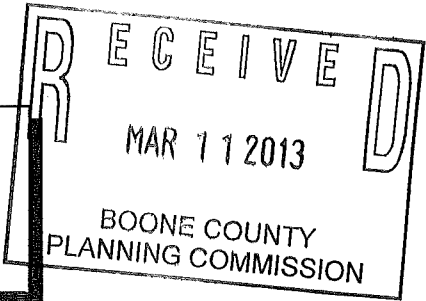


9/2/10

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)

- 1. (Check One) Boone [checked] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
2. (Check One) Conditional Use Permit [checked] 2 Variance \_\_\_\_\_ Appeal \_\_\_\_\_
3. Applicant's Name Quality Sign (Mark Stottman)
Applicant's Address 1530 Production Dr Burlington KY 41005
4. Description of Request: Install Large Than permitted (Increase Height) directional sign @ the truck entrance (and sq. footage)
5. Name of Development Mc Lane
6. Location of Development 3755 Langley Dr Hebron KY
7. Acreage Under Review 43.852
8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 6, Sec. 9 Airpark West
9. Owner of Property Mc Lane
Address of Property Owner 3708 Langley Dr Hebron KY 41041
10. City Hebron State KY Zip 41041
11. Phone Number 917-264-2201 Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_
12. Proposed Use(s) on Site Distribution Center
13. Total Square Footage of Existing and/or Proposed Buildings 48 Sq. Foot Sign
14. Current Zoning on Property I-1
15. Deed Book 1008 Page No. 918 Group No. 2007 + 2019
16. Is the site subject to a zone change? NO
17. If yes, give date of approval \_\_\_\_\_
18. Have you submitted a Site Plan with this request? YES
19. Have you submitted a list of adjoining property owners with this request? YES
20. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

McLane Foodservice Inc 4747 McLane Parkway Temple, TX 76504

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)

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

**SECTION B** (To be completed by the Boone County Planning Commission Staff) *66438*

1. Date Received *3-11-13* Fee Received *\$9300* Receipt # *66431*  
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No  
3. Staff Reviewer \_\_\_\_\_  
4. Scheduled Board Action Date \_\_\_\_\_  
5. Board Action:  
    \_\_\_\_\_ Approved  
    *4/10/13* Approved with Conditions (See #6)  
    \_\_\_\_\_ Denial (See #7)  
6. Conditions of Approval: *SEE C.C.U.R. + 4/10/13*  
    *BCBOA Meeting Minutes*  
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: Quality Signs for McClane Foodservice Inc.  
LOCATION: 3755 Langley Drive, Boone County, Kentucky  
ZONING: Industrial One (I-1)  
DATE: April 10, 2013

### Proposal

The applicant has submitted two (2) Variances to increase the permitted height and area of a directional sign. The first request is to increase the height of the sign from 5 feet to 10 feet and the second request is to increase the area from 6 square feet to 48 square feet. The directional sign is proposed at the McClane Foodservice truck entrance on Wright Boulevard.

### Applicable Regulations

Section 3412 of the Boone County Zoning Regulations states that one (1) directional sign shall be permitted near each entrance of a commercial, industrial, or office zoned property with a maximum sign area of six (6) square feet and maximum height of five (5) feet. Advertising on such a sign shall minimally include the words "enter" or "exit" or arrows. Signs directing and guiding traffic and parking on private property, such as drive-thru lanes, shall be permitted on any property. Such directional signs shall not exceed ten (10) square feet in area and five (5) feet in height.

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.

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 43.852 acre site fronts on Langley Drive and Wright Boulevard and is located within Airpark West Subdivision. A 313,600 square foot food distribution center is currently under construction on the property. The facility will have an employee/visitor access point on Langley Drive (north side), a tractor trailer/delivery entrance on Wright Boulevard (south side), and a tractor trailer/delivery exit on Langley Drive (west side).

#### Staff Comments

1. On March 6, 2013, Boone County Planning Commission granted eleven (11) Sign Permits for the property. One permit was for an 8' tall, 32 square foot monument sign at the employee/visitor entrance. Ten (10) other permits were granted to allow directional signs at entrances or in the parking lot (see attachments).
2. Section 3413 (3) of the Boone County Zoning Regulations states that properties zoned Industrial One (I-1) can have a density of one (1) monument sign. The monument sign can be up to 10 feet tall and 100 square feet in area. A Variance cannot be granted to allow a second monument sign.
3. Section 3412 of the Boone County Zoning Regulations states that one directional sign shall be permitted near each entrance of a commercial, industrial, or office zoned property with a maximum sign area of six (6) square feet and maximum height of five (5) feet. Advertising on such a sign shall minimally include the words "enter" or "exit" or arrows.

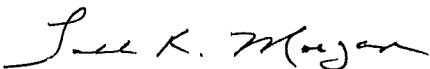
Staff would like to point out that a directional sign was already approved at the subject curb cut (see Sign A on the 3/6/13 Sign Permit). McClane Foodservice cannot have two (2) directional signs at this entrance:

4. The applicant has submitted a letter indicating why the Variances should be approved (see attachments).
5. Staff questions if the proposed directional sign could be smaller and still be effective. The monument sign approved near the employee/visitor access point is 8 feet tall and 32 square feet in area.
6. The Board needs to analyze the Variance criteria before acting on the request.
7. Staff recommends the following condition if the request is approved:
  - A. Only one directional sign shall be located at the truck entrance. This sign shall be limited to 8 feet in height and 32 square feet in area.

