

# STAFF REPORT

#4

APPLICANT: Gerald Dusing  
DEVELOPMENT: McDonald's  
LOCATION: north side of Richwood Road  
ZONE: Commercial Services (C-3)  
DATE: August 8, 1990  
REMARKS:

Please recall that on April 11, 1990, this Board granted a Change in Non-Conforming Use to the new McDonald's restaurant at the Richwood Road interchange. This Change allowed McDonald's to install a 250 square foot addition onto the pre-existing, non-conforming Chevron high-rise sign. A condition of approval, however, limited any "entrance sign" (ie. sign designed to attract attention of motorists on Richwood Road) to "approximately" 50 square feet and no more than 20 feet high.

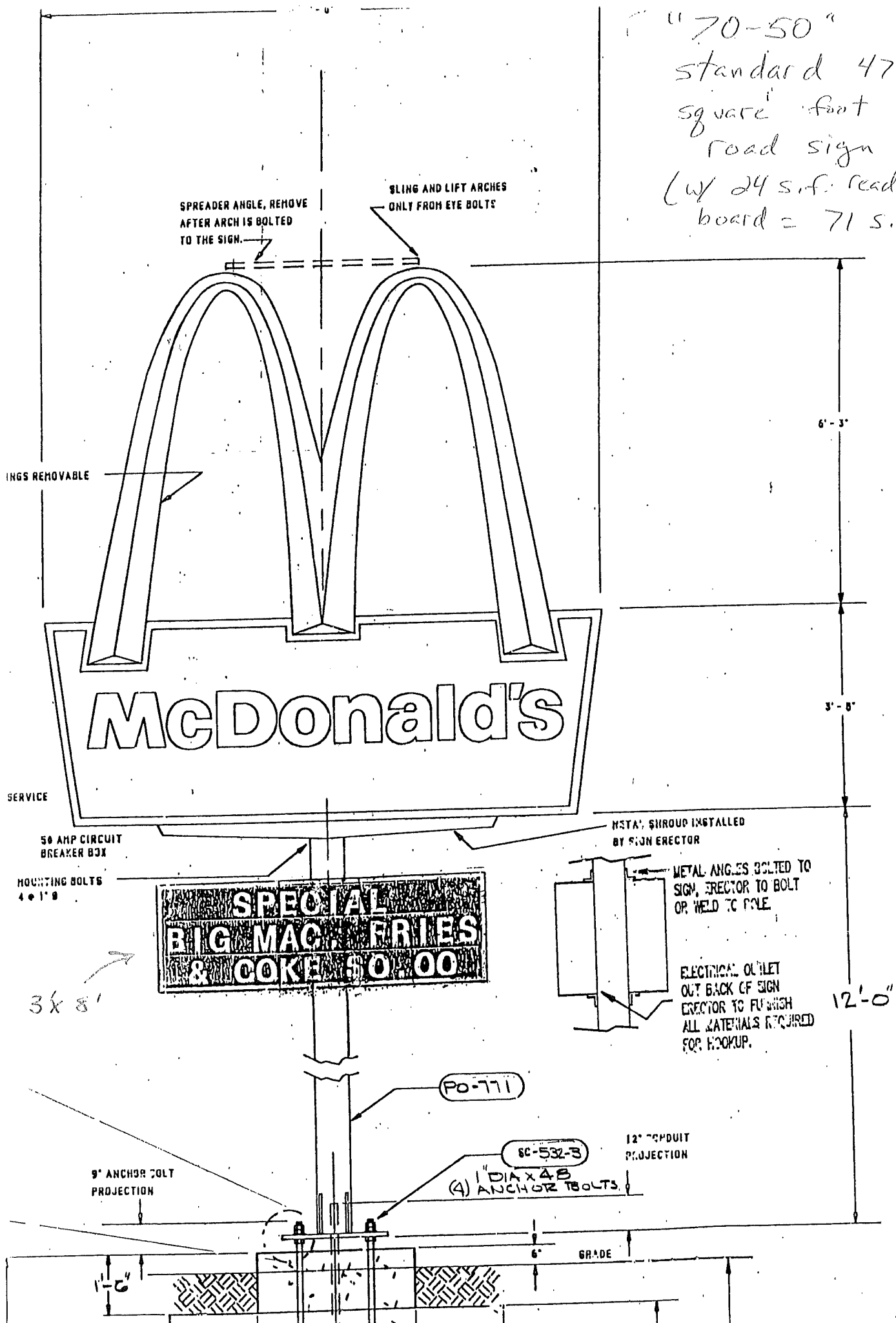
On June 22, 1990, the Kessler Sign Company submitted an application for a sign permit for an "entrance sign" with a reader board attachment. Calculations for this "70-50 road sign" indicate the total area of the golden arches and the McDonald's wording to be 47.08 square feet --- or approximately 50 square feet as allowed. However, Kessler also submitted plans for a reader board attachment of 24 square feet. The applicant contends, in his attached letter dated August 1, 1990, that at the April 11 meeting, the Board discussed and implicitly approved an additional message board of unspecified size. In other words, the applicant is requesting the Board to interpret their approval based on the official record of their meeting.

