

06-ZMA-003-A

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project International Industrial Park Lot 8
2. Location of Project Chandler Drive (12025) in Walton, KY
3. Total Acreage of Site 2.48 acres (to be re-zoned)
4. Current Zoning of Site SR-1
5. Proposed Zoning (Classification being requested) I-1
6. Proposed Uses (please specify each use) matching those permitted in I-1 Zone. Most likely office/warehouse/maintenance facility as depicted on sheet C101
7. Names of Applicant(s) Pieper Engineering, LLC
Phone Number (859) 371-5500 Fax No. (859) 371-5710
8. Address of Applicant(s) 19 Lendale Pkwy, Suite B
Florence KY 41042
9. Name of Property Owner(s) Steve Brooks (Brooks Meats)
Phone Number (859) 292-0505 Fax No. (859) 485-1541
10. Address of Property Owner(s) P.O. Box 1060 106 N. Main Street
Walton KY 41094
11. Proposed Building Intensities (please specify) 1800 - 25,000 S.F. / ACRE
- 1800 shown in concept however owner does not want to limit intensity above allowed in I-1 zone.
12. Are there any existing buildings on the site? NO
How many? N/A
13. Deed Book 892 Page No. 161 Group No. 2077A
14. Are you also applying for:
Conditional Use Permit
Dimensional Variance
15. Have you submitted a Concept Development Plan? YES
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- NO Boone County Water District
N/A Florence Water and Sewer Dept.
NO Cinergy/U.L.H.&P. Co.
N/A Sanitation District #1
NO Cincinnati Bell
NO Owen County Rural Electric
NO Boone County Public Works Department
NO Kentucky Transportation Cabinet
N/A City of Florence Public Services Department
NO Boone County Building Department

EXHIBIT

“A”

STAFF REPORT

Request of **Riegler Engineering, LLC (applicant)** for **Steve Brooks (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

December 7, 2005

REQUEST

The applicant has requested a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of an approximate 6.1 acre tract. The subject property is located at the southwest corner of the Beaver Road/Chandler Drive intersection.

The zone change request would allow any of the principally permitted uses of the I-1 zone to develop on the property. In addition, applications could be submitted to the Walton Board of Adjustment for Conditional Uses which are listed in the I-1 zone.

The submitted Concept Development Plans show that the entire 6.1 acre tract will be zoned I-1 if the zone change is approved and that the property owner intends to split the acreage into a 2 acre lot and an approximate 4.1 acre lot. Although an 1,800 square foot office/warehouse is shown on the 2 acre lot (intensity of 1,800 square feet per acre), the application indicates that the owner wants the flexibility to construct up to the maximum intensity permitted in the I-1 zone (25,000 square feet of building per acre of land).

SITE HISTORY

1986 – The subject property is rezoned through the Zoning Update. A large area to the south of Beaver Road, between I-71 and I-75, is rezoned from Urban Residential One (UR-1) to Suburban Residential One (SR-1) and Industrial One (I-1). The SR-1 zone is located along Beaver Road and the I-1 zone is located further back.

1992 – The property is final platted as lot 8 of International Industrial Park (see attachments).

SITE CHARACTERISTICS

The 2.48 acre zone change area is part of a larger 6.1 acre tract. The parcel has 212 feet of frontage along Beaver Road and 731 feet of frontage along Chandler Drive. A 6 inch water main exists along Chandler Drive and the applicant has indicated that he will submit an Improvement Plan to extend a sanitary sewer main to the site.

The topography of the parcel varies from approximately 890 feet above sea level at the northeast property line to approximately 830 feet above seal level at the rear property line. A mature deciduous tree line exists along the rear of the property. A large lattice communication tower exists along the northwest property line. A driveway extends from the cell tower to the Chandler Drive right-of-way.

ADJACENT LAND USES AND ZONING

- Northeast: Beaver Road & Single-Family Residential Dwellings (SR-1)
- Northwest: Single-Family Residential Dwelling (I-1 & SR-1) & Interstate 71
- Southeast: Chandler Drive, Vacant Lot (I-1) & Vertical Systems (I-1)
- Southwest: Vacant Lot (I-1) & Boone Steel (I-1)

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's "2030 Land Use Plan" designates the site for "Industrial" uses and "Developmentally Sensitive" areas. These designations are described as follows:

Industrial – "Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

Developmentally Sensitive – "Areas that have an existing slope of twenty percent or greater for a height of 20 meters, or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's stability and visual character..."

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

- A. "The Walton area should experience gradual commercial, residential, and industrial growth. This growth should result primarily from the Walton Interchange, and its location near the intersection of I-71 and I-75. Walton lies along this regional corridor, between Cincinnati to the north and Louisville, Lexington, and Frankfort to the south, that is generally experiencing demand for industrial development."
- B. "The area south of I-71 and Beaver Road, and west of I-75 to Stephenson Mill Road is suitable for light industrial development; access to this industrial area should connect to Beaver Road and Stephenson Mill Road. Urban Density Residential is appropriate to act as a transition between the Suburban Residential and Industrial uses along Stephenson

Mill Road. However, before these areas develop improvements to Stephenson Mill and Beaver Road will be necessary.”

The Land Use Element provides the following Future Land Use Development Guidelines that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. True Open Space subdivision design should be considered to blend new subdivisions in with areas that have a rural character (“Utilization of Existing Vegetation and Topography,” pg. 140).
- B. As described in the Goals and Objectives, different development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists or is planned to support the development.

Business, commercial, and industrial parks should be designed and developed to allow future residential or other uses to access through them where the corridor may extend to large developable tracts or may provide a future road connection. A roadway that is suitable for mixed use development should serve side streets for businesses rather than serving individual businesses directly, include an urban curb and gutter design, and provide pedestrian amenities and green space along the right-of-way. In this way, future residential development could be developed beyond the initial development, but be readily marketed.

These recommendations are site specific and should be evaluated on a case-by-case basis. In fact, there may be other design mechanisms not identified here that may work in some instances (“Development Layout, Lot Sizes, and Setbacks,” pp. 140 and 141).

- C. 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).

- D. 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 roadways.

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).

- E. 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).

- F. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets.

Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate ("Transportation and Pedestrian Network," pg. 142).

The Business Activity Element provides the following comment that relates to the area in question:

- A. The Richwood and Walton Interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads (Recommended Areas of Industrial and Office Activity, pg. 65).

The 2005 Boone County Comprehensive Plan's Goals and Objectives include the following pertinent statements:

- A. Proper design principles shall be applied in development (Overall, Objective).
- B. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed (Overall, Objective).
- C. 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 maintained and enhanced. Development within Boone County preserves and promotes a better quality of life (Environment, Goal).
- D. Developmentally Sensitive hillsides in Boone County must be given special consideration. The preservation of these hillsides is a primary objective, and any proposed development on hillsides designated Developmentally Sensitive shall be carefully reviewed and monitored to maintain the environmental integrity of these hillsides (Environment, Objective).
- E. Existing vegetation shall be considered as both an important site characteristic and a community resource (Environment, Objective).
- F. The incremental effects of development on the environment, including, but not limited to storm water, erosion, woodlands, streams, and views shall be evaluated and addressed (Environment, Objective).
- G. Boone County shall have a sustainable economy that both restores and protects the environment and also brings forth innovation and prosperity with meaningful employment opportunities for all its citizens (Economy, Goal).
- H. Base industries (agriculture, mining and manufacturing activities) and non-base industries (education, commerce, service, health, government, etc.) shall be promoted in suitable locations exemplifying how the county is a vital part of a strong regional, metropolitan economy (Economy, Objective).
- I. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).
- J. Compact, efficient development patterns shall be encouraged for business districts (industrial commercial, and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage (Business Activity, Objective).

- K. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future Industrial development must be located where infrastructure exists or is planned. Future Industrial districts shall be identified in advance of residential development so that the potential impacts are known and can be addressed (Business Activity, Industrial Objectives).
- L. Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals of other regulatory agencies (Business Activity, Industrial Objectives).
- M. Safe, efficient and environmentally sound public services and facilities shall exist for all development (Public Services and Facilities, Goal).
- N. Priority shall be given toward maintaining, protecting, and improving the capacity and safety of the existing road system (Transportation, Objective).

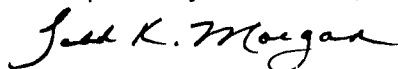
STAFF COMMENTS

- 1. Staff would like the applicant to address the proposed building materials. Staff believes this is an issue because single-family residential dwellings adjoin the site.
- 2. Staff recommends that the Zone Change Committee should analyze the principally permitted uses and conditional uses of the Industrial One (I-1) zone (see attachments).
- 3. Staff recommends the following conditions:
 - a. New access points shall be prohibited on Beaver Road;
 - b. The front of the building shall be oriented toward Beaver Road; and
 - c. All truck docks shall be located on the rear building facade.

CONCLUSION

The Zoning Map Amendment request needs to be evaluated by the Boone County Planning Commission and City of Walton in terms of K.R.S. 100.213 and Article 3 of the Boone County Zoning Regulations. The Future Land Use Map will not be amended if the request is approved.

