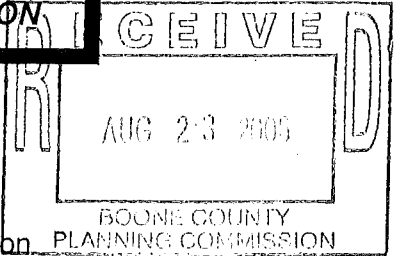


APPLICATION FORM

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 \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- 2. (Check One) \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use
- 3. Applicant's Name GREGORY T. LLOYD, d.b.a. HEBRON ANIMAL HOSPITAL, PSC  
Phone Number 859-689-4700 Fax No. 859-689-2777  
Applicant's Address 9090 BRAXTON DR.  
UNION, KY 41091  
City State Zip
- 4. Description of Request: INCREASE HEIGHT IF MONUMENT SIGN FROM 10 ft. to 20 ft. due to GRADE
- 5. Name of Development AIRPARK WEST, LOT 4 (HEBRON ANIMAL HOSPITAL, PSC)
- 6. Location of Development 3505 NORTH BEND RD. HEBRON, KY 41048
- 7. Acreage Under Review 1.708
- 8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
- 9. Owner of Property LLOYD PROPERTIES, LLC  
Phone Number of Owner 859-384-7377 9090 BRAXTON DR.
- 10. Address of Property Owner UNION, KY 41091  
City State Zip
- 11. Proposed Use(s) on Site SIGN
- 12. Total Square Footage of Existing and/or Proposed Buildings 8,740 sq.
- 13. Current Zoning on Property I-1
- 14. Deed Book 914 Page No. 624 Group No. 2007
- 15. Is the site subject to a zone change? YES  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? \_\_\_\_\_
- 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]

Property Owner's Signature: [Signature]

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

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

1. Date Received \_\_\_\_\_ Fee Received \_\_\_\_\_
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
    9/13/06 Approved  
    \_\_\_\_\_ Approved with Conditions (See #6)  
    \_\_\_\_\_ Denial (See #7)
6. Conditions of Approval: NONE  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page**

**NOTE:** See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

## STAFF REPORT

APPLICANT: Hebron Animal Hospital  
LOCATION: 3505 North Bend Road, Boone County, Kentucky  
ZONING: Industrial One (I-1)  
DATE: September 13, 2006

### Proposal

The applicant has submitted a Variance application to allow the height of a monument sign to be increased from 10 feet to 20 feet. The subject property is located at 3505 North Bend Road and is zoned Industrial One (I-1).

The submitted Concept Development Plans show that the proposed monument sign will be located immediately adjacent to the front property line. The ground elevation where the sign is proposed is approximately 874 feet above sea level, while the centerline of KY 237 is approximately 883.5 feet above sea level.

### Applicable Regulations

Article 34, Section 3413 (3) of the Boone County Zoning Regulations states that office and industrial establishments located within an Industrial One (I-1) zoning district shall be permitted a density of one (1) on-premise monument sign per parcel of land. The maximum size of the monument sign shall not exceed one-half ( $\frac{1}{2}$ ) 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 (100) square feet. The maximum height of a monument 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 1.708 acre site is located within Airpark West Subdivision and is zoned Industrial One (I-1). An 8,742 square foot animal hospital is currently being constructed on the site. The lot has road frontage along KY 237 and Hargrave Drive. The ground elevation where the sign is proposed is approximately 874 feet above sea level, while the centerline of KY 237 is approximately 883.5 feet above sea level.

Surrounding Land Uses and Zoning

North: Langley Drive, Vacant Lot in Airpark West (I-1)

South: Vacant Lot in Airpark West (I-1)

East: KY 237, Boone County Library (PF), Hebron Baptist Church (C-2/PD)

West: Hargrave Drive, Bonfiglioli USA (under construction) (I-1)

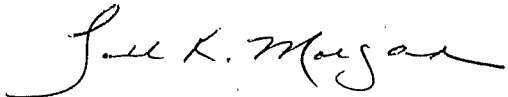
Staff Comments

1. Staff believes that the request arises from special circumstances which do not generally apply to other lots in the general vicinity. The front property line of the site sits approximately 9.5 feet lower than the centerline of KY 237. The proposed monument sign will be partially or totally hidden from motorists on KY 237 if a height variance is not approved.

