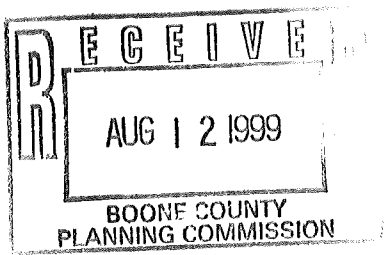


APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- 1. (Check One) Boone [checked] Florence [ ] Walton [ ] Union [ ]
2. (Check One) Conditional Use Permit [ ] Variance [ ] Appeal [ ]
Change in Non-Conforming Use [checked]
3. Applicant's Name Clayton Homes, Inc.
Phone Number (606) 371-2140 Fax No. (606) 371-2145
Applicant's Address 10833 Dixie Hwy
Walton Ky. 41094
City State Zip
4. Description of Request: Requesting a permit to replace a current sign with a 133 square ft 22'3" high pole sign.
5. Name of Development Clayton Homes
6. Location of Development 10833 Dixie Hwy
Walton, Ky 41094
7. Acreage Under Review 6.30 acres
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property Clayton Homes
Phone Number of Owner (606) 371-2140
Address of Property Owner Walton Ky 41094
City State Zip
10.
11. Proposed Use(s) on Site Advertisement
12. Total Square Footage of Existing and/or Proposed Buildings N/A
13. Current Zoning on Property C-3
14. Deed Book 582 Page No. 230 Group No.
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. 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: [Signature]
Property Owner's Signature: [Signature]

(over)

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 Aug 12, 99 Fee Received 538.00 R# 21574
- 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: \_\_\_\_\_
- 7. Reasons for Denial: Proposal is more non-conforming than existing use

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

**APPLICANT:** Gary Gambrel on behalf of Clayton Homes  
**LOCATION:** 11139 Dixie Highway, Boone County, Kentucky  
**ZONING:** Commercial Services (C-3)  
**DATE:** September 8, 1999

### Proposal

The applicant is requesting a Conditional Use Permit for an off-premises sign, and two (2) Variances on the minimum 100 foot setback requirement from the right-of-way lines of Dixie Highway and Old Richwood Road at 11139 Dixie Highway, Boone County, Kentucky. The proposed dimensions of the off-premises directional sign are 12' x 40', for a total square footage of 480 square feet. The sign will be painted on the side of the building facing Old Richwood Road, and will contain advertising matter that will direct attention to pedestrian traffic at the intersection. The sign will be visible at a 30 degree angle from Old Richwood Road, and a 45 degree angle from Dixie Highway. The applicant is requesting a Variance on the 100 foot minimum setback requirement from the right-of-way lines of Old Richwood Road and Dixie Highway, and is proposing a setback of 68'-10" from the centerline of Dixie Highway, for a Variance of 31 feet, and a setback of 53' from the centerline of Old Richwood Road, for a Variance of 47 feet.

The Board of Adjustment and Zoning Appeals may permit an off-premises sign as a conditional use in the Commercial Services (C-3) zoning district. An off-premises sign, as a conditional use, shall conform, at minimum, to the following requirements:

- a. No sign shall be larger than one thousand six hundred (1,600) square feet and no linear dimension shall exceed one hundred (100) feet;
- b. The maximum height of any sign shall not exceed fifty (50) feet;
- c. All signs shall be located at least six hundred and sixty (660) feet from the right-of-way lines of any interstate highways and at least one hundred (100) feet from the right-of-way lines of any other thoroughfares;
- d. Off-premises signs shall not be permitted at intervals of less than one thousand seven hundred and sixty (1,760) feet, measured along the centerline of each interstate highway or thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.

Application and Standards for Variances

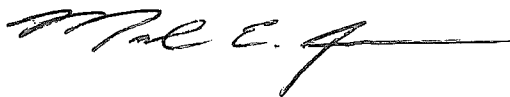
The Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A Variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of K.R.S. 100.241 to 100.247.

Variances are appropriate 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 above dimensional terms 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 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 landscaped buffers and signs (excepting the number of signs). Lot frontages, the size of yards and open spaces refer to minimum yard dimensions such as building setbacks.