#### 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 act on the requests.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

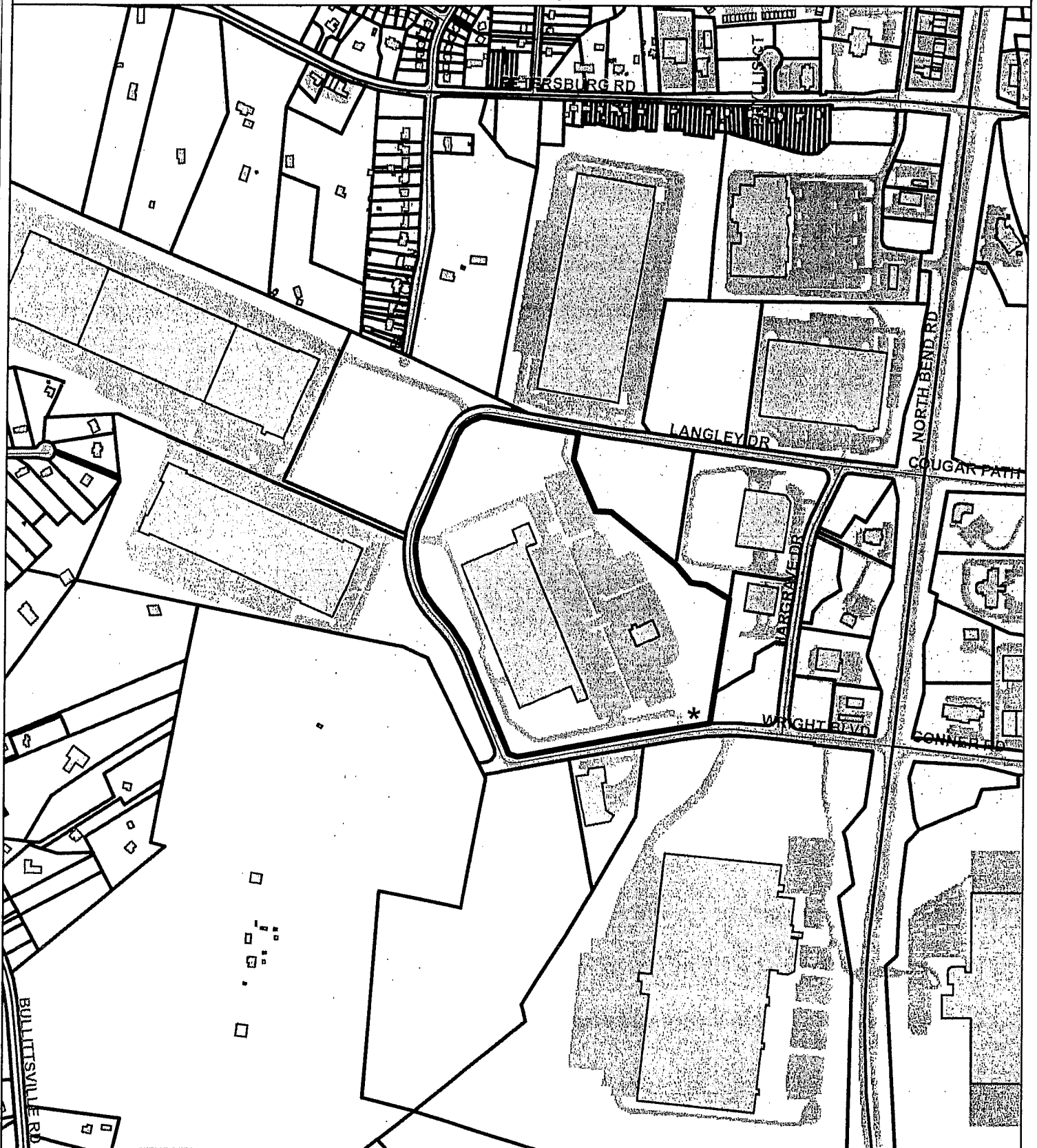
TKM/dw

#### Attachments

- \*Site Vicinity Map
- \*Letter from Applicant
- \*Drawing of Proposed Sign
- \*Sign Location Plan
- \*3/6/13 Sign Permit (3 Sheets)
- \*Zoning Map
- \*2012 Aerial Map
- \*Application

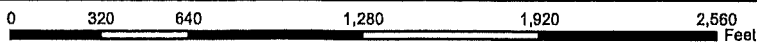
# SITE VICINITY MAP

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1 inch = 700 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Boone County GIS, Boone County, Kentucky



