

Board of Zoning Adjustment

Staff Report

June 17, 2019



Case No:	19WAIVER1025
Project Name:	Simcoe Lane Sign Authorization
Location:	4201 Simcoe Lane
Owner(s):	Flats at Springhurst, LLC
Representative:	Jon Baker, Wyatt, Tarrant & Combs, LLP
Jurisdiction:	Louisville Metro
Council District:	17 – Markus Winkler
Case Manager:	Zach Schwager, Planner I

REQUEST

- Sign Authorization from section 8.4.1.C.3 for attached and projecting signage on a multi-family residential building in the Regional Center Form District

CASE SUMMARY/BACKGROUND

The applicant requests an exceptional sign review in accordance with Land Development Code (LDC) section 8.4.1.C.3 for a sign authorization to allow attached and projecting signage on a multi-family residential building zoned OR-3 and within the Regional Center Form District. Table 8.3.1 in the LDC for multi-family signage does not list the Regional Center Form District. The total proposed signage is 164 sq. ft (60 sq. ft. for each of the two attached signs and 44 sq. ft. for the projecting sign). The projecting sign is larger than the permitted 32 sq. ft. for non-residential uses; however, due to, the size of Simcoe Lane, it being a dead-end street, the size of the building, and it being proposed in lieu of a freestanding sign, this size is appropriate. Also, office space permitted in the OR-3 Zoning District would be allowed more area for signage.

STAFF FINDING / RECOMMENDATION

The signage is consistent with other signs in the vicinity and the proposed signs are in conformance with Regional Center sign restrictions in place for office uses within the OR-3 Zoning District. The proposed sign authorization meets the standard of review.

TECHNICAL REVIEW

None

RELATED CASES

Case #: 15ZONE1070 – A rezone from R-4 to OR-3

INTERESTED PARTY COMMENTS

No comments received

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The proposed signage is visually consistent with the architecture, colors, and overall design of the building and surrounding buildings. Therefore, the signage will not adversely affect adjacent property owners.

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

STAFF: The proposed signage is in conformance with the underlying form district as described within Plan 2040 and all other applicable guidelines of the plan.

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

STAFF: The proposed signage is appropriately visible to surrounding properties and public rights-of-way. The waiver is the minimum necessary to afford relief to the applicant to allow signage to be placed on the structure.

- (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 regulations would not allow signage for this development and would create an unnecessary hardship. The signage is consistent with other signs in the vicinity and the proposed signs are in conformance with Regional Center sign restrictions in place for office uses within the OR-3 Zoning District

