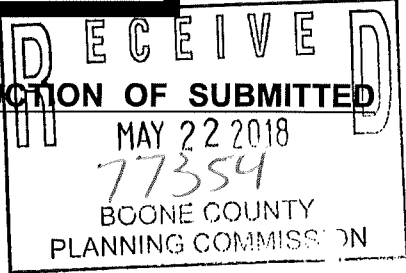


APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

- 1. X Boone Florence Walton Union

(Check One)

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

3. Applicant's Name Duke Realty - Jay Smith Applicant's Address 5181 Natorp Blvd., Suite 600 Deerfield Township Ohio 45040

City State Zip

Phone Number 513-234-3714 Fax No. E-Mail jay.smith@dukerealty.com

- 4. Description of Request: Request to modify approved conditions from 4.11.18 Boone County Board of Adjustment Hearing. See attached revised conditions.

5. Name of Development CVG-9 Parking Expansion - Amazon Sound wall

6. Location of Development 2305 Litton Lane, Hebron, KY

7. Acreage Under Review 15.12

8. Lot Number and Name of Subdivision (if part of a subdivision) Not Applicable

9. Owner of Property Duke Weeks Realty Ltd Partnership - Attn: Jay Smith Address of Property Owner PO Box 40509

10. Indianapolis Indiana 46240 City State Zip

Phone Number 513-234-3714 Fax No. E-Mail jay.smith@dukerealty.com

11. Proposed Use(s) on Site Warehouse and associated parking areas.

12. Total Square Footage of Existing and/or Proposed Buildings 647,000

13. Current Zoning on Property I-1 and I-2

14. Deed Book 808 Page No. 487 and 496 Group No. 2006

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: [Signature] (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 5-22-18 Fee Received \$9200 Receipt # 77354
2. Is application complete? Yes No
3. Staff Reviewer TODD MORGAN
4. Scheduled Board Action Date 6/13/18
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: PER STAFF REPORT RECOMMENDATIONS

7. Reasons for Denial:

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

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

APPLICANT: Duke Realty

LOCATION: 2305 Litton Lane, Boone County, Kentucky

ZONING: Industrial One (I-1) and Industrial Two (I-2)

DATE: June 13, 2018

PROPOSAL

The applicant has submitted an application to amend the 4/11/18 Boone County Board of Adjustment conditions. The conditions were imposed on a Variance approval to allow Amazon to construct a twenty (20) foot tall fence/wall that was 2,070 linear feet in length near the southern and western property lines of the subject property.

4/11/18 Boone County Board of Adjustment Conditions

1. The applicant shall submit a noise study with the Site Plan application which documents the highest decibel levels that have been recorded at the southern and western property lines of the subject site.
2. The applicant's fence/wall design and sound study shall document how much noise will be attenuated at the southern and western property lines after the structure is constructed.
3. The applicant shall record the decibel levels along the western and southern property lines after the fence/wall is constructed and provide the information to Boone County Planning Commission Staff.
4. The applicant agrees that the post construction decibel levels along the southern and western property lines shall comply with their design and noise study documentation or additional noise mitigation will be performed.

Applicant's Proposed Conditions

"The applicant will as of the hearing have submitted an analysis of the sound wall properties that documents the anticipated transmission/insertion loss properties of the wall (i.e., how much noise is expected to be attenuated on the residents' side of the wall after the structure is constructed). In addition to this submittal, applicant agrees to the following condition for approval of the variance request:

Proposed Condition: In the event there are unresolved sound concerns raised by neighboring residents within 6 months following installation of the wall, the applicant will, within 60 days of being notified of such concern, carry out a field study to determine the noise reduction the wall provides. The Boone County Planning Commission Staff and Applicant will agree on appropriate testing locations for the field study (subject to necessary access being granted by the applicable residents), and unmitigated sound levels would be represented via measurements on the applicant's side of the wall while mitigated sound levels would be represented via measurements on the residents' side of the wall. The difference between the two is the noise reduction. Results from the study will be provided to the Boone County Planning Commission Staff for review and comparison to the submitted analysis. Should the study indicate that the sound wall's anticipated transmission/insertion loss properties were not met, the applicant will investigate the cause of this and analyze any additional measures to remedy this".

APPLICABLE REGULATIONS

Section 250 of the Boone County Zoning Regulations states 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 request as it relates to the criteria necessary for granting variances 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.

Section 3655 of the Boone County Zoning Regulations indicates that fences in industrial zones can be a maximum of 12 feet in height.

SITE HISTORY

1. The 1980 Zoning Map shows the subject property being zoned I-1 and I-2.
2. On October 5, 2005, Boone County Planning Commission Staff approved a Major Site Plan for Innotrac. The plan shows a 646,468 square foot warehouse distribution facility and 149 parking stalls that would be constructed in two phases. The Phase 2 building and parking additions shown on the plan were never constructed.
3. On April 19, 2017, Boone County Planning Commission Staff approved a Major Site Plan allowing the construction of an approximate 10 acre truck parking lot at the rear of the site with associated retaining walls and parking lot lighting (Amazon improvements).
4. On November 14, 2017, Boone County Planning Commission Staff approved fencing and lighting changes to the 4/19/17 Site Plan. Light poles in the rear parking lot are shown at 15' and 27.9 feet tall. A 12' tall fence, that's approximately 620 feet in length, is shown between the parking lot and western property line. The fence location aligns with southwestern corner of the building and southwestern corner of the parking lot. To date, these improvements have not been constructed.

BOARD OF ADJUSTMENT HISTORY

On April 11, 2018, the Boone County Board of Adjustment approved a Variance to allow a twenty foot (20') fence/wall to be constructed on the subject property. The approved plan shows the structure would be constructed near the southern and western property lines and be 2,070 linear feet in length. Four (4) conditions were imposed on the approval (see proposal section of report).

SITE CHARACTERISTICS

The approximate 47.7 acre site fronts on the south side of Litton Lane and contains a 646,468 square foot office/warehouse that is occupied by Amazon. Access to the site is provided from two curb cuts on Litton Lane. The front parking lot contain 396 automobile parking spaces. The sides of the building contains truck docks and the rear of the parcel contains a large semi-truck parking area and detention basin. Perimeter landscaping exists around the site. Some of this landscaping is located on the lower end of an approximate 13' high retaining wall (392 linear feet) that is located near the western property boundary.

SURROUNDING LAND USES AND ZONING

North: Hebron Logistics Center and Airport Center West (I-1)

South: Single-Family Residential Dwellings Fronting on KY 20 and Fister Place (SR-1) and Industrial Property Owned by Heritage Bank (I-2)

East: Office/Warehouse Occupied by Amazon

West: Hebron Logistics Center (I-1) and Single-Family Residential Dwellings Fronting on Bethlehem Lane (SR-1)

STAFF COMMENTS

1. The 4/11/18 Boone County Board of Adjustment meeting minutes are being entered in the record as an exhibit.
2. On May 10, 2018, the property owner submitted a Minor Site Plan application to construct the fence/wall. The application has not been approved because the 4/11/18 Board of Adjustment conditions have not been addressed. The plans show the wall will be 20'-1" tall (column caps are slightly taller) and 2,069'-8⁵/₈" long (1,298'-8³/₄" + 770'-11⁷/₈"). The wall will contain 160 columns or posts and most of them are spaced 13'-2" apart (centerline to centerline). If needed, these column numbers could be used as reference points for any future sounding testing. A couple of sheets from the submitted plans have been attached to the Staff Report for reference.
3. Staff would like the applicant or a representative from Amazon to address if the sound study has been completed?
4. The Board needs to analyze the Variance criteria and the wording of the proposed condition before acting on the request.
5. Staff recommends some edits to the proposed condition. Staff's recommended changes are in **bold text**.

