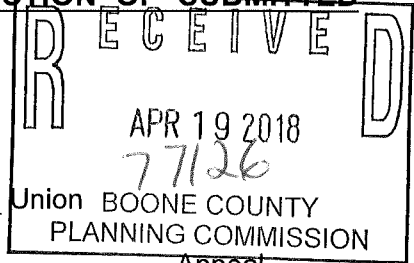


APPLICATION FORM

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. _____ Conditional Use Permit _____ Variance _____ Appeal _____
3. Applicant's Name MARK Stottman Quality 516m
Applicant's Address 1130 Production Dr Burlington KY 41005
4. Phone Number 252-9966 Fax No. _____ E-Mail quality516m@comcast.net
Description of Request: Install free-standing LED Storage Center 516m
5. Name of Development Recycling Export
6. Location of Development 1130 Dixie Hwy Rt 21 Florence KY 41005
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Chris Eubank
Address of Property Owner 1130 Dixie Hwy Flo KY 41005
10. City _____ State _____ Zip _____
Phone Number 991-0411 Fax No. _____ E-Mail _____
11. Proposed Use(s) on Site Recycling Center
12. Total Square Footage of Existing and/or Proposed Buildings 516m 61.19
13. Current Zoning on Property C-3
14. Deed Book 1040 Page No. 706 Group No. 2050
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? [X]
17. Have you submitted a list of adjoining property owners with this request? [X]
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: Chris Eubank (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 4-19-18 Fee Received \$1,082.00 Receipt # 77126
2. Is application complete? Yes _____ No _____
3. Staff Reviewer TODD MORCENJ
4. Scheduled Board Action Date 6/13/18
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: PER STAFF REPORT RECOMMENDATIONS -
4A THROUGH 4F, PP. 4 & 5
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: Quality Signs for Recycling Express

LOCATION: 8505 Dixie Highway, Boone County, Kentucky

ZONING: Commercial Services (C-3)

DATE: June 13, 2018

Proposal

The applicant has submitted a Conditional Use Permit application to allow Recycling Express to construct new architectural freestanding sign with an electronic message center (EMC). The proposed architectural freestanding sign is 15'-5" tall and 61.19 square feet in area. The top sign cabinet is 4'-10" tall and 8'-3" wide and will display "Recycling Express" in fixed copy. The bottom sign cabinet is 3'-5" tall and 8'-3" wide and will contain a monochrome EMC that displays messages in amber. The proposed freestanding sign will replace an existing monument sign.

Board of Adjustment History

On July 9, 2014, the Boone County Board of Adjustment approved a Change in Non-Conforming Use application to allow the use of the property to be changed from steel processing and redistribution to recycling (separating of metal and wood products, bundling, shipping, and similar activities). The Change in Non-Conforming Use application was required because the property was zoned Commercial Services (C-3). The fabrication of metal products, packing and crating services, and recycling centers are not principally permitted or conditional uses in this zone.

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 Services (C-3).

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-3 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 39.2% (24/61.19) 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 drawing shows the EMC will have a 19 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 majority of the site for "Industrial" uses. This designation is defined as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses".

The Land Use Element contains the following passages that pertain to the general area and the request:

- A. The growth of this section will be impacted in several ways. There are several major influences behind the anticipated growth, including the Northern Kentucky Industrial Park to the north, the Mt. Zion interchange, Weaver Road, development pressures along U.S. 25, the extension of public sanitary sewer service, and the Southern Railroad Line. Because of the development pressure all necessary types of infrastructure should increase in scale. This area is bisected by U.S. 25, a major corridor for growth, extending from urbanized Florence to Walton. The fact that it runs parallel to I-75, and is located between the interstate and the railway, makes it an ideal transportation connector. Because of the various existing and future land uses along U.S. 25, it will carry a high volume of mixed traffic types. For this reason, any traffic-intensive or truck-oriented uses shall locate near connections to the interstate, and access management shall be an important consideration on all development along U.S. 25. The Kentucky Transportation Cabinet is designing a major widening of U.S. 25 south to Richwood Road (Richwood East, pg. 171).

