

# Board of Zoning Adjustment

## Staff Report

January 7, 2019



<b>Case No:</b>	18VARIANCE1110
<b>Project Name:</b>	Jefferson Boulevard Variance
<b>Location:</b>	5161 Jefferson Boulevard
<b>Owner(s):</b>	Steve Scott, Jefferson Blvd. Office Condos, LLC
<b>Applicant:</b>	Amy Cooksey – Mindel Scott & Associates
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	2 – Barbara Shanklin
<b>Case Manager:</b>	Zach Schwager, Planner I

### **REQUEST**

- **Variance** from Land Development Code table 4.8.1 to allow a freestanding monument sign to be located within the streamside zone of a Type “B” stream buffer

### **CASE SUMMARY/BACKGROUND**

The subject property is located in Okolona at the intersection of Jefferson Boulevard and Fern Valley Road. The proposed site for the sign is located in the Neighborhood form district within a USGS Blueline/Perennial stream buffer of Spring Ditch. The sign appears to be in compliance with area, height, and other design criteria established in the Land Development Code. The applicant requests a variance to locate the sign as close as 5 ft. to the top of stream bank, within the streamside zone of a Type “B” stream buffer, which is determined by the form district.

### **STAFF FINDING**

Staff finds that the requested variance is adequately justified and meets the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the Land Development Code from table 4.8.1 to allow a freestanding monument sign to be located within the streamside zone of a Type “B” stream buffer.

### **TECHNICAL REVIEW**

- No technical review was undertaken.

### **INTERESTED PARTY COMMENTS**

No interested party comments were received.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM TABLE 4.8.1**

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

STAFF: The requested variance will not adversely affect the public health, safety or welfare as the proposed sign will comply with the Land Development Code in all respects except for the location within a stream buffer. The proposed location will have minimal impact on water runoff and infiltration.

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

STAFF: The requested variance will not alter the essential character of the general vicinity as there are a number of other similar signs in the area.

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

STAFF: The requested variance will not cause a hazard or nuisance to the public as the sign will be located outside of the sight triangle.

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

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations as the proposed sign will have minimal impact due to the design.

### **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 requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone because a portion of the property is in a stream buffer.

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 provisions of the regulation would not deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant because the proposed sign could be placed further north on Jefferson Boulevard outside of the stream buffer.

3. 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.

STAFF: 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 as the applicant is requesting the variance prior to construction of the sign.

