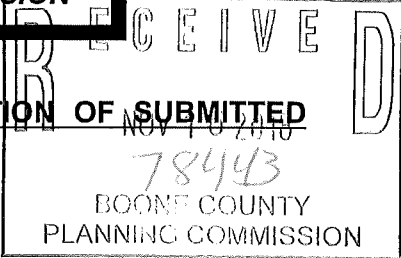


APPLICATION FORM

**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.            Boone            Florence  Walton            Union

(Check One)

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

3. Applicant's Name Denham Blythe Company  
Applicant's Address 100 Trade Street, Suite #2  
Lexington                                   
City State Zip

4. Phone Number 859-255-7405 Fax No.            E-Mail grainey@denhamblythe.com

- Description of Request: Allow variance to encroach over 80'  
A2/E2 Buffer Yard Requirement with truck access road.

5. Name of Development Safran Landing Systems

6. Location of Development 1 Carbon Way, Walton, KY 41094

7. Acreage Under Review 2.0 Acres

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

- N/A  
9. Owner of Property Safran Landing Systems

- Address of Property Owner 1 Carbon Way, Walton, KY 41094

10.                                   
City State Zip

- Phone Number            Fax No.            E-Mail

11. Proposed Use(s) on Site Industrial Manufacturing

12. Total Square Footage of Existing and/or Proposed Buildings Ex: ~383,392

13. Current Zoning on Property I-2

14. Deed Book 1079 Page No. 554 Group No. 2005

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, on site plan

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 11-16-18 Fee Received \$932.00 Receipt # 78443
2. Is application complete?  Yes  No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 12/12/18
5. Board Action:  
 **Approved**  
 **Approved with Conditions (See #6)**  
 **Denial (See #7)**
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  
[www.boonecountyky.org](http://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

#3

APPLICANT: The Denham-Blythe Company, per Gregory Rainey Jr., on behalf of Safran Landing Systems

LOCATION: 1 Carbon Way, Walton, Kentucky

ZONING: Industrial Two (I-2)

DATE: December 12, 2018

### PROPOSAL

The applicant is requesting a Variance to reduce the side yard Landscape Buffer width from eighty (80) feet to forty-eight (48) feet to allow the construction of a truck access road and guardrail along the north side of the property, on an approximate 40 acre area located at the northeast corner of the intersection of Carbon Way with Shorland Drive, including the property located at 1 Carbon Way, Walton, Kentucky.

### SITE HISTORY

1997 -

1999 Construction began on the building located at 1 Carbon Way (based on aerial photography)

2007 -

2009 The building to the north of 1 Carbon Way was constructed (based on aerial photography)

2017 A Major Site Plan was approved for a new furnace building

2017 An Improvement Plan was approved for the construction of the extension of Shorland Drive.

2018 A Major Site Plan was approved for a 36,100 square foot building addition and truck dock, including the approval of a landscape plan

2018 Installation of landscaping and fencing

2018 The Boone Board of Adjustment approved a variance to increase the height of an ornamental fence within the required front and corner side yards from four (4) feet to eight (8) feet

### APPLICABLE REGULATIONS

A. Section 250 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.

1. Section 3645 of the Boone County Zoning Regulations requires any development within an I-2 Zone to provide a Buffer Yard D, having a minimum width of eighty (80) feet, along any boundary abutting an A-2 Zone. The submitted plan shows the construction of a truck access road and guardrail within the required buffer yard

area.

2. Section 250 of the Boone County Zoning Regulations defines a variance as a departure from 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.
3. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 251 of the Boone County Zoning Regulations.

a. Findings listed in Section 251:

- (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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
  - (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 of 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.

- B. Section 1140 of the Boone County Zoning Regulations states that "The purpose of the Industrial Two district is to provide for those types of heavy industrial uses, which are of a warehouse and manufacturing type and such uses are significant in size, which cannot be accommodated in an Industrial One district since they involve heavy equipment, machinery, or other products which requires sufficient infrastructure and results in a substantial economic impact. Such districts will be organized to provide employment opportunities for regional and extra regional labor markets. Districts will be located on lands with direct access to expressways and/or arterials."

