

Board of Zoning Adjustment
Staff Report
 August 19, 2019



Case No:	19-VARIANCE-0006
Project Name:	Dupont Circle Variance
Location:	4000 Dupont Circle
Owner(s):	BEC SD, LLC
Applicant:	Mark Kidwell – Commonwealth Sign Co.
Jurisdiction:	City of St. Matthews
Council District:	26 – Brent Ackerson
Case Manager:	Zach Schwager, Planner I

REQUEST

- **Variance** from City of St. Matthews Development Code section 11.D.2.c to allow an attached sign in the C-1 zoning district to exceed a height of 25 feet above the ground.

Location	Requirement	Request	Variance
Sign Height	25 ft.	40 ft.	15 ft.

CASE SUMMARY/BACKGROUND

The subject property is located in the City of St. Matthews on the south side of Dupont Circle. The applicant is proposing an attached sign on the northern façade that is 40 ft. above the ground. This proposal requires a variance for the sign height.

STAFF FINDING

Staff finds that the requested variance to exceed the maximum height is adequately justified and meets the standard of review. Based upon the information in the staff report, and 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 established in the City of St. Matthews Development Code from section 11.D.2.c to allow a sign to exceed a height of 25 feet above the ground.

TECHNICAL REVIEW

- No technical review was undertaken.

INTERESTED PARTY COMMENTS

No interested party comments were received.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM SECTION 11.D.2.c

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

STAFF: The requested variance to exceed the maximum height will not adversely affect the public health, safety, or welfare as the sign is attached to the building and will not have any changing image components.

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

STAFF: The requested variance to exceed the maximum area will not alter the essential character of the general vicinity as there are a number of other similarly attached signs in the area.

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

STAFF: The requested variance to exceed the maximum height will not cause a hazard or nuisance to the public as the sign will not obstruct views for drivers or pedestrians.

- (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 proposed sign would be installed at the top of the façade of the existing building.

ADDITIONAL CONSIDERATIONS:

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

STAFF: The requested variance does not arise from special circumstances which do apply to land in the general vicinity or the same zone because the subject property is similar in size and use to other surrounding properties.

2. The strict application of the provisions of the regulation would not 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 or create an unnecessary hardship on the applicant because the applicant could reduce the height of the sign to meet the requirements established in the City of St. Matthews Development Code.

3. The circumstances are not 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 taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant is requesting the variance and has not begun construction.

