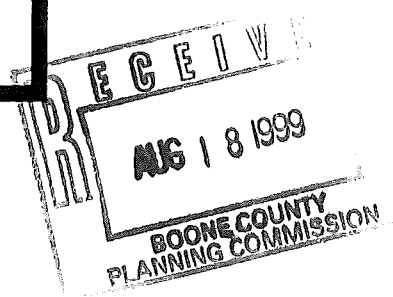


CLAK ✓

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations
SECTION A (To be completed by applicant)

- (Check One)
- Boone _____ Florence _____ Walton _____ Union _____
 - (Check One)
 Conditional Use Permit Variance _____ Appeal _____
 Change in Non-Conforming Use _____
 - Applicant's Name Corporex c/o Rebecca A. Rettenmaier
 Phone Number 606-292-7988 Fax No. 606-292-7985
 Applicant's Address 50 E. RiverCenter Blvd.
Covington, KY 41011
 City State Zip
 - Description of Request: Request for variance on size of
temporary signage from 100 sf to 270 sf
 - Name of Development To be determined
 - Location of Development See attached legal description
 - Acreage Under Review 30.2285 acres
 - Lot Number and Name of Subdivision (if part of a subdivision)
See attached Plat
 - Owner of Property ~~Wickham Rxx Butler~~ CirclePort VI, LLC
 Phone Number of Owner 606-292-5500 _____ 10.
 Address of Property Owner 625 Eden Park Drive, Cincinnati, OH 45202
 City State Zip
 - Proposed Use(s) on Site Commercial Real Estate Development
Specifics TBD
 - Total Square Footage of Existing and/or Proposed Buildings TBD
 - Current Zoning on Property I1
 - Deed Book 745 Page No. 94 Group No. 2022, 522, 570
 - Is the site subject to a zone change? No.
 If yes, give date of approval _____
 - Have you submitted a Site Plan with this request? No
 - Have you submitted a list of adjoining property owners with this request? Yes, See attached
 - I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Rebecca A. Rettenmaier

Property Owner's Signature: Angela J. ... Sr V.P. Products

(over)

FEES TOTAL \$526.00

BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 8-18-99 Fee Received \$526.00 R# 21630
2. Is application complete? _____ Yes _____ No _____
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: ~~None~~ The 270 Square Foot
Temporary sign will be removed when the first
Permanent sign is erected
7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

DEVELOPMENT: Corporex Property
APPLICANT: Rebecca A. Rittenmaier for Corporex
LOCATION: Northeast side of Pleasant Drive
ZONING: Industrial One (I-1)
DATE: September 16, 1999

Proposal

The applicant is requesting a Variance to allow an increase in the square footage of a temporary sign on a 30.23 acre tract that is bound by Interstate 275 to the north, Pleasant Drive to the south, and the Circleport Office Park to the east. The applicant's request is for a Variance that would permit a 270 square foot temporary sign. The request is 170 square feet over what code allows a temporary sign to be as a permitted use.

Dimensional Variance

Article 34, Section 3406 of the Boone County Zoning Regulations lists eight types of signs that do not require a permit for the sign to be erected. The first type of sign that does not require a permit is a one hundred square foot sign, which announces special public or institutional events, the erection of a building, the architect, the builders or contractors. Such signs may be erected for a period of sixty days plus the building construction period.

Variations are appropriate by reason of exceptional narrowness, shallowness, or unusual shape of a site on the effective date of the zoning regulations or amendment thereof or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of the site. The literal enforcement of the above dimensional terms of the zoning regulation would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other land owners in the same zone. The dimensional terms pertaining to height, width and location involve such items as structures, parking space stalls, driveway aisles, and landscape buffers and signs.

Site History

Corporex VI, LLC purchased the Gallenstein Farm property on June 4, 1999.

