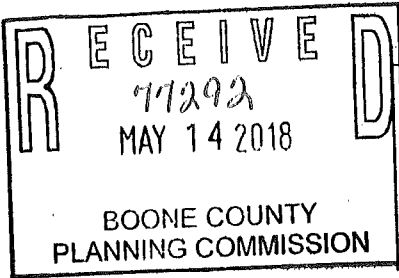


APPLICATION FORM



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)

- 1. (Check One) Florence [X] Walton Union
2. (Check One) Conditional Use Permit [X] Variance Appeal
3. Applicant's Name Ben Talbert - TW Tri State
Applicant's Address 112 Mullen Dr. Walton Ky. 41094
4. Description of Request: Change set back on front & back of building to the same as lot 3 from 50' to 30'
5. Name of Development New Building for TW Tri State
6. Location of Development Lot 4 North Walton Commerce Park
7. Acreage Under Review 2.1513
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 4 North Walton Commerce Park
9. Owner of Property TW Tri State
Address of Property Owner 112 Mullen Dr. Walton Ky 41094
10. City Walton Ky Zip 41094
Phone Number 859 750 9663 Fax No. 859 485 3034 E-Mail Ben@TalbertsWoodworking.com
11. Proposed Use(s) on Site Warehouse
12. Total Square Footage of Existing and/or Proposed Buildings 10000 sq ft Building 142
13. Current Zoning on Property Industrial ONE
14. Deed Book 1102 Page No. 851 Group No. 2080
15. Is the site subject to a zone change? Yes
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? No
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 5/14/18 Fee Received 1,582.⁰⁰ Receipt # 77292
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
Approved
6/21/18 Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 6/21/18 Meeting Minutes
AND CLUR
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: Ben Talbert for TW - TriState

LOCATION: Lot 4 of North Walton Commerce Park, Walton, Kentucky

ZONING: Industrial One (I-1)

DATE: June 21, 2018

Proposal

The applicant is requesting two (2) variances to reduce the 50' front and rear yard building setback requirements to 30' feet for two warehouses that are proposed on the subject lot.

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 variance applications. 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 needs to evaluate the requests as they relate to the variance criteria, as listed 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.

Table 31.1 of the Boone County Zoning Regulations list the building setback requirements of the site as 50' front yard, 50' rear yard (adjoins property that's zoned A-2), and 10' side yards.

Relevant Subdivision History

1. On March 12, 2001, the City of Walton approved an Ordinance which rezoned an approximate 115 acre site from Agricultural Estate (A-2) and Rural Suburban (RS) to Industrial One (I-1) to allow light industrial uses.

2. On November 22, 2004, the Walton Board of Adjustment approved the following variances for lots 1, 2, and 3 of North Walton Commerce Park:
 - A. Reduce the front yard setback requirement from 50' to 30';
 - B. Reduce the rear yard setback requirement from 50' to 30'; and
 - C. Reduce the landscaping buffer requirement on the rear property line from 40' in width (Buffer Yard D) to 20' in width.

A condition was imposed on the approval which required the rear buffer yards to contain 10 small trees (Plant List C) and 10 large trees (Plant List A, B, or D) every 100 linear feet. At least half of the selected trees had to be an evergreen species.

3. On July 17, 2006, the Walton Board of Adjustment approved a variance to reduce the rear yard landscaping buffer requirements of lot 4 of North Walton Commerce Park from 40 feet in width (Buffer Yard D) to 20 feet in width. A condition was imposed on the approval which required the rear buffer yards to contain 10 small trees (Plant List C) and 10 large trees (Plant List A, B, or D) every 100 linear feet. At least half of the selected trees had to be an evergreen species.

Site Characteristics

The 2.1513 acre site is located on the east side of Mullen Drive and has approximately 490' of street frontage. The property is currently undeveloped and is covered with grass. Boone County GIS shows the topography of the parcel falls from 934' above sea level at the northern property line to 928' above sea level at the southwest property corner.

Staff Comments

1. The applicant owns the adjoining property to the north (112 Mullen Drive). The proposed warehouses and parking area will be an expansion to Talbert's Woodworking.
2. The preliminary plan shows the applicant intends on constructing a 10,000 square foot (80' x 125') warehouse near the northern property line, a 9,750 square foot (65' x 150') warehouse near the southeast property line, and parking between the two buildings. Access is shown from two curb cuts on Mullen Drive.

Staff has made the applicant aware that the number of curb cuts and placement of them will be analyzed in more detail when the Site Plan application is submitted for review. The Boone County Zoning Regulations allow a industrial development to have a second curb cut if it has 500 feet of street frontage and three curb cuts if it has 1,000 feet of frontage. Talbert Woodworking has 827.37 linear feet (lots 3 and 4) of street frontage. The Zoning Administrator can entertain a Waiver application. Boone County Public Works will also analyze sight distance and if they will approve Encroachment Permits.

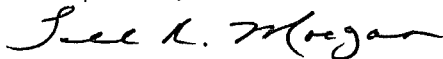
3. The Board needs to analyze the variance criteria before acting on the request. Staff believes the 141.24' lot depth along the northern property line creates an unnecessary hardship on the applicant. The required 50' front and rear yard setbacks would only allow a 41.24' long building to be constructed near this property line. Staff does not believe a hardship exists in the southern part of the lot.

4. Staff recommends the following conditions if the request is approved:
 - A. The approval is based on the preliminary plan and a two warehouse building layout.
 - B. The warehouse building located in the southern part of the site shall comply with the building setback requirements found in the Boone County Zoning Regulations.

Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Walton Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

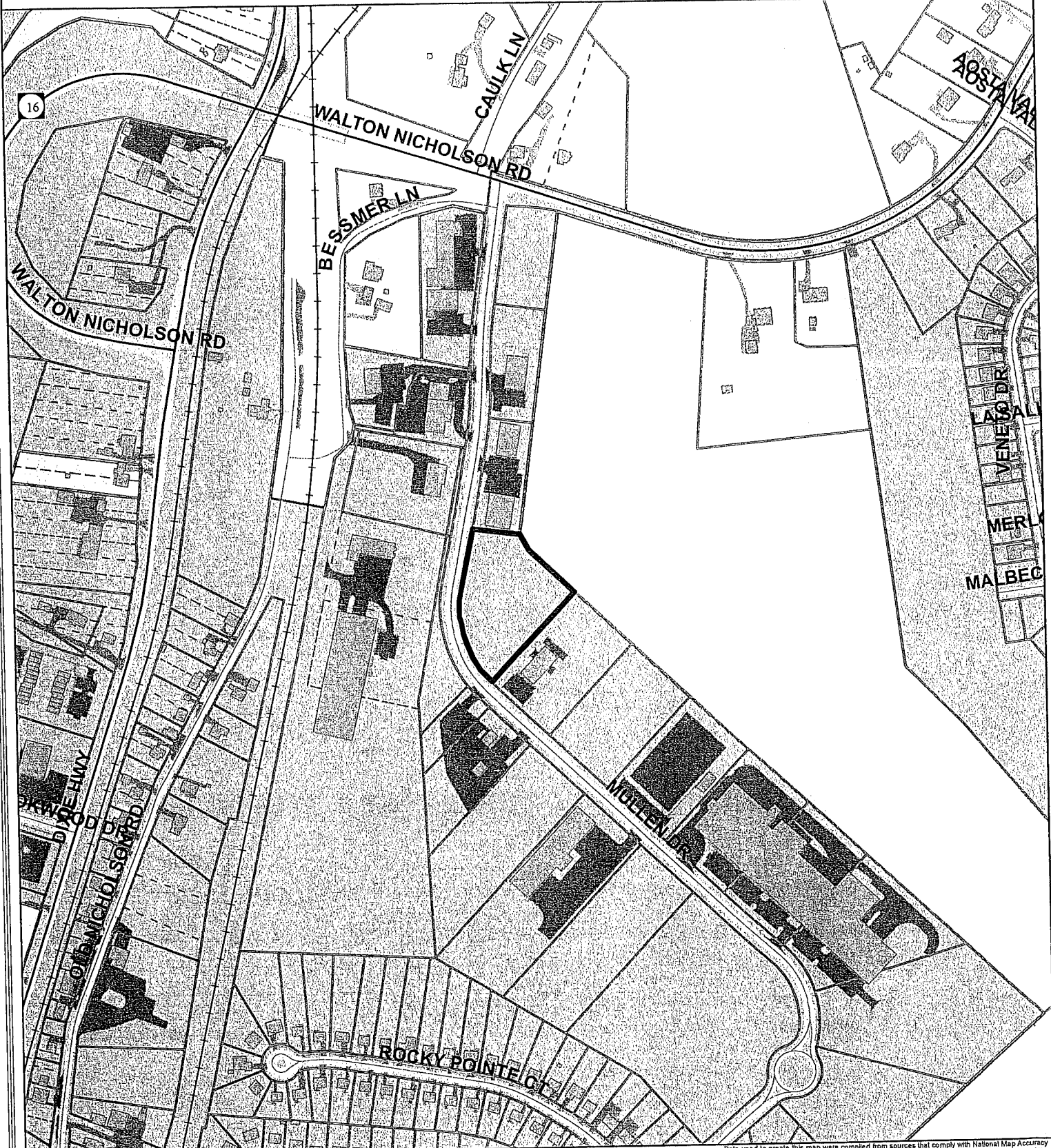
TKM/ss

Attachments

- *Site Vicinity Map
- *Applicant's Preliminary Plan
- *Final Plat - Lot 4, North Walton Pointe Subdivision
- *2016 Aerial Map
- *Topographical Map
- *Zoning Map
- *11/22/04 and 7/17/06 WBOA Meeting Minutes
- *Application

