

APPLICATION FORM

RECEIVED  
67803  
OCT 22 2013  
BOONE COUNTY  
PLANNING COMMISSION

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 \_\_\_\_\_ Florence  Walton \_\_\_\_\_ Union \_\_\_\_\_  
 (Check One)
- 2. \_\_\_\_\_ Conditional Use Permit  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
 \_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_
- 3. Applicant's Name ABC SIGNS  
 Applicant's Address 38 W. Memmick  
Cincinnati OH 45202  
 City State Zip  
 Phone Number 513-241-8884 Fax No. 513-241-8978 E-Mail ten@abesign.com
- 4. Description of Request: Increase square footage for signage on Building Mounted Signs on Front Fascia
- 5. Name of Development: McDonalds
- 6. Location of Development 5985 Centennial Circle
- 7. Acreage Under Review 1.1761
- 8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_
- 9. Owner of Property Archway's Bluegrass  
 Address of Property Owner 10063 Dixie Hwy  
Florence Ky 41042  
 City State Zip  
 Phone Number 859-371-8114 Fax No. \_\_\_\_\_ E-Mail grant.green@partners.mcd.com
- 10. Proposed Use(s) on Site Restaurant
- 11. Total Square Footage of Existing and/or Proposed Buildings \_\_\_\_\_
- 12. Current Zoning on Property C-3PD
- 13. Deed Book 553 Page No. 40 Group No. 2026
- 14. Is the site subject to a zone change? \_\_\_\_\_  
 If yes, give date of approval \_\_\_\_\_
- 15. Have you submitted a Site Plan with this request? yes
- 16. Have you submitted a list of adjoining property owners with this request? yes
- 17. 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)

**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 10-22-13 Fee Received \$932.<sup>00</sup> Receipt # 107803
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
11/13/13 **Approved**  
**Approved with Conditions** (See #6)  
**Denial** (See #7)
6. Conditions of Approval: SEE 11/13/13 BCBOA Meeting  
MINUTES + CLUR
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@boonecountky.org - E-mail  
[www.boonecountky.org](http://www.boonecountky.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: ABC Signs for McDonald's

LOCATION: 5985 Centennial Circle, Boone County, Kentucky

ZONING: Commercial Services/Planned Development (C-3/PD)

DATE: November 13, 2013

### PROPOSAL

The applicant has submitted a Variance request to increase the permitted building mounted signage on the front facade of McDonald's from 88.88 square feet to 183.88 square feet.

### 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 requests as they relate to the Variance criteria as listed 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 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 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.

#### RECENT SITE HISTORY

9/13/13 - Boone County Planning Commission approves a Major Site Plan allowing the elimination of an access point, the construction of side by side drive through lanes, and ADA site improvements.

10/9/13 - Boone County Board of Adjustment approves a Variance allowing the height of two menu boards to be increased from 6' tall to 6'-9" tall.

10/23/13- Boone County Planning Commission approves a Sign Permit allowing building mounted signage on the front and corner side facades of the building. Each of facades was permitted a 2.66 square foot welcome sign and a 14 square foot McDonald's arch.

#### SITE CHARACTERISTICS

The 1.3769 acre property is located at the northwest side of the Burlington Pike/Centennial Circle/Boone Aire Road intersection. The property currently contains a 3,775 square foot McDonald's restaurant, one drive through order lane, and accessory parking. Access to the site is from provided from two curb cuts on Centennial Circle. One curb cut is a one-way in and the other is a one-way out. McDonald's freestanding sign is located along KY 18 and their menu board is located in a grass area between the rear of the building and the drive through lane.

