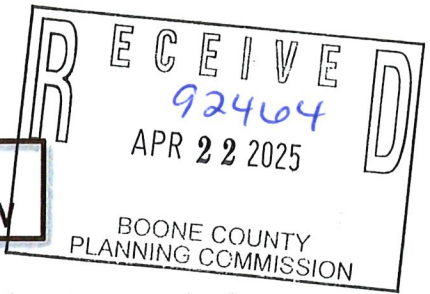


**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



One (1) scaled copy and one (1) 11 x 17 reduction of submitted drawings are required

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

012
013

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: ONE STOP SIGNS
Address: PO BOX 275
NEWTONSVILLE OH 45158
City State Zip Code
Phone Number: 513-722-7867 Fax Number: N/A
Email: tsuddarthonestopsigns@gmail.com & justenscalf1@gmail.com
4. Description of Request:
Variance for Tire Discounters Monument sign 15'-0" x 14'-0"
Tire Discounters
5. Name of Development: Tire Discounters
6. Location of Development: 5991 Fuller St
Florence KY 45202
City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision): _____
9. Current Owner: TD Management LTD
Address: 1 E 4TH FLOOR
CINCINNATI OH 45202
City State Zip Code
Phone Number: 513-722-7867 Fax Number: _____
Email: tsuddaerthnstopsigns@gmail.com

10. Proposed Use(s) on Site: Commercial - B - Business
11. Total Square Footage of Existing and/or Proposed Buildings: Building 64 x 114 = 7616 sqft.
12. Current Zoning: C2 / PD / HDO
13. 061 563 0018 156 003 2033A
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Property Owner's Signature:

Dustin Pierce Dustin Pierce 4-21-25

Applicant's Signature:

Justin Scott Justin Scott 4-21-25

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 4/22/25 Fee Received: \$1,616⁰⁰ Receipt #: 92464

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 5/14/2025

5. Board Action: 5/14/2025

- _____ Approved
- Approved with Conditions (see #6)
- _____ Denial (See #7)

6. Conditions of Approval: The approval shall only apply to Option A.

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#2

APPLICANT: One Stop Signs, per Justen Scalf, on behalf of TD Management LTD, per Dustin Pierce

LOCATION: 5991 Fuller Street, Boone County, Kentucky

ZONING: Commercial Two/Planned Development/Houston-Donaldson Study Corridor (C-2/PD/HDO)

DATE: May 14, 2025

PROPOSAL

1. The first part of the submitted request is a Variance to increase the maximum height of a monument sign from eight (8) feet to fifteen (15) feet.
2. The second part of the submitted request is a Variance to increase the maximum sign area of a monument sign from twenty-four (24) square feet to seventy-seven (77) square feet.

SITE HISTORY

- 1994 On September 7, 1994, the Boone Fiscal Court adopted Ordinance Number 920.284, approving a Change of Concept Development Plan for a tire and service center (R-94-024-A).
- 1994 On November 2, 1994, the Boone County Planning Commission approved a Final Plat for Merchants Square, Section 3.
- 1994 On November 3, 1994, the Boone County Planning Commission approved a Major Site Plan for the development of a tire and service center on the site in question.
- 2013 On December 16, 2013, the Boone County Planning Commission approved a Sign Permit for the site in question (SP-BC-187-2013).
- 2013 On December 17, 2013, the Boone County Planning Commission approved a Major Site Plan for a new building on the site in question.
- 2014 On March 25, 2014, the Boone Fiscal Court adopted the Houston-Donaldson Study and the Houston-Donaldson Special Sign District.

APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- B. Section 4000 of the Boone County Zoning Regulations defines a variance as a departure from 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.

C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 204.D and 204.E of the Boone County Zoning Regulations.

1. Findings listed in Section 204.D and 204.E:

a. 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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

- (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
- (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
- (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

b. 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.

D. Section 3407.5.A.1.a.III of the Boone County Zoning Regulations provides the following requirements for monument signs for freestanding commercial lots and outlots within commercial/retail/shopping centers in the HDO district:

1. One monument sign shall be permitted at maximum of eight (8) feet tall and twenty-four (24) square feet in area.
2. The base and sides of the sign shall use construction materials of the principal building.
3. The top of the sign shall have an architectural feature or finish, such as a gable, arch, or pediment.

E. Section 4000 of the Boone County Zoning Regulations defines a monument sign as a freestanding sign with a base width of at least eighty percent (80%) of the width of the longest part of the sign cabinet or sign face.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question as “Commercial”, which is described as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.
- B. Burlington Pike is identified as a state maintained arterial street providing for two way traffic within four (4) driving lanes, with a raised median. There are no sidewalks along the roadway. The posted speed limit is 40 MPH.
- C. Fuller Street is identified as a City of Florence maintained subcollector street providing for two way traffic within two (2) driving lanes. Sidewalks are provided along both sides of the roadway.

SURROUNDING LAND USES AND ZONING

- North: Merchants Plaza and Caliber Collision (C-2/PD/HDO)
- South: Kerry Toyota and Jeff Wyler Honda (C-3)
- East: Fazoli’s (C-2/PD/HDO)
- West: Speedway (C-2/PD/HDO)

SITE CHARACTERISTICS

- A. The approximate 1 acre site is located at the northwest corner of the intersection of Burlington Pike with Fuller Street.
- B. The site is currently occupied by Tire Discounters, a tire and service facility.
- C. The site has 189.38 feet of frontage along Burlington Pike, 214.65 feet of frontage along Fuller Street, and 191.31 feet of frontage along Bankers Street.
- D. Access to the site is from a single curb cut onto Fuller Street.
- E. Topographically, the site is relatively flat with a four (4) foot grade change over the entire site.
- F. The building on the site is approximately one hundred twenty-four (124) feet from the pavement of Burlington Pike and sits four (4) to six (6) feet lower than the pavement of Burlington Pike.
- G. The site is within the 55 day/night noise level of the airport.

STAFF COMMENTS

- A. The proposed sign will have a sign area of seventy-seven (77) square feet and a height

of fifteen (15) feet.