- B. 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 subject property is 12.25 acres in area and has approximately 225 feet of road frontage on the east side of Dixie Highway. Access to the site is provided from a single access point on Dixie Highway. The property contains a 92,862 square foot one story steel frame warehouse. The northern parking lot contains an employee/customer parking area and a driveway, which connects to a oversized garage bay on the northern building facade. The southern parking lot contains a 15,000 square foot (300' x 50') steel framed storage building and also provides access to 5 oversized garage bays and outside storage areas. Boone County GIS shows the topography of the parcel is 944 feet above sea level at the access point, 918' above sea level at the southeast property corner, and 912' above sea level at the northern property line. Other than the front property line, the perimeter of the property is well screened with deciduous trees.

Surrounding Land Uses and Zoning

North: Chambers and Grubbs Funeral Home (C-3 and C-2) and Undeveloped Property (C-3)

South: Welding Alloys USA (C-3 and C-1)

East: Norfolk-Southern Railroad Right-of-Way (I-1)

West: Dixie Highway, Limited Motors (C-3 and I-2), Apartments (C-3), and Bodies by Mike (C-3)

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. Staff would like the applicant or property owner to address how many lines of text or graphics Recycling Express would display 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. Motorists could be distracted if too much information is displayed on the electronic message board or if the sign changes too frequently.
4. Staff recommends the following conditions if the request is approved:

- A. The electronic message center shall only display 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.).
- B. No more than three lines of text shall be displayed on the electronic message center at any given time.
- C. All messages on the electronic message center shall be displayed in amber characters on a black background and be held on screen for a minimum of ten (10) seconds.
- D. The electronic message center shall be equipped with a dimmer and messages shall dim as the sky gets darker.
- E. 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 Dixie Highway or adjoining properties.
- F. 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

