

10-EB0A-004-A

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

REDUCED PERIMETER LANDSCAPING REQUIREMENTS

See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone [checked] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
2. (Check One) Conditional Use Permit [checked] Variance \_\_\_\_\_ Appeal \_\_\_\_\_
Change in Non-Conforming Use \_\_\_\_\_
3. Applicant's Name DANA WENZEL / CT CHANG & ASSOCIATES
Phone Number 817-354-6010 Fax No. 817-571-1919
Applicant's Address 3901 AIRPORT FREEWAY #110 BEDFORD TX 76021
4. Description of Request: To Approve Proposed SIGNAGE AND FACADE FOR BUILDING EXPANSION CONSISTANT W/ APPROVED SIGNAGE 2/13/08
5. Name of Development CHUCK & CHEESE RESTAURANT
6. Location of Development 7035 MALL ROAD FLORENCE KY
7. Acreage Under Review 45500 SF LEASE AREA ± 1.04 AC.
8. Lot Number and Name of Subdivision (if part of a subdivision)
9. Owner of Property NEW PLAN PROPERTY C/O CENTRO PROPERTIES
Address of Property Owner 22054 FARMINGTON RD Phone No. 513-728-6624
10. FARMINGTON MI 48336
11. Proposed Use(s) on Site BLDG. EXPANSION & FACADE REMODEL OF EXISTING CHUCK & CHEESE RESTAURANT (1981)
12. Total Square Footage of Existing and/or Proposed Buildings 9116 SF + 2494 NEW = 12,210 SF
13. Current Zoning on Property C2
14. Deed Book 871 Page No. 412 Group No. 2040A
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? Yes
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. TONY MICHALAK

ORIGINAL Property Owner's Signature: Tony Michalak - CENTRO PROPERTIES (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Dana Wenzel (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 5/18/10 Fee Received \$1,588<sup>00</sup> RA60783
2. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
6/9/10 **Approved**  
**Approved with Conditions** (See #6)  
**Denial** (See #7)
6. Conditions of Approval: SEE 6/9/10 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](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: CT Chang & Associates for Chuck E. Cheese

LOCATION: 7635 Mall Road, Florence, Kentucky

ZONING: Commercial Two (C-2)

DATE: June 9, 2010

Proposal

The applicant has submitted the following Variances:

- (1) Allow modifications to permitted building mounted signage package. On 2/13/08, two Changes in Non-Conforming use were approved allowing additional building signage on the front and rear facades of Chuck E. Cheese. A condition prohibits changes to the building mounted signage package without approval from the Florence Board of Adjustment. The chart below indicates the amount of signage that is permitted by code, the amount of signage that was approved on 2/13/08, and the amount of signage that is proposed on each facade.

	PERMITTED SIGNAGE	2/13/08 APPROVAL	PROPOSED SIGN AREA
FRONT FACADE (FACING SERVICE DRIVE)	160 Sq. Feet	960 Sq. Feet	1,820 Sq. Feet
REAR FACADE (FACING MALL ROAD)	160 Sq. Feet	459 Sq. Feet	1,820 Sq. Feet
NORTH FACADE (FACING MEN'S WAREHOUSE)	305 Sq. Feet	0 Sq. Feet	2,772 Sq. Feet
SOUTH FACADE	305 Sq. Feet	54 Sq. Feet	2,772 Sq. Feet

- (2) Reduce the 10 foot perimeter landscaping requirements where a proposed 2,584 square foot building addition matches up with the side and rear lease lines.

Applicable Regulations

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.
  - 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.

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."

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."

Section 3605 of the Boone County Zoning Regulations states that landscaping is required when building and/or parking improvements are proposed to a currently developed site. The landscaping is required where the proposed improvements match up with the property/lease lines.

Section 3645 and Buffer Yard Tables 1 and 2 found in the Boone County Zoning Regulations list that Buffer Yard A plantings are required when a developing C-2 property adjoins another C-2 property. Buffer Yard A is 10 feet in width and contains the following plantings per 100 linear feet:  
5 Small Trees - Plant List C, OR  
3 Large Trees / 3 Medium Trees /or 3 Evergreen or any combination of 3 - Plant List A, B, or D,  
AND  
30 Shrubs - Plant List E or 15 Shrubs - Plant List C

#### Site History

On February 13, 2008 the Florence Board of Adjustment approved two Changes in Non-Conforming use to allow additional building mounted signage on the front and rear facades of the building. The chart below was included in the Staff Report.

	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

The following conditions were imposed on the approval:

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 facade 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 the picture attached to the Staff Report marked picture of a similar building.

Surrounding Buildings and Zoning

North: Men's Warehouse/Pearle Vision (C-2)

South: Vacant Commercial Building (C-2)

East: Mall Road and Village at the Mall (C-2)

West: Service Road, Home Goods, T.J. Maxx (C-2)

Staff Comments

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 2/13/08 Florence Board of Adjustment approval included a condition stating that any modification to the approved signage had to be approved by the Florence Board of Adjustment. Modifications to the sign package include relocating the arch element and signing on the front parapet and additional LED borders and striping.

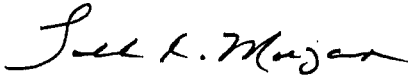
3. The approved sign square footage figures shown in the 2/13/08 approval chart were not computed correctly on all for facades because the imaginary rectangles were not drawn around all the signs. The sign code requires all letters, figures, designs, symbols, fixtures, colors, illumination, or projected images to be counted as signage. The approved figures should have been much higher than represented in the chart. With the exception of the additional LED signage, the current sign proposal is very similar to the version that was approved by the Florence Board of Adjustment on February 13, 2008.
4. The Applicant has provided elevation drawings of the proposed facade improvements and day/night pictures of a similar store. The proposed elevations and show the following improvements:
  - 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 on the parapet walls and pillars on the front and rear facades.
  - C. LED Borders that run the entire length of the front and rear facades and wrap onto the side facades.
  - D. LED stripes that run the entire length of the side facades. These stripes are surrounded by two non-illuminated stripes
  - E. Other non-illuminated color stripes on all facades.
  - F. Multi-colored illuminated awnings on the front, rear, and south side of the building.
  - G. Metal diamonds being applied to all facades.
  - H. Brick knee walls that run the entire length of the front and rear facades and wrap onto the side facades.
5. Staff has the following questions for the applicant regarding the signage and facade improvements:
  - A. Please clarify where LED borders, LED stripes, and other non-illuminated stripes are being proposed on all four facades?
  - B. Why have additional LED borders and stripes been added to the proposal?
  - C. Can the masonry knee walls be installed along the entire length of each facade?
6. The submitted plans show that a 2,584 square foot building addition is being proposed onto the front facade (facade facing the service driveway). The proposed addition will raise the overall square footage of the building from 9,707 square feet to 12,291 square feet. The applicant has submitted a Variance application to reduce the 10' landscaping buffers that are required where the building addition matches up with the lease lines.

The applicant is proposing some landscaping beds and a landscaping island between the building/parking lot and the service drive (see attachments). Staff would like to note that the requirement of the 10 foot buffer would greatly alter the building addition and side parking lots. Staff recommends that a large tree from Plant List A, should be installed in the landscaping island and that large evergreen shrubs from Plant List C should be installed around the dumpster.

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 act on the requests.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

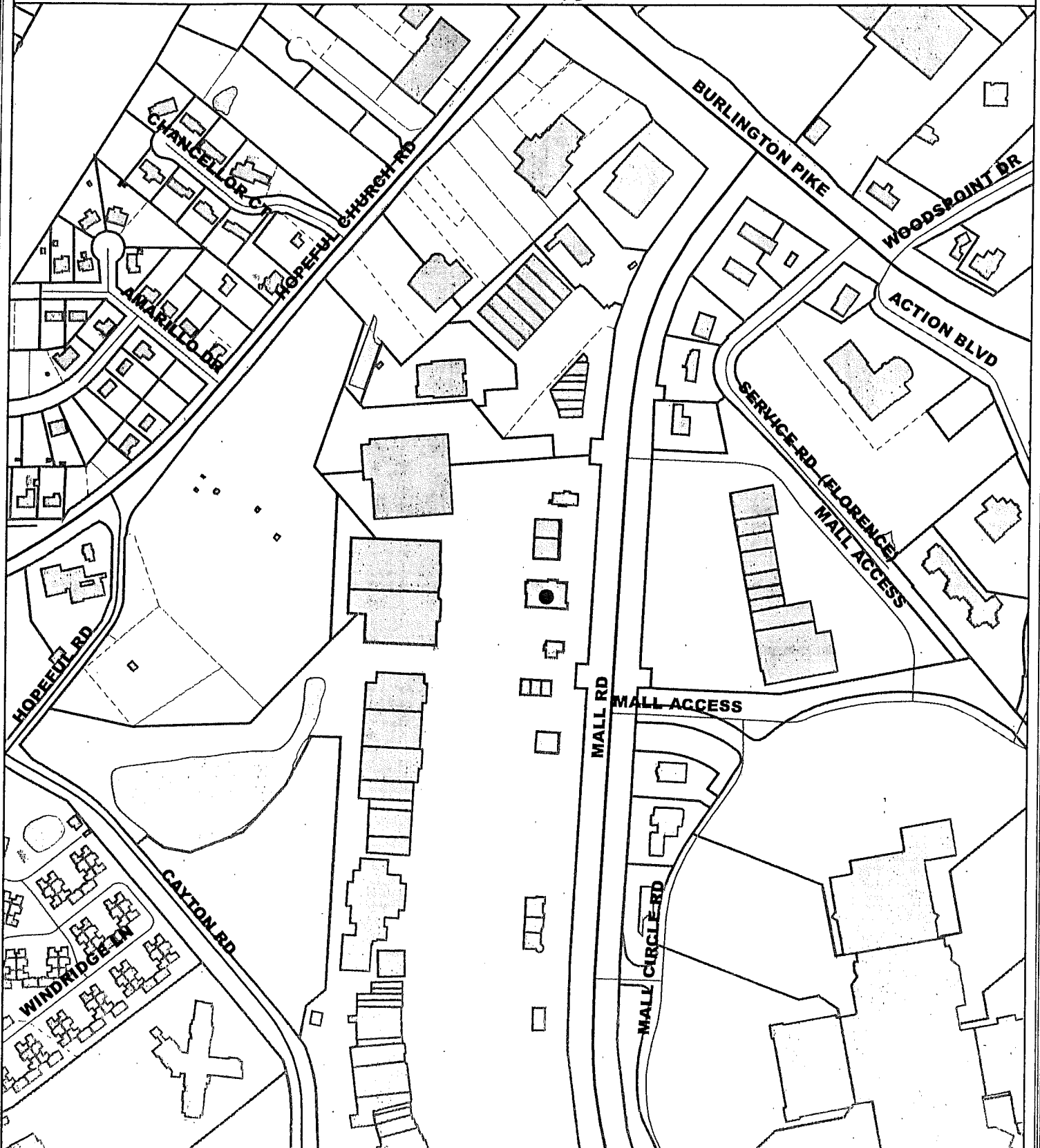
TKM/pr

Attachments

- \*Site Vicinity Map
- \*Elevation Drawings with Sign Dimensions
- \*Sign Specifications
- \*LED Plan
- \*Pictures of Similar Buildings (Day & Night)
- \*Proposed Site Plan with Building Addition
- \*Landscaping Plans
- \*2009 Aerial Map
- \*Zoning Map
- \*2/13/08 Sign Drawings
- \*2/13/08 Elevations
- \*Application

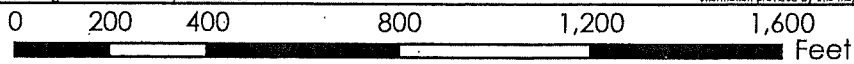
# SITE VICINITY MAP

www.boonecountygis.com



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**Boone County GIS - Putting Northern Kentucky on the Map**

**SCOPE OF WORK**

**WEST (FRONT)**

REMOVE EXISTING AWNING  
 A. RELOCATE EXISTING AWNING  
 B. RELOCATE EXISTING AWNING  
 C. RELOCATE EXISTING AWNING  
 D. RELOCATE EXISTING AWNING  
 E. RELOCATE EXISTING AWNING  
 F. RELOCATE EXISTING AWNING  
 G. RELOCATE EXISTING AWNING  
 H. RELOCATE EXISTING AWNING

**SOUTH (LEFT)**

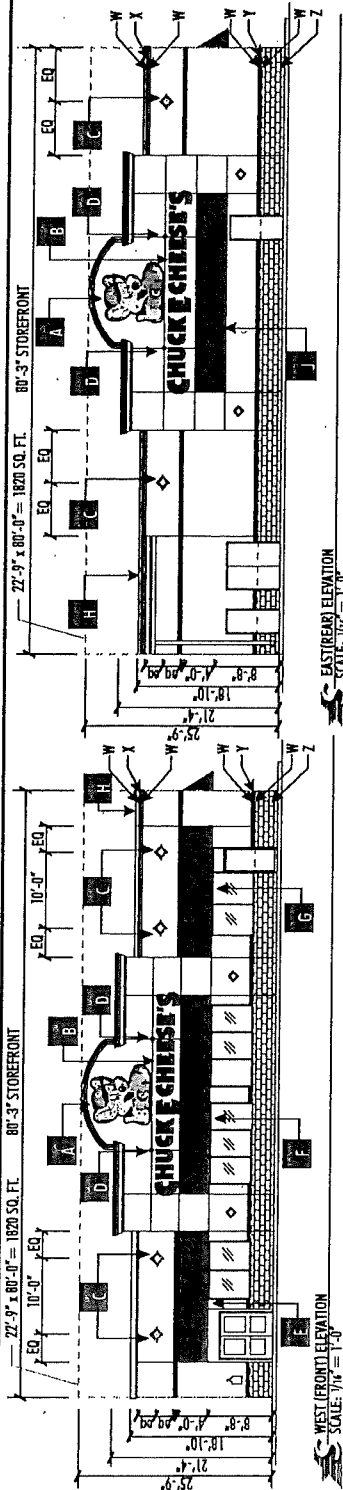
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**NORTH (RIGHT)**

