

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

JUN 23 2004

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 \_\_\_\_\_
Change in Non-Conforming Use \_\_\_\_\_
3. Applicant's Name DETERS CO. DBA BLUE PANTRY
Phone Number 859-283-2770 Fax No. 859-525-4686
Applicant's Address 7230 TURFWAY RD. FLORENCE KY 41042
4. Description of Request: INCREASE PERMITTED SQUARE FOOTAGE OF SIGNAGE ALLOWED ON GASOLINE CANOPY.
5. Name of Development BP Gas Station
6. Location of Development 7230 TURFWAY ROAD FLORENCE KY 41042
7. Acreage Under Review 1.213 2 TRACTS .33AC & .883 AC TURFWAY ROAD
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property DETERS COMPANY
Phone Number of Owner 859-283-2770
10. Address of Property Owner 7230 TURFWAY ROAD FLORENCE KY 41042
11. Proposed Use(s) on Site NO CHANGE IN SITE USE OTHER THAN REQUEST ON LINE 4.
12. Total Square Footage of Existing and/or Proposed Buildings \_\_\_\_\_
13. Current Zoning on Property C2
14. Deed Book 830 Page No. 201 Group No. 804, 765 & 2034B
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]

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 6-23-04 Fee Received \$27.00 RT# 39290
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
\_\_\_\_\_  
7/21/04 Approved  
7/21/04 Approved with Conditions (See #6)  
\_\_\_\_\_  
Denial (See #7)
6. Conditions of Approval: SEE 7/21/04  
FLORENCE B.O.A. MEETING  
MINUTES  
\_\_\_\_\_  
\_\_\_\_\_
7. Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
[www.boonecountyky.org](http://www.boonecountyky.org) - Web Page

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: The Deters Company  
 LOCATION: 7230 Turfway Road, Florence, KY  
 ZONING: Commercial Two (C-2)  
 DATE: July 21, 2004

### Proposal

The Deters Company is requesting Variances to allow three faces of a gasoline canopy to exceed the maximum 25% sign area requirement. The subject property is located at 7230 Turfway Road and is zoned Commercial Two (C-2).

The submitted Concept Development Plan indicates that the Applicant is proposing to install signage on 51% of the front fascia and 52% of the left and right fascias.

The following chart provides the square footage of the canopy faces, the signage that is permitted on each face, and the signage that is being proposed on each face.

Fascia	Square Footage of Fascia	Signage Permitted on Fascia (25%)	Signage Proposed on Fascia
Front	210 Square Ft.	52.5 Square Ft.	107.79 Square Ft. (51%)
Left & Right	148.47 Square Ft.	37.12 Square Ft.	76.94 Square Ft. (52%)

### Applicable Regulations

Section 3413 (2) of the Boone County Zoning Regulations states that free-standing canopy signage is permitted on no more than three elevations of the canopy. The square footage allowed for canopy signs may not exceed 25% of the area of the fascia on which they are mounted. The signs may not extend above or below the canopy.

Section 4000 of the Boone County Zoning Regulations indicates that a sign is a device designed to promote and identify an establishment or activity by any means including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

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.

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 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 regulation 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

- North: Oakwood Apartments (UR-2)
- South: Turfway Road & Crown Court Apartments (UR-2)
- East: Biederman Educational Center (C-2)
- West: Countryside Condominiums (UR-2)

#### Staff Comments

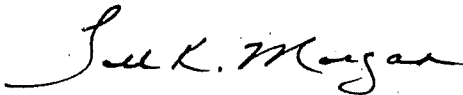
1. Staff would like the Applicant to address the following:
  - a. Does the request arise from special circumstances which do not apply to land in the general vicinity?
  - b. Does the strict application of the provisions contained in the regulations deprive the Applicant of the reasonable use of the land or create an unnecessary hardship?

2. Staff would like to point out that the free-standing sign located on the property is a legal non-conforming use. The pole sign is approximately 29' 2" tall and 154 square feet in area. Article 34 of the Boone County Zoning Regulations indicates that the free-standing signs located in Commercial Two (C-2) zones within the City of Florence can be no taller than 20 feet in height and 150 square feet in area (see sign permit approved on 7/16/02 in attachment section).
3. Staff would like to point out that there are many non-conforming gasoline canopy signs throughout Boone County. Staff does not believe that non-conforming gasoline canopy signs on other sites should be the rationale to approve the requested variances, otherwise, non-conformities would be perpetuated and code amendments over time would be useless.

Conclusion

KRS 100.241 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 variances.

Respectfully submitted,

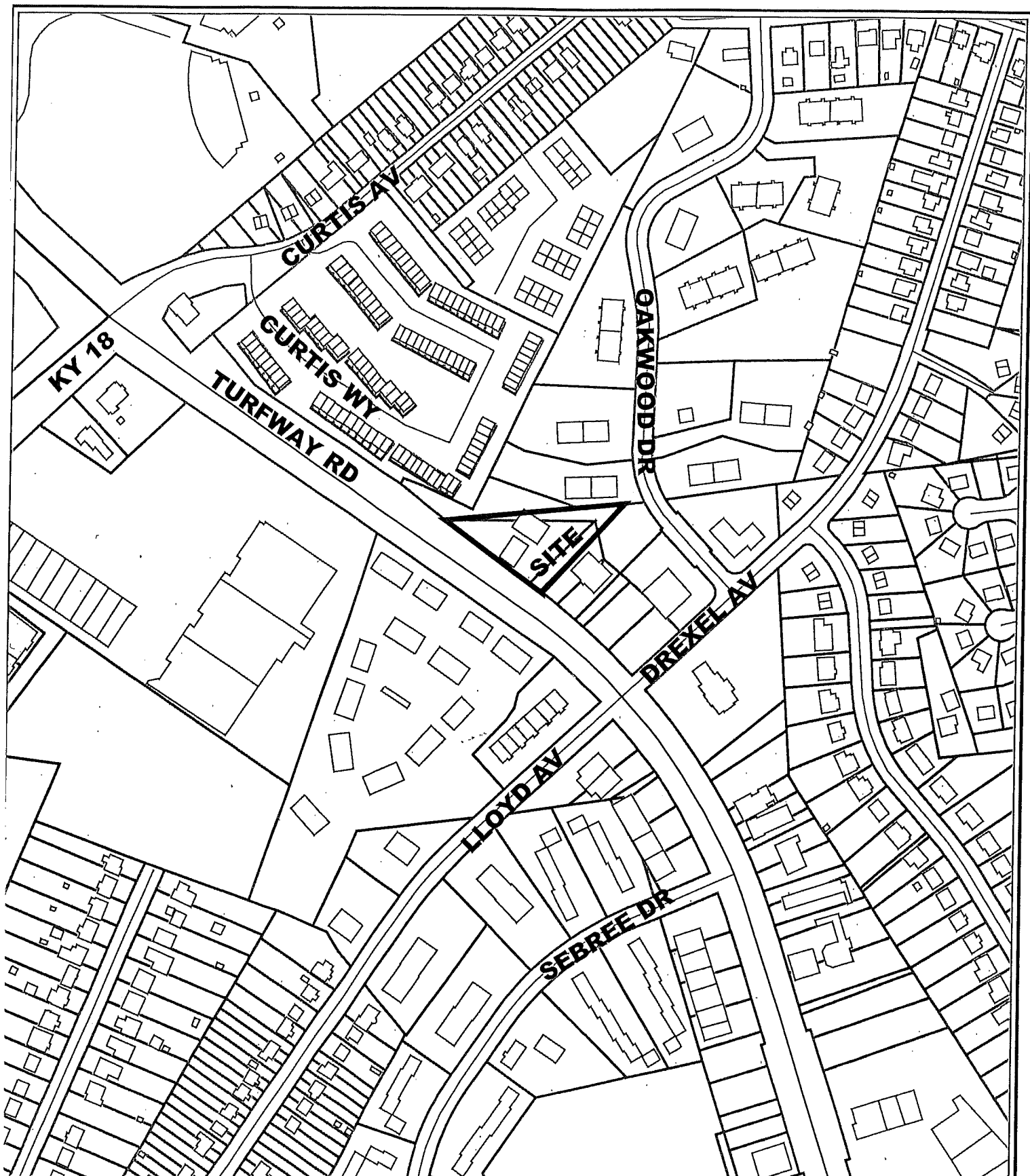


Todd K. Morgan  
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Plan
- Exhibit C – 7/16/02 Sign Permit
- Exhibit D – Zoning Map
- Exhibit E – Aerial Map
- Exhibit F – Pictures
- Exhibit G – Application