Respectfully submitted,

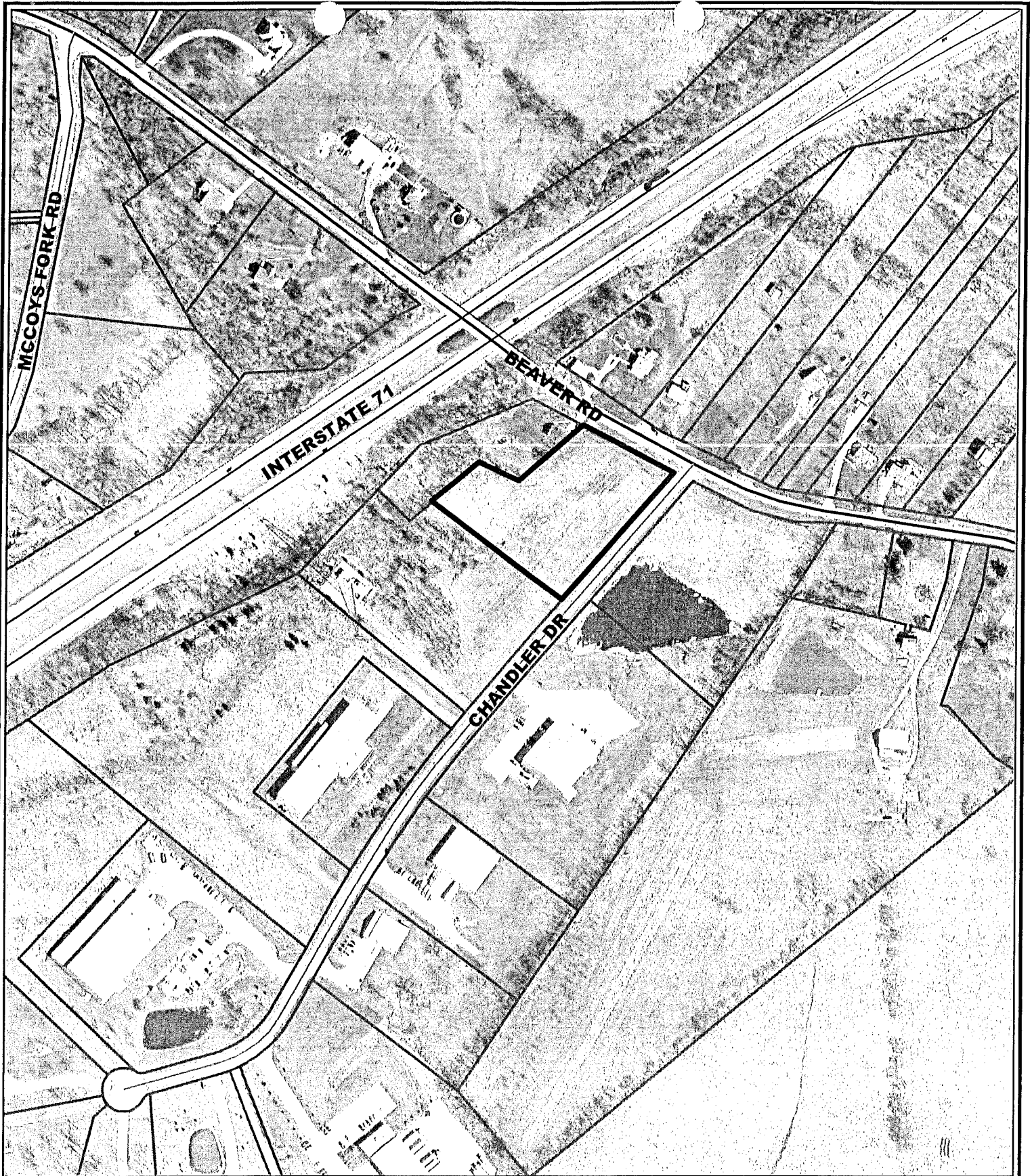


Todd K. Morgan, AICP
Planner

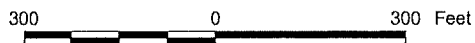
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Attachments:

- Aerial Map
- Concept Development Plans
- Zoning Map
- Future Land Use Map
- Topographical Map
- I-1, O-2, O-1 Regulations
- Final Plat, International Industrial Park
- Application



Vaston & Mary Brooks Aerial Map



1 inch equals 300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
November 9, 2005



SANITARY SEWER EXTENSION FOR:
 VASTON S & MARY C BROOKS
 INTERNATIONAL INDUSTRIAL PARK LOT NO.8
 12025 CHANDLER DRIVE
 N. BOONE COUNTY, KENTUCKY

DATE: 06/05/17	PROJECT NO: 061057
DESIGNED BY: [Signature]	CHECKED BY: [Signature]
DRAWN BY: [Signature]	SCALE: AS SHOWN
CONCEPTUAL SITE PLAN	
C101	



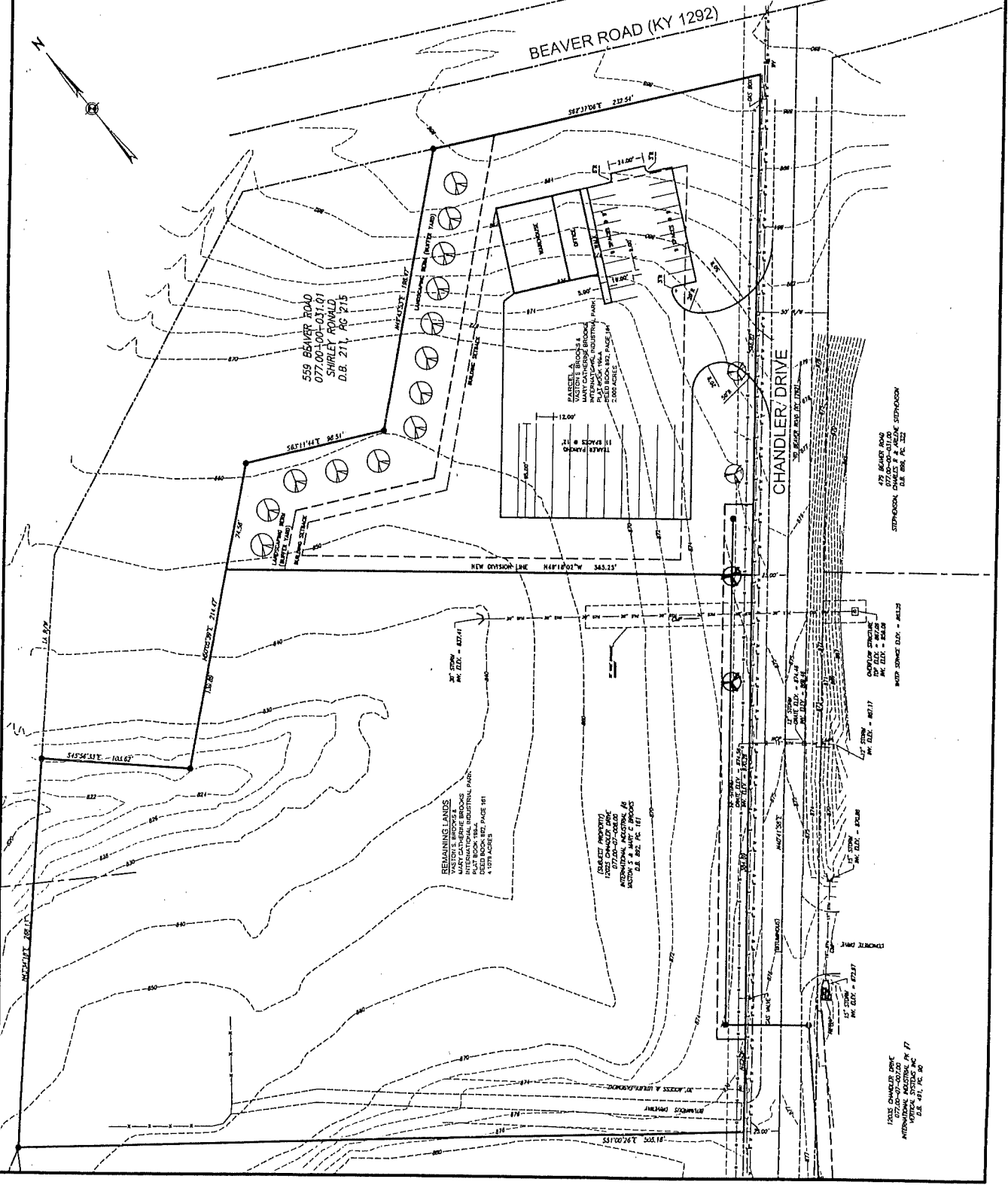
Riegler Engineering and Construction
 10101 Parkway
 Suite 100
 Louisville, KY 40228
 (502) 261-1111

