

BOARD OF ZONING APPEALS
PUBLIC HEARING
Monday, July 13, 2009
7:30 P.M.

Chairman Jim Smith called the Public Hearing to order at 7:30 p.m.

The following members were present: Donna Wendt Elliott, Scott Gluth and Jim Smith.

Also in attendance was: Robert Pauley, Village Administrator/Zoning Inspector, Cindy Garber, Secretary to the BZA, Mike Shadoan, Owner of Radiant Windows, LLC. Eva-Marie Morris, Adjoining property owner.

The purpose of the hearing was to obtain public comment on variances to Section 153.412-General Requirements for All Signs and Districts –(B) Requirements.

Chairman Smith administered the Oath to all present that wished to give testimony or make a statement.

Administrator Pauley explained the owner of the property at 101 N. Benton Street, Radiant Windows, LLC is requesting the following variances to allow installation of a sign in the front window of the building.

Section 153.412-General Requirements for All Signs and Districts – (B) Requirements

1. Requesting a variance from the requirement that any illuminated device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. Applicant is proposing to install a sign that would have intermittent or moving lights.
2. Requesting a variance from the requirement that no sign shall employ any parts or elements, which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Applicant is proposing to install a sign that would have motion.

Mr. Shadoan explained to the board the sign he is requesting can do moving and scrolling words. The sign will be inside the building, installed in the front window. He feels the sign is an excellent way to advertise any specials going on and new products that are available. He plans to help promote community activities as well. The sign is 78" wide and 12" tall. He wants to stress, he will be totally flexible with the neighbors, as well as the community. If the sign is

too bright, too busy, etc., it is completely programmable by software and he can tone it down, slow it down, make it less flashy or whatever the case may be. The sign will be on a timer and set to go off each night at a certain hour. He feels not only is the sign good for his business, but it's good for the community as well.

Administrator Pauley explained the proposed sign fits within our overall size requirements. The issues we need to consider is #1, that it has moving or intermittent lights by virtue of it scrolling and #2, is that it will have motion.

Ms. Eva Marie Morris lives at 501 W. Water Street and has no problem whatsoever with Mr. Shadoan's sign request.

No further comments, the hearing was adjourned at 7:43 P.M.

A handwritten signature in dark ink, appearing to read 'Jim Smith', written over a horizontal line.

Jim Smith, Chairman