

05-FBOA-005-A

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

RECEIVED MAY - 6 2005 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 _____
Change in Non-Conforming Use _____
3. Applicant's Name Sign Dynamics / Jessica Zank
Phone Number 800 298-7788 Fax No. 937-264-2070
Applicant's Address 2781 Thunderhawk Ct.
Dayton OH 45414
City State Zip
4. Description of Request: install an electronic message board within 600 ft of an existing message board
5. Name of Development _____
6. Location of Development 6801 Dixie Hwy Florence KY
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision) _____
9. Owner of Property Jack Lane
Phone Number of Owner 222 W. Adams
10. Address of Property Owner One CVS Dr.
Wrensocket IL 62895
City Chicago State IL 60606 Zip
11. Proposed Use(s) on Site retail
12. Total Square Footage of Existing and/or Proposed Buildings _____
13. Current Zoning on Property _____
14. Deed Book 772 Page No. 629 Group No. 2043A
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: Jessica Zank

Property Owner's Signature: all enclosed letter

**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 5-6-05 Fee Received: 846.00 RA# 42313
- 2. Is application complete? Yes No CUP RA# 42020
- 3. Staff Reviewer _____
- 4. Scheduled Board Action Date _____
- 5. Board Action:
 - 6/8/05 Approved
 - Approved with Conditions (See #6)
 - Denial (See #7).
- 6. Conditions of Approval: SEE 6/8/05 FBOA
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 - Web Page**

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

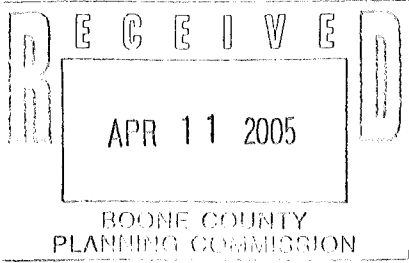
Site Plan Review is not granted by the appropriate Board of Adjustment.

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

slulos CVS VARIANCE

APPLICATION FORM

05-FBOA-005-A



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) Florence [X] Walton Union
2. (Check one) Conditional Use Permit [X] Variance Appeal
3. Applicant Name Vickie Horton, Phone Number 800-298-7788, Fax No. 937-264-2075, Address 2781 Thunderhawk Ct., Dayton OH 45414
4. Description of Request: remove 3 sign boxes - install electronic message board 37.35 FE2
5. Name of Development CVS
6. Location of Development 6801 DIXIE HWY
7. Acreage Under Review 1.1
8. Lot Number and Name of Subdivision
9. Owner of Property WEC 995-3114 C/O CVS CORP PA STORE #6120
10. Address of Property Owner Woonsocket RI 02895
11. Proposed Use(s) on Site retail - electronic message board
12. Total Square Footage of Existing and/or Proposed Buildings
13. Current Zoning on Property C-2
14. Deed Book 772 Page No. 629 Group No. 2043 A
15. Is the site subject to a zone change?
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: Vickie Horton
Property Owner's Signature: [Signature] President

Approval for the electronic sign only (over) [Signature] 4/11/05

**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 4-12-05 Fee Received \$917.00 R# 42020
2. Is application complete? Yes No #846.0 R#42313
3. Staff Reviewer Raymond 5/6/05
4. Scheduled Board Action Date _____
5. Board Action:
6/8/05 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 6/8/05 FBOA
MEETING MINUTES
7. Reasons for Denial: _____

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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: Sign Dynamics for CVS Pharmacy
LOCATION: 6801 Dixie Highway, Florence, Kentucky
ZONING: Commercial Two (C-2) & Suburban Residential Two (SR-2)
DATE: June 8, 2005

Proposal:

The applicant has submitted the following applications:

- (1) A Conditional Use Permit to allow a 37.35 square foot (3'6" x 10' 8") electronically changeable message board to be placed on an existing free-standing sign. The electronically changeable message board will replace three sign cabinets which are 44.52 square feet (6' x 7' 5") in area (see attached Concept Plan). If the electronically changeable message board is approved, the overall dimensions of the existing free-standing sign will be reduced from 23' 11' tall and 96.88 square feet in area to 23' 11' tall and 89.71 square feet in area.
- (2) A Variance to allow the proposed electronically changeable message board to be within 660 feet of another electronically changeable message board. The Boone County G.I.S. system shows that the existing CVS sign is located approximately 600 feet from the Kentucky Federal Savings & Loan time and temperature sign on Dixie Highway (see attached aerial map).