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.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

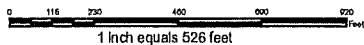
TKM/pr

Attachments

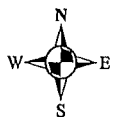
- Exhibit A – Site Vicinity Map
- Exhibit B – Letter From the Applicant
- Exhibit C – Concept Plan (Sign Location & Approved Grading Plan)
- Exhibit D – Concept Plan (Simulation)
- Exhibit E – Concept Plan (Sign Dimensions)
- Exhibit F – Zoning Map
- Exhibit G – Application



Boone County GIS extends no warranty relating to the accuracy or content of the information provided by this map. This map should be used for planning purposes only.



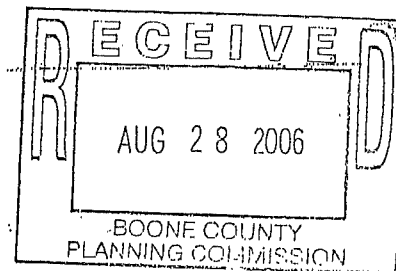
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State Plane Kentucky North NAD 1983

**Gregory T. Lloyd, DVM**

**From:** Gregory T. Lloyd, DVM [gtldvm@fuse.net]  
**Sent:** Wednesday, August 02, 2006 10:55 PM  
**To:** 'tmorgan@boonecountyky.org'  
**Subject:** Sign Variance  
**Importance:** High  
**Attachments:** Hebron Animal sketch.pdf; P100 Site section for signage.pdf



**Tracking:** Recipient Read  
'tmorgan@boonecountyky.org' Read: 8/7/2006 9:01 AM

Hi Todd,

I am sending you two Adobe files to get started in the application process for a sign variance for our new facility for the Hebron Animal Hospital on 3505 North Bend Rd., Hebron.

The grade of our lot is such that we are roughly 12' below the grade of KY 237 (North Bend Rd.). As I understand the zoning regulations, we are not allowed to have a sign over 100 sq. ft., nor more than 10' above the grade of which the sign stands. I feel that the current signage restrictions place an unreasonable burden on my business due to the poor visibility our signage would endure under these circumstances. What I would like to request is a variance that would allow our sign to be constructed as a monument sign, but the top of said sign to be at an elevation equal to 10' above the highest point of the grade of North Bend Rd. immediately in front of our facility. I think that this would be both reasonable as to the P & Z Commission's regulations, the aesthetics of the community at large, and for the well-being and success of my business. I am sure after reviewing my request and the drawings I am providing, all will agree. I know that Paul Hemmer Companies is on board with my request, and I hope that the hearing process will be nothing more than a formality.

I look forward to meeting with you and sorting all this out. I can be contacted at the office at 689-4700, or by cell phone at 393-7377.

Sincerely,

Gregory T. Lloyd, DVM  
President  
Hebron Animal Hospital, PSC  
Hebron, KY

NG  
T, LLC  
668

1

30' SURFACE  
DRAINAGE EASEMENT

EX. STORM SEWER  
EASEMENT

DISTURB  
LIMITS

DETENTION  
POND #1  
DAM 865

DISTURB  
LIMITS

PROP. ALLEN  
BLOCK WALL

PROP. ALLEN  
BLOCK WALL

K.D.O.T. RW

DISTURB  
LIMITS

Proposed  
Sign

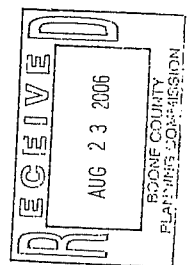
PROPOSED BUILDING  
HEBRON ANIMAL HOSPITAL  
AIRPARK WEST LOT 4  
ZONE I-1  
1st FL-871.00  
BASEMENT FL-859.00'  
8,742 SQ. FT.