- A. The 2010 Boone County Comprehensive Plan's 2035 Future Land Use Plan designates the site in question for "Industrial" uses. This designation is defined as manufacturing, wholesale, distribution, assembly, mining, and terminal uses.
- B. The 2010 Boone County Comprehensive Plan's 2035 Future Land Use Plan designates the area to the north of the site in question for "Industrial" uses.
- C. The following 2017 Boone County Comprehensive Plan's Goals and Objectives apply to this application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).

Boone County shall evaluate and promote business and economic sectors of the future and explore ways to encourage existing industry to be competitive in a regional and global economy (Economy Goal A, Objective 3).

Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).

Effective site placement, architectural design, and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Smoke, dust, noise, and odor impacts shall be kept at a minimum and site development and enforcement shall be carefully coordinated with regulatory agencies (Economy Goal B, Objective 7).

- D. Carbon Way and Shorland Drive are identified as local roadways, providing for two way traffic within two driving lanes. The extension of Shorland Drive is currently be constructed from its intersection with Carbon Way, approximately 1,200 feet to the east.

#### SITE CHARACTERISTICS

- A. The approximate 40 acre property is located at the northeast corner of the intersection of Carbon Way with Shorland Drive. The site is currently occupied by a manufacturing facility (Safran Landing Systems). Ingress/egress to the site is from four existing curb cuts onto Carbon Way. There will be an additional curb cut onto the extension of Shorland Drive. As it exists today, there is an existing chain link fence, topped with barbed wire, located along Carbon Way and extending approximately 450 feet along the extension of Shorland Drive. There also exists approximately 600 feet of ornamental fence along the Shorland Drive extension.

#### SURROUNDING LAND USES AND ZONING

North: Vacant/undeveloped land (A-2, I-1)

December 12, 2018

Page 4

South: A recreational facility (Shor Lake Park) and vacant/undeveloped ;and (I-2)

East: Vacant, undeveloped land, within Kenton County (ECP)

West: A manufacturing facility (Kustom Group) and vacant/undevelopment land (I-2)

#### PROPOSED DEVELOPMENT

- A. Construction of an internal truck access road, connecting to existing access roads and truck docks.
- B. Installation of a guardrail along the proposed truck access road.
- C. Installation of an eight (8) foot high chain link fence (not part of this review).

#### CONCLUSION

- A. KRS 100.241 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.
- B. Section 251 of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully submitted,

Michael D. Schwartz  
Planner

MDS/ss

#### Attachments

- \*Vicinity Map
- \*Aerial Map
- \*Zoning Map
- \*Topographical Map
- \*2035 Future Land Use Map
- \*Application
- \*Development Plan

