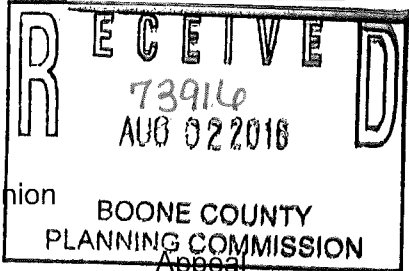


APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations



SECTION A (To be completed by applicant) (Check One)

- 1. Boone Florence X Walton Union
2. X Conditional Use Permit Variance Appeal
3. Applicant's Name JOHN DIERSING FOR QUALITY SIGNS
4. Description of Request REPLACE EXISTING MONUMENT SIGN W/NEW, NEW TO HAVE FULL COLOR ELECTRONIC MSG. CTR.
5. Name of Development WALTON CHRISTIAN CHURCH
6. Location of Development 50 SOUTH MAIN ST., WALTON, KY
7. Acreage Under Review
8. Lot Number and Name of Subdivision
9. Owner of Property WALTON CHRISTIAN CHURCH
10. Address of Property Owner 50 SOUTH MAIN ST., WALTON, KY
11. Proposed Use(s) on Site CHURCH
12. Total Square Footage of Existing and/or Proposed Buildings
13. Current Zoning on Property PF
14. Deed Book 249 Page No. 48 Group No. 2081B
15. Is the site subject to a zone change? NO
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. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature] (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**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 8/2/16 Fee Received \$732⁰⁰ Receipt # 73916
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:

Approved
Approved with Conditions (See #6)
11/3/16 **Denial** (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: SEE 11/3/16 Meeting Minutes

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

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

APPLICANT: Quality Signs for Walton Christian Church

LOCATION: 50 S. Main street, Walton, Kentucky

ZONING: Public Facilities (PF) and Suburban Residential One (SR-1)

DATE: September 6, 2016

Proposal

The applicant has submitted a Conditional Use Permit application to allow Walton Christian Church to alter their monument sign and include a full color electronic message center. This applicant is seeking to alter the conditions that were imposed by the Walton Board of Adjustment on June 16, 2016.

The submitted sign drawings show that the altered sign would be 4'-8" tall and 18.33 square feet (3'-8" x 5') in area. The brick base and pillars from the monument sign would be retained and two new sign cabinets would be installed. The top sign cabinet would display "Walton Christian Church" in fixed copy and would be 6.25 square feet in area. The bottom sign cabinet would be 10.27 square feet in area and electronic messages would be viewable in 2' x 4' area. The sign drawings show that all messages would be displayed in a 16 millimeter pixel pitch.

Board of Adjustment History

On June 16, 2016, the Walton Board of Adjustment approved a Conditional Use Permit application allowing Walton Christian Church to alter their existing monument sign and include an electronic message center (see attached sign drawings and meeting minutes). The Board imposed the following conditions on the approval:

1. The sign shall be constructed as presented unless modified by other conditions below.
2. Electronic messages shall be held for a minimum of 5 seconds and shall not contain any apparent visual motion (running messages, scrolling messages, flashing messages, moving patterns or boards of light, animation effects, videos, live feeds, etc.).
3. All electronic messages shall be displayed in white or amber copy with black backgrounds. The property owner shall work with the City of Walton and Boone County Planning Commission Staff to resolve any lighting issues (brightness, glare, etc.) that are caused by the subject sign on public rights-of-way.
4. No electronic message shall contain more than 4 lines of text.
5. The sign shall have a photocell or dimmer and the electronic messages shall dim as the sky gets darker.
6. The sign shall only be used to advertise church business.

Applicable Regulations

Section 220 of the Boone County Zoning Regulations states that one duty of the Board of Adjustment and Zoning Appeals is to act on Conditional Use Permit applications.

The Board needs to evaluate the Conditional Use Permit request terms of the criteria listed in Section 262 of the Boone County Zoning Regulations. The criteria are listed below:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Section 3413 of the Boone County Zoning Regulations states that individual parcels of land in PF zoning districts shall be permitted a density of one (1) on-premises, monument sign. The sign can be up to 10' tall and 100 square feet in area (dependent on road frontage).

Section 3430 of the Boone County Zoning Regulations permits electronically message boards as a Conditional Use in the PF zone. The following requirements must be met:

- A. Such message boards and screens will be considered a part of a permitted free-standing or building mounted sign; up to fifty percent (50)% of the permitted sign area can be used as an electronic message board or electronic display screen.

The electronic message center comprises 43.64% of the overall sign area (8/18.33).

- B. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.

Kentucky Transportation Cabinet informed Staff that they will not need to issue a Permit because the sign will not be visible from an interstate.

- C. Electronic message boards and electronic display screens shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate or thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.

There are no other electronic signs within 660 feet of the proposed sign.

- D. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling" or "running" messages.

Staff would like the applicant to address if the sign will meet this standard.

- E. The message displayed on the board or screen must be displayed for a minimum of five (5) second intervals. In no instance can a message, or part thereof, flash on the message board.

Staff would like the applicant to address if the sign with this standard.

- F. Such message boards and screens shall have a photocell or dimmer and the displayed messages shall dim as the sky gets darker or brighten as the sky gets brighter.

Staff would like the applicant to address if the sign will have a photocell or dimmer.

- G. Full color and monochrome message boards shall meet the follow pixel pitch requirements:

A 19 mm pixel pitch or better resolution shall be required when the top of the message board is located 30 feet or less above grade.

The sign drawings show the sign will have a 16 mm pixel pitch.

Relationship of the Request to the Comprehensive Plan

The 2010 Boone County Comprehensive Plan's "2035 Future Land Use Plan" designates the site for "Public/Institutional" uses. This designation is government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc.

The Land Use Element text states "a specific study has been conducted for Walton's Main Street to assess, and protect its historic resources and its small town character. Walton's Main Street is the most functional business district with a small town character in the county. South Main Street from south of the post office to the end of Old South Main Street is a National Register Historic District" (Walton Area, pg. 172).

The Future Land Use Development Guidelines (pg. 164) found in the Land Use Element state that "developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor" (Design, Signs, and Historic Preservation).

