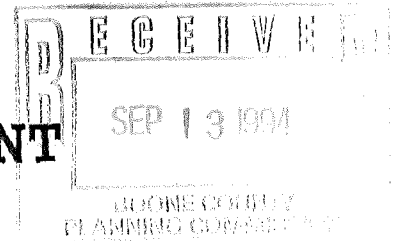


APPLICATION FORM
**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION**



(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
3. Change in Non-Conforming Use
 Applicant's Name John Kiliany 214-404-5000 913-439-2857
 Phone Number 513-454-2400 Fax No. 513-454-2525
 Applicant's Address P.O. Box 578
4. Description of Request: Approve installation of a wall-mounted mural for the Ponderosa Steakhouse national re-imaging program
Dayton OH 45401
 City State Zip
5. Name of Development Ponderosa Steakhouse
6. Location of Development 8053 Holiday Dr.
Florence, KY 41042
7. Acreage Under Review _____
8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
9. Owner of Property Metromedia Steakhouses
 Phone Number of Owner 513-454-2400
10. Address of Property Owner P.O. Box 578
Dayton OH 45401
 City State Zip
11. Proposed Use(s) on Site Restaurant
12. Total Square Footage of Existing and/or Proposed Buildings
Existing Ponderosa Steakhouse Restaurant ≈ 5250 ft²
13. Current Zoning on Property _____
14. Deed Book 199 Page No. 584 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 (ATTACHED)
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: John E. Kiliany
 Property Owner's Signature: John E. Kiliany
 For Metromedia Steakhouses Company L.P.

(over)

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 SEPT 13, 1994 Fee Received 456.⁰⁰
2. Is application complete? Yes No
3. Staff Reviewer Jeff Hayes
4. Scheduled Board Action Date 10-12-94
5. Board Action:
 - Approved
 - Approved with Conditions (See #6)
 - Denial (See #7)
6. Conditions of Approval: See Minutes
7. Reasons for Denial:

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

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

DEVELOPMENT: Ponderosa

APPLICANT: John Kiliany

LOCATION: 8053 Holiday Drive, Florence, Kentucky

ZONING: Commercial Three (C-3)

DATE: October 12, 1994

The applicant is requesting a Variance to increase the maximum permitted square footage allowable for a building mounted sign. The applicant's sign which was installed during a remodeling of the Ponderosa Restaurant is located at the southwest quadrant of US. 42 and Interstate 75/71 (See Sheet #1). The sign is a mural type which contains a scenic mountain background with the words Ponderosa Steakhouse painted across the mural.

The definition of a sign found within the Boone County Zoning Regulations is a device designed to promote and identify an establishment or activity by any means including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Therefore, the mountain landscape which is used to identify and promote the Steakhouses new image would be considered part of the sign and has to be included in the total square footage of the sign. The Boone County Zoning Regulations permit one building mounted sign to be two square feet of sign area per lineal foot of building width for the wall upon which the sign is mounted. Additional building mounted signs shall be permitted a size of one square foot of sign area per one foot of building frontage for a maximum of three (3) building mounted signs.

The Ponderosa Steakhouse has approximately 60 feet of building frontage which would permit a building mounted sign of approximately 120 square feet. The sign which has been installed without a sign permit on the building is approximately 220 square feet in size (See Sheet #2). Therefore, the applicant is requesting a Variance of approximately 100 square feet.

Staff Concerns

1. Staff believes the Board should consider the type of sign which has been installed and that the actual wording on the sign is only 26 square feet.
2. Staff believes that an argument could be made that the existing Ponderosa sign is more aesthetically pleasing than what could be installed within the existing regulations. For example, the regulations would permit the applicant to install a sign which is two feet wide by sixty feet long along the front portion of the building.

