

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

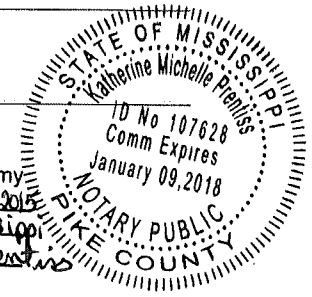
SECTION A (To be completed by applicant)

- (Check One) 1. Boone [X] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_ (Check One) 2. \_\_\_\_\_ Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_ [X] Change in Non-Conforming Use 3. Applicant's Name Gator Sign Co Inc. Applicant's Address 1027 Karey Andrews Rd. McComb Ms 39648 City 601 State Ms Zip 601 Phone Number 684-8686 Fax No. 684-7131 E-Mail gatorsigncompany.com 4. Description of Request: remove - Arch - Pizza Hut - replace with LED Price Sign Single Popeyes / Subway 5. Name of Development TA Truck Stop. 6. Location of Development 7777 Burlington Rd. Florence Ky 7. Acreage Under Review 14 Acres +/- 8. Lot Number and Name of Subdivision (if part of a subdivision) K-17 Parcel Id 061.02.22.002.00 9. Owner of Property HPT TA Properties Trust Address of Property Owner 24601 Center Ridge Road. Westlake Ohio 44145 City 210 State Ohio Zip 44145 Phone Number 933-1452 Fax No. 886-0650 E-Mail cwalton@signage.com 11. Proposed Use(s) on Site 429 Com Conv Store / C-store Truck Stop. 12. Total Square Footage of Existing and/or Proposed Buildings 1440 sq existing 945sq Proposed 13. Current Zoning on Property 0-2 / PD Sign 14. Deed Book 929 Page No. 675 Group No. 2041A 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? No 17. Have you submitted a list of adjoining property owners with this request? No 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

Subscribed and sworn to before me in my presence this 14th Day of January, 2018 a Notary Public in the State of Mississippi Signature Katherine Michelle Prentiss Notary Public My Commission Expires January 9, 2018



**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 1/16/15 Fee Received \$932.00 Receipt # 70119
2. Is application complete?  Yes  No
3. Staff Reviewer \_\_\_\_\_
4. Scheduled Board Action Date \_\_\_\_\_
5. Board Action:  
2/11/15  Approved  
 **Approved with Conditions (See #6)**  
 Denial (See #7)
6. Conditions of Approval: SEE 2/11/15 meeting minutes  
AND CLR
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: Gator Sign Co., Inc. for Travel Centers of America

LOCATION: 7777 Burlington Pike, Florence, Kentucky

ZONING: Office Two/Planned Development (O-2/PD)

DATE: February 11, 2015

### Proposal

The applicant submitted a Change in Non-Conforming Use application so Travel Centers of America can modify one of their freestanding signs. The existing sign is 113'-9" tall and is located in close proximity to Tanners Lane and the KY 18 exit ramp on northbound I-71/75. The submitted drawing show that four sign cabinets will be removed, two sign cabinets will be installed, and the overall square footage of the sign will be reduced from 1440 square feet (40' x 36') to 945 square feet (35' x 27'). Note - The sign square footage is being computed by drawing one box around all the sign cabinets per Section 3403 of the Boone County Zoning Regulations.

One of the proposed sign cabinets is 7.5' x 27' and will display unleaded fuel and diesel fuel prices in red and green light emitting diodes (LED). The diesel price will alternate between a "cash" price and "credit" price. The sign cabinet detail shows the LED digits will be a maximum of 61" tall and the unleaded and diesel copy placards will be 18" tall.

### Applicable Regulations

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 use.

Section 270 of the Boone County Zoning Regulations states that it is the intent of the regulations to keep non-conforming lots, uses or structures 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."

Section 272 of the Boone County Zoning Regulations states that where, at the time of adoption of this order, legally established, uses of land exist which would not be permitted by regulations imposed by this order, the uses may be continued so long as they remain otherwise lawful, provided the Board shall not allow the enlargement or extension of a non-conforming use beyond the scope and area of its operation at the time these regulations were adopted.

K.R.S. 100.253 allows the following:

1. The lawful use of a building or premises, existing at the time of the adoption of any zoning regulations affecting it may be continued, although such use does not conform to the provisions of such regulations, except as otherwise provided herein.
2. The Board of Adjustment shall not allow the enlargement or extension of a nonconforming use beyond the scope and area of its operation at the time the regulation which makes its use nonconforming was adopted, nor shall the board permit a change from one (1) nonconforming use to another unless the new nonconforming use is in the same or a more

restrictive classification, provided, however, the board of adjustment may grant approval, effective to maintain nonconforming-use status, for enlargements of extensions, made or to be made, of the facilities of a nonconforming use, where the use consists of the presenting of a major public attraction or attractions, such as a sports event or events, which has been presented at the same site over such period of years and has such attributes and public acceptance as to have attained international prestige and to have achieved the status of a public tradition, contributing substantially to the economy of the community and state, of which prestige and status the site is an essential element, and where the enlargement or extension was or is designed to maintain the prestige and status by meeting the increasing demands of participants and patrons.

3. Any use which has existed illegally and does not conform to the provisions of the zoning regulations, and has been in continuous existence for a period of ten (10) years, and which has not been the subject of any adverse order or other adverse action by the administrative official during said period, shall be deemed a nonconforming use. Thereafter, such use shall be governed by the provisions of subsection (2) of this section.

Section 3403 of the Boone County Zoning Regulations states the surface area of a sign shall be computed as including the entire area serving as written or graphic advertisement within a regular, geometric form comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not used for advertising matter shall not be included in computation of surface area. Where a sign has two (2) display faces back to back, the area of only one (1) face shall be considered the sign area, provided the two (2) sign faces are not visible from one location therefore constituting two (2) signs.

Section 3413 (3) states that properties zoned Office Two (O-2) shall be permitted a density of one (1) on-premise monument sign per parcel of land (See Article 2, Section 250 regarding Board of Adjustment and Zoning Appeals authority regarding density). There shall be only one (1) monument sign for each parcel, regardless of the number of business establishments conducted in the building(s) and regardless of the number of road frontages. The maximum size for a monument sign for an office or industrial establishment shall not exceed one-half ( $\frac{1}{2}$ ) square foot of area per lineal foot of road frontage along the street frontage where the monument sign is to be located with a maximum allowable size of one-hundred (100) square feet. The maximum height for an monument sign is ten (10) feet.

The following version of Section 3430 of the Zoning Regulations applies to the City of Florence only.

1. The Board of Adjustment and Zoning Appeals may permit electronic message boards and electronic display screens which advertise multiple messages as Conditional Use in C-2 and C-3 zoning districts. Such message signs must conform to Article 2, Sections 260-267, inclusive, of this order, and further shall be subject to the following minimum standards and requirements:
  - (1). The application for conditional use permit shall be accompanied by the following:
    - a. All of the information required in Section 3405 of this Article;
    - b. Identification of all interstate highways or other thoroughfares from which the sign will be visible; and
    - c. A permit, or other documentation, to the effect that the proposed message board is permitted by the Kentucky Transportation Cabinet.

- (2). Electronic message boards and electronic display screens as conditional uses, shall conform, at minimum to the following requirements:
  - a. Such message boards and screens will be considered a part of a permitted free-standing or building mounted sign; up to fifty percent (50)% of the permitted sign area can be used as an electronic message board or electronic display screen.
  - b. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
  - c. Electronic message boards and electronic display screens shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate or 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 or screen 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.

Pertinent Site History

1986 – The Parkway Corridor Study was adopted by the City of Florence. The Parkway Corridor Study recommended a connection (Ewing Blvd.) between U.S. 42 and KY 18. The study also rezoned the subject property from C-3 to O-2/PD

2/19/98 - Boone County Planning Commission Staff approves a Sign Permit allowing the Interstate pole sign to be replaced at the same size or smaller. The sign is shown as 113'-9" tall and 656 square feet in area (measuring sign cabinets separately).

5/12/99 – The Florence Board of Adjustment approves a Change in Non-Conforming Use Permit allowing Travel Centers of America to reconstruct their building, gasoline islands, signs, and parking areas. The following charts summarize some key parts of the request.

