

APPLICATION FOR ZONING ACTION

TO:  Boone County Planning Commission  City of Union Board of Adjustment  
 City of Florence Board of Adjustment  City of Walton Board of Adjustment  
 Boone County Board of Adjustment  Zoning Enforcement Officer

FOR:  Zoning Text Amendment  Zoning Map Amendment  
 Comprehensive Plan Change  Preliminary Plat Approval  
 Improvement Plat Approval  Final Plat or Deed Plat  
 Conditional Use Permit  Site Plan Review  
 Concept Development Plan  Historic District Overlay  
 Preliminary Development Plan  Sign Permit or Zoning Permit  
 Change of Non-Conforming Use  Appeal or Variance  
 Design Review Board Hearing and Certificate of Appropriateness

Applicant: BARGAINTEL - FLORENCE  Owner  
 Agent

Address: 8075 STEILEN DR.  
FLORENCE, KY. Telephone: 371-0277

Location: 8075 STEILEN DR

Name of Owner: BUDGETEL

Address of Owner: 14 E. GAY ST., COLUMBUS OHIO 43215

Zone: C-3 Area in Acres: 1.7 Ac.

Description of Request: TO INCREASE EXISTING SIGN FROM 56' <sup>the standing</sup> OVERALL HEIGHT  
TO 88' OVERALL HEIGHT. VISIBILITY NORTH BOUND ITS DOOR NOW INCREASES SIZE  
OF SIGN FROM 200 SQFT TO NEW NAME BARGAINTEL IN 468 SQUARE FT.  
ALSO WALL SIGN ADDITION OF 50 SQ FT.

Date: 2/11/83 Owner's Signature: [Signature]  
Applicant's Signature: [Signature]

FOR PLANNING COMMISSION USE:  
Application date and fee of \$ \_\_\_\_\_ Received: \_\_\_\_\_  
Referred to: \_\_\_\_\_ For Meeting Date: \_\_\_\_\_  
Action: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE! WE WILL HAVE PICTURES AT THE MEETING. SHOWING OUR TARGET SHOTS AT THE 88' HEIGHT

BOARD OF ADJUSTMENT AND ZONING APPEALS

CHECKLIST

I. General Information

1. Applicant's name: BARGAINTEL - FLORENCE

- Interest in property: OWNER

2. Location and/or address of property: 8075 STEILEN DRIVE

(TAKE HOLIDAY DR. off of 42, NEXT TO ARBY'S, AND THEN 1<sup>ST</sup> RIGHT)

Deed book and page number: \_\_\_\_\_

3. Request of the applicant: THE APPLICANT IS REQUESTING 3 DIMENSIONAL VARIANCES. 1. INCREASE FREE-STANDING SIGN HEIGHT TO 88' FROM 56'. 2. INCREASE FREE-STANDING SIGN AREA FROM 200 TO 460 SQUARE FEET. 3. INCREASE BUILDING-MOUNTED SIGN AREA by 50 SQUARE FEET.

4. Present zoning of subject property including page number and section number(s) of the Zoning Order (Ordinance): PRESENTLY ZONED COMMERCIAL SERVICES, C-3 FOUND ON PAGES 9-6 AND 9-8 BEING SECTIONS 940 THROUGH 946

5. Present use of the subject property: PRESENTLY USED AS A MOTEL.

Present use of the adjoining properties: TO THE NORTH IS A RESTAURANT. TO THE EAST IS A MOTEL. TO THE SOUTH AND EAST IS UNDEVELOPED.

