

Board of Zoning Adjustment
Staff Report
 December 6, 2021



Case No.	21-VARIANCE-0153
Project Name	Sign Variance
Location	3600 Dutchmans Lane
Owner/Applicant	Jewish Community Center of Louisville
Jurisdiction	Louisville Metro
Council District	26 – Brent Ackerson
Case Manager	Beth Jones, AICP, Planner II

REQUEST

VARIANCE to permit an attached sign to exceed the permitted size in a Neighborhood form district (LDC Table 8.3.2. Neighborhood)

CASE SUMMARY / BACKGROUND

The applicant proposes to place an attached letterset on a new building under construction on the existing JCC campus. The subject parcel is located in a Neighborhood form district and is zoned OR-3 and R-5. The site is accessed via Dutchmans Lane, a three-lane arterial roadway.

The subject site is adjoined on the north by an OTF office use, an R-5 parcel under ownership of the applicant and an R-4 site developed as a golf course. To the south is I-264 with R-4 single-family residences beyond. To the east are R-5 single-family residential uses. To the west are R-7 multi-family residential and OR-3 office uses.

The proposed sign is to be placed on the southern façade of the new building, directly facing I-264. The nearest residential use is approximately 450 feet from its location; the nearest residential site with a direct view of the sign is on the far side of I-264, approximately 675 feet away.

The proposed sign meets all other standards for the Neighborhood form district.

REQUIREMENTS

Attached Sign Neighborhood Form District	Permitted	Proposed	Variance
Total Area	150 sq ft	322.3 sq ft	162sq ft

STAFF FINDINGS

Based upon the information in the staff report, the applicant's written justification statement and the testimony and evidence provided at the public hearing, BOZA must determine if the requested variance is justified. Due to existing development in the vicinity of the proposed sign, especially at the I-264 Taylorsville Road interchange that it will most directly face, and the minimal negative impact expected on residential uses, staff supports the variance request.

TECHNICAL REVIEW

No technical issues remain to be resolved. A sign permit will be required.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE to permit an attached sign to exceed the permitted size in a Neighborhood form district (LDC Table 8.3.2. Neighborhood)

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

STAFF: The requested variance will not adversely affect public health safety or welfare since the location of the sign will not interfere with pedestrian or vehicular traffic or result in negative impacts on nearby land uses of lesser intensity.

(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 is in character with signage common along I-264, which it will be facing.

(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 since the sign location will not disrupt pedestrian or vehicular traffic or nearby land uses.

(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 zoning regulations since the existing sign meets all other requirements and is based on characteristics not common to sites within a Neighborhood form district.

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 which do not generally apply to land in the general vicinity or the same zone since the proposed sign is along a property line fronting I-264.

2. The strict application of the provisions of the regulation would deprive the applicant of 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 reasonable use of the land but would create an unnecessary hardship on the applicant since the variance is proposed for a sign along I-264.

