

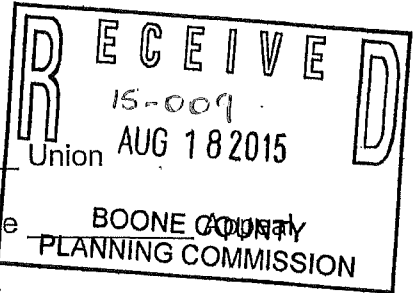
APPLICATION FORM

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 [X] Florence _____ Walton _____
2. (Check One) Conditional Use Permit [X] Variance _____ Change in Non-Conforming Use _____
3. Applicant's Name CEB Sign Services Inc
Applicant's Address 4152 BRANDOWMAN DR.
Cincinnati Ohio 45255
4. Description of Request: Illuminate Red LED Light BAR ACCESS Lighting on Gas canopy
5. Name of Development AIRPORT SHELL
6. Location of Development 5711 Hunter Rd Hebrew, Ky. 41048
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Alex OTHMAN
Address of Property Owner 2306 KENYON CE
10. Hebrew Ky 41048
11. Proposed Use(s) on Site GAS FACILITY * C-3 zone (SHELL)
12. Total Square Footage of Existing and/or Proposed Buildings _____
13. Current Zoning on Property C-3
14. Deed Book 1022 Page No. 329 Group No. 2021
15. Is the site subject to a zone change?
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: (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's 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 8/18/15 Fee Received \$932⁰⁰ Receipt # 71416
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
9/9/15 **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 - 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: C&B Sign Services, Inc. for Airport Shell
 LOCATION: 571 Hunter Road, Boone County, Kentucky
 ZONING: Commercial Services (C-3)
 DATE: September 9, 2015

PROPOSAL

The applicant has submitted a Variance to increase the permitted signage on a proposed fuel canopy. The request would allow more than 25% of the north, south, and west canopy faces to contain signage. The submitted sign drawings provide the following information:

CANOPY FACE	CANOPY FACE DIMENSIONS	PROPOSED SIGN AREA (ONE RECTANGLE)	PROPOSED VARIANCE
NORTH	33.5" x 24' 67 Sq. Feet	33.5" x 22' 61.42 Sq. Feet	25% To 91.7%
SOUTH	33.5" x 24' 67 Sq. Feet	33.5" x 22' 61.42 Sq. Feet	25% To 91.7%
WEST	33.5" x 100' 279.17 Sq. Feet	33.5" x 98' 273.58 Sq. Feet	25% To 98%

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 3413 (2) of the Boone County Zoning Regulations states that canopy (on gasoline and other completely detached canopies) mounted signage is permitted on no more than three (3) elevations of the canopy. The square footage allowed for canopy signs may not exceed 25% of the area of the fascia on which they are mounted and are figured within one rectangular sign area. The signs may not extend above or below the fascia of the canopy. A non-illuminated, two-dimensional horizontal stripe (paint, decal, etc.) consisting of a maximum of two (2) colors, including the background color, will be permitted on no more than three (3) elevations of the canopy and will not be counted as sign area. The signs may not extend above or below the fascia of the canopy.

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 CHARACTERISTICS

While the 4.52 acre site has road frontage on Hunter Road, I-275, and KY 212, access is provided from a single curb cut on Hunter Road. The site contains a 6,075 square foot building, with a convenience store and vacant restaurant tenant space, a 100' x 24' gasoline canopy, parking office/canopy, and a total of 344 parking spaces (39 for convenience store/restaurant and 305 for park and ride. The freestanding sign for the site is located along the KY 212 frontage.

PERTINENT SITE HISTORY

On January 17, 2014, Boone County Planning Commission approved a Major Site Plan application for a gas station, convenience store/restaurant, and park and ride facility. The gas canopy is 100' x 24' and covers four (4) pumps.

On April 8, 2015, Boone County Planning Commission approved a Sign Permit allowing signage on three faces of the gas canopy. The Permit indicates that a 7.8 square foot sign is permitted on the north, south, and west canopy faces.

SURROUNDING LAND USES AND ZONING

North: Hunter Road and Val Air/Enterprise (C-3)

South: I-275

East: Former Commercial Parking Lot (C-3)

West: KY 212

STAFF COMMENTS

1. The applicant received a Sign Permit to construct some of the canopy signage on April 8, 2015. The Permit allowed a 7.8 square foot (33.5" x 33.5") Shell logo (Pecten panel) to be constructed on the north, south, and west canopy faces.

Unfortunately, it appears that there was a communication issue between Staff and the applicant. The applicant installed three Pecten panels on the north, south, and west faces and multi colored stripes (yellow aluminum and non illuminated red bars) on all four faces.

Approval of the Variance will clean up the permit and allow the non-illuminated red bars to be illuminated on three canopy faces.

A Special Sign District application (Planning Commission recommendation to Boone County Fiscal Court) will need to be submitted and approved to allow signage on all four canopy faces. This is the same process the Shell Station on Mineola Pike used to seek signage on all four canopy faces.

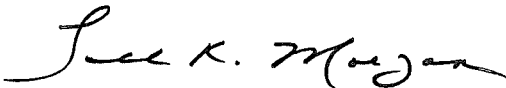
The applicant has informed Staff that the owner will be applying for a Special Sign District in the next couple of months.

2. 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 of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

