

APPLICATION FORM

11-BCBOA-013-A

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One) 1. Boone [checked] Florence _____ Walton _____ Union _____ (Check One) 2. Conditional Use Permit [checked] Variance _____ Appeal _____ Change in Non-Conforming Use _____ 3. Applicant's Name RAY PISKA, MCDONALD'S CONSTR MGR. Phone Number 614-418-3307 Fax No. 614-418-3346 Applicant's Address 2 GASTON OAK COLUMBUS, OH 43219 4. Description of Request: SIGN VARIANCES (1) Additional building mounted signage on front facade (2) Increase height of a menu board 5. Name of Development MCDONALD'S RESTAURANT 6. Location of Development 1980 PETERSBURG RD. HEBRON 7. Acreage Under Review 1.674 8. Lot Number and Name of Subdivision (if part of a subdivision) PARCEL # 047.04-00-002.01 9. Owner of Property MCDONALD'S USA LLC (DMD PETERSBURG) Address of Property Owner 2 GASTON OAK Phone No. 614-418-3307 10. City COLUMBUS, State OH Zip 43219 11. Proposed Use(s) on Site NO CHANGE - RESTAURANT 12. Total Square Footage of Existing and/or Proposed Buildings 4916 13. Current Zoning on Property C-2 14. Deed Book 877 Page No. 759 Group No. 2006 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.

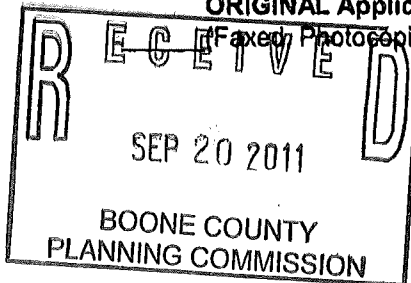
Call # 614-214-6536

ORIGINAL Property Owner's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

RAYMOND J. PISKA



**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 9-20-11 Fee Received \$1582.00 Receipt # 63632 CR

2. Is application complete? Yes No

3. Staff Reviewer _____

4. Scheduled Board Action Date _____

5. Board Action:

Approved

Approved with Conditions (See #6)

Denial (See #7)

6. Conditions of Approval: SEE 11/9/11 3030A Meeting
MINUTES + C.L.U.R.

7. Reasons for Denial: _____

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

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

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

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

STAFF REPORT

APPLICANT: Ray Riska for McDonald's

LOCATION: 1980 Petersburg Road, Boone County, Kentucky

ZONING: Commercial Two (C-2)

DATE: November 9, 2011

PROPOSAL

The preliminary Site Plan and elevation drawings show that McDonald's is making significant site and building improvements to their Hebron store. The applicant has submitted two Variance applications to allow the following improvements:

1. Allow additional building mounted signage on the front building facade. The proposal would increase the permitted building mounted signage from 96 to 226.9 square feet.
2. Allow the height of a menu board to be increased. Part of the proposed improvements include redoing the drive through area so that orders can be taken from two different menu boards in two different lanes. The submitted rendering shows that each menu board will be 6'-9½" tall and 43.66 square feet in area (see option 1 on menu board exhibit). A Variance is only needed for one of the menu boards because the existing one is grandfathered at 6'-9½" in height.

APPLICABLE REGULATIONS

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 requests 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.

Section 3402 of the Boone County Zoning Regulations lists the following requirements for all signs that relate to the proposal:

- A. No part of any sign (permanent or temporary) may be placed on or above the roof or parapet.
- B. Building mounted signs shall not overhang the edge or corner of the wall or section of wall on which they are mounted (except for projecting signs).

Section 3403 of the Boone County Zoning Regulations states the surface area of a sign shall be computed as including the entire area serving as written or graphic advertisement within a regular, geometric form comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not used for advertising matter shall not be included in computation of surface area. Where a sign has two (2) display faces back to back, the area of only one (1) face shall be considered the sign area, provided the two (2) sign faces are not visible from one location therefore constituting two (2) signs.

Section 3413 (1) of the Boone County Zoning Regulations states that a business establishment may be permitted building mounted signage for each building elevation directly on, or with high visibility from, any arterial, collector, or marginal access street, including areas of major internal traffic circulation of a development. The primary building elevation shall be permitted two square feet of sign area per lineal foot of building width for the elevation upon which it is mounted, or in multi-tenant buildings, the width of the portion of the building frontage occupied by an individual establishment. Any additional elevations shall be permitted one (1) square foot of sign area per lineal foot of width for the same elevation on which it is mounted. Under no circumstances shall any establishment be allowed more than three (3) elevations of building mounted signage. The square footage allotted for any one elevation may be divided into three (3) separate sign areas. For the purpose of this order, signs on awnings are considered in the total square footage of building mounted signage permitted for that elevation. Any copy area and/or illuminated areas on the awnings will be calculated for square footage.

