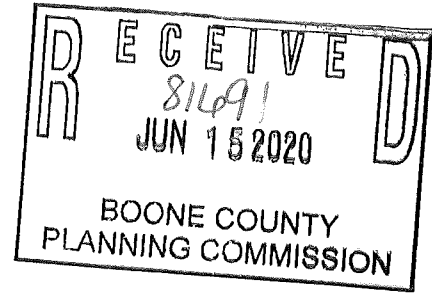


APPLICATION FORM

**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 X Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_

(Check One)

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

3. Applicant's Name John R. Grier, AIA, LEED AP  
Applicant's Address 11501 Deerfield Road

Cincinnati Ohio 45242  
City State Zip

Phone Number 513-489-3690 Fax No. 513-489-3699 E-Mail jpgrier@fuse.net

4. Description of Request: Modify front yard buffer Requirements, Delete Side Yard Buffer Yard Requirements

5. Name of Development ZoomEssence

6. Location of Development 1131 Victory Place, Hebron, KY

7. Acreage Under Review 4.67

8. Lot Number and Name of Subdivision (if part of a subdivision)  
Victory Park Subdivision, Dedication Lot 2, Slide 390B

9. Owner of Property ZOOM ESSENCE *VP Realty LLC*

10. Address of Property Owner  
1131 Victory Place  
City Hebron State KY Zip 41048

Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_

11. Proposed Use(s) on Site Food and Drink Flavor Development and Manufacturing

12. Total Square Footage of Existing and/or Proposed Buildings 43200

13. Current Zoning on Property I-1 CD

14. Deed Book 575 1116 Page No. 464 867 Group No. 2010

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: Robert Corbett 6-9-2020  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] 6-5-20  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

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 6/15/20 Fee Received \$1,616.<sup>00</sup> Receipt # 81691
2. Is application complete?  Yes  No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 7/18/2020
5. Board Action:  
 Approved  
 Approved with Conditions (See #6)  
 Denial (See #7)
6. Conditions of Approval: The applicant shall contact the Hebron Fire Department, prior to Site Plan submittal, to discuss emergency access issues.
7. Reasons for Denial: \_\_\_\_\_

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

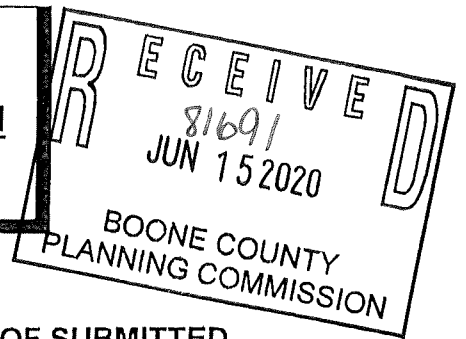
NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

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

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

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)
- Boone  Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
  - (Check One)  
 \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
 \_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
  - Applicant's Name John R. Grier, AIA, LEED AP  
 Applicant's Address 11501 Deerfield Road  
Cincinnati Ohio 45242  
 City State Zip  
 Phone Number 513-489-3690 Fax No. 513-489-3699 E-Mail jpgrier@fuse.net
  - Description of Request: Reduction of front yard fence setback
  - Name of Development ZoomEssence
  - Location of Development 1131 Victory Place, Hebron, KY
  - Acreage Under Review 4.67
  - Lot Number and Name of Subdivision (if part of a subdivision)  
Victory Park Subdivision, Dedication Lot 2, Slide 390B
  - Owner of Property ZOOM ESSENCE  
 Address of Property Owner 1131 VICTORY PL
  - City HEBRON State KY Zip 41048  
 Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_
  - Proposed Use(s) on Site Food and Drink Flavor Development and Manufacturing
  - Total Square Footage of Existing and/or Proposed Buildings 43200
  - Current Zoning on Property I-1 CD
  - Deed Book 575-1116 Page No. 164 267 Group No. \_\_\_\_\_
  - 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: Robert Corbett 6-9-2020  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] 6-5-20  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

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 6/15/20 Fee Received \$1616<sup>00</sup> Receipt # 81691
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer M. Schwartz
4. Scheduled Board Action Date 7/8/2020
5. Board Action:  
 Approved  
 Approved with Conditions (See #6)  
 Denial (See #7)
6. Conditions of Approval: The applicant shall contact the Hebron Fire Department prior to Site Plan submittal, to discuss emergency access issues.
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: John R. Grier for ZoomEssence, on behalf of VP Realty LLC

LOCATION: 1139-1145 Victory Place, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: July 8, 2020

### PROPOSAL

The applicant is requesting Variances: (1) to reduce the minimum front yard setback from fifty (50) feet to fourteen (14) feet in order to install a six (6) foot high decorative fence; and (2) to reduce the minimum buffer yard requirement along the south property line from ten (10) feet to zero (0) feet in order to install an eight (8) foot high chain link fence.

### SITE HISTORY

1989 Al Neyer Inc. submitted a Zoning Map Amendment application for a 15.47 acre area, including the site in question, from Suburban Residential One (SR-1) to Industrial One (I-1). On December 20, 1989, the Boone County Planning Commission recommended disapproval of the Zoning Map Amendment (R-47-89). On February 6, 1990, the application was withdrawn.

1993 On April 7, 1993, Al Neyer Inc. submitted a Zoning Map Amendment application for a 15.47 acre area, including the site in question, from Suburban Residential One (SR-1) to Industrial One (I-1). On July 7, 1993, the Boone County Planning Commission recommended approval of the Zoning Map Amendment, subject to five conditions (R-93-029-A). On August 17, 1993, the Boone County Fiscal Court adopted Ordinance Number 920.262, changing the zoning from SR-1 to I-1.