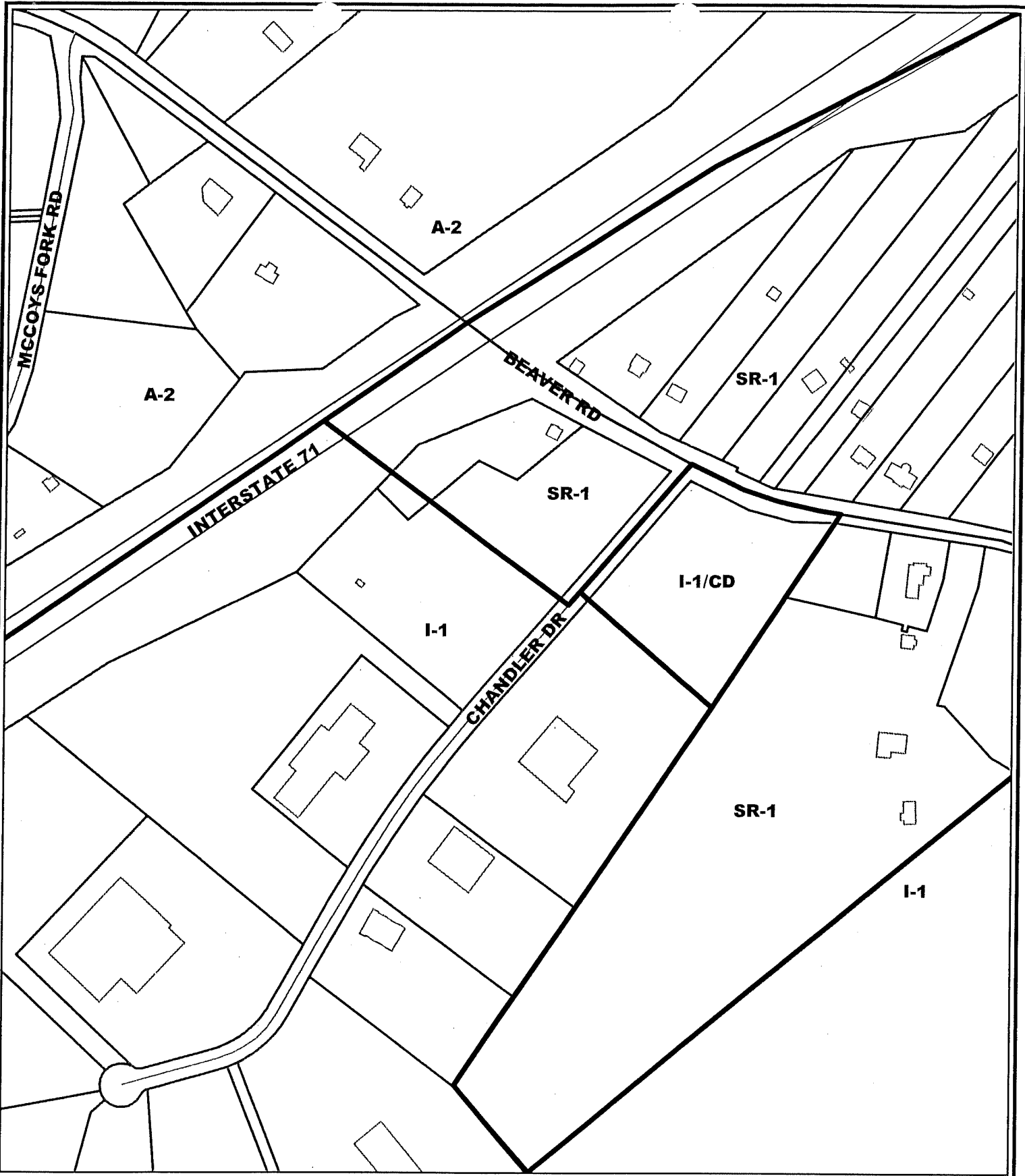
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ZONING I-1

MAXIMUM INTENSITY: 20,000 SF.
 MINIMUM LOT SIZE: 20,000 SF.
 MINIMUM FRONTAGE: 150 FEET.
 MAXIMUM HEIGHT: 50 FEET.
 MINIMUM FRONT YARD SETBACK: 50 FEET.
 MINIMUM REAR YARD SETBACK: 30 FEET (50' IF 100' WIDE).
 MINIMUM SIDEYARD SETBACK: 10 FEET (50').

* WHEN ADJACENT ANY OF THE FOLLOWING ZONING DISTRICTS: I-1, I-2, A, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19, C-20, C-21, C-22, C-23, C-24, C-25, C-26, C-27, C-28, C-29, C-30, C-31, C-32, C-33, C-34, C-35, C-36, C-37, C-38, C-39, C-40, C-41, C-42, C-43, C-44, C-45, C-46, C-47, C-48, C-49, C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73, C-74, C-75, C-76, C-77, C-78, C-79, C-80, C-81, C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89, C-90, C-91, C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100, C-101, C-102, C-103, C-104, C-105, C-106, C-107, C-108, C-109, C-110, C-111, C-112, C-113, C-114, C-115, C-116, C-117, C-118, C-119, C-120, C-121, C-122, C-123, C-124, C-125, C-126, C-127, C-128, C-129, C-130, C-131, C-132, C-133, C-134, C-135, C-136, C-137, C-138, C-139, C-140, C-141, C-142, C-143, C-144, C-145, C-146, C-147, C-148, 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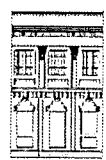