Section 3413 (3) of the Boone County Zoning Regulations states that drive-through establishments which have a pick-up window will be permitted to have one (1) drive-through sign or menu-board adjoining the drive-through lane. The menu-board shall not exceed six (6) feet in height and forty-eight (48) square feet in size if the sign is free-standing and forty-eight (48) square feet in size if the sign is mounted to the building.

Section 4000 of the Boone County Zoning Regulations defines a sign as "a device designed to promote and identify an establishment or activity by any means including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images."

SITE HISTORY

5/12/00 - The Boone County Planning Commission approved a Site Plan for a 3,659 square foot building and 43 parking stalls.

7/18/00 - The Boone County Planning Commission approves Sign Permits for the subject McDonald's restaurant. The building mounted sign shown on the front facade was 67.1 square feet (42" x 230"). A Sign Permit was not required for the menu board but a drawing shows that it would be 6'-9½" tall and 43.12 square feet in area (see attachments).

SITE CHARACTERISTICS

The 1.674 acre property is located at the northeast corner of the KY 237/KY 20 intersection. The property contains a 3,659 square foot McDonald's restaurant with a drive through lane and 43 parking stalls. Access to the site is provided from a single curb cut on KY 20. A freestanding sign is located near the intersection.

SURROUNDING LAND USES AND ZONING

North: Single-Family Residential Dwellings Fronting on Limaburg Road (SR-1 & C-2)

South: KY 20, Hebron Fire Department (PF) and an undeveloped 3.1 acre tract (C-2/PD)

East: North Bend Road, Conner Crossing Subdivision Outlot (C-2/PD), and Hebron Corner Mart (C-2)

West: Kroger Marketplace, Kroger Liquor Store, and Kroger Fuel Station (C-2/PD)

STAFF COMMENTS

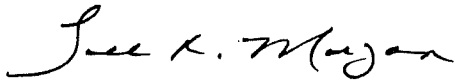
1. The submitted plans show that building additions are proposed to the front and rear of the building. The square footage of the building is proposed to increase from 3,659 square feet to 4,916 square feet.
2. Staff made the applicant aware of the following regarding the proposed building mounted signage:
 - A. Sign 2 shown on the front facade is not a sign by definition and has been removed from the total square footage calculation. The proposed building mounted signage on the front facade is 226.9 square feet instead of 268.9 square feet.
 - B. The roof top sign cannot be permitted (see Section 3402 of the Boone County Zoning Regulations).
 - C. The "Welcome" signs shown on the front and side facades cannot be permitted because they are mounted on top of aluminum canopies (see Section 3402 of the Boone County Zoning Regulations).
3. Staff took some pictures of the McDonald's in Walton because the proposed signage is very similar. The following building mounted signs Variances were approved by the Walton Board of Adjustment for this facility:
 - A. On April 28, 2008, a Variance was approved which increased the permitted building mounted signage on the rear facade from 38.67 square feet to 40.97 square feet.

- B. On July 31, 2008, a Variance was approved which increased the permitted building mounted signage on the front facade from 77.34 square feet to 253.3 square feet.
- C. On July 31, 2008, a Variance was approved which increased the permitted building mounted signage on the side facade from 113.33 square feet to 160 square feet.
3. The height of McDonald's existing menu board is grandfathered at 6'-9½" tall because it has existed on the site since 2000. Menu boards were not subject to sign permit review under the 1996 Boone County Zoning Regulations. A Variance application is still needed because McDonald's is proposing to add a second menu board at the same height.
4. Staff noticed that McDonald's is adding temporary signs onto the top and sides of their menu board. These types of signs can only be approved with the issuance of Temporary Advertising Display Permits (TADs). Staff would like the applicant to explain if they plan to add such signs onto the top and sides of the proposed menu boards on a frequent basis. Commercial establishments are only eligible for 5 TAD permits in a calendar year and each permit is valid for a maximum of 14 days. McDonald's needs to modify their menu boards if they want additional display areas on a more frequent basis.
5. The Board needs to analyze the Variance criteria before acting on the requests.