Conclusion

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 nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Respectfully Submitted,

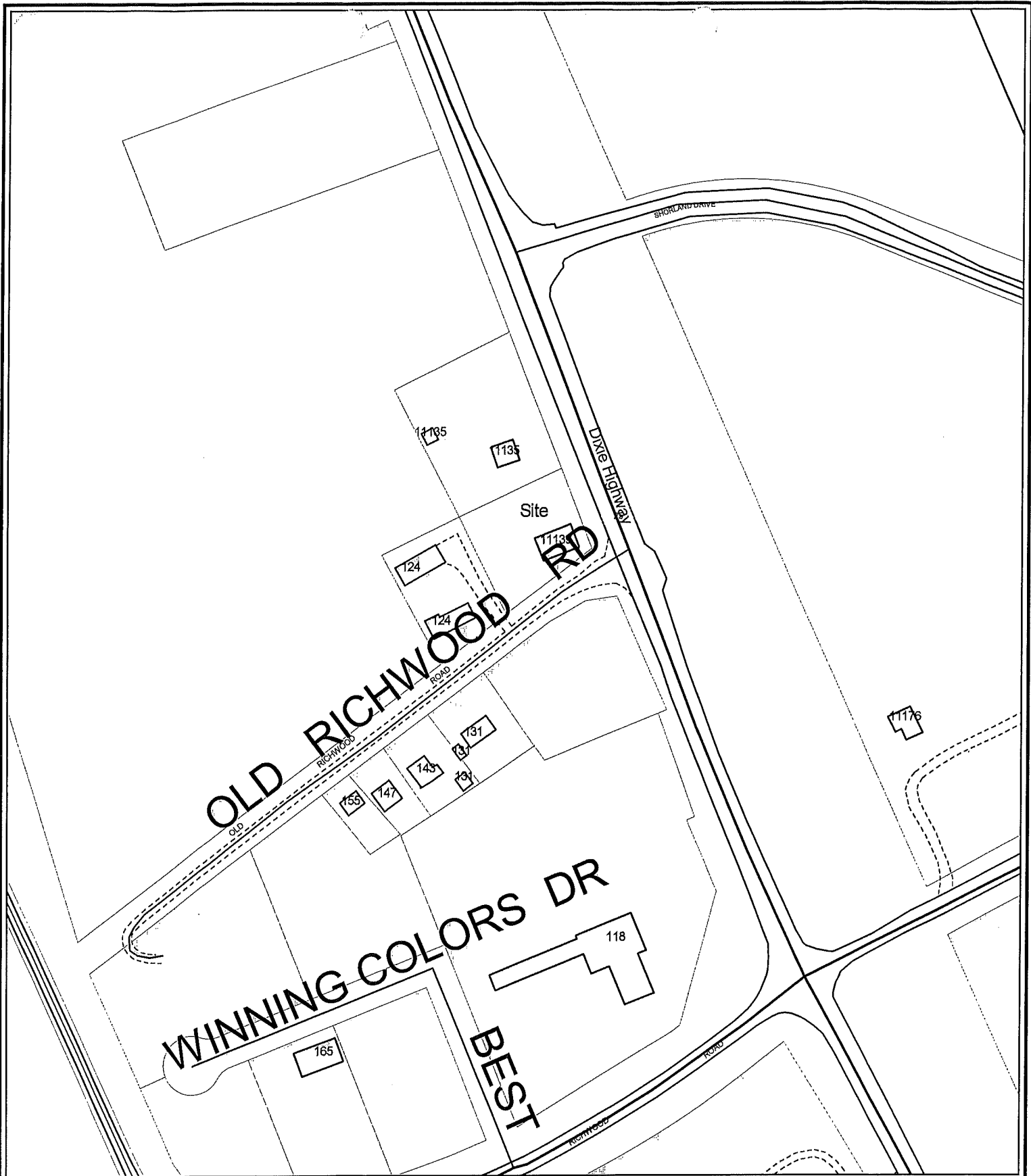


Mark E. Jordan  
Planner

MEJ\pr

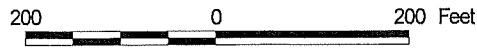
Attachments

- Site Vicinity Map
- Zoning Map
- Plot Plan of property
- Applicant's drawing of proposed off-premises sign, including proposed setbacks