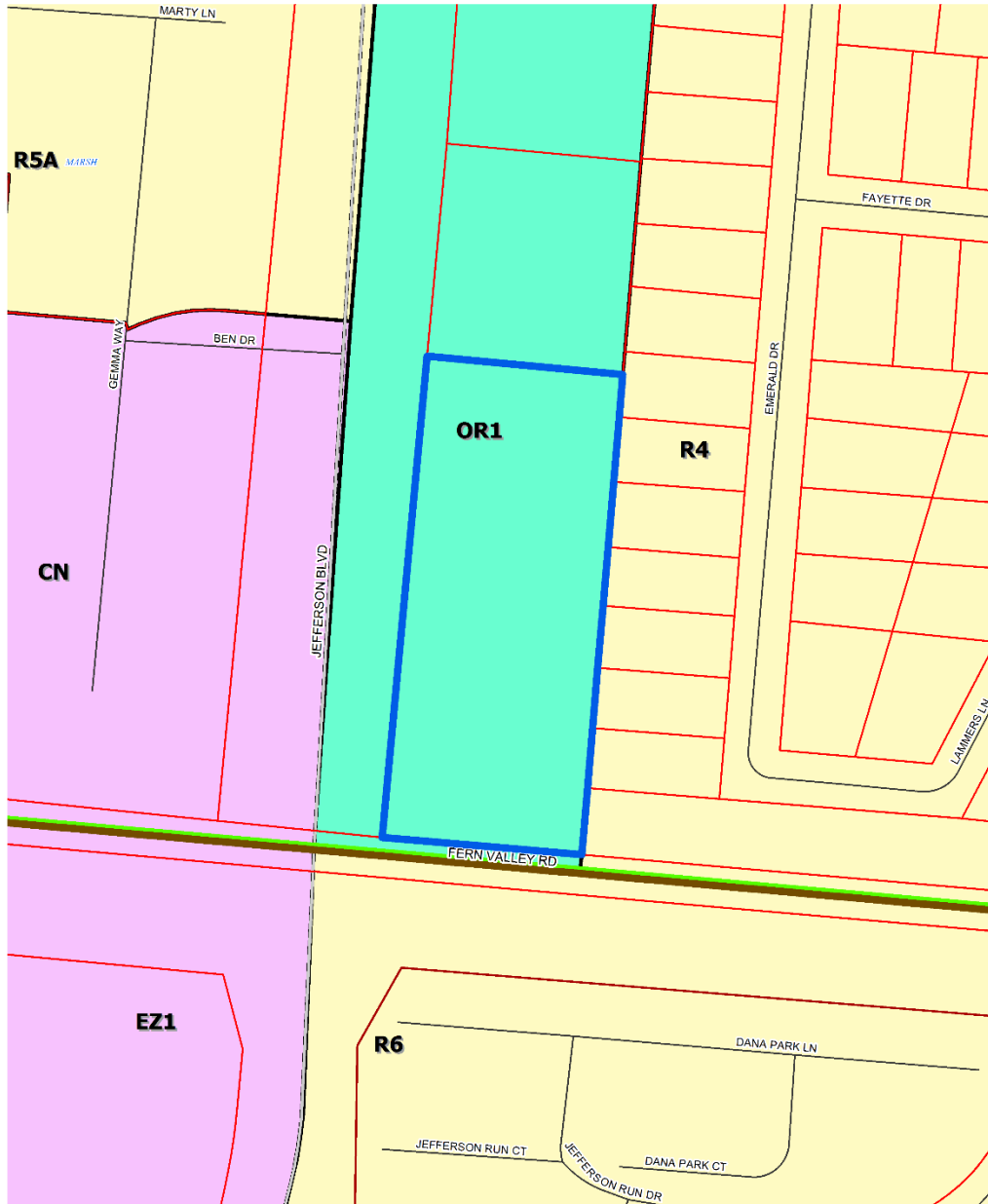
**NOTIFICATION**

Date	Purpose of Notice	Recipients
12/19/2018	Hearing before BOZA	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 2
12/21/2018	Hearing before BOZA	Notice posted on property

**ATTACHMENTS**

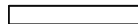
1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Elevations
5. Site Photos