Relationship to the Walton Main Street Strategic Plan

The plan contains the following passages which relate to the request:

- A. "Walton's historic Main Street is in danger of being marginalized by a series of bypasses (especially I-75), new developments outside the Main Street Corridor (Walton Towne Center), and an aging building stock. This plan will serve as a guide to help Walton's historic

Main Street remain relevant and vibrant in light of the changes that have impacted it over the past several decades. This plan will attempt to put forth achievable strategies to help the historic Main Street not only survive with the surrounding developments, but also thrive as a unique entity on its own. It is also the goal of this plan to reinforce the qualities which have made historic Main Street the long-standing center of the City of Walton in spite of the changes and challenges it confronts" (Purpose of the Plan, pg. 7)

B. One of the listed plan objectives is to "Make Main Street a Destination" (Objectives, pg. 10).

- Assess the visual streetscape (power lines, appropriate new construction to match historic character of Main Street, landscaping, fencing, etc.) of Main Street;
- Create an 'Historic Walton Main Street' walking tour brochure;
- Improve signage (informational and directional);
- Install entrance signage at both north and south end of the study area;
- Establish Walton's identity/brand (e.g., Family-Friendly, Sports, or School);
- Create a National Main Street 4-point approach (Organization, Promotion, Design, and Economic Restructuring).

C. The Plan contains the following recommendations that relate to the request:

Main Street as a Destination (pg. 25).

- Assess the visual streetscape aesthetics of power lines, landscaping, fencing, etc. along Main Street and strive to improve upon any negative impacts they may have on the historic character of Main Street as redevelopment opportunities arise.
- Create an 'Historic Walton Main Street' walking tour brochure to better connect people with the rich tradition that exists as well as to promote the study area as a place to come experience and see;
- Improve signage (informational and directional) by having it more uniform and consistent.
- Install entrance or "Gateway" signage at both north and south end of the Main Street core.

Signage (pg. 27).

- Use signage to "announce" the arrival into the historic business or residential areas along Main Street. This signage must be modest and have an historic theme to it;
- Aggressively announce any and all events occurring on historic Main Street. Work with a banner company to monthly cycle, or change out, the banners which can be designed in two ways. One type would be draped across Main Street announcing major events such as 'Old Fashioned Days' while the other type could be incorporated onto telephone or light poles located along the road such as the signage seen along Mall Road or in Burlington.

Site Characteristics

The approximate 1.45 acre church campus is located on the east side of S. Main Street and has approximately 370 feet of road frontage. The two-story church is on the National Register of Historic Places and has construction markers dating back to 1873 and 1948. Access to the church parking lot is provided from three separate curb cuts on S. Main street (one is shared with the Post Office). The existing monument sign is located in a landscaped area between the church and South Main Street. Boone County GIS shows the topography of falls from 928 feet above sea level at the front of the church to 924 feet above sea level in the S. Main Street right-of-way.

Surrounding Land Uses and Zoning

North: Single-Family Residential Dwelling (WD)

South: Walton Post Office (SR-1)

East: Railroad Right-of-Way and 21.91 Acre Property (I-1)

West: S. Main Street, First Baptist Church (SR-1), and Single-Family Residential Dwelling (WD)

Staff Comments

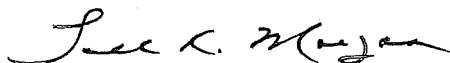
1. Walton Christian Church submitted a letter with the request indicating why they believe the request should be approved (see attachments).
2. Staff would like the applicant or property owner to specifically address which conditions from the June 16, 2016 approval they are seeking to modify.
3. The Board needs to analyze the Conditional Use Permit criteria before acting on the request.

Staff is concerned the sign could have a negative impact on the South Main Street corridor and cause motorists to be distracted. There are currently no electronic signs located in the portion of Walton that is within the South Main Street National Register Historic District.

Conclusion

K.R.S. 100.237 and 100.241 and Section 220 of the Boone County Zoning Regulations gives the Walton Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



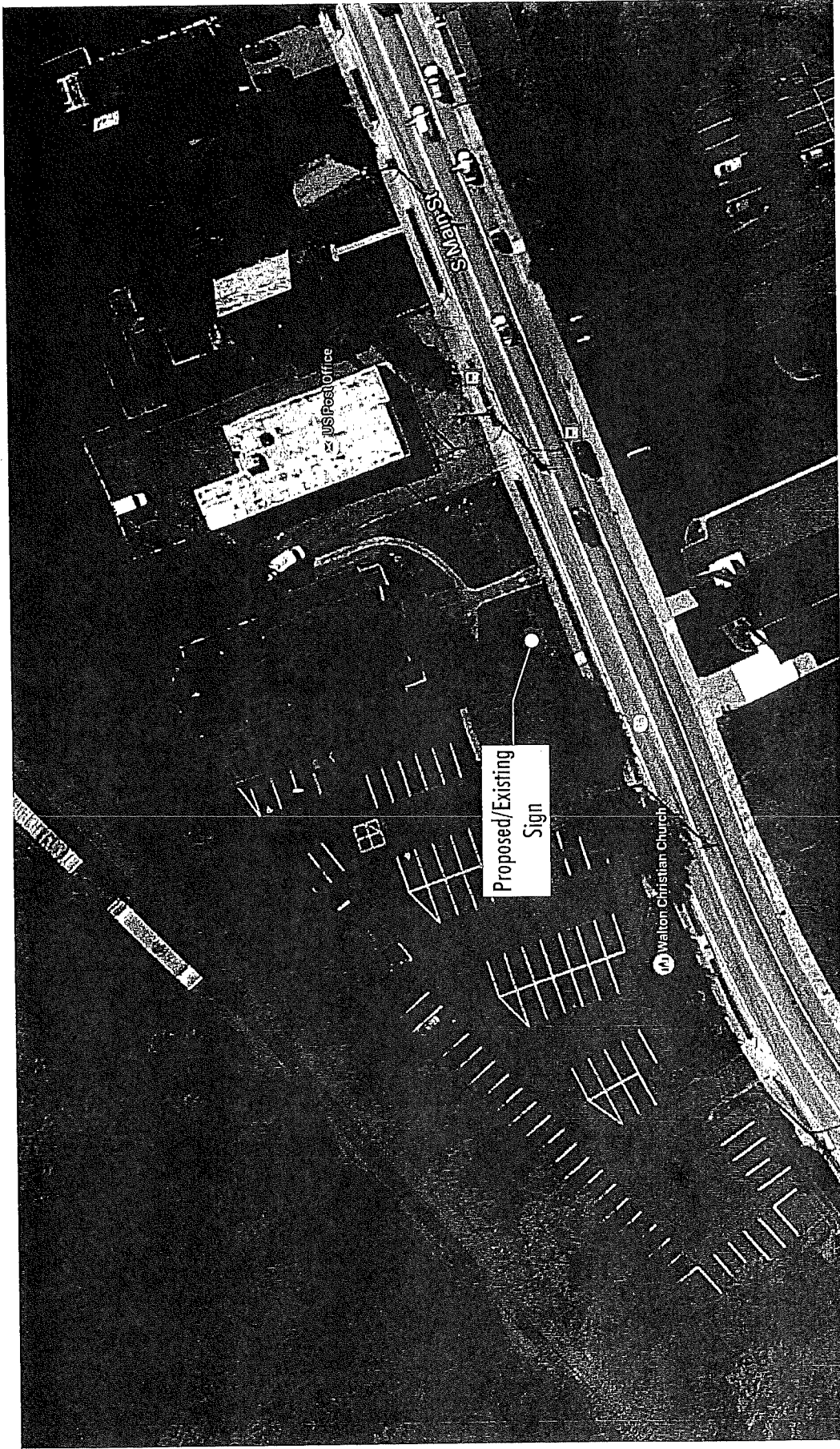
Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/tlb