REMOVE EXISTING AWNING  
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 B. RELOCATE EXISTING AWNING  
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 H. RELOCATE EXISTING AWNING

**EAST (REAR)**

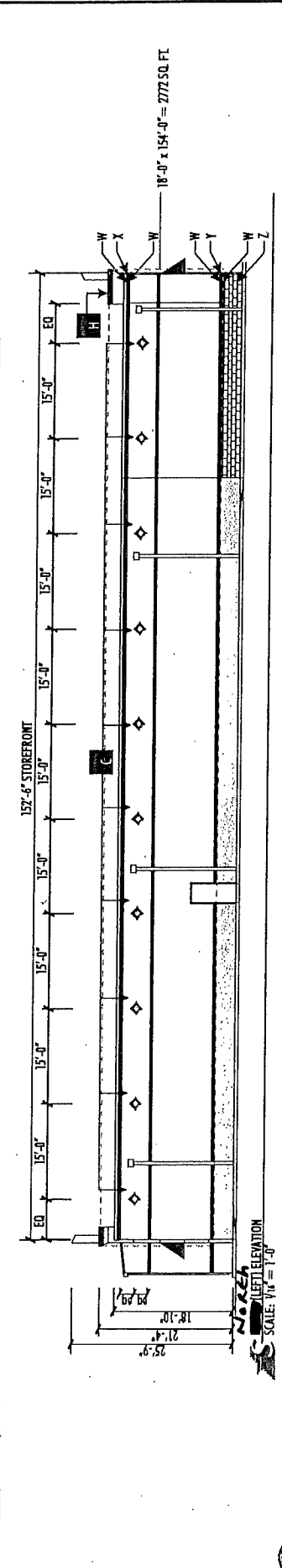
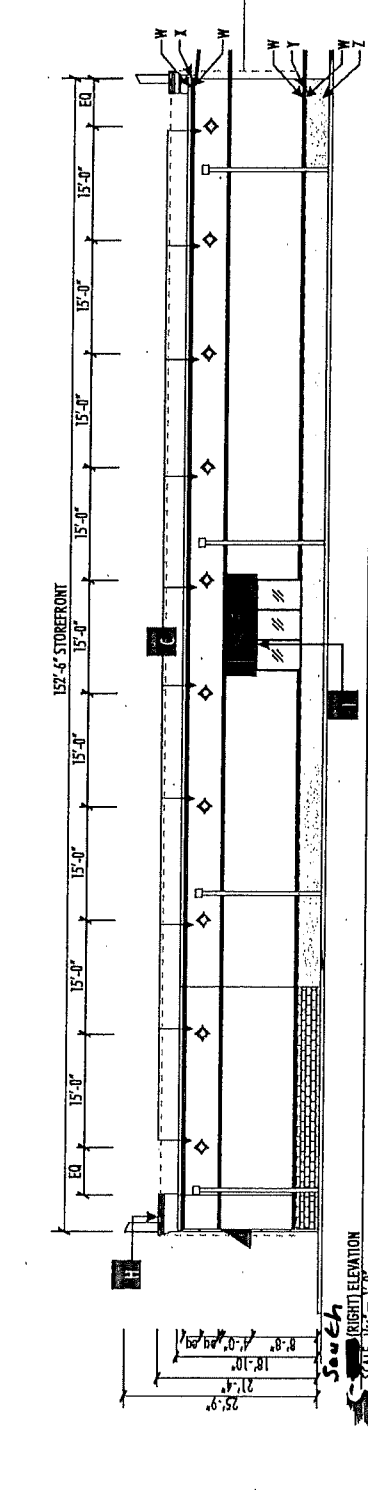
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 H. RELOCATE EXISTING AWNING



**LEGEND**

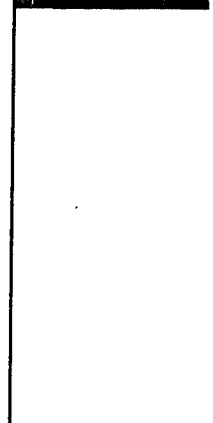
W = AUGUST MOON  
 X = RED LED  
 Y = HOLLY BERRY  
 Z = CANCE

18'-0" x 154'-0" = 2772 SQ. FT.

