

JEFFERSON COUNTY BOARD OF ZONING ADJUSTMENT

JUNE 3, 1996

DOCKET NO. B-98-96

Applicant: Classroom Teachers Credit Union

Subject: An application for a variance from the Zoning District Regulations to allow two (2) proposed signs to encroach into the required front yard.

Premises affected: On property known as 3620 Fern Valley Road and being in unincorporated Jefferson County.

Appearances for Applicant:

James Gregory, President, Louisville Planning Engineering, 2210 Goldsmith Lane, Suite 109, Louisville, Kentucky 40218

Appearances-Interested:

No one.

Appearances Against Applicant:

No one.

On April 12, 1996, Marilee Greene, President, Classroom Teachers Federal Credit Union, filed an application for variation from the requirements of the Zoning District Regulations to allow two (2) proposed signs to encroach into the required front yard.

On June 3, 1996, at a meeting of the Board, a hearing was held on this case. A drawing showing the premises affected and the existing and/or proposed construction was presented to each Board member.

By general consensus and with the consent of all those present for the hearing on this case, the Board voted unanimously to waive the reading of the staff report and to incorporate it into the record. The Board members had received this report in advance of the hearing and this report was available to any interested party prior to the public hearing. See addendum for staff report in full.

A video and a map of the site and surrounding area were shown.

Shari Cooper, Court Reporter, recorded the testimony given in the public hearing.

After the public hearing and a further discussion of the case by the members of the Board in open executive session, on a motion by Member Korfhage, seconded by Member Tonini, the following resolution was unanimously adopted:

JEFFERSON COUNTY BOARD OF ZONING ADJUSTMENT

JUNE 3, 1996

DOCKET NO. B-98-96 (CONTINUED)

WHEREAS, the Board finds that acquisition of additional right-of-way for Fern Valley Road is a special circumstance which does not generally apply to land in the general vicinity or in the same zone, and

WHEREAS, the Board finds that the chief result of a denial of this variance would be that the applicant would have to erect the proposed signs at the height and size as originally approved by the Planning Commission, therefore, the strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land, and

WHEREAS, the Board finds that the applicant is not responsible for the acquisition of additional right-of-way for Fern Valley Road, therefore, such special circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought, and

WHEREAS, the Board finds that the applicant is proposing two signs to be located within the required front yard setback; that a variance is requested to permit a low profile monument sign rather than a free standing sign as permitted in the C-1 zone; that this request is being made as recommended by the Louisville and Jefferson County Planning Commission (Docket No. 9-56-93); that due to the acquisition of additional right-of-way for Fern Valley Road, similar encroachments in the area were observed by staff during site inspection; that this request complies with Article 11, D., 3.d., Sign Regulations and the Parkway Guidelines; therefore, the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations,

NOW, THEREFORE, BE IT RESOLVED, that the variance is hereby **APPROVED**.

The variance allows:

1. A proposed sign to be located 6.50 feet from the required front yard property line.
2. A proposed sign to be located 0.05 from the required front yard property line.