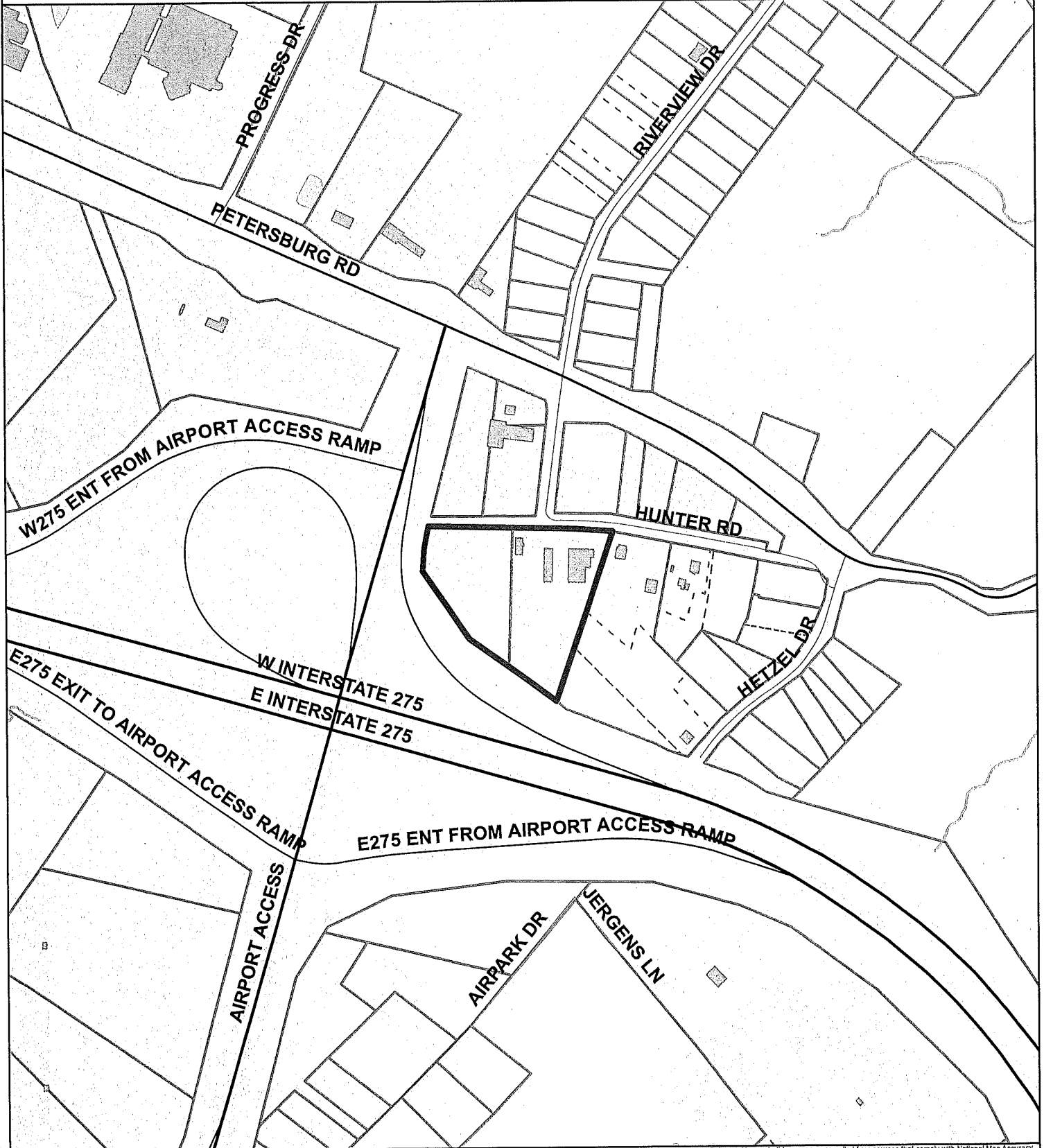
TKM/tlb

Attachments

- *Site Vicinity Map
- *Site Plan With Gas Canopy Location
- *Gas Canopy Pictures
- *Canopy Fascia Construction Materials & Specifications
- *Zoning Map
- *2012 Aerial Map With Building and Pavement Overlays
- *4/8/15 Sign Permit
- *Application

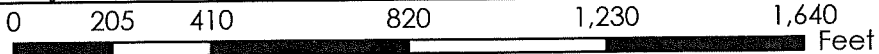
SITE VICINITY MAP

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1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

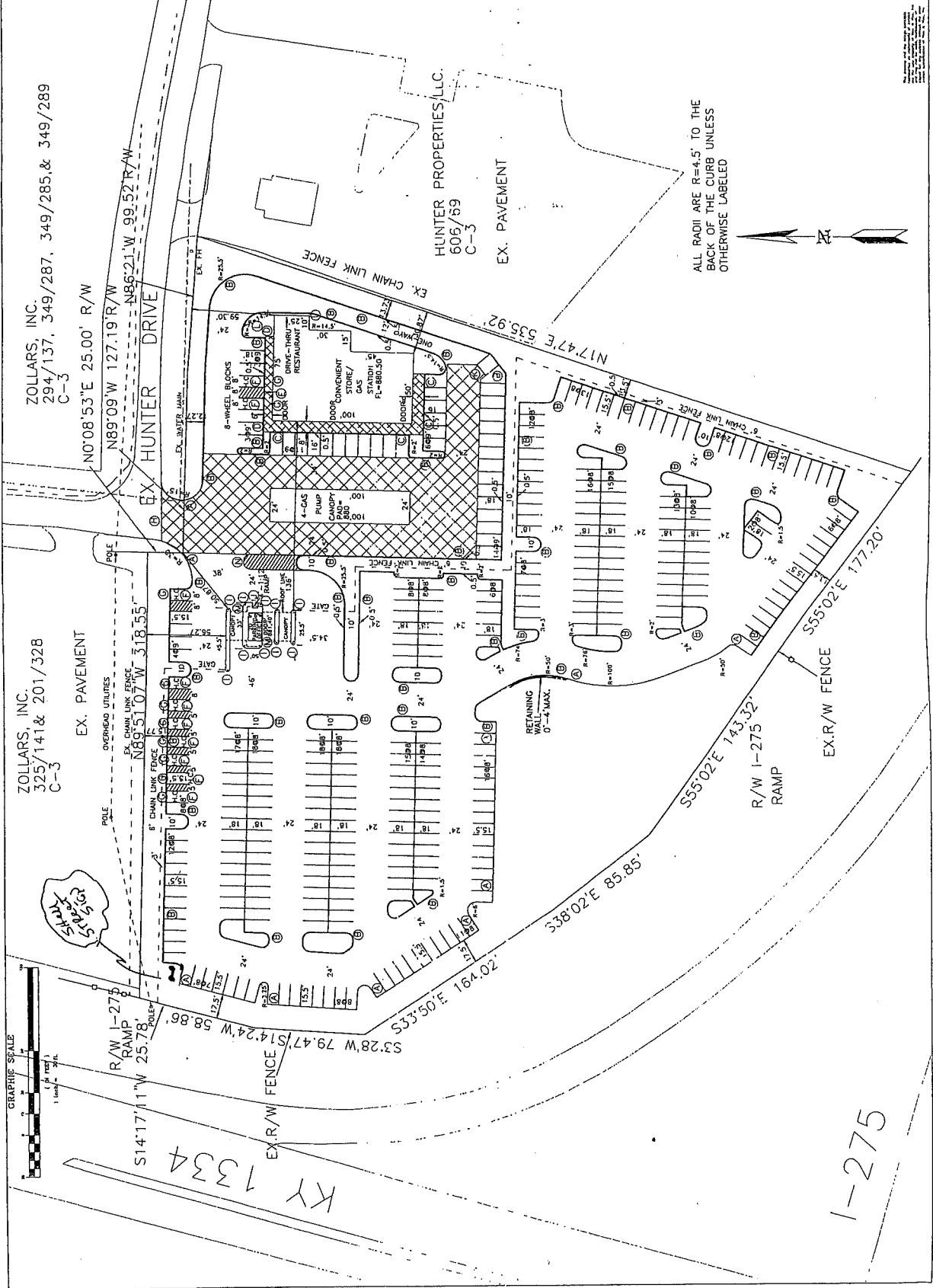
Boone County GIS
ArcMap Document: BooneMap (file).mxd

SEE ARCHITECTURAL DRAWINGS FOR MATERIALS, FINISHES, STATION AND PAVING CONDITIONS
PAVEMENT TYPES
 [Symbol] ASPHALT PAVEMENT
 [Symbol] HEAVY DUTY ASPHALT PAVEMENT
 [Symbol] CONCRETE SIDEWALK (4")