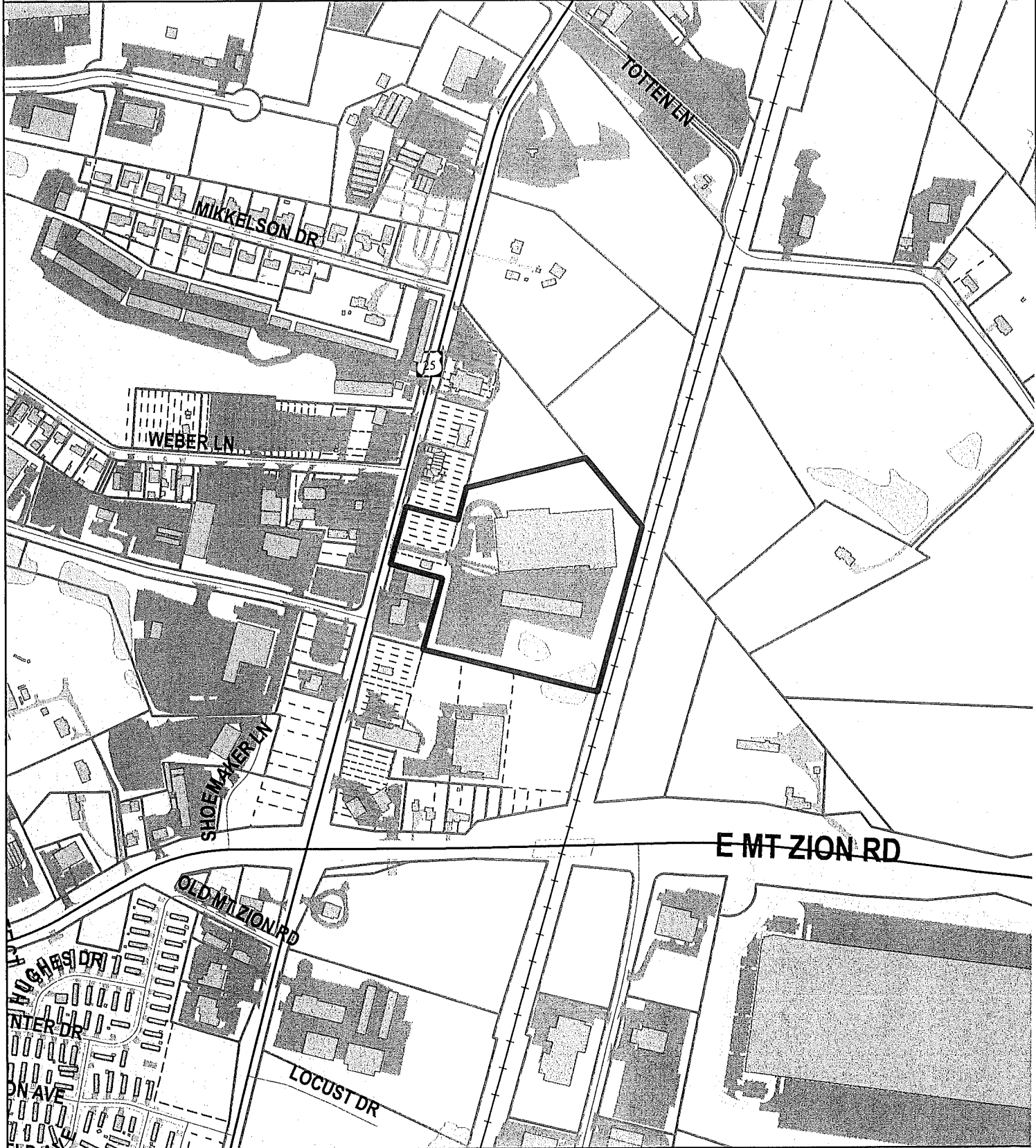
TKM/ss

Attachments

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

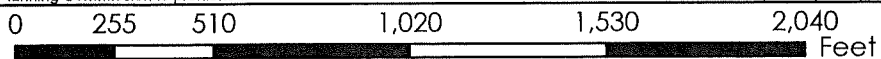
SITE VICINITY MAP

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 = 500 feet



Boone County GIS - Putting Northern Kentucky on the Map

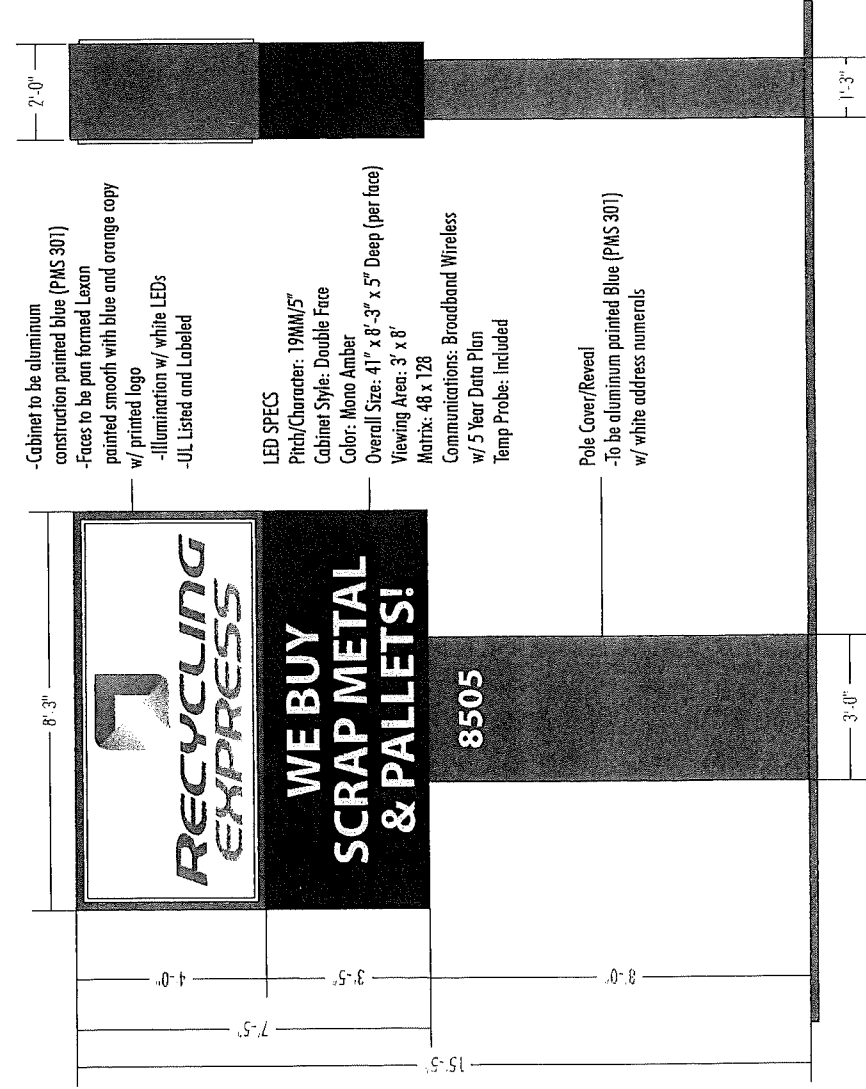


Map Created: 07/01/2013

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

Furnish and install one (1) double face internally illuminated pole sign w/ electronic message center