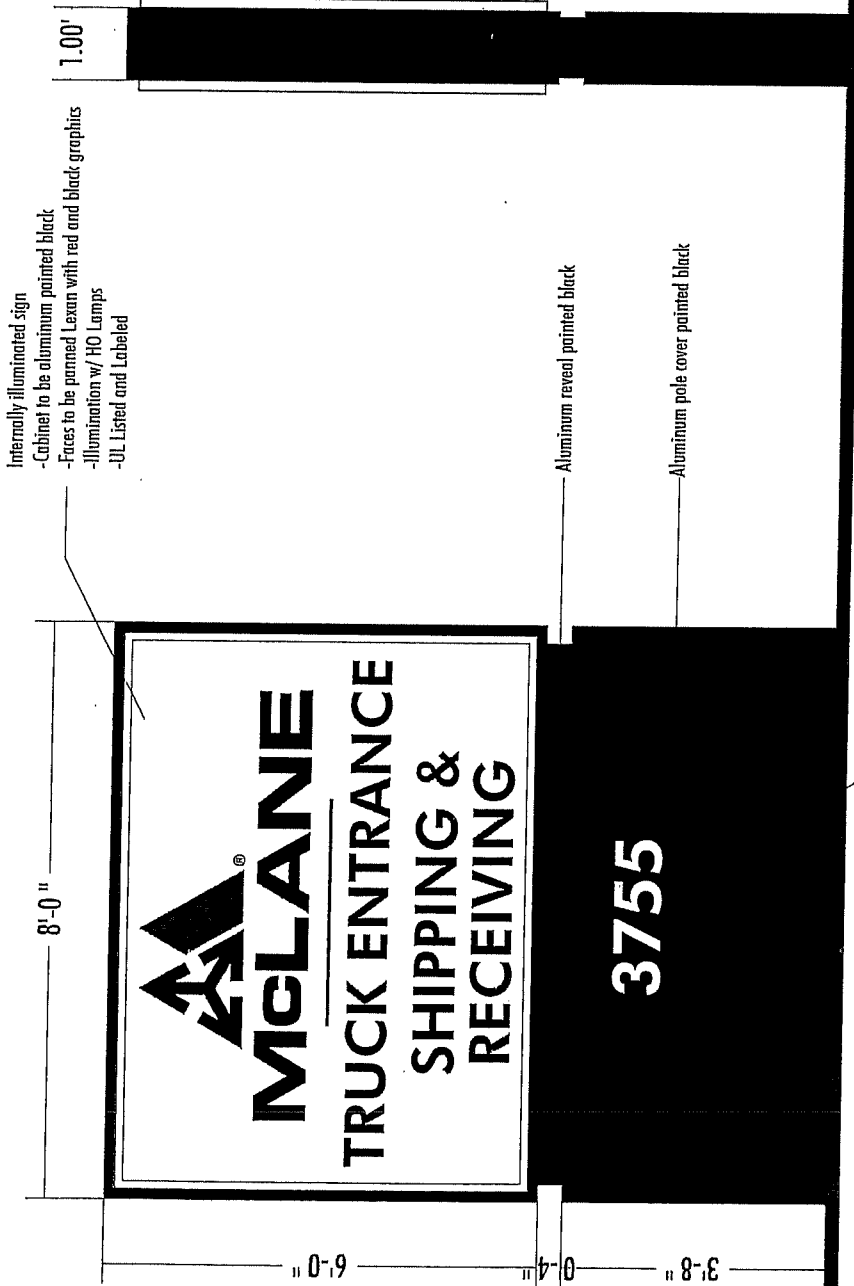
McLANE - Hebron, KY

A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone. Very large property with lots of truck traffic.

This site has three (3) curb cuts. One curb cut for visitors and employee parking. One curb cut for all truck shipping and receiving. And one curb cut for truck exiting only. It will be very important to get the trucks in the correct entrance. For that reason, we think it is reasonable to ask for a larger directional sign at the truck entrance.

B. If the variance is not granted, we feel it will create an unnecessary hardship on the large tractor trailers. They may miss the small 2' x 3' directional sign and may turn into the truck exit curb cut or into the visitor and employee curb cut and will be able to get turned around without backing into the street which may create traffic problems.

*Since 1983*



6" Vinyl Address

~~Approved~~ Proposed Directional Sign

Secondary Monument Sign

FILE: McLane Mon-3

DATE: 1-23-13

SCALE: 1/2" = 1'

