

OWNER (Business)
RICH PHILLIPS
(513) 673 4554

APPLICATION FORM

09-BCBOA-WITHDRAWN

**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
AUG 17 2009
BOONE COUNTY
PLANNING COMMISSION

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

- (Check One)
- Boone _____ Florence _____ Walton _____ Union _____
 - (Check One)
 Conditional Use Permit _____ Variance _____ Appeal _____
_____ Change in Non-Conforming Use _____
 - Applicant's Name BRAD PHILLIPS
Phone Number 513 477 0385 Fax No. _____
Applicant's Address 931 APPLE BLOSSOM LN
MILFORD OH 45150
City State Zip
 - Description of Request: CHANGE IN ZONING TO ALLOW FOR A INDOOR/OUTDOOR AND BOARDING FACILITY FOR DOGS
 - Name of Development CAMP BOW WOW
 - Location of Development 1350 JAMIKE ERLANGER, KY 41018
 - Acreage Under Review 2.33
 - Lot Number and Name of Subdivision (if part of a subdivision)
lot number 21
 - Owner of Property DCT Jamike KY LLC
Address of Property Owner 518 17th St, St 1700 Phone No. _____
Denver, CO 80202
City State Zip
 - Proposed Use(s) on Site SEE ATTACHED
 - Total Square Footage of Existing and/or Proposed Buildings 15,000 SF
 - Current Zoning on Property I-1 Light Industrial
 - Deed Book 917/ Page No. 508 Group No. 2022
 - Is the site subject to a zone change? NO
If yes, give date of approval _____
 - Have you submitted a Site Plan with this request? YES
 - Have you submitted a list of adjoining property owners with this request? YES
 - I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: William E. Chester
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(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 8-17-09 Fee Received \$1082.00 R#59271
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
*SEE 9/23/09
Letter of Withdraw*
6. Conditions of Approval: _____

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
- 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: Brad Phillips for Camp Bow Wow

LOCATION: 1350 Jamike Avenue, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: September 9, 2009

PROPOSAL

A Conditional Use Permit application has been submitted to allow a kennel with doggie daycare and overnight boarding at 1350 Jamike Avenue, Boone County, Kentucky. The applicant has submitted a Standard Operations Manual (exhibit 1) and a letter which outlines the business operation, outdoor exercise areas, and daily cleaning regimen (see attachments). The letter indicates that the business will be open 365 days a year and will have the capacity to offer day camp and boarding services to approximately 100 dogs per day. A plan was also provided showing the following interior and exterior improvements (see attachments):

Interior

- Lobby, office, interview room, storage rooms, preparation area
- Grooming room
- 75 chainlink pens
- Four indoor play areas

Exterior

- Four outdoor play areas located behind the building. Each play area is 20' x 25' and is enclosed by vinyl privacy fencing.

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 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 and 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" and "Developmentally Sensitive" uses.

These designations are defined as follows:

Industrial - "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

Developmentally Sensitive - "Areas that have an existing slope of twenty percent or greater for a height of 20 meters, or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's stability and visual character. In addition,

developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance. Any development on land identified as Developmentally Sensitive must be carefully assessed by the developer and the Planning Commission to determine the ability of the land to support the proposed project..."

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: Team Worldwide (I-1)
- Northwest: Dixie Dew and Parkway Corporation (I-1)
- Southeast: Team Worldwide and Obara Corporation (I-1)
- Southwest: Jamike Avenue and Western States Envelope & Label (I-1)

SITE CHARACTERISTICS

The approximate 2.33 acre tract is located in Mineola Industrial Park and contains an approximate 15,000 square foot office/warehouse, 24 striped parking stalls, and loading dock area. There is a 50 to 55 foot long grass area behind the building and a 40 to 70 foot wide mature deciduous tree line along rear property line. The topography of the property falls from approximately 884' above sea level at Jamike Avenue to 834' above sea level at the northeast property corner.

STAFF COMMENTS

1. Staff has the following questions for the applicant:
 - A. What is the typical mix of animals? (number in daycare verses number being boarded for the night)
 - B. How many dogs could utilize the outdoor play area at any given time?
 - C. What time are the dogs brought in for the night?
 - D. The applicant's letter explains that a trash can is being setup in the play area. Where is this trash can being proposed?
 - E. The applicant's letter explains that a trash dumpster will be utilized. Where is the dumpster proposed?
 - F. The applicant's letter indicates that additional lighting is being proposed. Where is the lighting proposed? Will light poles or wall packs be utilized?
 - G. What kinds of chemicals are used in the indoor/outdoor cleaning regimen?
 - H. How many employees will work at the facility at any given time?

1. When are the peak drop-off and pick-up times? How many customers could be anticipated at any given time?
2. The Boone County Zoning Regulations does not have a parking requirement for a doggie daycare and kennel facility and Staff did not find reliable standard in any planning manuals. 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 24 striped spaces and a truck dock area that could potentially be striped off into an additional parking area. The adequacy of the on-site parking will be analyzed by Planning Commission Staff if the Conditional Use Permit application is approved.
3. Staff received a letter from Robert C. Carl, President of Dixie Dew Corporation, regarding the proposal (see attachments). Dixie Dew Products manufactures a wide variety of food products ranging from icing to marinara sauce and is located immediately to the northwest of the proposed dog kennel. Mr. Carl's letter states his belief that the kennel is not compatible nor fits into the general business plan of the industrial park. The letter also raises concerns that the kennel could cause his plant to experience microbial contamination caused by airborne feces.

In response to Mr. Carl's letter, the applicant has provided a letter from John Shauff (see attachments). Mr. Shauff is an ISSA Certified Expert (ICE) and works for Spartan Chemical Company in Ohio. The letter addresses the potential for airborne feces contaminated with pathogens to contaminate the food processing plant. It also mentions that Camp Bow Wow has conducted a storm water study that exceeds the compliance requirements of the South Coast Water District (Region 9, San Diego, CA).

4. Staff contacted Mark Reed, with the Kentucky Department for Public Health, Food Safety Division, once Mr. Carl's letter was received. Mr. Reed indicated that Dixie Dew is responsible to operate in a safe and sanitary manner in order to keep their food manufacturing permit. He believes that a kennel operation in close proximity to a food manufacturer could pose problems because dog feces left on the ground could increase the fly population in the general area. The potential exists that the flies could land on the feces, enter the food manufacturing facility, and contaminate the food. Mr. Reed also indicated that a food manufacturer would need to contact the local health department if they were experiencing a local health nuisance from an adjoining property owner.
5. On April 8, 2009, the Boone County Board of Adjustment approved a Conditional Use Permit application for a kennel operation with dog training, day care, boarding, grooming, and accessory sales of merchandise at 1211 Cox Avenue (another site located in Mineola Industrial Park). The interior plan showed that the business would occupy about half of the 24,587 square foot office/warehouse and that it could expand into the remainder of the building at a future date. The exterior plans showed that a 16,060 square foot area would be fenced off to the west of the building. The business summary listed 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)

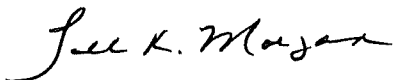
The Board of Adjustment imposed the following conditions on the approval:

- A. No training classes or socials will go beyond 9:30 p.m.
 - B. No additional exterior lighting shall be permitted.
 - C. Six evergreen trees shall be planted between the rear property line and the proposed fence.
 - D. 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.
 - E. There will be no outdoor boarding.
 - F. Any future expansion of the business will require a new Conditional Use Permit application.
5. The Board needs to analyze the criteria for granting a Conditional Use Permit in the Industrial One (I-1) zoning district before acting on the request.
6. Staff recommends the following conditions if the request is approved:
- A. The outdoor play areas shall be constructed with solid 8' tall vinyl fences.
 - B. The approximate 135' area between the loading dock parking lot and northwest property line shall be screened with 5 evergreen trees and 6 medium trees per 100 linear feet. The required trees shall be selected from the plant lists found in the Boone County Zoning Regulations and shall meet the minimum installation size requirements.
 - C. A Minor Site Plan shall be approved by the Boone County Planning before the kennel opens for business. The plan will address parking, lighting, outside play area fencing, landscaping, etc.