1997 –

1999 Based on information contained in the Boone County GIS, the site was developed between 1997 and 1999.

### 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.
- B. 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.
- C. 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.
  1. Findings listed in Section 251:

- a. 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:
    - (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
    - (2) 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;
    - (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
  - b. 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.
- D. Section 3655.4.a of the Boone County Zoning Regulations states that fences shall be permitted within the front yard, within industrial districts, provided that the fence meets the minimum required front yard setback.
- E. Section 3110 of the Boone County Zoning Regulations requires a minimum front yard setback of fifty (50) feet in the I-1 district.
- F. Section 3655 of the Boone County Zoning Regulations requires a Buffer Yard A, having a minimum width of ten (10) feet to be provided between properties within the I-1 district.
- G. Section 3655, Table 2, of the Boone County Zoning Regulations states that: (a) fences which are used within buffer yards shall be located within the center of the buffer yard and the plants shall be installed on both sides of the fence; and (b) chain link fences shall not be permitted within the buffer yard.
- H. Section 1131 of the Boone County Zoning Regulations states that “the purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be

delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district. This zoning classification can range from a compact multi-level office development on several acres to an extensive mixed office/warehouse/distribution development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.”

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question for “Transportation” uses.

Transportation is defined as airports, major four lane roads, interstates, interchanges, ferries, and rest areas.

- B. The following Our Boone County Plan 2040 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).

Development policies shall not discriminate against any person Demographics Goal A, Objective 1).

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).

- C. Victory Place is identified as a local street providing for two way traffic within two driving lanes. There is a sidewalk along the east side of the roadway, fronting the site in question.

#### SURROUNDING LAND USES AND ZONING

North: Iron Workers Local 44/Bluefin Seafood (I-1)

South: International Mold Steel, Inc. (I-1)  
East: Service facility for the airport (A)  
West: Ryder Truck Rental (I-1)

PROPOSED DEVELOPMENT

- A. The applicant is proposing to construct: (1) a six (6) foot high decorative fence within the front yard; and (2) an eight (8) foot high chain link fence, with three strands of barb wire, within the side and rear yard.

STAFF COMMENTS

- A. The applicant has stated that the purpose of the fence is to secure the property pursuant to federal guidelines and requirements.
- B. The side yard, where the variance is being requested to reduce the buffer yard width to zero (0) feet, is currently paved to the property line.
- C. The proposed fence, in the front yard, is not parallel to the front property line in order to go around an existing driveway and other mechanical/production equipment.
- D. To the best of staff's knowledge, there is one other tenant in the building, along with ZoomEssence. The applicant should address how they intend to provide access to the loading dock for the other tenant.
- E. Should the variances be approved, a Site Plan will need to be submitted to the Boone County Planning Commission prior to installation of the proposed improvements. The applicant should contact the Hebron Fire Department, prior to Site Plan submittal, to discuss emergency access issues.

CONCLUSION

- A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give 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