Approved By

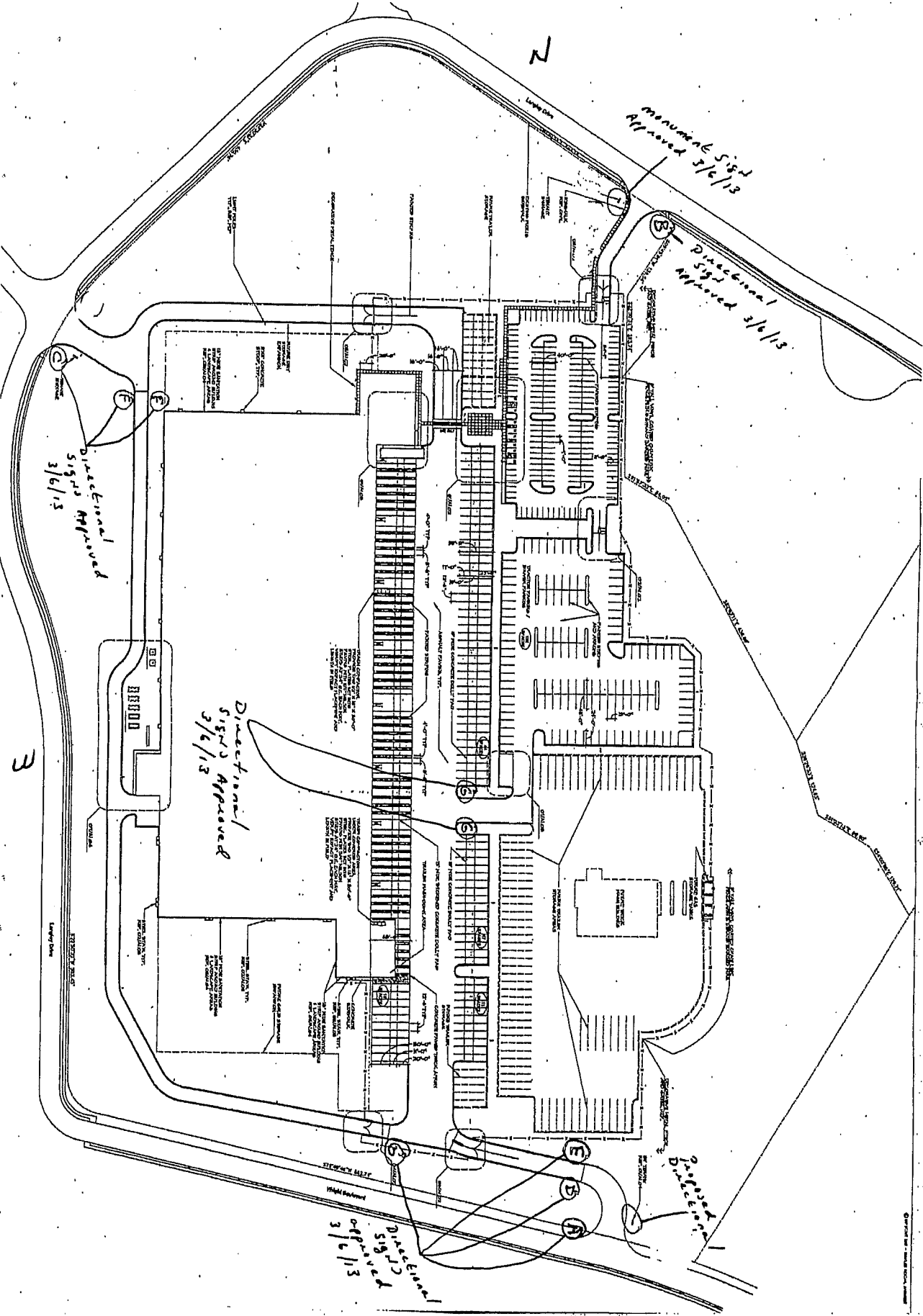
Sales Rep. Mark Stottman

DRAWN BY: WOODY FELLINGER

THE DESIGNS AND IDEAS EXPRESSED IN THIS DOCUMENT ARE THE SOLE PROPERTY OF QUALITY SIGNS INC. AND ARE NOT TO BE USED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN AUTHORIZATION OF QUALITY SIGNS INC.

© 2013





N

Monumental Sign  
Approved 3/6/13

Directional Sign  
Approved 3/6/13

Directional  
Signs Approved  
3/6/13

Directional  
Signs Approved  
3/6/13

Directional  
Signs Approved  
3/6/13

Directional  
Signs Approved  
3/6/13

W

E

S

Copyright 2013 by [unreadable]

**BOONE COUNTY PLANNING COMMISSION  
SIGN PERMIT**

**\*\*NOTE:** Prior to the placement of any approved sign, a building permit may be required from the Boone County Building Inspector - contact at 334-2218 for requirements

A Sign Permit is hereby granted to Quality Signs for McLane  
for property located at 3755 Langley Drive, Boone County, Kentucky  
and zoned I-1/CD, for the purpose of erecting signage in accordance with Article 34,  
Section 3413 of the Boone County Zoning Order (Ordinance), subject to the following  
special conditions/descriptions:

- Monument Sign 8'-0" high and 32 s.f.
- Nine (9) Directional Signs 5' high and 6 s.f. (see location map).
- One (1) Directional Sign 5' high and 10 s.f. (see location map).

Failure to comply with the above cited Zoning Regulations and special conditions, shall render this permit null and void and to no effect.

3/6/13  
DATE

  
\_\_\_\_\_  
Mitchell A. Light  
Assistant Zoning Administrator

3/6/13 SIGN PERMIT  
8' TALL, 32 SQUARE FOOT MONUMENT  
AT NORTHERN EMPLOYEE/VISITOR ENTRANCE

- Internally illuminated sign
- Cabinet to be aluminum painted black
- Faces to be painted black with red and black graphics
- Illumination w/ HO Lamps
- UL Listed and Labeled

8'-0"



4'-0"

8'-0"

0'-4"

3755

3'-8"

8'-0"

1'-0"

Aluminum reveal painted black

Aluminum pale over painted black

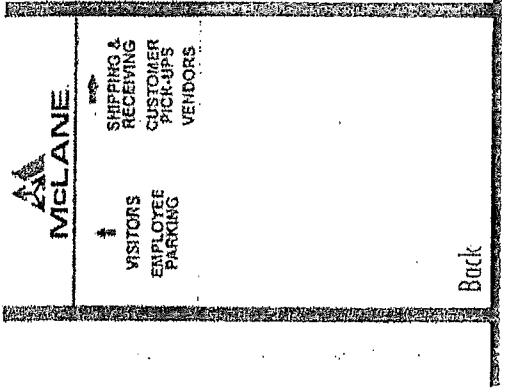
6" Vinyl Address

3/6/13 SIGN PERMITS

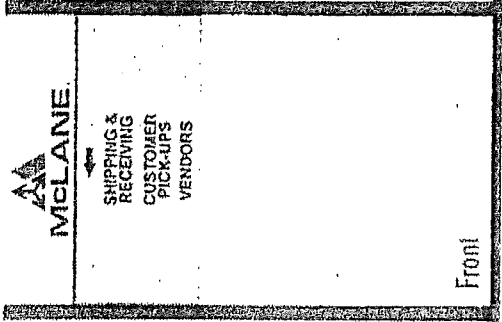
SIGNS A,B,C,D

3'-0"

