



APPLICATION FORM  
BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 1-23-91 2-20-91
2. Fee Received ~~511.00~~ ~~16.00~~ *Disturbances 762.00*  
*CLP 531.00*
3. Is application complete? Yes \_\_\_\_\_ No 1293.00  
P 4154
4. Staff Reviewer Amy Moore
5. Scheduled Board Action Date 3/13/91 *Fee is 1,031.00*
6. Board Action:
  - Approval
  - Approved With Conditions (See #7) *amt. refunded - 262.00*
  - Disapproved (See #8)
7. Conditions: Signs can only be 30 sq. ft. @ sign  
has to be placed 20 feet from the right of  
way of 16542
8. Reasons For Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BCPC:7/11/88

- Advise CUP's various in case local ad  
 title to zoning property records.  
 Record in CUP for case various in if approved

## STAFF REPORT

#3

DEVELOPMENT: Farmview Subdivision  
APPLICANT: ERPS, Inc.  
LOCATION: 8600 US 42 (Haines Oil), Boone County, Kentucky  
ZONING: Commercial Three (C-3)  
DATE: March 13, 1991

### REMARKS:

The applicant is seeking a Conditional Use Permit to install an off-premise sign and two Variances in the permitted location of the sign. The sign is to be located at 8600 US 42 (Haines Oil), Boone County, Kentucky. The property is zoned Commercial Three (C-3) and is owned by Haines Oil, Inc.

The applicant is proposing to erect a 96 square foot sign on the southwest corner of the Haines Oil, Ltd. site. The sign is intended to advertise Farm View Subdivision and be visible from U.S. 42.

Article 19, Section 1940, of the Boone County Zoning Regulations considers "an off-premise sign as a conditional use in the C-3, I-1, and I-2 districts." Section 1940 also states that "An off-premise sign, as a conditional use, shall conform, at minimum, to the following requirements:

- a. No sign shall be larger than one thousand six hundred (1,600) square feet and no linear dimension shall exceed one hundred (100) feet;
- b. The maximum height of any sign shall not exceed fifty (50) feet;
- c. All signs shall be located at least six hundred and sixty (660) feet from the right-of-way lines of any interstate highways and at least one hundred (100) feet from the right-of-way lines of any other thoroughfares; and
- d. Off-premise signs shall not be permitted at intervals of less than one thousand seven hundred and sixty (1,760) feet, measured along the centerline of each interstate highway or thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline." (p.19-6)

The two Variances that the applicant is seeking relate to the above stated requirements 2c and 2d. The request is to reduce the minimum distance stated in 2c (from 100 to 10 feet) and to reduce the minimum distance stated in 2d (from 1,760 to 1,300 feet).

The following reviews the criteria that the Board must use to judge all Conditional Use Permit requests:

1. The activity will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or zoning order.

The 1990 Boone County Comprehensive Plan makes no specific mention of off-premise signs. However, the following text from the Land Use Element describe the Plan's view of signs in general:

"Design, Signs, and Historic Preservation: developments in Boone County should give consideration to the overall design of the project...The minimum 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..." (p. 201)

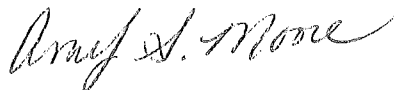
2. The design of the sign should be harmonious in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the area.
3. The sign will not be hazardous to existing or future neighboring uses.
4. The sign is in no need of essential public facilities and services.
5. Excessive additional requirements will not be created at public cost for public improvements.
6. An off-premise sign does not involve uses, activities, processes materials, equipment, or conditions of operation which will be detrimental to any persons, property, or the general welfare.
7. A review of vehicular approaches to the property is not applicable.

The Board should consider the implications of an approval of this sign. If this request is approved, a precedent for allowing off-premise signs throughout the county may be set.

In August, 1990, this Board approved a request for an off-premise sign on KY 18 for the Links Subdivision. There was a condition placed on this approval that the sign only be erected for 18 months. The Board may want to consider a similar condition if this request or any portion of this request is approved.

Attached to this report is a portion of a map indicating the location of the proposed off-premise sign in relation to Farm View Subdivision. A copy of a photograph of the proposed sign is also attached.

Respectfully Submitted,

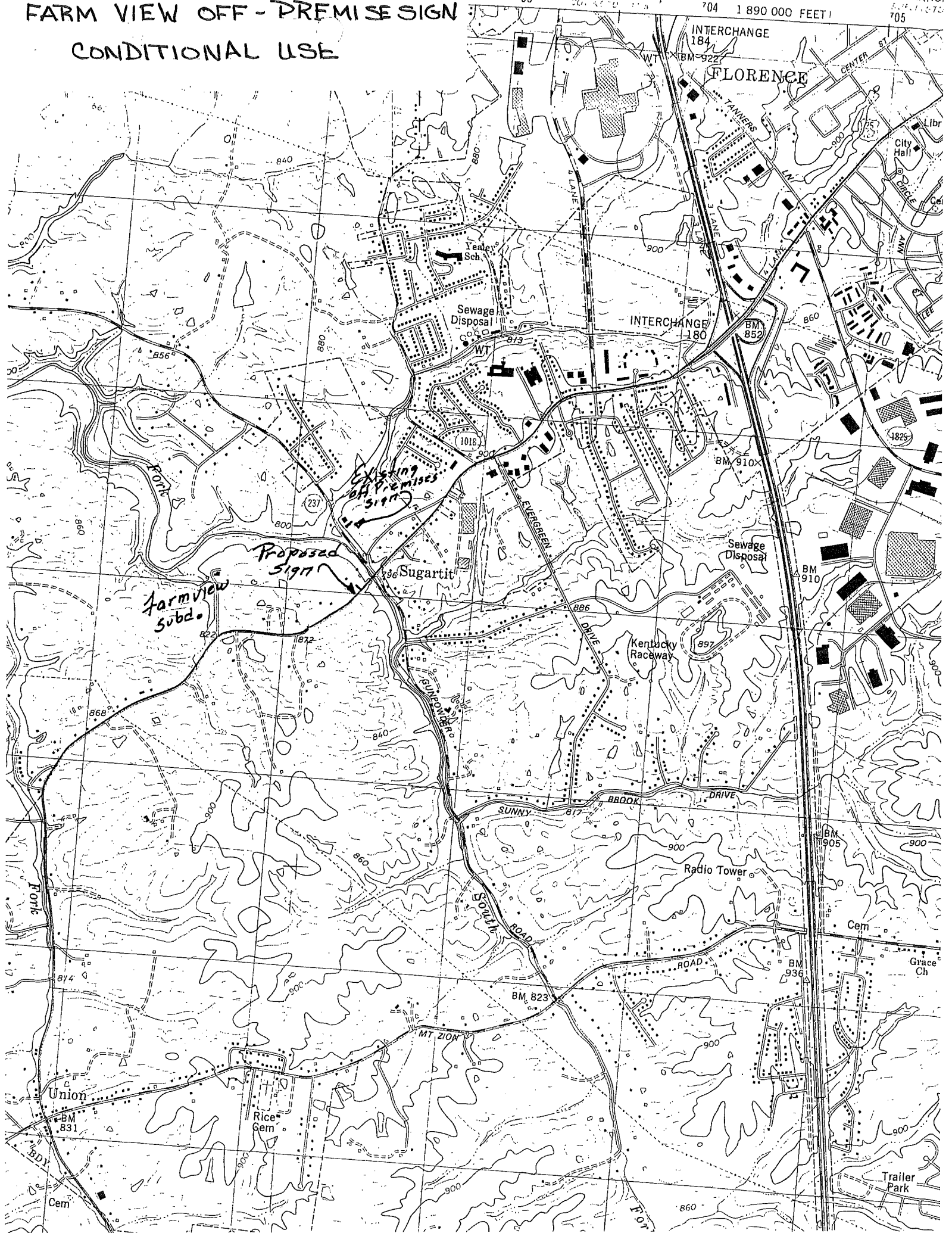
A handwritten signature in cursive script that reads "Amy S. Moore".

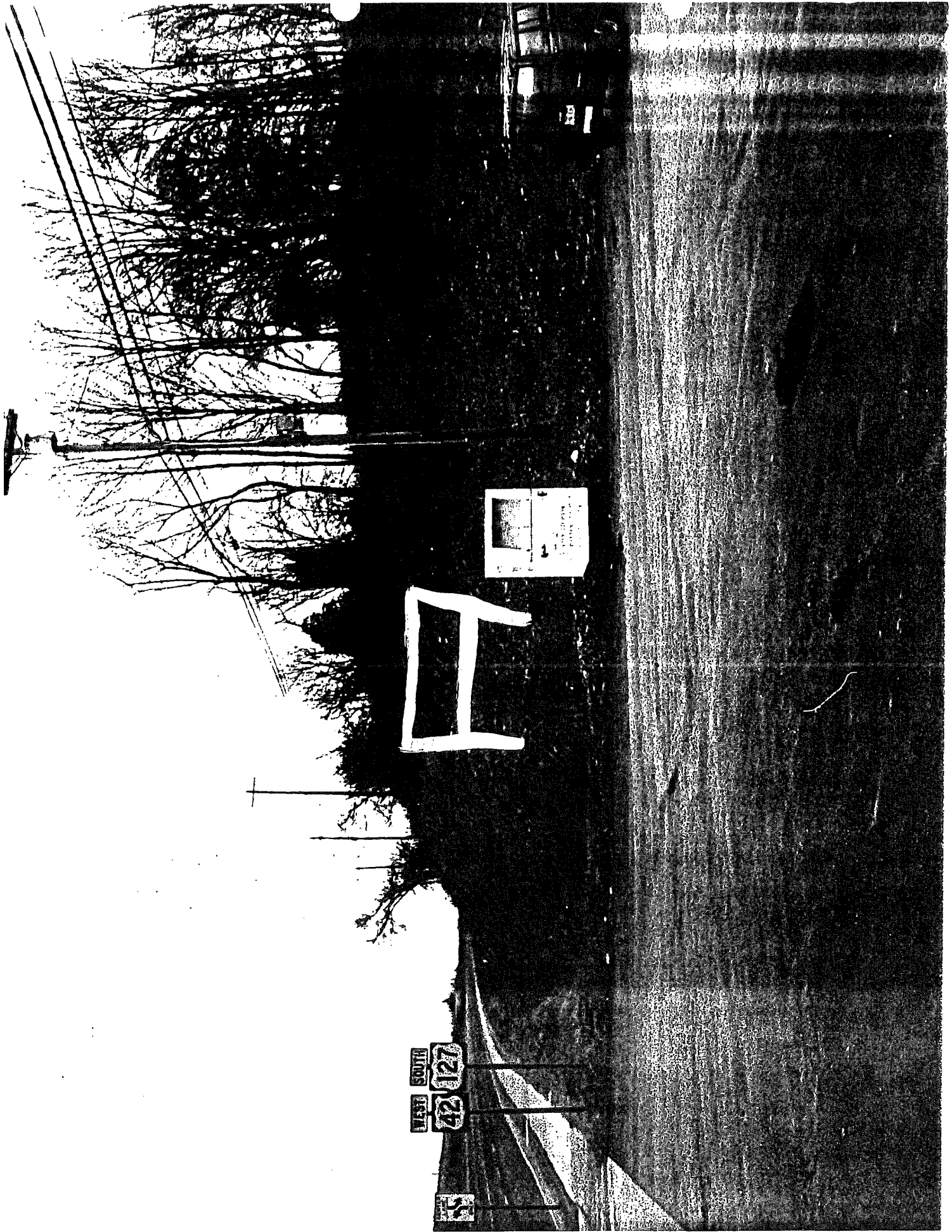
Amy S. Moore  
Plans Examiner/Planner

ASM:kat

# FARM VIEW OFF-PREMISE SIGN CONDITIONAL USE

703 704 1 890 000 FEET 705





WEST 42 SOUTH 127

5

**FARM VIEW  
HOMES & CONDOS**

by Erpenbeck

384-4919 DAY " NIGHT 341-6257