LOT 13

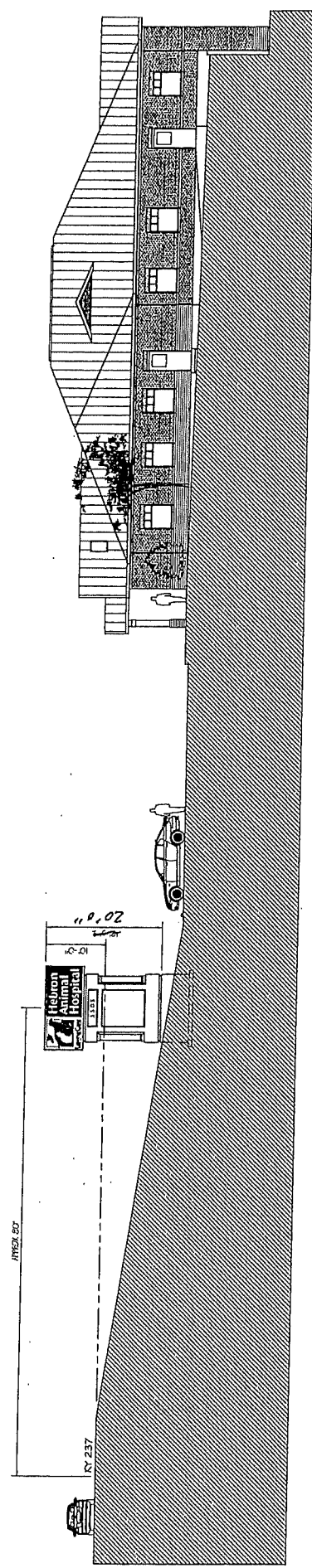
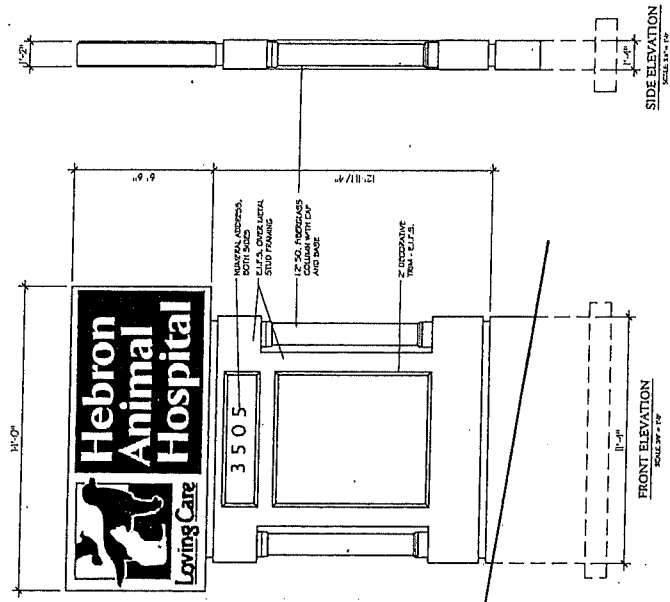
REMAINING  
AIRPARK WEST, LLC  
DB: 772 PG. 668

ZONE I-1

NORTH BEND ROAD (KY 237)