- B. From the pavement of Burlington Pike, the right-of-way width ranges from forty-five (45) feet to fifty (50) feet.
- C. The proposed sign will be set back approximately sixty (60) feet from the pavement of Burlington Pike.
- D. Using the Boone County GIS and based on the proposed placement of the sign, the top of the proposed sign will be approximately ten (10) feet higher than the pavement of Burlington Pike.
- E. The following table provides a comparison between the requirements, the existing sign, and what is being proposed:

	Current Regulations	Existing Sign	Proposed Sign	
			Option A	Option B
Type	Monument	Monument	Monument	Freestanding
Height	8'	7'-4"	15'	15'
Sign Area	24 sq. ft.	41.25 sq. ft.	77 sq. ft.	77 sq. ft.
Reader Board	50%	30.94 sq. ft. (75%)	34.67 sq. ft. (45%)	34.67 sq. ft. (45%)

- F. Using the Boone County GIS, the following monuments signs, which are located along the same side of Burlington Pike as the site in question, are set back from the pavement of Burlington Pike:
 - Fazoli's 48 feet
 - Speedway 60 feet
 - PNC Bank 61 feet
- G. On August 9, 2023, the Boone Board of Adjustment approved Variances to: (1) increase the height of a sign from eight (8) feet to fifteen (15) feet; and (2) increase the maximum sign area of a sign from twenty-four (24) square feet to ninety (90) square feet on the property located at 8731 Bankers Street, which is two properties to the southeast of the site in question (BCBOA-23-026).
- H. The applicant has provided two proposed options. The only difference between Option A and Option B is the width of the base. Option A has the base being eighty percent (80%) of the width of the sign cabinet while Option B has the base being fifty-seven percent (57%) of the width of the sign cabinet. As such, by definition, Option B is a free standing sign which is a prohibited sign type.
- I. Section 3407.5.A.1.a.III of the zoning regulations requires the top of the sign to have an architectural feature or finish, such as a gable, arch, or pediment. Neither of the

proposed options provide for this feature.

- J. Should the Board take action to approve the submitted request, Staff is suggesting the following conditions be considered as part of that action:
1. The approval shall only apply to Option A
 2. The design of the proposed sign shall include a top having an architectural feature or finish, such as a gable, arch, or pediment, which shall be included in the overall proposed sign height of fifteen (15) feet.

CONCLUSION

- A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.
- B. Sections 204.D and 204.E of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully submitted,



Michael D. Schwartz
Director, Zoning Services

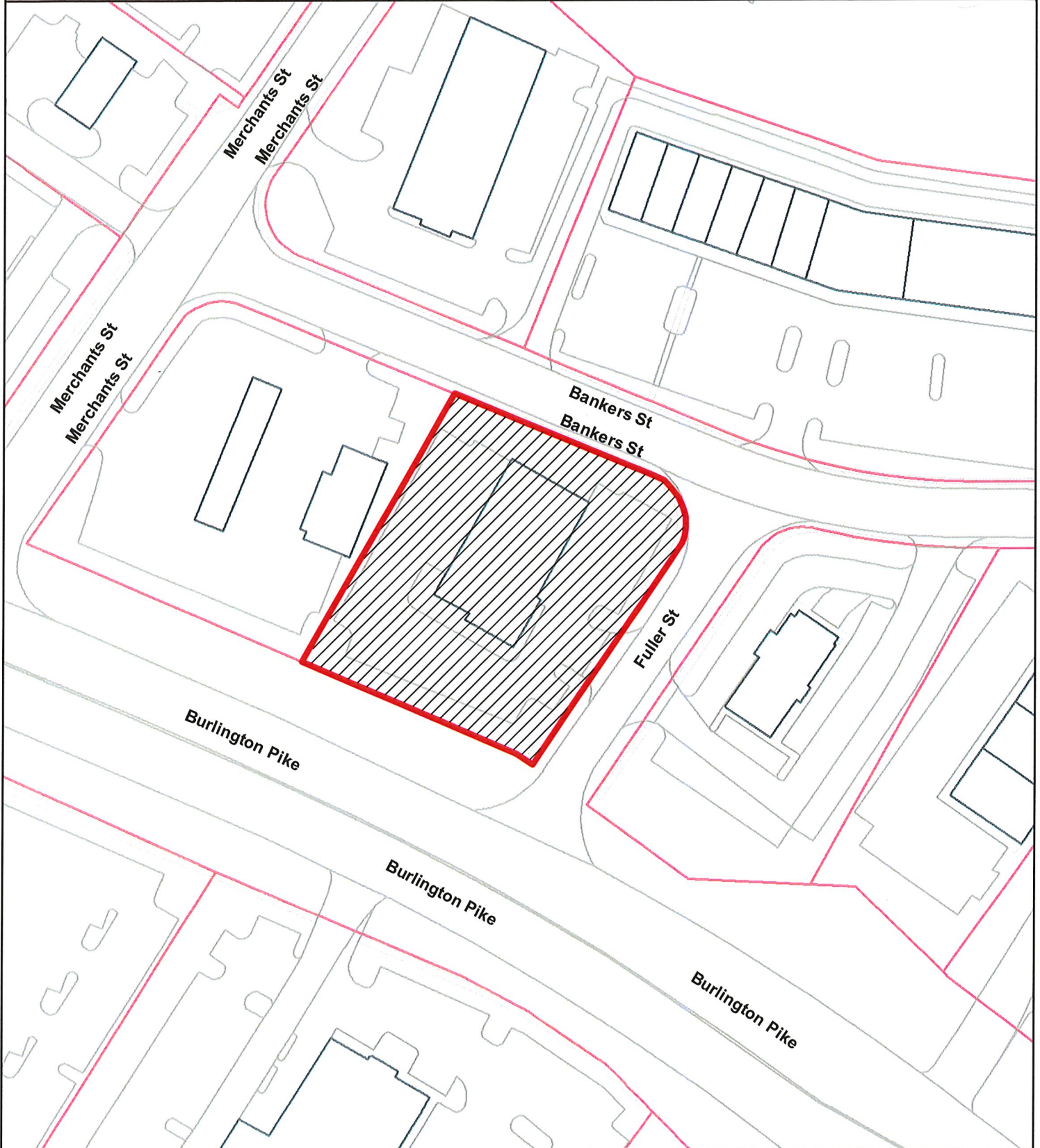
MDS/ss

Attachments

- *Vicinity Map
- *Legislative Boundary Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Noise Contour
- *Application
- *Development Plan