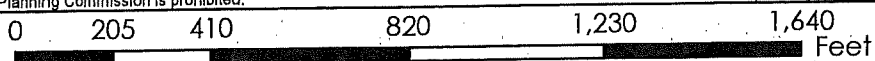
# Vicinity Map

www.boonecountygis.com

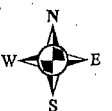


Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



1 inch = 400 feet



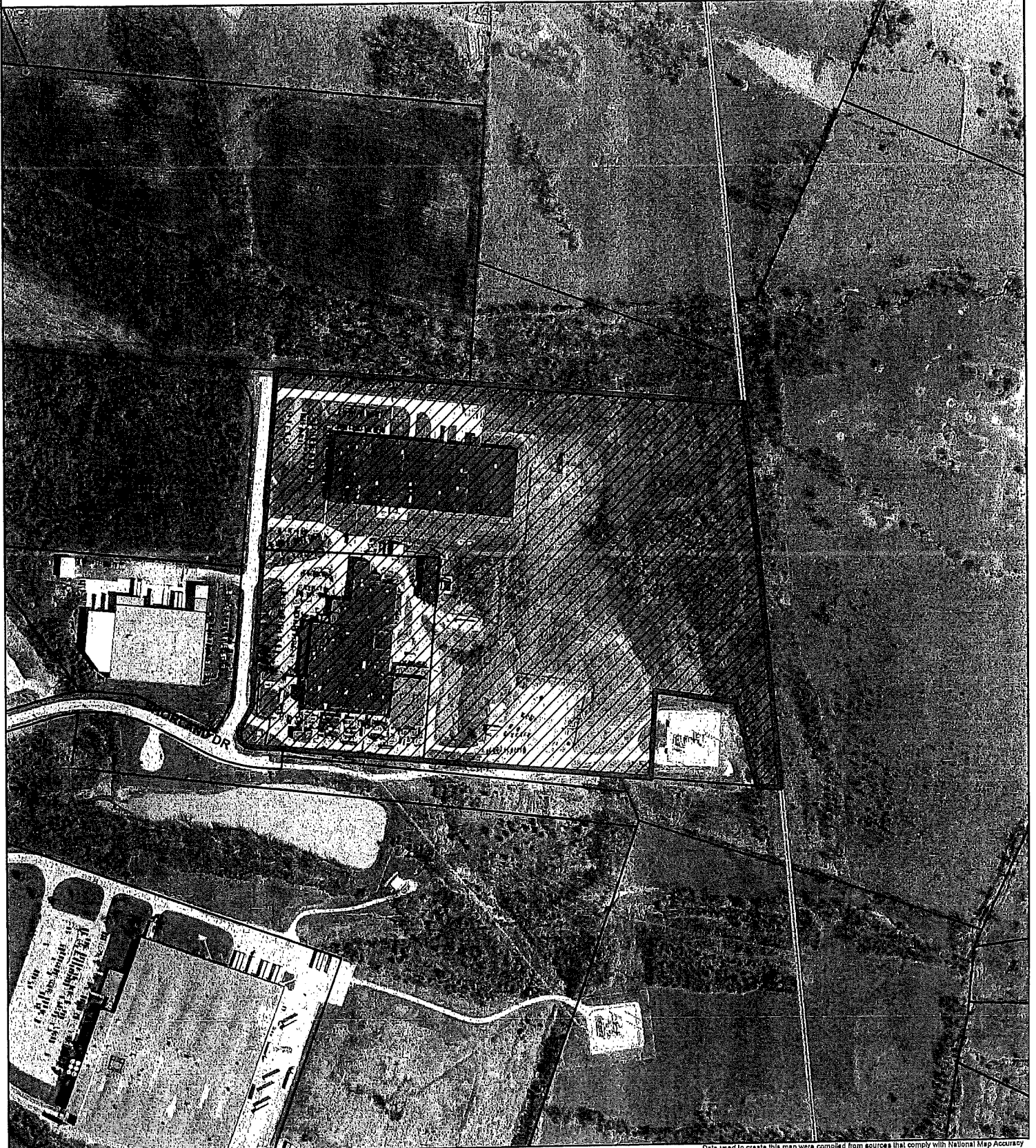
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2018

