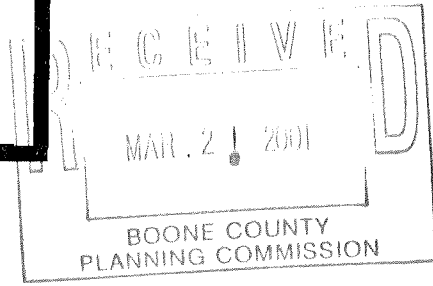


01-1-BoA-003-A

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 [X] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [X] Variance _____ Appeal _____
3. Applicant's Name Pac Sign Co., Inc
Phone Number 800-234-8797 Fax No. 800-581-6348
Applicant's Address 383 W. State St
Birmingham NY 13901
City State Zip
4. Description of Request: sign is over 8 ft, allowed due to error in recorded size of hilly frontage (From 90 FE2 to 107.7 FE2)
5. Name of Development - Casual Male Big & Tall
6. Location of Development - 7634 Mall Rd Florence, KY
7. Acreage Under Review - 11.0746
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property North American Prop.
Phone Number of Owner (513) 721-2744
Address of Property Owner 212 E. Third St Suite 300 Cincinnati, OH 45202
City State Zip
11. Proposed Use(s) on Site No change
12. Total Square Footage of Existing and/or Proposed Buildings NA sign
13. Current Zoning on Property C2
14. Deed Book 594 Page No. 174 Group No. 2040B?
15. Is the site subject to a zone change? no
16. Have you submitted a Site Plan with this request?
17. Have you submitted a list of adjoining property owners with this request?
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: Joanne R. Clester

Property Owners Signature: letter to be overnighted 2/21/01

(over)

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

A 36.00 *3/26/01*
RA 27192
A 496.00 RA 27147

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

- 1. Date Received 3-24-01 Fee Received 496.00
- 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: ① IF the sign is replaced by the existing
Tenant ~~sign~~ OR a new tenant, the sign must be brought
into compliance with the Boone County Zoning Regs.

- 7. Reasons for Denial: _____
- _____
- _____

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41006
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail**

www.boonecountyky.org

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: Pac Sign Company, Inc.
LOCATION: 7634 Mall Road,
Florence, Kentucky
ZONING: Commercial Two (C-2)
DATE: April 11, 2001

Proposal

The applicant is requesting a variance to allow the size of a building mounted sign to be increased to approximately 107.7 square feet on the front elevation of the Casual Male Big and Tall Store (formerly the Men's Warehouse). The building where the sign is mounted is located in the Village at the Mall shopping center at 7634 Mall Road, Florence, Kentucky. The site, containing 11.076 acres, is zoned Commercial Two (C-2) and is within the Mall Road Commercial Sign District. The applicant submitted Exhibits A through F as part of the application.

Exhibit A – Letter from Patti Bailey, North American Properties

Exhibit B – Letter from Joanne K. Austin, Pac Sign Company, Inc.

Exhibit C – Property Deed

Exhibit D – Sign Dimensions and Photograph

Exhibit E – List of adjacent property owners

Exhibit F – Aerial photograph showing building location.

Applicable Regulations

Article 2, Section 250 of the Boone County Zoning Regulations states that 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 the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247. However, the Board shall not possess the power to grant a variance to permit a use of land, building, or structure, which is not permitted by the zoning regulation in the zone in question, or to alter the density requirements in the zone in question.

Article 34, Section 3405 of the Boone County Zoning Regulations states that sign permits are required for all signs except those noted in Section 3406.

Article 34, Section 3441 of the Boone County Zoning Regulations establishes the Mall Road Sign District and states the following concerning building mounted signage.

“Independent buildings or individual establishments with direct frontage on, or unobstructed visibility from, Mall Road shall not be permitted individual free-standing signs but shall *be permitted one (1) building mounted sign, with a maximum sign of two (2) square feet per lineal foot of building width*, for each wall with direct visibility from Mall Road, a secondary access road, or areas of major internal traffic circulation. Under no circumstances shall an establishment be allowed more than four (4) building mounted signs.”

