

OCT 23 1991

RECEIVED

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 Quality Sign
Phone Number 525-9766
Applicant's Address 1520 Production Dr
Burlington Ky 41005
City State Zip
4. Description of Request: Requesting Permission for 1-
Additional Free Standing Sign. Also Requesting Additional
Height to the Existing Free Standing Sign
5. Name of Development Rest & Self Storage
6. Location of Development 281 Richwood Rd
South side - West of I-75
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision)
76-3A DB 240 Pg. 251
9. Owner of Property Waco Oil & Refining Co. Inc.
Phone Number 501-9226
10. Address of Property Owner 219 Garrard Ct.
Cov. Ky. 41011
City State Zip
11. Proposed Use(s) On Site Self Storage Buildings
12. Total Square Footage of Existing and/or Proposed Buildings
1-10'x24' wood Sign 1-4'x10'x22' DIF Sign on top of Existing Sign
13. Current Zoning on Property _____
14. Deed Book 240 Page No. 251 Group No. 2071
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: Mal Stettin
19. Property Owner's Signature: Mal Stettin 40 Don Conrad

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 10-23-91
2. Fee Received 280.00 R 7237
3. Is application complete? Yes No
4. Staff Reviewer Amy Moore
5. Scheduled Board Action Date 12/11/91
6. Board Action: Withdrawn

Approval

Approved with Conditions (See #7)

Disapproved (See #8)
7. Conditions: _____

8. Reasons for Disapproval: _____

STAFF REPORT

#3

APPLICANT: Quality Signs (agent)
DEVELOPMENT: Best Self Storage
LOCATION: 281 Richwood Road (behind Shell/Waco station)
ZONE: Commercial Services (C-3)
DATE: November 13, 1991

REMARKS:

The applicant is requesting Variances in the height and number of free-standing signs. The 6.57 acre site, located behind the Shell station on Richwood Road, is zoned Commercial Services (C-3) and is owned by Waco Oil and Refining Company, Inc.

History

On June 5, 1991, the Boone County Planning Commission approved a Site Plan for the mini-warehouses behind the Waco station. No signs were proposed at that time. However, with a separate application, the applicant proposed one (1) building mounted sign, an addition to the top of an existing free-standing sign, and a new free-standing sign. The building mounted sign was approved. However, because the addition would raise the existing high-rise sign to over fifty-four (54) feet, whereas forty (40) feet is the maximum height for any free-standing sign, this Variance is requested. Also, since there are already four (4) free-standing signs on the site, whereas one (1) sign under the current regulations is the maximum, this Variance in the number of signs is requested.

On November 25, 1981, a permit was issued by the building inspector, who was also Zoning Administrator at the time, for two (2) free-standing signs on this site. The Commission's files do not include drawings of which signs were approved at that time. On August 12, 1982, this Board approved Variances in the height and size of a free-standing sign for this location. The file is incomplete, but apparently these Variances allowed the 100 foot high, 350 square foot "Shell" sign. Since these actions were taken, one (1), or perhaps two (2) signs were installed. There is no record of permits in the Commission's files. The applicant is now requesting a fifth sign for the development.

Review

The following reviews the criteria the Board must use in evaluating Variance requests:

1. If granted, the Variance should not adversely affect the

public health, safety, or welfare, and should not cause a

STAFF REPORT - QUALITY SIGNS-AGENT
NOVEMBER 13, 1991

PAGE 2

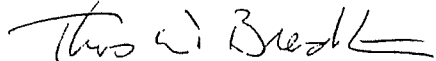
hazard or a nuisance to the public. However, the Board should consider whether a sign of 50 feet and a fifth sign on the property will alter the essential character of the general vicinity or if the Variances will allow an unreasonable circumvention of the requirements of the zoning regulations. The Board must consider the following when making their findings:

- a. Other than the fact that there are now two (2) businesses on the site, staff can find no special circumstances which do not generally apply to land in the general vicinity and give rise to the need for these two (2) Variances;
 - b. Strict application of the zoning regulations would require the applicant to consider increasing the size of existing free-standing signs in order to advertise the self-storage business. The Board must consider whether denial of the Variances for a higher sign and for an additional sign would deprive the owner of the reasonable use of the land or would create an unnecessary hardship on the owner, and;
 - c. The Board must consider whether the circumstances leading to these requests are the result of actions of the applicant taken after the adoption of the current zoning regulations.
2. The Board is required to deny any Variance request which arises out of willful violations of the zoning regulations. Although there is no evidence at this point that the current number of signs violates the regulations, the Board should consider the fact that no permits have been found in the Commission's files. Perhaps by receiving a copy of this letter, the applicant will be prepared at the meeting to address this issue.