PLAN KEY NOTES
 (1) NO CURB
 (2) 6" EXTRUDED CURB
 (3) INTEGRAL CURB/SIDEWALK (4")
 (4) CURB TRANSITION FROM TO HD CURB
 (5) NO CURB AT SIDEWALK
 (6) 10" WHEELCHAIR RAMP
 (7) 10" x 12" CONC. BUMPER PAD WITH ENCLOSED
 (8) INTEGRAL CURB SIDEWALK (4")
 (9) PAVING LOT STRIPING, 4" wide white stripes (2" cost reflective white paint)
 (10) 8" WHEELCHAIR RAMP
 (11) 10" x 12" CONC. BUMPER PAD WITH ENCLOSED
 (12) INTEGRAL CURB SIDEWALK (4")
 (13) PAVING LOT STRIPING, 4" wide white stripes (2" cost reflective white paint)
 (14) 8" WHEELCHAIR RAMP
 (15) 10" x 12" CONC. BUMPER PAD WITH ENCLOSED
 (16) INTEGRAL CURB SIDEWALK (4")
 (17) PAVING LOT STRIPING, 4" wide white stripes (2" cost reflective white paint)

WVOK & VOK
 CIVIL ENGINEERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1000 EAST 10TH STREET, SUITE 100
 BOONE COUNTY, KENTUCKY 40303
 PHONE: (606) 772-4422 FAX: (606) 772-4423 WWW.WVOKANDVOK.COM

LAYOUT PLAN
 EXPRESS PARK & RIDE AND EXPRESS GAS
 BOONE COUNTY, KENTUCKY



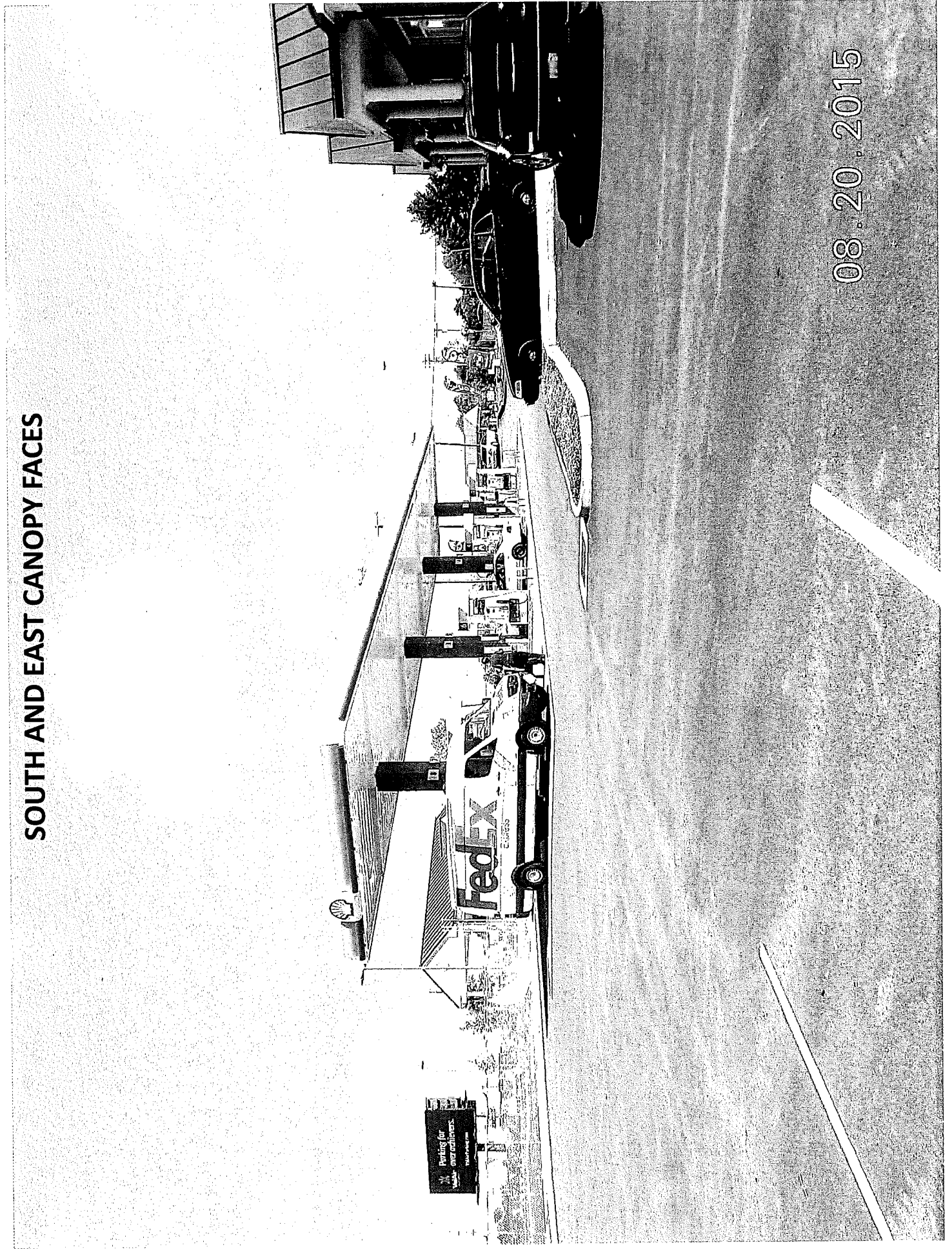
GRAPHIC SCALE
 1" = 20'
 1" = 40'
 1" = 80'