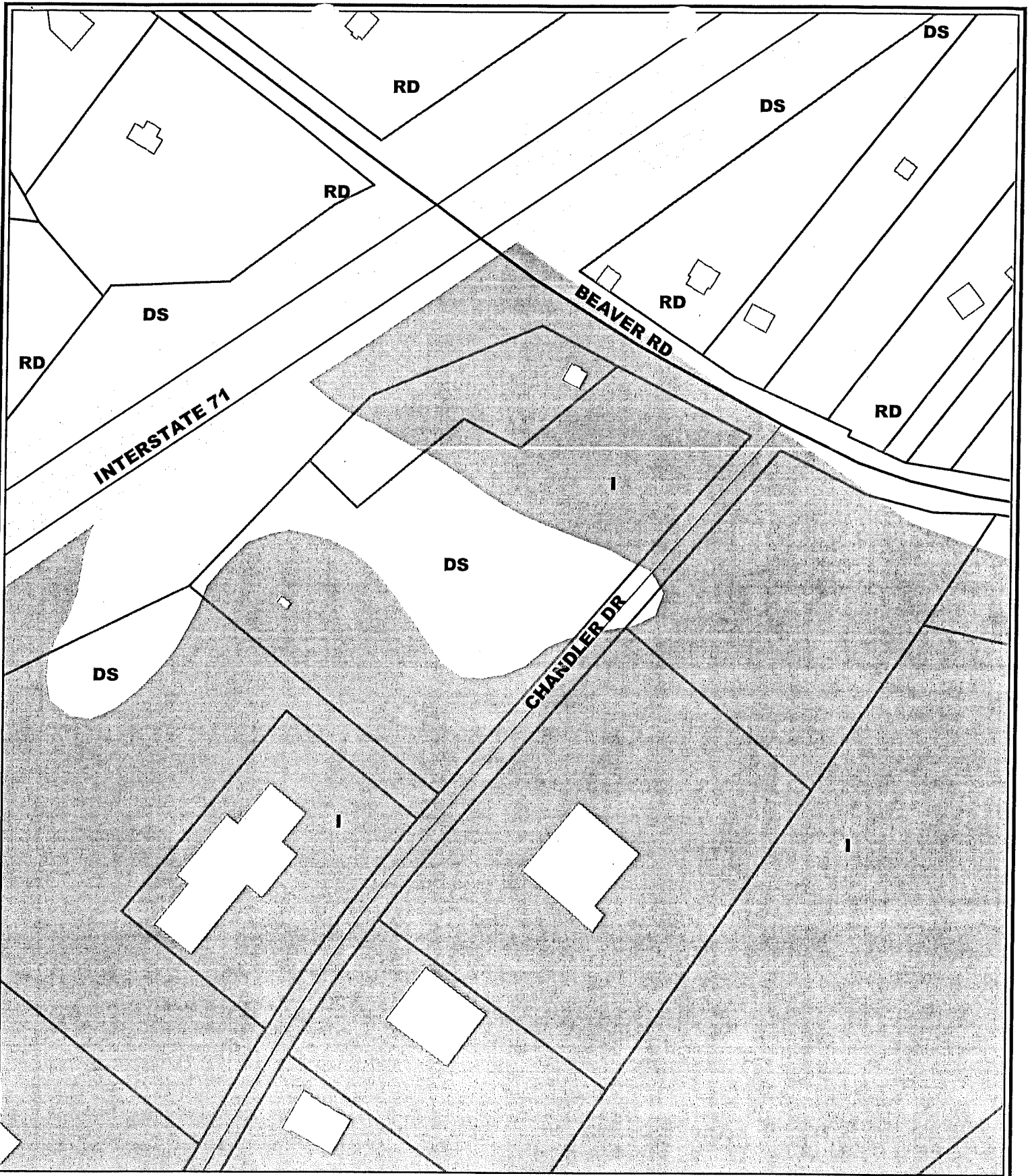
Vaston & Mary Brooks

Zoning Map

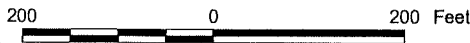


1 inch equals 300 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 9, 2005



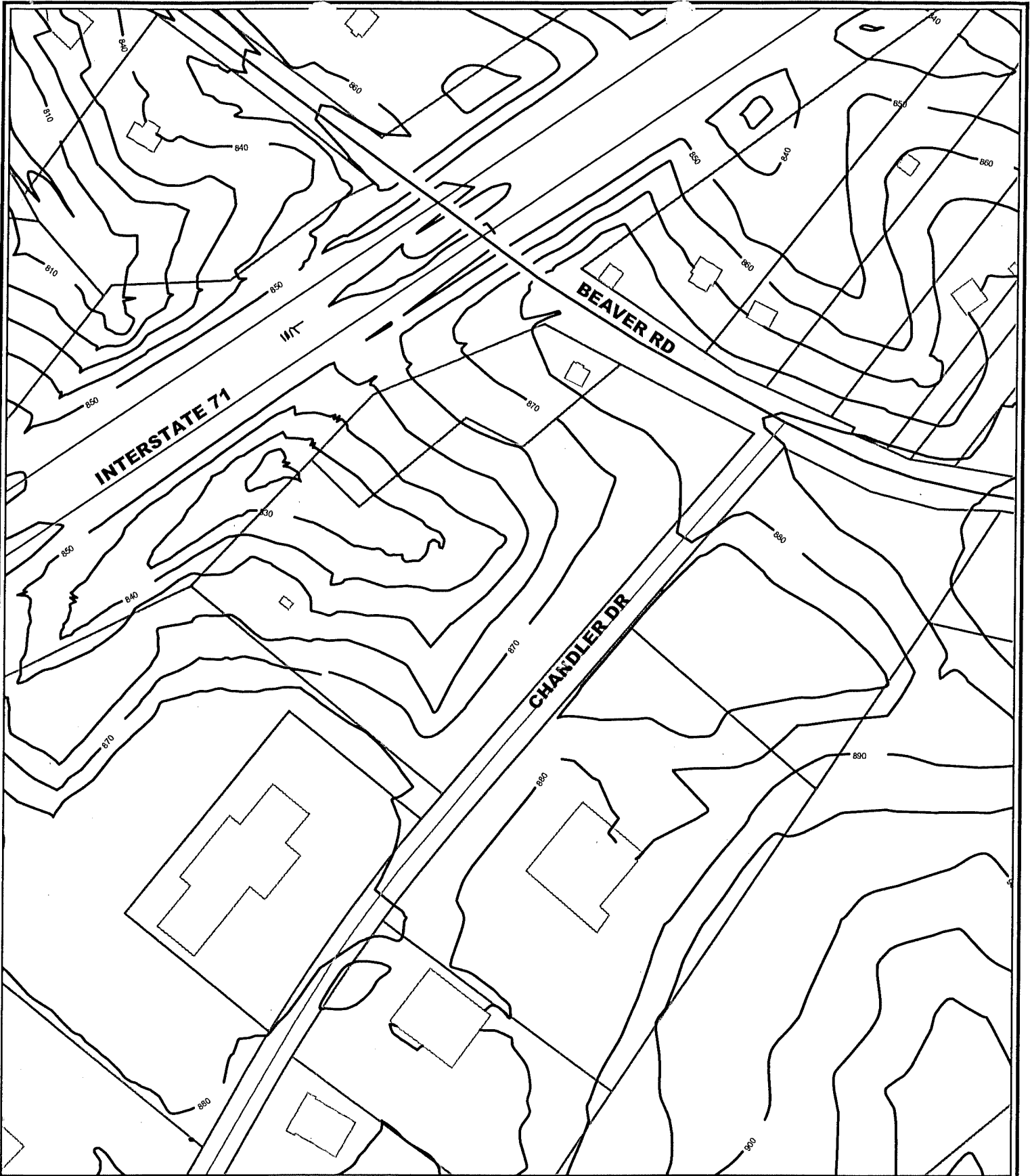


Vaston & Mary Brooks Future Land Use Map



1 inch equals 200 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 9, 2005





Vaston & Mary Brooks Topographical Map



1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
November 9, 2005



ARTICLE

11

EMPLOYMENT DISTRICTS

SECTION 1110

OFFICE ONE (0-1)

The purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed.

SECTION 1111

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;
8. Eating and drinking establishments including alcoholic beverages;
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;

11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;
25. The retail sale of office supplies and equipment;
26. Funeral homes and crematoriums excluding cemeteries or mausoleums.

SECTION 1112

Accessory Uses

Accessory uses, buildings, and structures customarily incidental and subordinate to the purposes of the district including:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;

SECTION 1116

Minimum Standards

See Article 31 for dimensional standards. (Site Plan Review is required for all permitted uses) (See Article 30).

THE FOLLOWING PASSAGE APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY.

No dwelling used as a residence can be altered, converted or remodeled to satisfy any of the standards as uses authorized in the Office One (O-1) zone as permitted uses or conditional uses. Newly constructed structures are necessary to satisfy the requirements and standards of the Office One (O-1) zone.

SECTION 1120

OFFICE TWO (O-2)

The purpose of the Office Two District is to consolidate those types of professional, research, business, service and similar uses which are based in office structures and which require and desire high levels of personal interaction. Such districts will be organized to provide employment labor markets. Districts will be located on suitable lands with convenient access from expressways, arterials or collectors. District plans will be organized to provide direct, central, convenient and safe collection of vehicles and pedestrian circulation.

SECTION 1121

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of an Office One (O-1) District;
2. Retail sales of newspapers and magazines, drugs, and proprietary goods;
3. Banking and credit union services, including drive-thru teller services.
4. Convenient stores;
5. Beauty and barber services and tanning salons;
6. Laundering, dry cleaning and dyeing services, including self-service;
7. Shoe repair, shoe shining and hat cleaning services;
8. Florists, excluding greenhouses.

SECTION 1122

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to the purposes of the district including:

1. Recreation uses or spaces of integral relation to the purpose of the district defined to be:
 - a. Museum, art and craft galleries, conservatories and other cultural exhibits;
 - b. Aquariums, botanical gardens and arboretums, nature preserves, wildlife sanctuaries and other natural exhibitions;

1. Hotels, tourist courts and motels only where the primary trade is of direct relation or support of the uses and purposes of the district;
2. The writing, publishing of newspapers, periodicals and books provided any printing operation is subservient to the writing and publishing activity and does not conflict with the purposes of permitted uses of the district;
3. Telephone, telegraph, radio and television relay, transmitting and receiving equipment provided the equipment is in direct support of the defined accessory use and does not physically or visually overpower, detract or conflict with the building design, scale or character proposed in this district;
4. Gasoline filling stations and auto repair facilities provided the use is in direct support of and primarily trades from the employees of the district;
5. Blueprinting and photocopying services;
6. Window cleaning, disinfecting and exterminating, dwelling and building services;
7. Automobile leasing or rental agencies (maximum storage of 10 vehicles);
8. Adult and child care centers.

SECTION 1124

Intensity

The maximum total intensity of all uses in an Office Two district shall not exceed 30,000 square feet of gross floor area per acre.

SECTION 1125

Minimum Size

The minimum size or extent required of an Office Two district is three (3) acres.

SECTION 1126

Minimum Standards

See Article 31 for dimensional standards. (Site Plan Review required for all permitted uses) (See Article 30)

SECTION 1130

INDUSTRIAL ONE (I-1)

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.

SECTION 1131

Principally Permitted Uses

Permitted are the wholesale distribution, storage, manufacturing and assembly of industrial products:

1. All principally permitted uses in an Office Two (O-2) zone;
2. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
3. Textile mill products except primary manufacture of dyes, fibers, felt, rubber goods;
4. Apparel and other finished products made from fabrics, leather and similar materials except primary manufacture of rubber;
5. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;
11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.

15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;
20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;

36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
40. Equipment (light) rental and leasing services including automobiles and trucks;
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
44. Truck stops;
45. Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
48. Commercial recreational vehicle parking facilities;
49. Landscape contracting and wholesale nurseries.

SECTION 1132

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to the purpose of the district including:

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;

- g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
 3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
 4. Marine freight terminals;
 5. Employment services;
 6. Signage (See Article 34);
 7. Parking (See Article 33);
 8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
 9. Food service for office, manufacturing or distribution uses;
 10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

SECTION 1133

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is provided primarily in support of and obtains its trade from the employees of the district; or 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:

1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;
 - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
 - d. creosote treatment;
 - e. distillation of bones, coal or wood;

- f. enameling, japanning or lacquering;
- g. radium or radioactive elements;
- h. crushing or other reduction or waterproofing;
- l. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

- 2. Poultry and small game dressing and packing;
- 3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
- 4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
- 5. Gasoline filling stations and wash services;
- 6. Labor unions and similar labor associations;
- 7. Nursery and child care centers;
- 8. Hotels and motels;
- 9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- 10. Retail sales or leasing of new and used motor vehicles;
- 11. Wholesale vehicle sales or auctions;
- 12. Churches, synagogues, temples and other places of religious assembly for worship.

SECTION 1134

Intensity

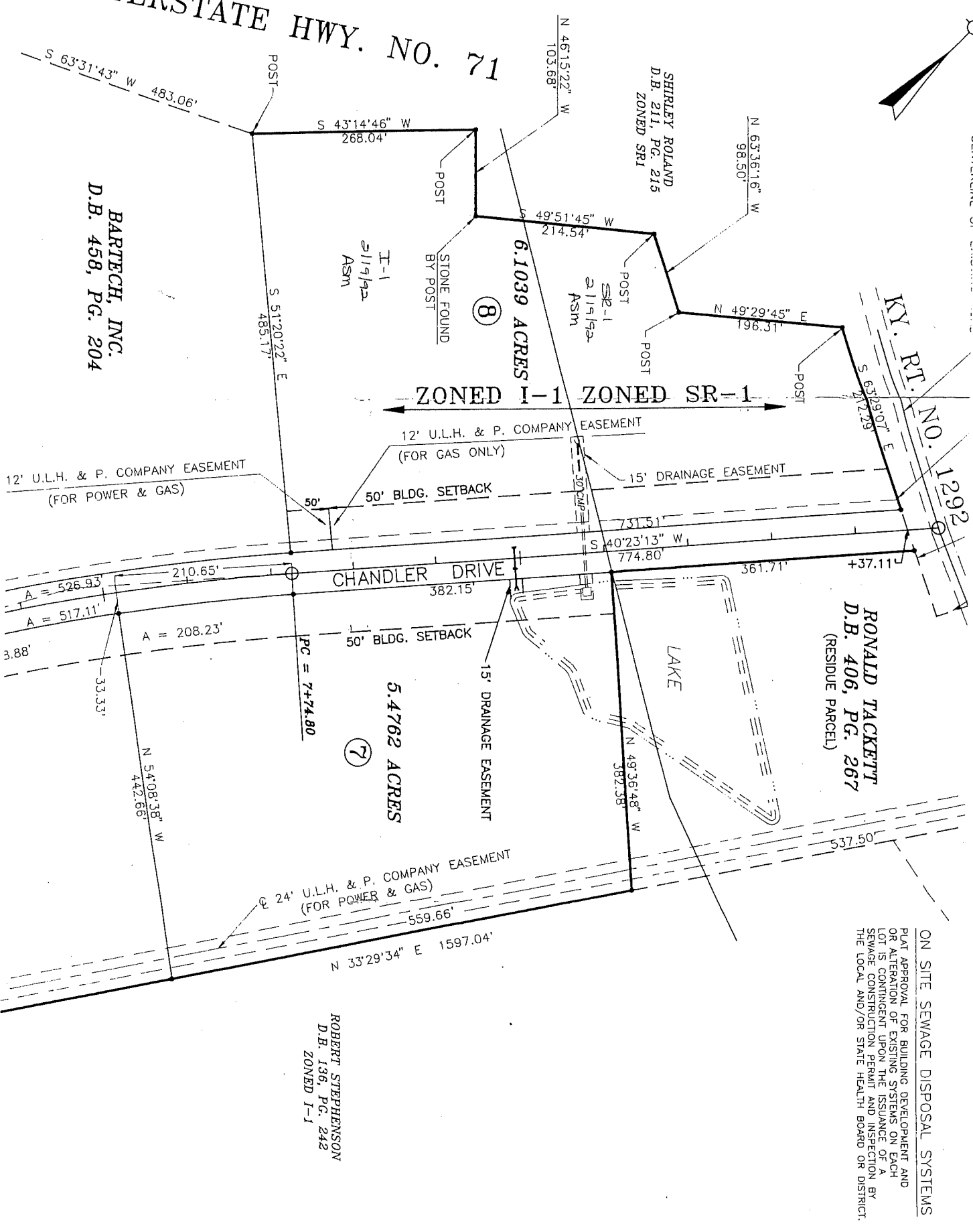
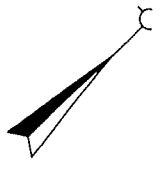
The maximum intensity of all uses in an Industrial One district shall not exceed 25,000 square feet of gross floor area per acre.