Conclusion

K.R.S. 100.241 gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a Variance to increase the size of a temporary sign. Staff agrees that the request for 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 nuisance to the public, and will not allow an unreasonable circumvention of the zoning regulations. This opinion is based on the fact that the sign is temporary, the topography of the site, and the proximity to I-275,

Respectfully Submitted,

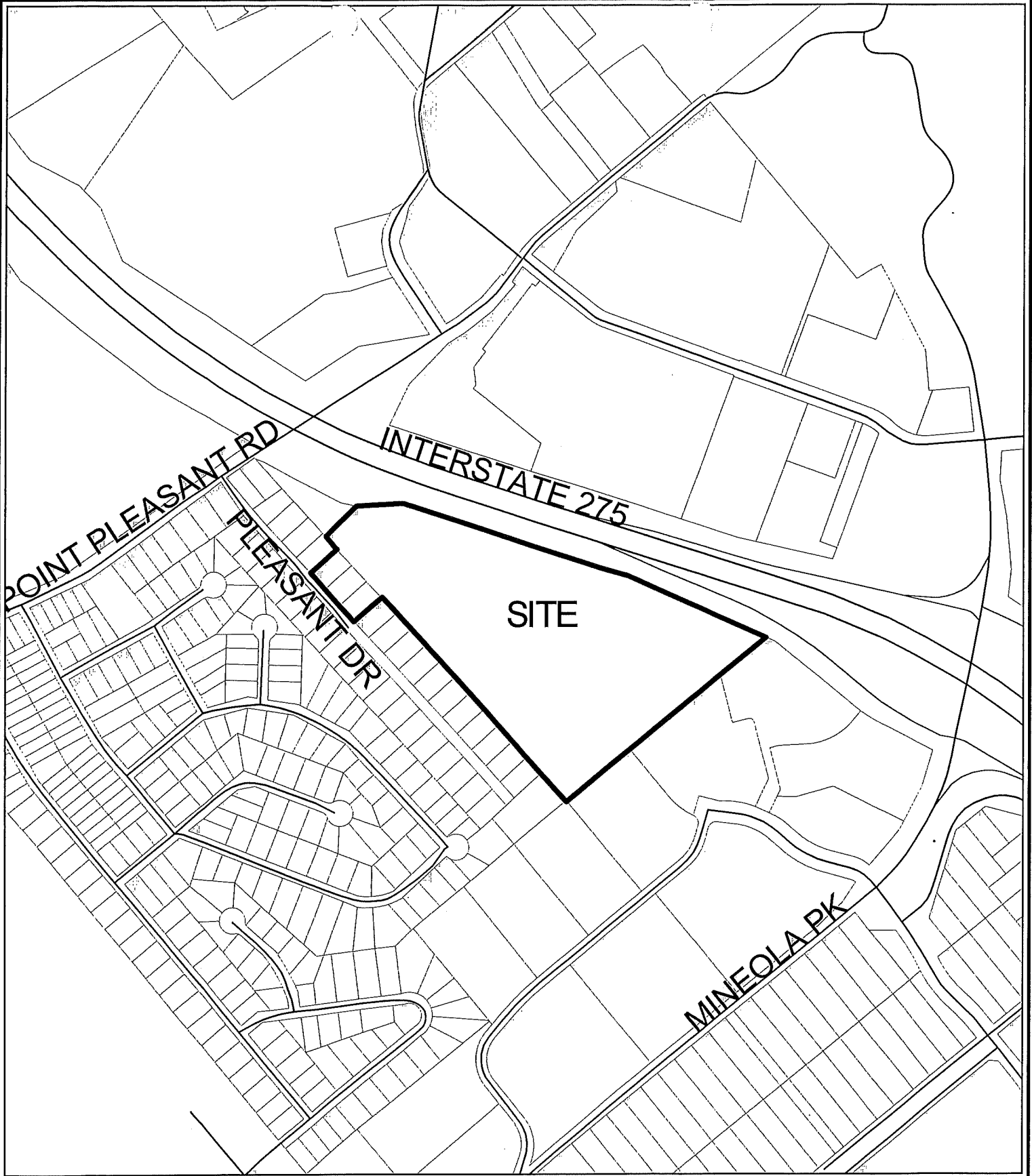


Todd K. Morgan
Planner

TKM/pr

Attachments

- Site Vicinity Map
- Plat with Proposed Sign Location
- Zoning Map

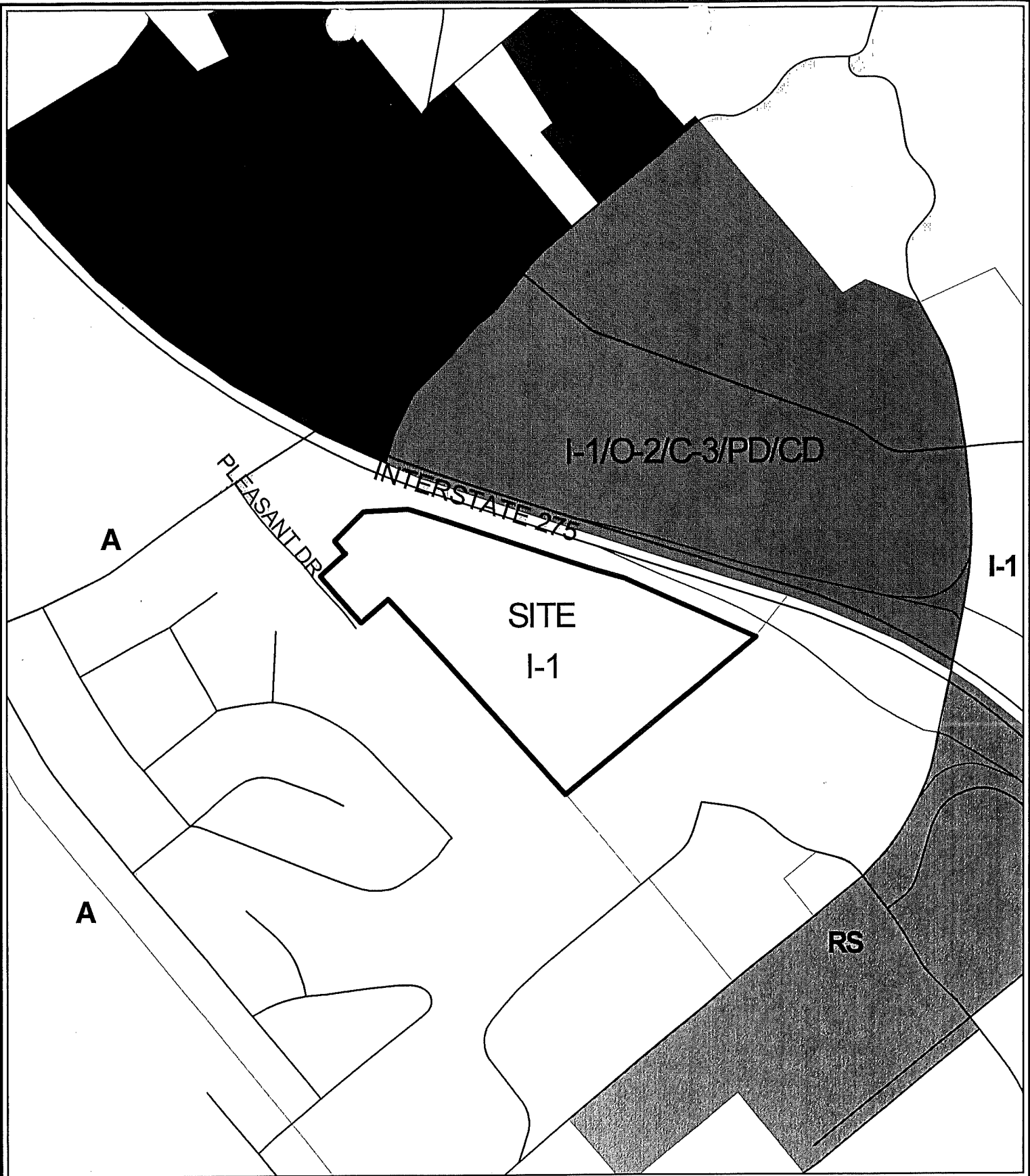


Corporex Site Vicinity Map

600 0 600 Feet

1 inch equals 600 feet
Produced by the
Boone County Planning Commission
GIS Services Division
September 7, 1999





