



**CITY OF COLUMBUS  
BOARD OF ZONING APPEALS  
(October 29, 2013 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** C/DS-13-30 (First Assembly of God Church)  
**Staff:** Thom Weintraut  
**Applicant:** First Assembly of God Church, Inc  
**Property Size:** 3.84 Acres  
**Current Zoning:** RS4 (Residential: Single-Family 4)  
**Location:** 2100 10<sup>th</sup> Street, in the City of Columbus

**Background Summary:**

The applicant is requesting 2 development standards variances: The petitioner is proposing to replace an existing freestanding sign with a new freestanding sign that will contain a changeable copy message board. They would like to use the existing sign location which is inside an existing elevated planter box.

**Variance Number 1:** the applicant has indicated that the proposed variance from Zoning Ordinance Section 10 (Table 10.1) is for the purpose of allowing a freestanding sign to exceed that maximum of 6 feet by 2.5 feet for a total of 8.5 feet in height.

**Variance Number 2:** the applicant is also requesting a variance from Zoning Ordinance Section 10(H)(11)(c) for the purpose of allowing a changeable copy sign to exceed the non-changeable copy portion of a primary sign by more than 75% or by a total of 16.4 sq. ft. The petitioner would like to have the changeable copy portion of the sign only on the east face of the sign because 10<sup>th</sup> Street is one-way west bound and the message would only be readable to motorists traveling from the east.

On April 23, 2013, the First Assembly of God Church was granted a Conditional Use (C/CU-13-07) to allow a 50 sq. ft. sign in a RS4 (Residential: Single-Family 4) zoning district that included a LED changeable copy sign. At that time discussion was held regarding the lumination of the LED changeable copy of the sign and the petitioners stated they were going to meet the requirements of the Zoning Ordinance for all standards except for height. They were also granted a development standards (C/DS-13-11) variance to allow a sign to exceed the maximum height of 6 feet by 1.25 feet for a total of 7.25 feet.

**Preliminary Staff Recommendation:**

**Variance Number 1:** Approval: with the following condition(s):

1. The missing plants on the property shall be replaced according to the landscape plan approved by Plan Commission on November 5, 1997 as part of SU-97-13 (First Assembly of God Church) prior to the sign being installed.
2. The petitioner shall work with the neighboring properties to insure that the nighttime luminance of the LED sign does not impact neighboring properties.

**Variance Number 2:** Denial: Criteria 1, 2, & 3 have not been met.

If approved, the following condition(s) should be included:

The changeable copy should be limited to a total of 21 square feet, the maximum changeable copy area that would be allowed if the non-changeable copy area was increased it maximum size for a 50 square foot sign.

**Zoning Ordinance Considerations:**

**District Intent:** The intent of the RS4 (Residential: Single-Family 4) zoning district is as follows: The RS4 Residential zoning district is intended to provide areas for high density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. Such developments should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employments and convenience goods.

**Development Standards:** Section 10(Table 10.1) of the Zoning Ordinance allows the placement of a 50 square foot monument sign not to exceed 6 feet as a conditional use in the RS4 Single-Family Residential zoning district. In addition Table 10.1 allows for 1 changeable copy sign as part of a Primary Sign with the changeable portion not to exceed 75% of the area of the non-changeable portion of the Primary Sign of which it is a part (Section 10(H)(11)(c) of the Zoning Ordinance).