EXTERIOR IMPROVEMENTS	EXISTING BUILDING	PROPOSED BUILDING
DIESEL PUMPS	8	8
GASOLINE PUMPS	5	4
TRUCK PARKING	155	141
CAR RV/PARKING	60	100
CURB CUTS	4	3

INTERIOR IMPROVEMENTS	EXISTING BUILDING	PROPOSED BUILDING
SERVICE BAYS	3	2
STORE SQUARE FOOTAGE	2,227	2,950
RESTAURANT SEATS	150	52
RESTAURANT SQUARE FOOTAGE	2,512	866
OVERALL FACILITY SQUARE FOOTAGE	19,906	17,555

	EXISTING FREESTANDING SIGN AT THE KY 18 ENTRANCE	PROPOSED FREESTANDING SIGN AT THE KY 18 ENTRANCE
HEIGHT	24' 4"	31' 11"
SQUARE FOOTAGE	123	210

6/21/99 -Boone County Planning Commission Staff approves a Site Plan allowing the facility to be reconstructed. A former Staff member erroneously allowed an approximate 19,500 square foot building with three truck service bays.

9/17/99 - Boone County Planning Commission approves a Sign Permit for a 31'-11" tall, 210 square foot freestanding sign at the KY 18 entrance per the Florence Board of Adjustment approval. (Note - The sign would be considered to be 408.75 square feet if it were approved today because one rectangle would be drawn around all the sign cabinets).

10/5/99 - Boone County Planning Commission approves a Sign Permit allowing two additional sign cabinets to be added onto the Interstate sign. The sign is 113'-9" tall and 638 square feet in area (measuring sign cabinets separately).

1/12/05 -The Florence Board of Adjustment approved a Change in Non-Conforming Use which allowed a 6,394 square foot garage addition onto the rear of the existing shop. The addition was approved with 3 additional truck service bays. The overall permitted building square footage was increased from 20,396.5 square feet to 26,790.5 square feet.

4/25/05 - Boone County Planning Commission approves a Major Site Plan allowing the construction of a 5,745 square foot garage addition onto the back of the building.

11/14/12 -The Florence Board of Adjustment approves a Change in Non-Conforming Use allows Travel Centers of America to display regular fuel prices in red light emitting diodes (LED) on their KY 18 freestanding sign. The submitted drawings showed the existing sign was 31'-6" tall. The approval allowed the manually changeable fuel price cabinet (4' x 10'-1") to be replaced with an identically sized cabinet. The drawings should the new cabinet would display regular fuel prices with 18" tall red LED digits that were inside a 24-<sup>3</sup>/<sub>4</sub>" x 51-<sup>1</sup>/<sub>8</sub>" window.

Site Characteristics

The approximate 14 acre site contains a 26,141.5 square foot building. The building contains three restaurants, a convenience store with auto and truck accessory sales, showers, restrooms, and six

truck maintenance bays. The site also contains 64 parking spaces for cars, 189 parking spaces for trucks, and a large detention area to the rear of the site. The property contains three curb cuts. Semi-trucks access the property from a signalized intersection on KY 18. Cars, vans, and light trucks can access the site from curb cuts on Tanners Lane and KY 18. Three freestanding signs exist on the site (KY 18, Interstate high-rise, and truck scale). The freestanding sign located along KY 18 is 31'-6" tall and the freestanding sign located near Tanners Lane is 113' tall.

#### Surrounding Land Uses and Zoning

North: KY 18, Chung Kiwha (C-3/PD), Speedway (C-3/PD)

South: Tanners Lane and Goodwill (C-3/PD),

East: Florence Public Services Maintenance Facility (PF/PD), Vacant Lot, Waffle House (O-2/PD)

West: Tanners Lane, I-71/75, Public Storage Mini-Warehouses (O-2/PD)

#### Staff Comments

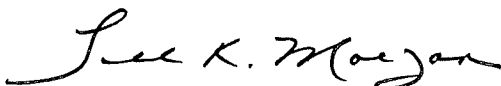
1. The operation has existed on the site since 1966.
2. The operation is a non-conforming use because gasoline filling stations, tractor trailer repair facilities, and truck stops are not principally permitted in the Office Two/Planned Development (O-2/PD) zoning district.
3. The business contains several non-conforming signs (freestanding, building mounted, gasoline canopy, and directional). The most notable are the two freestanding signs which exist along KY 18 and Tanners Lane. The Boone County Zoning Regulations permit mixed use establishments located in an Office Two (O-2) zone to have a density of one monument sign which can be up to 10 feet in height and 100 square feet in area.
4. Section 3430 of the Boone County Zoning Regulations states that the City of Florence permits electronic signs as Conditional Uses in the Commercial Two (C-2) and Commercial Services (C-3) zoning districts. The applicant can ask for the electronic fuel price cabinet because the interstate sign is a pre-existing nonconforming structure.
5. Staff contacted the applicant and asked him to be prepared to discuss the following:
  - A. Would TA consider reducing the overall height of the sign?
  - B. Could all three sign cabinets (1 existing and 2 proposed) be flush mounted together? This would further reduce the non-conforming square footage of the sign.
  - C. How often would the diesel fuel display alternate between a cash and credit price?
  - D. What is the proposed pixel pitch of the electronic sign?
  - E. Will the electronic sign have a dimmer or photocell?
  - F. Would TA consider only using one color (red or green) to display the unleaded and diesel prices?

- G. Would TA consider eliminating the feature which allows the sign to alternate between a diesel cash and diesel credit price?
6. A chart has been provided showing all the electronic sign requests that the Florence Board of Adjustment has acted on since 2003 (see attachments).
7. The Board needs to determine if the proposal constitutes an enlargement or extension of the existing non-conforming use. In making this determination, the Board can analyze if the proposal is more objectionable than what already exists on the site.
8. If the Board grants approval of the request, Staff recommends the following conditions:
- A. The overall square footage of the Interstate sign shall be reduced to 945 square feet or less.
  - B. All three sign cabinets shall be flush mounted together or have black filler panels located between them to give the sign an integral appearance. The bottom two sign cabinets and filler panels shall have a rectangular shape if filler panels are required. No additional signage shall be permitted on the filler panels.
  - C. The 7'-6" x 27' cabinet shall only display two fixed copy fuel placards and two LED fuel prices. The fuel prices shall not alternate between cash prices and credit prices.
  - D. The fuel prices shall be displayed in one color (red or green) and shall not flash, scroll, run, or have apparent visual motion.
  - E. The fuel prices shall be displayed with a 25 mm pixel pitch or better resolution.
  - F. The electronic sign shall be equipped with a photocell or dimmer and the fuel prices shall dim as the sky gets darker.
  - G. The 8' x 24' sign cabinet only be permitted to advertise two tenants which are located in the subject building.

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 request.

