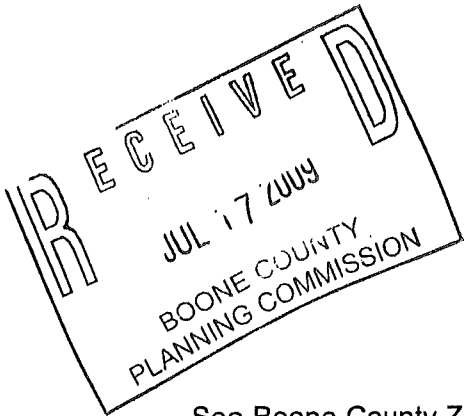


APPLICATION FORM



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 [X] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [X] Variance _____ Appeal _____
3. Applicant's Name DAVID & PENNY ROBINSON
4. Description of Request: FRONT YARD SETBACK VARIANCE OF 9 1/2 FEET.
5. Name of Development MANOR ESTATES AT PORTER PLANTATION
6. Location of Development VERONA KENTUCKY
7. Acreage Under Review 1.841 acres
8. Lot Number and Name of Subdivision (if part of a subdivision) LOT #12 MANOR ESTATES AT PORTER PLANTATION (SECTION 1) BERGAMO VILLAGE
9. Owner of Property DAVID & PENNY ROBINSON
10. Address of Property Owner 3239 BALLANTREE WAY VERONA KENTUCKY 41092
11. Proposed Use(s) on Site BUILD ACCESSORY STRUCTURE (DESIGNED TO MATCH EXISTING HOME)
12. Total Square Footage of Existing and/or (Proposed Buildings 28'x18' 504 sq. ft.)
13. Current Zoning on Property ZONING DISTRICT A-2
14. Deed Book [redacted] Page No. 320 Group No. [redacted] 20871
15. Is the site subject to a zone change? NO
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.

ORIGINAL Property Owner's Signature: David M. Robinson (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: David M. Robinson (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 7-17-09 Fee Received \$632.⁰⁰ 59066
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date 8/12/09
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: 1.) THE GARAGE/WORKSHOP SHALL BE
CONSTRUCTED AS PRESENTED TO THE BOARD.
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.

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING**

June 10, 2009

6:00 P.M.

Mr. Walt Ryan, Vice-Chairman, called the meeting to order at 6:00 P.M.

BOARD MEMBERS PRESENT:

Mr. Walt Ryan, Vice-Chairman
Mrs. Shirley Millar, Secretary/Treasurer
Mr. Terry Edwards
Mr. James McGruder

BOARD MEMBERS NOT PRESENT:

Mr. George Whitton, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Approval of the Minutes:

Mr. Ryan stated that the Board members received copies of the Minutes of the Boone County Board of Adjustment Meeting of May 13, 2009. He asked if there were any comments or corrections.

There being no changes to the minutes, Mr. Edwards moved that they be approved as mailed. Mrs. Millar seconded the motion and it carried unanimously.

Agenda Items:

1. **Request of Greg Wright for three (3) Variances to reduce the side and rear yard building setback requirements so lot 13 of Lubrecht Industrial Park can be re-subdivided into two (2) lots of record. The property is located at 5661 Commercial Drive, Boone County, Kentucky. The site is currently zoned Industrial One (I-1).**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mr. Ryan asked if anyone would like to speak on behalf of the request.

Mr. Steve Stubbs, with Cardinal Engineering, stated that they drew the plan for Mr. Wright. The 20 foot rear yard setback is proposed because Aerocrete has a concrete pad in the rear yard where they do production work. The concrete pad would encroach over the property line if they had a 30 foot rear yard setback.

Mr. Stubbs explained that the trucking operation has existed on site for about three years. It is a repair shop where the business does repairs on its fleet. There is typically one vehicle in the garage and one waiting outside. There may be one or two mechanics working in the building at any given time.

Mr. Ryan asked if there was a problem with parking.

Mr. Morgan recommended they record a shared access and parking agreement because the employees and trucks will not be parked on the correct property. There could be an issue if the 89,208 square foot lot were sold and the new owner objected to the employees and trucks parking on his property.

Mr. Stubbs explained that they placed a hatched line on the driveway and that represents an ingress/egress easement. They will probably widen the easement to accommodate the required parking.

Mr. Ryan asked if there were any questions.

Mr. Stubbs commented that the property owner is trying to settle some things with an estate and is trying to split one building off the property.

Mr. McGruder asked if there is a prospective buyer.

Mr. Stubbs indicated that the outsale lot will be bought by the current tenant. They have occupied the building for approximately six years.

Mr. Edwards moved to approve the request on the basis that it will not alter the essential character of the area. He added that the building and uses already exist on site and that the proposed property lines are not noticeable. Mr. McGruder seconded the motion.

Mr. Ryan noted that there was nobody in the audience to speak against the request.

Mr. Ryan asked for vote on the motion and it carried unanimously.

