

E C E O W E  
JAN - 6 2006

06-WBOA-001-A

APPLICATION FORM

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

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

- (Check One)
1. \_\_\_\_\_ Boone \_\_\_\_\_ Florence  Walton \_\_\_\_\_ Union
- (Check One)
2.  Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal  
\_\_\_\_\_ Change in Non-Conforming Use
3. Applicant's Name PHILIP MARINO FR. WALTON CONG. OF JEHOVAH'S WITNESSES  
Phone Number 859-657-6348 (466-0811) Fax No. 859-727-8036  
Applicant's Address 8223 RICHMOND RD  
UNION KY 41091  
City State Zip
4. Description of Request: CONDITIONAL USE PERMIT FOR CHURCH WITH  
SQUARE FOOTAGE OF 4500 & 162 PARKING SPACES
5. Name of Development KINGDOM HALL OF JEHOVAH'S WITNESSES
6. Location of Development \_\_\_\_\_
7. Acreage Under Review CHRIS-CHAD SUBDIVISION LOT 1 SECT. 1 GRP 2078
8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
9. Owner of Property WALTON, KENTUCKY CONGREGATION OF JEHOVAH'S WITNESSES, INC.  
Phone Number of Owner 859-657-6346 - PHIL MARINO - SEC. TREAS.
10. Address of Property Owner UNION KY 41091  
City State Zip
11. Proposed Use(s) on Site CHURCH
12. Total Square Footage of Existing and/or Proposed Buildings 4512 - 168
13. Current Zoning on Property SR-1
14. Deed Book D903 Page No. 629 Group No. 2078
15. Is the site subject to a zone change?   
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.

Applicant's Signature: Philip Marino - Sec. Treas.

Property Owner's Signature: Philip Marino - Sec. Treas.

**BOARD OF ADJUSTMENT AND  
ZONING APPEALS ACTION  
APPLICATION  
PAGE 2**

*1-6-06*

**SECTION B** (To be completed by the Boone County Planning Commission Staff)

- 1. Date Received: 1-6-06 Fee Received: \$569.00 R#4640
- 2. Is application complete?  Yes  No
- 3. Staff Reviewer: \_\_\_\_\_
- 4. Scheduled Board Action Date: \_\_\_\_\_
- 5. Board Action:  
Approved  
3/2/06 Approved with Conditions (See #6)  
Denial (See #7)
- 6. Conditions of Approval: SEE 3/2/06 W.B.O.A.  
MEETING MINUTES
- 7. Reasons for Denial: \_\_\_\_\_

**Boone County Planning Commission  
2995 Washington Street  
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: Philip Marino for the Walton Congregation of Jehovah's Witnesses

LOCATION: Southeast Corner of the Brookwood Drive/Elmwood Drive Intersection, Walton, Kentucky

ZONING: Suburban Residential One (SR-1)

DATE: February 9, 2006

### Proposal

The Applicant is requesting a Conditional Use Permit to allow a 4,512 square foot church with 62 parking spaces to be constructed on a 1 acre lot which is located at the southeast corner of the Brookwood Drive/Elmwood Drive intersection (see attached Concept Development Plan). The subject property is located in the City of Walton and is zoned Suburban Residential One (SR-1).

The Applicant has submitted an interior floor plan and an architectural rendering (see attachments). The floor plan shows that the building will contain a 170 seat auditorium, two small meeting rooms, restrooms, a baby care area, and an office. The floor plan also shows that windows will be located on the front and rear facades of the building but not the sides. The architectural renderings show a single-story building which is constructed with brick and a shingle roof.

### Site History

7/20/05 – The Boone County Planning Commission approves a Conveyance Plat for a 0.6623 non-buildable tract. The church is attaching this non-buildable tract to lot 1 of Cris-Chad Subdivision to make a 1 acre buildable lot. This plat also shows the right-of-way that the City of Walton obtained from Robert and Bonita Maddox.

### Applicable Regulations

Article 9, Section 933 of the Boone County Zoning Regulations permits "churches, synagogues, temples and other places of religious assembly for worship" as a conditional use within a Suburban Residential One (SR-1) district.

Article 30, Section 3007 of the Boone County Zoning Regulations states that "property involving a conditional use and/or variance shall be subject to the Boone County Planning Commission Site Plan review and approval if required by an individual zoning district."

Article 30, Section 3314 of the Boone County Zoning Regulations states that "all parking and loading areas set forth in Sections 3311 and 3325, including driveways, aisles, vehicle storage, outdoor storage, and vehicle circulation areas shall be improved with either asphalt concrete or portland cement concrete to provide a durable and dust free surface."

Article 33, Section 3325 of the Boone County Zoning Regulations states that churches are required to provide one parking stall for every 5 seats.

Article 33, Section 3325 of the Boone County Zoning Regulations states that the maximum number of parking stalls permitted on a site is 30% greater than the required minimum number, unless a parking study is approved by the Zoning Administrator.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 and 933 of the Boone County 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.