#### SURROUNDING LAND USES AND ZONING

North: Undeveloped Property Fronting on KY 18 and Aero Parkway (C-4 and I-1)

South: KY 18, Single-Family Residential Dwellings, and Christ Methodist Church (SR-1)

Southeast: Centennial Circle and Speedway Gasoline Station and Convenience Store (C-3/PD)

East: Vacant Diner (C-3/PD)

West: KY 18 and Single-Family Residential Dwellings (SR-1)

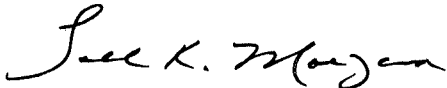
STAFF COMMENTS

1. On November 9, 2011, the Boone County Board of Adjustment approved building mounted signage Variance for the McDonald's in Hebron. The Variance increased the permitted signage on the building from 96 square feet to 226.9 square feet.
2. Staff recommends the following condition if the request is approved:
  - A. The approval is based on the submitted building elevation exhibit. Additional signage shall not be permitted in the three sign areas on the front building facade.
3. 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 request.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

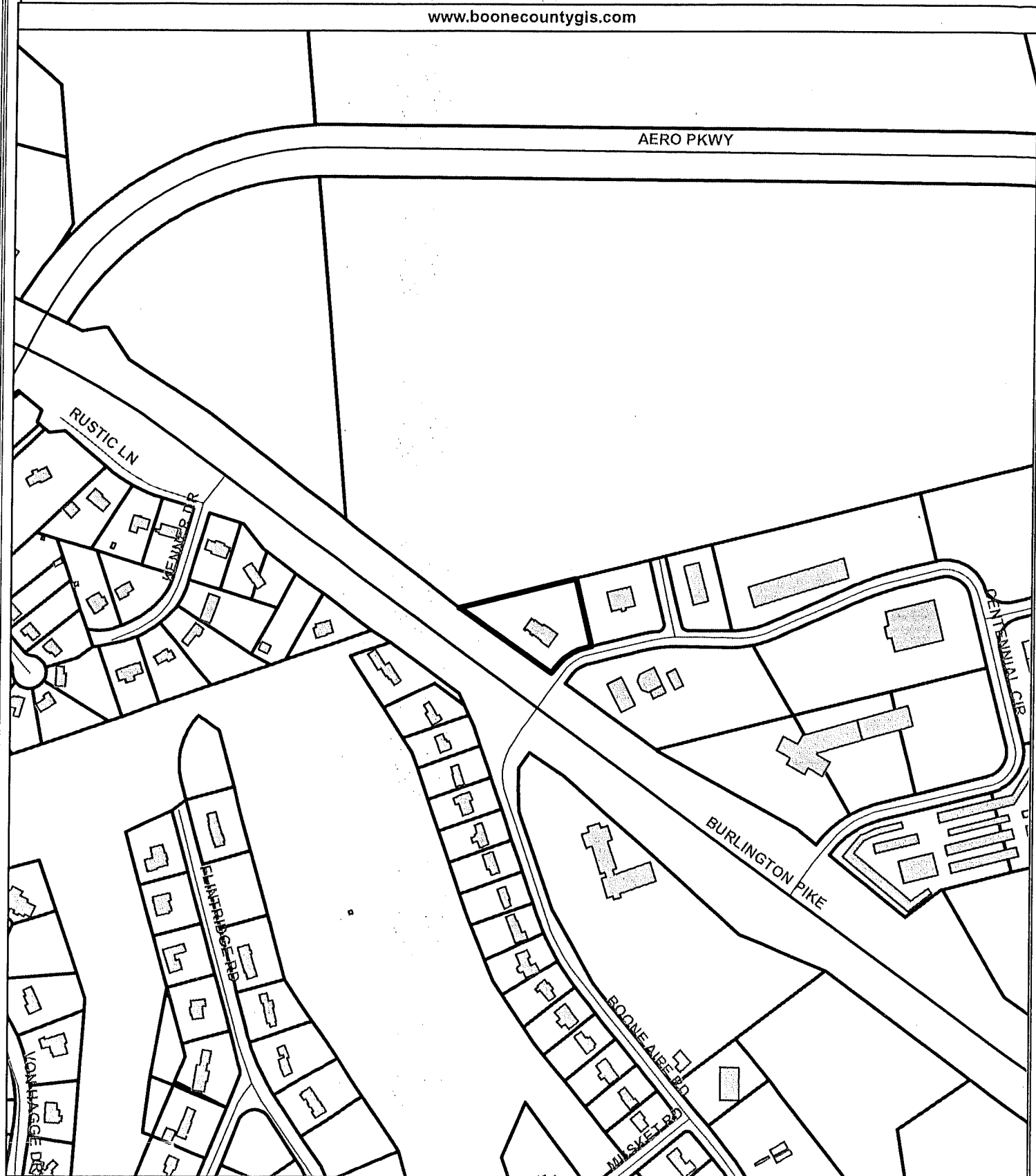
TKM/vlm

Attachments

- \*Site Vicinity Map
- \*9/13/13 Site Plan
- \*Elevation Drawings and Sign Locations
- \*Building Mounted Sign Specifications
- \*2012 Aerial Map
- \*Zoning Map
- \*Application

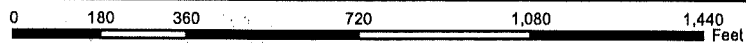
# SITE VICINITY MAP

www.boonecountygis.com



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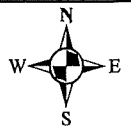
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 400 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