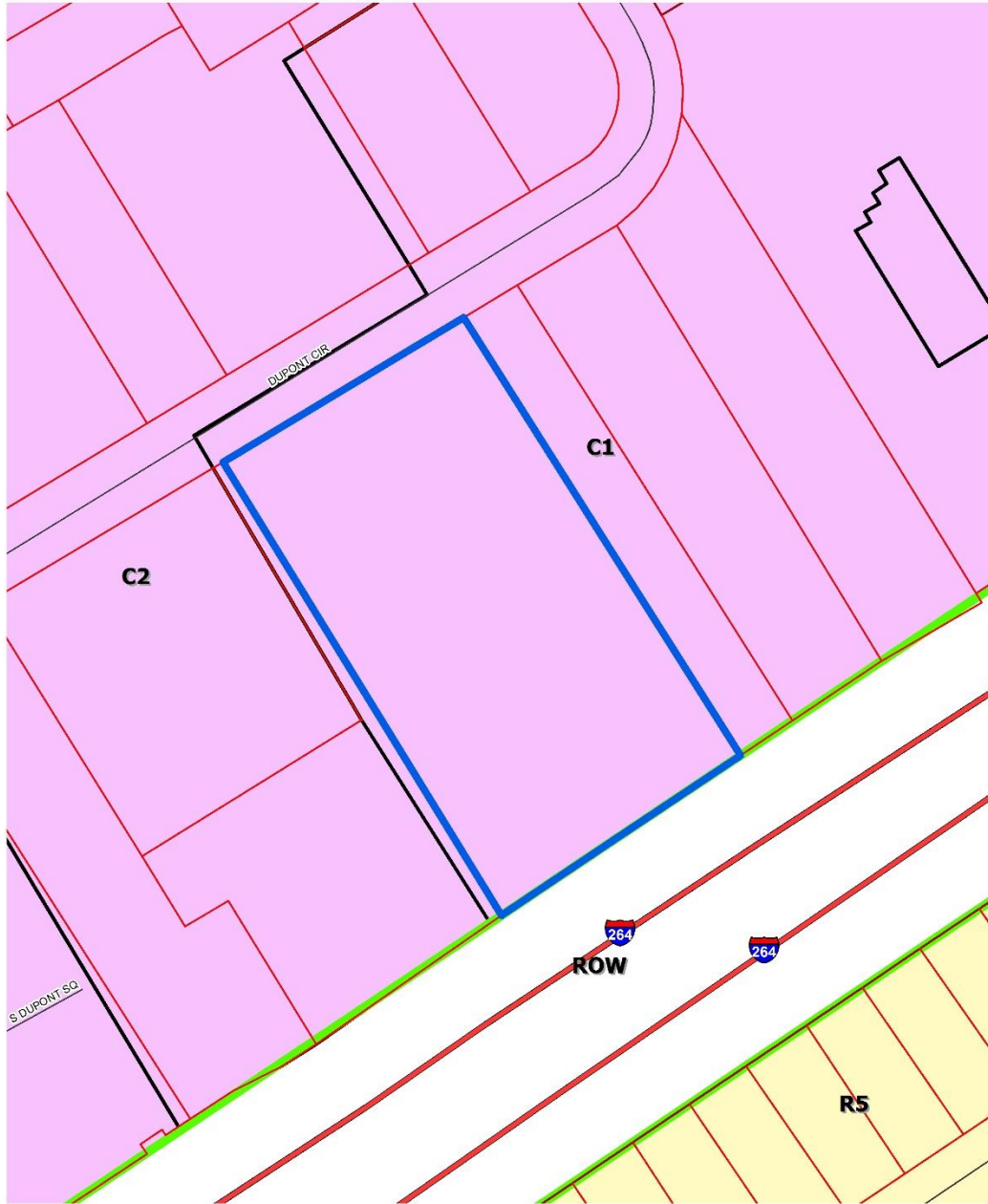
NOTIFICATION

Date	Purpose of Notice	Recipients
07/17/2019	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 26
08/02/2019	Hearing before BOZA	Notice posted on property

ATTACHMENTS

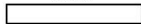
1. Zoning Map
2. Aerial Photograph
3. Elevation
4. Rendering
5. Site Photos