Respectfully submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

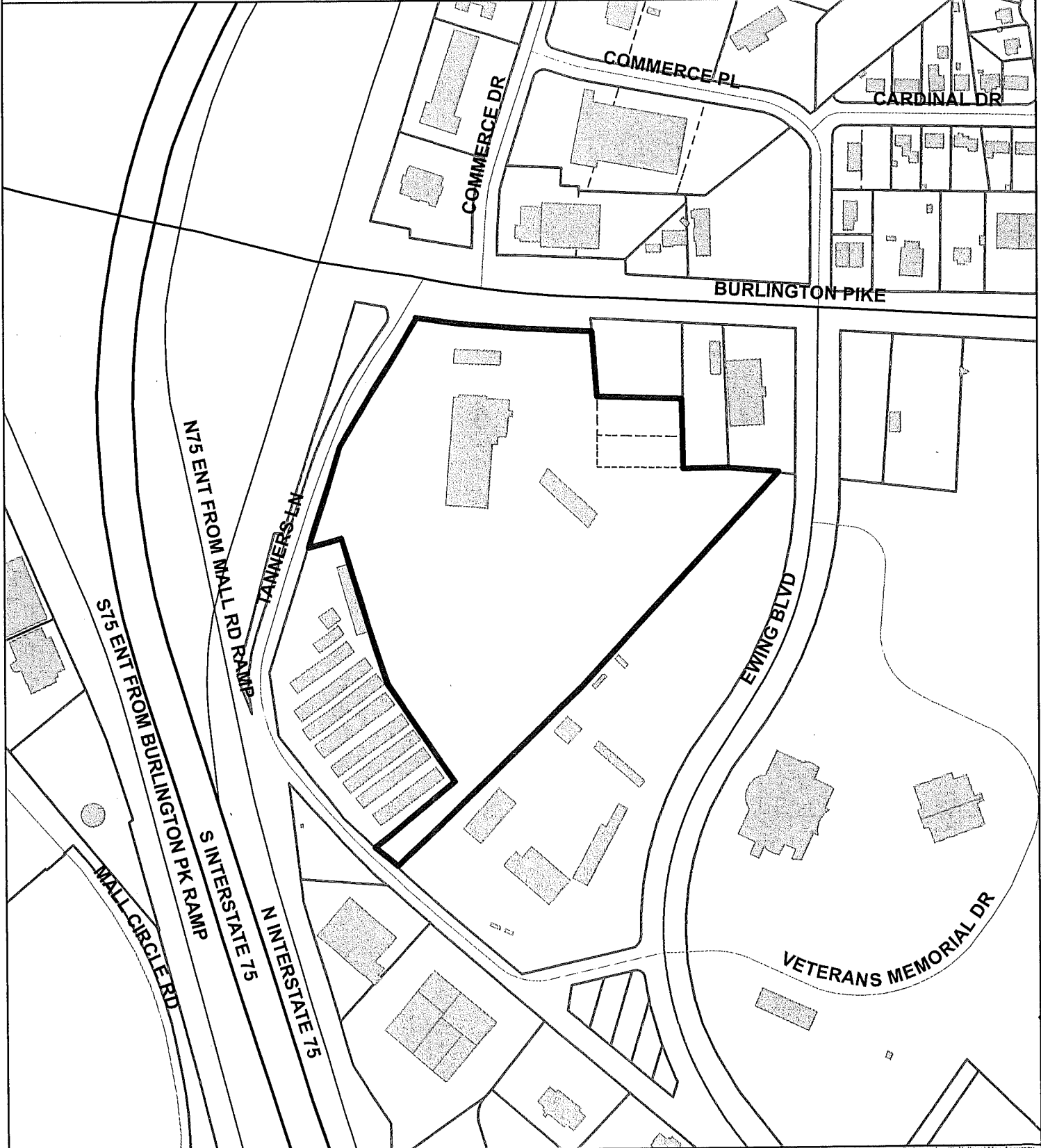
TKM/tlb

Attachments

- \*Site Vicinity Map
- \*Proposed Sign Drawings
- \*2013 Aerial Map
- \*Topographical Map
- \*Zoning Map
- \*2/19/98 Sign Permit
- \*10/5/99 Sign Permit
- \*Chart Showing FBOA Actions on Electronic Signs Request Since 2003
- \*Application

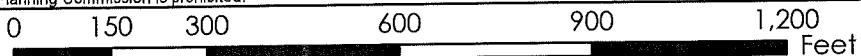
# SITE VICINITY MAP

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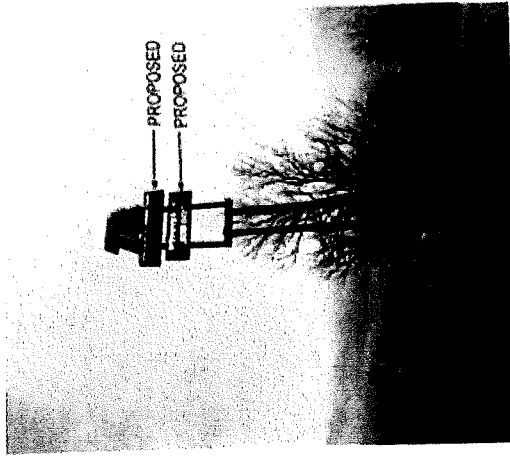


1 inch = 300 feet

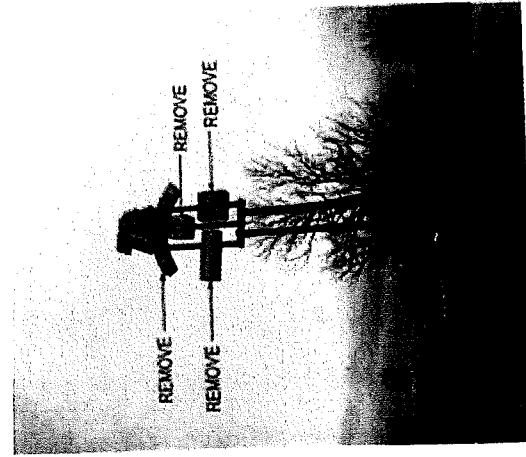


**Boone County GIS - Putting Northern Kentucky on the Map**



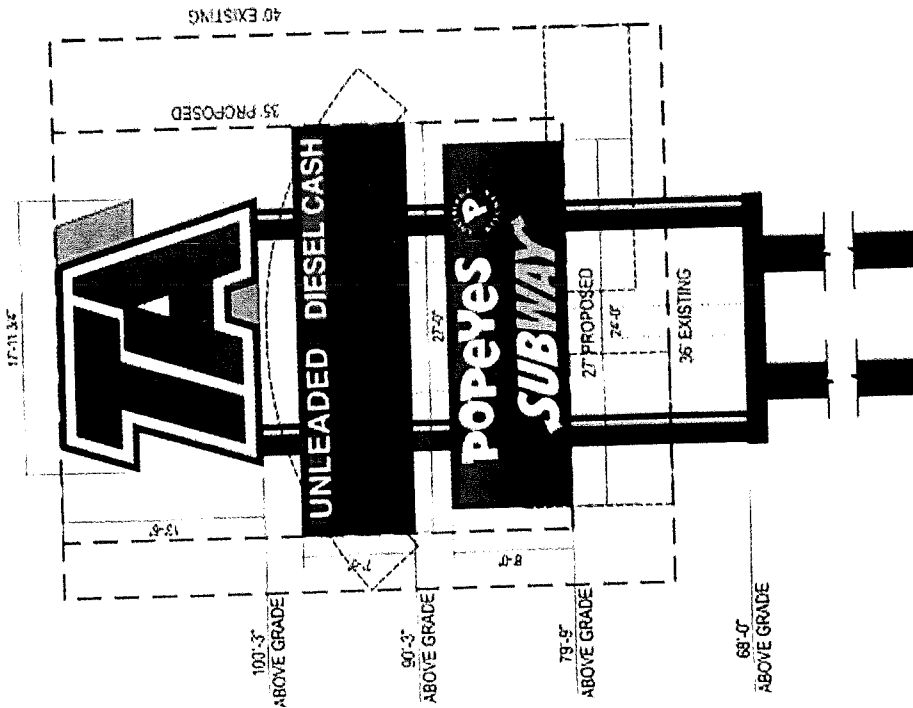


**PHOTO SURVEY OF EXISTING**  
Scale: Not to Scale



**PHOTO SURVEY OF PROPOSED**  
Scale: Not to Scale

- REMOVE AND DISPOSE OF EXISTING 24" BRONZE "VALLEY", "POPEYES" AND "PIZZA HUT" CABINETS
- REMOVE AND CAP EXISTING 24" PIPE CENTER SUPPORT ABOVE CROSSBAR AT MATCH PLATE
- REMOVE EXISTING ELECTRICAL DOWN TO BASE
- INSTALL (2) TWO 74-61 1" x 27-0" x 27-0" SF LED SUNSHINE PRICER CHANGERS
- SCANS TO BE MOUNTED WITH 5" x 7" x 250 ANGLE BRACKETS BY INSTALLER
- MANUFACTURE AND INSTALL (2) TWO 6-0" x 24-0" SF CABINETES READING "POPEYES SUBWAY"
- CONNECT TO EXISTING POWER AS SHOWN ABOVE 14.2 AMP SERVICE
- (1) 120 VOLT 60 AMP CIR. REQ'D.
- INSPECT AND REWELD PLATE CONNECTIONS AND PLUG WELDS AT EACH PIPE TRANSITION.
- WIRE BRUSH, SPOT PRIME AND REPAIR STRUCTURE.
- USE RUSTOLEUM BLACK PAINT. BY INSTALLER.
- REPAIR ANY ELECTRICAL OUTAGE IN EXISTING CABINET
- ALL SIGNAGE TO BE WORKING 100% PERCENT AT TIME OF COMPLETION.
- PROVIDE DAY AND NIGHT COMPLETION PHOTOS OF WORKING SIGNAGE AND ALL NEEDED CONNECTIONS.
- PROVIDE DAY PHOTOS OF EACH SIDE OF PRICER WITH ALL ITS DISPLAYED TO CONFIRM UNIT TO BE IN WORKING CONDITION.
- CURRENT TOTAL SIGN SQ. FOOTAGE - 1400 S.F.
- PROPOSED TOTAL SIGN SQ. FOOTAGE - 945 S.F.