This "application" is not a formal appeal of the Zoning Administrator's decision (i.e., no public hearing was advertised, no fee has been paid). This request is merely an effort of both the applicant and Staff to allow the Board to tell each exactly what was meant by the condition of approval in April. If the Board agrees with Staff that the 24 square foot addition does not substantially agree with the previous approval, McDonald's would still have the option of making a formal request to the Board for a modification of the Change in Non-Conforming Use. If the Board agrees with the applicant (ie. that 71.08 square feet - a 42% increase over the approved 50 square feet - is "approximately" 50 square feet), a sign permit will be issued.

  
Thomas W. Breidenstein  
Zoning Enforcement Officer

TWB:twb/mcb

"70-50"  
 standard 47  
 square foot  
 road sign  
 (w/ 24 s.f. reader  
 board = 71 s.f.)



SPREADER ANGLE, REMOVE  
 AFTER ARCH IS BOLTED  
 TO THE SIGN.

SLING AND LIFT ARCHES  
 ONLY FROM EYE BOLTS

ARCHES REMOVABLE

McDonald's

SERVICE

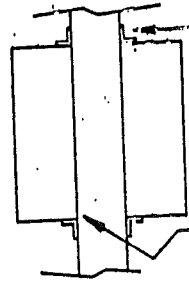
50 AMP CIRCUIT  
 BREAKER BOX

MOUNTING BOLTS  
 4 @ 1" S

SPECIAL  
 BIG MAC FRIES  
 & COKE \$0.00

3' x 8'

META. SHROUD INSTALLED  
 BY SIGN ERECTOR



METAL ANGLES BOLTED TO  
 SIGN, ERECTOR TO BOLT  
 OR WELD TO POLE

ELECTRICAL OUTLET  
 OUT BACK OF SIGN  
 ERECTOR TO FINISH  
 ALL MATERIALS REQUIRED  
 FOR HOOKUP.

12'-0"

PO-771

SC-532-3

1" DIA x 48  
 (4) ANCHOR BOLTS

12" CONDUIT  
 PROJECTION

9" ANCHOR BOLT  
 PROJECTION

GRADE

1'-0"

6"

ADAMS, BROOKING, STEPNER, WOLTERMANN & DUSING  
*Attorneys and Counselors at Law*

8100 BURLINGTON PIKE-SUITE 400

P. O. BOX 576

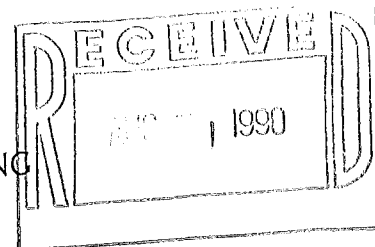
FLORENCE, KENTUCKY 41042-0576

AREA CODE 606-371-6220

FAX 606-371-8341

August 1, 1990

CHARLES S. ADAMS  
1906-1971  
C. GORDON WALKER  
1911-1967  
JOHN R. S. BROOKING \*  
DONALD L. STEPNER  
JAMES G. WOLTERMANN  
GERALD F. DUSING  
MICHAEL M. SKETCH \*  
DENNIS R. WILLIAMS  
JAMES R. KRUER \*  
MARC D. DIETZ \*  
JEFFREY C. MANDO  
KIMBERELY J. ADAMS \*  
GREGORY S. SHUMATE \*  
GLENN E. ALGIE \*