Conclusion

Copies of the proposed addition to an existing sign and of the proposed fifth free-standing sign are attached. At this writing, Staff has no recommendation. Perhaps by the meeting date, the issue of past sign permits, or lack thereof, will have been addressed and a final conclusion will be made.

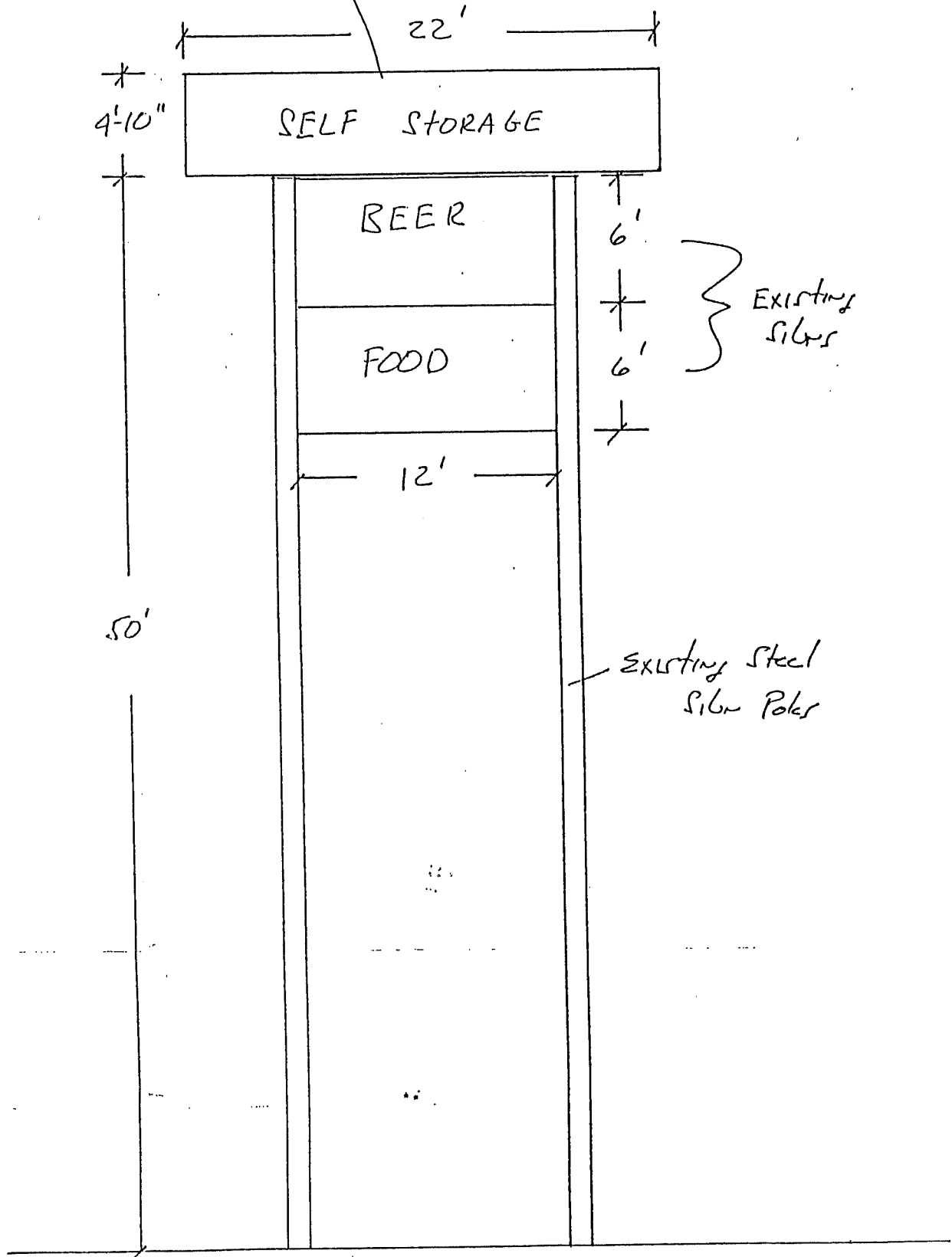
Respectfully submitted,