Article 9, Section 933 of the Boone County Zoning Regulations allows churches as a conditional use in the SR-1 district if the proposed facility meets all the requirements:

- a. the activity is an integral and subordinate function of a permitted use; or
- b. the activity will not contradict the low density character of the district; and
- c. the arrangement of uses, buildings, or structures will be 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 "Rural Density Residential" and "Suburban Residential" uses. These designations are described as follows:

Rural Density Residential – "Low density residential uses of up to one dwelling unit per acre."

Suburban Residential – "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision."

The Land Use Element (Walton Area, pg. 149) makes the following statements regarding the general area:

"Suburban Residential development is occurring to the south of Chambers Road, between I-75 and U.S. 25. The rougher terrain, immediately adjacent to Chambers Road should include lower density residential development that minimizes traffic on this roadway, and fits into the landscape along this highly visible portion of the interstate corridor. The suitability of this area for residential use is enhanced by proximity to developing recreational areas, commercial services, and the Walton-Verona schools. Commercial development along U.S. 25 should also experience infilling, and should remain local in nature."

The following Future Land Use Development Guidelines relate to the proposal"

- A. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate . . .

Typically, buffering is required and provided between unlike land uses, however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible ("Buffering," pg. 141).

- B. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation

areas, as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roads.

Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 141).

- C. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system ("Access Management," pp. 141 and 142).

The following Goals and Objectives relate to the request:

- A. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are enhanced. Development in Boone County preserves and promotes a better quality of life (Environment, Goal).
- B. Priority shall be given toward maintaining, protecting and improving the capacity and safety of the existing road way system.

#### Surrounding Land Uses and Zoning

North: Brookwood Drive, Single-Family Residence (SR-1) & Shining Stars (C-2)

South: Approximate 28 Acre Farm (SR-1)

East: Undeveloped Commercial Property (C-2)

West: Elmwood Drive & Single-Family Residence (SR-1)

#### Site Characteristics

The 1 acre church is undeveloped and has frontage on Brookwood Drive and Elmwood Drive. The Elmwood Drive right-of-way is currently a street stub that serves one single-family residence. The topography of the parcel ranges from approximately 930' above sea level at the rear property line to approximately 920' above sea level near Brookwood Drive. There are some mature deciduous and evergreen trees located on the site. Water mains exist along Brookwood Drive and Elmwood Drive. A sanitary sewer main exists on the other side of Brookwood Drive.

Staff Comments

1. Staff contacted the applicant regarding the 62 stall parking lot being located in the front of the development. The front yard of the subject lot is highly visible to several single-family residences that are located on Ashwood Drive and Brookwood Drive. Staff has asked the applicant to explore the possibility of moving the building up to the front of the lot and moving the parking to the rear. Staff believes this change would make the proposed church blend in more with the single-family character that exists to the north and west of the site. This solution would grant the church the same basic utility of the site as the submitted proposal. In granting the Conditional Use Permit, the Board must analyze that the activity will not contradict the low density character of the district.
2. The City of Walton recently obtained right-of-way to extend Elmwood Drive and tie it into University Drive (Wildcat Run Subdivision) and Brookwood Drive (Chris-Chad Subdivision). Staff has asked the applicant to contact the City of Walton regarding the timing of this street improvement and to see if any agreement could be worked out to share the expense of the road for the portion which adjoins the church lot.

Staff is hopeful that an immediate agreement can be worked out between the City of Walton and the applicant to put in the portion of Elmwood that adjoins the church lot. The installation of the road would allow the church to move their curb cut to Elmwood Drive. The Elmwood Drive curb cut location would be conducive for a rear entry parking lot and promoting safe access management. The Brookwood curb cut location shown on the Concept Plan may cause access management issues because of its proximity to the Brookwood Drive/Elmwood Drive/Ashwood Drive intersection. Staff believes that a single curb cut placed at the south side of the Elmwood Drive frontage will be safer for the following reasons:

- A. Elmwood Drive will be a local street which connects two subdivisions. On the other hand, Brookwood Drive is a sub-collector street which serves approximately 75 residential lots and two existing businesses. In the future, Brookwood Drive may have more businesses because the south side of the street, near Dixie Highway, is currently undeveloped and is zoned C-2. As a result, traffic volume should be significantly higher on Brookwood Drive.
  - B. The curb cut location on Elmwood will be further from the intersection than the Brookwood location.
  - C. This solution would cause the church traffic to go through the stop controlled intersection at Brookwood and Elmwood, which would be safer than an access point directly onto Brookwood Drive.
3. Staff would like the applicant to address sanitary sewer service. The sanitary sewer main exists on the other side of Brookwood Drive.

4. Although the applicant submitted a rendering of the proposed building (see attachments), Staff is concerned that it does not show all four sides of the building. Staff would like the applicant to address the proposed building materials of all four sides of the building.
5. The Concept Development Plan shows a 12' x 14' (168 square foot) out-building. Staff would like the applicant to explain the use of this building and the exterior construction materials.
6. Staff is concerned that the building is only setback 5 feet from the eastern property line. Because this facility has more of a commercial than single family residential character, Staff suggests that the eastern side yard setback should be a minimum of 10 feet, which is the normal side yard setback requirement for the adjoining C-2 zone.
7. Staff would like the applicant to address site lighting. Staff recommends that all proposed light poles shall not exceed 12 feet in height and that all illumination shall be directed inwards toward the parking lot (no wall packs permitted).