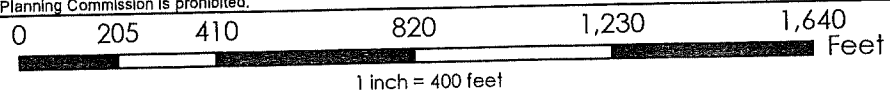
SITE VICINITY MAP

www.boonecountygis.com



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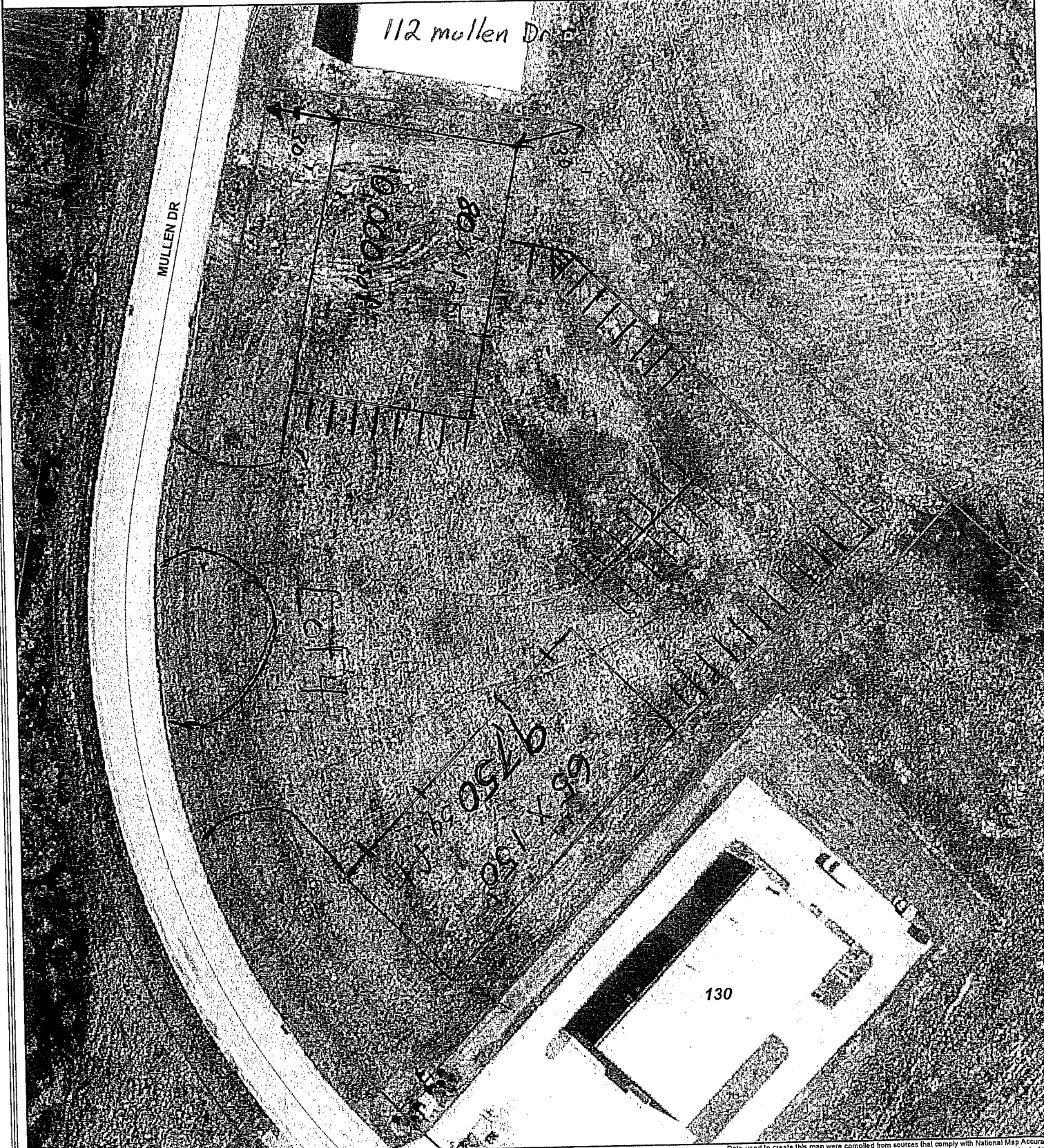
Boone County GIS - Putting Northern Kentucky on the Map



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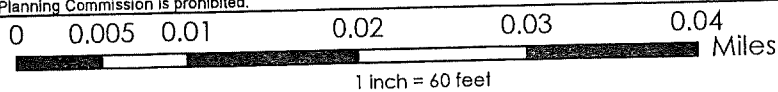
Boone County GIS Map

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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 09/04/2018