\*Topographical Map

\*Zoning Map

\*2040 Future Land Use Map

\*Noise Contour Map

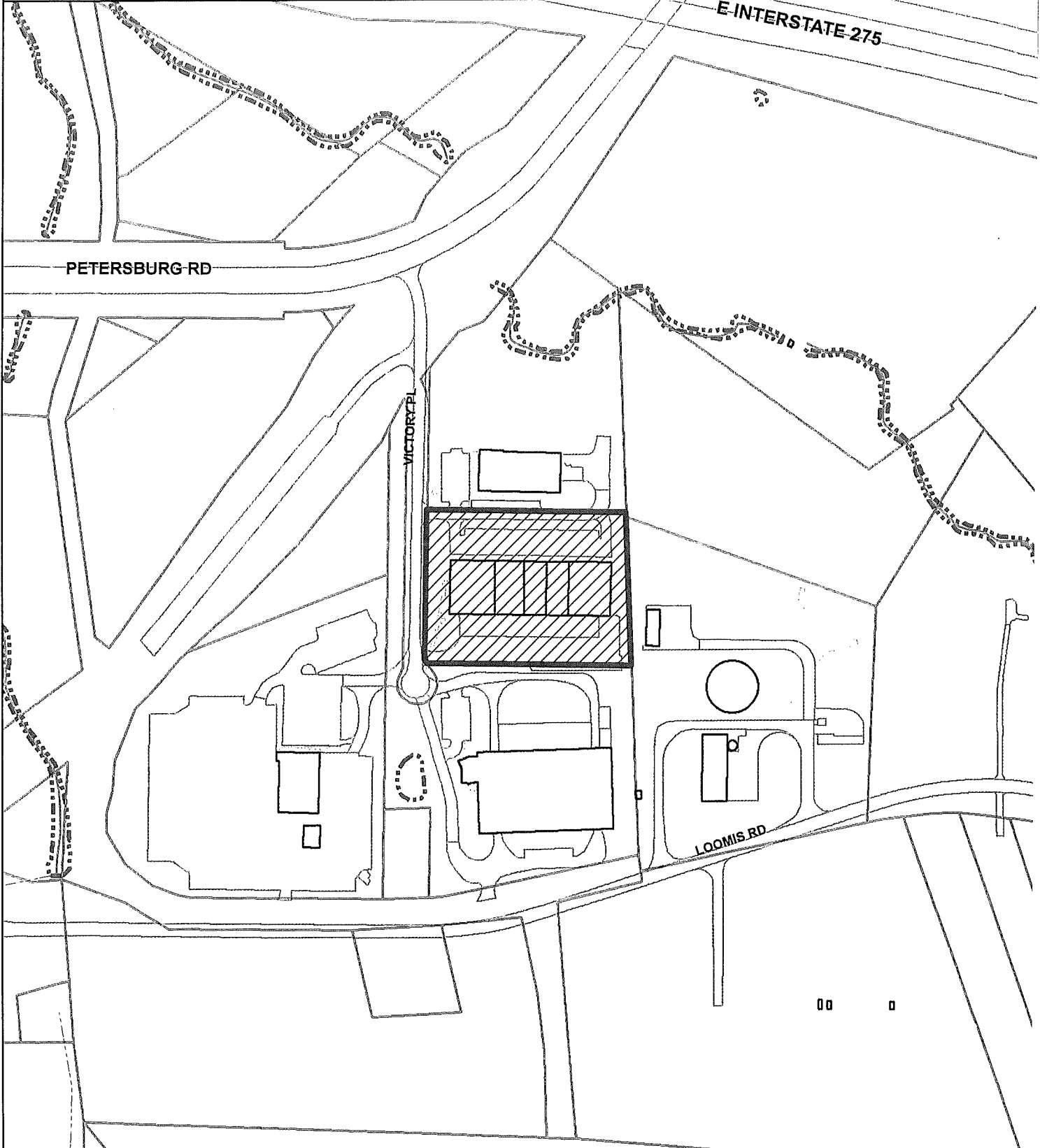
\*Application

\*Development Plan

\*Applicant's Basis For Request

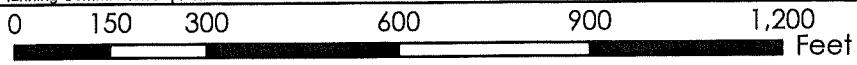
# Vicinity Map

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 = 300 feet



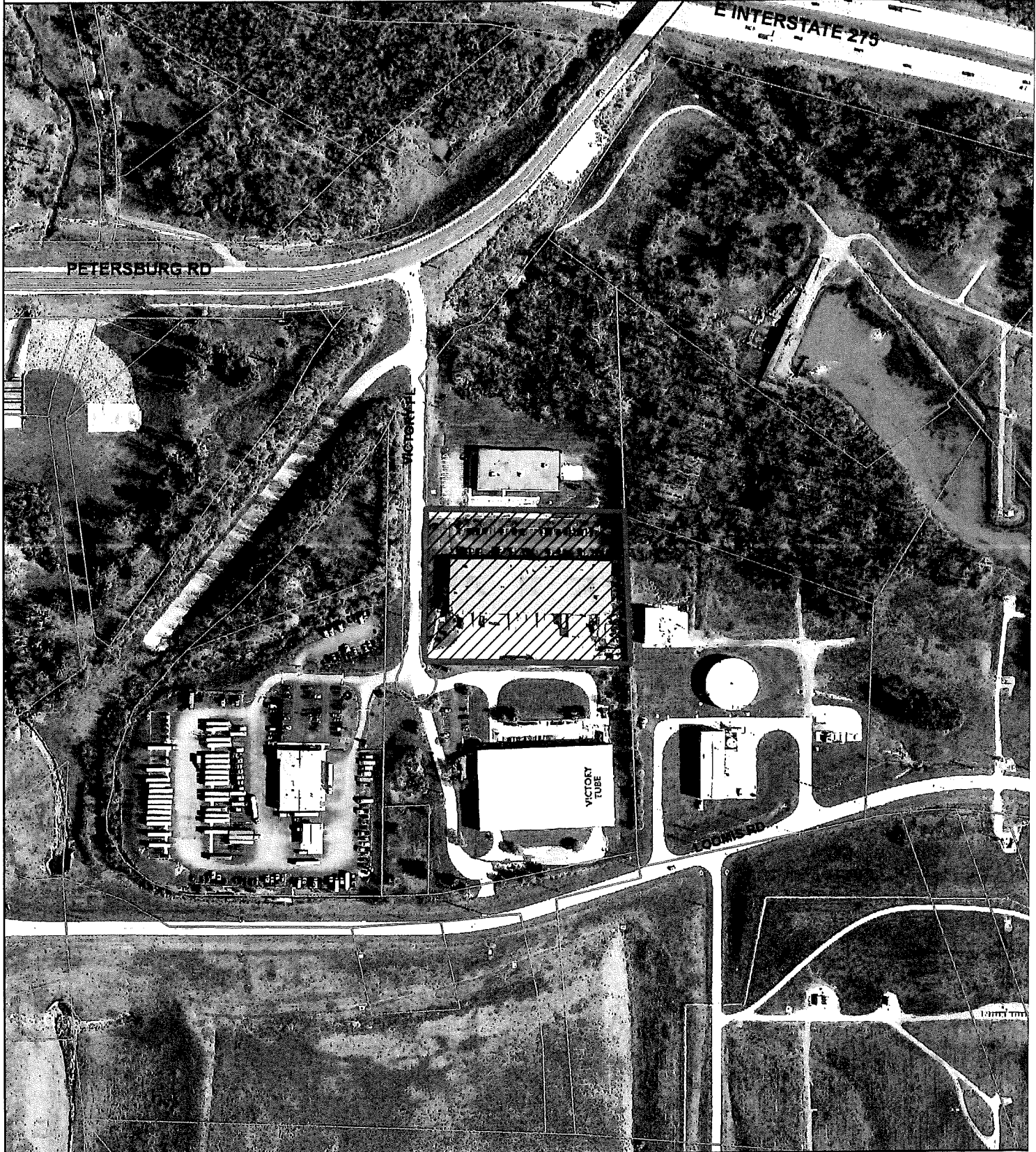
**Boone County GIS**

Map Created: 01/01/2018

Boone County GIS  
ArcMap Document: \*.mxd

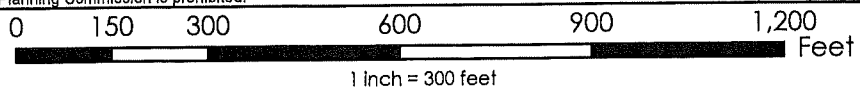
# Aerial Map

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.