## II. Variance Requests

1. What variance is needed and what section of the Zoning Order (Ordinance) does it apply to? A VARIANCE IS NEEDED IN THE HEIGHT AND AREA OF THE FREE-STANDING SIGN (SECTION 1921) AND THE AREA OF THE BUILDING MOUNTED SIGN (SECTION 1912)
2. What could be the unique conditions justifying the variance?  
1. THAT DUE TO THE LOCATION OF THE TRACT AND <sup>of</sup> THE APPLICANTS NEEDS TO ADVERTISE THEIR BUSINESS FROM THE INTERSTATE. 2. THE EXISTENCE OF SIMILAR SIGNS CURRENTLY STANDING. (FURTHER INFORMATION ABOUT THESE WILL BE AT THE MEETING.
3. What reasonable use of the land will be denied the applicant if the variance is not granted? OTHER LAND OWNERS IN THE SAME ZONE ARE CURRENTLY ADVERTISING WITH SIMILAR FREE-STANDING SIGNAGE.
4. Has the applicant caused the unique conditions? No, THESE EXISTED PRIOR TO THE CURRENT.
5. Will the variance be detrimental to the public welfare or preserve it and how? Will it alter the essential character of the neighborhood? By INCREASE <sup>OF</sup> THE FREE-STANDING SIGN HEIGHT AND AREA IT COULD HELP DIRECT THE TRAVELING PUBLIC TO THIS PARTICULAR SITE. THE BUILDING-MOUNTED SIGN WOULD PERMIT ADEQUATE ADVERTISING TO U.S. 42 WHICH PROVIDES ACCESS TO THE INTERSTATE. WITH ADDITIONAL SIGNAGE OF A SIMILAR NATURE IN HEIGHT AND SIZE IT SHOULD NOT CHANGE THE CHARACTER.

FLORENCE BOARD OF ADJUSTMENTS

MINUTES

MARCH 9, 1983

7:00 P.M.

Chairman Holland called the meeting to order at 7:00 P.M. Three members were present, Mr. Bolton was absent. Members of the Staff present were: Mr. Block, Mr. Wilson and Mrs. Baker. Ms. Sullivan was absent.

Chairman Holland asked if there were any comments pertaining to the minutes of January 12, 1983 meeting. No one responded. Chairman Holland moved to approve the minutes of January 12, 1983, Mr. Schreiber seconded. The vote carried unanimously.

Chairman Holland proceeded to the request of Chief Building Inspector for the City of Florence for an appeal of an interpretation by the Zoning Enforcement Officer of the Zoning Ordinance: City of Florence, Kentucky, specifically the appeal involved Article 18, Off-Street Parking and Loading Facilities, Section 1830 and Article 20, Definitions regarding "Yard" and Yard, Side." Chairman Holland noted that Mr. Bill Rieger, Florence Building Inspector and Mr. John Westheimer, Partner of Queen City Self Storage were present. Chairman Holland asked if there were any comments. Mr. Wilson stated that since filing the appeal, Mr. Rieger has met with a representative of the Company and have come to an agreement concerning issues raised in the appeal. The two primary concerns are parking and fencing. Mr. Wilson stated an agreement has been prepared and Mr. Rieger and Mr. Westheimer have reviewed the agreement which reflect the two areas of concern as follows: (1) If Commercial use of the property for storage of household goods is ever changed, regardless of ownership, parking requirement applicable to any such changes use shall be satisfied. (2) Fencing as indicated on the site plan approval shall be in accordance with the revised site plan which will be attached to the agreement. The revised site plan shows that fencing along Tanners Lane shall be four (4) foot shrubs on a landscaped mound rather than the metal type fencing along Tanners Land as indicated initially on Site Plan approval. The shrubbery will be a specific type of plant and these conditions will be made of record in the County Clerks Office and be binding upon successors and title, only to be removed upon approval or consent of the City of Florence. Mr. Wilson stated that the property owner has acknowledged that the conditions be placed as record at the County Clerk's Office at the Courthouse in Burlington. Mr. Wilson stated the document can not be signed tonight because the property is deeded to a Company other than initially informed, and a change will be made to that affect.

