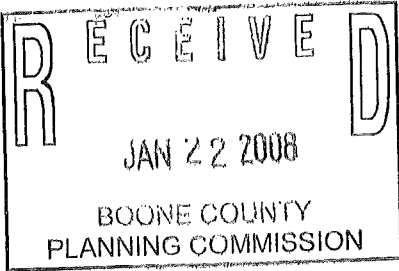


APPLICATION FORM



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 _____ Variance _____ Appeal _____
2 [X] Change in Non-Conforming Use
3. Applicant's Name Victory Signs & Lighting Inc.
Phone Number 513-722-8999 Fax No. 513-722-9110
Applicant's Address 6067B BRANCH HILL GUINEA PIKE
Milford OH 45150
City State Zip
4. Description of Request: Replace existing signage on front and near building walls - see attached detailed explanation
5. Name of Development Chuck E. Cheese
6. Location of Development 7635 Mall Rd.
Florence KY 41042
7. Acreage Under Review
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property Centro Properties Group
Address of Property Owner 953 Hempstead Rd Phone No. 513-728-6623
10. Cincinnati OH 45231
City State Zip
11. Proposed Use(s) on Site Restaurant
12. Total Square Footage of Existing and/or Proposed Buildings Front: 596.25 sq ft exist; 460 sq ft proposed
13. Current Zoning on Property
14. Deed Book 871 Page No. 412 Group No. 2040A Rear - 420 sq ft existing; 459 sq ft proposed
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: Melody Lelesox, Victory Signs & Lighting
Property Owner's Signature: Paul Walker, Senior Property Manager

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

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

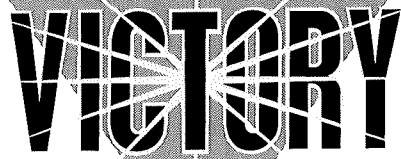
1. Date Received 1-22-08 Fee Received \$1221.00 RA# 55498
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
_____ Approved
2/13/08 Approved with Conditions (See #6)
_____ Denial (See #7)
6. Conditions of Approval: SEE 2/13/08 FBOA Meeting
MINUTES + C.L.U.R.
7. Reasons for Denial: _____

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
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.



SIGNS & LIGHTING INC.

January 17, 2008

Board of Adjustment
Boone County Planning
2950 Washington St., Room 317
Burlington, KY 41005

RE: Chuck E. Cheese's
7635 Mall Road

Dear Board Members:

Chuck E. Cheese's is in the process of remodeling and updating their existing site and a part of this work will be updating the signage on the building. The existing signs and awnings are to be removed and replaced with new that reflect the current Chuck E. Cheese's corporate logo design.

We are coming to you because the new signs and awnings are larger than what is currently permitted by the Zoning Code. Please keep in mind that the new signage is very similar to what is existing – both front and back wall currently have a logo and a set of letters reading Chuck E Cheese's; the front of the building currently has one (1) illuminated awning. With the new sign package, the front and back walls would each get a logo and a set of letters – the front would get a replacement awning and both the front and the back walls would get an additional awning. The existing signage/awnings on the front of the building consist of 596.25 square feet and the new package would total 960 square feet of signage. The existing signage/awnings on the back of the building consist of 420 square feet and the new package would total 459 square feet. To recap what is allowed per Code, what is existing and what we are proposing:

FRONT ELEVATION:

Allowed = 160 sq.ft.

Existing = 596.25 sq.ft.

Proposed = 960 sq.ft.

REAR ELEVATION:

Allowed = 160 sq.ft.

Existing = 420 sq.ft.

Proposed = 459 sq.ft.

LEFT SIDE:

Allowed = 239.5 sq.ft.

Existing = ⁵⁴0 sq.ft.

Proposed = 54 sq.ft.

RIGHT SIDE:

Allowed = 239.5 sq.ft.

Existing = 0 sq.ft.

Proposed = 0 sq.ft.

Note that the 54 square feet proposed for the left side of the building represents an awning covering new windows – it does not have any copy on it. This is permitted by Code and is not a part of this application.

We ask you to keep in mind that while the signage on the front and rear elevations of the building is more than what is permitted, the side elevations of the building will have much less signage than what is permitted. We would also like to point out that the Code currently allows only one (1) sign per wall therefore we have measured all signage/awnings per wall as one (1) unit causing the square footage totals to include a considerable amount of “empty” space where there is no signage.

This is a complicated request, but please keep in mind that Chuck E. Cheese’s has been in this location for years now and would like to remain here for years to come. It is a good location for them and they are going to the expense to update the building for a more modern look and keep current with the surrounding area. The only additional signage will be new awnings and these will serve as exterior lighting for patrons and employees as well as protect both from the elements at the entrances and exits of the building.

We have read and understand the Board of Adjustments “Standards for Variances” and feel that by granting this request the Board will not adversely affect the public in any way, as this will allow Chuck E. Cheese’s the ability to identify their location in the same manner that they have been for many years now. Again, since this new signage is so similar to what is existing, we do not feel that approving this request would alter the essential character of the area. This is a special circumstance due to this being necessitated by Chuck E. Cheese’s desire to improve the appearance of their site, which will, in turn, improve the overall appearance of the area. The strict application of the regulations in this case would deprive Chuck E. Cheese’s of the opportunity to identify their location in the same manner that they have been allowed to for years now.

We are hopeful that you will look favorably upon this request. We will be happy to answer any questions that you may have during the meeting.

Sincerely,



Melody Wilson

STAFF REPORT

APPLICANT: Victory Signs & Lighting, Inc. for Chuck E. Cheese's
LOCATION: 7635 Action Boulevard, Florence, Kentucky
ZONING: Commercial Two (C-2)
DATE: February 13, 2008

Proposal

The Applicant is requesting two Changes in Non-Conforming use to allow the additional building mounted signage to be installed on the front and rear facades of the building. The signage changes are proposed in conjunction with other facade improvements that are being proposed to the building (see attached elevation drawings and pictures). The chart below indicates the amount of signage that is permitted, the amount of signage that exists, and the amount of signage that is proposed on each facade.

	PERMITTED SIGNAGE	EXISTING SIGNAGE	PROPOSED SIGNAGE
FRONT FACADE (FACING SERVICE ROAD)	160 Sq. Feet	596.25 Sq. Feet	960 Sq. Feet
REAR FACADE (FACING MALL ROAD)	160 Sq. Feet	420 Sq. Feet	459 Sq. Feet
NORTH FACADE	239.5 Sq. Feet	0 Sq. Feet	0 Sq. Feet
SOUTH FACADE	239.5 Sq. Feet	54 Sq. Feet	54 Sq. Feet

Applicable Regulations

Article 2, Section 220 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 changes in non-conforming uses.

Article 2, Section 270 of the Boone County Zoning Regulations states that it is the intent of the regulations to keep non-conforming uses or structure from being "enlarged or extended beyond the scope and area of its operation at the time it became a legal non-conforming use, nor shall other uses or structures which are prohibited elsewhere in the same district be permitted on lots of non-conforming uses or structures."

Article 2, Section 274 of the Boone County Zoning Regulations states that "where a lawful structure exists at the effective date of adoption or amendment of this order that could not be built under the terms of this order by reason of restrictions on intensity or size or lot coverage or height or bulk or setback, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
2. Should such structure be moved for any reason for any distance, it shall thereafter conform to the regulations for the district in which it is located after it is moved as otherwise provided in Kentucky Revised Statutes, Section 100.253(2).

Article 34, Section 3441 of the Boone County Zoning Regulations applies to the Mall Road Commercial Sign District. This section states that "independent building or individual establishments with direct frontage on, or unobstructed visibly from, Mall Road shall not be permitted individual free-standing signs but shall be permitted one (1) building mounted sign, with a maximum size of 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.

