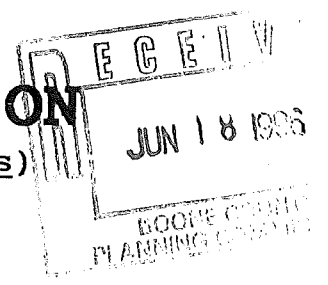


APPLICATION FORM
BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
 (See Boone County Zoning Regulations)



SECTION A (To be completed by applicant)

1. (Check One) Boone _____ Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit _____ Variance _____ Appeal _____
 _____ Change in Non-Conforming Use _____
3. Applicant's Name AmeriGas Propane, L.P. (CECIL STYONS)
 Phone Number (513) 931-6211 Fax No. (513) 933-3396
 Applicant's Address P.O. Box 336
Walton, KY 41094
 City State Zip
4. Description of Request: Develop facility for national propane marketer
5. Name of Development _____
6. Location of Development SERVICE RD Walton, Ky
7. Acreage Under Review 4 acres total - 2 acres to be developed
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Dr William & Leola Waller
- Phone Number of Owner (606) 371-7788 (realtor Gayle McElroy's #)
10. Address of Property Owner 1 Beatrice Avenue
Walton, KY 41094
 City State Zip
11. Proposed Use(s) on Site Propane storage
12. Total Square Footage of Existing and/or Proposed Buildings
No buildings planned at this time
13. Current Zoning on Property I-1
14. Deed Book 166 Page No. 526 Group No. 420/183
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.
 Applicant's Signature: Cecil Styons
 Property Owner's Signature: William & Leola Waller

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 6-18-96 Fee Received \$620.00 R# 10482
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

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

DEVELOPMENT: Amerigas Propane

APPLICANT: Amerigas Propane, L.P.

LOCATION: Service Road, Walton, Kentucky

ZONING: Industrial One (I-1)

DATE: July 10, 1996

The applicant is proposing to develop a propane storage facility for delivery of propane gas. The propane storage tank would be located on a four acre site located on the east side of Service Road next to the existing Empire Gas facility to the south in Walton, Kentucky (See Map #1).

Article 11, of the Boone County Zoning Regulations, permits the storage of explosives or fireworks according to State law, gas, or petroleum within an Industrial One (I-1) zoning district with a Conditional Use Permit. The Board must use the following criteria in addition to the seven criteria used to judge a Conditional Use Permit.

- a) the activity is provided primarily in support of and obtains its trade from the employees of the district;
- b) the activity is of integral relation to the purpose of the district;
- c) the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and
- d) provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district:

Surrounding Land Uses and Zoning (See Sheet #2)

North:	Single family residence zoned Industrial One (I-1)
South:	Empire Gas zoned Industrial One (I-1)
East:	Vacant land zoned Industrial One (I-1)
West:	I-75

The 1995 Boone County Comprehensive Plan Future Land Use Map indicates the applicant's site as industrial. The Land Use Text identifies that Walton should experience gradual commercial, residential, and industrial growth. The growth should result primarily from the Walton Interchange. Attention should be given to the appearance of industrial uses from the interstate in this area, because it represents the southern entrance into Boone County.

The applicant's plan shows a 30,000 gallon storage tank for propane gas within a fenced area which is approximately 2 acres in area. The tank would be located approximately 100 feet from the edge of pavement of Service Drive (See Map #3). Access to the site would be from a single curb cut located towards the middle of the site.

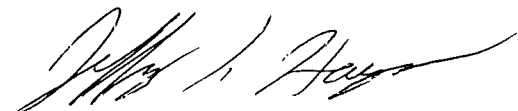
Staff Concerns

1. Site Plan Review will be required for the development of the site if the Board approves the Conditional Use Permit.
2. The lighting for the site should be directed straight down with shields to prevent any spill over lighting into the adjoining residential properties to the north. The lighting should be used for security reasons only.
3. The Board should determine if a limit needs to be established on the number of trucks and the size of the facility. There is 2 additional acres of the site which could be developed to accommodate a larger facility.
4. The Boone County Zoning Regulations will permit a free-standing sign of 100 square feet in size and 10 feet in height. The Board should determine if this size and type of sign is appropriate. In addition, a sign can be painted on the tank similar to the Empire Gas facility.
5. Staff believes that landscaping should be installed around the site with particular emphasis given to the Service Road frontage and the north property line. This landscaping should include evergreen trees to provide a year round screen.