Findings Necessary for Variance

The Board should evaluate the applicant’s request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. 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 a nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations. In making these findings, the Board shall consider whether:
 - a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - b. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Surrounding Land Uses and Zoning

The existing building where the Casual Male Big and Tall Store is located is divided into separate retail areas within the Village at the Mall shopping center and currently contains Pier One, Rack Room Shoes, Sprint, Original Mattress, Beneficial, Honey Baked Ham, Michaels, and Drug Emporium. To the north of the shopping center is Guardian Savings Bank also zoned Commercial Two (C-2). The Mall Access Road is located to the east of the site. Sears located in Florence Mall is located to the south and is zoned Commercial Two (C-2). Chuck E. Cheese’s, Pearle Vision, and The Men’s Warehouse is located to the west of the site (across Mall Road) and is also zoned Commercial Two (C-2).

Staff Concerns/Comments

1. The previous tenant of the existing store applied for and obtained a permit for a 104 sq. ft. (3 x 34.84’) sign advertising the Men’s Warehouse on January 29, 1996. The permit was granted on the basis that the applicant had stated that the portion of the building occupied by the business had a width of fifty-five (55’) lineal feet. Given this dimension, the maximum allowable size for a sign at this location was 110 square

feet in accordance with Article 34, Section 3441 of the Boone County Zoning Regulations. However, upon removal of the old sign and request for a permit for the installation of a new sign containing 107.7 square feet, it has come to the attention of the Boone County Planning Commission that the width of the building is only forty (40') lineal feet. Therefore, the maximum allowable square footage for the sign is eighty (80) square feet. At the present time, the applicant has erected a 107.7 square foot sign without a permit. This sign is 27.7 square feet or 34.6% over the maximum allowed in this district.

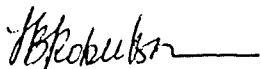
2. While the style of the sign is consistent with the other signs located in the shopping center, the size of the sign is noticeably larger in scale. As such, the sign has the potential to detract from the existing character of the area. The 2000 Boone County Comprehensive Plan states that, "The visual appearance of commercial areas in general, and of Mall Road in particular, should be enhanced through the design of buildings, landscaping, **signs**, and arrangement of buildings. Attention to the aesthetic impacts of proposed developments should be a part of all phases of the review process."

Conclusion

KRS 100.237 and Section 250 of the Boone County Zoning Regulations gives the Florence Board of Adjustment and Zoning Appeals the authority to grant the applicant's request for a variance in order to increase the size of a sign located within a Commercial Two (C-2) district if the findings contained in Article 2, Section 251 can be made by the Board.

It is the staff's opinion that a 34.6% sign variance will not adversely affect the public health, safety, or welfare or cause a hazard or nuisance. However, the size of the sign has slightly altered the essential character of the general vicinity. In addition, the erection of the sign without a permit is in direct violation of Article 34, Section 3470 of the Boone County Zoning Regulations. Therefore, the Board must determine whether the request for the variance is the result of a willful violation of the zoning regulations or if a misunderstanding of the regulations based upon a previously issued permit and subsequent enforcement of the regulations will create an unnecessary hardship on the applicant.

Respectfully submitted,



Lara B. Robertson, AICP

Attachments:

Exhibit A – Letter from Patti Bailey, North American Properties

Exhibit B – Letter from Joanne K. Austin, Pac Sign Company, Inc.

Exhibit C – Property Deed

Exhibit D – Sign Dimensions and Photograph

Exhibit E – List of adjacent property owners

Exhibit F – Aerial photograph showing building location.

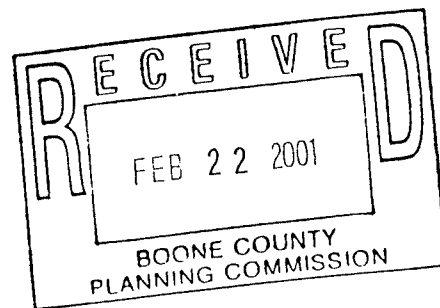
Exhibit G – Location/Zoning Map

NORTH AMERICAN PROPERTIES



Agent for B & J Development Co.

February 21, 2001



Boone County Planning Commission
Attn: Todd Morgan
2995 Washington St.
Burlington, KY 41005

Re: Casual Male sign
Village at the Mall

Dear Mr. Morgan:

Please use this letter as permission for PAC Sign Co. Inc., who is under contract to install signage for J. Baker, Inc. dba Casual Male Big & Tall, to apply for a sign variance for the leased premises located at 7634 Mall Road.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

Patti Bailey
North American Properties
Agent for B & J Development Co.

If it's a sign, we make it!