ArcMap Document: \*.mxd

# Aerial Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.

0 205 410 820 1,230 1,640 Feet

1 inch = 400 feet



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

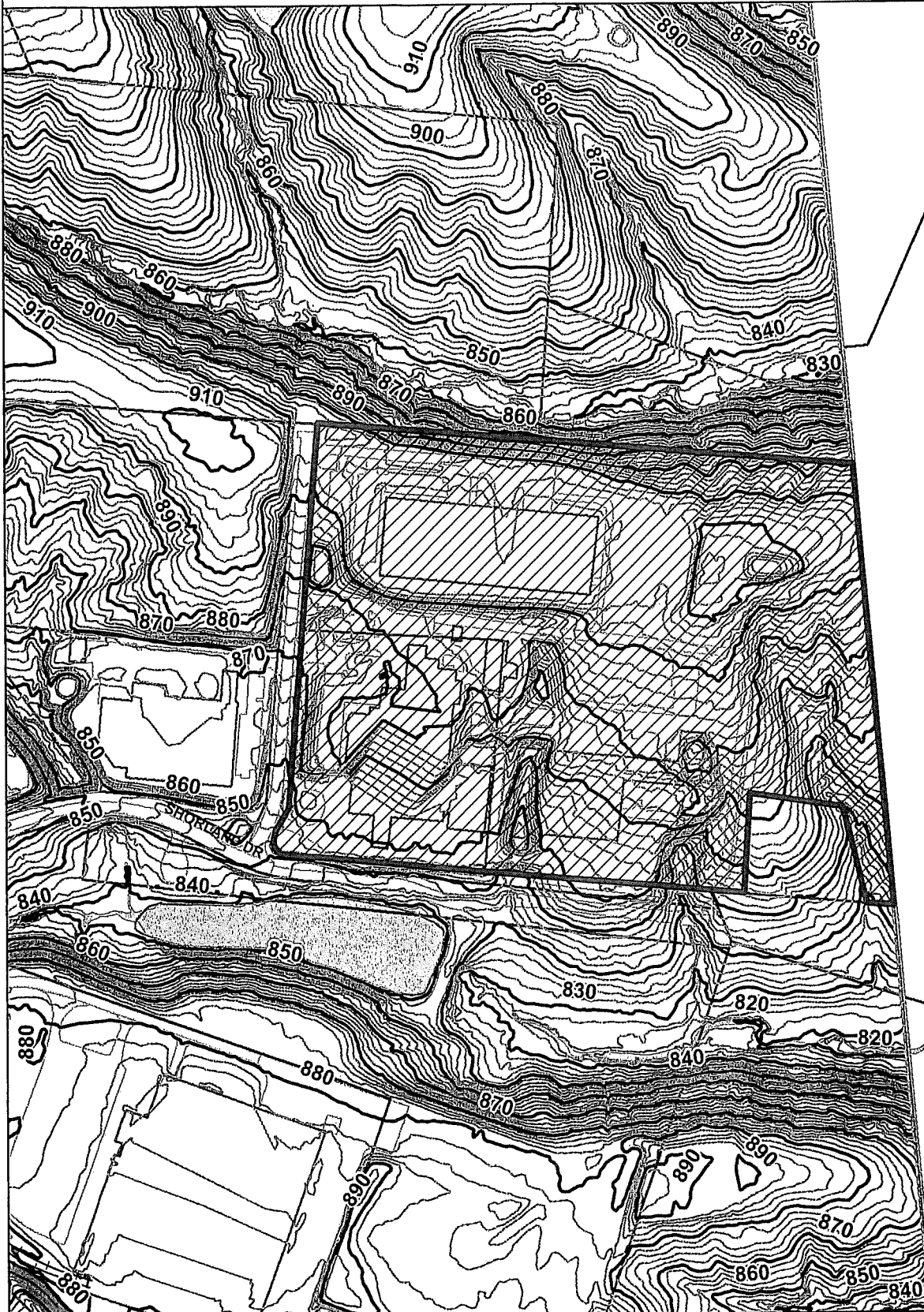


Map Created: 01/01/2018

Boone County GIS  
ArcMap Document: \*.mxd

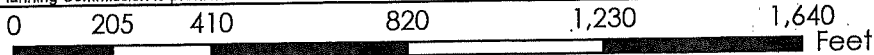
# Topographical Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



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

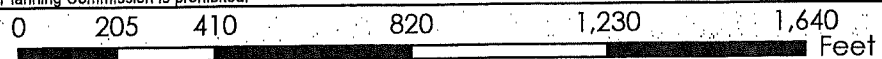
# Zoning Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



