

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION	RECEIVED NOV 17 2017 76452 BOONE COUNTY PLANNING COMMISSION
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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)
- Boone _____ Florence _____ Walton _____ Union _____
 - (Check One)
 Conditional Use Permit _____ Variance _____ Appeal _____
_____ Change in Non-Conforming Use _____
 - Applicant's Name Lights and Signs / Don Moore
Applicant's Address 1720 Petersburg Rd
Hebron KY 41048
City State Zip
Phone Number 859-240-6728 Fax No. _____ E-Mail don@lightsandsigns.com
 - Description of Request: Pylon sign with EMC
 - Name of Development Hebron Baptist Church
 - Location of Development 3435 Limaburg Rd Hebron KY 41048
 - Acreage Under Review ~~0.8741~~ 8.8741 ACRE
 - Lot Number and Name of Subdivision (if part of a subdivision) _____
 - Owner of Property Hebron Baptist Church
Address of Property Owner 3435 Limaburg Rd
Hebron KY 41048
City State Zip
Phone Number 859-689-7282 Fax No. _____ E-Mail sdobbins@hebronbaptist.org
 - Proposed Use(s) on Site PYLON SIGN WITH EMC
 - Total Square Footage of Existing and/or Proposed Buildings _____
 - Current Zoning on Property C-2/PD
 - Deed Book 640 Page No. 180 Group No. 2007
 - Is the site subject to a zone change? YES CONCEPT DEV PLAN
If yes, give date of approval 12-03-010
 - Have you submitted a Site Plan with this request? yes
 - Have you submitted a list of adjoining property owners with this request? YES
 - 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: Raymond Gabbard Jr.
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

(over)

**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 11-17-17 Fee Received \$1,082.00 Receipt # 76452
- 2. Is application complete? Yes No
- 3. Staff Reviewer _____
- 4. Scheduled Board Action Date _____
- 5. Board Action:
Approved
12/13/17 Approved with Conditions (See #6)
Denial (See #7)
- 6. Conditions of Approval: SEE 12/13/17 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@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: Lights and Signs for Hebron Baptist Church

LOCATION: 3435 Limaburg Road, Boone County, Kentucky

ZONING: Commercial Two/Planned Development (C-2/PD)

DATE: December 13, 2017

Proposal

The applicant has submitted a Conditional Use Permit application to allow Hebron Baptist Church to construct new architectural freestanding sign with an electronic message center (EMC). The proposed architectural freestanding sign is 16'-5" tall and 90.33 square feet in area. The top sign cabinet is 4'-5" tall and 10' wide and will display "Hebron Baptist Church" in fixed copy. The bottom sign cabinet is also 4'-5" tall and 10' wide and will contain a full color EMC. The proposed architectural freestanding sign will face KY 237 and replace an existing monument sign.

Pertinent Site History

On 5/25/04, Boone County Planning Commission approved a sign permit allowing the construction of a 8'-4" tall, 100 square foot monument sign on the property.

Applicable Regulations

Section 220 of the Boone County Zoning Regulations states that one duty of the Board of Adjustment and Zoning Appeals is to act on Conditional Use Permit applications.

The Board needs to evaluate the Conditional Use Permit request in terms of the criteria listed in Section 262 of the Boone County Zoning Regulations. The criteria are listed below:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;

- 7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Section 3413 of the zoning regulations states that individual parcels of land which are not located within a shopping center, mixed use commercial, commercial subdivision, or planned development shall be permitted a density of one (1) on-premises architectural freestanding when a property is zoned Commercial Two (C-2).

The maximum size of an architectural freestanding sign shall be no more than one (1) square foot of sign area per lineal foot of road frontage along the street frontage where the sign is to be located (up to a maximum of two-hundred (200) square feet in area).