Conclusion

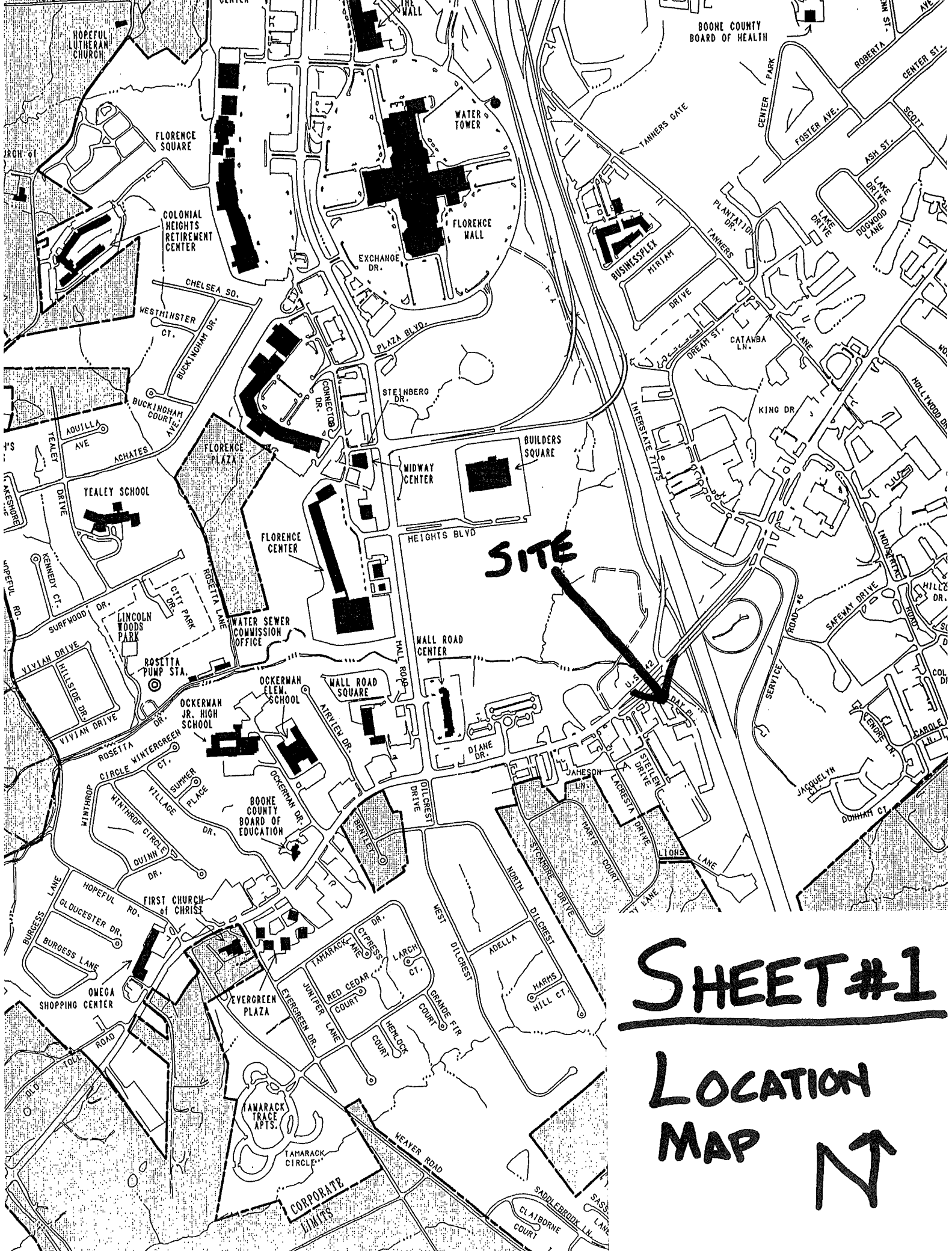
Staff believes that the proposed signs will alter the essential character of the general vicinity and will allow an unreasonable circumvention of the requirements of the Zoning Regulations. The Board should also determine whether the strict application of the provisions of the Zoning Regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

Respectfully Submitted,



Jeffrey F. Hayes
Planner

JFH\par



BOONE COUNTY BOARD OF HEALTH

FLORENCE SQUARE

COLONIAL HEIGHTS RETIREMENT CENTER

WATER TOWER

FLORENCE MALL

BUSINESSPLEXA

CHELSEA SQ.

EXCHANGE DR.

PLAZA BLVD.

STEINBERG DR.

