LLC, Property Owner(s).

The following conditions will apply:

- 1) No training classes or socials will go beyond 9:30 p.m.
- 2) No additional exterior lighting shall be permitted.
- 3) Six (6) evergreen trees shall be planted between the rear property line and the proposed fenced area.
- 4) A Minor Site Plan shall be approved by the Boone County Planning Commission before the outside play area fencing and any required landscaping is installed.
- 5) There will be no outdoor boarding.
- 6) Any future expansion of the business will require a new Conditional Use Permit application.

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

DEED BOOK 960 PAGE NO. 801 GROUP NO. 2022