

Board of Zoning Adjustment

Staff Report

October 19, 2020



Case No.	20-VARIANCE-0084
Project Name	U of L Health
Location	3920 Dutchmans Lane
Applicant	FastSigns
Jurisdiction	St. Matthews
Council District	26 – Brent Ackerson
Case Manager	Beth Jones, AICP, Planner II

REQUEST

VARIANCE to permit an attached sign to extend to a height greater than twenty-five (25) feet above ground (St. Matthews 14-04.D.2.c.)

CASE SUMMARY / BACKGROUND

The applicant proposes to install an attached sign on a structure located on a parcel zoned C-2 Commercial within a Regional Center form district, located in the southeast quadrant of the intersection of Dutchmans Lane and Shelbyville Road. The site is developed with a healthcare facility, including an emergency room, and associated parking.

The site is adjoined by sites fully developed with commercial and institutional uses to the north, east and west and a public utility site to the south.

The proposed sign consists of a 90 sq ft attached letterset, to be located at the main public entrance to the building along the top of the building façade. It meets all remaining Metro and St. Matthews standards and regulations for the site. Other facades of the same building have similar signs that were previously approved.

REQUIREMENTS

Attached Sign Regional Center Form District	Permitted	Proposed
Height (above grade)	25 ft	57 ft

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, BOZA must determine if the requested variance is justified and make a recommendation to the City of St. Matthews.

Staff supports the variance request for the sign height to accommodate the façade of the existing building. The proposed placement at the top of the façade will be just above the windows which make up the majority of the main entrance lobby façade.

TECHNICAL REVIEW

No technical issues remain to be resolved.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE to permit an attached sign to extend to a height greater than twenty-five (25) feet above ground (St. Matthews 14-04.D.2.c.)

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

STAFF: The requested variance will not adversely affect public health safety or welfare since the location of the sign will not interfere with pedestrian or vehicular traffic or conflict with nearby land uses.

(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 it is in character with other attached signage on adjoining properties and within the general vicinity.

(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 since the sign location will not disrupt pedestrian or vehicular traffic or nearby land uses.

(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 zoning regulations since the proposed placement of the sign is dictated by the design of the building's façade.

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 since the proposed placement of the sign is dictated by the design of the building's façade.

2. The strict application of the provisions of the regulation would deprive the applicant of 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 reasonable use of the land but would create an unnecessary hardship on the applicant since the existing uses on adjoining properties will not be adversely affected by the proposal.

3. The circumstances are 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 since the proposed sign is the only identification of the building on its primary frontage.

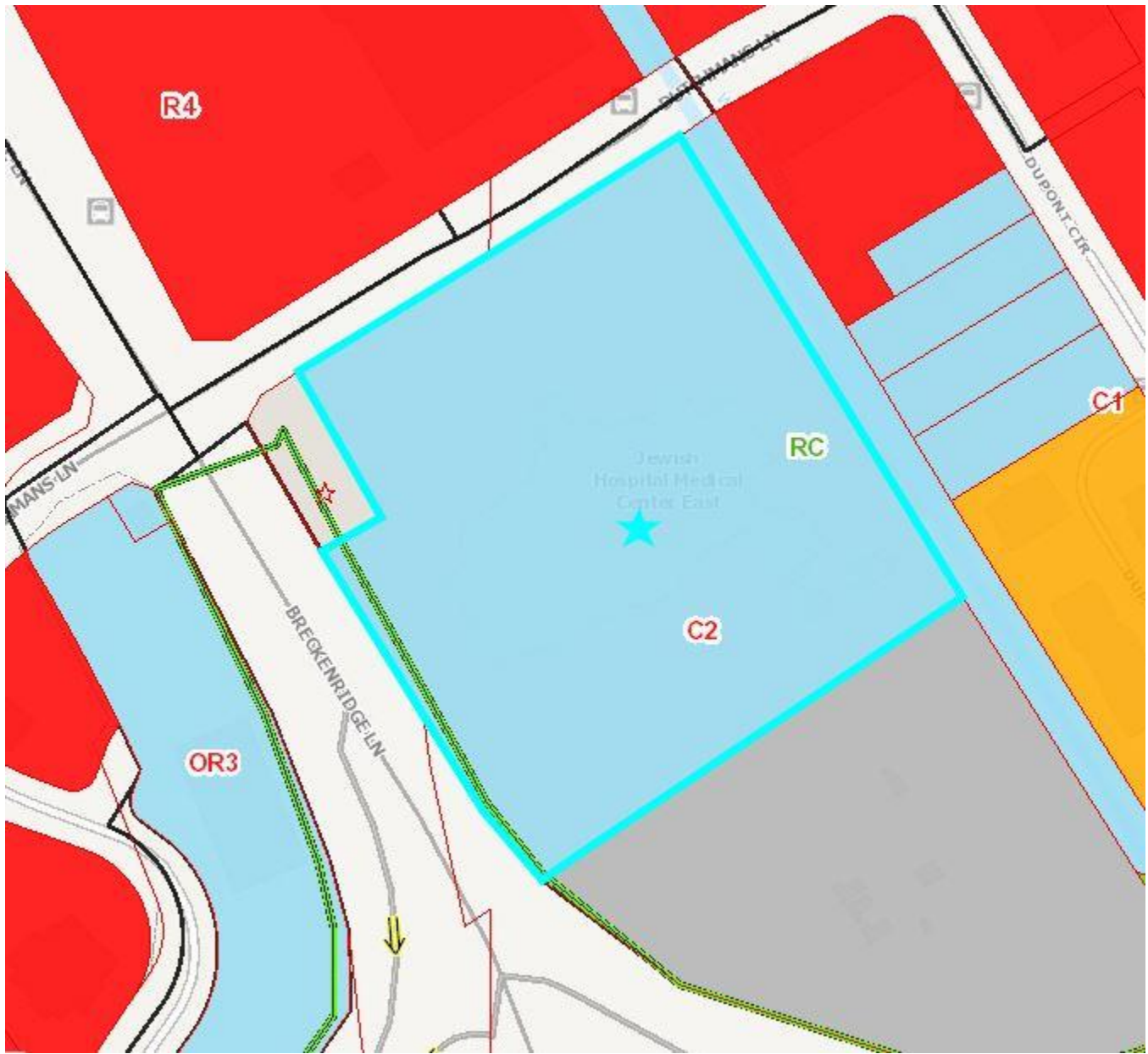
NOTIFICATIONS

Date	Purpose of Notice	Recipients
10/5/2020	BOZA	1st tier adjoining property owners Registered Neighborhood Groups in Council District 26

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Street View of Site
4. Proposed Sign Placement

1. Land Use Map



2. Aerial Photograph



3. Street View



4. Proposed Sign Placement