Chairman Holland asked Mr. Block if he had any comments. Mr. Block stated that Jim Jenkins, Planning Commission Engineer and himself had reviewed the plans, and in Mr. Jenkins opinion there are no problems with the change in the site plan as presented. Mr. Block stated in regard to the Zoning Regulations the revised site plan was in compliance. Mr. Holland asked if the fencing and parking were the only changes to the site plan. Mr. Wilson stated revision to the site plan included fencing, parking, a change in the driveway cut off from Tanners Lane and the size of one building. Mr. Wilson also stated all the changes meet the required conditions of Site Plan Review. In response to Chairman Holland's question, Mr. Block stated that the Site Plan meets the required setback of 75 feet. Chairman Holland asked if anyone had any questions. Mr. Rieger stated he agreed to the conditions and that the main concern of the City of Florence was if the use of the property was changed, the necessary parking requirements would be met. Mr. Rieger stated the revised site plan and conditions were reviewed and agreed to by the Public Works Committee. In response to Chairman Holland's question, Mr. Wilson stated that in the agreement the property owner was responsible for maintenance of the shrubs used for fencing. Chairman Holland asked for further discussion. Mr. Schrieber moved to confirm the Zoning Administrators interpretations of the site plan approval, subject to the revised site plan and conditions as outlined in the document and that the document be signed and placed as record at the County Clerk's Office; Mr. Holland seconded. The vote carried unanimously. Mr. Wilson stated if the development of the property does not meet the outlined conditions, the matter would be brought before the Board.

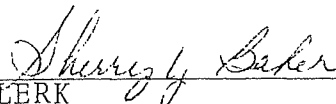
Chairman Holland proceeded to the request of Bargaintel-Florence, for a dimensional variance to increase existing free standing sign from 56 feet to 88 feet overall height, and increase the size of the sign from 200 square feet to 468 square feet. Also a wall sign addition of 50 feet, for property located at 8075 Steilen Drive, Florence, Boone County, Kentucky being 1.7 acre tract in Commercial Three (C-3) zone. Mr. Block presented the Enforcement Officer's Report. Chairman Holland asked if a representative was present. Mr. Ted Steilen, President of Bargaintel Management, stepped forward and introduced Mr. Bill Bethel, President of Plastics Design. Mr. Steilen stated that there business has suffered because there sign was not visible, due to the trees, to north bound traffic of I-75. Mr. Steilen presented pictures and plans to the Board showing the location of the present sign and the proposed located of the new sign. The Board proceeded

to review the pictures and plans. Mr. Bethel described the new sign as being internally lit and mounted on a single pole. The price on the existing sign would be removed and placed on the building. Mr. Bethel stated the sign would be higher, but still not as high as surrounding signs. Mr. Block stated the variance would be 60 to 70 square feet less than the original amount requested by the applicant. Mr. Block stated that the proposed sign would be 40 feet lower than the existing Arby's sign. Mr. Block also stated that the Kentucky State Law states that topography can be considered as a reason for granting a variance. In response to Chairman Holland's question, Mr. Block stated the variance was for two (2) signs, but the applicant is also entitled to a shorter free standing sign on the property is requested. Mr. Wilson stated as a condition of granting the variance the Board could permit only one (1) free standing sign instead of two free standing signs on the property. Mr. Steilen agreed to only one (1) free standing sign. Chairman Holland asked for further discussion. Mr. Schreiber moved to grant a variance of 70 square feet to permit a total sign area of 370 square feet and permit a variance of 38 feet in height of the free standing sign for a total height of 88 feet, also a variance of 20 square feet to permit a total building mounted sign area of 95 square feet. Mr. Schreiber stated reasons for granting the variance was the topography of land due to height of trees and easy visibility of sign and safety purposes, he also stated as a condition to granting the variance a second free standing sign will not be erected on the site; Chairman Holland seconded. The vote carried unanimously.

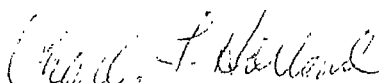
Chairman Holland asked that a letter to Mr. Neltner be sent expressing the Boards appreciation of his services. Chairman Holland also asked that Knight's Inn be put on the Agenda for review.

Chairman Holland moved for adjournment, Mr. Schreiber seconded. The meeting adjourned at 7:50 P.M..

RESPECTFULLY SUBMITTED:

  
CLERK

APPROVED: 4-13-83

  
CHAIRMAN