Attachments

- *Site Vicinity Map
- *Existing and Proposed Sign Location
- *Pictures of Existing Sign
- *Proposed Sign Drawing and Dimensions
- *Letter From Walton Christian Church
- *2012 Aerial Map
- *Topographical Map
- *Zoning Map
- *2035 Future Land Use Map
- *S. Main Street National Register Historic District Limits
- *Sign Drawing and Dimensions from 06/16/16 Walton Board of Adjustment Meeting
- *06/16/16 Walton Board of Adjustment Meeting Minutes
- *Application

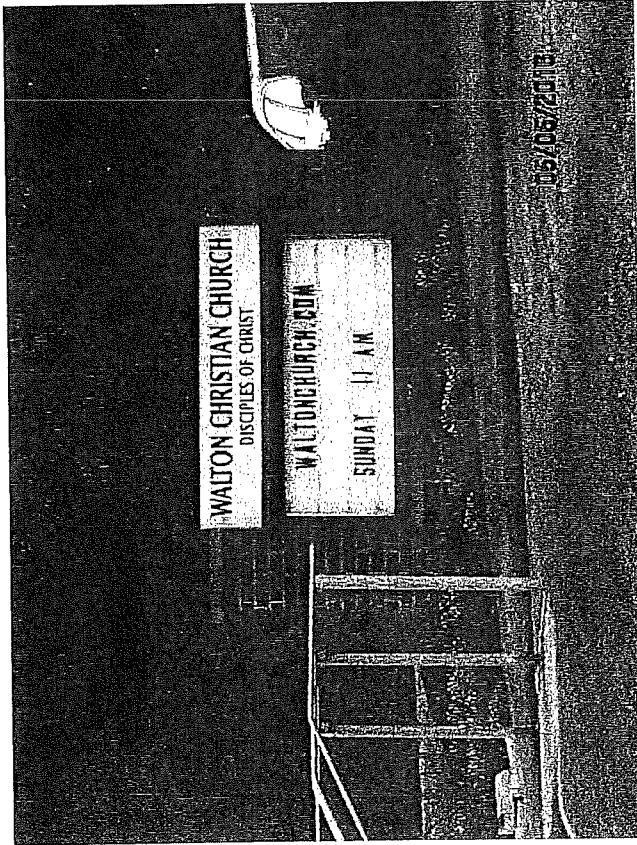
● 50 S Main St., Walton, KY 41094



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| | |
|----------------|---------------------------|
| FILE: WCC PP-1 | Approved By |
| DATE: 5-6-16 | Sales Rep. John Diersing |
| SCALE: NTS | DRAWN BY: WOODY FELLINGER |

NORTHBOUND



SOUTHBOUND



FILE: WCC EXISTING SIGN IMAGES

DATE: 5-10-16

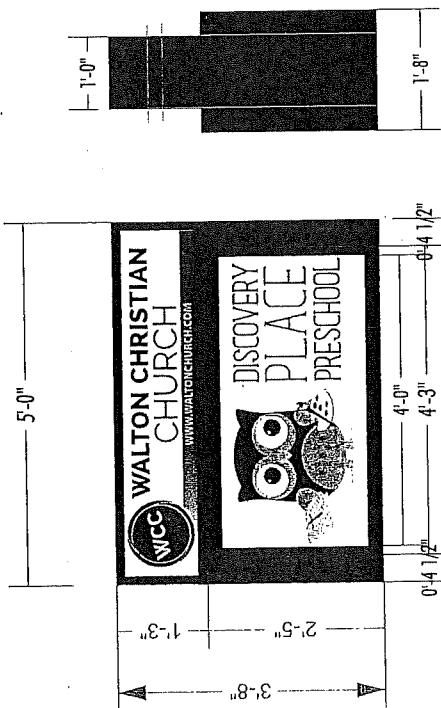
SCALE: NTS

Approved By

Sales Rep. John Diersing

DRAWN BY: WOODY FELLINGER

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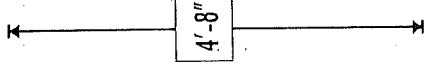
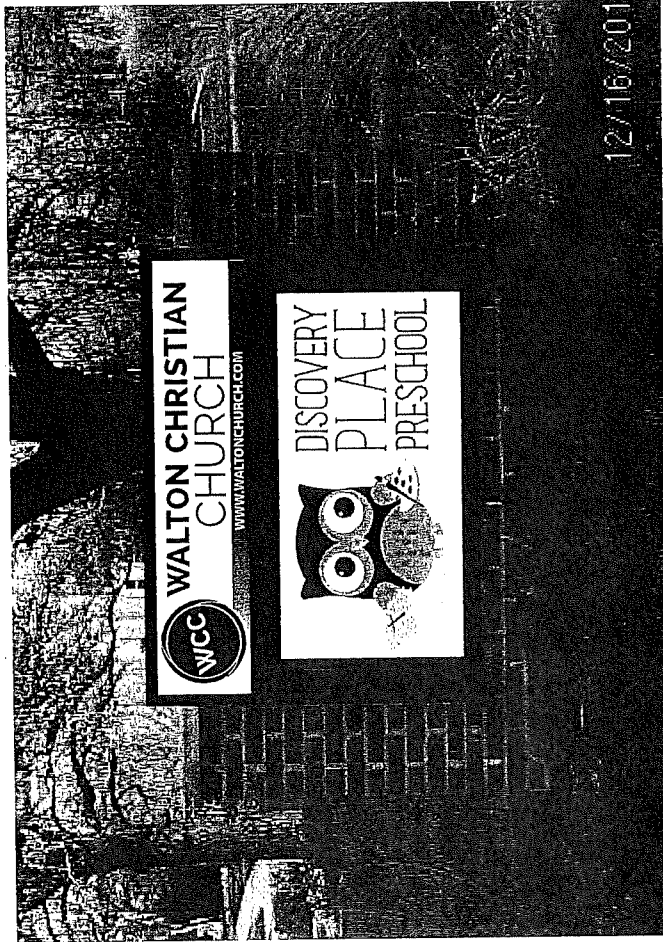
Furnish and install one (1) double face ID panel w/ LED message center

ID SIGN

- Cabinet to be aluminum construction painted black
- Faces to be flat Lexan w/ blue and dark blue vinyl copy
- Illumination w/ white LEDs
- UL Listed and Labeled

LED SIGN

- Watchfire by Time O Matrix
- Matrix: 16MM 36 x 72
- LED Color: Full Color
- Cabinet Dimensions: 29" x 4'-3" x 8"
- Communications: Broadband Wireless
- Temp Sensor: Included
- Software: Ignite Graphics Software



FILE: WCC LED-11

DATE: 8-2-16

SCALE: 3/8" = 1'

Approved By

Sales Rep. John Diersing

DRAWN BY: WOODY FELLINGER

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Walton Christian Church
50 S Main St. Walton, KY 41094

Reference:

Request of Quality Signs for a Conditional Use Permit for Walton Christian Church to have an electronic message board on their monument sign.