# 7230 Turfway Road Site Vicinity Map

300 0 300 Feet

1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 14, 2004





**BOONE COUNTY PLANNING COMMISSION  
SIGN PERMIT**

**\*\*NOTE:** *Prior to the placement of any approved sign, a building permit may be required from the Boone County Building Inspector - contact at 334-2218 for requirements.*

A Sign Permit is hereby granted to Rick Self for BP  
for property located at 7230 Turfway Road, Florence  
and zoned C-2, for the purpose of erecting signage in accordance with Article 34,  
Section 3413 of the Boone County Zoning Order (Ordinance), subject to the following  
special conditions/descriptions:

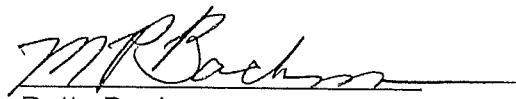
1. Change of face for a pole sign. The panel is 96 square feet in area.

2. Three canopy signs, each 9 square feet in area.

\* Sign Drawings show a light green illuminated accent band within the green vinyl accent  
band. The light green accent band is to be removed, per the request of staff.

Failure to comply with the above cited Zoning Regulations and special conditions, shall  
render this permit null and void and to no effect.

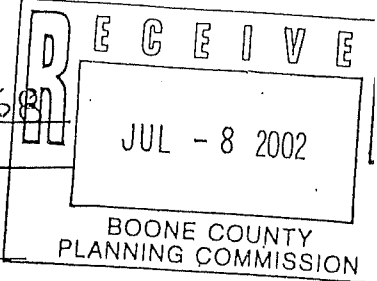
7/16/2002  
DATE

  
Patty Bachman  
Planner

**SIGN PERMIT APPLICATION**  
**BOONE COUNTY PLANNING COMMISSION**

(Refer to the Boone County Zoning Regulations - Article 34 for compliance)

**SECTION A** (To be completed by applicant)



1. **Name of Business** (for which the sign will advertise) BP Oil Co. KY.#-709681

2. **Address of Business** (where sign will be located) 7230 TURFWAY Road

3. **Applicant's Name** Rick Self (agent for BP Oil Co./ Bovis)

Phone No. 412-4814077 Applicant's Address P.O. Box #59421

Fax No. (412-481-9669) Pittsburgh PA 15210-0421

4. **Property Owner's Name** BP Oil Co.//BP Amoco Corporation

Phone No. 216-271-5008 Owner's Address 4850 East 49th St. #3

Cuyahoga Heights, Ohio 44125  
 City State Zip

5. **Type of Sign - Check one only - Note: One application form shall be submitted for each sign**

N/A  **Building Mounted Sign** - Size of Sign (in square feet) \_\_\_\_\_ Change of Face \_\_\_\_\_  
 Indicate linear feet of building width (or lease width space) on which the sign will be mounted \_\_\_\_\_  
 Is this sign replacing an existing building mounted sign? yes no (circle one)  
 If yes, indicate the square footage of the existing building mounted sign \_\_\_\_\_  
 Are there any other building mounted signs on the building (or lease space)? yes no (circle one)  
 If yes, indicate the number and square footage of each \_\_\_\_\_

Existing  **Pole Sign** - Size of Sign (in square feet) \_\_\_\_\_ Height of Sign \_\_\_\_\_ Change of Face   
 Indicate the linear feet of lot frontage along the road on which the sign will be placed \_\_\_\_\_  
 Is this sign replacing an existing pole or monument sign? yes no (circle one)  
 If yes, indicate the square footage of the existing pole sign \_\_\_\_\_  
 Are there any other pole signs on the site? yes no (circle one)  
 If yes, indicate the number and square footage of each \_\_\_\_\_

N/A  **Monument Sign** - Size of Sign (in square feet) \_\_\_\_\_ Height of Sign \_\_\_\_\_ Change of Face \_\_\_\_\_  
 Indicate the linear feet of lot frontage along the road on which the sign will be placed \_\_\_\_\_  
 Is this sign replacing an existing monument or pole sign? yes no (circle one)  
 If yes, indicate the square footage of the existing pole sign \_\_\_\_\_  
 Are there any other monument or pole signs on the site? yes no (circle one)  
 If yes, indicate the number and square footage of each \_\_\_\_\_

N/A  **Directional Sign** - Size of Sign (in square feet) \_\_\_\_\_ Height of Sign \_\_\_\_\_  
 Does the directional sign contain advertisement? yes no (circle one)

Existing  **Canopy Sign** - Size of Sign (in square feet) 9 ea. (3)-Helios/(3)-stripes each 6.6 sq short side  
 Does the canopy sign replace an existing canopy sign?  yes  no (circle one) 9.6 sq long side  
 Indicate the square footage of the canopy face on which the canopy sign is mounted 133 sq & 193 sq

6. I, or we, understand and agree that all construction work will be performed in accordance with this application, submitted drawings and the Boone County Zoning Regulations.

Applicant's Signature Rick Self (agent for BP Oil Co)

Property Owner's Signature Rick Self (agent for BP Oil Co) (over)

NOTE: Each applicant shall submit three (3) copies of the signage drawings.  
The information on the drawings shall contain the following items:

- (a) location of proposed sign(s)
- (b) height of proposed sign(s)
- (c) dimensions of sign or signage area
- (d) type of illumination
- (e) type of construction material

See the Boone County Planning Commission Fee Schedule for Sign Permit Fees. One application form shall be submitted for each sign. An application consists of all fees paid in full, submitted drawings and a completed application form.

SECTION B (To be completed by the BCPC Staff)

1. Date Received 7-8-02 Review Fee \$ 460.00 R# 31982

2. Number of Copies Received\*\* 3

3. Is application Complete \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Staff Reviewer \_\_\_\_\_

5. Staff Action

\_\_\_\_\_ Approval

Permit Number: \_\_\_\_\_

\_\_\_\_\_ Approved with Conditions

Conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Denied

Reasons for Denial: \_\_\_\_\_

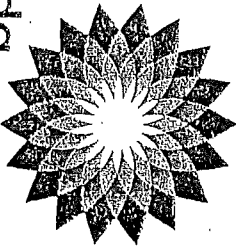
\_\_\_\_\_

\_\_\_\_\_

6. Date Copy Sent to Building Department \_\_\_\_\_

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-Mail  
www.boonecountyky.org - Web Page

bp

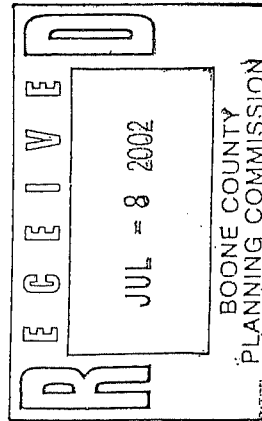


# BP / Amoco Re-Image

Site: 70968  
7230 Turfway Rd.  
Florence, KY 41042

Treatment Level: B

Owner /Jobber: Kiel Bros. Oil Company, Inc.



