

Board of Zoning Adjustment

Staff Report

March 18, 2024



Case No: 24-VARIANCE-0014
Project Name: Freestanding Sign
Location: 2336 S. Floyd Street
Owner(s): Commonwealth of Kentucky for U of L
Applicant: Tim Parson, Signarama Northeast Louisville
Representative: Tracey Diehl, Expedite the Diehl, LLC
Jurisdiction: Louisville Metro
Council District: 15 – Jennifer Chappell
Case Manager: Heather Pollock, Planner I

REQUEST(S)

- **Variance** of Land Development Code (LDC), Section 8.3.3, Table 8.3.2 to allow a freestanding sign to exceed the maximum height permitted.

CASE SUMMARY

The property is in the OR-2 Office Residential zoning district and Campus Form District. This property is on the west side of S. Floyd Street, adjacent to the Eastern Parkway overpass. The applicant is requesting to replace the sign cabinet on the existing freestanding pylon sign. There is an existing freestanding pylon sign that is 40 square feet and 18.25 feet tall. The sign meets the area requirements but is nonconforming in height. The applicant is proposing to replace the sign cabinet, the new sign will be the same area and height but because the existing cabinet will be removed a variance for the nonconforming height is required.

STAFF FINDING

Staff finds that the variance is adequately justified for approval based on staff's analysis contained in the standard of review.

TECHNICAL REVIEW

Requirements for attached signs for residential uses.

Freestanding Signs in Campus Form District	Permitted	Proposed
Total Sign Area/ Height for Collector Level Street Class	Maximum 60sq. ft./8 ft. tall	40 sq. ft./18.25 ft. tall

STANDARD OF REVIEW AND STAFF ANALYSIS FOR SIGN VARIANCE

- (a) The variance will not adversely affect the public health, safety, and welfare, will not alter the essential character of the general vicinity, and will not cause a hazard or a nuisance to the public, nor will it allow an unreasonable circumvention of the requirements of the zoning regulations.

STAFF: The requested variance will not adversely affect the public health, safety and welfare and will not cause a hazard or a nuisance to the public, nor will it allow an unreasonable circumvention of the requirements of the zoning regulations as the sign will not impact the safe movement of pedestrians and vehicles. The existing freestanding sign is nonconforming in height and the replacement of the sign cabinet will have the same area and height as the existing sign.

- (b) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.

STAFF: The requested variance does arise from special circumstances which do not generally apply to land in the general vicinity or in the same zone as the property is of commercial use while the surrounding properties are institutional use. Additionally, the height of the sign is compatible with the elevated roadway to the south.

- (c) The strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: Strict application of the regulations would create an unnecessary hardship on the applicant, as the proposed changes are not increasing the height of the sign.

- (d) The circumstances are not the result of actions taken by the applicant 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 regulations as work has not begun on the proposed sign for which the variance is being requested.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Variance** of Land Development Code (LDC), Section 8.3.3, Table 8.3.2 to allow a freestanding sign to exceed the maximum height permitted.

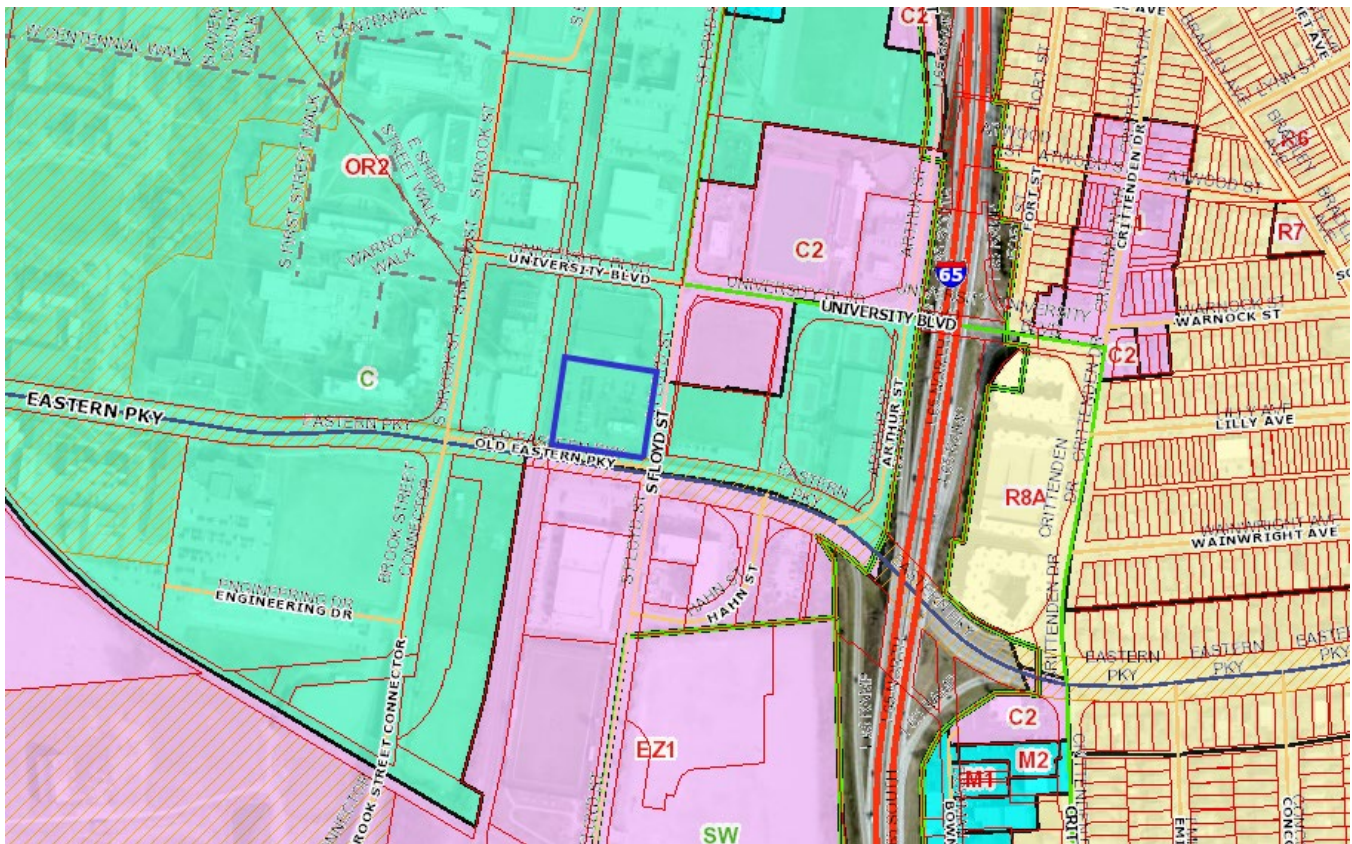
NOTIFICATION

Date	Purpose of Notice	Recipients
03/04/2024	Hearing before BOZA	1 st tier adjoining property owners and current residents. Registered Neighborhood Groups in Council District 15
03/01/2024	Hearing before BOZA	Notice posted on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