Proposed Condition: In the event there are unresolved sound concerns raised by neighboring residents within 6 months following installation of the wall (**based on the date Boone County Building Department performs the final inspection**), the applicant will, within 60 days of being notified of such concern **by Boone County Planning Commission**, carry out a field study to determine the noise reduction the wall provides. The Boone County Planning Commission Staff ~~and Applicant will agree on~~ **will determine** appropriate testing locations for the field study (subject to necessary access being granted by the applicable residents), and unmitigated sound levels would be represented via measurements on the applicant's side of the wall while mitigated sound levels would be represented via measurements on the residents' side of the wall. The difference between the two is the noise reduction. Results from the study will be provided to the Boone County Planning Commission Staff for review and comparison to the submitted analysis. Should the study indicate that the sound wall's anticipated transmission/insertion loss properties were not met, the applicant will investigate the cause of this and analyze any additional measures to remedy this.

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

TKM/ss

Attachments

- *Site Vicinity Map
- *Application
- *Applicant's Proposed Condition
- *Existing Conditions from 4/11/18 Boone County Board of Adjustment Meeting
- *Preliminary Fence Plan With Picture
- *Site Lines (10 Sheets)
- *Plans from 5/10/18 Minor Site Plan Submittal (Plans Have Not Been Approved)
- *1980 Zoning Map
- *Current Zoning Map
- *2012 Aerial Map
- *2016 Aerial Map with Building and Pavement Overlays

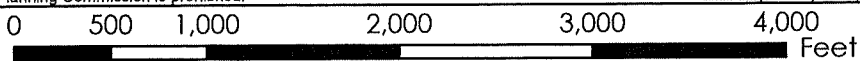
SITE VICINITY MAP

www.boonecountygis.com



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



Map Created: 07/01/2013

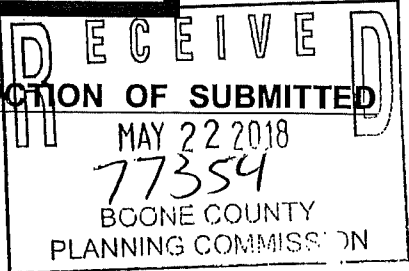
Boone County GIS - Putting Northern Kentucky on the Map



Map Files: 7 files by 07/01/2013
ArcMap Document: BooneMap (Rte).mxd

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One) 1. X Boone Florence Walton Union
2. Conditional Use Permit X Variance Appeal
3. Applicant's Name Duke Realty - Jay Smith
Applicant's Address 5181 Natorp Blvd., Suite 600
Deerfield Township Ohio 45040
City State Zip
Phone Number 513-234-3714 Fax No. E-Mail jay.smith@dukerealty.com
4. Description of Request: Request to modify approved conditions from 4.11.18 Boone County Board of Adjustment Hearing.
See attached revised conditions.
5. Name of Development CVG-9 Parking Expansion - Amazon Sound wall
6. Location of Development 2305 Litton Lane, Hebron, KY
7. Acreage Under Review 15.12
8. Lot Number and Name of Subdivision (if part of a subdivision) Not Applicable
9. Owner of Property Duke Weeks Realty Ltd Partnership - Attn: Jay Smith
Address of Property Owner PO Box 40509
10. Indianapolis Indiana 46240
City State Zip
Phone Number 513-234-3714 Fax No. E-Mail jay.smith@dukerealty.com
11. Proposed Use(s) on Site Warehouse and associated parking areas.
12. Total Square Footage of Existing and/or Proposed Buildings 647,000
13. Current Zoning on Property I-1 and I-2
14. Deed Book 808 Page No. 487 and 496 Group No.
15. Is the site subject to a zone change? No.
If yes, give date of approval
16. Have you submitted a Site Plan with this request? Yes.
17. Have you submitted a list of adjoining property owners with this request? Yes.
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

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

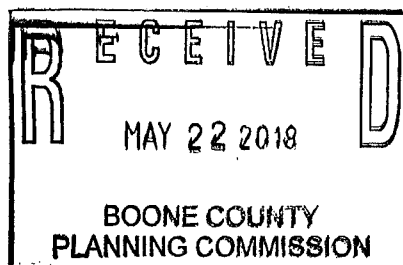
ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

[Attachment to Application of Duke Realty]

The applicant will as of the hearing have submitted an analysis of the sound wall properties that documents the anticipated transmission/insertion loss properties of the wall (i.e., how much noise is expected to be attenuated on the residents' side of the wall after the structure is constructed). In addition to this submittal, applicant agrees to the following condition for approval of the variance request:

Proposed Condition: In the event there are unresolved sound concerns raised by neighboring residents within 6 months following installation of the wall, the applicant will, within 60 days of being notified of such concern, carry out a field study to determine the noise reduction the wall provides. The Boone County Planning Commission Staff and Applicant will agree on appropriate testing locations for the field study (subject to necessary access being granted by the applicable residents), and unmitigated sound levels would be represented via measurements on the applicant's side of the wall while mitigated sound levels would be represented via measurements on the residents' side of the wall. The difference between the two is the noise reduction. Results from the study will be provided to the Boone County Planning Commission Staff for review and comparison to the submitted analysis. Should the study indicate that the sound wall's anticipated transmission/insertion loss properties were not met, the applicant will investigate the cause of this and analyze any additional measures to remedy this.



Proposed Conditions

[COPY]

CLUR #18-BCBOA-005-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the variance approved by the Boone Board of Adjustment and in accordance with the current zoning in effect as of April 11, 2018 Certificate of Land Use Restriction (#18-BCBOA-005-A), for Duke Weeks Realty Ltd Partnership, Property Owner(s).

The following conditions will apply:

1. The applicant shall submit a noise study with the Site Plan application which documents the highest decibel levels that have been recorded at the southern and western property lines of the subject site.
2. The applicant's fence/wall design and sound study shall document how much noise will be attenuated at the southern and western property lines after the structure is constructed.
3. The applicant shall record the decibel levels along the western and southern property lines after the fence/wall is constructed and provide the information to Boone County Planning Commission Staff.
4. The applicant agrees that the post construction decibel levels along the southern and western property lines shall comply with their design and noise study documentation or additional noise mitigation will be performed.