APPROVALS:

BP:	_____
Date:	_____
Bovis:	_____
Date:	_____
Owner/Jobber:	_____
Date:	_____

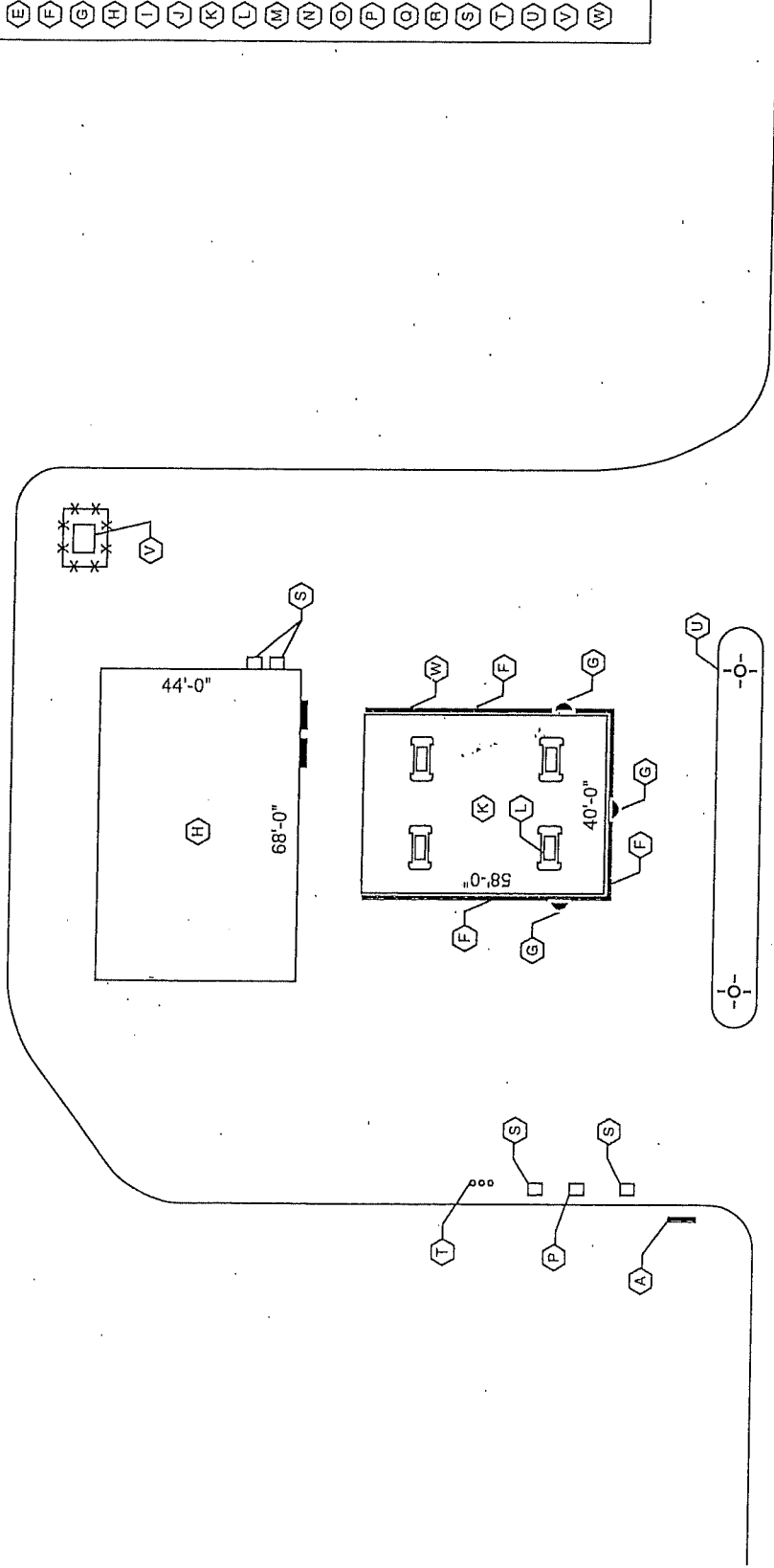


**SIGN SERVICES GROUP**



SITE PLAN KL

A	MID
B	High Rise
C	Shop Sign - Vinyl
D	Shop Sign - Illum.
E	Bullnose with LED
F	Bullnose - Vinyl
G	Helios (Logo)
H	Building
I	Green Fascia
J	Other Building Signage
K	Canopy
L	Dispensers
M	Car Wash
N	Car Wash Signage
O	Carwash Fascia
P	Air
Q	Vacuum
R	Water
S	Telephone
T	Vent Pipes
U	Area Light
V	Dumpster
W	Pearl Fascia



FOR DESIGN INTENT ONLY

The sole purpose of these design intent drawings is to provide general guidance for the vendor in the development of this project. They are not intended for fabrication purposes. The vendor accepts total responsibility for materials selection, engineering, fabrication and installation.

**SIGN SERVICES GROUP**  
Nashville, Tennessee (615) 297-2371

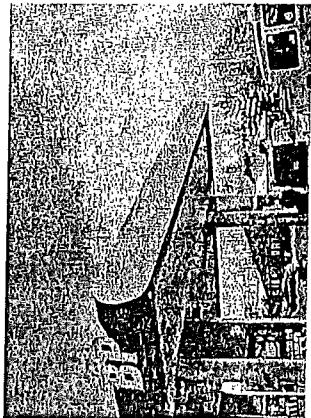


Client: Bovis Lend Lease  
Project: BP

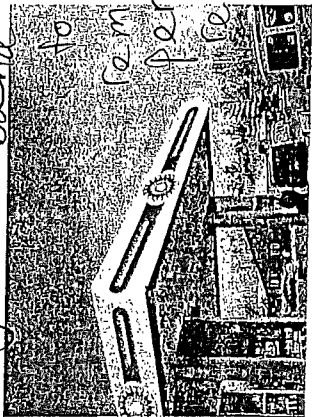
Title: Site Plan  
Date: 2/8/2002

Site No.: 70968  
City: Florence, KY

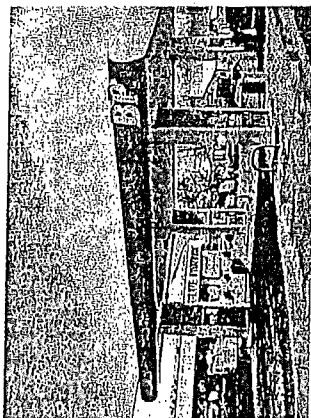
Light green accent band is to be removed per Staff request



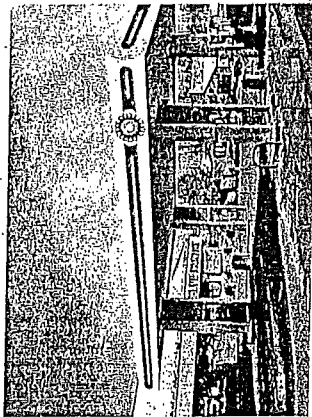
Front Elevation - Existing



Front Elevation - Proposed



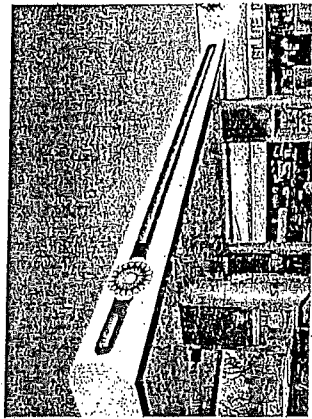
Left Elevation - Existing



Left Elevation - Proposed

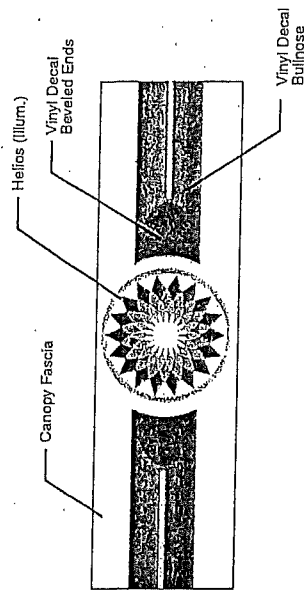


Right Elevation - Existing



Right Elevation - Proposed

No.	EXISTING ITEM	UNIT	QTY.	RECOMMENDATIONS
1	42' metal panel fascia	LF	196	paint existing fascia BP Pearl
2	.	LF	107	install 21" vinyl bullnose sections
3	.	EA	6	install 21" vinyl beveled ends
4	.	-EA	-	.
5	.	EA	6	install 21" vinyl end caps
6	.	EA	2	36" dia., illuminated helios (logo)
7	.	EA	1	36" dia., non-illuminated helios (logo)
8	.	LF	107	neon to remain
9	.	EA	2	install clearance signs on drive up sides
10	windshield amenity units	EA	2	leave as is
11	columns and downspouts	EA	4	repaint per visual standards



**FOR DESIGN INTENT ONLY**  
 This is a design intent drawing. It is provided for general guidance for the vendor in the development of this project. It is not intended for fabrication purposes. The vendor accepts full responsibility for materials selection, engineering, fabrication and installation.

