

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

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

SECTION A: (To be completed by applicant)

Also within Florence city limits.

1. Check One Boone Florence Walton Union

2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant: Tyler Sikkema - C&B Sign Services

Address: 3620 Highland Green

Cincinnati City Ohio State 45245 Zip Code

Phone Number: 513-528-3363 Fax Number: 513-248-1111

Email: tyler.cbsignservice@gmail.com

4. Description of Request:
Implement LED price display instead of manual price display on BP ground sign.

5. Name of Development: Burlington Pike BP

6. Location of Development: 8039 KY-18 Burlington Pike

Florence City KY State 41042 Zip Code

7. Acreage Under Review: 1.28 Acres (per GIS)

8. Lot Number and Name of Subdivision (if part of a subdivision): N/A

9. Current Owner: NAP VILLAGE AT THE MALL LLC

Address: 212 E 3rd St. Suite 300


Cincinnati City Ohio State 45202 Zip Code

Phone Number: (859)-534-0192 Fax Number: N/A

Email: cincityfoodmart@yahoo.com

10. Proposed Use(s) on Site: 452 Auto Service Station (NO change)
11. Total Square Footage of Existing and/or Proposed Buildings: N/A - No new buildings
12. Current Zoning: ~~Boone County~~ - within city of Florence C-3/PD/MR
13. 892 432 2040B
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. 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)

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 8/16/21 Fee Received: \$ 1116⁰⁰ Receipt #: 84621

2. Is application complete: ✓

3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

5. Board Action: _____

_____ Approved

9/8/21 Approved with Conditions (see #6)

_____ Denial (See #7)

6. Conditions of Approval: See 9/8/21 Meeting Minutes
AND 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
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

APPLICANT: C&B Sign Services for BP

LOCATION: 8039 Burlington Pike, Florence, Kentucky

ZONING: Commercial Services/Planned Development/Mall Road Overlay District
(C-3/PD/MR)

DATE: September 8, 2021

PROPOSAL

The applicant is requesting a Conditional Use Permit to allow a digital fuel price panel on BP's existing freestanding sign. The submitted drawings show the 4'-2.875" x 8'-1.25" (34.36 square foot) regular fuel price cabinet will be replaced with a new cabinet that displays regular fuel prices in green L.E.D. The L.E.D. fuel price will be displayed in a 2'-4.75" x 5'-4.25" (12.83 square foot) fuel price window located within the sign cabinet.

PERTINENT SITE HISTORY

- A. On July 23, 2008, Boone County Planning Commission approved a Sign Permit allowing a face change to a 34.19 square foot cabinet on the freestanding sign. The sign survey showed that the overall sign was 32' tall and 150.11 square feet in area.

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one duty of the Board of Adjustment is to act on Conditional Use Permit applications.
- B. The Board should evaluate the Conditional Use Permit application as it relates to the standards found in Sections 262 of the Boone County Zoning Regulations. These standards are applicable to all Conditional Uses:
1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
 2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
 3. Will not be hazardous to existing or future neighboring uses;
 4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;

5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

C. The Mall Road Overlay Sign District contains the following standards:

1. All sections of Article 34 not otherwise replaced below;
2. A density of one (1) architectural freestanding sign which identifies a shopping center, mixed use commercial, commercial subdivision, planned development, or single-use commercial development and its major access point shall be permitted in accordance with the following standards:
 - The sign shall not exceed 20 feet in height.
 - The maximum size of the sign shall be no more than one (1) square foot of sign area per lineal foot of road frontage along the street frontage where the sign is to be located. No architectural freestanding sign shall exceed two hundred (200) square feet in area.
 - The base of the sign shall be constructed of materials, colors, and design details which match or correlate to one of the principal buildings on site. A second option is for the pole structure(s) to have sculptural or artistic characteristics. Lastly, a monument sign may be substituted as the permitted freestanding sign. The base of the monument sign shall be constructed with materials, colors, and design details which match or correlate to one of the principal buildings on site. The top of the monument sign shall have an architectural feature or finish, such as a gable, arch, or pediment.
 - Up to 50% of the area of any permitted architectural freestanding or monument sign may be used as manually changeable copy display. Proposed manually changeable copy display(s) shall be located beneath all fixed copy signs.
 - One (1) electronic message board or electronic display screen which is used solely to advertise infrequently changing alphanumeric and numeric messages (e.g. - fuel prices, hotel room rates, etc.) shall be permitted on the architectural freestanding or monument sign as a Conditional Use. 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 information:

- a. All of the information required in Section 3405 of this Article;
- b. Identification of all thoroughfares from which the sign will be visible;

(2) Infrequently changing electronic message boards or electronic display screens as conditional uses, shall conform, at a minimum to the following requirements:

- a. Such message boards and screens will be considered a part of the architectural freestanding sign; up to twenty percent (20%) or twenty (20) square feet (whichever is less) of the permitted sign area can be in the form of an electronic message board or 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. 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", "running", or "flashing" messages.
- d. The message displayed on the board shall not change more than three (3) times per day.
- e. Messages shall be displayed in one color on a black background.
- f. The sign shall be equipped with a dimmer and the message shall dim as the sky gets darker.
- g. Off-premise advertising shall be prohibited on the sign.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for "Commercial", which is defined as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.
- B. Our Boone County Plan 2040 contains the following Future Land Use Development Guideline as it pertains to Design, Signs, and Cultural resource preservation (page 97):

"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 motorists 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 corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view."

C. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community Overall Goal A, Objective 4).

Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).