Section 10(G)(2)(a) of the Zoning Ordinance states the area of a sign that has 2 or more faces shall be measures by including the area of all sign faces. However, if 2 faces are places back-to-back, are of equal size, and no more than 2 feet apart at any point, the area of the 2 back-to-back faces shall be counted as one face. If the 2 back to back faces are of unequal size, the larger of the 2 sign faces shall be counted as the one face.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Worship facility.
<b>Site Features:</b>	The site contains a building, a parking lot, a freestanding sign, and landscaping.
<b>Flood Hazards:</b>	The site is located in the 100-year flood fringe.
<b>Vehicle Access:</b>	The property has access from 10th Street (Minor Arterial, Residential, Urban) and Iowa Street (Local, Residential, Urban)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RS4 (Residential: Single-Family 4) P (Public/Semi-Public Facilities)	Single-family residential Greenbelt Golf Course
<b>South:</b>	RS4 (Residential: Single-Family 4)	Single-family residential
<b>East:</b>	P (Public/Semi-Public Facilities) CC (Commercial: Community)	Greenbelt Golf Course Park's Department Building
<b>West:</b>	RS4 (Residential: Single-Family 4)	Single-family residential

<b>Interdepartmental Review:</b>
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<b>City Engineering:</b>	1.The proposed variance will not significantly impact access or drainage on the site. 2.Is there any guidance for size and brightness of changeable copy LED signs?
<b>City Utilities:</b>	No comments provided.
<b>Fire Department:</b>	No concerns.

**Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The intent of the sign regulations is to avoid proliferation of signs, encourage design and placement of signs that are legible and effective for communication in the context of their location and surroundings; promote principles of quality design in community development; and enhance the city's economic development and growth.
2. On April 23, 2013 (C/DS-13-11) when the petitioner requested the variance to exceed the 6 foot sign height, they provided a graphic of the proposed sign face (5 feet in height) and made reference to the height of the planter, 2.25 feet, but did not take into consideration the height of the 1 foot skirting between the sign and the base located in the planter. The height approval for that sign was 7.5 feet which was 1 foot shorter than the sign the petitioner wished to erect. Since the proposed sign exceeds 6 feet in height the petitioner has agreed to meet the landscaping requirements for a freestanding sign that exceeds 6 feet in height.
3. The height of the sign will be in scale with the existing building, and is located approximately 100 feet from the nearest residential properties which are to the south and west of the proposed sign. The properties to the east of the church are zoned CC (Community Commercial) and P (Public/Semi-Public).
4. At the April 23, 2013 Board of Zoning Appeals meeting the petitioner presented a graphic of a sign with a changeable copy area greater than what is permitted. The petitioner had misinterpreted Zoning Ordinance Section 10(H)(11) as allowing a changeable copy element to be 75% of the area of the total permitted signage or 75% of 50 square feet for a total of 38 square feet. When the petitioner stated they would follow the development standards for the signage the petitioner was assuming the area of 38 square feet and not 75% of the area of the non-changeable portion of the sign. The petitioners were not aware this error until an application for a Zoning Compliance Certificate was filed in the Planning Department on August 22, 2013.
5. Section 10(H)(11) of the Zoning Ordinance states the combined area of a changeable copy sign and the area of the non-changeable copy sign shall not exceed the maximum area allowed for the primary freestanding sign. The permitted area for a freestanding sign in the RS4 (Residential: Single-Family 4) is 50 square feet. The maximum area of the changeable copy elements shall not exceed 75% of the area of the non-changeable elements. A 50 square foot sign freestanding sign would allow 21 square feet of changeable copy based on 28 square feet of non-changeable copy for a total sign area of 49 square feet.
6. The graphic the petitioner has provided shows a non-changeable copy area of approximately 12 square feet and a changeable copy area of 38 square feet. Based on the 12 square feet of non-changeable copy the proposed sign would allow a changeable copy area of 9 square feet. The proposal exceeds what is allowed by 28.8 square feet or a total of 320%.
7. The petitioners are requesting to only have changeable copy on the east face of the sign and not on the west face. The petitioner states the changeable copy portion on the east face is less than 75% of the combined total non-changeable copy element area (50 sq. ft.) of the west sign face and the non-changeable portion area (12 sq. ft.) on the east. 62 square feet multiplied by 75% equals 46 square feet. The petitioner is requesting a total of 38 square feet. According to Zoning Ordinance Section 10(G)(2)(a) two sign faces back to back have to be equal in area to be counted as one sign, so the changeable copy area of 38 square feet would be the calculated area that would apply to this sign.