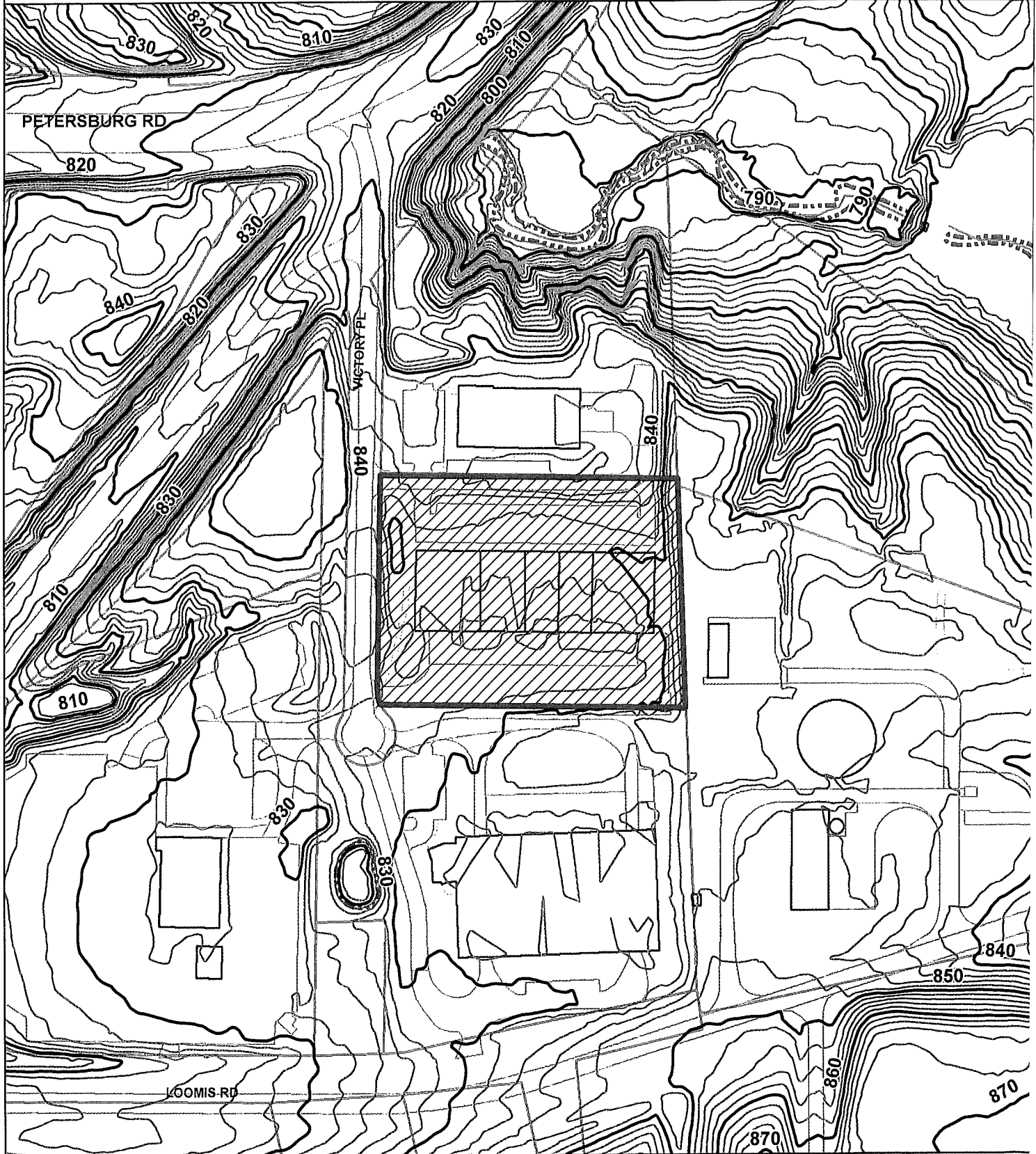
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2018

Map Document: \*.mxd

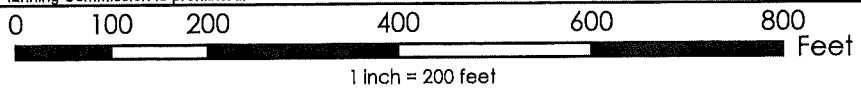
# Topographical Map

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.



