

REVIEW NO. _____

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations).

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's Name Williams Rent A Car & ValAir Parking (EconoPark)
Phone Number (606) 586-6900 (606) 689-7891
Applicant's Address 579 Petersburg Rd.
Hebron KY 41048
City State Zip
- 4. Description of Request: Request for permission to add
additional sign on lot: Sign permit for 2 part sign for
companies listed above
- 5. Name of Development ValAir Parking
- 6. Location of Development 579 Petersburg Rd.
Hebron, KY 41048
- 7. Acreage Under Review 5.6
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
- 9. Owner of Property C. Thomas Zollars
Phone Number (606) 491-7222
- 10. Address of Property Owner 1010 Jackson Rd.
Park Hills KY 41011
City State Zip
- 11. Proposed Use(s) On Site Site used for car rental agency
for purpose of renting cars. Site also used for airport
parking (long and short term)
- 12. Total Square Footage of Existing and/or Proposed Buildings
3,312
- 13. Current Zoning on Property COMMERCIAL C-3
- 14. Deed Book # 325 Page No. # 141 Group No. 165
- 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 (see pictures)
- 17. Have you submitted a list of adjoining property owners with this request? yes (see additional listing)
- *18. Applicant's Signature: *Walter R. Williams*
- 19. Property Owner's Signature: *Catherine A. Zollars*

Walter R. Williams
V. President
Val Air Parking DBA Zollars, Inc.

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 9-10-90
2. Fee Received \$331.00 R-9893
3. Is application complete? Yes No
4. Staff Reviewer _____
5. Scheduled Board Action Date _____
6. Board Action:
_____ Approval
_____ Approved With Conditions (See #7)
_____ Disapproved (See #8)
7. Conditions: _____

8. Reasons For Disapproval: _____

STAFF REPORT

#1

DEVELOPMENT: ValAir Parking
APPLICANT: Mark Williams
LOCATION: southeast corner of KY 20 and Airport
Access Drive, Boone County, Kentucky
ZONING: Commercial Services (C-3)
DATE: October 10, 1990

REMARKS:

The applicant is requesting a Variance in the number of free-standing signs. The 5.6 acre site, located on the southeast corner of KY. 20 and Airport Access Drive is zoned Commercial Services (C-3), and is owned by C. Thomas Zollars.

Article 19, Section 1920 of the Boone County Zoning Regulations reads, in part:

2. Free-Standing Signs

- a. Shopping centers, mixed use commercial, and planned developments shall be permitted one on-premises free-standing sign for the purpose of identifying the name of the development and its major access point. Such developments with frontage and access from two or more major thoroughfares may be allowed one free-standing entrance sign at one access point on each such major thoroughfare for a maximum of two free-standing signs. No free-standing sign may be permitted for individual establishments or buildings located within, or the lot upon which such establishment is located and planned, designed, or marketed as a part of such development. (This requirement also applies to any out-lots subdivided as part of a larger development and any developments established under Article 15, Planned Development Overlay, of the zoning regulations.)
- b. Individual business establishments not located within a shopping center, mixed use commercial, or planned development shall be permitted one on-premise free-standing sign. There shall be only one free-standing sign for each building, regardless of the number of business establishments conducted in the building.

Staff is of the opinion that this development falls within the classification of "mixed use commercial" and is therefore entitled to only one free-standing sign. Section 1920 2(c) of the regulations allows this free-standing sign to be up to 250 square feet in size and up to 40 feet in height.

The site currently has 5 existing free-standing signs. Referring to the attached drawing, number 1 is a large ValAir sign located at the rear of the property and facing Interstate 275. Sign number 2 is also a ValAir sign located near the

intersection of Airport Access and KY. 20. Sign number 3 is for Alamo Rent-a-Car and is also located at the corner of Airport Access and KY. 20. The sign labeled number 4 is a free-standing Pennzoil sign, located near the entrance to the development. Sign number 5 is a building mounted sign for ValAir parking. Finally the sixth sign, and fifth free-standing sign, is an Econo Park sign located near Riverview Drive.