8. The additional area of changeable copy signage could be a distraction to the motoring public and become a hazard. In addition the larger LED lumination could be a nuisance and distraction to the neighborhood.
9. The petitioner has stated the conditions of the previous approval for C/CU-13-07 (First Assembly of God) were acceptable. Those conditions were:
  - 1) The missing plants shall be replaced according to the landscape plan approved by Plan Commission on November 5, 1997 as part of SU-97-13 (First Assembly of God Church).
  - 2) The petitioner shall work with the neighboring properties to insure that the nighttime luminance of the LED sign does not impact neighboring properties.

**Provisional Findings of Fact/Decision Criteria:**

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

**Variance Request 1: A request from Zoning Ordinance Section 10(Table 10.1) for the purpose of allowing the a freestanding sign to exceed the 6 foot maximum height in a RS4 (Residential: Single-Family 4) zoning district by 2.5 feet for a total height of 8.5 feet.**

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

*Provisional Findings:* The proposed freestanding sign is not located in the public right-of-way or within the intersection visibility area of the adjacent street and driveways. The overall sign face area meets the requirements for the zoning district. *This criterion has been met.*

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.**

*Provisional Findings:* The sign is located along the frontage of 10<sup>th</sup> Street directly in front of the building and approximately 100 feet from the nearest residential properties and therefore will not detract or affect surrounding properties in an adverse manner. *This criterion has been met.*

3. **The strict application of the terms of the zoning 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 of, or restriction on, economic gain.**

*Provisional Findings:* The strict terms of the Zoning Ordinance will result in practical difficulties in the use of the property because the existing sign base and electrical conduit are located in a stone planter which has an elevation of 2.35 feet above the surrounding grade. The actual height of the sign structure will meet the minimum 6 feet in height as required by the Zoning Ordinance in a residential district. *This criterion has been met.*

**Variance Request 2: A request from Zoning Ordinance Section 10(H)(11)(c) for the purpose of allowing the changeable copy portion of a sign to exceed the nonchangeable copy portion of a primary sign by more than 75% or by 16.4 sq. feet.**

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

*Provisional Findings:* The approval may be injurious to the public health, safety, morals, and general welfare of the community because the larger area of changeable copy signage could be a nuisance to the neighboring residential areas and the larger changeable message area could be a distraction to passing motorists. *This criterion **has not** been met.*

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.**

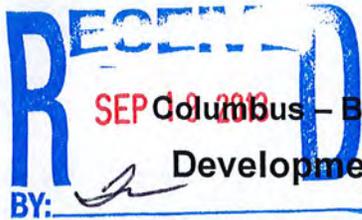
*Provisional Findings:* The use and value of the adjacent property may be affected in a substantially adverse manner because LED signs use high luminance to make messages readable and this high intensity and larger message area could be a distraction for passing motorists and a nuisance to neighboring residential properties. *This criterion **has not** been met.*

3. **The strict application of the terms of the zoning 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 of, or restriction on, economic gain.**

*Provisional Findings:* The strict application of the terms of the zoning ordinance will not result in practical difficulties in the use of the property because the petitioners could increase the portion of the non-changeable copy element to 29 square feet to meet the minimum requirements of the zoning ordinance and still retain 21 square feet of non-changeable copy sign. *This criterion **has not** been met.*

### **Board of Zoning Appeals Options:**

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.