Thanks for considering this request for a conditional use permit for an electronic sign at 50 South Main Street in Walton, KY (Walton Christian Church). We give thanks to each board member for their service to our community.

We (leadership/members of Walton Christian Church) believe the proposed sign will be of significant benefit to our local community. It will enhance and improve our ability to share information with neighbors/friends who pass by with more focus and a more appealing aesthetic. The Walton Main Street Strategic Plan lists as an objective: **“Improve signage (informational and directional); under the heading of “Make Main Street A Destination.”** (Page 10) We believe a new sign at WCC is in keeping with that objective. We believe that vibrant communities of faith with community-focused activities and ministries along Main Street are essential and vital for Walton’s future vitality and heart. An electronic sign will greatly improve our ability to share information about such activities. The sign now in front of WCC is not original to the building. When it was installed approximately 40 years ago, it was a “state-of-the-art” sign. We are trying to do the same today.

We recognize that WCC’s building is located on the northern edge of the South Walton Historical District. We realize there is an effort, by some, to keep an “historical” feel in this cluster. We, too, echo a need to respect our past. And the Walton Main Street Strategic Plan did so by listing some buildings in the Main Street area that may be eligible for inclusion in the National Historical Register. (Walton Christian Church is not included on that list). Yet the Plan includes this statement: **“There is little potential for establishment of a National Register district along Main Street in the downtown area because so many historic**

buildings have been lost or altered.” (Page 15) That statement seems to indicate that the historicity of Main Street is nostalgic in nature.

In the draft for the minutes of the Walton Board of Adjustment Meeting dated June 16, 2016, there was discussion of the need for signage in the South Walton Historical District to be historical in tone. And there was discussion that WCC’s proposed electronic sign did not meet an historical standard. The Walton Main Street Strategic Plan was referenced as the guide in that opinion. In the recommendations section of the plan, there is a section labeled as **“Signage.”** (Page 27) And these recommendations: **“Use signage to “announce” the arrival into the historic business or residential areas along Main Street. This signage must be modest and have an historic theme to it; Aggressively announce any and all events occurring on historic Main Street.”**

The statement **“This signage must be modest and have an historic theme to it”** is specifically referring to the signage used to announce arrival into the historic business or residential areas along Main Street. In no other place in the document (in our reading) is this standard extended to any other signage along Main Street. In fact, the next part of the “signage” recommendation is to **“aggressively announce any and all events occurring on historic Main Street.”** An electronic sign (with color) will allow WCC to do exactly that.

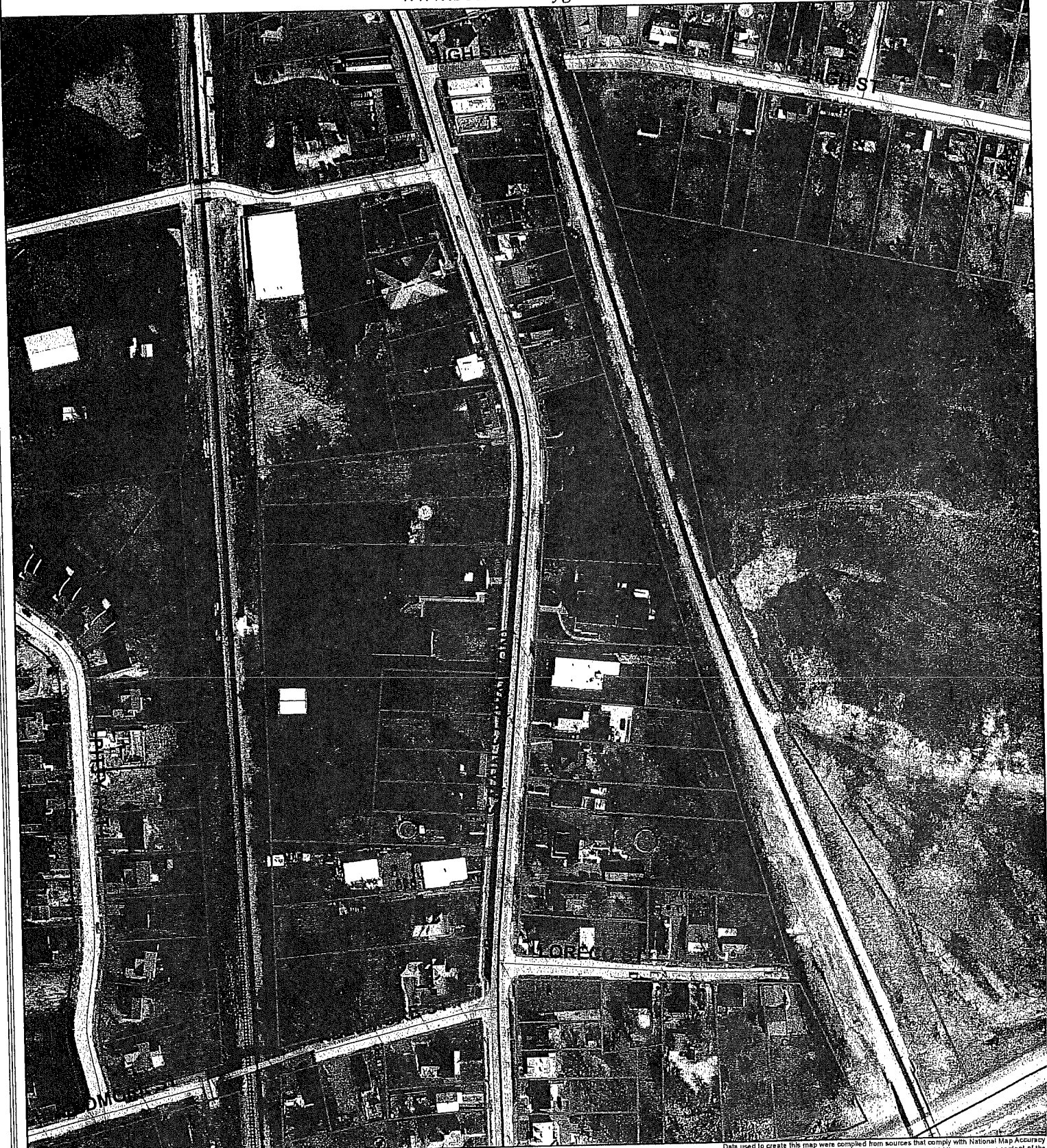
WCC’s prior application for a permit for conditional use of an electronic sign at 50 South Main Street was approved on June 16, 2016. As we have had time to reflect and study the conditions placed on the approved permit, we respectfully have submitted another application for conditional use of an electronic sign at 50 South Main Street. Specifically, we ask that color be allowed for use in electronic messages displayed on proposed sign. The “header” portion of the sign has been redesigned to be in keeping with the footprint of current sign. We believe the new design keeps an historical feel while utilizing an updated and modern capability.