Boone County shall evaluate and promote business and economic sectors of the future and explore ways to encourage existing industry to be competitive in a regional and global economy (Economy Goal A, Objective 3).

Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).

Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).

Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).

SITE CHARACTERISTICS

The approximate 1.28 acre site is located at the southeast corner of Burlington Pike and Mall Road. The site currently contains a convenience store, gas canopy, gas pumps, striped parking, and a freestanding sign (note – the car wash is under different ownership). Access to the site is provided from access points that are located on KY 18 and Mall Road.

SURROUNDING LAND USES AND ZONING

Northeast – Burlington Pike, Mike's Carwash, and City BBQ (C-2/PD/HDO)

Northwest – Mall Road, Denver Mattress (C-2/PD/MR)

Southeast – Service Road, Surber's Auto Repair, Airport Ford (C-3/PD/MR)

Southwest – The Vitamin Shoppe (C-3/PD/MR)

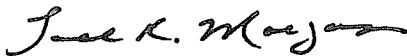
STAFF COMMENTS

- A. The Board needs to analyze the Conditional Use Permit criteria and Future Land Use Development Guideline pertaining to design, signs, and cultural resource preservation before acting on the request. Staff believes the proposed sign is in agreement with these criteria and guideline because there are other electronic fuel price signs in the area and the sign will promote safety by helping motorists quickly identify the fuel price when driving on KY 18.
- B. Staff recommends the following conditions if the request is approved:
1. The sign shall be constructed as presented and only display an unleaded fuel price in one color.
 2. The fuel price shall not have any apparent motion (flashing, scrolling, running, etc.).

CONCLUSION

KRS 100.237 and Section 220 of the Boone County Zoning Regulations give the Florence Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit request.

Respectfully Submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

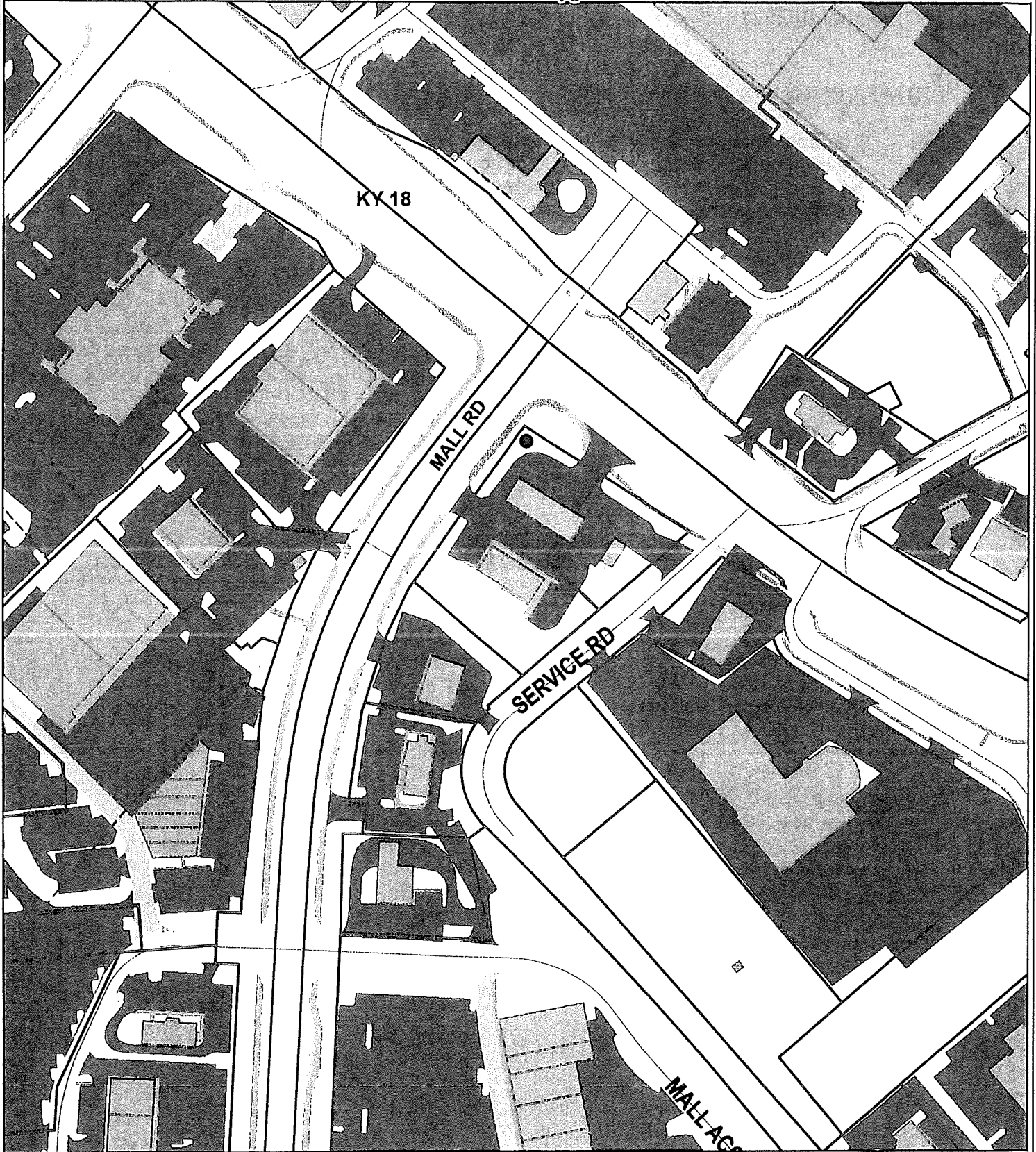
TKM/ss

Attachments

- *Site Vicinity Map
- *Sign Drawings
- *2020 Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *7/23/08 Sign Survey
- *Submitted Application