Staff would like to point out that a photometric plan will be required during Site Plan review. The photometric plan will need to show the average foot candle measurements in the parking lot are 2.4 or less and that the readings at the property lines are 1.0 or less.

8. Although the architectural rendering shows that the church plans to do some perimeter landscaping, Staff suggests the following conditions which require perimeter landscaping buffers along the southern and eastern property lines:
  - A. The southern property line shall be screened with a 20' wide buffer with 10 small trees from Plant List C and 5 large, medium, or evergreen trees from Plant List A, B, or D (see Section 3660 of the Boone County Zoning Regulations).
  - B. The eastern property line should be screened with Buffer Yard A. This is a 10' wide buffer with 5 small trees from Plant List C and 3 large, medium, or evergreen trees from Plant List A, B, or D and 30 shrubs From Plant List C (see Sections 3645 & 3660 of the Boone County Zoning Regulations).

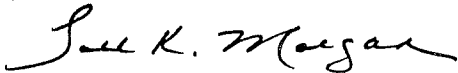
Staff would like to point out that Street Frontage Buffers (10' wide buffers with Buffer Yard A plantings) are required along the Brookwood Drive and Elmwood Drive right-of-ways (see Section 3620 of the Boone County Zoning Regulations).

9. If the Board grants approval of the request, a Major Site Plan application will need to be submitted to the Boone County Planning Commission. This plan will address building setbacks, driveway aisle and parking stall requirements, grading, storm water detention, lighting, landscaping, etc.

Conclusion

KRS 100.237 and Sections 260 and 933 of the Boone County Zoning Regulations gives the Walton Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Conditional Use Permit.