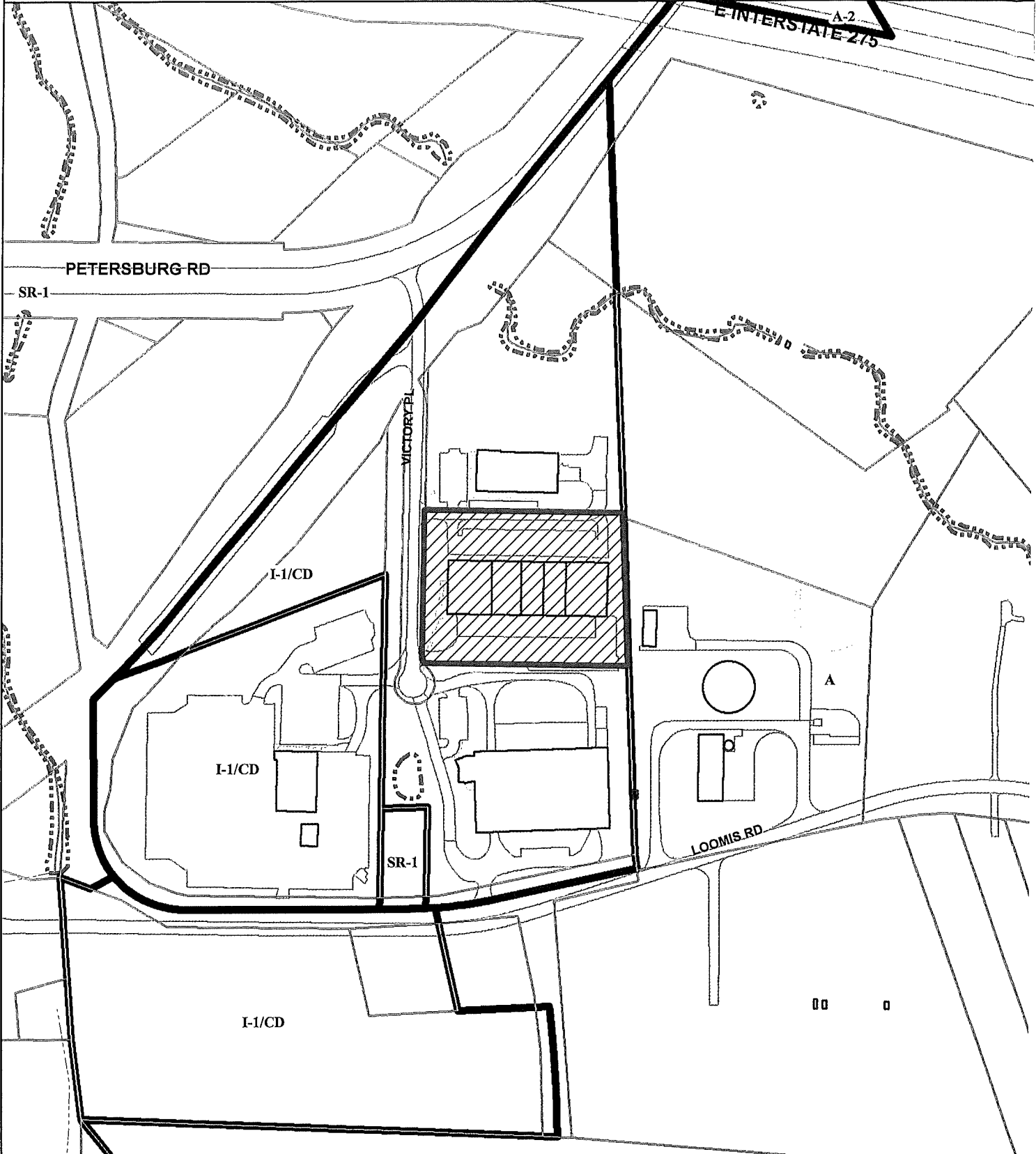
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2018