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

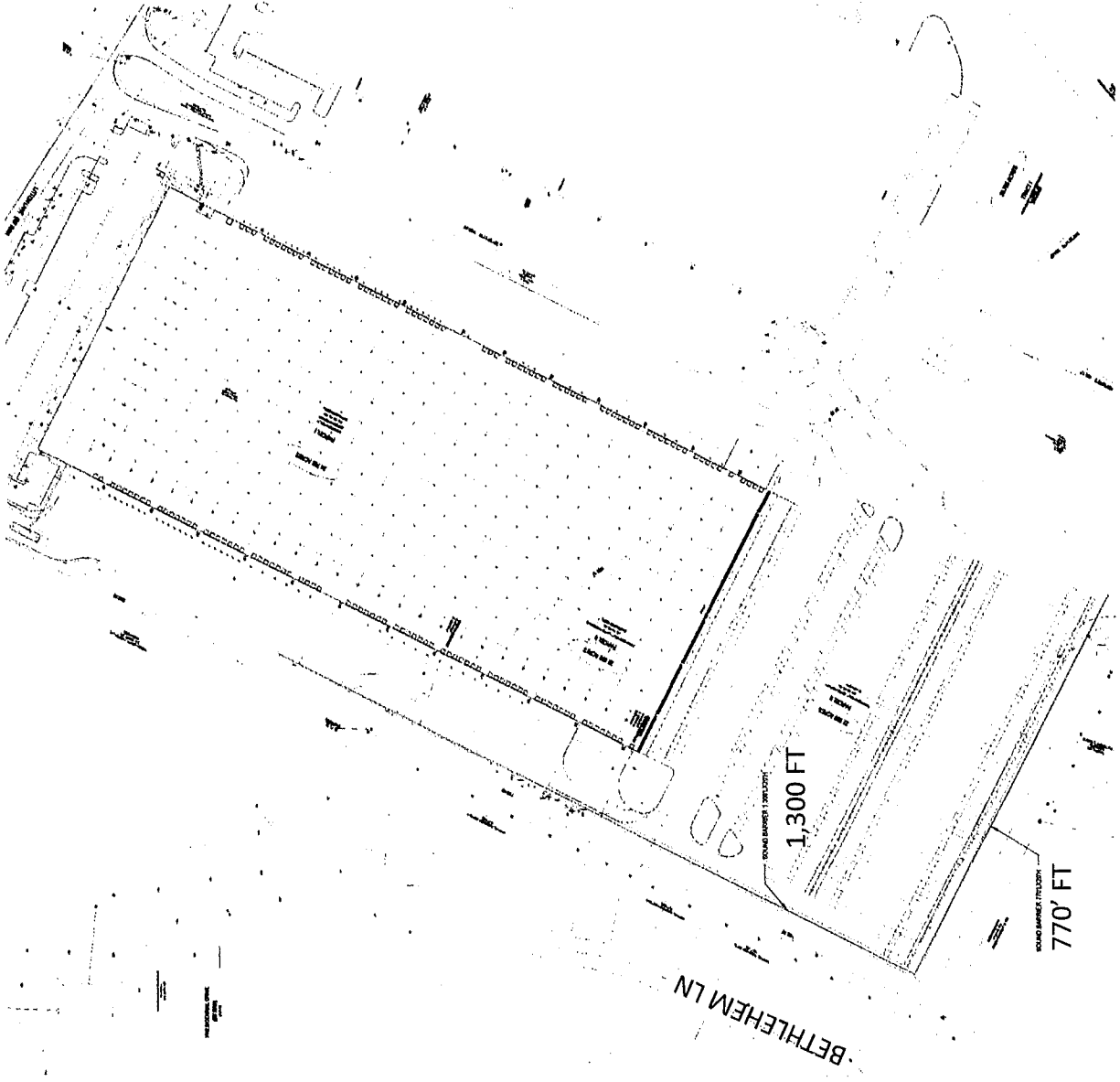
DEED BOOK 808

PAGE NO. 487

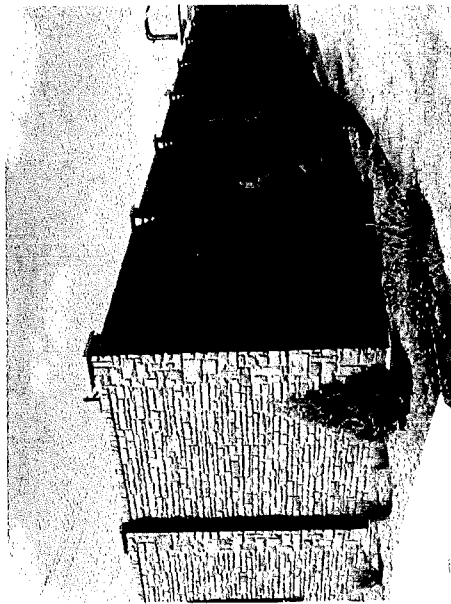
GROUP NO. 2006

PAGE NO. 496

Existing Conditions



1 SITE
1" = 100'-0"



VENT-SHED BARN BY GUEST PRESENT

20' TALL

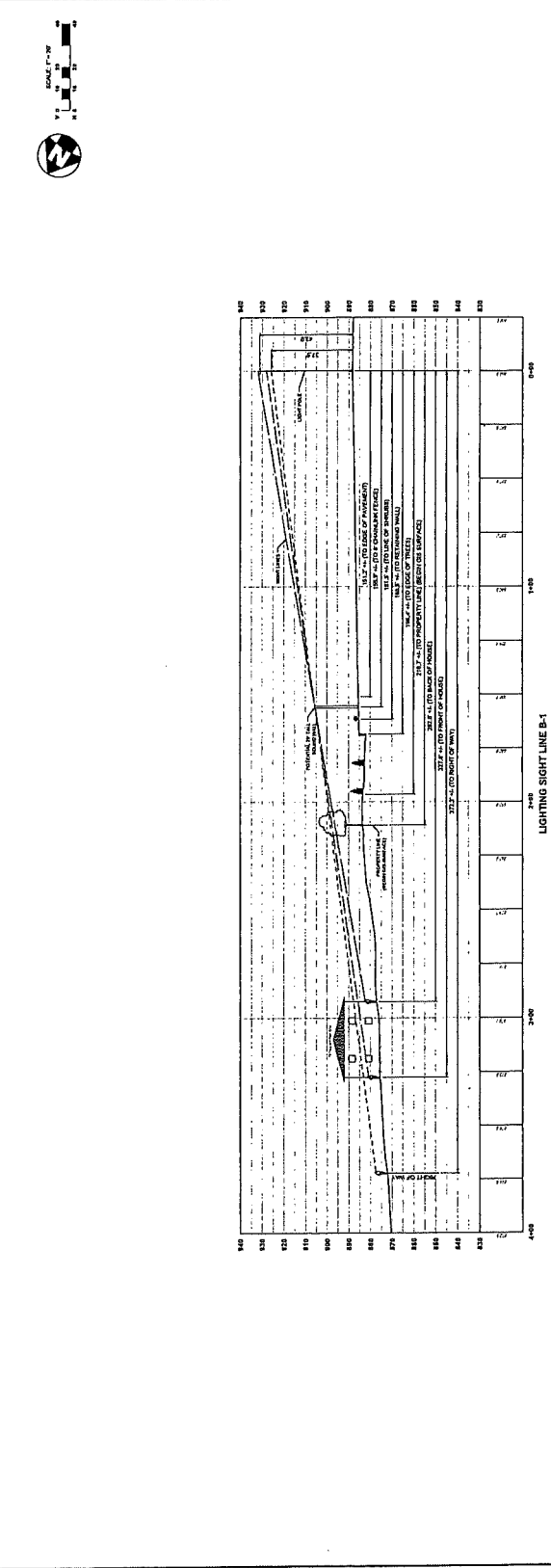
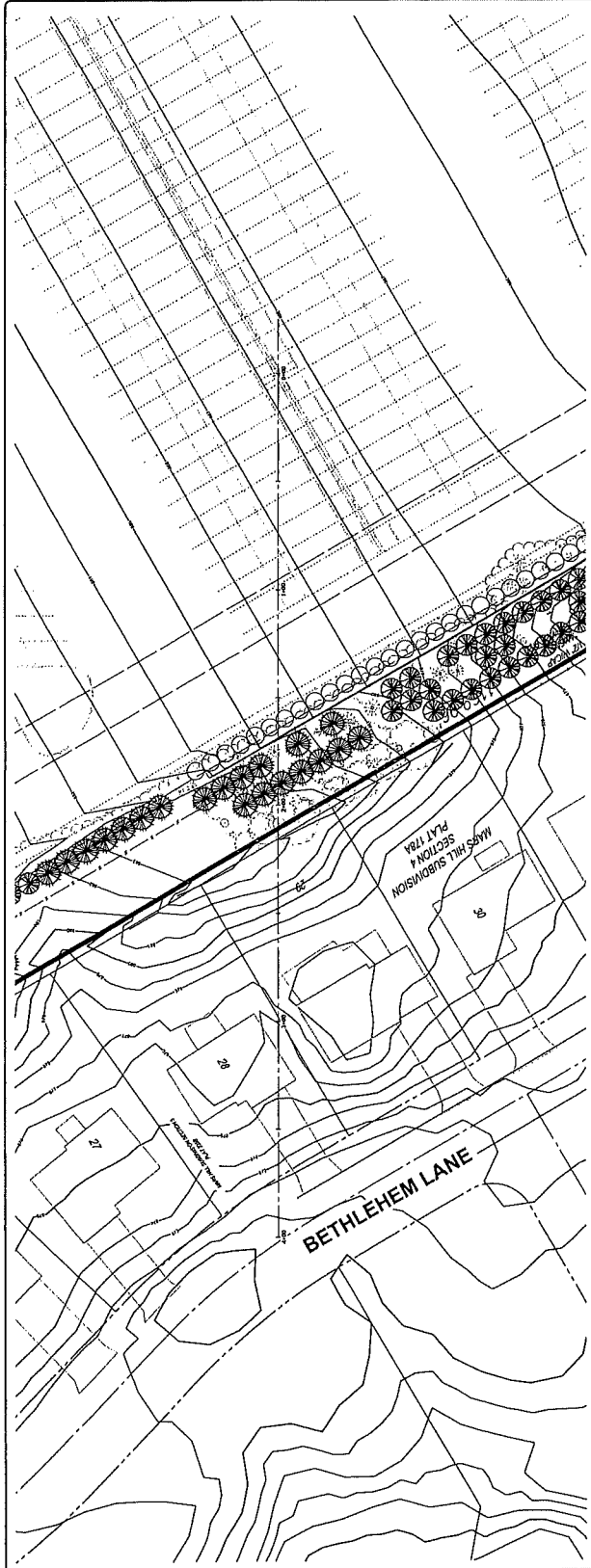
- GENERAL NOTES:
1. GC TO COORDINATE ALL UNDERGROUND UTILITIES INCLUDING SITE ENGINEER AND LOCAL UTILITY.
 2. GC TO COORDINATE PER INSTALLATION WITH GEO-GRID MANUFACTURER.



