

Board of Zoning Appeals

April 9, 2015

Members present: Chairman, Phil Rooney; Secretary, David Russell; and Douglas Warren.

The meeting was called to order at 6:00 p.m. by Mr. Rooney. Mr. Rooney introduced the members to the audience and the general rules were reviewed.

Case # 53050-BA-15 (200 W. Main Cross Street) was reviewed by Todd Richard, City of Findlay:

Filed by the Hancock County Performing Arts Center, the applicant is seeking a variance from sections 1161.12.13A.2, 1161.12.13A.6, and 1161.12.13B of the City of Findlay Zoning Ordinance. Respectively, these sections prohibit electronic message centers on walls; prohibit electronic message centers in the C-3 Downtown Commercial District; and limit the size of the electronic message center area to 25% of the sign area to be constructed. The applicant is proposing an electronic message center to be placed on a wall in the C-3 district that will consist of 100% of the sign area.

Two eight x ten foot signs have been proposed on the east and west walls near W. Main Cross Street. The applicant will be operating the signs under the guidelines of a digital billboard. Digital billboards are permitted in the C-3 district. The difference is the sign will not be an off-premise sign- it will be accessory to this property by advertising upcoming events at the center. The action and appearance of the sign will be the same as a digital billboard. It will not have animation, but will have images that will be displayed every eight seconds. Digital billboards are prohibited from having animation.

There has never been an intent or desire from past administrations to have flashing, blinking signs in the downtown area. A "ticker tape" sign was once proposed and was denied. There has been concern that these signs would be distracting and gaudy. Enforceability and future requests must be considered here.

There is no doubt this use is unique and beneficial to the downtown area and promoting upcoming events has its importance. Perhaps the sign could change less frequently- every five minutes.

There are other avenues to inform the public of future performances. Social media, radio, television, and newspaper ads are obvious outlets to get the message out.

Perhaps some alternatives need to be considered. Is a marquee with an LED fixed message board appropriate on the façade? Additionally, the applicant has mentioned a rotating fixed message sign.

If the variance is granted, the Board will have to make its intentions clear. The fact the use is special and unique and does not compete with other downtown activities, but supplements them, needs to be considered. The Board should consider some conditions regarding how often the message can be changed and the fact the sign must be accessory to the site and not act as a billboard. It's clear that the appearance of flashing, changing signs in the downtown district is undesirable.

Brian Hurt, representing the Hancock County Performing Arts Center, was sworn in. Mr. Hurt reiterated some of the points made by Mr. Richard. They want the sign to perform like a digital billboard. These signs are strictly to be used to promote events at the center. This building is community supported and the lot and building do not meet traditional C-3 characteristics, which makes the property unique. They want at least a couple of the ads to be displayed as drivers pass by. Social media will be important, but this sign is important for advertising.

Mr. Hurt reviewed some alternatives. A rotating sign is an option but wouldn't look very attractive. Banners could be placed on the walls, but they would have to be changed often and lifts would have to be used. Additionally, there is a safety issue.

Mr. Hurt said that the proposed signs would be an enhancement to the building. The center will attract activity in the downtown area.

Mr. Hurt answered Mr. Russell's question regarding the function of the sign by stating that the signs would not be animated but would display a message every eight seconds- like a digital billboard.

Jim Cratesburg, a representative of the Hancock County Performing Arts Center, was sworn in. Mr. Cratesburg stated that the signs will not compromise the character of the downtown area. The sign must change often to take advantage of the impulse buy. Only social media will have a bigger impact on the marketing effort.

David Moore, 705 Franklin Avenue, was sworn in. He is concerned about the distraction and the fact there is a crosswalk near the library. He is concerned with the sign causing distraction in this particular area.

Mr. Cratesburg reminded everyone there is no movement in the images to be displayed.

There was no other communication from other parties.

Mr. Richard pointed out, that with all of the demolition in the downtown area, there are several open areas where these signs may be desirable. This site isn't really unique in that regard. Some of these exposed walls may invite others to want the same type of signage.

Mr. Warren said that he has an issue with the harmony of the sign with the surrounding area and that particular condition is not being met.

Mr. Hurt responded by saying that alternatives aren't in harmony either.

There was general discussion on how a billboard could be placed on a wall and act the same as what is proposed.

More debate continued on what is permitted in the downtown area. All billboards are permitted, however, there is a spacing requirement. There was discussion on the difference between an accessory sign versus a billboard.

Mr. Warren wanted to know what alternative would be appropriate as far as how often the sign should change and how enforceable the condition would be.

Mr. Richard stated that enforcing display times is certainly feasible. Generally, businesses are respecting the fixed message appearance, as specified on their permits. He said he wanted to see a greater delay on the change of the messages.

Mr. Rooney asked if this was a billboard, would it be permitted? What we are discussing here is ridiculous.

There was more discussion on the timing and delay of the messages to be displayed.

Mr. Rooney made a motion to approve the variance as requested. He reviewed each condition to justify the approval. Mr. Russell seconded the motion.

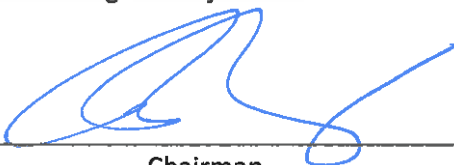
More discussion followed. Mr. Warren wanted it CLEARLY known that this will open the door for future requests.

Mr. Rooney countered with several examples of past requests. The fact that many of the downtown lots are so small and more concentrated makes their situations entirely different. He said that what they decide here tonight will not set a precedent for other requests.

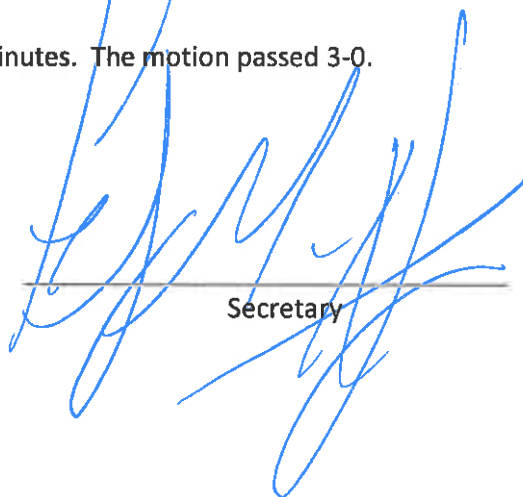
The motion passed 3-0.

Mr. Rooney mad a motion to approve the February 2015 minutes. The motion passed 3-0.

The meeting was adjourned.



Chairman



Secretary