1 inch = 400 feet



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

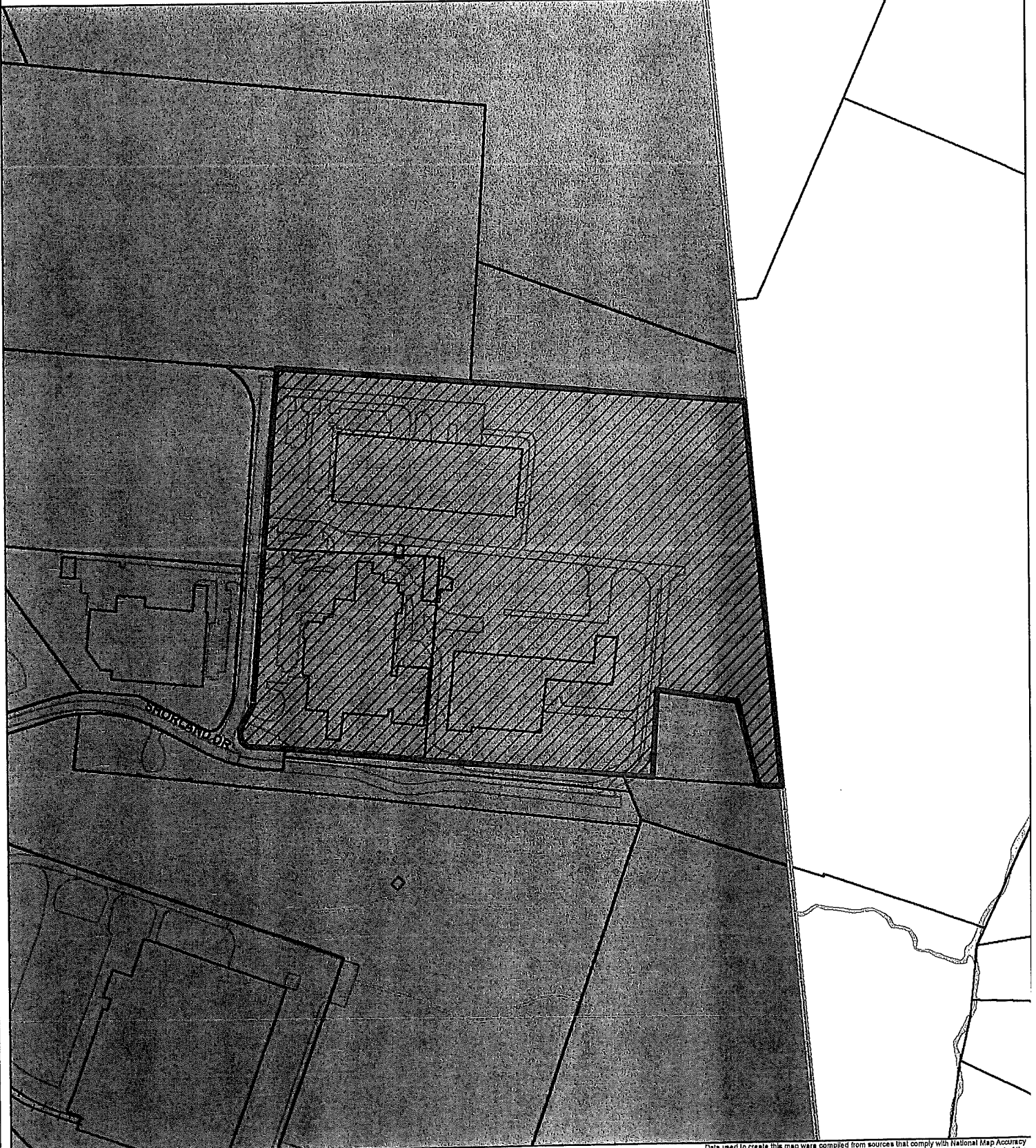


Map Created: 01/01/2018

ArcMap Document: \*.mxd

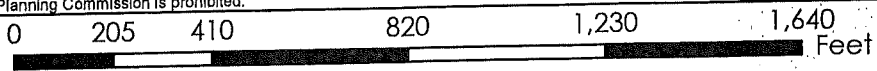
# 2035 Future Land Use Map

www.boonecountygis.com



Copyright 2018 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.



1 inch = 400 feet



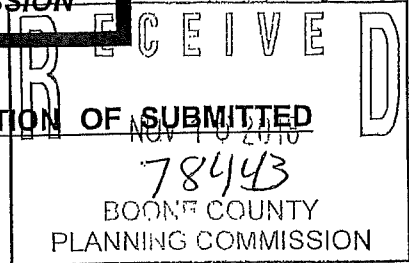
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2018