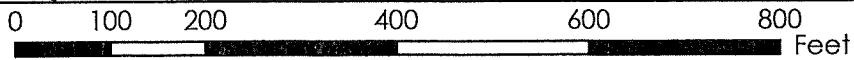
SITE VICINITY MAP

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



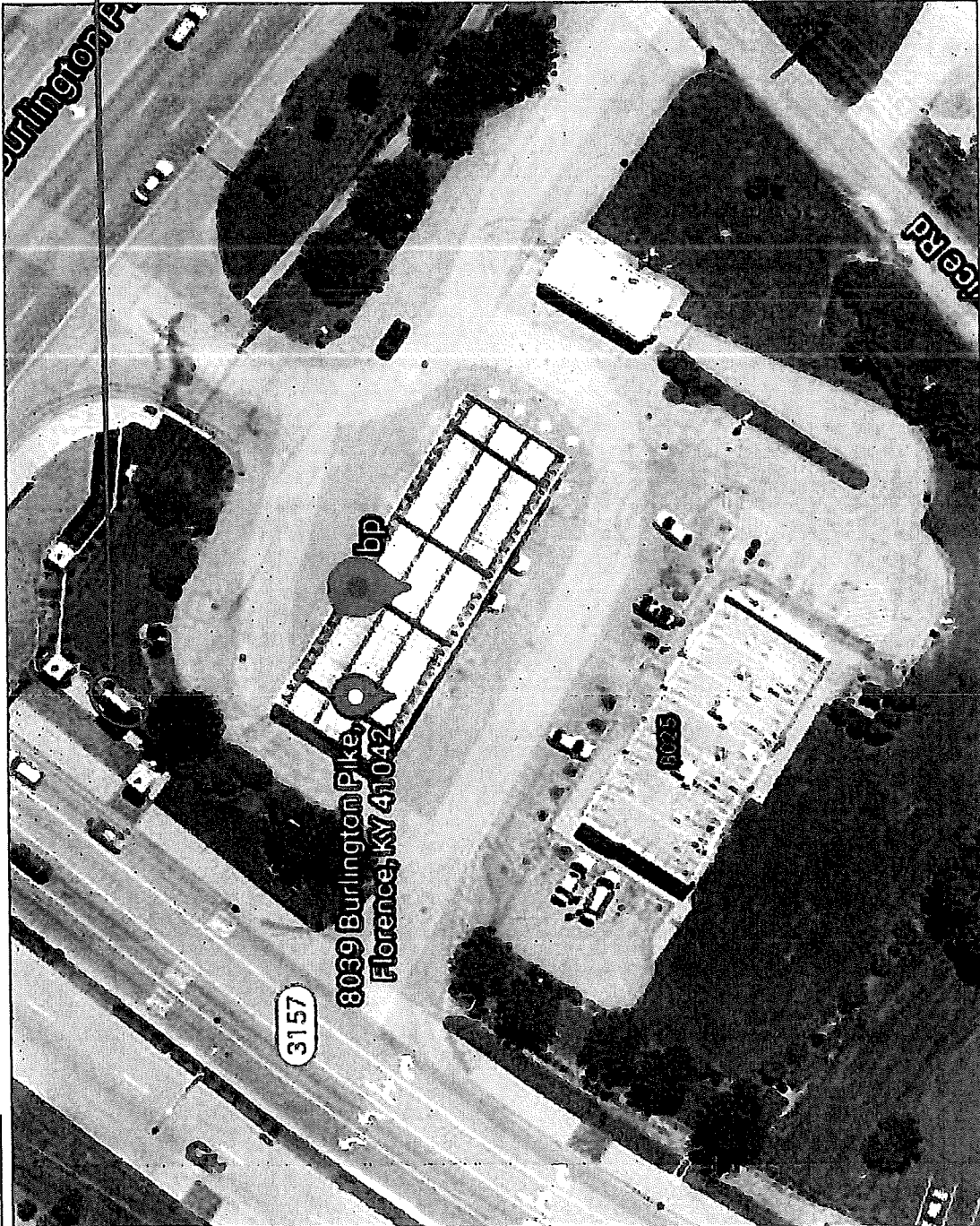
1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map



Site Plan



Location of Proposed LED Price Display
and Location of Existing LED Price
Display (reface – keeping existing
cabinet)

R E C E I V E D
AUG 16 2021
BOONE COUNTY
PLANNING COMMISSION

Sign Plans

Existing Sign With Manual Pricer



Proposed Sign With LED Pricer (Reface)



Green color will match rest of sign

Using Existing Cabinet. Digits are 24" tall

Total square footage of sign is 144 sq ft (8' wide x 18' tall)

Total square footage of pricer portion is 12.828 sq ft (5' 4 1/4" W x 2' 4 3/4" H)