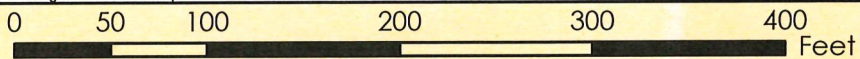
Vicinity Map

www.boonecountygis.com



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1 inch = 100 feet

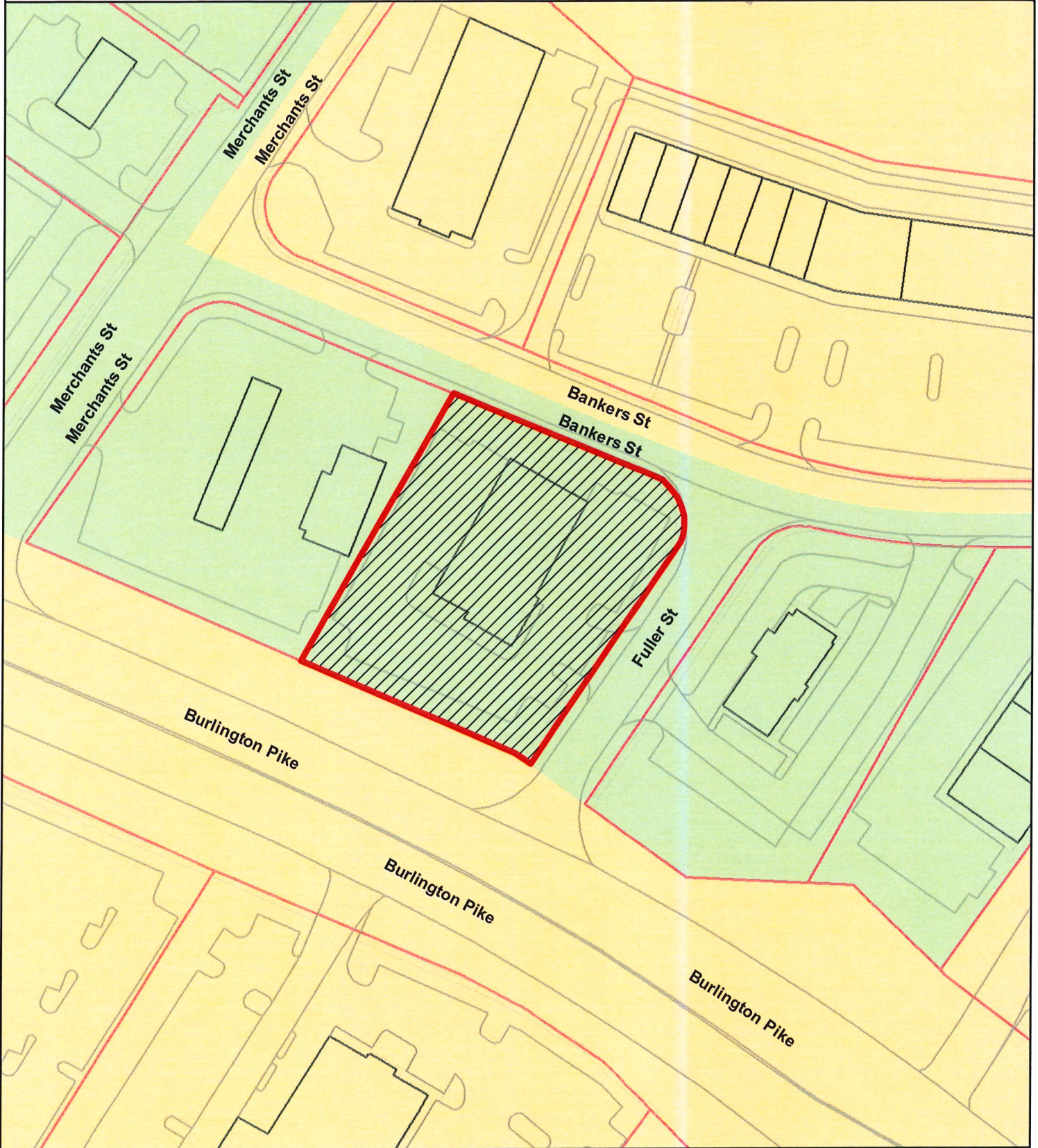


Boone County GIS - Putting Northern Kentucky on the Map



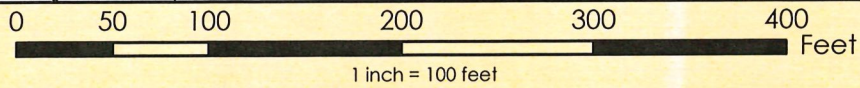
Legislative Boundary Map

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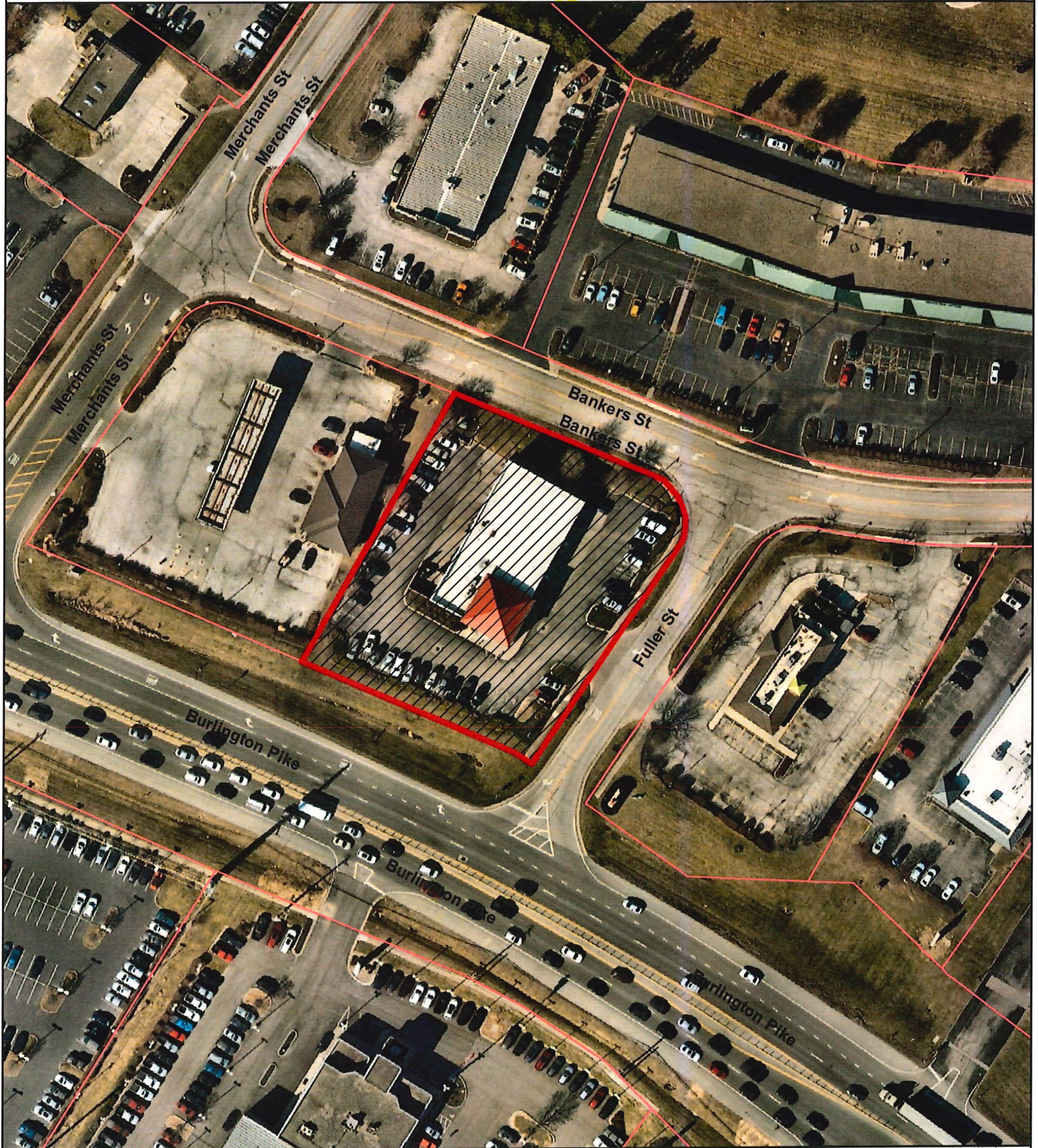
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2022