CONCLUSION

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

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

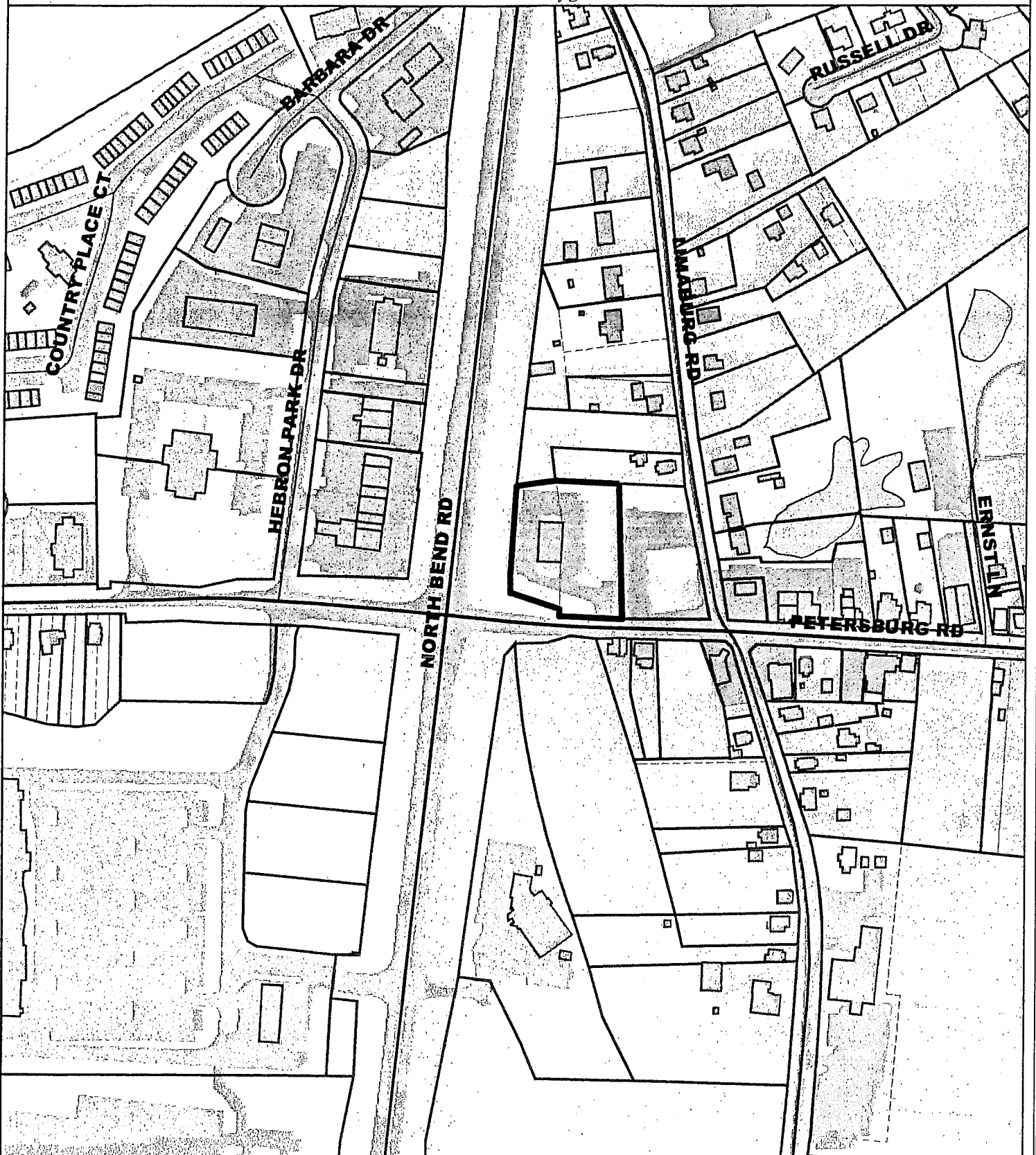
TKM/pr

Attachments

- *Site Vicinity Map
- *Preliminary Site Plan
- *Proposed Building Elevations
- *Renderings of Front and Side Facades
- *Proposed Drive Through Layout
- *Menu Board Specifications
- *2009 Aerial Map
- *Zoning Map
- *Application

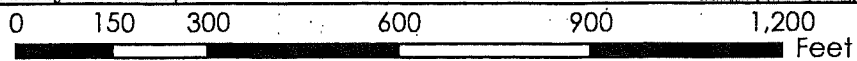
SITE VICINITY MAP

www.boonecountygis.com



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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map