36 E. FOURTH STREET  
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421 GARRARD STREET  
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COVINGTON, KENTUCKY 41012-0861  
AREA CODE 606-291-7270  
FAX 606-291-7902  
\*ALSO ADMITTED IN OHIO

PLEASE REPLY TO:  
FLORENCE

HAND DELIVERED

Boone County Board of Adjustment  
c/o Mr. Tom Breidenstein  
Boone County Planning Commission  
Boone County Administration Building  
Burlington, Kentucky 41005

RE: McDonald's Corporation  
Richwood Entrance Sign

Gentlemen:

We represent McDonald's Corporation and write this Board at the suggestion of Tom Breidenstein to obtain clarification and approval for sign permit of McDonald's standard 70-50 entrance sign with 3'x8' reader board.

When we appeared before this Board April 11, 1990 and were approved for McDonald's sign logo on the existing Chevron highrise sign, there was discussion that if approval was given for that Chevron highrise location, McDonald's would not have another highrise or maximum sized entranceway sign on site.

The minutes of the meeting are attached (see checks in margin).

When the 70-50 entranceway sign (47 sq. ft., 18 ft. tall) was discussed, it was also mentioned in the discussion that a reader board (our standard 3'x8') would be part of the 70-50 entranceway sign which is also standard. Comments about the reader board did not make their way into the minutes, which is understandable since they were not particularly germane to the thrust of the Board's concern that McDonald's not put another highrise on site (40' is allowed) or large entranceway sign (250 sq. ft. is allowed). Tom Breidenstein acknowledges that the reader board was discussed in connection with the entranceway sign.

The point that needs clarification is whether the Board's approval of McDonald's/Chevron highrise sign was conditioned on or prohibits the 24 sq. ft. reader board being allowed as part of the 47 sq. ft. 70-50 sign element.

The source of staff's concern is Chairman Whitton's comments and Dusing's comments (Minutes, p. 7 bottom) of "approximately 50 sq. ft." and "as long as the sign (entranceway sign subject of this clarification) meets the standard criteria."

"standard criteria" is the 250 sq. ft. allowed under the ordinance.

"approximately" includes the reader board which was part of the discussions.

The whole thrust of the discussion was Mr. Ryan's motion that with the McDonald's/Chevron sign, there be no other highrise free standing sign on site to attract traffic from I-75. The reader board is below the 70-50 sign logo on the same pole, and the entire 70-50 structure is 18 ft. high, entirely invisible from I-75 traffic, and a standard entranceway sign package for McDonald's.

The requested 8'x3' reader board was in the discussion at the time and within the letter and spirit of the Board's action of April 11, 1990.

Consequently, we would appreciate a clarification that the 8'x3' reader board be allowed as part of the 70-50 entranceway sign.

Thank you in advance for your kind consideration.

Respectfully submitted,

ADAMS, BROOKING, STEPNER,  
WOLTERMANN & DUSING

  
GERALD F. DUSING

GFD:vam  
Enclosure

cc: Mr. Tom Breidenstein

Mr. Ray Erpenbeck stated that the reason the two entrances are this wide is that it has been their experience that the trucks delivering gasoline short-cut the entrances and tear up the landscaping and sidewalks. Mr. Erpenbeck reviewed a larger scale drawing with the Board, noting the locations of the fuel tanks and how the tankers would enter and exit the site.