383 West State Street
PO Box 2490
Binghamton, NY 13902

TEL: 607-723-2853
800-234-8797

FAX: 607-723-6348
800-581-6348

E-MAIL: PacSign@aol.com

*"Serving you
since 1950"*



A division of PAC Sign Co., Inc.



A division of PAC Sign Co., Inc.



A division of PAC Sign Co., Inc.

Exhibit B

February 21, 2001

Boone County Planning Commission
ATTN: Todd Morgan
2995 Washington Street
Burlington, KY 41005

RE: Casual Male Big & Tall
The Village at the Mall
7634 Mall Road

Dear Todd:

Enclosed please find the following items for the sign at the above referenced location.

- * Completed Variance Application
- Color copy of proposed signage
- Check for \$496.00
- LL letter will be overnighted from them
- * Abutters list requested should fax tomorrow

If you need anything further, please do not hesitate to call.

Sincerely,

Joanne K. Austin
Permit Expeditor

NOV 594 178

STATE OF _____
 COUNTY OF _____
 The foregoing instrument was acknowledged before me this _____ day of _____ 19____
 by _____
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____ 19____

STATE OF _____
 COUNTY OF _____
 The foregoing instrument was acknowledged before me this _____ day of _____ 19____
 by _____
 of _____
 CHIEF CLERK, on behalf of the corporation.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____ 19____

STATE OF OHIO)
 COUNTY OF HAMILTON)
 The foregoing instrument was acknowledged before me this 29th day of December 19____
 by Andrew S. Madrell, Vice President
 S. J. DEVELOPMENT CO.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 29th day of December 19____
 This instrument was prepared by: THE FIFTH THIRD BANK
 (Name of Bank)
 The conditions of this mortgage having been complied with, this same is duly paid, annulled and discharged. Said mortgage recorded in Mortgage Book _____ Page _____ of the _____ County, _____ Record.

STATE OF KENTUCKY,)
 COUNTY OF BOONE,)
 I, JERRY W. ROUSE, CLERK OF THE COUNTY COURT IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WAS, ON THE 17 DAY OF January, 19 90, AT 9:00 A. M. LOGGED IN MY OFFICE FOR RECORD, WHEREUPON THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED IN MY OFFICE.
 GIVEN UNDER MY HAND, THIS THE 17 DAY OF January 19 90.
 JERRY W. ROUSE, CLERK
 BY Doris Collins, D.C.

PREPARED BY:
 Fred L. Darlington
 Attorney-at-Law

RECORDED:
 2500 Cabinet Knob
 201 E. 5th St.
 P.O. Box 575
 Cov. O. 45201-575

TILED 17 DAY OF Jan 90
 AT 9:00 AM
 RECORDED IN BOOK 594 PAGE 174
 RD 594

James H. Rouse
 19 90

TO
 THE FIFTH THIRD BANK
 Branch of Bank
 FROM
 S. J. DEVELOPMENT CO.
 MORTGAGE

NW 594 and 176

DEEDS

Page 2448

October 1, 1939

THE RECORD AT THE WELL

Witnessed in the State of Kentucky, County of Boone, in the City of Parkersburg, this 1st day of October, 1939.

Notarially in the presence of my true and lawful witnesses, I have seen the parties to the foregoing instrument, to-wit: James H. Hays and John H. Hays, both of whom are of legal age, sound mind and memory, and who are not under any legal disability, and who have acknowledged to me the execution of the foregoing instrument as their free and voluntary act and deed.

Witness my hand and the seal of my office at Parkersburg, West Virginia, this 1st day of October, 1939.

Three Books 87-21-40P East a distance of 113.41 feet to a point in the westerly right of way line of Lewis Road 711

Three Books 87-21-40P East a distance of 143.21 feet

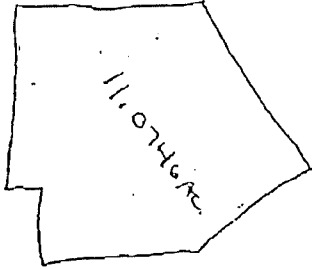
Three Books 87-21-40P East a distance of 143.21 feet

Three Books 87-21-40P West a distance of 318.21 feet

Three Books 87-21-40P West a distance of 318.21 feet

CONTRARY TO LAW

NOTICE TO REMOVE AND RESTRICTIONS OF RECORD.



1. THE UNDERSIGNED HAVE HEREBY RECEIVED AND ACCEPTED THE DEED OF GIFT FROM THE DONOR, TO-WIT: James H. Hays and John H. Hays, both of whom are of legal age, sound mind and memory, and who are not under any legal disability, and who have acknowledged to me the execution of the foregoing instrument as their free and voluntary act and deed.

2. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

3. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

4. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

5. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

6. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

7. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

8. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

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10. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

11. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

12. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

13. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

14. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

15. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

16. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

17. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

18. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

19. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

20. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

21. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

22. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

23. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

24. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

25. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

26. THE DEED OF GIFT IS VALID AND EFFECTIVE FROM THE DATE OF ITS EXECUTION, AND THE DONOR HAS NO FURTHER INTEREST IN THE PROPERTY DESCRIBED IN SAID DEED.

NOTARIAL PUBLIC
J. L. STEVENSON, JR., Notary Public
Boone County, West Virginia

Witness my hand and the seal of my office at Parkersburg, West Virginia, this 1st day of October, 1939.

Witness my hand and the seal of my office at Parkersburg, West Virginia, this 1st day of October, 1939.

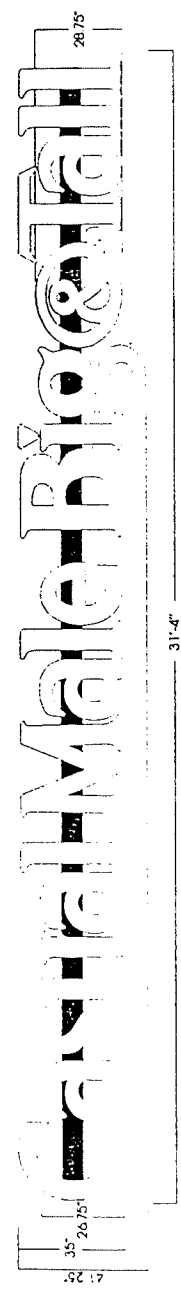
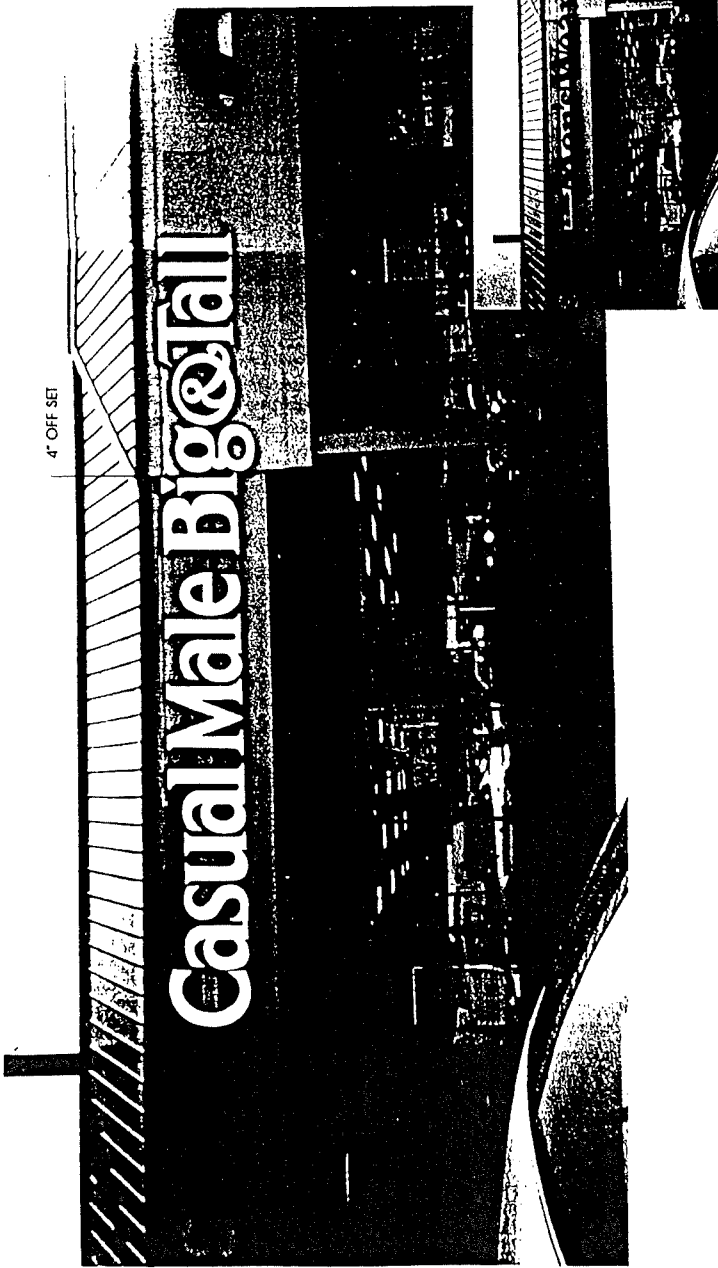
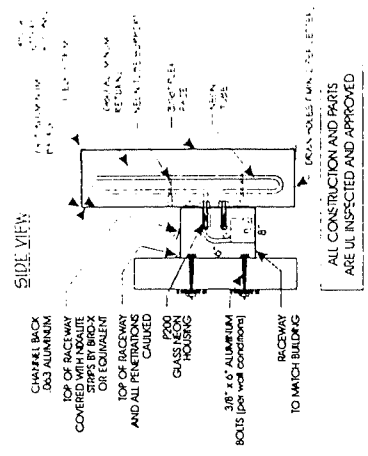
Witness my hand and the seal of my office at Parkersburg, West Virginia, this 1st day of October, 1939.

