

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(s) _____ Appeal _____
 _____ Change in Non-Conforming Use
3. Applicant's Name Clayton Homes INC
 Phone Number 606-321-2140
 Applicant's Address 10833 Dixie Hwy
Walton, Ky. 41094
 City State Zip
4. Description of Request: Variances in size
and height of free-standing sign
See Attached Picture & Size
5. Name of Development Clayton Homes INC.
6. Location of Development 10833 Dixie Hwy Walton Ky 41094
Next door to Richard's Aca met.
7. Acreage Under Review 6.30
8. Lot Number and Name of Subdivision (if part of a subdivision)
NA
9. Owner of Property Harold Franks
 Phone Number 813-575-2573
10. Address of Property Owner 3360 Dal Harbor Blvd
Punta Gorda FL 33950
 City State Zip
11. Proposed Use(s) On Site Advertise
12. Total Square Footage of Existing and/or Proposed (Buildings) signs
See picture Attached w/ size
13. Current Zoning on Property C-3
14. Deed Book 282 Page No. 109 810 Group No. _____
15. Is the site subject to a zone change? No
 If yes, give date of approval NA
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. Applicant's signature: Doug Campbell Mgr.
19. Property Owner's Signature: Harold K. Franks

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 12-7-90
2. Fee Received \$526.00 R 3497 - R 3425-21.00
3. Is application complete? Yes No
4. Staff Reviewer Doug A. Moore
5. Scheduled Board Action Date Dec 13, 1990
6. Board Action:
 Approval
 Approved With Conditions (See #7)
 Disapproved (See #8)
7. Conditions: faces of the sign must be only 18 inches apart to meet the sign reqs. of the zoning regulations; sign can't be over 4ft high and fish signs along Dixie highway must be removed
8. Reasons For Disapproval: _____

STAFF REPORT

#1

DEVELOPMENT: Clayton Homes
APPLICANT: Clayton Homes, Inc.
LOCATION: 10833 Dixie Highway, Boone County, Kentucky
ZONING: Commercial Services (C-3)
DATE: December 12, 1990
REMARKS:

The applicant is requesting two Variances. One Variance is in the size of a permitted free-standing sign from 250 to 471 square feet. The second Variance is in the height of the same permitted free-standing sign from 40 feet to 45 feet. The 6.30 acre site is located at 10833 Dixie Highway, Boone County, Kentucky. The property is zoned Commercial Services (C-3) and is owned by Harold Franks.

Article 19, Section 1920 of the Boone County Zoning Regulations states that "The maximum height of any free-standing sign shall be proportional to the width along the store frontage which the sign is located at the following scale:"

1. Fifty feet or less: 20 feet in height.
2. Fifty-one to 100 feet: 25 feet in height.
3. 100 feet to 200 feet: 30 feet in height.
4. 200 feet or more: 40 feet in height."

Article 19, Section 1920 of the Boone County Zoning Regulations also states that "The maximum size of any free-standing sign permitted shall be one and one-half (1 1/2) square feet of the sign per lineal foot of lot width, along the street frontage which the sign is located. No free-standing sign may exceed 250 square feet in area."

The attached drawing indicated that the mobile home mounted on top of the sign is to rotate. The Boone County Zoning Regulations strictly state that "No sign shall employ any parts of elements which revolve, rotate, whirl, spin or otherwise make use of motion...so as to constitute a traffic hazard or nuisance." Through copy of this report the applicant has been made aware of this regulation.

Article 19, Section 1900 of the Boone County Zoning Regulations states specifically the intent of the sign regulations:

"The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, and enhance and protect the physical appearance of the community. It is further intended to reduce sign or advertising distracting and obstructions that may contribute to traffic

accidents, reduce hazards that may be caused by signs overhanging or projecting over public right-of-way, and generally enhance community development." (p. 19-1)

The following reviews the seven criteria the Board must use to judge each variance request:

1. If the Variances are granted, they may adversely affect the public health, safety or welfare.

The mobile home located on top of the proposed sign may distract motorists driving along Dixie Highway or I-75 and thus contribute to an increased number of traffic accidents.

2. The Variances will alter the essential character of the general vicinity.

Although there are several commercial establishments located in the area, several single-family homes are also located directly east of the property across Dixie Highway. The proposed sign may have an adverse aesthetic and economic impact on these residents.