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MURPHY CATTON REAL ESTATE L.L.C.
DEED BOOK: 822 PAGE: 130

MURPHY CATTON REAL ESTATE L.L.C.
DEED BOOK: 822 PAGE: 130

16

SOUTHERN RAILROAD

BESSMER LANE LLC
DEED BOOK: 787 PAGE: 708

SANITARY SEWER EASEMENT

DRIVE

MULLEN

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T = 200.00
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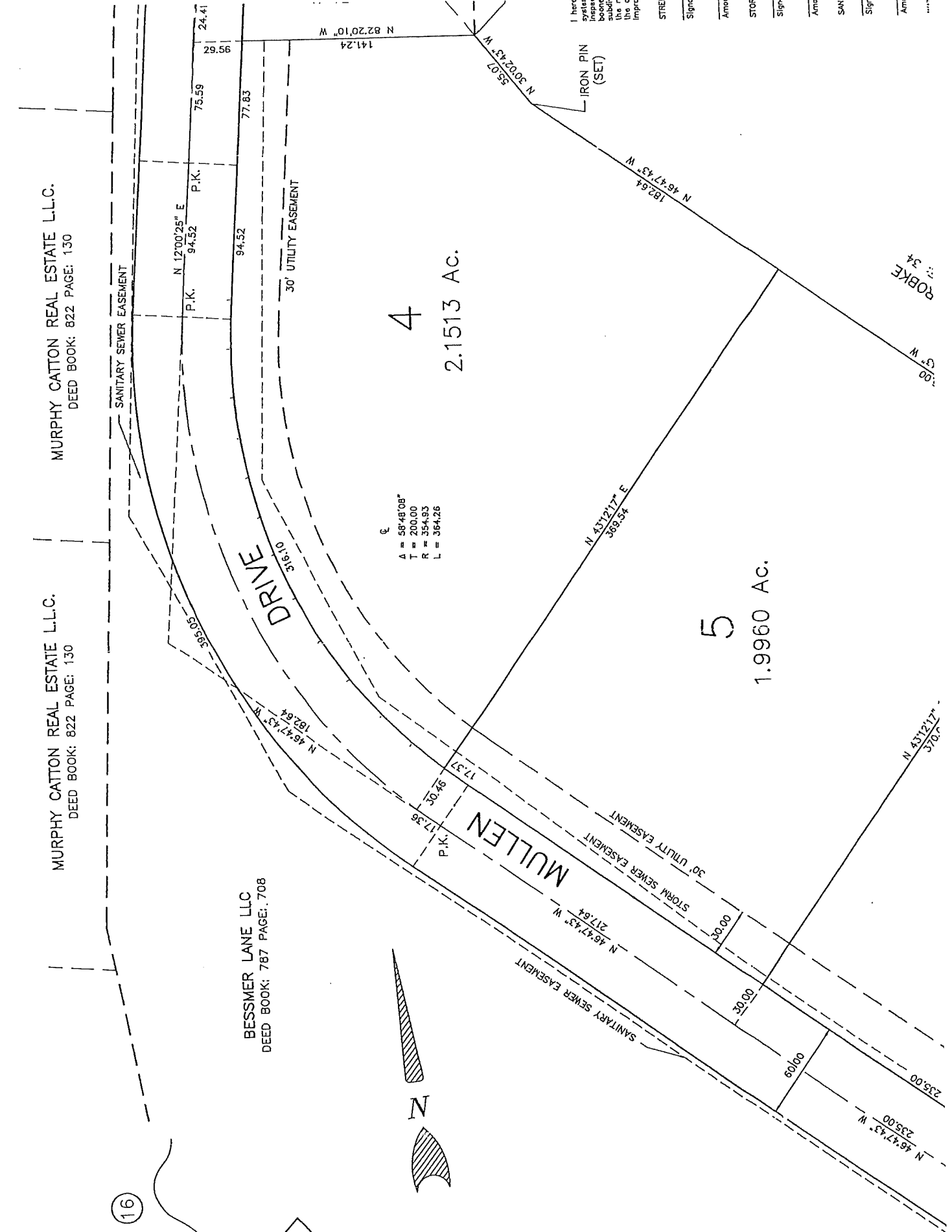
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34
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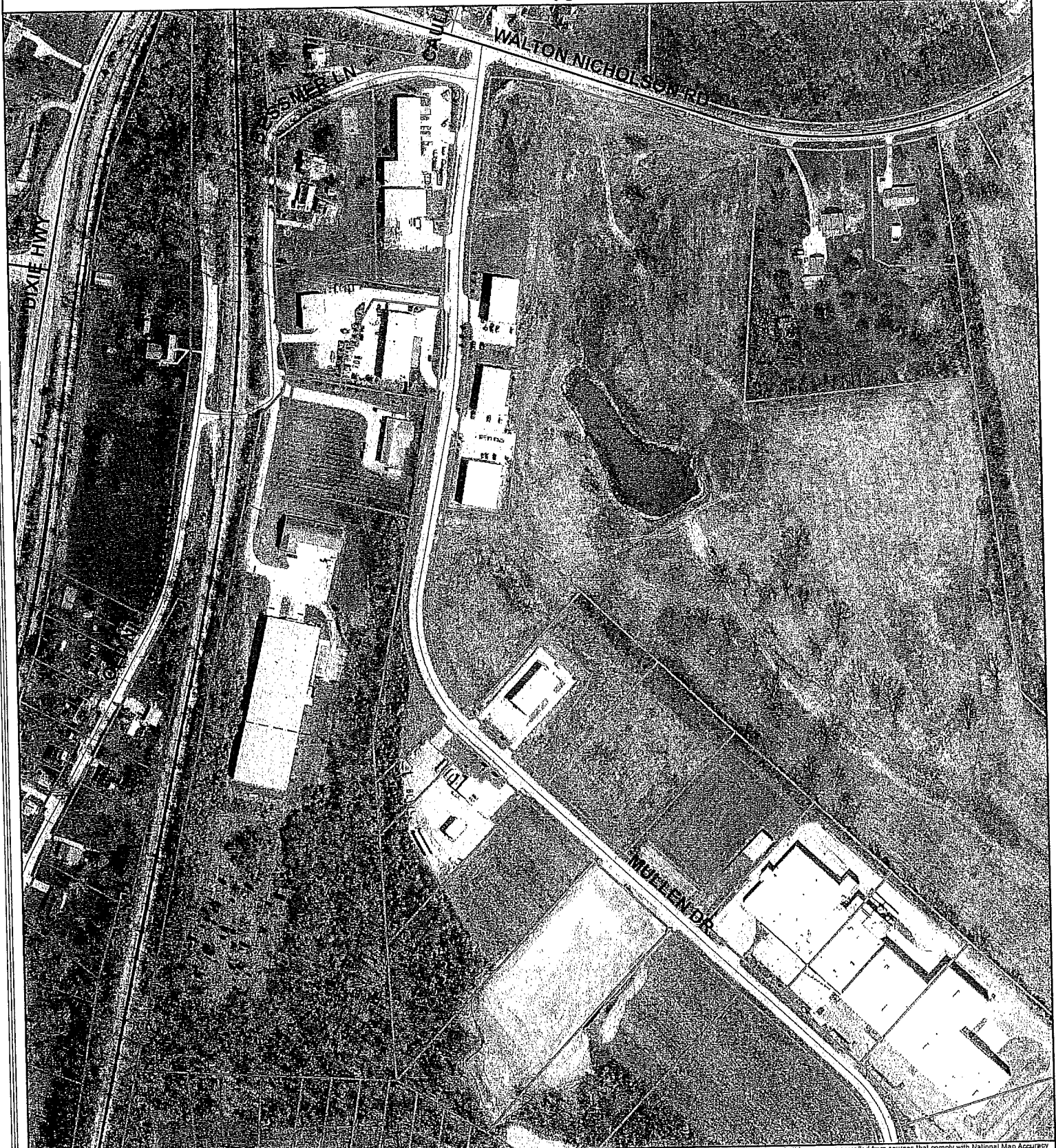
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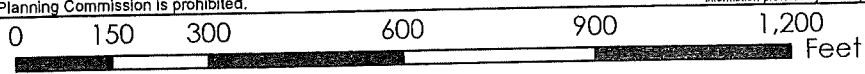
2016 AERIAL MAP