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

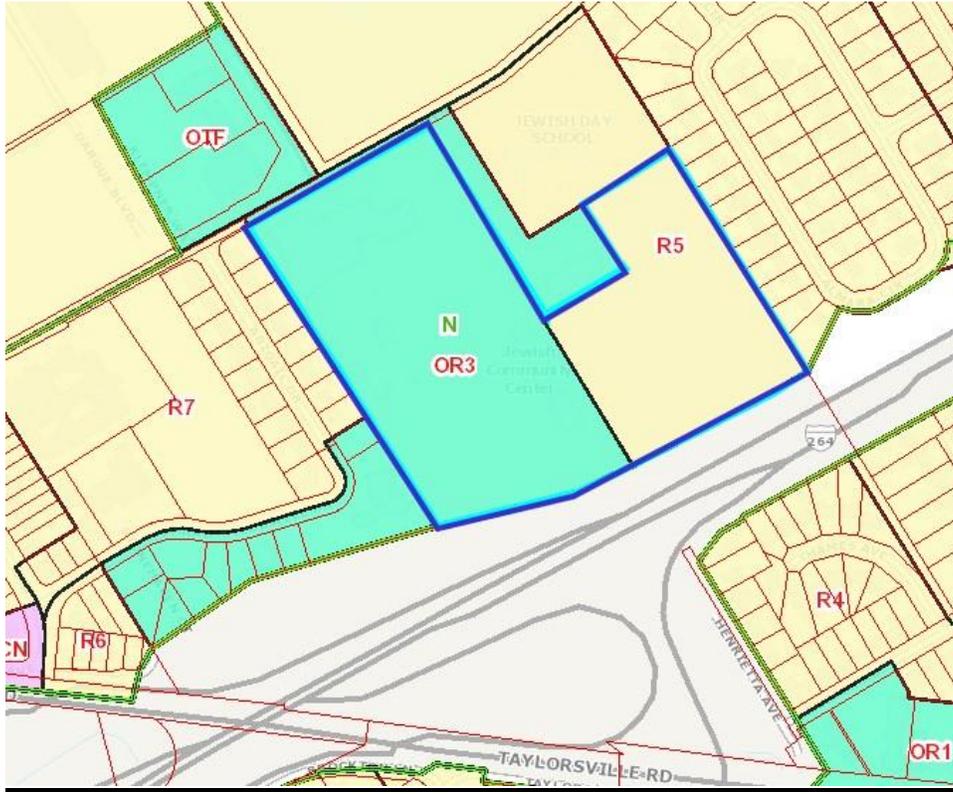
NOTIFICATIONS

Date	Purpose of Notice	Recipients
11/23/2021	BOZA	1st tier adjoining property owners Registered Neighborhood Groups in Council District 26

ATTACHMENTS

1. Zoning Map
2. Aerial View
3. Street View from Dutchmans Lane
4. Street View from I-264
5. Development Plan
6. Permitted Sign
7. Proposed Sign