Article 40, Section 4000 of the Boone County Zoning Regulations defines a sign as "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."

Site History

On February 4, 1997 a Sign Permit was issued to replace the building mounted signage on the building.

Surrounding Buildings and Zoning

- North: Men's Warehouse/Pearle Vision (C-2)
- South: Gyros and Wings (C-2)
- East: Mall Road and Village at the Mall
- West: Service Road, Home Goods, T.J. Maxx

Staff Comments

1. The building mounted signs on the front and rear facades are legally non-conforming because they are larger than what is allowed by code (see chart on page 1). The Mall Road Commercial Sign District only permits one sign area on each facade of the building. The Boone County Zoning Regulations show that a sign area is computed by drawing a rectangle around the highest and widest portions of a sign or signs. Staff would like to point out that the code requirement is causing a lot of dead space to be figured into the sign calculations.
2. The Applicant has provided elevation drawings of the proposed facade improvements and pictures of similar stores. The elevations show:
 - A. New parapet walls being constructed to enhance the Chuck E. Cheese logo and lettering on the front and rear facades of the building;
 - B. Multi-colored EIFS veneer being applied to the whole building;
 - C. Multi-colored illuminated awnings on the front, rear, and south side of the building; and
 - D. Metal diamonds being applied to all facades.

Other than the letters, logo, and illuminated awnings, all facade improvements shown on the elevations can be approved administratively without the Board of Adjustment's approval.

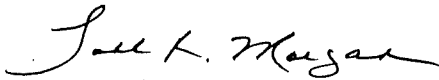
3. Staff is concerned that the request would enlarge the non-conforming building mounted signage on the front and rear facades of the building. Staff recommends that the Board should analyze the signage and facade improvements as an integral package because some of the facade improvements act as sign background. Staff believes the facade improvements would lose their "animated" feel if the following revisions were made:
 1. Reduce the square footage of the Chuck E. Cheese logos on the front and rear facades from 65 square feet to 36 square feet or less;
 2. Reduce the height of the Chuck E. Cheese letters on the front and rear facades from 3 feet to 2 feet.
 3. Eliminate the "checkerboard" effect in the EIFS.
 4. Make all illuminated awnings one color.
 5. Construct masonry knee walls on the front and rear facades. The knee walls can be a non-structural veneer.

4. The Applicant has informed Staff that the neon strips shown on parapet walls are not part of the proposal.
5. Staff recommends the following conditions if the request is approved:
 - A. See Staff comment #3
 - B. The new signage package shall not be installed unless the other facade improvements are made to the building.
 - C. No additional signage shall be permitted on the building without approval from the Florence Board of Adjustment.

Conclusion

KRS 100.253 and Section 220 of the Boone County Zoning Regulations gives the Florence Board of Adjustment and Zoning Appeals the authority to grant the applicant's request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

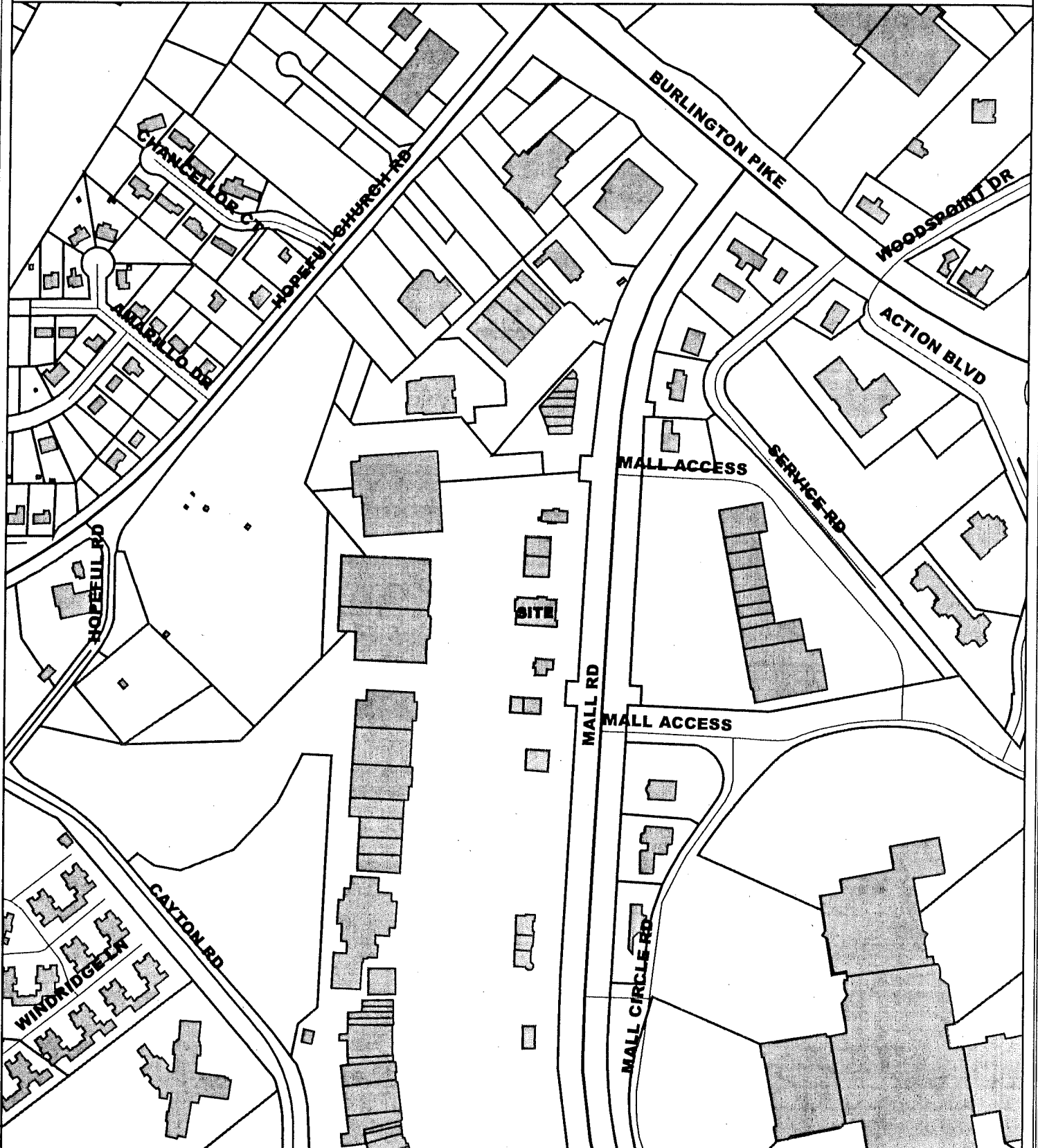
TKM/pr

Attachments

- *Site Vicinity Map
- *Letter From Applicant
- *Concept Plans
- *Sign Dimension Drawings
- *Elevation Drawings (Facade Improvements)
- *Pictures of Similar Buildings
- *Aerial Map
- *Zoning Map
- *Application

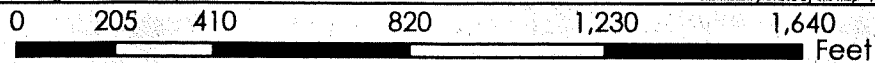
SITE VICINITY MAP

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



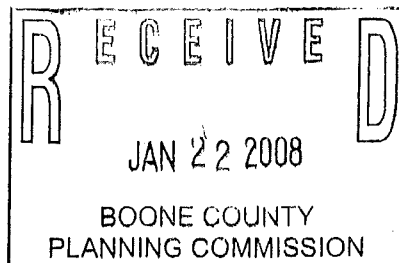
1 Inch equals 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created 01/01/2008

From Point to Point (Sept 2008) ArcMap Document, Unitled



January 17, 2008

Board of Adjustment
Boone County Planning
2950 Washington St., Room 317
Burlington, KY 41005