Columbus - Bartholomew County Planning Department  
Development Standards Variance Application

Planning Department Use Only:

Jurisdiction:  Columbus  Bartholomew County

Zoning: RS-4

Docket No.: C/DS-13-30

Hearing Procedure:  Hearing Officer  Board of Zoning Appeals

**Development Standards Variance Application:**

**Applicant Information** (the person or entity that will own and/or execute what is proposed):

Name: FIRST ASSEMBLY OF GOD CHURCH, INC

Address 2100 TENTH STREET COLUMBUS IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 376-7833 Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Property Owner Information** (the "owner" does not include tenants or contract buyers):

Name: FIRST ASSEMBLY OF GOD CHURCH, INC

Address 2100 TENTH STREET COLUMBUS IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 376-7833 Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Notification Information** (list the person to whom all correspondence regarding this application should be directed):

Name: TED DARNALL, CROWDER & DARNALL LAND SURVEYING

Address 826 THIRD ST. COLUMBUS IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 376-3391 Fax No.: \_\_\_\_\_ E-mail Address: ted@crowderanddarnall.com

How would you prefer to receive information (please check one):  Email  Phone  Fax  Mail

**Property Information:**

Address 2100 TENTH STREET COLUMBUS IN 47201  
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

\_\_\_\_\_

**Variance Requested:**

I am requesting a variance from Section 10 Table 10.11 and 10(H, 10, c) of the Zoning Ordinance to allow the following:

- 1) To allow a free standing sign to exceed the maximum height of 6 feet. The proposed sign height will not exceed 8.5 feet.
- 2) To allow the area of the changeable copy elements of the east side of the sign to exceed 75% of the changeable copy area. The LED or changeable copy area of the east side is 38 square feet, the non-changeable area is 12 square feet. The west side of the sign will contain 50 square feet of non-changeable copy only

**Variance Request Justification:**

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

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

The new sign will replace an existing sign that is approximately 18 feet tall. The new sign will re-use the stone sign base & planter. The sign will not be within the site visibility triangle, and has not posed a hazard in the 30 plus years that it has been in place. The new sign will be no more than 8.5 feet tall, much shorter than the existing. Only the east facing side of the sign will contain the LED, which will be equipped with a photo cell dimmer to lower the brightness of the sign at night. The replacement of the old sign will not pose a traffic hazard, or be injurious to the public in any other way.

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

This site has been used by the church congregation to hold worship services and other meetings for over 50 years. The existing sign that is being replaced has been there for 30 plus years. The upgrade of the sign along with the replacement of the required landscaping will improve the overall appearance of the church campus which is a positive change for the area.

**The strict application of the terms of the Zoning 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 of, or restriction on, economic gain.**

The existing sign is dated, and in much need of replacement. The sign base & planter match the existing stone façade of the building, and contain the existing electrical wiring for the sign, which make it logical to re-use. When the existing base and sign were built the 6 feet height limitation did not exist. The stone base is 2.25 feet tall, leaving only 3.75 feet of height for the sign. The changeable copy area LED is only on the east side of the sign. The west side will contain vinyl letters only. Strictly interpreted the ordinance would only allow the LED portion on the east side to be 21.4 square feet. To meet both of these requirements leaves the sign too small to be effective along tenth street, and usable within the existing planter base.

**Application Fee Refund Information:**

The adopted Planning Department Schedule of Application Fees provides for the refunding of application fees for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom the refund should be provided:

Name: FIRST ASSEMBLY OF GOD CHURCH, INC.

Address 2100 TENTH STREET COLUMBUS IN 47201  
(number) (street) (city) (state) (zip)

**Applicant's Signature:**

The information included in and with this application is completely true and correct to the best of my knowledge and belief.

Rev. Ken H. Howarth  
(Applicant's Signature)

9-18-13  
(Date)

**Owner's Signature (the "owner" does not include tenants or contract buyers):**

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

Rev. Ken H. Howarth  
(Owner's Signature)

9-18-13  
(Date)

