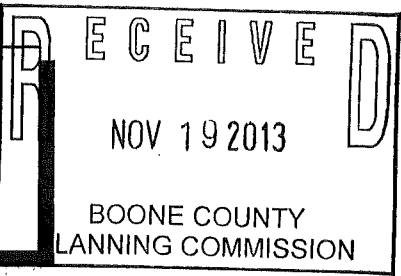


APPLICATION FORM

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. Conditional Use Permit X Variance Appeal
3. Applicant's Name Susan Cox Development, LLC
Applicant's Address 2768 North Highland Avenue
Jackson TN 38305
City State Zip
Phone Number (731) 660-2391 Fax No. (731) 660-9061 E-Mail scox@susancoxdevelopment.com
4. Description of Request: Request for monumental sign size increase variance.
5. Name of Development Dollar General
6. Location of Development Current Address - 3007 Limaburg Road
7. Acreage Under Review
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Susan Cox Development, LLC
Address of Property Owner 2768 North Highland Avenue
10. Jackson TN 38305
City State Zip
Phone Number (731) 660-2391 Fax No. (731) 660-9061 E-Mail scox@susancoxdevelopment.com
11. Proposed Use(s) on Site Mercantile - Dollar General
12. Total Square Footage of Existing and/or Proposed Buildings 9,323 S.F.
13. Current Zoning on Property C2/SC - Commercial Two / Overlay
14. Deed Book 1028 Page No. 815 Group No. 2007
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?
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.

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

ORIGINAL Applicant's Signature: Susan Cox
(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 11/19/13 Fee Received \$932.00 Receipt # 67955
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
12/11/13 **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: Susan Cox Development, LLC for Dollar General

LOCATION: 3007 Limaburg Road, Boone County, Kentucky

ZONING: Commercial Two/Small Community Overlay (C-2/SC)

DATE: December 11, 2013

### Proposal

The applicant has submitted a Variance application to allow the square footage of Dollar General's monument sign to be increased from 32 square feet to 50.63 square feet.

### Applicable Regulations

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 requests as they relate to the Variance criteria 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 3403 of the Boone County Zoning Regulations states that 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 3450 of the Boone County Regulations states that building mounted and free standing signs located within Small Community (SC) Overlay and Walton Downtown (WD) Districts shall conform to the following requirements:

1. Business establishments may be permitted one (1) building mounted sign for each building elevation that is directly on, or has high visibility from any arterial, collector, or marginal access street (includes areas of major internal traffic circulation). The size of building mounted signs shall not exceed one (1) square foot of sign area per linear foot of building width or lease space on which the sign is mounted. Building mounted signs shall not exceed 32 square feet in size.
2. Signs cannot project more than four (4) feet into the right-of-way or interfere with pedestrian traffic on sidewalks. Signs that project into a right-of-way will require written permission from the owner of the right-of-way. The bottom of the sign shall be located a minimum of ten (10) feet above the ground. The maximum permitted size for projecting signs is 16 square feet.
3. No sign shall be permitted to be located above the parapet wall on flat roofed buildings nor shall a sign be located on any roof plane of a pitched roof building or on or above the ridge line.
4. Individual parcels of land and mixed-use commercial projects shall be permitted a density of one (1) on-premises, monument sign. The size of monument signs shall not exceed one half ( $\frac{1}{2}$ ) square foot for each lineal foot of road frontage. Monument signs shall not exceed eight (8) feet in height and 32 square feet in size and shall be set in an appropriately landscaped area.
5. Sandwich Board/A-Frame Signs

The purpose and intent of the sandwich board/A-frame sign is to provide pedestrian-scaled advertising for temporary events, such as daily lunch specials, sales, gatherings, etc. A sandwich board/A-frame sign is defined as a non-illuminated portable sign that does not exceed two (2) feet in width or six (6) feet in height. The sign may be double sided and can fold out forming a triangular A-frame shape when viewed from the side. Each business establishment is allowed a maximum of one sandwich board/A-frame sign. This type of sign is only to be displayed during normal operating hours of the individual business establishment and must be removed during non-operating hours. The sign must be located on-premise or within ten (10) feet of the business which it advertises, and cannot interfere with pedestrian or vehicular traffic. A Sign Permit for sandwich board/A-frame signs is not required.

#### Relevant Site History

8/14/13 - Boone County Board of Adjustment approves a Variance to increase the 10' maximum corner side yard building setback to 81' for a Dollar General store.

11/8/13 - Boone County Planning Commission approves a Site Plan application allowing the construction of a 9,100 (70' x 130') square foot Dollar General store and accessory parking lot.

11/13/13 - Boone County Board of Adjustment approves two (2) Variances allowing building mounted signs on the front and corner side facades to be increased from 32 square feet to 49.8 square feet.

### Site Characteristics

The subject property is approximately 1.04 acres in area and has 158.48' of frontage on KY 20 and 163.05' of frontage on Limaburg Road. The former bank and daycare building was recently demolished and construction has begun on the 9,100 square foot (70' x 130') Dollar General store. The approved Site Plan shows that the topography of the site will fall from 888' feet at the southeast property line to 871 feet above sea level at the northwest property line.

### Staff Comments

1. Staff would like the applicant to address the following:

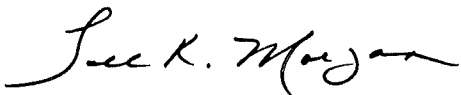
The proposed monument sign is shown with a 5'-0½" x 10'-0½" (50.63 square foot) cabinet.

- A. Has the cabinet already been manufactured?
  - B. Could the cabinet be made smaller so it complies with the 32 square foot size limitation?
2. Staff took some pictures of other business in the SC overlay for comparison purposes. These pictures are part of the PowerPoint slide show.
  3. The Board needs to analyze the Variance criteria before acting on the request.

### 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/vlm

### Attachments

- \*Site Vicinity Map
- \*Site Plan with Proposed Sign Location
- \*Proposed Monument Sign
- \*2012 Aerial Map
- \*Zoning Map
- \*Application

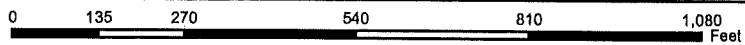
# SITE VICINITY MAP

www.boonecountygis.com



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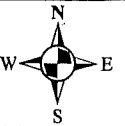
Date used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 300 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Map Date: 1/2012



**EXISTING UTILITIES**

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. FIELD SURVEY IS NOT GUARANTEED.

2. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. FIELD SURVEY IS NOT GUARANTEED.

3. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. FIELD SURVEY IS NOT GUARANTEED.

4. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. FIELD SURVEY IS NOT GUARANTEED.

**CONSTRUCTION NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KENTUCKY CONSTRUCTION CODES AND REGULATIONS.

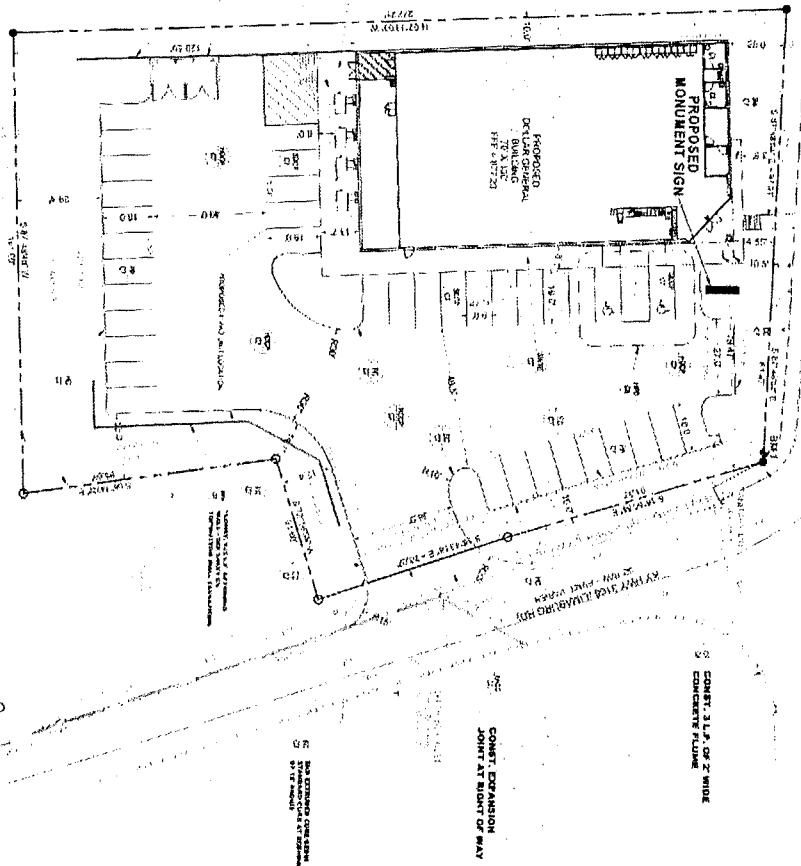
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KENTUCKY CONSTRUCTION CODES AND REGULATIONS.

3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KENTUCKY CONSTRUCTION CODES AND REGULATIONS.

**CONCRETE CURB APPROX. 18" L. STANDARDS CURBS & CUTTERS PER KYC STANDARDS (MATCH CURB FLOW LINE ELEVATIONS)**

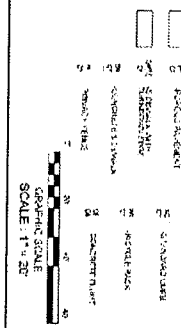
**CONCRETE CURB APPROX. 18" L. STANDARDS CURBS & CUTTERS PER KYC STANDARDS (MATCH CURB FLOW LINE ELEVATIONS)**

**CONCRETE CURB APPROX. 18" L. STANDARDS CURBS & CUTTERS PER KYC STANDARDS (MATCH CURB FLOW LINE ELEVATIONS)**



**NOTE: CONCRETE CURB SHALL HAVE CUT A CLEAN EDGE AT EXISTING TRAVEL LANE (WHITE STRIPING LANE) AND CONCRETE CURB SHALL DEPTH ASPHALT TO PROPOSED CURB LANE**

**CONCRETE CURB APPROX. 18" L. STANDARDS CURBS & CUTTERS PER KYC STANDARDS (MATCH CURB FLOW LINE ELEVATIONS)**



**CONSTRUCTION LEGEND**

[Symbol]	1. CONCRETE CURB
[Symbol]	2. ASPHALT DRIVE
[Symbol]	3. ASPHALT DRIVE
[Symbol]	4. ASPHALT DRIVE
[Symbol]	5. ASPHALT DRIVE
[Symbol]	6. ASPHALT DRIVE
[Symbol]	7. ASPHALT DRIVE
[Symbol]	8. ASPHALT DRIVE
[Symbol]	9. ASPHALT DRIVE
[Symbol]	10. ASPHALT DRIVE

**DEVELOPMENT SUMMARY**

NO.	DESCRIPTION	AMOUNT
1	CONCRETE CURB	100.00
2	ASPHALT DRIVE	200.00
3	ASPHALT DRIVE	200.00
4	ASPHALT DRIVE	200.00
5	ASPHALT DRIVE	200.00
6	ASPHALT DRIVE	200.00
7	ASPHALT DRIVE	200.00
8	ASPHALT DRIVE	200.00
9	ASPHALT DRIVE	200.00
10	ASPHALT DRIVE	200.00

**BUILDING SUMMARY**

NO.	DESCRIPTION	AMOUNT
1	CONCRETE CURB	100.00
2	ASPHALT DRIVE	200.00
3	ASPHALT DRIVE	200.00
4	ASPHALT DRIVE	200.00
5	ASPHALT DRIVE	200.00
6	ASPHALT DRIVE	200.00
7	ASPHALT DRIVE	200.00
8	ASPHALT DRIVE	200.00
9	ASPHALT DRIVE	200.00
10	ASPHALT DRIVE	200.00

**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KENTUCKY CONSTRUCTION CODES AND REGULATIONS.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KENTUCKY CONSTRUCTION CODES AND REGULATIONS.

3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KENTUCKY CONSTRUCTION CODES AND REGULATIONS.

**C2**  
PROPOSED SITE LAYOUT



**ACES**  
ARCHITECTURAL & CIVIL ENGINEERING

**ACES**  
ARCHITECTURAL & CIVIL ENGINEERING

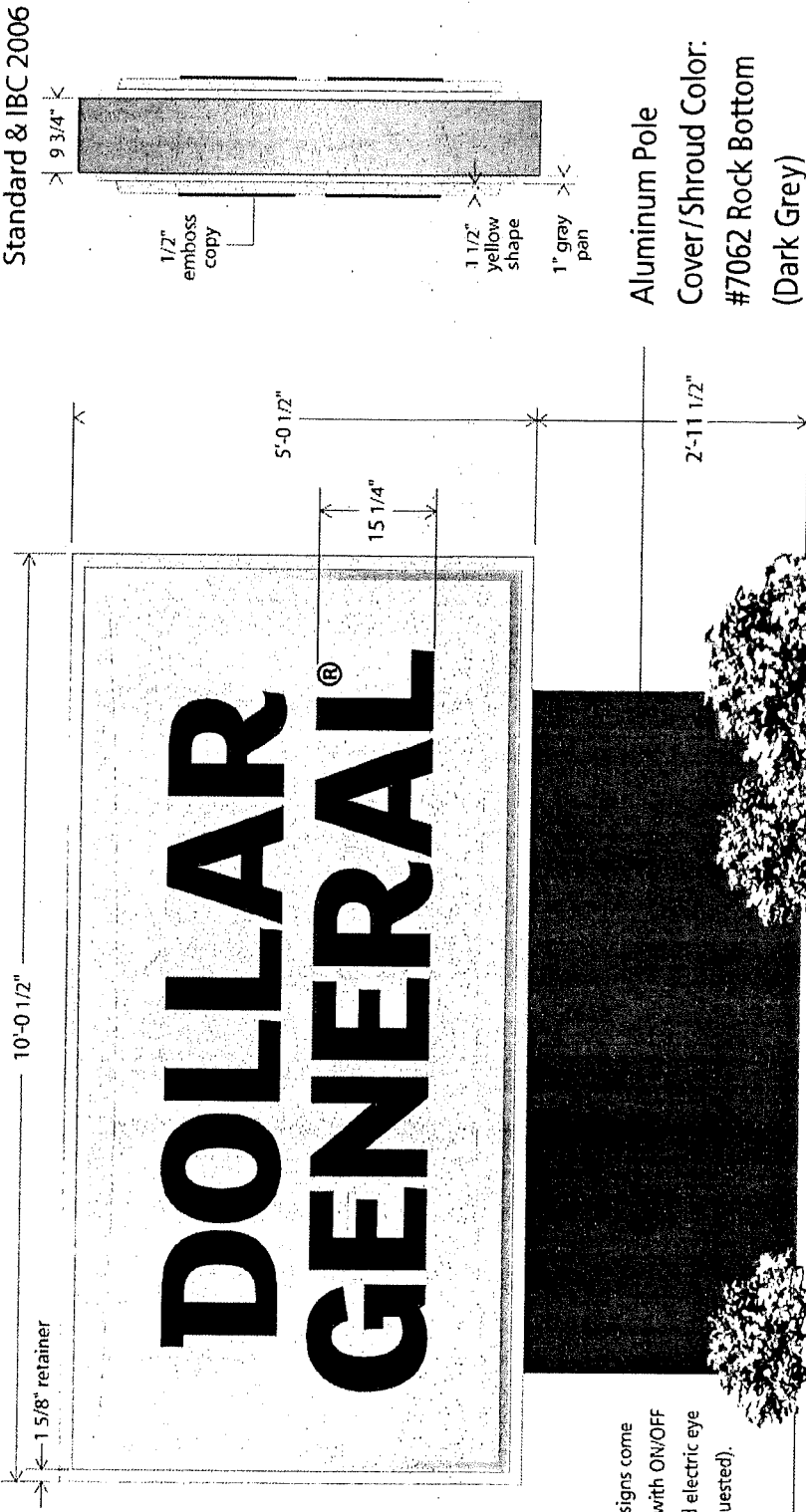
**DOLLAR GENERAL**  
3007 LIMABURG RD.  
HEBRON, KY 41048

4/27/2023

# DOLLAR GENERAL

2009 Logo - 5'-0 1/2" x 10'-0 1/2" Double Face Monument Mount CP Sign

8'-0" Overall Height - Monument Mount (Aluminum Pole Cover) with 15 1/4" letter height



Side View

Standard & IBC 2006

1/2" embossed copy

1 1/2" yellow shape

1" gray pan

NOTE: All signs come complete with ON/OFF switch and electric eye (when requested).

Aluminum Pole  
Cover/Shroud Color:  
#7062 Rock Bottom  
(Dark Grey)

- Cabinet Size: 5'-0 1/2" x 10'-0 1/2" (9 3/4" DEEP)
- Mldg: 1 5/8" G molding (EX-249), removable end molding for servicing.
- V.O.: 4'-9 1/4" x 9'-9 1/4"
- Cabinet Finish: FM 171 brushed aluminum.
- Must be Cool White High Output Fluorescent Lamps

- Black logotype embossed 1/2" on special yellow embossed shape (Spraylat C8-2633 yellow, no exceptions) on Gray (PMS Cool Gray 5) background and returns.
- Decorative process: Production quantities are to have screen printed graphics (yellow, black, gray & white), no mask and spray.
- Labeling: Requires UL Label and Union Label.



Dualite Sales & Service, Inc.

WILLIAMSBURG, OHIO • CEDAR HILL, TEXAS

Dualite Sales & Service, Inc.  
One Dualite Lane  
Williamsburg, Ohio 45176

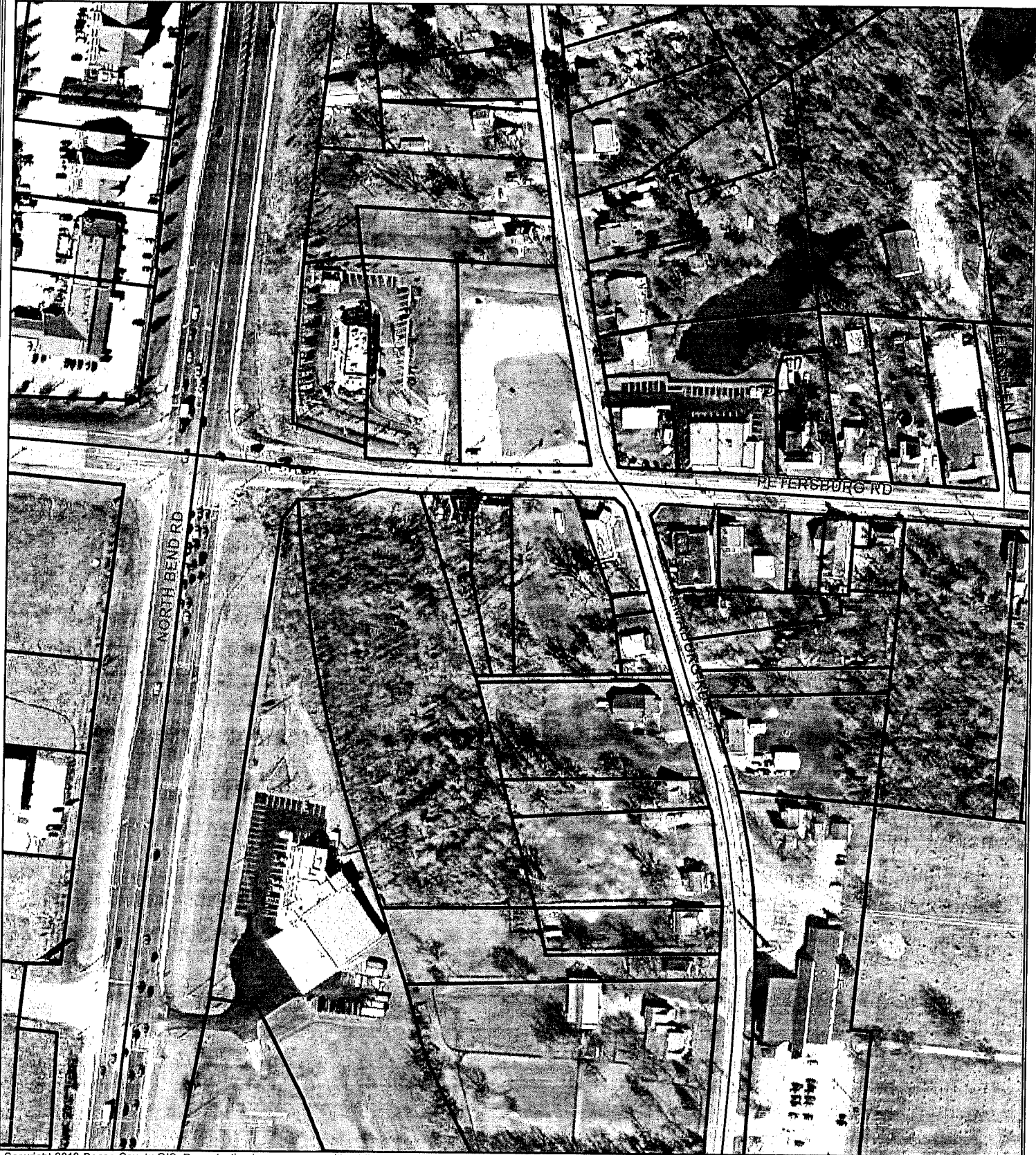
Scale: 1/2" = 1'-0"  
# 09-6-191 DOLL01-GSP  
Date: 6-19-09 revised

Customer Approval  
and Comments

This design is exclusive property of Dualite Sales & Service, Inc. • 1 Dualite Lane • Williamsburg, OH 45176 • Copyright 2009 Dualite Sales & Service, Inc. All Rights Reserved. Reproduction of this proprietary work without the permission of Dualite Sales & Service, Inc. will subject the user to liability under the copyright statutes of the United States.

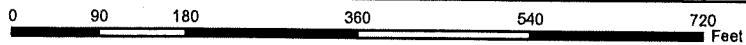
# 2012 AERIAL MAP

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1 inch = 200 feet

**Boone County GIS**

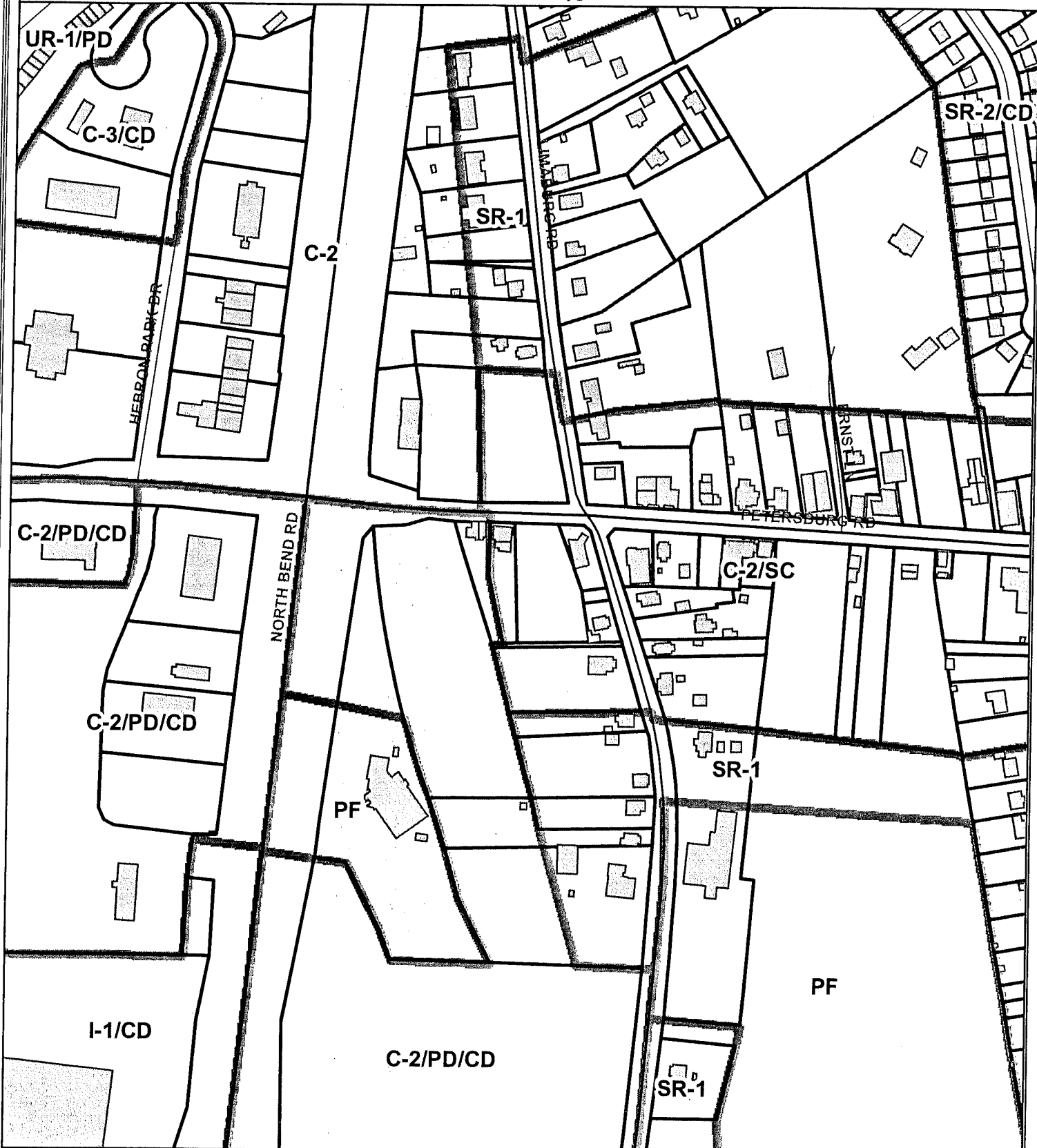
**"Putting Northern Kentucky on the Map"**