Site History

02/10/99 – The Florence Board of Adjustment approved a change of non-conforming use and three variances. The change of non-conforming use allowed portions of a proposed pharmacy building and accessory parking lot to be constructed in an area which contained the parking lot for Hugh's Oyster House. The change of non-conforming use was required because the restaurant parking lot was zoned Suburban Residential Two (SR-2). The variance requests were to: (1) reduce the rear yard setback requirement from 50 feet (Commercial Two) and 30 feet (Suburban Residential Two) to 15.5 feet; (2) reduce the width of the required 60' rear buffer yard, and (3) reduce the width of the required street frontage buffer from 10 feet to 6 feet.

The following conditions were imposed on the variances: (1) the driveway is to be moved up thirty feet to line up with the Florist curb cut; (2) the parking lot lights will face inward; (3) there will be a privacy fence along the entire Vasser property line at the rear; and (4) the landscaping will be as shown in the landscape plan (concept plan) and will be maintained.

- 09/09/99 – The Florence Board of Adjustment denied a variance request which would have allowed CVS Pharmacy to install additional building mounted signage on a secondary building elevation. The request was to increase the permitted signage on the Rose Avenue elevation from 75 square feet to 191.92 square feet.
- 10/12/99 – The Boone County Planning Commission issued a sign permit to allow the construction of a 23' 11" tall, 96.88 square foot pole sign (see attachments)

Applicable Regulations

Article 2, Section 220 of the Boone County Zoning Regulations states that two duties of the Board of Adjustment and Zoning Appeals is to grant variances and conditional use permits as specified in the zoning order.

The Board should evaluate the applicant's variance 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.
 - 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.

The Board should evaluate the applicant's Conditional Use Permit request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 262 of the Boone County Zoning Regulations.

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 34, Section 3430 of the Boone County Zoning Regulations permits electronically changeable message boards as a Conditional Use in the Commercial Two (C-2) zoning district provided that the following requirements are met:

- a. Such message boards will be considered a part of a permitted sign, free-standing or building mounted; up to fifty percent (50)% of the permitted sign area can be used for an electronically changeable message board.
- b. All such message boards shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
- c. Electronically changeable message boards shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate of thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.
- d. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling" or "running" messages.

- e. The message displayed on the board must be displayed for a minimum of five (5) second intervals. In no instance can a message, or part thereof, flash on the message board.

Relationship to the Comprehensive Plan

The Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question for "Commercial" and "Suburban Residential" uses. These designations are described as follows:

Commercial – "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

Suburban Residential – "Single-family housing of up to four units per acre. This classification includes low density or estate residential developed as a formal subdivision."

The Future Land Use Development Guidelines (pp.158-160) found in the Land Use Element state that developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor" (Design, Signs, and Historic Preservation).

The Land Use Element (Florence Central Area, pg. 162) states that "a mixing of land uses can be accommodated within the City of Florence and the existing residential communities can be protected if proper buffers and design are incorporated into these developments. The redevelopment of property into commercial uses must be carefully designed in order to minimize impact of adjacent residential property."

The 2005 Boone County Comprehensive Plan's Adopted Goals and Objectives contains the following statement which relates to the request:

- a. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity", Goal).

Surrounding Land Uses and Zoning

North: Dixie Highway, Main Street, Florence Post Office (FMS)

South: Village Parke (UR-1) & Single-Family Residence on Rose Ave. (SR-2)

East: R&B Auto Sales/Next Day Signs (C-2) & Residences on Rose Ave. (SR-2)

West: Parkside Drive & Southern Trails (C-2)