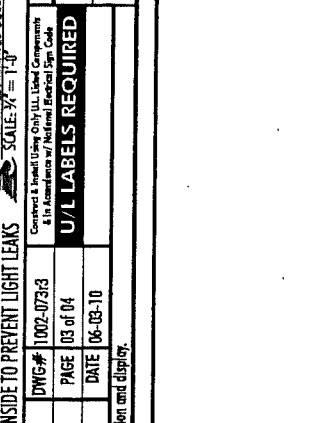
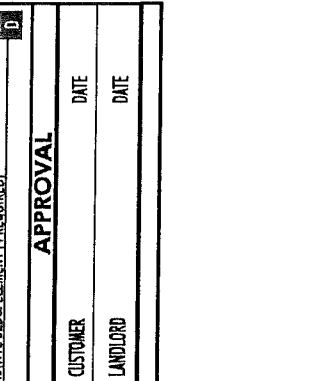
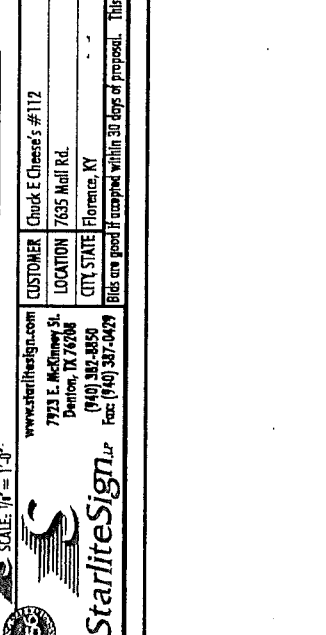
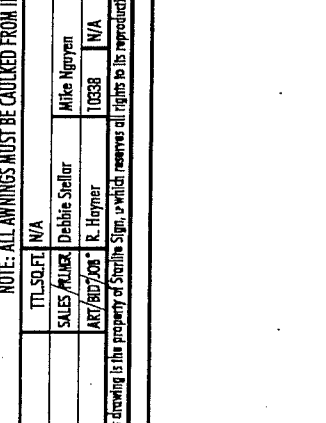
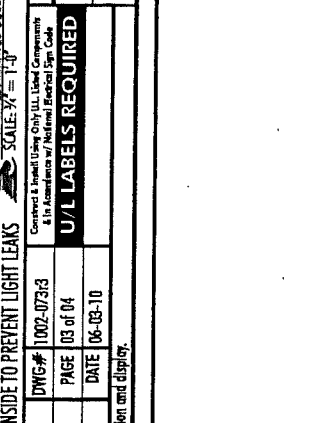
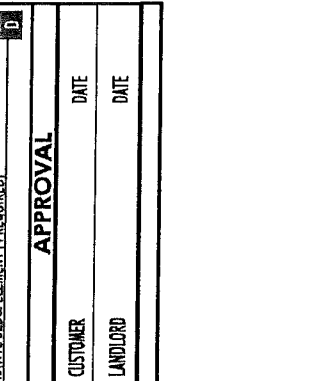
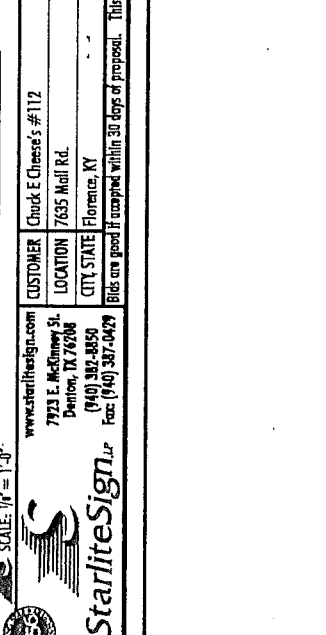
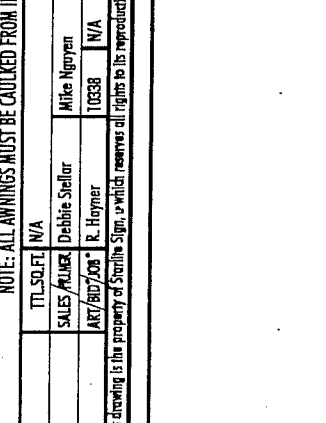
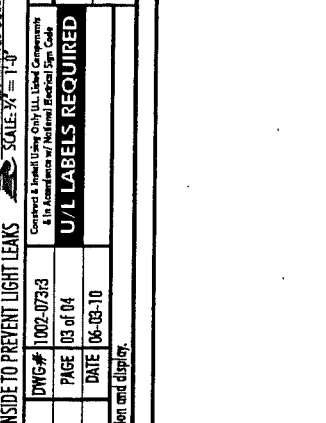
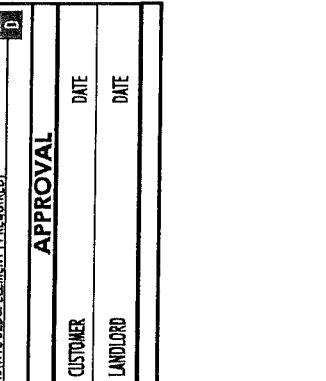
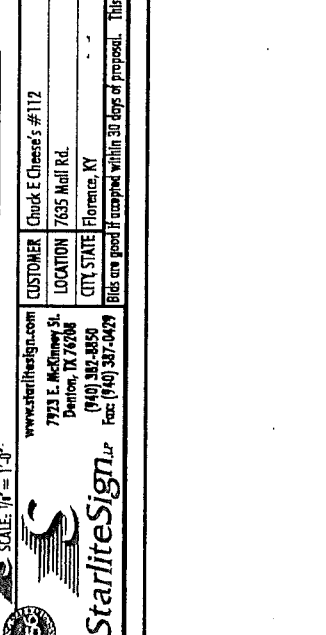
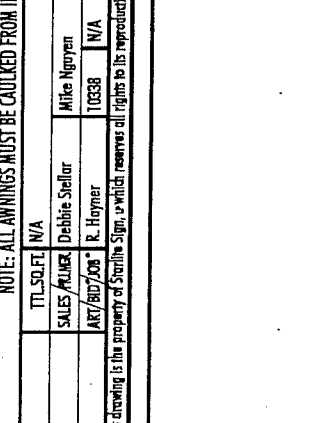
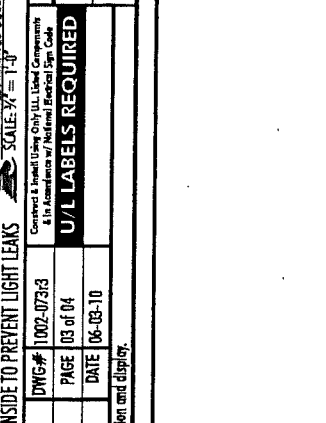
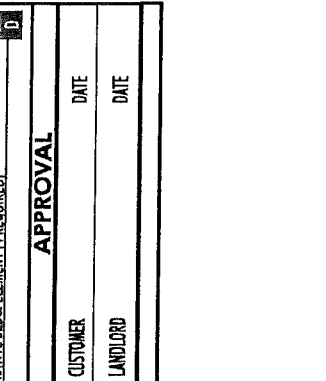
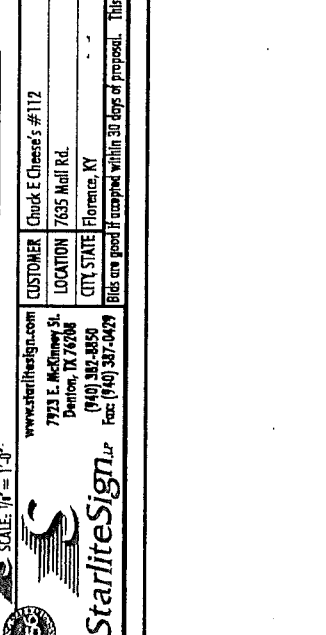
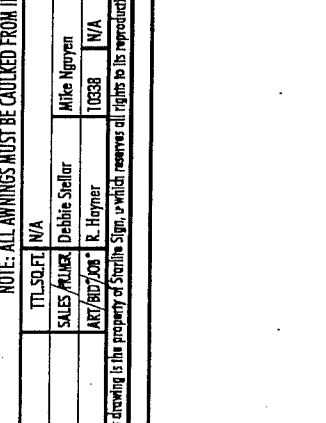
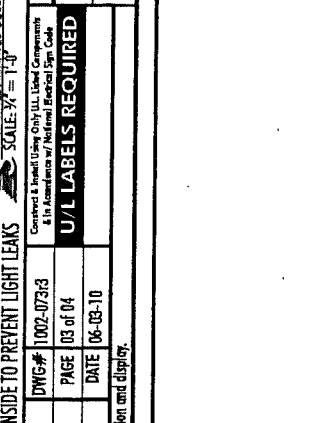
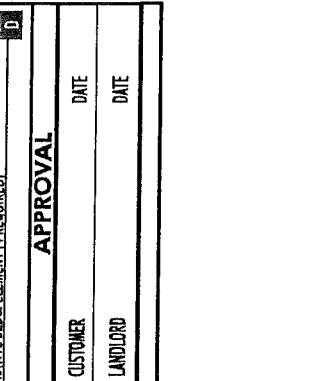
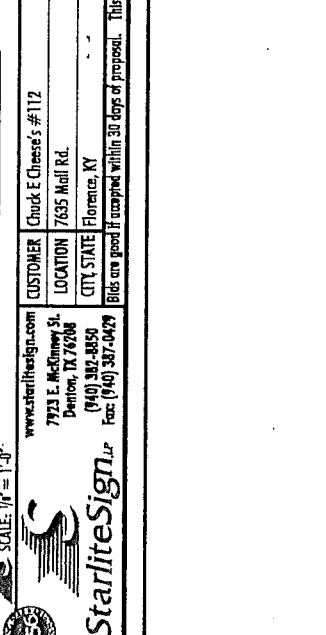
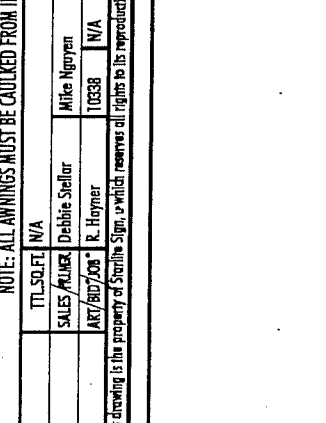
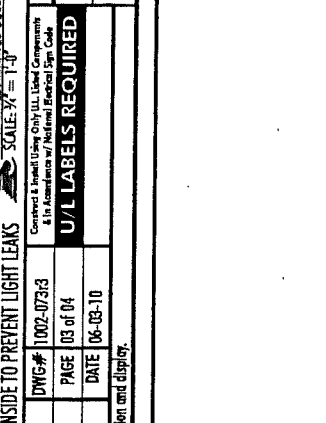
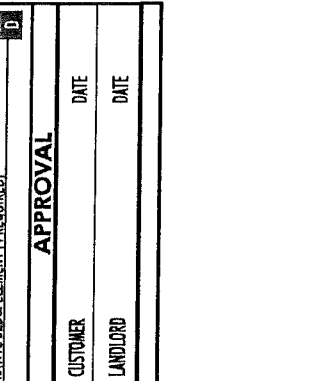
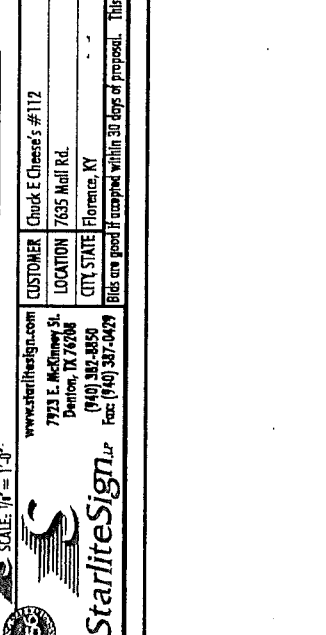
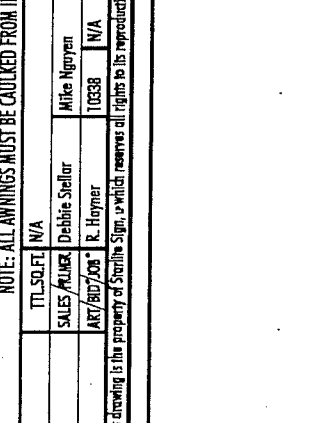
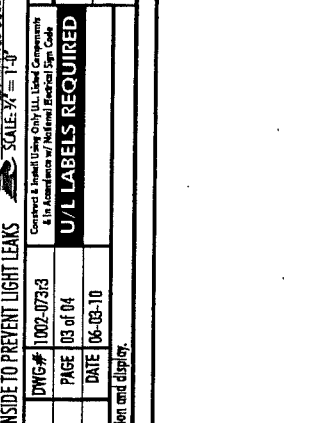
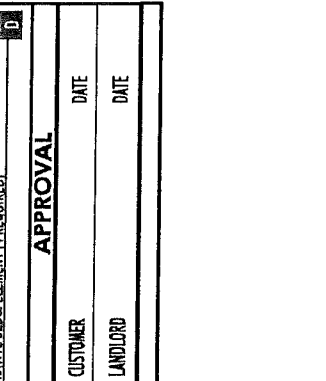
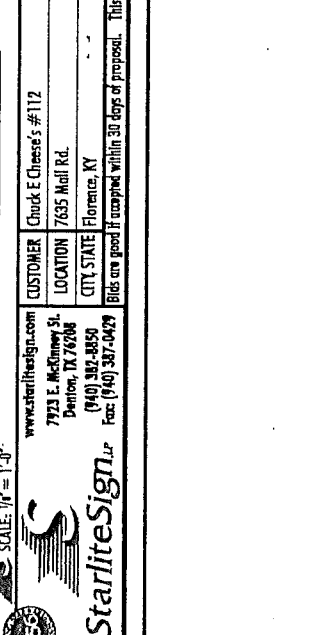
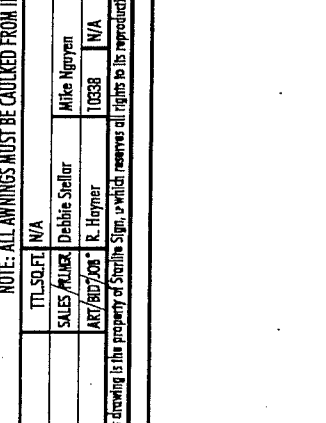
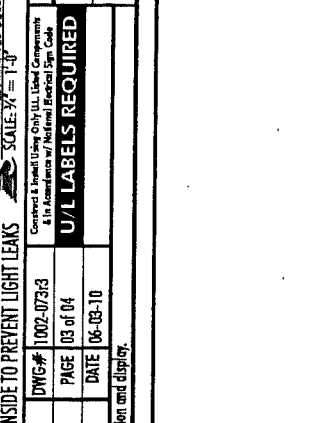
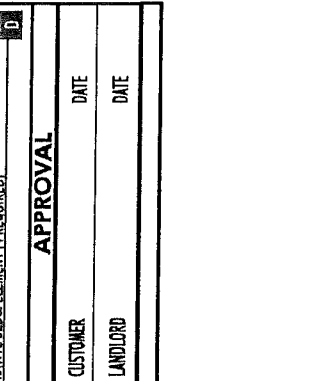
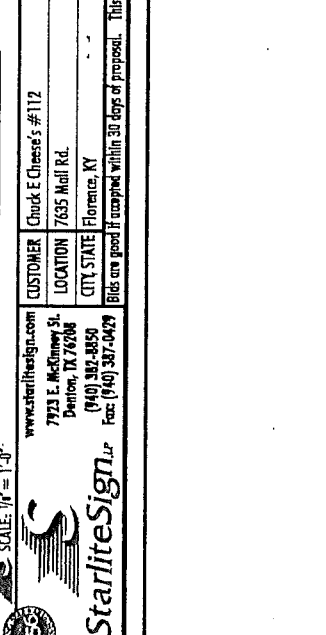
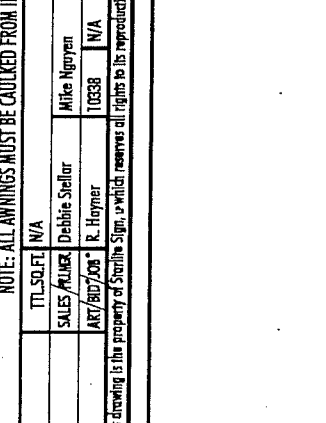
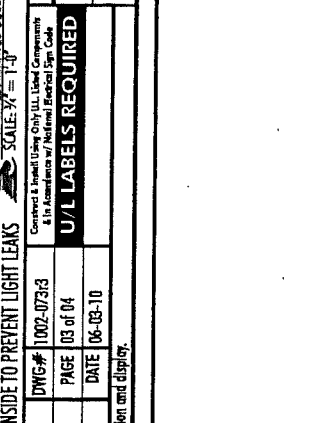
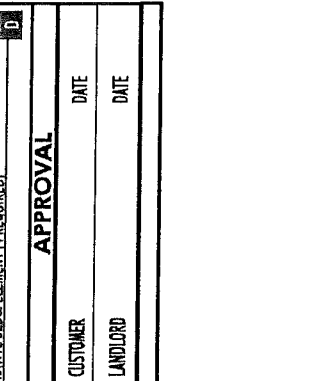
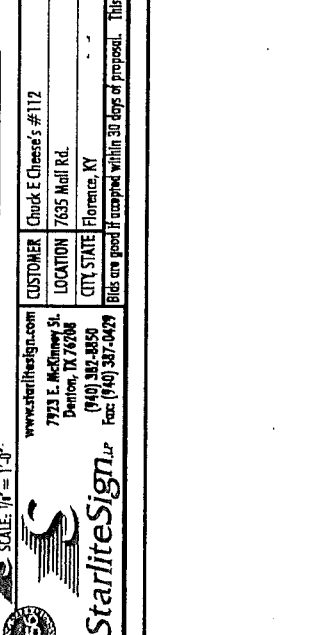
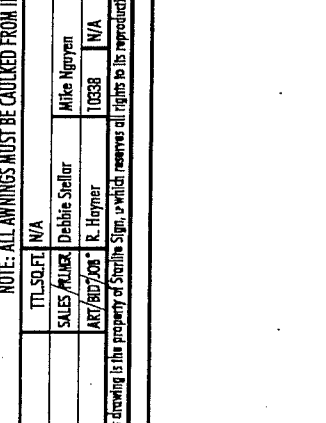
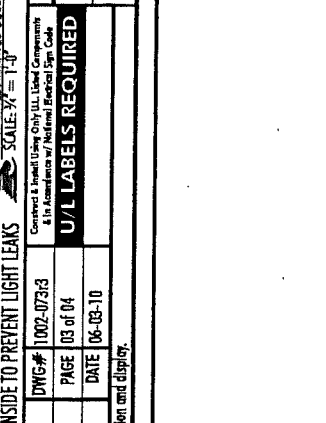
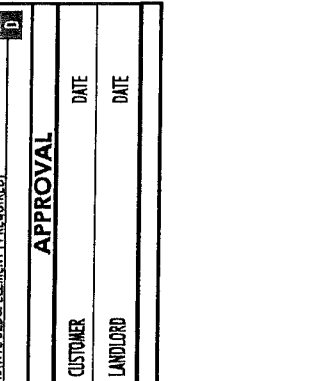
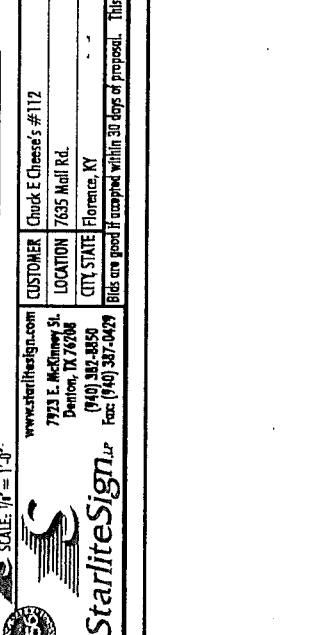
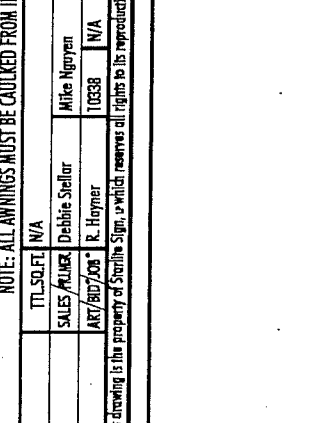
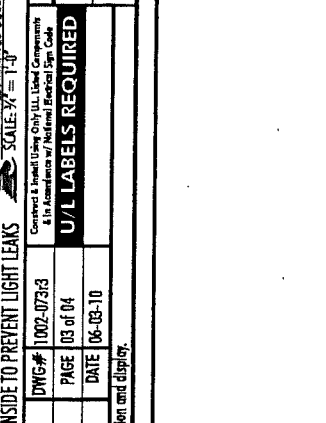
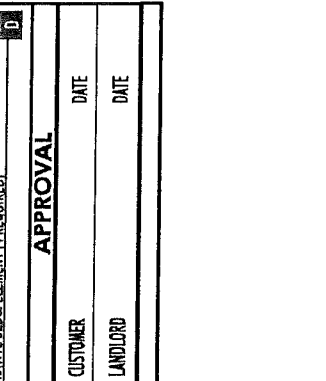
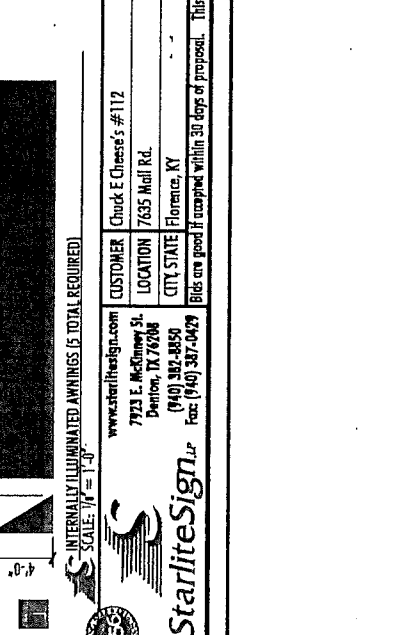
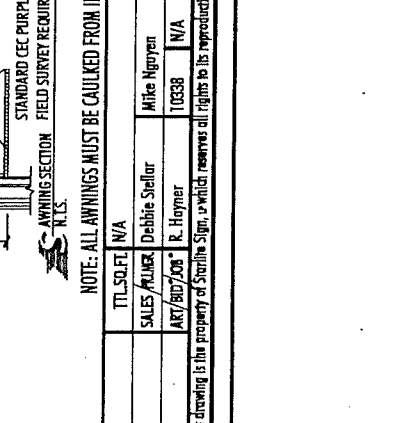
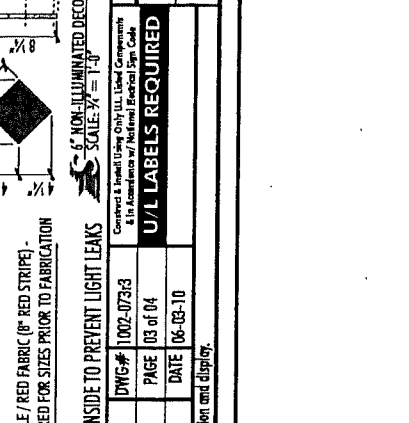
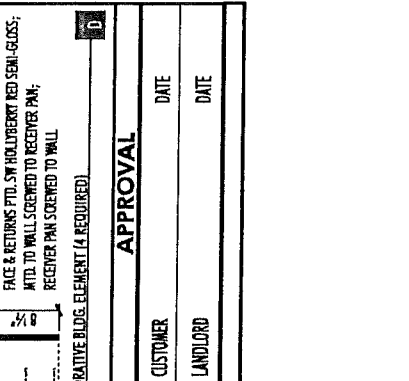
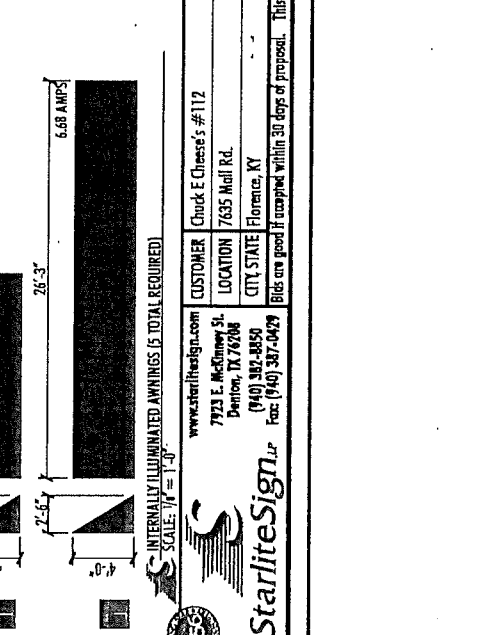
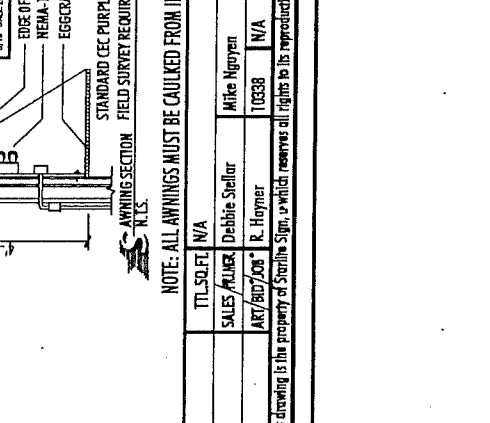
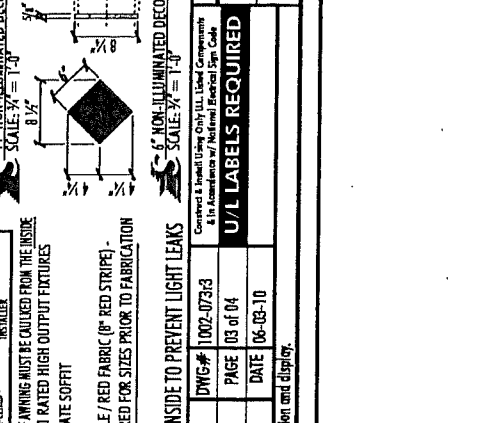
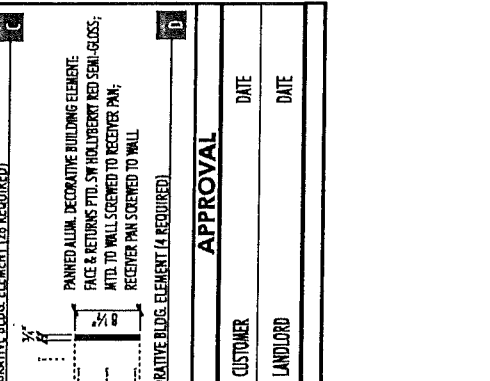
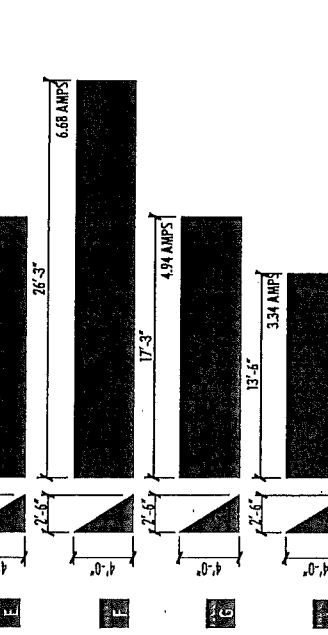
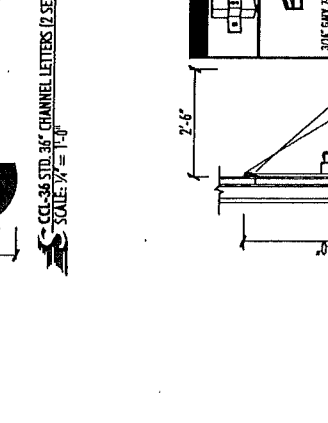
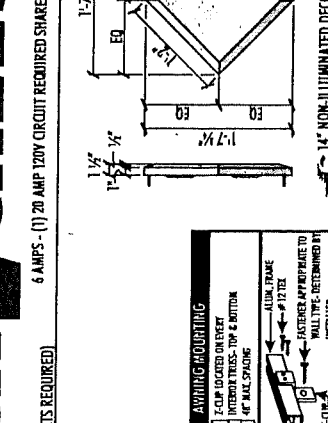
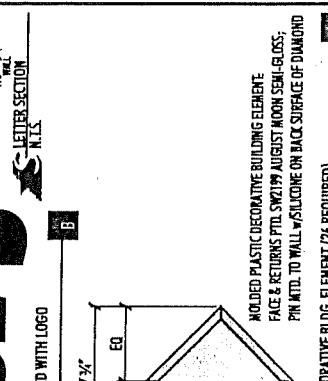
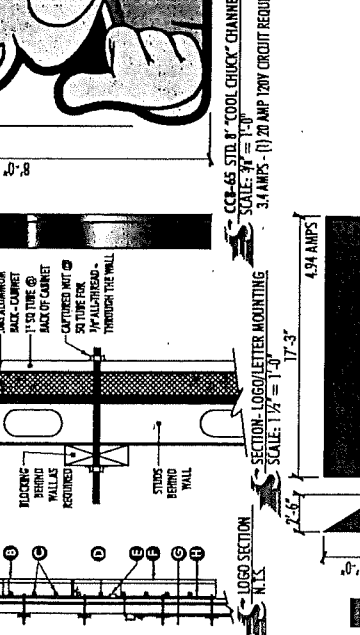
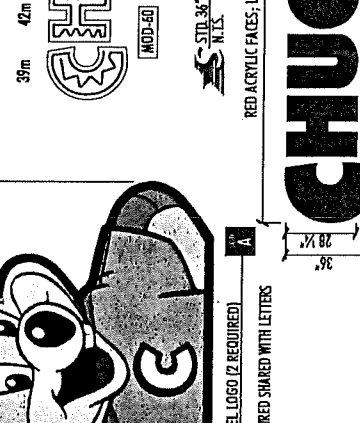
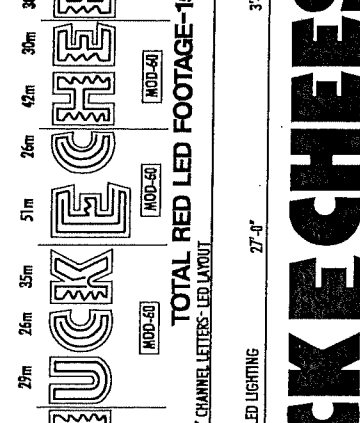
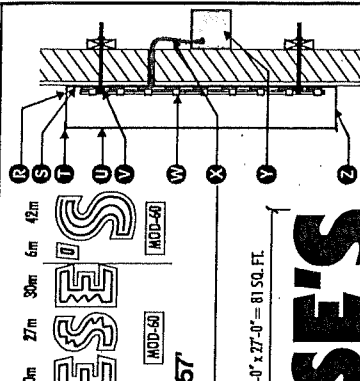
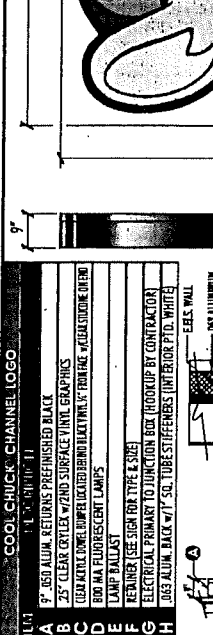


