

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations).

SECTION A (To be completed by applicant)

- 1. (Check One) Boone Florence Walton Union
- 2. (Check One) Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
- 3. Applicant's Name SIGN SYSTEMS & SERVICES
Phone Number 304 1133
Applicant's Address P.O. BOX 75095
CINTI, OH 45275
City State Zip
- 4. Description of Request: INSTALL 5' X 41' 6"
WALL SIGN ON 54' STORE FRONT
WRIGHT BROTHERS CYCLE & FITNESS
- 5. Name of Development MALL ROAD SQUARE
- 6. Location of Development 8129 MALL RD.
MALL ROAD SQUARE
- 7. Acreage Under Review _____
- 8. Lot Number and Name of Subdivision (if part of a subdivision) _____
- 9. Owner of Property CHELSEA MOORE
Phone Number 621-1161
- 10. Address of Property Owner 105 W. 4TH ST
CINTI, OH 45202
City State Zip
- 11. Proposed Use(s) On Site RETAIL STORE
- 12. Total Square Footage of Existing and/or Proposed Buildings _____
- 13. Current Zoning on Property C-2
- 14. Deed Book 219 Page No. 260 Group No. _____
- 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? _____
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. Applicant's Signature: [Signature]
- 19. Property Owner's Signature: CL FIVE [Signature]

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 10-29-90
2. Fee Received \$ 371.00 CR. 7217 R. # 3341/MCB
3. Is application complete? Yes No
4. Staff Reviewer Amy Moore
5. Scheduled Board Action Date Dec. 12, 1990
6. Board Action:
 Approval
 Approved With Conditions (See #7)
 Disapproved (See #8)
7. Conditions: white background of sign removed to
create 3 signs instead of 1 and only 21 additional
square ft
8. Reasons For Disapproval: _____

STAFF REPORT

#1

DEVELOPMENT: Wright Brothers Cycle & Fitness
APPLICANT: Sign Systems & Services
LOCATION: 8129 Mall Road, Florence, Kentucky
ZONING: Commercial Two (C-2)
DATE: December 12, 1990
REMARKS:

The applicant is requesting a Variance in the size of a building mounted sign from the permitted 108 square feet to 207.5 square feet. The site is located in the Mall Road Square at 8129 Mall Road, Florence, Kentucky. The property is owned by Chelsea Moore and is zoned Commercial Two (C-2).

Presently a portion of the proposed building mounted sign is located on the building. The size of the existing sign is 105 square feet. The applicant is requesting that he be allowed to add 102.5 additional square feet to the existing sign.

Article 19, Section 1920 of the Boone County Zoning Regulations states that "One building mounted sign shall be permitted two square feet of sign area per lineal foot of building width for the wall upon which it is mounted, or in multi-tenant buildings, the width of the portion of the building frontage occupied by an individual establishment." The width of the building frontage in this case is 54 feet so the allowable sign size is 108 square feet.

The following reviews the seven criteria the Board must use to judge each variance request:

1. If the Variance is granted, it will not adversely affect the public health, safety or welfare.
2. The Variance will not alter the essential character of the general vicinity.
3. The Variance will not cause a hazard or a nuisance to the public.
4. The Variance sign will not allow an unreasonable circumvention of the requirements of the zoning regulations.
5. The requested Variance does not arise from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.
6. The strict application of the provisions of the regulations would not deprive the applicant of the reasonable use of the land or would not create an unnecessary hardship on the applicant.

7. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

Attached to this report is a drawing showing the layout of Mall Road Square. Also attached is a drawing illustrating the size of the existing sign and the proposed sign extension.