Map by Planon Kentucky (Boone KY) 2012

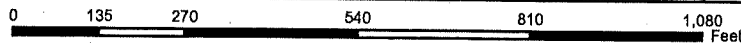
# ZONING MAP

www.boonecountygis.com



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1 inch = 300 feet

Boone County GIS

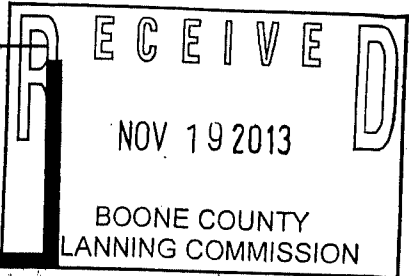
"Putting Northern Kentucky on the Map"



Boone County GIS, Boone County, KY 40301

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  Variance \_\_\_\_\_ Appeal \_\_\_\_\_  
\_\_\_\_\_ Change in Non-Conforming Use \_\_\_\_\_

3. Applicant's Name Susan Cox Development, LLC  
Applicant's Address 2768 North Highland Avenue  
Jackson TN 38305  
City State Zip

4. Phone Number (731) 660-2391 Fax No. (731) 660-9061 E-Mail scox@susancoxdevelopment.com  
Description of Request: Request for monumental sign size increase variance.

5. Name of Development Dollar General

6. Location of Development Current Address - 3007 Limaburg Road

7. Acreage Under Review \_\_\_\_\_

8. Lot Number and Name of Subdivision (if part of a subdivision) \_\_\_\_\_

9. Owner of Property Susan Cox Development, LLC

10. Address of Property Owner 2768 North Highland Avenue  
Jackson TN 38305  
City State Zip

Phone Number (731) 660-2391 Fax No. (731) 660-9061 E-Mail scox@susancoxdevelopment.com

11. Proposed Use(s) on Site Mercantile - Dollar General

12. Total Square Footage of Existing and/or Proposed Buildings 9,323 S.F.

13. Current Zoning on Property C2/SC - Commercial Two / Overlay

14. Deed Book 1028 Page No. 815 Group No. 2007

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? \_\_\_\_\_

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.

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

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

[COPY]

CLUR #13-BCBOA-024-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Susan Cox Development  
2768 North Highland Avenue  
Jackson, TN 38305

2. ADDRESS OF PROPERTY

3007 Limaburg Road  
Hebron, KY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Dollar General Store

4. DEED BOOK 1028

PAGE NO. 815

GROUP NO. 2007

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

Zoning Map Amendment:  
From  To

Conditional Use Permit

Development Plan

Conditional Zoning

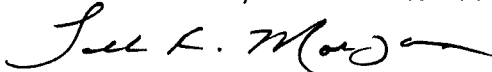
Subdivision Plat  
(Not Recorded)

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  
2950 WASHINGTON STREET, ROOM 317  
P.O. BOX 958  
BURLINGTON, KENTUCKY 41005



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

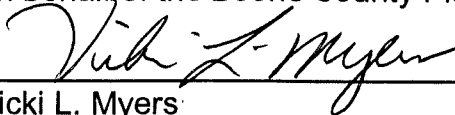
Todd K. Morgan, AICP, Senior Planner  
Name and Title of Completing Official

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 12 day of December, 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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Board of Adjustments and in accordance with the current zoning in effect as of December 11, 2013 Certificate of Land Use Restriction (#13-BCBOA-024-A), for Susan Cox Development, 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 1028

PAGE NO. 825

GROUP NO. 2007