The maximum height of an architectural free standing sign from grade to the top of the sign structure shall be proportional to the road frontage along which the sign is to be located at the following scale:

Road Frontage	Maximum Sign Height
50 feet or less:	15 feet in height
51 feet to 100 feet	20 feet in height
101 to 200 feet	25 feet in height
201 feet or more	30 feet in height

Section 3430 of the Zoning Regulations permits electronic message boards as a Conditional Use in the C-2 zone provided that the following requirements are met:

- a. Such message boards and screens will be considered a part of a permitted free-standing or building mounted sign; up to fifty percent (50)% of the permitted sign area can be used as an electronic message board or electronic display screen.

The EMC (screen) comprises approximately 48.9% (44.17/90.33) of the overall sign.

- b. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.

The EMC is not subject to a Advertising Display Permit from KY Transportation Cabinet because the sign isn't visible from an Interstate.

- c. Electronic message boards and electronic display screens shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate of thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.

There are no electronic message centers within 660' of the proposed sign.

- d. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling" or "running" messages.

Staff would like the applicant to address if this requirement will be met.

- e. The message displayed on the board or screen must be displayed for a minimum of five (5) second intervals. In no instance can a message, or part thereof, flash on the message board.

Staff would like the applicant to address this requirement.

- f. Such message boards and screens shall have a photocell or dimmer and the displayed messages shall dim as the sky gets darker or brighten as the sky gets brighter.

Staff would like the applicant to address this requirement.

- g. Full color and monochrome message boards shall meet the following pixel pitch requirements:

A 19 mm pixel pitch or better resolution shall be required when the top of the message board is located 30 feet or less above grade.

A 25 mm pixel pitch or better resolution shall be required when the top of the message board is located more than 30 feet above grade.

The submitted specifications show the EMC will have a 10 mm pixel pitch.

Relationship of the Request to the Comprehensive Plan

The 2010 Boone County Comprehensive Plan's "2035 Future Land Use Plan" designates the site for "Commercial" uses. This designation is defined as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Future Land Use Development Guidelines (pages 161-164) found in the Land Use Element state that "developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor..." (Design, Signs, and Historic Preservation).

Site Characteristics

The 8.8741 acre site has 203.39' of road frontage on the east side of KY 237 and 819.91' of road frontage on the west side of Limaburg Road. The property contains a two-story church, which is 28,659 square feet in area and has 183 parking stalls. Access to the property exists from driveways that connect to Limaburg Road and Cougar Path. The existing monument sign is located along the KY 237 frontage and is located just outside of a utility easement. Boone County GIS shows topography falls from 890 feet above sea level at the sign location to 886 feet above sea level at the KY 237 centerline.

Surrounding Land Uses and Zoning

North: Vacant Library (PF/CD), Cougar Path, and Undeveloped 16 Acre Property (C-2/PD)

South: Tri-State Oral and Maxillofacial Facial Building and Office/Warehouses (C-2/PD/CD)

East: Limaburg Road, Conner Middle School, and Single-Family Residential Dwellings (PF)

West: KY 237, Hebron Animal Hospital (I-1) and Women's Crisis Center (C-2)

Staff Comments

1. The Board needs to analyze the "Design, Signs, and Historic Preservation" section of the Future Land Use Development Guidelines before acting on the Conditional Use Permit. This section calls out that motorists should not be confused and/or distracted by excessive signs and that signs should not have a negative impact on the visual appearance of a corridor.
2. The sign specifications sheet provides the following information:
 - A. The EMC is capable of displaying 1 to 16 lines of text.
 - B. EMC displays with 16 lines of text would use 2.8" tall characters with approximately 48 to 60 characters per line.
 - C. Fonts can be up to 50.4" tall.
 - D. The typical viewing range is 32' to 397'.

Staff would like the applicant to address how many lines of text or graphics the church plans on displaying at any given time? How many inches tall would the characters or graphics be? How far away could these characters be seen?