The applicant is proposing a free-standing sign, advertizing two of the existing establishments, to be placed between the entrance and exit for the development. The proposed sign is to be 2 - 9 S.F. plains for a total square footage of 18 S.F.

Review

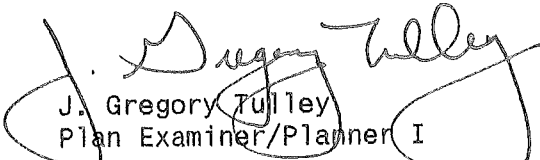
The following reviews the criteria which the Board must use when reviewing Variance applications:

1. Staff does not believe that, if granted, the Variance will adversely affect the public health, safety or welfare. The Board must consider whether the proposed sign will cause a hazard or nuisance to the public and whether, if granted, the Variance will allow an unreasonable circumvention of the requirements of the zoning regulations. In making these determinations, the following points were considered:
 - a. Staff can find no special circumstances with this development which do not generally apply to land in the general vicinity, or same zone.
 - b. Strict application of the zoning regulations would allow this development one free-standing sign of 250 square feet. The Board must consider whether this allowance would create an unnecessary hardship on the applicant, and;
 - c. Again no special circumstances can be found which are the result of the actions of the applicant taken subsequent to the adoption of the zoning regulations.

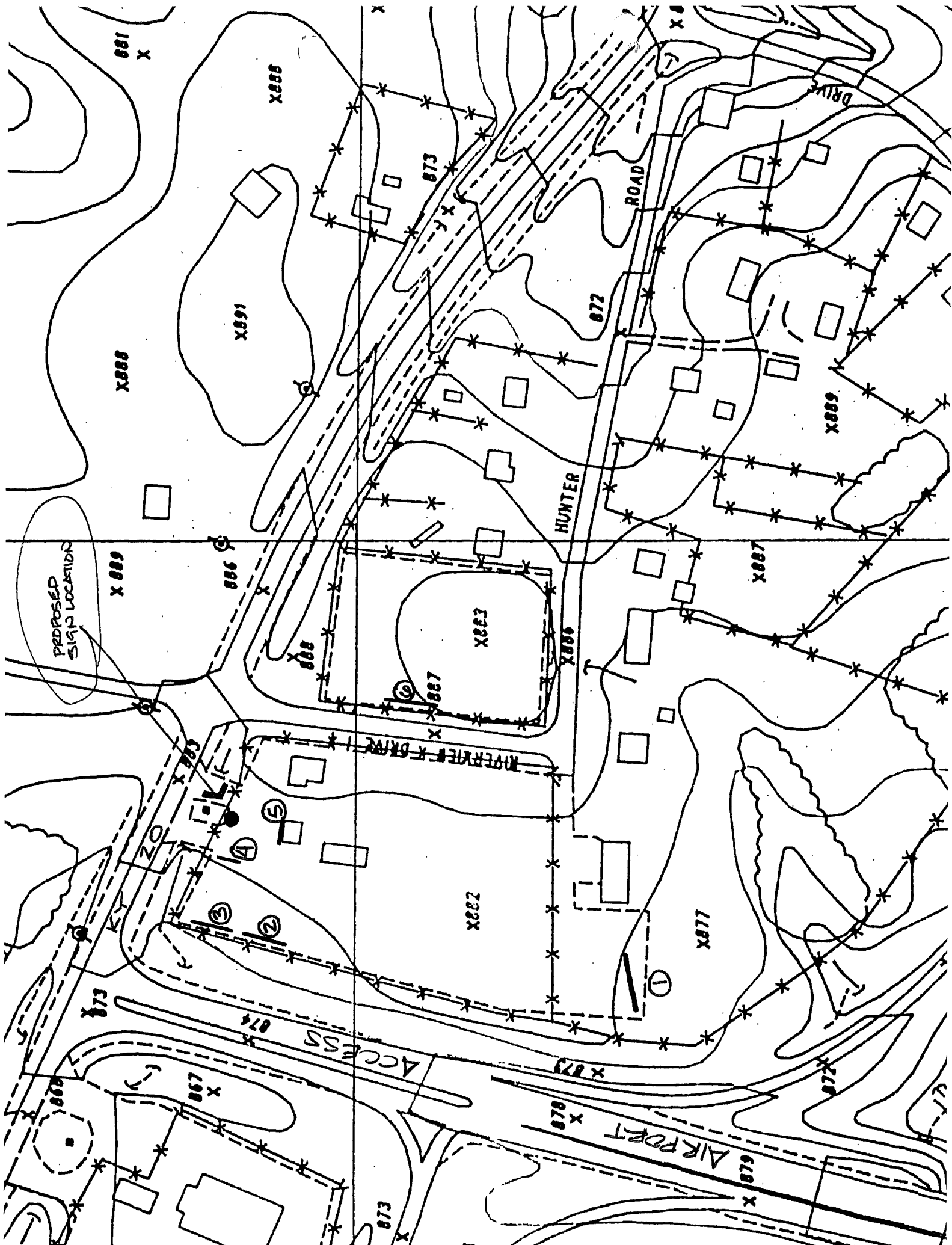
Staff Concerns:

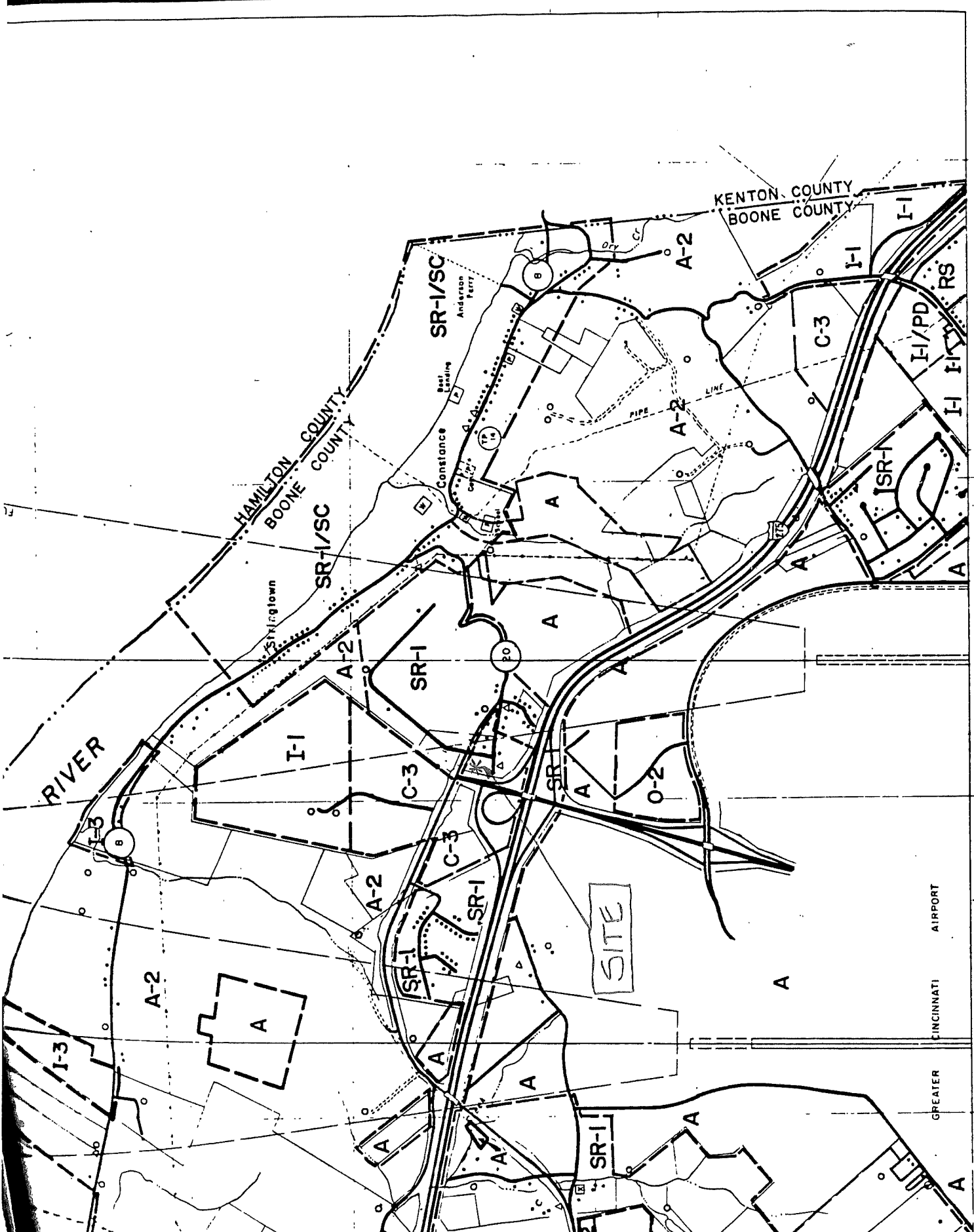
1. Staff is concerned about the number of existing free-standing signs for this development. Perhaps the applicant is willing to give up some of these signs in order to visually clear up the site as well as the views around KY. 20 and Airport Access Drive. To accomplish this, Staff recommends that signs number 2 and number 3 at the corner of KY. 20 and Airport Access Drive be removed.