Witness my hand and the seal of my office at Parkersburg, West Virginia, this 1st day of October, 1939.

SPECIFICATIONS

FACES - ROHM AND HASS 2037 YELLOW
 RETURNS - BRONZE
 EDGE TRIM - BRONZE
 RACWAY TO MATCH BUILDING

13MM NEON 6500 WHITE
 60 MA TRANSFORMERS



JOB #		DRAWING # 5981		LANDLORD APPROVED
DRAWN:	CHECKED:	DATE:	SCALE:	CLIENT APPROVED
SW		09/11/00	NTS	
RH		12/28/00		
SW		01/25/01		
LOCATION: Coastal Mole Big & Tall The Village at the Mall Mall Road, Florence, KY		DRAWING TITLE JBA-MERC-SMALL28		NOTES: Appendix 107.751
SALES AGENT		PROJECT MANAGER: DAN PITTS		

PAC
Signs Co. Inc.
 P.O. Box 2400
 383 West State Street
 Binghamton, N.Y. 13902
 PHONE (607)723-2853 FAX (607)723-6348
 PHONE (800)234-5797 FAX (800)561-6348

Not to be used for any purpose without written permission of PAC

31'-4"

INQUIRE SCREEN

F1 Help

Work File

F2 Next Property #

F6 Assmt Dates

F3 Prev Property #

ACCOUNT # 2199090 PROPERTY # 01

TAX DIST 03

NAME 1 WESTERN SOUTHERN LIFE INS CO MAP # 62T-1

NAME 2 C/O REAL ESTATE DEPT SALE PRICE

ADDRESS 400 BROADWAY DEED BOOK # 292 -186

C/S ZIP CINCINNATI, OH 45202 DATE OF SALE 00/00

PREV OWN MORTGAGE # -

PROP LOC 2028-MALL RD DATE INSPECTED 02/20/01 BY CFR

DESCRIPT MALL RD 62.13554 AC DATE ASSESSED 12/31/00

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	62,135,600 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

PRESS ENTER FOR
ACCOUNT SEARCH SCREEN

INQUIRE SCREEN

F1 Help

Work File

F2 Next Property #

F3 Prev Property #

ACCOUNT # 1196100 PROPERTY # 02

TAX DIST 03

NAME 1 LEHMANN, BRADLEY TRUSTEE MAP # 61-121A

NAME 2 DODGLELAND OF FLORENCE SALE PRICE

ADDRESS 8025 ACTION BLVD DEED BOOK # 589 -163

C/S ZIP FLORENCE, KY 41042 DATE OF SALE 00/00

PREV OWN MORTGAGE # -

PROP LOC -ACTION BLVD DATE INSPECTED 03/09/99 BY THC

DESCRIPT AUTOMANAGE SUB #2A-R (1.771 AC) DATE ASSESSED 03/09/99

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	221,400 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

PRESS ENTER FOR
ACCOUNT SEARCH SCREEN

INQUIRE SCREEN

F1 Help

Work File

F2 Next Property #

F3 Prev Property #

ACCOUNT # 242900 PROPERTY # 01

TAX DIST 03

NAME 1 BRINKER, ARNOLD & DOROTHY MAP # 61-120,120A

NAME 2 & ALBERT H HACKMAN JR & ETAL SALE PRICE

ADDRESS 8001 BURLINGTON PIKE DEED BOOK # 750 -93

C'S ZIP FLORENCE, KY 41042 DATE OF SALE 06/99

PREV OWN GAY, MICHEAL/LIZ TRUST 530/172 MORTGAGE # 217-80

PROP LOC 8001-BURLINGTON PIKE DATE INSPECTED 03/09/00 BY TMG

DESCRIPT KY 18 APPROX. 6.25 AC 213-127 DATE ASSESSED 12/31/99

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	805,000 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