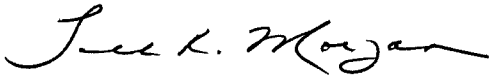
3. Staff has the following concerns regarding the proposal:
 - A. Staff believes the sign could be overpowering on KY 237 because of its dimensions and proximity to the road. The 16'-5" tall sign is located at a ground elevation of 890' above sea level and the centerline of KY 237 is at 896' above sea level. Staff recommends that the overall height of the sign should be limited to 10' if the EMC is approved.
 - B. Motorists could be distracted if too much information is displayed on the electronic message board or if the sign changes too frequently.
 - C. A full color EMC was permitted at Hebron Corner Mart commercial center last month. This sign is located approximately 2,500 feet to the north of the proposed church sign. The Board should analyze how many of these signs are being approved in the corridor.
4. Staff recommends the following conditions if the request is approved:
 - A. The sign shall be limited to a 10' tall monument sign.
 - B. The electronic message center shall only display still photos and alphanumeric messages. The messages shall not contain any apparent motion (video, flashing messages, scrolling messages, running messages, moving patterns or boards of light, illusion of moving objects, rotating shapes or similar animation effects, etc.).
 - C. No more than four lines of text and/or graphics shall be displayed at any given time.
 - D. Any message and accompanying background shall be displayed on the screen for a minimum of ten (10) seconds.

- E. The electronic message center shall have a 10 millimeter pixel pitch or better resolution.
- F. The electronic message center shall be equipped with a dimmer and messages shall dim as the sky gets darker.
- G. Bright colored sign backgrounds shall not be used on the electronic message center. The property owner shall work with Boone County Planning Commission to resolve any lighting issues (brightness, glare, etc.) that are caused by the subject sign on KY 237 or adjoining properties.
- H. Off premise-businesses shall be prohibited from advertizing on the sign.

Conclusion

K.R.S. 100.237 and 100.241 and Section 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