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

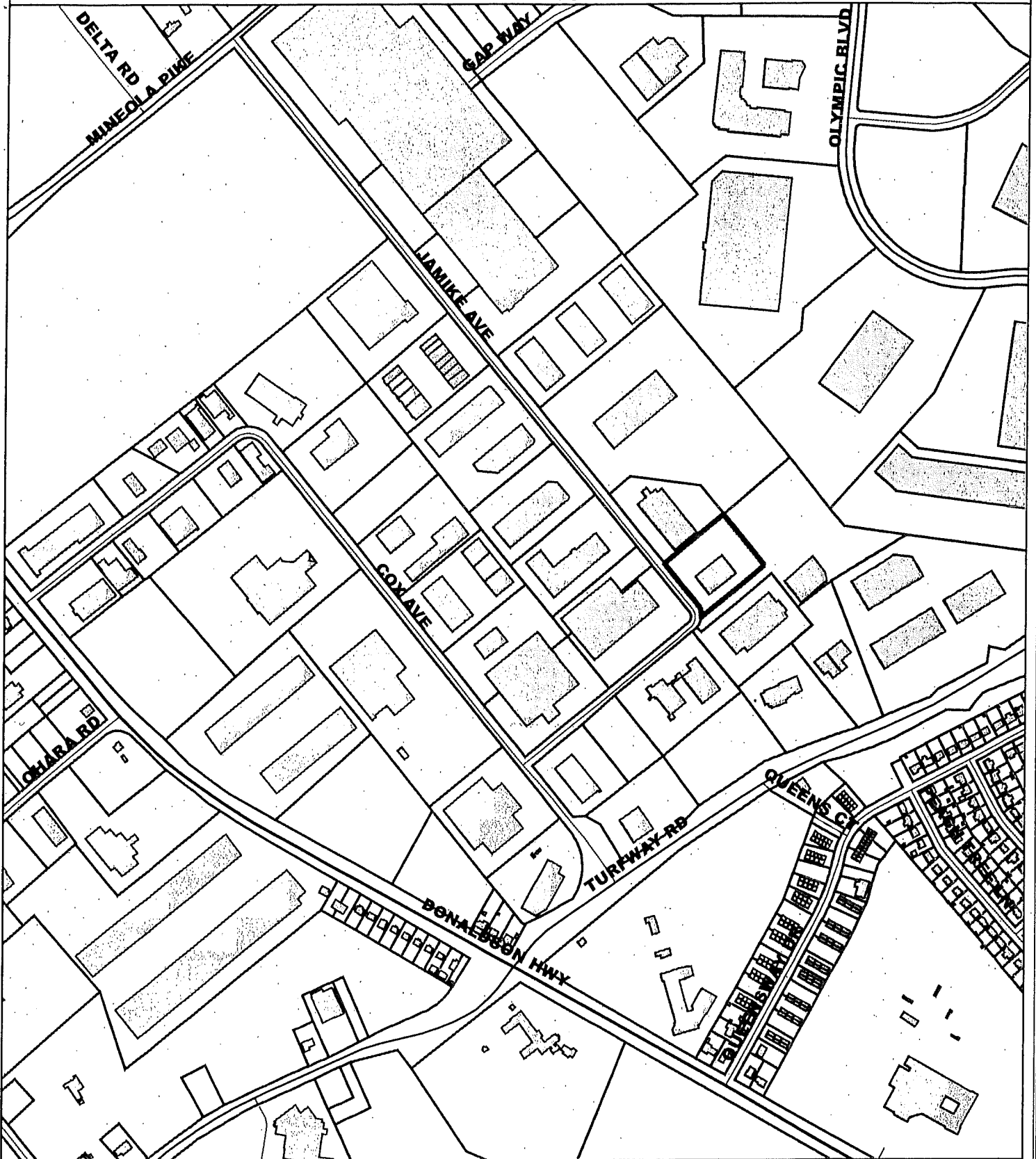
TKM/pr

Attachments

- *Site Vicinity Map
- *Business Overview
- *Interior/Exterior Plan
- *Pictures of a Similar Facility
- *2007 Aerial Map
- *Topographical Map
- *Zoning Map
- *Future Land Use Map
- *Letter From Robert C. Carl
- *Letter From John Schauff
- *Camp Bow Wow Storm Water Study
- *Application

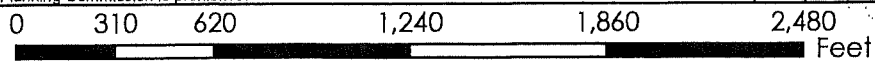
SITE VICINITY MAP

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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2008

Map File Name: 01012008.mxd
ArcMap Document: *.mxd



Conditional Use Permit Application
Camp Bow Wow® Erlanger, KY
1350 Jamike Ave
Erlanger, KY 41018

Business Overview

Camp Bow Wow® is a franchise operation which provides premier doggy day care and overnight boarding facilities. This alternative to traditional kennels was developed to provide a fun, safe, and upscale environment for dogs to play, romp, and receive lots of love and attention. Camp Bow Wow® runs a quiet, clean professional franchise operation that co-exists well with other commercial industrial uses.

Daycare is offered weekdays and all dogs are boarded in individual indoor secured kennels. It is required to have one staff member per 15 dogs during the hours of operation which are 7:00 AM to 7:00 PM, Monday through Friday and 7:00 AM – 10:00 AM and 4:00 PM to 7:00 PM, Saturday, Sunday, and holidays. Camp Bow Wow is open 365 days a year and will have the capacity to offer day camp and boarding services to approximately 100 dogs. The business model is an open play environment where dogs are allowed to socialize with other dogs with the same size and temperament category. Each dog goes through an interview process to determine if camp is a good fit for them. For the safety of the dogs there are three play areas for the different sizes and demeanors. At night, the dogs are in their cabins and staff is not present to allow for a peaceful rest; however, cameras are on 24 hours a day and the fire and security systems are connected directly to the fire and police departments for monitoring. The temperature is climate controlled and maintains a constant 64-78 degrees year round.

Fenced Outdoor Exercise area

Camp Bow Wow® does not operate with indoor/outdoor runs and all overnight boarding is within an enclosed building. The outdoor area is used sporadically for relief and fresh air. Staff is present at all times when dogs are outside and utilize specific training to keep noise to a minimum. The outside areas are also used so that once a dog is in our facility they are in what we call a "safety zone" and do not leave the premises during their visit until the owner picks them up. This protects the surrounding area and more importantly, it protects our campers. Many day care facilities walk their customer's and charge additionally for the service. We take the extra care to find facilities that can accommodate outdoor storage so we may attach these break areas to our facility.

The outside break yard is constructed with solid vinyl fencing that is a mandatory eight feet in height or a seven foot chain link fence with one foot top extension angled toward play area with seven foot privacy slats to insure dog and neighborhood safety. The fencing creates low to zero visibility for the dogs to see out, which controls any access barking. All gates from outdoor play areas are locked from

the inside only and safety cages leading to the dumpster are locked and are located off the perimeter fence line closest to the dumpsters. A minimum of four inches of pea gravel is evenly distributed throughout the play yards. Gravel is between 1/8 inch and 3/8 inch and must be round and clean. Barriers are placed along the perimeter of the play yards to fully contain the gravel within the fence line. (Photo examples are enclosed on page three) Exterior lighting will illuminate all outdoor play areas, customer entrance and exits, parking lot, and dumpster area.