**A** DOUBLE FACE PYLON SIGN ELEVATION  
Scale: 1/8" = 1'-0"





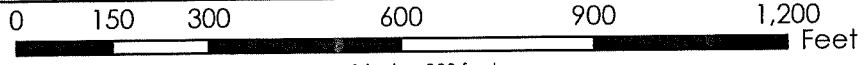
# 2013 AERIAL MAP

www.boonecountygis.com

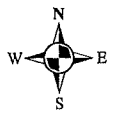


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1 inch = 300 feet



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

Map Created: 07/01/2013

Boone County GIS  
ArcMap Document: BooneMap (lta).mxd

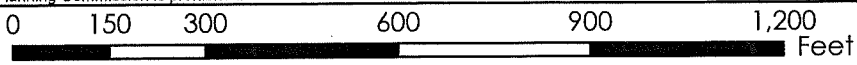
# TOPOGRAPHICAL MAP

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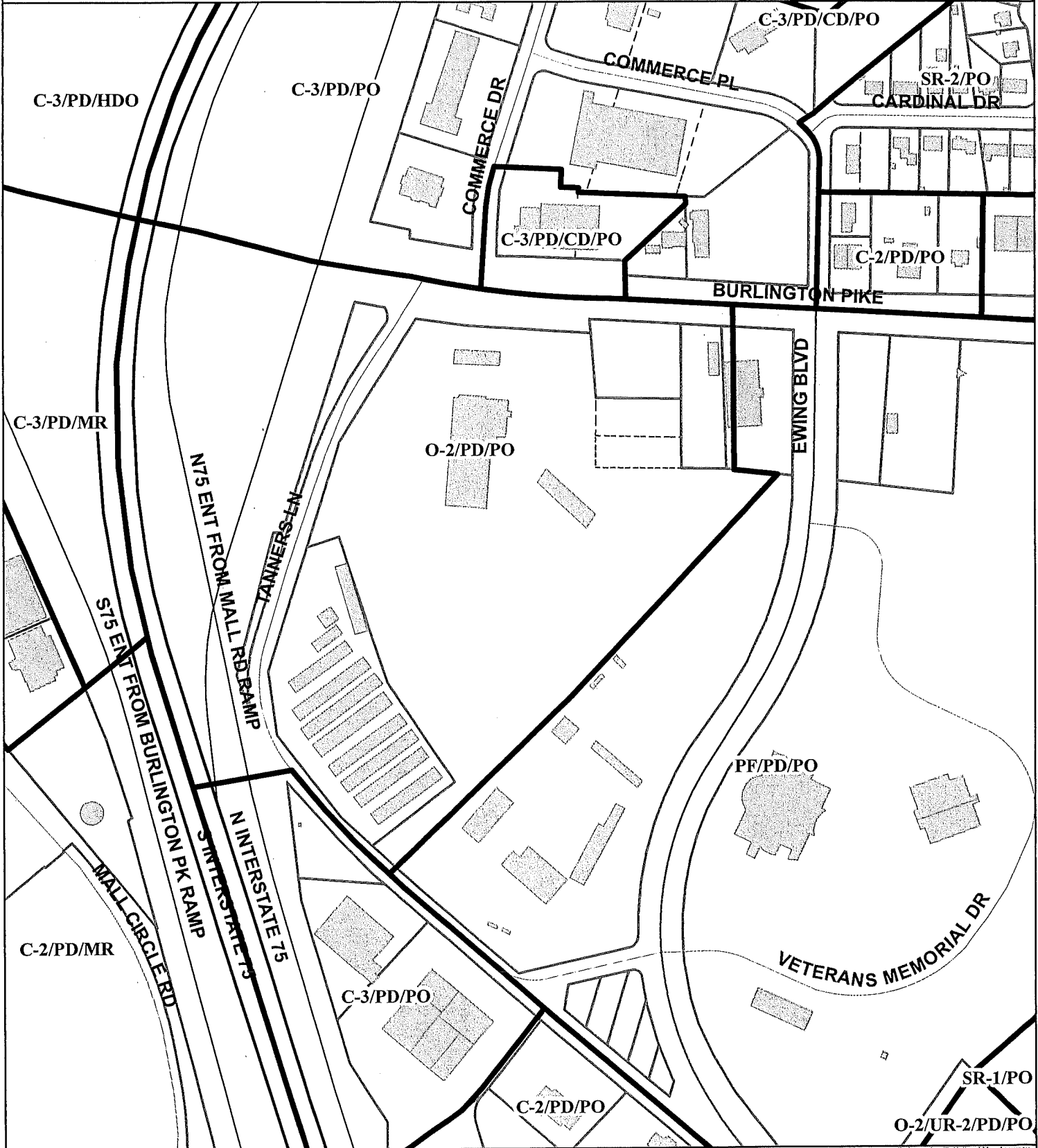
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 07/01/2013

Map File: C:\GIS\Map\BooneMap(16).mxd

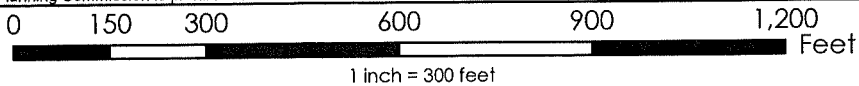
# ZONING MAP

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



Map Created: 07/01/2013

Boone County GIS  
ArcMap Document: BooneMap (lite).mxd

**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 United Signs for TA Travel America for property located at 7777 Burlington Pike and zoned O-2/PD, 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:

Building Mounted Sign - Change of Face

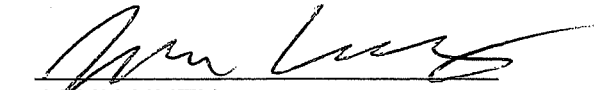
Freestanding Pole Sign - Change of Face

Freestanding Pole Sign - 656 square feet/113 feet high - replaces existing at same size or smaller

4 Directional Signs - Change of Face

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

2-19-98

  
JOHN HUTH  
PLANNER

Site Number: 0193

Photo Number: \_\_\_\_\_

Remove "76" ball, "Auto Truck Stop" & "Restaurant"  
Install New H2660. See Attached Drawings.

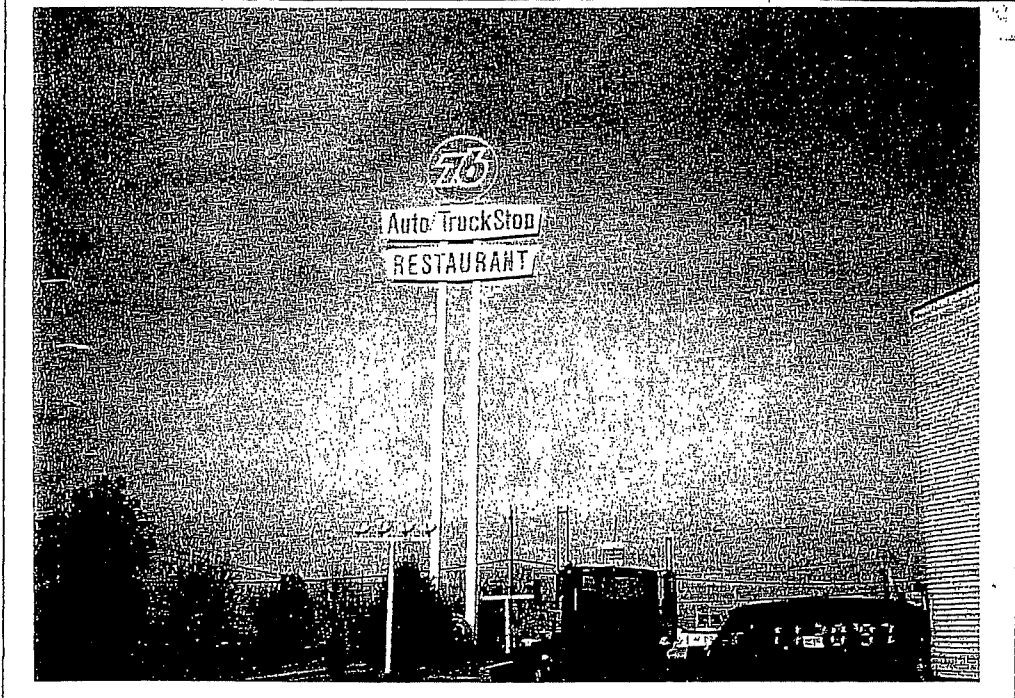
Detail of: Sign No. 1a

Page: 16

NOTES

a. 76 Sphere (Alum.)  
16' Diameter  
113' 9 1/2" O.A.H.