5107 Kissell Ave.
Allentown, PA 16601
P: 814.949.8287
F: 814.949.8293
www.blairimage.com

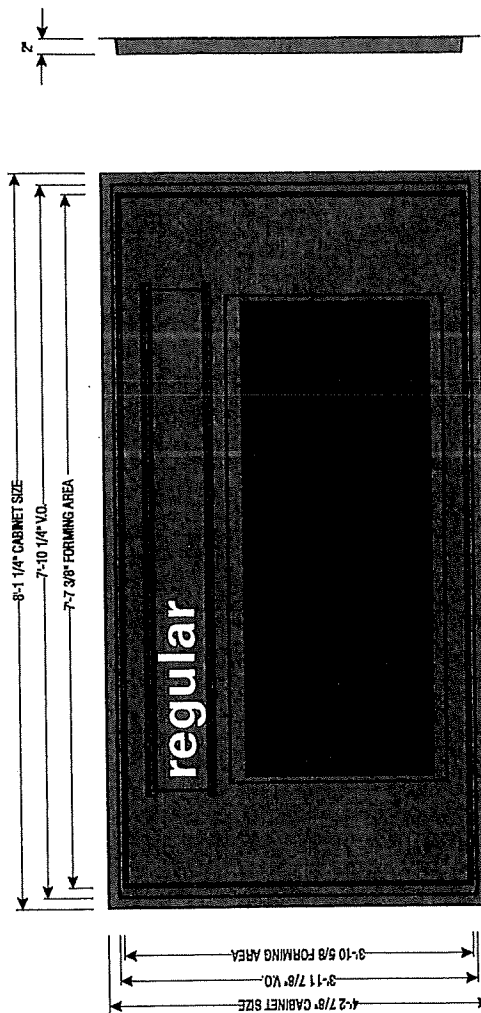
PROJECT INFORMATION

CLIENT: BP
ADDRESS: 31423 NATIONAL RD
SAINT CLAIRSVILLE, OH 43080
M. NUMBER: 94219
DATE: 01.20.21
RENDERED: RSF
FILE NAME:
CATEGORY:

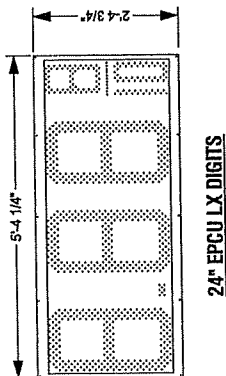
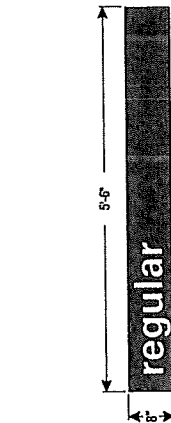
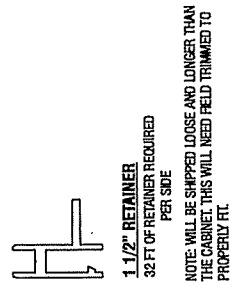
REVISION

03.02.21 - CHG TO REPLACE ALL PANELS
03.09.21 - CHG ALL PANELS TO PAN FORMED REPLACEMENTS
03.25.21 - CHG PANELS

Drawings shall require 48 hours after date on which they are issued for review by Blair Image Elements. 24 hours is required for other projects.