PRESS ENTER FOR
ACCOUNT SEARCH SCREEN

INQUIRE SCREEN

F1 Help

Work File

F2 Next Property #

F6 Assmt Dates

F3 Prev Property #

ACCOUNT # 71800 PROPERTY # 04

TAX DIST 03

NAME 1 B & J DEVELOPMENT CO MAP # 62T-3

NAME 2 SALE PRICE

ADDRESS 212 E THIRD ST SUIT 300 DEED BOOK # 211 -411

C/S ZIP CINCINNATI, OH 45202 DATE OF SALE 00/00

PREV OWN MORTGAGE # -

PROP LOC -MALL RD DATE INSPECTED 05/03/00 BY BAB

DESCRIPT PARCEL 3 (30 AC) PARCEL 2 (36 AC) W SIDEDATE ASSESSED 12/31/99

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	18,101,800 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

PRESS ENTER FOR
ACCOUNT SEARCH SCREEN

INQUIRE SCREEN F1 Help
 Work File F2 Next Property #
 F3 Prev Property #
 ACCOUNT # 2033600 PROPERTY # 01

TAX DIST 03
 NAME 1 TAPPAN PROPERTIES LTD PTNSHP MAP # 62T-2,2A1
 NAME 2 SALE PRICE
 ADDRESS 1150 W 8TH SUITE 255 DEED BOOK # 551 -10
 C/S ZIP CINCINNATI, OH 45203 DATE OF SALE 00/00
 PREV OWN MORTGAGE # -
 PROP LOC 7553-MALL RD DATE INSPECTED 03/19/98 BY DWT
 DESCRIPT 4.2921 AC MALL RD (WEST SIDE) DATE ASSESSED 03/19/98

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	3,230,000 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

