

MAY 20 1992

REVIEW NO. 92-FBA-004

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 T. Rogvov Associates, Inc.  
Phone Number (313) 540-7700  
Applicant's Address 6735 Telegraph Road - Suite 300  
Bloomfield Hills, Michigan 48301  
City State Zip
- 4. Description of Request: Increase the number of allowable signs on the south building elevation from one to seven.
- 5. Name of Development Builders Square
- 6. Location of Development east side of Mall Road
- 7. Acreage Under Review 13 acres ±
- 8. Lot Number and Name of Subdivision (if part of a subdivision)  
N/A See Legal
- 9. Owner of Property Joseph Berkshire  
Phone Number (606) 371-5053
- 10. Address of Property Owner 7414 U.S. Route 42  
Florence, Kentucky 41042  
City State Zip
- 11. Proposed Use(s) On Site Retail Building
- 12. Total Square Footage of Existing and/or Proposed Buildings  
107,400 s.f.
- 13. Current Zoning on Property C-2
- 14. Deed Book 149 Page No. 180 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? Yes
- 17. Have you submitted a list of adjoining property owners with this request? Yes
- 18. Applicant's Signature: Bernard K. Drane
- 19. Property Owner's Signature: Joseph Berkshire

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 5-20-92
2. Fee Received \$1500.00 R 7402
3. Is application complete?  Yes  No
4. Staff Reviewer Cindy Moore
5. Scheduled Board Action Date June 10, 1992
6. Board Action:  
 Approval  
 Approved with Conditions (See #7)  
 Disapproved (See #8)
7. Conditions: See 0241R  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Reasons for Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BCPC:7/11/88

## STAFF REPORT

#1

DEVELOPMENT: Builders Square  
APPLICANT: T. Rogvoy Associates, Inc.  
LOCATION: East side of Mall Road, Florence, Kentucky  
ZONING: Commercial Two (C-2)  
DATE: June 10, 1992

### REMARKS:

The applicant is requesting a Variance to allow an increase in the permitted number of building mounted signs from one (1) sign to seven (7) signs. The approximately 13 acre site is located on the east side of Mall Road, Florence, Kentucky. The property is zoned Commercial Two (C-2) and is owned by Joseph Berkshire.

The applicant is requesting that the proposed building be permitted to have seven (7) building mounted signs on its south side. The total size of the seven (7) signs is 615 square feet. The Boone County Zoning Regulations allows the building to have one (1) sign on its southern elevation with a maximum size of 800 square feet.

Article 34, Section 3413, of the 1991 Boone County Zoning Regulations states that:

"A business establishment may be permitted one (1) flat or wall on-premises sign for each frontage directly on, or with high visibility from, any arterial, collector, or marginal access street, including areas of major internal traffic circulation of a development planned in accordance within a Planned Development. One (1) 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... Any additional building mounted signs shall be permitted one (1) square foot of sign area per lineal foot of width for the wall on which it is mounted. Under no circumstances shall any establishment be allowed more than three (3) building mounted signs." (p. 216)

The following reviews the four criteria the Board must use to judge each Variance request:

1. The Board must find that the granting of the variance 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 Board should decide if approving the Variance will allow an unreasonable circumvention of the requirements of the zoning regulations.

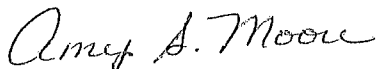
The Board shall also consider in making their findings whether:

5. The requested Variance arises 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 deprive the applicant of the reasonable use of the land or would 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.

The Board shall deny any request for a Variance arising from circumstances that are the result of willful violations of the zoning regulations by the applicant subsequent to the adoption of the zoning regulations from which relief is sought.

Attached to this report are a conceptual plan illustrating the proposed development and a drawing of the southern elevation of the proposed building and its signage and.

Respectfully submitted,

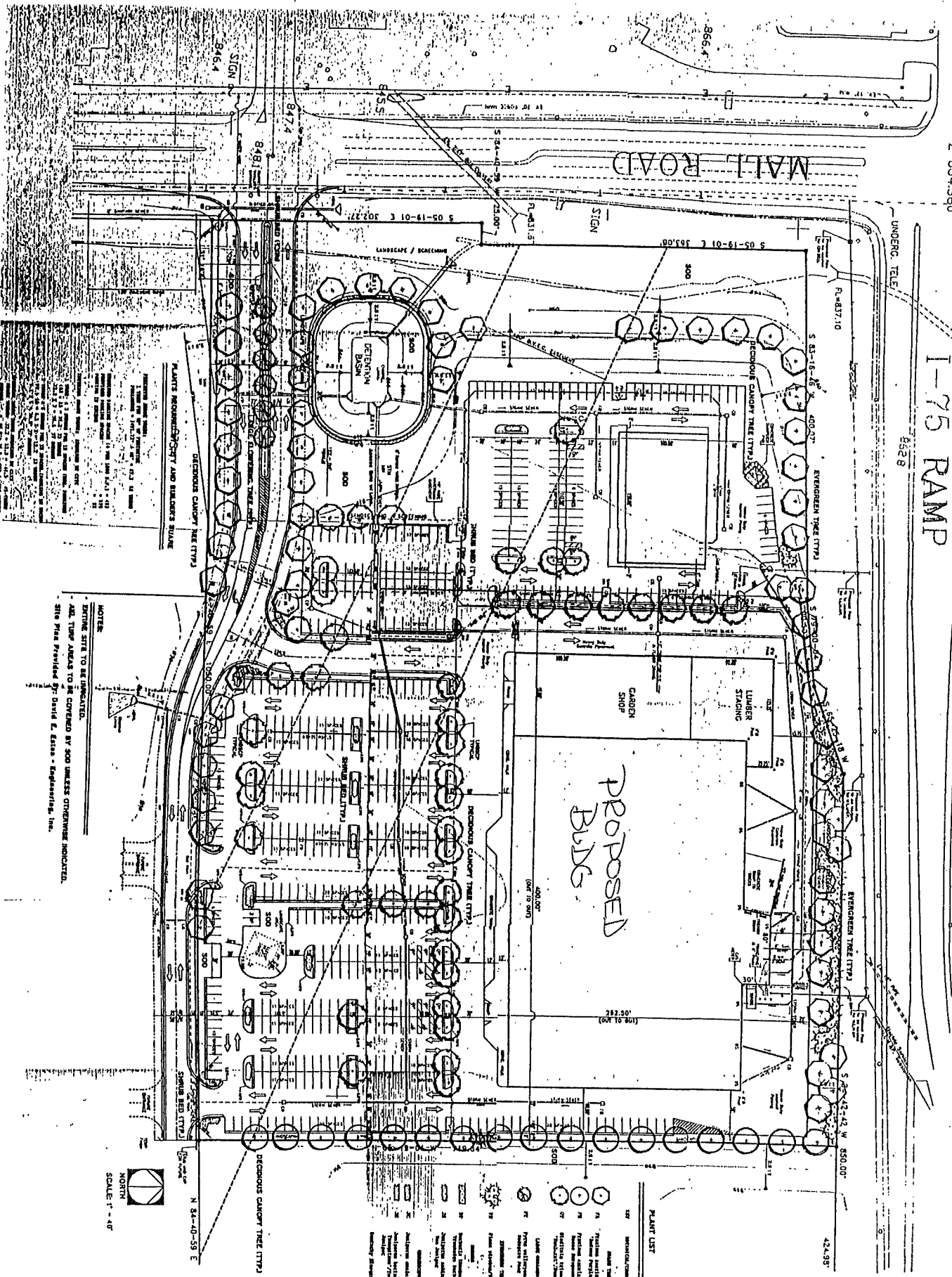


Amy S. Moore  
Planner I

Builders Square - Site Plan

June 10, 1992  
Z 854.360

I-75 RAMP



NOTE:  
- ENTIRE SITE TO BE PAVED.  
- ALL TREE AREAS TO BE COVERED BY SOO UNLESS OTHERWISE INDICATED.  
- SITE PLAN PROVIDED BY David E. Estes - Engineering, Inc.



BUILDERS SQUARE,  
FLORENCE, BOONE CO., KENTUCKY

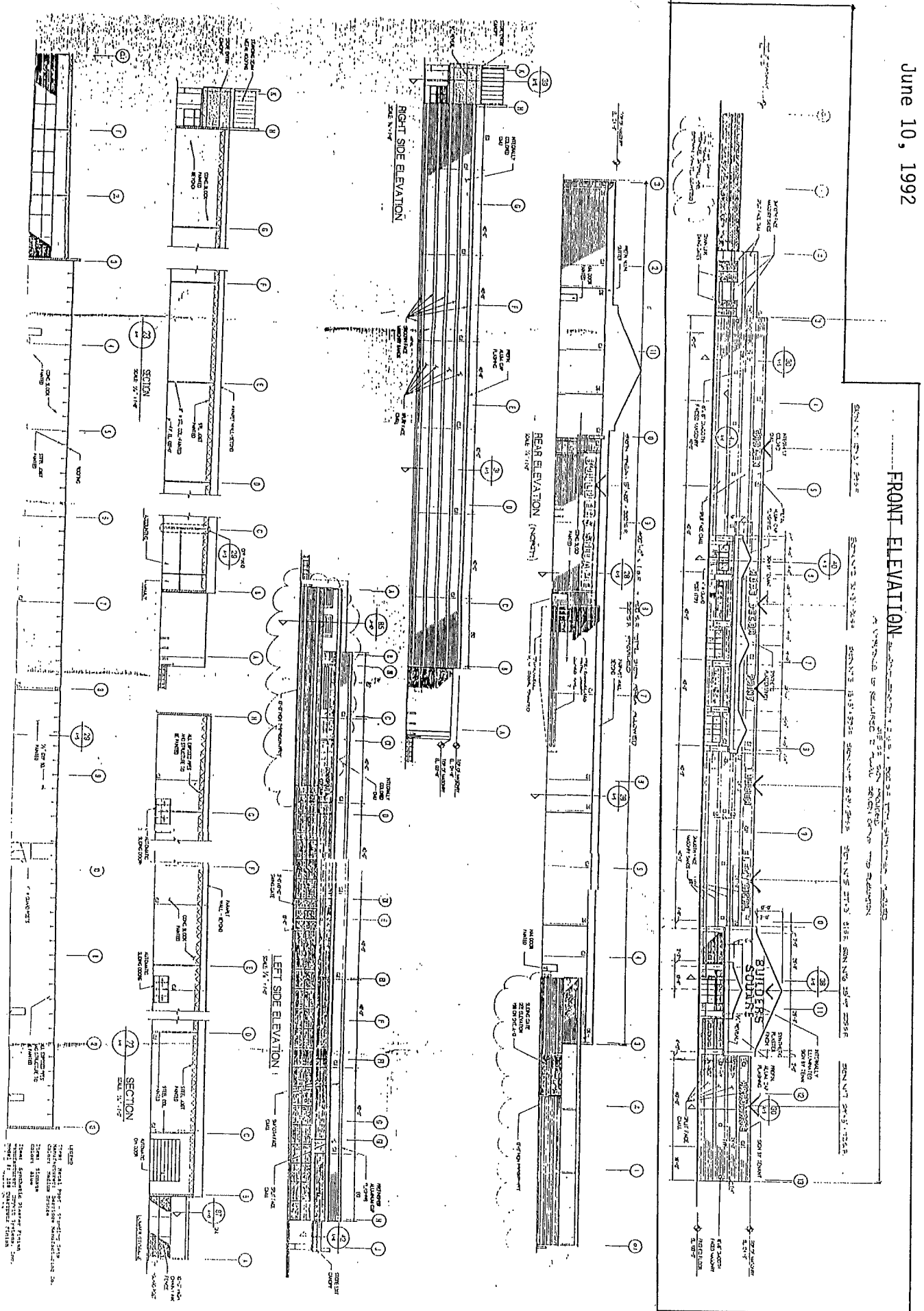
Conceptual Landscape Plan '1

PLANT LIST

NO.	SYMBOL	PLANT NAME	QUANTITY
1	(Symbol)	FRUITING REDBUD (SPRING BLOSSOM)	3
2	(Symbol)	FRUITING REDBUD (SPRING BLOSSOM)	3
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Designer  
Landscape Architect  
Landscape Designer  
Landscape Engineer  
Landscape Contractor  
Landscape Maintenance  
Landscape Construction  
Landscape Installation  
Landscape Removal  
Landscape Restoration  
Landscape Rehabilitation  
Landscape Preservation  
Landscape Conservation  
Landscape Stewardship  
Landscape Management  
Landscape Planning  
Landscape Assessment  
Landscape Investigation  
Landscape Research  
Landscape Education  
Landscape Outreach  
Landscape Advocacy  
Landscape Policy  
Landscape Legislation  
Landscape Regulation  
Landscape Enforcement  
Landscape Compliance  
Landscape Monitoring  
Landscape Evaluation  
Landscape Reporting  
Landscape Communication  
Landscape Collaboration  
Landscape Partnership  
Landscape Leadership  
Landscape Innovation  
Landscape Excellence  
Landscape Sustainability  
Landscape Resilience  
Landscape Adaptability  
Landscape Flexibility  
Landscape Inclusivity  
Landscape Transparency  
Landscape Accountability  
Landscape Integrity  
Landscape Honesty  
Landscape Trust  
Landscape Respect  
Landscape Responsibility  
Landscape Commitment  
Landscape Dedication  
Landscape Passion  
Landscape Enthusiasm  
Landscape Energy  
Landscape Creativity  
Landscape Imagination  
Landscape Vision  
Landscape Inspiration  
Landscape Motivation  
Landscape Determination  
Landscape Persistence  
Landscape Perseverance  
Landscape Courage  
Landscape Bravery  
Landscape Strength  
Landscape Power  
Landscape Influence  
Landscape Impact  
Landscape Legacy  
Landscape Future  
Landscape Hope  
Landscape Faith  
Landscape Love  
Landscape Joy  
Landscape Peace  
Landscape Harmony  
Landscape Balance  
Landscape Unity  
Landscape Diversity  
Landscape Richness  
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Landscape Change  
Landscape Growth  
Landscape Development  
Landscape Progress  
Landscape Success  
Landscape Achievement  
Landscape Fulfillment  
Landscape Satisfaction  
Landscape Well-being  
Landscape Health  
Landscape Vitality  
Landscape Resilience  
Landscape Adaptability  
Landscape Flexibility  
Landscape Inclusivity  
Landscape Transparency  
Landscape Accountability  
Landscape Integrity  
Landscape Honesty  
Landscape Trust  
Landscape Respect  
Landscape Responsibility  
Landscape Commitment  
Landscape Dedication  
Landscape Passion  
Landscape Enthusiasm  
Landscape Energy  
Landscape Creativity  
Landscape Imagination  
Landscape Vision  
Landscape Inspiration  
Landscape Motivation  
Landscape Determination  