RE: Chuck E. Cheese's
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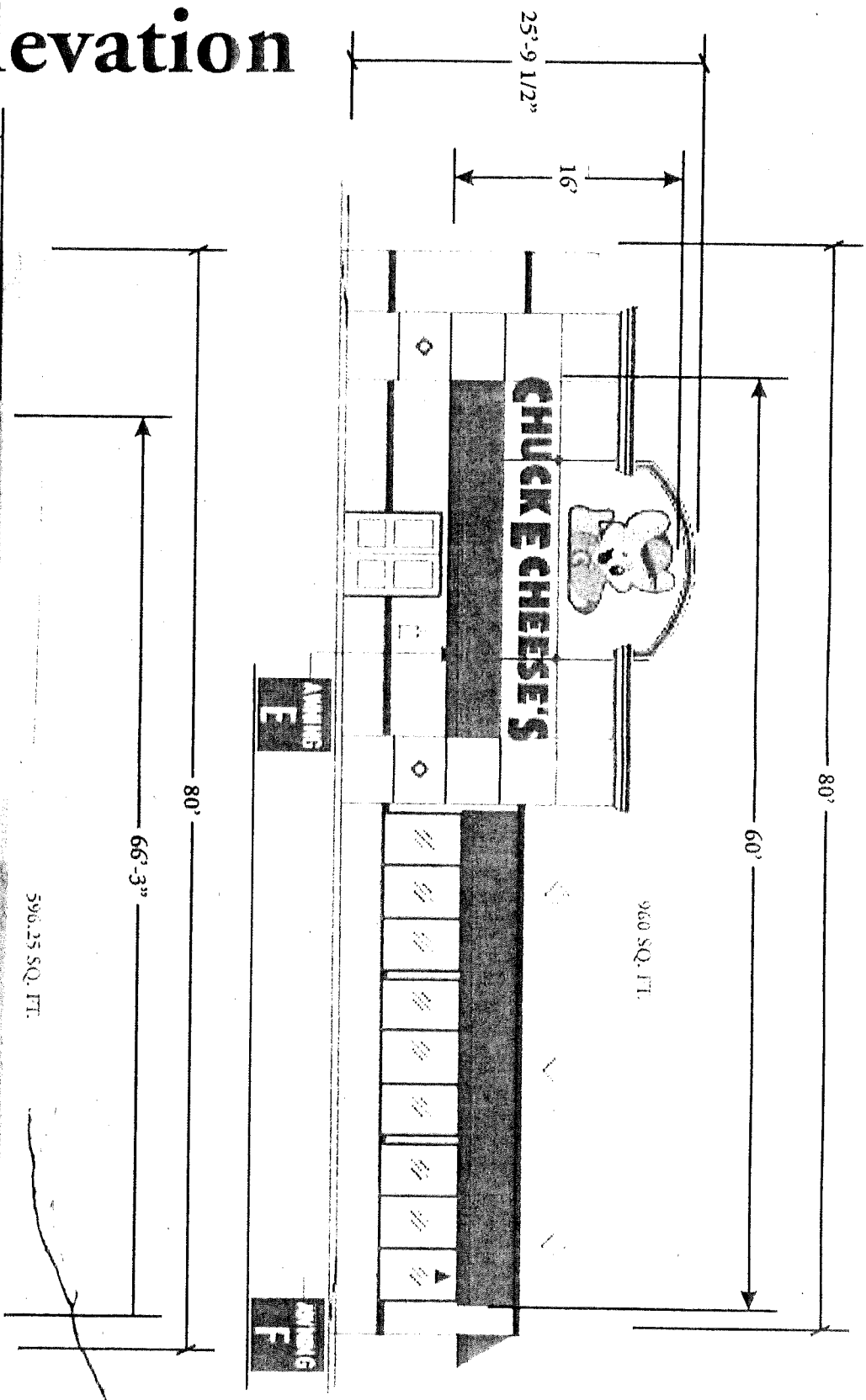
Sincerely,

A handwritten signature in cursive script that reads "Melody Wilson". The signature is written in dark ink and is positioned above the printed name.

Melody Wilson

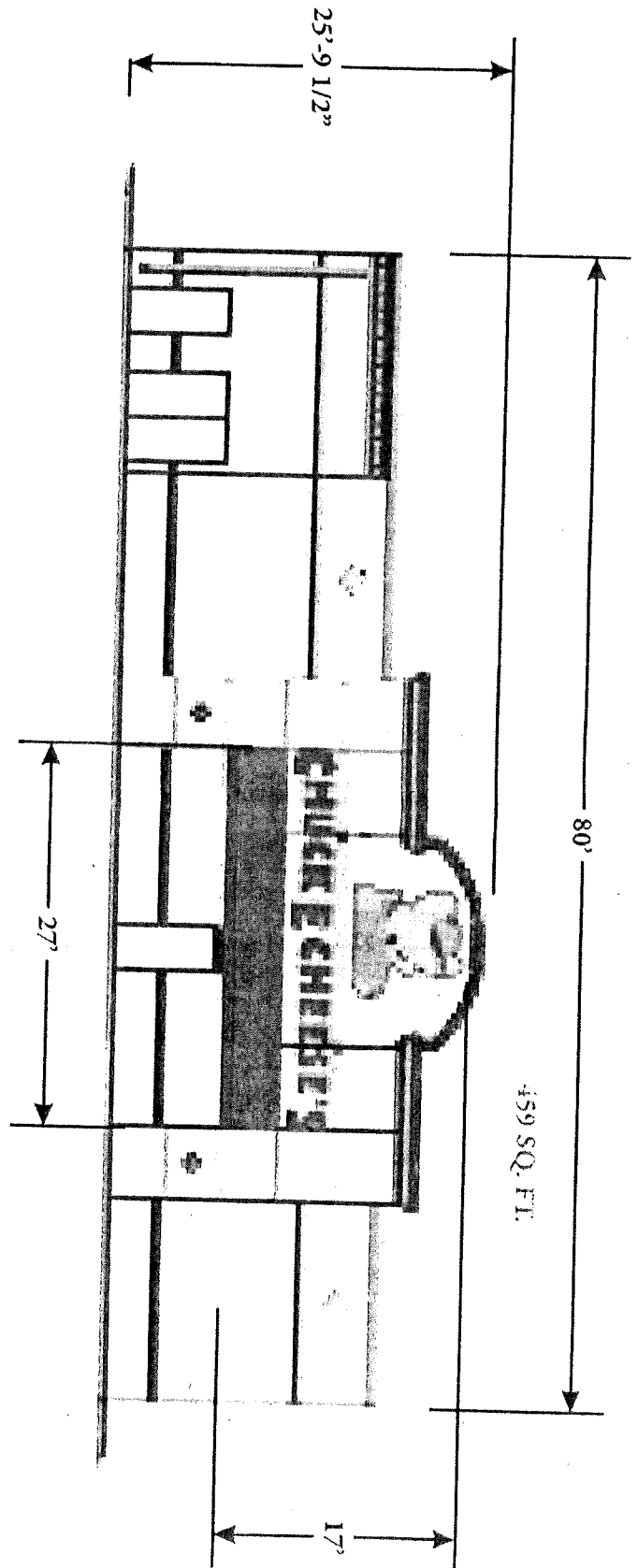
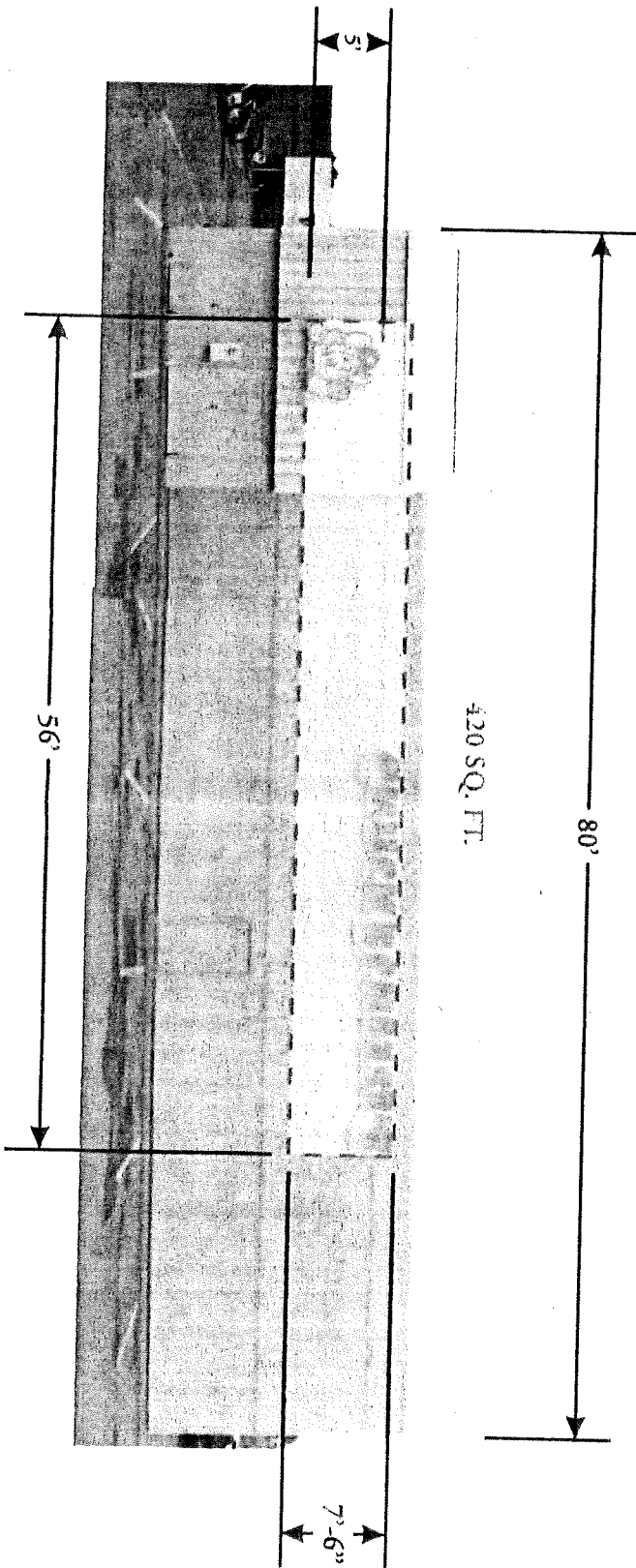
Front Elevation