3. The Variances may cause a hazard or a nuisance to the public.

As stated previously under #1, the mobile home located on top of the proposed sign may distract motorists driving along Dixie Highway or I-75 and thus contribute to an increased number of traffic accidents.

4. The Board should consider whether these Variances would allow an unreasonable circumvention of the requirements of the zoning regulations.

5. The requested Variances do not arise from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.

Staff has not found any special circumstances that apply to this property that do not apply to land in the general vicinity, or in the same zone.

6. The strict application of the provisions of the regulations would not deprive the applicant of the reasonable use of the land or would not create an unnecessary hardship on the applicant.

Staff can see no reason why strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

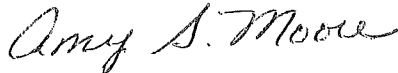
Although this business establishment has recently changed ownership, it has previously sold mobile homes without erecting such a large or high sign. On March 9, 1988, the Boone County Board of Adjustments, granted a Variance in the number of signs for a similar mobile homes sales business (Holiday Homes) located on Dixie Highway. The Variance was granted to allow one sign visible from I-75 and one sign visible from Dixie Highway but each sign met the size and height regulations.

7. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

If this request is approved, Staff would suggest that the applicant be required to remove the two existing signs located on Dixie Highway and to reduce the size of the sign located on the west end of the property visible from I-75. If the applicant refused to remove the 2 signs, Staff suggests that the Board require the applicant to reapply for 3 Variances (size, height, and number).

Attached to this report is a drawing illustrating the layout of the Clayton Home site and a drawing of the proposed sign.

Respectfully Submitted,



Amy S. Moore
Plans Examiner/Planner I

ASM:kat

1-75

I-75

N 89° 15' 0" E
55° 29' E
29.34

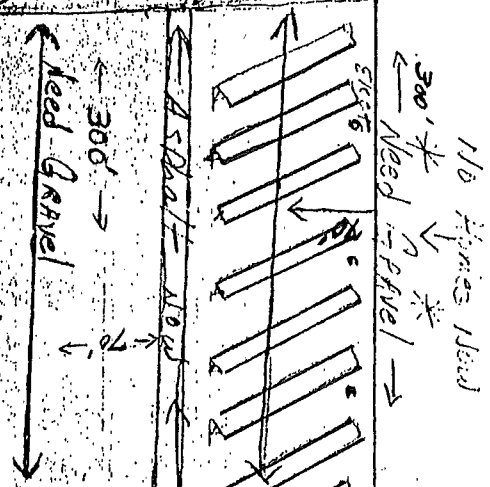
S 6° 46' E - 261.28'
N 5° 29' E
90.45'

N 5° 6' W
115.0'

N 84° 54' W - 173.96'