1. Zoning Map



5161 Jefferson Boulevard

feet



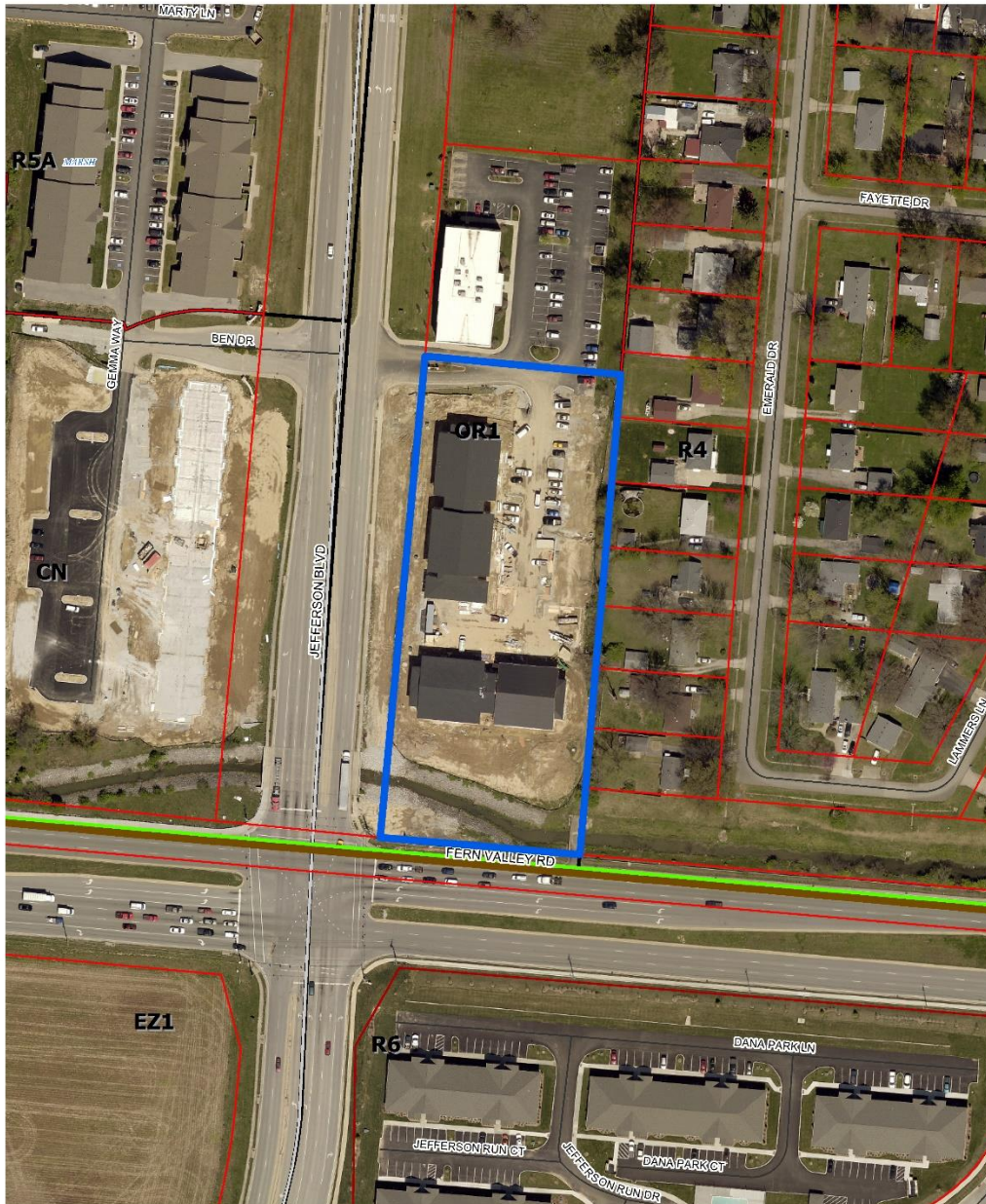
150

Map Created: 12/11/2018

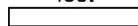


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JEFFERSON COUNTY PROPERTY VALUATION  
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## 2. Aerial Photograph