SECTION 1135

Minimum Size

The minimum size and extent of an Industrial One district, including all the contiguous private property so designated, shall not be less than five (5) acres.

INTERSTATE HWY. NO. 71



BARTECH, INC.
D.B. 458, PG. 204

SHIRLEY ROLAND
D.B. 211, PG. 215
ZONED SR1

RONALD TACKETT
D.B. 406, PG. 267
(RESIDUE PARCEL)

ROBERT STEPHENSON
D.B. 136, PG. 242
ZONED I-1

ZONED I-1 ZONED SR-1

KY. RT. NO. 1292

24' U.L.H. & P. COMPANY EASEMENT
(FOR POWER & GAS)

12' U.L.H. & P. COMPANY EASEMENT
(FOR POWER & GAS)

12' U.L.H. & P. COMPANY EASEMENT
(FOR GAS ONLY)

15' DRAINAGE EASEMENT

50' BLDG. SETBACK

50' BLDG. SETBACK

15' DRAINAGE EASEMENT

5.4762 ACRES

6.1039 ACRES

ON SITE SEWAGE DISPOSAL SYSTEMS
PLAT APPROVAL FOR BUILDING DEVELOPMENT AND OR ALTERATION OF EXISTING SYSTEMS ON EACH LOT IS CONTINGENT UPON THE ISSUANCE OF A SEWAGE CONSTRUCTION PERMIT AND INSPECTION BY THE LOCAL AND/OR STATE HEALTH BOARD OR DISTRICT.

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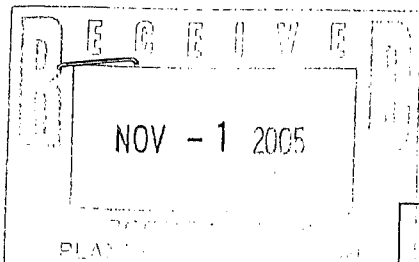
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APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project: International Industrial Park Lot 8
2. Location of Project: Chandler Drive (12025) in Walton, KY
3. Total Acreage of Site: 2.48 acres (to be re-zoned)
4. Current Zoning of Site: SR-1
5. Proposed Zoning (Classification being requested): I-1
6. Proposed Uses (please specify each use): Matching those permitted in I-1 Zone. Most likely office warehouse / maintenance facility as depicted on sheet C101
7. Names of Applicant(s): Piepler Engineering, LLC
8. Address of Applicant(s): 19 Lendale Drive, Suite B, Florence, KY 41042
9. Name of Property Owner(s): Steve Brooks (Brooks Meats)
10. Address of Property Owner(s): P.O. Box 1060, 106 N. Main Street, Walton, KY 41084
11. Proposed Building Intensities (please specify): 1800 - 25,000 S.F. / ACRE
12. Are there any existing buildings on the site? NO
13. Deed Book: 892 Page No.: 161 Group No.: 2077A
14. Are you also applying for: Conditional Use Permit, Dimensional Variance
15. Have you submitted a Concept Development Plan? YES
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- NO Boone County Water District
N/A Florence Water and Sewer Dept.
NO Cinergy/U.L.H.&P. Co.
N/A Sanitation District #1
NO Cincinnati Bell
NO Owen County Rural Electric
NO Boone County Public Works Department
NO Kentucky Transportation Cabinet
N/A City of Florence Public Services Department
NO Boone County Building Department

Public Hearing Item No. 3:

Commission Members Present: Mr. Bunger, Mr. Caddell - Chairman, Mr. Carmichael, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson - Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Todd Morgan, AICP, Planner.

Legal Counsel Present: Mr. Dale Wilson

3. Applicant: **Riegler Engineering, LLC for Steve Brooks (owner)**

Request: **Zoning Map Amendment**

The request of **Riegler Engineering, LLC (applicant) for Steve Brooks (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

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Following an explanation of the Public Hearing process, the Chairman asked for the applicant’s presentation.

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that the regulations say that the buffer can be cut in half if a six-foot berm is provided. He stated that the only way the applicant can sell the parcel is to have it rezoned I-1. He stated that the request fits in with the rest of the development because this is the last portion of the industrial park. He noted that the Staff Report refers to speaking with the adjacent property owner to see if that property could be purchased. He stated that they made that request and it is not feasible to purchase the adjacent property at this point. He stated that he agrees with most of the Staff Comments and understands the concerns regarding the building materials. He agreed with Staff Comment 3.a. and noted that the Concept Plan does not show access points on Beaver Road. He reviewed Staff Comments 3. a. and b. and stated that he does not know if it is practical to have the front of the building oriented toward Beaver Road and suggested a condition that architectural review be required in the future. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition to the request. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Schwenke stated that he would like to keep the buffer yards on Beaver Road the same and asked if there was a buffer yard restriction on the lot across the road that was part of the original proposal. He asked if there were any additional landscaping requirements on the other lot for buffering between Beaver Road and the site. Mr. Morgan will research Mr. Schwenke's question and provide the information to the Committee.

Mr. Knock questioned why the lot remained SR-1 and why it was not changed to industrial. Mr. Costello stated that he believes the City of Walton was working with the previous owner and there was some resistance, but he will verify that information. Mr. Morgan reviewed the Site History in the Staff Report and stated that there was an intent that the back half of the property be I-1 and the front portion be SR-1. He stated that the Future Land Use Map recommends the entire site for industrial development.

Mr. McMillian questioned landscaping along Beaver Road. Mr. Morgan responded that a ten-foot wide street frontage buffer would be required.

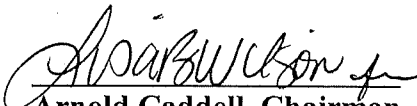
Mrs. Poston asked if the Developmentally Sensitive Area has to be treated differently. Mr. Morgan responded that there is Developmentally Sensitive language in the Comprehensive Plan which should be reviewed carefully by the Committee.

Mrs. Wilson questioned how many buildings could go on the 6+ acres. Mr. Morgan responded that they are allowed 25,000 square feet of building per acre of


land. There could be multiple buildings as long as they meet the requirements (setback, density, etc.). Mrs. Wilson commented that the plan is a concept for them to use to sell the property. Mr. Riegler stated that the proposal was developed with a potential buyer and this proposal is what they think the use might be.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on December 21, 2005 at 5:00 PM. This item will be on the Agenda for the Business Meeting on January 4, 2006 at 7:00 PM. The Chairman closed this Public Hearing at 8:05 PM.

APPROVED:


Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
February 1, 2006
6:30 P.M.**

Mr. Arnold Caddell, Chairman, called the meeting to order at 6:32 PM.

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. Randy Barlow
Mr. Greg Breetz
Mr. Kim Bungler
Mr. Arnold Caddell, Chairman
Mr. Jim Carmichael
Mrs. Janet Kegley
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Charlie Rolfsen
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mrs. Lisa Wilson, Secretary/Treasurer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Patty Bachman, Planner
Mr. David Geohagan, AICP – Director, Planning Services
Ms. Jan Hancock, Secretary
Mr. Mitch Light, Assistant Zoning Administrator/ZEO
Mr. Todd Morgan, AICP, Planner
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Mr. McMillian moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mr. Reynolds seconded the motion. A vote on the motion found all voting members in favor. Chairman Caddell abstained due to his relationship with Heritage Bank. Mr. Barlow, Mr. Carmichael and Mr. Poe were not yet present. The motion carried.

Mr. Barlow arrived at this time.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment

The request of Riegler Engineering, LLC (applicant) for Steve Brooks (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

Staff Member Todd Morgan presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

Mr. Carmichael and Mr. Poe arrived during the presentation of the Committee Report.