Landscape Persistence  
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Landscape Bravery  
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Landscape Richness  
Landscape Complexity  
Landscape Variety  
Landscape Change  
Landscape Growth  
Landscape Development  
Landscape Progress  
Landscape Success  
Landscape Achievement  
Landscape Fulfillment  
Landscape Satisfaction  
Landscape Well-being  
Landscape Health  
Landscape Vitality

Builders Square - Variance  
 June 10, 1992



COPY

92-FB0A-004-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Joseph Berkshire  
7414 U.S. Rt. 42  
Florence, KY 41042

2. ADDRESS OF PROPERTY

Mall Road  
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Builders Square

DEED BOOK: 149

PAGE NO.: 120

GROUP NO.: 2040B

4. TYPE OF RESTRICTION (S) (Check all that apply)

<input type="checkbox"/>	Zoning Map Amendment from _____ to _____	<input type="checkbox"/>	Conditional Use Permit
<input type="checkbox"/>	Development Plan	<input type="checkbox"/>	Conditional Zoning Condition
<input type="checkbox"/>	Subdivision Plat (unrecorded)	<input type="checkbox"/>	Other: (Specify)
<input checked="" type="checkbox"/>	Variance		

5. 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  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005

Amy S. Moore  
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner II  
NAME AND TITLE OF COMPLETING OFFICIAL  
(type or print)

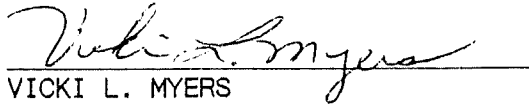
COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Amy S. Moore

on behalf of the Boone County Planning Commission this 10th day

of July, 1992.

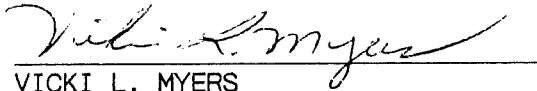


VICKI L. MYERS  
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:



VICKI L. MYERS  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

BCPC 01/89

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance  
as approved by the Florence Board of Adjustments and in accordance with the  
current zoning in effect as of June 10, 1992, (Certificate of Land Use  
Restriction # 92-FBOA-004-A ), for Joseph Berkshire, property  
owner.

The variance is approved with the following conditions: "Mr. Ashcraft moved that two additional signs on the front elevation be permitted as indicated in the plans before the Board met. The signs shall not exceed 90 square feet each (two 90 square foot signs). There will be no limitation on the Builder Square sign or any elevation as shown on the drawings. He stated that they can have one sign on the back, one on the front, and two additional signs not to exceed 90 square feet each for a total of three signs on the front elevation and the Builders Square sign on the rear of the building."

The approved Variance as well as the preceding conditions apply  
to the property described in: DEED BOOK 149 PAGE NO. 120 Group No. 2040B