

**Development Review  
Committee  
Staff Report  
May 11, 2022**



<b>Case No.</b>	22-WAIVER-0064
<b>Project Name</b>	Changing Image Sign Waivers
<b>Location</b>	4720 Dover Road
<b>Owner</b>	Faith Chapel General Baptist
<b>Applicant</b>	Signarma Dixie
<b>Jurisdiction</b>	Louisville Metro
<b>Council District</b>	1 – Angela Bowens
<b>Case Manager</b>	Beth Jones, AICP, Planner II

**REQUEST**

**WAIVER 1** to permit a changing image sign to be located within 300ft of a residential zone or residential use (LDC 8.2.1.D.6)

**WAIVER 2** to permit a changing image sign to exceed the maximum percentage of sign area allowed in a Neighborhood form district (LDC 8.2.1.D.4.a.)

**CASE SUMMARY / BACKGROUND**

The applicant proposes to construct a new freestanding sign which includes a changing image panel. The proposed sign will replace an existing non-conforming sign, consisting of an illuminated cabinet and a readerboard, at the same location.

The site is located in a Neighborhood form district and zoned R-4, on a Primary Collector roadway. All parcels in the vicinity are developed for single-family residential use, with 17 residences within the 300ft buffer area. The site is bordered on all sides by single-family residential uses, including those parcels nearest the proposed sign. The applicant's site occupies a significant part of the overall buffer area.

The proposed sign meets all standards and requirements other than the waiver requests, including that the internally illuminated cabinet at the top will have an opaque background as required.

**SIGN STANDARDS**

<b>Freestanding Sign Neighborhood Form District Primary Collector Roadway</b>	<b>Permitted</b>	<b>Proposed</b>
Total Sign Area	Maximum 60 sf	30 sf
Changing Image Area	Maximum 30% of total area	13 sf (43% of total area)
Overall Height	Maximum 8 ft	8 ft
Base Style	Monument or Columnar Style	Monument

The remaining LDC standards will apply to a changing image sign on this site:

- No more than one changing image sign is permitted on the site.
- Rate of message change shall not exceed once per 20 seconds
- Must be equipped with out automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions in order to decrease the light level output from a daytime level to a night time level, which is typically 0.3 footcandles above ambient light levels.
- Video display method not permitted.

## **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, DRC must determine whether the waiver requests are justified.

The overall area of the proposed sign is half of what would be permitted. The applicant's request of 13sf of changing image area is less than 18sf that would be permitted if the applicant did propose a sign at the maximum allowable size. The design of the proposed sign will also lessen the negative visual impact of the existing sign it will replace.

The proposed sign meets all remaining LDC standards.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 1** to permit a changing image sign to be located within 300ft of a residential zone (LDC 8.2.1.D.6.)

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

STAFF: The waiver may adversely affect adjacent property owners in that the sign will operate around the clock on a daily basis.

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

STAFF: The waiver may violate guidelines of Plan 2040, which requires that appropriateness must be evaluated in the context of the compatibility of the proposed use or uses with surrounding uses (Community Form 1.2.4) and impacts on quality of life must be considered (Community Form 16). The design of the proposed sign will lessen the adverse visual intrusion on the residential areas in the vicinity (Community Form 20) as compared to the existing non-conforming sign.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant in that the applicant is requesting a total sign area that is less than would be permitted.

(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 proposed sign has incorporated other design measures that exceed the minimums of the district and result in a net beneficial effect in that the sign is significantly smaller in area than would otherwise be permitted. It will also replace an existing non-conforming sign.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 2** to permit a changing image sign to exceed the maximum percentage of sign area allowed in a Neighborhood form district (LDC 8.2.1.D.4.a.)

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

STAFF: The waiver may adversely affect adjacent property owners in that the changing image portion as proposed is a larger percentage of the total area than permitted.

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

STAFF: The waiver may violate guidelines of Plan 2040, which requires that appropriateness must be evaluated in the context of the compatibility of the proposed use or uses with surrounding uses (Community Form 1.2.4) and impacts on quality of life must be considered (Community Form 16). The design of the proposed sign will lessen the adverse visual intrusion on the residential areas in the vicinity (Community Form 20) as compared to the existing non-conforming sign.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant in that the total area of the proposed sign is smaller in area than would be permitted.

(h) 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 proposed sign has incorporated other design measures that exceed the minimums of the district and compensate in that the sign is significantly smaller in area than would otherwise be permitted. It will also replace an existing non-conforming sign.

## **NOTIFICATION**

Date	Purpose of Notice	Recipients
4/27/2022	DRC	1st tier adjoining property owners Registered Neighborhood Groups in Council District 1

## **ATTACHMENTS**

1. Land Use Map
2. Aerial View
3. Buffer Zone
4. Street View of Site
5. Street View to East
6. Street View to North
7. Street View to South
8. Existing Sign
9. Proposed Sign

### **1. Land Use Map**





1. Aerial View



2. Buffer Zone





3. Street View of Site



4. Street View to North





5. Street View to South



6. Street View Across to West

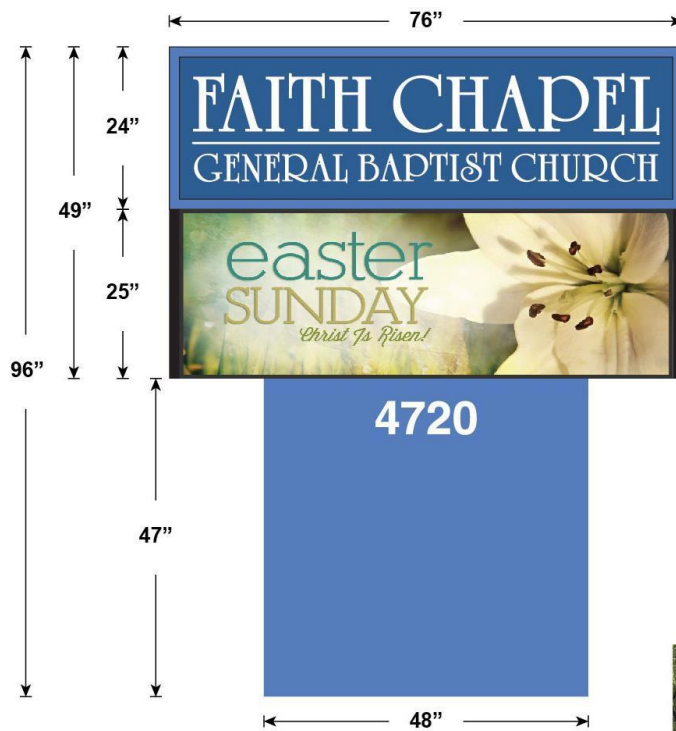




## 7. Existing Sign



## 8. Proposed Sign



Double Sided Monument  
18" Deep Cabinet w/ 2" Retainers  
Paint PMS 294  
Flat Faces, White Lexan (Opaque)  
1st Surface Digital Print Graphics  
Use existing 4" round pole  
Aluminum pole cover - paint same as cabinet  
651-010 white vinyl address x 2  
6'4"w x 2' 1"h 16mm LED Message Unit





