

Board of Zoning Adjustment
Staff Report
 October 29, 2018



Case No.	18VARIANCE1084
Project Name	Sign Area Variance
Location	1121 E. Washington Street
Owner/Applicant	Copper and Kings American Brandy
Jurisdiction	Louisville Metro
Council District	4 – Barbara Sexton Smith
Case Manager	Beth Jones, AICP, Planner II

REQUESTS

Variance to permit permanent on-premise attached signs to exceed the permitted size in a Traditional Neighborhood form district (LDC Table 8.3.2.)

Location	Requirement	Request	Variance
North wall overlooking floodwall	60 sq ft	274.5 sq ft	214.5 sq ft
East wall toward I-64	60 sq ft	382.8 sq ft	322.8 sq ft

CASE SUMMARY / BACKGROUND

The site is located on the north side of E. Washington Street between Buchanan and Cabel Streets. It is bordered on the north by the Franklin Street floodwall and on the east by a railroad track. It is adjoined by industrial uses to the north, east and west, all within an EZ-1 Enterprise zone, and to a commercial use to the south, zoned M-3 Industrial. It and all adjoining properties are located within a Traditional Neighborhood form district and the Butchertown Historic Preservation District. The proposal conforms with Landmarks Commission design guidelines and has been granted a COA (Certificate of Appropriateness).

The applicant is requesting variances for two attached signs for an existing structure. Each sign consists of the company logo; neither is illuminated or lighted in any way. One sign, consisting of black lettering, will be mounted near to top of an existing copper-colored blank wall facing north toward I-64. It is identical to an existing sign mounted on the south wall facing E. Washington Street. The nearest residential use is located approximately 475 feet to the east. The second, which overlooks the floodwall, will consist of copper-colored lettering to be mounted on black horizontal siding.

STAFF FINDING

Staff finds that the requested variance is adequately justified and meets the standard of review.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance to permit a fence to exceed the permitted height in an R-5 Single-Family Residential zone.

TECHNICAL REVIEW

No technical review comments remain to be resolved.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM LDC 5.3.1 (Table 5.3.2)

- (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. The proposed signs are placed so as not to obstruct sight lines for persons using streets, pedestrian rights-of-way or driveways, and are not constructed or designed in a manner that may cause them to be confused with a traffic sign or other traffic control device.

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

STAFF: The proposal, located within the Butchertown Preservation District, conforms with Landmarks Commission design guidelines and has been granted a COA (Certificate of Appropriateness).

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

STAFF: The proposed construction meets current building codes and requirements and does not cause a public hazard or nuisance through noise, vibration, odor or light.

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

STAFF: The proposal is not unreasonable in that that signs are an addition to existing exterior walls and, as they are not illuminated, will not negatively affect residences in the vicinity.

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 proposed sizes of the signs are necessary due to the location of the site, the distance from which they will be viewed and the size of the facades of the existing structure. In addition, the C-2 use of the site is relatively unusual within a Traditional Neighborhood form district. The north façade sign will not be within the viewshed of any residential uses. The east façade sign will be about 450 ft away from the nearest residential use and will be above the sightline of existing residences, which are almost entirely one- or two-story in height.

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 application of the regulation would not allow the signs to be viewed from the anticipated distances.

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 current structure and use of the site was approved subsequent to its designation within a Traditional Neighborhood form district and an EZ-1 zone. A similar previously-approved sign is located on the south façade facing E. Washington Street. In addition, in Traditional Neighborhood form districts, sign sizes are more restrictive; in an Enterprise Zone, larger signs are permitted.

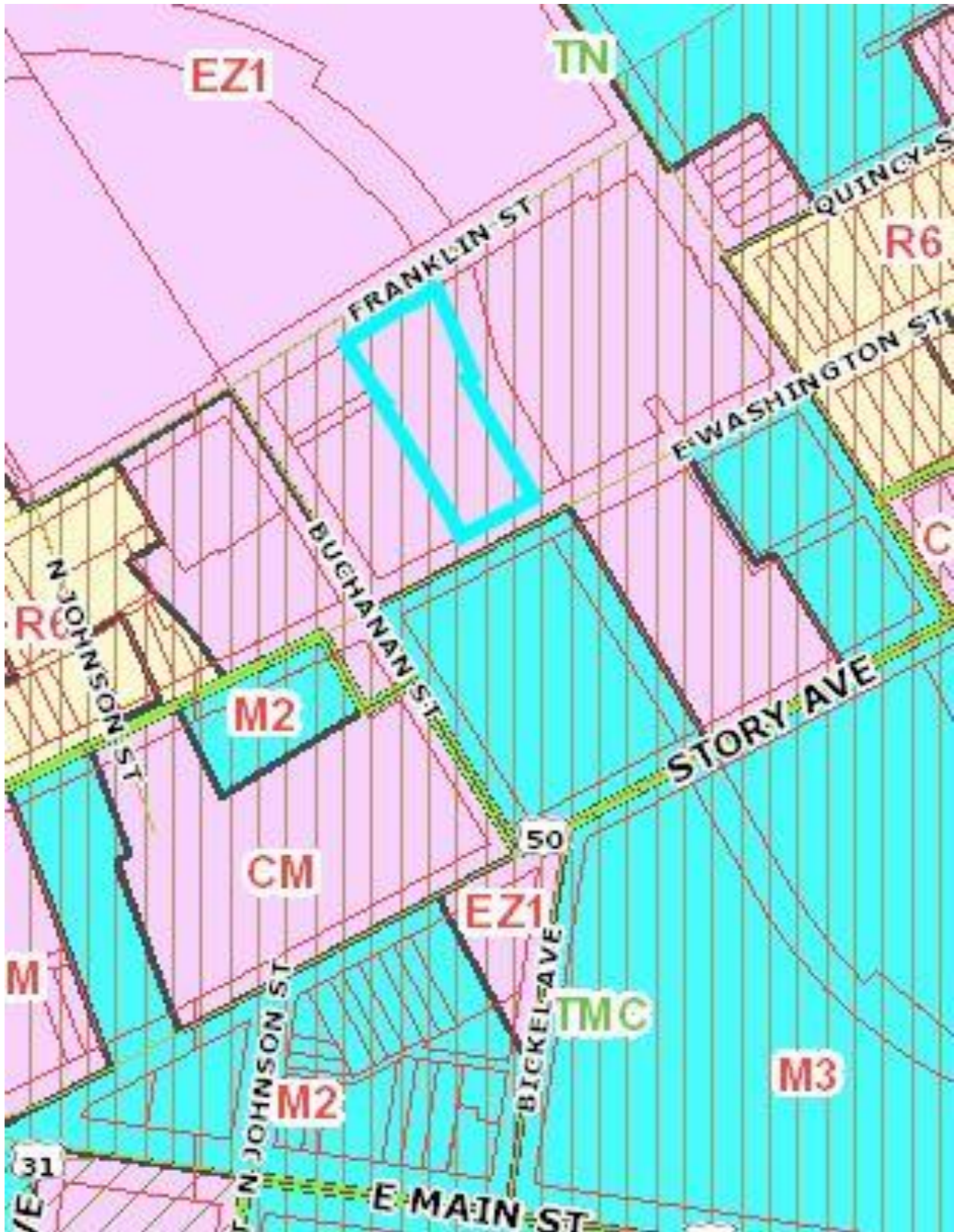
NOTIFICATION

Date	Purpose of Notice	Recipients
10/12/2018	Hearing before BOZA	1st tier adjoining property owners Registered Neighborhood Groups in Council District 4 Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. View of proposed east wall-mounted sign
4. View of proposed south wall-mounted sign

1. Zoning Map



2. Aerial Photograph



3. View of proposed north wall-mounted sign

Architectural rendering of a north wall-mounted sign. The sign features the text "Copper & Kings" in a stylized, orange, cursive font. The letters are 2" aluminum fabricated and stud-mounted to a corrugated metal wall. The rendering includes a photograph of the existing building facade with the sign, a smaller inset photo of the building, and a detailed technical drawing of the sign with dimensions. The technical drawing shows a total width of 37'-0" and a height of 4'-1 3/4". The letter height is 2'-3 1/2" and the letter width is 7'-5". A legend indicates that the orange color is "Copper (to match Customer Specs)" and the black color is "Black".

RECEIVED
AUG 27 2018
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Existing

2" Aluminum Fabricated Letters
Stud Mounted to Corrugated Metal Wall

4'-1 3/4"

37'-0"

2'-3 1/2"

7'-5"

Copper (to match Customer Specs)

Black

4. View of proposed east wall-mounted sign

Architectural rendering of an east wall-mounted sign. The sign features the text "Copper & Kings" in a stylized, black, cursive font. The letters are 2" aluminum fabricated and stud-mounted to a corrugated metal wall. The rendering includes a photograph of the existing building facade with the sign, a smaller inset photo of the building, and a detailed technical drawing of the sign with dimensions. The technical drawing shows a total width of 25'-0" and a height of 25'-0". The letter height is 15'-3 2/8" and the letter width is 20'-5 1/2". A legend indicates that the orange color is "Copper (to match Customer Specs)" and the black color is "Black".

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