b. Auto/Truck Stop  
8' 1/4" x 35' 10"



Detail of: Sign No. 1c

Page: \_\_\_\_\_

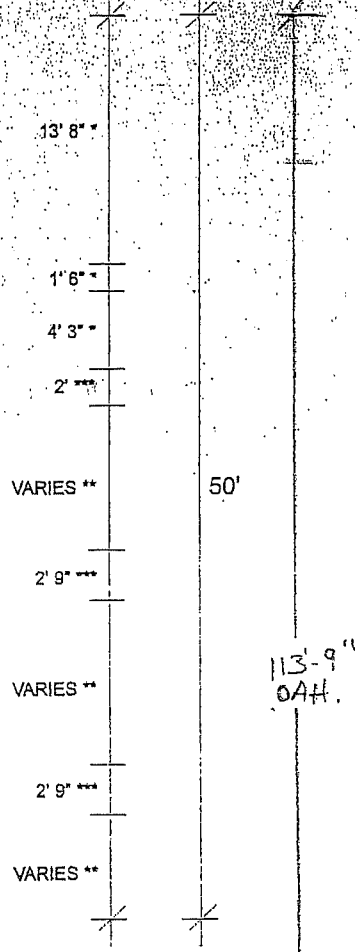
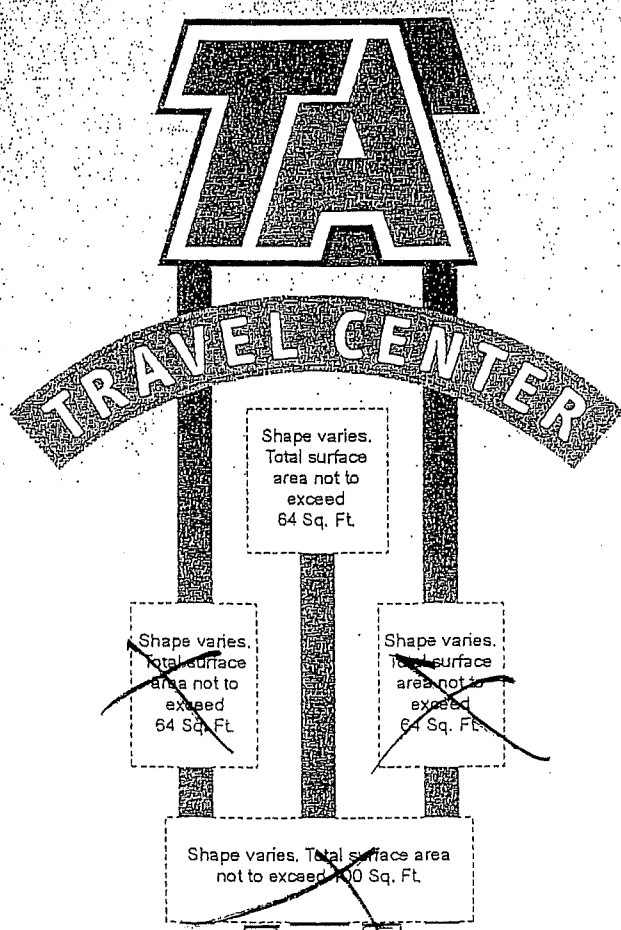
NOTES

c. Restaurant  
8' 1/4" x 33' 2"



FLORENCE, KY

2/19/98  
Sign Permit



Approximate Square Footage:

Logo	217
Arc	147
(3) Offerings @ 64 ea	192
(1) Offering @ 100	100
Total	656

- \* Logo size, arc size, and space between logo and arc are fixed and will not change.
- \*\* Size and shape of gas and fast food signs will vary by site, but shall not exceed the quantity shown, or the square footage allowances shown.
- Shapes will be based upon actual gas and fast food graphics (i.e., not limited to square or rectangle).
- \*\*\* Spaces between gas and fast food signs are subject to adjustment, depending upon shape of signs used.

HR660

Overall height varies by site.

SCALE: 3/32" = 1'	NO: HR-23-R4
DATE: 9/16/97	PAGE: 1
	DRAWN BY: Lisa Hill

**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 Commercial Sign for Travel Centers of America for property located at 7777 Burlington Pike, Florence, Kentucky and zoned O-2/PD, 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 600 square foot canopy sign. This sign is grandfathered in from the previous building (see picture).

\* One Permit for a 35.25 square foot canopy sign.

\* One Permit for 234 square feet of building mounted signage on the primary elevation.

The signage consists of: (A) 47 square foot "TA Sign

(B) 35.6 square foot "Welcome Sign", and

(C) 151.4 square foot light band, which contains the

"Popeyes", "Mrs. B's Pantry" and "Pizza Hut" signs.

\* One Permit for 146.13 square feet of building mounted signage on the right elevation

The signage consists of: (A) 34.88 square foot "Travel Store" sign

(B) 63 square foot "TA Truck Service" sign

(C) 48.25 square foot Tire Sign

\* One Permit for 153.25 square feet of building mounted signage on the left elevation

The signage consists of: (A) 63 square foot "TA Truck Service" sign

(B) 48.25 square foot Tire Sign

(C) 42 square foot "Popeyes Drive Thru" sign

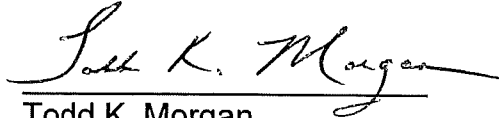
\* One Permit to add two 100 square foot sign cabinets and change the face of an

existing 74 square foot sign panel (The overall sign is being reduced from 656 square

feet and 113' high to 638 square feet and 113' high) See Permit No. F-31-98

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

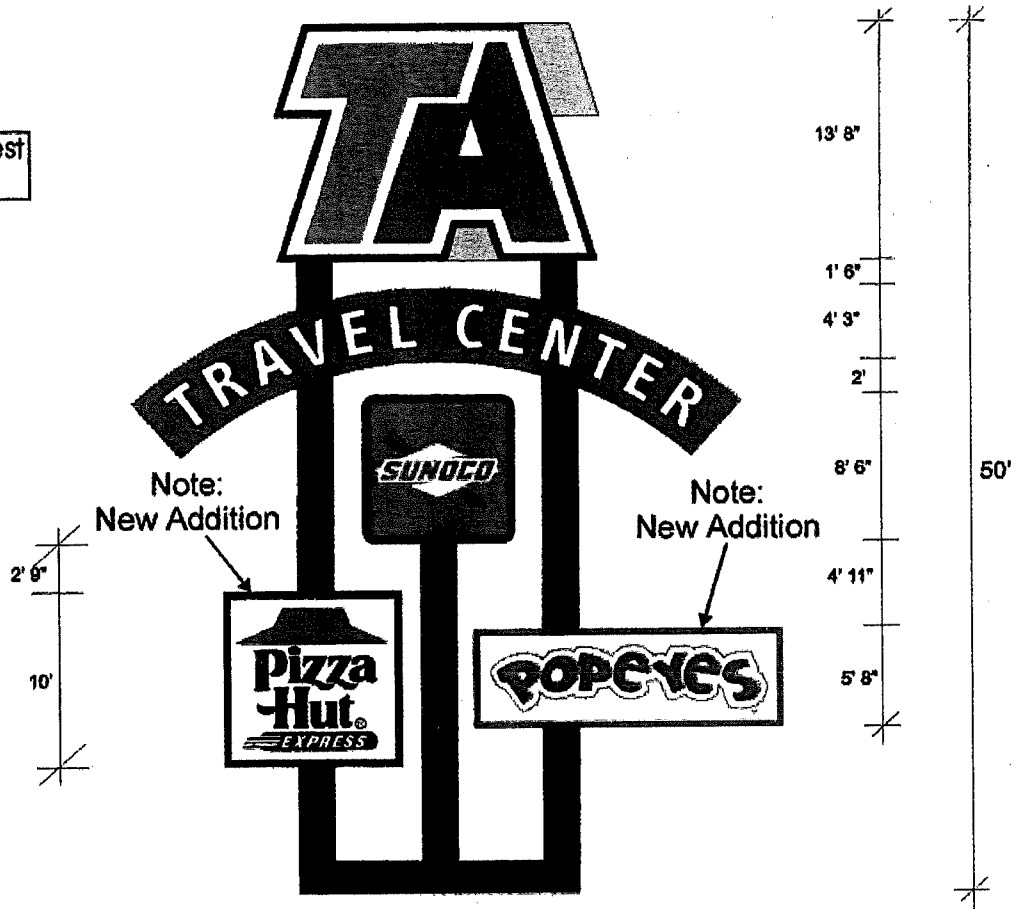
10/5/99  
DATE

  
Todd K. Morgan  
Planner

This layout indicates placement for new cabinet additions to existing signs.