TENANT IMPROVEMENTS
 CVG-9 PARKING EXPANSION
 2305 LITTON LANE
 HERON, KY 41048

REVISIONS	DATE	BY	DESCRIPTION

DRAWING SHEET TITLE
 LIGHTING SIGHT LINE EXHIBIT
 B-1
 SHEET NUMBER
 5 of 10

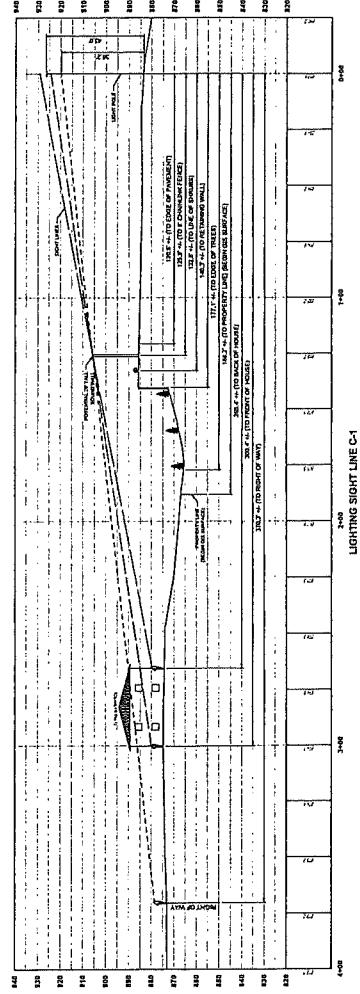
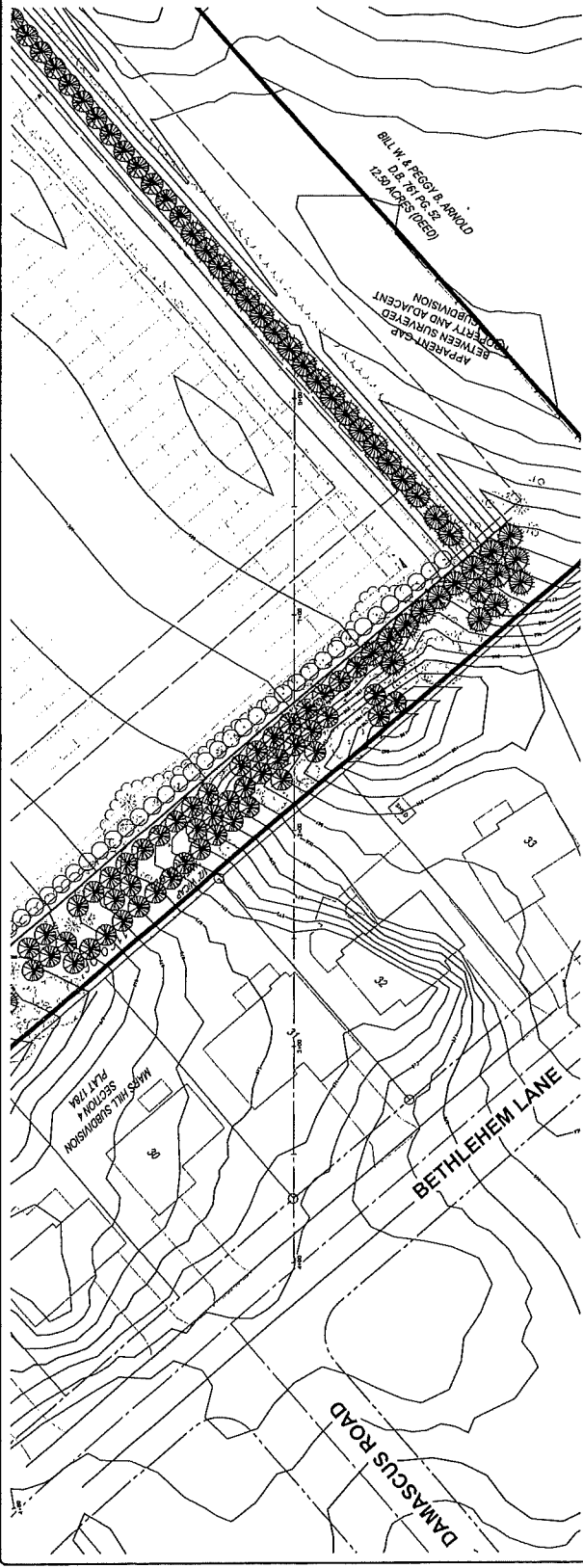




TENANT IMPROVEMENTS
 CVG-9 PARKING EXPANSION
 2305 LITTON LANE
 HEBRON, KY 41048

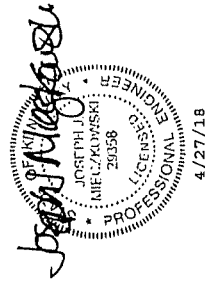
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2		
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DRAWING / SHEET TITLE
 LIGHTING SIGHT LINE EXHIBIT
 C-1
 SHEET NUMBER
 8 of 10