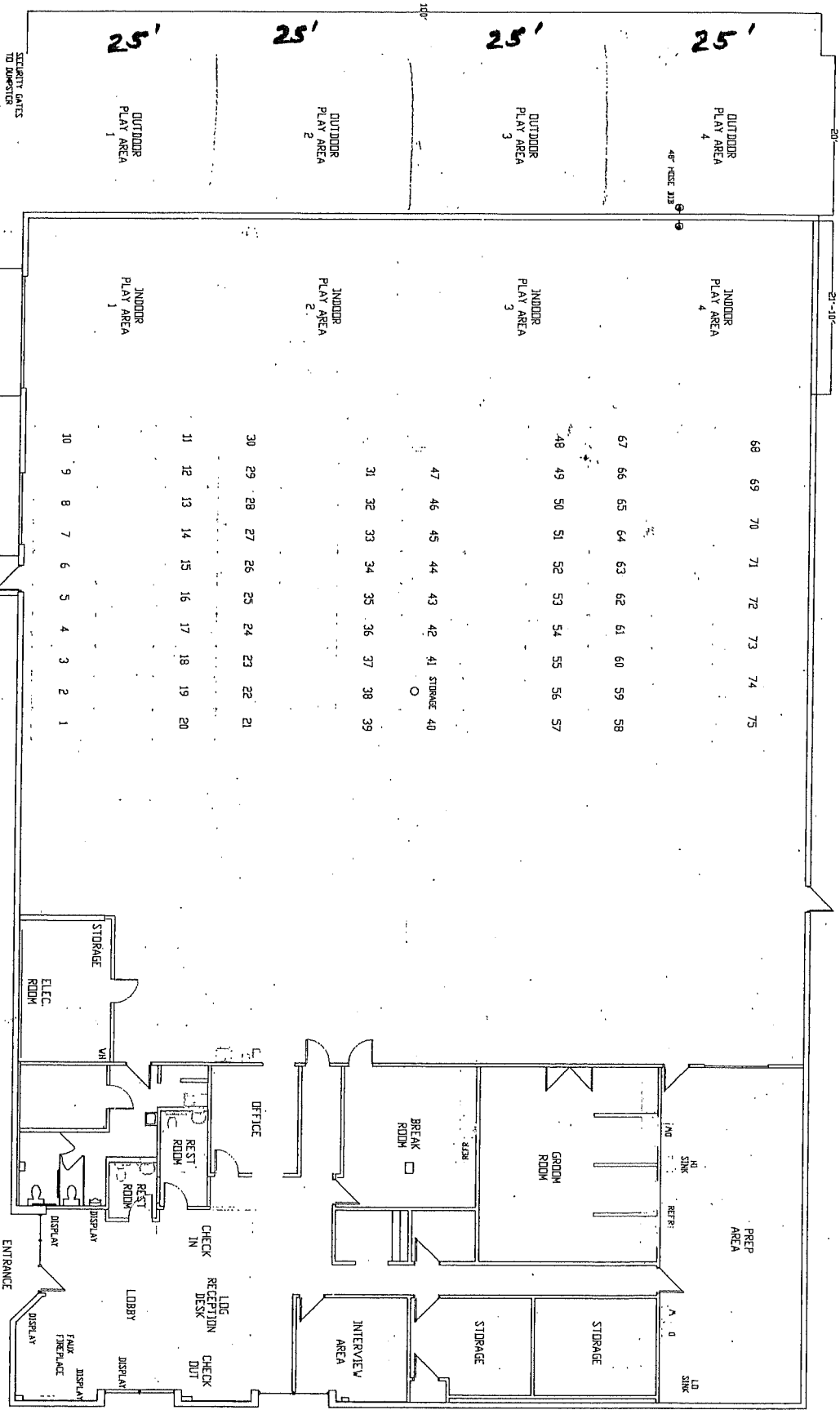
Cleaning Regimen

Camp Bow Wow® utilizes specialized bio-degradable cleaners and disinfectants - the same that are used in hospitals, childcare centers, and gyms these products keep our facilities, indoor and out smelling fresh and clean year-round. The Camp Bow Wow® waste removal routine includes constant play area patrol so that waste is picked up and deposited in a galvanized steel trash can with lid and a 2-3 ml trash can liner. The liner is removed, sealed and deposited in the facility dumpster at minimum twice a day. The dumpster is picked-up once or twice per week. The franchisor requires set cleaning schedules and site evaluations are conducted year round to insure proper maintenance of their facilities.

Outdoor play yards are cleaned daily at noon by spraying the specialized disinfectant on the fence, play equipment, and gravel. It is then scrubbed with a firm bristle brush and pea gravel is raked to constantly rotated and clean. Indoor play yards are cleaned twice a day by dry mopping, vacuuming around the edges, and wet mopping or auto scrubbing. Cleaning spray bottles and mops are strategically placed within reach of play yards for quick access to clean mishaps immediately. Minimal water is used during the daily cleaning regimen which is why Camp Bow Wow® does not require floor drains.

Community Partnership

Camp Bow Wow values the community the camps are located in and since the campsites are run by local owner/operators and not the franchisor there is a strong commitment to being a valued part of the community. Our camp owners network in partnership with The Bow Wow Buddies Foundation, Camp Bow Wow's 501©(3), team up with local animal organizations to support them by fostering dogs, organizing charity events, and referring like services within the community.