CONCEPT PLAN



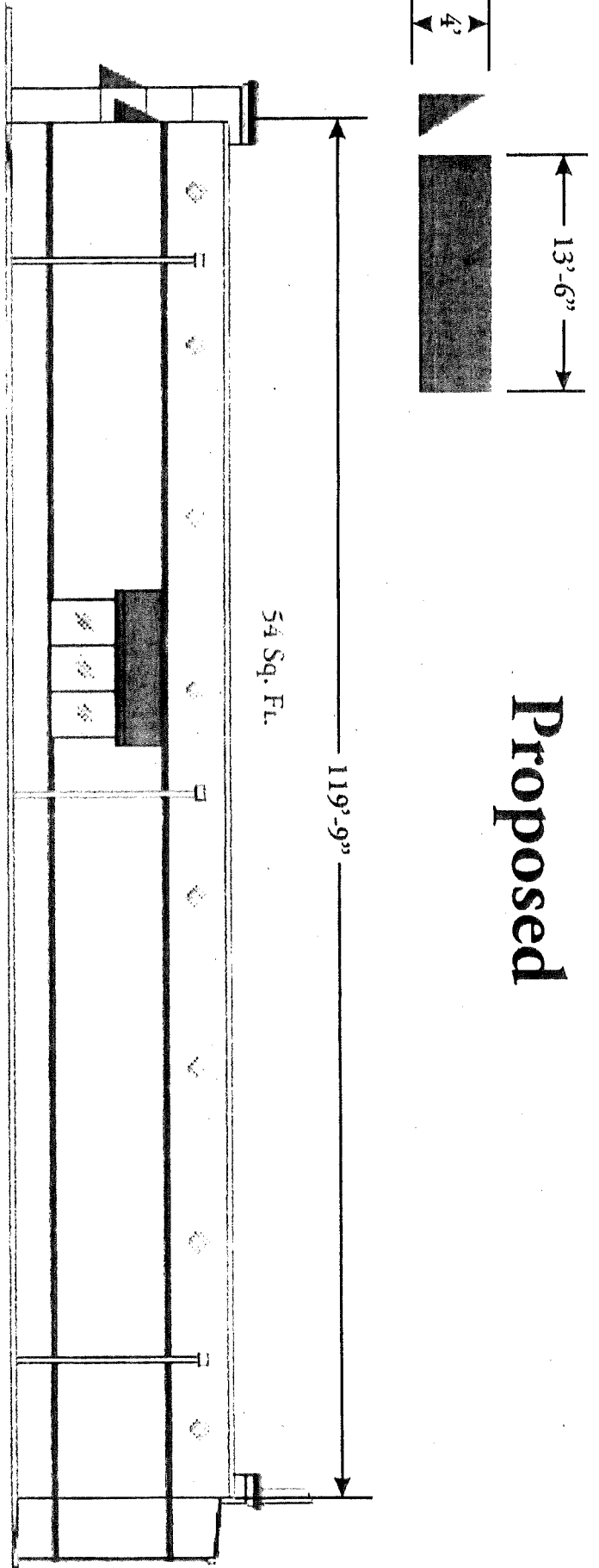
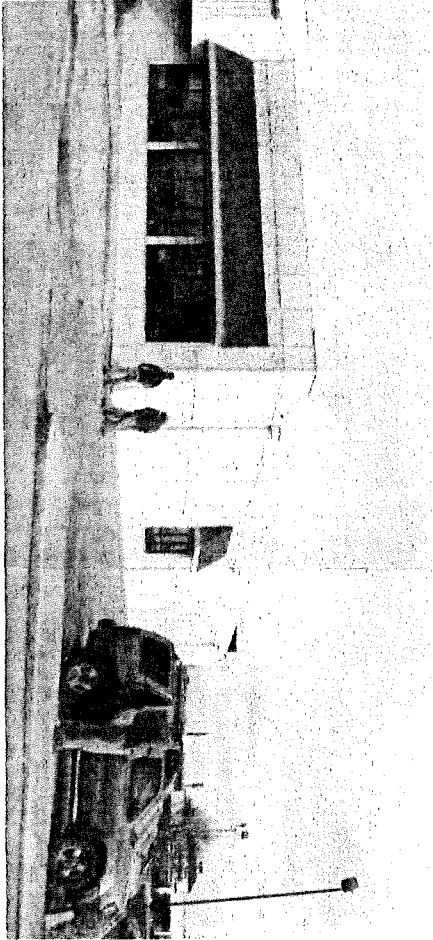
Rear Elevation

