

REVIEW NO. _____

APPLICATION FORM
BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- (Check One)
1. Boone _____ Florence _____ Walton _____ Union _____
- (Check One)
2. Conditional Use Permit Variance Appeal possibly*
Change in Non-Conforming Use *2 variances*
3. Applicant's Name Wilbert L. Ziegler
Phone Number (606) 581-4553
Applicant's Address 629 Madison Avenue
Covington Kentucky 41011
City State Zip
4. Description of Request: 1) Approval of Conditional Use (Bank in I-2 Zone); 2) Variance from front yard setback requirements (from 100' to 50'); 3) Variance from min. sq. ft. requirement from 120,000' to 43,560'-1 acre
5. Name of Development N/A
6. Location of Development Just west of the intersection of Ky. 25 & Weaver Road - on Weaver Road behind Bi-County Co-op.
7. Acreage Under Review 1 acre
8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
9. Owner of Property Lawrence & Joan Glass
Phone Number 525-0707
10. Address of Property Owner 1429 Beemon Lane
Florence Kentucky 41042
City State Zip
11. Proposed Use(s) On Site Branch Bank
12. Total Square Footage of Existing and/or Proposed Buildings
2,500 square feet
13. Current Zoning on Property I-2
14. Deed Book 173 Page No. 291 Group No. 2049 B
15. Is the site subject to a zone change? No
If yes, give date of approval N/A
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, see list.
18. Applicant's Signature: Wilbert L. Ziegler
19. Property Owner's Signature: Lawrence Glass
Joan Glass

* See attached letter.

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 3/15/91
2. Fee Received \$1551.00 R4260
3. Is application complete? Yes No
4. Staff Reviewer _____
5. Scheduled Board Action Date 4/10/91
6. Board Action:
 Approval
 Approved With Conditions (See #7)
 Disapproved (See #8)
7. Conditions: None

8. Reasons For Disapproval: _____

BCPC:7/11/88

STAFF REPORT

#1

APPLICANT: Wilbert L. Ziegler
DEVELOPMENT: Bank of Boone County Branch
LOCATION: U.S. 25 and Weaver Road, Boone County, Kentucky
ZONING: Industrial Two (I-2)
DATE: April 10, 1991

REMARKS:

The applicant is requesting an appeal of the Zoning Administrator's interpretation of a variance submittal as stated in the Boone County Zoning Regulations. Specifically, the applicant is appealing the Zoning Administrator's decision regarding a possible variance in the minimum lot size for a parcel zoned Industrial Two (I-2). On February 12, 1991, the Zoning Administrator rendered a decision regarding whether a property owner could apply for a variance in the minimum lot size (see attached letter). This decision involved an interpretation of the State law or K.R.S. 100.241 to 100.247 and was also based upon the current zoning regulations. The basis for the decision will be explained in greater detail. The applicant has submitted a letter as part of this application which addresses this issue (see attached letter). In addition, the Staff has included a copy of the application for Board of Adjustment action.

ZONING ADMINISTRATOR'S DECISION

The Zoning Administrator's decision was based upon the authority of the Board's review of dimensional variances, the standards for evaluating variance applications, the language in K.R.S. Chapter 100 and the purpose and uses allowed either as a principally permitted or conditional use in an Industrial Two (I-2) zoning district.

In Section 243 of the current Boone County Zoning Regulations, it is stated that the Board "shall have the power to hear and decide on applications for dimensional variances where, by reason of exceptional narrowness, shallowness or unusual shape of a site on the effective date of these regulations or amendment thereof or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height or size of yards) of the zoning regulations would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted to other landowners in the same zone." This statement suggests dimensional variances are possible only if a site is subject to an exceptional situation either prior to or at the time of the adoption of the Boone County Zoning Regulations. The site in question is not a lot of record but rather a proposed lot from a larger 25 acre tract, which has been in existence since September 6, 1966.

Equally important in determining whether the applicant could apply for a dimensional variance in the minimum lot size is the fact that the Board considers whether the strict application of the provisions of the zoning regulations would

deprive the applicant (Bank of Boone County) of the reasonable use of the land or would create an unnecessary hardship on the applicant. The Zoning Administrator does not feel that the applicant would undertake such a hardship since they do not own the property and he has given the applicant other options such as meeting the minimum 2.75 acre lot size requirement and possibly leasing the portion of that will not be used by the bank. The applicant also has the option to apply for a Zoning Map Amendment to meet the minimum lot requirement.

In addition, the Zoning Administrator states that the proposed lot size would be the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought. It is obvious to note that if the lot existed prior to the adoption of the current Boone County Zoning Regulations, then the applicant or anyone could develop the lot according to current dimensional requirements even the lot size has a pre-existing, non-conforming status. This is clearly stated in Section 281 of the Boone County Zoning Regulations (see attached copy).

RELATIONSHIP TO K.R.S. 100

The Kentucky Revised Statutes, Chapter 100 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 K.R.S. 100.241 to 100.247." It is obvious that the height, width and location involves structures and lot frontages and the size of yards and open spaces refer to the minimum yard dimensions such as building setbacks (see Dimensional Standards). The references to K.R.S., Chapter 100 include the Board's authority to hear and decide on variance applications, the findings necessary for granting variances (see attached copy), and the fact that a variance cannot contradict a zoning regulation. Specifically, the Board shall not possess the power to grant a variance to permit or use of any land, building, or structure, which is not permitted by the zoning regulation in the zone in question, or to alter the density requirements in the zone in question. This is stated in Section 245 of the Boone County Zoning Regulations where the Board cannot alter the density requirements in a district (see attached reference) Density is defined as the number of units or square footage of a building per net acre of land developed. It usually involves a portion of activity devoted to a specific use in relation to an overall site. It is the Zoning Administrator's opinion that if the Board granted a variance in the minimum lot size, it would be in violation of K.R.S. 100.111, 100.243 and 100.247. This opinion will be discussed in detail as it pertains to the Industrial Two (I-2) zoning district. Finally, the Zoning Administrator has included the definition of a variance as described in the current Boone County Zoning Regulations. This definition is similar to the definition mentioned in K.R.S., Chapter 100.

RELATIONSHIP TO INDUSTRIAL TWO ZONING CLASSIFICATION

In order to evaluate the applicant's desire to apply for a variance in the minimum lot size, it is necessary to evaluate the purpose, permitted uses, the maximum intensity and the minimum standards of an Industrial Two (I-2) zoning district. First, the purpose of an I-2 district is to provide for those types of transportation uses which are of warehouse and manufacturing or related service too large a scale to be accommodated in an industrial one district or which involve the manufacture of heavy equipment, machinery, or other products having a major, concentrated impact on a community or regional infrastructure, economy, lands and other considerations. Thus, the purpose of the I-2 district is to accommodate larger industrial or heavy manufacturing uses, which require lots of 120,000 square feet or more.

The minimum lot size is 120,000 square feet or 2.75 acres in an I-2 zoning district. The primary reason for this minimum lot size is due to the nature of the allowable uses as principally permitted, accessory or conditional and the land use impact of those uses on the community. Conditional uses such as gasoline service stations, nursery and child care centers, restaurants and banks require a minimum of 120,000 square foot lot in order to buffer it from other heavy manufacturing uses as permitted in the Industrial Two zoning district. For your information, the maximum intensity allowed in an I-2 zone is 22,000 square feet per acre. Intensity is defined as "a unit of measurement establishing the level of activity on the land per gross acre including all contiguous land".

CONCLUSION

The Board shall evaluate this appeal based upon the current Boone County Zoning Regulations and K.R.S., Chapter 100. It is important to note that a hardship has not been demonstrated by the applicant because the lot is being proposed at this time and is not subject to extraordinary circumstances. There are other alternatives to allow a bank or any of the other 79 uses on the 25 acre tract of land currently zoned Industrial Two (I-2).