1. Zoning Map



2. Aerial View



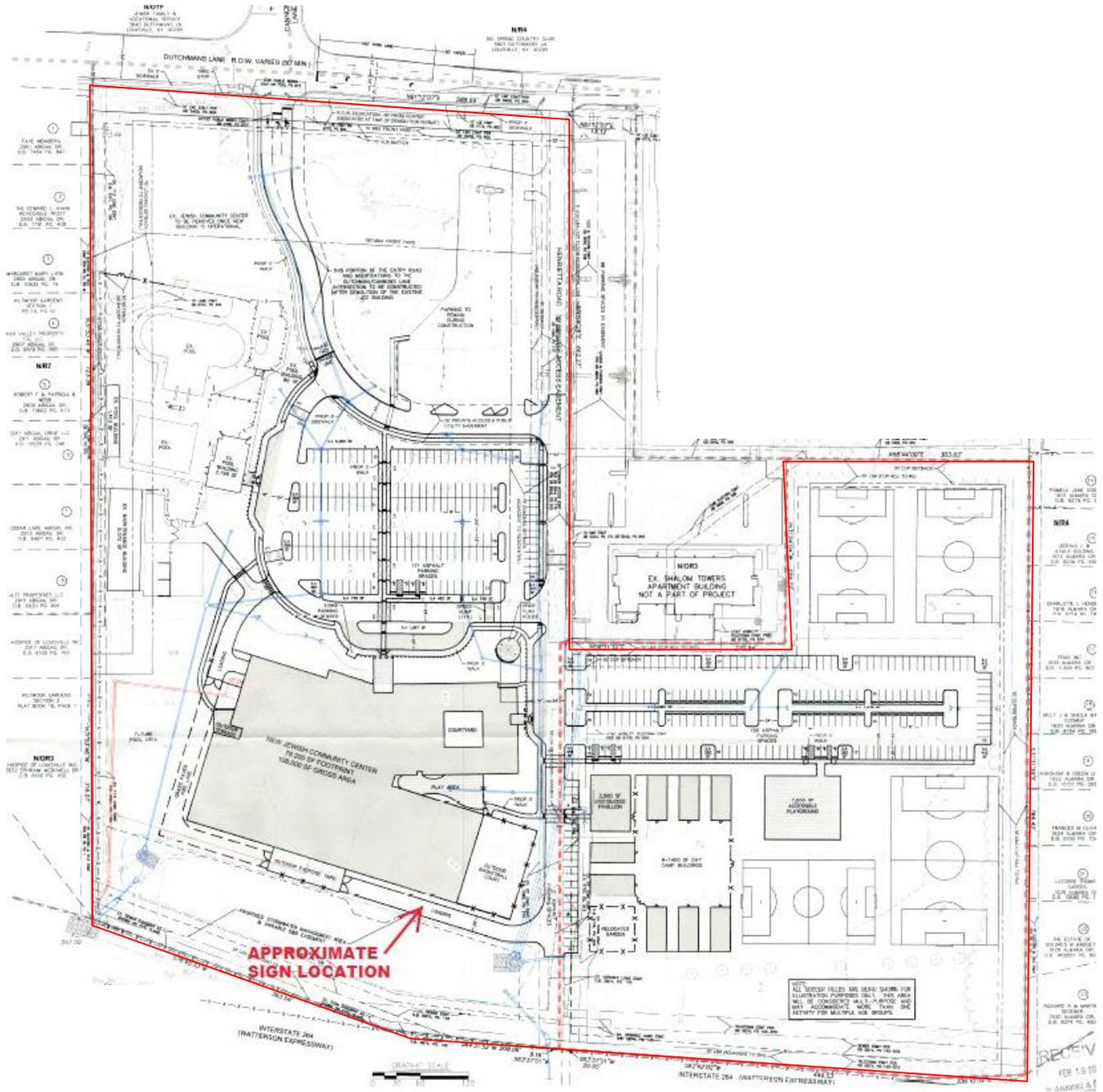
3. Street View from Dutchmans Lane



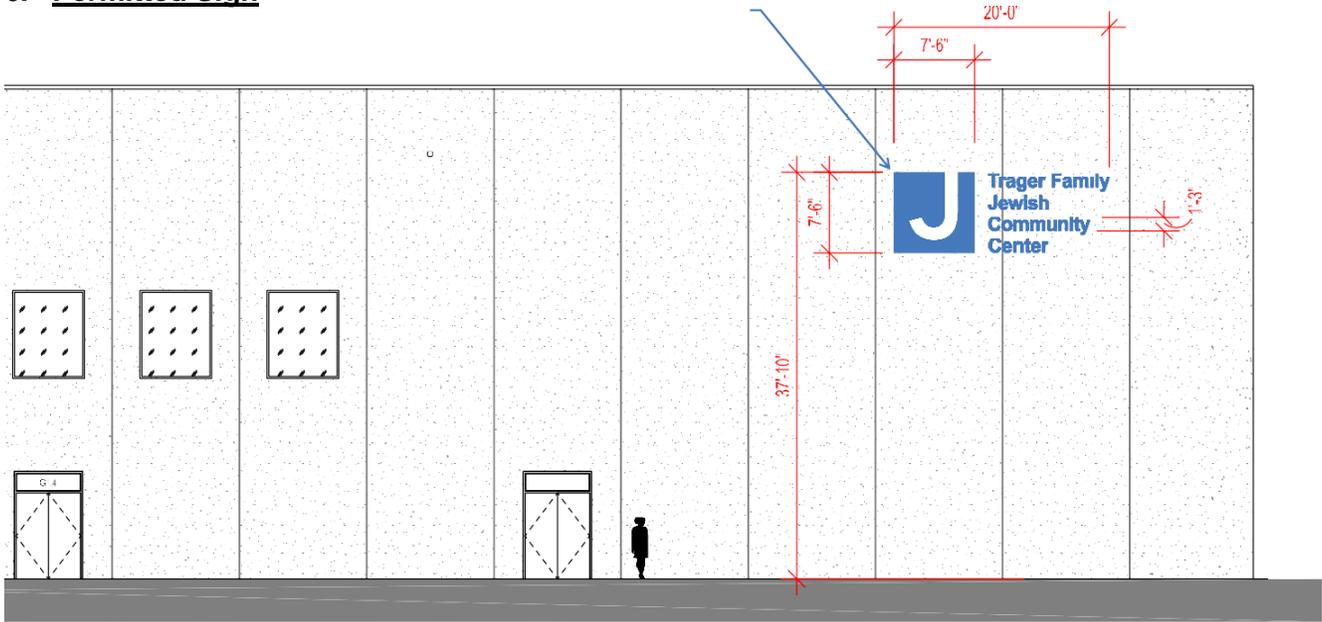
4. Street View from I-264



5. Development Plan



6. Permitted Sign



7. Proposed Sign