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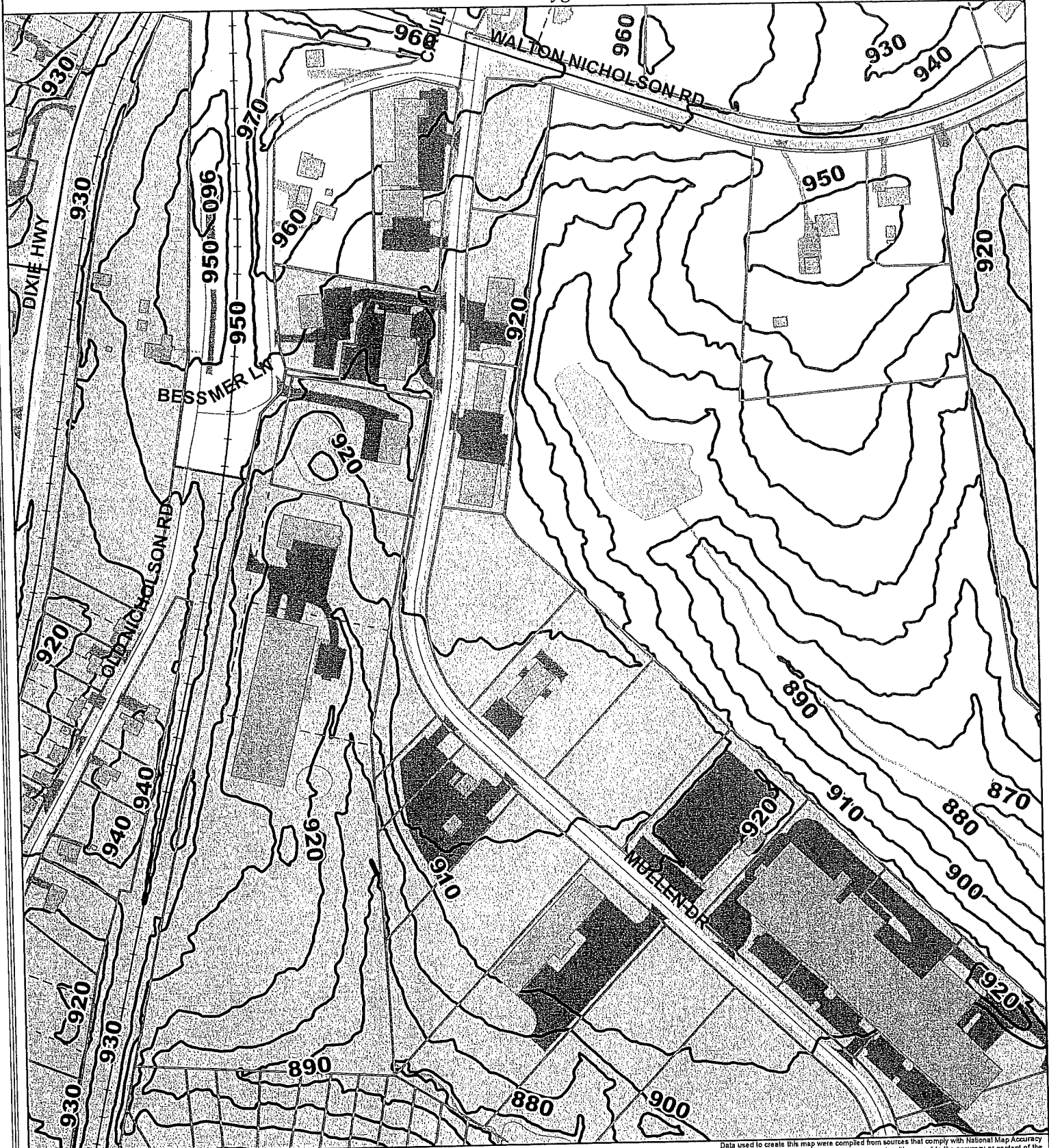


Boone County GIS - Putting Northern Kentucky on the Map

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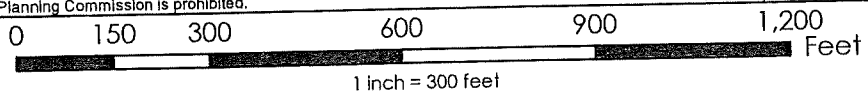
TOPOGRAPHICAL MAP

www.boonecountygis.com



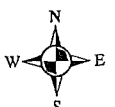
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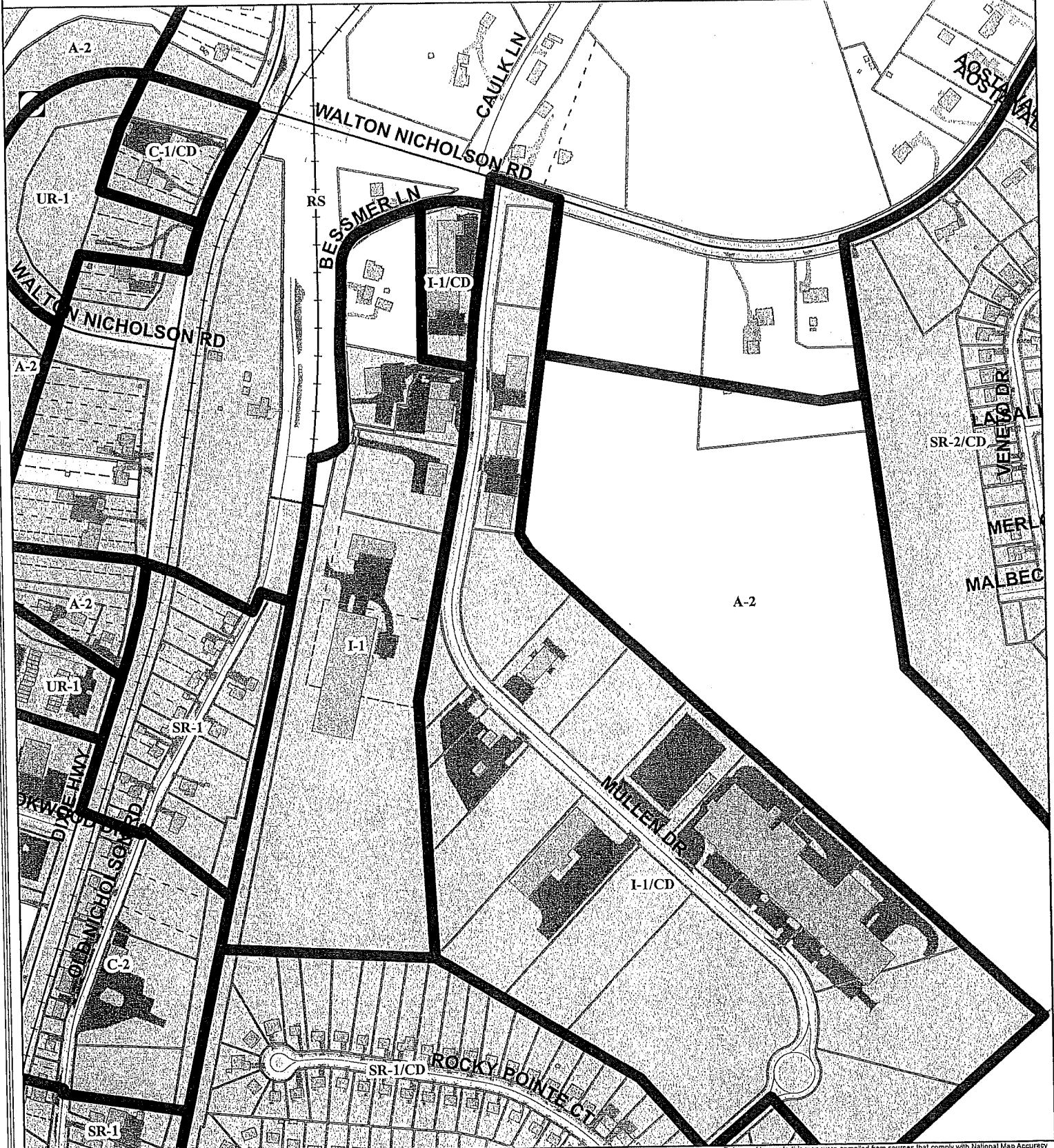
Boone County GIS - Putting Northern Kentucky on the Map