1-275

NORTH AND WEST CANOPY FACES



SOUTH AND EAST CANOPY FACES



08.20.2015

Approach > Canopy > Role and Design

Clearly Shell

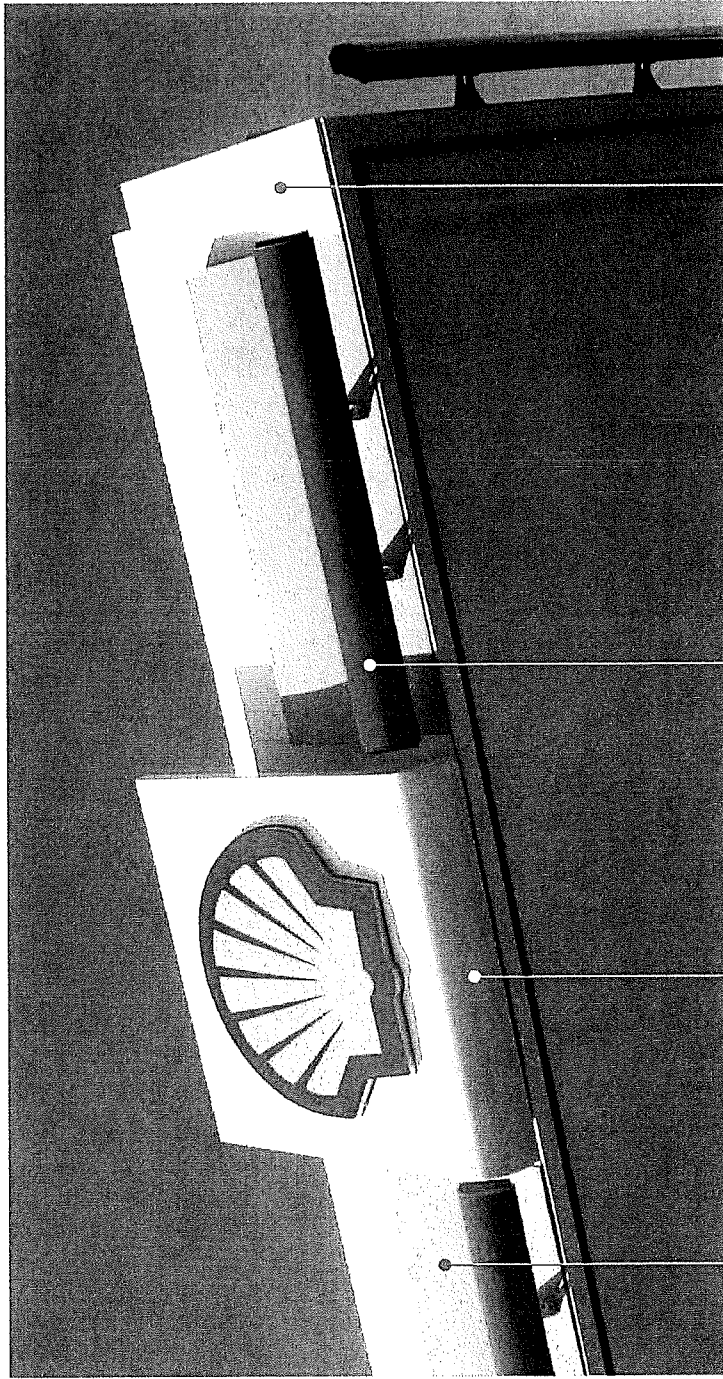
The Canopy edge branding and treatment are a principal means by which our customers recognize Shell sites. The distinctive use of color and the Shell Pecten help long-distance identification and contribute to the overall Shell branding.

Main Features

The internally-illuminated Pecten on a non-illuminated white panel appears on all RVI Evolution levels. The Level 1 Canopy edge treatment consists of a Shell Yellow curved aluminum or ACM fascia panel attached to a Shell White flat ACM fascia, while an internally-illuminated LED Shell Red bar provides both red illumination to the bar and face illumination to the yellow field.

Corners

Both internal and external corners of the Canopy edge should be exposed with the fascia Branding Strip stopping 300mm (12") short of the corner.



Curved aluminum
or ACM fascia

Shell Pecten
Panel

Internally
illuminated
red bar

White fascia
panel exposed
at corners

Approach > Canopy > Level 1 Canopy Fascia Construction

Modular Design

The Level 1 fascia is constructed from modular lengths that enable off-site manufacture and minimize the requirement of site-specific and specially constructed units. The fascia stops short of the canopy corners to prevent the need for on-site cutting and reduce the fitting time.

Canopy Fascia

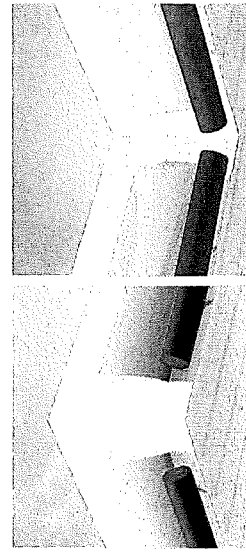
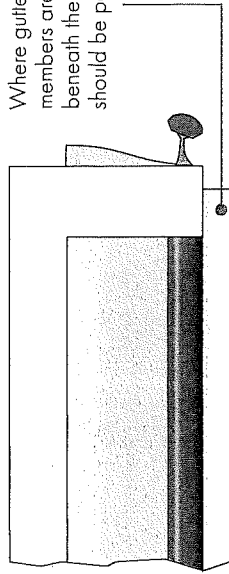
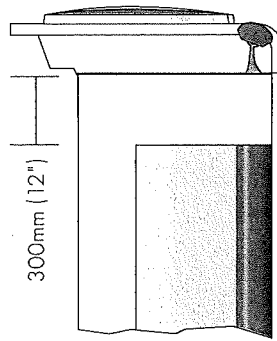
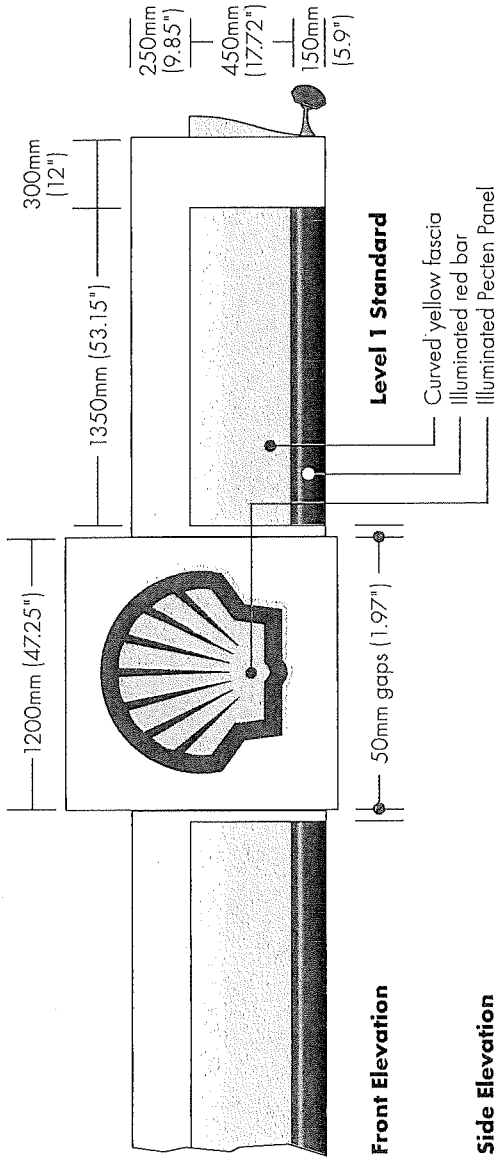
The canopy fascia for level 1 is finished in Shell White, on top of which a Shell Yellow curved fascia strip is mounted and the illuminated red bar is installed.

Reduced Maintenance

The canopy fascia elements are constructed in such a way as to reduce marking from dirty rainwater and build-up of trapped debris.

The Branding Strip

The Branding Strip is Shell's distinctive combination of a yellow field with a red stripe at the bottom, applied against a white background.

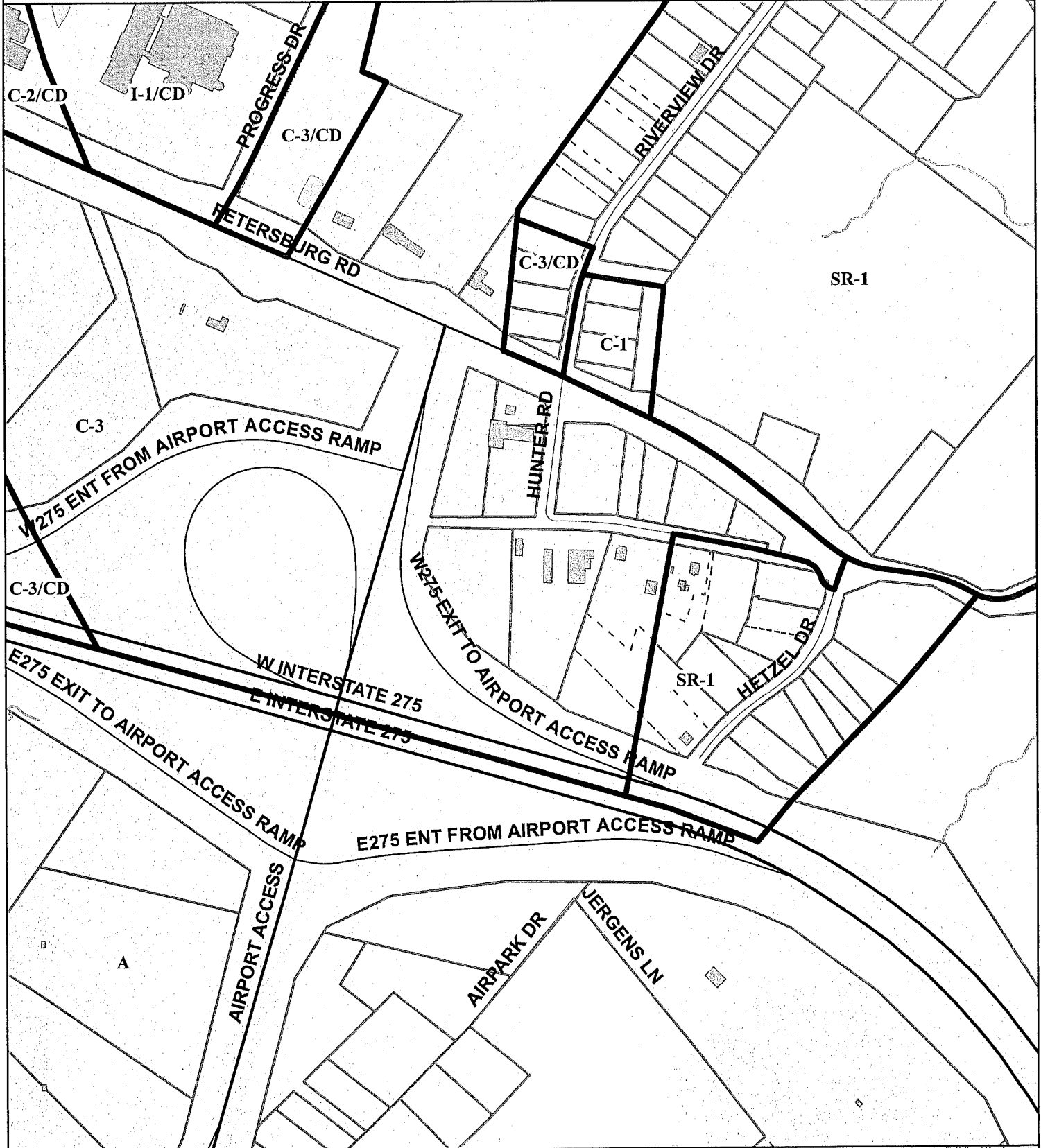


Corner treatment for all levels for inside and outside fascia corners of extended canopies. Note that in all cases the space between the yellow fascia/red bar combination and the end of the white fascia panel is always 300mm (12").

R E C E I V E D
AUG 18 2015
BOONE COUNTY
PLANNING COMMISSION

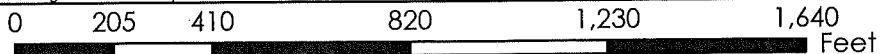
ZONING MAP

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1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

ArcMap Document: BooneMap (file).mxd

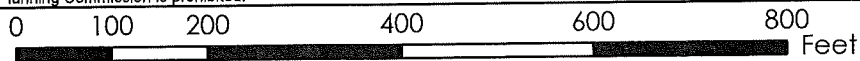
2012 AERIAL MAP WITH BUILDING AND PAVEMENT OVERLAY

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1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

**BOONE COUNTY PLANNING COMMISSION
SIGN PERMIT**

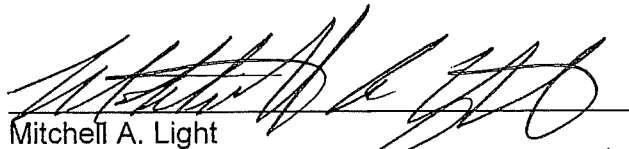
****NOTE: Prior to the placement of any approved sign, a building permit may be required from the Boone County Building Inspector - contact at 334-2218 for requirements**

A Sign Permit is hereby granted to C & B Signs for Airport Shell for property located at 591 +
Hunter Road and zoned C-3, 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:

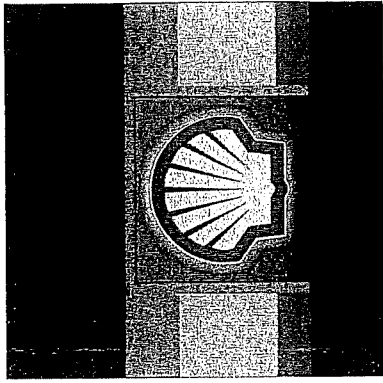
- Canopy Signs measuring 7.8 s.f. each (3 total) with one located on the north, west and south fascias
- Free standing sign 26' high and 120.25 s.f. including a 20 s.f. electronic display screen to advertise gas prices

