

WHITLEY COUNTY BOARD OF ZONING APPEALS

STAFF REPORT

23-W-VAR-3 DEVELOPMENT STANDARDS VARIANCE
Roanoke Woodworking
7477 E. State Road 114

FEBRUARY 28, 2023
AGENDA ITEM: 3

SUMMARY OF PROPOSAL

Current zoning: GC, General Commercial
Property area: 0.979 acre

The petitioner is requesting a development standards variance to allow the refacing of a pole sign that currently exists on their property. The proposed would include the lower section of the sign to be an Electronic Message Center (EMC). The sign would be located on their property at 7477 E. State Road 114.

The petitioner is proposing to reface a two-sided identification sign near the southeast corner of the property. The sign is generally compliant with the sign code requirements except that it would be an EMC, which the sign code does not currently address (therefore it does not permit), so a variance is required.

The proposed sign specifications, required code standards, and necessary variances are:

	Proposed	Code	Variance
Maximum height	26'	30'	-
Max. sign face area (each side)	84.5 sq. ft.	150 sq. ft.	-
EMC sign area	20.5 sq. ft.		Yes
Static sign area	64 sq. ft.		-
Setback from R/W	17.5'	1'	-
Max. number of signs per street frontage	1	1	-

REVIEW CRITERIA

Indiana Code §36-7-4-918.5 and Section 10.10 of the Zoning Code state the criteria listed below upon which the Board must base its review. Staff's comments/proposed findings of fact under each criterion.

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

The requested variance will not likely be injurious to the public health or morals, as non-obscene signs generally have negligible effect on those factors.

If the EMC is regulated to minimize flashing/motion and glare that could cause unusual distraction or harmful brightness, then it is unlikely to impact the public safety. The granting of a variance for an electronic sign may affect the general welfare, as it could be viewed as a precedent for construction of more electronic signs. If granted, well-defined conditions should be included that reflect the circumstances of the site and the use so that any other requests may be held to similar standards dependent on their particular sites.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

The proposed sign may not substantially nor adversely affect the use and value of the area adjacent to the property since there are few properties that may be within eyeshot of the sign. The effect on

those properties that are nearby should still be mitigated if the sign brightness and motion are regulated.

3. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction or restriction of economic gain.

Electronic message centers are becoming more commonplace throughout the country and region, and regulations have been adopted in many communities that effectively mitigate the adverse effects that the digital signs have. If the proposed sign is reasonably regulated to mitigate those effect, the strict application of the code would likely cause practical difficulties.

SUGGESTED CONDITIONS

If the Board moves to grant the variance, the following are suggested conditions of the approval:

1. The sign shall not appear to flash, undulate, pulse, or portray explosions, fireworks, flashes of light or blinking or chasing lights.
2. Electronic messages may not change more rapidly than once every one and one-half (1.5) seconds.
3. Electronic messages may not require more than ten (10) seconds to display in its entirety.
4. The sign shall have a sensor or other device that automatically determines the ambient illumination and be programmed to automatically dim according to ambient light conditions.

Date report prepared: 2/21/2023

BOARD OF ZONING APPEALS ACTION

Findings of Fact Criteria

	Green		Sheiss		Wilkinson		Wolf		Wright	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Criterion 1										
Criterion 2										
Criterion 3										

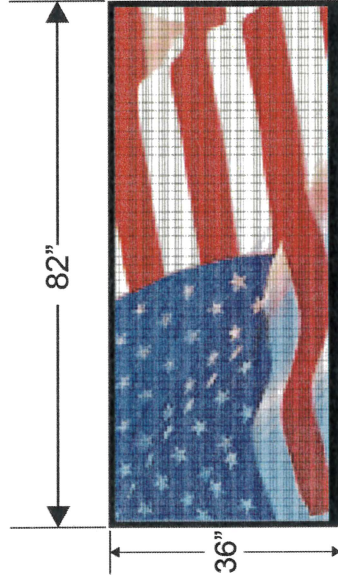
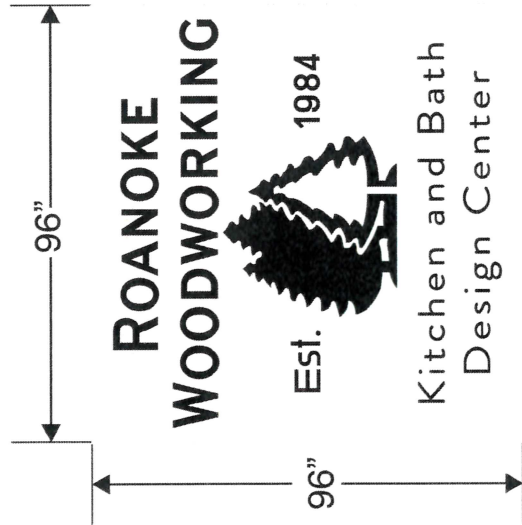
Motion: Grant
 Grant w/conditions
 Deny

By: _____ Second by: _____

	Green	Sheiss	Wilkinson	Wolf	Wright
Yes					
No					
Abstain					

Note: Due to limitations of the printing process, printed colors may vary from those of final production. All artwork is conceptual.

Double Face Cabinet Sign/Ch Letter



3202 Caprice Ct.
 Fort Wayne, IN 46808
 260 482-NEON

Client/Project Name

Roanoke Woodworking

Project Manager

Amy Bennett

Designer

Austin Read

Client Approval:

X



Existing



Proposed



Stine's Triple S Ranch LLC

Stine, Jan Russell & Stine, Beverly Jean Trustees Of The Jan Russell Stine & Beverly Jean Stine Fami

Stine, Jan Russell & Stine, Beverly Jean Trustees Of The Jan Russell Stine & Beverly Jean Stine Fami

Stine, Jan Russell & Stine, Beverly Jean Trustees Of The Jan Russell Stine & Beverly Jean Stine Fami

Stine, Jan Russell & Stine, Beverly Jean Family Trust

TJG Properties LLC

State of Indiana

Weiker Resources LLC

Spreen, Sandy Sue

Denihan, Colin P & Mary K

EUS 24 S

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92-10-36-000
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