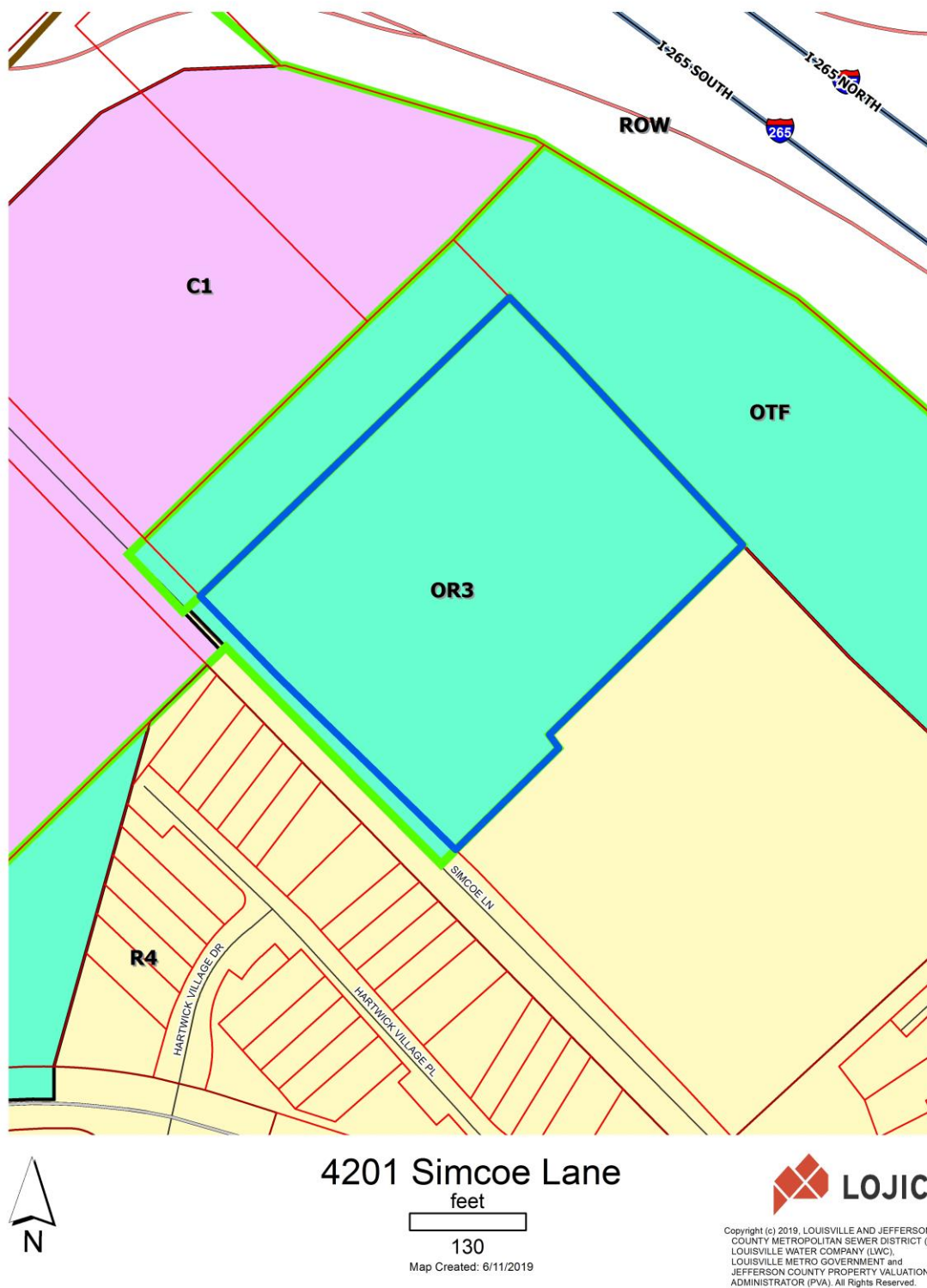
NOTIFICATION

Date	Purpose of Notice	Recipients
05/31/2019	Hearing before BOZA	1 st tier adjoining property owners Speakers at Planning Commission public hearing Individuals who attended the neighborhood meeting Registered Neighborhood Groups in Council District 17
06/10/2019	Hearing before BOZA	Notice posted on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Elevations/Renderings
4. Site Photos

1. Zoning Map



2. Aerial Photograph



4201 Simcoe Lane
feet



130

Map Created: 6/11/2019



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COUNTY METROPOLITAN SEWER DISTRICT (MSD),
LOUISVILLE WATER COMPANY (LWC),
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JEFFERSON COUNTY PROPERTY VALUATION
ADMINISTRATOR (PVA). All Rights Reserved.

3. Elevations/Renderings



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APR 26 2019
PLANNING &
DESIGN SERVICES

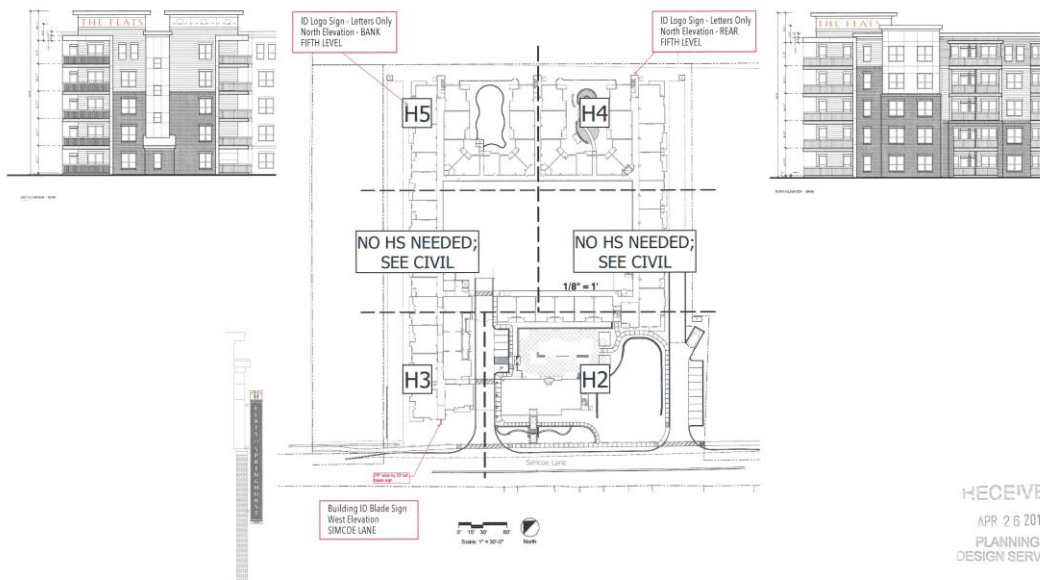
Fabricator to field verify all dimensions and conditions.