SIDE VIEW



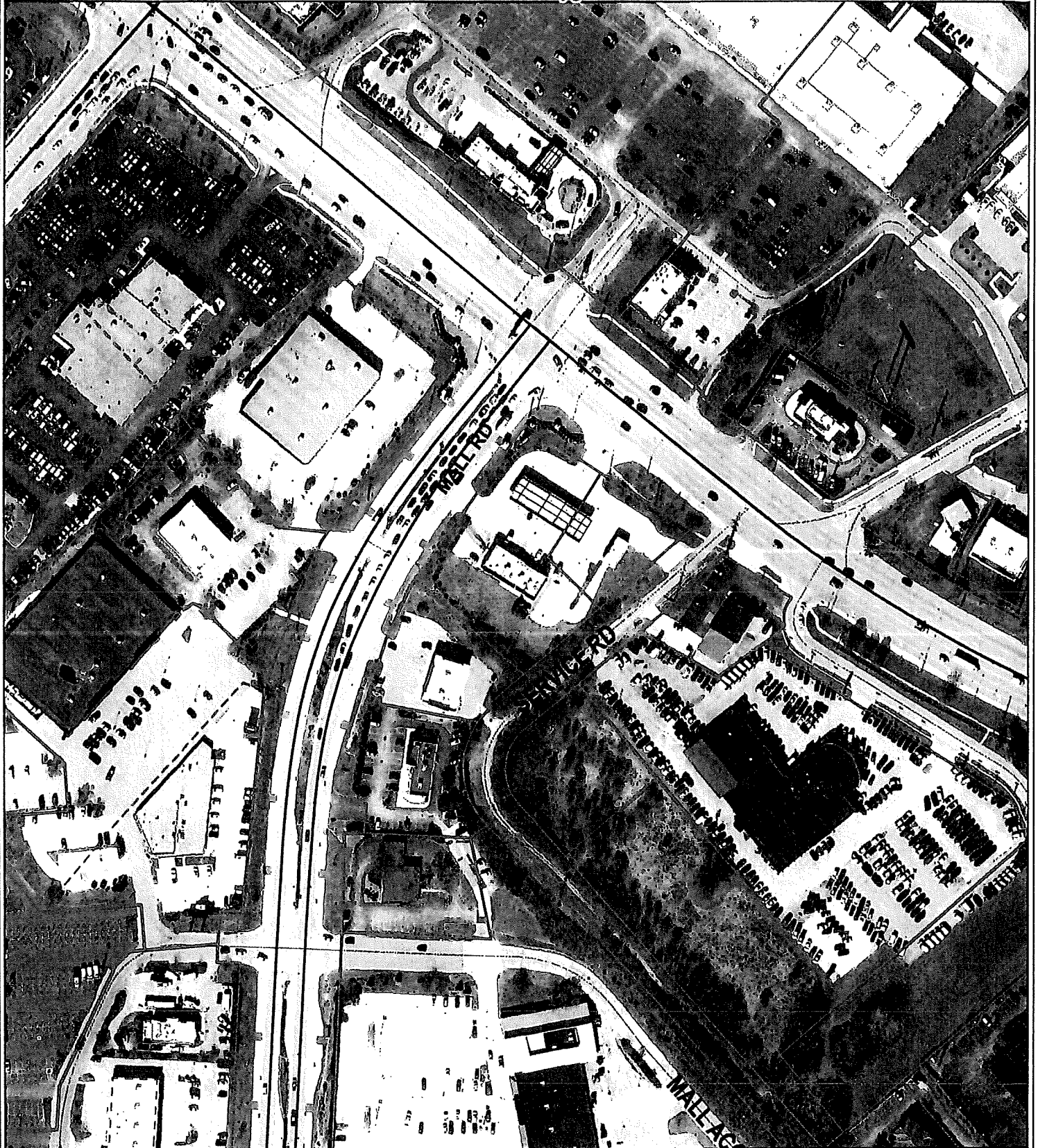
CUSTOMER INITIALS

Initials

These drawings are not for construction purposes. The information contained herein is intended to express design intent only. This original design is the sole property of Blair Companies. It cannot be reproduced, copied or exhibited, in whole or in part, without first obtaining written consent from Blair Companies.

2020 AERIAL MAP

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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.