Williams
Shepherd
ARCHITECTS

11111 PETERBOROUGH ROAD FIBRON, KY

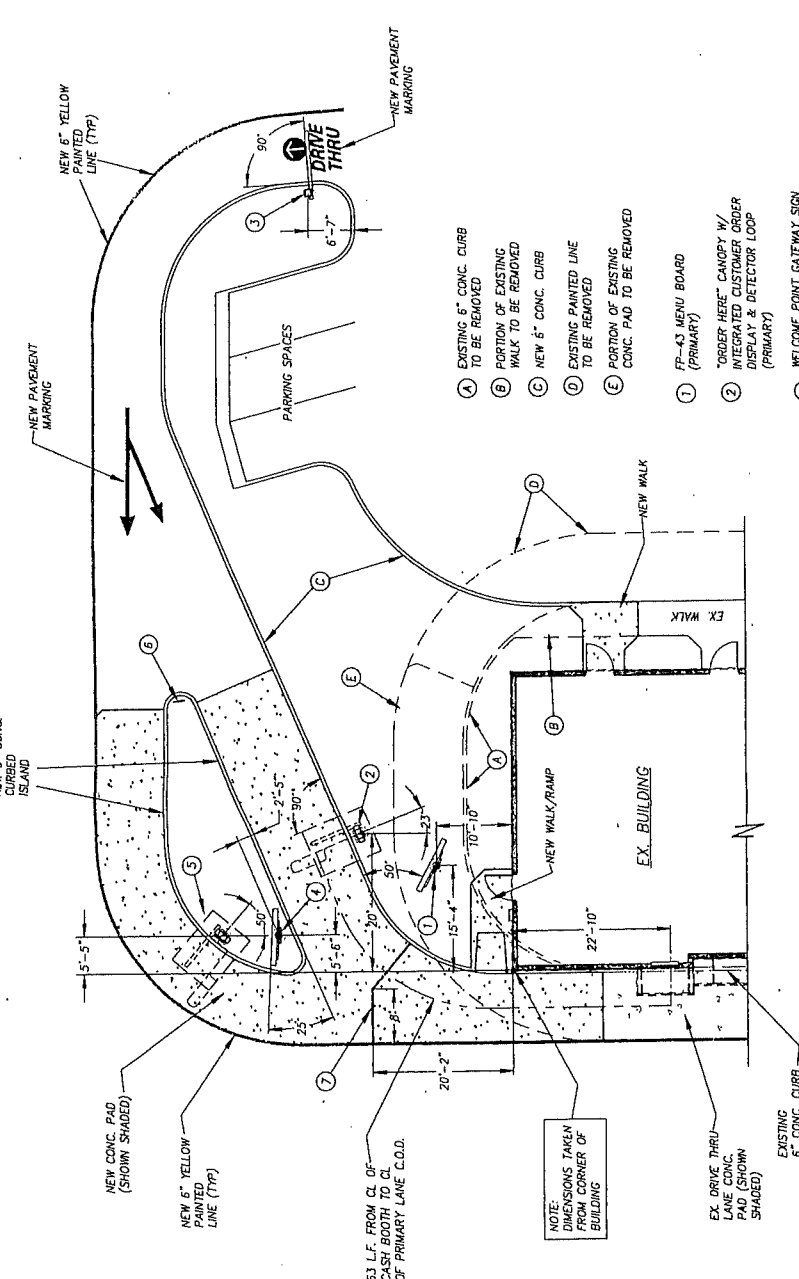


Williams
Shepherd
Architects

MCDONALD'S 1980 PETERSBURG ROAD HEBRON, KY

NOTES

- SEE SITE DETAILS SHEET SD-3 FOR FOUNDATION AND ADDITIONAL DETAILS
- ALL DIMENSIONS SHOWN ARE TO THE CENTER OF THE FOUNDATION
- ALL EXISTING EQUIPMENT IS TO BE REMOVED. COORDINATE W/ MCDONALD'S ACM IF ANY OF IT WILL BE RE-USED.



- 1 EXISTING 6" CONC. CURB TO BE REMOVED
- 2 PORTION OF EXISTING WALK TO BE REMOVED
- 3 NEW 6" CONC. CURB
- 4 EXISTING PAINTED LINE TO BE REMOVED
- 5 PORTION OF EXISTING CONC. PAD TO BE REMOVED
- 6 FP-43 MENU BOARD (PRIMARY)
- 7 "ORDER HERE" CANOPY W/ INTEGRATED CUSTOMER ORDER DISPLAY & DETECTOR LOOP (PRIMARY)
- 8 WELCOME POINT GATEWAY SIGN Pylon
- 9 FP-43 MENU BOARD (SECONDARY)
- 10 "ORDER HERE" CANOPY W/ INTEGRATED CUSTOMER ORDER DISPLAY & DETECTOR LOOP (SECONDARY)
- 11 HI IMPACT BOLLARD W/ "ANY LANE MAY TAKE SIGN"
- 12 6" PAINTED LINE "MERSE POINT"

REAR DRIVE THRU AREA DETAIL
SCALE: 1/8" = 1'-0"

GENERAL NOTES

THE DISTANCE BETWEEN THE CENTERS OF THE CASH/ORDER BOOTH AND THE PREVIOUS BOOTH MUST BE A MINIMUM OF 14'-0" OR A MAXIMUM OF 45' AS SHOWN ON THIS SHEET.

THE CENTER LINE OF THE DRIVE-THRU LANE SHOULD BE PARALLEL TO THE CENTER LINE OF THE DRIVE-THRU LANE. THIS MAY ONLY BE INCREASED IN 20' (1/4"=5') INCREMENTS TO A MAXIMUM OF 100'.

ALL DRIVE-THRU LANE STRIPING MUST BE YELLOW AND 6" WIDE.

THE DOUBLE-HEADED ARROW AT THE DRIVE-THRU LANE COMMENT POINT MUST BE YELLOW.

THE DRIVE-THRU LANE SHOULD BE 12'-0" WIDE (AS MEASURED FROM CURB FACES) WHEN LANE IS BOUND BY A CURB ON BOTH SIDES.