WCC’s desire is to see the Walton Main Street District thrive. We believe a new electronic sign at 50 South Main Street in no way distracts from that desire. In fact, we believe such a sign will enhance our community in both tangible and intangible ways, even possibly being a catalyst

for revival in activity and prosperity in our Main Street District. Thank you for considering this application and our reasons for doing so.

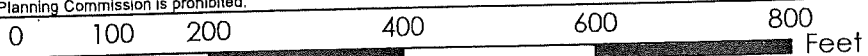
2012 AERIAL MAP

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1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

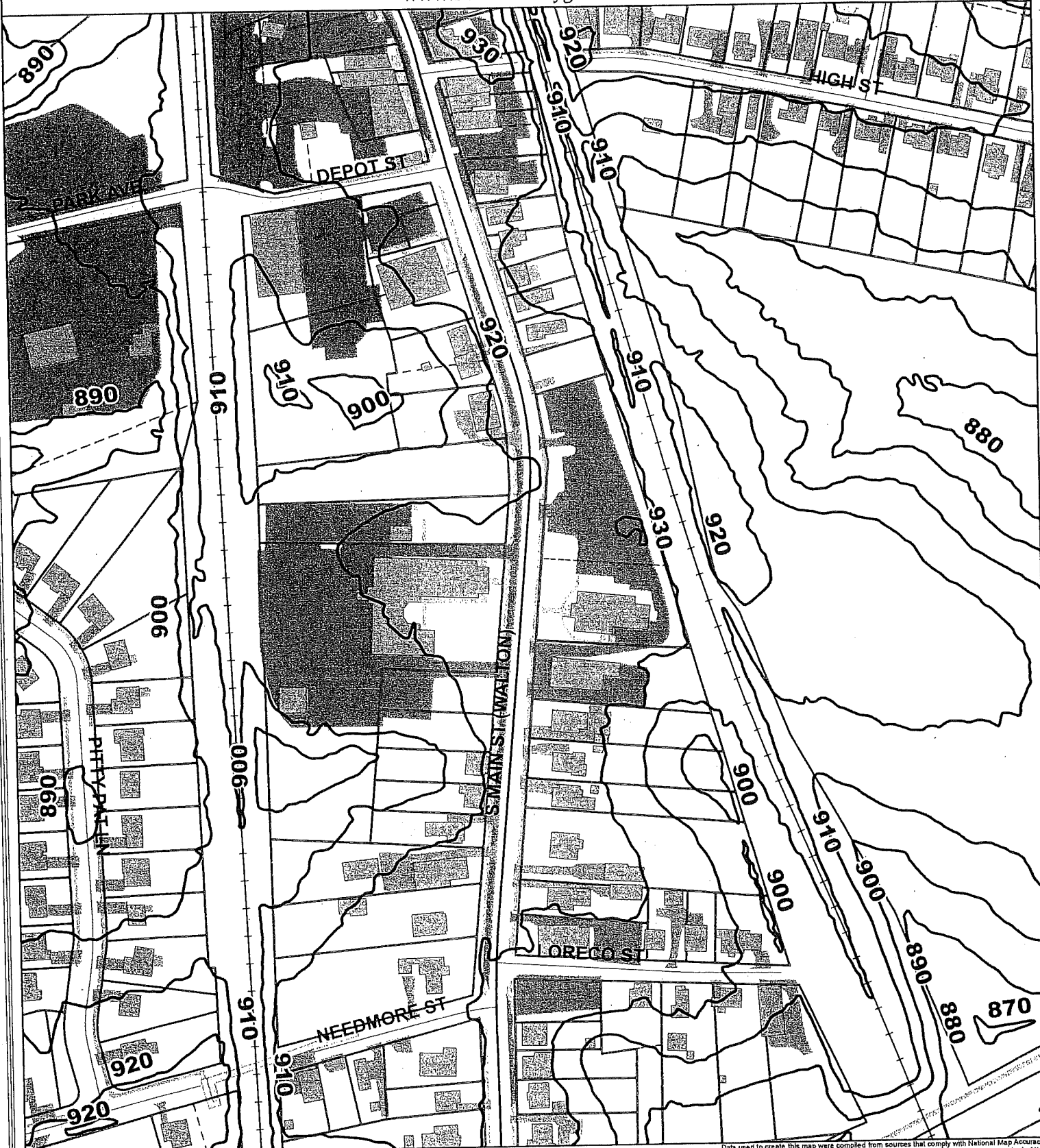


Map Created: 07/01/2013

Boone County GIS
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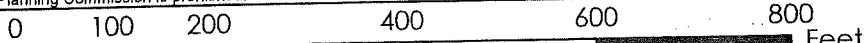
TOPOGRAPHICAL MAP

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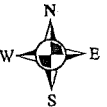
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1 inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

