

VARIANCE JUSTIFICATION STATEMENT

Hogan Real Estate

7509 Cedar Creek Rd.

The proposed variance, which will permit the applicant to have a freestanding sign that exceeds the 6' maximum height and 60 square foot maximum area, will not adversely affect the public health, safety or welfare. The proposed development, which was recently approved by the Louisville Metro Planning Commission, includes Tract 6, which will be situated behind buildings along Bardstown Road. The main retail building will be located several hundred feet from the roadway of Bardstown Road and is planned to have as many as seven tenants. The proposed sign will only be 12' tall and 100 square feet in size but will allow the applicant to adequately direct customers to the tenants in the approved retail building.

Freestanding signs adjacent to a designated parkway are permitted to be 60 square feet in area and 6 feet in height. The variance requested will allow for signage along Bardstown Road not to exceed 12 feet in height and 100 square feet. This is the minimum increase necessary to serve the needs of the development and to allow customers to find the uses on Tract 6.

The variance will not alter the essential character of the general vicinity. The proposed commercial development is consistent with other commercial developments in the area and the proposal to include a single sign in excess of the standards required in Table 8.3.3 will not be a departure from that affect the character of the area.

The variance will not cause a hazard or nuisance to the public. As stated above, the inclusion of signage in excess of the maximum allowed will be minimal and cause no impact on the surrounding landscape of the development. Larger signage, too, is beneficial for passing motorists, providing identifiable store markers that would not be distracting.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The applicant proposes to use signage that exceeds the standards as minimally as possible, specifically to mitigate any visual impact to the surrounding area, while affording the tenants in the development effective signage. The applicant is also proposing to provide less signage along Cedar Creek Road than would be otherwise allowed, as Cedar Creek Road is more residential in character than Bardstown Road. Instead of providing the signage allowed on Cedar Creek Road, the applicant is proposing an 8-foot tall, 80 square foot sign along Cedar Creek Road.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. As stated above, the need for proper signage to the public passing on Bardstown Road and Cedar Creek Road is necessitated by the land itself. Tract 6 is not clearly visible from Bardstown Road, and effective signage is needed to allow customers to find the tenants located on the subject property.

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The strict application of the regulations would create an unnecessary hardship. The applicant seeks a minimal increase in the size of signage allowed and is willing to construct smaller than allowed signage on Cedar Creek Road. The variance is necessary because of the layout of the current roadways around the property and the visual obstruction caused by neighboring parcels.

The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance as the applicant has not yet developed the property.

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