Mr. Robert Kirby, Sr. indicated to the Board where the tankers would enter and exit the site to discharge into the tanks. He stated that possibly one of the entrances could be narrowed. He indicated where the dumpster would be located and stated that the garbage trucks would also use the wider entrance.

Mr. Powell stated that there are a lot of industrial park developments where there are semi's and they are not allowed 50' entrances. He stated that he believes 40-foot wide entrances might be more appropriate.

Staff Member, Brian Fogle, stated that under Condition #2, access to adjoining properties, this concern has been addressed and is no longer an issue.

Following discussion, Chairman Whitton deferred this item until the end of the meeting to allow the applicant to meet with the Staff.

At the conclusion of the meeting, Mr. Robert Kirby, Sr. indicated to the Board the areas they would extend for ten feet and stated that they would reduce the entrances to 40 feet each.

Mr. Houston moved that the request be granted subject to the condition that the center island along Barbara Drive be extended ten feet on either end for the 40-foot wide entrances. Mr. Ryan seconded the motion and it carried unanimously.

4. The request of McDonald's Corporation for an Appeal of the Zoning Administrator's and Zoning Enforcement Officer's decision denying a permit for an addition to an existing free-standing sign. If the Appeal is unsuccessful, the Applicant is requesting a Change in Non-Conforming Use to allow the addition of a McDonald's sign onto an existing Chevron high-rise sign. The subject property is located on the north side of Richwood Road, west of I-75, and is zoned Commercial Services (C-3). The property is owned by Thomas Bishoff.

Staff Member, Tom Briedenstein, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Whitton asked if there was anyone present in behalf of the Appeal.

Mr. Jerry Dusing, attorney, stated that he wrote the McDonald's position statement that had been distributed (see memorandum from McDonald's Corporation to the Boone County Board of Adjustment, dated April 11, 1990).

Mr. Dusing referred to the pictures of the sign included with the Staff Report and presented pictures of the existing Chevron sign. He stated that the sign is about 100 square feet, which is about one-quarter the size of McDonald's normal sign. It is also about one-third as large as the McDonald's sign on Dream Street for I-75 traffic. Mr. Dusing introduced Mr. Roger Kessler from Kessler Sign Company in Zanesville, Ohio.

Mr. Kessler stated that McDonald's asked him to look at the site in regard to signage along the interstate. He found that they would have to have a 150' sign to be noticed going south on I-75, and about that size going north. Therefore, he looked at alternatives and felt that McDonald's could put their sign underneath the Chevron sign -- it would be smaller, but would work visually. He added that Mr. Bishoff owns all the property so he felt that it would not be an off-premise sign. He stated that preliminary observation indicates that the structure will withstand the new sign. They will get approval from a structural engineer for the additional sign.

Mr. Dusing stated that an on-premise sign would have to be at the rear of the property, significantly closer to Heritage Trails Subdivision, to impact the interstate. He stated that Mr. Kessler did himself out of a sizable contract by this suggestion. He stated that the sign panel within the structure of the Chevron sign fits within the spirit and the letter of the law of pre-existing, non-conforming uses and that is the basis for their application and legal entitlement to the sign. He added that McDonald's contract to locate here has a contingency of having a high-rise sign. If the sign is not approved, McDonald's is not obliged to go on the site. He stated that he takes issue with the Staff Report when it says that the Board does not have the authority in this regard. He stated that Staff's view is that this is an enlargement or a change of pre-existing use. He quoted from McDonald's position statement on Pages 1 and 2 in this regard. He stated that the Agreement of Lease for the Chevron substructure has existed since 1975, prior to the Zoning Ordinance. The property is owned by Mr. Bishoff and leased to Chevron. It is connected to the Chevron site by easement. He stated that an argument could be made that it is not an off-premise sign. He added that this is a change in non-conforming use allowed by the ordinance. He stated that the Board has to decide if the addition of a McDonald's sign panel within the existing dimensions at the same location is an enlargement or change in the area of the existing Chevron substructure. He stated that it is an allowable modification of a pre-existing non-conforming use. Mr. Dusing reviewed the position statement in regard to Section 284 and 285 of the Boone County Zoning Ordinance. He noted that attached to the position statement is an Attorney General opinion of 1983, whose job it is to interpret state statute. He stated that the opinion says that local zoning ordinances cannot be more restrictive than the state statute or they are void. He added that the Boone County regulations took two pages to say what this says in two paragraphs. Mr. Dusing also reviewed the other opinions attached to the position statement. He stated that if you had a pre-existing, non-conforming house, you could put in new windows, add new rooms within, or change the basement -- which is not a change in scope or enlargement. He stated that the proposed sign has less impact on the neighborhood than a free-standing sign on the site, which is allowed, would have.

