



SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received \_\_\_\_\_
2. Fee Received \_\_\_\_\_
3. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
4. Staff Reviewer \_\_\_\_\_
5. Scheduled Board Action Date \_\_\_\_\_
6. Board Action:  
\_\_\_\_\_ Approval  
\_\_\_\_\_ Approved With Conditions (See #7)  
\_\_\_\_\_ Disapproved (See #8)
7. Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Reasons For Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## STAFF REPORT

#2

APPLICANT: Quality Signs, Inc. (agent)  
DEVELOPMENT: Central Trust Bank  
REQUEST: sign Variance  
LOCATION: 9990 U.S. 42, Union, KY  
ZONE: Rural Suburban with a Small Community Overlay (RS/SC)  
DATE: October 21, 1991, 5:30 p.m.

### REMARKS:

The applicant is requesting a Variance in the size of building mounted signs. The 0.9 acre site, located on the northwest corner of U.S. 42 and Hathaway Road is zoned Rural Suburban with a Small Community Overlay (RS/SC), and is owned by the Central Trust Bank.

### Background

Article 19 of the Boone County Zoning Regulations limits signs in residential zoning districts to sixteen (16) square feet in size. Even though the Central Trust Bank property is used for commercial purposes, it is residentially zoned (RS/SC). Therefore, building mounted signs at the bank cannot exceed 16 square feet. The applicant is proposing to install two (2) building mounted signs, each with 31.3 square feet. (see attached drawings and plot plan).

### Review

Article 2 of the Boone County Zoning Regulations gives the standards with which the Board must review Variance requests. The following reviews these standards:

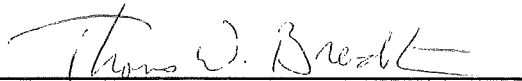
1. Staff believes that, if granted, the Variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a nuisance or a hazard to the public and will not allow an unreasonable circumvention of the requirements of the zoning regulations. To make these findings, the following were considered:
  - (a) Staff is unaware of any special circumstances which apply to this property but which do not apply land in the general vicinity or in the same zoning district. A copy of the applicant's letter explaining the need for larger signs is attached;
  - (b) Strict application of the sign regulations would require that the sign area be reduced to 16 square feet. The Board must consider whether this size sign would deprive Central Trust of the reasonable use of the property or would create an unnecessary hardship, and;
  - (c) The Board must consider whether any special circumstance which gave rise to this request is the result of the actions of the applicant or property owner.

2. The Board is required to deny any Variance which is the result of any willful violation of the zoning regulations. Even though one (1) of the signs was installed prior to the issuance of the Variance (or even sign permit), Staff has no evidence that this installation constitutes a willful violation.

**Conclusion**

The section of the zoning regulations which deals with signs in residential districts does not limit the number of such signs. Therefore, if the Variance is approved by this Board, Staff would recommend as a condition that only the two (2) signs proposed by the applicant be allowed (one facing U.S. 42, the second facing Hathaway Road).

Respectfully submitted,



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Thomas W. Breidenstein  
Zoning Enforcement Officer

TWB:kat



1530 Production Drive  
Burlington, KY 41005

(606) 525-9966  
(606) 525-0304 (FAX)

September 23, 1991

Union Board of Adjustments  
C/O Boone County Planning Commission  
Post Office Box 596  
Burlington, Kentucky 41005

Dear Board Members,

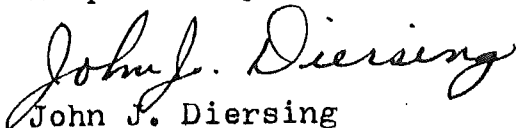
I am filing a variance at Central Trust's request. They are asking to be permitted more than the allowed sixteen square feet of signage. (Article 19, Section 1912, Number 2 of the Boone County Zoning Regulations)

Central Trust desires to be allowed two sets of 20" high cast aluminum letters on the building. They have chosen this size letter because it is aesthetically appropriate for the size of the building. It properly identifies the building allowing enough time for traffic to safely respond.

The Marketing Department of Central Trust has found that adequate building signage is vital for a community branch bank such as this.

Central Trust has opted to stay away from increasing the illuminated sign area on the pole sign and to instead make a quality statement with non-illuminated cast aluminum letters.

Respectfully submitted,

  
John J. Diersing

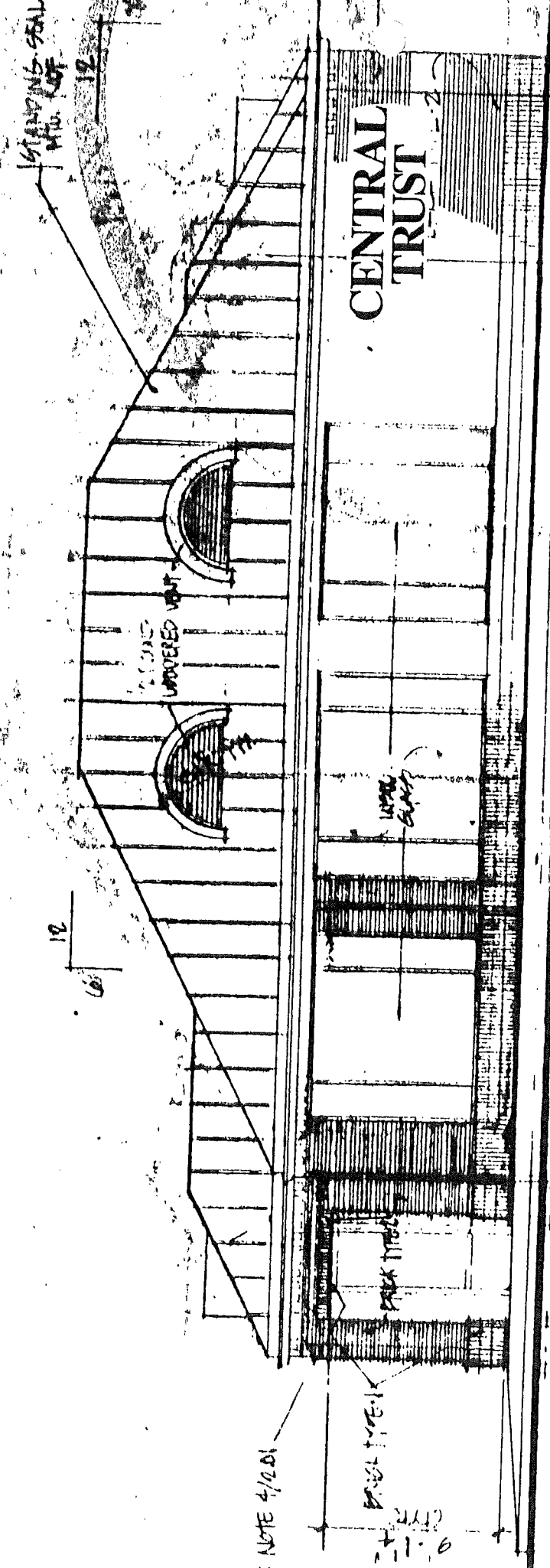
JJD/hn



CAST ALUMINIUM BLDG. LTRS.

QTY: (2) SETS

<i>CENTRAL TRUST UNION KY</i>	
SCALE: <del>3/8"</del> 1/8"	APPROVED BY:
DATE:	DRAWN BY:
DRAWING NUMBER:	



WEST ELEVATION  
 10 + 0 - 1 - 0

STAIRS SEAL H.W. COF





COPY

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)  
Central Trust  
5th & Main Sts.  
Cincinnati, Ohio 45202

2. ADDRESS OF PROPERTY  
U.S. 42 & Hathaway Road  
Union, KY 41091

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)  
Central Trust Bank

DEED BOOK: 358 PAGE NO.: 136 GROUP NO.: 2046

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

- Zoning Map Amendment from \_\_\_\_\_ to \_\_\_\_\_
- Conditional Use Permit
- Development Plan
- Conditional Zoning Condition
- Subdivision Plat (unrecorded)
- Other: (Specify)
- 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

Thomas W. Breidenstein  
SIGNATURE OF COMPLETING OFFICIAL

Thomas W. Breidenstein, Zoning Enforc. Officer  
NAME AND TITLE OF COMPLETING OFFICIAL  
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Thomas W. Breidenstein  
on behalf of the Boone County Planning Commission this 27th day  
of April, 1992.

*Patricia A. Russ*

PATRICIA A. RUSS  
NOTARY PUBLIC, State at Large

My commission Expires:

October 4, 1993

This instrument was prepared for recording purposes only by:

*Patricia A. Russ*

PATRICIA A. RUSS  
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

CLUR# 91-UBOA-003-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Union Board Board of Adjustments and in accordance with the current zoning in effect as of October 21, 1991, (Certificate of Land Use Restriction # 91-UBOA-003-A ), for Central Trust, property owner.

NO CONDITIONS

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 358 PAGE NO. 136 Group No. 2046