Respectfully submitted,

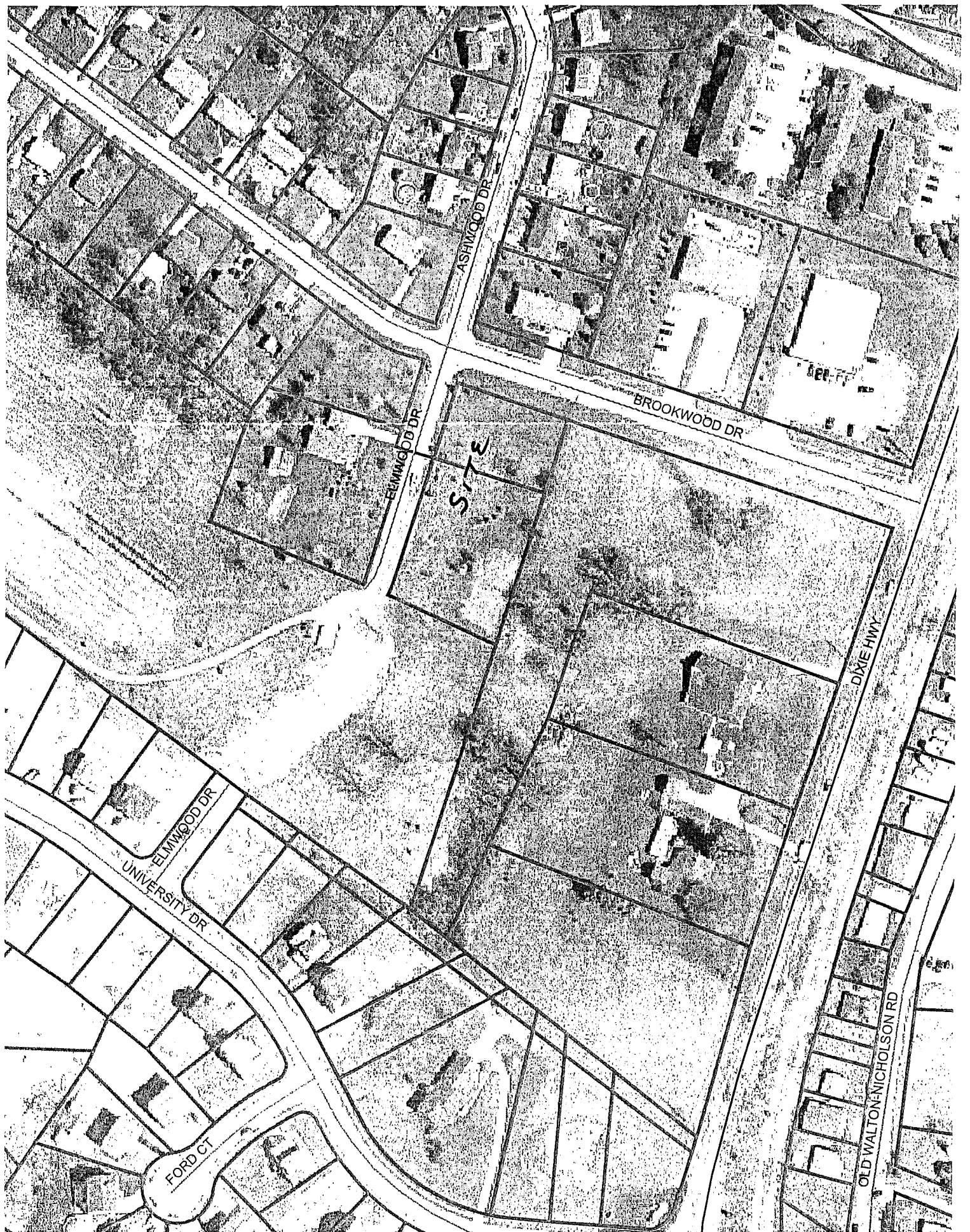


Todd K. Morgan, AICP  
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Aerial Map
- Exhibit B – Concept Development Plan
- Exhibit C – Concept Development Plan (Interior Floor Plan)
- Exhibit D – Concept Development Plan (Artist Rendering)
- Exhibit E – Conveyance Plat For 0.6623 Acre Non-Buildable Lot
- Exhibit F – Topographical Map
- Exhibit G – Zoning Map
- Exhibit H – Future Land Use Map
- Exhibit I – Application



SITE

ASHWOOD DR

BROOKWOOD DR

ELMWOOD DR

ELMWOOD DR

UNIVERSITY DR

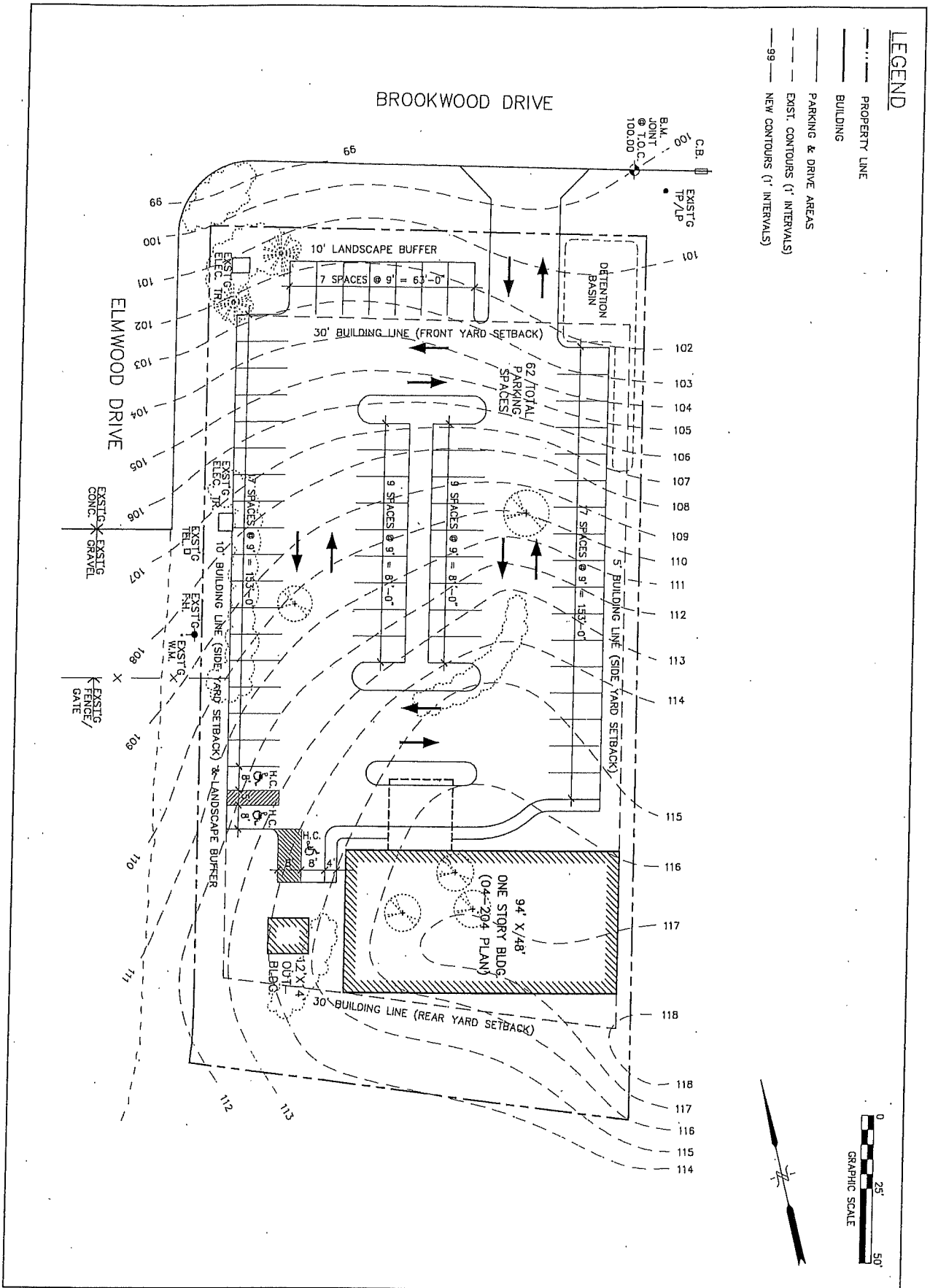
FORD CT

DIXIE HWY

OLD WALTON-NICHOLSON RD

**LEGEND**

- PROPERTY LINE
- BUILDING
- PARKING & DRIVE AREAS
- - - EXIST. CONTOURS (1' INTERVALS)
- 99 — NEW CONTOURS (1' INTERVALS)