		<b>APPROVAL</b> CUSTOMER: LANDLORD DATE:	
www.starlitesign.com 7973 E. McHenry St. Danvers, IA 50266 (741) 382-8850 Fax: (741) 387-0479		Connected & Interlocking Colorful Used Components & In Assurances of National Electrical Sign Code	
<b>TITLE SHEET</b> (See detail page)	<b>DWG.#</b> 1002-073d	<b>PAGE</b> 02 of 04	<b>DATE</b> 06-03-10
<b>SALES / MGR</b> Debbs Steller	<b>DATE</b> 06-03-10	<b>U/L LABELS REQUIRED</b>	<b>CUSTOMER</b> LANDLORD
<b>AKT/BD/DOB</b> R. Hojner	<b>DATE</b> 06-03-10	<b>DATE</b> 06-03-10	<b>DATE</b> 06-03-10
This drawing is the property of Starlite Sign, which reserves all rights to its reproduction and display.			

- COOL CHUCK CHANNEL LOGO**
- A 8" RED ALUM. RETURNS PRE-FINISHED BLACK
  - B 2.5" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - C USA MAPPING OVER COOL CHUCK CHANNEL LOGO WITH 1/4" TYP. W/4RD SURFACE FINIT. GRAPHICS
  - D 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - E 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - F 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - G 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - H 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS

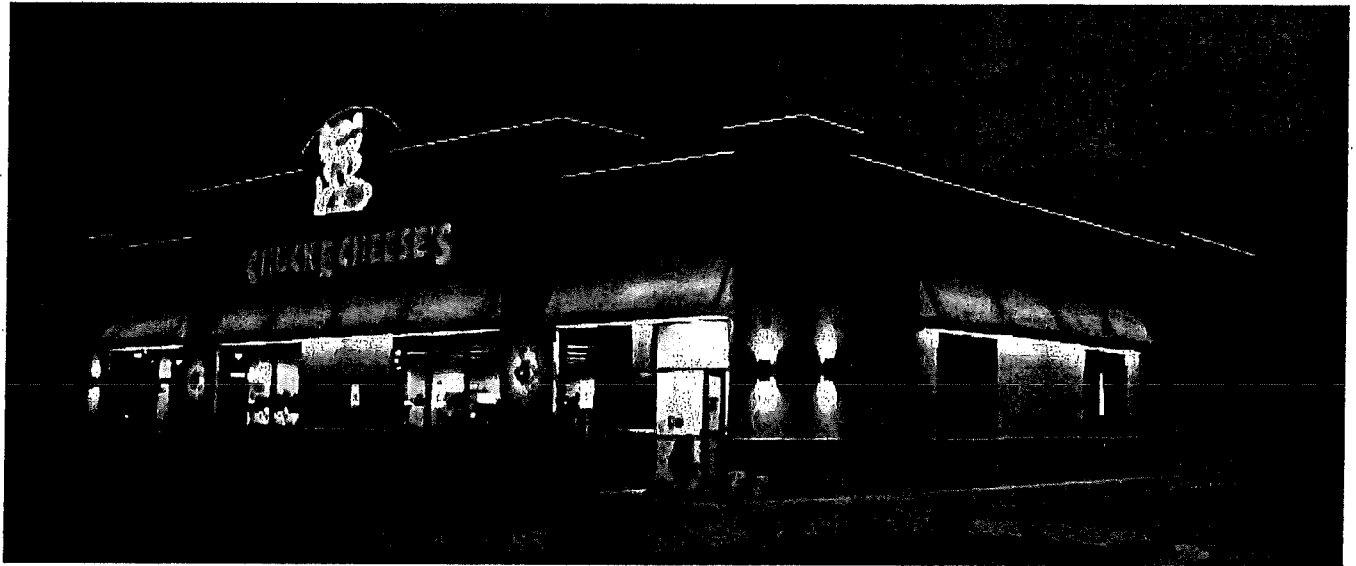


- LETTER-LOCK CHANNEL LETTERS WITH LED LIGHTING**
- R 5/8" ALUM. RETURN PRE-FINISHED BLACK
  - S 3/8" ALUM. BACK-INTERIOR PTD. REFLECTIVE WHITE
  - T 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - U 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - V 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - W 1/4" CLEAR CENTER W/4RD SURFACE FINIT. GRAPHICS
  - X SUPPLY WIRE
  - Y SUPPLY WIRE
  - Z WEEP HOLES FOR DRAINAGE