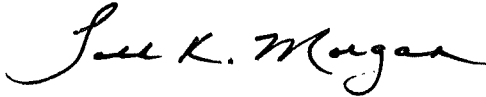
Staff Comments

1. The existing free-standing sign is a non-conforming structure because it exceeds the 20' sign height limitation that was adopted by Florence City Council on February 4, 2003.
2. If the sign is approved as presented, the overall square footage of the sign will be reduced from 96.88 square feet to 89.71 square feet.
3. The closest electronically changeable sign is located approximately 600 feet to the southwest. The sign is an electronically changeable clock and temperature display located at Kentucky Federal Savings & Loan. Staff believes that denying the requested variance would create an unnecessary hardship on the applicant. The proposed electronically changeable message board would not be subject to a variance if it were located 660 feet from the Kentucky Federal Savings & Loan time and temperature sign.
4. Staff recommends that the Board should analyze the "Design, Signs, and Historic Preservation" section of the Future Land Use Development Guidelines before making a decision on the Conditional Use Permit. This section calls out that motorists should not be confused and/or distracted by excessive signs. In addition, signs should not have a negative impact on the visual appearance of a corridor.
5. Staff would like to point out that the new Walgreens located at the Dixie Highway/ Goodridge Drive intersection received a Conditional Use Permit for an electronically changeable board as they went through the Zoning Map Amendment process in 2004. The April 21, 2004 Committee Report (see attachments) indicates that the Walgreens sign had to be monument in style and could not exceed 13' in height and 125.4 square feet in area if they installed an electronically changeable message board. An architectural free-standing sign of 20' in height and 150 square feet in area could have been constructed if the electronically changeable message board was not installed. Staff believes that the Board should consider a similar condition for this proposal because the existing sign is already non-conforming.
6. If the Board grants approval of the requests, Staff would like to remind the applicant that Section 3430 of the Boone County Zoning Regulations states that messages must be displayed on the board for at least 5 seconds and that the messages cannot flash, scroll, or run.

Conclusion

K.R.S. 100.237 & 100.241 and Section 220 of the Boone County Zoning Regulations gives the Florence County Board of Adjustment and Zoning Appeals the authority to grant the applicant's requests for a Conditional Use Permit and Variance.

Respectfully submitted,



Todd K. Morgan, AICP
Planner, Zoning Services

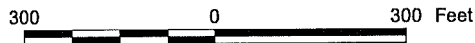
TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Development Plan
- Exhibit C – Letter From Applicant
- Exhibit D – E-Mail From KY Transportation Cabinet
- Exhibit E – Aerial Map
- Exhibit F – Zoning Map
- Exhibit G – Future Land Use Map
- Exhibit H – 10/12/99 Sign Permit
- Exhibit I – 04/12/04 Committee Report (Walgreens)
- Exhibit J – Applications



CVS Pharmacy Site Vicinity Map

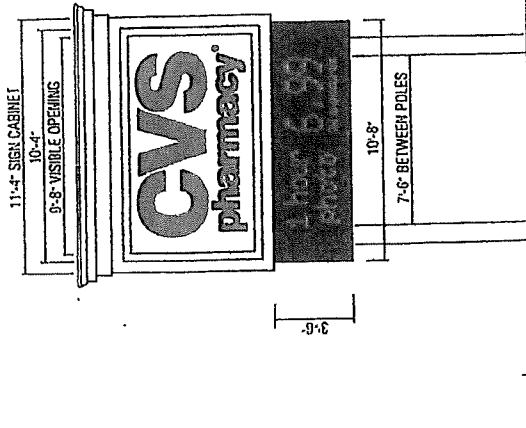


1 inch equals 300 feet

Produced by the
Boone County Planning Commission
GIS Services Division
April 29, 2005



Section I



EXISTING 23'11" x 96.88 sq. feet



NEW

5'5" x 9'8" = 52.36 FE²

3'6" x 10'8" = 37.35 FE²

89.71 FE²

CVS/pharmacy	LOCATION: 10054 6130 Florence, KY	FILE: 10054.cdr	PAGE: 1 of 1	1418 E. Linberst Rd. E. K. Grace Village Illinois 60007
		DATE: 01/03/05 DRAWN: KWK	REVISED: 00/00/00 SCALE: AS NOTED	icon identity solutions

SIGN Dynamics

Tel: 937.264.2070 • Fax: 937.264.2075 • 1.800.298.7788 • Web: www.signdynamics.com
2781 Thunderhawk Court • Dayton, Ohio 45414

April 5, 2005

Boone County Planning Commission
Board of Adjustment
2995 Washington Street
Burlington, Kentucky 41005

RE: Conditional Use CVS

To Whom It May Concern:

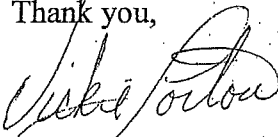
CVS Pharmacy has hired Sign Dynamics to pursue a conditional use variance for the installation of an Electronic Message Board for their pylon sign. The sign is located at 6801 Dixie Highway.