Respectfully submitted,



Kevin P. Costello, AICP
Assistant Director / Zoning Administrator

KPC:kat

BOONE COUNTY PLANNING COMMISSION

2995 Washington Street Burlington, KY 41005

606-334-2196 FAX 606-334-2264

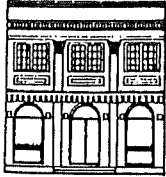


EXHIBIT 1

February 12, 1991

Mr. Michael A. Duncan
Ziegler & Schneider, P.S.C.
505 Turfway Ridge Office Park
7300 Turfway Road
Florence, Kentucky 41042

RE: Variance Procedure for Minimum Lot Size

Dear Mr. Duncan:

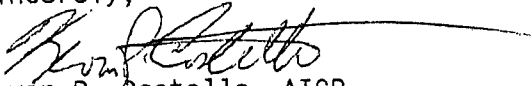
Last week you requested an opinion on whether an applicant can seek a variance on the minimum size of a lot. Specifically, you have a client that would like a variance on the minimum lot size for a parcel that is zoned Industrial Two (I-2).

After discussing this matter with our attorney, Mr. Dale T. Wilson, I have reaffirmed my earlier comments. The appropriate Board of Adjustment has no authority to grant a variance on the minimum size of a lot. For your information, a variance is defined as "a means of 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 K.R.S. 100.241 to 100.247." In K.R.S. 100.247, the Board of Adjustment shall not possess the power to grant a variance to permit a use of any land, building, or structure, which is not permitted by the zoning regulation in the zone in question, or to alter the density requirements in the zone in question. It is my opinion that if the Board granted a variance in the minimum lot size, it would be in violation of K.R.S. 100.247, because the Board would be altering the density requirements.

In an effort to offer alternatives to your client, I would recommend that he or she find another site that is zoned differently or your client could purchase a 120,000 square foot (or 2.75 acre) parcel and lease a portion of the site to any of the permitted uses allowed in the Industrial Two (I-2) zone. Another alternative is for your client to seek a Zoning Map Amendment to allow a bank as a permitted use on a parcel size your client prefers. Such as, a Zoning Map Amendment would be reviewed by the Boone County Planning Commission and their recommendation would be sent to the appropriate legislative body.

I trust this information is sufficient in meeting your needs.

Sincerely,


Kevin P. Costello, AICP
Assistant Director / Zoning Administrator

KPC:kat

cc: William D. Fromm, AICP, Director
Dale T. Wilson, Attorney

ZIEGLER & SCHNEIDER, P.S.C.

ATTORNEYS AT LAW

200 COVINGTON MUTUAL BUILDING

629 MADISON AVENUE

COVINGTON, KENTUCKY 41011

TELEPHONE (606) 581-4553

TELECOPIER (606) 581-0395

505 TURFWAY RIDGE OFFICE PARK

7300 TURFWAY ROAD

FLORENCE, KENTUCKY 41042

TELEPHONE (606) 525-7797

TELECOPIER (606) 525-7244

GREGORY W. HUGHES
1898-1958ANDREW W. CLARK
1914-1967D. COLLINS LEE
1888-1949WILBERT L. ZIEGLER
DAVID A. SCHNEIDER
T.J. BRANDT
WILLIAM J. DEUPREE, III
JOSEPH L. BAKER
KAREN BURRIS BAKER
MICHAEL A. DUNCAN
LORI JEAN FIELDS-LEE
ROBERT C. ZIEGLER
LISA M. MOORE

REPLY TO: FLORENCE

March 15, 1991

Chairman, Board of Adjustments
c/o Boone County Planning & Zoning
2995 Washington Street
Burlington, Kentucky 41005

RE: Boone County Application to the Board of Adjustments

Dear Sir:

I am pleased to submit this Application to the Board of Adjustments for The Bank of Boone County, Inc. The Bank has enjoyed a very encouraging start since it has opened for business just last year, and has shown itself to be a benefit to the Boone County area.

The Bank wishes to construct a branch bank along Weaver Road in Boone County. We feel that a branch located in this area will be harmonious with the character of the general vicinity and would not be hazardous to any neighboring uses. We also feel that a bank in such area will not cause excessive congestion of automobiles or in any way be detrimental to the general welfare of the surrounding community. The current zoning requirements will permit The Bank of Boone County to locate its proposed branch there after the following are considered and approved by the Board of Adjustments:

1. Conditional Use Permit. The current zoning is I-2, which allows as a conditional use banking and credit union services.

2. Variance From Front Yard Setback. The current zoning regulations require a 100-foot setback; however, because of visibility problems caused by the 100-foot setback, we request a 50-foot setback in order to reduce such problems.

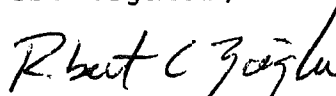
Chairman, Board of Adjustments
March 15, 1991
Page 2

3. Variance From Minimum Square Foot Requirement. The current zoning regulations require 120,000 square feet of area for each lot in an I-2 zone. We would request a variance reducing the required square footage down to 43,560 feet (one acre).

We are mindful of the zoning administrator's legal interpretation expressed in his February 12, 1991 letter wherein he stated his opinion that such a variance (#3 above) would be altering the density requirements and therefore be in conflict with KRS 100.247. However, it is our position that granting a variance from the minimum square footage requirement would not be altering the density as prohibited in the aforementioned statute under the facts of this case. The minimum square feet for each lot in an I-2 zone is 120,000, and the maximum intensity on such a lot is 22,000 square feet. Our proposed lot would consist of 43,560 feet (one acre), and our intensity (the square footage of the branch bank) is 2,500 square feet. The current zoning regulations define intensity as "a unit of measurement establishing the level of activity on the land per gross acre, including all contiguous land". Looking at this on a per-acre basis as the definition requires, the intensity would not be altered by putting this branch bank on this one-acre lot.

Appreciating your courtesies and cooperations, I write this with my

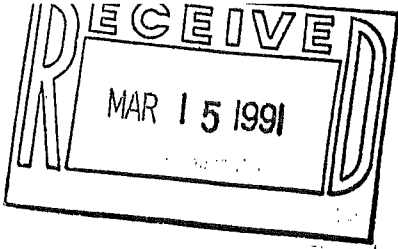
Best regards,



Robert C. Ziegler
For ZIEGLER & SCHNEIDER, P.S.C.

RCZ:JMc

Enclosure



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 possibly
Change in Non-Conforming Use *2.0 Acre*
- 3. Applicant's Name Wilbert L. Ziegler
Phone Number (606) 581-4553
Applicant's Address 629 Madison Avenue
Covington Kentucky 41011
City State Zip
- 4. Description of Request: 1) Approval of Conditional Use (Bank in I-2 Zone); 2) Variance from front yard setback requirements (from 100' to 50'); 3) Variance from min. sq. ft. requirement from 120,000' to 43,560'-1 acre
- 5. Name of Development N/A
- 6. Location of Development Just west of the intersection of Ky. 25 & Weaver Road - on Weaver Road behind Bi-County Co-op.
- 7. Acreage Under Review 1 acre
- 8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
- 9. Owner of Property Lawrence & Joan Glass
Phone Number 525-0707
- 10. Address of Property Owner 1429 Beemon Lane
Florence Kentucky 41042
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- 11. Proposed Use(s) On Site Branch Bank
- 12. Total Square Footage of Existing and/or Proposed Buildings 2,500 square feet
- 13. Current Zoning on Property I-2
- 14. Deed Book 173 Page No. 291 Group No. 2049 B
- 15. Is the site subject to a zone change? No
If yes, give date of approval N/A
- 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, see list.
- 18. Applicant's Signature: Wilbert L. Ziegler
- 19. Property Owner's Signature: Lawrence Glass
Joan Glass

* See attached letter.

Section 268

Expiration Conditional Use Permit

A conditional use permit shall be deemed to authorize only a particular conditional use. If said permit has not been exercised within two (2) years from the date it was issued, or a time limit established by the Board, or if said conditional use shall cease for more than one (1) years, the conditional use permit shall not revert to its original designation unless a public hearing has been conducted.