**PROPOSED IMPROVEMENT PLAN**  
**CHUCK E. CHEESE AND**  
**CITY OF FLORENCE**  
**BOONE COUNTY, KENTUCKY**

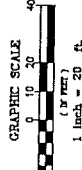
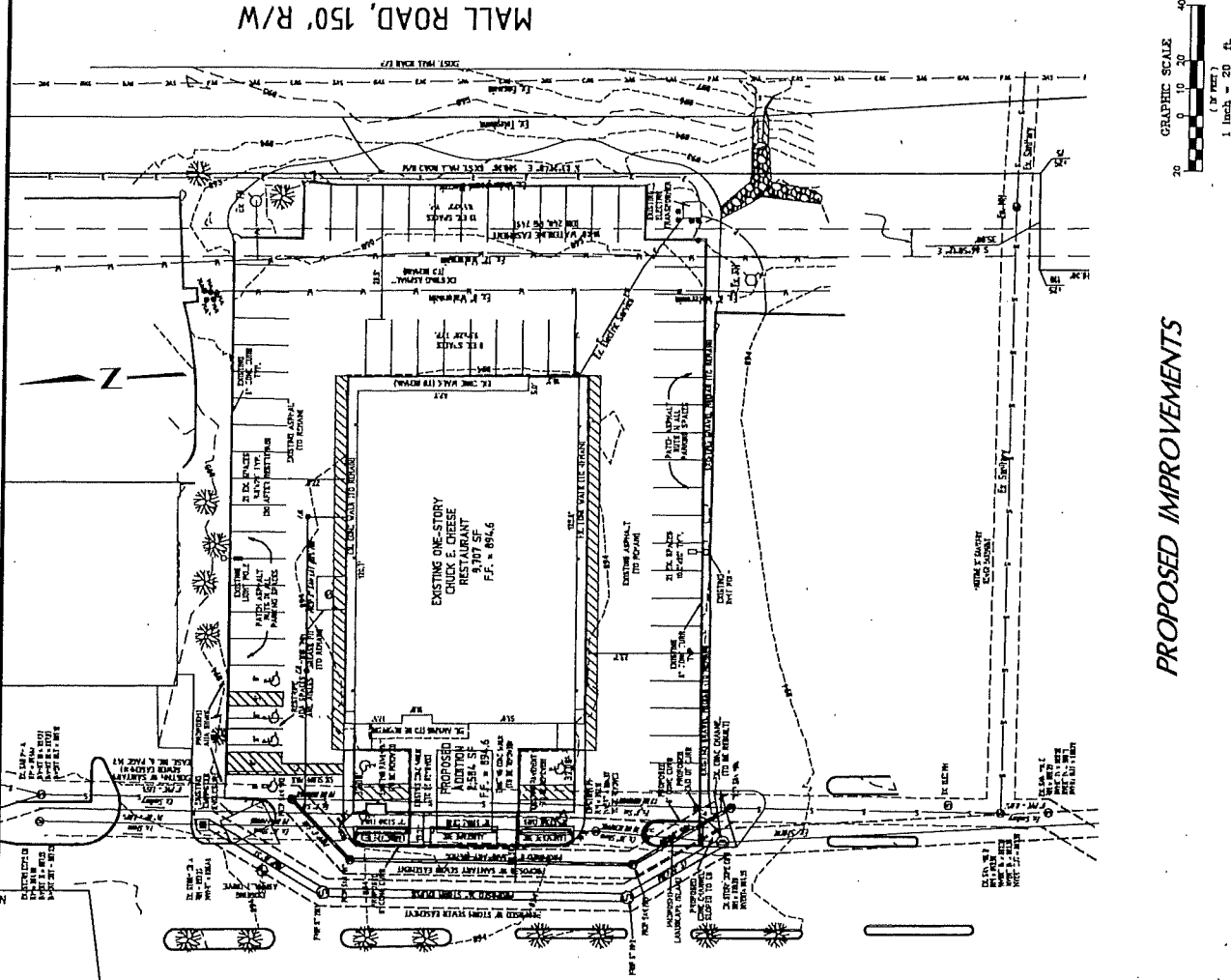
**ne** Engineering  
 524 Tridwell Dr.  
 Independence, KY 40325  
 Phone: 502-338-1100  
 Fax: 502-338-1173  
**ne** Engineering  
 524 Tridwell Dr.  
 Independence, KY 40325  
 Phone: 502-338-1100  
 Fax: 502-338-1173

DATE	10-10-09
PROJECT	UTIL
SCALE	AS NOTED
BY	...
CHECKED	...

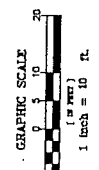
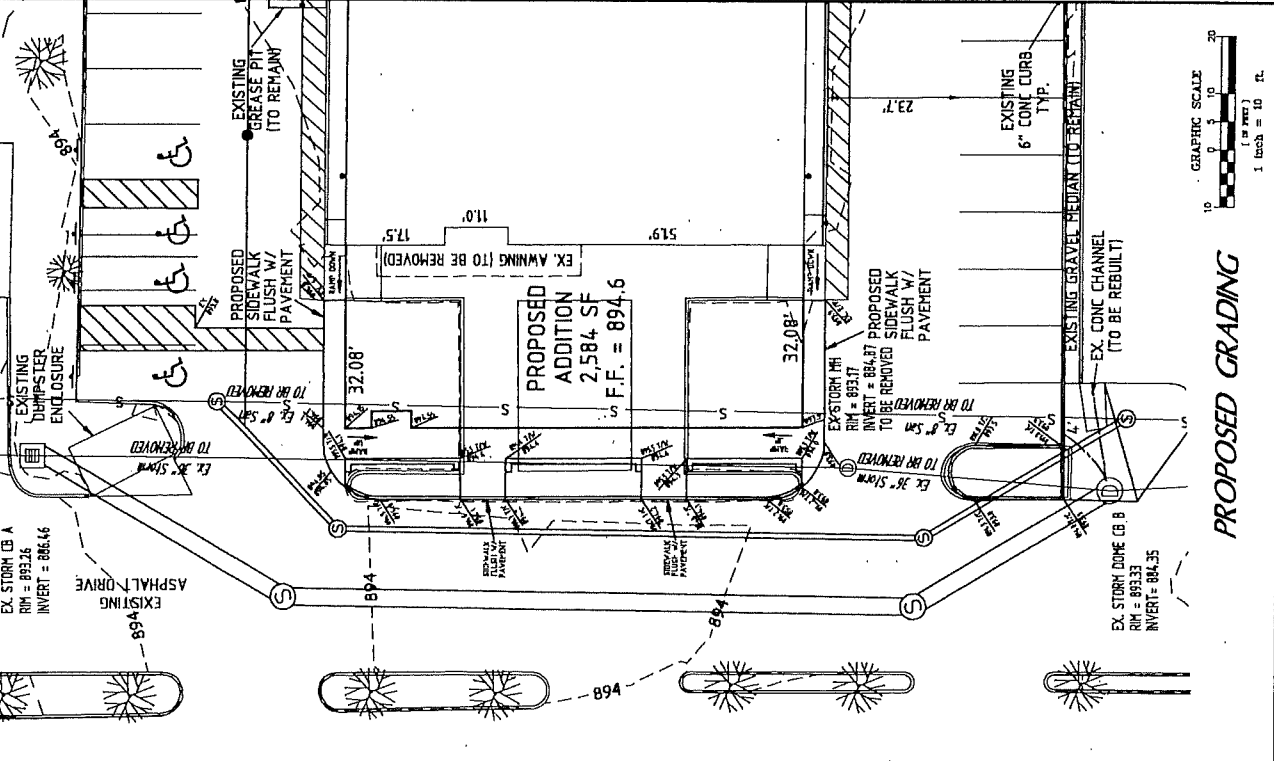


NO.	DESCRIPTION	DATE

MALL ROAD, 150' R/W

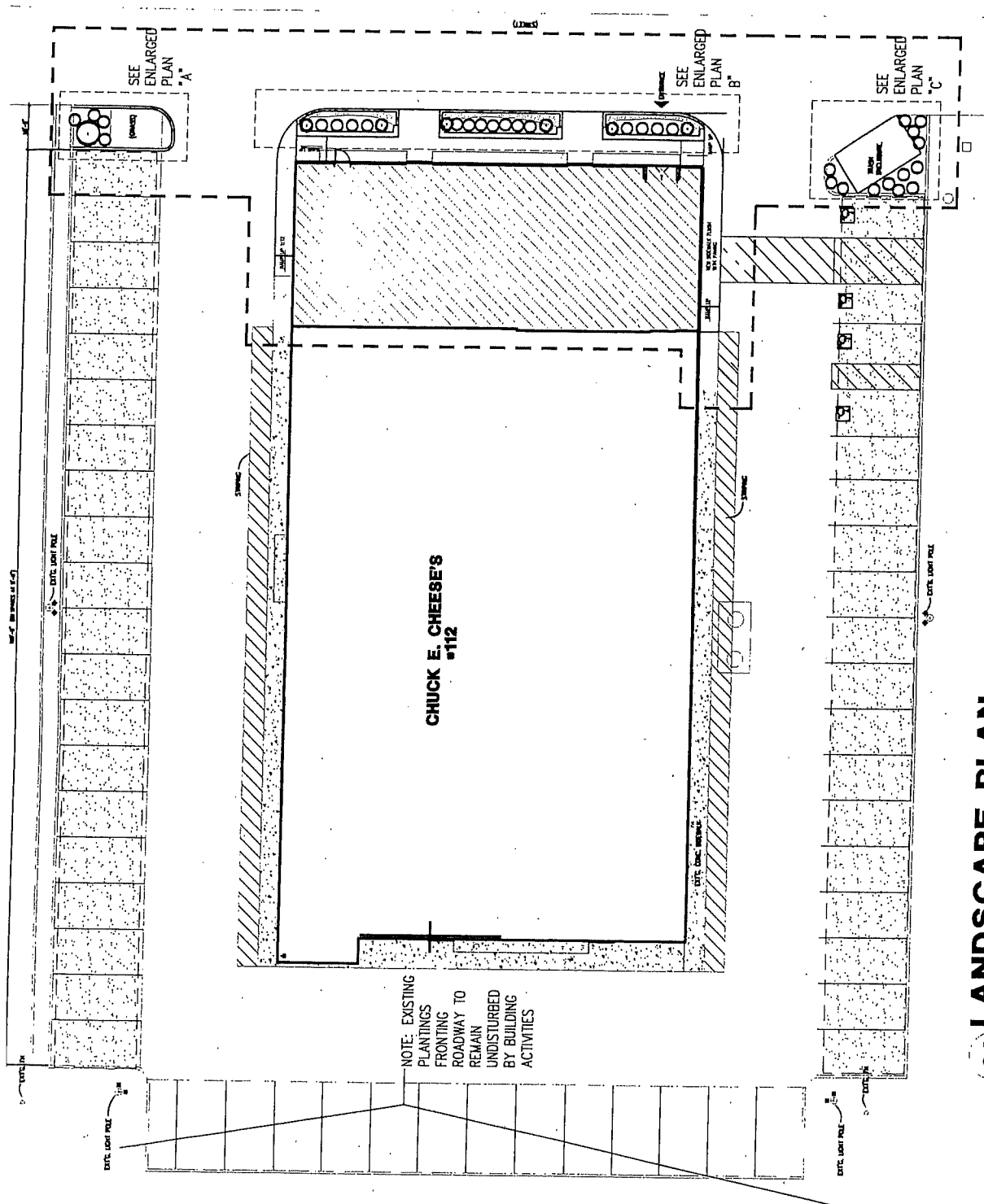


**PROPOSED IMPROVEMENTS**



**PROPOSED GRADING**

10/20/20

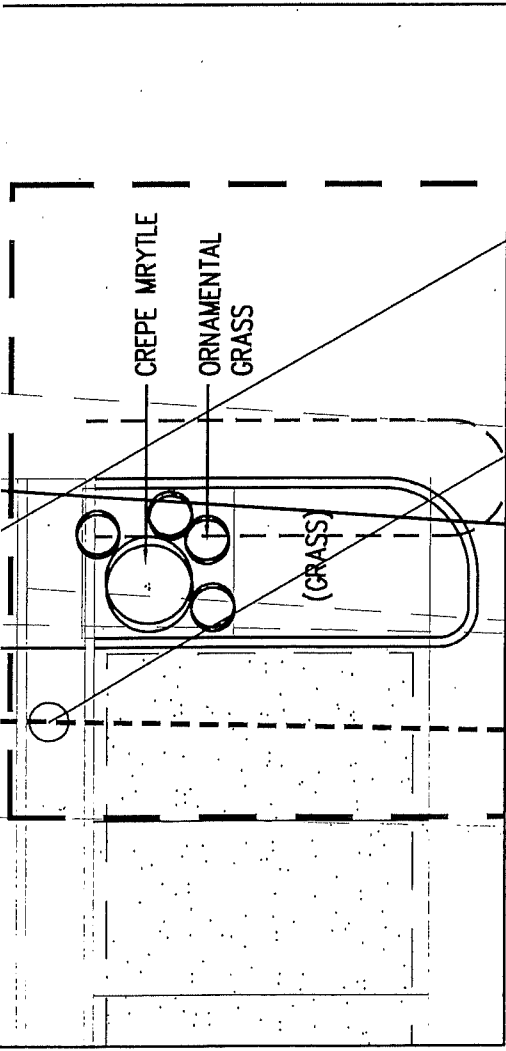


**CHUCK E. CHEESE'S  
#112**

NOTE: EXISTING  
PLANTINGS  
FRONTING  
ROADWAY TO  
REMAIN  
UNDISTURBED  
BY BUILDING  
ACTIVITIES

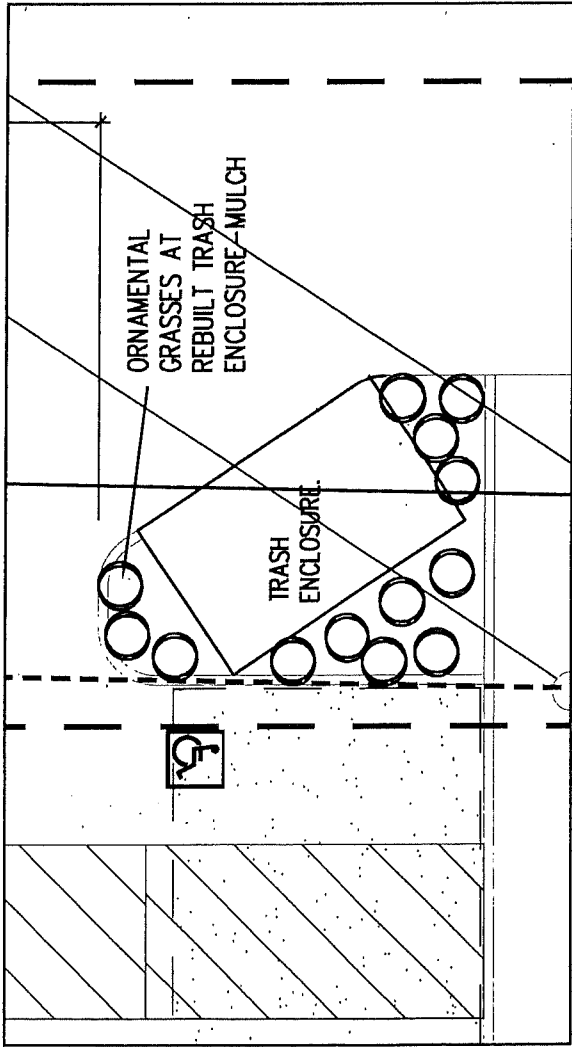
**(01) LANDSCAPE PLAN**

SCALE: 1/8" = 1'-0"