AMAZON SCREEN WALL

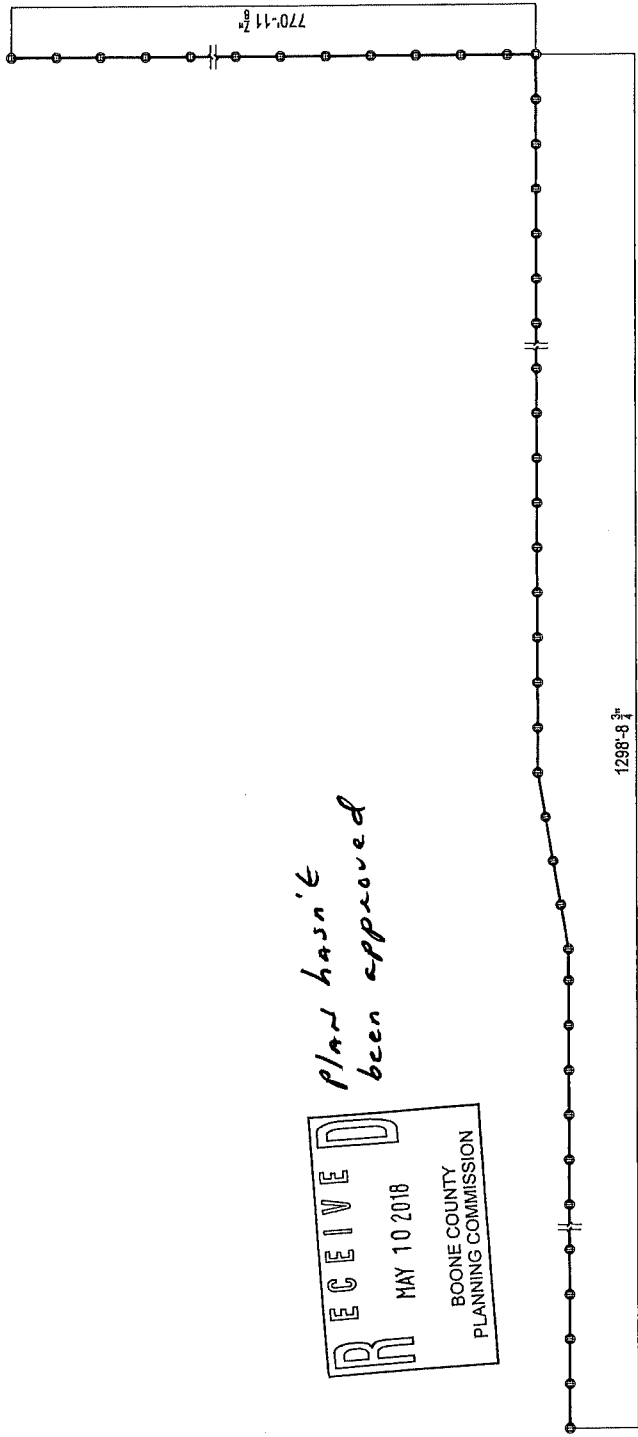
HEBRON, KY



DESIGN PARAMETERS
 COLUMN CENTER TO COLUMN CENTER
 COLUMN STAIN: TBD
 PANEL TEXTURE: LEDGE STONE
 PANEL STAIN: TBD
 CAP TEXTURE: SMOOTH
 CAP STAIN: TBD
 SQUARE FOOTAGE: TBD SQ FT

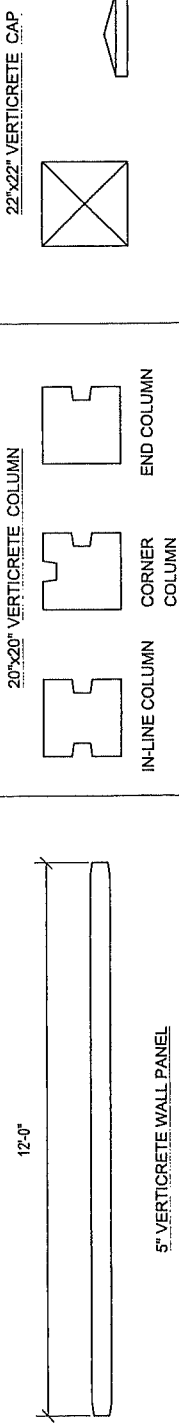
GENERAL NOTES

1. ALL PRECAST SHALL BE SHIPPED TO JOBSITE IN WIDTHS SHOWN IN PRECAST SCHEDULE.
2. ALL BEARING SURFACES SHALL BE LEVEL, TRUE TO LINE AND FREE OF DEBRIS BEFORE ANY PRECAST CAN BE ERECTED.
3. NO MATERIAL OF ANY KIND SHALL BE SET ABOVE THE PRECAST UNTIL THE PRECAST HAS BEEN ERECTED.
4. IF SUITABLE ROADWAY AND APPROACHES ARE NOT PROVIDED AND MAINTAINED BY THE PURCHASER, SUCH THAT TRUCKS AND CRANES CAN OPERATE UNDER THEIR OWN POWER, CREST RESERVES THE RIGHT TO STOP DELIVERY UNTIL THE SITUATION IS REMEDIATED.
5. APPROVAL OF THESE SHOP DRAWING AUTHORIZES CREST TO PRODUCE IN ACCORDANCE WITH APPROVED SHOP DRAWINGS.
6. ALL DIMENSIONS ON APPROVED SHOP DRAWINGS WILL BE ASSUMED CORRECT.
7. ONLY OPENINGS SHOWN ON THE SHOP DRAWINGS WILL BE CUTOUTS BY CREST.
8. CREST RESERVES THE RIGHT TO OBTAIN NECESSARY INFORMATION FOR ALL OPENINGS TO BE LARGER PAPER TO PRODUCTION OF PRECAST.
9. CREST RESERVES THE RIGHT TO SAWCUT OPENINGS AS REQUIRED. CREST IS RESPONSIBLE FOR SCRAP REMOVAL UNLESS OTHERWISE NOTED.
10. FIRE PROOFING OF ALL EXPOSED STRUCTURAL STEEL BY G.C. WHEN REQUIRED.
11. NO OPENINGS SHALL BE CUT IN CREST PRODUCTS THAT ARE NOT SHOWN ON THE SHOP DRAWINGS WITHOUT PRIOR APPROVAL FROM CREST PRECAST.
12. DEVIATION BETWEEN THE APPROVED SHOP DRAWING AND THE BID DOCUMENTS NOTED IN CREST'S PROPOSAL, MAY RESULT IN ADDITIONAL COST.



RECEIVED
 MAY 10 2018
 BOONE COUNTY
 PLANNING COMMISSION

Plan hasn't been approved



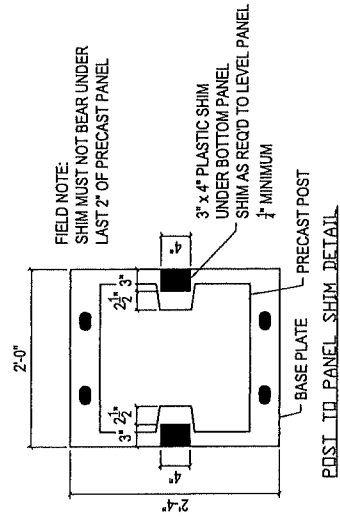
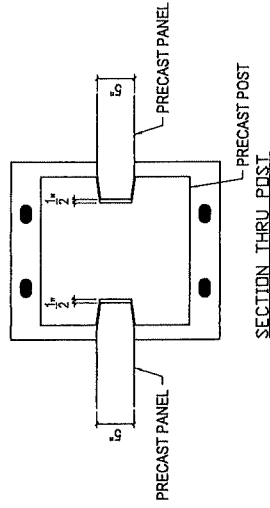
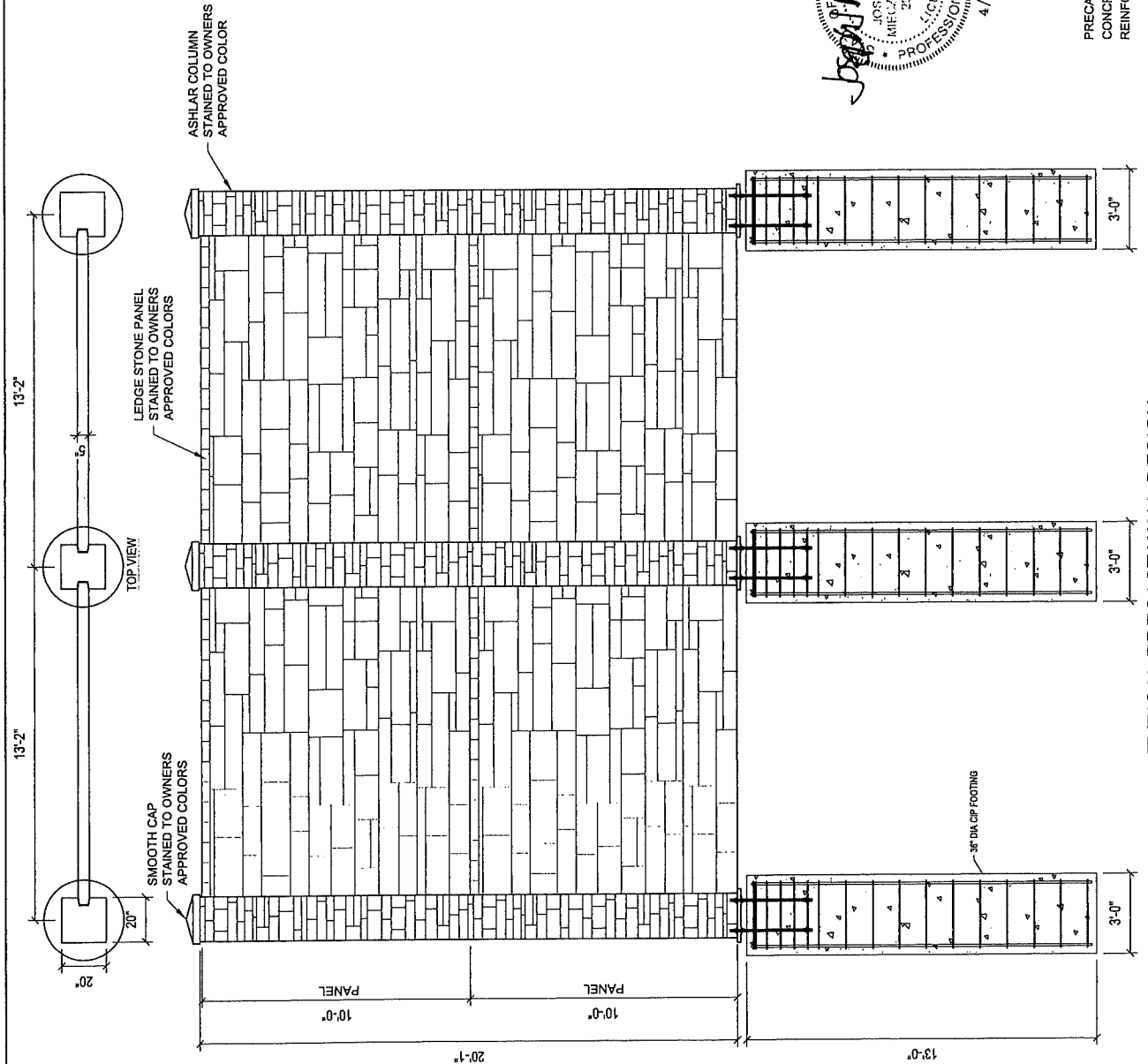
Crest Precast, Inc.
 La Crescent, MN & Barneveld, WI
 800-658-9045