CONCEPT PLAN

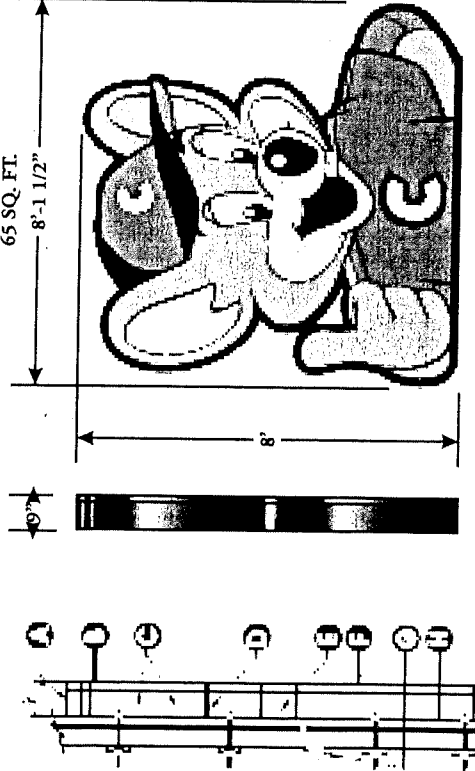


Side Elevation

CONCEPT PLAN



ITEM	DESCRIPTION
A	1" X 1/2" ALUM. RETAINERS PER LETTER
B	1/2" CLEAR COATED W/NO SURFACE FINISH GRAPHICS
C	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
D	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
E	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
F	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
G	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
H	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS



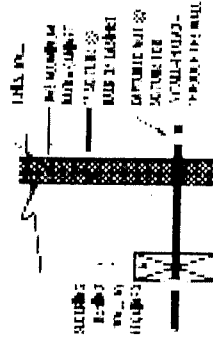
LOGO CABINET;

Front Elevation
Sign Dimensions

WALL LETTERS;

CHUCK ECHEESE'S

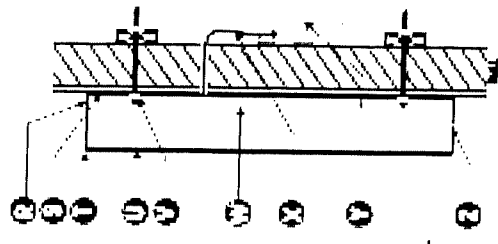
81 Sq. Ft.



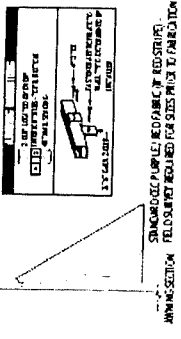
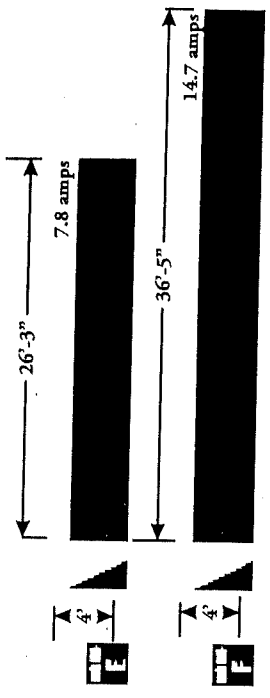
1 1/2" FLAT RETAINERS
.063 ROUNDED ALUM.
W/2 .040 RETURNS
PTD. GLOSS BLACK

ITEM	DESCRIPTION
A	1/2" ALUM. RETURN PRESHINED BLACK
B	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
C	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
D	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
E	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
F	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
G	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
H	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
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T	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
U	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
V	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
W	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
X	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
Y	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS
Z	1/2" ALUM. BACK W/NO SURFACE FINISH GRAPHICS

LETTER MOUNTING



AWNINGS;



COLOR MAY NOT BE EXACT AS SHOWN DUE TO PRINTER LIMITATIONS. REFER TO COLOR CHARTS.

APPROVALS: BY SIGNING BELOW YOU ARE SIGNIFYING THAT THIS DRAWING MEETS YOUR APPROVAL FOR MANUFACTURE & INSTALLATION.

DATE: _____ APPROVED BY: _____

DATE: _____ APPROVED BY: _____

COMMENTS:

DATE: 1-15-08

ARTIST: R. HORN

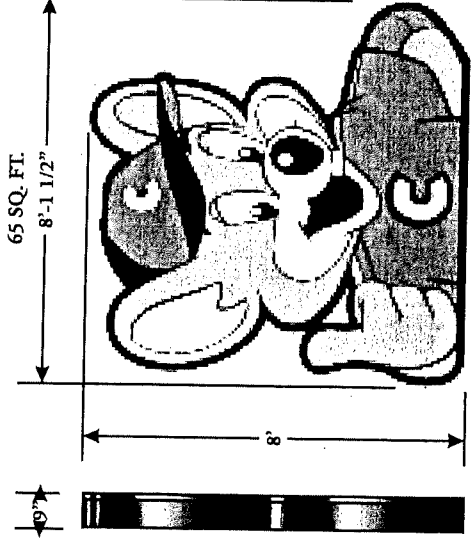
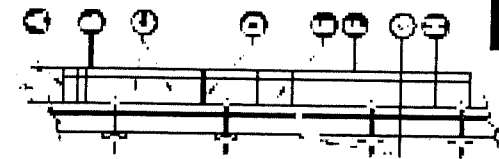
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SKETCH # 449-2

LOCATION: Florence, KY

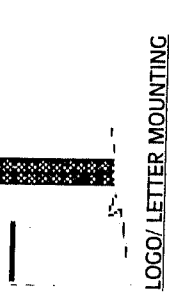
VICTORY
SIGNS & LIGHTING
Cincinnati, Ohio
Phone (513) 722-8999
Fax (513) 722-9110

ITEM	DESCRIPTION
A	1/2" ALUM. RETURN PREPARED BLACK
B	3/8" CLEAR COVER AND SUBS. MTL. GLASS
C	1/2" ALUM. BACK WITH 1/2" TUBES 5/16" DIA. INTERIOR PTD. WHITE
D	1/2" ALUM. BACK WITH 1/2" TUBES 5/16" DIA. INTERIOR PTD. WHITE
E	1/2" ALUM. BACK WITH 1/2" TUBES 5/16" DIA. INTERIOR PTD. WHITE
F	1/2" ALUM. BACK WITH 1/2" TUBES 5/16" DIA. INTERIOR PTD. WHITE
G	1/2" ALUM. BACK WITH 1/2" TUBES 5/16" DIA. INTERIOR PTD. WHITE
H	1/2" ALUM. BACK WITH 1/2" TUBES 5/16" DIA. INTERIOR PTD. WHITE



LOGO CABINET;

Rear Elevation
Sign Dimensions



LOGO/ LETTER MOUNTING

1 1/2" FLAT RETAINER.
.063 ROUNDED ALUM.
W/2 .040 RETURNS
PTD. GLOSS BLACK

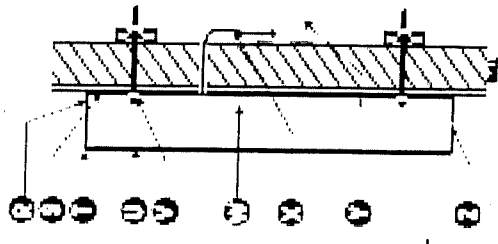
WALL LETTERS;

CHUCK ECHEESE'S

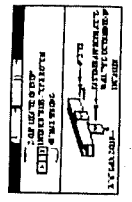
81 Sq. Ft.

ITEM	DESCRIPTION
R	1/2" ALUM. RETURN PREPARED BLACK
S	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
T	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
U	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
V	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
W	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
X	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
Y	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE
Z	1/2" ALUM. BACK INTERIOR PTD. REFLECTIVE WHITE

LETTER MOUNTING



AWNING;



AWNING: 26'-3" x 7.8 amps

COLOR MAY NOT BE EXACT AS SHOWN DUE TO PRINTER LIMITATIONS. REFER TO COLOR CHARTS.

APPROVALS BY SIGNING BELOW YOU ARE SIGNIFYING THAT THIS DRAWING IS YOURS AND YOU ACCEPT FULL RESPONSIBILITY FOR THE MANUFACTURE & INSTALLATION.