0 100 200 400 600 800 Feet

1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: xx/xx/2020

Map File: C:\GIS\Map\2020\Aerial\Aerial.mxd
ArcMap Document: *.mxd

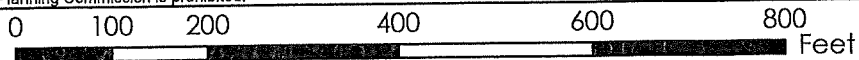
TOPOGRAPHICAL MAP

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

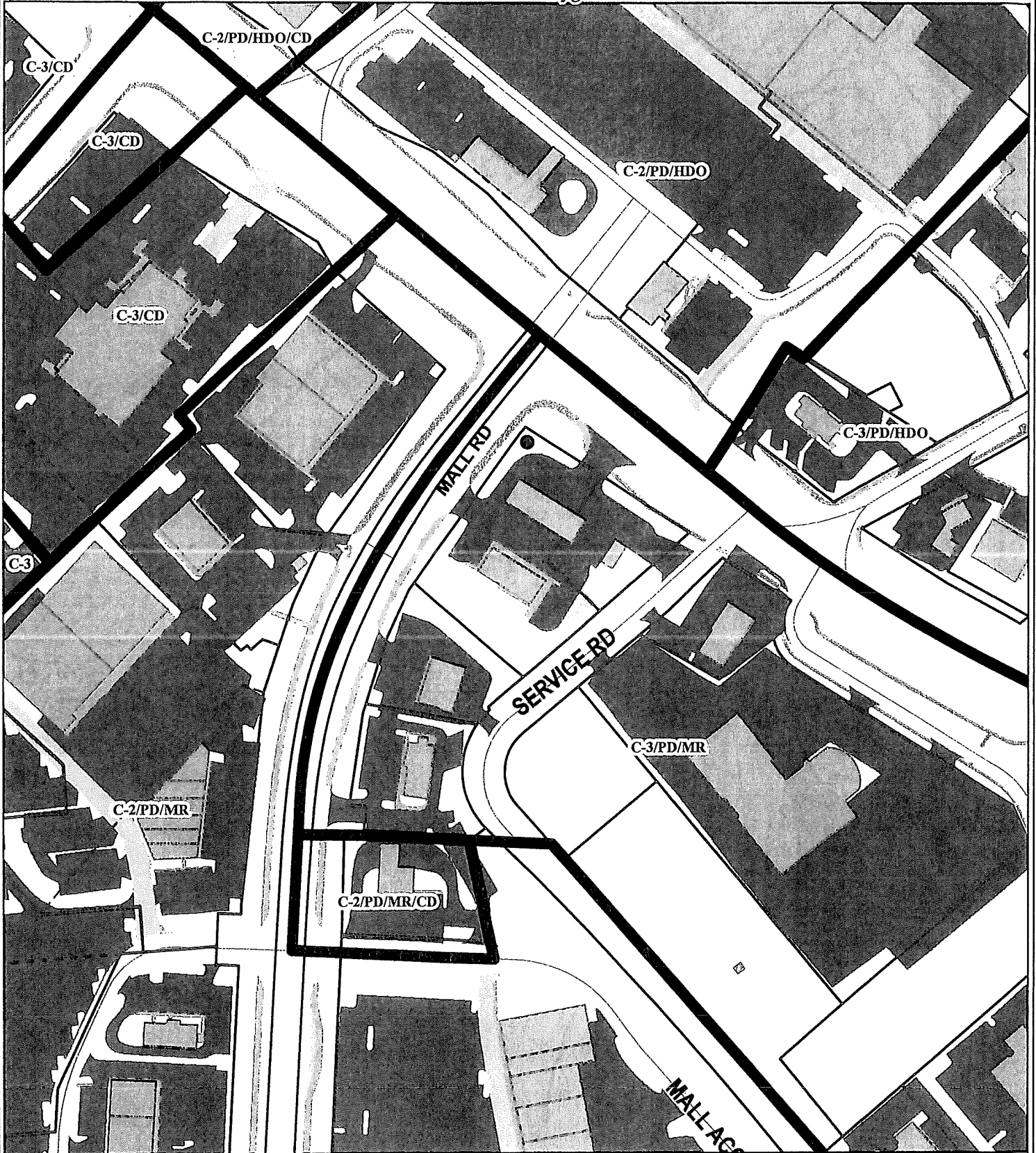


Map Created: xx/xx/2020

Boone County GIS
ArchMap Document: *.mxd

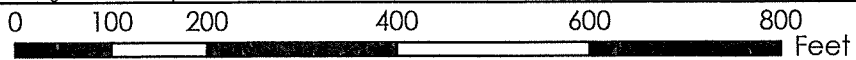
ZONING MAP

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 200 feet

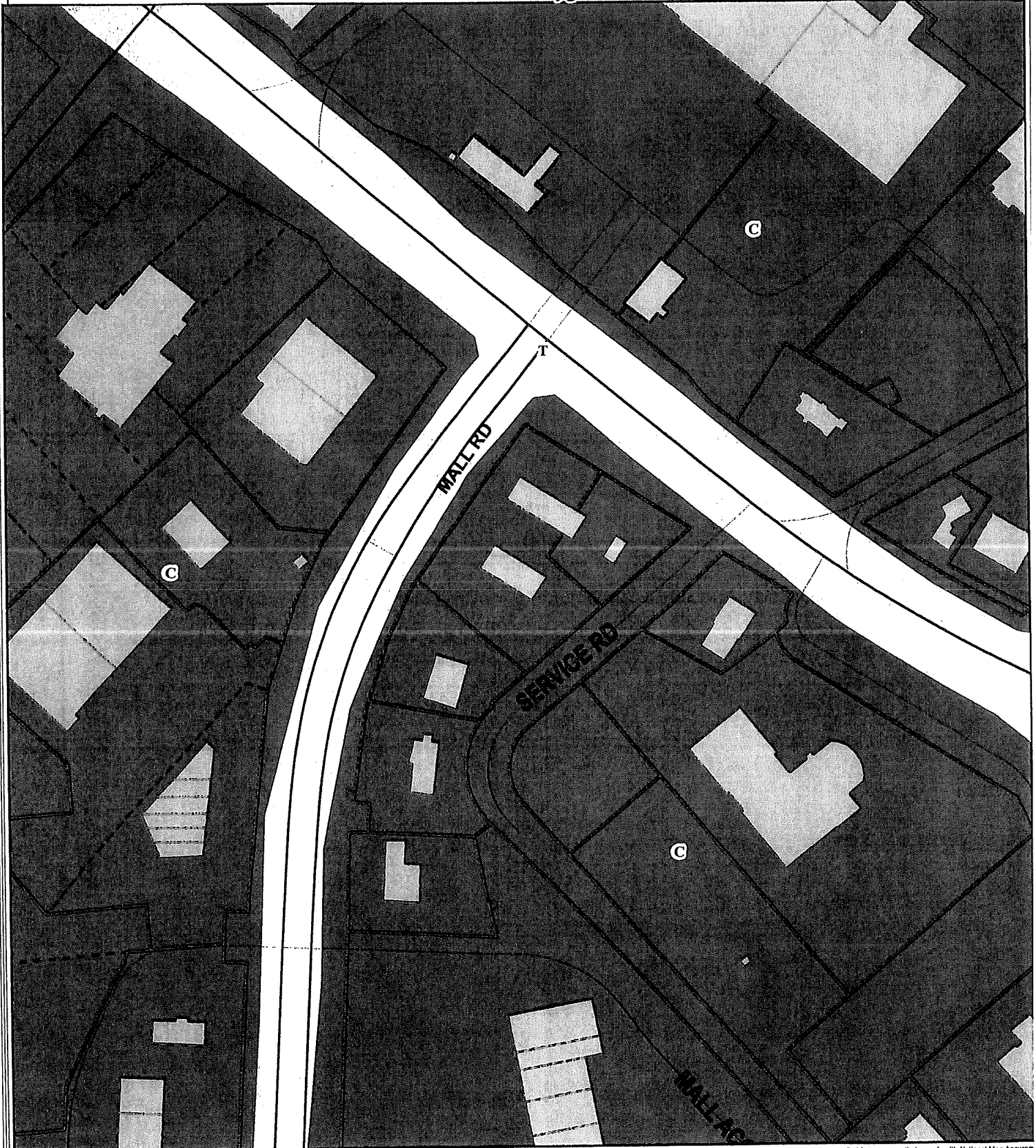


Boone County GIS - Putting Northern Kentucky on the Map



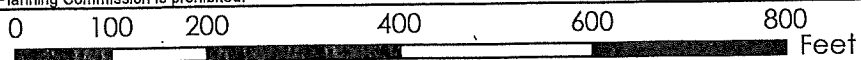
2040 FUTURE LAND USE MAP

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 200 feet

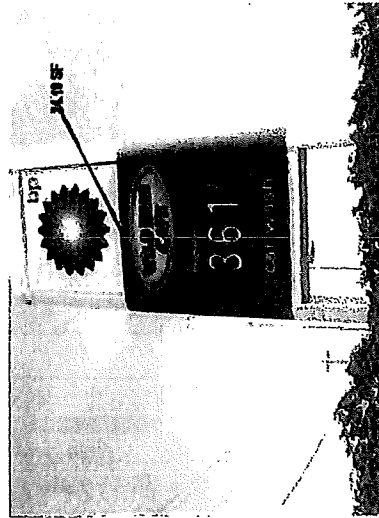


Boone County GIS - Putting Northern Kentucky on the Map

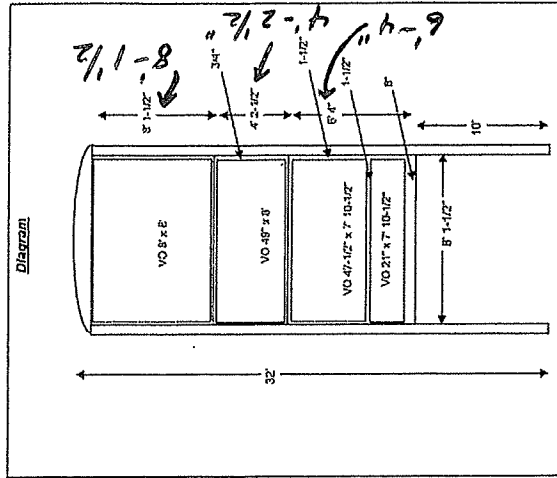


7/23/08 Sign Survey
 Sign Permit +
 Sign Survey

EXISTING



PROPOSED



Cabinet Size:	32'
Visible Opening:	Double Face
Retainer Size:	26"
OAH:	2
S. or D. Faces:	Cladded
Cabinet Depth:	Plex
# of Poles:	No
Pole Size:	Yes
Face Material:	Yes
Embossed?:	120
Paint Finish?:	Second Surface
Illuminated:	1-1/2"
Voltage:	Metal
Letter Types:	15' x 26"
Divider Bar Size:	N/A
Divider Material:	N/A
Cladding:	
Anchor Bolt Burial:	
Reinfor:	

bp



USCO
 BP U.S. CONVENIENCE
 OPERATIONS
 1323 BOND ST.
 SUITE 179
 NAPERVILLE, IL 60539



319 ELAINES CT.
 DODGEVILLE, WI 53533
 PHONE: (608) 319-2096
 FAX: (608) 319-2011
 www.cto.com

Site #2203
8039 KY 18 FLORENCE, KY

RECEIVED
 84621
 AUG 16 2021
 BOONE COUNTY
 PLANNING COMMISSION

**BOARD OF ADJUSTMENT
 BOONE COUNTY PLANNING COMMISSION**

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant: Tyler Sikkema - C&B Sign Services

Address: 3620 Highland Green

Cincinnati City Ohio State 45245 Zip Code

Phone Number: 513-528-3363 Fax Number: 513-248-1111

Email: tyler.cbsignservice@gmail.com

4. Description of Request:
Implement LED price display instead of manual price display on BP ground sign.

5. Name of Development: Burlington Pike BP

6. Location of Development: 8039 KY-18 Burlington Pike

Florence City KY State 41042 Zip Code

7. Acreage Under Review: 1.28 Acres (per GIS)