Boone County GIS  
ArcMap Document: 1.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. Boone  Florence  Walton  Union
- (Check One)
2.  Conditional Use Permit  Variance  Appeal  
 Change in Non-Conforming Use
3. Applicant's Name Denham Blythe Company  
Applicant's Address 100 Trade Street, Suite #2  
Lexington KY 40511  
City State Zip
4. Phone Number 859-255-7405 Fax No. \_\_\_\_\_ E-Mail grainey@denhamblythe.com  
Description of Request: Allow variance to encroach over 80' A2/I2 Buffer Yard Requirement with truck access road.
5. Name of Development Safran Landing Systems
6. Location of Development 1 Carbon Way, Walton, KY 41094
7. Acreage Under Review 2.0 Acres
8. Lot Number and Name of Subdivision (if part of a subdivision)  
N/A
9. Owner of Property Safran Landing Systems  
Address of Property Owner 1 Carbon Way, Walton, KY 41094
10. \_\_\_\_\_  
City State Zip  
Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_
11. Proposed Use(s) on Site Industrial Manufacturing
12. Total Square Footage of Existing and/or Proposed Buildings Ex: ~383,392
13. Current Zoning on Property I-2
14. Deed Book 1079 Page No. 554 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, on site plan
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: \_\_\_\_\_

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

ORIGINAL Applicant's 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)

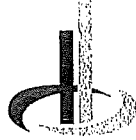
1. Date Received 11-16-18 Fee Received \$93.00 Receipt # 78443
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
 Approved  
 Approved with Conditions (See #6)  
 Denial (See #7)
6. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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  
[www.boonecountyky.org](http://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.**



Denham-Blythe Company, Inc.  
design/build  
Lexington KY | Nashville TN | Greenville SC  
www.denhamblythe.com

November 16, 2018

ATTN: Michael Schwartz  
Boone County Board of Adjustments  
2950 Washington St.  
P.O. Box 958  
Burlington, KY 41005

RE: Safran Landing Systems – Northeast Roadway  
1 Carbon Way, Walton, Kentucky 41094

Mr. Schwartz,

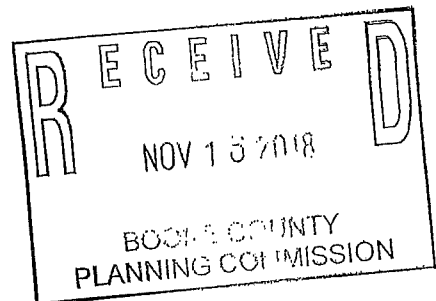
This letter is to request a Board of Adjustment Variance review on the above referenced project. The project was initially submitted to Boone Co. for Planning Review on 11/5/18. After the initial submission, the project scope and layout was revised, now requiring a variance. The proposed roadway shown on the site plan is projected to encroach over the 80-foot buffer yard setback by 29 feet. This variance is requested as a means to ensure safety and continuity for incoming/outgoing trucks utilizing the north access road, and to provide adequate maneuverability area for future building and dock expansions to the north and east. The adjacent A-2 zoned property is currently heavily forested at the property line. No adverse conditions are expected as a result of allowing the variance.

Attached to this letter are (5) copies of the Overall Site Plan (C000) and Site Plan (C100). Also attached is (1) reduced 11x17 of the aforementioned site plans, Board of Adjustment and Zoning Appeal Action Application, and a check in the amount of \$932.00.

Thank you for your time and consideration.

Sincerely,

Gregory Rainey  
Civil/Structural Designer  
grainey@denhamblythe.com  
859-255-7405 x144







CERTIFICATE OF LAND USE RESTRICTION

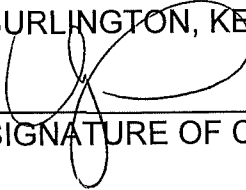
- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Safran Landing Systems  
1 Carbon Way  
Walton, KY 41094
- 2. ADDRESS OF PROPERTY  
1 Carbon Way  
Walton, KY 41094
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Safran Landing Systems

4. DEED BOOK 1079                      PAGE NO. 554                      GROUP NO. 2065

- 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

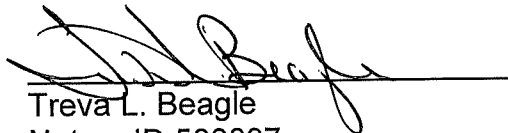
  
 \_\_\_\_\_  
 SIGNATURE OF COMPLETING OFFICIAL  
 \_\_\_\_\_  
 Michael D. Schwartz - Planner  
 Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz

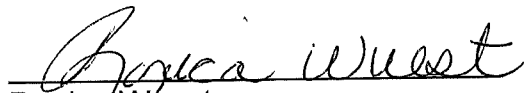
on behalf of the Boone County Planning Commission this 13 day of December, 2018.



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.)