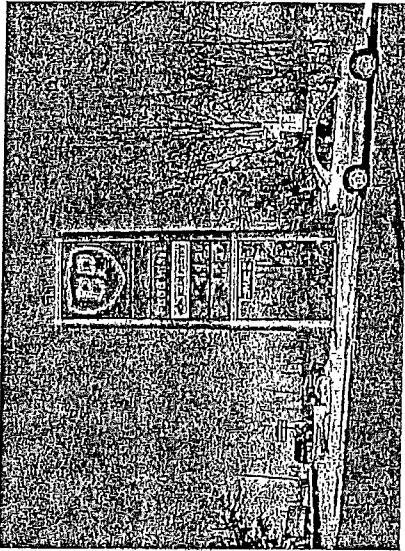
**SIGN SERVICES GROUP**  
 Nashville, Tennessee (615) 297-2371



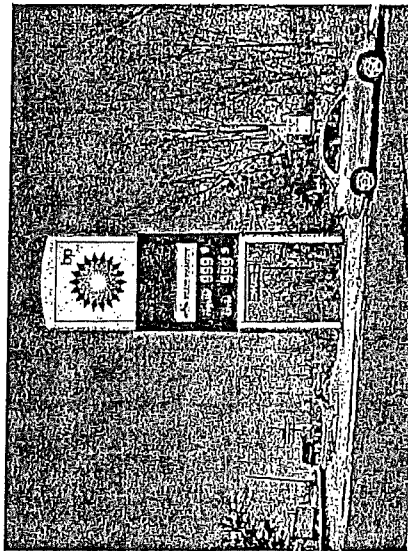
**Client:** Bovis Lend Lease  
**Project:** BP

**Title:** Canopy  
**Date:** 2/12/2002

**Site No.:** 70968  
**City:** Florence, KY

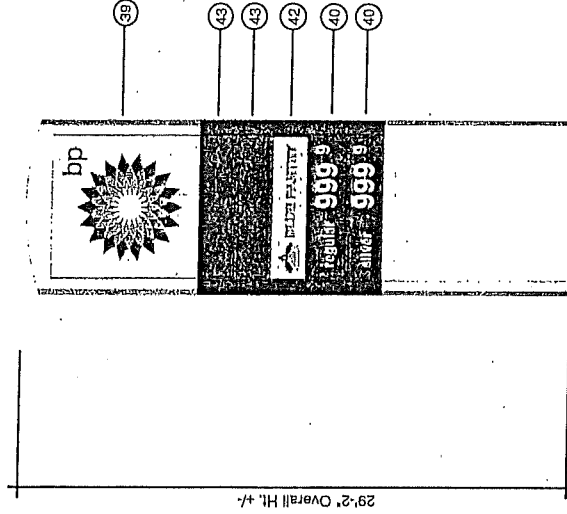


MID - Existing



MID - Proposed

No.	EXISTING ITEM	UNIT	QTY.	RECOMMENDATIONS
39	sign E1 logo	EA	2	reface with BP helios graphics, 8' x 8'
40	sign E1 pricer panel	EA	4	reface w/ new pricer panels, 2' x 8'
41	sign E1 facility panel #1	EA	-	
42	sign E1 facility panel #2	EA	2	leave as is, 2' x 8'
43	sign E1 facility panel #3	EA	4	blank panels, 2' x 8'
44	sign E1 facility panel #4	EA	-	
45	sign E2 high rise	EA	-	
46	sign E3 logo	EA	-	
47	sign E3 pricer panel	EA	-	
48	sign E3 facility panel #1	EA	-	
49	sign E3 facility panel #2	EA	-	
50	sign E3 facility panel #3	EA	-	
51	sign E4 facility panel #4	EA	-	
52	MID cladding	EA	1	apply flirmpaint over MID column cladding per visual standards
53	other			



MID - Proposed

**FOR DESIGN INTENT ONLY**

The sole purpose of these design intent drawings is to provide general guidance for the vendor in the development of this project. They are not intended for fabrication purposes. The vendor accepts total responsibility for materials selection, engineering, fabrication and installation.

**SIGN SERVICES GROUP**  
Nashville, Tennessee (615) 297-2371

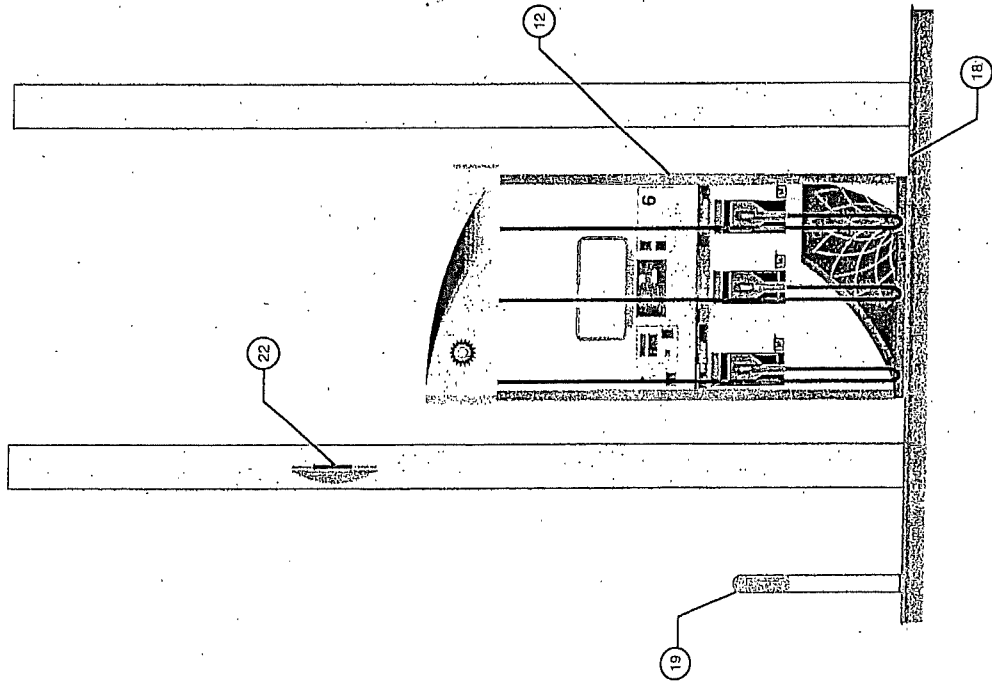


Client: Bovis Lend Lease  
Project: BP

Title: MID  
Date: 2/12/2002

Site No.: 70968  
City: Florence, KY

No.	EXISTING ITEM	UNIT	QTY.	RECOMMENDATIONS
12	gas dispenser	EA	4	remove cladding, install new valences and pump graphic sets
14	trash enclosure	SF	1	remain as is
15	area light pole	EA	2	repaint per visual standards
17	vent pipes	EA	3	repaint per visual standards
18	island and building curbs	LF	80	repaint per visual standards
19	bollards	EA	10	repaint bottom 2/3 BP Pearl, top 1/3 BP Yellow
20	air service	EA	1	remath as is
21	vacuum	EA	-	
22	flag number signs	EA	8	install on columns per visual standards
23	Other			



**FOR DESIGN INTENT ONLY**

The sole purpose of these design intent drawings is to provide general guidance for the vendor in the development of this project. They are not intended for fabrication purposes. The vendor accepts total responsibility for materials selection, engineering, fabrication and installation.

