

Board of Zoning Adjustment

Staff Report

June 17, 2019



Case No:	19VARIANCE1051
Project Name:	Lynnview Signature Entrance Sign
Location:	Parcel 084030000000
Owner(s):	City of Lynnview
Applicant:	City of Lynnview
Jurisdiction:	Louisville Metro
Council District:	21 – Nicole George
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Variance** from table 4.4.1 to allow a signature entrance sign to exceed the 5 foot maximum height by up to 5 feet.

CASE SUMMARY/BACKGROUND

The applicant is proposing to replace an existing signature entrance sign on a parcel of land located at the intersection of Preston Hwy, Preston Dr and Pigeon Pass Rd to identify the City of Lynnview. The parcel is approximately 15.35 feet wide, and the proposed sign would be setback a maximum of 1 foot from the Preston Hwy right-of-way. Per table 4.4.1, the maximum height for a signature entrance sign setback 1 foot from the right-of-way would be 5 feet. The applicant is proposing to construct the sign at 10 feet tall.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCES

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The requested variance will not adversely affect the public health, safety or welfare, as it is set back far enough from the intersection to allow for adequate site lines for traffic in all adjacent rights-of-way.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity, as it replaces a similar older sign in roughly the same position on the subject property.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public, as the location will maximize setback from the nearby intersection and will replace an old sign that is in disrepair.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations, as the sign is of a reasonable size but located on an exceptionally narrow parcel.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The requested variance arises from special circumstances, in that the subject property is extremely narrow and surrounded by rights-of-way on 3 sides.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would not deprive the applicant of the reasonable use of the land.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are not the result of actions of the applicant.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Variance**

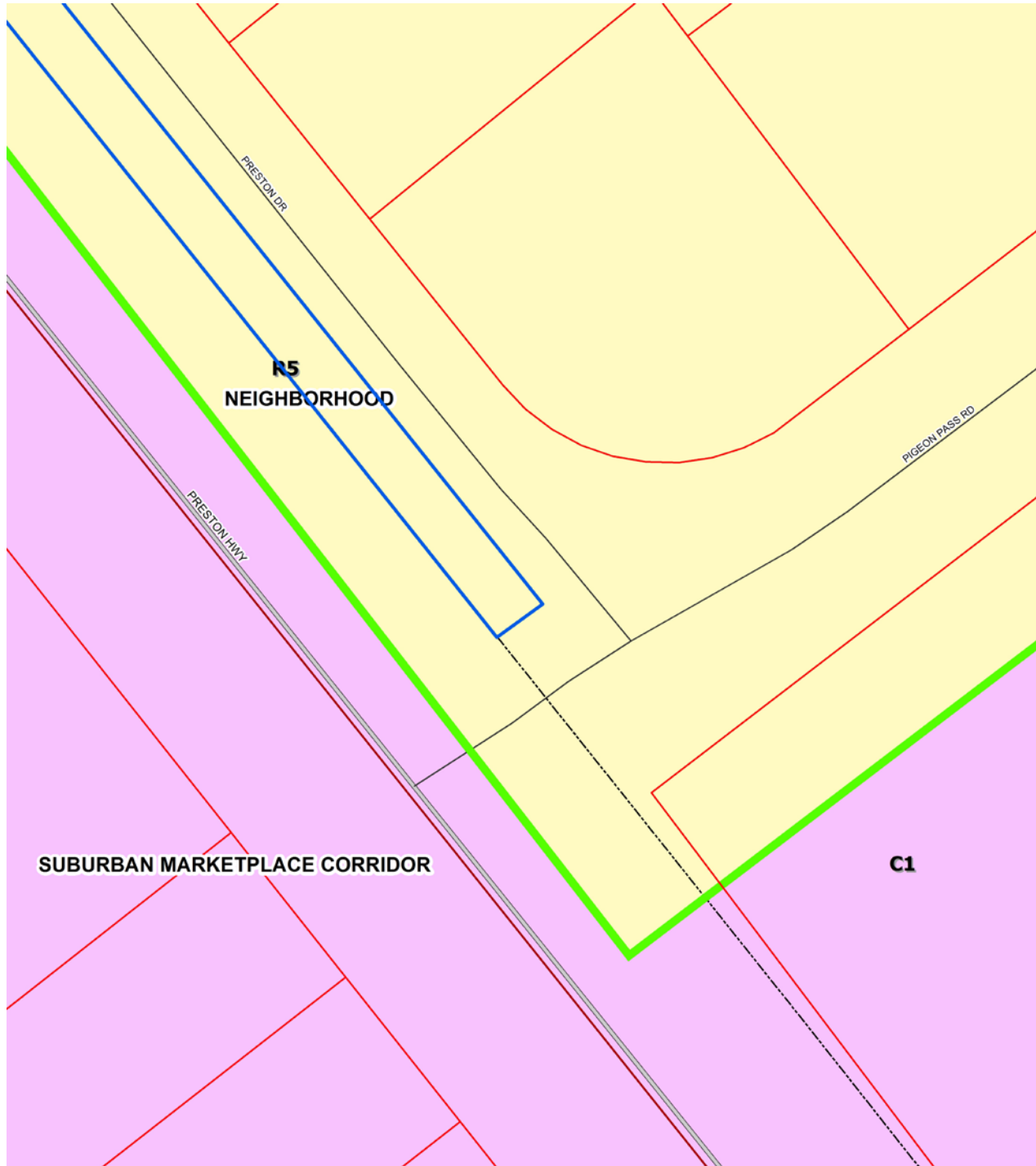
NOTIFICATION

Date	Purpose of Notice	Recipients
5-31-19	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 21

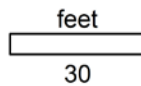
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map

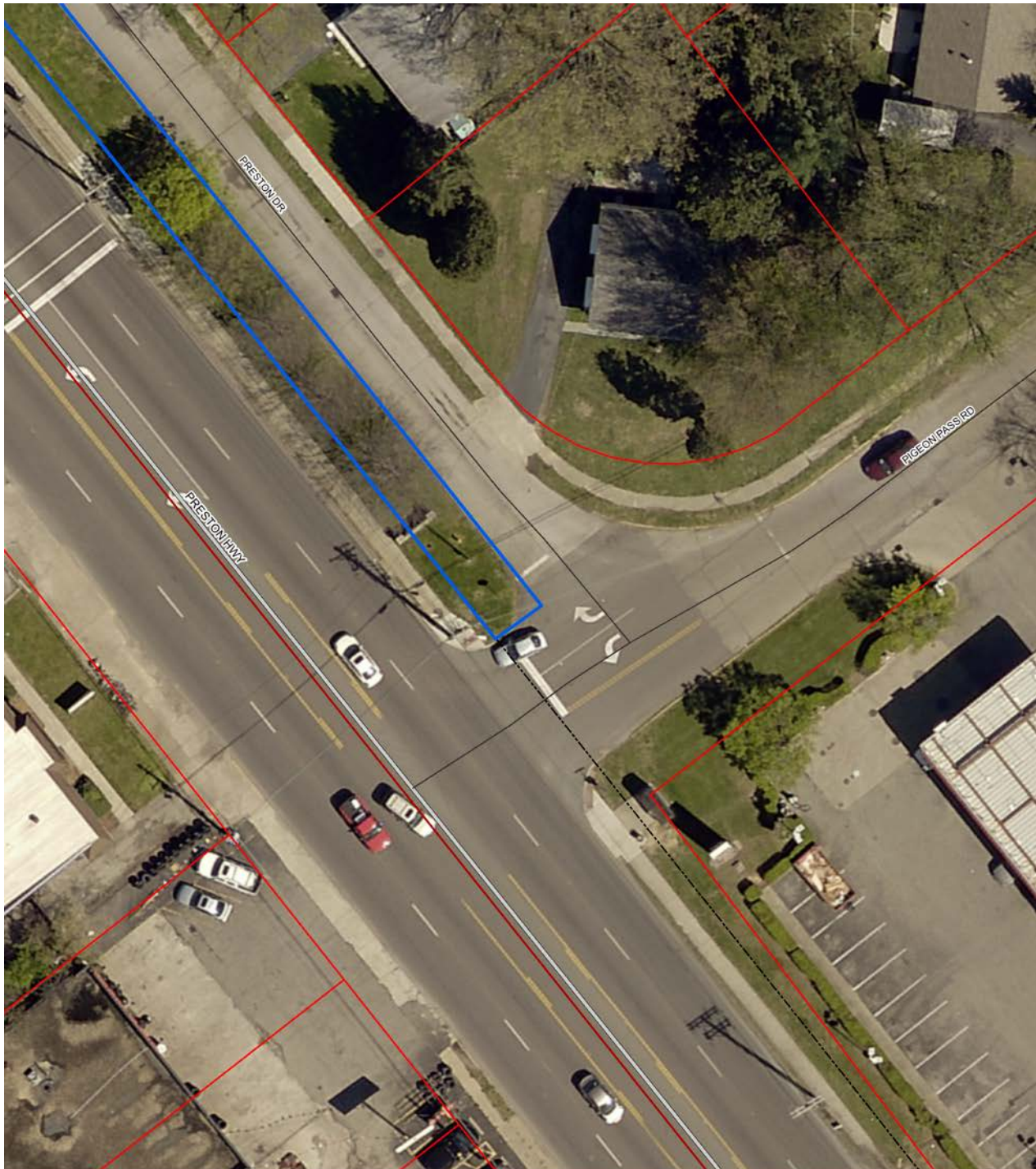


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2. Aerial Photograph



19VARIANCE1051
feet
30

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