The Chairman offered the applicant the opportunity to make a summary statement. Mr. Dan Riegler with Riegler Engineering, LLC thanked the Zone Change Committee for working with them. He stated that they are in agreement with the conditions.

The Chairman asked if there was anyone present who wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mr. Bunger moved by Resolution to the City of Walton that the request be approved based on the Committee Report with the conditions. Mr. Barlow seconded the motion and it carried unanimously.**

At this time, Chairman Caddell turned the chair over to Mr. Knock. Chairman Caddell, Mrs. Poston and Mr. Bunger left the room.

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: February 1, 2006

RE: Request of Riegler Engineering, LLC (applicant) for Steve Brooks (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

REMARKS:

We, the Committee, recommend approval of the above referenced request based on the following findings of fact and with the following conditions.

FINDINGS OF FACT

1. The Committee has concluded that the request is in general agreement with the 2005 Boone County Comprehensive Plan for the following reasons:

A. The Future Land Use Map designates the site for "Industrial" uses and "Developmentally Sensitive" areas. These designations are described as follows:

Industrial – "Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

Developmentally Sensitive – "Areas that have an existing slope of twenty percent or greater for a height of 20 meters, or have unique soil or flooding characteristics which limit the ability of an area to support urban development, or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's stability and visual character..."

The Committee determined that the proposal is in conformance with the Future Land Use Map. The Concept Development Plan shows that the 2.48 acre zone change area will be developed with a 3,600 square foot office/warehouse and accessory parking. The Committee determined that the development will be constructed in an area which minimizes land disturbance in the developmentally sensitive area.

B. The proposal is in agreement with the following section of the Land Use Element:

- The "Walton Area" (pg. 149) states that "the area south of I-71 and Beaver Road, and west of I-75 to Stephenson Mill Road is suitable for light industrial development; access to this industrial area should connect to Beaver Road and Stephenson Mill Road. Urban Density Residential is appropriate to act as a transition between the Suburban Residential and Industrial uses along Stephenson Mill Road. However, before these areas develop improvements to Stephenson Mill and Beaver Road will be necessary."

The Committee determined that the zone change area is suitable for light industrial development because it is located to the south of I-71 and Beaver Road. The Committee determined that the referenced road improvements to Beaver Road were not warranted because the proposal would only add one buildable lot to an existing industrial park.

- The Future Land Use Development Guidelines ("Buffering," pg. 141) states that 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...

The Committee determined that the submitted Concept Development Plan and Conditions of Approval would address the potential impacts that would be generated by the development. The Concept Plan shows that the required perimeter buffer will be planted and the conditions of approval address outside storage and building design.

C. The proposal is in agreement with the following passage from the Business Activity Element:

- The Richwood and Walton Interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads (Recommended Areas of Industrial and Office Activity, pg. 65).

The Committee determined that the proposed zone change area is within close proximity to I-71/I-75 and is located in International industrial Park.

D. The project is in agreement with the following 2005 Goals and Objectives:

- Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future Industrial development must be located where infrastructure exists or is planned. Future Industrial districts shall be identified in advance of residential development so that the potential impacts are known and can be addressed (Business Activity, Industrial Objectives).

The Committee determined that the zone change area is located within the limits of International Industrial Park and is in close proximity to I-71/I-75. The potential impacts of the proposed development will be addressed by the required landscaping and conditions of approval that deal with outside storage and building design.

2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The general layout of the site shall follow the submitted Concept Development Plan.
2. The gross floor area of the building shall not exceed 4,500 square feet.
3. The maximum building height shall be limited to 35 feet.
4. The site shall use Chandler Drive for access. No curb cuts will be permitted on Beaver Road.
5. Any truck docks shall be located on the southwestern building facade.
6. Outside storage yards will only be permitted behind the building (southwestern facade). The building will be used to screen the outside storage area from Beaver Road. The outside storage area must be screened with solid wood fencing and solid wood gates or building materials that match the principal building.

7. No tractor trailer parking shall be permitted within 75 feet of the Chandler Drive right-of-way.
8. The building(s) constructed on the site shall be subject to a Staff Design Review process. Building elevation drawings will be submitted during Site Plan Review that show compliance with the following items:
 - The building facades which face Beaver Road and Chandler Drive must have the appearance of front facades. At a minimum, these facades must have a door and architectural detailing and shall be constructed with 60% brick, stone, or textured concrete block. The windows must be dispersed across the entire length of the facades.
 - No roof equipment shall be visible from Beaver Road or Chandler Drive.
9. An attachment lists the principally permitted, accessory uses, and conditional uses (subject to Board of Adjustment approval) which can develop on the site. Prohibited uses have lines drawn through them.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Concept Development Plan Committee Vote.

SECTION 1110
OFFICE ONE (O-1)

The purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed.

SECTION 1111
Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;
- ~~8. Eating and drinking establishments including alcoholic beverages;~~
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;

19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;
25. The retail sale of office supplies and equipment;
26. Funeral homes and crematoriums excluding cemeteries or mausoleums.

SECTION 1120

OFFICE TWO (O-2)

The purpose of the Office Two District is to consolidate those types of professional, research, business, service and similar uses which are based in office structures and which require and desire high levels of personal interaction. Such districts will be organized to provide employment labor markets. Districts will be located on suitable lands with convenient access from expressways, arterials or collectors. District plans will be organized to provide direct, central, convenient and safe collection of vehicles and pedestrian circulation.

SECTION 1121

Principally Permitted Uses

The following uses are permitted:

- ~~1. All principally permitted uses of an Office One (O-1) District;~~
2. Retail sales of newspapers and magazines, drugs, and proprietary goods;
3. Banking and credit union services, including drive-thru teller services.
- ~~4. Convenient stores;~~
5. Beauty and barber services and tanning salons;
6. Laundering, dry cleaning and dyeing services, including self-service;
7. Shoe repair, shoe shining and hat cleaning services;
8. Florists, excluding greenhouses.

SECTION 1130

INDUSTRIAL ONE (I-1)

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.

SECTION 1131

Principally Permitted Uses

Permitted are the wholesale distribution, storage, manufacturing and assembly of industrial products:

- ~~1. All principally permitted uses in an Office Two (O-2) zone;~~
2. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
3. Textile mill products except primary manufacture of dyes, fibers, felt, rubber goods;
4. Apparel and other finished products made from fabrics, leather and similar materials except primary manufacture of rubber;
5. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;

11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.
15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;
20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;

33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
- ~~40. Equipment (light) rental and leasing services including automobiles and trucks;~~
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
44. Truck stops;
45. Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
- ~~48. Commercial recreational vehicle parking facilities;~~
49. Landscape contracting and wholesale nurseries.

SECTION 1132

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to the purpose of the district including:

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;

- d. Golf courses and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
 3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
 4. Marine freight terminals;
 5. Employment services;
 6. Signage (See Article 34);
 7. Parking (See Article 33);
 8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, ~~and which are conducted in accordance with Section 3154;~~ and which are conducted in accordance with the Conditions of Approval.
 9. Food service for office, manufacturing or distribution uses;
 10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

SECTION 1133

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is provided primarily in support of and obtains its trade from the employees of the district; or 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:

1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;

- c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
- d. creosote treatment;
- e. distillation of bones, coal or wood;
- f. enameling, japanning or lacquering;
- g. radium or radioactive elements;
- h. crushing or other reduction or waterproofing;
- l. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

- 2. Poultry and small game dressing and packing;
- 3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
- 4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
- 5. Gasoline filling stations and wash services;
- 6. Labor unions and similar labor associations;
- 7. Nursery and child care centers;
- 8. Hotels and motels;
- 9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- 10. Retail sales or leasing of new and used motor vehicles;
- 11. Wholesale vehicle sales or auctions;
- 12. Churches, synagogues, temples and other places of religious assembly for worship.

Public Hearing Item No. 3:

Commission Members Present: Mr. Bunger, Mr. Caddell - Chairman, Mr. Carmichael, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson - Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Todd Morgan, AICP, Planner.

Legal Counsel Present: Mr. Dale Wilson

3. **Applicant:** Riegler Engineering, LLC for
 Steve Brooks (owner)

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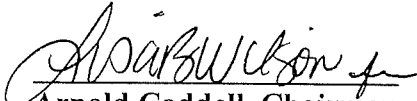
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Mrs. Wilson questioned how many buildings could go on the 6+ acres. Mr. Morgan responded that they are allowed 25,000 square feet of building per acre of

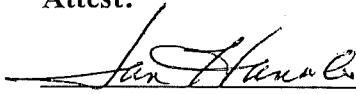
land. There could be multiple buildings as long as they meet the requirements (setback, density, etc.). Mrs. Wilson commented that the plan is a concept for them to use to sell the property. Mr. Riegler stated that the proposal was developed with a potential buyer and this proposal is what they think the use might be.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on December 21, 2005 at 5:00 PM. This item will be on the Agenda for the Business Meeting on January 4, 2006 at 7:00 PM. The Chairman closed this Public Hearing at 8:05 PM.