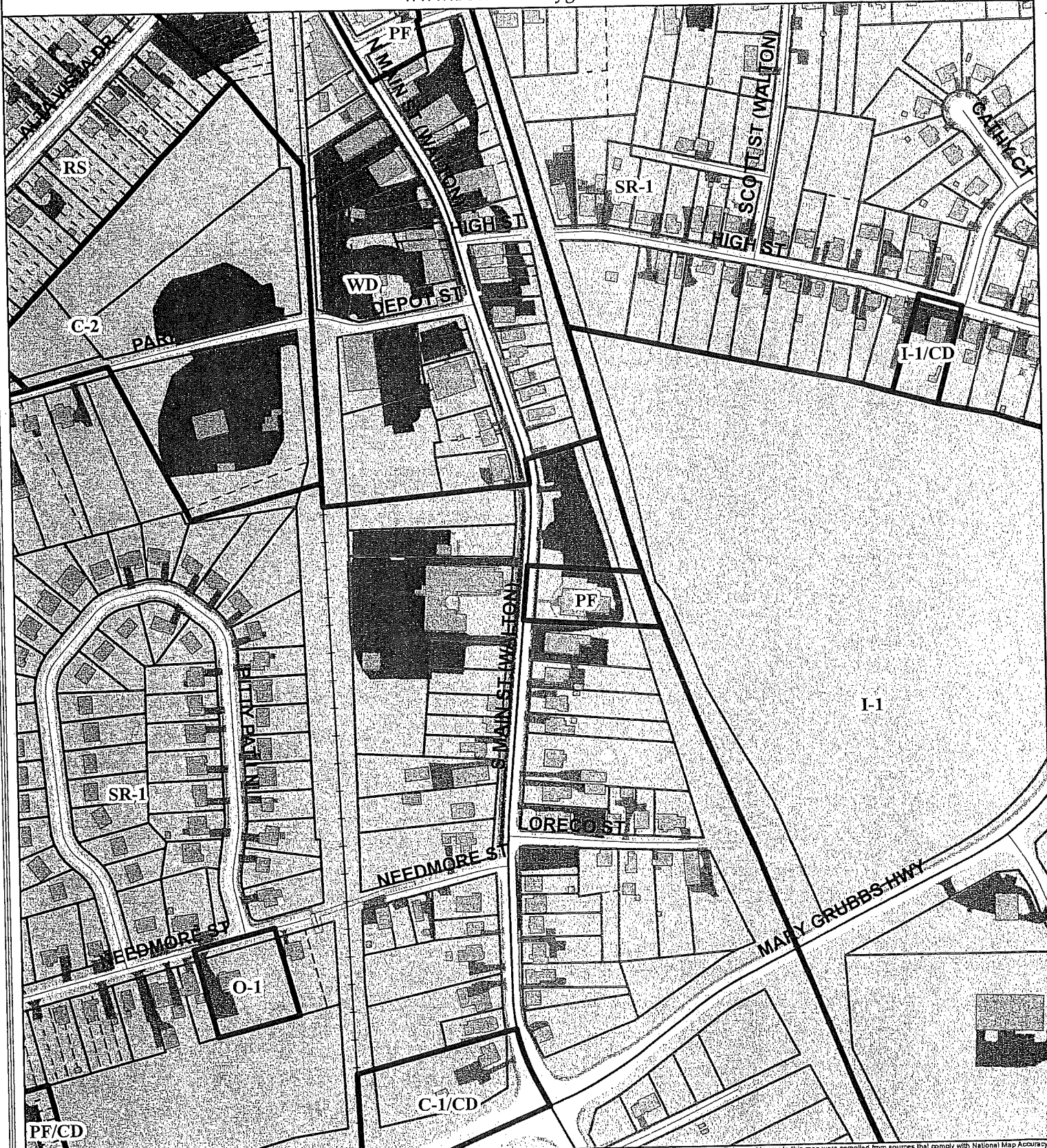


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Map File: Boone County GIS.mxd
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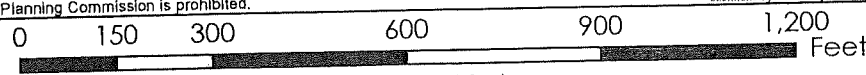
ZONING MAP

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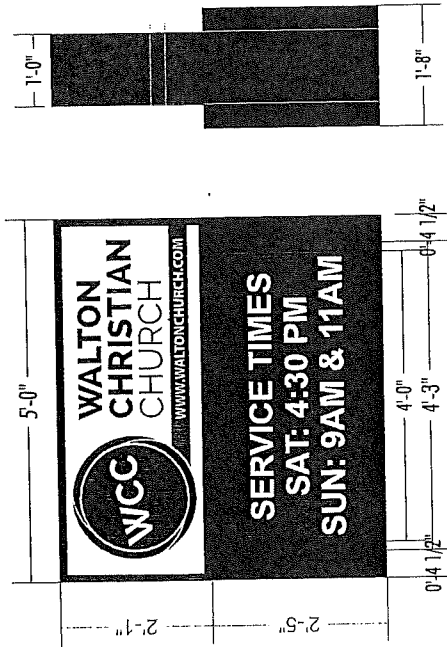
Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 07/01/2013

ArcMap Document: BooneMap (file).mxd

6/16/16 Walton Board of Adjustment



Furnish and install one (1) double face ID panel w/ LED message center

ID SIGN

- Cabinet to be aluminum construction painted black
- Faces to be flat Lexan w/ blue and dark blue vinyl copy
- Illumination w/ white LEDs
- UL Listed and Labeled

LED SIGN

- Watchfire by Time O Matic
- Line Spacing: 16MM
- LED Color: Full Color
- Cabinet Dimensions: 29" x 4'-3" x 8"
- Communications: RWF Wireless
- Temp Sensor: Included
- Software: Ignite Graphics Software



RECEIVED
 MAY 11 2016
 BOONE COUNTY
 PLANNING COMMISSION

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 IN THIS DOCUMENT ARE THE SOLE
 PROPERTY OF QUALITY SIGNS INC.
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FILE: WCC LED-6 Approved By

DATE: 4-26-16 Sales Rep. John Diersing

SCALE: 3/8" = 1' DRAWN BY: WOODY FELLINGER

**WALTON BOARD OF ADJUSTMENT
WALTON SENIOR CENTER
BUSINESS MEETING**

June 16, 2016

6:00 P.M.

Mr. Turner, Chairman, called the meeting to order at 6:00 P.M.

BOARD MEMBERS PRESENT:

Mr. Steve Turner, Chairman
Mr. Michael Bryan
Mr. Thomas Luebbe
Mr. Edward Sedor

BOARD MEMBERS NOT PRESENT

Mr. Robin Baker

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

APPROVAL OF MINUTES:

Mr. Turner stated that the Board members received copies of the minutes of the Walton Board of Adjustment meeting of December 7, 2015. Mr. Luebbe moved that they be approved and Mr. Bryan seconded the motion. Mr. Turner asked for a vote and it carried unanimously.

AGENDA ITEMS:

1. Request of Quality Signs for a Conditional Use Permit for Walton Christian Church to have an electronic message board on their monument sign. The approximate 1.45 acre lot is located at 50 S. Main Street, Walton, Kentucky and is currently zoned Public Facilities (PF) and Suburban Residential One (SR-1).

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mr. Luebbe asked if the top sign cabinet that was proposed was internally illuminated? Mr. John Diersing, with Quality Signs, responded the cabinet would be internally illuminated with light emitting diodes.

Mr. Turner asked if the applicant would like to make a presentation?

Mr. Diersing said the sign is a full matrix. You create the message in a text window and the message is made to fit the frame. The smallest the letters can be is 4 inches. Since submitting the application he learned that the manufacturer has reconfigured the boards.