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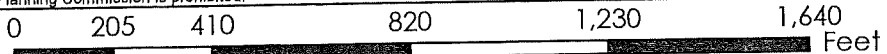
ZONING MAP

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1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

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**WALTON BOARD OF ADJUSTMENT
BUSINESS MEETING
WALTON COMMUNITY CENTER
November 22, 2004
6:00 P.M.**

BOARD MEMBERS PRESENT:

Mr. Steve Turner, Chairman
Ms. Sharon McDonald, Vice Chair
Mr. Jim Bridges
Ms. Ramona Roberts

BOARD MEMBER NOT PRESENT:

Mr. James Bonar, Secretary/Treasurer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Steve Turner, Chairman, called the meeting to order at 6:04 PM.

Approval of the Minutes: The Minutes of the August 21, 2003 Minutes of the Walton Board of Adjustment were approved by mail and presented for ratification at this time. Ms. McDonald moved to ratify the Minutes of the August 21, 2003 Meeting of the Walton Board of Adjustment. Mr. Bridges seconded the motion and it carried unanimously.

Agenda Item:

1. The request of Jim Berling for three (3) Variances to (1) reduce the 50-foot front yard setback requirements; (2) to reduce the 50-foot rear yard setback requirements; and (3) to reduce the buffer yard requirements along the rear property lines on properties located on Section 1, Lots 1, 2 and 3 of North Walton Commerce Park (Mullen Drive), Walton, Kentucky. The properties are zoned Industrial One (I-1).

Following explanation of the procedure to be following this evening, the Chairman asked for the Staff presentation.

Staff Member Todd Morgan, AICP, presented the Staff Report which included a Power Point presentation (see Staff Report).

There being no questions of Staff, the Chairman asked for the applicant's presentation.

Mr. Jim Berling, applicant and engineer for the development, stated that Staff did an excellent job of presenting the request. He stated that the Scheben Group and the Vesmer Group bought a piece of property in the rear and this is all the depth they can get. They went through the Planning Commission at the Improvement Plan level to get access to the parcel to the rear. He stated that the buildings are 100 feet wide and 75 feet deep. If they get the Variances, they can move forward with a nice development that is good for the city. They are willing to go along with the Staff Recommendation in regard to the buffer area with the additional trees and half of the trees being evergreens. This concluded the applicant's presentation.

There being no questions of the applicant, the Chairman asked if there was anyone else present who wished to speak in favor of the request.

Lisa Hawn, 134 Walton-Nicholson Road, stated that she works at Murphy-Caton and lives across the road in the modular home behind the house. She was present to get further information. She stated that the development does not affect her.

The Chairman asked if there was anyone present in opposition to the request. There being no response, he asked if there were any comments or questions from the Board.

There being no discussion, Ms. McDonald moved to grant the Variances subject to Staff Comment #3 which states that the rear yard buffers are to be 20 feet wide with 10 small trees (Plant List C) and 10 large trees (Plant List A, B, or D) required per 100 linear feet and at least half of the plantings are required to be evergreen species. Mr. Bridges seconded the motion and it carried unanimously.

Other: Election of Officers

Mr. Bridges moved that the current officers continue in their positions:

Steve Turner, Chairman
Sharon McDonald, Vice Chair
James Bonar, Secretary/Treasurer

Ms. McDonald seconded the motion and it carried unanimously.

**WALTON BOARD OF ADJUSTMENT
BUSINESS MEETING
WALTON CITY BUILDING
July 17, 2006
6:30 P.M.**

BOARD MEMBERS PRESENT:

Mr. Steve Turner, Chairman
Ms. Sharon McDonald, Vice Chair
Mr. James Bonar, Secretary/Treasurer
Mr. Jim Bridges

BOARD MEMBER NOT PRESENT:

Ms. Ramona Roberts

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Steve Turner, Chairman, called the meeting to order at 6:35 PM.

Approval of the Minutes: Chairman Turner stated that the Board members received copies of the Minutes of the Boone County Board of Adjustment Meeting of June 5, 2006. He asked if there were any comments or corrections.

There being no changes to the Minutes, Ms. McDonald moved that they be approved as mailed. Mr. Bridges seconded the motion and it carried unanimously.

Agenda Item:

1. The request of **Bessmer Lane, LLC** for four (4) Variances to reduce the rear yard landscaping buffer requirements of lot 4 and future lots 10, 11 and 12 of North Walton Commerce Park from 40 feet in width (Buffer Yard D) to 20 feet in width (Buffer Yard B). The four lots range between 2.15 and 4.15 acres in area and are located on lot 4 and future lots 10, 11 and 12 North Walton Commerce Park, Walton, Kentucky. All four lots front on existing or

proposed sections of Mullen Drive, Walton, Kentucky. The properties are currently zoned Industrial One (I-1).