2. **Request of the New Bethel Cemetery Corporation, Paul Webster, and the Harry Reed Estate for two (2) Conditional Use Permits. The first Conditional Use Permit is to allow New Bethel Cemetery to expand onto a 2.716 acre portion of Paul Webster's property. The second Conditional Use Permit is to allow New Bethel Cemetery to expand onto a 1.111 acre portion of the Harry Reed Estate. The properties are located immediately to the northwest and southeast of the existing cemetery and are directly across from 15157 and 15317 Lebanon Crittenden Road, Boone County (Verona), Kentucky. The site is currently zoned Rural Suburban Estates (RSE).**

Mr. Ryan recused himself and left the room because of a potential conflict. Mrs. Millar chaired the meeting.

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mr. Kelly Fulmer stated that he is an attorney and is representing the New Bethel Cemetery Corporation. Mr. And Mrs. Hicks are present with him this evening. Mrs. Hicks is the executor of her father's estate (Harry Reed).

He indicated that he is a Trustee of the Walton Cemetery. He is amazed at the amount of work that goes into running and maintaining a cemetery. Cemeteries are like people in that they can have a birth, a life, and a death. Cemeteries that have no room to grow can fall into a state of disrepair. The current Trustees of New Bethel Cemetery have done a good job maintaining the cemetery. They are desiring to expand the cemetery because of the generous offers of the Reed and Webster families.

He stated that there are four curb cuts which are legally non-conforming. He does not foresee the cemetery expanding into the subject areas anytime during his lifetime. He believes the cemetery will want an additional curb cut some time in the future and this may involve relocating one of the existing curb cuts. At this time, they are proposing no additional curb cuts. This may be something they revisit at a future time.

He indicated that the Trustees are not opposed to new driveways being 14 feet wide. The Trustees may choose to go with 20 foot wide driveways once they decide on a layout.

He stated the Trustees decided to go through this process so the zoning was in place when the properties were conveyed. They have a concern with additional plantings being required because they are a hindrance in terms of mowing and maintenance of the cemetery.

He indicated that future grave sites will not be any closer to Lebanon Crittenden Road than the existing grave sites. The 22.5 foot setback is something they are very comfortable with. He asked that their request be considered because New Bethel Cemetery is a viable part of the Verona community. The expansions are an integral part of the cemetery being able to continue to serve the families of the area.

He stated that he sent letter to the neighbors and it included a voluntary consent form. Over half of the neighbors responded and he furnished copies to the Board (Exhibit #1).

Mrs. Millar asked if anybody else in the audience wanted to speak in favor or in opposition to the request. There was no response.

Mrs. Millar asked if the Board had questions.

Mrs. Millar asked if a fee waiver could be considered because the applicant is a church/cemetery and they had to submit two applications. Could one fee be waived?

Mr. Morgan responded that any fee waiver has to be analyzed by the Boone County Planning Commission. There is a maximum amount that can be waived and the request is typically submitted with the application.

Mrs. Millar asked for a motion.

Mr. McGruder moved to grant both requests as proposed on the basis that the expansions are minor additions and will not adversely impact adjoining property owners. Mr. Edwards seconded the motion.

Mrs. Millar asked if the Board wanted to put a condition on the approval which states how far the grave sites have to be from Lebanon Crittenden Road.

Mr. Morgan responded that the Board could impose such a condition. He stated the existing graves sites are pretty close to the road and he cannot imagine future grave sites being closer. The state could require the grave sites to be further back off the road if they have any plans to widen the road. This issue will be dealt with at Site Plan Review.

Mr. McGruder responded that the applicant has stated that the graves will not be any closer to Lebanon Crittenden Road than the existing grave sites.

Mrs. Millar asked for the vote on the motion and it carried unanimously.

Mr. Ryan returned to the meeting at this time. He chaired the meeting and asked for a motion to adjourn. Mrs. Millar so moved and Mr. Edwards seconded the motion. The meeting was adjourned by unanimous consent at 6:35 p.m.

APPROVED

Shirley Millar, Secretary/Treasurer

Attest:

Todd K. Morgan, AICP
Senior Planner

Exhibits:

Agenda Item #2 - Voluntary consent forms from adjoining property owners

STAFF REPORT

APPLICANT: David & Penny Robinson
LOCATION: 3239 Ballantree Way, Boone County, Kentucky
ZONING: Agricultural Estate (A-2)
DATE: August 12, 2009

Proposal

The applicants have requested a variance so they can construct a detached garage/workshop at 3239 Ballantree Way. The submitted plans show that structure is 18' x 28' and will be constructed with materials that match the principal household. The request is to reduce the front yard setback from 60 feet to 50.5 feet (see attached plans).

Applicable Regulations

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
 - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Article 31, Section 3153 of the Boone County Zoning Regulations states that accessory structures or uses may be located in the front yard area or corner side yard area in Agricultural zones or for agricultural uses located in other zones provided that the respective front yard or corner side yard setback is met.