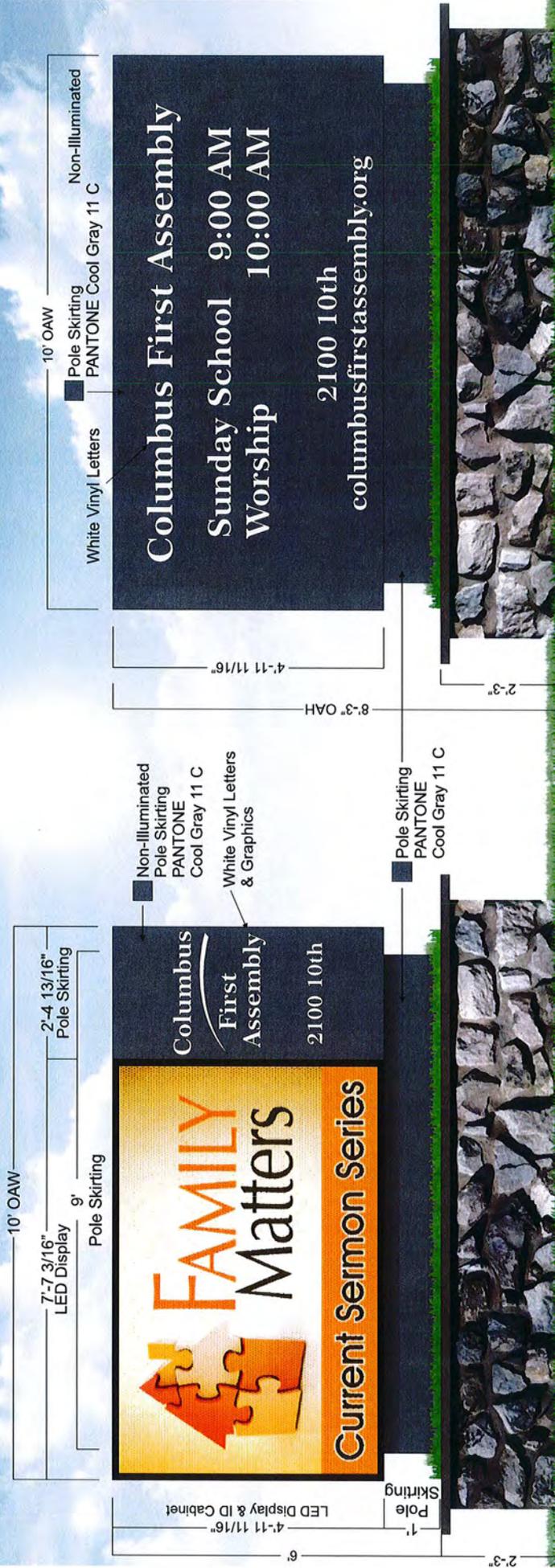
\_\_\_\_\_  
(Owner's Signature)

\_\_\_\_\_  
(Date)

# PANTONE COOL GRAY 11 C

FRONT VIEW

BACK VIEW



SCALE: 3/8" = 1'  
WHEN PRINTING, MAKE SURE TO SET PAGE SCALING TO NONE.

<p><b>Columbus First Assembly of God</b> CLIENT</p> <p>4' 11 11/16" x 7' 3/16" 10mm IPixel Full Color 144x224 IMatrix Single Face Display DESCRIPTION</p>	<p><b>Tom Eardley</b> PROJECT MANAGER</p> <p>09/18/13 DATE</p>	<p>2100 10th Street, Columbus, IN 47201 ADDRESS</p> <p>130102-1023-N DRAWING NUMBER</p>	<p>2100 10th Street, Columbus, IN 47201 ADDRESS</p> <p>130102-1023-N DRAWING NUMBER</p>
<p>ARTIST: G. RUIZ</p>		<p>ADVANTAGE LED SIGNS   1424 N. SAM HOUSTON PARKWAY E. SUITE 140   HOUSTON, TX 77032   (877) 328-6555   WWW.ADVANTAGELED SIGNS.COM</p> <p>© 2013 ALL RIGHTS RESERVED</p>	
<p>APPROVED BY: _____</p> <p>DATE: _____</p>		<p>APPROVED BY: _____</p> <p>DATE: _____</p>	