

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 AIRPORT FAST PARK  
Phone Number (606) 689-7569  
Applicant's Address 618 PETERSBURG ROAD  
HEBRON KENTUCKY 41048  
City State Zip
4. Description of Request: VARIANCE FOR HEIGHT OF FREE STANDING SIGN.
5. Name of Development AIRPORT FAST PARK
6. Location of Development 618 PETERSBURG ROAD, HEBRON, KY 41048
7. Acreage Under Review N/A
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property PARKING COMPANY OF AMERICA, INC.  
Phone Number (513) 241-0415
10. Address of Property Owner 250 W. COURT STREET, STE. #200E  
CINCINNATI OHIO 45202  
City State Zip
11. Proposed Use(s) On Site EXISTING USE UNCHANGED - PARKING
12. Total Square Footage of Existing and/or Proposed Buildings 2,294 SQ. FT.
13. Current Zoning on Property C-3
14. Deed Book 131 Page No. 145 Group No. \_\_\_\_\_
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
18. Applicant's Signature: \_\_\_\_\_
19. Property Owner's Signature: ROBERT CHAVEZ



## STAFF REPORT

#7

DEVELOPMENT: Airport Fast Park

APPLICANT: Airport Fast Park

LOCATION: 618 Petersburg Road (KY 20), directly across from KY 212 (airport access drive), Boone County, Kentucky

ZONING: Commercial Services (C-3)

DATE: April 10, 1991

REMARKS:

The applicant is requesting a Variance in the permitted height of a free-standing sign from 40 feet to 60 feet high. The site has approximately 230 feet of frontage and is located at 618 Petersburg Road (KY 20), directly across from KY 212 (airport access drive), Boone County, Kentucky. The property is zoned Commercial Services (C-3) and is owned by Parking Company of America, Inc.

In September, 1986, the applicant received a permit for a 300 square foot, 50 foot high sign to replace the existing sign of 240 square feet. On December 10, 1986, this Board denied a sign Variance to replace the 240 square foot sign with a 1,176 square foot sign. On April 13, 1988, this Board approved a Variance to allow the erection of a 486 square foot sign to replace the 300 square foot sign. The Staff Reports and Minutes of the previous meetings are attached.

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 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 Variance is granted, it should not adversely affect the public health, safety or welfare.

The applicant will need to get approval from the Airport Board before erecting this sign.

2. The Board must decide if the Variance will alter the essential character of the general vicinity.
3. The Board must consider if a nuisance will be created by this Variance.
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 can not find any special circumstances that do not apply to land in the general vicinity or in the same zone. It may be argued that other property in the area would have a special circumstance when compared to the location of Airport Fast Park. This site is located at the at the intersection of KY 212 and KY 20.

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.

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 following conditions be placed on the approval:

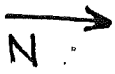
1. If the sign is to be lit, that no light shall be placed "so as to cause glare or reflection that may constitute a traffic hazard or nuisance." (p. 19-1)
2. The submitted plan indicates that the existing free standing sign is to be moved. The Board may want to place a condition on the approval of this request that the existing free standing sign must be removed.