Legal Description: Stegner Subdivision, Lots 1,2,3 & 1.10 acres.
Deed Book: 772
Page Number: 629
Group Number: 2043A

To stay competitive with other competition within the Florence, KY area, CVS requests to change out the sign. They hope you see their need for an electronic reader board. The overall sign structure does not really change and the overall sq. ft. of the signage faces is actually reduced by the removal of the three sign boxes currently on the pole sign.

We hope you will approve the minor sign modification that CVS seeks. I have included layouts for two options. One with an electronic message board, the other one with a manually changeable copy board.

Thank you,



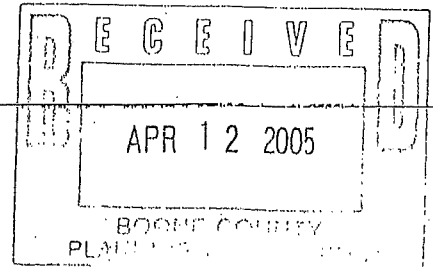
Vickie Lorton
Sign Dynamics

General Standards Applicable to All Conditional Uses

1. We feel the electronic message unit will be in accordance with the general objectives of the county's comprehensive plan.
2. The electronic message unit will be operated, maintained, constructed in a harmonious and appropriate appearance with the character of the general area.
3. The electronic message unit will be operated so it's not a hazard to neighboring uses.
4. The electronic message unit will not be a hindrance to public (highways, streets, police, fire) as noted in point number four.
5. The electronic message will not create an extra public cost and will enhance the welfare of the community.
6. The electronic message unit will be operated in such a way that it will not be detrimental to the community such as noise, smoke, fumes, glare or odors.
7. The electronic message unit will be operated in such a matter that it will not hinder traffic or surrounding public thoroughfares.

We have conducted a site survey and determined that there are no other electronic message boards within 660 feet of the proposed sign.

Vickie Lorton
Sign Dynamics



Vickie Lorton

From: Thompson, Ed (KYT11006) [Ed.Thompson@ky.gov]
Sent: Tuesday, April 12, 2005 4:03 PM
To: Vickie Lorton
Subject: RE: CVS

Vickie:
 US 25 in Boone County, Florence KY does not fall within any State or Federal signage regulations. As long as the sign is not within the Right-of-Way of US 25, the Department has NO jurisdiction.

If you need any additional information, please let me know.

Ed Thompson
 Dist 6 - Permits
 859-340-2700

-----Original Message-----

From: Vickie Lorton [mailto:vickiel@SignDynamics.com]
Sent: Tuesday, April 12, 2005 3:58 PM
To: ed.thompson@ky.gov
Subject: CVS