Respectfully submitted,


J. Gregory Tully
Plan Examiner/Planner I

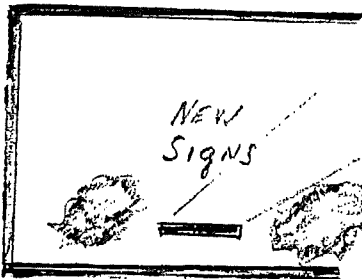
JGT:kat





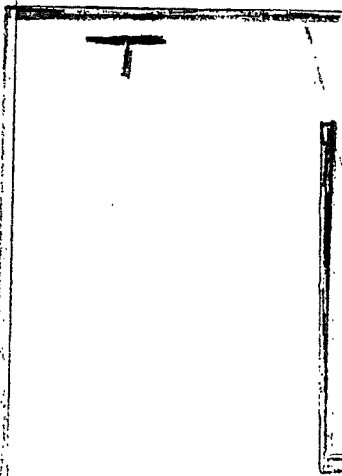


DRIVEWAY

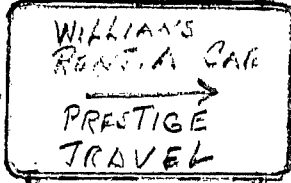
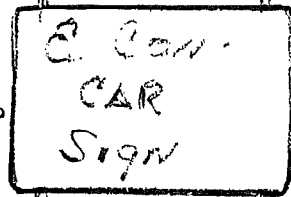
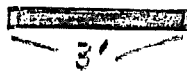


NEW SIGNS

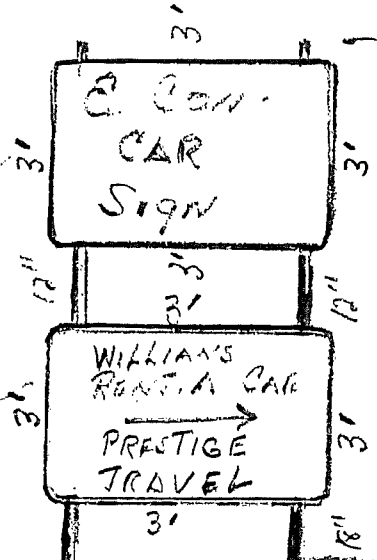
DRIVEWAY



NEW SIGN TOP
8.5 FEET
OFF GROUND



GROUND



8.5

M
M
ner
e
79
by
wh
17
rt
Boc
e i

ECONO PARK

**TAKE 2ND RIGHT
HUNTER DR.**

**WILLIAMS
RENT A CAR**



**PRESTIGE
TRAVEL**

3' x 3'