2022 Boone County GIS
ArcMap Document: * mxd

Aerial Map

www.boonecountygis.com



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0 50 100 200 300 400 Feet

1 inch = 100 feet



Boone County GIS - Putting Northern Kentucky on the Map

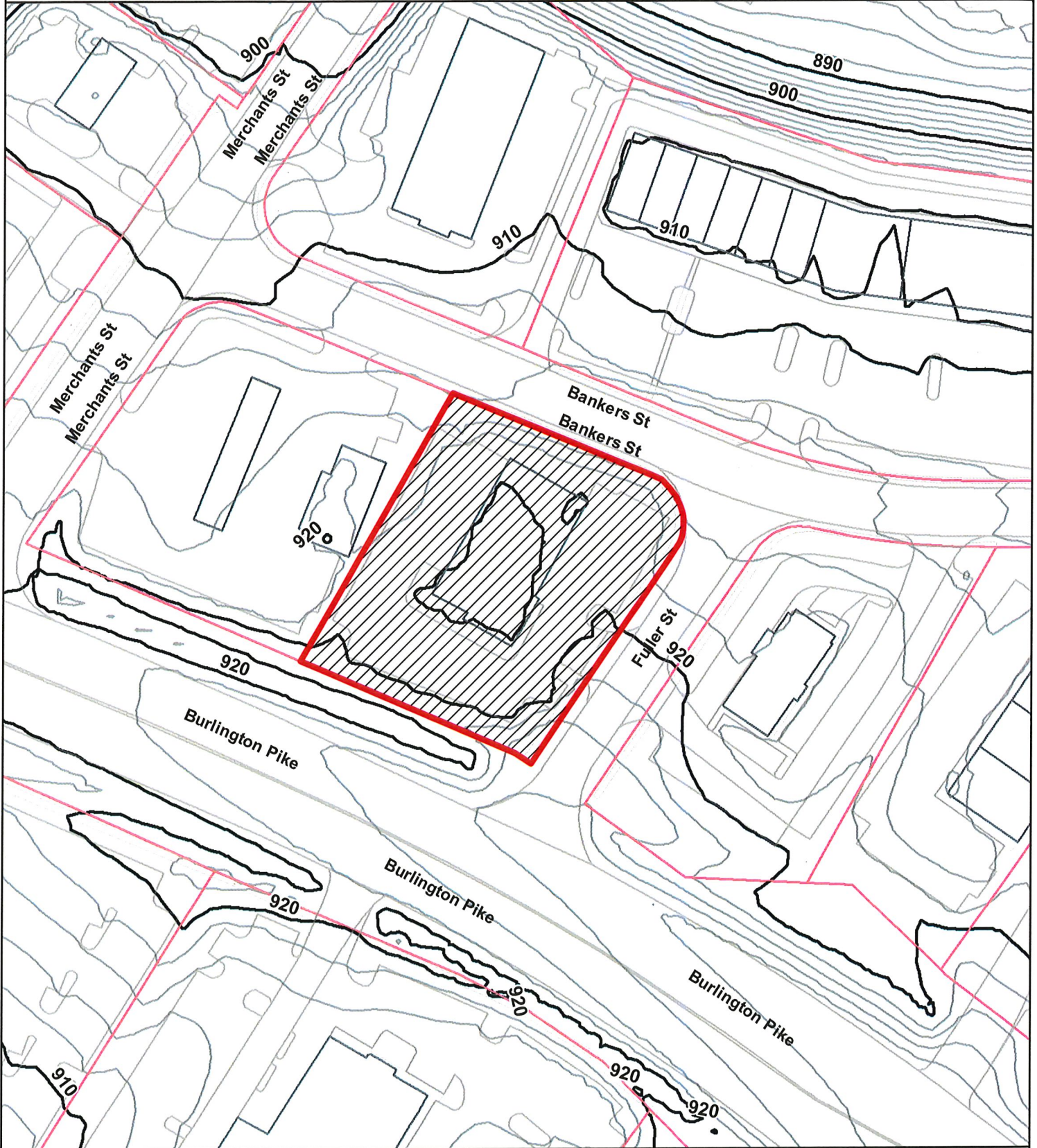


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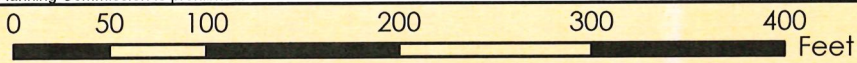
Topographic Map

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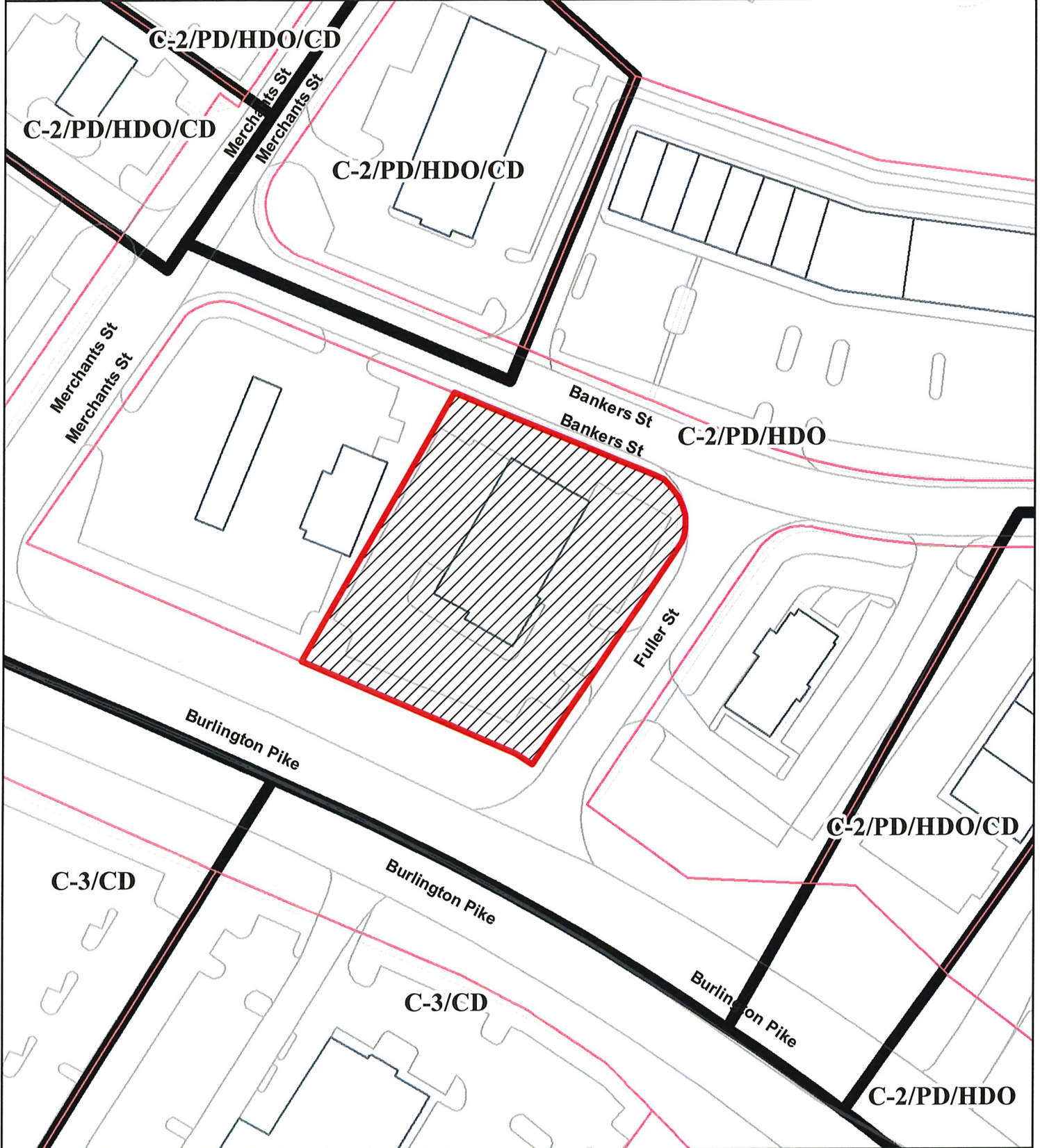
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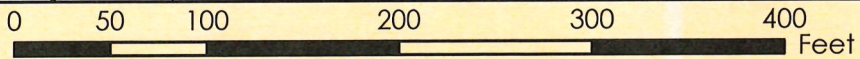
Zoning Map