They can now do 4 lines of 5½ inch copy. With 4 inch copy there can be 14 characters per line. These characters would be visible for 3 to 5 seconds when traveling at 30 mph from 200 feet away. With five inch copy there can be 11 characters per line. The characters would be visible for 5 seconds when traveling at 30 mph from 250 feet away. The sign could also show 3 lines of 7½ inch copy. With 7½ inch copy there can be 7 characters per line. The characters would be visible for 8 seconds at 30 miles from 375 feet away. The sign will contain a photocell and will dim and brighten as needed. At night the sign is 7% as bright as it is in the full sun.

Mr. Luebbe asked if the sign has the ability to display still photos? Mr. Diersing responded that it could show pictures and graphics. It could also display video but they are not permitted to do that. Mr. Luebbe asked if the sign could be programmed to be any color combination they wanted it to be? Mr. Diersing responded that was correct. This is a small sign that is located close to the road. He has gone past some large road signs that display white backgrounds at night and they can be blinding. Mr. Luebbe asked if the sign could be setup to limit the options? Mr. Diersing said the user would have to be trained to program the sign.

Mr. Sedor asked what is the area of the current sign ? Mr. Diersing said the proposed sign is about a foot taller than the existing sign. Mr. Morgan reviewed the existing and proposed sign in his PowerPoint show. The existing sign is not dimensioned and the proposed sign is shown at a height of 5'-6".

Mr. Luebbe asked why the church wanted the new sign? Mr. Diersing said the church contacted them after they spoke with an electronic sign manufacturer. The beauty of these signs is the ease of communication. Multiple messages can be displayed throughout the day. The church would no longer have to switch out the letters.

Mr. Turner noted that the Church Pastor was the only other member in the audience that may want to speak.

Mr. Turner said the biggest issue he sees is the sign is located within the historic district. He said there has been a lot of effort to keep the historic flavor of the area. He said the Walton Main Street Strategic Plan says that signage in the area should be modest and have a historic theme to it. He does not see a historical theme with the proposal. However, he does understand the appeal for the electronic sign because it can display multiple messages. The issue is trying to make it fit into a historical district. He did a Google search on historical districts and electronic signs and every place he found discouraged them.

Mr. Luebbe said his concern is that they could pass the Conditional Use Permit with a lot of conditions. Such conditions could limit the sign to blue or black backgrounds with white letters to make it fit in. However, he realizes the sign will have a lot more capabilities than that and who will police it? Mr. Morgan replied it would be a zoning enforcement issue.

Mr. Turner asked how often Staff deals with other electronic signs not complying with their conditions of approval? Mr. Morgan said he realized the Hovnanian Homes electronic sign on Frogtown Connector Road was not in compliance with the conditions as he was driving

to the meeting tonight. Hovnanian Homes went out of business and the sign is now displaying a message to call and rent the sign. Off premises advertising is not permitted on the sign. He said he will be talking with the Zoning Enforcement Officer about that issue tomorrow.

Mr. Luebbe said the electronic sign at the high school scrolls. Mr. Morgan replied that public school and state signs are exempt from zoning. He added that there are many electronic signs in the county that do not meet the rules in the zoning regulations because they are exempt from zoning.

Mr. Turner said the only way he could see the sign fitting in with the area is to make it look more like the original sign. This would limit the sign to a black background only and white copy only. Mr. Luebbe said that's why he asked if the sign could be manufactured that way. If not, you are relying on someone from the church to properly program the sign each day.

Mr. Morgan asked Mr. Diersing if the church would consider a monochrome board? The monochrome boards typically displays red or amber messages on black backgrounds. Mr. Diersing said he believes amber color letters would be appropriate. Pastor Kevin Russell said they designed the new sign to meet code. The electronic sign could only be 50% or less of the overall sign area so they had to make the overall sign a little larger. He questioned the recommended condition regarding the sign only being able to advertise church business. He said the church is involved in many community ministries, such as the food pantry, Wake up Walton, Pig Fest, etc. Mr. Morgan said he considers all those church business if the church is involved in the event. They could not advertise McDonald's in Walton Town Center.

Mr. Luebbe said he believes the Board needs to look at this closely because they will not be able to do anything about it once it is constructed. Mr. Morgan said it would be a zoning enforcement issue. The Board could look at revoking the Conditional Use Permit if it became a constant enforcement issue. Mr. Luebbe asked how often that occurs. Mr. Morgan said it hasn't happened in the 17 years he has worked for the Planning Commission. Mr. Wilson said this Board could seek revocation but it could only occur after a public hearing occurred. Normally, the Zoning Enforcement Officer tries to resolve the issue without having to cite someone to District Court. If they cannot resolve it this way, it ends up in District Court and is prosecuted by the County Attorney. Mr. Luebbe said the majority of residents that go by these signs have no idea what the rules are. He would personally like to see a sign that doesn't have all the capabilities (display bright backgrounds, videos, animation, etc.). This would prohibit the programmer from displaying these type of messages.

Mr. Morgan said he believes Mr. Luebbe is asking for a monochrome board. Mr. Turner asked if there was a sign that has the flavor that they were looking for and could fit in within the historical district? Mr. Diersing said there isn't such a sign that is produced. They do make monochrome units and the animation can be eliminated from the programming. The monochrome boards always display messages on a black background. Mr. Diersing asked Pastor Russell if he would like to stay with the full color board? He said that he would.

Mr. Turner said the sign is proposed in a historical district and they are trying to abide by the Walton Main Street Strategic Plan. As a result, they want the sign to have more of a historical look and accommodate an electronic sign at the same time. Mr. Sedor said they are not opposed to change but the Walton Strategic Plan was just approved last year. A lot of work was put into it. He has read the report many times and he believes the proposed sign is outside what was sought. Mr. Luebbe said the issue is the sign is being proposed in the historical district. Mr. Diersing said he understood their concerns but at the same time he is aware that zoning enforcement action does occur.

Mr. Turner said he believes a monochrome board would be better if colored messages are prohibited. It would also be cheaper for the church. Mr. Luebbe said he would like to see a monochrome display and determine if it fits in to the historical area. Mr. Turner said he would like to see it look like the existing sign as much as possible (black and white). Mr. Luebbe said he agrees. Mr. Diersing said they would have to go with a full color board to display white letters. He added there are monochrome boards that display amber letters. He said the color units are not all that much more. Mr. Turner said he would be okay with a condition that allowed only black backgrounds with white or amber text only.