6.19.17



- Cabinet to be aluminum construction painted blue (PMS 301)
 - Faces to be pan formed Lexan painted smooth with blue and orange copy w/ printed logo
 - Illumination w/ white LEDs
 - UL Listed and Labeled
- LED SPECS**
 Pitch/Character: 19MM/5"
 Cabinet Style: Double Face
 Colors: Mono Amber
 Overall Size: 41" x 8'-3" x 5" Deep (per face)
 Viewing Area: 3' x 8'
 Matrix: 48 x 128
 Communications: Broadband Wireless w/ 5 Year Data Plan
 Temp Probe: Included
- Pole Cover/Reveal**
 -To be aluminum painted Blue (PMS 301) w/ white address numerals



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



FILE: RE Pole-2

DATE: 8-31-17

SCALE: 1/4" = 1'

Approved By _____

Sales Rep. Mark Stoffman

DRAWN BY: WOODY FELLINGER

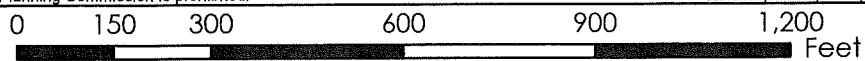
2016 AERIAL MAP

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1 Inch = 300 feet



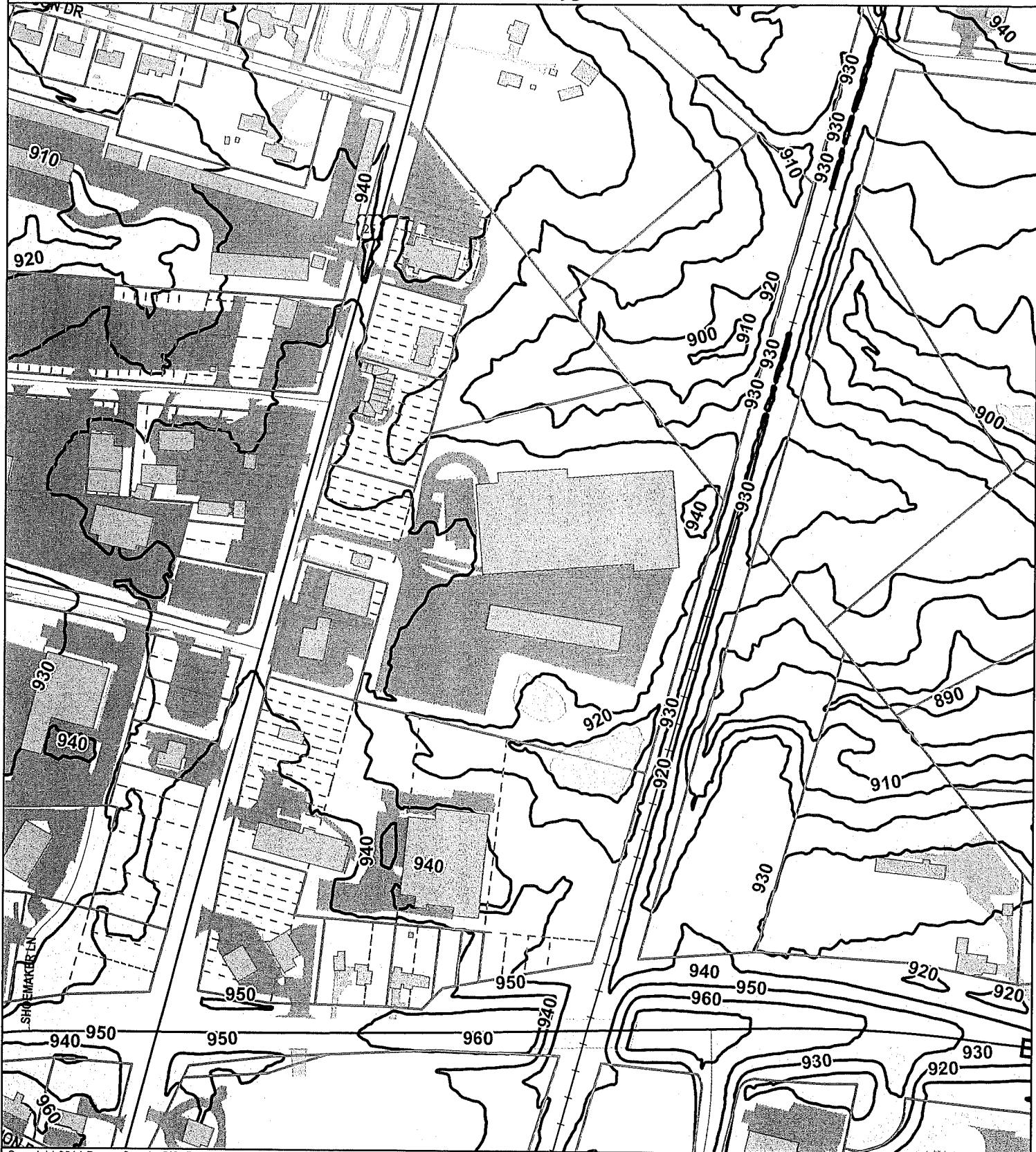
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Boone County GIS
ArcMap Document: BooneMap (lite).mxd