www.boonecountygis.com



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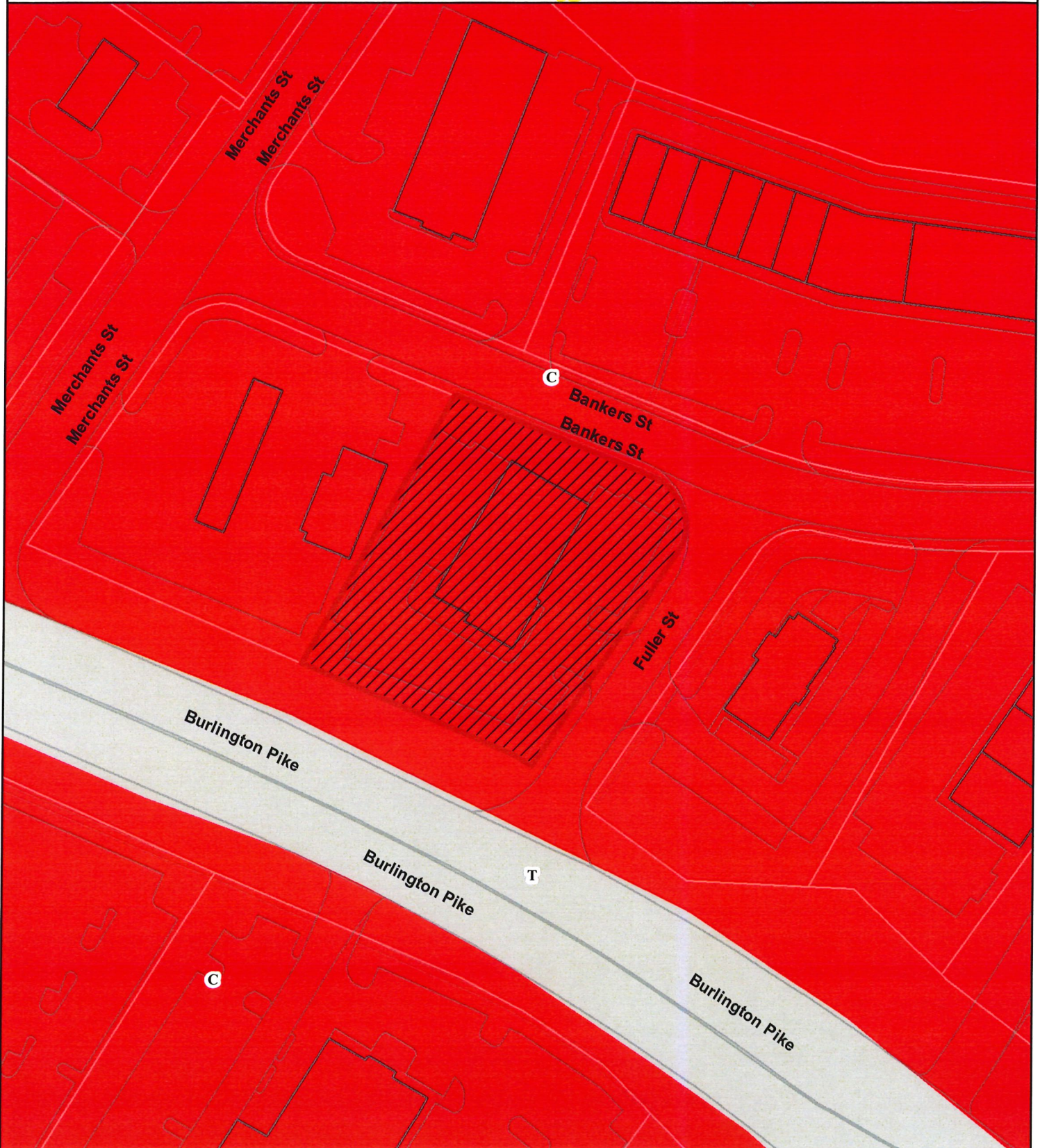
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Boone County GIS
ArcMap Document: *.mxd