Surrounding Land Uses & Zoning

- Northeast: Ballantree Way and Undeveloped Lots (A-2)
Northwest: Undeveloped Lot (A-2)
Southeast: Single-Family Residential Dwelling (A-2)
West: Undeveloped Lot Fronting on Monticello Way(A-2)

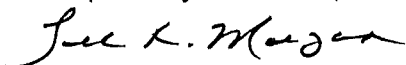
Staff Comments

1. The property owner provided a letter indicating that the detached structure cannot be setback any further from the road because of the location of his septic system (see attachment).
2. The applicant provided a letter from the Manor Estates Design and Architectural Review Board that they have approved the structure (see attachment).
3. The adjoining property owners to the southeast provided a letter indicating that they have no issues with the proposal (see attachment).
4. Staff would like the applicant to address how the structure will be used.
5. Staff does not believe that the Variance will alter the essential character of the area for the following reasons:
 - A. The proposed construction materials will match the existing household.
 - B. The aesthetic impact of the 9.5 foot setback variance should be minimized by the gradual curve in the road.
 - C. A parcel at the corner of Ballantree Way and Bergamo Road has a single-family residential dwelling and a matching detached garage.
6. If the request is approved, Staff recommends a condition requiring the garage/workshop to be constructed as presented.

Conclusion

KRS 100.241 and Section 250 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

Attachments

- *Site Vicinity Map
- *Aerial Map
- *Plot Plan
- *Building Elevations & Floor Plan
- *Letter from Property Owner
- *E-Mail from Manor Estates Design & Architectural Review Board
- *Letter From Adjoining Property Owner
- *Zoning Map
- *Application

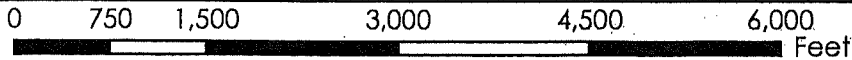
SITE VICINITY MAP

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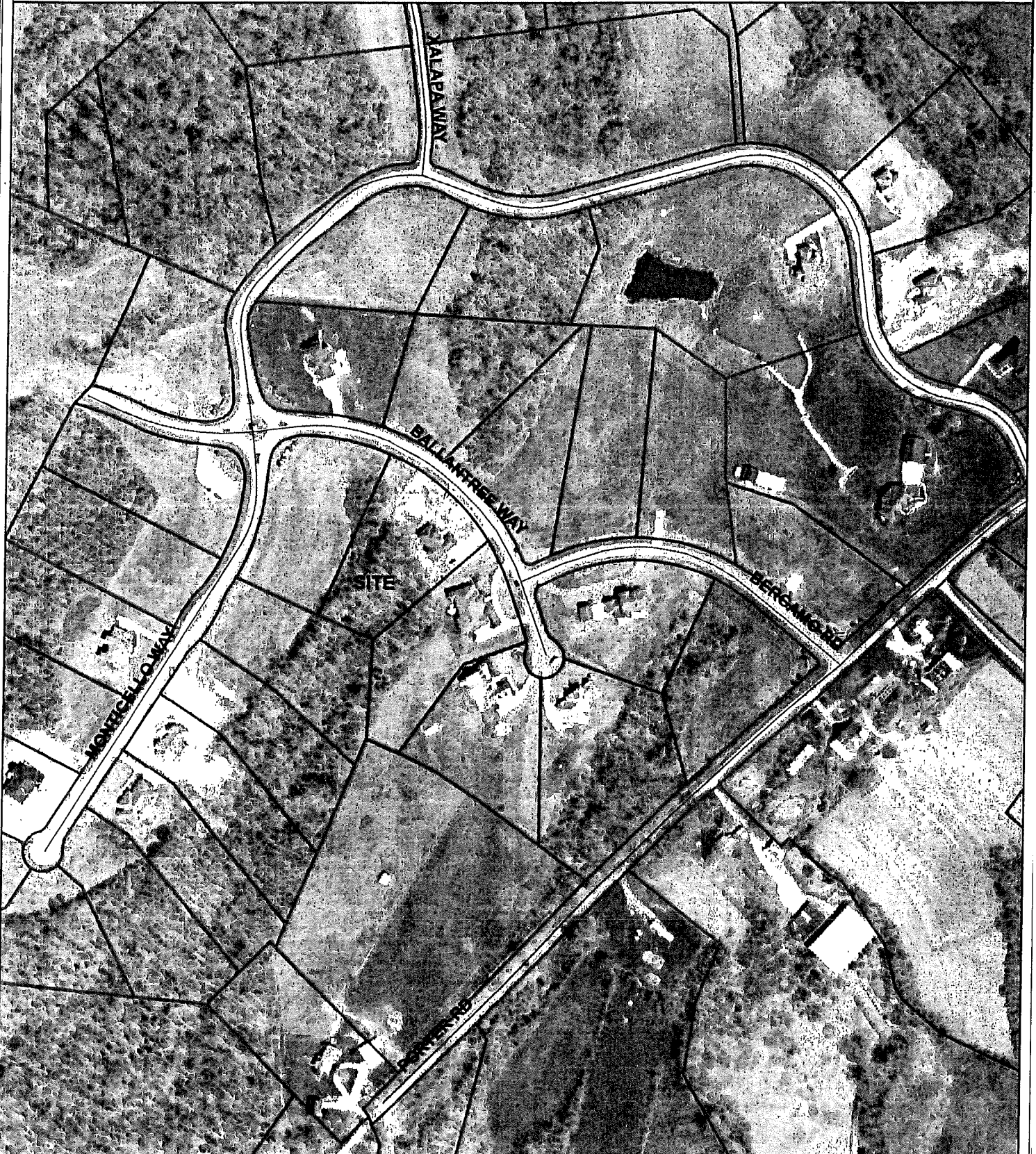
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Boone County GIS - Putting Northern Kentucky on the Map