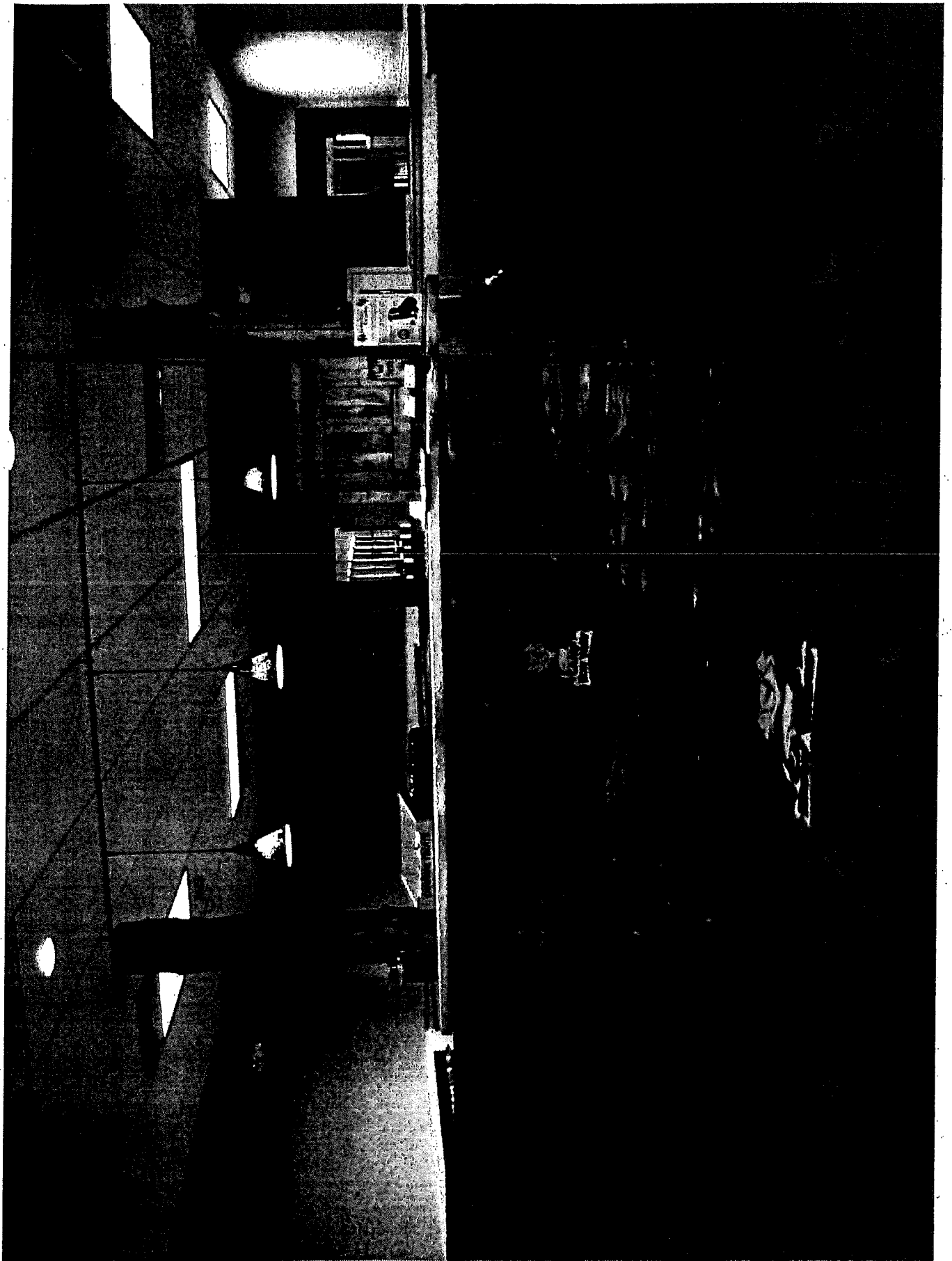


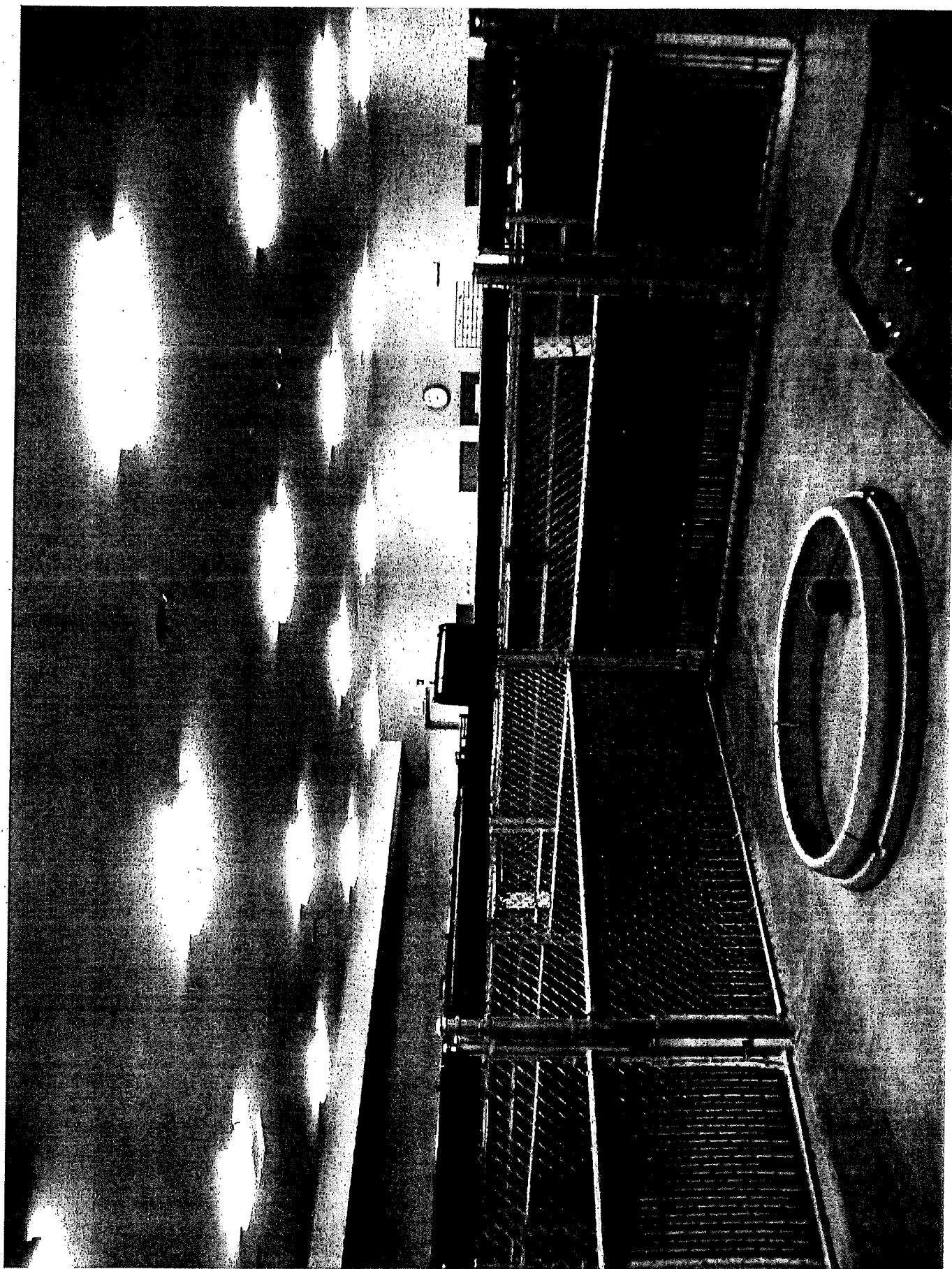
- GENERAL NOTES
1. ALL GATES AROUND RECEPTION DESK TO MATCH DESK
 2. ALL GATES IN WAREHOUSE ARE CHAINLINK GATES.
 3. 48" FRP COLOR IS "ALMOND".
 4. FULL DOORS OFF CHECK-IN/ CHECK-OUT CORRIDOR TO HAVE SMALL WINDOWS IN UPPER HALF OF DOOR.
 5. ALL INTERIOR & EXTERIOR FENCE LINES & GATES TO MEET CBV SPECIFICATIONS.

