

RECEIVED
DEC 21 1992

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 MAGNUM TRUCK WASH - Roger Williams
Phone Number 317-848-5962 606-485-6438
Applicant's Address 555 Zang St #100
LAKewood COLORADO 80228
City State Zip
4. Description of Request: Sign VARIANCE
5. Name of Development MAGNUM TRUCK WASH
6. Location of Development 13050 WALTON-VERONA Rd
WALTON Ky.
7. Acreage Under Review 5000 SF.
8. Lot Number and Name of Subdivision (if part of a subdivision)
NA
9. Owner of Property J.T. Dosssett
Phone Number 606-567-8751
10. Address of Property Owner P.O. Box 69
WARSAW Ky 41095
City State Zip
11. Proposed Use(s) On Site TRUCK WASH
12. Total Square Footage of Existing and/or Proposed Buildings
5000 SF.
- * 13. Current Zoning on Property C-1
14. Deed Book 310 Page No. 277 Group No. 2086A
15. Is the site subject to a zone change? NO
If yes, give date of approval N/A
16. Have you submitted a Site Plan with this request? ON FILE
17. Have you submitted a list of adjoining property owners with this request? Yes
18. Applicant's Signature: Roger Williams
19. Property Owner's Signature: [Signature]

* LEASE FROM J.T. Dosssett (81 inc.)

SECTION B

(To be completed by Boone County Planning Commission Staff)

- 1. Date Received 12-18-92
- 2. Fee Received \$466.00 R 8285
- 3. Is application complete? Yes No
- 4. Staff Reviewer Jeff Hayes
- 5. Scheduled Board Action Date Jan 20, 1993
- 6. Board Action:
 - Approval
 - Approved with Conditions (See #7)
 - Disapproved (See #8)
- 7. Conditions: See Minutes
- 8. Reasons for Disapproval:

STAFF REPORT

DEVELOPMENT: Magnum Truck Wash
APPLICANT: Magnum Truck Wash
LOCATION: 13050 Walton-Verona Road, Walton, Kentucky
ZONING: Commercial Three (C-3)
DATE: January 20, 1993

REMARKS:

The applicant is requesting a Variance for an existing sign which faces Interstate I-75. Magnum Truck Wash is located at 13050 Walton-Verona Road in Walton, Kentucky. This property is zoned Commercial Three (C-3) and is owned by J. T. Dossett (See Sheet 1).

The Boone County Zoning Regulations indicate that a business establishment may be permitted one flat or wall on-premises sign for each frontage directly on, or with high visibility from any arterial, collector, or marginal access road. 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. According to the zoning regulations the maximum size sign that the applicant would be permitted is 213 square feet. The existing sign is approximately 492 square feet, which would be more than double the allowable square footage (See Sheet 2).

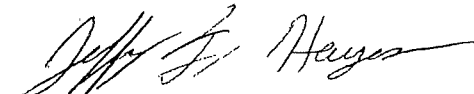
The applicant has indicated that he didn't realize that a sign permit was required for a sign which was painted on the wall. This is why he installed the sign without proper approval. This zoning violation was caught on June 5, 1992 on a routine follow up site inspection.

Staff believes that the applicant's request for the sign Variance may have an adverse affect on the character of the area if other businesses want the same consideration for their business. The Magnum Truck Wash sign is a low key sign because it is painted on the wall of the building, unlike a pole sign which is visible from great distances. Therefore, permitting the increase in square footage for this sign would not make a significant visual impact within the area. In addition, the applicant is requesting this Variance because of the expensive alternative, which is to repaint the sign so that it conforms with the zoning regulations if the Variance is not granted.

STAFF CONCERNS:

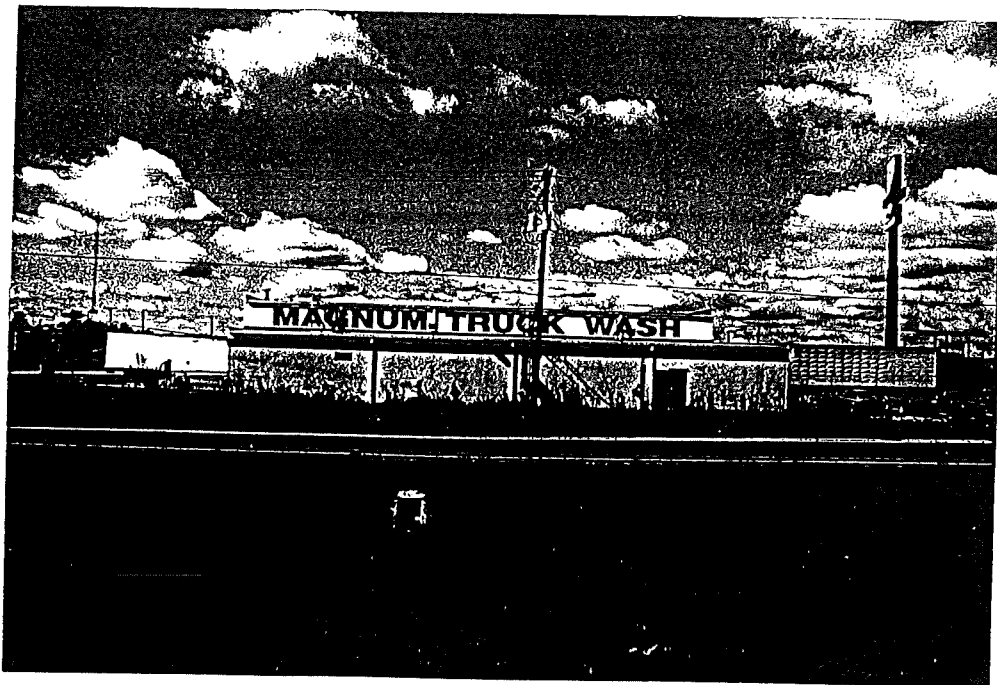
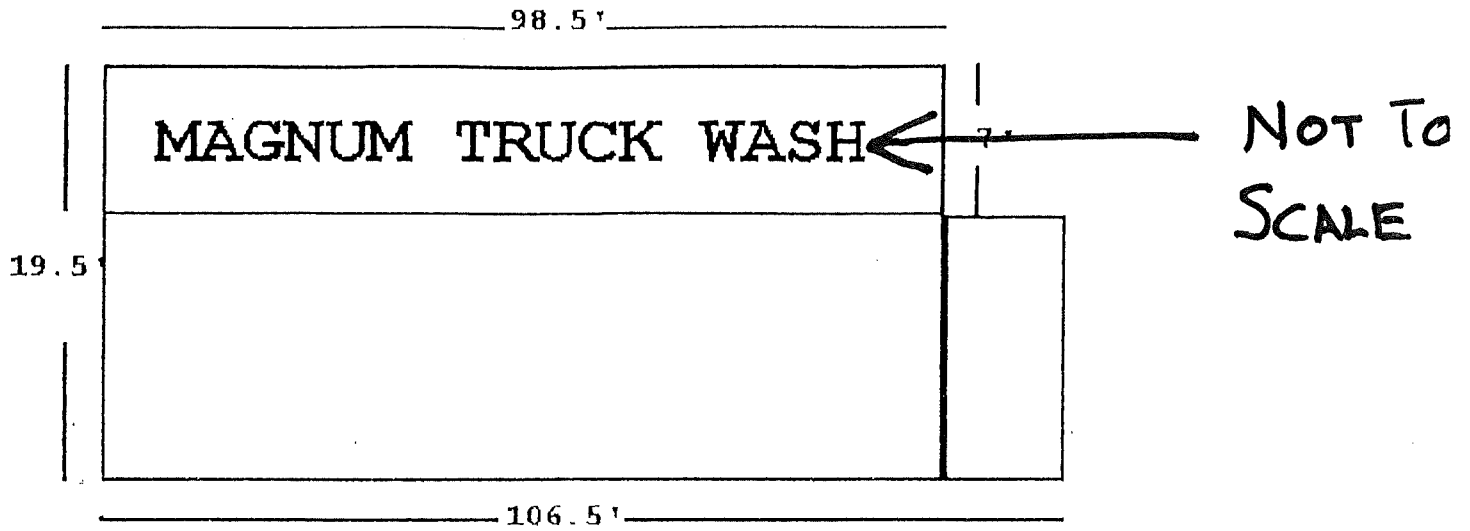
1. If the Variance is granted it may allow an unreasonable circumvention of the requirements of the Zoning Regulations regarding the size of signs in the area around the interchange.
2. If the Variance is granted Staff recommends that a condition be established which permits the Variance for Magnum Truck Wash only and not a transfer to future owners.

Respectfully Submitted,



Jeffrey F. Hayes
Planner I

VIEW OF EAST SIDE OF BUILDING (SIGN LOCATION)



SHEET
2

EXISTING SIGN

COPY

NO. 93-WBOA-001

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

J.T. Dossett
P.O. Box 69
Warsaw, Kentucky 41095

2. ADDRESS OF PROPERTY

13050 Walton-Verona Rd
Walton, Kentucky 41094

3.

NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)
Magnum Truck Wash

DEED BOOK: 310

PAGE NO.: 277

GROUP NO.: 2086A

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

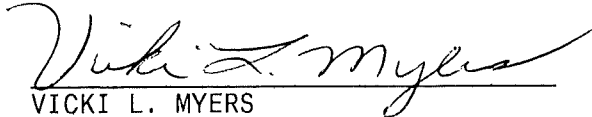

SIGNATURE OF COMPLETING OFFICIAL

Jeffrey F. Hayes/Planner I
NAME AND TITLE OF COMPLETING OFFICIAL
(type or print)

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Jeffrey F. Hayes on
behalf of the Boone County Planning Commission this 15th day
of June, 1993.

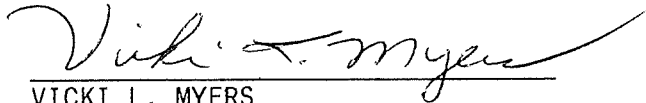


VICKI L. MYERS
NOTARY PUBLIC, State at Large

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.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance as approved by the Walton Board of Adjustments and in accordance with the current zoning in effect as of January 20, 1993, (Certificate of Land Use Restriction # 93-WBOA-001), for J.T. Dossett, property owner.

The following conditions apply: (1). The sign shall be brought into conformance with the Boone County Sign Regulations by January 1995. (2). No additional signs shall be permitted until this sign is corrected.

The approved Variance as well as the preceding conditions apply to the property described in: DEED BOOK 310 PAGE NO. 277 Group No. 2086A