Thomas W. Breidenstein
Zoning Enforcement Officer

Waco/
Best Self
Storage
11-13-91

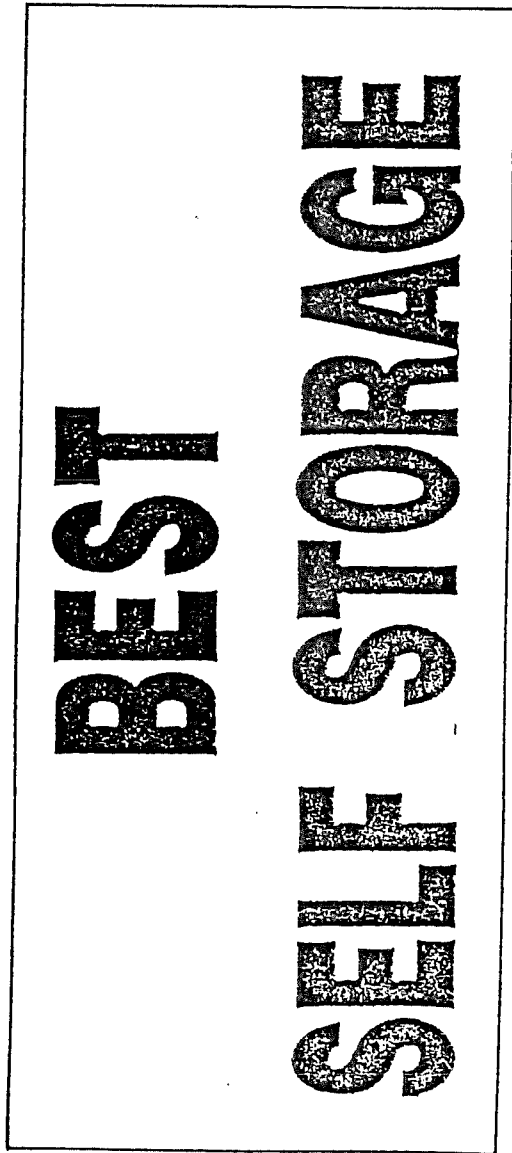
proposed 4' 10" addition to
existing 50' high sign
→ Proposed to Rise Sign



Waco / Best Self Storage 11-13-91

30'
1/2" = 1.0'

10' x 24' wood sign
(proposed location near
detention pond near T-75)



BILLBOARD 1/4" = 1.0'

SCALE:
DATE:

DEST /

WACO SELF-STORAGE REVISED SITE PLAN

JUNE 5, 1991

INTERSTATE 75

November 13, 1991

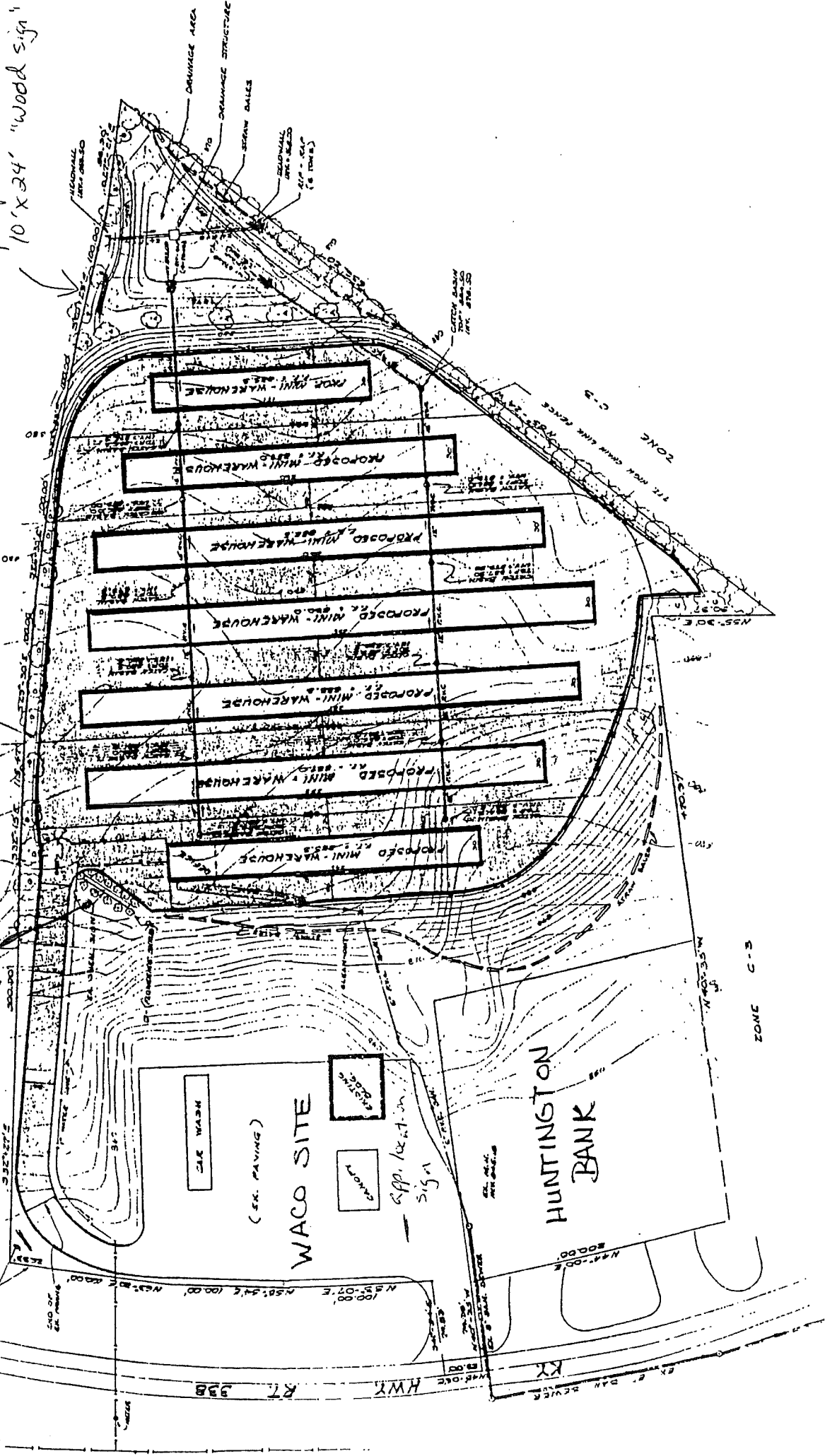
Variance Request

Proposed location
10' x 34' "wood sign"

location of proposed
50' high sign

← I-75 →

app. location
of sign



SUPPLEMENTAL STAFF REPORT

#3

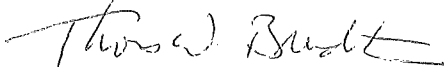
APPLICANT: Quality Signs (agent)
DEVELOPMENT: Best Self Storage
LOCATION: 281 Richwood Road (behind Shell/Waco station)
ZONING: Commercial Services (C-3)
DATE: December 11, 1991

REMARKS:

The applicant is requesting Variances in the height and number of free-standing signs. The 6.57 acre site, located behind the Shell station on Richwood Road, is zoned Commercial Services (C-3) and is owned by Waco Oil and Refining Company, Inc.

The applicant and owner have withdrawn the application. A copy of their letter is attached.

Respectfully submitted,



Thomas W. Breidenstein
Zoning Enforcement Officer

TWB:kat

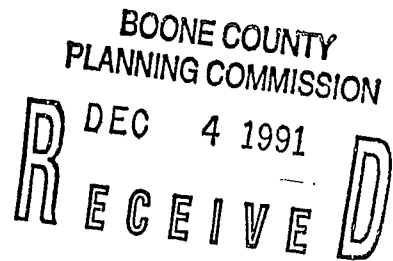


1530 Production Drive
Burlington, KY 41005

(606) 525-9966
(606) 525-0304 (FAX)

December 4, 1991

Boone County Planning Commission
Post Office Box 900
Burlington, Kentucky 41005



Dear Sirs:

We, Quality Signs & Service Co., Inc. and Waco Oil Company are withdrawing our variance application for the two freestanding signs at 281 Richwood Road, Best Self Storage.

Thanks.

Very truly yours,

A handwritten signature in cursive script that reads "Mark Stottman".

MARK STOTTMAN
Vice President

MS/hn