Mr. Luebbe said the upper sign cabinet will be glowing blue at night. Mr. Turner asked Mr. Morgan if the top sign cabinet would be approved administratively if the electronic sign was not being proposed? Mr. Morgan said it would. Mr. Luebbe said the fact that the upper sign cabinet will be glowing blue and white concerns him because it is not historic looking. He questioned if having an electronic sign with a black background and blue letters would look that much different than the top cabinet. Mr. Turner said they can only address what is in front of them. They should make the sign look as appealing to a historic district as they can.

Mr. Luebbe asked if they should trust the programmers to abide by the conditions? If they don't, county zoning enforcement will need to deal with it. He feels that the entire sign doesn't fit in with the historic district but they don't have control over it. He believes the existing sign is what fits with the historic district.

Mr. Sedor said the proposal section of the report calls out that the request is to alter the existing monument sign and include an electronic message center. Mr. Morgan agreed but added that the alteration to the top cabinet would be permitted if the electronic message board was not part of the request.

Mr. Turner said they will be going against the Walton Main Street Strategic Plan if they don't approve something that looks historic. Pastor Russell asked what the vision was for the historical district? Mr. Turner said the passages from the Main Street Strategic Plan regarding signage can be found in the Staff Report. The main one is that signs should have a historical theme to them. He believes that the existing sign looks historic because it isn't bright. As a result, he would be okay with an electronic message board with a black background and white copy. Mr. Luebbe said a historic sign to him means that it is timeless. You couldn't tell if the sign was put up today or twenty or forty years ago. The sign should also match the style of the church and homes in the area. He believes the sign cabinet on the top of the sign doesn't fit but that part can be approved administratively.

Mr. Luebbe indicated that a lot of signs in the area are non-conforming structures and wouldn't be permitted today. The First Baptist Church is not located within the historical district. Mr. Morgan indicated that First Baptist cannot ask for a Conditional Use Permit for an electronic message board because the property isn't zoned Public Facilities (PF). They would have to seek a Zoning Map Amendment for a Special Sign District. This process would involve the Planning Commission making a recommendation to Walton City Council.

Mr. Luebbe asked the applicant and Pastor would they would like to do? Pastor Russell said they want to be good community citizens. They are involved in the community and are doing some good things. That's why they wanted the electronic message board. For example, it will allow them to advertise they have a food pantry on Tuesdays and Thursdays. He also understands if the Board wants to uphold the vision that is being planned for the Walton Main Street District. Mr. Luebbe said the Board is just trying to uphold what is written in the plan. A lot of people had a voice in the document.

Mr. Turner said the issue is the design of the sign and the proposed colors. Mr. Luebbe asked if they could approve the request and condition the colors being used? Mr. Morgan said he has a recommended condition (Staff Comment 3D.) that deals with that issue. Mr. Luebbe said that recommended condition would address his concern. Mr. Turner said he would like to see it limited to black backgrounds with white or amber text. Mr. Morgan said the condition could be worded however the Board wants it. Mr. Luebbe asked if the condition would prohibit them from doing still photos? Mr. Turner said they should limit photos because white or amber colored pictures wouldn't look good. He said he would be in favor of those conditions because it would provide the church the convenience of an electronic sign without being too flashy for the historic district.

Mr. Diersing asked if they could display flags and religious symbols? Mr. Turner said they would still have to comply with the black background with white or amber copy condition. Mr. Morgan said certain things such as displaying a church cross would be covered by the freedom of speech or religion. Mr. Luebbe said maybe they should remove the language "no pictures" from any motion and limit the sign to a black background with white or amber copy. Mr. Wilson said that would be best because they wouldn't be regulating content.

Mr. Luebbe made a motion to approve with the request with the following conditions:

1. The sign shall be constructed as presented unless modified by other conditions below.
2. Electronic messages shall be held for a minimum of 5 seconds and shall not contain any apparent visual motion (running messages, scrolling messages, flashing messages, moving patterns or boards of light, animation effects, videos, live feeds, etc.).
3. All electronic messages shall be displayed in white or amber copy with black backgrounds. The property owner shall work with the City of Walton and Boone County Planning Commission Staff to resolve any lighting issues (brightness, glare, etc.) that are caused by the subject sign on public rights-of-way.

4. No electronic message shall contain more than 4 lines of text.
5. The sign shall have a photocell or dimmer and the electronic messages shall dim as the sky gets darker.
6. The sign shall only be used to advertise church business.

Mr. Bryan seconded the motion. Mr. Turner called for the vote and it carried unanimously.

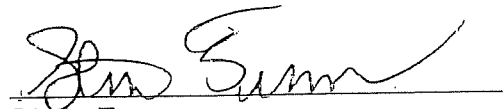
OTHER

No other business was discussed.

ADJOURNMENT

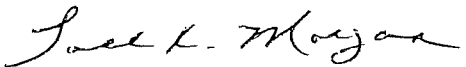
Mr. Turner asked for a motion to adjourn. Mr. Luebbe so moved and Mr. Bryan seconded the motion. The motion carried by unanimous consent and the meeting adjourned at 6:47 P.M.

APPROVED



Steve Turner
Chairman

Attest:



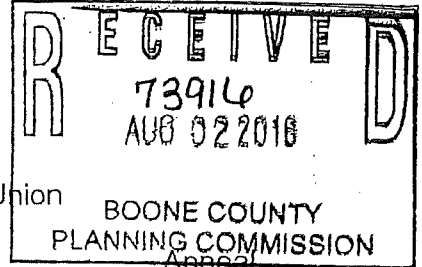
Todd K. Morgan, AICP
Senior Planner, Zoning Services

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

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 JOHN DIERSING FOR QUALITY SIGNS
Applicant's Address 1530 PRODUCTION DR.
BURLINGTON KY 41005
City State Zip
Phone Number 859-525-9966 Fax No. 859-525-0304 E-Mail JDIERSING.QUALITYSIGNS@FUSE.NE
- 4. Description of Request: REPLACE EXISTING MONUMENT SIGN W/NEW, NEW TO HAVE FULL COLOR ELECTRONIC MSG. CTR.
- 5. Name of Development WALTON CHRISTIAN CHURCH
- 6. Location of Development 50 SOUTH MAIN ST., WALTON, KY
- 7. Acreage Under Review _____
- 8. Lot Number and Name of Subdivision (if part of a subdivision) _____
- 9. Owner of Property WALTON CHRISTIAN CHURCH
Address of Property Owner 50 SOUTH MAIN ST., WALTON, KY
- 10. WALTON KY 41094
City State Zip
Phone Number 859-485-4591 Fax No. _____ E-Mail wcc@fuse.net
- 11. Proposed Use(s) on Site CHURCH
- 12. Total Square Footage of Existing and/or Proposed Buildings _____
- 13. Current Zoning on Property PF
- 14. Deed Book 249 Page No. 48 Group No. 2081B
- 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. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: John Diering
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)