Conclusion

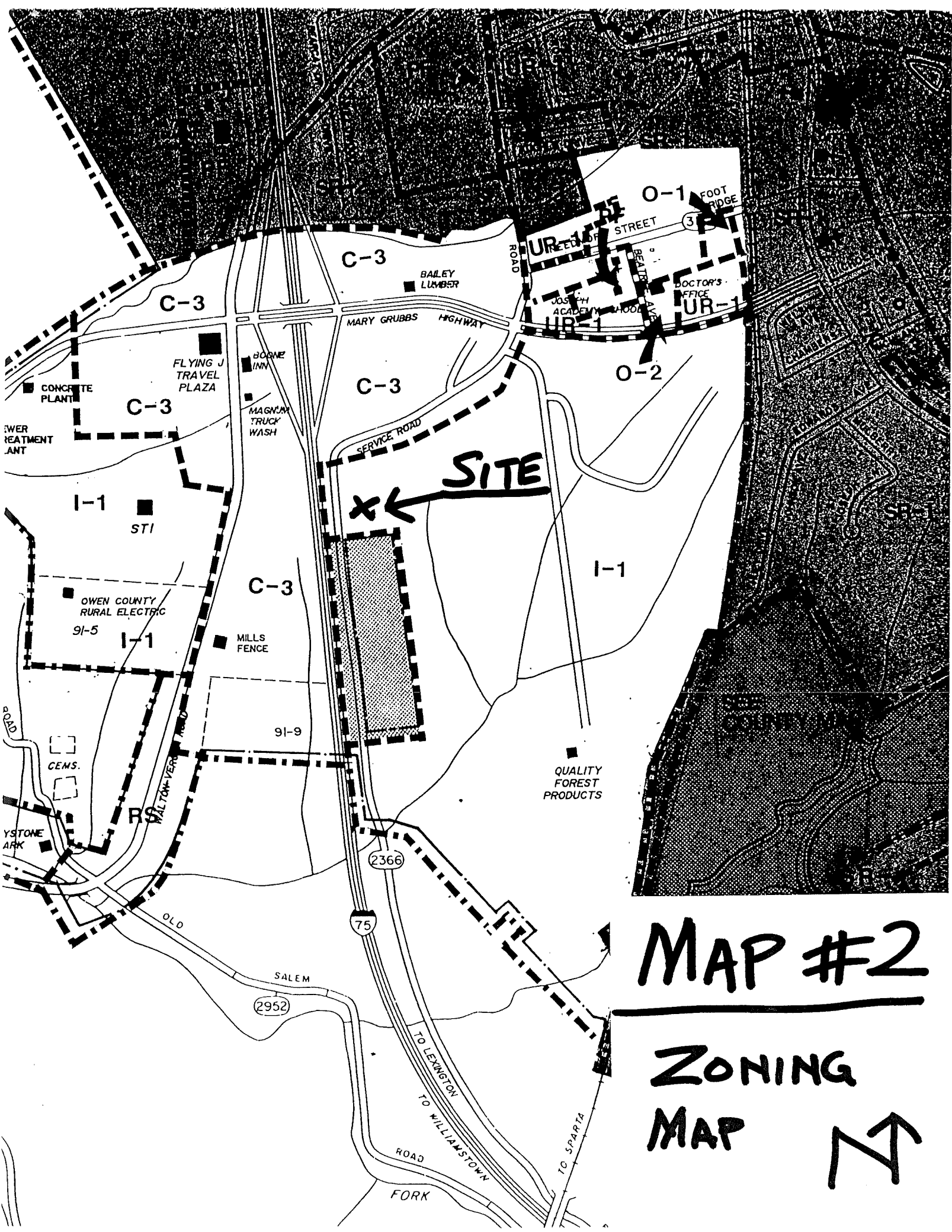
The Board should judge the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the four criteria for a Conditional Use within a Industrial One zoning district.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeffrey F. Hayes", written in a cursive style.