NONCONFORMING LOTS, USES, AND STRUCTURES

Section 280

Intent

Within the districts established by this order or amendments that may later be adopted, there exists lots, uses of land, structures, and uses of structures and land in combination which were lawful before this order was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this order or further amendments. It is the intent of this order to permit these nonconforming lots, uses and structures to continue until they are removed, but not to encourage their survival. It is further the intent of this order that a nonconforming use or structure shall not be enlarged or extended beyond the scope and area of its operation at the time it became a legal nonconforming use, nor shall other uses or structures which are prohibited elsewhere in the same district be permitted on lots of nonconforming uses or structures.

Uses of structures not legally established before this order was passed or amended shall not be given the statutes of legally pre-existing, non-conforming uses or structure, and may be subject to penalties for violation under Section 430 through 450 of this order.

Section 281

Single Non-Conforming Lots of Record and Subdivisions

If any lot of record does not meet the minimum square footage requirements that are generally applicable in the district wherein said lot is located, and that lot existed at the effective date of adoption or amendment of this order, the owner may develop that lot in conformance with the dimensional (square footage) regulations, including front yard setback requirements, previously in effect. The lot must be developed in conformance with all other requirements of this order. Variances of any requirements other than square footage shall be obtained only through action of the Board of Adjustment and Zoning Appeals as provided in Section 243 through Section 246. Subdivisions which had been granted preliminary plan approval prior to the adoption of this order may be developed in conformance with dimensional regulations under which preliminary plan approval was given. In such instances where the front yard setback requirements for a pre-existing development differ from the current regulations, and an extension or enlargement of a previously developed street or subdivision is approved, the front yard setback requirements shall be adjusted at a rate of five feet for each consecutive lot until the new minimum required setback is obtained. All other requirements of this order must be met.

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, employment, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-De-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential or other abutting property.
7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Street: A local street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protecting from arterial or collector streets. (Also called Frontage Street.)

Through Lot
(See Lot Types)

Townhouse Dwelling Unit

A single-family attached dwelling consisting of one dwelling from ground to roof, a separate entrance and having more than one floor or story, but sharing walls with another dwelling unit or an accessory structure of another dwelling unit, where three or more dwelling units are so combined (attached).

Use

The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained. The definitions of uses in this ordinance [order] are based on the Standard Land Use Coding Manual of January, 1965--which is loosely based in turn on prevailing Standard Industrial Classifications (SIC) established by the US Office of Management and Budget. Any questions of use definition will be resolved from the referenced Manual; or if question still remains, by the Zoning Enforcement Officer of Board of Adjustment and Zoning Appeals.

Variance

A variance is an exception granted from the literal enforcement of the zoning regulations where, by reasons of exceptional narrowness, shallowness, or unusual

shape of a site on the effective date of the regulations or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height, or width of building or size of yards, but not intensity) of the zoning regulations would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to those permitted other landowners in the same zone district. It is 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.

Vehicle, Recreational

Any vehicle used for recreation purposes, excluding permanent habitation.

Veterinary Animal Hospital or Clinic

A place used for the care, grooming, diagnosis, and treatment of sick, ailing, inform, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

Vicinity Map

A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and service within the general area in order to better locate and orient the area in question.

Walkway

A public way, four (4) feet for more in width, for pedestrian use only, whether along the side of a road or not.

Yard

A required open space unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front: A yard extending between side lot lines cross the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Permit

A document issued by the Zoning Administrator authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

for a Variance is submitted to the Zoning Administrator and the Board of Adjustment and Zoning Appeals, along with any additional information the Board may find appropriate. (*See Status of Amendments)

1. 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:
 - a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - b) 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; and
 - c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

2. 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. (*See Status of Amendments)

 Section 245

Supplementary Conditions and Safeguards

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this order in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district, or to alter density requirements in the district. In granting any appeal or variance, the Board of Adjustment and Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this order. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this order and punishable under Section 450 of this ordinance.

Section 246

Notice of Hearing in Newspaper

Notice of the time, place and purpose of a hearing of a notice of appeal or application for variance shall be published in a newspaper of general circulation at least seven (7) days, but not more than twenty-one (21) days before the date of the hearing.

Also all adjoining property owners shall be notified of the public hearing at least two weeks in advance. The applicant shall be responsible for supplying the names and addresses of all adjoining property owners and shall pay costs of notification. Records maintained by the property valuation administrator may be relied upon conclusively to determine the identity and address of property owners. (*See Status of Amendments)

1. **Administration of oaths.** -- The chairman of any board of adjustments power to administer an oath to witnesses prior to their testifying; before the issue. (Enact. Acts 1966, ch. 172, § 50.)

2. **Conditional use permits.** -- The board shall have the power to hear applications for conditional use permits to allow the proper integration into the uses which are specifically named in the zoning regulations which may be in specific locations in the zone only if certain conditions are met: The board may approve, modify, or deny any application for a conditional use

proves such permit it may attach necessary conditions such as time limitations, that one or more things be done before the request can be initiated, or continuing nature. Any such conditions shall be recorded in the board's minutes conditional use permit, along with a reference to the specific section in the zoning the conditional use under consideration. The board shall have power to re- nual use permits, or variances for noncompliance with the condition thereof. Furthermore, the board shall have a right of action to compel offending structures or uses re- moved at the cost of the violator and may have judgment in personam for such cost.

(2) Granting of a conditional use permit does not exempt the applicant from comply- ing with all of the requirements of building, housing and other regulations.

(3) In any case where a conditional use permit has not been exercised within the time limit set by the board, or within one (1) year, if no specific time limit has been set, such conditional use permit shall not revert to its original designation unless there has been a public hearing. "Exercised", as set forth in this section, shall mean that binding contracts for the construction of the main building or other improvement have been let; or in the absence of contracts that the main building or other improvement is under construction to a substantial degree, or that prerequisite conditions involving substantial investment under contract, in development, are completed. When construction is not a part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions as set forth in the permit.

(4) The administrative official shall review all conditional use permits, except those for which all conditions have been permanently satisfied, at least once annually and shall have the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the conditional use permit. If the landowner is not complying with all of the conditions listed on the conditional use permit, the administrative official shall report the fact in writing to the chairman of the board of adjustment. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional use permit, and a copy of the report shall be furnished to the landowner at the same time it is furnished to the chair- man of the board of adjustment. The board shall hold a hearing on the report within a rea- sonable time, and notice of the time and place of the hearing shall be furnished to the landowner at least one (1) week prior to the hearing. If the board of adjustment finds that the facts alleged in the report of the administrative official are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hear- ing, the board of adjustment may authorize the administrative official to revoke the conditional use permit and take the necessary legal action to cause the termination of the activity on the land which the conditional use permit authorizes.

(5) Once the board of adjustment has completed a conditional use permit and all the conditions required are of such type that they can be completely and permanently satis- fied, the administrative official, upon request of the applicant, may, if the facts warrant, make a determination that the conditions have been satisfied, and enter the facts which indicate that the conditions have been satisfied and the conclusion in the margin of the copy of the condi- tional use permit which is on file. Thereafter said use, if it continues to meet the other re- quirements of the regulations, will be treated as a permitted use.

(6) When an application is made for a conditional use permit for land located within or abutting any residential zoning district, written notice shall be given at least fourteen (14) days in advance of the public hearing on the application to the applicant, administrative offi- cial, the mayor and city clerk of any city of the fifth or sixth class so affected, within any county containing a city of the first class, an owner of every parcel of property adjoining the property to which the application applies and such other persons as the local zoning ordinance, regu- lations or board of adjustment bylaws shall direct. Written notice shall be by first class mail with certification by the board's secretary or other officer that the notice was mailed. It shall be the duty of the applicant to furnish to the board the name and address of an owner of each parcel of property as described in this subsection. Records maintained by the property val- uation administrator may be relied upon conclusively to determine the identity and address of said owner. In the event such property is in condominium or cooperative forms of ownership, then the person notified by mail shall be the president or chairperson of the owner group which administrators property commonly owned by the condominium or cooperative owners. A joint notice may be mailed to two (2) or more co-owners of an adjoining property who are listed in the property valuation administrator's records as having the same address.