8. Lot Number and Name of Subdivision (if part of a subdivision): N/A

9. Current Owner: NAP VILLAGE AT THE MALL LLC

Address: 212 E 3rd St. Suite 300

Cincinnati City Ohio State 45202 Zip Code

Phone Number: (859)-534-0192 Fax Number: N/A

Email: Cincityfoodmart@yahoo.com

Also within Florence city limits.

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Nap Village at the Mall LLC
212 East 3rd St, Suite 300
Cincinnati, OH 45202

- 2. ADDRESS OF PROPERTY
8039 Burlington Pike
Florence, KY 41042

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Burlington Pike BP

- 4. DEED BOOK 892 PAGE NO. 432 GROUP NO. 2040B

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment:
From _____ To _____ Conditional Use Permit

 Development Plan Conditional Zoning
 Subdivision Plat Other:
(Not Recorded)
 Variance

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

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

Todd K. Morgan

SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, AICP, 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 13th day of September, 2021.

Trevia L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:

Nicole Dierna
Nicole Dierna
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 Conditional Use Permit approved by the Florence Board of Adjustment and in accordance with the current zoning in effect as of September 8, 2021 Certificate of Land Use Restriction (#21-FBOA-011-A), for Nap Village at the Mall, Property Owner(s).

The following conditions will apply:

- A. The Board needs to analyze the Conditional Use Permit criteria and Future Land Use Development Guideline pertaining to design, signs, and cultural resource preservation before acting on the request. Staff believes the proposed sign is in agreement with these criteria and guideline because there are other electronic fuel price signs in the area and the sign will promote safety by helping motorists quickly identify the fuel price when driving on KY 18.
- B. Staff recommends the following conditions if the request is approved:
 - 1. The sign shall be constructed as presented and only display an unleaded fuel price in one color.
 - 2. The fuel price shall not have any apparent motion (flashing, scrolling, running, etc.).