**RECEIVED**  
 AUG 23 2006  
 BOONE COUNTY  
 PLANNING COMMISSION



**HEMMER**  
 PAUL HEMMER COMPANIES  
 YOUR BUILDING PARTNER

**HEBRON ANIMAL HOSPITAL**  
 3505 North Bend Road

MONUMENT SIGNAGE

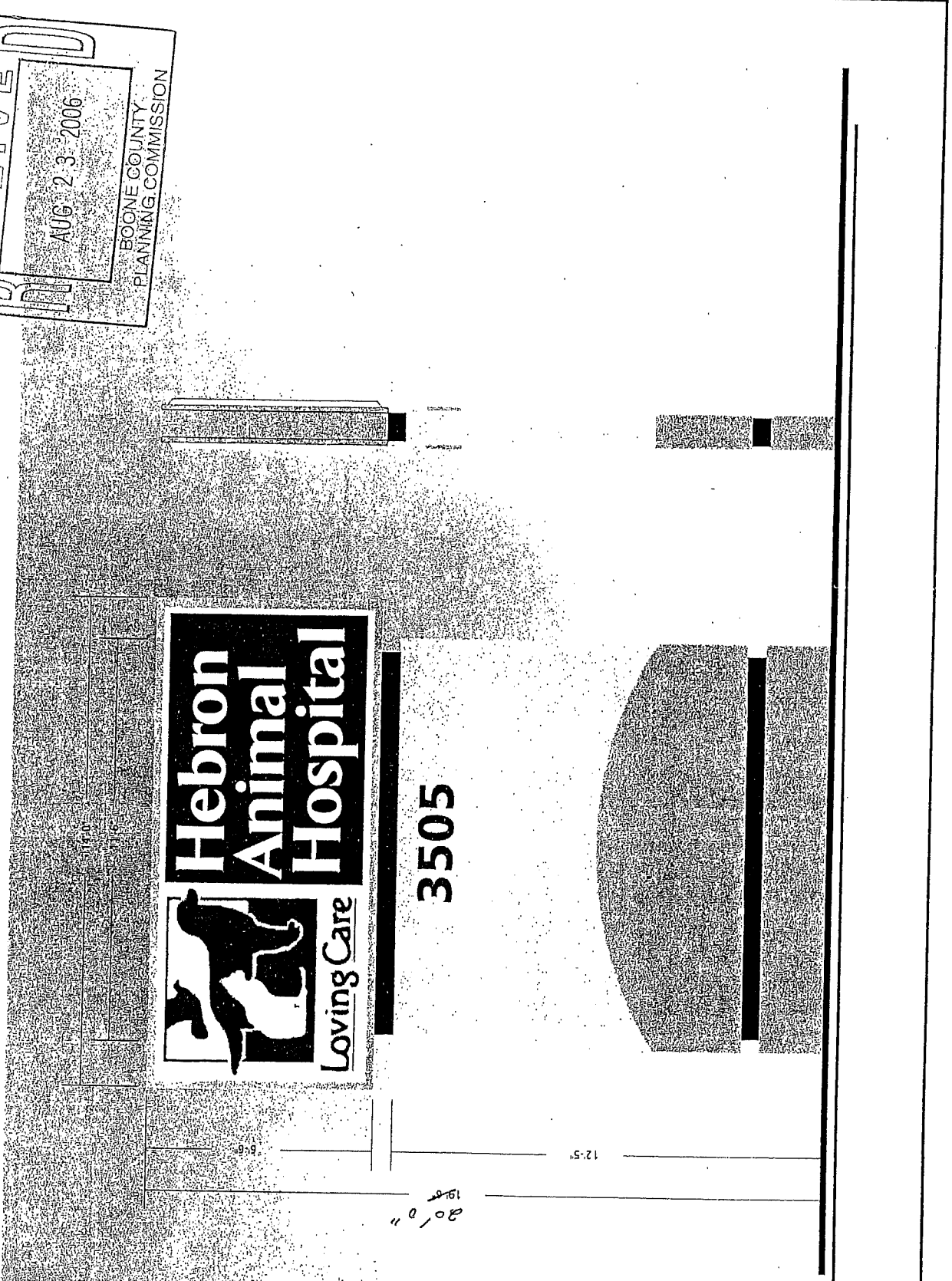
**RECEIVED**  
 AUG 23 2006  
 BOONE COUNTY  
 PLANNING COMMISSION