DATE: _____ APPROVED BY: _____

DATE: _____ APPROVED BY: _____

COMMENTS:





DATE: 1-15-08 ARTIST: R. Morris Client: Chuck E Cheese

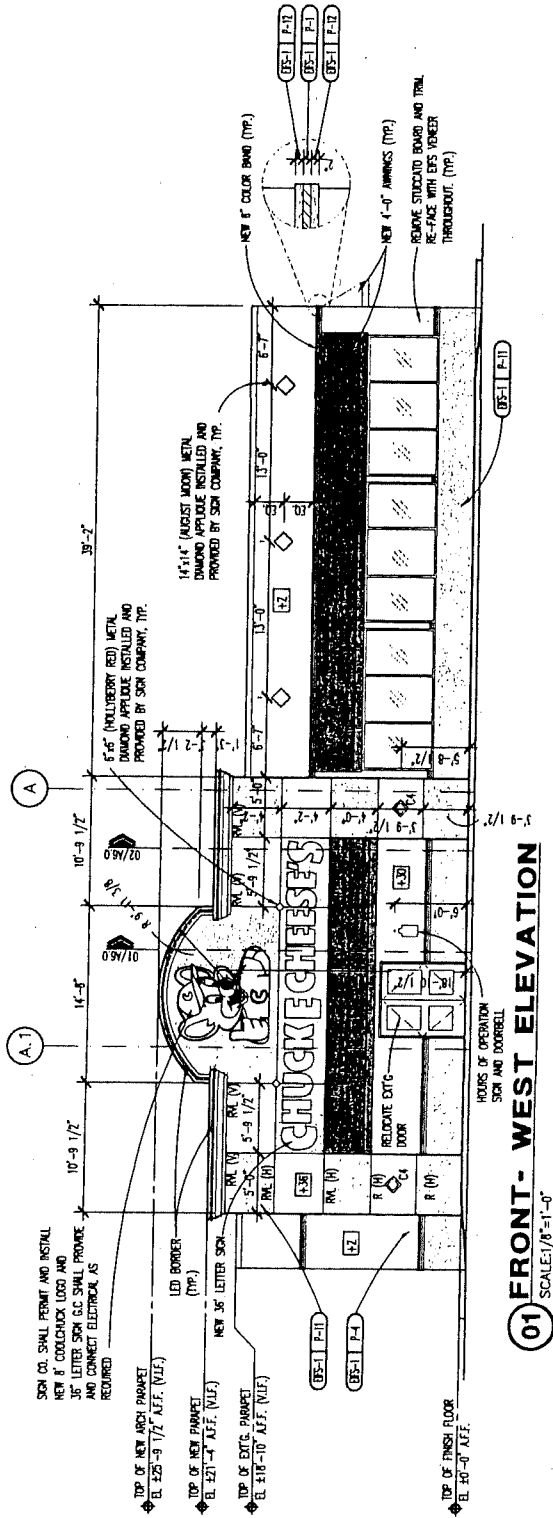
SKETCH # 4490-2 SCALE: N/A LOCATION: Florence, KY

COPYRIGHT 2005 VICTORY SIGNS & LIGHTING, INC. This drawing is the exclusive property of Victory Signs & Lighting, Inc. And is the result of the original work of its employees. Any unauthorized distribution or reproduction of this artwork is strictly prohibited.

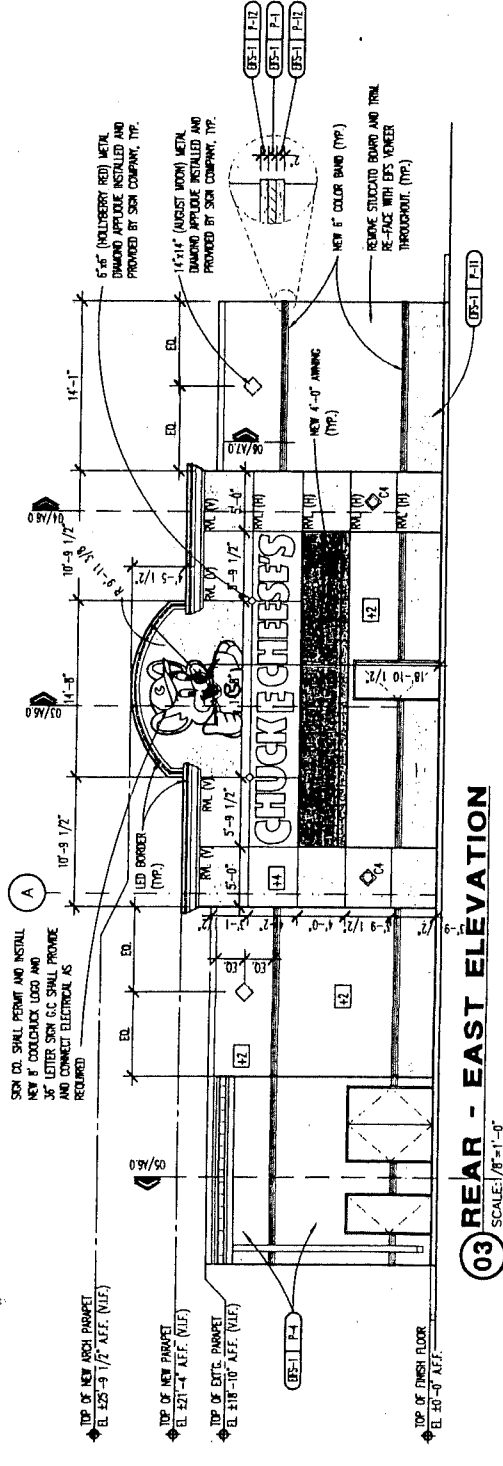
VICTORY
SIGNS & LIGHTING
Cincinnati, Ohio
Phone (513) 722-9999
Fax (513) 722-9110