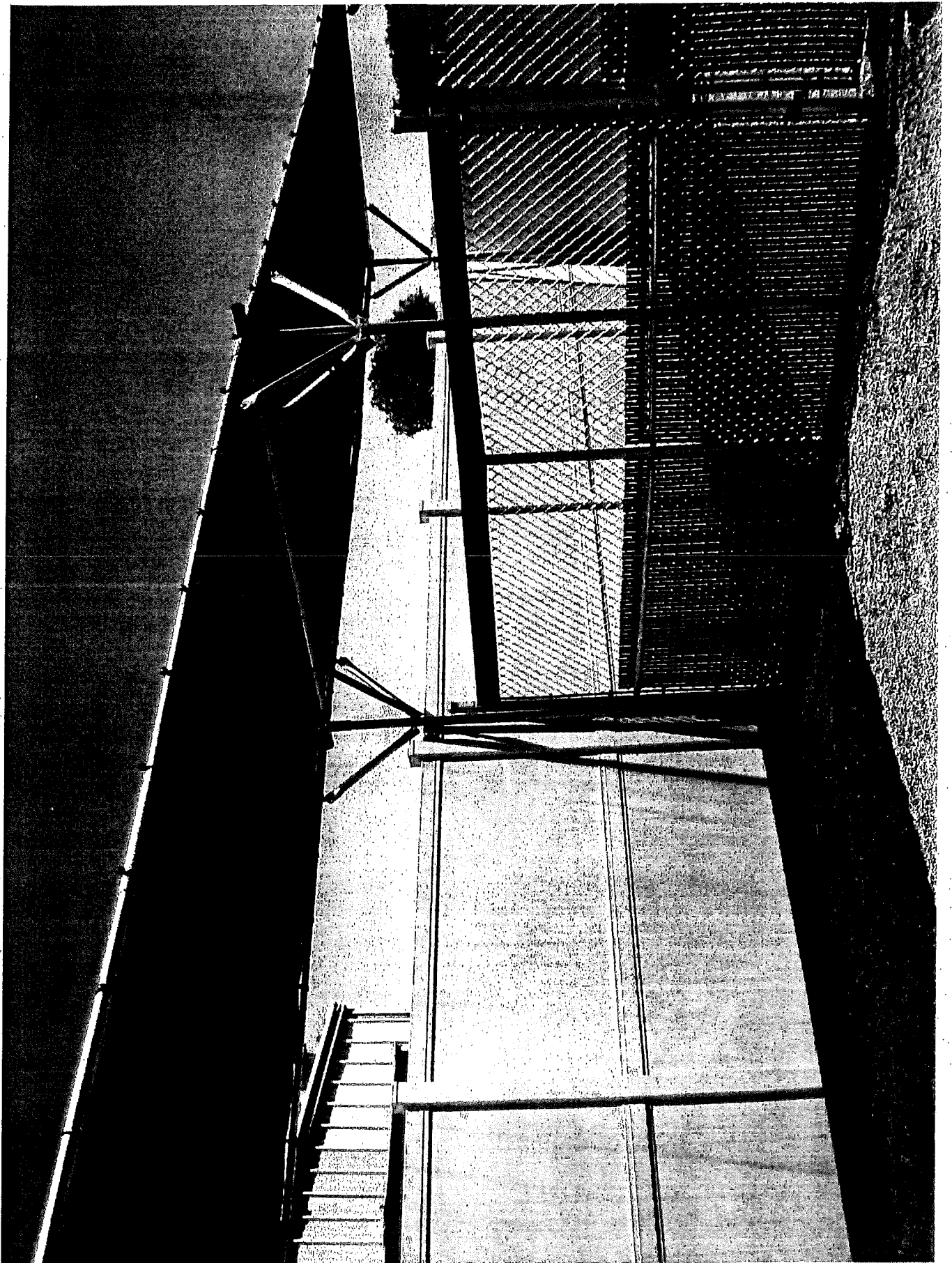
ALTERATIONS OF THIS PROGRAM DESIGN ARE STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF THE CBV DESIGNER.
 VERIFY ALL DIMENSIONS IN FIELD AND CO-ORDINATE WITH ARCHITECT PLANS BEFORE ORDERING MATERIALS OR STARTING CONSTRUCTION.

- INT. WALLS
- EXIST. WALLS
- EXT. WALLS

JAMIKE AVE.

