

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 Richard A Sadoff, Attorney-at-law
Phone Number (606) 586-5300
Applicant's Address 1871 Petersburg Rd
Hebron, Kentucky 41048
City State Zip
4. Description of Request: Sign Variance of Law and Accounting
Office *See Attached
5. Name of Development N/A
6. Location of Development 5958 Jefferson
Burlington, KY 41005
7. Acreage Under Review 118½ x 55
8. Lot Number and Name of Subdivision (if part of a subdivision)
17 & 18
9. Owner of Property Universal Business Services, Inc.
Phone Number (606) 291-8300
10. Address of Property Owner 812 Madison Ave.
Covington, KY 41011
City State Zip
11. Proposed Use(s) On Site Law & Accounting Office
12. Total Square Footage of Existing and/or Proposed Buildings
1990 sq feet
13. Current Zoning on Property SR2/SC
14. Deed Book 435 Page No. 226 Group No. 194
15. Is the site subject to a zone change? No
If yes, give date of approval _____
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: _____
19. Property Owner's Signature: _____

SECTION B

(To be completed by Boone County Planning Commission Staff)

- 1. Date Received 11/20/91
- 2. Fee Received \$ 241.00
- 3. Is application complete? Yes No
- 4. Staff Reviewer Amy Moore
- 5. Scheduled Board Action Date 12/11/91
- 6. Board Action:

Approval
 Approved with Conditions (See #7)
 Disapproved (See #8)

- 7. Conditions: Although the 16x44 sign was not approved, the applicant can place a 0 sign the size of the sign, (100' of the Boone County Courthouse (23" x 23" as measured on 11/2/91) next to the back door, under the awning
- 8. Reasons for Disapproval: _____

STAFF REPORT

#4

DEVELOPMENT: Courthouse Square Accountants
APPLICANT: Universal Business Services, Inc.
LOCATION: 5958 Jefferson Street, Burlington, Kentucky
ZONING: Suburban Residential Two/Small Community (SR-2/SC)
DATE: December 11, 1991

REMARKS:

The applicant is requesting a Variance to permit an increase in the maximum size of a sign in a residential zoning district. The less than one acre site is located at 5958 Jefferson Street, Burlington, Kentucky. The property is zoned Suburban Residential Two/Small Community (SR-2/SC) and is owned by Universal Business Services, Inc.

On August 14, 1991, the Boone County Board of Adjustments approved a Conditional Use Permit for this site that permits "accounting, auditing, and bookkeeping services" and "legal services, engineering and architectural services." The Boone County Planning Commission also approved a Site Plan for this site on October 16, 1991. However this a matter that will be handled by the Planning Commission and should not affect this request. On November 14, 1991, a sign permit was issued by the Planning Commission for a sixteen (16) square foot roof mounted sign.

Section 1912, of the Boone County Zoning Regulations, states that the maximum size of a sign in any residential zoning district is sixteen (16) square feet.

"Any sign advertising a commercial enterprise, including real estate developers or sub-dividers, in a district zoned residential shall not exceed sixteen (16) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located." (p. 19-4)

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

1. If the Variance is granted, it would not adversely affect the public health, safety or welfare.
2. The Variance will not alter the essential character of the general vicinity.

This site is located near the center of the Burlington National Register Historic District. Several property owners within the District have restored their buildings to original condition. Many of the commercial structures have also erected signage that minimally impacts the historic character of the District.

Staff believes that due to the size of the proposed sign, it will have a significant impact on the area since it is not in keeping with the historic character of Burlington. Since the proposed sign will be located on the rear roof, this impact will not be as great as if it was to be visible from the front of the structure.

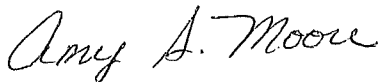
3. The Variance will not cause a hazard or a nuisance to the public.
4. The Variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.
5. The requested Variance does not arise from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.

Currently there are a number of commercial enterprises in Burlington that advertise on signs that are no larger than sixteen (16) square feet in size.

6. The Board should decide if 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.
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.

Attached to this Staff Report are reductions of the proposed sign and the previously approved Site Plan. A letter written by the applicant outlining his reasoning for requesting the proposed Variance is also included.