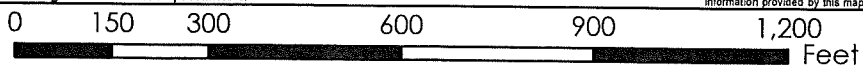
TOPOGRAPHICAL MAP

www.boonecountygis.com



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1 inch = 300 feet



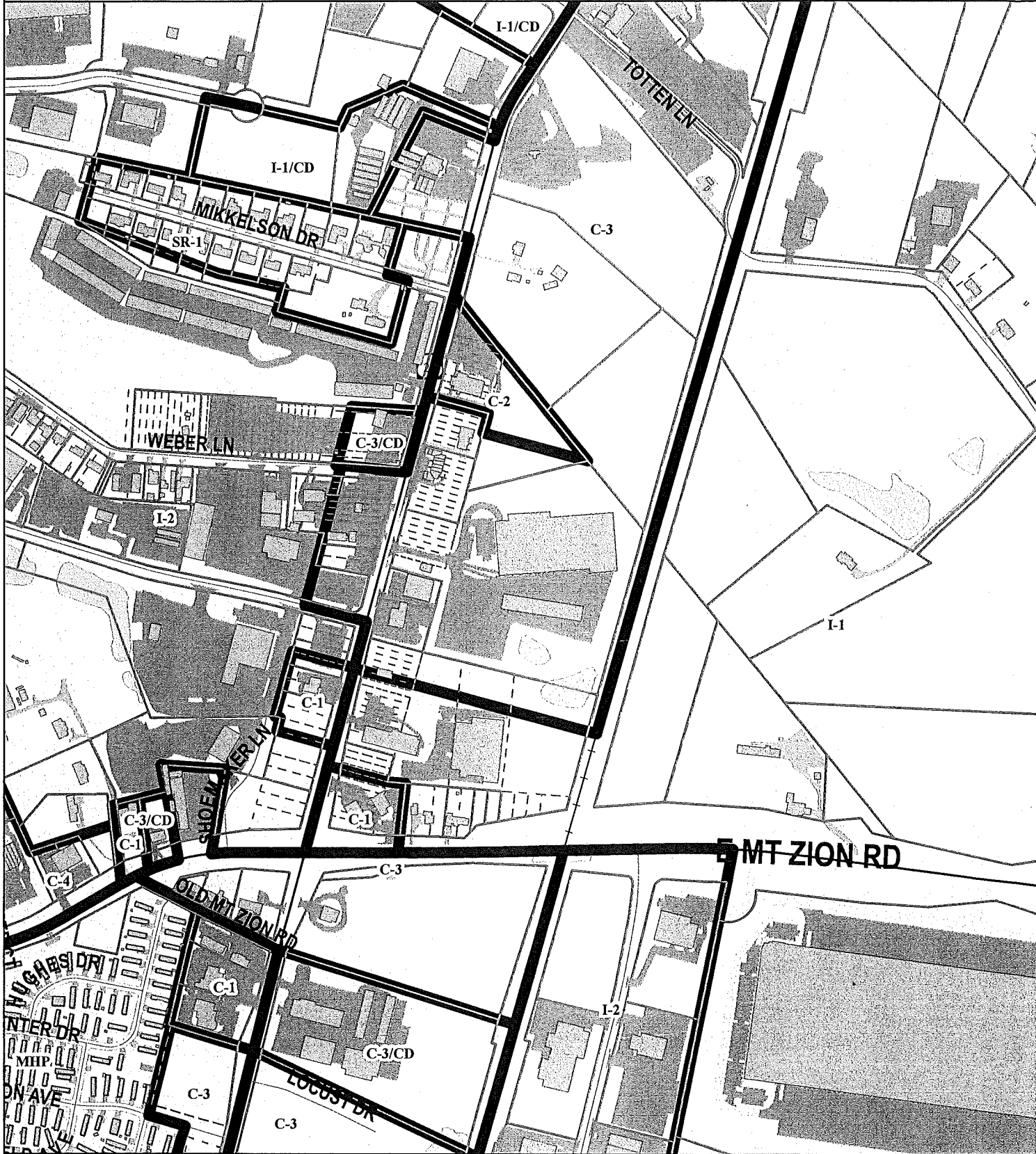
Boone County GIS - Putting Northern Kentucky on the Map