Respectfully Submitted,



Amy S. Moore  
Planner I

ASM:kat

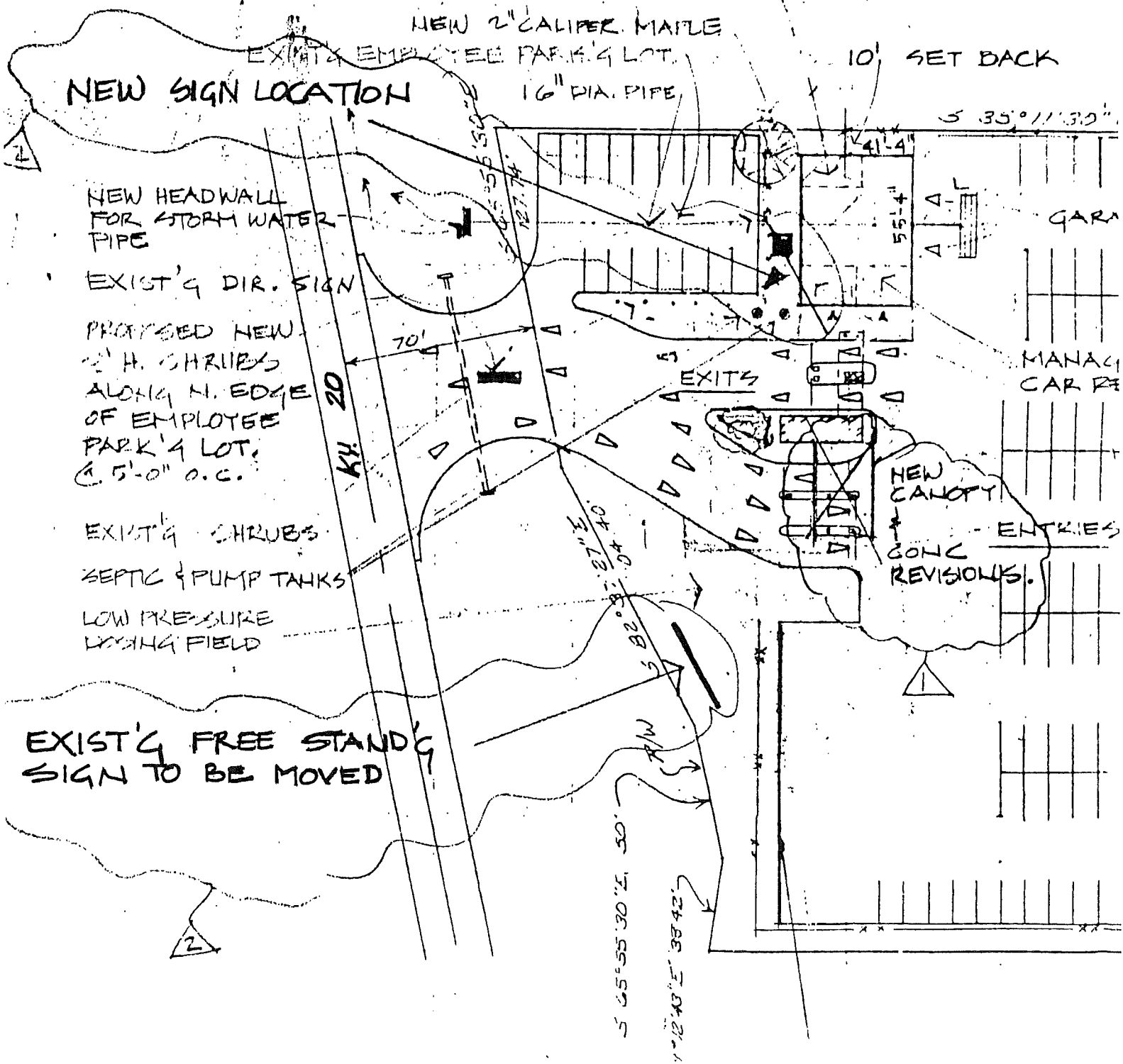


PROPOS: 1: NEW ONE (1) STORY BUILDING: 17'-6" HEIGHT  
 TOT. ROOF AREA: 2,284 SQ. FT.

USE: OFFICES AND GARAGE  
 OFFICES: CAR RENTAL AGENCY & MANAGER'S OFFICE W/EN  
 CAR RENTAL AGENCY TO HAVE WINDOW & BLD'G MOUN