THE DRIVE-THRU LANE SHOULD BE 12'-0" WIDE (AS MEASURED FROM CURB FACES) WHEN LANE IS BOUND BY A CURB ON ONE SIDE AND A DRIVE-THRU LANE ON THE OTHER SIDE.

THE MINIMUM RADIUS FOR ALL ROSE-COMMENTS SIDE DRIVE-THRU IS 30'-0".

THE DISTANCE FROM THE TIP OF THE CURBED ISLAND TO THE CENTERLINE OF THE DRIVE-THRU LANE SHOULD BE 10'-0".

THE MEASUREMENT IS TAKEN PARALLEL TO THE INSIDE CURB FACE OF THE DRIVE-THRU LANE.

THE DISTANCE BETWEEN THE TIP OF THE CURBED ISLAND AND THE CENTERLINE OF THE DRIVE-THRU LANE SHOULD BE 14'-0".

THIS MEASUREMENT IS TAKEN ALONG THE CENTERLINE OF THE DRIVE-THRU LANE.

THE LOOP DETECTOR IS TO BE 2' FORWARD OF THE CDD CENTERLINE.

THE LOOP DETECTOR AT THE PRIMARY LANE CDD SHOULD BE AT THE CENTERLINE OF THE CDD WITH THE LOOP BECOMING FORWARD OF THE CDD.

IT IS IMPORTANT, WHEN INSTALLING THE FOOTINGS FOR THE CDD'S, TO KEEP THE AUGER POINT TO THE BACK OF THE CURB.

BOTH PRIMARY AND SECONDARY MENU BOARDS SHOULD BE LOCATED USING THE CENTER OF THE FOOTING. PLEASE NOTE THAT THE CENTER OF THE FOOTING IS NOT THE CENTER OF THE SIGNING FP-43 ADOP BOARD.

THE END OF THE PRIMARY (INSIDE LANE) MENU BOARD CLOSEST TO THE CUSTOMER SHOULD BE 18" FROM THE FACE OF THE CURB. THE END OF THE SECONDARY (OUTSIDE LANE) MENU BOARD SHOULD BE 18" FROM THE FACE OF THE CURB.

THE MENU BOARD SHOULD BE AN ANGLE BETWEEN 40° AND 50° FROM A CAR POSITIONED AT THE CDD.

ALL PRE-CAST SIGNS AND BOLLARD SIGNS MUST BE 18" - 24" FROM FACE OF CURB. THIS IS MEASURED FROM THE CLOSEST POINT OF THE BOARD OR SIGN. THE DISTANCE BETWEEN THE PRIMARY CDD AND PRE-CAST BOARD IS TO BE 30' (1/4"=1').

PRE-CAST SIGNS ARE TO BE INSTALLED AT AN ANGLE OF 30° FROM THE DRIVE-THRU LANE. THE BOARD SHOULD BE 30" FROM A CAR POSITIONED AT THAT BOARD.

THE NORMAL LENGTH OF THE CURBED ISLAND SHOULD BE 31'-45". THIS ALLOWS FOR THREE CARS IN EACH LANE, AS COATED BACK FROM THE CAR AT THE CDD. A THIRD CAR CAN BE POSITIONED AT THE DRIVE-THRU POINT, WHICH IS THE LAST POINT AT WHICH A CUSTOMER CAN STOP TO GET A SIGN.

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NOTE: DIMENSIONS TAKEN FROM CORNER OF BUILDING

EX DRIVE THRU LANE CONC. PAD (SHOWN SHADED)

EXISTING 6" CONC. CURB

NEW 6" CONC. CURBED ISLAND

NEW 6" YELLOW PAINTED LINE (TYP)

NEW 6" CONC. PAD (SHOWN SHADED)

NEW 6" YELLOW PAINTED LINE (TYP)

NEW PAVEMENT MARKING

PARKING SPACES

DRIVE THRU

NEW PAVEMENT MARKING

NEW WALK/RAMP

EX. BUILDING

NEW WALK

EX WALK

63' L.F. FROM CL OF CASH BOOTH TO CL OF PRIMARY LANE C.O.D.

NEW CONC. PAD (SHOWN SHADED)

NEW 6" CONC. CURB

NEW 6" YELLOW PAINTED LINE (TYP)

NEW PAVEMENT MARKING

PARKING SPACES

DRIVE THRU

NEW PAVEMENT MARKING

NEW WALK/RAMP

EX. BUILDING

NEW WALK

EX WALK

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NEW WALK/RAMP

EX. BUILDING

NEW WALK

EX WALK

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NEW 6" YELLOW PAINTED LINE (TYP)

NEW PAVEMENT MARKING

PARKING SPACES

DRIVE THRU

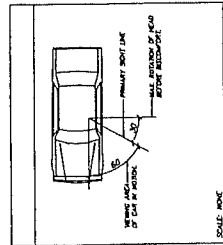
NEW PAVEMENT MARKING

NEW WALK/RAMP

EX. BUILDING

NEW WALK

EX WALK



McDonald's

1980 PETERSBURG ROAD, HERRON, KENTUCKY

DATE: SEPTEMBER 20, 1980

PROJECT: REAR DRIVE THRU AREA DETAIL

SHEET: C4

McDonald's logo and company information.