HEBRON ANIMAL HOSPITAL  
 Job Name  
 3505 NORTH BEND RD  
 Location  
 Drawn by *[Signature]*  
 7.18.06  
 Date  
 3/8" = 1.0'  
 Scale

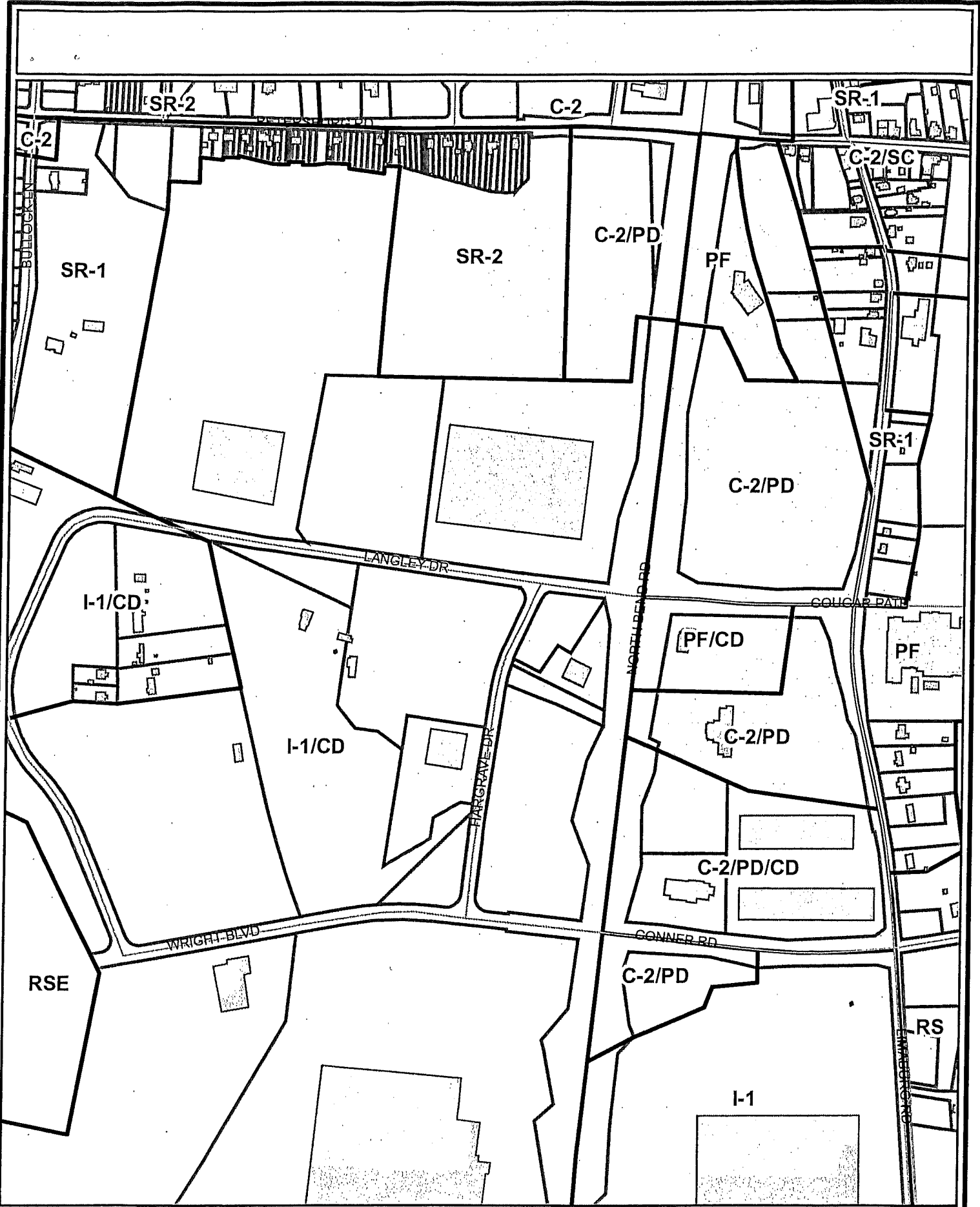
Notes:  
 Proposed illuminated ground sign.