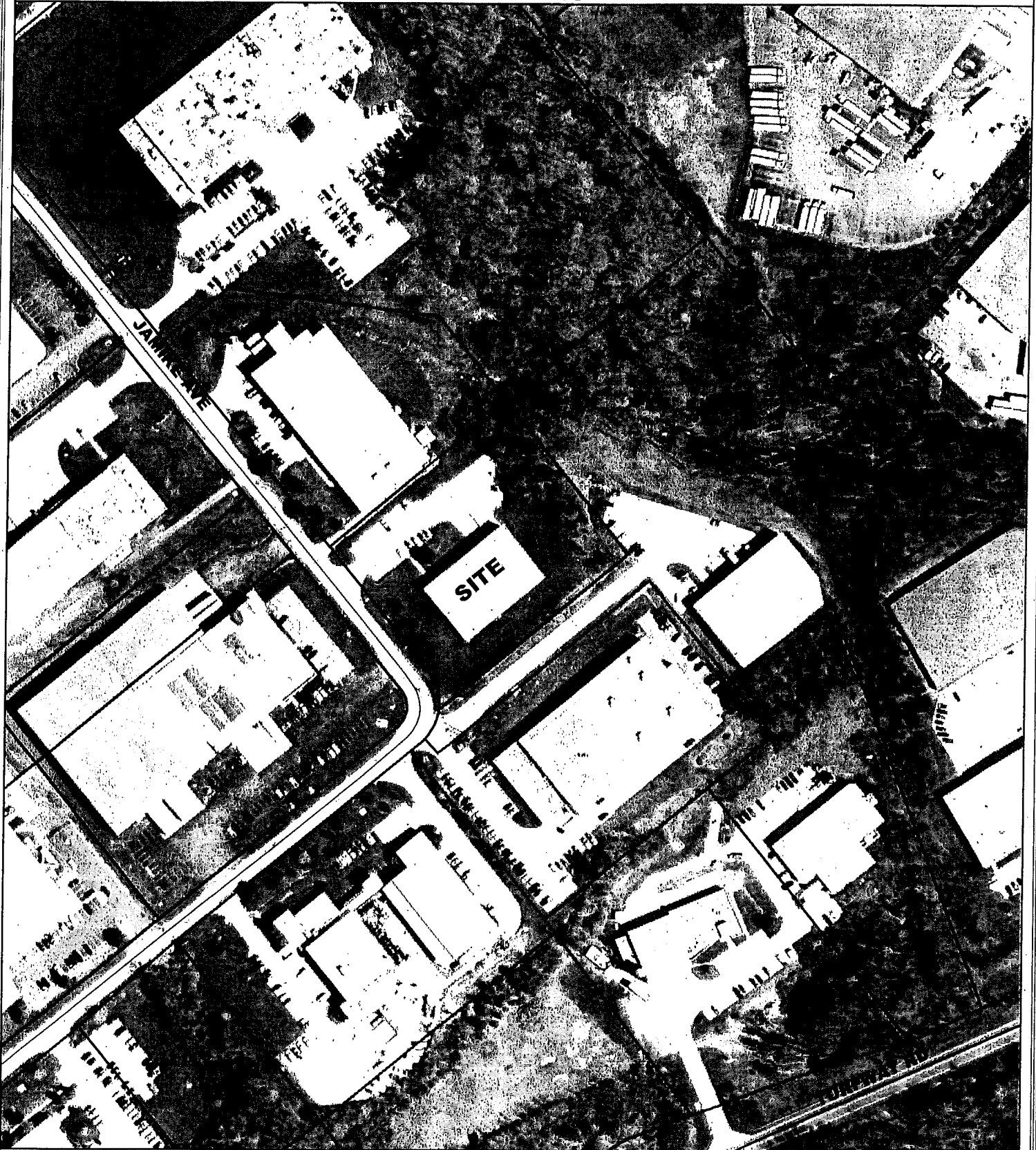






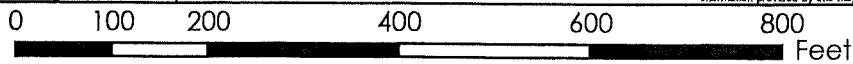
2007 AERIAL MAP

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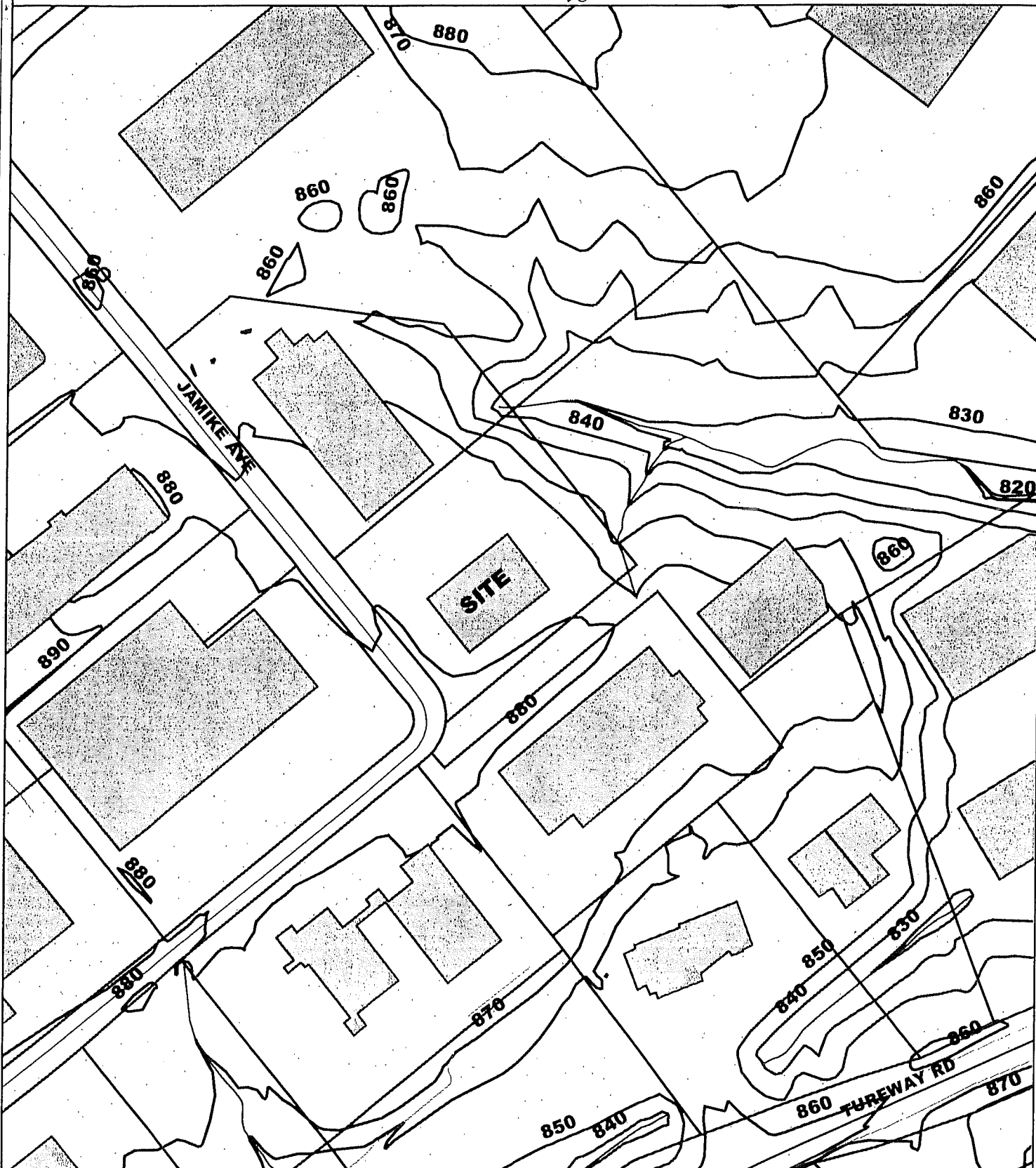
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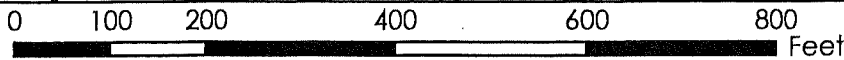
TOPOGRAPHICAL MAP

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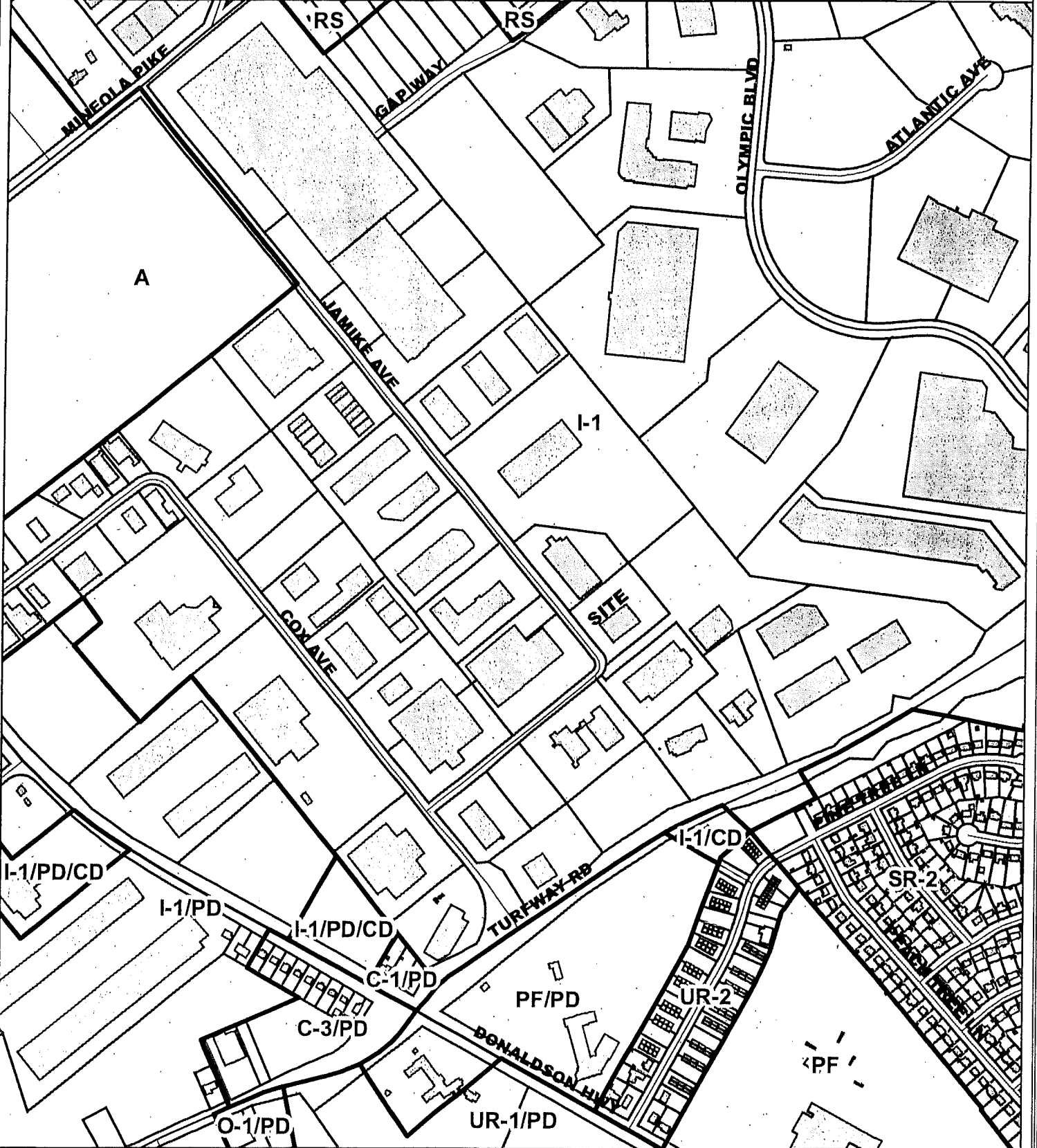