EXISTING SIGN

EY



17.688
3.51
2.20

D/W 6.30

D/W

Shed

D/W

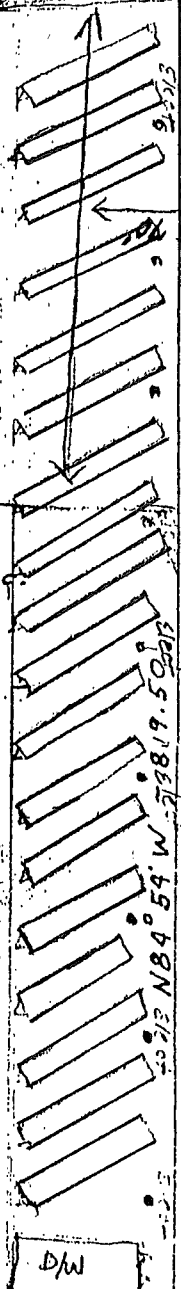
D/d Office

D/W

New Office

D/W

D/W



S 15° 56' E - 10.50
N 84° 54' W - 5.18
S 15° 56' E - 10.50

PROPOSED SIGN

U.S. HWY 25

N 61° 15' W - 11.00
* Need Sign *

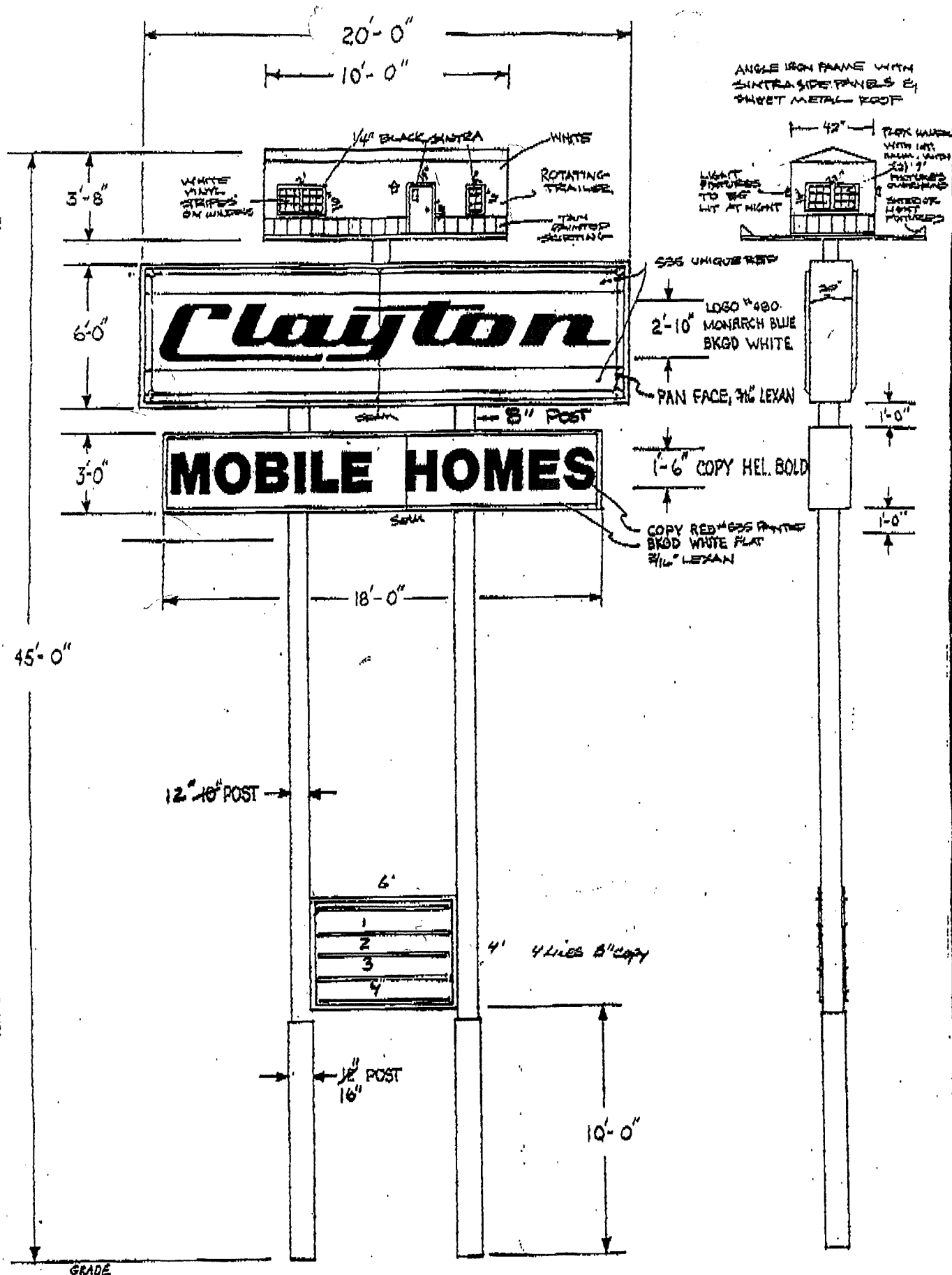
POINT OF BEGINNING

EXISTING SIGN

EXISTING SIGN



SURVEY OF



NOTE: D/F FLAT PAN LEXAN
 PAINTED STEEL
 COPY PAINTED 2ND SURFACE
 FLUORESCENT ILLUM.

DATE: 11-9-90 SCALE: 1/4" = 1'-0"
 BY: REPITAW SK. No: 1344-C-2
 BLANK CLAYTON LOC. 214-1111

LACKNER
 SIGN COMPANY
 778-8888

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