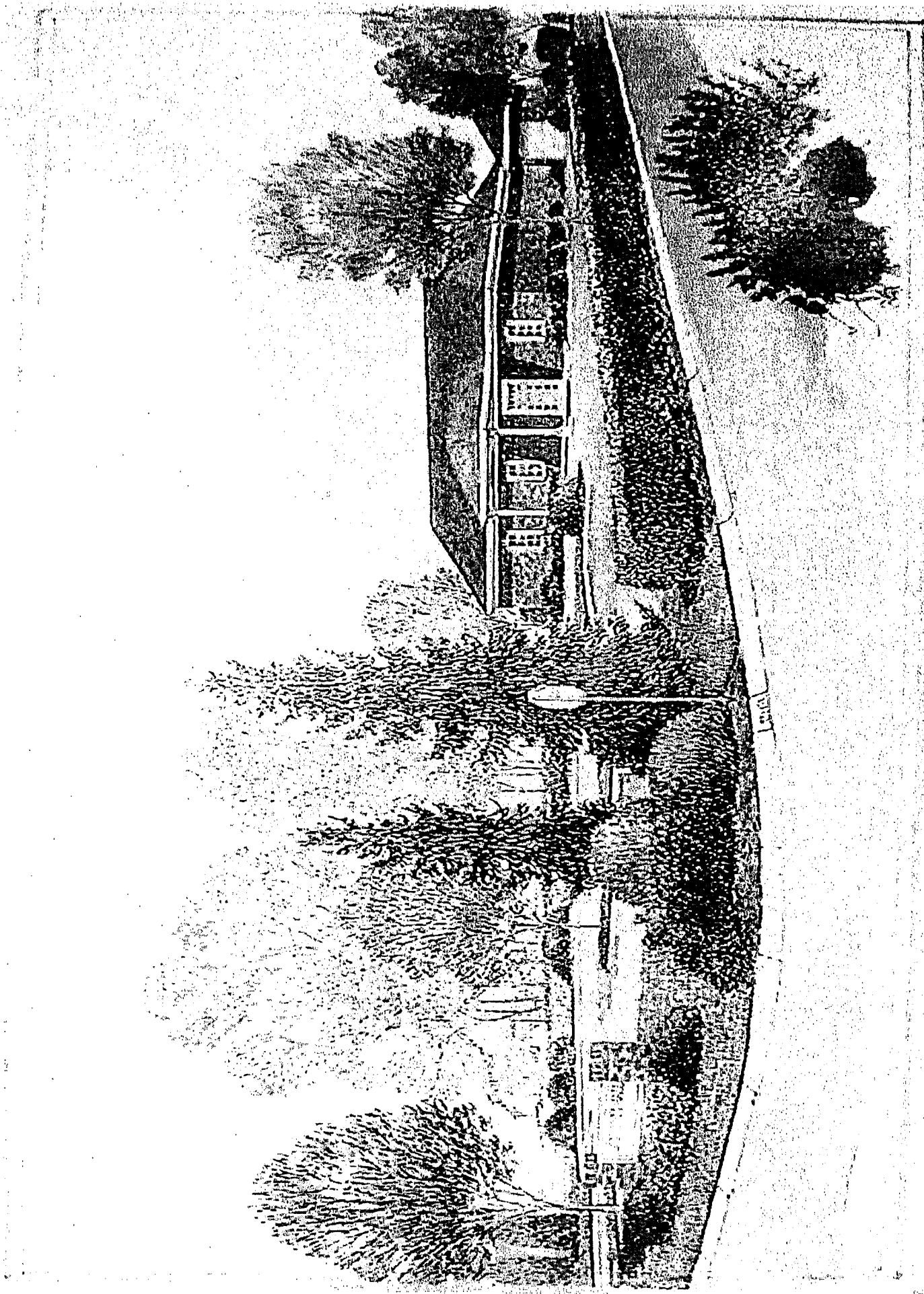


SHEET TITLE		PROJECT TITLE		NO	DATE	REVISION	BY
SITE PLAN		NEW KINGDOM HALL ELMWOOD DRIVE WALTON, KY 41094					

DWN BY: RCM/CKD BRS	SCALE: 1" = 30'-0"	DATE: 10/2/05	CAD #: WLTN-G11
SHEET NO. <b>G1.1</b>			





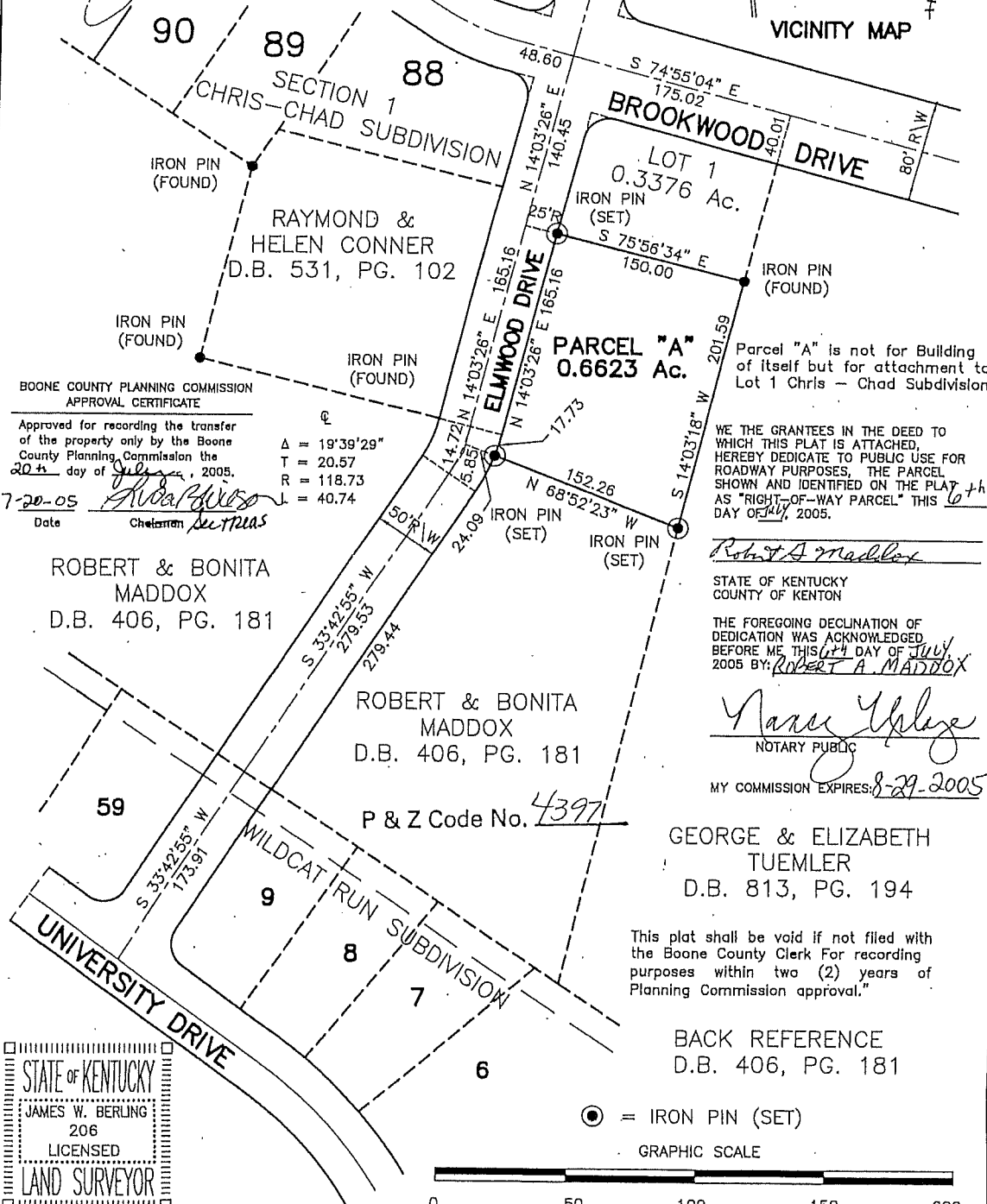
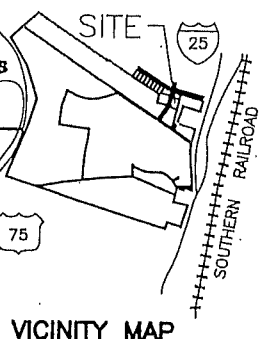
LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or This parcel, in and of itself, does not meet under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all the existing Boone County zoning regulations requirements of the Boone County Zoning and Subdivision use as a buildable site. sion Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

I certify that this plat of land in and of itself does not meet the current zoning regulations for the use and is being transferred for non-building purposes.

Date 7/6/05  
James W. Berling, L.S. Ky. Reg. #206

Date 7-20-05 Current Zoning SR-1 GVS



BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE

Approved for recording the transfer of the property only by the Boone County Planning Commission the 20th day of July, 2005.  
Date 7-20-05  
Chairman Sec. Treas

Δ = 19°39'29"  
T = 20.57  
R = 118.73  
J = 40.74

ROBERT & BONITA MADDOX  
D.B. 406, PG. 181

ROBERT & BONITA MADDOX  
D.B. 406, PG. 181

P & Z Code No. 4397

Parcel "A" is not for Building of itself but for attachment to Lot 1 Chris - Chad Subdivision

WE THE GRANTEES IN THE DEED TO WHICH THIS PLAT IS ATTACHED, HEREBY DEDICATE TO PUBLIC USE FOR ROADWAY PURPOSES, THE PARCEL SHOWN AND IDENTIFIED ON THE PLAT AS "RIGHT-OF-WAY PARCEL" THIS 6th DAY OF JULY, 2005.