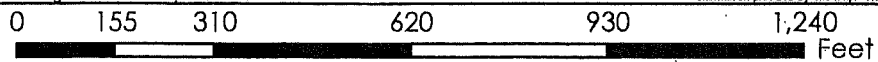
AERIAL MAP

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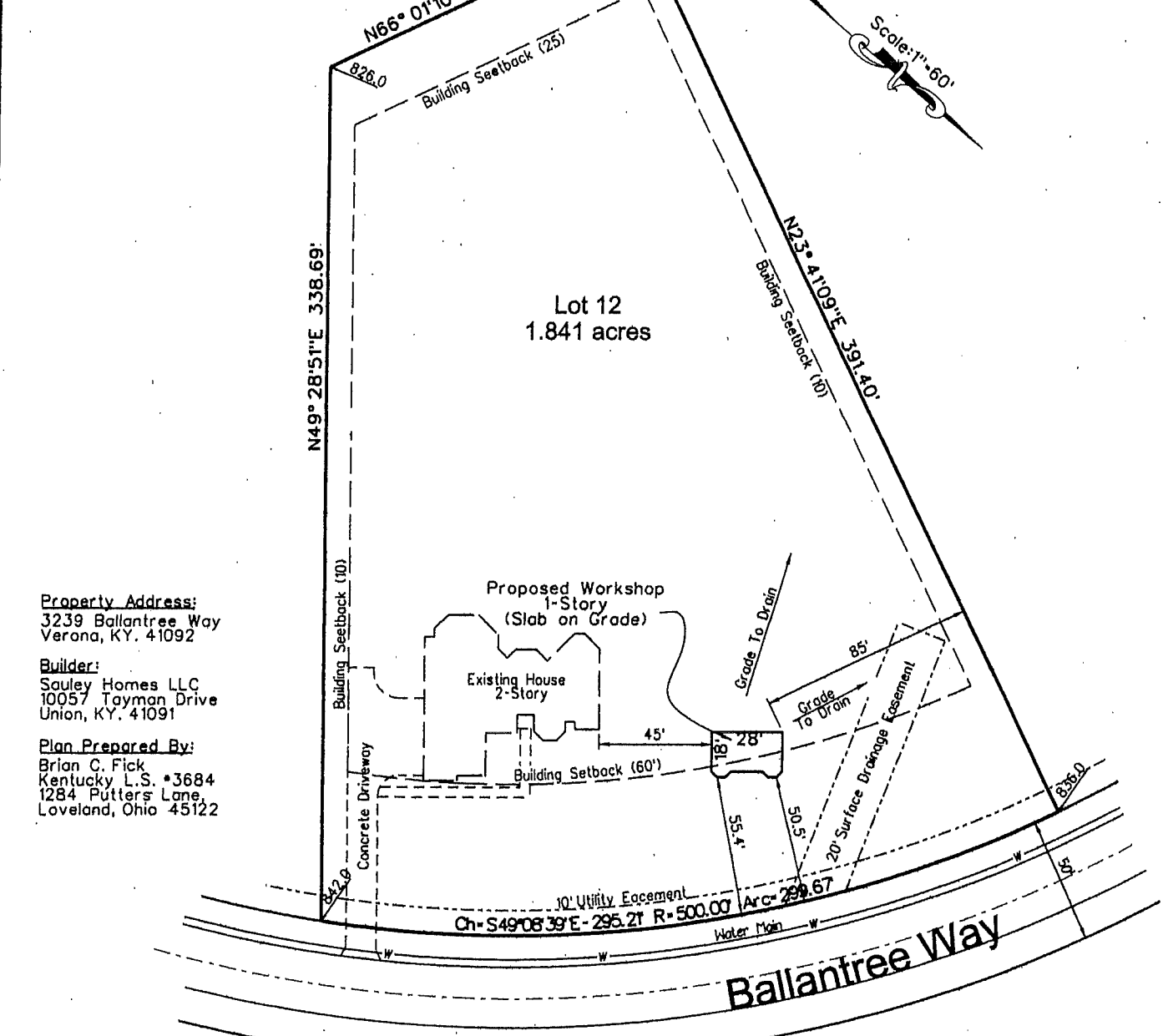


Boone County GIS - Putting Northern Kentucky on the Map



Notes:

1. Proposed first floor elevation set by owner/builder
2. Location of structure per owner
3. Subject to existing easements
4. Current Zoning: A-2
5. Setbacks: Front-60, Rear-25, Side- 10'



Property Address:
3239 Ballantree Way
Verona, KY. 41092

Builder:
Sauley Homes LLC
10057 Tayman Drive
Union, KY. 41091

Plan Prepared By:
Brian C. Fick
Kentucky L.S. #3684
1284 Putter's Lane,
Loveland, Ohio 45122

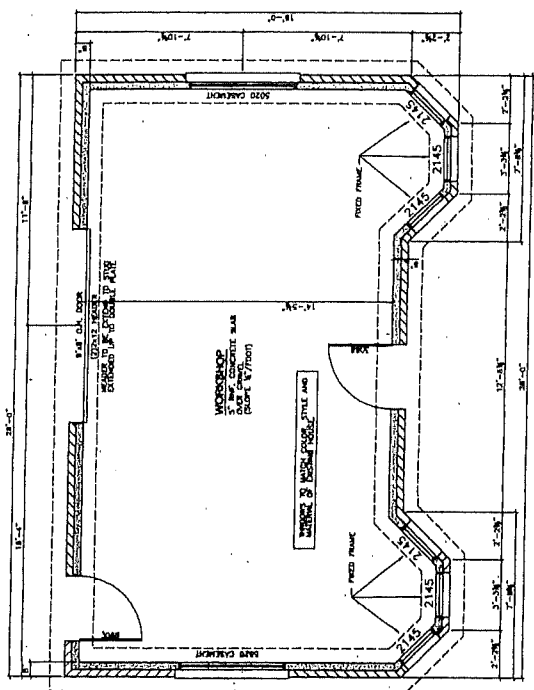
Plot Plan
for
Sauley Homes LLC
Lot 12
Manor Estates
Section No. 1
Verona, Boone Co., Kentucky
Scale: 1"=60' June, 2009

NO.	DESCRIPTION
1	WORKSHOP
2	WORKSHOP
3	WORKSHOP
4	WORKSHOP
5	WORKSHOP
6	WORKSHOP
7	WORKSHOP
8	WORKSHOP
9	WORKSHOP
10	WORKSHOP
11	WORKSHOP
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49	WORKSHOP
50	WORKSHOP

Proposed Detached Workshop
For
DAVID & PENNY ROBINSON
3238 Balmtree Way
Vernon, Kentucky 41092

WORKSHOP & FLOOR PLAN & ELEVATIONS

A-1

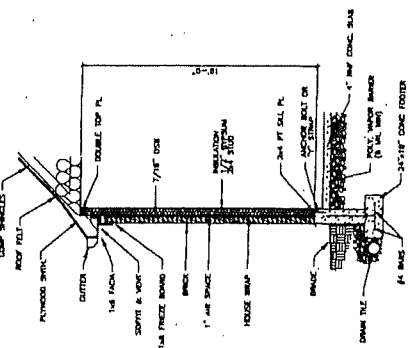


FOUNDATION & FLOOR PLAN
WORKSHOP - 438 SF

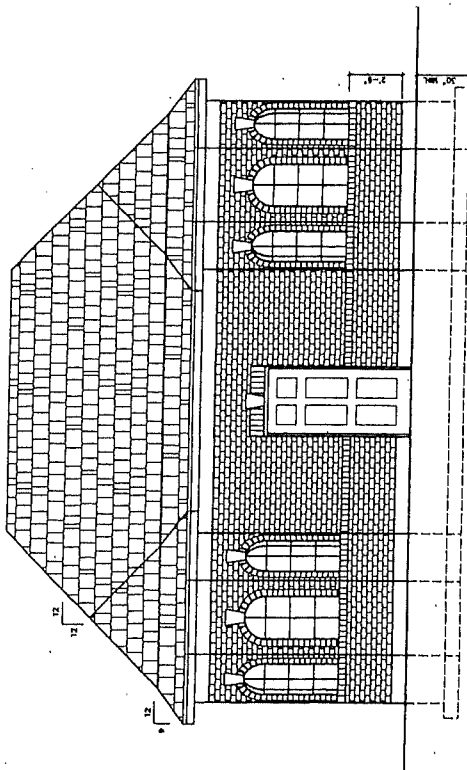
WORKSHOP - 438 SF

- DRAWING NOTES**
1. UNLESS NOTED OTHERWISE
 2. EXTERIOR FINISHES
 3. FINISHES TO MATCH EX HOUSE
 4. 1/2" MIN. INSULATION
 5. 1/2" MIN. INSULATION
 6. 1/2" MIN. INSULATION
 7. 1/2" MIN. INSULATION
 8. 1/2" MIN. INSULATION
 9. 1/2" MIN. INSULATION
 10. 1/2" MIN. INSULATION
 11. 1/2" MIN. INSULATION
 12. 1/2" MIN. INSULATION
 13. 1/2" MIN. INSULATION
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 15. 1/2" MIN. INSULATION
 16. 1/2" MIN. INSULATION
 17. 1/2" MIN. INSULATION