Mr. Dusing questioned that should Chevron change its name to Standard and want to add another letter to the sign panel -- would that be an enlargement.

Counselor Wilson stated that the statute says you can substitute a pre-existing non-conforming use with an entirely different one, if it is determined that the new use is no more objectionable than what was there before. He stated that it is appropriate for this Board to consider this matter under KRS 100. He added that the Board also looks at whether the change in non-conforming use results in a change in the character of what was there before. In determining if something is more objectionable, the Board must look at the land use impacts and character of the use.

Mr. Dusing added that he put up a two-line petition, which he quoted and a copy of which is attached to the position statement, at the gas station and there are 100 signatures on the petition, 17 coming from residents of the subdivision.

Chairman Whitton asked if there was anyone else present who wished to speak in regard to this request.

Mr. William Lamb, a resident of Heritage Trails, stated that the residents would prefer that the McDonald's sign be with the Chevron sign. However, there should be protection in case a year from now McDonald's wants to build a second sign on the site.

Chairman Whitton asked if there is any proposal for a free-standing sign at the entrance. ✓

Mr. Dusing stated that there would be a standard entrance sign on the site which would be 50 sq. ft and 18 feet high. ✓

Mrs. Thelma Castellini stated that you are ahead any time you can get two signs on one pole instead of two poles with one sign each. She stated that the neighborhood hopes that care will be taken to position the sign so that it is not visible from Heritage Trails and that the edge that faces Heritage Trails be painted black. She stated that they welcome McDonald's to Richwood.

Jenny Woodner, a resident of Heritage Trails, stated that she prefers the addition to the Chevron sign over another high rise sign and is in agreement with it being painted black. They would also appreciate anything that can be done to reduce the reflection of the existing Chevron sign.

Mr. Sid Goble, a resident of Heritage Trails, questioned if there would be laws concerning the illumination of the signs. He stated that they do not object as much to the signs as they do to the light they give.

Mr. Kessler stated that the signs are illuminated with fluorescent tubes. The McDonald's sign would not be any brighter than the Chevron sign and is turned off at 11 p.m. during the week and midnight on the weekend. He stated that the Chevron sign is on all night.

Mr. Breidenstein stated that there is no standard of brightness for signs, but there is language that says the lights cannot create a nuisance to adjoining streets or the interstate. He stated that he would trust that McDonald's would be responsive to any complaints from the neighbors.

Mr. Kessler stated that the McDonald's sign is turned off at 11 p.m. during the school session and 12 midnight on the weekend and during the summer session.

Audrey Lane, a resident on Apaloosa, stated that there will also be a Wendy's sign and many more signs. She stated that they had not seen the petition. After reviewing the petition, she stated that those who signed would not have the illumination that they have and were at least two miles away.

Mr. Breidenstein noted that Mr. Dusing had stated that if this request is not allowed, then they would be permitted a 150' sign on the McDonald's property. He stated that this would not be an automatic approval and would have to come before this Board for a Variance.

Mr. Dusing stated that there will not be a 40' high on-premise sign. They will have a 50 sq. ft. standard golden arches entrance sign that is 18 feet high. This request is an alternative to the free-standing high-rise sign. He added that in Edgewood the menu board on the drive-thru is considered a sign and, therefore, they will need to be told what a sign is.