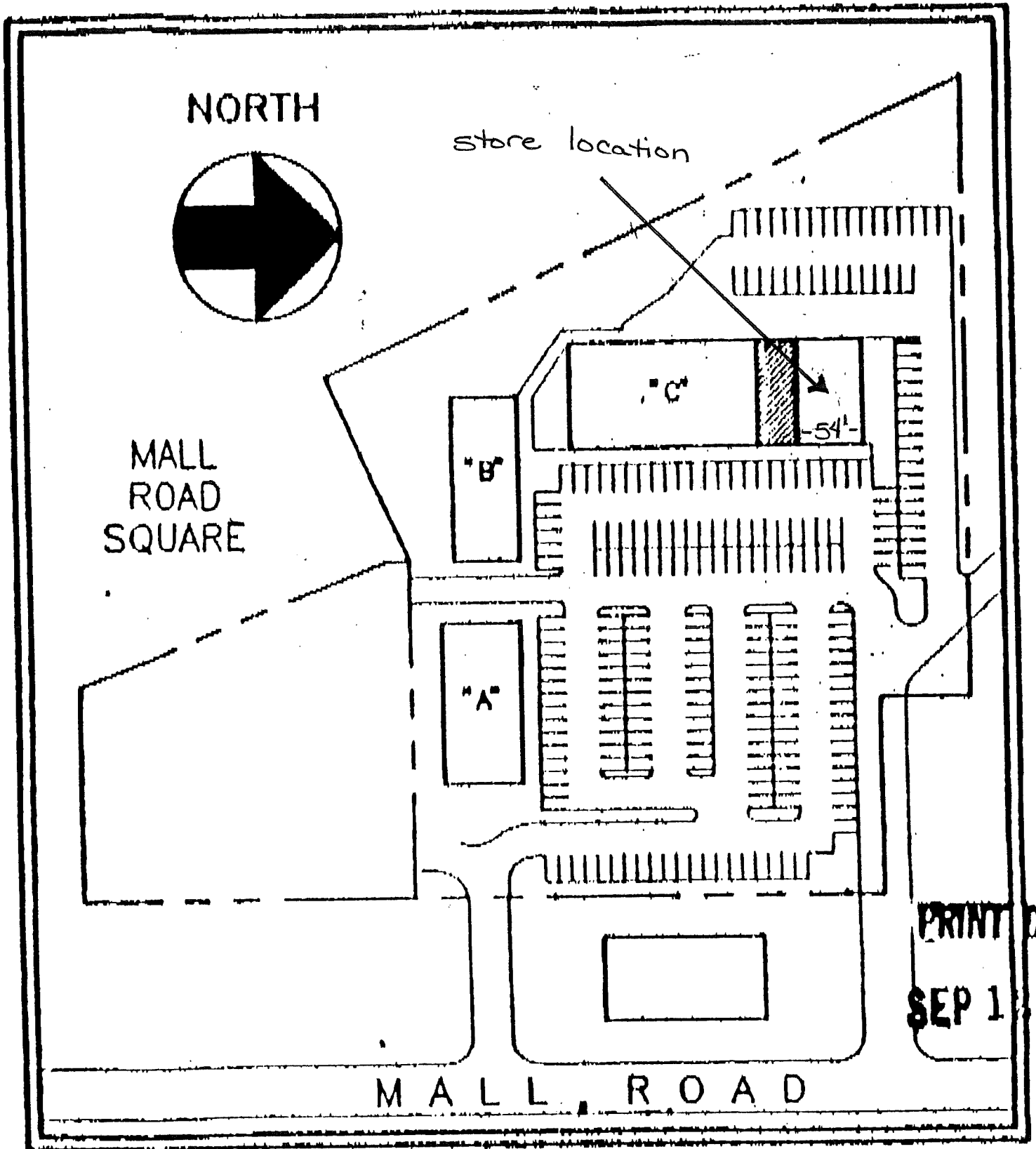
Respectfully Submitted,



Amy S. Moore
Plans Examiner/Planner I

ASM:kat

WRIGHT BROTHERS CYCLERY AND FITNESS
SIGN VARIANCE



WRIGHT BROTHERS CYCLERY AND FITNESS
SIGN VARIANCE

41'-6"

21'-0"



Wright Brothers
Cyclery & Fitness

15'-2"

54'-0"

Sign with 1/4" ALUMINUM FACE MOUNTED DIRECTLY TO FACIA
LETTERING - WRIGHT BROTHERS CYCLERY & FITNESS MOUNTED ON FACE (INDIVIDUAL LETTERS) ILLUMINATED
"AIRCRAFT" & "SCHWINN" PAINTED ON FACE WITH NEON DETAILS.
OVERALL FACE - - SIZE 5' X 41'6"

THIS DESIGN PROPOSAL IS THE EXCLUSIVE PROPERTY OF THIS COMPANY. WITH REPRODUCTION RIGHTS RESERVED. REGISTRATION #1862		CUSTOMER: WRIGHT BROTHERS CYCLERY LOCATION: MC DATE: 16 OCT 90 SALESMAN: JMC DRAWN BY: JMC SCALE: 1/4" = 1'-0" SHEET: 2 OF 2
1677 Park Road • Ft. Wright, KY 41011 P.O. Box 75095 • Cincinnati, Ohio 45275 Mobil: (513) 535-5039 • Office (606) 344-1133		

FLORENCE BOARD OF ADJUSTMENT
BUSINESS MEETING

December 12, 1990 - 7:30 P.M.

Mr. Charles Holland, Chairman, called the meeting to order at 7:35 P.M..

BOARD MEMBERS PRESENT:

Mr. Ashcraft
Mr. Ewing
Chairman Holland
Mr. White

BOARD MEMBERS NOT PRESENT:

Mrs. Ward

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Holland stated that the Board members had received copies of the Minutes of the Board of Adjustment Meeting of November 8, 1990 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mr. Ewing seconded the motion and it carried unanimously.

Agenda Item:

1. The request of Sign Systems & Services for a Variance in the size of a building-mounted sign from the permitted 108 square feet to 207.5 square feet. The site is located in Mall Road Square at 8129 Mall Road, Florence, Kentucky. The property is owned by Chelsea Moore and zoned Commercial Two (C-2)

Staff Member, Amy Moore, presented the Staff Report which included a slide presentation (see Staff Report). She advised that the Board must consider that a precedent may be set in allowing this request. She stated that the Planning Commission is currently studying the signs on Mall Road and ways to improve the aesthetics in the area.

Chairman Holland asked if there was anyone present in behalf of the request.

Mr. Mike Cassedy of Sign Systems & Services stated that they had made a mistake in their calculations. The vertical dimension was submitted as 5 feet and it is 4'6". He stated that the sign, from the far left of the white paint to the far right, is 41.2" and the square footage would be approximately 185. According to the Code, they are allowed two square feet for each lineal foot of frontage and they would be permitted 108 square feet. They are requesting an additional 77 square feet. They did not realize this error until they physically measured the sign.

Mr. Cassedy introduced Charlie Wright with Wright Brothers Cyclery and Fitness Centers and Wright Brothers Supplies. They currently have two other locations, one in Covington and one in Harper's Point. The other signs are plastic faced. The letters saying "Wright Brothers Cyclery and Fitness" are currently up and are permitted. The Wright Brothers airplane on the sign is like the McDonald's golden arches -- it is an identification system. The Schwin is a requirement as he has a license with them and they are the primary line. People associate the name "Schwin" with bikes. Mr. Cassedy continued saying that the appearance of a box sign was not conducive to the business they are trying to convey.

Mr. Cassedy stated that they originally intended to put the letters up with the logo to the left and the Schwin to the right, eliminating the white background. Mr. Breidenstein advised them that this would be treated as three individual signs and would require Variances for the two additional signs. If they treat them as three individual signs, it is 129 square feet, which would mean that they would need Variances for the two additional signs and a Variance for 21 square feet. They were trying to ease the process and ended up with more of a square footage requirement. If the Board prefers, they will eliminate the white background and put up the logo and the Schwin with the letters, which is only 129 square feet.

Mr. Cassedy stated that they have some visibility problems from Mall Road, which is one of the reasons the center is only 30% occupied. Value City only has a two month lease and the boutique has moved out. He stated that Chelsea Moore made some special considerations to get Wright Brothers in there to use them as an anchor. He stated that the sign is exposed neon to be a little brighter. He provided pictures of the site for the Board.

Chairman Holland asked if the Board can grant three Variances when only one has been requested. Counselor Wilson stated that he believed the Board could as this came about as a result of considering the application which was advertised. It is not a new application.

Mrs. Moore stated that she does not believe the Staff has more concerns about one request than the other.

Mr. Cassedy stated that they would just as soon put up the logo and letters without the background.

Chairman Holland stated that he had no objection to the logo and the lettering.

Mr. Ashcraft stated that he finds the sign more appealing without the white background.

Chairman Holland asked if they would prefer the three Variances -- two for the signs and one for the square footage. Mr. Cassedy stated that they would then be asking for Variances for two additional signs and a Variance for an additional 21 square feet. This would be a total of three signs and 129 square feet.

Counselor Wilson noted that there was no one present in opposition to the request and the request was duly advertised.

Chairman Holland noted that there was no one else present in the audience.

Chairman Holland moved that they be granted Variances allowing them a total of three signs -- one for the logo, one for the lettering, and one for the Schwin -- and a Variance of 21 square feet in the total signage for a total of 129 square feet. Mr. Ashcraft seconded the motion and it carried unanimously.

BOARD ITEMS:

1. Chairman Holland advised that Mr. Fromm, the Director for Planning and Zoning, had called him and said that in the future there will be no waiver of fees. Chairman Holland noted that the fees had been waived for churches and non-profit organizations. He stated that this is a request, not a directive.
2. Chairman Holland stated that Mr. Fromm had asked about the Board's concerns and he advised Mr. Fromm that there are sometimes problems with the Boone County Board of Adjustment meeting on the same evening and sometimes running late.
3. Mr. White advised that the office building is behind his house and they put an illegal road back there which is acting like a dam. All of the water runs down on his property and he gets a lake in the backyard. They did not grade so that the water goes towards the ponds. He has talked to the Water & Sewer Department and they have indicated that it will be corrected. He added that the road was put in after all of the construction was done. Tom Breidenstein has looked at it. He stated that they have to do something to let the water go back to its natural drainage. The water will kill his trees. He noted that the road was not on the Site Plan.

Mr. White stated that he talked to Hal Hedges at the Water & Sewer Department and he said that he would get Mr. Viox to redo it.

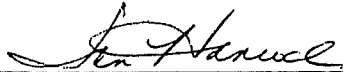
Mrs. Moore suggested that Mr. White send a letter to Mr. Dan Marsh, the Zoning Inspector. Chairman Holland suggested that he also write to Tom Breidenstein and Hal Hedges. Mr. Ewing suggested that he write to Mr. Carroll. Chairman Holland stated that he will let the Mayor and City Council know about the problem.

There being no further business to come before the Board, the meeting was adjourned by unanimous consent at 8:25 P.M..

APPROVED:


Charles F. Holland, Chairman

Attest:


Jan Hancock, Recording Clerk