Corporex Zoning Map

625 0 625 Feet

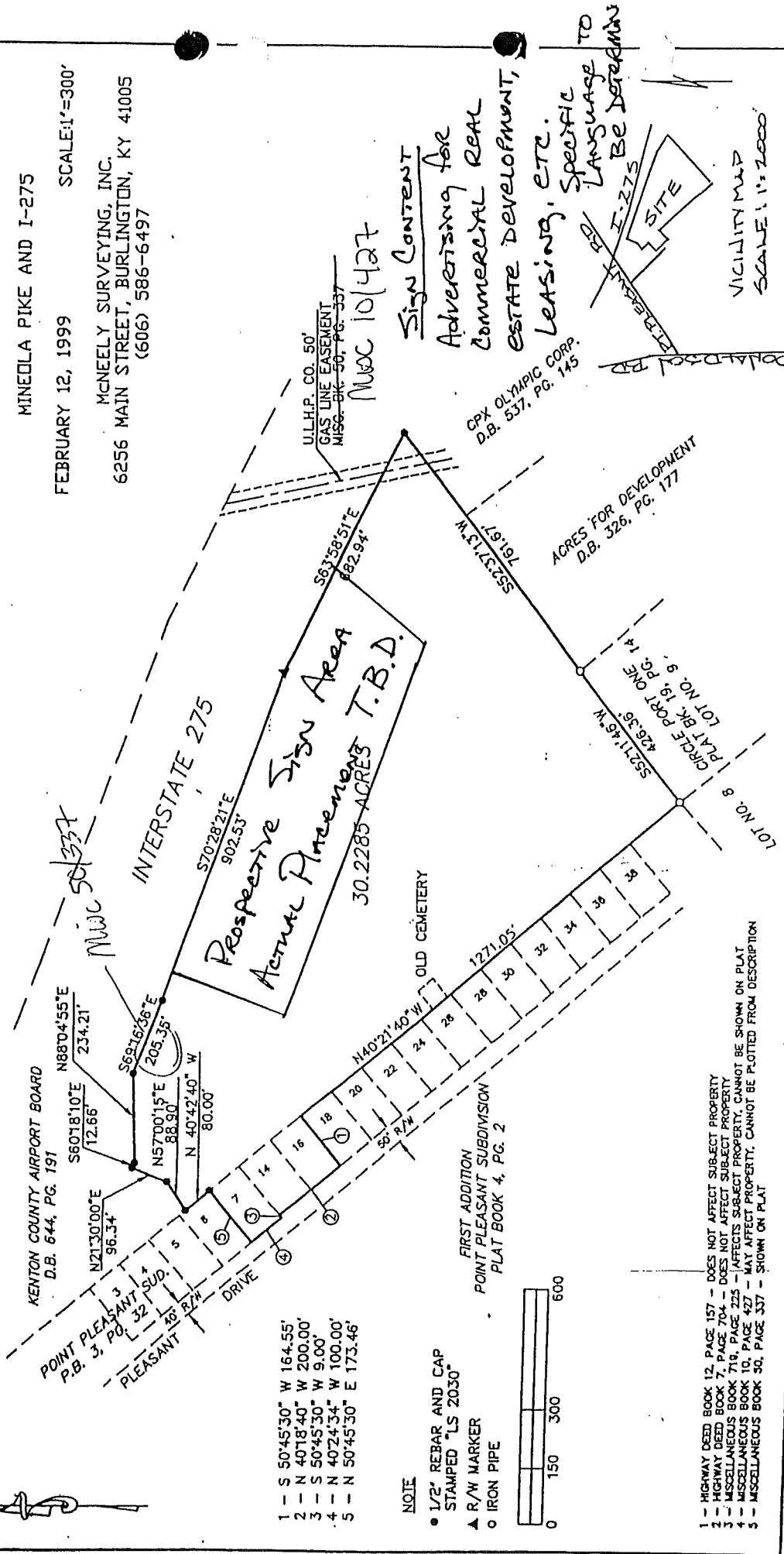
1 inch equals 625 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 September 7, 1999



PLAT OF LAWRENCE GALLENSTEIN PROPERTY
 BOONE COUNTY KENTUCKY

MINEOLA PIKE AND I-275 SCALE: 1"=300'
 FEBRUARY 12, 1999
 MCNEELY SURVEYING, INC.
 6256 MAIN STREET, BURLINGTON, KY 41005
 (606) 586-6497

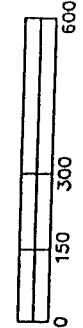
NOTE: THIS PLAT IS BASED UPON A FIELD SURVEY
 MADE BY THOMAS R. MCNEELY, L.S. 2030, 9/5/97.