Mr. Tim Greene, Real Estate Development, McDonald's, stated that the shared sign is to attract travelers off the highway and the road sign is to identify McDonald's to travelers on KY 338. They have no intention of erecting two high rise signs. The road sign will be 18' high with 50 sq. ft. in the service area.

Mr. Dusing displayed a picture of the type of sign they would have at the entrance.

Mr. Ryan moved that the change or modification to the existing Chevron sign that is a pre-existing non-conforming use be approved to allow the addition of the McDonald's sign, and there is to be no other free-standing sign used to attract traffic from I-75. Mr. Houston seconded the motion.

Chairman Whitton asked if they would agree that the application for the entrance sign will be no bigger than approximately 50 square feet and no more than twenty feet tall.

Mr. Dusing stated that as long as they have the shared use of the Chevron sign, they agree to have no other high-rise sign on the premises. They also agree that the entrance sign will be no bigger than approximately 50 square feet and no more than twenty feet tall provided that it is approved if it otherwise meets the ordinance.

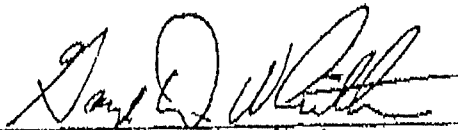
Chairman Whitton stated that as long as the sign meets the standard criteria it will be granted.

Mr. Ryan included the comments made by Chairman Whitton and Mr. Dusing as part of the motion. Mr. Houston seconded the amendment to the motion.

Chairman Whitton asked for a vote on the motion made by Mr. Ryan and it carried unanimously.

There being no further business to come before the Board, Mr. Ryan moved that the meeting be adjourned. Mr. Archambault seconded the motion and it carried unanimously.

APPROVED:

  
\_\_\_\_\_  
George D. Whitton, Chairman

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

BOONE COUNTY BOARD OF ADJUSTMENT  
BUSINESS MEETING

August 8, 1990 - 6:30 P.M.

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BOARD MEMBERS PRESENT:

Mr. I. A. Archambault  
Mr. Dan Houston  
Mr. Fred Nevel  
Mr. Walt Ryan

BOARD MEMBERS NOT PRESENT:

Mr. George Whitton, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

The meeting was called to order by Mr. Archambault at 6:30 P.M..

Approval of the Minutes:

Mr. Archambault noted that each Board member had received a copy of the Minutes of the Boone County Board of Adjustment meeting of July 11, 1990 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. Nevel moved that they be approved as mailed. Mr. Houston seconded the motion and it carried unanimously.

Agenda Items:

1. The request of The Drees Company for a Conditional Use Permit to allow the installation of an off-premise sign and a Variance to allow the sign closer than 1,760 feet from an existing off-premise sign. The 54.6-acre site located on the north side of Burlington Pike, across from the eastern entrance to Boone Aire Road (Square D Company), is zoned Industrial One (I-1) and is owned by the Square D Corporation.

Counselor Wilson reviewed the Staff Report prepared by Mr. Tom Breidenstein. He stated that there were some legal questions involved as to what may be appropriate for a temporary sign. This is addressed in the supplemental Staff Report, along with references to the Comprehensive Plan. The questions involved the appropriateness of this kind of use at this location and there was discussion

at the July 19 meeting about this being a temporary sign for a period of one to two years. He noted that there were representatives of The Drees Company present who had attended the meeting.

Mr. Bruce King of the Drees Company stated that they are asking for permission to put a sign at the front of Square D to direct traffic down Boone Aire Road. It is not an advertisement-type sign. It is an attractive sign with lattice work underneath it. He stated that there is a picture of the proposed sign attached to the Staff Report. He stated that the sign will be helpful to get the traffic into the site safely.

Counselor Wilson stated that this is a Conditional Use request in the I-1 Zone. The request is for an off-premise sign of 15 sq. ft.. It is about two feet from the ground to the sign and the sign is 3' x 5'.

In response to a question from Mr. Ryan, Mr. King advised that they want the sign for one to two years. This could be reviewed again in 18 months. When they get down to a small number of homesites left, they will probably remove the sign.