Boone County GIS - Putting Northern Kentucky on the Map



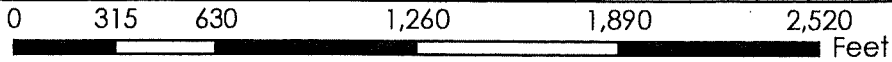
ZONING MAP

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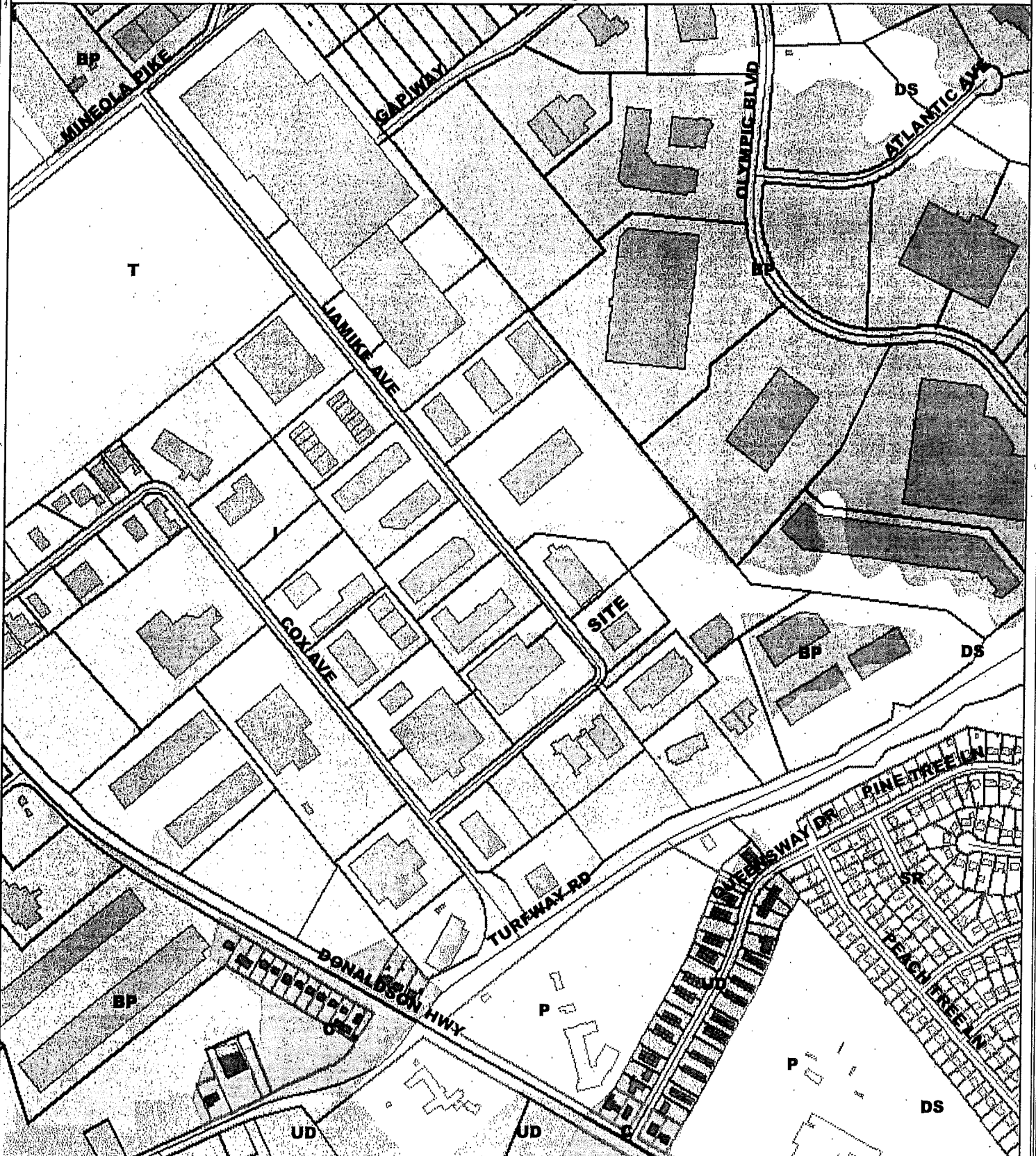
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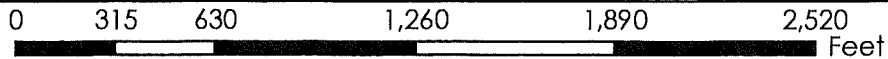
FUTURE LAND USE MAP

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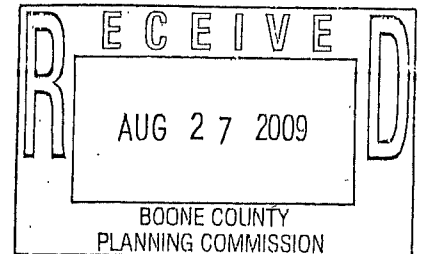


August 26, 2009

dixiedewproducts.com

QUALITY THROUGH RESEARCH

Mr. Todd K Morgan, AICP
Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
POB 958
Burlington, KY 41005



Re: Change in Zoning

Dear Mr. Morgan:

Thank you for taking my call this morning and directing me to write this letter voicing my concern of the proposal for 1350 Jamike Avenue, Erlanger, KY 41018.

As a property owner and manufacturer in Boone County for over 20 years, I have deep concerns regarding the change in zoning to allow a pet center to operate next to a food manufacturing facility. Our company manufactures a wide variety of products from Icing to Marinara Sauce, which includes chocolate sauces, caramel sauces and flavor bases.

Regarding the use of this property as a dog kennel, I am deeply concerned regarding odors, waste and the general perception from the multinational companies we do business with of a dog kennel being next door to a food processing facility. My concerns also go toward the potential for microbial contamination caused by airborne feces, which cause E Coli, Staphylococcus, Salmonella and Lysteria pathogens. These are major issues involving the food chain.

I am a very pro business person, but I believe we should have businesses that are compatible and I do not believe a dog kennel is compatible nor fits into the general business plan of the industrial park.

Please take my concerns very seriously, the potential for a major problem is real.

Sincerely,

Robert C. Carl, President
Dixie Dew Products, Inc.
1360 Jamike Avenue
POB 18310
Erlanger, KY 41018

Todd Morgan

From: jschauff@spartanchemical.com
Sent: Wednesday, September 02, 2009 10:47 AM
To: bphillips10@cinci.rr.com
Cc: darnold@spartanchemical.com; rlane@spartanchemical.com; brenaldi@cbwcorp.com
Subject: Airborne Pathogen Concerns
Attachments: CBW Environmental study.doc; 13_Camp_Bow_Wow_Standard_Operations.doc

Brad,

After reviewing the letter sent to the planning commission about the airborne feces potentially contaminated with E.coli, (E. coli 0157) Staphylococcus(Staphylococcus aureus), Salmonella, and Lysteria (Listeria monocytogenes) contained in airborne feces is a very delicate line for Mr. Carl. If this is truly his concern he needs to review his building's ventilation system to insure his food products are already safe..... While he is absolutely right that if untreated fecal matter were to dry to a dust and then blow into his building and then into his food products he would have a major concern, what he failed to mention is that all of those organisms are commonly found in the soil and thus in any existing dust in the area may already carry them. Provided he has taken proper steps under his Quality Control Program (ie. SQF) for his multinational customers (as they usually require or conduct audits and check records for microbial contamination) similar to the USDA HAACP (Hazard Analysis and Critical Control Points) Program required in meat plants to insure the safety of the food product, which includes keeping outside dust / contaminants outside the processing area, he won't have a problem with you being next door.

Further, to help with potential concerns with odors, storm water questions, Camp Bow Wow has conducted a study and incorporated Cleaning / maintenance program that exceeds the compliance requirements of the South Coast Water District (Region 9 San Diego, Ca), the strictest storm water run-off rules in the USA. Attached are copies of the study and the Camp Bow Wow Cleaning Programs for your Review.

Brad, should you have any additional questions on this matter, please feel free to reach out to me. I have also copied Bert Renaldi Camp Bow Wow in house corporate trainer. I know Camp Bow Wow continually updates programs in an effort to continue to improve on its success. Rumor has it he has been working on an even more updated procedures checklist for the playgrounds that he may be able to pass on to us for the upcoming planning commission meeting.

Best Regards,

John Schauff, I.C.E.
Bioaugmentation Manager
ISSA Certified Expert (ICE)
800-537-8990 x.216
jschauff@spartanchemical.com
www.spartanchemical.com





As Camp Bow Wow continues to expand throughout the USA, some communities have begun ask about the potential environmental impact the Camp's outside playgrounds might have on nearby storm drains. The primary concern comes from the runoff caused during a rainstorm and the potential risk to the nearby waterway's ecosystem. As a result of these important questions Camp Bow Wow and its supplier partner Spartan Chemical Company, Inc. conducted the following study.