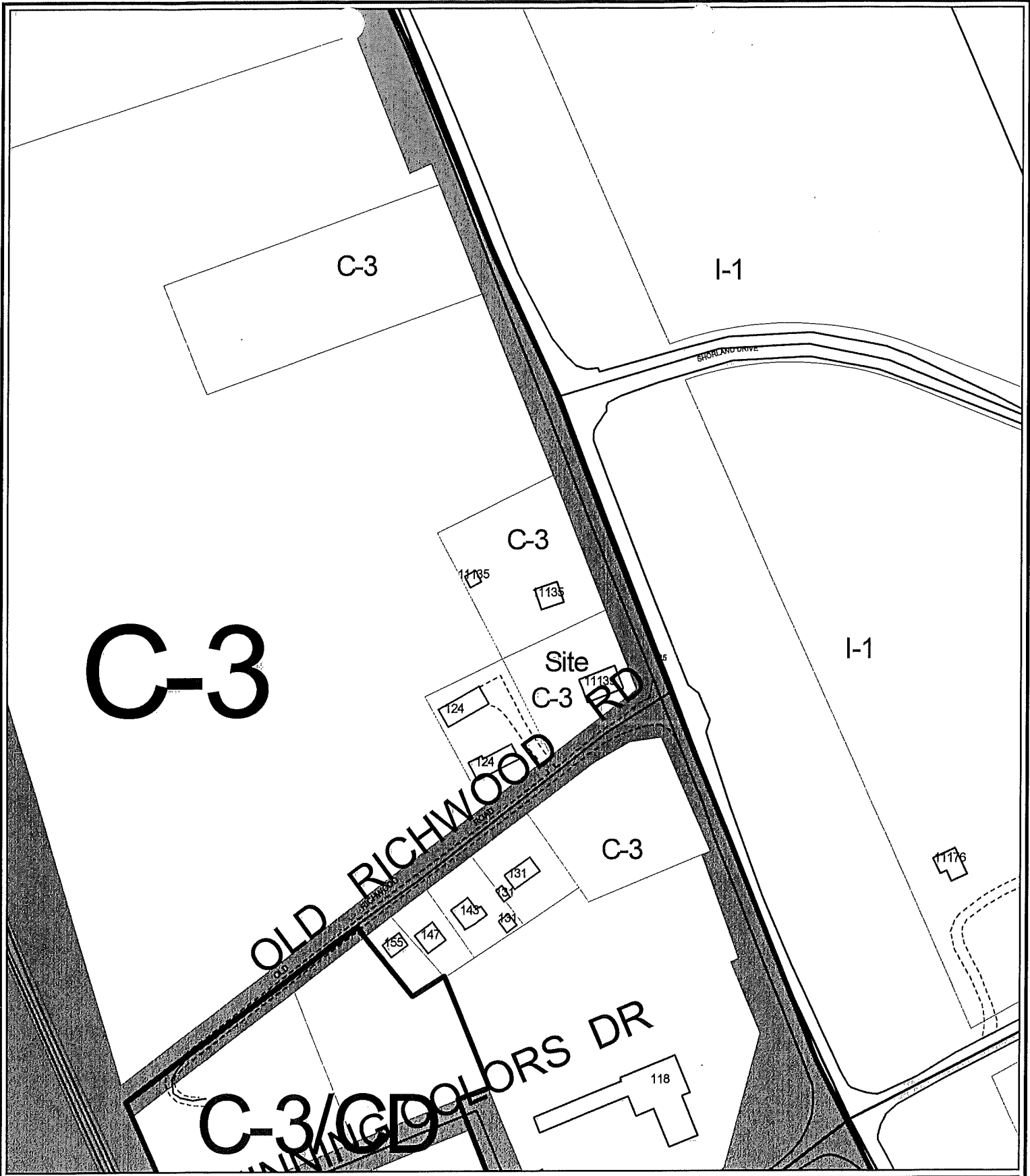
# Site Vicinity Map

## 11139 Dixie Highway



1 inch equals 200 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 August 24, 1999