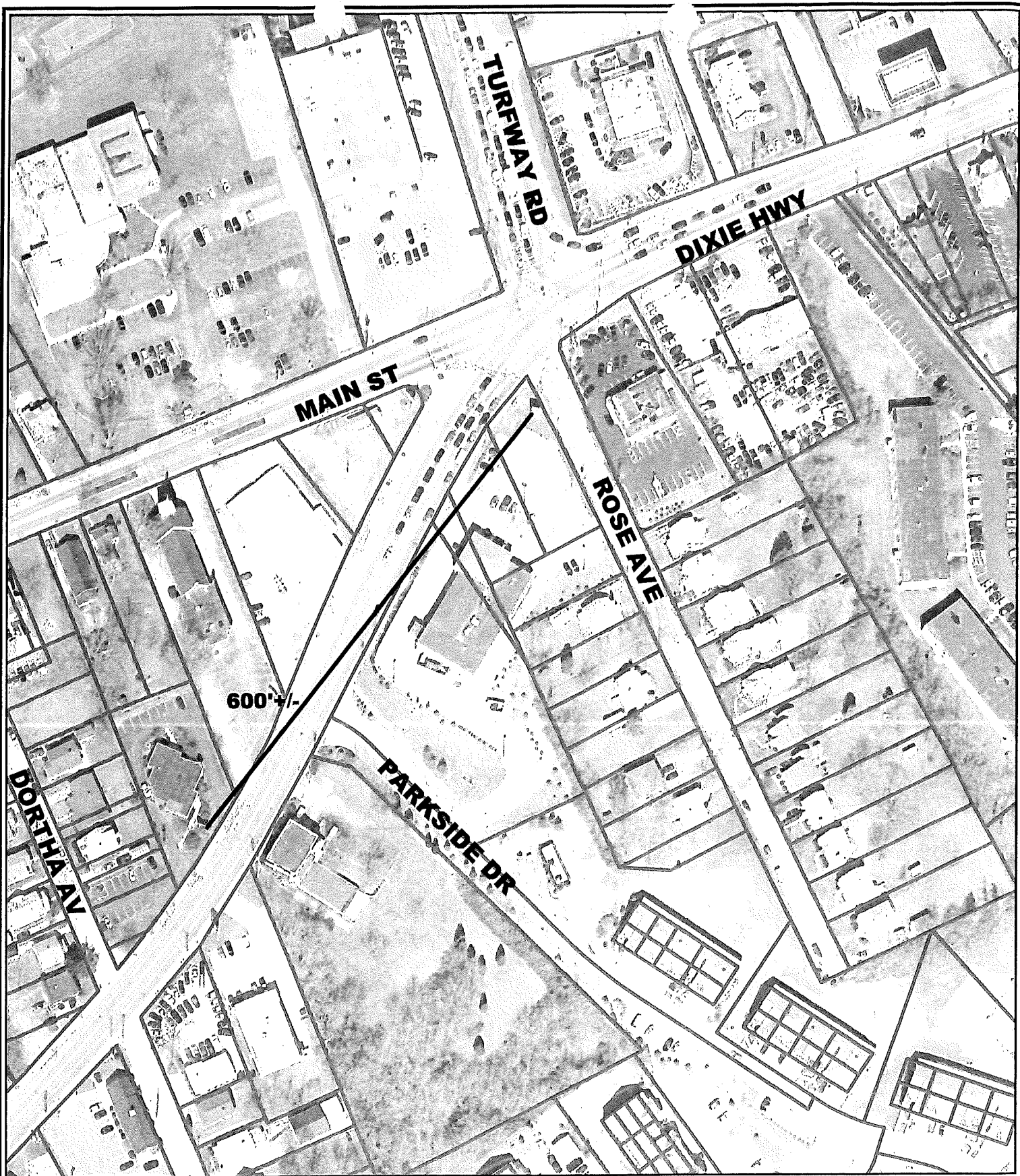
Hello Ed, Todd Morgan with the Boone County Planning Commission asked me to get in touch with you.

I am doing a conditional use variance for CVS at 6801 Dixie Highway. We are going to take down part of their signage and put up an Electronic Message Board. Boone County stated that I needed a letter of permission from you.

Please email me your response and I will send it on to Boone County

Thank you for your help with this matter

Vickie Lorton
 Sign Dynamics
 800-298-7788
 937-264-2070
 937-264-2075 (fax)