Map File: 1.mxd  
ArcMap Document: 1.mxd

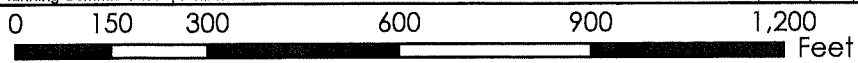
# Zoning Map

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 = 300 feet



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

Map Created: 01/01/2018

Boone County GIS  
ArcMap Document: \*.mxd

# 2040 Future Land Use Map

www.boonecountygis.com

E INTERSTATE 275

BP

PETERSBURG RD

VICTORY PL

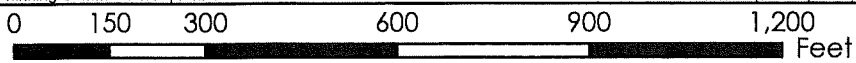
T

LOOMIS RD

00 0

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 = 300 feet

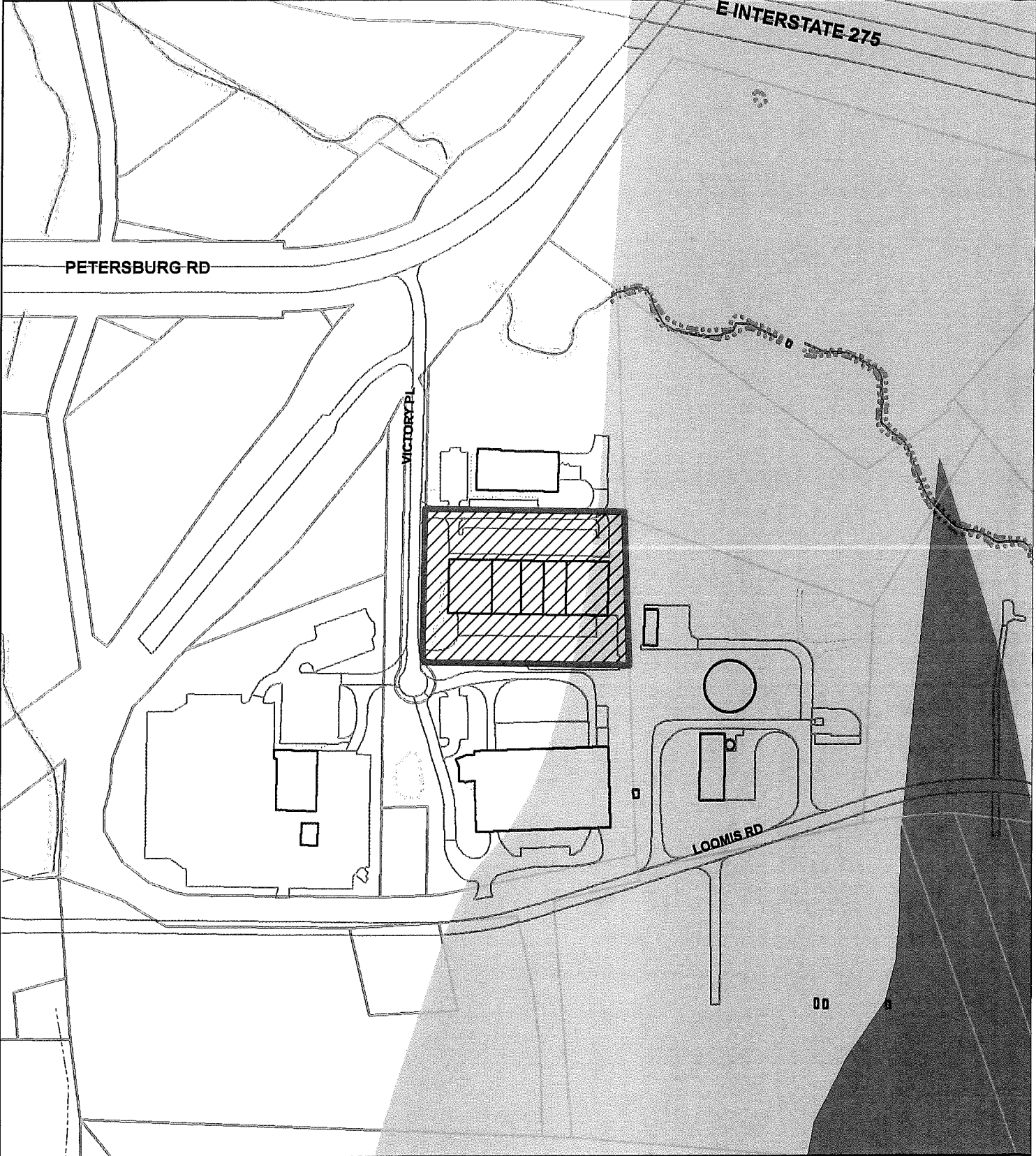


**Boone County GIS - Putting Northern Kentucky on the Map**



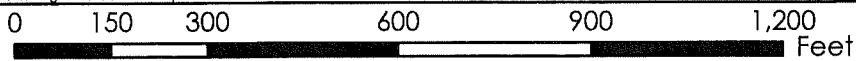
# Noise Contour Map

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 = 300 feet



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



Map File: C:\Users\GIS\Desktop\GIS\Map\Map.mxd  
ArchMap Document: \*.mxd

Map Created: 01/01/2018

APPLICATION FORM

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

**R E C E I V E D**  
81691  
JUN 15 2020  
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)
- Boone  Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
  - (Check One)  
\_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
  - Applicant's Name John R. Grier, AIA, LEED AP  
Applicant's Address 11501 Deerfield Road  
Cincinnati Ohio 45242  
City State Zip  
Phone Number 513-489-3690 Fax No. 513-489-3699 E-Mail jpgrier@fuse.net
  - Description of Request: Reduction of front yard fence setback
  - Name of Development ZoomEssence
  - Location of Development 1131 Victory Place, Hebron, KY
  - Acreage Under Review 4.67
  - Lot Number and Name of Subdivision (if part of a subdivision)  
Victory Park Subdivision, Dedication Lot 2, Slide 390B
  - Owner of Property ZOOM ESSENCE  
Address of Property Owner 1131 VICTORY PL
  - City HEBRON State KY Zip 41048  
Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_
  - Proposed Use(s) on Site Food and Drink Flavor Development and Manufacturing
  - Total Square Footage of Existing and/or Proposed Buildings 43200
  - Current Zoning on Property I-1 CD
  - Deed Book 575-1116 Page No. 464 867 Group No. \_\_\_\_\_
  - 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.

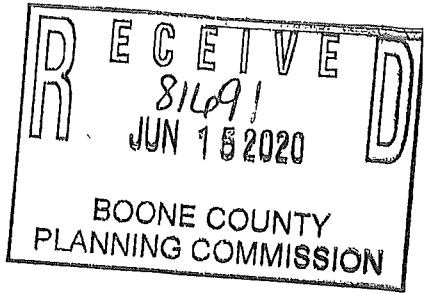
ORIGINAL Property Owner's Signature: Robert Corbett 6-9-2020  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] 6-9-20  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