FP-43 Modular Outdoor Menu Board

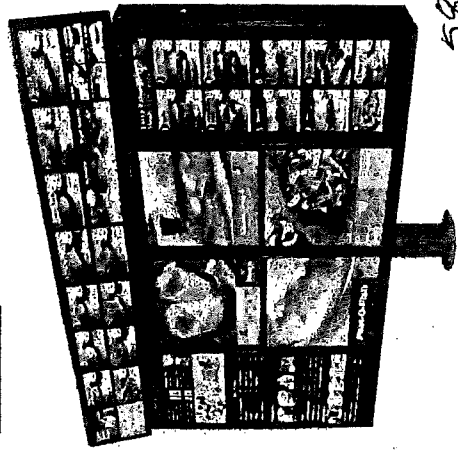


63-1/2"
161.29 cm

43 s.f.

99"
251.46 cm

FP-43 Outdoor Menu Board w/ Flip Adder



58 s.f.

**OPTIONAL:
FP-43 Outdoor Menu Board w/ Topper**

Illumination:

- 4 - F60T12 CW/HO
- 2 - F36T12 CW/HO
- 2 - F24T12 CW/HO
- 2 - F60T12 CW/HO

Electrical:

4.9 Amps / 1.6 Amps (flipboard)
120V 60Hz

Ballast:

Advance #RC-4560-TP
Power Lighting #V234L8-16
Power Lighting #V12L4-12

Ship Weight:

197 lbs.

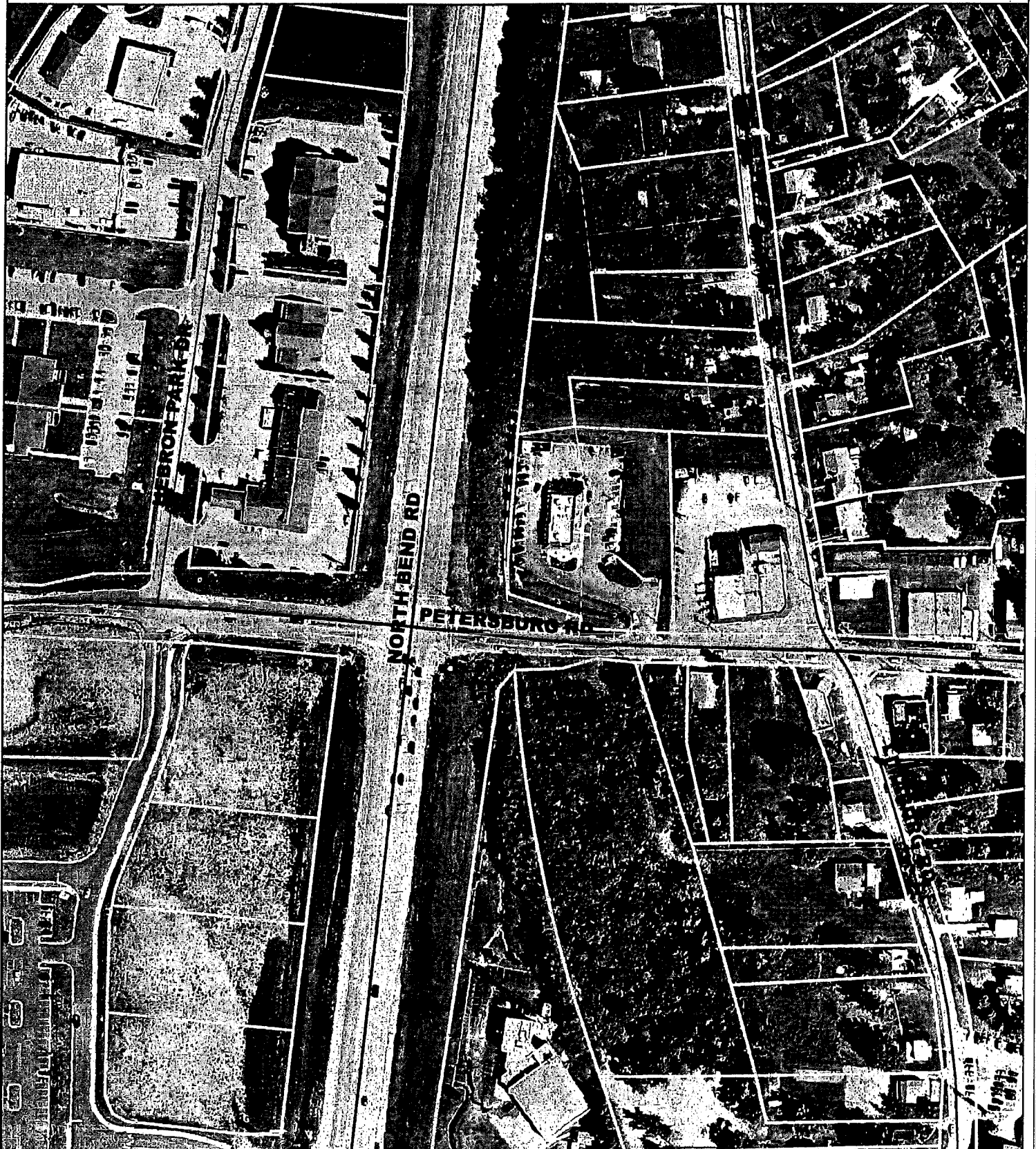
Other:

- Modular design for increased flexibility
- Adjustable channels for easy menu modification
- Optional kit to accept Customer Order Display and/or speaker
- Flipboard panel can rotate 180 degrees to display two dayparts
- Please call Florida Plastics for strips and grids
- Topper only allowed with 4th column static board. Cannot have flip adder and topper.

Topper Not Proposed

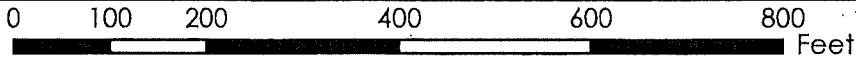
2009 AERIAL MAP

www.boonecountygis.com

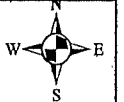


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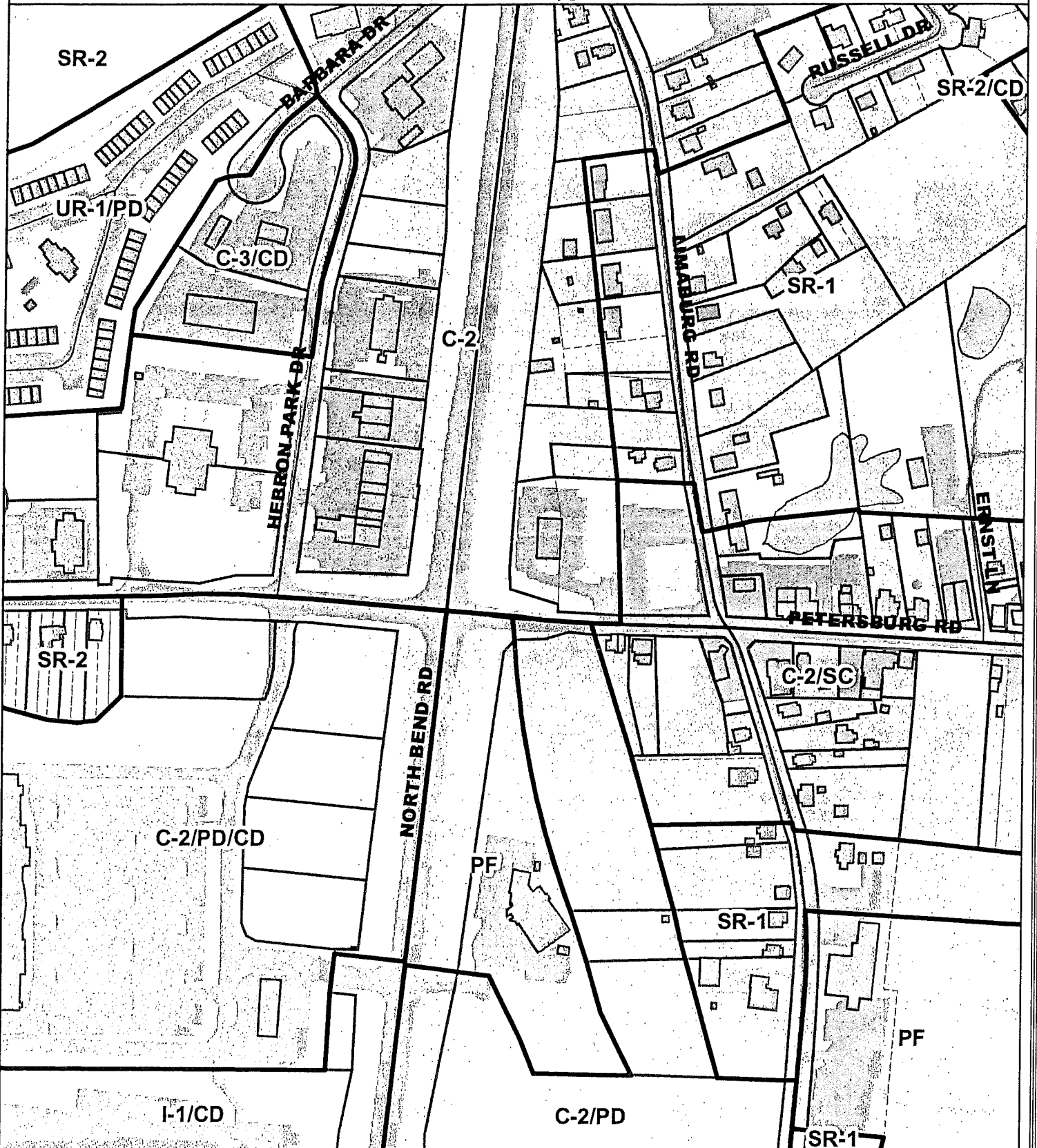
1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