1. Zoning Map



4000 Dupont Circle

feet



110

Map Created: 8/13/2019



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2. Aerial Photograph



4000 Dupont Circle
feet

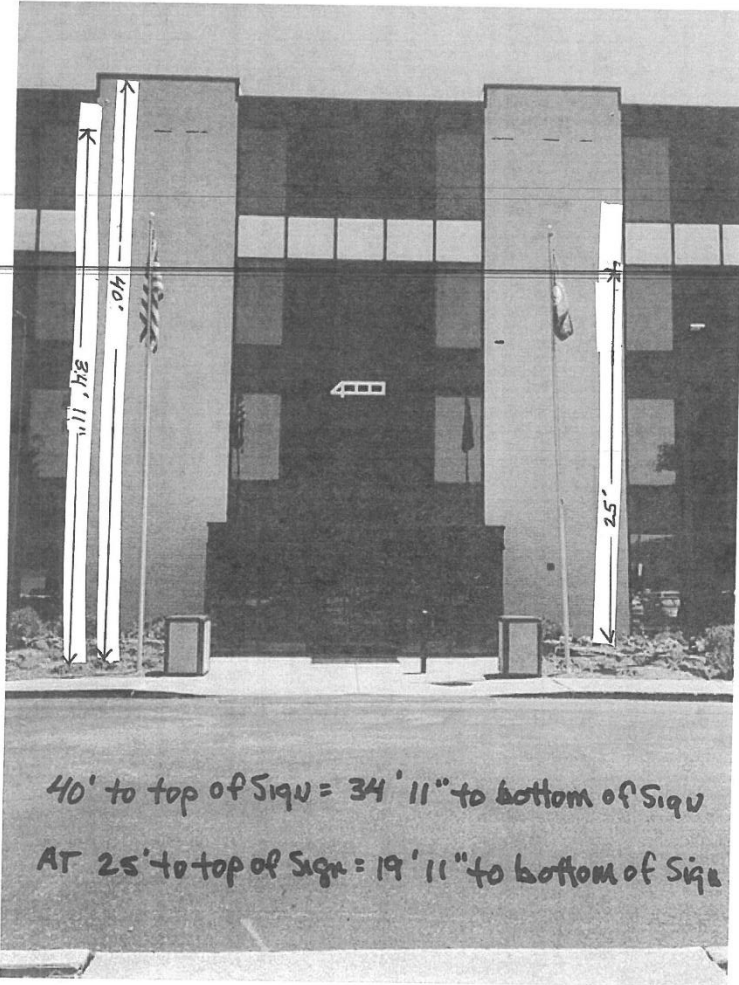
110

Map Created: 8/13/2019



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3. Elevation



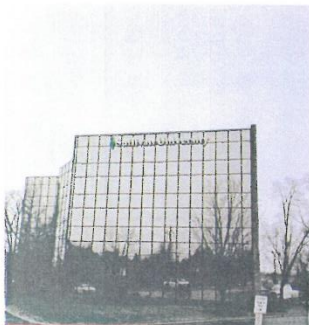
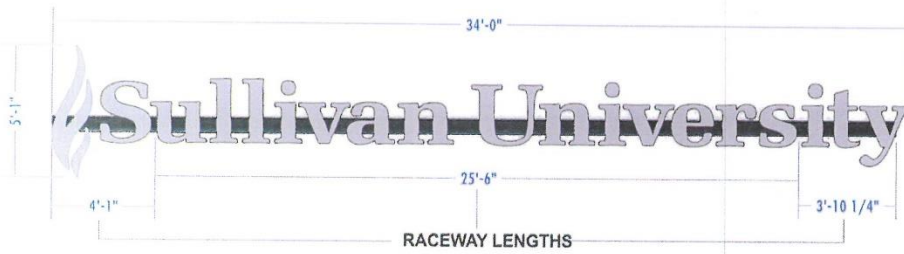
RECEIVED

JUN 20 2019

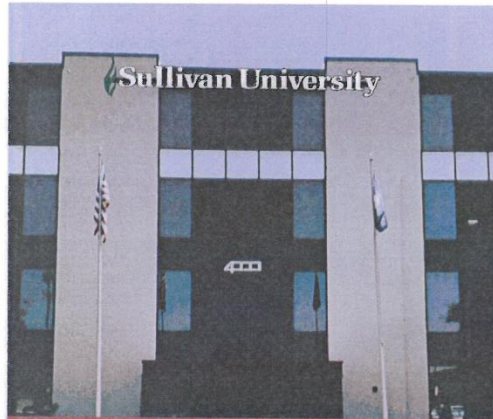
DESIGN SERVICES

19-VARIANCE-0006

4. Rendering



REMOVE THESE CHANNEL LETTER
FROM LOCATION AT
207 Grandview Dr, Fort Mitchell, KY



REINSTALL AT 4000 DUPONT CIRCLE, LOUISVILLE
FABRICATE NEW RACEWAYS - PAINT BLACK
SUPPORT BRACKETS TO ATTACH TO MULLIONS

DESIGN SERVICES
JUN 20 2019
RECEIVED

This drawing is not to be copied or exhibited without written consent from a Commonwealth Sign Co. officer. This proof drawing is for your review and approval before fabrication begins. Commonwealth Sign Co. Inc. will not be responsible for problems or discrepancies that could have been prevented by the proper review of this form. The intent of this drawing is to show a conceptual representation of the proposed signage.



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Louisville, KY 40215
502.368.7554
Fax 502.361.4490
www.commonwealthsign.com

CLIENT	Sullivan University COP
ADDRESS	4000 Dupont Circle, Louisville, KY
FILENAME	Sullivan University Dupont Install
SALESPERSON	Mark Kidwell
ARTIST	Robert Gastinger
ART RENDERED DATE	02-12-18
TYPE	CHECKED
SCALE	3/16" = 1'
REVISIONS / DATES	
1st	00-00-00
2nd	00-00-00
3rd	00-00-00
4th	00-00-00
5th	00-00-00
5th	00-00-00
PAGE	1 OF 1
SALES FINAL APPROVAL	
CUSTOMER APPROVAL	

5. Site Photos



Front of the subject property and proposed sign location.



Property to the left.



Property to the right.



Property across Dupont Circle.



Existing freestanding sign.