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

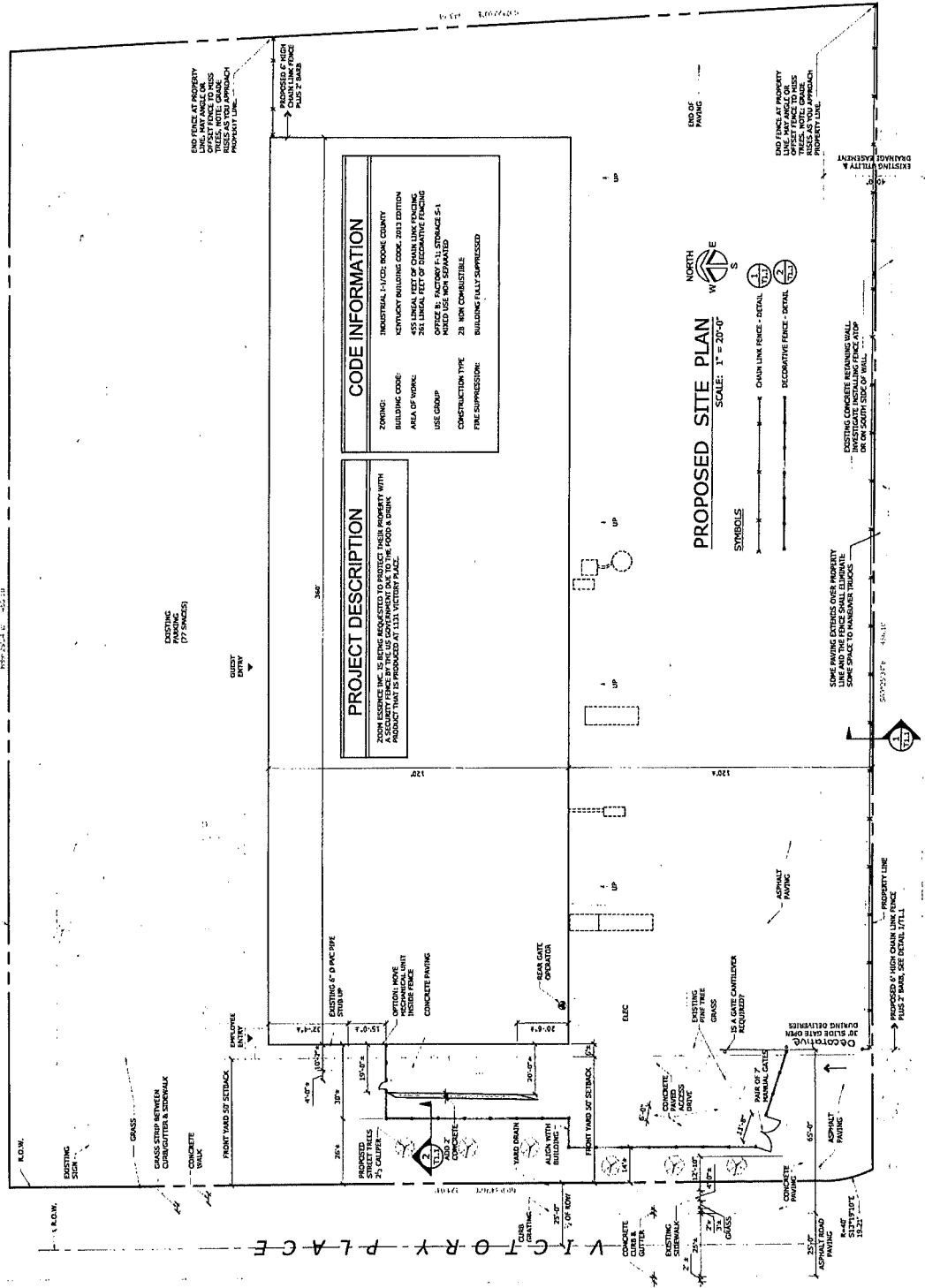
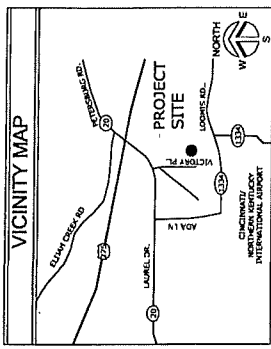
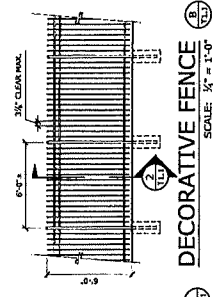
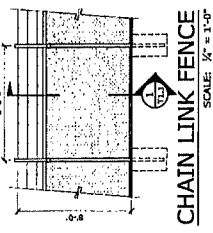
**SECTION A** (To be completed by applicant)

- (Check One)
- Boone  Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_  
(Check One)
  - \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use
  - Applicant's Name John R. Grier, AIA, LEED AP  
Applicant's Address 11501 Deerfield Road  
Cincinnati Ohio 45242  
City State Zip  
Phone Number 513-489-3690 Fax No. 513-489-3699 E-Mail jpgrier@fuse.net
  - Description of Request: Modify front yard buffer Requirements, Delete Side Yard Buffer Yard Requirements
  - Name of Development ZoomEssence
  - Location of Development 1131 Victory Place, Hebron, KY
  - Acreage Under Review 4.67
  - Lot Number and Name of Subdivision (if part of a subdivision)  
Victory Park Subdivision, Dedication Lot 2, Slide 390B
  - Owner of Property ZOOM ESSENCE
  - Address of Property Owner  
1131 Victory Place  
City Hebron State KY Zip 41048
  - Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_
  - Proposed Use(s) on Site Food and Drink Flavor Development and Manufacturing
  - Total Square Footage of Existing and/or Proposed Buildings 43200
  - Current Zoning on Property I-1 CD
  - Deed Book 575 1116 Page No. 464 867 Group No. \_\_\_\_\_
  - 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: Robert Corbett 6-9-2020  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] 6-5-20  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

PERIMETER FENCE FOR:  
**ZOOM ESSENCE INC.**  
 1131 VICTORY PLACE,  
 HEBRON, KENTUCKY 41048



PROJECT DESCRIPTION	
ZOOM ESSENCE INC. IS BEING REQUESTED TO PROTECT THEIR PROPERTY WITH A SECURITY FENCE BY THE GOVERNMENT DUE TO THE FOOD & DRUG ADMINISTRATION REQUIREMENTS AT THE VICTORY PLACE.	