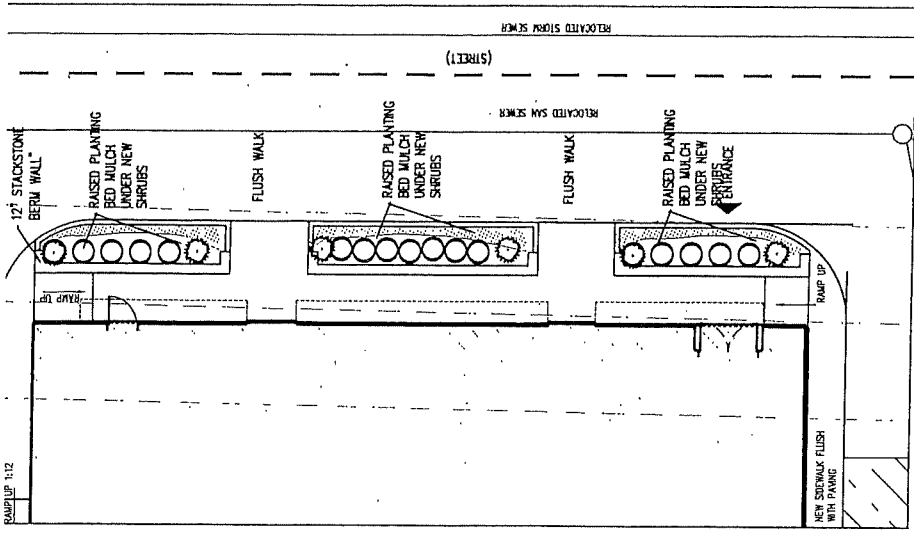


**A NEW ISLAND PLANTING**

SCALE:1:10



**C NEW TRASH ENCLOSURE SCREEN**

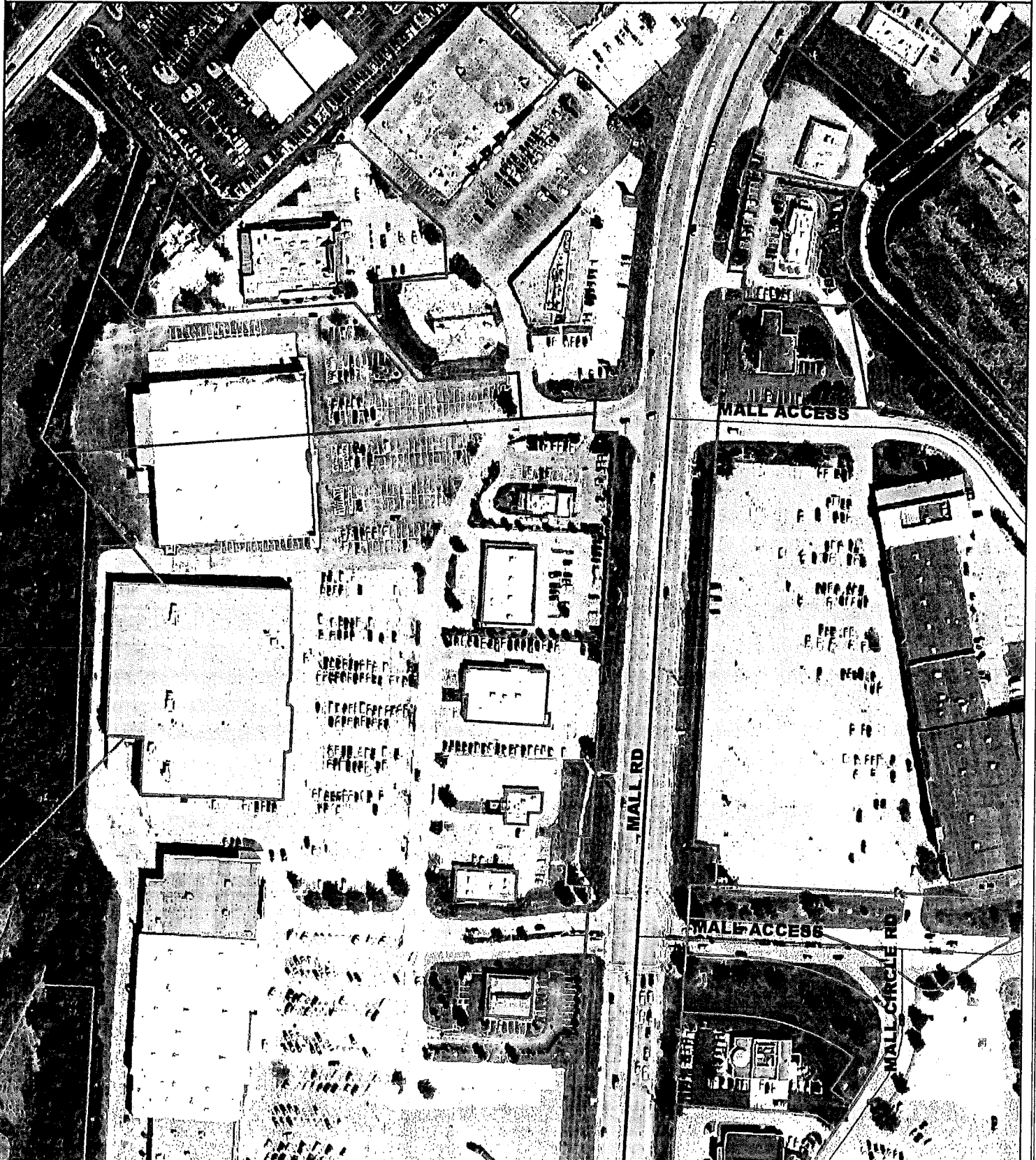


**B NEW BERM PLANTING**

SCALE:1:10

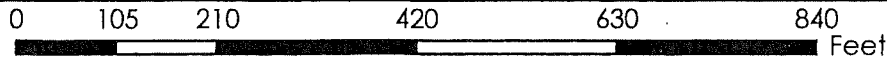
# 2009 AERIAL MAP

www.boonecountygis.com



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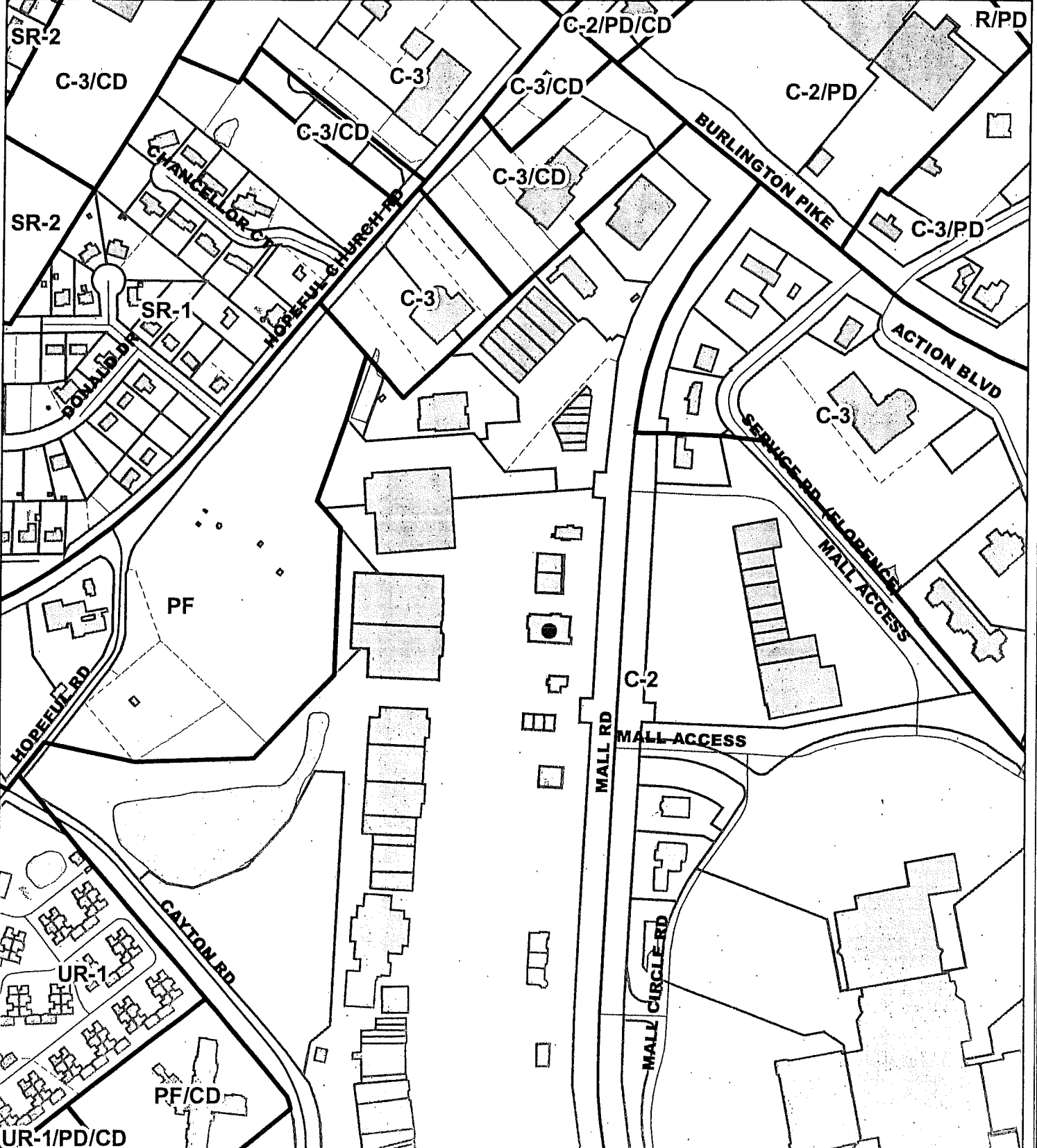
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



**Boone County GIS - Putting Northern Kentucky on the Map**

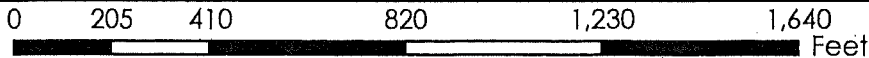
# ZONING MAP

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.