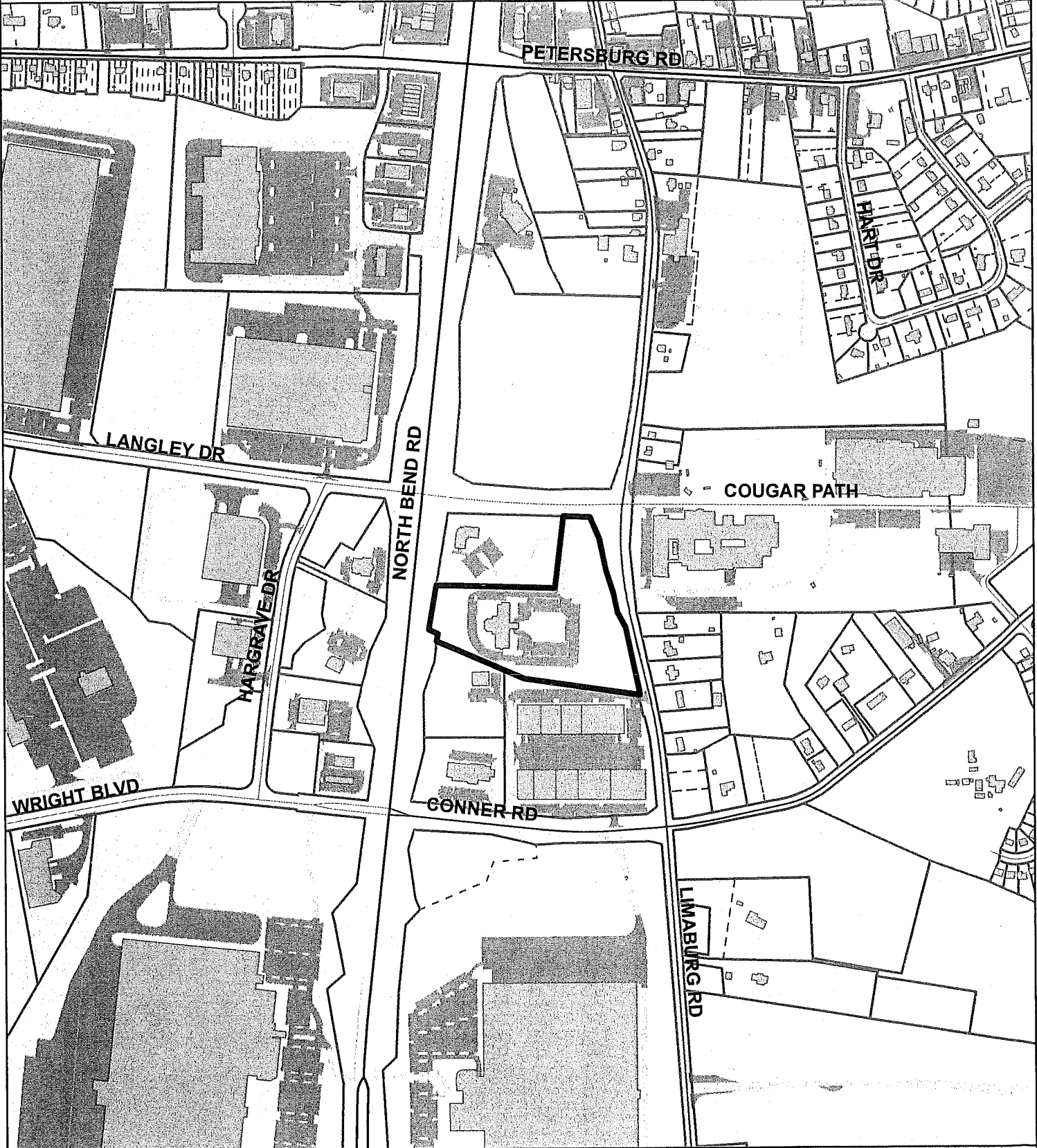
TKM/ss

Attachments

- *Site Vicinity Map
- *Proposed Sign Location
- *Proposed Sign Drawing and Dimensions
- *Proposed Sign Specifications
- *2016 Aerial Map
- *Topographical Map
- *Zoning Map
- *2035 Future Land Use Map
- *Application

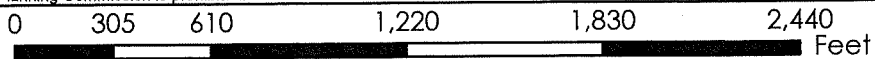
SITE VICINITY MAP

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.