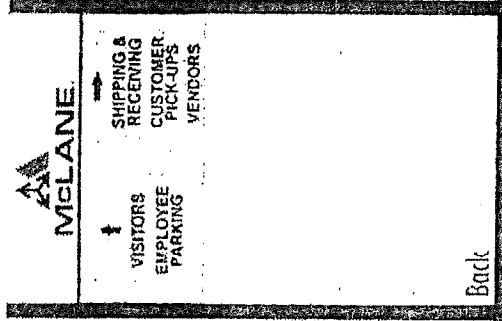
3'-0"



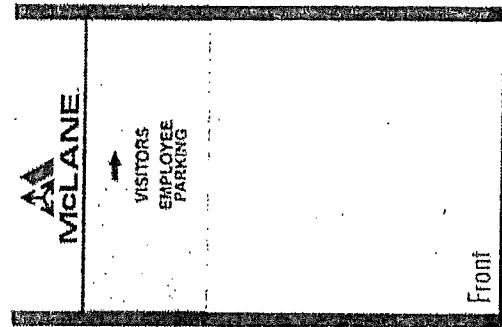
SIGN A - QTY 1



Front



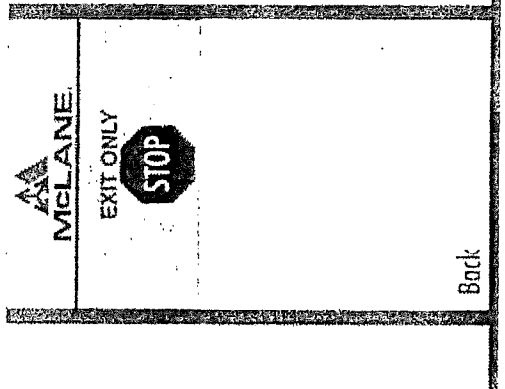
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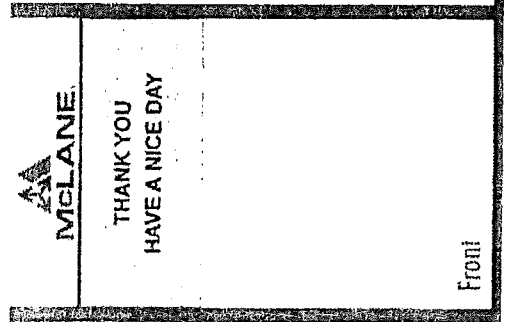
Front

3'-0"

3'-0"