APPROVED:


Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: January 18, 2006

RE: Request of **Riegler Engineering, LLC (applicant)** for **Steve Brooks (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Riegler/Brooks
January 18, 2006

Kim Bunger

Kim Bunger, Chairman
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Randy Barlow

Randy Barlow
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Greg Breetz

Greg Breetz
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Janet R. Kegley

Janet Kegley
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Susan Poston
 For Project _____ Absent
 Against Project _____
 Abstain _____ Deferred _____

Charlie Reynolds (Alternate)
 For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Earl White (Alternate)
 For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Lisa Wilson (Alternate)
 For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 4 FOR PROJECT _____ ABSENT
 _____ AGAINST PROJECT _____ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 21, 2005

RE: Request of **Riegler Engineering, LLC (applicant)** for **Steve Brooks (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Riegler/Brooks

December 21, 2005

Kim Bunger

Kim Bunger, Chairman

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Randy Barlow

Randy Barlow

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Greg Breetz

Greg Breetz

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Janet R. Kegley

Janet Kegley

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Susan Poston

For Project ____ Absent
 Against Project ____
 Abstain ____ Deferred ____

Charlie Reynolds (Alternate)

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred ____

Earl White (Alternate)

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred ____

Lisa Wilson (Alternate)

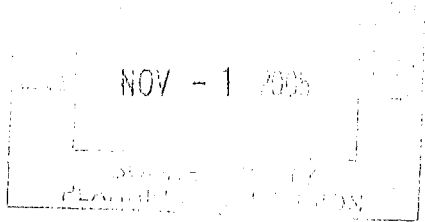
For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred ____

TOTAL: 4 DEFERRED ____ FOR PROJECT 1 ABSENT
 ____ AGAINST PROJECT ____ ABSTAIN

SUPPORTING INFORMATION

SUBJECT

GENERAL WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS:

That WALTON UNITED METHODIST CHURCH, by and through its duly authorized trustees, for and in consideration of Thirty-Two Thousand and 00/100 (\$32,000.00) Dollars to it paid by the Grantees herein, the receipt of which is acknowledged, does bargain, sell, and convey to:

RETURN TO:

VASTON S. BROOKS and MARY CATHERINE BROOKS, his wife, for and during their natural lives with remainder to the survivor in fee simple, his or her heirs and assigns forever, the following described Real Estate, in the County of Boone and Commonwealth of Kentucky, to wit:

Present Street Address: Chandler Drive, Walton, Kentucky
Grantee's Mailing Address: 366 Walton Nicholson Rd., Walton, Ky. 41094
Grantor's Mailing Address: P.O. Box 318, Walton, Ky. 41094
Group No. 3171

- Being Lot No. Eight (8) of the International Industrial Park and of record in Plat Book 199A.
- Being the same property conveyed to the Grantor herein by deed dated December 10, 2003 and recorded in Deed Book 867, page 28, Boone County Clerk's office, Burlington, Kentucky.

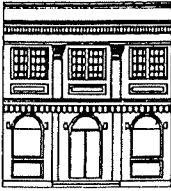
Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said VASTON S. BROOKS and MARY CATHERINE BROOKS, his wife, for and during their natural lives with remainder to the survivor in fee simple, his or her heirs and assigns forever, the Grantor, its successors and administrators, HEREBY COVENANTING with the Grantees, their heirs and assigns, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that it will WARRANT AND DEFEND the same against all legal claims whatsoever.

IN WITNESS WHEREOF, the said Grantor, WALTON UNITED METHODIST CHURCH, by Betty Stephens, Paul Gleason and Charlie Rigano, trustees of the church, hereunto set their hands this 13 day of March, 2005 on behalf of the church.

Walton United Methodist Church
Betty Stephens
Betty Stephens, Trustee

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

January 26, 2006

Mr. Daniel Riegler, P.E.
Riegler Engineering, LLC
19 Lendale Drive, Suite B
Florence, KY 41042

RE: Request of **Riegler Engineering, LLC (applicant)** for **Steve Brooks (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky; the 2.48 acre zone change area is located on the southwest corner of the Beaver Road/Chandler Drive intersection. The request is for a Zoning Map Amendment to allow uses permitted in the I-1 zone.

Dear Mr. Riegler:

The following represents the conditions of approval for the Zoning Map Amendment as agreed to by the Boone County Planning Commission's Zone Change/Concept Development Plan Committee. Please have the property owner of record sign the appropriate space on the second page of this letter if you are in agreement with the listed conditions. Please return this letter with the original signature of the property owner to the Boone County Planning Commission office by January 30, 2006.

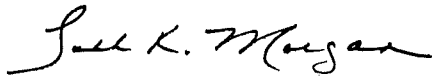
CONDITIONS

1. The general layout of the site shall follow the submitted Concept Development Plan.
2. The gross floor area of the building shall not exceed 4,500 square feet.
3. The maximum building height shall be limited to 35 feet.
4. The site shall use Chandler Drive for access. No curb cuts will be permitted on Beaver Road.
5. Any truck docks shall be located on the southwestern building facade.
6. Outside storage yards will only be permitted behind the building (southwestern facade). The building will be used to screen the outside storage area from Beaver Road. The outside storage area must be screened with solid wood fencing and solid wood gates or building materials that match the principal building.

Mr. Daniel Riegler
January 26, 2006
Page 2

7. No tractor trailer parking shall be permitted within 75 feet of the Chandler Drive right-of-way.
8. The building(s) constructed on the site shall be subject to a Staff Design Review process. Building elevation drawings will be submitted during Site Plan Review that show compliance with the following items:
 - The building facades which face Beaver Road and Chandler Drive must have the appearance of front facades. At a minimum, these facades must have a door and architectural detailing and shall be constructed with 60% brick, stone, or textured concrete block. The windows must be dispersed across the entire length of the facades.
 - No roof equipment shall be visible from Beaver Road or Chandler Drive.
9. An attachment lists the principally permitted, accessory uses, and conditional uses (subject to Board of Adjustment approval) which can develop on the site. Prohibited uses have lines drawn through them.

Sincerely,



Todd K. Morgan, AICP
Planner, Zoning Services

TKM\pr

Attachments

AGREEMENT

I, Steve Brooks, agree to the listed conditions of approval for a Zoning Map Amendment for the approximate 2.48 acre area which is described on the first page of this letter.

Steve Brooks (Vasten S Brooks) 02-01-06
Steve Brooks – Property Owner Date

SECTION 1110

OFFICE ONE (O-1)

The purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed.

SECTION 1111

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;
8. ~~Eating and drinking establishments including alcoholic beverages;~~
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;

19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;
25. The retail sale of office supplies and equipment;
26. Funeral homes and crematoriums excluding cemeteries or mausoleums.

SECTION 1120

OFFICE TWO (O-2)

The purpose of the Office Two District is to consolidate those types of professional, research, business, service and similar uses which are based in office structures and which require and desire high levels of personal interaction. Such districts will be organized to provide employment labor markets. Districts will be located on suitable lands with convenient access from expressways, arterials or collectors. District plans will be organized to provide direct, central, convenient and safe collection of vehicles and pedestrian circulation.

SECTION 1121

Principally Permitted Uses

The following uses are permitted:

- ~~1. All principally permitted uses of an Office One (O-1) District;~~
2. Retail sales of newspapers and magazines, drugs, and proprietary goods;
3. Banking and credit union services, including drive-thru teller services.
- ~~4. Convenient stores;~~
5. Beauty and barber services and tanning salons;
6. Laundering, dry cleaning and dyeing services, including self-service;
7. Shoe repair, shoe shining and hat cleaning services;
8. Florists, excluding greenhouses.

SECTION 1130

INDUSTRIAL ONE (I-1)

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.

SECTION 1131

Principally Permitted Uses

Permitted are the wholesale distribution, storage, manufacturing and assembly of industrial products:

- ~~1. All principally permitted uses in an Office Two (O-2) zone;~~
2. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
3. Textile mill products except primary manufacture of dyes, fibers, felt, rubber goods;
4. Apparel and other finished products made from fabrics, leather and similar materials except primary manufacture of rubber;
5. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;

11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.
15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;
20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;

33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
- ~~40. Equipment (light) rental and leasing services including automobiles and trucks;~~
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
44. Truck stops;
45. Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
- ~~48. Commercial recreational vehicle parking facilities;~~
49. Landscape contracting and wholesale nurseries.

SECTION 1132

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to the purpose of the district including:

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;

- d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
 3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
 4. Marine freight terminals;
 5. Employment services;
 6. Signage (See Article 34);
 7. Parking (See Article 33);
 8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154; and which are conducted in accordance with the Conditions of Approval.
 9. Food service for office, manufacturing or distribution uses;
 10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

SECTION 1133

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is provided primarily in support of and obtains its trade from the employees of the district; or 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:

1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;

- c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
- d. creosote treatment;
- e. distillation of bones, coal or wood;
- f. enameling, japanning or lacquering;
- g. radium or radioactive elements;
- h. crushing or other reduction or waterproofing;
- l. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

- 2. Poultry and small game dressing and packing;
- 3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
- 4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
- 5. Gasoline filling stations and wash services;
- 6. Labor unions and similar labor associations;
- 7. Nursery and child care centers;
- 8. Hotels and motels;
- 9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- 10. Retail sales or leasing of new and used motor vehicles;
- 11. Wholesale vehicle sales or auctions;
- 12. Churches, synagogues, temples and other places of religious assembly for worship.

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2006- 04

AN ORDINANCE APPROVING AND ADOPTING A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A REQUEST FOR A ZONING MAP AMENDMENT.

