

Board of Zoning Adjustment

Staff Report

December 17, 2018



Case No:	18VARIANCE1104
Project Name:	Dixie Highway Sign Variance
Location:	10501 Dixie Highway
Owner(s):	KPS Holdings, LLC
Applicant:	Kentucky Signs
Jurisdiction:	Louisville Metro
Council District:	25 – David Yates
Case Manager:	Chris French, AICP, Planning Supervisor

REQUEST(S)

- Variance from Table 8.3.2 Suburban Marketplace Corridor for a freestanding sign to exceed the maximum sign area

CASE SUMMARY/BACKGROUND

The property located at 10501 Dixie Highway is zoned C-2 and is located within the Suburban Marketplace Corridor Form District. The freestanding sign area allowed for the property is 100 square feet with a maximum height of 24 feet. The applicant requests a sign of 104 square feet for a variance of four square feet. The proposed sign would be 24 feet in height. The new sign will replace an existing freestanding sign, which is 120 square feet in area and 22 feet in height. The only portion of the new sign that will be LED or changing image would be the gas prices portion of the sign.

STAFF FINDING / RECOMMENDATION

The requested variance meets the standard of review.

TECHNICAL REVIEW

None

INTERESTED PARTY COMMENTS

No comments received

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

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

STAFF: Considering the minor nature of the variance request, this variance will not adversely affect the public health, safety or welfare.

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

STAFF: Considering the minor size of the variance and the fact that the proposed sign will replace an existing sign of larger size, the requested variance will not alter the essential character of the general vicinity.

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

STAFF: The new sign will replace an existing sign that is larger in area and considering the minor nature of the request, the variance will not cause a hazard or nuisance to the public

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

STAFF: Considering the minor nature of the request, the variance will not allow an unreasonable circumvention of the zoning regulations.

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

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 strict application of the sign regulation would not deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

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 applicant is applying for a variance prior to installation of the sign; therefore, 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.

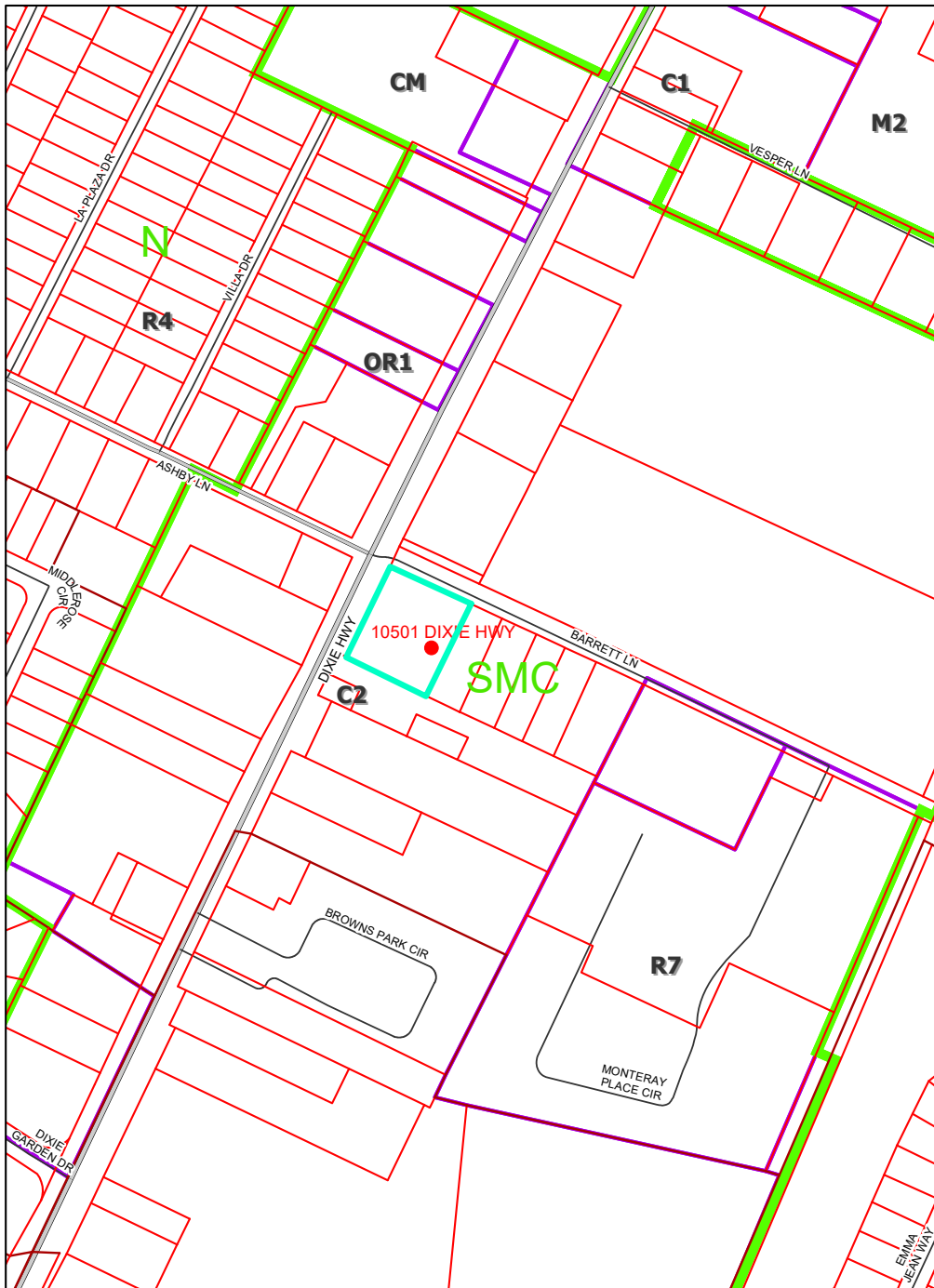
NOTIFICATION

Date	Purpose of Notice	Recipients
Nov. 27, 2018	Hearing before Board of Zoning Adjustments	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 25

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Sign Photographs

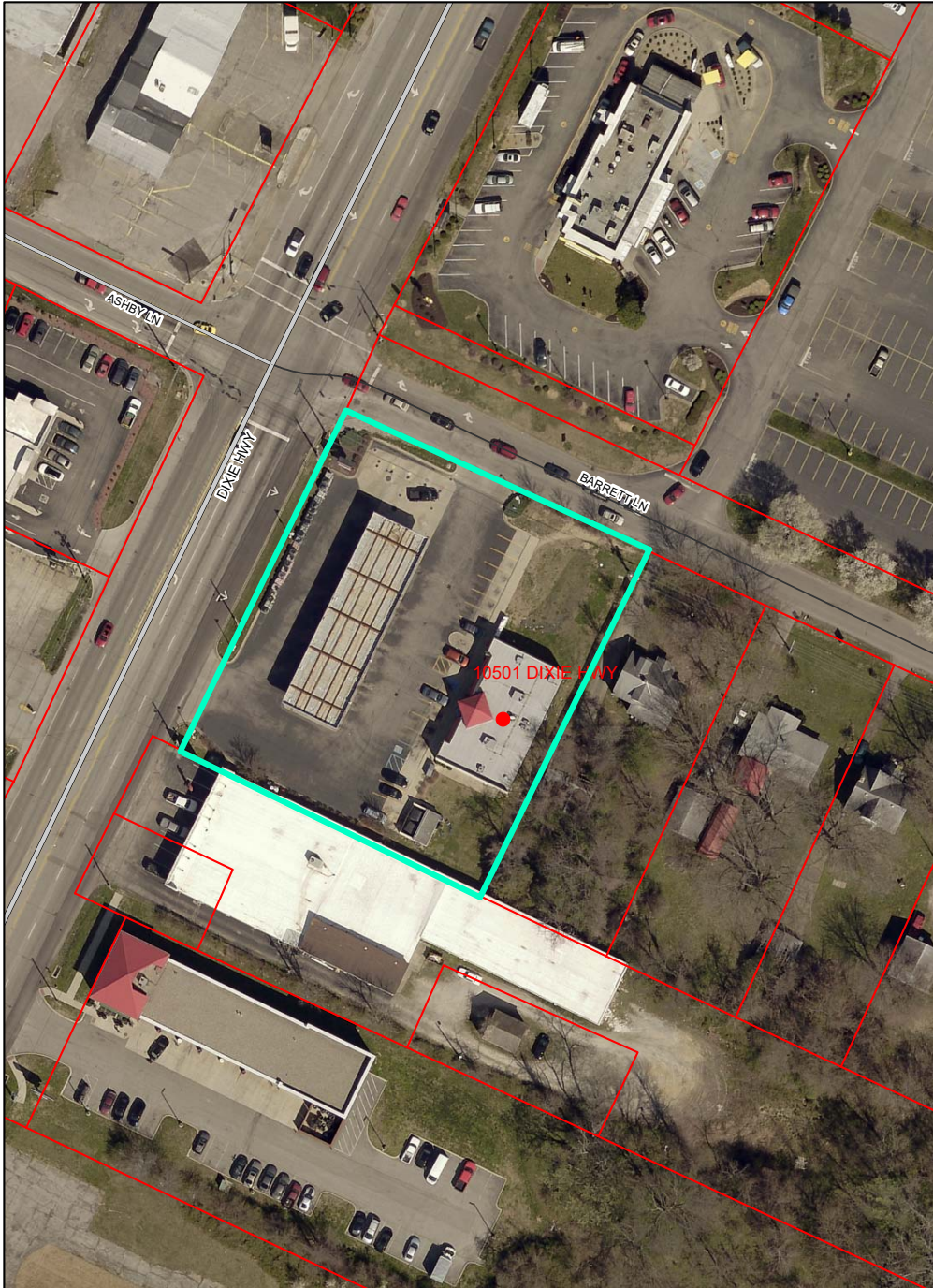
1. Zoning Map



10501 Dixie Highway
460
Feet



2. Aerial Photograph



10501 Dixie Highway
120
Feet



3. Site Photographs



Photo of sign to be replaced and gas station



Close up of sign to be replaced



Sign in the area



Another sign in the area



Gas station and existing sign to be replaced



Rendering of proposed sign