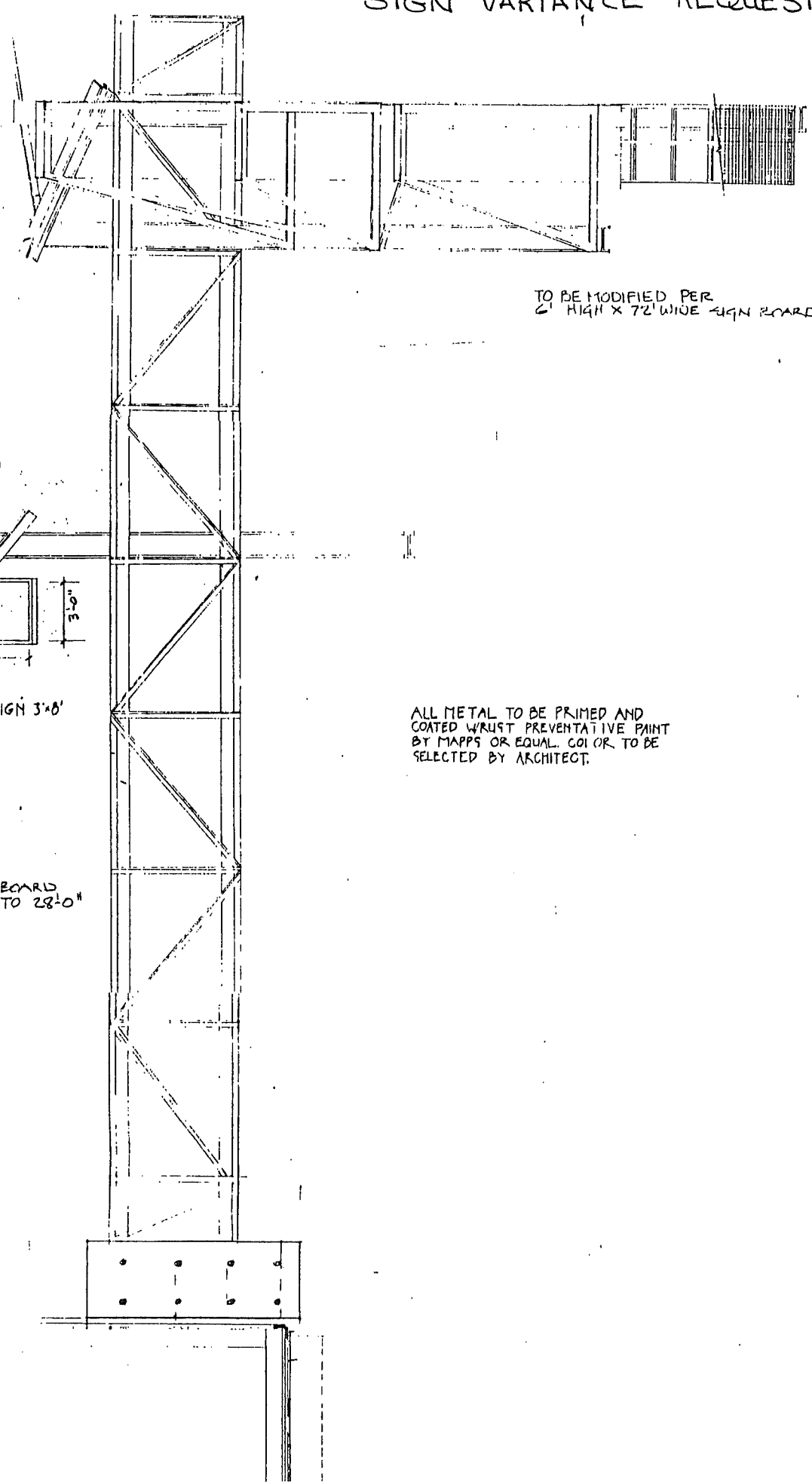
TOT. RUN-OFF FROM NEW ROOF: 52,000 GAL'S.  
 NEW CISTERN SHALL COLLECT ROOF WATER ONLY. ALL  
 WATER COLLECTED TO BE USED ON SITE AND IS NOT FOR  
 SIGNS SHALL POST OVER EACH LAVATORY AND SINK  
 SIGNS SHALL SAY NOT FOR DRINKING.

10,000 GALLON CISTERN  
 UNDER STRUCTURE



# AIRPORT FAST PARK SIGN VARIANCE REQUEST

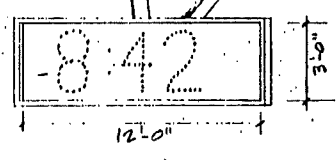
6'-0" TYP



TO BE MODIFIED PER  
2' HIGH X 72' WIDE SIGN BOARD.

W14x26

2.5 x 12 = 30



COMPUTERIZED TIME / TEMP SIGN 3'x8'  
AIG 407  
4'x4'x1/2" STEEL L<sup>s</sup>  
8'x8'x1/2" STEEL L<sup>s</sup>

ALL METAL TO BE PRIMED AND  
COATED WITH PREVENTATIVE PAINT  
BY MAPPS OR EQUAL. COLOR TO BE  
SELECTED BY ARCHITECT.