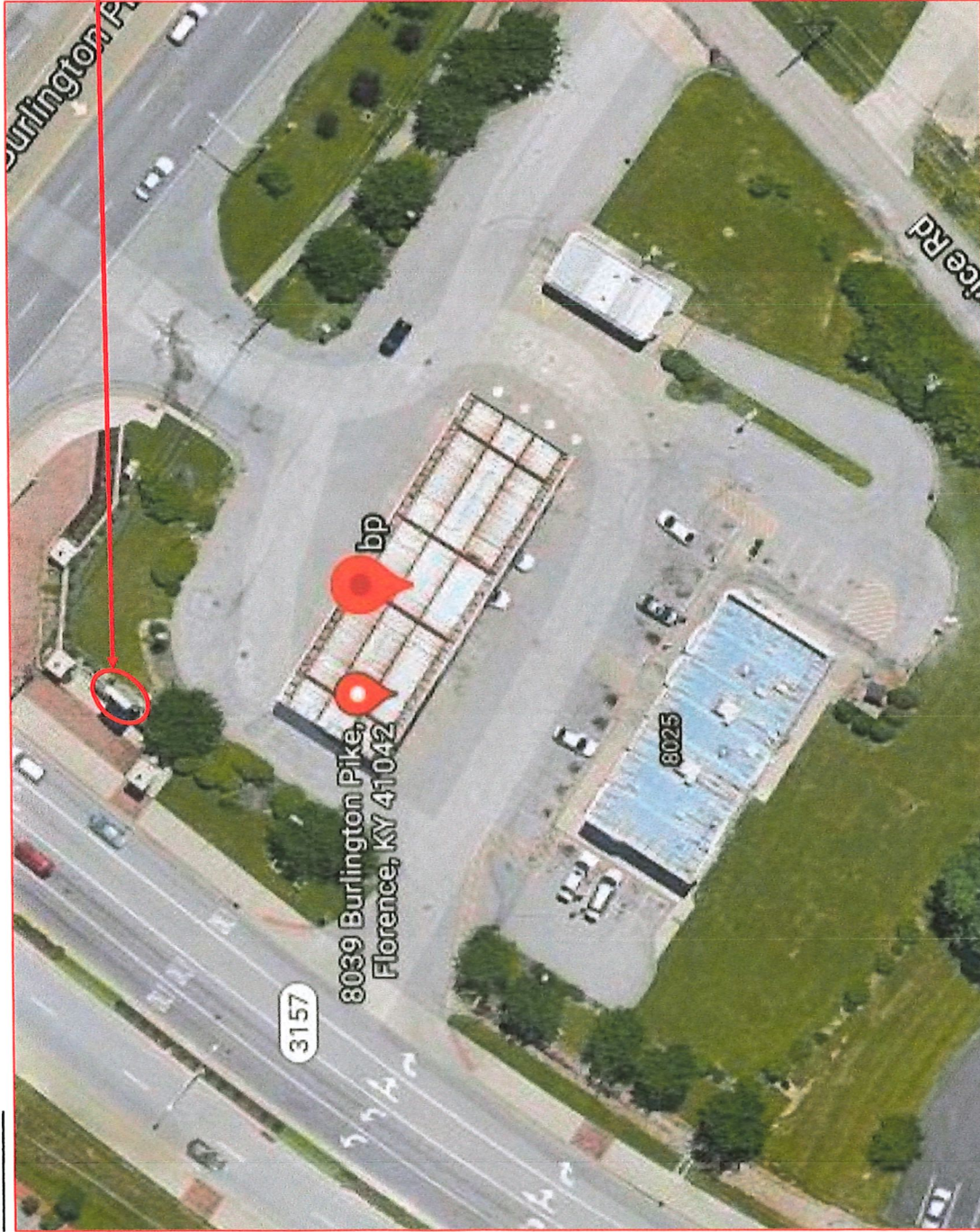
The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOK 892

PAGE NO. 432

GROUP NO. 2040B

Site Plan



Location of Proposed LED Price Display
and Location of Existing LED Price
Display (reface – keeping existing
cabinet)

R E C E I V E D
AUG 16 2021
BOCNE COUNTY
PLANNING COMMISSION

Sign Plans

Existing Sign With Manual Pricer



Proposed Sign With LED Pricer (Reface)



Green color will match rest of sign

Using Existing Cabinet. Digits are 24" tall

Total square footage of sign is 144 sq ft (8' wide x 18' tall)

Total square footage of pricer portion is 12.828 sq ft (5' 4 1/4" W x 2' 4 3/4" H)

S-3

DETAIL - DOUBLE HIGH PRICER PANEL - REGULAR

blair
IMAGE ELEMENTS™

5107 Kissell Ave.
Altoona, PA 16601
P: 814.949.8287
F: 814.949.8293
www.blairimage.com

PROJECT INFORMATION

CLIENT: BP
ADDRESS: 51423 NATIONAL RD
SAINT CLAIRSVILLE, OH 43080
M NUMBER: 94219
DATE: 01.20.21
RENDERED: RSF
FILE NAME:
CATEGORY:

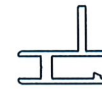
REVISION

03.02.21 - CHG TO REPLACE ALL PANELS
03.09.21 - CHG ALL PANELS TO PAN FORMED REPLACEMENTS
03.25.21 - CHG PANELS

Drawings will require 90 days after date on 90 days. 24 hours is required in review approval.

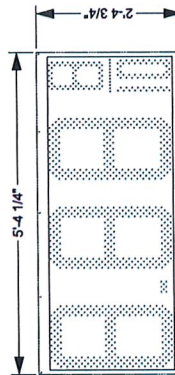
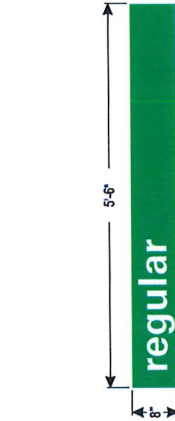


SIDE VIEW



1 1/2" RETAINER
32 FT OF RETAINER REQUIRED PER SIDE

NOTE: WILL BE SHIPPED LOOSE AND LONGER THAN THE CABINET. THIS WILL NEED FIELD TRIMMED TO PROPERLY FIT.



CUSTOMER INITIALS

Initials

These drawings are not for construction purposes. The information contained herein is intended to express design intent only. This original design is the sole property of Blair Companies. It cannot be reproduced, copied or exhibited, in whole or in part, without first obtaining written consent from Blair Companies.