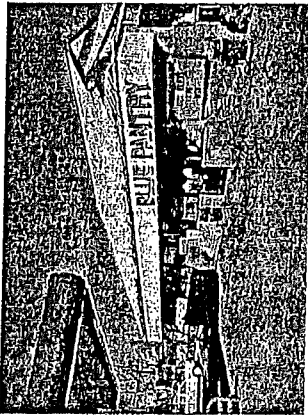
**SIGN SERVICES GROUP**  
Nashville, Tennessee (615) 297-2371



Client: Bovis Lend Lease  
Project: BP

Title: Amenities  
Date: 2/12/2002

Site No.: 70968  
City: Florence, KY



Building privately branded. Do not reimage.

No.	EXISTING ITEM	UNIT	QTY.	RECOMMENDATIONS
24	building fascia	LF	-	
25	building signage	EA	-	
26	building signage	-	-	
27	building ID signage	EA	-	
28	building ID signage	EA	-	
29	car wash wall sign	EA	-	
30	car wash wall sign	EA	-	
31	car wash wall sign	EA	-	
32	car wash clearance bar	EA	-	
33	instructional panel	EA	-	
34	directional sign	EA	-	
35	other	EA	-	
36	other	EA	-	
37	other	EA	-	
38	other	EA	-	

**FOR DESIGN INTENT ONLY**

The sole purpose of these design intent drawings is to provide general guidance for the vendor in the development of this project. They are not intended for fabrication purposes. The vendor accepts total responsibility for materials selection, engineering, fabrication and installation.