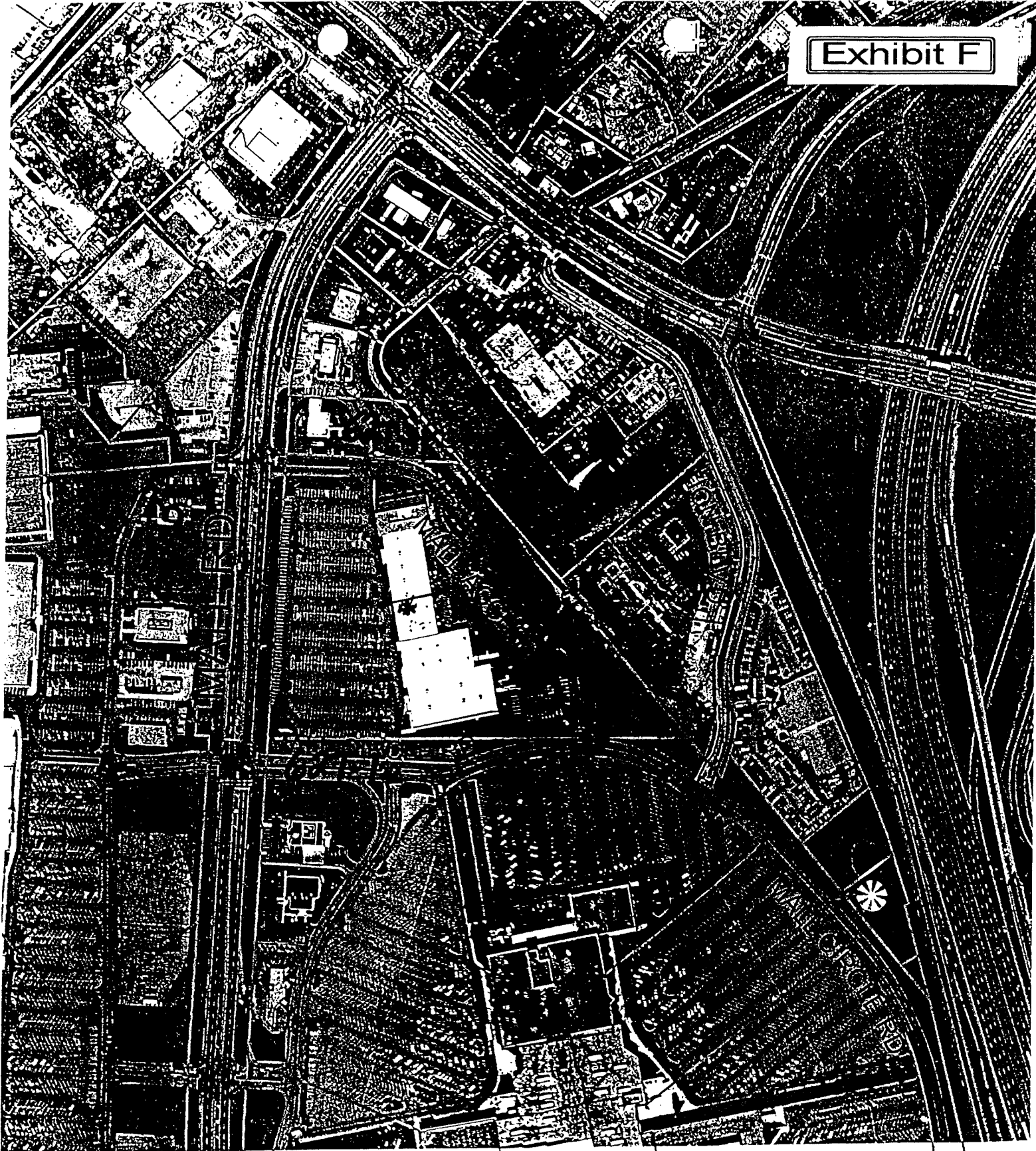
PRESS ENTER FOR
 ACCOUNT SEARCH SCREEN

INQUIRE SCREEN F1 Help
 F4 Property Record Work File F2 Next Property #
 F6 Assmt Dates F3 Prev Property #
 ACCOUNT # 810150 PROPERTY # 01

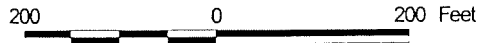
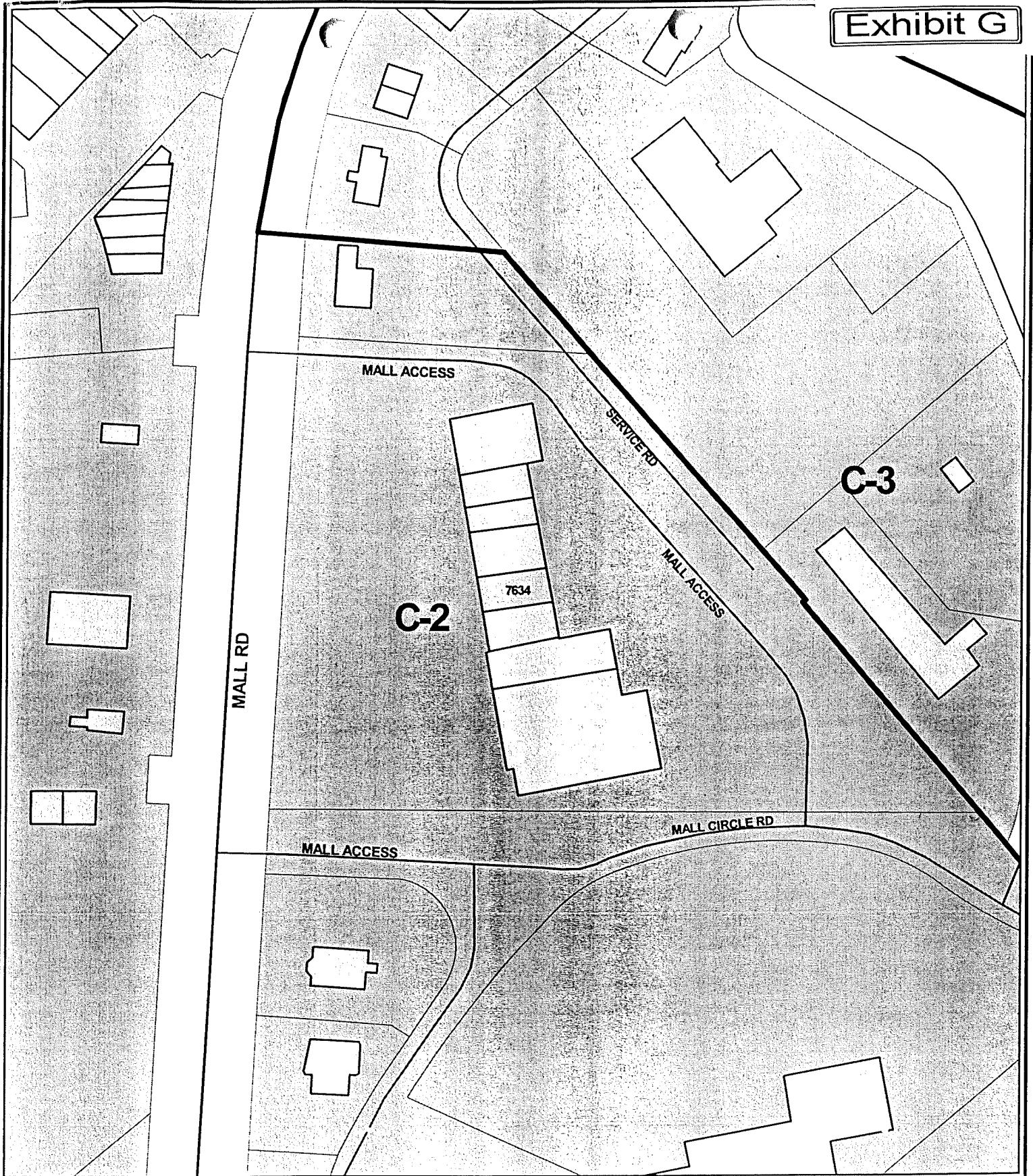
TAX DIST 03
 NAME 1 GUARDIAN SAVINGS BANK MAP # 62T-3K
 NAME 2 SALE PRICE \$500,000
 ADDRESS 2774 BLUE ROCK RD DEED BOOK # 737 -280
 C/S ZIP CINCINNATI, OH 45239 DATE OF SALE 03/99
 PREV OWN BANK, FLORENCE DEPOSIT 418/133 MORTGAGE # -
 PROP LOC 7550-MALL RD DATE INSPECTED 10/20/00 BY LLW
 DESCRIPT .6480 AC MALL RD DATE ASSESSED 12/31/99

