

Board of Zoning Adjustment

Staff Report

August 5, 2019



Case No: 19-VARIANCE-0017
Project Name: Brent Street Variance
Location: 724 Brent Street
Owner(s): Kentucky Ceramics, LLC
Applicant: Shawn Hadley – Brown-Forman and KCA
Jurisdiction: Louisville Metro
Council District: 4 – Barbara Sexton Smith
Case Manager: Zach Schwager, Planner I

REQUEST

- **Variance** from Land Development Code table 8.3.2 to allow a sign to exceed the allowable area in the Traditional Marketplace Corridor Form District

Location	Requirement	Request	Variance
Sign Area	300 sq. ft.	600 sq. ft.	300 sq. ft.

CASE SUMMARY/BACKGROUND

The subject property is located in Paristown Pointe on the west side of Brent Street at the intersection with Stoneware Alley, Vine Street, and Swan Street. The applicant is proposing a 600 sq. ft. attached banner on the western façade. This proposal requires a variance for the sign area.

STAFF FINDING

Staff finds that the requested variance to exceed the maximum area 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 Land Development Code from table 8.3.2 to allow a sign to exceed the allowable area.

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 TABLE 8.3.2

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

STAFF: The requested variance to exceed the maximum area 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 or internal illumination.

- (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 different land uses in the area and the sign will not face any residential properties.

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

STAFF: The requested variance to exceed the maximum area 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 is in a low traffic area and faces industrial land use, a parking lot, and a railroad.

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 size of the sign to meet the requirements established in the Land 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.

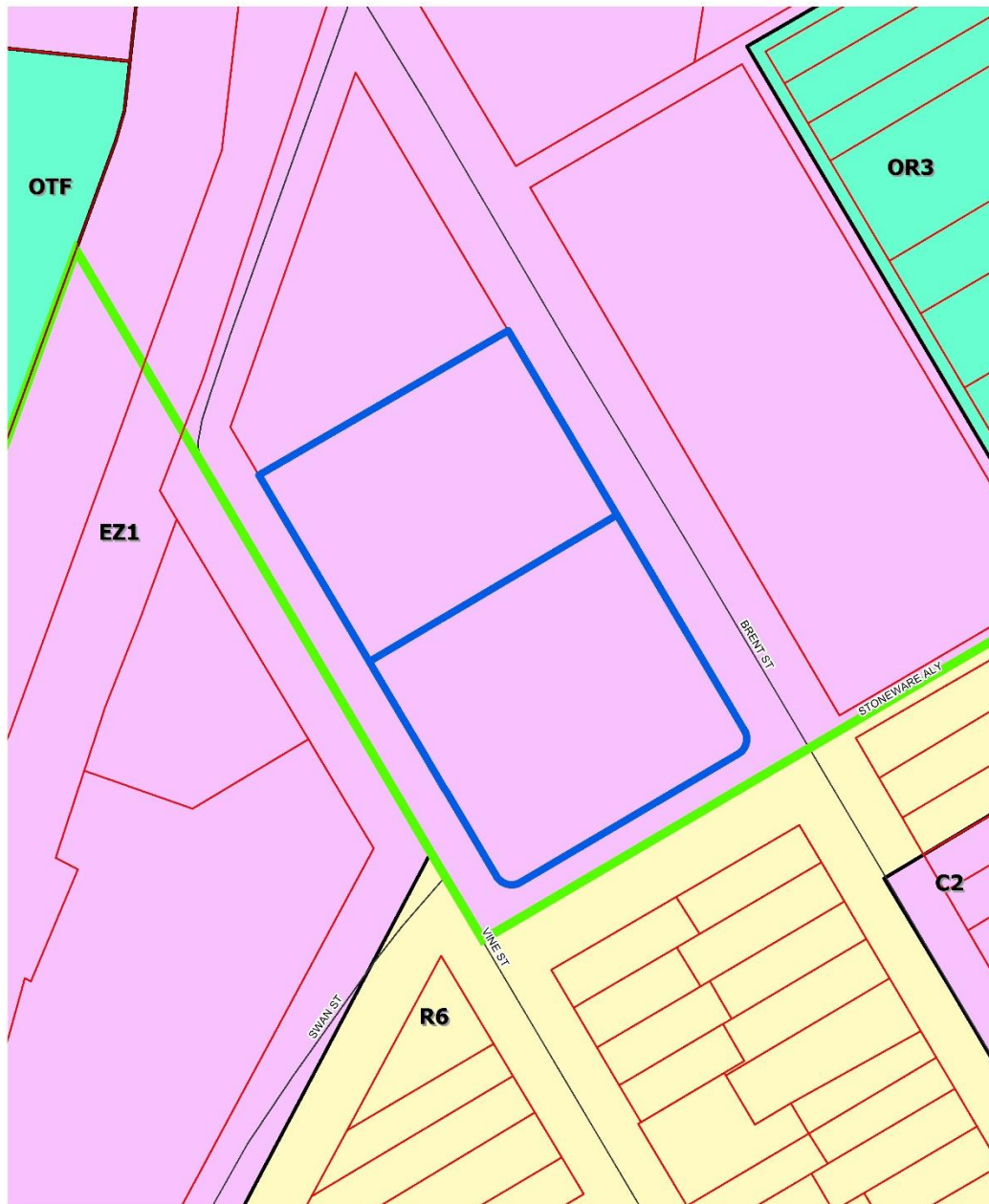
NOTIFICATION

Date	Purpose of Notice	Recipients
07/09/2019	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4
07/24/2019	Hearing before BOZA	Notice posted on property