FINISH LEGEND

	EFS-1	SAND (BUCKSKIN #449)
	EFS-1 P-11	CANOE
	EFS-1 P-12	AUGUST MOON
	EFS-1 P-1	HOLLYBERRY RED

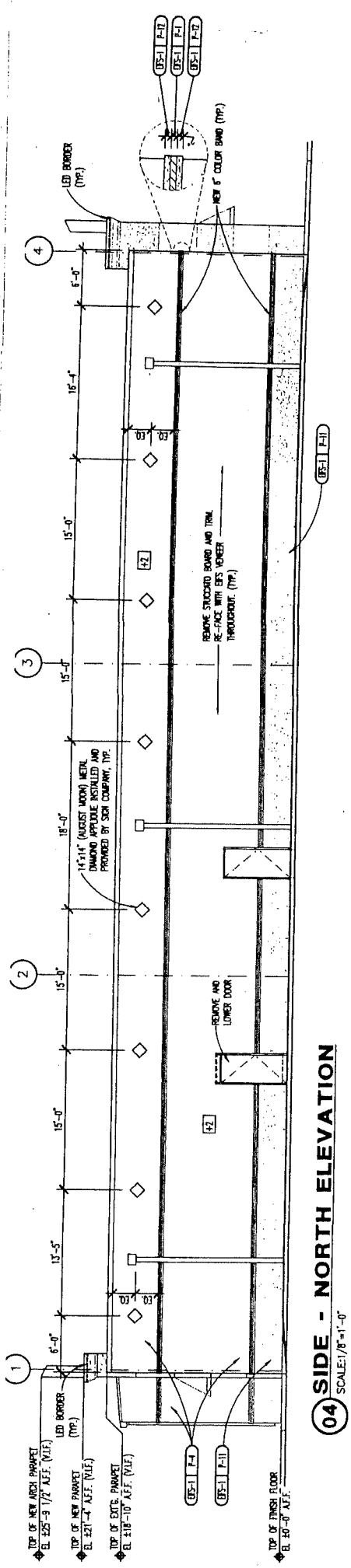


01 FRONT - WEST ELEVATION
SCALE: 1/8"=1'-0"

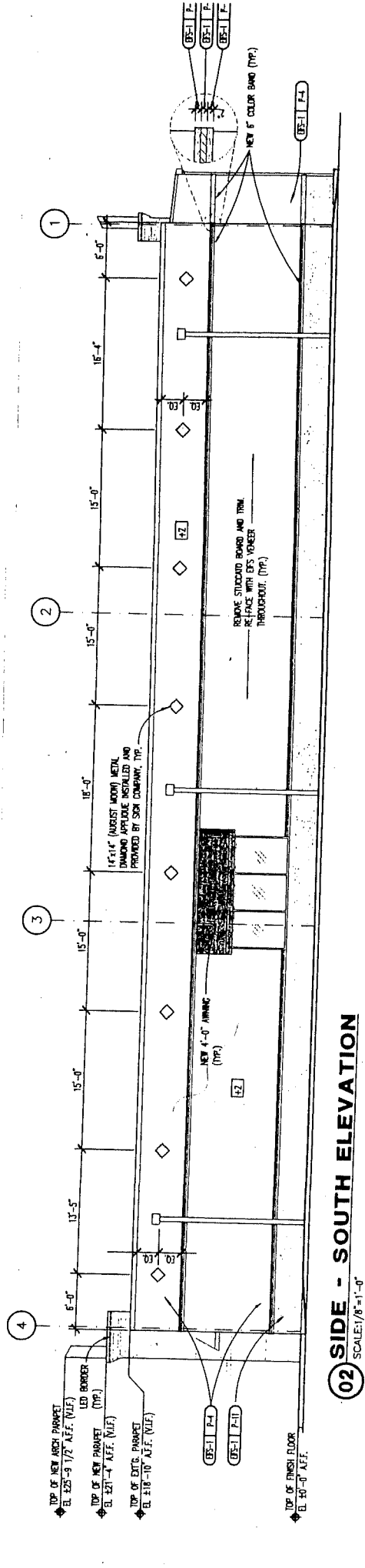


03 REAR - EAST ELEVATION
SCALE: 1/8"=1'-0"

Elevation Drawing



04 SIDE - NORTH ELEVATION
SCALE: 1/8"=1'-0"



02 SIDE - SOUTH ELEVATION
SCALE: 1/8"=1'-0"

Elevation Drawings



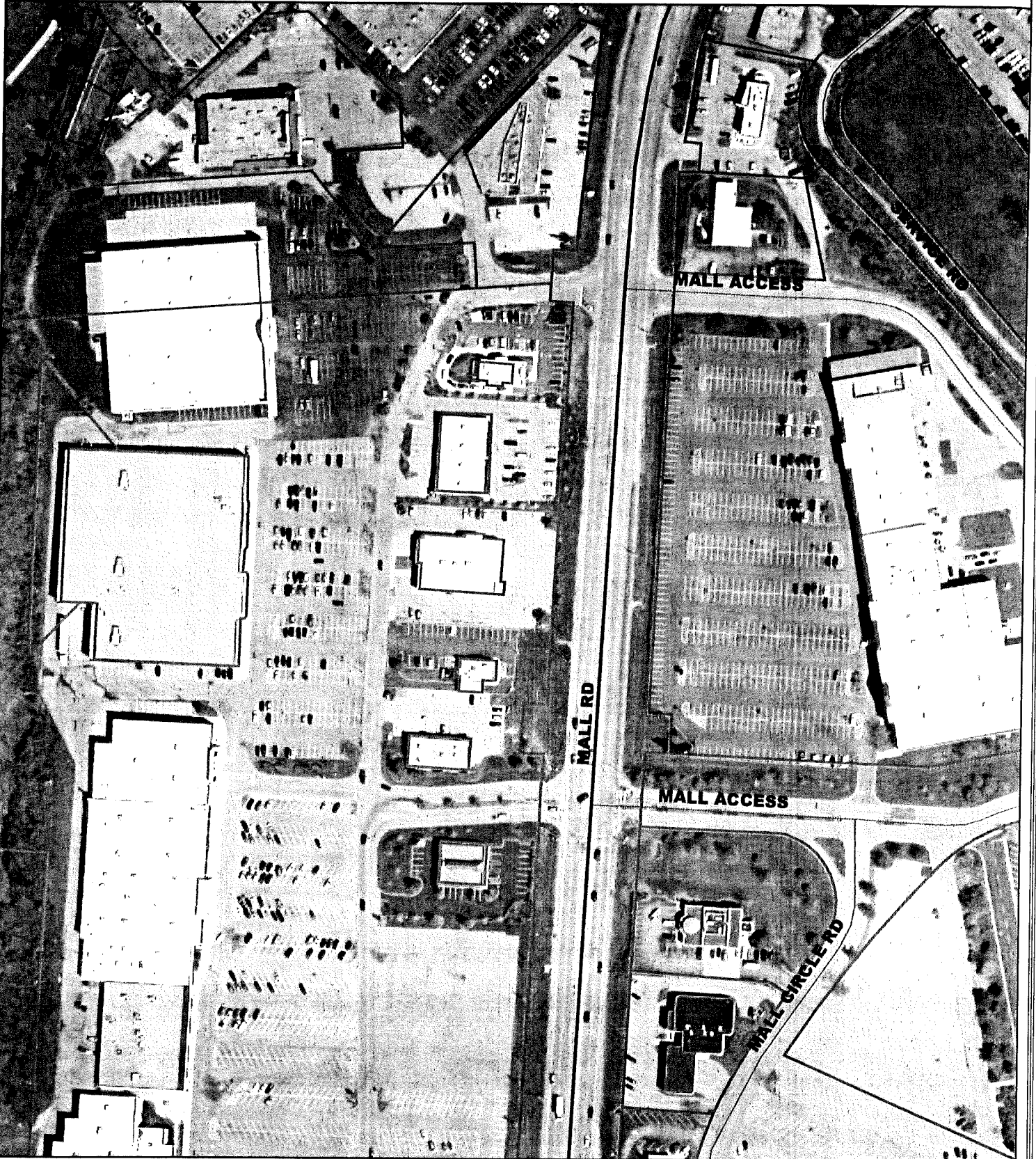
PICTURE OF A SIMILAR BUILDING



Picture of A Similar Building

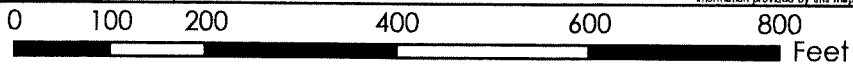
AERIAL MAP

www.boonecountygis.com



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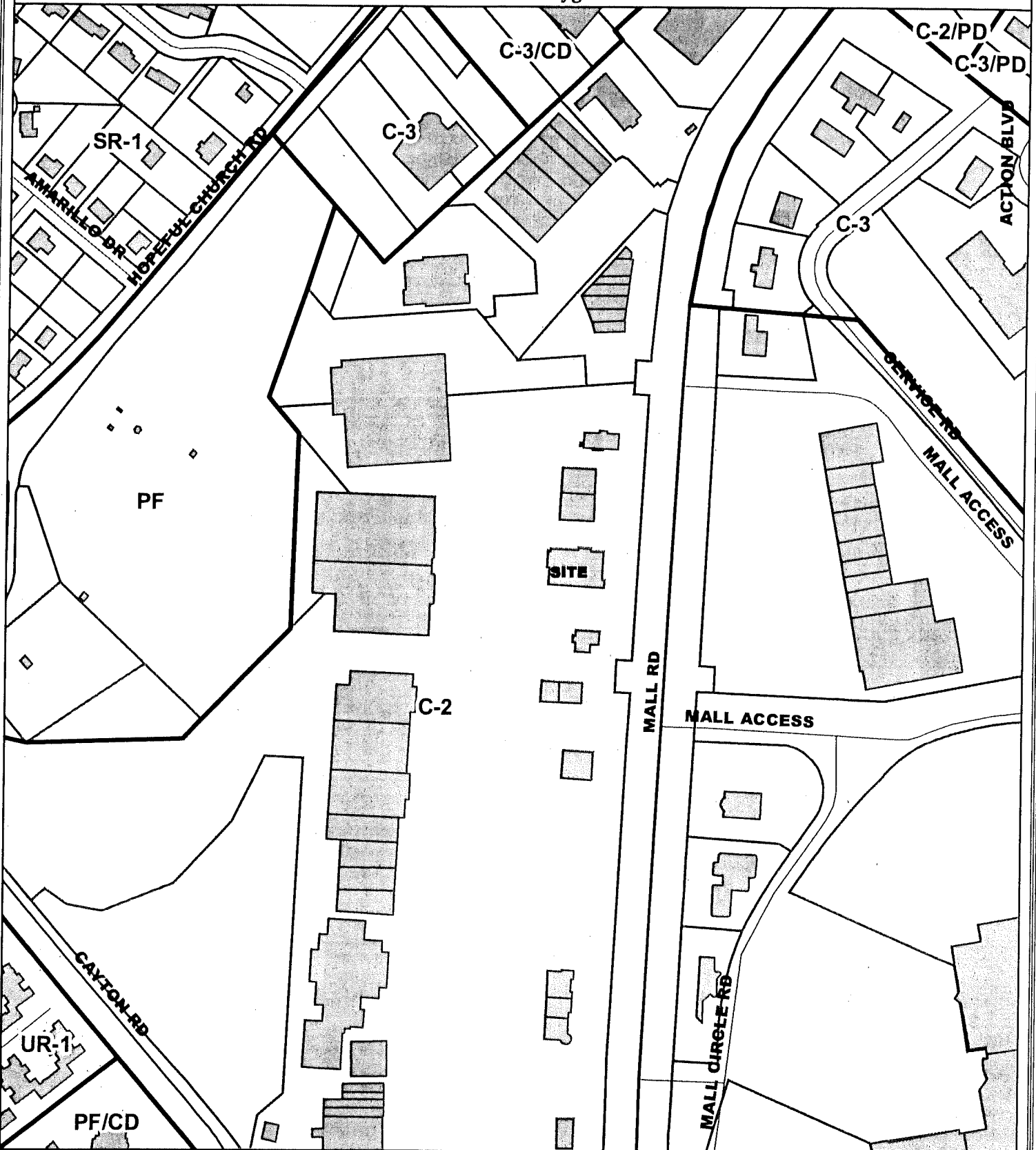
1 Inch equals 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

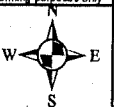
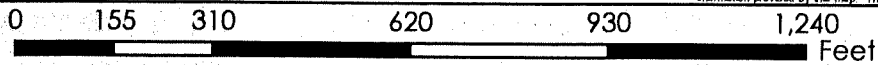
ZONING MAP

www.boonecountygis.com



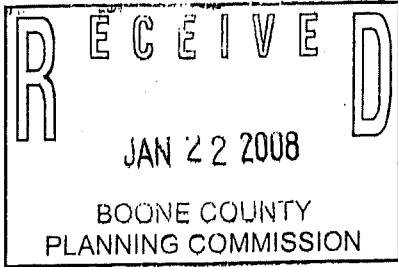
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Boone County GIS - Putting Northern Kentucky on the Map

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 Victory Signs & Lighting Inc.
 Phone Number 513-722-8999 Fax No. 513-722-9110
 Applicant's Address 6067B BRANCH HILL GUINEA PIKE
Miford OH 45150
 City State Zip
- 4. Description of Request: Replace existing signage on front and rear building walls - see attached detailed explanation
- 5. Name of Development Chuck E. Cheese
- 6. Location of Development 7635 Mall Rd.
Florence KY 41042
- 7. Acreage Under Review _____
- 8. Lot Number and Name of Subdivision (if part of a subdivision) _____
- 9. Owner of Property Centro Properties Group
 Address of Property Owner 953 Hempstead Rd Phone No. 513-728-6623
Cincinnati OH 45231
 City State Zip
- 11. Proposed Use(s) on Site Restaurant
- 12. Total Square Footage of Existing and/or Proposed Buildings Front: 596,255 sq ft exist; 460 sq ft proposed
- 13. Current Zoning on Property _____
- 14. Deed Book 871 Page No. 412 Group No. _____
- 15. Is the site subject to a zone change? no Rear - 420 sq ft existing; 459 sq ft proposed
 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: Melody Leibelox, Victory Signs & Lighting
Property Owner's Signature: Randy Miller, Senior Property Manager

(over)

COPY

CLUR #08-FBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Centro Properties Group
953 Hempstead Road
Cincinnati, OH 45231

2. ADDRESS OF PROPERTY

7635 Mall Road
Florence, KY 41042

3. NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)

Chuck E. Cheese

4. DEED BOOK 871

PAGE NO. 412

GROUP NO. 2040A

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: Change in Non-Conforming Use