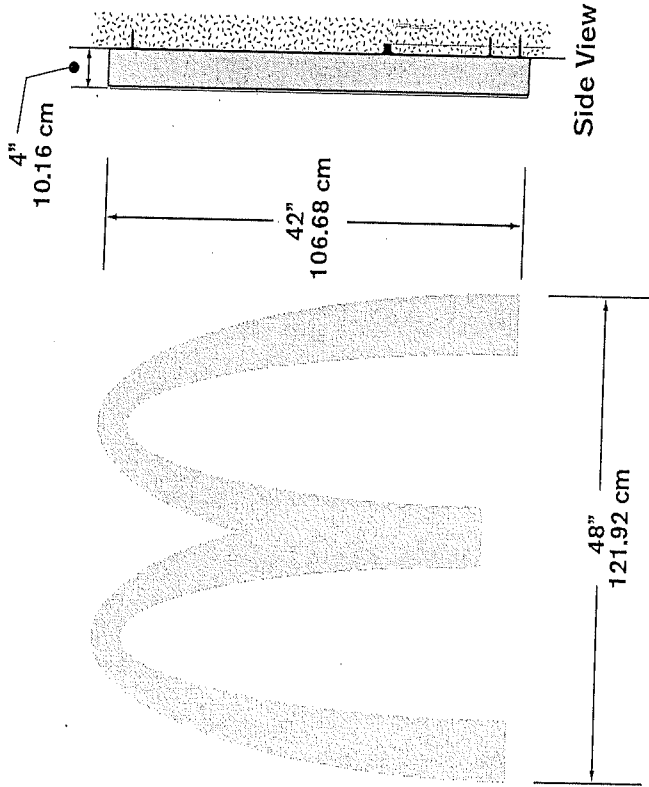
Map Data Provided by Esri, Inc. © 2012





# 42" NextGen Illuminated Building Arch - LED

2



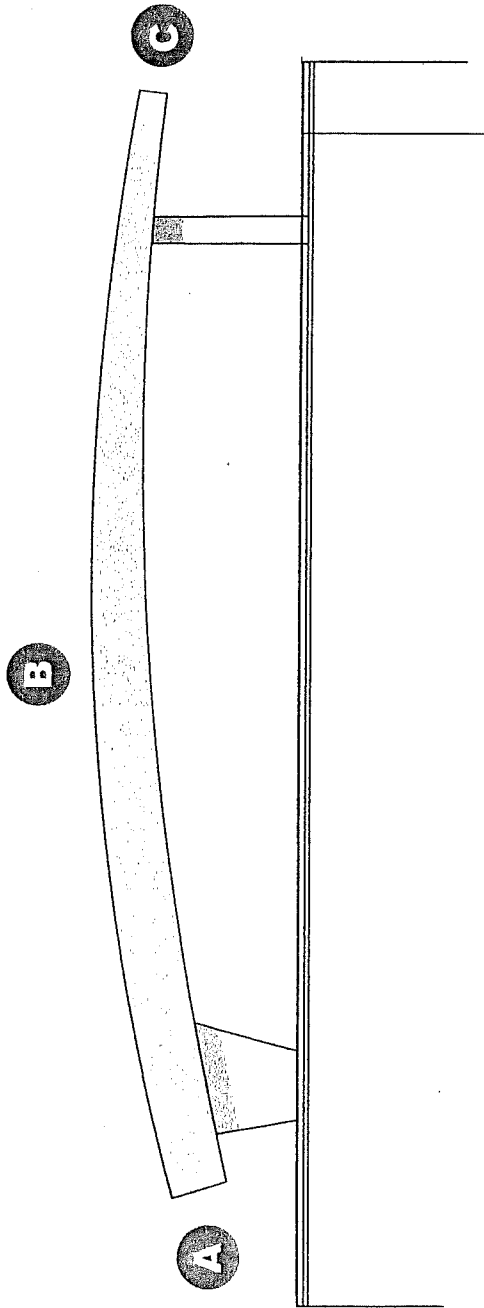
Illumination: LED

Electrical: .35 AMPS

Ballast: (1) OSRAM OT75-120-277-24

Ship Weight:

# Roof Cap Elements (RCE)



## 4587 Series

Front Arcade: 45'-7"  
Entry Arcade: 18'-0"  
Drive Thru Hearth: 9'-10"

## 38101 Series

Front Arcade: 34'-11"  
Entry Arcade: 18'-0"  
Drive Thru Hearth: 9'-10"

## 3692 Series

Front Arcade: 34'-11"  
Entry Arcade: 18'-0"  
Drive Thru Hearth: 9'-10"

Size:	45'-7"	34'-11"	18'	9'-10"
<b>Dimensions:</b>	<b>A</b> 15.67" (39.80cm)  <b>B</b> 45'-7" (1389.38 cm)  <b>C</b> 5.38" (3.66 cm)	<b>A</b> 15.67" (39.80cm)  <b>B</b> 34'-11" (1064.26cm)  <b>C</b> 7.12" (18.08 cm)	<b>A</b> 7.39" (18.77 cm)  <b>B</b> 18'-0" (548.64 cm)  <b>C</b> 3" (7.62 cm)	<b>A</b> 6" (15.24 cm)  <b>B</b> 9'-10" (274.32 cm)  <b>C</b> 3" (7.62 cm)
<b>Ship Weight:</b>	473 lbs.	352 lbs.	131 lbs.	90 lbs.

24"  
60.96 cm  
**McDonald's**

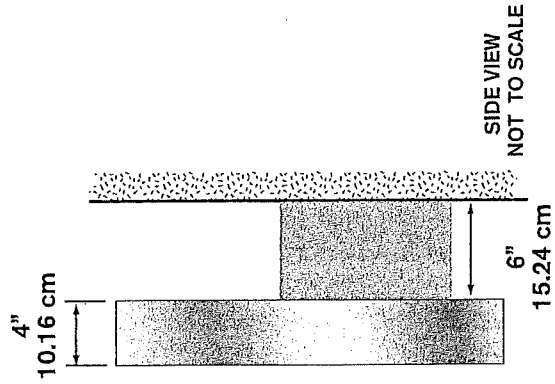
16' 5"  
500.38 cm

**Illumination:** LED

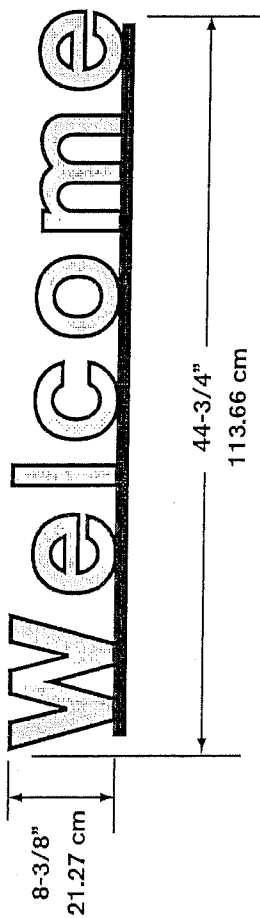
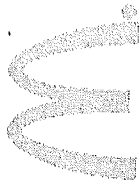
**Electrical:** 1.6 AMPS

**Power Supply:** (1) Amperor ANP90-30P1

**Ship Weight:**



# Welcome Sign

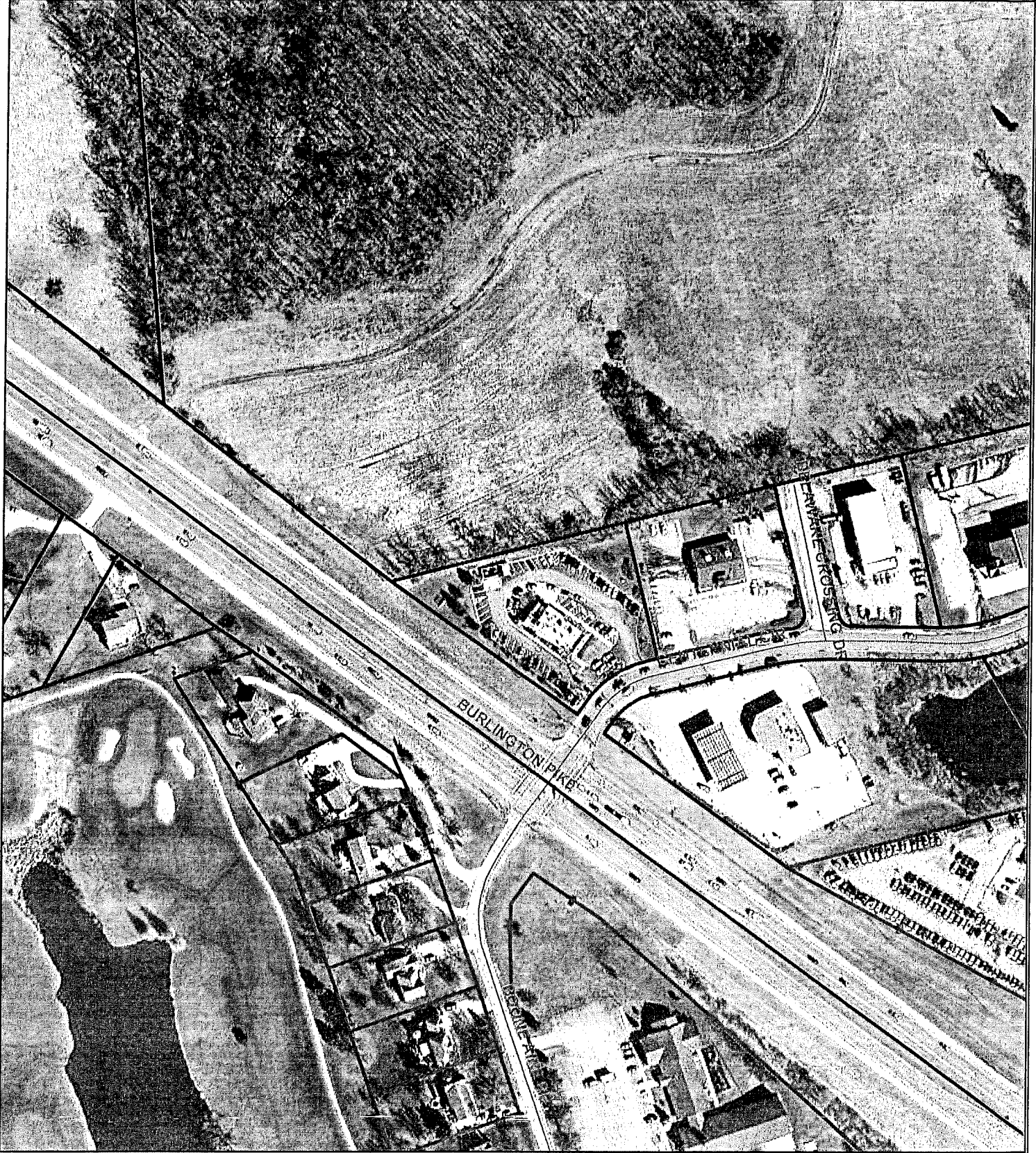


**Illumination:** N/A  
**Ship Weight:** 16 lbs.  
**Other:** 3/4" thickness cutout aluminum letters.

2-6

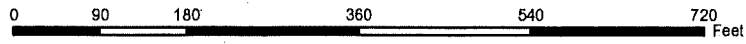
# 2012 AERIAL MAP

www.boonecountygis.com



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1 inch = 200 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Map Projections: North NAD 83

# ZONING MAP

www.boonecountygis.com

AERO PKWY

I-1

C-4

O-1

RUSTIC LN

SR-2

SR-1/PD/CD

C-3/PD/CD

C-2/PD

C-2/PD/CD

BURLINGTON PIKE

C-3/PD

C-3/PD/CD

R

C-4

RSE

RSE

SR-1

BOONE AVE RD

MILSWAY RD

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0 180 360 720 1,080 1,440 Feet

1 inch = 400 feet

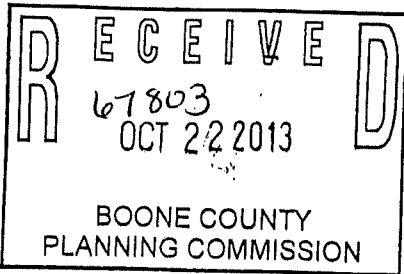
Boone County GIS

"Putting Northern Kentucky on the Map"



Map of Boone County, Kentucky, 2012

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. X Boone Florence [ ] Walton Union
2. (Check One) Conditional Use Permit X Variance Appeal
3. Applicant's Name ABC SIGNS
Applicant's Address 38 W. Memmick
Cincinnati OH 45202
Phone Number 513-241-8884 Fax No. 513-241-8978 E-Mail teri@abcsign.com
4. Description of Request: Increase square footage for signage on Building Mounted Signs on Front Fascia
5. Name of Development: McDonalds
6. Location of Development: 5985 Centennial Circle
7. Acreage Under Review: 1.1761
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Archway's Bluegrass
Address of Property Owner 10063 Dixie Hwy
Florence Ky 41042
10. Phone Number 859-371-8014 Fax No. E-Mail grant.groen@partners.mcd.com
11. Proposed Use(s) on Site Restaurant