 THE FLATS AT SPRINGHURST SIGNAGE SYSTEM DESIGN_01/05/19

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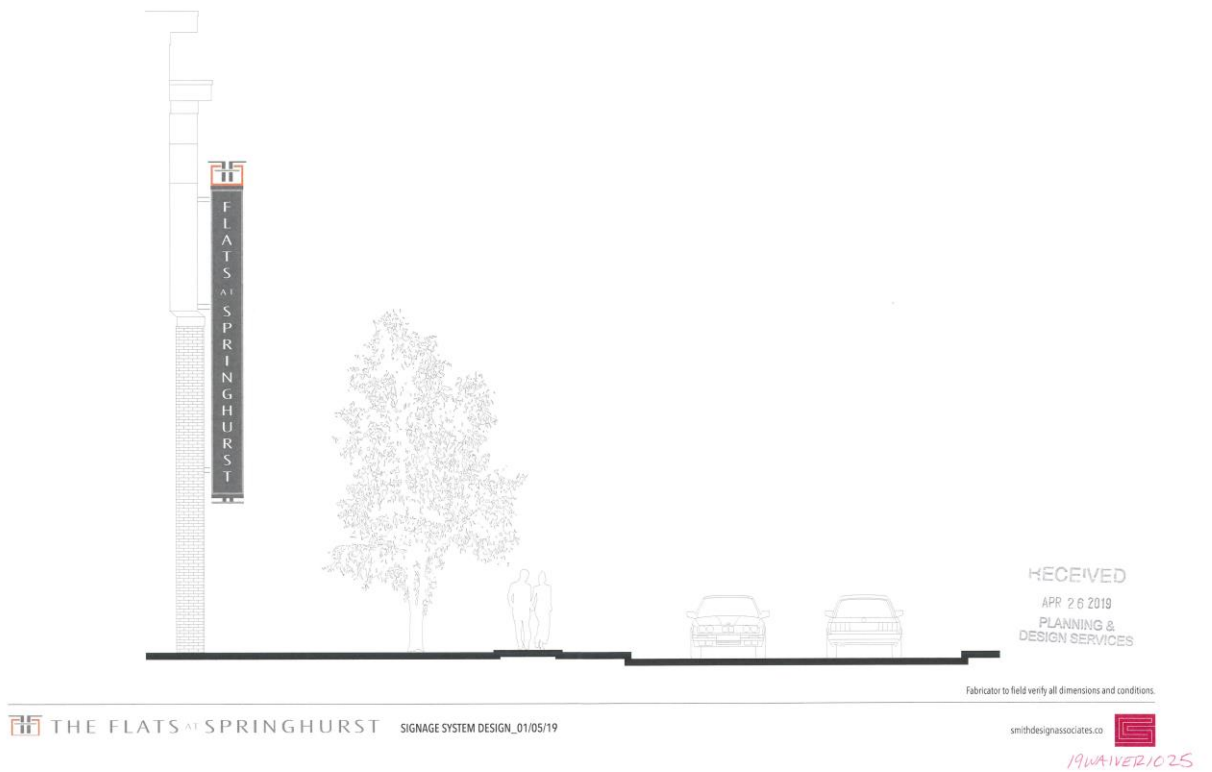
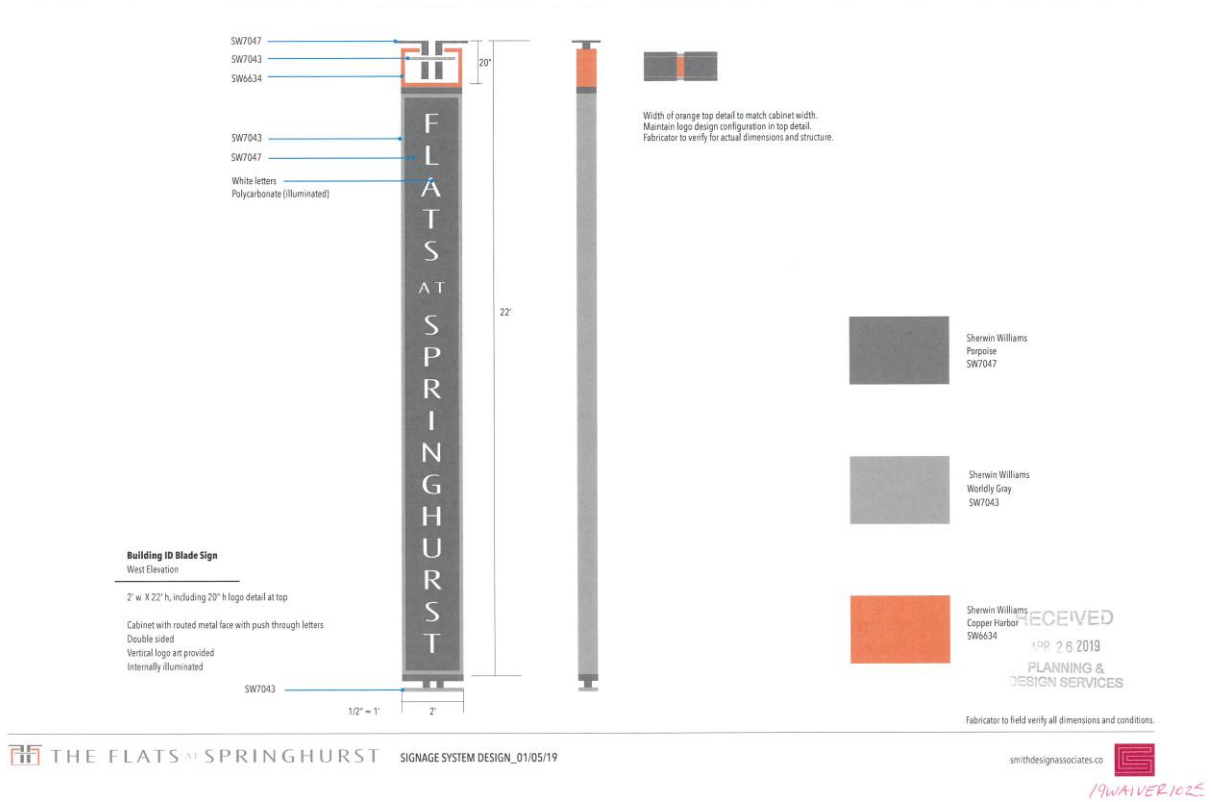
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THE FLATS AT SPRINGHURST SIGNAGE SYSTEM DESIGN_01/05/19

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4. Site Photos



Front of the subject property and location of the projecting sign.



Looking north down Simcoe Lane toward Brownsboro Road.



Commercial property across Simcoe Lane from the subject property.



Residential property across Simcoe Lane from the subject property.



Looking south down Simcoe Lane and residential property across from the subject property.



Looking south down Simcoe Lane and commercial property on the same side as the subject property.