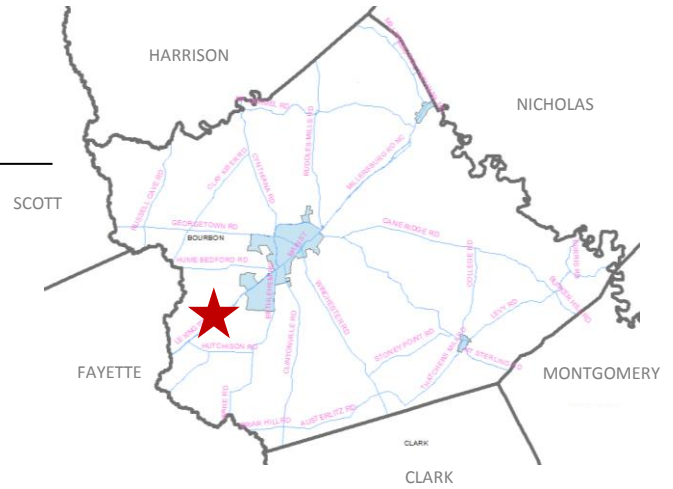


Staff Report

Bourbon County Joint Board of Adjustment Meeting
October 20, 2020

Case Number: VAR 20-05
Applicant: Evergreen Memory Gardens
Owners of Property? Yes. Evergreen Memorial Garden.
Location: 5364 Lexington Rd.
Request: 162 ft. front setback variance
Jurisdiction: Unincorporated Bourbon County
Zoning: A-1 Agricultural
Paris Pike Overlay Zone
Application Date: September 28, 2020
Legal Advertisement: October 1, 2020
Site Visit: October 7, 2020
Signage Confirmation: October 7, 2020



Proposal:

The applicant proposes a 162 ft. front setback variance for the installation of a 36 in. H x 84 in. W sign. Total sign height proposed at 8 ft.

Background:

Parcel Size: 30.9 acres
Existing Structures: Cemetery Office
Floodplain (Y/N): NO

Proposed front setback: 38 ft.

Previous sign setback: Approx 67 ft.

The Paris Pike Corridor Commission reviewed this application on October 12, 2020.

The Commission recommended disapproval with the suggestion to move the sign back to a similar setback to the Bedford Acres Church Sign (approx. 132 ft.)





Southbound view from Paris Pike



Proposed sign location:

Northbound view from Paris Pike



Proposed sign location:

Findings:

Before a variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the vicinity, will not cause a hazardous nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider:

Does the requested variance arise from special circumstances?

Yes, the Evergreen Memory Gardens pre-dated the expansion of the Paris Pike Corridor. The proposal is to replace and relocate a sign on this property for wayfinding purposes.

Would the strict application deprive the applicant of the reasonable use of land or create unnecessary hardship?

Yes, the strict application could potentially create a hardship by making the cemetery more difficult to locate thereby creating a safety issue.

Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the zoning regulation for which relief is sought?

No, the circumstances are not the result of any actions taken by the applicant subsequent to the adoption of the zoning regulations.

Staff Comments: If the setback were adjusted to match the adjacent Bedford Acres Church property, the sign placement would be in the center of the cemetery, away from the entrance. However, there is the potential to set the sign back farther than requested, while still allowing it to be located at the entrance/exit of the cemetery. Staff recommends the Board consider a slightly larger setback of 60 ft.

Recommendation:

If the Board agree to approve the original request, the approval would be for a 162 ft. front setback variance for the installation of a sign at Evergreen Memory Gardens with the proper findings.

If the Board agrees to approve an adjusted request for a front setback (e.g. 60 ft. instead of the originally requested 38 ft.) the approval would be for a 140 ft. front setback variance for the installation of a sign at Evergreen Memory Gardens with the proper findings.

Paris Pike Corridor Commission

Bourbon County Courthouse - Courthouse Square - East Main Street - Paris, Kentucky 40361 - (859) 987-2150
LFUCG - Phoenix Building - 101 East Vine Street - Lexington, Kentucky 40507 - (859) 258-3160
Municipal Center - 525 East High Street - Paris, Kentucky 40361 - (859) 987-2110

October 13, 2020

Dear Ms. Pompeii Lacy,

The Paris Pike Corridor Commission met on Monday, October 12, 2020. During this regularly scheduled meeting, the Commission reviewed the variance application for Evergreen Memory Gardens, located at 5364 Lexington Road, Bourbon County, KY to reduce the required setback for signage from 200-feet to 38 feet, a reduction of 162 feet.

After discussion, the Paris Pike Corridor Commission (PPCC) voted 5-1 to recommend Disapproval of the requested variance to the Paris-Bourbon County Board of Adjustment. In addition, the PPCC recommended that a lesser variance be considered that would be consistent with the variance approved for the Bedford Acres Church, on the adjacent property in 2018.

Thank you for the opportunity to review and provide input to the Board for applications along the corridor.

Regards,



James Pendergest
Chair