12. Total Square Footage of Existing and/or Proposed Buildings
13. Current Zoning on Property C-3 PD
14. Deed Book 553 Page No. 40 Group No. 2026
15. Is the site subject to a zone change?
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: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
Archways Bluegrass  
10063 Dixie Highway  
Florence, KY 41042
2. ADDRESS OF PROPERTY  
5985 Centennial Circle  
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
McDonald's
4. DEED BOOK 553      PAGE NO. 40      GROUP NO. 2026
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)
- 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  
2950 WASHINGTON STREET, ROOM 317  
P.O. BOX 958  
BURLINGTON, KENTUCKY 41005

  
\_\_\_\_\_  
SIGNATURE OF COMPLETING OFFICIAL

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

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 November 13, 2013 Certificate of Land Use Restriction (#13-BCBOA-023-A), for Archways Bluegrass, Property Owner(s).

The following conditions will apply:

1. The approval is based on the submitted building elevation exhibit. Additional signage shall not be permitted in the three sign areas on the front building façade.

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

DEED BOOK 553

PAGE NO. 40

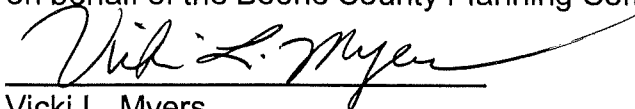
GROUP NO. 2026

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 November, 2013.



Vicki L. Myers

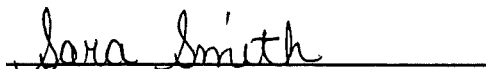
Notary ID 438411

NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 2015

This instrument was prepared for recording purposes only by:



Sara Smith

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.)