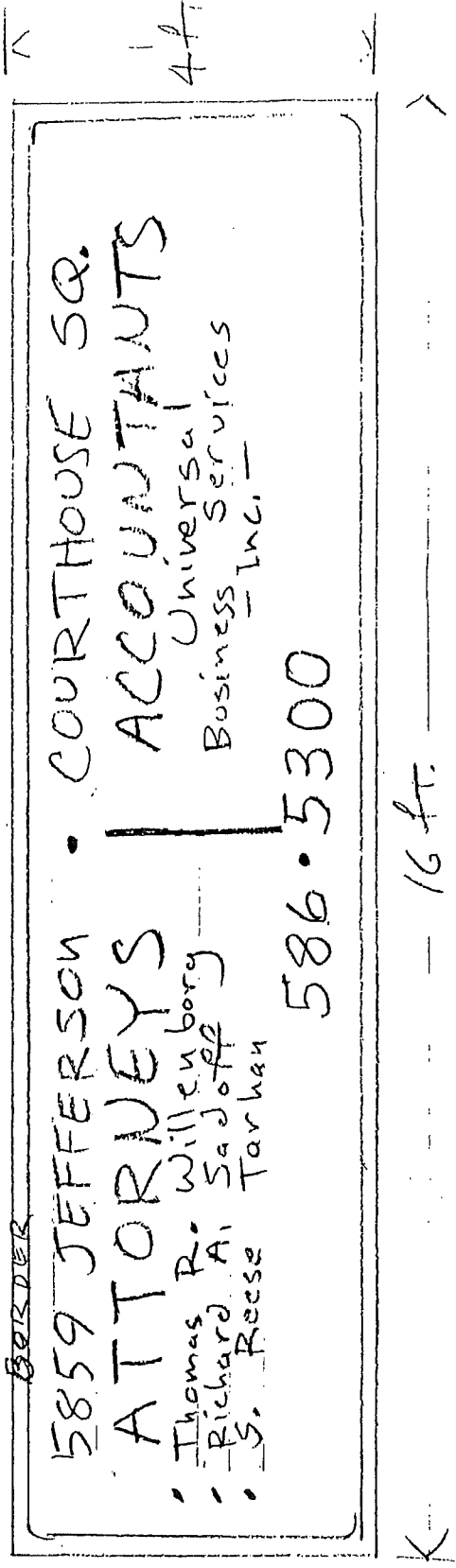
Respectfully Submitted,



Amy S. Moore
Planner I

ASM:kat

See drawing for information for sign 1 ft. mil
in Burlington, Ky.



4' x 16' + 1/2" Plywood on Backing

Scale - 1/2" = 1' ft.

Total Size - 64 Sq. ft.

Color - OFF-WHITE BACKGROUND

Red & Black Lettering

Helvetica Block Style

RICHARD A. SADOFF
Attorney at Law

130 PARK PLACE
COVINGTON, KENTUCKY 41011
(606) 261-6200

BOONE COUNTY OFFICE
1871 PETERSBURG RD.
HEBRON, KENTUCKY 41048
(606) 586-5300

TAX & ACCOUNTING OFFICE
812 MADISON AVE.
COVINGTON, KENTUCKY 41011
(606) 291-8300

November 20, 1991

Boone County Planning Commission
2995 Washington St.
Burlington, KY 41005

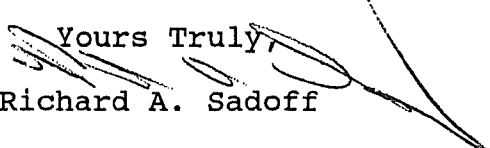
RE: Sign Variance

Dear Commission:

In accordance with the Boone County Zoning regulations, our application for a sign variance is based exclusively on the requirements imposed on all practicing attorneys by the Kentucky Supreme Court and Kentucky Bar Association. The proposed use of the premises which was approved for a Conditional Use Permit on September 11, 1991 and approved by the Site Plan Review Board on October 16, 1991 inadvertently omitted our request for a sign variance, as we believed that our proposed sign was in conformity with Section 1910. An approved sign permit was granted on November 14, 1991. (See Attached)

Since the business use of the premises includes both the Law offices of Richard A. Sadoff, Thomas R. Willenborg and S. Reece Tarhan along with Universal Business Services, Inc., an accounting firm, in order to comply with the requisite Supreme Court Rules (See Attached) we must properly list by name the practicing attorneys and differentiate all additional occupants in the proper form, so as not to be in violation of the Rules.

In accordance with same, a proposed increase in the size of the sign was necessary to include the needed copy and remain useful as a sign. (See proposed Drawing) The requested sign shall be in strict conformity with the sign previously approved by the Zoning Administrator, and shall remain in the same script, material type, illumination and location. Further, it is our belief that minimal impact will result on the area, as the sign will be physically located facing the rear parking lot and not to adjacent residents. Thank you for your consideration,

Yours Truly,

Richard A. Sadoff

COPY

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Universal Business Services, Inc.
812 Madison Avenue
Covington, Kentucky 41011

2. ADDRESS OF PROPERTY

5958 Jefferson
Burlington, Kentucky 41005

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

N/A

DEED BOOK: 435

PAGE NO.: 226

GROUP NO.: 2018

4. TYPE OF RESTRICTION (S) (Check all that apply)

- | | | | |
|-------------------------------------|---|--------------------------|---------------------------------|
| <input type="checkbox"/> | Zoning Map Amendment
from _____ to _____ | <input type="checkbox"/> | Conditional Use Permit |
| <input type="checkbox"/> | Development Plan | <input type="checkbox"/> | Conditional Zoning
Condition |
| <input type="checkbox"/> | Subdivision Plat
(unrecorded) | <input type="checkbox"/> | Other: (Specify) |
| <input checked="" type="checkbox"/> | Variance | | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

Amy S. Moore
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Amy S. Moore

on behalf of the Boone County Planning Commission this 19th day

of February, 1992.

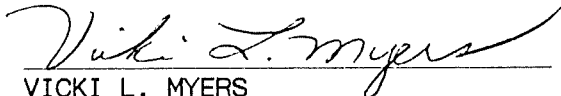


VICKI L. MYERS
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:



VICKI L. MYERS
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

BCPC 01/89

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of December 11, 1991, (Certificate of Land Use Restriction # 91-BCBOA-029), for Universal Business Services, Inc., property owner.

Although the 16 X 4 ft. sign was not approved, the applicant can place a sign the size of the window in the door of the Boone County Courtroom (23" X 23" as measured on 12/12/91) next to the back door under the windows.

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 435 PAGE NO. 226 Group No. 2018