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

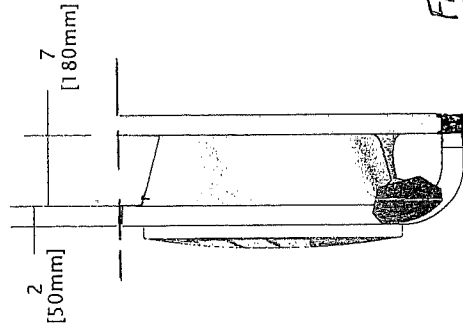
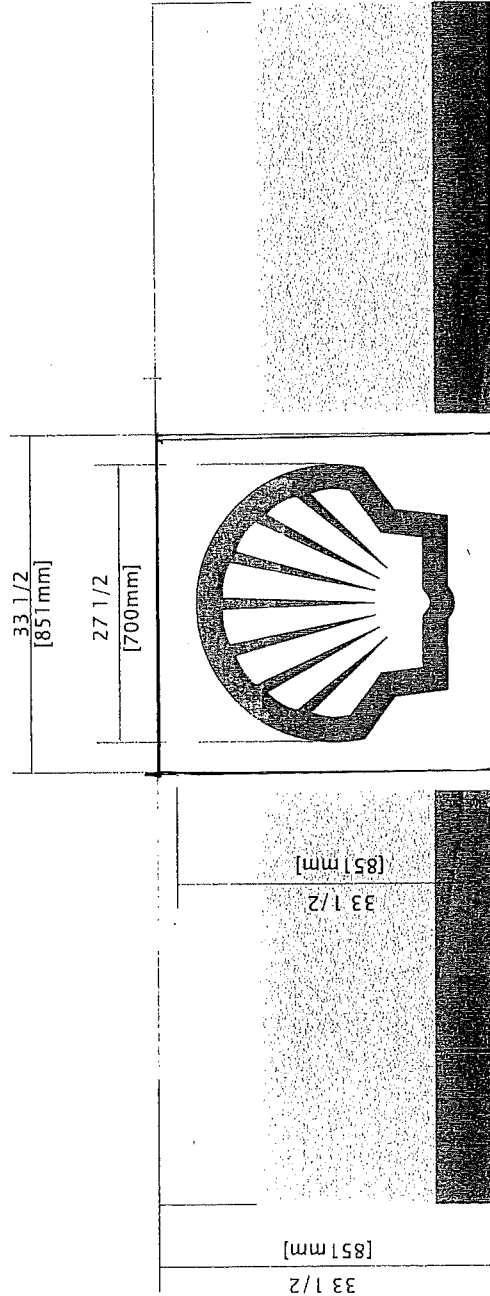
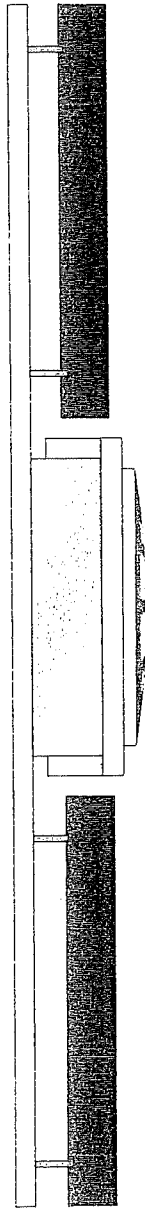
4/8/15
DATE


Mitchell A. Light
Assistant Zoning Administrator

**RVI Evolution 3'
Canopy I.D.**



Night View



FLUSH MOUNT
TOP / BOTTOM




SIGN COMPANY
www.FederalHealth.com
1500 North Bolton • Jacksonville, Texas 75766
[903] 589-2100 • Fax [903] 589-2101

Manufacturing Plants:
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Bakers - Jacksonville - Houston - San Antonio
Canton - Chicago - Dallas - Houston
Wichita - Kansas City - Memphis - Columbus
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1991 | Landlord Approval/Date: _____

Architect Firm: **Dan Hull**
Project Manager: **Melinda Eason**
Drawn By: **TROSE**
Labortechnik Inc. (ISO 9001) 10000 S. W. 11th Ave. Ft. Lauderdale, FL 33309
Client Approval/Date: _____

Project Location:

**RVI Evolution Pecten I.D.
Canopy Fascia**

Draw Number: **SE104043**
Date: **09.20.10**
Sheet Number: **1** of **1**
Design Number: **RVIe_3'ID_Canopy**

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Approach > Canopy > Role and Design

Clearly Shell

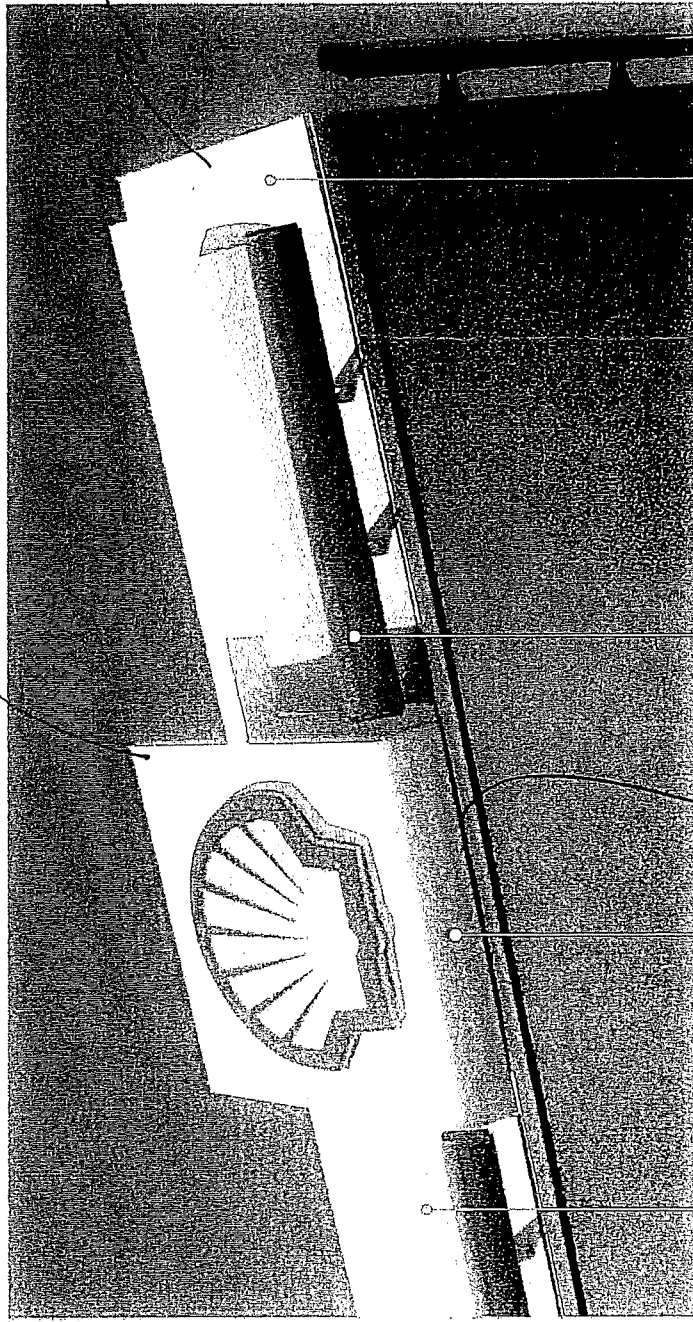
The Canopy edge branding and treatment are a principal means by which our customers recognize Shell sites. The distinctive use of color and the Shell Pecten help long-distance identification and contribute to the overall Shell branding.

Main Features

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Corners

Both internal and external corners of the Canopy edge should be exposed with the fascia Branding Strip stopping 300mm (12") short of the corner.