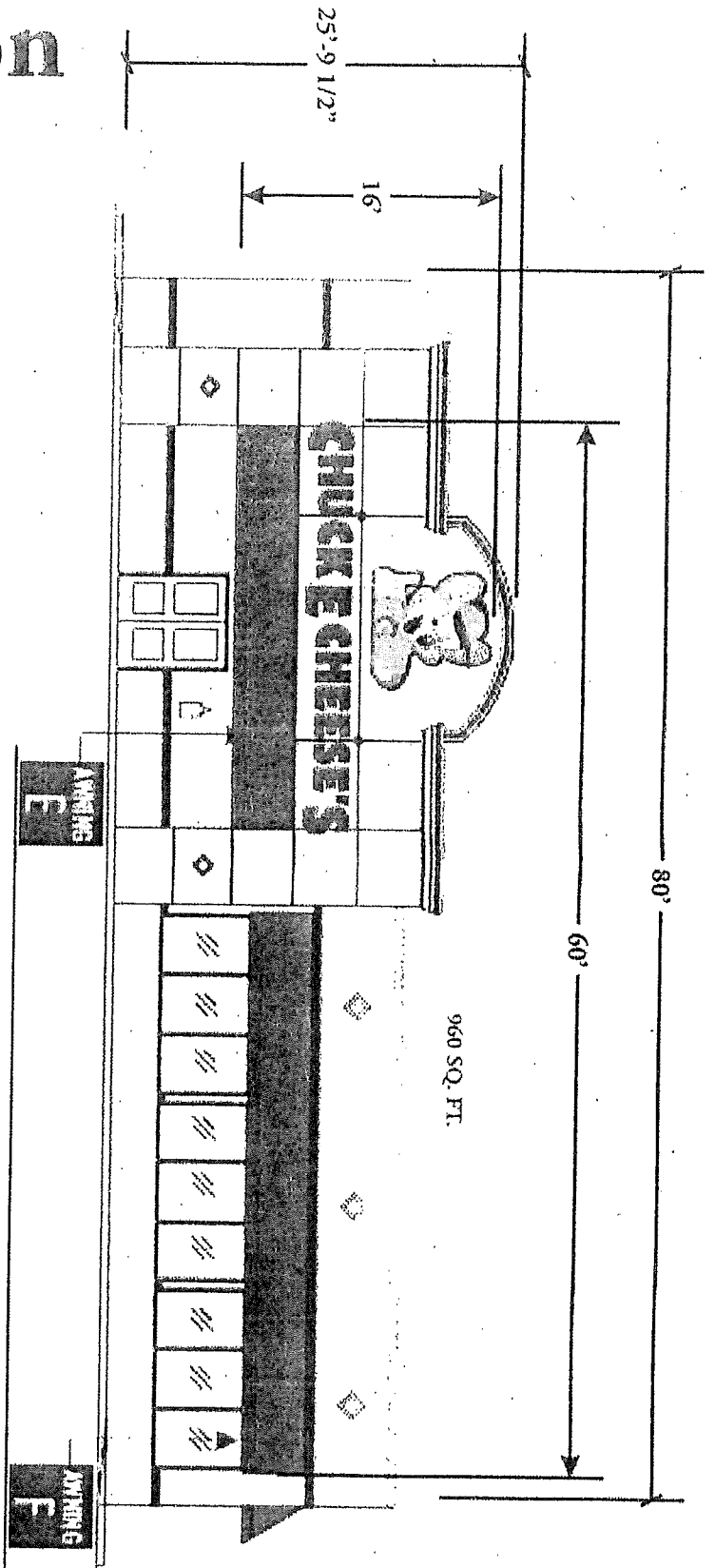
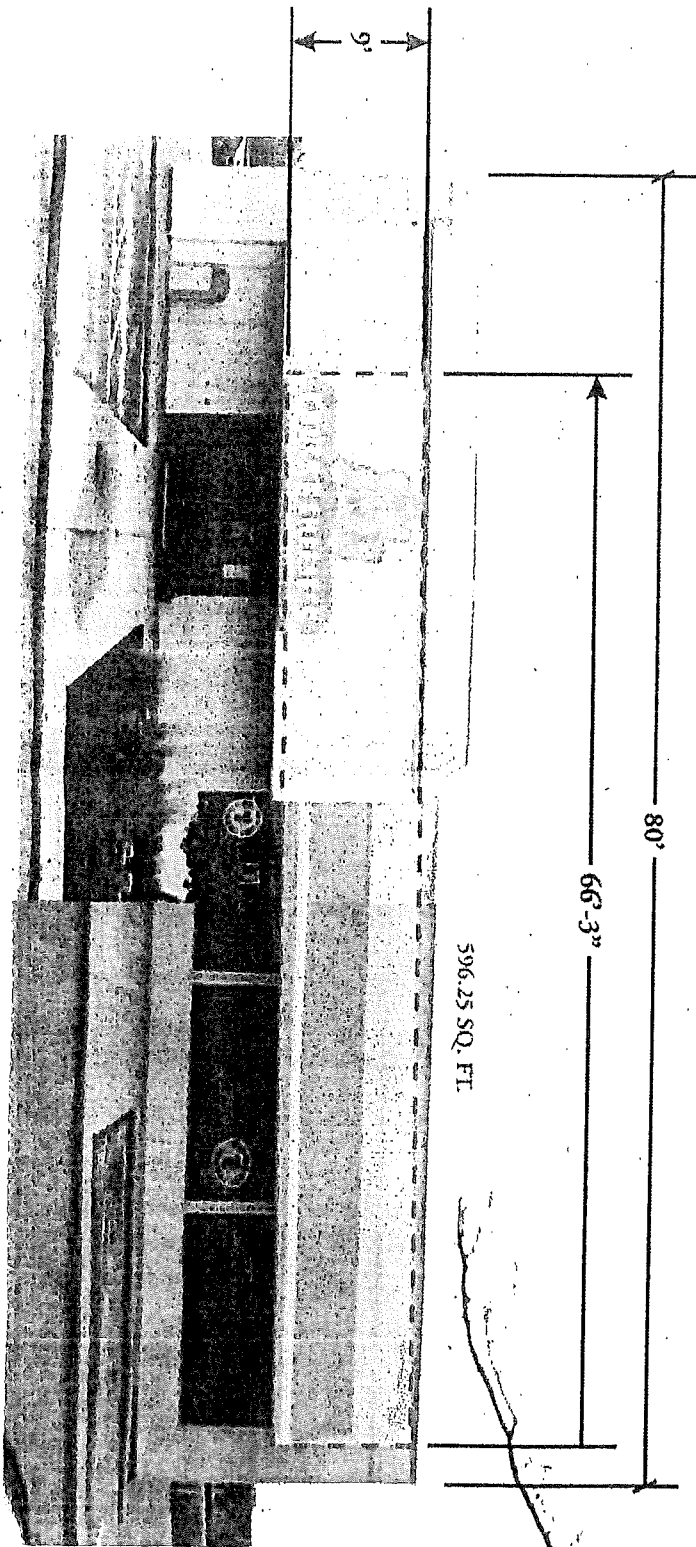


**Boone County GIS - Putting Northern Kentucky on the Map**

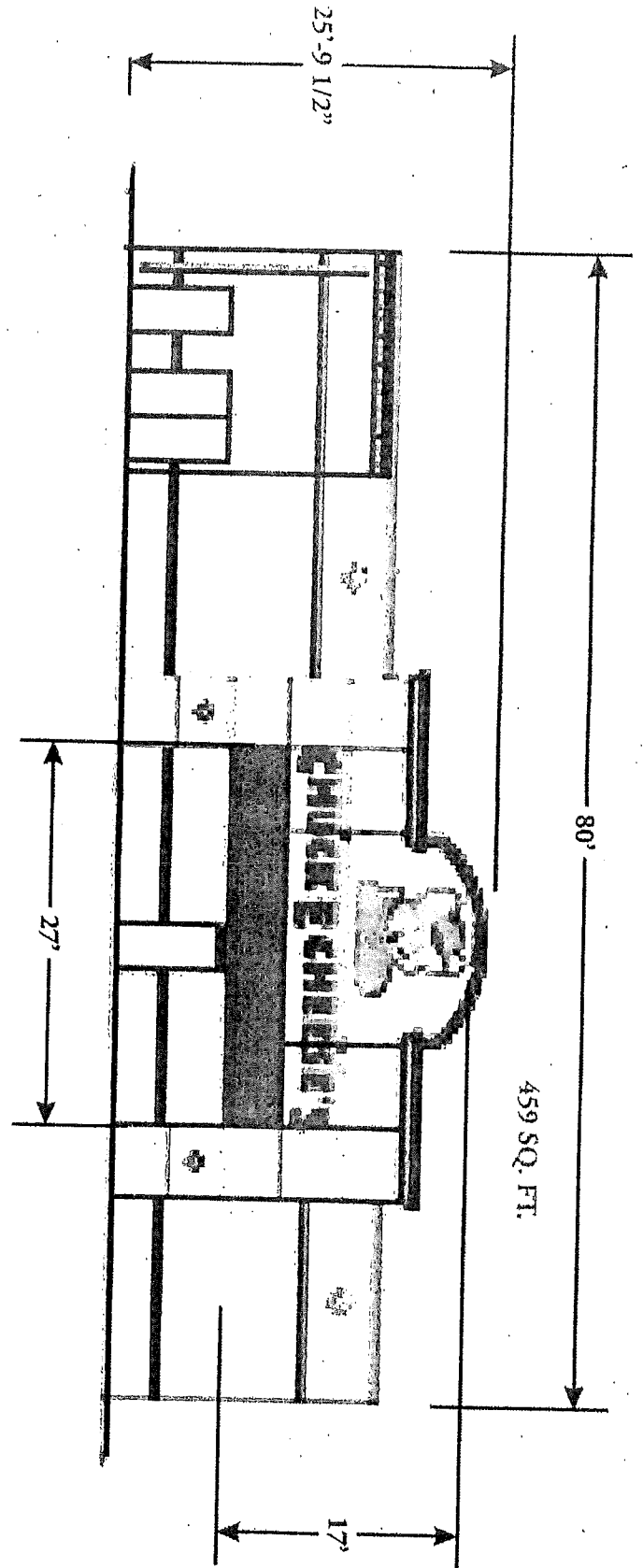
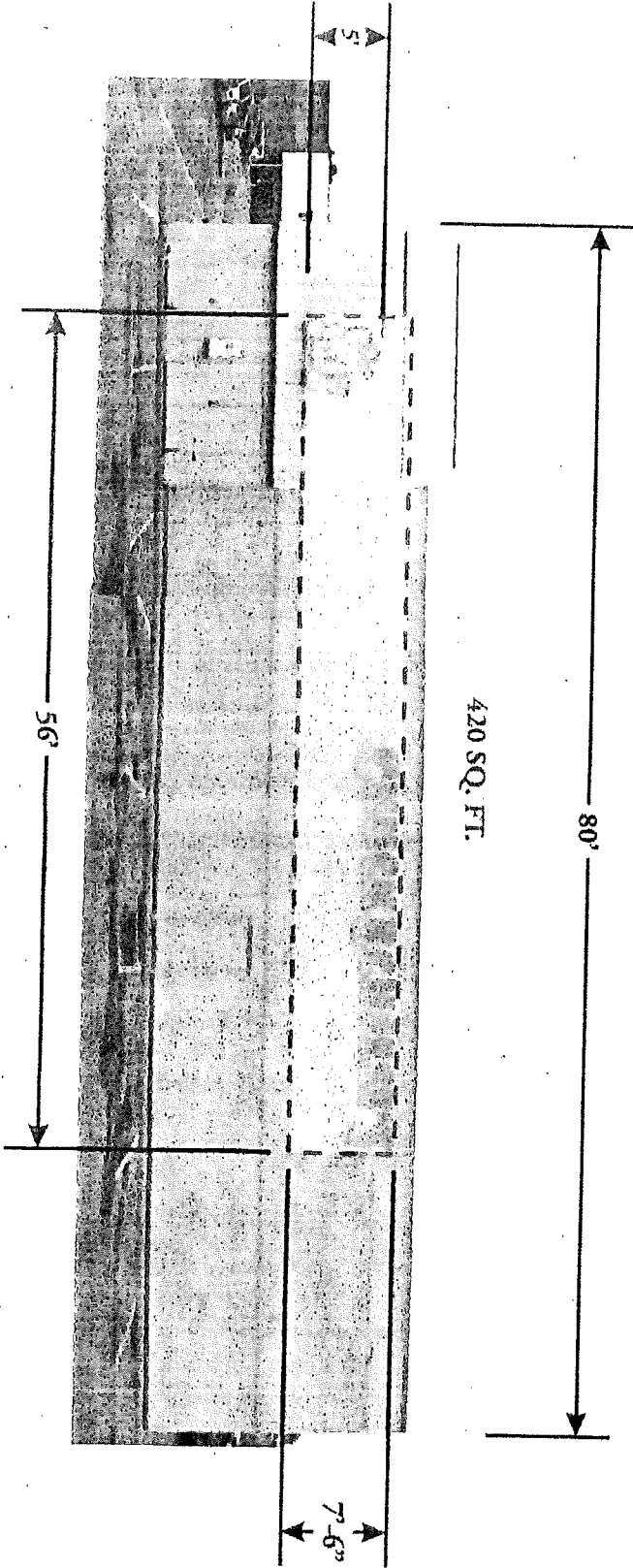


2/13/08

# Front Elevation

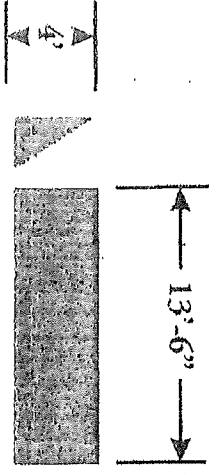
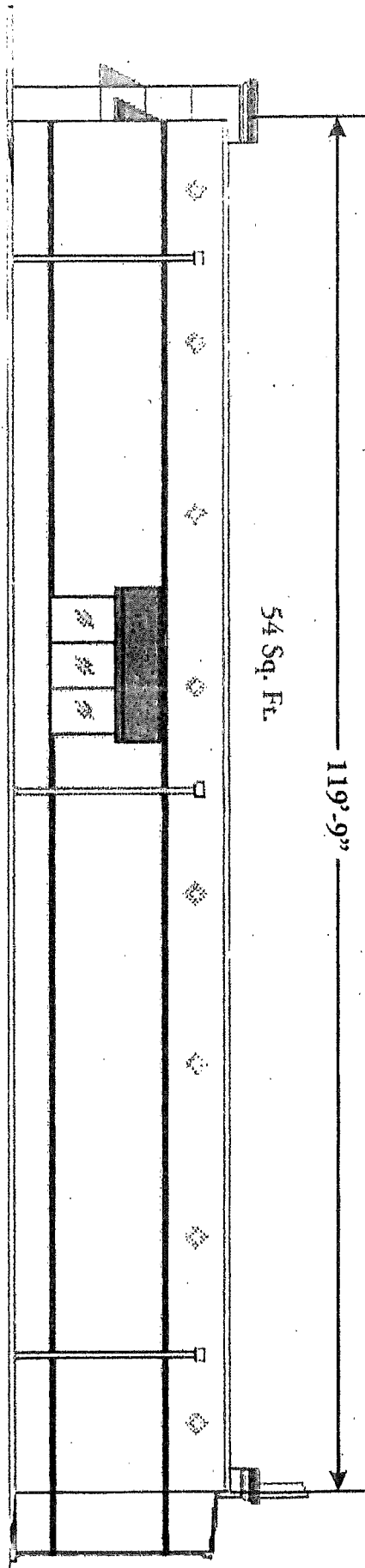