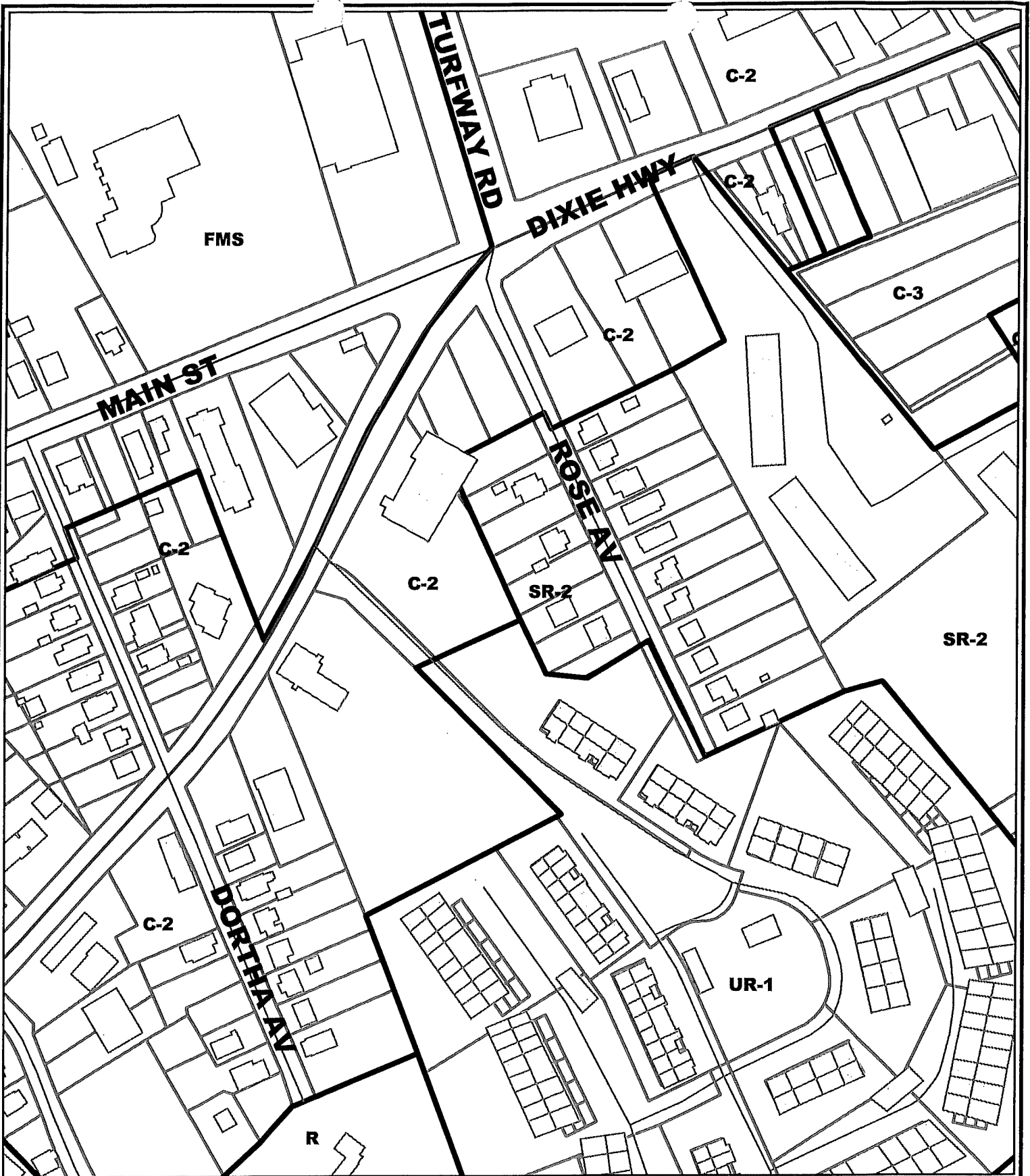


CVS Pharmacy Aerial Map

150 0 150 Feet

1 inch equals 150 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 23, 2005





CVS Pharmacy Zoning Map

200 0 200 Feet

1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 23, 2005

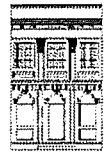




CVS Pharmacy Future Land Use Map

200 0 200 Feet

1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 23, 2005



**BOONE COUNTY PLANNING COMMISSION
SIGN PERMIT**

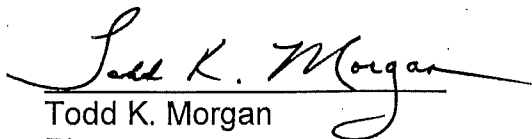
****NOTE: Prior to the placement of any approved sign, a building permit may be required from the Boone County Building Inspector - contact at 334-2218 for requirements.**

A Sign permit is hereby granted to ABC Sign for CVS
for property located at 6801 Dixie Highway, Florence, Kentucky
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:

- * One Permit for a 23' 11" tall, 96.88 square foot pole sign.
- * One Permit for a 175.51 square feet of building mounted signage on the primary building elevation (Dixie Highway).
- * One Permit for 60.63 square feet of building mounted signage on the Rose Avenue elevation.
- * One Permit for 6 directional signs - three 3'4" tall, 3.13 square foot enter/exit signs- three 3'4" tall, 3.13 square foot "Drive-Thru Pharmacy" signs.