- 1 - S 50°45'30" W 164.55'
- 2 - N 40°18'40" W 200.00'
- 3 - S 50°45'30" W 9.00'
- 4 - N 40°24'34" W 100.00'
- 5 - N 50°45'30" E 173.46'

NOTE

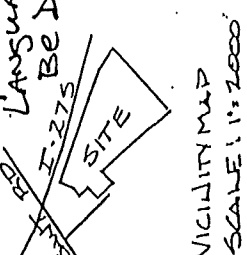
- 1/2" REBAR AND CAP
 STAMPED "LS 2030"
- ▲ R/W MARKER
- IRON PIPE



FIRST ADDITION
 POINT PLEASANT SUBDIVISION
 PLAT BOOK 4, PG. 2

- 1 - HIGHWAY DEED BOOK 12, PAGE 157 - DOES NOT AFFECT SUBJECT PROPERTY
- 2 - HIGHWAY DEED BOOK 7, PAGE 704 - DOES NOT AFFECT SUBJECT PROPERTY
- 3 - MISCELLANEOUS BOOK 719, PAGE 225 - AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN ON PLAT
- 4 - MISCELLANEOUS BOOK 10, PAGE 427 - MAY AFFECT PROPERTY, CANNOT BE PLOTTED FROM DESCRIPTION
- 5 - MISCELLANEOUS BOOK 30, PAGE 337 - SHOWN ON PLAT

Sign Content
 Advertising for
 Commercial Real
 Estate Development,
 Leasing, etc.
 Specific
 Language to
 be determined



NWIC 50/337

NWIC 10/427

ULL.H.P. CO. 50'
 GAS LINE EASEMENT
 MISC. BK. 50, PG. 337

8% OLYMPIC CORP.
 D.B. 537, PG. 145

ACRES FOR DEVELOPMENT
 D.B. 326, PG. 177

LOT NO. 8
 PLAT BK 19, PG. 14

LOT NO. 9
 PLAT BK 19, PG. 14

LOT NO. 8
 PLAT BK 19, PG. 14

LOT NO. 9
 PLAT BK 19, PG. 14

LOT NO. 8
 PLAT BK 19, PG. 14

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 PLAT BK 19, PG. 14

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LOT NO. 9
 PLAT BK 19, PG. 14

LOT NO. 8
 PLAT BK 19, PG. 14

LOT NO. 9
 PLAT BK 19, PG. 14

COPY

CLUR # 99-BCBOA-019-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Circleport VI, LLC
625 Eden Park Drive
Cincinnati, Ohio 45202

2. ADDRESS OF PROPERTY

Pleasant Drive
Boone County, Kentucky

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

3. DEED Bk #745

PAGE #94

GROUP #2022

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

___ Zoning Map Amendment:
From ___ To ___

___ Conditional Use Permit

___ Development Plan

___ Conditional Zoning

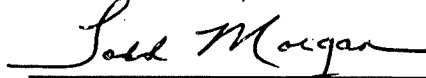
___ Subdivision Plat
(Not Recorded)

___ Other:

X 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



SIGNATURE OF COMPLETING OFFICIAL

Todd Morgan, Planner, Zoning Services
Name and Title of Completing Official

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of September 16, 1999 Certificate of Land Use Restriction (#99-BCBOA-019-A), for Circleport VI, LLC.,
Property Owners.

The following conditions will apply:

The 270 square foot temporary sign will be removed when the first permanent sign is erected.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 745

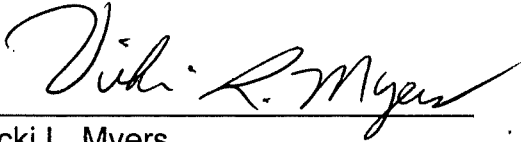
PAGE NO. 94

Group No. 2022

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

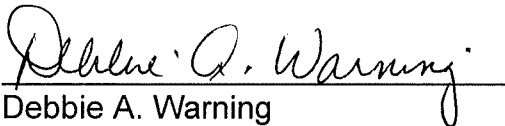
Subscribed, sworn to, and acknowledge before me by Todd Morgan on behalf of the
Boone County Planning Commission this 1 day of October, 1999.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning
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.)