MIDWAY CENTER

BUILDERS SQUARE

SITE

FLORENCE CENTER

HEIGHTS BLVD

MALL ROAD CENTER

MALL ROAD SQUARE

OCKERMAN JR. HIGH SCHOOL

OCKERMAN ELEM. SCHOOL

BOONE COUNTY BOARD OF EDUCATION

ROSETTA PUMP STA.

OCKERMAN JR. HIGH SCHOOL

OCKERMAN ELEM. SCHOOL

BOONE COUNTY BOARD OF EDUCATION

FIRST CHURCH of CHRIS

EVERGREEN PLAZA

EVERGREEN DR.

JUNIPER LANE

RED CEDAR COURT

AMARACK TRACE APTS

AMARACK CIRCLE

CORPORATE ESTATES

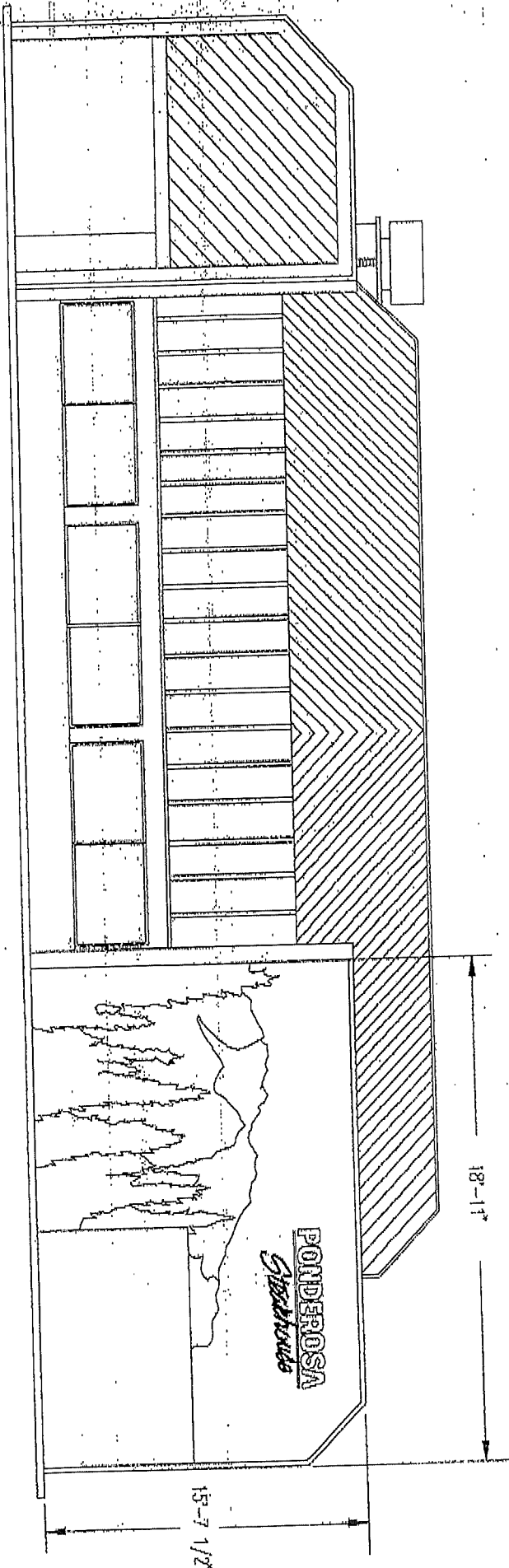
SHEET #1

LOCATION MAP



SHEET #2

NOTE: LOGO AREA = 26 SQUARE FEET.



* Lineal Feet of Bldg. Frontage is Approx. 60 Feet.

NOTE: GRAPHICS AND FONTS ARE APPROXIMATE AND ARE SHOWN TO CLARIFY LOCATION ONLY. DO NOT SCALE.

SIGNSTRUT		TITLE	
3700D PARKWAY LANE HILLIARD, OHIO 43026 U.S.A.		FRONT ELEVATION	
WAREHOUSE 614-771-6602		METRO MEDIA / PONDEROSA	
FAX 614-771-6751		8053 HOLIDAY DRIVE	
DESIGN BY T. WHITE	DATE 5/09/94	SCALE N/A	SHEET 1 OF 1
CHECKED	DATE	DATE	REVISION NO. SIDE
			94-215 B

©1994 SIGNSTRUT, LTD