This drawing and the designs herein are protected under the U.S. Copyright Law and shall remain the property of Holthaus Signs Inc. Drawings and designs produced by Holthaus Signs, Inc. may not be reproduced or used in any manner without the expressed written consent of Holthaus Signs Inc.

**HOLTHAUS**  
 SIGNAGE & GRAPHICS  
 PO Box 29373  
 817 Ridgeway Ave  
 Cincinnati, Oh, 45229  
 (513) 861.0060  
 (513) 539.0375 fax  
 www.holthausigns.com  
 Sketch No



8'-6"  
 12'-5"



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1 inch equals 526 feet

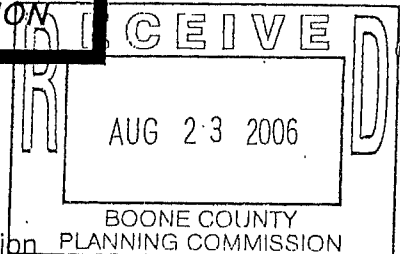
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State Plane Kentucky North NAD 83

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 \_\_\_\_\_ Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
- 2. (Check One)  
\_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
- 3. Applicant's Name GREGORY T. LLOYD, d.b.a. HEBRON ANIMAL HOSPITAL, PSC  
Phone Number 859-689-4700 Fax No. 859-689-2777  
Applicant's Address 9090 BRAXTON DR.  
UNION, KY 41091  
City State Zip
- 4. Description of Request: INCREASE HEIGHT OF MONUMENT SIGN FROM  
10 ft. to 20 ft. due to GRADE
- 5. Name of Development AIRPARK WEST, LOT 4 (HEBRON ANIMAL HOSPITAL, PSC)
- 6. Location of Development 3505 NORTH BEND RD. HEBRON, KY 41048
- 7. Acreage Under Review 1.708
- 8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
- 9. Owner of Property LLOYD PROPERTIES, LLC
- 10. Phone Number of Owner 859-384-7377 9090 BRAXTON DR.  
Address of Property Owner UNION, KY 41091  
City State Zip
- 11. Proposed Use(s) on Site SIGN
- 12. Total Square Footage of Existing and/or Proposed Buildings 8,748 sq.
- 13. Current Zoning on Property I-1
- 14. Deed Book 914 Page No. 624 Group No. 2007
- 15. Is the site subject to a zone change? YES  
If yes, give date of approval \_\_\_\_\_
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? \_\_\_\_\_
- 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: *Gregory T. Lloyd*

Property Owner's Signature: *Gregory T. Lloyd*

COPY

CLUR #06-BCBOA-016-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Lloyd Properties, LLC  
9090 Braxton Drive  
Union, KY 41091

2. ADDRESS OF PROPERTY

3505 North Bend Road  
Hebron, KY 41048

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Hebron Animal Hospital

4. DEED BOOK 914

PAGE NO. 624

GROUP NO. 2007

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

Zoning Map Amendment:  
From  To

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat  
(Not Recorded)

Other:

Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005


Todd K. Morgan  
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

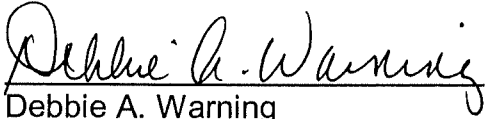
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 18 day of September, 2006.



Vicki L. Myers  
Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

This instrument was prepared for recording purposes only by:



Debbie A. Warning  
Debbie A. Warning  
Boone County Planning Commission  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of September 13, 2006 Certificate of Land Use Restriction (#06-BCBOA-016-A), for Lloyd Properties, LLC, Property Owner(s).

The following conditions will apply:

No conditions.

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

DEED BOOK 914

PAGE NO. 624

GROUP NO. 2007