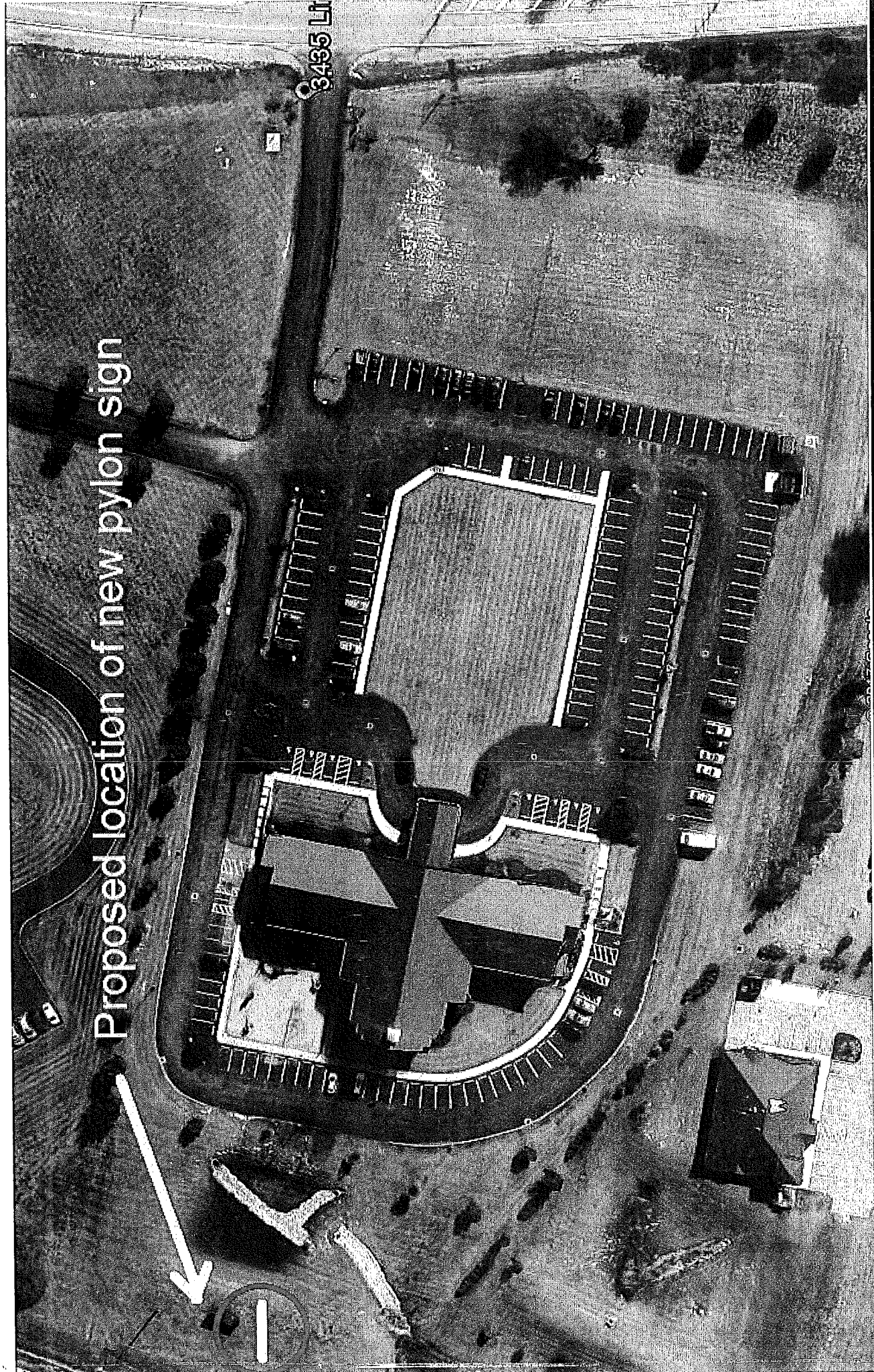
1 inch = 600 feet



Boone County GIS - Putting Northern Kentucky on the Map



Proposed location of new pylon sign



Plan - 3435 Limaburg Rd Hebron K



LED Display Specifications

10 mm **Polaris-Color**

Industrial PC Controller: Full Color

Matrix - Pixel Count (H): 128

Matrix - Pixel Count (W): 288

Pixel On-center-dimension: 10mm (.39 in.)

Frames per Second: 60

Brightness (Nits): >10,000 nits

Number of Colors: 281 Quintillion

Communication Included: **Wireless (RF)(Wi-Fi)***

Software and E-Training: Included

Auto or Manual Dimming: Included

Temperature Probe: Included

Lead Time: 4 Weeks

Horizontal Viewing Angle: 140°

Vertical Viewing Angle: 70°



Cooling Fans: Temperature Controlled

Cabinet Style: Hinged

Dimensions & Specifications are Approximate Values

Active Display Height: 4" - 2.5"	50.5"	Sq. Ft.	39.7
Active Display Width: 9" - 5.5"	113.5"		
Cabinet Color: Black			
Cabinet Height: 4" - 5.5"	53.5"	Sq. Ft.	43.2
Cabinet Width: 9" - 8.5"	116.5"		
Cabinet Depth: 6.5"			

Supported File Types & Text Capabilities

GIF, JPEG, BMP, AVI, MPEG, WMV, SWF & MOV

Displays 16 lines of 2.8" tall characters with ~48 - 60 characters per line

Capable of 1 - 16 lines of text

Variable fonts and text sizes up to 50.4" tall

Typical Viewing Range: 32' - 397'

Electrical: Requires 2 Circuits - 1 Per Side

Typical Use (Daytime): 1,158 Watts per face

Typical Use (Night time): 232 Watts per face

Maximum: 2,316 Watts per face

UL#E50724

Voltage: 240 Max Draw: 9.7 Amps per face

1 Circuit(s) per Side: 20 Amps

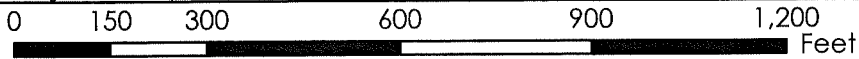
2016 AERIAL MAP

www.boonecountygis.com



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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