TIME / DATE / MESSAGE BOARD  
TO BE LOWER ONE BAY TO 28'-0"

STAFF REPORT

APPLICANT: Quality Signs for Airport Fast Park  
LOCATION: 656 Petersburg Road, Hebron, KY.  
ZONE: Commercial Services, C-3  
DATE: December 10, 1986

REMARKS:

The applicant is requesting a Variance of 876 square feet to allow the construction of a 1,176 square foot sign. Article 19, Section 1921 allows two (2) free-standing signs in the C-3 zoning district, one of which is permitted to be 300 square feet. Airport Fast Park is requesting permission to replace an existing 300 square foot sign with one almost four times as large. The existing and proposed sign location is at the northern terminus of KY 212 (or the Airport access road)

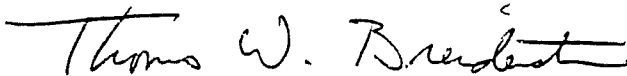
The following reviews the four standards which the Board must find before granting a Variance:

1. Staff can find no special circumstances that do not apply to land in the general vicinity or same zone. In fact, it can be argued that other property in the area would have special circumstances when one compares the "ideal" location of Airport Fast Park.
2. Strict application of the zoning regulations will not deprive the applicant of a reasonable use of land or create an unnecessary hardship to the applicant. Traffic heading north on the Airport Access Road must go all the way to the end before making a left or right turn to the applicant's competitors. Because drivers must go to the end of the road and stop, it is almost certain that they will see the existing Airport Fast Park sign.
3. The applicant would argue that the special circumstances in his case are the size of the competitor's signs. The signs, of course, are not the result of the applicant.
4. If granted, the variance will not adversely affect the public health, safety and welfare,. However, the essential character of the vicinity will be altered to a degree when one considers how much of a view will be blocked by a 1,176 square foot sign. The sign will not cause a hazard to the public, but the Board must also consider if a nuisance will be created.

Should the Board decide to grant this Variance, staff recommends the following conditions:

- a. That the sign be appropriately landscaped to "soften" its impact.
- b. If the sign is to be lit, that no light shall be placed "so as to cause glare or reflection that may constitute a traffic hazard or nuisance." (p. 19-2)
- c. That a building permit be secured from the Boone County Building Inspector to insure its proper installation.

Respectfully submitted,



Thomas W. Breidenstein  
Zoning Enforcement Officer

100' tall total Height  
300 sq ft sign

SIGNAGE

BILLBOARD

Entrance Large Sign



1 1/2 Acres Total

Parking Lot

OFFICE

310'

FENCE

ENTER

Garage Area

40'

45'

Fencing

12' x 10'