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With Thanks to Esri for ArcMap 10.1
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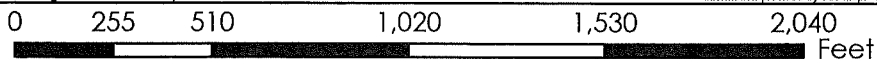
ZONING MAP

www.boonecountygis.com



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1 inch = 500 feet



Map Created: 07/01/2013

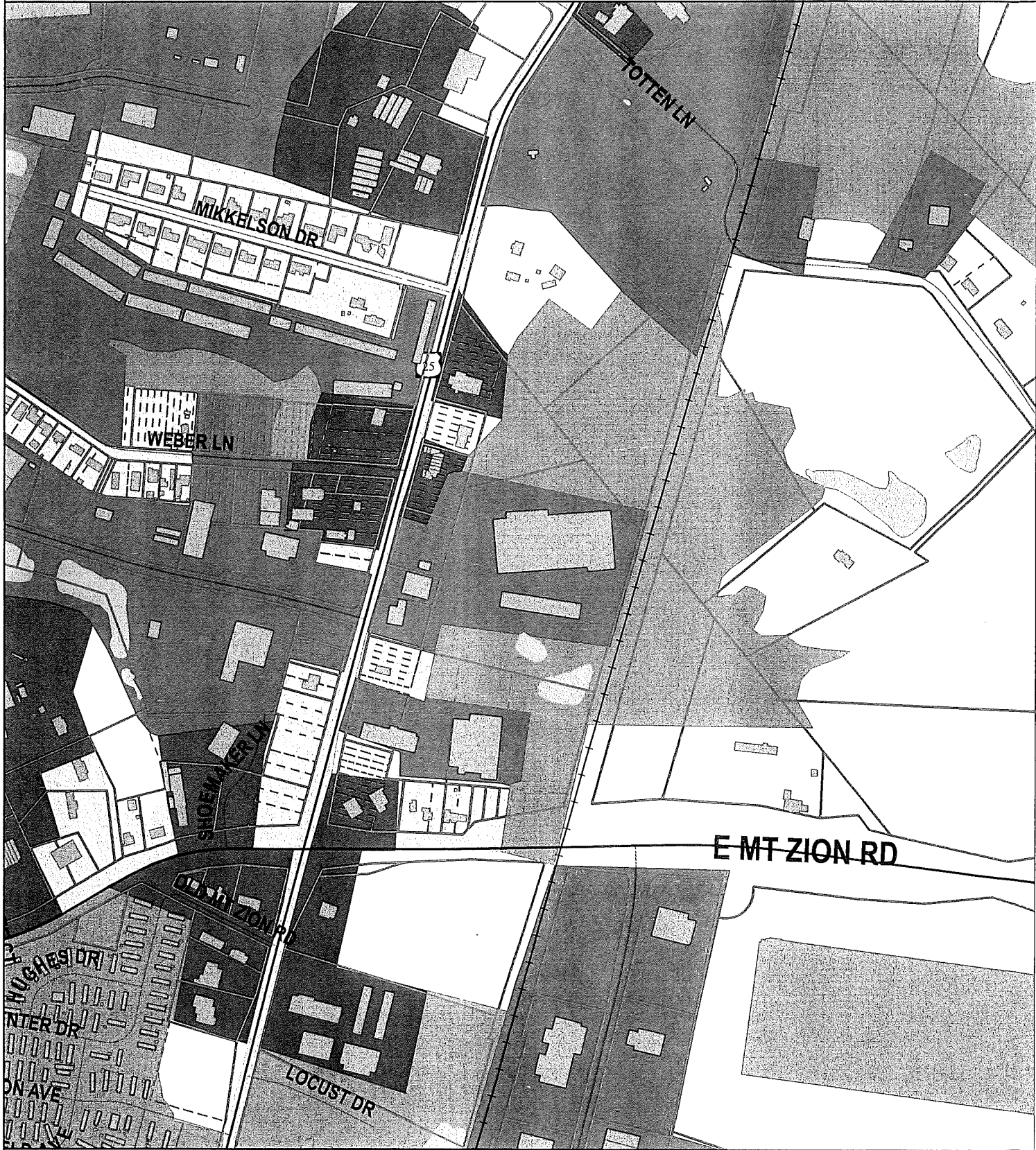
Boone County GIS - Putting Northern Kentucky on the Map