Staff Member Todd Morgan, AICP, presented the Staff Report which included a Power Point presentation (see Staff Report).

Chairman Turner asked for the applicant's presentation.

Mr. Jim Berling, engineer for the development, reviewed the Power Point slide. He stated that the same request was approved for the first three lots in the development and for the lots between the two sites. He stated that Buffer Yard B will provide protection for anything that might occur in the area and giving up 40 feet of land for buffer is a hardship. He stated that everything they have done there has been done well and they would like to follow the same pattern.

Mr. Bridges asked if Mr. Berling was saying that the buffer for lots 5 - 9 was reduced to 20 feet. Mr. Berling responded "yes". Mr. Morgan stated that he believes those lots were given credit for some of the trees in the back, but they do not have Variances. He agreed that Variances were granted for lots 1, 2, and 3. Mr. Berling stated that he misspoke. He explained that they did not ask for Variances for lots 5 - 9 because they were able to overcome the issue in a different manner. Mr. Bridges asked if those lots have been developed. Mr. Morgan responded "no".

Chairman Turner asked if there was anyone else present who wished to speak in favor of the request.

Attorney Kevin Fazell with Coors & Bassett, 537 E. Pete Rose Way, Cincinnati, was present representing Murphy Catton, the owner of the property across the street from lot #4. He asked if lot 4 and lots 10, 11 and 12 are subject to restrictive covenants regarding the use of the property. Mr. Berling responded that they are subject to restrictive covenants and provided Mr. Fazell with a copy. In response to questions from Mr. Fazell, Mr. Morgan reviewed the buffer yard requirements when A-2 zoning abuts A-2 zoning (no buffer requirement) and when I-2 abuts Residential (at least 40 feet and Buffer Yard D requirements). He stated that currently the abutting property is Agricultural which would require Buffer Yard D to be installed when these properties develop. If the adjoining property was rezoned to industrial, then only a 10-foot wide grass buffer would be required.

Mr. Berling indicated the pond and the creek on the adjacent property. He noted how the adjacent property drops off twenty feet or more down to the creek and stated that it is unlikely that anyone would try to develop in the wooded area along the fence. He stated that Buffer Yard D requires a six-foot berm and plantings, but he does not feel that they need a berm with the drop off there.

Ms. McDonald noted that Murphy Catton is located across from Lot #4 and questioned what they do there. Mr. Mark Catton, 115 Bessmer Lane, responded that they design and build manufacturing exhibits and trade show exhibits and displays. Their business is similar to an industrial millwork and moldings operation.

In response to questions from Ms. McDonald, Mr. Berling reviewed the restrictive covenants. Mr. Morgan stated that the Planning Commission does not consider private deed restrictions. Mr. Bridges stated that the restrictive covenants do not have anything to do with this Board.

Mr. Fazell asked if the rest of the industrial park will remain industrial for the foreseeable future. Mr. Jim Winstrop, a partner in Bessmer Lane, LLC responded that they have no plans to make any other changes.

Mr. Bridges asked if a representative of the trucking company was present.

Mr. Gary Wright, owner of the trucking company, stated that he is a resident of Maher Road in Walton. He wants to have a small trucking company. At Thanksgiving and Christmas, they may have 10 or 12 over-the-road trucks parked there. They will have no outside storage. They will do light work, such as installing and adjusting brakes. Major work will be done at another site. They will also have an office there. Mr. Bridges asked if the 20 feet that would be gained would have a positive effect on their business. Mr. Wright responded that it would help in the future if they want to expand.

Mr. Richard Kunkel stated that he owns the adjacent farmland. He stated that lots 1, 2 and 3 have 20-foot buffers, but no one uses the adjacent land. No one has used the land for forty years and there were mature trees there. He stated that the trees have been cut down. He wants to have a peaceful farm and a 40-foot buffer is not unreasonable since there will be factories and concrete there. He stated that something needs to be worked out about putting a permanent fence there. He stated that they have bulldozed the trees that went up to the fence and many of the remaining trees have died and fallen across the fence. He stated that there is only a creek at the corner by lot #11 and it is not really a creek. He requested a permanent fence and a buffer zone for privacy.

Mr. Bridges stated that a line fence all along there is beyond the scope of this review. Counselor Wilson advised that the Board is only dealing with the sites in question. Mr. Morgan indicated the Kunkel property on the Power Point slide which only adjoins lots #11 and #12. Counselor Wilson advised that the Board may impose reasonable conditions, but requiring a fence on lots that are not part of this review would not be reasonable. Mr. Berling stated that a fence was not required as a condition of the zone change.

Chairman Turner asked if the Board can act on the four lots individually even though they are part of the same request. Mr. Bridges asked if the Board could grant the Variance requested for lot #4 and deny the Variances for the other three lots. Counselor Wilson advised that the Board can do that but the Board would need to state why the lots are being treated differently. Mr. Bridges responded that lot #4 is developed, but lots 10, 11 and 12 are not developed. Ms. McDonald stated that the Board knows that a trucking company needs enough space to maneuver the tractor-trailers around, but the Board does not know what the uses will be on the undeveloped lots. One of the lots may develop for a use that needs less space for parking. Counselor Wilson advised that the Board is indicating that the applicant has not given them enough information to justify Variances on lots 10, 11 and 12.

Mr. Berling stated that they do not want to disturb the mature trees to put in a fence or a berm. If the Board holds them to the requirements, they will have to put in a six-foot high berm, a fence, or a masonry wall. He stated that Buffer Yard D calls for a 100-foot length of 20 evergreen trees, 10 small trees, 5 large trees and 30 shrubs. It is difficult to even get all of those plantings in 100 feet. Buffer Yard D is extreme because there is already a natural buffer there. He indicated the low spot and stated that from that point people are looking at a tall stand of trees and he does not believe that this much buffer is necessary. He stated that he did not say that there was a creek on the property line. Counselor Wilson stated that the Board does not know what uses will go on those lots. Mr. Berling responded that he does not know either. Counselor Wilson stated that it is difficult for the Board to evaluate whether the uses will require a Variance, but Mr. Berling is saying that the standard as generally applied would be difficult.