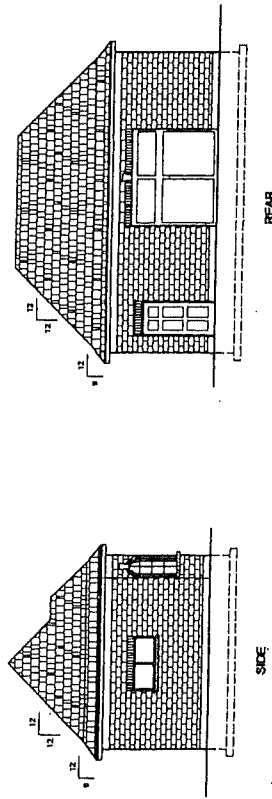
- GENERAL NOTES**
1. WINDOW HEADERS SHALL BE 2" X 4" SIPS
 2. DOOR HEADERS SHALL BE 2" X 4" SIPS
 3. TRUSSES PER MANUFACTURER'S SPEC.
 4. TRUSSES SHALL BE 2" X 4" SIPS
 5. 1/2" MIN. INSULATION
 6. 1/2" MIN. INSULATION
 7. 1/2" MIN. INSULATION
 8. 1/2" MIN. INSULATION
 9. 1/2" MIN. INSULATION
 10. 1/2" MIN. INSULATION
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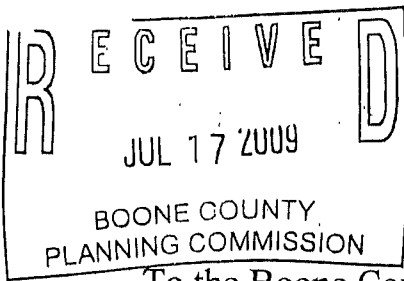
TYPICAL WALL SECTION



FRONT



ELEVATIONS



July 14, 2009

To the Boone County Planning Commission

I, David M Robinson am submitting a request for 9 foot 6 inch front yard setback variances for lot # 12 at Manor Estates at Porter Plantation, Located in Verona Kentucky. My street address is 3239 Ballantree Way.

The proposed use is for an accessory structure that is designed to match the existing home on the property.

I believe 1 a. and b. of Section 251 Application and Standards for Variances apply to my situation.

Due to the location and the size of my septic system I can not set back the proposed accessory structure any farther then the distance illustrated on the attached lot plan (shortest distance to structure is 63 feet from the road and / or 50 feet 6 inch from the 12 foot 6 inch right-of-way) and maintain the proper required distance from my septic system leach-beds.

At the requested variances location I have already redesigned the structure and reduced the depth of the structure to eighteen feet. I am also removing the first two runs of the current leach-beds to be in compliance with the required distance from a structure and replacing the two removed leach-bed runs with two new runs at the end of the current leach-bed.

According to my septic installer and contractor I do not have room for more then two new leach-bed runs and therefore cannot set the accessory structure any farther back from the road then requested in this application. Due to the surface drainage easement and the lay of the balance of the land I have no other location to build the accessory structure.

Thank you for your consideration in regards to this application.

Sincerely
David M Robinson

Attachments: Application
 Deed

1 page
4 pages

David Robinson

From: "Brent Sauley" <brentsauley@yahoo.com>
To: <robinson.david@insightbb.com>
Sent: Wednesday, July 01, 2009 6:25 AM
Subject: Fw: Re: No Subject

Please review. We will need to measure 25 ft from center of street and then go 50.5 feet I am certain this may get a little more into the septic. Take a measurement for me and let me know.

Brent Sauley
Sauley Homes, LLC
(859)393-6902
sauleyhomes.com

--- On Tue, 6/30/09, KYYank@aol.com <KYYank@aol.com> wrote:

From: KYYank@aol.com <KYYank@aol.com>
Subject: Re: No Subject
To: brentsauley@yahoo.com
Date: Tuesday, June 30, 2009, 5:03 PM

Brent,

I have received the comments back from the DARB members, and the accessory structure to be located at 3239 Ballantree Way in Manor Estates is approved with the enhanced design last presented and will be granted a 10 foot waiver with the following conditions:

1. The structure must be located as perpendicular as possible to the apex of the road it is closest too.
2. The structure is hereby granted a 9.5 foot waiver in response to the enhanced upgraded designs, a smaller structure and the location on a curved road. We appreciate you making these changes.
3. The drawings submitted must be revised to show the correct dimensioning. The drawing presented indicated the incorrect setback locational measurements. Please be advised that Manor Estate maintains a 50 foot Right of Way, with 25 feet of pavement located as centered within that Right of Way. The Covenants call for a set back of 60 feet from the edge of the Right of Way. The drawing indicates a measurement from the edge of the pavement, The conforming measurement must be shown correctly from the edge of the Right of Way to be 50.5 feet at the CLOSEST point. In addition, the measurements seem to be indicated - as measured from the street to the point of the structure farthest away from the street -- and that if measured at a different location on the right side of the accessory structure, it would actually be closer to the street.