Environmental Impact Study of Camp Bow Wow's Outdoor Playgrounds

Purpose:

The purpose was to make sure that incidental runoff of water and nutrients and maintenance items from the playground do not detrimentally impact the environment. We used San Diego County Region 9 Basin plan and Title 17 of the California Health and Safety Code Storm Water Runoff Limits as the benchmark for allowable discharge limits. They are as follows:

- pH = 6.5 - 8.5
- Nitrogen as Nitrates < 5mg/L
- Un-ionized Ammonia <.025 mg/L
- Total Phosphorus < .05 mg/L
- Total Coliforms: 10,000 cfu / 100ml
- Fecal Coliforms: 400 cfu / 100 ml
- Enterococcus: 104 cfu / 100 ml

Test Information:

A. General Camp Bow Wow Playground Background Information:

1. Maximum of 1 dog per 20 ft² of playground space.
2. Playground surface is pea gravel.
3. Minimum surface thickness 6 inches.
4. Maintenance procedures:
 - a. Every Two hours pick-up and dispose of fecal matter.
 - b. Lightly Spray (approximately ½ ounce) of properly diluted Consume Eco-Lyzer from pump up sprayer directly onto the surrounding gravel and trace fecal remnant.
 - c. Lightly Spray (approximately ½ ounce) of properly diluted Consume Eco-Lyzer from pump up sprayer onto surface of the gravel where urine is present.
 - d. Daily lightly spray entire playground perimeter.

B. Additional Test Constraints:

1. For testing analysis we used a large breed dog (over 80 lbs) for urine and fecal samples.
5. Test conducted in Colorado, near Camp Bow Wow's corporate location utilizing fresh Gravel from a nearby quarry and local water.
2. Ran tests listed below twice for each item listed above in the purpose section.
 - a. Sample A. Run to establish the local preexisting conditions and the local baseline numbers prior to the introduction of Camp Bow Wow "nutrients" and cleaning materials.
 - b. Sample B. Run to establish any impact on the environment by Camp Bow Wow as compared to Sample A the preexisting conditions.

C. Test Tools:

1. 1 large breed dog to provide the urine and feces (fresh sample collected just prior to the test being run to eliminate stage fright).
2. 20 ft² test area framed in and water tight with the exception of a small opening to collect the water sample.
3. 6 inches of pea gravel (size used for playground) to simulate play area.
4. 2 sets of sampling bottles: set A baseline set B test.
5. State of Colorado Water Testing labs for water analysis.
6. Supply of water. (add approximately 12 gallons of water per sample to simulate a 1 inch rain storm).

D. Test Procedures:

1. Set up test area.
2. Contacted lab and picked up sample bottles and chain of custody
3. Morning of the test collected Urine and Fecal specimens from the large breed dog.
4. Traveled to test site.
5. Rinsed pea gravel thoroughly and allowed it to drain.
6. Added Approximately 12 gallons of water to test area to simulate a 1 inch rain storm.
7. Collected water samples into bottles marked Sample A.
8. Tested the pH of Sample A as per EPA guidelines requires pH tested within 15 minutes of sample collection.
9. Put remaining samples "on ice" per lab requirements.
10. After all water had drained introduced Feces and Urine to the Gravel.
11. Allowed the specimens to contact the surface for approximately two hours.
12. Scooped the feces and spot sprayed the area with Consume Eco-Lyzer as Camp Bow Wow Cleaning Procedures Direct.
13. Introduced approximately 12 gallons of water.
14. Collected Samples (Set B)
15. Tested for pH
16. Put samples "on Ice" and transported immediately to the Laboratory Services Division, of the Colorado Department of Public Health and Environment, a Colorado State agency located nearby in Denver, CO.

Summary of Test Results:

Full lab results attached at end of report.

TEST	Limits higher than baseline	Sample A Baseline	Sample B	Difference* If Applicable	Pass / Fail
pH	6.5-8.5	7.3	6.8	n/a	Pass
Enterococcus	104cfu/100ml	17cfu/100ml	4cfu/100ml	13cfu/100ml	Pass
Total Coliforms	10,000cfu/100ml	2,419cfu/100ml	236cfu/100ml	2123cfu/100ml	Pass
Fecal Coliforms	400cfu/100ml	<2cfu/100ml	<2cfu/100ml	0	Pass
E. Coli	400cfu/100ml	0.0 cfu/100 ml	0.0cfu/100ml	0	pass
Lead	5mg/l	<.3mg/l	<.3mg/l	0	Pass
Ammonia	.025mg/l	15	2.4	12.6	Pass
Phosphorus	.05mg/l	0.8	0.29	0.51	Pass

* red represents a reduction from baseline Sample to Sample B Black represents an increase. From A to B. All increases must be below limits shown in column two for a pass

Findings:

Camp Bow Wow facilities through the use of the proper procedures and tools (routine cleaning frequency and the use of Consume Eco-Lyzer), do not negatively impact the environment as evidenced by the lab results. Furthermore, because each sample B test result when compared to its corresponding the baseline sample A result showed a reduction in the "nutrient or toxin" load present, the procedures and tools

Camp Bow Wow uses may actually improve preexisting conditions. Also as questions have from time to time arisen about the impact of the dye and fragrance in the Consume Eco-Lyzer it is important to note the following:

- The inert non-staining proprietary ingredients in this product when used as directed in the Camp Bow Wow procedures above when calculated would measure approximately 2 parts per trillion in this test. This is well below any level of environmental impact that a dye would have such as blocking of sunlight or discoloration / clouding of the water.
- The fragrance is also a biodegradable proprietary blend. When diluted and used as described the individual components that make up this fragrance calculate to less than 2 parts per trillion as well. Well below any discharge limits currently established.

Note: supporting independent lab results available upon request.

OWNER (Business)
RICH PHILLIPS
(513) 673 4554

APPLICATION FORM

**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
AUG 17 2004
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 BEAD PHILLIPS
Phone Number 513 477 0385 Fax No. _____
Applicant's Address 981 APPLE BLOSSOM LN
MILFORD OH 45150
City State Zip
4. Description of Request: CHANGE IN ZONING TO ALLOW FOR A INDOOR/OUTDOOR
AND BOARDING FACILITY FOR DOGS
5. Name of Development CAMP BOW WOW
6. Location of Development 1350 JAMIKE ERLANGER, KY 41018
7. Acreage Under Review 2.33
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot Number 21
9. Owner of Property DCT JAMIKE KY LLC
Address of Property Owner 518 17th St, St 1700 Phone No. _____
Denver, Co 80202
City State Zip
11. Proposed Use(s) on Site SEE ATTACHED
12. Total Square Footage of Existing and/or Proposed Buildings 15,000 SF
13. Current Zoning on Property I-2 Light Industrial
14. Deed Book 917/2000 Page No. 508 Group No. 2022
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: William E Chester
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

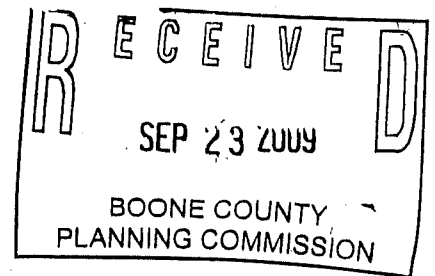
9/23/09

To whom it may concern:

I BRAD PHILLIPS HEREBY WITHDRAW THE CONDITIONAL USE PERMIT FOR A CAMP BOW WOW FACILITY LOCATED AT 1350 JAMIKE ERLANGER, KY 41018. I HAVE CHOSEN TO PURSUE ANOTHER LOCATION.



BRAD PHILLIPS
513-477-0385
145 BRADSHAW AVE.
FT. MITCHELL, KY 41017



Item #1