Mr. Houston noted that the turn lane on KY 18 had been paved for easier access.

Counselor Wilson noted that the KY 18 corridor is noted in the Comprehensive Plan as being significant and there are large undeveloped areas. By having the sign on a temporary basis, as each interval elapses, the Board can reconsider its appropriateness for the area.

Mr. Archambault asked if there was anyone else present who wished to speak in regard to this request. There was no response.

Mr. Houston moved that the Conditional Use Permit be granted for a period of eighteen months. Mr. Ryan seconded the motion and it carried unanimously.

2. The request of Hebron Baptist Church for a Conditional Use Permit to allow the construction of a building addition and parking lot expansion. The 5.9-acre site is located at 1488 Petersburg Road, Hebron, Kentucky. The site is zoned Suburban Residential One (SR-1) and is owned by the Hebron Baptist Church.

Staff Member, Greg Tulley, presented the Staff Report which had been prepared by Amy Moore and included a slide presentation. He noted that this area had been before the Board on two previous occasions -- once for the church and once for the two-story house near the church. He noted that the subject parking lot is separate from the existing parking lot and the trees will remain. (See Staff Report).

Mr. Archambault asked if there was anyone present from the church who wished to speak in behalf of this request.

Mr. Harry Nurse of Trinity Church Builders stated that also present in behalf of the request was their architect, Mr. Fenney and four members of the church. Mr. Nurse stated that they are trying to provide better parking, more than is required by code. He stated that the sanctuary can handle more people than they can handle in education and fellowship and they are trying to address this. He stated that they would like their Site Plan Review done at Staff level so that they do not have to wait another month before starting construction.

Mr. Archambault asked if there was anyone else present who wished to speak in regard to this request. There was no response.

There being no discussion, Mr. Nevel moved that the Conditional Use Permit be granted and that the Site Plan be approved by the Staff. Mr. Ryan seconded the motion.

Counselor Wilson advised that the Site Plan Review needs to be handled by the Planning Commission.

Mr. Nevel amended his motion to indicate that they must follow the proper process of Site Plan Review by the Planning Commission. Mr. Ryan seconded the amended motion and it carried unanimously.

3. The request of Ron Neal for a Conditional Use Permit to allow the construction of a church. The 3.695-acre site is located on Elijah's Creek Road, Hebron, Kentucky. The site is zoned Agriculture Two (A-2) and is owned by Dave and Jill Peebles.

Staff Member, Greg Tulley, presented the Staff Report prepared by Amy Moore (see Staff Report). Mr. Tulley advised that notice was received today that a sanitary sewer system on the site would be allowed.

Mr. Archambault asked if there was anyone present who wished to speak in behalf of the request.

Reverend Ronald Neal stated that the area has approximately two acres of flat ground. There is an embankment by the creek. He stated that they have a sewage permit. He stated that two entrances are shown on the Site Plan -- one to the north and one to the south. They have no problem with only having the one to the south. The only reason they put in the one to the north is that when you are sitting in the curve you can look both ways. If the Board finds the entrance to be dangerous, then they will keep to one exit.

There being no one else present in favor of the request, Mr. Archambault asked if there was anyone present in opposition to the request.

Ms. Leoda Feldhouse stated that she was interested in the sewage treatment and the parking. She lives directly behind the site. Ms. Feldhouse stated that three owners were going to build on the site, but none of them did. She was told that there is only a limited space where you can build. She stated that

the curve is dangerous. Ms. Feldhouse stated that she does not object to the church. She noted that the back of the property will flood. She also has a problem with the culvert. She noted that this is a high vandalism area. Her house has been entered twice and many times things have been taken from her garage. She has to use a post office box as people take her mailbox. She stated that there will be many times when there is no one at the church and she is concerned about safety.