BOONE COUNTY BOARD OF ADJUSTMENT
BUSINESS MEETING

October 10, 1990 - 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. I. A. Archambault
Mr. Dan Houston
Mr. Fred Nevel
Mr. George Whitton, Chairman

BOARD MEMBERS NOT PRESENT:

Mr. Walt Ryan

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

The meeting was called to order by Chairman Whitton at 6:30 P.M..

Approval of the Minutes:

Chairman Whitton noted that each Board member had received a copy of the Minutes of the Boone County Board of Adjustment meeting of September 12, 1990 and asked if there were any comments or corrections.

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

Agenda Item:

1. The request of Mark Williams (applicant) for a Variance in the number of free-standing signs. The 5.6-acre site, located on the southeast corner of KY 20 and Airport Access Drive, is zoned Commercial Services (C-3) and is owned by C. Thomas Zollars.

Staff Member, Greg Tulley, presented the Staff Report which included a slide presentation (see Staff Report).

There being only two persons present, Chairman Whitton asked for their comments.

Mary Jane Provko stated that they are with Zollars and have plans for a successful business. They have been operational since June and have a tiny sign at the front of the door. They need visibility so that people know where they are and to be competitive.

Mrs. Cathleen Zollars stated that Alamo Car Rental will be moving within the next few months and their sign can be taken down when they vacate. Their proposed location will require three months of work and the lease is being negotiated.

Counselor Wilson noted that the Staff Report identifies the site as "mixed commercial". Under Article 19, instead of each commercial activity having a free-standing sign, the standard is that there be one sign to serve all of the uses in the location. Mr. Tulley stated that the sign could be up to 250 sq. ft. and 40 feet high. Counselor Wilson added that he believes some of the signs on the site are pre-existing.

Mrs. Zollars stated that they would be willing to eliminate the entrance and exit signs. Mr. Tulley stated that they were not included in the number of signs and would have to be moved as they are in the right-of-way.

Mrs. Zollars stated that they have several pieces of property -- at least 4 or 5 -- which have been put together into one parcel. The big billboard sign has been there for many years.

Chairman Whitton asked how long the Pennzoil sign has been up and Mrs. Zollars advised that it has been there at least 5 or 6 years.

Chairman Whitton stated that he believes all of the signs are pre-existing, non-conforming, and this request is for another sign. Mr. Archambault questioned where the sign would go.

Mrs. Zollars advised that it would go between the two driveways. The proposed sign would help the traffic pattern and direct traffic off the Val Air Service lot into the Econopark lot. The signs could be tiered -- one on top of the other. They might be able to consolidate the Econopark sign and the Val Air sign.

Chairman Whitton asked if there are retail customers that come to the gas pumps. Mrs. Zollars stated that they are the only gas station open on the weekend, particularly on Sundays. They do have retail customers. Most of the business is with Alamo Rent-a-Car and the Pennzoil sign is not critical to her. However, she has not discussed this with Pennzoil and the sign may be critical to them.

Mr. Archambault stated that the Board would like to see a center post with the signs on it at the corner. Mrs. Zollars stated that she has not seen any consolidation of signs at the corner. Ms. Provko stated that the Board is trying to set a precedent. Chairman Whitton disagreed and stated that this is what the regulations say.

Counselor Wilson stated that the Board has the right to visit the site before making a decision. This may also give the Board an opportunity to see which signs may be able to be consolidated.