(7) When any property within the required notification area for a public hearing upon a conditional use permit application is located within an adjoining city, county, or plan- ning unit, notice of the hearing shall be given at least fourteen (14) days in advance of the hearing, by first-class mail to certain public officials, as follows:

(a) If the adjoining property is part of a planning unit, notice shall be given to that unit's planning commission; or

(b) If the adjoining property is not part of a planning unit, notice shall be given to the mayor of the city in which the property is located or, if the property is in an unincorporated area, notice shall be given to the judge/executive of the county in which the property is lo- cated. (Enact. Acts 1966, ch. 172, § 51; 1978, ch. 384, § 23, effective June 17, 1978; 1986, ch. 134, § 1, effective July 15, 1986; 1988, ch. 30, § 6, effective July 15, 1988; 1988, ch. 144, § 1, effective July 15, 1988; 1990, ch. 362, § 10, effective July 13, 1990.)

100.241. **Variances.** -- The board shall have the power to hear and decide on applications for variances. The board may impose any reasonable conditions or restrictions on any variance it decides to grant. (Enact. Acts 1966, ch. 172, § 52; 1980, ch. 188, § 97, effective July 15, 1980; 1986, ch. 141, § 25, effective July 15, 1986.)

100.243. **Findings necessary for granting variances.** -- (1) Before any vari- ance 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 cir- cumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

(a) The requested variance arises from special circumstances which do not gen- erally apply to land in the general vicinity, or in the same zone;

(b) The strict application of the provisions of the regulation would deprive the appli- cant of the reasonable use of the land or would create an unnecessary hardship on the ap- plicant; and

(c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

(2) 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. (Enact. Acts 1966, ch. 172, § 53; 1986, ch. 141, § 26, effective July 15, 1986; 1988, ch. 144, § 4, effective July 15, 1988.)

100.247. Variance cannot contradict zoning regulation. -- The board shall not possess the power to grant a variance to permit a use of any land, building, or structure which is not permitted by the zoning regulation in the zone in question, or to alter the density requirements in the zone in question. (Enact. Acts 1966, ch. 172, § 54.)

100.251. Variance runs with the land. -- A variance applies to the property for which it is granted, and not to the individual who applied for it. A variance runs with the land and is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site. (Enact. Acts 1966, ch. 172, § 55; 1986, ch. 141, § 27, effective July 15, 1986.)

100.253. Existing nonconforming use, continuance -- Change -- Effect of nonconforming use of ten years' duration -- Application. -- (1) The lawful use of a building or premises, existing at the time of the adoption of any zoning regulations affecting it may be continued, although such use does not conform to the provisions of such regulations, except as otherwise provided herein.

(2) The board of adjustment shall not allow the enlargement or extension of a nonconforming use beyond the scope and area of its operation at the time the regulation which makes its use nonconforming was adopted, nor shall the board permit a change from one (1) nonconforming use to another unless the new nonconforming use is in the same or a more restrictive classification, provided, however, the board of adjustment may grant approval, effective to maintain nonconforming-use status, for enlargements or extensions, made or to be made, of the facilities of a nonconforming use, where the use consists of the presenting of a major public attraction or attractions, such as a sports event or events, which has been presented at the same site over such period of years and has such attributes and public acceptance as to have attained international prestige and to have achieved the status of a public tradition, contributing substantially to the economy of the community and state, of which prestige and status the site is an essential element, and where the enlargement or extension was or is designed to maintain the prestige and status by meeting the increasing demands of participants and patrons.

(3) Any use which has existed illegally and does not conform to the provisions of the zoning regulations, and has been in continuous existence for a period of ten (10) years, and which has not been the subject of any adverse order or other adverse action by the administrative official during said period, shall be deemed a nonconforming use. Thereafter, such use shall be governed by the provisions of subsection (2) of this section.

(4) The provisions of subsection (3) of this section shall not apply to counties containing a city of the first class, a city of the second class, or urban-county government. (Enact. Acts 1966, ch. 172, § 56; 1978, ch. 327, § 3, effective June 17, 1978; 1984, ch. 412, § 3, effective July 13, 1984; 1986, ch. 141, § 28, effective July 15, 1986.)

100.257. Administrative review. -- The board of adjustment shall have the power to hear and decide cases where it is alleged by an applicant that there is error in any order, requirement, decision, grant, or refusal made by an administrative official in the enforcement of the zoning regulation. Such appeal shall be taken within thirty (30) days. (Enact. Acts 1966, ch. 172, § 57; 1986, ch. 141, § 29, effective July 15, 1986.)

100.261. Procedure for all appeals to board. -- Appeals to the board may be taken by any person, or entity claiming to be injuriously affected or aggrieved by an official action, order, requirement, interpretation, grant, refusal, or decision of any zoning enforcement officer. Such appeal shall be taken within thirty (30) days after the appellant or his agent receives notice of the action of the official by filing with said officer and with the board a notice of appeal specifying the grounds thereof, and giving notice of such appeal to any and

all parties of record. Said officer shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken and shall be treated as and be the respondent in such further proceedings. At the public hearing on the appeal held by the board, any interested person may appear and enter his appearance, and all shall be given an opportunity to be heard. (Enact. Acts 1966, ch. 172, § 58; 1986, ch. 141, § 30, effective July 15, 1986.)

100.263. Public notice of appeal hearing. -- The board shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant and the administrative official at least one (1) week prior to the hearing, and shall decide it within sixty (60) days. The affected party may appear at the hearing in person or by attorney. (Enact. Acts 1966, ch. 172, § 59.)

100.267. Restraint of construction without permit. -- If no building permit has been issued and a builder begins or continues to build, a restraining order may be obtained upon application to the proper court of record and evidence of the lack of a building permit shall establish a prima facie case for the issuance of the restraining order. (Enact. Acts 1966, ch. 172, § 60.)

100.271. Administrator of zoning regulations, powers. -- An administrative official shall be designated by the city or county to administer the zoning regulation, and if delegated, housing or building regulations. The administrative official may be designated to issue building permits or certificates of occupancy, or both, in accordance with the literal terms of the regulation, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of the zoning regulation. (Enact. Acts 1966, ch. 172, § 61.)

Land Subdivision Regulations

100.273. Land subdivision regulations by planning commission or fiscal court -- Procedures for urban-county government. -- (1) Any planning commission which has completed the objectives, land use plan, transportation plan, and community facilities elements of a comprehensive plan may adopt regulations for the subdivision of land within its boundaries.

(2) A county which does not wish to establish a planning program or form a planning unit may adopt regulations for the subdivision of land within its boundaries. In this case, the county shall be governed by the provisions of KRS 100.11(22), 100.277, 100.281, 100.283, 100.287 and 100.291, but any powers delegated to a planning commission in these sections shall instead be delegated to the fiscal court, any reference to the planning unit shall be considered a reference to the county, and any reference to the chairman of the planning commission shall be considered a reference to the county judge/executive. (Enact. Acts 1966, ch. 172, § 62; 1986, ch. 25, § 1, effective July 15, 1986; 1986, ch. 141, § 31, effective July 15, 1986.)

100.277. Commission approval required for subdivisions. -- (1) All subdivision of land shall receive commission approval.

(2) No person or his agent shall subdivide any land before securing the approval of the planning commission of a plat designating the areas to be subdivided, and no plat of a subdivision of land within the planning unit jurisdiction shall be recorded by the county clerk until the plat has been approved by the commission and the approval entered thereon in writing by the chairman, secretary, or other duly authorized officer of the commission.