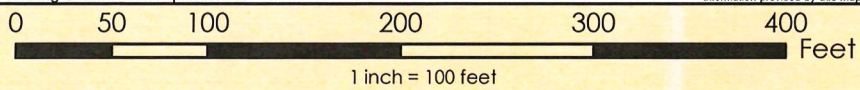
2040 Future Land Use Map

www.boonecountygis.com



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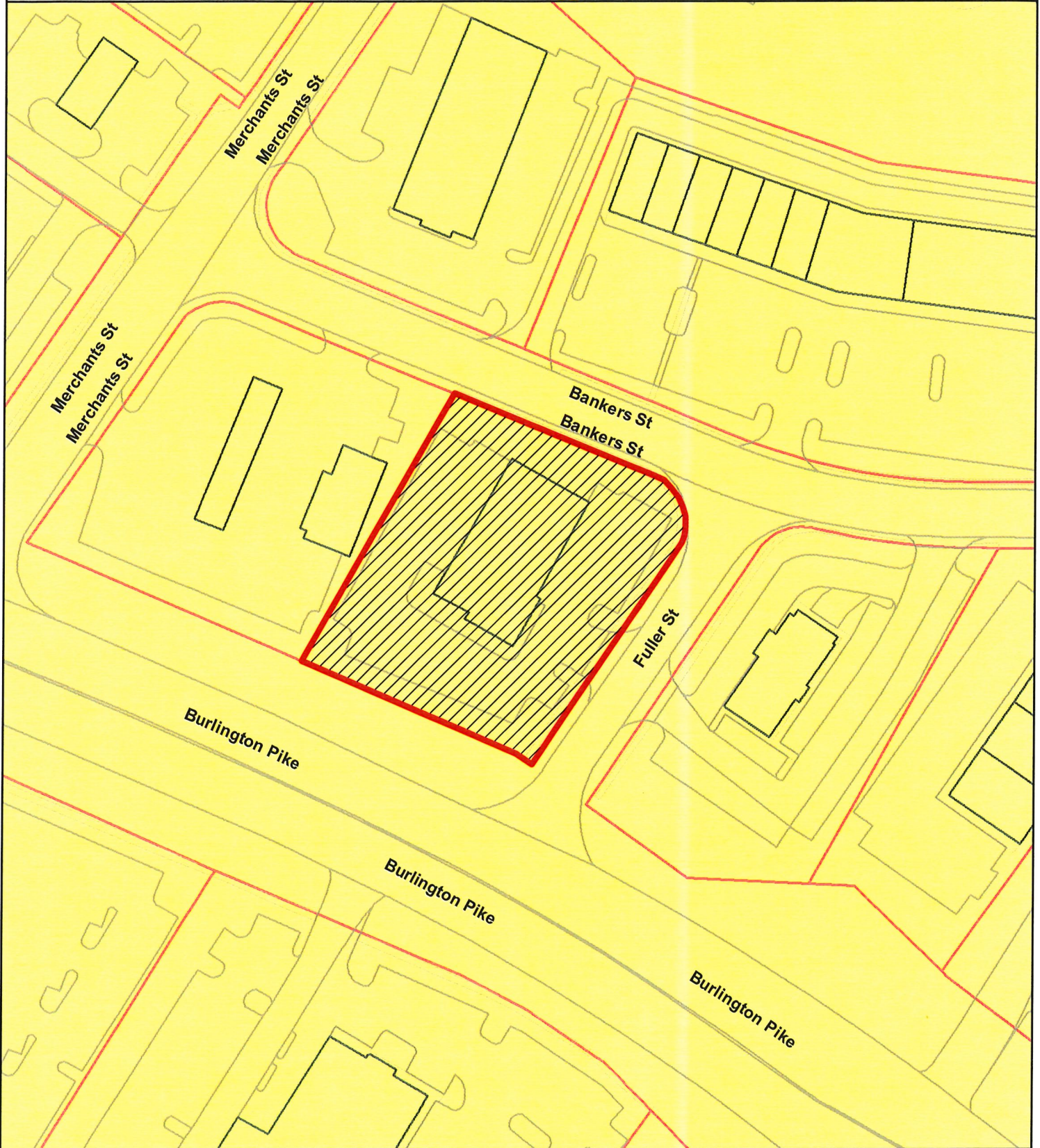
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Boone County GIS - Putting Northern Kentucky on the Map

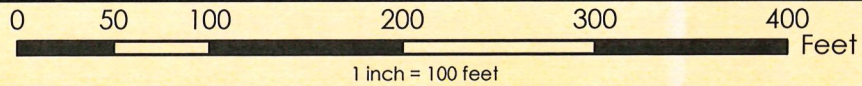
Noise Contour Map

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2022

Boone County GIS
ArcMap Document: *.mxd

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**



One (1) scaled copy and one (1) 11 x 17 reduction of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: _____ ONE STOP SIGNS
Address: _____ PO BOX 275

NEWTONSVILLE OH 45158

City State Zip Code
Phone Number: _____ 513-722-7867 Fax Number: _____ N/A
Email: _____ tsuddarthonestopsigns@gmail.com & justenscalf1@gmail.com
4. Description of Request:
Variance for Tire Discounters Monument sign 15'-0" x 14'-0"

Tire Discounters
5. Name of Development: _____
6. Location of Development: _____ 5991 Fuller St

Florence KY 45202


City State Zip Code
7. Acreage Under Review: _____
8. Lot Number and Name of Subdivision (if part of a subdivision):

9. Current Owner: _____ TD Management LTD
Address: _____ 1 E 4TH FLOOR

CINCINNATI OH 45202

City State Zip Code
Phone Number: _____ 513-722-7867 Fax Number: _____
Email: _____ tsuddaerthnstopsigns@gmail.com

10. Proposed Use(s) on Site: Commercial - B - Business
11. Total Square Footage of Existing and/or Proposed Buildings: Building 64 x 114 = 7616 sqft.
12. Current Zoning: C2 / PD / HDO
13. 061 563 0018 156 003 2033A
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Property Owner's Signature:  Dustin Pierce 4-21-25

Applicant's Signature:  Justin Scott 4-21-25

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 4/22/25 Fee Received: \$1,616⁰⁰ Receipt #: 92464