# Zoning Map

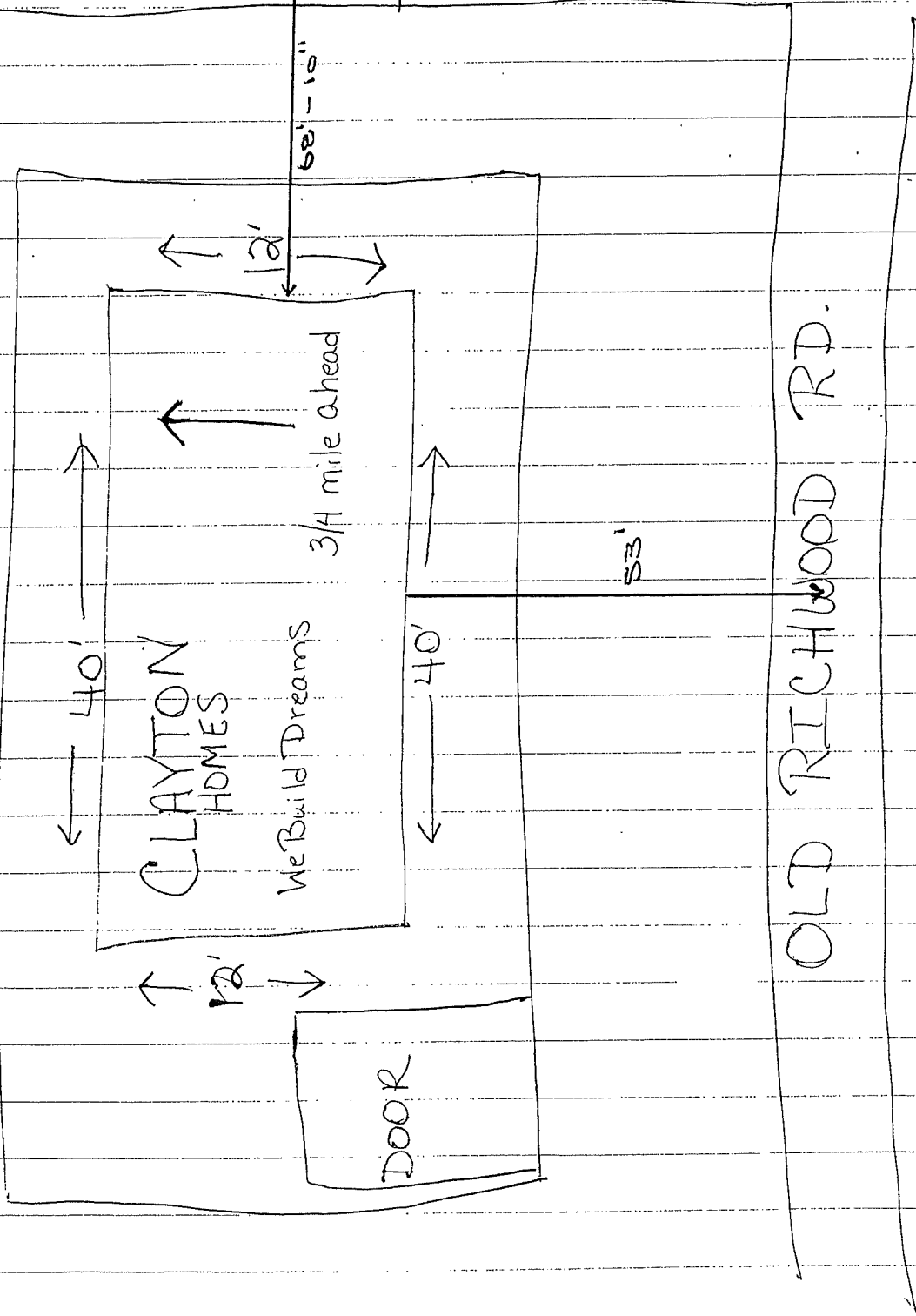
## 11139 Dixie Highway



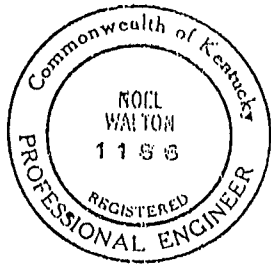
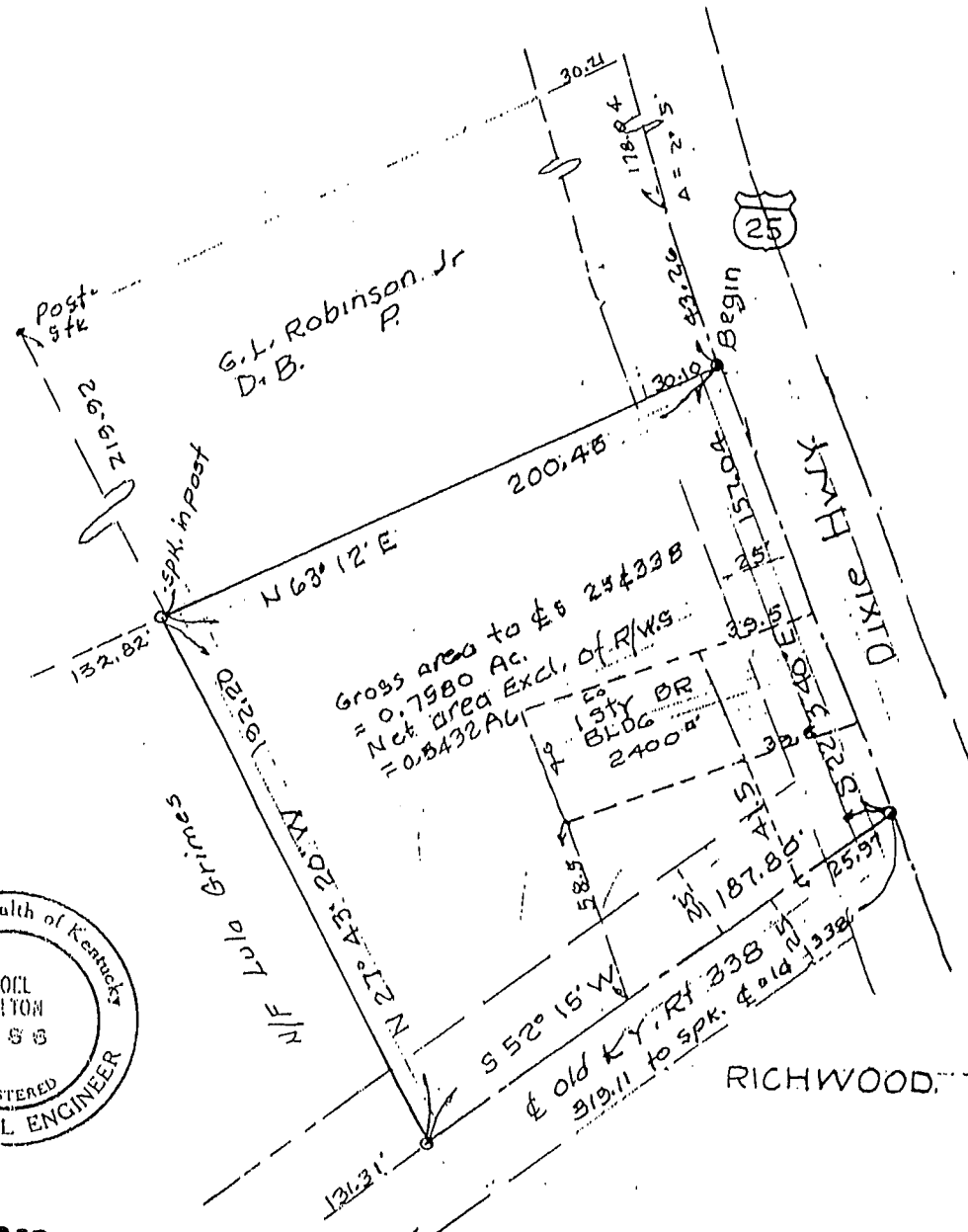
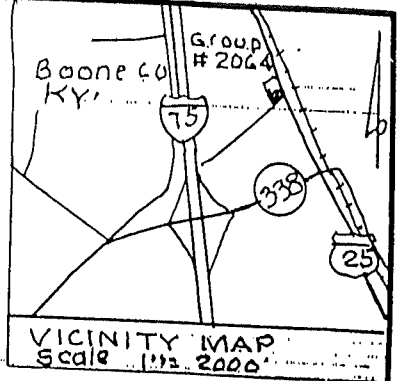
1 inch equals 200 feet  
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 Boone County Planning Commission  
 GIS Services Division  
 August 24, 1999



US 25  
Dixie Hwy



OLD RICHWOOD RD.



SCALE: 1" = 50'	APPROVED BY: F.B. 172/18	DRAWN BY
DATE: 11-21-88		REVISED
All 0.065 AC. D.B. 80/484 & 1 AC. D.B. 145/82 & Will Gaines L. Robinson to opal Robinson		
		DRAWING NUMBER