Ms. McDonald stated that the Board does not want the mature trees taken down. Mr. Morgan stated that if they come in with a Site Plan to develop the lots in the future showing that a lot of the trees would be retained, they would be given credit for them.

Mr. Bridges reviewed the Power Point slide and stated that it appears that the majority of the trees are on the industrial property. Mr. Berling agreed and stated that the trees will stay. He stated that the normal procedure would be to submit an application for each lot as it develops, but they were trying to save time for everyone. If they have to submit the lots one at a time they will do that.

Mr. Morgan stated that through the Grading Plan and the Site Plan, staff will evaluate which trees are staying and how much credit will be given.

Mr. Kunkel stated that there were mature trees there, but the applicant cut them down. They bulldozed the trees all the way to the property line and ruined the fence. The only thing left is the trees on his property and the line fence. He stated that they made the deep slope and poured rock into the creek. The slope was not like that before. He stated that they bulldozed the trees all along the common property line. The man who used to own the property grew corn there and it was

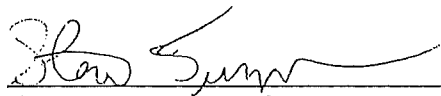
level. They put a slope there and now the cows get out. He stated that a 40-foot buffer is not unreasonable and asking for a permanent fence is not unreasonable. He stated that there is not one tree on the applicant's side of the fence. Ms. McDonald asked if Mr. Kunkel's fence is behind the trees on lots 10 & 11. Mr. Kunkel responded "yes, the trees are on my side". He stated that the applicant destroyed the mature trees on the applicant's property and left a bare fence line. His trees are dying now because they destroyed the root system.

Chairman Turner stated that he is not convinced that there is a need for Variances on lots 10, 11 and 12. Those lots are currently undeveloped and they may not need to come back for Variances. He can see the justification for a Variance on lot 4. Mr. Berling stated that they will wait on lots 10, 11 and 12 until they have specific information.

There being no further discussion, Ms. McDonald moved to grant the Variance for lot 4 subject to Staff Comment #3 that the rear yard buffer is to be 20 feet wide with 10 small trees (Plant List C) and 10 large trees (Plant List A, B, or D) per 100 linear foot. In addition, at least half of the plantings shall be required to be evergreen species. Variances for lots 10, 11 and 12 are not granted. Mr. Bridges seconded the motion and it carried unanimously.

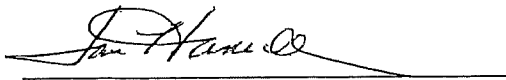
There being no further business to come before the Board, Ms. McDonald moved to adjourn. Mr. Bonar seconded the motion. The meeting was adjourned by unanimous consent at 7:23 PM.

APPROVED:



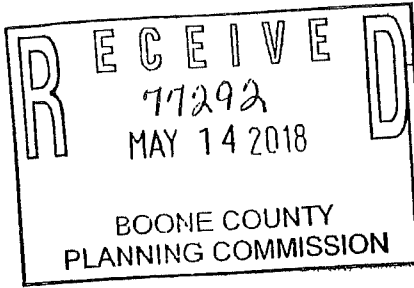
Steve Turner, Chairman

Attest:



Jan Hancock, Recording Secretary

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)

- 1. (Check One) Florence [X] Walton Union
2. (Check One) Conditional Use Permit [X] Variance Appeal
3. Applicant's Name Ben Talbert TW-Tri State
Applicant's Address 112 Mullen Dr. Walton Ky 41094
4. Description of Request: Change set back on front & back of building to the same as lot 3 from 50' to 30'
5. Name of Development New Building for TW Tri State
6. Location of Development Lot 4 North Walton Commerce Park
7. Acreage Under Review 2.1513
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 4 North Walton Commerce Park
9. Owner of Property TW Tri State
Address of Property Owner 112 mullen Dr Walton Ky 41094
10. City Walton Ky State Zip 41094
11. Phone Number 859 750 9663 Fax No. 859 485 3034 E-Mail Ben@Talbertswoodworking.com
Proposed Use(s) on Site Warehouse
12. Total Square Footage of Existing and/or Proposed Buildings 10000 sqft Building 142
13. Current Zoning on Property Industrial ONE
14. Deed Book 1102 Page No. 881 Group No. 2080
15. Is the site subject to a zone change? Yes
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? No
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)

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
TW Tri State LLC
112 Mullen Drive
Walton, KY 41094

2. ADDRESS OF PROPERTY
Lot 4 of North Walton Commerce Park
Walton, KY 41094

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Talbert's Woodworking

4. DEED BOOK 1102 PAGE NO. 881 GROUP NO. 2080

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

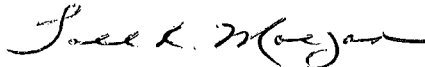
Subdivision Plat
(Not Recorded)

Other:

Variances

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

Todd K. Morgan, AICP – Senior Planner

Name and Title of Completing Official

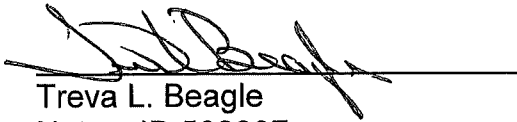
(Faint circular stamp)

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 26 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 Conditions of Approval apply to the variances approved by the Walton Board of Adjustment and in accordance with the current zoning in effect as of June 21, 2018 Certificate of Land Use Restriction (#18-WBOA-001-A), for Ben Talbert, Property Owner(s).

The following conditions will apply:

1. The northern building shall comply with the following building setbacks:
Front Yard: 30' Minimum
Rear Yard: 30' Minimum
Side Yards: 10' Minimum
2. The southern building shall comply with the following building setbacks:
Front Yard: 50' Minimum
Rear Yard: 30' Minimum
Side Yards: 10' Minimum
3. The approval is based on the preliminary plan. The Zoning Administrator can approve minor changes to this plan.

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