Drawn By: KST	Revision: 4-28-18
Crest Job #: 18072	
Date: 3-8-18	
Project: AMAZON SCREEN WALL - HEBRON, KY	

Contractor: DUKE REALTY
 Drawing Number: C1

REVISE
 MAY 10 2018
 BOONE COUNTY
 PLANNING COMMISSION

Plan hasn't been approved



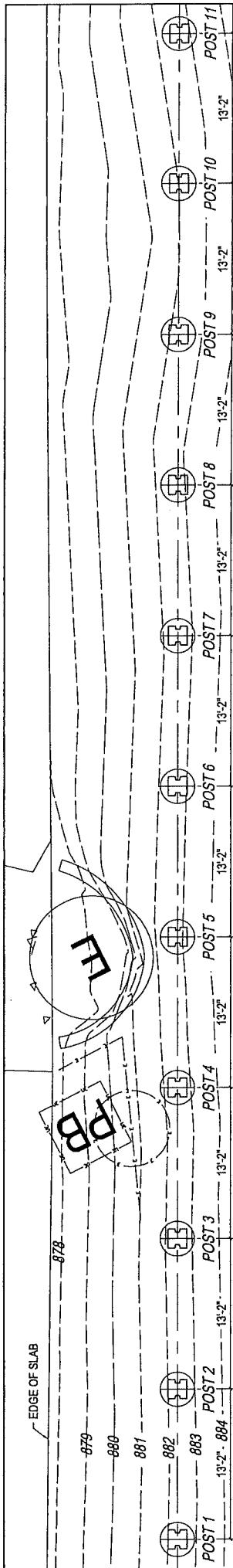
4/27/18

PRECAST POSTS & PANELS:
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 REINFORCEMENT - GRADE 60

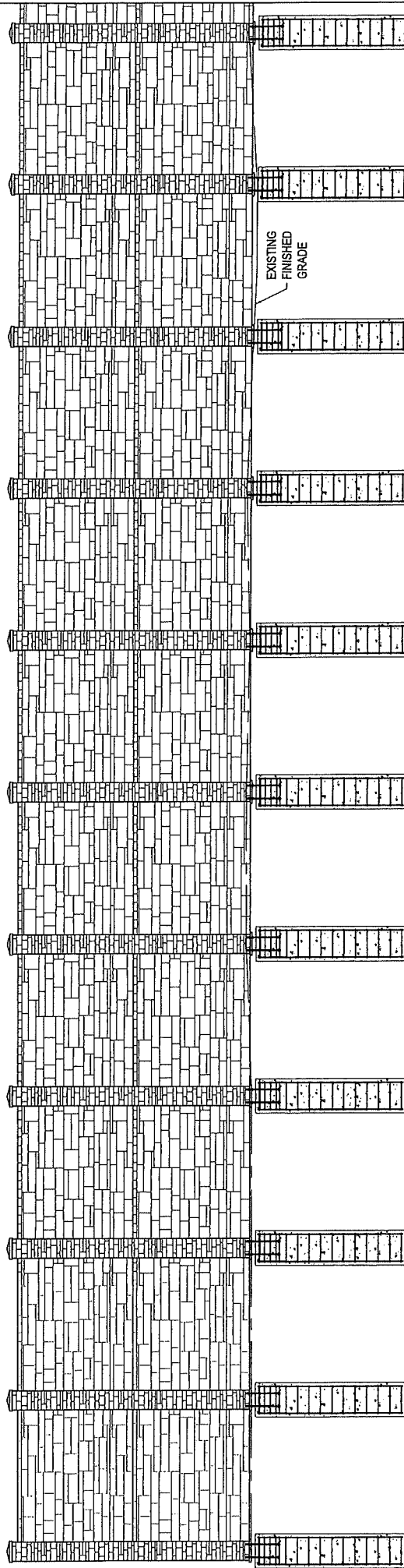
Crest Precast, Inc.
 La Crescent, MN & Barneveld, WI
 800-656-9045

Contract Job #	18072	Drawn By	KGT
Date	3-8-18	Revision	4-28-18
Project	AMAZON SCREEN WALL - HEBRON, KY		
Contractor	DUKE REALTY		
Sheeting Number	E1		

