

**FLORENCE BOARD OF ADJUSTMENT
FLORENCE GOVERNMENT CENTER
COUNCIL CHAMBERS
BUSINESS MEETING
AUGUST 19, 2021
6:30 P.M.**

Chairwoman Begley called the meeting to order at 6:30 P.M.

BOARD MEMBERS PRESENT:

Mrs. Dee Begley
Ms. Lois Evans
Mrs. Linda Schaffer
Mr. Kenneth Vaught

BOARD MEMBERS NOT PRESENT:

Mr. Duane Froelicher

STAFF MEMBERS PRESENT:

Mr. Todd K. Morgan, AICP, Senior Planner

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

APPROVAL OF MINUTES

Mrs. Begley stated the Board received copies of the minutes of the Florence Board of Adjustment meeting of July 21, 2021. She asked if there were any other comments or corrections. Mr. Vaught moved to approve the minutes and Ms. Evans seconded the motion. Mrs. Schaffer said she would abstain because she didn't have a chance to read them. Mrs. Begley called for the vote and it carried unanimously.

ACTION ON REVIEWS

1. Request of McBride Dale Clarion for a Conditional Use Permit. The Conditional Use Permit is to allow a digital fuel price sign on the western face of Speedway's proposed fuel canopy. The approximate 1.41 acre site is located at 985 Burlington Pike, Florence, Kentucky and is zoned Commercial Two (C-2).

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

Mr. Foelicher arrived during the Staff Presentation.

Mrs. Schaffer said the Board has approved many of these LED pricer signs in Florence. She asked if the Board had imposed any other conditions. Mr. Morgan replied that there was another condition the Board used to impose and he no longer recommends it. Previous conditions limited LED price panels to a specific color, like red or green, and there were cases where some BP stations changed to Shell stations and they asked to change the color from green to red. These requests had to come back to the board to modify the condition. Mrs. Schaffer asked if they could add some language to the recommended condition indicating that the price could only be displayed in one color. This would eliminate the possibility the price could be advertised in multiple colors. Mr. Morgan said he had no issue with that as long as the Board was agreeable. He added that he heard that 7/11 bought Speedway so it's possible they could change color schemes in the future. Mr. Chris Barson indicated that Speedway uses a red color scheme and 7/11 uses white.

Mr. Froelicher asked if the Board is setting a precedent in anyway. Mr. Morgan replied that a lot of the gas stations in the City of Florence have converted prices to LED panels. These electronic signs are only permitted in C-2 and C-3 districts and require Conditional Use Permit approval from this Board. The only other way an electronic sign can be approved is for a Special Sign District application to be approved. Special Sign District are acted on by Florence City Council.

Mr. Rob Sweet, with McBride Dale Clarion, thanked Staff for working with them. He indicated that Mr. Barson is the construction manager for the project. He said this project is really a reaction to the Duke Energy project. They had until June 1st to relocate the freestanding sign out of the Duke utility easement. The new sign location is a little harder to see as drivers are coming eastbound on KY 18 so they are proposing the 15 square foot price panel on the western face of the canopy. The sign will contain one red LED price and it will not flash, scroll, or run. They are not convinced that 7/11 will ever take over this site or change the color scheme. 7/11 has bought the name of Speedway and they are evaluating which sites they want to change to 7/11. They are doing a number of other improvements as part of the scope of work. These include removing the underground tanks out of the easement, replacing the fuel canopy, adding more fuel dispensers, adding a shed, adding parking and landscaping, and demolishing the car wash. They believe the fuel price panel will promote safety because KY 18 has rolling topography and it will allow drivers to better see the sign from a distance.

Mr. Froelicher asked a question about 7/11. Mr. Barson replied that they don't know much about what 7/11 is going to do. They have a lot of locations in the eastern and western parts of the country and hardly any in the Midwest. It's possible they could leave the Speedway name in the Midwest because the name is better known.

Mr. Vaught made a motion to approve the application based on the Conditional Use Permit criteria and with the following conditions:

1. The sign shall be constructed as presented and only display an unleaded fuel price in one color. The color can be red, green, or white.

2. The fuel price shall not have any apparent motion (flashing, scrolling, running, etc.).

Mr. Froelicher seconded the motion. Mrs. Begley called for the vote and it passed unanimously.

OTHER

Mrs. Begley asked if there was anything other to discuss. There was no response.

ADJOURNMENT

Ms. Evans made a motion to adjourn the meeting and Mrs. Schaffer seconded the motion. Mrs. Begley called for the vote and the meeting was adjourned by unanimous consent at 7:00 P.M.

APPROVED

Mrs. Dee Begley

ATTEST:

Todd K. Morgan, AICP
Senior Planner