Curved aluminum
or ACM fascia

Shell Pecten
Panel

White fascia
panel exposed
at corners

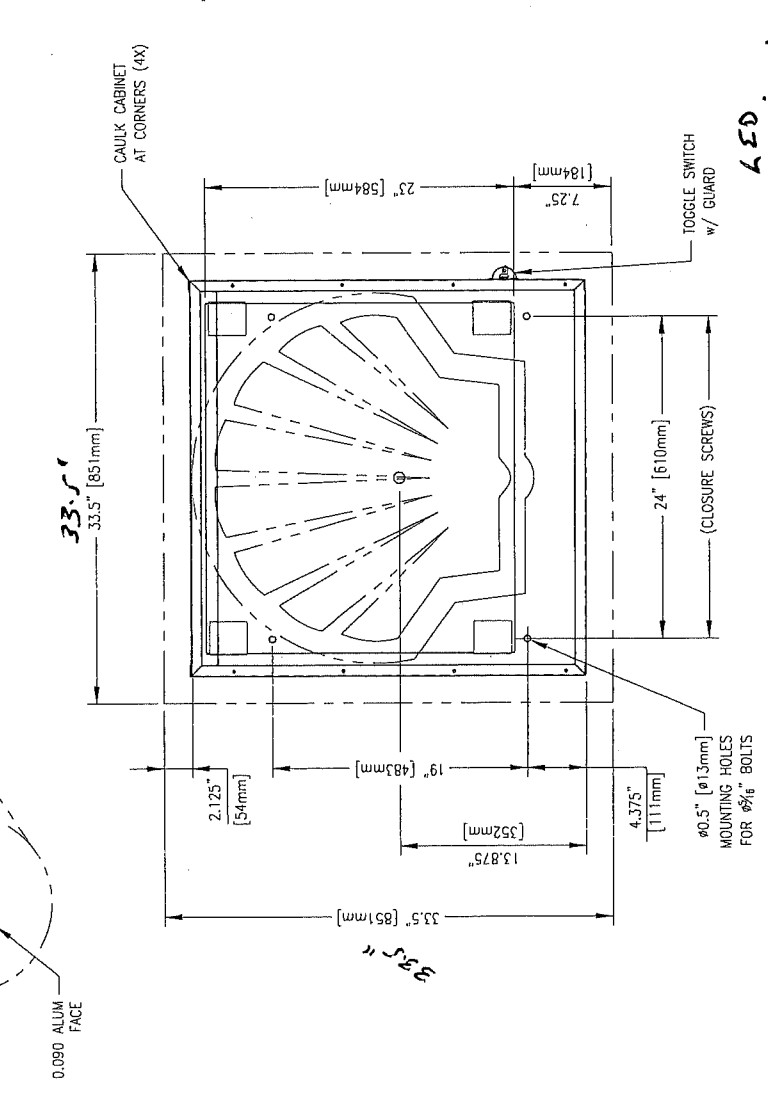
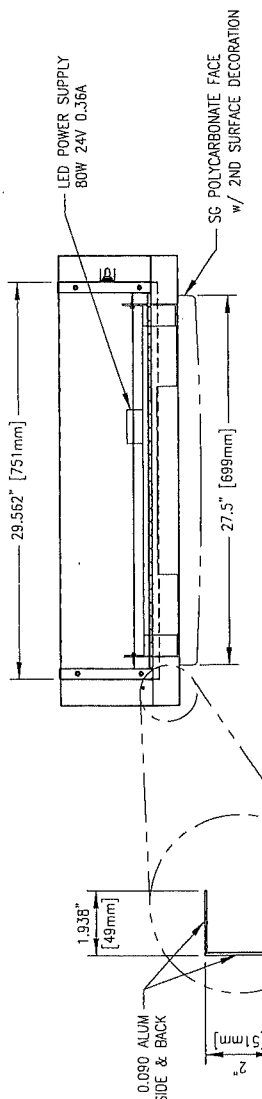
Red
LIGHT
BAR → NON-ILLUMINATED
AT THIS TIME

FLUSH
MOUNT
TOP / BOTTOM

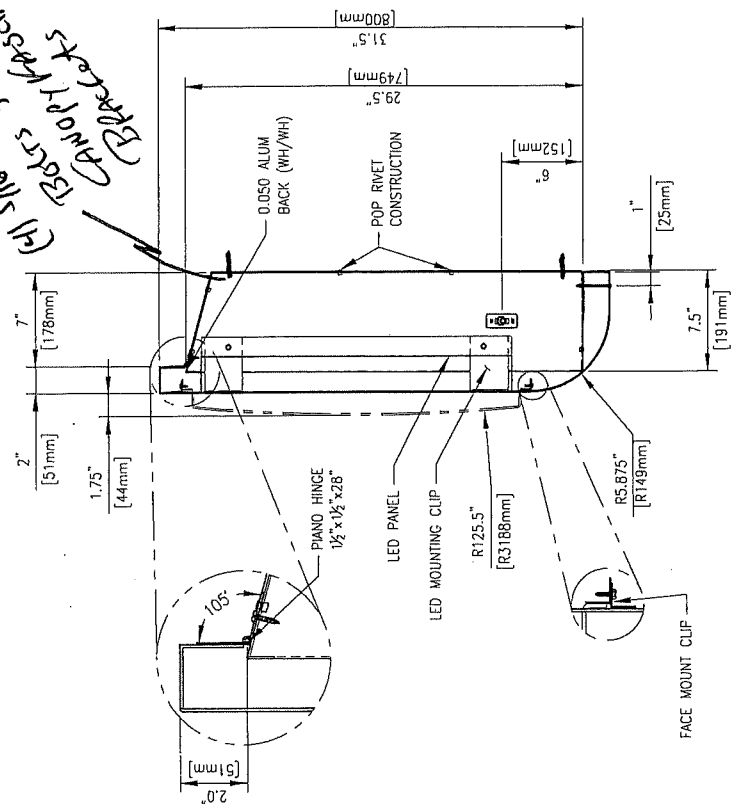
33 1/2" X 33 1/2"
Logo Sign
1.30 Illuminated
O.L. Listed
FASCIA

BOX NO.	PART NO.	QTY	U/M	DESCRIPTION
---------	----------	-----	-----	-------------

DESIGN PARAMETERS
 COMPLIANT WITH NATIONAL BUILDING CODES AND STANDARDS
 (IBC, IRC, BOCA, NESC, ASCE, IBC, ALUMINUM DESIGN MANUAL)
 REFER TO WRITTEN DOCUMENTATION FOR MATERIAL SPECIFICATIONS
 COLOR SPECIFICATIONS
 PAINT CABINET, SKIRT & RETAINERS
 CABINET INTERIOR: WHITE
 CABINET EXTERIOR FACE: WHITE B20-384-5
 CABINET EXTERIOR CABINET: GRAY B20-4011



Handwritten: (1) 5/16" x 1 1/4" Brackets
 1345 20



Handwritten: LED * U.L. Listed *

SHEET NO:	1
OF:	1
JOB NO.:	
DRAWN BY:	C. SMILLIE
DATE:	12/15/10
DRAWING NO.:	SE1033SF.LD

SHELL RVIE
 2'-10" x 2'-10" PECTEN ID SF LED SGN

NO.	REVISION	DATE	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

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STANDARD TOLERANCES:
 0 - 31 ±0.015
 32 - 124 ±0.010
 125 - 499 ±0.008
 500 - 999 ±0.007
 1000 - 9999 ±0.005
 ALL DIMENSIONS ARE IN INCHES UNLESS OTHERWISE SPECIFIED.

