

**FLORENCE BOARD OF ADJUSTMENT  
FLORENCE GOVERNMENT CENTER  
BUSINESS MEETING  
AUGUST 12, 2015  
7:00 P.M.**

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Ms. Evans called the meeting to order at 7:00 P.M.

**BOARD MEMBERS PRESENT**

Ms. Lois Evans, Vice-Chairwoman  
Mr. Larry Brown  
Mr. Louis Kelly  
Mrs. Linda Schaffer

**BOARD MEMBERS NOT PRESENT**

Mr. Timothy Pieper, Chairman

**LEGAL COUNSEL PRESENT**

Mr. Dale Wilson

**APPROVAL OF THE MINUTES**

Ms. Evans stated the Board members received copies of the minutes of the Florence Board of Adjustment meeting of July 8, 2015. She asked if there were any comments or corrections? Mr. Brown made a motion to approve the minutes as written and Mr. Kelly seconded the motion. Ms. Evans called for a vote and it carried unanimously.

**AGENDA ITEMS**

- 1. Request of Triumph Signs & Consulting for Speedway for a Conditional Use Permit and a Variance. The Conditional Use Permit is to allow a gasoline price sign on a pole sign to be replaced with an electronically changeable (LED) price panel. The Variance is to reduce the 660 foot spacing requirement between electronic signs. The Speedway is in a Commercial Services/Planned Development/Parkway Corridor Study Overlay (C-3/PD/PO) zoning district. The 1.469 acre site is located at 7690 Burlington Pike, Florence, Kentucky.**

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

Mr. Brown asked if part of the proposal is to remove the lamps from the existing sign? Ms. April Matson, with Triumph Signs, said she was present on behalf of Speedway. She indicated the lamps would be removed to help the sign become more aesthetically pleasing.

Ms. Matson said one of the main issues Speedway is facing is the existing price panel is outdated and it's difficult to find parts for repairs. As a result, there can be delays fixing the sign and cause incorrect fuel prices to be displayed. They believe the proposed price panel will have much better aesthetic appeal than the existing price panel. The proposal also shows that Speedway is invested in the property and community. The sign will not flash and will only change when the fuel price changes. The sign will self adjust automatically to ambient lighting.

Mr. Kelly asked Ms. Matson if she had a chance to review the Staff comments? Ms. Matson said Speedway would like the pole to be painted red to match their branding. The smaller freestanding sign near KY 18 has a red pole and they would like the two signs to have a uniform look. However, getting the updated price panel is the key component of their request and they would be willing to negotiate on the pole color if the Board feels strongly about it.

Mrs. Schaffer said she agrees with the draft conditions found in the Staff Report. She recommend adding an additional condition which would require the sign to be constructed as presented unless it were modified by other conditions. This would cover the lamps being removed from the sign and a limitation that only fuel price would be displayed. This would prohibit the price panel changing from a cash price to a credit price. Ms. Matson said their application is to display one price in one color and to change the price only when that fuel price changes.

Mrs. Schaffer said she views painting the pole red as branding and that can be considered additional signage. Mr. Morgan said he drafted the condition because the overall sign is approximately 108 feet tall. He felt that repainting the pole grey would be more aesthetically pleasing because the color blends in with the sky.

Mrs. Schaffer said she is fine with limiting the price to one color. She asked if they should limit the price to red? Mr. Morgan said he does not recommend limiting the price panel to a specific color because there were a couple cases where BP wanted to change their permitted color from red to green and they had to come back to the Board to alter the condition. Mr. Brown asked if they could limit the colors? Mr. Morgan responded they could limit the color to red or green. These are the two customary colors that are used on LED fuel price panels. Ms. Matson said diesel prices are typically displayed in green and the other grades are displayed in red. Mr. Kelly said he has no problem with them advertising a single price in red or green LED. This would give them the flexibility to advertise an unleaded or diesel price.

Ms. Evans asked if anyone had any additional comments? There was no response.

**Mr. Kelly made a motion to approve the requests based on the Staff Report and applicable Zoning Regulations. His motion included the following conditions:**

- 1. The sign shall be constructed as presented unless modified by other conditions listed below.**
- 2. The electronic sign shall only advertise one fuel price.**
- 3. The fuel price shall be displayed in red or green LED.**
- 4. The fuel price shall not flash, scroll, run, or contain any apparent visual motion.**
- 5. A photocell shall be provided in the sign and all the fuel price shall dim as the sky gets darker.**
- 6. The pole shall not be painted red. It shall be painted grey to match or closely resemble the existing color.**

7. **The existing lamps and associated mounting structure shall be removed from the pole sign.**

**Mrs. Schaffer seconded the motion.**

**Ms. Evans called for the vote and it carried unanimously.**

**OTHER**

No other business was discussed.

**ADJOURNMENT**

Ms. Evans asked for a motion to adjourn. Mr. Brown so moved and Mrs. Schaffer seconded the motion. Ms. Evans called for a vote and the meeting adjourned by unanimous consent at 7:21 P.M.

**APPROVED**

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**Lois Evans, Vice Chairwoman**

**Attest:**

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**Todd K. Morgan, AICP  
Senior Planner, Zoning Services**