# 10/5/99 SIGN PERMIT

This side nearest Interstate



TA Logo = 217 Sq. Ft.  
 Arc = 147 Sq. Ft.  
 Sunoco Sign = 74 Sq. Ft.  
 Pizza Hut Express Sign = 100 Sq. Ft.  
 Popeyes Sign = 100 Sq. Ft.

Florence, KY  
 Sign No. 0093-E01

Layout approved by Don Wilson 09/23/99.

HR660

<b>Elrod &amp; Company</b> Corporate Sign Program Management and Engineering 1609 Sarah Court, Murfreesboro, TN 37129	DATE: 09/21/99	NO: 0093-E01-K	REVISIONS: 1. "New additions", PHE and POPEYES. 2. Gas brand TBD. 3. Sunoco added. 4. Sunoco cabinet revised.	5. Replace Mrs. B's with Future GSR. 6. Sunoco cab. revised. 9/20/99-Drive-Thru sign added. 9/20/99-100 s.f. future GSR removed.	9/21/99-Remove Popeyes DI appendage.
	SCALE: 3/32" = 1'	PAGE: 1			

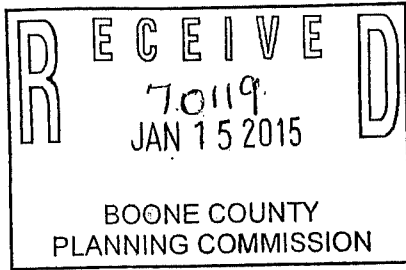
ACTION DATE	BUSINESS	ADDRESS	REQUEST	ACTION	DESCRIPTION OF REQUEST	CONDITIONS OF APPROVAL OR FINDINGS FOR DENIAL
3/12/2003	Motel 6	7937 Dream St	CUP	Approved	Allow a 20.55 square foot (40" x 74") electronically changeable room rate sign. The sign was illegally installed in 1997.	(1) The electronic area is to be no larger than it is now and can only be used for price; (2) The sign cannot flash or scroll and; (3) Any change in LED color (amber) would have to go before the Board of Adjustment for approval.
6/8/2005	CVS	6801 Dixie Hwy	CUP & Variance	Approved	Allow a 37.35 square foot (42" x 128") electronically changeable message board to replace three sign cabinets which are 44.52 square feet in area. The overall 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. The Variance is to reduce the 660' spacing requirement to 600' (Kentucky Federal Savings & Loan).	(1) The height of the sign is to be reduced to thirteen feet and it can be no more than 125 square feet in area; (2) The sign is to be monument in style; (3) The sign is limited to one illumination color and that color is red; (4) Condition 1, 2, and 3 listed above apply only if an electronically changeable message board is integrated into the permitted on-site freestanding sign.
6/14/2006	Speedway	8240 US 42	CUP	Approved	Install two electronically changeable fuel price panels and a cigarette price panel on the existing sign. The proposed digits are 14.3" tall.	(1) The color of the lights will be red as shown; (2) The size is to be as indicated in the Staff Report and on the exhibit; (3) The sole purpose of the three panels is pricing of gas only; (4) The panels cannot be added together or used for any other purpose; and (5) Any future user is prohibited from converting the electronically changeable sign into one that flashes, scrolls, or displays multiple messages.
10/11/2006	Super 8	7928 Dream St	CUP & Variance	Approved	Allow a 40.8 square foot (3'-4" x 12') electronically changeable reader board on the existing sign. The proposed electronic message board is replacing a 40 square foot sign cabinet.	(1) The electronic message board can only use one color of red; and (2) There is to be an automatic light sensor to dim the sign.
10/11/2006	Ace Hardware	8515 US 42	CUP	Approved	Allow a 19.5 square foot (26" x 108") electronically changeable message board on top of the Ace Hardware sign. The submitted plans shows that there will be two lines of 9" copy.	(1) The Ace Hardware sign panel shall be on the top of the sign and the electronic message board shall be on the bottom of the sign; (2) The electronic message board is to be one color, which is monochrome red; (3) The electronic message board is to be controlled by an automatic light sensor; and (5) The size of the sign is to be as submitted.
11/14/2007	KY Farm Bureau	8640 Haines Dr	CUP	Approved	Allow a 8.68 square foot (2'-2" x 4') electronic time and temperature sign to be mounted on the rear facade of the tenant space.	No conditions.
5/14/2008	Thorntons	7601 Industrial	CUP	Approved	Remove Thorntons 75.96 square foot electronic gas price cabinet (unleaded price displayed on wheels) and replace it with a 49.11 square foot LED cabinet. The new cabinet displays diesel and unleaded fuel prices with 28" tall digits. The 41.48 square foot electronic reader board of the bottom of the sign is to be retained.	(1) The bottom sign (existing electronic sign) is to abide by the 5 second rule; (2) The new LED sign is for gas prices only and is limited to two colors and; (3) There is to be a sign filler between the existing LED sign and the newly approved sign and fillers on the sides between the sides and the poles. The fillers panels shall be painted black to match the poles. There is to be no signage on the filler panels.
7/9/2008	BP	8432 US 42	CUP	Approved	Allow a 12.35 square foot (27.5625" x 64.5") electronic window on the bottom of the BP sign to display regular fuel prices. The digits will be a maximum of 23" tall.	(1) The gasoline fuel price should only be changed once or twice a day; (2) The electronic copy can only advertise regular fuel prices; (3) The electronic copy color is limited to red and; (4) The size of the sign is to be as presented.
7/9/2008	BP	7230 Turfway	CUP	Approved	Allow a 12.35 square foot (27.5625" x 64.5") electronic window on the bottom of the BP sign to display regular fuel prices. The digits will be a maximum of 23" tall.	(1) The electronic copy can only advertise regular fuel prices; (2) The overall square footage of the sign shall be limited to 144 square feet; (3) The illegal lottery sign shall be removed; (4) The electronic copy color is limited to red; (5) The gasoline fuel price should only be changed once or twice a day and; (6) The size of the sign is to be as presented.

