

Board of Zoning Appeals

Minutes (amended)

March 14, 2017

Members present: John Golzy (Chairperson), Lisa Carson, Betty Hollow, Kay Tousley, Edward Baum (alternate).

City officials present: Rick Sirois (Zoning Administrator).

The meeting was called to order at 7:00pm in City Council Chambers, third floor of City Hall. The Chairperson noted that, with the absence of one full member of the Board, Mr. Baum will be a voting member for this meeting. The Chairperson asked the appellant if they wanted to see the video about the policies and procedures of the Board of Zoning Appeals. The appellant declined, and the Chairperson waived the showing of the video. The Chairperson then swore in, under oath, those intending to give testimony.

Case #17-03V 2065 East State Street Zone B-3 DaNite Sign Co., appellant

Appellant is requesting variances from ACC 23.03.13(I)(4)(d) to allow a free-standing sign with one hundred (100) square feet in area, where fifty (50) square feet in area is the maximum allowed, and from ACC 23.03.13(I)(5) to allow a free-standing sign forty feet (40') in height, where thirty feet (30') in height is the maximum allowed.

The Chairperson called on the appellant to testify.

David Moran (RVC Architects, 131 West State Street) addressed the Board. Mr. Moran presented a list of other signs in the City. Mr. Moran said the City was mixed up as to which sign the appellant wanted, as they had submitted a smaller sign in an application to the Code Office.

Mr. Moran stated that there will not be more signage in the City, as the sign at the current Ford dealership will be taken down when the dealership moves to the new location. Mr. Moran referenced other signs along East State Street that had heights greater than 30 feet. Mr. Baum said this sign request is in keeping with other signs in the area.

The Chairperson noted that there were no other attendants to speak in favor of, make general comment about, or speak against the variance.

On a motion by Mr. Baum, seconded by Ms. Tousley, the Board moved to grant variances from ACC 23.03.13(I)(4)(d) to allow a free-standing sign with one hundred (100) square feet in area, where fifty (50) square feet in area is the maximum allowed, and from ACC 23.03.13(I)(5) to allow a free-standing sign forty feet (40') in height, where thirty feet (30') in height is the maximum allowed.

FINDINGS:

- 1.) **EXCEPTIONAL CIRCUMSTANCES:** Its location on the other side of the highway makes it more difficult to find. The lot is next to a raised four-lane highway.
- 2.) **HARDSHIP AND DIFFICULTY:** Its location on the other side of the highway makes it more difficult to find. The lot is next to a raised four-lane highway.
- 3.) **PRESERVATION OF EQUAL PROPERTY RIGHTS:** Other signs in the area are of similar height.
- 4.) **MINIMUM VARIANCE:** Yes.
- 5.) **ABSENCE OF DETRIMENT** Yes.
- 6.) **NOT OF A GENERAL NATURE:** Yes.

The Chairperson called for a vote: Yes – Baum, Carson, Golzy, Hollow, Tousley; No – no one. Motion approved 5-0; variance granted.

OTHER BUSINESS:

--Disposition of minutes from February 14, 2017 meeting. On a motion by Ms. Tousley, seconded by Mr. Baum, the Board voted 3-0 to accept the minutes as presented.

The meeting was adjourned at 7:10pm.

John Golzy, Chairperson

Paul Eschenbacher, secretary