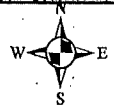
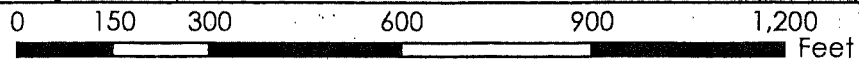
ZONING MAP

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2008

File Path: \\boone\gis\mxd
ArcMap Document: "zmd"

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

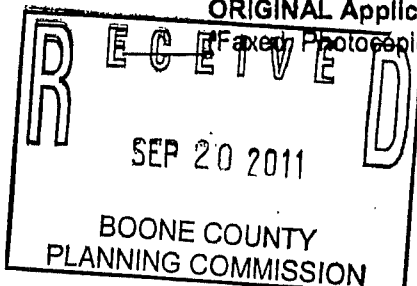
- (Check One) 1. Boone [checked] Florence _____ Walton _____ Union _____
(2) 2. Conditional Use Perm [checked] Variance _____ Appeal _____
3. Applicant's Name RAY RUSKA, MCDONALD'S CONSTR MGR
Phone Number 614-418-3307 Fax No. 614-418-3346
Applicant's Address 2 GASTON OAK COLUMBUS, OH 43219
4. Description of Request: SIGN VARIANCES
Additional building mounted signage on front facade
Increase height of a menu board
5. Name of Development MCDONALD'S RESTAURANT
6. Location of Development 1980 PETERSBURG RD HEBRON
7. Acreage Under Review 1.674
8. Lot Number and Name of Subdivision (if part of a subdivision) PARCEL # 047.04-00-002.01
9. Owner of Property MCDONALD'S USA LLC (OMD REGION)
Address of Property Owner 2 GASTON OAK Phone No. 614-418-3307
10. City COLUMBUS, OH State OH Zip 43219
11. Proposed Use(s) on Site NO CHANGE - RESTAURANT
12. Total Square Footage of Existing and/or Proposed Buildings 4916
13. Current Zoning on Property C-2
14. Deed Book 877 Page No. 759 Group No. 2006
15. Is the site subject to a zone change? NO
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.

ORIGINAL Property Owner's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

RAYMOND J. RUSKA



CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
McDonalds USA LLC
2 Gaston Oval
Columbus, Ohio 43219

- 2. ADDRESS OF PROPERTY
1980 Petersburg Road
Hebron, KY
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
McDonalds/Ray Riska

- 4. DEED BOOK 877 PAGE NO. 759 GROUP NO. 2006

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment: Conditional Use Permit
From To
 Development Plan Conditional Zoning
 Subdivision Plat Other:
(Not Recorded)
 Variances (2)

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

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

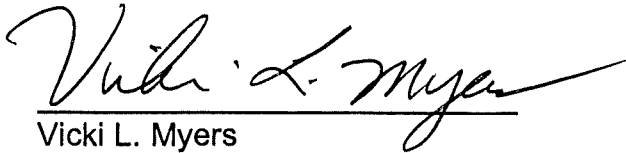
Todd K. Morgan, Senior Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

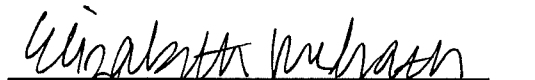
on behalf of the Boone County Planning Commission this 17th day of November, 2011.



Vicki L. Myers
Vicki L. Myers
Notary ID 438411
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2015

This instrument was prepared for recording purposes only by:



Elizabeth McGrath
Elizabeth McGrath
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

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

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variances (2) approved by the Boone Board of Adjustments and in accordance with the current zoning in effect as of November 9, 2011 Certificate of Land Use Restriction (#11-BCBOA-013-A), for McDonald's/ Ray Riska, Property Owner(s).

The following conditions will apply:

- 1) The rooftop sign is not permitted
- 2) The welcome signs above the doors are not permitted because they are not attached to the building.
- 3) All temporary signs displayed on the menu boards shall comply with Section 3420 of the Boone County Zoning Regulations.

The approved Variances (2) as well as the preceding conditions apply to the property described in:

DEED BOOK 877 PAGE NO. 759 GROUP NO. 2006__