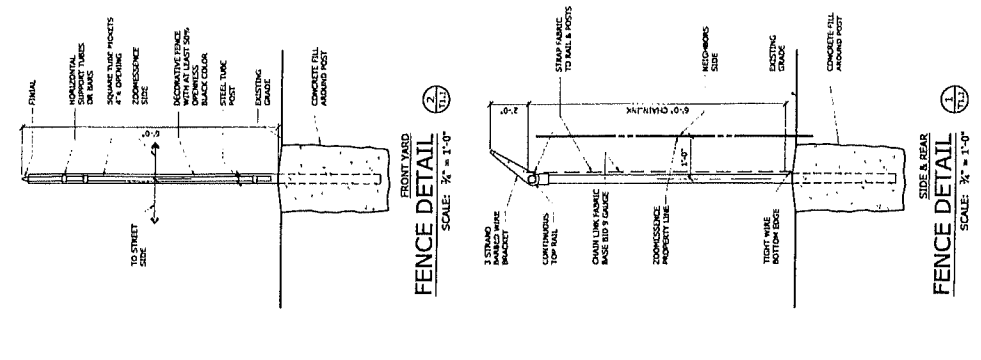
CODE INFORMATION	
ZONING:	INDUSTRIAL-1 (I-1); BOONE COUNTY
BUILDING CODE:	KENTUCKY BUILDING CODE - 2013 EDITION
AREA OF WORK:	201 LINAL LIST OF DECORATIVE FENCING
USE GROUP:	OFFICE B; FACTORY F-1; STORAGE S-1
CONSTRUCTION TYPE:	MILD USE NOT SEPARATED
FIRE SUPPRESSION:	BUILDING FULLY SUPPRESSED

**PERIMETER FENCE FOR ZOOM ESSENCE INC.**  
 1131 VICTORY PLACE  
 HEBRON, KY 41048

**ZOOM ESSENCE INC.**  
 1131 VICTORY PLACE  
 HEBRON, KY 41048

**JOHN R. GAIR**  
 ARCHITECT  
 1131 VICTORY PLACE  
 HEBRON, KY 41048

**T1.1**  
 PERIMETER FENCE  
 SCALE: 3/4" = 1'-0"



PLANNING COMMISSION  
 BOONE COUNTY  
 JUN 15 2020

June 5, 2020

Michael Schwartz, Boone County; cc: Russ Webb, ZoomEssence

RE: Request for Reduction of Front Yard Setback

Front yard fencing setback:

We are requesting a 14' Setback for 80' along the west street right-of-way south end. Note the 30' truck gate is setback the required 50'. The northern portion of the decorative fencing is setback 26' for a length of 75'.

- a. Reasoning: We are requesting this 14' setback to permit our existing concrete paved access drive to remain. This drive was located based on the site topography. The incline or steepness of the drive was designed to accommodate the tow motors which access the exterior production equipment and utilities outside the west wall of our plant. A pair of 7' decorative gates are placed across the existing access drive. A shorter drive would be too steep.
- a. Reasoning: The request for the 26' setback is to permit our production equipment to remain along the exterior west wall of our building. They are air filtering machines which cannot be indoors, nor serviced if located on the roof.

June 5, 2020

Michael Schwartz, Boone County; cc: Russ Webb, ZoomEssence

RE: Request for Buffer Modifications

Perimeter landscaping buffer yard: We are requesting relief from this requirement.

- a. Reasoning: Front yard perimeter landscaping buffer yard: The U.S. government agency F.I.S.M.A. has mandated that food production companies protect the products from sabotage. Our fencing is approved by that agency. We believe the addition of landscaping would diminish the security for the production equipment by providing hiding places for criminals.  
  
In lieu of buffer yards we request allowance to plant (6) street trees between Victory Place and the fencing. These trees would not conceal any persons trying to hide from view prior to scaling the fence. Aristocrat Pears or Honey Locust are examples of the street tree types.
- b. Reasoning: Side yard perimeter landscaping buffer yard: The south property line is adjacent to our pavement for truck maneuvering for our loading docks. 53' trailers must use this space. The dimension from our loading dock doors to the property line is 120'. That is already tight. Creating planting along that fence line would require removal of asphalt truck maneuvering paving. The fence requirement reduces area for maneuvering.
- c. Reasoning: Rear yard perimeter landscape buffer yard: Our rear yard is abutting a line of good trees. The property to our east is very secure airport property. We are not required to provide a fence abutting property that is presently secure. Our south property fence will be offset or angled to miss present trees. The same will be done with a 40' section of fence running from the northeast corner of our building to the secure airport property.



CLUR #20-BCBOA-013-A

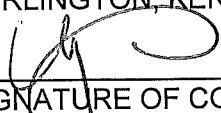
CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
VP Realty  
1139 Victory Place  
Hebron, KY 41048
  
2. ADDRESS OF PROPERTY  
1139-1145 Victory Place  
Hebron, KY 41048
  
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Zoom Essence
  
4. DEED BOOK 1116                      PAGE NO. 867                      GROUP NO. 2010
  
5. TYPE OF RESTRICTION(S) (Check all that apply)
 

<input type="checkbox"/> Zoning Map Amendment: From _____ To _____	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Development Plan	<input type="checkbox"/> Conditional Zoning
<input type="checkbox"/> Subdivision Plat (Not Recorded)	<input type="checkbox"/> Other:

  
 X Variances (2)
  
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

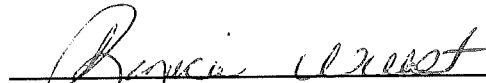
on behalf of the Boone County Planning Commission this 9 day of July, 2020.



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:



Rohica 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 Conditions of Approval apply to the variances (2) approved by the Boone Board of Adjustment and in accordance with the current zoning in effect as of July 8, 2020 Certificate of Land Use Restriction (#20-BCBOA-013 -A), for VP Realty LLC, Property Owner(s).

The following conditions will apply:

1. The applicant shall contact the Hebron Fire Department, prior to Site Plan submittal, to discuss emergency access issues.

The approved variances (2) as well as the preceding conditions apply to the property described in:

DEED BOOK 1116

PAGE NO. 867

GROUP NO. 2010