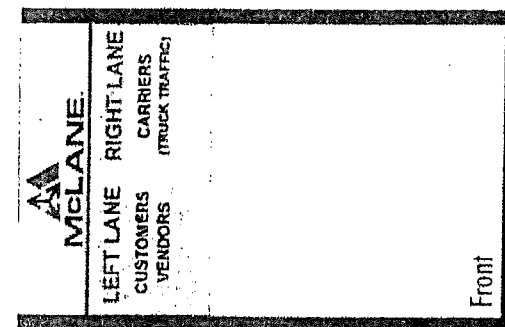
SIGN C - QTY 2



Front

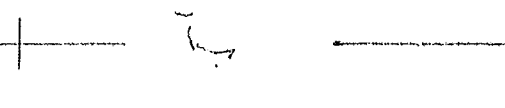


Back



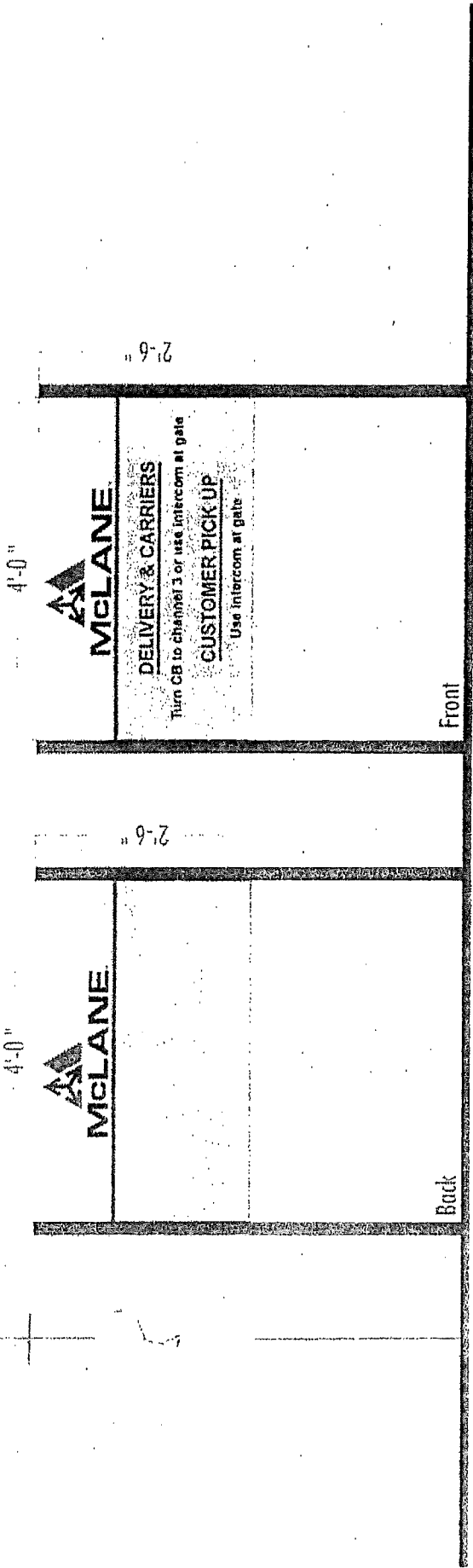
Front

SIGN D - QTY 1

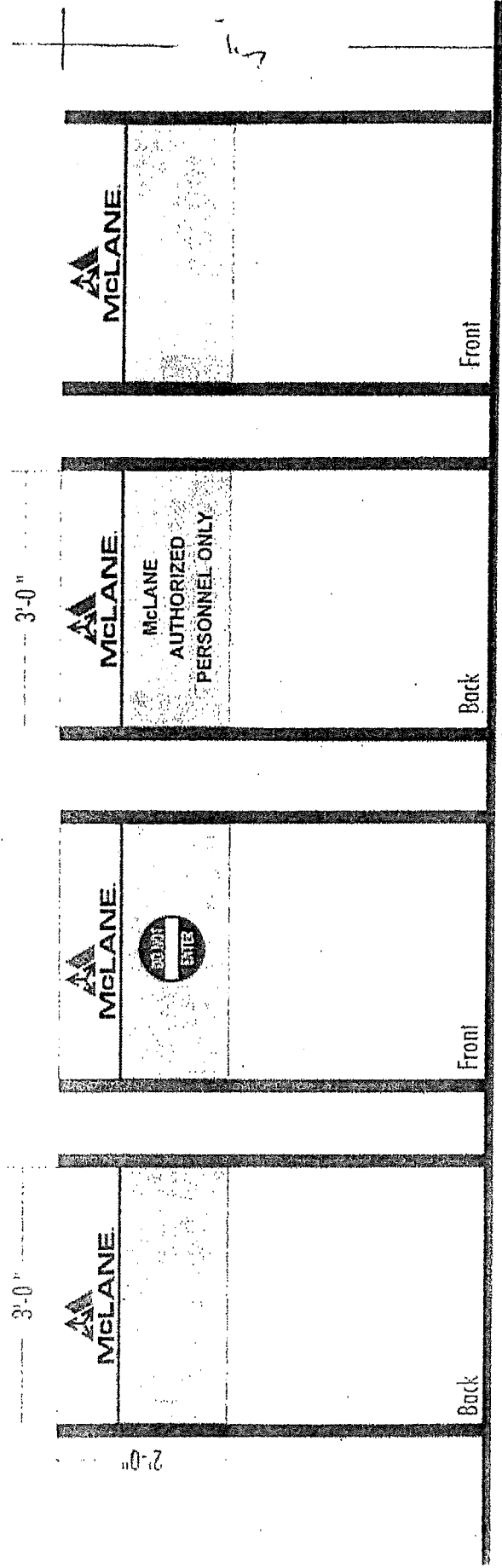


3/6/13 SIGN PERMITS

SIGNS E,F,G



SIGN E - QTY 1

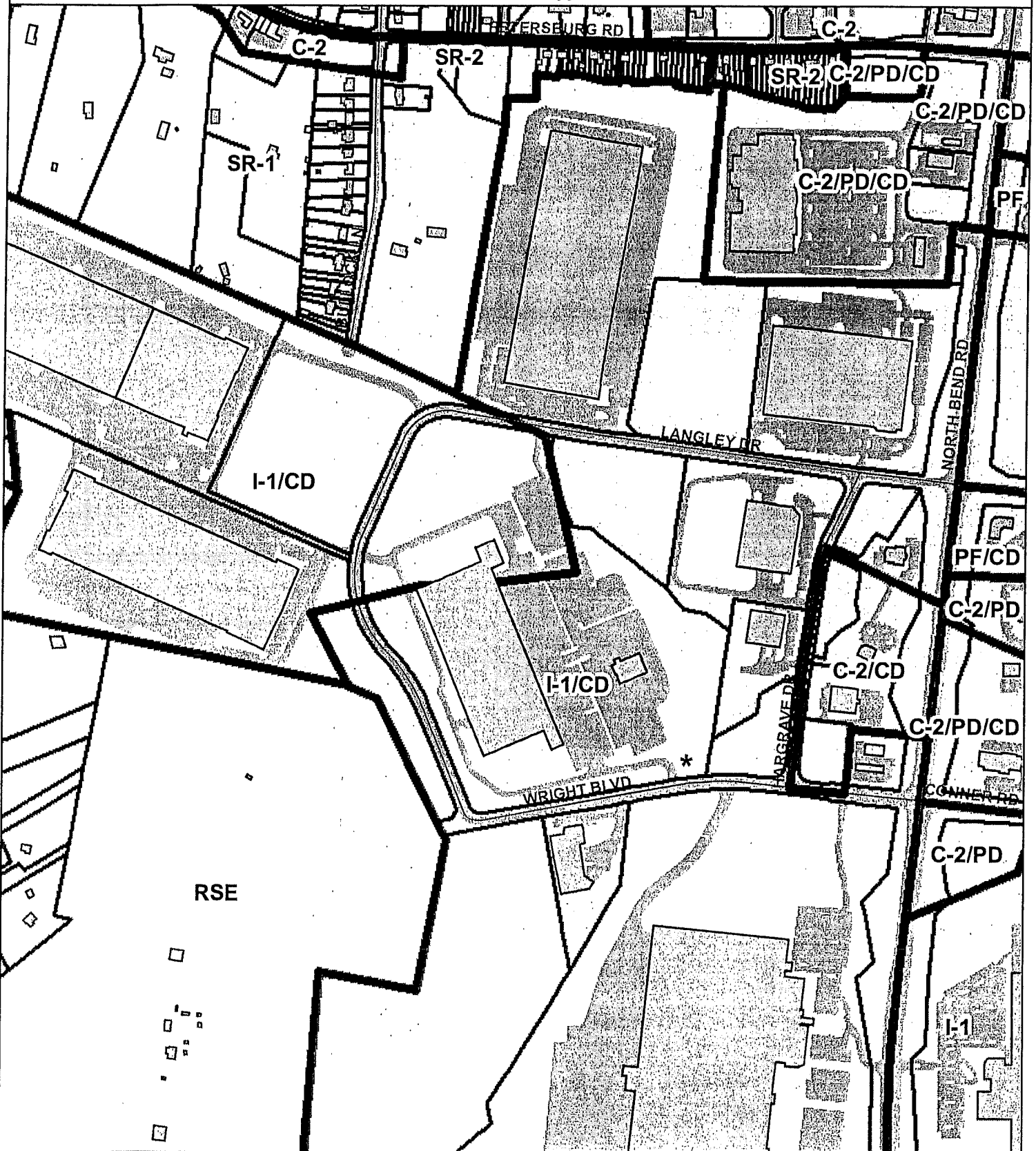


SIGN F - QTY 2

SIGN G - QTY 3

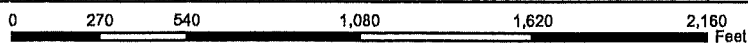
# ZONING MAP

www.boonecountygis.com



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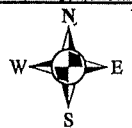
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1 inch = 600 feet

Boone County GIS

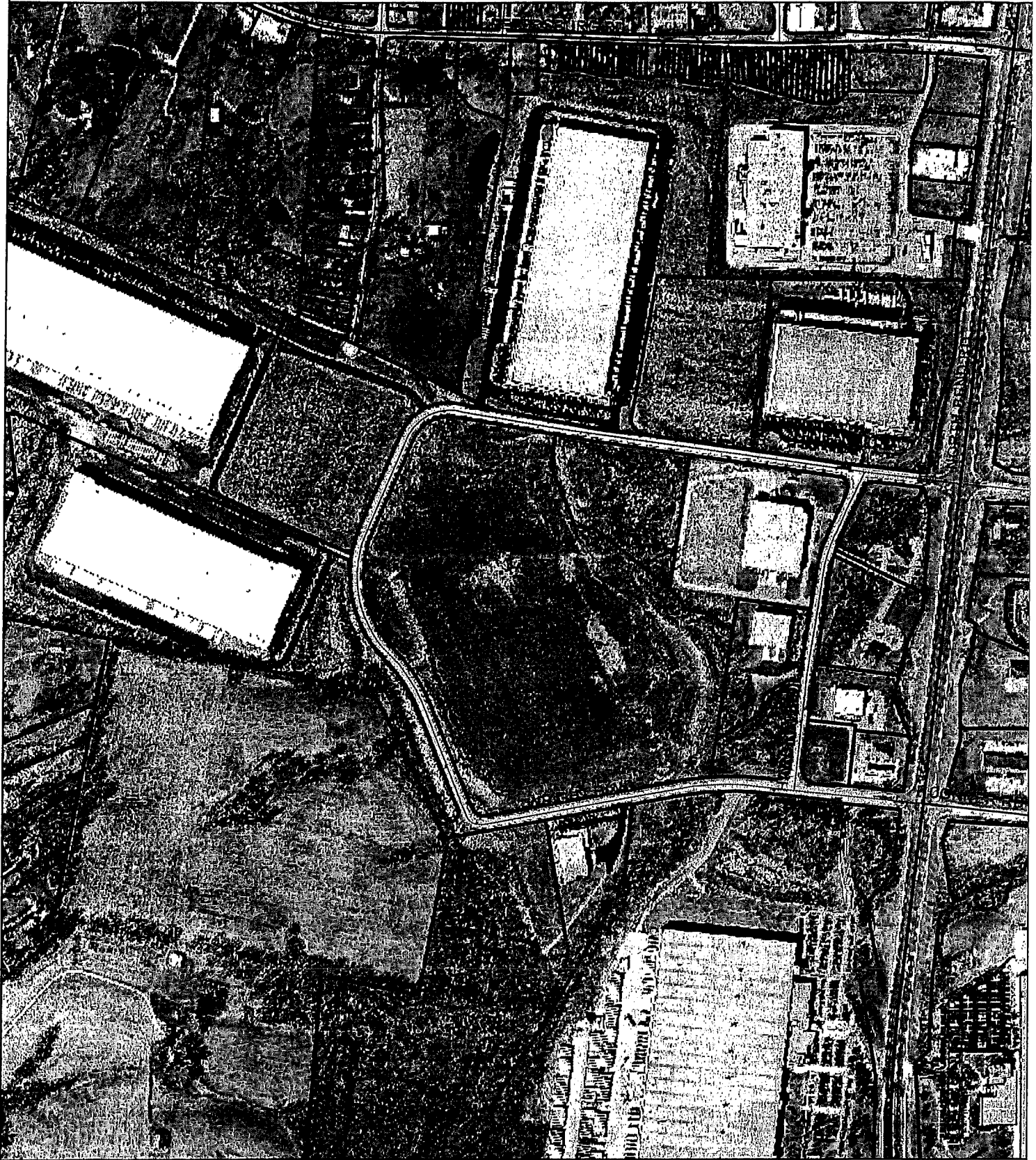
"Putting Northern Kentucky on the Map"