TYPICAL PRECAST WALL DESIGN



TOP VIEW



PRELIMINARY

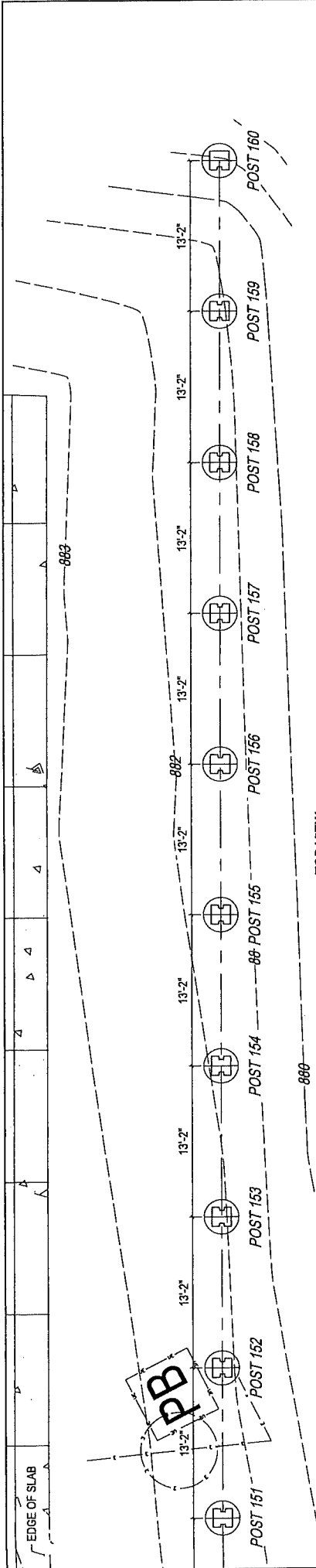
PARTIAL WEST ELEVATION
LOOKING EAST

*plan hasn't
been approved*

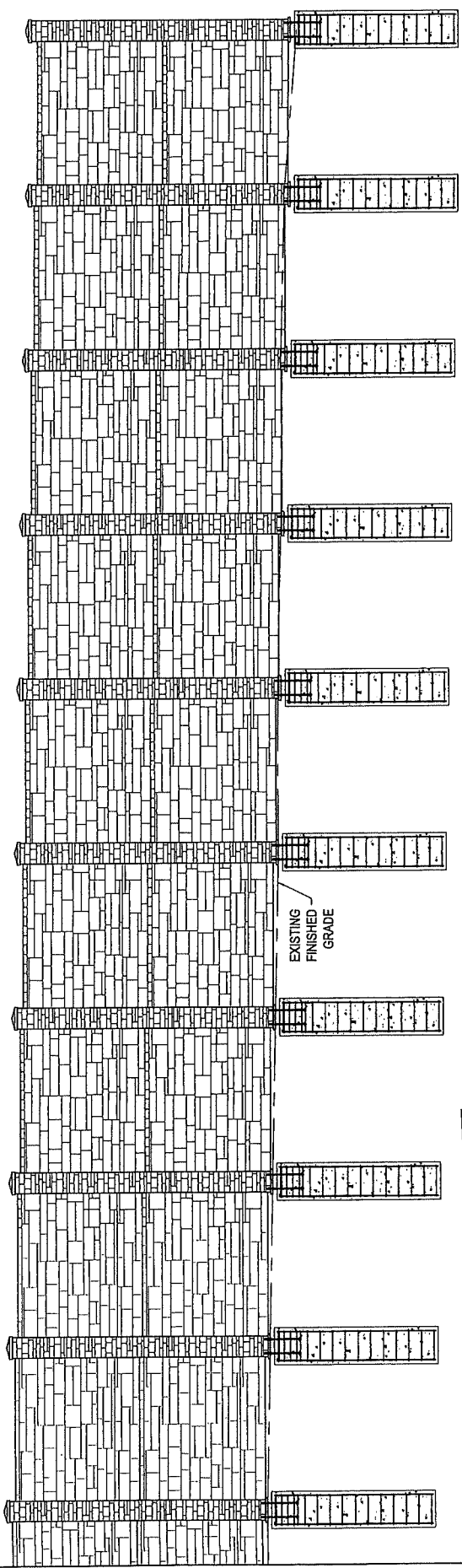
RECEIVED
MAY 10 2018
BOONE COUNTY
PLANNING COMMISSION

Crest Precast, Inc.
La Crescent, MN & Barneveld, WI
800-658-8045

Contract #	18072	Drawn By	KGT
Date	5-7-18	Reviewed	
Project: AMAZON SCREEN WALL - HEBRON, KY			
Contractor:	DUKE REALTY	Drawing Number:	E4



TOP VIEW



Plan hasn't been approved

PRELIMINARY

PARTIAL SOUTH ELEVATION
LOOKING NORTH

RECEIVED
MAY 10 2018
BOONE COUNTY
PLANNING COMMISSION

Crest Precast, Inc.		Drawn By: KGT
La Crescent, MN & Barnevelde, WI		Revision
Crest Job # 800-659-9045	Date 5-7-18	Project
AMAZON SCREEN WALL - HEBRON, KY		Contractor: DUKE REALTY
Drawing Number		E:19

1980

Boone County Kentucky ZONING MAP

LEGEND

- A-1 Agriculture
- A-2 Agricultural Subdiv.
- R Recreation
- RSE Residential Estate
- SR-1 Single-Family Detached
- SR-2 Single-Family Detached
- UR-1 Urban Residential
- UR-2 Urban Residential
- UR-3 Urban Residential
- MHP Medium Density Residential
- C-1 Commercial
- C-2 Commercial
- C-3 Commercial
- O-1 Office
- O-2 Office
- I-1 Industrial
- I-2 Industrial
- PF Public Facility
- A/PD Airport
- SC Special Community District
- H Historic

Note: See Article 3, Section 101 of Ordinance 1978-1 for a complete list of zoning districts and their descriptions.

Boone County Planning Commission
1978

Boone County, Kentucky
1978

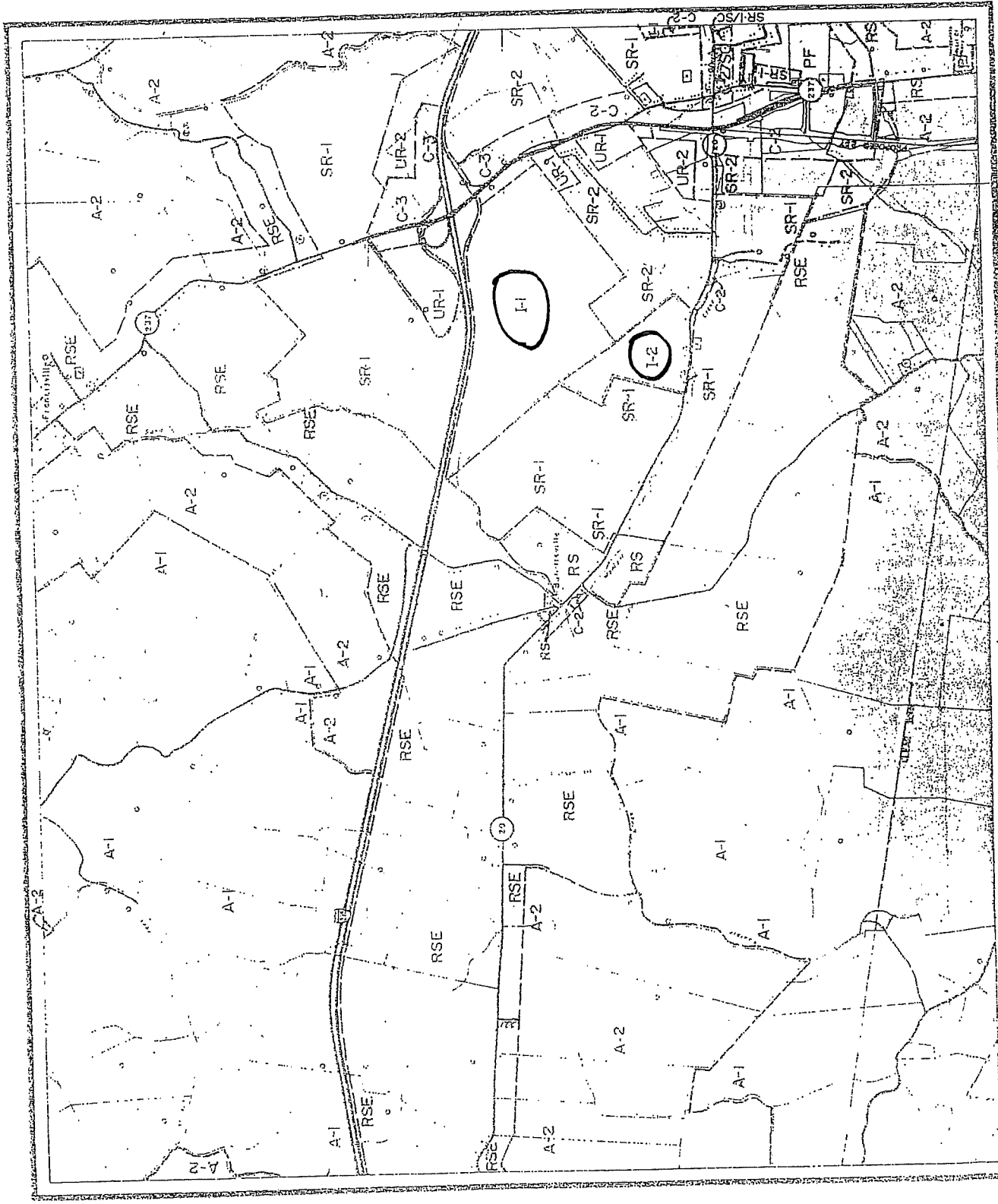
This map is a reproduction of the original map prepared under the supervision of the Boone County Planning Commission.