**SIGN SERVICES GROUP**  
Nashville, Tennessee (615) 297-2371



Client: Bovis Lend Lease  
Project: BP

Title: Buildings - B Level  
Date: 2/12/2002

Site No.: 70968  
City: Florence, KY

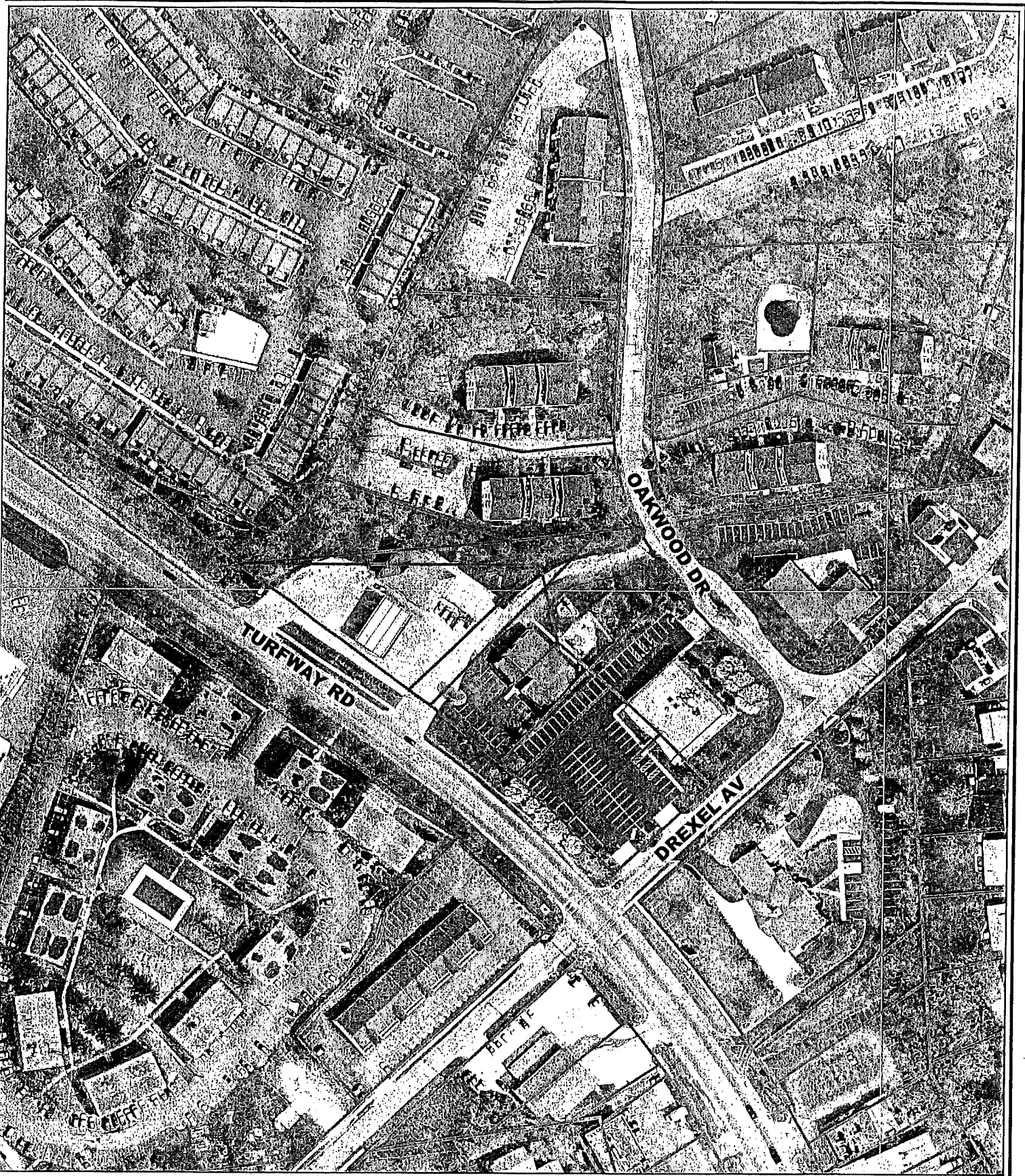


# 7230 Turfway Road Zoning Map

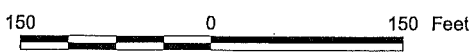
300 0 300 Feet

1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 14, 2004

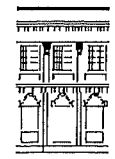


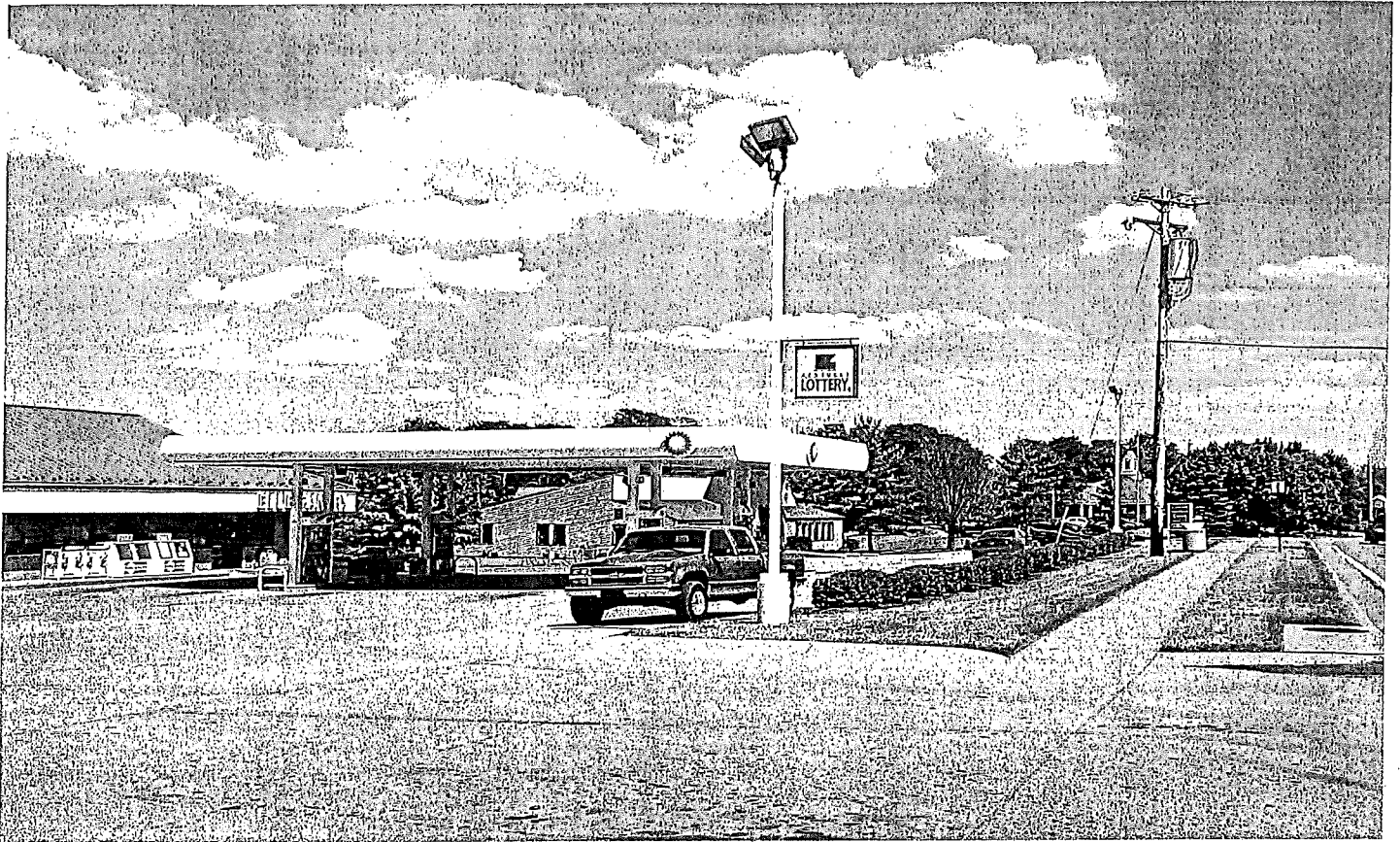


# 7230 Turfway Road Aerial Map

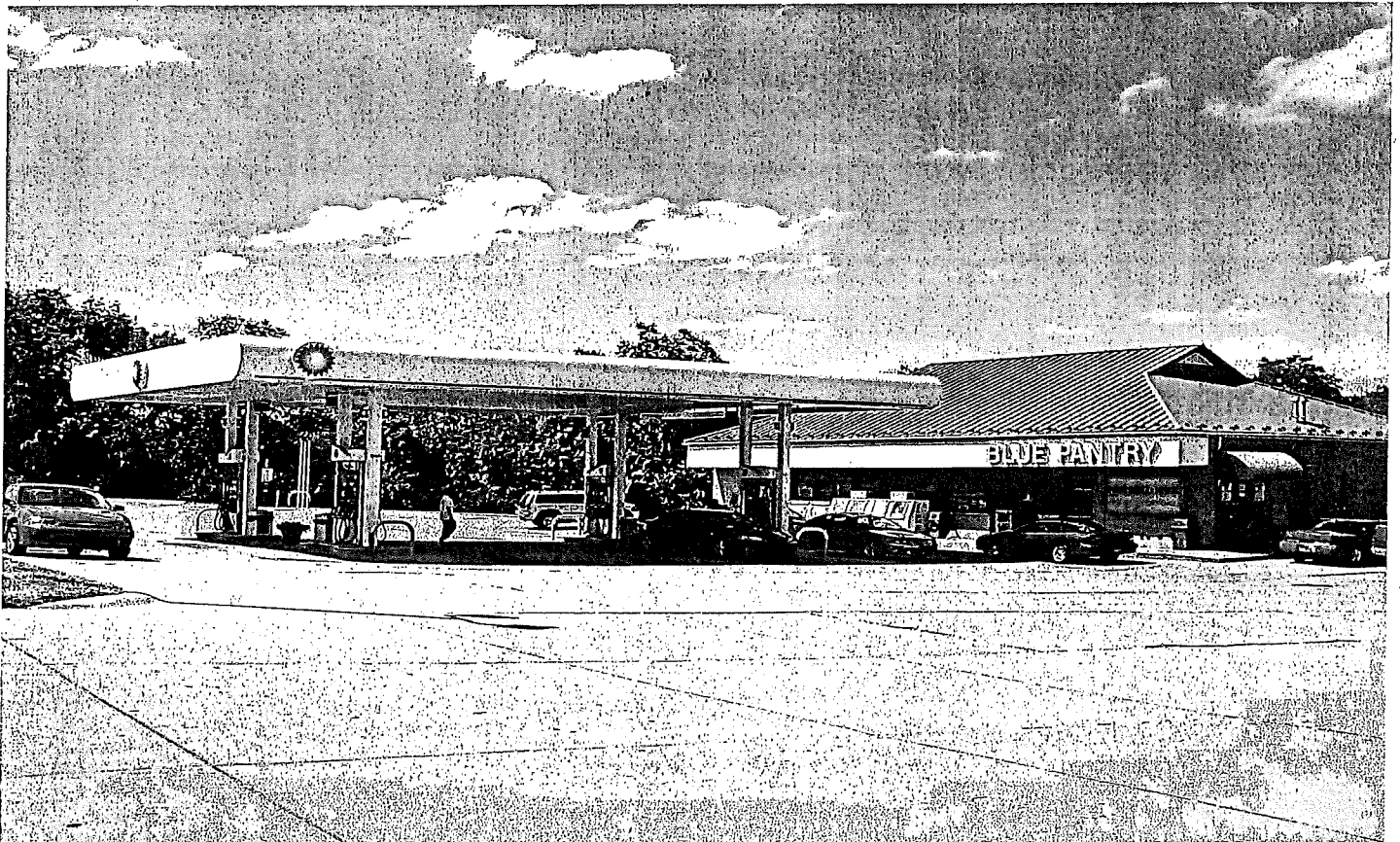


1 inch equals 150 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
July 14, 2004





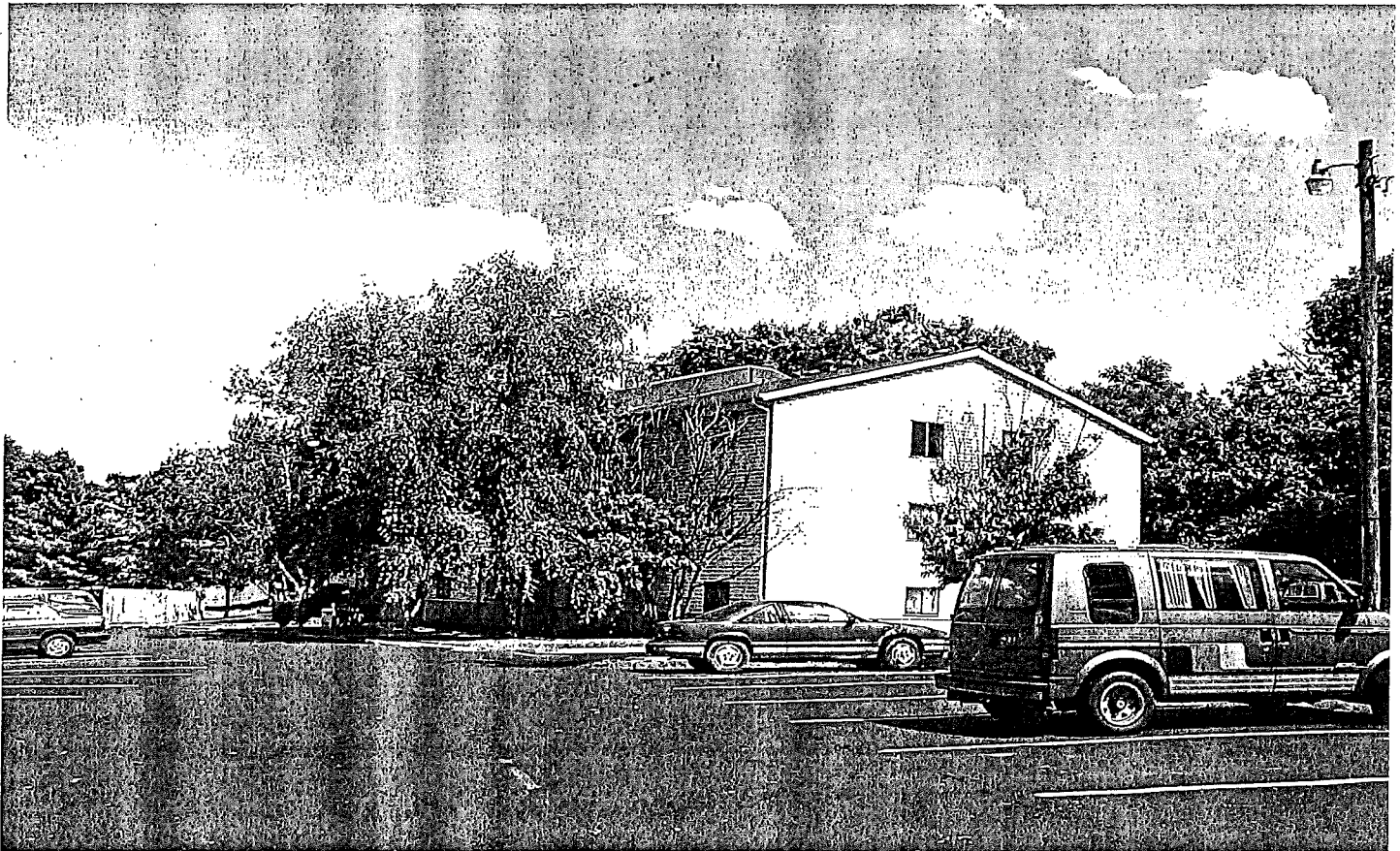
**View of Front & Left Fascia From Turfway Road**