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

10/12/99
DATE


Todd K. Morgan
Planner

PRIMARY SIGNAGE

Large Pylon

DOUBLE FACED

FLUORESCENT ILLUMINATED

SQUARE FOOTAGE:

80.28 Main cabinet

14.83 per message cabinet

The large version of the pylon is the preferred application whenever possible for maximum identification.

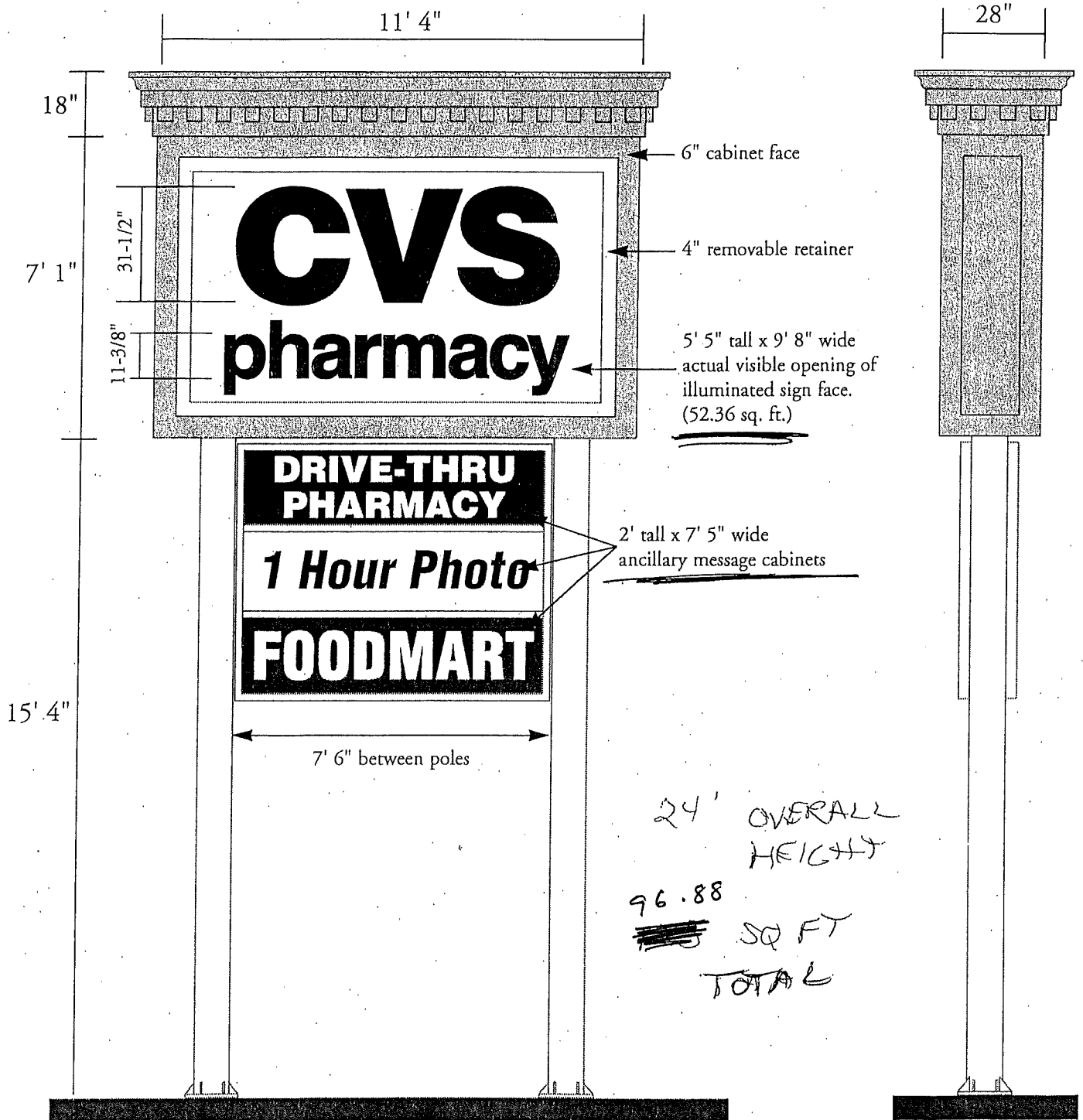
COLORS

- Faces: White background with red copy. Copy has black outline.
- Main cabinet and top cap: Seawolf Gray.
- Main and Message cabinet retainers: Colonial White.
- Steel support columns: Colonial White.
- Message cabinet faces: Alternate from red to white backgrounds with contrasting white or red copy.

MATERIALS

- Faces: White polycarbonate overlaid with 3M 230-42 red vinyl copy. Copy outline is 230-22 black vinyl.
- Main cabinet: .063 fabricated, painted aluminum.
- Main cabinet retainer: .125 aluminum.
- Message cabinets: White polycarbonate faces. Red faces overlaid with 230-42 red vinyl, reverse weeded copy. White faces overlaid with 230-42 red vinyl copy. Fabricated, painted aluminum cabinets and retainers.
- Top cap: Molded foam, dryvit finish.

Shown at 24' overall height.



COPY

CLUR #05-FBOA-005-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

WEC 99F-31 LLC
c/o CVS Corp. PA Store #6120
One CVS Drive
Woonsocket, RI 02895

2. ADDRESS OF PROPERTY

6801 Dixie Highway
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

CVS Pharmacy

4. DEED BOOK 772

PAGE NO. 629

GROUP NO. 2043A

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

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

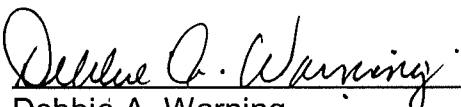
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 20 day of June, 2005.