This waiver is achieved by producing a line exactly 9.5 feet away from the current setback curvature line toward the street- at all points, thereby producing a new curved line exactly 50.5

feet from the existing Right of Way setback at all times. In no location shall the structure infringe upon, into, or further toward the street than this 9.5 foot setback waiver. That would be, in essence a much greater waiver that has not been requested and approved.

4. This DARB approval in no way indicates a County setback, building permit or any other required additional approvals that must be obtained.

I thank you for your patience in this matter. Please copy Mr. Robinson on this response as it seems we cannot locate his E-Mail address.

D McPherson
Manor Estates DARB

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!
(<http://pr.atwola.com/promoclk/100126575x1222377075x1201454393/aol?redir=http://www.freecreditreport.com/pm/default.aspx?sc=668072&hmpglD=62&bcd=JunestepsfooterNO62>)

July 13, 2009

To the Boone County Planning Commission,

We, Darrell and Sherri Dehner are the owners of Lot # 11, Manor Estates at Porter Plantation. Our address is 3231 Ballantree Way, Verona, Kentucky.

Our property adjoins David and Penny Robinson's Lot # 12. We are aware they are requesting a front yard setback variance to match the one approved by the Manor Estates at Porter Plantation DARB.

We are aware of the design and location for the accessory structure. We have no problems or issues for the front yard setback variance to be granted.



