

**BOONE COUNTY BOARD OF ADJUSTMENT
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
NOVEMBER 8, 2017
6:00 P.M.**

Mr. Whitton called the meeting to order at 6:01 P.M.

BOARD MEMBERS PRESENT:

Mr. George Whitton, Chairman
Mrs. Sherry Hempfling
Mr. Richard Miller
Mr. Chris Vaught

BOARD MEMBERS NOT PRESENT:

Mr. Justin Bailey

STAFF MEMBERS PRESENT:

Mr. Todd Morgan, AICP, Senior Planner

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

APPROVAL OF MINUTES

Mr. Whitton stated the Board members received copies of the minutes of the Boone County Board of Adjustment meeting of October 11, 2017. He asked if there were any comments or corrections? Mr. Vaught moved to approve the minutes and Mr. Miller seconded the motion. Mr. Whitton called for the vote and it carried unanimously.

ACTION ON REVIEWS

1. Request of **Quality Signs** for a Conditional Use Permit to allow an electronic message center to be installed on an existing freestanding sign. The approximate 1.66 acre site is located at the northwest corner of the North Bend Road/Petersburg Road intersection, Boone County, Kentucky. The property contains a multi-tenant building with Hebron Corner Mart (2006 Petersburg Road) and is currently zoned Commercial Two (C-2).

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

Mrs. Hempfling asked if there would be signage from the ground up? Mr. Morgan replied the electronic message center (EMC) cabinet would be installed where the Papa D's sign cabinet is now. The Papa D's cabinet and all the others would be moved downwards 2'-5". Mr. Miller said there are a lot of shrubs at ground level which could interfere with the visibility of the bottom sign cabinets. Mr. Morgan agreed and reviewed the slides.

Mrs. Hempfling asked which businesses would be permitted to advertise on the sign? Mr. Morgan said to his knowledge it would be all the tenants in the subject building but he will let the applicant confirm that is accurate.

Mr. Justin Klekamp said the sign drawing that was submitted is no longer accurate. The owner of Papa D's Pizza recently informed him that he would be retiring and not renewing his lease. He plans on removing the Papa D's cabinet from the sign and the new tenant will be able to use the vacant tenant panel on the bottom of the sign. Mr. John Diersing, with Quality Signs, said the Papa D's cabinet is 2' tall.

Mr. Morgan said the zoning code allows the center to have up to a 30' tall, 200 square foot architectural freestanding sign as a matter of right. He said the Board should impose a condition if they want to limit the size of the overall sign as presented by Mr. Klekamp.

Mr. Whitton asked the applicant to address the three questions found in the Staff Report.

Mr. Klekamp said the 6 tenants in the building would be permitted to advertise on the sign. The tenants are currently Hebron Corner Mart, A+ Nails, McPhee's Arts and Gifts, Yum Yum Japanese Express, Smith Martial Arts Center, and Papa D's Pizza.

Mr. Diersing said he recommends that no more than 3 lines of text should be displayed on the EMC at any given time. He said the EMC has the capability of displaying 6 lines of 3" copy but that wouldn't benefit anybody unless they were standing in close proximity to the sign. He passed out an exhibit showing the EMC with 2 lines of 7" text and 1 line of 5" text (see Exhibit 1). The EMC would have the ability to display 3 lines of 7" text. 5" copy is viewable from approximately 250' away and 7" copy is viewable from approximately 350' away.

Mr. Whitton asked if the EMC would advertise any off-premise tenants? Mr. Klekamp and Mr. Diersing said it would not.

Mr. Whitton asked how long each message would be held before a new one appeared? Mr. Klekamp said a 10 second hold time is long. He is familiar with these types of signs because he has them at 2 other properties. He would like to propose a comprise of a 7 to 8 second hold time. Mr. Diersing said billboards on the expressway are required to have an 8 second time and they are substantially larger than the 14 square foot sign that is being with this request.

Mr. Whitton asked the applicant to confirm the EMC would have a 12 mm pixel pitch and dimmer. Mr. Diersing agreed. He added the proposed sign will display a very nice image or photo.

Mr. Whitton asked if the applicant had any issue with Staff's recommendation about bright colored backgrounds? Mr. Klekamp said they would accept the condition.

Mrs. Hempfling asked if the applicant could address the need for the sign and how it will benefit the tenants? Mr. Klekamp said it's an older shopping center with small businesses. The County recently changed the traffic pattern on Hebron Park Drive. Motorists are no longer permitted to turn left on KY 20 from Hebron Park Drive and it has hurt tenants sales a little bit. They are hoping this sign will allow their tenants to compete with the bigger businesses across the street.

Mrs. Hempfling asked Mr. Klekamp if he will control the messages? Mr. Klekamp replied that he will have full control over the messages and is familiar with these types of signs.

Mr. Whitton asked if anyone else in the audience wanted to speak regarding the request? There was no response.

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

- 1. The overall sign shall be constructed as presented.**
- 2. The electronic message center shall only display still photos and alphanumeric messages. The messages shall not contain any apparent motion (video, flashing messages, scrolling messages, running messages, moving patterns or boards of light, illusion of moving objects, rotating shapes or similar animation effects, etc.).**
- 3. No more than three lines of text and/or graphics shall be displayed at any given time.**
- 4. Any message and accompanying background shall be displayed on the screen for a minimum of seven (7) seconds.**
- 5. The electronic message center shall have a 12 millimeter pixel pitch or better resolution.**
- 6. The electronic message center shall be equipped with a dimmer and messages shall dim as the sky gets darker.**
- 7. Bright colored sign backgrounds shall not be used on the electronic message center. The property owner shall work with Boone County Planning Commission to resolve any lighting issues (brightness, glare, etc.) that are caused by the subject sign on KY 237, KY 20, or adjoining properties.**
- 8. Off premise-businesses shall be prohibited from advertng on the sign.**

Mr. Vaught seconded the motion. Mr. Whitton called for a vote and it carried 4-0.

ADJOURNMENT

Mr. Whitton asked for a motion to adjourn the meeting. Mr. Vaught made a motion to adjourn and Mr. Miller seconded the motion. Mr. Whitton called for the vote and the meeting was adjourned by unanimous consent at 6:27 p.m.

APPROVED

Mr. George Whitton, Chairman

ATTEST:

Todd K. Morgan, AICP
Senior Planner

Exhibit

1. Sign Drawing With Character Heights Submitted by John Diersing