Mr. Tulley stated that Staff is of the opinion that the Alamo and Val Air signs should be removed. He stated that the Alamo sign could be painted over and used again as it is an existing sign. He noted that a site visit would show how large the sign is. The large free-standing sign obstructs the view at the corner.

Mrs. Zollars stated that the purpose of the Val Air sign is to advertise the Econopark prices.

Chairman Whitton stated that the Board will visit the site and, in the meantime, the applicant can consider how there could be less signs.

Mr. Nevel moved that the request be deferred until the next meeting of the Board on November 14, 1990 and that the Board meet at the site on Saturday, October 13, at 9 A.M.. Mr. Archambault seconded the motion and it carried unanimously.

There being no further business to come before the Board, Mr. Archambault moved that the meeting be adjourned. Mr. Houston seconded the motion. The meeting was adjourned by unanimous consent.

APPROVED:


George D. Whitton, Chairman

Attest:


Jan Hancock, Recording Secretary

BOONE COUNTY BOARD OF ADJUSTMENT
BUSINESS MEETING

November 14, 1990 - 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Dan Houston
Mr. Fred Nevel
Mr. George Whitton, Chairman

BOARD MEMBERS NOT PRESENT:

Mr. I. A. Archambault
Mr. Walt Ryan

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

The meeting was called to order by Chairman Whitton at 6:30 P.M..

Approval of the Minutes:

Chairman Whitton stated that the Board Members had not received copies of the Minutes of the October 10, 1990 meeting. He asked that the Minutes be included in the packets for next month's meeting and action will be taken on the Minutes at the December meeting.

Agenda Item:

1. The request of Mark Williams (applicant) for a Variance in the number of free-standing signs. The 5.6-acre site, located on the southeast corner of KY 20 and Airport Access Drive, is zoned Commercial Services (C-3) and is owned by C. Thomas Zollars. This request was tabled at the October 10, 1990 Meeting.

Staff Member, Greg Tulley, represented the slides shown at the last meeting and gave highlights of the Staff Report (see Staff Report).

Chairman Whitton expressed the Board's condolences to Mrs. Zollars on the recent passing of her husband.

Mrs. Zollars stated that she was not present when the Board visited the site.

Chairman Whitton stated that Alamo is leaving and the location of their sign is where the Committee felt the proposed sign would be appropriate, by either painting over the existing sign or in some way reusing it.

Mrs. Zollars stated that she believes that Alamo will be taking their sign with them.

Mr. Nevel stated that the proposed sign could then go in the place of the current Alamo sign.

Mary Jane Provko stated that this would not be a good place for the sign due to the shrubbery.

Mr. Nevel stated that when the Board visited the site, there was some question as to whether or not Alamo would physically remove their sign. He stated that Ben Rojero thought that Alamo might leave the sign and it could then be painted over and reused.

Mrs. Zollars stated that their signs are smaller and would be between the driveways.

Chairman Whitton stated that they already have more signs that is currently allowed. The Board does not want to worsen the situation. Since the Alamo sign will be leaving, the situation would not be intensified. He asked when the Alamo sign will be removed.

Mrs. Zollars stated that she believes they are moving the middle of next month.

Chairman Whitton asked if sixty days would be enough to have the Alamo sign removed if they are granted permission to put up the new sign. Mr. Nevel suggested that they be given 90 days to allow some leeway.

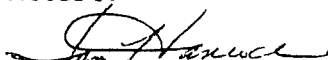
Chairman Whitton suggested that the new sign be granted with the condition that the Alamo sign is removed within 90 days. The new sign is to be in the location indicated by Mr. Tulley in the slide presentation. Mr. Nevel so moved. Mr. Houston seconded the motion and it carried unanimously.

There being no further business to come before the Board, Mr. Houston moved that the meeting be adjourned. Mr. Nevel seconded the motion. The meeting was adjourned by unanimous consent.

APPROVED:


George D. Whitton, Chairman

Attest:


Jan Hancock, Recording Secretary