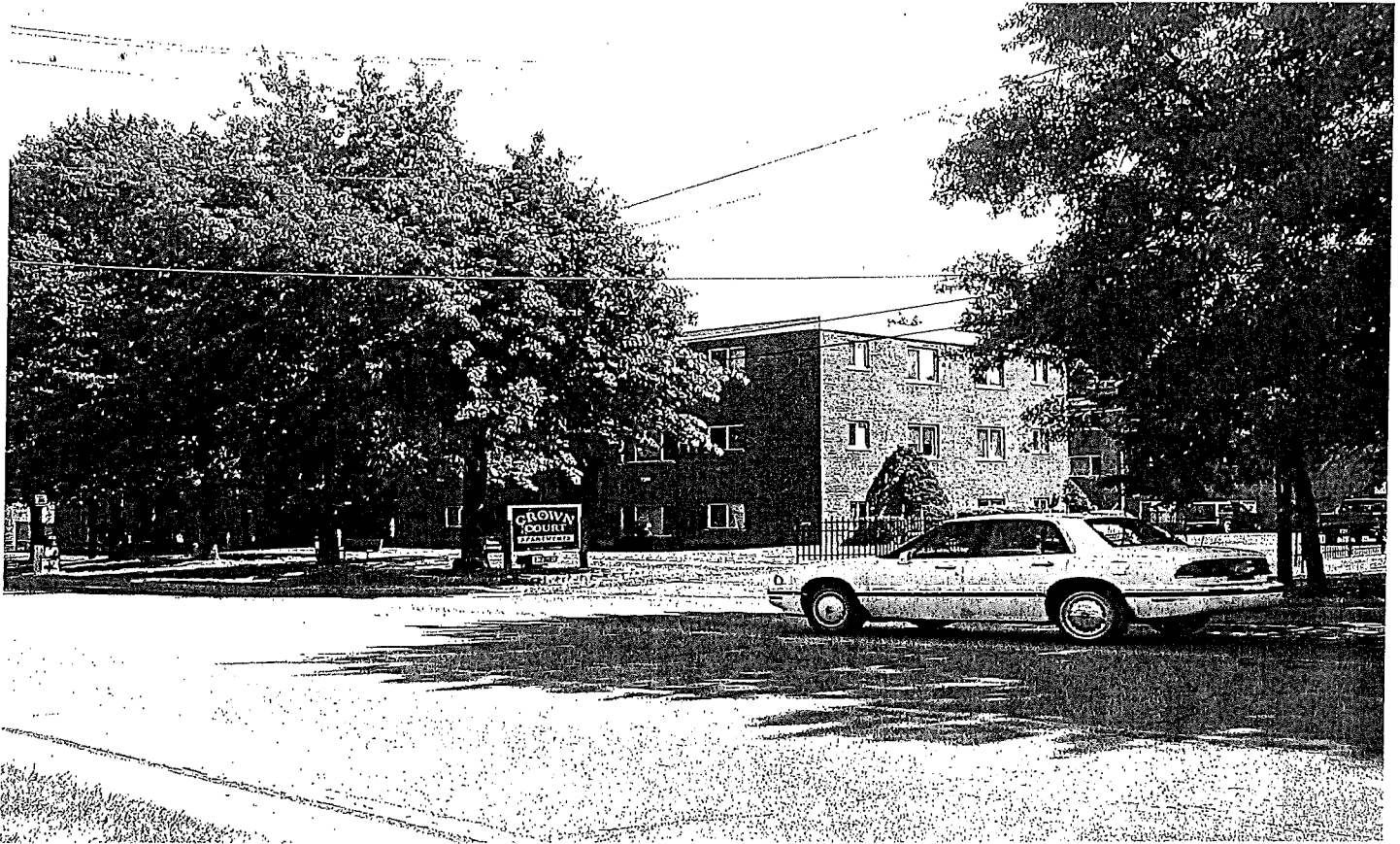
**View of Front & Right Fascia From Turfway Road**