TABLE 1
DIMENSIONAL STANDARDS

District	Maximum Intensity	Minimum Size of District	Area (Sq. Ft.)	Min. Lot Size Frontage (Ft.)	Maximum Height (Ft.)	Front (Ft.)	Min. Yard Dimensions Rear (Ft.)	Side (Ft.)
A-1	1 d.u. or farmstead per five (5) acres	30 ac	217,800	150	45	80	25	10
A-2	1 d.u. per two (2) acres	20 ac	80,000	150	45	60	25	10
*** R	n.a.	n.a.	n.a.	n.a.	45	30	10	10
*** RSE	1 d.u. per acre	5 ac	40,000	100	45	40	40	10
*** RS	2 d.u. per acre	5 ac	20,000	80	45	40	40	10
*** RIF	4 d.u. per acre	5 ac	10,000	70	45	30	30	7 min-15 total
*** SR-1	4 d.u. per acre	5 ac	detached s-f	65	45	30	30	5 min-15 total
			duplex	75	45	30	30	5 min-15 total
*** SR-2	8 d.u. per acre	5 ac	detached s-f	50	45	30	30	5 min-15 total
			duplex	60	45	30	30	5 min-15 total
*** UR-1	12 d.u. per acre	n.a.	townhouse	See Section 1780				
*** UR-2	20 d.u. per acre	n.a.	detached s-f	50	45	30	30	5 min-15 total
*** UR-3	30 d.u. per acre	n.a.	duplex	60	45	30	30	5 min-15 total
			townhouse, duplex, and multi-family	n.a.				
MHP	7 d.u. per acre	10 ac	5,000	40	20	30	10	10
*** C-1	12,000-15,000 sq.ft. GFA/acre (see Sec. 914)	n.a.	5,000	50	45	30	20	5 (20)*
C-2	15,000-18,000 sq.ft. GFA/acre (see Sec. 924)	2 ac	5,000	50	50	75	20 (50)*	10 (50)*
C-3	18,000-20,000 sq.ft. GFA/acre	3 ac	20,000	100	50	50	20 (50)*	10 (50)*
C-4	15,000-18,000 sq.ft. GFA/acre	3 ac	10,000	100	50	75	20 (50)*	10 (50)*
*** O-1	20,000 sq.ft. GFA/acre	n.a.	6,500	40	45	30	20	5 (20)*
*** O-2	30,000 sq.ft. GFA/acre	3 ac	12,000	40	70	30	15	10 (20)*
I-1	25,000 sq.ft. GFA/acre	5 ac	20,000	150	50	50**	30 (50)*	10 (50)*
I-2	22,000 sq.ft. GFA/acre	10 ac	120,000	250	100	100	30 (100)*	20 (100)*
I-3	n.a.	50 ac	n.a.	n.a.	100	50	50 (100)*	50 (100)*
PF	n.a.	n.a.	n.a.	n.a.	70	30	10 (50)*	10 (50)*
*** A	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.

Abbreviations: n.a., not applicable; d.u., dwelling unit; ac, acre; s-f, single-family; GFA, Gross Floor Area; ()*, when adjoining any of the following zone districts: A-1, A-2, R, RSE, RS, SR-1, SR-2, UR-1, UR-2, UR-3, MHP, ***, when parking is located in the front yard area, a minimum fifteen (15) foot buffer, suitably planted, shall be maintained between the right-of-way and the parking area.

Table 1 Dimensional Standards will be adjusted with three asterisks behind frontyard setbacks for zones R, RS, RSE, SR-1, SR-2, UR-1, UR-2, UR-3, RIF, C-1, O-1, O-2, and A. *** will mean 50 feet if adjacent to collector roads.

STAFF REPORT

#2

APPLICANT: Wilbert L. Ziegler
DEVELOPMENT: Bank of Boone County Branch
LOCATION: U.S. 25 and Weaver Road,
Boone County, Kentucky
ZONING: Industrial Two (I-2)
DATE: April 10, 1991

REMARKS:

The applicant is requesting a Conditional Use Permit, a Variance in the front yard setback, and a Variance in the minimum lot size, in order to construct a bank. The site is located just west of the intersection of KY. 25 and Weaver Road, is zoned Industrial Two (I-2), and is owned by Lawrence and Joan Glass.

The following are the surrounding land uses and their zoning:

North -	Northern Kentucky Industrial Park / Industrial Two
South -	Fishing Lake / Industrial Two
East -	Bi-County Co-op / Industrial Two
West -	Northern Kentucky Industrial Park / Industrial Two

The following reviews the general criteria which the Board must use to judge each Conditional Use Permit:

1. The 1990 Boone County Comprehensive Plan Future Land Use Map indicates the site as Industrial. The Land Use Element makes no specific reference to this property.
2. The Board must decide whether a bank will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. The area to the east; the intersection of Weaver Road and KY 25, contains some commercial uses. However, areas to the north and west are industrial in character.
3. The use will not be hazardous to existing or future neighboring uses.
4. The site is adequately served by public facilities and services.
5. Additional excessive requirements at public cost for public facilities will not be created.
6. This development will not involve uses, activities, materials, equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, flare or odors.

7. The vehicular approach to the property may create an interference with traffic on Weaver Road. The speed limit on this thoroughfare is 55 mph. and a curb cut in this location could cause a traffic hazard, especially traffic turning in across the west bound traffic flow.

In addition to the Conditional Use request, the applicant is also requesting a Variance in the front yard setback, as well as a Variance in the minimum lot size. The applicant is seeking a 50 foot Variance in order to locate the proposed bank building within 50 feet of the front property line. The required front setback in an Industrial Two zone is 100 feet. The minimum lot size in an Industrial Two zone is 2.75 acres, and the applicant is requesting a minimum lot size of 1.0 acre.

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

1. Staff does not believe that, if granted, the Variances will adversely affect the public health, safety, or welfare. The Board must decide, however, if a 50 foot reduction in the front yard setback will alter the character of the area, which requires that all other developments be setback 100 feet. Staff believes that this proposed development will not cause a hazard or nuisance to the public. The Board must decide if the front yard setback Variance as well as the minimum lot size Variance will allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider the following:
 - a. Staff can find no special circumstances with this development which do not generally apply to land in the general vicinity, or in the same zone.
 - b. Strict application of the zoning regulations would limit the applicant to the 100 foot front yard setback and a 2.75 acre lot, if the Board reverses the Zoning Administrator's decision.
 - c. This request is the result of the actions of the applicant taken subsequent to the adoption of the zoning regulations. The proposed one acre parcel is not a lot of record, thus the applicant is creating a hardship of their own.

Staff Concerns

1. Staff is concerned with the traffic accessing the site from the east bound lane, crossing the west bound lane traffic. There is a potential traffic hazard due to the speed limit on Weaver Road.

