

**FLORENCE BOARD OF ADJUSTMENT
FLORENCE CITY BUILDING
BUSINESS MEETING
October 8, 2008
7:00 P.M.**

Mr. Pieper, Chairman, called the meeting to order at 7:04 PM.

BOARD MEMBERS PRESENT:

Mr. Pieper – Chairman
Ms. Evans – Vice Chair
Mrs. Schaffer
Mr. Schneider
Mr. Sparks - Secretary/Treasurer

All members were present.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Pieper stated that the Board members received copies of the Minutes of the Florence Board of Adjustment Meeting of September 10, 2008. He asked if there were any comments or corrections. There being no changes to the minutes, Ms. Evans moved that they be approved as written. Mr. Pieper seconded the motion and it carried unanimously.

Agenda Items:

- 1. The request of Deters Company for a Conditional Use Permit to change the color of an electronically changeable fuel panel on a free-standing sign from red to green for property located at 8432 U.S. 42, Florence, Kentucky. The property is currently zoned Commercial Two/Planned Development (C-2/PD).**

Staff Member Todd Morgan, AICP, presented a summary of the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Dave Wittekand, Director of Operations for the Deters Company, stated that he was told that the color of the sign would be red, but everything that BP does is green. He stated that everything will be the same as approved for the last request, except that the color will be green.

In response to a question from Mrs. Schaffer regarding Staff Comment #4, Mr. Wittekand submitted information from the installation manual provided by the company that will be installing the sign (see Exhibit 1). He stated that the sign has a dimmer and the setting can be adjusted from 000 (no light) to 999 (full brightness). The sign changes automatically – as the night gets darker, the sign gets dimmer. Mr. Morgan recommended a condition that the applicant will work with Staff if the sign is abnormally bright.

In response to a question from the Chairman, Mr. Wittekand stated that there is no diesel fuel on the site. There is only regular gasoline and the sign will be green. Mr. Morgan stated that the bottom 32 square foot panel would have green copy instead of red copy. Mrs. Schaffer noted that there is no electronic message board on the sign.

There being no further discussion, **Mrs. Schaffer moved to approve the request, based on the Staff Report, with the following conditions: (1) Staff Comment 5. A., B., and C., (2) a photocell is to be provided in the proposed sign, and (3) the applicant will work with Staff in regard to the brightness if the sign is abnormally bright.**

Ms. Evans questioned if the Board will be looking at Conditional Use Permits for all of these types of signs to be one or two colors. Mr. Sparks stated that in the past the Board has required red on all of the signs. Mr. Morgan stated that the county Board has allowed green on the signs. Ms. Evans asked if overall the Board should try to limit the number of colors. She stated that she understands that green would be more harmonious with the green branding of BP's colors. Mr. Wittekand stated that green was not his choice – it was dictated by BP.

Mrs. Schaffer stated that the Board does not want signs with multiple colors. She questioned what colors there are for the signs besides red, green and amber. Mr. Morgan stated that a full-color board is more expensive and these types of gas signs typically do not come with a full range of colors. Ms. Evans questioned the Board's intent. Mr. Morgan stated that gas price signs are normally proposed to be red or green or both. Mr. Wittekand stated that 95% of gas price signs are red (Speedway, Shell, etc.), but BP uses green.

There being no further discussion, **Chairman Pieper seconded the motion made by Mrs. Schaffer and it carried unanimously.**

2. **The request of Deters Company for a Conditional Use Permit to change the color of an electronically changeable fuel panel on a free-standing sign from**

red to green for property located 7230 Turfway Road, Florence, Kentucky. The property is currently zoned Commercial Two (C-2).

Staff Member Todd Morgan, AICP, presented an abbreviated summary of the Staff Report, which included a Power Point presentation, as this request was similar to Agenda Item #1 (see Staff Report).

Ms. Evans asked if the lottery sign is still on the pole. Mr. Witttekand responded that it is still there because they have not started the process. Mr. Morgan recommended that the condition be retained.

There being no further discussion, Mrs. Schaffer moved to approve the request, based on the Staff Report, with the following conditions: (1) Staff Comment 5. A., B., and C., (2) a photocell is to be provided in the proposed sign, and (3) the applicant will work with Staff in regard to the brightness if the sign is abnormally bright. Chairman Pieper seconded the motion and it carried unanimously.

There being no further business to come before the Board, Ms. Evans moved to adjourn. Mrs. Schaffer seconded the motion. The meeting was adjourned by unanimous consent at 7:40 PM.

APPROVED:

Timothy Pieper, Chairman

Attest:

Jan Hancock, Recording Secretary

Exhibit 1 – (Agenda Items #1 and #2) Addendum to Revision 14, Blair Companies' Numeric LED System Installation Manual, submitted by Dave Witttekand