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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

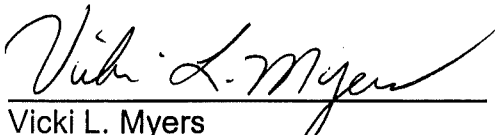

SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

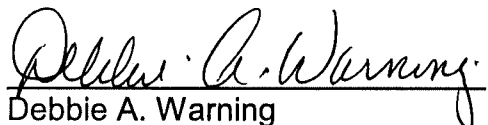
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 25 day of February, 2008.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2011

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
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 Change in Non-Conforming Use approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of February 13, 2008 Certificate of Land Use Restriction (#08-FBOA-001-A), for Centro Properties Group, Property Owner(s).

The following conditions will apply:

- 1) There are to be masonry knee walls on the entire length of the front and rear facades.
- 2) The new sign package is to be as presented.
- 3) The new sign package shall not be installed unless the other façade improvements are made to the building.
- 4) No additional signage or modification to the signage shall be permitted on the building without approval from the Florence Board of Adjustment.
- 5) The checkerboard theme is permitted on the front and rear elevations on the parapet wall and the two pillars (see picture attached to the Staff Report marked "picture of a similar building").

The approved Change in Non-Conforming Use as well as the preceding conditions apply to the property described in:

DEED BOOK 871

PAGE NO. 412

GROUP NO. 2040A

MODE = MEMORY TRANSMISSION

START=FEB-26 09:17

END=FEB-26 09:18

FILE NO.=179

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/EMAIL ADDRESS/TELEPHONE NO.	PAGES	DURATION
001	OK	<13↑>	CITY FLO FPS	003/003	00:00:30

-BOONE COUNTY PLANNING -

***** UF-8000 v2 ***** - ***** - 8593342264- *****

CLUR #08-FBOA-001-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Centro Properties Group
953 Hempstead Road
Cincinnati, OH 45231
2. ADDRESS OF PROPERTY
7635 Mall Road
Florence, KY 41042
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Chuck E. Cheese
4. DEED BOOK 871 PAGE NO. 412 GROUP NO. 2040A
5. TYPE OF RESTRICTION(S) (Check all that apply)

<input type="checkbox"/> Zoning Map Amendment: From _____ To _____	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Development Plan	<input type="checkbox"/> Conditional Zoning
<input type="checkbox"/> Subdivision Plat (Not Recorded)	<input checked="" type="checkbox"/> Other: Change in Non-Conforming Use
<input type="checkbox"/> 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
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

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