Robert A Maddox

STATE OF KENTUCKY  
COUNTY OF KENTON

THE FOREGOING DECLARATION OF DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 6th DAY OF JULY, 2005 BY: ROBERT A. MADDOX

Nancy Yelverton  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-27-2005

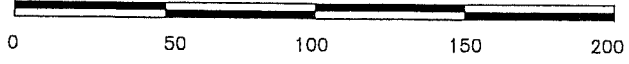
GEORGE & ELIZABETH TUEMLER  
D.B. 813, PG. 194

This plat shall be void if not filed with the Boone County Clerk For recording purposes within two (2) years of Planning Commission approval."

BACK REFERENCE  
D.B. 406, PG. 181

● = IRON PIN (SET)

GRAPHIC SCALE



STATE OF KENTUCKY  
JAMES W. BERLING  
206  
LICENSED  
LAND SURVEYOR

CONVEYANCE PLAT

ROBERT & BONITA MADDOX

WALTON, BOONE Co, KY

DRAWN BY Chris D. Berling

SUBDIVISION  
JAMES W. BERLING  
KY. SURVEYOR No.206

DATE 6/29/05

SCALE 1" = 100'



BROOKWOOD DR

ASHWOOD DR

ELMWOOD DR

SITE

890

900

910

900

920

930

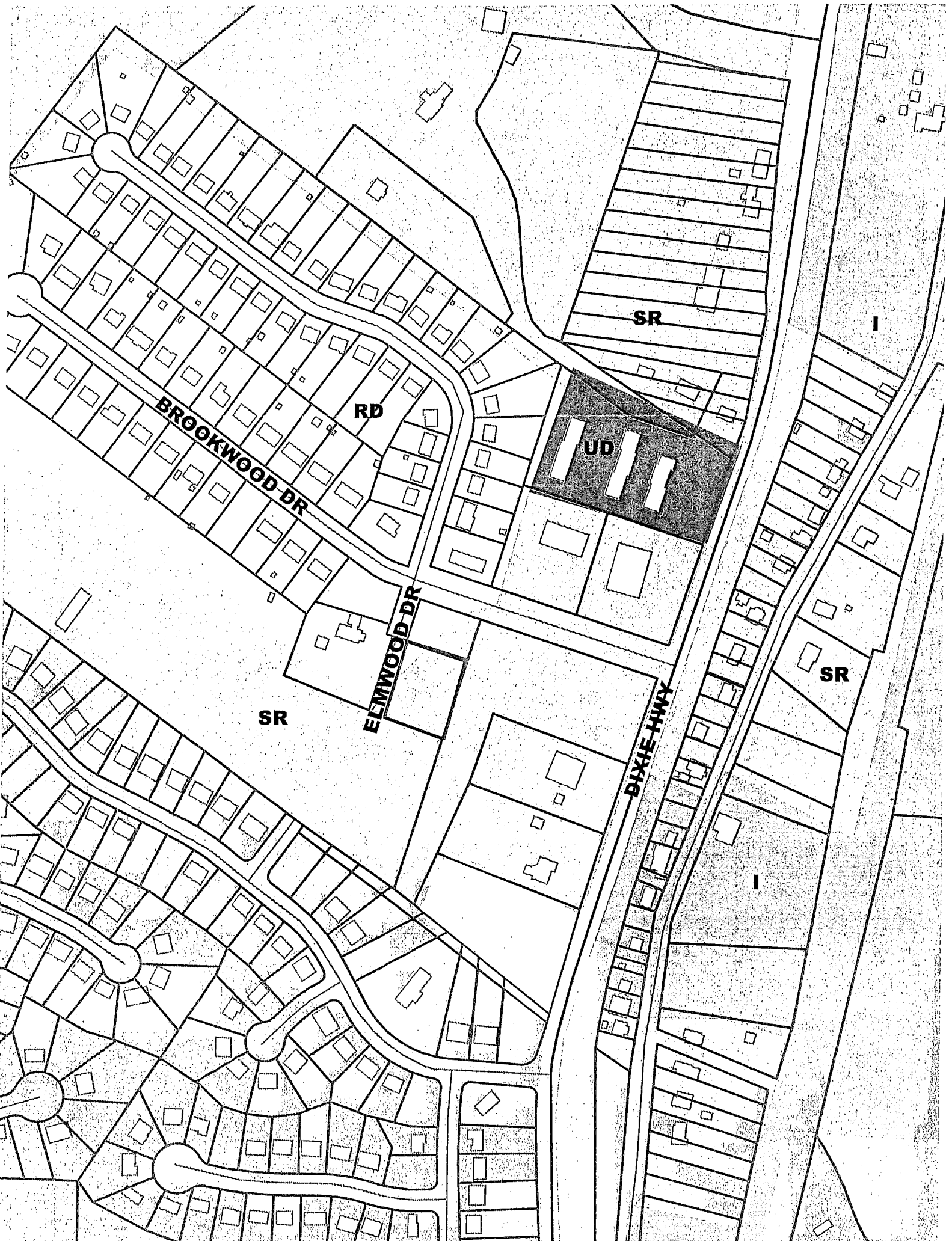
930

920

910

940





**BROOKWOOD DR**

**RD**

**SR**

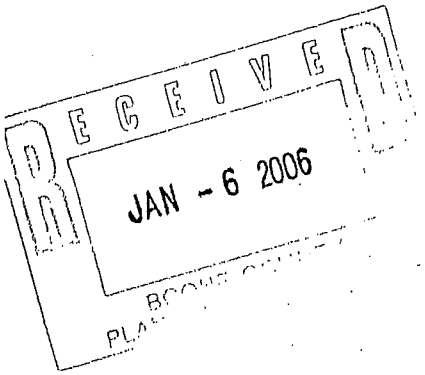
**UD**

**ELMWOOD DR**

**SR**

**DIXIE HWY**

**SR**



APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

1. Boone Florence X Walton Union

(Check One)

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

3. Applicant's Name Philip Marino for Walton Cong. of Jehovah's Witnesses Phone Number 859-657-6348 (466-0811) Fax No. 859-727-8036 Applicant's Address 8823 Richmond Rd

Union KY 41091 City State Zip

4. Description of Request: Conditional Use Permit for Church with 5000 sq ft 62 parking spaces

5. Name of Development Kingdom Hall of Jehovah's Witnesses

6. Location of Development

7. Acreage Under Review Chris-Chap Subdivision Lot 1 Sect. 1 GRP 2078

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

9. Owner of Property Walton, Kentucky Congregation of Jehovah's Witnesses, Inc.

Phone Number of Owner 859-657-6346 Phil Marino - Sec. Treas.

10. Address of Property Owner Union KY 41091

City State Zip

11. Proposed Use(s) on Site Church

12. Total Square Footage of Existing and/or Proposed Buildings 4512 - 168

13. Current Zoning on Property SR-1

14. Deed Book D903 Page No. 629 Group No. 2078

15. Is the site subject to a zone change? X

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.

Applicant's Signature: Phil Marino - Sec. Treas.

Property Owner's Signature: Phil Marino - Sec. Treas.

COPY

CLUR #06-WBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Walton, Kentucky Congregation of Jehovah's Witnesses, Inc.  