Boone County GIS

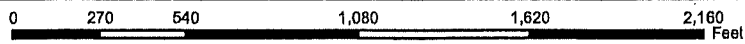
# 2012 AERIAL MAP

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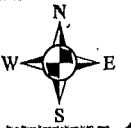
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1 inch = 600 feet

Boone County GIS

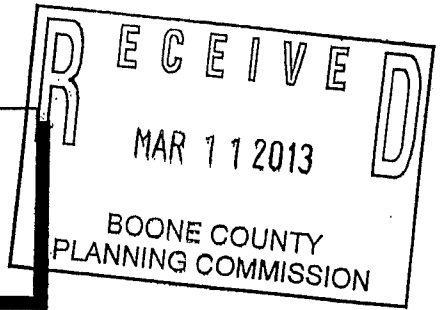
"Putting Northern Kentucky on the Map"



922.00

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 Florence Walton Union

(Check One)

- 2. Conditional Use Permit 2 Variance Appeal

3. Applicant's Name Quality Sign (Mark Stottman)

Applicant's Address 1530 Production Dr Burlington KY 40005

4. Description of Request: Firstall Larger Than permitted (Increase Height) directional sign @ the truck entrance (and sq. footage)

5. Name of Development McLane

6. Location of Development 3755 Langley Dr Hebron KY

7. Acreage Under Review 43.952

8. Lot Number and Name of Subdivision (if part of a subdivision) Lot 6, Sect. 9 AIRPARK WEST

9. Owner of Property McLane

Address of Property Owner 2207 Langley Dr Hebron KY 41041

10. Phone Number 917-264-2201 Fax No. E-Mail

11. Proposed Use(s) on Site Distribution Center

12. Total Square Footage of Existing and/or Proposed Buildings 48 Sq. Foot Sign

13. Current Zoning on Property I-1

14. Deed Book 1008 Page No. 918 Group No. 2007 + 2019

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.

ORIGINAL Property Owner's Signature: Mark Robinson

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: M. J. Bell

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

McLane Foodservice Inc 4747 McClure Park Way Temple, TX 76504

COPY

CLUR #13-BCBOA-007-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

McClane Foodservice Inc.  
4747 McLane Parkway  
Temple, TX 76504

2. ADDRESS OF PROPERTY

3755 Langley Drive  
Hebron, KY 41048

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

McLane Foodservice

4. DEED BOOK 1008

PAGE NO. 918

GROUP NO. 2007 & 2019

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

Zoning Map Amendment:  
From  To

Conditional Use Permit

Development Plan

Conditional Zoning

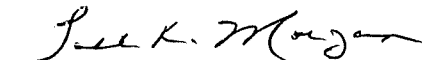
Subdivision Plat  
(Not Recorded)

Other:

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



SIGNATURE OF COMPLETING OFFICIAL

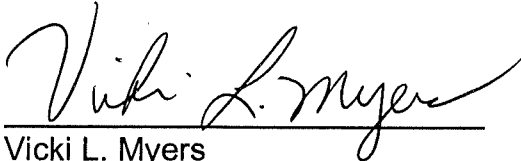
Todd K. Morgan, AICP, Senior Planner, Zoning Services  
Name and Title of Completing Official

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 15<sup>th</sup> day of April, 2013.



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:



Debbie 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 Variances (2) approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of April 10, 2013 Certificate of Land Use Restriction (#13-BCBOA-007-A), for McClane Foodservice Inc., Property Owner(s).

The following conditions will apply:

- 1) The new sign proposed at the truck entrance shall be classified as a monument sign. The sign can be up to 10' tall and 48 square feet in area.
- 2) The current monument sign at the employee/visitor entrance shall be reclassified as a directional sign. The sign can remain 8' tall and 32 square feet in area but must be redesigned so it includes the word entrance or a directional arrow per the Boone County Zoning Regulations.

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

DEED BOOK 1008

PAGE NO. 918

GROUP NO. 2007 & 2019