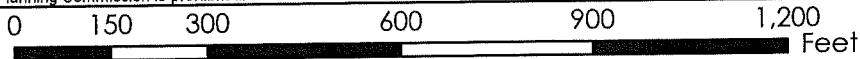
TOPOGRAPHICAL MAP

www.boonecountygis.com



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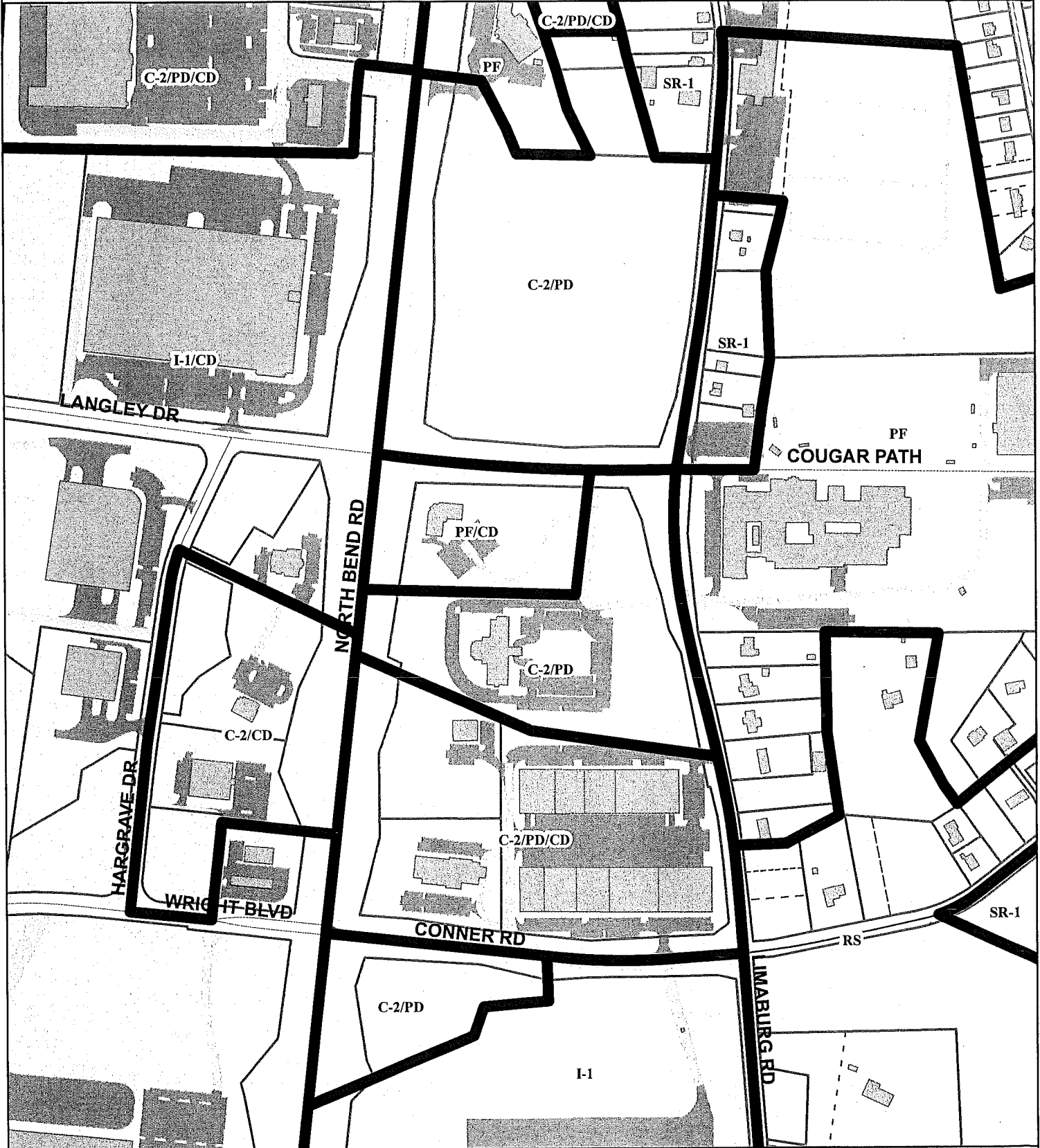