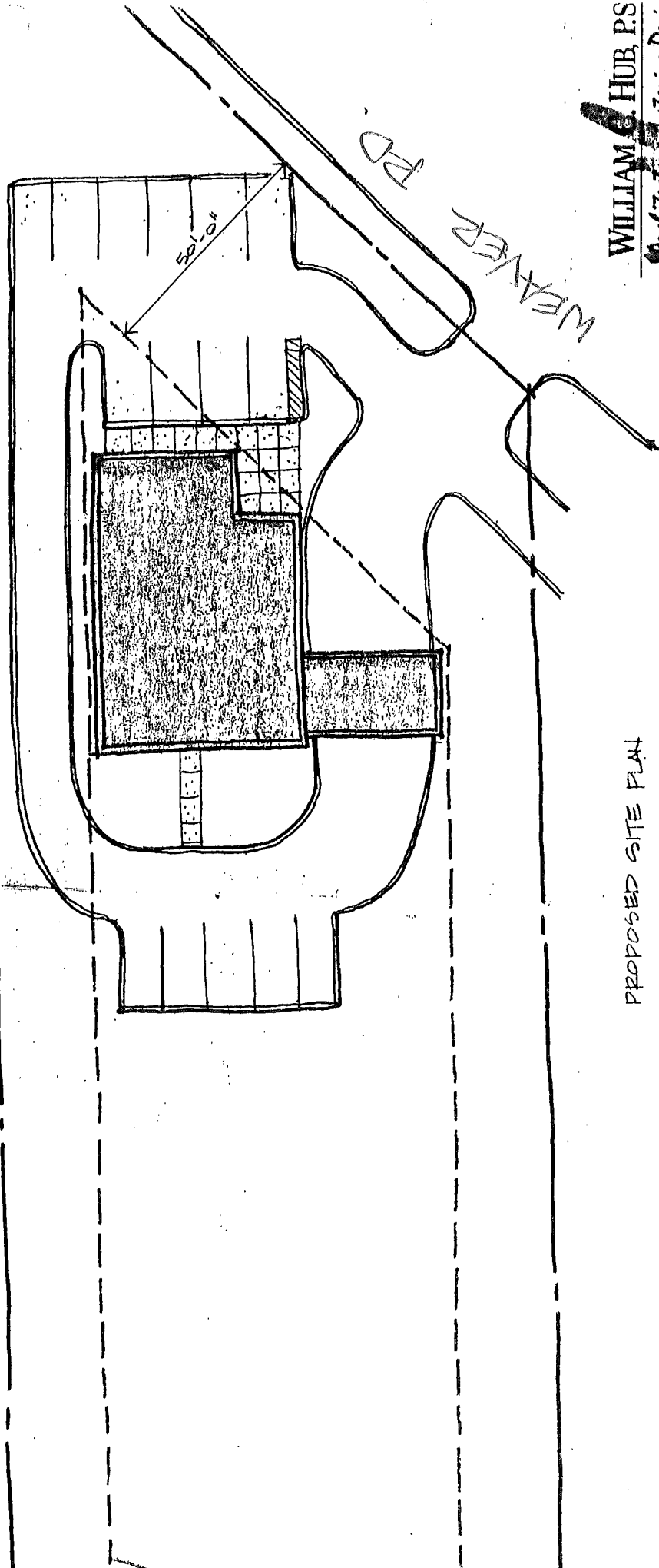
Respectfully submitted,


J. Gregory Tully
Planner I

JGT:kat

BI-COUNTY
COOP.

NORTH
↓



RD.

WEAVER

50'-0"

WILLIAM C. HUB, P.S.
 Architect & Senior Designer

PROPOSED SITE PLAN

THE BANK OF BOONE COUNTY

11-20-01

3-8-91

ZIEGLER & SCHNEIDER, P.S.C.

ATTORNEYS AT LAW

200 COVINGTON MUTUAL BUILDING

629 MADISON AVENUE

COVINGTON, KENTUCKY 41011

TELEPHONE (606) 581-4553

TELECOPIER (606) 581-0395

505 TURFWAY RIDGE OFFICE PARK

7300 TURFWAY ROAD

FLORENCE, KENTUCKY 41042

TELEPHONE (606) 525-7797

TELECOPIER (606) 525-7244

WILBERT L. ZIEGLER
DAVID A. SCHNEIDER
T.J. BRANDT
WILLIAM J. DEUPREE, III
JOSEPH L. BAKER
KAREN BURRIS BAKER
MICHAEL A. DUNCAN
LORI JEAN FIELDS-LEE
ROBERT C. ZIEGLER
LISA M. MOORE

GREGORY W. HUGHES
1898-1958
ANDREW W. CLARK
1914-1967
D. COLLINS LEE
1888-1949

REPLY TO: FLORENCE

March 15, 1991

Chairman, Board of Adjustments
c/o Boone County Planning & Zoning
2995 Washington Street
Burlington, Kentucky 41005

RE: Boone County Application to the Board of Adjustments

Dear Sir:

I am pleased to submit this Application to the Board of Adjustments for The Bank of Boone County, Inc. The Bank has enjoyed a very encouraging start since it has opened for business just last year, and has shown itself to be a benefit to the Boone County area.

The Bank wishes to construct a branch bank along Weaver Road in Boone County. We feel that a branch located in this area will be harmonious with the character of the general vicinity and would not be hazardous to any neighboring uses. We also feel that a bank in such area will not cause excessive congestion of automobiles or in any way be detrimental to the general welfare of the surrounding community. The current zoning requirements will permit The Bank of Boone County to locate its proposed branch there after the following are considered and approved by the Board of Adjustments:

1. Conditional Use Permit. The current zoning is I-2, which allows as a conditional use banking and credit union services.

2. Variance From Front Yard Setback. The current zoning regulations require a 100-foot setback; however, because of visibility problems caused by the 100-foot setback, we request a 50-foot setback in order to reduce such problems.

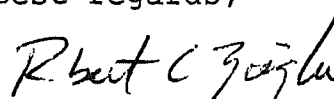
Chairman, Board of Adjustments
March 15, 1991
Page 2

3. Variance From Minimum Square Foot Requirement. The current zoning regulations require 120,000 square feet of area for each lot in an I-2 zone. We would request a variance reducing the required square footage down to 43,560 feet (one acre).

We are mindful of the zoning administrator's legal interpretation expressed in his February 12, 1991 letter wherein he stated his opinion that such a variance (#3 above) would be altering the density requirements and therefore be in conflict with KRS 100.247. However, it is our position that granting a variance from the minimum square footage requirement would not be altering the density as prohibited in the aforementioned statute under the facts of this case. The minimum square feet for each lot in an I-2 zone is 120,000, and the maximum intensity on such a lot is 22,000 square feet. Our proposed lot would consist of 43,560 feet (one acre), and our intensity (the square footage of the branch bank) is 2,500 square feet. The current zoning regulations define intensity as "a unit of measurement establishing the level of activity on the land per gross acre, including all contiguous land". Looking at this on a per-acre basis as the definition requires, the intensity would not be altered by putting this branch bank on this one-acre lot.