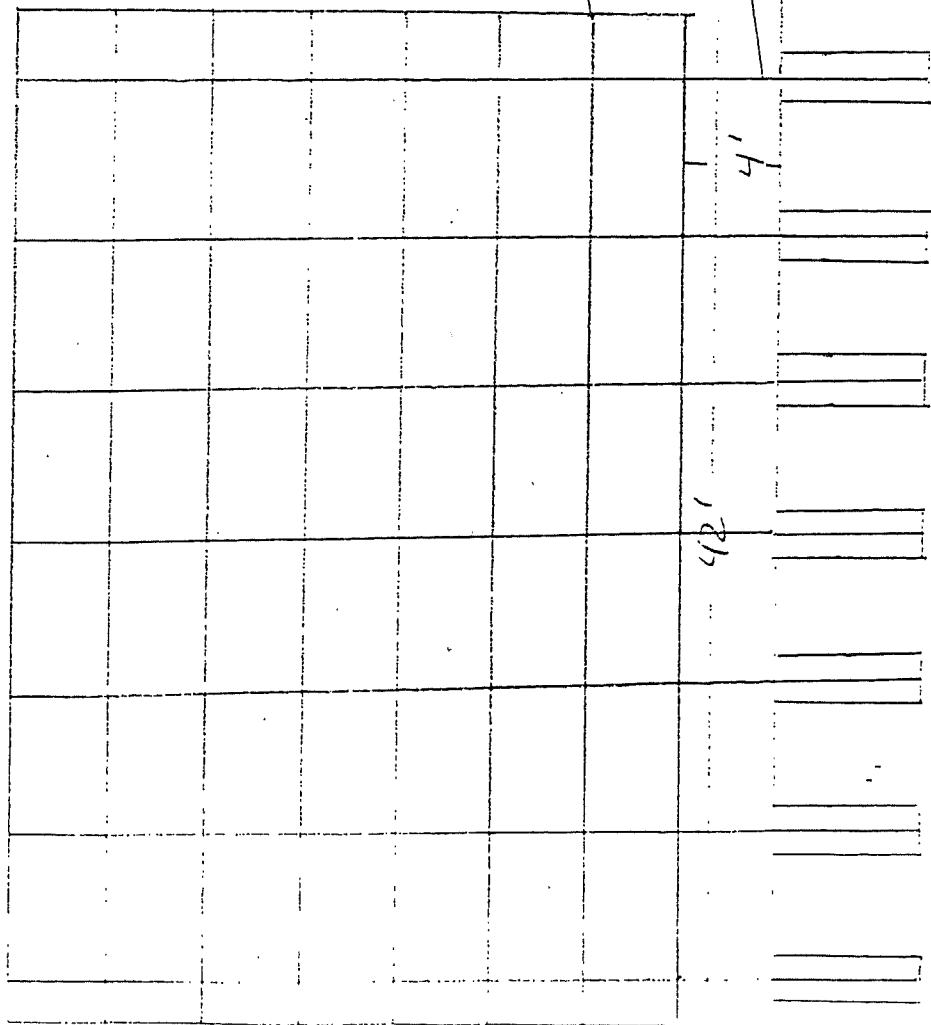
Photo Point

Property line will go 1/4 mile right

P

P





28'

2x6 Treated wood stringers

4" Round Treated wood pokers

GRADE

4'

42'

28' x 42' Sings Face Bill Board

4x8x1/2 Plywood Face

6" deep 2" Round  
pokers sunk in concrete footer

174 Square feet Total

1/4" to 1" Scale

request of Albert J. Martini, Jr. for a Conditional Use Permit to allow the storage of Class C fireworks until the March 11, 1987 Business Meeting as requested by the applicant. The motion was seconded by Mr. Houston. The motion carried unanimously.

Mr. Griessman, President of the School Board of the St. Joseph Academy, stated it was his understanding that the applicant would have to file a request for an extension in order for the request to be deferred.

Atty. Wilson explained that was not a legal requirement for an applicant requesting a meeting for deferral.

Mr. Breidenstein distributed copies of a letter to the Board received from Mr. Griessman expressing his concerns of the proposed request to be considered along with the request.

Mr. Breidenstein presented a slide presentation of the proposed site and the surrounding area.

#### Sign Variance

A request of Quality Signs and Service for Airport Fast Park for a sign Variance of 876 square feet. The 14 acre site, located at 656 Petersburg Road, Boone County, is owned by Vincent Barth and is zoned Commercial Services, C-3.

Mr. Breidenstein presented a slide presentation of the proposed site and gave a presentation of the Staff Report. (See Staff Report)

Mr. Mark Slottman, representative for the applicant, explained their reason for needing the sign variance was to be equal to the competition in the immediate area. Mr. Slottman further explained that when getting off I-275 usually the first parking area one noticed was the one people pulled into to park their vehicle. Mr. Slottman stated the Val-Air parking sign was 24 feet tall and 40 feet long and the Alright parking sign was 26 feet tall and 48 feet long where as the Airport Park Fast parking sign was 12 feet tall and 20 feet long. Mr. Slottman noted that the Airport Park Fast could be seen once a person got to the stop sign but he felt that 9 out of 10 people coming off of I-275 looking for a place to park already had their minds made up by the time they seen the Airport Park Fast sign.

Chairman Whitton inquired how long the other parking businesses' signs had been up. Mr. Breidenstein stated the records showed that Alright's sign had been up since October, 1981 but he stated he could find no record for Val-Air.

Chairman Whitton stated the argument of the request came down to whether the sign ordinance was reasonable and was the

applicant at a competitive disadvantage. Chairman Whitton noted the signs for the other parking businesses were pre-existing. Chairman Whitton stated the applicant was requesting approximately a 400% variance and he felt it was nearly impossible to avoid seeing the applicant's site.

Mr. Chester Langford, Manager of Airport Fast Park, stated that if the variance was granted he would agree to all the recommendations within the Staff Report. Mr. Langford stated the applicant would gladly do whatever landscaping and lighting that was required. Mr. Langford noted that Airport Fast Park was at a disadvantage because of the size of the other parking businesses' signs.

Mr. Archambault inquired if the new sign being proposed would replace the current sign. Mr. Langford stated yes.

Mr. Slottman explained that the Airport Fast Park sign was the furthest away when a person was coming off I-275.

Chairman Whitton noted the request was for a 400% increase in the sign's size and he inquired if the applicant would be willing to decrease the size of the sign being proposed. Mr. Slottman stated that if they did not get a sign as big as the competition's then they would be in the same boat as they were currently with the smaller sign. Chairman Whitton noted that the competition could argue that Airport Fast Park's location gave them a competitive edge where the road dead-ended at their front door.