Boone County GIS - Putting Northern Kentucky on the Map



ZONING MAP

www.boonecountygis.com



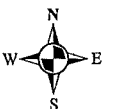
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0 205 410 820 1,230 1,640 Feet

1 inch = 400 feet



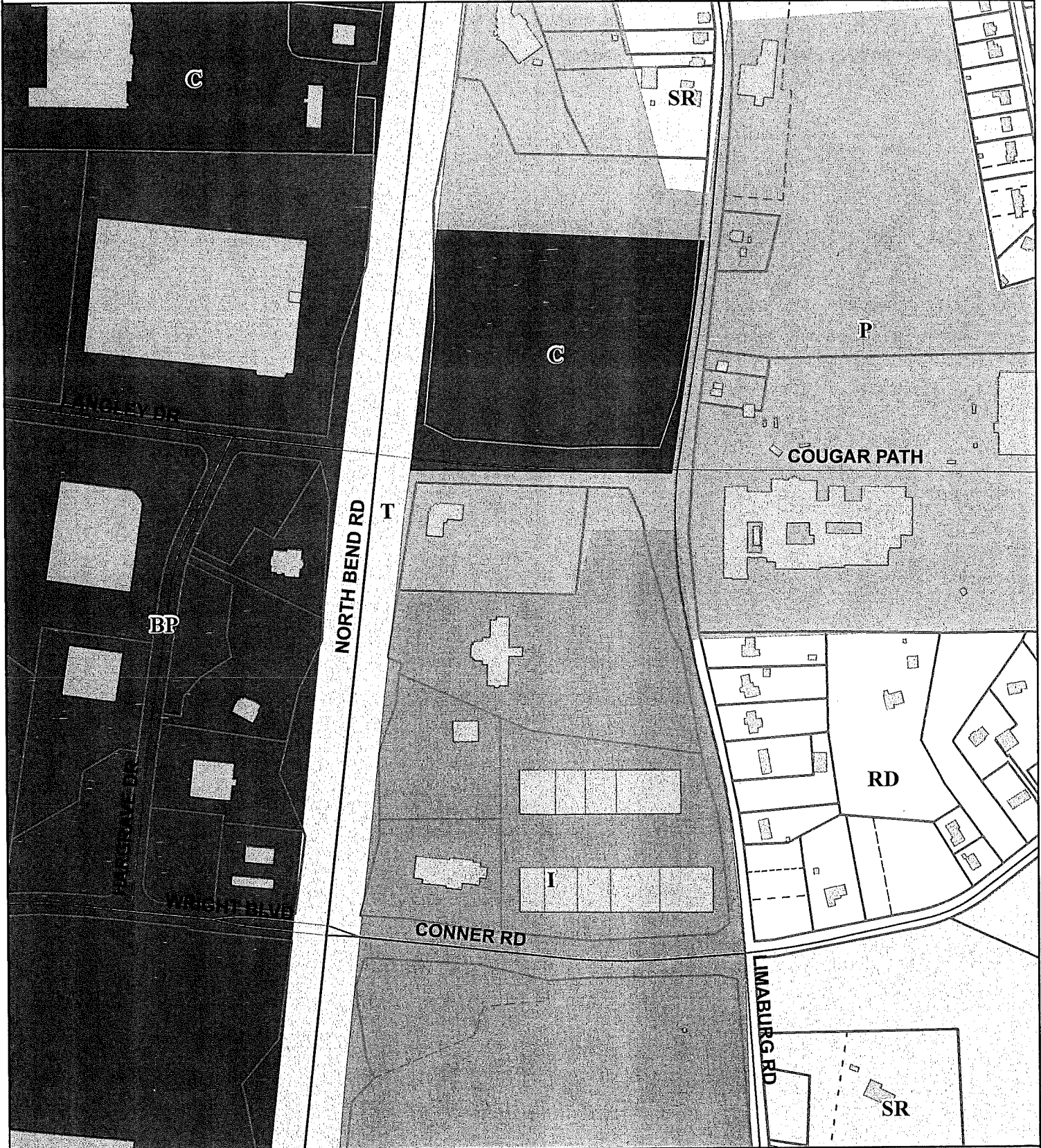
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