5161 Jefferson Boulevard  
feet



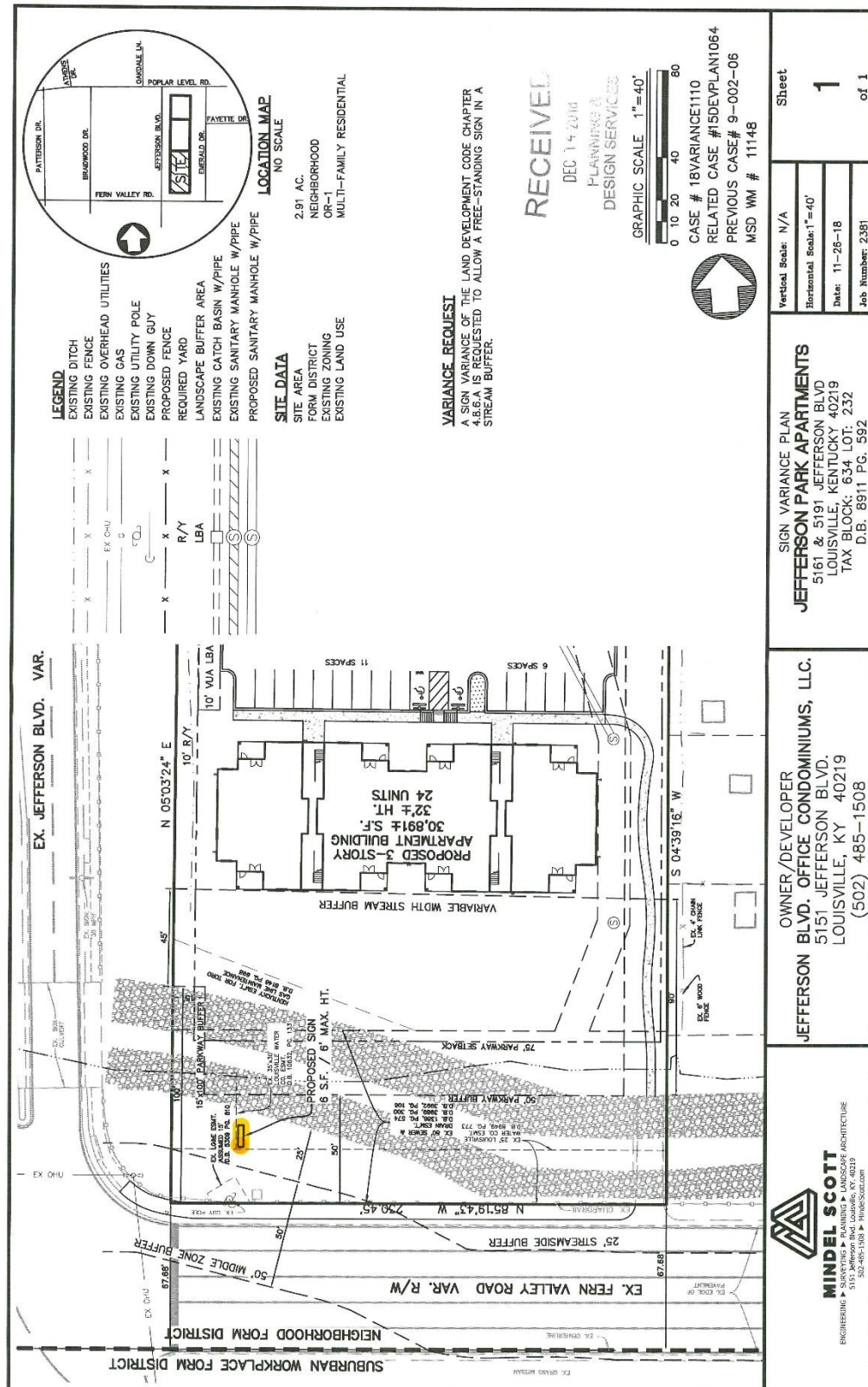
Map Created: 12/11/2018



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### 3. Site Plan



#### 4. Elevations



CUSTOMER / COMPANY: Jefferson Park Apts  
 LOCATION:  
 SALES PERSON: Lloyd  
 DESIGNER: C.e.

DATE/REVISIONS: 6/5/18

RECEIVED

NOV 30 2018

PLANNING &  
 DESIGN SERVICES

##### PROJECT OVERVIEW

Logo/Art: ☐ Provided ☐ Recreated  
 Sides: ☐ Single ☐ Double ☐ Two Sides  
 Surface: ☐ First ☐ Second

Description

##### JOB DETAILS

Print: ☒ HP ☐ Roland  
 Lam: ☐ Gloss ☐ Matte ☐ Dry E. ☐ Spray  
 Vinyl: ☒ RTA ☐ ABV ☐ Hi-Tac ☐ Wrap  
☐ Trans. ☐ Perf ☐ Other  
☐ Coro ☐ Foam ☒ Dibond ☐ Poly  
 Banner: ☐ Gloss ☐ Retr. ☐ Mesh  
 PVC: ☐ 3mm ☐ 6mm ☐ Other  
 Acrylic: ☐ 1/8" ☐ 1/4" ☐ 1/2"  
 Alum: ☐ .063 ☐ .080 ☐ 1/8"  
☐ other