2. Is application complete: _____

3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

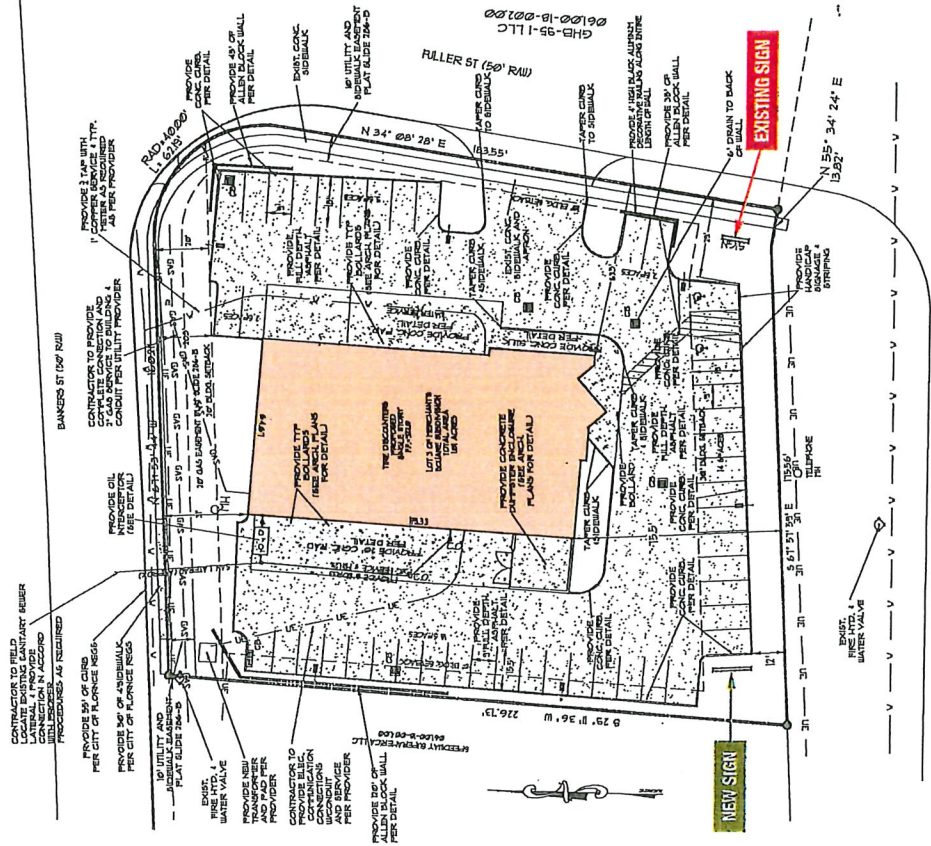
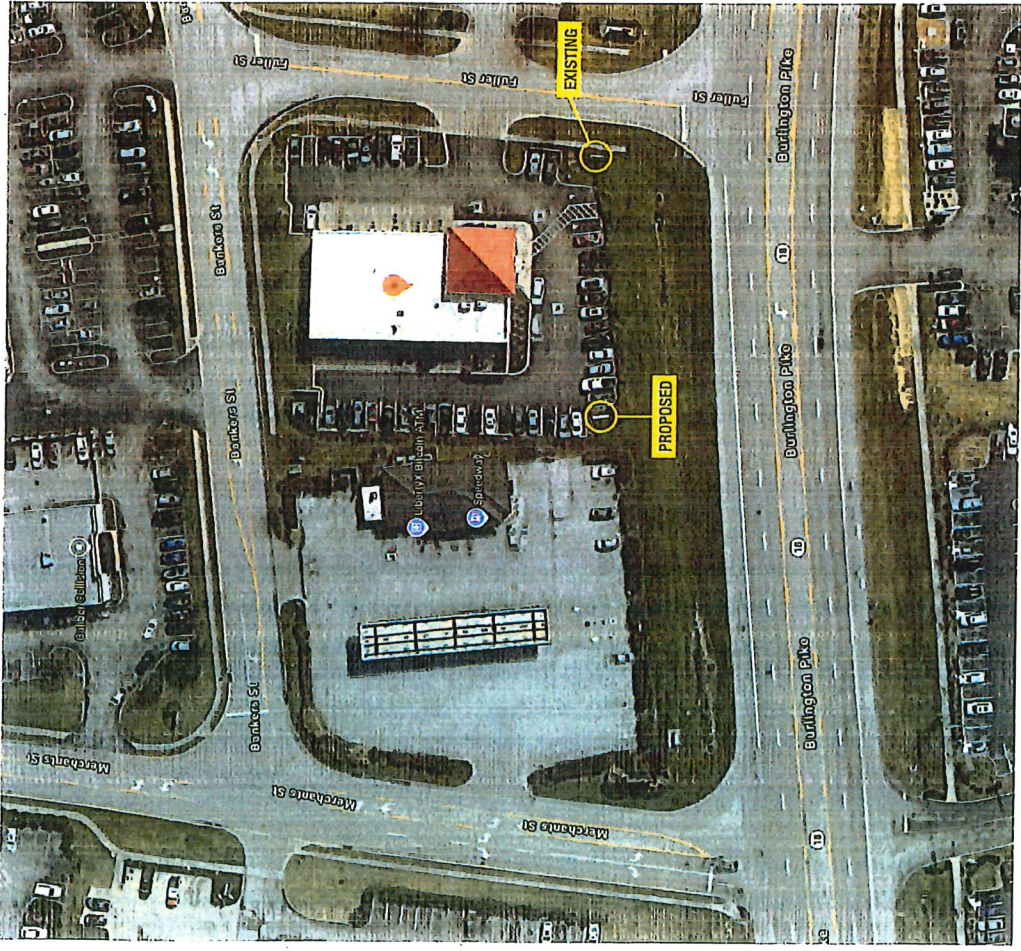
5. Board Action: _____

- _____ Approved
- _____ Approved with Conditions (see #6)
- _____ Denial (See #7)

6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountyky.org
www.boonecountyky.org



SITE UTILITY PLAN

BURLINGTON PIKE
(R/W VARIES)

GOOGLE AERIAL
SITE MAP

REVISION DATES:
 1. 3-26-25
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____

TRIUMPH
 signs & consulting, inc.
 480 Milford Parkway • Milford, OH 45150
 Phone 513-574-8070 • Fax 513-574-8975

TIRE DISCOUNTERS #10
 5991 Fuller Street, Florence, KY 41042

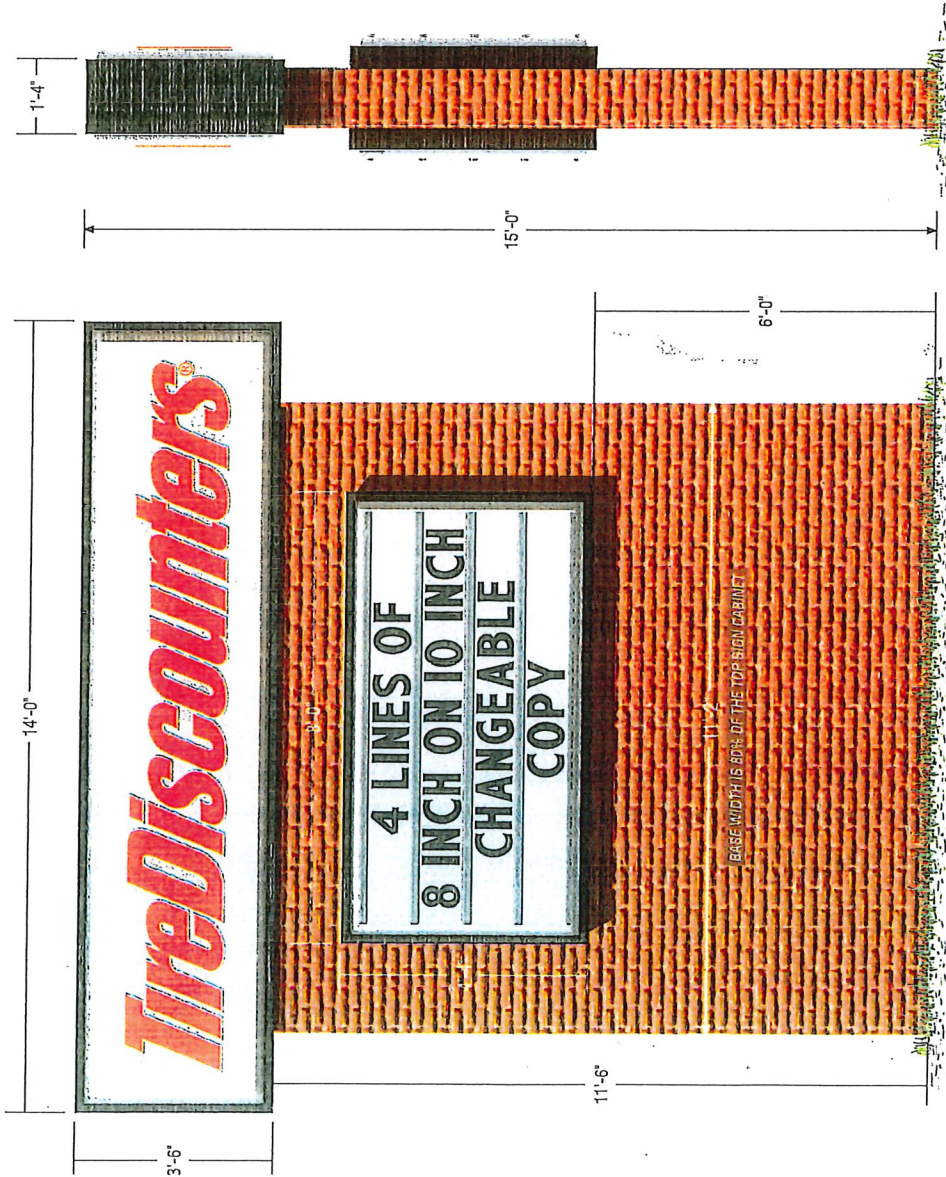
SALES: JS MANAGER: LB DESIGN: TW
 APPROVED BY: _____ DATE: _____