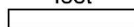
ATTACHMENTS

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

1. Zoning Map



724 Brent Street
feet



70
Map Created: 7/29/2019

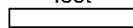


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2. Aerial Photograph



724 Brent Street
feet



70
Map Created: 7/29/2019



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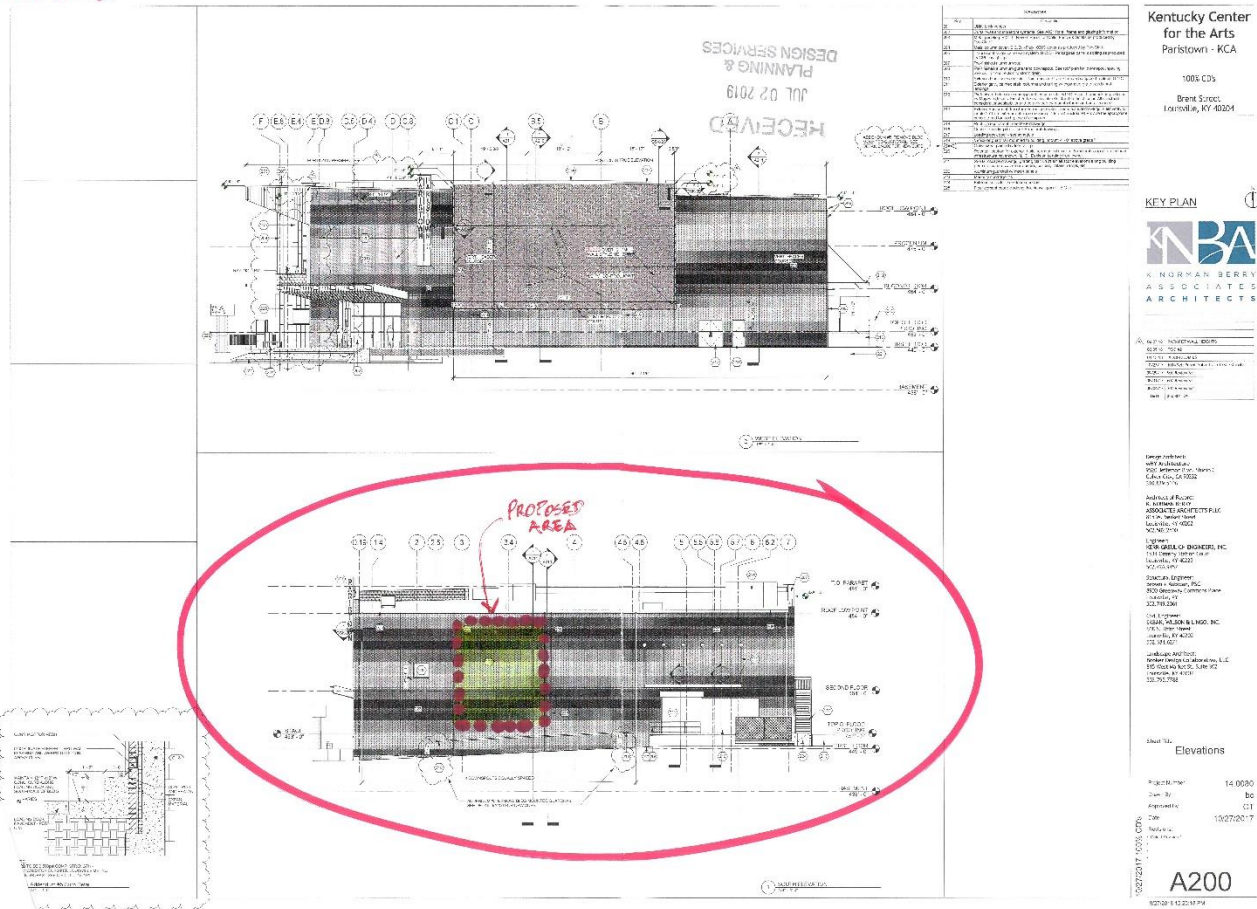
3. Sign Location

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4. Elevation

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5. Site Photos



Façade of the proposed sign location.



Looking south down Vine Street.



Looking north down Vine Street.



Properties across Vine Street from proposed sign.