ACTION DATE	BUSINESS	ADDRESS	REQUEST	ACTION	DESCRIPTION OF REQUEST	CONDITIONS OF APPROVAL OR FINDINGS FOR DENIAL
8/13/2008	Mortenson Dental	7033 KY 18	CUP & Variance	Denied	CUP - Allow a 16.92 square foot (21" x 116") electronically changeable message board on a proposed monument sign. The overall sign is 6'-8" tall and 57.53 square feet in area. The Variance is to reduce the 660' spacing requirement to 240' (Boone County High School).	The request is denied based on the Staff Report and applicable regulations. The sign will adversely affect safety and the neighborhood.
8/13/2008	Shell	411 Mt. Zion	CUP & Variance	Approved	CUP - Reduce the overall square footage of the existing sign from 210.6 square feet to 204.63 square feet and install two electronic fuel prices. The regular fuel price window is 14.34 square feet (27.5" x 75.13") and the diesel window is 6.18 square feet (19.75" x 45.13"). The proposal includes the removal of a manually changeable message board. The Variance is to reduce the 660' spacing requirement to 267' (Sports of All Sorts).	(1) The electronic copy can only advertise fuel prices; (2) The electronic copy color for both gasoline (regular fuel) and diesel fuel is limited to one color and that color is red; (3) The overall square footage of the sign shall not exceed 204.63 square feet in area; (4) The sign shall not contain any manually changeable message boards; (5) The sign is to be as presented (the blank panels cannot contain any signage) and; (6) The sign is not to flash, scroll, or run.
8/13/2008	Shell	985 KY 18	CUP	Approved	Reduce the overall square footage of the existing sign from 210.6 square feet to 204.63 square feet and install two electronic fuel prices. The regular fuel price window is 14.34 square feet (27.5" x 75.13") and the diesel window is 6.18 square feet (19.75" x 45.13"). The proposal includes the removal of a manually changeable message board.	(1) The electronic copy can only advertise fuel prices; (2) The electronic copy color for both gasoline (regular fuel) and diesel fuel is limited to one color and that color is red; (3) The overall square footage of the sign shall not exceed 204.63 square feet in area; (4) The sign shall not contain any manually changeable message boards; (5) The sign is to be as presented (the blank panels cannot contain any signage) and; (6) The sign is not to flash, scroll, or run.
10/8/2008	BP	8432 US 42	CUP	Approved	Change the 7/9/08 FBOA condition which required an electronically changeable fuel price panel to be displayed in red L.E.D. The applicant wants to change the color to green. The fuel price window is 12.35 square feet in area and the digits are a maximum of 23" tall.	(1) Electronic messages must be displayed on the board for at least 5 seconds and the message cannot flash, scroll, or run. The gasoline price shall only be changed once or twice a day; (2) The electronic copy can only advertise regular fuel prices; (3) The size of the sign shall be as presented; (4) the electronic copy color shall be limited to one color - either red or green; (5) A photocell is to be provided in the sign and the fuel price shall dim as the sky gets darker; and (6) The applicant will work with Staff to ensure that the sign is not abnormally bright.
10/8/2008	BP	7230 Turfway	CUP	Approved	Change the 7/9/08 FBOA condition which required an electronically changeable fuel price panel to be displayed in red L.E.D. The applicant wants to change the color to green. The fuel price window is 12.35 square feet in area and the digits are a maximum of 23" tall.	(1) The electronic copy can only advertise regular fuel prices; (2) The overall square footage of the sign shall be limited to 144 square feet; (3) The illegal lottery sign shall be removed; (4) The gasoline fuel price shall only be changed once or twice a day; (5) The size of the sign shall be as presented; (6) the electronic copy color shall be limited to one color - either red or green; (7) A photocell is to be provided in the sign and the fuel price shall dim as the sky gets darker; and (8) The applicant will work with Staff to ensure that the sign is not abnormally bright.

ACTION DATE	BUSINESS	ADDRESS	REQUEST	ACTION	DESCRIPTION OF REQUEST	CONDITIONS OF APPROVAL OR FINDINGS FOR DENIAL
1/14/2009	Thorntons	8104 US 42	CUP	Approved	Install two electronically changeable gas prices and an electronically changeable message board on one of Thornton's free-standing signs. A survey shows the existing sign is 30'-1/2" tall and 185 square feet in area (includes a 33.33 square foot manually changeable message board) and a rendering shows the proposed sign is 30'-3/8" tall and 144 square feet in area. The proposed fuel windows are 11.08 square feet in area and have 24" numbers. The electronic message board is 24.92 square feet in area.	(1) The proposed electronically changeable fuel windows shall advertise fuel prices only and all three panels (two electronic fuel windows and electronic reader board) are to be one color and that color is red; (2) The electronic reader board is to be red only. It is limited to two lines of text and the messages can be changed no more often than every ten seconds; (3) The electronically changeable message board and fuel cells shall comply with the applicable zoning regulations; (4) There is to be a photocell in the sign and the electronic messages are to dim as the sky gets darker; (5) The interstate high rise sign at the rear of the property is to be totally removed prior to installing the new sign; (6) There are to be no scrolling, running, moving patterns or other effects prohibited by the regulations; and (7) The applicant is to contact the KY Transportation Cabinet and determine if an advertising device permit is required.
4/8/2009	Dixie Gas & Go	6909 Dixie Hwy	CUP	Approved	Install two electronically changeable gas prices on the existing freestanding sign (each window is 15' x 42") and convert the 16.5 square foot manual message board at the bottom of the sign to an electronically changeable message board.	(1) The electronic reader board at the bottom of the sign can have a maximum of two lines of copy; (2) The electronic copy can change no more than once every 24 hours; (3) The electronically changeable fuel windows shall only advertise fuel prices; (4) All electronic messages shall be displayed in red; and (5) Photocells shall be provided in the sign and all electronic messages shall dim as the sky gets darker.
6/10/2009	Speedway	7819 US 42	CUP & Variance	Approved	CUP - Install two electronic gas prices and a cigarette price with 18" high numbers. Manual message board to be retained. The Variance is to reduce the 660' spacing requirement to 430' (Wildwood Inn).	(1) The electronic copy can only advertise fuel and cigarette prices; (2) the electronic copy color shall be limited to one color and the color is red; (3) the sign shall be equipped with photocells; (4) the sign shall conform with Article 34 of the zoning regulations; and (5) the approval is based on the applicant's presentation and proposed sign drawing.
6/10/2009	Culver's	8554 US 42	CUP & Variance	Approved	CUP - Allow an 14.67 square foot electronically changeable message board on a 10' tall, 61.65 square foot monument sign. The electronic letters are 10" tall. The Variance is to reduce the 660' spacing requirement to 495' (KY Farm Bureau).	(1) The electronic message board shall not be used to advertise off-premise businesses; (2) The electronic message board shall have a maximum of two lines of text; (3) All electronic messages shall be displayed in red; (4) All electronic messages shall be displayed for at least 15 seconds; (5) The sign shall be equipped with photocells and the electronic copy shall dim as the sky gets darker; and (6) Culver's shall not be permitted to advertise on the subdivision identification monument sign.
7/8/2009	Marathon	7811 Dixie Hwy	CUP	Approved	Allow construction of a new 20' tall, 69.96 square foot free-standing sign with two 6.83 square foot (20.1875' x 48.75") electronic fuel price windows. The fuel prices will be displayed in red L.E.D. and are a maximum of 18" tall.	(1) The electronic copy shall only advertise regular fuel prices; (2) All electronic messages shall be displayed in red; (3) Photocells shall be provided in the sign and all electronic messages shall dim as the sky gets darker.
11/16/09	Chevron	8063 US 42	CUP & Variance	Approved	CUP - Allow electronic gas prices on an existing 22' tall, 176 square foot sign. Two 18" x 40" electronic fuel windows are proposed. Variance - Reduce 660' spacing requirement. Approved Thornton's sign is approximately 366' to west.	(1) The electronic copy shall only be used to advertise fuel prices; (2) The fuel price displays shall not flash, run, or scroll; (3) The fuel prices shall be displayed in red L.E.D.; (4) The sign shall be equipped with photocells and the fuel prices shall dim as the sky gets darker.
12/9/09	QuikStop	8114 US 42	CUP & Variance	Approved	CUP - Add a 33.3 square foot electronic message board onto a freestanding sign. Variance - Reduce 660' spacing requirement from other electronic signs. Sign is 244' from Thornton's and 620' from Chevron.	(1) The electronic message board shall be limited to two lines of text; (2) Messages shall be displayed in red; (3) messages shall be displayed for a minimum of 1 minute; (4) messages shall not run, flash, or scroll; and (5) the sign shall be equipped with a photocell and the messages shall dim as the sky gets darker.