Mr. Archambault inquired what the applicant had in mind for screening. Chairman Whitton stated he did not know how a sign 50 feet high could be screened. Mr. Slottman stated the sign was not going to be 50 feet high but rather 32 feet would be the maximum height from the ground level. Mr. Slottman noted the post was a sunken post. Mr. Slottman referred to the landscaping and stated they would hide the post and have lighting from the ground.

Mr. Ryan inquired how many square feet smaller did the applicant feel the sign could be decreased and still have a sign appropriate to fit their needs. Mr. Slottman stated he could do more measurements but felt with the sign being proposed, he could get a 5 foot tall letter on it. Mr. Slottman noted that if the sign was shrunk down then everything else would have to shrink in proportion.

Chairman Whitton stated that if he were going to a strange airport and he saw parking signs then he would know there were more parking businesses in the area and he would not automatically make up his mind at the first sign he saw but rather he would look around in the general area. Mr. Slottman

disagreed.

Mr. Archambault explained that if the proposed request was granted that before long there would be a whole row of the larger signs and he felt the Board needed to get a hold on the signage in the particular area before it got out of hand.

Chairman Whitton stated that he did not want to see in that particular area billboards sitting along the road.

After further discussion on the size of the sign, Mr. Ryan moved to deny the request of Quality Signs and Service for Airport Fast Park for a sign Variance of 876 square feet located at 656 Petersburg Road, Boone County. The motion was seconded by Mr. Archambault. The motion carried unanimously.

Mr. Slottman inquired of any other avenue the applicant could take. Chairman Whitton stated the applicant could go to 300 square feet for the sign. Chairman Whitton inquired of legal council's opinion. Atty. Wilson stated the applicant could appeal the decision in Circuit Court or come back before the Board with another variance proposal for the size of the sign.

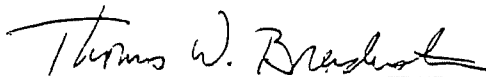
After further discussion, Mr. Ryan moved the meeting adjourn. The motion was seconded by Mr. Archambault. The motion carried unanimously.

APPROVED:



GEORGE D. WHITTON  
CHAIRMAN

ATTEST:



THOMAS W. BREIDENSTEIN

STAFF REPORT

APPLICANT: Quality Signs (agent)  
DEVELOPMENT: Airport Fast Park  
LOCATION: 618 Petersburg Road, Boone County  
ZONING: Commercial Services (C-3)  
DATE: April 13, 1988; 6:30 p.m.  
PLACE: Due to construction, the meeting will be held in the Fiscal Court Room, 2nd Floor.

REMARKS:

The applicant is requesting a Variance in order to allow the erection of a 486 square foot free-standing sign. The 14.0 acre site, located on the north side of KY 20, directly across from KY 212 (airport access road), is zoned Commercial Services (C-3) and is owned by Vincent Barth.

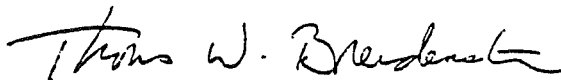
In September, 1986, the applicant received a permit for a 300 square foot, 50 foot high sign to replace the existing sign of 240 square feet. This sign, however, was apparently not large enough. Therefore, in December, 1986, the applicant applied for a Variance to allow a 1,176 square foot sign. This Board denied the request. The Staff Report and Minutes of the previous meeting are attached.

In 1986, under the old Zoning Regulations, Airport Fast Park was entitled to two free-standing signs. One sign could be as large as 300 square feet, the other as large as 250 square feet. The maximum height for these signs was 50 feet.

When Fiscal Court passed the updated Zoning Regulations in December, 1986, allowable signage at Airport Fast Park changed. Currently, this business is entitled to only one free-standing sign with a maximum of 250 square feet and maximum height of 40 feet. In exchange for tighter controls on free-standing signs, the Zoning Regulations allow a more liberal use of building-mounted signs. For example, Airport Fast Park is entitled to one wall sign with 2 square feet per lineal foot of building width.

Rather than address the four standards the Board must find before granting a Variance at this point, please refer to the review of these standards from the previous (December 10, 1986) Staff Report. Although the Zoning Regulations regarding signage has changed, the land use reasons for a larger sign have not. Therefore, the previous review of the facts is still valid.

Respectfully submitted,



Thomas W. Breidenstein,  
Zoning Enforcement Officer

TWB:mcb

Attachments