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 Conditional Use Permit and Variance approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of June 8, 2005 Certificate of Land Use Restriction (#05-BCBOA-005-A), for WEC 99J-31 LLC c/o CVS Corp PA Store #6120, Property Owner(s).

The following conditions will apply:

- 1) The height of the sign is to be reduced to thirteen feet and it can be no more that 125 square feet in area.
- 2) The sign is to be monument style.
- 3) The sign is limited to one illumination color and that color is red.
- 4) Conditions 1, 2, and 3 listed above apply only if an electronically changeable message board is integrated into the permitted on-site freestanding sign.

The approved Conditional Use Permit and Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 772

PAGE NO. 629

GROUP NO. 2043A

TRANSACTION REPORT

Transmission
Transaction(s) completed

NO.	TX DATE/TIME	DESTINATION	DURATION	PGS.	RESULT	MODE
566	JUN. 21 11:46	919372642075	0° 00' 43"	003	OK	N ECM

COPY

CLUR #05-FBOA-005-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

WEC 99F-31 LLC

c/o CVS C
One CVS I
Woonsocket

Sign Dynamics

Jessica ZANK

2. ADDRESS

6801 Dixie
Florence, K

937 264 2075 (Fax)

4. DEED BOOK

Fax copy of CLUR

5. TYPE OF R

 Zoning
 From

FLORENCE

 Development Plan

 Conditional Zoning

 Subdivision Plat
(Not Recorded)

 Other:

 X Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

TRANSACTION REPORT

Transmission
Transaction(s) completed

NO.	TX DATE/TIME	DESTINATION	DURATION	PGS.	RESULT	MODE
567	JUN. 21 11:48	FLOR PUBLIC SVCS	0° 00' 54"	003	OK	N ECM

COPY

CLJFR #05-FBOA-005-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

WEC 99F-31 LLC
c/o CVS Corp. PA Store #6120
One CVS Drive
Woonsocket, RI 02895

2. ADDRESS OF PROPERTY

6801 Dixie Highway
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

CVS Pharmacy

4. DEED BOOK 772

PAGE NO. 629

GROUP NO. 2043A

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