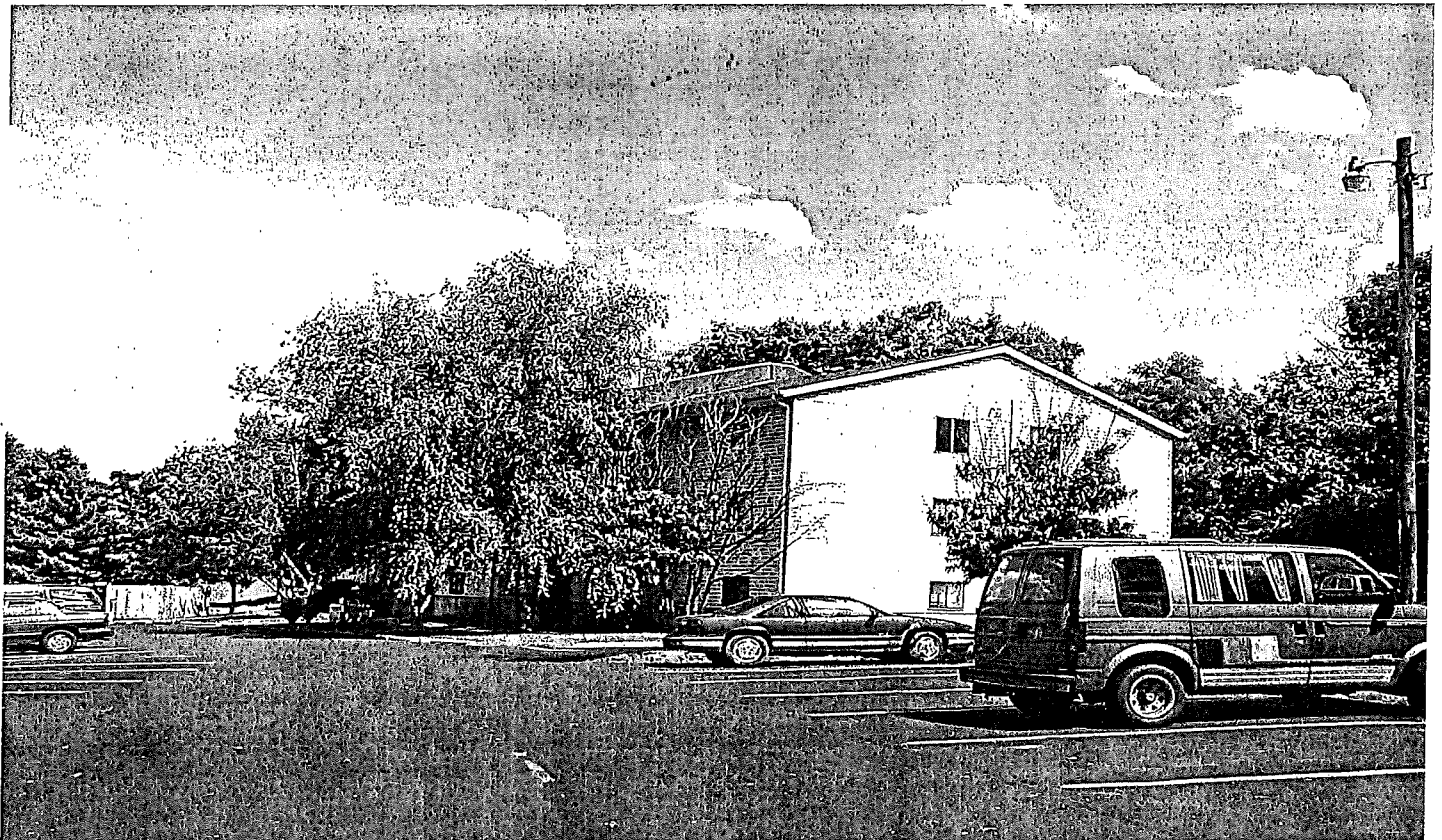
**View of Free-Standing Sign**



**Adjoining Property to the North**



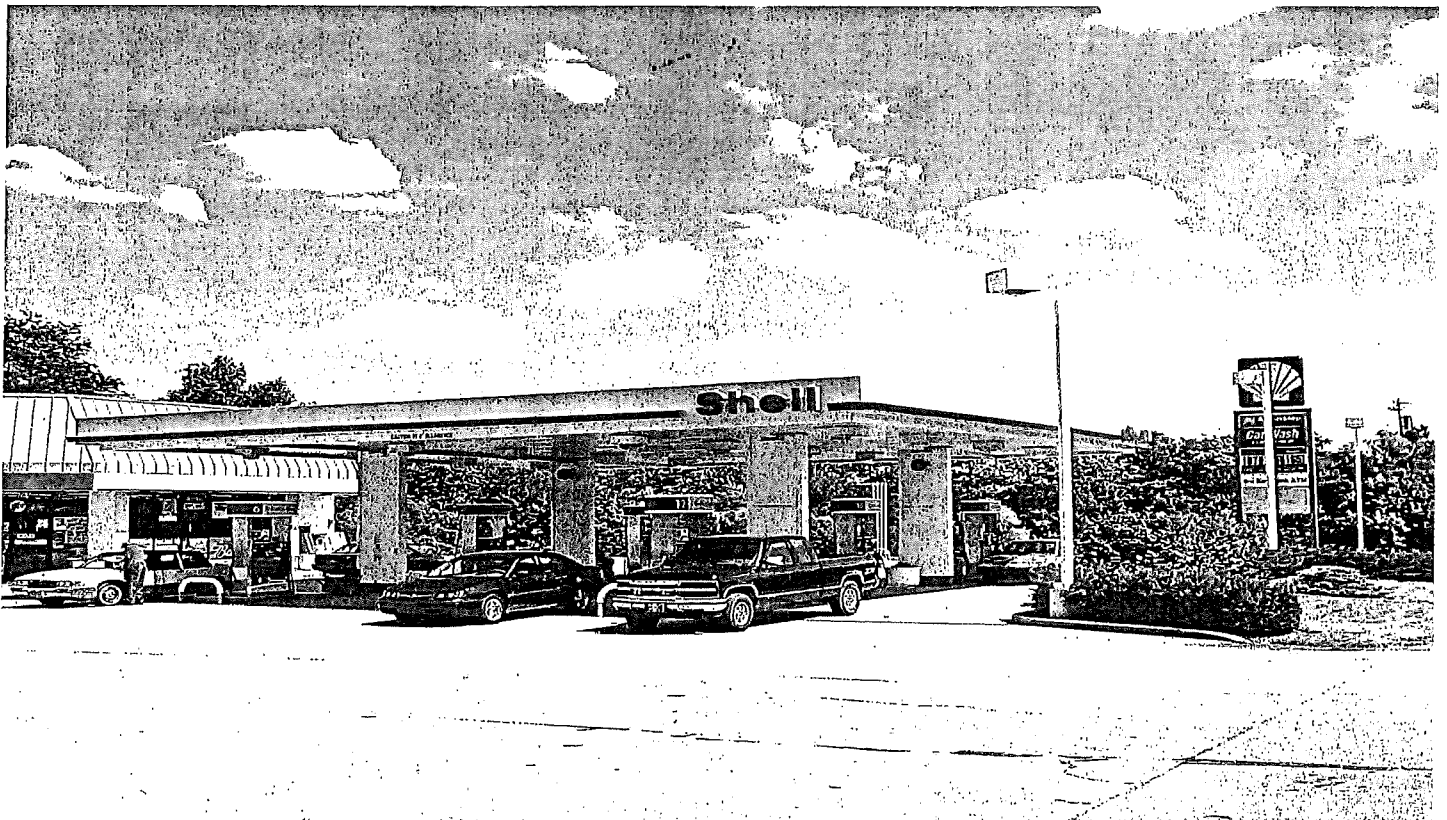
**Adjoining Property to South**



**Adjoining Property to East**



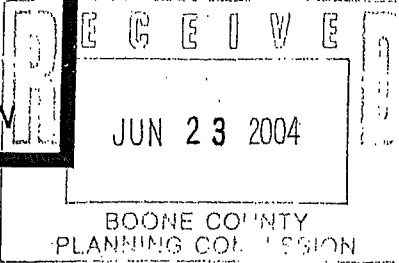
**Adjoining Property To West**



**View of Shell Station – Southeast on Turfway Road**

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  Florence  Walton  Union
- 2. (Check One)  
 Conditional Use Permit  Variance  Appeal  
 Change in Non-Conforming Use
- 3. Applicant's Name DETERS CO. DBA BLUE PANTRY  
 Phone Number 859-283-2770 Fax No. 859-525-9686  
 Applicant's Address 7230 TURFWAY RD.  
FLORENCE KY 41042  
 City State Zip
- 4. Description of Request: INCREASE PERMITTED SQUARE FOOTAGE OF SIGNAGE ALLOWED ON GASOLINE CANOPY.
- 5. Name of Development BP Gas Station
- 6. Location of Development 7230 TURFWAY ROAD  
FLORENCE KY 41042
- 7. Acreage Under Review 1.213, 2 TRACTS .33AC & .883 AC TURFWAY ROAD
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
N/A
- 9. Owner of Property DETERS COMPANY  
 Phone Number of Owner 859-283-2770
- 10. Address of Property Owner 7230 TURFWAY ROAD  
FLORENCE KY 41042  
 City State Zip
- 11. Proposed Use(s) on Site NO CHANGE IN SITE USE OTHER THAN REQUEST  
ON LINE 4.
- 12. Total Square Footage of Existing and/or Proposed Buildings \_\_\_\_\_
- 13. Current Zoning on Property C2
- 14. Deed Book 830 Page No. 201 Group No. 804, 765 & 2034B
- 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]

COPY

CLUR #04-FBOA-002-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Deters Company  
7230 Turfway Road  
Florence, KY 41042

2. ADDRESS OF PROPERTY

7230 Turfway Road  
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

BP Gas Station

4. DEED BOOK 830

PAGE NO. 201

GROUP NO. 2034B

5. 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:

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



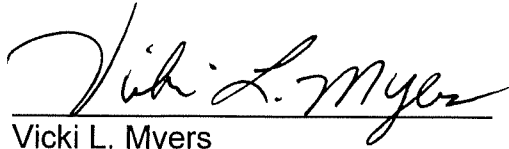
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

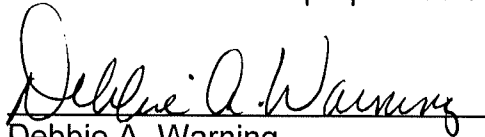
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 3 day of August, 2004.



Vicki L. Myers  
NOTARY PUBLIC, State at Large

My commission Expires:  
April 17, 2007

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 July 21, 2004 Certificate of Land Use Restriction (#04-FBOA-002-A), for Deters Company, Property Owner(s).

The following conditions will apply:

The approval is limited to a non-illuminated green stripe with no lettering.

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

DEED BOOK 830

PAGE NO. 201

GROUP NO. 2034B