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83.6 SQ FT

DOUBLE-SIDED MONUMENT SIGN

LED INTERNALLY ILLUMINATED / PAN-FORMED EMBOSSED FACES



SCALE: 3/8"=1'

FRONT / BACK

SIDES

SIGN SHOWN IS PER CODE ALLOWANCES



REVISION DATES:

1.	3-17-25	3.	_____	5.	_____
2.	3-26-25	4.	_____	6.	_____

OPTION D

MONUMENT SIGN

TIRE DISCOUNTERS #10
 5991 Fuller Street, Florence, KY 41042

SALES: JS MANAGER: LB DESIGN: TW
 APPROVED BY: _____ DATE: _____

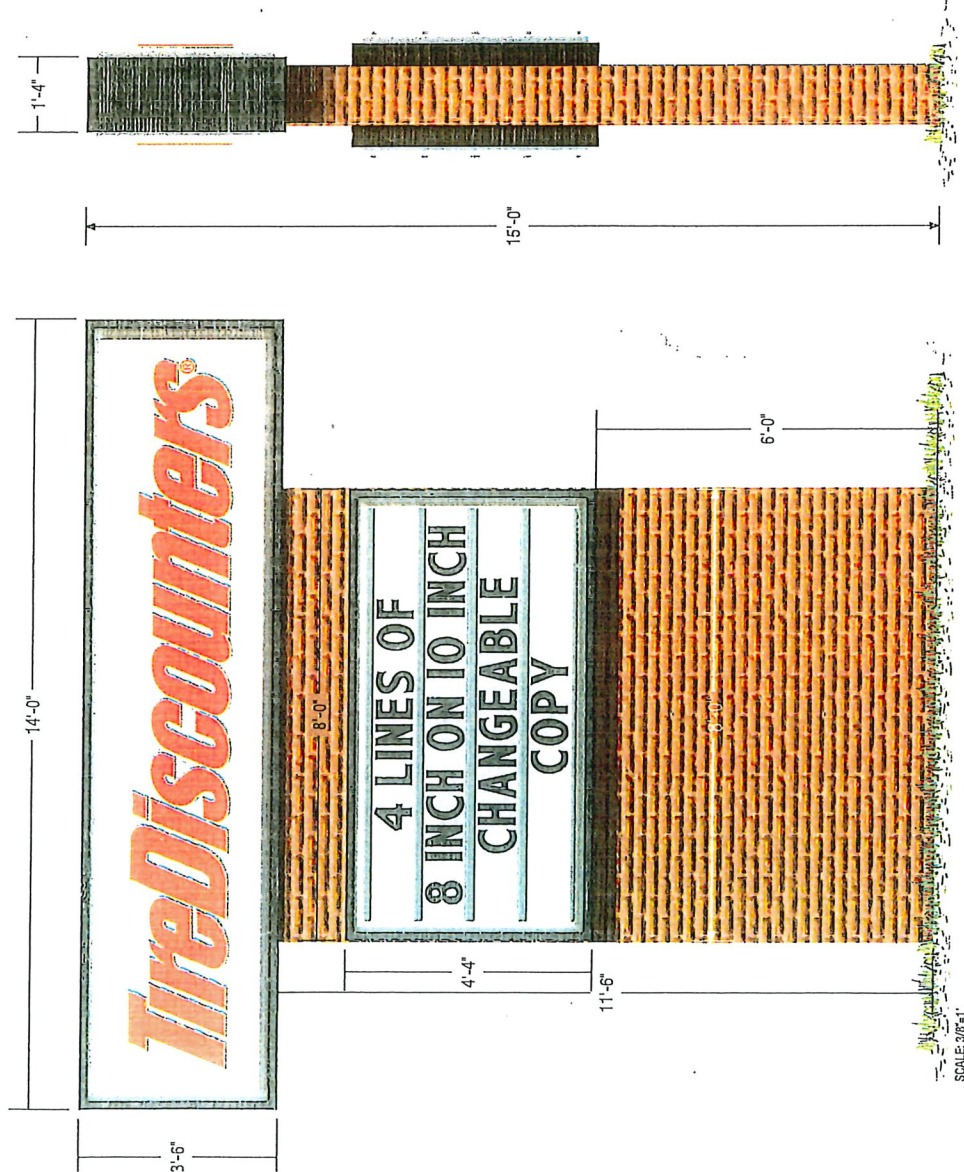
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 signs & consulting, inc.
 480 Milford Parkway • Milford, OH 45150
 Phone 513-574-8090 • Fax 513-574-8095

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88.6 SQ FT

DOUBLE-SIDED MONUMENT SIGN

LED INTERNALLY ILLUMINATED / PAN-FORMED EMBOSSED FACES



FRONT / BACK

SIDES

SCALE: 3/8"=1'

START DATE:	1. 3-17-25	3. 4-7-25	5. _____
	2. 6-25	4. 4-9-25	6. _____

REVISION DATES:

OPTION C

MONUMENT SIGN

TIRE DISCOUNTERS #10

5991 Fuller Street, Florence, KY 41042

SALES: JS MANAGER: LB DESIGN: JW

APPROVED BY: _____ DATE: _____

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TRIUMPH
signs & consulting, inc.

480 Millard Parkway • Milford, OH 45150
Phone 513-574-8090 • Fax 513-574-8895

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
TD Management LTD
1 E 4th St, 4th Floor
Cincinnati, OH 45202
2. ADDRESS OF PROPERTY
5991 Fuller St
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Tire Discounters
4. DEED BOOK 569 PAGE NO. 205 GROUP NO. 2033A
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)
- X Variances (2)
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

Michael D. Schwartz, Director, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY


COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz on behalf of the Boone
County Planning Commission this 15th day of May, 2025.

Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:


Nicole Dierna
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 Variances approved by the Boone County Board of Adjustment and in accordance with the current zoning in effect as of May 14, 2025, Certificate of Land Use Restriction (25-BCBOA-013-A), for TD Management LTD, Property Owner(s).

The following conditions will apply:

1. The approval shall only apply to Option A.

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

DEED BOOK 569

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