Darrell Dehner

Date: 7/14/09

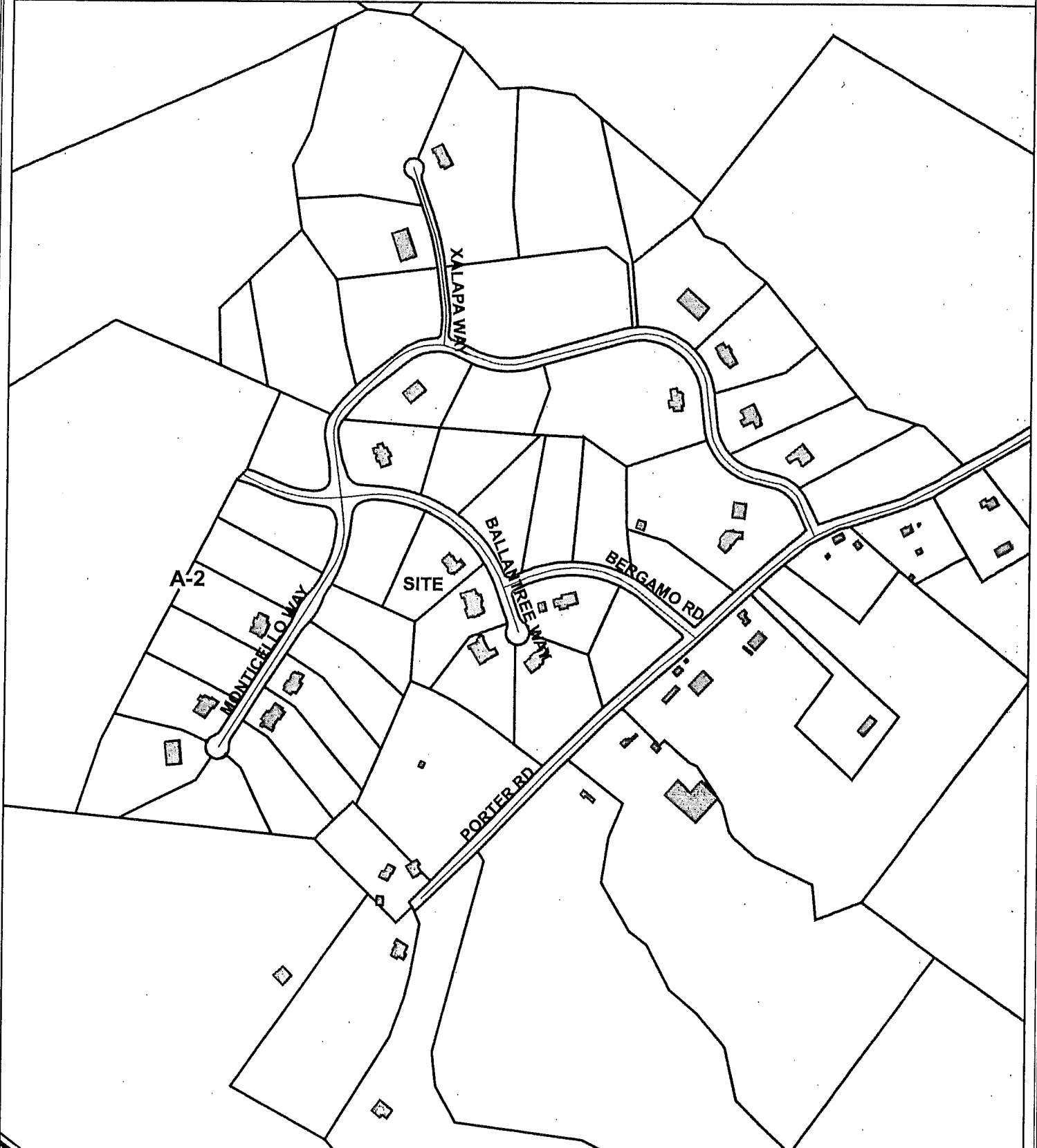


Sherri Dehner

Date: 7/14/09

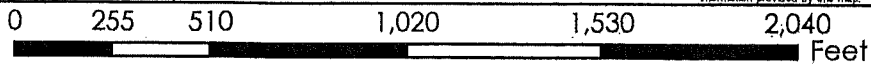
ZONING MAP

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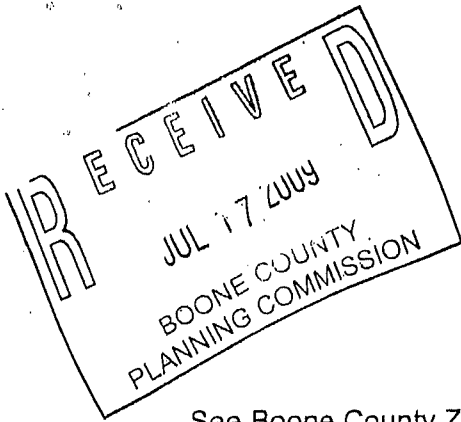
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Boone County GIS - Putting Northern Kentucky on the Map

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



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 DAVID & PENNY ROBINSON

Phone Number 859-919-0035

Fax No. _____

Applicant's Address 3239 BALKANTREE WAY

VERONA

KENTUCKY

41092

City

State

Zip

4. Description of Request: FRONT YARD SETBACK VARIANCE OF 9 1/2 FEET.
FRONT OF ACCESSORY STRUCTURE WILL SET BACK 63 FEET FROM THE ROAD
AND/OR 50 1/2 FEET FROM THE 12 1/2 FEET WIDE UTILITY RIGHT-OF-WAY ALONG SIDE OF ROAD

5. Name of Development MANOR ESTATES AT PORTER PLANTATION

6. Location of Development VERONA KENTUCKY

BOONE COUNTY - MANOR ESTATES - VERONA, KENTUCKY 41092

7. Acreage Under Review 1.841 acres

8. Lot Number and Name of Subdivision (if part of a subdivision)

LOT #12 MANOR ESTATES AT PORTER PLANTATION (SECTION 1) BERGAMO VILLAGE

9. Owner of Property DAVID & PENNY ROBINSON

Address of Property Owner 3239 BALKANTREE WAY

Phone No. 859-919-0035

10. VERONA

KENTUCKY

41092

City

State

Zip

11. Proposed Use(s) on Site BUILD ACCESSORY STRUCTURE (DESIGNED TO MATCH EXISTING HOME)

12. Total Square Footage of Existing and/or Proposed Buildings 28' X 18' 504 sq. ft.

13. Current Zoning on Property ZONING DISTRICT A-2

14. Deed Book ~~_____~~ Page No. 320

Group No. ~~_____~~ # 208

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.

ORIGINAL Property Owner's Signature: David M. Robinson

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

ORIGINAL Applicant's Signature: David M. Robinson

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

COPY

CLUR #09-BCBOA-009-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
David and Penny Robinson
3239 Ballantree Way
Verona, KY 41092

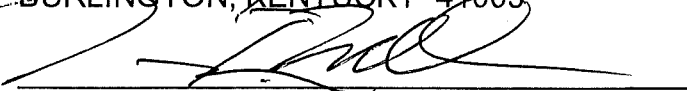
- 2. ADDRESS OF PROPERTY
3239 Ballantree Way
Verona, KY 41092
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Manor Estates at Porter Plantation

- 4. DEED BOOK 917 PAGE NO. 320 GROUP NO. 2087A

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



SIGNATURE OF COMPLETING OFFICIAL

Kevin T. Wall, Director, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Kevin T. Wall on behalf of the

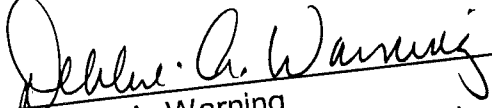
Boone County Planning Commission this 20 day of August, 2009.



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 Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of August 12, 2009 Certificate of Land Use Restriction (#09-BCBOA-009-A), for David and Penny Robinson, Property Owner(s).

The following conditions will apply:

- 1) The garage/workshop shall be constructed as presented to the Board.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 917

PAGE NO. 320

GROUP NO. 2087A