Appreciating your courtesies and cooperations, I write this with my

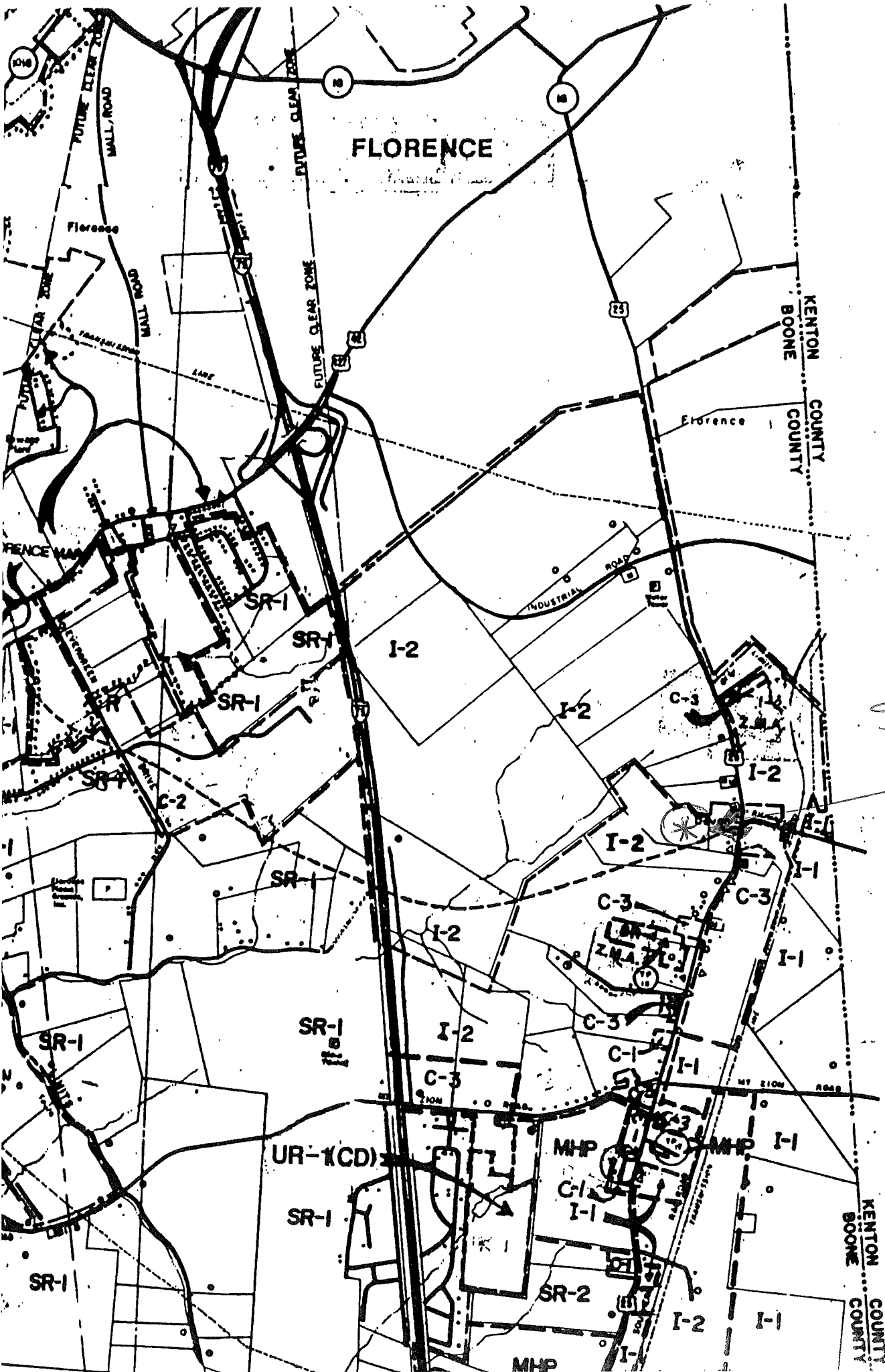
Best regards,



Robert C. Ziegler
For ZIEGLER & SCHNEIDER, P.S.C.

RCZ:JMc

Enclosure



STAFF REPORT

#3

APPLICANT: Sign Design, Inc.
DEVELOPMENT: Bank of Boone County
LOCATION: 1065 Burlington Pike, Boone County
ZONING: Commercial Services (C-3)
DATE: April 10, 1991

REMARKS:

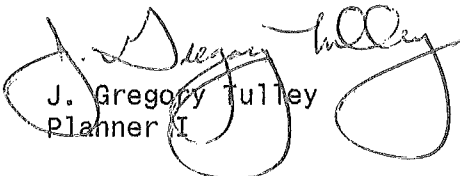
The applicant is requesting a Variance in the number of free-standing signs for the Boone County Recorder newspaper. The 3.04 acre site is located at 1065 Burlington Pike and is the location of the Bank of Boone County. The property is zoned Commercial Services (C-3), and is owned by R.C. Durr Construction Co., Inc.

The applicant is proposing to install a 19.5 square foot free-standing monument style sign near the western entrance to the site. The site currently contains a 76 square foot sign advertising the bank as well as a Jeanie automatic teller machine. The maximum square footage possible for a sign at this site is 250 square feet.

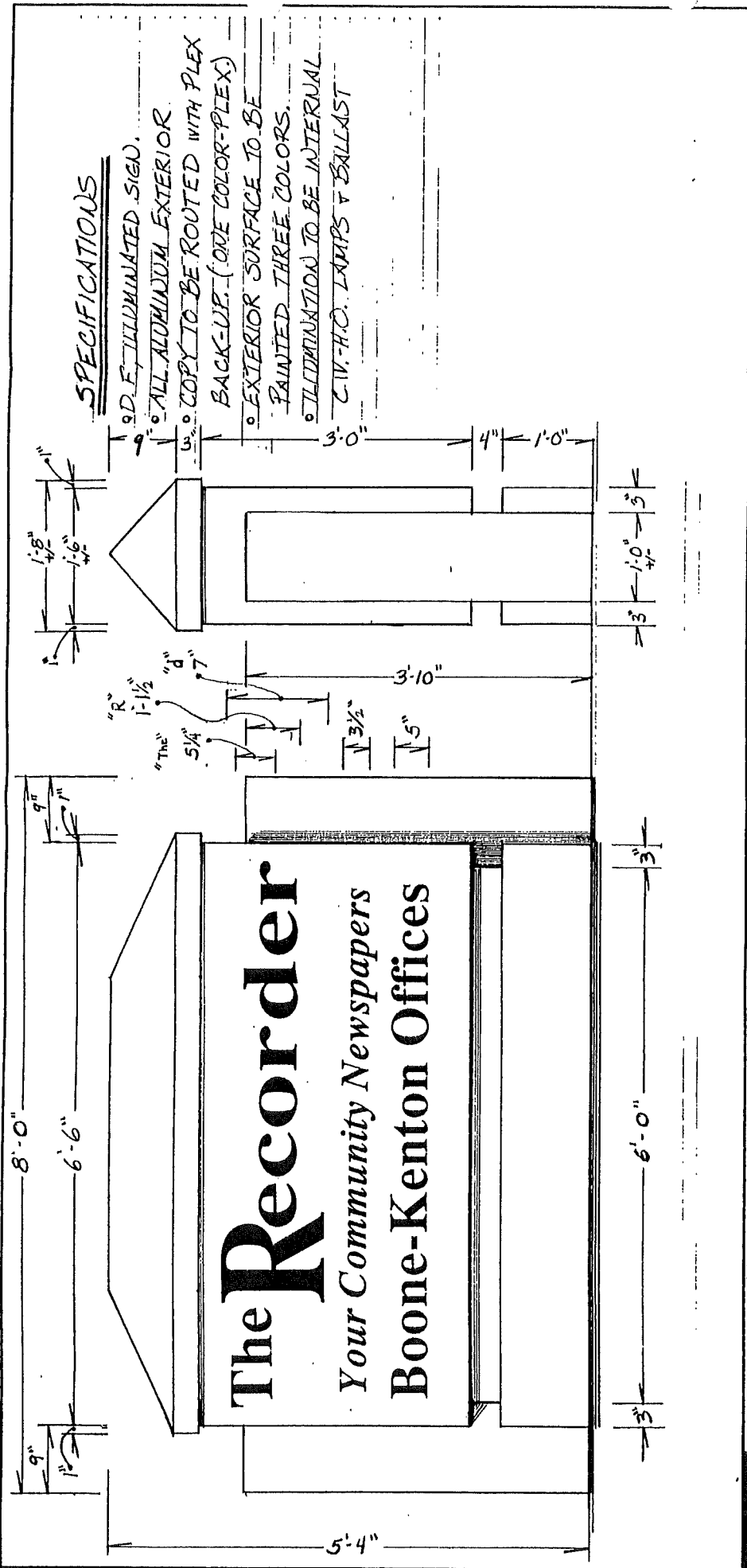
The following reviews the criteria the Board must use when reviewing Variance applications:

1. Staff does not believe that, if granted, the Variance will adversely affect the public health, safety, or welfare. The Board must consider if the number of free-standing signs will alter the essential character of the general vicinity, 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 must be considered:
 - a. Staff can find no special circumstances with this development which do not generally apply to land in the general vicinity, or in the same zone.
 - b. Strict application of the zoning regulations would limit the site to only one free-standing sign. The existing bank sign has a square footage of 76 S.F. and the Recorder sign could be attached to this existing sign.
 - c. Staff has found no special circumstances which are the result of the actions of the applicant taken subsequent to the adoption of the zoning regulations.