##### CHANNEL LETTER FABRICATION

☐ Standard ☐ Reverse  
☐ .063 Alum. backs ☐ 1/8" Acrylic faces  
☐ .040 Alum. returns  
☐ other

Raceway: ☐ 5" ☐ 7.5" ☐ Low Profile  
 Raceway Length:

##### COLORS

☐ PMS  
☐ PMS

Faces:  
 Trim/Cap:  
 Returns:  
 Raceway color:

##### INSTALLATION DETAILS

Pertinent installation information

##### CUSTOMER APPROVAL

SIGNATURE

This design and drawing shown are property of Signarama Louisville-East. No transmittal or disclosure shall be made to any person, firm or corporation without written approval.



PLEASE REVIEW THIS PROOF CAREFULLY

SPELLING IS YOUR RESPONSIBILITY • DRAWING IS NOT TO SCALE  
 COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF

8 VARIANCE 1110

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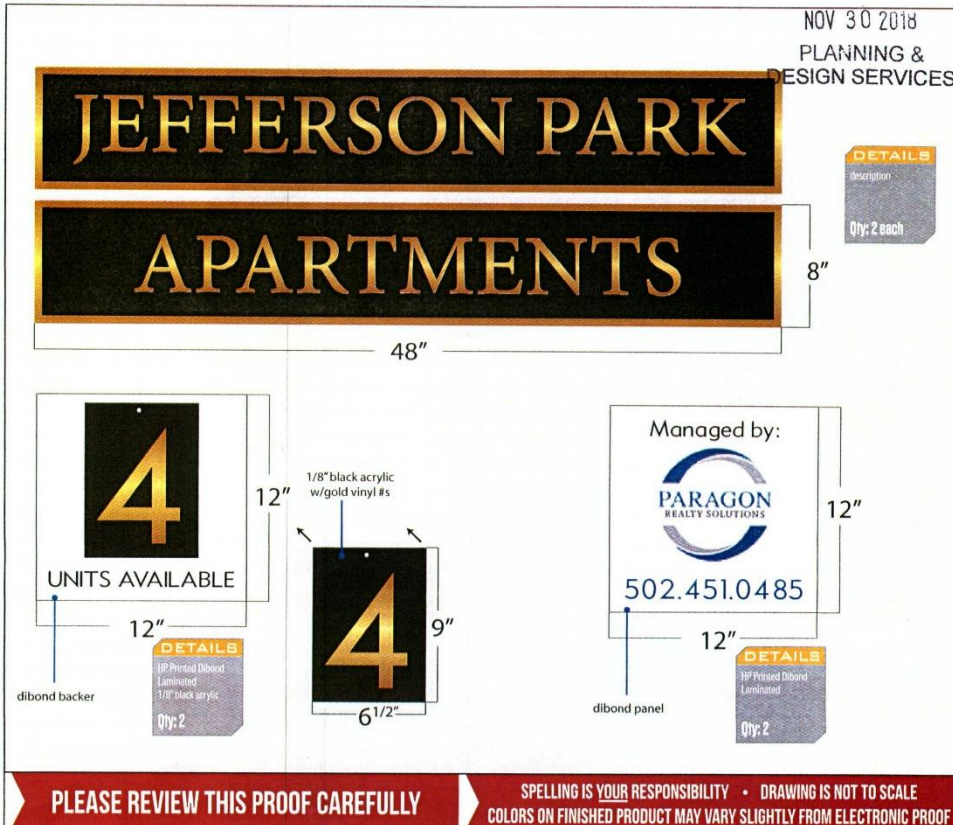
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5. **Site Photos**



Location of Spring Ditch facing east.





Proposed location of the sign and notice of public hearing.





Property across Fern Valley Road.



Property across Jefferson Boulevard.





Looking north down Jefferson Boulevard.



The proposed sign will have an identical style as this existing sign on Jefferson Boulevard.