ACTION DATE	BUSINESS	ADDRESS	REQUEST	ACTION	DESCRIPTION OF REQUEST	CONDITIONS OF APPROVAL OR FINDINGS FOR DENIAL
10/13/10	Florence Center & Antique Mall	Mall Road Connector Dr Intersection	Change in Non-Conforming Use	Denied	Allow Florence Center/Antique Mall freestanding sign to be modified and include an electronically changeable message board. The application was required because the proposed sign had electronic copy and 7 fixed tenant panels.	Proposed Sign was more objectionable than the existing sign. It was premature for the Board to act on the request when there will be a new sign code for Mall Road in the near future.
2/8/12	UDF	8635 Haines Dr.	CUP & Variance	Approved	CUP - Allow electronic fuel price on the Haines Subdivision sign. A 33.54 square foot cabinet with two manually changeable fuel displays being replaced with a new cabinet that displays regular fuel in red LED (fuel price display is 13.875" x 33.875"). Variance - Reduce 660' spacing requirement. KY Farm Bureau sign is approximately 358' away.	(1) The electronically changeable copy shall only advertise fuel prices; (2) All electronic messages shall be displayed in red; (3) Electronic messages shall not flash, scroll, or run; (4) Photocells shall be provided in the sign and all electronic messages shall dim as the sky gets darker.
2/8/12	UDF	6712 Dixie Hwy.	CUP & Variance	Approved	CUP - Allow electronic fuel price on the UDF/PNC Bank sign. A 43.6 square foot cabinet with three manually changeable fuel displays being replaced with a new cabinet that displays regular and diesel fuel in red LED (fuel price displays are 20.187" x 48.75"). Variance - Reduce 660' spacing requirement. Walgreens sign is approximately 458' away.	(1) The electronically changeable copy shall only advertise fuel prices; (2) All electronic messages shall be displayed in red; (3) Electronic messages shall not flash, scroll, or run; (4) Photocells shall be provided in the sign and all electronic messages shall dim as the sky gets darker.
5/9/12	Speedway	7690 KY 18	CUP	Approved	Allow electronic fuel prices to be displayed on the freestanding sign at KY 18 and Commerce Dr. Existing sign is 29' tall and 252.76 sf. Proposed cabinet is 200 sf and has two 21.25 sf fuel windows. Unleaded fuel displayed in 36" tall red LED digits and diesel displayed in 36" tall green LED digits.	(1) The electronically changeable fuel windows shall only advertise fuel prices; (2) All electronic messages shall be displayed in red; (3) Electronic messages shall not flash, scroll, or run; (4) Photocells shall be provided in the sign and all electronic messages shall dim as the sky gets darker.
11/14/12	Travel Centers of America	7777 KY 18	Change in Non-Conforming Use	Approved	Allow TA to display regular fuel prices in LED on their KY 18 freestanding sign. A 4' x 10'-1" manually changeable fuel price cabinet is being replaced with the same size cabinet. The new cabinet will display regular fuel prices with 18" tall red LED digits that are located in a 24-3/4" x 51-1/8" window.	(1) The cabinet shall be constructed as presented; (2) The cabinet shall only display one fuel price; (3) The fuel price shall only be displayed in one color only and shall not flash, scroll, or run; (4) The sign shall be equipped with a photocell and the sign shall dim as the sky gets darker.
6/12/13	Florence Center & Antique Mall	Mall Road Connector Dr Intersection	Change in Non-Conforming Use	Approved	Allow the square footage of an electronic message board to be enlarged from 50 square feet to 84 square feet.	(1) The electronic message center shall only display still photos and alphanumeric messages. The messages shall not contain any apparent motion (video, flashing messages, scrolling messages, running messages, moving patterns or boards of light, illusion of moving objects, rotating shapes or similar animation effects, etc.). (2) Any primary message shall be displayed on the electronic message center for a minimum of five (5) seconds. One sub message can be displayed during the five (5) second time interval. (3) The electronic message center shall have a 19 millimeter pixel pitch or better resolution. (4) The electronic message center shall be equipped with a photocell or dimmer and the messages shall dim as the sky gets darker. (5) Businesses located in Florence Center or the Antique Mall and their associated outlots shall be able to advertise on the sign. (6) The open area between the Florence Center/Florence Antique Mall cabinet and the electronic message center shall not be filled in with additional signage. (7) The maximum area of the electronic message center shall be 67.5 square feet (5' x 13'-6").

ACTION DATE	BUSINESS	ADDRESS	REQUEST	ACTION	DESCRIPTION OF REQUEST	CONDITIONS OF APPROVAL OR FINDINGS FOR DENIAL
4/10/14	Car-X	8225 US 42	CUP & Variance	Denied	CUP - Allow Car-X to construct a new 20' tall, 70 square foot freestanding sign, which contains an electronic message center. The electronic message center is proposed in a 31" x 10' cabinet and the display area is 31" x 94" (20.24 square feet). Variance - Reduce 660' spacing requirement. Sign proposed 498' from Walgreen sign and 640' from QuikSop sign.	<p>The Variance will cause a hazard and nuisance to the public, will alter the essential character of the general vicinity, and no special circumstances which apply to the land have been identified. The Conditional Use Permit is not harmonious with the general objectives of the Boone County Comprehensive Plan. Specifically, the Future Land Use Development Guidelines found in the Land Use Element state that "developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building 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, pg. 164).</p>



APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

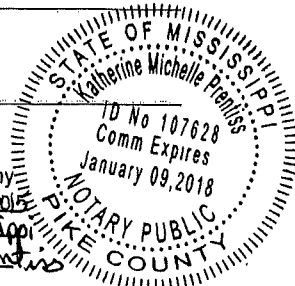
See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- 1. (Check One) Boone [X] Florence \_\_\_\_\_ Walton \_\_\_\_\_ Union \_\_\_\_\_
2. (Check One) Conditional Use Permit \_\_\_\_\_ Variance \_\_\_\_\_ Appeal \_\_\_\_\_
[X] Change in Non-Conforming Use
3. Applicant's Name Gator Sign Co Inc.
Applicant's Address 1027 Kaley Andrews Rd.
McComb Ms 39648
City 601 State Ms Zip 39648
Phone Number 684-8686 Fax No. 684-7131 E-Mail gatorsigncompany.co
4. Description of Request remove - Arch - Pizza Hut -
replace with LED Price Sign + Single Popeyes / Subway
5. Name of Development TA Truck Stop.
6. Location of Development 7777 Burlington Rd.
Florence Ky
7. Acreage Under Review 14 Acres +/-
8. Lot Number and Name of Subdivision (if part of a subdivision)
K-17 Parcel Id 061.02.22.002.06
9. Owner of Property HPT TA Properties Trust
Address of Property Owner 24601 Center Ridge Road.
Westlake Ohio 44145
City 210 State Ohio Zip 44145
Phone Number 933-1452 Fax No. 886-0650 E-Mail cwalton@signpage.com
11. Proposed Use(s) on Site 429 Com Conv Store / C-store
Truck Stop.
12. Total Square Footage of Existing and/or Proposed Buildings 1440 sq existing
13. Current Zoning on Property O-2 / PD Sign 94589
14. Deed Book 929 Page No. 675 Group No. 2041A Proposer
15. Is the site subject to a zone change? No
16. Have you submitted a Site Plan with this request? No
17. Have you submitted a list of adjoining property owners with this request? No
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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



Subscribed and sworn to before me in my presence this 14th Day of January, 2015 a Notary Public in the State of Mississippi Signature Katherine Michelle Prentiss Notary Public My Commission Expires January 9, 2018

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

HPT TA Properties Trust  
24601 Center Ridge Road  
Westlake, OH 44145

2. ADDRESS OF PROPERTY

7777 Burlington Pike  
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

TA Truck Stop

4. DEED BOOK 929

PAGE NO. 675

GROUP NO. 2041A

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

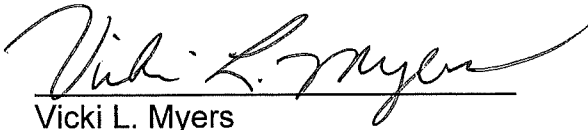
Todd K. Morgan, Senior Planner  
Name and Title of Completing Official

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 12 day of February, 2015.



Vicki L. Myers

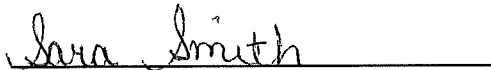
Notary ID 438411

NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 2015

This instrument was prepared for recording purposes only by:



Sara Smith

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 Adjustment and in accordance with the current zoning in effect as of February 11, 2015 Certificate of Land Use Restriction (#15-FBOA- 001-A), for HPT TA Properties Trust, Property Owner(s).

The following conditions will apply:

1. The overall square footage of the interstate sign shall be reduced to 945 square feet or less.
2. The proposed sign cabinets shall be constructed with side filler panels (see Exhibit #1 from the 2/11/15 Florence Board of Adjustment meeting). Additional signage shall not be permitted on the side filler panels.
3. The 7'- 6" x 27' cabinet shall only display two fixed copy fuel placards and two LED fuel prices. The fuel prices shall not alternate between cash prices and credit prices.
4. The unleaded fuel price shall be displayed in red LED and the diesel fuel price shall be displayed in green LED. The fuel prices shall not flash, scroll, run, or have any apparent visual motion.
5. The LED fuel prices shall be displayed with a 22 mm pixel pitch or better resolution.
6. The electronic sign shall be equipped with a photocell or dimmer and the fuel prices shall dim as the sky gets darker.
7. The 8' x 24' sign cabinet shall only be permitted to advertise two tenants which are located in the subject building.
8. The electronic sign cabinet shall be manufactured with set brightness, dimming, and pixel pitch. No manual adjustment controls shall be provided inside the building.
9. The sign structure and sign cabinets shall be maintained and be kept in an as new appearance.

The approved change in non-conforming use as well as the preceding conditions apply to the property described in: