

# Development Review Committee

## Staff Report

August 14, 2019



<b>Case No:</b>	19-WAIVER-0038
<b>Project Name:</b>	A2Z Injury Sign
<b>Location:</b>	4123 Taylor Boulevard
<b>Owner(s):</b>	Rayshunale Smith
<b>Applicant:</b>	Bottom Sign Company
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	21 – Nicole George
<b>Case Manager:</b>	Brian Davis, AICP, Planning & Design Manager

### REQUEST(S)

1. Waiver of Land Development Code Section 8.2.1.D.4.a to allow the changing image portion of sign to exceed 30 percent of the overall sign area.

### CASE SUMMARY/BACKGROUND

The applicant is proposing to incorporate a changing image sign into the existing attached sign on the front of the business. The total square footage of the sign is 46 square feet, with 24.77 square feet dedicated to the changing image portion of the sign (53.8 percent). The maximum total sign area permitted on the façade is 60 square feet. The sign would not be visible from any residentially zoned parcels.

### STAFF FINDING

The waiver requests are generally justified and meet the standard of review.

### TECHNICAL REVIEW

There are no outstanding technical issues concerning this request.

### INTERESTED PARTY COMMENTS

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

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 8.2.1.D.4.a TO ALLOW THE CHANGING IMAGE PORTION OF THE SIGN TO EXCEED 30 PERCENT OF THE OVERALL SIGN AREA

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the proposed sign is located along an arterial level roadway in a commercially zoned corridor and will not be visible from nearby residentially zoned properties.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Community Form Goal 2, Policy 2.1 states that proposed uses, density and design are compatible with adjacent uses and meet Form District guidelines.

The proposed sign is located on an existing commercial building located along an arterial level roadway in a commercially zoned corridor.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant since the applicant could possibly install a smaller changing image sign that is in compliance with the regulations.

(d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would 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 as application of the regulation would still allow the use, it would just restrict the size of the changing image portion of the sign.

**REQUIRED ACTIONS:**

- **APPROVAL** or **DENIAL** of the **Waiver**

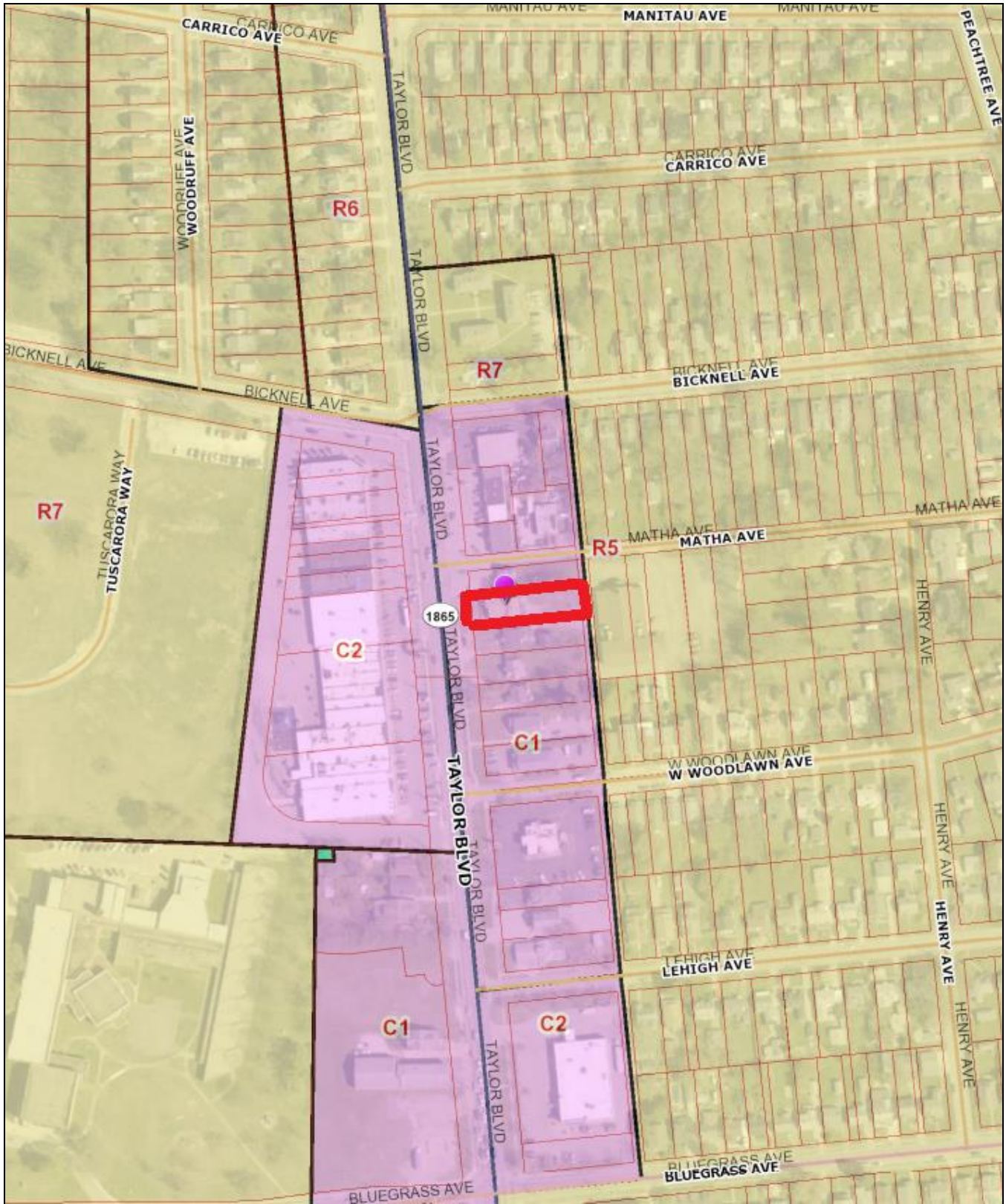
**NOTIFICATION**

Date	Purpose of Notice	Recipients
7/31/2019	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 21

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map





2. Aerial Photograph