WHEREAS, the City of Walton, is a legislative body member of the Boone County Planning Commission, a joint county-wide planning unit or commission established under Chapter 100 of the Kentucky Revised Statutes; and,

WHEREAS, the Boone County Planning Commission received a request from Riegler Engineering, LLC, (Applicant) on behalf of Steve Brooks (Owner) for a Zoning Map Amendment to the Boone County Zoning Map, and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky, in order to allow uses permitted in the I-1 zone; and,

WHEREAS, the Boone County Planning Commission, as the planning unit for the City of Walton, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval for the Zoning Map Amendment; and,

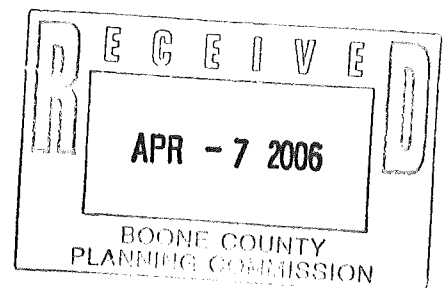
WHEREAS, the City of Walton, has received Resolution R-06-003-A of the Boone County Planning Commission recommending approval for this request; and,

WHEREAS, the City of Walton, deems it necessary to enact this Ordinance to preserve and protect the health, safety and convenience of the inhabitants of the City of Walton, pursuant to the City of Walton's legal authority, including but not limited to KRS Chapter 100;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The request for a Zoning Map Amendment is hereby approved. The Zoning Map Amendment is a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for a 2.48 acre portion of the approximate 6.1 acre tract located at 12025 Chandler Drive, Walton, Kentucky, in order to allow uses permitted in the I-1 zone. The real property which is the subject of this request for a Zoning Map Amendment is more particularly described in Deed Book 892, Page 161 (as supplied by the Applicant) as recorded in the Boone County Clerk's records.



SECTION TWO

Resolution R-06-003-A of the Boone County Planning Commission, recommending approval of the Zoning Map Amendment is hereby approved and adopted. The Resolution, along with the minutes and official records for this request, is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION THREE

This Ordinance and the Boone County Zoning Regulations, including the zoning map, adopted and approved, and their parts, sections, subsections, clauses, and provisions are hereby declared to be severable. If a Court having jurisdiction invalidates any part, section, subsection, clause, or provision of this Ordinance or the Boone County Planning and Zoning Regulations, including the Boone County Zoning Map, all other parts, sections, subsections, clauses, or provisions shall remain valid and effective, as they are severable.

SECTION FOUR

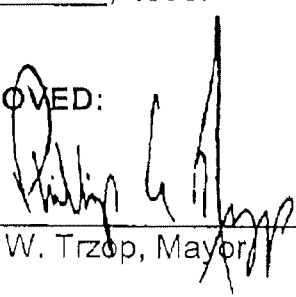
This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

PASSED AND APPROVED on first reading by 6 Members of City Council on the 13th day of MARCH, 2006.

PASSED AND APPROVED on second reading by 6 Members of City Council on the 6th day of APRIL, 2006.

DATE OF PUBLICATION: April 13th, 2006.

APPROVED:



Phillip W. Trzop, Mayor

ATTEST:



Peggy Gray, City Clerk

Walton, KY 41094

Phone number:
859-485-4383

Fax Number:
859-485-9710

Fax Transmittal Form

To: Kevin Costello

From: Peggy Gray, City Clerk

Phone number: 859- 334-2196
Fax number: **859-334-2264**

Phone number: 859-485-4383
Fax number: 859-485-9710

Date: 04-07-06

Time: 11:15 AM

Pages: 3

Urgent
 Please Reply
 For your Approval

As Requested
 For Review and Comment
 Confidential

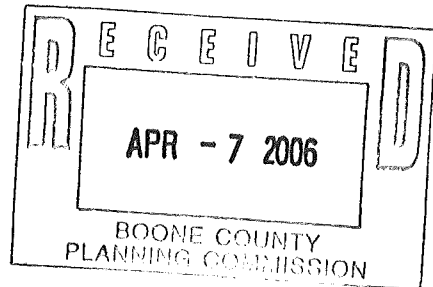
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Message:

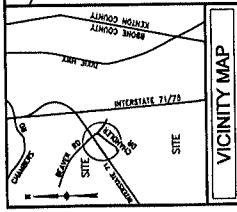
Kevin,

I am faxing you a copy of The City of Walton Ordinance NO. 2006-04 AN ORDINANCE APPROVING AND ADOPTING A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A REQUEST FOR A ZONING MAP AMENDMENT.

Thank you,

Peggy Gray
City Clerk/Finance Officer



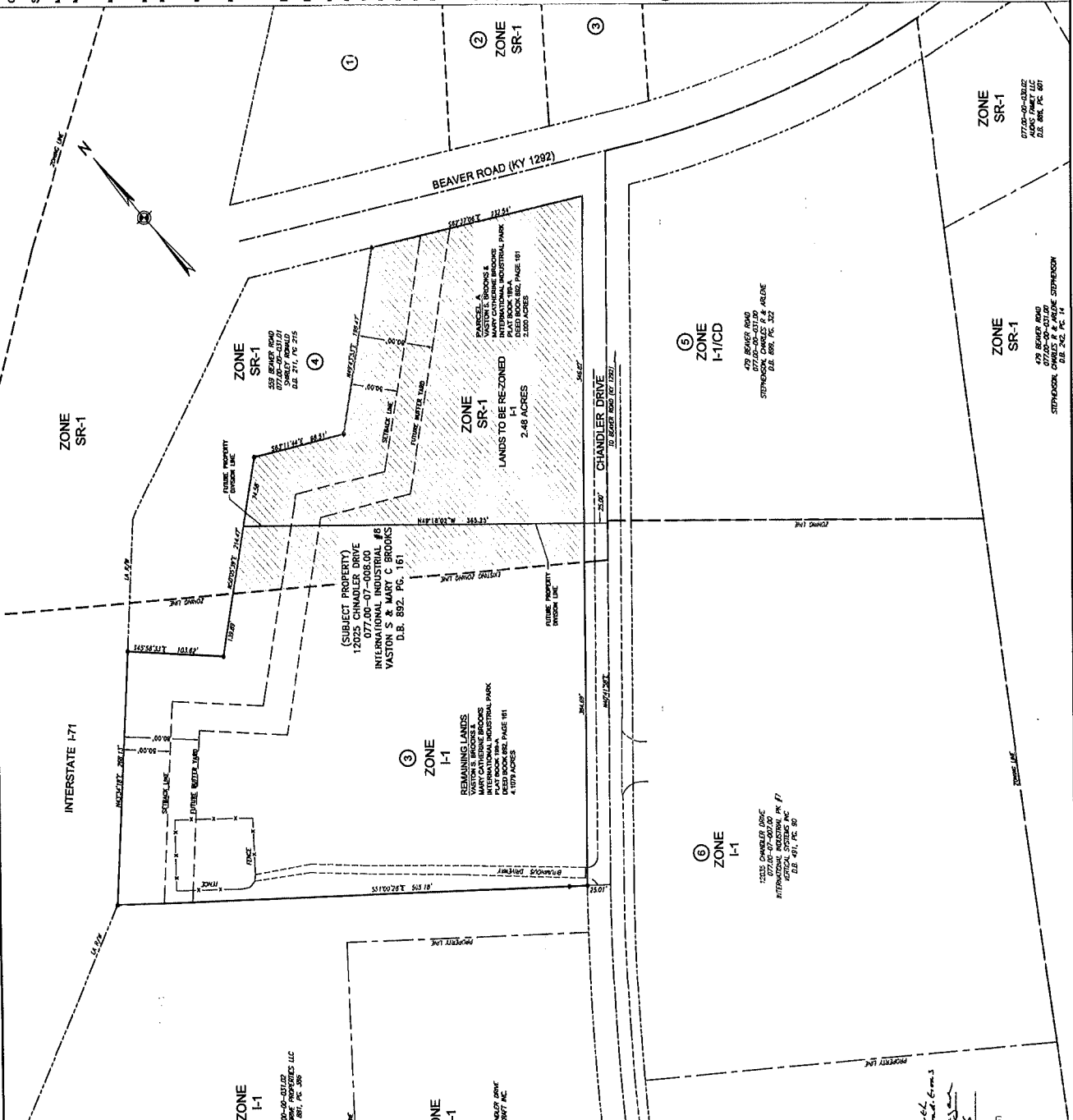


ZONE I-1
 0770-00-0172
 CHANDLER DRIVE PROPERTIES, LLC
 D.B. 011, PC. 204

ZONE I-1
 1201 CHANDLER DRIVE
 FABR CORP, INC.

ZONE I-1
 1204 CHANDLER DRIVE
 0770-00-0172
 INTERNATIONAL INDUSTRIAL #8
 ALDINE CHECK COMPANY, INC.
 D.B. 011, PC. 109

Concept Plan
APPROVED
 3/1/06
 Boone County Planning Commission



CURRENT ZONING

SR-1

MAXIMUM INTENSITY
 MAXIMUM LOT SIZE
 MINIMUM FRONTAGE
 MAXIMUM HEIGHT
 MINIMUM FRONT YARD SETBACK
 MINIMUM REAR YARD SETBACK
 MINIMUM SIDEYARD SETBACK

PROPOSED ZONING

I-1

MAXIMUM INTENSITY
 MAXIMUM LOT SIZE
 MINIMUM FRONTAGE
 MAXIMUM HEIGHT
 MINIMUM FRONT YARD SETBACK
 MINIMUM REAR YARD SETBACK
 MINIMUM SIDEYARD SETBACK

PROPERTY OWNER IDENTIFICATION KEY

- 0770-00-0170
 LOT # 8
 D.B. 011, PC. 215
- 0770-00-0171
 LOT # 7
 D.B. 011, PC. 215
- 0770-00-0172
 LOT # 6
 D.B. 011, PC. 215
- 0770-00-0173
 LOT # 5
 D.B. 011, PC. 215
- 0770-00-0174
 LOT # 4
 D.B. 011, PC. 215
- 0770-00-0175
 LOT # 3
 D.B. 011, PC. 215
- 0770-00-0176
 LOT # 2
 D.B. 011, PC. 215
- 0770-00-0177
 LOT # 1
 D.B. 011, PC. 215