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

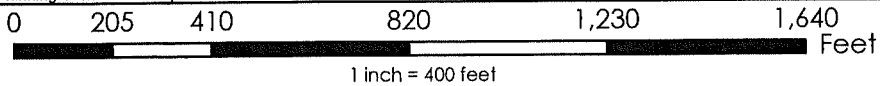
2035 FUTURE LAND USE MAP

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

Map File: 1-BooneMap.aprx
ArcMap Document: BooneMap (file).mxd

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION	RECEIVED NOV 17 2017 <i>76452</i> BOONE COUNTY PLANNING COMMISSION
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FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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2. Conditional Use Permit _____ Variance _____ Appeal _____
 _____ Change in Non-Conforming Use _____
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 City State Zip
 Phone Number 859-240-6728 Fax No. _____ E-Mail don@lightsandsigns.com
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 Phone Number 859-689-7282 Fax No. _____ E-Mail sdobbins@hebronbaptist.org
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12. Total Square Footage of Existing and/or Proposed Buildings _____
13. Current Zoning on Property C-2/PO
14. Deed Book 640 Page No. 180 Group No. 2007
15. Is the site subject to a zone change? YES CONCEPT DEV PLAN
 If yes, give date of approval 12-03-010
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: Raymond Gabbard Jr.
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

(over)

COPY

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Hebron Baptist Church
3435 Limaburg Rd.
Hebron, KY 41048

2. ADDRESS OF PROPERTY

3435 Limaburg Rd.
Hebron, KY 41048

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Hebron Baptist Church

4. DEED BOOK 640

PAGE NO. 180

GROUP NO. 2007

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

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

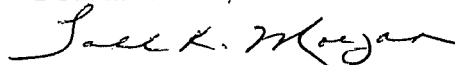
Subdivision Plat
(Not Recorded)

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

(Copy)

CLUR #17-BCBOA-016 -A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the conditional use permit approved by the Boone Board of Adjustment and in accordance with the current zoning in effect as of December, 13 2017 Certificate of Land Use Restriction (#17-BCBOA-016 -A), for Hebron Baptist Church, Property Owner(s).

The following conditions will apply:

1. The electronic message center shall only display still photos and alphanumeric messages. The messages shall not contain any apparent motion (video, flashing messages, scrolling messages, moving patterns or boards of light, illusion of moving objects, rotating shapes or similar animation effects, etc.)
2. No more than four lines of text and/or graphics shall be displayed at any given time.
3. Any message and accompanying background shall be displayed on the screen for a minimum of seven (7) seconds.
4. The electronic message center shall have a 10 millimeter pixel pitch or better resolution.
5. The electronic message center shall be equipped with a dimmer and messages shall dim as the sky gets darker.
6. Bright colored sign backgrounds shall not be used on the electronic message center. The property owner shall work with the Boone County Planning Commission to resolve any lighting issues (brightness, glare, etc.) that are caused by the subject sign on KY 237 or adjoining properties.
7. Off premise-businesses shall be prohibited from advertng on the sign.

The approved conditional use permit as well as the preceding conditions apply to the property described in:

DEED BOOK 640

PAGE NO. 180

GROUP NO. 2007

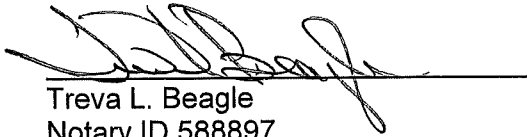
COPY

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

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

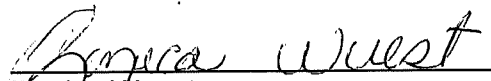
on behalf of the Boone County Planning Commission this 14 day of December, 2017.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest
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.)