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ArcMap Document: BooneMap (11e).mxd

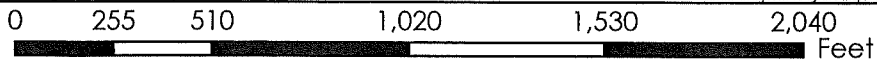
2035 FUTURE LAND USE MAP

www.boonecountygis.com

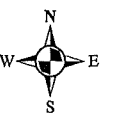


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1 inch = 500 feet



Boone County GIS - Putting Northern Kentucky on the Map

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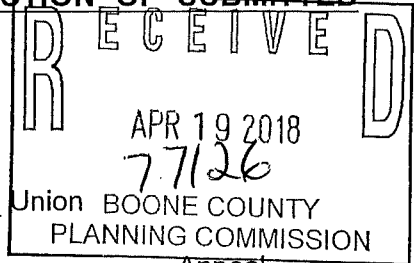
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APPLICATION FORM

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 _____ Variance _____ Appeal _____
3. Applicant's Name MARK Stottman Quality Sign
Applicant's Address 1220 Production Dr
City Burlington State KY Zip 41005
4. Description of Request: Inert fill for study LED Recycling Center sign
5. Name of Development Recycling Express
6. Location of Development 2605 Dixie Hwy Rt 21
Florence KY 41042
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Chris Eubank
Address of Property Owner 2605 Dixie Hwy Flo KY 41042
10. City State Zip
Phone Number 991-0411 Fax No. E-Mail
11. Proposed Use(s) on Site Recycling Center
12. Total Square Footage of Existing and/or Proposed Buildings sign 61.19
13. Current Zoning on Property C-3
14. Deed Book _____ Page No. _____ Group No. _____
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: Chris Eubank
(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)

Chris Eubanks
8505 Dixie Hwy
Florence, KY 41042

2. ADDRESS OF PROPERTY

8505 Dixie Hwy
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Recycling Express

4. DEED BOOK 1040

PAGE NO. 706

GROUP NO. 2050

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

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

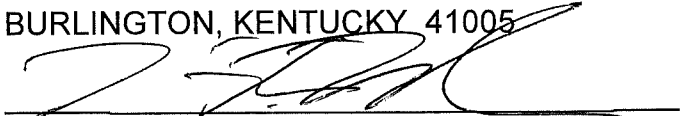
Subdivision Plat
(Not Recorded)

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

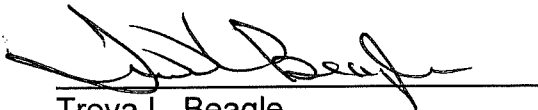
Kevin T. Wall, AICP CDT – Director, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Kevin T. Wall

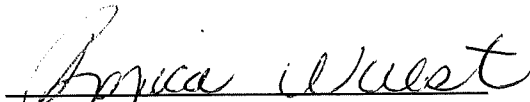
on behalf of the Boone County Planning Commission this 14 day of June, 2018.



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.)

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 June, 13 2018 Certificate of Land Use Restriction (#18-BCBOA-008 -A), for Chris Eubanks, Property Owner(s).

The following conditions will apply:

- A. The electronic message center shall only display 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.)
- B. No more than three lines of text shall be displayed on the electronic message center at any given time.
- C. All messages on the electronic message center shall be displayed in amber characters on a black background and be held on screen for a minimum of ten (10) seconds.
- D. The electronic message center shall be equipped with a dimmer and messages shall dim as the sky gets darker.
- E. 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 Dixie Highway or adjoining properties.
- F. Off premise-businesses shall be prohibited from advertizing on the sign.

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

DEED BOOK 1040

PAGE NO. 706

GROUP NO. 2050