Section Map Index

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24



SCALE 1" = 1000'
SECTION 5



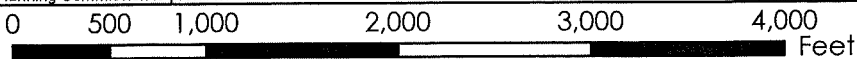
ZONING MAP

www.boonecountygis.com



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1 inch = 1,000 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

Boone County GIS
ArcMap Document: BooneMap (file).mxd

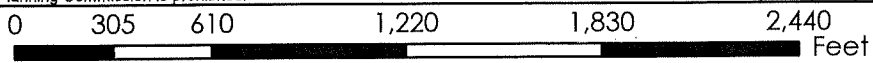
2012 AERIAL MAP

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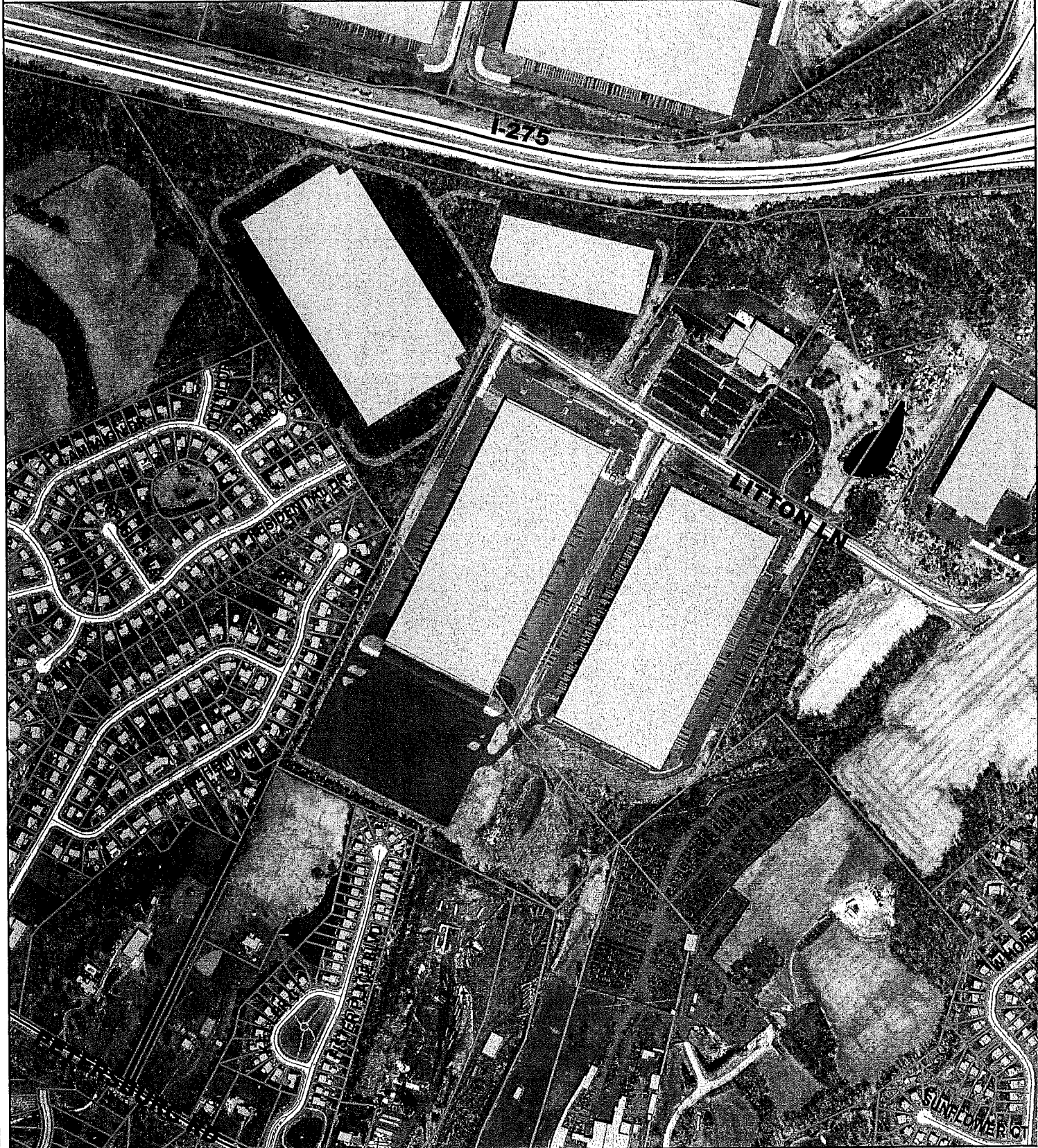


Map Created: 07/01/2013

Map File: 7/1/2013/BooneMap.mxd

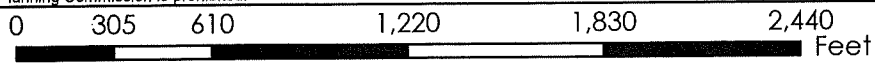
2016 AERIAL MAP WITH BLDG. & PARKING OVERLAYS

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Boone County GIS - Putting Northern Kentucky on the Map



COPIES

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Duke Week Realty Ltd Partnership
P.O. Box 40509
Indianapolis, IN 46240

- 2. ADDRESS OF PROPERTY
2305 Litton Lane
Hebron, KY 41048

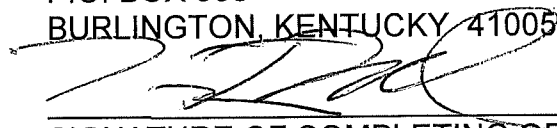
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Amazon Sound Wall

- 4. DEED BOOK 808 PAGE NO. 487 GROUP NO. 2006
DEED BOOK 808 PAGE NO. 496 GROUP NO. 2006

- 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, AICP CDT – Director, Zoning Services
Name and Title of Completing Official

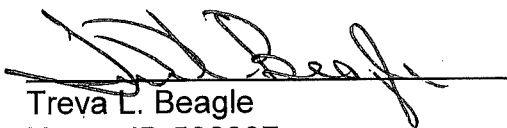
(Copy)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Kevin T. Wall

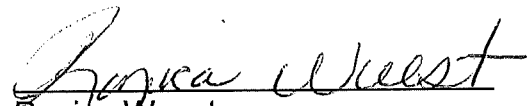
on behalf of the Boone County Planning Commission this 20 day of June, 2018.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest
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 Condition of Approval applies to the variance approved by the Boone Board of Adjustment and in accordance with the current zoning in effect as of June 13, 2018 Certificate of Land Use Restriction (#18-BCBOA-007-A), for Duke Realty, property Owner(s).

The following condition will apply:

1. In the event there are unresolved sound concerns raised by neighboring residents within 6 months following installation of the wall (based on the date the Boone County Building Department performs the final inspection), the applicant will, within 60 days of being notified of such concern by Boone County Planning Commission, carry out a field study to determine the noise reduction the wall provides. The Boone County Planning Commission Staff will determine appropriate testing locations for the field study (subject to necessary access being granted by the applicable residents), and unmitigated sound levels would be represented via measurements on the applicant's side of the wall while mitigated sound levels would be represented via measurements on the residents' side of the wall. The difference between the two is the noise reduction. Results from the study will be provided to the Boone County Planning Commission Staff for review and comparison to the submitted analysis. Should the study indicate that the sound wall's anticipated transmission/insertion loss properties were not met, the applicant will investigate the cause of this and analyze any additional measures to remedy this.

The approved variance as well as the preceding condition apply to the property described in:

DEED BOOK 808
DEED BOOK 808

PAGE NO. 487
PAGE NO. 496

GROUP NO. 2006
GROUP NO. 2006