Reverend Neal stated that they are currently in the Hebron Hardware Plaza. They can seat 120 people. He stated that the code is one parking space for every four seats. There is a flat area on the up end of the property that will easily park 36 to 38 cars. If they move to the left-hand side of the property, they will have to come back for approval of a 3-foot covered culvert to show 50 to 60 parking spaces. The building will seat 120 people with a future 24-foot wing for up to 200 people. If growth continues, then there could be a balcony. He stated that they know Elijah's Creek is rough and are aware of the vandalism -- which is one of the reasons they are needed there.

There being no further comments from the audience, Mr. Archambault asked if there were any questions from the Commission.

Mr. Nevel questioned what would happen if they found out who owns the power line and there is a 100-foot easement. He asked how this would affect the location of the building and the parking lot. He stated that they would not be able to build within the easement.

Mr. Tulley stated that they could not build in the easement without approval, which may not be given. The Staff's opinion is that there would be a problem in regard to the topography and location of the building if there is a 100-foot easement. He noted that the back of the lot is steep.

Reverend Neal stated that if they find there is a 100-foot easement, they will no longer be interested in the property.

Counselor Wilson commented that the extent to which they could build in the easement is governed by the terms of the easement.

Ms. Feldhouse stated that she has a C.G.&E. tower on her property with a 100-foot easement. She assumes the easement on this site is for an Owen County line.

Mr. Nevel moved that the Conditional Use Permit be granted. Mr. Ryan seconded the motion.

Mr. Ryan questioned if moving the entrance was a problem. Reverend Neal stated that it was not.

There being no further comments, Mr. Archambault asked for a vote on the motion made by Mr. Nevel and it carried unanimously.

4. The request of Gerald Dusing, agent for McDonald's Corporation, for clarification of previously approved conditions of a Change in Non-Conforming Use. The site is located on KY 338 and is owned by Thomas Bishoff.

Counselor Wilson stated that he has reviewed the Staff Report and there appears to be a question as to whether or not the approvals granted at the April 11, 1990 meeting included the menu board.

Mr. Dusing stated that they want to get clarification. There is a letter included in the packets indicating their position. Also included in the packets are copies of the April 11, 1990 Minutes and he has checked the relative comments. He noted that the Minutes reflect that the sign was 50' x 18' and that he held up a picture of it. He quoted the motion on Page 7 of the Minutes.

Mr. Dusing stated that when they went for their sign permit, Mr. Breidenstein questioned the readerboard as he felt that the Minutes could be read to indicate that they limited themselves to a 50' x 18' sign as a condition of approval of the high rise sign. Their discussion generated his letter to Mr. Breidenstein, a copy of which is in the packet. He stated that when they held up the sign there was discussion and they indicated that there would be a readerboard on the sign, but this was not reflected in the Minutes. He emphasized that the readerboard was on the sign he held up that night.

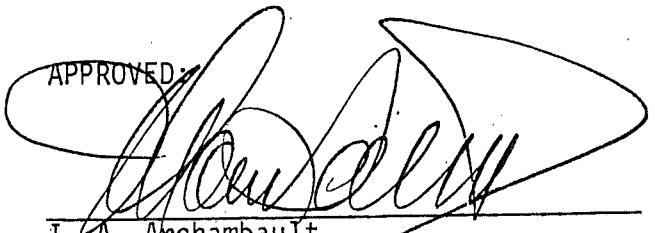
Counselor Wilson stated that the readerboard measures about 24 square feet. Mr. Dusing stated that the sign would be 47 square feet plus the 24 square feet. Mr. Nevel commented that it would be about 71½ square feet.

Counselor Wilson advised that if they were not seeking a Variance with a trade off, the sign would be at least 150 square feet. He stated that the Board is being asked to clarify what was granted at the April 11, 1990 meeting. The issue is whether or not the entrance sign included the readerboard.


Mr. Ryan moved that the Board find that the readerboard was included in the motion made at the April 11, 1990 meeting. Mr. Houston seconded the motion and it carried unanimously.

There being no further business to come before the Board, the meeting was adjourned by unanimous consent.

APPROVED:

  
I. A. Archambault

Attest:

  
Jan Hancock, Recording Secretary