Respectfully submitted,


J. Gregory Tulley
Planner I

JGT:kat



SPECIFICATIONS

- D. F. ILLUMINATED SIGN.
- ALL ALUMINUM EXTERIOR.
- COPY TO BE ROUTED WITH PLEX BACK-UP. (ONE COLOR-PLEX)
- EXTERIOR SURFACE TO BE PAINTED THREE COLORS.
- ILLUMINATION TO BE INTERNAL C.V.-H.O. LAMPS & BALLAST

Specifications UL Non-UL Cabinet Message Center T/T Individual LTR. Neon Wood Awning LxH Cast Prg. Ground P/Panel Panel Directory NUMBER of FACES: Single Face Double Face ILLUMINATION: Internal External None LOCATION: Interior Exterior MOUNTED ON: Wall Sq. Tube(s) P.D. Pipe(s) Pylon WD Post(s) Metal Posts Suspended

Design APPROVED AS SUBMITTED APPROVED WITH CHANGES NOTED UNAPPROVED-RESUBMIT W/CHANGES NOTED

Signed _____ Date _____ Signed _____ Date _____

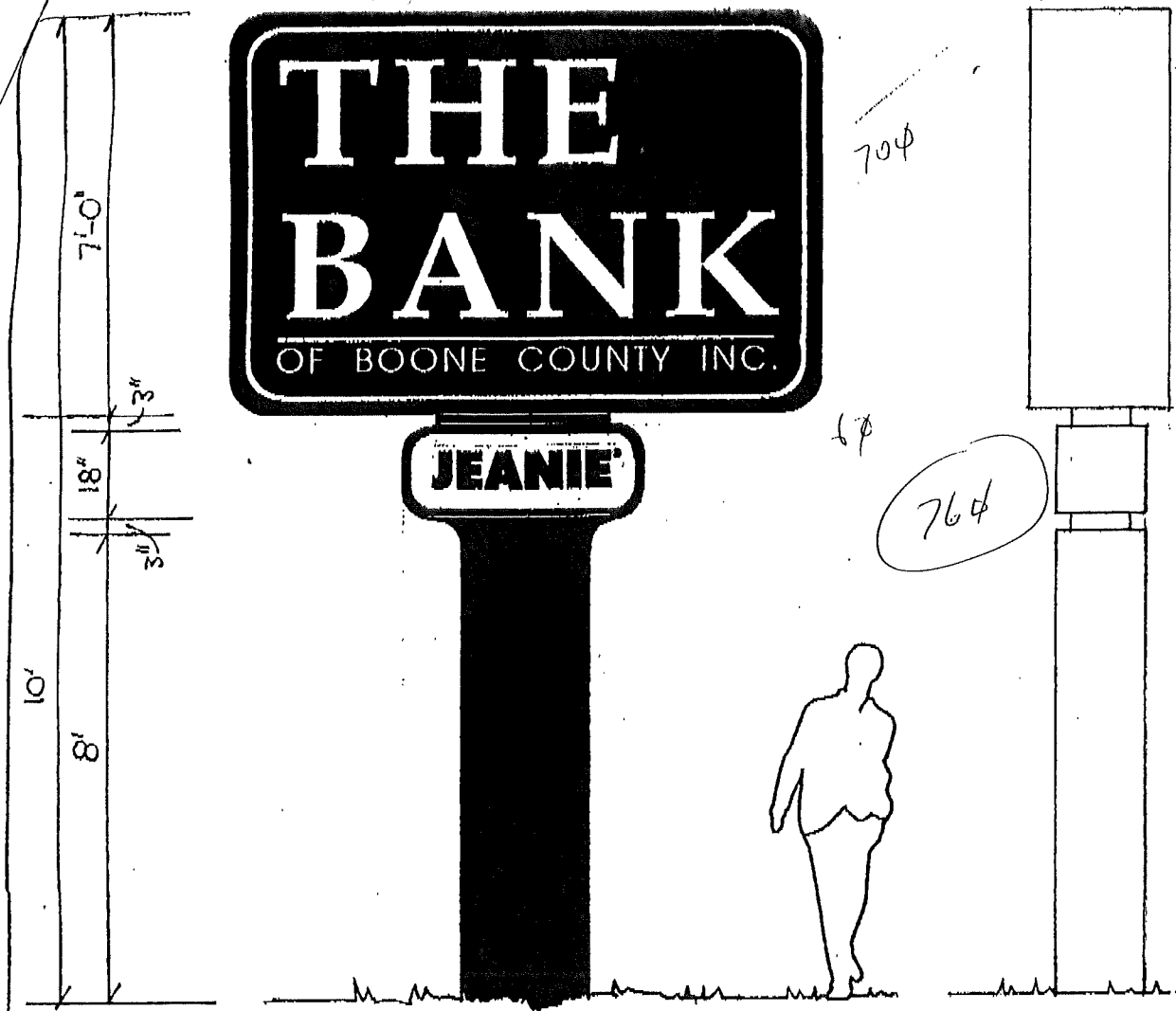
Scale:	3/4" = 1'-0"
Date:	3-7-91
Dwg. No.	R-214

© COPYRIGHT 1991 BY SIGN DESIGN, INC. This drawing is the exclusive property of Sign Design, Inc. and is the result of the original work of its employees. It is submitted to your company for the sole purpose of your consideration of whether to purchase or to purchase from Sign Design, Inc. a sign manufactured according to the drawing. Distribution or exhibition of this drawing to anyone other than employees of your company or use of this drawing to construct a sign similar to the one embodied herein is expressly forbidden. In the event that such exhibition occurs, Sign Design, Inc. expects to be reimbursed \$50. in compensation for the time and effort entailed in creating this drawing.

Submitted by *[Signature]* Date 3-18-91

SIGN DESIGN
CINCINNATI

Permit issued
7-19-90



NOTES:

- DOUBLE FACE, INTERNALLY ILLUMINATED
- PAN FORMED FACES- BLACK(SATIN FINISH)
- PAN RETURN PTD. WHITE
- GRAY BACKGROUND
- "THE BANK" EMBOSSED, WHITE OUTLINED W/ OPAQUE GOLD
- OTHER COPY & RULE, FLAT CUT & SPRAY, WHITE
- SUPPORT COVER PTD. BLACK(SATIN FINISH)
REVEALS PTD. GOLD
- "JEANIE" CABINET PTD. BLACK
WHITE FACE W/ RED COPY

Specifications: <input type="checkbox"/> UL <input type="checkbox"/> Non-UL TYPE of SIGN: <input checked="" type="checkbox"/> Cabinet <input type="checkbox"/> Message Center <input type="checkbox"/> T/T <input type="checkbox"/> Individual LTR. <input type="checkbox"/> Neon <input type="checkbox"/> Wood <input type="checkbox"/> Awning <input type="checkbox"/> Cast Plq. <input type="checkbox"/> Ground <input type="checkbox"/> P/Panel <input type="checkbox"/> Panel <input type="checkbox"/> Directory NUMBER of FACES: <input type="checkbox"/> Single Face <input checked="" type="checkbox"/> Double Face Design <input type="checkbox"/> APPROVED AS SUBMITTED	ILLUMINATION: <input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> None LOCATION: <input type="checkbox"/> Interior <input checked="" type="checkbox"/> Exterior MOUNTED ON: <input type="checkbox"/> Wall <input checked="" type="checkbox"/> Sq. Tube(s) <input type="checkbox"/> RD. Pipe(s) <input type="checkbox"/> Pylon <input type="checkbox"/> WD Post(s) <input type="checkbox"/> Metal Posts <input type="checkbox"/> Suspended SIGN FACE: <input type="checkbox"/> Flat <input checked="" type="checkbox"/> Pan <input type="checkbox"/> Roulad <input type="checkbox"/> Sandblasted	SIGN FACE MATERIAL: <input type="checkbox"/> Acrylic <input type="checkbox"/> Polycarb <input type="checkbox"/> Alum. <input type="checkbox"/> Brass <input type="checkbox"/> Mil. <input type="checkbox"/> Flexible <input type="checkbox"/> Wood LETTERING: <input type="checkbox"/> Surface <input checked="" type="checkbox"/> Subsurface <input type="checkbox"/> Engraved <input type="checkbox"/> Neon <input type="checkbox"/> Roulad <input type="checkbox"/> 3 Dimensional <input type="checkbox"/> Vinyls <input type="checkbox"/> H.P.S.S. <input type="checkbox"/> Embossed <input type="checkbox"/> Debossed <input type="checkbox"/> Brass <input type="checkbox"/> Alum. <input type="checkbox"/> Mil. LETTERING STYLE: <u>PALANTINO BOLD</u> <u>AVANTGARDE BOOK</u>
<input type="checkbox"/> APPROVED WITH CHANGES NOTED	<input type="checkbox"/> APPROVED WITH CHANGES NOTED	<input type="checkbox"/> UNAPPROVED-RESUBMIT W/CHANGES NOTED

Signed _____ Date _____ Signed _____ Date _____ Signed _____ Date _____

Scale: 3/16" = 1'-0"
Date: 6-13-90
Dwg. No. B 307CR2

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Submitted by *[Signature]* Date 6-21-90

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