RES	OIL_MIN	MFG FIN	VEHIC INV
FRM FCV	UMC	MFG GIP	TANG .001
FRM TXV	LSHOLD	PUB WH RS	OTHER .45
FRM RES	WTRSHED	PUB WH TR	REC MACH
FRM AC	WTR AC	AG TOBAC	AIR_NC
FIRE AC	TANG .45	AG OTHER	INT .25
COM	500,000 TANG .15	AG MFG	INT .015
MOB	MER INV	BOATS_AIR	INT .001
HOMESTEAD	N		

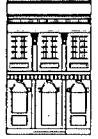
ADDITION/DELETION
 PRESS ENTER FOR RES FRM TAX
 ACCOUNT SEARCH SCREEN COM -250,000 FRM FCV



MALL



1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
March 30, 2001



Pac Sign Company

COPY

CLUR #01-FBOA-003-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
North American Properties
212 E. Third Street, Suite 300
Cincinnati, OH 45202
2. ADDRESS OF PROPERTY
7634 Mall Road
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Casual Male Big & Tall
4. DEED BOOK 594 PAGE NO. 174 GROUP NO. 2040B

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

- Zoning Map Amendment: Conditional Use Permit
From To
- Development Plan Conditional Zoning
- Subdivision Plat Other:
(Not Recorded)
- Variance

6. 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

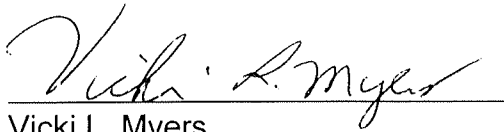

SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

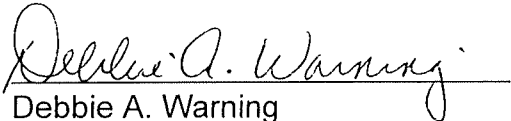
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of
the Boone County Planning Commission this 30 day of April, 2001.



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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of April 11, 2001 Certificate of Land Use Restriction (#01-FBOA-003-A), for North American Properties, Property Owner(s).

The following conditions will apply:

1. The sign reverts back to regulation size upon changing of the sign by a current or future tenant.

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

DEED BOOK 594

PAGE NO. 174

GROUP NO. 2040B