2/13/08  
**Rear Elevation**

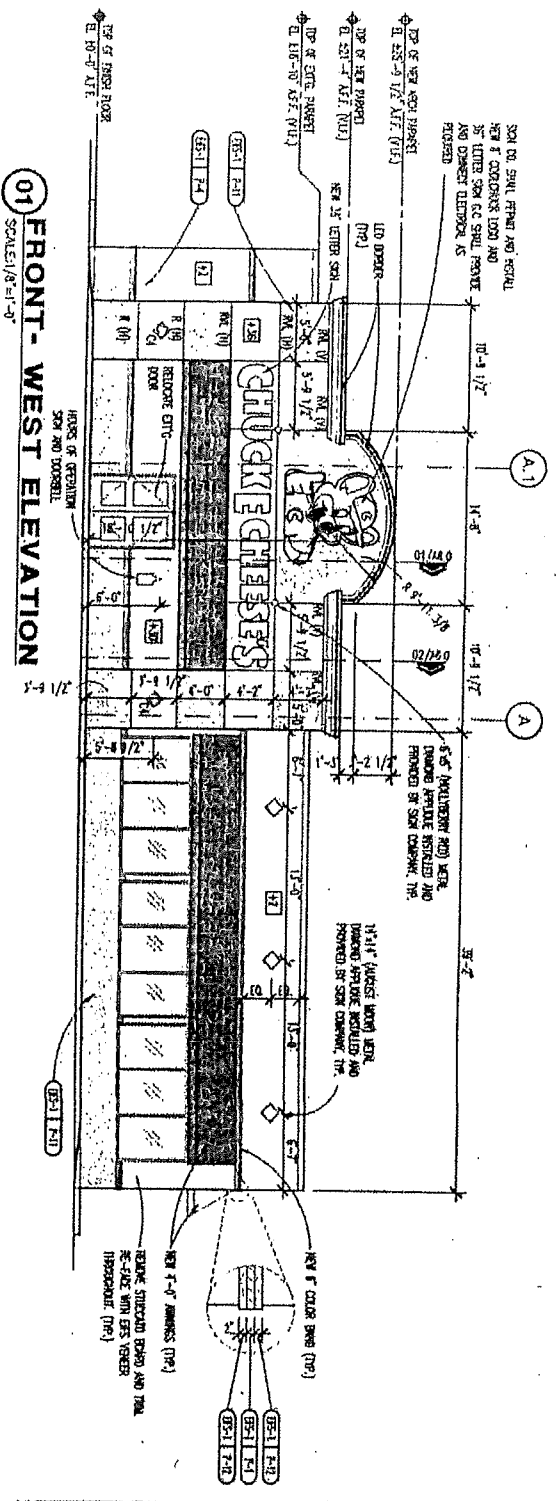


2/13/08

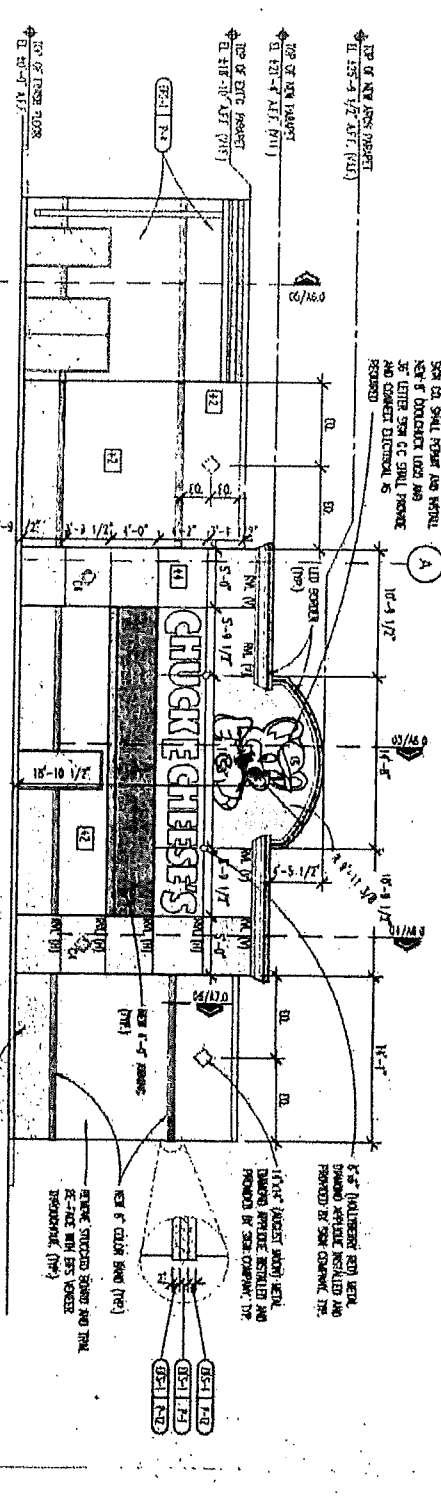
# Side Elevation



## Proposed







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

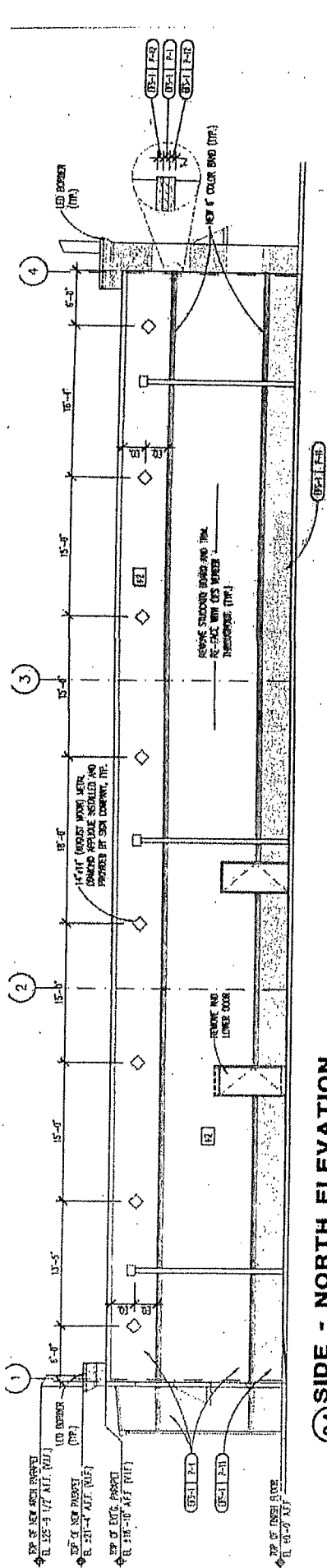


03 REAR - EAST ELEVATION  
SCALE: 1/8" = 1'-0"

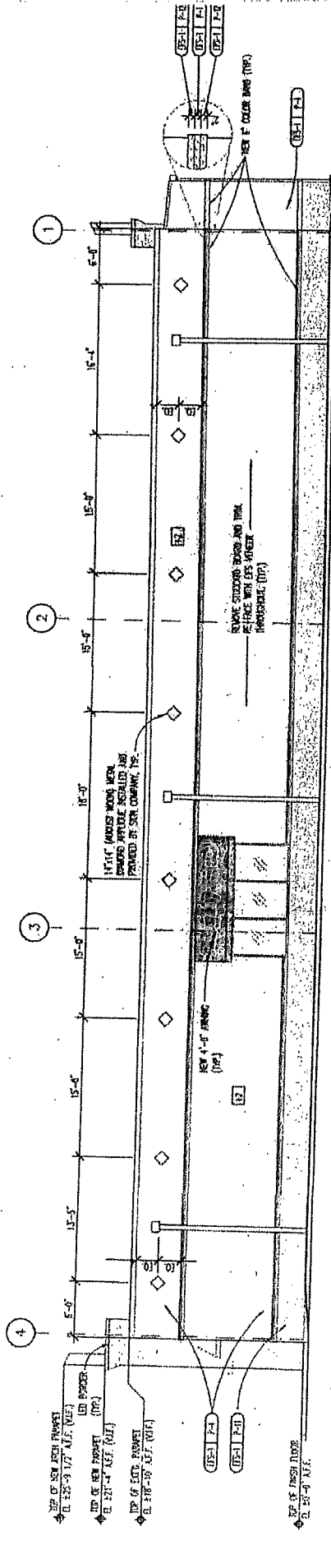
2/13/08

**FINISH LEGEND**

-  EFS-1 P-1  
HOLLYBERRY RED
-  EFS-1 P-12  
AUGUST MOON
-  EFS-1 P-11  
CANOE
-  SAND (DISSECTION 1449)



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



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

2/13/08

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)

(Check One)

1.  Boone  Florence  Walton  Union

(Check One)

2.  Conditional Use Permit  Variance  Appeal

Change in Non-Conforming Use

3. Applicant's Name DANA WENZEL / CT CHANG & ASSOCIATES

Phone Number 817 354 6010 Fax No. 817-571-1919

Applicant's Address 3901 AIRPORT FREEWAY #110

BEDFORD TX 76021

City State Zip

4. Description of Request: To APPROVE PROPOSED SIGNAGE AND FACADE FOR BUILDING EXPANSION CONSISTANT W/ APPROVED SIGNAGE 2/13/08

5. Name of Development CHUCK & CHEESE RESTAURANT

6. Location of Development 7035 MALL ROAD

FLORENCE KY

7. Acreage Under Review 4560 SF LEASE AREA ± 1.04 AC.

8. Lot Number and Name of Subdivision (if part of a subdivision)

9. Owner of Property NEW PLAN PROPERTY C/O CENTRO PROPERTIES

Address of Property Owner 22054 FARMINGTON RD Phone No. 513-728-6624

10. FARMINGTON MI 48336

City State Zip

11. Proposed Use(s) on Site BLDG. EXPANSION & FACADE REMODEL

OF EXISTING CHUCK & CHEESE RESTAURANT (1981)

12. Total Square Footage of Existing and/or Proposed Buildings 9716 SF + 2494 NEW = 12,210 SF

13. Current Zoning on Property C2

14. Deed Book 871 Page No. 412 Group No. 2040A

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? \_\_\_\_\_

18. I, or we, understand and agree that this application and drawing(s) are being filed in

accordance with the Boone County Zoning Regulations. TONY MICHALAK

ORIGINAL Property Owner's Signature: Tony Michalak - CENTRO PROPERTIES

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Dana Wenzel

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL ZONING REQUIREMENTS

②

COPY

CLUR #10-FBOA-004-A

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)  
New Plan Property c/o Centro Properties  
22054 Farmington Road  
Farmington, MI 48336
  
- 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:       Conditional Use Permit  
    From \_\_\_\_\_ To \_\_\_\_\_  
 Development Plan       Conditional Zoning  
 Subdivision Plat       Other:  
    (Not Recorded)  
 X Variances (2)
  
- 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

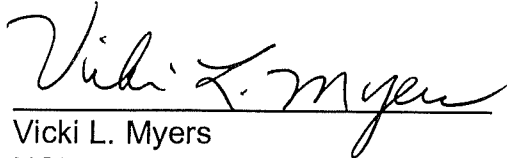
Todd K. Morgan  
SIGNATURE OF COMPLETING OFFICIAL

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

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

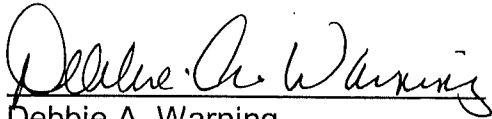
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the  
Boone County Planning Commission this 25 day of June, 2010.



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 Variances (2) approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of June 9, 2010 Certificate of Land Use Restriction (#10-FBOA-004-A), for New Plan Property c/o Centro Properties, Property Owner(s).

The following conditions will apply:

- 1) The signage and façade improvements shall be consistent with the submitted elevation drawings.
- 2) The new signage package shall not be installed unless the other façade improvements are made to the building.
- 3) The dumpster enclosure shall be replaced and meet the applicable Zoning Regulations.
- 4) The landscaping areas shall be installed as submitted. The following plantings are required:
  - A. One large tree from Plant List A shall be installed in the proposed landscaping island unless there is written documentation from the applicable utility companies saying otherwise. Alternative plantings shall be installed in the island in the event that a large tree cannot be planted.
  - B. The area around the dumpster enclosure shall be screened with large evergreen shrubs from Plant List C.

The approved Variances (2) as well as the preceding conditions apply to the property described in:

DEED BOOK 871 PAGE NO. 412 GROUP NO. 2040A

MODE = BATCH TRANSMISSION

START=JUL-08 15:13

END=JUL-08 15:14

FILE NO.=227

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

-BOONE COUNTY PLANNING -

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

3 - 10

CLUR #10-FBOA-004-A

CERTIFICATE OF LAND USE RESTRICTION

- NAME AND ADDRESS OF PROPERTY OWNER(S)  
New Plan Property c/o Centro Properties  
22054 Farmington Road  
Farmington, MI 48336
- ADDRESS OF PROPERTY  
7635 Mall Road  
Florence, KY 41042
- NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Chuck E. Cheese
- DEED BOOK 871      PAGE NO. 412      GROUP NO. 2040A
- 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:  
 Variances (2)
- NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

RETURN TO: 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