FEDERAL HEALTH SIGN COMPANY
 1020-A PINTSBURG, OH 43075
 (740) 596-1120

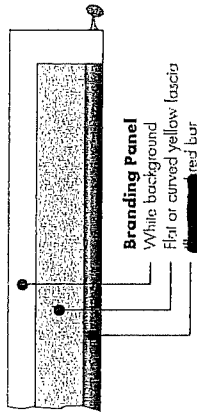
Approach > Canopy > Canopy Fascia Application

Approach To Site

The fascia application and location of the Pecten Panel is determined by levels of visibility and the direction of approaching traffic.

Primary (High-Visibility) Canopy Faces

On all high-visibility canopy fascias using level 1 specifications, the **illuminated fascia Branding Panel** should be applied to a minimum of 2 adjacent sides.

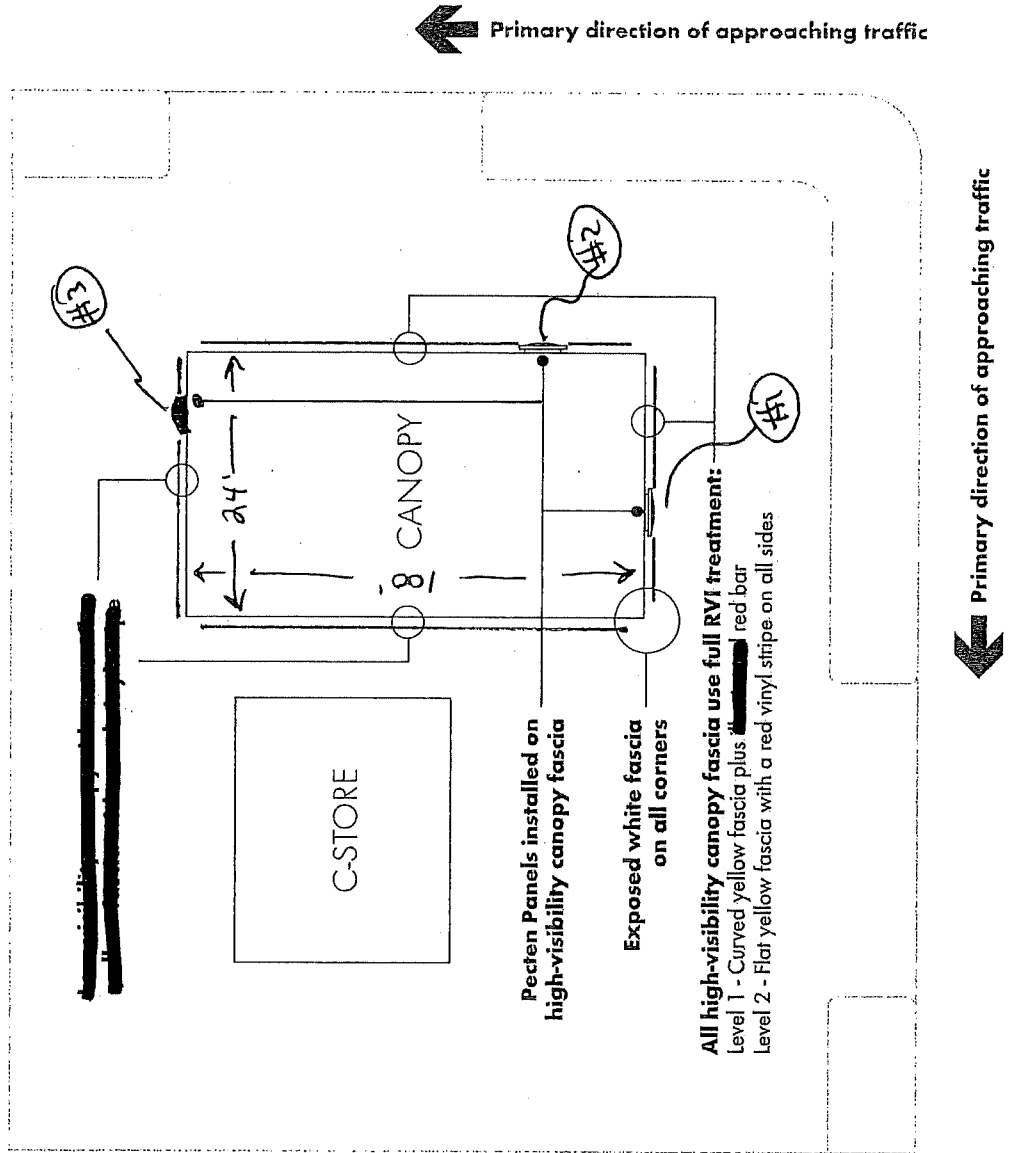


Secondary (Low-Visibility) Canopy Faces

On low-visibility canopy fascias and Level 2 sites, a flat yellow panel with a red vinyl stripe should be applied.

Pecten Panel Rules

- Only one Pecten Panel is allowed on any single side of the canopy.
- On all canopies, there should be no instance where two Pecten Panels appear on adjacent corners.
- The Shell logotype is not allowed on RVI Evolution canopies.

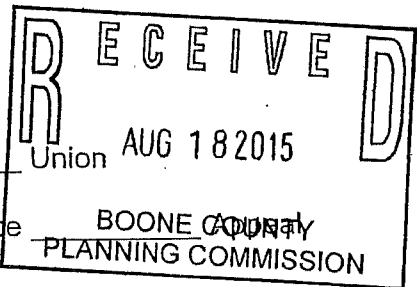


APPLICATION FORM

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

See Boone County Zoning Regulations



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Applicant's Address 4152 BRANDOWAY DR.
City Cincinnati State Ohio Zip 45255
4. Description of Request: ILLUMINATE Red LED LIGHT BAR ACCOUNT LIGHTING ON GAS STATION
5. Name of Development AIRPORT SHELL
6. Location of Development 5710 HUNTER RD Hebrew, Ky. 41048
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Alex OTHMAN
Address of Property Owner 2306 KENYON CE
10. City Hebrew State Ky Zip 41048
11. Proposed Use(s) on Site GAS FACILITY * C-STONE (SHELL)
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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: [Signature]
ORIGINAL Applicant's Signature: [Signature]

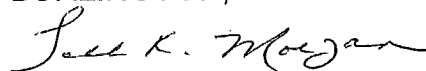
COPY

CLUR #15-BCBOA-009-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Alex Othman
2306 Kenyon Court
Hebron, KY 41048
2. ADDRESS OF PROPERTY
571 Hunter Road
Hebron, KY
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Airport Shell
4. DEED BOOK 1022 PAGE NO. 329 GROUP NO. 2021
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, 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

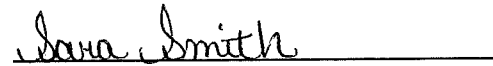
on behalf of the Boone County Planning Commission this 9 day of September, 2015.



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

My commission Expires:
April 17, 2019

This instrument was prepared for recording purposes only by:



Sara Smith
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.)