Jeffrey F. Hayes, AICP
Planner

JFH\par

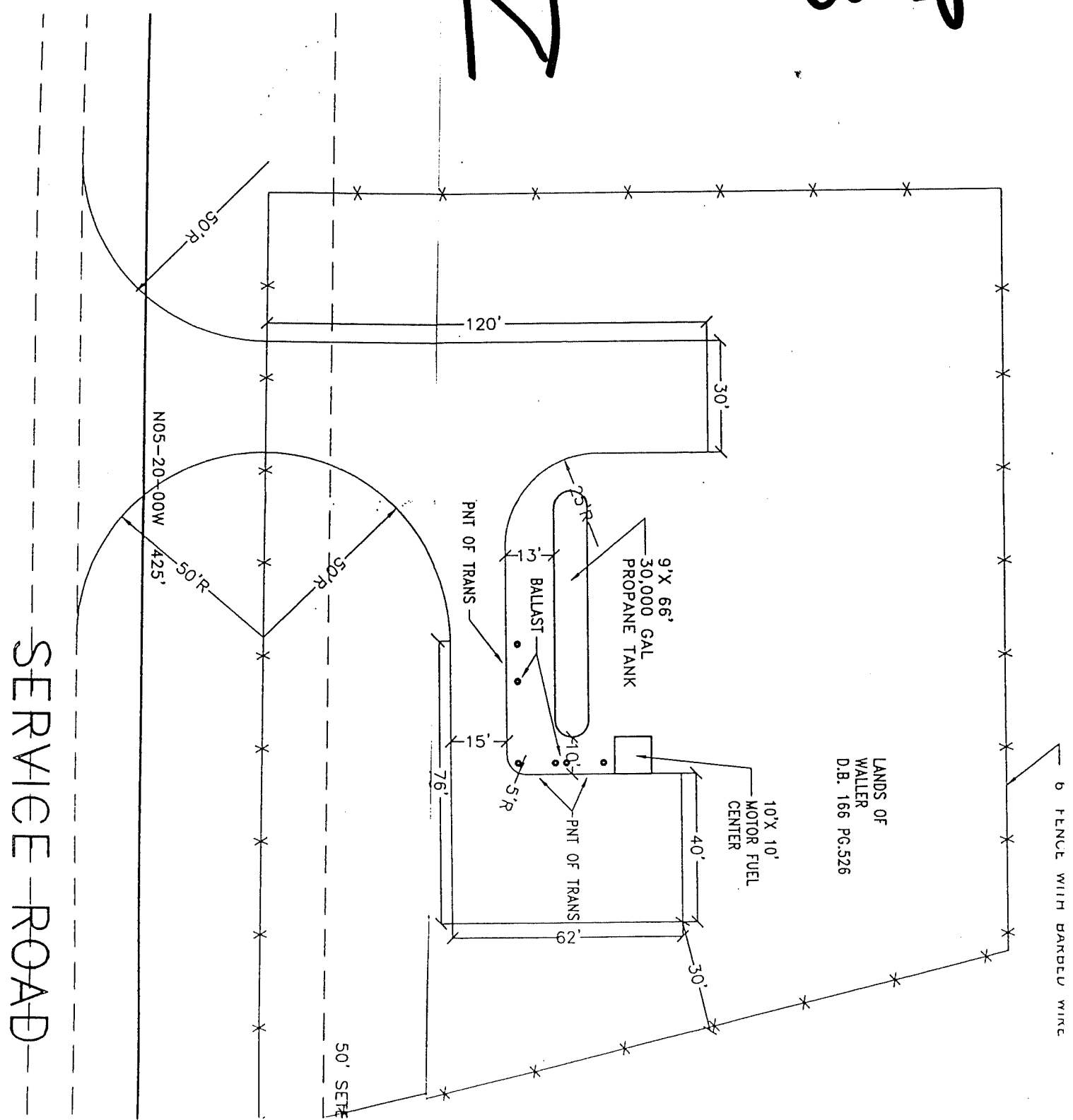


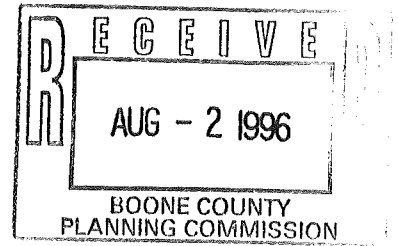
MAP #2

ZONING
MAP



MAP #3





BOARD OF ADJUSTMENT
CITY OF WALTON AND BOONE COUNTY

JULY 31, 1996

ATTENTION; JEFF HAYES

THIS IS TO NOTIFY YOU THAT: AMERIGAS HAS DECIDED NOT TO CONTINUE
ITS APPLICATION FOR CONDITIONAL USE FOR PROPERTY ON SERVICE ROAD
IN THE CITY OF WALTON.

WE WOULD LIKE TO THANK YOU FOR ALL THE HELP YOU HAVE GIVEN US.

SINCERELY,

CECIL B STYONS
NEW BUSINESS LOCATION MGR.