8823 Richmond Road  
Union, KY 41091
  
2. ADDRESS OF PROPERTY  
Brookwood Dr. & Elmwood Dr.  
Walton, KY 41094
  
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Kingdom Hall of Jehovah's Witnesses
  
4. DEED BOOK 903                      PAGE NO. 629                      GROUP NO. 2078
  
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  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005

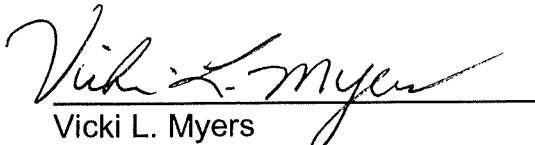
*Todd K. Morgan*  
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services  
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

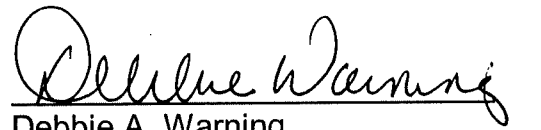
COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 9<sup>th</sup> day of March, 2006.

  
Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

This instrument was prepared for recording purposes only by:

  
Debbie A. Warning  
Boone County Planning Commission  
2995 Washington Street  
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 Conditional Use Permit approved by the Walton Board of Adjustments and in accordance with the current zoning in effect as of March 2, 2006 Certificate of Land Use Restriction (#06-WBOA-001-A), for Walton, Kentucky Congregation of Jehovah's Witnesses, Inc., Property Owner(s).

The following conditions will apply:

- 1) There are to be no wallpacks.
- 2) The pole lights in the parking lot are to be 12 feet tall and face inward.
- 3) There is to be intermittent (rolling) berming on the Elmwood Drive side to shield 307 Elmwood Drive from headlights and the berm is to line up with the front door of 307 Elmwood Drive.
- 4) There is to be a 10-foot wide buffer around the perimeter of the site with three evergreen trees, 3 large, medium or small trees, and 20 shrubs per 100 linear feet.
- 5) There can be ground lighting that shines up towards the building and the sign.
- 6) All building materials are to be brick on all the elevations and all four sides are to match.
- 7) All four sides of the building are to have the same elevation so that the brick is all the way to the ground.
- 8) The sign is to be brick and match the building.
- 9) Alternative #1 is the site layout.
- 10) A sidewalk is to be constructed along one side of Elmwood Drive.
- 11) No curb cut is permitted on Elmwood Drive.
- 12) A 12' x 14' outbuilding is permitted. The outbuilding is to be brick and match the building, and the roof is to match the roof on the building.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: