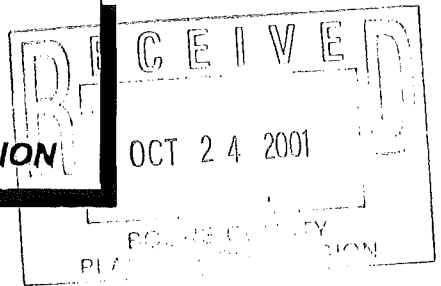


01-BOBOA DENIED

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



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

- 1. (Check One) Boone [X] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
2. (Check One) Conditional Use Permit [X] Variance \_\_\_\_\_ Appeal \_\_\_\_\_
3. Applicant's Name TRI-STATE SIGNS INC. / BOB SCHNEIDER
Phone Number 513-942-7446 Fax No. 513-682-2302
Applicant's Address 9077 SUTTON PLACE HAMILTON OHIO 45011
4. Description of Request: VARIANCE - FOR A 150 SQ FT FREE-STANDING MONUMENT SIGN 50 FT FROM GRADE TO BOTTOM OF SIGN. (60 FT. TOTAL) LOCATED ON LOT 6B IN NORTHSIDE PARK.
5. Name of Development NORTHSIDE PARK / HEBRON SELF STORAGE
6. Location of Development 2020 NORTHSIDE DRIVE BOONE COUNTY, KY. 41005
7. Acreage Under Review 4.383
8. Lot Number and Name of Subdivision (if part of a subdivision) LOT 6B NORTHSIDE PARK
9. Owner of Property DELTA GROUP / HEBRON SELF STORAGE
Phone Number of Owner 513-321-5731 4700 WINMERE CT 10.
Address of Property Owner CINCINNATI OHIO 45226
11. Proposed Use(s) on Site STORAGE FACILITY
12. Total Square Footage of Existing and/or Proposed Buildings 53,450 SQ. FT. 7 BUILDINGS
13. Current Zoning on Property INDUSTRIAL-1
14. Deed Book 755 Page No. 177 Group No. 2008
15. Is the site subject to a zone change? NO
If yes, give date of approval
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature] TRI-STATE SIGNS INC. 10-16-01

Property Owners Signature: [Signature]



## STAFF REPORT

APPLICANT: Tri-State Signs, Inc.  
LOCATION: 2020 Northside Drive, Boone County, Kentucky  
ZONING: Industrial One (I-1)  
DATE: November 14, 2001

### Proposal

Tri-State Signs is requesting two variances to allow the height and square footage of a monument sign to be enlarged. The property in question is owned by Hebron Self Storage and is located at 2020 Northside Drive, Boone County, Kentucky. The requests, if approved, would allow the business to have a monument sign which is 60 feet tall and 150 square feet in area. The zoning code permits the business to a monument sign which is 10 feet tall and 80 square feet in area.

### Site History

On March 8, 2000, the Boone County Board of Adjustment approved a variance to reduce the required lot frontage from 150 feet to 80 feet. The request allowed Hebron Self Storage to erect their office closer to Northside Drive.

### Applicable Regulations

Article 34, Section 3413 of the Boone County Zoning Regulations states individual office and industrial establishments located within an Industrial One (I-1) zoning district shall be permitted a density of one (1) on-premise free-standing entrance sign. The maximum size for an entrance sign for individual office or industrial establishments not located within an office or industrial park shall not exceed one (1) square foot of area per lineal foot of road frontage along the street frontage where the entrance sign is to be located with a maximum allowable size of one-hundred fifty (150) square feet. The maximum height for an individual entrance sign is ten (10) feet.

Article 40, Section 4000 of the Boone County Zoning Regulations defines a monument sign as a freestanding sign that is composed of a solid structure between finished grade and the top of the sign.

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
  - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
  - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

#### Site Characteristics

The 4.383 acre site is located within Northside Park Subdivision and is zoned Industrial One (I-1). The site contains six storage buildings and an office which is located within close proximity to Northside Drive. The site is located approximately 1,550 feet from the centerline of westbound I-275. The topography of the site falls from 860 feet at Northside Drive to 805 feet at the rear of the site.

#### Surrounding Land Uses and Zoning

- North: Southpark Industrial Park (I-1)
- South: Southpark Industrial Park (I-1)
- East: Southpark Industrial Park (I-1)
- West: Northside Drive, vacant lots (I-1 & C-3), and BP/Dairy Queen (C-3)

#### Staff Comments

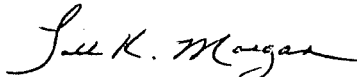
1. The sign shown in the Applicant's photo simulation is a pole sign and is not permitted within the Industrial One (I-1) zoning district. The type of sign permitted in a particular zoning district is a use requirement and cannot be considered as part of any variance request.

2. Staff has concerns that the proposed sign will alter the essential character of the I-275/KY 237 interchange area. At this time, there are no other signs in the area that exceed 30' in height. The proposed sign, if approved, could encourage other businesses to apply for variances to create sign visibility on roads and expressways on which they have no frontage.
3. Staff had a meeting and several phone conversations with the Applicant about the poor site visibility and the project as a whole. Staff recommended that the Applicant should pursue a Special Sign District. A Special Sign District would allow to Applicant to propose a sign package for Hebron Self Storage or any number of lots within Northside Park Subdivision. Staff's position was that a 15' to 20' free-standing sign which fronted on KY 237 would solve the poor visibility problems of Hebron Self Storage and the other undeveloped lots within the subdivision. In this case, a Special Sign District application would take four to six months to complete and would be heard by the Planning Commission and Fiscal Court.

#### Conclusion

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for two variances. It is Staff's opinion that granting the variances would allow the applicant to erect a sign which would alter the essential character of the general vicinity and would be an unreasonable circumvention of the requirements of the zoning regulations.

Respectfully submitted,

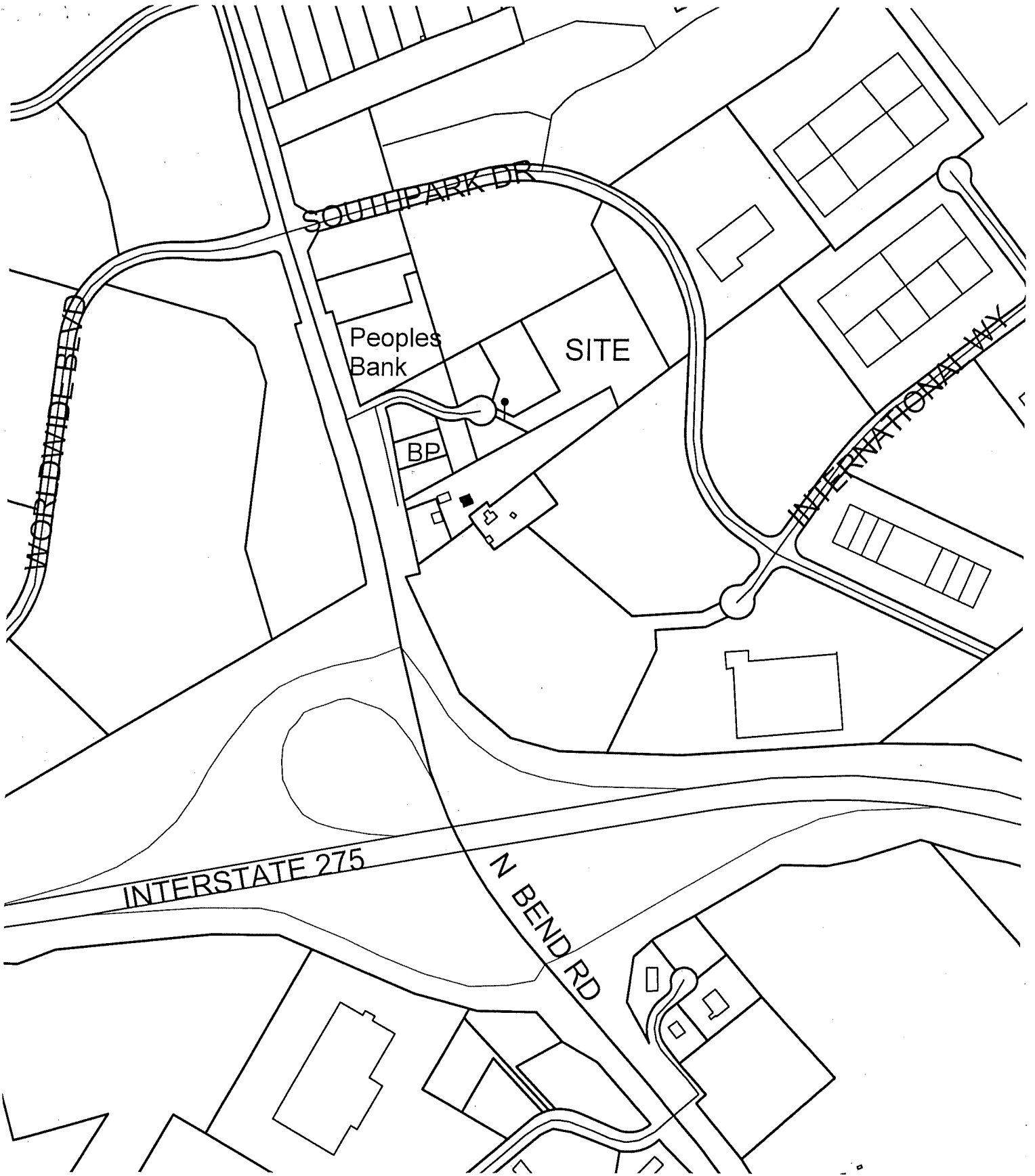


Todd K. Morgan, AICP  
Planner, Zoning Services

TKM/pr

#### Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Plan
- Exhibit C – Zoning Map
- Exhibit D – Letter from Applicant
- Exhibit E – Photo Simulations
- Exhibit F – Application



# Tri-State Signs Site Vicinity Map

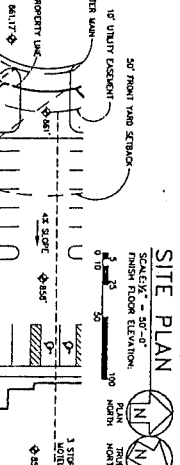
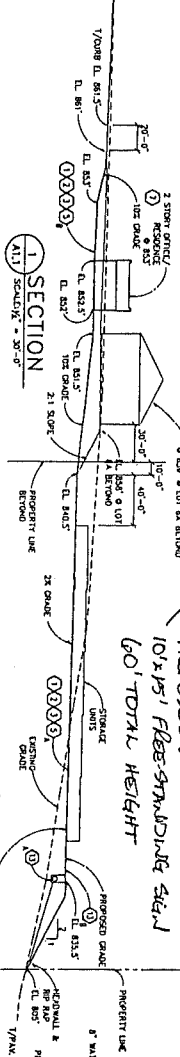
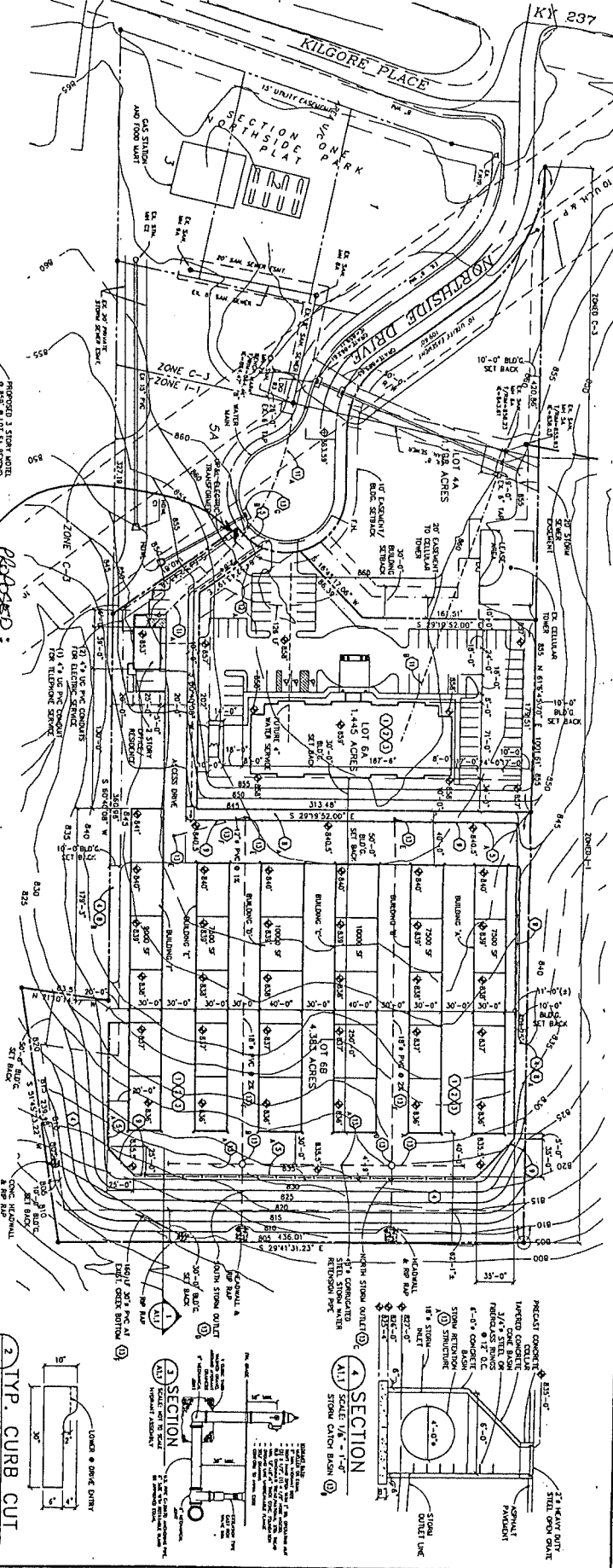
500 0 500 Feet



1 inch equals 500 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
November 1, 2001



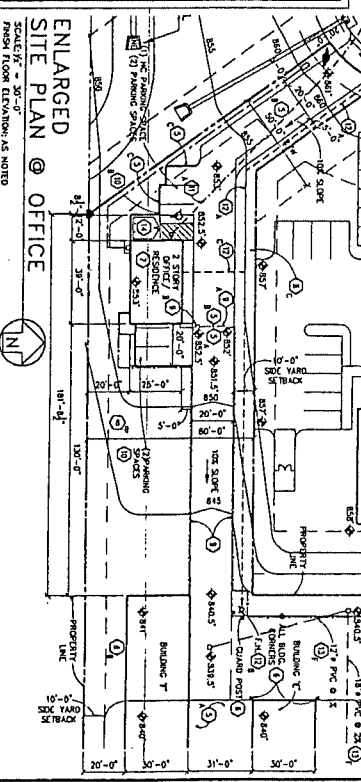


**DETAILED NOTES:** ALL WORK UNLESS NOTED OTHERWISE

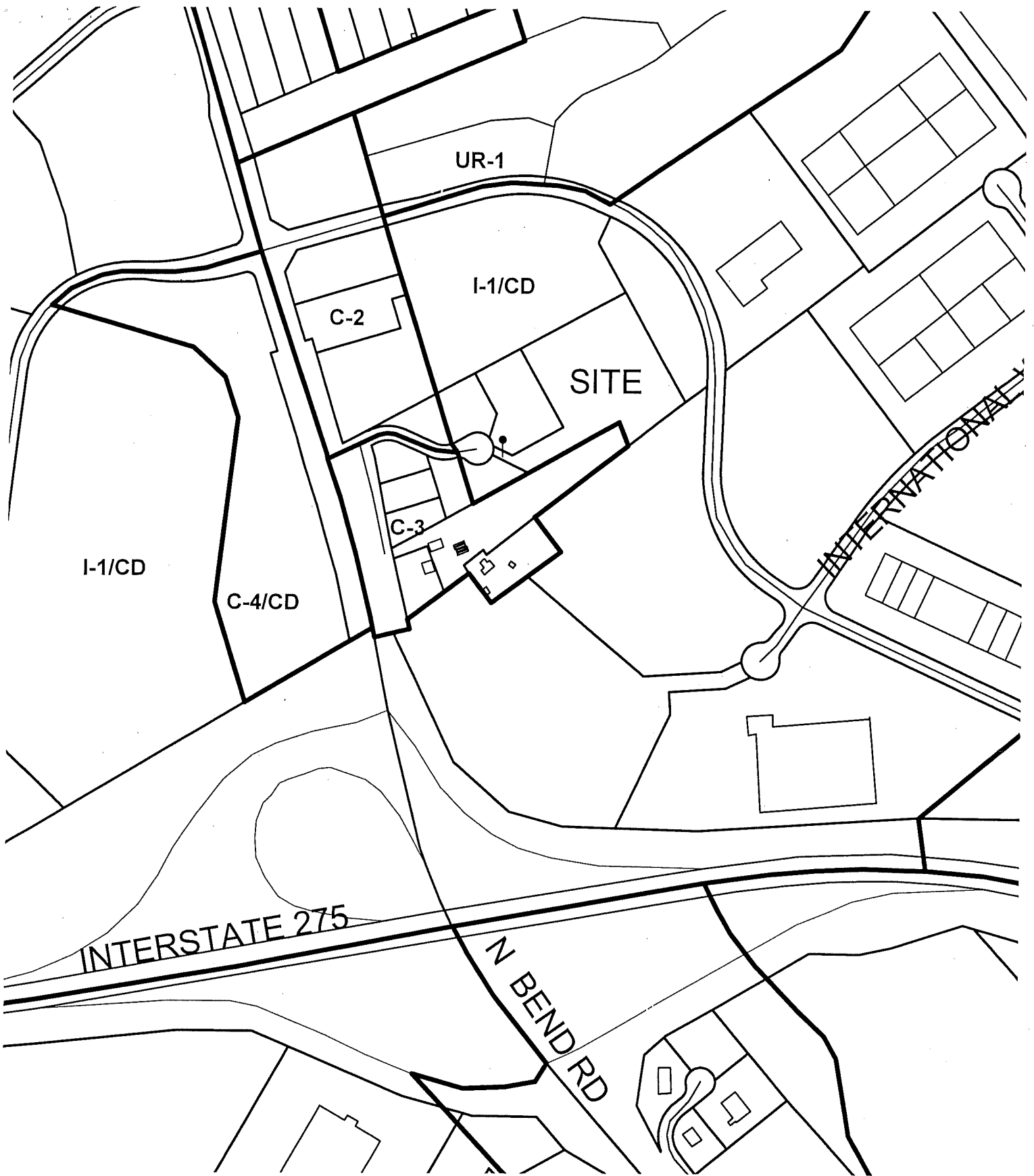
1. DRAWING NOTES CONTAINED ON DRAWING A2.1

2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

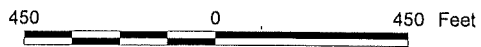
- A. THE 2012 INTERNATIONAL RESIDENTIAL CODE BOOK (IRC)
- B. THE 2012 INTERNATIONAL BUILDING CODE (IBC)
- C. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- D. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
- E. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)
- F. THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- G. THE 2012 INTERNATIONAL PLUMBING AND MECHANICAL CODE (IPMC)
- H. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)
- I. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- J. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
- K. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)
- L. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- M. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
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- O. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- P. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
- Q. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)
- R. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- S. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
- T. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)
- U. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- V. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
- W. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)
- X. THE 2012 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC)
- Y. THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC)
- Z. THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC)



<p><b>SAA</b> SHAW &amp; ASSOCIATED ARCHITECTS 100 SPURRY ROAD CHARDON, OHIO 44024-1015 PHONE (440) 384-1144 FAX (440) 384-1148 EMAIL: ssa@shaw.com</p>	<p><b>THE DELTA GROUP</b> A NEW STORAGE FACILITY FOR: PROPERTY FOR: NORTH-SIDE DRIVE AND KY 237 BOONE COUNTY, KENTUCKY</p>	<p><b>SCALE:</b> 8/21/09 For Overall Site 1/16/09 General Resubmission 1/29/09 General Resubmission 3/27/09 General Resubmission</p>	<p><b>DATE:</b> SAA: 99007</p>	<p><b>SITE DEVELOPMENT PLAN</b></p>	<p><b>A1.1</b></p>
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# Tri-State Signs Zoning Map



1 inch equals 450 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 November 1, 2001



Boone County Planning Commission  
Board of Adjustment and Zoning Appeals  
2995 Washington Street  
Burlington, KY. 41005  
(859) 334-2196  
(859) 334-2264 fax

Variance Application:

Dear Board Members,

We request a variance to the Boone County Zoning Code, Section 3413 (3) a & Section 3413 (3) b of Article 34 on Signs.

Northside Park, Located at 2020 Northside Drive (Hebron Self Storage) Deed Book 755 Page 177 Group Number 3872. Property Zoned I-1

On 3-8-00 John C. Suhar was granted a variance reducing the frontage from 150 ft. to 80 LF. At that time there was no mention of signage requirements with some kind of provision for square footage on signage. This action reduced their max. square footage for signage to 80 Sq. Ft.

Tri-State Signs is filing two (2) variances: (1) Section 3413 (3) a. Square footage from 80 Sq. Ft. be increased to 150 Sq. Ft. and Section 3413 (3) b. Height of sign (max 10') be increased to 60'.

We would like to see a variance made on behalf of Hebron Self Storage because of several reasons.

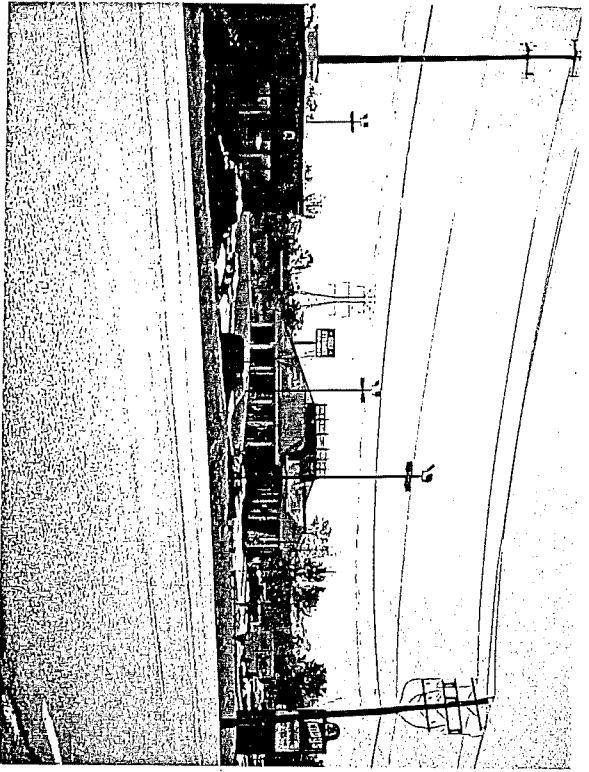
- (1) This sign has limited sight visibility from the right-of-way ( Rt. 237) and 10 ft. height is not adequate for displaying the necessary information needed.
- (2) Square footage for this particular sign request is critical for lettering height.
- (3) Hardship for property due to elevation and setback, with special attention being drawn to zoning in that area.
- (4) Being a part of a mixed use commercial district (C-1 & C-2) special requirements should be granted.

Tri-State Signs and Hebron Self Storage are seeking a Decision to be made at the Zoning Appeals Meeting on November 14, 2001.

Sincerely,

  
Bob Schneider

Tri-State Signs Unlimited Inc.  
9077 Sutton Place  
Hamilton, Ohio 45011  
(513) 942-7446  
(513) 682-2302

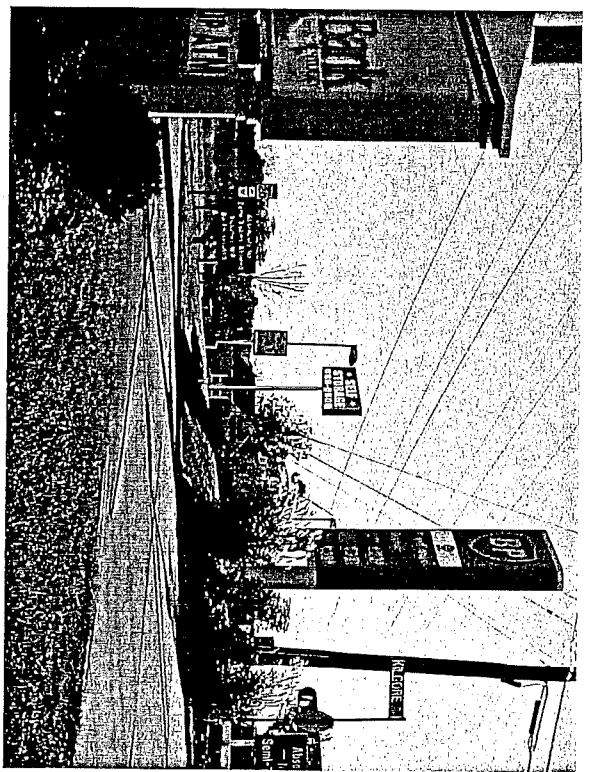


INTERSECTION OF WORLDWIDE & 237

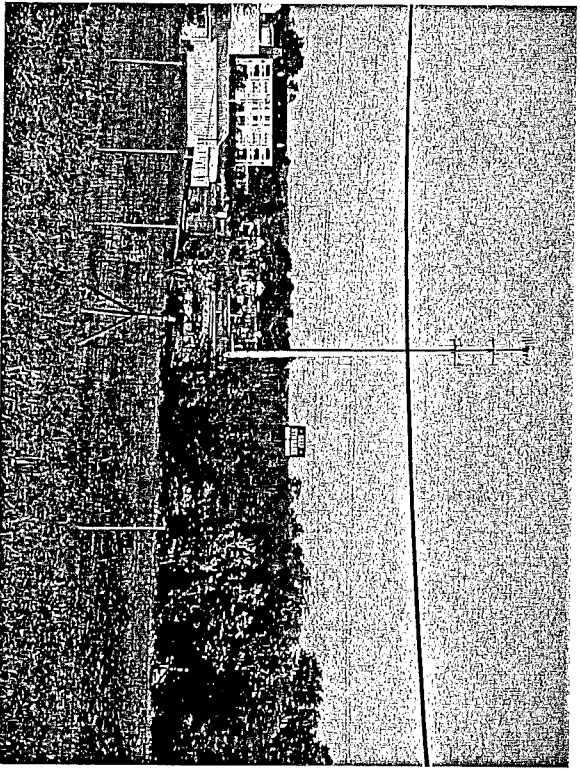
10x15' FREESTANDING SIGN  
50' TO BOTTOM  
60' OVERALL HEIGHT

LOCATION:  
2020 NORTHSIDE DRIVE  
BOONE COUNTY KY. 41005

PICTURES ILLUSTRATE  
ACTUAL SIGN SIZE IN  
RELATIONSHIP TO  
SURROUNDING PROPERTY



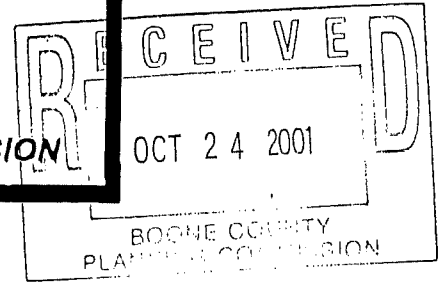
INTERSECTION OF NORTHSIDE DR. & 237



INTERSECTION OF 237 & 275

APPLICATION FORM

BOARD OF ADJUSTMENT  
AND  
ZONING APPEALS ACTION  
BOONE COUNTY PLANNING COMMISSION



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

- (Check One)
- Boone \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
  - (Check One)  
 Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
 Change in Non-Conforming Use \_\_\_\_\_
  - Applicant's Name TRI-STATE SIGNS INC. / BOB SCANDER  
 Phone Number 513-942-7446 Fax No. 513-682-2302  
 Applicant's Address 9077 SUTTON PLACE  
HAMILTON OHIO 45011  
 City State Zip
  - Description of Request: VARIANCE - FOR A 150 SQ FT FREE-STANDING  
MONUMENT SIGN 50 FT. FROM GRADE TO BOTTOM OF SIGN.  
(60 FT. TOTAL) LOCATED ON LOT 6B W. NORTHSIDE PARK.
  - Name of Development NORTHSIDE PARK / HEBRON SELF STORAGE
  - Location of Development 2020 NORTHSIDE DRIVE  
BOONE COUNTY, KY. 41005
  - Acreage Under Review 4.383
  - Lot Number and Name of Subdivision (if part of a subdivision)  
LOT 6B NORTHSIDE PARK
  - Owner of Property DELTA GROUP / HEBRON SELF STORAGE  
 Phone Number of Owner 513-321-3731 4700 WILMER CT 10.  
 Address of Property Owner CINCINNATI OHIO 45226  
 City State Zip
  - Proposed Use(s) on Site STORAGE FACILITY
  - Total Square Footage of Existing and/or Proposed Buildings 53,450 SQ. FT. 7 BUILDINGS
  - Current Zoning on Property INDUSTRIAL - 1
  - Deed Book 755 Page No. 177 Group No. 3872
  - Is the site subject to a zone change? NO
  - If yes, give date of approval \_\_\_\_\_
  - Have you submitted a Site Plan with this request? YES
  - Have you submitted a list of adjoining property owners with this request? YES
  - I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature] TRI-STATE SIGNS INC. 10-16-01

Property Owners Signature: [Signature]